Imam Nasai's Contribution Towards Hadith

Abdool Kader Hoosen

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Foreword by Sheikh Muhammad Taha Karaan

الحمد لله، وصلى الله على سيدنا محمد وآله وصحبه، وبعد:

The third century after the hijrah witnessed a significant watershed in the development of hadith literature. This was the emergence of the six collections generally known as the *Sihah Sittah*. These six works, on account of their comparative authenticity and their exclusive focus upon the Prophetic Sunnah, would eventually come to occupy pride of place amongst hadith works, enjoying a disproportionate share of scholarly attention in areas such as hadith transmission and the composition of commentaries, and serving as pre-eminent sources for purposes of ascription (*takhrij*) and for later secondary collectors.

Amongst these works the *Sunan* of Abu 'Abd al-Rahman al-Nasa'i RA appears to have received less than its deserved share of attention. The present work by my learned colleague Mufti Abdul Kader Hoosen is a welcome step towards correcting this perceived imbalance of the past.

Two decades spent as a senior lecturer in hadith, and later mufti, at Darul Uloom Newcastle have contributed significantly towards equipping the author for this task. Particularly worthy of note is the fact that when the *dawrat al-hadith* was taught to the first graduating students at Darul Uloom in 1983, the book taught by him was *Sunan al-Nasa'i*.

The duty of preserving the Sunnah with which this Ummah is charged entails both introducing our hadith literature, and defending its credentials. Mufti Abdul Kader, through this book, contributes meaningfully towards the discharge of a common obligation. May Allah reward his noble effort.

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To whom it may concern **15th September 2006.**

This is to confirm that Respected Hazrat Mufti Abdul Kader Hoosain حفظه الله was a Teacher/Lecturer for 20 years in Darul Uloom Newcastle.He Lectured on various subjects viz.Arabic grammer,Balaagah,Translation of the Holy Quraan,Tafseer of the Holy Quraan,Fiqh,Usoolul-Fiqh,Usoolul-Tafseer,Hadith and Usoolul-Hadith etc.

He was also a Mufti of Darul Uloom Newcastle for over ten years, during which period hundreds of Fatawa were issued to Istiftas on various matters relating to our noble Deen.

During this period he also delivered impressive talks on various topics of Deen throughout the Country whereby the Muslim Community derived authentic guidance on matters of Islamic Aqaaid and Laws of Islam.

May Allah give him health, wealth and a long life to carry on his noble Islamic activities. Ameen.

ML.C.M.SEMA.
PRINCIPAL.
DARUL ULOOM NEWCASTLE.

PRINCIPAL NEWCASTLE DARUL-ULOOM

DEDICATION

To my parents, Ismail Osman Hoosen (RA) and Halima Abu Bakr Suleiman (RA), who motivated me to pursue a course in the fields of Quran and Sunnah. May Almighty Allah grant them Jannatul Firdous, Aameen.

Acknowledgement

All Praise is due to Almighty Allah, the Cherisher and Sustainer of the universe. Peace and blessings be upon our Master and Leader Nabi Muhammad (sallallahu alayhi wasallam).

Nabi SAW said: "*Whosoever does not thank humanity has not thanked Almighty Allah.*" (Mishkat Shareef)

In the study of Hadith, the contribution of the Imams of Ahadith is undoubtedly incredible. When one studies the six famous books of Ahadith, Imam Tirmidhi (RA) & Imam Nasai (RA) feature prominently in the collection & compilation of authentic Ahadith. This book on Imam Nasai (RA) is the second publication in a comprehensive discussion on the invaluable contribution of the aforesaid Imams. The first being a book entitled "Imam Tirmidhi's Contribution Towards Hadith", published in 1990.

To all my teachers, especially Moulana Saleemullah Khan Saheb & Mufti Ridhaul Haq Saheb, who unselfishly spent many hours imparting their knowledge, may Almighty Allah reward them in both the worlds. May Almighty Allah grant Moulana Aziz Ahmad (RA) Jannatul firdous, by whom I studied Sunan Nasai.

I am indeed grateful to the late Moulana Casim Sema (RA), principal and founder of Darul Uloom Newcastle, South Africa for granting me the opportunity to teach the six authentic books of Ahadith.

The culmination of my work in print is due to the efforts of Dr Yunus Moosa & his family of Al-Islaah Publications. They readily accepted to proof-read this work for which I am most grateful.

I also wish to record my sincere gratitude to Sheikh Muhammad Taha Karaan, the principal of Darul Ulum Arabiyyah Islamiyyah, Cape Town for writing the foreword of this book.

I wish to place on record my sincere thanks to my wife, Fathima, for her moral support and most of all for the many hours she spent at the computer entering in copious volumes of data which enabled me to complete this book.

Abdool Kader Hoosen

21 Safar 1429
28 February 2008

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TRANSLITERATION SYSTEM FOLLOWED IN THIS WORK

Orthography	Transliteration
ا	'
ب	b
ت	t
ث	th
ج	j
ح	h
خ	kh
د	d
ذ	dh
ر	r
ز	z
س	s
ش	sh
ص	s

ض	d̲
ط	t̲
ظ	z̲
ع	`
غ	gh
ف	f
ق	q
ك	k
ل	l
م	m
ن	n
ه	h
و	w
ء	'
ى	y

NOTE: Details on Arabic vowel transcriptions are as follows:

a	as in "about"
â	as in "bark"
i	as in "sink"
î	as in "sheep"
u	as in "put"
û	as in "boot"

1. The definite article " al" has been omitted for proper nouns that begin with it in this study, for example, the following names appear without "al" : Nasâ'î, Shâfi`î and Suyûţî.
2. The consonant hamzah is not written with the usual transliterated (') when a word begins with it, for example, "Ahâdîth" .

List of Abbreviations

1. The letter "b" refers to "Ibn" or "bint" which means "son of" or "daughter of ".
2. " S.A.W." : Salla 'llâh `Alaihi Wa Sallam, i.e., Peace and blessings of Allâh be upon him (Prophet Muhammad).
3. "A.H." refers to "After Hijrah", the migration of Prophet Muhammad (S.A.W.) from Makkah to Madînah, which marks the starting point of the Islâmic calendar.

CHAPTER ONE

INTRODUCTION

1.1 REVIEW OF HADÎTH LITERATURE

The Qur'ân is the foundation on which the entire superstructure of Islâm is built, and being the only, absolute and final authority in every discussion appertaining to the principles and ordinances of Islâm, it may be claimed that the Qur'ân is the sole source from which all the teachings and practices of Islâm are derived. Sunnah (cf. glossary) or Hadîth (cf. glossary) is unquestionably the second fundamental source from which the ordinances of Islâm are drawn. The following subsections define the terms Sunnah and Hadîth, and show the status of Sunnah and the authority of the Prophet Muhammad (S.A.W.) [d. 11 A.H.], and other related issues.

1.2 THE DEFINITION OF THE TERMS SUNNAH AND HADÎTH

The Arabic word Sunnah (pl. sunan), lexically means a path, mode or course, whether it be beneficial or detrimental (Sabâ`î 1985: 47). In the Qur'ân, the word Sunnah, and/or its plural has been used sixteen times (Bâqî 1981: 367). Almighty Allâh proclaims (48: 23):

سنة الله التي قد خلت من قبل ولن تجد لسنة الله تبديلا (٤٨: ٢٣)

"Such were the ways of Allâh in days gone by: and you shall find that they remain unchanged".

Sunnah refers to the following features of Prophet Muhammad (S.A.W.) [570-632]:

a) His sayings: for example, actions are determined by intentions (Sabâ`î 1985: 47).

b) His actions: for example, how he performed the prayer or pilgrimage (Sabâ`î 1985: 47).

c) His tacit approval (Sa`îd 1987: 28): for example, `Â'ishah [d. 57 A.H.], the Prophet's (S.A.W.) wife, reports that the Prophet (S.A.W.) did not object to her lying down in front of him whilst he was engaged in prayer (Tabrîzî 1979: I/242).

d) His features (Sa`îd 1987: 28): for example, Anas b. Mâlik [d. 93 A.H.], who was the attendant of the Prophet (S.A.W.), describes him as a man not very tall or short, nor pallid nor dark in complexion (Mâlik 1982: 449).

e) His character (Sa`îd 1988: 28): for example, `Â'ishah describes the Prophet (S.A.W.) as a man who did not take revenge for himself unless the limits of Allâh were violated (Mâlik 1982: 437).

The jurists of Islâm have stated that Sunnah is applicable to actions not compulsory for Muslims. In Hadîth terminology Sunnah is applicable to an action which is either compulsory or voluntary (Ghuddah 1992: 19-20).

Another term which is related to the Sunnah is Hadîth. Hadîth (pl. Ahâdîth) literally means communication. In the early days of Islâm, the stories and communications concerning the Prophet (S.A.W.) dominated all types of communications. In the present time, the word Hadîth is used almost

exclusively for the narrations regarding the Prophet (S.A.W.) (Azami 1982: 15).

The term Hadîth is more general in meaning than Sunnah, since Sunnah contains the actions, sayings, tacit approval and character of the Prophet (S.A.W.). However, Hadîth comprises the descriptions of the Prophet's (S.A.W.) physical features (Sa`îd 1988: 28).

Every Hadîth consists of two parts. The first contains the names of the persons who have handed down the text of the tradition from one to another. This part is called the sanad (cf. glossary), which supports the reliability of the statement. The second part is the matn (cf. glossary) - the actual subject-matter (Juynboll 1965: 116).

The sanad is carefully scrutinized to study the qualities of each narrator in an attempt to establish whether the narrators are:

1. Trustworthy or untrustworthy.
2. Strong or weak of memory.
3. Reliable or fabricator.

The text is compared with other similar narrations to reinforce reliance and acceptability. Its grammar is also considered in order to distinguish it from fabricated texts.

1.3 THE STATUS OF THE PROPHET (S.A.W.)

This section deals with the Prophet's status. Prophets are not merely sent to propagate the word of Allâh, but they are also required to expound the Divine Book, to serve as practical examples of its application. (Usmani 1990: 6-7).

The Qur'ân states the functions of Prophet Muhammad (S.A.W.) in the following verses:

هو الذي بعث في الاميين رسولا منهم يتلوا عليهم اياته ويزكيهم ويعلمهم الكتاب والحكمة . وان كانوا من قبل لفي ضلال مبين (٢ : ٦٢) .

" It is He who has sent forth among the unlettered ones a Messenger of their own to recite to them His revelations, to purify them, and to teach them the Scripture and wisdom, though they were before in manifest error" (62:2).

The second verse is:

ربنا وابعث فيهم رسولا منهم يتلوا عليهم اياتك ويعلمهم الكتاب والحكمة ويزكيهم . انك انت العزيز الحكيم (٢: ١٢٩) .

"Our Lord, raise amongst them a Messenger who shall recite unto them Your revelations, and instruct them in the Scripture and Wisdom and purify them. You are the Mighty, the Wise One" (2:129).

The Qur'ân leaves no ambiguity about the fact that the Prophet's (S.A.W.) function was to recite and interpret the verses. If the people could apply the verses as they deem fit, the Prophet's (S.A.W.) function would be futile. The Prophet (S.A.W) was sent to teach the Qur'ân and wisdom, and was assigned the task of purifying the people. This implies that the abstract teaching of the book and wisdom be followed by practical application to enable the people to apply the book and wisdom in the manner in which Allâh requires them (Usmani 1990: 8-9). In the light of the verses quoted above, Allâh forbids everyone from free, biased and personal interpretation. Allâh uncompromisingly demands complete adherence to the interpretations rendered by the Prophet (S.A.W.) of specific issues. Hence, the Qur'ân has used two different terms: Itâ`ah (cf. glossary) and Ittibâ` (cf. glossary). The former refers to the sayings and commandments of the Prophet (S.A.W.), whilst the latter relates to his actions and deeds. By instructing the Muslims to obey and follow the Prophet (S.A.W.), the Qur'ân has authorized both his sayings and actions (Usmani 1990: 9). By authorization is meant that the Ahâdîth have assertive and imposing authority upon Muslims. In the context of this thesis, the acceptable Ahâdîth of Nasâ'î's *Sunan* (cf. glossary) have a direct effect on the respective sections of Islâmic jurisprudence. Since its importance cannot be negated (as a result of its being a collection of Ahâdîth), it requires scholarly attention and erudite appraisal. The Qur'ân is replete with verses regarding obedience to the Prophet (S.A.W.); hence, it co-exists with obedience to Allâh:

قل اطيعوا الله والرسول فان تولوا فان الله لايحب الكافرين (٣: ٣٢) .

" Say! Obey Allâh and the Messenger. But if they turn away, then, truly, Allâh does not love the disbelievers " (3:32).

واطيعوا الله والرسول لعلكم ترحمون (٣: ١٣٢) .

"And obey Allâh and the Messenger, that you may find mercy" (3:132).

واطيعوا الله واطيعوا الرسول واحذروا (٥: ٩٢) .

"Obey Allâh and obey the Messenger, and beware" (5:92).

واطيعوا الله ورسوله ولا تنازعوا فتفشلوا (٨: ٤٦) .

"And obey Allâh and His Messenger, and dispute not one with another lest you falter" (8:46).

ياايها الذين امنوا اطيعوا الله واطيعوا الرسول ولا تبطلوا اعمالكم (٤٧: ٣٣) .

"O you who believe! Obey Allâh and obey the Messenger, and do not nullify your actions" (47:33).

The Qur'ân has emphasized obedience to the Prophet (S.A.W.). This obedience cannot be actualised at any stage without a verification of his sayings. Thus every work of Hadîth adds to the importance of the Sunnah.

Besides, the Qur'ân states:

وما ارسلنا من رسول الا ليطاع باذن الله (٦٤: ٤) .

" We sent no Messenger save that he should be obeyed by Allâh's leave" (4:64).

This verse elucidates further that obedience to the Prophet is not an innovation but rather is as old as man's existence.

It is noteworthy that wherever and whenever obedience to Allâh is mentioned in the Qur'ân, it is always followed by obedience to the Prophet (S.A.W.). In contrast, there are certain verses where obedience only to the Messenger has been mentioned (Usmani 1990: 15). Allâh proclaims:

واقيموا الصلاة واتوا الزكاة واطيعوا الرسول لعلكم ترحمون (٥٦ :٢٤) .

"And establish your prayer and pay the poor-due and obey the Messenger, so that you may be shown mercy" (24:56).

ومن يشاقق الرسول من بعد ما تبين له ويتبع غير سبيل المؤمنين نوله ما تولي ونصله جهنم وساءت مصيرا (١١٥: ٤) .

"And he who disobeys the Messenger after Our guidance has been manifested unto him, and follows a path other than that of the believers. We appoint for him that unto which he has turned. We will cast him into Hell: a dismal end (4:115).

The reason for emphasizing obedience to the Messenger is that obedience to Allâh can never be accomplished without obedience to the Prophet (S.A.W.). This fact has been clearly established by the following verse of the Qur'ân:

من يطع الرسول فقد اطاع الله (٨٠ :٤) .

" Whosoever obeys the Messenger, obeys Allâh" (4:80).

The Qur'ânic verses pertaining to Ittibâ` are:

قل ان كنتم تحبون الله فاتبعوني يحببكم الله ويغفرلكم ذنوبكم والله غفور رحيم (٣١: ٣).

"Say, (O Muhammad, to mankind): If you love Allâh, follow me; Allâh will love you and forgive you your sins. Allâh is Oft-Forgiving, the Most Merciful" (3:31).

ربنا امنا بما انزلت واتبعنا الرسول فاكتبنا مع الشاهدين (٣:٥٣).

"Our Lord! We believe in Your revelations and follow the Messenger. Enrol us among those who witness (the truth)" (3:53).

لقد تاب الله علي النبي والمهاجرين والانصار الذين اتبعوه في ساعة العسرة

. (٩:١١٧)

"Allâh turned in mercy to the Prophet, and to the Muhâjirîn (cf. glossary) and the Anṣâr (cf. glossary) who followed him in the hour of hardship" (9: 117).

The history of religion bears testimony to the fact that injunctions and commandments are inadequate in themselves to make people obey them. They do not create the right conditions and environment conducive to moral behaviour of the people; for example, the command to establish prayer does not produce the mental awareness and conditions necessary for the preservation of its form. The act of prayer requires rules and formalities to render it effective and meritorious (Nadwi 1982: 15-17). The biography of the Prophet (S.AW.) lucidly displays that the exhortations of the Prophet (S.A.W.) coupled with his personal example have exerted such an influence, that prayer is the most efficacious instrument of self-purification. Similar is the application to acts of worship like fasting, payment of poor-due and pilgrimage to Makkah. It will be difficult to conceive how these devotional exercises would be able to retain their effectiveness to stir the feeling of reverence, piety and eagerness for attaining Divine consciousness if the events of the Prophet's (S.A.W.) life, his sayings and actions were not preserved. The essence of religion is to make a man a human - a being with feelings, love and understanding. It retains its warmth presenting living examples of its teachings which infuse life-blood into its adherents (Nadwi 1982: 15-17). Allâh always sent Divine scriptures down with Prophets, but never did a

Prophet come down without Divine revelations (Usmani 1990: 21-22).

Ghulam Ahmad Parwez [d. 1985], the founder of the journal Tulû` Islâm, is of the opinion that obedience to the Prophet (S.A.W.) implies obedience to a Head of State or ruler (Parwez 1988: 59). Hence, according to Parwez, obedience to the Prophet (S.A.W.) is not essential after his demise (Khân 1986: 39). The fallacy of this misconception is evident in the following verse:

يايها الذين امنوا اطيعوا الله واطيعوا الرسول واولي الامر منكم فان تنازعتم في شيء فردوه الي الله والرسول ان كنتم تؤمنون بالله واليوم الاخر ذالك خير واحسن تأويلا (٤:٥٩) .

> "O you who believe! Obey Allâh, and obey the Messenger and those of you who are in authority; and if you have a dispute concerning any matter, refer it to Allâh and the Messenger if you are believers in Allâh and the Last Day. That is better and more seemly in the end" (4:59).

Obedience to the Messenger has been distinguished from that of the ruling authorities; thus the Messenger and those in authority are both to be obeyed in their different capacities. Another pertinent aspect regarding the above verse is that the word 'Messenger' is in the singular, whilst the phrase 'those in authority' is plural, since اولي (Ulî) is the plural of ذو (Dhû). This is to signify that the Prophet (S.A.W.) is the last Messenger and obedience will always be confined to him (Usmani 1990: 40-42).

Comparatively, the worlds' ruling authorities are restricted to a particular era or locality. This is the reason a ruler has only administrative authority over his subjects.

Nevertheless, it is beyond the authority of a Muslim ruler to override any rule of the Sharî`ah (cf. glossary) enshrined in the Qur'ân and Sunnah. Nor can his orders be regarded as imperative for all times, as those of the Sharî`ah are, since they are not based on any revelation from Allâh (Usmani 1990: 40-42). Hence obedience to the Prophet (S.A.W.) takes precedence over obedience to Head of State or ruler.

1.4 PROPHET'S (S.A.W.) AUTHORITY TO INTERPRET THE QUR'ÂN

The Qur'ân states:

وانزلنا اليك الذكر لتبين للناس ما نزل اليهم ولعلهم ما يتفكرون (١٦: ٤٤)

> "And We have revealed unto you the Reminder, so that you may explain to mankind what has been revealed for them, and that they may reflect" (16:44).

This implies that the Prophet (S.A.W.) was the final authority with regard to the interpretation of the Qur'ân. It is obvious that the Arabs of Makkah were directly addressed by the Prophet (S.A.W.) and were not in need of any translation of the Divine text. Despite being illiterate, their impressive

speeches and eloquent poetry are still considered as the basic sources for Arabic literature. They understood the literal meaning of the Qur'ân, hence there was no need for anyone to teach it to them (Usmani 1990: 53-54).

It is thus obvious that the explanation entrusted to the Prophet (S.A.W.) was something more than the literal meaning of the book. Hence the Qur'ân states:

ثم ان علينا بيانه (٧٥: ١٩) .

"Then We shall explain its meaning" (75:19).

Allâh had assured the Prophet (S.A.W.) that He shall explain the book to him. Thus, whatever explanation the Prophet (S.A.W.) rendered was based on the explanation of Allâh himself.

This fact is self-evident in the following verses:

وما ينطق عن الهوي . ان هو الا وحي يوحي (٤-٣ :٥٣) .

"And he does not speak out of his own desire. This is an inspired revelation" (53:3-4).

1.5 THE QUR'ÂN'S DEPENDENCE UPON THE SUNNAH

The Qur'ân states in certain verses that it is easy to understand it. Yet elsewhere Prophetic explanation is emphasized. The reason for this apparent discrepancy is related to the various subjects recorded in the Qur'ân. Certain verses are related to historical events regarding former Prophets and their

nations. Others explain how Allâh's bounties are bestowed on mankind - the cosmological signs of Divine power. There are others detailing pleasures of paradise and the chastisement of hell. In contrast, the provisions of Islâmic Law, details of doctrinal issues and the wisdom of certain injunctions form other verses of the Qur'ân (Usmani 1990: 59-61).

The first type of verses classified in the Qur'ân are dhikr (cf. glossary). Undoubtedly these verses are easy to comprehend. In this regard Allâh states:

ولقد يسرنا القران للذكر فهل من مدكر (٥٤:٢٢:) .

"And in truth We have made the Qur'ân easy to remember; but are there any who remembers" (54:22).

Had the interpretation of the Qur'ân been allowed to be done by everyone, irrespective of the depth of his knowledge, then Allâh would not have entrusted the Prophet (S.A.W.) with the functions of teaching and explaining the book. With regard to the verses which require an explanation the Qur'ân itself states:

وتلك الامثال نضربها للناس وما يعقلها الا العالمون (٢٩: ٤٣) .

"As for these similitudes, We coin them for mankind, but none will grasp their meaning save the wise" (29:43).

Thus, the 'easiness' of the subjects of the first type does not preclude the necessity of a Prophet, who expounds the legal and practical implications contained in the Qur'ân (Usmani 1990: 59-61). It is also evident that similitudes require Prophetic clarification. Despite the fact that the Qur'ân is the primary source of the Sharî`ah, it cannot be understood correctly, except through the Sunnah. The detailed laws regarding Salât (cf. glossary), Zakât (cf. glossary), Saum (cf. glossary) and Haj (cf. glossary) are not to be found in the Qur'ân, but in the Sunnah. Thus Awzâ`î [d. 157 A.H.] said: "The Qur'ân is more in need of the Sunnah to be explained, than the Sunnah is in need of the Qur'ân (Sâlih 1986: 296). Scholars like Awzâ`î implied that the best person who knew the meaning of the Qur'ân was the Prophet (S.A.W.). Hence, when Mutarrif b. `Abd Allâh was told, "Do not teach us anything but the Qur'ân", he replied, "By Allâh, we do not wish to teach anything except the Qur'ân, but from the one who knows the Qur'ân better than all of us" (Sâlih 1986: 296).

The memorization of the Qur'ân by the companions of the Prophet (S.A.W.) followed certain strict criteria that ensured that the exact wording of the Qur'ânic revelation was not compromised. It has been compiled and accepted to have authority in the Sharî`ah. Since the Qur'ân is dependant upon the Ahâdîth for the interpretation of many injunctions, the need therefore arises to discuss the authenticity of the Sunnah. It is the primary reason for which the Ahâdîth, inclusive of those recorded by Nasâ'î, has an importance in the Sharî`ah.

1.6 THE VERIFICATION OF THE SUNNAH'S AUTHENTICITY

To appreciate the Sunnah, one has to study the personality and conduct of the Prophet (S.A.W.) from various angles:

1. He was a statesman and even his enemies had to ponder over his statesmanship.
2. He was the supreme commander who participated in several battles, and his enemies were eager to know about his military tactics and strategy.
3. He was the supreme judge, whose decree has everlasting precedence.
4. He was and is the most loved person in the universe for his people, but above all, he was the final Messenger of Allâh on this planet.
5. His multi-dimensional personality and his unique role demand the preservation of his Sunnah. This stupendous task was not left to the whims of the society or to a government. One may ask what measures had been undertaken by the Prophet (S.A.W.) and his companions for the diffusion and preservation of the Sunnah (Azami 1982: 16).

Since the authenticity of the Sunnah is proven, it is impossible for Muslims to follow the Prophet's (S.A.W.) life pattern without the Sunnah's preservation and authenticity. Thus it is important to note the methods by which the Sunnah was authentically preserved, transmitted to successive generations and cared for by scholars of Aḥâdîth.

1.7 MEASURES INTRODUCED BY THE PROPHET (S.A.W.) TO DIFFUSE THE SUNNAH

The Prophet (S.A.W.) personally taught his companions the Qur'ân and the Sunnah and instructed them to teach it to those who were not present. Thus, on one occasion the Prophet (S.A.W.) commanded that if a companion had learnt only one verse from him (Prophet), he should convey it to another (Bukhârî n. d.: IV/442).

Delegations coming to Madînah were commanded to teach their people on their return. For instance, when the delegation of `Abd al-Qais came to the Prophet (S.A.W.), they requested the Prophet (S.A.W.) to teach them so that they could convey his teachings to their people (Tirmidhî 1987: V/10).

The Prophet (S.A.W.) not only gave directives for the education of the people but also created incentives for teachers and students. Thus the Prophet (S.A.W.) stated with regard to:

(a) Reward for students: If anyone pursues a path in search of knowledge, Allâh will thereby make easy for him a path to Paradise. The angels will spread their wings in gratification for one who seeks knowledge, and all the inhabitants of the heavens and earth, even the fish in the depths of water, will ask forgiveness for him (Tabrîzî 1979: I/74).

(b) Reward for teachers: When a man dies, his actions come to an end, with three exceptions: recurring charity, continual knowledge and the prayers of a pious child for him (Azami 1982: 17).

Ghulam Ahmad Parwez (1988: 25) was of the opinion that the Sunnah was not preserved in a trustworthy manner. Unlike the Qur'ân, he alleged there is no other book comprising the entire Sunnah. The corpus of Hadîth contains a large number of traditions which were compiled in the second or third century of hijrah. Before analyzing the historical aspects of the Sunnah, this objection will be responded to.

It is an established fact that obedience to the Prophet (S.A.W.) is mandatory upon all Muslims; but if the Sunnah is unreliable, this obedience cannot be fulfilled. Allâh has thus enjoined upon us to obey the Messenger in a highly abstract manner. If Allâh has made it obligatory to follow the Sunnah, He has preserved it for us in a reliable form as it is stated in the Qur'ân (Usmani 1990: 75-76):

انا نحن نزلنا الذكر وانا له لحافظون (١٥: ٩) .

" We revealed the Reminder, and We shall preserve it" (15:9).

In this verse the word dhikr refers to the Qur'ân and Hadîth; the latter which is wahî khafî (cf. glossary). Thus whatever was expounded by the Prophet (S.A.W.) is Divine revelation. This shows that Allâh's promise to safe-guard the reminder is applicable to both the Qur'ân and the Sunnah, since both are divinely inspired (Doi 1984: 45).

واذكرن ما يتلي في بيوتكن من ايات الله والحكمة ان الله كان لطيفا خبيرا (٣٤ :٣٣) .

"And commit to memory that which is recited in your houses of the revelations of Allâh and wisdom. Verily Allâh is All-Knowing of Subtilities, All-Aware" (33:34).

In this verse the wives of the Prophet (S.A.W.) were commanded by Allâh to memorize and study the verses of the Qur'ân and "Hikmah". Since, besides the Qur'ân, no other source of legislation existed but the Ahâdîth, the Arabic word "Hikmah" was interpreted to refer to the Hadîth. It was therefore a form of Divine inspiration, since it has been given Divine sanction in the Qur'ân (Shafî` 1977: VII/141).

1.8 PRESERVATION OF THE SUNNAH

The companions of the Prophet (S.A.W.) committed a large number of Ahâdîth to writing. Yet, this was not the sole means of their preservation. There were other ways, namely, memorization and practice (Usmani 1990: 83).

1.8.1 MEMORIZATION

The companions of the Prophet (S.A.W.) used to memorize the Aḥâdîth, as the Prophet (S.A.W.) said: " May Allâh bestow vigour upon a person who hears my saying and memorizes it, then conveys it to others exactly as he hears it". They used to learn the Qur'ân and Ḥadîth from the Prophet (S.A.W.) mostly in the mosque. Mu`âwiyah [d. 60 A.H.], the founder of the Umayyad Dynasty, said that when the Prophet (S.A.W.) departed they used to recollect what they had learnt. Anas b. Mâlik vividly recalls such occasions and states that approximately sixty persons sat with the Prophet (S.A.W.), whilst he taught them Ḥadîth. Subsequently when the Prophet (S.A.W.) departed, they used to memorize it and when they dispersed, they felt that their 'hearts' were satiated (Azami 1982: 18).

The companions of the Prophet (S.A.W.) were eager to practise the Aḥâdîth and used to devote considerable time committing Aḥâdîth to memory. A large number of them left their homes and began to live in the porch of the mosque of the Prophet (S.A.W.). They were thus called "Aṣḥâb al-Ṣuffah" (cf. glossary) (Usmani 1990: 83).

The Arabs had strong retentive faculties and could easily commit hundreds of verses of poetry to memory. They memorized their ancestry as well as the pedigrees of their animals. Thus Abû Hurairah [d. 58 A.H.], a companion of the Prophet (S.A.W.), transmitted 5 374 Aḥâdîth (Usmani 1990: 84). Actually, these are not the number of traditions, but the number of channels through which the Aḥâdîth of Abû Hurairah were transmitted. The most recent research shows that the number of traditions transmitted by him are

1 236 (Azami 1982: 21). Abû Hurairah says, "I divided the night into three parts: one third of the night I would pray; one third I would sleep; and one third I would memorize the traditions of the Prophet (S.A.W.)" (Usmani 1990: 84).

Once Marwân [d. 65 A.H.], the governor of Madînah, tested Abû Hurairah's memory. Marwân invited him to his house and requested him to narrate some Ahâdîth, whilst Marwân had ordered his scribe Abû Zu`ayza`ah to sit behind a curtain and note the traditions narrated by Abû Hurairah. After a year had passed Marwân once again invited Abû Hurairah and requested him to repeat the traditions which he had narrated the previous year. He instructed Abû Zu`ayza`ah to take his position and compare the present traditions with those which he had recorded previously. Abû Zu`ayza`ah found that Abû Hurairah had not omitted a single word in his second presentation of the narration (Ibn Kathîr 1980: VIII/106).

Prior to their deaths, the companions entrusted the Ahâdîth to the next generation which had to take on this responsibility. As such, the diffusion of the Sunnah was primarily done through oral recitation and memorization (Azami 1982: 19).

1.8.2 PRACTICE

The knowledge of Sunnah was not merely a philosophy; rather, it was related to practical life. Each companion was so enthusiastic in practising the Sunnah of the Prophet (S.A.W.), that he tried his utmost to emulate the Prophet's (S.A.W.) personal habits. The Sunnah was central to all their activities. The

lives of the companions were structured entirely around the Sunnah of the Prophet (S.A.W.), hence making it practically impossible for them to forget. (Usmani 1990: 92-93).

1.8.3 WRITING

In the earlier days the Prophet (S.A.W.) had prohibited the companions from writing anything other than the verses of the Qur'ân. However, this prohibition was not due to the fact that Aḥâdîth had no authoritative status, but due to the fact that the Prophet (S.A.W.) had instructed them to narrate his Aḥâdîth orally. Hence, the complete text of the Ḥadîth reads as follows; "Do not write (whatever you hear) from me, and whosoever has written anything besides the Qur'ân from me, he should erase it. Narrate to others (what you hear) from me, and whosoever deliberately attributes a lie to me, he should prepare his seat in the fire" (Muslim n.d.: IV/2298-2299; Usmani 1990: 93).

The reason for the initial prohibition was that the companions of the Prophet (S.A.W.) were not fully acquainted with the Qur'ânic style. It was feared that some of them would adulterate the traditions with the Qur'ânic verses unwittingly. However, as writing material was a scarce commodity in that period, the verses of the Qur'ân were written on pieces of leather, wood, stones and bones of animal. If the Aḥâdîth were written in the same manner, then it would be almost impossible to distinguish between the writings of the Qur'ân and those of the Ḥadîth. The lack of familiarity with the Qur'ânic style would also add to sustaining the confusion. When the companions became fully conversant with the style of the Qur'ân and writing material became available, this transitory measure of precaution was withdrawn, as the danger

of confusion no longer existed (Usmani 1990: 93-95).

This is evident from the examples given below:

a) One of the companions of the Prophet (S.A.W.) complained to him that he listened to the traditions, but occasionally forgot them. The Prophet (S.A.W.) said: "Seek help with your right hand" and simulated writing with his hand (Tirmidhî 1987: V/38).

b) Râf`i b. Khadîj [d. 73 A.H.], a companion of the Prophet (S.A.W.), enquired: "Should we record the many things we hear from you, O Prophet (S.A.W.)?" He replied, "You may write as there is no harm" (Suyûṭî 1972: II/66).

During the conquest of Makkah (8 A.H.), the Prophet (S.A.W.) delivered a multi-faceted sermon which covered a number of subjects. A person from the gathering, Abû Shâh, requested the Prophet (S.A.W.) to provide the sermon to him in writing. The Prophet (S.A.W.) instructed his companions to record it for Abû Shâh (Usmani 1990: 95).

Although writing material was scarce, writing nevertheless existed since the Qur'ân was written on bones, paper or leather. The Arabs also engaged in the compilation of poetry which they hung on the Ka`bah (cf. glossary). There is also evidence that despite the general prohibition, during the initial phase of revelation, certain companions were permitted by the Prophet (S.A.W.) to record Aḥâdîth. The following section shows that the compilation of Ḥadîth, nevertheless, began from the early stages of Prophethood.

1.9 COMPILATIONS OF HADÎTH IN THE DAYS OF THE PROPHET (S.A.W.)

In the tenth year after hijrah when Najrân was conquered by the Muslims, the Prophet (S.A.W.) appointed his companion, `Amr b. Hazm [d. 53 A.H.], as governor of the province of Yemen. The Prophet (S.A.W.) during his life-time dictated a treatise to Ubay b. Ka`b [d. 19 A.H.] and then handed it over to `Amr b. Hazm who fulfilled his duties as governor according to the contents of this book. After his demise this document remained with his grandson Abû Bakr. Zuhrî [d. 124 A.H.], a successor, who transcribed this treatise and taught it to his students (Usmani 1990: 101).

It is reported, on the authority of `Abd Allâh b. `Umar [d. 73 A.H.], that the Prophet (S.A.W.) dictated rules regarding the levy of Zakât and specified its amount. This document was entitled *Kitâb al-Sadaqah*. Prior to this document being dispatched, the Prophet (S.A.W.) passed away. Subsequently, Abû Bakr [d. 13 A.H.], the first caliph of Islâm, dispatched the document (Abû Dâwûd, n.d.: II/225).

Mujâhid [d. 100 A.H.], a successor, says that he went to `Abd Allâh b. `Amr [d. 63 A.H.], who was a companion of the Prophet (S.A.W.). He tried to remove a script which was placed under his cushion, but `Abd Allâh b. `Amr prevented him from doing so. Mujâhid retorted that his host had not concealed anything from him previously. He then replied, "This is the *Sâdiqah* (the script of truth). It is what I heard from the Prophet (S.A.W.). No other narrator intervened between him and myself. If this script, the book of Allâh and wahad (cf. glossary) are secured for me, I would not care about the

rest of the world". This script remained with his children and grandson, `Amr b. Shu`aib, who taught the 1 000 Aḥâdîth contained in it (Usmani 1990: 106).

`Alî [d. 40 A.H.], the fourth caliph of Islâm, says that he had not written anything from the Prophet (S.A.W.) except the Qur'ân and what was contained in this script. Bukhârî [d. 256 A.H.] has mentioned the script of `Alî at six different places in his *Saḥîḥ* (cf. glossary). A combined study of this script reveals that it consisted of Aḥâdîth pertaining to blood money, ransom, laws of inheritance, rights of non-Muslims, Zakât on camels and instructions regarding the sanctity of the city of Madînah (Usmani 1990: 107-108).

Anas b. Mâlik [d. 93 A.H.] was ten years old when his mother brought him to the Prophet (S.A.W.). Subsequently he served the Prophet (S.A.W.) for ten years. Anas on one occasion remarked that he had the notebooks in which he had recorded the Aḥâdîth which he heard from the Prophet (S.A.W.). He further states that he presented them to the Prophet (S.A.W.) for confirmation (Usmani 1990: 107).

Abû Hurairah is reported to have had books of Ḥadîth in his possession and at least nine students copied Aḥâdîth from them. `Â'ishah, who transmitted 2 210 Aḥâdîth, had at least three persons who compiled her traditions in written form, including her nephew `Urwah b. Zubair [d. 94 A.H.]. Thus it is quite safe to assume that most of the Aḥâdîth, if not all of them, were written during the life-time of the companions of the Prophet (S.A.W.) (Azami 1982: 21-22).

The history of the compilations of Hadîth after the demise of the companions is very vast. Muslims who saw and/or lived with the companions are called tâbi`ûn (cf. glossary). Their compilations were not normally arranged according to subjects. The first known book of Hadîth to have been arranged was *Al-Abwâb* of Sha`bî [d. 103 A.H.] (Usmani 1990: 111).

One of the books written in the days of the tâbi`ûn was the script of Hammâm b. Munabbah [d. 131 A.H.], a pupil of Abû Hurairah. The former recorded 138 Ahâdîth on the authority of Abû Hurairah and entitled this work as *Al-Sahîfah al-Sahîhah* (Khân 1986: 97). In 1373 A.H. (1954) two manuscripts of this book which were discovered in the libraries of Berlin and Damascus were published by Hamidullah with an introduction. He edited these manuscripts and compared their text with the one narrated in *Musnad Ahmad* and found only minor differences. This shows that the books of the tâbi`ûn were included in the subsequent books of Ahâdîth with the necessary precautions (Usmani 1990: 112-113).

It is evident that the compilation of Ahâdîth had begun in the very days of the Prophet (S.A.W.) and continued until the third century through four major periods (Nadvi 1989: 36). Details are given in [Table 1.1] and [Table 1.2]:

[Table 1. 1] **1.9.1 THE FIRST PERIOD**

Companions of the Prophet (S.A.W.) who narrated more than 1 000 Aḥâdîth

Name	Death	Number of Narrations	Reference
1. Abû Hurairah	59 A.H.	5 374	Ibn Ḥazm 1984: 79
2. `Abd Allâh b. `Umar	74 A.H.	2 630	Ibn Ḥazm 1984: 79
3. Anas b. Mâlik	93 A.H.	2 286	Ibn Ḥazm 1984: 79
4. `A'ishah	57 A.H.	2 210	Ibn Ḥazm 1984: 79
5. `Abd Allâh b. `Abbâs	68 A.H.	1 660	Ibn Ḥazm 1984: 80
6. Jâbir b. `Abd Allâh	78 A.H.	1 540	Ibn Ḥazm 1984: 80
7. Abû Sa`îd al-Khudrî	74 A.H.	1 170	Ibn Ḥazm 1984: 80

[Table 1.1 cont.] Companions who narrated between 500 and 1 000 Aḥâdîth

8. `Abd Allâh b. Mas`ûd	32 A.H.	848	Ibn Ḥazm 1984: 80
9. `Abd Allâh b. `Amr b. `As	65 A.H.	700	Ibn Ḥazm 1984: 80
10. `Alî	40 A.H.	586	Ibn Ḥazm 1984: 80
11. `Umar	23 A.H.	537	Ibn Ḥazm 1984: 81

[Table 1.1 cont.] Companions who narrated less than 500 Ahâdîth

12. `Umm Salamah	59 A.H.	378	Ibn Hazm 1984: 81
13. Abû Mûsâ Ash`arî	42 A.H.	360	Ibn Hazm 1984: 81
14. Barâ' b. `Âzib	72 A.H.	305	Ibn Hazm 1984: 81
15. Abû Dhar Ghifârî	32 A.H.	281	Ibn Hazm 1984: 81
16. Sa`d b. Abû Waqqâs	55 A.H.	271	Ibn Hazm 1984: 81
17. Abû Umâmah Bâhilî	86 A.H.	250	Ibn Hazm 1984: 81
18. Sahl b. Sa`d	88 A.H.	188	Ibn Hazm 1984: 81
19. `Ubâdah b. Sâmit	34 A.H.	181	Ibn Hazm 1984: 81
20. `Imrân b. Husain	52 A.H.	180	Ibn Hazm 1984: 81
21. Abû Dardâ'	35 A.H.	179	Ibn Hazm 1984: 81
22. Abû Qatâdah	54 A.H.	170	Ibn Hazm 1984: 82
23. Buraidah b. Husaib	63 A.H.	167	Ibn Hazm 1984: 82
24. Ubayy b. Ka`ab	20 A.H.	164	Ibn Hazm 1984: 82
25. Mu`âwiyah b. Abû Sufyân	60 A.H.	163	Ibn Hazm 1984: 82
26. Mu`âdh b. Jabal	18 A.H.	157	Ibn Hazm 1984: 82
27. Abû Ayyûb Ansârî	52 A.H.	155	Ibn Hazm 1984: 82
28. Jâbir b. Samurah	71 A.H.	146	Ibn Hazm 1984: 82

[Table 1.1 cont.]

29. `Uthmân	35 A.H.	146	Ibn Hazm 1984: 82
30. Abû Bakr	13 A.H.	142	Ibn Hazm 1984: 82
31. Mughîrah b. Shu`bah	50 A.H.	136	Ibn Hazm 1984: 82
32. Abû Bakrah	51 A.H.	132	Ibn Hazm 1984: 82
33. `Usamah b. Zayd	54 A.H.	128	Ibn Hazm 1984: 83
34. Thawbân	54 A.H.	127	Ibn Hazm 1984: 83
35. Samurah b. Jundub	58 A.H.	123	Ibn Hazm 1984: 83
36. Nu`mân b. Bashîr	65 A.H.	114	Ibn Hazm 1984: 83
37. Abû Mas`ûd Anṣârî	39 A.H.	102	Ibn Hazm 1984: 83
38. Jarîr b. `Abd Allâh	51 A.H.	100	Ibn Hazm 1984: 83

[Table 1.2] **1.9.2 THE SECOND PERIOD**

Books By	Death	Reference
1. Sulaimân al-Yashkûrî	79 A.H.	Usmani 1990: 114
2. Abu 'l-`Âliyah	90 A.H.	Usmani 1990: 114
3. Sa`îd b. Jubair	95 A.H.	Usmani 1990: 114
4. Mujâhid b. Jabr	100 A.H.	Usmani 1990: 114
5. `Umar b. `Abd al-`Azîz	101 A.H.	Usmani 1990: 114
6. Khâlid b. Ma'dân	104 A.H.	Usmani 1990: 113
7. Abû Qilâbah	104 A.H.	Usmani 1990: 113
8. Hasan al-Basrî	110 A.H.	Usmani 1990: 113
9. Rajâ' b. Haywah	112 A.H.	Usmani 1990: 114
10. Makhûl (Syrian)	113 A.H.	Usmani 1990: 114
11. Muhammad al-Bâqir	114 A.H.	Usmani 1990: 114
12. Hakam b. `Utaibah	117 A.H.	Usmani 1990: 114
13. Bukair b. `Abd Allâh b. al-Ashajj	117 A.H.	Usmani 1990: 114
14. Qais b. Sa`d	117 A.H.	Usmani 1990: 114
15. Abû Bakr b. Muhammad b. `Amr b. Hazm	120 A.H.	Usmani 1990: 115
16. Muhammad b. Shihâb al-Zuhrî	124 A.H.	Usmani 1990: 114

Nadvi (1989: 37) states that by the middle of the second century the second period of the development of Hadîth came to an end. The scholars of the second period, besides those mentioned above, are listed below:

1. `Abd al-Mâlik b. Juraij	[d. 150 A.H.]
2. Ma`mar b. Râshid	[d. 153 A.H.]
3. Awzâ`î	[d. 157 A.H.]
4. Sufyân al-Thawrî	[d. 161 A.H.]
5. Hammâd b. Salamah	[d. 167 A.H.]
6. Mâlik b. Anas	[d. 179 A.H.]
7. `Abd Allâh b. Mubârak	[d. 181 A.H.]

1.9.3 THE THIRD PERIOD

The basic characteristic of the books written in the second century is that a large number of them were arranged according to their subjects - unlike those of the first century. Nevertheless, compilations without the necessary arrangements continued into this century - a few prominent ones are listed in [Table 1. 3]:

[Table 1.3] **BOOKS OF THE THIRD PERIOD**

Book/s	Names	Death	Reference
1. Musnad	Zaid b. `Alî	122 A.H.	Usmani 1990: 117
2. Book	Yahyâ b. Abû Kathîr	129 A.H.	Usmani 1990: 116
3. Book	Muhammad b. Sûqah	135 A.H.	Usmani 1990: 116
4. Tafsîr	Zaid b. Aslam	136 A.H.	Usmani 1990: 116
5. Book	Mûsâ b. `Uqbah	141 A.H.	Usmani 1990: 116
6. Book	Ash`ath b. `Abd al-Malik	142 A.H.	Usmani 1990: 116
7. Book	`Aqil b. Khâlid	142 A.H.	Usmani 1990: 116
8. Book	Yahyâ b. Sa`îd Ansârî	143 A.H.	Usmani 1990: 116
9. Book	`Awf b. Abî Jamîlah	146 A.H.	Usmani 1990: 116
10. Books	`Abd Allâh b. Lahi`ah	147 A.H.	Usmani 1990: 117
11. Books	Ja`far al-Sâdiq	148 A.H.	Usmani 1990: 116
12. Book	`Abd al-Mâlik b. Juraij	150 A.H.	Usmani 1990: 115
13. Kitâb al-Âthâr	Abû Hanîfah	150 A.H.	Usmani 1990: 117
14. Maghâzî	Muhammad b. Ishâq	151 A.H.	Usmani 1990: 115
15. Book	Yûnus b. Yazîd	152 A.H.	Usmani 1990: 116
16. Jâmi`	Ma`mar b. Râshid	153 A.H.	Usmani 1990: 115

[Table 1.3 cont.]

17. Book	Sa`îd b. Abû `Arûbah	156 A.H.	Usmani 1990: 115
18. Book	`Abd al-Rahmân al-Awzâ`î	157 A.H.	Usmani 1990: 115
19. Muwattâ	Ibn Abû Dhi'b	158 A.H.	Usmani 1990: 115
20. Books	`Abd al-Rahmân al-Mas`ûdî	160 A.H.	Usmani 1990: 116
21. Al-Gharâ'ib	Shu`bah b. al-Hajjâj	160 A.H.	Usmani 1990: 116
22. Musnad	Rabi` b. Sabîh	160 A.H.	Usmani 1990: 115
23. Jâmi`	Sufyân al-Thawrî	161 A.H.	Usmani 1990: 115
24. Books	Zaidah b. Qudâmah	161 A.H.	Usmani 1990: 116
25. Books	Ibrâhîm al-Tahmân	163 A.H.	Usmani 1990: 116
26. Books	`Abd al- `Azîz b. `Abd Allâh al-Mâjishûn	164 A.H.	Usmani 1990: 116
27. Books	Abû Hamzah al-Sukrî	167 A.H.	Usmani 1990: 116
28. Book	Hammâd b. Salamah	167 A.H.	Usmani 1990: 115
29. Books	`Abd Allâh b. `Abd Allâh b. Abû Uwais	169 A.H.	Usmani 1990: 116
30. Books	Sulaimân b. Bilâl	172 A.H.	Usmani 1990: 116
31. Muwattâ	Mâlik b. Anas	179 A.H.	Usmani 1990: 115
32. Kitâb al-Zuhd	`Abd Allâh b. Mubârak	181 A.H.	Usmani 1990: 116

[Table 1.3 cont.]

33. Book	Hushaim b. Bashîr	183 A.H.	Usmani 1990: 116
34. Maghâzî	Mu`tamir b. Sulaimân	187 A.H.	Usmani 1990: 117
35. Book	Jarîr b. `Abd al-Hamîd	188 A.H.	Usmani 1990: 116
36. Musannaf	Waki` b. Jarrâh	196 A.H.	Usmani 1990: 117
37. Book	`Abd Allâh b. Wahb	197 A.H.	Usmani 1990: 116
38. Jâmi`	Sufyân b. `Uyainah	198 A.H.	Usmani 1990: 117
39. Books	Shâfi`î	204 A.H.	Usmani 1990: 117
40. Musannaf	`Abd al-Razzâq b. Hammâm	221 A.H.	Usmani 1990: 117

[Table 1.4] **LIST OF BOOKS EXTANT**

Book	Author	Death	Reference
1. Al-Musnad	Zaid b. `Alî	122 A.H.	Usmani 1990: 117
2. Kitâb al-Âthâr	Abû Hanîfah	150 A.H.	Usmani 1990: 117
3. Al-Sîrah	Muhammad b. Ishâq	151 A.H.	Usmani 1990: 117
4. Siyar	Awzâ`î	157 A.H.	Usmani 1990: 117
5. Al-Muwattâ	Mâlik	179 A.H.	Usmani 1990: 117
6. Kitâb al-Zuhd	`Abd Allâh b. al-Mubârak	181 A.H.	Usmani 1990: 117
7. Musnad	`Abd Allâh b. al-Mubârak	181 A.H.	Usmani 1990: 117
8. Al-Radd `Alâ Siyar al-Awzâ`î	Abû Yûsuf	182 A.H.	Usmani 1990: 118
9. Al-Hujjah `Alâ Ahl al-Madînah	Muhammad b. Hasan Shaibânî	189 A.H.	Usmani 1990: 118
10. Kitâb al-Zuhd	Wakî` b. Jarrâh	196 A.H.	Usmani 1990: 117
11. Kitâb al-Umm	Shâfi`î	204 A.H.	Usmani 1990: 118
12. Sunan	Shâfi`î	204 A.H.	Usmani 1990: 117
13. Musnad	Shâfi`î	204 A.H.	Usmani 1990: 117
14. Musnad	Abû Dâwûd Tayâlsî	204 A.H.	Usmani 1990: 117
15. Al-Maghâzî	Wâqidî	206 A.H.	Usmani 1990: 118
16. Musannaf	`Abd al-Razzâq	221 A.H.	Usmani 1990: 117

This list is by no means exhaustive. A careful study of these books, which are available today in printed form, would clearly reveal that their style is well developed. But they definitely do not seem to be the first books on the subject. Some of them comprise more than ten volumes, and their arrangement demonstrates that the compilation of Hadîth in those days reached a highly developed stage (Usmani 1990: 118).

This period, in fact, witnessed the rise of the sciences of Ahâdîth. The extensive research led to the evolution of various methodologies for the preservation of Hadîth literature as a source of Islâmic Law. Among them were the following six branches:

1. The science of Asmâ' 'l-Rijâl, which thoroughly scrutinized the life history and trustworthiness of 500 000 narrators of Hadîth.
2. The science of Mustalah al-Hadîth, through which the Ahâdîth were classified into various categories.
3. The science of Gharîb al-Hadîth helped the scholars in determining the linguistic origins of certain words of the Ahâdîth.
4. The science of Fiqh al-Hadîth was exclusively employed in understanding those Ahâdîth which were related to the interpretation of the legal injunctions contained in the Qur'ân.
5. The science of Al-Ahâdîth al-Mawdû`ah separated the genuine Ahâdîth from the spurious.
6. The science of Atrâf al-Hadîth helped in tracing back the sources and chains of narrations and pin-pointed the exact narrator (Nadvi 1989: 37-38).

The detailed index of *Sihâh Sittah* (cf. glossary) was compiled by Hâfiz Mizzî [d. 742 A.H.] in his *Tuhfah al-Ashrâf* (Nadvi 1989: 38). The Hadîth of the Prophet (S.A.W.) is one of the primary sources of Islâmic Law. The non-professional critics of Ahâdîth, due to their ignorance or lack of understanding of the area of specialization, capitalize on the spurious Ahâdîth which were forged under various political circumstances. The scholars of Hadîth worked on more than 100 such branches, which not only sanctified the whole corpus of Hadîth works, but also stimulated the development of Islâmic jurisprudence and became the foundation of the sharî`ah.

The following is the list of the Hadîth scholars of the third period along with their works:

1. Ahmad b. Hanbal [d. 241 A.H.] *Musnad Ahmad*
2. Muhammad b. Ismâ`îl al-Bukhârî [d. 256 A.H.] *Sahîh Bukhârî*
3. Muslim b. Hajjâj [d. 261 A.H.] *Sahîh Muslim*
4. Abû `Abd Allâh Muhammad b. Mâjah [d. 273 A.H.] *Sunan Ibn Mâjah*
5. Abû Dâwûd al-Sajastânî [d. 275 A.H.] *Sunan Abû Dâwûd*
6. Abû `Isâ Muhammad al-Tirmidhî [d. 279 A.H.] *Jâmi`* (cf. glossary) *Tirmidhî*
7. Abû `Abd al-Rahmân al-Nasâ'î [d. 303 A.H.] *Sunan al-Nasâ'î* (Nadvi 1989: 38).

Thus, one can clearly discern the fallacy of the assumption that the compilation of Ahâdîth did not take place before the second or third century (Usmani 1990: 118).

1.9.4 THE FOURTH PERIOD

This period begins from the fifth century of the Hijrah and extends to the present day. Commentaries were written on Ahâdîth in various languages, namely:

1. *Muntaqi 'l-Akhbâr* by `Abd al-Salâm b. Taimîyah [d. 652 A.H.].
2. *Riyâd al-Sâlihîn* by Abû Zakarîya 'l-Nawawî [d. 676 A.H.].
3. *Subul al-Salâm* by Muhammad b. Ismâ`îl [d. 1182 A.H.]. This book is a commentary on *Bulûgh al-Marâm* of Hâfiz Ibn Hajr [d. 752 A.H.] (Nadvi 1989: 39).

The Islâmic society continued to increase in number and diversity in thought because of the generally uncodified format of Islâmic jurisprudence, which were derived from the sources of Hadîth. However, the sources of Hadîth were not structurally recorded for convenient use in every field of theology. This diversity also created factions that opposed generally accepted Islâmic views and interpretations which affected the purity of Islâmic teachings. Such views had to be analyzed, rejected and exposed.

Amongst such deviant sects were:

1. Mu`tazilites
2. Shî`ahs
3. Khawârij

1.10 DIVERGENT BELIEFS AND OPINIONS ON PROPHETIC TRADITIONS

1.10.1 MU`TAZILITES (the separatists)

A school of thought was founded by Wâṣil b. `Aṭâ' [d. 131 A.H.], who separated himself from the school of Ḥasan al-Baṣrî [d. 110 A.H.]. During the reign (198-233 A.H.) of the Abbâsid Caliphs, Ma'mûn, Mu`taṣim and Wâthiq, the Mu`tazilites (cf. glossary) enjoyed royal patronage and I`tizâl (cf. glossary) was considered the state religion. They persecuted scholars like Aḥmad b. Ḥanbal on the issue of Khalq al-Qur'ân (whether the Qur'ân is created or not). They also believed the words of the Qur'ân to be created, and whatever was created was also an accident and liable to perish (Hughes n.d. 425).

The Mu`tazilites' theology is summed up under five fundamental doctrines:

1. **TAWḤÎD:** The strictest profession of monotheism, denial of all resemblance between Allâh and His creatures (Nyberg 1965: 425). They rejected all eternal attributes of Allâh, saying that eternity is the formal attribute of His essence, that Allâh knows by His essence and not by His knowledge (Nadwi 1976: I/401).

2. **AL-`ADL:** Allâh is just. All that He does is the best for His creation. He neither desires evil nor does He ordain it (Nyberg 1965: 426). They deny absolute predestination, holding that Allâh is not the creator of evil, but of good only. Man is considered as

a free agent, which is the opinion of the Qadarîyâs (cf. glossary) (Hughes n. d.: 425).

3. **AL-WA`D WA 'L-WA`ÎD:** Allâh through His grace may forgive minor sins. Man must avoid kabâ'ir i.e. wilful violation of the Divine Law which carries the warning of eternal harm. Hasan is the good that Allâh has ordained in the Qur'ân and evil is what He has prohibited (Nyberg 1965: 426).

4. **AL-MANZILAH BAIN AL-MANZILATAIN:** They held that if any Muslim is guilty of a grievous sin, and dies without repentance, he will be eternally doomed, though his punishment will be lighter than that of the infidels (Hughes n. d.: 425).

5. **AL-AMR BI 'L-MA`RÛF WA 'L-NAHY `AN AL-MUNKAR:** They believe that faith must be spread by the tongue, hand and the sword (Nyberg 1965: 426).

The Mu`tazilites' opinion with regard to Hadîth is that if a tradition has obtained tawâtur (cf. glossary), then it will be accepted, but if it is narrated through khabar wâhid (cf. glossary), then it will be rejected (Sabâ`î 1985: 134-135).

According to the Ahl al-Sunnah wa 'l-Jamâ`ah (cf. glossary), tawâtur and khabar wâhid are both accepted as an authority.

The mainstream opinion is based on the Qur'ânic injunction:

وان طائفتان من المؤمنين اقتتلوا فاصلحوا بينهما فان بغت احداهما علي الاخري فقاتلوا التي تبغي حتي تفيء الي امر الله فان فاءت فاصلحوا بينهما بالعدل واقسطوا ان الله يحب المقسطين (٤٩:٩) .

> "If two parties of believers fall to fighting, then make peace between them. And if one party of them commits aggression against the other, fight against the aggressors till they submit to Allâh's judgement. When they submit make peace between them in equity and justice; Allâh loves those who are just" (49:9).

Shâfi`î [d. 204 A.H.], Bukhârî [d. 256 A.H.] and Ibn Hajr [d. 852 A.H.] also hold the view that just as reconciliation can be effected by one single individual, so too will the narration of one person be valid (Ashqar 1988: 47-49).

There are several other Qur'ânic verses:

وما كان المؤمنون لينفروا كافة فلولا نفر من كل فرقة منهم طائفة ليتفقهوا في الدين ولينذروا قومهم اذا رجعوا اليهم لعلهم يحذرون (١٢٢:٩) .

"The believers should not all go out to fight. Of every troop of them, a party only should go forth, that they (who are left behind) may gain sound knowledge in religion, and that they may warn their folk when they return to them, so that they may be aware" (9:122).

In the above verse one's attention is drawn to another aspect. Not all the believers are obliged to go forth. A contingent, which may comprise only an individual, suffices to represent the group or circle in matters pertaining to study (Badakhshânî 1990: 92).

يااليها الذين امنوا ان جاءكم فاسق بنبا فتبينوا ان تصيبوا قوما بجهالة فتصبحوا

علي ما فعلتم نادمين (٤٩:٧) .

"O you who believe! If a transgressor brings you tidings, verify it, lest you smite some folk in ignorance and afterwards repent of what you did" (49:7).

The significant feature highlighted in the above verse is the ascertaining or rejecting of information from a transgressor. On the contrary, it would be appropriate that news brought by a single, just and trustworthy person is ratified and accepted (Badakhshânî 1990: 92).

1.10.2 SHÎ`AHS (the followers)

The Shî`ahs are the followers of `Alî first cousin of the Prophet (S.A.W.), and the husband of his daughter Fâtimah (Hughes n.d.572).

Subsequent to the Prophet's (S.A.W.) death in 11 A.H., the citizens of Madînah had assembled to choose a leader for themselves. The Anṣâr said that whenever the Prophet (S.A.W.) sent a Muhâjir on any mission, he had also sent an Anṣâr with him, so there should be one leader from the Anṣâr and one from the Muhâjirûn. "Away with you"! exclaimed `Umar, "Two (leaders) cannot stand together", and even Sa`ad agreed that to divide the power would be to weaken it. Abû Bakr stepped forward and pointing towards `Umar and Abû `Ubaidah said, "You see these two; you now choose whoever of them you will, and salute him as your leader". No, cried both at once, "You have already, at the Prophet's (S.A.W.) bidding, led the prayers; you are our leader. Stretch forth your hand". He did so and they struck their hands on his in token of allegiance. Their example was followed by others and group after group advanced to pledge their allegiance (Ḥusain 1974: 6-7).

Before his death Abû Bakr [d. 13 A.H.] had nominated `Umar as his successor to the viceregency and the appointment was accepted by the universality of the people, including the house of Muḥammad (Ṣ.A.W.). `Umar [d. 23 A.H.] died as a result of mortal injuries inflicted on him. He had, however, before his death appointed an electoral college consisting of six eminent companions to elect his successor. Their choice fell on `Uthmân [d. 35 A.H.], the son-in-law of the Prophet (S.A.W.), who was installed as caliph with the suffrage of the people. On `Uthmân's tragic death at the hands of assassins, `Alî [d. 40 A.H.], another son-in-law of the Prophet (S.A.W.), was proclaimed the fourth caliph (Ḥusain 1974: 7-8).

The origin of this schism is traced back to the early years of Islâm. The rivalry for the caliphate between the Umayyad and `Alid clans began when Mu`âwiyah assumed caliphate after the death of `Alî. The `Alid party presumed that this highest office of Islâm was a prerogative of the Prophet's (S.A.W.) house. They also maintained that `Alî was the first legitimate successor to the Prophet (S.A.W.) and, therefore, rejected the first three caliphs, Abû Bakr, `Umar and `Uthmân (Nadwi 1976: I/403).

They are also called the Imâmiyah's or the twelvers, since they accept the following as their rightful leaders:

1. `Alî [d. 40 A.H.], son-in-law of the Prophet (S.A.W.).
2. Hasan [d. 50 A.H.], son of `Alî.
3. Husain [d. 61 A.H.], son of `Alî.
4. `Alî [d. 94 A.H.], surname Zain al-`Âbidîn, son of Husain.
5. Muhammad al-Bâqir [d. 114 A.H.], son of Zain al-`Âbidîn.
6. Ja`far al-Sâdiq [d. 148 A.H.], son of Muhammad al-Bâqir.
7. Mûsa 'l-Kâzim [d. 183 A.H.], son of Ja`far.
8. `Ali 'l-Radâ' [d. 203 A.H.], son of Mûsâ.
9. Muhammad al-Jawwâd [d. 220 A.H.], son of `Alî-Taqî.
10. `Ali 'l-Hâdî [d. 252 A.H.], son of Muhammad-Naqî.
11. Hasan al-`Askarî [d. 260 A.H.], son of `Ali 'l-Naqî.
12. Muhammad al-Mahdî [b. 255 A.H.], alive according to Shî`ah belief, son of Hasan al-`Askarî (Hughes n.d.: 573-574).

According to the Shî`ahs, Sunnah means that which has been said, done or confirmed concerning religious matters by the 'Innocents' (the Prophet

(S.A.W.) and the twelve Imâms), and which has come down through successive generations. They also believe in the the Prophet's (S.A.W.) traditions, as well as the traditions of the innocent Imâms to be a definite proof. By the year 330 A.H. more than 4 000 books and treatises had been written by them pertaining to Hadîth (Talafî 1990: 7-10).

According to Talafî (1990: 7-12) the books written by the Imâms' close companions and confidants are called "The Early Collections". Four of them, which are the most important, have since become the most authoritative reference books for all scholars. They are:

1. AL-KÂFÎ: It comprises 16 199 Ahâdîth. This book was written by Muhammad b. Ya`qûb Kulaynî [d. 328 A.H.], who was born in the year in which the twelfth Imâm was born, viz. 255 A.H. (Talafî 1990: 11).

This book was written at a time of the fourth deputy of the twelfth Imâm, at the recommendation of the theologians for use as a guide by them. Kulaynî embarked upon writing this book to fulfil their needs as much as possible. Hence the book was named *Kâfi*, which means "enough". Kulaynî took much care in compiling traditions and this work reached completion after twenty years (Talafî 1990: 11).

2. MAN LÂ YAHDURUHU AL-FAQÎH: It consists of approximately 6 000 Ahâdîth. This book was written by Abû Ja`far al-Sadûq Muhammad b. `Alî b. Husain [d. 381 A.H.], known as Shaikh Sadûq, who was born in answer to the prayer of

the twelfth Imâm.

Shaikh Sadûq once happened to see a book by Shaikh Muhammad Zakarîyâ Râzî which was entitled *One Who Has No Access To A Physician.* As he was inspired by this title, he chose for his own book the title, *One Who Has No Access To A Jurist* as a self-help manual by which the reader would find the answers to his religious questions without having to refer to an expert (Talafî 1990: 11).

3. TAHDHÎB AL-AHKÂM: "The Clarification of the Tenets". This text was written by Muhammad b. Hasan Tûsî [d. 460 A.H.], who founded the Najf seminary. This book deals exclusively with religious precepts (Talafî 1990: 12).

4. AL-ISTIBSÂR FÎ MÂ IKHTALAFA MIN AL-AKHBÂR: This book was also written by Muhammad b. Hasan Tûsî. Whilst compiling "The clarification of the Tenets" he noticed seemingly contradictory and self-contradictory statements in some of the narratives. Thus he compiled a new work named *An Inquiry Into Disputed Recounts* (Talafî 1990: 7-12).

The Shî`ahs do not accept the six authentic books of the Sunnis, namely: *Sahîh Bukhârî, Sahîh Muslim, Sunan Nasâ'î, Sunan Abû Dâwûd, Jâmi` Tirmidhî* and *Sunan Ibn Mâjah.* They acknowledge five collections of their own, the four works, that is, *Al-Kâfî, Man lâ Yahduruhu al-Faqîh, Tahdhîb al-Ahkâm, Al-Istibsâr Fî Mâ Ikhtalafa Min al-Akhbâr* and *Nahj al-Balâghah* compiled by Sayyid Muhammad Radî [d. 406 A.H.], which comprises the

discourses of `Alî b. Abû Ṯâlib (Hughes n. d.: 575).

According to all Shî`ahs, except the Zaidîs (cf. glossary), a Ḥadîṯh will only be accepted if one or more name of the twelve Imâms, who are sinless, appear in the chain of transmission. Similarly, anyone who does not accept `Alî to be the first Imâm, cannot have his narrations accepted. Thus, most of the traditions of the Prophet's (S.A.W.) companions are rejected (Sabâ`î 1985: 131).

The reason for this belief of the Shî`ahs pertaining to Ḥadîṯh is that they regarded most of the companions of the Prophet (S.A.W.) as apostates. Thus narrations by such companions are not acceptable to the Shî`ahs (Sabâ`î 1985: 131-132). This, according to the mainstream, is in direct conflict with the following verses of the Qur'ân:

لا يستوي القاعدون من المؤمنين غير اولي الضرر والمجاهدون في سبيل الله بامواليهم وانفسهم فضل الله المجاهدين باموالهم وانفسهم علي القاعدين درجة وكلا وعد الله الحسني وفضل الله المجاهدين علي القاعدين اجرا عظيما (٤:٩٥).

"Those of the believers who sit still, other than those who have a (disabling) hurt, are not on an equality with those who strive in the way of Allâh with their wealth and lives. Allâh has conferred on those who strive with their wealth and lives a rank above the sedentary. Unto each Allâh has promised good, but He has bestowed on those who strive a

great reward above the sedentary" (4:95).

وما لكم الا تنفقوا في سبيل الله ولله ميراث السموات والارض لايستوي منكم من انفق من قبل الفتح وقتل اولئك اعظم درجة من الذين انفقوا من بعد وقتلوا وكلا وعد الله الحسني والله بما تعملون خبير (٥٧:١٠) .

"And why should you not spend in the path of Allâh, when Allâh will inherit the heavens and the earth? Those of you who spent and fought before the victory are not upon a level (with the rest of you). Such are greater in rank than those who spent and fought afterwards. And Allâh has promised all a good (reward). And Allâh is informed of what you do" (57:10).

ان الذين امنوا وعملوا الصالحات اولئك هم خير البريه (٩٨:٧) .

"Verily those who believe and do good works are the best of created beings" (98:7).

جزاءهم عند ربهم جنت عدن تجري من تحتها الانهار خالدين فيها ابدا رضي الله عنهم ورضوا عنه ذالك لمن خشي ربه (٩٨:٨) .

"Their reward is with their Lord: Gardens of Eden underneath which

rivers flow, wherein they dwell forever. Allâh is pleased with them and they are pleased with Him. This is (in store) for him who fears his Lord" (98:8).

These verses substantiate the pristine character and status of all the companions of the Prophet (S.A.W.).

1.10.3 KHAWÂRIJ (the revolters)

The first among the Khawârij (cf. glossary) were the 12 000 men who revolted against `Alî [d. 40 A.H.] after they had fought under him in the battle of Siffîn against Mu`âwiyah [d. 60 A.H.], the founder of the Umayyad dynasty, in the year 37 A.H. They took offence at `Alî's submitting the decision of his right to the caliphate to the arbitration of men, when, in their opinion, it ought to have been submitted to the judgement of Allâh. They expressed the opinion that if the caliph turned away from the truth, he might be put to death or deposed. They also held that there was no absolute necessity for a caliph at all (Hughes n.d.: 270).

They affirmed that any man may be promoted to the dignity of a caliph, even though he does not belong to the Quraish tribe, provided he be elected by the Muslim community. Consequently, the only other caliphs besides their own that they recognize as legitimate are Abû Bakr, `Umar, `Uthmân (only during the first six years of his reign) and `Alî (until the battle of Siffîn) (Vida 1965: 248).

Another fundamental article of the Khawârij is the absolute rejection of the doctrine of justification of faith without deeds. They deny the title of believer to anyone who has committed a major sin and regard him as an apostate. Hence, they regard all non-Khârijî (cf. glossary) Muslims as apostates (Vida 1965: 248).

The beliefs of the Khawârij are largely determined by their interpretation of the Qur'ân. Their opinions differ from the mainstream thinking in several places because they accept only the literal meaning of the verses of the Qur'ân. However, the latter interpret the Qur'ânic injunctions in conjunction with the relevant traditions. For example, in reference to adultery and fornication the Khawârij apply the Qur'ânic injunction of 100 lashes literally. They reject the law of pelting with stones for adultery and insist on flogging (Ashqar 1988: 15).

Their opinion regarding Prophetic traditions was that all the Ahâdîth reported after the battle of Siffîn 37 A.H. were to be rejected; those before the battle were accepted (Sabâ`î 1985: 130). They were not involved in fabricating traditions since a major sin, according to them, would place one beyond the scope of Islâm (Sabâ`î 1985: 82-83).

Their rejection of the Ahâdîth after the battle of Siffîn is in contradiction with their tenets. Whilst the time frame might have changed, the principle of Hadîth has remained untarnished. The Khawârij maintain that after the battle of Siffîn the equity and justice practised by the companions of the Prophet (S.A.W.) was questionable. In contrast, the mainstream firmly believes that the companions were considered just under all circumstances. There is no

doubt about their exemplary character. The verses cited previously (under the heading of Shî'ahs) substantiate this view.

1.11 CONTRIBUTION OF MUSLIM AND NON-MUSLIM SCHOLARS

A number of works on Hadîth have been contributed by Orientalists as well as by Muslim scholars regarding its recording, authenticity and criticism (Ghaffâr 1986: 10). But the number of publications on Hadîth is limited, thus an author could easily compile a bibliography of the most relevant information on Hadîth (Denffer 1981: 11). Unlike Arabic poetry, the subject of Hadîth has not attracted much attention of the Orientalists. One of the main reasons for the Orientalists' superficial treatment of Hadîth is Goldziher's (1889-1890) publication entitled *Muhammedanische Studien* which has become a major source for them. Most of the Orientalists were overwhelmed by his writing and regard it as the last word on the subject. Thus, the views of the Orientalists appear to have been decided once and for all by him (Denffer 1981: 11), with the result that Guillaume (1980: 5) in his preface to *The Traditions of Islâm* wrote that Goldziher's *Muhammedanische Studien* must form the basis of any work on Hadîth literature.

It has been noticed that Orientalist and Islâmic works relating to the corpus of Hadîth works focused more on the compilation of Bukhârî [d. 256 A.H.] and Muslim [d. 261 A.H.] rather than that of Nasâ'î. The only work on Nasâ'î's *Sunan* in English, which was published in 1956, is *The Transmission of Nasâ'î's Sunan* by James Robson (Denffer 1981: 72). In comparison, the list of contents of *Sahîh Bukhârî* and some select translations from *Sahîh Muslim* were published by Hammer Purgstall in the earlier decades of the nineteenth

century (Denffer 1981: 15).

To date, there is no complete translation of Nasâ'î's work in the English language, whereas a complete English translation of *Sahîh Bukhârî* was undertaken by Muhammad Muhsin Khân and was published in nine volumes in 1971 by the Islâmic University of Madînah. Likewise the entire *Sahîh Muslim* was rendered into English by `Abd al-Hamîd Siddîqî and published in four volumes in 1976 in Lahore, Pakistan (Denffer 1981: 15). Similarly, *Sunan Abû Dâwûd* was translated by Ahmad Hasan and was published in three volumes in Lahore in 1984. These are the renowned contributions in the field of Hadîth by Muslim scholars.

Some Orientalists researched and/or translated specific aspects of the collections of Bukhârî and Muslim. Joseph Schacht translated certain parts of *Sahîh Bukhârî* and *Sahîh Muslim* and entitled them *Aus der Traditionssammlung des al-Bukhârî* and *Aus der Traditionssammlung des Muslim,* respectively (Denffer 1981: 74). Besides Schacht, Oscar Rescher also researched *Sahîh Bukhârî* and *Sahîh Muslim.* He compiled a lexicon of Bukhârî's collection and translated the traditions relating to Jihâd (cf. glossary) from *Sahîh Muslim* (Denffer 1981: 69-70). Arberry and Robson are other prominent Orientalists who have researched *Sahîh Bukhârî* or *Sahîh Muslim.* Arberry's work on *Sahîh Bukhârî* was titled *The Teachers of Bukhârî* (Denffer 1981: 30) and Robson's *The Transmission of Muslim's Sahîh* (Denffer 1981: 71).

Goldziher is another of the Orientalist scholars on Hadîth. He researched the

Sahîh Bukhârî and named it *Chatm al Buchari* (Denffer 1981: 46). Another Orientalist, Arthur Jeffery, rendered into English "The Section on Fasting" from *Sahîh Bukhârî* (Denffer 1981: 55). The first complete translation of *Sahîh Bukhârî* in French was undertaken by Houdas and Marcais and was published in four volumes in Paris between 1903-1914 (Brockelmann 1965: 65; Denffer 1981: 15).

The reason scholars gave Bukhârî's and Muslim's collections preference to the other works of Hadîth is that they are unanimously considered as the most authentic books of Hadîth (Mukhtâr 1986: 116). Thus, when a tradition was accepted by Bukhârî and Muslim and included in their respective collections, it was named *Muttafaq `Alayh* (cf. glossary) (Nadwi 1976: I/63). However, it should be noted when scholars say that *Sahîh Bukhârî* and *Sahîh Muslim* are the most authentic compilations of Hadîth, it does not imply that every tradition in these books, despite being absolutely authentic, is necessarily superior to every tradition narrated in other compilations, since the chain of narrators recorded by the other traditionists may be stronger in certain instances compared to Bukhârî and/or Muslim (Mukhtâr 1986: 116-117).

1.12 UNEXPLORED ISSUES IN HADÎTH LITERATURE

Mahida (1993) in his bibliography *Islâm in South Africa* and Gerrie Lubbe (1985) in his *Bibliography on Islâm in South Africa* make no mention of any scholarly work on Hadîth undertaken in South Africa. The six canonical works, namely: *Sahîh Bukhârî, Sahîh Muslim, Sunan Nasâ'î, Sunan Abû Dâwûd, Jâmi` Tirmidhî* and *Sunan Ibn Mâjah* are included in the syllabi of the various Muslim seminaries in this country. Students in these seminaries

understand English better than any other language. Thus, this thesis fulfils a crucial need at present, when Islâm is becoming a more prominent and potent force in South Africa.

Likewise, many English-speaking Muslims exist in many other parts of the world, for example, Europe, Asia, Australia and the U.S.A. Many universities in these countries have recently established faculties of Islâmic Studies. Students and professors, Muslims and non-Muslims at these institutes would find it useful to have an English translation of Nasâ'ī's *Sunan*, but such a translation is not available. In the absence of such a translation this thesis would give insight into Nasâ'ī's *Sunan* and acquaint them with certain issues relating to Hadîth in their studies.

Nasâ'ī's *Sunan*, whilst enjoying prominence among the authentic works, has not enjoyed the acclaim it so rightfully deserves. It could be concluded that the major works of importance, like Bukhârî's and Muslim's collections, had already gained significance among scholars of Hadîth due to the lofty criteria applied in the establishment of the veracity of the Ahâdîth in these works. Nasâ'î [b. 215 A.H.] was born twenty-one years after Bukhârî [b. 194 A.H.] and this period provided an opportunity to other scholars before Nasâ'î to compile their collections. This ultimately led to the recognition and spread of the earlier works as these were narrated long before the appearance of Nasâ'ī's work.

Secondly, much of the material in Nasâ'ī's work is found in other works compiled previously. Therefore scholars were able to dispense with the *Sunan* of Nasâ'ī, since the Ahâdîth in the other works were narrated by superior

chains of transmission. This implies that the fewer the narrators between the narrator or compiler and the Prophet (S.A.W.), the higher the status of the Hadîth.

Thirdly, the classification of the works on Hadîth into various categories only gained prominence in the third century A.H. Therefore, most of the Ahâdîth works, even those of a similar nature to that of Nasâ'î's *Sunan*, did not really obtain widespread recognition in scholarly circles.

Though each authentic work is invaluable and indispensable to modern scholars, *Sunan Nasâ'î* has a quality lacking in most other collections. Nasâ'î has incorporated, with substantiations, the authentic and weak Ahâdîth and explained with great clarity their implications for Islâmic Jurisprudence. The uncompromising criteria adopted by Nasâ'î is a hallmark of the *Sunan*. In this regard, the student of Hadîth is exposed to those weak traditions which he would not have discovered in other books of Hadîth.

The contribution of Nasâ'î in his *Sunan* cannot be over-emphasized. His critical appraisal of the transmitters and their transmissions is of immeasurable importance to every discerning scholar of Hadîth. This research project is an attempt at investigating these unexplored issues.

1.13 METHODOLOGICAL RIGOUR OF THIS RESEARCH PROJECT

According to Denffer (1983: 6-10), there are two basic kinds of research methodology: (1) field method; and (2) library method. For this project both the library as well as the field methods were used. In the first instance, the primary sources in Arabic were tapped for retrieval of information. Then the secondary sources in Urdu and English were consulted to gather relevant information. All the relevant pieces of information were critically evaluated and in many instances reinterpreted.

The sources of information - whether primary or secondary - include guides, handbooks, actual texts of Hadîth, their commentaries, works on principles of Hadîth and on canons of criticism, lexicons and concordance of Hadîth, and other doctoral theses.

The relationship between a researcher and the people he meets is of great importance. Hence, field research brought the researcher into contact with scholars from Saudi Arabia, Egypt, Pakistan and India. This meant that these scholars had to be interviewed in their mother tongue. Apart from the interviews in these countries, valuable research material was procured from their libraries and universities. Information on the persons and places visited are highlighted in the bibliography.

1.14 STRUCTURE OF THIS THESIS

This thesis consists of six chapters and a glossary. The first chapter reviews the Hadîth Literature, identifies the unexplored issues in Hadîth Literature, the methodological rigour of this research project and outlines the outcome of it. The first chapter under review of Hadîth Literature gives the definition and an explanation of the terms Sunnah and Hadîth, and deals with the functions of the Prophet (S.A.W.) and obedience to him by the ummah (cf. glossary). Subsequently the preservation of the Sunnah through memorization, practice and writing are discussed. Furthermore, a list of narrators during the first four periods are recorded. Thereafter, the strict doctrines of the separatists, the ardent followers of `Alî and those who revolted against him are highlighted in the conclusion of this chapter. Likewise, their opinions regarding Hadîth are noted.

The second chapter traces the history of Nasâ'î. The biographical details of Nasâ'î and the intellectual atmosphere of his era are discussed. This is followed by an elucidation of his academic career, which traces the beginning of his studies, the places he travelled to and his mentors and students. The survey of Nasâ'î's academic career concludes with a list of the works written by him. This chapter ends with the death of Nasâ'î and comments of different scholars concerning him and his works.

The third chapter deals with a summary of the various types of Hadîth Literature as a preamble to the discussion of the *Sunan* of Nasâ'î. This chapter evaluates the six editions of the *Sunan* available at present. The advantages and disadvantages of the *Sunan* have been appraised and their manuscripts

and commentaries analysed. This chapter concludes with the different narrations of the *Sunan*.

In chapter four the science of authenticating and discrediting the narrators of Hadîth is discussed with particular references to the traditions in Nasâ'î's *Sunan* which have:

a) Weak narrators in the chain of transmission.
b) Narrators who have been rejected by the traditionists.
c) Narrators who are unknown to the traditionists.

Chapter five consists of a thematic analysis of selected narratives of *Sunan Nasâ'î*. These narratives will interpret four contemporary topical issues from the Islâmic viewpoint.

The last chapter contains the concluding remarks and it gives a synopsis of the preceding chapters. It also draws attention to the areas for further study and research on the *Sunan* of Nasâ'î.

1.15 CONCLUSION

This chapter showed that the Sunnah is of Divine origin and is inalienable from the Qur'ân for much of the latter will stand void of interpretation and as such become incomprehensible. This will lead to the Qur'ân's inability to stand through the ages as a book of guidance. Authenticity of the Sunnah has thus kept the Qur'ânic message alive.

Deviant sects were mentioned to distinguish Islâmic thought from views not acceptable to the main body. The chapter also identified the unexplored issues in Hadîth Literature and alluded to the status of Nasâ'î's *Sunan*. The next chapter is concerned with the biography and contributions of Nasâ'î and the chapters subsequent to that will analyse his magnum opus, that is, his *Sunan*, from various points of view.

CHAPTER TWO

A BIOGRAPHY OF NASÂ'Î AND A BRIEF SURVEY OF HIS WORKS

2.1 INTRODUCTION

Biographical information is necessary to acquire details of an individual's life-pattern, studies, environment, era of living and their effects upon him. Therefore this chapter intends to recount the biography of Nasâ'î.

2.2 BIOGRAPHICAL INFORMATION

Nasâ'î's proper name was Ahmad and his full name, including his genealogical tree, was Ahmad b. Shu`aib b. `Alî b. Sinân b. Bahr b. Dînâr al-Khurâsânî al-Nasâ'î. There are differences of opinion amongst the biographers regarding his lineage. For example, Ibn Kathîr [d. 774 A.H.] and Ibn Khallikân [d. 681 A.H.] state that he was known as Ahmad b. `Alî b. Shu`aib. Most of the scholars concur with the former opinion as this was also mentioned by Nasâ'î's students (`Âqil n.d.: 4; Jalimî and `Abd al-Khâliq 1990: I/28).

His kunyah (cf. glossary) was Abû `Abd al-Rahmân. He was of a light complexion, had a pleasant face, wore Nubian mantles, had four wives and was dedicated to his devotions and prayers at night and fasted every second day (Robson 1956: 38). `Âqil (n.d.: 5) stated that Nasâ'î was born in Nasâ', Khurâsân, in 215 A.H. It was called Nasâ' (women) since only women were left behind, and the men had fled when the Muslim army arrived. In a

language contact situation, when a language adopts a lexical item from another language invariably a phonological adjustment occurs in the lexeme according to the phonological system of the adopting language. This is a natural process. Thus the Arabic lexeme Nisâ' becomes Nasâ' in that region either under the influence of Persian or under the influence of some other local dialect in that region. Such an adjustment takes place at grassroots level. The educated elite are purist and averse to any form of language change. The "purist" see a language as needing preservation from the external processes which might infiltrate it and thus make it change. This "purist" concern is considered misplaced by linguists, who point to the inevitability of language change, as a reflex of social, cultural and psychological development (Bolinger 1975: 184-217).

The historic background of Khurâsân is that it was conquered in 30 A.H. by `Abd Allâh b. `Âmir b. Kuraiz who was dispatched by `Uthmân b. `Affân, the third caliph. In the same year `Abd Allâh b. Khâzim al-Sulamî concluded a peace treaty with the leader of Nasâ' in lieu of 300 000 dirhams (Hamâdah 1985: 13; Jalîmî and `Abd al-Khâliq 1990: I/29). According to Brice (1981: 20) Nasâ' and Khurâsân are presently in North Eastern Iran.

Reference is also made to an episode when Nasâ'î went on an expedition with the leader of Egypt to ransom prisoners. Hâkim says the expedition was to Tarsûs and he narrates how the shaikhs (cf. glossary) elected Nasâ'î as their leader. Nasâ'î had profound knowledge of traditions on the ransoming of prisoners, and he kept aloof from parties held by the leader during the expedition (Robson 1956: 38). The biographers do not make mention of any details of his parents, apart from the fact that he had only one son by the name

of `Abd al-Karîm (Gangohî n.d.: 153).

2.3 THE SOCIO-POLITICAL CONTEXT OF NASÂ'Î'S WORK

Nasâ'î was born during the Abbâsid Caliphate, when Ma'mûn b. Hârûn al-Rashîd [d. 218 A.H.] was the ruler of the Muslim Empire. Ma'mûn was an eminent scholar having great skills in Arabic, History, Philosophy and Islâmic Jurisprudence (Suyûṭî n.d.: 284-285).

The Abbâsid period, despite its outstanding contributions to the Islâmic culture, also experienced intricate problems. The translations of Greek scientific and philosophical works began during the second century and continued until the fourth century A.H., from Caliph Manṣûr [d.158 A.H.] down to Ma'mûn. The Mu`tazilite school was declared a state religion and opposition to it was regarded as treason. Muslim scholars were directed by Ma'mûn to advocate and promote Greek philosophy in the kingdom. Greek works translated into Arabic were subsequently transmitted to Europe through Latin translations. Thus Greek philosophy by its total rejection of religious eschatology posed the greatest challenge to Islâmic Law. It also created uncertainty about the existence of Allâh, revelation, resurrection and about the institution of Prophethood as a liaison between man and Divinity. Therefore scholars and laity were affected by these sceptical ideas (Nadvi 1982: 5-6).

Some Muslim philosophers began equating the Prophetic teachings with those of the metaphysical speculations of Greek philosophy. Ibn Sînâ equated the soul of the Prophets with common souls, granting them, although grudgingly, certain extra attributes. Fârabî considered Prophethood as a kind of dream. He

was followed by other Muslim philosophers who also tried to reconcile reason and revelation. Some of the philosophers did not distinguish between the teachings of the Prophet (S.A.W.) and those of philosophers. Consequently, these ideas misled many innocent believers and undermined the faith of many others in Allâh and His Prophet (S.A.W.). Hence, many sects which claimed to be Muslims were in fact hypocrites (Nadvi 1982: 7-8).

The Ahl al-Sunnah wa 'l-Jamâ`ah, as a major conformist group in Islâm, took upon itself the task of expounding the value and virtues of Qur'ân and Hadîth. Furthermore, the Qur'ân and the Hadîth were accepted as primary sources of Islâmic law and a guide to mankind (Nadvi 1982: 11).

The rivalry between reason and revelation continued incessantly. The legitimate fear of interpolations and distortions of the Islâmic Sharî`ah by both the rationalists and heretics was quite distinct. Prophetic traditions were already forged by heretics and corrupt politicians, including the caliphs and rulers, in order to enhance their personal aims and ambitions (Nadvi 1982: 13).

Scholars and traditionists emerged to safeguard Islâmic learning and to make transparent the distinctions between the spurious and the genuine traditions. A movement was initiated in the first century by Caliph `Umar b. `Abd Al-`Azîz [d. 101 A.H.], who was known as `Umar II for his integrity and for the compilation of Prophetic traditions. This gigantic task was further undertaken by six towering scholars of Islâm, namely:

1. Muhammad b. Ismâ` îl al-Bukhârî [194-256 A.H.]
2. Muslim b. Hajjâj [206-261 A.H.]
3. Abû `Abd Allâh Muhammad b. Mâjah [209-273 A.H.]
4. Abû Dâwûd al-Sajastânî [202-275 A.H.]
5. Abû `Isâ Muhammad al-Tirmidhî [209-279 A.H.]
6. Abû `Abd al-Rahmân al-Nasâ'î [215-303 A.H.]

They compiled the six canonical collections of Ahâdîth which then became the final and authentic versions for general guidance (Nadvi 1982: 13-14).

The science of Hadîth had nevertheless continued to develop and to be preserved. This is reflected by hundreds of authorities from whom the compilers of the six major works report. Thus it could be concluded that the science of Hadîth was widespread in all areas of the then Islâmic world. Certain areas were, however, popular and had an influence upon scholars engaged in Hadîth in those areas. The major centres of learning are discussed in the next section.

2.4 MAJOR CENTRES OF LEARNING

Nasâ'î's native land, Khurâsân, was considered the intellectual capital. It was known as Madînat al-Rijâl - "The City of Men" which referred to the large number of traditionists who resided there (`Uthmânî 1983: I/131).

Kûfah was considered a major centre for Hadîth Sciences from the time Caliph `Umar [d. 24 A.H.] sent `Abd Allâh Ibn Mas`ûd [d. 32 A.H.], the sixth person to embrace Islâm, as tutor to the people of Kûfah. The approximate number of

students who attended Ibn Mas`ûd's discourses was 4 000. Besides Ibn Mas`ûd, there were other illustrious companions of the Prophet (S.A.W.) who resided in Kûfah. Prominent among them were Abû Mûsa 'l-Ash`arî [d. 52 A.H.], Salmân al-Fârisî [d. 35 A.H.], `Ammâr b. Yâsir [d. 37 A.H.], Hudhaifah b. Yamân [d. 35 A.H.] and Sa`d b. Abû Waqqâs [d. 55 A.H.]. Therefore, on one occasion while referring to Kûfah, `Alî b. Abû Tâlib [d. 40 A.H.], the fourth Caliph of Islâm, remarked, that the companions of Ibn Mas`ûd are the lanterns of this ummah (`Uthmânî 1983: I/89-90). Kûfah was a major centre of learning and comprised several traditionists from whom Nasâ'î reported.

Another great centre of learning was Basrah. The companions of the Prophet (S.A.W.) who resided here were Anas b. Mâlik [d. 91 A.H.], `Abd Allâh b. `Abbâs [d. 68 A.H.] and `Imrân b. Husain [d. 52 A.H.]. During the time of Nasâ'î, Zayd b. Akhzam [d. 257 A.H.] was the traditionist of Basrah. He was the teacher of Bukhârî, Nasâ'î, Abû Dâwûd, Tirmidhî and Ibn Mâjah (Nu`mânî n.d.: 54-58).

The above discussion reveals that Nasâ'î was born in an environment in which the science of Hadîth was flourishing. The areas where he resided were major centres for learning the science of Hadîth. It may be concluded that people residing in those areas often received traditions from scholars and thus it would have influenced their religious activities. Therefore a discussion follows regarding the number of Hadîth recorded by Nasâ'î and a list of the names of those from whom he reported. Table 2.1 shows where the major centres were and the persons who tutored him in the science of Hadîth:

[Table 2.1] **MAJOR CENTRES OF THE SCIENCE OF HADÎTH**

Centre	Teachers	Death	Reference
Kûfah	1. Hannâd b. Sarî	243 A.H.	Hamâdah 1985: 18
	2. Wâsil b. `Abd al- A`lâ b. Wâsil	244 A.H.	Jalîmî and `Abd al-Khâliq 1990: II/782
	3. Abû Kuraib Muhammad b. `Alâ' 'l-Hamdâni	248 A.H.	Hamâdah 1985: 18
	4. `Abd Allâh b. Ahmad b. `Abd Allâh b. Yûnus	248 A.H.	Jalîmî and `Abd al-Khâliq 1990:II/774
	5. `Ubaid b. Asbât b. Muhammad	250 A.H.	Jalîmî and `Abd al-Khâliq 1990: II/775
	6. Al-Qâsim b. Zakarîyâ b. Dinâr	250 A.H.	Jalîmî and `Abd al-Khâliq 1990: II/777
	7. Muhammad b. `Ubaid b. Muhammad b. Wâqid	251 A.H.	Jalîmî and `Abd al-Khâliq 1990: II/779
	8. Abû Sa`îd al-Ashajj `Abd Allâh b. Sa`îd	257 A.H.	Hamâdah 1985: 18

[Table 2.1 cont]

	9. Hârûn b. Ishâq b. Muhammad b. Mâlik	258 A.H.	Jalîmî and `Abd al-Khâliq 1990: II/781
	10. Ahmad b. `Uthmân b. Hakim al-Awdî	261 A.H.	Jalîmî and `Abd al-Khâliq 1990: II/771
Basrah	1. `Abbâs b. `Abd al-`Azîm al-`Anbarî	246 A.H.	Jalîmî and `Abd al-Khâliq 1990: I/36
	2. `Amr b. `Alî	249 A.H.	Jalîmî and `Abd al-Khâliq 1990: I/36
	3. Muhammad Bahrânî	252 A.H.	Nu`mânî n.d.: 58
	4. Muhammad b. Bashshâr Bundâr	252 A.H.	Jalîmî and `Abd al-Khâliq 1990: I/36
	5. Muhammad b. al-Muthannâ	252 A.H.	Jalîmî and `Abd al-Khâliq 1990: I/36
	6. Zayd b. Akhzam	257 A.H.	Nu`mânî n.d.: 55

[Table 2.1 cont.]

Khurâsân	1. Qutaibah b. Sa`îd	240 A.H.	Jalîmî and `Abd al-Khâliq 1990: I/36
	2. `Alî b. Hujr	244 A.H.	Jalîmî and `Abd al-Khâliq 1990: I/36
	3. `Alî b. Khashram	275 A.H.	Jalîmî and `Abd al-Khâliq 1990: I/36
Egypt	1. Yûnus b. `Abd al-A`lâ	264 A.H.	Jalîmî and `Abd al-Khâliq 1990: I/36
	2. Ahmad b. `Abd al-Rahmân b. Wahb	264 A.H.	Jalîmî and `Abd al-Khâliq 1990: I/36
Baghdâd	1. Ahmad b. Manî`	244 A.H.	Jalîmî and `Abd al-Khâliq 1990: I/37
	2. Muhammad b. Ishâq al-Saghânî	270 A.H.	Jalîmî and `Abd al-Khâliq 1990: I/37
	3. `Abbâs b. Muhammad al-Dawrî	271 A.H.	Jalîmî and `Abd al-Khâliq 1990: I/37

2.5 ACADEMIC CAREER OF NASÂ'Î

Nasâ'î visited Qutaibah b. Sa`îd [d. 240 A.H.], a traditionist of Khurâsân, at the age of fifteen and studied under him for fourteen months (Jalîmî and `Abd al-Khâliq 1990: I/331). Nasâ'î reported 687 traditions of Qutaibah in his *Sunan* (Atharî 1990: I/15). The number of Ahâdîth Nasâ'î received from various teachers is given in [Table 2. 2]:

NUMBER OF AHADITH NASÂ'Î RECEIVED FROM VARIOUS TEACHERS

[Table 2.2]

Name	Number	Reference
1. Ishâq b. Ibrâhîm	348	Atharî 1990: I/38
2. `Amr b. `Alî	297	Atharî 1990: I/51
3. Muhammad b. Bashshâr	186	Atharî 1990: I/251
4. Muhammad b. `Abd al-A`lâ	160	Atharî 1990: I/53
5. Ismâ`îl b. Mas`ûd	148	Atharî 1990: I/386
6. Hârith b. Miskîn	140	Atharî 1990: I/122
7. `Alî b. Hujr	137	Atharî 1990: I/143
8. Yâ`qûb b. Ibrâhîm	110	Atharî 1990: I/219
9. Ahmad b. Sulaimân	108	Atharî 1990: I/353
10. `Ubaid Allâh b. Sa`îd	107	Atharî 1990:I/165
11. Muhammad b. Salamah	107	Atharî 1990: I/212
12. Hannâd b. Sarî	74	Atharî 1990: I/248
13. Muhammad b. `Abd Allâh b. Mubârak	65	Atharî 1990: I/391
14. Humaid b. Mas`adah	55	Atharî 1990: I/53
15. Muhammad b. `Abd Allâh b. Yazîd	54	Atharî 1990: I/140
16. Ahmad b. `Amr	48	Atharî 1990: I/342
17. `Abd Allâh b. Muhammad	26	Atharî 1990: I/387
18. `Imrân b. Mûsâ	20	Atharî 1990: I/66
19. Shu`aib b. Yûsuf	19	Atharî 1990: I/390
20. Yahyâ b. Durust	16	Atharî 1990: I/243

[Table 2.2 cont.]

21. `Alî b. Khashram	12	Atharî 1990: I/243
22. Ayyûb b. Muhammad	10	Atharî 1990: I/304
23. Ahmad b. `Abdah	9	Atharî 1990: I/45
24. Mu'ammal b. Hishâm	6	Atharî 1990: I/250
25. Sulaimân b. `Ubaid Allâh	3	Atharî 1990: I/253
26. Ahmad b. Sabâh	1	Atharî 1990: I/393

He travelled widely in pursuit of learning Ahâdîth to Iran, Syria, Hijâz, Egypt, Khurâsân, Basrah, Kûfah, Baghdâd, Levant, Qazwîn and Jazirah, and finally resided in Cairo, at Zuqâq al-Qanâdîl (corridors of lamps). It was a well-known place in Cairo for its stationery shops. The prominent residents used to hang lanterns on their doors. Thus it was called Zuqâq al-Qanâdîl (Jalîmî and `Abd al-Khâliq 1990: I/31-32).

Each of the six authentic traditionists, namely: Bukhârî, Muslim, Abû Dâwûd, Tirmidhî, Ibn Mâjah and Nasâ'î reported traditions from the following ten teachers:

1. Hannâd b. al-Sarî b. Mus`ab al-Tamîmi 'l-Dârimî Abu 'l-Sarî [d. 243 A.H.].
2. `Abbâs b. `Abd al-`Azîm al-`Anbarî Abu 'l-Fadl al-Marwazi 'l-Basrî [d. 240 A.H.].
3. `Amr b. `Ali 'l-Fallâs al-Bâhilî Abû Hafs al-Sayrafî [d. 249 A.H.].
4. Nasr b. `Ali 'l-Azdi 'l-Jahdamî [d. 250 A.H.].
5. Muhammad b. Ma`mar b. Rab`i 'l-Qaisî Abû `Abd Allâh al-Bahrâni 'l-Basrî [d. 250 A.H.].
6. Muhammad b. Bashshâr Bundâr Abû Bakr al-`Abdi 'l-Basrî [d. 252 A.H.].
7. Muhammad b. al-Muthanna 'l-`Anzî Abû Mûsa 'l-Zaman al-Basrî [d. 252 A.H.].
8. Ya`qûb b. Ibrâhîm al-`Abdi 'l-Dawraqî [d. 252 A.H.].
9. Ziyâd b. Yahya 'l-Hasâni 'l-Basrî Abu 'l-Khattâb al-`Adanî [d. 254 A.H.].

10. `Abd Allâh b. Sa`îd Abû Sa`îd al-Ashajj al-Kindi 'l-Kûfî [d. 257 A.H.] (Mukhtâr 1986: 51).

Jalîmî and `Abd al-Khâliq (1990: I/37) state that Nasâ'î transmitted traditions from 334 teachers in his *Sunan*, and from 114 teachers in his other works. Ibn Jawzî stated that the first time Nasâ'î went to Nîsâbûr, he heard traditions from Ishâq b. Râhaway, Husain b. Mansûr and Muhammad b. Râfi`. While returning Nasâ'î passed Marw and recorded Ahâdîth from `Alî b. Hujr, then went on to Iraq and transcribed traditions from Abû Kuraib (`Âqil n.d.: 7).

The other teachers of Nasâ'î were Mahmûd b. Ghailan, Abû Dâwûd Sajistânî, and Abû Dâwûd Harânî (Hamâdah 1985: 16-19). `Awdîn (1989:121) has also included Tirmidhî as one of Nasâ'î's teachers.

Another teacher of Nasâ'î was Abû `Amr al-Hârith b. Miskîn b. Muhammad b. Yûsuf [154-250 A.H.]. He was considered an outstanding Mâlikî (cf. glossary) jurist and became the Chief Justice of Egypt from 237-245 A.H. Nasâ'î was a judge of Egypt and a dispute arose between them; therefore, Nasâ'î did not participate in the circle of Hârith but used to sit in such a manner that he could learn what was taught without being seen. When recording those Ahâdîth, Nasâ'î wrote that he heard these Ahâdîth while they were being read to Hârith b. Miskîn (Jalîmî and `Abd al-Khâliq 1990: I/52-53).

Other reasons are cited for the acrimony between Nasâ'î and Hârith. Ibn al-Athîr states that Hârith was always precautious about matters concerning the rulers. Once Nasâ'î entered with such clothing that Hârith suspected him of being a government spy and prevented him from attending the lessons. Hence,

Nasâ'î sat behind the door and heard the traditions recited to Hârith (Jalîmî and `Abd al-Khâliq 1990: I/54).

Jalîmî and `Abd al-Khâliq (1990: I/55-57) state another reason for the tension between Nasâ'î and his teacher which related to the posts that they held. Nasâ'î's exclusion from Hârith's circle caused much antagonism and animosity. In spite of the misunderstanding Nasâ'î attended the lessons of Hârith b. Miskîn, thereby showing his dedication and devotion to learning Ahâdîth. Jalîmî and `Abd al-Khâliq (1990: I/58) state that Nasâ'î reported 140 Ahâdîth from Hârith in his *Sunan* and six in *`Amal al-Yawm wa 'l-Lailah,* four in *Fadâ'il al-Qur'ân* and three in *Khasâ'is `Alî*. Nasâ'î was 35 years old when Hârith passed away at the age of 96.

The method of reporting Hadîth shown by Nasâ'î in relation to Hârith is not to be seen as unique or symbolic of the tension between tutor and student since a similar method of reporting Ahâdîth from Hârith was practiced by Abû Dâwûd (n.d.:v/89; iv/237) as well. This was expressed by Zamân (1985:I/8) in his Urdu translation of Nasâ'î's *Sunan*.

There is a difference of opinion amongst the scholars whether or not Bukhârî was a teacher of Nasâ'î. Dhahabî [d. 748 A.H.] and Mizzî [d.742 A.H.] are of the opinion that Bukhârî was not his teacher, whilst Ibn Hajr [d. 852 A.H.] states that Bukhârî was his teacher. The latter view is accepted because Nasâ'î received several traditions from Bukhârî which are mentioned in *Al-Sunan al-Kubrâ* (`Âqil n.d.: 7). Nasâ'î narrated only one Hadîth from Bukhârî in the chapter on fasting in his *Sunan al-Sughrâ*. The chain of transmission is as follows:

Nasâ'î - Muḥammad b. Ismâ`îl al-Bukhârî - Ḥafṣ b. `Umar b. Ḥârith - Ḥammâd - Ma`mar and Nu`mân b. Râshid - Zuhrî - `Urwa - `Â'ishah reports that the Prophet (S.A.W.) did not curse ... (Nasâ'î 1992: IV/431).

The science of Ḥadîth lays great emphasis upon verifying the teachers of narrators in order to ascertain the scholarly level of the narrator and to show the authenticity of the narrations. Likewise the science of Ḥadîth places the same degree of emphasis regarding the students of such narrators since they have to achieve the same standards required to transmit narrations as authentic.

Thus the focus falls on Nasâ'î 's students which is given in [Table 2. 3]:

[Table 2.3] **PROMINENT STUDENTS OF NASÂ'Î**

Name	Death	Author	Reference
1. Abû Ja`far al-Tahâwî	321 A.H.	The Hanafî traditionist who compiled Mushkil al-Âthâr.	Jalimî and `Abd al-Khâliq 1990: I/42
2. Abû Ja`far Muhammad b. `Amr b. Mûsa 'l-`Uqailî	322 A.H.	The author of Al-Dhu`afa 'l-Kabîr	Jalimî and `Abd al-Khâliq 1990: I/43
3. Abû Sa`îd b. Yûnus	347 A.H.	The compiler of Târikh Misr	Jalimî and `Abd al-Khâliq 1990: I/43
4. `Alî b. Abû Ja`far Ahmad b. Muhammad b. Sulâmah Tahâwî	351 A.H.	The son of Tahâwî	Jalimî and `Abd al-Khâliq 1990: I/45
5. Abû Hâtim Muhammad b. Hibbân	354 A.H.	The author of Sahîh Ibn Hibbân	Jalimî and `Abd al-Khâliq 1990: I/42
6. Abû al-Qâsim Sulaimân b. Ahmad al-Tabrânî	360 A.H.	The author of Al-Mu`jam al-Kabîr, Al-Mu`jam al-Ausat and Al-Mu`jam al-Saghîr	Jalimî and `Abd al-Khâliq 1990: I/47

[Table 2.3 cont.]

7. Ahmad b. Muhammad b. al-Sunnî	364 A.H.	The main transmitter of Nasâ'i's Sunan, as explained in chapter three.	Jalimî and `Abd al-Khâliq 1990: I/43-44
8. Abû Ahmad `Abd Allâh b. `Adî Jurjânî	365 A.H.	The author of Al-Kâmil	Jalimî and `Abd al-Khâliq 1990: I/42

2.6 SCHOOL OF JURISPRUDENCE

Ibn Taimîyah [d. 728 A.H.] and Anwar Shâh Kashmîrî [d. 1353 A.H.] stated that Nasâ'î was a follower of the Hanbalî school of jurisprudence. The reason for the claim is that after a profound study of Nasâ'î's *Sunan,* one finds in several instances where Nasâ'î cites proofs of the Hanbalî school only. The following is an example of this: Ahmad b. Hanbal [d. 241 A.H.] considers the Friday prayer before midday as permissible, whereas most of the scholars regarded it to be prohibited (Gangohî n.d.: 154-155). Nasâ'î (1992: III/111) cites two traditions to substantiate this opinion of the Hanbalî school.

Shâh Wali 'llâh [d. 1176 A.H.] and Ibn al-Athîr [d. 606 A.H.] are of the opinion that he followed the Shâfi`î school, for he concurred with him on numerous issues and compiled a work on pilgrimage according to the Shâfi`î school (`Âqil n.d.: 20-21; Amritsarî n.d.: 23-24).

The writer however differs with the opinions of the above scholars due to the following reasons:

a) Nasâ'î reports traditions without expressing as to whether or not such traditions are accepted by any group of jurists as a basis for inferring a juridical opinion.

b) Despite the fact that traditions recorded by Nasâ'î are of a juridical nature and are favourable to the inferences of one or more schools of Islâmic jurisprudence, it is still inappropriate to classify Nasâ'î as a follower of a particular school. Cognisance must be taken of the fact that each of the schools of jurisprudence have sufficient traditions favouring their rulings and could thus equally claim that Nasâ'î belongs to their school of thought.

c) It is not proven that during Nasâ'î's era and even before his period at the time of the jurists, Abû Hanîfah [d. 150 A.H.], Mâlik [d. 179 A.H.], Shâfi`î [d. 204 A.H.] and Ahmad [d. 241 A.H.], the schools of Islâmic jurisprudence gained widespread acceptance. Likewise, it is not proven that the above jurists who formulated these schools ever proposed to obligate Muslims to any particular school. Thus to argue Nasâ'î's allegiance to one of these schools because of the subsequent following that such schools gained is futile since there is no evidence to substantiate it. It could be said that Nasâ'î like the Prophet's (S.A.W.) companions, used the Qur'ân and the traditions for establishing his Islâmic conduct.

Nasâ'î was a prolific writer and a list of his works is given in [Table 2. 4]:

[Table 2.4] **NASÂ'Î'S WORKS**

Names of Books	Reference
1. Al-Sunan	Hamâdah 1985: 28
2. Al-Kunâ	Hamâdah 1985: 28
3. Al-Du`afâ' wa 'l-Matrûkîn	Hamâdah 1985: 30
4. Al-Jarh wa 'l-Ta'dîl	Hamâdah 1985: 34-35
5. Al-Jumu`ah	Hamâdah 1985: 35
6. Kitâb al-Tamyîz	Hamâdah 1985: 31
7. Kitâb al-Tabaqât	Hamâdah 1985: 31
8. Kitâb al-Ighrâb	Hamâdah 1985: 33
9. Khasâ'is `Alî	Hamâdah 1985: 36
10. Musnad `Alî	Hamâdah 1985: 35
11. Musnad Mâlik	Hamâdah 1985: 32
12. Musnad Mansûr	Hamâdah 1985: 38
13. Musnad al-Zuhrî	Hamâdah 1985: 32
14. Musnad Shu`bah b. al-Hajjâj	Hamâdah 1985: 32
15. Musnad Sufyân al-Thawrî	Hamâdah 1985: 33
16. Musnad Ibn Juraij	Hamâdah 1985: 34
17. Musnad Yahyâ b. Sa`îd al-Qattân	Hamâdah 1985: 34
18. Musnad Fudail b. `Ayâd	Hamâdah 1985: 34
19. Manâsik al-Haj	Hamâdah 1985: 37
20. Tafsîr	Hamâdah 1985: 35
21. Mu`jam Shuyûkhhi	Hamâdah 1985: 31
22. Fada'il al-Qur'ân	Hamâdah 1985: 37

[Table 2.4 cont.]

23. `Amal al-Yawm wa 'l-Lailah	Hamâdah 1985: 38
24. Shuyûkh al-Zuhrî	Hamâdah 1985: 38
25. Imlâ'âtuhu al-Hadîthiyah	Hamâdah 1985: 38
26. Juz' min Hadîth `an al-Nabî	Hamâdah 1985: 38
27. Tasmiyah Fuqahâ' 'l-Amsâr min Ashâb Rasûl Allâh	Hamâdah 1985: 37
28. Tasmiyah man lam yarwi `anhu Ghair Rajul Wâhid	Hamâdah 1985: 37
29. Ma`rifah al-Ikhwah wa al-Akhawât min al-`Ulamâ' wa 'l-Ruwât	Hamâdah 1985: 32
30. Dhikr man Haddatha `anhu Ibn Abî `Arûbah wa lam yasma` minh	Hamâdah 1985: 38

2.7 A DISCUSSION ON THE EXTANT WORKS

2.7.1 `AMAL AL-YAWM WA 'L-LAILAH (actions of the day and night)

This book highlights the various supplications that should be read during the day and night. It consists of 321 chapters and comprises 1 141 Ahâdîth. It was printed by the Mu'assasat al-Risâlah in Beirut in 1985. This work was edited by Hamâdah, who included the biography of Nasâ'î and extensively discussed the *Sunan* of Nasâ'î, including the transmitters of the *Sunan*. This work is compiled in one volume consisting of 716 pages.

At the end of the book Hamâdah has an index of the Qur'ânic verses, Prophetic traditions, poetry and names of the Prophet's (S.A.W.) companions which were mentioned by Nasâ'î. In this way, Hamâdah has facilitated the work of Hadîth for modern-day scholars.

2.7.2 TAFSÎR AL-NASÂ'Î (Qur'ânic hermeneutics of Nasâ'î)

This Tafsîr (cf. glossary) was published in two volumes by Mu'assasat al-Kutub al-Thaqâfîyah of Beirut for the first time in 1990. The first volume consists of 687 pages and the second 894 pages. This work was edited by Sabrî b. `Abd al-Khâliq al-Shâfi`î and Sayyid b. `Abbâs al-Jalîmî. In the first volume Nasâ'î cites tradition/s for the first seventeen chapters of the Qur'ân, whilst in the second hè comments on the remainder. The editors concluded the work with an index of the Qur'ânic verses, Prophetic traditions, the concordance of the Prophetic traditions, circumstances that led to the revelations, variant recitations and a bibliography.

2.7.3 KITÂB AL- DU`AFÂ' WA 'L-MATRÛKÎN (book of the weak and abandoned)

This book was published by Mu'assasat al-Kutub al-Thaqâfîyah of Beirut for the first time in 1985. It consists of one volume of 308 pages. It was edited by Kamâl Yûsuf al-Hût and Bûrân al-Danâwî. Nasâ'î arranged alphabetically the names of the transmitters whom he considered as Du`afâ' (cf. glossary) and Matrûkîn (cf. glossary). At the beginning the editors recounted Nasâ'î's biography and listed the works he wrote in the field of "Authenticating and Discrediting of the Transmitters". At the end of the work he included those transmitters who were weak and known by their agnomen.

2.7.4 KHASÂ'IS AMÎR AL-MU'MINÎN (characteristics of `Alî b. Abû Tâlib)

In this work Nasâ'î highlights the characteristics of the fourth caliph, `Alî b. Abû Tâlib. This work was edited by Muhammad Hâdi 'l-Amînî and comprises 172 pages. It was printed by Maktabah Nînwa 'l-Hadîthah in Tehran and the date is unknown. At the beginning the editor recounts a biography of Nasâ'î and listed his works. At the end of the work an extensive bibliography is appended. This work is also entitled *Khasâ'is `Alî*.

The *Khasâ'is* has also been published by Dâr al-Kutub al-`Ilmîyah of Beirut. This copy was edited by Abû Ishâq al-Huwaynî and comprises 136 pages. At the beginning there is a brief biography of Nasâ'î. A noteworthy point, however, is that Ibn Taimîyah [d. 728 A.H.] has stated that this particular work of Nasâ'î comprises weak and spurious traditions, since the object of the

author was to compile traditions on `Alî without a thorough investigation. (Amritsarî n.d.: 24).

2.7.5 TASMIYAH FUQAHÂ' 'L-AMSÂR (names of the jurists of various towns and cities)

In this booklet Nasâ'î has chronologically listed the names of the jurists of various places. The jurists of Madînah are listed first, thereafter the tâbi`ûn (cf. glossary) and then the tab` al-tâbi`în (cf. glossary). Similarly, he mentioned the jurists of Kûfah, Basrah, Egypt, Khurâsân and the Levant. This manuscript consists of four pages.

2.7.6 AL-TABAQÂT (categories)

In this booklet Nasâ'î has highlighted in three pages the various categories of transmitters of Nâfi` and `A'mash.

2.7.7 TASMIYAH MAN LAM YARWI `ANHU GHAIR RAJUL WÂHID (the names of those from whom none narrate except one person)

This booklet consists of two pages. In this work Nasâ'î highlights those twenty-five teachers each of whom had one student narrating traditions from him.

2.8 NASÂ'Î'S DEATH AND HIS STATUS

Nasâ'î died in 303 A.H. in Damascus as a result of torture. Hâkim, who states that he was martyred, quotes that he left Egypt for Damascus towards the latter part of his life. Ibn Khallikân and Dhahabî are more precise, saying that he left Cairo in Dhu al-Qa`dah (cf. glossary) 302 A.H. In Damascus Nasâ'î was questioned about Mu`âwiyah b. Abû Sufyân's virtues. When he refused to agree that Mu`âwiyah was superior to `Alî, he was kicked in the groin and thrown out of the mosque. He was then carried to Ramlah, Palestine. There is a difference of opinion about the place and the exact date of his death. Some say he died in Ramlah and was buried in Makkah. However, all agree that he died in 303 A.H. at the age of 88; the most precise date given being Monday, 13 Safar (Robson 1956: 38-39).

Dâraqutnî [d. 385 A.H.] says that Nasâ'î set out for pilgrimage and was attacked in Damascus. Nasâ'î was carried to Makkah at his request and expired there. Nasâ'î was buried between the hills of Safâ (cf. glossary) and Marwah (cf. glossary) in Makkah and the burial occurred in the month of Sha`bân (cf. glossary) 303 A.H. Dhahabî [d. 748 A.H.], Tahâwî [d. 321 A.H.], Mizzî [d. 742 A.H.], Ibn Khallikân [d. 681 A.H.] and Ibn Yûnus [d. 347 A.H.] are of the opinion that Nasâ'î died in Palestine during the month of Safar. However, Dâraqutnî [d. 385 A.H.], Ibn al-Athîr [d. 606 A.H.] and Hâkim [d. 305 A.H.] are of the opinion that he died in Makkah during the month of Sha`bân (Jalîmî and `Abd al-Khâliq 1990: I/84-85).

Dâraqutnî [d. 385 A.H.] stated that Nasâ'î was a leader among his contemporaries. Subkî declares that he asked Dhahabî whether Muslim or

Nasâ'î was a greater Hâfiz (cf. glossary), and he replied that it was the latter. Ibn al-Salâh [d. 643 A.H.] stated that Abû Bakr al-Khatîb used the title *Sahîh* for the books of Tirmidhî and Nasâ'î (Robson 1956: 39).

Abû Ja`far Tahâwî said that Nasâ'î was one of the leaders of the Muslims. Dâraqutnî named Nasâ'î 's magnum opus, the *Sunan,* as a *Sahîh* (Jalîmî and `Abd al-Khâliq 1990: I/63-64). Abû Bakr b. Haddâd received Ahâdîth only from Nasâ'î, and adopted Nasâ'î as his sole witness between himself and Allâh (Zamân 1985:I/6).

2.9 CONCLUSION

A brief biography of Nasâ'î was recounted in this chapter. Apart from the religious contribution and studies of Nasâ'î it is apparent that he was active in politics, which is evident from his expedition to Tarsûs. He lived during the reign of the Abbâsid Caliphate which was progressive because of its administrational capabilities. Furthermore, the Abbâsid Caliphate gave birth and encouragement to the spread of Greek scientific and philosophical works. This trend polluted the religious environment and led to the fragmentation of sects which had deviated from the mainstream Islâmic thought.

However, `Umar b. `Abd al-`Azîz's [d. 101 A.H.] earlier initiation towards movements for the compilation of Ahâdîth continued unabated and brought the best of Islâmic scholars in Hadîth to the foreground. The spread of Hadîth necessarily had an effect upon Nasâ'î's education since he was associated with these narrators by dint of collecting and compiling Ahâdîth. It is obvious that Nasâ'î, rather than being involved in the Greek sciences and/or philosophical

debates, gave preference to the acquiring of Ahâdîth in his youth.

The geographical location of his birthplace and subsequent residence also assisted his engagement in the field of Hadîth, just as the existence of major scholars of Hadîth gave aid to his thought and intellectual development.

Nasâ'î's studying Hadîth at the age of fifteen shows his early inclination to this field and to learning in the general sense. It may be concluded that he studied Arabic and its grammar since his early youth which enabled him to learn Hadîth at the age of fifteen.

Likewise, his extensive travels and the many teachers from whom he reported Ahâdîth, are clear evidence that he, like many of his contemporaries, became deeply inspired by the study of Ahâdîth. They realized that it was imperative to travel in pursuit of unrecorded narrations that were yet within the hearts of men, sparsely scattered, who narrated only orally their knowledge.

Nasâ'î's being a judge of Egypt in his latter life also reflects that he was not dissociated with the general happenings of the time, since judges during those periods adjudicated in all matters. Their experience was not limited to specific areas of the law.

Nasâ'î's life was filled with many milestones and mishaps. Some of the milestones include his appointment as Judge in Egypt, his prolific compilation of works on Hadîth, his tutorship of prominent students. The mishaps include his fall-out with his teachers and his demise under tragic circumstances. The recording and narration of Nasâ'î's works bear testimony to the fact that he

was a discerning scholar. Despite Hadîth being his primary concern, he was an active contributor to the community as judge and teacher.

Like most other Hadîth scholars, it would be a bias to consider Nasâ'î to be the follower of a particular juristic school. However, some of his narrations in his major works may favour juristic opinions of one school over the other. There is no clear evidence, either through biographical data or any of Nasâ'î's works, that he followed the codifications prescribed in any of the juristic schools.

Nasâ'î compiled at least thirty works of which only seven are extant. Furthermore, Nasâ'î has to be recognised as a scholar of Hadîth mainly due to his magnum opus, the *Sunan,* which will be discussed in the ensuing chapter.

CHAPTER THREE

THE VARIANT TEXTS, COMMENTARIES AND NARRATORS OF NASÂ'Î'S SUNAN

3.1 INTRODUCTION

In the previous chapter, Nasâ'î's biographical details were recounted to show him as a reputed traditionist and to show that his works in the field of Hadîth are authoritative.

When dealing with the subject of Hadîth, it is vitally important to understand basic issues related to diverse aspects of the entire field of Hadîth. Without such knowledge, comprehension of the subject-matter with all sub-divisions becomes virtually impossible. Thus a primary "classification of the books of Hadîth" is essential and a definition of each classification must be provided in order to facilitate the indentification of the different kinds of Ahâdîth works. Furthermore, this classification would eliminate any misconception.

Nasâ'î's *Sunan* is thus discussed not in isolation but within the context of the classification. The main reason for his compilation is given and the relationship of his work to the other major five works of Hadîth is indicated. The section regarding the essential characteristics of the *Sunan* forms the main part of the work. It is necessary for the purpose of attesting the accuracy of the Ahâdîth, that various editions of these, through different scholars, be collated and compared so that the discrepancies be solved objectively. Therefore, six available editions of the work are discussed - providing brief

information on each.

Sections pertaining to manuscripts and commentaries provide scholars with further insight into the Aḥâdîth of *Sunan Nasâ'î*. The information regarding "narrators of the *Sunan*" has been extracted from Robson. However, he has not made any further investigation to clarify whether they narrated the *Sunan al-Sughrâ* or the *Sunan al-Kubrâ* of Nasâ'î. Nevertheless, since the *Sunan al-Sughrâ* was a summary from the *Sunan al-Kubrâ*, it is appropriate to infer that the narration of the latter work and its compilation has primary significance for the *Sunan al-Sughrâ*. The six narrators who received Aḥâdîth from Nasâ'î, will be discussed.

3.2 CLASSIFICATION OF THE BOOKS OF ḤADÎTH

The books of Ḥadîth have been classified into 28 categories which are as follows:

1. The *Ṣaḥîfahs* are collections of Aḥâdîth that were compiled by some of the Prophet's (S.A.W.) companions during his life-time. One such collection by Abû Hurairah, taught and transmitted to his student, Hammâm b. Munabbah, has been edited by Ḥamidullah. The most important of them is the *Ṣaḥîfah* which was collected by `Abd Allâh b. `Amr b. al-`Âṣ , who gave it the title of *Al-Ṣâdiqah* (Ṣiddîqî 1961: 15).

2. The *Ajzâ'* are collections of traditions which have been transmitted on the authority of an individual - be he a companion of the Prophet (S.A.W.) or of later generations. The term Juz' (cf. glossary) is also

applied to such monographs in which Ahâdîth are collected on a particular subject, for example, 'Intention', etc. (Siddîqî 1961: 15). The famous *Ajzâ'* compiled are the following two works by Bukhârî, *Juz' 'l-Qirâ'ah* and *Juz' Raf' al-Yadayn*. In recent times Moulânâ Zakarîyâ [d. 1402 A.H.] compiled *Juz' Hajjat al-Widâ`* (`Uthmânî 1983: I/53).

3. *Jâmi`* are those collections of Ahâdîth which contain the following eight subjects:

   a) Siyar - Prophet' s (S.A.W.) biography including the battles in which he participated and his characteristics.
   b) Âdâb - etiquettes.
   c) Tafsîr - exegesis of the Holy Qur'ân.
   d) `Aqâid - belief system.
   e) Fitan - crises.
   f) Ashrât - signs of the last day.
   g) Ahkâm - ordinances which include all the subjects of juristic injunctions.
   h) Manâqib - hagiology of the Prophet's (S.A.W.) companions and successors (`Uthmânî 1983: I/49-50).

Thus, the *Sahîh* of Bukhârî as well as the book of Tirmidhî are called *Jâmi`*, but the *Sahîh* of Muslim is not described as *Jâmi`*, because it, unlike the *Sahîh* of Bukhârî, does not contain traditions relating to all the chapters of the Qur'ân (Siddîqî 1961: 18). The first *Jâmi`* was compiled by Ma`mar b. Râshid [d. 153 A.H.], who was a student of Zuhrî. This collection is lost. The second *Jâmi`* was compiled by Sufyân Thawrî [d. 161 A.H.], but this work is also lost.

The third *Jâmi`* was compiled by `Abd al-Razzâq b. Hammâm Sam`ânî [d. 211 A.H.] called *Musannaf `Abd al-Razzâq*. This work is available in eleven volumes. Another notable *Jâmi`* was compiled by Dârimî (`Uthmânî 1983: I/50).

4. *Musannafs* are collections of Ahâdîth in which the traditions relating to most or all of the various subjects cited above are arranged in various books or chapters; each dealing with a particular subject. To this class belongs Mâlik's *Muwattâ* and Muslim's *Sahîh* (Siddîqî 1961: 16).

5. The term Musnad was originally used for such traditions which were supported by a complete uninterrupted chain of authorities going back to a companion who related it from the Prophet (S.A.W.). Subsequently, this term was used in the general sense of a reliable and authoritative tradition. In this regard, the term is also used for all reliable works in Hadîth literature, and works like the *Sunan* of Dârimî and the *Sahîh* of Bukhârî are called *Musnads*. Technically it is used only for those collections of Ahâdîth which are arranged according to the names of the final authorities by whom they are related, irrespective of their subject matter. Such are the *Musnads* of Abû Dâwûd Tayâlisî [d. 204 A.H.], Ahmad b. Hanbal [d. 241 A.H.], `Abd Allâh b. Muhammad b. Abû Shaibah [d. 235 A.H.], `Uthmân b. Abû Shaibah [d. 237 A.H.] and Abû Khaythamah [d. 234 A.H.]. The person who collected Ahâdîth in the form of a Musnad is called a Musnid. The Musnad works themselves, however, differ in detail in the arrangement of the authorities who originally related them. In some they are arranged in the alphabetical order of their names. In others they are

arranged according to their relative merit in the acceptance of Islâm and in participating in early important events of the Prophet's (S.A.W.) mission. In still others they are arranged according to the affinity of their tribe to the Prophet (S.A.W.) (Siddîqî 1961: 16-17).

However, certain Musnad works are divided into chapters devoted to various subjects, and in each chapter the Ahâdîth are arranged according to the original authorities; namely, companions of the Prophet (S.A.W.) . The style is followed by Abû Ya`lâ [d. 276 A.H.] and Abû `Abd al-Rahmân in their Musnad works. These works combine the characteristics of the Musnad and the Musannaf works.

Some of the Musnad compilers endeavoured to collect all available traditions reported by the various companions. The Musnad of Ibn al-Najjâr is said to have contained the traditions related by all the companions. The Musnad of Abû `Abd al-Rahmân is said to have contained traditions transmitted by 1 300 companions. There are, however, several Musnad works which are devoted to traditions related either by a group of companions or by a single companion (Siddîqî, 1961: 16-17).

The Musnad of Ahmad is the most widely received and comprises 40 000 traditions. He compiled it during his lifetime, but did not have the opportunity to arrange it. Thereafter his son `Abd Allâh arranged it and added 10 000 traditions. Subsequently Abû Bakr Qatî`î also inserted certain traditions. These additional traditions are called Ziyâdât al-Musnad (`Uthmânî 1983: I/47).

The first *Musnad* was compiled by Nu`aym b. Hammâd. The following *Musnads* are available:

a) *Musnad* of Abû Dâwûd Tayâlisî [d. 204 A.H.]

b) Musnad of Ahmad b. Hanbal [d. 241 A.H.]

c) *Musnad* of Humaidî [d. 488 A.H.] (`Uthmânî 1983: I/51).

6. The term *Mu`jam* is generally applied to such works on various subjects as are arranged in alphabetical order. The geographical and biographical dictionaries of Yâqût [d. 626 A.H.] are called *Mu`jam al-Buldân* and *Mu`jam al-Udabâ'* because they are arranged alphabetically. *Musnad* collections of Ahâdîth arranged under the names of the companions of the Prophet (S.A.W.) in their alphabetical order are also known as *Mu`jam al-Sahâbah*. According to the authorities on the science of tradition, the term *Mu`jam* refers only to those Hadîth which the compiler arranges according to the teacher/s from whom he received the traditions alphabetically. However, Moulânâ Zakarîyâ [d. 1402] does not agree with this definition. He maintains that *Mu`jam* refers to an alphabetical arrangement of Ahâdîth, whether such arrangement be according to the companions of the Prophet (S.A.W.) or the teachers. This creates a general distinction between the *Mu`jam* and *Musnad*. There are numerous books in this category, for example, *Mu`jam Ismâ`îl* and *Mu`jam Ibn al-Ghauti*. The most famous is the *Mu`jam* of Tabarânî (Siddîqî 1961: 18; `Uthmânî 1983: I/52).

The most widely received *Mu`jams* are the three works of Tabarânî :

a) *Al-Mu`jam al-Kabîr*, in which traditions that were narrated by the companions of the Prophet (S.A.W.) are mentioned in sequence.

b) *Al-Mu`jam al-Awsat*, in which traditions are arranged according to the order of the shuyûkh (cf. glossary).

c) *Al-Mu`jam al-Saghîr*, in which every Hadîth of all the shuyûkh are listed, irrespective of sequence and order. The first two compilations are lost and *Al-Mu`jam al-Saghîr* has been published in India and Egypt (`Uthmânî 1983: I/52).

7. *Mustadraks* are collections of Ahâdîth in which the compiler, having accepted the conditions laid down by a previous compiler, collects such other traditions. These fulfil the conditions, which were omitted by the previous compiler. To this class belongs the *Mustadrak* of Hâkim who collected Ahâdîth which fulfilled the conditions of Bukhârî and Muslim but were not included by them in their respective collections (Siddîqî 1961: 19). Other scholars who also compiled *Mustadraks* were Dâraqutnî and Abû Dhar `Abd, whose works were entitled *Kitâb al-Ilzâmât* and *Al-Mustadrak `Ala 'l-Sahîhayn*, respectively (`Uthmânî 1983: I/52).

8. *Mustakhraj* are collections of Ahâdîth in which a later compiler collects new chains of transmission for such traditions which were collected by a previous compiler on the basis of different chains. To this class belongs the Mustakhraj of Abû Nu`aym Isfahânî [d. 430 A.H.] on the *Sahîhs* of Bukhârî and Muslim. In this book Abû Nu`aym has given new chains of transmission for some of the traditions which were already

included by Bukhârî and Muslim in their *Sahîhs* (Siddîqî 1961: 19). Abû `Awânah [d. 316 A.H.] also compiled a *Mustakhraj* on *Sahîh Muslim* (`Uthmânî 1983: I/57).

9. The *Arba`înât*, as the name indicates, are the collections of forty Ahâdîth relating to one or more subjects which may have appeared to be of special interest to the compiler. An example of this class is the *Arba`în* of al-Nawawî. (Siddîqî 1961: 19).

The scholars were prompted to compile works which comprised forty traditions on the basis of the Prophet's (S.A.W.) statement: "Whosoever from my ummah memorizes forty traditions in matters pertaining to their religion, Allâh will resurrect them as jurists and I will intercede for them on the day of judgement" (Tabrîzî 1989: I/86). The first person to compile forty traditions was `Abd Allâh b. Mubârak and he was followed by Muhammad b. Aslam Tûsî (`Uthmânî 1983: I/57).

10. *Al-Takhrîj* refers to any collection in which a scholar codifies the traditions of the Prophet (S.AW.) without reference. Research enables this scholar to find the necessary references for that particular work. Thus this compilation with the references will be termed *Takhrîj*. Examples of this are the works of Zaila`î on *Hidâyah* entitled *Nasb al-Râyah Fî Takhrîj Ahâdîth al-Hidâyah* and Ibn Hajr's work on *Râfi`î* called *Al-Talkhîs al-Habîr Fî Takhrîj Ahâdîth al-Râfi`î al-Kabîr* (`Uthmânî 1983: I/53-54).

11. *Kutub al-Jam`* are collections of Ahâdîth in which a traditionist combines two or more works of Hadîth and in the process omits all the

repeated traditions. Humaidî [d. 488 A.H.] compiled the first book under this category and entitled it *Al-Jam` Bayn al-Sahîhayn* referring to the traditions in *Sahîh Bukhârî* and *Sahîh Muslim*. Razîn b. Mu`âwiyah [d. 511 A.H.] compiled a work called *Tajrîd al-Sihâh al-Sittah* in which he collected the traditions of the six most authentic compilations, viz. *Sahîh Bukhârî, Sahîh Muslim, Sunan Abû Dâwûd, Sunan Nasâ'î, Jâmi` Tirmidhî* and *Muwattâ Imâm Mâlik*. Subsequently, Ibn Athîr Jazrî [d. 606 A.H.] entitled his work *Jâmi` al-Usûl* in which he compiled the above traditions and also included those traditions which were not recorded by Râzin b. Mu`âwiyah. Thereafter Nûr al-Dîn Haythamî [d. 807 A.H.] compiled a work entitled *Majma`h al-Zawâ'id wa Manba`h al-Fawâ'id*. Haythamî collected the Ahâdîth of the six authentic books and also included the traditions of Musnad Ahmad, Musnad Bazzâr, Musnad Abû Ya`lâ and Tabarânî. Subsequently, Muhammad b. Muhammad b. Sulaimân combined the *Jâmi` al-Usûl* and *Majma`h al-Zawâ'id* and omitted the repeated traditions and entitled it *Jam` al-Fawâ'id min Jâmi` al-Usûl wa Majma`h al-Zawâ'id*. Muhammad's contribution was that he included the traditions of *Sunan Ibn Mâjah* and *Sunan Dârimî*. This compilation was a collection of fourteen different books of traditions. All these books were arranged according to their respective chapters, whilst other scholars endeavoured to arrange traditions alphabetically. The first book to be arranged alphabetically was *Firdaus al-Daylamî*. Thereafter Jalâl al-Dîn Suyûtî [d. 911 A.H.] compiled his work entitled *Jam` al-Jawâmî*, in which the verbal traditions of the Prophet (S.A.W.) were alphabetically arranged. Furthermore, Suyûtî summarized the above work and called it *Al-Jâmi` al-Saghîr Fî Ahâdîth al-Bashîr al-Nadhîr Salla 'llâh `Alaihi Wa Sallam*.

The original work *Jam` al-Jawâmî* is lost, but the *Al-Jâmi` al-Saghîr* is available (`Uthmânî 1983: I/54-56).

The most comprehensive book on this topic is by `Alî al-Muttaqî [d. 975 A.H.], entitled *Kanz al-`Ummâl Fî Sunan al-Aqwâl wa 'l-Af`âl.* He based his magnum opus on Suyûtî's *Jam` al-Jawâmî.* For every Hadîth recorded in *Kanz al-`Ummâl* the author has given the relevant reference, thus making his work superior to those of others. This work is a collection of approximately thirty different books of Hadîth and is currently available (`Uthmânî 1983: I/56). It has been published in sixteen volumes by Mu'assasat al-Risâlah in Beirut in 1985.

12. *Al-Fahâris* are compilations in which a scholar has listed the index of a particular work. The orientalists have compiled the concordance of Hadîth in seven volumes under the supervision of Wensinck. This is an index of the *Sihâh Sittah, Muwattâ Mâlik, Musnad Ahmad* and *Sunan Dârimî.* Wensinck summarized the above work and named it *Miftâh Kunûz al-Sunnah* (`Uthmânî 1983: I/56).

13. *Al-Atrâf* refers to works where the introduction and conclusion of a Hadîth are mentioned with the source. This facilitates finding a Hadîth for research purposes. The pioneer in this field was Hâfiz Ibn `Asâkir [d. 571 A.H.] who compiled a work in two volumes and named it *Al-Ashrâf Fî Ma`rifah al-Atrâf.* This work contained the index of *Sunan Abû Dâwûd, Sunan Nasâ'î* and *Jâmi` Tirmidhî,* but this work is lost.

The most comprehensive work in this field was undertaken by Hâfiz Mizzî [d. 742 A.H.], who compiled *Tuhfah al-Ashrâf Fî Ma`rifah al-Atrâf* (`Uthmânî 1983: I/57).

14. *Al-Mawdû`ât* are compilations in which spurious Ahâdîth have been collected. The pioneer in this field was Ibn al-Jawzî [d. 597 A.H.], who compiled two works in this field, *Al-`Ilal al-Mutanâhiyah Fi 'l-Akhbâr al-Wâhiyah* and *Al-Mawdû`ât al-Kubrâ*. The latter is available whilst the former is lost. Suyûtî criticized the works of Ibn al-Jawzî and alleged that he was too harsh in classifying the traditions as fabricated, prompting Suyûtî to compile his own work *Al-La'âlî al-Masnû`ah Fi 'l-Ahâdîth al-Mawdû`ah*. Mullâ `Alî Qârî's [d. 1014 A.H.] work *Al-Mawdû`ât al-Kabîr* is well-known in this science. Shawkânî [d.1250 A.H.] compiled *Al-Fawâ'id al-Majmû`ah Fi 'l-Ahâdîth al-Mawdû`ah*. The most comprehensive work in this field is by `Allâma Ibn `Irâqi entitled *Tanzîh al-Sharî`ah al-Marfû`ah `An al-Ahâdîth al-Shanî`ah al-Mawdû`ah*. This book includes those traditions that were considered spurious by scholars like Ibn Hajr, Ibn `Adî, Suyûtî, Mullâ `Alî Qârî, Ibn Jawzî and `Uqailî (`Uthmânî 1983: I/58-59).

15. *Kutub al-Ahâdîth al-Mushtahirah* refers to those Ahâdîth that are popular amongst the masses but there is no reliable chain of transmission to substantiate them. The pioneer in this field was Zarkashî whose work was named *Al-Tadhkirah Fi 'l-Ahâdîth al-Mushtahirah*. Ibn Hajr compiled *Al-La'âlî al-Manthûrah Fi 'l-Ahâdîth al-Mashhûrah* and Suyûtî wrote *Al-Durar al-Muntashirah Fi 'l-Ahâdîth al-Mushtahirah*. The most comprehensive work in this field is called *Al-*

*Maqâsid al-Hasanah Fi 'l-Ahâdîth al-Mushtahirah `Ala 'l-Alsinah* by Shams al-Dîn Sakhâwî [d. 902 A.H.] (`Uthmânî 1983: I/59).

16. *Asbâb al-Hadîth* are works which highlight the circumstances of the Ahâdîth. The first person to contribute in this field was Abû Hafs al-Akhbarî, whilst Suyûtî's work *Asbâb Wurûd al-Hadîth* is well-known. Another famous book entitled *Al-Bayân wa 'l-Ta`rîf fî Asbâb Wurûd al-Hadîth* by Ibn Hamzah al-Husainî has also been published (`Uthmânî 1983: I/60-61).

17. *Al-Thulâthiyât* refers to collections of Ahâdîth in which the author records three transmitters between himself and the Prophet (S.A.W.); for example, the *Thulâthiyât al-Bukhârî, Thulâthiyât al-Dârimî* and *Thulâthiyât `Abd b. Humaid* (`Uthmânî 1983: I/62). Ashraf b. `Abd al-Rahim compiled a work and entitled it *Al-Thulâthiyât Fi 'l-Hadîth al-Nabawî al-Kutub al-Sittah wa 'l-Musnad Ahmad.* This work was published for the first time in 1987 by Dâr al-Kutub al-`Ilmîyah of Beirut.

18. *Al-Targhîb wa 'l-Tarhîb* are works which comprise Ahâdîth that encourage one to perform virtuous deeds and discourage acts of transgression. The most famous book on this subject is *Al-Targhîb wa 'l-Tarhîb* by Hâfiz Mundhirî [d. 656 A.H.] (`Uthmânî 1983: I/62).

19. *Al-Adhkâr* are compilations in which the supplications of the Prophet (S.A.W.) are preserved and recorded. The works on this subject are Nawawî's *Kitâb al-Adhkâr* and Ibn al-Jazrî's *Al-Hisn al-Hasîn min kalâm Sayyid al-Mursalîn* (`Uthmânî 1983: I/62).

20. *Shurûh al-Hadîth* are the various commentaries on the works of Hadîth, for example, *Fath al-Bârî* of Ibn Hajr on *Sahîh Bukhârî* (`Uthmânî 1983: I/62).

21. *Al-Tarâjim* are works of Hadîth where a particular chain of transmission is recorded with all its traditions, for example, the chain of Mâlik from Nâfi` on the authority of Ibn `Umar (`Uthmânî 1983: I/62).

22. *Al-`Ilal* are books of Hadîth which discusses the discrepancies of the chains of transmission; for example, Tirmidhî compiled *Al-`Ilal al-Kabîr* and *Al-`Ilal al-Saghîr* (`Uthmânî 1983: I/61).

23. *Al-Zawâ'id* are collections in which a scholar codifies only those Ahâdîth that are not found in *Sahîh Bukhârî* and *Sahîh Muslim*. For example, Nûr al-Dîn Haythamî [d. 807 A.H.] compiled *Mawârid al-Zam'ân Ilâ Zawâ'id Ibn Hibbân*, in which he omitted all the traditions that are included in *Sahîh Bukhârî* and *Sahîh Muslim* whilst only codifying the traditions that were in *Sahîh Ibn Hibbân* `Uthmânî 1983: I/61).

24. *Al-Amâlî* are the lectures of various traditionists which were transcribed by their students. In modern times this method has flourished since the

students of Moulânâ Anwar Shâh Kashmîrî [d. 1353 A.H.] took down the dictations of the Moulânâ. His lectures on *Sahîh Bukhârî* were transcribed by Moulânâ Badr `Âlam [d. 1385 A.H.] entitled *Fayd al-Bârî* (`Uthmânî 1983: I/61).

25. *Mushkil al-Hadîth* refers to compilations which contain apparently contradictory Ahâdîth, and the task of the traditionist is to reconcile them. The pioneer in this field was Shâfi`î, who dedicated certain portions of his magnum opus *Kitâb al-Umm* to the science of reconciliation. Another useful book on this subject is the *Mushkil al-Hadîth* of `Allâma Abû Bakr (`Uthmânî 1983: I/60).

26. *Al-Musalsalât* are Ahâdîth where a traditionist continues an action which he observed his teacher practicing whilst transmitting a Hadîth. For example, if the Prophet (S.A.W) shook hands with a companion, to whom he then said something, likewise the companion first shook hands with his student and then narrated the Prophetic statement. The latter would in turn do the same to the person to whom he narrates. Shâh Wali 'llâh compiled a work on this subject entitled *Al-Fadl al-Mubîn Fi 'l-Musalsal Min Hadîth al-Nabî al-Amîn* (`Âqil n.d.: 33-34).

27. *Al-Mukhtasarât* are compilations of Hadîth wherein the chains of transmission and the repeated traditions are omitted. The most important works in this field are, *Mukhtasar Sunan Abû Dâwûd* by Hâfiz Mundhirî [d. 656 A.H.], *Mukhtasar Sahîh Muslim* by Qurtubî [d. 671 A.H.], an abridgement of *Sahîh Bukhârî* by Badr al-Dîn Hasan al-Halabî [d. 779 A.H.] entitled *Irshâd al-Sâmi` wa 'l-Qârî al-Multaqâ*

Min Sahîh al-Bukhârî. Another abridgement of *Sahîh Bukhârî* was undertaken by Ahmad al-Zabîdî [d. 893 A.H.] named *Al-Tajrîd al-Sarîh li Ahâdîth al-Jâmi` al-Sahîh* (`Âqil n.d.: 35).

28. *Al-Sunan* is applicable to works which have been arranged according to juristic chapters, such as purification, prayer, poor-due and fasting. Initially these works were called *Abwâb*; thereafter the name changed to *Musannaf* and finally they were classified as *Sunan*. The pioneer in this field was `Âmir al-Sha`bî whose work was entitled *Abwâb al-Sha`bî*. From the six canonical works of Hadîth, Nasâ'î, Abû Dâwûd, Tirmidhî and Ibn Mâjah's collections are classified as *Sunan*. Thus when all four collections are referred to collectively they are called *Sunan Arba`ah*. Other works in this category are the following: *Sunan Baihaqî, Sunan Dârimî, Sunan Dâraqutnî* and the *Musannafs* of `Abd al-Razzâq and Abû Bakr Ibn Abû Shaibah (`Uthmânî 1983: I/50-51).

3.3 NASÂ'Î'S SUNAN

The *Sunan* is Nasâ'î 's magnum opus. According to `Âqil (n.d.: 51) it contains 5 743 Ahâdîth and has been divided into fifty-one chapters with detailed discussions about traditions dealing with devotional acts. This work has been further divided into 2 452 sub-chapters. The chapters of Ihbâs (cf. glossary), Nuhl (cf. glossary), Ruqbâ (cf. glossary) and `Umrâ (cf. glossary) do not occur in any of the other Hadîth collections, although a portion of them appear under different headings. On the other hand, chapters pertaining to eschatology, hagiology and the Qur'ân are brief in comparison to the other authentic collections of Hadîth (Wensinck 1965: 439).

Nasâ'î had two works which were classified as *Sunan*. One was called *Al-Sunan al-Kubrâ* whilst the other was named *Al-Sunan al-Sughrâ*. After Nasâ'î had compiled the *Al-Sunan al-Kubrâ* he presented it to the leader of Ramlah who inquired whether all the traditions recorded in it were authentic. Nasâ'î replied in the negative; thus the leader requested Nasâ'î to compile a work which contained authentic Ahâdîth only. Ibn Athîr and Mullâ `Alî Qârî are of the opinion that Nasâ'î compiled the *Al-Sunan al-Sughrâ* to fulfil the request of the leader. Dhahabî expressed the opinion that the *Al-Sunan al-Kubrâ* was abridged by Nasâ'î 's student, Ibn al-Sunnî. Ibn Ahmar, a student of Nasâ'î, holds that Ibn Sunnî had compiled the *Sughrâ* under the supervision of Nasâ'î. This work is called *Al-Sunan al-Sughrâ* or *Al-Mujtabâ* or *Al-Mujtanâ* which refers to the selected traditions (Mazâhirî 1979: 250-251).

In modern times when a scholar refers to Nasâ'î 's work, it refers to *Al-Sunan al-Sughrâ*. This is the opinion of most of the scholars like Mullâ `Alî Qârî, Suyûtî and Subkî (`Âqil n.d.: 41-42). Mizzî and Mundhirî are of the opinion that when Nasâ'î 's *Sunan* is mentioned without an adjective then it refers to the *Al-Sunan al-Kubrâ* (Sakhâwî 1991: 4).

3.4 REASON FOR NASÂ' Î'S COMPILATION

Chronologically Nasâ'î was the last compiler amongst the six authors of authentic works. He was very much influenced by Bukhârî; thus he combined the methods of Bukhârî and Muslim in his *Sunan*. Nasâ'î 's principal aim was to highlight the discrepancies of the traditions and record the different chains of narrators of a particular subject in a scholarly manner (Mazâhirî 1979:251-

252).

Scholars like Dâraqutnî, Al-Hâkim and Abû Bakr al-Khatîb have classified Nasâ'î 's magnum opus as *Sahîh*. The opinion of most of the traditionists is that only the compilations of Bukhârî and Muslim are classified as *Sahîh* (ʿÂqil n. d.: 24).

The traditionists are unanimous that there are no spurious Hadîth in the *Sunan* of Nasâ'î. However, there are weak traditions in the Sunan. Most of the scholars contend that it contains the least number of weak traditions amongst the *Sunan* works (ʿÂqil n.d.: 49).

Thus, the sequence of the six books of Hadîth according to their authenticity is as follows:

1. *Sahîh Bukhârî*
2. *Sahîh Muslim*
3. *Sunan Nasâ'î*
4. *Sunan Abû Dâwûd*
5. *Jâmiʿ Tirmidhî*
6. *Sunan Ibn Mâjah*

(Ahmad 1979: 47).

3.5 THE RELATIONSHIP OF THE SUNAN TO THE OTHER FIVE AUTHENTIC WORKS OF HADÎTH

Certain Hadîth books were already in existence when Nasâ'î decided to compile his *Sunan,* such as the compilations of Abû Dâwûd Tayâlsî [d. 204

A.H.] and Ahmad b. Hanbal [d. 241 A.H.]. These compilations consisted of authentic and weak Ahâdîth. Thereafter, Bukhârî [d. 256 A.H.] compiled his *Sahîh* and omitted the traditions that were weak or doubtful according to the canons of criticism established by him. His main aim was to derive laws from the Ahâdîth, whereas Muslim's [d. 261 A.H.] main aim was to include the different chains of narrators on a particular subject. Ibn Mâjah [d. 273 A.H.] compiled a work that dealt almost entirely with juristic traditions and was lenient in the criticism of doubtful traditions. Abû Dâwûd [d. 275 A.H.] compiled a work which subsequently became the basis for the jurists. Tirmidhî [d. 279 A.H.] recorded the variations regarding the transmitters or the text of Hadîth, thus laying the basis for comparative law in Islâm. By comparison, the main aim of Nasâ'î was to record the discrepancies in the various chains of transmission or the text of the Hadîth (`Uthmânî 1983: I/127-128; Mukhtâr 1986: 82-86).

3.6 THE ESSENTIAL CHARACTERISTICS OF THE SUNAN

3.6.1 A characteristic feature of Nasâ'î's work is that after mentioning a Hadîth, he specifies the narrators' names. For example, if the narrator's agnomen was included, he would then record the proper name or vice versa. The only other scholar who highlighted the names or agnomen of the transmitters was Tirmidhî (Mazâhirî 1979: 255).

3.6.2 Nasâ'î repeats the traditions in their entirety at different places whilst Bukhârî repeats the relevant portion of the traditions only. Whenever Nasâ'î repeats a tradition he records a different chain of transmission (Sa`îd 1987: 152-153).

3.6.3 Nasâ'î, after recording a Hadîth, classifies it; that is, whether it is a sound, good or weak tradition. He draws a comparison between the different texts and highlights the deficiencies (Sa`îd 1987: 153).

3.6.4 His magnum opus is dedicated to the narrations of verdicts; as a result, occasionally his profound knowledge leads him to an in-depth discussion. For example, in the chapter of "Seeking Protection" he establishes 65 sub-chapters and in the chapter of "Etiquettes of Judgement" he includes 37 sub-chapters (Sa`îd 1987: 152). This could be well understood since Nasâ'î was a judge in Egypt.

3.6.5 Occasionally he includes weak traditions and highlights their weakness (Sa`îd 1987: 154).

3.6.6 Nasâ'î says that when he intended to compile the *Sunan*, he verified the reliability of his teachers through Istikhârah (cf glossary), resulting in many senior teachers' narrations being omitted (Mazâhirî 1979: 253).

3.6.7 The traditionists have concurred that the format and headings of the *Sunan* are significant as they are only second in rank to that of his teacher Bukhârî (Mazâhirî 1979: 256).

3.6.8 Generally when Nasâ'î records a Hadîth and makes no comment, it will be considered to be a Hasan (cf. glossary) tradition (`Uthmânî 1983: I/505).

3.7 VARIOUS EDITIONS OF NASÂ'Î'S SUNAN

The six editions of the *Sunan* that were available to the present researcher at the time of writing this thesis are discussed below:

The *Sunan* edited by Muḥammad Nâṣir al-Dîn al-Albânî, editor of *Mishkât al-Maṣâbîḥ*, is compiled in three volumes and published in Riyâḍ in 1988 by the Arab Bureau of Education for the Gulf States. This copy, printed on high quality paper, is devoid of printing errors and is freely available in the Arab States.

The editor has shortened the chains of transmission by alluding to the Prophet's (S.A.W.) companions' names only and has given his personal evaluation of each tradition. Albânî's assessment could be disadvantageous for any scientific analysis of the text, since it leaves one totally at the mercy of Albânî's classification. Albânî has named this copy of the *Sunan*, *Ṣaḥîḥ Sunan al-Nasâ'î*, since his principal aim was to compile all the sound traditions of Nasâ'î. Thus, all the traditions that were weak or suspect in Albânî's opinion have been omitted. Therefore, the total number of traditions in this particular copy is only 5 314, a full 429 traditions less than the original text. The first volume has 431 pages, including the introduction and table of contents. The second volume consists of 861 pages, whilst the third volume has 1 449 pages including an index.

Albânî has also compiled *Ḍa`îf Sunan al-Nasâ'î*, which was printed for the first time in 1991 by the Arab Bureau of Education for the Gulf States, in one volume. This work consists of 321 pages and is devoid of printing errors.

Albânî has recorded the chains of transmission and commented on each of the 447 traditions. There is a discrepancy with regard to the number of traditions in the *Sunan*. This is probably because of the different editions of the work.

Another edition of the *Sunan*, printed in one volume, was undated and published in Karachi by Nûr Muhammad. However, it is certain that this text was printed in this century. It is printed on mediocre quality paper and reflects printing errors. It contains marginal commentaries on the *Sunan* by Jalâl al-Dîn al-Suyûtî [d. 911 A.H.], `Allâma Nûr al-Dîn Sindhî [d. 1138 A.H.] and Moulânâ Muhammad Thânwî. This copy is freely available in Pakistan.

The *Sunan*, consisting of four volumes, was published in Beirut by Dâr al-Kitâb al-`Arabî. This publication is undated. However, it is certain that this work was printed in this century. This text includes the popular and widely used commentaries compiled by Suyûtî and Sindhî. It is printed on high quality paper and is freely available in the Arab States. Another distinction of this publication is that diacritical marks are also inserted.

Another edition of the *Sunan*, printed in four volumes, was published in Egypt by Mustafa 'l-Bâbi 'l-Halabî. It was printed on mediocre quality paper in 1964 and is freely available in the Arab States. The first volume includes a biography of Nasâ'î. This particular copy is devoid of printing errors.

The *Sunan*, consisting of five volumes, was published in 1988 by Maktab al-Matbû`ât al-Islâmîyah in Halab. This copy was edited by a contemporary scholar on Hadîth, `Abd al-Fattâh Abû Ghuddah. This publication is printed on high quality paper, free from printing errors and is freely available in the Arab

States. The first four volumes (comprising 5 761 Ahâdîth) consist of two parts each and contain 1 178, 1 256, 1 326 and 2 001 Ahâdîth, respectively. The fifth volume, which is the ninth part, contains a comprehensive index of the *Sunan*. The text also incorporates the famous commentaries of Suyûtî and Sindhî.

The *Sunan*, consisting of five volumes, was published in 1992 by Dâr al-Ma`rifah in Beirut. This copy was edited by Maktab Tahqîq al-Turâth al-Islâmî. It is printed on high quality paper, free from printing errors and is freely available in the Arab States. The first four volumes (comprising 5 774 Ahâdîth) consist of two parts with the respective volumes containing 1 177, 1 166, 1 426 and 2 005 traditions. The fifth volume is an index of Qur'ânic verses, Ahâdîth, people and places included in *Nasâ'î's Sunan*.

This particular edition will be used for this thesis, since it is the only one which corresponds with the concordance of Hadîth compiled by Wensinck and Mizzî. Moreover, the editing of the entire *Sunan* was done in a scholarly manner, as is evident from the numbering of every Hadîth.

The *Sunan al-Kubrâ* of Nasâ'î served as the precursor for the compilation of the second work called *Sunan al-Sughrâ*, hence it is important as the primary source of the *Sunan al-Sughrâ*. The *Sunan al-Kubrâ* comprising six volumes, was printed on high quality paper for the first time in Beirut in 1991 by Dâr al-Kutub al-`Ilmîyah. The entire work consists of 11 770 Ahâdîth. Each volume consists of 2 214, 2 077, 1 748, 1 937, 1 852 and 1 924 Ahâdîth respectively. This work was edited by `Abd Al-Ghaffâr Sulaimân al-Bundârî and Sayyid Kasrawî Hasan. This work contains twenty-five additional

chapters which are not mentioned in Nasâ'î 's *Sunan*.

The twenty-five chapters are:

1. *Kitâb al-I`tikâf*
2. *Kitâb al-`Itq*
3. *Kitâb al-Mawâ`iz*
4. *Kitâb al-Hadd*
5. *Kitâb Ihya 'l-Mawât*
6. *Kitâb al-`Âriyah*
7. *Kitâb al-Shurût*
8. *Kitâb al-Dawâl*
9. *Kitâb al-Luqtah*
10. *Kitâb al-Rikâz*
11. *Kitâb al-Riqâq*
12. *Kitâb al-`Ilm*
13. *Kitâb al-Farâ'id*
14. *Kitâb al-Walîmah*
15. *Kitâb al-Wafât*
16. *Kitâb al-Rajm*
17. *Kitâb al-Tibb*
18. *Kitâb al-Ta`bîr*
19. *Kitâb al-Nu`ût*
20. *Kitâb Fadâ'il al-Qur'ân*
21. *Kitâb al-Manâqib*
22. *Kitâb al-Khasâ'is*
23. *Kitâb al-Siyar*
24. *Kitâb `Amal al-Yawm wa 'l-Lailah*
25. *Kitâb al-Tafsîr*

Nasâ'î 's *Sunan* has been translated into the Urdu language by `Allâma Wahîd al-Zamân. This work consisting of three volumes was printed by Islâmî Akâdamî Lahore, Pakistan and was published in 1985.

3.8 MANUSCRIPTS OF THE SUNAN

The first part of *Sunan Nasâ'î* is to be found in the public library of Rabât, Morocco. It contains marginal notes and some of the pages are repeated. This manuscript is transcribed in the maghribî (cf. glossary) script. The second part was transcribed in the year 586 A.H. It is also to be found in the public library at Rabât (Jâmi`a 1985: II/727).

3.9 THE COMMENTARIES OF THE SUNAN

Nasâ'î's *Sunan* did not attract many commentators. Thus, Suyûṭî [d. 911 A.H.] stated that the *Sunan* did not have any noteworthy commentary for approximately six centuries (Âqil n. d.: 51). Upto the present, the following commentaries have been written - with the published ones given priority:

3.9.1 ZAHR AL-RUBÂ `ALA 'L-MUJTABÂ

This was written by Jalâl al-Dîn Suyûṭî, who was a Shâfi`î scholar. The commentary is from a juristic perspective and was published several times on the margin of the *Sunan* in the Arab States and Pakistan.

3.9.2 HÂSHIYAH SINDHÎ

This was written by Muḥammad b. `Abd al-Hâdî Sindhî [d. 1138 A.H.]. It was more detailed than Suyûṭî's work because the author explained many difficult words and also commented on the diacritical marks (Maẓâhirî 1979: 258). It was published several times on the margin of the *Sunan* in the Arab States and Pakistan.

3.9.3 SHARḤ IBN AL-MULAQQAN

It was compiled by `Umar b. `Alî b. Muḥammad [d. 804 A.H.]. He completed one volume and entitled it *Zawâ'id al-Nasâ'î `Alâ al-Arba`ah*. In this work he only commented on those Aḥâdîṯh of the *Sunan* which were not found in *Saḥîḥ Bukhârî*, *Saḥîḥ Muslim*, *Sunan Abû Dâwûd* and *Jâmi` al-Tirmidhî*. This work is lost (Maẓâhirî 1979: 258-259).

3.9.4 AL-ḤAWÂSHI 'L-JADÎDAH

This was written by Nadhîr Aḥmad al-Dahlawi, who was a student of Sayyid Muḥammad Ḥusain of Delhi. The commentary was printed by the Anṣârî Press in Delhi in the year 1315 A.H. It is an addition to the commentaries of Suyûṭî and Sindhî, hence the title (`Âqil n.d.: 53).

3.9.5 AL-TA`LÎQÂT AL-SALAFÎYAH

It was written by `Allâma Muḥammad `Aṭâ' Allâh Ḥanîf al-Amritsarî. The author, in his approach, has been critical of the Ḥanafî school of jurisprudence

(ʿÂqil n.d.: 54). The significant characteristics of this commentary are:

a) The list of significant discussions, together with their relevant Aḥâdîth numbers, is stated at the beginning.
b) He discusses the sanad in detail and also comments from a juristic perspective.
c) He also presents a perspective by different traditionists on the comparative deductions from Aḥâdîth. This commentary has been reprinted several times in Pakistan.

3.9.6 HÂSHIYAT AL-SUNAN

This was compiled by Moulânâ Muḥammad Ishfâq al-Raḥmân al-Kandhalwî [d. 1377 A.H.]. It was a summary of Suyûṭî and Sindhî's commentaries although the author evaluated several chains of transmission. The first publication by Maktabah Raḥîmîyah appeared in Delhi 1350 A.H. (ʿÂqil n.d.: 53-54).

3.9.7 AL-FÂYḌ AL-SAMÂ'Î `ALÂ SUNAN AL-NASÂ'Î

It is a collection of lectures delivered by Moulânâ Rashîd Aḥmad Gangohî [d. 1323 A.H.]. Thereafter, Moulânâ Muḥammad Zakarîyâ [d. 1401 A.H.] added his notes to it. Finally, Moulânâ Muḥammad `Âqil, a lecturer at Maẓâhir `Ulûm in Sahâranpur, India, edited this work and thus far one volume has been published (ʿÂqil n.d.: 54).

3.9.8 BADHL AL-IHSÂN BI TAQRÎB SUNAN AL-NASÂ'Î

This commentary was compiled by Abû Ishâq al-Huwaynî al-Atharî. To date only one volume has been published by Maktabah al-Tarbiyah al-Islâmîyah, Talibiyah in 1990. According to modern day traditionists like Albânî, this will be the best commentary on *Sunan Nasâ'î*, provided the author maintains the style adopted in volume one. The latter has discussed every narrator who is included in the chains of transmission and has furthermore stated where the various traditions could be found in other collections of Hadîth.

Hereunder is a list of the commentaries of the Sunan which are unpublished to date:

3.9.9 AL-IM`ÂN FÎ SHARH SUNAN ABÛ `ABD AL-RAHMÂN

This was written by `Alî b. `Abd Allâh al-Andalûsî who is known as Ibn al-Ni`mah [d. 567 A.H.] (`Âqil n.d.: 52).

3.9.10 SHARH SUNAN AL-NASÂ'Î

It was compiled by Muhammad b. `Ali 'l-Damashqî [d. 765 A.H.] (`Âqil n.d.: 52-53).

3.10 THE NARRATORS OF THE SUNAN

The names of students who transmitted Nasâ'î 's *Sunan* from him are:

1. Abû Bishr al-Dawlâbî [d. 320 A.H.]
2. Hamzah al-Kinânî [d. 357 A.H.]
3. Al-Hasan b. al-Khidr al-Suyûtî [d. 361 A.H.]
4. Abû Bakr b. al-Sunnî [d. 364 A.H.]
5. Abu 'l-Qâsim al-Tabarânî [d. 360 A.H.]
6. Muhammad b. Mu`âwiyah b. al-Ahmar al-Andalûsî [d. 358 A.H.]
7. Al-Hasan b. Rashîq [d. 370 A.H.]
8. Muhammad b. `Abd Allâh b. Hayawîyah [d. 306 A.H.]
9. `Abd al-Karîm b. Nasâ'î [d. 344 A.H.]
10. Muhammad b. Qâsim al-Andalûsî [d. 327 A.H.]
11. `Alî b. Abû Ja`far al-Tahawî [d. 361 A.H.]
12. Abû Bakr Ahmad b. Muhammad b. al-Muhandis [d. 385 A.H.]

A matter to be taken into consideration regarding the above is that care was not always taken to clarify whether they transmitted *Al-Sunan al-Sughrâ* or *Al-Sunan al-Kubrâ* (Robson 1956: 40).

A discussion on six selected narrators follows since they received the entire *Sunan* from Nasâ'î (Robson 1956: 59).

3.10.1 IBN AL-AḤMAR'S VERSION

Abû Bakr Muḥammad b. Mu`âwiyah, known as Ibn al-Aḥmar, hailed from Cordova. He set out on his travels to the east in 295 A.H. He went as a merchant to India, but lost property worth 30 000 dinars in a shipwreck. Ibn al-Aḥmar returned to Spain in 325 and died in 358 at an advanced age. He met Nasâ'î in Egypt in 300, and is reported to have been the first to bring his collection of traditions to Spain and make it known publicly. Ibn al-`Imâd specifies that the work he received was *Al-Sunan al-Kubrâ* (Robson 1956: 40-42). It should be noted that Ibn Aḥmar was the main transmitter of Nasâ'î 's *Al-Sunan al-Kubrâ,* whilst Ibn al-Sunnî [d. 364 A.H.] was the most important transmitter of *Al-Sunan al-Sughrâ* (Mazâhirî 1979: 251).

Abû Bakr b. Khair [d. 575 A.H.] received Ibn Aḥmar's text through three different chains of transmission. These chains are as follows:

1. Ibn Khair - Abû Muḥammad b. `Attâb - Muḥammad b. `Attâb - `Abd Allâh b. Rabî` - Ibn Aḥmar.
2. Ibn Khair - Shurayḥ `Abd Allâh b. Ismâ`îl - Ismâ`îl b. Muḥammad - Sa`îd b. Muḥammad - Ibn Aḥmar.
3. Ibn Khair - Abu 'l-Ḥasan Yûnus - `Abd al-Malik b. Sarrâj - Abu 'l-Walîd Yûnus - Ibn Aḥmar (Robson 1956: 41).

3.10.2 MUḤAMMAD B. QÂSIM'S VERSION

Muḥammad b. Qâsim b. Muḥammad b. Qâsim b. Sayyâr, born on Thursday, 13th Jumâda II (cf. glossary), 263 A.H., also hails from Cordova. He travelled

to the east in 294 and returned after four years and four months. During his travels he heard traditions in different countries from 163 men, amongst them was Nasâ'î whom he met in Egypt. He had a great treasure of traditions and was considered to be a reliable authority and died towards the end of 327. Ibn Khair remarks that what Muhammad b. Qâsim and Ibn al-Ahmar heard were the same reports, except that Ibn al-Ahmar did not have *Kitâb Fadâ'il `Alî b. Abû Tâlib Wa Khasâ'isuhu* and *Kitâb al-Isti`âdhah*, which were both in Muhammad b. Qâsim's copy. The former is not part of the *Sunan*, but the latter is the second last chapter of the work. According to Ibn Khair, Ibn Ahmar's version is therefore defective (Robson 1956: 45-47).

Ibn Khair received Muhammad b. Qâsim's text through four different chains of transmission. These chains are as follows:

1. Ibn Khair - Shurayh - `Abd Allâh b. Ismâ`îl - Ibn al-Ahdab - Lakhmî - Muhammad b. Qâsim.
2. Ibn Khair - Muhammad b. Ahmad - Ghassânî - Abu 'l-`Âsî Hakam - `Abbâs b. Asbagh - Muhammad b. Qâsim.
3. Ibn Khair - Abû Muhammad b. `Attâb - Muhammad b.`Attâb - Muhammad b. Sa`îd - `Abbâs b. Asbagh - Muhammad b. Qâsim.
4. Ibn Khair - `Abd al-Malik b. `Abd al-`Azîz - `Abd al-`Azîz Lakhmî, Abû `Umar Ahmad, Abû `Abd Allâh Muhammad, `Abd Allâh b. `Alî - Muhammad b. Ahmad - Lakhmî - Muhammad b. Qâsim (Robson 1956: 46).

3.10.3 HAMZAH'S VERSION

Hamzah b. Muhammad b. `Alî b. al-`Abbâs Abu 'l-Qâsim al-Kinânî al-Misrî was born in Egypt in 275 A.H. He first heard of Nasâ'î in 295 A.H. and set out on his travels in 305 A.H. Hamzah is credited with having been in the highest rank for his knowledge of traditions. None of his contemporaries in Egypt superseded him in this field. He died in Dhu 'l-Hijjah, 357 A.H. (Robson 1956: 47).

Ibn Khair received Hamzah's text through two chains of transmission which are as follows:

1. Ibn Khair - Abû Muhammad b. `Attâb - Muhammad b. `Attâb - Muhammad b. Sa`îd, Sa`îd b. Salamah - Muhammad b. Ahmad b. Yahyâ - Hamzah.
2. Ibn Khair - Lakhmî - Qaisî - Ghassânî - Tarâbulusî - Qâbisî - Hamzah (Robson 1956: 48).

3.10.4 IBN HAYAWÎYAH'S VERSION

Abu 'l-Hasan Muhammad b. `Abd Allâh b. Zakarîyâ b. Hayawîyah al-Nîsâbûrî al-Misrî was an authority on legal matters who belonged to the Shâfi`î school. He travelled to Egypt with his paternal uncle, Yahyâ b. Zakarîya 'l-A`raj [d. 307 A.H.], and settled there. He was born in 273 A.H. (Robson 1956: 50).

Ibn Khair received Ibn Hayawîyah's text through a single chain of transmission. It is as follows:

1. Ibn Khair - Asadî - Qarawî - `Alî b. Munîr - Ibn Hayawîyah (Robson 1954: 48).

3.10.5 IBN AL-MUHANDIS'S VERSION

Ibn Khair gives his name as Abû Bakr Ahmad b. Muhammad b. Ismâ`îl al-Muhandis. Ibn Hajr referred to him as Abû Bakr Ahmad b. Muhammad b. al-Munhandis. It is possible that Ibn Khair had omitted the "Ibn" by an oversight. Ibn al-Muhandis had a reputation as a pious and authoritative traditionist who lived in Egypt, and died in 385 A.H. The date of his birth is not known (Robson 1956: 52).

Ibn Khair received Ibn al-Muhandis's text through a single chain of transmission. It is as follows:

1. Ibn Khair - Abû Muhammad b. `Attâb - Ma`âfirî - Ibn al-Muhandis (Robson 1956: 48).

3.10.6 IBN AL-SUNNÎ'S VERSION

Ahmad b. Muhammad b. Ishâq Ibn al-Sunnî Abû Bakr al-Dînawarî was a jurist of the Shâfi`î school. He was a great traveller, and acquired traditions in different countries. Both Dhahabî and Subkî say it was he who abridged the *Sunan* known as *Al-Mujtabâ*. He died at the end of 364 A.H. at an age

exceeding 80 years. An interesting detail about him is given by his grandson, Abû Zur`ah Rauh b. Muhammad, who quoted his paternal uncle, `Alî b. Ahmad b. Muhammad as saying that whenever Ibn al-Sunnî transcribed a tradition, he placed his pen in a holder, raised his hands and supplicated to Allâh (Robson 1954: 54).

He was named Ibn al-Sunnî because his family members were devoted followers of the Sunnah and detested bid`ah (cf. glossary) (`Âqil n.d.: 45). Marâghî received Ibn al-Sunnî's text through a single chain of transmission. It is as follows:

> Marâghî - Maqdisî - Diyâ' 'l-Dîn - `Abd al-Ghanî - Khiraqî - Dûnî - Kassâr - Ibn al-Sunnî (Robson 1956: 53).

As previously indicated, there is a dispute amongst the traditionists with regard to whether the abridgement of *Al-Sunan al-Kubrâ* was undertaken by Nasâ'î or Ibn al-Sunnî. However, there is consensus amongst the scholars that the various editions of *Sunan al-Nasâ'î* published currently are according to Ibn Sunnî's version (`Âqil n.d.: 54-55).

3.11 CONCLUSION

After providing a classification of the types of Ahâdîth works, Nasâ'î's *Sunan* has been placed in the twenty-eighth category. The *Sunan al-Sughrâ* was an abridgement of the *Sunan al-Kubrâ* but with stringent conditions that relate to the authenticity of the Ahâdîth.

Nasâ'î had an added advantage, being a successor of the major scholars in the field of Hadîth. He, therefore, benefitted from their methodologies and compilations. The major works of Bukhârî and Muslim were inclusive of Ahâdîth of an absolutely impeccable nature. Thus, Nasâ'î had the option of recording Ahâdîth whose narrators were of lower standards than those reported in the works of Bukhârî and Muslim. Nasâ'î's work was necessary since he compiled Ahâdîth that were not codified in other sources. The essential characteristics of the *Sunan* are highlighted. The first five of these are directly related to the text, whilst the sixth deals with Divine counsel and the seventh relates to well-structured and thematic approach used by Nasâ'î in his magnum opus.

Regarding the various editions of the *Sunan,* six were available and the almost total agreement of the narrators and narrations in these, shows that an accurate text of Nasâ'î's *Sunan* is extant. Only two manuscripts, each inclusive of one part, but jointly comprising the entire *Sunan,* have been traced to exist in Morocco. Any further findings of manuscripts of the *Sunan* would be invaluable in the verification of the presently available works.

Though commentaries of the *Sunan* are available, these are relatively few as compared to commentaries of other Ahâdîth works, viz., Bukhârî's collection. Some of these represent only short annotations of the Ahâdîth. The trend that not many scholars wrote commentaries upon works like that of Nasâ'î and others of an equal or lower standard seems to be the general conduct of scholars in this field during all eras. A number of scholars have received the *Sunan* from Nasâ'î and it is thus fortunate that their narrations have been preserved accurately and authentically for later generations.

The next chapter concentrates on a study of seven Aḥâdîṯh that have within the chain of their narrations weak narrators. Due to this the authenticity of these Aḥâdîṯh are questioned by discerning and critical scholars. This study is noteworthy and based upon the premise that the work of Nasâ'î has been accurately narrated. This conclusion has been drawn after a study of the various editions and narrations.

CHAPTER FOUR

A CRITICAL APPRAISAL OF THE CHAINS OF TRANSMITTERS WITH WEAK LINKS IN NASÂ'Î'S SUNAN

4.1 INTRODUCTION

Seven Ahâdîth have been selected at random from Ahâdîth that are narrated through chains of narrators including weak or discredited reporters. "Weak" or "discredited" are technical terms associated with such narrators and these will be elucidated later. The narrators are briefly discussed and a short conclusion is also appended to each of the Hadîth presented. These have been selected for appraisal of the weak narrators.

The term "weak narrators" is a classification underscoring the narrative standard of any narrator. The contributing factors could be, weakness of memory, committing errors during narration, totally forgetting in later life all that which he had narrated during his earlier life. Where relevant the appropriate types of weaknesses will be exemplified.

The grading of narrators has been included since it has been done in conformity to the standards developed and codified by Ibn Hajr. No other system of grading has as yet been developed. The extensive scope of such a development has made it possible to accept the criteria applied by scholars following Ibn Hajr. It should be noted that if differing standards were applied by various scholars, the evaluation of each Hadîth will be inconclusive - not only to the Hadîth recorded by Nasâ'î, but those by other scholars as well.

The definitions relating to the various types of Ahâdîth have been simplified to facilitate an understanding of the grading of Ahâdîth.

4.2 SYSTEM OF GRADING

A man who committed many mistakes in transmitting the Hadîth was called 'weak'. If he narrated a Hadîth alone and no other scholar could verify his narration, then the Hadîth cannot be accepted, for it is suspected of having a mistake in its transmission. However, if another scholar, though himself a weak narrator in terms of scholastic achievement, transmitted a Hadîth which agrees with the meaning and the sense of the early Hadîth, then it would be accepted, though it would be placed in a very low grade (Azami 1977: 59).

A system of grading was worked out to place the Maqbûl (cf. glossary) or Mardûd (cf. glossary) statements of scholars. The later scholars have been more refined in grading. Whereas earlier ones have four grades, the later scholars suggested six. Given below are the gradings of Ibn Hajr [d. 852 A.H.], the compiler of *Fath al-Bârî*, a commentary on *Sahîh Bukhârî*. He placed the reporters in twelve categories (Azami 1977: 59-60):

1. Sahâbah - the companions of the Prophet (S.A.W.).
2. Thiqah thabt - those scholars who have been awarded the highest marks, such as thiqah thabt or awthaq al-nâs, meaning the most truthful and accurate scholars.
3. Those who have been awarded good grades without being given superlative degree, such as thiqah (trustworthy), mutqin (accurate) etc.

4. Those whose position is less than grade three, such as ṣadûq (truthful).
5. Those whose position is lower than number four and given a grade like ṣadûq yahim (truthful, but occasionally committing mistakes).
6. The one who transmitted a little knowledge, and there is no proof of this being unreliable, nor do we have any positive proof of his high accuracy, is called maqbûl (acceptable). If his narration is verified by some other scholars' statements he would be named layyin (mild).
7. One who has more than one student who transmitted Aḥâdîṯh from him, but scholars did not verify him, is called majhûl al-ḥâl (meaning one whose integrity is not verified), in other words one whose reliability is externally evident, but about whose reliability nothing is known.
8. One who has no credit from any scholar on his behalf and some of the scholars have spoken against him is called ḍa`îf (weak).
9. One who is not known in scholastic circles at all except through the narration of a single scholar is called majhûl (unknown).
10. One who has no certificate of credit at all from the scholars and they have spoken against him giving reasons for their statements, or one who committed many mistakes or was a transgressor and did not meet the legal requirement of righteousness.
11. One who was charged with or blamed for forgery is called muttaham bi 'l-kaḍhib.
12. One who was named kaḍhḍhâb (liar) or waḍḍâ` (forgerer).

These gradings were mostly followed by later scholars. For every grade there are many terms that have been used by different scholars. This system of grading resulted in the grading of Ahâdîth (Azami 1977: 60-61).

4.3 GRADING OF AHÂDÎTH

Hadîth can be graded into two groups:
Accepted (maqbûl) and rejected (mardûd)

The accepted ones may be divided into two groups:
Sahîh (authentic)
Hasan (agreeable)

Both groups are further sub-divided into two groups:
Intrinsically authentic (Sahîh li dhâtih)
Extrinsically authentic (Sahîh li ghairih)
Hasan li dhâtih (intrinsically good)
Hasan li ghairih (extrinsically good)

In reality the last category is a weak Hadîth which acquires strength from other Ahâdîth which verify its authenticity (Azami 1977: 61).

4.3.1 Requirements for Hadîth Sahîh (authentic Hadîth)

All the narrators must belong to grades one to three listed below:

1. Continuity of the chain must be preserved. This means that each transmitter in the chain of transmitters must have met and heard from

the transmitter from whom he narrates.

2. It should not be an isolated one, which means that a particular Hadîth must not be in contradiction with the narrations of the other authorities who were more in number while belonging to the same group or must not be in disagreement with an authority who has higher reputation than the one under discussion.
3. It should not have any hidden defect. For example, a trustworthy scholar transmitted a Hadîth as being the statement of the Prophet (S.A.W.), while most of the scholars narrated the same Hadîth as the statement of the companion. Here it becomes clear that this particular scholar committed a mistake in ascribing the statement to the Prophet (S.A.W.). However, if one does not go into a detailed study of the subject and only observes the single chain, the Hadîth would appear to be correct as the other conditions are fulfilled (Azami 1977: 62).

4.3.2 Hadîth Hasan Lidhâtih (intrinsically good)

All the above mentioned conditions for Hadîth Sahîh are required for Hadîth Hasan Lidhâtih, except that any one or all the narrators would be of grade four, Sadûq, or other terms equal to it (Azami 1977: 62).

4.3.3 Hadîth Hasan Lighairih (extrinsically good)

If the narrator of Hadîth belongs to grade five or six and has some other Ahâdîth supporting it either in form or in sense only, would have his narration considered as Hasan Lighairih. However, if a chain of transmission consists of ten authorities, and nine out of them belong to the second grade and only one

of them belongs to grade eight, then the Hadîth would be rejected. The overall acceptability is based on the weakest authority. Thus a single weak narrator would result in weakening the Hadîth. If one of the narrators was labelled a liar, and the rest of them were thiqah (cf. glossary) and the Hadîth is not known through other channels, then it would be graded as maudû` (cf. glossary). Even if it has been proved authentic by other Isnâd, the Hadîth would be said to be maudû` bi hâdhâ al-Isnâd, 'spurious by this chain' (Azami 1977: 62-63).

It is clear that the scholars in grading the Hadîth studied the biography of every narrator who took part in the transmission of it. Subsequently, they verified the Hadîth with other scholars' narrations on the same Hadîth to ascertain their reliability or otherwise, and then they passed their final judgement after all possible precautions. This thorough research for verification gave the scholars ample information about every scholar, how many Ahâdîth he transmitted, and in how many cases did other authorities verify Ahâdîth transmitted by him, and on the number of Ahâdîth transmitted by him. If a narrator was graded as thiqah, transmitted a few Ahâdîth (which contradict the general sense of more authoritative Ahâdîth) which are limited in number compared to the number of Ahâdîth that he had transmitted, it would be accepted as Sahîh Gharîb (cf. glossary). However, if the narrator was graded in the fourth or lower class, then that narration would be graded as munkar (cf. glossary). However, if the narrator frequently related Ahâdîth which were not in agreement to most of the other narrations either in Isnâd or in the text, then the scholar would be graded as matrûk which means his narrations will not be accepted and Ahâdîth transmitted by him cannot be accepted to verify other scholars' Ahâdîth (Azami 1977: 63).

In the *Sunan* of Nasâ'î several Aḥâdîṯh appear which have a single weak narrator in their chain. Seven Aḥâdîṯh with an analysis of the transmitters highlighting the weak narrator are listed later in this chapter.

In the ensuing narratives **ḥaddaṯhanâ** was used by the traditionists in a very wide sense. If a student read a book of traditions to his teacher, he could use this word, or if the teacher read to his students from a book or from memory, the same word was used to describe the channel of knowledge. Scholars like Muslim, Nasâ'î, `Abd Allâh b. Mubârak, Abû Ḥanîfah, Awza`î, Shâfi`î and Aḥmad b. Ḥanbal applied different verbs to these two different methods of learning; for example, when the teacher read to his students, then the students would use the verb and the attached pronoun ḥaddaṯhanâ whenever they transmitted that particular tradition, but when the student read to his teacher then these scholars would use the verb and the attached pronoun **akhbaranâ**. Generally this difference was not strictly observed by Bukhârî and Mâlik (Azami 1978: 293-294; `Abd al-Ghaffâr 1986: 115).

The verb and the suffixed Yâ of the first person **ḥaddaṯhanî** is expressed by the narrator when he, individually narrated a Ḥadîṯh from the person who had narrated it to him, whilst ḥaddaṯhanâ is a term expressed by the narrator when he and others jointly narrated a Ḥadîṯh from a person who had narrated it to them. The words ḥaddaṯhanâ and akhbaranâ imply that the persons within the chains of transmission met or were in actual physical proximity (Aḥmad 1979: 59).

However, `**An`anah** is the term used to express that one narrator narrates from another, who in turn could be narrating from another but with the possibility that one or more narrators have been discarded between one narrator and the other. Therefore, `An`anah is different from haddathanâ and akhbaranâ in that the latter two forms refer to direct narration, whilst the former could refer to both direct and indirect narration. The former thus allows the admission of speculation within the chain of transmission while the latter does not allow for such ambiguity (Ahmad 1979: 59).

4.4 A PREAMBLE TO THE CRITICISM OF WEAK AHÂDÎTH IN THE SUNAN

Seven Ahâdîth are cited from Nasâ'î's *Sunan*, all of which include at least one weak narrator in the chain of transmission. These have been selected on a random basis from various chapters in order to highlight the comments of the traditionists regarding these weak narrators and to evaluate why Nasâ'î included these Ahâdîth in his magnum opus. This evaluation is an addition to scholarly research by erudite scholars of Hadîth. The "standards of criticism", which are accepted and regarded as having authoritative influence for criticizing narrators are found to be unsubstantiated when applied to individuals. Opinions by authorities in the field of authenticating and discrediting were accepted without question and observed as the norm by scholars. Therefore, any rational argument extended by latter-day scholars against any such standard would be considered as a digression from the methodology applied by the earlier scholars. For this reason any innovated methodology which conflicts with their standards for evaluating Hadîth is considered within the ambit of blasphemy. If this was not true, then the

implications against the present narrators and records of thousands of Hadîth and the codifications of Islâmic Jurisprudence would be enormous and lead to the absurd conclusion that the present Islâmic legal codes are all subject to scepticism since they were based on precepts that result in conflicting interpretations.

The conclusion arrived at after reviewing the chains of transmission containing the weak narrators, is that some of them were known to the traditionist, but were considered unreliable because of the various criticisms levelled against them by authoritative scholars. However, the other transmitters were unknown to the traditionists, and therefore also included in the category of the weak reporters since it was safer to include them in this category than to include them in the category of the reliable narrators. This view is further substantiated by the Ahâdîth that were narrated on the authority of unknown transmitters, since these Ahâdîth were generally found to provide rulings that were in conflict with those inferred from Ahâdîth that were narrated by reliable reporters. Thus, some of these chains which included weak or unknown transmitters were accepted and recorded by Nasâ'î, since the text of the Hadîth was acceptable.

Alternatively, it could be inferred that Nasâ'î included the weak Ahâdîth in his *Sunan* for the following reasons:

1. He recorded unreliable narrations since he probably did not receive more authentic Ahâdîth which refuted the implications of his recordings.

2. Occasionally Nasâ'î did not classify doubtful traditions in his *Sunan* as unacceptable, in order to be cautious against classifying a Hadîth as unacceptable solely because a narrator was unknown.

3. If the narrator was considered as unknown by the traditionists and known to Nasâ'î, then it could be concluded that the traditionists rejected the Hadîth on the basis of their doubt regarding the unknown transmitter. However, Nasâ'î has accepted and included the narrative because of his knowledge regarding this narrator which others consider unknown.

4. If the Hadîth was reported by another traditionist through an authentic chain, this makes it acceptable.

5. The Hadîth was reported by many traditionists, whose narrations include the weak narrator. If this be the case then the Hadîth is classified as extrinsically authentic. Furthermore, Nasâ'î's acceptance of the Hadîth does not imply that it gains general acceptance, because other reliable narrations have implications that are in conflict with those deduced from the Hadîth cited by Nasâ'î.

4.4.1 HADÎTH ONE

اخبرنا الفضل بن سهل قال حدثنى ابو الجواب حدثنا عمار بن رزيق عن ابى اسحق عن ابراهيم بن مهاجر عن مجاهد عن ابن عمر قال : رمقت رسول الله صلى الله عليه وسلم عشرين مرة يقرا فى الركعتين بعد المغرب وفى الركعتين قبل الفجر

(قل يا ايها الكافرون) و (قل هو الله احد)

CHAIN: Nasâ'î - akhbaranâ - Fadl b. Sahl - haddathanî - Abu 'l-Jawwâb - haddathanâ - `Ammâr b. Ruzaiq - `an - Abî Ishâq - `an - Ibrâhîm b. Muhâjir - `an - Mujâhid - `an - Ibn `Umar said:

TEXT: I observed the Prophet (S.A.W.) twenty times. He recited the 109th and 112th chapters in the two genuflexions after the maghrib (cf. glossary) prayer and in the two genuflexions before the fajr (cf. glossary) prayer (Nasâ'î 1992: I/511).

The above Hadîth has been recorded by the following traditionists:

1. Tirmidhî 1987: II/276.
2. Ibn Mâjah n.d.: I/363.

4.4.1.1 AN ANALYSIS OF THE CHAIN OF TRANSMITTERS

NAME: Fadl b. Sahl b. Ibrâhîm A`raj al-Baghdâdî. He hailed from Khurâsân and was truthful and belonged to the eleventh category. He died in the year 255 A.H. (Ibn Hajr 1985: 275).

NAME: Abu 'l-Jawwâb. This was his agnomen and his name was Ahwas b. Jawwâb al-Dabbî. He hailed from Kûfah and was truthful and occasionally speculated and belonged to the ninth category. He died in the year 211 A.H. (Ibn Hajr 1985: 25).

NAME: `Ammâr b. Ruzaiq al-Tamîmî. His agnomen was Abu 'l-Ahwas. He was a Kûfan who was reliable and belonged to the eighth category. He died in year 159 A.H. (Ibn Hajr 1985: 250).

NAME: `Amr b. `Abd Allâh al-Hamdânî. His agnomen was Abû Ishâq . He was a very reliable transmitter, a pious person and belonged to the third category. He died in the year 129 A.H. (Ibn Hajr 1985: 260-261).

NAME: Mujâhid b. Jabr. His agnomen was Abû Hajjâj. He was a very reliable reporter and an authority on the exegesis of the Qur'ân. He belonged to the third category and died in the year 101 A.H. at the age of 83 (Ibn Hajr 1992: 520).

NAME: `Abd Allâh b. `Umar b. Khattâb al-`Adawî. His agnomen was Abû `Abd al-Rahmân. He was one of the senior transmitters of Hadîth from the Prophet (S.A.W.). He died in the year 73 A.H. (Ibn Hajr 1992: 315).

4.4.1.2 THE WEAK NARRATOR

NAME: Ibrâhîm b. Muhâjir b. Jâbir al-Bajali 'l-Kûfî. Ibn Hajr (1992: 94) stated that he belonged to the fifth category and had a weak memory.

1. **Yahyâ b. Sa`îd al-Qattân and Ibn `Adî have stated that he was not strong in Ahâdîth.**
2. **Ibn Hibbân states that he committed errors (Dhahabî n.d.: I/67-68).**
3. **Nasâ'î stated that he was not a strong reporter (Nasâ'î 1992: IV/95).**

4.4.1.3 CONCLUSION

Most of the traditionists have discredited him as he had a weak memory, thus his traditions are not acceptable to them. Nasâ'î has narrated three Ahâdîth through his transmission. Besides the above Hadîth the remaining two are:

a) CHAIN: Nasâ'î - akhbaranâ - Ahmad b. Sulaimân - `an - `Ubaid Allâh - haddathanâ - Isrâ'îl - `an - Ibrâhîm b. Muhâjir - `an - Mujâhid - `an - Râfi` b. Khadîj (Nasâ'î 1992: IV/44).

b) CHAIN: Nasâ'î - akhbaranâ - Muhammad b. Mu`âwiyah b. Mâlaj - haddathanâ - Muhammad b. Salamah al-Harrânî - `an - Abî Ishâq - `an - Ibrâhîm b. Muhâjir -`an - Ismâ`îl - `an - `Abd Allâh b. `Amr b. al-`Âs (Nasâ'î 1992: IV/94-95).

This Hadîth has also been narrated by Tirmidhî and Ibn Mâjah, but Ibrâhîm b. Muhâjir's name does not appear in their collections. However, Nasâ'î's text

does not totally conform to that of Tirmidhî or Ibn Mâjah. The discrepancy is that according to Nasâ'î the reporter observed the Prophet (S.A.W.) twenty times, whilst in Tirmidhî and Ibn Mâjah the narrator observed the Prophet (S.A.W.) for a month. Thus, this Hadîth is acceptable as it was reported by other traditionists through an authentic chain.

4.4.2 HADÎTH TWO

اخبرنا عبدة بن عبد الله قال حدثنا زيد بن حباب قال حدثنا افلح بن سعيد قال حدثنا بريده بن سفيان بن فروة الاسلمى عن غلام لجده يقال له مسعود فقال: مر بى رسول الله صلى الله عليه وسلم وابو بكر , فقال لى ابو بكر : يامسعود , ائت ابا تميم – يعنى مولاه – فقل له يحملنا على بعير ويبعث الينا بزاد ودليل يدلنا فجئت الى مولاى فاخبرته فبعث معى ببعير ووطب من لبن فجعلت اخذ بهم فى اخفاء الطريق وحضرت الصلاة فقام رسول الله صلى الله عليه وسلم يصلى وقام ابويكر عن يمينه وقد عرفت الاسلام وانا معهما فجئت فقمت خلفهما فدفع رسول الله صلى الله عليه وسلم فى صدر ابى بكر فقمنا خلفه

CHAIN: Nasâ'î - akhbaranâ - `Abdah b. `Abd Allâh - haddathanâ - Zaid b. Hubâb - haddathanâ - Aflah b. Sa`îd - haddathanâ - Buraidah b. Sufyân b. Farwah Aslamî - `an - Mas`ûd.

TEXT: The Prophet (S.A.W.) and Abû Bakr passed me and Abû Bakr said to me, "O! Mas`ûd, go to Abû Tamîm, his (Mas`ûd's) master, and tell him to carry us on a camel and send food and a guide to lead us". I went to my master and informed him. He sent me with a camel and ample quantity of milk. Then I took them to an isolated road. The prayer time approached and

the Prophet (S.A.W.) led the prayer and Abû Bakr stood on his right hand side and I knew Islâm and was with the two of them. So I came and stood behind the two of them. Then the Prophet (S.A.W.) shoved the chest of Abû Bakr and we stood behind him (Nasâ'î 1992: I/ 419-420).

The above Hadîth has been recorded only by Nasâ'î amongst the six authentic compilers.

4.4.2.1 AN ANALYSIS OF THE CHAIN OF TRANSMITTERS

NAME: `Abdah b. `Abd Allâh al-Saffâr al-Khuzâ'î. His agnomen was Abû Sahl Basrî. He hailed from Kûfah and was a reliable transmitter. He belonged to the eleventh category. He died in the year 258 A.H. (Ibn Hajr 1985: 223).

NAME: Zaid b. Hubâb. His agnomen was Abu 'l-Husain and belonged to the ninth category. He hailed from Khurâsân and was truthful although he committed errors when narrating the traditions of Sufyân Thawrî (Ibn Hajr 1985: 112).

NAME: Aflah b. Sa`îd al-Ansâri 'l-Qubâ'î. He was truthful and belonged to the seventh category. He died in the year 156 A.H. (Ibn Hajr 1985: 38).

NAME: Mas`ûd b. Hubairah was the client of Farwah al-Aslamî. He was a companion of the Prophet (S.A.W.) and narrated a few traditions from him. (Ibn Hajr 1992: 528).

4.4.2.2 THE WEAK NARRATOR

NAME: Buraidah b. Sufyân b. Farwah al-Aslami 'l-Madanî. The following traditionists have discredited him (Dhahabî n.d.: I/306):

1. **Bukhârî stated that he is weak.**
2. **Abû Dâwûd said that he is not up to standard and he used to criticize `Uthmân, the third caliph.**
3. **Dâraqutnî stated that he was abandoned.**
4. **Ibn Hajr (1992: 121) said that he was not a strong reporter and was a Shî`ah (cf. glossary).**
5. **Nasâ'î (1992: I/420) said that he was not a strong transmitter in Hadîth.**

4.4.2.3 CONCLUSION

The above tradition is the only one that Nasâ'î has transmitted through Buraidah b. Sufyân and immediately commented after the Hadîth that Buraidah is a weak reporter. Most of the traditionists have concurred with Nasâ'î. He recorded this Hadîth since he probably did not receive more authentic Ahâdîth which refuted the implications of his recordings.

4.4.3 HADÎTH THREE

اخبرنا اسحاق بن ابراهيم قال اخبرنا بقية بن الوليد قال حدثني ثور بن يزيد عن صالح بن يحيي بن مقدام بن معديكرب عن ابيه عن جده عن خالد بن الوليد انه سمع رسول الله صلي الله عليه وسلم يقول : لا يحل اكل لحوم الخيل والبغال والحمير ٠

CHAIN: Nasâ'î - akhbaranâ - Ishâq b. Ibrâhîm - akhbaranâ - Baqîyah b. Walîd - haddathanî - Thawr b. Yazîd - `an - Sâlih b. Yahyâ b. Miqdâm b. Ma`dîkarib - from his father - from his grandfather - `an - Khalid b. Walîd - heard the Prophet (S.A.W.) saying:

TEXT: It is not permissible to eat the flesh of horses, mules and donkeys (Nasâ'î 1992: IV/230).

The above Hadîth has been recorded by the following traditionists:

1. Abû Dâwûd n.d.: IV/151.
2. Ibn Mâjah n.d.: II/1066.

4.4.3.1 AN ANALYSIS OF THE CHAIN OF TRANSMITTERS

NAME: Ishâq b. Ibrâhîm b. Makhlad. His agnomen was Abû Muhammad. He was an independent jurist, a reliable transmitter and a companion of Ahmad b. Hanbal. He died in the year 238 A.H. (Ibn Hajr 1992: 99).

NAME: Baqîyah b. Walîd b. Sâ'id b. Ka`b. His agnomen was Abû Yuhmid. He was a truthful transmitter and belonged to the eighth category. He died in the year 197 A.H. (Ibn Hajr 1992: 126).

NAME: Thawr b. Yazîd. His agnomen was Abû Khâlid Himsî. He was a very reliable transmitter and belonged to the seventh category. He died in the year 150 A.H. (Ibn Hajr 1992: 135).

NAME: Yahyâ b. Miqdâm. He belonged to the fourth category (Ibn Hajr 1992: 597). Dhahabî (n.d.: IV/410) states that no scholar narrates from him except his son Sâlih.

NAME: Miqdâm b. Ma`dîkarib b. `Amr Kindî. He was a famous companion of the Prophet (S.A.W.) and had settled in the Levant. He died in the year 87 A.H. at the age of 91 (Ibn Hajr 1992: 545).

4.4.3.2 THE WEAK NARRATOR

NAME: Sâlih b. Yahyâ b. Miqdâm b. Ma`dîkarib Kindî.

1. He was a very weak narrator (Ibn Hajr 1992: 274).
2. Bukhârî said that he was a defective reporter (Dhahabî n.d.: II/304).

4.4.3.3 CONCLUSION

Nasâ'î accepted the same tradition of Sâlih in two different places without commenting on them (Nasâ'î 1992: IV/ 230). These traditions are rejected by most of the traditionists as Sâlih and Yahyâ are questionable transmitters. Nasâ'î (1992: IV/229-230) has recorded five traditions with different chains of transmission regarding the permissibility of horse-meat.

This Hadîth is also recorded by Abû Dâwûd and Ibn Mâjah. They included Sâlih, the weak narrator, in their respective chains. Therefore, this Hadîth is classified as extrinsically authentic.

4.4.4 HADÎTH FOUR

اخبرنا موسى بن عبد الله بن موسى البصرى قال حدثنا النضر بن كثير ابو سهل الازدى قال : صلى الى جنبى عبد الله بن طاوس بمنى فى مسجد الخيف فكان اذا سجد السجدة الاولى فرفع راسه منها رفع يديه تلقاء وجهه فانكرت انا ذالك فقلت لوهيب بن خالد : ان هذا يصنع شيئا لم ار احد يصنعه , فقال له وهيب: تصنع شيئا لم نر احدا يصنعه , فقال عبد الله بن طاوس : رايت ابى يصنعه وقال ابى : رايت ابن عباس يصنعه وقال عبد الله بن عباس : رايت رسول الله صلى الله عليه وسلم يصنعه .

CHAIN: Nasâ'î - akhbaranâ - Mûsâ b. `Abd Allâh b. Mûsa 'l-Basrî - haddathanâ - Nadr b. Kathîr Abû Sahl al-Azdî.

TEXT: `Abd Allâh b. Tâus performed prayers by my side at Minâ in Masjid al-Khaif. When he prostrated the first time and raised his head from prostration, he raised his hands towards his face; so I objected to this (raising of the hands to the face after prostration). I said to Wuhaib b. Khalid that this (person) is doing something which I have not seen anybody else do. Wuhaib told him, 'You are doing something which we have not seen anybody else do'. `Abd Allâh b. Tâus responded, 'I saw my father doing it'. And my father said: 'I saw Ibn `Abbâs doing it'. And `Abd Allâh b. `Abbâs said: 'I observed the Prophet (S.A.W.) doing it' (Nasâ'î 1992: I/581).

The above Hadîth has been recorded by Abû Dâwûd n.d.: I/474.

4.4.4.1 AN ANALYSIS OF THE CHAIN OF TRANSMITTERS

NAME: Mûsâ b. `Abd Allâh b. Mûsa 'l-Khuzâ`î. His agnomen was Abû Talhah. He hailed from Basrah and was an acceptable reporter and belonged to the eleventh category (Ibn Hajr 1985: 351).

NAME: `Abd Allâh b. Tâus b. Kaysân al-Yamânî. His agnomen was Abû Muhammad. He was a reliable reporter and belonged to the sixth category. He died in the year 132 A.H. (Ibn Hajr 1985: 177).

NAME: Wuhaib b. Khâlid b. `Ajalân al-Bâhilî. He was a very reliable reporter; however, in the latter part of his life his memory started failing. He belonged to the seventh category and died in the year 165 A.H. (Ibn Hajr 1985: 372).

NAME: Tâus b. Kaysân al-Yamânî. His agnomen was Abû `Abd al-Rahmân al-Himyarî. Some traditionists have said that his name was Dhakwân and his honorary title was Tâus. He was a jurist and a reliable narrator. He belonged to the third category and died in the year 106 A.H. (Ibn Hajr 1985: 156).

4.4.4.2 THE WEAK NARRATOR

NAME: Nadr b. Kathîr.

The following traditionists have discredited him (Dhahabî n.d.: IV/262):

1. Bukhârî said that he narrated strange (munkar) traditions.
2. Ibn Hibbân severely criticized him for imputing spurious traditions to reliable reporters.
3. Abû Hâtim said that he was a weak transmitter.

4.4.4.3 CONCLUSION

Nadr b. Kathîr was considered a weak reporter by the traditionists. Thus Nasâ'î reports only one tradition from him. However, he did not pass any judgement regarding him in the *Sunan*.

This Hadîth has also been recorded by Abû Dâwûd. He included the weak narrator in his chain of transmission. Thus this Hadîth is classified as extrinsically authentic.

4.4.5 HADÎTH FIVE

اخبرنا محمد بن عبد الله بن يزيد قال حدثنا ابى قال حدثنا حيوة وذكر اخر قال حدثنا سالم بن غيلان التجيبى انه سمع دراجا ابا السمح انه سمع ابا الهيثم انه سمع ابا سعيد يقول : سمعت رسول الله صلى الله عليه وسلم يقول : اعوذ بالله من الكفر والدين , قال رجل يا رسول الله , اتعدل الدين بالكفر ؟ فقال رسول الله صلى الله عليه وسلم نعم .

CHAIN: Nasâ'î - akhbaranâ - Muhammad b. `Abd Allâh b. Yazîd - haddathanâ - my father - haddathanâ - Haywah and someone else - haddathanâ - Sâlim b. Ghailân al-Tujîbî - heard - Darrâj Abu 'l-Samh - heard - Abu 'l-Haytham - heard - Abû Sa`îd - heard - the Prophet (S.A.W.).
TEXT: I seek the protection of Allâh from disbelief and debts. A person asked, "O Messenger of Allâh, have you equated debts with disbelief" ? The Prophet (S.A.W.) replied, " Yes" (Nasâ'î 1992: IV/658).

The above Hadîth has been recorded only by Nasâ'î amongst the six authentic compilers.

4.4.5.1 AN ANALYSIS OF THE CHAIN OF TRANSMITTERS

NAME: Muhammad b. `Abd Allâh b. Yazîd al-Muqrî. His agnomen was Abû Yahyâ. He hailed from Makkah and was a reliable narrator and belonged to the tenth category. He passed away in the year 256 A.H. (Ibn Hajr 1985: 306).

NAME: `Abd Allâh b. Yazîd al-Makkî. His agnomen was Abû `Abd al-Rahmân al-Muqrî. He was originally from Basrah and a very reliable reporter. He belonged to the ninth category and was one of the senior teachers of Bukhârî and passed away in the year 213 A.H. (Ibn Hajr 1985: 194).

NAME: Haywah b. Shurayh b. Safwân al-Tujîbî. His agnomen was Abû Zur`ah. He hailed from Egypt and was a very honest narrator and jurist. He belonged to the seventh category and died in the year 158 A.H. (Ibn Hajr 1985: 86).

NAME: Sâlim b. Ghailân al-Tujîbi 'l-Misrî. He was an acceptable transmitter and belonged to the seventh category. He died in the year 151 A.H. (Ibn Hajr 1985: 115).

NAME: Sulaimân b. `Amr b. `Ubaid al-Laythî. His agnomen was Abu 'l-Haytham. He belonged to the fourth category and was a reliable reporter. (Ibn Hajr 1985: 135).

NAME: Sa`d b. Mâlik. His agnomen was Abû Sa`îd al-Khudrî. He was a famous companion of the Prophet (S.A.W.). He died in the year 74 A.H. at the age of 84 (Khatîb n.d.: 598).

4.4.5.2 THE WEAK NARRATOR

NAME: `Abd al-Rahmân. His title was Darrâj. He belonged to the fourth category and died in the year 126 A.H. (Ibn Hajr 1985: 97).

The following scholars have discredited him (Dhahabî n.d.: II/24-25):

1. Nasâ'î said that he was not strong and on another occasion stated that his traditions were strange.
2. Ahmad b. Hanbal said that his traditions were strange.
3. Abû Hâtim said that his traditions were weak.

4.4.5.3 CONCLUSION

The reason why most of the traditionists discredited him was because of his confusing the texts of the various traditions. For example, in the above tradition it is correct that the Prophet (S.AW.) sought the protection of Allâh from disbelief and debts. However, to state that the Prophet (S.A.W.) equated the two is erroneous, since in the entire corpus of Hadîth there is not a single transmission or transmitter to substantiate it.

Nasâ'î is justified in classifying Darrâj as a weak reporter as most of the traditionists have concurred with him. Nasâ'î included this Hadîth probably because he did not receive more authentic Ahâdîth.

4.4.6 HADÎTH SIX

اخبرنا احمد بن سليمان قال حدثنا يحيى بن ادم قال حدثنا سفيان الثورى عن حكيم بن جبير عن محمد بن عبد الرحمن بن يزيد عن ابيه عن عبد الله بن مسعود قال : قال رسول الله صلى الله عليه وسلم : من سال وله ما يغنيه جاءت خموشا او كدوحا فى وجهه يوم القيامة , قيل : يا رسول الله وماذا يغنيه او ماذا اغناه ؟ قال : خمسون درهما او حسابها من الذهب .

CHAIN: Nasâ'î - akhbaranâ - Ahmad b. Sulaimân - haddathanâ - Yahyâ b. Âdam - haddathanâ - Sufyân al-Thawrî - `an - Hakîm b. Jubair - `an - Muhammad b. `Abd al-Rahmân b. Yazîd - `an - his father - `an - `Abd Allâh b. Mas`ûd - Prophet (S.A.W.).

TEXT: Whosoever begs whilst he possesses that which enriches him, he will come on the Day of Judgement with scratches or scars on his face. It was said, O ! Messenger of Allâh, "How much will enrich him or what makes him rich"? The Prophet (S.A.W.) replied, "Fifty dirhams (cf. glossary) or its equivalent in gold" (Nasâ'î 1992: III/102).

The above Hadîth has been recorded by the following traditionists:

1. Abû Dâwûd n.d.: II/277-278.
2. Tirmidhî 1987: III/40-41.
3. Ibn Mâjah n.d.: I/589.

4.4.6.1 AN ANALYSIS OF THE CHAIN OF TRANSMITTERS

NAME: Ahmad b. Sulaimân b. `Abd al-Mâlik. His agnomen was Abu 'l-Husain al-Rahâwî. He was considered as a very reliable reporter and he belonged to the eleventh category. He passed away in the year 261 A.H. (Ibn Hajr 1985: 13).

NAME: Yahyâ b. Âdam b. Sulaimân. His agnomen was Abû Zakarîyâ. He hailed from Kûfah, had a retentive memory and was one of the senior traditionists and belonged to the ninth category. He died in the year 203 A.H. (Ibn Hajr 1985: 373).

NAME: Sufyân b. Sa`îd b. Masrûq al-Thawrî. His agnomen was Abû `Abd Allâh. He hailed from Kûfah and was a jurist and traditionist par excellence. He belonged to the sixth category and died at the age of 64 in the year 161 A.H. (Ibn Hajr 1985: 128).

NAME: Muhammad b. `Abd al-Rahmân b. Yazîd b. Qais al-Nakh`î whose agnomen was Abû Ja`far. He hailed from Kûfah and was a reliable transmitter who belonged to the sixth category (Ibn Hajr 1985: 308).

NAME: `Abd al-Rahmân b. Yazîd b. Qais al-Nakh`î. His agnomen was Abû Bakr. He was one of the senior traditionists and belonged to the third category. He died in the year 83 A. H. (Ibn Hajr 1985: 211).

NAME: `Abd Allâh b. Mas`ûd. His agnomen was Abû `Abd al-Rahmân al-Hudhalî. He was the sixth person to embrace Islâm and was the special attendant of the Prophet (S.A.W.). He was considered by the companions of the Prophet (S.A.W.) as one of the senior jurists. He passed away in the year 32 A.H. (Khatîb n.d.: 605).

4.4.6.2 THE WEAK NARRATOR

NAME: Hakîm b. Jubair al-Asadî.

The following scholars discredited him (Dhahabî n.d.: I/583):

1. Nasâ'î said that he was not a strong transmitter.
2. Ahmad b. Hanbal said that he was a weak reporter and narrated munkar traditions.
3. Dâraqutnî classified him amongst those who were abandoned.
4. Shu`bah stated that he fears the fire if he narrates from him.
5. Ibn Hajr (1992: 176) stated that he was weak and criticized him for being a Shî`ah.

4.4.6.3 CONCLUSION

Nasâ'î was justified in criticizing him as he was a weak reporter and most of the traditionists have concurred with him. This Hadîth was also recorded by Abû Dâwûd, Tirmidhî and Ibn Mâjah. They included the weak narrator in their respective chains. Thus this Hadîth is classified as extrinsically authentic.

4.4.7 HADÎTH SEVEN

اخبرنا اسحق بن ابراهيم قال اخبرنا وكيع قال حدثنا زكريا بن ابى زائدة عن مصعب بن شيبة عن طلق بن حبيب عن عبد الله بن الزبير عن عائشة عن رسول الله صلى الله عليه وسلم عشرة من الفطرة : قص الشارب , وقص الاظفار , وغسل البراجم , واعفاء اللحية , والسواك , والاستنشاق , ونتف الابط , وحلق العانة , وانتقاص الماء , قال مصعب ونسيت العاشرة الا ان تكون المضمضة .

CHAIN: Nasâ'î - akhbaranâ - Ishâq b. Ibrâhîm - akhbaranâ - Wakî` - haddathanâ - Zakarîyâ b. Abî Zâ'idah - `an - Mus`ab b. Shaibah - `an - Talq b. Habîb - `an - `Abd Allâh b. Zubair - `an - `Â'ishah - `an - the Prophet (S.A.W.).
TEXT: Ten (actions) are natural dispositions, trimming the moustache, clipping the nails, washing the knuckles, lengthening the beard, (using) the tooth stick, rinsing the nostrils, cleaning the armpits, shaving the pubic hair, washing the private parts (after urinating and defecating). Mus`ab states, "And I forgot the tenth one, except that it be gargling" (Nasâ'î 1992: IV/501).

The above Hadîth has been recorded by the following traditionists:

1. Muslim n.d.: I/223.
2. Abû Dâwûd n.d.: I/44-45.
3. Tirmidhî 1987: V/85.
4. Ibn Mâjah n.d.: I/107.

4.4.7.1 AN ANALYSIS OF THE CHAIN OF TRANSMITTERS

NAME: Ishâq b. Ibrâhîm b. Yûnus al-Minjanîqi 'l-Warrâq. His agnomen was Abû Ya`qûb al-Baghdâdî. He settled in Egypt and was trustworthy and a preserver of traditions. He belonged to the twelfth category and died in the year 304 A.H. (Ibn Hajr 1985: 27).

NAME: Wakî` b. Jarrâh b. Malîh al-Ruwâsî. His agnomen was Abû Sufyân. He hailed from Kûfah and was trustworthy and a preserver of Hadîth. He was amongst the senior narrators of the ninth category and died in the year 196 A.H. (Ibn Hajr 1985: 369).

NAME: Zakarîyâ b. Abî Zâ'idah Khâlid b. Fayrûz al-Hamdânî al-Wadâ`î. His agnomen was Abû Yahyâ 'l-Kûfî. He was reliable and belonged to the sixth category and died in the year 147 A.H. (Ibn Hajr 1985: 108).

NAME: Talq b. Habîb al-`Anazî hailed from Basrah. He was truthful and belonged to the third category and died in the year 91 A.H. (Ibn Hajr 1985: 158).

NAME: `Abd Allâh b. Zubair. His agnomen was Abû Bakr. Both his name and agnomen were conferred upon him by the Prophet (S.A.W.) and he was the first child to be born in Madînah among the emigrants in the first year of the migration. His parents, Zubair b. `Awwâm and Asma` b. Abû Bakr, maternal

grandfather, Abû Bakr and grandmother, Safîyah, were all companions of the Prophet (S.A.W.). This distinction was enjoyed by none except `Abd Allâh b. Zubair. He died in the year 73 A.H. when he was killed by Hajjâj b. Yûsuf in Makkah (Khatîb n.d.: 604).

NAME: `Â'ishah b. Abû Bakr, the wife of the Prophet (S.A.W.). She was a jurist, traditionist and linguist par excellence and narrated 2 210 Ahâdîth of which both Bukhârî and Muslim narrated 174 in their respective compilations. She passed away in Madînah in the year 57 A.H. (Khatîb n.d.: 612).

4.4.7.2 THE WEAK NARRATOR

NAME: Mus`ab b. Shaibah b. Jubair b. Shaibah b. `Uthmân al-`Abdari 'l-Makkî.

The following scholars have disparaged him (Dhahabî n.d.: IV/120):

1. Ahmad b. Hanbal said that he narrated munkar Ahâdîth, implying that he was an unreliable reporter who reported contrary to what was narrated by a host of other trustworthy reporters.
2. Abû Hâtim stated that the traditionists dispraised him.
3. Dâraqutnî did not assess him to be a strong reporter.
4. Abû Dâwûd, after mentioning his Hadîth, classified him as weak.
5. Ibn Hajr (1992: 533) said that he was soft in Hadîth, implying that he was weak.
6. Nasâ'î (1992: IV/503) said that he reported munkar traditions.

4.4.7.3 CONCLUSION

Nasâ'î records this Hadîth through other chains of transmission. For example, the following chain of transmission is recorded by Nasâ'î - Qutaibah - haddathanâ - Abû `Awânah - `an - Abî Bishr - `an - Talq b. Habîb. The text of the Hadîth according to this particular chain of transmission is as follows:
TEXT: Ten (actions) are Sunnah: (using) a tooth stick, trimming the moustache, gargling, rinsing the nostrils, lengthening the beard, clipping the nails, cleaning the armpits, circumcision, shaving the pubic hair and washing the posterior (Nasâ'î 1992: IV/503).

Furthermore, Nasâ'î states that the Hadîth of Ja`far b. Iyâs, whose agnomen was Abû Bishr, was superior to that of Mus`ab. This implies that the various texts of the tradition are acceptable, although the chain of transmission wherein the name of Mus`ab b. Shaibah appears was weak (Nasâ'î 1992: IV/503). Nasâ'î records Mus`ab only twice in his *Sunan*, once in the above tradition and secondly in the following tradition:

اخبرنا محمد بن اسماعيل بن ابراهيم قال حدثنا حجاج قال حدثنا ابن جريج اخبرنى عبد الله بن مسافع ان مصعب بن شيبة اخبره عن عقبة بن محمد بن الحارث عن عبد الله بن جعفر ان النبى صلى الله قال : من شك فى صلاته فليسجد سجدتين بعد ما يسلم .

CHAIN: Nasâ'î - akhbaranâ - Muhammad b. Ismâ`îl b. Ibrâhîm - haddathanâ - Hajjâj - haddathanâ - Ibn Juraij - akhbaranî - `Abd Allâh b. Musâfi` - Mus`ab b. Shaibah - akhbarahu - `an - `Uqbah b. Muhammad b. Hârith - `an - `Abd Allâh b. Ja`far - the Prophet (S.A.W.).

TEXT: Whosoever has doubt in his prayer should perform two prostrations after the terminating taslîm (cf. glossary) (Nasâ'î 1992: II/35).

This Hadîth has been recorded in Muslim, Abû Dâwûd, Tirmidhî and Ibn Mâjah. They included Mus`ab b. Shaibah in their respective chains. Thus this Hadîth is classified as extrinsically authentic.

4.5 CONCLUSION

Only seven Ahâdîth were selected for the appraisal of weak narrators that were codified by Ibn Hajr. The principles related to the grading of the Ahâdîth are uniformly applied by the scholars in this field.

In these Ahâdîth the common factor that contributed to the narrator being disparaged was his weakness. The factors relating to the classification of some of the *Sunan*'s Ahâdîth as weak have thus been established. These factors are also generally applicable in most of the other weak Ahâdîth in the *Sunan*. Thus it is not necessary that every weak narrator be discussed for the purpose of this thesis.

It is now appropriate to make a thematic analysis of selected narratives of *Sunan Nasâ'î*. Twelve Ahâdîth are selected on the basis of four contemporary topical issues and are analysed in the next chapter.

CHAPTER FIVE

A THEMATIC ANALYSIS OF SELECTED NARRATIVES OF SUNAN NASÂ'Î

5.1 INTRODUCTION

The previous chapter focussed on the weak narrators of Nasâ'î. This chapter selects several of his authentic narratives for appraisal. The narratives pertain to the following themes:

1. Social Justice and Equity
2. Women's Rights
3. Ethics in Business Transactions
4. The Oath of Allegiance and its Relevance in the Islâmic Social System

The selection of the above themes have been motivated by their relevance to contemporary issues. Since Islâmic viewpoints are interpreted and deduced from authentic traditions, it seems advisable to use selected narratives from *Sunan Nasâ'î* to analyse the above themes from a traditional perspective. Inferences from such reliable traditions reflect the authoritative opinion to which Muslims are bound. Certain narrations do allow flexibility due to changing circumstances. Due to the Divine origin of these Ahâdîth, deviation from acceptable interpretations would only lead to blasphemy.

In discussing each of the following Hadîth, the approach will be to cite the entire text in Arabic, followed by an English approximation of the Hadîth. Thereafter an analysis of the chain of transmitters is made. The analysis of the chains of transmitters of these Ahâdîth were retained for the following reasons:

1. To clarify that all the narrators were acceptable and as such the implications of these Ahâdîth have authoritative influence in the Islâmic legal framework.
2. The chains of transmitters serve as a citation of narrators who rightfully deserve acknowledgement for their contribution to transmitting the Ahâdîth.

This is followed by a general pragmatic analysis of the language of the Hadîth. Lexical, syntactical, semantic and stylistic analysis are made which contribute to the meaning of Hadîth in context. This clarifies issues relating to legal matters. A definition of these terms stem from the fact that some of these are legal jargon. Since Arabic is the primary language in which the Ahâdîth appear, it is inappropriate to discard the Arabic texts and solely rely on translations for understanding the message. Thus the Arabic texts are used as a basis for inferring meanings.

According to `Azîz (1993: 171-172), the textual rhetoric and the interpersonal rhetoric of the Hadîth have a set of four principles as follows:

1. The Processibility Principle

The text of a Hadîth is presented in a manner which makes it easy to understand in time.

2. The Clarity Principle

The Prophet (S.A.W.) at all times retained a direct and transparent relationship between semantic and phonological structure (i.e. between his text and message), and avoided ambiguity.

3. The Economy Principle

Throughout Hadîth Literature, including Nasâ'î, it is noted that the Prophet (S.A.W.) kept his text judiciously short without impairing the message. This reduces the amount of time and effort in encoding and decoding a Hadîth.

4. The Expressivity Principle

Every Hadîth, in the use of Arabic, displays linguistic virtuosity and the reporters of Hadîth aspire to master and emulate the expressive use of the Prophet's (S.A.W.) text. They attain this aspiration in varying degrees.

Finally each theme ends with a conclusion.

5.1.1 SOCIAL JUSTICE

5.1.1.1 HADÎTH ONE

اخبرنا قتيبة قال حدثنا الليث عن ابن شهاب عن عروة عن عائشة ان قريشا اهمهم شان المخزومية التى سرقت فقالوا : من يكلم فيها رسول الله صلى الله عليه وسلم ؟ قالوا ومن يجترىء عليه الا اسامة ابن زيد حب رسول الله صلى الله عليه وسلم فكلمه اسامة فقال رسول الله صلى الله عليه وسلم : اتشفع في حد من حدود الله ثم قام فخطب فقال : انما هلك الذين قبلكم انهم كانوا اذا سرق فيهم الشريف تركوه واذا سرق فيهم الضعيف اقاموا عليه الحد وايم الله لو ان فاطمة بنت محمد سرقت لقطعت يدها .

CHAIN: Nasâ'î - akhbaranâ - Qutaibah - haddathanâ - Layth -`an - Ibn Shihâb -`an - `Urwah - `an - `Â'ishah.

TEXT: The Quraish became very worried about the Makhzûmiyah lady who had committed theft. They said: 'Who will speak on her behalf to the Prophet (S.A.W.)'? They said: 'Nobody dares do that except Usâmah b. Zaid who is the beloved of Allâh's Messenger. When Usâmah spoke to the Prophet (S.A.W.), the Prophet (S.A.W.) said, 'Do you intercede to violate one of the legal punishments of Allâh'? Then he got up to address (the people) saying, 'Verily those before you were destroyed because when a noble person among

them committed theft, they did not inflict the legal punishment on him, and if a weak person amongst them committed theft, they imposed the legal punishment on him. By Allâh, if Fâṭimah, the daughter of Muḥammad were to commit theft, I will cut off her hand' (Nasâ'î 1992: IV/ 444-445).

The above Ḥadîṯh has been recorded by the following traditionists:

1. Bukhârî n.d.: VIII/512-513.
2. Muslim n.d.: III/1315.
3. Abû Dâwûd 1973: IV/537-538.
4. Tirmidhî 1987: IV/29.
5. Ibn Mâjah n.d.: II/851

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NAME: Qutaibah b. Sa`îd b. Jamîl. His agnomen was Abû Rajâ'. He belonged to the tenth category and was a reliable reporter. He died in the year 240 A.H. at the age of ninety (Ibn Ḥajr 1992: 454).

NAME: Layth b. Sa`d b. `Abd al-Raḥmân al-Fahmî. His agnomen was Abu 'l-Ḥârîth. He was a famous jurist and a reliable transmitter. He belonged to the seventh category and died in the year 175 A.H. (Ibn Ḥajr 1992: 464).

NAME: Muḥammad b. Muslim b. `Ubaid Allâh b. `Abd Allâh b. Shihâb al-Zuhrî. His agnomen was Abû Bakr and the traditionists were unanimous on his competence in jurisprudence and Ḥadîṯh. He was one of the most senior traditionists of the fourth category and died in the year 125 A.H. (Ibn Ḥajr 1992: 506).

NAME: `Urwah b. Zubair b. `Awwâm. His agnomen was Abû `Abd Allâh Madanî. He was a famous jurist and reliable in Hadîth. He belonged to the third category and died in year 94 A.H. (Ibn Hajr 1992: 389).

NAME : `Â'ishah b. Abû Bakr, the wife of the Prophet (S.A.W.). She narrated 2 210 Ahâdîth and passed away in the year 57 A.H. (Khatîb n.d.: 612).

PRAGMATIC ANALYSIS

Etymological Issues

a) Aym Allâh ايم الله

The above words are termed as the possessive construction in Arabic. However, a change in the first part of the construction, which is etymologically considered to be *Aymân Allâh,* has resulted in the deletion of the long vowel and consonant (that is, *Alif* and *Nûn* from the noun *Aymân* which is the plural of *Yamîn*). The construction is therefore emphatic and means "I swear by Allâh with all emphasis".

b) Yaduhâ يدها

The noun *Yadun* which precedes the suffixed pronoun *Hâ* in this possessive construction was etymologically *Yadayun*, the final *Yâ* of this noun has been omitted. This resulted in the final form of *Yadun* for singular so as to avoid ambiguity in terms of the clarity principle because the *Yâ* resurfaces in the dual form, as for instance in *Yadayhi* and *Yadayhâ* and will create ambiguity.

a) Man Yukallim Fîhâ من يكلم فيها

The eloquence of the Arabic language is accentuated by the economy principle. In the above narration the words *Man Yukallim Fîhâ* implies, *Man Yukallim Fî Sh'an Raf`i 'l-Had `Anhâ*, who will intercede on her behalf (to the Prophet S.A.W.) regarding the waiving of the legal punishment. This is known as *Majâz Bi 'l-Hadhf*, figurative usage by implication. Obviously, the expression encoded in the Hadîth takes lesser time to decode than the longer expression and the message is not impaired.

b) Tarakû - Aqâmû تركوا – اقاموا

The words *Tarakû* and *Aqâmû* are antonyms in grammar and *Tibâq* in rhetoric. This emphasizes how people discriminated between the treatment given to the bourgeois and that given to proletariate. The practice still continues but Islâm denounces it through this Hadîth.

c) Hibbu Rasûl حب رسول

The Arabic language has rich variations of senses, implications and meanings depending upon the forms of verbs and nouns that are used. In the above Hadîth the verbal noun *Hubb Rasûl* refers to a person who is the beloved of the Prophet (S.A.W.). If the noun *Hibb* is used, then it implies that he is the most beloved person of the Prophet (S.A.W.). Both these nouns are formed

from the same consonants, but a different vowel has given the latter noun greater intensity.

d) Atashfa`u اتشفع

The consonant *Hamzah* which precedes the imperfect verb *Tashfa`* is an interrogative particle. This then means "Do you intercede?" Contextually, this is a rhetorical question expressing disapproval of such an intercession. It expresses the indignation of the Prophet (S.A.W.) since it is negating an Islâmic legal injunction from being applied.

Syntactic Issues

a) Inna Quraish Ahammahum Shân al-Makhzûmîyah

ان قريشا اهمهم شان المخزومية

The above particle *Inna* is used for emphasis and precedes the noun Quraish. Thus emphasis is given to the fact that the tribe of Quraish were particularly concerned with the issue related to the female from the Makhzûmîyah tribe. This sentence is idiomatically forceful in its reference to pre-Islâmic tribal allegiance and zeal. The new Islâmic order demanded all its adherents to have equal concern for the execution of justice.

Ahamma is a verb, pronominally suffixed with the masculine plural form, *Hum*. This suffix represents the object of the verb. The possessive

construction, i.e., *Shân al-Makhzûmîyah* is the subject. The verb, *Ahamma*, followed by its object and subject in the respective order forms a verbal clause within the nominal sentence that begins with *Inna Quraish*. The pronominalization in the embedded clause follows the economy principle at the syntactic level. The reporter had to do this in order to avoid ambiguity.

b) Idhâ اذا

Idhâ introduces a conditional sentence which comprises a protasis and an apodosis. The protasis introduced by *Idhâ* is "when a noble person among them committed theft", while "they used to let him go (unpunished)" forms the apodosis.

c) Law لو

Law introduces a hypothetical clause which in this case is "If Fâtimah, the daughter of Muhammad (S.A.W.), were to commit theft". The use of *Law* in the Hadîth, rather than *In*, displays linguistic virtuosity, as *Law* differs from *In*, in that the latter simply indicates a condition, whilst the former implies what is "supposed" either does not take place or is not likely to happen. Thus the underlying meaning is hyperbolic, in that "let us suppose that even if Fâtimah b. Muhammad (S.A.W.) were to steal" (which is not likely to happen) no concession will be made in implementing the Islâmic penal law of amputating her hand (Wright 1991: 347).

Semantic Issues

a) Yajtari'u يجترئي

Yajtari'u is the eighth form constituted from the first *Jara'* by inserting the syllable *ta* between the first and second radicals. Additional letters are either prefixed, suffixed and/or infixed to the verb to allow it to have variations in meaning. In Arabic, emphatic forms of nouns and verbs are often created through such increases of specific consonants and vowels to the respective forms. Arab grammarians formulated the following maxim in order to refer to this phenomenon:

ان كثرة المباني تدل علي كثرة المعاني

which implies that the greater the structure of words, the more intense are their meanings.

This does not conflict with the economy principle of language, since necessary consonants and vowels have to be introduced to provide specific and intended meanings.

b) Al-Da`if الضعيف

Al-Da`if literally refers to one who is physically weak. However, contextually it includes all forms of weakness, whether financial, social or physical. This is called *Ikhtisâr* (abridgement) despite having a wide variety of meanings.

5.1.1.2 HADÎTH TWO

اخبرنا على بن حجر قال اخبرنا يزيد بن هارون عن همام عن قتادة عن انس بن مالك قال : خرجت جارية عليها اوضاح فاخذها يهودى فرضخ راسها واخذ ما عليها من الحلى فادركت وبها رمق فاتى بها رسول الله صلى الله عليه وسلم فقال : من قتلك فلان ؟ قالت براسها : لا, قال : فلان ؟ قال حتى سمى اليهودى قالت براسها : نعم , فاخذ فاعترف فامر به رسول الله صلى الله عليه وسلم فرضخ راسه بين حجرين ٠

CHAIN: Nasâ'î - akhbaranâ - ` Alî b. Hujr - akhbaranâ - Yazîd b. Hârûn - ` an - Hammâm - ` an - Qatâdah - ` an - Anas b. Mâlik.

TEXT: A woman with jewellery emerged and a Jew seized her, crushed her head and stole the jewellery. She was barely alive when found and the Prophet (S.A.W.) was brought to her and enquired, "Did so and so (attempt to) kill you"? She nodded her head in the negative. The Prophet (S.A.W.) said, "A certain person, until he mentioned the Jew's name". She nodded her head in the affirmative. Thus he (the Jew) was caught and he admitted to his guilt and the Prophet (S.A.W.) commanded (his death). His head was then crushed between two stones (Nasâ'î 1992: IV/391).

The above Hadîth has been recorded only by Nasâ'î from the six canonical compilers.

NAME: ` Alî b. Hujr b. Iyâs al-Sa`dî. He was very reliable and belonged to the ninth category. He died in the year 244 A.H. at the age of 100 (Ibn Hajr 1992: 399).

NAME: Yazîd b. Hârûn b. Zâdhân al-Sulamî. His agnomen was Abû Khâlid. He was very pious and an accurate narrator. He belonged to the ninth category and died in the year 206 A. H. (Ibn Hajr 1992: 606).

NAME: Hammâm b. Yahya 'l-Basrî. He was authenticated by Ahmad b. Hanbal and Abû Zur`ah. He died in the year 164 A.H. (Dhahabî n.d.: IV/309-310).

NAME: Qatâdah b. Du`âmah b. Qatâdah al-Sadûsî. His agnomen was Abu 'l-Khattâb. He was a very reliable reporter and one of the senior transmitters of the fourth category. He died in the year 113 A.H. (Ibn Hajr 1992: 453).

NAME: Anas b. Mâlik b. Nadr, the special attendant of the Prophet (S.A.W.) for ten years. He died in the year 92 A.H. when he was more than 100 years old (Ibn Hajr 1992: 115).

Stylistic Issues

a) Kharajat Jâriyah `Alayhâ Awdâh خرجت جارية عليها اوضاح

The feminine noun *Jâriyah* refers to a young girl who has reached the age of puberty. The noun *Awdâh* is the broken plural of *Wadh* which literally means anything which is clear, luminous and brilliant. By highlighting this distinguishing characteristic of jewellery the image of its radiance is imprinted on the mind of the reader without the use of the word 'jewellery' itself. This form of expression is called *Isti`ârah Tasrîhîyah*. The expression displays linguistic virtuosity.

b) Fulân فلان

The above noun is used for reference to an unidentified individual. It could be the subject, the implied predicate of which could be *Qatalaki*. The latter is a verbal phrase having the pronominal suffix *Ki* as the object. The independent pronoun *Huwa* is understood and serves as the subject. Despite the omission of the interrogative particle, the interrogational sense remains. This is called *Hadhf al-Istifhâm*. The economy principle applies in this instance.

c) Qâlat Bi Ra'sihâ Lâ قالت براسها لا

The girl could not speak due to her severe injuries, thus she nodded her head. The communication was not verbal. Kinesic studies shows that since time immemorial man has been using verbal, as well as, non-verbal forms of communication such as facial expressions, head or eye movements, and gestures, which may add support, emphasis, or particular shades of meaning to what people are saying. For example, the girl's nodding her head from side to side indicated "no" and her nodding her head in up and down direction indicated "yes". This is called *Majâz Âliyah*.

d) Radakh رضخ

The word *Radakh* denotes a smashing or a cracking sound. The noun *Mirdâkh* means a nut-cracker. When the word *Radakh* is used in the narrative the onomatopoeic effect of the smashing is emphasized. This is called *Majâz Hissî*.

Semantic Issues

a) Akhadha Mâ اخذ ما

The word *Akhadha* lexically means to take, but contextually it implies a similar meaning as its verbal noun *Akhdhun* - to seize or grab. A similar usage is experienced in the following Qur'ânic verse:

واخذ براس اخيه يجره اليه (٧:١٥٠)

"And seized his brother by the head dragging him towards him" (7: 150).

b) Radakh رضخ

This verb could be read in the triliteral root form, or in the more intense form by the addition of a consonant or vowel similar to that in the centre of the triliteral form. This addition is generally expressed by the *Tashdîd* (ّ) sign. The verb is however transitive, thus demanding an object. In other words, the processibility principle applies here at semantico - syntactic level where the "light" form of the verb yields less intense meaning, whilst the "heavy" form of the verb yields a more intense meaning.

Syntactic Issues

a) Akhadha اخذ

Akhadha is a perfect verb, that is, it is in the past tense. The independent pronoun *Huwa* is understood and serves as the subject while *Mâ*, the relative pronoun, represents the object of the verb. The relative pronoun is here used with a vague intensifying force but the preposition *Min* later on governing *Al-Hulî* disambiguates the vagueness and gives the expression a clarity force. The expressivity principle applies here.

b) Kharajat Jâriyah `Alayhâ Awdâh خرجت جارية عليها اوضاح

In the above tradition *Kharajat* is an intransitive verb, the subject of which is *Jâriyah*. The *Hâ* in the word *`Alayhâ* is in the genitive case governed by the preposition *`Alâ*. Furthermore, the word *`Alayhâ* becomes the predicate. The word *Awdâh* is the subject of the nominal sentence which in itself is a description of the described article. The predicate and subject become the adjective for *Jâriyah*. This expression follows the maxim of quantity - giving the right amount of information, nothing more and nothing less.

Legal Issues

a) Al-Hulî الحلي

The noun *Al-Hulî* is prefixed by the definite article *Al*. It refers to any jewellery which could be worn by women. The reason for the murder is taken to be the intent of acquiring her jewellery. The tradition thus expresses the fact that display of jewellery is the cause of theft and murder.

5.1.1.3 HADÎTH THREE

اخبرنا يوسف بن سعيد قال حدثنا حجاج بن محمد عن ابن جريج قال اخبرني عمرو بن دينار انه سمع طاؤسا يحدث عن ابن عباس عن عمر انه نشد قضاء رسول الله صلي الله عليه وسلم في ذالك فقام حمل بن مالك فقال : كنت بين حجرتي امراتين فضربت احداهما الاخري بمسطح فقتلتها وجنينها فقضي النبي صلي الله عليه وسلم في جنينها بغرة وان تقتل بها .

CHAIN: Nasâ'î - akhbaranâ - Yûsuf b. Sa`îd - haddathanâ - Hajjâj b. Muhammad - `an - Ibn Juraij - akhbaranî - `Amr b. Dînâr - heard - Tâus - `an - Ibn `Abbâs - `an - `Umar.

TEXT: Verily he (`Umar) sought the verdict of the Prophet (S.A.W.) regarding that (happening). Hamal b. Mâlik stood up and said, "I was between two rooms of the two women, when one hit the other with a peg and killed her and her foetus. In lieu of her foetus, the Prophet (S.A.W.) adjudicated that an immaculate slave (be set free in compensation) and that she be killed for her (the pregnant lady's) death" (Nasâ'î 1992: IV/389-390).

The above Hadîth has been recorded by the following traditionists:

1. Abû Dâwûd 1973: IV/698-699.
2. Ibn Mâjah n.d.: II/882.

NAME: Yûsuf b. Sa`îd b. Musallam. He was reliable and belonged to the eleventh category. He died in the year 271 A.H. (Ibn Hajr 1992: 611).

NAME: Hajjâj b. Muhammad. His agnomen was Abû Muhammad. He was a reliable transmitter and belonged to the ninth category. He died in the year 206 A.H. (Ibn Hajr 1992: 153).

NAME: `Abd al-Malik b. `Abd al-`Azîz b. Juraij al-Umawî Makkî. He was a famous jurist and a reliable transmitter. He belonged to the sixth category and died in the year 150 A.H. (Ibn Hajr 1992: 363).

NAME: `Amr b. Dinâr al-Makkî. His agnomen was Abû Muhammad. He belonged to the fourth category and was a reliable reporter. He died in the year 126 A.H. (Ibn Hajr 1992: 421).

NAME: Tâus b. Kaysân al-Yamânî. His agnomen was Abû `Abd al-Rahmân. He was an outstanding jurist and accurate in traditions. He belonged to the third category and died in the year 106 A.H. (Ibn Hajr 1992: 281).

NAME: `Abd Allâh b. `Abbâs, a cousin of the Prophet (S.A.W.). He was known as the 'ocean' - due to his profound knowledge. He died in the year 68 A.H. in Tâif (Ibn Hajr 1992: 309).

Syntactic Issues

a) Hujratay Imra'atayn

حجرتي امراتين

The dual form of the noun *Hujrah* in the possessive construction, is expressed with only the *Yâ* suffixed to it, since the *Nûn* of duality is deleted in the possessive construction. The feminine dual noun *Imra'atayn* ends with *Yâ Nûn,* being in the genitive case, rather than with *Alif Nûn* in the nominative case. The phrase is perspicuous, i.e. concise, orderly and avoiding obscurity which is so very desirable in criminal cases.

b) Wa An Tuqtal

وان تقتل

Wa is the conjunction "and", *An* is a subjunctive particle. The word *Tuqtal* is an imperfect, passive verb. It is in the subjunctive mood and is governed by the particle *An.* The linguistic virtuosity of the expression is that a prepositional phrase and a subjunctive phrase have been neatly conjoined and leaves no ambiguity as to the double sentencing for the double crimes.

a) Mistah مسطح

Mistah refers to a peg which is used in erecting a tent. Islâmic legislation is dependent not only upon intent of murder but also the manner and objects used for it. Despite a tent peg not usually used as a killing instrument, the crime is however intentional. Thus the Prophet (S.A.W.) passed a verdict of equitable punishment.

b) Janîn جنين

In the Arabic language several words occur on the scale of *Fa`îl* but yield the sense of *Maf`ûl*. In this instance *Janîn* yields the sense of *Majnûn*, which implies someone concealed, referring to the foetus. This is called *Majâz Lughawî*.

c) Bi hâ بها

The preposition *Bâ* in this case is used to express exchange, this is known as *Bâ* for *Muqâbalah* (exchange). As for instance Allâh states (2:194):

الشهر الحرام بالشهر الحرام

which means "the forbidden month for the forbidden month".

The *Bâ* in the above verse is used for *Muqâbalah*. Contextually the phrase in the Hadîth means the perpetrator will be killed in lieu of the one who is murdered. The phrase follows the economy principle and yields the sense of equitability of punishment.

Legal Issues

a) Faqatalathâ wa Janînahâ فقتلتها و جنينها

The reporter states that the perpetrator killed the mother and the foetus - a double crime. Therefore, the Prophet (S.A.W.) issued two verdicts against her, as the punishment has to suit the crime. This is known as *Daf` al-Wahm* (to remove all forms of speculation) and follows the clarity principle where the penal laws have been laid down transparently and unabiguously.

b) Ghurrah غرة

The above Hadîth makes direct reference to *Ghurrah*, thus the Muslim jurists conclude that the payment of *Ghurrah* is necessary in cases of aggression against the foetus. However, there is a difference of opinion amongst them. Abû Hanîfah and Shâfi`î are of the opinion that it is to be paid as long as whatever comes out of the woman's body must be a living human being. Mâlik holds that the *Ghurrah* is to be paid although the feotus might be in an embryological stage. Ahmad is of the view that if any act to terminate the pregnancy, like taking of certain medicines, be carried out within forty days

after falling pregnant, then the payment of *Ghurrah* is not necessary.

Stylistic Issues

a) Ghurrah غرة

Literally *Ghurrah* means whiteness on the forehead of a horse, approximately the size of a dirham (cf. glossary). It also refers to the best of anything: the best and most precious of property, for example, a horse, an excellent camel, a male or female slave. Its application to a slave is most common. Contextually, it relates to the compensation for feticide. The noun *Ghurrah* has been used, whilst its adjective has been lipogrammed. The complete text should read *Ghurrah Mutamayyizah* (an immaculate slave). One finds a similar example in the Holy Qur'ân (18:79), where the word *Safînah* is used. In reality it refers to *Safînah Sâlihah* (usable ship). This is called *Majâz Bi 'l-Hadhf*. This stylistic pattern within the economy principle is very significant, in that though the adjective is not used overtly, the semantic context of the Hadîth makes plain the type of slave that is to be set free.

5.1.2 SYNOPSIS OF SOCIAL JUSTICE AND EQUITY

The traditions selected are an affirmation of the social justice and equity practised by the Prophet (S.A.W.). There is no differentiation between the rich and the poor, the aristocratic tribes and peasants and the Muslims and the non-Muslims with regard to the application of Divine decree. Furthermore, by the Prophet's (S.A.W.) statement, 'By Allâh, if Fâṯimah, the daughter of Muḥammad were to commit theft, I will cut off her hand' indicates that even the blood relations of the Prophet (S.A.W.) are equal before the law and that they will be punished to the fullest extent of the law.

Intercession by any person irrespective of his social standing or relationship to the Prophet (S.A.W.) cannot be a mitigating factor in favour of the perpetrator. A cornerstone of Islâmic social justice is equitable retribution and this is emphasized by the decree of the Prophet (S.A.W.) in the second tradition with regards to the manner in which the perpetrator must be killed. The third tradition conclusively shows that a foetus has a right to live, since it is human in its own right but is in the judicial sense a non-person, in view of the fact that it is unseparated from its mother's body.

The Islâmic legal and social justice system is established through numerous narrations in Nasâ'î's *Sunan*. Chapters on *Qasâmah* (cf. glossary) and *Jihâd* (cf. glossary) in Nasâ'î's work carry further clarification and legislation regarding this theme.

5.2.1 WOMEN'S RIGHTS

5.2.1.1 HADÎTH FOUR

اخبرنا زياد بن ايوب قال حدثنا على بن غراب قال حدثنا كهمس بن حسن عن عبد الله بن بريده عن عائشة ان فتاة دخلت عليها فقالت : ان ابى زوجنى ابن اخيه ليرفع بى خسيسته وانا كارهة قالت : اجلسى حتى ياتى النبى صلى الله عليه وسلم فجاء رسول الله صلى الله عليه وسلم فاخبرته فارسل الى ابيها فدعاه فجعل الامر اليها فقالت : يا رسول الله , قد اجزت ما صنع ابى ولكن اردت ان اعلم أ للنساء من الامر شيء .

CHAIN: Nasâ'î - akhbaranâ - Ziyâd b. Ayyûb - haddathanâ - `Alî b. Ghurâb - haddathanâ - Kahmas b. Hasan - `an - `Abd Allâh b. Buraidah - `an - `Â'ishah.
TEXT: A lass entered upon her (`Â'ishah) and said: 'Verily my father has married me to his nephew to elevate his low status through me, whilst I detest (it)'. She (`Â'ishah) said: 'Sit down till the Prophet (S.A.W.) comes'. The Prophet (S.A.W.) came and she informed him, then the Prophet (S.A.W.) sent for her father and called him. The Prophet (S.A.W.) placed the matter in her hand. She said: O Messenger of Allâh, I surely accept what my father has done. However I wanted to know what are the rights of women in this matter ? (Nasâ'î 1992: III/395).

The above Hadîth has been recorded only by Nasâ'î from amongst the six authentic compilers.

AN ANALYSIS OF THE CHAIN OF TRANSMITTERS

NAME: Ziyâd b. Ayyûb b. Ziyâd al-Baghdâdî. His agnomen was Abû Hâshim. Ahmad b. Hanbal conferred the title of the junior Shu`bah b. Hajjâj on him, due to him being an outstanding scholar on Hadîth. He belonged to the tenth category and died in the year 252 A.H. at the age of 86 (Ibn Hajr 1992: 218).

NAME: `Alî b. Ghurâb al-Fazârî. He was a judge and a truthful transmitter. He belonged to the eighth category and died in the year 184 A.H. (Ibn Hajr 1992: 404).

NAME: Kahmas b. Hasan al-Tamîmî. His agnomen was Abû Hasan al-Basrî. He was a reliable reporter and belonged to the fifth category. He died in the year 149 A.H. (Ibn Hajr 1992: 462).

NAME: `Abd Allâh b. Buraidah b. Husaib al-Aslamî. His agnomen was Abû Sahl. He was a judge and very reliable. He belonged to the third category and died in the year 105 A.H. at the age of 100 (Ibn Hajr 1992: 297).

PRAGMATIC ANALYSIS

Syntactic Issues

a) Inna Fatât Dakhalat `Alayhâ ان فتاة دخلت عليها

The particle *Inna* governs the feminine singular noun *Fatât* and places it in the accusative case and serves as a subject. The perfective verb *Dakhalat* is in the feminine format. *`Alâ* is a preposition and the pronoun *Hâ* is suffixed to it. The entire sentence is thus nominal, introduced by *Inna*. The sentence yields the force of certainty and clarity.

b) Yâ Rasûl Allâh يا رسول الله

Yâ is a vocative particle and is also used for interjection. This particle precedes the person or thing that is termed *Munâdâ* (called). The possessive construction, *Rasûl Allâh* thus forms the *Munâdâ* of the vocative *Yâ*. Nouns following vocative interjective particles do not take the definite article, *Al*. Since *Rasûl Allâh*, the possessive construction is considered definite, it is considered to be in the nominative case as the Prophet (S.A.W.) has been directly addressed.

c) A li 'l-Nisâ' أ للنساء

The *Hamzah* before *Al-Nisâ'* is an interrogative particle. The prefixed preposition *Li* governs *Al-Nisâ'* in the genitive case. The *Alif* of the definite article, *Al,* that is prefixed to *Nisâ'*, is omitted because of the preposition *Li*. *Nisâ'* is the broken plural of *Imra'ah*. This construction literally means "Do women have any rights in the issue?" This is not a rhetorical question but enjoys the information - extracting status. She gets the answer when the Prophet (S.A.W.) placed the matter in her own hands, that is she was given the option to confirm the marriage or to dissolve it.

Semantic Issues

a) Liyarfa` bî Khasîsatah ليرفع بي خسيسته

The verb *Yarfa`u* refers to raise or hoist up something. However, contextually it implies to remove or eliminate. The word *Khasîsah* refers to one who is mean and low in society or to something that has decreased in value. It is used for rebuke, driving away and brushing off an individual. They connote contempt for the person addressed whom people wish to keep away from their company. This is known as *Majâz Lughawî.*

The imperfect verb *Yarfa`* is opposite in meaning to the noun *Khasîsah*, since the former relates to upliftment, while the latter shows debasement. This is known as *Tibâq* (establishment of a balanced state). In the above narrative the bride particularly expresses her father's low-esteem in society, which he attempted to uplift through marrying her into a family held in high regard.

This would have raised her family status. This episode reflects man's desire to be associated with those occupying prestigious position, even by denying their own kith and kin their right to select a spouse. However, the father's and daughter's attitudes towards the common issue are incompatible which resulted in pragmatic paradox.

5.2.1.2 HADÎTH FIVE

اخبرنا محمد بن بشار قال حدثنا عبد الوهاب قال حدثنا خالد عن عكرمة عن ابن عباس ان زوج بريرة كان عبدا يقال له مغيث كاني انظر اليه يطوف خلفها يبكي ودموعه تسيل على لحيته فقال النبي صلى الله عليه وسلم للعباس : يا عباس الا تعجب من حب مغيث بريرة ومن بغض بريرة مغيثا ؟ فقال لها النبي صلى الله عليه وسلم : لو راجعتيه فانه ابو ولدك , قالت : يا رسول الله , اتامرني ؟ قال : انما انا شفيع قالت : فلا حاجة لي فيه .

CHAIN: Nasâ'î - akhbaranâ - Muhammad b. Bashshâr - haddathanâ - `Abd Al-Wahhâb - haddathanâ - Khâlid - `an - `Ikrimah - `an - Ibn `Abbâs.

TEXT: The husband of Barîrah was a slave who was called Mughîth, as though I am seeing him walking behind her shedding his tears which were flowing on his beard. The Prophet (S.A.W.) said to `Abbâs: O! `Abbâs, are you not surprised at the love of Mughîth for Barîrah and the hatred of Barîrah for Mughîth. The Prophet (S.A.W.) said to her, if only you take him back, as he is the father of your child. She said: O! Messenger of Allâh, are you commanding me? He said: "I am only interceding". She said: "I do not have any need for him" (Nasâ'î 1992: IV/636-637).

The above Hadîth has been recorded by the following traditionists:

1. Bukhârî n.d.: VII/154.
2. Abû Dâwûd 1970: II/670-671.
3. Ibn Mâjah n.d.: I/671.

AN ANALYSIS OF THE CHAIN OF TRANSMITTERS

NAME: Muhammad b. Bashshâr b. `Uthmân al-Basrî. His agnomen was Abû Bakr and title Bundâr. He was a reliable transmitter and belonged to the tenth category. He died in the year 252 A.H. at the age of 83 (Ibn Hajr 1992: 469).

NAME: `Abd al-Wahhâb b. `Abd al-Majîd b. Salt al-Thaqafî. His agnomen was Abû Muhammad. He was reliable and belonged to the eighth category and died in the year 194 A.H. (Ibn Hajr 1992: 368).

NAME: Khâlid b. Mehrân al-Hadhdhâ'. His agnomen was Abu 'l-Manâzil. He was reliable and belonged to the fifth category (Ibn Hajr 1992: 191). He died in the year 141 A.H. (Dhahabî n.d.: I/643).

NAME: `Ikrimah. His agnomen was Abû `Abd Allâh. He was a client of `Abd Allâh b. `Abbâs and originally hailed from Berber. He was a reliable transmitter and a scholar of the exegesis of the Holy Qur'ân. He belonged to the third category and died in the year 104 A.H. (Ibn Hajr 1992: 397).

PRAGMATIC ANALYSIS

Semantic Issues

a) Inna Zawj Barîrah ان زوج بريرة

The word *Zawj* is the literal equivalent of the English word spouse. It applies to both male and female. Likewise its plural is applied to both genders as used in the following verse:

ربنا هب لنا من ازواجنا وذرياتنا قرة اعين واجعلنا للمتقين اماما (٢٥:٧٤)

> "Our Sustainer! Grant us, from our spouses and offspring, (that comfort, joy and benefits which would be) the delight of (our) sights and make us leaders of those who guard against evil (25: 74).

The noun *Zawj* is in the accusative case, being governed by the particle *Inna*. Barîrah is in the genitive case as it forms the second part of the possessive construction. However, the final consonant of the proper noun Barîrah carries the short vowel *Fathah* since it is a diptote. The above possessive construction constitutes the subject. However, the term *Zawj* in this Hadîth refers to the husband and Barîrah, of course, is the wife. According to pre-Islâmic customs men were treated as species and women as the subspecies, thus making it appear that male power and authority is the natural order of things. This Hadîth lays down that wives have rights similar to those of their husbands in equitable reciprocity.

b) Innamâ انما

The conjunction *Inna* is prefixed to the *Mâ* for negation and restriction which is *Mâ Kâffah*. The assimilation of these two words thus form the *Kalimah Hasr* (restrictive word). Its function in relation to this narrative is the Prophet's (S.A.W.) expressing his limitation as an intercessor with regard to his advise to her.

Stylistic Issues

a) Hub - Bughd حب بغض

Hub and *Bughd* are antonyms and both are verbal nouns. This expresses extreme love juxtaposed to extreme hate highlighting the dramatic irony of the situation.

b) Fa'innah Abû Waladik فانه ابو ولدك

The noun *Ab*, when in the nominative case of a possessive construction, always takes on the hiatus *Wâw*. The word *Walad* literally means son but contextually it refers to children, whether male or female.

By this significant phrase the Prophet (S.A.W.) reminded the wife that her husband is the father of her child, thus she should consider her position seriously. The Prophet (S.A.W.) advised her that if she reunites with her husband, it would be in the best interest of the child. This is understood from

the fact that the Prophet (S.A.W.) did not directly remind her that Mughîth was her husband, he rather made pointed reference to the child. In this stylistic pattern, the Prophet (S.A.W.) was showing her that between herself, her husband and their child there exist biological, psychological and social relationships. This was done to evoke her compassion. This expression is termed as *Al-Isti`tâf Fi 'l-Khabr* (placing compassion into an expression).

Legal Issues

a) Falâ Hâjat Lî Fîh فلا حاجة لي فيه

This is an absolute negation from the wife expressing that she does not desire her ex-husband to be her marital companion. This is known as *Lâ Li Nafi 'l-Jins* (absolute negation of the genus).

The conjunction *Fâ* heralds in the consequential sentence to the question and answer that went on before this between the Prophet (S.A.W.) and Barîrah. The particle *Lâ* which the *Fâ* is prefixed to is used to refer to *Nafi 'l-Jins* and governs the noun *Hâjah* following it in the accusative case. Thus the above phrase means "I therefore do not have any need for him". Legally, this transparent statement is necessary though it seems to violate the politeness principle of socio - pragmatics.

The preposition *Li* precedes the pronominal suffix *Yâ*. *Falâ Hâjah Lî* forms the subject of the nominal sentence while *Fîhi* constitutes the predicate. At the syntactic level, the pronominalization in the text does not impair the meaning.

Hyperbole

a) Wa Dumû`uhu Tasîl `Alâ Lihyatih ودموعه تسيل علي لحيته

Mubâlaghah or hyperbole refers to a case where the speakers description is stronger than is warranted by the state of affairs described, or a case where one of the properties of an object, a state of affairs, and so on is quantitatively augmented.

"And his tears were streaming down his beard", this is a vivid description of the condition of the aggrieved husband. The outpouring of his tears is indicative of the outpouring of his grief at being shunned by his beloved spouse. This is certainly a case of hyperbole.

Syntactic Issues

a) Yâ `Abbâs يا عباس

The proper noun *`Abbâs* is generally prefixed with the definite article *Al*. The use of the vocative particle *Yâ* in the address form causes the definite article *Al* to be deleted, since the vocative particle makes such a noun inherently definite. The only other alternative to keeping the *Al* with the noun made definite by it is to insert the hiatus *Ayyuhâ* for masculine nouns and *Ayyatuhâ* for feminine nouns between the vocative and the noun that is definite.

The examples of the above are the following Qur'ânic verses (2:183; 89:27):

يا ايها الذين امنوا (٢:١٨٣)

يا ايتها النفس المطمئنة (٨٩:٢٧)

Lengthening of Short Vowel

a) Râja`tîh راجعتيه

The feminine singular perfect verb used to address the second person, in the case of applying the verb *Râja`*, is *Râja`ti.* When such a verb is suffixed by the pronoun *Hu,* the construction formed is *Râja`tihi.* However, the same verb appears in this Hadîth with an additional *Yâ* between the *Tâ* and the attached pronoun *H*â. The *Kasrah* beneath the *Tâ* is expressive of a short vowel and a *Yâ* in terms of Arabic prosody, is added in order to lengthen the short vowel for greater stress or special intonation pattern on the middle vowel for purposes of emphasis or hiatus. This concept is termed *Ishbâ`.*

5.2.1.3 HADÎTH SIX

اخبرنا ازهر بن جميل قال حدثنا عبد الوهاب قال حدثنا خالد عن عكرمة عن ابن عباس ان امراة ثابت بن قيس اتت النبي صلي الله عليه وسلم فقالت يارسول الله ، ثابت بن قيس اما انى ما اعيب عليه في خلق ولا دين ولكني اكره الكفر في الاسلام فقال رسول الله صلي الله عليه وسلم :ا تردين عليه حديقته ؟ قالت : نعم قال رسول الله صلي الله عليه وسلم : اقبل الحديقة وطلقها تطليقة .

CHAIN: Nasâ'î - akhbaranâ - Azhar b. Jamîl - haddathanâ - `Abd al-Wahhâb - haddathanâ - Khâlid - `an -`Ikrimah - `an - Ibn `Abbâs.

TEXT: The wife of Thâbit b. Qais came to the Prophet (S.A.W.) and said, "O Messenger of Allâh, I do not find fault in Thâbit regarding his character or religion, but I dislike to behave in an un-Islâmic manner in Islâm". The Prophet (S.A.W.) said, "Will you give back the garden which your husband has given you ?" She said, "Yes." Then the Prophet (S.A.W.) said to (Thâbit): "Accept the garden and give her one divorce" (Nasâ'î 1992: III/481).

The above Hadîth has been recorded also in Bukhârî n.d.: VII/150-151.

AN ANALYSIS OF THE CHAIN OF TRANSMITTERS

NAME: Azhar b. Jamîl b. Janâh al-Hashimî. He was truthful and belonged to the tenth category (Ibn Hajr 1992: 97).

NAME: `Abd al-Wahhâb b. `Abd al-Majîd b. Salt al-Thaqafî. His agnomen was Abû Muhammad. He was reliable and belonged to the eighth category and died in the year 194 A.H. (Ibn Hajr 1992: 368).

NAME: Khâlid b. Mehrân al-Hadhdhâ'. His agnomen was Abu 'l-Manâzil. He was reliable and belonged to the fifth category (Ibn Hajr 1992: 191). He died in the year 141 A.H. (Dhahabî n.d.: I/643).

NAME: `Ikrimah. His agnomen was Abû `Abd Allâh. He was a client of `Abd Allâh b. `Abbâs and originally hailed from Berber. He was a reliable transmitter and a scholar on the exegesis of the Holy Qur'ân. He belonged to the third category and died in the year 104 A.H. (Ibn Hajr 1992: 397).

PRAGMATIC ANALYSIS

Semantic Issues

a) Khuluq خلق

Khuluq refers to the natural disposition of a person and normally relates to the character or morals of an individual. Almighty Allâh proclaims:

و انك لعلي خلق عظيم (٤ : ٦٨)

"And you (Muhammad) are of sublime nature" (68:4).

b) Al-Kufr الكفر

Al-Kufr means to cover or hide something and likewise it refers to infidelity and blasphemy. However, the usage of *Kufr* in the sense of ingratitude and being unthankful is inferred from the following Qur'ânic verse:

و اذ تاذن ربكم لئن شكرتم لازيدنكم ولئن كفرتم ان عذابي لشديد (١٤ : ٧)

> "And when your Sustainer proclaimed: If you give thanks, I will give you more; but if you are thankless, then surely My punishment would be severe" (14:7).

Suyûṭî has interpreted *Kufr* in the context of the Hadîth as a relation of his character to that of the disbelievers, despite his being a Muslim. This interpretation is unacceptable since Thâbit's wife categorically stated: "I do not find fault with his character or religion". The second interpretation, "I detest reverting to disbelief after having entered Islâm" and the likelihood that disagreement between the spouses and extreme enmity between them could lead to disbelief is also unacceptable since the preposition *Fî* implies "within"; that is disbelief within Islâm. Thus, any issue regarding the nature of disagreement between them is not clarified in this Hadîth (Nasâ'î 1992: III/481). In short, there appears to be violation of the clarity principle and injudicious application of the economy principle which resulted in ambiguity.

The term *Kufr* could thus possibly imply being ungrateful. However, this also leaves ambiguity in the Hadîth since the text neither defines whether her husband was ungrateful to her or whether she felt being ungrateful to him.

His being ungrateful to her seems an impossibility since she specifically denies that he has any fault in religion. Nasâ'î's including the Hadîth under the chapter relating to that which is narrated regarding the "Annulment of Marriage by Compensation by the Female Spouse" implies that the primary objective of the Hadîth is to show the wife's right of requesting an annulment of the marriage in the event of certain perceived unacceptable circumstances.

Stylistic Issues

a) Taruddîn `Alayh Hadîqatah تردين عليه حديقته

The Prophet (S.A.W.) referred to the garden of her husband from whom she sought separation despite its being her nuptial gift from him. This gives the impression that his ownership thereof was not transferred to her, whereas the transfer had taken place. The separation between them takes place by mutual consent of the parties and an equivalent compensation passing from the wife to her husband for her redemption. Thus, she was asked to return her nuptial gift. Therefore reference to the garden as being his could either be due to:

a) the fact that he previously owned it. This is classified as *Majâz Mursal Bi I`tibâr Mâ Kân.*

b) the fact that he would take ownership of the garden after the separation. This is classified as *Majâz Mursal Bi I`tibâr Mâ Yakûn.*

Legal Issues

a) Ṯalliqhâ Taṯlîqatan طلقها تطليقة

Ṯalliq is an imperative verb and *Hâ* is the first object (*Maf`ûl bih*) whilst *Taṯlîqatan* is the second object (*Maf`ûl Muṯlaq*). In this case *Taṯlîqatan* implies that only a single divorce was given. Since Islâmic teachings differ in respect to the method of divorcing and its revocation, this issue must be considered in the framework of other Islâmic teachings that permit the revocation in certain forms of divorce to a maximum of three.

5.2.2 SYNOPSIS ON WOMEN'S RIGHTS

The first tradition establishes the rights of a woman in selecting her spouse. Furthermore, if she had been coerced into a repugnant marital contract she has the right to nullify it.

This narration establishes the revolutionary manner in which Islâm emancipated women who in the pre-Prophethood era were subjected to untold repression by domineering menfolk. It was commonplace in the seventh century Arab custom for widows to be married to their brothers-in-law under duress, without fixing a nuptial gift for them and for the women to be inherited like property.

The accessibility of the Prophet (S.A.W.) and his meting out of justice to any subject of the Islâmic state, irrespective of gender, creed, race and colour is brought to the fore. The minute details in which the actions of the Prophet (S.A.W.) have been recorded and transmitted is a unique feature of Islâm. The second tradition demonstrates the compassion of the Prophet (S.A.W.) towards his followers in that the Prophet (S.A.W.) readily undertakes a personal intercession on behalf of a slave who has been rebuffed by his beloved wife. Furthermore, the rights of the woman and her choice regarding her husband are totally upheld and enhanced in spite of her audacious rejection of the intercession of the Prophet (S.A.W.).

The third tradition establishes *Khul`ah* (cf. glossary). Other narrations which establish women's rights are to be found in the chapters of marriage and divorce in *Sunan Nasâ'î*.

5.3.1 ETHICS IN BUSINESS TRANSACTIONS

5.3.1.1 HADÎTH SEVEN

اخبرنا على بن حجر قال حدثنا هشيم عن يحيى بن سعيد قال حدثنا نافع عن ابن عمر قال : قال رسول الله صلى الله عليه وسلم المتبايعان لا بيع بينهما حتى يتفرقا الا بيع الخيار .

CHAIN: Nasâ'î - akhbaranâ - `Alî b. Hujr - haddathanâ - Hushaym - `an - Yahyâ b. Sa`îd - haddathanâ - Nâfi` - `an - Ibn `Umar - the Prophet (S.A.W).
TEXT: There is no sale between the buyer and the seller until they separate except for a sale with an option (Nasâ'î 1992: IV/287).

The above Hadîth has been recorded by the following traditionists:

1. Muslim n.d.: III/1163.
2. Tirmidhî 1987: III/547-548.

AN ANALYSIS OF THE CHAIN OF TRANSMITTERS

NAME: `Alî b. Hujr al-Marwazî. He was very reliable and belonged to the ninth category. He died in the year 244 A.H. (Ibn Hajr 1992: 399).
NAME: Hushaym b. Bashîr b. Qâsim al-Sulamî. His agnomen was Abû Mu`âwiyah. He was a very reliable transmitter and belonged to the seventh

category. He died in the year 183 A.H. (Ibn Hajr 1992: 574).

NAME: Yahyâ b. Sa`îd al-Tamîmî. His agnomen was Abû Sa`îd al-Qattân. He was a very accurate authority on Hadîth. He belonged to the ninth category and died in the year 198 A.H. (Ibn Hajr 1992: 591).

NAME: Nâfi`. His agnomen was Abû `Abd Allâh al-Madanî. He was a client of `Abd Allâh b. `Umar and a famous jurist and traditionist. He belonged to the third category and died in the year 117 A.H. (Ibn Hajr 1992: 559).

NAME: `Abd Allâh b. `Umar b. Khattâb al-`Adawî. His agnomen was Abû `Abd al-Rahmân. He was one of the most senior companions of the Prophet (S.A.W.). He used to emulate the Prophet (S.A.W.) meticulously and died in the year 73 A.H. (Ibn Hajr 1992: 315).

PRAGMATIC ANALYSIS

Semantic Issues

a) Al-Mutabâyi `ân المتبايعان

The noun *Al-Mutabâyi `ân* is the dual masculine form of *Al-Mutabâyi`*. It is an active participle referring to both the buyer and the seller. The *Al* prefixed to the above noun is considered to be generic. This in Arabic is termed as *`Ahd Jins* and contextually refers to all types of contracting parties.

b) Illâ إلا

The exceptive particle *Illâ* maybe divided into *Istithnâ' Muttaṣil* and *Istithnâ' Munqaṭi`*. The use of *Illâ* in the first case implies that the "optional contract" was included among other forms of sale contracts, but has been excluded from the ruling that applies to the other forms of such sale contracts. Since the "optional contracts" permit the contracting parties to widely separate, as geographically possible, without the contract having been concluded between them because the seller has granted the potential purchaser a time limit within which he should confirm the contract or because the intending purchaser awaits confirmation of the sale from the potential seller. Thus to consider the *Illâ* to be related to the first case, that is *Istithnâ' Muttaṣil* in the Hadîth, is not acceptable since the parties to the optional contracts already have the right to separate or express difference regarding the execution of the contract. It is therefore that *Illâ,* as used in this Hadîth, refers to the second usage, that is *Istithnâ' Munqaṭi`*. This means that the optional contract was not originally part of the other contracts, since the others are ratified while the optional contract is an unconcluded transaction.

c) Bay` بيع

Literally the noun *Bay`* means to sell while the noun *Shirâ'* means to purchase. The first of these two terms is generally used interchangeably. For example, Almighty Allâh states:

وشروه بثمن بخس دراهم معدودة (١٢:٢٠)

"And they sold him for a low price, a limited number of silver coins " (12: 20).

Likewise, the Qur'ân proclaims:

و احل الله البيع وحرم الربوا (٢:٢٧٥)

"Allâh permited trading and prohibited usury" '(2: 275).

It is therefore that the dual active participle *Al-Mutabâyi`ân*, which is formed from the root letters of the noun *Bay`* refers to both sellers and buyers. This is known as *Addâd*.

d) Al-Khiyâr الخيار

Khiyâr refers to an option which implies that both parties can exercise the power of choice. The *Al* which is prefixed to the word *Khiyâr* is for *`Ahd Jins*, thus it includes all types of options. The options that were prevalent among the Arabs during the Prophet's (S.A.W.) time are basically divided into four categories.

Conditional

A transaction wherein either the purchaser/seller have an option of concluding or cancelling the transaction provided that it is done within a mutually agreed time limit.

Fault

A transaction can be cancelled if an inherent defect is found in the merchandise.

Inspection

If a transaction was concluded without physical inspection by the purchaser he has the right to cancel the transaction if he is dissatisfied at the time of inspecting the merchandise.

Place

This is the right of both the purchaser and seller to cancel a transaction provided none of them have departed from the place at which the deal was concluded. This is a type of option which is referred to by the phrase *Bay`a 'l-Khiyâr* in the above narrative.

Legal Issues

a) Lâ Bay`a Baynahumâ لا بيع بينهما

The phrase *Lâ Bay`a* forms the subject of the nominal sentence. The *Lâ* is for *Nafi 'l-Jins* (absolute negation of the genus), and it negates the execution of any Islâmically possible and accepted form of transaction. The above noun *Bay`* is in the accusative case as is governed by *Lâ*.

Baynahumâ is a possessive construction formed by suffixing the dual masculine pronoun to the preposition *Bayn*. The particle *Hattâ* governs the verb *Yatafarraqâ* that follows it, thus placing the latter verb in the subjunctive mood. As a result the verb's final *Nûn* is deleted. The verb *Yatafarraqâ* refers to physical separation which implies that both the contracting parties have a right to terminate the contract before departing from the area of contracting. Thus Shâfi`î and Ahmad b. Hanbal favour this interpretation. However, the Hanafî and Mâlikî jurists are of the opinion that the verb *Yatafarraqâ* could also mean "for as long as they do not differ" in the acceptance or rejection of the offer to purchase or sell by either of the parties. Therefore the termination of the offer or the rejection thereof prior to concluding the contract grants both parties their respective right not to conclude the contract, since in this case, both the parties express difference (Tirmidhî 1987: III/547-550).

In conclusion, the view expressed by the Hanafî and Mâlikî Jurists is of importance when one considers international financial transactions that are executed across continents. In these cases, offers to purchase and sell as well as acceptances are only concluded or cancelled by expressing either the

conclusion or cancellation through remote computer terminals. Thus the application of the Shâfi`î and Hanbalî view can create problems in such instances.

5.3.1.2 HADÎTH EIGHT

اخبرنا قتيبة قال حدثنا الليث عن يحيى عن ابى بكر بن حزم عن عمر بن عبد العزيز عن ابى بكر بن عبد الرحمن بن حرث بن هشام عن ابى هريرة عن رسول الله صلى الله عليه وسلم قال : ايما امرىء افلس ثم وجد رجل عنده سلعته بعينها فهو اولى به من غيره ٠

CHAIN: Nasâ'î - akhbaranâ - Qutaibah - haddathanâ - Layth - `an - Yahyâ - `an - Abî Bakr b. Hazm - `an - `Umar b. `Abd al- `Azîz - `an - Abî Bakr b. `Abd al-Rahmân b. al-Hârith b. Hisham - `an - Abî Hurairah - `an - the Prophet (S.A.W.) said:

TEXT: Whosoever becomes bankrupt, and a person finds his own property with him (debtor), he is more entitled to it than others (creditors) (Nasâ'î 1992: IV/ 357-358).

The above Hadîth has been recorded by the following traditionists:

1. Bukhârî n.d.: III/344-345.
2. Abû Dâwûd 1970: III/790-791.
3. Tirmidhî 1987: III/562-563.
4. Ibn Mâjah n.d.: II/790.

NAME: Qutaibah b. Sa`îd b. Jamîl. His agnomen was Abû Rajâ'. He belonged to the tenth category and was a reliable reporter. He died in the year 240 A.H. at the age of ninety (Ibn Hajr 1992: 454).

NAME: Layth b. Sa`d b. `Abd al-Rahmân al-Fahmî. His agnomen was Abu 'l-Hârîth. He was a famous jurist and a reliable transmitter. He belonged to the seventh category and died in the year 175 A.H. (Ibn Hajr 1992: 464).

NAME: Yahyâ b. Sa`îd al-Tamîmî. His agnomen was Abû Sa`îd al-Qattân. He was a very accurate authority on Hadîth. He belonged to the ninth category and died in the year 198 A.H. (Ibn Hajr 1992: 591).

NAME: Abû Bakr b. Muhammad b. `Amr b. Hazm al-Ansârî . He was a reliable reporter and belonged to the fifth category. He died in the year 120 A.H. (Ibn Hajr 1992: 624).

NAME: `Umar b. `Abd al-`Azîz b. Marwân b. Hakam. He was considered as one of the righteous rulers and belonged to the fourth category. He died in the year 101 A.H. (Ibn Hajr 1992: 415).

NAME: Abî Bakr b. `Abd al-Rahmân b. al-Hârith b. Hishâm. His agnomen was Abû `Abd al-Rahmân. He was a jurist and a reliable transmitter and belonged to the third category. He died in the year 94 A.H. (Ibn Hajr 1992: 623).

NAME: `Abd al-Rahmân b. Sakhr. His agnomen was Abû Hurairah al-Dawsî. He was one of the most illustrious traditionists amongst the companions of the Prophet (S.A.W.). He died in the year 57 A.H. at the age of 78 (Ibn Hajr 1992: 680-681).

PRAGMATIC ANALYSIS

Semantic Issues

a) Ayyumâ Imri'in ايما امرئ

Ayyumâ is made up of the masculine noun *Ayyu* and the relative pronoun *Mâ*. It means "whichever" or "whatever". However, as it is followed by the masculine noun *Imri'in*, it means "whosoever".

In the Arabic language the case ending of a noun is normally indicated by the diacritical marking of the last letter of a word. However, *Imru'un* is the only word in the Arabic language wherein both the penultimate syllable and the anteceding *Hamzah* take on the same diacritical marking indicative of its case. Therefore, in the phrase *Ayyumâ Imri'in* both the initial and final *Hamzah* bear the *Kasrah* (short vowel) as indicative of the genitive case.

Ayyumâ Imri'in is a possessive construction and constitutes the subject. The *Mâ* suffixed to *Ayyu* represents an indefinite pronoun. Therefore this refers to a generic class that includes all humans of every race.

b) Bi`aynihâ بعينها

The preposition *Bi* is prefixed to the noun *`Ayn*. The latter is suffixed to the feminine singular pronoun that refers to the previous feminine noun *Sil`ah*. The phrase *Sil`atahu Bi`aynihâ* therefore means his very same goods, which

have to be intact. Contextually the *Bâ* is used for emphasis.

Legal Issues

a) Rajul رجل

The common noun *Rajul* refers to any male. Contextually it refers to a male or female creditor or a juristic person to whom someone is indebted. This is known as *Nakira Li 'l-Shuyû`*.

b) Fahuwa Awlâ فهو اولي

This entire nominal sentence is the apodosis for the conditional clause at the beginning of the narrative. *Huwa* is the subject whilst *Awlâ* is the predicate.

The word *Walî* means that which is near, closer or adjacent to. As used in the superlative form *Awlâ* means worthier, more entitled or more suited. However, as used in this context it denotes exclusivity, thus emphasizing that the owner alone is entitled to his property.

5.3.1.3 HADÎTH NINE

حدثنا مجاهد بن موسي قال حدثنا اسماعيل عن معمر عن الزهري عن سعيد بن المسيب عن ابي هريرة قال : قال رسول الله صلي الله عليه وسلم : لا يبيعن حاضر لباد ، ولاتناجشوا . ولايساوم الرجل علي سوم اخيه ولا يخطب علي خطبة اخيه . ولا تسال المراة طلاق اختها لتكتفيء ما في انائها ولتنكح فانما لها ما كتب الله لها .

CHAIN: Nasâ'î - haddathanâ - Mujâhid b. Mûsâ - haddathanâ - Ismâ`îl - `an - Ma`mar - `an - Zuhrî - `an - Sa`îd b. Musayyab - `an - Abî Hurairah - the Prophet (S.A.W.).

TEXT: Prohibited a town dweller from selling the merchandise of a villager or outbidding in a sale (in order that another might fall into a snare). The person should not negotiate a price whilst his brother is negotiating; or make a proposal of marriage when his brother has already made such a proposal. A woman should not ask for the divorce of her sister in order to overturn what is in her utensil. She should get married, for indeed there is for her whatever Allâh has ordained (Nasâ'î 1992: IV/295-296).

The above Hadîth has been recorded by Muslim n.d.: III/1155 as well.

NAME: Mujâhid b. Mûsa 'l-Khuttalî. His agnomen was Abû `Alî. He hailed from Baghdâd and was a reliable reporter. He belonged to the tenth category and died in the year 244 A.H. (Ibn Hajr 1992: 520).

NAME: Ismâ`îl b. `Ayyâsh b. Sulaym al-`Ansî. He was a truthful reporter and belonged to the eighth category and died in the year 181 A.H. (Ibn Hajr 1992: 109).

NAME: Ma`mar b. Râshid al-Azdî. His agnomen was Abû `Urwah. He hailed from Yemen and was an accurate transmitter. He belonged to the seventh category and died in the year 154 A.H. (Ibn Hajr 1992: 541).

NAME: Muhammad b. Muslim b. `Ubaid Allâh b. `Abd Allâh b. Shihâb al-Zuhrî. His agnomen was Abû Bakr and the traditionists were unanimous on his competence in jurisprudence and Hadîth. He was one of the most senior traditionists of the fourth category and died in the year 125 A.H. (Ibn Hajr 1992: 506).

NAME: Sa`îd b. Musayyab b. Hazn al-Qurashi 'l-Makhzûmî. He was one of the greatest jurists of his time and belonged to the second category. He died in the year 91 A.H. at the age of 79 (Ibn Hajr 1992: 241).

NAME: `Abd al-Rahmân b. Sakhr. His agnomen was Abû Hurairah al-Dawsî. He was one of the most illustrious traditionists amongst the companions of the Prophet (S.A.W.). He died in the year 57 A.H. at the age of 78 (Ibn Hajr 1992: 680-681).

PRAGMATIC ANALYSIS

Stylistic Issues

a) Hâdir - Bâd حاضر – باد

In the Arabic language when a juxtaposition of contrasting ideas occur it is rhetorically known as *Tibâq*. In this instance *Hâdir* refers to a person who resides in the urban area whilst *Bâd* refers to one who lives in the rural place.

b) Tunkah - Talâq تنكح – طلاق

In this case *Tunkah* refers to marriage and is in contrast to the noun *Talâq*. Therefore the rhetorical concept of *Tibâq* is applicable in this instance.

c) Litaktafî'a Mâ Fî Inâ'ihâ لتكتفيء ما في اناءها

The above verbal phrase literally means "so that she may overturn that which is within her utensil". This is a metaphorical expression that refers to the co-wife demanding the divorce of her husband's other wife since overturning of the utensil refers to preventing the other wife from all the joys and comforts of marriage. This is known as *Isti`ârah Tasrîhîyah*.

Legal Issues

a) Wa Lâ Tanâjashû ولاتناجشوا

The *Lâ* is the prohibitive particle governing the imperative verb *Tanâjashû* which forbids the act of bidding in an auction sale to raise the price of the commodity without any intention of purchasing it.

Semantic Issues

a) Yakhtub يخطب

Yakhtub, the imperfect masculine singular verb is in the third person. It means either 'he is proposing or he is delivering a sermon'. Two verbal nouns are thus formed from the root letters of this verb:

a) khitbah refers to a marriage proposal.
b) khutbah refers to a sermon.

The *Lâ* is the prohibitive particle governing the verb *Yakhtub* in the jussive mood which expresses that a person should not make a proposal of marriage when someone else has already made such a proposal.

5.3.2 SYNOPSIS ON ETHICS IN BUSINESS TRANSACTIONS

The traditions on this theme are examples of Islâmic economic principles. These have been established by the Prophet (S.A.W.) through: (a) his own example, (b) his instructions to the companions in relation to their economic activities, and (c) his tacit approval.

According to fundamental Islâmic jurisprudential principles the essential component of any transaction is the mutual consent between the buyer and seller. In order to establish this principle the right to revoke the transaction exists as long as the contracting parties have not physically separated.

In contemporary trade practice the assets of a person under liquidation are distributed proportionately amongst the creditors. However, in the Islâmic system, preference is given to the creditor whose merchandise is in the possession of the debtor. Since this commodity has remained intact it is not part of the merchandise on which the debtor has incurred losses; therefore, it is more equitable for the owner to exercise his right of repossession.

The prohibition of the city dweller selling for the desert dweller ensures a free flow of merchandise from producer to end-user, eliminating "middle-men" who are responsible for price fixing and monopolistic practices. The South African government under the apartheid regime and many political systems, especially the capitalistic ones, establish control-boards which stifle the free flow of merchandise and result in price controls to the detriment of the masses.

The Arabic term *tanâjashû* describes the second prohibition of Hadîth number nine. It refers to bidding at an auction sale with the sole purpose of enhancing the value of the merchandise without the intention of purchasing it. Thus, the Muslim businessman has an established code of business ethics which compels him to be honest and just. The third prohibition cited in the Hadîth is, "Nor should a person negotiate a price whilst his brother is negotiating", refers to all transactions engaged into. This leads to social anarchy and dispute as well as violates the interest of his fellow brother in faith. Auction sales are exempted from this since in this instance the seller clearly seeks to sell to the highest bidder.

Every aspect of the Prophet's (S.A.W.) life has been recorded in detail within the entire corpus of Hadîth. In this respect, his biography is uniquely preserved, only to entrust the Muslim community with Islâm's moral, spiritual and legal code of ethics, enabling it to establish the Divine decree of Allâh in every facet of life till the day of judgement. Other traditions on the Islâmic concept of economics and trade are narrated in the chapter on business in *Sunan Nasâ'î*.

5.4.1 OATH OF ALLEGIANCE

5.4.1.1 HADÎTH TEN

اخبرنا قتيبة بن سعيد حدثنا الليث عن يحيي بن سعيد عن عبادة بن الوليد بن عبادة بن الصامت عن عبادة بن الصامت قال : بايعنا رسول الله صلي الله عليه وسلم علي السمع والطاعة في اليسر والعسر والمنشط والمكره وان لا ننازع الامر اهله وان نقوم بالحق حيث كنا لا نخاف لومة لائم .

CHAIN: Nasâ'î - akhbaranâ - Qutaibah b. Sa`îd - haddathanâ - Layth - `an - Yahyâ b. Sa`îd - `an - `Ubâdah b. Walîd b. `Ubâdah b. Sâmit - `an - `Ubâdah b. Sâmit.

TEXT: We pledged allegiance to the Prophet (S.A.W.) upon listening to him and obeying him in prosperity, adversity, voluntarily and involuntarily, and that we would not contest for leadership from those worthy thereof; would stand firm for the truth wherever we might be. We would not be afraid of the blame of the rebukers (Nasâ'î 1992 : IV/155).

The above Hadîth has been recorded by the following traditionists:

1. Muslim n.d.: III/1470.
2. Ibn Mâjah n.d.: II/957.

AN ANALYSIS OF THE CHAIN OF TRANSMITTERS

NAME: Qutaibah b. Sa`îd b. Jamîl. His agnomen was Abû Rajâ'. He belonged to the tenth category and was a reliable reporter. He died in the year 240 A.H. at the age of ninety (Ibn Hajr 1992: 454).

NAME: Layth b. Sa`d b. `Abd al-Rahmân al-Fahmî. His agnomen was Abu 'l-Hârîth. He was a famous jurist and a reliable transmitter. He belonged to the seventh category and died in the year 175 A.H. (Ibn Hajr 1992: 464).

NAME: Yahyâ b. Sa`îd al-Tamîmî. His agnomen was Abû Sa`îd al-Qattân. He was an accurate authority on Hadîth. He belonged to the ninth category and died in the year 198 A.H. (Ibn Hajr 1992: 591).

NAME: `Ubâdah b. Walîd b. `Ubâdah b. Sâmit al-Ansârî. He was a reliable reporter and belonged to the fourth category (Ibn Hajr 1992: 292).

NAME: `Ubâdah b. Sâmit b. Qais al-Ansâri 'l-Khazrajî. His agnomen was Abu 'l-Walîd. He participated in the battle of Badr (2 A.H.) with the Prophet (S.A.W.) and died in Palestine during the year 34 A.H. at the age of 72 (Ibn Hajr 1992: 292).

PRAGMATIC ANALYSIS

Stylistic Issues

a) Yusr - `Usr يسر – عسر

Occasionally in Arabic, contrasting ideas are juxtaposed. This is known as *Tibâq*. In the above example, *Yusr* implies easiness and prosperity whilst *`Usr* refers to difficulty and hardship. The Muslims pledged that no matter

what the circumstances - prosperous or adverse - they would stand by the Prophet (S.A.W.).

Legal Issues

a) Wa an lâ nunâzi` al-amr ahlah و ان لا ننازع الامر اهله

The *Al* preceding the noun *Amr* is known as *`Ahdî Khârijî*, since it refers to a specific issue, which is the authority that is in power. The noun *Ahl* means family, wife or relatives. Contextually, it refers to those in power and authority. It also refers to those worthy thererof. Therefore if power was held by those unworthy, their authority could be challenged.

Semantic Issues

a) Al-Haq الحق

The *Al* prefixed to the noun *Haq* is known as *Jinsî*, which implies that one should stand firm for the truth.

5.4.1.2 HADÎTH ELEVEN

اخبرنا محمد بن بشار قال حدثنا عبد الرحمن قال حدثنا سفيان عن محمد بن المنكدر عن اميمة بنت رقيقة انها قالت : اتيت النبي صلي الله عليه وسلم في نسوة من الانصار نبايعه فقلنا :يا رسول الله نبايعك علي ان لا نشرك بالله شيئا ولانسرق ولانزني ولاناتي ببهتان نفتريه بين ايدينا وارجلنا ولا نعصيك في معروف قال : فيما استطعتن واطقتن قالت قلنا : الله ورسوله ارحم بنا هلم نبايعك يارسول الله فقال رسول الله صلي الله عليه وسلم : اني لااصافح النساء , انما قولي لمائة امراة كقولي لامراة واحدة او مثل قولي لامراة واحدة .

CHAIN: Nasâ'î - akhbaranâ - Muhammad b. Bashshâr - haddathanâ - `Abd al-Rahmân - haddathanâ - Sufyân - `an - Muhammad b. Munkadir - `an - Umaymah b. Ruqaiqah.

TEXT: I went with the women of the Ansâr (helpers) to take an oath of allegiance to the Prophet and we said, "O Messenger of Allâh, we take a pledge with you not to associate anything with Allâh, and will not steal, nor commit adultery, nor bring a calumny which we have devised between our hands and feet, nor disobey you in what is good. The Prophet (S.A.W.) said, "In what you can do and are able". She (Umaymah) continued, "We said, Allâh and His Messenger are most merciful upon us. Come! let us give our

hands to you, Messenger of Allâh". The Prophet (S.A.W.) said, "I do not shake hands with women. Verily, my speaking to a hundred women is as my speaking to a single woman or similar to my speaking to a single woman" (Nasâ'î 1992: IV/168-169).

The above Hadîth has been recorded by the following traditionists:

1. Tirmidhî 1987: IV/129.
2. Ibn Mâjah n.d.: II/959.

AN ANALYSIS OF THE CHAIN OF TRANSMITTERS

NAME: Muhammad b. Bashshâr b. `Uthmân al-Basrî. His agnomen was Abû Bakr and title Bundâr. He was a reliable transmitter and belonged to the tenth category. He died in the year 252 A.H. at the age of 83 (Ibn Hajr 1992: 469).

NAME: `Abd al-Rahmân b. Mahdî b. Hassân. His agnomen was Abû Sa`îd. He was one of the most outstanding traditionists and belonged to the ninth category. He died in the year 198 A.H. (Ibn Hajr 1992: 351).

NAME: Sufyân b. `Uyaynah b. Abî `Imrân. His agnomen was Abû Muhammad. He was a jurist and traditionist par excellence. He was one of the senior reporters of the eighth category and died in the year 198 A.H. (Ibn Hajr 1992 : 245).

NAME: Muhammad b. Munkadir b. `Abd Allâh b. Hudayr al-Madanî. He was a very reliable transmitter and belonged to the third category. He died in the year 130 A.H. (Ibn Hajr 1992: 508).

NAME: Umaymah b. Ruqaiqah. Bukhârî has stated that she narrated only one tradition, the above Hadîth, from the Prophet (S.A.W.) (Tirmidhî 1987: IV/130)

PRAGMATIC ANALYSIS

Legal Issues

a) Nubâyi` نبايع

The imperfect verb *Nubâyi`* is in the plural of the first person and means "we pledge allegiance". Contextually, it is used to express that Muslim women were also obligated to follow Islâmic rule in personal and public matters. They therefore pledged allegiance to the Prophet (S.A.W.) as the Head of an Islâmic State.

b) Lâ Nasriq لا نسرق

The above imperfect verb means "we will not steal". However, the concept of theft is extended to all acquisitions through cheating, theft, mugging or any other unlawful means.

c) Lâ Uṣâfiḥ لا اصافح

The above plural imperfect verb in the first person, that is, *Uṣâfiḥ* is preceded by the negative particle *Lâ*. This means "I do not shake hands". This Prophetic practice is interpreted by jurists to express a general prohibition for all men to shake hands with strange females. The Prophet (S.A.W.) indeed was most pure and his heart was untainted by lust, despite such purity even he was Divinely obligated not to shake hands with any strange women.

Semantic Issues

a) Bain Aydînâ Wa Arjulinâ بين ايدينا وارجلنا

Literally, "between our hands and feet" refers to biological limbs which do not normally possess the capacity to see. Yet, the calumny that could be fabricated, or even if the case was true, would only be mentally noted, expressed verbally or heard audibly. The personification of "hands and feet" or their capacity to express calumny relates to the Islâmic theological concept relating to eschatology. A Qur'ânic verse (36:65), for example, expresses that such limbs would give evidence in the hereafter. Therefore, these limbs have already been accepted by the women as witnesses against their deeds. This is known as *Majâz Mursal* (synecdoche).

Stylistic Issues

a) Innamâ Qawlî Limi'ah Imra'ah Kaqawlî Li'imra'ah Wâḥidah

انما قولي لمائة امراة كقولي لامراة واحدة

The Prophet (S.A.W.) compared his speech to a hundred women with his speech to a single lady. This simile is intended to imply that his acknowledgement of the allegiance of an unspecified number of women is the same as his acknowledgement thereof to a single lady. Umaymah, the reporter of the narrative, was thus informed that her allegiance suffices for the women with whom she came. This is known as *Tashbîh Mujmal.*

5.4.1.3 HADÎTH TWELVE

اخبرنا محمد بن عبد الاعلي قال حدثنا خالد قال حدثنا شعبة عن يحيي بن حصين قال سمعت جدتي تقول :سمعت رسول الله صلي الله عليه وسلم يقول في حجة الوداع ولو استعمل عليكم عبد حبشي يقودكم بكتاب الله فاسمعوا له واطيعوا.

CHAIN: Nasâ'î - akhbaranâ - Muhammad b. `Abd al-A`lâ - haddathanâ - Khâlid - haddathanâ - Shu`bah - `an - Yahyâ b. Husain - his grandmother:
TEXT: I heard the Prophet (S.A.W.) saying at the farewell pilgrimage, "And even though an Abyssinian slave is appointed upon you, leading you by the Book of Allâh, listen to him and be obedient" (Nasâ'î 1992: IV/173).

The above Hadîth has been recorded by the following traditionists:

1. Bukhârî n.d. IX/192.
2. Muslim n.d.: III/1468.
3. Ibn Mâjah n.d.: II/955.

AN ANALYSIS OF THE CHAIN OF TRANSMITTERS

NAME: Muhammad b. `Abd al-A`la 'l-San`anî. He was a reliable reporter and belonged to the tenth category. He died in the year 245 A.H. (Ibn Hajr 1992: 491).

NAME: Khâlid b. Mehrân al-Hadhdhâ'. His agnomen was Abu 'l-Manâzil. He was reliable and belonged to the fifth category (Ibn Hajr 1992: 191). He died in the year 141 A.H. (Dhahabî n.d.: I/643).

NAME: Shu`bah b. Hajjâj b. Ward. His agnomen was Abû Bistâm. He was a traditionist par excellence and belonged to the seventh category. He died in the year 160 (Ibn Hajr 1992: 266).

NAME: Yahyâ b. Husain al-Ahmasî . He was a reliable reporter and belonged to the fourth category (Ibn Hajr 1992: 589).

NAME: `Umm al-Husain al-Ahmasîyah. She was a companion of the Prophet (S.A.W.) and was present at the farewell pilgrimage (Ibn Hajr 1992: 756).

PRAGMATIC ANALYSIS

Historical Issues

a) Hajjat al-Widâ` حجة الوداع

The above possessive construction refers to the farewell pilgrimage of the Prophet (S.A.W.) in the 10 year A.H. The Prophet (S.A.W.) bade farewell to his companions in the plains of `Arafah; hence, its name.

The farewell pilgrimage was particularly important in Islâmic history, since it was the only pilgrimage performed by the Prophet (S.A.W.) after it became obligatory. On this occasion he had the opportunity to address the then greatest multitude of Muslims. His directives to those present constituted the final set of messages to his followers. In his farewell sermon, the Prophet (S.A.W.) dealt with the burning and topical issues that were needed to create a

perfect Islâmic world order, then he promulgated the memorable declaration contained in (5:4) on the plains of `Arafah.

Legal Issues

a) Law لو

The word *Law* is normally used to express a hypothetical situation, as for example, Allâh proclaims:

لو كان فيهما الهة الا الله لفسدتا (٢١: ٢٢)

> "If there were therein gods besides Allâh, then verily both (the heavens and the earth) would have been disordered" (21:22).

However, in the above narrative it is in the sense of *In*, a conditional clause. This is known as *Tadmîn*.

b) Wa Law Ustu`mil `Alaikum `Abd Habshî

ولو استعمل عليكم عبد حبشي

Contextually it means "And even though an Abyssinian slave is appointed over you as a leader". However, it does not imply that if a non-Abyssinian slave is appointed as a leader then the subjects should be disobedient. The object of the narrative is to be obedient to the leader at all times, provided he leads the people by the Book of Allâh. This is known as *`Adam Mafhûm Mukhalafa*. The noun *Habshî* means "an Abyssinian". The geographical

location of Abyssinia during the Prophetic period covered areas of present day Ethiopia and Somalia.

c) Bi kitâb بكتاب

The preposition *Bâ* which is prefixed to *Kitâb* is termed as *Bâ Isti`âna* (*Bâ* for aid). Contextually, the *Bâ* used does not only mean that the leader leads his subjects with the assistance of Allâh's Book, but also in conformity to it.

5.4.2 SYNOPSIS ON THE OATH OF ALLEGIANCE

The first Hadîth highlights the duties of a Muslim citizen towards the Islâmic State. However, it does not discuss anything on the succession to rule after the demise of the Prophet (S.A.W.). The Prophet's (S.A.W.) position as a final Messenger, as accepted by his companions and Muslims, was sufficient to place him as the Head of State. Thus, there had to be no vote in this regard and it necessarily followed that his companions pledged allegiance to him.

The first Hadîth also emphasized that all personal distastes and displeasures must be overlooked in all matters. Therefore, Muslims are obligated to Islâmic rule in all circumstances, irrespective of race, culture or geographical location.

In the second Hadîth one observes that Islâm included women's participation and did not forget to determine the rights and duties of men as well as of women. In Islâm the voters, men and women, must possess three qualities, viz., (a) justice, (b) they must be acquainted with the functions for which the leaders are elected and (c) they must possess the intelligence to choose the best man. The necessity for a ruler and those in charge of affairs is an obligation in the sharî ah. It was based upon the Qur'ânic verse which reads: "O you who believe! Obey Allâh, and obey the Messenger and those of you who are in authority" (4:59). Rulers, governors, leaders and the people are bound to each other by the terms of all Islâmic rules as stated in the Qur'ân and Hadîth as well as all other Islâmically acceptable agreements.

The third Hadîth contains what is classified as the doctrine of equity in Islâm. The Prophet (S.A.W.) lived among people whose society was previously deeply rooted in social problems and civil strife. They boasted of their wealth, lineage and tribes. In this Hadîth one notices the kind of equity enjoined by the Prophet (S.A.W.) that admits no justification for discriminating in favour of one race or colour against another. This is the doctrine of equity which Islâm presented.

The candidate for leadership must possess seven qualities before being elected. He must be just and possess sufficient knowledge of various sciences in order to give his opinion on matters submitted to him. His senses of hearing, sight and speech must be free from defects. He must be endowed with a degree of wisdom and courage which is necessary for governing the people. It is preferable that he be from the Quraish tribe. However, the third Hadîth shows that any non-Arab, even if such were an Abyssinian slave, with the necessary qualifications, could be in charge of leadership. Thus it conclusively shows that there is no room for monarchy in Islâm.

The third Hadîth narrated on the occasion of the Prophet's (S.A.W.) farewell pilgrimage emphasized an important fact to all Muslims present, as well as to the forthcoming generations, that leadership is an important element; however, this should be in conformity to the teachings of the Qur'ân. Another important element of this narrative is the emphasis placed upon obedience to leadership which complies with Islâmic teachings. The inter-relationship between the Heads of State, all governing bodies and the public as well as the harmony between these structures is thus fundamental for the achievement of socio-economic and political objectives. In conclusion, each individual of

such a society is considered as a functional organ of the political entity. Other traditions on politics in Islâm are recorded in the chapter of oath of allegiance in *Sunan Nasâ'î.*

5.5 SUMMARY AND CONCLUSION

Four contemporary themes were discussed concerning salient Islâmic principles inferred from the selected Ahâdîth recorded by Nasâ'î. The analysis of the chains of transmitters for these Ahâdîth were retained for reasons previously cited.

The studies of Ahâdîth text could be compared with the codified legal statutes and precepts, as every word has a pragmatic meaning as opposed to semantic meaning which deals with meanings without reference to the users (eg. the Prophet (S.A.W.) / the reporters in this instance) and communicative functions of sentences - whereas pragmatic study of a Hadîth includes the relationship between sentences and the contexts and the situations in which they are used. Thus a Hadîth is interpreted in terms of knowledge of the real world. This is the reason why the section on pragmatic analysis was included after each Hadîth in this chapter. A wide variety of subject-matter in *Sunan Nasâ'î* could be combined for presenting many other themes.

The science of Hadîth is related to a widely ramified structure of interrelated disciplines. It thus sheds light upon the general classification, grading and other criteria used in the all-encompassing evaluation of each Hadîth.

CHAPTER SIX

EPILOGUE

7.1 CONCLUDING REMARKS

The compilers of Hadîth were careful in attributing any narration to the Prophet (S.A.W.) until the first scientific compilation of Hadîth. Hence, they examined each transmission meticulously to ascertain whether or not the narratives originated from the Prophet (S.A.W.). Though many scholars researched and compiled numerous collections of Hadîth, the six canonical collections of Hadîth, viz. *Sahîh Bukhârî, Sahîh Muslim, Sunan Nasâ'î, Sunan Abû Dâwûd, Jâmi` Tirmidhî* and *Sunan Ibn Mâjah* have gained recognition because of the critical manner in which they were compiled.

The initial chapter reviewed Hadîth Literature and alluded to the status of the *Sunan* of *Nasâ'î*. Likewise it identified the unexplored issues in Hadîth Literature and highlighted the research methodology and structure of this thesis. It further defined the terms Sunnah and Hadîth and showed that Sunnah is indispensable for interpreting the Qur'ân. The Sunnah, despite not forming a verbal transmission of revelation through the angel Gabriel, though because of its origin from the Prophet (S.A.W.), is confirmed to be Divinely inspired. Hadîth serves as a complement to the Qur'ân which would otherwise stand void of interpretations and as such incomprehensible.

The second chapter introduced the reader to Nasâ'î's biography, works and expedition to Tarsûs. `Umar b. `Abd `Azîz [d. 101 A.H.] initiated movements for the preservation, collation and dissemination of the Prophetic teachings. This positively affected Nasâ'î's education and is evident from the study of the narrators of Ahâdîth recorded by Nasâ'î. His inclination towards Hadîth and extensive travels for the purpose of collecting Hadîth, position as Judge in Egypt and prominent contemporaries of his era have all contributed to his intellectual development and thought. Nasâ'î remained unbiased towards the Hanafî, Shâfi`î, Mâlikî and Hanbalî juristic schools despite some of his narratives seem to be favouring a particular school above the other due to the particular Ahâdîth being favourable to a certain school. It is therefore incorrect to deduce that Nasâ'î intentionally or unintentionally preferred any particular juridical opinion since his purpose was to compile sound narrations within the themes he dealt with. His pre-occupation with the scholars of Sunnah distance him from any association with the juristic schools.

The third chapter concludes that Nasâ'î's work is a collection of Ahâdîth and is thus part of the Sunnah. It deserves scholarly and erudite attention. In accordance with the classification of the various types of Ahâdîth works, Nasâ'î's *Sunan* is included in the twenty-eighth category. The characteristics of his magnum opus are essentially highlighted by his approach. Though several commentaries of the *Sunan* are available, these are relatively few in comparison to other great works of Hadîth.

Just as the study of authentic Ahâdîth is imperative for juridical analysis, likewise is the study of weaker Hadîth. The recognition of weaker Hadîth prevents Islâmic legislation and other inferences to be deduced from weak

sources. Since the factors of weakness and the narrator being unknown are common criticisms levelled against a weak narrator, the fourth chapter discusses and concludes with the presentation of factors used for criticism. However, most of the Aḥâdîṯh of the *Sunan* are reliable and do not entail factors that lead to the other Aḥâdîṯh to be considered as unacceptable. Nasâ'î's *Sunan* was therefore included in the list of the six canonical compilations of Aḥâdîṯh.

In chapter five Aḥâdîṯh of the *Sunan* are thematically selected, focussing on the following themes:

1. Social Justice and Equity
2. Women's Rights
3. Ethics in Business Transactions
4. The Oath of Allegiance and its Relevance in the Islâmic Social System.

Several other themes can also be inferred from the wide variety of subject matter in Nasâ'î's magnum opus.

7.2 SUGGESTED FUTURE RESEARCH

1. A complete English translation of Nasâ'î's *Sunan*. An execution of this task will enable research students and other scholars to have access to traditions narrated by him which could be used in the various divisions of Islâmic studies and research.
2. An evaluation of all the narrators recorded by Nasâ'î, but discredited by other traditionists. Most of the works used for biographical details on narrators ought to be accumulated for an evaluation. This would enable the classification of the Ahâdîth as authentic, reliable, weak or rejected. Thus, providing a classification, by which Islâmic jurists could consider its acceptance for juridical inference.
3. A commentary of the Ahâdîth recorded in the *Sunan* of Nasâ'î based upon its relevance to Islâmic Jurisprudence as codified in the four major juridical schools. This is to ascertain which Ahâdîth were accepted and the reasons thereof, as well as which were not accepted by the juristic schools and the reasons thereof.
4. The conditions applied by Nasâ'î in accepting narrators for his magnum opus, the *Sunan*, and drawing a comparison of Nasâ'î's conditions of acceptance to that of other traditionists. There are several conditions related to the narrator and those from whom he narrates as well as the formats of narration. Nasâ'î developed his own criteria which were not explicitly clarified by him, but are inferred from the traditions and narrators in his work. Thus to distinguish between contrasting and similar conditions applied for the acceptance of Ahâdîth by diverse scholars is not only important, but also gives the framework within which Nasâ'î, like other traditionists, has compiled his work. An

understanding of these conditions allow the appraisal of contrasting Aḥâdîth from different works.

5. The reasons why Nasâ'î, in certain instances reported traditions on a single issue under two headings that have contradictory implications without any remarks. It is often that authentic traditions are found to provide conflicting implications. This conflict is resultant from numerous factors:

   a) The application of one tradition represents an exclusion from the general rule, which is expressed in the other.

   b) One of the traditions has been abrogated and can no longer be applied. Certain authentic narrations were recorded to show the legal development and allow for the interpretation of conflicting rules.

A study of Nasâ'î's magnum opus reveals that he selected conflicting traditions, since his purpose was not to juridically, linguistically and historically comment upon them. This does not however eliminate the necessity of clarifying such diversity for theological purposes.

GLOSSARY OF TECHNICAL TERMS

All terms in **boldface** are explained elsewhere in this glossary.

Âhâd : isolated, it is a **Hadîth** which was reported by two or less companions of the Prophet (S.A.W.).

Ahâdîth : refers to the sayings, actions or tacit approval of Prophet Muhammad (S.A.W.).

Ahl al-Sunnah wa 'l-Jamâ`ah : a term generally applied to the largest group of Muslims who acknowledge the first four Khalîfahs to have been the rightful successors of Prophet Muhammad (S.A.W.), and who accepted the six canonical collections of **Hadîth**, and who belong to one of the four schools of jurisprudence founded by Abû Hanîfah [d. 150 A.H.], Mâlik [d. 179 A.H.], Shâfi`î [d. 204 A.H.] and Ahmad b. Hanbal [d. 241 A.H.].

`An`anah : the method of reporting **Ahâdîth** with their full chains of narrators, using the Arabic preposition `an instead of a word implying personal contact.

Ansâr : helpers, the people of Madînah, who welcomed and aided the Prophet (S.A.W.) and his companions.

`Arafah : a plain 15 kilometres to the east of Makkah on which stands the Mount of Mercy.

Ashâb al-Suffah : the poor companions of the Prophet (S.A.W.) who lived in the porch of the Prophet's mosque.

`Asr : late afternoon obligatory prayer.

Bay`ah : an oath of allegiance.

Bid`ah : an innovation in Islâm as opposed to **Sunnah**.

Da`îf : a weak **Hadîth** which does not fulfil the required conditions of an authentic tradition.

Dhikr : literally to remind, glorifying Allâh with certain fixed phrases.

Dhu 'l-Hijjah : the twelfth month of the Islâmic calendar.

Dhu 'l-Qa`dah : the eleventh month of the Islâmic calendar.

Dînâr : a gold coin which weighs 4,4 grams.

Dirham : a silver coin which weighs 3,08 grams.

Du`afâ'** : pl. of **Da`îf.

Fajr : obligatory prayer which is performed after the crack of true dawn.

Hadîth : sing. of **Ahâdîth**.

Hâfiz : a scholar who has profound knowledge of the text and transmitters of **Hadîth**.

Hajj : the greater pilgrimage and one of the pillars of Islâm.

Hasan : fair, a tradition that falls short of the high standard of an authentic tradition and fulfils the other conditions but does not fulfil the condition of its narrators being completely accurate.

Hijrah : the migration of the Prophet (S.A.W.) from Makkah to **Madînah**, marking the starting point of the Islâmic calendar.

Hudûd : literally it refers to limits. Allâh's boundary limits for lawful and unlawful actions. These punishments are fixed penalties laid down by the **Sharî`ah** for specific crimes, for example, fornication, theft, etc.

`Id** : a festival, there are two main festivals in the Islâmic calendar, `Id al-Fitr is the festival after **Ramadân and `Id al-Adhâ, a three day festival at the time of pilgrimage. It starts on the tenth of **Dhu 'l-Hijjah**, the day that the pilgrims are sacrificing their animals.

Ihbâs : a certain type of gift.

Ijtihâd : a lawyer's exerting the faculties of the mind to the utmost for the purpose of forming an opinion in a case of law regarding a doubtful and difficult point.

`Ishâ : obligatory night prayer.

Isnâd : names of persons who have handed down the subject of the tradition to one another.

Istikhârah : literally means asking favours. It is a prayer for special blessings, consisting of two genuflexions.

Iṭâ`ah : obedience to Allâh and His Prophet (S.A.W.).

**I`tizâl** : literally means separation. Technically it refers to rationalism or rational philosophy. Wâṣil b. `Aṭâ became the founder of this school when he separated from Abu 'l-Ḥasan al-Ash`arî on the issue of the faith of that person who commits a major sin. Their theology is summed up under five principles:

1. Unity.
2. Justice.
3. Promise and Warning.
4. A Place between two places.
5. To enjoin the good and forbid the evil.

Ittibâ` : to emulate Prophet (S.A.W.) in all aspects of life.

Jâmi`** : a collection of traditions is classified as **Jâmi` when it consists of the following eight areas of study:

1. International Law
2. Etiquettes
3. Exegesis of the Qur'ân
4. Articles of Faith
5. Discord
6. Signs of the Last Day
7. Rules and Regulations
8. Hagiology

Jihâd : literally it means struggle. To wage a war solely to elevate the Law of Allâh against those who perpetrate oppression as enemies of Islâm.

Jumâdâ II : the sixth month of the Islâmic calendar.

Ka`bah : the cube like building in the centre of the mosque at Makkah, which contains the black stone.

Khabar Wâhid : see **Âhâd**.

Khârijî : those who revolted against `Alî, the fourth caliph, after they had fought under him at the battle of Siffîn.

Khiyâr : an option in a business transaction.

Khul`ah : a form of divorce in which a woman seeking separation from her husband returns her nuptial gift or part of it in lieu of her freedom.

Kunyah : name given to a person by addressing him as father of his eldest son, e.g. Abû `Isâ would be father of `Isâ. In Arabic the **kunyah** is also functional as an agnomen, associating personalities with their particular dominant characteristics, penchants or idiosyncrasies, e.g. Abû Sa`îd, literally father of happiness - said of a merry person, also Abû Hurairah,

literally father of the kittens - said of one with a special liking for cats.

Madînah : literally a city, popularly known as al-Madînah al-Munawwarah, the enlightened city.

Maghrib : the obligatory prayer performed immediately after sunset.

Maghribî : the western style of script.

Mâlikî : the followers of Mâlik b. Anas [d. 179 A.H.], who was the founder of one of the schools of jurisprudence.

Mashhûr : well-known, it is a tradition which is reported through more than two channels at every stage.

Matn : text, the actual body of the report; the subject-matter of a tradition.

Matrûkîn : those narrators that have been abandoned by the traditionists.

Maudû` : a term used for spurious and fabricated traditions.

Mu`an`an : see **`An`anah**.

Muhâjirîn : companions of the Prophet (S.A.W.), who accepted Islâm in Makkah and subsequently migrated to **Madînah**.

Muhâjirûn : see **Muhâjirîn**.

Munkar : a **Hadîth** of weak authority contradicted by a weaker one.

Munqaṭ`i : a name in the chain is missing from the middle.

Muṣannaf : collections of traditions that were arranged according to the contents of the traditions.

Musnad : a **Hadîth** traced through an unbroken chain of trustworthy narrators to the companions of Prophet (S.A.W.).

Mutâba`ah** : traditionists were always in search for more witnesses in favour of a **Hadîth** which was reported by a single source. Once a reliable witness was found it was called **Mutâba`ah.

Mutawâtir : a **Hadîth** is said to be **Mutawâtir** when it is transmitted by such a large number of people that it is impossible that they should have agreed upon falsehood, so that the very fact that is commonly accepted makes its authority unquestionable. To this category belong traditions that have been accepted by every Muslim generation down from the time of the Prophet (S.A.W.). There is difference of opinion as to the number of reporters of the **Mutawâtir** traditions, some considering four to be the minimum required, others five or seven or ten, others still raising it further to forty or even seventy. However, the commonly accepted opinion is that it is only the extensive acceptance of a tradition which raises it to the rank of **Mutawâtir**.

Muttasil : the chain of the **Hadîth** is unbroken and goes back to the Prophet (S.A.W.) or to a companion.

Mu`tazilah** : see **I`tizâl.

Nasab : full name including the genealogical tree.

Nuhl : a form of donation.

Qadarîyah : a theological faction which believes that Allâh has no command over the actions of human beings and man is the creator of his actions, and deny absolute predestination.

Qasâmah : an oath taken by 50 members of a tribe or a locality to refute accusations of complicity in unclear cases of homicide.

Qiblah : the direction towards the **Ka`bah** in Makkah which Muslims face when saying prayers.

Quraish : one of the tribes in Arabia and the Prophet (.S.AW.) belonged to this tribe.

Rak`ah : a genuflexion of prayer, comprising standing, bowing, prostrations and sitting.

Rajab : the seventh month of the Islâmic calendar.

Ramadân : ninth month of the Islâmic calendar during which it is compulsory for Muslims to fast.

Ruqbâ : giving something on condition that if the donor dies before the receiver it shall become the property of the receiver and his heirs. However, if the receiver dies first the property given shall return to the donor.

Safâ and Marwah : the two hills close to the **Ka`bah**. It is among the rites of pilgrimage to walk seven times between these hills.

Sahâbah : companions of the Prophet (S.A.W.); those who met the Prophet (S.A.W.) in the state of Islâm.

Sahîh : a sound tradition with no weaknesses in the chain or text.

Salât : the five daily prayers.

Sanad : refer to **Isnâd**.

Saum : fasting from dawn to dusk during **Ramadân**.

Sha`bân : the eight month of the Islâmic calendar.

Shaikh : a teacher or mentor who is an authority in his discipline.

Sharî`ah : the law of Islâm, including both the teachings of the Qur'ân and Prophet Muhammad (S.A.W.).

Shuyukh : pl. of **Shaikh**.

Sihâh Sittah : the six canonical collections of **Hadîth**, namely:

1. *Sahîh Bukhârî*
2. *Sahîh Muslim*
3. *Sunan Nasâ'î*
4. *Sunan Abû Dâwûd*
5. *Jâmi` Tirmidhî*
6. *Sunan Ibn Mâjah*

Sunan : a collection, the chapters of which are arranged according to ritualistic and legal matters such as purification, prayer, poor-due and fasting.

Sunnah : the customary practice of a person or group of people. Technically it refers to the practice of Prophet Muhammad (S.A.W.) and his companions.

Sunnî : literally it means one who follows the path and technically it refers to one who belongs to the **Ahl al-Sunnah wa 'l-Jamâ`ah** as opposed to **Shî`î**.

Tab`a 'l-Tâbi`în : literally the followers of the followers. A term used for those who met the **Tâbi`ûn** in the state of Islâm.

Tabaqât : biographies whose chapters are arranged according to the categories of various scholars.

Tâbi`ûn : those who met the companions of Prophet (S.A.W.) in the state of Islâm.

Tafsîr : literally explaining. A term used for the exegesis of the Qur'ân.

Taslîm : the benediction at the end of prayer.

Tawâf : circumambulation of the **Ka`bah**. It is done in sets of seven.

Tawâtur : see **Mutawâtir**.

Thiqah : a reporter who is reliable.

Thulâthî : the number of transmitters between a traditionist and the Prophet (S.A.W.) is only three.

Ummah : the body of the Muslims as one distinct and integrated community.

`Umrah : minor pilgrimage to Makkah.

Wahad : refers to agricultural land.

Wahî Khafî : it denotes inner revelation but does not constitute any part of the Qur'ân.

Zakât : annual obligatory poor-due and one of the pillars of Islâm.

Zuhr : the obligatory prayer which is performed after the sun has declined from the meridian.

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NOTES