

## The Shafi'i School of Thought

Imam Shafi'i wrote in his book entitled Al-Risalah, page 478, case no. 1328, the following: So I said to him: cognisance has several aspects, one would be to acquire full knowledge inwardly and outwardly, another would be true (right) outwardly.

1329 To acquire full knowledge of it would be to have a text from Allah (SWT) - Qur'an or Sunnah (hadith) of the Messenger of Allah (SAW), transmitted by the masses to the masses. These two ways are the ones which serve as testimony in establishing what has been made lawful as being lawful (halal), and what has been made unlawful as being unlawful (haram). This cognisance is the one which none of us could ever deny, ignore or doubt in any way.

1330 - The cognisance of the learned scholars is a Sunnah reported by the learned, known to them and not imposed on others; it is widespread among them or some of them on the authority of the individual learned ulama who reported it as being from the Messenger of Allah (SAW); and this is what the learned people should get to, which is right outwardly.

Al-Shafi'i added in Al-Risalah, pages 357 to 359, the following:

961 - Someone once asked me: And what must people do as far as cognisance is concerned?

I said to him: cognisance is of two types: A common cognisance (knowledge), which no mature and sane person could ignore...

964 And this type of cognisance is available (is found) in the Book of Allah, and is widespread among the Muslim masses, who took it from their former masses, who narrated it from the Messenger of Allah (SAW); they do not dispute about its text nor about its obligation upon them. This type of cognisance, which is general and conclusive, contains no room for error as far as report and interpretation were concerned, and it would be forbidden to dispute about it.

He then said: And what is the other type? I said to him: It is what the people perform in terms of Sunnah and also all the rules and other matters which do not have a direct reference in the Qur'an nor a Sunnah text that rises to the level of a general widespread text, although there may be a Sunnah text referring to it, but this only contains an individual report, not a general and overwhelming one, in addition to the text that carries doubtful interpretation and requires analogy.

Imam Al-Nawawi Al-Shafi'i, (631 hijri), wrote in his book explaining Sahih Muslim, volume 1, pages 130-131 the following:

As for the individual report (Khabar Al Wahid) it is the kind of report that does not fulfil the conditions of the collective and continuous report (Mutawatir), regardless of whether the narrator were a single person or more, and it is the kind of report that generates dispute over its ruling; What the overwhelming majority of Muslims, ranging from Sahaba, successors and the following generation of narrators of hadith (muhaditheen), jurists (fuqaha') and usuli (basis) scholars agree to take as evidence in Shari'ah rules related to actions, but they do in fact entail doubt and not cognisance; thus the obligation of acting upon such a report has been known to us through Shari'ah sources and not through rationality.

### The Hanafi School of Thought

Imam Al-Surkhusi, who died in 490 hijri, wrote in his book entitled Usul Al-Surkhusi the following: Verily the individual report (Khabar Al-Wahid) does not necessitate cognisance of absolute certainty due to the possibility of error by the reporter, evidence of such report does however entail an obligation of action provided the reporter (narrator) were considered to be trustworthy and if the element of truth outweighed doubt, provided his justness were in evidence (Volume 1, page 112)

Al-Surkhusi added in volume 1 page 329, the following: Some reports could be confirmed by individuals if the ruling were to serve as information only such as reports about the punishment of the grave, munkir wa Nakeer, and the visual sight of Allah (SWT) on the Day of Reckoning;

therefore, in such case and in other similar cases, we could say that the individual report entails cognisance. However we could also say: It is as if this narrator has failed to differentiate between peace of mind and tranquillity of the heart, and absolute cognisance (certainty); the possibility of lying in the narration of the fallible cannot be ignored; therefore, with this possibility and the residue of suspicion, the absolute certainty cannot be established, for that entails peace of mind and tranquillity of the heart, if the elements of trustworthiness were overwhelming.

We have previously demonstrated that the absolute certain cognisance could not be established even by the mash'ur (canonical- common) reports in such context, so how could it be established by the individual report; besides, peace of mind is an outward kind of cognisance.

Writer: Sheikh Mohammed Jamal Uddin Al-Qasmi

Book: The Foundation of Narration (Second Print)

Published: The Arabic Books Revival House.

Page Nos. 147 -148

He said in his book:

“The consensus of the Muslim Ummah of the Companions and those who followed them, and scholars and narrators who followed, as well as scholars who established their own foundations, they all agreed that the single trusted account is an evidence in Shari‘ah which obliges to be taken in action, but not in belief, as it contains doubt. This is all undoubtedly true. Although rationally a single account should not be taken even in action, the Shari‘ah made it mandatory to be taken in actions. Appropriately it became fitting. Whoever said: ‘it obliges belief’ he must be unrealistic in terms of his reasoning. How can belief be incumbent with reservations of mistakes, conjecture and fabrication, etc. which surely are possible”.

Sheikh Mohammed Mustafa Shalabi, Professor and President of Islamic Shari‘ah Section,

Beirut University. In his book: Usul Al-Fiqh “The Source of Islamic

Jurisprudence”, published by Dar Al-Nahdhah Al-Arabiah

“Arab Renaissance House” - Volume I - page 132

He said:

The Sunnah is three parts in terms of evidence:

1. Al-Sunnah Al-Uhadiyah - The Single Narration Sunnah:

“The rule of the single narration (Ahaad) is that it substantiates conjecture in its authenticity from Rasul-Allah (SAW). It must be taken in what it relates of rules for action only, because it carries no evidence in matters of belief which entail definite and sure conviction, whereas it only asserts conjecture”.

2. Al-Sunnah Al-Mutawatirah - The Group-Succession Sunnah:

“This is narrated by a group of people which rationally makes it impossible to confer a lie on Rasul-Allah (SAW) and on the authority of a group before them going back to Rasul-Allah (SAW). Therefore, rationally their report endorses sure belief with reference to the authenticity of the reports and the narrators”.

3. Al-Sunnah Al-Mashhourah - The Acclaimed Sunnah:

“This is what was narrated from Rasul-Allah (SAW) on the authority of one or two people or any number which is considered not to have been conveyed entirely by one group to another, hence narrated by the next generation on the authority of the Sahabah to be Mutawatir then narrated by the following generation to be Mutawatir too. This type solicits nearly definite belief which is called ‘ilmu Al-Toma’ninah “tranquil belief” and must be taken in actions. Thus whoever denies it will not be considered Kafir as it was not based on unequivocal authenticity from the Prophet (SAW), but from the authenticity of the Sahabah.

The Meaning of Tranquil Belief:

It maintains to have belief but with reservations of doubt, mistake, or lying; however, because it inclines to be trustworthy, the hearts are filled with satisfaction, accordingly its called the tranquil belief because it appears to be authentic, but does not confirm definite belief

The Sources of.... Part 1, Page 284

Sayyed Qutb said in his book; Zilalul Qur’an, Dar Al-Shuruq's edition, volume 6, page 4008 in his tafsir of Surah Al-Falaq

“And from the mischief of those who practise secret acts”. He explained as follows: “some reports were narrated, some true, but not mutawatir; A Jew by the name of Labeed Bin Al-‘Azam practised magic against the Prophet (SAW) in Medinah, some said for a few days, some said for months... he was even imagining that he was touching women, while he was not, in one report. He was even imagining that he was doing certain actions, which he never did in another report. And that these two Surahs were revealed as a protection for Rasul-Allah (SAW), therefore, when the actual magic was brought - as reported to be seen - the two Surahs were read and the sorcery was neutralised and became futile.

These accounts oppose the Prophethood concept of Usamah ‘infallibility’ either rationally or by text. It conflicts with the belief that every action and saying by Rasul-Allah (SAW) is a Sunnah and Shari‘ah. Also, it contradicts with Qur’anic text about the Prophet (SAW) dismissing that he is touched by magic, and nullified the Mushrikeen and their made-up lies. Therefore, these stories must be disregarded, as well as the single narrated Hadith (Ahaad) as it cannot be taken as evidence in matters of belief, and the reference should only be the Qur’an. The Mutawatir Hadith (Al-Mutawatir) is mandatory to be taken in foundations of beliefs. And these stories are not Mutawatir.

Abdul-Rahman Al-Juzairi, said in his book “Al-Fiqh Alal Mazahib Al-Arb’ah”, edition of The Religious Culture Book shop, published by Darul Irshad for Writing, Press, and Publishing. Volume 5 - page 391 and 392, as follows:

“The only thing left for those who say that magic has a real effect is the evidence of Hadith Bukhari narrated by ‘Aisha (RAA) that the Prophet (SAW) was affected by magic and that he was imagining doing things while he was not. This is an authentic Hadith, whereby no-one accused any of its narrators. The like of these Hadith are proof in divine rules but not in matters of belief, as beliefs must only be observed from definite evidences, and that no matter how authentic the Hadith is, it is Ahaad which only addresses conjecture, since authentic Hadith have to be constructive in terms of evidence, hence it is exposed to rational justification”.

The King of the ‘Ulama, Imam ‘Alauddin Abi Bakr Bin Mas‘ud Al-Kasani, of the Hanafi Mazhab, deceased in 587h, said in his book, Badae‘ul Sanae’ Fi Farteedul Sharae’, second print by Darul Kitab Al-Arabi, volume I, page 14, as follows:

“On the authority of Abu Hanifah, the Fard does not become imperative except by an unequivocal evidence, and the Hadith which we narrated on the authority of Ali (RAA) who said that Rasul-Allah (SAW) ordered me to wipe over the bandages by saying “wipe over it” ... is a single narration (Ahaad), by which the obligatory does not become imperative. And some of our scholars said that if the wiping does no harm, it becomes obligatory, and there was no dispute about it. And it is possible to arbitrate between both the reports, that when it is said that to wipe over bandages is not a Wajib by Abu Hanifah meant that he did not consider it Fard when we mentioned that what is made Fard being evidenced by an unequivocal proof, thus the obligation of wiping on bandages was confirmed by Ali's Hadith (RAA) and is known to be Ahaad, which obliges to be taken in action, but not in belief”.

Imam Abdul-Wahab Al-Najjar, said in his book “Kasasul Anbiya” (The Tales of the Prophets) 7th edition, by Darul Ihya' Al-Turath Al-Arabi, in the book's preface, page point No.4, as follows:

“Any report if narrated by individual people is not reliable to be an evidence to confirm matters of belief, since the intention in matters of belief must be unequivocal, and that a report that sustains conjecture or ambiguous meaning is not considered definite”.

He added in point No.5: “Miracles do not become evidence with a single narration (Ahaad), because it is incumbent to be categorical, while the Ahaad have no absolute manifestation”.

He also added in point No.8: “To deny a miracle authenticated by a definite text and definite meaning is Kufr”.

Imam Abdul-Wahab Khallaf said in his book, Ulum Usul Al-Fiqh, by Dar Al-Qalam “Pen House” 1st edition 1942g

“That the Qur’anic texts is all definite text, some of which are definite meaning, and some doubtful meaning. With regards to the Sunnah (Hadith), some are definite narration, and some are doubtful narration, and each of them can be either definite meaning, or doubtful meaning”.

And every Sunnah of the three parts; Al-Mutawatir, Al-Mashhour, and Ahaad, is mandatory to be followed and complied with its Ahkam. In terms of Al-Mutawatirah, its narration and tawatir is unequivocal from Rasul-Allah (SAW). Al-Mashourah or Ahaad, even if its narration is doubtful from Rasul-Allah (SAW), this conjecture is outweighed by the tawatir of the narrators in terms of their truth, full knowledge, and precision. The outweigh of this conjecture is enough to make it mandatory in Ahkam (action). Therefore, a judge can judge on the basis of a witness’s testimony, which confirms the outweigh of conjecture in the one witnessed against. The Salah becomes correct when investigating the facing of the Ka’bah and that confirms an element of conjecture. And many Ahkam are established on conjecture, and if it was made mandatory to take them as ‘definite and certain’ in every physical action, people will be apprehensive”.

Imam Muhammad Abu Zahrah, said in his book ‘Usul Al-Fiqh’, 2nd edition, by ‘Dar Al-Fikr Al-Arabi’, page 108-109, as follow:

"Khabar Al-Ahaad (the single narrated account) Al-Shafi'i calls it Khabar Al-Khasah (an exclusive account), this is every account narrated by one or two or more from Rasul-Allah (SAW) which does not conclude the conditions of Al-Mashhour, whereas the Ahaad Hadith affirms the envisaged conjectural belief, and does not affirm definite belief, since the contact with Rasul-Allah (SAW) carries doubt.

The author of *Kashiful Asarar* (The Exposer of Secrets) - Volume 3, page 990 "the communication of Khabar Al-Ahaad to the Prophet (SAW) is irresolute both in depiction and meaning. It maintains doubt in its depiction, since its communication to Rasul-Allah (SAW) was not by definite text, however, in terms of meaning, because the Ummah considered it acceptable (i.e. the class which succeeded the second generation). With regards to this doubt in verifying the hadith by Rasul-Allah (SAW), they said that it must be taken in Ahkam (action) if not met by any opposer, but it cannot be taken in belief, since matters of belief are only established on assertion and precession, and it should not be established on conjecture, even though we outweighed it, because the conjecture in belief does not affect the truth in any way. The three Imams; Abu Hanifa, Shafi'i, and Ahmad only consider the Ahaad accounts if they fulfilled the authentic narration conditions. Malik (RAA) put a condition on the Ahaad account as long as it doesn't oppose the consensus of the people of Medinah".

Imam Shawkani, deceased 1255h, said in his book *Nayl Al-Al-Awtar*, Volume 2, page 108, as follows:

"On the authority of Ibn Mas'ud, he said, the Prophet (SAW) said: "A man who has an atom weight of conceit in his heart, will not enter heaven" a man said, one likes to have a nice dress and nice shoes, the Prophet (SAW) replied: "Allah is beautiful and loves beauty; but conceit is rejecting the truth and to ridicule people". This hadith is narrated by Ahmad and Muslim.

Regarding the words; 'Allah is beautiful'... Imam Nawawi said: Know that this name was narrated in this authentic hadith, but it is from the Ahaad accounts. It was also narrated in the hadith of Allah's beautiful names; whereby it was selected to be made permissible to be assigned to Allah, while some forbade it; as expressed by Imamul Haramain, that whatever the Shari'ah allowed to be used of Allah's names and attributes we allow it, and whatever the Shari'ah forbade to be used we forbid it, and whatever did not have any permissibility or disallowance, we do not make it halal or haram, since the divine law (Al-Ahkam Al-Shari'ah) is taken from the Shari'ah resources, and if we make it halal or haram, we put ourselves in a position of confirming a law without the permission of the Shari'ah". There was dispute in the matter of Allah's names and attributes of majesty, sovereignty, and the glorification which the Shari'ah did not bring nor forbade, therefore, some sects made it permissible and others forbade unless affirmed by the Shari'ah in a definite text from the Book or the Sunnah Mutawatirah or the Ijma' (consensus) to use it, and if narrated by a single account, the dispute occurs, as one sect made allowed and said that to use it in du'a (supplication) and giving thanks is part of action, which is allowed to be taken by a single account, while others forbade it because of its relation to the belief being possible or impossible to be related to Allah (SWT) and the way it was made definite. The Judge Ayadh, said: it is correct to be permissible since it includes action and because Allah (SWT) said: "Allah has the beautiful names so call Him by them".

The Sheikh of Islam, Imam Muhyideen An Nawawi, of the Shafi'i mazhab, deceased in 676h, said in his book "The explanation of Sahih Muslim" of the Imam Muslim Bin Al-Hajjaj Bin Muslim Al-Qushairi Al-Nisabouri, the Imam of "ahlul hadith" (the masters of hadith), deceased in 261h. The book is published by Dar Ihyaul Turath Al-Arabi (The Arabic Cultural Revival Distributors) Beirut,

Volume I, page 130. Imam Muslim said in his reply to whom refuted the trusted Ahaad account, and made certain conditions accordingly, to take it in actions i.e. to be accepted in physical divine rules (hukm shar'i):

Imam Muslim, rahimahu Allah, said: (In reply to whom claimed this, that you have outlined in your saying that the trusted Ahaad account (news) is an evidence which obliges the physical action) Imam Nawawi explained the subject saying: (What Muslim rahimahu Allah had said adopting from the great source which most of the divine rules are based on, which is the obligation of taking the single account whereby it is important to make a good effort in advocating it. Accordingly, the ulama stood firm in responding positively to clarify them, whereas a number of them classified them, and the renowned scholars in the usul ul fiqh and narrators paid special attention to this, one of which is Imam Shafi'i rahimahu Allah. Its evidence has been appropriated in terms of narration and rationalism in the books of usul ul fiqh, and here we mention a part of clarifying the Ahaad account and the opinion of the mazhabs regarding it in brief:

The ulama said: the account is twofold; mutawatir and Ahaad. The mutawatir is what was transmitted by a number of people in line of succession, which makes it impossible that they could have met and agreed on lying about others like them, and for the beginning, ending, and the middle to be correct, and that they would tell about something factual and not doubtful, whereby it becomes definite to believe in what they narrated to be true. The arbitrators and the majority have decided that this need not be regulated with a specific number, and it is not a condition that the narrators have to be Muslim or just, and there are other weak mazhabs and known branchings listed in the books of usul. The Ahaad account is contrary to the conditions of the mutawatir, whether its narrator is a single person or more, and is disputed, but the view of the majority of the ulama and the Sahabah and generations afterwards of faqihs and narrators and founders of usul, that the trusted ahaad account is an evidence of the Shari'ah evidences, which obliges to be taken in physical rules, and it asserts conjecture, and not belief. Hence, the obligation of taking it in physical rules is known in the Shari'ah and not by the mind, while Al-Qadriyah, Al-Mu'tazilah, and Rafidha and some of the people of Al-Zaher went to say that it is not obligatory to take it, and some said that to take it in actions was forbidden by the mind, and some who said made forbidden by a Shari'ah evidence. Another grouping made it obligatory to take it in based on the evidence of the mind. Al-Jibai, a Mu'tazilah, said that the action will only be a must if two narrators transmitted a hadith from another two, while others said that it cannot be taken unless if four narrators on the authority of four. Some narrators reckoned that it obliges belief, while others said that it obliges the clear-cut belief and not the hidden. Some other narrators reckoned that the ahaad in sahih Bukhari or sahih Muslim asserts belief, but not any others of the ahaad. This claim was dealt with earlier and made obsolete in the texts, and all these claims are unacceptable, with some reservation to the consensus of the scholars, moreover, rejection of claims of whoever said that it asserts no evidence is clear-cut; whereby the Prophet's (SAW) letters to the Kings and the single messengers are still taken and the Prophet (SAW) committed them to work according to them, and the Khulafa' Arrashidun continued on this path, as well as all the sahabah and the generations after them, to take the single account if it informs them of a Sunnah, ruling in accordance with it, and referring to it in judgements and legal opinions, and using it as an instrument to criticise whoever rules contrary to it, requesting the single account upon the lack of evidence, and using it accordingly as evidence against those who refuted, whereby whoever objected had to accept and obey. This is all acknowledged without any doubt in any part of it, therefore, the mind does not disregard the taking of the single account, and the Shari'ah came and obliged taking it in physical actions, and it was made obligatory to refer to it.

With regard to whoever said the it asserts belief, he is repugnant beyond reason. How can belief be considered and the possibility of fault, conjecture, and lying be considered around it, (i.e. be around the trusted single account) Allah knows best.

Sheikhul Islam, Jalal Udeen Al-Suyouti, of the Shafi'i mazhab, deceased 911h said in his book "Al-Itqan fi Ulum Al-Qur'an" (The Precision in the Sciences of the Qur'an) - The cultural bookshop edition - Beirut, Volume I, page 77:

"There is no dispute that everything taken from the Qur'an is mutawatir in its source and parts, as well as in its classification, placement, and position, is also the same in the opinion of the Ahlul Sunnah arbitrators to make definite, since it is normal to check on its tawatir in the details of such, the reason being that this great miracle that is the source of this faultless deen and the straight path, which inevitably makes it creditable for its details to be transmitted in succession. So whatever is transmitted ahaad and was by tawatir, it will be definite that it is not from the Qur'an at all".

Imam Suyouti added in Volume II, page 5, Chapter of the Ahaad and Odd Readings, which are not mutawatir:

"Whatever text trusted on the basis of conjecture becomes doubtful, and the doubtful is insufficient to be considered in the source, and conjecture cannot be relied on in matters of the definite sources".

It also noted in the words of Imam Al-Suyouti that the ahaad accounts, even if its narration is authenticated, will not be taken as evidence in a matter of belief, or in a matter of usul ul deen (sources of deen), as the Qur'an is a source of the source, and it is to do with aqeeda, and to believe in it is obligatory, therefore, the tawatir becomes a condition in order to consider it firm, hence it is definite that the ahaad account will not be taken as evidence.

Moreover, he referred to the ahaad accounts from those readings that all of which are doubtful in terms of being definite, and said that whatever is trusted i.e. its narration is based on conjecture becomes conjecture in itself, and this is not decent upon the Qur'an and matters of belief and sources, which ought to be based on evidences that are definite in their narration such as the Qur'an and mutawatir hadith, and those which are of definite meaning.

#### Part 4 (Daoud)

The Sheikh of Islam, Imam Muhyideen An Nawawi, of the Shafe'i mazhab, deceased in 676h, said in his book "The explanation of Sahih Muslim) of the Imam Muslim Bin Al-Hajjaj Bin Muslim Al-Qushairi Al-Nisabouri, the Imam of "ahlul hadith" (the masters

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The ulama said: the account is twofold; mutawater and ahaad. The mutawater is what was transmitted by a number of people in line of succession, which makes it impossible that they could have met and agreed on lying about others like them, and for the beginning, ending, and the middle to be correct, and that they would tell about something factual and not doubtful, whereby it becomes definite to believe in what they narrated to be true. The arbitrators and the majority have decided that this need not be regulated with a specific number, and it is not a condition that the

narrators have to be Muslims or just, and there are other weak mazhabs and known branchings listed in the books of usul. The ahaad account is contrary to the conditions of the mutawater, whether its narrator is a single person or more, and is disputed, but the view of the majority of the ulama and the Sahabah and generations afterwards of faqihs and narrators and founders of usul, that the trusted ahaad account is an evidence of the Sharia evidences, which obliges to be taken in physical rules, and it asserts conjecture, and not belief. Hence, the obligation of taken it in physical rules is known in the Sharia and not by the mind, while Al-Qadriyah, Al-Mu'tazilah, and Rafidha and some of the people of Al-Zaher went to say that it is not obligatory to take it, and some said that to take it in actions was forbidden by the mind, and some who said made forbidden by a Sharia evidence. Another sect made it obligatory to take it in based on the evidence of the mind. Al-Jibai, a Mu'tazilah, said that the action will only be a must if two narrators transmitted a hadith from another two, while others said that it cannot be taken unless if four narrators on the authority of four. Some narrators reckoned that it obliges belief, while others said that it obliges the clear-cut belief and not the hidden. Some other narrators reckoned that the ahaad in sahih bukhari or sahih muslim asserts belief, but not any others of the ahaad. This claim was dealt with earlier and made obsolete in the texts, and all these claims are unacceptable, with some reservation to the consensus of the scholars, moreover, rejection of claims of whoever said that it asserts no evidence is clear-cut; whereby the Prophet's (SWA) letters to the Kings and the single messengers are still taken and the Prophet (SWA) committed them to work according to them, and the khulafa' Arrashidun continued

on this path, as well as all the sahabah and the generations after them, to take the single account if it informs them of a sunnah, ruling in accordance with it, and referring to it in judgements and legal opinions, and using it as an instrument to criticise whoever rules contrary to it, requesting the single account upon the lack of evidence, and using it accordingly as evidence against those who refuted, whereby whoever objected had to accept and obey. This is all acknowledged without any doubt in any part of it, therefore, the mind does not disregard the taking of the single account, and the Sharia came and obliged taking it in physical actions, and it was made obligatory to refer to it.

With regard to whoever said the it asserts belief, he is repugnant beyond reason. How can belief be considered and the possibility of fault, conjecture, and lying hangs around it, (i.e. hangs around the trusted single account) Allah knows best.

#### Part 5 (Daoud)

Sheikhul Islam, Jalal Udeen Al-Suyouti, of the Shafe'i mazhab, deceased 911h said in his book "Al-Itqan fi Ulum Al-Quran" (The Precision in the Sciences of the Quran) - The cultural bookshop edition - Beirut, Volume I, page 77:

"There is no dispute that everything taken from the Quran have to be mutawater in its source and parts, as well as in its classification, placement, and position, is also the same in the opinion of the Ahlul Sunnah arbitrators to make definite in since it is normal to check on its tawater in the details of such, the reason being that this great miracle that is the source of this faultless deen and the straight path, which inevitably makes it creditable for its details to be transmitted in succession. So whatever is transmitted ahaad and was by tawater, it will be definite that is not from the Quran at all"

Imam Suyouti added in Volume II, page 5, Chapter of the Ahaad and Odd Readings, which are not mutawater:

"Whatever text trusted on conjecture becomes doubtful, and the doubtful is insufficient to be considered in the source, and conjecture cannot be relied on in matters of the definite sources".

It also noted in the words of Imam Al-Suyouti that the ahaad accounts, even if its narration is authenticated, will not be taken as evidence in a matter of belief, or in a matter of usulul deen (sources of deen), as the Quran is a source of the source, and it is to do with aqeedah, as the to believe in it is obligatory, therefore, the tawater becomes a condition in order to consider it firm, hence it is definite that the ahaad account will not be taken as evidence"

Moreover, he referred to the ahaad accounts from those readings that all of which are doubtful in terms of being definite, and said that whatever is trusted i.e. its narration is based on conjecture becomes conjecture in itself, and this is not decent upon the Quran and matters of belief and sources, which ought to be based on evidences that is definite in its narration such as the Quran and mutatwater hadith and those which are definite meaning.

Part 6 (Daoud)

Dr. Abdullah Bin Abdulmohsen Al-Turki, the Director of the Imam Mohammad Bin Saud Islamic University in Riyadh, said in his book "Usul mazhab Al-Imam Ahmad" issued by the Riyadh Bookshop, page 255 during a preview and a discussion on the ahaad account according to Imam Ahmad, as follow:

"From this preview of what was written by the experts of usul of the mazhab of Ahmad, we summarise the following points with respect to this mazhab:

1. That two narrations we narrated on the authority of Ahmad: one which that it asserts belief, and the other that it does not assert belief.
2. That two followers disputed about two reports following what was narrated from Ahmad: on said that the ahaad account asserts belief, and the some said that it affirms only conjecture.
3. That most of them and especially whom were famous in the writing of usul agreed that it does not assert belief by itself, and it is understood that what was narrated from Ahmad that it only affirms belief if supported by indications (promise/warning by Allah) "qarinah".
4. Accordingly, the ahaad account, in their view, asserts belief only if surrounded by qarinahs, whereby not every ahaad account asserts belief".

He said in the same book page 210 the, chapter of the Opinion of the Majourity" (Raii Al-Jamhour) as follows: "The majourity of the ummmah stress the obligation of taking the single ahaad account in the physical actions (hokm shar'i), whether whoever said that it assert belief, or if they said that it asset only conjecture".

As far as Dr. Abdullah Bin Abdulmohsen Al-Turki, he adopted the third opinion that it asserts belief if supported by qarinahs, without a convincing evidence, even though he admitted that most of the ulama said that the ahaad account does not assert belief by itself. Perhaps he adopted what was narrated from Imam Ibn Taymiyah since he is the followed Imam in Saudi Arabia.

Imam Mawawi said in explaining Sahih Muslim, volume II, page 20 as follows:

"The arbitrators and the majourity said that the all hadiths in the two sahihs (Bukhari and Muslim) which were not mutawater, that it asserts conjecture since they are ahaad, and the ahaad assert conjecture in what it reports, whereas there is no difrerence between the ahaad of Bukhari and Muslim, whereby the acceptance of the ummah to these hadiths only confirmed to us the obligation to take them in physical actions, which is agreed agreed upon. However, other ahaad hadiths oligates physical action if its narration is authentic, hence does not assert except conjecture, similarly with the two sahihs, except that the two sahihs differ to other books because what it contain is autentic and needs not be checked and aught to be taken without reservation. Ohterwise, anything else, cannot be taken in physical action until it is checked and that it contains the condition of an authentic hadith".

And we he says that the ahaad hadith i.e. the hokm shar'i and the physical subsidiary action. And his saying: "it asserts conjecture" it mean that it cannot be used as evidence in matters which require of us belief only.

Imam Majd Iddin Ibn Al-Athir Al-Jazri - deceaseed 606h, in his book "Jameul Usul fi Ahadith Arrasoul" - an adition distributed by the Muslim World League - Volume I, page 12. It reports as follows:

"The reaching of a hadith to us can only have two ways; either by a mutawater method, or ahaad method, and each one of them has an explanation, statements, and rules. The sayings in its narration are twofold; the mutawater accounts, and the ahaad accounts. Therefore, the stage of an account (khabar) is what it

stand for in terms of truth or lying, or if touched by or doubted by truth or lying.

Mutawater: asserts belief, and this is clear-cut and no dispute about it. Hence, in the same reference Volume I, page 124 it states:

"With regards to the ahaad accounts, it is such that does not reach the stage of a mutawater account which asserts belief, so whatever is transmitted by a group of five or less is considered a single account, whereby it is not possible to definitely confirm its truthfulness, nor can we definitely confirm its lying, not forcibly, nor as evidence, whereas it is single account and the ahaad khabar, whether transmitted by one or a group of people, and the ahaad account does not assert belief, but we still worship in accordance to it. What was said on the authority of the narrators that this merits belief; perhaps they meant to say that it asserts belief in obligation of physical action or referred to conjecture as belief. Therefore, some of them said: It merits the clear-cut belief, but belief has no such thing as clear-cut or hidden, whereby it is conjecture".

Dr. Shuban Mohammad Ismail - Head of the Arabic Language and Islamic Studies Department, Faculty of Letters, at Madina, Saudi Arabia, in his book "(Al-Madkhal) (The Entrance) to the Study of Quran and Sunnah and Islamic Sciences". volume I, page 231, it states as follows:

"After Othman (RAA) replicated the Qurans, he worked to send them and get them through to the other states, and ordered to burn all except what was not contradicting, be it scrolls or completed Qurans, on one hand, this was in order to stop the dispute, and on the other hand, to teach the Muslim to take the Book of Allah seriously, so that they do not take except those Qurans which contain advantages that were not found in others; these advantages are:-

\* "To restrict what was made evident by tawatur "line-succession" and disregarding the ahaad narrations."

The Holy Quran is the first source of reference in our deen, which comes under the banner of matters of belief, and whatever came in ahaad narrations cannot be accepted, even if the narrator was just "Adl", since the conjecture of error or forgetting of the narrator is still possible, whereby the conjecture remains related to what was narrated, thus conjecture is not allowed in beliefs. Therefore, it is incumbent to be restricted to the mutawater account, as its proof is definite from the Prophet (SAW) and completely clear-cut, which indicates to no conjecture or error at all, since it is impossible that the narrators could have agreed to lie altogether. Therefore, we find that the writer considered the Qurana that was assembled by way of tawatur, has advantages, and he said that among these advantages was the restriction of Othman (RAA) to what was affirmed by tawatur as opposed to ahaad.

Dr. Mustafa Al-Siba'i, a Ph.D. holder in fiqh and usul from the Azhar University 1949 (1368h) said in his book "Al-Sunnah and its place in Islamic legislation" page 150, which states the following:

"The ulama of hadith split the accounts (news) into two parts:-

Mutawater: It is what was narrated by a group of just and trusted people from a group of just and trusted people, and so on, until it goes back to the Prophet (SAW).

Ahaad: It is what was narrated by one or two people from one or two people until it goes back to the Prophet (SAW), which is a number of narrators below the mutawater.

The ulama agreed that the mutawater asserts action and belief together, and in their view, it is an evidence which involve no dispute.

However, the ahaad account, the majority of the ulama affirm that it is an evidence which obligates physical action, even though it may assert conjecture.

It is noted that all the ulama used to say that ahaad account obligates action even if affirmed conjecture, because there was people the mutazilah and others who denied that action is obligatory in the ahaad hadith on the basis that it asserts conjecture, but this subject is rejected, since the

worship and action in the ahaad account is clear-cut in many texts, such as, the Prophet (SAW) sending a single person from the sahabah to deliver a message to the Kings, and the account of the changing of direction of the qiblah in prayer from Baitul Maqdes to the Kabah, and so on..

Imam Sa'd Uddeen Al-Taftanazi said in his book "Al-Talweeh Wal Tawdeeh" - Volume 2, page 429, which states:

"The mutawater account obligates sure belief and this is undisputed. The Mash-hoor asserts physical action and "satisfactory belief" (ulmut Tamaninah), even if there is conjecture in its narration. The Tamaninah (satisfaction) is the outweighing of the conjecture side, whereby it could have been close to classify in the sure belief, and what is intended is the feeling of satisfaction but with consideration that it is still of ahaad origin.

He added in page 431 as follows:

"The ahaad account, even if conjectural, obligates physical action without the sure belief. and it was said that it does not obligate any of them, and was said that it does obligate them all. However, when referred to the majority of the ulama, they confirmed that it obligates action with belief, and that was evidenced from the words of Allah (SWAT): "And do not say what you hold no knowledge about, as they only follow but conjecture".

He also said in page 432 as follows:

"The accounts of the rules of the hereafter like the punishment of the grave and the details of the gathering (hashr), sirat, accountability, and punishment etc., which only demands belief (i.e. they do not request of us except to definite acceptance (trust) in them) while someone may say about them (i.e. about these accounts) that the single account may carry truth or lying, and in justice (i.e. to know that the narrator is just) the side of the truth is outweighed, whereby the possibility of lying diminishes, so this indicates to belief.... The answer to this is: We do not take it for granted that truth becomes outweighed and that there no chance of lying. However, the mind is a witness that the trusted single account does not obligate sure belief, and that the possibility of lying is there, even if it was unwitnessed, and it is incumbent to make definite distinction to believe between two trusted but contradicting accounts. Therefore, the answer is twofold; one is that the hadiths in the question of the hereafter; it contains some mash-hoor hadiths, which obligates satisfaction (tamaninah) and also contains single account, which asserts conjecture, and this is in terms of details and branches, where also were mutawater that asserts definite belief".

???? in terms of beliefs and usul. Thus, beliefs demands us to believe in matters of the unseen i.e. the Iman and sure belief, which some call the Al-'ilm Al-Yaqini" (the surety belief).

Imam Ibnu Abideen, of the Hanafi school of thought (math'hab), wrote in his celebrated book entitled: "Radd-ul-Muhtar ala d Durr it Mukhtar", published by Dar Ihya' ut Turath, Lebanon, which the Imam completed in 1233 hijri, he wrote in volume 1, page 64 the following:

Verily the auditive evidences are of four types:

First: The definite in text, and definite in meaning; such as the texts of the Qur'an that are well interpreted and accurate (in meaning) and such as the continuous sunnah (sunnah mutawatira), for which its meaning is definite.

Second: The definite text, doubtful in meaning, such as the interpreted verses.

Third: Doubtful in text, definite in meaning, such as the individual report "Khabar Ahad".

Fourth: The doubtful in both the text and the meaning, such as the individual report.

From the first type of evidence, the obligation (fard) and the prohibited (haram) are confirmed. From the second and third types of evidence, the “wajib” and the makruh (undesirable) become confirmed, and from the fourth the sunnah and the mustahab (desirable) are confirmed.

We note that Imam Ibnu Abideen referred in many parts of his book, to the Ahad ahadith (individual reports), in the same way former distinguished scholars had referred to them and classified vis-a-vis the evidence they entail, i.e. that they are doubtful in their attribution to the Messenger of Allah (SAW); however, they are a recognised source of legislation, i.e. they are a valid evidence in extracting shari’ah rules; they have served as evidence in confirming the wajib - also known as sunnah mu’akkada (confirmed tradition), the “makruh” (undesirable) and the mandub (desirable). The definite in meaning and the “mutawatire” have on the other hand made the compulsory (fard) and the forbidden (haram) actions decisive. In the same book, Imam Ibnu Abideen noted that he who denies the ruling that is made decisive and conclusive by the Qur’an and the “mutawatire” that is definite in meaning, would be considered a disbeliever (kafir); Whereas he who denied the ruling backed by an individual report would not become a kafir but he would be sinful.

Imam Al-San’aani, who died in 1182 hijri wrote in his book entitled Bulugh-ul-Muram, written by Imam Ibnu Hajr Al-Asqalani who died in 772, he wrote in his book entitled “Subul-us-Salam Shark Bulugh-il-Muram”, published by Dar-ul-Jed, Lebanon, volume 2, page 601, the following: The sanctity of the Muslim’s property has been asserted by the conclusive evidence just like the sanctity (inviolability) of his blood; thus it would be unlawful to take any of it unless a conclusive evidence were produced; and there is no such evidence, for the hadith of Bahz is in fact Ahad (individual report) which carries doubt, so how could it be used as evidence and be preferred to the conclusive and clear cut evidence?

Imam Al-San’aani argues here about the hadith narrated by Ahmed, Abu Dawood and Al-Nisa’i on the authority of Bahz Ibnu Hakeem, on that of his father on that of his grandfather who said: The Messenger of Allah (SAW) said: In every forty freely grazing camels, one female camel must be paid as zakat, every camel would be counted. He who gives it seeking a reward he shall be rewarded, and he who refuses to give it, we shall take it together with part of his money, it would be a will of our Lord, but it would be unlawful for Muhammad’s family to take any of it.

This hadith is classified as Ahad, and it contradicts many ahadith concerning the zakat of the freely grazing livestock (Al-Sa’ima). Also, the punishment of he who dies not pay the due zakat by taking it by force and seizing part of his assets, contradicts what has been asserted with the conclusive evidence stating that the property of the Muslim is inviolable just like his blood; beside the hadith of Bahz is Ahad, and the Ahad carries only a doubtful evidence, thus it cannot be preferred to the Mutawatir or to the conclusive and clear cut text.

Imam Abu Is’haq Al Shatibi, of the Maliki school of thought, who died in 790 hijri, wrote in his celebrated book entitled “Al-Muwafaqat fi Usul Al-Shari’ah”, published by Dar-ul Ma’arifa, Lebanon, Volume 1, page 29 the following:

“Verily the basics of fiqh (jurisprudence) in the deen are conclusive and not doubtful”. On the same subject, he wrote on page 34 the following: Verily the fundamentals used in this cognizance and the evidence that back it can only be conclusive, for if they were doubtful, they would not provide any conclusive outcome, nor would they impose compulsory commands in relation to them. These are in fact clear and they are: Either rational, like the one attributable to the three rules of rationality: the compulsion, the permissibility (jawaz) and the impossibility.

Or either ordinary and they provide the same disposition as well i.e. the compulsion, the permissibility and the impossibility. Or auditive, these are the ones provided by the continuous reports (a Khabar Mutawatira) in wording, provided they are conclusive in meaning, or by the reports that are continuous (mutawatira) in meaning; these do not .....? the three rules: The compulsion, the permissibility (or possibility) and the impossibility.

On the same topic, Al Shatabi wrote in page 35; “Verily the conclusivity and certainty is non-existent is not very rarely existent, I refer here to the individual evidence; for if they were individual reports, then the non-acquisition of certainty is apparent, thus anything based on doubtful evidence can only be doubtful”.

Also on the same topic, he wrote in volume 2, pages 15, 16 and 17 the following; every shari’ah evidence is either conclusive or doubtful; if it were conclusive then there would be no arguments about its consideration and this would not require any clarification. As for the second, which is doubtful, it comprises all the individual reports.

Imam Al-Shatibi went on explaining this rule, stating that if the individual report contradicted the mutawatir report, in other words if the doubtful contradicted the conclusive, it would then be rejected as cognizance. He also referred to this on page 19 by saying: This matter i.e. - the contradiction of the doubtful to a conclusive that renders the doubtful valueless - has origins (roots) among the righteous former generation, Ayesha (RA) once rejected the hadith “Verily the deceased will be punished by the weeping of his family over him”. Following the same principle, for Allah (SWT) says

“.....”

Ayesha (RA) rejected also the hadith saying that Allah’s Messenger (SAW) saw his Lord the night of Al-Israa’, for Allah (SWT) says:

TMQ...

And whoever wishes to explore the matter, he should refer to the book of Al-Muafaqat by Al-Shatibi.