A Critical Edition of (a section of)
Kitāb Sharḥ Musnad Abī Dāwūd by
Al-Imām Badr Al-Dīn Al-ʿAynī Al-Ḥanafī

by

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Arabic and Middle Eastern Studies

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Volume I

The candidate confirms that the work submitted is her own and that the appropriate credit has been given where reference has been made to the work of others

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Last, but by no means least, I am extremely grateful to my husband for supporting me all the way through my studies, and for all the time he gave me.
The following transliteration system is adopted in the thesis.

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ABSTRACT

The attention of scholars towards the protection of the Sunna, as a second primary source in Islamic law, started from the early centuries. Among those scholars was Abū Dāwūd, who was concerned in collecting the Ḥadīths that discussed the Prophet's Sunan, in a book which he named Sunan Abī Dāwūd. The value of this book among Ḥadīth books led scholars such as Al-ʾAynī to write commentaries on it, to create a body of in-depth organised discussions of Fiqh rules.

This thesis discusses part of Al-ʾAynī's Sharḥ on Sunan Abī Dāwūd regarding the rules on specific kinds of voluntary prayers, namely, voluntary prayers after obligatory prayer, Duḥṣa prayer, Tasbīḥ prayer, and night prayer. A detailed discussion of the different opinions of the scholars, especially the four main Islamic schools of law, is presented, with each school's evidences, and the scholars' attempts to reconcile conflicting Ḥadīths are also considered.

Explanatory notes are given on the scholars and places mentioned in the manuscript, as well as difficult vocabulary. A full account is given of the documentation of each Ḥadīth in the manuscript. Al-ʾAynī's manuscript is set in its historical and cultural context in an introductory section on the author's life and the era in which he lives, the Mamlūkī epoch.

Al-ʾAynī lived at the time of the Mamlūkī rule over Egypt, in which scholars were respected and honoured. The Mamlūkī facilitated scholarship by offering endowments, and building institutes of learning, so that cultural life flourished. Set against this,
however, was a political background of widespread corruption, in which bribery was commonplace. Al-\^Ayni's life and the effect of the characteristics of his epoch on his writings are discussed with an analysis of the style he adopted in writing his commentary, and the academic value of his manuscript.

Devotion to a single school of law was common in the Mamluk epoch. Al-\^Ayni followed the Hanaf\i school of law and in his Shar\i, his fanatical adherence to the opinions of his school are evident. Nevertheless, his thorough, systematic approach to his commentary, and comprehensive coverage of historical, biographical, linguistic and juristic matters, make this work an important contribution to the Fiqh literature, which had a profound effect on subsequent scholarship.
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INTRODUCTION

Prayer is one of the most fundamental pillars of Islam. Therefore, scholars from the early years of Islam attempted to collect the narrations that discussed all its dimensions, to follow the Prophet’s approach in his practice of this form of worship. Voluntary prayer is one kind of prayer that worshippers are called upon to perform to compensate for any shortcoming in their obligatory prayer and as a means of earning more reward from Allah.

Owing to the importance of this kind of prayer, the scholars of Ḥadīth and Fiqh branches of knowledge devoted sections in their books to discussing all the relevant rules. One of the important manuscripts, in which these rules are discussed is Sharḥ Sunan Abī Dāwūd by Badr Al-Dīn Al-ʿAynī.

His book is a commentary on Sunan Abī Dāwūd, which is regarded as one of the most important and essential references on Ḥadīth and Fiqh. This book is characterised by comprehensive coverage of various juristic issues. It is considered to be the first book that collected only the Ḥadīths discussing the Sunan. It is also notable for its good organisation, classification and division of sections. These qualities have led scholars to attach great importance to the book, as evidenced by the numerous commentaries on it.
1. **Aims of the Study**

This work is an attempt to produce a critical edition of Al-ʿAyntī's *Sharḥ Sunan Abī Dāwūd*, which examines the impact of the author's life and times on his work, and explores in detail his interpretation of the rules related to voluntary prayer. Al-ʿAyntī's commentary on the Sunan reveals Al-ʿAyntī's expertise in Ḥadīth, Arabic language, and Fiqh knowledge. However, in terms of juristic rules, it seems that his fanatical adherence to the opinions of the Ḥanafi school are reflected in his commentary, and that he concentrated on proving the truth of these opinions and defending them against any accusation.

This thesis attempts to expand on the research conducted by the author, by viewing the rules discussed in this part of the manuscript from all dimensions, concentrating on the opinions of the four main Fiqh schools: the Ḥanafi, Mālikī, Ṣaffī, and Ḥanbalī. Their different opinions, and the evidences they cite, are explored, to allow a better understanding of the issues discussed, from an objective perspective. Reference to the opinions of Ḥadīth scholars such as Ibn Ḥajar and Al-Nawawī is also made for their valuable comments on these narrations and their continual attempts to reconcile conflicting narrations. This deep discussion will present a more clear image to the reader of the rules on voluntary prayer.

2. **Description of the Manuscript**

This study focuses on a manuscript in Ḥadīth called *Sharḥ Sunan Abī Dāwūd Li Badr Al-Dīn Al-ʿAyntī*. It is a unique manuscript in the author's handwriting, which exists in
Dār Al-Kutub Al-Miṣriyya under the number (286). This Sharḥ is in two volumes. The first volume is in 280 pages, but it is incomplete, the beginning is missing, the manuscript starting with Kitāb Al-Ṭahāra. Al-ʿAynī completed this volume on the third of Rabīʿ Al-ʿAwwal 805 A.H. and it took him two months to write it. The second volume is in 269 pages. This volume starts with Kitāb Al-Ṣalāh and ends with Kitāb Al-Zakāt, but it is also incomplete at the end.¹

The width of the original manuscript is 18cm and the length is 20cm with thirty-one lines on each page and seventeen words or fewer on each line. It is written in a small, clear hand, in a script similar to Persian. The paper is normal kīṭan. The manuscript has been photocopied onto microfilm. This copy was considered to be copy A.

There are many missing words and sentences. Many marginal comments in Al-ʿAynī’s handwriting were observed in the margin of the copy. Some corrections are observed in the margins of the folios in the manuscript.

There is a copy in six volumes duplicated or transcribed from the original in the handwriting of Al-Shaykh Maḥmūd ʿAbd al-Latif who was a scribe in Dār Al-Kutub Al-Miṣriyya. This copy was written on the fourth of Ṣafar 1356 A.H. The number of the lines on each page is twenty one. The width of the paper is 18cm and the length is 25cm.² All the marginal comments of the original copy were inserted in the text.

¹ Salih Maʿtūq, Badr Al-Dīn Al-ʿAynī, p. 184.
However, there are some errors in transcription in some words which could be a result of speed. If there are any missing paragraphs, the scribe indicates it in the margins. After each volume, he provides an index which consists of titles of sections and numbers of pages in the same copy.

The researcher has chosen part of the second volume of Kitāb Al-Ṣalāt which starts with Tafrīc Abwāb Al-Taṭawwura wa Rakaʿat Al-Sunna and ends at Bāb Al-Ḥath 'Alā Qiyām Al-Layl, a total of 161 pages. This Kitāb consists of the following sections:

1. Bāb Rakaʿat Al-Sunna.
2. Abwāb Qiyām Al-Layl.
4. Abwāb Qirāʿ Al-Qurān.
5. Tafrīc Abwāb Al-Witr.

The researcher has chosen to edit the first two sections. The reason for choosing these sections is that they, and the rules they offer, especially the first section, are widely used in practice in Muslim life, in their daily prayers. Furthermore, the sections form a related group as they are all concerned with voluntary prayers and the discussions in these sections are very useful and deserve to be known and understood by all Muslims.

3. Research Methodology

The thesis is divided into two parts. The first part comprises an Introduction and six chapters. The first chapter describes the socio-cultural context of the work. Chapter Two highlights different aspects of Al-ʿAynteR's life, and presents background information
on the lives of Abū Ḥanīfa and Abū Dāwūd. Al-Ṣayfi’s approach in writing his book is explained and the shortcomings of Sharḥ Al-Sunan, and the academic value of the manuscript are evaluated. The third chapter is a commentary, which discusses the sections of the manuscript in more detail. The different opinions of the scholars and their evidences are clarified in this chapter. Chapter Four contains notes dealing with difficult words in the text and identifications of places and people mentioned in it. Chapter Five provides documentation of the hadiths in the six main hadith books and the place of the hadith in the Sunna, either Sahih or Da’if. Chapter Six is the conclusion.

In the second part, concerned with the editing of the Arabic text, the researcher has adopted the following methodology.

1. Two copies of the manuscript were obtained from Dar Al-Kutub Al-Miṣriyya in Egypt.

2. For editing the manuscript, the original copy which was written by Al-Ṣayfi himself, was treated as the base. This is denoted with the letter ‘A’ (א) and the second copy with the letter ‘B’ (ב). The text is presented by adopting approved methods of presentation in modern literary Arabic.

3. The first and second copy were compared in order to establish the main differences between them. Any words or phrases added from B to A are placed between square brackets [ ].

4. Any unclear words in copy A were clarified from copy B.
5. The original text of *Sunan Abū Dāwūd* was compared with another copy of the *Sunan*. Any differences found are clarified in the notes. Any additions in copy A in the original text from the other copy of the *Sunan* are placed in square brackets [ ], and any unclear words or sentences in copy A from the original text of the *Sunan* are clarified from the other copy of the *Sunan*.

6. The biographies of the narrators were checked in trusted biography books and any differences in genealogy or date of death recorded in the notes.

7. The main text of *Sunan Abī Dāwūd* is presented in bold characters in order to distinguish the commentary from the main text.

8. The sections and the ḥadīths are numbered according to their order in *Sunan Abī Dāwūd*.

9. Up-to-date punctuation marks have been added to clarify the meaning and remove ambiguity and confusion in the text.

10. Missing parts are pointed out in the notes.

11. Both the Sūras of the verses and the numbers of the verses are mentioned.

12. Some linguistic errors that appeared in copy A have been corrected.

13. Some phrases or words have been inserted to clarify the sentences. These are placed in square brackets [ ]. Also, words or sentences that were in the margins were recorded in their places in copy A according to their order in copy B and are also placed in square brackets.

14. The names of places and books are placed between parentheses ( ).
CHAPTER ONE

SOCIO-CULTURAL CONTEXT

1.1. Introduction

In order to have a full appreciation of Al-ğ'Aynî's writings, it is helpful to have some background knowledge of the political and cultural setting in which he lived, and which influenced his work. Accordingly, in this chapter, a descriptive and analytical survey is presented of the context of Al-ğ'Aynî's writing.

1. Al-ğ'Aynî lived during the epoch of the Mamlûk (648 A.H./1250 A.D. – 922 A.H./1516 A.D.) Sultâns in Egypt, and what is now the Fertile Crescent. Basically, the Mamlûk were of mixed Turkish, Circassion, Rumanian, Russian and Kurdish origins. They were slaves who were deeply engaged in the slave trade which thrived at that

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4 The origin of the term Mawlâ goes back to pre-Islamic Arabia. Shaban argued that the term Mawlâ had different connotations at different times and that at the time of the Abbâsids, especially Al-Manşûr, it did not refer to a freed slave, a client or a non Arab member of the army related to a certain individual, or an Arab clan. When Al-Manşûr wanted to establish new relations between himself and the members of his administration, he named them Mawlâ, which meant confidant of the ruler. Shaban, Islamic History, vol. 2, pp. 10-11. This opinion is built on the assumption that the expressions Mawlâ and Mamlûks had the same meaning, a view which is supported by the fact that the most common name for the Mamluks from the time of the reign of Al-Mu'tasîm was Mawâtî. David Ayalon, Islam and the Abode of War, p. 2. However, Irwin indicated that the word Mamlûk was normally used to refer to a military slave, as its meaning, which denoted a free client or devoted follower, was extended throughout the medieval period. Robert Irwin, The Middle East in the Middle Ages, p. 3. The name of the Mamlûks, Al-Mawâtî, seems to be a reference to their deep loyalty and strong adherence to their masters.
time to organize military troops in peace time and use them in the army in war time.\(^5\)
The outbreak of hostility and sedition throughout Middle and East Asia contributed to
the slave trade, as it created a large number of orphan children, who were sold in the
markets.\(^6\) It is commonly believed that the 'Abbasid Caliph, Al-Mu'tasim (d. 228
A.H./842 A.D.) was the first who organized military troops composed mainly of
Mamlūk Turks\(^7\) but their influence remained unfelt or practically marginal until their
emergence during the reign of Al-Ṣāliḥ Najm Al-Dīn Ayyūb (d. 647 A.H./1249 A.D.)
who is considered to have conferred power on the Mamlūkis\(^8\) to win their support for his
reign.\(^8\) It is also reported that Ayyūb rounded up Mamlūk Turks in an unprecedented
way, and that they made up most of the Amīrs of his army.\(^9\) He also inculcated in them
military values and they showed loyalty to him, defending his Kingdom against foreign
invasions. They had a reputation as tough warriors.\(^10\) The Mamlūkis rose to power in
Egypt in the aftermath of Al-Ṣāliḥ's death when his wife Shajarat Al-Dur married the
army leader Aybak Al-Turkmānī (one of the Mamlūk leaders).\(^11\) Shajarat Al-Durr
abdicated her throne to Aybak, who took over as Egypt's ruler under the pressure of

\(^6\) Muhammad Rizq, ʿAsr Salāṭīn Al-Mamālīk, vol., p. 181.
\(^7\) David Ayalon, Islam and the Abode of War, p. 22. Karl R. Schaefer, Jerusalem in the Ayyūbid and
Mamlūk Eras, p. 259.
\(^9\) Al-Jabarti, ʿAjbāʾih Al-Āṯār, vol. 1, pp. 22-23. ʿAlīm b. ʿAbd Allāh, Ẓāhirī, ʿAbd Allāh, Al-ʿOulub FI Manāqib Banī
Maqrīzī, Al-Sulak, pp. 368-369.
circumstances. The reason was that the rule of a woman was without precedent in the Muslim near east, and *Shajar Al-Durr*’s Sultanate was not acceptable to the *Abbasid* Caliph at *Baghdad Al-Mu'tasim*. The *Mamluks* statehood extended beyond the Egyptian borders, spilling over to Syrian territory and the Ḥijāz, and they had great influence in Yemen and Nubia. Their hegemony over the Syrian region coincided with the laxity of its rulers, the *Ayyūbīs*, in defending its boundaries in the face of the Mongol invasion; indeed, some of the *Ayyūbī* rulers even supported the Mongols in their aggression against the Muslims. The *Mamlūk* leaders, on the other hand, courageously and honourably sought to repel Mongol aggression in the Battle of *ʿAyn Jalāl* in 659 A.H./1260 A.D. when they defeated the Mongols, under the

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leadership of Al-Zāhir Baybars, with troops under the command of Qutuz. The defeat of the Mongols signalled the safety of Egypt and Syria again.

The above chronicle depicts the first era of Mamlūk rule, showing their ascent to power. The second era started at the time of Sultan Qalāwūn who is considered the most powerful among the Bahri Mamlūks – Qalāwūn, having usurped the throne from Al-Zāhir Baybar’s son in 678 A.H./1279 A.D, made up his mind to build a new division of Mamlūk troops with strict loyalty to him. Members of the new force were selected from the Armenians and Circassians, and this group of Mamlūks were called the Burjī Mamlūks. On the other hand, in the Encyclopaedia of Islam Sultan Barqūq is considered as the founding father of the Circassian Sultāns. To reconcile these two opinions, it seems that the first person to organise the Circassians as a new, separate division was Sultan Qalāwūn and the first Sultan from among them was Barqūq.

18 Al-Zahir Baybars is considered as one of the most prominent rulers of the Bahri Mamlūks and the actual founder of Mamlūks as he wiped out challenges to his authority, reviving the ’Abbasid Caliphate in Cairo after having been removed from Baghdād. He also stood up to the crusade campaigns and managed to recover Qisasiyah, Yafṣa, Arṣūf and Ṣafad provinces from their hold. Thanks to him, Egypt and Syria were reunited under the Mamlūks’ banner, with no limit to the Mamlūk’s rule. Shafi’ b. Alt, Husn Al-Manāqīb Al-Sarīyya, pp. 88-90. Husayn Āṣī, Al-Maqrīzī, pp. 48-49. Ibn Taghīrī Bardī, Al-NUJUM, vol. 7, pp. 186-180.


20 The Circassians were famous for bravery, horse-riding and beauty, and the slave trade thrived among them as they sold their sons. Ibrahim Alt, Misr FT Asr Al-Mamlūk Al-Jarākīsa, p. 109.


The predominance of the Circassian Mamlûks did not mean they were the only race; there were ethnic Kurds, Turks and Greek. In total, there were twenty-five Circassian Mamlûk Sultâns, whose rule spanned one hundred and thirty-four years. The most prominent among them were: Barqûq, Shaykh Barsabîyû, Jaqmaq, ânîl, Khashqadam, and Tûmânîbay.23 This group were also called the Burjî Mamlûks as they took the citadel towers as their residence.24 From the aforementioned information it seems that the motivation for bringing the Mamlûks to Egypt was that the Caliphs' mistrust of the people surrounding them, and the belief that the Mamlûks had sufficient military power to protect them.

The author Al-ñ'Aynî lived in Egypt during the second Mamlûk era, which was that of the Circassian Mamlûks. Therefore, particular attention will be focused on that period.

1.2. General political situation during the Mamlûk reign

The Circassian Mamlûk state was characterised by the weakness of its rulers, many of whom were overthrown or even killed by mutineers.25 The overthrow of kings was routine practice, thus making reigns relatively short.26 This chaos and disorder which

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23 Ibrâhîm 6Alt, Mîsr Fî Asr Al-Mamâlik Al-Jârâkîsa, p. 10.
marked this epoch, as a result of the prevalence of sedition and insurgencies, can be blamed on the Mamlûks' temperament and political machinations as, although they were tough and courageous, they embraced a divide and conquer policy, which encouraged conspiracy, treachery and bribery as means of attaining power. Nor, indeed, were conniving and plotting confined to the throne, but they also characterized the relationship between the King and the regents. Internal conflict was rife and the victors would wage campaigns of persecution and terror, to avenge the losses incurred in the struggle for power. Al-Maqrûz confirmed that the practice of bribery to control the important positions was one of the reasons for the country's decline.

However, this internal division did not affect the image of the Mamlûks as a distinct faction in the eyes of world. There was a constant quest to curb the violence and quell the revolts, in order to give no foreign power an excuse to interfere under the pretext of restoring calm. Thus, such disturbances were not allowed to detract from the sovereignty of state.

1.3. The Caliphate

Al-Šaybání witnessed the ābāsid Caliphate in Cairo after removal of their rule from Baghdād by the Mongols. The ābāsids were virtually in decline during Al-Muťāšim's

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28 Al-Maqrīzī, Ighâḥat Al-Ummâ, p. 43.
29 Âltâ Irâhîm, Mîsr Fī Al-ʿUṣūr Al-Wustâ, pp. 203, 388.
rule, as a result of terrible divisions over sectarian issues and factional fighting which seemed to grip the state. As a result, their rule crumbled in the face of the Mongolian invasion of Baghdad in 656 A.H./1257 A.D.,\textsuperscript{31} at a time when all efforts by Al-Mu'taṣim to unite the Ayyūbāds in Syria and Mamlūks in Egypt to fight off the Mongols, were in ruin. The Mongols, therefore, seized the opportunity to capture Baghdad after committing numerous atrocities and massacres. For a period of forty days they overran the city, killing eight hundred thousand of the Baghdad population, and setting the entire city ablaze, thus devastating an invaluable Islamic heritage.\textsuperscript{32}

The 'Abbasid Caliphate then witnessed a new era that moved to Egypt, and the Mamlūks had the upper hand in restoring it. In particular it was Al-Zāhir Baybars who wanted to play the role of guardian angel of the Caliphate to justify his leadership over Egypt, and earn legitimacy.\textsuperscript{33} The transfer of the Caliphate to Egypt took place when Al-Zāhir sent for Ahmad b. Al-Imān, one of the 'Abbasid statesmen, to visit Cairo and asked him to endorse him as the Caliph, and took the pledge from the people to him.\textsuperscript{34} Therefore,

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\textsuperscript{31} Ibn Dimāq, Nuzhat Al-Anām, pp. 234-239. David Ayalon, Outsiders in the Lands of Islam, p. 33.
Ahmad was the first 'Abbasid Caliph in Cairo, and he gave Baybars in return the
convenant of the Saltana as a legal ruler by virtue of this covenant.35

Nevertheless, the Caliph's power was purely nominal as the Mamlûks were the real
controllers.36 The Caliphs were subject to the Sultân, who could decide to remove the
Caliph anytime he wished to, so the Caliph was simply a figurehead.37 For example,
Al-Mutawakkil was removed and restored to office by the Sultân on no less than three
occasions.38

The nomination of the Caliph usually took place during a council meeting with the
Sultân, Jurors and Amûrs, and the money they received from the Sultân was not stable
and was dependent on their relations with the Sultân.39 The Sultân might ask the Caliph
to accompany him on a trip or journey, or the Caliph might be called to listen to
pronouncements on tributes imposed or war decisions. The summons, however, was
only to attend and listen to opinions, not to participate in making decisions.40 There
were some Caliphs who managed to make their sons their successors, as did Caliph Al-
Mut'atta'id, who named his son Al-Mutawakkil in 763 A.H./1361 A.D. Far from
signalling the strength of the Caliph, however, this rather indicated the unimportance of

37 Muhammîd Mâhîr, Dirâsâ Wahtâ'lqiyya, p. 371. Donald P. Little, History and Historiography, pp. 172-
173.
38 Ibn Iyâs, Bada't Al-Zuhûr, vol. 1, p. 399.
39 Ibrâhîm Fîrî, Misr Fr Asr Al-Jarakîsa, pp. 54-55
Nasser, The Internal Affairs in Egypt, p. 34.
this position, as it was a matter of indifference to the Sultân who would be the Caliph. 41

This is an indication of the weakness of the Abbasid Caliphate. The Caliphs were no more than figureheads and they did not play any important role in the country’s affairs, which were controlled by the Mamlûks.

1.4. Key Events

The Mamlûk era may be classified into two main phases:

1. The period of power, progress and civilization

The era began with the Mamlûks in a position of power and was characterised by numerous military victories. This was a period of wide-ranging war activities against Mongols and Crusaders in Syria, in addition to the transfer of Abbasid reign to Cairo. 42 The Mamlûks in this age acted in the public interest. 43 Thus, domestic and foreign trade thrived, which led to the emergence of a scientific renaissance, and scholars travelled from various places to Egypt. 44

The most prominent events marking this age were the Mamlûks’ combat of Islâm’s enemies and their defence of Egypt and Syria. In other words, the Mamlûks were keen

41 Muḥammad Māhir, Dirāsa Wathā’iqiyya, p. 371.
44 Ibid. pp. 360-361.
to preserve Egypt’s independence, as they considered it as their country. Moreover, they considered Aleppo and Syria inseparable and integral to their statehood. As a result, Al-Zāhir Baybars organized a campaign to annex Syria and wipe out rebels. His troops fought the Mongols and invaded Tripoli and Hims, achieving a convincing victory over the Mongols at ʿAyn Jalūt, 658 A.H./1259 A.D. They also fought the Crusaders and the fall of Acre and the coastal area into the hands of the Mamlūk Sultāns in 690 A.H./1290 A.D. marked the end of the Crusaders’ war during the rule of Al-Ashraf Khalīl b. Al-Mansūr Qalāwūn. The Mamlūks also engaged in battle with the Ottomans who ruled the Armenian territory and north of Euphrates and even scored important victories over them, but the Ottomans managed to defeat the Mamlūks in the battle of Marj Dābiq 922 A.H./1516 A.D. and captured Syria and Egypt.

2. The period of weakness and decline

This age began after Timūr-i Lang invaded Syria. Most kings of this period are described in the history books as being weak. They were careless about peoples’ needs, and neglected trade and industry. The Army was allowed to repress the populus, while illiteracy prevailed and economic, political and military conditions were never worse.

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48 Timūr-i Lang was the son of Targhay b. Abghay, founder of the second Mongol Kingdom. He was born in Khawāja Ayaghār village, one of the cities of Transoxania in 787 A.H./1336 A.D., and died in 807 A.H./1405 A.D. Maḥmūd Kurd, Khitat Al-Shām.
The country plunged into chaos and disorder. An example of the Sultāns’ lack of concern for the people is Sultān Barqūq’s distribution of endowments among his soldiers in defiance of the judges’ refusal. Ibn Iyās indicated that this was only the first of many abuses of his power.

Among the notable events at that time, was the attack launched by Timūr-i Lang on Aleppo, killing innocent civilians, setting mosques and houses ablaze, capturing men and raping women. The death toll came to twenty thousand. In Damascus, Timur-i Lang stayed for nineteen days committing terrible atrocities and massacres, raping all the women and shackling men and children. Damascus remained on fire for three consecutive nights. This invasion had a devastating effect on Islamic civilisation as the Mongols destroyed the libraries. Also, people’s confidence in the Mamlūks was weakened, since they had been unable to defeat the Mongols as they had done previously.

Another event which disturbed the Mamlūks was the revolt by Bedouins on the eastern and western outskirts and in Syria desert. The Bedouins used harassment tactics, and their constant raids and attacks led to heavy casualties among the Mamlūks. However, the Mamlūks managed to restore order and quell the rebels.

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The cause of the Bedouin's revolt was the racial discrimination exercised by the Mamlūks, as the Bedouins perceived themselves to be a more distinguished lineage and thought they should have ruled the province.⁵³

Al-ʾAynī referred in his book Aqd Al-Jumān, to certain battles that erupted between the Bedouins and Mamlūks such as the confrontation in 828 A.H./1424 A.D., leading to the defeat of the Egyptian and Aleppan soldiers, while looting was carried out extensively by the Bedouins.⁵⁴ Al-Maqrīzī also described the conquest of Cyprus by Al-Ashraf Barsbay, recounting how the Cypriot people used to conduct blanket raids on ships lying at harbour after voyaging from the countries of the Roman Empire to Dīmyāt and Alexandria. The Cypriot inhabitants declared immunity; thus, the Sultān ordered his men to fight them and invaded the city in 829 A.H./1425 A.D.⁵⁵

Another of the major events afflicting the country and recorded by Al-ʾAynī was the great plague in Aleppo and Syria in 833 A.H./1429 A.D., in which countless numbers of children were killed. The death toll on one day came to five hundred persons. Al-ʾAynī remained several months then passed over to Damascus until Ramaḍān, when the plague broke out and the death toll rose to over five hundred persons a day. According to Al-ʾAynī he lost seventeen members of his household, including four of his sons,

who died in the same week, two on the same night; the rest of the casualties were some of his slaves.\textsuperscript{56}

1.5. The Political Regime

The Mamlūks were not the original people of Egypt, but they were not invaders as the rulers of Egypt brought them into the country. The Mamlūk era can be classified into two main layers.

1. The first refers to the Mamlūks who settled in the country and dominated the elite positions in the Army and land ownership, the key posts throughout the state.

2. The other class of society was composed of the traders, sellers, farmers, workmen, students. This class took care of the land and when the harvest came, landlords appeared to gather tributes. This feudalism continued unabated as farmers were not allowed to own the land, but only to work and cultivate for the Sultān or his followers.

Returning to the first class, the Sultān was named either by the exercise of force on behalf of a favoured candidate or by inheritance.\textsuperscript{57} In practice, however, power was normally the deciding factor, as when one of the Sultāns named one of his sons as his successor, another more powerful Aṁr could take the position from him. No account

\textsuperscript{57} Mahmūd Rizq, \textit{Asr Salāṭṭin Al-Mamālik}, vol. 7, pp. 174-185.
was taken of popular opinion when selecting the *Sultân*. The *Sultân* was the head of the cabinet, with the supreme authority over the entire country. He was the *Amîr* who had the greatest following and the strongest personality. The ruler then distributed power and wealth. Although there existed a *Shîra* council comprised of the head of the army, the *'Abbasid Caliph*, the minister, the four Muslim religious sects, along with twenty-four *Amîrs*, in practice the *Shîra* council’s decisions were purely advisory, as final authority rested with the *Sultân*, who maintained a despotic rule. He and his household were resident at the citadel called *Qafât Al-Khayl*, with members of the family, and the *Amîrs* close by. A Ministry, numerous houses and the army *Dîwân* were also located in the Citadel.

The second post was that of the *Sultân*’s deputy whose presence was important as he ruled in the *Sultân*’s absence, for example when he went into battle at the head of his army. Next to him in the chain of power was the army chief, called *Al-Atâbîk*, who had huge influence due to his control over the army. Next came the minister, but he had only slight influence, as he was overshadowed by the continuing presence of the deputy. Finally came the rulers or governors, *Al-Wulâr*, whose task was to protect the cities against thieves and corrupt officials.

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Egypt was practically a fiefdom of the Sultan, along with his Amirs and soldiers. The Sultan and Amirs took the finest lands, while the lower quality lands were seized by the soldiers. The Sultan distributed the land, but retained permanent ownership of it himself.  

There were several Divans for running state affairs:

1. The Army Divan was where important documents of the Amirs and army soldiers were kept, along with the register of fiefdoms granted by the Sultan. The Divan superintendent was also the army administrator, who kept track of salaries paid to soldiers.

2. The Divan of Al-Inshā': Its assignment was to keep track of the formal correspondence to and from the Sultan and prepare answers to such letters, addressed to different countries. The individual responsible was called the "honorable construction superintendent".

3. Divan of endowment (Waqfs): The administrator was responsible for supervising religious institutions like mosques and schools, as well as monitoring real estate endowments.

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64 Ibid., pp. 225-227.
4. Comptroller Dīwān: This examined state accounts and revenues along with expenses and payroll checking. The superintendent here was very influential, as he conducted all the financial affairs of the state. Another Dīwān was derived from this Dīwān, called the Dīwān Al-Khāss, which kept an eye on the Sultān’s treasury and the Sultān’s financial affairs. There were other Dīwāns but they were less important.65

These Dīwāns show that the country’s affairs were well organised at the time of the Mamlūks. During the period of decline of Mamlūk rule, prestigious jobs were sold for soaring prices, thus permitting incompetent officials to assume important positions. Moreover, bribery and corruption were widespread, and incompetent officials sought to compensate themselves for the huge sums they paid to secure highly placed positions by imposing new taxes on traders and craftsmen. They, in turn raised prices in a vicious circle that led to starvation and impoverishment.66

As for the judicial system, it was totally different from that which existed during the Ayyūbid reign (prior to the Mamlūks), as at that time the judges were only of the Shāfi‘i school, but at the time of Al-Zāhir Baybars, the judges were distributed among the four

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Muslim schools of law⁶⁷ to ensure fairness.⁶⁸ However two different opinions have been expressed on this point. The first one, expressed in the Encyclopaedia of Islam, is that the Ḥanāfī school was more supported than the others by the Mamlūks.⁶⁹ The other opinion argues that the Ṣāḥīfī school maintained a higher position than the other three factions.⁷⁰ This could be because the Ṣāḥīfī faction controlled the judiciary in Egypt for a long time, and the people were accustomed to its rules, and it seems that this school was the most followed in Egypt as Ibn Khaldūn indicated in his introduction.⁷¹ Therefore, it would be difficult for the followers and the scholars of this school if their privileges were withdrawn from them.

There was also a supreme court during the Mamlūk era that convened under the presidency of the Sultan on Mondays and Thursdays to look into complaints by the public.⁷² The judicial system during the Mamlūks was effective, with judges seeking to administer justice and refrain from bribes or gifts.⁷³

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⁶⁸ Ibn Kathīr, Al-Bidaya Waʾl-Nihāya, vol. 13, p. 245. Al-Maqrīzī, Al-Sulṭān, vol. 1, part 1, pp. 538-539. Ibn Diqmāq, Al-Nafta Al-Miskiyya, p. 56. ʿAlī ʿIbrāhīm, Mīṣr Fr Al-ʿUṣūr Al-Wusta, p. 403. Little tried to explain the reasons for this situation. He gives two reasons: the first one was to accommodate the increasingly large and cosmopolitan population of Cairo, the second was to benefit from the gratitude and loyalty of an expanded judiciary, both in rendering legal decisions that favoured state interests, and in reconciling the Muslim public to being ruled by foreign slave soldiers. However, another opinion is that Sultan Baybars expanded the judiciary because he wanted to destroy the power of the judicial system by playing off the four judges against each other, leaving the Sultan as the only person with power to control the country. Donald P. Little, History and Histography, p. 174. Fawżī AṭMīn, Adab Al-ʿAṣr Al-Mamlūk, pp. 48-51. John Glubb, Soldiers of Fortune, p. 93.
⁷¹ Ibn Khaldūn, Al-Mugaddima, p. 430.
⁷² Ibid. Stanley Lane-Poole, A History of Egypt, p. 246.
⁷³ ʿAlī ʿIbrāhīm, Mīṣr Fr Al-ʿUṣūr Al-Wusta, p. 404.
1.6. Social Conditions

The population of the Egyptian territories during the Mamlūk reign comprised mainly Egyptians, in addition to other elements such as Mongols, who came during the rule of Al-Zāḥir Baybars and converted to Islām, along with the Kurds who were mainly traders. None of these elements, however, enjoyed special status or influence in society, except for the Mamlūks, who dominated the army and took care to consolidate their hold on the throne. They prohibited others from carrying arms or riding on horseback. They also avoided intermarriage with Egyptians, in order to sustain their identity. It was Al-Muʿtaṣim who first started to keep the Mamlūks apart from the rest of the people and even prevented their marrying members of other population groups.

A strict social hierarchy prevailed, with the features of a caste system. Al-Maqrīzī divided Egyptian Society into seven classes:

1. The elite class (Sulṭān, Amīrs, and senior army commander).
2. Traders and the well off.
3. Sellers and middle class merchants.
4. Peasants or farmers and villagers.
5. The poor, including jurors and scholars.
6. Craftsmen and labourers.
7. The needy, and beggars.

76 David Ayalon, Islam and the Abode of War, p. 29.
77 Al-Maqrīzī, Ighāṭat Al-Umma, pp. 73-76.
From this division it is noteworthy that army commanders were classified in the first class, which reflects the military basis of the Mamlûk's power, by which they maintained their rule. Farmers are ranked quite low in the hierarchy, even though Egypt had fertile arable land. This is because the farmers did not have the right to own the land; this right was reserved for the Sultâns.

Scholars are classified among the fifth class, being poor in material terms; however, scholars were accorded great respect by the Sultâns, and some of them were close to them, as was Al-‘Aynî to more than one of them. The Sultâns also assigned them to important positions in the country. The identification of a needy class reflects the difficult conditions the country was suffering, and the inequity that prevailed.

The elite class of Sultan and AmîrS enjoyed a life of great luxury. They would saturate their clothes with perfume, equip their homes with expensive furniture, and use tableware made of gold. Some of their tableware and utensils were astounding. Manifestations of the vast wealth amassed by the Mamlûks can be found in museums throughout the world. As for the traders, they were close to the Sultâns, and received money from them when they needed it. Scholars, on the other hand, were approached by the Mamlûks, who saw in them a means to win the support of the public. The peasants, however, were held in great contempt by the Mamlûks, who neglected them.

Those peasants suffered from the burden of taxes imposed on them, and farmers also

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79 Donald P. Little, History and Historiography of the Mamluks.
were in constant danger of raids by Bedouins who looted their crops. The commoners lived in abject conditions. They could not afford even basic necessities and thus lived on the street as paupers. 81

Not surprisingly, these conditions bred hatred and resentment toward the ruling elite, and periodic revolts took place. Nevertheless, in general, the people remained docile and taxes grew larger, though they were collected in a haphazard fashion. Some Muslim Scholars such as Al-Imām Al-Nawawī and Al-Imām ʿIZ Al-Dīn ʿAbd Al-Salām urged the Sulṭāns to lower taxes. People used to hold rallies demanding tax reductions and pleading for mercy from the Amīrs. 82 Among the reasons that led to revolution was the soaring prices, but other causes of people's anger, were totally natural, such as the drought caused by the low level of the river Nile. 83 Plagues also afflicted the citizens, but rulers were indifferent to the suffering of the public. 84 Other actions that increased the tensions between the Mamlūks and the public were the closure of the markets, roads and the gates between the city areas, at the time of the conflicts between the Mamlūks themselves, so people suffered from panic, chaos, and hunger. 85 The

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84 Ibrāhīm ʿAlt, Misr FiʿAsr Al-Mamālīk Al-Jarākīsa, pp. 254-256.
people stood apart from such conflicts, as they had no interest in the triumph of one party over the other. Another opinion mentioned that these conflicts were an opportunity for the public to benefit from the winner, they also robbed the loser, but this was only if the Mamlūks allowed them to participate. Bedouin revolts, though from within, drew the wrath of the citizens, who perceived those Bedouins as thieves, from whose constant raids they incurred heavy casualties.

1.6.1. Traits of Social Life

Private ceremonies and celebrations were abundant during the Mamlūk era, such as wedding ceremonies, circumcision, rituals for special occasions such as the birth of Prophet Muhammad, and the new Hijra year where food and alms were distributed to the needy. Other ceremonies such as receptions, endorsements and support rallies were held upon arrival of the Sultan from Cairo or to see him off. These parties were famous for singing and extravagant amusement. In the holy month of Ramadan, the Sultan would order the release of prisoners and have food distributed to the needy. As for ‘Īd Al-Fitr people used to make sweets while during ‘Īd Al-Adhā they used to slaughter sheep, and go out to the cemetery or graveyards. During the Hajj season, people would take to the street with gifts for distribution to the needy and houses were

86 Amalia Levanoni, A Turning Point in Mamluk History, pp. 109-114.
87 The reason for these revolts that the Bedouins did not accept to be ruled by slaves. Robert Irwin, The Middle East in the Middle Ages, p. 27
decorated and famous songs played. However, it was noted that there was also a
gloomy side to the Hajj season, in that people suffered a great deal when the Sultān
decided to perform Hajj, for the money for the trip was taken from the people. In
regard to funerals, special ceremonies were held. Women would bewail the dead, a
Qurān recitor was asked to preach, and attendants, all in black, served food to well
wishers. Generally, it seems that the people suffered from internal struggles, the
Bedouins’ revolts, taxes, and high prices. Bribery was rife and positions were given in
an unfair way.

1.7. Scientific and Intellectual Conditions

Egypt became the legitimate heir of Irāq in terms of religious and political leadership.
The standing of Egypt became more prominent when the 'Abbasid Caliphs moved to
Cairo from Baghdād. Thus, the Sultāns in Egypt tried to protect Islām through the
establishment of religious institutions and schools, and by encouraging scholars.
Many of the Mamlūk Sultāns, such as Barquq, Shaykh Jaqmaq and Qait Bay used to
hold meetings with the scholars in Egypt. The Mamlūks also wanted to win the

94 Ibn Khaldūn, Muqaddima, p. 417.
95 Ibid. p. 220, Muhammad Zaghīlūl, Al-Adāb Fi ʾAsr Al-Mamlūk, p. 153. Al-Suyūṭī, Tārīkh Al-
   Khulafa, pp. 477-478.
96 Johnathan P. Berkery, The Mamluks as Muslims, Chapter 10, pp. 163-164. Thomas Philipp and Ulrich
97 Nelly Hanna, Cultural Life in Mamlūk Households, Chapter 13, p. 197, in Thomas Philipp and Ulrich
   Haarman, The Mamluks in Egyptian Politics. Muhammad Kamāl, Al-Maqṣūf, pp. 19-20. Saʿīd ʿAbd al-
support of the public by constructing religious institutions, because they wanted to be seen as the custodians of the faith. They established several schools such as Al-Zāhir Baybars’ school, “Al-Zāhiriyya” in 660 A.H./1261 A.D, Al-Sultān Naṣīr’s school “Al-Nāṣiriyya” in 703 A.H./1303 A.D, and Sultān Barqūq’s school. After the opening of the schools, the Sultān, Amīrs, and scientists used to celebrate. The Sultān himself hired the teachers, and a monthly allowance was granted to the schools from endowment resources.

Regarding libraries, the Mamlūks took great interest in building public libraries as extensions to schools and mosques. Book curators usually supervised such libraries. These libraries continued to purchase further acquisitions, or received new issues as gifts. In some libraries, books could not be borrowed, but reading within the premises was permitted during certain periods. The Mamlūks were also interested in owning private libraries.

Another place of education was the offices “Al-Makātib” which targeted orphans of Muslims to educate and instruct them. The educational curriculum of education centred on subjects including Qurānic recitation, Ḥadīth, basics of Iύlām, mathematical

98 Amalia Levanoni, A Turning Point in Mamluk History, p. 5.
100 Donald P. Little, History and Historiography, pp. 169-170.
101 Al-Sayyid Al-Nashshār, Tarīkh Al-Maktabāt, pp. 87-94.
principles, Arabic and some poetry. People’s interest in knowledge was not just confined to schools and mosques, but book-selling thrived and there was a book market, Sūq Al-Katabiyān, very close to Al-Azhar, which dealt in works on religion, literature, physics and astronomy.

In the Mamlūk period, hadīth scholarship developed in all its branches, as there existed a great number of memorisers of hadīth who memorised them to the same extent as the Qurān. The scholars at that time stipulated that before anyone could be a hadīth narrator, he should have a licence, called ijāza, from a famous scholar, gained after a long period of study with him, and the Shaykh must confirm his memorisation. Hadīth scholarship included the different knowledge of different narrations, chain of authorities and their status, Al-Jarḥ Wa 'l-Ta'dīl. However, attention was not only focused on memorising the hadīths but also on writing them, and in this period scholars wrote great books on hadīth, for example, Al-Ilmūn by Ibn Daqīq Al-Id, d. 720 A.D./1320 A.H. Kashf Al-Mughāṭṭāt Fī Sharḥ Al-Muwattī by Al-Suyūṭī, Mukhtasar Sunan Al-Bayhaqī by Burhān Al-Dīn b. ʿAlī, Sharḥ Hadīth Al-Nuzūl by Ibn Taymiyya, Takhrij Ahādīth Al-Iḥyāʾ by Al-Ḥāfiz Al-Idrīsī, d. 806 A.H./1403 A.D. and many others.

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105 Muḥammad Zaghīl, Al-Adab Fī Al-5'Asr Al-Mamlūkī.
1.7.1. Important Sciences during the Mamlūk era

Foremost among the sciences during this epoch were: religious sciences, Jurisprudence, Hadīth, Qur'ānic interpretation, literature, and Arabic grammar. After that came medicine, astronomy, and there was a special interest in history which included the history of Egypt, and the biography of prominent thinkers and others. Husayn Āṣī describes the rapid growth of historical study at that time, saying that “History during the Mamlūks reached high levels that matched the highest ever attained in Arab Islamic development.” However, the historical work at that time was not as prolific as it had been in the fourteenth or fifteenth centuries. The reason for such attention is attributed to attempts to recover the Muslim history books destroyed by the Mongols in Baghdaḍ, as history books include the nation’s history which is the main pillar of its identity.

The attention of scholars centered on Arabic Language as a prerequisite to understanding the Prophet Muhammad’s teachings and Qur’ānic interpretation. However, creativity in this area was scarce as scholars who desired to publish religious science works used to obtain encouragement from the Sultāns, who appreciated them more than poets or thinkers, and because the key positions in the state were held by

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religious scientists. On the other hand, the wide variety of books and different branches of knowledge at that time contradicts the view that the only kind of knowledge available to society was religious knowledge.

One of the branches of Arabic language was grammar, on which many valuable books were written, but as was mentioned before regarding religious knowledge, the scholars did not produce original books, but focused on explaining or abridging previous books. However, this does not reduce the high status of some language scholars at that time, such as Ibn Hishān Al-Miṣrī (d. 761 A.H./1359 A.D.) the author of Mughnī Al-Labīb and Qatr Al-Nadāb Muḥammad b Mālik (d. 672 A.H./1273 A.D.), the writer of Al-Tashīl and Al-Alfiyya, and Abū Ḥayyān Al-Andalusī (d. 745 A.H./1344 A.D.). Among the scholars that wrote in this field was Jalāl Al-Dīn Al-Suyūṭī (d. 911 A.H./1505 A.D.), the author of Al-Ashbāh Wa'l Nazīr and Al-Bahja Al-Mudīyya Fr Sharh Al-Alfiyya. In regard to rhetoric, another of the branches of Arabic language, scholars followed the same approach of explaining or abridging previous books, as the basic rules of the discipline had been established by scholars such as ʿAbd al-Qāhir Al-Jurfānī (d. 471 or 474 A.H./1078 A.D.), in Asrār Al-Balāgha and Dalā'il Al-ṣaj, and Al-Sikākī (d. 626 A.H./1228 A.D.) in Miftāḥ Al-ʿUlūm. In the Mamlūk era, Jalāl Al-Dīn Al-Qazwīnī (d. 739 A.H./1338 A.D.) abridged the latter book

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under the title *Talkhīs Al-Miṣṭāḥ*. Most of the books written subsequently, such as *Al-Iftāh* by Al-Suyūṭī, *Mulakhhas Talkhīs Al-Miṣṭāḥ* by Zayn Al-Dīn Zakariyyā Al-Anṣārī were commentaries or abridgements of this book.

There was a moderate attention paid to medical science, as Sultan Qalāwūn built a great hospital and spent enormous sums of money on it. It had various sections, including a pharmacy section. There was also a study room for lectures on medicine, and a valuable library. 114

A notable point is that the student of religious sciences had to choose one of the four main schools of jurisprudence, and that the student of any other branch of learning had first to study religious sciences, then specialize in his chosen subject. 115

A criticism has been levied at the academics of that era that they only explained the books of the scholars before them, but there was no scholar like Al-Shafi’ī (d. 204 A.H./819 A.D.). Also, in history, there were great historians like Al-Maqrīzī (d. 845 A.H./1441 A.D.) and Ibn Taghrī Bardī (d. 879 A.H./1469 A.D.), but they were following the style of Al-Tabarī and Ibn Al-Athīr. 116 However, as a response to this criticism, it can be said that it is natural for a period of wide scholarship and expansion of knowledge to be followed by a period of consolidation of that knowledge, in which learning is summarised in forms that can easily be memorised, and commentaries are written to clarify misunderstandings. Examples of such books in *Ḥadīth* are: *Nukhbat*


27
Al-Fikr by Ibn Ḥajar Al-ʿAsqalānī, and Fath Al-Bārī by the same author, ʿUmdat Al-Qārī by Al-ʿAynī, and Irshād Al-Sārī by Al-Qasṭalānī.\footnote{Mahmūd Rizq, ʿAsr Salātūn Al-Mamālīk, p. 263.}

1.7.2. The reasons for the intellectual boom during this epoch

Several factors contributed to the flourishing of scholarship in the Mamlūk era:

1. The Mongol occupation of Irāq having wiped out scholars and destroyed the scientific legacy or heritage besides exterminating ʿAbbasid civilization,\footnote{Al-Suyūṭī, Tarīkh Al-Khulafa', pp. 467-472.} scholars believed that Egypt should participate in rebuilding the Islamic heritage in that region.\footnote{Ibn Khaldūn, Muqaddima, p. 417.}

2. The crusades and occupation of Syria coasts prompted Muslim scientists to record Islamic sciences and history, for fear of similar destruction by the crusaders.

3. The Sultāns and Amīrs encouraged religious thinking and supported scientists.

4. Muslim scientists were accorded prestige and held key positions; their complaints met with positive responses.

5. Religious institutions and endowments were built to support them financially, as these institutions served as memorials to remind the public of the Sultān’s achievements. Therefore, Sultāns and Amīrs competed to establish mosques or religious schools and to make donations and endowments for spending on them.

\footnote{Mahmūd Rizq, ʿAsr Salātūn Al-Mamālīk, p. 263.}

\footnote{Al-Suyūṭī, Tarīkh Al-Khulafa', pp. 467-472.}

\footnote{Ibn Khaldūn, Muqaddima, p. 417.}
6. Education at schools was free, no age limits were set for students to attend schools, and students were not required to attend certain classes with designated teachers but could choose whichever Shaikh or 'Imān they preferred.

7. Mutual love and respect prevailed among Shaikhs and students. Thus, the torch of scholarship continued to be passed down from one generation to another.

8. Arab delegates were warmly welcomed no matter where they came from, as Egypt was hospitable to guests.

9. Attention was centered on the Arabic language, as it is the language of the Qurān, and the Turkish or Circassian languages were unfamiliar and unacceptable to Egyptians, whereas the Arabic language is the chief religious language of the whole Islamic world.

10. Scholars were selected carefully from among experts, to become teachers. 120

11. The people of Egypt and Syria had no chance of pursuing political ambitions, so it was natural that they focused on learning and spreading it to the public. 121

In spite of the corruption and injustice of the Mamlūks, which caused much suffering, they focused great attention on Islamic scholarship and respected scholars. They endowed many schools and mosques, which contributed in developing knowledge during the Mamlūk era.

1.8. **Conclusion**

In regard to the era in which Al-`Aynī lived, which was the Mamlūk era, it seems that because of their military power, as they were among the most powerful rulers in the Islamic world at that time, the Mamlūks were able to restore the countries around them. Their defence of the Islamic countries, and extermination of their enemies induced the people to accept them as their rulers, even though they were not of Arabic origin and had been slaves. There were various holders of official positions who had power in the country, but because military power was the most important force in the country, the leader of the army had more influence than others. From the places where the Mamlūks lived in Egypt, the Bahrī Mamlūks in Al-Rawḍa Island, and Burjī in the towers of the citadel, it seems that they were isolated from the rest of the people. This may have been a deliberate policy in order to maintain their identity.

The main bond that connected the Sultan with his Mamlūks was allegiance. The Mamlūks' loyalty to the Sultan was more important to him in his rule than the kinship of his family. Indeed, the reason for the rise of the Bahrī Mamlūks was because they were more loyal to Al-Ṣāliḥ than his family, and he depended on military power to maintain his position; while for the Burjī Mamlūks, it was because Sultan Qalāwūn was looking for those among the Mamlūks who were especially loyal to him.

In the Mamlūk epoch, the corruption, treachery and bribery were widespread among people, reflecting the strategies by which the Mamlūks ruled over Egypt and these attitudes continued until the end of their epoch. However, in the first part of the Mamlūk
epoch the situation was more settled. The rulers were interested in people’s needs. Military victories were the most prominent features of that period. In the second period, the Mamlūk’s power started to weaken and their abuses increased. Their decline was reflected in their inability to defeat the Mongols’ invasion under the leadership of Timūr-i Lang.

The Mamlūks established the Caliphate in Egypt and this gave them the legitimacy they needed in the people’s eyes. However, after the rise of the Mamlūk dynasty and the Mongol invasion of Baghdad, the Caliphate in Egypt did not have a significant political role, and the Caliphs were mere figureheads to confer legitimacy, because only one authority could rule and the Mamlūk was the more powerful.

The Mamlūks controlled all the sources of wealth in the country. All the Egyptian land was reserved for the Sultan and his soldiers, and the people did not have any rights of ownership. Furthermore, the expenses of the army, and the Sultan’s Hajj expenses, were paid by the people. These costs, and the taxes imposed, were a heavy burden on the people. This harsh treatment of the people could have been a result of the Mamlūks’ origins as slaves commanded by their masters. They were used to this treatment, therefore they treated the people in the same way that they used to be treated.

As regards the judicial system, the Mamlūks tried to satisfy all the groups of people by appointing judges from the four Muslim factions. In regard to Egyptian society, the powerful class was the Mamlūks and the rest of the people were only workmen for this class. However, scholars provided a link between the Mamlūks and the people. They
were close to the *Mamlūks* and the latter respected them. Therefore, if the people wanted taxes and prices to be lowered, they would ask the scholars to appeal to the *Sultan*, and convey the people's needs to him. This place for the scholars in the rule of the *Mamlūks* gives the impression that the latter were interested in Islamic knowledge. This interest was also shown in their concern for building schools and owning private libraries. They made endowments to schools and architecture also developed during that period.

In terms of education, religious education was a basic requirement for all students but there was also a boom in other branches of knowledge. The general conditions of scholarship in Egypt prove that the people at that time were interested in knowledge and culture in its different branches. It seems that the *Mamlūks* exploited this interest as a source of legitimacy for their rule, and it is notable that their decline coincided with their misappropriation of endowments.

This, then, is the social and cultural background against which Al-'Aynî's work was produced. In the next chapter, biographical information on Al-'Aynî will be presented, and his career as a scholar outlined, with special reference to the *Sharḥ* with which this work is concerned.
CHAPTER TWO

THE AUTHOR'S LIFE AND WORK

2.1. Introduction

The present chapter deals with the life of the author Badr Al-Dīn Al-ʿAynī, including his early years, teachers, disciples, and his contemporaries. A brief biography of Abū Ḥanīfa, whose school of law Al-ʿAynī followed, and whose opinions are clearly expressed in the manuscript, is presented. This is followed by a section on Abū Dāwūd and the characteristics of his Sunan. The usage of the Sharḥ genre, Al-ʿAynī's approach in producing his Sharḥ Sunan Abī Dāwūd and the academic value of Al-ʿAynī's Sharḥ are discussed.

2.2. The Author

2.2.1. His name

His principal first names were Maḥmūd b. Almād b. Mūsā b. Almād b. ʿUsayn b. Yūsuf b. Maḥmūd. His nickname was Abu Muḥammad and Abū Al-Thanāʾ, and his surname was Badr Al-Dīn. He was the son of the judge Shihāb Al-Dīn, and he

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123 In another source it was mentioned his nickname was Abū Maḥmūd, see Muḥammad Al-Ṭabbākh, ʿIlām Al-Nubalāʾ, vol 5, p. 243.
became known as Al-"Ayntī. One of the possibilities is that it is an abbreviation of "Ayntābī, derived from the name of the village in which he was born, "Ayntāb, though he lived most of his life and died in Egypt. He was born on the seventeenth of Ramaḍān, in the year 762 A.H./1360 A.D. (or according to some sources, the twenty-seventh or twenty-sixth of Ramaḍān) in an area called Darb Kaykan. He died on the night of Tuesday, the fourth of Dhū Al-Ḥijja 855 A.H./1460 A.D. in Cairo, and was buried in the school that he built.

2.2.2. His family and places of residence

His father was the judge, Shiḥāb Al-Dīn Abū Al-"Ayntī, the son of the judge Sharaf Al-Dīn Abī Al-Barakāt, the son of Shaykh Shiḥāb Al-Dīn Al-"Ayntī Al-Hanafi. Al-"Ayntī recorded that his father died on Monday the twenty-sixth of Rajab in 784 A.H./1382 A.D. and was buried in "Ayntāb. He was a jurisprudent, and was a judge for thirty years, after which he was elected as a ruler in "Ayntāb, but by the time of his death he had retired from his position. Of Al-"Ayntī's wife, named Umm Al-Khayr, nothing is

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131 Ibid.
known except that she died in Rabī’ Al-Awwal in 819 A.H./1416 A.D. and was buried in her husband’s school.132

Al-‘Aynī had several sons, six of whom are reported to have died in the plague in 828 A.H./1424 A.D., although their names are not given. However, Al-Sakhāwī mentioned three of Al-‘Aynī’s sons: ‘Abd al-Raḥmān who died of the plague in Rabī’ Al-Ākhir in 822 A.H./1419 A.D., ‘Abd al-‘Azīz who died in Muharram in 818 A.H./1415 A.D.133 and ‘Abd al-Riḥām, who is mentioned in the biography of his son, Āhmad, though he does not appear to be the subject of a biography in his own right. This grandson of Al-‘Aynī was a famous Amīr in Egypt and was well known for his good manners. He died in 908 A.H./1502 A.D.134

Al-Sakhāwī also refers to the death in 864 A.H./1459 A.D. of Āhmad, the son of Al-‘Aynī of the plague, at the age of nine years.135

2.2.3. His travels in search of knowledge136

Al-‘Aynī’s thirst for knowledge was such that he did not confine himself to studying only with the Shaykhs of his own town, but he also travelled widely with the aim of

133 Ibid., p. 234.
134 Ibid., vol. 1, p. 345.
135 Shams Al-Dīn Al-Sakhāwī, Al-Dhayl ‘Ala Duwal Al-Islām, p. 141.
136 Ibn Khaldūn, in his introduction, indicates that travelling to seek knowledge and meeting scholars leads to a higher quality of education, because the student learns directly from his teacher, which confirms the knowledge in his mind. Ibn Khaldūn, Muqaddima, p. 559.
learning more from the scholars of other cities. During his father’s lifetime, in 783 A.H./1381 A.D. he travelled to Aleppo, where he met Shaykh Al-Jamāl Yūsuf b. Mūsā Al-Malīf (d. 803 A.H./1401 A.D.) and Ḥaydar Al-Rūmī (d. 830 A.H./1428 A.D.), with whom he studied for a time, then returned home. Later, his father died and he travelled to Bahasna to study with Al-Walī Al-Bahasnī, to Kakhta to study with ʿAlī Al-Dīn, and to Malfiyya to study with Badr Al-Dīn Al-Kashshāf, then he returned back to ʿAynī. After that he went to perform the pilgrimage in 788 A.H./1386 A.D. He also visited Jerusalem, where he met the famous Shaykh ʿAlī Al-Dīn Al-Sirāmī (d. 790 A.H./1388 A.D.), who was also visiting the city at that time. ʿAynī and Al-Sirāmī shared a residence there, then when Barqūq (d. 748 A.H./1382 A.D.) the Sultan of Egypt, sent for Al-Sirāmī to hire him as a teacher in his school, ʿAynī accompanied him to Egypt and worked alongside him in the same school, as Al-Sirāmī’s assistant. His last recorded journey was 794 A.H./1391 A.D., to Damascus, in order to meet Shaykh Ahmad b. Kushk in Al-Nūriyya school. After that he settled down in Egypt.

2.2.4. His writings

ʿAynī was famous for his various writings on a range of subjects. Al-Imān Al-Sakhawi mentioned in his biography of ʿAynī that

137 Badr Al-Dīn Al-ʿAynī, Al-Sayf Al-Muhammad, the introduction.
138 ʿAbd al-Raḥmān Al-Sakhwī, Al-Dhayl ʿAla Ṭaf Al-İsr, p. 430.
139 Badr Al-Dīn Al-ʿAynī, ʿUmdat Al-Qart, p. 2.
140 ʿAbd al-Raḥmān Al-Sakhwī, Al-Dhayl ʿAla Ṭaf Al-İsr, p. 432.
"he was a leading scholar very well known for Arabic language and history, never bored of reading or writing, and that he did not know anyone who had written more than him, after Ibn Hajar."

He also mentioned that Al-Ayni was a prolific writer, and commented on the benefit of his learning to intellectuals from all disciplines.\textsuperscript{141}

This opinion is supported by that of Al-\textsuperscript{z}Ayni’s student, Ibn Taghr\textsuperscript{f} bard\textsuperscript{i}, who said,

\textit{\textquotedblleft Al-\textsuperscript{z}Ayni was skilfull in jurisprudence, grammar and language, a miracle in history, and his writings are very useful.	extquotedblright}\textsuperscript{142}

Nevertheless, some criticisms have been made of him, such as that he omitted some names as a result of his hurried writing, but in his defence it has been said that this was a minor fault, in comparison with the extent of his output, and one which any scholar could commit.\textsuperscript{143}

It is noticeable that despite the huge number of Al-\textsuperscript{z}Ayni’s writings, there are similarities between them in the content of their introductions. In some, he complains about the times he is living in, and the problems he is facing; in others, he explains the reason for writing the books, which is usually that one of his students asked him to explain or summarise a book for him.\textsuperscript{144} In most of these introductions he asks the reader to correct any error in the book. Al-\textsuperscript{z}Ayni took great care with the organisation of his books and the provision of illustration, so that the reader does not need to refer to

\textsuperscript{141} Ibid., p. 434.
\textsuperscript{142} Badr Al-Din Al-\textsuperscript{z}Ayni, \textit{\textsuperscript{z}Aqd Al-Juman}, p. 9 from Ibn Taghr\textsuperscript{f} Bard\textsuperscript{i}, Al-Manhal Al-Saft.
\textsuperscript{143} Badr Al-Din Al-\textsuperscript{z}Ayni, \textit{Al-Sayf Al-Muhannad}, Introduction.
\textsuperscript{144} Sz\textsuperscript{a}li\textsuperscript{h} Ma\textsuperscript{\textacute{a}}\textsuperscript{t}\textsuperscript{q}, \textit{Al-\textsuperscript{z}Ayni \textsuperscript{f} Ilm Al-Hadith}, p. 88.
any other book in the field. His strong adherence to Hanafi opinions is evident in his writings, when he discusses Fiqh rules.\textsuperscript{145} From Al-\textsuperscript{5}Ayn\textsuperscript{f} 's various books on different topics, some of his writings have been selected to be discussed in detail.

1. \textit{\textsuperscript{5}Aqd Al-Jum\textsuperscript{f}n F\textsuperscript{f} T\textsuperscript{w}r\textsuperscript{r}kh Ahl Al-Zam\textsuperscript{f}n}; this is a book about history, which established Al-\textsuperscript{5}Ayn\textsuperscript{f} 's reputation as a famous Islamic historian. The book is divided into nineteen volumes discussing the events in the period from the beginning of the creation until the end of 850 A.H./1446 A.D. From the first year of Hijra, Al-\textsuperscript{5}Ayn\textsuperscript{f} started to organise the events according to the Hijri calendar. Another feature introduced into the work from the same date was the incorporation of biographies of famous people, presented according to the year of their death. His most important writing, however, concerned his own era, which he discussed from social and economic perspectives, as well as analysing the political situation. In this regard, he drew attention to the corruption and injustice of the Mamluks, and the use of bribery as a means of securing high office,\textsuperscript{146} a topic to which he referred to in his exegesis of Sunan Ab\textsuperscript{u} D\textsuperscript{w}d\textsuperscript{d}.

2. \textit{\textsuperscript{5}Umdat Al-Q\textsuperscript{r}r\textsuperscript{f} Shar\textsuperscript{h} Sah\textsuperscript{h} Al-Bukh\textsuperscript{r}r\textsuperscript{f}} - a book on hadith in 25 volumes. He began writing it in 820 A.H./1417 A.D. and completed it in 847 A.H./1443 A.D. The book is a commentary on Sah\textsuperscript{h} Al-Bukh\textsuperscript{r}r\textsuperscript{f}, which is considered the most important book in hadith.

\textsuperscript{145} Ibid., p. 89.
\textsuperscript{146} Al-\textsuperscript{5}Ayn\textsuperscript{f}, \textit{\textsuperscript{5}Aqd Al-Jum\textsuperscript{f}n}, Introduction, pp. 42-49.
Al-'Aynî in his introduction to this book, explained that among his reasons for writing it, were the frequent requests made by his friends and students that he write a tafsîr of this particular work. He was also impelled to demonstrate his knowledge in this field, he said, as an act of gratitude to God for this blessing. Al-'Aynî in this book adopted an accurate, comprehensive scientific style. For each hadîth, he first gives a general idea of the hadîth, and its relationship to the previous one, and to the section in which it appears. Then he starts to explain the hadîth in a systematic manner, indicating its documentation, noting different narrations, explaining the grammar, and the meaning of any difficult words, and highlighting the lessons and rules derived from it. He also explains the places and people mentioned in the hadîth.147

3. *Mabînî Al-Akhbâr Fi Sharh Maînî Al-Áthâr*, in eleven volumes: Maînî Al-Áthâr was a book written by Al-Áthâr (d. 321 A.H./933 A.D.), which discussed the controversial hadîths and the reasons behind the conflict of opinions among scholars as to the Islamic rules. It is organised according to Fiqh sections. Al-'Aynî's approach in this book was to translate the narrations, indicate the documentation of the hadîth in other hadîth books, mention other hadîths that

discuss the same issue, and explain the opinions of the scholars of the four Fiqh schools on the hadīth rules, focusing especially on Abū Ḥanīfa's opinion.¹⁴⁸

4. **Al-Sayf Al-Muhannad Fi Sīrat Al-Mālik Al-Mu‘ayyad**: a biography of one of the Mamlūk Sultāns, Al-Mu‘ayyad, (d. 801 A.H./1399 A.D.). From reading about the life of Al-‘Aynī, it is obvious that he enjoyed high status in Egypt at the time of Al-Mu‘ayyad, and that he was very close to him. Al-‘Aynī, in the introduction to this book, claimed that his motivation in writing it was to entertain the Sultān and to eliminate sadness and distress. The book discussed the Sultan's origins, name and age, and then elaborated on his virtues, such as power, courage, and horsemanship, as well as describing all the events of the Sultan's life.¹⁴⁹

5. **Al-Bināya Fi Sharh Al-Hidāya**: A book on Fiqh. The name of the original book was *Al-Hidāya Sharh Bidāyat Al-Mubtada*, and it was written by ʿAlī b. Abī Bakr Al-Marghīnānī (d. 593 A.H./1196 A.D.). Al-‘Aynī in his introduction to this book explained his reason for writing his *Sharh* of this book. He noted that it was a valuable book, on which many other scholars had written commentaries, but none of these commentaries covered all its dimensions, and those scholars seemed not to refer to the evidence from the Qurān or the Sunna, as much as to their own opinions. Therefore, his friends had asked him to contribute his own commentary

¹⁴⁸ Ṣalīḥ Maʿītūq, Badr Al-Dīn Al-‘Aynī, pp. 194-195.
on this book, and he had done so, basing his opinions on evidence from the Qurān
and the authentic hadiths.\footnote{150}{At-Tāhirī, Al-Bināya Fi Sharh Al-Hidāya, vol. 1, pp. 3-11.}

It is notable from the aforementioned information that most of Al-Qāsimī’s writings are
explanations of other authors’ works or abridgements of them; there is little original
writing in his work. However, this fact does not detract from the importance and value
of these writings.

2.2.5. His teachers

Al-Qāsimī, throughout his life, studied various branches of knowledge and so studied
under many teachers. His teachers were foremost scholars in their fields at that time,
whether they were scholars of Tafsīr, Hadith, language, Fiqh or literature.\footnote{151}{Sāliḥ Maṭuq, Badr Al-Dīn Al-Qāsimī, p. 125.}

It is noted that Al-Qāsimī first studied under the scholars of his town, Al-Qāsimī, then after
he travelled to Egypt, he started to learn from the scholars there. Al-Qāsimī stayed with
one of his teachers, Al-Fātiha Al-Sūrī, until he died; such loyalty and determination to
learn as much as possible from a revered teacher is a common theme in the lives of
many of the great scholars of Islam.

Although Al-Qāsimī was from the Ḥanafī school, and he is known for his fanatical
devotion to it, he studied under scholars from the Shāfī’ī school, such as Al-Iṣlām Al-
Haythami, and Al-Bulqūshī. He learned various disciplines from those teachers such as
ḥadīth, Fiqh and the different branches of Arabic language. A short account of some of
his teachers is given here.

1. ʿAbd al-Raḥmān b. ʿAbd al-Ḥusayn Al-ʿIrāqī He was born in 725 A.H./1324 A.D. in
Egypt. He was a great memoriser of Ḥadīth and it is said that in a single day he
could memorise four hundred lines. He also studied Fiqh and Qurān. He travelled
to various countries to seek Islamic knowledge, visiting Jerusalem, Mecca and
Syria. He started to teach Ḥadīth during his own teachers’ lifetime, and acquired
great renown in Egypt. His students included Ibn Ḥajar and Al-ʿAynī, who studied
ḥadīth under him. He died in 806 A.H./1403 A.D.152

2. ʿUmar b. Rasūl Allāh Al-Sirāj Al-Bulqānī He was born in 724 A.H./1323 A.D. in
Bulqānā. He came to Cairo, settled there and started to learn from the scholars,
earning the respect of his teachers. He worked as a judge, as well as a teacher of
Šafiʿī Fiqh, whose lessons attracted scholars from all four main Fiqh schools.
He died in Cairo in 805/1402 A.D. or 855.154

3. Muhammad b. ʿAbd al-Raḥmān Al-Dajawī He was born in 737 A.H./1336 A.D.
He studied various disciplines: Arabic language, history, Fiqh and others. He was
an adherent of the Šafiʿī school. Al-ʿAynī learned ḥadīth from him, and Ibn Ḥajar
also was one of his students. He was highly respected by the scholars of his time,

154 Al-Suyūṭī, Nazm Al-ʾIqān, p. 150.
and he earned a reputation for his outstanding memory. He died in 780 A.H./1406 A.D.\textsuperscript{155}

4. \textit{‘Alī b. Abī Bakr b. Sulaymān Al-Haythamī}. He was born in 735 A.H./1334 A.D. He started to study the Qurān from his youth and attached himself to Al-Īrāqī, with whom he travelled on all his journeys until the latter’s death. He also transcribed many of the Īrāqī books and studied hadīth from him. He was the author of many important works; his most famous work on hadīth is \textit{Majma’ Al-Zawā‘īd}. He died in 807 A.H./1404 A.D. in Cairo.\textsuperscript{156}

5. \textit{Alfānad b. Ismā‘īl b. Șālīh b. Abī Al-Īz} became known as Ibn Al-Kushk. He was born in 720 A.H./1320 A.D. He followed the Hanafī school, and worked as a judge of this school in Egypt and Syria. He was a famous jurisprudent of his time. In the latter years of his life he stayed confined to his house and was killed in Syria at the age of 80 in 799 A.H./1396 A.D.\textsuperscript{157}

6. \textit{Yūsuf b. Mūsā b. Muḥammad}, known as \textit{Al-Jamā‘ Al-Malī‘}. He was born in 725 A.H./1325 A.D. in \textit{Malṭiyya}. In his youth, he travelled to Aleppo, where he memorised the Qurān. Then he travelled to Egypt and studied with the scholars there, before returning to Aleppo. He became one of the leading scholars of the

\textsuperscript{155} Al-Sakhawi, \textit{Al-Daw‘ Al-Lami‘}, vol. 9, p. 91.
\textsuperscript{156} Ibid., vol. 5, pp. 200-202.
Hanafi school, of which he worked as a judge. Al- Cynthia named him as one of his teachers. He died in 803 A.H./1400 A.D.\textsuperscript{158}

7. Ahmad b. Muhammad \textsuperscript{6}Ala' Al-Din Al-Sirami. One of the great scholars of his time, in 'Ilm Al-Bay'\textsuperscript{n} Wa'l Ma\textsuperscript{6}n\textsuperscript{i}, Fiqh and Usul Al-Fiqh. He travelled to Aleppo, where he taught, until he was invited to teach in the new school built by Al-Zahir Barquq, one of the Mamluk Sultans. He followed the Hanafi school. His death, due to illness, took place in 790 A.H./1388 A.D.\textsuperscript{159}

2.2.6. His disciples

Al-Cynthia's knowledge covered several disciplines; he taught Hadith in Al-Mu'ayyadiyya school, and Fiqh in Al-Mahmudiyya. He also was the Qadi al-Qudat of the Hanafiyya in Egypt,\textsuperscript{160} a leading historian and an expert in language. His reputation attracted many students to study various disciplines under him. It is notable that even though Ibn Hajar is considered as a contemporary with Al-Cynthia and there was a rivalry between them, he referred to Al-Cynthia as one of his Shaykhs from whom he had learned some Hadiths.\textsuperscript{161} Al-Sakhawt also stated that he learned from him and was one of his students.\textsuperscript{162} Ibn Taghr\textit{f} Bardfalso indicated in his transmission of Al-Cynthia's work that

\textsuperscript{158} Al-Sakhawt, Al-Daw' Al-Lami', vol. 9, pp. 335-336.


\textsuperscript{160} Al-Sakhawt, Al-Daw' Al-Lami', vol. 9, p. 132.

\textsuperscript{161} Al-Sakhawt, Al-Dhayl Al-Raf Al-Isr, p. 434.

\textsuperscript{162} Ibid., p. 435.
he learned knowledge and benefitted from him.\textsuperscript{163} There follows a short account of some of his students.

1. \textit{Yûsuf b. Al-Amîr Sayf Al-Dîn Taghrî Bardi} Abû Al-Maḥâsin. He was born in 812 A.H./1409 A.D. He was raised by his sister’s husband, the famous scholar, \textit{Jalâl Al-Dîn Al-Bulqînî}, who taught him the Qur’ân, and when he grew older he started to study \textit{Hanafî} doctrine from \textit{Hanafî} scholars such as \textit{Al-\c{A}ynî} and \textit{Mu\c{a}ammad Al-Rûmî}. He also studied grammar and Arabic Language, then he became interested in history. He started to follow the historians of his time, such as \textit{Al-Maqrîzî} and \textit{Al-\c{A}ynî}, until he himself became an acknowledged expert in this field. His famous books on history include \textit{Al-Manhal}, \textit{Al-Sâfî Wa’l Mustawfâ} \textit{Bdî Al-Wâfî} in six volumes, and \textit{Al-Nujûm Al-Zâhira Fî Mulûk Misr Wa’l Qâhira}. He died in 879 A.H./1469 A.D.\textsuperscript{164}

2. \textit{Mu\c{a}ammad b. ‘Abd al-Raḥmân Al-Sakhhî}. He was born in 831 A.H./1427 A.D. He studied \textit{hadîth} with \textit{Ibn Al-Hammûm} and \textit{Ibn Ḥajar} and he remained close to the latter. He travelled to various countries, such as Mecca, Medina, Alexandria, Jerusalem, and Syria, to study with the scholars of those regions. Among his books are \textit{Al-Daw’ Al-Lâmi’ Li Ahl Al-Qarn Al-Tâṣrî} in four volumes, \textit{Al-Dhayl ‘Alâ’ Târîkh Ibn Ḥajar} in one volume, and others. The first of these is highly regarded for its detailed biographies of all the individuals featured. He also had a

\textsuperscript{163} Mu\c{a}ammad Al-\c{T}abbâkh, \textit{I’lam Al-Nubala’}, vol. 5, p. 246.
\textsuperscript{164} Ibn Al-\c{I}mâd, \textit{Shadharat Al-Dhahab}, vol. 7, pp. 317-318.
deep knowledge of the hadith narrators and their reputations (*Al-Jarḥ Waʻl-Taʻdīf*). He died in 902 A.H./1496 A.D. In his book *Al-Dhayl 'Alā 'Duwal Al-Islām* he acknowledged the academic supervision of Al-'Aynī, whom he described as a great scholar whom no-one had surpassed.

3. ʿAlīmad b. ʿIbrāhīm Al-ʿAsqalānī Abū Al-Barakāt. His father and grandfather worked as judges. He was born in 819 A.H./1416 A.D. He studied under famous scholars such as Al-ʿIrāqī, and became one of the main scholars of the Ḥanbalī school. He taught in famous schools including Al-Jāmiʿ Al-Tūlūnī and worked as a judge. He was the author of several books on grammar, Arabic Language and poetry. He died in 876 A.H./1471 A.D.

4. ʿAlī b. ʿAbī Bakr Al-Balbāsī. His family originated in Balbās, which was one of the villages of Aleppo, but he was born and lived in Cairo. He was born in 782 A.H./1380 A.D. He learned the Qurān and studied under numerous scholars and learned various branches of knowledge such as grammar, ḥadīth, Fiqh and he also studied history. He stayed with Al-ʿIrāqī for ten years and earned a reputation as one whose scholarship could be trusted. He died in 859 A.H./1454 A.D.

167 Al-Suyūtī, *Nāẓm Al-ʻIyyān*, pp. 31-33.
5. *Muḥammad b. ʿAbdullāh b. ʿAbd al-Rahmān Ibn Qādī ʿAjlūn.* He was known by this name because one of his grandfathers was a judge in this area in Syria. He was born in 831 A.H./1437 A.D. in Syria and grew up there. He memorised various books on different branches of scholarship. He began his studies under his father, then he travelled to Cairo and studied under Ibn Ḥajar, Al-ʿAynī and others.

Among the disciplines he studied were Arabic Language and grammar. He taught *Fiqh* in Ḥāmī Ibn Ṭūlūn in Cairo and in various schools in Syria. Among his valuable books was *Al-Mughni Fī Tashīḥ Al-Minḥāj, Al-Tahrīr Fī Zawā'id Al-Rawḍa.* He died in 876 A.H./1471 A.D. 169

2.2.7. **His contemporaries**

The most famous contemporary of *Al-Imām Al-ʿAynī* was *Al-Ḥāfiẓ Ibn Ḥajar Al-ʿAsqalānī.* His full name was ʿAlī b. ʿAlī b. Muḥammad Shīhāb Al-Dīn Ibn Ḥajar Al-ʿAsqalānī. He was born in 773 A.H./1371 A.D. He began by studying poetry and literature, then turned his attention to *ḥadīth,* becoming proficient in all its divisions, and acquiring a reputation as the leading scholar in this field in his time. He followed the *Šafi′ī* school, and was the author of many valuable books, which have become essential references for all students of *ḥadīths.* These books include *Fath Al-Bārī*

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Sharh Sahih Al-Bukhari Tahdhib Al-Tahdhib, and Al-Isa aba Fī Tamyiz Al-Sahaba.

He died in 852 A.H./1448 A.D.\(^\text{170}\)

The two men were keen rivals, and critics of each others’ works. Despite that, they travelled together with the company of the Sultan Baybars to Aleppo and from there to ‘Ayntab, Al-‘Aynī’s home town.\(^\text{171}\) In addition, each benefited from the other’s Hadīth knowledge. The main points of contention between them were:

1. Each of them criticised the other’s poetry.

2. Al-‘Aynī in his illustration of Al-Bukhari tried to clarify Ibn Hajar’s mistakes and weaknesses, which prompted Ibn Hajar to compose two books as retorts to Al-‘Aynī’s criticisms: Al-Istinsār ‘Ala Al-Tārīkh Al-Miftāḥ and Intiqād Al-Fīrād Fī Al-Rad‘ ‘Ala Al-‘Aynī Fī Sharh Al-Bukhari.\(^\text{172}\) In the latter, Ibn Hajar stated that he started writing Fath Al-Bārî in 813 A.H. and completed it in 842 A.H. He also pointed out that Al-‘Aynī did not start his Sharh until 820 A.H. and the latter gave as his reason that he could not find an acceptable explanation for it. Ibn Hajar also accused Al-‘Aynī of borrowing copies of Fath Al-Bārî from Ibn Hajar’s students and incorporating material from it into his own explanation without mentioning the source.\(^\text{173}\)

\(^\text{171}\) Badr Al-Dīn Al-‘Aynī, Qad Al-Jumān, pp. 430-431.
\(^\text{172}\) Muḥammad Kamāl Al-Dīn, Ibn Hajar Al-‘Asqalānī, pp. 95-96.
3. As a result, Ibn Ḥajar followed Al-ṣ-Aynī’s mistakes in his book on Sultān Muʿayyad and wrote a book called Qadḥā Al-ṣ-Aynī ʿAn Nazm Ghurāb Al-Bayn containing these mistakes.\(^{174}\)

4. Al-ṣ-Aynī, in his book of history, stated that in the case of Al-ʿAmīr Yakhshībāy, Ibn Ḥajar changed his judgement to satisfy the Sultan.\(^{175}\) A similar situation is that Al-ṣ-Aynī, in his transmission of Al-ʿAmīr Muḥammad, pointed out that Ibn Ḥajar and Saʿd Al-Dīn Al-Dayrī refused to visit the Amir in order to gain rewards from him. However, Al-Shakhāwī defended his Shaykh, Ibn Ḥajar, against this accusation, claiming that Al-ṣ-Aynī himself used to seek the Sultan Al-Ashraf’s favour.\(^{176}\)

5. Ibn Ḥajar also met with criticism when he stopped the preaching in a mosque at which Al-ṣ-Aynī used to preach when the latter was removed from his judicial post.\(^{177}\) Furthermore, Al-ṣ-Aynī himself mentioned that the Sultan removed both himself and Ibn Ḥajar from office because of their endless disagreement.\(^{178}\) Nevertheless, Al-ṣ-Aynī visited Ibn Ḥajar during his fatal illness and asked him about Al-Zayn Al-ṣ-Īrāqī’s Ḥadīths.\(^{179}\)

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\(^{174}\) Shākir Māhmūd, Ibn Ḥajar Al-ṣ-Asqalānī, p. 177.

\(^{175}\) Badr Al-Dīn Al-ṣ-Aynī, ʿAqḍ Al-Jumān, p. 534.

\(^{176}\) Badr Al-Dīn Al-ṣ-Aynī, ʿUmdat Al-Qārī, p. 6.

\(^{177}\) Ibid.

\(^{178}\) Al-ṣ-Aynī, ʿAqḍ Al-Jumān, p. 372.

\(^{179}\) Shākir Māhmūd, Ibn Ḥajar, p. 178.
Another person who was contemporary with Al-∈Ayn¬ and with whom he had some disputes, was the famous historian Al-Maqr¬z¬b. Al¬mad b. Al¬b. Al¬Q¬dir b. Al-
Maqr¬z¬ derived his name from a district in Ba¬l¬bak called Al-Maq¬riz¬a. His father travelled to Egypt and worked there, and Al-Maqr¬z¬ was born and lived there. He was born in 766 A.H./1369 A.D.180 He studied under famous scholars such as Al-Bul¬g¬n¬, Al-Hay¬m¬, and Al¬Ir¬g¬ who were also teachers of Al-∈Ayn¬. He first followed the Ḥana¬t¬ school, then changed to the Sh¬+¬ school. He held a number of different posts. In Egypt he worked as a Mu¬t¬s¬b¬ and a teacher in several schools. Then he became interested in history, and he wrote famous books on this subject, such as Al-Khitat Al-
Maqr¬ziyya, Al-Sul¬k¬ Bi Mar¬ṣ¬fat Duwal Al-Mul¬k¬ and many other books. He died in 845 A.H./1441 A.D. after a long illness.181

However, the reason for their rivalry was not academic, as it was with Ibn Ḥajar, but functional. Ibn Tag¬r¬ Bard¬ confirmed this when he indicated that “since Al-∈Ayn¬ was hired as Mu¬t¬s¬b¬ instead of Al-Maqr¬z¬ in 801 A.H., hostility grew up between them which lasted until they died”.182

181 Al-Sakh¬w¬t, Al-Daw¬ Al-L¬m¬, vol. 1, pp. 21-25.
182 Ibn Tag¬r¬t¬ Bard¬t, Al-N¬j¬m¬ Al-Z¬h¬ra, vol. 16, p. 9.
This hostility appeared in *Al-Maqrizi's* history when he described an incident that happened to *Al-‘Ayni* when he was *Mutassib* of Cairo. There was a shortage of bread in the markets, so the people followed him and complained to the *Amīr*. Fearing them, he reported them to the *Sultan*, who subsequently ordered the soldiers to arrest the people concerned and punish them.  

This event seems to be a normal one and does not indicate any hostility to *Al-‘Ayni* as *Maqrizi* was stating facts, but *Ibn Taghrī Bardī's* comment on this event sheds more light on it. He reports, "*Al-Maqrizi* here neglected to mention that the people stoned *Al-‘Ayni*, which increased the horror of his situation".  

*Ibn Taghrī Bardī* mentioned in his biography of *Al-Maqrizi* that he was fanatically opposed to the *Hanafi* scholars. *Al-‘Ayni* also criticised *Al-Maqrizi* in his book *‘Aqd Al-Jumān* when he referred to his biography, and this illustrates the general hostility between them.  

From accounts of *Al-‘Ayni*’s life, it can be concluded that he was raised in a religious academic environment. He had a long life filled with study, teaching and writing. The subjects he studied and taught covered various disciplines. He also had a high place in Egypt because of his good relations with the Sultans. However, as a result of his intellectual reputation, he had some disputes with other intellectuals, though that did not undermine his academic status.
Al-‘Aynī followed the Ḥanafī school of Law, and is known for his fanatical loyalty to this school, whose opinions are reflected in this manuscript. It therefore seems necessary to give a short introduction to Abū Ḥanīfa’s life, his Fiqh sources and the most famous students who participated in spreading this opinion, as it seems that his opinions affected Al-‘Aynī’s Fiqh style.

2.3. Biography of Abū Ḥanīfa

2.3.1. General background

His main name was Al-Numān b. Thābit Al-Fārisī which means that his origin can be traced to Persia. His grandfather was captured by the Arabs when they invaded that country and he was a slave of the Taym b. Th'alaba tribe. He was born in Al-Kūfā in 80 A.H., 699 A.D. and spent most of his life there. It appears that his father was a wealthy man. At the beginning of his life, Abū Ḥanīfa was interested in trade until one of the famous scholars at that time, Al-Shi‘bī, advised him to attend scholars’ circles as he noticed the intelligence in his face. Abū Ḥanīfa studied Fiqh and the scholar by whom he was most influenced was Ḥammād b. Salama, who was one of the most

186 This narration is indicated by 'Umar, the grandson of Abū Ḥanīfa. Another narration indicated by Ismā'īl the brother of 'Umar, says that they were never under slavery. See Muḥammad Abū Zahra, Abū Ḥanīfa, p. 15. Shiibī Nu'mān, Imam Abū Ḥanīfa, pp. 1-2. Ibn Iqībal, Qala'id 'Uqūd Al-Durar Wa'l Sīyār, p. 7. Manuscript, Muḥammad b. Yusuf, 'Uqūd Al-Jumān, pp. 11-12, manuscript.
famous scholars in Al-Kufa. He continued studying Fiqh with Hammād for 18 years until the latter died, then he made his own circle, and started teaching, but he also met other jurisprudents as he travelled to Mecca and Al-Madina and learned from them. It is notable that Abū Ḥanīfa's teachers were from different branches of scholarship; some specialised in Ḥadīth and some in Fiqh, others in the Fiqh of the Qur'ān. He also concentrated on learning the Fatāwā of the Sahāba. In regard to his meetings with the Prophet's companions, Ibn Ḥajar indicated that Abū Ḥanīfa met Anas b. Mālik and other authors that he met other companions. Most scholars agreed on that, but they differ as to the reliability of his narrations from them. He also learned from the “followers” (Al-Tābirīn) such as Al-Shibārī, ʿIkrima, Nāfī and ʿAtā b. Abī Rabāh.

In regard to the writings of Abū Ḥanīfa, in his epoch, writing books was not common practice among scholars, and he himself spent all his time in teaching and discussing Fiqh questions with his students, but the latter wrote down his opinions, and sometimes

188 There were other Shayks of Abu Ḥanīfa, for example:
   b) Ibrāhīm b. Yazīd Al-Nihāy. A trusted scholar, known for his peity.
   d) Ayyub Al-Sikhtyānī, one of the greatest scholars of jurisprudence in the fifth century.


190 Muḥammad Abū Zahara, Hayāt Abū Ḥanīfa, pp. 58-60.


192 Muḥammad b. Yūsuf, Uqūd Al-Jumān, pp. 15-19, manuscript.
he would ask them to do so.\textsuperscript{193} There is a book called \textit{Musnad Abū Hanīfa} in \textit{ḥadīth} and \textit{Āthār}, organised according to \textit{Fiqh} sections, which is attributed to him. However, Ibn Ḥajar believes that \textit{Abū Hanīfa} did not write this book, and that the \textit{ḥadīths} narrated by \textit{Abū Hanīfa} were collected by his student \textit{Muḥammad b. Al-Ḥasan} in a book called \textit{Al-Āthār}.\textsuperscript{194} which clarifies the fact that \textit{Abū Hanīfa} did not collect or organise these \textit{ḥadīths}, but his students did. The most reliable ones are said to be the narrations of \textit{Abū Yūsuf} and \textit{Muḥammad b. Al-Ḥasan}, the most famous students of \textit{Abū Hanīfa}.\textsuperscript{195} \textit{Abū Hanīfa} also was the first of the scholars to classify the \textit{Fiqh} into different sections, starting with purity, then prayer, then the other forms of worship,\textsuperscript{196} and this is clearly evident in his students’ books.

2.3.2. \textit{Abū Hanīfa’s Disciples}

1. One of the most famous students of \textit{Abū Hanīfa} was \textit{Abū Yūsuf} (113 A.H., 731 A.D., 182 A.H., 798 A.D.), whose full name was \textit{Yaqūb Ibn Ibrāhīm}. He was a poor man who needed to work for a living, so \textit{Abū Hanīfa} supplied him with money to enable him to attend the scholars’ circles. He was a judge in the succession of \textit{Al-Mahdī, Al-Ḥādī}, and \textit{Al-Rashīd}, and this occupation was useful to the \textit{Hanafī} school in that \textit{Abū Yūsuf} mixed with the people and knew their

\textsuperscript{193} Wahbī Sulaímān, \textit{Abū Hanīfa}, pp. 281-284.
\textsuperscript{194} Ibn Ḥajar, \textit{Ta’līl al-Manṭaṣa}, p. 2
\textsuperscript{195} Muḥammad Abū Zahra, \textit{Abū Hanīfa}, p. 170.
\textsuperscript{196} Muwaffaq Al-Makki \textit{Manāqib Al-Imām}, vol. 2, pp. 131-133.
problems, so his opinions were derived not just from theoretical hypotheses, but from practical life. He also supported his opinions with ḥadīth evidence and is considered the foremost of Abū Ḥanīfah's students in memorising the ḥadīths.\textsuperscript{197}

Abū Yūsuf wrote many books in which he explained his and Abū Ḥanīfah's opinions. One of the most valuable ones is Kita-b Al-Kharīj which is a letter to Al-Rashīd explaining the financial resources of Muslims' country.\textsuperscript{198}

2. Another notable student was Muḥammad b. Al-Ḥasan Al-Shaybānī (132 A.H., 799 A.D., 189 A.H., 804 A.D.). He was eighteen years old when Abū Ḥanīfah died, so he did not accompany Abū Ḥanīfah for a long time, but he continued to study and learn the style of Abū Ḥanīfah in Fiqh from Abū Yūsuf. He also travelled to Imām Mālik and studied ḥadīth from him. Muḥammad favoured writing down the knowledge he learned, so he is considered the transmitter of ḤIrāqī Fiqh to the following generations. His books are considered the first reference in the Ḥanafī school. Some of these books were named Al-Uṣūl. These are Al-Mabsūt, Al-Ziyādī, Al-Jāmi' Al-Saghīr, Al-Jāmai' Al-Kabīr, Al-Siyar Al-Saghīr, and Al-Siyar Al-Kabīr. These four books were collected by Muḥammad b. Ḥamd Al-Mirwizī into a single book called Al-Kāfī with all the repeated matters excised. Al-Kāfī

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\textsuperscript{197} Muḥammad Abū Zahra, Abū Ḥanīfa, pp. 173-174. Shibli Nu'man'i's, Imām Abū Ḥanīfa, pp. 210-214.

\textsuperscript{198} Ibid.
then was explained by Al-Sarākhīsī (483 A.H., 1090 A.D.) in a book called *Al-Mabsūt*.  

3. Zufar b. Hudhayl was another student of Abū Ḥanīfa. His association with the latter was longer than that of Abū Yūsuf and Muḥammad as he died in 158 A.H., 774 A.D. He had a strong reputation for argument, but no books written by him have been found, perhaps because he did not live long after Abū Ḥanīfa – only eight years – whereas Abū Yūsuf and Muḥammad lived more than thirty years after their Shaykh. Zufar also was the successor of Abū Ḥanafī in his circle and after Zufar came Abū Yūsuf.  

2.3.3. *Abū Hanīfa’s Fiqh Sources*  

*Abū Hanīfa* specified his *Fiqh* sources. He said that he first referred to the Qurān and if he could not find any evidence on it in a specific matter, then he would refer to the Prophet’s Sunna. If he could not find evidence there, he would look in the companions’ sayings. After that, if he still could not find evidence, he would formulate his own independent decision. The students of *Abū Hanīfa* agreed that in making such decisions he considered *Al-Ijmā* (consensus) as one of the sources he depended on in

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202 Al-Ijmā* is the scholars’ agreement on a matter, i.e. consensus among scholars. See Bassam Abughosh, *Glossary of Islamic Terminology*, p. 67.
answering Fiqh questions or deriving evidences. He also used Al-Qiyās, as fewer ḥadīth were available in Iraq, so Abū Ḥanīfa concluded general reasons (fīlāt) for the rules from the Quran and the ḥadīth, and then he would consider these reasons as bases, and whenever a matter came to him he would look at these bases and give his judgement accordingly. However, if there was a ḥadīth against the rule he was considering, relating to the specific matter in question, he would leave the base and stick to the ḥadīth. Abū Ḥanīfa also referred to Al-Iṣtiḥṣān as another source when he believed that Al-Qiyās was not appropriate in a particular matter. The last source of Abū Ḥanīfa’s jurisprudence was Al-Urf customary law. In other words, if there was no evidence from the Qurān, the Sunna or any of his other sources, he would refer to what people customarily did in such a situation.

One of the criticisms raised at Abū Ḥanīfa is that he used Al-Ḥiyal to help people be released from juristic rules. However, there are different types of Al-Ḥiyal and the one Abū Ḥanīfa used was legal and resulted in legitimate outcomes, but he used reasoning which was not obvious or was not commonly used in the matter in question. Therefore it is clear that the reason for using such an approach was not to undermine the

203 Al-Qiyās is a type of judgement reached by making analogy when a judgement cannot be found in the Qurān or the Sunna or from the Ijmā’. The scholars compared the matter being considered to a similar case judged by the Prophet, thereby arriving at a similar decision. Ibid., p. 140.

204 Al-Iṣtiḥṣān is: the situation where a jurisprudent gives a different judgement in one case, from those he has given in other, similar cases, because of some special feature in the case which makes the previous ruling inappropriate. Muḥammad Abū Zahra, Abū Ḥanīfa, p. 302.

205 Ibid., pp. 271-308.

authority of the *Fiqh* rules or condone laxity, but to facilitate the search for an appropriate solution, should a difficulty arise.

### 2.3.4. *Abū Hanīfa's death*

At the last days of *Abū Hanīfa*’s life, he faced tribulation with the Khalīfa Al-Manṣūr when the latter asked *Abū Hanīfa* to be a judge and he refused, then again Al-Manṣūr asked that the judges refer to him when they faced a difficulty, but he refused that request also; therefore Al-Manṣūr ordered that he should be placed in jail. *Abū Hanīfa* remained imprisoned for a while, then some people close to Al-Manṣūr interceded with him for *Abū Hanīfa*’s release. He was released from prison, but he was not allowed to leave the house, or to sit and answer people’s questions. *Abū Hanīfa* remained in this situation until he died\(^{207}\) in 150 A.H., 767 A.D. in Baghdad, where he was buried.\(^{208}\)

Al-‘Aynī followed the *Hanafi* school of law, and was fanatically loyal to the opinions of *Abū Hanīfa*, who was the founder of this school. *Abū Hanīfa* had studied under the first “followers” (*Kibar Al-Tābi‘īn*). He did not start teaching in his own circle until his Shaykh Ḥammād b. Salama died, which is an indication of *Abū Hanīfa*’s great respect for him. His students were faithful to his knowledge in that they registered his opinions in their books and disseminated them widely. A key role in this respect was played by

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Muḥammad b. Al-Ḥasan who wrote the main books in the Ḥanafī school. Abū Yūsuf was a close student of Abū Ḥanīfa, although he disagreed with some of his opinions.

Abū Ḥanīfa’s classification of Fiqh into sections made it easier for the students to refer to Fiqh issues, and was one of his notable achievements.

Al-Manṣūr’s request that Abū Ḥanīfa become a judge and the fact that judges referred to him indicate the high status he enjoyed. His school of law spread among Muslims all over the world and he had followers everywhere.

2.4. Abū Dawūd and the Sunan

2.4.1. Brief biography

Abū Dawūd’s name has been variously given as Sulaymān b. Ashʿath b. Shaddād b. ʿAmr b. ʿĀmir, or ʿUmran and Sulayman b. Al-Ashʿath b. Ishāq b. Bashīr b. Shaddād. He was born in 202 A.H., 817 A.D. in the third Hijrī century which is regarded as the golden age of learning because at that time there were famous scholars in various branches in parts of knowledge, for example, Imām Al-Bukhārī, Imām Muslim, Ḥāmīd b. Ḥanbal in Ḥadīth, Dawūd Al-Zāhirī and Al-Muẓnī in Fiqh, Al-Buṣṭurī and Ibn Al-Rūmī in poetry, and al-Jāḥiz in literature.

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209 Ibn ʿHajar, Tahdīḥ Al-Tahdīḥ.
Abû Dâwûd originated from a tribe called Al-Azd which is a famous tribe in Yemen, although his nickname was Al-Sijistânî, which refers to Sijistân, which is now part of Afghanistan.\textsuperscript{212}

Abû Dâwûd travelled to various countries to search for knowledge and to hear hadîth from their authorities, as was common practice among scholars at that time. He travelled to Egypt, Mecca, Irâq, and Khurâsân.\textsuperscript{213}

Abû Dâwûd was considered as one of the great Muslim scholars, and he had a wide and deep knowledge of the different aspects of hadîth science. Moreover, he was considered one of the companions of Imam Al-Madh b. Hanbal (d. 241 A.H., 855 A.D.).\textsuperscript{214} His status can be inferred from scholars’ sayings about him. Abû Bakr Al-Khallâl pointed out that,

\begin{quote}
“Abû Dâwûd was a leader in knowledge at his time, and no-one before him had this depth of knowledge, and this was the opinion of Al-Hâkim also.”\textsuperscript{215}
\end{quote}

Another opinion is that of Al-Harawi, that,

\begin{quote}
“Abû Dâwûd was one of the Huffûz of Islâm in hadîth knowledge, and he exhibited a high degree of piety and devotion.”\textsuperscript{216}
\end{quote}

\begin{flushright}
\end{flushright}
Moreover, as it is widely known in the history of the scholars' lives, the more virtuous a scholar was, the more the ruler respected and appreciated him. *Abū Dāwūd* received such respect from his ruler Prince *Abū Ḥamad Al-Muwaffiq*, as demonstrated when he came to him when he was in *Baghdād* and asked him to move to *Al-Baṣra* so that students would travel to see him and the city would come alive again (which shows the great reputation *Abū Dāwūd* had in his time), and to teach his sons the book of *Al-Sunan*.*²¹⁷*

### 2.4.2. His teachers and disciples

Since *Abū Dāwūd* had such a high reputation in different branches of knowledge, he must have received such knowledge from various professional scholars. Among his *Shaykhs* was *Imām Ḥamad b. Ḥanbal* for whom *Abū Dāwūd* had great respect. He presented his book *Al-Sunan* to him for his opinion. He also repeatedly asked him about *ḥadīth* matters, and he even wrote a book called *Masāʾil Ḥamad* dealing with the questions that *Imām Ḥamad* was asked and his answers to them.*²¹⁸* Other teachers of *Abū Dāwūd* were numerous and difficult to count; *Ibn Ḥajar* indicated that there were around three hundred*²¹⁹* of them. In regard to his students, among the most notable ones were *Muḥammad b. ʿĪsā Al-Tirmidhī*, and *Ḥamad b. Shuʿayb Al-Nisāʾi*.²²⁰

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It was also mentioned that Imām Aḥmad narrated one hadīth from Abū Dāwūd, and the latter was very proud of the fact.221 Among his students were the narrators of his Sunan, of whom there were seven:

1. Muḥammad b. Aḥmad Al-Lu’lu’ī
3. Aḥmad b. Ziyād Al-‘rabī
4. ʿAlī b. Al-Ḥasan Al-Anṣārī
5. Muḥammad b. ʿAbd Al-Malik Al-Ru’āsī
6. Muḥammad b. Saʿīd Al-Jalūdī
7. Aḥmad b. ʿAlī b. Al-Ḥasan Al-Baqrī222

His death was on the fourteenth of Shawwal, two hundred and fifty seven, 257 A.H./870 A.D.223

2.4.3. His writings

The most well known of Aba DAWW’s works is his book Al-Sunan. He also wrote other books about hadīth:

1. Al-Marāṣīl.

2. Tasmiyat Al-Ikhwā (he indicated in this book the names of the sources from whom he narrated the hadīths).

221 Al-Dhahabī, Siyar Aʿlām Al-Nubalā, vol. 13, p. 60.
On the subject of Fiqh, he wrote *Masā'īl Al-Imām Ḥamd*, which discusses the questions presented to Imām Ḥamd and his answers.

Other books he wrote covered various aspects of religion:

1. *Al-Nāṣikh wa 'l-Mansūkh*.

2. *Al-Zuhd*.

3. *Al-Qadar*. 224

2.4.4. An overview of Abū Dāwūd's book *Al-Sunan*

*Sunan Abū Dāwūd* is a very valuable book, according to the scholars. *Al-Ḥāfīz Abū Bakr Al-Khaṭṭābī* (d. 388 A.H., 998 A.D.) described the *Sunan* saying,

"*Sunan Abū Dāwūd* is an honourable book, such that none like it has been written before in the field of religious knowledge, and it was accepted by the whole people and jurisprudents from different sects."

After that, *Al-Khaṭṭābī* explains the reason, saying,

"the work in ḥadīth before *Sunan Abī Dāwūd* was in the form of Musnad or Jāmī which consists of stories, literature and sermons, besides the rules and Sunan, but never before had the Sunan been collected on its own as Abū Dāwūd did in his Sunan.″ 225


Abū Dāwūd wrote his book the *Sunan* in the early period of his life.\(^{226}\)

According to Ibn Kathīr (d. 774 A.H./1354 A.D.), there are numerous narrations in *Sunan Abū Dāwūd* and some ḥadīths are in one but not in others.\(^{227}\)

In regard to the classification of *Al-Sunan*, Abū Dāwūd did not write an introduction for it, but he wrote a separate letter describing the *Sunan*. The *Sunan* is divided into thirty-six sections and the sections are divided into sub-sections, most of which contain only a few ḥadīth, as Abū Dāwūd explained that by saying that it would be more useful,\(^{228}\) as it would be much easier to search for the ḥadīth in the *Sunan*.

In regard to the types of ḥadīths of the *Sunan*, they can be divided into five types.

1. Authentic, *Ṣaḥīḥ* Li Ḥaṭīḥ.

2. Similar to authentic, *Ṣaḥīḥ* Li Ghayrīḥī.


4. The ḥadīth that is weak but not extremely so, and if it is supported by other narrations then it is *Ḥasan* Li Ghayrīḥī.\(^{229}\)

5. The ḥadīth that has extreme weakness (which Abū Dāwūd pointed out in the *Sunan*).

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\(^{226}\) The books of Al-Sunan in ḥadīth literature are the books organised according to Fiqh classification, such as Ṣalāt, Zakāt etc. See Azami, *Studies in hadith methodology*, p. 100.


\(^{228}\) Abū Dāwūd, *Risālat Abū Dāwūd*, pp. 1-2, manuscript.

It is clear from this classification that there are weak *ḥadīths* in the *Sunan*. In the case of some of these *ḥadīths*, ʿAbū Dāwūd pointed out their weakness, but in others he did not, either because the weakness was not great or because he had explained the weakness in his other books.\(^{230}\) However, Al-Mundhirī explained that ʿAbū Dāwūd did not write any *ḥadīth* that people had agreed to disregard.\(^{231}\) Some scholars have tried to analyse the reasons for ʿAbū Dāwūd including weak *ḥadīths* in the *Sunan*. One of the best explanations is that ʿAbū Dāwūd believed that a *ḥadīth*, if it is not very weak, should be given more weight than scholars’ opinions on any matter, and so should be included if no authentic *ḥadīth* on the topic can be found.\(^{232}\) Another possibility is that it was his style to collect all the *ḥadīths* that discussed jurisprudence rules, or that in the case of the very weak *ḥadīth* he would mention it, explaining its weakness to make clear that he did not agree with it and that it could not be used as evidence on any matter.\(^{233}\)

2.4.4.1. *ʿAbū Dāwūd’s* methodology in writing the *Sunan*

ʿAbū Dāwūd adopted a special style of writing in the *Sunan*. He used to point out the different narrations of the *ḥadīth*, for some narrations might have a new addition that


was missing from the others.\textsuperscript{234} He also repeated the same \textit{hadīth} in different sections, for some \textit{hadīths} contained more than one rule.\textsuperscript{235}

Accuracy was also one of the characteristics in the \textit{Sunan}, in that if \textit{Abū Dāwūd} referred to the narrators of different versions of the \textit{hadīth}, he would point out the difference in their pronunciation. Also, if he indicated that there was a number of versions by different narrators but he wrote only one, he would clearly specify which narrator's version he was using, which shows \textit{Abū Dāwūd}'s honesty and reliability.\textsuperscript{236}

\textit{Abū Dāwūd} used the abbreviation approach and it seems that it was to enable him to collect as many \textit{hadīths} as he could in the \textit{Sunan}. He abbreviated his material in various ways. Sometimes he shortened a long \textit{hadīth} so that the phrase from which the rule was taken would stand out more clearly.\textsuperscript{237} Another way was that if he mentioned one \textit{hadīth} and there was another narration of it, he would not repeat it, but he would only indicate the chain of authorities and point out that the narration carried the same meaning as the first. Also, if there was an addition in the second narration, he would only mention the chain of authorities and the addition.\textsuperscript{238}

In regard to \textit{Abū Dāwūd}'s headings of the sections, it is notable that each one of them refers to a rule of jurisprudence and most of them are shortened. Some of these headings were surrounded with mystery to encourage the researcher to read the section,

\textsuperscript{234} Abū Dāwūd, \textit{Risālat Abū Dāwūd}, pp. 1-2, manuscript.
\textsuperscript{236} Ibid., pp. 302-303.
\textsuperscript{237} Abū Dāwūd, \textit{Risālat Abū Dāwūd}, pp. 1-2, manuscript.
but there was no sequence in the headings as some sections had no heading or several sections might come under one heading, as in the case of the work studied here. Sometimes the headings were in the form of questions, and sometimes the hadīth is negative and its heading is positive. Also, in the sections covered by this research, some headings were not appropriate to the hadīths but matched the previous or the following one, which was explained by as an error from the narrators of the Sunan.\footnote{Ibid., pp. 306-307.}

Abū Dāwūd made some comments on the hadīths he indicated in the Sunan. Some of these comments were given in the place where the information was needed, or after the hadīth. These comments were of various kinds. Some concerned the chain of authority. He sometimes gives identifications of those narrators or corrects some of their names or comments on the different opinions on the name of one of the narrators. Furthermore, he would make some judgements explaining that a certain person was a weak authority, or unknown.\footnote{Ibid., pp. 310-312.} He also gave attention to the identification of some places, and he would indicate the occasion of the hadīth, if it conflicted with other hadīths. Abū Dāwūd was also interested in clarifying some difficult words in the hadīth and mentioning some opinions of famous scholars with regard to some rules.\footnote{Ibid., pp. 312, 322.}

Abū Dāwūd's book was one of the first books to specialise in jurisprudence. He also helped the reader to understand the rules of jurisprudence in the hadīths with his

\footnote{Ibid., pp. 306-307.}
\footnote{Ibid., pp. 310-312.}
\footnote{Ibid., pp. 312, 322.}
accurate classification and his valuable comments. Although the Sunan contained weak ḥadīths, Abū Dāwūd did not refer to very weak ones. Because it was such a valuable work, many scholars over the years have been interested in writing on it, explaining and abridging it,²⁴² and it was indeed one of the books that made a significant contribution to development of the Sunna.

Abū Dāwūd lived at the time of the famous scholars in different branches of knowledge. He had numerous teachers and his students included great scholars in Ḥadīth such as Al-Nisā'i and Al-Tirmidhī. His book Al-Sunan has been considered one of the most valuable books in Ḥadīth, ever since the time of Abū Dāwūd; Al-Khalīfa Al-Muwaffaq asked him to teach it to his sons. The Sunan Abū Dāwūd derives its importance from its being the first book to collect the Sunan in one book. Also the large number of narrations of Al-Sunan shows its interest to students. Abū Dāwūd’s work had a number

²⁴² Several books were written explaining Sunan Abū Dawūd, clarified by Muḥammad Al-Khaṣṣaṣ, Sunan Abt Dawūd, vol. 1, pp. 15-16. These books are as follows.
1. Abū Bakr Al-Khaṣṣaṣ (d. 388 A.H., 998 A.D.), Maṣlim Al-Sunan.
3. Muḥammad Al-Ṣām (d. 855 A.H., 1451 A.D.), Sharh Al-Ṣām. 
4. Umar Al-Bulqūn (d. 805 A.H., 1402 A.D.), Sharh Zawa’d Al-Sunan ʿAla Al-Salihayn.
5. Ahmad Al-Ramlī (d. 844 A.H., 1440 A.D.), Sharh.
6. Abū Zara (d. 826 A.H., 1422 A.D.), Sharh.
7. Al-Sayyūf (d. 911 A.H., 1505 A.D.), Miḥrat Al-Su’ud ʿIlā Sunan Abt Dawūd.
8. Al-Ṣām Al-Dīn Maghaṭay (d. 762 A.H., 1360 A.D.), Sharh, but he did not complete it.
14. Muḥammad Al-Balkhī, Mukhtasar.
of characteristic features which distinguished it, including organisation, accuracy, conciseness, the harmony between the headings and the Hadiths, and his useful comments on some Hadiths, and these seem to be among the reasons that led Al-‘Aynī to write a Sharḥ on it.

2.5. **Al-‘Aynī's Sharḥ of Sunan Abī Dāwūd**

In this section, general points about the Sharḥ genre are followed by a discussion of Al-‘Aynī’s commentary and its academic value.

2.5.1. **The usage of the Sharḥ genre**

At the time of Al-‘Aynī the Sharḥ genre was widespread among scholars in all the branches of Islamic and Arabic Language knowledge. The view among scholars was that the essential knowledge in these disciplines had been fully developed by previous generations, and all that was needed was further clarification to facilitate understanding or abridgement to aid memorisation.

In Arabic language, most scholars wrote *shurūḥ* on *Alfiyyat Ibn Mālik*. In Ḥadīth, the most common books for which scholars were interested in writing *shurūḥ* were the six main hadith books: *Sahīḥ Al-Bukhārī*, *Sahīḥ Muslim*, *Sunan Abī Dāwūd*, *Sunan Al-Tirmidhī*, *Sunan Al-Nisā’ī*, *Sunan Ibn Māja*. Each of these books contains a section of Ṣalāḥ in which all the related issues are discussed. Among the *shurūḥ* on Ṣahīḥ Al-Bukhārī is *Fath Al-Bārī* written by Ibn Ḥajar. In his Sharḥ on this part of Ṣalāḥ Al-
Ta'tawuf, Ibn Ḥajar first refers to all the Ḥadīths in the section, then gives Sharḥ for them all together. He explains the meaning of the difficult words. He points out the opinions of other scholars regarding the rule discussed in the Ḥadīth, then if there is a conflict, he attempts to reconcile the opinions. He also cites other narrations that discussed the same issue. If there are lessons to be learned from the Ḥadīth, he indicates them. He also expresses his own opinion and supports it with other scholars’ sayings. He devotes more attention to some Ḥadīths than others, according to the amount of clarification required. Al-‘Aynī also wrote a Sharḥ on Sahīh Al-Bukhārī, titled ‘Umrdt Al-Qārī. His style is similar to that adopted in his Sharḥ of Sunan Abī Dawūd but with more illustration. However, Fath Al-Bārī has certain advantages over ‘Umrdt Al-Qārī as follows:

1. Ibn Ḥajar adopts a consistent style in all the section, whereas Al-‘Aynī’s style changes from one section to another.

2. Ibn Ḥajar’s book is notable for its faithfullness in transcription, accuracy in expression, concise summary of opinions, and strong declaration of the author’s own opinion.243

On the other hand, there are features in which ‘Umrdt Al-Qārī outshines Fath Al-Bārī:

1. It contains ample illustration and analysis.

243 Ṣāliḥ Maṭwaq, Badr Al-Dīn Al-‘Aynī, p. 238.
2. *Al-‘Aynī* mentions each Ḥadīth with its *Sharḥ*, whereas *Ibn Ḥajar* mentions all the Ḥadīths in the section and then their *Sharḥ*.

3. *Al-‘Aynī* indicates the documentation of the Ḥadīth under a separate title which makes it easy to find, while in *Fath Al-Bārī* the documentation is mentioned throughout the *Sharḥ* of the Ḥadīth.244

Another example of a *Sharḥ* that *Al-‘Aynī* referred to frequently in *Sharḥ Sunan Abī Dāwūd* is *Sharḥ Sahīh Muslim*, written by *Al-Nawawī*. In his section on voluntary prayers, he first draws attention to other narrations in the same issue. He reconciles conflicting narrations. He explains the ambiguous or less-known terms and refers to the Arabic language to identify the meanings of difficult words. He derives rules from the Ḥadīth terms. He reviews the opinion of his school (ṣūfiyya) first, then he surveys the opinions of other scholars. He strongly expresses his own opinion, even if it is contrary to that of renowned scholars.

These three *Sharḥ* of Ḥadīth are very valuable and useful for students of Ḥadīth and for Muslims in general. However, the *Sharḥ* of *Al-Nawawī* seems to be more simple and easy to understand than the others.

244 Ibid., pp. 225-228.
2.5.2. Al-\(^\text{c}\)Ayni’s approach in writing his *Sharh*

A careful study of *Sharh Sunan Abî Dîwûd* by Imâm Al-\(^\text{c}\)Ayni reveals the methodology he used in his book. He did not, however, apply exactly the same approach to all the *hadîths*, as some points are not needed, depending on the nature of the *hadîth*.

The following observations are made on the style adopted in his commentary.

1. He starts by explaining the title of each section, and if there are differences in the way the sections are headed in the various copies of *Sunan Abî Dîwûd*, he points them out. For example, in section two on *Fajr* voluntary prayer on page 5, he indicates that the word *bâb* is not mentioned in most of the copies of the *Sunan*. Also, he sometimes refers to the general meaning of some words in the name of the section, such as in section twelve, page 51, where he explains the meaning of *Duhâ* in the Arabic language.

2. He uses the letter ﷐ to refer to the original text and ﷑ to refer to his commentary.

3. He continues his commentary by giving a brief (or in some cases extended) bibliography of the chain of authorities, and the opinions of the *hadîth* scholars in them, and he also expresses his opinion on them, as on page 17, in the last line, when he points out that *Abî Al-Fadîl* is not a famous man, and on page 145 when he points out that *Zurîra* could not have heard the *hadîth* from *‘A’isha*, which indicates his expertise in this aspect of the *hadîth* scholarship. If one of the sources has been mentioned before he confines himself to referring to the previous comment. He also
sometimes refers to sources by their title, without the name of the author, where the work is especially well-known. Also, if the narrator has a well-known nickname, he explains the reason for his being called by that name. For example, on page 57, he explains that Al-Ḥamrāʾī refers to a place in Egypt. This sort of note appears frequently in his commentary. He also expresses his opinion as to the correct pronunciation of the name.

4. If there is an inconsistency or unusual feature in the chain of authorities, he indicates it, for example on page 102, he points out that Al-Sāʾib b. Yazīd is Ẓahīrī narrated from ʿAbd al-Raḥmān b. ʿAbd who is considered Tāḥīrī, whereas more usually Tāḥīrī narrates from the Ẓahīrī.

5. He explains any difficult words in the ḥadīth, both the general sense and terminological meaning. An example is found on page 52 when he explains the meaning of Sulāma. Also, he gives more details about the origins of tribes mentioned in the ḥadīth. For example, on page 34, he gives more details about Banū Ḥarām. He quotes famous language scholars’ opinions on the meaning of the word he is explaining, such as on page 121, he cites Ibn ʿArāfa’s and Al-Muṣafāqāl’s opinions on the meaning of the word Al-Sīna. However, sometimes he indicates an opinion without mentioning the name of the scholar, as on page 151, when he explains the meaning of Al-Khaṭīṭ.

6. Then he deals with juristic issues. He refers to the opinions of jurists from different schools, concentrating on the opinions of the four main jurisprudence schools, and sometimes mentioning the book in which these opinions are set out. He often only
refers to either the book or the author, perhaps because they were famous in his time. For example, on page 1, he cites the book *Al-Hidāya* without referring to its author, and on page 10 he refers to Ibn Al-Qattān's book, without mentioning the name of the book. He clearly expresses his opinions which are similar to those of Abū Ḥanīfa, especially in the last section, 27, when he defends the opinion of Abū Ḥanīfa that the Witr prayer is three connected rakās, and rejects all other opinions, trying to interpret the hadīth contrary to their obvious meaning, in a way that suits his opinion, and he sometimes uses the term Ḍāhibunā meaning the Ḥanafī school, as on pages 9 and 26. He also considers the critiques of other scholars, showing his juristic experience, as on page 5, when he discusses the opinion of Al-Jumhūr on Al-Ḥasan Al-Baṣrī's opinion. He supports and clarifies his comments by citing poetry, such as on page 71, or verses of the Qurān on p. 70, hadīths such as on p. 20, proverbs as on page 36, and linguistic usage as on page 134 in relation to the meaning of Kāna in Arabic language usage. Sometimes he combines contradictory narrations as on page 63, when he reconciles ʿĀʾisha's different narrations on the Ẓuhā prayer. Al-ʿAynī, in expressing his opinion, often refers to Al-Ẓahhāwī's opinion or narrations for support, as they were from the same school. He also often notes Al-Khattābī's beliefs, and this could be because the latter had discussed the same issue in his book *Maṣāʾīl Al-Sunan*. Also, Al-ʿAynī frequently points to the opinions of Al-Nawawī's whom he sometimes refers to as Muktar Al-Dīn.
Regarding the last two scholars, sometimes he agrees with them and sometimes he disagrees.

7. After Al-‘Aynī has completed the juristic discussion, he draws conclusions as to the lessons to be learned from the ḥadīth, and it is an indication of his accuracy and elaboration in that from each part of the ḥadīth he derives a lesson, although he does not often explicitly use the term in his commentary.

8. Finally, Al-‘Aynī notes the documentation of the ḥadīth. Generally, he refers to the five main ḥadīth books (Ṣaḥīḥ Al-Bukhārī, Ṣaḥīḥ Muslim Sunan Al-Tirmidhī, Sunan Al-Nisā’ī, and Sunan Ibn Māja), but in relation to a few ḥadīths, he refers to other ḥadīth books. For example, in his commentary on the first ḥadīth, page 2, ḥadīth 27, page 44, and ḥadīth 40 page 62. If the ḥadīth is not in the main ḥadīth books he leaves out the documentation. Sometimes he indicates the judgement of Al-Tirmidhī on the ḥadīth, as in the case of ḥadīth 20, when he indicates that Al-Tirmidhī mentioned that this ḥadith is Ḥasan Gharīb. If the narration of the ḥadīth in these books has been abridged or only part of it is mentioned, or there is a similar narration with the same meaning, he points it out. For example, in ḥadīth 26 he states that the narration is abridged in Sunan Al-Tirmidhī and in Ṣaḥīḥ Muslim only part of it is mentioned. He also uses the term Al-Jamā’ if the ḥadīth is documented in all the five main ḥadīth books mentioned previously, as in ḥadīth 87 on page 132.
From the aforementioned information, it can be seen that Al-İ'yanî’s general methodology in his commentary on Abû Dâwûd Sunan, reflects a thorough, systematic approach and his own deep knowledge of hadîth and Fiqh literature. Moreover, other observations can be made on his commentary.

1. It is noticeable that Al-İ'yanî is concerned with explaining aspects of rhetoric mentioned in the narration of the hadîths. For example, on page 126, he explains the likening of the reader of the Qurîn in a loud voice and the alms giving in public. Also, on page 59, he clarifies the metaphor in the phrase Lâ tu'fîznî.

2. Al-İ'yanî pays attention to gramatical issues. This interest can be seen in the large number of grammar books on which he commented. An example of this concern is found on page 42, where he parses the sentence Jawf al-Layl Al-Âkhîr and the syntactic style is commonly used throughout his commentary.

3. If there are differences in the copies of Sunan Abî Dâwûd regarding the inclusion or omission of some paragraphs, he indicates it as he does on page 149 when he states that some paragraphs are not found in some copies of the Sunan. This demonstrates that he referred to more than one copy of the Sunan.

4. An important point is that when Al-İ'yanî comments on a certain issue, whether gramatical, linguistic, or juristic, he quotes the views of different scholars and refers to various famous books which strengthen his commentary and increase its depth.
For example, on page 90 he refers to language and Tafsīr scholars such as Al-Zajjāj and Al-Kalbī, in explaining the meaning of the verse (Illā Qalīlan Nīsfahu).

2.5.2.1. The shortcomings of Sharḥ Sunan Abī Dāwūd

Some of the shortcomings of Al-ʿAynī’s Sharḥ Sunan Abī Dāwūd may be outlined as follows:

1. When Al-ʿAynī indicates that he has mentioned the biography of one of the narrators, he does not state the exact place, which makes it difficult to find.

2. Some of the information about the narrators is incorrect as on page 6, when he states that Mubāḥam b. ʿAbd al-Raḥmān was the brother of ʿUmra, whereas the correct relationship was the nephew of ʿUmra.

3. At times when Al-ʿAynī refers to the views of scholars regarding various issues, he mentions certain opinions without ascribing them to their appropriate sources and simply states “a group said”, as on page 45.

4. Sometimes he points out that he has discussed some juristic issues previously, without indicating their place in his commentary.

5. It is interesting to note from Al-ʿAynī’s commentary his strong bias towards Ḥanafī opinions, so that he disagrees with all other opinions, and defends Abū Ḥanīfa’s belief. This is a common feature throughout his commentary.
2.5.3. The academic value of the manuscript

The importance of Al-ْAynر’s commentary is highlighted through several principal characteristics which distinguish his work from other commentaries and which also give it a high academic value, making it worthy of study and editing.

1. It is a commentary on the most important and comprehensive book that collected only the ḥadīths related to the juristic rules and organised them in a systematic juristic sequence. This is supported by Al-Khaṭṭābَ’s opinion that Abū Dāwūd collected the main juristic rules ḥadīth in a way that had never been done before, which made his work a prime source of juristic rules. Undoubtedly, Al-ْAynر’s commentary derives much of its merit and significance from Sunan Abī Dāwūd.

2. Al-ْAynر occupies a pre-eminent position as an important and famous scholar in ḥadīth, and his commentary on Sahīh Al-Bukhārَ proves his expertise in this field, as an approved trusted commentary.

3. The commentary is detailed, accurate and well-organised. Al-ْAynر discusses all the details of the ḥadīths starting from their narrators and ending with the lessons derived from the ḥadīths, and in his discussion of different issues, whether linguistic, juristic or in literature, reveals his deep and wide knowledge.

245 Al-Khaṭṭābَ, Maʿālim Al-Sunan, vol. 1, p. 11.
4. The commentary is rich in terms of information and important issues relating to the science of *Fiqh*. These issues are discussed by Al-ʿAynī with reference to famous *Fiqh* scholars. He explains their opinions and discusses their proofs. He also offers his own independent opinions, which clearly explains and defends. It thus becomes clear that *Sharḥ Sunan Abī Dāwūd* is written by Al-ʿAynī. The following evidences can be provided to substantiate this claim.

*Sharḥ Sunan Abī Dāwūd* was indicated as one of the books written by Al-ʿAynī in the historical biographical sources. For example, in his biography of Al-ʿAynī in *Al-Badr* Al-Ṭāff, Al-Shawkānī points out that Al-ʿAynī wrote a commentary on part of *Sunan Abī Dāwūd*. 246 In his biography of Al-ʿAynī, Al-Sakhāwī also confirms that Al-ʿAynī explained part of *Sunan Abī Dāwūd* in two volumes. The attribution of *Sharḥ Sunan Abī Dāwūd* to Al-ʿAynī is indicated by Ibn Taghrī Bardī and Ibn Al-ʿImād. 248

In editing *Sharḥ Sunan Abī Dāwūd* by Al-ʿAynī, owing to the extensive text and limitation of this research, the text is edited from Bāb Taḥf Abwāb Al-Taṭawwuʿ Warak Fī Al-Sunna up to Bāb Fī Ṣalāt Al-Layl, since these sections and the rules they offer, especially the first sections, are widely used in practice in Muslim life. They refer to a related group of prayers, all of which are voluntary prayers, and the discussion in these sections are very useful.

2.6. Conclusion

From accounts of Al-\textsuperscript{\v{c}}Ayn\textsuperscript{f}'s life it can be concluded that he was raised in a religious academic environment, as his father and grandfather were judges, and his father was also a ruler of his town, therefore he followed in his father's footsteps and was a judge in the \textit{Hanafî} school, who attained high office.

He suffered from the problems and calamities that faced the Egyptian society in his time such as the plague, in which he lost six of his sons, and the practice of bribery to secure key positions. Consequently, he was removed from his office several times. As a historian, in his book \textit{\textsuperscript{\v{c}}Agd Al-Jumān}, he gave an accurate description of the characteristics of life in his society.

Typically, the greatest scholars start their quest for knowledge from an early age, and Al-\textsuperscript{\v{c}}Ayn\textsuperscript{f} was no exception. He started to travel to seek knowledge when he was twenty-one years old and settled in Egypt, which shows his desire for knowledge, because at that time Egypt was the centre of learning in the Islamic world.

Al-\textsuperscript{\v{c}}Ayn\textsuperscript{f} had a long life, dying at the age of 93. His life was filled with study, teaching and writing. Among his great books were \textit{\textsuperscript{\v{c}}Umdat Al-Qūrī Sharḥ Sahīh Al-Bukhārī}, in which his style seems to be similar to that in \textit{Sharḥ Sunan Abī Dāwūd}, although the first is more detailed. These two books reflect Al-\textsuperscript{\v{c}}Ayn\textsuperscript{f}'s personality as a great \textit{Hadīth} scholar. His book \textit{Al-Sayf Al-Mahannad} shows that Al-\textsuperscript{\v{c}}Ayn\textsuperscript{f} was on good terms with the Sultāns, Al-Mu'ayyad in particular, and that good relations prevailed between scholars and the Sultāns in general. In \textit{Al-Bināya Fi Sharḥ Al-Hidāya} Al-\textsuperscript{\v{c}}Ayn\textsuperscript{f} cites
evidence from the Qur'an and Sunna to refute the accusation that Hanafi scholars referred more to their own opinions than to these sources.

Al-Åynî desired to learn from the most knowledgable scholars of his time and they were often the same as those who taught Ibn Ḥajar, as he and Al-Åynî worked in the same field. As a result of the great learning Al-Åynî obtained, his students in turn became great scholars in different branches of knowledge such as Al-Sâkhînî in Ḥadîth and Ibn Taghîrî Bardî in history. Although Al-Sâkhînî was from the Shâfî school and he was close to Ibn Ḥajar, who had disputes with Al-Åynî, he praised Al-Åynî, treated him fairly, expressed the view that Al-Åynî’s standing as a scholar was unsurpassed, which emphasises the high status of Al-Åynî among scholars. It is notable also that Al-Åynî and Ibn Ḥajar shared many students, who tried to benefit from them both, despite their disagreement.

Al-Åynî lived in an era in which scholars were encouraged and respected. He was close to some Sultâns and was appointed to high positions in the country. He followed in his father’s and grandfather’s footsteps as a judge. He studied under great scholars and his students were famous scholars of their time, who in their own books referred to him as an honoured scholar. He spent his life in learning, teaching and writing valuable books on different branches of knowledge.

A comparison between Al-Åynî’s life with that of Ibn Ḥajar reveals that, although their childhoods differed, they had several features in common. As for Ibn Ḥajar, he was
raised as an orphan, because his father died when he was four, whereas Al-\textsuperscript{\textsuperscript{c}}Ayn\textsuperscript{T} was raised by his father who encouraged him to study religious knowledge.

Ibn Hajar's family were traders, which could explain his own interest in trade and involvement in it from an early age. Al-\textsuperscript{c}Ayn\textsuperscript{T}'s family, by contrast, were judges and the family milieu was characterised by the pursuit of knowledge. In these respects, then, the two scholars came from very different backgrounds. In regard to their similarities, they both lost some of their sons in the plague, they shared some teachers and students, they both travelled to acquire learning in various countries, and they wrote Shur\textsuperscript{h} of the same book, \textit{Sahih Al-Bukh\textsuperscript{r}r}. However, Ibn Hajar's book, \textit{Fath Al-B\textsuperscript{a}r}, is considered more popular and more valuable, and the best Shur\textsuperscript{h} on \textit{Sahih Al-Bukh\textsuperscript{r}r}. Also, his other books were definitive texts on \textit{Hadith}.

Al-\textsuperscript{c}Ayn\textsuperscript{T} and Ibn Hajar adopted different approaches in their Shur\textsuperscript{h} of \textit{Sahih Al-Bukh\textsuperscript{r}r} in that the former focused on linguistic interpretation, while the latter gave particular attention to explanation and reconciliation of conflicting \textit{Hadiths}. The intense rivalry between these two scholars was a source of tension, even aggression, between them, but it also enriched Islamic culture with the most detailed, lucid and valuable Shur\textsuperscript{h} of \textit{Sahih Al-Bukh\textsuperscript{r}r}.

Al-\textsuperscript{c}Ayn\textsuperscript{T} followed the Hanafi school of law and Ibn Hajar followed the Shafi\textsuperscript{T} school and this could be the reason for their dispute. Al-\textsuperscript{c}Ayn\textsuperscript{T} himself recorded that the Sultan removed both of them from their positions as judges because of their continuous
disagreement.\textsuperscript{249} However, this does not detract from their leading place among the scholars of Islam.

\textit{Al-\textsuperscript{5}Aynì} was an adherent of the \textit{Hanafi} school of Islamic law, and was intensely loyal to the opinions of its founder, \textit{Abû Hanîfa}, who had studied under the first “followers”.

\textit{Abû Hanîfa’s} notable contribution to \textit{Fiqh} scholarship in his classification of \textit{Fiqh} into sections is reflected in subsequent scholarly works, including those of \textit{Abû Dawûd} and \textit{Al-\textsuperscript{5}Aynì}.

The manuscript with which this work is concerned is a commentary on a text by \textit{Abû Dawûd}, one of the great \textit{Hadith} scholars, whose \textit{Sunan} is noted for its clear organisation, accuracy, and the author’s objectivity in acknowledging conflicting interpretations.

\textit{Al-\textsuperscript{5}Aynì’s} manuscript is an example of the \textit{Sharh} genre, which was popular among Islamic scholars of his day. Its purpose was to consolidate and clarify existing knowledge. In his \textit{Sharh Sunan Abî Dawûd}, \textit{Al-\textsuperscript{5}Aynì} adopts a consistent and systematic approach to his explication, which covers bibliographical, linguistic and juristic issues, and demonstrates a deep knowledge of \textit{Hadith} and \textit{Fiqh}. There are some shortcomings, notably his bias towards the \textit{Hanafi} interpretations. Nevertheless, the importance of \textit{Abû Dawûd’s} work, and the comprehensiveness of \textit{Al-\textsuperscript{5}Aynì’s} commentary make the manuscript an import and influential to the \textit{Fiqh} literature. A detailed commentary on the manuscript follows.

\textsuperscript{249} Al-\textsuperscript{5}Aynì, \textit{Aqd Al-Juman}, p. 372.
CHAPTER THREE

COMMENTARY ON THE CONTENT OF THE MANUSCRIPT

3.1. Section One : Detailed injunctions about supererogatory prayer
(Taťawwûf) and the rakûs of the Sunan prayers

3.1.1. Introduction

Al-Taťawwûf, Al-Sunna, Al-Nafl, and Al-Mandûb are terms almost similar in meaning, which refer to what God desired to be done. The acts for which there is most support in the hadîth are widely termed Sunna; other terms are used for unconfirmed acts, and Al-Taťawwûf (voluntary) is a general term for all of them. Therefore, in the title of the section, the specific term “Sunna” is given after the general one250 “Taťawwûf”.

Furthermore, Al-Nafl in the Arabic language means “addition”, and here it means additional to what is Fard (obligatory). In jurisprudence, it means something the Prophet Muḥammad did, but not continuously.251

The term Sunna in Arabic means “method”, and in jurisprudence it means those actions which the Prophet performed publicly and habitually, though there is no evidence that they are obligatory. Those actions which are attested in the Sunna bring more reward for their performance.252 Therefore, Al-Nawâjîl is more general than Sunna and the

252 Ibid.
rules of the *Sunna* have stronger support in the *ḥadīth*. This interpretation is based on the view that *Nafl* and *Taḥawwūl* have the same meaning.\(^{253}\)

In this section, here the *Sunna* refers to a voluntary prayer which may be performed together with an obligatory one. The confirmed actions among the *Sunna* are called *Al-Rawāṭib*, derived from a root having connotations of continuation, steadiness and stability.\(^{254}\)

Each kind of *Al-Farīda* (obligatory) worship has its *Taḥawwūl* (voluntary counterpart). There are obligatory and voluntary prayers. *Zakāt* has a *Taḥawwūl* dimension, which is alms. Fasting and *Hajj* are other examples. The reason for performing these *Taḥawwūl* is to gain a greater reward from Allah, and compensate for any shortcoming in performance of the obligatory observances.\(^{255}\)

To understand the importance of the *Nafl* prayer in *Islām*, the *Hanbalī* School believes that *Al-Nafl* prayer is the most valuable kind of voluntary worship in *Islām* because the form of obligatory worship to which it relates, prayer, is the one which is most important in *Islām* and includes various other kinds of worship, such as bowing, prostration, and glorification of Allah. Another opinion in the same school is that *Jihād* has higher status, then comes *Al-ʿIlm* knowledge and after that, prayer.\(^{256}\) The *Ṣaḥīfī*
School is similarly divided on what is the best kind of voluntary worship in Islam, but
one of their scholars has explained that this matter cannot be specified, for it depends on
the circumstances and the person performing the worship. He said, by way of example,
that almsgiving by a rich miser is better than his praying all night, because in this case
he is giving up what he loves most for the sake of God.257

There are some differences between the rules for obligatory and voluntary prayer:

1. Someone who starts an obligatory prayer is not allowed to cut it short except for an
   exceptionally urgent need, but a voluntary prayer may be cut short for a reasonable
   causes and, even if there is no reason, the individual will not be punished, although
   his act is considered hateful (Makrūh).

2. The obligatory prayer is performed in public with the congregation of Muslims, but
   only certain kinds of Nafl prayer, such as the ‘Id prayer, are performed in public.

3. A person is punished for not performing an obligatory prayer but there is no
   punishment for not performing a Nafl258 prayer.

The Shāfi‘ī School classifies the Nafl prayers into two categories:

1. Those performed in public with the congregation of Muslims; this category is
   considered better than the second;

2. Those not performed in public, because the Prophet used to perform them in
   private.259

258 Muhammad Al-ý’Uthaymīn, Fiqh Al-İbadat, pp. 178-180.
3.1.2. The wisdom underlying the exhortation to voluntary prayer

Al-Subkî (d. 1352 A.H./1933 A.D.) explains in general terms the wisdom underlying the institution of the Nafl prayer, as being to raise people’s place in heaven, to expiate sins, and to make up for any shortcoming in performing the Fard prayer.\(^ {260} \)

Ibn Daqîq Al-\(^ c\)Id has a more detailed elaboration of the reason for performing some voluntary prayers before and after the obligatory ones. With regard to Nafl before the prayer, he explains when someone is busy with his life and thinks about his own affairs, his heart is distracted from worship. Therefore, these Nafl will prepare him for the Fard. The Nafl after prayer, on the other hand, will make up for any shortcoming in performing the Fard\(^ {261} \)

The Mālikî School’s view of this matter is that a person should not pray with the intention that the Nafl prayer will make up for the shortcoming of his Fard, because a Nafl performed with this intention will be detested.\(^ {262} \) A related point made in jurisprudence is that even if the obligatory prayers were not complete, this does not affect the rightness and acceptability to God of the voluntary prayer,\(^ {263} \) which seems sensible because each prayer is separate from the other. Moreover, Allah’s mercy towards His followers is demonstrated by His acceptance of the voluntary prayer, even if there was a shortcoming in the obligatory prayer.

\(^ {260} \) Mahmûd Al-Subkî, Al-Manhal Al-Mawrûd, vol. 7, p. 133.

\(^ {261} \) Ibn Daqîq Al-\(^ c\)Id, Sharh Al-\(^ s\)Umda, vol. 1, p. 20, from Ubayd Allah Al-Mubarakfûrî, Mishkât Al-Masâbîth, vol. 2, pp. 142-199.

\(^ {262} \) Alî Al-\(^ s\)Adawî, Al-Khurashi, vol. 2, pp. 21-22.

3.1.3. The legitimacy of Al-Sunan Al-Rawābib and their timing

Jurisprudents had different opinions on the legitimacy of such voluntary prayer.

1. The majority of scholars agreed on their legitimacy, that there are specific times for them, and that they deserve to be performed continually.

2. Al-Imām Malik’s opinion was that there was no specific time for these prayers.\(^{264}\)

   His reason for that was to avoid their impinging on the time of the *Fard* prayers; therefore he argued that only those who have fulfilled their obligation in this respect should pray the *Nafl*.\(^{265}\)

Scholars of the Mālikī School also have two different opinions in regard to the *Al-Nawāfīl Al-Qabliyya* (a voluntary prayer performed before the obligatory one):

1. That this kind of *Nafl* is only required when the person is waiting for the *Jamaʿa* prayer, and there is plenty of time before the *Fard* prayer; if that is not the case, then it is not allowed.\(^{266}\)

2. That it should be performed by every Muslim, whether he is waiting for the *Jamaʿa* prayer or not, when there is plenty of time, and it is better that this prayer be performed at the beginning of the time of the *Fard* prayer.\(^{267}\)


\(^{266}\) ʿAlī Al-ʿAdawī, *Al-Khurashī*, vol. 2, pp. 2-3.

On the issue of setting a specific time for these prayers, the Ḥanbalī opinion is that the time of each Nafl before the Fard, starts from the starting time of the Fard until the latter is performed, and the time of every Nafl performed after the Fard starts from the time the latter is performed until its designated period finishes.\(^{268}\)

Ṣaḥḥīḥī (d. 806 A.H./1403 A.D.) from the Shāfi‘ī School rejects this opinion, saying that in ʻĀ‘īsha’s narration of the Prophet’s Ḥadīth, it is said that when he missed the four Nafl rakā’ā before the Zuhur prayer he performed them after the two Nafl rakā’ās after Zuhur, which means that the Nafl before prayer could be performed any time until the end of the Fard time.\(^{269}\) This opinion was shared by another scholar in the same school, who said that the after-Fard Nafl cannot be prayed before the Fard, because it belongs specifically to the time after the Fard is performed, but the preceding Nafl can be prayed after the Fard, because the time during which it is applicable lasts until the Fard time is finished.\(^{270}\)

3.1.4. The number of Al-Sunan Al-Rawāḥib

Because of the different narrations that indicated different numbers of Al-Sunan Al-Rawāḥib, scholars have expressed different opinions as to their number.

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\(^{268}\) Abd al-Rahmān b. Qāsim, Hashiyat Al-Rawd Al-Murbi\(^{2}\), vol. 2, pp. 211-212.

\(^{269}\) Ibid.

1. The Ḥanafī School:

Al-Ṣubki in his explanation of Ṣunan Abī Dāwūd concluded that the number of Al-Sunan Al-Rawāib is twelve rakās, and that in the Ḥadīths there is clear evidence against Al-Ḥasan Al-Baṣrī’s (d. 110 A.D./728 A.D.) view that the two rakās before Fajr prayer are obligatory (as they were mentioned in Al-Tirmidhi’s version as one of Al-Sunan Al-Rawāib). He also agreed with Al-ʿAynī (d. 855, A.H./1451 A.D.) as they are from the same Ḥanafī School that, since the different narrations indicate different numbers of these Sunan, which in total amount to fourteen rakās, they should all be considered, even if the reward in the Ḥadīth was given for twelve of them.

Therefore, according to the Ḥanafī School there are twelve Al-Sunan Al-Rawāib: in two rakās before Fajr, four before Zuhur and two after it, two after Maghrib, and two after ʿIshā'.

On the other hand, they consider some Sunan as favourable, such as four rakās before ʿAṣr, four before ʿIshā’, two after the two Rāiba of Zuhur, two after the Rāiba of ʿIshā’, and six after the Maghrib prayer.

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271 Al-Tirmidhi, Ṣunan, Kitab Al-Ṣalāt. Section on who prays twelve rakās, no. 415.
2. The Ḥanbalī School:

In the opinion of the Ḥanbalī School there are ten Al-Sunan Al-Rawāʾib: two rakās before Zuḥur and two after it, two after Maghrib, two after ʿIshāʾ, and two after Fajr. They took this number from Ibn ʿUmar’s Hadīth that the Prophet prayed two rakās before Zuḥur and two after it, two after Maghrib, two after ʿIshāʾ, and two before Fajr.

However, there is another opinion in the school which is Ibn Taymiyya’s (d. 728 A.H./1372 A.D.) opinion that Al-Sunan Al-Rawāʾib are twelve rakās. This opinion was based on Al-Tirmidhi’s narration of this Hadīth and ʿĀ’isha’s Hadīth that the Prophet never omitted to pray four rakās before Zuḥur.274

In regard to the favourable Sunan after Al-Rawāʾib, there are also two different opinions, as is a characteristic of this school. The first is that there are twenty: four before Zuḥur and four after, four before ʿAṣr, four after Maghrib and four after ʿIshāʾ.275

The other opinion adds two more rakās after the Maghrib prayer, bringing the number to six.276 Ibn Qudāma (d. 620 A.H./1223 A.D.) criticised that view, on the ground that the Hadīth that mentions the four rakās after the Maghrib prayer is very weak.277

3. The Shāфиʿī School:

The Shāфиʿīs have five different opinions in regard to Al-Sunan Al-Rawāʾib:

1. that there are ten *rakās*, as in Ibn ‘Umar’s Ḥadīth; this is the majority view;

2. that there are eight *rakās*, two after ‘Ishā’ being left out;

3. that there are twelve; this view is reached by adding two more *rakās* before the Zuhur prayer, to bring the number to four;

4. that there are fourteen; this view adds two more *rakās* after Zuhur, which makes four;

5. that there are eighteen; this is based on the addition of four *rakās* before the ‘Asr prayer. 278

Some Shāfi‘ scholars tried to reconcile these opinions, pointing out that the minimum number of Al-Sunan Al-Rawdūt rakās is ten and the maximum is eighteen. 279

Al-Subkī (756 A.H./1355 A.D.) explained that every authentic Ḥadīth indicating a number for these Nawāfil should be accepted and followed; the degree to which they are desirable depends on how often the Prophet continued to pray them, or whether there are other Ḥadīth supporting the same Nafl. 280 Furthermore, Al-Nawawī (d. 261 A.H./1277 A.D.) indicated that the same applies to the different numbers of the rakās in the forenoon and Witr prayer, i.e. that praying the lesser number achieves the lowest level of the Sunna and the greatest number achieves the more perfect Sunna. 281 However, the Witr is a single prayer and the variation is in the number of the rakās,

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279 Ibid.
280 Ibid., p. 34.
281 Al-Nawawī, Sharh Sahih Muslim, vol. 6, p 9.
whereas the position in regard to Al-Sunan Al-Rawātib seems to be more complicated, because opinions vary on how many rakās there are for each prayer of Al-Rawātib.

4. The Mālikī School

The Mālikī School has a totally different opinion concerning the number of these Rawātib. They take the view that there is no set limit to their number, and argue that the numbers indicated in the Ḥadīths are not intended for limitation (which seems to be a strange opinion); therefore, whether a Muslim adds more rakās or confines himself to the number indicated, he will still have the same reward, but if he reduces them, then it will incur God’s displeasure.282

Regarding the Ḥadīth evidence for the sequence of the importance of Al-Sunan Al-Rawātib, in spite of the conflicting opinions on the numbers of Al-Rawātib in the four main schools, they seem generally to agree that the rakās before Fajr are the most confirmed. An exception is the Mālikī School, who believe that the Nafl is favourable at any time, but it is confirmed after Maghrib, before and after Zuhur, and before ʿAsr prayer.283 For the Ḥanafī School, after the Sunna of Fajr comes the Sunna of Maghrib, the Sunna after ʿIshā,284 the Sunna before Zuhur, after Zuhur, before ʿAsr and then before ʿIshā. Another opinion in the school is that the Sunna before and after Zuhur

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283 Ibid.
and after *Maghrib* are of the same level, and others say that the *Sunna* before *Zuhur* is more confirmed.\(^{285}\)

The *Hanbali* School agrees with the first opinion of the *Hanafīs*.\(^{286}\) No discussion of the sequence of *Al-Sunan Al-Rawatib* could be found in the *Shafi'i* books, but they have two opinions on which is more favourable, the *Rawatib* before or after the *Fard* prayer. The first opinion is that the after-*Fard* prayer is more favourable because the preceding ones are just an introduction to the prayer, but the prayer after *Fard* has the honour of following it. The other opinion is that they are equally worthy.\(^{287}\) This view appears to be more reliable for there is no evidence from the *Sunna* that one is preferred over the other. This section consists of four ḥadīths. In the first ḥadīth (1250-1), the meaning of the phrase (who prayed in a day) means every day and night; it is a general condition derived from *Al-Nisā'\(^{288}\)* and Ibn Mā'āṣ's\(^{289}\) narration reported from 'Ā'isha (who continued performing twelve *rakās*).

"A house in heaven will be built for him" refers to the situation where the worshipper's obligatory prayers were perfect and complete, but if they were incomplete then the shortfall will be made up from his voluntary prayer.\(^{290}\)

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\(^{288}\) In Kitāb Al-Qiyām, the Section on the reward for those who pray twelve *rakās*, ḥadīth number (1799), page (2206).

\(^{289}\) In Kitāb Iqāmat Al-Ṣalāt, the Section on the twelve *rakās*, ḥadīth number (1141), page (2543).

In *Sahih Muslim*\(^{291}\) Umm Habība said,

"I never left them,"

referring to the twelve *rak'ā* and the same point is made by 'Amr b. Aws, and Al-Nu'mān b. Sālim, which means that the reward is for who continues praying them. Scholars concluded from this that it is better for scholars to do likewise, with the purpose of encouraging people to continue performing these *rak'as*.\(^{292}\)

In *Hadīth* (1251-2) there is no mention of the 'Asr prayer, which confirms that there is no *Rā'ibā* for it.

In regard to the first lesson from this *hadīth* (praying *Al-Sunan Al-Rawātih* at home):

Some scholars disapproved of the performance of these prayers in the mosque, in the light of this *hadīth*, but the majority agree that these prayers can be performed in the mosque, although it is better that they are prayed at home. They supported their opinion with the following *hadīth*:

"The best of man's prayer is the one in his house, unless it is an obligatory prayer."\(^{293}\)

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\(^{291}\) In *Kitāb Ṣalāt Al-Musāfīrin*, under the Section on *Al-Sunan Al-Rawātib*, *ḥadīth* number (728), page (792).

\(^{292}\) Al-Nawawī, *Sharḥ Muslim*, vol. 6, p. 9.

\(^{293}\) *Muslim*, *Ṣaḥīḥ*, *Kitāb Ṣalāt Al-Musāfīrin*: the Section on the favourable voluntary prayer being the prayer in the house, *ḥadīth* number (1825), page (801).
Moreover, they argue, the Prophet used to perform his voluntary prayers in his house, even if he sometimes performed them in the mosque. The reason for the second opinion mentioned by Al-`Aynī, that praying these prayers in public is better, is so that people know them, and do not think that they represent an innovation in Islam. Al-Mubārakfūrī (d. 1353 A.H./1943 A.D.) agrees with this opinion, and argues that these prayers should be prayed in the mosque, especially by scholars, because people follow their example, so if scholars stopped praying them in the mosques, then other people would do the same and even stop performing them in their homes.294 However, it seems that these rakās are widely known among the Muslims. According to Ibn Hajar (d. 852 A.H./1448 A.D.), Malik (d. 179 A.H./795 A.D.) and Al-Thawrī (d. 161 A.H./777 A.D.), based their opinion (that the daytime Rawātib should be performed in the mosque and night-time ones should be prayed at home), on the Ḥadīth which indicated that the Prophet prayed two rakās before Zuhur, two after it, and two after Jumā in the mosque, and that the two rakās after Maghrib and `Ishā were in his house,295 but Ibn Hajar (852 A.H./1448 A.D.) rejected this opinion, arguing that this was not a deliberate decision by the Prophet, but a matter of circumstance because he was usually busy with people during the day and he was usually at home at night.296

295 Al-Bukhārī, Sahīh, Kitāb Al-Tahajjud, the Section on the voluntary prayer after the obligatory one, hadith number (1172), page (91).
Another *Hadīth*, which supports the view of the majority of scholars that *Al-Sunan Al-Rawāiib* should be performed at home, is narrated by *Ibn ʿUmar*: 297

"perform some of your prayers in your houses, and don’t make them as graves" 298

As for the Ḥanafī School, they prefer that these prayers should be performed in people’s houses, but they believe that the most important matter is the faithful intention with which the prayers are performed, in the hope of God’s reward. 299

On the opinion of Mālik and Al-Thawrī indicated before, Al-Nawawi, (d. 676 A.D./1277 A.H.) who is from the Shāfiʿi School, contradicts them by pointing out that the Prophet prayed the Ṭāhiba of the dawn and Friday prayers, which are daytime prayers, at home. 300 *Al-Iṣraʿīl* mentioned that the wisdom of praying *Al-Rawāiib* at home is that it is done in private, so in performing the prayers, the worshipper will be seeking to please God, not to impress other people. Another reason is that the house will be blessed by these prayers and Satan kept away from it. 301 According to *Ibn ʿUmar*’s narration, mentioned before, the Ḥanbalī School concluded that *Al-Rāhiba* of *Al-Maghrib*, Fajr and ʿIshā’ should be performed at home and the rest in the mosque.

297 Ibid., p. 62.
298 Al-Bukhart, Sahih, Kitāb Al-Tahajud, Section on the voluntary prayer in the house, ḥadith number (1187), page (92).
300 Zayn Al-Dīn Al-ʿIraqī, *Tarh Al-Tathrīb*, vol. 3, p. 36.
Another opinion in the school is that it makes no difference whether they are prayed at home or in the mosque.\textsuperscript{302}

The \textit{Mālikī} School had different opinions from the other main schools regarding \textit{Al-Rawāthīb}. They believed that it was better for strangers who visit the Prophet's mosque to pray \textit{Al-Rawāthib} in it, but the people of \textit{Al-Madīna} should perform these prayers at home. Moreover, as mentioned earlier, some believed that \textit{Al-Rawāthib} in the daytime should be performed in the mosque. \textit{Ibn Rushd} (d. 595 A.H./1198 A.D.), one of the famous scholars of the school, explained that if a person did not perform them in the mosque, he might become busy with his family at home and forget to perform them.\textsuperscript{303}

The fifth lesson that \textit{Al-Ṣaynī} concluded from the second \textit{ḥadīth} was not narrated as one of the observances the Prophet used to perform, but it is one of the possible ways in which a person may pray.\textsuperscript{304} \textit{Al-Ṣaynī} also pointed out that this state in praying is allowed by \textit{Abū Ḥanīfa}. \textit{Al-Subkī}, however, mentioned that although it is allowed by \textit{Abū Ḥanīfa}, he considers it undesirable.\textsuperscript{305} For the other three main schools, this condition is allowed.\textsuperscript{306}

\textsuperscript{302} Burhān Al-Dm b. Mufliḥ, \textit{Al-Mubdi'}, vol. 2, p. 15.
\textsuperscript{303} ṬAḥ Al-Ṣaynī, \textit{Al-Khurashī}, vol. 1, p. 6. See Also Muḥammad Al-Dustaqt, \textit{Ḥashiyat Al-Dustaqt}, vol. 1, p. 314.
\textsuperscript{304} Muḥammad Al-Mubarakpīrī, \textit{Mishkāt Al-Massābīh}, vol. 2, p. 145.
\textsuperscript{305} Maḥmūd Al-Subkī, \textit{Al-Manhal Al-Mawruḍ}, vol. 7, p. 136.
\textsuperscript{306} Khalīl Al-Sahīnafīrī, \textit{Badhl Al-Majhūd}, vol. 6, p. 373.
The scholars who allow this condition take the view that the Prophet referred in the Ḥadīth to voluntary prayer, and the people who prohibit it consider the prayer referred to in the Ḥadīth to be obligatory.

Al-Nawawī believed that this hadīth refers to voluntary prayer and whoever sits during the prayer, if he has the valid excuse of not being able to stand, has the same reward as one who stands for the prayer, but anyone who sits without an excuse has only half of the reward. He also explained that this hadīth cannot be considered as referring to obligatory prayer, for whoever sits during it without an excuse is not accepted, but one who has an excuse still earns a full reward. This is because standing during the prayer is one of the conditions that must be fulfilled for it to be considered to be performed correctly.

The Sunna of the Jum'a prayer is mentioned in Ḥadīth (1252-3), which states that the Prophet performed two rak'as after the Jum'a prayer. Other Ḥadīths indicate that the Prophet performed four rak'as after it. Therefore, jurisprudents varied in their opinions regarding the Sunna after Jum'a. Imām Ahmad favoured the two rak'as, while Abū Ḥanīfa favoured the four. Abū Yūsuf, who was from the Abū Ḥanīfa School, suggested six rak'as, in an attempt to combine the two narrations. This is not for the Sunna after Jum'a, but for the Sunna before it. The Ḥanbali do not favour any Sunna before

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Jum'a, but Al-Shāfi'ī considered the Sunna of the Jum'a prayer to be the same as the Sunna of the Zuhur prayer.

In regard to the Sunna before the Zuhur prayer in Ḥadīth (1253-4), the Sunna before the Zuhur prayer is four rak'as, whereas the previous Ḥadīth indicated that it is two rak'as. Jurisprudents have discussed this conflict and tried to reconcile the two narrations. Al-Dāwūdī (d. 945 A.H./538 A.D.) explained that Ibn ʿUmar and ʿĀ'ishah (the narrators of the two Ḥadīths) had each described what they had seen, or that Ibn ʿUmar had forgotten the other two rak'as and mentioned only two. Ibn Huṣayn believed that this was unlikely and his interpretation was that the Prophet sometimes performed two and other times four. Another possibility is that he performed two when he was in the mosque, and four when he was at home, or that he prayed two rak'as at his house, then a further two when he reached the mosque, he prayed another two. Therefore, Ibn ʿUmar saw only the two in the mosque, and ʿĀ'ishah knew about the four. Al-Ṭabarī (d. 310 A.H./922 A.D.) pointed out that the Prophet was accustomed to praying four rak'as before the Zuhur prayer in most situations, and that most of the Prophet’s companions also did so. Ibn Qayyim Al-Jawziyya (d. 751 A.H./1350 A.D.) had a

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309 Sharaf Al-Dīn Al-Ḥajawī, Al-Iqān Fī Fīqh Ahmad, vol. 1, p. 146.
311 Ibid.
312 Ibid.
different opinion, that these four rakās are separate prayers that the Prophet performed in the middle of the day, and not the Sunna of the Zuhr prayer.\textsuperscript{314}

3.2. Section Two: On performance of two rakās before the dawn prayer

Abū Dāwūd first started with general hadīths referring to Al-Sunan Al-Rawāhib, then he documented the hadīths related to each kind in turn, starting with Ḥadīth (1254-4).

In this Ḥadīth Al-Subkī considers Al-Ḥasan’s opinion that the Sunna of Al-Fajr is compulsory as an odd one, and explains that the Prophet’s continuing to practise this Sunna does not mean that it is compulsory, unless there is other evidence (Qarīna).\textsuperscript{315}

This opinion that these rakās are compulsory, was ascribed to Abū Ḥanīfa.\textsuperscript{316}

Muḥammad Ābdī (d. 1329 A.H./1919 A.D.) explains the reason for the scholars’ belief that these rakās are compulsory. He argues that, since they were confirmed in more than one ḥadīth, they are valued more than the ordinary voluntary prayer, but they are not obligatory (Fard), so they must be compulsory (Wažib). Others, who consider them voluntary, base their opinion on the fact that they were mentioned in the ḥadīth as such, though they acknowledge that the fact that they are confirmed makes them more favourable than any other voluntary prayer.\textsuperscript{317}

\textsuperscript{315} Maḥmūd Al-Subkī, Al-Manhal Al-Mawrūd, vol. 7, p. 140.
\textsuperscript{317} Muḥammad Ābdī, Fīlam Ahl Alʿsr bi Ahkām Rakʿatay Al-Fajr, pp. 21-22.
In contrast, it seems that this hadīth indicates that Al-Fajr Ra'iba is not obligatory, in the phrase:

"from the voluntary prayer."\(^{318}\)

It also points out the importance of these rakās and that the Prophet was accustomed to performing them more than any other voluntary prayer.\(^{319}\) Another hadīth which confirms the high status of this prayer is found in Sahih Muslim:

"The rakās of Al-Fajr is better than the whole universe with all that is in it" (Khayrun min Al-Dunyā wa mā Fihā\(^{320}\)).

For this reason, a Muslim who does not perform these rakās is losing a great reward from Allah and his omission reflects a weak faith.\(^{321}\)

3.3. Section Three: On observing the Sunan prayer of dawn shortly

The main point discussed in this section is that the Prophet used to pray the Fajr prayer in a short form, and that there were specific verses he used to recite which were also short. However, Ḥadīth (1258-8) is concerned with the importance of praying the Fajr prayer, and thus differs in emphasis from the rest of this section.

From the first hadīth (1255-5) various rules have been derived by the main schools of jurisprudence. Imām Mašik's opinion was that only Sūrat Al-Fāṭīha should be recited in

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\(^{318}\) Al-Nawawī, Sharh Sahih Muslim, vol. 3, p. 5.


\(^{320}\) Muslim, Sahih, Kitāb Ṣalāt Al-Musāfīrīn, section on the Sunna of Fajr prayer, no. 725, p. 792.

these rakās. The other schools interpreted them as indicating another Sūra after Al-Fātiḥa. However, Imām Abū Ḥanīfa believed that a long Sūra could be recited after the Fātiḥa, whereas the other schools argue that the Sūra should be short, as this was the way the Prophet performed it, as indicated in this ḥadīth and the following one. Abū Ḥanīfa based his opinion on other general ḥadīths which indicate that long prayers are preferable. Zayn Al-Ḥābidīn (d. 94 A.H./712 A.D.) mentioned another opinion of Imām Abū Ḥanīfa, that it is better for the recitation in these rakās to be short. The opinion of the majority of the scholars is that it is better that these rakās be short, because that is what is specified in this ḥadīth and in others. Ibn Hajar pointed to the wisdom of this prayer being short, so the dawn prayer can be performed at the beginning of its allotted time, or to start the day’s prayer with a short rakā.

In regard to the second Ḥadīth (1256-6), another ḥadīth which refers to these two Sūras was mentioned in Sahīh Muslim, narrated by Ibn Ḥumar,

I saw the Prophet for a month reciting in the two rakās before Fajr (Qul Yā Ayyuha Al-Kāfirīn and Qul Huwa 'Allūhu 'Aḥad.”)

(Say: O ye that reject faith, and say: He is Allah The One).

325 Zayn Al-Ḥābidīn, Al-Asbāḥ waʾl Naṣṣāʾīr, p. 169.
326 Muḥammad Āḥādī, Fīḥam Aḥl Al-ʿĀṣr, p. 32.
328 Muslim, Sahīh, Kitāb Ṣalāt Al-Musāfīrīn, section on the Sunna of Fajr prayer, no. 726, p. 792.
These Sūras are recited after Al-Fātiḥa, but this is not stated explicitly, because it is very well known Al-Fātiḥa that it should be recited in every prayer, and there is no evidence in this ḥadīth that Al-Fātiḥa should not be recited in these rakās.329

This ḥadīth disproves Imām Malik's opinion that Al-Fātiḥa should only be recited in these rakās. Another lesson from this ḥadīth is that reciting these Sūras, in particular in these rakās, is favourable.330

In Ḥadīth (1257-7), Al-Subkī offers an interesting explanation of the last word in the ḥadīth, which clarifies the relationship between the ḥadīth and the title of the section. He said that this word, Ajmaltuhum, means that the Prophet performed the two rakās very briefly,331 and this meaning is different from that indicated by Al-ʾAynī which is consistent with the title of the section.

Ḥadīth (1258-8) does not fit in with the title of the section,332 because the ḥadīths in this section are concerned with the recitation in these rakās, while this ḥadīth discusses its importance.

This ḥadīth is considered as Daʿīf. On the other hand, Al-ʾAynī's commentary on the chain of authority implies that it is not, and it seems that his commentary on ʾAbd Al-

330 Muḥammad Al-Bāntīrī, Maṣārīf Al-Sunan, vol. 4, p. 60.
332 Ibid, p. 141.
Ralbân, b. Ishâq is the same one mentioned by Al-Mundhirî in his explanation of this Ḥadîth.\footnote{Al-Ḥaфиз Al-Mundhirî, Mukhtasar Sunan Abî Dâwûd, vol. 2, p. 75.}

There are two explanations for the meaning of the Ḥadîth. The first one is that even if the enemy is chasing you on horseback and you are trying to escape, you should not neglect to perform these rak'as, but should try to perform them, even on horseback. The second explanation is that if your army are leaving their place, even in this limited time, if you are afraid that you will miss them, you should not omit to perform them.\footnote{Muḥammad Ābadîr, Ghâlām Ahl Al-Ṣârî, p. 9.}

Al-Subkî pointed out that this Ḥadîth is clear evidence in support of the view that these rak'as are compulsory, but the majority of scholars hold that this Ḥadîth is weak and even if it is not, they suggest that it exaggerates their importance, because these rak'as are mentioned in other Ḥadîths as voluntary prayers.\footnote{Muḥammad Al-Ṣâhîrî, Subul Al-Salām, vol. 1, p. 384.}

Al-Ṣâhîrî (d. 1182 A.D. 1672 A.H.) indicated that from Ḥadîth (1259-9) it can be concluded that it is permitted to recite a verse from the middle of a Sūra.\footnote{Muḥammad Al-Ṣâhîrî, Subul Al-Salām, vol. 1, p. 384.}

The lesson that Al-Ṣâhîrî derived from Ḥadîth (1260-10), that it is permissible to recite the Qurān aloud during the night prayer, was based on the opinion that the Prophet recited the Qurān aloud in these rak'as and the companions heard these exact
Sūras. Other hadīths support the opinion, but other scholars believed that the Prophet was not reading aloud, and that the Sūras were known from the fact that the companions heard some words of the verse and knew them.\textsuperscript{336} There are also other hadīths which indicate that the Prophet was not reading aloud, and it is believed that to say the Prophet was reciting aloud is more correct, according to the proofs from the hadīths.\textsuperscript{337}

3.4. Section Four: On lying down after praying the two rakēsas before the dawn prayer

The three hadīths in this section (1261-11, 1262-12, 1264-13) are related, in that they discuss lying down after the Fajr Sunna. The first hadīth suggests that one should lie down after the Fajr Sunna, the second one explains that the lying down should be before the Sunna, and the third one indicates that the Prophet woke the worshippers in the mosque to pray the Fajr prayer, which means that they were lying down before it and after the Fajr Sunna.\textsuperscript{338} In other copies of the Sunan Abī Dāwūd, there is another hadīth between hadīth (1262-12 and 1264-13), which should be (1263), which confirms that it is correct to lie down after the Fajr Sunna.\textsuperscript{339} As Al-ʿAynī indicated, there are different opinions as to whether such action is permissible and whether it takes place before or after the Fajr Sunna.

\textsuperscript{336} Muḥammad Ābdūt, Flam Ahl Al-ʿAṣr, p. 42.
\textsuperscript{337} Ibid.
\textsuperscript{338} Maḥmūd Al-Subkī, Al-Manhal Al-Mawrūd, vol. 7, p. 150.
\textsuperscript{339} The ḥadīth is ʿAʿisha’s narration that the Prophet, after he had prayed Fajr Sunna, if she was asleep lay down, and if she was awake, talked to her. Abū Dāwūd, Sunan Abū Dāwūd, vol. 2, p. 21.
On the first point, Al-Ṣan'ānī points out that ḥadīth (1260-11) clearly commands lying down after the Fajr Sunna, but because other ḥadīths make no mention of it after the Sunna, it is considered favourable.\(^{340}\)

There is a conflict between the first and the second ḥadīth in this section, regarding whether one should lie down before or after the Fajr Sunna. (Ibn Ḥajar reconciles the two opinions, and explains that “lying down before Fajr Sunna” in the ḥadīth, refers to the Prophet’s sleep between his prayer in the night and the Fajr prayer, and there is no mention of lying down after the Fajr Sunna in this ḥadīth, which means that it is not obligatory.\(^{341}\)) He suggested that the reason Ibn Mas'ūd rejected lying down (as mentioned by Al-ʿAynī) was that he was not aware of the ḥadīth that ordered it. He also said that Ibn ʿUmar’s calling it an innovation is odd.\(^{342}\) Some scholars are of the opinion that the Prophet lay down between the Fajr Sunna and Fajr prayer to separate them so that they would not appear to be one prayer. Those scholars who hold this opinion believe that any action may be performed between the Fajr Sunna and the Fajr prayer, to separate them.\(^{343}\) Al-Subkī’s comment on the first ḥadīth (when Marwān b. Al-Ḥakam asked Abū Hurayra if walking to the mosque was sufficient action to separate the Fajr prayer from its Sunna) is that the walking to the mosque is an act of

\(^{340}\) Muhammad Al-Ṣan'ānī, Subul Al-Salam, vol. 1, p. 386.

\(^{341}\) Ibn Ḥajar, Fath Al-Bāri, vol. 3, pp. 43-44. Ibn Bāṭal, Sharh Sahih al-Bukhārī, manuscript, vol. 1, chapter on praying at night, section on who talks after and not lay down (no page numbers).

\(^{342}\) Ibid.

\(^{343}\) Muhammad Abādī, Ḥijām Ahl Al-ṣAsr, p. 72.
worship and lying down after Fajr Sunna is another act of worship, because the Prophet ordered it, and neither of them could replace the other.\textsuperscript{344}

3.5. Section Five: On praying the two rak'as of the Sunan prayer while the Imām is leading the people in the obligatory dawn prayer

This section (1265-14 – 1266-15) is related to the case of a worshipper who enters the mosque and finds that the Imām has started the Fajr prayer, though the worshipper has not performed the Fajr Sunna. The question is, whether he should pray with the Imām or whether he should perform the Fajr Sunna first, and then continue the Fajr prayer with the Imām.

\textit{Al-\textsuperscript{5}Aynī} believed that the Fajr Sunna should be performed in this situation. He argued that in \textit{hadīth} (1265-14) the Prophet rebuked the worshipper, not for the performance of the Sunna, but because he did not separate the Fajr prayer from its Sunna by any action or speech. However, \textit{Al-Subkī} indicated that Muslim's narration explains that the worshipper prayed the Fajr Sunna in the corner of the mosque then came forward to perform the Fajr prayer with the Prophet, which invalidates \textit{Al-\textsuperscript{5}Aynī's} explanation.\textsuperscript{345}

As evidence for his view, \textit{Al-\textsuperscript{5}Aynī} cited another narration of the \textit{hadīth} (1266-15) including the words, “except for the Fajr Sunna”, but this addition is not authenticated, according to \textit{Ibn Qayyim Al-Jawziyya},\textsuperscript{346} (in the biography of “Abbad’s, one of the

\textsuperscript{344} Mahmūd Al-Subkī, \textit{Al-Manhal Al-Mawṣūd}, vol. 7, pp. 145-146.
\textsuperscript{345} Ibid., vol. 7, p. 153.
\textsuperscript{346} Ibn Qayyim Al-Jawziyya, \textit{Aṣlām Al-Muwaqqītīn}, vol. 2, pp. 339-340.
hadīth narrators, it is indicated that most scholars criticised him). Ibn Qayyim Al-Jawziyya also pointed out that the reward of the Fajr Sunna can be achieved by praying it after the Fajr prayer, and that there were situations in the companions’ lives when they prohibited the Fajr Sunna from being performed after the Imām had started the Fajr prayer. As a summary of scholars’ opinions on this matter, Abū Ḥanīfa and Mālik agreed that this Sunna can be prayed after the Imām has started the Fajr prayer. Al-Shafī’ī and Ahmad (d. 241 A.H. 855 A.D.) agreed that it was Makrūḥ.

Al-Nawawī tried to explain the wisdom of not performing any prayer other than the one that the Imām was performing, arguing that it was in order that the worshipper might concentrate on the obligatory prayer, which is more important than the voluntary one. Another explanation, offered by Al-Qādir ʿIyād (d. 533 A.H./1134 A.D.) was that it is in order to prevent the Sunna being mistaken for the obligatory prayer.

Ibn Ḥajar suggested that the reason for the Ḥanafi opinion was that there was a conflict in their point of view, between hadīths that ordered these voluntary prayers to be prayed and hadīths that prohibited them from being prayed after the Imām started praying the

\[\text{347 Al-Dhahabi, Mīzān Al-Itidal, vol. 2, p. 372.}\]
\[\text{349 Muhammad Al-Bantūrī, Maʿṣūrī Al-Sunan, vol. 4, pp. 73-74.}\]
\[\text{350 Al-Nawawī, Sharh Muslim, vol. 3, p. 223.}\]
\[\text{351 Ibid.}\]
obligatory prayer. Therefore, they tried to reconcile these ḥadīths in their interpretation.\(^{352}\)

3.6. Section Six: When should a person offer the two ṛakṣas of the dawn prayer (Sunan prayer) if he has missed it?

From Ḥadīths (1267-16) (1268-17) it is clear from Al-ʿAynī’s commentary on this ḥadīth that he does not agree with Al-Khattābī’s (d. 388 A.H. – 998 A.D.) opinion that the Fajr Sunna can be prayed after the Fajr prayer. His position is based, first, on the ḥadīth that there should not be any prayer after the Fajr prayer, until the sunrise. Muhammad Ābādī tried to reconcile these two views by saying that there are other special ḥadīths referring to prayers which are not included in the general prohibition, and that prayers prohibited the ones which Muslims pray voluntarily, not the voluntary ones that the Prophet specified. Another opinion, from Ibn ʿUmar and ʿĀiʾsha’s narrations, is that the meaning of prohibition in the ḥadīth is to avoid prayers being performed at the time of sunrise or sunset, and not for the whole of the period between them.\(^{353}\)

Al-ʿAynī’s second argument, that the chain of authorities is not connected because Muḥammad b. Ibrāhīm did not hear any narrations from Qyas, was rejected by Al-Shawkānī who asserts that there is another narration of the ḥadīth, which is connected,

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\(^{353}\) Ibid., pp. 163-164, 167.
and is mentioned in Sahih Ibn Hibban and Ibn Khuzayma: the chain of authorities is Yahyā b. Sa‘īd from his father, on the authority of his grandfather.354

Al-‘Aynī’s correction of Al-Khaṭṭābī’s citation of the Hanafi opinion is correct, as can be clearly understood from their books, and evidenced by the narration which indicates that the Prophet prayed the Fajr prayer and its Sunna after sunrise.355

3.7. **Section Seven: Four rak‘as before and four after the noon prayer**

A previous ḥadīth (1253-4) referred to the same point, namely the four rak‘as before Zuhur, and a discussion as to whether there should be four or two was presented there on page 100.

In ḥadīth (1269-18), Al-‘Aynī pointed out another narration in Sunan Al-Tirmidhī, narrated by Al-Qāsim b. ‘Abd al-Raḥmān. Among those who supported his narration is Ibn Ma‘in, though Imām Aḥmad has classified this ḥadīth as ḍarṭī.356

In the same ḥadīth the phrase “the fire shall not burn him” Ḥaruma ḥAlī Al-Nār means that if one continues to pray these rak‘as, Allah will guide him to the right way and

forgive his sins.\textsuperscript{357} This reward, however, is only given to those who perform them regularly and not those who do so only once.\textsuperscript{358}

In *ḥadīth* (1269-18) Al-\textsuperscript{5}Āynī discussed the question of whether the four rak\'as are separated into two pairs or whether they are all performed together at once. However, the *ḥadīth* after it (1270-19) indicates that they should all be prayed together, without separation. These two *ḥadīth* discuss the same topic, which is the four rak\'as before Zuhur and four after it. The opinion of Al-\textsuperscript{5}Āynī on this question is also expressed in his book, *Al-Bināya*.\textsuperscript{359} The evidence of the Shāfi\'ī School is *Ibn țUmār*’s *ḥadīth* (1252-3), mentioned previously. The basis of this difference between the Shāfi\'ī and Ḥanafi Schools is that the Shāfi\'īs believe that voluntary prayers, day and night, should be divided into pairs of rak\'as, but the Ḥanafi School believe that in the daytime, they should be in groups of four rak\'as.\textsuperscript{360} In *Ṣaḥīḥ Al-Bukhārī*, there are various narrations that support the Shāfi\'ī opinion.\textsuperscript{361} *Ibn Ḥajar* pointed to Yaḥyā b. Sa'ād Al-Ānṣārī’s narration: “The jurisprudents of our land pray rak\'as in the daytime in pairs.”\textsuperscript{362}

\textsuperscript{357} Al-Mubārakfūrī, *Mishkāt Al-Masābīh*, vol. 3, p. 149.
\textsuperscript{358} Al-Sahānafī, *Badhl Al-Maḥdūd*, vol. 7, p. 4.
\textsuperscript{359} Al-\textsuperscript{5}Āynī, *Al-Bināya Fi Sharh Al-Hidāya*, vol. 2, p. 612.
\textsuperscript{360} \textsuperscript{5}Abd Al-Riḥmān Al-\textsuperscript{5}Irāqī, *Tārīkh Al-Tathbīkh*, vol. 3, pp. 48-49, and for more information on the evidence of each School see Al-Sarkāst, *Al-Mabsūt*, vol. 1, pp. 158-159. Al-\textsuperscript{5}Āynī, *Mināt Al-Sulūk*, manuscript, p. 53
\textsuperscript{361} Ibn Ḥajar, *Fath Al-Bārī*, vol. 3, pp. 48-49.
\textsuperscript{362} Al-Bukhārī, *Ṣaḥīḥ*, Kitāb Al-Tahajjud, section on praying voluntary prayer in two rak\'as, p. 91.
There is another opinion, mentioned by Ābādī in his book *Awn Al-Mabūd*, that the four rakʿas in ḥadīth (1270-19) are not the Sunna before Zuhur but another voluntary prayer called Sunnat Al-Zawār, the midday prayer, and that Ibn Qayyim Al-Jawziyya was also of this opinion.\(^{363}\) Al-Mubārakfūrī believes there is no authentic ḥadīth that requires either the two rakʿas or the four; therefore either is acceptable.\(^{364}\)

### 3.8. Section Eight: The Sunan prayer before the afternoon prayer

These two ḥadīths (1271-20 – 1272-21) seem to conflict, because one mentions four rakʿas and the other mentions two, but some scholars have suggested that the number is optional and believers can choose between them, although four rakʿas are better.\(^{365}\)

### 3.9. Supererogatory prayer after the afternoon prayer

Regarding ḥadīth (1273-22), Al-Nawawi's opinion, mentioned by Al-Šaykh, is in his book *Sharḥ Sahih Muslim*, as are the lessons from the ḥadīths that Al-Šaykh indicated, except for one that is contrary to his belief, namely, that the daytime prayers performed in pairs.\(^{366}\) Al-Nawawi explained his opinion saying that Muslims can follow the

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\(^{366}\) Al-Nawawī, *Sharḥ Sahih Muslim*, vol. 5, p. 121.
Prophet’s timing of his prayer (which means that they can pray some nafl prayers such as Al-Sunan Al-RawMi after their time ends at the prohibited times), but the practice of praying two rak'as after the 'Asr prayer is applicable to the Prophet only. It would be reasonable to agree with Al-Nawawi’s opinion, for it could be understood from 'A‘isha’s narration, “If the Prophet started to pray a prayer he would continue praying it at the same time.”

In regard to the addition to the hadith that Al-Ayn cited as evidence that the voluntary prayers should not be prayed after their time ends, Al-Hafiz Al-Haythami’s (d. 807 A.H./1404 A.D.) comment on this hadith is that it was narrated by Imam Ahmad and Ahmad’s chain of authority were the men of the Sahih. However, Abadi has a different opinion. He says that Hammad b. Salama (one of the hadith authorities) was trusted, but in later life his memory weakened, according to Ibn Hajar’s description of him. Hammad also is the only scholar who mentions this addition, and although it should be accepted, because Hammad is a trusted authority, his narration conflicts with that of 'Amr b. Al-Harith, who is considered even more trustworthy than Hammad.

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367 Ibid.
368 Muslim, Sahih Muslim, Kitab Salah Al-Musafirin, the Section on the two rak'as after 'Asr, hadith number (298), pp. 8-9.
369 Al-Shafi‘i, Al-Umm, vol. 1, p. 149.
which means that the evidence of Hanaaf School (that the voluntary prayer before Asr prayer could not be prayed after it) is doubtful.

3.10 Section Ten: The permissibility of praying the two rak'as after the afternoon prayer, when the sun is at its height

In hadith (1274-23), Al-Ayni pointed out hadith (1276-25) to support his opinion, because the two hadiths are Sahih and conflict. He indicated some scholars’ explanations to reconcile them. However, that hadith (1275-24) is not documented in the six main hadith books, and al-Albani considered it as Dafif.373 It seems that Abu Dawud mentioned this hadith, despite its being Dafif, to support the meaning of the previous hadith (that it is permissible to pray after the Asr prayer, as long as the sun is bright).

Mahmud al-Subki (d. 1352 A.H./1933 A.D.) argues that this hadith and the following hadiths in the section are not appropriate to be classified under this section and should be classified under the title, “Undesirability of praying after the Fajr and Asr prayers”.374

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373 Al-Albani, Dhaif Sunan Abi Dawud, p. 99.
Ibn Ḥajar does not agree with al-Nawawī’s opinion on hadīth (1276-25) that there was an agreement among scholars that general voluntary prayer performed without a specific reason in the two periods of time mentioned in the hadīth is undesirable. He claims that there are other scholars who are of the opinion that it is permissible to perform any prayer at these times, while others prohibited all prayer in them. He also opposed Al-Tirmidhī’s opinion on hadīth (1278-27). However, hadīth (1279-28) indicates that the Prophet used to pray after the ḥaḍāth. Al-Ḥāfīz referred to Al-Kirmānī’s (d. 786 A.H./1384 A.D.) opinion in Ḥaḍāth al-Qātīrī in rejecting the opinion that the Prophet prayed after the Ḥaḍāth prayer to clarify that it is not prohibited, but unfavourable. Al-Kirmānī believed that if the Prophet had prayed after the Ḥaḍāth prayer for that reason, then he need have done so only once and there would be no need to continue praying afterwards, as indicated in this hadīth. However, the next hadīth (1280-29) clarifies that to do so was one of the Prophet’s privileges.

3.11. Section Eleven: Prayer before the sunset prayer

Ḥadīth (1281-30) seems to prove that praying two rakʿas before the Maghrib prayer is not merely permissible, as Al-Ḥāfīz indicated, but is favourable. This is also the opinion of Al-Ṭabarī, who cites this hadīth as one of the strongest evidences of these rakʿas being favourable, and some scholars believe the worshipper should perform ablution in

376 Al-Ḥāfīz, Ḥaḍāth al-Qātīrī, vol. 5, p. 86.
advance, so that he does not delay the *Fard* prayer from the time (the *Maghrib* prayer).\(^{377}\)

In spite of the fact that *hadîth* (1282-31) is general and did not mention the two *rakâs* before the *Maghrib* prayer in particular, *Abû Dâwûd* might have drawn attention to it in this place to prove that these *rakâs* are permissible.

\textit{Al-\'Aynî} indicated that some scholars considered the *hadîhs* about these *rakâs* to have been abrogated. Among these scholars was *Abû Ja\'far Al-\'Ahnaf*, (one of the famous scholars of the Hanafî School) who believed that these *hadîhs* were abrogated by *Burayda*’s narration that there are two *rakâs* of voluntary prayer for each obligatory prayer except for the *Maghrib* prayer\(^{378}\) and that the narrations about the companions performing these *rakâs* arose because they did not know about the abrogation. He also explained that in *hadîth* (1282-31) *Adhân* means the real *Adhân*, not as *Al-Aynî* said, *Al-Adhân* and *Al-Iqâma*. Based on this argument, *Al-\'Ahnaf* gave the narrations that prohibited these *rakâs* precedence over others that allowed them.\(^{379}\) On the other hand, *Al-\'Imam Al-Nawawî* believes that the *hadîhs* ordering these *rakâs* to be prayed cannot be considered abrogated, because an

\(^{377}\) Ibn Hajar, \textit{Fath Al-Bâri\textsuperscript{t}}, vol. 3, p. 60.

\(^{378}\) This *hadîth* is Da\'if because one of the narrators *Hayyân* b. *Ubayd Allah* is Da\'if. *Al-\'Ahnaf*, \textit{Mushkal Al-\'Athar}, vol. 14, p. 116.

\(^{379}\) Ibid., pp. 113-123.
abrogation should not be deduced unless it is impossible to reconcile apparently conflicting *hadīths*; moreover, the dates of the narrations need to be known, which is not the case in this situation.\(^{380}\) He also believed that there is little time before the *Maghrib* prayer and the two *rak'as* will not delay the *Maghrib* prayer beyond its due time.\(^{381}\)

In *ḥadīth* (1283-32) as *Al-ʾAynī* concluded from the phrase *Fa lam Yaʾmurnā* (did not order us), that this prayer is not favourable. On the other hand, *Al-Ṣubki* concluded from the same phrase\(^{382}\) that it is not hateful, which means that this phrase is neutral.

*Ibn Qayyim Al-Jawziyya* believes that the Prophet did not pray these *rak'as* before the *Maghrib* prayer nor did he prohibit this prayer when he saw his companions praying it, which means that he allowed them to pray. Therefore, these *rak'as* are favourable, but not part of the twelve *rak'as* that were named *Al-Rawāib*.\(^{383}\)

However, *ḥadīth* (1284-33) conflicts with the previous *ḥadīths* which are considered *Ṣaḥīh* and for that reason have greater authority. Some scholars suggested that the reason it might be unfavourable for Muslims to pray the two *rak'as* before the *Maghrib* prayer is that they do not all do so at the same time. If the *Imām* has to wait for them to

\(^{380}\) *Al-Nawawī*, *Sharḥ Sahīh Muslim*, vol. 6, p. 124.

\(^{381}\) Ibid.

\(^{382}\) *Al-Ṣubki*, *Al-Manhal Al-Mawrūd*, vol. 7, p. 184.

\(^{383}\) *Ibn Qayyim Al-Jawziyya*, *Zad Al-Maʾād*, vol. 1, p. 80.
finish, this will delay the *Maghrib* prayer, while, if he does not wait for them, some would still be praying when it was time for the *Iqāma*, which is equally hateful.\footnote{Al-Saharnafruit, *Badhl Al-Majhūd*, vol. 7, p. 22}

3.12. **Section Twelve: Prayer before midday (Duhā prayer)**

In *ḥadīth* (1285-34), *Al-Qādir* ‘Iyāḍ mentioned, regarding the meaning of (*Yusbiḥ Alā Kulli Sulāma*) that each bone of a human body which remains safe from disease has to give thanks to God who protected it.\footnote{Ibid., p. 28.}

*Al-Subkī* believes that the reason the *Duhā* prayer is to replace all alms is because it occurs at a time when people are normally busy at their work and are not thinking about worship,\footnote{*Al-Subkī*, *Al-Manhal Al-Mawrod*, vol. 7, p. 189.} so they have to take time off work to pray this prayer.

In regard to *ḥadīth* (1288-37), this *ḥadīth* is an abbreviated version of a longer one in which the *Duhā* prayer was mentioned.\footnote{The full narration of this *ḥadīth* is in Musnad Ahmad b. Ḥanbal, *Al-Saharnafruit*, *Badhl Al-Majhūd*, vol. 7, p. 32.} But in *Abū Dāwūd*’s narration there is no clear connection to the *Duhā* prayer and it seems to be general. Nevertheless, *Al-Subkī* indicated that the prayer mentioned in the *ḥadīth* is the *Duhā* prayer, and that it is prayed after the *Fajr* prayer when the sun rises.\footnote{*Al-Subkī*, *Al-Manhal Al-Mawrūd*, vol. 7, p. 191.}
However, in ḥadīth (1289-38), Ibn Taymiyya’s (d. 728 AR/1327 A.D.) opinion is that the four rakās in the ḥadīth refer to the Fajr prayer and its Sunna, not the Duḥṣā prayer. 389

In respect of ḥadīth (1290-39), with regard to the meaning of the word Subḥa, Ibn Ḥajar explained that it means the voluntary prayer (Nāfīla) and it is derived from Al-Tasbīḥ. An example of this usage in the Quran is

(Falawla Annahu Kāna Mina Al-Musabbiḥīn).
(Had it not been that he (repented and) glorified Allah (37:143)).

Another is

(Fa Subḥāna Allāhi Ḥīna Tumsūna wa Ḥīna Tūṣbīḥān).
(So glory be unto Allah, when ye reach eventide and when ye rise in the morning (30:17)).

In regard to the different opinions of the number of the Duḥṣā prayer rakās, Al-Nawawī believes that the minimum is two and the maximum is eight, but four or six rakās are also acceptable. 390

On the other hand, other opinions suggest that it can be as many as twelve rakās. All these opinions can be supported from the ḥadīths. 391 Ibn Qayyim Al-Jawziyya believes that each narrator described the number he knew or saw and there is no set number. 392

390 Al-Nawawī, Sharḥ Muslim, vol. 5, p. 230.
In general, the opinion of the main schools, the Shafi’ī, Malikī and Hanbali Schools, is that the least is two rak’as and the most is eight, while in the Hanafi School the most is twelve.\(^{393}\)

In ḥadīth (1291-40), regarding the phrase, “no-one saw him praying them after”, Al-Subki’s opinion is that this is considered ʿĀ’isha’s knowledge, but it does not mean that the Prophet did not pray them afterwards.\(^{394}\)

From this ḥadīth and the previous one, the scholars concluded that eight rak’as is more favourable than the other numbers, as this was the number most often performed by the Prophet.\(^{395}\)

Another opinion that tries to reconcile between the ḥadīths is that of Al-Qādir ʿIyāḍ, who argued that ʿĀ’isha rejected performance of eight rak’as of Ḍuḥā prayer, because the Prophet at first used to pray four, then he increased the number, which is why she denied that the Prophet always prayed eight rak’as.\(^{396}\) He agrees with Al-ʿAynī and Al-Nawawī that this prayer is favourable but that the Prophet did not perform it habitually because he did not want people to take it as obligatory, as this would be hard on them.\(^{397}\)

\(^{397}\) Ibid., p. 54. See also Al-Nawawī, Sharh Muslim, vol. 5, p. 230.
Also, with regard to Ibn 'Umar's narration that he does not think that the Prophet prayed the Duḥā prayer, Ibn Ḥajar believes that Ibn 'Umar’s denial could be explained by the fact that he did not see the Prophet performing this prayer. Ibn Ḥajar quoted Ibn Al-Munir (d. 683 A.H./1284 A.D.) as saying that when Al-Bukhārī found conflict between the hadīths he classified hadīth (1292-41) under the Prophet's prayer while travelling.

In spite of 'Aynī's belief that the Duḥā prayer is favourable, some scholars in his School (Hanafi) did not consider it among the favourable prayers and did not mention it in their books of prayer, because of the conflict between narrations, but Ibn Najm’s (d. 970 A.H./1562 A.D.) opinion is that it is favourable, for the same reasons given previously.

Another hadīth in which the Prophet’s Duḥā prayer is not supported is hadīth (1293-42). Al-Qāḍī 'Iyāḍ explained that the word Qaf means that the Prophet was not seen to pray it, not that he did not pray it.

Al-Nawawī indicated that this hadīth shows the Prophet’s compassion for the Muslims, and that if there was any conflict between the rules concluded from the hadiths, priority should be given to the most important.

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From all foregoing hadīths that explained the Prophet's order to perform this prayer and 'Ā'ishah's narration that he never prayed it, scholars' opinions about this prayer differed.

Six opinions can be identified according to Ibn Qayyim Al-Jawziyya: the first is that it is favourable (and this is the opinion of the four Schools); second, that it is not prayed unless there is a reason for it; third, that it is not favourable to pray it; fourth, that it is appropriate to pray it sometimes but not always; fifth, that it is appropriate to pray it at home but not in the mosque; sixth, that it is an innovation. Ibn Qayyim Al-Jawziyya agrees with the second opinion.

In ḥadīth (1294-43), Al-Āynī pointed out that there is no relationship between the hadīth and the section on Duḥā prayer, but it could be that Abū Dāwūd believed that this hadīth shows that the Prophet did not pray the Duḥā prayer, especially as this hadīth came after the narration confirming that he did not pray it. Alternatively it may mean that the Prophet did not pray the Duḥā prayer in the mosque. This seems likely, since the hadīth refers to the sunrise, which is the time when the Duḥā prayer starts, ending a while before Zuhur prayer.

3.13. Section Thirteen: Prayer by day

To reconcile the narrations in hadīths (1295-44) and (1296-45) that mentioned praying in pairs and others that indicate four rakās are prayed together, the majority of scholars believe that performing the prayers in pairs (two rakās together) is preferable because

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the Prophet prayed in two rak'as, or it could be that he wanted to indicate the easiest way because praying in pairs is easier than in four rak'as.404

3.14. Section Fourteen: Prayer glorifying Allah

In ḥadīth (1297-46), the phrase (Ya ṣAbbās Ya ṣAmmān) was repeated by the Prophet to draw more attention to it, and he also used similar words (Alā ʿUṭīk Alā Amnāḥūk) for the same reason and to make his uncle more keen to know about this prayer. He also detailed the kinds of sins that will be forgiven, to encourage people to pray this prayer.405

The same approach is reflected in ḥadīth (1298-47), in which the Prophet is said to have ordered ʿAbdullāh to come to him the next day, to make him more anxious for an answer.406 Abū Dāwūd mentioned Al-Mustamir's and Rawh's narrations to strengthen the ḥadīth with these different narrations.407

There are differences of opinion related to the Tasbīḥ prayer. Some scholars trusted the relevant narrations, while others thought they are weak, so that the Tasbīḥ prayer is not required. For example, in the Ḥanbalī School there is more than one opinion. Imām Alḥmad did not favour this prayer, because he did not believe that the ḥadīth mentioning it was authentic. Other scholars in the school believe that even if the ḥadīth is weak, the

prayer could be used in voluntary worship. In the Shafi‘i School, some scholars favoured this prayer but Al-Imām Al-Nawawī disagreed with them, believing that the way it is prayed differs from the usual form of prayer and the ḥadīth is certainly not authentic. However, in his book *Tahdhib Al-Asmā* he characterised it as favourable. Al-Shirbīnī, in his commentary on Al-Nawawī's book *Al-Minhāj*, indicated that Al-Nawawī did not mention this prayer among the voluntary prayers, although and Al-Shirbīnī himself considered it to belong in that category. Ibn Ḥajar also believed that all the narrations of the ḥadīth are weak and even if Ibn ʿAbbās's narration is Ḥasan, the prayer is exceptional and differs from the usual form of prayer. However, in his book, *Al-Khīsāl Al-Mukaffira* he corrected this ḥadīth.

Among the scholars that favoured this prayer are Abū Dāwūd, Muslim, Al-Subkī, Ibn Al-Ṣalāḥ, Al-Mundhirī and others, and among the scholars that did not are Ibn Al-ʿArabī, Ibn Taymiyya, Al-Mizzī and even Ibn Al-Jawzī mentioned its ḥadīth in his book *Al-Mawdīfāt* (fabricated ḥadīths) which was criticised by several scholars, including Ibn Ḥajar.

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412 Ibid., p. 7.
414 Ibid.
From the aforementioned information it seems that no clear conclusion has been drawn by scholars regarding whether this prayer should be performed or left out, and this gives the worshipper the choice to select from those opinions what is appropriate for him.

3.15. **Section Fifteen: Where the Sunan of the sunset prayer should be offered**

This section discusses the Sunna of the *Maghrib* prayer which is considered one of the *Rawātib Sunan* (more confirmed than other voluntary prayers), specifically, whether it was to be prayed at home or in the mosque. The section includes two *ḥadīths* which are conflicting. The first one (1300-49) confirms that this prayer should be performed at home, while the other reports that the Prophet performed it in the mosque. However, the first *ḥadīth* is considered *Hasan* and the other *ḥadīth* is *Da'if*, which means the first *ḥadīth* is given more credence than the second one.

The opinions of the scholars regarding this matter vary. In the Ḥanafī School, if the worshipper is afraid that, if he leaves this prayer until he gets home after praying the *Maghrib* prayer in the mosque because he will be busy with other things, then it is better to pray it in the mosque, but if he has no such worry, then he should pray it at home.\(^{415}\)

On the other hand, *Ibn Qayyim Al-Jawziyya* indicated that no authentic narration pointed out that the Prophet ever prayed this Sunna in the mosque; on the other hand,

his praying them in his house\textsuperscript{416} is indicated in Ā‘ishā’s narration mentioned previously (1251-2) and \textit{Al-‘Aynī} recounted this in a discussion whether it is better to pray voluntary prayers in the house or in the mosque.\textsuperscript{417} Another point that is useful to add is the wisdom behind praying voluntary prayers in general at home. Some reasons were given, including that this prayer will bring blessing to the house.\textsuperscript{418} This reason was inferred from the narration:

\begin{quote}
"If one of you finished praying his obligatory prayer in the mosque, he should pray voluntary prayer in his house so that it will be a reason to bless it."\textsuperscript{419}
\end{quote}

Another reason is that if people saw these prayers performed in the mosque, then they might believe they are obligatory, and become confused.\textsuperscript{420}

3.16. Section Sixteen: On the prayer after ‘\textit{Ishā’}\textsuperscript{421}

Previous hadīths (1251-2) (1252-3) pointed to different numbers of rak‘as after the ‘\textit{Ishā’} prayer, and scholars reconciled the hadīths by saying that the first two rak‘as which were mentioned in the two previous hadīths are the confirmed ones and the Prophet always prayed them, whereas the second and third pairs of rak‘as mentioned in this hadīth or previously in hadīth (1253-4) are favourable.\textsuperscript{421} In hadīth (1303-52)

\textsuperscript{416} Ibn Qayyim, Al-Jawziyya, \textit{Zād Al-Ma‘āfī}, vol. 1, p. 80.
\textsuperscript{417} For more details see p. 3.
\textsuperscript{418} Ābdī, “Awn Al-Ma‘būd, vol. 4, p. 184.
\textsuperscript{419} Muslim, \textit{Sahih}, Kitāb Šalāt Al-Musafīrin, Section on praying voluntary prayer at home, no. 778, p. 801.
\textsuperscript{421} Al-Sahānafīr, \textit{Badhil Al-Majhūd}, vol. 7, p. 57.
"Ā'isha mentioned four or six rak'as. This does not mean that there was doubt, but that the Prophet sometimes prayed four and sometimes six.⁴²²

Night prayer

This section is a very long one which continues until the end of the portion of the Šarḥ edited in this thesis. It is divided into sub-sections, each of which discusses a rule or several rules related to Qiyān Al-Layl (Ibn Qayyim Al-Jawziyya summarised the rules or dimensions related to this issue). These rules are derived from the large number of ḥadīths that considered Qiyān Al-Layl. The first concerned whether or not Qiyān Al-Layl was obligatory for the Prophet; the different opinions of scholars on this matter reflect their interpretations of Surat Al-Muzzamil. The second point is that the Prophet habitually performed the night prayer, even when he was on a journey, which indicates the great importance attached to this prayer and the high reward for performing it. Even if he could not perform it at night, he would pray twelve rak'as in the daytime. Another issue is the number of rak'as that should be performed. This was an important matter discussed by scholars, and the most widespread opinion is that their number was eleven or thirteen, as mentioned in several ḥadīths. Some of the Prophet's habits with regard to the night prayer were indicated by scholars. One of them was the use of a Siwāk after he woke up to pray. Other issues include the time at which this prayer should be performed, i.e. after midnight or before it, and the claim that the Prophet used to start

⁴²² Ābādī, Ṣawāq Al-Mašūd, vol. 4, p. 186.
this prayer with two short *rak'as*. The manner in which this prayer should be performed, whether sitting or standing, is considered, as is the position in which the Prophet used to sit during this prayer. The last matter discussed by the scholars, was how the Prophet read or recited the *Qur'an* in this prayer. It is said that he sometimes recited it silently and sometimes aloud, and that he used to pray this prayer when mounted.\(^{423}\) Another important point that has been emphasised by scholars is the place of this prayer among other voluntary prayers, based on the large number of *hadiths* explaining it. In this respect, scholars differ in opinion as to whether this prayer is *Sunna* (voluntary) or *Wajiba* (obligatory). All these issues and the different opinions of scholars will be discussed in detail in the following sub-sections.

3.17 Section Seventeen: Abrogation of the nighttime prayer, and convenience in it

The section consists of two *hadiths*, *hadith* (1305-53), and *hadith* (1305-54). This section discusses two important issues. The first one is the rule of compulsory order of *Qiyām Al-Layl* and the second is the time when the compulsory character of *Qiyām Al-Layl* was abrogated.

In regard to the first point, scholars hold different opinions as to whether the *Witr*\(^{424}\) prayer is obligatory or confirmed *Sunna*. The majority of scholars believe it is

\(^{423}\) Ibn Qayyim Al-Jawziyya, *Zad Al-Maad*, vol. 1, pp. 84-89.

\(^{424}\) It is common among *hadith* scholars to call the night prayer the *Witr* prayer, although the latter is only part of it, because ٥٣ 'isha used to name it by this name. See Muhammad Zakariyya, *Awjaz Al-Masālik*, vol. 2, p. 325.
Sunna, while the Ḥanafī School believe it is Wājib. Al-ʿAynī, in his books, supported the opinion of Abū Ḥanīfa and, moreover, defended it, rejecting all the objections of other scholars and offering explanations to counter them. He indicated that in fact Abū Ḥanīfa had put forward three opinions on this matter. The view that the Witr prayer is Wājib (obligatory) is the best known opinion and the one mentioned in most Ḥanafī books. Al-ʿAynī supported this opinion, as mentioned previously. The second view is that it is Farḍ (compulsory), and the third is that it is confirmed Sunna.

On the other hand, a view among some scholars that this prayer is not obligatory was pointed out in Awyaz Al-Masālik (Mālik's book) and Ibn ʿAbd al-Barr indicated that the Prophet prayed the Witr while riding, whereas he never performed obligatory prayers while riding, which means that Witr is not obligatory. Imām Shāfiʿī believed that the Witr prayer is not obligatory, basing his opinion on the verse

"Fa-iqrā'ū Mā Tayassara Min al-Qur'ān" (so recite as much of the Qurān as may be easy for you) 73:20

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426 The meaning of Al-Wājib differs between the Ḥanafī School and other scholars. In the Ḥanafī School, Wājib is what has been ordained with doubtful evidence (Shubha), and it is judged in the same way as Al-Fard in regard to action, but not belief (Fiqād) so that the unbeliever will not be considered as a rejector of faith. However, in other scholars' definitions, Wājib and Fard receive the same judgement. See Qāsim Al-Qunawī, Ans As Al-Fuqahā', pp. 101-102.
427 Al-ʿAynī, Umdata Al-Qārī, vol 5, pp. 427, 429. Al-ʿAynī, Minhat Al-Sulāk, manuscript, p. 55
431 Ibn ʿAbd al-Bar, Al-Kaft, p. 261.
which means to pray as much as the worshipper is able to pray. He said this abrogation was confirmed by the *Sunna* that ordered only five obligatory prayers for Muslims to pray each day; the *Witr* prayer was not among them.\(^{432}\) *Imān Ahmad*’s opinion as expressed in the books of his school was clearly that the *Witr* prayer is confirmed *Sunna*.\(^{433}\)

From the aforementioned information, it can be seen that there was strong agreement between *Al-İ'n* and *Abū Hanîfa*’s opinions, even though the latter’s famous students, *Abū Yusuf* and *Muḥammad b. Al-Ḥasan Al-Shaybâni*, disagreed with him as they believed that the *Witr* prayer is confirmed *Sunna* and not obligatory. This agreement of *Al-İ'n* with *Abū Hanîfa* supports the criticism levelled at him, that he held fanatically to *Abū Hanîfa*’s opinions.\(^{434}\)

The second issue that was discussed in this section is the period between the time of the *Witr* prayer being obligatory, and the abrogation of this rule. *Al-Subkî* pointed out the opinion of *Ibn 'Abbâs* and *Ibn Al-Jawzî* that the order contained in the verse “*Fā’Iqra‘ū Mā Tayassara Mina Al-Qurān*” (recite you of the *Qurān* as much as may be easy for you) 73:20

imposed an obligation to perform this prayer during part of the night but not all the night, which reduced the obligation, then after the obligation to perform prayers five times a day was imposed, the obligation to perform this prayer was completely

\(^{432}\) *Al- Shafî‘*, *Al-Risāla*, p. 115.

\(^{433}\) *Ibn Qudâma*, *Al-Kaft*, vol. 1, p. 149.

\(^{434}\) This criticism was indicated by Ābâdî in his book *I'lam Ahl Al-5Asr*, p. 130.
abrogated; the period between the obligation and the abrogation was two years. However, Al-Subkī believes that the *Witr* requirement was abrogated by the imposition of the five prayers, because in the narration of Ḍimān b. Tha'labā, when he asked the Prophet about obligatory prayers, the Prophet mentioned only the five daily prayers.\(^{435}\)

In general, there are different opinions regarding the time between the obligation and the abrogation. Some believe it was a year, others that it was sixteen months, and others that it was ten years.\(^{436}\) Those who advocate ten years explain that *Sūrat Al-Muzzammil* was revealed in *Mecca* from the beginning of the revelation, except for the last two verses, containing the abrogation, which was revealed in *Madinā*,\(^{437}\) which means that the period must have been ten years.

### 3.18. Section Eighteen: Prayer and vigil at night

This section deals with the importance of *Qiyām Al-Layl*. It consists of four hadīths. The first hadīth (1306-55) criticises those who omit this worship and continue their sleep, and highlights the benefit of this prayer. Another hadīth in *Sahīh Muslim* conveys the same message, condemning the man who sleeps throughout the night until morning. The Holy Prophet remarked that such a man is one in whose ears the devil urinated.\(^{438}\) Al-ʿAynī in *Umdat Al-Qārī* explained that the criticism is not general, but

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\(^{435}\) Al-Subkī, Al-Manhal Al-Mawrod, vol. 7, pp. 223-224. Ibn Baṭṭal, Sharḥ Sahīh Al-Bukhārī, manuscript, vol. 1, chapter on praying at night, section on the Prophet’s night prayer (no page numbers).


\(^{438}\) Muslim, Sahīh, (translated), Kitāb Al-Salāt. Section on what has been related about one who sleeps the whole night until morning, vol. 1, p. 375.
only applies to one who goes to sleep with no intention of performing the night prayer, whereas one who intends to pray but does not wake up is not criticised.\textsuperscript{439} Moreover, he will still be rewarded for the prayer, even though he did not perform it, because of his intention.\textsuperscript{440}

The second hadīth (1307-56) stresses the importance of continuing to perform the night prayer, in that the Prophet never missed it, even when he was ill. Scholars discussed the question of the reward of one who prays in a seated position. A person who performs a voluntary or obligatory prayer while seated because of illness or disability, will have the same reward as one who prays standing,\textsuperscript{441} but one who performs a voluntary prayer while seated, though he has the ability to stand, will have only half the reward, as it is indicated in the hadīth in Sahīh Al-Bukhārī and Muslim that to pray while standing is preferable and one who prays while sitting has half of the reward of one who stands.\textsuperscript{442}

It is said that the Prophet was exempted from this rule; whether he performed a voluntary prayer standing or sitting with no excuse, he would still have the complete reward, but this applies only to the Prophet.\textsuperscript{443}

The third hadīth (1308-57) and hadīth (1309-58) discuss the reward of the man who wakes his wife or whose wife wakes him, to perform the night prayer. Scholars regard these hadīths as having the same meaning as the verse\textsuperscript{444}

\begin{itemize}
\item \textsuperscript{439} Al-ʻAyn, Ṣūrūt, vol.6, p. 204.
\item \textsuperscript{440} Al-Subkt, Al-Manhal Al-Mawrūd, vol. 7, p. 224.
\item \textsuperscript{441} Ābādī, Awn Al-Maʿbūd, vol. 2, p. 135.
\item \textsuperscript{442} Muslim Sahīh, Kitāb Al-Ṣalāt, Section on permissibility of observing Naḍīf standing or sitting, no. 735, p. 793. Al-Bukhārī, Sahīh, Kitāb Al-Ṣalāt, Section on the sitter praying, no. 1115, p. 87.
\item \textsuperscript{443} Al-Subkt, Al-Manhal Al-Mawrūd, vol. 7, p. 231.
\item \textsuperscript{444} Ābādī, Awn al-Maʿbūd, vol. 2, p. 135.
\end{itemize}
and argue that one who calls someone else to do a good thing should first do it himself. 445

3.19. Section Nineteen: On dozing during prayer

This section consists of three hadiths. The first two hadiths (1310-59), and (1311-60) have almost the same meaning except that in the second hadith, the meaning is that if the worshipper reads the Qur'an while drowsy, he might change it or alter its meaning and this is more critical than the mistake in the recitation referred to in the first hadith. 446

Scholars have discussed, in relation to those hadiths, the issue of whether a Muslim can be punished for something he did not do on purpose, as it is indicated in the Quran and the Sunna that a person is not punished for errors he or she makes by mistake. The scholars explained that, whilst this is true, what was meant in the hadiths is that the time the worshipper makes a mistake in the recitation could be the very time at which Allah responds to worshippers' callings (Sā'at Al-Istijāba) at the last third of the night. 447

From this explanation, Ibn Ḥajār concluded that one of the lessons derived from the

*ḥadīth*, is that a Muslim should avoid doing certain things to the point of weariness, because the Prophet ordered the dozing man to go to sleep, for this reason.\(^{448}\)

The third *ḥadīth* (1312-61) is more detailed and explains the general lesson derived from the three *ḥadīths*, that a Muslim should maintain continuity in worship, and this may require shortening it and not being too strict with himself; the reason why the Prophet hated the behaviour of Zaynab, referred to in the *ḥadīth*, was because he knew that she would not be able to continue to worship in this manner. Related to this issue, another matter was raised, which was mentioned by *Al-ʿAynī* that of whether it is desirable or hateful to pray all through the night. *Al-ʿAynī* pointed out that there was widespread agreement among scholars that it is hateful to pray all night. However, some scholars disagree with him, explaining that not only did Imām Mālik favour praying the whole night, but also *Al-Shāfiʿī* agreed with him, and that it was the practice of the Prophet’s companions such as ʿUthmān b. ʿAffān and ʿAbdullah b. ʿUmar to pray all night. The most important thing is that the worshipper does not miss the *Fajr* prayer or get bored.\(^{449}\) Nevertheless, some scholars of the *Shāfiʿī* School believe that praying the whole night is hateful because it harms the body, given that the Muslim cannot make up lost sleep in the daytime, since it would prevent him from meeting his commitments.\(^{450}\)

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Imām Ahmād’s opinion, expressed in Ḥanbalī books, was that the Muslim should have fixed times for prayer, both in the day and at night, and if he feels energetic he can make the prayers longer and if he feels tired he can make them shorter.⁴⁵¹

The essential point made in the above ḥadīth, i.e. that if the worshipper feels tired then he should go to sleep, is considered as one of the principles related to the night prayer,⁴⁵² for it is better to take up a less strenuous form of worship and go on performing it, than to start a more strenuous form of worship then give it up because it is too difficult. This is because, by praying more regularly, albeit in shorter spells, the worshipper will maintain his mindfulness of Allah and his faithfulness to Him, and so his relationship with Allah will grow.⁴⁵³

3.20 Section Twenty: On a person who misses his daily round of recital - see following section

3.21 Section Twenty-one: On a person who intends to get up and pray at night but remains asleep

Each of these sections contains one ḥadīth. Section 20, ḥadīth (1213-62) discusses the possibility of praying the night prayer in the daytime if the worshipper missed it at night because of sleeping, and says that for this action, the worshipper will receive the same complete reward as he would have if he prayed at night. Qāḍī ʾĪyāḍ concluded from

⁴⁵² Muḥammad Saʿīd, Adab Al-Muslim, p. 78.
⁴⁵³ Al-Nawawī, Sharh Muslim, vol. 6, p. 71. Ibn Baṭṭal, Sharh Sahīh Al-Bukhārī, manuscript, vol. 1, chapter on night prayer, section on the undesirable and being strict in worship (no page numbers).
this hadîth that praying at night is better than doing so in the day; however, the worshipper would still have the same reward if he missed the prayer because of sleeping.\footnote{Iyâd b. Mā’sa, Ikmal Al-Mu’lim, vol. 3, p. 98. Ibn Bâttal, Sharh Sahîth Al-Bukhârî, manuscript, vol. 1, chapter on praying at night, section on who omits to pray the night prayer because of sickness (no page numbers).} However, in section 21, hadîth (1314-63) explains that the reward is given to the worshipper, even if he does not make up in the daytime for a night prayer he missed because of sleeping.

Different explanations have been presented regarding these hadîths. One is that hadîth (1314-63) came after hadîth (1313-62).\footnote{Al-Saharafî, Badhl Al-Majhûd, vol. 7, p. 36.} However, other opinions tried to reconcile between these hadîths. One of these opinions is that of Ibn Rasîlân, who indicated that if the worshipper misses a night prayer that he was accustomed to pray and he does not perform it again in the daytime before the Zuhur prayer then he will get the reward as in hadîth (1314-63) but not doubled ten times, but if he prays it at the time indicated in hadîth (1313-62) then the reward will be double, and in both cases, the reward is a grace from God.\footnote{Ibn Rasîlân, Sharh Sunan Abî Dawâd, manuscript, vol. 3, p. 94.} On the other hand, other scholars believed that the reward will be doubled if the worshipper had the right intention, even if he did not perform the prayer in the daytime.\footnote{Al-Sindî, Sharh Sunan Ibn Mâja, vol. 1, p. 404, and Iyâd b. Mâsâ, Ikmal Al-Mu’lim, vol. 3, p. 98} It is also pointed out that the reward is not a reason for praying at other times, and that worshippers should continue in the habit of praying this prayer.\footnote{Âbadî, Awn Al-Ma’bud, vol. 2, p. 149.}
3.22 **Section Twenty-two: On the preferred time of night (for prayer)**

This section consists of only one hadīth (1315-64) and the most important issue in it is Al-ṣAYnī’s discussion of the matter of (Nuzūl Al-Rab Ilā Al-Samā‘ Al-Dunyā), God’s descent to the lowest heaven. Al-ṣAYnī in ʿUmdat Al-Qārī gave a more detailed discussion of this issue, in which he indicated the opinions of the different denominations, referring to the opinion of the majority of the scholars (Al-Jumhūr) the companions and the leaders of the four main Fiqh Schools, stressed in other trusted books. He said that they believed that God descended to the lowest heaven, and accepted literally other verses and hadīths that explain God’s position, without trying to interpret them.⁴⁵⁹ Al-ṣAYnī noted that Abū Ḥanīfa accepted such verses without explaining the matter. However, Al-ṣAYnī’s opinion was that God’s descent could be explained based on other meanings of the word descend (Nāzala) in the language.⁴⁶⁰

3.23 **Section Twenty-three: The time of night at which the Prophet used to get up to pray**

Abū Dāwūd, after mentioning the hadīth that explained the preferred time for prayer, in the previous section, followed it by reporting the time the Prophet used to pray during the night, which was the same time. Ḥadīth (1316-65), (1317-66) and (1318-67) are all

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⁴⁶⁰ Al-ṣAYnī, ʿUmdat Al-Qārī, vol. 6, p. 212.
connected and agree in indicating that the time the Prophet performed the night prayer was during the last third of the night, and before dawn.

However, there is another hadīth in Sahih Al-Bukhārī 461 narrated by cĀ‘isha which indicates that the Prophet used to pray at different times of the night. Ibn Ḥajar indicated that this does not conflict with hadīth (1317-66) because cĀ‘isha narrated what she saw in her house and the other hadīth relates to other places.462

From these hadīths, the scholars concluded that it is better for a Muslim not to be hard on himself in worship, but to hold the middle way in everything, so that he can continue practising it.463 Also, one of the advantages of sleeping before dawn is that it relieves the body, leaving it refreshed ready to perform the dawn prayer.464

Another issue raised was the time of night prayer. The scholars divided the night into two periods, the time when prayer is optional, which is from after the ʿIshā’ prayer until dawn, and the time when it is favourable, which is the last part of the night. This applies to the person who is sure that he can wake up in the last part of the night; but if someone has reason to believe that he may be unable to do so, it is better for him to pray earlier. This is the opinion of the Malikī, Ḥanbalī and Ḥanafī Schools, but in the

461 The hadīth narration is that sometimes Allah’s messenger would not fast for as many days, as he had been expected to fast that month and he sometimes used to fast for so many days that it was thought he would not stop fasting throughout the month, and if you wanted to see him praying at night you could see him praying and if you wanted to see him sleeping, you could see him sleeping. Al-Bukhārī, Sahih, Kitāb Al-Tahajjud, Section on the waking up of the Prophet from his sleep for the night prayer, no. 242, p. 134 (translation).
School, praying before midnight is favourable and praying during the rest of the night is permissible.

Hadīth (1319-68) is not connected with the previous hadīths, except that it might be said that if someone is concerned or worried about something, he should pray during the last part of the night. From this hadīth it was concluded that prayer helps in dispelling worries and makes the person more patient, as indicated in the Qurān.

In the next hadīth (1320-69) the relation is also general, in that night prayer is a kind of prayer. Among the lessons of this hadīth are that a leader should consider his subordinates and ask them what they need, and that there is a strong focus on prayer in Islam, and increasing it increases one's chance of being with the Prophet in heaven.

Hadīth (1321-70) and (1322-71) explain two verses from the Qurān referred to the night prayer. Various explanations have been given by scholars regarding these verses. The first is that it means waiting for the ‘Ishā’ prayer, the second, that it is the prayer between the Maghrib and ‘Ishā’ prayers, the third, that it refers to the performance of the ‘Ishā’ and the Fajr prayer among the Muslim congregation, and the fourth, that it is

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469 The verse from the Qurān is “And seek help in patience in prayer” (45-2).

night prayer.\textsuperscript{471} The fourth opinion attracts more consensus among scholars, because rising from sleep is most likely to take place at night-time, since this is when most people sleep.\textsuperscript{472} \textit{Al-Ṭabarī} tried to reconcile these opinions, pointing out that the verse meant prayer during the night in general, whether it was between \textit{Maghrib} and \textit{‘Ishā’} or while waiting for the \textit{‘Ishā’} prayer or night prayer. However, he believed that night prayer is closer to the meaning.\textsuperscript{473}

3.24. \textbf{Section Twenty-four: Beginning night prayer with two \textit{rakā’as}}

This section consists of two \textit{ḥadīths}. The first \textit{ḥadīth} (1323-72) explains that the Prophet started the night prayer with two short \textit{rakā’as}, the wisdom behind that being that it would conserve his energy for the rest of the \textit{rakā’as}.\textsuperscript{474} One of the lessons of this \textit{ḥadīth} is that if a person wants to achieve something, he should start gradually.\textsuperscript{475} Al-\textit{‘Aynī} indicated that the action referred to in the \textit{ḥadīth} is desirable, but not obligatory. Al-\textit{Mirwazī} agreed with him, because other \textit{ḥadīths} indicate that the Prophet started the night prayer with two long \textit{rakā’as}.\textsuperscript{476} This was mentioned as the reason why this \textit{ḥadīth} is followed by the next one (1325-74) which explains that extending the period spent standing in prayer is one of the best actions in worship; therefore, it is

\textsuperscript{471} Ibn Kathīr, \textit{Tafsīr}, vol. 3, p. 606.
\textsuperscript{473} Ibid., pp. 66-67.
\textsuperscript{474} Al-Subkī, \textit{Al-Manḥal Al-Mawrūd}, vol. 7, p. 252.
\textsuperscript{475} Abūdī, \textit{Awn Al-Ma‘būd}, vol. 2, p. 144.
\textsuperscript{476} Al-Mirwāzī, \textit{Mukhtasar Qiyām Al-Layl}, p. 89.
permissible to pray long *rakās*.\(^{477}\) 

*Al-*\(^{e}\)Aynī explained the meaning of “best actions” in the *hadīth*, and *Al-Subkī* discussed which action is better, standing for a long time or frequent prostration in prayer, his explanation being derived from the Prophet's answer.\(^{478}\) However, if his explanation was correct, then there should not be any argument among scholars on which is better. *Ibn Qayyim Al-Jawziyya* discussed this issue in detail and classified the scholars’ opinions into four categories. The first view is that long standing in prayer is better, because the *Qurān* is recited while standing. The second is frequent prostration is better, because of a *hadīth* which says that a person is closest to his Lord when he is prostrated. The third is that long standing is better during the night prayer and prostration is better during the daytime, as it was mentioned in the *hadīths* that the Prophet was more inclined to pray long *rakās* in the night prayer than during the day. The fourth opinion is that of *Ibn Taymiyya*, that the two actions are the same and both have advantages; standing because the *Qurān* is recited in this position, and prostration because of its form.\(^{479}\) *Al-Shawkānī*, after presenting the different opinions of the scholars, agreed with the *Shaфи‘i* and *Hanafi* Schools that remaining standing is better and explained that the *hadīths* that pointed to the merit of prostration do not conflict with the others that indicate that remaining standing is

\(^{477}\) Al-Subkī, *Al-Manhal Al-Mawrūd*, vol. 7, p. 255. For more details on this issue, see *Ibn Bāţal*, *Sharh Šaḥīḥ Al-Bukhārī*, manuscript, vol. 1, chapter on praying at night, section on prolonged standing during night prayer (no page numbers).

\(^{478}\) Ibid., p. 253.

better.\textsuperscript{480} \textit{Imām  Ahmad} remained silent on this issue and did not give an opinion, and
\textit{Imān Mālik} had two opinions on this issue.\textsuperscript{481}

3.25. \textbf{Section Twenty-five: Performance of the night prayer in pairs of rak'as}

\textit{Haddīth} (1326-75) discusses two basic issues related to the night prayer, each of which provided scope for great disagreement among scholars. The first issue concerns the nature of the prayer, whether the rak'as should be in pairs, more or less. The different opinions of scholars on this matter were discussed earlier in relation to \textit{haddīth} (1295-44), in the section on daytime prayer. However, there is a connection between the scholars' understanding of this issue and the next issue, which is the legality of praying the \textit{Witr} prayer in one rak'a.

1. \textit{Imām  Ahmad} and \textit{Shāfi`ī} agree that a voluntary prayer may be performed in one rak'a. This includes the \textit{Witr} prayer. In their view, there is no limit to the increase on this number, but it is better to pray in pairs of rak'as.

2. \textit{Imān Mālik}, from his understanding of the \textit{haddīth}, believed that it is generally not allowed to pray the night prayer other than in pairs, but the \textit{Witr} prayer is an exception.\textsuperscript{482}

\begin{itemize}
\item \textsuperscript{480} Al-Shawkānī, \textit{Nayl Al-Awrār}, vol. 3, pp. 74-76.
\item \textsuperscript{481} Al-Sahāwī, \textit{Badhl Al-Majhūd}, vol. 7, pp. 83-84.
\item \textsuperscript{482} Muhammad Zakariyya, \textit{Awjāz Al-Masālik}, vol. 2, p. 324.
\end{itemize}
3. *Abū Hanīfa* believed that it is not allowed to pray the *Witr* prayer in one *rakā* and if it is done in this way, it is not considered a prayer.\(^{483}\)

4. *Al-Šaybānī*, in his explanation of this *ḥadīth* in *Sahih Al-Bukhārī* defended the *Hanafī* opinion and refuted *Al-Nawawī*'s statement that the only scholar indicating that it is not allowed to pray the *Witr* prayer in one *rakā* was *Abū Hanīfa*, *Al-Thawrī* and their followers. He indicated that a group of the companions and the followers,\(^{484}\) among them *Umar*, *Alī Ibn Abbās*, and *Umar b. ʿAbd al-ʿAzīz* had held the same opinion. Another piece of evidence he mentioned to support his opinion is *Al-Hasan Al-Baṣrī*’s assertion that there is agreement among scholars that the *Witr* prayer consists of three connected *rakās*. In addition, other *ḥadīths* refer to the *Witr* prayer as three connected *rakās*.\(^{485}\)

*Ibn Ḥajar* explained that there are *ḥadīths* that prohibit the *Witr* being prayed in three connected *rakās*, since that would make it similar to the *Maghrib* prayer, and this challenges the view that it is permissible.\(^{486}\)

*Al-Mirwīzī* was among the scholars who chose to pray the *Witr* prayer in one *rakā*, although he believed that praying three connected *rakās* is allowed because the Prophet

\(^{483}\) *Al-Šubkī*, *Al-Manhal Al-Mawrid*, vol. 7, p. 256.

\(^{484}\) *Al-Šaybānī*, *ʿUmdat Al-Qārī*, vol. 5, p 419.


\(^{486}\) *Ibn Ḥajar*, *Fath Al-Bārī*, vol. 2, pp. 479, 486.
did so, but when asked, the Prophet indicated that it was his choice, and so the narrations allowing it are more correct. 487

In regard to the Prophet’s answer that the night prayer should be performed in pairs, Al-Aynī indicated that this is indicated as the preferred option, but it is permissible to pray four connected rakās. Another explanation is that the Prophet did not want to impose too severe an obligation, so he ordered two rakās, but some scholars assumed from this hadīth, that the night prayer must not be prayed in more than two rakās, except in the case of the Witr prayer; this is the opinion of the Malikī School. 488

Al-Tirmidhī also confirmed that it was the opinion of Imām Malik Al-Shāfi‘ī and Al-Imād that the Witr prayer could be performed in one rakā. 489

3.26 Section Twenty-six: On loud recitation of the Qur'ān during nighttime prayer

This section consists of seven hadīths (1327-76), (1328-77), (1329-78), (1330-79), (1331-80), (1332-81) and (1333-82).

All these hadīths discuss the manner in which the Qur'ān should be recited during the night prayer. Some of these hadīths, such as hadīth (1329-78) seem to conflict with hadīth (1330-79) because in the first hadīth the Prophet corrected the practice of Abū

487 Al-Mirwīzī, Mukhtasar Qiyyām Al-Layl, p. 205.
489 Al-Tirmidhī, Sunan, p. 1689.
Bakr and ‘Umar but in the latter, the Prophet accepted their action. However, some explanations were given to clarify that there was no conflict; the Prophet’s order in ḥadīth (1329-78) was to advise on a better or the best way of recitation, but that does not mean that any other way was unacceptable.⁴⁹⁰ All the previous ḥadīths suggest that the best style of recitation is in a moderate tone. This was the Prophet’s style. Moreover, the Qurān choice in the verse

\[
\text{Wa La Tajhar Bi Ŝalāтика Wala Takhūfì Bihā Wabtagh}
\text{Bayna Dhāтика Sabīla}
\]

“... And offer your prayer neither aloud nor in a low voice, but follow a way between” 17:110.⁴⁹¹

Another explanation is that reciting in a low voice is better when the worshipper is afraid of duplicity, meaning that he may be tempted to try to impress other people, rather than reciting sincerely and solely to please Allah, so his loyalty in the worship of Allah will be affected. Reciting loudly is better when he does not have this fear because it has the advantage for him that it wakes the mind and banishes drowsiness, and it also enables others to learn and hear the Qurān.⁴⁹²

3.27 Section Twenty-seven: On the number of rakās of the nighttime prayer

This section is the largest one in this part of the manuscript, as it consists of sixteen ḥadīths, excluding the duplicated ones. These ḥadīths focus on one major issue with

⁴⁹² Ibid., p. 363.
regard to nighttime prayer, which is the number of rak'as the Prophet used to pray at night. Then, the discussion moves to the number of Witr prayers in particular. Scholars had different opinions regarding these two issues, because of the many narrations that mentioned different numbers of rak'as and appeared contradictory. It is in this that the importance of this section lies. In addition, reference is made to sub-issues, some of which have been discussed earlier, such as praying the rak'as in pairs, and performing voluntary prayer while seated. Other issues, such as the two rak'as after the Witr prayer, were also presented in these narrations. An important point that can be noted from Al'-Ayni's explanation is-his attempt to affirm that the Witr prayer should be offered in three connected rak'as, without separation, which is the opinion of the Hanafi School. Therefore, if a hadith appears to lead to a different conclusion, he tries to interpret it in a way that supports his opinion.

The different opinions of the scholars regarding these narrations and their attempts to reconcile them will be discussed in this section.

One of the important issues in this part, which is considered fundamental in almost each hadith, is the number of rak'as in the night prayer. Different numbers and conditions have been mentioned by scholars. Ibn Hazm enumerated 13 in the Prophet's practice:

1) Twelve rak'as, in pairs, followed by one rak'a.

2) Eight rak'as, in pairs, followed by a sequence of five rak'as.

3) Ten rak'as, in pairs, then one separate rak'a.

4) Eight rak'as, in pairs, then one separate rak'a.

5) Also eight rak'as, but all in a connected sequence. The Prophet sat down after the eighth rak'a, then he prayed one rak'a as Witr.
6) Six *rakās*, in pairs, then a separate one, as *Witr*.

7) Seven connected *rakās*. The Prophet sat down in the sixth then continued with one *rakā*.

8) Four *rakās*, in pairs, followed by one *rakā*.

9) Five *rakās*, all connected. The Prophet did not sit down until he had completed them all.

10) Seven *rakās*, all connected. He did not sit down until the end.

11) Three *rakās*. The Prophet sat down after the second one, then prayed one *rakā* separately.

12) Three *rakās*. He sat at the end of the second one, then continued with the third one in the same way as the *Maghrib* prayer.

13) One *rakā*.

*Al-Albānī* classified the night prayers into six kinds:

1) Thirteen *rakās*, starting with two short *rakās*.

2) Also 13, but eight of them in pairs and then five connected ones.

3) Eleven *rakās*; 10 in pairs, then one separately.

4) Eleven *rakās*; two groups of four, then three.

5) Also 11; eight together then the Prophet sat down and prayed one *rakā*, then two *rakās* separately, while he was seated.

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6) Nine rakās; six together, then He sat down and prayed one rakā, then he ended the prayer and prayed two rakās while seated.\(^{494}\)

These commentaries concern the forms of the prayer, but another point that arises from these different forms is the number of rakās in the night prayer in general, and whether there is an upper or lower limit for it. The Imām Al-Shāfi‘ī believed that the prayer should not contain more than 11 rakās, based on ḥadīth (1341-90), and that any greater number would not be correct\(^{495}\) and that the lowest number is one rakā.\(^{496}\) Not all his students agreed with him, however. The Qādir ‘Iyād, a famous scholar in the School, believed that this prayer is a kind of worship in which the greater the number of rakās performed, the greater the reward, and no limit is imposed on it.\(^{497}\) The Imām Al-Nawawī from the same school, explained more clearly that the number should be no more than 11 and no less than one rakā, but any number between them is permissible; moreover, it is allowable to pray several connected rakās, but it is better to pray them in pairs.\(^{498}\) Ibn Hajar, on the other hand, considered that the number should fall within certain limits, the highest being 13 and the lowest seven.\(^{499}\) Each of these opinions was based on selected narrations.

In regard to the Ḥanbalī School, some scholars argue that the preferred number of rakās to be prayed is 11, and others say 13; preferably, the number should not be less

\(^{494}\) Al-Albānī, Salāt Al-Tarawīth, pp. 99-112.
\(^{495}\) Abādī, T‘Awn Al-Ma‘bdīd, vol. 2, p. 150
than three, two as a pair and one separate rak'a, but it is acceptable to pray just one rak'a.\textsuperscript{500} However, Ibn Qayyim Al-Jawziyya explained that the number 11 is the one agreed on and the two additional rak'as are a matter of disagreement.\textsuperscript{501} Ibn Khuzayma believed that these different narrations indicating various numbers gave more flexibility in this matter, meaning that the worshipper could pray any of the numbers of rak'as mentioned in the narrations,\textsuperscript{502} though this was understood by Al-Albānī to mean that the number should not exceed those reported in the hadīths.\textsuperscript{503}

All these opinions were based on the understanding that the numbers of rak'as are specified in the hadīths under the names of nighttime and Witr prayer, since, as was mentioned at the beginning of this section, 'A'isha used the same name for both prayers. On the other hand, the Hanafī School distinguished between the night and Witr prayers. They believed that the night prayer could be prayed in two, four, six or eight rak'as, but the Witr prayer, they specified, should be three connected rak'as,\textsuperscript{504} and they did not accept that it could be prayed in one rak'a. This last issue will be the next point of discussion, as most scholars disagreed with the Hanafī opinion, and Al-ṣAyīnī's main focus in this section was on demonstrating that the Witr prayer is three connected rak'as, as generally held in his school. Among his evidence was hadīth (1362-111) which stated that the Witr prayer is three rak'as and the other rak'as are the

\textsuperscript{501} Ibn Qayyim Al-Jawziyya, Zād Al-Maṣādīd, vol. 1, p. 85.
\textsuperscript{502} Ibn Bāṣar, Sharh Sahīh Al-Bukhārī, manuscript, vol. 1, chapter on praying at night, section on the numbers of rak'as of night prayer and the forms the Prophet used to pray (no page numbers).
\textsuperscript{503} Sayyid b. Ḥusayn, Ṣūrūḥ Al-Layl, vol. 1, p. 113.
night prayer,\textsuperscript{505} and Al-‘Ayn\textsuperscript{f} concluded from this \textit{hadīh}, that in all other \textit{hadīhs} when ʿĀʾisha mentioned one rakʿa as Witr, she meant with two other rakʿas before it.\textsuperscript{506}

There is also another \textit{hadīh} which explains that the Witr prayer consists of three rakʿas, the same as the Maghrib prayer.\textsuperscript{507} In addition, according to the narrations of the companions, such as ʿUmar b. Al-Khattāb, Anas b. Mālik, Ibn ʿAbbās and others,\textsuperscript{508} Al-Ḥasan Al-Baṣrī also indicated that there was agreement among scholars on the Witr prayer being prayed in three rakʿas. Moreover, other \textit{hadīhs} suggest that the Prophet prayed the Witr prayer in three connected rakʿas. There is also a \textit{hadīh} that prohibits Al-Butayrī, which Hanafī scholars interpret as meaning the one rakʿa.\textsuperscript{509} These are the main sources of evidence relied on by Hanafī scholars to support their opinion.

The other schools, however, have different opinions, also supported by evidence, as follows:

\textit{Imām Ahmad} believes that the Witr prayer can be prayed in one rakʿa with additional rakʿas before it, or can be prayed in three rakʿas,\textsuperscript{510} but not in particular disagreeing with Hanafī opinion, and that these three rakʿas should preferably be prayed as two together, because of a narration of the Prophet which orders this, then one separately,

\textsuperscript{505} Al-Sahāmaphūrṭ, \textit{Badh Al-Majhūd}, vol. 7, p. 137.
\textsuperscript{506} Al-Subkī, \textit{Al-Manhal Al-Mawrūd}, vol. 7, p. 294.
\textsuperscript{507} Al-‘Aynī, \textit{'Umdat Al-Qārī}, vol. 6, p. 420. \textit{Sharh Al-Kanz}, manuscript, vol. 1, p. 54.
\textsuperscript{508} Al-Kandahlawī, \textit{Awjaz Al-Masālik}, vol. 2, p. 353.
\textsuperscript{509} Al-Zaylaī, \textit{Tabyḥn Al-Haṣāʾīq}, vol. 1, p. 170.
\textsuperscript{510} İbrahim b. Muḥammad, \textit{Mānār Al-Sabīl}, vol. 1, p. 107.
but if they are prayed in a connected sequence, it will be permissible, because there is another narration that indicates that the Prophet prayed in this form.

Ibn Qayyim Al-Jawziyya classified the forms of the night prayer into seven kinds, almost similar to the ones previously mentioned, but when he reached the last kind, which was praying the night prayer in pairs then praying the Witr prayer as in three connected rak'as, he indicated that this version is doubtful, because of the other hadiths that forbid this form of prayer. This leads us to the opinion of his school, the Hanbali, that praying the Witr prayer as two rak'as followed by one separate rak'a is better, because the narrations referring to this form are more numerous and more authoritative. He also permitted the Witr prayer to be prayed in five or seven connected rak'as but, in his view, the narrations referring to one rak'a are stronger.

Imam Malik took an intermediate position between those of the Hanbal and Hanaf Schools. He believed that the Witr prayer should be three rak'as, as the Hanafis argue, but as two rak'as together then one separate one, as in the Hanbali School, though he did not accept that the prayer can to be prayed in one rak'a. Thus, the point on which he disagreed with the Hanbali School was his insistence that there must be at least two rak'as before the separate rak'a. He based that opinion on the consideration that there is no narration which indicated that the Prophet prayed one separate rak'a.

513 Ibn Qayyim Al-Jawziyya, Zad Al-Maad, vol. 1, p. 86.
without preceeding prayers. 515 However, there is a difference between the Ḥanafī and
Mālikī opinions in regard to praying the Witr prayer in one rak'a, in that Imām Abī
Hanīfā considered it prohibited but Imām Mālik considered it hateful. 516

On the other hand, Imām Shafi'i believed that praying the Witr prayer in one rak'a is
permissible and criticised the Mālikī opinion, which held that the lowest permissible
limit is three rak'as, a pair and one separate rak'a. 517 Al-Shafi'i also believed that the
Witr prayer is prayed in three rak'as, it could be divided; this is in opposition to the
Ḥanafīs who prohibit such division. 518 The Imām Al-Nawawī from the same school
also criticised the Ḥanafī prohibition against performing the Witr prayer in one rak'a,
saying that the practice is permissible, and it is also permissible to pray several
connected rak'as, but it is better to pray them in pairs, and that there are authentic
ḥadīths that contradict the Ḥanafī opinion. 519 These ḥadīth include (1359-108) which
states that the Witr prayer could consist of five rak'as, and ḥadīth (1336-85) which
explains that the Prophet prayed in pairs and that the Witr prayer was one rak'a. 520
There is also another ḥadīth indicating that the number of rak'as in the Witr prayer
could be seven, five, three or one. 521 These are some of the ḥadīths that support the

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515 Ibn ʿAbd al-Bar, Al-Kāfī Fr Fiqh Ahl Al-Madīna, pp. 257, 259.
516 Al-Dahlawī, Al-Miswā Fr Sharh Al-Muwatta, vol. 1, pp. 210-211.
517 Al-Shafi'i, Al-Umm, vol. 1, p. 140.
518 Al-Dahlawī, Al-Miswā Fr Sharh Al-Muwatta, vol. 1, pp. 210, 211.
opinion of the majority of scholars, against the Ḥanafī opinion, in addition to other narrations mentioned in the discussion. In regard to the narration of Al-Butairī, Al-Shawkānī indicated that it is a weak hadīth, and other scholars interpreted it as a prayer which was intended to be prayed in pairs but was down to one rakā'. Al-Shawkānī also stated that permitting the Witr prayer to be prayed only in three connected rakā's is too restrictive. With regard to the consensus of the scholars on the Witr being prayed in three rakā's, mentioned by Al-Ḥasan Al-Basrī, if he meant that this is one of the forms of the Witr prayer, then it is acceptable, but if he meant that this is the only way the Witr can be prayed, then it is invalid. Ibn Ḥajar discussed the opinion of Abū Ḥanīfa and said that one of their considerations underlying this view was that the companions agreed on praying Witr in three connected rakā's, but they had different opinions on other forms, therefore the Ḥanafīs accepted the form on which they agreed and rejected those on which there was disagreement. On the other hand, opinions of some companions, such as ʿĀʾishā and Ibn ʿAbbās, did not favour the Witr being performed as three rakā's. The narration of one of the companions, Sulaymān b. Yāsīr, forbade voluntary prayer being made similar to obligatory prayer (the Maghrib prayer), and another narration of the Prophet prohibited the Witr prayer being performed in a manner that rendered it similar to the Maghrib prayer. These narrations, in Ibn Ḥajar’s view, render the consensus of the scholars invalid. On the other hand, he

522 Al-Shawkānī, Al-Darātī Al-Mudīyya, vol. 1, p. 156.
stated that it was proved that the Prophet prayed *Witr* in three *rakās*, and to reconcile this evidence with the narration prohibiting the *Witr* prayer being similar to the *Maghrib*, he explained that the prohibition referred to praying the three *rakās* with two *Tashahhud*, in the same way as for the *Maghrib*. But then he returned to state that some of the companions prayed the *Witr* in this form, and he explained that they might not have heard of the prohibition. As a final result, Ibn Ḥajar explained that three *rakās* are permissible, there is no disagreement on that, but the disagreement is on the specification, and that the authentic *ḥadīths* are against it. 525 However, the Ḥanafīs did not stop at this point, but they tried to give other explanations for narrations which did not support their opinion.

It can be seen in *Al-ʿAynī*’s notes on the *ḥadīths* that he followed this approach. For example, regarding *ḥadīth* (1338-87), the Ḥanafīs did not accept the narration because they considered it confused, as there are three narrations narrating ʿUrwa from ʿĀʾisha and these narrations point to different numbers of *rakās* in *Witr*, five and one; therefore the Ḥanafīs took account of other narrations such as that of Zurār b. Ṭawāfi, which indicate that the Prophet prayed *Witr* in three connected *rakās*. 526 In *ḥadīth* (1357-106) *Al-ʿAynī* also emphasised that the *Witr* prayer was three *rakās* out of the five mentioned in the *ḥadīth*, which is contrary to the obvious meaning. He also did not

accept the criticism of Al-Nawawī that the sound hadīths are against the Hanafī's opinion, saying that there are sound hadīths that support their opinion. In regard to the narrations that point to the Witr being five rak'as, he explained that this was before the form of the Witr prayer had been fixed.\textsuperscript{527} Also, in hadīth (1362-111) Al-Ẓaytūnī explained that ʿĀʾisha mentioned that the Witr prayer could be prayed in different forms, but that a single rak'a was not one of them.\textsuperscript{528}

All these arguments refer to the different narrations that indicated various numbers of rak'as and the scholars tried to explain some of these numbers and reconcile the narrations. Most scholars agreed on the night prayer being prayed as 11 rak'as, and that the two additional rak'as referred to other narrations could be the Fajr prayer, or the two rak'as that the Prophet sometimes prayed after the Witr, and which ʿĀʾisha counted as part of the night prayer.\textsuperscript{529} Another explanation is that the different numbers refer to different times and situations, and that all these forms are permissible.\textsuperscript{530} In one of the narrations, when ʿĀʾisha stated that the Prophet did not pray more than 11 rak'as in the night prayer, she might have meant that this was his usual practice.\textsuperscript{531} The reason why ʿĀʾisha could have counted the Fajr prayer with the night prayer is that the Prophet kept awake until dawn and the time between them was short.\textsuperscript{532} The scholars

\textsuperscript{527} Al-Ẓaytūnī, *Umdat Al-Qārī*, vol. 5, p. 320.
\textsuperscript{528} Al-Ẓaytūnī, *Al-Bināya Fi Sharh Al-Hidāya*, vol. 2, p. 578.
\textsuperscript{529} Al-Sahāmī, *Badhl Al-Māhiṭ*, vol. 7, p. 103.
\textsuperscript{530} Ibid.
\textsuperscript{531} Ibid.
\textsuperscript{532} Al-Sabkī, *Al-Manhal Al-Mawrūd*, vol. 7, p. 152.
also suggested that confusion exists in 'A'isha's narrations of the night prayer, *Hajj*, on-journey prayer and fosterage narrations, and that this confusion comes not from the narrators, who were great memorisers, but from her.\(^{533}\) However, this opinion cannot be accepted, because as Al-Bāṭnī explained, ‘A’isha was the best memoriser among the companions, and all the scholars agree on that. He went on to suggest that in the narration when she indicated that the Prophet always prayed 11 rak'as she meant his usual prayer, and in her narrations, the additional number was due to special circumstances, or she counted the two rak'as the Prophet used to start with as part of his night prayer.\(^{534}\)

In regard to Ibn 'Abbās' narrations, Ibn Hajar presented some explanations for the discrepancies between them. In ḥadīth (1364-113) it was explained, the first two rak'as were the voluntary prayer after 'Ishā', which the Prophet prayed late, before the night prayer, and regarding ḥadīth (1356-106) which indicated that the Prophet prayed four rak'as then five, it was detailed in other narrations in *Sunan Al-Nisā'ī* that the Prophet prayed pairs of rak'as until he had prayed eight rak'as, then he prayed the Witr prayer in five rak'as.\(^{535}\) Ibn Hajar also explained that the most reliable view is that the Prophet prayed 11 rak'as in the night and the narrations that mentioned 13 seem to be pointing to the voluntary prayer of 'Ishā', because the ḥadīths seem to repeat the same story of Ibn 'Abbās which happened on one night only, and trying to reconcile between

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\(^{533}\) Al-Aynī, *Umdat Al-Qaṣṭ*, vol. 6, p. 196.  
the narrations is better.\textsuperscript{536} From the aforementioned information, it seems that, as Ibn Kuzayma believes, these different numbers gave more flexibility to the worshipper to pray according to his abilities, in that he could choose the number and form with which he felt most comfortable.\textsuperscript{537} On the other hand, it also meant that he should stick to the highest limit and not exceed it, though he could pray fewer prayers.

The wisdom behind choosing the number 11 for the night prayer was to harmonise with the voluntary day prayer, which is four \textit{rak\'as} for Zuhur, four for \textit{Asr}, and three for \textit{Maghrib}, making 11; when two \textit{rak\'as} of the \textit{Fajr} prayer are added, it comes to 13, which is the second number mentioned for the night prayer.\textsuperscript{538}

Another issue that was discussed in this section was the legitimacy of the two \textit{rak\'as} after the \textit{Witr} prayer, as it is commonly noted in the Prophet's \textit{hadiths} that the end of his prayer was \textit{Witr}, then he waited for the dawn prayer. However, some \textit{hadiths} such as \textit{hadith} (1340-89) mentioned that the Prophet prayed two \textit{rak\'as} after \textit{Witr}. Scholars, however, had different opinions regarding its legitimacy, because it conflicts with another \textit{hadith} which indicates that the end of the Prophet's night prayer was \textit{Witr}.

In regard to the opinions of the four main \textit{Fiqh} Schools, \textit{Im\textae\textperiodcentered M\textae\textperiodcentered Malik} believes that this practice was one of the Prophet's distinctive characteristics and that it is disliked for the same form of prayer to be used by the worshippers.\textsuperscript{539} \textit{Im\textae\textperiodcentered Al\textae\textperiodcentered Ahmad} shares the opinion of \textit{Malik} that it is not desirable, although permissible, to pray in the

\textsuperscript{536} Ibid.
\textsuperscript{537} Sayyid b. \textae Husayn, \textit{Ruhban Al-Layl}, vol. 1, p. 113.
\textsuperscript{538} Ibn Hajar, \textit{Fath Al-B\textae\textperiodcentered\textae\textperiodcentered Bart}, vol. 3, p. 20.
\textsuperscript{539} Al-Subkt, \textit{Al-Manhal Al-Mawr\textae\textperiodcentered\textae}, vol. 7, p. 269. Al-Sah\textae\textperiodcenterednaft\textae\textperiodcentered, \textit{Badh\textae\textperiodcentered Al-Majhid}, vol. 7, p. 103.
same manner as the Prophet, while seated.\textsuperscript{540} Im\=ām Shāfi\=ī and Abū Hanīfa believe that this narration could be abrogated, but there is another opinion of Al-Shāfi\=ī that it is permissible.\textsuperscript{541} Al-Nawawī explained that the Prophet did not make a regular practice of praying these two rak\'as, but prayed them only to demonstrate that it is permissible to pray after Witr, and the word used to pray two rak\'as after Witr (Kāna) in the hadīth, does not mean that he repeated the action,\textsuperscript{542} and this opinion was mentioned by Al-Āyīnī in the relevant section of his commentary on hadīth (1340-89) and he criticised Al-Nawawī, but he did not mention his evidence that Ā'īsha in another hadīth used the same phrase (Kāna) to happen, when she meant that the action happened only once.\textsuperscript{543} This is Al-Nawawī's attempt to reconcile the conflicting hadīths, but it seems that Ibn Ḥajar disagrees with his view that the Prophet prayed these rak\'as to show that it is permissible, on the ground that the Prophet usually prayed the Witr prayer at home, during the night, so how could the permissibility be shown? Moreover, other of the Prophet's sayings and actions contradict it. There is also the possibility of its being a private action, reserved to the Prophet, or it could be the voluntary prayer before Fajr,\textsuperscript{544} which gives the impression that Ibn Ḥajar agrees with that opinion. Ibn Qayyim Al-Jawziyya and Ibn Taymiyya indicate that the wisdom behind these rak\'as is

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\textsuperscript{540} Abdullah b. Qudama, Al-Mughnī Wa Al-Sharh Al-Kabīr, vol. 1, p. 766.
\textsuperscript{541} Ibn Ḥajar, Kashf Al-Sirr, p. 39.
\textsuperscript{542} Al-Nawawī, Sharh Muslim, vol. 1, p. 21.
\textsuperscript{543} Ibid.
\textsuperscript{544} Ibn Ḥajar, Kashf Al-Sirr, pp. 39-44.
\end{flushleft}
that the Prophet prayed them when the number of his Witr prayers was nine, seven, or five, which is less than the eleven rak'as he used to pray, also they create a link between the Witr prayer and the two rak'as after the Mahgrib prayer, which is considered the Witr of the day prayers; in the case of the voluntary prayer after the Maghrib prayer, the two rak'as are to make up for any shortfall in the daytime prayer.545

From these discussions on the various issues relating to nighttime prayer, it can be seen that there was disagreement among scholars even in the same school, related to the different narrations of the hadiths. As a summary for this section, in regard to the first issue about the number of night prayers, it seems that there is almost an agreement among the scholars on eleven rak'as, and that the various alternative descriptions give more flexibility to the worshipper to select the number that suits him.

On the issue of the number of rak'as in the Witr prayer, the Hanafi School disagreed with the majority of scholars that it can only be prayed in three connected rak'as. However, the narrations referring to the form, two connected rak'as followed by one separate rak'a, are more numerous and authoritative. Moreover, to accept only one form for this prayer would be too restrictive.

'Ā'isha and Ibn 'Abbas each offered different narrations indicating different numbers of rak'as. However, scholars have attempted to reconcile them.

Ibn Ḥajar attempted to reveal the wisdom behind selecting the number eleven in most of the narrations. In regard to the two rak'as after the Witr prayer, which was the last

issue of discussion, it was not the Prophet's usual practice, which was the *Witr* prayer, and clarifications were also offered to explain the reasons for its being performed.

### 3.28 Conclusion

This chapter has attempted to give a clear picture of the issues that were discussed and the rules that were derived from the narrations, by presenting the different opinions of the scholars and the evidence they cited to support them, to aid the reader's understanding of these important issues which the worshipper deals with in his daily prayer. The opinions of the scholars were derived from various *Fiqh* books, and particular emphasis was given to the opinions of the main *Fiqh* School, the *Hanafi*, *Maliki*, *Shafi'i*, and *Hanbali*, as reflected in their own books and the books of their students. From all these different opinions, it is clear that scholars paid great attention to these *hadiths*, investigating every detail. Moreover, the great scholars such as *Al-Shafii* and *Ahmad* expressed more than one opinion on the same issue, taking account of other *hadith* they had not previously known, which changed their understanding.

Also, special attention was given to the opinions of *hadith* scholars such as *Ibn Hajar* and *Al-Nawawi*, because of their prominent contributions to this branch of knowledge and their valuable opinions in their commentaries on *Sahih Al-Bukhari* and *Sahih Muslim*.

It was noted that these two scholars repeatedly tried to reconcile conflicting *hadiths*, in the belief that if reconciliation is possible, it is better than preferring one *hadith* over another, especially if they are considered authentic *hadiths*, as *Al-Nawawi* stated in his
commentary on ḥadīth (1282-31). They also attempted to infer the wisdom behind these rules.

To aid understanding of Al-ʾAynī’s opinions, reference was made to his other books such as Al-Bināya and ʿUmdat Al-Qārī to identify his source of evidence in more detail.

Also, reference was made to the other commentaries on Sunan Abī Dāwūd to explore their views on these issues and to add the lessons they derived from the Sunan to Al-ʾAynī’s commentary, to give the discussion more depth. One of the most detailed commentaries was that of Al-Manhal Al-Mawrūd which discussed the rules and the scholars’ evidences, in a very detailed manner. Other narrations in ḥadīth books that discussed the same rules were indicated, either to support the points made or, even if they contradicted Al-ʾAynī’s arguments, to understand the scholars’ reasoning on the matters in question.

Another kind of Fiqh books, which focused on a single issue, such as ʿFlūm ahl Al-ʾAsr which dealt only with the rules of the Fajr prayer, and Ruḥbīn Al-Layl which dealt with the rules of night prayer, were very useful in that they collect all the related narrations and the scholars’ opinions in one place, for every sub-heading.

It was noted that the issues that were discussed in this manuscript were presented in different ways in ḥadīth and Fiqh books. In ḥadīth books the focus is on the narration of the ḥadīth in that they discuss first the ḥadīth issues relating to the chain of authority, and the conditions of the narrators, the documentation of the ḥadīth in other ḥadīth
books, the place of the *hadīth* and the weakness, if it exists. Then they consider the content of the *hadīth*, if there are any difficult words or phrases, and discuss the rules and point out the lessons derived from the narrations. In contrast, in *Fiqh* books the main issue is the rule itself. Only after presenting the rule does the author express his opinion or the opinion of the school about the rule, and to indicate the narrations that support his view and other scholars' opinions.

Returning to the general subject of this chapter, *Al-Nawā'il* worship in general and *Nafl* prayer in particular, there is more flexibility than in the case of the *Fard* prayer, to leave the door open for worshippers to achieve as much reward as they can, and to compensate for any shortcomings in their observation of obligatory prayers. Moreover, another advantage of these prayers is that they bring a blessing on the house.

The following points are worthy of note, regarding the different issues of this chapter.

1. The *Mālikī* School focus predominantly on the obligatory prayer, therefore they did not specify any particular time for voluntary prayer, so that it will not affect the time of the obligatory one.

2. The Prophet attached particular importance to the two *rak'as* before the *Fajr* prayer, among all the *Rawāiib* prayers, in that he always prayed it even when he was travelling, whereas on such occasions he used to leave out voluntary prayers. Also, he specified a great reward for who prays it. This could be because the timing of this prayer is difficult, in that the worshipper needs to wake up from his sleep to pray it; therefore, to do so is a sacrifice that indicates particular devotion.
3. ُهاديّه (1258-8) is considered ُنافع, and it could be that ُأبُو داَّوُد referred to it in his *Sunan* to confirm the importance of the *فَجِّر* prayer, and ُأَل-ْأَعْنَى attempted to support this ُهاديّه, because it is strong evidence in support of his opinion that these ُرَكَّاذِبُ are ُواجب.

4. No clear opinion was given as to the legitimacy of the ُتَسْبِيح prayer. The scholars had two opinions, one supporting it and one opposing it, and this could be referred to its unusual form.

5. ُأُسْنِد’s narrations on various issues seems to contain many contradictions. The reason for that could be because she narrated a large number of ُهاديّه and also, since she was closest to the Prophet in many different circumstances, for each circumstance she was narrating a different story.

6. One of the general rules derived from these ُهاديّه is that in Islam it is more important to continue in worship, rather than to attempt a lengthy act of worship and abandon it due to tiredness.

7. In the section on night prayer, ُأبُو داَّوُد’s nice organisation of these ُهاديّه is apparent, as the section flows in a logical style. First he refers to the narration that deals with the rules, then its time and number, in a consistent style.

8. ُأَل-ْأَعْنَى strongly supported the opinions of his School, even when the ُهاديّه provide clear evidence against it. This is consistent with the criticism that has been directed to him.
Hadīth (1250-1)

p. 1, line 11

Abū Ḥātim al-Rāzī, one of the famous scholars of Hadīth. Born in 195 A.H./810 A.D. Travelled to various countries to collect Hadīths enduring much suffering on his journey and even came close to dying of hunger. Abū Dāwūd and al-Nisā’ī narrated from him and he was considered a trusted transmitter of Hadīth. Died in 277 A.H./890 A.D. aged 82 years. See Muḥammad b. ʿAbd al-Ḥāfiẓ, Tābaqāt ʿUlamā’ Al-Hadīth, vol. 2, pp. 260-262.

line 17

This hadīth has four followers (tābi‘īn) who reported from each other: Dāwūd, al-Nuṣārā, ʿAmrū and ʿUnbūsā. See Al-Nawawī, Sharḥ Muslim, vol. 6, p. 9.

line 22

Al-Ḥidāya is a book on Hanafī Fiqh written by Abū al-Ḥasan ʿAlī b. Abī Bakr al-Marghīnānī. He first wrote the book Bidāyat al-Mubtadāā which was a combination of Mukhtaṣar al-Qaddārī and al-Jāmiʿ al-Ṣaghīr on Hanafī Fiqh. Then he explained this book in another one called Kifāyat al-Muntahā; later wrote an


*Al-Tirmidhī* Abū ʿĪsā Muḥammad b. ʿĪsā b. Sawra. He was blind and famous for his good memory, knowledge and piety. Among his famous books were *al-ʿIlal* and *al-Jāmiʿ*. He pointed out that when he showed the latter to the diacriticals scholar of *al-ʿIrāq* and Khurāsān, they welcomed it, and said that to have this book in one’s house, was just like hearing the Prophet speaking. He

Al-Nisāʾī Abū ʿAbd al-Raḥmān Āḥmad b. Shuʿayb b. ʿAlī al-Khurāṣānī the judge. Born in 215 A.H./830 A.D. He studied under Ishāq b. Rāhawayh, Muḥammad b. Naṣr al-Mirwizī, and other scholars in Khurāṣān, ʿIrāq, Ḥijāz and Egypt, where he lived. He was one of the most knowledgeable scholars of his time on Fiqh and Ḥadīth and he was meticulous in examining the authority for narrations before he would accept them. He was particularly famous for his book *al-Sunan*, on Ḥadīth. He died during a journey to perform the pilgrimage and was buried in Mecca, or according to another narration, in Palestine, in 133 A.H./750 A.D. See ibid, pp. 418-421.

*Ibn Māja Muḥammad b. Yazīd Abū ʿAbdullāh al-Qazwīnī*. Born in 209 A.H./824 A.D. He travelled to various countries such as ʿIrāq, Khurāṣān al-Ḥijāz, Miṣr and al-Shām, to seek knowledge. He was learned in Ḥadīth, Tafsīr, and Tarīkh. His book *al-Sunan* collects a good number of Ḥadīth sections, but it contains very weak Ḥadīth. He died in 273 A.H./886 A.D. or 275 A.H./888 A.D. See *Ibn Ḥajar, Tahdhib*, vol. 4, pp. 630-631.
Ibn Ḥibbān: his forenames were Muḥammad b. Ḥibbān b. Ḥamd. He studied under al-Nisāʾī and Ibn Khuzayma, and had more than two thousand teachers. He had a knowledge of medicine and Arabic language. He worked as a judge in Naysābūr for a while, then travelled to Bukhārā, after which he returned to Naysābūr where he taught. Finally, he returned to his country, Sijistān, and people travelled to him to hear his books, which included al-Musnad al-Sahih, to which al-Šaybānī referred, al-Tārikh and al-Dafaqī. He died in 354 A.H./965 A.D. See Muḥammad b. Ėab al-Ḥāḍir, Tabaght ‘Iflam al-Hadith vol. 3, pp. 113-115.

Ibn Khuzayma is Abū Bakr Muḥammad b. Ishaq b. Khuzayma b. al-Mughīra al-Naysābūrī. Born in 223 A.H./837 A.D. From his youth he showed interest in knowledge. When he was asked about it, he explained that he had asked God for it when he drank Zamam water. Among his teachers were al-Munțī and al-Buwayfī Al-Bukhārī and Muslim narrated from him but not in al-Šahih. He was a leading exponent of Ḥadīth knowledge in his time and he stressed that if an authentic Ḥadīth conflicted with his opinion, then people should set aside his opinion and agree with the Ḥadīth. He wrote more than 140 books. He died in 311
A.H./923 A.D. when he was 88. See ibid., vol. 2, pp. 441-446.

See Abī Bakr al-Ḥusaynī, Tabaqāt al-Shāfiʿīya pp. 48-49.

Al-Ḥākim is Abū ʿAbdullah Muḥammad b. ʿAbdullāh al-Naysābūrī. Born in 321 A.H./933 A.D. in Naysābūr. He sought knowledge from his youth. He travelled to ʿIrāq, Mecca and Khurāsān. His teachers were more than 2,000 in Naysābūr alone, and he was a judge there. He was the leading scholar of Ḥadīth in his time and wrote many books on history, Tārīkh Naysābūr, and in Ḥadīth, al-Mustadrak ʿAlī al-Sabīḥayn to which al-ʿĀynī referred. The meaning of al-Istidrāk is a scholar who follows another author who had written Ḥadīths and omitted some which he missed. The second scholar then writes the omitted Ḥadīths in a book called al-Mustadrak. Al-Ḥākim added a section in his book for some Ḥadīths which he believed were authentic but did not follow the conditions of al-Bukhārī or Muslim. Al-Ḥākim died in Naysābūr in 405 A.H./1014 A.D. See Al- Dhahabi, Tadhkirat al-Milāk, vol. 3, p. 1039, Abū Bakr al-Ḥusaynī,

Tābāqat al-Shāfiʿīya, pp. 123-125. Ibn Khallikān, Wafayāt al-
Al-Tabarînî Abū al-Qāsim Sulaymân b. Ahmad b. Ayyûb. Born in 260 A.H./878 A.D. in Tabariyya. He lived in Isfahan until he died in 360 A.H./978 A.D. aged 100 years. He was a great hadîth memoriser of his time. He travelled to collect knowledge, to 'Irâq, Hijâz, Yemen, and Egypt for 33 years, and studied under more than 1000 scholars. Some of his famous books were *al-Mufjam al-Kabîr*, *al-Awsat* and *al-Saghîr*. See Ibn Khallkûn, *Wafâyâ al-A'yan*, vol. 2, p. 407, see *al-Zarkalî al-A'lam*, vol. 3, p. 121.

**Hadîth (1251-2)**

Imâm Malik b. Anas b. Mâlik al-Asbâhî gave his name to the Mâlikî school; he was the Imâm of Hadîth in his time. Born in 93 A.H./291 A.D. during the rule of Sulaymân b. ʿAbd al-Malik b. Marwân and died in al-Madîna in 179 A.H./795 A.D. He was wise, pious, and famous for his morality, especially with his family. He started to seek knowledge when he was young and his teachers included Muḥammad b. al-Munkadir, al-Zuhîrî and Nâfî ʿî. He started to teach and answer people’s questions at the same time as his teachers, when he was 17. Nevertheless, he was very careful in answering questions and was not ashamed to admit his ignorance when he could not answer questions. He was
also known for his great adherence to the Qurān and Sunna. He was respected and loved by the people and the ruler. His book *al-Muwattā* was the first book on Ḥadīth and Fiqh, which Ābū Jaʿfar al-Manṣūr asked him to write. See ʿIyāḍ b. Mūṣā, *Tartīb al-Madārik* vol. 1, pp. 104-190.

**Al-Ṭaḥāwī:** forenames, Ābū Jaʿfar Āḥmad b. Mūḥammad b. Salama; his nickname refers to a village in Egypt called Ṭahā. Born in 239 A.H./853 A.D. In his time, he was a leader of the Ḥanafī school in Egypt and was a narrator of Ḥadīth. He had extensive knowledge of Fiqh and Arabic language. ʿAl-ʿAynī referred to him several times in his manuscript, although he disagreed sometimes with ʿHanafī opinions. Among his famous books were *al-ʿAqīda al-Ṭaḥāwīyya*, *Mushkil al-Āthār*, and *Māʾīn al-Āthār* about the rules of Ḥadīths, which earned a high reputation and was considered by some scholars such as Ibn Ḥazm and ʿAl-ʿAynī to be next in importance to Ṣaḥīḥ al-Bukhārī and Ṣaḥīḥ Muslim. He died in 321 A.H./933 A.D., aged 82 years. See ʿAbdullah Nadīr, *Ābū Jaʿfar al-Ṭaḥāwī*, pp. 164, 203-205, 229. See Muḥammad b. ʿAbd al-Ḥādī, *Tabaqat ʿUlamāʾ al-Hadīth*, vol. 2, pp. 516-517.

Born in 194 A.H./809 A.D., died in 256 A.H./869 A.D. aged 62 years. He studied under a great number of the Prophet’s followers. He travelled to collect Hadīth and his book al-Jāmi‘ al-Sahīh is the most trusted book on Hadīth, as it contains only authentic Hadīths. He prayed two rakās before considering each Hadīth for inclusion, and he set very precise conditions for accepting a narration. He was forced out of his country of Khurāsān because he refused to give special lessons to the ruler’s sons. He went to Samarqand, to stay with relatives, and died there. See Ibn Hājar, Tahdīh vol. 4, pp. 47-55.

Abū Yūsuf: Ya‘qūb b. Ibrāhīm al-Kūfī, was one of the closest students of Abū Ḥanīfa. He sought learning from an early age and, since his father was poor, Abū Ḥanīfa paid for his upkeep in order to give him the chance to study. He was one of the foremost collectors of Hadīths among Abū Ḥanīfa’s students. He died in 182 A.H./798 A.D., aged 69 years. See Muhammad b. ʿAbd al-Hādī, Tabagāt vol. 1, pp. 421-422.

Muhammad b. al-Ḥasan al-Shaybānī. Born in 132 A.H./749 A.D.

He was one of the most famous students of Abū Ḥanīfa, with
whom he studied for two years, until Abū Ḥanīfa’s death. At that
time, Al-Shaybānī was only 18 years old. Then he studied under
Abū Yūsuf. He was famous for his numerous writings and he
participated in spreading Abū Ḥanīfa’s opinions. One of his
famous books was al-Mabsūt which is considered one of the most
important books by the Ḥanafī school. He died in 187 A. H./802
A.D. when he was 58 years. See al-Shāfi‘ī, Tabagāt al-Fugahī,

_Hadīth (1254-4)_

p. 5, line 8  Al-Ḥasan al-Baṣrī b. Yasīr. He was born in the reign of ʿUmar
b. al-Khaṭṭāb, and was one of the jurisprudents at that time of the
followers in al-Baṣra. Many scholars testified to his learning,
and his deep knowledge of the Qurān and Ḥadīth. Also he was
an expert on Fiqh rules. He was one of the most assiduous
worshippers in al-Baṣra. His mother worked as a maid in the
house of Umm Salama (the Prophet’s wife) and this led to his
receiving knowledge from the Prophet’s house (he met 120 of the
Prophet’s companions). He died in al-Baṣra in 110 A. H./728
A.D. aged 88 years. See Muhammad b. Ahmad, Ṭabaqāt ʿUlamāʾ
_al-Hadīth_, vol. 1, pp. 140-142. Muḥammad al-Dhahābī Ṭafsīr
Hadīth (1255-5)

p. 6, line 5  This is likely to be Yāḥyā b. Sa‘īd b. Qays, who died in 44 A.H./664 A.D. or after, because there was a Yāḥyā b. Sa‘īd al-’Attār whose Hadīths are considered as ḍafīf. See Ibn Ḥajar, Tahdhib al-Tahdhib, vol. 11, pp. 221-224.

line 9  ‘Umra b. ʿAbd al-Ḥāmīn was the sister of Muḥammad b. ʿAbd al-Ḥāmīn and not his aunt, as al-ʿAynī indicated. See ibid.

line 17  ʿIyāḍ b. Mūsā b. ʿIyāḍ Abī al-Fadl. Born in Sabta in 476 A.H./1083 A.D. He was one of the famous Shīfi scholars. He started to teach when he was 28 and became a judge at 35, presiding first in Sabta, then in Cordova. His books include al-Shifā Fī Sharaf al-Mustafā Tartib al-Madārik, and al-Ikmāl Fī Sharḥ Muslim. He died far from his country in 533 A.H./1134 A.D. See ibid., vol. 4, pp. 78-81.
**Hadīth (1256-6)**

p. 7, line 10  
Yaḥyā al-Qattān; forenames, Ibn Farrūkh al-Tamīmī. Born in 120 A.H./737 A.D. in al-Baṣra. He narrated from al-Awzāʾī, Sufyān al-Thawrī and many other scholars. He had such great knowledge of Hadīth that his teachers cited him as a source of reference. He was also famous for his knowledge of the narrators and scholars accepted his judgements of them. He was one of Imām Mālik's companions in al-Baṣra. He died in 198 A.H./813 A.D. See Ibn Jāhar, Tahdīhī, vol. 11, pp. 216-220.

**Hadīth (1258-8)**

p. 9, line 18  
‘Abd al-Ḥaq b. ‘Abd al-Rahmān b. ‘Abdullāh b. Ḥusayn. From Ishbiliya. Born in 510 A.H./1116 A.D. or 514 A.H./1120 A.D. He was a jurisprudent and a memoriser of Hadīth. He was known to be ascetic, pious and a keen adherent of the Sunna. He also had an interest in literature and poetry. His books included al-Ahkām al-Kubrā and al-Ahkām al-Sughrā which were mentioned by al-‘Aynī in the manuscript. He died in Bīṣṣa in 581 A.H./1185 A.D. See Muḥammad b. ‘Abd al-Ḥādi, Tabaqāt, vol. 4, pp. 125-127.
Ahmad b. Hanbal b. Asad. He was of Arab origins and his lineage was linked to that of the Prophet. When al-Shafi'i described him, he indicated that he was a scholar of Hadith, Fiqh, Qur'an, and Arabic language, as he was a great memoriser of Hadith, and used to refer to them when answering people's questions. His students included his sons, Sihi, 'Abdullah, and Abü Zar'ā. He was also known for his poverty and piety; he would not accept any reward from the ruler. He had a reputation among scholars for his honesty and they trusted him. One of his famous books was al-Musnad in Hadith. He died in 241 A.H./855 A.D. aged 77. See Abī Ya'fūlī Tabaqat al-Hanābila, vol. 1, pp. 4-16.

Al-Qadariyya is a doctrine first started in the Umayyid period in 'Irāq. The major belief in this doctrine is that individuals have complete free will and that God does not have any knowledge of or effect on their actions. See Muḥammad Muzaffar, Tārīkh al-Firaq, pp. 82-86. John Esposito, The Oxford Encyclopaedia of the Modern Islamic World, vol. 3, pp. 375-378.
Abū Ḫulayl is ʿAbd al-Muṣṭafá b. ʿAbd al-Muṣṭafá. Born in 210 A.H./825 A.D. He started to collect Ḥadīth when he was young and learned from ʿAbd al-Muṣṭafá b. Ṭāhā al-Mawṣilī, Ahmad b. Mūsā b. Ṭāhā al-Mawṣilī, and many other scholars. He was widely trusted by scholars. He followed the Ḥanafī school. His most famous book, al-Musnad, was highly regarded by scholars. Died in 307 A.H./919 A.D. aged 97 years. See Al-Dhahabī, Siyar Aṭrām al-Nubalāʾ, vol. 14, pp. 174-180.

Ḥadīth (1260-10)

p. 11, line 15 ʿAbd al-ʿAzīz al-Drāwūrdī, Ibn Ḥajar indicates that he was from a Persian village called Drāwurd and he died in 82 or 86 A.H./701 A.D. See Ibn Ḥajar, Tahdhīb al-Tahdhīb, vol. 6, p. 354.

Ḥadīth (1261-11)


line 6 The judge referred to is al-Qādī ʿĪyād b. ʿUṣūl al-Qādī ʿĪyād b. ʿUṣūl. Died 533 A.H./1134 A.D.
The same citation of al-Imām Muhyyī al-Dīn al-Nawawī was found in his book but without the last word, Sunna. See Al-Nawawī, Sharḥ Muslim, vol. 3, p. 19.

Al-Imām al-Nawawī refers to Yahya b. Sharaf b. Murrī, a great scholar from the Shafi‘ī school. He was born in 631 A.H./1233 A.D. in Nawā. When he was nineteen, his father took him to Damascus and he started to acquire learning there. He first wanted to study medicine, then he turned to religious knowledge. He was the author of some important books that are referred to by Muslims to this day, such as Sharḥ Sahīḥ Muslim, al-Majmū‘ Sharḥ al-Muhadhdhab, al-Ardabīlī and others. He was famous for standing up to kings or the successors with the right word and asking for justice. He was also pious, did not eat more than one meal a day and did not marry, as he was always busy with scholarship. He died in 676 A.H./1277 A.D. in his country. See Al-Suyūṭī, Tadrīb al-Rawī vol. 1, pp. 29-32.

Hasan Sahīḥ Gharīb – this term means that this Ḥadīth is Hasan from one Isnād and Sahīḥ from another. Isnād Gharīb is authentic, but resting on the authority of only one companion. See Alfred Guillaume, The Traditions of Islam, Glossary, p. 181.
Al-Hadîth al-Munqatî is an Isnâd from which a name is missing. 

Ibid.

Safîd b. al-Musayyib, one of the great followers, Tabî‘ûn. Born two years after the succession of ‘Umar b. al-Khattâb. He studied under ‘Uthmân b. ‘Affân, Zayd b. Thâbit, ‘A’ishâ, and he was the son-in-law of Abû Hurayra. He had wide knowledge, such that he was called the master of the followers, Tabî‘ûn. He frequently fasted and he performed the pilgrimage 40 times. He would not accept gifts from the ruler. He died in 94 A.H./712 A.D. See Ahmad b. ‘Abd al-‘Hâdî, Tabaqât ‘Ulamâ’ al-Hadîth, vol. 1, pp. 112-113.


lines 12 and 15  
*Abī Mījlīz* and *Abī al-Ṣiddīq al-Nāfī* despite extensive searching, I have been unable to identify these names.

line 18  
*Al-Tamarrugh* has the same meaning as *Al-Maḍk*. See *Ibn Manẓūr*, *Līsān al-ʿArab*, vol. 8, p. 451.

**Hadīth (1262-12)**

p. 16, line 3  
*Bishr b. ʿUmar* died in 207 A.H./822 A.D., not in 209 A.H./824 A.D., as *al-Mīzj*, *Tahdhīb al-Kamāl*, vol. 4, pp. 139-140.

**Hadīth (1264-14)**

p. 17, line 15  
*Yahyā b. Maḍīn Abū Zakariyyā* Born in 158 A.H./774 A.D. He was one of the scholars of the ʿHibālī school and he was among the closest friends of *Imām Ahmad*. He was considered one of the greatest scholars of *Hadīth*, especially as regards the reliability of the narrators, and it was said that he wrote thousands of *Hadīths*. He died in 233 A.H./847 A.D. in al-ʿMadīna. See *Muḥammad b. ʿAbd al-Ḥādī*, *Tabaqāt*, vol. 2, pp. 79-81.
Hadīth (1265-15)

p. 19, line 18  
*Sa'id b. Jubayr.* He originated from *al-Ḫabasha.* He was one of the oldest followers who had great knowledge of Ḥadīth, Fiqh, and especially of *Tafsīr.* His closest teachers, *Ibn ʿAbbās, Ibn Ḥibbān* and *al-Ṭabarī,* described him as a trusted Imam and a great worshipper. He was killed by *al-Ḫajjāj* in 95 A.H./713 A.D. when he was 49 years old. See *Muḥammad al-Dhahābī, al-Tafsīr Wa'l-Mufassirūn,* vol. 1, pp. 108-109.

*Ibn Sīrān:* his full name was *Muḥammad b. Sīrān al-Anṣārī,* the leader of his time. He narrated from *Anas b. Mālik, Zayd b. Thābit* and others. He was born in the last two years of ʿUthmān’s rule. He was pious and no-one in *al-Baṣra* had such knowledge of *Qaḍā*’ as he did. He was also famous for interpreting dreams. He died in 110 A.H./728 A.D. See *Ibn Ḥajar, Tahdhib,* vol. 9, pp. 214-216.

line 19  
*ʿAtāʾ b. Yasīr al-Hilālī.* He was a servant of *Maymūna,* the wife of the Prophet. He was born in 19 A.H./637 A.D. He narrated from *Abū Dharr* and *Zayd b. Thābit.* He was trusted by scholars such as *al-Nisāṭ Abū Zaʿrā* and *Ibn Maʿfūn,* and he narrated a

Al-Shāfi`ī: full name, Muḥammad b. Idrīs b. al-ábbās. Born in 150 A.H./767 A.D., the same year that Abū Ḥanṣa died. He started to answer people’s questions when he was 15 or 18 years old. Among his teachers was Imām Mālik, with whom he stayed until the latter’s death, then he travelled to ʿIrāq and studied under Muḥammad b. al-Ḥasan al-Shaybānī, Imām Ahmad b. Ḥanbal was one of his students. He was learned in the fields of Ḥadīth, Fiqh, language, poetry and history. His book al-Risāla which was written in al-ʿIrāq, was a letter to ʿAbd al-Raḥmān b. Mahdī. He was characterised by generosity. One of the rules or principles he followed was that if an authentic Ḥadīth was found to contradict his opinion on any issue, then his opinion should be set aside and the Ḥadīth accepted. He died in Egypt in 204 A.H./819 A.D. See Ibn ʿAbd al-Bar, al-IntiqāʾFi Fadil ʿil al-ʿimma, pp. 115-162.

Iṣḥāq b. Ibrāhīm b. Mukhlid, known as Ibn Rāshāwayh, meaning that his father was born on the way to Mecca. Born in 161
Ibn Ḥibbūn indicated that Ḩaḥīq was among the foremost scholars of his time on Ḥadīth and Fiqh and he was a great memoriser of Ḥadīth, but in the last five months of his life, his memory weakened. He died in 238 A.H./852 A.D. See Ibn Ḥajar, Tahdīḥ, vol. 1, pp. 216-217.

Abū Thawr: his forenames were Ibrāhīm b. Khalid b. al-Yaman. He was one of the students of al-Shāfi‘ī, and he narrated from him, but he disagreed with him on some issues and created his own school of law, which was widely followed by the people of Azerbaijan and Armenia. He died in 240 A.H./854 A.D. His books included al-Salāt, al-Manāsik, and al-Tahāra. See Ibn al-Nadīm, al-Fihrist, pp. 445-446.

Al-Zāhiriyya are the followers of Dāwūd b. ʿAlī b. Khalaf al-Zāhirī who was the founder of the Zāhirī school, which is a school of law. He was born in 200 A.H./815 A.D. His father followed the Ḥanafī school of law and he was originally with the Shāfi‘ī school, then he established the Zāhirī school, which mainly accepts only what is stated explicitly in the Qurān and Sunna and ignores the other means used by scholars to draw out rules. This doctrine was first started in Baghdād and Isfahān then spread in al-Andalus. See ʿĀrif Khalīl, Al-Imām Dāwūd Al-

Ibn Būṭṭal: his name was Muḥammad b. Aḥmad Sulaymān from al-Yaman. He became proficient in grammar, Ḥadīth and Fiqh in his own country, then he travelled to Mecca and studied under the scholars there. On his return, he built a school and students started to go to him. He was also noted for his piety. Among his books was al-Mustāhfa Fī Sharh Gharb al-Mudhahab. He died in 630 A.H./1232 A.D. See Al-Suyūṭī, Busḥyat al-Wifaq, pp. 17-18.

Al-Bayhaqī. Abū Bakr Aḥmad b. al-Ḥusayn b. ʿAlī. Born in one of the villages of Bayhaq, in Naysabūr, in 384 A.H./997 A.D. He started to seek knowledge, travelling to ʿIrāq and al-Ḥijāz. He specialised in Ḥadīth and Fiqh, and wrote books about them, unlike any written previously, such as al-Sunan al-Kabīr and al-Saghūr, Shuʿab al-Imān, Dalāʾil al-Nubuwwa and others. He followed the Shāfiʿī doctrine and defended it. He also wrote a

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p. 21, line 4

Yahyā b. Shayba b. al-Ṣalt b. ʿUsfīr was the author of *al-Musnad*, a great book on Ḥadīth, although he did not complete it. He was a judge in ʿIrāq, and he was one of the great scholars of Ḥadīth. He died in 262 A.H./875 A.D. See *Muḥammad b. ʿAbd al-Ḥādi Tabaqāt*, vol. 2, pp. 272-274.

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**Ḥadīth (1266-15)**

p. 21, line 14

In the biography of Warqāʾ, *al-ʿAynī* indicated that Ibn Maṭīn designated him Ṣāliḥ, but according to *al-Dhahabī*, Ibn Maṭīn described him as Thiqa. See *Al-Dhahabī, Mīzān al-Fīdāl*, vol. 4, p. 332.

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**Ḥadīth (1267-16)**

p. 22, line 11

*Muḥammad b. Ibrāhīm al-Ḥārith al-Tamīmī* His grandfather was among the first emigrants. He saw Saʿd b. Abī Waqqās and
narrated from Abī Sa‘īd al-Khadrī. Great scholars such as al-Nisār, Ibn Ma‘īn and Abū Ḥārin testified that he was a trusted scholar. He died in 120 A.H./737 A.D. See Ibn Ḥajar, Tahdhib vol. 9, pp. 5-6.


Ibn Jurayj is ʿAbd al-Malik b. ʿAbd al-ʿAzīz. His origins were Roman, but he lived in Mecca. He was born in 80 A.H./699 A.D. He was one of the closest students to ʿAṭī b. Rabīḥ and he heard from some of the latest companions. He was among the first scholars to start writing books. Ibn Ḥibbān referred to him in his book, al-Thiqāt. He died in 150 A.H./767 A.D. See Ibn Ḥajar, Tahdhib, vol. 6, pp. 402-406.
Aṣḥāb al-Raʿy are the scholars of al-ʾIrāq, specifically the followers of Imām Abī Ḥanīfa, such as Abū Yūsuf Muḥammad b. al-Ḥasan, Zufar b. al-Hudhayl and others, and they were called so because they were more interested in deriving the meaning from rules than arriving at judgements by analogy. See Al-Shahrastānī, al-Mīlal waʾl-Nihal, p. 208.

Hadīth (1268-17)

p. 24, line 6 In the other Ḥadīth books that explained Sunan, Abū Dāwūd explained that the correct narration omits the name Zaydān from Jaddahum Zaydan or reads Jaddahum Qaysan, because Ūahyā b. Saʿīd did not have a grandfather of the name Zayd, except for one who died in Jahiliyya. See Al-Subki, al-Manhal al-Mawrūd, vol. 7, p. 159. Abūdī, ʿĀwn al-Mawrūd vol. 4, p. 146.

Hadīth (1269-18)

p. 26, line 15 Abū Zaraʾ al-Rāzī is ʿUbaidullāh b. ʿAbd al-Hakīm b. Yazīd b. Farrūkh. Born in 200 A.H./815 A.D.; died in 26 A.H./877 A.D. He was one of the students of Imām ʿAbdul-Ḥamīd, and he himself was an Imām in Ḥadīth. He memorised more than six hundred thousand Ḥadīth and scholars of his time used to refer to him to
check the Ḥadīth's authenticity. See Abī Ya'īū, Ṭabagāt al-

Hishām b. 'Ammār Abū al-Walīl, a Ḥadīth narrator and preacher
from Damascus. Born in 153 A.H./770 A.D. He was a student
of Imām Mālik, and travelled in search of knowledge. Some of
his teachers, Imām Mālik, al-Bukhārī, Abū Dāwūd and al-Nisā'I
narrated from him. Scholars trusted him and he had a high
reputation for his Ḥadīth knowledge. He died in 245 A.H./854
A.D. See Muḥammad b. 'Abd al-Ḥādi, Ṭabagāt, vol. 2, pp. 108-
109.

The name of Sulaymān b. Mūsā was presented in different ways
in the copies of the manuscript; the correct name is Sulaymān b.
Mūsā Al-Ashdaq as in (A) and not Al-Ashdarī as in (B) and his
narration is in Sunan al-Nisā'I. See Ibn Ḥajar, Tahdhib, vol. 8,
2207.
Although this Ḥadīth is in Sunan Ibn Māja, al-ʿAynī did not indicate that as his usual practice, if the Ḥadīth is in the six main Ḥadīth books.

Ṣāhib al-Mabsūṭ refers to Shams al-Ｄīn al-Sarākhṣī, a famous Ḥanafī scholar, whose opinion is expressed in his book, al-Mabsūṭ, vol. 1, p. 156. His forenames were Muḥammad b. ʿAlī b. Sahl, and the name al-Sarākhṣī is derived from Sakhas which is an old town in Khurrāsān. He dictated his 14-volume book, al-Mabsūṭ, to his students when he was in jail, without any sources of reference, but relying solely on his memory, and he was a great scholar of Fiqh. Among his other books were Sharḥ al-Siyar al-Kabīr and Sharḥ al-Kash. He died in 483 A.H./1046 A.D. See Ibn Qaṭībūghā Tāj al-Tarājim, pp. 234-235.
Hadīth (1272-21)

p. 31, line 11  
Al-Ḥānif cited the same opinion as Isḥāq b. Ibrāhīm in his book,  
al-Bināya, but gave the narrator as Ibn ʿUmar, not Isḥāq. See  

Hadīth (1273-22)

p. 33, line 2  
Kurayb died in al-Madīna 98 A.H./716 A.D. in the succession of  
Sulaymān b. ʿAbd al-Malik. See Ibn Ḥajar, Tahdhib al-Tahdhib,  
vol. 8, p. 433.

line 6  
Al-Numarī is Yūsuf b. ʿAbdullāh b. Muḥammad b. ʿAbd al-Bar  
al-Qurṭūbī Of Arabic origin, and was a famous scholar of the  
Mālikī school. Born in 368 A.H./978 A.D. in Cordoba, which  
was a centre of learning at that time. He had knowledge of Fiqh  
and Hadīth and he was called Ḥāfiz. He first followed the Zāhiri  
school, then the Mālikī, but he took a lot from the Ṣāḥīḥī school.  
His famous books included al-Tamhīd Li Māfī al-Muwattā' Min  
al-Asānīd, and al-Istidhkar, but he wrote many others. He died in  
463 A.H./1044 A.D. See Ibn ʿAbd al-Bar, al-Tamhīd, vol. 1,  
introduction.
The author of *Kitāb al-Kamāl* was 'Abū Muḥammad ʿAbd al-Ghanī b. ʿAbd al- ʿWāḥid b. ʿAlī b. Sūrūr al-Maqdisī. Born in Nablus in 544 A.H./1149 A.D. In his youth he travelled in search of knowledge to various countries such as Damascus, Egypt, ʿAbhān, Hamadān and others and from the outset, he was most interested in Ḥadīth, which he preferred to other religious subjects. This could be the reason why he was so famous for his knowledge in that field, that he was called the prince of Ḥadīth, and he was a great memoriser of Ḥadīths. He was called al-Ḥāfiz. He was also known for his worship, his adherence to Sunna, and constant practice of the night prayer. He spent a long period of his life in Damascus, teaching, and gained respect and admiration. However, because of some spiteful people who fabricated a plot against him, he left for Egypt and spent the rest of his life there until he died in 600 A.H./1203 A.D. His books included *Tuhfāt al-Tālibīn*, *al-Tahājiud*, and *al-Kamāl Fi Tahdhib al-Riḍāl* which discuss the conditions of the narrators of Ṣaḥīḥ al- Bukhārī, Muslim, Abū Dāwūd, al-Tirmidhī, al-Nisāʾī and Ibn Māja. See Ibn Rajab, *Tabaqāt al-Hanābila*, vol. 2, pp. 5-29.

*Al-Ḥarra* means land covered with black stones, as if it was burned by fire, and *Zamān al-Ḥarra* is meant to be the time of the...
battle of al-Harra which is called Ḥarrat Wāqim in al-Madīna. It took place in 63 A.H./682 A.D. at the time of Yazīd b. Muʿawiyah. The army leader, Yazīd b. Muslim b. ʿUqba fought the people of Madīna in this area and killed huge numbers of them. He then entered al-Madīna, stole money, and forced the Muslims to give a pledge of allegiance to Yazīd. Those who refused were killed.


Al-Ḥajjān is a mountain in Mecca, near which the people of Mecca used to bury their dead. Al-Ḥamawi, Muḥjam al-Buldun, vol. 2, p. 260.

Al-Manjanāq is a machine used to throw stones. It was originally a Persian word. Ibn Manẓūr, Lisān al-ʿArab, vol. 10. p. 338.

Ibn Ḥajar pointed out that the second narration of al-Miswar's death is more correct because he was killed in the blockade with ʿAbdullah b. al-Zubayr in a rebellion against Yazīd b. Muʿawiyah.


The same information about Banū Ḥarām is mentioned by Yaqūṭ al-Ḥamawi, Muḥjam al-Buldun, vol. 2, p. 271.
Khuzā'a is a tribe from Azd from Banū Qahtān. Their lands were around Mecca, and they were given guardianship of al-Ka'ba before the Quraysh. See ʿUmar Kaḥḥalla, *Muẓjam Qabāʿil al-ʿArab*. vol. 1, pp. 338-339.

Balīy b. ʿAmr is a great tribe from Qudāma from Banū Qahtān. Their lands are between al-Madīna and Wādī al-Qurā. See ibid, pp. 104-105.

Al-Qāsim b. ʿAlī al-Ḥarārī was one of the scholars of al-Baṣra, and the name al-Ḥarārī is derived from al-Ḥarār silk, which it seems one of his grandfathers used to sell. See Al-Samʿānī, *al-Anṣāb*. vol. 2, pp. 208-209.

Al-Khuffa means all that a person has marked and put his sign on. See Ābādī, *al-Qāmūs al-Muḥīṭ*. vol. 1, p. 136.

Those people were called Zād al-Rākib, because whoever travelled with them did not need to supply himself with anything, they would give him all that he needed. See Ibn Manẓūr, *Lisān al-ʿArab*. vol. 6, p. 110.

Al-Zubayr b. Bakkār b. ʿAbd al-Azhmad. He lived in al-Madīna with his family Banī al-Zubayr, then he returned to his country,
and was a judge there, but he used to return to \textit{al-Madīna} to
teach. He died after falling from the roof of his house, in 256
A.H./870 A.D. See Brockelmann, \textit{Tārikh al-Adab al-‘Arabī},
vol. 3, p. 41.

\textit{Al-Zalīm} is the male of the ostrich. \textit{Ābī Qāsim al-Muhīr},
vol. 4, p. 206.

\textit{Istajmal} means to be moderate in request, asking not too much
and not too little. See \textit{Ibid.}, vol. 3, p. 515.

\textbf{Hadīth (1276-25)}

p 39, line 13 \textit{Al-Zajjāj} is \textit{Abū Ishāq ʿIbrāhīm b. al-Surri} b. Sahl. He was one of
the students of \textit{al-Mubarrad}, and he began his career as a maker
of glass. He died in 311 A.H./923 A.D. or 310 A.H./922 A.D. or
316 A.H./928 A.D., having reached over 80 years of age. See
Brockelmann, \textit{Tārikh al-Adab al-‘Arabī}, p. 171.

line 17 \textit{Ibn Hazm} is \textit{Abū Muḥammad ʿAlī b. Ṭāhir b. Saʿīd}, of Persian
origin. Born in \textit{Cordova} in 384 A.H./994 A.D. He was intelligent
and a great memoriser of \textit{Hadīth}. He first belonged to the \textit{Shāfiʿī}
school, then changed to the \textit{Ẓāhirī} school. Among his books is
\textit{Al-Muṭallā} in \textit{Fiqh}, which he explained in another book called \textit{Al-
Muhullā} (in 8 volumes). He also had knowledge of history and

*p 40, line 14*  
Al-Māwardī : the judge ṢAlī b. Muḥammad b. Ḥabīb Abū al-Ḥasan. He was a student of Abī Ḥāmid al-Asfarāyīnī and others. He studied in Baghdād and wrote on various branches of knowledge. He was from the Shāfiʿī school. He died in Baghdād in 450 A.H./1058 A.D. See *al-Shāfiʿī, Tabaqāt al-Fuqahā*, p. 131.

*Hadīth (1278-27)*

*p. 43, line 19*  
Qudāma b. Mūsā's grandfather is ṢAmr, not ṢAmrū as was written in the manuscript. See *Ibn Ḥajar, Tahdhib*, vol. 8, p. 365.

*line 20*  
Ḥafṣ was the son of Ghiyāh not ṢUthmān. Ibid., vol. 2, p. 415.

*p. 44, line 12*  
Abū Ṣāli is al-Tirmidhī and his opinion is expressed in his *Sunan, Kitāb Al-Ṣalāt*, section on no prayer after *Fajr* prayer except for two rakʿas, no. 419, p. 1684.
The book *al-Tārīkh al-Kabīr* was one of the first books to collect the narrators’ names and comment on their faithfulness. *Al-Bukhārī* wrote this book in *al-Madīna* near the Prophet’s grave.


**Hadith (1281-30)**

p. 47, line 4 In the narration of *al-Bukhārī*, it was indicated that this phrase (pray before the *Maghrib* prayer, two *rakās*) was repeated three times, which means that there is an abbreviation in *Abū Dāwūd*’s narration. See *al-Bukhārī, Sahīh Kitāb Al-Tahajjud*, section on the prayer before *Maghrib* prayer, no. 1183, p. 92.

**Hadith (1282-31)**

p. 48, line 4 *Al-Khattābī* explained that *al-‘Umar* referred to *Abū Bakr* and *‘Umar* and that they were gathered under one name as it would be easier than naming them separately. See *al-Khattābī, Mağālim al-Sunan*, vol. 2, p. 83.

**Hadith (1283-32)**

p. 49, line 1 In the biography of *Sa’d b. Sulaymān*, *Ibn Ḥajar* indicated that *Ibn Asākir* named his grandfather *Nashīf* (as *al-‘Aynī* named
him) but he was wrong and Ibn Ḫābūn named him Kināna. See Ibn Ḥajar, *Tahdhīb*, vol. 4, p. 43.

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**Hadīth (1285-34)**

p. 51, line 17  **Merv** means the white stones used to light a fire. There are two cities called Merv. One is *Marw al-Rūḍhī*, which is a city near *Marw al-Shāhījān*. See al-Ḥamawī, *Maqām al-Buldān*, vol. 10, p. 132.

p. 52, line 12  **Al-Unmulah** means the upper part of the finger. See Abūlī, *al-Qāmūs al-Muhīr*, vol. 4, p. 82.
Al-Barfi is a bribe. Ibid., vol. 3, p. 49. When al-‘Ayni was explaining the meaning of the phrase, Imāmat al-Adhā, he referred to corrupt rulers who gained their positions through bribery, and this could be because this was an issue in his day, when such practices were widespread and people were burdened with taxes.

Hadīth (1286-35)

In the biography of Abū al-Aswad al-Du‘alī, Ibn Ḥajar indicated that his name is ʿAmr b. ʿUthmān or ʿUthmān b. ʿAmr. See Ibn Ḥajar, Tahdīḥ, vol. 12, pp. 10-11.

Fustat is the name of an old state established by ʿAmr b. al-Āṣ in what is now known as Egypt. Ibid., vol. 2, p. 556.

Sahl b. Muḥādh, Ibn Ḥibbān mentioned him in his book Al-Thiqāt but he said that his Hadīth is not to be relied on, since it is from Zibān b. Fāʿid’s narration, which is in this hadīth. See Ibn Ḥajar, Tahdīḥ, vol. 4, p. 258.
Hadīth (1288-37)

p. 58, line 6  
Zabarjada is a famous precious stone. See Ābdī, al-Qāmūs al-Muhīṭ, vol. 1, p. 575.

Hadīth (1290-39)

p. 60, line 14  
The Bānū Wāliba are the tribe of Aḥrīth b. Thālaba b. Dūlān b. Asd, and Wāliba is a place in Aḥrabīn. See al-Qalqashandi, Niḥāyat al-Arb, p. 394, also al-Ḥamawī, Muǧam al-Buldān, vol. 5, p. 408.

p. 61, line 2  
Al-Ḥarūriyya is one of the names of the Khawārij who led Iμām Aḥṭ’s army in the ʾṢifṭīn battle and gathered in one of the villages of Al-Kūfā called Ḥarūrī. Among their leaders were ʿAbdullah, b. Al-Akwār, ʿAbdullah b. Wahb al-Rāṣibī and others. See Al-Shahrastānī, Al-Mīlal Waʾl Nihāl, pp. 114-117, see also Ābdī, Al-Qāmūs Al-Muhīṭ, vol. 2, p. 13, also Al-Ḥamawī, Muǧam Al-Buldān, vol. 2, p. 283. Bosworth, The Encyclopaedia of Islam, vol. iii, pp. 235-236.
Qadīṭ is the name of a site near Mecca and it is mentioned in other Ḥadīth also. See Al-Ḥamawī, Muḥjam Al-Buldān, vol. 4, p. 356.

Hadīth (1293-42)

The word Qaṭ is related to the past, and means that the events referred to happened in the past. See ʿAbdī Ḥāmīṣ al-Muhīṭ, vol. 2, p. 560.

Hadīth (1295-44)

Bāriq is a mountain in Tiḥāma in al-Yaman or, according to another theory, a place of water, and the Banū Bāriq are a clan of the Khuzāʾa, part of the Banī Amr who are a sub-tribe of al-Azd tribe. See Al-Ḥamawī, Muḥjam Al-Buldān, vol. 4, p. 356, also Al-Qalqashandī, Niḥāyāt Al-Arb, p. 162.

ʾĀʾisha's narration is mentioned under number (1341-90).

The opinion of al-Tirmidhī is in his Sunan, Kitāb Al-Jumʿa, section on the prayer of the day and night, no. 597, p. 1704.
The opinion of al-Nisā'i is in his Sunan, Kitāb Qiyām Al-Layl Wataatuṭ Al-Nahār, section on the night prayer, no. 1667, p. 2199.


Hadīth (1296-45)

p. 69, line 8 'Abdulla b. Nāfi: in his biography Ibn Al-Madīnī indicated that he is unknown and Al-Bukhārī said that his narration is not correct. See Ibn Hajar, Tahdīb Al-Tahdīb, vol. 6, pp. 50-51.


In other copies of the Sunan there is a note added after the hadīth saying that Abū Dāwūd was asked about the night prayer being prayed in pairs and he answered that it could be prayed in pairs or in four rakās, either was permissible. See Abū Dāwūd, Sunan, vol. 2, p. 29.
Hadīth (1297-46)

p. 72, line 8  
*Al-Khāṣla* in the ḥadīth means a characteristic, whether bad or good, but it is usually used in a favourable sense. See Ābālī, *Al-Qāmūs Al-Muhīṭ*, vol. 3, p. 539.

p. 73, line 12  
Regarding the meaning of *Qīnbār*, Ibn Ḥajar indicates that Ibn Ḥibbān mentioned that it is a place in Yaman, but Ibn Ḥajar thought that this opinion might be wrong and the first opinion which *Al-Ṣayh ibn ‘Aynī* indicated might be more correct. Ibn Ḥajar also pointed out that he saw *Al-Qīnbār* in Al-Yaman. See Ibn Ḥajar, *Tahdhib Al-Tahdhib*, vol. 10, p. 56.

Hadīth (1298-47)

p. 76, line 7  
*Ubulla* refers to a mountain near the Ẓayb mountain. See Ābālī, *Al-Qāmūs Al-Muhīṭ*, vol. 3, p. 479.

line 8  
In the biography of *Muhīṭ ibn Maymūn*, *Al-Ṣayh* mentioned that he died in 192 A.H./807 A.D. However, Ibn Ḥajar indicated that he died in 171 or 172 A.H./788 A.D. See Ibn Ḥajar, *Tahdhib Al-Tahdhib*, vol. 10, p. 327.

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Hilāl Al-Raʾy is Hilāl b. Yahiya Al-Baṣrī Al-Ḥanafī Al-Faqīh.

He narrated from Abī Ḥawāna and Ibn Mahdī. Narrations were also passed on from Hilāl to Abdullah b. Qaṭaba and Al-Ḥusayn b. Ṣaṣār b. Bishān. Ibn Ḥibbān mentioned him in his book Al-Dīfāʻī and pointed out that he cites few narrations but makes many mistakes in them. He died in 245 A.H./859 A.D. In some narrations he was called Hilāl Al-Raʾy or Al-Raṣī. See Al-Dhahabī, Mizān Al-Itīdal, vol. 4, p. 317. See Brockelmann, Tarikh Al-Adab Al-ʿArabī, vol. 3, p. 258.

Al-Ḥadīth Al-Mawqūf is a Ḥadīth that was narrated to a companion, but stopping short of the Prophet, whether it is a saying, action or agreement. See Alfred Guillaume, The Traditions of Islam, p. 181.

Rawḥ b. Al-Musayyib is Al-Kalbī Al-Baṣrī. Ibn ʿAdīy said that his Ḥadīths are remembered inaccurately. Ibn Ḥibbān said that none of his narrations should be accepted. See Al-Dhahabī, Mizān Al-Itīdal, vol. 2, p. 61.
**Hadīth (1299-48)**

p. 79, line 4  
*Al-Qanṭara* is a bridge or ford across water. See Ābū Ḥātim, Ḥimṣī, vol. 3, p. 172.

line 15  
There are different opinions regarding ʿUrwa b. Ruyaym's date of death (125-131, 135-144-145 A.H./307, 748-752-761-762 A.D.) and Ibn Ḥajar did not choose any of them. See Ibn Ḥajar, *Tahdīḥ Al-Tahdīḥ*, vol. 7, p. 180.

*Dhī Khushub* is a valley a stage away from *Al-Madīna* on the Syria road. See Al-Bārī, *Mufjam ma Istījam*, vol. 2, p. 499.

p. 79, line 17  
In regard to the word *al-Anṣārī* in the Hadīth, Ibn Ḥajar indicated that it could be Abū Kabsha al-Anṣārī. See Abū Ḥātim, *ʿAwn al-Mufbūd*, vol. 7, p. 52.

p. 80, line 9  
Abū Jafar is Muḥammad b. ʿUmar Al-ʿUqaylī, the author of *Al-Dhafīṭ*. He lived in Mecca and Madīna. He was a trusted Hadīth scholar. He died in 322 A.H./933 A.D. See Muḥammad b. ʿAbd al-Hādī, *Tabaqāt Ulamāʾ Al-Hadīth*, vol. 3, pp. 22-23.

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Hadīth 1300-49

p. 81, line 10  
*Hamdān* was a city in Persia, named after *Hamdān b. Sām b. Nūh*, who built it. It was established by the Muslims in 24 A.H./644 A.D. under the leadership of *Al-Mughīra b. Shufā*. See *Al-Ḥamawī, Muḥjam Al-Buldūn*, vol. 5, p. 478.

p. 82, line 7  
*ʿAbd al-Aṣḥal* are Banū Jusham b. ʿAmr b. Mālik from Al-Aws tribe. Among the famous companions of this tribe is *Ṣādī b. Muḥīth*, d. 5 A.H./626 A.D. See *Ibn Ḥazm, Jamharat Ansāb Al-ʿArab*, vol. 2, p. 722.

Hadīth 1301-50

p. 83, line 8  
*Qumm* is one of the Persian cities that was established by the Muslims under the leadership of *Ṭalḥa b. Al-Ḥwas*. It had so many wells that no place had more abundant water supplies. Several scholars, such as *Yaḥyā b. ʿAbdullāh* (one of the narrators of this *ḥadīth*), and *ʿAlī b. Mūsā b. Dāwūd al-Qummī* were given the designation, “from *Qum*”. See *Al-Ḥamawī, Muḥjam Al-Buldūn*, vol. 4, pp. 451-452.

line 9  
*Īsfahān* was a great and famous city. Its name is derived from two phrases: *Ašb*, meaning the country, and *Ḥān*, meaning
horseman. Many scholars were named after it, among them, Ābū  
Naṣīḥ  Al-Isfahānī It was the scene of contention between Shāfī’ī  

Ṣāwa was a city between Al-Ray and Hamadhān. Its people  
followed the Shāfī’ī school. It had a great library, but the Tatars  
burned it and destroyed the city. See Al-Ḥamawi, Mufradat  

Al-Dārquṭnay Ālī b. ʿUmar b. Ahmad b. Mahdī b. Māsīḥā was a  
great and famous scholar. He was born in 306 A.H./918 A.D.  
He learned from Al-Bahgawi and Badr Al-Dīn Al-Haythami Al-  
Qādir. His students included Ābū Ḥāmid Al-Asfaraynī and Al-  
Ṭabarī. He was knowledgeable in various fields: Ḥadīth,  
grammar, poetry, literature and jurisprudence. His nickname was  
derived from a house of cotton in Baghdād. He died in 385 A.H./  
995 A.D. See Muḥammad b. Ahmad, Tabaqāt, vol. 3, pp. 185-  
187.  

Ibn Al-Jawzī was the great scholar and preacher in ʿIrāq. His  
name was ʿAbd al-Rahmān b. ʿAlī b. Muḥammad and he was  
descended from Ābū Bakr Al-Siddīq. He was born in 510 A.H./  
1116 A.D. and followed the Ḥanbalī school. His father died  

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when he was three years old and his aunt raised him. Among his teachers were Muḥammad b. Al-Ḥasan Al-Mawardi. His famous students included ‘Abd al-Ghanī Al-Maqdisī. He wrote more than two hundred and fifty books. He died in 597 A.H./1200 A.D., when aged nearly ninety. See Muḥammad b. Ahmad, Tabaqāt, vol. 7, pp. 119-122.

p. 84, line 8 Mu'allaq means that in the Isnād (chain of authorities) of the Hadīth, one or more authorities from the beginning is omitted. See Azami, Hadīth Methodology, p. 44.

Musnad means that the Isnād of the hadīth is uninterrupted and goes back to the Prophet. See Ibid.

Hadīth 1302-51

p. 84, line 14 Mursal means transmission of a successor from the Prophet directly, dropping the companion from the Isnād. See Ibid.

Hadīth 1304-53

p. 89, line 15 Shaybān b. ‘Abd al-Rahmān Abū Muṣṭawīya. It was said that his nickname Al-Naḥwi, refers to a tribe called Naḥw b. Shams, part of Al-Azd tribe, but others believe that he was so called because he was an expert on grammar. He was known among scholars for
his knowledge. He died in 164 A.H./790 A.D., when he was in his eighties. See Muḥammad b. ʿAlī, Taḥāqāt Ṭabāqāt Al-Ulmāʾ Al-Ḥadīth, vol 1, pp. 334-335.

Ḥūrīn b. Mūsā b. ʿAbdullah. He was a Jew, then he became a Muslim. He studied the Qurān and grammar, and he taught. He also studied ḥadīth and Al-Bukhārī and Muslim accepted his narrations as he was trusted by scholars. He died in about 170 A.H./786 A.D. See Al-Suyūṭī, Bughayt Al-Wuṣūr vol. 2, p. 321.

Abū Zayd Saʿīd b. Aws Al-Anṣārī. He was a famous scholar specialising in grammar and language. He taught Al-ʿAṣmaʾ and Sībawayh. His grandfather was one of the companions who participated in the battle of Uḥud. His books include Al-Lughāt, Al-Nawādir, Al-Amthāl, and Buyūrū ʿAl-ʿArab. He was from Baṣra and he died there in 214 or 215 A.H./830 A.D., aged almost a hundred. See Ibid, pp. 125-129. Brockelmann, Tārīkh Al-Adab Al-ʿArabī, vol. 2, pp. 145-146.

Ibn Qutayba. His name was ʿAbdullah b. Muslim b. Qutayba. He lived in Baghdaḍ and learned from Iṣḥāq b. ʿRāhuwayh and Abu Ḥātim Al-Sijistānī. He wrote books on ḥadīth and the Qurān, including Mushkil Al-Ḥadīth, Mushkil Al-Qurān and others. He
Ibn Mas′ūd is ʿAbdullah and sometimes he was called by his mother's name as Ibn Um ʿAbd. He was one of the first companions to embrace Islam, and among them he was one of the foremost memorisers of the Qurʾān. The Prophet also loved to hear him recite it. He had great knowledge of the Qurʾān and he was considered one of the greatest exponents of its interpretation. He died in Al-Madīna in 32 A.H./652 A.D. when he was in his sixties. See Muḥammad Al-Dhahabi, Al-Tafsīr Wa'l Mufassirūn, vol. 1, pp. 86-90.

Zayn ʿAlī ʿĀbidīn is ʿAlī b. ʿAlī b. ʿAlī b. ʿAbī Ṭālīb. He was called Zayn ʿAlī ʿĀbidīn because of his worship. He was born in 38 A.H./658 A.D. He was with his father on the day of Karbalāʾ, at which time he was aged 23 years, but he did not fight because he was ill. He was pious, trusted and knowledgeable about Fiqh, but he rarely narrated Hadīths. He died in 94 A.H./712 A.D. and was buried in Al-Baqīʾ at the age of 58. See Al-Dhahabi, Siyar Aʿlīm Al-Nubalāʾ, vol. 4, pp. 386-401.
Mujāhid b. Jabr, the great commentator of the Qurān. He was born in 21 A.H./641 A.D. during the rule of ʿUmar b. Al-Khaṭṭāb. He was the most trusted student of Ibn ʿAbbās in Ṭafsīr.

Al-Dhahabi indicated there was agreement among scholars that he was a great scholar and they trusted him. He died when he was taken ill in Mecca in 104 A.H./722 A.D., aged 83 years. See Ibid, pp. 109-112.

Al-ʿAmash. His name was Sulaymān b. Mahrān and he came from Al-Kūfa. He was one of the Sighār al-Tābīʿīn ("latest followers") and he was considered a trusted narrator, but sometimes he would make mistakes in the narration of the ḥadīth. He died in 148 A.H./765 A.D. See Al-Dhahabi, Mizān Al-Ṭidāl, vol. 2, p. 224.

Al-Suddī is Muḥammad b. Marwān b. ʿAbdullah b. Ismāʿīl. He was from Al-Kūfa and he was called Al-Suddī Al-Ṣaghīr. He was accused of telling lies, and scholars did not accept his narrations as they did not trust him. See Al-Dhahabi, Mizān Al-Ṭidāl, vol. 4, pp. 32-33, also Al-Dāwūdī, Tabaqāt Al-Mufassirūn, vol. 2, pp. 255-256.

Yahyā b. Yaʿmur Abū Sulaymān. He was the judge of Merv, and was a specialist in the Arabic language, which he had learned
from *Abî Al-Aswad*. Scholars agree on accepting his narrations.


The hadîth of *Al-‘Humma* is found in *Al-Bukhârî*, *Sahîh Kitâb Ba‘ith Al-Khalq*, in the Section on the description of hell fire, hadîth no. 3263, p. 264. *Muslim*, *Sahîh Kitâb Al-Sâlîm*, in the Section, “for each disease there is a cure”, hadîth no. 2209, p. 1069. *Al-Tirmidhî*, *Sunan Kitâb Al-Tib*, the Section on cooling the fever with water, hadîth no. 2874, p. 1859. *Ibn Majâ*, *Sunan Kitâb Al-Tib*, in the Section on fever, hadîth no. 3471-3472, p. 2686

**Hadîth 1307-56**

In the biography of *’Abdullah b. Abî Qays*, *Ibn Ḥajâr* pointed out that he was variously known as *’Abdullah Abî Qays*, or *Ibn Qays*, or *Ibn Abî Mûsâ*, and he indicated that the first name, *Abî Qays*, was more correct, while *Al-‘Aynî* thought *Ibn Qays* was correct.

Hadīth 1308-57

p. 97, line 4 The word Nadāḥa meant rashsha (spraying) and the noun Al-Naqḍh means Al-Rashṣa. See Muhammad Al-Rāzi, Mukhtār Al-Sīhāh, p. 664.

Hadīth 1313-62

p. 102, line 2 Riwāyat Al-Akābīr an Al-Asāghir means that the narrator has transmitted the ḥadīth from a person who is younger or less knowledgeable than himself. See Mahmūd Al-Tahhān, Taysīr Mustalah Al-Hadīth, p. 189.

line 4 Al-Qāra is a tribe consisting of āqal and Al-Dish. They were called by this name because they gathered together and refused to be separated when Ibn Al-Shaddāk wanted to split them into Banī Kināna and Quraysh. See 'Umar Kaḥṭāla, Mufām Qabī'il Al-ʿArab, vol. 3, p. 935.

'Abd al-Raḥmān Al-Qārī, Ibn Ḥajar reported that he died in 85 A.H./704 A.D. or 88 A.H./706 A.D. when he was 78. See Ibn Ḥajar, Tahdhib Al-Tahdhib, vol. 6, p. 223.
Hadīth 1318-67

p. 109, line 15  
*Al-Saḥar* is the time before dawn. See *Al-Rāzī, Mukhtār Al-Sihāḥ* p. 288.

Hadīth 1320-69

p. 111, line 20  
*Al-Ṣuffa* is a place at the end of the Prophet's mosque in *Al-Madīna* on the north side. Poor people who did not have homes or families to live with used to stay there, the number fluctuating from time to time. It was believed that their number was four hundred or more. See *Ibn Taymiyya, Ahl Al-Suffa*, pp. 18-20.

p. 112, line 15  
*Rabī‘a b. Ka‘b, Al-AYnī* indicated that he has only this narration in *hadīth* books. By this, he meant the six main *hadīth* books, because other *hadīths* are attributed to him in other *hadīth* books. See *Al-Sahāraṇafīrī, Radhl Al-Maihīd*, vol. 7, p. 77.

Hadīth 1321-70

p. 113, line 6  
*Qatāda b. Dī‘ma b. Qatāda b. ‘Aziz Al-Sadīsī* He lived in *Al-Baṣra*. He was blind, but he had great knowledge of *Tafsīr*, language, poetry, and *Fiqh*. He also had a great memory; it was said that once he had heard something, he never forgot it. He

line 12

Al-Tustariyyu, Muḥammad b. ʿAbd al-Malik b. Sulaymān b. ʿAbī Al-Jaʿd Al-Ḥanbalī. Born in Tustar in 355 A.H./965 A.D.; came to Al-Andalus in 430 A.H. He followed the Ḥanbalī school and narrated from great scholars of ḤIJāʾ and Khurāṣān. He was a scholar of Quranic knowledge such as Tafsīr, Fiqh and Qirāʾ Ārā. See Ibid, pp. 189-190.

Hadith 1322-71

p. 114, line 6

Muṭarrif b. ʿAbdullāh b. Al-Shikhkhī. He was renowned for his knowledge and piety. He narrated from ʿĀisha and Ubay b. Kaʿb. He was a trusted, pious, cultured and intelligent man, much given to private worship. He was also a rich man. He died in 95 A.H./712 A.D. See Al-Dhahabi, Siyār AṭĪm Al-Nubalāʾ, vol. 4, pp. 187-195.

Hadith 1325-74

p. 117, line 16

This ḥadīth is in Sahīḥ Muslim, Kitāb Salāt Al-Musāfirūn, the section on the best prayer, no. 756, p. 796.
Hadīth 1329-78

p. 121, line 8  
Saylāhān is a village between Al-Kūfah and Al-Qādisiyah near Al-Ḥira. It was called by this name because people with weapons (ṣilāḥ) who worked for Kisrā stayed there. See Yāqūt Al-Ḥamawī, Muṣjam Al-Buldān, vol. 3, p. 339.

line 19  
Al-Muṣafqāl b. Muḥammad b. Yaḥyā. He was one of the greatest scholars of Kūfah in the fields of grammar, literature and language. He also had knowledge of poetry. His books include Al-Amthāl, Al-ʿAṣr, Al-ʿArūd. Among his students were Abū Zayd Al-Anṣārī. See Yāqūt Al-Ḥamawī, Muṣjam Al-ʿUdabī, vol. 19, p. 164.

Hadīth 1333-82

p. 126, line 11  
Al-Sahūl is a tribe from Ḥimyar. Their name is derived from a place name. Aman was named after this place, and was mentioned by Al-ʿAynī, and then the name of this man came to be used to refer to any member of that tribe. See ʿUmar Kāḥibī, Muṣjam Qabāʿil Al-ʿArab, vol. 2, p. 504.
Al-Hadīth Al-Muṭṭarib exists in a number of different narrations but all are equally reliable and accepted, in that none of them can be preferred over the others or reconciliation made between them.


The expression Akhrajahu Al-Jamāʿa, means that the hadīth was documented by Al-Bukhārī, Muslim, Abū Dāwūd Al-Tirmidhī, Al-Nisāʾī and Ibn Māja.

Al-Awzāʾī: his name was Abū Ṭāmīr Ṣāḥib b. Ṣāḥib Al-Mubārak. See Al-Shīrī, Taḥaqāt Al-Fugahī, p. 76.
Al-\(^{c}\)Ayn\(\bar{r}\) used the phrase, “I said”, (\textit{Quli}) twice on this page, first on this line and again in line 13, and they are confusing. The first one refers to Al-Nawaw\(\bar{f}\) and his opinion, the second refers to Al-\(^{c}\)Ayn\(\bar{r}\) and his opinion.

\textit{Hadith (1341-90)}

p. 135, line 15 \textit{Hadith Al-Wā\(\ddot{a}\)lī} to which Al-\(^{c}\)Ayn\(\bar{r}\) referred, explained that when the Prophet was travelling with his companions, they slept during the night, and neither the Prophet nor any of the companions woke up to pray the \textit{Fajr} prayer until its usual time had passed, then they prayed it after the sun rose. This \textit{hadith} is documented in Al-Bukhr\(\bar{a}\), \textit{Sahīh}, Kitāb Al-Tayammum, in the Section on Muslims using \textit{Tayammum} for ablution, no. 344, p. 29, and in Abū Dāvw\(\ddot{u}\d, \textit{Sunan}, Kitāb Al-\textit{Ṣalā}, in the Section on those who miss the prayer time because of sleep or forgetfulness, \textit{hadith} (435), p. 1255.

\textit{Hadith (1342-91)}

p. 140, line 6 \textit{Al-Isnād Al-\(^{c}\)Al\(\ddot{r}\)} is the chain of authorities that contains fewer narrations compared with others. See \textit{Al-Ṭahhān}, \textit{Taysīr Mustalah Al-Hadīth}, p. 181.
Hadîth (1352-101)

p. 147, line 2 Ibn Al-Sikkî is Abû Yûsuf Ya'qûb b. Íshāq whose father was nicknamed Al-Sikki, because he was always silent. He was one of the great scholars of language. His teachers included Al-Farrâ’ and Al-Kisî’î from Al-Kifâ and Al-Âsma’î, Abî Úbayda, from Al-Baṣra. Among his books were Al-Amthâl and Sharh Dîvân Turfa. He taught Al-Mutawakkil’s son, but Al-Mutawakkil noticed his loyalty to Ìlî b. Abî Tâlib, and he ordered that he should be beaten, and he died as a result in 243 A.H./857 A.D. or 246. Al-Anbârî, Nuzhat Al-Alibbî, pp. 178-180. See Brockelmann, Tarîkh Al-Adab Al-Ìrâbî, vol. 2, p. 205.

Hadîth (1354-103)

p. 148, line 20 There is an omission in manuscripts A and B of the name of Abû Khâlid. His name is Yazîd b. Ìabd al-Rahmân. See Al-Subkî Al-Manhal Al-Mawrid, vol. 7, p. 286.
Hadīth (1357-106)

p. 152, line 3  
\(\text{Al-Ḥabbāb was named Ibn ṬAbī Ḥabbāb Al-Andalusi }\) \(\text{ʿAbd al-}
\(\text{ʿAzīz b. ʿAbdād b. ṬAbī Ḥabbāb. His date of death was 411}
\(\text{A.H.}/1020 \text{ A.D.}; no further information is given about him. See}
\(\text{Yaḥqūb Imīl BāṭŪ, Al-Mufjam Al-Muḥassal Fī Al-Laghawiyīn Al-}
\(\text{ʿArab, vol. 1, p. 163.}

Hadīth (1358-107)

p. 153, line 1  
\(\text{Kītb Al-Adab was written by Muḥammad Ṭī Ṭabī Būkhārī. It}
\(\text{comprised hadiths that are related to morals, and it is one of the}
\(\text{best books that was written in this field. See Al-Būkhārī,}
\(\text{Al-Adab Al-Mufrad, Introduction.}

Hadīth (1365-114)

p. 157, line 18  
\(\text{Qūnīs was a big place between Al-Ray and Naysābūr which was}
\(\text{comprised of villages, farms and cities. See Ṭābī, Mufjam}
\(\text{Al-Buldān, vol. 4, p. 470.}

219
Hadîth (1366-115)

p. 159, line 8  
Uskuffa means the doorstep. See Ibn Manzûr, *Lisân Al-‘Arab*, vol. 9, p. 156.

line 10  
Al-Zamakhsharî is Abû Al-Qâsim Mahmûd b. ‘Umar b. Muḥammad. He was born in 467 A.H./1074 A.D. in Zamakhshar, one of the villages of Khawârazm. He followed the Ḥanafî school and he adhered to the Muṭṭazîlî trend or belief. He was famous for various branches of scholarship, such as Tafsîr, Arabic language, grammar and literature, and one of his best books was his Qur'anic commentary *Al-Kashshîf ‘An Haqû‘iq Al-Tanzîl*. He died in Khawârazm in 538 A.H./1143 A.D. See Muḥammad Al-Dhâhabî, *Al-Tafsîr Wa’l Mufassirîn*, vol. 1, p. 429. *Al-Ṭabṭabâ‘î, Al-Tafsîr*, p. 152.
CHAPTER FIVE

DOCUMENTATION OF THE HADĪTH

1. (1250-1)

Considered Ḥasan, Al-Albānī, Sahih Sunan Abī Dāwūd, vol. 1, p. 343, Muslim, Sahih
Kitāb Ṣalāt Al-Musāfirīn, Section on Al-Sunan Al-Rāība, no. 728, p. 792, Al-Tirmidhī,
Sunan, Kitāb Al-Ṣalāt, Section on who prays twelve rakās, no. 415, p. 1684. Al-Nisāʾī,
Sunan, Kitāb Al-Qiyām, Section on reward for those who pray twelve rakās, no. 1799,
p. 2206. Ibn Māja, Sunan, Kitāb Iqāmat Al-Ṣalāt, Section on the twelve rakās from the
Sunna, no. 1141, p. 2543.

2. (1251-2)

Considered Ḥasan, Al-Albānī, Ibid, p. 344, Al-Tirmidhī, Sunan, Kitāb Al-Ṣalāt, Section
on the two rakās after the ʿIshāʾ prayer, no. 436, p. 1686. Al-Nisāʾī, Sunan, Kitāb
Qiyām Al-Layl, Section on when he starts the prayer standing, no. 1648, p. 2197.
Muslim, Sahih, Kitāb Al-Ṣalāt, Section on praying the voluntary prayer, standing or
sitting, no. 730, p. 792.

3. (1252-3)

Considered Ḥasan, Al-Albānī, Ibid, Al-Bukhārī, Sahih, Kitāb Al-Ṣalāt, Section on the
prayer after the obligatory prayer, no. 2, p. 72. Muslim, Sahih, Kitāb Al-Ṣalāt, Section
on Al-Sunan Al-Rāība, no. 2, p. 162. Al-Nisāʾī, Sunan, Kitāb Al-Imāna, Section on the
prayer after Zuhur, no. 874, p. 2143.
4. (1253-4)
Considered Ṣahīḥ Al-Bāḥḥīṣ, Ibid, Al-Bukhārī, Ṣahīḥ, Kitāb Al-Tahajjud, Section on the two rakʿas before Zuḥūr, no. 3, p. 58. Al-Nisāʾ, Kitāb Qiyām Al-Layl, Section on the two rakʿas before Fajr prayer, no. 1758, p. 2204. This hadīth could not be found in Ṣahīḥ Muslim as Al-Ḥāny indicated.

5. (1254-4)
Considered Ṣahīḥ Al-Bāḥḥīṣ, Ibid. Muslim, Ṣahīḥ, Kitāb Ṣalāʾ Al-Musāfirīn, Section on Fajr prayer, no. 724, p. 791. Al-Bukhārī, Ṣahīḥ, Kitāb Al-Tahajjud, Section on Fajr prayer, no. 1169, p. 90.

6. (1255-5)
Considered Ṣahīḥ Al-Bāḥḥīṣ, Ibid. Al-Bukhārī, Ṣahīḥ, Kitāb Al-Tahajjud, Section on what is recited in the dawn prayer, no. 1171, p. 90. Muslim, Ṣahīḥ, Kitāb Ṣalāʾ Al-Musāfirīn, Section on what is favourable to recite in the dawn prayer, no. 724, p. 791. Al-Nisāʾ, Sunan, Kitāb Al-Iṣḥāḥ, Section on reciting in the dawn prayer, no. 947, p. 2149.

7. (1256-6)
8. (1257-7)  
Considered *Sahih, Al-Albanî*, Ibid. This hadîth is not found in the five main hadîth books and this could be the reason why *Al-Aynî* did not give any documentation for it.

9. (1258-8)  
Considered *Dâ'if, Al-Albânî*, *Dâ'if Sunan Abî Dâwûd*, p. 98. This hadîth is not found in the five main hadîth books.

10. (1259-9)  

11. (1260-10)  
Considered *Hasan, Al-Albânî*, *Sahih Sunan Abî Dâwûd*, vol. 1, p. 346. This hadîth is not found in the five main hadîth books.

12. (1261-11)  

13. (1262-12)  
Considered *Sahih, Al-Albânî*, Ibid, but the narration on lying down before the Fajr Sunna is odd; it is widely known that lying down comes after it. *Al-Bukhârî, Sahih*, *Kitâb Al-Salâ*, Section on talking after the Fajr prayer, no. 1161 p. 90. *Muslim, Sahih*.
Kitāb Ṣalāḥ Al-Musāfirīn, Section on the night prayer, no. 133, p. 704. Al-Tirmidhī.

Sunan, Kitāb Al-Ṣalāḥ, Section on lying down after the Fajr Sunna, no. 420, p. 1684.

14. (1264-13)
Considered Ḍaīf, Al-Albānī, Ḍaīf Sunan Abī Dāwūd, p. 98. The ḥadīth could not be found in the five main ḥadīth books.

15. (1265-14)
Considered Sahīh, Al-Albānī, Sahīh Sunan Abī Dāwūd, p. 347, Muslim, Sahīh, Kitāb Ṣalāḥ Al-Musāfirīn, Section on the inappropriateness of starting a voluntary prayer after the Imām has started an obligatory one, no. 67, p. 89. Al-Nisāʾī, Sunan, Kitāb Al-Imāna, Section on people who pray Fajr Sunna while the Imām is performing another prayer, no. 869, p. 2143, Ibn Māja, Sunan, Kitāb Al-Ṣalāḥ, Section on when the prayer starts, no other prayer should be performed, no. 1152, p. 2544.

16. (1266-15)
Considered Sahīh, Al-Albānī, Ibid. The rest of the explanation of this ḥadīth is missing and that is why there is no documentation of it in Al-ʿAynī’s commentary. Muslim, Sahīh, Kitāb Ṣalāḥ Al-Musāfirīn, Section on when the time of the obligatory prayer starts, no voluntary prayer should be performed, no. 710, p. 789. Al-Tirmidhī, Sunan, Kitāb Al-Ṣalāḥ, under the same Section, no. 421, p. 1684. Al-Nisāʾī, Sunan, Kitāb Al-Ṣalāḥ, under the same Section, no. 866, p. 2143. Ibn Māja, Kitāb Al-Ṣalāḥ under the same Section, no. 1151, p. 2544.
17. (1267-16)

18. (1268-17)
Considered Şaḥīḥ Al-Ālbañī, but the phrase (Jaddahum Zaydan) is incorrect; the correct expression is (Jaddahum Qaysan), Ibid, p. 348. the documentation is the same as for the previous hadīth, as it is another narration of it.

19. (1269-18)

20. (1270-19)
Considered Ḥasan, Al-Ālbañī, Ibid, p. 348, although Abī Dāwūd indicated that ʿUbayda (one of the links in the chain of authorities) is weak (Dhīfī). Al-Subki explained that there are other narrations of this hadīth which support one another. Al-Subki, Al-Manhal Al-Mawrūd, vol. 7, p. 162. Ibn Mājah, Sunan, Kitāb Iqāmat Al-Ṣalawāt, Section on the four rakʿas before Zuhur, no. 1157, p. 2544.
21. (1271-20)

22. (1272-21)
Considered Ḥasan, Al-Albānī, except for the narration with the phrase (four rakās), Ibid, p. 349. Al-Tirmidhī, Sunan, Kitāb Al-Ṣalāh, Section on the four rakās before ʿAṣr prayer, no. 430, p. 1685. Al-Nisāʾī, Sunan, Kitāb Al-Iṣlāḥ, Section on the voluntary prayer before the ʿAṣr prayer, no. 775-776, p. 2143. Ibn Māja, Sunan, Kitāb Iqāmat Al-Ṣalawāt, Section on the voluntary prayer in the daytime, no. 1181, p. 2545.

23. (1273-22)
Considered Sahih, Al-Albānī, Ibid, p. 349.

24. (1274-23)

25. (1275-24)
Considered Ḍaṭḥ, Al-Albānī, Ḍaṭḥ Sunan Abī Dāwūd, p. 99.
26. (1276-25)
Considered Ṣaḥīḥ, Al- Albānī, Ṣaḥīḥ Sunan Abī Dāwūd, p. 350. Al-Bukhārī, Ṣaḥīḥ Kitāb Mawāṣṣa, Sunan Al-Ṣalāh, Section on the voluntary prayer after the Fajr prayer, no. 581, p. 47. Muslim, Ṣaḥīḥ Kitāb Ṣalāt Al-Musāfirīn, Section on the times during which prayer is prohibited, no. 825, p. 807. Al-Tirmidhī, Sunan, Kitāb Al-Ṣalāh, Section on prayers should be prayed after ʿAṣr prayer, no. 183, p. 1653. Al-Nisāʾī, Sunan, Kitāb Al-Mawāṣṣa, Section on the times when it is prohibited to pray, no. 561, p. 2123. Ibn Māja, Sunan, Kitāb Iqāmat Al-Ṣalāh, Section on the prohibition against praying after the Fajr prayer, no. 1250, p. 2550.

27. (1277-26)
Considered Ṣaḥīḥ, Al-Albānī, Ibid, p. 351. Muslim Ṣaḥīḥ, Kitāb Ṣalāt Al-Musāfirīn, Section on the ʿAbsa embrace of Islam, no. 832, p. 808. Al-Tirmidhī, Sunan, Kitāb Al-Daʿawāt, Section entitled Nuzūl Al-Rab illā Al-Samāʾ Al-Dunyā (the descent of God to the lowest heaven), no. 3499, p. 311, Ibn Māja, Sunan, Kitāb Iqāmat Al-Ṣalāwāt, Section on which of the night hours are better, no. 1363, p. 2558.

28. (1278-27)
29. (1279-28)

Considered Ṣaḥīḥ, Al-ʿAlbānī, Ibid, p. 351. Al-Bukhārī, Ṣaḥīḥ, Kitāb Al-Ṣalā, Section on what is prayed after the ʿAṣr prayer, no. 593, p. 48. Muslim, Ṣaḥīḥ, Kitāb ʿṢalā Al-Musāfīrīn, Section on the two rakʿas after the ʿAṣr prayer, no. 835, p. 809. Al-Nisāʾī, Sunan, Kitāb Al-Mawāquf, Section on the permissibility of praying after the ʿAṣr prayer, no. 575, p. 2124.

30. (1280-29)

Considered Ḍafʾī, Al-ʿAlbānī, Ḍafʾī Sunan Aḥbāb Dāwūd, p. 99.

31. (1281-30)

Considered Ṣaḥīḥ, Al-ʿAlbānī, Ṣaḥīḥ Sunan Aḥbāb Dāwūd, p. 351. Al-Bukhārī, Ṣaḥīḥ, Kitāb Al-Tahajjud, Section on praying before the Maghrib prayer, no. 1183, p. 92.

32. (1282-31)

Considered Ṣaḥīḥ, Al-ʿAlbānī, Ibid, p. 352. Al-Bukhārī, Ṣaḥīḥ, Kitāb Al-Adhān, Section on the time between Adhān and Ḥqāma, no. 624, p. 50. Muslim, Ṣaḥīḥ, Kitāb ʿṢalā Al-Musāfīrīn, Section on a prayer between each two, no. 838, p. 809. Al-Tirmidhī, Sunan, Kitāb Al-Adhān, Section on the Sunna after the Maghrib prayer, no. 185, p. 1654, Al-Nisāʾī, Sunan, Kitāb Al-Adhān, Section on the prayer between Adhān and Ḥqāma, no. 682, p. 2130. Ibn Māja, Sunan, Kitāb Ḥqāmat Al-Ṣalawāt, Section on the two rakʿas before Maghrib, no. 1162, p. 2545.
33. (1283-32)
Considered Şahīḥ, Al-Albānī, Ibid, p. 352. Muslim, Şahīḥ Kitāb Ṣalāḥ Al-Mustafirīn, Section on voluntary prayer before the Maghrib prayer, no. 836, p. 809.

34. (1284-33)
Considered Ḍaʾīf, Al-Albānī, Ḍaʾīf Sunan Abī Ḍāwūd, p. 99.

35. (1285-34)
Considered Şahīḥ, Al-Albānī, Şahīḥ Sunan Abī Ḍāwūd, pp. 352-353. Muslim, Şahīḥ Kitāb Ṣalāḥ Al-Mustafirīn, Section on Ḍuḥā prayer, no. 717, p. 79.

36. (1286-35)
Considered Şahīḥ, the same documentation as the previous hadīth with different words.

37. (1287-36)
Considered Ḍaʾīf, Al-Albānī, Ḍaʾīf Sunan Abī Ḍāwūd, p. 100.

38. (1288-37)
Considered Şahīḥ, Al-Albānī, Şahīḥ Sunan Abī Ḍāwūd, p. 353.

39. (1289-38)
40. (1290-39)
Considered *Dāríf, Al- Albānī, Dāríf Sunan Abī Dāwūd*, p. 100. Ibn Māja, Sunan, Kitāb Iqāmat Al-Ṣalā, Section on Dūhā prayer, no. 1379, p. 2559.

41. (1291-40)
Considered Şāhīḥ Al- Albānī, Şāhīḥ Sunan Abī Dāwūd, p. 353. Al-Bukhārī, Şāhīḥ Kitāb Al-Tahajjud, Section on Dūhā prayer, no. 1176, p. 91. Muslim, Şāhīḥ Kitāb Şalā Al-Musāfīrīn, Section on Dūhā prayer, no. 336, p. 190. Al-Tirmidhī, Sunan, Kitāb Al-Witr, Section on Dūhā prayer, no. 474, p. 1690.

42. (1292-41)

43. (1293-42)

44. (1294-43)
45. (1295-44)
Considered Sahih, Al-Albani, Ibid, p. 354. Al-Tirmidhi, Sunan, Kitab Al-Jum'a, Section on praying two rak'as day and night, no 597, p. 1704. Al-Nisa'i, Sunan, Kitab Qiyam Al-Layl, Section on how to pray at night, no. 1667, p. 2199. Ibn Maja, Sunan, Kitab Iqamat Al-Salawat, Section on praying two rak'as day and night, no. 1322, p. 2555.

46. (1296-45)
Considered Daif, Al-Albani, Daif Sunan Abi Dawud, p. 101. Ibn Maja, Sunan, Kitab Qiyam Al-Layl, Section on praying day and night prayer in pairs, no. 1325, p. 2555.

47. (1297-46)

48. (1298-47)

49. (1299-48)

50. (1300-49)
Considered Hasan, Al-Albani, Sahih Sunan Abi Dawud, vol. 1, p. 356. Al-Tirmidhi, Sunan, Kitab Al-Jum'a, Section on voluntary prayer after the Maghrib prayer, no. 604, p. 1709. Al-Nisa'i, Sunan, Kitab Qiyam Al-Layl, Section on praying at home, no. 1601,

51. (1301-50)

52. (1302-51)

53. (1303-52)

54. (1304-53)
Considered Ḥasan, Al-Albānī, *Ṣaḥīḥ Sunan Abī Dāwūd*, vol. 1, p. 357.

55. (1305-54)
Considered Ṣaḥīḥ, Al-Albānī, Ibid, p. 357.

56. (1306-55)
Considered Ṣaḥīḥ, Al-Albānī, Ibid, p. 308. *Al-Bukhārī, Ṣaḥīḥ, Kitāb Al-Tahajjud*, Section on satan's tying knots at the back of the head if one does not offer the night prayer, no. 1142, p. 89. *Muslim, Ṣaḥīḥ, Kitāb Šalāt Al-Musāfirīn*, Section on preferring the recitation in night prayer, no. 776, p. 800. *Al-Nisā'ī, Sunan, Kitāb Qiyām Al-Layl*, Section on encouragement to pray the night prayer, no. 1608, p. 2195.
57. (1307-56)

58. (1308-57)

59. (1309-58)

60. (1310-59)
61. (1311-60)  

62. (1312-61)  

63. (1313-62)  

64. (1314-63)  
65. (1315-64)
Considered *Sahih, Al-Albani*, Ibid, p. 360. *Al-Bukhari, Sahih, Kitab Al-Tahajjud*, Section on praying and invoking *Allah* in the last hours of the night, no. 1145, p. 89. *Muslim, Sahih, Kitab Salat Al-Musafirin*, Section on invoking *Allah* in the last part of the night, no. 758, p. 197. *Al-Tirmidhi, Sunan, Kitab Al-Salat*, Section on *Allah*’s descent to the lowest heaven, no. 446, p. 1687. *Ibn Majah, Sunan, Kitab Al-Salat*, Section on which night hours are better for prayer, no. 1366, p. 2558.

66. (1316-65)

67. (1317-66)

68. (1318-67)
Considered *Sahih, Al-Albani*, Ibid, p. 361. *Al-Bukhari, Sahih, Kitab Al-Tahajjud*, Section on sleeping in the last hours of the night, no. 1133, p. 88. *Muslim, Sahih, Kitab Salat Al-Musafirin*, Section on night prayer, no. 742, p. 794.

69. (1319-68)
Considered *Hasan, Al-Albani, Sahih Sunan Abi Dawud*, vol. 1, p. 361.
70. (1320-69)
Considered Sahih, Al-Baani, p. 361. Muslim, Sahih, Kitab Al-Sala, Section on the excellence of prostration, no. 489, p. 75. Al-Nisai, Sunan, Kitab Al-Sala, Section on the excellence of prostration, no. 1139, p. 2160.

71. (1321-70)
Considered Sahih, Al-Baani, p. 362.

72. (1322-71)
Considered Sahih, Al-Baani, p. 362.

73. (1323-72)
Considered Dafif, Al-Baani, Dafif Sunan Abi Dawud, p. 102.

74. (1324-73)
Considered Sahih, Al-Baani, Sahih Sunan Abi Dawud, p. 362. Muslim, Sahih, Kitab Al-Sala, Section on invocation in the night prayer, no. 768, p. 799.

75. (1325-74)
Considered Sahih, Al-Baani, but with the phrase (which prayer) instead of (which action), p. 362.

76. (1326-75)
Considered Sahih, Al-Baani, p. 363. Al-Bukhari, Sahih, Kitab Al-Witr, Section on the Witr prayer, no. 990, p. 78. Muslim, Sahih, Kitab Salat Al-Musafirin, Section on praying the night prayer in pairs, no. 749, p. 795. Al-Nisai, Sunan, Kitab Qiyam Al-
Layl, Section on praying the Witr prayer in one rak'a, no. 12695, p. 2200. Ibn Maja,

Sunan, Kitāb Iqāmat Al-Ṣalāwāt, Section on praying the night prayer in pairs, no. 1320, p. 2555.

77. (1327-76)
Considered Hasan, Al-Albānī, Ibid.

78. (1328-77)
Considered Hasan, Al-Albānī, Ibid.

79. (1329-78)
Considered Sahih, Al-Albānī, Ibid., p. 364. Al-Tirmidhi, Sunan, Kitāb Al-Ṣalāt, Section on night recitation, no. 447, p. 1687.

80. (1331-80)
Considered Sahih, Al-Albānī, Ibid.

81. (1331-80)
Considered Sahih, Al-Albānī, Ibid. Al-Bukhārī, Sahih, Kitāb Faḍā'il Al-Qurān, Section on Qurān forgetfulness (Nisyān Al-Qurān), no. 5037, p. 436. Muslim, Sahih, Kitāb Faḍā'il Al-Qurān, Section on the order to memorise the Qurān (Al-Amr bi Taḥḥud Al-Qurān) no. 788, p. 802.

82. (1332-81)
Considered Sahih, Al-Albānī, Ibid., p. 365.
83. (1333-82)
Considered Sahih Al-Albani, Ibid., Al-Tirmidhi, Sunan, Kitab Faḍā'il Al-Qurān, Section on reciting the Qurān, no. 2919, p. 1945, Al-Nisā'I, Sunan, Kitāb Qiya'm Al-Layl. Section on reciting quietly is better than loudly, no. 1664, p. 2198.

84. (1334-83)
Considered Sahih Al-Albani, vol. 1, p. 365. Al-Bukhārī, Sahih, Kitab Al-Tahajjud, Section on long standing in night prayer, no. 1140, p. 89. Muslim, Sahih, Kitab Salat Al-Musafirin, Section on night prayers, no. 738, p. 794.

85. (1335-84)
Considered Sahih Al-Albani, Ibid. Al-Bukhārī, Sahih, Kitab Al-Witr, Section on Al-Witr, no. 994, p. 78. Muslim, Sahih, Kitab Salat Al-Musafirin, Section on night prayer, no. 736, p. 793. Al-Tirmidhi, Sunan, Kitab Al-Salat, Section on describing the Prophet’s prayer, no. 439, p. 1686. Ibn Māja, Sunan, Kitab Iqāmat Al-Salāt, Section on how many rak'as in night prayer, no. 1358, p. 2557.

86. (1336-85)
Considered Sahih Al-Albani, Ibid., p. 366. The same documentation as the previous hadith. In addition it was documented in Al-Nisā'I, Sunan Kitāb Qiya'm Al-Layl, Section on how to pray the Witr prayer in one rak'a, no. 1697, p. 200.

87. (1337-86)
Considered Sahih, part of the previous hadith.
88. (1338-87)

Considered Ṣaḥīḥ Al-Albānī, Ibid. Al-Nisā’ I, Sunan, Kitāb Qiyām Al-Layl, Section on how to pray the Witr prayer in five rak'as, no. 1718, p. 2201. Muslim, the same documentation as (1334-83) Al-Tirmidhi, Sunan, Kitāb Al-Witr, Section on how to pray the Witr prayer in five rak'as, no. 458, p. 1688. Ibn Māṣa, Sunan, Kitāb Iqāmat Al-Ṣalawāt, Section on how many rak'as are to be prayed in the night prayer, no. 1359, p. 2557.

89. (1339-88)

Considered Ṣaḥīḥ is part of the previous ḥadīth.

90. (1340-89)

Considered Ṣaḥīḥ Al-Albānī, Ibid. Muslim, the same documentation as the previous ḥadīth, Al-Nisā’ I, Sunan, Kitāb Qiyām Al-Layl, Section on prayer between the Witr and Fajr prayers, no. 1757, p. 2204.

91. (1341-90)

Considered Ṣaḥīḥ Al-Albānī, Ibid, p. 367. Al-Bukhārī, Ṣaḥīḥ, Kitāb Al-Tahajjud, Section on the Prophet’s prayer in Ramadān, no. 1147, p. 89. Muslim, the same documentation as the previous ḥadīth. Al-Tirmidhi, Sunan, Kitāb Al-Ṣalāt, Section on describing the Prophet’s prayer, no. 439, p. 1686.
92. (1342-91)

Considered Sahih, Al-Albani, Ibid. Muslim, Sahih, Kitab Salat Al-Musafirin, Section on night prayer and those who sleep and omit it, no. 746, p. 794. Al-Nisai, Sunan, Kitab Qiyam Al-Layl, Section on night prayer, no. 1602, p. 2194.

93. (1343-92), (1344-93), (1345-94), (1346-95), (1347-96), (1348-97), (1349-98), (1350-99), (1351-100), (1352-101)

These are all other narrations of hadith (1342-91), and all of them are considered Sahih except (1350-99), and (1351-100), which are Hasan Sahih, and in (1348-97) which is Sahih except for the word four, whereas two is correct, see Al-Albani, pp. 369-371.

102. (1352-101)

Considered Sahih, Al-Nisai, Sunan, Kitab Qiyam Al-Layl, Section on what to do when starting the night prayer standing, no. 1652, p. 2198.

103. (1353-102)

Considered Sahih, Al-Albani, Ibid., p. 372. Muslim, Sahih, Kitab Salat Al-Musafirin, Section on the Prophet’s night prayer, no. 763, p. 709. Al-Nisai, Sunan, Kitab Qiyam Al-Layl, Section on how to pray Witr in three rakas, no. 1706, p. 2201.

104. (1354-103)

Considered Sahih, Al-Albani, Ibid, another narration of the previous hadith.

105. (1355-104)

Considered Dasif, Al-Albani, Dasif, Sunan Abi Dawud, p. 104.
106. (1356-105)
Considered *Ṣaḥīḥ Al-Albānī*, p. 373, the same ḥadīth but a different narration.

107. (1357-106)
Considered *Ṣaḥīḥ Al-Albānī*, Ibid. *Al-Nisā‘*, *Ṣunan*, Kitāb Qiyām Al-Layl, Section on the time of the night prayer, no. 1621, p. 2196.

108. (1358-107)
Considered *Ṣaḥīḥ Al-Albānī*, Ibid., another narration of the previous ḥadīth.

109. (1359-108)
Considered *Ṣaḥīḥ, Al-Albānī*, Ibid.

110. (1360-109)
Considered *Ṣaḥīḥ, Al-Albānī*, Ibid. *Muslim*, *Ṣaḥīḥ Kitāb Salāt Al-Musāfirīn*, Section on the number of rakās in the night prayer, no. 738, p. 794.

111. (1361-110)
Considered *Ṣaḥīḥ*, except for the phrase (between the two calls to prayer). See *Al-Albānī*, Ibid. *Al-Bukhārī*, *Ṣaḥīḥ Kitāb Al-Tahajjud*, Section on continuing to pray the dawn prayer, no. 1159, p. 90.

112. (1362-111)
Considered *Ṣaḥīḥ Al-Albānī*, Ibid.
113. (1363-112)
Considered Ḍa'īf, Al-Albānī. Ḍa'īf Sunan Abī Dāwūd, p. 104. Muslim, Sahih Kitāb Ṣalāt Al-Musāfirīn, Section on the number of rakās in the Prophet’s night prayer, no. 790, p. 794. Al-Tirmidhī, Sunan. Kitāb Al-Witr, Section on praying the Witr prayer at the beginning and end of the night, no. 457, p. 1688. Al-Nisā’ī, Sunan Kitāb Qiyām Al-Layl, Section on how to pray the Witr prayer in seven rakās, no. 1726, p. 2202.

114. (1364-113)
Considered Sahih, Al-Albānī. Ibid. Al-Bukhārī, the same documentation as hadīth (1355-104), Muslim, the same as hadīth (1353-102), Al-Nisā’ī, Sunan Kitāb Qiyām Al-Layl, Section on what to start night prayer with, no. 1621, p. 2196.

115. (1365-114)
Considered Sahih, Al-Albānī. Ibid.

116. (1366-115)
Considered Sahih, Al-Albānī. Ibid. Muslim, Sahih Kitāb Ṣalāt Al-Musāfirīn, Section on the Prophet’s night prayer, no. 765, p. 799. Ibn Māja, Sunan Kitāb Al-Ṣalā, Section on the number of rakās in the night prayer, no. 1362, p. 2557.

117. (1367-116)
Another narration of the previous hadīth.
CHAPTER SIX

CONCLUSION

In the epoch in which Al-ÊAynî lived, the commitment to a specific school of law, and fanatical adherence to that school, was a common phenomenon. A clear example is found in Al-ÊAynî's Sharh which reflects his strong devotion to the Hanafî school of law.

Another feature of the work, characteristic of this epoch, is the focus on abridgement or explanation of previous works in the same field, rather than original production. In the case of historical work, this is manifested in a tendency to follow the style of previous scholars such as Al-ÊTabarî and Ibn Al-Athîr. This tendency was manifested by Al-ÊAynî in his book of history, 'Aqd Al-Jumân, in which he followed the practice of previous historians, of arranging the work systematically by year, narrating all the important events in each year. This approach afforded him the opportunity for elaboration on the political, social and economic circumstances of the events narrated. A notable feature of his historical writing, which increases its value as a comprehensive reference on the period in question, is his practice of ending each year's account with a brief biography of notable personages who died in that year. Again, this was common practice among the historians of his time, as well as Ibn Taghrî Bardî in Al-Nujûm Al-Zâhirâ, and Al-Maqrîzî in Al-Sulûk. However, the latter was distinctive in having authored a work in which he focused on a specialised field, namely, the history of architecture, which he addressed in Al-Khitat Al-Maqrîzîyya.
The Mamlûk era was noted for the encouragement of scholarship, reflected in the practice of giving endowments. The importance attached to scholarship in this era promoted a sense of rivalry among the leading scholars of the day, who abridged or commented on the same valuable books, such as *Sahih Al-Bukhârî*, on which *Al-İAynî* and *Ibn Hajar* competed to produce the best commentary. On the other hand, the *Sharîh* of *Hadîth* books produced by scholars at that time exhibit similarities of content and structure, such as the focus on biographies of the narrators, explaining difficult words, and noting the documentation. These features seem to be common to all *Shurûh* of *Hadîth*. Nevertheless, each has its distinctive features, according to the expertise of the author in relation to a particular issue, which may result in some sections being elaborated in more depth. An example of that is *Ibn Hajar*'s commentary on voluntary prayer, in which he sought to reconcile the *Hadîth*, searching for the reasons for any discrepancy or contradiction, and giving explanations to harmonise them. *Al-Nawawî*, in his commentary on this subject, concentrated on revealing the rules and the lessons derived from the *Hadîths*. A distinctive feature of *Al-İAynî*'s work is the attention paid to the linguistic aspect; his interest in this branch of knowledge can be clearly inferred from the huge number of books on grammar and rhetoric that he abridged or wrote commentaries on. This was an interest common to most religious scholars, reflecting the close relationship between Islamic scholarship and that of Arabic language. This may be at least in part attributable to the system of education in the Mamlûk era, in which Islamic education constituted the foundation for any branch of scholarship.
The Mamluks' support for Islamic scholarship could to some extent be seen as a deliberate policy to manipulate public opinion and gain legitimacy for their rule. Therefore when they started to seize the endowments, this was a sign of their weakness. Another part of their policy, which is connected with this aspect, is their practice of ruling by military power and isolating the people from positions of political importance. Faced with these constraints, the population turned to religious knowledge as a route to status and position. All these factors together contributed in developing the intellectual environment in the Mamluk era.

In regard to the Sharh Sunan Abi Dawud, as indicated before, Al-Á‘yni followed the normal practice of his time, adopting a comprehensive approach characteristic of all his books, in which he referred to the opinions of the greatest scholars in their fields. The originality of this thesis lies in the editing of this unique manuscript, which has not been edited before. Further contributions are the elaboration, in a comprehensive commentary, of juristic rules discussed in the manuscripts, clarification of points of content and vocabulary in all the detailed explanatory notes, and full details of the documentation of all the Ḥadîths in the main Ḥadîth books. The originality also lies in the evaluation of the commentary of Al-Á‘yni, analysing the advantages and the shortcomings of this manuscript and checking the validity of the accusation pointed to Al-Á‘yni, as to his fanaticism in his loyalty to the Ḥanafi school.

In regard to the main topic of the manuscript, which is voluntary prayer, it is considered the most favourable kind of voluntary worship, as the obligatory worship to which it relates, prayer is the most fundamental in Islam. Thus, the main reason for the ordination of voluntary prayer was to make up any shortcoming in obligatory prayer.
The most favourable among these prayers is the *Fajr* prayer. *Al-'Aynî*’s view of these voluntary prayers, as expressed in this manuscript, is as follows.

1. The *Fajr* prayer is *Sunna*; it is preferable that it be performed briefly, and it is permissible to lie down after it.

2. The voluntary prayer accompanying the *Zuhr* prayer is four *rak'as* before and after it, all connected.

3. The number of voluntary prayers for the *'Asr* prayer is four *rak'as* before the obligatory prayer; there is no voluntary prayer after it.

4. The performance of voluntary prayer after the *Maghrib* prayer is considered undesirable, because it will delay the *Maghrib* prayer, preventing it from being prayed at the start of the due time. In regard to the two *rak'as* after *Maghrib*, it is better that they be prayed at home.

5. The performance of four or six *rak'as* after the *'Isha* prayer is favoured.

6. The night prayer was originally obligatory, then the obligation was abrogated. It can be prayed while seated, and the best time for it is during the last third of the night. It is considered preferable for the worshipper to start his night prayer with two short *rak'as*, although praying four connected *rak'as* is permissible. In regard to the *Witr* prayer, it cannot be prayed as one *rak'a*, but should be in three connected *rak'as*, contrary to the opinion of most scholars, and it is allowed to pray two *rak'as* after the *Witr* prayer.

This chapter is characterised by the presence of contradiction within many sections, as one *Hadîth* supports a given practice and another in the same section refutes it. It is in
this regard that the commentator's expertise in looking for the reason and reconciling
the narrations is evident. Furthermore, some narrations mention a number of rak'as
while others indicate different numbers for the same prayer. This variation could allow
scope for the worshipper to select the number that is appropriate to him or her.

The chapter also contains a degree of repetition, as some issues are raised in more than
one narration. In some sections the rules are subdivided into other related issues, and
with the different opinions and contradictory evidences, especially with regard to the
number of rak'as of the night prayer, the discussion seems to be complicated and
confused.

A notable feature of Al-'Ayni's commentary is the attention given to citing and refuting,
with evidence, opinions contrary to his own. In this respect, as noted earlier, he tried to
explain the narrations in a manner consistent with the prevailing view in his own school
of law. For this reason, the researcher has attempted to explore other scholars' defences
against Al-'Ayni's evidences, in the interest of presenting a more balanced and objective
point of view.

It was noted also that some Hadiths do not appear to be consistent with the titles of the
sections in which they are located, and this was explained as attributable to error on the
part of the narrators of the Sunan. Other points worthy of note are that in the rules
related to voluntary prayer, the opinion of the Malik school of law differs from that of
other schools, and that most of the narrations of this chapter are from 'A'isha. This
could be because these prayers are favoured to be prayed in the worshipper's house, as
the Prophet's wife, 'A'isha was in the best position to observe the Prophet's practice
with regard to voluntary prayer.
Sunan Abī Dāwūd is a very valuable book on Ḥadīth, distinguished by its accurate organisation and classification of the Ḥadīths according to Fiqh sections. This may, indeed, be one of the reasons that attracted Al-ʿAynī to select it as a focus for his commentary. This combination of the accuracy of the original work and the comprehensive Sharḥ of Al-ʿAynī creates a particularly valuable resource of Ḥadīth scholarship, from which subsequent scholars benefited in their own works.
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Al-Qûnawi, Qasim. Anñas Al-Fuqaha’ Fr Ta’rifat Al-Ál fåz Al-Mutadâwala Bayna Al-Fuqaha’


**English References**


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**Manuscripts**


APPENDIX I

Al-ʿAynī’s Works

1. On Hadīth

1.1. ʿUmdat Al-Qārī Fi Sharh Al-Jāmīʿ Al-Ṣaḥīh Al-Bukhārī in 21 volumes. This is considered to be Al-ʿAynī’s best writing, one of the broadest in his explanations, and the most comprehensively useful. Published in Beirut in Dār Al-Fikr in 1998, and in Dār Iḥyāʿ Al-Turāth Al-ʿArabī, n.d. Published also in Cairo in 12 volumes, in Idārat Al-Ṭibaʿa Al-Munīriyya Press in 1348 A.H.

1.2. Sharḥ Sunan Abū Dāwūd in two volumes. One of his best commentaries (a piece of the Sunan, not all of it). Two copies of the manuscript in Dār Al-Kutub Al-Miṣriyya, one numbered 19697, the other 286.

1.3. Al-ʿIlm Al-Hayyib Fi Sharḥ Al-Kalim Al-Ṭayyib Li Ibn Taymiyya. A book on Al-Adhkār Wal Daʿawāt. A manuscript in Dār Al-Kutub Al-Miṣriyya under the number 112 Ḥadīth m.

1.4. Mabānī Al-Akbār Fi Sharḥ Maʾānī Al-ʿĀhār. Li Al-ʿAṯhār in eleven volumes, a book about the conflicting Ḥadīths in Fiqh rules. There is an imperfect manuscript in Dār Al-Kutub Al-Miṣriyya in six volumes under the number 492, and another photocopied copy, in Istanbūl under the number 29888 in five volumes, both manuscripts in the author’s handwriting.
1.5. *Nakhb Al-Afkār Fi Ṭanqīh Mabānī Al-Akhbār Fi Sharḥ M'āzīn Al-Āthār* in eight volumes, an abridged version of the previous work and considered as the best explanation of the Ḥadīth's rules. The manuscript exists in two places. First, there are two copies in Dūr Al-Kutub Al-Miṣriyya, one under the number 526 Ḥadīth, and the other under the number 21547 B. The second place is in Saray Ṭūbkābī museum but the copy is imperfect; in three volumes 2, 3, 4 under the numbers 2/653-4/653-5/653.

1.6. *Maghānī Al-Akhār Fī Ṭabāal Māzīn Al-Āthār*. This is an introduction in Turkey to the previous book, which states the narrators of the Ḥadīths. It has the privilege of being the most useful and organised book on this topic, as it contains narrators that were not mentioned in the six main Ḥadīth books. There are two copies of the manuscript. One is in Dūr Al-Kutub Al-Miṣriyya under the number 72 Muṣṭalāh, in two volumes but the last part is missing. A complete copy exists in Saray Ṭūbkābī Museum in Turkey, in three volumes under the numbers 484, 485, 477.

2. **On Fiqh**

2.1. *Al-Bināya Fī Sharḥ Al-Hidūya Li ʿAlī b. Abī Bakr Al-Marghīnānī* in four volumes, concerning the Ḥanafī Fiqh. Published in Beirut in Dūr Al-Fikr in 1990 A.D.
2.2. Ramz Al-Ḥaqāʿiq Sharḥ ʿAbbās Kanz Al-Daqāʿiq Li Ṣayd b. ʿAbdullāh b. ʿAbdullāh Al-Ḥasanī in two volumes, in Ḥanafī Fiqh. Published in Cairo in 1285 A.H./1865 A.D.

2.3. Al-Durar Al-Zāhirīna Fī Sharḥ Al-Bihār Al-Zāhirîna Li Ḥusayn b. ʿAmīn Al-Ḥanafī in two volumes, regarding the Fiqh of the four main schools. Manuscript in two copies, one in Sādūr Tūrkābī museum under the numbers 7036-1037 and the other in Dar Al-Kutub Al-Miṣriyya under the numbers 183-184 Ḥanafī Fiqh.

2.4. Al-Masāʾil Al-Badriyya Al-Muntakhaba Min Al-Fatāwā Al-Zāhirīyya, Li Zāhir Al-Dīn Muḥammad b. Ṣaḥmad in one volume. Manuscript in two copies, one in Dār Al-Kutub Al-Miṣriyya in one volume of 119 pages under the number 428 Ḥanafī Fiqh, and the other copy in the British Museum under the number 5579.

2.5. Al-Mustajmaʿ Fī Sharḥ Al-Majmaʿ wa Al-Muntaqāʾ Fī Sharḥ Al-Multaqāʾ in two volumes. An explanation of Majmaʿ Al-Bahrayn wa Multaqaʾ Al-Nahrayn Li Ṣaḥmad b. Al-Safaʿī Al-Ṣafāʾīnī wrote this book when he was only twenty-one years old. Manuscript in Dār Al-Kutub Al-Miṣriyya in two volumes. The first volume in 350 pages under the number 418 Ḥanafī Fiqh and the second in 220 pages under the number 790 Ḥanafī Fiqh.

2.6. Minhāt Al-Sulūk Fī Sharḥ Tuhfat Al-Mulūk Li Muḥammad b. Abī Bakr. A manuscript, of which there are several copies in various places; one in Khazāʿʾin Al-Kutub Fī Awqāf Baghdād in 131 pages under number 3729 and five other copies. The second is in Ḥasan Al Ankarī Library under number 13/13829 in
108 pages. The third is in Tunis, in Dar Al-Kutub Al-Wataniyya under number 855, and the last one in the Central Library in Umm Al-Qura University in Mecca in 146 pages under number 1323.


3. On Biography


4. On History

4.1. *‘Aqd Al-Jumān Fī Tārīkh Ahl Al-Zamān* in nineteen volumes. The most famous of *Al-Ṣaynī*’s books on history and biography. It is a manuscript in several
copies in Dār Al-Kutub Al-Miṣriyya, including a copy in 28 volumes under number 8203, another copy number 1584. Another copy in Khizānat Walī Al-Dīn in Bā Yazīd mosque in Turkey in 24 volumes under number 2374-2396. However, some parts of this manuscript were published in Cairo in four volumes in Al-Hay'a Al-Miṣriyya Al-Ṣāma. Edited by Muḥammad Āmīn in 1407 A.H., 1987 A.D.

4.2. Al-Tārīkh Al-Badrī Fi Awṣaf Ahl Al-Ṣāma in eight volumes. A manuscript of two volumes exists in Al-Ḥāḍar Al-Manṣūr Library in Tūnis, and another copy exists in Jāmī Al-Duw'al Al-Ṣāma in two volumes, photocopies from the copy in Āḥmad Al-Thālith Library in Turkey under number 958F-2911.


5. On Arabic Language

5.1. Maqāṣid Al-Nahlawiyya Fi Sharḥ Shawāhid Shurūḥ Al-Alfiyya which is Alfiyyat Ibn Mālik. It is known as Al-Shawāhid Al-Kubrā. Most of the scholars at the time
benefitted from it. Book published as an appendix to Al-Baghdādi's book *Khizānat Al-Adab* by Al-Maṭba'a Al-Amīriyya in Būāq in Cairo in 1299 A.H./1879 A.D.

5.2. *Farā'id Al-Qalā'i'd Fi Mukhtaṣar Sharh Al-Shawāhid*. Known as Al-Shawāhid Al-Šughrā, which is an abridgement of the previous book and better known. Book published in one volume by Al-Maṭba'a Al-Kāstīliyya Al-Zāhirah in Cairo in 1297 A.H./1877 A.D.


5.5. *Wasā'il Al-Taṣrīf* Fī Masā'il Al-Taṣrīf. A manuscript, a copy in Dīr Al-Kutub Al-Miṣriyya under number 3633 from 1-27, photocopied from a copy in Maktabat Baladiyyat Al-Manṣūra.


5.8. *Al-Hawāshi Ṭala Sharḥ Al-Shāfiyya Li Al-Jabirī* and *Al-Shāfiyya* is a book about *Al-Taṣrīf* Li Ibn Ḥājib. Ibid. No longer in existence.


5.11. *Sharḥ Tashīl Ibn Mālik* on grammar. Manuscript mentioned by *Ibn Taqī Barḍī*


*Shadharāt Al-Dhahab* 9/287. No longer in existence.


6. **On Tafsīr**


7. On Impeachment

7.1. *Tulufat Al-Muluk* manuscript. There is a copy of it in Berlin Library 41/4520 and one in Algeria Library 992.


¹ These details have been drawn from Śalih Ma‘īq, *Badr Al-Dīn Al-‘Aynī*. 277
APPENDIX 2

Teachers and Students

1. His teachers of Hadīth

1. His greatest Shaykh in Hadīth was Al-Ḥāfiz Zayn Al-Dīn Al-enties, born 725 A.H./1324 A.D. He learned from him Sahih Al-Bukhari, and Al-İmam Fī Ahkām Al-Ahka 'm for Ibn Daqīq Āl Ḥārām.


3. Al-Muḥaddith Muḥammad b. Muḥammad Al-Đajawī, born 737 A.H./1336 A.D., died 809 A.H./1406 A.D. He learned from him Sahih Al-Bukhari, Muslim, Sunan Abū Dāwūd Al-Tirmidhi, Ibn Maja and Al-Nisā'i; also, Mūsān Ad-Dārimī and the first third of Mūsān Al-Dīnārī.

4. Al-ʿAlī b. Muḥammad Al-Fāwī, died 827 A.H./1423 A.D. He learned from Al-Sunan Al-Kubra Li Al-Nisā'i, some of Sunan Al-Dar Qutni and Al-Tashil Li Ibn Mālik.


7. **Sharaf Al-Dīn b. Al-Kuwayk**, born 737 A.H./1336 A.D., died 821 A.H./1418 A.D. He learned from him *Al-Shīfār Li Al-ʿQādir ʿIyād, Musnad Abī Ḥanīfa*, and also he learned from his father *Al-ʿIz b. Al-Kuwayk*.

8. **Najm Al-Dīn b. Al-Kushk**, born 720 A.H./1320 A.D., died 799 A.H./1396 A.D. He learned from him the first part of *Ṣaḥīḥ Al-Bukhārī*.

2. **His teachers in other disciplines**

1. **ʿAbī Al-Fath Muḥammad Al-ʿAsqalānī**, died 794 A.H./1391 A.D. He learned from him *Al-Shāfiʿī*.

2. **Al-ʿAlāʾ Al-Sīramī**, died 790 A.H./1388 A.D. He learned from him most of *Al-Hidāya*’s book, the first part of *Al-Kashshāf, Al-Tawḥīd ʿAlāʾ Al-Tawḥīd* and *Sharḥ Al-Talkhīš*.


4. **Al-Faqīh ʿĪsā b. Al-Khāṣṣ Al-Sīmārī**, died 788 A.H./1386 A.D. He learned from him most of *Al-Kashshāf, Miṣfāḥ Al-ʿUlūm Li Al-Sakākī, Al-Tīyān, Fī Al-Maʿānī Waʾl Bayān Li Al-Ṭaybī*.

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5. Jibril b. Šāliḥ Al-Baghdādī. He learned from him the book Majma' Al-Bahrayn, Al-Kashshāf, and Al-Tanqīh. He died in 794 A.H./1391 A.D.

6. Al-Muḥaqiq Shams Al-Dīn Muḥammad b. Al-Zāhid. He learned from him Rumūz Al-Kunūz Fi Al-Ḥikma Li Al-Āmidī Sharḥ Al-Shamsiyah Wa'l MālīЛенин Al-Quṣṭ Al-Rāzī, Al-Shāfīyyah and Mirāḥ Al-Arwaḥ. His biography could not be found.

7. Al-Shayk Mīkā’il b. Ḥusayn Al-Qaddūrī, died 798 A.H./1395 A.D. He learned from him Manzūmat Al-NasafīFIAl-Khilaf, and Majma' Al-Bahrayn Li Ibn Al-Sā'iṭī.

8. Al-Shaykh Maḥmūd b. Muḥammad Al-Ḏayntūbī, died around 795 A.H./1392 A.D. He learned from him Al-Fanā'IDAl-Sirīyyah.

9. Ḥusayn b. Muḥammad Al-Mu'īz Al-Ḥanafī, died 792 A.H./1389 A.D. He learned from him the Qurān and Al-Shāfī'īyyah.

10. Al-Shaykh Dhī Al-Nūn, died 777 A.H./1375 A.D. He learned from him Daw' Al-Miṣbāḥ.

11. Al-Shaykh Khayr Al-Dīn Al-Qāṣīr, died 795 A.H./1389 A.D. He learned from him Al-Miṣbāḥ.

12. He also learned from Al-Shaykh Ḥaydar Al-Rūmī, died 830 A.H./1426 A.D. Waliyy Al-Dīn Al-Bahnasī, ʾAlāʾ Al-Dīn Al-Kakhtūwī and Shiḥāb Al-Dīn Alḥmad b. Al-Khāṣ Al-Turkī, died 809 A.H./1406 A.D.
3. His Students

Most of the earliest historians who translated *Al-Ăynt* did not refer to his students. However, in some modern books, this information is given in detail.


3. *Īsā* *Al-Ţanūbī*, born 801 A.H./1398 A.D., died 905 A.H./1499 A.D.


7. *Muḥammad b. Ahmad Al-Ĭṣfājī*, died 888 A.H./1483 A.D., also learned from him his explanation of *Al-Shawāhīd*.

8. *Muḥammad b Khalīf Al-Balbūst*, born 819 A.H./1416 A.D.

10. *Almād b Nukār Al-Shihābī*. His date of death is not mentioned.


13. *Arghūn Shāh Al-Zāhirī*, died 802 A.H./1399 A.D., who heard *Ṣaḥīḥ Al-Bukhārī* and *Muslim* and *Al-Maṣāḥīḥ* from him.

14. *Badr Al-Dīn Al-Ḥusaynī Ḥasan b. Qalqīla*, died 802 A.H./1399 A.D. He was the *Imām of Al-Ṣaynī’s school*.


18. Ṣabd al-Rahmān b. Yāḥyā Al-Sirānī*, born 813 A.H./1410 A.D., died 880 A.H./1475 A.D.


20. Ṣabd al-Rahīm b. Al-Awjīqī*, born 825 A.H./1421 A.D. His date of death is not identified.
21. ‘Abd al-‘Azīz b. Ahmad Al-Nuwayrī, born 848 A.H./1444 A.D. His date of death is not identified.

22. ‘Abd al-Ghanī b. Abdullāh Al-Zubayrī, died 886 A.H./1481 A.D.


30. ‘Alī b. ‘Alī Al-Dīn, born 808 A.H./1405 A.D.


33. ‘Umar b. Muḥammad Al-Qurashi, born 812 A.H./1409 A.D., died 885 A.H./1480 A.D.


36. **Muḥammad b Ṭaybāghā**, died 844 A.H./1440 A.D.

37. **Muḥammad b ʿAbd al-Rahmān b Yahyā**, born 841 A.H./1437 A.D.


39. **Muḥammad b ʿAlī Shams Al-Dīn**, died 867 A.H./1462 A.D.

40. **Muḥammad b ʿUmar Shams Al-Dīn**, died after 860 A.H./1455 A.D.


42. **Muḥammad b Muḥammad Kamāl Al-Dīn**, died 864 A.H./1459 A.D.

43. **Muḥammad b Muḥammad Zayn Al-Dīn**, born 829 A.H./1425 A.D., died 891 A.H./1486 A.D.

44. **Muḥammad b Muḥammad Al-ʿUgaylī**, born 846 A.H./1442 A.D., died 873 A.H./1468 A.D.


46. **Muḥammad Al-Najm Abū Al-Mafāḍī**, born 846 A.H./1442 A.D.

47. **Muḥammad Salāḥ Al-Dīn**, born 833 A.H./1429 A.D.

49. *Maḥmūd b ʿAmr Abū Al-Faḍl*, died in 865 A.H./1460 A.D. He was a preacher of *Al-ʿĀynī*’s school.


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¹ These details have been drawn from Ṣalih Maṭṭaq, *Badr Din Al-ʿĀynī*. 
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