

THE SOURCES OF IBN 'ĀBIDĪN'S RADD AL-MUḤTĀR:
A DESCRIPTIVE AND NUMERICAL STUDY

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submitted in accordance with the requirements
for the degree of

MASTER OF ARTS IN ISLAMIC STUDIES

in the department of

RELIGIOUS STUDIES AND ARABIC

at the

UNIVERSITY OF SOUTH AFRICA

SUPERVISOR: DR MA RAFUDEEN

2024

TITLE:

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KEY TERMS:

Ḥanafī Jurisprudence; Islamic Legal Tradition; Fiqh; Classical Islamic Scholarship; Fatwā; Islamic Studies; Sharī'ah; Ibn 'Ābidīn; Radd al-Muhtār; School of Thought; Ḥanafī Texts and Commentaries.

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TRANSLITERATION KEY

ا	a, ā	ط	ṭ (A heavy <i>t</i> pronounced far back in the mouth with the mouth hollowed to produce a full sound).
ب	b	ظ	ẓ (A heavy <i>dh</i> pronounced far back in the mouth with the mouth hollowed to produce a full sound).
ت	t	ع	‘, ‘a, ‘i, ‘u (Pronounced from the throat).
ث	th (Should be pronounced as the <i>th</i> in thin or thirst).	غ	gh (Pronounced like a throaty French <i>r</i> with the mouth hollowed to produce a full sound).
ج	j	ف	f
ح	ḥ (Tensely breathed <i>h</i> sound).	ق	q (A guttural <i>q</i> sound with the mouth hollowed to produce a full sound).
خ	kh (Pronounced like the <i>ch</i> in Scottish loch with the mouth hollowed to produce a full sound).	ك	k
د	d	ل	l
ذ	dh (Should be pronounced as the <i>th</i> in this or that).	م	m
ر	r	ن	n
ز	z	ه	h
س	s	و	w, ū, u
ش	sh	ي	y, ī, i
ص	ṣ (A heavy <i>s</i> pronounced far back in the mouth with the mouth hollowed to produce a full sound).	ء (أ)	’ (A slight catch in the breath. It is also used to indicate where the hamza has been dropped from the beginning of a word).
ض	ḍ (A heavy <i>d/dh</i> pronounced far back in the mouth with the mouth hollowed to produce a full sound).		

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CHAPTER 1: INTRODUCTION

Ibn ‘Ābidīn’s *Radd al-Muhtār* has always enjoyed a special place in my heart. Together with it being widely regarded as one of the most authoritative commentaries on Islamic jurisprudence within the Ḥanafī school, it was and is a book that I repeatedly find in my hands almost daily when searching for rulings within the school. Despite its significance, the sources that Ibn ‘Ābidīn relied upon in crafting his rulings have not been thoroughly examined, which prompted me towards this topic. This thesis seeks to fill this gap by delving into a systematic descriptive and numerical analysis of his sources. I aim to study these sources and trace them to the chapters and points where he has used them in his magnum opus to depict the position of these books and the frequency of quoting them upon which he relied in formulating his rulings within the Ḥanafī school of thought. This will then be presented in the form of a descriptive and numerical analysis of these sources. I will also aim to explain *fiqh*, the Ḥanafī school, Ibn ‘Ābidīn’s biography and wish to discuss the significance of *Radd al-Muhtār* and then to finally analyse his sources as mentioned. This will assist the reader in identifying the level of Ibn Abidīn’s work by gauging the status of the sources he utilised and will also illustrate *fiqh* and the Ḥanafī school to afford the reader a well-rounded view of the topic at hand.

The importance of *fiqh* in *sharī‘ah* cannot be emphasized enough and neither can its necessity in the daily lives of Muslims be denied. Its transformation from a basic mostly oral beginning to an identifiable shape and then onwards to a full science with several sub-sciences is remarkable. Being in existence from the era of the companions of the Prophet, it then moulded into the structure of the accepted *madhāhib* or schools of thought¹, of which one was the Ḥanafī school. This school enjoys the status of being the school of thought with the largest number of followers² and is considered to be the most influential school.³ These followers are predominantly found in countries that were once part of the historic Ottoman Empire, the Mughal Empire and the Sultanates of Turkish rulers in South Asia and the surrounding areas. Named after Abū Ḥanīfah al-Nu‘mān ibn Thābit (d. 150h),⁴ his legal views were preserved by two of his most important disciples, Abū Yūsuf (d. 181h)⁵ and Muḥammad al-Shaybānī (d. 189h).⁶ Covering a large geographic section of the globe and a diverse demographic following, the legal views of the Ḥanafī school, which was generally seen as more flexible and liberal, was patronized by Abbasid caliphs and preferred by Turkish rulers.

Each school of thought has chief works which are relied upon. Some of these works are *mutūn* (plural of *matn*) primers, others are *shurūḥ* (plural of *sharḥ*) exegesis or commentaries of the primers, or *ḥawāshī* (plural of *al-ḥāshiyah*) super commentaries or marginal glosses, some of which are used as a basis for rulings by scholars of the school. The Ḥanafī school is no exception to this and amongst the most important Ḥanafī authors on theoretical law after Abū Yūsuf and Muḥammad al-Shaybānī are:

- Abū al-Ḥasan al-Karkhī (d. 340h),⁷
- Abū al-Layth al-Samarqandī (d. 373h),⁸
- Abū al-Ḥusayn al-Qudūrī (d.428h),⁹

¹The expression ‘schools of thought’ is used to describe one of the four approaches to Sunnī Muslim law; Ḥanafī, Shāfi‘ī, Mālikī and Ḥanbalī.

² University of North Carolina. (2009). “Islamic Jurisprudence and Law”. Reorienting the Veil.

³ Christie S. Warren, 28/05/2013, The Hanafi School, Oxford Bibliographies, viewed 05/03/2020, (<https://www.oxfordbibliographies.com/view/document/obo-9780195390155/obo-9780195390155-0082.xml>).

⁴ Abū Ḥanīfah, Nu‘mān ibn Thābit ibn Zū‘ayn al-Taymī al-Kūfī (80-150).

See al-Dhahabī, *Sīr A‘lām al-Nubalā’* 6:390, al-Qurashī, *al-Jawābir al-Muḍī‘ah* pg.20-24.

⁵ Abū Yūsuf, Ya‘qūb ibn Ibrāhīm ibn Ḥabīb ibn Ḥubaysh ibn Sa‘d ibn Bujayr ibn Mu‘āwiyah al-Anṣārī al-Kūfī (113-182).

See al-Dhahabī, *Sīr A‘lām al-Nubalā’* 8:535, al-Qurashī, *al-Jawābir al-Muḍī‘ah* pg.431.

⁶ Abū ‘Abdillāh, Muḥammad ibn al-Ḥasan ibn Farqad al-Shaybānī al-Kūfī (132-189).

See al-Dhahabī, *Sīr A‘lām al-Nubalā’* 9:134; al-Qurashī, *al-Jawābir al-Muḍī‘ah* pg.223; al-Lakhnawī, *al-Fawā‘id al-Bahiyah* pg.268.

⁷ Abū al-Ḥasan, ‘Ubayd ‘Llāh ibn al-Ḥusayn ibn Dalāl ibn Dalham al-Karkhī (260-340).

See: Ibn Quṭlūbhā, *Tāj al-Tarājim* pg.200; al-Qurashī, *al-Jawābir al-Muḍī‘ah* pg.219; al-Lakhnawī, *al-Fawā‘id al-Bahiyah* pg.183.

⁸ Abū al-Layth, Naṣr ibn Muḥammad al-Samarqandī (-383).

See: Ibn Quṭlūbhā, *Tāj al-Tarājim* pg.310; al-Qurashī, *al-Jawābir al-Muḍī‘ah* pg.415; al-Lakhnawī, *al-Fawā‘id al-Bahiyah* pg.362.

⁹ Abū al-Ḥusayn, Aḥmad ibn Muḥammad ibn Aḥmad ibn Ja‘far ibn Ḥamdān (362-428).

See: Ibn Quṭlūbhā, *Tāj al-Tarājim* pg.98; al-Qurashī, *al-Jawābir al-Muḍī‘ah* pg.64; al-Lakhnawī, *al-Fawā‘id al-Bahiyah* pg.57.

- Shams al-A'imma al-Sarakhsī (d. 490h),¹⁰
- 'Alā' al-Dīn al-Kāsānī (d. 587h),¹¹
- Burhān al-Dīn al-Marghīnānī (d. 593h),¹²
- Abū al-Barakāt al-Nasafī (d. 710h),¹³ and
- Zayn al-Dīn Ibn Nujaym (d. 970h).¹⁴

For these authors, the works of Muḥammad al-Shaybānī also known as *al-Zāhir al-Riwāyah*, remain focal and authoritative. These are a collection of six books; *al-Mabsūṭ*, *al-Ziyādāt*, *al-Jāmi' al-Kabīr*, *al-Jāmi' al-Ṣaghīr*, *al-Siyar al-Kabīr* and *al-Siyar al-Ṣaghīr*.¹⁵

Books in the school which are used to issue rulings and *fatāwā* from are:¹⁶

- *Badā'i' al-Ṣanā'i'* by 'Alā' al-Dīn al-Kāsānī (d. 587h),
- *Radd al-Muḥtār* by Ibn Ābidīn al-Shāmī (d. 1252h),
- *Al-Baḥr al-Rā'iq* by Ibn Nujaym al-Miṣrī (d. 970h),
- *Ālamgīriyyah* or *al-Hindiyyah* by a group of scholars under the instruction of the Mughal emperor Aurangzeb Ālamghīr (d. 1118h),¹⁷
- *Fatāwā al-Khaniyyah* by Fakhr al-Dīn Awzajandī (d. 592h),¹⁸
- *Al-Jāmi' al-Wajīz* also known as *al-Bazzāziyyah* by Ibn al-Bazzāz (d. 827h),¹⁹
- *Fatāwā al-Tātarkhāniyyah* by 'Ālim ibn al-'Alā' al-Dehlawī (d. 786h),²⁰
- *Fatāwā al-Walwāliyyah* by Zāhir al-Dīn al-Walwālijī (d. 540h),²¹
- *Majma' al-Anḥur* by 'Abd al-Raḥmān Shaykh Zādah (d. 1078h),²²
- *Mabsūṭ al-Sarakhsī* by Ḥākim al-Shahīd (d. 334h),²³
- *Fath al-Qadīr* by Ibn al-Humam (d. 861h),²⁴
- al-Muḥīṭ al-Burhānī by Burhān al-Dīn al-Bukhārī (d. 616h),²⁵
- *al-Asbbāh wa al-Nazā'ir* by Ibn Nujaym al-Miṣrī (d. 970h),

¹⁰ Abū Bakr, Shams al-A'imma, Muḥammad ibn Aḥmad ibn Abī al-Sahl al-Sarakhsī (-490).

See: Ibn Quṭlūbhā, *Tāj al-Tarājim* pg.234; al-Qurashī, *al-Jawābir al-Mudī'ah* pg.214; al-Lakhnawī, *al-Fawā'id al-Babiyyah* pg.261.

¹¹ 'Alā' al-Dīn, Abū Bakr ibn Mas'ūd ibn Aḥmad al-Kāsānī (-587).

See: Ibn Quṭlūbhā, *Tāj al-Tarājim* pg.327; al-Qurashī, *al-Jawābir al-Mudī'ah* pg.445; al-Lakhnawī, *al-Fawā'id al-Babiyyah* pg.91.

¹² Burhān al-Dīn, 'Alī ibn Abī Bakr ibn 'Abd al-Jalīl al-Marghīnānī (-593).

See: Ibn Quṭlūbhā, *Tāj al-Tarājim* pg.206; al-Qurashī, *al-Jawābir al-Mudī'ah* pg.248; al-Lakhnawī, *al-Fawā'id al-Babiyyah* pg.230.

¹³ Ḥāfiẓ al-Dīn, Abū al-Barakāt, 'Abdullāh ibn Aḥmad ibn Mas'ūd al-Nasafī (620-710).

See: Ibn Quṭlūbhā, *Tāj al-Tarājim* pg.174; al-Qurashī, *al-Jawābir al-Mudī'ah* pg.178; al-Lakhnawī, *al-Fawā'id al-Babiyyah* pg.172.

¹⁴ Zayn al-Dīn ibn Ibrāhīm ibn Muḥammad, Ibn Nujaym (-970).

See: al-Ziriklī, *al-A'lām* 3:64; Ibn 'Imād, *Shudhurāt al-Dhabab* 10:523; Najm al-Dīn, *Kawākib al-Sā'irah* 2:137.

¹⁵ The Gale Group, Inc. (2004). "Ḥanafī School of Law." Encyclopaedia of the Modern Middle East and North Africa.

¹⁶ Muḥammad Salmān Maṣṣūpū, *Fatwā Nawesī Ke Rebnūmā Uṣūl* pg.66-72.

¹⁷ Abū al-Muẓaffar, Muḥyī al-Dīn, Muḥammad Aurnak Zayb 'Ālamghīr ibn Shāh Jahān al-Ghāzī (1028-1118).

See: al-Nadwī, *al-Ilambī man fī Tārīkh al-Hind min al-A'lām* 6:737; al-Murādī, *Silk al-Durar fī A'yān al-Qarn al-Thānī 'Ashar* 4:113.

¹⁸ Fakhr al-Dīn, Qāḍī Khān, al-Ḥasan ibn Maṣṣūr ibn Abī al-Qāsim Maḥmūd ibn 'Abd al-'Azīz al-Azajandī (d. 592h).

See: Ibn Quṭlūbhā, *Tāj al-Tarājim* pg.151; al-Qurashī, *al-Jawābir al-Mudī'ah* pg.135; al-Lakhnawī, *al-Fawā'id al-Babiyyah* pg.111.

¹⁹ Muḥammad ibn Muḥammad ibn Shihāb ibn Yūsuf al-Bazzāzī (d. 827h).

See: Ibn Quṭlūbhā, *Tāj al-Tarājim* pg.354; al-Lakhnawī, *al-Fawā'id al-Babiyyah* pg.309.

²⁰ Farīd al-Dīn, 'Ālam ibn al-'Alā' (d. 786h).

See: al-Nadwī, *al-Ilambī man fī Tārīkh al-Hind min al-A'lām* 2:169; Shabbir Aḥmad, *Preface to al-Fatāwā al-Tātarkhāniyyah* 1:25.

²¹ Abū al-Fath, Zāhir al-Dīn, 'Abd al-Rashīd ibn Nu'mān Abū Ḥanīfah ibn 'Abd al-Razzāq ibn 'Abdillāh al-Walwālijī (467 - passed after 540h).

See: Ibn Quṭlūbhā, *Tāj al-Tarājim* pg.188; al-Qurashī, *al-Jawābir al-Mudī'ah* pg.204; al-Lakhnawī, *al-Fawā'id al-Babiyyah* pg.309.

²² Shaykhī Zādah, al-Dāmād, 'Abd al-Raḥmān ibn Muḥammad ibn Sulaymān (d. 1078h).

See: al-Ziriklī, *al-A'lām* 3:332; Ismā'īl Bāshā, *Hadīyyat al-'Ārifīn* 1:549.

²³ Al-Ḥākim al-Shahīd, Muḥammad ibn Muḥammad ibn Aḥmad ibn 'Abdillāh ibn 'Abd al-Majīd ibn Ismā'īl ibn al-Ḥākim (d. 334h).

See: Ibn Quṭlūbhā, *Tāj al-Tarājim* pg.272; al-Lakhnawī, *al-Fawā'id al-Babiyyah* pg.305.

²⁴ Kamāl al-Dīn, Ibn al-Hummām, Muḥammad ibn 'Abd al-Wāḥid ibn 'Abd al-Ḥamīd ibn Mas'ūd (788-861).

See: al-Ziriklī, *al-A'lām* 6:255; al-Lakhnawī, *al-Fawā'id al-Babiyyah* pg.296.

²⁵ Burān al-Dīn, 'Abd al-'Azīz ibn 'Umar ibn Māzah (d. 616h).

See: al-Qurashī, *al-Jawābir al-Mudī'ah* pg.209; al-Lakhnawī, *al-Fawā'id al-Babiyyah* pg.336.

- *Tafṣīl ‘Iqd al-Farā’id bi Takmīl Qayd al-Sharā’id* by Ibn Shiḥnah (d. 921h),²⁶ which is also known as *Sharḥ Manzūmah Ibn Wabbān*. A commentary of Ibn Wabbān al-Dimishqī (d. 768h)²⁷ treatise *Iqd al-Qalā’id wa Qayd al-Sharā’id*, famously identified as *al-Manzūmah al-Wabbāniyyah*.
- *Ghunyah al-Mutamallī* the commentary of *Munyah al-Muṣallī* by Ibrāhīm al-Ḥalabī (d. 956h),²⁸
- *Hāshiyah al-Ṭaḥṭāwī ‘alā al-Marāqī al-Falāḥ* by Aḥmad ibn Muḥammad al-Ṭaḥṭāwī (d. 1231h),²⁹
- *Hāshiyah al-Ṭaḥṭāwī ‘alā al-Durr al-Mukhtār* by Aḥmad ibn Muḥammad al-Ṭaḥṭāwī (d. 1231h).

From amongst the latter works, al-Kāsānī’s *Badā’i’ al-Ṣanā’i’* is one of the last of the classical works that is accepted by scholars of the school as a chief work and as a source for rulings. Ibn ‘Ābidīn writes “this work of al-Kāsānī’s is great and I haven’t seen *its* like amongst our books.”³⁰ After *Badā’i’*, the great honour of a personal work being included amongst the sources for rulings and for being a chief work was received by Ibn ‘Ābidīn for his meticulous opus, *Radd al-Muḥṭār*. He was known as Ibn ‘Ābidīn al-Shāmī (d. 1252h) who lived in the city of Damascus in Syria during the Ottoman era. He was the authority of *fiqh* of the Ḥanafī school, employed by the state and holding the title of Amīn al-Fatwā (guardian or trustee of *fatwā*). He is also known as the final *muḥaqqiq* (verifier) of the Ḥanafī school. His main work, *Radd al-Muḥṭār* is fondly known as *al-Hāshiyah* or the super commentary amongst Arab scholars and as *Fatāwā Shāmī* or *al-Shāmīyyah* amongst the Indian and Pakistani scholars. This book is considered the last personal work of an author to be included amongst the greats of the *madhhab* or school, where all scholars, Arab and non-Arab, accept it as a source for their rulings and *fatāwā*. This is a remarkable feat for an 18th century scholar, superseding many earlier authors in compiling an accepted source for the school. Ibn ‘Ābidīn’s scrupulous and precise nature in explaining the intricacies of the *madhhab*, his mastery and expertise in the Ḥanafī school and him drawing from the previous accepted sources of the school are the basic primary reasons for its success and acceptance.

As his work is a marginal gloss or super commentary to al-Ḥaṣkafī’s (d. 1088h)³¹ *al-Durr al-Mukhtār*, Ibn ‘Ābidīn adopted the following method when authoring his masterpiece *Radd al-Muḥṭār*. Whenever al-Ḥaṣkafī indicated towards a text from a specific source, Ibn ‘Ābidīn recorded the exact text from the source, explained what was meant by it, mentioned the relativity of al-Ḥaṣkafī’s *al-Durr al-Mukhtār* to this source and then went on to record what many other authors had written regarding the case at hand. This led to the sources quoted by Ibn ‘Ābidīn going into the hundreds.

Ibn ‘Ābidīn also gave great importance to explaining *al-Durr al-Mukhtār* and warned of the deficiencies contained within it owing to it being a concise, basic work, which may cause one to assume the wrong meaning of a ruling. This could be in the form of a generalization to a ruling that requires clauses and limitations. Ibn ‘Ābidīn accomplished this using a clever method of quoting *furū’i* (subsidiary) rulings from the accepted books of the Ḥanafī school. Sometimes descriptions in *al-Durr al-Mukhtār* are cryptic for anyone but a trained master in the field. Ibn ‘Ābidīn addresses these deficiencies of the *furū’i* (subsidiary) rulings that al-Ḥaṣkafī mentioned or an analysis that required more detail by using the term ‘*tatimmab*’ or conclusion at the end of a discussion. Ibn ‘Ābidīn’s habit was also to mention many sources – many of which are not in existence, in handwritten manuscript form or not in print today and subsequently connects them with the ruling under discussion. This method of his left the Ḥanafī *madhhab* with a wealth of knowledge that would have otherwise been lost.

²⁶ Ibn Shiḥnah, Abū al-Barakāt, Sarī al-Dīn, ‘Abd al-Barr ibn Muḥammad ibn Muḥammad (851-921).

See: al-Ziriklī, *al-A’lām* 3:273; Muḥammad Rāghib, *Ilām al-Nubalā’ bi Tārīkh Ḥalab al-Shabbā’* 5:358.

²⁷ Abū Muḥammad, ‘Abd al-Wahhāb ibn Aḥmad ibn Wahbān (728-768).

See: Ibn Quṭlūbghā, *Tāj al-Tarājīm* pg.198; al-Lakhnawī, *al-Fawā’id al-Babiyyah* pg.191.

²⁸ Ibrāhīm ibn Muḥammad ibn Ibrāhīm al-Ḥalabī (d. 956h).

See: al-Ziriklī, *al-A’lām* 1:66; Muḥammad Rāghib, *Ilām al-Nubalā’ bi Tārīkh Ḥalab al-Shabbā’* 5:534.

²⁹ Aḥmad ibn Muḥammad ibn Ismā’īl al-Ṭaḥṭāwī (d. 1231h).

See: al-Ziriklī, *al-A’lām* 1:245.

³⁰ Ibn ‘Ābidīn, *Radd al-Muḥṭār* 1:100.

³¹ ‘Alā’ al-Dīn, al-Ḥaṣkafī, Muḥammad ibn ‘Alī ibn Muḥammad ibn ‘Alī ibn ‘Abd al-Rahmān ibn Muḥammad ibn Jamāl al-Ḥiṣnī (1025-1088).

See: al-Ziriklī, *al-A’lām* 6:294; al-Muḥibbī, *Khulāṣah al-Athar fī A’yān al-Qarn al-Ḥādī ‘Ashar* 4:63.

Another amazing feature of Ibn ‘Ābidīn in his *al-Ḥāshiyah* is that he completely steered away from bias and bigotry, whether to the Ḥanafī school or to al-Ḥaṣkafī himself, adopting a purely academic approach to writing. He recorded the strongest views in a *mas’alah* (ruling) and mentions which view the *fatwā* is issued upon, mentioning both, the preferred and the preferred over views.

In all his works, including the *al-Ḥāshiyah*, Ibn ‘Ābidīn displays the utmost of respect to earlier scholars and refers to them with due deference. He sometimes quotes scholars whose views and opinions he may not accept and hints at his disagreement respectfully, rather than using an explicit statement.

Ibn ‘Ābidīn went through the works and view of the Ḥanafī school with depth and care. Concerning Ibn ‘Ābidīn’s comprehensive expertise in Ḥanafī jurisprudence, Muhammad Effendī al-Halwānī, who served as the Muftī of Beirut during that period expressed his admiration to Ibn ‘Ābidīn’s son: ‘I have never encountered a lesson like those given by your esteemed father. Each day, I would dedicate myself to studying the upcoming lesson, as thoroughly as possible, reading and reflecting on all the commentaries and glosses available. I would believe that I had fully grasped the subject. However, when our teacher delivered the lesson, he not only covered everything I had studied but also offered additional clarification, deeper insights, and numerous beneficial points that neither I nor the texts had considered.’³²

The greatest work of Ibn ‘Ābidīn, his *Radd al-Muḥtār* is truly a significant piece of literature, and its value cannot be denied nor overlooked in the Ḥanafī school, but a thorough study into the sources utilised by him has not been undertaken, as mentioned, which I wish to accomplish in this dissertation. I will approach this by firstly providing a broad overview of the concept of *fiqh* before discussing the Ḥanafī school and particularly the aspect of *fatwā* in the *madhhab*. I will then present the life of Ibn ‘Ābidīn and then look at the significance of his magnum opus, his *Radd al-Muḥtār*. I will finally analyse his sources by firstly presenting a descriptive analysis of his sources and conclude with a numerical analysis of the same.

³² ‘Alā al-Dīn ibn Muḥammad, *Takmilah Radd al-Muhtar* 11:12.

CHAPTER 2: FIQH

DEFINITION

The Literal/Lexical Definition of *Fiqh*:

Derived from the Arabic verb *faqīha yafqahu* (lit. “to understand or comprehend”), the verbal noun *fiqh* generally means understanding, comprehension, knowledge or insight.³³

In *Lisān al-‘Arab* it is mentioned that a villager said to ‘Isā ibn ‘Umar: “*Shahidtu ‘alayka bi al-fiqh*” (I testify regarding your understanding) i.e. intelligence.³⁴

Thus, *fiqh* will basically imply comprehension or understanding of what is hidden or apparent.³⁵

Verses of the Qur’ān also shed light on its use in these meanings:

(مَا نَفَقْنَا كَثِيرًا مِمَّا تَقُولُ)

We do not understand much of what you say.³⁶

(وَلَكِنْ لَا تَفْقَهُونَ تَسْبِيحَهُمْ)

But you do not understand their extolling.³⁷

(أَنْظُرْ كَيْفَ نَصْرَفُ الْآيَاتِ لَعَلَّهُمْ يَفْقَهُونَ)

See how We bring forth explaining verses from different angles, so that they may understand.³⁸

Similarly, *ahādīth* of the Prophet also shed light on the usage of the word *fiqh*:

مَنْ يُرِدِ اللَّهُ بِهِ خَيْرًا، يُفَقِّهْهُ فِي الدِّينِ

When Allah wishes good for a person, he bestows upon him the understanding of the religion.³⁹

³³ J. Milton Cowan, *Hans Wehr* pg.847. The majority regard the word *fiqh* to signify ‘to understand’, which is an unrestricted definition. Ibn Manzūr in *Lisān al-‘Arab* (13:522), Aḥmad ibn Muḥammad al-Muqri in *al-Miṣbāḥ al-Munir* (pg. 479), Ibn Qudāmah in *Rawdat al-Nāẓir wa Jannat al-Manāẓir* (1:53) and others hold this view. For example, Ibn Manzūr states in *Lisān al-‘Arab*: ‘*ūtiya fulānun fiqhan fī al-dīn*’ (a man was given *fiqh* in the religion), meaning he was given an understanding in it.

Conversely, others lexically define *fiqh* in a broader sense. Abū al-Ḥusayn Mu‘tazili lexically defines *fiqh* in *al-Mu‘tamad fī Uṣūl al-Fiqh* (1:8) as: ‘*fabum gharḍ ‘l-mutakallimi min kalāmihī*’ (they understood the intent of the speaker from his speech). Al-Rāzī in *al-Maḥṣūl fī ‘Ulūm al-Fiqh* (1:78), al-Jurjānī in *al-Ta‘rīfāt* (pg.141) and others concur with this view. However, Allah mentions in the Qur’ān (17:44), ‘There is not a thing except that it exalts [Allah] by His praise, but you do not understand their [way of] exalting.’ In this verse, the word *fiqh* is used to signify, ‘one not having the capability to understand’. If it was vital to ‘understand the intent of the speaker’, then the word *fiqh* would not have been utilised, as it does not imply this meaning.

Al-Shayrāzī in *Sharḥ al-Lam‘* (1:157), al-Qarāfī in *Sharḥ Tanqīḥ al-Fuṣūl* (1:21) and others have defined *fiqh* linguistically as: ‘*fabm al-ashyā’ al-daḥiqātī*’ (understanding the implicit meaning). In *al-Mawsū‘ah al-Fiqhiyyah* (1:11), they add, ‘That which was intended to him – the aim and the contained meaning.’ Thus, one could say, ‘*faqhibtu ma’nā kalāmik*’ (I understood the meaning of your speech). One would not use the word *fiqh* in stating, ‘*faqhibtu anna al-samā’a fawqī wa al-arda taḥtī*’ (I understood that the sky is above me and the earth is below me), as this is logical, the concept of ‘*al-daḥiqāb*’ is not found. For instance, Allah mentions in the Qur’ān (11:91), ‘They said: Oh Shu‘ayb, we do not understand much of what you say’. His nation express that they do not grasp the deeper meaning – surely, they understood the apparent message. (See: Wizārat al-Awqāf, *al-Mawsū‘ah al-Fiqhiyyah* pg.11-12). Aḥmad Rashid al-Miṣrī mentions in *Tafsīr al-Manār* (9:421), ‘I found this topic mentioned twenty times in the Qur’ān, nineteen of which indicated to ‘*diqqat al-fabm*’.

Lastly, Imām al-Ghazālī in *al-Muṣtaṣfā* (1:8) lexically defines *fiqh* as, ‘*al-ilm wa al-fabm*’ (knowledge and understanding). Al-Fayrauzābādī in *al-Qāmūs al-Mubtā‘* (pg.1260) mentions, ‘When the letter *qāf* appears with a *kasrah* (*faqīha*), it means to know a thing and understand it. For example, when you say: ‘*yafqahu kalāma fulānin*’, it will mean he understood and came to know of it. However, al-Jawharī argues, both ‘*al-ilm*’ and ‘*al-fabm*’ are closely connected – *al-fabm* requires knowing the implied meaning and *al-ilm* requires understanding the knowing thing. Consequently, he defines the word *fabima* as: I understood the thing and I knew it.

³⁴ Ibn Manzūr *Lisan al-Arab*, 13:522,523.

³⁵ Wizārat al-Awqāf, *al-Mawsū‘ah al-Fiqhiyyah* pg.11.

³⁶ Al-Qur’ān, Sūrah Hūd:91.

³⁷ Al-Qur’ān, Sūrah al-Isrā’:44.

³⁸ Al-Qur’ān, Sūrah al-An‘ām:65.

³⁹ This narration has been cited by a few companions. The narrations can be located in: al-Bukhārī, *Ṣaḥīḥ al-Bukhārī* 71 and 3116, Muslim, *Ṣaḥīḥ Muslim* 1037, al-Tirmidhī, *Sunan al-Tirmidhī* 2645, Ibn Mājah, *Sunan Ibn Mājah* 220, Mālik, *al-Muwatta’a*’ 1878 (al-Zuhri), 1723 (al-Laythī), al-Ṭayālīsī, *Musnad Abū Dāwūd al-Ṭayālīsī* 1047 and 1059, Ibn Abī Shaybah, *Muṣannaḥ ibn Abī Shaybah* 31641, Aḥmad, *Musnad Aḥmad* 2790, 16837, 16839, 16846, 16849, 16860, 16894, 16910, 16929 and 16931, ‘Abd ibn Humayd, *al-Muntakhab min Musnad ‘Abd ibn Humayd* 412, 416, al-Dārimī, *Sunan al-Dārimī* 230-232 and 2748, al-Bazzār, *Musnad al-Bazzār* 7718, al-Nasā’ī, *al-Sunan*

إِنَّ النَّاسَ لَكُمْ تَبَعٌ وَإِنَّ رَجَالًا يَأْتُونَكُمْ مِنْ أَقْطَارِ الْأَرْضِينَ يَتَفَقَّهُونَ فِي الدِّينِ، فَإِذَا أَتَوْكُمْ فَاسْتَوْصُوا بِهِمْ خَيْرًا

Surely, the people are followers of you, and men will certainly come to you from the regions of the earth to gain understanding in the religion. So, when they come to you exhort them with good.⁴⁰

وَالنَّاسُ مَعَادُنُ، خَيْرُهُمْ فِي الْجَاهِلِيَّةِ خَيْرُهُمْ فِي الْإِسْلَامِ إِذَا فَقَهُوا

People are of different natures: The best amongst them in the pre-Islamic period are the best in Islam provided they understand (the religious knowledge).⁴¹

اللَّهُمَّ فَفِّهْهُ فِي الدِّينِ

Oh Allah, grant him understanding in the religion.⁴²

The Technical Definition of *Fiqh*:

I feel the best technical definition of *fiqh*, in being all-encompassing, is the following:

الْفِقْهُ هُوَ الْعِلْمُ بِالْأَحْكَامِ الشَّرْعِيَّةِ عَنْ أُدْلَتِهَا

Fiqh is the knowledge of *shar'ī* rules from its proofs.⁴³

The Definition of *Fiqh* According to the Jurists:

The most apt definition of *fiqh* from all those available, according to the Jurists is:

الْفِقْهُ عِلْمٌ بِالْمَسَائِلِ الشَّرْعِيَّةِ الْعَمَلِيَّةِ

Fiqh is the knowledge of practical *shar'ī* rulings.⁴⁴

TYPES OF FIQH

There are two different divisions of *fiqh*; the classical one according to the former jurists and the modern division of *fiqh* according to contemporary scholars.

al-Kubrā 5808, al-Mawṣilī, *Musnad Abī Ya'la' al-Mawṣilī* 7381, al-Ṭaḥāwī, *Sharḥ Mushkil al-Āthār* 1683 – 1691, Ibn Ḥibbān, *Saḥīḥ ibn Ḥibbān* 89, 310 and 3401.

⁴⁰ Al-Tirmidhī, *Sunan al-Tirmidhī* 2650, Ibn Mājah, *Sunan Ibn Mājah* 220.

⁴¹ The narration can be located in: al-Bukhārī, *Ṣaḥīḥ al-Bukhārī* 3353, 3383, 3493 and 3496, Muslim, *Ṣaḥīḥ Muslim* 2378 and 2638, Ibn Abī Shaybah, *Muṣannaḥ ibn Abī Shaybah* 32984, Ishāq ibn Rāhwayh, *Musnad Ishāq ibn Rāhwayh* 116, Ahmad, *Musnad Ahmad* 7496, 7543, 9079, 9568, 10297, 10956 and 16928, al-Dārimī, *Sunan al-Dārimī* 229, al-Bazzār, *Musnad al-Bazzār* 8418, 9374, 9484, al-Nasā'ī, *al-Sunan al-Kubrā* 11185, al-Mawṣilī, *Musnad Abī Ya'la' al-Mawṣilī* 6070 and 6562, Ibn Ḥibbān, *Saḥīḥ ibn Ḥibbān* 92, al-Ṭabarānī, *al-Mu'jam al-Awsaṭ* 704, al-Bayhaqī, *Shu'ab al-Imān* 1578.

⁴² The narration can be located in: al-Bukhārī, *Ṣaḥīḥ al-Bukhārī* 143, Ibn Abī Shaybah, *Muṣannaḥ ibn Abī Shaybah* 32223, Ishāq ibn Rāhwayh, *Musnad Ishāq ibn Rāhwayh* 2006, Ahmad, *Musnad Ahmad* 2397 and 2879, al-Bazzār, *Musnad al-Bazzār* 5075, Ibn Ḥibbān, *Saḥīḥ ibn Ḥibbān* 7055, al-Ṭabarānī, *al-Mu'jam al-Awsaṭ* 1422, 3356 and 4176, *al-Mu'jam al-Kabīr* 10614, 11204 and 12506.

⁴³ Ibn Ābidīn, *Radd al-Muḥtār* 1:26 with a slight variation in this definition, by deleting the word 'al-muktasab' (derived) as explained by Ibn Ābidīn in *Minḥab al-Khāliq* 1:3. (Bulāq Print)

⁴⁴ Ibn Ābidīn, *Radd al-Muḥtār* 1:20; al-Jābī, Bassām 'Abd al-Wahhāb, *Al-Majallab: Majallab al-Aḥkām al-Adaliyyah* pg.11; *Sharḥ al-Atasī* 1:8.

There are various definitions provided from the earlier scholars. Those who came later, either adopted an earlier definition, by adding or subtracting words where they deemed necessary, or provided a completely different definition altogether. A group from amongst them, define it with relation to speculative texts, other claim it can be both definitive and speculative and the last group claim it to be solely definite text.

For instance, Abū al-Ishāq Shayrāzī presents the technical definition in *al-Lam'* (pg.82) as: Indeed, *fiqh* is recognising the rulings of *shar'ī'ah*, which have been derived from *ijtihād*. Others present a similar definition – inserting the word '*amaliyyah*' after *shar'ī'ah* and replacing 'which have been derived from *ijtihād*' with, 'with evidence'. Through this, they deem it is necessary to draw a distinction between '*amaliyyah*' and '*ilmīyyah*'. This distinction is also based on the scholars taking into consideration the society. The definition provided by Imām Abū Ḥanīfah was inclusive of '*aqūdah*' (creed) for this reason. At a later stage they separated the two sciences. Therefore, one will notice the wording '*far'iyyah*' placed in the definition. In addition, they felt that replacing the wording imparted a more complete definition, whereas they convey very similar sentiments. Others felt it was necessary to add the word 'detailed' after evidence.

However, Sadr al-Sharī'ah mentions in his commentary to *al-Tawdīh* (1:30), 'Rather it is all those practical rulings of *shar'ī'ah*, which have become apparent by means of revelation and there is consensus upon it, together with the evidence provided by scholars who can extract rulings correctly. With his concluding statement, he differed from the above party who deemed *ijtihād* as necessary.

Ibn al-Humām clarifies in *al-Taysīr al-Tahrīr* (1:26) on what is meant by *shar'ī'ah*. He states it is in relation to definitive texts (*qaṭ'ī*) and not *ẓannī* (speculative) texts.

The classic division of *fiqh* is divided into four categories: *al-Ibādāt* (acts of worship), *al-Mu‘āmalāt* (contracts and dealings), *al-Uqūbāt* (offenses and their punishment) and *al-Ḥalāl wa al-Ḥarām* (permissible and impermissible acts):

1. ***Al-Ibādāt*** refers to the actions of a *mukallaf* (a legally capable person), that is performed with the intention to honour Allah and seek reward from Him. *Al-Ibādāt* is then subdivided, taking into consideration the different aspects, as follows:
 - Physical acts of worship such as *ṣalāh* and fasting, monetary acts of worship such as *zakāh* or a combination of both, like *ḥajj*.
 - Intended acts of worship such as *ṣalāh*, fasting and the recital of the Qur‘ān etc., and non-intended acts of worship, such as *wuḍū‘* (ablution).
 - Pure acts of worship such as *ṣalāh*, and mixed acts of worship such as *ṣadaqah al-fitr*, as it contains an element of assistance together with being an act of worship.
2. ***Al-Mu‘āmalāt*** (contracts and dealings) refers to the following:
 - Finance based and monetary dealing: such as business transactions, leasing, partnerships etc.
 - Marriage contracts: which include, marriage, divorce, custody and all related matters.
 - Judiciary matters: such as resolving disputes, arbitration and settlements etc.
 - Inheritance and distribution.
3. ***Al-Uqūbāt*** (the penal code) which refers to all violations of the law and the subsequent punishment fixed for each. Crimes, felonies, misdemeanours and capital offences will all fall under the broad umbrella of *al-uqūbāt*.
4. ***Al-Ḥalāl wa al-Ḥarām*** (the permissible and impermissible) refers to all permissible and impermissible actions, including which food and beverages are allowed and which are not, which items are pure, and which are impure etc.⁴⁵

By taking into consideration the views of contemporary scholars such as Dr. Abū Sunnah and Muṣṭafā Zarqā, the present-day division of *fiqh* is made into the following nine categories:

1. The laws pertaining to the relationship of a person to his Creator, which is called *al-Ibādāt* (acts of worship).
2. The laws pertaining to a person and his relationship with his family and others, which is called *al-Aḥwāl al-Shakhsīyyah* (personal statute).
3. The laws pertaining to the actions of people and their dealings with each other regarding monetary affairs and rights, which is termed *al-Mu‘āmalāt* (contracts and dealings).
4. The laws pertaining to the ruler and his/her relationship with his/her subjects, which is called *al-Aḥkām al-Sultāniyyah* (governing laws) or *al-Siyāsah al-Shar‘īyyah* (political law).
5. The laws pertaining to offences, their punishment and the maintaining of order between people, which is termed *al-Uqūbāt* (offences and their punishments).
6. The laws pertaining to the order of the relationship between the Islamic state and other states, which subsequently leads to either peace or war. This is termed *al-Ḥuqūq al-Dawliyyah* (state rights).
7. The laws pertaining to *al-Ḥalāl* (permissible) and *al-Ḥarām* (impermissible), which is termed *al-Ḥaḍr wa al-Ibāḥah* (the forbidden and the permitted).
8. The laws pertaining to virtues, merits and misdeeds, which is called *al-Ādab* (etiquettes).
9. The laws pertaining to protecting rights and ending differences and discord, which is termed *al-Qadā‘* (judgeship).⁴⁶

⁴⁵ Muḥammad ‘Abd al-Laṭīf al-Farfūr, *Ibn ‘Ābidīn Wa Atharubū fī Fiqh al-Islāmī* 1:71-73.

⁴⁶ This division is derived by combining the divisions of Dr. Abū Sunnah and Professor Muṣṭafā Zarqā.

A BRIEF HISTORY OF FIQH

Historians differ regarding the eras or periods that *fiqh* passed through, with some pegging it at six while others mentioning it to be seven. This is besides other less-accepted views, wherein certain eras have been included and amalgamated into others. The view of Dr. Muḥammad ‘Abd al-Laṭīf al-Farfūr (1366-1455) seems to be a balanced one, which I will mention here. He writes, I can divide the eras that *fiqh* went through, from its inception to this present day, in a very broad manner and according to a timeline, into the following periods:

1. **The First Period:** The introductory period of *fiqh*, which includes the legislation in the era of the Prophet, the rightly guided caliphs and the other senior companions of the Prophet. This period ended with the termination of the caliphate of the rightly guided caliphs.⁴⁷
2. **The Second Period:** The foundation or establishment period of *fiqh*. This includes the work on *fiqh* completed in the Umayyad dynasty and the formation of *madāris* (centres of learning) of *fiqh*. This is the era of the junior companions of the Prophet⁴⁸ and those equal to them. This period ended with the termination of the first century *hijrī* or a little thereafter.
3. **The Third Period:** The *fiqh* awakening period. This is the period of the establishment of the *madhābīb*, the recording (*tadwīn*) of *fiqh* and the emergence of the *a’immah al-mujtahidīn*.⁴⁹ This period ended with the close of the third century *hijrī*.
4. **The Fourth Period:** The consolidation period of the *madhābīb*, the complete recording period of *fiqh* and the inter *madhāb* debate period. This period ended with the discontinuation of the Abbasid dynasty in Baghdād and a short while thereafter in Egypt.
5. **The Fifth Period:** The period of pure and exclusive *taqlīd*.⁵⁰ This is a little after the period mentioned above, which is from the time the Turks entered into Islam and lasted up to the beginning of Ibn ‘Ābidīn’s life.
6. **The Sixth Period:** The period of *fiqhī* awakening and *madhābībī* renaissance. This period began with the era of Ibn ‘Ābidīn and is present till today.⁵¹

A short explanation into the first three periods of this division seems apt at this point as it leads into the next chapter on *madhābīb*.

1. **The First Era:** *Fiqh* in the era of the Prophet and the senior companions. The nucleus of Islamic *fiqh* began in the era of the Prophet from the very first day of revelation, Friday the seventeenth of Ramaḍān, when the Prophet was forty years of age.⁵² Revelation continued from that point until his demise, spanning a period of twenty-three years. The *sunnah* or *ahādīth*⁵³ was joined to the Qur’ān in laying the foundation for the rules of *sharī‘ah*, and many times explaining and completing the rules, this making the foundational texts for Islamic *fiqh*, the Qur’ān and the *sunnah*. *Sharī‘ah* and *fiqh* in this foundational stage was imparted by the Prophet and learnt by the companions. They would directly seek guidance regarding different rulings from the Prophet. There were instances where some companions used their own reasoning to reach a ruling when they had no direct access to the Prophet, being a distance away from him, in battle or travelling, and faced with a situation that required an immediate ruling. However, these rulings were always passed by the Prophet

See: Dr. Abū Sunnah, *al-Nazriyyah al-‘Āmmah: al-Mu‘āmalāt* pg. 31 onwards; Muṣṭafā Zarqā, *al-Madkhal al-Fiqhī al-‘Ām*, 1:25 onwards; Muḥammad ‘Abd al-Laṭīf al-Farfūr, *Ibn ‘Ābidīn Wa Atharubū fi Fiqh al-Islāmī* 1:66.

⁴⁷ This refers to the caliphate of Abū Bakr, ‘Umar, ‘Uthmān and ‘Alī.

⁴⁸ This is in relation to age, not status and rank.

⁴⁹ This mainly refers to the four Imāms: Abū Ḥanīfah, Mālik, Shāfi‘ī and Aḥmad ibn Ḥanbal.

⁵⁰ Adoption of the legal decision of a *madhābīb*. *Ijtihād* within the *madhābīb* always remained a part of the *madhābīb*. During the fifth period, *taqlīd* was adhered to, in regards to the *uṣūl* and principles of the *madhābīb*, but *ijtihād* within the *madhābīb* remained open.

⁵¹ Muḥammad ‘Abd al-Laṭīf al-Farfūr, *Ibn ‘Ābidīn Wa Atharubū fi Fiqh al-Islāmī* 1:92-93.

⁵² Mannā‘ al-Qaṭṭān, *Tārīkh al-Tashrī‘* pg.6.

⁵³ His words, actions or tacit approvals.

when they later met him, and he would then guide them to the correct ruling, without leaving them on an incorrect one, if their reasoning proved to be so.

This deep understanding of *fiqh* then continued in the era of the senior companions, especially the caliphs. One of the historic incidents that displays this is the compilation of the Qurʾān. In the life of the Prophet, whenever revelation came, he would learn it, recite it to his companions and have it written by a scribe, but the entire Qurʾān was not recorded in one place in his lifetime. This happened with the *fiqh* of ʿUmar,⁵⁴ who convinced the first caliph, Abū Bakr⁵⁵ that its compilation was needed. Abū Bakr was first reluctant, but thereafter understood the need and complied, appointing Zayd ibn Thābit⁵⁶ as the head of this momentous task.

*Ijtihād*⁵⁷ was also found in this period, but was limited to those *fatāwā*, wherein a companion was asked about a case at hand and issued a ruling. This did not extend to broad spectrum *ijtihād*, where hypothetical cases were identified and answered. The companions disliked this and limited their views to actual events, which is why very few *fatāwā* are related from the senior companions. This *ijtihād* was also termed *al-raʾy* (subjective opinion). Very few individual cases of *al-raʾy* are related as this was also frowned upon. What was preferred and accepted was that if the companions found themselves facing a case to which there was no clear answer in either the Qurʾān or the *sunnah*, they would then gather a group of knowledgeable companions and consult with them. The view that was agreed upon was adopted. This form of *al-raʾy* was termed *ijmāʿ* or consensus. In short, the source of rulings in that era was four; the Qurʾān, the *sunnah*, *al-raʾy* (subjective opinion) and *ijmāʿ* (consensus).

2. **The Second Era: *Fiqh* in the era of the junior companions.** This was the foundation phase or establishment period of *fiqh*. This era began with the Muslim majority accepting Muʾāwiyah ibn Abī Ṣufyān⁵⁸ as the Amīr of the Islamic republic in the year 41 AH. Those who issued *fatāwā* in this period were divided into Ahl al-Ḥadīth (traditionalists) and Ahl al-Raʾy (rationalists). The traditionalists were those who were narrators of *ḥadīth* and their disciples, who based their rulings on what was contained in the apparent words in the traditions of the Prophet (*ahādīth*). The rationalists, on the other hand, were those who delved into the deeper meanings of the Qurʾān and *sunnah*, and who utilized their intellect together with the apparent words of the narrations to derive their rulings. Most of those included in this category were the *fuqahāʾ* or the jurists and legislators. There were no open and known rules or laws of *ijtihād* present at that time, as *fiqh* had not yet taken its upcoming form of *tadwīn* (recording).

Another aspect of this period was that, based on the senior companions that the juniors had gained their knowledge from, a few learning centres formed, of which two stood out above the others. These were the learning centres of Madīnah and Kūfa, or in other words, the learning centres of Ḥijāz and Iraq. These two centres contained most of the *fiqh* rulings of that era, each of which had a uniqueness that separated one from the other. The learning centre of Madīnah leaned more towards the narration of *ahādīth* and the learning centre of Kūfa towards *al-raʾy* or subjective opinion, thus forging the foundation for a very different approach to juristic rulings.

A) The Learning Centre of Madīnah: The view of the Ḥijāz learning centre was that they had the advantage of being more well-equipped in *fiqh* as they were in the land where most of the companions lived, and it was also the place of the *sunnah*. The basis of this learning centre reaches ʿUmar ibn al-Khaṭṭāb, Zayd Ibn Thābit, ʿAbdullāh ibn ʿUmar⁵⁹ and ʿĀʾishah.⁶⁰ Their teachings led to the famous *Fuqahāʾ al-Sabʿah* (the seven jurists)

⁵⁴ Abū Ḥafṣ, ʿUmar ibn al-Khaṭṭāb ibn Nufayl ibn ʿAbd al-ʿUzzā al-Qurashī (d. 23h).

⁵⁵ Abū Bakr, ʿAbdullāh ibn Abī Quḥāfah ʿUthmān ibn ʿĀmir ibn ʿAmr ibn Kaʿb al-Qurashī (d. 13h).

⁵⁶ Zayd ibn Thābit ibn Daḥḥāk ibn Zayd (d. 45h).

⁵⁷ The process of legal reasoning and hermeneutics through which the jurist (*al-mujtahid*) derives or rationalizes law based on the Qurʾān and *sunnah*.

⁵⁸ Abū ʿAbd al-Raḥmān, Muʾāwiyah ibn Abī Ṣufyān Ṣakhr ibn Ḥarb ibn Umayyah al-Qurashī (d. 60h).

⁵⁹ ʿAbdullāh ibn ʿUmar ibn al-Khaṭṭāb ibn Nufayl ibn ʿAbd al-ʿUzzā (d. 74h).

⁶⁰ ʿĀʾishah bint Abī Bakr ibn Abī Quḥāfah ʿUthmān ibn ʿĀmir ibn ʿAmr (d. 58h).

or *Fuqahā' al-Madīnah* (the jurists of Madinah).⁶¹ These seven formed the first *fiqhī* school of that era. They were pioneer jurists who laid the foundation of Islamic *fiqh* by sketching the initial blueprint for a *fiqhī* system, taking into consideration the different needs of the time and then drawing rulings and issuing relevant *fatāwā*. This led to scholars traveling considerable distances to reach this learning centre, such as Shihāb al-Zuhrī⁶² from the Levant and 'Aṭā'⁶³ from Makkah.

B) The Learning Centre of Kūfa: In this era the other learning centre was located in Kūfa, Iraq. The value and rank of this learning centre is not any less than that of Madīnah, even though it did not enjoy the fame and strategic position that the former did. Also, its *fiqhī* effects did not become apparent and did not enjoy its deserved fame except at a later stage, by its students like Abū Ḥanīfah and his school. The basis of this learning centre was 'Abdullāh ibn Mas'ūd,⁶⁴ 'Alī ibn Abī Ṭālib,⁶⁵ and to a degree, 'Umar ibn al-Khaṭṭāb. The most influential of all these companions in this learning centre was undoubtedly Ibn Mas'ūd, who gathered Kūfic students around him, who then learnt from him and mastered *fiqh* at his instruction. The most famous of his Kūfic disciples were: 'Alqamah ibn Qays al-Nakha'ī,⁶⁶ Al-Aswad ibn Yazīd al-Nakha'ī,⁶⁷ Masrūq ibn al-Ajda' al-Ḥamdānī,⁶⁸ Shurayḥ ibn al-Ḥārith al-Qāḍī⁶⁹ and al-Ḥārith al-A'war.⁷⁰

The people of Kūfa were of the opinion that Ibn Mas'ūd and his students were more well-versed in *fiqh* than anyone else, as they had collated the *fatāwā* of Ibn Mas'ūd and the rulings of 'Alī amongst other things. This learning centre was freer in issuing rulings on current affairs but was very careful in regard to relating anything to the Prophet.

The above initially led to a difference in approach between the learning centres of Madīnah and Kūfa, or the learning centres of *ḥadīth* and *al-ra'y*. Later, when *al-ra'y* was considered to be a correct *fiqhī* approach and method, with its boundaries and principles, as explained by its founders, and it became firmly embedded and accepted, due to them managing to dispel the misconceptions of *al-ra'y* being a proof based on personal views and desires, there did not remain much difference between the two learning centres. This is evidenced in the books of different schools of *fiqh*, which contain both *ḥadīth* and *al-ra'y*, which proves a common meeting point between the two, even though jurists differ regarding which of the two is found more in their school.⁷¹

3. The Third Era: The 'Fiqh Awakening Period' which began at the start of the second century *hijrī* and lasted until the mid-fourth century *hijrī*. This was the period of the establishing of the *sunnah* and the rise of the *fiqhī madhāhib*.

In the political sphere of this period, the secret group striving to change the reigns of the caliphate from the Umayyad dynasty to the family of al-'Abbās ibn 'Abd-Muṭṭalib⁷² were successful. The first Abbasid leader Abū al-'Abbās as-Saffāh⁷³ became the first leader of the Abbasid dynasty in the year 132 AH, with rulership

⁶¹ These terms refer to the following seven, according to the most accepted narration; Sa'īd ibn al-Muṣayyab, 'Urwah ibn al-Zubayr, al-Qāsim ibn Muḥammad, Abū Bakr ibn 'Abd al-Raḥmān ibn al-Ḥārith ibn Hishām, 'Ubayd 'Llāh ibn 'Abdullāh ibn Mas'ūd, Sulaymān ibn Yasār, Khārījāh ibn Zayd ibn Thābit.

⁶² Abū Bakr, Muḥammad ibn Muslim ibn 'Ubay 'Llāh ibn 'Abdillāh ibn Shihāb ibn 'Abdillāh al-Qurashī, al-Zuhrī (d. 124h).

⁶³ Abū Muḥammad 'Aṭā' ibn Abī Rabāḥ (d. 115h).

⁶⁴ 'Abdullāh ibn Mas'ūd ibn Ghāfil ibn Ḥabīb ibn Shamkh ibn Fār ibn Makhzūm ibn Ṣāhilah (d. 32h).

⁶⁵ 'Alī ibn Abī Ṭālib 'Abd Manāf ibn 'Abd al-Muṭṭalib ibn Hishām (d. 40h).

⁶⁶ 'Alqamah ibn Qays ibn 'Abdillāh ibn Mālik ibn 'Alqamah ibn Salmān al-Nakha'ī (d. 62h).

⁶⁷ Abū 'Amr, Al-Aswad ibn Yazīd ibn Qays al-Nakha'ī al-Kūfī (d. 75h).

⁶⁸ Masrūq ibn al-Ajda' ibn Mālik ibn Umayyah ibn 'Abdillāh ibn Murr ibn Salmān ibn Ma'mar al-Ḥamdānī (d. 63h).

⁶⁹ Abū Umayyah, Shurayḥ ibn al-Ḥārith ibn Qays ibn al-Jahm (d. 78h).

⁷⁰ Abū Zuhayr, al-Ḥārith ibn 'Abdillāh ibn Ka'b ibn Asad al-Ḥamdānī al-Kūfī (d. 65h).

⁷¹ Abū Zuhrah, *al-Milkiyyah wa Nazriyyah al-'Aqd* pg.38; Muḥammad 'Abd al-Laṭīf al-Farfūr, *Ibn 'Ābidīn Wa Atharubū fi Fiqh al-Islāmī* 1:121-124.

⁷² In reference to the uncle of the Prophet Muḥammad.

⁷³ 'Abdullāh ibn al-Saffāh ibn Muḥammad ibn 'Alī ibn 'Abdillāh ibn al-'Abbās ibn 'Abd al-Muṭṭalib al-Qurashī (d. 136h).

See: *Al-Muntaẓim fi Tārikh al-Mulūk wa al-Umam*, 7:352; Ibn Kathīr, *al-Bidāyah wa al-Nihāyah* 10:63.

remaining with the Abbasids for many years thereafter, until it finally came to an end in the year 656 AH to the Moghuls.

There are a further two aspects to this era that needs to be mentioned; the distinguishing characteristics of this era and the differences regarding the fundamental constituents of *al-fiqh*.⁷⁴

A) The distinguishing characteristics of this era can be summarised as follows:

- 1) The expansion of civilisation: The most important part of this was the establishment of the city of Baghdad in the East, Córdoba in Spain, Kairouan in Africa⁷⁵ and al-Fuṣṭāṭ in Egypt.⁷⁶ Baṣra, Kūfa, Damascus and Nīshapūr are also worthy of mention as these cities too played a role in the expansion of civilization.
- 2) The science movement in the Islamic cities: The science movement saw an exponential growth in this period, which started at the tail end of the previous era.
- 3) The growth of the Qurʾānic sciences: This era also saw an increase in the number of those who had memorized the Qurʾān, and who had spread to all areas of the Islamic world, as well as an increase in the scribes of the Qurʾān. The seven forms of recital of the Qurʾān called *al-Qirāʾāt al-Sabʿah* and the ten forms of recital called *al-Qirāʾāt al-ʿAsharah* also gained prominence, so much so, that at the end of this period, it took the form of an individual science, with its scholars authoring works related to it.
- 4) The recording of the *sunnah*: This was a glorious era for the *sunnah* as the narrators deemed it necessary to record the traditions, which began with the *Muwattaʾ* of Imām Mālik,⁷⁷ followed, at the cusp of the second century by the *masānīd*,⁷⁸ *sunan*⁷⁹ and *ṣiḥāḥ*.⁸⁰ This era also saw scholars in *al-Jarḥ wa al-Taʿdīl*⁸¹ discussing the narrators of *ḥadīth* and their ranks. The end of this era saw the *sunnah* becoming a specific science, with dedicated scholars, even though some of them had no connection to *fiqh* or any skills in *al-istinbāṭ* or deriving rulings from the sources.
- 5) The recording of *uṣūl al-fiqh* (legal doctrine): The differences regarding the constituents on *fiqh* drove the scholars to busy themselves in recording the *uṣūl al-fiqh* or legal doctrine. These were the principles upon which every *mujtahid* would rely upon in deriving rulings. It is mentioned that Imām Abū Yūsuf and Imām Muḥammad both wrote on legal doctrine, but this was not transferred down, and it did not reach us. What was passed on and is considered a basis for this science is the *al-Risālah al-Uṣūliyyah* of Imām al-Shāfiʿī.^{82, 83}
- 6) The start of the setting of broad standard *fiqhī* rulings: many broad *fiqhī* rulings were set in this period that were gained from the proofs and sources used in the *uṣūl* (doctrine) of the different *madhāhib*. Also, the usage of specific *fiqhī* terminology became more common.⁸⁴

B) The distinguishing characteristics of this era can be summarised as follows:

- 1) The differences regarding the fundamental constituents of *al-fiqh*: In this era there existed quite a bit of differences and discord between the scholars of *sharīʿah* in regard to the *uṣūl* or doctrine and principles for deriving rulings. The detailed works contain the specifics of this difference, however both, the rationalists

⁷⁴ Muḥammad ʿAbd al-Laṭīf al-Farfūr, *Ibn ʿĀbidīn Wa Atharubū fi Fiqh al-Islāmī* 1:125-128.

⁷⁵ A city in northern Tunisia's inland desert.

⁷⁶ Ancient Islamic city which is located to the south of present-day Cairo.

⁷⁷ ʿAbū ʿAbdillāh, Mālik ibn Anas ibn Mālik ibn Abī ʿĀmir ibn ʿAmr ibn al-Ḥārith al-Aṣḥāḥī (d. 179h).

⁷⁸ *Masānīd* (sing. *Musnad*) a collection of *ahādīth* arranged according to the companion who transmitted them from the Prophet.

⁷⁹ *Ḥadīth books compiled in a similar order to books of fiqh*.

⁸⁰ This refers to the most authentic books of *ḥadīth* that have been compiled. Commonly refers to the six most authentic books: al-Bukhārī, al-Muslim, Abū Dāwūd, al-Tirmidhī, Ibn Mājah and al-Nasāʿī.

⁸¹ This literally means biographical evaluation but refers to a discipline of Islamic religious studies within *ḥadīth* terminology in which narrators of *ḥadīth* are evaluated.

⁸² Muḥammad ibn Idrīs ibn al-ʿAbbās ibn ʿUthmān (150-204h).

⁸³ Mannāʿ al-Qaṭṭān, *Tarikh al-Tashree* pg.22 onwards.

⁸⁴ Muḥammad ʿAbd al-Laṭīf al-Farfūr, *Ibn ʿĀbidīn Wa Atharubū fi Fiqh al-Islāmī* 1:135-138.

and traditionalists agree that it is necessary to first derive rulings from the Qur'an and the correct *sunnah*. They then differed in that the traditionalists disliked *al-ra'y* (subjective opinion) and prized and preferred *al-riwāyah* or narrations. They would not accept logic unless left with no other option. The rationalists on the other hand, prized and preferred *iftā'* (issuing rulings) with its requirements, and would only recant if they deemed a *ḥadīth* to be correct and directly against a *fatwā* previously issued. This caused the divide to be considerable in the era of Abū Ḥanīfah.

However, towards the end of era of Abū Ḥanīfah, this divide began to narrow, mainly due to members of the two groups meeting and holding discussions. What also helped in closing the divide was the presence of recordings from both camps, which allowed each of the two factions to access and study the other's science, added to the increasing of new matters and cases that required the traditionalists to resort to *al-ra'y* to derive rulings for themselves. Furthermore, the *ṣiḥāḥ* being recorded allowed the rationalists access to many narrations narrated in different areas of the Islamic world, which drew them closer to the traditionalists.

Abū Yūsuf studied the narrations, memorized them and used them as proof, so much so that if any of his previous rulings were based on logic and was seen to be against the *sunnah*, he recanted his previous viewpoint towards one that was in conformity with the *ḥadīth*. Muḥammad al-Shaybānī also sought the science of *ḥadīth* from al-Thawrī and then remained with Imām al-Mālik for three years furthering his studies in this science. In this way the divide between the two camps grew more and more narrow and the two groups became closer to each other.⁸⁵

There is also no denying the fact that the person who initiated the narrowing of this divide was none other than Abū Ḥanīfah, who, in his sincere quest for the truth, would retract his view if a *ḥadīth* or a *fatwā* of a companion was mentioned to him, in which there remained no possibility for *al-ra'y* (subjective opinion).⁸⁶

MADHĀHIB

DEFINITION

The following definition and explanation is mentioned in detail in Wael B. Hallaq's *The Origins and Evolution of Islamic Law*, pages 150-153, which is an excellent explanation of the term, *madhhab*. I have summarized his discussion hereunder.

The word *madhhab* originates from the Arabic verb *dhababa/yadhabu* (meaning “to go” or “went”). As a verbal noun, it generally refers to a path one follows, and more specifically, to a chosen opinion or perspective. Jurists rarely use this term to describe their own opinions; instead, it is typically employed in reference to others, such as “the *madhhab* of so-and-so is such-and-such.” At its core, the term denotes a specific legal opinion held by a jurist. Its use dates back to the late first/seventh century and is well-established by the middle of the second/eighth century, becoming more widespread by the early third/ninth century. The plural form of *madhhab* is *madhāhib*.

Nevertheless, the origins and development of the *madhhabs* extend beyond this basic definition. The term *madhhab* was already in use before the establishment of formal schools of thought. Over time, the concept of *madhhab* expanded to encompass four additional meanings, each contributing to or reflecting the evolution of legal schools. The first of these meanings refers to *madhhab* as a technical term, signifying a principle that governs a set of legal cases.

This technical sense of *madhhab* represents a legal doctrine applicable to a group of cases under a broader principle. In this context, one school's *madhhab* may differ—sometimes substantially—from that of another.

⁸⁵ Abū Zuhrah, *Abū Ḥanīfah* pg.92.

⁸⁶ Muḥammad ‘Abd al-Laṭīf al-Farfūr, *Ibn ‘Ābidīn Wa Atharubū fi Fiqh al-Islāmī* 1:126-129.

The second meaning builds upon the basic definition and the technical meaning: it refers to a principle governing a group of related cases, such as those involving damages. Once jurists consciously formulated such principles, the term *madhhab* could describe the collective legal doctrine of a school or a *mujtabid*. Initially, this applied to particular areas of law, like usurpation, but it eventually came to encompass the entire body of legal doctrine produced by a school or *mujtabid*. Historically, the doctrines of individual *mujtabids* were acknowledged before the formalization of legal schools, which later emerged from these doctrines.

The third meaning of *madhhab* pertains to the authoritative opinion within a school's doctrinal framework, irrespective of whether the *mujtabid* responsible for that opinion was the founder of the school. In Arabic legal sources, this usage of *madhhab* often appears without qualification, but it can be understood as a "madhhab-opinion" here for clarity. This refers to an opinion widely accepted and implemented within legal rulings and *fatwas*. When an opinion is referred to as "al-madhhab" (with the definite article), it signifies the standard, normative doctrine of the school, which its followers adhere to in practice. This usage suggests a level of consensus within the school, reflecting its unified legal approach.

The fourth meaning of *madhhab* refers to a group of jurists and scholars who adhere strictly to a coherent, collective legal doctrine associated with a prominent jurist—often referred to as a master-jurist—after whom the school is named. After the formation of the schools, jurists were categorized as Hanafi, Maliki, Shafi'i, or Hanbali based on their adherence to the teachings of a particular school. Importantly, their loyalty was to the cumulative legal doctrine developed over generations by jurists, rather than to the personal views of a single *mujtabid*. This definition of *madhhab* must be distinguished from the earlier idea of a group of jurists following the views of one leading jurist. These four meanings roughly outline the historical progression of the concept of *madhhab*—from a simple notion of a jurist's personal opinion to a rigorous commitment to a collective, evolving, and self-contained legal tradition. It is important to note that later meanings did not necessarily replace earlier ones. Except for the early form of the fourth meaning, these various definitions of *madhhab* coexisted and were applied in different contexts throughout Islamic history. By the mid-fourth/tenth century, all these meanings were in use.⁸⁷

FORMATION

The *fiqhī* differences that were present in the era of the Companions of the Prophet and their *fiqhī* preference towards *al-ra'y* (subjective opinion), as well as them researching the reasons for different rulings and their knowledge of the *nuṣūṣ* (texts of the Qur'an and the *aḥādīth*) formed the basis and core for the differences of the later *Imām's* and *Fuqahā*, especially when interest in *fiqh* and *ḥadīth* strengthened, due to the Islamic state abiding by its rulings. The Islamic state, whose reach had spread far and wide, and now comprised of different cultures and civilizations, which, when combined, formed an unprecedented collection of information. This opened up a broad domain to the *Fuqahā* for learning, research and *istinbāt* (deriving rulings), followed by the wide *fiqhī* difference between the scholars and their contrasting viewpoints. This was the beginning of the formation of the different schools of thought, especially since the original sources were within reach of the scholars, as the agreed-upon views of the *Fuqahā* of the *Ṣaḥābah* (companions) and *Tābi'īn* (the students of the companions) were recorded. The knowledge of *Uṣūl al-Fiqh* (legal doctrine) was also formed, which the scholars used to assist them in deriving new rulings.⁸⁸

THE FOUR SCHOOLS

In some of the schools of thought of the *Fuqahā*, there were certain followers, in different cities, who practiced on the school, recorded and documented it and gave it its due importance. This allowed these schools to stand the test of time, and they are still present today. Some schools of thought had a number of followers for a period of time but were then overpowered and incorporated into other schools and they then fizzled out. The former of these two types is the *madhāhib al-arba'ah* or the four schools of thought: the Ḥanafī, Shāfi'ī, Mālīkī and Ḥanbalī schools of thought.

⁸⁷ Summarized and adjusted for brevity from Wael Hallaq's, *The Origins and Evolution of Islamic Law*, pgs.150-153.

⁸⁸ Muḥammad Sallām Madkūr, *al-Islam wa al-Uṣrah wa al-Mujtama'* pg.28 onwards.

BRIEF DESCRIPTION OF THE FOUR SCHOOLS⁸⁹

1. **The Mālikī School:** Attributed to Imām Mālik ibn Anas al-Aṣḥabī al-Madanī.⁹⁰ This school derives its doctrines from the scholars of Madinah and the senior Medinite scholars of *ḥadīth* such as Ibn Shihāb al-Zuhrī, Nāfi‘ Mawlā Ibn ‘Umar, Hishām ibn ‘Urwah ibn Zubayr.⁹¹ The Medinites were the most knowledgeable in regards to the traditions of the Prophet and the senior companions, so it’s no surprise that Madinah was the base for the teaching of *ḥadīth* and that the Mālikī school was a shining example of the same, just as it was a true example of the teachings of ‘Umar ibn al-Khaṭṭāb and the other thinkers of the companions. This allowed the Mālikī school to stand out in the following ways:
 - It contained many traditions and narrations, with the founder authoring his own work, the *al-Muwaṭṭa’*, which was widely accepted and revered.
 - Very seldom does it resort to *al-ra’y*, due to the large number of narrations at its disposal.
 - It accepts *al-ra’y* with all its types, including *qiyās* (analogy, ratio legas) and *istiḥsān* (juristic preference) etc, based on the need of the time and the prevailing conditions.
2. **The Shāfi‘ī School:** Attributed to Imām Muḥammad ibn Idrīs al-Shāfi‘ī.⁹² This school derives its doctrines from the Mālikī and Ḥanafī schools. Imām al-Shāfi‘ī gained knowledge of *al-ra’y* from the Iraqī Ḥanafī scholars and the knowledge of *ḥadīth* from the Hijazī Mālikī scholars, and then combined the two in creating doctrines for rulings for his own school. He authored his famous work on *al-Usūl* or legal doctrine called *al-Risālah*. This had a great impact on the history of *ijtihād* as it prompted scholars to give importance to recording the principles or legal doctrine for their rulings. He thus established a separate great science, the benefits of which are still being reaped till today. Generally, the al-Shāfi‘ī school stands out in regard to the following:
 - It limits the true sources of *fiqh* to the texts of the Qur’ān and the *Sunnah*.
 - It resorts to *ijtihād* only when extremely necessary within a narrow boundary.
 - It considers this form of *ijtihād* whilst still basing it on the original texts (of the Qur’ān and *ḥadīth*).⁹³
3. **The Ḥanbalī School:** Attributed to Imām Aḥmad ibn Muḥammad ibn Ḥanbal,⁹⁴ known as ‘Imām Ahl al-Sunnah’. This school derives its doctrines directly from the *aḥādīth*, as its founder was notably involved in this science. Some consider him to be a scholar of *ḥadīth* and not a *faqīh* (juriṣt), but this does not seem to be a fair title for him, as Ḥanbalī *fiqh* is a strong separate school which resorts to the allowance of other sources in the absence of accepted proofs. It also accepts *urf* (custom) when no *naṣṣ*⁹⁵ and *athar*⁹⁶ is used for what is reported from the Prophet, his companions, their followers and other early scholars are available, but gives preference to *naṣṣ* and *āthār* when present. The distinguishing features of this school are:
 - It places the *fiqh* of *ḥadīth* and *āthar* at the highest degree. The founder dedicated his work, *al-Musnad* for this purpose.
 - It rarely resorts to *al-ra’y*, due to the amount of *ḥadīth* and *āthār* at its disposal.

⁸⁹ Although the Ḥanafī school is the main focus of this work, it has been kept very basic under this chapter as the following chapters have been dedicated to it.

⁹⁰ Mālik ibn Anas ibn Mālik ibn Abī ‘Āmir ibn ‘Amr ibn al-Ḥārith, al-Madanī (d. 93-179).

⁹¹ Nāfi‘, the freed slave of ‘Abdullāh ibn ‘Umar ibn al-Khaṭṭāb (d. 117).

⁹² Muḥammad ibn Idrīs ibn al-‘Abbās ibn ‘Uthmān ibn Shāfi‘ ibn al-Sā‘ib, al-Shāfi‘ī (d. 150-204).

⁹³ Mannā‘ al-Qaṭṭān, *Tārīkh al-Tashrī‘* pg.254, with some minor adjustments.

⁹⁴ Abū ‘Abdillāh, Aḥmad ibn Muḥammad ibn Ḥanbal ibn Hilāl ibn Asad ibn Idrīs ibn ‘Abdillāh (d. 164-241).

⁹⁵ Naṣṣ (pl. Nusus) unambiguous language of the Qur’ān.

⁹⁶ Athar: (pl. Āthār).

- It only resorts to *al-ra'y* when the need arises, using mainly *qiyās* (analogy, ratio legas) and *istihsān* (juristic preference).⁹⁷

4. **The Ḥanafī School:** Attributed to Imām Abū Ḥanīfah Nu'mān ibn Thābit, known as Abū Ḥanīfah or Imām al-A'zam. This school derives its doctrines from the Qur'ān, *sunnah*, *ijmā'* (consensus of the *ummah*) and *qiyas* (*ratio legas*). Imām Abū Ḥanīfah's method of gathering about 40 scholars and debating hypothetical situations to derive rulings and record them is well known and it led to a collection of rulings that greatly assisted the school. This gathering of the scholars and their debating and pondering over miscellaneous rulings is known as Majlis al-Shūrā (gathering of the council).⁹⁸ The distinguishing characteristics of this school are:

- The recording of its rulings was completed after lengthy debates and deliberations through the Majlis al-Shūrā.
- Rulings adopted in the school passed through the times from one group of scholars to another, tracing their sources back to most of the jurists amongst the Prophet's companions.
- The continuity of the school's scholars in striving to derive rulings that their era required, taking into consideration its customs and ways, in such a manner that the school navigated through eras whilst tending to the needs of each time.⁹⁹

REASONS FOR THE DIFFERENCES OF THE MUJTAHIDĪN

The differences of the *Mujtahidīn* in the subsidiary *fiqhī* rulings, after agreeing to the method of *ijtībād* and the original sources, is a necessary result for opening the door of *ijtībād* and its allowance, whether the *ijtībād* is labelled as correct or not. Even though the companions of the Prophet were so close to his era, they too differed in their *ijtībād*. The causes and reasons for these differences, in brief, are as follows:

- Their differences in understanding the meaning of the words contained in the Qur'ān and the *sunnah*, as these could either be taken literally, figuratively or a mixture of both the literal and figurative meaning.
- Their differences regarding them accepting a particular *ḥadīth* or not. A *ḥadīth* may have reached some of them and not others, or it may have reached them from a chain of narrators that were considered unacceptable, or a certain *Mujtahid* may have more stringent rules for acceptance of a narration, which the narration in question did not fulfil, whilst another *Mujtahid's* rules for acceptance are more lenient.
- Possessing different methodologies in dealing with apparent contradictory *nuṣūṣ* in either trying to correlate between them or give preference to one over the other.
- Having different ways in adopting *qiyas* (*ratio legas*).
- Their differences in understanding proofs and relying on them, such as *al-istihsān*,¹⁰⁰ *al-iṣṭiṣlah*¹⁰¹ or the sayings of a companion etc.
- The differences in certain *qawā'id* (maxims) that form the basis for deriving rulings.

These and other reasons which are dealt with in much more detail in the works of *Uṣūl al-Fiqh* or legal doctrine.

In conclusion to this chapter, the differences of the *Mujtahidīn* are from the beauty of *sharī'ah*, as a complete religion, for it manifests the mercy of Allāh on His servants, allowing them ease and reprieve through these differences. Whoever is incapable of *ijtībād* themselves, may resort to following any of the *Mujtahidīn* and their views, which will be considered to be following the *sharī'ah*. 'Umar ibn 'Abd al-Azīz, famously known as the fifth rightly guided caliph, said: 'I would dislike the companions of the Prophet not differing, because if there was only

⁹⁷ Muḥammad 'Alī al-Sāyis, *Nash'ah al-Fiqh al-Ijtihadi wa Aṭwaruhū* pg.102-103; Mannā' al-Qaṭṭān, *Tārīkh al-Tasbrī'* pg.261; al-Ziriklī, *al-A'lām* 1:192.

⁹⁸ Manāzīr Aḥsan Gilānī, *Ḥaḍrat Imām Abū Ḥanīfah kī Siyāsī Zindagī* pg.230 onwards; Shibli Nu'mānī, *Sīrah al-Nu'mān* pg.138.

⁹⁹ 'Abd al-Fattāḥ Abū Ghuddah, *Fiqh Abl al-Iraq wa Ḥadīthuhum* pg.57.

¹⁰⁰ Juristic preference based, in the early period, upon practical considerations, and, later, on a particularized textual ratio legas.

¹⁰¹ Legal reasoning dictated by considerations of public interest that are, in turn, grounded in universal legal principles.

one view, people would be greatly restricted. They are *Imāms* who ought to be followed; if a person follows any of them, it'll be the *sunnah*.¹⁰²

Furthermore, the principles and methodologies of *fiqh* provide a broad basis for understanding Islamic jurisprudence. The balance that Fiqh presents between *wahy* (divine revelation) and human interpretation allows it to fulfil the ever-changing needs of Muslims across the globe. For the purpose of this study, as we are dealing with a major Ḥanafī authority, we are going to focus on the Ḥanafī school.

¹⁰² Muḥammad 'Alī al-Sāyis, *Tārīkh al-Fiqh al-Islāmī* pg.104.

CHAPTER 3: THE ḤANAFĪ MADHHAB

THE FOUNDER

Sixty-seven years after the demise of the Prophet, Nu'mān ibn Thābit¹⁰³ was born in Kūfah, Iraq in the year 80 A.H./699 A.D.¹⁰⁴

¹⁰³ There is consensus that his name was Nu'mān ibn Thābit. The name Nu'mān signifies *al-damm* (blood) – the substance which keeps the stature of the body upright (Al-Fayrauzabādī, *al-Qāmūs al-Muḥīṭ* pg.1629). There are some who claim that it denotes *al-rūḥ* (soul). By consensus it holds an excellent meaning, since Abū Ḥanīfah is the essence and the foundation of *fiqh*, the one who arranged the subject and by means of him it developed and grew.

Ibn Sa'd in *al-Ṭabaqāt al-Kubrā* (7:233), al-'Ijlī in *Tārīkh al-Thiqāt* (pg.450), al-Bukhārī in *al-Tārīkh al-Kabīr* (8:81), Ibn Abī Ḥātim in *al-Jarḥ wa al-Ta'dīl* (8:449), al-Sam'ānī in *al-Ansāb* (5:111), al-Khaṭīb al-Baghdādī in *al-Sābiq wa al-Lāḥiq* (pg.323), Ibn Kathīr in *al-Bidāyah wa al-Nihāyah* (13:415), Ibn Ḥibbān in *al-Du'afā wa al-Matrūkīn* (2:405), 'Abdullāh ibn Asad al-Yāfi'ī in *Mir'āt al-Jinān* (1:242), al-Suyūṭī in *Ṭabaqāt al-Ḥuffāz* (pg.80) and Ya'qūb al-Fasawī in *al-Ma'rifa wa al-Tārīkh* (2:746) registers the name as Nu'mān ibn Thābit and does not provide a name beyond this.

With regards to the name of Abū Ḥanīfah's grandfather, there is a difference of opinion. Al-Qurashī inputs the name of Abū Ḥanīfah in *al-Jawābir al-Muḍī'ah* (pg.20) as: Nu'mān ibn Thābit ibn Kāwūs ibn Hurmuz ibn Marzabān. After providing the full lineage, al-Qurashī states that Abū Ishāq al-Ṣarīfīnī has penned the entire entry in the same manner. However, Kāwūs being registered as the grandfather of Abū Ḥanīfah is an isolated opinion. Al-Kafawī in *Katā'ib A'lām al-Akhyār* (pg.330) – quoting the title *al-Kāfi* – does mention something similar. Here, the grandfathers name is recorded as Ṭāwūs ibn Hurmuz. Initially, I thought that the stroke of the letter *kāf* was inserted or omitted, but after perusing through multiple manuscripts of both titles, this seems improbable. The ascription which is cited by al-Kafawī is also attributed to Muḥammad ibn al-Ḥasan al-Shaybānī. Perhaps, this is where the incorrect attribution stemmed from. Al-Nasafī states in *al-Muṣaffā Sharḥ Manẓūmah al-Khilāfiyāt* (1:190) that there is a distance relation between Imām Muḥammad and Abū Ḥanīfah. He registers Abū Ḥanīfah's name as Nu'mān ibn Thābit ibn Ṭāwūs ibn Hurmuz and Imām Muḥammad as ibn 'Abdillāh ibn Ṭāwūs ibn Hurmuz. Al-Dhahabī in *Ṣīr A'lām al-Nubalā'* (6:390), Ibn Khallikān in *Wafayāt al-A'yān* (5:405), Yūsuf ibn Tagarrī in *al-Nujūm al-Zāhirah* (2:12) and Ibn al-Imād in *Shadharāt al-Dhabab* (2:229) register Zūṭā as the name of his grandfather. They do not make any reference to the name of his great grandfather. Al-Khaṭīb al-Baghdādī relates a report in which Abū Ḥanīfah's grandfathers name is recorded as Zūṭā ibn Māh. This is transmitted by his grandson 'Umar ibn Ḥammād. However al-Khaṭīb records an additional report in which his brother Ismā'il ibn Ḥammād mentions that Abū Ḥanīfah's grandfathers name was Nu'mān ibn Marzabān. Nūḥ ibn Muṣṭafā in *al-Durr al-Muntaẓim fī Manāqib al-Imām al-A'zam* (pg.2-3) concurs with this view. Al-Kawtharī states that Zūṭā is not the father of Thābit, rather Nu'mān ibn Marzabān should be placed between the two names. He adds that this corresponds with what Mas'ūd ibn Shaybah registers in *al-Ta'līm* and is supported by the narration of Ismā'il. However, this is not entirely correct. In the manuscript of *al-Ta'līm*, Mas'ūd ibn Shaybah inserts the name Qays after Nu'mān ibn Thābit, and thereafter brings Marzabān ibn Zūṭā ibn Māh. A second mention to the name Nu'mān is omitted.

After citing both opinions, aṣ-Ṣāliḥī mentions in *Uqūd al-Jammān* (pg.54): "It is possible that they had two names, or one was a name and the other an agnomen. Equally it is likely that the name Zūṭā in the Persian language denotes Nu'mān and the name Māh signifies Marzabān." Al-Shiblī states in *Seerat al-Nu'mān* (pg.16): "Abū al-Maḥāsīn speculates that the names Māh and Marzabān are synonymous. This is due to him not being acquainted with the Persian language. However, I can affirm that they share the same meaning. In the Persian language, the word *māh* denotes great or principal. The Arabic language has it as *māb*." See: Maqbūl Bayg Badkshānī, *Fayrouz al-Lughāt* pg.1015. Aṣ-Ṣāliḥī (pg.57) concludes, by mentioning that the majority have given preference to what al-Khaṭīb has related from the two grandsons, given that they would be more acquainted with the lineage of their grandfather than anyone else.

¹⁰⁴ This is the most favoured opinion. 'Abd al-Qādir al-Qurashī mentions in *al-Jawābir al-Muḍī'ah* (pg.21): With regards to the year Abū Ḥanīfah was born there are three opinions: either 61h, 63h or 80h. Similarly, al-Kawtharī cites in *Ta'nīb al-Khaṭīb* (pg.38) that al-Badr al-'Aynī mentions three opinions in his *Tārīkh al-Kabīr*. However, al-'Aynī places the year 70h in place of 63h. Abū al-Qāsim al-Samnānī mentions only two dates in *Rawdah al-Qaḍāb* (pg.1487): 70h and 80h.

Al-Khaṭīb al-Baghdādī cites in *Tārīkh Baghdād* (15:453) that Mazāḥim ibn Dhawwād ibn 'Ulbah mentions from either his father or someone besides him that Abū Ḥanīfah was born in 61h. After citing this report, al-Khaṭīb adds, I am not acquainted with a report which can substantiate this opinion.

As for the year 70h, al-Kawtharī ascribes this numeral to Ibn Ḥibbān. He mentions that a copy of *al-Du'afā wa al-Matrūkīn*, which can be found in the Azhar library has the year 70h. However, this attribution to Ibn Ḥibbān seems incorrect. This error doesn't surface in other printed editions – Dār al-Ma'rifa (3:61) or the Dar al-Ṣamī'ī (2:405) edition. In contrast, the entry of al-Nu'mān ibn Thābit is totally omitted in the Turkish manuscript (Sulemaniye: Aya Sofia) and the Indian printed edition. As-Samnānī in *Rawdah al-Qaḍāb* (pg.1487) ascribes the year 70h as one opinion and attributes this to the narration of Ibn Ka's. Al-Sam'ānī also mentions in *al-Ansāb* (5:111) under the entry '*al-khazzāz*' that Abū Ḥanīfah was born in the year 70h. It is worth noting that under the entry '*al-khazzāz*' in *al-Lubāb fī Tabdhīb al-Ansāb* (pg.360), Ibn al-Athīr registers the year 80h.

Ibn 'Abd al-Barr asserts in *al-Intaqā' fī Faḍā'il al-A'imma al-Thalāthah al-Fuqabā'* (pg.188) that there is no discrepancy with regards to the year Abū Ḥanīfah was born. He was born in the year 80h. Al-Kawtharī remarks that this indicates that he is unaware of the other opinions. Nevertheless, this is the most favoured opinion. Al-Ṣaymarī in *Akbbār Abī Ḥanīfah wa Aṣḥābubū* pg.17, Al-Dhahabī in *Ṣīr A'lām al-Nubalā'* (6:391), al-Qurashī in *al-Jawābir al-Muḍī'ah* pg.21, Ibn Ḥajr in *al-Khayrāt al-Ḥisān* pg.39, al-Ṣāliḥī in *Uqūd al-Jammān* pg.61 all concur with this view.

Al-Kafawī mentions in *Katā'ib A'lām al-Akhyār* (pg.345) that Abū Ḥanīfah passed away in the year 150h and he was 67 years of age. This would mark his year of birth as 83h.

See: Zāhid al-Kawtharī, *Ta'nīb al-Khaṭīb* pg.36–39 and Abū al-Wafā al-Afghānī's marginal gloss to *al-Dhababī, Manāqib al-Imām Abī Ḥanīfah wa Ṣāhibaybi Abī Yūsuf wa Muḥammad ibn al-Ḥasan* pg.9.

He was not of Arab lineage,¹⁰⁵ rather born in a family of wealthy Persian merchants.¹⁰⁶ There are contradicting reports in regard to his grandfather being enslaved to a member of the Banū Tamīm tribe.¹⁰⁷ Kūfah was a relatively new city, founded five years after the demise of the Prophet in 637 A.D, as a garrison city, founded by the companion Sa'd Ibn Abī al-Waqqās.¹⁰⁸ ¹⁰⁹ It rapidly increased in size and soon became an important leading, cultural, religious and learning centre.¹¹⁰ Abū Ḥanīfah¹¹¹ spent his early years here at Kūfah, as well as a major portion of his life, besides the time he spent in his travels for pilgrimage or scholarly pursuits. His education also began in the city of his birth, with his father directing him to memorize the Qur'ān in the recitation of 'Āṣim al-Kūfī.¹¹² ¹¹³

After this he did not venture into the study of *fiqh* and Islamic law, but became involved in the family's textile business,¹¹⁴ quickly establishing a reputation for honesty and fairness. The jurist al-Sha'bi¹¹⁵ is credited with the

¹⁰⁵ Al-Kafawi cites in *Katā'ib A'lām al-Akhyār* (1:331) that Abū Muṭī' al-Balkhī mentions that Abū Ḥanīfah was Arab, from the *al-Anṣār* tribe. He places his full lineage as; Nu'mān ibn Thābit ibn Zūṭā ibn Yaḥyā ibn Rāshid al-Anṣārī.

¹⁰⁶ This is the view of the grandson of Abū Ḥanīfah, Ismā'il ibn Ḥammād. 'Umar ibn Ḥammād mentions that his grandfather was from Kābul. Al-Suyūṭī supports this statement in *Tabyīd al-Ṣaḥīfah* (pg.59) with the statement of the Messenger of Allah: "If faith were suspended from Pleiades, then it would be reached from the men of Persia." He asserts that this is in reference to Abū Ḥanīfah. See: al-Haytamī, *al-Khayrāt al-Ḥisān* pg.27.

¹⁰⁷ The grandson of Abū Ḥanīfah, 'Umar ibn Ḥammād mentions that his grandfather Zūṭā was a slave belonging to the Taym 'Llāh ibn Tha'labah tribe. He was freed and was attributed to this tribe. Al-'Jlī in *Tārīkh al-Thiqāt* (pg.450), al-Bukhārī in *al-Tārīkh al-Kabīr* (8:81), 'Abdullāh ibn Asad al-Yāfi'i in *Mir'āt al-Jinān* (1:242), al-Dhahabī in *Sīr A'lām al-Nubalā'* (6:390), al-Suyūṭī in *Ṭabaqāt al-Ḥuffāz* (pg.80), Ibn Khallikān in *Wafayāt al-A'yān* (5:405) and Ibn al-'Imād in *Shadbarāt al-Dhabab* (2:229) all concur with this view. However, 'Umar's brother Ismā'il explicitly mentions that they were never slaves.

¹⁰⁸ Al-Dhahabī, *Sīr A'lām al-Nubalā'* (1:92).

¹⁰⁹ Al-Ḥamawī, *Mu'jam al-Buldān* (4:491).

¹¹⁰ Al-Ḥamawī, *Mu'jam al-Buldān* (4:491-492).

¹¹¹ Al-Nu'mān ibn Thābit is more famously known by the agnomen Abū Ḥanīfah. Aṣ-Ṣāliḥī writes in *'Uqūd al-Jammān* pg.59, "there is consensus that his agnomen was Abū Ḥanīfah. Al-Fayrauzabādī mentions in *al-Qāmūs al-Mubīṭ* (pg.415) that this was the agnomen of twenty jurists and Abū Ḥanīfah was the most famous of them. Aṣ-Ṣāliḥī adds that after an extensive search, I haven't managed to locate anyone renowned who held this agnomen before Abū Ḥanīfah (pg.61).

Ḥanīfah is the feminine form of the Arabic word *ḥanīf* which denotes: inclining in a perfect manner to Islam and continuing firm therein (Ibn Manẓūr, *Lisān al-'Arab* 2:630). J. Milton defines it in *Hans Wehr* (pg.245) as, "a true believer; one who scorns the false creeds surrounding him and professes the true religion." As this quality was evident in Abū Ḥanīfah, he was thus attributed by it. It is essential to note that this type of agnomen is based on a distinctive trait, rather than in relation to a child, which is equally evident in the names Abū Bakr and Abū Hurayrah.

Aṣ-Ṣāliḥī adds: "In a dialect of the Iraqi language, the word *ḥanīfah* denotes inkpot. Since Ābū Ḥanīfah always remained with an inkpot at hand, he was subsequently granted this appellation."

He further adds, "some claim that he has been granted this appellation due to him having a daughter named Ḥanīfah." A fabricated narration is recorded by the translator of the Urdu rendition to *Tadḥkirah al-Awliyā'* (pg.138). He states that the agnomen was requested by his daughter who was named Ḥanīfah. However, this does not appear in the Arabic edition (pg.257). Later English and Urdu publications persist in relating this fable. Muḥammad al-Ḥārithī mentions an opinion in *Makānah al-Imām Abī Ḥanīfah* (pg.39) whereby it is alleged to be the name of his eldest daughter, but fails to provide a reference. Akram al-Nadwī states in *Abū Ḥanīfah – His Life, Legal Methodology and Legacy* (pg.21) that it is possible that a daughter named Ḥanīfah died so early in infancy that people did not mention her. He then states that it is also possible that someone made up the agnomen on an occasion when it seemed appropriate and thereafter it just stuck and became accepted usage. Again these are mere assumptions. In spite of this, Ibn 'Abd al-Barr does relate an incident in *al-Intaqā' fī Faḍā'il al-A'immaḥ al-Thalāthah al-Fuqabā'* (pg.321), which makes mention of a daughter, without disclosing the name. He writes: Shaddād ibn Ḥakīm recalled an incident of Abū Ḥanīfah and said, "I didn't see anyone more God-conscious than him. He was prohibited from issuing Islamic rulings. It so happened that whilst he and his daughter was eating, his daughters hand passed between something. Consequently blood of a yellowish shade exited. She asked, 'Oh my beloved father, would ablution be binding upon me due to this?' He replied, 'I have been prohibited from issuing Islamic rulings. I have pledged an oath to them, so ask your brother Ḥammād.'"

However, Aṣ-Ṣāliḥī affirms, "most authors who have penned a treatise on the virtues of Abū Ḥanīfah are absolutely certain that this is incorrect. For instance al-Muwaffiq ibn Aḥmad al-Makkī states that besides Ḥammād, Abū Ḥanīfah does not have another child." See also: al-Kafawī, *Katā'ib A'lām al-Akhyār* (pg.345), Ibn Ḥajr, *al-Khayrāt al-Ḥisān* pg.41.

¹¹² Al-Dhahabī, *Sīr A'lām al-Nubalā'* (5:256).

¹¹³ Abū Zuhrah, *Abū Ḥanīfah* pg.127.

¹¹⁴ Al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād* (15:446), al-Sam'ānī, *al-Ansāb* (5:111). H. J. Cohen states in *The Economic Background and the Secular Occupations of Muslim Jurisprudents and Traditionists in the Classical Period of Islam* (pg.27) that 22 percent of the Muslim religious scholars were employed (they or their families) as merchants or artisans in the textile industry. He further states that Abū Ḥanīfah was a retail dealer and exporter of *khazz* silk from Kūfah to his partner Ḥafṣ ibn 'Abd al-Raḥmān, who lived in Baghdād. The *khazz* silk came to Baṣrah from Sūs in Khūzistān. One importer from there was the traditionist Yūnus ibn 'Ubayd al-Baṣrī who had an agent there.

¹¹⁵ Al-Dhahabī, *Sīr A'lām al-Nubalā'* (4:294), al-Kafawī, *Katā'ib A'lām al-Akhyār* (1:300).

conversion of Nu'mān ibn Thābit the merchant, to Nu'mān ibn Thābit the jurist. He detected the natural intelligence and acumen in the young businessman and advised him to pursue the seeking of knowledge from the scholars.¹¹⁶

Abū Ḥanīfah heeded al-Sha'bī's advice and began the study of theology or *al-kalām*. After mastering it, he progressed to the study of language, including literature, grammar and poetry. He then studied the *qirā'āt* or different forms of recitation of the Qur'an and studied *ahādīth* or the traditions of the Prophet. This did not satisfy him, and he finally found his calling in *fiqh*. He sat at the feet of the expert Iraqi teacher of *fiqh*, Ḥammād ibn Abī Sulaymān,¹¹⁷ and thereafter dedicated his entire life to the study of *fiqh* or Islamic jurisprudence. He remained a student of Ḥammād for eighteen years, even after being recognized himself as a *mujtabid*. After Ḥammād passed away, he took his place in teaching.¹¹⁸

Regarding Abū Ḥanīfah meeting any of the companions of the Prophet, which will render him a *tābi'ī*, there exists a difference of opinion and this is a point of great contention.¹¹⁹ The view of Abū Zuhrah, which seems to be the most authentic, is that he did meet companions of the Prophet, but did not narrate from them.¹²⁰

He studied from a multitude of *tābi'ī* scholars such as al-Sha'bī, 'Ikrimah,¹²¹ the holder of the knowledge of Ibn 'Abbās,¹²² Nāfi',¹²³ the custodian of the knowledge of Ibn 'Umar¹²⁴ and the then *faqīh* of Iraq, 'Aṭā' ibn Abī Rabāḥ.¹²⁵ His main teacher was still Ḥammād ibn Abī Sulaymān al-Ash'arī who studied from al-Nakha'ī¹²⁶ and al-Sha'bī, they from Shurayḥ,¹²⁷ 'Alqamah ibn Qays¹²⁸ and Masrūq ibn Abī Ajda',¹²⁹ and then from the companions of the Prophet Ibn Mas'ūd¹³⁰ and 'Alī.¹³¹

¹¹⁶ Abū Zuhrah, *Abū Ḥanīfah* pg.128.

¹¹⁷ Al-Dhahabī, *Sīr A'lām al-Nubalā'* (5:231), al-Kafawī, *Katā'ib A'lām al-Akhyār* (1:321).

¹¹⁸ Abū Zuhrah, *Abū Ḥanīfah* pg.129-130.

¹¹⁹ Al-Suyūṭī states in *Tabyīd al-Ṣaḥīfah* (pg.61) that 'Abd al-Karīm al-Ṭabarī has penned a treatise on this subject and mentions that Abū Ḥanīfah met seven companions. Strangely, the printed editions only make mention of six names: Anas ibn Mālik, 'Abdullāh ibn Juz' al-Zabīdī, Jābir ibn 'Abdullāh, Ma'qil ibn Yāsir, Wāthilah ibn al-Asqa' and 'Ā'ishah bint 'Ajrād. The editor, 'Ashiq Ilāhī mentions: It is evident from the narrations cited thereafter, that 'Abdullāh ibn Unays was omitted.

Ibn al-'Imād states in *Shadharāt al-Dhabab* (2:229) that he met Anas and others. He cites a poem which lists the companions, omitting Jābir ibn 'Abdullāh and 'Ā'ishah bint 'Ajrād. He does however include 'Abdullāh ibn Abī Awfā. When al-Kardarī registers the name he records the companions Sahl ibn Sa'd and Abū al-Ṭufayl. Al-Haytamī in *al-Kbayrāt al-Ḥisān* (pg.44-49) is somewhat sceptical in regards to some of the companions that were mentioned. He mentions each companion by name and affirms why this view is unsound. For instance, Jābir ibn 'Abdullāh passed away in 79h and Abū Ḥanīfah was not even born. Similarly, Abū Ḥanīfah was only six when 'Abdullāh ibn al-Ḥārith passed away in Egypt. Most of the statements seem to negate Abū Ḥanīfah seeing the companions as he was only a few years of age at the time of their demise. However, he does mention that in regards to seeing Anas ibn Mālik and those companions who had passed away at a later stage, this is correct. Ibn Sibṭ al-Jawzī mentions the statement of Abū Nu'aym in *al-Intiṣār wa al-Tarjīb* (pg.10) who mentions that Abū Ḥanīfah saw Anas, 'Abdullāh ibn al-Ḥārith and Ibn Abī Awfā. Ibn al-Athīr in *Usud al-Ghābah* (pg.1552) and al-Dhahabī in *Tajrīd Asmā' al-Ṣaḥābah* (2:286) quote Yahyā ibn Ma'in to have mentioned: It is established that Abū Ḥanīfah did obtain a narration directly from 'Ā'ishah bint 'Ajrād. Ibn 'Abd al-Barr has also included a narration in *Jāmi' Bayān al-Ilm wa Faḍlībī* (pg.203-204) in which Abū Yūsuf explicitly states that he heard Abū Ḥanīfah mention that he travelled in 96h with his father for *Hajj* and happened to join a gathering of 'Abdullāh ibn al-Ḥārith wherein he heard a narration.

See: Al-Kawtharī, *Ta'nīb al-Khaṭīb* (pg.30-32), the marginal gloss of 'Ashiq Ilāhī (pg.62) to al-Suyūṭī's *Tabyīd al-Ṣaḥīfah* and Ibn Sibṭ al-Jawzī, *al-Intiṣār wa al-Tarjīb* (pg.10-15).

¹²⁰ Abū Zuhrah, *Abū Ḥanīfah* pg.62-64. Al-Kawtharī cites 20 scholars, including al-Dhahabī, al-Dāraquṭnī, al-Nawawī and al-Khaṭīb al-Baghdādī who all agree that Abū Ḥanīfah did see Anas ibn Mālik.

¹²¹ Al-Dhahabī, *Sīr A'lām al-Nubalā'* (5:12), al-Kafawī, *Katā'ib A'lām al-Akhyār* (1:295).

¹²² Al-Dhahabī, *Sīr A'lām al-Nubalā'* (3:331), al-Kafawī, *Katā'ib A'lām al-Akhyār* (1:175).

¹²³ Al-Dhahabī, *Sīr A'lām al-Nubalā'* (5:95), al-Kafawī, *Katā'ib A'lām al-Akhyār* (1:306).

¹²⁴ Al-Dhahabī, *Sīr A'lām al-Nubalā'* (3:203), al-Kafawī, *Katā'ib A'lām al-Akhyār* (1:181).

¹²⁵ Al-Dhahabī, *Sīr A'lām al-Nubalā'* (5:78), al-Kafawī, *Katā'ib A'lām al-Akhyār* (1:292).

¹²⁶ Al-Dhahabī, *Sīr A'lām al-Nubalā'* (4:520), al-Kafawī, *Katā'ib A'lām al-Akhyār* (1:288).

¹²⁷ Al-Dhahabī, *Sīr A'lām al-Nubalā'* (4:101), al-Kafawī, *Katā'ib A'lām al-Akhyār* (1:230).

¹²⁸ Al-Dhahabī, *Sīr A'lām al-Nubalā'* (4:53), al-Kafawī, *Katā'ib A'lām al-Akhyār* (1:234).

¹²⁹ Al-Dhahabī, *Sīr A'lām al-Nubalā'* (4:64), al-Kafawī, *Katā'ib A'lām al-Akhyār* (1:242).

¹³⁰ Al-Dhahabī, *Sīr A'lām al-Nubalā'* (1:461), al-Kafawī, *Katā'ib A'lām al-Akhyār* (1:177).

¹³¹ Al-Dhahabī, *Sīr A'lām al-Nubalā'* (28:223), al-Kafawī, *Katā'ib A'lām al-Akhyār* (1:156).

In the eighteen years that he was with Ḥammād, he mastered the *fiqh* of the People of Iraq, which was in fact, the summary of the *fiqh* of Ibn Mas'ūd and 'Alī. His experience in trade in the early years of his life, coupled with his long study days at the hands of an expert teacher like Ḥammād and him benefitting from scholars of other areas when he travelled, added to his expertise in *al-kalām* are probably the reasons for him becoming the leading *faqīh* and jurist of Iraq. His trading life and him encountering intricate business dealings was also a great factor in him awarding *'urf* a place in extracting rulings in *fiqh*.

He did not author any work on *fiqh* himself, which is why his *fiqh* can only be gained from his students and their books.

Abū Ḥanīfah was well known for his independence in thought and for being upright and just. This is illustrated in him refusing the post of *Qāḍī* by the Umayyad Caliph, Marwān ibn Muḥammad.¹³² After the *Imām*'s reputation in the circle of scholars gained prominence, he was offered the post of *Qāḍī* and head-treasurer by the Caliph. The governor of Iraq, Yazīd ibn Hubayrah¹³³ offered him the post, on behalf of the Caliph, but Abū Ḥanīfah refused to accept it. This infuriated the Caliph, and he ordered that Abū Ḥanīfah be punished by lashing and imprisonment. When he was finally released, he set off for Mecca in 130 A.H. and remained there for almost six years, until the fall of the Umayyad caliphate.¹³⁴

When the Abbasids assumed power, he returned to Kūfah. Many of his *fatwas* and rulings were seen to be against the state's scholars and jurists. As these were averse to the Caliph, al-Manṣūr's¹³⁵ desires, it angered him. The *Qāḍī* of Kūfah complained of these rulings and Abū Ḥanīfah was instructed by the governor to stop issuing *fatwas*, to which he complied. Al-Manṣūr was then faced with a case wherein he required the intelligence of the *Imām*. He tried to bribe him into issuing a favourable ruling, but this was rejected by the *Imām*, which only increased the Caliph's anger. He was then offered the post of chief judge, but this was also declined. Al-Manṣūr did not take well to being constantly refused, and as a result, Abū Ḥanīfah was imprisoned¹³⁶ and flogged.¹³⁷ It is recorded that his death was a result of the punishment meted out to him or due to being poisoned. It is mentioned that his funeral was attended by over fifty thousand people, including al-Manṣūr. He passed away in the year 150 A.H. in Baghdad¹³⁸ and a mosque in his memory was constructed around his tomb.¹³⁹

GREAT PERSONALITIES IN ḤANAFĪ FIQH

The great personalities of the Ḥanafī school can be broken up into two categories, those of his students who were instrumental in the school being documented properly and taught, and his grand students who disseminated their teachers views to those after them.

¹³² Al-Dhahabī, *Sīr A'lām al-Nubalā'* (6:74).

¹³³ Al-Dhahabī, *Sīr A'lām al-Nubalā'* (6:207).

¹³⁴ Abū Zuhrah, *Abū Ḥanīfah* pg.138-140.

¹³⁵ Al-Dhahabī, *Sīr A'lām al-Nubalā'* (7:83).

¹³⁶ Yūsuf ibn Tagarrī in *al-Nujūm al-Zāhirab* (2:13), Ibn Khallikān in *Wafayāt al-A'yān* (5:406-407), Ibn al-Imād in *Shadharāt al-Dhabab* (2:231).

¹³⁷ Ismā'īl ibn Ḥammād ibn Abī Ḥanīfah states: I passed by Kunāsah (a place in Kūfah) with my father and he began to weep. I said to my father: Oh my beloved father, what is it that makes you weep? He responded: Oh my beloved son! it is in this place that Ibn Hubayrah flogged my father for ten days. Every day he would flog him ten times.

¹³⁸ Yūsuf ibn Tagarrī in *al-Nujūm al-Zāhirab* (2:14).

Ibn Khallikān mentions in *Wafayāt al-A'yān* (5:414) that Abū Ḥanīfah passed away in Rajab. He adds that some have claimed that he passed away in *Sha'bān* or in *Jumādā al-Ūlā*. However, the correct position is that he passed away in Rajab. He further adds that some have also claimed that he passed away in the year 151 or 153. However, the year 150h is correct. In spite of this, al-Qurashī in *al-Jawābir al-Muḍī'ah* (pg.21) argues that there is consensus that Abū Ḥanīfah passed away in the year 150h. He does however mention that there are conflicting reports with regards to the month. In addition to the months cited by Ibn Khallikān, he adds *Sha'bān*.

¹³⁹ Abū Zuhrah, *Abū Ḥanīfah* pg.152-155.

Firstly, Imām Abū Ḥanīfah's students who played a major role in working on the *al-furū'* or subsidiary rulings and their answers were¹⁴⁰:

1. Abū Yūsuf, Ya'qūb ibn Ibrāhīm, al-Anṣārī.¹⁴¹

The most famous student of the great Imām. He was born in the year 113 A.H.¹⁴² In his young days, he was involved in narrating the traditions or *ahādīth*. He narrated from Hishām ibn 'Urwah, Abū Ishāq al-Shaybānī, Aṭā ibn Abī Sā'ib and others. He then started with the science of *fiqh*, first studying under Abū Layla and then from Abū Ḥanīfah. He became his most senior and decorated student and his greatest assistant, becoming the first to author works in the *madhhab*. He also dictated rulings of the school and spread the teachings of the school to all parts of the Islamic world, due to him being the Chief Judge.¹⁴³ Many scholars of *ḥadīth* praise him. He passed away in 182 A.H.¹⁴⁴

2. Abū 'Abdillāh, Muḥammad ibn al-Ḥasan ibn Farqad, al-Shaybānī¹⁴⁵.¹⁴⁶

¹⁴⁰ Al-Kafawī mentions in *Katā'ib A'lām al-Akhyār* (1:380): One should appreciate that the knowledge of Abū Ḥanīfah undeniably spread through Abū Yūsuf and Muḥammad. Al-Nasafī states in *al-Muṣaffā Sharḥ al-Manzūmah* (1:190): Indeed, our companions mention that as for the science of *fiqh*, it was 'Abdullāh ibn Mas'ūd who planted it, 'Alqamah who irrigated it, Ibrāhīm al-Nakha'ī who harvested it, Ḥammād who crushed it, Abū Ḥanīfah who grinded it, Abū Yūsuf who kneaded it and Muḥammad who made it into bread. It is from his bread that the people eat. At-Tamīmī mentions in *al-Ṭabaqāt al-Saniyyah* (1:34): Abū Ḥanīfah, Abū Yūsuf and Muḥammad are the *Ashbāb al-Madhhab*. The primary rulings of the school, also termed as the *zābir al-riwāyah* are transmitted through them. Occasionally, Zufar ibn al-Hudhayl, al-Ḥasan ibn Ziyād and those who transmitted from Imām Abū Ḥanīfah are also included amongst them. However, often, it refers to the statements of the three aforementioned jurists, or the statement of one of them.

See: Mannā' al-Qaṭṭān, *Tārīkh al-Tashrī'* pg.233-235.

¹⁴¹ Ibn Sa'd, *al-Ṭabaqāt al-Kubrā* (7:239), al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād* (16:359), al-Shayrāzī, *Ṭabaqāt al-Fuqabā'* pg.134, al-Qurashī, *al-Jawābir al-Mudī'ah* pg.431, al-Sam'ānī, *al-Ansāb* (10:306), Ibn al-Athīr, *al-Lubāb fī Ṭabdhīb al-Ansāb* (1:164), Ibn Khallikān, *Wafayāt al-A'yān* (6:378), al-Dhahabī, *Sīr A'lām al-Nubalā'* (8:535), *Mizān al-Itidāl* (4:447), *al-'Ibr fī Khabar man Ghabar* (1:219), al-Yāfi'ī, *Mir'āt al-Jinān* (1:297), al-Kafawī, *Katā'ib A'lām al-Akhyār* (1:384), Ibn Quṭlūbhā, *Tāj al-Tarājīm* pg.315, al-Tamīmī, *al-Ṭabaqāt al-Saniyyah fī Tarājīm al-Ḥanafiyyah* (Berlin:570), Ibn al-Ḥanā'ī, *Ṭabaqāt al-Ḥanafiyyah* pg.103, Ibn al-'Imād, *Shadharāt al-Dhabab* (2:367), al-Ziriklī, *al-A'lām* (8:193), Mullā 'Alī Qārī, *Athmār al-Janiyyah fī Asmā' al-Ḥanafiyyah* (2:689), al-Lakhnawī, *al-Fawā'id al-Bahiyyah* pg.372.

¹⁴² Al-Kawtharī states in *Husn al-Taḥqīq fī Sīrah al-Imām Abī Yūsuf al-Qādī* (pg.13) that this is the preferred opinion. However, Abū al-Qāsim al-Simnānī states in *Rawḍah al-Qaḍāb* (4:1504) that he was 89 years of age at the time of his demise. Ibn al-Faḥl al-'Umarī concurs with this view in *Masālik al-Aḥsār* (6:30). Al-Ishāqī mentions in *Akbbār al-Awwal fī man Ṭasarrafa fī Miṣra min Arbāb al-Duwal* (pg.62) that he was born in the year 92h and passed away in the year 182h. He was 87 years at the time of his demise. Muḥammad Bāqir al-Ashbahānī states in *Rawḍāt al-Jannāt fī Ahwāl al-'Ulamā wa al-Sādāt* (8:171) that he passed away in the year 189h and he was 85 years of age.

¹⁴³ He was appointed as a judge during the three Caliphates: al-Mahdī, al-Hādī and al-Rashīd. Al-Mahdī appointed him in the year 162h. He remained a judge until he passed away. He was the first to be assigned the role of the Chief Judge. See: al-Kafawī, *Katā'ib A'lām al-Akhyār* (1:384). His son Yūsuf was appointed as a judge over the western side during the life of his father.

¹⁴⁴ He passed away in Baghdād, on a Friday, with five days remaining of *Rabi' al-Awwal*. Al-Khaṭīb al-Baghdādī mentions in *Tārīkh Baghdād* (16:382) that there is agreement that he passed away in the year 182h. However, Ya'qūb ibn Sadūsī mentions that he passed away in the month *Rabi' al-Akbar*. This is cited by Ibn 'Abd al-Barr *al-Intaqā'* (pg.331). This month appears in *al-Ṭabaqāt al-Kubrā* (7:239) of Ibn Sa'd. However, when Ibn 'Abd al-Barr makes reference to the statement of Ibn Sa'd in *al-Intaqā'* (pg.331), he states that he passed away in *Rabi' al-Awwal*. Al-Khaṭīb al-Baghdādī mentions in *Tārīkh Baghdād* (16:382) that al-Haytham ibn 'Adiyy asserts that he passed away in the year 172h, this is an error. Al-Ṣaymarī mentions one opinion in *Akbbār Abī Ḥanīfah wa Ashbābihī* (pg.108) that he passed away in the year 181h.

¹⁴⁵ Al-Kawtharī mentions in *Bulūgh al-Amānī fī Sīrah al-Imām Muḥammad ibn al-Ḥasan al-Shaybānī* (pg.5) that the attribution to al-Shaybānī is based on clientage rather than kinship. However, Abū Zuhrah mentions in the introduction to al-Sarakhsī's commentary on *al-Siyar al-Kabīr* (pg.8) that Imām Muḥammad was of an Arab lineage and from al-Shaybān. Khadduri states in *The Islamic Law of Nations* (pg.28) that this conflicts with the majority, it is rather the conclusion of a modern writer. Abū Zuhrah states that those who incline to the view that he is associated with al-Shaybān through a clientage link, rather than kinship, have not mentioned which tribe he is from. As they have not highlighted this, it validates that he is an Arab. Al-Dusūqī states in *al-Imām Muḥammad ibn al-Ḥasan wa Atharuhū fī al-Fiqh al-Islāmī* (pg.74) that this justification is flawed as there are countless examples where attribution to such would suffice. For instance, some are merely attributed as the *mawlā* of Banī Taym or from 'Abd al-Qays or Banī Shaybān and no further information is provided. Moreover, there is consensus amongst the majority of scholars that this attribution was not through kinship. This endorses the position that he is not Arabian. In spite of this, Abū Zuhrah mentions in *Abū Ḥanīfah* (pg.232), that this attribution is due to clientage rather than kinship. Al-Dusūqī states in the footnotes that he possibly retracted from the initial statement.

¹⁴⁶ Al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād* (2:561), al-Shayrāzī, *Ṭabaqāt al-Fuqabā'* pg.135, al-Qurashī, *al-Jawābir al-Mudī'ah* pg.323, al-Sam'ānī, *al-Ansāb* (8:200), Ibn al-Athīr, *al-Lubāb fī Ṭabdhīb al-Ansāb* (2:219), Ibn Khallikān, *Wafayāt al-A'yān* (4:184), al-Dhahabī, *Sīr A'lām al-Nubalā'* (9:134), *Mizān al-Itidāl* (3:513), *al-'Ibr fī Khabar man Ghabar* (1:234), al-Yāfi'ī, *Mir'āt al-Jinān* (1:326), al-Kafawī, *Katā'ib A'lām al-Akhyār* (1:398), Ibn Quṭlūbhā, *Tāj al-Tarājīm* pg.237, al-Tamīmī, *al-Ṭabaqāt al-Saniyyah fī Tarājīm al-Ḥanafiyyah* (Berlin:214), Ibn al-Ḥanā'ī, *Ṭabaqāt al-Ḥanafiyyah* pg.105, Ibn al-'Imād, *Shadharāt al-Dhabab* (2:407), al-Ziriklī, *al-A'lām* (6:80), Mullā 'Alī Qārī, *Athmār al-Janiyyah fī Asmā' al-Ḥanafiyyah* (2:573), al-Lakhnawī, *al-Fawā'id al-Bahiyyah* pg.268.

He was born in al-Wāsiṭ in the year 132 A.H.,¹⁴⁷ grew up in Kūfah, lived in Baghdad and began his studies in his youth.¹⁴⁸ He studied under Abū Ḥanīfah for a short while, but due to his teacher's demise, he had to complete his studies at the hands of Abū Yūsuf.¹⁴⁹ He was naturally blessed with intelligence and acumen, grew tremendously in *fiqh* and became the authority for the *Ahl al-Ra'y* (rationalists). The school of Abū Ḥanīfah is taken from him as his works are considered the written sources of the *madhhab*. Imām al-Shāfi'ī met him in Baghdad, studied his books and debated with him on numerous rulings. He passed away in the *al-Ray* in the year 189 A.H.¹⁵⁰

3. Zufar ibn al-Huzayl ibn Qays, al-Kūfī.¹⁵¹

He was born in the year 110 A.H. He was initially from amongst the scholars of *ḥadīth* and then took to *al-ra'y* (subjective opinion) until he became the greatest expert in *al-ra'y* amongst all Abū Ḥanīfah's students. It is mentioned that from all of Abū Ḥanīfah's students, the most knowledgeable in *ḥadīth* was Abū Yūsuf, in *al-furū'ī masā'il* (subsidiary rulings) it was Muḥammad and in *qiyās* (analogy) it was Zufar.¹⁵² He spent his entire life in learning and teaching and finally passed away in the year 158 A.H.¹⁵³

4. Al-Ḥasan ibn Ziyād al-Lu'lu'ī al-Kūfī.¹⁵⁴

He is also a student of Abū Ḥanīfah, but his views and books are not as accepted as those of Muḥammad ibn

¹⁴⁷ Al-Kawtharī states in *Bulūgh al-Amānī* (pg.6) that this is the correct date. This is the opinion of Ibn Sa'd in *al-Ṭabaqāt al-Kubrā* (7:242). Ibn 'Abd al-Barr in *al-Intaqā'* (pg.337) and Ibn Khallikān in *Wafayāt al-A'yān* (4:185) mention that he was born in the year 135h. Al-Ṣafādī concurs but does indicate that there are some who mention the year 132h. Al-Dusūqī states in *al-Imām Muḥammad ibn al-Ḥasan wa Atharūhū fī al-Fiqh al-Islāmī* (pg.70) that it is inaccurate to claim Imām Muḥammad was born in the year 135h, since al-Kardārī has cited that his father took him to Abū Ḥanīfah at the age of 14. He then returned him to the Imām at the age of 17. It is established that Abū Ḥanīfah passed away in the year 150h. Similarly, it is recorded by al-Shayrāzī in *Ṭabaqāt al-Fuqahā'* (pg.135) and Ibn Khallikān in *Wafayāt al-A'yān* (4:184) that he only stayed in the tutelage of Abū Ḥanīfah for two years. If the date 135h is assumed, he will have remained with Abū Ḥanīfah after the year 150h.

There is consensus that he passed away in 189h and he was 58 years of age. This would register the year of birth as 131h. Al-Ziriklī accepts this position in *al-A'lām* (6:180). In order to reconcile between the dates 131h and 132h, al-Dusūqī states that it is possible that he was born at the end of 131h or at the beginning of 132h and that he passed away at the end of 189h. He supports this claim by mentioning that Ibn Kathīr states in *al-Bidāyah wa al-Nihāyah* that al-Rashīd proceeded towards al-Rayy in the month *Jumādā al-Ūlā*. Imām Muḥammad only passed after al-Rashīd reached. As the duration between Baghdad and al-Rayy is lengthy, it is possible that this travel lasted for a month or so. Thus, Imām Muḥammad passed away at the end of *Jumādā al-Akhirah* or the beginning of *Rajab*. Additionally, this corroborates with the majority who mention that he was 58 years of age when he passed away. Al-Dhahabī cites in *al-Ibr* (1:234) that he was 57 years of age when he passed. Therefore, if the year 132h is taken as the preferred view, it will conflict with the majority who mention he was 58 years of age at his demise.

¹⁴⁸ Al-Ṣaymarī mentions in *Akbbār Abī Ḥanīfah wa Aṣḥābībī* (pg.130) that he was originally from al-Ramallah in Palestine, and then moved to Kūfah. Ibn Sa'd mentions in *al-Ṭabaqāt al-Kubrā* (7:242) that he was originally from al-Jazīrah and his father was from the soldiers of al-Shām. His father arrived in al-Wāsiṭ and Imām Muḥammad was born in 182h. Al-Khaṭīb al-Baghdādī mentions in *al-Tārīkh Baghdād* (2:561) and al-Sam'ānī in *al-Ansāb* (8:200) that he was originally from Damascus, from a village named Ḥarastā. His father arrived in Iraq and Muḥammad was born in al-Wāsiṭ. He then grew up in Kūfah. Al-Kawtharī states in *Bulūgh al-Amānī* (pg.7) that possibly the correct position is that he was originally from al-Jazīrah, then his father became a soldier of al-Shām and his family stayed in Ḥarastā for a period and at another they resided in a village in Palestine. Both abodes are within al-Shām. From here, they then moved to al-Kūfah.

¹⁴⁹ Al-Shayrāzī in *Ṭabaqāt al-Fuqahā'* (pg.135) and Ibn Khallikān in *Wafayāt al-A'yān* (4:184) that he only stayed in the tutelage of Abū Ḥanīfah for two years.

¹⁵⁰ Ibn Abī al-'Awwām mentions in *Faḍā'il Abī Ḥanīfah wa Akbbārūhū* (pg.330) that he passed away in the year 182h. Al-Kawtharī states in *Ḥusn al-Taqāḍī* (pg.203) that this is the accepted position according to the majority.

¹⁵¹ Al-Shayrāzī, *Ṭabaqāt al-Fuqahā'* pg.135, al-Qurashī, *al-Jawābir al-Mudī'ah* pg.159, Ibn Khallikān, *Wafayāt al-A'yān* (2:317), al-Dhahabī, *Sīr al-'Alām al-Nubalā'* (8:38), *Mizān al-'Itidāl* (2:71), *al-Ibr fī Khabar man Ghabar* (1:176), al-Yāfi'ī, *Mīr'āt al-Jinān* (1:264), al-Kafawī, *Katā'ib al-'Alām al-Akhyār* (1:407), Ibn Quṭlūbhā, *Tāj al-Tarājīm* pg.169, al-Tamīmī, *al-Ṭabaqāt al-Saniyyah fī Tarājīm al-Ḥanafīyyah* (3:254), Ibn al-Ḥanā'ī, *Ṭabaqāt al-Ḥanafīyyah* pg.107, Ibn al-'Imād, *Shadharāt al-Dhahab* (2:261), Mullā 'Alī Qārī, *Athmār al-Janiyyah fī Asmā' al-Ḥanafīyyah* (1:432), al-Lakhnawī, *al-Fawā'id al-Bahīyyah* pg.132.

¹⁵² Ibn Ḥibbān, *al-Thiqāt* (6:339).

¹⁵³ Ibn Khallikān mentions in *Wafayāt al-A'yān* (9:319) that he passed away in the month *Sha'bān*. Al-Ṣaymarī mentions in *Akbbār Abī Ḥanīfah wa Aṣḥābībī* (pg.112) that he passed away in the beginning of al-Mahdī's Caliphate. However, this is an isolated opinion. If Ibn Khallikān's view is taken, then he passed away four months before al-Manṣūr. Ibn Ḥibbān mentions in *al-Thiqāt* (6:339) that he passed away during the period al-Manṣūr was appointed. Ibn Abī al-'Awwām mentions in *Faḍā'il Abī Ḥanīfah wa Akbbārūhū* (pg.299) that he was 48 years of age when he passed.

¹⁵⁴ Al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād* (8:275), al-Shayrāzī, *Ṭabaqāt al-Fuqahā'* pg.136, al-Qurashī, *al-Jawābir al-Mudī'ah* pg.127, al-Sam'ānī, *al-Ansāb* (11:230), Ibn al-Athīr, *al-Lubāb fī Tabdhīb al-Ansāb* (3:136), al-Dhahabī, *Sīr al-'Alām al-Nubalā'* (9:543), *Mizān al-'Itidāl* (1:491), *al-Ibr fī Khabar man Ghabar* (1:270), al-Kafawī, *Katā'ib al-'Alām al-Akhyār* (1:415), Ibn Quṭlūbhā, *Tāj al-Tarājīm* pg.150, al-Tamīmī, *al-Ṭabaqāt al-Saniyyah fī Tarājīm al-Ḥanafīyyah* (3:59), Ibn al-Ḥanā'ī, *Ṭabaqāt al-Ḥanafīyyah* pg.108, Ibn al-'Imād, *Shadharāt al-Dhahab* (3:25), Mullā 'Alī Qārī, *Athmār al-Janiyyah fī Asmā' al-Ḥanafīyyah* (1:395), al-Lakhnawī, *al-Fawā'id al-Bahīyyah* pg.104.

al-Ḥasan. He was appointed as the *Qādī* of al-Kūfah.¹⁵⁵ Some of the titles he authored were *al-Mujarrad*, *Adab al-Qādī* and *al-Khiṣāl*. He is ranked lower than the first three by the scholars of *ḥadīth*. He passed away in the year 204 A.H.

Secondly, Imām Abū Ḥanīfah's grand students who related their works to those after them were¹⁵⁶:

1. Ibrahim ibn Ruṣṭum, Abū Bakr, al-Mīrwazī.¹⁵⁷

He studied *fiqh* under Muḥammad ibn al-Ḥasan and also attended the lessons of al-Mālik, Sufyān al-Thawrī and other scholars. A large group of scholars narrated from him, including Aḥmad ibn Ḥanbal. He authored *al-Nawādir*,¹⁵⁸ which were the lessons he wrote from his teacher Imām Muḥammad. He passed away in 211 A.H.¹⁵⁹

2. Aḥmad ibn Ḥafṣ.¹⁶⁰

He was born in the year 150 A.H.¹⁶¹ He was also known as Abū Ḥafṣ al-Kabīr al-Bukhārī.¹⁶² He studied under Muḥammad ibn al-Ḥasan and narrated many of his books from him. He passed away in Bukhārā, in Muḥarram, 217 A.H.¹⁶³ He had a very knowledgeable son named Muḥammad.¹⁶⁴

3. Bishr ibn Ghiyāth ibn 'Abd al-Raḥmān, al-Marīsī.¹⁶⁵

He studied *fiqh* at the hands of Abū Yūsuf and was one of his most special students.¹⁶⁶ He was known to be pious and abstinent.¹⁶⁷ He is the author of multiple works and narrated a lot from Abū Yūsuf, but his narrations were not readily accepted.¹⁶⁸

He passed away in 218 A.H.¹⁶⁹

¹⁵⁵ Al-Kafawī mentions in *Katā'ib A'lām al-Akhyār* (1:415) that he was appointed as the *Qādī* of al-Kūfah after Ḥafṣ ibn Ghiyāth, in 194h.

¹⁵⁶ See: Mannā' al-Qaṭṭān, *Tārīkh al-Tashrī'* pg.233-239, Abū Zuhrah, *Abū Ḥanīfah* pg.195-221.

¹⁵⁷ Abū Nu'aym, *Tārīkh Aṣṣhabān* (1:179), al-Khaṭīb, *Tārīkh Baghdād* (6:587-589), al-Qurashī, *al-Jawābir al-Muḍī'ah* pg.29, al-Dhahabī, *Tārīkh al-Islām* (14:39), Al-Kafawī, *Katā'ib A'lām al-Akhyār* (1:498), al-Tamīmī, *al-Ṭabaqāt al-Saniyyah fī Tarājim al-Ḥanafīyyah* (1:194-196), al-Tūnkī, *Mu'jam al-Muṣannifīn* (3:136), 'Abd al-Ḥayy al-Lakhnawī, *al-Fawā'id al-Bahīyyah* pg.27.

¹⁵⁸ Al-Ḥājī al-Khalīfah, *Kashf al-Zunūn* (2:19821), al-Tūnkī, *Mu'jam al-Muṣannifīn* (3:136).

¹⁵⁹ Al-Dhahabī in *Tārīkh al-Islām* (14:40) mentions that he passed away in the year 210h. He passed away in Nishāpūr. Ishāq ibn Ibrāhīm mentions that Ibrāhīm ibn Ruṣṭum became ill in Sarkhas. He remained with us for nine days and passed away on the tenth day in the house of Ismā'il al-Ṭūsī. It was a Wednesday, with 10 days of *Jumādā al-Ākhirah* remaining.

¹⁶⁰ al-Qurashī, *al-Jawābir al-Muḍī'ah* pg.47, al-Dhahabī, *Sīr A'lām al-Nubalā'* (10:157), Ibn Quṭlūbghah, *Tāj al-Tarājim* pg.94, 'Abd al-Ḥayy al-Lakhnawī, *al-Fawā'id al-Bahīyyah* pg.39.

¹⁶¹ Al-Dhahabī, *Sīr A'lām al-Nubalā'* (10:158).

¹⁶² 'Abd al-Ḥayy al-Lakhnawī mentions in *al-Fawā'id al-Bahīyyah* pg.39: "He has been described as *al-Kabīr* due to the attribution given to his son. His son was known as Abū Ḥafṣ al-Ṣaghīr." See: Mullā 'Alī Qārī, *Athmār al-Janiyyah fī Asmā' al-Ḥanafīyyah* pg.319.

¹⁶³ Al-Dhahabī, *Sīr A'lām al-Nubalā'* (10:159).

¹⁶⁴ Muḥammad ibn Aḥmad ibn Ḥafṣ was the Muftī of Bukhārā. He studied *fiqh* from his father. He lived until approximately 270h.

See: Al-Dhahabī, *Sīr A'lām al-Nubalā'* (10:159).

¹⁶⁵ Al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād* (7:531), al-Shayrāzī, *Ṭabaqāt al-Fuqahā'* pg.138, al-Sam'ānī, *al-Ansāb* (12:210), al-Qurashī, *al-Jawābir al-Muḍī'ah* pg.110, al-Ḥamawī, *Mu'jam al-Buldān* (5:118), Ibn Khallikān, *Wafayāt al-A'yān* (1:277), al-Dhahabī, *Sīr A'lām al-Nubalā'* (10:199), *Mīzān al-Itidāl* (1:322), al-Kafawī, *Katā'ib A'lām al-Akhyār* (1:467), Ibn Quṭlūbghā, *Tāj al-Tarājim* pg.142, al-Tamīmī, *al-Ṭabaqāt al-Saniyyah fī Tarājim al-Ḥanafīyyah* (2:230), Ibn al-Ḥanā'ī, *Ṭabaqāt al-Ḥanafīyyah* pg.124, Mullā 'Alī Qārī, *Athmār al-Janiyyah fī Asmā' al-Ḥanafīyyah* (1:372), al-Lakhnawī, *al-Fawā'id al-Bahīyyah* pg.93.

¹⁶⁶ Al-Kafawī mentions in *Katā'ib A'lām al-Akhyār* (1:467): He attained the gathering of Abū Ḥanīfah and took a fraction of knowledge from him. He then remained constantly in the company of Abū Yūsuf and took *fiqh* from him. He studied *fiqh* from him and excelled in it until he became one of his most distinguished students.

¹⁶⁷ Ibn al-Ḥanā'ī, *Ṭabaqāt al-Ḥanafīyyah* pg.126.

¹⁶⁸ Al-Kafawī mentions in *Katā'ib A'lām al-Akhyār* (1:467) that the people detested him due to him becoming renowned in *al-kalām* (scholastic theology) and philosophy. He immersed himself in that. He additionally mentions that he had some strange opinions within the *madhhab*, for instance, the permissibility of consuming the meat of a donkey. Al-Dhahabī states in *Sīr A'lām al-Nubalā'* (10:201) that some have claimed that he deemed the Qur'ān to be created. Al-Sam'ānī relates in *al-Ansāb* (12:211) that some have labelled him as a Murjī'ah. He would state that prostrating to the sun or the moon will not render one to *kufir*. Al-Dhahabī states that he was the Bishr *al-Sharr* (bad) and the Bishr *al-Khayr* (good) was Bishr al-Ḥāfi.

¹⁶⁹ Al-Dhahabī states in *Sīr A'lām al-Nubalā'* (10:202) that he was around 85 years of age.

4. Bishr ibn Walīd ibn Khālīd, al-Kindī.¹⁷⁰

He was born in the year 141 A.H.¹⁷¹ He studied under Abū Yūsuf¹⁷² and narrated from him his books and his *al-amālī* (dictations).¹⁷³ He additionally studied under ‘Abd al-Rahmān ibn al-Ghasīl,¹⁷⁴ Imām Mālik and others. Al-Baghawī and Abū Yalā are from amongst those who narrate from him. In the period of the rule of al-Mu‘taṣim, he assumed the role of *Qāḍī* of Baghdad.¹⁷⁵ He was an expert in *fiqh* and was always busy in acts of worship.¹⁷⁶ He passed away in *Dhū al-Qa‘dah*, 238 A.H.

5. ‘Īsā ibn Abān ibn Ṣadaqaḥ al-Qāḍī.¹⁷⁷

He studied under Muḥammad ibn al-Ḥasan¹⁷⁸ and al-Ḥasan ibn al-Ziyād. He was a scholar of *ḥadīth*, extremely bright¹⁷⁹ with a excellent memory of the *aḥādīth*. He was the *Qāḍī* of Baṣrah.¹⁸⁰ He was extremely generous. He passed away in Basra, in the year 221 A.H.¹⁸¹

6. Muḥammad ibn Samā‘ah, al-Tamīmī.¹⁸²

¹⁷⁰ Ibn Sa‘d, *al-Ṭabaqāt al-Kabīr* (9:359), al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād* (7:561), Wakīf, *Akbbār al-Qudāh* (3:272), al-Shayrāzī, *Ṭabaqāt al-Fuqahā’* pg.138, al-Dhahabī, *Sīr A‘lām al-Nubalā’* (10:674), *al-Ibr fī Khabar man Ghabar* (1:335), *Mīzān al-Itidāl* (1:326), al-Tagarrī, *al-Nujūm al-Zābirah* (2:292), al-Qurashī, *al-Jawābir al-Muḍī‘ah* pg.111, Ibn al-Ḥanā‘ī, *Ṭabaqāt al-Ḥanafīyyah* pg.120, Ibn al-‘Imād, *Shadharāt al-Dhabab* (3:173), Mullā ‘Alī Qārī, *Aṭhmār al-Janiyyah fī Asmā’ al-Ḥanafīyyah* (1:374), al-Lakhnawī, *al-Fawā‘id al-Bahīyyah* pg.94.

¹⁷¹ Al-Khaṭīb al-Baghdādī in *Tārīkh Baghdād* (7:566) and al-Dhahabī, in *al-Ibr fī Khabar man Ghabar* (1:335) mentions that he lived for 97 years. However, Al-Dhahabī mentions in *Sīr A‘lām al-Nubalā’* (10:675) that he was born at the end of 150h.

¹⁷² Al-Kafawī mentions that he was one of his distinguished students.

¹⁷³ Ibn Quṭlūbghā mentions in *Tāj al-Tarājīm* pg.317: Bishr ibn al-Walīd narrates his dictations. It comprises of 36 books.

¹⁷⁴ Al-Dhahabī mentions in *Sīr A‘lām al-Nubalā’* (10:674) that he was his most senior teacher.

¹⁷⁵ Al-Khaṭīb al-Baghdādī relates an account in *Tārīkh Baghdād* (7:565): A man complained to the state that Bishr ibn al-Walīd doesn’t hold the position that the Qur’ān is created. Al-Mu‘taṣim ordered him to be imprisoned. Guards were assigned to his door. He was prohibited from issuing verdicts to anyone. When Ja‘far ibn Abī Ishāq governed the caliphate, he ordered him to be freed and allowed him to issue rulings and relate *ḥadīth* to the people. He continued doing so until he reached old age.

¹⁷⁶ Aḥmad ibn ‘Atīyyah states that he would perform 200 units of prayer daily. He continued doing so, even after he suffered hemiplegia and reached old age. See: al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād* (7:564).

¹⁷⁷ Al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād* (12:479), Wakīf, *Akbbār al-Qudāh* (2:170), al-Shayrāzī, *Ṭabaqāt al-Fuqahā’* pg.137, al-Dhahabī, *Sīr A‘lām al-Nubalā’* (10:440), al-Sam‘ānī, *al-Ansāb* (10:305), al-Qurashī, *al-Jawābir al-Muḍī‘ah* pg.259, al-Kafawī, *Katā‘ib A‘lām al-Akhyār* (1:505), al-Tamīmī, *al-Ṭabaqāt al-Saniyyah fī Tarājīm al-Ḥanafīyyah* (Berlin:45), Ibn Naṣīr al-Dīn al-Dimashqī, *Tawḍīḥ al-Mushtabih* (7:25), Ibn Quṭlūbghā, *Tāj al-Tarājīm* pg.226, Ibn al-Ḥanā‘ī, *Ṭabaqāt al-Ḥanafīyyah* pg.128, Mullā ‘Alī Qārī, *Aṭhmār al-Janiyyah fī Asmā’ al-Ḥanafīyyah* (2:540), al-Ziriklī, *al-A‘lām* (5:100), al-Lakhnawī, *al-Fawā‘id al-Bahīyyah* pg.246.

¹⁷⁸ Al-Khaṭīb al-Baghdādī makes reference to an account in *Tārīkh Baghdād* (12:479) which highlights how the relationship between the teacher and student commenced. Muḥammad ibn Samā‘ah mentions: ‘Īsā ibn Abān would pray with us. I would invite him to the gathering of Muḥammad ibn al-Ḥasan. He would remark: they are a group who oppose the *aḥādīth*. One day he performed the morning prayer with us, which happened to occur on the day of Imām Muḥammad’s gathering. When the gathering terminated, I took him to Imām Muḥammad and said: this is the scribe ‘Īsā ibn Abān, who is extremely sharp and well versed in *ḥadīth*. I called him to you but he refused. He states that you oppose the narrations. So he turned towards ‘Īsā and said: Oh my son! What is it that you have seen us do, whereby we have opposed the *aḥādīth*? Don’t testify against us until you have heard it from us! On that day, ‘Īsā ibn Abān asked him regarding twenty five chapters of narrations. Imām Muḥammad began to respond to him. He informed him of the narrations which were abrogated, he provided supporting narrations and evidences. Muḥammad ibn Samā‘ah mentions that after we left, he turned to me and said, there was a veil between myself and the light, which has now been lifted from me. I did not deem a man of this calibre to exist. He made it apparent to the people. He remained very close to Muḥammad ibn al-Ḥasan until he attained mastery of *fiqh*. Al-Qurashī (pg.259) cites that some mentioned that he stayed with him for six months.

¹⁷⁹ Hilāl ibn Yahyā states: No one has ever assumed the position of *Qāḍī* and they happened to be better versed in *fiqh* than ‘Īsā ibn Abān.

¹⁸⁰ In *Akbbār al-Qudāh* (2:170), it is recorded to have occurred in *Rabī‘ al-Awwal*, 211h. Al-Khaṭīb (12:481) mentions that he deems it to have occurred in Ramaḍān, 210h. However, he does make reference to a narration which concurs with the date provided in *Akbbār al-Qudāh*. Ismā‘īl ibn Ḥammād ibn ‘Abī Ḥanīfah was discharged from the *Qāḍī* post in Baṣrah. On Tuesday, with seven days of *Rabī‘ al-Awwal* remaining, ‘Īsā was appointed as the *Qāḍī* of Baṣrah.

¹⁸¹ In *Akbbār al-Qudāh* (2:170), he is recorded to have passed away in *Muḥarram*, 220h. Ismā‘īl Bāshā concurs with this in *Ḥadiyyah al-‘Arifīn* (1:806). However, al-Khaṭīb mentions that he passed away in the year 221h. Every biographical entry besides these concur with the view of al-Khaṭīb. Al-Khaṭīb does relate an account in which it states that he passed away on the first day of *Ṣafar*.

¹⁸² Al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād* (3:298), Wakīf, *Akbbār al-Qudāh* (3:282), al-Shayrāzī, *Ṭabaqāt al-Fuqahā’* pg.138, al-Qurashī, *al-Jawābir al-Muḍī‘ah* pg.332, al-Mizzī, *Tabdhīb al-Kamāl* (25:317), al-Dhahabī, *Sīr A‘lām al-Nubalā’* (10:646), *Tabdhīb al-Tabdhīb* (8:122), al-Ṣafadī, *al-Wāfi bi al-Wafayāt* (3:116), al-‘Asqalānī, *Tabdhīb al-Tabdhīb* (9:204), Yūsuf ibn Tagarrī in *al-Nujūm al-Zābirah* (2:271), al-Kafawī, *Katā‘ib A‘lām al-Akhyār* (1:456), Ibn Quṭlūbghā, *Tāj al-Tarājīm* pg.240, al-Tamīmī, *al-Ṭabaqāt al-Saniyyah fī Tarājīm*

He was born in the year 130 A.H. He narrated *ḥadīth* from al-Layth ibn Sa'd and studied *fiqh* under Abū Yūsuf, Muḥammad ibn al-Ḥasan and al-Ḥasan ibn Ziyād. He wrote the *al-Nawādir* from both Abū Yūsuf and Muḥammad. Under Caliph Ma'mūn he became the *Qādī* of Baghdad in the year 192 A.H.¹⁸³ He passed away in 233 A.H.¹⁸⁴

7. Muḥammad ibn Shujā', al-Thaljī.¹⁸⁵

He was born in the year 181 A.H.¹⁸⁶ He was famously known as Ibn al-Thaljī.¹⁸⁷ He studied *fiqh* under al-Ḥasan ibn Ziyād and excelled to such an extent that he became famous as the *faqīh* of Iraq in his time. Also known for his piety, he was constantly engaged in worship. He authored a few works including *Tashbīḥ al-Āthbār* and *al-Nawādir*. He was however, considered weak in narrating *ahādīth*.¹⁸⁸ He passed away in 266 A.H.¹⁸⁹

8. Abū Sulaymān, Mūsā ibn Sulaymān, al-Jawzjānī.¹⁹⁰

He studied under Muḥammad ibn al-Ḥasan.¹⁹¹

He wrote the rulings of *al-Uṣūl* and *al-Amālī*.¹⁹² Al-Ma'mūn requested him to be a *Qādī*, but he declined. He passed away after 200 A.H.

al-Ḥanafīyyah (Berlin:264), Ibn al-Ḥanā'ī, *Ṭabaqāt al-Ḥanafīyyah* pg.118, Mullā 'Alī Qārī, *Athmār al-Janiyyah fī Asmā' al-Ḥanafīyyah* (2:91), al-Lakhnawī, *al-Fawā'id al-Babiyyah* pg.280.

¹⁸³ Al-Khaṭīb al-Baghdādī relates in *Tārīkh Baghdād* (3:299) that after the demise of Abū Yūsuf, his son Yūsuf was appointed as the *Qādī*. He remained as the *Qādī* until his demise. Thereafter, Muḥammad ibn Sam'ah was appointed in his place. Al-Khaṭīb (pg.300) mentions that his appointment as *Qādī* was in the year 192h. He remained in this position until his sight deteriorated, upon which he resigned. Al-Mu'taṣim then appointed Ismā'il ibn Ḥammād in his place.

¹⁸⁴ Ibn Ḥajar mentions in *Tabdhīb al-Tabdhīb* (9:205) that Ibn Jarīr al-Ṭabarī cites he passed away in *Shā'bān*.

¹⁸⁵ Al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād* (3:315), al-Shayrāzī, *Ṭabaqāt al-Fuqahā'* pg.140, al-Qurashī, *al-Jawābir al-Mudī'ah* pg.334, al-Sam'ānī, *al-Ansāb* (3:144), Ibn al-Athīr, *al-Lubāb fī Tabdhīb al-Ansāb* (1:241), al-Mizzī, *Tabdhīb al-Kamāl* (25:362), al-Dhahabī, *Sīr A'lām al-Nubalā'* (12:379), *Mīzān al-Itidāl* (3:577), *al-Ibr fī Khabar man Ghabar* (1:382), al-Ṣafādī, *al-Wāfi bi al-Wafāyāt* (3:123), al-Jazrī, *Ghāyab al-Nihāyah fī Ṭabaqāt al-Qurrā'* (2:135), al-'Asqalānī, *Tabdhīb al-Tabdhīb* (9:220), *Tabṣīr al-Mutanabbih* (1:196), Sabṭ ibn al-'Ajāmī, *al-Kashf al-Ḥathīb* pg.196, Yūsuf ibn Tagarrī in *al-Nujūm al-Zābirah* (3:42), al-Kafawī, *Katā'ib A'lām al-Akhyār* (1:518), Ibn Quṭlūbghā, *Tāj al-Tarājīm* pg.242, al-Tamīmī, *al-Ṭabaqāt al-Saniyyah fī Tarājīm al-Ḥanafīyyah* (Berlin:266), Ibn al-Ḥanā'ī, *Ṭabaqāt al-Ḥanafīyyah* pg.134, Ibn Nāṣir al-Dīn al-Dimashqī, *Tawdīḥ al-Mushtabih* (1:588), Ibn al-'Imād, *Shadharāt al-Dhahab* (3:284), Mullā 'Alī Qārī, *Athmār al-Janiyyah fī Asmā' al-Ḥanafīyyah* (2:593), al-Lakhnawī, *al-Fawā'id al-Babiyyah* pg.281.

¹⁸⁶ Al-Khaṭīb al-Baghdādī cites in *Tārīkh Baghdād* (3:316) that he was born on the 24th of *Ramaḍān* 281h.

¹⁸⁷ Al-Lakhnawī cites in *al-Fawā'id al-Babiyyah* (pg.282) that Badr al-Dīn al-'Aynī points out that this attribution is owing to the relation with Thaljī ibn 'Amr ibn Mālik ibn 'Abd Manāf and not due to employment. See: al-Sam'ānī, *al-Ansāb* (3:144) and al-'Asqalānī, *Tabṣīr al-Mutanabbih* (1:197).

¹⁸⁸ Al-Dhahabī, *Mīzān al-Itidāl* (3:577).

¹⁸⁹ Al-Kafawī (1:518) mentions that he passed away in 277h. Al-Khaṭīb does make reference to this date in one report. Al-Qurashī in *al-Jawābir al-Mudī'ah* (pg.334), al-Sam'ānī in *al-Ansāb* (3:144), Ibn al-Athīr in *al-Lubāb fī Tabdhīb al-Ansāb* (1:241), al-Dhahabī in *Sīr A'lām al-Nubalā'* (12:380), al-Ṣafādī in *al-Wāfi bi al-Wafāyāt* (3:123), Ibn Nāṣir al-Dīn al-Dimashqī in *Tawdīḥ al-Mushtabih* (1:588) and Ibn Ibn Quṭlūbghā in *Tāj al-Tarājīm* (pg.242) all mention that he passed away in the year 266h. Al-Khaṭīb relates three additional reports. The first mentions that he passed away in either the year 265 or 266. The latter two state that he passed away in the year 266h. Al-Jazrī mentions in *Ghāyab al-Nihāyah fī Ṭabaqāt al-Qurrā'* (2:135) that he passed away on the day of 'Arafah, in the year 264h. Al-Dhahabī (12:381) asserts that he lived for 85 years. However, in *al-Ibr fī Khabar man Ghabar* (1:383), al-Dhahabī mentions that he lived for approx 90 years. Ibn Nāṣir al-Dīn al-Dimashqī pens in *Tawdīḥ al-Mushtabih* (1:588) that he was 86 years of age. Al-Qurashī (pg.334) mentions that he passed away during the 'Aṣr prayer, while in prostration. Al-Khaṭīb mentions that there were four nights of *Dbū al-Ḥijab* remaining. Al-Qurashī (pg.334) cites that he made a request to be buried in his house. He would make mention that there is not a brick which remains in this house, except that he has completed the Qur'an on it. This demonstrates his abundant recital of the Qur'an. Al-Khaṭīb (3:316) relates that he was buried in a room of his house, which was adjacent to the *maṣjid*. A window would allow one to exit on to the street. His resting place was in a well known street that was adjoined to a curved path which connected to the house of Muḥammad ibn 'Abdillāh ibn Ṭāhir.

¹⁹⁰ Ibn Abī Ḥātim, *al-Jarḥ wa al-Ta'dīl* (8:145), al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād* (15:26), al-Shayrāzī, *Ṭabaqāt al-Fuqahā'* pg.137, al-Qurashī, *al-Jawābir al-Mudī'ah* pg.409, al-Dhahabī, *Sīr A'lām al-Nubalā'* (10:194), al-Kafawī, *Katā'ib A'lām al-Akhyār* (1:463), Ibn Quṭlūbghā, *Tāj al-Tarājīm* pg.290, al-Tamīmī, *al-Ṭabaqāt al-Saniyyah fī Tarājīm al-Ḥanafīyyah* (Berlin:473), Ibn al-Ḥanā'ī, *Ṭabaqāt al-Ḥanafīyyah* pg.116, Mullā 'Alī Qārī, *Athmār al-Janiyyah fī Asmā' al-Ḥanafīyyah* (2:665), Ismā'il Bāshā, *Hadiyyah al-'Ārifīn* (2:477), al-Lakhnawī, *al-Fawā'id al-Babiyyah* pg.354.

¹⁹¹ Al-Dhahabī mentions in *Sīr A'lām al-Nubalā'* (10:194) that he was also the student of Abū Yūsuf. When citing his works, Ibn Quṭlūbghā also mentions Abū Yūsuf as his teacher. See: *Tāj al-Tarājīm* pg.291.

¹⁹² Al-Kafawī mentions in *Katā'ib A'lām al-Akhyār* (1:463) that the most famous manuscript of *al-Mabsūt*, which is the *al-Aṣl* in the *madhhab*, is the manuscript of Abū Sulaymān.

9. Hilāl ibn Yaḥyā ibn Muslim, al-Ra'y, ¹⁹³ al-Başrī. ¹⁹⁴

It is mentioned that he was named al-Ra'y due to his deep knowledge and understanding.¹⁹⁵ He studied *fiqh* under Abū Yūsuf and Zufar. He narrated ḥadīth from Abū 'Awānah and Ibn Mahdī. He authored works on *al-Shurūṭ* (conditions)¹⁹⁶ and the *Laws of Waqf*. His brother was 'Umar ibn Yaḥyā. He passed away in 245 A.H.¹⁹⁷

10. Abū Ja'far, Aḥmad ibn Abī Imrān. ¹⁹⁸

He was the *Qādī* of Egypt and studied under Muḥammad ibn Samā'ah. He is the teacher of Abū Ja'far al-Ṭaḥāwī.¹⁹⁹ He authored a book titled *al-Hujaj*.²⁰⁰ He passed away in 280 A.H.²⁰¹

11. Abū Bakr, Aḥmad ibn 'Amr ²⁰² ibn Muhayr, al-Khaṣṣāf. ²⁰³

He studied under his father who is a student of al-Ḥasan ibn Ziyād. He was well known for his expertise in *Ilm al-Farā'id* or Islamic Succession Laws. He is the author of multiple works, amongst which are *al-Kharāj*, *al-Waṣā'ya*, *al-Shurūṭ* and *al-Waqf*. He passed away in 261 A.H.

12. Bakkār ibn Qutaybah ibn Asad or al-Qāḍī al-Miṣrī. ²⁰⁴

He was born in Baṣra, in the year 182 A.H. He studied *fiqh* under Hilāl al-Ra'y. He was considered the greatest *faqīh* of the Ḥanafī jurisprudence in his time. He authored many works such as *al-Maḥāḍir*, *al-Sijillāt*, *al-Waṭḥā'iq* and *al-'Uḥūd*. He studied under Abū Dāwūd aṭ-Ṭayālīsī. Abū 'Awānah and Ibn Khuzaymah

¹⁹³ The editor of *al-A'lām* (8:92) states this is the correct retention to the name. He states, some who came later have placed the lettering of the name as al-Rā'y and this is an error. See: Ibn al-Athīr, *al-Lubāb fī Tabdhīb al-Ansāb* (2:13).

¹⁹⁴ Al-Shayrāzī, *Ṭabaqāt al-Fuqahā'* pg.139, al-Qurashī, *al-Jawābir al-Muḍī'ah* pg.423, al-Sam'ānī, *al-Ansāb* (6:60), Ibn al-Athīr, *al-Lubāb fī Tabdhīb al-Ansāb* (2:13), al-Dhahabī, *Mizān al-Itidāl* (4:317), al-Kafawī, *Katā'ib A'lām al-Akhyār* (1:479), Ibn Quṭlūbghā, *Tāj al-Tarājim* pg.312, al-Tamīmī, *al-Ṭabaqāt al-Saniyyah fī Tarājim al-Ḥanafīyyah* (Berlin:518), Ibn al-Ḥanā'ī, *Ṭabaqāt al-Ḥanafīyyah* pg.130, Ibn Nāṣir al-Dīn al-Dimashqī, *Tawḍīḥ al-Mushtabih* (4:98), Mullā 'Alī Qārī, *Athmār al-Janiyyah fī Asmā' al-Ḥanafīyyah* (2:676), Ṭāsh Kubrā, *Ṭabaqāt al-Fuqahā'* (pg.33), al-Ziriklī, *al-A'lām* (8:92), al-Lakhnawī, *al-Fawā'id al-Babiyyah* pg.368.

¹⁹⁵ Al-Kafawī, *Katā'ib A'lām al-Akhyār* (1:479). Al-Sam'ānī mentions an additional comment in *al-Ansāb* (6:60). He states that it is also reported that this attribution is given to him as he embraced the *maddhab* of the people of Kūfah. Al-Ziriklī combines both opinions in *al-A'lām* (8:92).

¹⁹⁶ Al-Ziriklī mentions in *al-A'lām* (8:92) that he was the first to author a book on *al-Shurūṭ*.

¹⁹⁷ This is the opinion of al-Dhahabī, in *Mizān al-Itidāl* (4:317), al-Kafawī in *Katā'ib A'lām al-Akhyār* (1:479) and Ibn Quṭlūbghā in *Tāj al-Tarājim* pg.312. However, Ibn al-Ḥanā'ī in *Ṭabaqāt al-Ḥanafīyyah* (pg.130) mentions that he passed away in 244h. Ṭāsh Kubrā concurs with this in *Ṭabaqāt al-Fuqahā'* (pg.33).

¹⁹⁸ Al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād* (6:348), al-Shayrāzī, *Ṭabaqāt al-Fuqahā'* pg.140, al-Qurashī, *al-Jawābir al-Muḍī'ah* pg.87, Ibn al-Jawzī, *al-Muntaẓam* (12:338), al-Dhahabī, *Sīr A'lām al-Nubalā'* (1:334), *al-'Ibr fī Khabar man Ghabar* (1:402), al-Kafawī, *Katā'ib A'lām al-Akhyār* (1:536), al-Tamīmī, *al-Ṭabaqāt al-Saniyyah fī Tarājim al-Ḥanafīyyah* (1:314), Ibn al-Ḥanā'ī, *Ṭabaqāt al-Ḥanafīyyah* pg.147, al-Suyūṭī, *Husn al-Muḥāḍarab* (1:463), Ibn al-'Imād, *Shadharāt al-Dhabab* (3:329), Mullā 'Alī Qārī, *Athmār al-Janiyyah fī Asmā' al-Ḥanafīyyah* (1:351), al-Lakhnawī, *al-Fawā'id al-Babiyyah* pg.33.

¹⁹⁹ Ibn Quṭlūbghā, *Tāj al-Tarājim* pg.101.

²⁰⁰ Al-Shayrāzī attributes this book to him in *Ṭabaqāt al-Fuqahā'* (pg.140).

²⁰¹ Al-Khaṭīb al-Baghdādī mentions in *Tārīkh Baghdād* (6:349) that he passed away in Muḥarram, in the year 280h.

²⁰² Al-Lakhnawī in *al-Fawā'id al-Babiyyah* (pg.56) enters the father's name as 'Umar. However, all the other biographical dictionaries register the entry as 'Amr.

²⁰³ Al-Shayrāzī, *Ṭabaqāt al-Fuqahā'* pg.140, al-Qurashī, *al-Jawābir al-Muḍī'ah* pg.61, al-Dhahabī, *Sīr A'lām al-Nubalā'* (1:123), al-Ṣafādī in *al-Wāfi bi al-Wafayāt* (7:174), al-Kafawī, *Katā'ib A'lām al-Akhyār* (1:545), al-Tamīmī, *al-Ṭabaqāt al-Saniyyah fī Tarājim al-Ḥanafīyyah* (1:418), Ibn al-Ḥanā'ī, *Ṭabaqāt al-Ḥanafīyyah* pg.144, Ibn Nāṣir al-Dīn al-Dimashqī in *Tawḍīḥ al-Mushtabih* (3:430), Mullā 'Alī Qārī, *Athmār al-Janiyyah fī Asmā' al-Ḥanafīyyah* (1:327), al-Lakhnawī, *al-Fawā'id al-Babiyyah* pg.56.

²⁰⁴ Ibn 'Abd al-Ḥakam, *Futūḥ Miṣr wa al-Maghrīb* pg.276, al-Kindī, *al-Wulāb wa al-Qudāb* (pg.477), al-Sam'ānī, *al-Ansāb* (2:194), Ibn al-Athīr, *al-Lubāb* (1:169), al-Qurashī, *al-Jawābir al-Muḍī'ah* (1:458-Ḥ), al-Dhahabī, *Sīr A'lām al-Nubalā'* (12:599), *al-'Ibr fī Khabar man Ghabar* (1:389), al-Yāfi'ī, *al-Mir'āt al-Jinān* (2:138), Ibn Khallikān, *Wafayāt al-A'yān* (1:279), Ibn al-Mulaqqin, *Ṭabaqāt al-Awliyā'* pg.119, al-'Asqalānī, *Raf' al-Iṣr* pg.98, al-Ṣafādī, *al-Wāfi bi al-Wafayāt* (10:117), al-Maqrizī, *al-Muqaffā' al-Kabīr* (2:442), al-Kafawī, *Katā'ib A'lām al-Akhyār* (1:538), Yūsuf ibn Tagarrī in *al-Nujūm al-Zābirah* (3:48), Ibn Quṭlūbghā in *Tāj al-Tarājim* pg.144, al-Tamīmī, *al-Ṭabaqāt al-Saniyyah fī Tarājim al-Ḥanafīyyah* (2:243), Ibn al-Ḥanā'ī, *Ṭabaqāt al-Ḥanafīyyah* pg.151, al-Suyūṭī, *Husn al-Muḥāḍarab* (1:463), Ibn al-'Imād, *Shadharāt al-Dhabab* (3:297), Mullā 'Alī Qārī, *Athmār al-Janiyyah fī Asmā' al-Ḥanafīyyah* (1:380), al-Ziriklī, *al-A'lām* (2:60), al-Lakhnawī, *al-Fawā'id al-Babiyyah* pg.95.

relate from him in their *Ṣaḥīḥ* collections. He was one of the main teachers of Imām al-Ṭaḥāwī. Al-Mutawakkil appointed him as the *Qādī*.²⁰⁵ He passed away in 270 A.H.²⁰⁶

13. Abū Khāzim,²⁰⁷ ‘Abd al-Ḥamīd ibn ‘Abd al-‘Azīz, al-Qādī.²⁰⁸

He was born in 197 A.H.²⁰⁹ He was originally from Baṣrah and then moved to Baghdād. He studied *fiqh* under ‘Īsā ibn Abān, Hilāl al-Ra’y and Bakr ibn Muḥammad al-‘Ammī. Imām al-Ṭaḥāwī and Abū al-Ṭāhir al-Dabbās studied *fiqh* under him. He did author a few books.²¹⁰ He was appointed as the *Qādī* of al-Shām, al-Kūfa and al-Karkh.²¹¹ He passed away in 292 A.H.²¹²

14. Abū Sa’īd, Aḥmad ibn al-Ḥusayn, al-Bardāī.²¹³

He studied under the grandson of Abū Ḥanīfah, Ismā’īl ibn Ḥammād and from Abū ‘Alī al-Daqqāq. Abū al-Ḥasan al-Karkhī, Abū al-Ṭāhir al-Dabbās and Abū ‘Amr al-Ṭabarī studied *fiqh* under him. He was killed in the incident of the Qaramitah in 317 A.H.²¹⁴

15. Abū Ja’far, Aḥmad ibn Muḥammad ibn Sulāmah, al-Azadī, al-Ṭaḥāwī.^{215,216}

²⁰⁵ Ibn Ḥajr mentions in *Raf’ al-Isr ‘an Quḍāt Miṣr* (pg.99) and al-Qurashī in *al-Jawābir al-Muḍī’ab* (1:458-Ḥ) mention that he entered the city in the year 246h, it was a Friday, with eight night remaining for *Jumādā al-Akhirah*. Al-Maqrīzī explicitly states that he entered al-Fuṣṭāṭ (the south of present day Cairo) on that day. Al-Ṣafādī mentions in *al-Wāfi bi al-Wafayāt* (10:118) that he commenced the position of *Qādī* in the year 248/9h. Al-Kindī states in *al-Wulāh wa al-Quḍāh* (pg.479) that he remained as a *Qādī* for 24 years, 6 months and 16 days.

²⁰⁶ Al-Kafawī in *Katā’ib A’lām al-Akhyār* (1:538) and al-Lakhnawī in *al-Fawā’id al-Bahīyyah* (pg.96) mention that he passed away in the year 290h. However, every other biographical entry states 270h. He passed away in the night, but his burial was delayed until the *‘Isr* prayer, due to a large gathering. He passed away whilst imprisoned, it was a Friday with six days remaining of *Dbū al-Ḥijab*. He is buried in Qarāfah. His grave is very famous and frequently visited. Some people mention that supplications at his graveside is answered.

²⁰⁷ It is originally Ḥāzim. However, Ibn Mākūlā renders it in *al-Ikmāl* (2:286) with the letter *khā*. Nāṣir al-Dīn al-Muṭarrizī mentions in his book *al-Mughrib fī Tartīb al-Mu’rab* (1:254) under the entry *khazm* that when making an *ism fā’il* (the subject) from the word *khazm*, then the agnomen will be Abū Khāzim. He immediately cites ‘Abd al-Ḥamīd ibn ‘Abd al-‘Azīz as an example. Al-Baghdādī in *Tārīkh Baghdād* (12:338), al-Dhahabī in *Sīr A’lām al-Nubalā* (13:539), Nāṣir al-Dīn in *Tawḍīḥ al-Mushtabih* (3:21), al-‘Asqalānī in *Tabṣīr al-Mutanabbih* (1:387) and al-Zabīdī in *Tāj al-Urūs* all concur with this view.

²⁰⁸ Al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād* (12:338), al-Shayrāzī, *Ṭabaqāt al-Fuqahā*’ pg.141, al-Qurashī, *al-Jawābir al-Muḍī’ab* pg.193, Ibn al-Jawzī, *al-Muntaẓam fī Tārīkh al-Mulūk wa al-Umam* (13:38), al-Dhahabī, *Sīr A’lām al-Nubalā*’ (13:539), al-*Mir’āt al-Jinān* (2:165), Ibn Manzūr, *Mukhtaṣar Tārīkh Dimashq* (14:174), Ibn Nāṣir al-Dīn, *Tawḍīḥ al-Mushtabih* (3:21), al-Kafawī, *Katā’ib A’lām al-Akhyār* (2:5), Ibn Quṭūbghā, *Tāj al-Tarājim* pg.182, al-Tamīmī, *al-Ṭabaqāt al-Saniyyah fī Tarājim al-Ḥanafīyyah* (4:267), Ibn al-Ḥanā’ī, *Ṭabaqāt al-Ḥanafīyyah* pg.158, Mullā ‘Alī Qārī, *Athmār al-Janiyyah fī Asmā’ al-Ḥanafīyyah* (2:469), Ibn al-‘Imād, *Shadharāt al-Dhabab* (3:388), al-Lakhnawī, *al-Fawā’id al-Bahīyyah* pg.149.

²⁰⁹ Ibn Manzūr states in *Mukhtaṣar Tārīkh Dimashq* (14:174) that he was 95 years of age when he passed.

²¹⁰ Ibn al-Nadīm registers him in *al-Fibrīst* (pg.293). He states that he was the author of books, but doesn’t provide the name of his titles. Ḥājī Khalīfah makes reference to him in *Kashf al-Zunūn* (2:1388) under the entry *Kitāb al-Arjā*’ of Ismā’īl ibn Ḥammād.

²¹¹ Ibn Manzūr mentions in *Mukhtaṣar Tārīkh Dimashq* (14:174) that he was appointed as the *Qādī* of Damascus, Jordan and Palestine during the period of Aḥmad ibn Ṭūlūn, in the Caliphate of al-Mu’tamid. Ibn Ḥajar mentions in *Tadbkirah al-Ḥuffāz* (2:654) under the entry Aḥmad ibn ‘Amr al-Bazzār that Abū Khāzim was from the best of judges. Ibn al-Athīr echoes these sentiments in *al-Kāmil fī al-Tārīkh* (7:425).

²¹² He passed away in Baghdād, in the month *Jumādā al-‘Ulā*. After citing this opinion al-Khaṭīb al-Baghdādī also mentions a second view (12:344), which mentions that he passed away in the month *Jumādā al-Akhirah*.

²¹³ Al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād* (5:160), al-Shayrāzī, *Ṭabaqāt al-Fuqahā*’ pg.141, al-Qurashī, *al-Jawābir al-Muḍī’ab* (1:47), al-Dhahabī, *al-‘Ibr fī Khabar man Ghabar* (1:474), al-Fāṣī, *al-Iqd al-Thamīn* (3:33), al-Kafawī, *Katā’ib A’lām al-Akhyār* (1:558), Yūsuf ibn Tagarrī, *al-Nujūm al-Zāhirah* (3:226), al-Tamīmī, *al-Ṭabaqāt al-Saniyyah fī Tarājim al-Ḥanafīyyah* (1:341), Ibn al-Ḥanā’ī, *Ṭabaqāt al-Ḥanafīyyah* pg.159, Ibn al-‘Imād, *Shadharāt al-Dhabab* (4:81), Mullā ‘Alī Qārī, *Athmār al-Janiyyah fī Asmā’ al-Ḥanafīyyah* (1:318), al-Lakhnawī, *al-Fawā’id al-Bahīyyah* pg.40.

²¹⁴ Al-Khaṭīb al-Baghdādī mentions in *Tārīkh Baghdād* (5:161) that he resided in Baghdād for many years teaching. In the year 317h, he left for the Ḥajj, and passed away in Makkah. Al-Fāṣī explicitly mentions in *al-Iqd al-Thamīn* (3:34) that it was during the first ten days.

²¹⁵ Al-Ḥamawī in *Mu’jam al-Buldān* (4:22) mentions that he is attributed to a district named Ṭaḥā, which is situated in the North of Upper Egypt, west of the Nile. However, he is not actually from this district. In actual fact, he was from a very small village named Ṭaḥṭūt, which is in close proximity to Ṭaḥā. He disliked to be called Ṭaḥṭūtī so attributed himself to the district Ṭaḥā, and is therefore famously known as al-Ṭaḥāwī.

²¹⁶ Al-Shayrāzī, *Ṭabaqāt al-Fuqahā*’ pg.142, al-Sam’ānī, *al-Ansāb* (9:54), Ibn al-Athīr, *al-Lubāb* (2:276), al-Qurashī, *al-Jawābir al-Muḍī’ab* (1:71), Ibn Mākūlā, *al-Ikmāl* (3:85), Ibn ‘Asākir, *Tārīkh Madīnah Dimashq* (5:367), Ibn al-Jawzī, *al-Muntaẓam fī Tārīkh al-Mulūk wa al-Umam* (13:318), al-Ḥamawī, *Mu’jam al-Buldān* (4:22), al-Maqrīzī, *al-Muqaffā al-Kabīr* (1:720), al-Dhahabī, *Sīr A’lām al-Nubalā*’ (1:527), *al-‘Ibr fī Khabar man Ghabar* (2:11), *Tadbkirah al-Ḥuffāz* (3:808), Ibn Faḍl ‘Llāh al-‘Umarī, *Masālik al-Aḥsār* (5:357), Ibn Nuqṭah, *al-Taḥyīd li Ma’rifah al-Ruwāh al-Sunan wa al-Masānīd* (1:363), al-Yāfi’ī, *al-Mir’āt al-Jinān* (2:211), Ibn Khallikān, *Wafayāt al-A’yān* (1:71), Abī al-Fadā, *al-Mukhtaṣar fī Akhbār al-Bashar* (2:79), Ibn Nāṣir al-Dīn, *Tawḍīḥ al-Mushtabih* (3:135), Ibn al-Jazrī, *Ghāyah al-Nihāyah* (1:107), al-Kafawī, *Katā’ib A’lām al-Akhyār* (2:23), al-Dāwūdī, *Ṭabaqāt al-Mufasssīrīn* (1:74), Ṭashkuprī Zādah, *Miftāḥ al-Sa’ādah* (2:249) Yūsuf ibn

He was born in 229 A.H.²¹⁷ He initially studied Shāfiʿī jurisprudence under his maternal uncle al-Muzanī, who was the student of al-Shāfiʿī. He then adopted the Ḥanafī school and went to study under Abū Imrān al-Qāḍī and thereafter travelled to al-Shām²¹⁸ where he studied under Abū Khāzim. He was an Imām in *ḥadīth* and his works stood head and shoulders above the rest in his time. He penned many books.²¹⁹ He passed away in 321 A.H.²²⁰

Tagarrī in *al-Nujūm al-Zābirah* (3:48), Ibn Quṭlūbhā in *Tāj al-Tarājim* pg.100, Yūsuf ibn Tagarrī, *al-Nujūm al-Zābirah* (4:239), al-Suyūṭī, *Ḥusn al-Muḥāḍarab* (1:350), al-Tamīmī, *al-Ṭabaqāt al-Saniyyah fī Tarājim al-Ḥanafīyyah* (2:49), Ibn al-Ḥanāʾī, *Ṭabaqāt al-Ḥanafīyyah* pg.171, Ibn al-ʿImād, *Shadharāt al-Dhabab* (4:105), Mullā ʿAlī Qārī, *Aṭṭmār al-Janiyyah fī Asmāʾ al-Ḥanafīyyah* (1:334), al-Ziriklī, *al-Aʿlām* (1:206), al-Lakhnawī, *al-Fawāʾid al-Babiyyah* pg.59, Ismāʿīl Bāshā, *Hadiyyah al-ʿArifīn* (1:58), ʿAlī Mubārak, *al-Khiṭaṭ al-Jadīdah li Miṣr al-Qābirah* (6:34).

²¹⁷ According to some, this is the preferred opinion. This is cited by al-Qurashī in *al-Jawābir al-Muḍīʿah* (1:71), Ibn Nuqṭah, *al-Taḥyīd li Maʿrifah al-Ruwāb al-Sunan wa al-Masānīd* (1:363), al-Kafawī in *Katāʾib Aʿlām al-Akhyār* (2:23), Ibn Quṭlūbhā in *Tāj al-Tarājim* (pg.100), al-Lakhnawī in *al-Fawāʾid al-Babiyyah* pg.59, Ismāʿīl Bāshā in *Hadiyyah al-ʿArifīn* (1:58) and ʿAlī Mubārak in *al-Khiṭaṭ al-Jadīdah li Miṣr al-Qābirah* (6:34). This date is also referenced by some as the view of al-Samʿānī, but it does not appear in the printed editions, nor the manuscript editions of the text. Ibn Kathīr in *al-Bidāyah wa al-Nihāyah* (15:72) references this view to al-Samʿānī and states that then he would have been above 90 years of age. After citing the view of Ibn Kathīr, al-Kawtharī states in *al-Ḥawī* (pg.8) that Ibn Kathīr is content with this view. However, this is incorrect as a few lines above he states the year as 239h. Ibn Khallikān in *Wafayāt al-Aʿyān* (1:72) attributes the year 229h to al-Samʿānī and mentions that this is the correct opinion. Badr al-Dīn al-ʿAynī mentions in the introduction to *Nukhab al-Afkār* (1:76) that Ibn Yūnus mentions that al-Ṭahāwī mentioned to me that he was born in the year 229h. Al-ʿAynī then states, this is what al-Samʿānī mentions and he deemed it as the correct position. Two objections surface at this point: is the attribution to Ibn Yūnus correct and is this the date mentioned by al-Samʿānī. I will discuss both points under the relevant dates mentioned below.

Al-Kawtharī quotes in *al-Ḥawī* (pg.8): Al-ʿAynī mentions that al-Ṭahāwī was a contemporary of Imām al-Bukhārī, Imām Muslim, Abū Dāwūd, al-Nasāʾī, al-Tirmidhī and Ibn Mājah. He was: 27 years of age when al-Bukhārī passed away, 32 when Imām Muslim passed away, 46 when Abū Dāwūd passed away, 50 when al-Tirmidhī passed away and 44 when Ibn Mājah passed away. Al-Kawtharī states that this indicates that the date 229h is correct. To support this viewpoint he points out that some of them are students of the same teacher. For instance, Imām Muslim, Abū Dāwūd, Nasāʾī, Ibn Mājah and al-Ṭahāwī all relate from Hārūn ibn Saʿīd al-Ayḷī, who passed away in the year 253h. Similarly, al-Rabīʿ ibn Sulaymān al-Jizī was the teacher of Abū Dāwūd, al-Nasāʾī and al-Ṭahāwī. He passed away in the year 256h. However, it is possible that al-Ṭahāwī heard from these scholars at an earlier age as they were both from Egypt.

One opinion of Ṭāshkuprī Zādah in *Miftāḥ al-Saʿādah* (2:249) is that he was born in 227h.

Al-Maqrīzī in *al-Muqaffā al-Kabīr* (1:720) cites the date as 236h.

Al-Shayrāzī in *Ṭabaqāt al-Fuqahāʾ* (pg.142), Ibn Khallikān in *Wafayāt al-Aʿyān* (1:72) and Abī al-Fadā in *al-Mukhtaṣar fī Akhbār al-Bashar* (2:79) mention that he was born in the year 238h.

Al-Ḥamawī mentions in *Muʿjam al-Buldān* (4:22) that he was born in 239h. This is also cited by Ibn Zabd in *Tārīkh Mawlid al-ʿUlamāʾ wa Wafayātihim* (2:527), Ibn Mākūlā in *al-Ikmāl* (3:85), Ibn ʿAsākīr in *Tārīkh Madīnah Dimashq* (5:368), Ibn al-Jawzī in *al-Muntaẓim* (1:3318), Ibn Kathīr in *al-Bidāyah wa al-Nihāyah* (15:72), al-Dhahabī in *Sīr Aʿlām al-Nubalāʾ* (15:27), al-ʿAsqalānī in *Lisān al-Mīzān* (1:620), Ibn Faḍl ʿLāh al-ʿUmārī in *Masālik al-Aḥsār* (5:357), Ibn Nāṣir al-Dīn in *Tawḍīḥ al-Mushtabih* (3:21), al-Suyūṭī in *Ḥusn al-Muḥāḍarab* (1:350), one opinion of Ṭāshkuprī Zādah in *Miftāḥ al-Saʿādah* (2:249) and al-Ziriklī in *al-Aʿlām* (1:206).

In the printed copy (al-Uthmāniyyah) of al-Samʿānī's *al-Ansāb*, under the entry ʿal-Ḥajrīʾ (4:73) and ʿal-Ṭahāwīʾ (9:54) the date is registered as 239h. The Dār al-Fikr edition also has it in this manner. The date 239h additionally also surfaces in the manuscript editions of the text. In the revision of the book, titled *al-Lubāb* by Ibn al-Aṭṭar, the date is registered as 239h under the entry ʿal-Ḥajrīʾ (1:343) and 229h under the entry ʿal-Ṭahāwīʾ (2:276).

Ibn al-ʿImād in *Shadharāt al-Dhabab* (4:105) does not register the year al-Ṭahāwī was born. However, he lists his name under the entry 321h and states that he was 82 years of age. This would render his year of birth to be 239h. Similarly, al-Dhahabī doesn't make reference to his year of birth in *al-Ibr fī Khabar man Ghabar* (2:11), he merely registers the age he was at the date of death, which indicates that he was born in the year 139h. Ḥakīm Ayyūb gives preference to this view in *al-Taḥqīq al-Anīq fī Mawlid al-Ṭahāwī* (pg.10). Saʿīd Pālanpūrī also gives preference to this view in *Ḥayāt Imām Ṭahāwī* (pg.10). He states that in regards to the demise of al-Ṭahāwī, there is consensus that it was in the year 321h. Al-Dhahabī and Ibn ʿImād have explicitly recorded his age at the time of demise. This clearly highlights that 139h is the correct view. If the year 229h is taken, then he will exceed the age registered. Ibn Kathīr highlights this point when citing the statement of al-Samʿānī.

Ibn ʿAsākīr in *Tārīkh Madīnah Dimashq* (5:368), Yūsuf ibn Tagarrī in *al-Nujūm al-Zābirah* (4:239) and al-Dāwūdī in *Ṭabaqāt al-Mufasssīrīn* (1:74) mention the date as 239h and indicate that this is the opinion of Ibn Yūnus. The Dār al-Kutub al-Ilmiyyah edition to the text *Tārīkh Ibn Yūnus* (1:22) has the date 239h. Surprisingly, al-Dhahabī in *Tadhkirah al-Ḥuffāz* (3:808) attributes the date 237h to Ibn Yūnus. Immediately after citing the opinion of Ibn Yūnus, Ibn ʿAsākīr mentions that some have pointed out that he was born on a Sunday evening with ten days remaining of *Rabīʿ al-Awwal*, in the year 239h. Al-Maqrīzī registers this month in *al-Muqaffā al-Kabīr* (1:720). A few pages later (pg.370), Ibn ʿAsākīr reiterates this viewpoint with the statement of Sulaymān ibn Zabir, "In the year 329h, Abu Jaʿfar al-Ṭahāwī was born." See: Ibn Zabd, *Tārīkh Mawlid al-ʿUlamāʾ wa Wafayātihim* (2:527).

²¹⁸ Al-Ḥamawī mentions in *Muʿjam al-Buldān* (4:22) that he left for al-Shām in the year 268h. Al-Dhahabī mentions the same in *Sīr Aʿlām al-Nubalāʾ* (15:29) and adds, "it was here that he met Abū Khāzim and studied *fiqh* under him."

²¹⁹ Ṭāshkuprī Zādah in *Miftāḥ al-Saʿādah* (2:249) lists 16 books. Al-Kawtharī lists 29 in *al-Ḥawī* (2:94-113).

²²⁰ Every biographical entry pens it in this manner. However, Ibn al-Nadīm in *al-Fihrist* (pg.292) registers it as 322h.

I examined a selection of 15 significant personalities who were instrumental in transmitting the works of the *madhhab*.²²¹ From the study, I realised that the majority were authors and also assumed the role of a *Qādī*. However, there are numerous individuals who ought to have been listed. For instance, Asad ibn ‘Amr al-Kūfī (d.188h) – a student of Abū Ḥanīfah. It is recorded that he was the first to pen the writings of Abū Ḥanīfah. He was also appointed as the *Qādī* of Wāsiṭ and after the demise of Abū Yūsuf, he was assigned as the *Qādī* of Baghdad.

In order to highlight similar personalities, I have provided an infographic, ranging from the four primary students upto and including al-Ṭahāwī. The data provided has been extracted from two biographical dictionaries: *Ṭabaqāt al-Ḥanafīyyah* by Ibn al-Ḥanāṭī and *Katā’ib A’lām al-Akhyār* by al-Kafawī.

I have arranged the data according to the social levels provided by al-Kafawī. If the entry is registered in both dictionaries, they have been highlighted with a grey interpoint (•). However, if the entry is only found in one, the colour green represents *Ṭabaqāt al-Ḥanafīyyah* and the colour blue represents *Katā’ib A’lām al-Akhyār*.

The first category includes the direct students of Abū Ḥanīfah. They are indicated with a red plus sign (+). As they may have also studied under the tutelage of another teacher, I have provided four additional coloured plus signs for the primary students of Abū Ḥanīfah. The colour blue represents Abū Yūsuf, green represents Imām Muḥammad, purple represents Zufar and orange represents al-Ḥasan ibn Ziyād. Besides the primary four students, every individual listed is assigned a number. If a student has studied by this teacher, the teachers number will be recorded after his name.

The second category comprises of those individuals who acquired instruction through the primary four students. The third category includes the students of category two. Category four includes the students of category three.

If they assumed the position of a *Qādī*, I have provided a coloured star (★). If they were offered the post but declined, then a mere outline of the star (☆) is provided.

If they authored a treatise, I have provided the check mark symbol (✓).

Although the two biographical dictionaries provide data that seems to bridge the 15 entries provided by Mannā al-Qaṭṭān and Abū Zuhrah, there are a few entries that al-Shayrāzī provides in *Ṭabaqāt al-Fuqahā’*, which are omitted. For example, in category two, there should be the entry al-Ḥasan ibn Abī Mālik. Al-Shayrāzī states that he was a distinguished student of Abū Yūsuf.²²² Mullā ‘Alī Qārī registers Muḥammad al-Thaljī to have studied *fiqh* under him.²²³ Similarly, the entry ‘Ubayd ‘Llāh ibn ‘Abd al-Majīd is omitted. Al-Shayrāzī mentions that he was the student of Zufar.²²⁴

²²¹ Mannā’ al-Qaṭṭān, *Tārīkh al-Tashrī’* pg.233-239, Abū Zuhrah, *Abū Ḥanīfah* pg.195-221.

²²² Al-Shayrāzī, *Ṭabaqāt al-Fuqahā’* pg.141.

²²³ Mullā ‘Alī Qārī, *Aṭmār al-Janīyyah fī Asmā’ al-Ḥanafīyyah* (1:138).

²²⁴ Al-Shayrāzī, *Ṭabaqāt al-Fuqahā’* pg.139.

SPREAD OF THE MADHHAB

The main factors that influenced the spread of the Ḥanafī *madhhab* can be summarized as follows:

- 1) The Abundance of *Mujtabidīn* and *Mukharrijīn*²²⁵ in the school.
- 2) The Abundance of Views in the School.
- 3) The Flexibility of *al-Takhrīj* (legal reasoning)²²⁶ and *al-Tarjīḥ* (the weighing of incongruent evidence).²²⁷

1) The Abundance of *Mujtabidīn* in the School.

The factor that had the greatest effect in spreading the *madhhab* was the level and prosperity of *ijtihād* and *takhrīj* present in it. *Al-takhrīj* refers to the *ijtihād* of the rulings in the school, also known as *ijtihād* within the school. The *Mukharrijīn* thus gave rulings whilst remaining within the school on issues which the *Imām/Imāms* of the school had not touched on, basing it on their rules and principles and they did so whilst analyzing their subsidiary rulings or *al-furūʿ*.

2) The Abundance of Views in the School

The presence of an abundance of views in the *madhhab*, leading to different and divergent rulings is also a leading factor for the spread of the school. The reason for having multiple views and rulings can be summarized to stem from the following reasons:

- a) Different narrations,
- b) Multiple views of Abū Ḥanīfah in a specific case,
- c) The differences of the *Imāms* in a single case, and
- d) The differences of the *Mukharrijīn* and them sometimes differing with the *Imāms* in certain aspects.²²⁸

3) The Flexibility of *al-Takhrīj* and *al-Tarjīḥ*

Al-Takhrīj means deriving contemporary, current-day rulings to which no views of the *Imāms* of the *madhhab* are found, based on the general principles of *al-istinbāt* (extracting rulings) in the *madhhab*.

Al-Tarjīḥ means the choosing of the most appropriate view of all the different views of the *Imāms* of the *madhhab* or the narrations from them. The flexibility and pliability of *al-takhrīj* and *al-tarjīḥ* in the Ḥanafī school also allowed it room to spread and gain prominence as it provided the much-needed answers to many contemporary cases that the fast-paced advancing Muslim public were facing. This flexibility allowed them to be able to adapt to new world conditions, whilst still remaining within the borders of *Sharīʿah* and their own school. This proved to be an attractive solution to the problems faced by the Muslims of the time, and led to wide acceptance and a spread of the *madhhab*.²²⁹

These causes and factors led to the spread of the *madhhab*, which actually started from the time of Abū Yūsuf, the highest-ranked, most senior student of Abū Ḥanīfah. He was appointed as the Chief Judge in the time of Hārūn al-Rashīd. This allowed him a far reach into all the Islamic states territories, as a *Qādī* was only appointed by him, and he naturally only appointed those individuals whom he felt were worthy of the position from his students and disciples. This led to a wider spread of the school in all parts of the Islamic world, except for al-Andalus (Spain), which maintained its Mālikī influence. Ibn Ḥazam mentioned that two schools spread through leadership and power, the Ḥanafī school in the east and the Mālikī school in al-Andalus. This led to many expert Ḥanafī scholars studying and defending their school in their lands in debates with scholars of other schools. The expertise and knowledge of these scholars also became a cause for the school to flourish and spread even more.²³⁰

²²⁵ Leading jurists who contributed to the formation of doctrinal schools; also independent and semi-independent *mujtabids* whose legal doctrine or part thereof was appropriated by the doctrinal school. Wael Hallaq, *The Origins and Evolution of Islamic Laws* pg.209.

²²⁶ Legal reasoning derived from and based upon earlier authoritative law.

²²⁷ The weighing of conflicting or incongruent evidence by way of elimination by comparison.

²²⁸ Abū Zuhrah, *Abū Ḥanīfah* pg.446.

²²⁹ Muḥammad ʿAbd al-Laṭīf al-Farfūr, *Ibn ʿĀbidīn Wa Atharubū fi Fiqh al-Islāmī* (1:171:176).

²³⁰ Abū Zuhrah, *Abū Ḥanīfah* pg.171-176.

Scholars, *Qādīs* and rulership influenced the spread of the Ḥanafī *madhhab* in many lands including Africa. Here it spread in Tunisia, Morocco and Tarablus. Egypt had more of a balance in this aspect that it also had a Mālikī and a Shāfi‘ī *Qādī*. This condition continued for many years in Egypt until the advent of the Fāṭimī dynasty, which promoted the Ismā‘īlī Shī‘a thinking. They allowed the Mālikīs and Shāfi‘īs to an extent, but forcefully stopped the Ḥanafī school, as they were directly linked to the ‘Abbāsī leadership, whom they were at loggerheads with. When the Ayyūbī dynasty took control of Egypt, the Mālikī and Shāfi‘ī schools were restored to their former glory. *Madāris* (schools) were established to spread these *madhāhib*. This was mainly due to Ṣalāh al-Dīn being a Shāfi‘ī himself, and the people were followers of the Mālikī school.

When Nūr al-Dīn assumed leadership of al-Shām, the Ḥanafī school spread there, as he was a Ḥanafī who had even authored works on the virtues of the founder of the *madhhab*, Abū Ḥanīfah. It is imperative to note that Ibn ‘Ābidīn was one of the most pre-eminent scholars of the Ḥanafī school, who was raised and educated in al-Shām. Although his birth was much later, by then al-Shām had Ḥanafī scholars of a high calibre under whom Ibn ‘Ābidīn could formally receive tutelage.

From al-Shām the *madhhab* then reached Egypt but infiltrated the masses only and not the leadership and government. Later, when the Ottomans took control of Egypt, then the *Qādīs* in all court matters followed the *madhhab* of Abū Ḥanīfah. This created a revival of the school in Egypt with many students studying and spreading the *madhhab*.

If we have to look at al-Shām and the surrounding areas, we find the Ḥanafī school featuring very prominently. When the Fāṭimī leaders who ruled Egypt and al-Shām tried against the Ḥanafī school in Egypt, they tried a similar strategy in al-Shām, but this proved to be largely unsuccessful as the school was widespread amongst the general public and not limited to only the government and ruling class.

The lands of the east and Iraq, and the lands of *Mā Warā al-Nabr* (Transoxiana) were heavily influenced by the Ḥanafī school. The Shāfi‘īs in these lands sometimes held debates with their Ḥanafī counterparts in *masājid* and other venues. This sometimes-yielded positive results and sometimes led to extremist views and fanaticism by both schools. The Ḥanafī school was predominant in Armenia, Azerbaijan, al-Rayy and Ahwaz etc. It was also the primary school in the Persian lands until the Twelver Shī‘a sect took over years later.

India was also largely Ibn ‘Ābidīn’s besides small pockets of Shāfi‘īs. China too had a largely Ḥanafī following. In this manner the *madhhab* featured prominently in many lands from the east to the west.²³¹

The factors mentioned in the beginning of the chapter with these other factors led and helped the school spread far and wide to many lands until it became the school with the most followers.²³² As Ibn ‘Ābidīn is a major authority in the Ḥanafī school and rulings in the school are given based on his view, we will discuss the concept of *fatwā*.

FATWĀ

DEFINITION

The Literal/Lexical Definition of *Fatwā*:

It is a root noun derived from the Arabic verb *afī‘a yufī‘i* (lit. “to answer a query”). The verbal noun *futyā* or *fatwā* generally means explaining something difficult in a ruling.²³³

Another word used in conjunction with *fatwā* is *istiftā*. The lexical meaning of *istiftā* is requesting an answer to a difficult matter. It is used in the following verse of the Qur’ān in a similar manner:

(وَلَا تَسْتَفْتِ فِيهِمْ مِنْهُمْ أَحَدًا)

And do not ask anyone of those about them.²³⁴

²³¹ Abū Zuhrah, *Abū Ḥanīfah* pg.523-526.

²³² Wael Hallaq, *Islamic Jurisprudence and Law. Reorienting the Veil* Pg.174.

²³³ Ibn Manzūr, *Lisān al-‘Arab* 15:147-148.

²³⁴ Al-Qur’ān, *Sūrah al-Kahf*:22.

It is sometimes used in the meaning of a simple query or question, like in the following verse:

(فَاسْتَفْتِهِمْ أَهُمْ أَشَدُّ خَلْقًا أَمْ مَنْ خَلَقْنَا)

Now ask them, “Are they stronger in the formation of their bodies or those (other beings) that We have created?”²³⁵
Commentators of the Qur’ān mention that this refers to a simple question.²³⁶

Yet another word that is associated with *fatwā* is *iftā*. The literal or lexical meaning of *iftā* is to answer any question, whether related to a *shar’i* matter or any other purely worldly matter. The Qur’ān has used this word in these meanings. The example of it being used in a *shar’i* matter is the verse:

(يَسْتَفْتُونَكَ قُلِ اللَّهُ يُفْتِيكُمْ فِي الْكَلَالَةِ)

They seek a ruling from you. Say, “Allāh gives you a ruling concerning *kalālah*.”²³⁷

The example of the word *iftā* being used in the latter meaning is contained in a verse in Sūrah Yūsuf:

(يُوسُفُ أَيُّهَا الصِّدِّيقُ أَفْتِنَا فِي سَبْعِ بَقَرَاتٍ سِمَانٍ)

Yusuf, O the truthful one, tell us about seven fat cows.^{238 239}

The Technical Definition of *Fatwā* is:

تَبْيِينُ الْحُكْمِ الشَّرْعِيِّ عَنْ دَلِيلٍ لِمَنْ سَأَلَ عَنْهُ وَهَذَا يَشْمَلُ السُّؤَالَ فِي الْوَاقِعِ وَغَيْرِهَا

Explaining a *shar’i* ruling based on proper proofs to one who has asked about it and this will include queries in regard to present, current situations and others.²⁴⁰

The word *muftī* is the *ism fā’il* of the verb *aftā yuftī*, which is commonly translated as a juriconsult. Technically, if a person has answered even one query or question, he will be considered a *muftī*, but in *shar’i* terminology, it has a more specific meaning. Al-Ṣayrafī mentions that this term is reserved for one who has taken the responsibility of tending to the religious affairs of the people and who has the necessary knowledge and credentials to do so.²⁴¹ Al-Zarkashi mentions that a *muftī* is the one who knows all the *shar’i* laws with the necessary aptitude and dexterity.²⁴²

In its basic form a *fatwā* consists of a question (*su’āl istiftā*) addressed to a juriconsult (*muftī*), together with an answer (*jawāb*)²⁴³ provided by that juriconsult. When the question is drafted on a piece of paper, the paper becomes known as *ruq’at al-istiftā* or, less frequently, *kitāb al-istiftā*, and once an answer is given on the same sheet of paper, the document becomes known as *ruq’at al-fatwā*. *Fatwās* issued by the major jurists were often collected and published as a book.²⁴⁴

²³⁵ Al-Qur’ān, *Sūrah al-Ṣāffāt*:11.

²³⁶ Ibn Kathīr, *Tafsīr Ibn Kathīr* 4:3.

²³⁷ Al-Qur’ān, *Sūrah al-Nisā*:176.

²³⁸ Al-Qur’ān, *Sūrah Yūsuf*:46.

²³⁹ Ibn ‘Ābidīn, *Sharḥ ‘Uqūd Rasm al-Muftī* pg.18-19.

²⁴⁰ Sharḥ al-Muntahā, 3:456; Ibn Ḥamdān, *Ṣifāh al-Fatwā wa al-Muftī wa al-Mustafī* pg.4.

²⁴¹ Abū Ḥayyān, *al-Baḥr al-Muḥīṭ* 6:305.

²⁴² Abū Ḥayyān, *al-Baḥr al-Muḥīṭ* 6:305.

²⁴³ It is also called *fatwā* or *futyā*.

²⁴⁴ Wael Hallaq, *Authority, continuity and change in Islamic law* pg.174.

BOOKS OF FATWĀ IN THE MADHHAB

Each school of thought²⁴⁵ has chief works which are relied upon. Some of these works are *mutūn* (plural of *matn*) primers,²⁴⁶ others are *shurūḥ* (plural of *sharḥ*) exegesis or commentaries of the primers, or *ḥawāshī* (plural of

²⁴⁵ The expression 'schools of thought' is used to describe one of the four approaches to Sunnī Muslim law: Ḥanafī, Shāfi'ī, Mālikī and Ḥanbalī.

²⁴⁶ In Ḥanafī *fiqh*, the *mutūn* (primers) and *mukhtaṣarāt* (abridged books) are deemed the most concise texts, which include most of the chapters of *fiqh*. The scholars of the *madhhab* aspired to gather the main concepts in the most concise manner. However, in regards to their brevity, they differ. Some texts are extremely concise, whereas other texts delve into certain rulings with some detail and others are between the two. These texts are generally restricted to the *rājiḥ* (most preferred) and the *muftā bibī* (the ruling that the verdict is issued upon) opinion of the *madhhab*. Consequently, in relation to credence, they are considered to come immediately after the books of the *zābir al-riwāyah* and precede the books of *fatāwā* and *shurūḥ*. However, those rulings which contradict the rulings mentioned in the *zābir al-riwāyah* will not be accepted unless the scholars of the *madhhab* explicitly mention it to be the *rājiḥ* opinion. On the contrary, if a ruling opposes that which appears in the books of *fatāwā* and *shurūḥ*, then the *mutūn* and *mukhtaṣarāt* are given preference, unless the scholars of the *madhhab* have explicitly given preference to that which is mentioned in the books of *fatāwā* or *shurūḥ* (Al-Naqīb, *al-Madhhab al-Ḥanafī* 2:461).

Some of the most important *mutūn* and *mukhtaṣarāt* are:

1) Mukhtaṣar al-Ṭahāwī: *Mukhtaṣar al-Ṭahāwī* is one of the most important *mukhtaṣars* in Ḥanafī *fiqh*. It is the first *mukhtaṣar* to be authored and is the most comprehensive text. It includes most of the primary rulings and accepted narrations. One will notice that many rulings mentioned in *Mukhtaṣar al-Ṭahāwī* are not found in any of the *mutūn* besides this. Rather, these rulings are not found in the lengthier texts authored much later. Al-Ṭahāwī arranged the book on the arrangement of a text authored by his maternal uncle al-Muzanī. He divides the book in thirty-five chapters. Al-Ṭahāwī clarifies his methodology in the introduction. He writes, "In this book, I have gathered the categories of *fiqh*, which one cannot refrain from knowing it and being ignorant of it will not suffice. I have additionally clarified the responses of Abū Ḥanīfah, Abū Yūsuf and Muḥammad ibn al-Ḥasan." He explicates the differences between them and generally selects that which he deems to be the preferred opinion. He rarely provides evidences or cites the opinion of another school besides the Ḥanafī *madhhab*.

2) Mukhtaṣar al-Qudūrī: A renowned Ḥanafī text. It is the most circulated text within the Ḥanafī circle. The scholars devoted themselves, then and now, in understanding the text and explaining it to others. They would gather in large numbers when teaching and learning the text. They understood the text by means of poetry and commentaries. It is distinguished with its clear wording, articulate language and simple literary style. The author arranged the book in 63 chapters. He commences the book with a verse of the Qur'ān and immediately cites a narration of the Prophet Muḥammad. However, he rarely cites any evidence in the core of the book. Pertaining to the differences of opinion, he generally compares the viewpoints of the most famous jurists of the *madhhab*, namely: Abū Ḥanīfah, Abū Yūsuf, Muḥammad ibn al-Ḥasan and seldomly Zufar.

3) Tuḥfah al-Fuqahā: This is the most famous composition of al-Samarqandī, to such an extent that he is acknowledged by it. The author based *Tuḥfah al-Fuqahā* upon *Mukhtaṣar al-Qudūrī*, whilst mentioning those rulings that al-Qudūrī excluded and clarifying the difficult sections by citing strong evidence. In addition to arranging the text in an excellent manner – by including chapters and sub-chapters, the author did not strictly adhere to the arrangement of al-Qudūrī, for instance the chapter of marriage appears after the chapter of transactions. He similarly included certain rulings in other chapters or sub-chapters. The author carefully mentions the differences of opinions within this book. He combines the opinions of the *Imāms* of the *madhhab*, namely: Abū Ḥanīfah, Abū Yūsuf, Muḥammad ibn al-Ḥasan and Zufar and indicates to the differences of narrations from them. Occasionally he highlights the opinions of Imām Mālik and Imām al-Shāfi'ī, and sometimes he indicates to the viewpoint of others. He provides evidence by means of narrations and analogy for that which is the preferred opinion according to him. However, at times he does indicate to the proofs of others by citing their statements and opinions.

4) Bidāyah al-Mubtadi: In this *mukhtaṣar*, the author combines the texts: *al-Jāmi' al-Ṣaḡhīr* of Muḥammad ibn al-Ḥasan and *Mukhtaṣar al-Qudūrī*. He only goes beyond these texts where necessary. He explicitly mentions in the introduction that he has arranged the text on the framework of *al-Jāmi' al-Ṣaḡhīr* as he deems it to be an excellent arrangement. Moreover, as a way of attaining blessings with that which Muḥammad ibn al-Ḥasan chose. The author clarifies the differences of opinions between the *Imāms* of the *madhhab*, namely: Abū Ḥanīfah, Abū Yūsuf and Imām Muḥammad in this *mukhtaṣar*. Furthermore, the author rarely provides evidence.

5) Wiqāyah al-Riwāyah: The author selected this *matn* from *al-Hidāyah*, the famous Ḥanafī *fiqh* text. He mentions in the introduction, that when his son 'Ubayd 'Llāh completed his initial studies, he wanted him to memorise a splendid book which contained the rulings of Islamic jurisprudence, that was arranged in an amiable way, a systematic order. A book which is deemed excellent by both, the expert and layperson. However, I did not seem to find a book of this calibre, so I compiled the contents of *al-Hidāyah* in a concise manner, ensuring that it is comprehensive, so that includes all of its rulings and assuring it to be void of its evidence. I made certain that it included the strongest verdicts and opinions, the additional rulings and factual evidence. I made certain that it was composed in the most concise manner, selecting the wording very carefully ensuring the utmost degree of brevity. As mentioned above, he ensured that the text does not contain any evidence. He did however clarify the differences between the *Imāms* of the *madhhab*, namely: Abū Ḥanīfah, Abū Yūsuf and Muḥammad ibn al-Ḥasan. Not often, he mentions the opinion of someone besides them.

6) Al-Mukhtār li al-Fatwā: The author penned this text for beginners. He mentions in the introduction that he compiled this text on the *madhhab* of Abū Ḥanīfah. He restricted himself to mentioning only those rulings that are considered the verdicts of the *madhhab*. As the text became renowned, he was requested to include symbols which highlighted the *madhhabs* of the other jurists. Consequently, I assigned a letter from the alphabet to the name of every jurist. Thus, the letter *sīn* represents Abū Yūsuf, the letter *mīm* represents Muḥammad, the letter *sīn* and *mīm* represents them both, the letter *zā'* represents Zufar and the letter *fā'* represents al-Shāfi'ī.

al-ḥāshiyah) super commentaries or marginal glosses,²⁴⁷ some of which are used as a basis for rulings by scholars of the school. The Ḥanafī school is no exception to this and amongst the most important Ḥanafī authors on theoretical law after Abū Yūsuf and Muḥammad al-Shaybānī are:

7) Majma' al-Baḥrayn wa Multaqā al-Nayyirayn: The author combined the texts of *Mukhtaṣar al-Qudūrī* and *Manẓūmah al-Khilāfiyāt* with concise wording and a brilliant literary style. He adds additional entries and rulings and indicates to the soundest opinion and strongest view. If one peruses through the text and one is attentive to the chapter headings, one will realise that he arranged most of it on the framework of *Mukhtaṣar al-Qudūrī*. It is considered as one of the most important primers of the *madhhab*. His nature in citing evidence is similar to the majority of texts, whereby the authors intend to mention the rulings without providing evidences, desiring to keep the text as concise as possible and relying upon the major texts. However, where there is a difference of opinion, he composes the text in distinct literary styles; the sentence is composed in either a nominal or verbal sentence, alternating between the past, present or future verb etc. He achieves this by ensuring that the text remains like the other primers and the text doesn't become lengthy or too detailed.

8) Al-Wāfi: The author includes the rulings found in *al-Jāmi' al-Ṣaghīr*, *al-Jāmi' al-Kabīr*, *al-Ziyādāt* of Muḥammad ibn al-Ḥasan, *Mukhtaṣar al-Qudūrī* and *Manẓūmah li al-Khilāfiyāt*. In addition to this, the author also includes the rulings included in *al-Mabsūṭ* and some rulings mentioned in the books of *Fatāwā* and *al-Wāqī'āt*. If one pays close attention to the arrangement of the text, one will notice that it is very similar to *al-Jāmi' al-Ṣaghīr* of Muḥammad ibn al-Ḥasan. The author does not pay a huge importance to citing evidence. As for mentioning the difference of opinion, he mentioned in the introduction that whatever appears in the book is considered the relied upon position of that chapter. I concealed citing the differences, rather I sufficed in providing symbols; for instance, the letter *ḥā'* represents Abū Ḥanīfah, the letter *sīn* represents Abū Yūsuf, the letter *mīm* represents Muḥammad ibn al-Ḥasan, the letter *zā'* represents Imām Zufar, the letter *fā'* represents al-Shāfi'ī and the letter *kāf* represents Mālik. At times the letter *wāw* represents one of our companions or *qiyās* that is given preference. He held back in making the text lengthy and avoided prolixity.

9) Kanz al-Daqā'iq: Al-Nasafī summarised his book *al-Wāfi*. Ibn Nujaym describes it as the finest *mukhtaṣar* penned in the *madhhab*. Al-Nasafī followed the methodology of the concise *fiqh* texts, by generally sufficing on that which is deemed to be the preferred ruling of the *madhhab*. He neither cites evidence therein no differences of opinion. Rather, he explicitly states that he will indicate to the differences of opinion by assigning a letter which will represent one of the key figures of the *madhhab*. However, from the circulated edition of the book, he doesn't halt at these symbols. This book is one of the texts that is extensively relied upon by the former *Imāms* of the *madhhab*. It is equally one of the most circulated texts in the *madhhab*. It follows *Mukhtaṣar al-Qudūrī* in terms of being renowned and well circulated.

10) Al-Nuqāyah Mukhtaṣar al-Wiqāyah: An extremely concise text, which includes the most important rulings of *fiqh*. Al-Maḥbūbī summarised the famous text of his grandfather *Wiqāyah al-Riwāyah fī Masā'il al-Hidāyah*. However, he rearranged the sequence of the book. He made it distinct by using very little wording, yet it contained a vast degree of knowledge. The author followed a similar methodology to the other concise texts, by not citing evidences besides where is required. Regarding the matters pertaining to the differences of opinion, he generally highlights the most important details between the three *Imāms*, namely, Abū Ḥanīfah, Abū Yūsuf and Muḥammad ibn al-Ḥasan. Although infrequent, towards the end of the book, he cites the opinion of al-Sha'bī.

11) Multaqā al-Abḥur: An extremely beneficial text and one of the most important texts that was penned much later in the Ḥanafī *madhhab*. In this book, the author encompasses the rulings of four texts that are heavily relied upon by the earlier scholars, namely: *Mukhtaṣar al-Qudūrī*, *Wiqāyah al-Riwāyah*, *al-Mukhtār li al-Fatwā* and *Kanz al-Daqā'iq*. He used a clear choice of words. He composed it upon the arrangement of *al-Jāmi' al-Ṣaghīr* of Muḥammad ibn al-Ḥasan and *Bidāyat al-Mubtadī* of al-Marghinānī. The author commences the book with a verse of the Qur'ān but does not impart evidence thereafter. He mentions the differences between Abū Ḥanīfah, Abū Yūsuf, Muḥammad ibn al-Ḥasan and occasionally Zufar. He generally only presents the preferred opinion from their statements, unless registering it would be useful in understanding the preferred stance. As for the differences found between the later scholars or the texts, he records them by using the word *qīla* or *qālū*. Whenever he mentions the dual word without a sign present, then it indicates to Abu Yūsuf and Muḥammad ibn al-Ḥasan. He goes to great lengths in indicating to the soundest position, the strongest position and the position that the ruling is issued upon.

²⁴⁷ These are books that the scholars of the *madhhab* include the clarification to other books of the Ḥanafī *madhhab* (the *mutūn*, *mukhtaṣarāt*, *manẓūmāt* etc.) by providing detailed commentary or a mere marginal gloss. Many of these commentaries are penned by brilliant jurists of the *madhhab* who are experts in jurisprudence, the principles of jurisprudence and many other important sciences. They aspired to clarify these concise texts of the *madhhab* and allow one to easily decipher them. One will find a great amount of opinions, statements, evidences and discussions. In contrast to *mutūn* and *mukhtaṣarāt*, the authors explain with ease, not having to confine oneself to limited wording, which allows a reader to not feel a great sense of difficulty in understanding the text (Al-Naqīb, *al-Madhhab al-Ḥanafī* 2:512).

Some of the texts from this category are:

1) Al-Mabsūṭ: A commentary on the text of al-Kāfi. Al-Sarakhsī suffices upon mentioning the stance that is acted upon in every ruling and that which is relied upon in every chapter. The author toils in mentioning the evidence in this book, to such an extent that he provides evidence from the Qur'ān, *ahādīth*, *āthār*, *qiyās* and *istiḥsān*. Similarly, he gives importance in mentioning the differences in those rulings where there are differences of opinion. To facilitate this, he combines the opinions of the famous *imāms*, namely: Abū Ḥanīfah, Mālik, Zufar, Abū Yūsuf, Muḥammad ibn al-Ḥasan, al-Shāfi'ī and al-Ḥasan ibn Ziyād. At times, he turns one's attention to the opinions of other than them from the earlier scholars by meticulously clarifying the differences between the *imāms* of the *madhhab* and additionally indicating to the differences of the narrations from them. At large, he commences by citing the opinion of the Ḥanafī *madhhab* and thereafter follows with the contrary opinion together with their evidence. He thereafter provides the evidence of the initial opinion which is preferred. He provides many responses to the opposing evidence and explains it in detail in a composed academic manner. He also takes into consideration and indicates to the strength of the *ahādīth*.

- Abū al-Ḥasan al-Karkhī (d. 340h),
- Abū al-Layth al-Samarqandī (d. 373h),
- Abū al-Ḥusayn al-Qudūrī (d.428h),
- Shams al-A‘immah al-Sarakhsī (d. 490h),
- ‘Alā’ al-Dīn al-Kāsānī (d. 587h),
- Burhān al-Dīn al-Marghīnānī (d. 593h),
- Abū al-Barakāt al-Nasafī (d. 710h), and
- Zayn al-Dīn Ibn Nujaym (d. 970h).

For these authors, the works of Muḥammad al-Shaybānī also known as *al-Zābir al-Riwāyah*, remain focal and authoritative.²⁴⁸

2) Al-Hidāyah: This is one of the most famous and widely circulated text in the Ḥanafī *madbhab*. A commentary to his text *Bidāyat al-Mubtadī*. He turns away from a lengthier commentary of his titled *Kifāyat al-Muntabī*. The author clarifies the differences between the *imāms* of the *madbhab*, namely Abū Ḥanīfah, Abū Yūsuf, Muḥammad ibn al-Ḥasan and Zufar, at times indicating to the correct and relied upon verdict of the *madbhab*. He also cites the opinion of al-Shāfi‘ī in many of the rulings where there is a difference. Seldomly also presents the opinion of Mālik. He provides evidence in a concise manner and similarly presents a response to the contrary verdict in brief. Sometimes he suffices with evidence that is the opinion of the *madbhab* and he indicates that it is a proof against the contrary opinion. At large, his methodology is that he commences with the opinion which is deemed as the preferred verdict of the *madbhab*. He thereafter presents the conflicting opinion and its evidence. He concludes by providing the evidence to the initial opinion upon which the verdict is given.

3) Tabyīn al-Ḥaqā‘iq: A commentary to *Kanz al-Daqā‘iq*. The author unravels the text, explains the rulings and includes additional subsidiary rulings and those additions that are required. The commentator clearly mentions the differences between the *imāms* of the *madbhab* and similarly mentions the differences in their narrations. He cites the opinion of al-Shāfi‘ī and at times the opinion of Mālik. Rarely he cites the opinion of others. He generally provides the evidence and responses to the contrary evidence. Mostly, his methodology is that he commences by mentioning the opinion of the *madbhab*. He thereafter cites the contrary ruling with its evidence. He then provides the evidence to the preferred opinion according to him. However, he doesn’t adhere to this strictly in all the rulings.

4) Sharḥ al-Wiqāyah: One of the most beneficial books of the Ḥanafī *madbhab*. It is one of the most famous commentaries of *Wiqāyah al-Riwāyah*. The commentator mentions the differences of opinion between the *imāms* of the *madbhab* indicating to the differences in their narrations. He also mentions the viewpoint of al-Shāfi‘ī and Mālik, at times citing the evidence. At times he mentions the difference of opinion in great length and at times in a concise manner.

5) Al-‘Ināyah: One of the best commentaries of al-Hidāyah. Additionally, one of the most important books in Ḥanafī *fiqh*. Al-Bābarti gathered the rulings from *al-Nibāyah* of al-Sighnāqī and from besides him that he deemed one to need in deciphering the text of *al-Hidāyah*. He clarifies the differences between the *imāms* of the *madbhab* and opposes the view of al-Shāfi‘ī. Seldomly, he discusses the viewpoint of Mālik, generally providing evidence for every standpoint in a concise manner. Majority of the time he also answers any objections that are posed.

6) Faṭḥ al-Qadīr: This is a detailed gloss to *al-Hidāyah*. The author compiled this text whilst teaching the book. He didn’t manage to complete the commentary. He reached until the chapter of *wakālah*. The commentary was completed by Qāḍī Zādah and the portion he completed is titled *Natā‘ij al-Afkār*. This commentary contains a great deal of statements of the jurists of the Ḥanafī *madbhab*. It also contains the statements of other jurists like al-Shāfi‘ī and Mālik. He presents the book in a splendid way, systematically arranging the discussion, the statements, the evidence and objections. He generally provides proof by means of *abādīth* and *āthār*, rightly so as he has authority in the field of *ḥadīth*.

7) Tafṣīl ‘Iqd al-Farā‘id bi Takmil Qayd al-Sharā‘id: A commentary to the *manzūmah* of Ibn Wahbān named *Qayd al-Sharā‘id*. Generally, the author clarifies the differences between the *imāms* of the *madbhab*, mentioning the objections but seldomly citing evidence. Ḥājī Khalīfah mentions that this is an accepted commentary.

8) Al-Baḥr al-Rā‘iq: A commentary to *Kanz al-Daqā‘iq*. The author cites in the introduction that many commentaries are penned on *al-Kanz*, and the commentary of al-Zaylā‘ī is the best. However, it is quite extensive when mentioning the differences and what is intended is not very clear, so he felt the need to pen a commentary. He cites the viewpoint of the *madbhab*, explains the differences between the *imāms* and the differences between their narrations, indicating to the preferred ruling and what the verdict is issued upon. He generally provides evidence.

²⁴⁸ The ‘*zābir al-riwāyah*’, which is also termed as ‘*zābir al-madbhab*’ or ‘*masā’il al-uṣūl*’ refer to those rulings, which are related from the *Ashāb al-Madbhab*, namely: Abū Ḥanīfah, Abū Yūsuf and Muḥammad ibn al-Ḥasan. Occasionally, Zufar ibn al-Hudhayl, al-Ḥasan ibn Ziyād and those who transmitted from Imām Abū Ḥanīfah are also included amongst them. However, often, it refers to the statements of the three aforementioned jurists, or the statement of one of them.

These books are termed as the *zābir al-riwāyah* (manifest narrations) because they are narrated from Imām Muḥammad through reliable narrators and they are established from him through either mass-transmitted or well-known chains.

How many books form the *zābir al-riwāyah*?

One who peruses through *Ḥanafī* texts will find a difference of opinion amongst the scholars in relation to how many books form the *zābir al-riwāyah*. Dr. Lu‘ayy al-Khalīlī mentions that this is due to one of the following reasons:

- 1) One transmits from another without verifying or referring to the original source.
- 2) One is not acquainted with some of the books of the *zābir al-riwāyah* or a portion of a particular book.
- 3) A statement is more renowned over another and thus given preference.

Dr. Lu'ayy subsequently highlights the four opinions on this issue and discloses the names of those scholars who incline to each view. He additionally draws attention to the inaccuracy in three of the positions and concludes that the third opinion is the correct position.

- 1) The *zābir al-riwāyah* consist of three books: *al-Mabsūt*, *al-Ziyādāt* and *al-Muḥīṭ*. 'Abd al-Ḥayy al-Lakhnawī cites this opinion in the introduction to his commentary on *al-Hidāyah*. However, this is totally incorrect. Na'īm Ashraf states in the marginal gloss that this statement is attributed to Mīr Jān al-Ḥyderabadī.
- 2) The *zābir al-riwāyah* consist of four books. With regards to the names of the four books, there are two opinions:
 - (i) *Al-Jāmi' al-Ṣaghīr*, *al-Jāmi' al-Kabīr*, *al-Mabsūt* and *al-Ziyādāt*. This is the opinion of al-Itqānī, al-Bābartī, Qādī Zādah, Shiblī and Tāshkubrī.
 - (ii) *Al-Mabsūt*, *al-Siyar al-Kabīr*, *al-Jāmi' al-Ṣaghīr* and *al-Jāmi' al-Kabīr*. This is the opinion of al-Jurjānī and al-Thānwī. However, it is apparent that this view is inaccurate, since the book *al-Ziyādāt* is deemed to be from amongst the famous books of the *madhhab*. This is an isolated opinion. Besides al-Jurjānī and al-Thānwī, no one lists *al-Ziyādāt* to be out of the *zābir al-riwāyah*.
- 3) The *zābir al-riwāyah* consist of five books: *al-Aṣl* (also known as *al-Mabsūt*), *al-Jāmi' al-Kabīr*, *al-Jāmi' al-Ṣaghīr*, *al-Ziyādāt* and *al-Siyar al-Kabīr*. They do not include *al-Siyar al-Ṣaghīr*, as they regard it as a portion of *al-Aṣl*, rather than a separate book. This is the opinion of Ibn Kamāl Bāshā, Tāshkuprī Zādah, Ibn al-Ḥanā'ī, Taqī al-Dīn al-Tamīmī, Bīrī Zādah, al-Ḥamawī, the author of *al-Manthūrah* and 'Abd al-Walī ibn 'Abdullāh al-Maghribī al-Dimiyā'ī. Al-Kafawī can also be considered from amongst them, since he doesn't distinguish between *al-Ṣaghīr* and *al-Kabīr* when mentioning *al-Siyar*. The author of *Khizānah al-Riwāyāt* also cites a report, which is mentioned in *al-Muḍmarāt* which indicates to this viewpoint.
- 4) The *zābir al-riwāyah* consist of six books: *al-Aṣl*, *al-Siyar al-Ṣaghīr*, *al-Jāmi' al-Kabīr*, *al-Jāmi' al-Ṣaghīr*, *al-Ziyādāt* and *al-Siyar al-Kabīr*. This is the view of Ibn Nuḡaym, Ibn al-Ḥanā'ī, al-Ṭaḥṭāwī, Ibn 'Ābidīn and al-Lakhnawī. Many contemporaries adopted this stance, the likes of: al-Muṭṭī'ī, Abū Zuhrah, al-Mujaddidī, al-Qāsimī, Muḥammad Taqī al-Uthmānī, Dr. Muḥammad Maḥrūs al-Mudarris and others. This is the renowned opinion amongst the *al-muta'akkbirīn*. Ibn 'Ābidīn refers to this in his poem:

Six books of the *zābir al-riwāyah* have been produced,
they are also given the name *al-Uṣūl*.

They are penned by Muḥammad al-Shaybānī,
he composed within it, the *madhhab* of al-Nu'mānī.

Al-Jāmi' al-Ṣaghīr and *al-Kabīr*,
al-Siyar al-Kabīr and *al-Ṣaghīr*.

Then al-Ziyādāt, al-Mabsūt accompanies with,
Sound chains they are transmitted with.

The reason the third opinion is deemed accurate is because *al-Siyar al-Ṣaghīr* is not considered a separate book of the *zābir al-riwāyah*, rather it is regarded as a portion of *al-Aṣl*.

***Al-Siyar al-Ṣaghīr* is not a separate book.**

Although *al-Siyar al-Ṣaghīr* has been published twice as a separate book, there are two reasons which justify *al-Siyar al-Ṣaghīr* to be in fact a portion of *al-Aṣl*:

- 1) Imām al-Qudūri transmits an opinion in his commentary to *Mukhtaṣar al-Karkhī* and cites the book *al-Siyar al-Ṣaghīr* of Imām Muḥammad. When comparing that which appears in *al-Siyar al-Ṣaghīr* within the printed version of *al-Aṣl*, you will find that the entire text corresponds with the text cited by al-Qudūri. This indicates that the book *al-Siyar al-Ṣaghīr* is in fact the same text 'al-Siyar', which is a part of *al-Aṣl*. It was only named *al-Siyar al-Ṣaghīr* after Imām Muḥammad penned his book *al-Siyar al-Kabīr*, as a means of differentiating between that and the *Kitāb al-Siyar* that was present in *al-Aṣl*.
- 2) Al-Ḥākim al-Shahīd named one section of *al-Siyar* in his book *al-Kāfi* as *Kitāb al-Siyar al-Ṣaghīr*. The book *al-Kāfi* is an abridgement of the text *al-Aṣl* of Imām Muḥammad, since the original *Kitāb al-Siyar al-Ṣaghīr* in *al-Kāfi* is the *Kitāb al-Siyar* in *al-Aṣl*. However, al-Ḥākim has abridged the text of *al-Siyar*, similar to how he has abridged the entire text of *al-Aṣl*. One will ascertain this after comparing the two texts. Maḥmūd Aḥmad Ghāzī separates the portion *Kitāb al-Siyar al-Ṣaghīr* from the text *al-Kāfi* of al-Ḥākim al-Shahīd and publishes it under the title, '*Kitāb al-Siyar al-Ṣaghīr li Imām Muḥammad*', thinking that al-Ḥākim included *Kitāb al-Siyar al-Ṣaghīr* of Imām Muḥammad in its entirety in *al-Kāfi*. Similarly, the edition published by Majīd Khudūrī deems it to be only a portion of *al-Siyar*. The editor failed to realise this and states that neither the text *al-Siyar al-Ṣaghīr* of al-Shaybānī has reached us, nor *al-Siyar* of al-Awzā'ī – by this he deemed *al-Siyar al-Ṣaghīr* to be a completely separate book to *Kitāb al-Siyar* in *al-Aṣl*.

One will realise that *al-Siyar al-Ṣaghīr* is a portion of the book *al-Aṣl* of Imām Muḥammad and one should not incline to the stance of the *al-muta'akkbirīn* that it is a separate text.

Furthermore, the author of *Kashf al-Zunūn* cites from *al-Manthūrah* that the books of the *zābir al-riwāyah* are five and does not include *al-Siyar al-Ṣaghīr*. Similarly, when Tāshkuprī lists the names of the *zābir al-riwāyah*, he does not include *al-Siyar al-Ṣaghīr*. Likewise, when the author of al-Muḥīṭ discusses the methodology of his book, he mentions, "I gathered therein the rulings of *al-Mabsūt*, the two *al-Jāmi'*, *al-Siyar* and *al-Ziyādāt*. I have also included within: the rulings from the *al-Nawādir*, the *al-Fatāwā* and the *al-Wāqī'āt*..." Once more, he too

Books in the school which are used to issue rulings and *fatāwā* from are:²⁴⁹

- *Badā'i' al-Ṣanā'i'* by 'Alā' al-Dīn al-Kāsānī (d. 587h),
- *Radd al-Muḥtār* by Ibn Ābidīn al-Shāmī (d. 1252h),
- *Al-Baḥr al-Rā'iq* by Ibn Nujaym al-Miṣrī (d. 970h),
- *Ālamgīriyyah* or *al-Hindiyyah* by a group of scholars under the instruction of the Mughal emperor Aurangzeb Ālamghīr (d. 1118h),
- *Fatāwā al-Khaniyyah* by Fakhr al-Dīn Awzajandī (d. 592h),
- *Al-Jāmi' al-Wajīz* also known as *al-Bazzāziyyah* by Ibn al-Bazzāz (d. 827h),
- *Fatāwā al-Tātārkhāniyyah* by 'Ālim ibn al-'Alā' al-Dehlawī (d. 786h),
- *Fatāwā al-Walwāliyyah* by Zāhir al-Dīn al-Walwālijī (d. 540h),
- *Majma' al-Anḥur* by 'Abd al-Raḥmān Shaykh Zādah (d. 1078h),
- *Mabsūṭ al-Sarakhsī* by Ḥākīm al-Shahīd (d. 334h),
- *Fatḥ al-Qadīr* by Ibn al-Humam (d. 861h),
- al-Muḥiṭ al-Burhānī by Burhān al-Dīn al-Bukhārī (d. 616h),
- *al-Asbbāḥ wa al-Nazā'ir* by Ibn Nujaym al-Miṣrī (d. 970h),
- *Tafṣīl 'Iqd al-Farā'id bi Takmil Qayd al-Sharā'id* by Ibn Shiḥnah (d. 921h), which is also known as *Sharḥ Manzūmah Ibn Wabbān*. A commentary of Ibn Wabbān al-Dimishqī (d. 768h) treatise *'Iqd al-Qalā'id wa Qayd al-Sharā'id*, famously identified as *al-Manzūmah al-Wabbāniyyah*.
- *Ghunyah al-Mutamallī* the commentary of *Munyah al-Muṣallī* by Ibrāhīm al-Ḥalabī (d. 956h),
- *Ḥāshiyah al-Ṭaḥṭāwī 'alā al-Marāqī al-Falāḥ* by Aḥmad ibn Muḥammad al-Ṭaḥṭāwī (d. 1231h),
- *Ḥāshiyah al-Ṭaḥṭāwī 'alā al-Durr al-Mukhtār* by Aḥmad ibn Muḥammad al-Ṭaḥṭāwī (d. 1231h).

Dr. Ṣalāḥ Abū al-Ḥāj categorises the books of the *madbḥab* into three groups:²⁵⁰

1. The reliable books.
2. The accepted books.
3. The disregarded books.

I will summarise and discuss the first two categories:

1. **The reliable books** – they contain rulings that are considered relied upon and one will rarely find rulings contrary to this.

Examples of these books are:

- + The five books which form the *zābir al-riwāyah*: *al-Aṣl*, *al-Jāmi' al-Kabīr*, *al-Jāmi' al-Ṣaghīr*, *al-Siyar al-Kabīr* and *al-Ziyādāt*. He also includes amongst these, the famous commentaries to these five books.
- + The famous *mutūn*: *al-Kāfi* of al-Ḥākīm, *Mukhtaṣar al-Kharkhī*, *Mukhtaṣar al-Ṭaḥāwī*, *Mukhtaṣar al-Qudūrī*, *Bidāyah al-Mubtadī*, *al-Wiqāyah*, *al-Kanz*, *al-Mukhtār*, *al-Majma'*, *al-Nuqāyah*, *al-Multaqā*, *Tuḥfah al-Fuqabā'*, *Munyah al-Muṣallī* etc.
- + The *mabsūṭs*: *al-Mabsūṭ* of al-Sarakhsī, *al-Mabsūṭ* of al-Bazdawī, *al-Mabsūṭ* of al-Khuwāhar Zādah, al-Mabsūṭ of Ṣadr al-Islām etc.
- + The *muhīṭs*: *al-Muḥiṭ al-Riḍwī* of Riḍā 'Llāh al-Sarakhsī, *al-Muḥiṭ al-Burhānī*.

did not mention *al-Siyar al-Ṣaghīr* as a separate book. The concluding stanza that al-Sarakhsī provides at the end of the chapter *al-Siyar* emphasizes that this is the commentary of *al-Siyar al-Ṣaghīr*, which in essence is a portion of *al-Aṣl*.

²⁴⁹ Muḥammad Salmān Manṣūrpūī, *Fatwā Nawesī Ke Reḥnumā Uṣūl* pg.66-72.

²⁵⁰ Dr. Ṣalāḥ Abū al-Ḥāj, *al-Madbḥhal al-Mufaṣṣal* pg.362-380.

+ The commentaries of the *mutūn*: *Sharḥ al-Ṭahāwī* of al-Isbījānī, *Sharḥ al-Ṭahāwī* of al-Jaṣṣāṣ, *Sharḥ al-Karkhī* of al-Qudūrī, *Sharḥ al-Qudūrī* of al-Aqṭaʿ, *al-Hidāyah*, *Badāʾiʿ al-Ṣanāʾiʿ*, *al-Kāfī Sharḥ al-Wāfī* of al-Nasafī, *Sharḥ al-Wiqāyah* of Sadr al-Sharīʿah, *Tabyīn al-Ḥaqāʾiq*, *al-ʿInāyah Sharḥ al-Hidāyah*, *al-Ikhtiyār*, *Radd al-Muḥtār* etc.

Dr. Ṣalāḥ Abū al-Ḥāj mentions the basis for selecting these texts to be included within this category:

- a. They adhered to only mentioning the reliable positions with very few exceptions.
- b. They omitted the weak and rejected views of the *madhhab*.
- c. The text does not contradict the *zāhir al-riwāyah* and the *uṣūl* of the *madhhab*.
- d. The text indicates to the desired meaning without any defect or flaw.
- e. The high ranking of the author and their extremely high position in *ijtihād* and *fiqh*.
- f. Acceptance of the other scholars, their reliance on them and the importance they gave to them in utilising them to issue verdicts, selecting it as a text to be taught, when penning commentaries and marginal glosses.

The author thereafter mentions what that the jurists had mentioned in regard to them:

1. *Al-Mabsūṭ* by Shams al-Aʿimmah, Muḥammad ibn Aḥmad al-Sarakhsī. Al-Ṭarsūsī mentions that one cannot act upon that which opposes it, it is a text that one can only rely on and resort to and a verdict is only passed which harmonises with what is found in it.
2. *Al-Mabsūṭ* by Ṣadr al-Islām, Ṭāhir ibn Maḥmūd al-Bukhārī. Ibn ʿĀbidin considered it from the relied upon texts.
3. *Al-Muḥīṭ al-Riḍwī* by Muḥammad ibn Muḥammad al-Sarakhsī. Ibn ʿĀbidin considered it from the relied upon texts.
4. *Tabyīn al-Ḥaqāʾiq Sharḥ Kanz al-Daqāʾiq* by ʿUthmān ibn ʿAlī al-Zaylāʿī. Al-Lakhnawī mentions that it is a relied upon text that is accepted.
5. *Uṣūl al-Bazdawī* by ʿAlī ibn Muḥammad al-Bazdawī. Al-Lakhnawī states that it is a valuable book that is relied upon according to the people of excellence.
6. *Munyah al-Muṣallī wa Ghunyah al-Mubtadī* by Sayyid al-Dīn, Muḥammad ibn Muḥammad al-Kāshgharī. Al-Lakhnawī mentions that it is a relied upon text that is widely circulated.
7. *Kashf al-Asrār Sharḥ Uṣūl al-Bazdawī* and *Ghāyah al-Taḥqīq Sharḥ al-Muntakhab al-Ḥusāmī* by ʿAbd al-ʿAzīz ibn Aḥmad al-Bukhārī. Al-Lakhnawī states that experts of the principles of *fiqh* consider both books reliable and they are relied upon by most of the latter scholars.
8. *Al-Dhakhīrah al-Burbāniyyah* by Burhān al-Dīn Muḥammad ibn Aḥmad ibn Māzah al-Bukhārī. Al-Lakhnawī states that it is a valuable compilation that is relied upon.
9. *Al-Muḥīṭ al-Burbānī* by Burhān al-Dīn ibn Māzah al-Bukhārī.
10. *Radd al-Muḥtār ʿalā al-Durr al-Mukhtār* by Muḥammad Amīn, Ibn ʿĀbidīn. Al-Lakhnawī states that it is a valuable marginal gloss that is accepted.
11. *Al-Hidāyah* by ʿAlī ibn Abī Bakr al-Marghīnānī. Al-Lakhnawī mentions that all his texts are accepted and relied upon, especially *al-Hidāyah*. Mullā Khusrū and Ghānim al-Baghdādī considered it to be from the relied upon texts.
12. *Al-Kāfī* by Al-Ḥākim al-Shahīd, Muḥammad ibn Muḥammad al-Marwazī. Ḥājī Khalīfah mentions that it is from the relied upon texts that is quoted in the *madhhab*.
13. *Al-Kāfī Sharḥ al-Wāfī* by ʿAbdullāh ibn Aḥmad al-Nasafī. Al-Lakhnawī mentions that all his texts are considered valuable and are texts that are relied upon by the jurists. Ibn al-Humām considered it to be from those texts that are relied upon.
14. *Badāʾiʿ al-Ṣanāʾiʿ bi Tartīb al-Sharāʾiʿ* by Abū Bakr ibn Masʿūd al-Kāsānī. Ibn al-Humām classified it as one of the relied upon texts.

From amongst the latter works, al-Kāsānī's *Badā'i' al-Ṣanā'i'* is considered as one of the last of the classical works that is accepted by scholars of the school as a chief work and as a source for rulings. Ibn 'Ābidīn writes that this work of al-Kāsānī is great and I haven't seen its like amongst our books.²⁵¹ After *Badā'i'*, the great honour of a personal work being included amongst the sources for rulings and for being a chief work was received by Ibn 'Ābidīn for his meticulous opus, *Radd al-Muḥtār*, known as Ibn 'Ābidīn al-Shāmī (d. 1252h) who lived in the city of Damascus in Syria during the Ottoman era. He was the authority of *fiqh* of the Ḥanafī school, employed by the state and holding the title of *Amīn al-Fatwā* (guardian or trustee of *fatwā*). He is also known as the final *muhāqqiq* (verifier) of the Ḥanafī school. His main work, *Radd al-Muḥtār* is fondly known as *al-Ḥāshiyah* or the super commentary amongst Arab scholars and as *Fatāwā Shāmī* or *al-Shāmiyyah* amongst the Indian and Pakistani scholars. This book is considered the last personal work of an author to be included amongst the greats of the *madhhab* or school, where all scholars, Arab and non-Arab, accept it as a source for their rulings and *fatāwā*. This is an amazing feat for an 18th century scholar, superseding many earlier authors in compiling an accepted source for the school. Ibn 'Ābidīn's scrupulous and precise nature in explaining the intricacies of the *madhhab*, his mastery and expertise in the Ḥanafī school and him drawing from the previous accepted sources of the school are the basic primary reasons for its success and acceptance.

As his work is a marginal gloss or super commentary to al-Ḥaṣkafī's (d. 1088h)²⁵² *al-Durr al-Mukhtār*, Ibn 'Ābidīn adopted the following method when authoring his masterpiece *Radd al-Muḥtār*. Whenever al-Ḥaṣkafī indicated towards a text from a specific source, Ibn 'Ābidīn recorded the exact text from the source, explained what was meant by it, mentioned the relativity of al-Ḥaṣkafī's *al-Durr al-Mukhtār* to this source and then went on to record what many other authors had written regarding the case at hand. This led to the sources quoted by Ibn 'Ābidīn going into the hundreds.

Ibn 'Ābidīn also gave great importance to explaining *al-Durr al-Mukhtār* and warned of the deficiencies contained within it owing to it being a concise, basic work, which may cause one to assume the wrong meaning of a ruling. This could be in the form of a generalization to a ruling that requires clauses and limitations. Ibn 'Ābidīn accomplished this using a clever method of quoting *furū'i* (subsidiary) rulings from the accepted books of the Ḥanafī school. Sometimes descriptions in *al-Durr al-Mukhtār* are cryptic for anyone but a trained master in the field. Ibn 'Ābidīn addresses these deficiencies of the *furū'i* (subsidiary) rulings that al-Ḥaṣkafī mentioned or an analysis that required more detail by using the term '*tatimmab*' or conclusion at the end of a discussion. Ibn 'Ābidīn's habit was also to mention many sources – many of which are not in existence, in handwritten manuscript form or not in print today and subsequently connects them with the ruling under discussion. This method of his left the Ḥanafī *madhhab* with a wealth of knowledge that would have otherwise been lost.

Another amazing feature of Ibn 'Ābidīn in his *al-Ḥāshiyah* is that he completely steered away from bias and bigotry, whether to the Ḥanafī school or to al-Ḥaṣkafī himself, adopting a purely academic approach to writing. He recorded the strongest views in a *mas'alah* (ruling) and mentions which view the *fatwā* is issued upon, mentioning both, the preferred and the preferred over views.

In all his works, including the *al-Ḥāshiyah*, Ibn 'Ābidīn displays the utmost of respect to earlier scholars and refers to them with due deference. He sometimes quotes scholars whose views and opinions he may not accept and hints at his disagreement respectfully, rather than using an explicit statement.

Ibn 'Ābidīn went through the works and view of the Ḥanafī school with depth and care. Concerning Ibn 'Ābidīn's comprehensive expertise in Ḥanafī jurisprudence, Muhammad Effendī al-Halwānī (d. 1274h)²⁵³, who served as the Muftī of Beirut during that period expressed his admiration to Ibn 'Ābidīn's son: "I have never encountered a lesson like those given by your esteemed father. Each day, I would dedicate myself to studying the upcoming lesson, as thoroughly as possible, reading and reflecting on all the commentaries and glosses available. I would

²⁵¹ Ibn 'Ābidīn, *Radd al-Muḥtār* 1:100.

²⁵² 'Alā' al-Dīn, al-Ḥaṣkafī, Muḥammad ibn 'Alī ibn Muḥammad ibn 'Alī ibn 'Abd al-Raḥmān ibn Muḥammad ibn Jamāl al-Ḥiṣnī (1025-1088). See: al-Ziriklī, *al-A'lām* 6:294; al-Muḥibbī, *Kbulāṣah al-Atbar fī A'yān al-Qarn al-Ḥādī 'Ashar* 4:63.

²⁵³ Muḥammad ibn Aḥmad al-Ḥalwānī (d. 1274h).

See: 'Abd al-Razzāq al-Bayṭār, *Ḥilyah al-Bashar fī Tārīkh al-Qarn al-Thālith 'Ashar* 2:1352.

believe that I had fully grasped the subject. However, when our teacher delivered the lesson, he not only covered everything I had studied but also offered additional clarification, deeper insights, and numerous beneficial points that neither I nor the texts had considered.”²⁵⁴

2. The accepted books – they contain rulings that are relied upon, but one will also find many rulings that are not considered reliable.

Examples of these books are:

- + The later *mutūn*: *Ghurur al-Hukkām*, *Tanwīr al-Absār*, *Nūr al-Īdāh*, *Kbulāṣah al-Kaydānī* (*Muqaddimah al-Ṣalāh*), *Muqaddimah al-Samarqandī* etc.
- + The general commentaries: *Fath al-Qadīr*, *al-Bināyah Sharḥ al-Hidāyah*, *Ramz al-Ḥaqāʾiq Sharḥ Kanz al-Daqāʾiq*, *Imdād al-Fattāh*, *Marāqī al-Falāh*, *al-Durr al-Mukhtār*, *al-Durr al-Muntaqā*, *Majmaʿ al-Anhur*, *al-Lubāb Sharḥ al-Kitāb*, *al-Baḥr al-Rāʾiq*, *al-Nahr al-Fāʾiq*, *Nihāyah al-Murād Sharḥ Hidāyah ibn al-ʿImād* etc.
- + The marginal glosses: *al-Shurunbulāliyyah ʿalā al-Durr*, *ʿUmdah al-Riwāyah Sharḥ al-Wiqāyah*, *al-Ṭaḥṭāwī ʿalā al-Durr*, *al-Ṭaḥṭāwī ʿalā al-Marāqī*, *Abū al-Suʿūd ʿalā Mullā Miskīn Sharḥ al-Kanz* etc.
- + The famous books of *fatāwā*: *Fatāwā Qāḍī Khān*, *Kbulāṣah al-Fatāwā*, *al-Fatāwā al-Kubrā*, *al-Fatāwā al-Ṣughrā*, *al-Fatāwā al-Tatārkhāniyyah*, *al-Fatāwā al-Walwālijīyyah*, *al-Multaqīt*, *al-Fatāwā al-Hindiyyah*, *Tanqīḥ al-Fatāwā al-Ḥāmidīyyah*, *al-Fatāwā al-Khayrīyyah* etc.
- + Books of *qawāʾid*: *al-Ashbāh al-Nazāʾir* of Ibn Nujaym and *Ghamz Uyūn al-Baṣāʾir* of al-Ḥamawī.

Dr. Ṣalāh Abū al-Ḥāj mentions the basis for selecting these texts to be included within this category:

- a. There is very little known in regard to the status of the author.
- b. A doubt in the book being attributed to the author.
- c. Extremely concise whereby it is difficult to grasp an understanding.
- d. The text is rare or out of print.
- e. Excessive mistakes and errors in the printed edition.
- f. Reliance upon the *taṣḥīḥ* and *tarjīḥ* of the apparent meaning of the *aḥādīth*.

Although the author places some of the texts into this category, he himself mentions that Ibn ʿĀbidīn, al-Lakhnawī and Ghānim al-Baghdādī consider some of these same texts to be from the category one or texts that are held in esteem. For instance:

1. *Kbulāṣah al-Fatāwā* by Iftikhāfr al-Dīn Ṭāhīr ibn Aḥmad al-Bukhārī. Al-Lakhnawī mentions that it is a book that is held in high esteem by the scholars and relied upon by the jurists.
2. *Al-Fatāwā al-Khāniyyah* by Qāḍī Khān Ḥasan ibn Maṣṣūr al-Azwajandī. Al-Lakhnawī mentions that it is considered relied upon by the expert jurists. Ibn Nujaym, Ghānim al-Baghdādī and Ibn ʿĀbidīn mention that it is from the relied upon texts.
3. *Al-Fatāwā al-Bazzāziyyah* by Ibn al-Bazzāz Muḥammad ibn Muḥamad al-Kardarī. Al-Lakhnawī mentions that it contains rulings that one needs and that are from those rulings that are relied upon. Ibn Nujaym and Ibn ʿĀbidīn considers it to be from the relied upon texts.
4. *Al-Baḥr al-Rāʾiq* by Ibrāhīm ibn Muḥammad ibn Nujaym. Ibn ʿĀbidīn and al-Lakhnawī considers it to be from the relied upon texts.
5. *Al-Fatāwā al-Tatārkhāniyyah* by ʿĀlim ibn al-ʿAlāʾ al-Dehlawī. Ibn ʿĀbidīn considers it to be from the relied upon texts.
6. *Al-Fatāwā al-Zahīriyyah* by Zāhīr al-Dīn Muḥammad ibn Aḥmad al-Muḥtasib al-Bukhārī. Al-Lakhnawī considers it to be from those books that are held in high esteem.

²⁵⁴ ʿAlā al-Dīn ibn Muḥammad, *Takmilah Radd al-Muhtar* 11:12.

7. *Mukhtārāt al-Nawāzil* by Abū al-Layth Naṣr ibn Muḥammad al-Samarqandī. Al-Lakhnawī considers it to be from those books that are held in high esteem.
8. *Al-Fatāwā al-Ṣughbrā* by Ṣadr al-Shahīd ‘Umar ibn ‘Abd al-‘Azīz. Ghānim al-Baghdādī considers it to be from the relied upon texts.
9. *Al-Fatāwā al-‘Imādiyyah al-Ḥāmidīyyah* by Ḥāmid Effendī ibn ‘Alī Ibrāhīm al-Imādī. Ibn ‘Ābidīn considers it to be from the relied upon texts.
10. *Al-Tajnis wa al-Mazīd* by ‘Alī ibn Abī Bakr al-Marghīnānī. Ibn ‘Ābidīn considers it to be from the relied upon texts.
11. *Al-Fatāwā al-Anqarwīyyah* by Aḥmad ibn al-Ḥasan al-Rāzī. Ibn ‘Ābidīn considers it to be from the relied upon texts.
12. *Al-Fatāwā al-Walwālīyyah* by ‘Abd al-Rashīd ibn Abī Ḥanīfah al-Walwālīyy. Ibn ‘Ābidīn considers it to be from the relied upon texts.
13. *Jāmi‘ al-Fuṣūlīn* by Maḥmūd ibn Isrā‘īl. Ibn ‘Ābidīn considers it to be from the relied upon texts.

These books can be utilised in issuing verdicts, one can study from these texts, and they can be used in judicial matters as the majority of its rulings are relied upon. If a ruling therein conflicts with a ruling mentioned in a book that is considered higher, from the reliable books, then one will not take the ruling.

In summary, the Ḥanafī school of thought has played a very important role in shaping *fiqh* or Islamic jurisprudence. It contains unique methodologies and legal reasoning and as it is rich with the knowledge of Islamic jurisprudence and is also flexible, it has assisted adherents in numerous geographical areas around the world. However, as is the case with any legal tradition, the application and interpretation of the school changed and evolved over time. The scholars of each era guided this evolution. One of the most noteworthy figures in this regard amongst the later jurists is Ibn ‘Ābidīn, whose work *Radd al-Muḥtār* represents this jurisprudence and the culmination of Ḥanafī scholarship. The following chapter will explore Ibn ‘Ābidīn’s biography and his magnum opus, *Radd al-Muḥtār* in more detail.

CHAPTER 4: IBN ‘ĀBIDĪN AND HIS RADD AL-MUHTĀR

FULL NAME

Ibn ‘Ābidīn’s full name was al-Sayyid Muḥammad Amīn ibn al-Sayyid ‘Umar ibn al-Sayyid ‘Abd al-‘Azīz ibn al-Sayyid Aḥmad ibn al-Sayyid ‘Abd al-Raḥīm ibn al-Sayyid Najm al-Dīn ibn al-Sayyid Ṣalāḥ al-Dīn, widely and popularly known as Ibn ‘Ābidīn.

LINEAGE

He was a Ḥusaynī Sayyid, one whose lineage is directed to the Prophet Muḥammad (Peace and Blessings be Upon Him) via his grandson Ḥusayn ibn ‘Alī. His full lineage to the Prophet is as follows:

Muḥammad Amīn ibn ‘Umar ibn ‘Abd al-‘Azīz ibn Aḥmad ibn ‘Abd al-Raḥīm ibn Najm al-Dīn ibn Muḥammad Ṣalāḥ al-Dīn ibn Najm al-Dīn (al-Thānī) ibn Muḥammad Kamāl ibn Taqī al-Dīn al-Mudarris ibn Muṣṭafā al-Shihābī ibn Ḥusayn ibn Raḥmat ‘Llāh ibn Aḥmad (al-Thānī) ibn ‘Alī ibn Aḥmad (al-Thālith) ibn Maḥmūd ibn Aḥmad (al-Rābi‘) ibn ‘Abdullāh ibn ‘Izz al-Dīn ibn ‘Abdullāh (al-Thānī) ibn Qāsim ibn Ḥasan ibn Ismā‘īl ibn Ḥusayn al-Nāṭif ibn Aḥmad (al-Khāmis) ibn Ismā‘īl (al-Thānī) ibn Muḥammad ibn Ismā‘īl al-A‘raj ibn al-Imām Ja‘far al-Ṣādiq ibn al-Imām Muḥammad al-Bāqir ibn al-Imām Zayn al-‘Abidīn ibn al-Imām al-Ḥusayn ibn Fāṭimah bint Sayyidunā Muḥammad (Peace and Blessings be Upon Him).²⁵⁵

In regard to the family name “Ābidīn” or worshippers, this finds its roots hundreds of years back, tracing its steps to his forefather Muḥammad Ṣalāḥ al-Dīn. The reason that this name became attributed to him was due to his excessive worship, his God-fearing qualities and his immense piety, as the root word of the term “Ābidīn” refers to worship.²⁵⁶

BIRTH

Historians are unanimous that Ibn ‘Ābidīn was born in Damascus, Syria in the year 1197h corresponding to 1784 CE. He grew up under the watchful eye of his father, *al-Sayyid* ‘Umar al-‘Ābidīn in the Qanawat locality, one of the Damascene suburbs. His name was Muḥammad Amīn, but he would refer to himself as Muḥammad ‘Ābidīn and he became famous by this name. He had a paternal uncle who was very pious, *Shaykh* Ṣāliḥ al-‘Ābidīn. He gave Ibn ‘Ābidīn’s mother the glad tidings of his birth prior to his birth and he was the one who named him Muḥammad Amīn before his birth.²⁵⁷

YOUTH AND EDUCATION

He grew up in his father’s care who was not a scholar, but a pious trader. His father brought him up with the necessary traits and qualities of virtue and courage. He memorized the Qur’ān whilst still a very young boy. His father then kept him besides him in the family business to allow him to learn the trade. He would frequently accompany his father on business trips to different markets. This played a big role in his later life, with Ibn ‘Ābidīn remaining a businessman throughout his life, living off his own earnings. His business acumen is also evident in his *fiqh*, works and writings, which all depict a deep understanding of the business world. There was a mutual love between father and son, with each loving the other dearly.

The catalyst for his entry into the academic study, research, and later teaching, was a personal incident that occurred while he was reciting the Qur’ān at his family business. A passerby noticed his recitation errors, reprimanded him, and urged him to seek proper instruction. This encounter deeply impacted him, prompting him to seek out the most respected scholar in Qur’ānic sciences and recitation. He was directed to Shaykh al-Qurrā, Muḥammad Sa‘īd al-Ḥamawī, under whom he perfected his *tajwīd* (the science of correct pronunciation and recitation) and memorized key texts such as *al-Jazariyyah* and *al-Shāṭbiyyah*, as well as other significant works. He also studied Shāfi‘ī jurisprudence, memorizing *al-Zabd*, and further delved into Arabic syntax and morphology (*al-naḥw* and *al-ṣarf*) under al-Ḥamawī. Upon completing his studies, he was granted a general authorization, *al-Ijazah al-‘Āmmah*, marking his formal qualification.

However, his thirst for knowledge was far from satisfied. He then sought out his teacher’s own mentor, Shaykh Shākir al-Aqqād al-Saalimi al-Hanafi, renowned as Ibn al-Muqaddam al-Sa‘d, one of the foremost scholars of the era. Under Shaykh al-Aqqād, he expanded his studies to include Qur’ānic exegesis, Islamic legal theory (*uṣūl al-fiqh*),

²⁵⁵ Muḥammad ‘Abd al-Laṭif al-Farfūr, *Ibn ‘Ābidīn Wa Atharubū fi Fiqh al-Islāmī* (1:272).

²⁵⁶ Muḥammad ‘Abd al-Laṭif al-Farfūr, *Ibn ‘Ābidīn Wa Atharubū fi Fiqh al-Islāmī* (1:270-271).

²⁵⁷ Muḥammad ‘Abd al-Laṭif al-Farfūr, *Ibn ‘Ābidīn Wa Atharubū fi Fiqh al-Islāmī* (1:275).

inheritance law, *taṣawwuf* (Islamic mysticism), mathematics, and the rational sciences. Shaykh al-Aqqād played a pivotal role in shaping his intellectual trajectory, even influencing him to switch from the Shāfiʿī school of thought to the Ḥanafī school of Imām Abū Ḥanīfah. Under al-Aqqād’s guidance, he studied major Ḥanafī texts, including *Multaqā al-Abḥur*, *Kanz al-Daqāʾiq* and its commentary *Baḥr al-Rāʾiq*, *al-Dirāyah*, *al-Hidāyah*, and others. He also began studying *al-Durr al-Mukbtār* under prominent scholars, most notably Shaykh Sayyid al-Ḥalabī.

His relationship with Shaykh Shākir al-Aqqād was transformative. Not only was Ibn ‘Ābidīn a devoted disciple (*murīd*) in the Qādiri *taṣawwuf* order, a bond he maintained for life, but he also spent seven years in his company. Shaykh al-Aqqād held him in high regard, often presenting him to his own teachers and recommending that they grant Ibn ‘Ābidīn further authorizations, thereby strengthening and shortening his *sanad* (chain of transmission).

After Shaykh al-Aqqād’s passing, Ibn ‘Ābidīn continued his studies with Shaykh Sayyid al-Ḥalabī, al-Aqqād’s deputy and the leading Ḥanafī scholar of the time. Al-Ḥalabī developed a strong affection for Ibn ‘Ābidīn, to the extent that he would not begin his lessons until Ibn ‘Ābidīn was present. This mentorship further solidified Ibn ‘Ābidīn’s scholarly stature and enriched his academic journey.²⁵⁸

HIS TEACHERS AND SANAD (LINKS, AUTHORISATION).

Ibn ‘Ābidīn had approximately 15 main teachers²⁵⁹ from which four were considered as the pillars of his education and spirituality. The remaining 11 granted him different degrees of authorization. He attended the lessons of some of these, whilst others merely granted him authorization. Some were his grand teachers, and some granted him written authorization.

His four main teachers were:

1. *Al-Shaykh* Muḥammad Saʿīd al-Ḥamawī (1145h-1236h)

This was Ibn ‘Ābidīn’s first and eldest teacher. He was a resident of Damascus and the head teacher of the science of *Qirāʾah* in his time. He was Ibn ‘Ābidīn’s first destination when he decided to study after he was rebuked for reading incorrectly at his father’s business premises. He enquired about the most senior teacher in the science of *Qirāʾah* and was directed to *Shaykh* al-Ḥalabī, who conducted lessons from his room in the grand mosque of Damascus, al-Jami‘ al-Umawī. His full name is Saʿīd ibn Ibrāhīm al-Ḥamawī al-Shāfiʿī. He was born in the year 1145 AH. in Ḥamāh and then came to Damascus in 1168 AH. and made it home. Amongst his teachers were *al-Shaykh* Ḥasan al-Kudaymah al-Ḥamawī, *al-Shaykh* Manṣūr al-Ḥalabī al-Khalūṭī and others. He was a great scholar and the head scholar of *Qirāʾah* in Damascus. Many of his contemporaries benefited from him. He passed away on the 5 *Dhū al-Hijjah* 1236 AH. at the age of 91.²⁶⁰

2. *Al-Shaykh* Shākir al-ʿAqqād (1157h-1222h).

He is considered to be the second most senior teacher and mentor of Ibn ‘Ābidīn and he enjoyed a high rank and a lofty status in Ibn ‘Ābidīn’s heart. His full name is Muḥammad Shākir ibn ‘Alī ibn Saʿd ibn ‘Alī ibn Sālim al-ʿUmarī, the famous Ḥanafī damascene jurist. He was more commonly known as Ibn Muqaddam Saʿd or Ibn al-ʿAqqād. He began teaching at a very young age and most of his contemporaries became his students. With his name Ibn ‘Ābidīn authored *Uqūd al-Laʾālī fī al-Asānīd al-Awālī* and referred to him as *Shaykh al-Shuyūkh*, grand teacher or teacher of teachers. It is mentioned that he traces his lineage to ʿUmar Ibn al-Khaṭṭāb, the second caliph. Ibn ‘Ābidīn has recorded his biography in much detail in *Uqūd al-Laʾālī*.²⁶¹

3. *Al-Shaykh* Saʿīd al-Ḥalabī (1188h-1259h).

He is the third teacher of Ibn ‘Ābidīn, a teacher from one angle and a classmate from another, as they both studied under *Shaykh* Shākir al-ʿAqqād. His name is Saʿīd Ḥasan ibn Aḥmad, famously known as al-Ḥalabī al-Ḥanafī al-Dimishqī. He was a resident of Ḥalab (Aleppo) his birthplace. He grew up in Aleppo and studied by the scholars of that ancient city. He then came to Damascus in 1207h and made it his home. He benefitted from the scholars of Damascus such as al-ʿAqqād, al-Shihāb al-ʿAṭṭār and others and then busied himself in teaching for

²⁵⁸ Muḥammad ʿAbd al-Laṭīf al-Farfūr, *Ibn ʿĀbidīn Wa Atharuhū fī Fiqh al-Islāmī* (1:275-276).

²⁵⁹ This number relates to those teachers from whom he formally sought knowledge. The ones that he benefitted from, in some form or the other, are much more as his son mentions in *al-Takmilah*: He sought knowledge from many teachers of different lands such as Egypt, Hijaz, Iraq and the Roman lands, all of whom cannot be enumerated.

²⁶⁰ Muḥammad Jamīl, *Rawḍ al-Bashar fī Aʿyān al-Qarn al-Thālith ʿAshara* pg.128.

²⁶¹ Al-Zirikli, *al-Aʿlām* (7:27); Ibn ʿĀbidīn, *Uqūd al-Laʾālī* pg.7 and 192.

his entire life from his well-known room in the al-‘Umawī mosque. He was blessed with the qualities of abstinence and worship. He passed away on a Monday, the third of Ramaḍān in the year 1259 AH. He was buried in al-Zahabiyyah close to his teacher, Shaykh Shakir al-‘Aqqād.²⁶²

4. *Al-Shaykh* Khālid al-Kurdī al-Naqshbandī (1190h-1242h).

His full name is Khālid ibn Aḥmad ibn Ḥusayn, Abū al-Baha Ḍiyā al-Dīn al-Naqshbandī. He was an expert *Ṣūfī* and was born in the village of Qurrah Ṭagh which is situated on the outskirts of the city of Zūr. It was well known that he is from the progeny of the illustrious companion, ‘Uthmān ibn ‘Affān. He migrated to Baghdād in his youth and then travelled to al-Shām (Syria) in the days of Dāwūd Pāshā, the governor of Iraq. He passed away in Damascus in the plague of the year 1242 A.H. after spreading his Naqshbandī spiritual order which he learnt from Sulṭān ‘Abdullāh in Delhi. He authored several works in *al-‘Aqā’id*, *al-Kalām* and poetry. Ibn ‘Ābidīn has written his biography in quite a bit of detail in *‘Uqūd al-La‘ālī*.²⁶³

Ibn ‘Ābidīn’s other teachers were those who had granted him different degrees of authorization. These were basically two groups. The first of these were those individuals to whom he presented himself to in their lessons in Jāmi‘ al-‘Umawī mosque or at their homes and they granted him authorization after he read to them or listened from them. These were the following eight scholars:

1. *Al-Shaykh*, al-Shams Muḥammad al-Kazbarī.
2. *Al-Shaykh*, al-Shihāb Aḥmad al-‘Aṭṭār.
3. *Al-Shaykh*, Nājīb al-Qal‘ī, commonly known as Ibn Qanbāzū.
4. *Al-Shaykh*, Muḥammad ‘Abd al-Rasūl al-Hindī.
5. *Al-Shaykh*, Hibah ‘Llāh al-Ba‘lī al-Tājī.
6. *Al-Shaykh*, Muḥammad Ṣāliḥ al-Zajjāj.
7. *Al-Shaykh*, Ibrāhīm and *al-Shaykh* ‘Abd al-Qādir, both sons of *al-Shaykh* Ismā‘īl ibn *al-Shaykh* ‘Abd al-Ghanī al-Nablūsī.

The second group were those whom Ibn Abidīn has taken authorization from through written correspondence and whom he did not physically meet. These were the following three scholars:

1. *Al-Shaykh*, Muḥammad al-Amīr al-Miṣrī.
2. *Al-Shaykh*, Ṣāliḥ al-Fullānī.
3. *Al-Shaykh*, ‘Abd al-Mālik al-Qal‘ī al-Makkī.²⁶⁴

PHYSICAL DESCRIPTION.

Ibn ‘Ābidīn was a tall person with full, big joints and limbs. He was fair in complexion and had black hair and a black beard. He had only a few white hairs, which could be counted. His brows joined on his forehead, and he possessed great awe and commanded respect. His countenance eluded light and *nūr*. He was light-hearted and was always smiling. He was always well kept, clean, tidy and impeccably dressed. He wore the garb of the scholars of his time, a *jubbah* (long coat) and white turban, which he tied on a medium-height hat.²⁶⁵

STUDENTS.

Those who benefited and studied under Ibn ‘Ābidīn were many, many of whom became senior scholars and leaders. Some of these students were those who graduated at his hands whilst others only attended certain lessons of his, whilst some others merely obtained authorization from him. It is not possible to enumerate all of them here, however I will mention the names of his main graduates and those who gained authorization from him.

Those who graduated under his auspices are:

1. ‘Abd al-Ghanī Ibn ‘Ābidīn.

His brother. He held the titles of: ‘Allāmah, al-Faqīh and al-Ṣūfī. He graduated under his elder brother and received authorisation from him as well.

²⁶² Muḥammad ‘Abd al-Laṭīf al-Farfūr, *Ibn ‘Ābidīn Wa Atharubū fi Fiḡh al-Islāmī* (2:1087-1088).

²⁶³ Al-Ziriklī, *al-‘Ālām* (2:334); Muḥammad Jamīl, *Rawḍ al-Bashar fī A’yān al-Qarn al-Thālith ‘Ashara* pg.334; Muḥammad ‘Abd al-Laṭīf al-Farfūr, *Ibn ‘Ābidīn Wa Atharubū fi Fiḡh al-Islāmī* (2:399-400).

²⁶⁴ Muḥammad ‘Abd al-Laṭīf al-Farfūr, *Ibn ‘Ābidīn Wa Atharubū fi Fiḡh al-Islāmī* (1:297-299).

²⁶⁵ Muḥammad ‘Abd al-Laṭīf al-Farfūr, *Ibn ‘Ābidīn Wa Atharubū fi Fiḡh al-Islāmī* (1:278-279).

2. Aḥmad ibn ‘Abd al-Ghanī Ibn ‘Ābidīn.
He was the nephew of Ibn ‘Ābidīn, the son of ‘Abd al-Ghanī. He held the title of Amīn al-Fatwā of Damascus.²⁶⁶
He also graduated under his uncle and gained authorization from him.
3. Šālīḥ ibn Ḥasan ‘Ābidīn.
Ibn ‘Ābidīn’s paternal cousin’s son.
4. Muḥammad Jābi Zādah.
The Qāḍī of al-Madīnah al-Munawwarah. He was a scholar of distinction and who possessed a lofty rank in knowledge. He studied all the subjects under Ibn ‘Ābidīn and graduated.
5. Yaḥyā al-Sardašt.
He was one of the scholars of the *Šūfi* order and a jurist. He also graduated under Ibn ‘Ābidīn and gained authorisation from him.
6. ‘Abd al-Ghanī al-Ghanimi al-Maydanī.
He wrote a commentary on *al-Qudūrī* and *al-Aqīdah al-Ṭahāwī*. He studied under Ibn ‘Ābidīn, graduated and received authorization from him.
7. Ḥasan al-Bayṭār.
He was amongst the scholars of Damascus. He graduated in Ḥanafī *fiqh* from Ibn ‘Ābidīn and specifically studied *al-Uqūd al-Durriyyah* from him.
8. Muḥammad ibn Ḥasan al-Bayṭār.
He was the son of Ḥasan al-Bayṭār mentioned above. He was also the Amīn of Fatwā in Damascus.
9. Aḥmad al-Islambolī.
He authored marginalia on *al-Durr al-Mukbtār*.
10. Ḥusayn al-Rassāmah.
Who was an expert mathematician of Damascus and the head of the Damascene accountants.
11. Yusuf Badr al-Dīn al-Maghribī.
He is from the scholars and the distinguished personalities of Damascus.
12. ‘Abd al-Qādir al-Khulaṣī.
He is a Damascene scholar and a commentator of *al-Durr al-Mukbtār* and *al-Alfiyyah*.

Some of his more famous students who did not graduate under him, but gained authorization from him, either written or verbal are:

1. ‘Abd al-Qādir al-Jābī, who was from the scholars of Damascus.
2. Muḥammad al-Jaqlī, who was also a Damascene scholar.
3. Muḥammad al-Munayyir.
4. ‘Alī al-Murādī, the Muftī of al-Shām, who was a great scholar.
5. ‘Abd al-Ḥalīm Mullā, the Qāḍī of al-Shām, who was a senior scholar.
6. Ḥasan ibn Khālīd Bek, a scholar of Damascus.²⁶⁷

LIFE, CHARACTER AND EFFORTS IN FIQH.

Ibn ‘Ābidīn’s life and character was moulded around *‘ilm* and knowledge, initially seeking it and then disseminating it for his entire life, except the few years that he spent at his father’s business. His greatest trait can be summarized to be his firmness in *dīn* together with his humbleness, respect and etiquette.

In regard to his firmness in matters of *dīn*, he would not fear anyone nor be concerned about anyone’s rebuke or criticism when it came to *dīn*. It is for this reason that rulers, judges and politicians feared him. If he ever saw anything incorrect or wrong, he would immediately try to rectify it according to the dictates of *sharī‘ah*. He was greatly

²⁶⁶ Amīn al-Fatwā or Trustee of the Fatwā. This was a position normally held by a student of the Muftī, who would ensure that the questions posed to the Muftī were correct and had all the necessary information. He would also, sometimes, write down the answer that the Muftī would dictate to him.

²⁶⁷ Muḥammad ‘Abd al-Laṭīf al-Farfūr, *Ibn ‘Ābidīn Wa Atharuhū fi Fiqh al-Islāmī* (1:329-330).

respected and his rulings, widely accepted. He held so much of respect in these matters that even the villagers, who were unaware of the *sharī'ah* and its intricacies, would accept his rulings without question or hesitation.

He was very humble with excellent character, and he loved the poor, the destitute, the pious and those associated with *dīn* on any level. The greatest proof of this was when his maternal grandfather stipulated that only the most intelligent of his progeny would be tasked with the responsibility of looking after the family *waqf*, he handed this duty to his brother, despite personally being much more worthy of the position.²⁶⁸

He was blessed with immense respect and etiquette. Once one of his students accompanied him on a journey of *Hajj* and he says: 'I could not fault him on any of his worldly dealings or his religious affairs. He possessed the best of habits and sublime character. I did not see him speak to any person in the entire journey that caused the other person to be angered or upset, be it a fellow traveller, his attendants or anyone else. However, if he saw anything wrong being done, then he would immediately rectify it according to the pure *sharī'ah*.'²⁶⁹

He was extremely pious and would complete a recital of the entire Qur'an every night of *Ramaḍān*, whilst pondering over its meaning. Many of his nights were spent weeping in front of his Lord, reciting His word. He was always in the state of *wudū*. He was very charitable and would seek out those needy people who would not stretch out their hands to others, despite being in dire need. He was also very generous to his less fortunate relatives, whilst also being involved in general charitable acts, including the building of *masājid* and tending to the widows and the destitute.

Ibn 'Ābidīn's efforts in *fiqh* are highlighted in the fame he attained in the latter portion of his life, when ministers, leaders, scholars, *Muftīs* and *Qādīs* flocked to him from all over the Islamic world. His view was sought after in all corners of the Islamic world, even though there existed numerous scholars and *Muftīs* in every city. His efforts in *fiqh* are also evident in the works he left behind, which will be enumerated in a subsequent chapter.

Ibn 'Ābidīn's duties included him assuming the duty of calling out the *adhān* at Jāmi' al-Tāḍīl, a mosque in his suburb and then leading the daily prayers at that venue. This was done on a voluntary basis, as he lived in the same locality. He also had assumed the office of Amīn al-Fatwā for the lands of al-Shām. The *Muftī* was al-Shaykh Ḥusayn al-Murādī and he had four Amīn al-Fatwās or assistants, one of which was Ibn 'Ābidīn. He was also the one to who the other three and the *Muftī* himself referred to. This is substantiated by reports from his son in al-*Takmilah*²⁷⁰ and by others.²⁷¹

WRITTEN WORKS.

Ibn 'Ābidīn produced an extensive body of written work, reflecting the depth and breadth of his scholarship. Among his numerous books and monographs, the most renowned is his commentary on *Durr al-Mukhtār*, titled *Radd al-Muhtār 'alā al-Durr al-Mukhtār*. This work remains the most authoritative and comprehensive text on Ḥanafī jurisprudence to this day. Shaykh 'Abd al-Jalīl 'Aṭā is noted for having cross-referenced the book and compiled a detailed index. *Radd al-Muhtār* has been published multiple times, including notable editions in Būlāq (1272 AH, 1276 AH, and 1299 AH), Maymaniyyah (1307 AH and 1323 AH), and Istanbul (1307 AH and 1323 AH). The Bābi al-Ḥalabī edition (1323 AH) in eight volumes included the *Takmalah*, which has since been republished in photo-offset format.

In addition to *Radd al-Muhtār*, Ibn 'Ābidīn authored numerous other significant works:

1. ***Minḥab al-Khāliq***: A series of notes and comments on *Nabr al-Fā'iq* by 'Umar ibn Nujaym, as well as on the works of Khayr al-Dīn al-Ramallī. This commentary addresses various interpretative needs and contentious issues. It was published alongside *Sharḥ al-Baḥr al-Rā'iq* in seven volumes, with an additional *Takmalah* by Ṭūri in 1311 AH in Egypt.
2. ***Al-'Uqūd al-Durriyyah fī Tanqīḥ al-Fatāwā al-Ḥāmidīyyah***: A revised version of the fatwas of Shaykh Ḥāmid al-Dīn al-Īmādī, published in two volumes.

²⁶⁸ 'Alā' al-Dīn ibn Muḥammad ibn 'Ābidīn, *al-Takmilah* (11:11).

²⁶⁹ Muḥammad 'Abd al-Laṭīf al-Farfūr, *Ibn 'Ābidīn Wa Atharubū fī Fiqh al-Islāmī* (1:280).

²⁷⁰ 'Alā' al-Dīn ibn Muḥammad ibn 'Ābidīn, *al-Takmilah* (11:11).

²⁷¹ Muḥammad 'Abd al-Laṭīf al-Farfūr, *Ibn 'Ābidīn Wa Atharubū fī Fiqh al-Islāmī* (1:246-266).

3. *Hāshiyah ‘alā Sharḥ Multaqā al-Abḥur*: A marginal commentary on al-Ḥaṣkafī’s *The Gathering of the Seas*.
4. *Hāshiyah ‘alā Tafsīr al-Qāḍī al-Bayḍāwī*: A marginal commentary on Bayḍāwī’s exegesis, providing annotations not found in previous commentaries.
5. *Hāshiyah ‘alā Ifādah al-Anwār Sharḥ al-Manār*: A marginal commentary on Ḥaṣkafī’s *Sharḥ al-Manār*.
6. *Hāshiyah ‘alā Sharḥ al-Taqrīr wa al-Tabḥīr fī al-Uṣūl*: A commentary on the principles of Islamic law as explained by Ibn Amīr Ḥājj.
7. *Raf‘ al-Anzār ‘ammā Awradahū al-Ḥalabī ‘alā al-Durr al-Mukhtār*: A critique addressing the views of al-Ḥalabī on *Durr al-Mukhtār*.
8. *Nasmāt al-Aṣḥār ‘alā Ifādāt al-Anwār*: A marginal commentary on *Sharḥ al-Manār* by al-‘Alā’ al-Dīn, published twice.
9. *Hāshiyah al-Muṭawwal of Taftāzānī*: A detailed marginal commentary on Taftāzānī’s works.
10. *Hāshiyah Fath al-Rabb al-Arbāb ‘alā Lubḥ al-Albāb*: A commentary on *Sharḥ Nubdhah al-Ārāb* by Hishām.
11. *Al-Durar al-Muḍ‘iyyah fī Sharḥ Naẓm al-Abḥur al-Shar‘iyyah*: A commentary on *Naẓm al-Abḥur*.
12. *Fatāwā fī al-Fiqḥ li al-Ḥanafī*: A collection of about 100 legal rulings, also known as *Ajwibatun Muḥaqqiqah*.
13. *Sharḥ al-Kāfī fī al-‘Urūd wa al-Qawāfī*: A commentary on *Al-Kāfī*, a text on Arabic prosody by Aḥmad ibn ‘Abbād al-Qannā‘ah.
14. **An Appendix to *Silk al-Durar of Al-Murādī***: A scholarly addendum to *Silk al-Durar*.
15. *Majmū‘ an-Nafāyis wa al-Nawādir*: A collection of valuable and rare items of scholarly interest.
16. *Qiṣṣah al-Mawlid an-Nabawī al-Sharīf*: A treatise on the story of the Prophet Muhammad’s birth.
17. *Naẓm al-Kanz*: A poetic commentary on *Al-Kanz* of Nasafī, consisting of about 800 verses, though unfinished.
18. *Al-‘Alam al-Zābir fī Nafy al-Nasab al-Ṭābir*: A work on genealogy and lineage.
19. *Sharḥ Manẓūmah ‘Uqūd Rasm al-Muḍī*: A commentary on his own poem, *‘Uqūd Rasm al-Muḍī*, consisting of 74 verses.
20. *Al-Fawā‘id al-Mukhaṣṣasah bi Ahkām Kayy al-Ḥimmiṣah*: A medical treatise discussing the use of chickpeas to treat abscesses, combining two previous monographs with Ibn ‘Ābidīn’s own insights.
21. *Manḥal al-Wāridīn min Biḥār al-Fayḍ ‘alā Dhukbr al-Muta’abbilīn*: A gloss on al-Birkawī’s *Dhukbr al-Muta’abbilīn*, concerning menstruation and puerperium.
22. *Raf‘ al-Taraddud fī ‘Aqd al-Aṣābi‘ ‘inda al-Tashabbud*: A treatise on finger movements during *tashabbud* in prayer.
23. *Tanbīh Dhawī al-Aḥām ‘alā Ahkām al-Tablīgh Khalf al-Imām*: An exposition on amplifying the *takbīr* during congregational prayers.
24. *Shifā‘ al-‘Alīl wa Ball al-Ghalīl fī Ḥukm al-Waṣiyyah bi al-Khiṭmāh wa al-Tabālīl*: A refutation of the practice of bequeathing recitation of the Qur’an during times of plague.
25. *Minḥab al-Jalīl li Bayān Isqāṭ mā ‘alā al-Dhimmah min Kathīrīn wa Qalīl*: A clarification on matters of debt relief.
26. *Tanbīh al-Ghāfīl wa al-Wasnān ‘alā Ahkām Hilāl Ramaḍān*: A monograph on the Islamic legal rulings concerning the sighting of the new moon for Ramadan.
27. *Ithāf al-Dhakī an-Nabīh fī Jawābi mā Yaqūlu al-Faqīh*: A scholarly response to a complex legal question in verse.
28. *Al-Ibānah ‘an Akdh al-Ujrah ‘alā al-Ḥaḍānah*: A treatise on the permissibility of accepting payment for nursing children.
29. *Tahrīr al-Nuqūl fī Nafqah al-Furū‘ wa al-Uṣūl*: A guide on family support in Islamic law.
30. *Raf‘ al-Intiqād wa Daf‘ al-Ītirād ‘alā Qawlihīm*: An explanation of the maxim “faith is based on words.”
31. *Raf‘ al-Ishtibāh ‘an ‘Ibārah al-Ashbāh*: A clarification on whether prophets can sin, as mentioned in *Al-Ashbāh wa al-Nazā‘ir*.

32. *Tanbīh al-Wulāh wa al-Ḥukkām ‘alā Aḥkām Shātīm Khayr al-Anām*: A legal treatise on the rulings for those who insult the Prophet or his companions.
33. *Al-Aqwāl al-Wāḍiḥah al-Jaliyyah*: A detailed commentary on an article in *Al-Ashbāh wa al-Nazā’ir* regarding financial responsibility in guardianship (*niyābah*).
34. *Al-Aqwāl al-Wāḍiḥah al-Jaliyyah*: This work offers a detailed explanation of an article mentioned in *al-Ashbāh*, originally attributed to al-Subkī, which deals with a gap in the division of legal rulings. Although Ibn ‘Ābidīn incorporated a substantial portion of this treatise into his annotations on *al-Ashbāh*, he later included it in his larger work, *Tanqīḥ al-Fatāwā al-Ḥāmidīyyah*.
35. *Al-‘Uqūd al-Durriyyah fī Qawl al-Wāqif ‘alā al-Farīdah al-Shar‘iyyah*: This monograph addresses a legal query regarding the distribution of Waqf (endowments) and inheritance. It provides a summary and commentary on *al-Risālah al-Murḍīyyah* by Ibn al-Minqār. Ibn ‘Ābidīn completed this work around 1230 AH.
36. *Ghāyah al-Maṭlab fī Ishtirāṭi al-Wāqif ‘Awd an-Naṣīb ilā Ahli al-Darajah al-Aqrab fa al-Aqrab*: This work is a response to a legal question from Tripoli (Lebanon) regarding the stipulation of an endowment, along with other related fatwas. It was completed in 1249 AH.
37. *Ghāyah al-Bayān fī anna Waqf al-Ithnayni ‘alā Anfusihimā Waqfun lā Waqfān*: Written in response to a ruling from Tripoli that contradicted the principles of waqf, this work clarifies and refutes the prior decision. Ibn ‘Ābidīn completed it a year later, in 1351 AH.
38. *Tanbīh al-Ruqūd ‘alā Masā’il al-Nuqūd*: This treatise compiles various opinions on currency-related issues, including inflation, devaluation, and the discontinuation of certain currencies. It was finalized around 1230 AH.
39. *Tahbīr al-Tahrīr fī Ibtāl al-Qaḍāya bi al-Faskh bi al-Ghaban al-Fāḥish bi lā Taghrīr*: A response to a legal question from Sidon, this work critiques the opinions of the muftī of Sidon, who had earlier criticized Ibn ‘Ābidīn. The treatise was completed in Jamād al-Ākhīrah 1248 AH.
40. *Tanbīh Dhawī al-Afhām ‘alā Baṭlān al-Ḥukm bi Naqd al-Da‘wā Ba‘da al-Ibrā’ al-Ām*: This detailed legal response disputes a ruling by a sitting judge concerning a specific incident related to claims. The work was completed in 1251 AH.
41. *I‘lām al-A‘lām bi Aḥkām al-Iqrā’ al-Ām*: An analysis of public acknowledgments and confessions, this treatise serves as a commentary on al-Shurunbulālī’s *Tahqīq al-Aḥkām*. It addresses ambiguities in the original text and was completed in 1237 AH.
42. *Nashr al-‘Arf fī Binā’ Ba‘ḍ al-Aḥkām ‘alā al-‘Urf*: An expansion of Ibn ‘Ābidīn’s own commentary on *Manzūmah ‘Uqūd Rasm al-Muftī*, this work emphasizes the role of custom (*urf*) in Islamic legal judgments. It was finished in Rabī‘ al-Thānī, 1243 AH.
43. *Tahrīr al-Ibārah fī man huwa Aḥaqqu bi al-Ijārah*: A commentary that discusses the widespread belief in tenant precedence in rental agreements. The work also introduces other legal clauses on the subject and was completed in Rabī‘ al-Thānī, 1246 AH.
44. *Ajwibah Muḥaqqiqah ‘an As’ilah Mutafarriqah*: This is a collection of well-researched legal responses by Ibn ‘Ābidīn on various topics, provided on different occasions.
45. *Manābil as-Surūr li Mubtaghiyah al-Ḥisāb bi al-Kusūr*: A poetic treatise on mathematics, consisting of 117 lines. Ibn ‘Ābidīn also appended an additional 18-line poem on advanced mathematical concepts, titled *Manzūmah fī al-Zahaf al-Mufrad wa al-Muzdawij*.
46. *Ar-Raḥīq al-Makhtūm Sharḥ Qalāyid al-Manzūm*: A commentary on the versified text *Qalāyid al-Manzūm* by ‘Abd al-Raḥmān ibn Ibrāhīm (Ibn ‘Abd al-Razzāq), which deals with Islamic inheritance law. The work draws heavily from *Multaqā al-Abḥur* and was completed in 1226 AH.
47. *Ijābah al-Ghawth bi Bayān Ḥāl al-Nuqabāyi wa’n Nujabāyi wa al-Abdāl wa al-Awtād wa al-Ghawth*: This monograph explores the ranks of Islamic saints (*awliyā’*), including the Quṭub and Ghawth. It concludes with a 26-line poem, *Qa’idah al-Bā’iyyah*, and was completed in Shawwāl 1124 AH.
48. *Sall al-Ḥusām al-Hindī li Nuṣrah Mawlāna Khālīd an-Naqshbandī*: This work refutes critics of Shaykh Mawlāna Khālīd an-Naqshbandī, defending his spiritual and scholarly contributions. It closes with an account of

a dream in which the third caliph, 'Uthmān ibn 'Affān, informed Shaykh Khālid that he was among his descendants.

49. *Al-Fawā'id al-'Ajībah fī al-I'rāb al-Kalimāt al-Gharībah*: A grammatical treatise focusing on the correct declension of problematic and obscure words in the Arabic language, intended to resolve scholarly disputes.
50. *Bughyah al-Nāsik fī Ad'iyyah al-Manāsik*: A compilation of prayers for the pilgrimage (*hajj*), derived from notable works like *Fath al-Qadīr*, *Manāsik al-'Imādī*, and *Lubāb al-Manāsik*.
51. *Nasmāt al-Ashār 'alā Ifāḍah al-Anwār Sharḥ Kitāb al-Manār [fī uṣūl al-fiqh]*: A marginalia on al-Ḥaṣkafī's commentary of *al-Manār* by Nasafī, which deals with the principles of Islamic jurisprudence (*uṣūl al-fiqh*).
52. *'Uqūd al-La'ālī fī al-Asānīd al-Awālī*: A collection of Ibn 'Ābidīn's scholarly authorizations (*ijāzāt*) from his teachers, along with their biographical details.
53. *Maqāmat*: A biographical work in praise of Ibn 'Ābidīn's teacher, al-'Aqqād, highlighting his life and scholarly achievements.
54. *Nuzḥah al-Nawāzīr 'alā al-Ashbāh wa al-Nazā'ir*: A marginalia on Ibn Nujaym's *al-Ashbāh wa al-Nazā'ir*, collected by Ibn 'Ābidīn's student, Muḥammad ibn Ḥasan al-Bayṭār, and later published in Damascus.²⁷²

DEATH.

Twenty days prior to his demise, Ibn 'Ābidīn purchased a grave for himself and made a bequest that he be buried therein due to its proximity to the graves of two prominent scholars whom he admired greatly, *al-Shaykh 'Alā' al-Dīn al-Ḥaṣkafī*, the author of *al-Durr al-Mukhtār* and the great scholar of *ḥadīth*, *al-Shaykh Ṣāliḥ al-Jīnī*. The reasons for having a desire to be buried near al-Ḥaṣkafī are threefold; his writing a commentary on al-Ḥaṣkafī's *al-Durr* and marginalia on al-Ḥaṣkafī's commentary on *al-Multaqā*, him naming his only son 'Alā' al-Dīn after al-Ḥaṣkafī and him praising al-Ḥaṣkafī in a poem.

He passed away in the early hours of a Thursday, the 21st of *Rabi' al-Thānī* in the year 1252 AH, corresponding to 1836. He lived for approximately 54 *hijrī* years and he was buried in his bequeathed grave in the famous Bāb al-Ṣaghīr graveyard of Damascus. He was blessed with a huge funeral, second to none in his time. Police were needed to control the huge crowds.

When news of his demise reached his brother 'Abd al-Ghanī, he fell to the ground and could not stand up. His funeral prayer was held in Jāmi' Sinān Bāshā in the Bāb al-Jābiyah district of Damascus. The mosque was completely full, and people followed the prayer from the streets and then followed the funeral procession to the graveyard. Damascus had not seen the likes thereof in that era. His funeral prayer was led by his teacher al-Shaykh Sa'īd al-Ḥalabī, as mentioned by his son in *al-Takmilah*. His funeral prayer was also held in absentia in most of the other Islamic cities.²⁷³

RADD AL-MUḤTĀR

ORIGIN

Radd al-Muḥtār is the super commentary or marginalia of the book *al-Durr al-Mukhtār*, which in turn is the commentary of the primer *Tanwīr al-Abṣār*. As the work under discussion is based on these two books, it would be an injustice not to discuss them, albeit briefly.

TANWĪR AL-ABṢĀR

The complete name of this hornbook is *Tanwīr al-Abṣār wa Jāmi' al-Biḥār*.²⁷⁴ Ibn 'Ābidīn praised this book in the beginning of his *Ḥāshiyah* as being a magnanimous text of *fiqh* with immense benefit.²⁷⁵ It was authored by

²⁷² 'Abd al-Jalīl Aṭā, *Muqaddamah Radd al-Muḥtār* pg.16-19.

²⁷³ Muḥammad 'Abd al-Laṭīf al-Farfūr, *Ibn 'Ābidīn Wa Atharūhū fī Fiqh al-Islāmī* (1:288-290).

²⁷⁴ Al-Muḥibbī, *Kbulāshah al-Athar fī A'yān al-Qarn al-Ḥādī 'Ashara* (4:19); Ismā'il Bāshā, *Hadiyyah al-'Arifīn* (2:262); Ḥājī Khalifah, *Kashf al-Zunūn 'an Usāmī al-Kutub wa al-Funūn* (1:501); Kaḥḥālah, *Mu'jam al-Mu'allifīn* (3:428); al-Ziriklī, *al-'Alām* (6:239); al-Ḥabashī, *Jāmi' al-Shurūḥ wa al-Ḥawāshī* (2:262).

²⁷⁵ Ibn 'Ābidīn, *Radd al-Muḥtār* (1:11).

Muḥammad al-Tumurtāshī al-Ghazzī al-Ḥanafī,²⁷⁶ who completed it in 995h.²⁷⁷ The author's full name is Muḥammad ibn 'Abdullāh ibn Aḥmad ibn Muḥammad ibn Ibrāhīm²⁷⁸ ibn Muḥammad al-Khaṭīb, Shihāb al-Dīn,²⁷⁹ al-Tumurtāshī al-Ghazzī al-Ḥanafī, who was considered the chief of the Ḥanafī scholars in his era.²⁸⁰ He was a resident of Gaza, which was both the place of his birth and his final resting place.²⁸¹ He was born in 939h and passed away towards the end of *Rajab* in the year 1004h²⁸² at the age of 65.²⁸³ He was a great *Imām* with an astounding memory, good qualities, possessed deep researching skills and enjoyed a high rank in academia.²⁸⁴ He authored many works, amongst which are the following:

1. *Tanwīr al-Abṣār wa Jāmi' al-Biḥār*, the primer on the basic rulings of all the chapters of *Ḥanafī Fiqh*.²⁸⁵
2. *Mīnāḥ al-Ghaffār*, the commentary of *Tanwīr al-Abṣār*.²⁸⁶
3. *Mus'ifāh al-Ḥukkām 'alā al-Aḥkām*, a short work on the judiciary and its rules.²⁸⁷
4. *Al-Wuṣūl ilā Qawā'id al-Uṣūl* or *Taysīr al-Wuṣūl ilā Qawā'id al-Uṣūl* on Islamic legal theory.²⁸⁸
5. *Tuḥfah al-Aqrān* on *Ḥanafī Fiqh* in poetry form.²⁸⁹
6. *Mawāhib al-Mannān*, the commentary of *Tuḥfah al-Aqrān*.²⁹⁰ Ibn 'Ābidīn mentioned it as *Mawāhib al-Raḥmān* in *Radd al-Muḥtār*.²⁹¹

²⁷⁶ See: Al-Muḥibbī, *Kbulāṣah al-Athar fī A'yān al-Qarn al-Ḥādī 'Ashara* (4:19-20); al-Ghazzī, *Dīwān al-Islām* (2:24); Ismā'īl Bāshā, *Hadiyyah al-Ārifīn Asmā' al-Mu'allifīn wa Āthār al-Muṣannifīn* (2:262); Ḥājī Khalīfah, *Kashf al-Zunūn 'an Usāmī al-Kutub wa al-Funūn* (1:501); al-Ziriklī, *al-A'lām* (6:239); Kaḥḥālah, *Mu'jam al-Mu'allifīn* (3:427-428); al-Ḥabashī, *Jāmi' al-Sburūḥ wa al-Ḥawāshī* (2:262).

²⁷⁷ Ḥājī Khalīfah, *Kashf al-Zunūn 'an Usāmī al-Kutub wa al-Funūn* (1:501).

²⁷⁸ Ibn 'Ābidīn mentions in *Radd al-Muḥtār* () that I have seen in a treatise of his grandson Muḥammad ibn Ṣāliḥ ibn al-Muṣannif that after Ibn Ibrāhīm, the name Ibn Khalīl appears. Dr. 'Abdullāh Maḥmūd Abū Ḥasan states that this is the same way it appears at the end of the manuscript of *Fatāwā Tumurtāshī*, stored in Al-Azhariyyah Library 330048.

²⁷⁹ Dr. Ṣāliḥ ibn 'Abd al-Karīm ibn 'Alī al-Zayd mentions in the preface to his edition of *Bughyah al-Tamām*: Most books have placed his agnomen as Shams al-Dīn. However, the correct view is that his agnomen is Shihāb al-Dīn. Al-Tumurtāshī himself pens this in his commentary of *Tuḥfah al-Aqrān* named *Mawāhib al-Mannān*.

²⁸⁰ Al-Muḥibbī, *Kbulāṣah al-Athar fī A'yān al-Qarn al-Ḥādī 'Ashara* (4:19); al-Ziriklī, *al-A'lām* (6:239).

²⁸¹ Al-Ziriklī, *al-A'lām* (6:239).

²⁸² Dr. 'Abdullāh Maḥmūd Abū Ḥasan states in the preface to his critical edition of the book *Fatāwā al-Tumurtāshī* pg.96: Although the majority of books have recorded his date of demise as 1004h, this is an error. He passed away after this and the preferred view is that he passed away in 1007h. He reinforces this viewpoint with the fact that at the end of a manuscript, al-Tumurtāshī himself writes: I completed the commentary of this blessed copy on Monday 18th *Shawwāl* 1007h. Dr. 'Abdullāh adds: There are additional points that validates this viewpoint. There are two additional treatises in which the author himself has penned a date beyond 1004h. As for *Tuḥfah al-Aqrān*, he wrote it in the year 1005h. Similarly, at the end of the manuscript to the commentary of *Tuḥfah al-Aqrān* named *Mawāhib al-Mannān*, it records the date of completion as 21st *Rabī' al-Thānī*, 1006h. In this treatise he himself concludes with: with the hand of the writer, the author, Muḥammad ibn 'Abdillāh ibn Aḥmad ibn al-Khaṭīb, Shihāb al-Dīn, al-Ghazzī, al-Tumurtāshī, al-Ghazzī, al-Ḥanafī. Praise be to Allah, Salutations on the Messenger of Allah. See: Dr. 'Abdullāh Maḥmūd Abū Ḥasan, *Fatāwā al-Tumurtāshī* pg.96.

²⁸³ Al-Muḥibbī, *Kbulāṣah al-Athar fī A'yān al-Qarn al-Ḥādī 'Ashara* (4:20).

²⁸⁴ Al-Muḥibbī, *Kbulāṣah al-Athar fī A'yān al-Qarn al-Ḥādī 'Ashara* (4:20).

²⁸⁵ Al-Muḥibbī, *Kbulāṣah al-Athar fī A'yān al-Qarn al-Ḥādī 'Ashara* (4:19); Ismā'īl Bāshā, *Hadiyyah al-Ārifīn* (2:262); Ḥājī Khalīfah, *Kashf al-Zunūn 'an Usāmī al-Kutub wa al-Funūn* (1:501); Kaḥḥālah, *Mu'jam al-Mu'allifīn* (3:428); al-Ziriklī, *al-A'lām* (6:239); al-Ḥabashī, *Jāmi' al-Sburūḥ wa al-Ḥawāshī* (2:262).

²⁸⁶ Al-Muḥibbī mentions *Kbulāṣah al-Athar fī A'yān al-Qarn al-Ḥādī 'Ashara* (4:19): It is one of the most beneficial books of the *madbbah*. In Ḥājī Khalīfah mentions in *Kashf al-Zunūn 'an Usāmī al-Kutub wa al-Funūn* (1:501) that after completing *Tanwīr al-Abṣār*, he thereafter penned a commentary called *Mīnāḥ al-Ghaffār*, in two large volumes. See: Al-Muḥibbī, *Kbulāṣah al-Athar fī A'yān al-Qarn al-Ḥādī 'Ashara* (4:19); Ismā'īl Bāshā, *Hadiyyah al-Ārifīn* (2:262); Ḥājī Khalīfah, *Kashf al-Zunūn 'an Usāmī al-Kutub wa al-Funūn* (1:501); Kaḥḥālah, *Mu'jam al-Mu'allifīn* (3:428); al-Ziriklī, *al-A'lām* (6:239); al-Ḥabashī, *Jāmi' al-Sburūḥ wa al-Ḥawāshī* (2:262).

²⁸⁷ Kaḥḥālah mentions the name in *Mu'jam al-Mu'allifīn* (3:428) as *Mus'ifāh al-Ḥukkām 'alā al-Aḥkām al-Muta'alliqah bi al-Qaḍāh wa al-Ḥukkām*. See: Al-Muḥibbī, *Kbulāṣah al-Athar fī A'yān al-Qarn al-Ḥādī 'Ashara* (4:19); Ismā'īl Bāshā, *Hadiyyah al-Ārifīn* (2:262); Ḥājī Khalīfah, *Kashf al-Zunūn 'an Usāmī al-Kutub wa al-Funūn* (2:1626); Kaḥḥālah, *Mu'jam al-Mu'allifīn* (3:428); al-Ziriklī, *al-A'lām* (6:239). The book has been printed twice. In 2001, *Maktabah al-Ma'arif* in Riyāḍ printed the edition of Dr. Ṣāliḥ ibn 'Abd al-Karīm ibn 'Alī al-Zayd in 809 pgs. Thereafter, in 2007, *Dār al-Fatḥ* in Jordan published the edition of Dr. Sāmīr Māzin al-Qubbaj in 263 pgs.

²⁸⁸ See: al-Muḥibbī, *Kbulāṣah al-Athar fī A'yān al-Qarn al-Ḥādī 'Ashara* (4:19); Ismā'īl Bāshā, *Hadiyyah al-Ārifīn* (2:262); Kaḥḥālah, *Mu'jam al-Mu'allifīn* (3:428); al-Ziriklī, *al-A'lām* (6:239). In 2001, *Dār al-Kutub al-Ilmiyyah* in Beirut printed the edition of Dr. Muḥammad Sharīf Muṣṭafā Aḥmad Sulaymān in one volume.

²⁸⁹ See: Ismā'īl Bāshā, *Hadiyyah al-Ārifīn* (2:262), *Īdāḥ wa al-Maknūn* (1:241).

²⁹⁰ See: al-Muḥibbī, *Kbulāṣah al-Athar fī A'yān al-Qarn al-Ḥādī 'Ashara* (4:19); Ismā'īl Bāshā, *Hadiyyah al-Ārifīn* (2:262).

²⁹¹ Ibn 'Ābidīn, *Radd al-Muḥtār* (6:417).

7. *ʿIqd al-Jawābir al-Nayyirāt fī Bayān Khaṣāʾiṣ al-Kirām al-ʿAsharab al-Thiqāt*, on the ten companions of the Prophet who were given glad tidings of Paradise by the Prophet.²⁹²
 8. *Muʿīn al-Muḥḍī ʿalā Jawāb al-Mustaḍī*, on the etiquettes of answering queries.²⁹³
 9. *Al-Fatāwā*, which is a collection of his *fatāwā* or rulings.²⁹⁴
 10. *Tartīb Fatāwā Ibn Nujaym*, wherein he organised the *fatāwā* of Ibn Nujaym.²⁹⁵
 11. *ʿĀnāḥ al-Ḥaqīr li Zād al-Faqīr*, on the subsidiary rulings of the *Ḥanafī* school.²⁹⁶
 12. *Al-Fawāʿid al-Mardīyyah fī Sharḥ al-Qaṣīdah al-Lāmiyyah fī al-ʿAqāʿid*, on beliefs and creed.²⁹⁷
- Besides these, there are many other shorter dissertations by al-Tumurtāshī on a range of different topics in different fields.²⁹⁸

Some of the commentaries of *Tanwīr al-Absār* are:

1. *Mināḥ al-Ghaḥfār*, by the author of *al-Tanwīr*, al-Tumurtāshī himself.
2. *Al-Jawhar al-Munīr fī Sharḥ al-Tanwīr* by Ḥusayn ibn Ikandar al-Rūmī (d.1084h).²⁹⁹
3. *Maṭāliʿ al-Anwār wa Lawāmiʿ al-Aḥkār wa Jawābir al-Asrār bi Sharḥ Tanwīr al-Absār* by Ismāʿīl ibn ʿAbd al-Bāqī al-Yāzjī (d. 1121h).³⁰⁰
4. *Khaṣāʾin al-Asrār wa Badāʾiʿ al-Aḥkār Sharḥ Tanwīr al-Absār* by ʿAlā al-Dīn, Muḥammad ibn ʿAlī al-Ḥaṣkafī (d.1088h), the author of *al-Durr*. This is another more lengthy commentary of *Tanwīr al-Absār*, besides *al-Durr*.³⁰¹
5. *Kbulāṣah al-Tanwīr wa Dhakhīrah al-Muḥḍāj wa al-Faqīr* by Mūsā ibn Asʿad ibn Yahyā al-Maḥāsīnī (1173h).³⁰²
6. *Ḥamīd al-Āḥbār fī Naẓm Matn Tanwīr al-Absār* by Muḥammad Munīb ibn Maḥmūd ibn Muṣṭafā Ḥāshim al-Jaʿfarī (d.1343h).³⁰³
7. *Al-Durr al-Mukbtār fī Sharḥ Tanwīr al-Absār*, the summary of *Khaṣāʾin al-Asrār wa Badāʾiʿ al-Aḥkār* by ʿAlā al-Dīn al-Ḥaṣkafī (d.1088h).³⁰⁴

²⁹² See: al-Muḥibbī, *Kbulāṣah al-Aḥbar fī Aʿyān al-Qarn al-Ḥādī ʿAshara* (4:19); Ismāʿīl Bāshā, *Hadiyyah al-ʿArifīn* (2:262); Kaḥḥālah, *Muʿjam al-Muʿallifīn* (3:428); al-Ziriklī, *al-Aʿlām* (6:240).

²⁹³ Al-Muḥibbī mentions in *Kbulāṣah al-Aḥbar fī Aʿyān al-Qarn al-Ḥādī ʿAshara* (4:19) that it comes in a large volume. Kaḥḥālah records the name in *Muʿjam al-Muʿallifīn* (3:428) as *Muʿīn al-Muḥḍī ʿalā Jawāb al-Mustaḍī fī al-Furūʿ al-Fiqhiyyah ʿalā Madhhab Abī Ḥanīfab*. Al-Ziriklī says in *al-Aʿlām* (6:239) that al-Tumurtāshī completed it in the year 985h. See: al-Muḥibbī, *Kbulāṣah al-Aḥbar fī Aʿyān al-Qarn al-Ḥādī ʿAshara* (4:19); Ismāʿīl Bāshā, *Hadiyyah al-ʿArifīn* (2:262); Ḥājī Khalīfah, *Kashf al-Zunūn ʿan Usāmī al-Kutub wa al-Funūn* (2:1626); Kaḥḥālah, *Muʿjam al-Muʿallifīn* (3:428); al-Ziriklī, *al-Aʿlām* (6:239).

²⁹⁴ See: Kaḥḥālah, *Muʿjam al-Muʿallifīn* (3:428); al-Ziriklī, *al-Aʿlām* (6:239).

²⁹⁵ See: ʿAlī Ridā, Aḥmad Ṭūrān, *Muʿjam al-Turāth al-Islāmī* (4:2851). Dr. Yūsuf ʿAbd al-Raḥmān al-Marʿashlī records the name in *al-Fiqh al-Ḥanafī Uṣūlan wa Furūʿan* (10:19) as *al-Fatāwā al-Zayniyyah*. It is mentioned in *al-Fibrī al-Shāmīl* (4:145) that some indexes have the title of the *Fatāwā* as *Tartīb al-Fatāwā al-Zayniyyah*.

²⁹⁶ See: al-Muḥibbī, *Kbulāṣah al-Aḥbar fī Aʿyān al-Qarn al-Ḥādī ʿAshara* (4:19); Ismāʿīl Bāshā, *Hadiyyah al-ʿArifīn* (2:262); Ḥājī Khalīfah, *Kashf al-Zunūn ʿan Usāmī al-Kutub wa al-Funūn* (2:1626); Kaḥḥālah, *Muʿjam al-Muʿallifīn* (3:428); al-Ziriklī, *al-Aʿlām* (6:239).

²⁹⁷ See: al-Muḥibbī, *Kbulāṣah al-Aḥbar fī Aʿyān al-Qarn al-Ḥādī ʿAshara* (4:19); Ismāʿīl Bāshā, *Hadiyyah al-ʿArifīn* (2:262).

²⁹⁸ Al-Muḥibbī mentions in *Kbulāṣah al-Aḥbar fī Aʿyān al-Qarn al-Ḥādī ʿAshara* (4:19) that al-Tumurtāshī has many *rasāʾil* (treatises). Some of them are: *Sharḥ al-Wabbāniyyah*, *Risālah fī al-Karābiyyah*, *Risālah fī Mashʿalā al-Khuffayn*, *Risālah fī al-Nuqūd*, *Risālah fī al-Tajwīz*, *Risālah fī al-Nikāḥ*, *Risālah fī al-Wuqūf* etc.

²⁹⁹ See: Ismāʿīl Bāshā, *Hadiyyah al-ʿArifīn* (1:323), Kaḥḥālah, *Muʿjam al-Muʿallifīn* (1:604).

³⁰⁰ See: ʿAbdullāh Muḥammad al-Ḥabashī, *Jāmiʿ al-Shurūḥ wa al-Ḥawāshī* (2:269).

³⁰¹ See: Al-Muḥibbī, *Kbulāṣah al-Aḥbar fī Aʿyān al-Qarn al-Ḥādī ʿAshara* (4:63); Ismāʿīl Bāshā, *Hadiyyah al-ʿArifīn* (2:296), Kaḥḥālah, *Muʿjam al-Muʿallifīn* (3:544).

³⁰² See: al-Murādī, *Silk al-Durar fī Aʿyān al-Qarn al-Thānī ʿAshara* (4:222); al-Ziriklī, *al-Aʿlām* (7:320).

³⁰³ See: Kaḥḥālah, *Muʿjam al-Muʿallifīn* (3:735), al-Ziriklī, *al-Aʿlām* (7:112).

³⁰⁴ See: Al-Muḥibbī, *Kbulāṣah al-Aḥbar fī Aʿyān al-Qarn al-Ḥādī ʿAshara* (4:63); Ismāʿīl Bāshā, *Hadiyyah al-ʿArifīn* (2:296), Kaḥḥālah, *Muʿjam al-Muʿallifīn* (3:544).

AL-DURR AL-MUKHTĀR

The full name of this commentary of *Tanwīr al-Absār* is *al-Durr al-Mukhtār fī Sharḥ Tanwīr al-Absār*,³⁰⁵ which is the more concise of the two commentaries by al-Ḥaṣkafī on the primer, *Tanwīr al-Absār*. It was authored by Muḥammad ‘Alā’ al-Dīn al-Ḥaṣkafī whose full name is Muḥammad ibn ‘Alī ibn Muḥammad ibn ‘Alī ibn ‘Abd al-Raḥmān Muḥammad ibn Jamāl al-Dīn ibn Ḥasan ibn Zayn al-‘Ābidīn al-Ḥisnī al-Atharī,³⁰⁶ more commonly referred to as ‘Alā’ al-Dīn al-Ḥaṣkafī. He was a scholar of *Fiqh*, *Uṣūl al-Fiqh* (Islamic legal theory), *Ḥadīth* (prophetic traditions), *Tafsīr* (Quranic exegesis) and *Naḥw* (Arabic syntax). He was born in Damascus in 1025/1616³⁰⁷ and passed away on the 10th of *Shawwāl* 1088/1677 at the age of 63.³⁰⁸ He was laid to rest in the famous Damascene graveyard, *al-Bāb al-Saghīr*.³⁰⁹

He was an outstanding scholar who was always involved in teaching and imparting his knowledge and experience. He studied under Muḥammad al-Maḥāsīnī in Damascus and received authorization from him. He then travelled to Ramallah and studied under Khayr al-Dīn ibn Aḥmad, more commonly referred to as Khayr al-Dīn al-Ramallī and gained authorization from him as well. He then furthered his studies in Jerusalem, gaining authorization from Fakhr al-Dīn ibn Zakariyyā. When he performed *Hajj*, he visited Madīnah and studied under Aḥmad al-Qashāshī. He held the position of the *Muftī* of Damascus for five years until he passed away.³¹⁰ He was extremely cautious and careful in his rulings and pronouncements. Prior to becoming the *Muftī* of Damascus, he was the *Imām* of the main mosque of Damascus, al-Jāmi’ al-Umawī. He authored many works, including the following:

1. The commentary of *Tanwīr al-Absār* titled *al-Durr al-Mukhtār*, which is printed and widely available.
2. A more detailed commentary of *Tanwīr al-Absār* titled *Khazā’in al-Asrār wa Badā’i’ al-Afkār Sharḥ Tanwīr al-Absār*, but this was not completed and is only available in manuscript form.
3. *Ifādah al-Anwār*, a commentary of *al-Manār* in *Uṣūl al-Fiqh* or Islamic legal theory and is printed.³¹¹
4. A commentary of *al-Qaṭr* in *Naḥw* (Arabic syntax) which is not printed.³¹²
5. He has notes on *Tafsīr al-Bayḍāwī* of approximately half of the Qur’ān, from *Sūrah al-Baqarah* to *Sūrah al-Isrā’*, but which is in manuscript form.³¹³
6. Notes on the *Ṣaḥīḥ* of al-Bukhārī in about 30 notebooks, which is in manuscript form.³¹⁴
7. *Al-Durr al-Muntaqā*, the commentary of *al-Multaqā*, which is printed.³¹⁵
8. *Mukhtaṣar al-Fatāwā al-Ṣūfiyyah*.³¹⁶
9. A *Ḥāshiyah* or marginalia on *al-Durar*.

³⁰⁵ See: Al-Muḥibbī, *Khulāṣah al-Athar fī A’yān al-Qarn al-Ḥādī ‘Ashara* (4:63); Ismā’il Bāshā, *Hadiyyah al-‘Arifīn* (2:296); Kaḥḥālah, *Mu’jam al-Mu’allifīn* (3:544).

³⁰⁶ See: Al-Muḥibbī, *Khulāṣah al-Athar fī A’yān al-Qarn al-Ḥādī ‘Ashara* (4:63); Ismā’il Bāshā, *Hadiyyah al-‘Arifīn* (2:295); Kaḥḥālah, *Mu’jam al-Mu’allifīn* (3:543-544); al-Ziriklī, *al-A’lām* (6:294); Al-Marādī, *al-‘Arf al-Bashām fī Man Waliya Fatwā Dimashq al-Shām* pg.81-84.

³⁰⁷ Al-Marādī, *al-‘Arf al-Bashām fī Man Waliya Fatwā Dimashq al-Shām* pg.81.

³⁰⁸ Al-Marādī, *al-‘Arf al-Bashām fī Man Waliya Fatwā Dimashq al-Shām* pg.84.

³⁰⁹ See: Al-Muḥibbī, *Khulāṣah al-Athar fī A’yān al-Qarn al-Ḥādī ‘Ashara* (4:63).

³¹⁰ See: Al-Muḥibbī, *Khulāṣah al-Athar fī A’yān al-Qarn al-Ḥādī ‘Ashara* (4:63).

³¹¹ See: Al-Muḥibbī, *Khulāṣah al-Athar fī A’yān al-Qarn al-Ḥādī ‘Ashara* (4:63); Ismā’il Bāshā, *Hadiyyah al-‘Arifīn* (2:295); Kaḥḥālah, *Mu’jam al-Mu’allifīn* (3:543); al-Ziriklī, *al-A’lām* (6:294).

³¹² See: Al-Muḥibbī, *Khulāṣah al-Athar fī A’yān al-Qarn al-Ḥādī ‘Ashara* (4:63); Ismā’il Bāshā, *Hadiyyah al-‘Arifīn* (2:295); al-Ziriklī, *al-A’lām* (6:294).

³¹³ See: Al-Muḥibbī, *Khulāṣah al-Athar fī A’yān al-Qarn al-Ḥādī ‘Ashara* (4:63); Ismā’il Bāshā, *Hadiyyah al-‘Arifīn* (2:295); Kaḥḥālah, *Mu’jam al-Mu’allifīn* (3:428); ‘Ādil Nuwayhid, *Mu’jam al-Mufasssīrīn* pg.592.

³¹⁴ See: Al-Muḥibbī, *Khulāṣah al-Athar fī A’yān al-Qarn al-Ḥādī ‘Ashara* (4:63); Ismā’il Bāshā, *Hadiyyah al-‘Arifīn* (2:295); Kaḥḥālah, *Mu’jam al-Mu’allifīn* (3:428).

³¹⁵ See: Al-Muḥibbī, *Khulāṣah al-Athar fī A’yān al-Qarn al-Ḥādī ‘Ashara* (4:63); Ismā’il Bāshā, *Hadiyyah al-‘Arifīn* (2:295); Kaḥḥālah, *Mu’jam al-Mu’allifīn* (3:544); al-Ziriklī, *al-A’lām* (6:294).

³¹⁶ Kaḥḥālah mentions the name in *Mu’jam al-Mu’allifīn* (3:428) as *Mukhtaṣar al-Fatāwā al-Ṣūfiyyah min Ṭarīq al-Bahā’iyyah*. See: Al-Muḥibbī, *Khulāṣah al-Athar fī A’yān al-Qarn al-Ḥādī ‘Ashara* (4:63); Kaḥḥālah, *Mu’jam al-Mu’allifīn* (3:544).

Besides these he has penned many other dissertations and shorter works.

Some commentaries of *al-Durr al-Mukhtār*:³¹⁷

Al-Durr al-Mukhtār is one of the books in *Ḥanafī* jurisprudence on which multiple commentaries were written, possibly only second to al-Marghinānī's *al-Hidayah*. Unfortunately, many of these commentaries have not been printed and are only available as manuscripts. Some of these commentaries are:

1. *Tuhfab al-Akhyār 'alā al-Durr al-Mukhtār* by Burhān al-Dīn Muṣṭafā ibn Ibrāhīm al-Ḥalabī al-Mudārī (d. 1190h).³¹⁸
2. *Ḥāshiyah al-Ṭahṭāwī* by Shihāb al-Dīn Aḥmad ibn Muḥammad ibn Ismā'īl al-Ṭahṭāwī (d. 1231h).³¹⁹
3. *Ḥāshiyah Ghazzī Zādah 'alā al-Durr* by 'Abd al-Laṭīf ibn Muḥammad ibn Aḥmad (al-Barsawī, al-Sufī), commonly known as Ghazzī Zādah³²⁰ (d. 1247h).³²¹
4. *Dalā'il al-Asrār 'alā al-Durr al-Mukhtār*, known as *Ḥāshiyah al-Fattāl* by Khalīl ibn Muḥammad ibn Ibrāhīm ibn Manṣūr al-Fattāl (d. 1184h).³²²
5. *Maḥāṭib al-Asrār wa Lawā'ih al-Aḥkār fī Sharḥ al-Durr al-Mukhtār*, by 'Abd al-Raḥmān ibn Ibrāhīm ibn Aḥmad al-Dimashqī, commonly known as Ibn 'Abd al-Razzāq.³²³
6. *Ta'ālīq al-Anwār 'alā al-Durr al-Mukhtār* by 'Abd al-Mawlā al-Maghribī al-Dimyāṭī (d. 1238h).³²⁴
7. *Qurrah al-Anṣār fī Ḥāshiyah al-Durr al-Mukhtār* by Abū al-Ṭayyib Muḥammad ibn 'Abd al-Qādir al-Madanī.³²⁵
8. *Ṭawālī' al-Anwār 'alā al-Durr al-Mukhtār* by Muḥammad 'Ābid al-Sindī al-Madanī al-Anṣārī (1257h).³²⁶
9. *Radd al-Muḥtār on Ḥāshiyah Ibn 'Ābidīn* by Muḥammad Amīn ibn 'Umar ibn 'Abd al-'Azīz, commonly known as Ibn 'Ābidīn (d. 1252h).

RADD AL-MUḤTĀR

Background and Method of Writing

Ibn Abidin's famous and accepted marginalia *al-Radd al-Muḥtār* is based on al-Ḥaṣkafī's *al-Durr al-Mukhtār*. Ibn 'Ābidīn loved 'Alā' al-Dīn al-Ḥaṣkafī and his works immensely. He admired and revered both the personality and his scholarly prowess. He defended him as far as possible in his own writings and always referred to him with the utmost of love and respect. His extreme fondness for al-Ḥaṣkafī is displayed in three ways:

1. Ibn 'Ābidīn made a bequest to be buried between the graves of Allāmah al-Jinīnī and al-Ḥaṣkafī in the famous Damascene graveyard, *al-Bāb al-Ṣaghīr*. This bequest was made 20 days prior to his demise. He purchased the grave and had it dig out whilst alive. When he passed away shortly thereafter, he was buried in the same spot.
2. He named his only son 'Alā' al-Dīn after al-Ḥaṣkafī as a good omen and wishing that his son emulates him.
3. He wrote commentaries on three of al-Ḥaṣkafī's books; two in *Fiqh*, *al-Durr al-Mukhtār* and *al-Muntaqā* and one in *Uṣūl al-Fiqh*, *Ifādah al-Anwār fī Sharḥ al-Manār*. His commentary on *al-Muntaqā* was lost. He wrote two commentaries on *Ifādah al-Anwār*, *al-Ṣughrā* (the lesser) and *al-Kubrā* (the greater), the second of these was also lost. His commentary on *al-Durr* is the widely accepted *Radd al-Muḥtār*, which is considered to be Ibn 'Ābidīn's greatest legacy. This book gained so much of acceptance that Ibn 'Ābidīn is also referred to as *Ṣāhib al-*

³¹⁷ See: Sā'id Bakdash lists 19 different titles in *al-Imām al-Faqīh al-Muḥaddith al-Shaykh Muḥammad 'Ābid al-Sindī al-Anṣārī* pgs. 382-398.

³¹⁸ See: Ismā'īl Bāshā, *Hadiyyah al-'Arifīn* (1:39), *Īdāh wa al-Maknūn* (1:240).

³¹⁹ See: Kaḥḥālah, *Mu'jam al-Mu'allifīn* (1:251).

³²⁰ See: Ismā'īl Bāshā, *Hadiyyah al-'Arifīn* (2:618).

³²¹ See: Ismā'īl Bāshā, *Hadiyyah al-'Arifīn* (2:618); al-Ziriklī, *al-A'lām* (4:61).

³²² See: al-Murādī, *Silk al-Durar fī A'yān al-Qarn al-Thānī 'Ashara* (2:99); al-Ziriklī, *al-A'lām* (2:322).

³²³ See: Ismā'īl Bāshā, *Hadiyyah al-'Arifīn* (1:552); Kaḥḥālah, *Mu'jam al-Mu'allifīn* (2:270); al-Murādī, *Silk al-Durar fī A'yān al-Qarn al-Thānī 'Ashara* (2:267).

³²⁴ See: Ismā'īl Bāshā, *Hadiyyah al-'Arifīn* (1:630), *Īdāh wa al-Maknūn* (1:294); Kaḥḥālah, *Mu'jam al-Mu'allifīn* (2:326).

³²⁵ See: Ismā'īl Bāshā, *Īdāh wa al-Maknūn* (2:223); 'Abdullāh Muḥammad al-Ḥabashī, *Jāmi' al-Shurūḥ wa al-Ḥawāshī* (2:264).

³²⁶ See: Ismā'īl Bāshā, *Hadiyyah al-'Arifīn* (2:370); al-Ziriklī, *al-A'lām* (6:179).

Hāshiyah or the author of the marginalia amongst scholars and academics and when *Hāshiyah Ibn ‘Ābidīn* (The marginalia of Ibn ‘Ābidīn) is mentioned, it is only *Radd al-Muhtār* that is meant.

Ibn ‘Ābidīn studied *al-Durr al-Muhtār* twice and thereafter began compiling its commentary. He commenced the first study at the able hands of his teacher, *al-Shaykh* Shākir al-‘Aqqād. *al-Shaykh* Shākir then passed away in the year 1222h, before Ibn ‘Ābidīn could complete *al-Durr*. He thereafter proceeded to complete it under his fellow classmate and companion, the most senior of *al-Shaykh* ‘Aqqād’s students, *al-Shaykh* Sa‘īd al-Ḥalabī. He also quickly covered the portions of *al-Durr* that he had already studied under *al-Shaykh* al-‘Aqqād. This study of *al-Durr* began in *Shawwāl* 1222h, nine months after the demise of his first teacher. These nine months was the period required for *al-Shaykh* Sa‘īd to assume the teaching seat of his teacher and formalize everything that was required prior to taking up this position. Ibn ‘Ābidīn completed his first study of *al-Durr* in the year 1224h.

His second study of al-Ḥaṣkafī’s primer was a much more in depth and academic study, in which Ibn ‘Ābidīn studied *al-Durr* together with *al-Shaykh* Sa‘īd al-Ḥalabī’s super-commentary and Ibn Nujaym’s *al-Babr al-Rā‘iq*. This was naturally a much more intense and lengthy study and lasted a full six years, from the beginning of 1225h and culminated in the year 1230h. In this unique way, Ibn ‘Ābidīn managed to gather the *fiqhī* knowledge of *al-Shaykh* al-Ḥalabī and the deep knowledge and understanding of *al-Shaykh* ‘Aqqād and coupled it with his own intelligence, acumen and extensive research.

After this Ibn ‘Ābidīn began documenting these pieces of information from the discourses and lessons of these two great scholars to create the first original rough draft which formed the basis and framework of his manuscript for *Radd al-Muhtār*.

Ibn ‘Ābidīn wrote down the notes from the lessons of his two teachers in the margin of his copy of *al-Durr* and also recorded his own research in the same margin, meticulously mentioning the source of each reference with great care and trustworthiness. The first draft of his marginalia took a full six years to complete, from 1225h to 1230h.

After studying and looking at numerous quotes on the topic of Ibn ‘Ābidīn final draft, it becomes apparent that this happened over four phases.

The First Phase:

This was the revising, editing and cleaning up of the fourth and last volume of Ibn ‘Ābidīn’s manuscript. This was the chapters from *Kitāb al-Ijārah* (The Book on Rent and Hire) till the end of *al-Makhārij* (The Sources) of *Kitāb al-Farā‘id* (The Book on Inheritance). This was the first section that Ibn ‘Ābidīn went through to include in his final draft. This took two years and nine months to complete, from the end of *Rabi‘ al-Thānī* 1231h till then end of *Muḥarram* 1233h.

The Second Phase:

This was the editing, revising and cleaning up of the first volume of his manuscript, from *Kitāb al-Ṭaharah* (The Book on Purity), with the foreword till then end of *Kitāb al-Ḥajj* (The Book on Pilgrimage). This began in *Rabi‘ al-Awwal* 1233h and was completed in *Jumād al-Ūlā* 1243h, a period of ten years and three months.

The Third Phase:

This was the editing, revising and cleaning up of the second volume of his manuscript, from *Kitāb al-Nikāḥ* (The Book on Marriage) till the end of *Kitāb al-Waqf* (The Book on Charitable Trusts). This began in *Jumād al-Thānīyah* 1243h till *Sha‘bān* 1249h, lasting about six years and two and a half months.

The Fourth Phase:

This was the revising, editing and cleaning up of the third volume of his manuscript, from *Kitāb al-Buyū‘* (The Book on Sales) till parts of *Kitāb al-Qadā‘* (The Book on the Laws of the Judiciary), which was just before *Kitāb al-Shahādāt* (The Book on Testimony). This phase began in the last ten days of *Sha‘bān* 1249h until Ibn ‘Ābidīn’s demise on the 21st of *Rabi‘ al-Thānī* 1252h, spanning a period of about three years.

A question that is usually raised at this point is that why did the editing phase take so long? The first volume of his manuscript took over 10 years to complete!

When studying the dates of the other works of Ibn ‘Ābidīn, it becomes manifest that Ibn ‘Ābidīn was not solely focused and working on one book or project but was rather busy with multiple projects at the same time. The first volume of his valuable work, *al-Uqūd al-Durriyyah fī Tanqīḥ Fatāwā al-Ḥāmidīyyah* was completed on a Thursday, the 27th of *Ramādān* 1236h, as recorded by Ibn ‘Ābidīn himself at the end of this volume. The second volume of this

very book was completed on the 18th of *Rabi‘ al-Awwal* 1238h, as recorded by the author. This was the exact same period in which Ibn ‘Ābidīn was busy with the editing and revising of *Radd al-Muhtār*.

Another reason that this took so long is that together with being busy with multiple projects at the same time, as well as his normal duties, the editing of *Radd al-Muhtār* was not simply cleaning up the language and editing it. This edit comprised of the referencing and cross referencing of multiple sources, verifying the same, correcting mistakenly referenced citations in other works and also verifying the authenticity of previous jurists opinions. All of these were very time consuming, and it was all done manually, with the greatest of care and precision. It was for these reasons that the task took so long, exhausting a considerable amount of time and effort, so much so that Ibn ‘Ābidīn could not complete it himself.

DESCRIPTION

One of the main reasons that prompted Ibn ‘Ābidīn to write his marginalia was an incident that took place in one of the lessons of his teacher, *al-Shaykh Sa‘īd al-Ḥalabī*. *Al-Shaykh al-Ḥalabī* allowed and encouraged his students to debate and pose questions in his lessons. In this way he gauged their understanding, their capabilities and strengths. One day an interesting discussion took place in regard to a woman in the state of *istihādah*.³²⁷ The class reaches a point in the discussion where almost everyone was uncertain and perplexed as to the correct ruling. At this juncture, *al-Shaykh Sa‘īd’s* student, Ibn ‘Ābidīn stood up, and with great expertise explained the intricate ruling in such a manner that his teacher, together with all those that were present were satisfied and amazed at his great proficiency. Al-Shaykh Sa‘īd then ordered him to prepare a super commentary on the book that he was studying, *al-Durr al-Mukhtār* and prayed that the work be accepted and beneficial for all Muslims.³²⁸

Ibn ‘Ābidīn embarked on this significant undertaking with the aim of creating a concise yet comprehensive synthesis of earlier major works of Ḥanafī jurisprudence. His goal was for this work to serve as a standalone, authoritative summary of the school’s legal methodology, opinions, and rulings. Rather than simply producing a collection of rulings, he sought to establish a reliable source that would address a common issue of his time—namely, people’s reliance on unreliable or weak opinions within the *madhhab*. A Damascene colleague of Ibn ‘Ābidīn, Muḥammad Hibat Allāh ibn Muḥammad al-Tājī al-Ba‘alī (d.1809) also warned of this situation where most people in their time tend to rule according to unreliable sources such as al-Quhuṣṭānī’s *Jamī‘ al-Rumūz*, Ibn Nujaym’s *al-Asbbāh wa al-Nazā‘ir* and al-Ḥaṣkafī’s *al-Durr*. Because of the conciseness of the discussions in these books, the rulings were obscured and contained inaccurate opinions. To support his view, al-Ba‘alī alludes to a similar view held by the eminent 18th century Damascene scholar, Ṣālīh al-Jinīnī (d.1757).³²⁹ So, together with wanting his work to be a comprehensive summary of his school’s opinions and rulings, Ibn ‘Ābidīn more-so wanted it to be an authentic, reliable source for rulings of the *madhhab*, thereby eradicating the incorrect and unreliable rulings that were prevalent and spreading in his era in the *madhhab*.

PRINTS

Yūsuf ibn Ilyān Sarkīs has recorded in *Mu‘jam al-Maṭbū‘āt*³³⁰ and Carl Brockelmann in *Geschichte der Arabischen Litteratur* or *Tārīkh al-Adab al-‘Arabī*³³¹ the prints of Ibn ‘Ābidīn’s *Radd al-Muhtār* as follows:

1. **The Cairo prints**, printed in five volumes (except for (d) which is in six volumes) in the following years:
 - a) 1236h as recorded by Brockelmann only.
 - b) 1307h, recorded by both Sarkīs and Brockelmann. Sarkīs termed this print the *al-Maymaniyyah* print, in relation to the printing house. It became well known that this was the most accurate and correct print of the time.
 - c) 1317h as recorded by Brockelmann only.
 - d) 1323h as recorded by both Sarkīs and Brockelmann.
 - e) 1326h as recorded by Brockelmann only.

³²⁷ This refers to the bleeding experienced by a woman besides the postpartum and monthly menses.

³²⁸ Taqī al-Dīn, *Muntakhabāt al-Tawārīkh li Dimashq* (2:664).

³²⁹ Guy Burak, *The Second Formation of Islamic Law* pgs.157-158.

³³⁰ Yūsuf ibn Ilyān Sarkīs, *Mu‘jam al-Matboo‘at*, Page 150

³³¹ Carl Brockelmann, *Tārīkh al-Adab al-‘Arabī*, (2:428).

2. The Būlāq prints, in five volumes in the following years:

- a) 1272h. This is considered as the most famous and wide-spread print, as recorded by both Sarkīs and Brockelmann. This was the same print that was used in the 1970s for printing in Beirut.
- b) 1276h. recorded by both Sarkīs and Brockelmann.
- c) 1299h. recorded by both Sarkīs and Brockelmann. This is the print that contains the *al-Takmilah* or completion by Ibn ‘Ābidīn’s son, ‘Alā’ al-Dīn and is attached to it.

3. The Iṣṭanbul print.

This was only one print in the year 1307h and was printed in five volumes.³³² Only Brockelmann records this print.

4. The Muṣṭafā al-Bābī al-Ḥalabī print.

This was printed in 1386h/1966 in six volumes,³³³ with the text of *al-Durr* on the top of the page and the marginalia at the bottom. This print also has the *Taqrīrāt* (reports and appendages) of several scholars attached to it.

5. The H.M. Saeed print, Pakiṣṭan.

This was printed in 1406h in eight volumes by H.M. Saeed Company in Pakiṣṭan. A reprint of the Muṣṭafā al-Bābī edition. This is an extremely practical edition to have for those that are studying the science of *iftā’* and are utilising books of *fatāwā* in the Urdu language, seeing as the references provided in the Urdu *fatāwā* books matches the HM Sa’id edition of *Radd al-Muḥṭār*. This edition also matches the edition on al-Maktabah al-Shamela.

6. The Furfūr print.

This is the best incomplete edition. Currently in 20 large volumes, ending on *Kitāb al-Shuḥf’ah*. A project which has spanned twenty years. The first volume was printed in 1421/2000 and the 20th volume was printed in 1441h/2020.

Some features of this edition:

- a) A critical contrast and evaluation of the text, through multiple manuscripts and printed editions of *Tanwīr al-Aḥṣār*, *al-Durr al-Mukhtār* and *Radd al-Muḥṭār*.
- b) Whenever a verse of the Qur’ān or *ḥadīth* is mentioned, a reference is provided.
- c) Biographical data is provided for names of scholars upon their initial entry, and references are generally provided to book titles upon their initial entry, allowing one to attribute the title to the author.
- d) Throughout the *Ḥāshiyah*, Ibn ‘Ābidīn uses the term *saya’rī* and *taqaddam*. Utilising a numbering system for each comment of Ibn ‘Ābidīn on the margin, whenever these two terms appear, they allocate a number in the footnotes to that entry which easily allows the reader to navigate and find the supporting text.
- e) The entire *taqrīr* of al-Rāfi’ī is included.

Besides the above, the book has been printed many times in several countries. Muḥammad Ṭāhir Shāh, the former *Muftī* of *al-Jāmi’ah al-Fārūqiyyah* utilises three symbols in his index to *Radd al-Muḥṭār*, titled *Fath al-Ghaffār* to represent the printed editions. After recording every ruling, he provides a reference point to the printed editions of *Radd al-Muḥṭār* using the letters *bā’*, *mīm* and *kāf*.³³⁴

1. He states that the letter *bā’* indicates to the volume and page number to the *Būlāq* edition and the edition printed by *Dār Iḥyā’ al-Turāth al-‘Arabī*, Beirut.³³⁵ He states on page 8-9, that this is the 1271h of the *Būlāq*

³³² The National Library of Israel catalogues an earlier edition, dated 1291h under system number 990019886460205171. They provide the physical description as: 5 volumes, printed in Iṣṭanbul by al-‘Āmirah. They have a second edition, dated 1294h, under system number 990019887580205171. They provide the physical description as: 5 volumes, printed in Iṣṭanbul by ‘Alī Bik.

³³³ The National Library of Israel catalogues this 1386h edition under system number 990019861240205171. They provide the physical description as: 8 volumes. This is recorded as the second edition.

³³⁴ Muḥammad Ṭāhir Shāh, *Fath al-Ghaffār* pgs. 8-9 and pg.12.

³³⁵ Al-Madinah International University catalogues the book under call number: 217.1 (ج ر ع), in Shah Alam Malaysia. They hold all 14 volumes, and provide the barcode number for each individual volume. V.1 = 00000454, V.2 = 00000489, V.3 = 000005470, V.4 = 00005471, V.5 = 00005472, V.6 = 00005473, V.7 = 00000487, V.8 = 00005474, V.9 = 00005475, V.10 = 00005476, V.11 = 00005477, V.12 = 00005478, V.13 = 00005479, V.14 = 00005480. They provide the physical description as: 14 volumes: 24.50cm. They mention that this is the first edition printed in the year 1419.

edition, which was reprinted by two publishing houses in Beirut: *Dār Iḥyā' al-Turāth al-ʿArabī*³³⁶ and *Dār al-Kutub al-ʿIlmiyyah*.³³⁷ It was also reprinted in Deoband, India by *al-Maktabah al-Nuʿmāniyyah*.³³⁸ The reason for using the letter *bā'* to indicate to these copies is due to the fact that the word *Būlāq* starts with a *bā'*.

2. The letter *mīm* indicates to the volume and page number to the Muṣṭafā al-Ḥalbī edition and the edition printed by H.M Saeed Company, Pakiṣṭān. He states on page 9 that this is the 1386h edition of the Muṣṭafā al-Ḥalbī print, which is the second edition. This was then reprinted by Dār al-Fikr in Beirut, Lebanon in the year 1399h.³³⁹ The H.M. Saeed Company thereafter printed this copy in Pakiṣṭān. He has utilised the letter *mīm* to indicate to the name Muṣṭafā al-Ḥalbī.
3. The letter *kāf* indicates to the volume and page number to the edition printed by *Dār al-Kutub al-ʿArabiyyah al-Kubrā*, Egypt and the two Pakiṣṭān editions by *al-Maktabah al-Mājidīyyah*³⁴⁰ and *al-Maktabah al-Rashīdiyyah*. He states on page 9 that this is the edition printed in Egypt by *Maktabah Dār al-Kutub al-ʿArabiyyah al-Kubrā* in the year 1327h.³⁴¹ This was then reprinted by *al-Maktabah al-Mājidīyyah* and *al-Maktabah al-Rashīdiyyah* in the year 1399h. He utilised the letter *kāf* to indicate to the first letter of the word *Kubrā* and the province Quetta in Pakiṣṭān seeing as both publishing houses are located there.

There are several publishers that have reprinted the book. Some of them are:

1) Dār al-Maʿrifah.

The first edition was printed in Beirut, Lebanon in the year 2000.³⁴² There have been many prints since. The fourth edition was printed in the year 2015.³⁴³

2) Wizārah al-Awqāf.

This edition was printed in Kuwait in 1406h.

3) Dār al-Ḥadīth.

This edition is printed in Egypt in 12 volumes in 2016.

There is a new project, that has commenced in Deoband, India which is noteworthy of mentioning. Currently, only the *muqaddimah* has been published. They have gathered the numerous prints available, including the *Farfūr* edition. After reviewing the various prints, they have added detailed footnotes. They verify the text, by tracing the original sources and highlight if Ibn ʿĀbidīn's view is contrary to what was recorded in the earlier works.

³³⁶ Al-Madinah International University catalogues the first edition as dated 1419h.

³³⁷ Princeton University has catalogued each individual volume under the following entry points: Consult Circ. desk for v. 1=HWJIXT, v. 2=HWJIXU, v. 3=HWJIXV, v. 4=HWJIXW, v. 5=HWJIXX, v. 6=HWJIXY, v. 7=HWJIXZ, v. 8=HWJIY1, v.9=HWJIY2, v. 10=HWJIY3, v. 11=HWJIY4, v. 12=HWJIY5; v.13=HNF535; v.14=HNF536. The register the publisher as: Bayrūt, Lubnān: *Dār al-Kutub al-ʿIlmiyyah*. They provide the physical description as: 14 volumes; 24cm. They mention that this is the first edition. This print was critically edited by ʿĀdil Aḥmad al-Mawjūd and ʿAlī Muḥammad Muʿawwad. Muḥammad Bakr Ismāʿīl provides an encomium to it. The second edition was printed in 2003 as catalogued by Baker-Beryy Library, Dartmouth under stacks: BP152.1113 2003. The third edition was printed in 2011 as catalogued by Aga Khan Library in London under call number KBP440.43.H385 I252.

³³⁸ Princeton University has catalogued this under call number BP152.1113 1855. The register the publisher as: Diyūbind: *Maktabah Nuʿmāniyyah*, 1272 [1855]. They provide the physical description as: 5 volumes; 28cm.

Dr. Aḥmad Khān registers another edition in *Muʿjam al-Maṭbūʿāt al-ʿArabiyyah fī Shubb al-Qārah al-Hindiyyah al-Bākistāniyyah mundh Dukkūl al-Maṭbaʿah Ilayhā Ḥattā ʿAm 1980* pg.140, as a five volume edition that is published in Delhi in 1287h as a reprint of the 1855-56 Būlāq edition.

³³⁹ In Dār al-Kutub, the Department of Culture and Tourism, Abu Dhabi, they have digitised the first edition to the Dār al-Fikr edition dated 1415h, available on the al-Manhal platform. The University of KwaZulu-Natal has recorded this under call number 297.811 IBN A. Published in eight volumes. This is the second edition that was printed in 1979.

³⁴⁰ Princeton University has catalogued this under call number KBP300.1228 A34 1978. The register the publisher as: Kūʾitah, Bākistān: *Milne kā patah, Maktabah Mājidīyyāh*, 13-1401 [1978 or 1979-1983 or 1984] [or1979-1983 or 1984-1978] 1403-13. They provide the physical description as: 9 in 7 volumes: 23cm. They mention that this is the first edition.

³⁴¹ The National Library of Israel catalogues this 1327h edition under system number 990019880110205171. They provide the physical description as: 5 volumes.

³⁴² UC Santa Barbara University has catalogued this in the Main Library under no: KBP440.43.H385 I252 2000. They provide the physical description as: 12 volumes: 25cm. They mention that this is the first edition.

³⁴³ Harvard University has catalogued this as available at the Harvard Law School Library Offsite Storage (KBP300.K538 A373437 2015). They provide the physical description as: 12 volumes: 25cm. They mention that this is the fourth edition.

ADDITIONS TO RADD AL-MUḤTĀR

There are several works that are considered as additions to *Radd al-Muḥtār*:

1. The most famous of these is the completion of *Radd al-Muḥtār* rendered by Ibn ‘Ābidīn’s son, ‘Alā’ al-Dīn.³⁴⁴ This work is titled *Qurrah ‘Uyūn al-Akhyār li Takmilah Radd al-Muḥtār*. Whilst in Istanbul in the year 1285h, a request was made to his son to complete his father’s work. ‘Alā’ al-Dīn returned to Damascus and wrote the *Takmilah* in two volumes. He completed this, as mentioned by Brockelmann, in the year 1290h or 1873. It was printed in Istanbul in the year 1293h. The *Būlāq* print was printed in the years 1299h-1325h and the Cairo print from 1307h-1321h.³⁴⁵
2. The second most famous addition to Ibn ‘Ābidīn’s *Radd al-Muḥtār* is *Taqrīrāt al-Rāfi‘ī* by Shaykh ‘Abd al-Qādir al-Rāfi‘ī al-Fārūqī al-Ḥanafī,³⁴⁶ who passed away in *Ramaḍān* 1323h in Cairo. He was the previous *Muftī* of the Egyptian lands.³⁴⁷ This book remained in the author’s handwriting in the margins of his copy of *Radd al-Muḥtār*. This was his notes on what he would like to add to the text of *Radd al-Muḥtār* and what he noted to be a clarification to certain sections. This was not edited nor separated from the margin. Al-Rāfi‘ī’s son then separated it, edited it and double checked it with his father. It was only printed by *Būlāq* after his father’s demise in 1323h by his son, Muḥammad Rashīd al-Rāfi‘ī.³⁴⁸ Its full name is *al-Taḥrīr al-Mukbtār li Radd al-Muḥtār* but is commonly called *al-Taqrīrāt al-Rāfi‘ī*. It was originally printed in one volume comprising 361 pages. It elaborates on certain discussions of *Radd al-Muḥtār* that the author felt required further elucidation. The *Būlāq* print was completed in the beginning of *Jumād al-Ukbrā* 1324h and was edited by Ṭāḥā ibn Maḥmūd.
3. Notes on the *Ḥāshiyah* of Ibn ‘Ābidīn by Allāmah al-Shaykh ‘Abd al-Ghanī ibn Aḥmad ibn ‘Abd al-Qādir al-Rāfi‘ī, al-Baysārī, al-Fārūqī,³⁴⁹ the *Muftī* of the *Ḥanafī* school in Tripoli, Lebanon. He also held the post of the *Qāḍī* of the city of Ta‘iz and then of the city of San‘ā in Yemen. He then secluded himself in worship in the city of Makkah and passed away in either 1301h or 1307h.
4. There are also a few additions by the scholars that edited the text of *Radd al-Muḥtār*. Their notes to the text have been incorporated into the margin of the printed copies. The most famous of these editors are:
 - a) Muḥammad ibn ‘Abd al-Rahmān Qiṭṭah al-‘Adawī who edited the first, third and fourth volume of the 1272h *Būlāq* print.³⁵⁰
 - b) Naṣr al-Wafā‘ī al-Hawrānī who edited the second volume of the 1272h *Būlāq* print.³⁵¹
 - c) The editors of the Mustafā al-Ḥalabī print of 1966, whose names were not recorded. It is mentioned though that the print contains the comments and additions of certain scholars.

SPECIFIC TERMINOLOGY, SYMBOLS AND SIGNS

This can be broadly broken up into two sections; the terminology and signs which Ibn ‘Ābidīn himself mentioned in the beginning of his book, and those which he himself did not mention, but the terminologies and signs that a student of this book begins to understand from studying his book.

The terminology and signs alluded to by Ibn Abidin are:

1. The letter *ḥā’* (ح) refers to the *Ḥāshiyah* of al-Ḥalabī al-Muddārī on *al-Durr*.
2. The letter *ṭā’* (ط) is used to indicate towards the *Ḥāshiyah* of al-Ṭaḥṭāwī on *al-Durr al-Mukbtār*.
3. *Al-Muṣannif* (المصنف) or the author, refers to the author of *Tanwīr al-Absār*, al-Tumurtāshī.

³⁴⁴ See: Taqī al-Dīn, *Muntakhabāt al-Tawārikh li Dimashq* (2:754), al-Bayṭār, *Ḥilyah al-Bashar fī Tārikh al-Qarn al-Thālitha ‘Asbara* (2:1335), Ismā‘īl Bāshā, *Hadiyyah al-‘Arifīn* (2:388); Kaḥḥālah, *Mu‘jam al-Mu‘allifīn* (3:268); al-Ziriklī, *al-A‘lām* (7:75).

³⁴⁵ Brockelmann, *Tārikh al-Adab al-‘Arabī* (2:458 and 774).

³⁴⁶ His full name is recorded as ‘Abd al-Qādir ibn Muṣṭafā ibn ‘Abd al-Qādir al-Rāfi‘ī, al-Baysārī, al-Fārūqī. See: al-Nawfāl, *Tarājim ‘Ulamā’ Ṭarābulus wa Udabā’uhā* pg.88; Zakī Muḥammad Mujāhid, *al-A‘lām al-Sharqiyyah* (1:338); al-Ziriklī, *al-A‘lām* (4:46); Kaḥḥālah, *Mu‘jam al-Mu‘allifīn* (3:428).

³⁴⁷ Al-Ziriklī mentions in *al-A‘lām* (4:46): His reputation in *Ḥanafī* fiqh became so well-known, that he was eventually given the agnomen Abū Ḥanīfah al-Ṣaghīr.

³⁴⁸ See: al-Ziriklī, *al-A‘lām* (6:125); Kaḥḥālah, *Mu‘jam al-Mu‘allifīn* (3:293); al-Sarīrī, *Mu‘jam al-Uṣūliyyīn* pg.460.

³⁴⁹ See: al-Nawfāl, *Tarājim ‘Ulamā’ Ṭarābulus wa Udabā’uhā* pg.83.

³⁵⁰ Al-Ziriklī, *al-A‘lām* (6:198); Muḥammad Kāmil, *al-Azhar wa Atharubū fī al-Nabdhah al-Adabiyyah al-Ḥadīthiyyah* (1:123).

³⁵¹ Al-Ziriklī, *al-A‘lām* (8:129).

4. *Al-Shāriḥ* (الشارح) or the commentator refers to the author of *al-Durr*, ‘Alā’ al-Dīn al-Ḥaṣkafī.
5. *Al-Maṣḍarayn al-Aṣliyyayn* (المصدرين الأصليين), or the two original sources, which refers to the *Ḥāshiyahs* of al-Muddārī and al-Ṭaḥṭāwī. Ibn ‘Ābidīn sometimes directs what is mentioned in these two to other sources, to give strength to what is being mentioned by recording multiple sources and to show where it originated from.
6. *Fa ʿfham* (فافهم) or understand well. If what was mentioned by al-Muddārī and al-Ṭaḥṭāwī was not the most authentic or accepted in the madhhab, he would mention the correct view and then add on the phrase *fa ʿfham* or understand well, and would not oppose or rebut their views directly, out of respect for them.
7. *Qawlubhu* (قوله), wherever Ibn ‘Ābidīn felt the need to explain the texts of al-Tumurtāshī’s *Tanwīr al-Abṣār* or al-Ḥaṣkafī’s *al-Durr*, he mentions *qawlubhu* or his words in brackets and then proceeds to explain the text.
8. They symbol (اد) is used for the word *intabā* (انتهى) or end, which depicts the end of a discussion or quotation.
9. *Mulakkbhaṣan* (ملخصا) or summarised is used to indicate to the fact that Ibn ‘Ābidīn is summarising the content.
10. *Al-Qāmūs* (القاموس) or the dictionary is in reference to *al-Muḥīṭ* by Feroz Ābādī.

The terminology and signs not directly mentioned by the author, but which become apparent to the scholar and student of his work are as follows:

1. *Al-Qubastānī* (القهبستاني) refers to his al-Qubastānī’s work *Sharḥ al-Nuqāyah*.
2. *Fattāl* (الفتال) is an indication to the *Ḥāshiyah* (marginalia) of Khalīl al-Fattāl on *al-Durr al-Mukhtār*.
3. *Raḥmatī* (رحمتي) refers to the *Ḥāshiyah* of Muṣṭafā al-Raḥmatī on *al-Durr*.
4. *Ibn ‘Abd al-Razzāq* (ابن عبد الرزاق) refers to his *Ḥāshiyah* on *al-Durr*.
5. *Nahr* (النهر) refers to Ibn Nujaym’s *al-Nahr al-Fā’iq*.
6. *Baḥr* (البحر) refers to Zayn al-Dīn Ibn Nujaym’s *al-Baḥr al-Rā’iq*.
7. *Al-Jawharah* (الجوهرة) refers to *al-Jawharah al-Nayyirah*, the commentary of *al-Qudūrī* by al-Ḥaddād.
8. *Shaykhunā* (شيخنا) or our teacher. If the term is mentioned by al-Ḥaṣkafī, then it refers to Khayr al-Dīn al-Ramallī. If it is used by al-Tumurtāshī, then it refers to Zayn al-Dīn Ibn Nujaym al-Miṣrī. If it is used by Ibn ‘Ābidīn, then it refers to Shaykh Sa’īd al-Ḥalabī.
9. *Shams al-‘Immah* (شمس الأئمة) refers to al-Ḥalwānī.
10. *Fīyhi al-Nazar* (فيه النظر) or it requires consideration, this a term which denotes to an unsettled, open question and refers to an opinion or ruling in which there exists a difference of opinion, and which Ibn ‘Ābidīn feels is not entirely correct and requires further deliberation.
11. *Fa-tadabbur* (فتدبر) or ponder or think about this, is a term that refers to a mistake which the author made, and which was then rectified by Ibn ‘Ābidīn.
12. *Kāna al-Ansab* (كان الأنسب) or more adequate or suitable, is a subtle indication by Ibn ‘Ābidīn that this view is preferred.
13. *Iṣṭawjabahu* (استوجهه) or found it to be best, refers to that which Ibn ‘Ābidīn feels is sound and excellent.
14. *Al-Ashbah* (الأشبه) or more likely, is a term which refers to what is more closer to and that which resembles the correct view.
15. *Sharḥ al-Munyah* (شرح المنية) refers to the commentary of al-Ḥalabī and is indicated as either being *al-Ṣaghīr* or *al-Kabīr* by Ibn ‘Ābidīn himself. If it is not mentioned by him, then *al-Ṣaghīr* is meant.
16. *Al-Ḥalbah* (الحلبة) when mentioned generally refers to the commentary of *al-Munyah* by Ibn Amīr al-Ḥāj. This is sometimes erroneously written in the margin of al-Ḥilyah, changing the letter *bā’* to a *yā’*.
17. *Al-Mashā’ikh* (المشائخ) or the scholars refers to the scholars of Transoxiana.
18. *Ismā’il* (اسماعيل) refers to Ismā’il al-Ḥā’ik in his *Fatāwā*, which is most likely a reference to Ismā’il al-Nāblusī, the father of ‘Abd al-Ghanī al-Nāblusī.
19. *Lā Ba’ṣa* (لا بأس) or no problem, means leaving it out is preferred.
20. *‘Alayhi al-Fatwā* (عليه الفتوى) or the ruling is on this view, refers to what Ibn ‘Ābidīn has analysed, researched and is what he believes to be the accepted view of the *madhhab* in this matter.
21. *Al-Fuṣūlayn* (الفصولين) refers to *Jāmi’ al-Fuṣūlayn* by Ibn Qāḍī Simāwiyyah.
22. *Imdād* (إمداد) refers to *Imdād al-Fattāḥ* by al-Shurunbulālī.
23. *Mi’rāj* (معراج) refers to *Mi’rāj al-Dirāyah*, the commentary of *al-Hidāyah* by al-Kākī.

24. *Lubāb* (لباب) refers to *Lubāb al-Manāsik* by al-Sindī.
25. *Al-Ashbāh* (الأشباه) refers to Ibn Nujaym's *al-Ashbāh wa al-Nazā'ir*.
26. *Fatḥ* (فتح) means Ibn al-Humām's *Fatḥ al-Qadīr*.
27. *Al-Hidāyah* (الهداية) refers to al-Marghinānī's *al-Hidāyah*.
28. Al-'Aynī (العيني) refers to al-'Aynī's commentary on *al-Hidāyah* titled *al-Bināyah*.
29. *Qāla Ba'd al-Muḥashshiyīn* (قال بعض المحشيين) or some commentators have said, refers to al-Qāḍī Jamāl al-Dīn Muḥammad ibn Muḥammad al-Anṣārī al-Ḥanafī al-Makkī as mentioned by Abū al-Khayr al-Mirdād in *Nashr al-Nūr wa al-Zahr*.

CRITICISM OF *RADD AL-MUḤTĀR*

These criticisms relate to a specific area or aspect of *Radd al-Muḥtār* and are mainly minor, such as the name *Radd al-Muḥtār* or the presence of some objectionable phrases or words contained in it.

1. The aspect of the name *Radd al-Muḥtār*

Radd al-Muḥtār is literally translated as Answer to the Perplexed. Certain objections were made against the Arabic word '*al-Muḥtār*'. Muḥammad Kurd 'Alī mentions that the word '*mutaḥayyir*' is better suited to portray the desired meaning.³⁵² Shāḳib Arsalān also raised an objection to the same word mentioning that the word '*hā'ir*' was more correctly suited for use in this context than the word '*muḥtār*'.³⁵³

These objections and critiques were answered by Dr. Muḥammad Abū al-Yusr. He mentions several answers to these objections, amongst which are the following two:

- This is the title or name of a book, and it is the author's prerogative to name his work as he pleases.
- In Arabic, using words containing more letters that have a similar meaning is accepted and is used to denote emphasis.³⁵⁴

2. Specific criticism regarding two main areas:

- Al-Taqrīrāt* or additions and addendums, and,
- Critical rectifications by editors

Al-Taqrīrāt or additions mainly refer to the *Taqrīrāt* of al-Rāfi'ī by 'Abd al-Qādir al-Rāfi'ī (d. 1323h).³⁵⁵ Al-Rāfi'ī elucidated the text of Ibn 'Ābidīn in many places and mentioned a few places where Ibn 'Ābidīn's view was not considered to be the accepted and correct one in the *madhhab*. At these junctures, al-Rāfi'ī clarifies the correct view and mentions the oversight of Ibn 'Ābidīn.

Another *Taqrīrāt* that is found on certain prints of *Radd al-Muḥtār* is that of Muḥammad al-'Abbāsī al-Mahdī al-Miṣrī.³⁵⁶ He is also a jurist like al-Rāfi'ī and mentions a few places wherein there was an oversight from Ibn 'Ābidīn. These rectifications by al-Rāfi'ī and al-Miṣrī were not done in great detail, according to the need, albeit more than merely an erratum. They mention the problematic stance adopted by Ibn 'Ābidīn in these cases and the correct one according to them.

The second area, where editors mention a note to the text of *Radd al-Muḥtār* are very basic and concise. These are mainly spelling, grammar and punctuation type of errors that were found in the author's original manuscript. Here the editor merely mentions the errata and then follows his comment with the term '*muṣaḥḥibu*' or as corrected by the editor. An example of this is the name Yaḥyā ibn Aktam, mentioned by Ibn 'Ābidīn with a *tā* in Aktam. The editor corrects this, mentioning that the correct name is Aktham with a *thā*.

OUTSTANDING FEATURES

The marginalia of Ibn 'Ābidīn, *Radd al-Muḥtār* contains many outstanding features. Of the multitude of these, a few are:

³⁵² *Majallab Majma' al-'Ilmī* in Damascus, (8:34).

³⁵³ *Majallab Majma' al-'Ilmī* in Damascus, (13:280).

³⁵⁴ Muḥammad 'Abd al-Laṭīf al-Farfūr, *Ibn 'Ābidīn Wa Atharubū fi Fiqh al-Islāmī* (2:149).

³⁵⁵ Al-Ziriklī, *al-'Ālām* (4:64); Sarkīs, *Muḥam al-Maṭbū'āt* (1924).

³⁵⁶ Didn't manage to locate biographical data.

1. Excellent Chapter Formation and Division of Content

This feature is apparent to any scholar or student of the *Hāshiyah*. If the chapters that were formed and used by the predecessors were felt to be correct by Ibn ‘Ābidīn, he maintained them, however, if the chapter and content division was not to his satisfaction, he altered and changed it for a more modern, clean and better one. This is clear to the reader throughout his work.

2. Remarkable Etiquette and Language

Ibn ‘Ābidīn is considered a linguist in all his works, even the ones related to *fiqh* and jurisprudence, and his *Hāshiyah* is no exception. It displays his deep knowledge of and his affinity to the Arabic language. The language and style used by him in his *Hāshiyah* is beautiful, eloquent and elegant, whilst still being easy to comprehend and understand. His discussions are not too concise to cause confusion, nor too lengthy to invoke tedium and monotony. In striking this balance, the choicest of words are selected to convey the desired meaning in a most articulate manner.

Together with using excellent language, his respect for others and his distinguished character is showcased in his work, coupled with an almost adorable humbleness.

1. Corrigenda of Other Works or Citations

In multiple places, Ibn ‘Ābidīn highlights the errors of others in their works or citations, whilst maintaining the necessary etiquette and respect for fellow scholars and scholarship at large. This is sometimes the correction of a numerical error, a grammatical one, an error in citing a work or reference point or a more deeper scholastic discussion.

2. Defending al-Ḥaṣkafī

As mentioned previously, Ibn ‘Ābidīn had great regard for al-Ḥaṣkafī. This is evidenced in his *Hāshiyah* wherein he astutely defends him in multiple places. However, as justice would demand, this defence did not extend to discussions wherein al-Ḥaṣkafī’s view was not the accepted one, and in these places, with full honesty and integrity, Ibn ‘Ābidīn mentions al-Ḥaṣkafī’s view as being flawed.

3. Reliable and Trustworthy Citations

This could be termed as the most important feature of Ibn ‘Ābidīn’s work, as he had made it his mission to be extremely careful in quoting and citing. Every quote and citation is meticulously and painstakingly documented to its rightful owner, clearly and correctly. Any secondary citations are also accurately verified, without merely relying on the scholar quoting it, but rather by referral to its original source.

4. Inclusion of the Entire Fiqh with Detailed Subsidiary Rulings

Radd al-Muḥtār contains all the chapters of *fiqh* from acts of worship to marriage contracts, the laws of inheritance and all the other chapters between these. It also contains many of the *furū‘āt* or subsidiary rulings of the *madhhab*, which is one of the reasons that it has reached a level of such acceptance and is so widely used by *muftīs*.

5. An Abundant Use and Inclusion of Poetry

Ibn ‘Ābidīn’s love for poetry is evidenced by his inclusion of numerous poems throughout his *Hāshiyah*, some of which are his own and others from other scholars and poets. The reason of his inclusion of so much of poetry is to allow students and his readers the ease of memorizing a few lines of poetry, which contain the detailed rulings in a concise and easy-to-learn format. He also used quite a bit of poetry as a proof to different rulings, relying on the works of *fiqh* in poetry form, like the *Manẓūmah* of Ibn Wahbān and Tūmurtāshī’s *Tuhfah al-Aqrān*.

6. Giving Importance to Describing the Form of the Case at Hand

Ibn ‘Ābidīn gave great importance in his *Hāshiyah* to detailed explanations of the form of the *mas’alah* or case at hand. This would include multiple probabilities and the subsidiary rulings derived therefrom. This, in a way, is unique to his work, in the manner that is presented, even though other scholars also ventured down this path and had a similar method in their works.

7. Correcting the Commentators Wherever Needed

Ibn ‘Ābidīn did not remain silent and turn a blind eye to matters that required correction. He emphatically corrected and rectified whatever he felt was incorrect in the works of others and then clearly explains his own

viewpoint. This is found quite glaringly in *Radd al-Muḥtār* specifically and generally in his other works. This makes it apparent that his main objective was always the academic accuracy of rulings in *fiqh* and not concern of personalities, even though he still maintained the utmost of respect and reverence for these and all other scholars.

8. An Abundance of Biographies of Personalities and Their Works

Radd al-Muḥtār contains the biographies of many great personalities, scholars and their works and contributions. The main reason for Ibn ‘Ābidīn doing this was to alleviate any doubt or negative thoughts that could possibly creep into the mind of the reader regarding a certain author or scholar. His biographies of these scholars concisely mention the necessary details required to understand who the scholar was, what his contributions were and a few other pertinent details about the author and their works.

In conclusion, Ibn ‘Ābidīn’s *Radd al-Muḥtār* is a colossal contribution to the Ḥanafī *madhhab*. Ibn ‘Ābidīn has not only preserved the Ḥanafī school in his work but has cemented his work as a great source for rulings in the Ḥanafī school, with scholars in all parts of the world using it proudly as a reference. As we turn to the next two chapters, which is the essence of the dissertation, we will focus on the sources that Ibn ‘Ābidīn relied upon in authoring his magnum opus. The following chapter will provide a descriptive analysis of the sources used by Ibn ‘Ābidīn. Understanding these foundational texts will provide deeper insight into the book that is so widely accepted and revered.

CHAPTER 5: SOURCES OF RADD AL-MUḤTĀR: A DESCRIPTIVE ANALYSIS

Ibn ‘Ābidīn, in his *Radd al-Muḥtār* drew inspiration and knowledge from a multitude of sources. These are mainly from within the Ḥanafī school, even though he infrequently mentions some works of other *madhāhib*. Besides the books of *fiqh*, the sources quoted in his marginalia on *al-Durr* contain works in the fields of the traditions, the commentary of the traditions, the *Tafsīr* or commentary of the *Qur’ān*, history, the autobiography of the Prophet, language, including grammar, syntax and morphology and other fields. If all the sources of *Radd al-Muḥtār* must be collated, they will number close to a thousand works. As it is not possible to enumerate all these here, I will suffice with mentioning a few sources from the Ḥanafī school, as this is one of the reasons that this book has gained acceptance in the school as being considered a source by itself. The chart titles ‘Books in the Madhhab’ on page 54 indicates according to a timeline, the major works of the school, from the era of Muḥammad ibn al-Ḥasan al-Shaybānī till the time Ibn ‘Ābidīn’s *Radd al-Muḥtār* was prepared. The works mentioned in this chart will form the bulk of the sources that I have chosen for this chapter.

ZĀHIR AL-RIWĀYAH

The first of these are the six books of Muḥammad ibn al-Ḥasan al-Shaybānī which are termed *al-Zāhir al-Riwāyah*. These are considered as the basis of all Ḥanafī rulings and subsequent works.

A short biography of the author was already completed under Chapter Three, Great Figures in the *Madhhab*. His full name is Abū ‘Abdullāh Muḥammad ibn al-Ḥasan ibn Farqad al-Shaybānī, the companion and student of Imam Abū Ḥanīfah. He was originally from the village of Ḥarastā in Damascus. His father, known to be a wealthy person, migrated to Iraq and his son Muḥammad was born in Wāsiṭ in the year 132h. He first studied under Imam Abū Ḥanīfah and then under Imām Abū Yūsuf. He authored many works and helped in spreading the knowledge of his teacher, Abū Ḥanīfah. He also narrated *āḥādīth* (traditions) from Imām Mālik ibn Anas, recorded his *al-Muwatta’a* and narrated it from Imām Mālik.

Imām al-Shāfi‘ī narrated from him after staying with him for a while and benefitting from him. Al-Shāfi‘ī said, ‘I benefitted from Muḥammad ibn al-Ḥasan equal to a load of a camel.’³⁵⁷ He also mentioned, ‘I did not see a burly person with more understanding and knowledge than him.’ He also said, ‘When he spoke, you would think that the *Qur’ān* was revealed in his form of language.’ He further mentions about him, ‘I did not see a hefty person with a lighter soul than his.’³⁵⁸ He also praised him saying, ‘If Muḥammad ibn al-Ḥasan spoke to us on his level of intellect, we would have not understood him, but instead, he spoke to us on our level and filled our hearts and eyes.’

Abū ‘Ubayd ‘Llāh ibn al-Qāsim ibn al-Sallām also studied and narrated from Imām Muḥammad. He said, ‘I did not see anyone more knowledgeable in regard to the Book of Allah than Muḥammad ibn al-Ḥasan. Yaḥyā ibn al-Ma‘īn also studied under Muḥammad ibn al-Ḥasan and wrote the book *al-Jāmi‘ al-Ṣagħīr* from him. Muḥammad ibn al-Ḥasan was extremely well-versed in the Arabic language and syntax. Ibn ‘Ābidīn in his *al-Ḥāshiyah* mentions that Muḥammad ibn al-Ḥasan is considered a proof in the Arabic language, accounting and acumen.

He assumed the positions of *qāḍī* in the era of Hārūn al-Rashīd in Raqqah and then Ray. He passed away in Ray in the year 189h on the same day that the grammarian, al-Kisā‘ī passed away. Hārūn al-Rashīd would say that I buried *fiqh* and the Arabic language in Ray. It is also mentioned that Hārūn al-Rashīd said, ‘It is an inauspicious and accursed place. I entered it with *fiqh* and language and exited it without anything.’³⁵⁹

1. AL-MABSŪṬ or AL-AṢL³⁶⁰

This book, from amongst the six books of the *Zāhir al-Riwāyah*, is known by the title *al-Aṣl fī al-Furū‘* or *al-Mabsūṭ*. It is termed *al-Aṣl* or The Original as it is the first work that he authored and dictated to his students. It was authored in separate portions and chapters. Muḥammad wrote the rulings of *ṣalāh* (prayer) and termed it *Kitāb*

³⁵⁷ Indicating to the great amount of benefit he derived from him.

³⁵⁸ This is an endearing reference to the big stature and size of Imām Muḥammad.

³⁵⁹ Derived from: Lu‘ayy al-Khalīlī, *La‘ālī al-Maḥār* (1:76), Ibn Quṭlūbughā, *Tāj al-Tarājīm* pg.237, al-Lakhnawī, *al-Fawā‘id al-Babīyyah* pg.268, al-Naqīb, *al-Madhhab al-Ḥanafī* (2:793), Ismā‘īl Bāshā, *Hadiyyah al-‘Ārifīn Asmā’ al-Mu‘allifīn wa Āthār al-Muṣannifīn* (2:8).

³⁶⁰ Derived from: Lu‘ayy al-Khalīlī, *La‘ālī al-Maḥār* (1:76), Ibn Quṭlūbughā, *Tāj al-Tarājīm* pg.237, al-Lakhnawī, *al-Fawā‘id al-Babīyyah* pg.268, al-Naqīb, *al-Madhhab al-Ḥanafī* (2:793), Ismā‘īl Bāshā, *Hadiyyah al-‘Ārifīn Asmā’ al-Mu‘allifīn wa Āthār al-Muṣannifīn* (2:8), al-Kawtharī, *Bulūgh al-Amānī* pg.61.

al-Ṣalāb. He wrote the rulings of *buyū'* (sales) and titled it *Kitāb al-Buyū'*. He continued in this manner until it was completed and then collated it and it became *al-Mabsūṭ* (lit. sizable, extended). This is the reason that this work is also called *al-Mabsūṭ*. There are several copies narrated from Imām Muḥammad. The most clear and common one is the copy narrated by Abū Sulaymān al-Jawzjānī. Al-Kawtharī mentions in *Bulūgh al-Amānī* that there are several prints to this book in Iṣṭanbul; the *Yanṣur Allah* print is of six volumes, the *Jār Allah* and *Walī Allah* prints consist of four volumes each and has been affirmed by Muṣṭafā Bāshā and Murād Mullā. All these are from the narration of al-Jawzjānī. The al-Azhar library has one of the first volumes of this book. There are also several volumes with the title *al-Aṣl* in Dār al-Kutub al-Miṣriyyah and also with the name *Kitāb al-Furū'*, but it's not a complete set or print.³⁶¹

This book enjoyed widespread acceptance. It contains tens of thousands of rulings regarding what is allowed and what isn't, and it is that very book that Abū al-Ḥasan ibn Dāwūd boasted about to the people of Baṣrah. Imām Muḥammad's method in this book is to only mention the subsidiary or *furū'* rulings of his two teachers, Abū Ḥanīfah and Abū Yūsuf, together with his own view. He did not delve into mentioning any proofs or details of the rulings. He mentions that I have explained to you the views of Abū Ḥanīfah, Abū Yūsuf and my own view and if there exists no difference between us, then this is the accepted view.

Al-Sarakhsī considers the memorization of this work a requirement for the one who aspires to reach the position of *Mujtahid fī al-Madhbhab*. Abū Sulaymān al-Jawzjānī narrated this work from him, and many commentaries have been written in it, such as Shaykh al-Islām Abū Bakr, who is famously known as Khwāhīr Zādah. It is titled *Mabsūṭ al-Bakrī*. Shams al-A'imma al-Ḥalwānī also wrote a commentary on *al-Aṣl*.³⁶²

2. AL-JĀMI' AL-ṢAGHĪR³⁶³

This is another title, which forms the six books of the *Zābir al-Riwāyah*. *Al-Jāmi' al-Ṣaghīr* is a work on the *furū'* or subsidiary rulings of the *madhbhab*. It contains 1532 rulings as mentioned by al-Bazdawī. 'Alī al-Qummī mentions that even though Imām Abū Yūsuf enjoyed such a great status in the Ḥanafī school, he did not part with this book, whether at home or whilst traveling. 'Alī al-Rāzī said, 'Whoever understood this book, he is the most understanding person from our companions and whoever memorizes it, he is the one who has best safeguarded (the knowledge) from our companions. The predecessors from our teachers would not award anyone with the mantle of judgeship (*al-Qadā'*) until they passed an examination. If they had memorized it (*al-Jāmi' al-Ṣaghīr*), they were awarded the position, otherwise the candidate was instructed to memorize it.' Abū al-Mafākhīr al-Kurdī praised it in the following manner, 'It is a book which is filled with benefit and goodness, which is why our scholars accepted it with reverence and studied it with admiration and esteem. It gathers the primary and subsidiary rulings together with the rulings for the later problems faced by the people. Scholars mention that it is inappropriate for anyone to assume the position of judgeship until he has not memorized its basic rulings and its meanings. Whoever has memorized its basic rulings and has understood its meanings will be threaded into the string of *Fuqaha'* (jurists) and will be counted amongst the worthy ones. He will thus become worthy of the mantle of judgeship and *fatwā'*.'

Shams al-A'imma Abū Bakr Muḥammad al-Sarakhsī remarks in his commentary of *al-Jāmi' al-Ṣaghīr*: The reason behind Imām Muḥammad writing this work is that when he had authored all his books, his teacher Abū Yūsuf requested him to write a book which contains all that he could recall from what he had narrated from Abū Ḥanīfah. He compiled this book and presented it to Abū Yūsuf who said, 'You have recalled and memorized (the rulings) well, except in regard to three rulings.' Imām Muḥammad responded by saying, 'I did not err, but it is you who have forgotten the narrations.'

Al-Jāmi' al-Ṣaghīr has many commentaries, amongst which are commentaries by:

1. Abū Ja'far Aḥmad ibn Muḥammad al-Ṭahāwī (d.321h).
2. Abū Bakr Aḥmad ibn 'Alī, commonly referred to as al-Jaṣṣaṣ al-Rāzī (d.370h).³⁶⁴

³⁶¹ Al-Kawtharī, *Bulūgh al-Amānī* pg.61.

³⁶² Derived from: Lu'ayy al-Khalīlī, *La'ālī al-Maḥār* (1:76/108), Ḥājī Khalīfah, *Kashf al-Zunūn* (1:107), (2:158), al-Naqīb, *al-Madhbhab al-Ḥanafī* (2:451). Al-Marghīnānī gathered all the books of *zābir al-riwāyah* into his detailed work, *Bidāyah al-Mubtadī*, which he later commented on in the form of *al-Hidāyah*.

³⁶³ Derived from: Lu'ayy al-Khalīlī, *La'ālī al-Maḥār* (1:76/108), Ḥājī Khalīfah, *Kashf al-Zunūn* (1:107), (2:158), al-Lakhnawī, *al-Fawā'id al-Bahīyyah* pg.268, al-Naqīb, *al-Madhbhab al-Ḥanafī* (2:451).

³⁶⁴ Ibn Nadīm, *al-Fibrīst* pg.261, al-Khaṭīb, *Tārīkh Baghdād* (4:314), al-Shīrāzī, *Ṭabaqāt al-Fuqahā'* pg.144, Ibn al-Jawzī, *al-Muntaẓim* (7:105), al-Dhahabī, *al-Siyar A'lām al-Nubalā'* (16:340), *Tadhkirah al-Ḥuffāz* (3:959), *al-'Ibr* (2:354), al-Ṣafadī, *al-Wāfī bi al-Wafayāt*

3. Abū ‘Amr Aḥmad ibn Muḥammad al-Ṭabarī (d.340h).³⁶⁵
4. Abū Bakr ibn Aḥmad ibn ‘Alī, commonly referred to as al-Zahīr al-Balkhī (d.553h).³⁶⁶
5. Qāḍī Khān, the author of the famous *Fatāwā Qaḍī Khān* (d.592h).³⁶⁷
6. Muḥammad ibn Aḥmad ibn ‘Umar Ḥānīr al-Dīn al-Bukhārī, the author of *Fatāwā al-Zābirīyyah* (d.619h).³⁶⁸
7. Jamāl al-Dīn al-Maḥbūbī ‘Ubayd ‘Llāh ibn Aḥmad, famously known as the second Abū Ḥanīfah (d.630).³⁶⁹
8. Sirāj al-Dīn ‘Umar ibn Ishāq al-Ghaznawī al-Hindī (d.773).³⁷⁰
9. Imām Ḥusayn ibn Muḥammad, known as al-Najm (d.580).³⁷¹
10. Tāj al-Dīn ‘Abd al-Ghafūr³⁷² ibn Luqmān al-Kurdī (d.562h).³⁷³
11. Imām Ḥānīr al-Dīn Aḥmad ibn Ismā‘īl al-Tumartāshī (d.601h).³⁷⁴
12. Imām Qiwām al-Dīn Aḥmad ibn ‘Abd al-Rashīd al-Bukhārī (d.500).³⁷⁵
13. Muḥammad ibn ‘Alī, commonly known as ‘Abdak al-Jurjānī (d.347h).³⁷⁶

(7:241), Ibn Kathīr, *al-Bidāyah wa al-Nihāyah* (11:297), al-Qurashī, *al-Jawābir al-Muḍīyyah* (1:220), Ibn Quṭlūbughā, *Tāj al-Tarājīm* pg.96, *Ibn Tagarrī, al-Nujūm al-Zābirah* (4:138), Ṭāsh Kubrī Zādah, *Ṭabaqāt al-Fuqahā’* pg.66, al-Tamīmī, *al-Ṭabaqāt al-Sunīyyah* entry 268, Ḥājī Khalīfah, *Kashf al-Zunūn* (1:20, 32, 46, 111, 562, 568, 609), (2:1032, 1627, 1628, 1635), al-Lakhnawī, *al-Fawā’id al-Babīyyah* pg.27, Ismā‘īl Bāshā, *Hadiyyah al-‘Arīfīn Asmā’ al-Mu’allifīn wa Athbār al-Muṣannifīn* (1:66), al-Marāghī, *Ṭabaqāt al-Uṣūliyyīn* (1:203), Sizkīn, *Tārīkh al-Turāth* 1/3/102.

³⁶⁵ Al-Ṣaymarī, *Akhhār Abī Ḥanīfah* pg.163, al-Shirāzī, *Ṭabaqāt al-Fuqahā’* pg.144, al-Khaṭīb, *Tārīkh Baghdād* (14:429), al-Ṣafadī, *al-Wāfi bi al-Wafayāt* (8:43), al-Qurashī, *al-Jawābir al-Muḍīyyah* (1:76,77), Ibn Quṭlūbughā, *Tāj al-Tarājīm* pg.337-338, Ṭāsh Kubrī Zādah, *Ṭabaqāt al-Fuqahā’* pg.62, al-Tamīmī, *al-Ṭabaqāt al-Sunīyyah* (2:64), Ḥājī Khalīfah, *Kashf al-Zunūn* (1:569), (2:1429), al-Lakhnawī, *al-Fawā’id al-Babīyyah* pg.35, Ismā‘īl Bāshā, *Hadiyyah al-‘Arīfīn Asmā’ al-Mu’allifīn wa Athbār al-Muṣannifīn* (1:62).

³⁶⁶ Al-Qurashī, *al-Jawābir al-Muḍīyyah* (4:104), Ibn Quṭlūbughā, *Tāj al-Tarājīm* pg.333, al-Tamīmī, *al-Ṭabaqāt al-Sunīyyah* entry 2798, Ḥājī Khalīfah, *Kashf al-Zunūn* (1:562), (2:1429), al-Lakhnawī, *al-Fawā’id al-Babīyyah* pg.27, Ismā‘īl Bāshā, *Hadiyyah al-‘Arīfīn Asmā’ al-Mu’allifīn wa Athbār al-Muṣannifīn* (1:85).

³⁶⁷ Al-Dhahabī, *al-Siyar al-‘Ālam al-Nubalā’* (21:231), al-Qurashī, *al-Jawābir al-Muḍīyyah* (1:205), Ibn Quṭlūbughā, *Tāj al-Tarājīm* pg.151, Ṭāsh Kubrī Zādah, *Miftāḥ al-Sa’ādah* (2:278), al-Kafawī, *Katā’ib al-‘Ālam al-Akhyār* (), al-Tamīmī, *al-Ṭabaqāt al-Sunīyyah* (3:116), Ḥājī Khalīfah, *Kashf al-Zunūn* (1:47, 165, 562, 569, 962), (2:1227, 1456, 1499), al-Lakhnawī, *al-Fawā’id al-Babīyyah* pg.64, Ismā‘īl Bāshā, *Hadiyyah al-‘Arīfīn Asmā’ al-Mu’allifīn wa Athbār al-Muṣannifīn* (1:280), Sarkīs, *Mu’jam al-Matbū’āt* (2:1487).

³⁶⁸ Al-Qurashī, *al-Jawābir al-Muḍīyyah* (3:55), *Ibn Tagarrī, al-Nujūm al-Zābirah* (11:120), Ibn Quṭlūbughā, *Tāj al-Tarājīm* pg.223, Ṭāsh Kubrī Zādah, *Miftāḥ al-Sa’ādah* (2:279), *Ṭabaqāt al-Fuqahā’* pg.108, al-Tamīmī, *al-Ṭabaqāt al-Sunīyyah* (entry 598), Ḥājī Khalīfah, *Kashf al-Zunūn* (1:236, 448, 570, 950, 962), (2:1025, 1130, 1143, 1198, 1227, 1569, 1749, 2035), Ibn al-Imād, *Shadharāt al-Dhahab* (6:228), al-Lakhnawī, *al-Fawā’id al-Babīyyah* pg.148, Ismā‘īl Bāshā, *Hadiyyah al-‘Arīfīn Asmā’ al-Mu’allifīn wa Athbār al-Muṣannifīn* (1:790), *Īdāḥ al-Maknūn* (2:96, 416, 595), al-Sarīrī, *Mu’jam al-Uṣūliyyīn* pg.380.

³⁶⁹ Al-Lakhnawī, *al-Fawā’id al-Babīyyah* pg.108.

³⁷⁰ Al-Qurashī, *al-Jawābir al-Muḍīyyah* (1:26), Ibn Ḥajar, *al-Durar al-Kāminah* (3:154), Ibn Quṭlūbughā, *Tāj al-Tarājīm* pg.232, Ṭāsh Kubrī Zādah, *Miftāḥ al-Sa’ādah* (2:279), *Ṭabaqāt al-Fuqahā’* pg.108, al-Tamīmī, *al-Ṭabaqāt al-Sunīyyah* (entry 1830), Ḥājī Khalīfah, *Kashf al-Zunūn* (1:563, 570), (2:1226, 1298), al-Lakhnawī, *al-Fawā’id al-Babīyyah* pg.156-157, Ismā‘īl Bāshā, *Hadiyyah al-‘Arīfīn Asmā’ al-Mu’allifīn wa Athbār al-Muṣannifīn* (2:111).

³⁷¹ Al-Qurashī, *al-Jawābir al-Muḍīyyah* (1:262), Ibn Quṭlūbughā, *Tāj al-Tarājīm* pg.161, al-Tamīmī, *al-Ṭabaqāt al-Sunīyyah* (3:157), Ḥājī Khalīfah, *Kashf al-Zunūn* (1:562), (2:1230), Ismā‘īl Bāshā, *Hadiyyah al-‘Arīfīn Asmā’ al-Mu’allifīn wa Athbār al-Muṣannifīn* (1:313).

³⁷² Al-Mar’ashlī mentions in *al-Fiqh al-Ḥanafī Uṣūlan wa Furū’an* (5:285) that some register his name as ‘Abd al-Ghaffār.

³⁷³ Al-Qurashī, *al-Jawābir al-Muḍīyyah* (1:322), Ibn Quṭlūbughā, *Tāj al-Tarājīm* pg.194, Ṭāsh Kubrī Zādah, *Ṭabaqāt al-Fuqahā’* pg.86, al-Tamīmī, *al-Ṭabaqāt al-Sunīyyah* (4:358), Ḥājī Khalīfah, *Kashf al-Zunūn* (1:114, 345, 346, 562), al-Lakhnawī, *al-Fawā’id al-Babīyyah* pg.98, Ismā‘īl Bāshā, *Hadiyyah al-‘Arīfīn Asmā’ al-Mu’allifīn wa Athbār al-Muṣannifīn* (1:587), al-Sarīrī, *Mu’jam al-Uṣūliyyīn* pg.289.

³⁷⁴ Ismā‘īl Bāshā records his year of demise as 601h in *Hadiyyah al-‘Arīfīn* (1:89). Others have recorded the year as 600h, 610h and 616h.

Al-Qurashī, *al-Jawābir al-Muḍīyyah* (entry 83/84), Ibn Quṭlūbughā, *Tāj al-Tarājīm* pg.108, Ṭāsh Kubrī Zādah, *Ṭabaqāt al-Fuqahā’* pg.108, Ḥājī Khalīfah, *Kashf al-Zunūn* (1: 562), (2:1221, 1403), al-Lakhnawī, *al-Fawā’id al-Babīyyah* pg.15, Ismā‘īl Bāshā, *Hadiyyah al-‘Arīfīn Asmā’ al-Mu’allifīn wa Athbār al-Muṣannifīn* (1:89).

³⁷⁵ Al-Qurashī, *al-Jawābir al-Muḍīyyah* pg.52, al-Tamīmī, *al-Ṭabaqāt al-Sunīyyah* (entry 227), Ḥājī Khalīfah, *Kashf al-Zunūn* (1: 562), al-Lakhnawī, *al-Fawā’id al-Babīyyah* pg.24, Ismā‘īl Bāshā, *Hadiyyah al-‘Arīfīn Asmā’ al-Mu’allifīn wa Athbār al-Muṣannifīn* (1:81).

³⁷⁶ Al-Sam’ānī, *al-Ansāb* (7:474), Ibn al-Athīr, *al-Lubāb* (2:112), al-Qurashī, *al-Jawābir al-Muḍīyyah* (3:264), Ibn Quṭlūbughā, *Tāj al-Tarājīm* pg.269, al-Tamīmī, *al-Ṭabaqāt al-Sunīyyah* entry 2156, Ḥājī Khalīfah, *Kashf al-Zunūn* (1:562, 568), Ismā‘īl Bāshā, *Hadiyyah al-‘Arīfīn Asmā’ al-Mu’allifīn wa Athbār al-Muṣannifīn* (2:43), al-Ziriklī, *al-‘Ālam* (7:159), Kaḥḥālāh, *Mu’jam al-Mu’allifīn* (3:521).

14. Qāḍī Mas‘ūd ibn al-Ḥusayn al-Yazdī (d.570).³⁷⁷
15. Imām Abū Azhar al-Khajandī (d.500h).³⁷⁸
16. Abū Muḥammad ibn al-‘Ādī al-Miṣrī.³⁷⁹
17. Jamāl al-Dīn ‘Abdullāh ibn Yūsuf, known as Ibn Hishām al-Naḥwī (d.762).³⁸⁰
18. Abū al-Layth Naṣr ibn Muḥammad ibn Aḥmad ibn Ibrāhīm al-Samarqandī (d.373h).³⁸¹

Qāḍī Abū Ṭāhir Muḥammad ibn Muḥammad al-Dabbās al-Baghdādī (d.340)³⁸² gave sequence to and placed *al-Jāmi‘ al-Ṣaghīr* into its proper order. His student, Aḥmad ibn ‘Abdullāh ibn Maḥmūd recorded it from him in his home in Baghdād and recited the same to him over a few months. Based on his sequenced book was the book of al-Ṣadr al-Shahīd Ḥusām al-Dīn ibn Māzah, in which he deleted the extra portions, added on narrations and *aḥādīth* and a portion on *‘ilm al-ma‘ānī* or rhetoric.

Al-Lakhnawī writes in *al-Nāfi‘ al-Kabīr* that Abū ‘Abdullāh al-Faqīh al-Ḥusayn ibn Aḥmad ibn Malik al-Za‘farān also placed *al-Jāmi‘ al-Ṣaghīr* into proper order and gave sequence to it in an excellent manner. He distinguished the specific rulings of Muḥammad ibn al-Ḥasan from those that he narrated from Abū Yūsuf and divided the book into chapters. Prior to this it was not sequenced nor divided into chapters.

Al-Jāmi‘ al-Ṣaghīr was also rendered into poetry form by the following scholars:

1. Shams al-Dīn Aḥmad ibn Muḥammad al-‘Aqīlī³⁸³ al-Bukhārī (d.657h).³⁸⁴
2. Shaykh Najm al-Dīn Abū Ḥafṣ ‘Umar ibn Muḥammad al-Nasafī (d.537h).³⁸⁵
3. Muḥammad ibn Muḥammad al-Qabawī (d.730h).³⁸⁶
4. Badr al-Dīn Mas‘ūd ibn Abū Bakr al-Farāhī who titled it *Lam‘ah al-Badr* (d.640h).³⁸⁷ ‘Alā’ al-Dīn Muḥammad ibn ‘Abd al-Raḥmān (d.791) wrote a commentary on this work for which was titled, *al-Ḍaw‘ al-Lam‘ah*.³⁸⁸

³⁷⁷ Ibn al-Jawzī, *al-Muntaẓim* (10:261), al-Qurashī, *al-Jawābir al-Muḍīyyah* (3:466), Ibn Quṭlūbughā, *Tāj al-Tarājim* pg.302, al-Tamīmī, *al-Ṭabaqāt al-Sunīyyah* entry 2479, Ḥājī Khalīfah, *Kashf al-Zunūn* (1:562).

³⁷⁸ Ḥājī Khalīfah, *Kashf al-Zunūn* (1:562).

³⁷⁹ Ḥājī Khalīfah, *Kashf al-Zunūn* (1:563).

³⁸⁰ Ibn Hajar, *al-Durar al-Kāminah* (2:310), al-Shawkānī, *al-Badr al-Ṭālī‘* (1:402), Ismā‘il Bāshā, *Hadiyyah al-‘Arīfīn Asmā’ al-Mu‘allifīn wa Athār al-Muṣannifīn* (2:557). Al-Mar‘ashlī mentions in the footnotes to *al-Fiqh al-Ḥanafī Uṣūlan wa Furū‘an* (1:35) that in *Kashf al-Zunūn*, Ḥājī Khalīfah registers the name Ibn Hishām al-Naḥwī, which is a mistake.

³⁸¹ Al-Dhahabī, *al-Siyar A‘lām al-Nubalā’* (16:340), al-Qurashī, *al-Jawābir al-Muḍīyyah* (3:544), Ibn Quṭlūbughā, *Tāj al-Tarājim* pg.310, al-Lakhnawī, *al-Fawā‘id al-Bahīyyah* pg.221, Ismā‘il Bāshā, *Hadiyyah al-‘Arīfīn Asmā’ al-Mu‘allifīn wa Athār al-Muṣannifīn* (2:490), Sizkīn, *Tārīkh al-Turāth* 1/3/104.

³⁸² Sazkīn (3:67).

³⁸³ Attributed to ‘Aqīl ibn Abī Ṭālib, the brother of ‘Alī ibn Abī Ṭālib, the cousin of the Messenger of Allah.

³⁸⁴ Al-Qurashī, *al-Jawābir al-Muḍīyyah* entry 118, Ibn Quṭlūbughā, *Tāj al-Tarājim* pg.99, al-Tamīmī, *al-Ṭabaqāt al-Sunīyyah* (2:38), Ḥājī Khalīfah, *Kashf al-Zunūn* (1:564), al-Lakhnawī, *al-Fawā‘id al-Bahīyyah* pg.30, Ismā‘il Bāshā, *Hadiyyah al-‘Arīfīn Asmā’ al-Mu‘allifīn wa Athār al-Muṣannifīn* (1:96).

³⁸⁵ Al-Sam‘ānī, *al-Taḥrīr fī Mu‘jam al-Kabīr* (1:527), al-Yāqūt, *Mu‘jam al-Udabā’* (16:70), al-Dhahabī, *al-Siyar A‘lām al-Nubalā’* (20:126), Ibn Shākīr, *Uyūn al-Tawārīkh* (12:375), al-Yāfi‘ī, *Mir‘āt al-Jinān* (3:268), al-Qurashī, *al-Jawābir al-Muḍīyyah* (2:657), Ibn Quṭlūbughā, *Tāj al-Tarājim* pg.219, al-Suyūṭī, *Ṭabaqāt al-Mufasssīrīn* pg.27, Ṭāsh Kubrī Zādah, *Miftāḥ al-Sa‘ādah* (1:127), al-Tamīmī, *al-Ṭabaqāt al-Sunīyyah* entry 1646, Ḥājī Khalīfah, *Kashf al-Zunūn* (1:111, 564, 668, 706), (2:1114, 1230, 1867, 1871), al-Lakhnawī, *al-Fawā‘id al-Bahīyyah* pg.149, Ismā‘il Bāshā, *Hadiyyah al-‘Arīfīn Asmā’ al-Mu‘allifīn wa Athār al-Muṣannifīn* (1:783), al-Sarkīs, *Mu‘jam al-Maṭbū‘āt* (2:1854).

³⁸⁶ Al-Qurashī, *al-Jawābir al-Muḍīyyah* (3:350), Ibn Quṭlūbughā, *Tāj al-Tarājim* pg.247, al-Tamīmī, *al-Ṭabaqāt al-Sunīyyah* entry 2295, Ḥājī Khalīfah, *Kashf al-Zunūn* (1:564, 571), al-Lakhnawī, *al-Fawā‘id al-Bahīyyah* pg.191, Ismā‘il Bāshā, *Hadiyyah al-‘Arīfīn Asmā’ al-Mu‘allifīn wa Athār al-Muṣannifīn* (2:147).

³⁸⁷ Al-Qurashī, *al-Jawābir al-Muḍīyyah* (3:475), Ibn Quṭlūbughā, *Tāj al-Tarājim* pg.301, al-Tamīmī, *al-Ṭabaqāt al-Sunīyyah* entry 2495, Ismā‘il Bāshā, *Hadiyyah al-‘Arīfīn Asmā’ al-Mu‘allifīn wa Athār al-Muṣannifīn* (2:429).

³⁸⁸ Ḥājī Khalīfah, *Kashf al-Zunūn* (1:564), Kaḥālah, *Mu‘jam al-Mu‘allifīn* (4:151).

3. AL-JĀMI‘ AL-KABĪR³⁸⁹

The next book from the six termed *Zābir al-Riwāyah*. The difference between *al-Jāmi‘ al-Ṣagħbīr* and *al-Jāmi‘ al-Kabīr* is that *al-Jāmi‘ al-Ṣagħbīr* contains those rulings that Muḥammad ibn al-Ḥasan narrated from Abū Yūsuf from their teacher Abū Ḥanīfah and *al-Jāmi‘ al-Kabīr* contains those rulings that the author narrated directly from Abū Ḥanīfah.

Shaykh Akmal al-Dīn al-Bābartī says: ‘It (*al-Jāmi‘ al-Kabīr*) is like its name in the importance and greatness of its rulings in *fiqh*. It is a huge collection that comprises of exact and precise narrations and knowledge, in a manner that is close to being miraculous in nature...’

Muḥammad ibn Shujā‘ al-Thaljī says: ‘There is no work in *fiqh* like *al-Jāmi‘ al-Kabīr* of Muḥammad ibn al-Ḥasan. The similitude of Muḥammad ibn al-Ḥasan and his *al-Jāmi‘ al-Kabīr* is that of a person who built a house. As he went higher up, he built stairs to enable him to go even higher, until the building was completed. He then descended, broke down the stairs and said to the people, climb up as you please.’

After quoting al-Thaljī, al-Kawtharī mentions: ‘The reality of the matter is that this book is a sign of originality. It contains an eloquent finesse in subsidiary rulings in conformity with the laws of the language and the basic rules of mathematics, besides what it encompasses from the meticulous details of Islamic legal theory. It’s possible that he authored this work to be a narrator so that people may recognize the rank of the jurists and their vigilance regarding the different faces of the subsidiary rulings that leaves the mind perplexed until explained.’

Imām Abū Bakr al-Rāzī says in the commentary of *al-Jāmi‘ al-Kabīr*: I would read some of the rulings contained in *al-Jāmi‘ al-Kabīr* to a senior grammarian, Abū ‘Alī al-Fārisī and he would be amazed at the profoundness of the author in the field of grammar.

Some scholars mention that it is the best work in *fiqh* and its most outstanding portion is *Kitāb al-Ayman* (The Book on Oaths).

It has many commentaries, some of which are the ones authored by:

1. Faqīh Abū al-Layth al-Samarqandī (d.373h).
2. Fakhr al-Islām ‘Alī ibn Muḥammad al-Bazdawī (d.482h).³⁹⁰
3. Al-Qāḍī Abū Zayd ‘Ubayd ‘Llāh ibn ‘Umar al-Dabūsī (d.430h).³⁹¹
4. Imām Burhān al-Dīn Maḥmūd ibn Aḥmad, the author of *al-Muḥīṭ* (d.616h).³⁹²
5. Shams al-A‘immah Abū Muḥammad ibn ‘Abd al-‘Azīz ibn Aḥmad al-Ḥalwanī (d.456h).³⁹³
6. Shams al-A‘immah Muḥammad ibn Aḥmad al-Sarakhsī (d.483h).³⁹⁴

³⁸⁹ Derived from: Lu‘ayy al-Khalilī, *La‘ālī al-Maḥār* (1:218), Ḥājī Khalīfah, *Kashf al-Zunūn* (1:567), al-Kawtharī, *Bulūgh al-Amānī*.

³⁹⁰ Al-Khaṭīb, *Tārīkh al-Baghdād* (12:70), al-Sam‘ānī, *al-Ansāb* (5:188), al-Yāqūt, *Mu‘jam al-Buldān* (1:409), Ibn al-Athīr, *al-Lubāb* (1:118), al-Dhahabī, *al-Siyar A‘lām al-Nubalā‘* (18:602), al-Qurashī, *al-Jawābir al-Muḍīyyah* (2:594), Ibn Quṭlūbughā, *Tāj al-Tarājīm* pg.205, Ṭāsh Kubrī Zādah, *Miftāḥ al-Sa‘ādah* (2:184), *Ṭabaqāt al-Fuqahā‘* pg.85, al-Tamīmī, *al-Ṭabaqāt al-Sunīyyah* entry 1535, Ḥājī Khalīfah, *Kashf al-Zunūn* (1:112, 467, 553, 563, 568), (2:1016, 1485, 1581), al-Lakhnawī, *al-Fawā‘id al-Bahīyyah* pg.124, Ismā‘il Bāshā, *Hadiyyah al-‘Arīfīn Asmā‘ al-Mu‘allifīn wa ‘Āthār al-Muṣannifīn* (1:693), *Īdāḥ al-Maknūn* (2:34, 388).

³⁹¹ Al-Sam‘ānī, *al-Ansāb* (5:573), Ibn Khallikān, *Wafayāt al-A‘yān* (3:48), al-Dhahabī, *al-Siyar A‘lām al-Nubalā‘* (17:521), Ibn Kathīr, *al-Bidāyah wa al-Nihāyah* (12:46), al-Qurashī, *al-Jawābir al-Muḍīyyah* (2:499), Ibn Quṭlūbughā, *Tāj al-Tarājīm* pg.192, Ṭāsh Kubrī Zādah, *Miftāḥ al-Sa‘ādah* (1:307), *Ṭabaqāt al-Fuqahā‘* pg.71, al-Tamīmī, *al-Ṭabaqāt al-Sunīyyah* (4:177), Ḥājī Khalīfah, *Kashf al-Zunūn* (1:84, 168, 169, 334, 352, 467, 568, 703), Ibn al-Imād, *Shadharāt al-Dhahab* (3:245), al-Lakhnawī, *al-Fawā‘id al-Bahīyyah* pg.109, Ismā‘il Bāshā, *Hadiyyah al-‘Arīfīn Asmā‘ al-Mu‘allifīn wa ‘Āthār al-Muṣannifīn* (1:648), al-Ziriklī, *al-A‘lām* (4:109).

³⁹² Al-Qurashī, *al-Jawābir al-Muḍīyyah* (3:42), Ibn Quṭlūbughā, *Tāj al-Tarājīm* pg.288, Ḥājī Khalīfah, *Kashf al-Zunūn* (1:343, 344, 564, 523, 963, 1619, 1954, 1998, 2002), al-Lakhnawī, *al-Fawā‘id al-Bahīyyah* pg.206, Ismā‘il Bāshā, *Hadiyyah al-‘Arīfīn Asmā‘ al-Mu‘allifīn wa ‘Āthār al-Muṣannifīn* (2:404).

³⁹³ Ibn Mākūlā, *al-Ikmāl* (3:11, 303), al-Sam‘ānī, *al-Ansāb* (4:194), Ibn al-Athīr, *al-Lubāb* (1:380-381), al-Dhahabī, *al-Mushtabih* pg.244, al-Qurashī, *al-Jawābir al-Muḍīyyah* (2:429), Ibn Hajar, *Tabṣīr al-Muntabih* (2:511), Ibn Quṭlūbughā, *Tāj al-Tarājīm* pg.35, Ṭāsh Kubrī Zādah, *Ṭabaqāt al-Fuqahā‘* pg.70, al-Tamīmī, *al-Ṭabaqāt al-Sunīyyah* entry 253, Ḥājī Khalīfah, *Kashf al-Zunūn* (1:46, 568), (2:1224, 1580), al-Lakhnawī, *al-Fawā‘id al-Bahīyyah* pg.95, 97. Although the year of demise has been recorded by some as 448h, 449h and 452h, al-Dhahabī mentions 456h is correct.

³⁹⁴ Al-Qurashī, *al-Jawābir al-Muḍīyyah* (3:78), Ibn Quṭlūbughā, *Tāj al-Tarājīm* pg.234, Ṭāsh Kubrī Zādah, *Miftāḥ al-Sa‘ādah* (2:186), al-Tamīmī, *al-Ṭabaqāt al-Sunīyyah* (1788), Ḥājī Khalīfah, *Kashf al-Zunūn* (1:46, 112, 164, 561, 568), (2:963, 1014, 1079, 1414, 1452, 1580, 1620, 1628), al-Lakhnawī, *al-Fawā‘id al-Bahīyyah* pg.158, Ismā‘il Bāshā, *Hadiyyah al-‘Arīfīn Asmā‘ al-Mu‘allifīn wa ‘Āthār al-Muṣannifīn* (2:76), al-Ziriklī, *al-A‘lām* (5:315).

7. Abū Naṣr Aḥmad ibn Muḥammad al-‘Attābi³⁹⁵ al-Bukhārī (d. 586h).³⁹⁶
8. Abū Bakr Aḥmad ibn ‘Alī, known as al-Jaṣṣāṣ (d. 370h).
9. Abu Ja’far Aḥmad ibn Muḥammad al-Ṭahāwī (d. 321h), and many others.

4. AL-ZIYĀDĀT³⁹⁷

The next in the chain of the six books of the *Zābir al-Riwāyah* by Muḥammad ibn al-Ḥasan. This work deals with the subsidiary rulings of the school. He also authored another similar book which is titled *Ziyādāt al-Ziyādāt*.

Scholars have mentioned different narrations and reasons for this book being compiled:

1. Muḥammad ibn al-Ḥasan would go to Abū Yūsuf and would write from his dictation. Once, it slipped out of Abū Yūsuf’s tongue that the extraction of these rulings was difficult for Muḥammad, so on every ruling (of Abū Yūsuf) Muḥammad wrote a chapter and called it *al-Ziyādāt* (extra, increase), hinting that it was much more than what Abū Yūsuf dictated.
2. Some scholars are of the opinion that *al-Ziyādāt* is meant to be attached to the other five books of *Zābir al-Riwāyah*. It was authored by Muḥammad ibn al-Ḥasan to complete these works and to mention the subsidiary rulings thereof.
3. Some believe that it is meant to be an annexure to *al-Jāmi’ al-Kabīr*. This is the view preferred by Dr. Qāsim Ashraf Nūr Aḥmad, the scholar who researched and critically edited the commentary of *al-Ziyādāt* by Qāḍī Khān. He mentions that this is his preference because when Muḥammad ibn al-Ḥasan completed *al-Jāmi’ al-Kabīr*, he remembered certain *furū’* (subsidiary) rulings that he did not mention in his book, so he authored a separate book, collated all these rulings therein and named it *al-Ziyādāt*. He then recalled even more *furū’* rulings which led him to author yet another book, which was then titled *Ziyādāt al-Ziyādāt*, but this second book remained incomplete. This is also mentioned by Qāḍī Khān in his commentary.

In some prints of *Muntakhab Sharḥ al-Ziyādāt* or Anthology of the Commentary of *al-Ziyādāt* which was rendered by Ṣadr al-Dīn Sulaymān ibn Wahb from the commentary of *al-Ziyādāt* by Qāḍī Khān, the title of the book is recorded as *al-Ziyādāt ‘alā al-Jāmi’ al-Kabīr*. This also gives credence to the third view.

This is also the accepted view of Riḍā al-Dīn al-Sarakhsī, the author of *al-Muḥīṭ al-Riḍawī*. Al-Lakhnawī quotes him in *al-Fawā’id al-Bahīyyah* as follows: I have gathered in this book of mine most of the rulings of *fiqh* with its basis in an exceptional manner and with an excellent division. I started each chapter with the rulings of *al-Mabsūṭ* as these were proven principles. I followed them with the rulings of *al-Nawādir* and *al-Nawāzil*, as they are free of the principal rulings. I then ensued it with the rulings of *al-Jāmi’* as these are the collection of the cream of *fiqh*. I then ended it with the rulings of *al-Ziyādāt*, as these are the extra subsidiary rulings of *al-Jāmi’* and I titled it *al-Mabsūṭ* (the detailed), as it encompasses all the rulings of the main works.

4. One view is that Abū Yūsuf would dictate and a son of Muḥammad would record the lessons. Muḥammad then made those chapters the basis of his work, would add on to it to complete the chapters and then titled the collection *al-Ziyādāt* as he had added on (*al-Ziyādāh*) to the lessons of Abū Yūsuf. The chapters were not placed in sequence and were left disorganized as Muḥammad had based it on the dictation of Abū Yūsuf.

The third view, being the most substantiated, seems to be the correct one.

The commentary of *al-Ziyādāt* by Qāḍī Khān was recently printed with a critical editing by Dr. Qāsim Ashraf, the nephew of Muftī Taqī ‘Uthmānī. The first print was completed in the year 1426h by Dār Iḥyā al-Turāth al-‘Arabī. Dr. Qāsim Ashraf mentions the method and procedure of *al-Ziyādāt* in the following words:

The method adopted by Muḥammad ibn al-Ḥasan in *al-Ziyādāt* is totally in conformity with his method in *al-Jāmi’ al-Kabīr* in being masterly and unyielding, largely stamped with delicacy and a level of difficulty as it is

³⁹⁵ The letter ‘ayn will hold a *fatha*. The attribution is to al-‘Attabiyyah, a place in Bukhārā.

³⁹⁶ Al-Dhahabī, *al-Mushtabih* pg.441, al-Ṣafadī, *al-Wāfi bi al-Wafayāt* (8:74), al-Qurashī, *al-Jawābir al-Muḍīyyah* pg.70, Ibn Quṭlūbughā, *Tāj al-Tarājim* pg.103, Ibn Ḥajar, *Tabṣīr al-Muntabih* (3:990), al-Suyūṭī, *Ṭabaqāt al-Mufasssīrīn* pg.6, al-Dāwūdī, *Ṭabaqāt al-Mufasssīrīn* (1:83), Ṭāsh Kubrī Zādah, *Ṭabaqāt al-Fuqabā’* pg.100, al-Tamīmī, *al-Ṭabaqāt al-Sunīyyah* entry 344, Ḥājjī Khalīfah, *Kashf al-Zunūn* (1:453, 563, 567, 568, 611), (2:963, 964), al-Lakhnawī, *al-Fawā’id al-Bahīyyah* pg.36, Ismā’īl Bāshā, *Hadiyyah al-‘Arīfīn Asmā’ al-Mu’allifīn wa Athār al-Muṣannifīn* (1:87), Kaḥālāh, *Mu’jam al-Mu’allifīn* (1:287).

³⁹⁷ Derived from, Ḥājjī Khalīfah, *Kashf al-Zunūn* (2:963), Lu’ayy al-Khalīlī, *La’ālī al-Maḥār* (1:317-320), from the forward of *Sharḥ al-Ziyādāt* by Qāḍī Khān, edited by Qāsim Ashraf, (published by: Dār Iḥyā’ al-Turāth) and the printed edition of *Ziyādāt al-Ziyādāt* with its two commentaries by al-Sarakhsī and al-‘Attābi, edited by Abū al-Wafā al-Afghānī, (published by: Lajnah Nashr al-‘Ulūm al-Islamiyyah) and by (‘Ālam al-Kutub).

comprising of the finer *fiqhi* differences and deeper hidden meanings. He mentions the rulings in a fine comprehensive manner without delving into proofs. The greatest example of the quality of his method is displayed in the section of *al-Ayman* or oaths. Imam al-Sarakhsī said that whoever wishes to test the aptitude of a person in *fiqh* should use the chapter of *al-Ayman* from *Jāmi‘ al-Kabīr*. This was also the method and manner of the author in *al-Ziyādāt*'s section on *al-Ayman*, regarding him (the author) being thoroughly versed and extremely proficient in *fiqh*, Islamic legal theory and Arabic grammar.

Al-Ziyādāt's provides examples of subsidiary *fiqhi* rulings without guidelines or any notes or gloss, which is normally termed *al-fiqh al-taqdīrī* or hidden *fiqh*.

Many scholars have written commentaries on this work such as:

1. Aḥmad ibn Muḥammad al-‘Attābī (d.586h). Al-Lakhnawī mentions in *al-Fawā'id al-Bahīyyah* that I benefitted from this commentary. It is summarized in such a way that it is neither tiresomely lengthy nor deficiently concise.
2. Imām Qāḍī Khān Ḥasan ibn al-Manṣūr al-Awzajandī (d.592h).
3. Burhān al-Dīn Maḥmūd ibn Māzah (616h).
4. ‘Abd al-Ghafūr ibn Luqmān al-Kurdurī (562h).
5. Shams al-A‘immah al-Sarakhsī (483h).
6. Ibn Nujaym al-Miṣrī (d.970h), as mentioned by him in his commentary *al-Baḥr al-Rā‘iq*.³⁹⁸
7. Ibn Samā‘ah.³⁹⁹
8. Abū ‘Abdullāh al-Jurjānī Yūsuf ibn Muḥammad, the student of al-Karkhī.⁴⁰⁰

5/6. AL-SIYAR AL-ṢAGHĪR and/or AL-SIYAR AL-KABĪR⁴⁰¹

The word *al-siyar* is the plural of *al-sīrah* and literally means the way of conduct between nations. In *fiqh*, it refers to the way and conduct of the Prophet in his battles. In fact, it encompasses the *fiqh* of international relations in Islam and includes matters of peace, war and the method of interacting and dealing with non-Muslims.

Both *al-Siyar al-Ṣaghīr* and *al-Siyar al-Kabīr* are treatises that examine the application of Islamic ethics, economic jurisprudence, and military jurisprudence within the framework of international law, both public and private. These works engage with numerous topics relevant to contemporary international law, including the laws governing treaties, the treatment of diplomats, hostages, refugees, and prisoners of war; the rights of asylum; conduct during warfare; the protection of women, children, and non-combatant civilians; agreements made across battle lines; the use of poisonous weapons; and the devastation of enemy territories.⁴⁰²

Al-Siyar al-Ṣaghīr was authored first and contains the narrations of Abū Yūsuf to Muḥammad ibn al-Ḥasan which he recited to him. *Al-Siyar al-Kabīr* was the second of the two to be authored, and as the name suggests, it is the more comprehensive book. It is also the last authored work by Muḥammad ibn al-Ḥasan.

There is an incident recorded by al-Sarakhsī in the beginning of his commentary of *al-Siyar al-Kabīr* regarding the reason Muḥammad ibn al-Ḥasan authored this work. He mentions that ‘Abd al-Rahḥān ibn ‘Amr al-Awzā‘ī, the scholar of Shām received a copy of *al-Siyar al-Ṣaghīr* and commented that the people Iraq have no real knowledge of this subject as the battles of the Prophet and his companions occurred more in the region of Shām and Ḥijāz and not Iraq. This angered Muḥammad ibn al-Ḥasan and he freed himself to author *al-Siyar al-Kabīr*. When al-Awzā‘ī saw *al-Siyar al-Kabīr*, he was greatly impressed and said that had it not contained narrations, he would have thought it was fabricated.

Even though this incident has been recorded by al-Sarakhsī, many scholars disagree and mention it to be incorrect. They state the dates of the birth and demise of the scholars as the main reason for its debunking. Al-Awzā‘ī passed away in the year 157h and Muḥammad was born in 132h. Muḥammad was 25 when al-Awzā‘ī passed away. If this incident is taken to be correct and *al-Siyar al-Kabīr* was his final work, it will mean that he did not author anything else for 32 or so years, as he passed away in 189h. This doesn't make sense and is inconsistent

³⁹⁸ Ḥājī Khalīfah mentions in *Kashf al-Zunūn* (2:962) that Ibn Nujaym mentions that he penned a commentary to *al-Ziyādāt* in *Kitāb al-Da‘wā* in *al-Baḥr al-Rā‘iq*.

³⁹⁹ Lu‘ayy al-Khalīlī mentions in *La‘ālī al-Maḥār* (1: 320) that al-Ḥāṣirī mentions this in *al-Taḥrīr*.

⁴⁰⁰ Lu‘ayy al-Khalīlī, *La‘ālī al-Maḥār* (1: 320)

⁴⁰¹ Derived from: Ḥājī Khalīfah, *Kashf al-Zunūn* (2:1013-1014), Lu‘ayy al-Khalīlī, *La‘ālī al-Maḥār* (1:327-329), *Muqaddamah al-Radd ‘alā Siyar al-Awzā‘ī* by Abu Yusuf, with the research of Abū al-Wafā al-Afghānī, (Published by: Dār al-Kitāb al-Ilmiyyah), The forewords of *al-Siyar al-Kabīr* by Dr. Majid Khadurī and Shaykh Abū Zuhrah.

⁴⁰² Weeramantry, Judge Christopher G. (1997) *Justice without Frontiers, Furthering Human Rights*, Brill Publications pg.136.

with the date of penning this work and with the life of Muḥammad. Al-Sarakhsī himself mentions, as well as other languages such as al-Kawtharī, that Muḥammad authored *al-Siyar al-Kabīr* after he left Iraq and Abū Ḥafṣ al-Kabīr, which is why Abū Ḥafṣ doesn't narrate this book. All this happened years after al-Awzā'ī passed away.

This then brings back to the reason for him authoring this work. It was the need of the time that he lived in, which saw the Muslims interacting with many other nationalities and governments. Also, it was a period wherein many wars were waged, victories enjoyed, and lands being conquered.

Regarding the importance and status of this book, it is mentioned that when Muḥammad ibn al-Ḥasan completed it, he ordered that it be recorded into 60 notebooks and that these be delivered to the caliph. When it was received by the caliph, he appreciated it greatly and considered it to be a proud moment in the days of his rule. When he read it, he was even more impressed and sent his sons to Muḥammad to study it.

Many scholars have praised this book, especially those who have an affiliation to international relations in Islam, such as Dr. Najīb Armanāzī in his book *al-Sharḥ al-Duwalī fī al-Islām* and Dr. Muhammad al-Dasūqī.

All the books of Muḥammad ibn al-Ḥasan are broadly quoted by Ibn 'Ābidīn.

AL-KĀFĪ FĪ FURŪ' AL-ḤANAFIYYAH ⁴⁰³

This book was authored by Abū al-Faḍl Muḥammad ibn Muḥammad ibn Aḥmad ibn 'Abdullāh ibn 'Abd al-Majīd ibn 'Ismā'īl al-Mirwazī al-Sulamī, who is more commonly known as Ḥākīm al-Shahīd. He was a judge and a minister and is considered amongst the most senior Ḥanafī scholars. He was appointed as the Qāḍī of Bukhāra. Later, the Amīr, Ḥāmid, the leader of Khurāsān, appointed him as a minister.

He studied the traditions and *ḥadīth* in Merv from Abū Rajā' Muḥammad ibn Ḥamdūyah al-Hawraqānī and in Naysābūr from 'Abdullāh ibn Shayrūyah, and in Rayy from Ibrāhīm ibn Yūsuf al-Hasanjānī and in Baghdad from al-Haytham ibn Khalaf al-Dūrī. Al-Sam'ānī mentions that all the scholars of Khurāsān studied from al-Ḥākīm al-Shahīd.

Al-Ḥākīm Abū 'Abdullāh says that I did not find amongst all the Ḥanafī scholars whom I studied under, someone who had memorized more *ahādīth*, who was more guided to its ways or holding more understanding of the traditions than him (al-Ḥākīm al-Shahīd).

Al-Dhahabī mentions that he was the *Shaykh* or the authority of the Ḥanafī school in his time.

It is recorded in the *al-Ansāb* of al-Sam'ānī under the autobiography of al-Ḥākīm al-Shahīd: Abū 'Abdullāh ibn al-Ḥākīm al-Shahīd (his son) says that I attended to al-Ḥākīm al-Shahīd and he would fast on Mondays and Thursdays. He did not leave out the supererogatory night prayers (*al-tahajjud*) whether traveling or at home. He would sit with the baskets,⁴⁰⁴ books and the ink pot in front of him. He was the minister of the Sultan and would only permit those with pressing matters to visit. He would then busy himself with writing and the visitor would stand up and leave. Abū al-'Abbās ibn Ḥamdūyah complained about him saying that we enter to visit him, but he doesn't speak, and instead grabs hold of a pen and leaves us alone.

Al-Ḥākīm Abū 'Abdullāh al-Ḥāfiz, the author of *al-Mustadrak* says: I attended the dictational *majlis* (educational dictation session) of al-Ḥākīm Abū al-Faḍl, when the Amīr, Abū 'Alī ibn Abū Bakr ibn al-Muẓaffar entered and stood waiting for him. Al-Ḥākīm al-Shahīd did not move from his place and sent him away saying, 'O Amīr, please leave, this is not your day.'

Al-Ḥākīm al-Shahīd passed away in the year 334h after soldiers close to the Amīr rebelled. When he heard them attempting to gain entry, he took a bath, applied perfume, wore his shroud and got busy in *ṣalāh* (prayer). He was then martyred at the door of Marw at the entrance of the graveyard of Rakdān. This happened at the time of the *Fajr* prayer. His title, al-Shahīd (the martyr), is derived from his martyrdom.

Al-Kāfī is his book that collates all the *Zābir al-Riwāyah* books of Muḥammad ibn al-Ḥasan al-Shaybānī. It is considered as a reliable and trusted book in the transmitting of the *madhhab*. Many scholars have written commentaries on *al-Kāfī*, of which the most famous is the one written by Shams al-'Immah al-Sarakhsī which is titled *al-Mabsūṭ* and is commonly known as *al-Mabsūṭ* of al-Sarakhsī. Aḥmad ibn Manṣūr al-Isbijābī and Ismā'īl ibn Ya'qūb al-Anbarī al-Mutakallim also wrote commentaries on *al-Kāfī*.

⁴⁰³ Derived from: Al-Qurashī, *al-Jawābir al-Muḍiyyah* (3:313), Ibn Quṭlubughā, *Tāj al-Tarājim* pg.272, Ibn al-Ḥanā'ī, *Ṭabaqāt ibn al-Ḥanā'ī* pg.169, al-Lakhnawī, *al-Fawā'id al-Bahīyyah* pg.305, Ḥāji Khalīfah, *Kashf al-Ẓunūn* (2:1378), Ismā'īl Bāshā, *Hadiyyah al-'Arifin* (2:37), al-Sam'ānī, *al-Ansāb* (7:425), Lu'ayy al-Khalīlī, *La'ālī al-Maḥār* (2:478-479).

⁴⁰⁴ This, most probably, refers to the baskets used to store his books.

Al-Lakhnawī mentions in *Fawā'id al-Bahiyyah*: The books *al-Kāfi* and *al-Muntaqā* are considered the primary sources of the *madhhab* after the books of Muḥammad ibn al-Ḥasan, however the book *al-Muntaqā* is not found in our lands in our era.

Ibn 'Ābidīn extensively quotes *al-Kāfi* in his marginalia.

Al-Ḥākim al-Shahīd also authored the following:

Al-Ghurar fī al-Fiqh.

Al-Mukhtaṣar, which is a summary of Muḥammad ibn al-Ḥasan's *al-Mabsūṭ*.

Al-Mustakblaṣ min al-Jāmi' fī al-Furū'.

Al-Muntaqā.

AL-MUNTAQĀ FĪ AL-FURŪ'.⁴⁰⁵

This work of al-Ḥākim al-Shahīd is worthy of mention. It is based on Muḥammad ibn al-Ḥasan's *al-Nawādir*. *Al-Nawādir* as mentioned by Ibn 'Ābidīn refers to those rulings which are narrated from our three Imāms (Abū Ḥanīfah, Abū Yūsuf and Muḥammad), not in the *Zābir al-Riwāyah*, but rather in other books, or contained in books authored by scholars besides Muḥammad ibn al-Ḥasan or in books that recorded the dictation of Abū Yūsuf with a single narrator.⁴⁰⁶

Al-Muntaqā is unfortunately not found today, as mentioned by al-Lakhnawī too. Al-Ḥākim mentions that he researched 300 books including *al-Amālī* and *al-Nawādir* until he was able to select content for *al-Muntaqā*.

Ibn 'Ābidīn does mention quotations from *al-Muntaqā*, but mostly as a secondary source via one of commentaries, such as Ibn Nujaym's *al-Naḥr al-Fā'iḳ*, in the chapter of *al-Aḥkām* (Chapter on Oaths).⁴⁰⁷

AL-NAWĀZIL FĪ AL-FURŪ'.⁴⁰⁸

This work was authored by al-Shaykh al-Imām al-Faqīh Abū al-Layth Naṣr ibn Muḥammad ibn Ibrahīm ibn al-Khaṭṭāb al-Samarqandī al-Ḥanafī, who held the title, Imām al-Hudā. He studied *fiqh* at the hands of Abū Ja'far al-Hindawānī.

Al-Lakhnawī mentions that he studied al-Samarqandī's works including al-Bustan, Tanbih al-Ghaafileen and Khazanah al-Fiqh and found them all to be beneficial.

Abū al-Layth Naṣr is the very scholar who is mentioned by al-Marghinānī, the author of *al-Hidāyah* in the chapter of *al-Ghaṣab* (Chapter on Usurpation), not the other Abū al-Layth al-Samarqandī. The other al-Samarqandī held the agnomen al-Ḥāfiẓ who passed away in 294h.

This book is the first of its kind to be authored regarding those rulings which are termed *al-Waqi'āt*. Ibn 'Ābidīn mentions that *al-Waqi'āt* are those rulings which the latter *mujtabids* derived after being asked certain queries, the answers to which were not found in any of the previous narrations. They are the students, grand students and great grand students from Imām Abū Yūsuf and Muḥammad. A few of these are 'Iṣām ibn Yūsuf, Ibn Rustum, Muḥammad ibn Sum'ah, Abū Sulaymān al-Jurjānī, Abū Ḥafṣ al-Bukhārī and those after them like Muḥammad ibn Salamah, Muḥammad ibn Muqātil, Nāṣir ibn Yaḥyā and Abū Naṣr al-Qāsim ibn al-Sallām.

Ibn 'Ābidīn also mentions that this book, *al-Nawāzil* is the first book to gather and collate these rulings. It is mentioned that it gathers the rulings of Muḥammad ibn Shujā' al-Thaljī, Muḥammad ibn Muqātil al-Rāzī, Muḥammad ibn Salamah, Nāṣir ibn Yaḥyā al-Balkhī, Muḥammad ibn Islam, Abū Bakr ibn al-Iskāf, 'Alī ibn Aḥmad al-Fārisī and al-Faqīh Abū Ja'far Muḥammad ibn 'Abdullāh. Al-Samarqandī mentioned that I authored two books that contains their rulings, *Uyūn al-Masā'il* and *al-Nawāzil*. In *Uyūn*, I recorded the views of our Ḥanafī scholars where no narration was found regarding these (from our three Imāms) and in *al-Nawāzil*, a bit of these types of rulings and a portion on the views of our three Imāms, so that the oath of *ijtihād* will become easy for the one studying it.⁴⁰⁹

⁴⁰⁵ Derived from: Ḥājī Khalīfah, *Kashf al-Zunūn* (2:1851), Lu'ayy al-Khalīlī, *La'ālī al-Maḥār* (2:599-600).

⁴⁰⁶ Ibn 'Ābidīn, *Radd al-Muḥtār* (1:74).

⁴⁰⁷ Ibn 'Ābidīn, *Radd al-Muḥtār* (3:777).

⁴⁰⁸ Derived from: Al-Qurashī, *al-Jawābir al-Muḍiyyah* (3:544), (4:83), Ibn Quṭlubughā, *Tāj al-Tarājim* pg.310, Ṭāsh Kubrī Zādah, *Miftāḥ al-Sa'ādah* (2:251), Ibn al-Ḥanā'ī, *Ṭabaqāt ibn al-Ḥanā'ī* pg.196, al-Lakhnawī, *al-Fawā'id al-Bahiyyah* pg.362, Ḥājī Khalīfah, *Kashf al-Zunūn* (1:243), Ismā'il Bāshā, *Hadīyyah al-'Arīfīn* (2:490), al-Ziriklī, *al-A'lām* (8:27), Kaḥālāh, *Mu'jam al-Mu'allifīn* (13:91), Lu'ayy al-Khalīlī, *La'ālī al-Maḥār* (2:649-650).

⁴⁰⁹ Ibn 'Ābidīn, *Radd al-Muḥtār* (1:69).

'*Uyūn al-Masā'il* was printed with the research of Sayyid Muḥammad Mahnī by Dār al-Kutub al-'Ilmiyyah in 1419h and *Fatāwā al-Nawāzil* was printed by the same printers with the research of Yūsuf Aḥmad in 1425h.

Al-Samarqandī also authored many other works, amongst which are:

Ta'sīs al-Naẓā'ir.

Tafsīr al-Qur'ān.

Tanbīh al-Ghāfilīn.

Khizanah al-Fiqh

Daqā'iq al-Akbbār fī Dhikr al-Jannah wa al-Nār.

Sharḥ al-Jāmi' al-Saghīr.

'*Uyūn al-Masā'il.*

Al-Fatāwā.

Al-Mabsūṭ fī al-Furū'.

Muqaddimah fī al-Fiqh.

Nawādir al-Fiqh.

AL-MABSŪṬ⁴¹⁰

The author of this book is Shams al-A'immaḥ Abū Bakr Muḥammad ibn Aḥmad ibn Abū Sahl al-Sarakhsī. Sarakhs is in the Greater Khurāsān, which forms part of Transoxiana. Sarakhs was the name of the person who first stayed at this place in Greater Khurāsān and inhabited it. Currently, it is centrally located at the border between Iran and Turkmenistan. Shams al-A'immaḥ al-Sarakhsī is the great Ḥanafī jurist, the towering *Imām* who is considered a luminary of the *madhhab*. He studied under Shams al-A'immaḥ 'Abd al-'Azīz al-Ḥalwānī, until he graduated and became the most proficient scholar of his age. He began to author different works, was actively involved in debates, his name shone, and his popularity soared.

Not much is recorded nor known about his early life, besides the scant clues left behind in his works. He is known for his intelligence and remarkable memory. He was imprisoned in Awzajand, Fergana due to an opinion on a juristic matter that went against the ruler of the time. In it he questioned the validity of the ruler's marriage to a slave girl whose *'iddah* (compulsory waiting period) had not yet elapsed. He spent almost 15 years in prison, where quite a bit of his work was completed. His students include Muḥammad ibn Ibrāhīm al-Husayri, Abū 'Umar ibn 'Uthmān ibn 'Alī al-Baykandī and Abū Ḥafṣ 'Umar ibn al-Ḥabīb, the maternal grandfather of the author of *al-Hidāyah*.

It is mentioned in *al-Masālik* that *al-Sarakhsī* was once seated in a gathering wherein mention was made that Imam al-Shāfi'ī had memorized 300 notebooks. He replied by saying that the memorization of al-Shāfi'ī is the *zakāt* of what I have memorized. This calculates to roughly 12000 notebooks!

There is a difference of opinion regarding the year of his demise. Some mention 483h, some 490h and others mention 500h.

Whilst imprisoned, his books *al-Mabsūṭ* was compiled. It is a voluminous work comprising of between 14 to 30 volumes, based on the print. He dictated all the contents of this work from memory, whilst in prison and having no access to any texts nor any written work.

His other works include the following:

Al-Amālī.

Sharḥ Adab al-Qādī of Abū Yūsuf.

Sharḥ al-Jāmi' al-Ṣaghīr of Muḥammad ibn al-Ḥasan al-Shaybānī.

Sharḥ al-Ḥiyal al-Shar'iyyah of al-Khaṣṣāf.

Sharḥ Ziyādah al-Ziyādāt.

Sharḥ Siyar al-Kabīr of Muḥammad ibn al-Ḥasan al-Shaybānī.

Sharḥ Kitāb al-Kasb of Muḥammad ibn al-Ḥasan al-Shaybānī.

Sharḥ Mukhtaṣar al-Taḥāwī.

Sifah Ashrāṭ al-Sā'ah.

⁴¹⁰ Derived from Al-Qurashī, *al-Jawābir al-Muḍiyyah* (3:78), Ibn Quṭlughā, *Tāj al-Tarājim* pg.234, Ṭāsh Kubrī Zādah, *Miftāḥ al-Sa'ādah* (2:165), Ibn al-Ḥanā'ī, *Ṭabaqāt ibn al-Ḥanā'ī* pg.198, al-Lakhnawī, *al-Fawā'id al-Bahiyah* pg.261, Ḥājī Khalifah, *Kashf al-Zunūn* (2:963), Ismā'il Bāshā, *Hadiyyah al-'Arifīn* (4:76), Manṣūrpūri, *Fatwā Nawesī ke Reḥnumā Uṣūl* pg.70, Lu'ayy al-Khalilī, *La'ālī al-Maḥār* (2:512).

Al-Muḥīṭ fī al-Furūʿ.

This book of al-Sarakhsī, al-Mabsūṭ, is considered as an encyclopaedia of Ḥanafī *fiqh*, with comparative *madhābīb* being discussed, especially the *madhābīb* of al-Shāfiʿī and al-Mālik, compared to the school of Abū Ḥanīfah. This is regarding the rulings in which there exists a difference of opinion. It encompasses all the chapters of *fiqh* in an easy manner with clear, open texts. He always supports his views with proofs, and in certain places, the proofs of the Ḥanafī school and those of the other schools are reconciled in an excellent manner. It is also considered to be a source of Ḥanafī Fiqh in matters of *fatwā* and *qadā* (judgeship). Ibn ʿĀbidīn in his *ḥāshiyah* quotes Allamah Ṭarsūsī as saying: It (*al-Mabsūṭ*) should not be acted against and there is no reliance except towards it. Issues should not be resolved nor any *fatwā* issued except in conformity to it.⁴¹¹

Its importance is also highlighted in it being the most superior and broad commentary to *al-Kāfi* by al-Ḥākim al-Shahīd, a reliable book on the principal rulings of the *madhābīb*, which in turn is the summary of the six *Zābir al-Riwāyah* books of al-Shaybānī.

MUKHTAṢAR AL-QUDŪRĪ⁴¹²

The author of this book is Imām Abū al-Ḥusayn Aḥmad ibn Muḥammad ibn Jaʿfar ibn Ḥamdān al-Baghdādī al-Qudūrī, more commonly known as Imām al-Qudūrī. He is considered amongst the leading Ḥanafī scholars and was born in the year 362h. He studied *fiqh* from Abū ʿAbdullāh Muḥammad ibn Yaḥyā al-Jurjānī, who studied from Abū Ḥasan al-Karkhī who studied from Abū Saʿīd al-Bardaʿī, who studied from Abū ʿAlī al-Daqqāq, who studied from Abū Sahl ibn Naṣr al-Rāzī, who in turn was the student of Muḥammad ibn al-Ḥasan al-Shaybānī. He narrated *ahādīth* from Muḥammad ibn ʿAlī ibn Suwayd al-Muʿaddab and ʿUbayd ʿLlāh ibn Muḥammad al-Hawshabī. The Chief Justice (*Qāḍī al-Qudāt*) Abū ʿAbdullāh al-Damighānī, as well as al-Khaṭīb al-Baghdādī, transmitted *ḥadīth* from him. Imām al-Qudūrī excelled in *fiqh* due to his exceptional intellect, eventually rising to prominence as the foremost authority among Ḥanafī scholars in Iraq, surpassing his peers in both stature and renown.

Amongst his students was the famous *ḥadīth* scholar and historian, al-Khaṭīb al-Baghdādī. He included a notice of al-Qudūrī in his famous work, *Tārīkh al-Baghdād* in the following manner: I wrote from him. He was al-Ṣādiq or extremely truthful and trustworthy and was of those who excelled in jurisprudence due to his intelligence. The leadership of the companions of Abū Ḥanīfah culminated with him in Iraq. He was of magnificent stature to them and of high repute. He had a wonderful expression in language with a bold tongue and was always busy in the recital of the Qurʾān.

Al-Khatib also narrates a *ḥadīth* from al-Qudūrī, which he included under the biographical notice. Al-Qudūrī was not only a leading Ḥanafī jurist, but a learned scholar of *ḥadīth* as well. His works, *al-Tajrīd* on comparative *fiqh* and his commentary on *Mukhtaṣar al-Karkhī*, on the detailed rulings and evidences of Ḥanafī jurisprudence bear testimony to this fact.

Al-Samʿānī mentions that he was a truthful and expert jurist who would debate with the Shāfiʿī scholar, Abū Ḥāmid al-Isfirānī.

Abū Muḥammad al-Fāmī mentions him in *Ṭabaqāt al-Fuqahāʾ* with praise saying that he had a son whom he did not educate with the knowledge of *fiqh*. He would say that he should be left to live freely. It is noted that this son passed away very young as a child.

Al-Qudūrī passed away on a Monday, the 15th Rajab 428h. He was then buried in his home on Abū Khalaf Road. He was later moved to a cemetery on al-Manṣūr Street, where he currently lays to rest next to the Ḥanafī jurist, Abū Bakr al-Khawarzimī.

One narration of his was extracted in *Jawābir al-Muḍīyyah* from Anas ibn Mālik who said that the Prophet of Allāh said: 'Whoever lies against me intentionally should prepare his abode in the fire.'

Amongst the other works authored by al-Qudūrī are:

Adab al-Qāḍī ʿalā Madhāb Abī Ḥanīfah.

Al-Taqrīb fī Masāʾil al-Khilāf.

⁴¹¹ Ibn ʿĀbidīn, *Radd al-Muḥtār* (1:66).

⁴¹² Derived from Al-Qurashī, *al-Jawābir al-Muḍīyyah* (3:348), Ibn Quṭlubughā, *Tāj al-Tarājīm* pg.98, Ṭāsh Kubrī Zādah, *Miftāḥ al-Saʿādah* (2:253), Ibn al-Ḥanāʾī, *Ṭabaqāt ibn al-Ḥanāʾī* pg.204, al-Lakhnawī, *al-Fawāʾid al-Babīyyah* pg.57, Ḥājī Khalīfah, *Kashf al-Zunūn* (1:346), Ismāʾil Bāshā, *Hadiyyah al-ʿArīfīn* (4:74), al-Tamīmī, *al-Ṭabaqāt al-Sunniyyah* (2:19), Luʿayy al-Khalīlī, *Laʾālī al-Maḥār* (1:151).

Sharḥ Mukhtaṣar al-Karkhī.

Al-Tajrīd and others.

His book is a *mukhtaṣar*, a term in Islamic law that denotes a concise legal manual, known for its clarity and precision. *Mukhtaṣars* first emerged during the ‘Abbāsīd caliphate as a way to expedite the training of lawyers by avoiding the repetitiveness of longer works. Over time, however, they evolved into accessible resources for educated laypeople seeking to understand the fundamentals of Islamic law.⁴¹³

Mukhtaṣar al-Qudūrī is such an accepted book in the school that when the word *al-Kitāb* (The Book) is mentioned, it is meant. It is a highly ranked *matn* or primer that is commonly used by the scholars and its fame supersedes it.

The author does mention some differences between the main three Ḥanafī scholars and at times reconciles between them. It is an accepted primary book of Ḥanafī jurisprudence that is widely used in traditional seats of learning throughout the Ḥanafī educational world.

Al-Maydānī mentions in *al-Lubāb*: The grace of al-Qudūrī’s blessed book has spread so much that it is considered as a necessary part of study, which is why students endeavour to understand and teach it and they flock to both learn and teach it.

Al-Kafawī mentions in *A’lam Akhyār*: It is the blessed *Mukhtaṣar* which is in circulation and is prevalent in the hands of students. Allāh has benefited countless persons through it. It contains all the major chapters of jurisprudence from *al-Ṭabarāh* (purification) till *al-Farā’id* (inheritance), and according to some commentaries, it comprises of approximately 12000 rulings.

Ibn Abidin quotes al-Qudūrī’s *Mukhtaṣar* and some of its commentaries, in his *al-Ḥāshiyah*, either directly or as a secondary source, including the following commentaries:

1. *Sharḥ al-Aqṭa’* of al-Qudūrī by Aḥmad ibn Muḥammad ibn Muḥammad ibn Naṣr al-Baghdādī, who is commonly known as Abū Naṣr al-Aqṭa’ al-Ḥanafī (d.474h).
2. Jāmī’ al-Muḍmarāt wa al-Mushkilāt by Yūsuf ibn ‘Umar ibn Yūsuf al-Ṣūfī al-Kādūrī al-Bazzār (d.832h).
3. Khulāṣah al-Dalā’il fī Tanqīḥ al-Masā’il by Ḥusām al-Dīn ‘Alī ibn Aḥmad ibn Makkī al-Rāzī (d. 598h).
4. Zād al-Fuqahā’ by Shaykh al-Islām Abū al-Ma’ālī Bahā al-Dīn Muḥammad ibn Aḥmad ibn Yūsuf al-Isbijābī. He passed away towards the end of the sixth century, and the exact date is unknown.
5. *Al-Sirāj al-Wahbāj* by Abū Bakr ibn ‘Alī who is commonly known as al-Ḥaddādī al-‘Ibādī al-Yamanī (d.800h).
6. *Al-Jawharah al-Nayyirah* by the same author. He summarized *al-Siraj al-Wahbāj* in this book.
7. *Kifāyah al-Fuqahā’* by Shams al-‘A’immah Ismā’il ibn Ḥusayn al-Bayhaqī (d.402h).
8. *Al-Lubāb fī Sharḥ al-Kitāb* by Jalāl al-Dīn Abū Sa’d Muṭahhir ibn Ḥasan ibn Sa’id ibn ‘Alī ibn Bandar al-Yazdī (d.591h).
9. *Al-Mujtabā* by Mukhtar ibn Maḥmūd al-Zāhidī (d. 658h).
10. Al-Muhimm al-Ḍarūrī by ‘Abd al-Raḥīm ibn ‘Alī al-‘Āmūdī al-Qāḍī al-Ḥanafī (d.631h).
11. Al-Ya’nabī fī Ma’rifah al-Uṣūl wa al-Tafāri’ by Rashīd al-Dīn Abū ‘Abdullāh Muḥammad ibn Ramaḍān al-Rūmī al-Ḥanafī (d. after 616h).

TUḤFAH AL-FUQAḤĀ⁴¹⁴

This book was authored by Muḥammad ibn Aḥmad ibn Abī Aḥmad al-Samarqandī Abū Bakr ‘Ala’ al-Dīn al-Samarqandī. He was a great scholar of high merit and rank who studied under Abū al-Mu’in Maymūn al-Makhūlī and Ṣadr al-Islām Abū al-Yusr al-Bazdawī. He passed away in the year 540h.

Some mention that the author of *Tuḥfah al-Fuqahā’* is Muḥammad ibn ‘Abd al-Ḥāmid al-Usmundī al-Samarqandī. The author of *Hadiyyah al-‘Arifīn* also mentioned this as his name. This is an oversight and the reason for such an oversight is the similarity in the names and that both these scholars were contemporaries. Al-Usmundī was born in 488h and passed away in 552h. He is the author of *Bazl al-Naṣr fī al-Uṣūl*. Details of this oversight are recorded in the foreword of al-Samarqandī’s other book, *Mizān al-Uṣūl*, rendered by Dr. Muḥammad Zākī ‘Abd al-Barr, printed

⁴¹³ John Esposito, *The Oxford Dictionary of Islam*, Oxford University Press 2003.

⁴¹⁴ Derived from Al-Qurashī, *al-Jawābir al-Mudīyyah* (3:18/83), Ibn Quṭlubughā, *Tāj al-Tarājīm* pg.252, Sarkīs, *Mu’jam al-Maṭbū’āt* (2:1047), Ibn al-Ḥanā’ī, *Ṭabaqāt ibn al-Ḥanā’ī* pg.212, al-Lakhnawī, *al-Fawā’id al-Babīyyah* pg.260, Ḥājī Khalīfah, *Kashf al-Zunūn* (1:371), Ismā’il Bāshā, *Hadiyyah al-‘Arifīn* (3:9), al-Naqīb, *al-Madhbhab al-Ḥanafī* (2:717), Lu’ayy al-Khalīlī, *La’ālī al-Maḥār* (1:163).

by *Maktabah al-Da'wah* in Qatar. It is also mentioned in the foreword written by Dr. 'Abd al-Barr in al-Usmundī's *al-Khilāf fī al-Fiqh Bayna al-'A'imma*, which is printed by *Maktabah al-Turāth*, Cairo.

Muḥammad ibn Aḥmad al-Samarqandī's daughter, Fāṭimah studied under him and memorized *al-Tuḥfab*. She became so well-read and such an apt scholar that whenever a *Fatwā* was issued by her father, it also contained her signature. She later married al-Kāsānī and when a *Fatwā* was issued by him, it too contained her signature, together with that of her husband and father.⁴¹⁵

The book, *Tuḥfab al-Fuqahā'* is based on *Mukhtaṣar al-Qudūrī* in an excellent sequence. Al-Samarqandī himself mentions that when *Mukhtaṣar al-Qudūrī* became a widespread and accepted primer, there was a request made to him to add on to it certain rulings that were left out and to also clarify certain difficult portions of it, by providing strong proofs and evidence to enhance its benefit. Based on this request, he complied by writing *Tuḥfab al-Fuqahā'*. This book of his gained even more fame and popularity and became more accepted due to its commentary, which was written by his son in law, 'Alā' al-Dīn al-Kāsānī. Muḥammad ibn Aḥmad al-Samarqandī also authored the following:

Īdāh al-Qawā'id.

Al-Lubāb fī al-Uṣūl.

A commentary on *al-Māturīdī's al-Ta'wīlāt.*

A commentary on al-Shaybanī's *al-Jāmi' al-Kabīr.*

Mīzān al-Uṣūl fī Natā'ij al-'Uqūl.

BADĀ'IT AL-ṢANĀ'IT FĪ TARTĪB AL-SHARĀ'IT⁴¹⁶

This work was authored by 'Alā' al-Dīn ibn Abū Bakr ibn Maṣ'ūd al-Kāsānī. His nickname was Mālik al-'Ulamā' or King of the Scholars. He hailed from a place called Kasan (Kasansay, Kasansoy) in the Fīghana district. Not much is reported about his early days besides him being a student of *fiqh* who studied under the author of *Tuḥfab al-Fuqahā'*, Muḥammad ibn Aḥmad ibn Abū Ḥāmid al-Samarqandī. He studied many of his teachers' works directly under them, including *al-Tuḥfab*. Muḥammad ibn Aḥmad al-Samarqandī offered him his daughter, Fāṭimah al-Samarqandī, also trained in *fiqh*, as his wife. As part of the marriage agreement, he was required to provide a commentary on her father's legal compendium, *Tuḥfab al-Fuqahā'*, as her dowry. The work in question, *Badā'it al-Ṣanā'it*, was the commentary that al-Kāsānī composed, which was accepted as the dowry.

He later settled in Ḥalab (Aleppo) where he was appointed as the successor of Raḍī al-Dīn al-Sarakhsī for the post of professor of Ḥanafī law at Madrasah Ḥalawiyyah. He was deeply attached to his wife, Fāṭimah who guided him in his rulings. Although being a competent jurist himself, she corrected and edited his legal opinions. It is also mentioned that the *fatāwā* that came out of their home contained both their signatures. When she passed away, he would visit her grave every Thursday evening at the Ibrāhīm al-Khalīl sanctuary in Aleppo. This reminded his habit until he passed away and was buried beside her. Their graves are known to visitors of Aleppo as the grave of the wife and her husband (*Qabr al-Mar'ah wa Zawjuhā*).⁴¹⁷

His teachers include his father-in-law Muḥammad ibn Aḥmād al-Samarqandī and Abū al-Mu'īn al-Nasafī. Jamāl al-Dīn al-Ghaznawī, the author of *al-Ḥāwī al-Qudṣī* is amongst his students. He passed away in the year 587h. Ibn 'Ābidīn mentions that I heard Ḍiyā' al-Dīn Muḥammad ibn Khamīs al-Ḥanafī saying that I was present when al-Kāsānī passed away. He began to recite the chapter of Ibrāhīm (*Sūrah Ibrāhīm*) from the Qur'ān and when he reached the verse 'Allāh keeps the believers firm with the stable word in the worldly life and in the Hereafter',⁴¹⁸ he passed away after reciting the words 'in the Hereafter'. Ibn 'Ābidīn mentions that I heard Abū 'Abdullāh Muḥammad Qāḍī al-'Askar saying that when al-Kāsānī visited Damascus, the jurists came to him and wished to discuss certain legal issues with him. He accepted and replied that he won't speak on any matter in which our Ḥanafī scholars differ (and they should therefore choose a topic with this in mind). They fixed many legal issues but

⁴¹⁵ 'Abdullāh, Umar Farooq. *The Empowering Jurist: Fatimah al-Samarqandī*. MSA McGill. Nadwi, Muhammad Akram (2007). *al-Muhaddithaat, The Women Scholars in Islam*. London. Interface Publishers, pg.144.

⁴¹⁶ Derived from Al-Qurashī, *al-Jawābir al-Muḍiyyah* (4:25), Ibn Quṭlubughā, *Tāj al-Tarājim* pg.327, Ṭāsh Kubrī Zādah, *Miftāḥ al-Sa'ādah* (2:247), Ibn al-Ḥanā'ī, *Ṭabaqāt ibn al-Ḥanā'ī* pg.243, al-Lakhnawī, *al-Fawā'id al-Bahīyyah* pg.91, Ḥāji Khalifah, *Kashf al-Zumūn* (1:230/371), Ismā'il Bāshā, *Hadiyyah al-'Arifīn* (1:235), Lu'ayy al-Khalīlī, *La'ālī al-Maḥār* (1:131).

⁴¹⁷ 'Abdullāh, Umar Farooq. *The Empowering Jurist: Fatimah al-Samarqandī*. MSA McGill. Nadwi, Muhammad Akram (2007). *al-Muhaddithaat, The Women Scholars in Islam*. London. Interface Publishers, pg.144.

⁴¹⁸ Al-Qur'ān, Sūrah Ibrāhīm:27.

whenever they presented these to him, he would reply saying that so and so from our Ḥanafī scholars has this view. This continued until they could not find any legal ruling to discuss that did not have any difference, which was pointed out by al-Kāsanī. The session thus ended in this manner.⁴¹⁹

Al-Kāsanī also authored *al-Sulṭān al-Mubīn fī Uṣūl al-Dīn* which is also known as *al-Mu'tadad fī al-Mu'tamad* and he also is the author of *al-Kitāb al-Jalīl*.

Badā'ī' al-Ṣanā'ī' is regarded as his principal work, comprising seven volumes in its modern edition. Although initially intended as a commentary on the legal handbook *al-Tuḥfah*, authored by his teacher al-Samarqandī, it transcends the typical form of a commentary. Instead, it presents a comprehensive and systematic treatment of various areas of Islamic law. He also did not follow the chapters of *al-Tuḥfah*, rather adjusting these by moving them around and sometimes added a subject as a chapter as he did with *I'tikāf* (seclusion), separating it from *al-Ṣawm* (fasting), contrary to what is contained in *al-Tuḥfah*. Al-Kāsanī begins each chapter with an outline in which he explains which subject he intends to deal with. He then mentions the differences prevalent between the Ḥanafī Imāms on the subject and also the view of other *madhāhib* and some brief proofs of each. He then gives preference to one view and goes on to explain this preferred view in some detail with the relevant proofs and evidence. This is catalogued using the Arabic word '*lanā*' or according to me. He mostly mentions the view of Imām Abū Ḥanīfah, his two companions Abū Yūsuf and Muḥammad, and the views of Zufar ibn Hudhayl and Imām al-Shāfi'ī.

Ibn 'Ābidīn mentions in *Radd al-Muḥtār* that this is an amazing book and I have not seen the likes thereof amongst our books.⁴²⁰

FATĀWĀ QĀḌĪKHĀN or AL-FATĀWĀ AL-KHĀNIYYAH⁴²¹

This is the work of al-Imām Abū al-Maḥasin al-Ḥasan ibn Manṣūr ibn Maḥmūd ibn 'Abd al-'Azīz al-Awzajandī Qāḍikhān al-Farghānī al-Ḥanafī. He was considered as a proficient scholar and a great Imām.

Al-Lakhnawī mentions: He was a great Imam, a deep sea (of knowledge), one who delved deep into the meanings and details, he was a Mujtahid with profound understanding.

He studied *fiqh* under Abū Ishāq Ibrāhīm ibn Ismā'īl ibn Abū al-Naṣr al-Saffārī al-Anṣārī, Imām Zāhir al-Dīn Abū al-Ḥasan 'Alī ibn 'Abd al-'Azīz al-Marghīnānī and Niẓām al-Dīn Abū Ishāq Ibrāhīm ibn 'Alī al-Marghīnānī. Shams al-A'immah Muḥammad ibn 'Abd al-Sattār al-Kurdurī studied *fiqh* at his hands, as well as Jamāl al-Dīn Maḥmūd ibn Aḥmad.

Shaykh al-Islām Abū al-Maḥasin al-Ḥaṣīrī mentions him by saying: He is our leader, the *Qāḍī*, the *Imām*, the professor the pride of the nation, the support of Islam, the reminiscence of the predecessors, the *Muftī* of the East.

Al-Dhahabī also praises him in *Siyar A'lām al-Nubalā'* as the *shaykh* of the Ḥanafīs. He passed away in 592h. He authored many works, amongst which are:

Ādāb al-Fuḍalā' in language.

A commentary on *Adab al-Qaḍā'* by al-Khaṣṣāf.

Commentaries on the *Jāmi'* *al-Ṣaghīr* and *Jāmi'* *al-Kabīr* by al-Shaybānī.

Al-Multaqaṭ

A commentary of *al-Ziyādāt*.

Al-Fatāwā.

Amālī.

Kitāb al-Maḥāḍir.

Al-Wāqi'āt fī al-Furū' and others.

His *Fatāwā*, *al-Khāniyyah* is an acclaimed and accepted book, which contains many rulings of commonly found cases that needed to be answered. It follows a similar sequence to the other famous books where a primary ruling for every subsidiary ruling is mentioned. In the cases that contain many views of the latter scholars, the author suffices

⁴¹⁹ Ibn 'Ābidīn, *Radd al-Muḥtār* (1:100).

⁴²⁰ Ibn 'Ābidīn, *Radd al-Muḥtār* (1:100).

⁴²¹ Derived from Al-Qurashī, *al-Jawābir al-Muḍiyyah* (2:93), Ibn Quṭlubughā, *Tāj al-Tarājim* pg.151, Ṭāsh Kubrī Zādah, *Miftāḥ al-Sa'ādah* (2:252), Ibn al-Ḥanā'ī, *Ṭabaqāt ibn al-Ḥanā'ī* pg.237, al-Lakhnawī, *al-Fawā'id al-Babiyyah* pg.111, Ḥājī Khalīfah, *Kashf al-Zunūn* (1:165), Ismā'īl Bāshā, *Hadiyyah al-'Arīfīn* (1:280), *Siyar A'lām al-Nubalā'* (2:1:231), Manṣūrpurī, *Fatwā Nawesī ke Reḥnumā Uṣūl* pg.69, Lu'ayy al-Khalīlī, *La'ālī al-Maḥār* (1:118), (2:446).

by mentioning just one or two views, and first mentions the most apparent and preferred. It also has a detailed index and begins with the chapter on *Rasm al-Muftī* (Regulation of the *Muftī*) and concludes with the chapter on *al-Hajr* (Limitation on Legal Competence). The preferred and accepted views of the Ḥanafī school are contained in it and it enjoys a high rank in the school.

A Roman scholar, Muḥammad ibn Muṣṭafā al-Ḥājj Muḥammad Efendī al-Şūfī gave sequence to *Fatāwā Kbāniyyah*'s rulings on instruction by his teacher Muḥammad ibn Shaykh al-Islām Muḥammad, who is commonly known as Jawzizādah. Yūsuf ibn Junayd, commonly called Akhī Jalbī al-Tawqātī summarized *al-Kbāniyyah* and gifted it to Sulṭān Bayazīd Khān.

Al-Lakhnawī mentions in *al-Fawā'id*: I benefited from his *Fatāwā*. It comprises of four volumes, and it is accepted and relied upon by the great *fuqahā'* and jurists so much so that Qāsim ibn Quṭlūbughā mentions in regard to the *taṣḥīb* (critical revision) of *al-Qudūrī*: Whatever was emended by Qādī Khān is given preference over the emendation of others as he is considered to be a *faqīh al-nafs*, an innate jurist or a natural *fiqh* scholar.

Al-Kbāniyyah, together with *al-Bazzāziyyah* was printed in the margin of *Fatāwā al-Hindiyyah* by Maṭba'ah Amiriyyah in Bolaq in the year 1310h. It was reprinted by Dār al-Fikr in the year 1411h.

AL-HIDĀYAH FĪ SHARḤ BIDĀYAH AL-MUBTADĪ⁴²²

This famous book was authored by Burhān al-Dīn Abū al-Ḥasan 'Alī ibn Abū Bakr ibn 'Abd al-Jalīl ibn al-Khalīl ibn Abū Bakr al-Farghānī al-Marghīnānī. He is from the progeny of the first caliph of Islām, Abū Bakr al-Şiddīq. He was born after 'Aşr on a Monday, the 8th of Rajab 511h in Marghīnān near Farghāna which is in present-day Uzbekistan.

He studied under several scholars, most notable of which were Imām Najm al-Dīn Abū Hafş 'Umar ibn Muḥammad ibn Aḥmad al-Nasafī, the author of *'Aqā'id al-Nasafiyyah fī al-Tawḥīd* and Şadr al-Shahīd Ḥusam al-Dīn 'Umar ibn 'Abd al-'Azīz, the commentator of *Adab al-Qādī* of al-Khaşşāf. He also studied under Ḍiyā' al-Dīn Muḥammad ibn al-Ḥusayn al-Bandanijī, the student of Muḥammad ibn Aḥmad al-Samarqandī, the author of *Tuḥfab al-Fuqahā'*. The author of *al-Hidāyah* was blessed with natural talent and he surpassed his contemporaries who all acknowledged him, especially after he authored *al-Hidāyah* and *Kifāyah al-Muntabī*.

The student who first studied *al-Hidāyah* at his hands and who benefitted tremendously from his teacher was Shams al-'A'imma Muḥammad ibn 'Abd al-Sattār al-Kurdurī. There were many other students who studied *fiqh* under him, including his children, 'Imād al-Dīn, 'Umar and Muḥammad. Jalāl al-Dīn Maḥmūd ibn al-Ḥusayn al-Astarūshnī, the father of Muftī Muhammad al-Astarūshnī, the author of *Fuṣūl al-Astarūshniyyah*, was also his student.

Al-Lakhnawī mentions in *al-Fawā'id*: Al-Marghīnānī was a jurist, Ḥāfiẓ, a commentator of *Ḥadīth* and *Tafsīr*, a master of multiple sciences, firm in his knowledge, proficient, a critical analyst, keen-eyed and precise. He was abstinent, brilliant, outstanding, an expert, a scholar of legal theory, literature and he was a poet. Eyes have not fallen upon his like in the sciences nor in literature. He had amazing capabilities in differences and was extremely efficient in the school.

He performed Ḥajj and visited Madīnah in the year 544h. He passed away on a Tuesday night, the 14th Dhul Ḥijjah in either 593h, 594h or 596h, according to different reports. He was buried in Samarqand. There is a graveyard that is reserved for those named Muḥammad in which approximately 400 souls were buried. Al-Marghīnānī was not allowed to be buried here as the conditions were not met and he was buried close to it.

He authored many works of which some are:

Bidāyah al-Mubtadī.

A commentary on *al-Jāmi' al-Kabīr* by al-Shaybānī.

Farā'id al-Uthmānī.

Kifāyah al-Muntabī fī Sharḥ Bidāyah al-Mubtadī.

⁴²² Derived from Al-Qurashī, *al-Jawābir al-Muḍiyyah* (2:627), Ibn Quṭlūbughā, *Tāj al-Tarājim* pg.207, Ṭāsh Kubrī Zādah, *Miftāḥ al-Sa'ādah* (2:237), Ibn al-Ḥanā'ī, *Ṭabaqāt ibn al-Ḥanā'ī* pg.241, al-Lakhnawī, *al-Fawā'id al-Babiyyah* pg.230, Ḥājī Khalīfah, *Kashf al-Zunūn* (1:352), Ismā'īl Bāshā, *Hadiyyah al-'Arifīn* (1:702), Lu'āyy al-Khalīlī, *La'ālī al-Mahār* (1:153), (2:652), *Muqaddamah al-Hidāyah* by al-Lakhnawī, (printed by: Idārah al-Qur'ān, Pakistan).

Mukhtārāt Majmū‘ al-Nawāzil.
‘Uddab al-Nāsik fī ‘Iddab min al-Manāsik.
Al-Muntaqā al-Marfū‘.
Nasb al-Madhābib.
Al-Hidāyah fi Sharḥ al-Bidāyah.
Al-Tajnis wa al-Mazīd.

The book *al-Hidāyah* is in fact a commentary of *al-Marghīnānī’s* other work, *al-Bidāyah al-Mubtadī*, which in turn is a combination of rulings from *al-Jāmi‘ al-Ṣaghīr* and the *Mukhtaṣar* of al-Qudūrī. In it he follows the sequence of *al-Jāmi‘ al-Ṣaghīr* hoping to invoke blessings by following the sequence of al-Shaybānī. The commentaries of *al-Bidāyah al-Mubtadī* written by al-Marghīnānī himself are two. The first, *Kifāyah al-Muntabī* is a lengthy one, comprising of about 80 volumes. This commentary, as mentioned by al-‘Aynī, is not in existence anymore. Al-Marghīnānī then felt that this will be too lengthy to be beneficial and decided to pen a shorter commentary. This was *al-Hidāyah*. He left the choice of referring to either the lengthy commentary or the summarized, shorter version of *al-Bidāyah al-Mubtadī* to the seeker, based on the need and desire.

Al-Bidāyah al-Mubtadī is based on the sequence of al-Shaybānī’s *al-Jāmi‘ al-Ṣaghīr*. If it conflicts with *al-Qudūrī*, he clearly mentions *al-Jāmi‘ al-Ṣaghīr*, otherwise not. He began writing *al-Hidāyah* on a Wednesday afternoon in Dhul Qa‘dah 573h. It gained widespread acceptance. It is mentioned that the secret behind its acceptance is that al-Marghīnānī spent 13 years in compiling this work and he fasted for this entire period. He also made a concerted effort not to allow anyone to know of his fasting. When his aide would arrive with his food, he would dismiss him and give the meal to one of his students or to someone else.

Many scholars have written commentaries and marginalia on *al-Hidāyah*. Some of these will be discussed in detail later. A common objection made against *al-Hidāyah* is that it contains narrations that are not reliable, however many scholars have written on the narrations contained in it and have worked to extract these from their original sources. Amongst these books are the following:

1. *Al-‘Ināyah bi Ma‘rifah Aḥādīth al-Hidāyah* by Muḥyū al-Dīn ‘Abd al-Qādir ibn Muḥammad al-Qurashī (d.775h).
2. *Al-Kifāyah fī Ma‘rifah Aḥādīth al-Hidāyah* by Shaykh ‘Alā’ al-Dīn.
3. *Nasb al-Rāyah li Aḥādīth al-Hidāyah* by Jamāl al-Dīn ‘Abdullāh ibn Yūsuf ‘Alī al-Zaylā‘ī, which was summarized by Ibn Ḥajar al-‘Asqalānī and titled *al-Dirāyah fī Muntakhab Aḥādīth al-Hidāyah*.

Ibn ‘Ābidīn mostly references *al-Hidāyah* via one of its many commentaries, some of which will be mentioned later.

Amongst the commentaries used as references by Ibn Abidin in his *Radd al-Muhtar* are the following:

1. A commentary by Ibn Kamāl Bāshā (d.940h) that wasn’t completed.
2. A commentary by ‘Iṣām al-Dīn as mentioned by Ibn ‘Ābidīn in *Kitāb al-Ṭabārah* (The Book of Purification) in his *Ḥāshiyah*.
3. *Al-Bināyah* by Badr al-Dīn Maḥmūd ibn Aḥmad ibn Mūsā ibn Aḥmad ibn al-Ḥusayn al-‘Aynī (d.855h).
4. *Al-Tanbīh ‘alā Mushkilāt al-Hidāyah* by ‘Alī ibn Muḥammad ibn Muḥammad ibn al-‘Izz al-Dimashqī (d.792h).
5. *Al-Tawshīḥ* by Abū Ḥafṣ ‘Umar ibn Iṣḥāq, commonly known as Ibn al-Sirāj al-Hindī (d.773h).
6. *Al-Dirāyah* by Mu‘īn al-Dīn al-Harawī (d.915h).
7. *Al-‘Ināyah* by Akmal al-Dīn Muḥammad ibn Maḥmūd ibn Aḥmad al-Bābartī al-Ḥanafī (d.786h).
8. *Al-Ghāyah* by Abū al-‘Abbās Aḥmad ibn Ibrāhīm ibn ‘Abd al-Ghanī ibn Abū Iṣḥāq al-Sarūjī al-Ḥarānī (d.710h).
9. *Ghayah al-Bayān wa Nādirah al-Aqrān* by Qiwām al-Dīn Luṭfu ‘Llāh (d.758h).
10. *Fath al-Qadīr li al-‘Ājiz al-Faqīr* by Kamāl al-Dīn Muḥammad ibn ‘Abd al-Wāḥid al-Sīwāsī, commonly referred to as Ibn al-Humām (d.861h).
11. *Al-Fawā‘id al-Ḥāmidīyyah* or *al-Fawā‘id al-Fiqhīyyah* by Ḥāmid al-Dīn ‘Alī ibn Muḥammad ibn ‘Alī al-Ramīshī al-Ḍarīr al-Bukhārī (d.749h).
12. *Al-Nihāyah* by Ḥusām al-Dīn ibn ‘Alī ibn al-Ḥajjāj, commonly known as al-Saghnaqī (d.711h).
13. *Nihāyah al-Kifāyah* by Tāj al-Sharī‘ah ‘Umar ibn Ṣadr al-Sharī‘ah al-Awwal ‘Ubayd ‘Llāh al-Maḥbūbī (d.673h).

WIQĀYAH AL-RIWĀYAH and SHARḤ AL-WIQĀYAH⁴²³

There exists quite a bit of difference in opinion in regard to the name of the author of *Wiqāyah al-Riwāyah*. The source of the confusion seems to lie in the titles and epithets of the family members. In the lands that this family hailed from, the use of epithets was common, and it was used more than normal names. What is agreed upon by scholars is that the author of *Wiqāyah al-Riwāyah* was the grandfather of Ṣadr al-Sharīʿah al-Aṣghar or the junior Ṣadr al-Sharīʿah. His name was ʿUbayd ʿLlāh and he was the son of Masʿūd. What is also unanimously accepted is that the author was the son of Ṣadr al-Sharīʿah al-Akbar or the senior Ṣadr al-Sharīʿah and he held the epithet, Burhān al-Sharīʿah. Another agreed-upon fact is that the real grandfather of the junior Ṣadr al-Sharīʿah was a commentator of *al-Hidāyah* and he held the epithet, Tāj al-Sharīʿah. The Burhān al-Sharīʿah detail is mentioned by the junior Ṣadr al-Sharīʿah himself in the foreword to *al-Nuqāyah*. The Tāj al-Sharīʿah point is also mentioned by him in the forewords of *al-Tawdīh* and *Sharḥ al-Wiqāyah*. Also, Tāj al-Sharīʿah being the commentator of *al-Hidāyah* has been mentioned by many Ḥanafī scholars such as al-ʿAynī in *al-Bināyah*, Ibn al-Humām in *Faḥḥ al-Qadīr*, Ibn Nujaym in *al-Baḥr* and Ibn ʿĀbidīn in *Radd al-Muḥtār*, amongst many other scholars. The words of Ṣadr al-Sharīʿah indicate that his real or paternal grandfather was Tāj al-Sharīʿah and he also had another grandfather who held the epithet, Burhān al-Sharīʿah and who authored *al-Wiqāyah* for Ṣadr al-Sharīʿah and his name was Maḥmūd.

These details provide us with two possibilities:

1. Tāj al-Sharīʿah and Burhān al-Sharīʿah are one and the same person. His name is Maḥmūd and he is the commentator of *al-Hidāyah*. This is what is preferred by al-Kafawī as mentioned in his book, *Kitāb al-ʿĀlām al-Akhyār*. This is also the view of Qutlubagha in *Tāj al-Tarājīm*, Ibn al-Ḥanāʾī in *Ṭabaqāt al-Ḥanafīyyah*, Tashkubrizādah in *Miftāḥ al-Saʿādah*, al-Ziriklī in *al-ʿĀlām* and Murtaḍa al-Zahīdī in *Tārīkh al-Bukhārā*.
2. Tāj al-Sharīʿah is the real paternal grandfather of Ṣadr al-Sharīʿah who is also the commentator of *al-Hidāyah* and Burhān al-Sharīʿah is the *Jadd al-Fāsīd* or maternal grandfather of Ṣadr al-Sharīʿah, and both Tāj al-Sharīʿah and Burhān al-Sharīʿah are brothers and sons of the senior Ṣadr al-Sharīʿah. This is what is mentioned by Ḥājī Khalīfah in *al-Kashf* whilst mentioning the commentaries of *al-Hidāyah* quoting Tāj al-Sharīʿah himself at the end of the Book on Oaths wherein Tāj al-Sharīʿah records his own name as Abū ʿAbdullāh ʿUmar ibn Ṣadr al-Sharīʿah. This is a clear and open mention by Tāj al-Sharīʿah that his name is Umar and not Maḥmūd, and also that he is the son of Ṣadr al-Sharīʿah. This second view is also preferred by al-Qustulānī, Ḥājī Khalīfah, al-Lakhnawī, Ismāʿīl Bāshā, ʿUmar Kaḥḥalah and others.

The lineage of the author of *al-Wiqāyah* reaches and joins the illustrious companion of the Prophet, ʿUbādah ibn al-Sāmit. This is mentioned in *Jawābir al-Muḍīyyah*, *al-Ṭabaqāt al-Sunniyyah* and *al-ʿĀlām al-Akhyār*, although they do differ in some of the names of his forefathers before reaching the *ṣaḥābī*.

The full lineage of the author of *al-Wiqāyah* is therefore Burhān al-Sharīʿah Maḥmūd ibn Aḥmad ibn ʿUbaydu ʿLlāh ibn Ibrāhīm al-Maḥbūbī al-Bukhārī al-Ḥanafī.

The book *Wiqāyah al-Riwāyah bi Masāʾil al-Hidāyah* was authored by him for his grandson, Ṣadr al-Sharīʿah whilst his grandson was busy with his studies. He prepared this book, based on al-Marghīnānī's *al-Hidāyah*, mentioning only the accepted views of the *madhhab* with certain beneficial additions. It was authored so that his grandson could memorize it. He did memorize it as it was being collated and written and his completion of its memorization coincided with his grandfather completing the book.

It thereafter enjoyed the status of being an essential *matn* or primer in the *madhhab* and scholars gave due importance to it in the form of studying it, teaching it, memorizing it and commentating on it.

Wiqāyah al-Riwāyah's true value is realized through its numerous commentaries. Ibn ʿĀbidīn quotes its commentaries extensively. The most famous commentary is the one authored by the author's grandson, Ṣadr al-Sharīʿah. *Sharḥ al-Wiqāyah* or the commentary of *al-Wiqāyah* is the so called 'title' of this book and is its common name. It is also referred to as *Ḥawāshī Ṣadr al-Sharīʿah* or the marginalia of Ṣadr al-Sharīʿah.

In his commentary Ṣadr al-Sharīʿah solves a few of the difficult portions of his grandfather's work. It is a medium to moderately sized commentary, which is neither tiresomely long nor confusingly short. He also mentions the differences found in the *madhhab*, indicating to the difference in narrations from the *imāms* of the *madhhab*. He

⁴²³ Derived from: Muqaddamah Muntahā al-Nihāyah by Dr. Ṣalāḥ Muḥammad Abū al-Ḥājī, (Published by: Maṭbaʿah al-Warrāq, Jordan, 2006), Ibn Qutlubughā, *Tāj al-Tarājīm* pg.291, Ḥājī Khalīfah, *Kashf al-Zunūn* (2:202), al-Lakhnawī, *al-Fawāʾid al-Babīyyah* pg.185/338, Ismāʿīl Bāshā, *Hadiyyah al-ʿArīfīn* (2:406), Luʿayy al-Khalīlī, *Laʿālī al-Maḥār* (1:408), (2:679).

also mentions the views of Imām Mālik and Imām Shāfi'ī. Sometimes he delves into debating the view of the opposition with summarized answers. This book was printed in the margin of *Kashf al-Ḥaqā'iq*, the commentary of *Kanz al-Daqā'iq* by Maṭba'ah al-Adabiyyah in Egypt in the year 1318h and was later printed separately by Dār al-Warrāq in Amman, Jordan with the research of Dr. Ṣalāh Abū al-Ḥājj in 2006.

Besides this commentary of *Wiqāyah al-Riwāyah* Ibn 'Ābidīn also references these commentaries of *al-Wiqāyah* in *Radd al-Muhtār*:

1. Tawfīq al-Ināyah fī Sharḥ al-Wiqāyah by Junayd ibn Sandal al-Baghdādi Zayn al-Dīn al-Ḥanafī.
2. *Sbarḥ al-Wiqāyah* by Muḥammad Jadd al-Ḥaškafī. This work is mentioned by Ibn 'Ābidīn in the foreword of his *Ḥāshiyah* whilst relating from Ibn 'Abd al-Razzāq. Ibn 'Ābidīn himself mentions that he was unable to find any biography on the author.

Besides the commentaries used by Ibn 'Ābidīn in his book, there are many others, such as:

1. *Al-Istighnā* by 'Alā' al-Dīn 'Alī al-Ṭarābulṣī.
2. A commentary by Muḥammad ibn Muṣliḥ al-Dīn Muṣṭafā al-Qawjawī al-Ḥanafī, who is commonly known as Shaykh Zādah.
3. *Umrāh al-Risālah* by Abū al-Ḥasanāt Muḥammad ibn 'Abd al-Ḥayy al-Lakhnawī.

There are also many *ḥawāshī* or marginalia written on Ṣadr al-Sharīh's *Sbarḥ al-Wiqāyah*, a few of which are:

1. *Dhakhīrah al-'Uqba* by Yūsuf ibn Junayd, who is commonly referred to as Akhī Chalpi (d.905h).
2. The *Ḥāshiyah* of Muḥammad Qurṛā' Baghī (d.942h).
3. The *Ḥāshiyah* of Tāj al-Dīn Ibrāhīm ibn 'Abdullāh al-Humaydi (d.973h).

AL-MUKHTĀR LI AL-FATWĀ and its commentary IKHTIYĀR LI TALĪL AL-MUKHTĀR⁴²⁴

These were authored by Abū al-Faḍl Majd al-Dīn 'Abdullāh ibn Maḥmūd ibn Mawdūd ibn Maḥmūd al-Baldajī al-Mawṣilī al-Ḥanafī. He was born in Mosul on a Friday in Shawwāl 599h. He initially studied under his father, Shaykh Maḥmūd and thereafter travelled to Damascus and studied under Jamāl al-Dīn al-Ḥusayrī. Abū Ḥafṣ 'Umar ibn Tabarzad was also his teacher. Ḥāfiẓ al-Dimyāṭī studied under him and mentions him in his *Muḥjam al-Shuyūkh*. He was unique in his era in the knowledge of both the principal rulings and the subsidiary ones. He did not need to refer to texts when issuing *fatwā* as he had memorized all of them and had complete mastery over the method of adaption or *al-taṭbīq*.

Abū al-'Alā mentions: He was an outstanding scholar, jurist and teacher who was well acquainted with the *madhhab*. He assumed the rank of Qāḍī of Kūfā but was later dismissed. He returned to Baghdad and continued issuing *fatāwā* and teaching until his demise on a Saturday morning, the 19th Shawwāl in the year 683h.

The two books of al-Mawṣilī mentioned here are *al-Mukhtār li al-Fatwā* and *al-Ikhtiyār li Talīl al-Mukhtār*. The former was written in the author's young days as a primer or short treatise on *fiqh* for a few beginner students. When this gained acceptance amongst the people, there was a request to write a commentary on it. This led to *al-Ikhtiyār* in which he explains the rulings contained in *al-Mukhtār*. He also added on subsidiary rulings and rulings on cases commonly found amongst the people at that time. It also contains certain narrations that were required in *fatwā*.

Both his works are widely accepted by jurists as mentioned by al-Lakhnawī in *Fawā'id al-Bahiyah*. Latter scholars relied on four books which were the basic texts. These were then termed *al-Mutūn al-Araba'ah* or the four primers, which are *al-Mukhtār*, *Kanz al-Daqā'iq*, *al-Wiqāyah* and *Majma' al-Baḥrayn*. Some scholars relied on three, *al-Wiqāyah*, *Kanz* and *al-Qudūrī*.

Abū al-'Abbās Aḥmad ibn 'Alī al-Dimashqī summarized *al-Mukhtār* and named it *al-Taḥrīr*.

Abū Ishāq Ibrāhīm ibn Aḥmad al-Mawṣilī wrote a commentary on *al-Mukhtār* titled *Tawjīh al-Mukhtār*. Ibn Abū al-Qāsim al-Qurrah Hiṣārī al-Rūmī and Muḥammad ibn Ilyās also wrote a commentary on it which was called *al-Athar li Hall al-Mukhtār*. Muḥammad ibn Aḥmad, who is commonly known as al-Imām also wrote a commentary on it called *al-Ghaffār*. Al-Zayla'ī is also one of the scholars who wrote a commentary on it. Tāj

⁴²⁴ Derived from Al-Qurashī, *al-Jawābir al-Muḍiyyah* (2:349), Ibn Quṭlubughā, *Tāj al-Tarājim* pg.177, Ṭāsh Kubrī Zādah, *Miftāḥ al-Sa'ādah* (2:255), Ibn al-Ḥanā'ī, *Ṭabaqāt ibn al-Ḥanā'ī* pg.273, al-Lakhnawī, *al-Fawā'id al-Bahiyah* pg.180, Ḥājī Khalīfah, *Kashf al-Zunūn* (2:163), Ismā'īl Bāshā, *Hadiyyah al-'Arifīn* (1:462), al-Tamīmī, *al-Ṭabaqāt al-Sunniyyah* (2:239), al-Naqīb, *al-Madhab al-Ḥanafī* (2:542), Lu'ayy al-Khalīlī, *La'ālī al-Maḥār* (1:131).

al-Dīn Abū ‘Abdullāh ‘Abdullāh ibn ‘Alī al-Bukhārī rendered it into poetry, which Ibn ‘Amīr al-Ḥājj wrote a commentary on. Shaykh al-Islām Shams al-Dīn Muḥammad ibn al-Ḥasan ibn ‘Alī al-Shadhilī al-Ḥanafī is also counted amongst the commentators of *al-Mukbtār*. The prophetic narrations contained in *al-Mukbtār* were extracted from their original sources by Qāsim ibn Qutlubagha, who also wrote a commentary on *al-Mukbtār*.

Al-Mawṣilī also authored the following:

A commentary on al-Shaybanī’s al-Jāmi‘ al-Kabīr.

Kitāb al-Fawā’id.

Al-Mushtamal ‘alā Masā’il al-Mukhtaṣar.

MAJMA‘ AL-BAḤRAYN WA MULTAQĀ AL-NAYYIRAYN⁴²⁵

This was authored by Muḥammad al-Dīn Abū al-‘Abbās Aḥmad ibn Nūr al-Dīn ‘Alī ibn Taghlīb ibn Abū al-Ḍiyā al-Taghlībī, who was commonly known as Ibn al-Sā‘atī.

His father, ‘Alī ibn Taghlīb was a Syrian from Ba‘labak who travelled to Baghdad and settled there. Some historians mention that he was related to the Abbasid rulers, but this has been proven to be incorrect. Ibn al-Sā‘atī was born on a Friday, the 10th of Dhul Qa‘dah 651h in Baghdad. He grew up in a deeply religious and academic family. His father, Nūr al-Dīn ‘Alī ibn Taghlīb was a professor of astronomy and uranology. He was also a highly skilled watchmaker and was renowned for building outstanding and exceptional timepieces. He also built the famous clock on the door of Madrasah al-Mustanṣiriyyah. Added to this, he lived in Baghdad, which was the capital city of the Islamic world in that era. It therefore attracted the greatest of scholars and the sharpest minds in the land, who all became residents of this city. Ibn al-Sā‘atī grew up in this academic environment, seeking knowledge at the hands of great scholars, until he excelled in *fiqh*, *uṣūl al-fiqh* (Islamic legal theory), grammar, rhetoric and calligraphy. He then busied himself in imparting the knowledge gained. He was also particularly involved in the field of issuing legal verdicts (*iftā’*) for a long period of time.

He studied under many of the senior scholars of Baghdad, amongst which were Zāhir al-Dīn al-Bukhārī (d.668h), Shams al-Dīn Ibn al-Sayqal al-Jazrī (d.701h) and Ḥāfiẓ al-Dīn Abū al-Barakāt al-Nasafī (d.801h). His students were many, especially those studying at Madrasah al-Mustanṣiriyyah. A few of his students are:

Tāj al-Dīn ‘Alī ibn Anjab al-Sa‘ī (d.673h).

Tāj al-Dīn al-Sabbāk (d.750/752h)

Nāṣir al-Dīn al-Qawnawī (d.764h)

His son, Majd al-Dīn al-Sā‘atī (d.764h)

His daughter, Fāṭimah b. al-Sā‘atī.

He passed away in the year 694h and was laid to rest besides the well-known saint, Junayd al-Baghdādī.

The book *Majma‘ al-Baḥrayn* mainly contains rulings from *al-Qudūrī* and the *Manzūmah* or the poetry collection of al-Nasafī. Every chapter is concluded with those rulings that are considered anomalous and odd or different.

Ibn Malik praises *al-Majma‘* in his commentary *al-Manba‘* in the following manner: A marvellous book that enjoys a lofty rank. Its likes in the arena of subsidiary rulings cannot be found. A work that brings ease and comfort to the soul, its concise words are akin to riddles and its open portions are miraculous in nature. In its secrets lies the joy of the one in communion with it and it grants salvation to worries.

Other scholars and commentators of *al-Majma‘* such as Badr al-Dīn al-‘Aynī and Shihāb al-Dīn al-‘Intābī levelled lavish praises on this work.

Al-Lakhnawī says: I studied *al-Badī‘* and *al-Majma‘* and found them to be extremely graceful and refined.

⁴²⁵ Derived from Al-Qurashī, *al-Jawābir al-Muḍiyyah* (2:208), Ibn Qutlubughā, *Tāj al-Tarājim* pg.177, Ibn al-Ḥanā’ī, *Ṭabaqāt ibn al-Ḥanā’ī* pg.280, al-Lakhnawī, *al-Fawā’id al-Bahīyyah* pg.51, Ḥājī Khalīfah, *Kashf al-Zunūn* (2:1599), Ismā‘īl Bāshā, *Hadīyyah al-‘Arīfīn* (1:100), al-Tamīmī, *al-Ṭabaqāt al-Sunniyyah* (1:400), al-Naqīb, *al-Madbbah al-Ḥanafī* (2:479), *Muqaddamah Sharḥ Majma‘ al-Baḥrayn* by Ibn al-Sā‘atī with the research of the three Luḥaydans, (published by: Dar al-Afhām, Riyadh, pgs.12-53), Lu‘ayy al-Khalīlī, *La‘ālī al-Maḥār* (2:516).

Ḥājī Khalīfah writes about it in *al-Kashf*: A book which is easy to memorize because of it being quite concise, and a book that is difficult to solve due to it being miraculous in nature. Its rulings are vast like the sea and its virtues are great.

He also authored the following:

Badī' al-Niẓām, which combines the books of al-Bazdawī and *al-Iḥkām*.

Al-Durr al-Mandūd fī al-Radd 'ala Faylsūf al-Yabūd Ibn Kamunah.

Nihāyah al-Wuṣul ilā 'Ilm al-Uṣūl.

Ibn 'Ābidīn referenced the following commentaries of *Majma' al-Baḥrayn* in his *Ḥāshiyah*:

1. *Al-Mustajma'* by Badr al-Dīn Maḥmūd ibn Aḥmad al-'Aynī. Al-'Aynī (d.855h) mentions the commentary of Ibn al-Sā'atī in it and also summarized it relying on only what was necessary for solving and explaining the text. He also added on indications to the views of Imāms al-Shāfi'ī, Mālik and Aḥmad and he also signals towards the most authentic of their views. At the end of the book, he writes that he had authored this work when he was just 24 years old.
2. *Al-Majma' al-Malikī* by 'Abd al-Laṭīf ibn 'Abd al-Azīz ibn Mālik (d.801h).
3. *Al-Mashra' fī Sharḥ al-Majma'* by Abū al-Baqā' Muḥammad ibn Aḥmad ibn Ibn al-Ḍiyā' al-Makkī (d.854h).
4. *Al-Manba' fī Sharḥ al-Majma'* by Shihāb al-Dīn Abū al-'Abbās Aḥmad ibn Ibrāhīm ibn Ayyūb al-'Īntābī (d.767h).

Other commentaries of *al-Majma'* which were not referenced by Ibn Abidīn include the following:

1. A commentary by Shams al-Dīn Muḥammad ibn Yūsuf 'Alī-Qawnawī in 10 volumes which he later summarized into 6 volumes.
2. *Al-Mughnī* by Aḥmad ibn al-Adrab al-Ḥalbī.
3. *Tashrīf al-Masma' fī Sharḥ al-Majma'* by Aḥmad ibn Muḥammad Sha'bān al-Ṭarābulṣī.
4. A commentary by Sulaymān ibn 'Alī al-Qarāmānī.

KANZ AL-DAQĀ'IQ⁴²⁶

This work was authored by Ḥāfiẓ al-Dīn Abū al-Barakāt 'Abdullāh ibn Aḥmad ibn Muḥammad al-Nasafi. Al-Nasafi is indicative towards the area of Nasaf in Sogdiana in Transoxiana.⁴²⁷ He is one of the foremost figures amongst the latter scholars of the Ḥanafī school (*al-muta'akkbhirīn*). He was known to be blessed with the quality of *zuhd* (abstinence) and contributed handsomely to the areas of *fiqh* and *uṣūl al-fiqh* (Islamic legal theory) in the school. He was bestowed with the title Ḥāfiẓ al-Dīn or Protector of the religion for his contributions to the Islamic sciences. He studied under Shams al-'A'immah al-Kurdārī (d.642h), Ḥāmid al-Dīn 'Alī al-Ḍarīr (d.666h) and Badr al-Dīn Khwarzādah (d.651h). His students include Ḥusām al-Dīn Ḥusayn ibn 'Alī al-Sighnāqī (d.714h), a commentator of *al-Hidāyah* and also the author of *Majma' al-Baḥrayn*, Ibn al-Sā'atī (d.694h).

There are different views in regard to the year of his demise. In *Tāj al-Tarājim* and *Fawā'id al-Babiyyah*, it is recorded as 710h whereas al-Tamīmī in *al-Ṭabaqat* records it as being 701h.

Al-Lakhnawī mentions in *al-Fawā'id* that all his works are considered beneficial to the jurists and have become the source for the views of the scholars.

Some of his most celebrated works are:

Madārik al-Tanzīl wa Ḥaqā'iq al-Ta'wīl, a commentary of the Quran.

'Umdah al-'Aqā'id in Islamic theology.

I'timād al-I'tiqād, a commentary of *al-'Umdah*.

Sharḥ al-Muntakhab fī Uṣūl al-Madhbhab.

A commentary of *al-Hidāyah*.

Al-Kāfī, the commentary of *al-Wāfī*.

⁴²⁶ Derived from Al-Qurashī, *al-Jawābir al-Mudīyyah* (2:294), Ibn al-Ḥanā'ī, *Ṭabaqāt ibn al-Ḥanā'ī* pg.265, al-Lakhnawī, *al-Fawā'id al-Babiyyah* pg.172, Ḥājī Khalīfah, *Kashf al-Zunūn* (2:1867), Ismā'il Bāshā, *Hadīyyah al-'Arīfīn* (1:464), al-Tamīmī, *al-Ṭabaqāt al-Sunniyyah* (4:154), al-Naqīb, *al-Madhbhab al-Ḥanafī* (2:599), Lu'ayy al-Khalīlī, *La'ālī al-Maḥār* (2:615).

⁴²⁷ This is now Qarshi in Southern Uzbekistan.

Kanz al-Daqaq.⁴²⁸

Al-Muṣaffā fī Sharḥ Manzūmah al-Nasafiyyah fī al-Khilāfiyyāt.

He also authored many other beneficial works in the branches of *Tafsīr*, *Fiqh* and *Kalām* (theology).

Ibn ‘Ābidīn has referenced *Kanz al-Daqā’iq* mainly through its following commentaries:

1. *Ḥāshiyah Abū al-Ṣa’ūd al-Azharī ‘alā Sharḥ Miskīn* by Muḥammad Abū al-Ṣa’ūd ‘Alī ibn Iskandar al-Sayyid al-Sharīf (d. 1172h) and the full name of this book is *Fathu ‘LLāh al-Mu’īn ‘alā Sharḥ al-Kanz* by ‘Allamāh Mullā Miskīn.
2. *Tajrīd al-Fawā’id al-Raqā’iq fī Sharḥ Kanz al-Daqā’iq* by Aḥmad ibn Muḥammad ibn Yūnus al-Shilbī (d. 1012h).
3. *Kashf al-Haqā’iq ‘alā Kanz al-Daqā’iq* by al-Shaykh Bākī whose real name is Abū Bakr ibn Ishāq ibn Khald al-Zayn al-Kakḥṭawī al-Ḥalbī (d. 847h).
4. *Al-Bahr al-Raiq* by Zain al-Dīn b. Ibrahim b. Muhammad b. Abu Bakr who is commonly known as Ibn Nujaym al-Misri (d. 970h). Ibn Nujaym compiled most of the commentary, either to Kitāb al-Da’wa or al-Ijārah al-Fasidah. It was later completed by Allamah al-Turi al-Qadiri but not to the same level of detail as Ibn Nujaym.
5. *Tabyīn al-Ḥaqā’iq* by Fakhr al-Dīn Abū Muḥammad ‘Uthmān ibn ‘Alī ibn Mihjān ibn Yūnus Abū ‘Umar al-Bari’ī al-Zayla’ī (d. 743h). Al-Zayla’ is a city on the Abyssinian coast. Al-Zayla’ī also authored a commentary on Muḥammad ibn al-Ḥasan’s *al-Jāmi‘ al-Kabīr*.
6. *Ramz al-Ḥaqā’iq* by Al-Qāḍī Badr al-Dīn Maḥmūd ibn Aḥmad al-‘Aynī (d. 855h).
7. *Fath Masālik al-Ramz fī Sharḥ Manāsik al-Kanz* by ‘Abd al-Raḥmān ibn ‘Īsā ibn Murshid al-‘Umarī al-Murshidī (d. 1037h).
8. *Kashf al-Ramz ‘an Khabāyā al-Kanz* by Shihāb al-Dīn Aḥmad ibn Muḥammad al-Makkī al-Ḥamawī (d. 1098h).
9. *Al-Maṭālib al-Fā’iq* by Badr al-Dīn Muḥammad ibn ‘Abd al-Raḥmān al-‘Īsā al-Dīrī (d. 1087h).
10. *Al-Naḥr al-Fā’iq* by ‘Umar ibn Ibrāhīm ibn Muḥammad Sirāj al-Dīn al-Miṣrī, commonly known as Ibn Nujaym al-Ḥanafī (d. 1005h).

Kanz al-Daqā’iq has many other commentaries which were not referenced by Ibn ‘Ābidīn. Some of these are those authored by:

1. ‘Abd al-Barr ibn Muḥammad ibn al-Shaḥnah Aḥmad al-Khawārizmī.
2. Zayn al-Dīn ‘Abd al-Raḥīm ibn Maḥmūd al-‘Aynī.
3. Yūsuf ibn Maḥmūd ibn Muḥammad al-Rāzī, which he named *Kashf al-Daqā’iq*.

AL-NAṢB AL-RĀYAH⁴²⁹

The author of this work is al-Muḥaddīth al-Ḥāfiẓ Jamāl al-Dīn Abū Muḥammad ‘Abdullāh ibn Yūsuf ibn Muḥammad ibn Ayyūb ibn Mūsā al-Ḥanafī al-Zayla’ī. Al-Suyūṭī in *al-Lubāb* mentions that Zayla’ was a coastal town on the Abyssinian coast.

Taqī al-Dīn ibn Fahd al-Makkī mentions in the footnotes of al-Dhahabī’s *Tadbkirah al-Ḥuffāz*: He studied *fiqh* and excelled therein and he busied himself in studying and in seeking the knowledge of *ḥadīth*. He then dedicated himself to *ḥadīth* and sorted through them. He did *takhrīj* (tracing of the traditions to their original sources) and authored works on the subject. He listened to *ḥadīth* from the companions of al-Najīb al-Ḥarrānī.

Taqī Al-Dīn Abu Bakr al-Tamīmī mentions in *Ṭabaqāt al-Sunniyyah*: He busied himself in studies, listened to the narrations of *ḥadīth* from the companions of al-Najīb and studied under Fakhr al-Dīn al-Zayla’ī, the commentator of *Kanz* and under Qāḍī ‘Alā’ al-Dīn al-Tarkumānī and others. He remained engrossed in the books of *ḥadīth* until he made *takhrīj* of the narrations contained in *al-Hidāyah* and *al-Kashshāf* and he covered these in a most comprehensive manner.⁴³⁰

⁴²⁸ Kanz is considered to be amongst the four main primers or *mutūn* in the Ḥanafī school. Its value is realized more through its numerous commentaries, similar to the *Mukhtaṣar of Al-Qudūrī*.

⁴²⁹ Derived from *Muqaddamah Naṣb al-Rāyah* by Shaykh Yūsuf al-Binnūrī, Dār al-Qalam li al-Thaqāfah al-Islāmiyyah, Jeddah, Mu’assasah al-Rayyān, al-Maktabah al-Malakiyyah pg. 5-13.

⁴³⁰ Jalāl al-Dīn al-Suyūṭī records a similar notice in the footnotes of al-Dhahabī’s *Tadbkirah al-Ḥuffāz*.

Al-Ḥāfiẓ Ibn Ḥajar records in *al-Durar al-Kāminah*: Our Shaykh, al-ʿIrāqī mentioned to me that he would accompany him (al-Zaylaʿī) in studying the later books to complete the *takhrīj* of the books they had earmarked for the same, al-ʿIrāqī for the *takhrīj* of the narrations contained in al-Iḥyā and those which al-Tirmidhī had indicated to in his chapters, and al-Zaylaʿī for the *takhrīj* of the narrations contained in *al-Hidāyah* and al-Kashshāf, each of them assisting the other. Al-Zarkashī also relies on the *takhrīj* concluded by al-Zaylaʿī in *al-Hidāyah* for his *takhrīj* of the narrations of al-Rāfiʿī.

Muḥammad Zāhid al-Kawtharī mentions in his marginalia on Zayl ibn Fahd that Ibn Ḥajar himself derived benefit from his (al-Zaylaʿī's) *takhrīj*.

Al-Lakhnawī writes in *Fawā'id al-Bahiyah*: Many of the commentators of *al-Hidāyah* after him derived benefit from us work, even Ḥāfiẓ Ibn Ḥajar took benefit from his *takhrīj*, such as the *takhrīj* of the narrations contained in *al-Wajīz* by al-Rāfiʿī etc.

Ibn Al-Humām also relied on the *takhrīj* of al-Zaylaʿī in his accepted and acclaimed commentary of *al-Hidāyah*, *Faṭḥ al-Qadīr*, in all places except three.

Al-Kawathrī mentioned that al-Zaylaʿī also authored a summary of al-Ṭaḥāwī's *Ma'ānī al-Āthār*.

Al-Zaylaʿī passed away in Muḥarram 762h according to all biographers such as Ibn Ḥajar, Ibn Fahd, al-Suyūṭī, al-Tamīmī and al-Kafawī. Ibn Fahd even specified the 11th of Muḥarram as the date of demise. None of the biographers have mentioned his date of birth though. He was buried in Cairo, but the exact location of his grave is unknown.

Sheikh Yūsuf al-Binnūrī mentions a few specialities of *al-Naṣb al-Rāyah* in his foreword. Some of these are:

1. This is a work which is a remarkable service to the field of *ḥadīth*, more than it is to the Ḥanafī school. It is a work that a researcher needs to access, whether a researcher of *fiqh* or *ḥadīth*.
2. It is a benefit to the *ummah* in the field of *ḥadīth* regarding the chains of narrations mentioned with it being duly investigated and also in *fiqh* by the author's mention of the *fiqh* of the narration and its benefits.
3. It presents the knowledge contained in certain works that are not easily available to the latter scholars. These are works of previous academics and scholars that have now become very rare and scarce.
4. It contains the critical analysis of scholars in the field of *al-Jarḥ wa al-Ta'dīl* (the critical analysis of narrators) which is not found in the books of this field that we have with us.

Al-Naṣb al-Rāyah was summarized by Ibn Ḥajar and titled *al-Dirāyah fī Talkhīṣ al-Naṣb al-Rāyah*.

Shaykh Muḥammad Anwar Shāh al-Kashmīrī mentions that Ibn Ḥajar had not kept to his normal level of penmanship and expertise in this work and included many points that would have been best to omit. This summary was printed twice in India.

There is also marginalia on *al-Naṣb al-Rāyah* written by Qāsim ibn Quṭlubaghā titled *Munyah al-Alma'ī fī mā Fāta min Takhrīj Abādīth al-Hidāyah*.⁴³¹ However, this work is not easily found or accessible.

AL-ʿINĀYAH FĪ SHARḤ AL-HIDĀYAH⁴³²

This commentary of al-Hidāyah was authored by Akmal al-Dīn Abū ʿAbdullāh Muḥammad ibn Muḥammad ibn Maḥmūd ibn Aḥmad al-Bābartī al-Rūmī al-Ḥanafī. He was born in the 710s and studied the basics in his lands. He studied *fiqh* by Qiwām al-Dīn Muḥammad ibn Muḥammad al-Kākī and then travelled to Aleppo, Syria. Qāḍī Nāṣir al-Dīn ibn al-ʿAdīm settled him in Madrasah al-Sādiḥiyah. He stayed here for a while and gained benefit from its scholars. Then, in 740h, he travelled to Cairo and studied under Abū al-Thanā Shams al-Dīn al-Asfahānī, the commentator of the *Mukhtaṣar* of Ibn Ḥājib, and under Abū al-Ḥayyān al-Anadalusī. He also listened to the lectures of Ibn ʿAbd al-Hādī and al-Dalaṣī. The affairs of the *khānqāh* (spiritual haven) were handed over to him and he ran it in an excellent manner. He was presented with the position of Qāḍī several times, but he always refused.

A few of his teachers are:

1. Qiwām al-Dīn al-Kākī (d. 749h), the author of *Mi'rāj al-Dirāyah*.
2. Abu Ḥayyān al-Andalusī (d. 745h).

⁴³¹ Ismā'īl Bāshā, *Hadiyyah al-ʿArifin Asmā' al-Mu'allifin wa Āthār al-Muṣannifin* (1:831).

⁴³² Derived from Ibn Ḥajar, *al-Durar al-Kāminah* (3:318-333), Ibn al-ʿImād, *Shadharāt al-Dbahab* (6:141), al-Lakhnawī, al-Fawā'id al-Bahiyah pg.125-137, *Muqaddamah Sharḥ Waṣiyah Abī Ḥanīfah* by Al-Bābartī, pg.9-18, (Published by: Dār al-Faṭḥ).

3. Shams al-Dīn al-Aṣḥāhānī (d. 749h).
4. Ibn ‘Abd al-Hādī (d. 744h), the author of *Tanqīḥ al-Taḥqīq*, *al-Muḥarrar* and *Ṭabaqāt ‘Ulamā’ al-Ḥadīth*.
5. Muḥammad ibn Aḥmad ibn ‘Alī al-Rabī Sulaymān al-Dalāṣī (d. 756h).

Some of his students are:

1. Abū al-Ḥasan ‘Alī ibn Muḥammad al-Jurjānī (d. 792h).
2. Shams al-Dīn Muḥammad ibn Ḥamzah al-Fanārī (d. 834h).
3. Badr al-Dīn Maḥmūd ibn Isrā’īl, famously known as Ibn Qāḍī Simāwinah (d. +- 818h).
4. Sirāj al-Dīn Abū Ḥafṣ ‘Umar ibn ‘Alī al-Kinānī (d. 829h), who held the title Qārī al-Hidāyah.
5. Badr al-Dīn Muḥammad ibn Khāṣ Bek al-Subkī (d. 813h).

Many scholars praised his expertise in many of their works. Ibn Ḥajar says in *Inbā’ al-Ghumr bi Anbā’ al-Umr*: He was well versed in *fiqh*, the Arabic language and *uṣūl*.

Ibn Quṭlubaghā in *Tāj al-Tarājim*, al-Suyūṭī in *Ḥusn al-Muḥāḍarab*, Ibn al-Ḥanā’ī in *Ṭabaqāt al-Ḥanafīyyah* all wrote the following in praise of him: “*Allāmah* of the latter scholars and the seal of the researchers.”

He authored many works, amongst which are the following:

In *‘Ilm al-Kalām* or Islamic theology,

1. *Sharḥ al-Waṣīyyah al-Imām Abī Ḥanīfab*.
2. *Al-Irshād*, the commentary on Abū Ḥanīfah’s *al-Fiqh al-Akbar*.
3. *Sharḥ Tajrīd al-Kalām* of Al-Naṣr al-Ṭūsī.
4. *Al-Maqṣad fī al-Kalam*.
5. *Al-Kawāshif al-Burbāniyyah*.
6. *Al-Nuqūd wa al-Rudūd*.
7. *Sharḥ al-‘Aqīdah al-Ṭahāwiyyah*.

In *Fiqh*, the following was authored by him:

1. *Al-‘Ināyah fī Sharḥ al-Hidāyah*.
2. *Sharḥ al-Farā’id al-Sirājiyyah*.
3. *Muqaddamah al-Farā’id*.
4. *Sharḥ Talkhīṣ al-Khalāṭī*.
5. *Sharḥ Mansha’ al-Naṣr*.

In *Uṣūl al-Fiqh*, some of his works are:

1. *Al-Taqrīr*, the commentary of *Uṣūl al-Bazdawī*.
2. *Al-Anwār Sharḥ al-Manār*.
3. *Sharḥ Mukhtaṣar Ibn al-Ḥājīb*.

In *Tafsīr* he wrote Ḥāshiyah ‘alā al-Kashshāf and in *Ḥadīth* he penned *Tuḥfab al-Abrār fī Sharḥ Mashāriq al-Anwār* and a few other books in other subjects.

Al-Bābartī passed away over the age of 70 on a Thursday night, the nineteenth of *Ramaḍān* 786h in Cairo. His burial prayer was led by ‘Izz al-Dīn al-Rāzī and was attended by the Sultan as well.

AL-BINĀYAH SHARḤ AL-HIDĀYAH⁴³³

This famous and accepted commentary of *al-Hidāyah* by Abū al-Thanā or Abū Muḥammad Maḥmūd ibn Aḥmad ibn Mūsā ibn Aḥmad ibn Ḥusayn ibn Yūsuf ibn Maḥmūd al-‘Ayntābī al-Ḥanafī.⁴³⁴

He was born on the 26th *Ramaḍān* 762h in Darb Kaykan, close to ‘Ayntab as recorded by his student Ibn Taghribirdī. Al-Sakhāwī mentions his birth date to be the 27th *Ramaḍān* 762h.

⁴³³ Largely derived from the foreword to *al-Bināyah* in the Dār al-Kutub al-‘Ilmiyyah print, which in turn was derived from the book, Badr al-Dīn al-‘Aynī wa Atharuhū fī ‘Ilm al-Ḥadīth by Ṣāliḥ Yūsuf al-Ma’tūq.

⁴³⁴ ‘Ayntab is a famous town close to Aleppo. People from this region are referred to as ‘Ayntābī which was sometimes shortened to ‘Aynī. This is Gaziantep now in Turkey.

He hailed from an academic family that was known for their piety as well as their affiliation to *ilm*. His father and grandfather were both judges and one of his forefathers was an expert reciter of the *Qurʾān*. His father was born in Aleppo in the year 725h where he grew up. He then relocated to ʿAyntab and assumed the role of its *qādī* and also led the prayers at a *masjid* there. Al-ʿAynī junior married ʿUmm al-Khayr (d. 819h) and she bore him the following children:

ʿAbd al-ʿAzīz who passed away in 818h.

ʿAbd al-Raḥmān who passed away in a plague in 822h.

Ibrāhīm, ʿAlī, Aḥmad and Fāṭimah who all passed away in the plague in the year 833h.

ʿAbd al-Raḥīm whose year of demise wasn't recorded and Zaynab who passed away in 849h and was buried in her father's *madrasah*.

Al-ʿAynī grew up in a pious academic home. He was directed to memorize the *Qurʾān* at a young age. His initial studies were completed in his hometown, where he studied different books from separate scholars in all fields until he was able to assume the role of the deputy *qādī* to his father. This initial study did not quench his thirst for knowledge, and he set off to seek more knowledge as was the habit of the students and scholars of that time. There is not much recorded about the details of his travels, however his first stop was Aleppo, the city closest to his village in the year 783h. Here he studied under Al-Jamāl Yūsuf al-Maltī and Ḥaydar al-Rūmī. He then returned home in the year 784h, the same year his father passed away. Thereafter he travelled to Bhasna and studied under Walī al-Dīn al-Bhasnī and then to Kakhta where he studied under ʿAlāʾ al-Dīn al-Kakhtāwī. Then he went to Maltiyah and studied under Badr al-Dīn al-Kashāfā. He then came back home and travelled therefrom for *ḥajj* and studied from the scholars there. He then visited Bayt al-Maqdis (Jerusalem) in the year 788h where he met ʿAlāʾ al-Dīn al-Ṣayramī (d. 790h), whom he held in high esteem. Al-Ṣayramī was also visiting Jerusalem and invited al-ʿAynī to come to Egypt with him. He accepted the invite and they both returned to Cairo to Al-Madrasah al-Zāhiriyyah al-Barquqiyyah. Al-ʿAynī was appointed by al-Ṣayramī as his deputy in the *madrasah* and he also continued his studies here under al-Ṣayramī. Cairo was a capital city in that era, and it attracted scholars from far and wide. Al-ʿAynī took advantage of this and studied *ḥadīth* and its related sciences from many different scholars. Some of his teachers are:

1. Sirāj al-Dīn al-Balqīnī (d. 805h).
2. Abū al-Faṭḥ al-ʿAsqalānī (d. 793h).
3. Al-Zayn al-ʿIrāqī (d. 806h).
4. Ibn al-Kuwayk (d. 821h) and others.

During this period, he also visited Damascus, where he studied under al-Najm ibn al-Kashk al-Ḥanafī (d. 799h). After the death of al-Ṣayramī in 790h, al-ʿAynī became embroiled in a personal conflict with the amīr, Jarkas al-Khalīlī, who sought to have him expelled from Cairo. Al-ʿAynī later characterized al-Khalīlī as arrogant and overly self-assured. He was spared expulsion through the intervention of his teacher, Sirāj al-Dīn al-Balqīnī, yet he prudently chose to leave Cairo for a time. He traveled to Damascus, where he was appointed as the *sharʿī* overseer of the markets by the local amīr, eventually returning to Cairo shortly before 800h.

Upon returning to Cairo, al-ʿAynī strengthened his position by aligning himself with several prominent *amīrs*, including Tamarbughā al-Mashtūb, with whom he performed the *ḥajj*. He also enjoyed the support of Amīr Jakm min ʿAwḍ, a close advisor to Sultan Barqūq. After Barqūq's death, al-ʿAynī was appointed as the *sharʿī* overseer of Cairo's markets, replacing al-Maqrīzī. This appointment marked the beginning of a lifelong feud between the two scholars, a rivalry that persisted until their deaths.

As al-ʿAynī's reputation grew, he was appointed by Sultan Muʿayyad Shaykh as an ambassador to the Qarāmanids in 823h. Later in life, he was often summoned to lecture on scholarly subjects before the Sultan, reading history aloud in Arabic and translating it into Turkish for the Sultan's understanding. Sultan al-Ashraf Barsbāy also called upon al-ʿAynī for advice on legal matters and appointed him as the chief Ḥanafī Qādī in 829h. However, after three years, both al-ʿAynī and the chief Shāfiʿī Qādī, Ibn Ḥajar, were dismissed due to their ongoing disputes, which interfered with their duties. Al-ʿAynī was later reinstated.

During the reign of Barsbāy's successor, al-ʿAzīz Jaqmaq, al-ʿAynī was once again dismissed from his position as chief Ḥanafī Qādī. He withdrew from public life to focus on his scholarly writings. He passed away in 855h at the age of 93, having outlived all his children, and was buried in his own *madrasah* in Cairo.

FATĀWĀ BAZZĀZIYYAH⁴³⁵

This collection of legal rulings in the Ḥanafī school is also, less-commonly, known as *al-Jāmi‘ al-Wajīz fī Madhhab al-Imām al-A‘zam*.⁴³⁶ It is authored by al-Shaykh al-Imām Ḥāfiẓ al-Dīn Muḥammad ibn Muḥammad ibn Shihāb. He was known as Ibn al-Bazzāz al-Kurdurī al-Ḥanafī. He was considered peerless in his era in matters of *uṣūl* and *furū‘* (principles and subsidiary rulings) and gained much fame in his area. He was initially based in a place called Ṣaray close to the ‘Ayl River. He then travelled to Qaryam and stayed there for a few years. He held debates with some of the great scholars of that area and taught some jurists and then returned to his hometown. He then travelled to the Roman lands and held discussions with Shams al-Dīn al-Fanārī. He compiled *al-Wajīz* prior to him traveling to the Roman lands.

This book, *al-Jāmi‘ al-Wajīz* is a very concise work which contains the cream of the rulings from different works. He gives preference to those rulings which are backed by proof. Scholars in the school have mentioned that his work is considered a reliable source.

Sirāj al-Dīn ibn Ṭabīb al-Sawnījahwī has summarized it.

Al-Lakhnawī says: I have studied *al-Fatāwā al-Bazzāziyyah* and I have found it to be containing useful rulings that can be relied upon.

It is reported in *Kashf al-Zunūn* that when Abū al-Ṣa‘ūd was asked why he did not collate the important rulings of the school and write a book on it, he replied: I feel shy from the author of *al-Bazzāziyyah* and the presence of his work, which is a noble collection that has all the important, necessary rulings in it.

Fatāwā al-Bazzāziyyah was printed in the margin of *al-Hindiyyah*.

Amongst others, Ibn al-Bazzāz also authored the following books:⁴³⁷

1. A commentary on *Mukhtaṣar al-Qudūrī*.
2. *Manāqib Imām Abū Ḥanīfah* on the virtues of Imām Abū Ḥanīfah.

FATĤ AL-QADĪR⁴³⁸

Introduction

Kamāl al-Dīn Muḥammad ibn Humām al-Dīn ‘Abdal-Wāḥid, more commonly known as al-Kamāl ibn al-Humām, was a renowned scholar whose lineage traced back to Sivas in [the Turkish province of] Anatolia. However, he was born in Alexandria and spent much of his life in Cairo, where he also passed away. His student al-Sakhāwī recounts that "he was possibly born in 790 AH, as I have read from his own handwriting." Coming from a distinguished scholarly family, his father served as a judge both in Sivas and later in Alexandria, where he married the daughter of the Mālikī judge. This union led to the birth of al-Kamāl, a name meaning "perfection," reflecting the high regard his family held for him.

Academic Standing

Ibn al-Humām received a rigorous education, studying both the rational and transmitted sciences under leading scholars in Alexandria and Cairo. His studies included Qur’ānic exegesis with al-Aqṣarā’ī, Islamic law with Qārī al-Hidāyah, and *ḥadīth* with Abū Zur‘ah al-‘Irāqī, among others. His intellectual brilliance was recognized early on, as al-Sakhāwī notes, "He would frequently attend the lessons of al-‘Izz ibn Jamā‘ah, who would pause the class upon noticing Ibn al-Humām’s presence due to his exceptional intellect."

Al-Sakhāwī further describes him as a polymath, excelling in a wide range of fields, including theology, exegesis, law, legal theory, inheritance law, mathematics, spirituality, grammar, rhetoric, logic, literature, and the art of debate. Al-Sakhāwī praises him as "the most articulate, sharp, and meticulous scholar I have seen." Ibn al-Humām was also

⁴³⁵ Derived from: Lu‘ayy al-Khalīlī, *La‘ālī al-Maḥār* (1:406), Ibn Quṭlūbughā, *Tāj al-Tarājīm* pg.354, al-Lakhnawī, *al-Fawā‘id al-Babiyyah* pg.309,

Ismā‘īl Bāshā, *Hadiyyah al-‘Arifīn Asmā’ al-Mu‘allifīn wa Āthār al-Muṣannifīn* (2:185), Ḥājī Khalīfah, *Kashf al-Zunūn* (1:243), al-Ziriklī, *al-A‘lām* (7:274), Ibn al-Ḥanā‘ī, *Ṭabaqāt Ibn al-Ḥanā‘ī* pg.308.

⁴³⁶ Al-Mar‘ashlī mentions in *al-Fiqh al-Ḥanafī Uṣūlan wa Furū‘an* (8:38) that it is also known as *Fatāwā al-Kardarī*.

⁴³⁷ Al-Mar‘ashlī mentions 9 works of Muḥammad al-Kardarī in *al-Fiqh al-Ḥanafī Uṣūlan wa Furū‘an* (8:38-40).

⁴³⁸ Derived from Muḥammad ‘Awwāmah, *Dirāsah Ḥadīthiyyah Muqāranah* pg.221-237 and translated by Muntasir Zaman. Additionally derived from: Al-Sakhāwī, *al-Daw‘ al-Lāmi‘* (8:27-129), al-Lakhnawī, *al-Fawā‘id al-Babiyyah* pg.180, al-Suyūṭī, *Bughyah al-Wu‘āb*, (1:167), Ibn al-Humām, *Fatḥ al-Qadīr*, (1:174), (2:177), (3:174), *Fayḍ al-Bārī*, as cited in the introduction to *Naṣb al-Rāyah* (1:8/107).

known for his intellectual humility, as he was willing to revise his opinions when proven wrong, even if corrected by a novice. His erudition and reputation are reflected in the quality and depth of his few but significant works.

Ranking Among Ḥanafī Scholars

Al-Sakhāwī recounts that Ibn al-Humām expressed that he might have attained the rank of *ijtibād* (independent juristic reasoning) had it not been for his ongoing health issues. His student al-Suyūṭī quotes him as saying, “I do not follow anyone’s opinions in the rational sciences.” Scholars such as Ibn ‘Ābidīn and al-Lakhnawī acknowledged that he reached the level of *ijtibād* within the Ḥanafī legal tradition, aligning him with figures such as Imām al-Marghīnānī.

Character

Ibn al-Humām was noted for his humility, particularly towards his teachers. Al-Sakhāwī mentions an instance during a scholarly gathering where, out of respect for his mentors, Ibn al-Humām refused to sit in the instructor’s seat, choosing instead to sit among the reciters despite the persistence of those present. This deference to his teachers exemplified his belief in the adage, “Respect is better than obeying commands (*al-adab khayr min imtithāl al-amr*).” Upon his return from *ḥajj*, he visited his teacher, Sa’d al-Dīn al-Dīrī, before returning to his own home. His humility is also reflected in the titles of his works, such as *Fath al-Qadīr li al-‘Ajiz al-Faqīr* (The Opening from the All-Powerful for the Feeble Destitute) and *Zād al-Faqīr* (Provisions for the Destitute), which convey a tone of modesty.

Spirituality

Ibn al-Humām’s spirituality deeply informed his scholarly pursuits, and he viewed *taṣawwuf* as an integral application of Islamic teachings. Al-Suyūṭī writes that he experienced spiritual illuminations and miracles common to masters of the path, and he initially chose seclusion before being advised by spiritual guides to return to public life so that others could benefit from his knowledge. His work, *Fath al-Qadīr*, frequently reflects this spiritual outlook, as he intertwines scholarly rigor with pious devotion. His commitment to truth and integrity in scholarship is exemplified by his willingness to follow evidence, even if it led him to positions outside the Ḥanafī school on certain issues.

Students

Ibn al-Humām was passionate about teaching, and his students were drawn to him for the unique depth of knowledge he offered. Among his notable students were Sirāj al-Dīn ‘Umar al-Shāfi‘ī, Muḥammad Ibn al-Fālātī, Sharaf al-Dīn Yaḥyā al-Munāwī (his son-in-law), and Jalāl al-Dīn al-Suyūṭī, who described Ibn al-Humām as one of his caretakers after his father’s death. The prominence of these students in the academic world is a testament to Ibn al-Humām’s influence and scholarly legacy.

Works

Although Ibn al-Humām did not write prolifically, his works are regarded as scholarly masterpieces, demonstrating his erudition and intellectual rigor. Some of his major works include:

1. *I’rāb Ḥadīth Kalimatān Khafīfatān*.
2. *Taḥrīr al-Uṣūl*, a notable work on legal theory.
3. *Risālah fī Ta’arud al-Nafy wa al-Ithbāt*.
4. *Zād al-Faqīr*, a treatise on prayer and purification.
5. *Fath al-Qadīr li al-‘Ajiz al-Faqīr*, his commentary on *al-Hidāyah*, a significant work in Islamic law.

Fath al-Qadīr

Ibn al-Humām’s *Fath al-Qadīr* is regarded as one of the most comprehensive and methodologically rigorous works within the Ḥanafī school. A commentary on *al-Hidāyah*, it provides critical analysis of Islamic jurisprudence, addressing both lexical and technical meanings while integrating grammar, logic, and legal theory. The work is notable for its impartial analysis and robust argumentation, marking it as a cornerstone in the corpus of Ḥanafī legal literature.

AL-MULTAQĀ AL-ABḤUR⁴³⁹

This work was collated by Ibrāhīm al-Ḥalabī whose full name is Burhān al-Dīn Ibrāhīm ibn Muḥammad ibn Ibrāhīm al-Ḥalabī. Not much is recorded about his life, with sources only mentioning an outline of his career. Al-Ḥalabī refers to his origin from the city of Ḥalab or Aleppo. He was born around the year 860h/1461CE. He received his initial education in Aleppo and attended lessons in Damascus. After this he was qualified enough to be appointed as an *imām* and *khaṭīb* in a mosque in Aleppo. Being an ambitious scholar, al-Ḥalabī pursued his studies in the capital of the Mamlūk Sultanate, Cairo. At that time Cairo was one of the most active centres of Islamic study. Here he studied *Tafsīr*, *Ḥadīth*, *Fiqh*, *Qirā'ah* and other subjects. Jalāl al-Dīn al-Suyūṭī, renowned for his mastery and studies in *Tafsīr* and *Ḥadīth*, was at that time a teacher in Cairo. Al-Suyūṭī mentions al-Ḥalabī in his book *al-Taḥadduth bi Ni'matillāh*, so the two must have come into contact in this period.

After this period of studies, al-Ḥalabī relocated to Istanbul around 906h, which was the capital of the Ottoman Empire. He lived here for about 50 years. In Istanbul he was appointed as an *imām* and *khaṭīb* in several mosques until he received the post of *imām* and *khaṭīb* in the Fātiḥ mosque, the most highly endowed and prestigious in that period. He was so well-versed in the subsidiary rulings that even the scholars of the period attended his lectures.

Ibrāhīm al-Ḥalabī had a close friendship with Shaykh al-Islām Sa'd Chelebī (d. 945h).⁴⁴⁰ He appointed al-Ḥalabī as a teacher in a school which he himself had built called Dār al-Qurrā', an institute devoted to the recital of the *Qur'ān*. It was in Istanbul where al-Ḥalabī authored his most famous work, *al-Multaqā al-Abḥur*.

Al-Ḥalabī passed away in the year 956h at the age of 90. He is buried in the vicinity of Amīr Bukhārī at Edirnekapi in Istanbul.

Al-Ḥalabī's most celebrated work is *al-Multaqā al-Abḥur* which means the Junction of the Seas. This was completed on the 23 Rajab 923h. It is titled 'junction' as it combines content from a few major works, mainly from the *Mukhtaṣar of al-Qudūrī*, *al-Mukhtār li al-Fatwā*, *Kanz al-Daqā'iq* and *al-Wiqāyah al-Riwāyah*. Al-Ḥalabī also added content, as required, from *al-Hidāyah* and *Majma' al-Baḥrayn*. It is considered as a concise yet comprehensive handbook. It became a reference point for judges and a textbook in the Ottoman *madrasahs*, replacing *Kanz al-Daqā'iq*. It largely retained its prestige and importance throughout the Ottoman rule and the *al-Majallah* or the Ottoman civil code derived a lot of its content from *al-Multaqā*, so much so that it is the greatest single source of *al-Majallah*. Its contents are arranged in the classical way of a Ḥanafī lawbook, using the terms *kitāb* (book), *bāb* (chapter) and *faṣl* (sub-chapter).

Many scholars wrote commentaries on *al-Multaqā*, of which some are:

1. *Majma' al-Anbur* by 'Abd al-Raḥmān ibn Muḥammad ibn Sulaymān, commonly known as Shaykh Zādah (d. 1078h).⁴⁴¹
2. *Al-Durr al-Muntaqā* by 'Alā' al-Dīn al-Ḥaṣkafī (d. 1088h).⁴⁴²
3. *Sbarḥ al-Multaqā* by Muḥammad ibn Muḥammad al-Ḥalabī (d. 1104h).
4. *Al-Mawqūfāt* by Muḥammad al-Mawqūfātī (d. 1065h).
5. *Jam' al-Shurūḥ* by Muḥammad ibn Aḥmad ibn Ibrāhīm ibn Faḍl 'Llāh (d. 1120h).

Al-Ḥalabī died at the reported age of ninety in the year 1549.

The Austrian diplomat and historian Joseph von Hammer-Purdstall (1774–1856) includes al-Ḥalabī in his top ten of "profound legists" of the sixteenth century, the Ottoman golden age.

AL-BAḤR AL-RĀ'IQ⁴⁴³

This famous commentary of *Kanz al-Daqā'iq* was authored by Ibn Nujaym al-Miṣrī. His full name is Zayn al-Dīn ibn Ibrāhīm ibn Muḥammad ibn Muḥammad ibn Abū Bakr, but he was commonly known as Ibn Nujaym al-Miṣrī,

⁴³⁹ Derived from: Lu'ayy al-Khalilī, *La'ālī al-Maḥār* (2:569-580), al-Naqīb, *al-Madbbab al-Ḥanafī* (2:491), Ismā'il Bāshā, *Hadiyyah al-'Arifīn Asmā' al-Mu'allifīn wa Athbār al-Muṣannifīn* (1:27) (4:154), Ḥājī Khalīfah, *Kashf al-Zunūn* (2:1814), Ṭāsh Kubrī Zādah, *al-Shaqā'iq al-Nu'māniyyah* (2:24), Has Sukru Selim, *A Study of Ibrahim al-Halabi*, University of Edinburgh, 1981).

⁴⁴⁰ Ismā'il Bāshā, *Hadiyyah al-'Arifīn Asmā' al-Mu'allifīn wa Athbār al-Muṣannifīn* (1:386).

⁴⁴¹ Ismā'il Bāshā, *Hadiyyah al-'Arifīn Asmā' al-Mu'allifīn wa Athbār al-Muṣannifīn* (1:549).

⁴⁴² Ismā'il Bāshā, *Hadiyyah al-'Arifīn Asmā' al-Mu'allifīn wa Athbār al-Muṣannifīn* (2:295).

⁴⁴³ Derived from: Lu'ayy al-Khalilī, *La'ālī al-Maḥār* (2:615), al-Lakhnawī, *al-Fawā'id al-Bahiyah* pg.135, al-Naqīb, *al-Madbbab al-Ḥanafī* (2:793), Ismā'il Bāshā, *Hadiyyah al-'Arifīn Asmā' al-Mu'allifīn wa Athbār al-Muṣannifīn* (2:240), Ḥājī Khalīfah, *Kashf al-Zunūn* (1:81), al-Tamīmī, *al-Ṭabaqāt al-Sunniyyah* (3:275), al-Muḥibbī, *Khulāṣah al-Athar* (3:206), Najm al-Dīn, *al-Kawākib al-Sā'irah* (3:137), Ibn Iyās, *Badā'ī' al-Zuhūr fī Waqā'ī' al-Dubūr* (5:148), Ibn Nujaym, *Rasā'il al-Zayniyyah* pg.53.

which was the name of one of his forefathers. Not much is recorded about this great scholar who lived for only 43 or 44 years. He was born in the year 926h. History has not recorded anything about his family except a son named Aḥmad. Also, not much is recorded about this son, Aḥmad, except that his name is mentioned in the foreword of a book that he researched for his father. Another shining scholar from this family was Zayn al-Dīn Ibn Nujaym's brother, Sirāj al-Dīn 'Umar ibn Nujaym. He was known to be an erudite scholar and jurist in the *shar'ī* sciences and is the author of *al-Nabr al-Fā'iq*.

Zayn al-Dīn studied under great scholars, amongst whom are the following:

1. Shihāb al-Dīn Aḥmad ibn Yūnus, commonly known as Ibn al-Shilbī (d. 947h).
2. Amīn al-Dīn ibn 'Abd al-'Āl (d. 968h)
3. Sharaf al-Dīn al-Balqīnī.
4. Abū al-Fayḍ al-Sulamī.
5. Nūr al-Dīn al-Daylamī al-Mālikī.

His students include the following scholars:

1. Sirāj al-Dīn ibn Ibrāhīm ibn Muḥammad ibn Nujaym, his younger brother, the author of *al-Nabr al-Fā'iq* (d. 1005h).⁴⁴⁴
2. Shams al-Dīn Abū 'Abdullāh Muḥammad ibn 'Abdullāh ibn Aḥmad al-Khaṭīb al-Ghazzī al-Tumartāshī (d. 1004h), the author of *Tanwīr al-Absār*.
3. Muḥammad ibn 'Abdullāh al-'Arabī al-Ḥanafī (d.985h), the author of *Mu'īn al-Muftī 'alā Jawāb al-Mustaftī*.⁴⁴⁵

Ibn Nujaym authored many works, amongst which are:

1. *Al-Baḥr al-Rā'iq*.
2. *Al-Asbbāh wa al-Naḏā'ir*.
3. *Mukhtaṣar al-Taḥrīr*.
4. *Sharḥ al-Manār*.
5. *Fawā'id al-Zayniyyah*.
6. *Al-Rasā'il al-Zayniyyah*.

His marginalia and annotations on marginal notes on different works are too many to enumerate.⁴⁴⁶

He passed away in the year 969h or 970h, on a Wednesday morning, the 8th of *Rajab* at the age of 43 or 44. He was buried in Cairo close to the grave of the daughter of Ḥusayn ibn 'Alī, Sukaynah. His brother 'Umar was also laid to rest in the same area a few years later in 1005h.

Ibn Nujaym mentions the reason for writing *al-Baḥr al-Rā'iq* was that he deemed the book *Kanz al-Daqā'iq* of Ḥāfiẓ al-Dīn al-Nasafī to be the best *mukhtaṣar* or primer that was written in the Ḥanafī school. There were many commentaries written on it already, with the best of these being *Tabyīn al-Ḥaqā'iq* of Al-Zaylā'ī, according to Ibn Nujaym. He however felt that it was too lengthy and not clear in certain aspects, which prompted him to write his own commentary on it which was meant to adequately address these issues.

This commentary enjoys an elevated status amongst Ḥanafī scholars and is used as a reference source for *fatāwā* or juristic rulings. Ibn Nujaym did not get the opportunity to complete the entire book. He completed *Kitāb al-Ijārah* (The Book on Leasing) and passed away before having complete it. It was thereafter completed by Al-Shaykh 'Abd al-Qādir ibn 'Uthmān al-Qāhirī, commonly known as Al-Ṭūwrī (d. 1030h),⁴⁴⁷ who was the Ḥanafī *mufī* of Egypt. There are a multitude of scholars who wrote commentaries on *al-Baḥr* including Ibn 'Ābidīn himself, who wrote marginalia on it titled *Minḥab al-Khāliq 'alā al-Baḥr al-Rā'iq*.

Al-Baḥr was printed in 1311h by *Al-Maṭba'ah al-Ilmiyyah* in Cairo with the marginalia of 'Ābidīn in 8 volumes and was later printed by *Al-Maṭba'ah al-Maymaniyyah* in 1323h, also in 8 volumes.⁴⁴⁸

Worthy of mention is that the younger brother of Zayn al-Dīn Ibn Nujaym, 'Umar Ibn Nujaym, studied under his elder brother, was also a scholar, also authored a commentary on *Kanz al-Daqā'iq* titled *al-Nabr al-Fā'iq*, and was

⁴⁴⁴ See: Al-Muḥibbī, *Khublāṣah al-Athar* (3:206).

⁴⁴⁵ See: Al-Ḥabashī, *Jāmi' al-Shurūḥ wa al-Ḥawāshī* (4:336).

⁴⁴⁶ Al-Mar'ashlī mentions 104 works of Ibn Nujaym in *al-Fiqh al-Ḥanafī Uṣūlan wa Furū'an* (9:163-185).

⁴⁴⁷ Ismā'il Bāshā, *Hadiyyah al-'Arifīn Asmā' al-Mu'allifīn wa Āthār al-Muṣannifīn* (1:599).

⁴⁴⁸ See: Al-Mar'ashlī, *al-Fiqh al-Ḥanafī Uṣūlan wa Furū'an* (9:169).

buried next to his elder brother when he passed away in *Rabī al-Awwal* 1005h. ‘Umar Ibn Nujaym also authored another book in *fiqh* titled *Ijābah al-Sā’il bi al-Ikhtiṣār Anfa’ al-Wasā’il*.⁴⁴⁹

TANWĪR AL-ABṢĀR

Rather than being a source, *Tanwīr al-Abṣār* is the basic text or primer on which *al-Durr al-Mukhtār* was written as its commentary, and to which *Radd al-Muhtār* became the super commentary of. This was discussed in detail under chapter six.

AL-DURR AL-MUKHTĀR

As mentioned above, this is the basis of *al-Radd al-Muhtār* and this book too was discussed in detail under chapter six.

In summary, the examination and analysis of the texts used by Ibn ‘Ābidīn as sources for his *Radd al-Muhtār* reveals a true depth of knowledge and a thorough approach to the science of *fiqh*. By drawing from a wide assortment of classical works and authorities in the field of Ḥanafī *fiqh*, Ibn ‘Ābidīn perfectly married the preservation of Ḥanafī jurisprudence to the current condition of the Muslims of his time and for those coming in the foreseeable future. This descriptive analysis emphasizes the intellectual meticulousness and different influences that distinguish his work, which encourages a more quantitative evaluation of these sources. In the next chapter, a numerical analysis will provide greater and deeper insights into the forms and frequencies of Ibn Abidīn’s references which will offer a rawer understanding of his sources.

⁴⁴⁹ Al-Mar’ashlī mentions in *al-Fiqh al-Ḥanafī Uṣūlan wa Furū’an* (9:163), Brockelman in *Tārīkh al-Adab* attributes this to his brother Zayn al-Dīn, which is an error. The correct attribution is to his brother ‘Umar ibn Ibrāhīm ibn Muḥammad, Ibn Nujaym. Al-Mar’ashlī later records this entry in (10:22). He mentions that ‘Umar Ibn Nujaym made a concise edition to the treatise of al-Ṭarsūsī titled *Anfa’ al-Wasā’il ilā Tahrīr al-Masā’il*. Ismā’il Bāshā records it in *Hadiyyah al-‘Arīfīn Asmā’ al-Mu’allifīn wa Āthār al-Muṣannifīn* (1:786). Al-Mar’ashlī adds a second entry under the works of ‘Umar Ibn Nujaym titled *Igbāthab al-Sā’il fī Ikhtiṣār Anfa’ al-Wasā’il* (10:23). He mentions that four manuscripts hold this title.

CHAPTER 6: SOURCES OF RADD AL-MUḤTĀR: A NUMERICAL ANALYSIS

This section aims to illustrate several sources cited above that Ibn ‘Ābidīn has used in his commentary and highlights the frequency of usage for each source. It will be followed by a numerical study on certain sources used by Ibn ‘Ābidīn together with a comment on the program used to derive this data.

It is extremely difficult to ascertain the correct numerical figure for each source for the following reasons:

1. Two or more sources may have the same title name. As Ibn ‘Ābidīn alludes to the title in the abbreviated form, without access to both titles in manuscript and/or printed form, it is difficult to ascertain which of the titles he is referring to. Cross-referencing is vital.

For instance, Ibn ‘Ābidīn has made use of the following two titles in his commentary: *Al-Kāfi fī Furū‘ al-Hanafīyyah* by Ḥākim Shahīd and *Al-Kāfi fī Sharḥ al-Wāfi* by al-Nasafī. In the *muqaddimah*, Ibn ‘Ābidīn does mention that he has used both sources. He then states, generally when the word *al-Kāfi* is used, it can refer to both, but will mostly refer to al-Nasafī’s. Although he has mentioned this, whenever he mentions *al-Kāfi*, a reader will have to cross reference both texts to ascertain which text he was referring to. The word *al-Kāfi* is mentioned approximately 353 times.

Similarly, Ibn ‘Ābidīn has mentioned the word *al-Muntaqā* in his commentary more than 250 times. However, there are many titles by this name, from them, some of the titles this could refer to are: *Al-Muntaqā fī al-Furū‘* by Ḥākim Shahīd, *Al-Durr al-Muntaqā* by al-Ḥaṣkaḥī and *al-Muntaqā* by al-Sarakhsī. Al-Khalīlī mentions in *al-La‘ālī al-Maḥār* that there are many titles that are termed *al-Muntaqā*, and Ibn ‘Ābidīn has referred to all of them. Three of them are *Al-Muntaqā fī al-Furū‘ al-Maā’il wa Nawāzil al-Wāqī* by Ibn ‘Abd al-Ḥaqq al-Dimashqī, *Al-Muntaqā fī al-Furū‘* by Ḥākim Shahīd and *Al-Muntaqā fī al-Furū‘* by Burḥān al-Dīn al-Marghīnānī. Thus, when Ibn ‘Ābidīn makes mention of *al-Muntaqā*, a reader will need to cross-reference with each manuscript and/or printed edition to ascertain which title he is referring to.

Ibn ‘Ābidīn has mentioned the word *al-Mabsūṭ* in his commentary more than 350 times. However, this could refer to a few books. In the introduction, he has mentioned that the title of the first book of Imām Muḥammad is *al-Mabsūṭ*. Similarly, al-Khalīlī points out that he has also used *al-Mabsūṭ* of al-Sarakhsī and *al-Mabsūṭ* of al-Bazdawī. Thus, a reader will have to cross-reference each of the titles, to ascertain which one he is alluding to.

2. In addition to point one, several sources cited are not available in manuscript and/or printed form. Thus, a reader will be restricted when verifying the source. On the other hand, the sources may be available, but access to them could be limited. A title may be catalogued in a library that is in another country and could possibly be a ‘reference only’ text. As majority of the titles are printed in multiple volumes, access to these may not be feasible. Manuscripts are extremely costly, and at times, they could be damaged, have folios missing or the writing may be extremely difficult to decipher.

3. When trying to locate a reference that Ibn ‘Ābidīn has cited, there is a possibility that it could also be under another name. For instance, Ibn ‘Ābidīn refers to *Fatāwā Qāḍīkhān* by both *al-Kbāniyyah* and *Qāḍīkhān*.

At times using the ‘*al*’ particle will bring one set of results and omitting the ‘*al*’ particle will bring another set data. For instance, al-Bazzāziyyah without the ‘*al*’ particle brings 135 entries, but with the ‘*al*’ particle 922 entries are found.

4. As a software is used to search for each entry, there are instances where there is a misspelling by the typist or editor which will prevent any entries to be located. For instance, when locating *Al-Badā’i*’ of al-Kāsānī, when typing al-Kāsānī, only one entry is found. The typist had changed the letter *sīn* to the letter *shīn*. Thus, entries will only appear by typing al-Kāshānī.

I have placed the sources below in alphabetical order, not taking into consideration the ‘*al*’ particle. Before providing numerical data for each source, for those references where I was limited to the search functionality, I provide a small introduction highlighting the possibilities and limited the search entry to the full name. By limiting the name, the results decreased significantly. I omitted *al-Mabsūṭ* and *al-Muntaqā* as it was difficult to ascertain which of the possible titles Ibn ‘Ābidīn referred to. When locating each source, I registered as many keywords as possible, hoping it would provide the most accurate figure. If the entry only appeared in the chapter, and not in the sub-chapters, I

did not include a footnote. However, when the entry did appear beyond the chapter, I placed a footnote listing the numerical figure the keyword appears in each chapter and sub-chapter.

AL-BADĀ' AL-ŞANĀ'I

Ibn 'Ābidīn refers to *Al-Badā'i' al-Şanā'i'* 1198 times.

He makes mention of the authors name al-Kāsānī once in *kitāb al-ṭahārah*⁴⁵⁰. The editor or typist misspelt the name as al-Kāshānī which is also mentioned in *kitāb al-ṭahārah*⁴⁵¹.

He uses the word *Badā'i'*, without the 'al' particle 185 times: fifteen times in *kitāb al-ṭahārah*⁴⁵², thirty-four times in *kitāb al-ṣalāh*⁴⁵³, twenty-four times in *kitāb al-zakāh*⁴⁵⁴, fourteen times in *kitāb al-ṣawm*⁴⁵⁵, six times in *kitāb al-ḥajj*⁴⁵⁶, nine times in *kitāb al-nikāh*⁴⁵⁷, once in *bāb al-raḍā'*, four times in *kitāb al-talāq*⁴⁵⁸, seven times in *bāb al-īlā'*, four times in *bāb al-khula'*, once in *bāb al-īnnīn*, once in *bāb al-nafaqah*⁴⁵⁹, thrice in *kitāb al-īṭq*⁴⁶⁰, once in *kitāb al-jihād*⁴⁶¹, once in *kitāb al-hibah*, nine times in *kitāb al-ijārah*⁴⁶², nineteen times in *kitāb al-makātib*⁴⁶³, twelve times in *kitāb al-walā'*⁴⁶⁴, once in *kitāb al-dhabā'ih*, thirteen times in *kitāb al-uḍḥiyah*⁴⁶⁵, five time in *kitāb al-ṣayd*, and once in *kitāb al-rahn*.

He uses the word *al-Badā'i'*, with the 'al' particle 1011 times: one hundred and thirteen times in *kitāb al-ṭahārah*⁴⁶⁶, one hundred and eighty-four times in *kitāb al-ṣalāh*⁴⁶⁷,

⁴⁵⁰ In *arkān al-wuḍū'*.

⁴⁵¹ In *shurūṭ al-maṣh' alā al-khuffayn*.

⁴⁵² Twice in *sunan al-ghusl*, thrice in *bāb al-miyāb*, once in *al-mā' al-musta'mal*, twice in *far' mā yakbruji min dār al-ḥarb ka sinjāb in 'alima dabghabu bi ṭābir*, thrice in *sunan al-tayammum*, once in *bāb al-ḥayd*, twice in *maṭlab fī aḥkām al-ma'dbūr*, and once in *bāb al-anjās*.

⁴⁵³ Once in *kitāb al-ṣalāh*, thrice in *fā'idah al-taslīm ba'd al-adbān*, once in *maṭlab fī satr al-'awrah*, once in *furū' qara'a bi al-fārisiyyah aw al-tawrāb aw al-injil*, four times in *bāb al-istiklāf*, once in *furū' afdal al-masājid*, once in *bāb al-witr wa al-nawāfil*, once in *bāb ṣalāh al-marīd*, five times in *bāb sujūd al-tilāwab*, once in *bāb ṣalāh al-musāfir*, twice in *bāb bāb al-jumu'ah*, twice in *bāb al-īdayn*, seven times in *bāb ṣalāh al-janāzah*, once in *maṭlab fī dafn al-mayyit*, twice in *bāb al-shahīd*, and once in *bāb al-ṣalāh fī al-ka'bah*.

⁴⁵⁴ Ten times in *kitāb al-zakāh*, once in *bāb al-sā'imah*, once in *bāb zakāh al-ghanam*, once in *bāb zakāh al-māl*, once in *bāb zakāh al-rikāz*, four times in *bāb al-'usbr*, once in *furū' fī zakāh al-'usbr*, and five times in *bāb ṣadaqah al-fitr*.

⁴⁵⁵ Twice in *bāb mā yufsidu al-ṣawm wa mā lā yufsidubu*, once in *faṣl fī al-'awāriḍ al-mabīḥah li 'adm al-ṣawm*, and eleven times in *bāb al-i'tikāf*.

⁴⁵⁶ Thrice in *faṣlun fī al-ibrām wa ṣifah al-mufrid*, once in *faṣlun fī ramy jamrah al-'aqabah*, once in *bāb al-jināyāt fī al-ḥajj*, once in *maṭlab fī al-farq bayna al-'ibādah wa al-qurbah wa al-tā'ab*.

⁴⁵⁷ Twice in *bāb al-kafā'ah*, thrice in *maṭlab nikāh al-shighbār*, twice in *maṭlab fī ḥaṭṭ al-mabr wa al-ibrā' minbu*, and twice in *bāb nikāh al-kāfir*.

⁴⁵⁸ Once in *maṭlab al-inqilāb wa al-iqtisār wa al-istinād wa al-tabyīn*, twice in *bāb al-kināyāt*, and once in *bāb talāq al-marīd*.

⁴⁵⁹ Twice in *maṭlab lā tajibu 'alā al-ab nafaqah zawjah ibnibi al-ṣaghīr*, once in *maṭlab fī fard al-nafaqah li zawjah al-ghā'ib*, five times in *maṭlab fī nafaqah al-uṣūl*.

⁴⁶⁰ Once in *far' yustahabbu an yatuba li al-īṭq kitāban wa yushbidu 'alaybi shubūdan*, once in *maṭlab fī kināyāt al-i'tāq*, and once in *bāb 'itq al-ba'd*.

⁴⁶¹ Once in *bāb al-murtad*.

⁴⁶² Once in *rukn al-ijārah*, twice in *tanbīh tafāsakhā 'aqd al-ijārah wa al-zar' baql*, four times in *maṭlab fī ijārah al-binā'*, and twice in *bāb ḍamān al-ajīr*.

⁴⁶³ Five times in *kitāb al-makātib*, eight times in *bāb mā yajūz li al-makātib an yaf'alabu*, six times in *bāb mawt al-makātib wa 'ajzibi wa mawt al-mawlā*.

⁴⁶⁴ Seven times in *kitāb al-walā'*, five times in *faṣl fī walā' al-mawālāb*.

⁴⁶⁵ Nine times in *kitāb al-uḍḥiyah*, thrice in *furū'*, and once in *furū' lawn uḍḥiyatibi 'alaybi al-ṣalāh wa al-salām sawdā'*.

⁴⁶⁶ Eight times in *arkān al-wuḍū'*, sixteen times in *sunan al-wuḍū'*, once in *farḍ al-ghusl*, four times in *sunan al-ghusl*, eight times in *bāb al-miyāb*, twice in *al-mā' al-musta'mal*, once in *far' muḥdith inghamasa fī bi'r li dalw wa lā najasun 'alaybi wa lam yanwi wa lam yatadallak*, eight times in *far' mā yakbruji min dār al-ḥarb ka sinjāb in 'alima dabghabu bi ṭābir*, nine times in *faṣl fī al-bi'r*, once in *far' wajada fī thawbihi maniyyan aw bawlan aw daman*, twice in *far' al-bu'd al-mānī' min wuṣūl najāsah al-bālū'ah ilā al-bi'r*, five times in *arkān*

al-tayammum wa shurūṭibi, seven times in *sunan al-tayammum*, once in *furū' ṣallā al-maḥbūs bi al-tayammum*, ten times in *shurūṭ al-maṣh' alā al-khuffayn*, twelve times in *maṭlab nawāqid al-maṣh'*, eight times in *bāb al-ḥayd*, five times in *maṭlab fī aḥkām al-ma'dbūr*, five times in *bāb al-anjās*, and twice in *faṣl al-istinjā'*.

⁴⁶⁷ Twice in *kitāb al-ṣalāh*, twice in *bāb al-adbān*, thrice in *fā'idah al-taslīm ba'd al-adbān*, eleven times in *maṭlab fī satr al-'awrah*, five times in *wājibāt al-ṣalāh*, once in *ādāb al-ṣalāh*, fourteen times in *furū' qara'a bi al-fārisiyyah aw al-tawrāb aw al-injil*, four times in *faṣlun fī*

fifty-eight times in *kitāb al-zakāh*⁴⁶⁸, thirty-one times in *kitāb al-ṣawm*⁴⁶⁹, twenty-three times in *bāb al-i'tikāf*, fifty-nine times in *kitāb al-ḥajj*⁴⁷⁰, sixty-six times in *kitāb al-nikāḥ*⁴⁷¹, twice in *bāb al-raḍā'*, fifty-three times in *kitāb al-ṭalāq*⁴⁷², fourteen times in *bāb al-īlā'*, six times in *bāb al-khula'*⁴⁷³, twelve times in *bāb al-ḥibār*⁴⁷⁴, four times in *bāb al-li'ān*, seven times in *bāb al-īnnīn*, twenty-two times in *bāb al-iddah*⁴⁷⁵, seven times in *bāb al-ḥadānah*, nineteen times in *bāb al-nafaqah*⁴⁷⁶, twenty times in *kitāb al-ṭiq*⁴⁷⁷, thirty-seven times in *kitāb al-aymān*⁴⁷⁸, eight times in *kitāb al-ḥudūd*⁴⁷⁹, once in *kitāb al-sariqah*, twenty-two times in *kitāb al-jihād*⁴⁸⁰, four times in *kitāb*

al-qirā'ah, four times in *bāb al-imāmah*, twice in *furū' iqtidā'* *mutanaffil bi mutanaffil wa man yarā al-witr wājiban bi man yarābu sunnatan*, five times in *bāb al-istikhlāf*, twice in *bāb mā yufsidu al-ṣalāh wa mā yukribuhu fibā*, twice in *furū' sami'a al-muṣallī ism Allāh fa qāla jalla jalālūh aw al-nabī ṣallā Allāhu 'alayhi wa sallam fa ṣallā 'alayhi*, six times in *furū' mashā al-muṣallī mustaqbil al-qiblah bal tafṣudu ṣalātubu*, four times in *far' lā ba'sa bi taklīm al-muṣallī wa ijābatibi bi ra'sibi*, twice in *furū' isbtimāl al-ṣalāh 'alā al-ṣammā' wa al-i'tijār wa al-talatbtum wa al-tanakkhum wa kullu 'amal qalīl bi lā 'udhr*, sixteen times in *bāb al-witr wa al-nawāfil*, once in *bāb idrāk al-farīdah*, nine times in *bāb sujūd al-sabw*, thrice in *bāb ṣalāh al-marīd*, twenty times in *bāb sujūd al-tilāwab*, four times in *bāb ṣalāh al-musāfir*, once in *maṭlab fī al-waṭn al-aṣlī wa waṭn al-iqāmah*, ten times in *bāb bāb al-jumu'ah*, twelve times in *bāb al-īdayn*, four times in *bāb al-kusūf*, twenty-seven times in *bāb ṣalāh al-janāzah*, thrice in *maṭlab fī dafn al-mayyit*, once in *maṭlab fī ziyārah al-qubūr*, five times in *bāb al-shabīd*, and once in *bāb al-ṣalāh fī al-ka'bah*.

⁴⁶⁸ Eleven times in *kitāb al-zakāh*, four times in *bāb al-sā'imah*, eight times in *bāb zakāh al-gbanam*, eight times in *bāb zakāh al-māl*, thrice in *bāb al-āshir fī al-zakāh*, thrice in *bāb zakāh al-rikāz*, twice in *bāb al-ushr*, five times in *furū' fī zakāh al-ushr*, five times in *bāb maṣrif al-zakāh wa al-ushr*, nine times in *bāb ṣadaqah al-fitr*.

⁴⁶⁹ Once in *kitāb al-ṣawm*, eight times in *sunan ṣawm ramadān*, fifteen times in *bāb mā yufsidu al-ṣawm wa mā lā yufsidubu*, four times in *faṣl fī al-awāriḍ al-mabīḥah li 'adm al-ṣawm*, and thrice in *maṭlab fī ṣawm al-sitt min al-shawwāl*.

⁴⁷⁰ Four times in *kitāb al-ḥajj*, once in *maṭlab fī abkām al-umrah*, once in *maṭlab fī al-mawāqīt*, ten times in *faṣlun fī al-īhrām wa ṣifāh al-mufrīd*, thrice in *faṣlun fī ramy jamrah al-aqabah*, thrice in *maṭlab fī ṭawāf al-ziyārah*, once in *bāb al-qirān*, four times in *bāb al-tamattu'*, nineteen times in *bāb al-jināyāt fī al-ḥajj*, once in *bāb al-ḥajj 'an al-ghayr*, eleven times in *maṭlab fī al-farq bayna al-ībādah wa al-qurbah wa al-tā'ah*, and once in *bāb al-bady*.

⁴⁷¹ Six times in *kitāb al-nikāḥ*, once in *furū' ṭallaqa imra'atuhu taṭliqatayn wa lahā minbu laban fa i'taddat nakaḥat ṣaghīran fa arḍa'atbu fa ḥarumat 'alayh fa nakaḥat ākhar fa dakhala bihā*, six times in *bāb al-walī*, five times in *furū' laysa li al-qāḍī tazwīj al-ṣaghīrah min nafsihi wa lā min man lā tuqbalu shahādātubu*, six times in *bāb al-kafā'ah*, thrice in *bāb al-mahr*, five times in *maṭlab nikāḥ al-shighār*, seven times in *maṭlab fī abkām al-mut'ah*, six times in *maṭlab fī ḥaṭṭ al-mahr wa al-ibrā'* *minbu*, thrice in *maṭlab fī bayan mahr al-mithl*, once in *maṭlab fī man' al-zawjah nafsihi li qabḍ al-mahr*, thrice in *maṭlab mas'īl al-ikhtilāf fī al-mahr*, once in *maṭlab anfaqa 'alā al-mu'taddah al-ghayr*, thrice in *bāb nikāḥ al-raqīq*, twice in *bāb nikāḥ al-kāfir*, once in *maṭlab al-walad yatba'u kbayr al-abawayn dīnan*, and seven times in *bāb al-qasam bayna al-zawjāt*.

⁴⁷² Four times in *kitāb al-ṭalāq*, twice in *rukn al-ṭalāq*, once in *maṭlab fī ta'rīf al-sukrān wa ḥukmubu*, seven times in *maṭlab ṣarīḥ al-ṭalāq*, five times in *maṭlab al-inqilāb wa al-iqtisār wa al-istinād wa al-tabyīn*, eight times in *bāb al-kināyāt*, once in *bāb tafwīḍ al-ṭalāq*, seven times in *bāb al-amr bi al-yad*, twice in *bāb al-ta'liq*, once in *maṭlab fī ikhtilāf al-zawjayn fī wujūd al-sharṭ*, once in *maṭlab al-mas'īl al-istitbān' wa al-mashī'ah*, seven times in *bāb ṭalāq al-marīd*, thrice in *bāb al-ruj'ah*, and twice in *maṭlab fī ḥilāh isqāt 'iddah al-muḥallil*.

⁴⁷³ Four times in *bāb al-khula'*, and twice in *fā'īdah fī sharṭ qabūl al-khula' wa alfāzīhi*.

⁴⁷⁴ Four times in *bāb al-ḥibār*, and twice in *bāb kaffārah al-ḥibār*.

⁴⁷⁵ Thrice in *bāb al-iddah*, thrice in *maṭlab fī 'iddah al-mawt*, thrice in *maṭlab fī waṭ' al-mu'taddah bi shubḥah*, once in *far' adkhalat manīyyahu fī farjihā bal ta'taddu*, five times in *faṣl fī al-bidād*, once in *furū' ṭalaba min al-qāḍī an yaskuna al-mu'taddah bi jiwārihi*, four times in *faṣl fī thubūt al-nasab*, and twice in *far' nakaḥa amatan fa ṭallaqahā fa sharāḥā fa waladat li aqalli min niṣf ḥawl mundbu shirāḥā*.

⁴⁷⁶ Four times in *maṭlab lā tajību 'alā al-ab nafaqah zawjah ibnihi al-ṣaghīr*, once in *maṭlab fī maskan al-zawjah*, once in *maṭlab fī farḍ al-nafaqah li zawjah al-ghā'ib*, once in *maṭlab fī nafaqah al-mu'tallaqah*, once in *maṭlab al-ṣaghīr wa al-muktasib nafaqah fī kasbihi lā 'alā abīhi*, once in *maṭlab fī irdā' al-ṣaghīr*, and ten times in *maṭlab fī nafaqah al-uṣūl*.

⁴⁷⁷ Thrice in *far' yustahabbu an yatuba li al-ṭiq kitāban wa yushbidu 'alayhi shubūdan*, twice in *maṭlab fī kināyāt al-i'tāq*, twice in *maṭlab fīmilk dhī al-raḥim al-maḥram*, twice in *bāb 'itq al-ba'd*, thrice in *bāb al-ṭiq 'alā ju'il*, four times in *bāb al-tadbīr*, twice in *bāb al-istilād*, and twice in *far' bā'a umma waladibi wa al-mushtari ya'lamu bihā wa waladat fā'dda'ābu*.

⁴⁷⁸ Fourteen times in *kitāb al-aymān*, five times in *bāb al-yamīn fī al-dukkhīn wa al-khurūj wa al-suknā wa al-ityān wa al-rukūb wa ghari dbālik*, twice in *furū' ḥalafa lā yusākinu fulānan fa sākanahu fī 'arshihi dār*, seven times in *bāb al-yamīn fī al-akl wa al-shurb wa al-lub wa al-kalām*, five times in *furū' ḥalafa lā ya'kulu lahman wa al-ākharu baṣalan wa al-ākharu filfilan fa ṭubikha ḥashwun fibi kullu dbālik fa akalū*, four times in *bāb al-yamīn fī al-bay' wa al-shirā' wa al-ṣawm wa al-ṣalāh wa ghayrihā*.

⁴⁷⁹ Twice in *bāb al-waṭ' alladhi yūjību al-ḥadd wa alladhi lā yūjību*, twice in *bāb ḥadd al-shurb al-maḥurram*, twice in *bāb ḥadd al-qadbf*, once in *bāb al-ta'zīr*, and once in *far' aqarra 'alā nafsihi bi al-diyāthab aw 'urifa bihā*.

⁴⁸⁰ Once in *kitāb al-jihād*, thrice in *faṣl fī kayfiyyah al-qismah*, once in *maṭlab fīmā taṣīru bibi dār al-islām dār ḥarb wa bi al-'aks*, twice in *maṭlab fī kharaḥ al-muqāsamah*, once in *faṣl fī al-jizyah*, six times in *bāb al-murtad*, four times in *maṭlab tawbah al-ya's maqbūlah dūna imān al-ya's*, once in *maṭlab al-ma'ṣiyah tabqā ba'd al-riddah*, and thrice in *bāb al-bughāh*.

al-laqīṭ, seven times in *kitāb al-ābāq*, twice in *kitāb al-sharikah*⁴⁸¹, once in *kitāb al-waqf*⁴⁸², forty-seven times in *kitāb al-buyū*⁴⁸³, seven times in *kitāb al-kafālah*⁴⁸⁴, twice in *kitāb al-ḥawālah*, eight times in *kitāb al-qaḍā*⁴⁸⁵, twice in *kitāb al-wakālah*⁴⁸⁶, five times in *kitāb al-da'wā*⁴⁸⁷, thrice in *kitāb al-iqrār*⁴⁸⁸, twice in *kitāb al-muḍārabah*⁴⁸⁹, twice in *kitāb al-īdā'*, once in *kitāb al-āriyah*, twice in *kitāb al-bibab*⁴⁹⁰, twenty times in *kitāb al-ijārah*⁴⁹¹, seventeen times in *kitāb al-makātib*⁴⁹², sixteen times in *kitāb al-walā*⁴⁹³, six times in *kitāb al-ḥajr*, thrice in *kitāb al-ma'dhūn*, once in *kitāb al-muzārah*, four times in *kitāb al-dhabā'ih*, forty-two times in *kitāb al-uḍḥiyah*⁴⁹⁴, thirteen times in *kitāb al-ṣayd*, once in *kitāb al-rahb*, four times in *kitāb al-jināyāt*⁴⁹⁵, eight times in *kitāb al-diyyāt*⁴⁹⁶, ten times in *kitāb al-waṣāyā*⁴⁹⁷, twice in *kitāb al-khunthā*, and once in *kitāb al-farā'id*.

AL-BAḤR AL-RĀ'IQ

Ibn 'Ābidīn refers to *al-Baḥr al-Rā'iq* in his commentary 8014 times.

When searching, I ensured that I eliminated searches with regards to entries regarding 'ocean' and 'sea' water.

Ibn 'Ābidīn doesn't mention *al-Baḥr al-Rā'iq* by its full name in his commentary.

However, he does mention it as *al-Baḥr*, with the 'al' particle 5536 times. Nineteen times in the *muqaddimah*, five hundred and one times in *kitāb al-ṭabārah*⁴⁹⁸,

⁴⁸¹ Twice in *kitāb al-sharikah*.

⁴⁸² Once in *maṭlab waqf 'alā awlādihim wa sammābum*.

⁴⁸³ Twice in *kitāb al-buyū*, once in *maṭlab fī bay' al-jāmikiyyah*, once in *maṭlab fī in'iqād al-bay' bi lafẓ wāḥid min jānibayn*, twice in *maṭlab mā yubṭil al-mā' sab'ah*, twice in *maṭlab muḥim fī abkām al-nuqūd idbā kasadat aw inqaṭa'at aw ghalat aw rakhuṣat*, once in *maṭlab fī bay' al-thamar wa al-zar' wa al-shajar maqṣūdan*, once in *maṭlab fīmā law ikhtalafā aw fī muḍiyyihī aw fī al-ajal aw fī al-ijāza aw fī ta'yīn al-mabī'*, once in *bāb kbiyār al-ru'yah*, twice in *maṭlab muḥim fīman qabaḍa min gharīmihī darāḥim fa wajadahā zuyūfan*, once in *maṭlab muḥim fī ikhtilāf al-bā'i' wa al-mushtarī fī 'adad al-maḡbūḍ aw qadrihī aw sīfatihī*, once in *maṭlab fī al-bay' bi shart al-barā'ah min kullī 'ayb*, twice in *bāb al-bay' al-fāsīd*, twice in *maṭlab fī bay' al-muḡbīb fī al-arḍ*, once in *maṭlab fī bay' al-shurb*, nine times in *faṣl fī al-fuḍūlī*, once in *maṭlab fī bay' al-marḥūn al-musta'jir*, twice in *bāb al-iqālāh*, once in *maṭlab fī bayān al-thaman wa al-mabī' wa al-dayn*, once in *bāb al-ribā*, once in *maṭlab fī istiqrād al-darāḥim 'adadan*, twice in *bāb al-salam*, five times in *maṭlab fī al-istiṣnā'*, five times in *maṭlab fī al-tadāwī bi al-muḥarram*, and once in *mā yubṭilu bi al-shart al-fāsīd wa lā yaṣīḥḥu ta'līqubū bibi*.

⁴⁸⁴ Twice in *maṭlab fī kafālah nafaqah al-zawjah*, once in *maṭlab yaṣīḥḥu kafālah al-kafīl*, thrice in *maṭlab kafālah al-māl*, and once in *bāb kafālah al-rajulayn*.

⁴⁸⁵ Once in *kitāb al-qaḍā'*, five times in *faṣl fī al-ḥabs*, and twice in *māṭlab fī qaḍā' al-qādī bi gḥayr madhbabihī*.

⁴⁸⁶ Once in *kitāb al-wakālah*, and once in *bāb al-wakālah bi al-khuṣūmah wa al-qabḍ*.

⁴⁸⁷ Twice in *sabab al-da'wā*, once in *bāb al-ṭaḥāluf*, twice in *bāb da'wā al-rajulayn*.

⁴⁸⁸ Once in *bāb al-istiṭhnā' wa mā fī ma'nāhu*, and twice in *bāb iqrār al-marīḍ*.

⁴⁸⁹ Once in *kitāb al-muḍārabah*, and once in *faṣl fī al-mutafarriqāt fī al-muḍārabah*.

⁴⁹⁰ Once in *kitāb al-bibab*, and once in *faṣl fī mas'ail mutafarriqah*.

⁴⁹¹ Once in *kitāb al-ijārah*, once in *shurūṭ al-ijārah*, once in *maṭlab fī bayān al-murād bi al-ziyādah 'alā ajr al-miṭhl*, once in *māṭlab fī al-arḍ al-muḥtakarah wa ma'nā al-istiḥkār*, thrice in *tanbih tafāsakhā 'aqd al-ijārah wa al-zar' baql*, twice in *bāb al-ijārah al-fāsīdah*, six times in *bāb ḍamān al-ajir*, once in *maṭlab fiṣq al-musta'jir laysa 'udbr fī al-faskh*, thrice in *maṭlab irādah al-safar aw al-nuqlah min al-miṣr 'udbr fī al-faskh fī al-ijārah*, once in *maṭlab ḍalla labu shay' fa qāla man dallanī 'alaybi fa labu kadhā*.

⁴⁹² Four times in *kitāb al-makātib*, four times in *bāb mā yajūz li al-makātib an yaf'alabu*, and nine times in *bāb mawt al-makātib wa 'ajzihi wa mawt al-mawlā*.

⁴⁹³ Nine times in *kitāb al-walā'*, and seven times in *faṣl fī walā' al-mawālāh*.

⁴⁹⁴ Thirty-two times in *kitāb al-uḍḥiyah*, nine times in *furū'*, and once in *furū' lawn uḍḥiyatihī 'alaybi al-ṣalāh wa al-salām sawdā'*.

⁴⁹⁵ Twice in *faṣl fīmā yūjib al-qawad wa mā lā jūjibuhū*, once in *bāb al-qawad fīmā dūna al-nafs*, and once in *furū' alqā ḥayyah aw 'aqaban fī al-tariq fā ladaghat rajulan*.

⁴⁹⁶ Once in *faṣl fī al-shujā'*, twice in *bāb jināyah al-mamlūk wa al-jināyah 'alaybi*, and five times in *kitāb al-qasāmah*.

⁴⁹⁷ Six times in *kitāb al-waṣāyā*, twice in *bāb al-waṣiyya bi al-khidmah wa al-suknā wa al-thamarah*, and once in *bāb al-waṣiyy*.

⁴⁹⁸ Thirteen times in *kitāb al-ṭabārah*, fourteen times in *arkān al-wuḍū'*, ninety-four times in *sunan al-wuḍū'*, thrice in *farḍ al-gḥuṣl*, forty-eight times in *sunan al-gḥuṣl*, twenty-eight times in *bāb al-miyāb*, eleven times in *al-mā' al-musta'mal*, thirteen times in *far' muḥḍith inghamasa fī bi'r li dalw wa lā najasun 'alaybi wa lam yanwi wa lam yatadallak*, thirteen times in *far' mā yakḥruji min dār al-ḥarb ka sinjāb in 'alima dabghabu bi ṭābir*, once in *furū' al-tadāwī bi al-muḥarram*, thirty-two times in *faṣl fī al-bi'r*, four times in *far' wajada fī ṭhawbibi maniyyan aw bawlan aw daman*, ten times in *far' al-bu'd al-māni' min wuṣūl najāsah al-bālū'ah ilā al-bi'r*, five times in *arkān al-tayammum wa shurūṭihī*, fifty-six times in *sunan al-tayammum*, seven times in *furū' ṣallā al-maḥbūs bi al-tayammum*, twice in *bāb al-maṣḥ 'alā al-kbuḥfayn*, twenty-eight times in *shurūṭ al-maṣḥ 'alā al-kbuḥfayn*, eight times in *maṭlab nawāqid al-maṣḥ*, forty-seven times in *bāb al-*

nine hundred and sixteen times in *kitāb al-ṣalāh*⁴⁹⁹, one hundred and seventy-seven times in *kitāb al-zakāh*⁵⁰⁰, eighty-six times in *kitāb al-ṣawm*⁵⁰¹, twenty-five times in *bāb al-i'tikāf*, three hundred and twelve times in *kitāb al-ḥajj*⁵⁰², four hundred and nine times in *kitāb al-nikāh*⁵⁰³, twenty-eight times in *bāb al-raqā'*, three hundred and fifty-four times in *kitāb al-ṭalāq*⁵⁰⁴, twenty nine times in *bāb al-īlā'*⁵⁰⁵, forty-nine times in *bāb al-kbula*⁵⁰⁶, fifty times in *bāb al-ḥibār*⁵⁰⁷, twenty-four times in *bāb al-li'ān*⁵⁰⁸,

ḥayḍ, thrice in *maṭlab fī aḥkām al-ma'dhūr*, forty-seven times in *bāb al-anjās*, and fourteen times in *faṣl al-istinjā'*.

⁴⁹⁹ Thirty-seven times in *kitāb al-ṣalāh*, eight times in *bāb al-adhān*, eighteen times in *fā'idah al-taslīm ba'd al-adhān*, six times in *bāb shurūṭ al-ṣalāh*, fifty-three times in *maṭlab fī satr al-awrah*, eight times in *furū' fī al-niyyah*, nineteen times in *maṭlab qad yuṭlaqu al-fard 'alā mā yuqābilu al-rukn wa 'alā mā laysa bi rukn wa lā shart*, forty-two times in *wājibāt al-ṣalāh*, once in *ādāb al-ṣalāh*, once in *faṣlun fī bayan ta'lif al-ṣalāh ilā intihā'ihā*, six times in *furū' kabbara bi ghayri 'ālimin bi takbir imāmihī*, fifty-four times in *furū' qara'a bi al-fārisiyyah aw al-tawrah aw al-injil*, twenty-one times in *faṣlun fī al-qirā'ah*, seventy-two times in *bāb al-imāmah*, ten times in *furū' iqtidā' mutanaffil bi mutanaffil wa man yarā al-witr wājiban bi man yarāhu sunnatan*, twenty-seven times in *bāb al-istikhlāf*, sixteen times in *bāb mā yufsidu al-ṣalāh wa mā yukribuhu fihā*, fifteen times in *furū' sami'a al-muṣallī ism Allāh fa qāla jalla jalālub aw al-nabī ṣallā Allāhu 'alayhi wa sallam fa ṣallā 'alayhi*, thirty two times in *furū' mashā al-muṣallī mustaqbil al-qiblah bal taṣṣudū ṣalātuhu*, sixteen times in *far' lā ba'sa bi taklīm al-muṣallī wa ijābatihī bi ra'sihī*, twice in *far' lā ba'sa bi ittikhādih al-misbahab li ghayri riyyā'*, five times in *furū' isbtimāl al-ṣalāh 'alā al-ṣammā'* wa *al-i'tijār wa al-talaththum wa al-tanakkbhum wa kullu 'amal qalil bi lā 'udhr*, once in *furū' afdal al-masājid*, seventy eight times in *bāb al-witr wa al-nawāfil*, twenty-five times in *bāb idrāk al-farīdah*, thirty-five times in *bāb qaḍā' al-fawā'it*, forty-one times in *bāb sujūd al-sabw*, twenty times in *bāb ṣalāh al-marīd*, nineteen times in *bāb sujūd al-tilāwah*, twenty-five times in *bāb ṣalāh al-musāfir*, six times in *maṭlab fī al-waṭn al-aṣli wa waṭn al-iqāmah*, once in *furū' fī qasr al-ṣalāh*, fifty times in *bāb bāb al-jumu'ah*, forty-four times in *bāb al-īdayn*, five times in *bāb al-kusūf*, thrice in *bāb al-istisqā'*, twice in *bāb ṣalāh al-khawf*, sixty-eight times in *bāb ṣalāh al-janāzah*, thrice in *maṭlab fī dafn al-mayyit*, twice in *maṭlab fī al-thawāb 'alā al-muṣibah*, thrice in *maṭlab fī ziyārah al-qubūr*, once in *maṭlab fī wad' al-jarid wa naḥw al-ās 'alā al-qubūr*, fifteen times in *bāb al-shabīd*, and once in *bāb al-ṣalāh fī al-ka'bah*.

⁵⁰⁰ Thirty-seven times in *kitāb al-zakāh*, thrice in *bāb al-sā'imah*, four times in *bāb niṣāb al-ibil*, twice in *bāb zakāh al-baqar*, thirty times in *bāb zakāh al-ghanam*, nineteen times in *bāb zakāh al-māl*, fourteen times in *bāb al-'āshir fī al-zakāh*, six times in *bāb zakāh al-rikāz*, six times in *bāb al-'usbr*, once in *furū' fī zakāh al-'usbr*, thirty-eight times in *bāb maṣrif al-zakāh wa al-'usbr*, once in *furū' fī maṣrif al-zakāh*, and sixteen times in *bāb ṣadaqah al-fitr*.

⁵⁰¹ Twice in *kitāb al-ṣawm*, twenty-six times in *sabab ṣawm ramaḍān*, thirty-one times in *bāb mā yufsidu al-ṣawm wa mā lā yufsiduhu*, once in *furū' fī al-ṣiyām*, twenty-one times in *faṣl fī al-'awāriḍ al-mabīḥah li 'adm al-ṣawm*, and five times in *maṭlab fī ṣawm al-sitt min al-shawwāl*.

⁵⁰² Twenty times in *kitāb al-ḥajj*, once in *sunan wa ādāb al-ḥajj*, four times in *maṭlab fī aḥkām al-'umrah*, nine times in *maṭlab fī al-mawāqit*, forty-nine times in *faṣlun fī al-iḥrām wa ṣifab al-mufrid*, four times in *faṣlun fī ramy jamrah al-'aqabah*, twenty-two times in *maṭlab fī ṭawāf al-ziyārah*, eleven times in *bāb al-qirān*, ten times in *bāb al-tamattu'*, one hundred and thirty-one times in *bāb al-jināyāt fī al-ḥajj*, four times in *bāb al-iḥṣār*, four times in *bāb al-ḥajj 'an al-ghayr*, twenty-four times in *maṭlab fī al-farq bayna al-'ibādah wa al-qurbah wa al-ṭā'ah*, fourteen times in *bāb al-bady*, once in *furū' fī al-ḥajj*, and *maṭlab fī takfir al-ḥajj wa al-'umrah*.

⁵⁰³ Fifty-four times in *kitāb al-nikāh*, once in *furū' qāla zawwijni ibnatak 'alā anna amrahā biyadi*, four times in *faṣlun fī al-muḥarramāt*, forty-seven times in *furū' ṭallaqa imra'atuhu taṭliqatayn wa labā minhu laban fa 'taddat nakaḥat ṣaghīran fa arḍa'atbu fa ḥarumat 'alayh fa nakaḥat ākhar fa dakhala bibā*, sixty-two times in *bāb al-wālī*, six times in *furū' laysa li al-qādī tazwij al-ṣaghīrah min nafsihī wa lā min man lā tuqbalu shahādātuhu*, twenty-four times in *bāb al-kafā'ah*, nine times in *maṭlab fī al-wakīl wa al-fudūlī fī al-nikāh*, six times in *bāb al-mahr*, six times in *maṭlab al-nikāh al-sbigḥār*, eight times in *maṭlab fī aḥkām al-mu'ah*, thirty-eight times in *maṭlab fī ḥaṭṭ al-mahr wa al-ibrā' minhu*, eleven times in *maṭlab fī al-nikāh al-fāsīd*, six times in *maṭlab fī bayan mahr al-mithl*, four times in *maṭlab fī ḍimān al-wālī al-mahr*, five times in *maṭlab fī man' al-zawjah nafsihī li qabḍ al-mahr*, thrice in *maṭlab fī al-safar bi al-zawjah*, fifteen times in *maṭlab masā'il al-ikhtilāf fī al-mahr*, four times in *maṭlab fīmā yursiluhu ilā al-zawjah*, six times in *maṭlab anfaqa 'alā al-mu'taddah al-ghayr*, once in *far'un law zuffat ilayhī bi lā jihāz yalīqu bibi*, once in *furū' al-waṭ' fī dār al-islām*, once in *maṭlab fī mahr al-sirr wa mahr al-'alāniyyah*, thirty-one times in *bāb nikāh al-raqīq*, twenty times in *maṭlab fī ḥukm al-'azal*, twenty-eight times in *bāb nikāh al-kāfir*, eight times in *maṭlab al-walad yatba'u khayr al-abawayn dīnan*, and ten times in *bāb al-qasam bayna al-zawjāt*.

⁵⁰⁴ Eight times in *kitāb al-ṭalāq*, once in *maḥal al-ṭalāq*, fourteen times in *rukn al-ṭalāq*, thrice in *maṭlab fī al-masā'il allatī taṣīḥhu ma'a al-ikrāh*, thirteen times in *maṭlab fī ta'rīf al-sukrān wa ḥukmuhu*, thirty-seven times in *maṭlab ṣarīḥ al-ṭalāq*, eight times in *maṭlab fī idāfah al-ṭalāq ilā al-zamān*, thirty-eight times in *maṭlab al-inqilāb wa al-iqtisār wa al-istinād wa al-tabyīn*, twice in *bāb ṭalāq ghayr al-madkkhūl bibā*, eight times in *maṭlab al-ṭalāq yaqa'u bi 'adad qurīna bibi lā bibi*, twenty-nine times in *bāb al-kināyāt*, twenty-six times in *bāb tafwīḍ al-ṭalāq*, thirteen times in *bāb al-amr bi al-yad*, eighteen times in *faṣlun fī al-mashī'ah*, twenty times in *bāb al-ta'līq*, five times in *maṭlab fī alfāz al-shart*, five times in *maṭlab zawāl al-milk lā yuḥtilu al-yamīn*, twenty-one times in *maṭlab fī ikhtilāf al-zawjayn fī wujūd al-shart*, five times in *maṭlab fīmā law takarrara al-shart bi 'atf aw bi duwnihī*, five times in *maṭlab al-masā'il al-istithnā' wa al-mashī'ah*, twenty-six times in *maṭlab fīmā law idda'ā al-istithnā' wa ankarathu al-zawjah*, seventeen times in *bāb ṭalāq al-marīd*, twenty-six times in *bāb al-ruj'ah*, once in *maṭlab fī al-'aqd 'alā al-mubānah*, and five times in *maṭlab fī ḥilāh isqāt 'iddah al-muḥallil*.

⁵⁰⁵ Fourteen times in *bāb al-īlā'*, and fifteen times in *maṭlab fī qawlibi anti 'alayya ḥarām*.

⁵⁰⁶ Six times in *bāb al-kbula*, twenty-one times in *fā'idah fī shart qabūl al-kbula' wa alfāzihī*, thrice in *maṭlab fī kbul' 'alā nafaqah al-walad*, nine times in *maṭlab fī kbul' al-ṣaghīrah*, once in *maṭlab fī kbul' al-marīdāh*, and nine times in *furū' qāla kbāla'tuki 'alā alfin qalabu thulāthan fa qubilat*.

⁵⁰⁷ Nineteen times in *bāb al-ḥibār*, and thirty-one times in *bāb kaffīrah al-ḥibār*.

⁵⁰⁸ Sixteen times in *bāb al-li'ān*, and eight times in *maṭlab al-ḥaml yaḥtamilu kawnaḥu nafkhan*.

twenty-one times in *bāb al-‘innīn*, ninety-five times in *bāb al-‘iddah*⁵⁰⁹, thirty-nine times in *bāb al-ḥaḍānab*, one hundred and thirty-three times in *bāb al-naḥaḥ*⁵¹⁰, one hundred and thirty-one times in *kitāb al-‘itq*⁵¹¹, two hundred and thirty times in *kitāb al-aymān*⁵¹², one hundred and thirteen times in *kitāb al-ḥudūd*⁵¹³, forty-three times in *kitāb al-sariqah*⁵¹⁴, one hundred and forty-four times in *kitāb al-jihād*⁵¹⁵, eighteen in *kitāb al-laḥiq*⁵¹⁶, twenty-two times in *kitāb al-luḥṭab*⁵¹⁷, eight times in *kitāb al-ābāq*, seven times *kitāb al-mafqūd*⁵¹⁸, forty-five times in *kitāb al-sharikah*⁵¹⁹, two hundred times in *kitāb al-waqf*⁵²⁰,

⁵⁰⁹ Eleven times in *bāb al-‘iddah*, thirteen times in *maṭlab fī ‘iddah al-mawt*, eight times in *maṭlab ‘iddah al-mankūḥah fāsīdan wa al-mawṭū‘ah bi shubbah*, twenty times in *maṭlab fī waṭ‘ al-mu‘taddah bi shubbah*, thrice in *far‘ adkhalat manīyyahu fī farjibā bal ta‘taddu*, seventeen times in *faṣl fī al-bīdād*, sixteen times in *faṣl fī ṭhubūt al-nasab*, and seven times in *far‘ nakāḥa amatan fa ṭallaqahā fa sharāḥā fa waladat li aqalli min niṣf ḥawl mundbu shirāḥā*.

⁵¹⁰ Four times in *bāb al-naḥaḥ*, fifteen times in *maṭlab lā tajību ‘alā al-ab naḥaḥ zawjab ibnīhi al-ṣaghīr*, nine times in *maṭlab fī akbdh al-mar‘ah kafīlan bi al-naḥaḥ*, seven times in *maṭlab fīmā law zuffat ilayhi bi lā jibāz*, five times in *maṭlab fī naḥaḥ kbādim al-mar‘ah*, twice in *maṭlab fī faskh al-nikāḥ bi al-‘ajz ‘an al-naḥaḥ wa bi al-ghaybah*, twice in *maṭlab fī al-amr bi al-istidānab ‘alā al-zawj*, twice in *maṭlab fī al-ṣulḥ ‘an al-naḥaḥ*, five times in *maṭlab lā taṣīru al-naḥaḥ dayan illā bi al-qadā‘ aw al-riḍā‘*, eight times in *maṭlab fī bay‘ al-‘abd li naḥaḥ zawjatīhi*, four times in *maṭlab fī maskan al-zawjab*, six times in *maṭlab fī al-kalām ‘alā al-mu‘nisab*, ten times in *maṭlab fī fard al-naḥaḥ li zawjab al-ghā‘ib*, eight times in *maṭlab fī naḥaḥ al-muṭallaqah*, eight times in *maṭlab al-ṣaghīr wa al-muktasib naḥaḥ fī kasbīhi lā ‘alā abīhi*, twice in *maṭlab fī naḥaḥ zawjab al-ab*, seven times in *maṭlab fī irḍā‘ al-ṣaghīr*, twenty-two times in *maṭlab fī naḥaḥ al-uṣūl*, and seven times in *maṭlab fī naḥaḥ al-mamlūk*.

⁵¹¹ Four times in *kitāb al-‘itq*, nine times in *far‘ yustahabbu an yatuba li al-‘itq kitāban wa yushbidu ‘alayhi shubūdan*, seven times in *maṭlab fī kināyāt al-‘itq*, fourteen times in *maṭlab fīmilk dhi al-raḥīm al-mahram*, thirteen times in *bāb ‘itq al-ba‘d*, thirteen times in *far‘ qāla aḥad al-sharikayn li al-ākhar bi‘tu minka naṣībī*, five times in *bāb al-ḥalīf bi al-‘itq*, sixteen times in *bāb al-‘itq ‘alā ju‘il*, once in *far‘ qāla a‘tiq ‘annī ‘abdan wa anta ḥurrun fa a‘tiq ‘abdan lā ya‘tiq*, twenty-four times in *bāb al-tadbīr*, seven times in *bāb al-istilād*, and eighteen times in *far‘ bā‘a umma waladīhi wa al-mushtarī ya‘lamu bihā fa waladat fa‘dda‘ahu*.

⁵¹² Sixty-eight times in *kitāb al-aymān*, fourteen times in *bāb al-yamīn fī al-dukūl wa al-khurūj wa al-suknā wa al-ityān wa al-rukūb wa ghari dhālik*, twenty-one times in *furū‘ ḥalāfa lā yusākinu fulānan fa sākanahu fī ‘arṣīhi dār*, twenty times in *bāb al-yamīn fī al-akl wa al-shurb wa al-lub wa al-kalām*, thirty-six times in *furū‘ ḥalāfa lā ya‘kulu laḥman wa al-ākharu baṣalan wa al-ākharu fiṣṣilan fa ṭubikha ḥashwun fīhi kullu dhālik fa akalū*, eleven times in *bāb al-yamīn fī al-ṭalāq wa al-‘itq*, thirty-eight times in *bāb al-yamīn fī al-bay‘ wa al-shirā‘ wa al-ṣawm wa al-ṣalāh wa ghayribā*, twenty-one times in *bāb al-yamīn fī al-darb wa al-qatl wa ghari dhālik*, and once in *furū‘ qāla li ghayribi wa Allāh latafalanna kadhā*.

⁵¹³ Eighteen times in *kitāb al-ḥudūd*, eleven times in *bāb al-waṭ‘ alladhī yūjību al-ḥadd wa alladhī lā yūjību*, four times in *far‘ al-istimnā‘*, six times in *bāb al-shahādah ‘alā al-zinā wa al-rujū‘ ‘anhā*, ten times in *bāb ḥadd al-shurb al-maḥurram*, twenty-six times in *bāb ḥadd al-qadhaf*, six times in *bāb al-ta‘zīr*, nine times in *far‘ man ‘alayhi al-ta‘zīr law qāla li rajulin aqīm ‘alayya al-ta‘zīr fa fa‘alahu thumma rufī‘a li al-ḥākīm*, twenty-two times in *far‘ aqarra ‘alā naṣībī bi al-diyāthab aw ‘urifa bihā*, and once in *furū‘ irtaddat li tuṣāriḥa zawjabā*.

⁵¹⁴ Twenty-six times in *kitāb al-sariqah*, ten times in *bāb kayfiyah al-qat‘ wa itbbātīhi*, and seven times in *bāb qa‘ al-ṭarīq*.

⁵¹⁵ Twenty-one times in *kitāb al-jihād*, nine times in *bāb al-magḥnam wa qismatuhu*, nine times in *faṣl fī kayfiyyah al-qismah*, four times in *bāb istilād al-kuffār ‘alā ba‘ḍihim ba‘dan aw ‘alā amwālīnā*, three times in *bāb al-musta‘min*, eleven times in *faṣl fī isti‘mān al-kāfir*, nine times in *maṭlab fīmā taṣīru bihi dār al-islām dār ḥarb wa bi al-‘aks*, eight times in *maṭlab fī kharāj al-muqāsamah*, four times in *faṣl fī al-jizyah*, five times in *maṭlab fī aḥkām al-kanā‘is wa al-bay‘*, once in *maṭlab fī tamyiz ahl al-dhimmah fī al-malbas*, once in *maṭlab fī al-suknā ahl al-dhimmah bayna al-muslimīn fī al-miṣr*, five times in *maṭlab fī yuntaqadu bihi ‘abd al-dhimmi wa mā lā yuntaqadu*, five times in *maṭlab fī maṣārif bayt al-māl*, thirteen times in *bāb al-murtad*, seventeen times in *maṭlab tawbah al-ya‘ṣ maqbūlah dūna imān al-ya‘ṣ*, ten times in *maṭlab al-ma‘ṣiyah tabqā ba‘d al-riddah*, and ten times in *bāb al-bughāb*.

⁵¹⁶ Seventeen times in *kitāb al-laḥiq*, and once in *furū‘ fī taṣarruf al-laḥiq*.

⁵¹⁷ Eighteen times in *kitāb al-luḥṭab*, thrice in *maṭlab fī man māta fī safarīhi fa bā‘a rafīqubu matā‘ahu*, and once in *maṭlab man wajada darāhim fī al-jidār aw istayqaḥa wa fī yadīhi ṣurrah*.

⁵¹⁸ Seven times in *far‘ abaqa ba‘d al-bay‘ qabl al-qabḍ*.

⁵¹⁹ Eleven times in *kitāb al-sharikah*, once in *maṭlab fī sharikah al-‘inān*, twelve times in *maṭlab fīmā yubṭilu al-sharikah*, nine times in *furū‘ fī al-sharikah*, twice in *maṭlab sharikah al-wujūh*, seven times in *maṭlab fī al-sharikah al-fāsīdah*, and thrice in *furū‘ al-qawl li munkar al-sharikah*.

⁵²⁰ Five times in *kitāb al-waqf*, ten times in *maṭlab qad yathbutu al-waqf bi al-darūrah*, fourteen times in *maṭlab fī waqf al-murtad wa al-kāfir*, five times in *maṭlab sakana dāran thumma ḥabara annahā waqf*, once in *far‘ arāda ahl al-maḥallah naqd al-masjid wa binā‘ahu aḥkama min al-awwal*, five times in *far‘ binā‘ baytan li al-imām sawqa al-masjid*, twice in *maṭlab fī waqf al-manqūl tab‘an li al-‘aqār*, once in *maṭlab al-tahdīd fī waqf al-‘aqār*, four times in *maṭlab fī waqf al-mashā‘ al-maqḍī bibi*, five times in *maṭlab fī waqf al-manqūl qaṣdan*, eleven times in *maṭlab yabda‘u min ghallab al-waqf bi ‘imāratīhi*, nine times in *maṭlab fī qaṭ‘ al-jibāt li ahl al-‘imārah*, fourteen times in *maṭlab fī al-waqf idhā kharība wa lam yunkin ‘imāratūhi*, twice in *maṭlab fī ‘azl al-nāzīr*, once in *maṭlab lā yaṣībhu ‘azl ṣāḥib waṣṭah bi lā junḥa aw adami aḥliyah*, thrice in *maṭlab fī al-nuzūl ‘an al-waḥā‘if*, five times in *maṭlab li al-mafrūḥ lahu al-rujū‘ bi māl al-farāgh*, sixteen times in *maṭlab fī istibdāl al-waqf wa shurūtīhi*, thirteen times in *faṣl ijārah al-wāqif*, eleven times in *maṭlab isbtarī bi māl al-waqf dāran li al-waqf yajūzu bay‘uhā*, once in *maṭlab ṭalīb al-tawliyah lā yuwallā*, nine times in *maṭlab al-tawliyah kbārīyah ‘an ḥukm sā‘ir al-sharā‘it*, twice in *maṭlab ista‘jara dāran fībā ashjār*, four times in *maṭlab fī qawlibim sharṭ al-wāqif ka naṣṣ al-shārī*, thrice in *maṭlab laysa li al-qāḍī an yuqarrira waṣṭah fī al-waqf illā al-nazar*, twice in *maṭlab fī ziyādah al-qāḍī fī ma‘lūm al-imām*, once in *maṭlab ta‘liq al-*

five-hundred and sixty-nine times in *kitāb al-buyū*⁵²¹, eighty-three times in *kitāb al-kafālah*⁵²², eighteen times in *kitāb al-ḥawālah*⁵²³, two hundred and eleven times in *kitāb al-qaḍā*⁵²⁴, ninety-nine times in *kitāb al-shahādāt*⁵²⁵, fifty-nine times in *kitāb al-wakālah*⁵²⁶, seventy-five times in *kitāb al-da'wā*⁵²⁷, seven times in *kitāb al-igrār*⁵²⁸, twelve times in *kitāb al-ṣulāḥ*⁵²⁹, fifteen times in *kitāb al-mudārabah*⁵³⁰, fourteen times in *kitāb al-īdā'*, twelve times in *kitāb al-āriyah*, seventeen times in *kitāb*

taqrīr fī al-wazā'if, twice in *maṭlab fī al-istidānah 'alā al-waqf*, twice in *maṭlab fī al-muṣādafah 'alā al-naẓar*, thrice in *maṭlab matā dbakara al-wāqif shartayn muta'aridayn*, five times in *maṭlab fī aḥkām al-waqf 'alā fuqarā' qarābatibi*, thrice in *maṭlab fī iqālah al-mutawalli 'aqd al-ijārah*, twenty times in *maṭlab waqf 'alā awlādihim wa sammāhum*, five times in *maṭlab al-qāḍi idbā qadā fī mujtabid fībi nafadha qadā'uhu illā fī al-masā'il*, and once in *maṭlab fī qadā' al-qāḍi bi khilāf madhhabibi*.

⁵²¹ Twenty-five times in *kitāb al-buyū*, twice in *furū' fī al-bay'*, twice in *maṭlab fī bay' al-jāmiḳiyyah*, seven times in *maṭlab fī in'iqād al-bay' bi lafẓ wāḥid min jānibayn*, eight times in *maṭlab mā yubṭil al-mā' sab'ah*, thrice in *maṭlab fī al-farq bayna al-atḥmān wa al-mabī'āt*, once in *furū' bā'a bi ḥāl thumma ajjalabu ajalān ma'lūman aw majḥūlan*, thirty-one times in *maṭlab muḥim fī aḥkām al-nuqūd idbā kasadat aw inqāṭa'at aw ghalat aw rakḥṣat*, six times in *faṣl fīmā yadkḥulu fī al-bay' tab'an wa mā lā yadkḥulu*, six times in *maṭlab kullu mā dakhala tab'an lā yuqābilubu shay' min al-thaman*, eleven times in *maṭlab fī bay' al-thamar wa al-zar' wa al-shajar maqsūdan*, twice in *far' ḡabara ba'd naqd al-sarrāf an al-darāḥim zuyūf*, six times in *maṭlab fīmā yakūnu qabḍan li al-mabī'*, once in *furū' bā'a nisf al-zar' bi lā ard*, thirty-eight times in *bāb kḥiyār al-shart*, twelve times in *maṭlab fī kḥiyār al-ta'yīn*, once in *maṭlab fīmā law ikhtalafā aw fī muḍiyyibi aw fī al-ajal aw fī al-ijāza aw fī ta'yīn al-mabī'*, twenty-two times in *bāb kḥiyār al-ru'yah*, eighteen times in *bāb kḥiyār al-'ayb*, twenty-seven times in *tanbih fī ṣifāh al-kḥuṣūmah fī kḥiyār al-'ayb*, ten times in *maṭlab muḥim fīman qabāda min gharīmibi darāḥim fa wajadabā zuyūfan*, twelve times in *maṭlab muḥimm fī ikhtilāf al-bā'i wa al-mushtarī fī 'adad al-maqbūd aw qadrihi aw ṣifatihi*, four times in *maṭlab fī al-bay' bi shart al-barā'ah min kullī 'ayb*, thrice in *maṭlab fī jumlab mā yaquṭu bibi al-kḥiyār*, four times in *bāb al-bay' al-fāsid*, eleven times in *maṭlab fī bay' al-mughīb fī al-ard*, seventeen times in *maṭlab fī ḥukm ijāz al-birak lil al-iṣṭiyād*, twelve times in *maṭlab fī bay' dūḍab al-qirmiz*, once in *maṭlab al-darāḥim wa al-danānir jins wāḥid fī masā'il*, once in *maṭlab fī bay' al-shurb*, fifteen times in *maṭlab fī al-bay' bi shart fāsid*, thirteen times in *maṭlab radd al-mushtarī fāsīdan ilā bā'ihi fa lam yaqbalhu*, once in *maṭlab fī aḥkām ziyādah al-mabī' fāsīdan*, four times in *maṭlab aḥkām nuqsān al-mabī' fāsīdan*, eight times in *faṣl fī al-fuḍūlī*, seventeen times in *maṭlab fī bay' al-marḥūn al-mustajir*, seventeen times in *bāb al-iqālah*, twenty-two times in *bāb al-murābahah wa al-tawliyah*, once in *far' bal yantaqilu al-radd bi al-taghrīr ilā al-wāriṭh*, nine times in *faṣl fī al-taṣarruf fī al-mabī' wa al-thaman qabla al-qabḍ wa al-ziyādah wa al-ḥaṭ' fīhimā wa al-ta'jīl al-duyūn*, once in *maṭlab fī bayān al-thaman wa al-mabī' wa al-dayn*, thrice in *maṭlab fī bayān barā'ah al-istifā' wa barā'ah al-iṣqāt*, four times in *maṭlab idbā qadā' al-madyūn al-dīn qablā ḥulūl al-ajal aw māta*, five times in *faṣl fī al-qarḍ*, once in *maṭlab kulla qarḍ jarra naf'an ḥarām*, twice in *bāb al-ribā*, nine times in *maṭlab fī al-ibrā' an al-ribā*, twelve times in *maṭlab fī istiqrād al-darāḥim 'adadan*, thrice in *bāb al-ḥuqūq fī al-bay'*, once in *bāb al-istihqāq*, seven times in *maṭlab fī masā'il al-tanāquḍ*, twenty-four times in *bāb al-salam*, four times in *maṭlab fī al-istiṣnā'*, seven times in *maṭlab fī al-tadāwī bi al-muḥarrām*, twice in *maṭlab li al-qāḍi idā' māl ghā'ib wa iqrādubu wa bay' manqūlah*, twice in *maṭlab fīmā yanṣarifū ilayh ism al-darāḥim*, once in *maṭlab fī al-nababrahah wa al-zuyūf wa al-satūqab*, once in *maṭlab dabagha fī dāriḥi wa ta'adḥā al-jirān*, once in *maṭlab sharā' shajarah wa fī qal'ibā qarar*, four times in *mā yubṭilu bi al-shart al-fāsid wa lā yaṣiḥḥu ta'liqubu bibi*, twenty-seven times in *maṭlab qāla li madyūnah idhā mitta fa anta barī'un*, nine times in *bāb al-ṣarf*, ten times in *far' al-shart al-fāsid yaltahiqu bi aṣl al-'aqd*, once in *maṭlab fī ḥukm bay' fidḍah qalīlah ma'a shay' ākhar li iṣqāt al-ribā*, and sixteen times in *maṭlab masā'il fī al-muqāṣah*.

⁵²² Thrice in *kitāb al-kafālah*, six times in *maṭlab fī kafālah nafaqah al-zawjah*, five times in *maṭlab yaṣiḥḥu kafālah al-kafīl*, nine times in *maṭlab fī al-kafālah al-mu'aqqatab*, four times in *maṭlab fī al-mawāḍi' allatī yanṣibu fīhā al-qāḍi wakīlan bi al-qabḍi 'an al-ghā'ib al-mutawāwira*, ten times in *maṭlab kafālah al-māl*, fifteen times in *maṭlab fī ta'liq al-kafālah bi shart gḥayr malā'im*, fifteen times in *fā'idah matā adā bi kafālah fāsīdah raja'a ka ṣaḥībibi*, five times in *maṭlab fī buṭlān ta'liq al-barā'ah min al-kafālah bi al-shart*, seven times in *maṭlab bay' al-'iyanah*, once in *fā'idah maṣādirah al-sulṭān li arbāb al-amwāl*, and thrice in *bāb kafālah al-rajulayn*.

⁵²³ Sixteen times in *kitāb al-ḥawālah*, and twice in *far' law anna al-mustafraq wahaba minhu al-zā'id*.

⁵²⁴ Thirteen times in *kitāb al-qaḍā*, thrice in *maṭlab yuṣṭi bi qawl al-imām 'alā al-ītlāq*, eight times in *maṭlab fī al-kalām 'alā al-rushwah wa al-hadiyyah*, fourteen times in *maṭlab fī al-ijtibāh wa shurūṭibi*, seven times in *maṭlab fī al-hadiyyah al-qāḍi*, thirty-two times in *faṣl fī al-ḥabs*, nineteen times in *māṭlab fī istikhlāf al-qāḍi nā'iban 'anhu*, five times in *māṭlab yawm al-mawt lā yadkḥulu taḥṭa al-qaḍā*, twice in *māṭlab fī al-qaḍā' bi shahadah al-zūr*, eighteen times in *māṭlab fī qadā' al-qāḍi bi gḥayr madhhabibi*, ten times in *māṭlab li al-qāḍi iqrād māl al-yatīm wa nahwibi*, once in *furū' al-qaḍā' mazḥar lā mutḥbit wa yatakḥaṣṣu bi zaman wa makān wa kḥuṣūmah*, thrice in *māṭlab ṭā'ah al-imām wājibab*, twice in *māṭlab fī al-qāḍi ḥukm*, twice in *māṭlab amr al-qāḍi ḥukm*, thrice in *māṭlab fī ḥabs al-sabiyy*, twice in *bāb al-taḥkīm*, twelve times in *māṭlab ḥukm baynahumā qabla taḥkīmiki thumma ajāzābu*, seven times in *bāb kitāb al-qāḍi ilā al-qāḍi*, twenty-eight times in *masā'il mutafarriqah*, and twenty times in *far' waqa'a al-ikhtilāf fī kufr al-mayyit wa islāmīhi*.

⁵²⁵ Fifteen times in *kitāb al-shahādāt*, nine times in *far' lā yanbaghi li al-fuqahā' kutub al-shahādah*, thirty-four times in *bāb man yajibu qabūl shahādatihi 'alā al-qāḍi*, thirteen times in *bāb al-ikhtilāf fī al-shahādah*, fifteen times in *bāb al-shahādah 'alā al-shahādah*, and thirteen times in *bāb al-rujū' an al-shahādah*.

⁵²⁶ Twenty-two times in *kitāb al-wakālah*, ten times in *bāb al-wakālah bi al-bay' wa al-shirā'*, sixteen times in *faṣl lā ya'qidu wakīl al-bay' wa al-shirā'*, eight times in *bāb al-wakālah bi al-kḥuṣūmah wa al-qabḍ*, thrice in *bāb 'azl al-wakīl*.

⁵²⁷ Thrice in *kitāb al-da'wā*, once in *shart jawāz al-da'wā*, once in *rukn al-da'wā*, once in *abl al-da'wā*, twenty-seven times in *sabab al-da'wā*, eleven times in *bāb al-taḥlūf*, nine times in *faṣl fī daf' al-da'wā*, and twenty-two times in *bāb da'wā al-rajulayn*.

⁵²⁸ Twice in *kitāb al-igrār*, thrice in *bāb al-istithnā' wa mā fī ma'nābu*, and twice in *bāb iqrār al-marīḍ*.

⁵²⁹ Ten times in *kitāb al-ṣulāḥ*, and twice in *faṣl fī al-takhārūj*.

⁵³⁰ Four times in *kitāb al-mudārabah*, five times in *bāb al-mudārīb yuḍaribu*, and six times in *faṣl fī al-mutafarriqāt fī al-mudārabah*.

*al-bibab*⁵³¹, forty-five times in *kitāb al-ijārah*⁵³², once in *kitāb al-walā'*, four times in *kitāb al-ikrāb*, twice in *kitāb al-ma'dbūn*⁵³³, eleven times in *kitāb al-gḥaṣab*⁵³⁴, once in *kitāb al-sbuḥḥab*⁵³⁵, thrice in *kitāb al-qismah*⁵³⁶, once in *kitāb al-dhabā'ih*, six times in *kitāb al-ḥaṣar wa al-ibāḥab*⁵³⁷, thrice in *kitāb ihyā' al-mawāt*⁵³⁸, six times in *kitāb al-asribab*, once in *kitāb al-ṣayd*, four times in *kitāb al-jināyāt*⁵³⁹, once in *kitāb al-diyyāt*⁵⁴⁰, nine times in *kitāb al-waṣāyā*⁵⁴¹, sixteen times in *kitāb al-khunthā*⁵⁴², thrice in *kitāb al-farā'id*⁵⁴³.

Ibn 'Abidīn mentions it as *Baḥr*, without the 'al' particle 2478 times. Once in the *muqaddimah*, one hundred and eighty-nine times in *kitāb al-ṭabārah*⁵⁴⁴, three hundred and thirty-seven times in *kitāb al-ṣalāh*⁵⁴⁵, eighty-seven times in *kitāb al-zakāh*⁵⁴⁶, fifty times in *kitāb al-ṣawm*⁵⁴⁷, nine times in *bāb al-i'tikāf*, one hundred and forty-six times in *kitāb al-ḥajj*⁵⁴⁸, two hundred and

⁵³¹ Thirteen times in *kitāb al-bibab*, once in *bāb al-rujū' fī al-bibab*, and thrice in *faṣl fī mas'āl mutafarriqah*.

⁵³² Six times in *kitāb al-ijārah*, thirteen times in *shurūṭ al-ijārah*, four times in *maṭlab fī bayān al-murād bi al-ziyādah 'alā ajr al-mithl*, thrice in *bāb mā yajūzu min al-ijārah wa mā yakūnu khilāfan fihā*, ten times in *tanbīh tafāsakhā 'aqd al-ijārah wa al-zar' baql*, once in *bāb al-ijārah al-fāsidad*, thrice in *maṭlab fī ijārah al-binā'*, thrice in *maṭlab fī al-isti'jār 'alā al-ma'āṣi*, once in *bāb damān al-ajr*, and once in *maṭlab irādah al-safar aw al-nuqlah min al-miṣr 'udbr fī al-faskh fī al-ijārah*.

⁵³³ Once in *kitāb al-ma'dbūn*, and once in *mabḥath fī taṣarruf al-ṣabiyy wa man labu al-wilāyah 'alayhi wa tartībihā*.

⁵³⁴ Once in *kitāb al-gḥaṣab*, twice in *maṭlab fī radd al-maghṣūb wa fīmā law abā al-mālik qabūlahu*, and eight times in *faṣl masā'il mutafarriqah tattaṣilu bi masā'il al-gḥaṣab*.

⁵³⁵ Once in *bāb ṭalab al-sbuḥḥab*.

⁵³⁶ Twice in *kitāb al-qismah*, and once in *maṭlab li kull min al-shurakā' al-suknā fī ba'd al-dār bi qadr ḥiṣṣatibi*.

⁵³⁷ Twice in *faṣl fī al-lub*, and four times in *faṣl fī al-naṣar wa al-mass*.

⁵³⁸ Once in *kitāb ihyā' al-mawāt*, and twice in *faṣl al-shurb*.

⁵³⁹ Four times in *faṣl fīmā yūjib al-qawad wa mā lā jūjibuhu*.

⁵⁴⁰ Once in *furū' wujida qatīl fī dār al-ṣabiyy aw ma'tuwb*.

⁵⁴¹ Twice in *kitāb al-waṣāyā*, once in *bāb al-waṣiyyah bi thuluth al-māl*, once in *bāb al-waṣiyya li al-aqārib wa ghayribim*, and five times in *bāb al-waṣiyy*.

⁵⁴² Sixteen times in *masā'il shattā*.

⁵⁴³ Twice in *kitāb al-farā'id*, and once in *faṣl fī al-'aṣabāt*.

⁵⁴⁴ Twice in *kitāb al-ṭabārah*, seven times in *arkān al-wuḍū'*, twenty-five times in *sunan al-wuḍū'*, thrice in *farḍ al-ghuṣl*, twelve times in *sunan al-ghuṣl*, eleven times in *bāb al-miyāb*, four times in *al-mā' al-musta'mal*, five times in *far' muḥdith inghamasa fī bi'r li dalu wa lā najasun 'alayhi wa lam yanwi wa lam yatadallak*, twice in *far' mā yakbrujī min dār al-ḥarb ka sinjāb in 'alima dabghabu bi tāhīr*, five times in *faṣl fī al-bi'r*, twice in *far' wajada fī thawbibi manīyyan aw bawlan aw daman*, fifteen times in *far' al-bu'd al-māni' min wuṣūl najāsah al-bālū'ah ilā al-bi'r*, twenty-nine times in *sunan al-tayammum*, five times in *furū' ṣallā al-maḥbūs bi al-tayammum*, seven times in *shurūṭ al-mash' alā al-khuffayn*, seven times in *maṭlab nawāqid al-mash*, fifteen times in *bāb al-ḥayḍ*, twice in *maṭlab fī abkām al-ma'dbūr*, twenty-two times in *bāb al-anjās*, and twice in *faṣl al-istinjā'*.

⁵⁴⁵ Eight times in *kitāb al-ṣalāh*, ten times in *bāb al-adhān*, six times in *fā'idah al-taslim ba'd al-adhān*, fourteen times in *maṭlab fī satr al-'aurah*, once in *furū' fī al-niyyah*, once in *bāb ṣifah al-ṣalāh*, twice in *maṭlab qad yuṭlaqu al-farḍ 'alā mā yuqābilu al-rukn wa 'alā mā laysa bi rukn wa lā shart*, thrice in *wājibāt al-ṣalāh*, sixteen times in *furū' qara'a bi al-fārisiyyah aw al-tawrah aw al-tijil*, twice in *faṣlun fī al-qirā'ah*, twenty times in *bāb al-imāmah*, once in *furū' iqtidā' mutanaffil bi mutanaffil wa man yarā al-witr wājiban bi man yarāhu sunnatān*, sixteen times in *bāb al-istikhlāf*, four times in *bāb mā yufsidu al-ṣalāh wa mā yukribuhu fihā*, five times in *furū' samī'a al-muṣallī ism Allāh fa qāla jalla jalālūh aw al-nabī ṣallā Allāhu 'alayhi wa sallam fa ṣallā 'alayhi*, ten times in *furū' mashā al-muṣallī mustaqbil al-qiblah hal tafsudu ṣalātūhu*, nine times in *far' lā ba'sa bi taklim al-muṣallī wa ijābatihī bi ra'sibi*, thrice in *far' lā ba'sa bi ittikhādh al-miṣbahah li ghayri ri'yā'*, four times in *furū' ishtimāl al-ṣalāh 'alā al-ṣammā' wa al-i'tijār wa al-talaththum wa al-tanakhkhum wa kullu 'amal qalīl li lā 'udbr*, ten times in *furū' afḍal al-masājīd*, thirty-seven times in *bāb al-witr wa al-nawāfil*, five times in *bāb idrāk al-farīdah*, seven times in *bāb qaḍā' al-fawā'it*, twenty-three times in *bāb sujūd al-sabw*, fourteen times in *bāb ṣalāh al-marīḍ*, fourteen times in *bāb sujūd al-tilāwah*, thrice in *bāb ṣalāh al-musāfir*, twenty-two times in *bāb bāb al-jumu'ah*, twelve times in *bāb al-'idāyn*, thrice in *bāb al-kusūf*, thirty-six times in *bāb ṣalāh al-janāzah*, twice in *maṭlab fī dafn al-mayyit*, once in *maṭlab fī al-thawāb 'alā al-muṣibah*, twice in *maṭlab fī ziyārah al-qubūr*, once in *tatimmah qat' al-nabāt al-ruṭb wa al-ḥashish min al-maqbarah dūwna al-yābis*, and four times in *bāb al-shahīd*.

⁵⁴⁶ Twenty-three times in *kitāb al-zakāh*, once in *bāb al-sā'imah*, thrice in *bāb niṣāb al-ibil*, twice in *bāb zakāh al-baqar*, six times in *bāb zakāh al-ghanam*, six times in *bāb zakāh al-māl*, ten times in *bāb al-'ashir fī al-zakāh*, nine times in *bāb zakāh al-rikāz*, nine times in *bāb al-'ushr*, twelve times in *bāb maṣrif al-zakāh wa al-'ushr*, once in *furū' fī maṣrif al-zakāh*, and five times in *bāb sadaqah al-fiṭr*.

⁵⁴⁷ Once in *kitāb al-ṣawm*, seventeen times in *sabab ṣawm ramaḍān*, nineteen times in *bāb mā yufsidu al-ṣawm wa mā lā yufsiduhu*, eleven times in *faṣl fī al-'awāriḍ al-mabīḥah li 'adm al-ṣawm*, and twice in *maṭlab fī ṣawm al-sitt min al-shawwāl*.

⁵⁴⁸ Eleven times in *kitāb al-ḥajj*, once in *sunan wa ādāb al-ḥajj*, twice in *maṭlab fī abkām al-'umrah*, twice in *maṭlab fī al-mawāqīt*, twenty-six times in *faṣlun fī al-ihrām wa ṣifah al-mufrīd*, four times in *faṣlun fī ramy jamrah al-'aqabah*, seven times in *maṭlab fī ṭawāf al-ziyārah*, eight times in *bāb al-qirān*, twice in *bāb al-tamattu'*, fifty-seven times in *bāb al-jināyāt fī al-ḥajj*, four times in *bāb al-iḥṣār*, once in *bāb al-ḥajj 'an al-ghayr*, ten times in *maṭlab fī al-farq bayna al-'ibādah wa al-qurbah wa al-ṭā'ah*, and twelve times in *bāb al-hady*.

fourteen times in *kitāb al-nikāh*⁵⁴⁹, twenty-one times in *bāb al-radā'*, one hundred and fifty-seven times in *kitāb al-ṭalāq*⁵⁵⁰, twelve times in *bāb al-ilā'*⁵⁵¹, thirty-two times in *bāb al-khula'*⁵⁵², forty-four times in *bāb al-zihār*⁵⁵³, thirteen times in *bāb al-li'ān*⁵⁵⁴, eleven times in *bāb al-innin*, fifty-seven times in *bāb al-'iddah*⁵⁵⁵, fourteen times in *bāb al-ḥadānah*, forty-two times in *bāb al-nafaqah*⁵⁵⁶, seventy times in *kitāb al-ṭiq*⁵⁵⁷, sixty-five times in *kitāb al-aymān*⁵⁵⁸, fifty-seven times in *kitāb al-ḥudūd*⁵⁵⁹, thirty-two times in *kitāb al-sariqah*⁵⁶⁰, one hundred and five times in *kitāb al-jihād*⁵⁶¹,

⁵⁴⁹ Sixteen times in *kitāb al-nikāh*, nine times in *faṣṣun fī al-muḥarramāt*, twenty times in *furū' ṭallaqa imra'atuhu taṭliqatayn wa labā minbu laban fa i'taddat nakahat ṣaghīran fa arda 'athu fa ḥarumat 'alayh fa nakahat akhar fa dakhala bibā*, thirty-five times in *bāb al-walī*, twice in *furū' laysa li al-qādī tazwīj al-ṣaghīrah min nafsibi wa lā min man lā tuqbalu shahādaturu*, nine times in *bāb al-kafā'ah*, twice in *maṭlab fī al-wakīl wa al-fudūlī fī al-nikāh*, four times in *bāb al-mabr*, thrice in *maṭlab nikāh al-shighbār*, six times in *maṭlab fī ahkām al-mut'ab*, fifteen times in *maṭlab fī ḥaṭṭ al-mabr wa al-ibrā' minbu*, seven times in *maṭlab fī al-nikāh al-fāsīd*, thrice in *maṭlab fī bayan mabr al-mithl*, twice in *maṭlab fī ḍimān al-walī al-mabr*, four times in *maṭlab fī man' al-zawjah nafsibi li qabd al-mabr*, thrice in *maṭlab mas'īl al-ikhtilāf fī al-mabr*, twice in *maṭlab fīmā yursilubu ilā al-zawjah*, once in *far'un law zuffat ilayhi bi lā jibāz yalīqu bihi*, twenty-eight times in *bāb nikāh al-raḥīq*, nineteen times in *maṭlab fī ḥukm al-'azal*, nine times in *bāb nikāh al-kāfir*, thrice in *maṭlab al-walad yatba'u khayr al-abawayn dīnan*, and twice in *bāb al-qasam bayna al-zawjāt*.

⁵⁵⁰ Four times in *kitāb al-ṭalāq*, nine times in *rukṇ al-ṭalāq*, twice in *maṭlab fī al-mas'īl allatī taṣīḥhu ma'a al-ikrāb*, four times in *maṭlab fī ta'rīf al-sukrān wa ḥukmuhu*, once in *maṭlab fī al-ṭalāq bi al-kitābah*, eleven times in *maṭlab ṣarīḥ al-ṭalāq*, four times in *maṭlab fī idāfah al-ṭalāq ilā al-zamān*, fifteen times in *maṭlab al-inqilāb wa al-iqtisār wa al-istinād wa al-tabyīn*, four times in *bāb ṭalāq ghayr al-madkhūl bibā*, twice in *maṭlab al-ṭalāq yaqa'u bi 'adad qurīna bihi lā bibi*, nine times in *bāb al-kināyāt*, fifteen times in *bāb tafwīd al-ṭalāq*, six times in *bāb al-amr bi al-yad*, thirteen times in *faṣṣun fī al-mashī'ah*, eight times in *bāb al-ta'liq*, six times in *maṭlab fī alfāz al-sharṭ*, once in *maṭlab zawāl al-milk lā yubṭilu al-yamīn*, five times in *maṭlab fī ikhtilāf al-zawjayn fī wujūd al-sharṭ*, five times in *maṭlab fīmā law takarrara al-sharṭ bi 'atf aw bi duunibi*, seven times in *maṭlab fīmā law idda'ā al-istihṭnā'* wa *an karathu al-zawjah*, eleven times in *bāb ṭalāq al-marīd*, eleven times in *bāb al-ruj'ab*, once in *maṭlab fī al-'aqd 'alā al-mubānah*, twice in *maṭlab fī būlah isqāṭ 'iddah al-muḥallil*, and once in *maṭlab al-iqdām 'alā al-nikāh al-iqrār bi muḍiyy al-'iddah*.

⁵⁵¹ Eleven times in *bāb al-ilā'*, and once in *maṭlab fī qawlihi anti 'alayya ḥarām*.

⁵⁵² Five times in *bāb al-khula'*, twenty-three times in *fā'idah fī sharṭ qabūl al-khula'* wa *alfāzihi*, once in *maṭlab fī khul' 'alā nafaqah al-walad*, once in *maṭlab fī khul' al-marīdāh*, and thirteen times in *furū' qāla khāla'tuki 'alā alfin qālahu thulāthan fa qubilat*.

⁵⁵³ Eleven times in *bāb al-zihār*, and thirty-two times in *bāb kaffārāh al-zihār*.

⁵⁵⁴ Eleven times in *bāb al-li'ān*, and twice in *maṭlab al-ḥaml yaḥtamilu kawnaḥu nafkhan*.

⁵⁵⁵ Thirteen times in *bāb al-'iddah*, six times in *maṭlab fī 'iddah al-mawt*, once in *maṭlab 'iddah al-mankūbah fāsīdan wa al-mawṭū'ah bi shubbah*, thrice in *maṭlab fī waṭ' al-mu'taddah bi shubbah*, once in *maṭlab fī man' ilayhā zawjubā*, thirteen times in *faṣṣun fī al-ḥidāh*, sixteen times in *faṣṣun fī thubūt al-nasab*, and four times in *far' nakahā amatan fa ṭallaqahā fa sharāhā fa waladat li aqalli min nisf ḥawl mundhu shirāhā*.

⁵⁵⁶ Once in *bāb al-nafaqah*, nine times in *maṭlab lā tajību 'alā al-ab nafaqah zawjah ibnibi al-ṣaghīr*, once in *maṭlab fī al-amr bi al-istidānah 'alā al-zawj*, once in *maṭlab lā taṣīru al-nafaqah daynan illā bi al-qadā' aw al-riḍā'*, five times in *maṭlab fī bay' al-'abd li nafaqah zawjatibi*, twice in *maṭlab fī al-kalām 'alā al-mu'nisab*, seven times in *maṭlab fī farḍ al-nafaqah li zawjah al-ghā'ib*, twice in *maṭlab fī nafaqah al-muṭallaqah*, four times in *maṭlab al-ṣaghīr wa al-muktasib nafaqah fī kasibi lā 'alā abibi*, once in *maṭlab fī irḍā' al-ṣaghīr*, and nine times in *maṭlab fī nafaqah al-uṣūl*.

⁵⁵⁷ Nine times in *far' yustahabbu an yatuba li al-ṭiq kitāban wa yushhidu 'alayhi shubūdan*, twice in *maṭlab fī kināyāt al-i'tāq*, eight times in *maṭlab fīmilk dhi al-raḥim al-mabram*, eight times in *bāb 'ṭiq al-ba'd*, sixteen times in *far' qāla aḥad al-sharīkayn li al-ākhar bi'tu minka naṣībī*, ten times in *bāb al-ṭiq 'alā ju'il*, ten times in *bāb al-tadbīr*, twice in *bāb al-istilād*, four times in *far' bā'a umma waladibi wa al-mushtari ya lamu bibā fa waladat fa'dda'ābu*, and once in *furū' arāda waṭ'a amatibi*.

⁵⁵⁸ Nine times in *kitāb al-aymān*, eleven times in *bāb al-yamīn fī al-dukhūl wa al-khurūj wa al-suknā wa al-ityān wa al-rukūb wa ghari dhālik*, six times in *furū' ḥalafa lā yusākinu fulānan fa sākanahu fī 'arṣibi dār*, six times in *bāb al-yamīn fī al-akl wa al-shurb wa al-lubs wa al-kalām*, eight times in *furū' ḥalafa lā ya'kulu lahman wa al-ākharu baṣalan wa al-ākharu filfilan fa ṭubikha ḥashwun fībi kullu dhālik fa akalū*, twice in *bāb al-yamīn fī al-ṭalāq wa al-ṭāq*, fifteen times in *bāb al-yamīn fī al-bay' wa al-shirā' wa al-ṣawm wa al-salāh wa ghayrihā*, seven times in *bāb al-yamīn fī al-ḍarb wa al-qatl wa ghari dhālik*, and once in *furū' qāla li ghayrihi wa Allāh lataf'alanna kadhā*.

⁵⁵⁹ Twelve times in *kitāb al-ḥudūd*, thrice in *bāb al-waṭ' alladhī yūjibu al-ḥadd wa alladhī lā yūjibuhu*, once in *far' al-istimnā'*, nine times in *bāb al-shahādah 'alā al-zinā wa al-rujū' 'anhā*, four times in *bāb ḥadd al-shurb al-maburram*, eighteen times in *bāb ḥadd al-qadhaf*, once in *bāb al-ta'zīr*, four times in *far' man 'alayhi al-ta'zīr law qāla li rajulin aqim 'alayya al-ta'zīr fa fa'alahu thumma rufi'a li al-ḥakim*, and five times in *far' aqarra 'alā nafsibi bi al-diyāthah aw 'urifa bibā*.

⁵⁶⁰ Twenty times in *kitāb al-sariqah*, eleven times in *bāb kayfiyah al-qat' wa ithbātibi*, and once in *bāb qa't al-ṭarīq*.

⁵⁶¹ seven times in *kitāb al-jihād*, fifteen times in *bāb al-magham wa qismatubu*, eight times in *faṣṣun fī kayfiyyah al-qimah*, six times in *bāb istilā' al-kuffār 'alā ba'dibim ba'dan aw 'alā amwālinā*, six times in *bāb al-musta'min*, ten times in *faṣṣun fī isti'mān al-kāfir*, four times in *maṭlab fīmā taṣīru bibi dār al-islām dār ḥarb wa bi al-'aks*, twice in *maṭlab fī kharaāj al-muqāsamah*, four times in *faṣṣun fī al-jizyah*, four times in *maṭlab fī al-suknā ahl al-dhimmah bayna al-muslimīn fī al-miṣr*, twice in *maṭlab fī yuntaqadu bibi 'ahd al-dhimmi wa mā lā yuntaqadu*, thrice in *bāb al-murtad*, sixteen times in *maṭlab tawbah al-ya's maqbūlah dūna imān al-ya's*, twelve times in *maṭlab al-ma'ṣiyah taḥqā ba'd al-riddah*, and six times in *bāb al-bughāh*.

eight times in *kitāb al-laḳīṭ*, nineteen times in *kitāb al-luḳṭab*, four times in *kitāb al-ābāq*, six times in *kitāb al-mafḳūd*⁵⁶², twenty-eight times in *kitāb al-sharikah*⁵⁶³, forty-six times in *kitāb al-waqf*⁵⁶⁴, two hundred and sixty-six times in *kitāb al-buyū*⁵⁶⁵, thirty-six times in *kitāb al-kafālah*⁵⁶⁶, nine times in *kitāb al-ḥawālah*⁵⁶⁷, eighty-two times in *kitāb al-qaḏā*⁵⁶⁸, thirty-eight times in *kitāb al-shahādāt*⁵⁶⁹, thirty-three times in *kitāb al-wakālah*⁵⁷⁰, sixty-one times in *kitāb al-da'wā*⁵⁷¹, eight times in *kitāb al-ṣulab*⁵⁷², thirteen times in *kitāb al-muḏārabah*⁵⁷³, fourteen times in *kitāb al-idā'*, four times in *kitāb al-āriyah*, fourteen times in *kitāb al-hibab*⁵⁷⁴,

⁵⁶² Thrice in *kitāb al-mafḳūd*, and thrice in *far' abaqa ba'd al-bay' qabl al-qabd*.

⁵⁶³ Twelve times in *kitāb al-sharikah*, once in *maṭlab fī sharikah al-inān*, once in *maṭlab fī tawḳūt al-sharikah*, seven times in *maṭlab fīmā yubṭilu al-sharikah*, and seven times in *maṭlab fī al-sharikah al-fāsidad*.

⁵⁶⁴ Twice in *maṭlab qad yatbbutu al-waqf bi al-darūrah*, four times in *maṭlab fī waqf al-murtad wa al-kāfir*, once in *maṭlab sakana dāran thumma ḡabara annahā waqf*, twice in *far' binā' baytan li al-imām fauqa al-masjid*, once in *maṭlab fī waqf al-manḡul tab'an li al-āqār*, once in *maṭlab al-tahḏīd fī waqf al-āqār*, once in *maṭlab yabda'u min ḡballah al-waqf bi 'imāratibi*, seven times in *maṭlab fī qat' al-jihāt li aḡl al-'imārah*, four times in *maṭlab fī al-waqf idhā kbarība wa lam yumkin 'imāratubi*, once in *maṭlab li al-mafrūḡ labu al-rujū' bi māl al-farāḡh*, six times in *maṭlab fī istibdāl al-waqf wa shurūṭibi*, once in *faṣl ijārah al-wāqif*, once in *maṭlab isbtari bi māl al-waqf dāran li al-waqf yajūzu bay'ubā*, once in *maṭlab al-tawliyah khārijah 'an ḡukm sā'ir al-sharā'it*, thrice in *furū' mubimmah*, once in *maṭlab fī al-istidānah 'alā al-waqf*, twice in *maṭlab matā dbakara al-wāqif shartayn muta'arīdayn*, once in *maṭlab fī iqālah al-mutawalli' 'aqd al-ijārah*, and six times in *maṭlab waqf 'alā awlādihim wa sammāhum*.

⁵⁶⁵ Ten times in *kitāb al-buyū*, twice in *maṭlab fī 'iqād al-bay' bi lafḡ wāḡid min jānibayn*, thrice in *maṭlab mā yubṭil al-mā' sab'ah*, five times in *maṭlab fī al-farḡ bayna al-atḡmān wa al-mabī'āt*, twelve times in *maṭlab mubim fī aḡkām al-nuḡūd idhā kasadat aw inḡata'at aw ḡhalat aw rakbuṣat*, four times in *faṣl fīmā yadkbulu fī al-bay' tab'an wa mā lā yadkbulu*, twice in *maṭlab kullu mā dakhala tab'an lā yuḡābilubu shay' min al-thaman*, five times in *maṭlab fī bay' al-thamar wa al-zar' wa al-shajar maḡṣūdan*, once in *maṭlab fīmā yakūnu qabḡan li al-mabī'*, twenty-six times in *bāb kbiyār al-shart*, four times in *maṭlab fī kbiyār al-ta'yīn*, once in *maṭlab fīmā law ikbtalafā aw fī muḡiyibi aw fī al-ajal aw fī al-ijāza aw fī ta'yīn al-mabī'*, ten times in *bāb kbiyār al-ru'yah*, seven times in *bāb kbiyār al-'ayb*, twelve times in *tanbīb fī ṣifah al-kḡṣūmah fī kbiyār al-'ayb*, six times in *maṭlab mubim fīman qabāda min ḡharīmibi darābim fa wajaḡabā zuyūfan*, twice in *maṭlab mubimm fī ikbtalāf al-bā'i' wa al-musṡtari fī 'adad al-maḡbūd aw qadrihi aw ṣifatihi*, once in *maṭlab fī al-bay' bi shart al-barā'ah min kulli 'ayb*, once in *maṭlab fī bay' al-muḡhib fī al-arḡ*, ten times in *maṭlab fī ḡukm ijāz al-birak lil al-istiyād*, seven times in *maṭlab fī bay' dūḡab al-qirmiz*, once in *maṭlab fī bay' al-shurb*, ten times in *maṭlab fī al-bay' bi shart fāsīd*, five times in *maṭlab radd al-musṡtari fāsīdan ilā bā'i'bi fa lam yaḡbalbu*, four times in *maṭlab fī bay' al-marḡūn al-musṡajir*, ten times in *bāb al-iqālah*, thirteen times in *bāb al-murābahah wa al-tawliyah*, once in *faṣl fī al-taṡarruf fī al-mabī' wa al-thaman qabla al-qabḡ wa al-ziyāḡah wa al-ḡaṡ fīhimā wa al-ta'jil al-duyūn*, six times in *maṭlab fī bayān al-thaman wa al-mabī' wa al-dayn*, four times in *maṭlab fī bayān barā'ah al-istifā' wa barā'ah al-ṣḡāṡ*, four times in *maṭlab fī istiqrād al-darābim 'adadan*, twice in *bāb al-ḡuḡūḡ fī al-bay'*, twice in *maṭlab fī masā'il al-tanāquḡ*, twenty-eight times in *bāb al-salam*, five times in *maṭlab fī al-tadāwī bi al-muḡarram*, thrice in *maṭlab li al-qāḡi idā' māl ḡḡā'ib wa iqrāḡuhu wa bay' manḡūlah*, twice in *maṭlab fī al-nababrahah wa al-zuyūf wa al-satūḡah*, four times in *mā yubṭilu bi al-shart al-fāsīd wa lā yaṣiḡḡu ta'liḡuhu bibi*, fifteen times in *maṭlab qāla li madyūnah idhā mitta fa anta barī'un*, once in *bāb al-ṡarf*, twice in *far' al-shart al-fāsīd yaltabihu bi aṣl al-'aqd*, twice in *maṭlab fī ḡukm bay' fiḡḡah qalīlah ma'a shay' ākḡar li ṣḡāṡ al-ribā*, and nine times in *maṭlab masā'il fī al-muḡṡāḡh*.

⁵⁶⁶ Once in *maṭlab fī kafālah nafaḡah al-zawjah*, nine times in *maṭlab fī al-kafālah al-mu'aḡqatab*, thrice in *maṭlab fī al-mawāḡi' allatī yanṡibu fīhā al-qāḡi wakīlan bi al-qabḡi 'an al-ḡḡā'ib al-mutawārā*, six times in *maṭlab fī ta'liḡ al-kafālah bi shart ḡḡayr malā'im*, thrice in *fā'idah matā adā bi kafālah fāsīdah raja'a ka ṡḡḡiḡibi*, once in *maṭlab fī buṡlān ta'liḡ al-barā'ah min al-kafālah bi al-shart*, thrice in *maṭlab bay' al-iyannah*, once in *fā'idah maṡādirah al-sulṡān li arbāb al-amwāl*, and nine times in *bāb kafālah al-rajulayn*.

⁵⁶⁷ Eight times in *kitāb al-ḡawālah*, once in *far' law anna al-musṡafraq wahaba minhu al-zā'id*.

⁵⁶⁸ Twice in *kitāb al-qaḡā'*, once in *maṭlab yuṡṡi bi qawl al-imām 'alā al-iṡlāḡ*, twice in *maṭlab fī al-kalām 'alā al-rushwah wa al-hadiyyah*, seven times in *maṭlab fī al-ijtibād wa shurūṡibi*, twice in *māṡlab fī al-hadiyyah al-qāḡi*, ten times in *faṣl fī al-ḡabs*, five times in *māṡlab fī istikblāf al-qāḡi nā'ibān 'anhu*, eight times in *māṡlab fī al-qaḡā' bi shahādah al-zūr*, six times in *māṡlab fī qaḡā' al-qāḡi bi ḡbayr madḡḡabibi*, thrice in *māṡlab fī ḡabs al-ṡabiyy*, six times in *bāb al-tabkīm*, twice in *māṡlab ḡukm baynabumā qabla taḡkīmibi thumma aḡzāḡu*, six times in *bāb kitāb al-qāḡi ilā al-qāḡi*, twice in *māṡlab fī ja'l al-mar'ah ṡḡāḡidah fī al-waqf*, ten times in *masā'il mutafarriḡah*, and ten times in *far' waḡa'a al-ikbtalāf fī kuḡr al-mayyit wa islāmīhi*.

⁵⁶⁹ Seven times in *kitāb al-shahādāt*, thrice in *far' lā yanbaḡḡi li al-fuḡahā' kutub al-shahādah*, sixteen times in *bāb man yajibu qabūl shahādatihi 'alā al-qāḡi*, five times in *bāb al-ikbtalāf fī al-shahādah*, once in *furū' shahīdā bi alf wa qāla aḡadubumā qaḡā kḡasimī'ah*, thrice in *bāb al-shahādah 'alā al-shahādah*, and thrice in *bāb al-rujū' 'an al-shahādah*.

⁵⁷⁰ Five times in *kitāb al-wakālah*, eight times in *bāb al-wakālah bi al-bay' wa al-shirā'*, nine times in *faṣl lā ya'ḡidu wakīl al-bay' wa al-shirā'*, four times in *bāb al-wakālah bi al-kḡṡūmah wa al-qabḡ*, and seven times in *bāb 'azl al-wakīl*.

⁵⁷¹ Thrice in *abl al-da'wā*, fifteen times in *sabab al-da'wā*, nineteen times in *bāb al-taḡāluḡ*, fourteen times in *faṣl fī daḡ' al-da'wā*, and ten times in *bāb da'wā al-rajulayn*.

⁵⁷² Four times in *kitāb al-ṡulab*, twice in *faṣl fī da'wā al-dayn*, and twice in *faṣl fī al-takhāruḡ*.

⁵⁷³ Thrice in *kitāb al-muḏārabah*, seven times in *bāb al-muḏārib yuḡāribu*, thrice in *faṣl fī al-mutafarriḡāt fī al-muḏārabah*.

⁵⁷⁴ Six times in *kitāb al-hibab*, six times in *bāb al-rujū' fī al-hibab*, and twice in *faṣl fī masā'il mutafarriḡah*.

sixteen times in *kitāb al-ijārah*⁵⁷⁵, thrice in *kitāb al-ḥazar wa al-ibāḥab*⁵⁷⁶, once in *kitāb al-diyyāt*⁵⁷⁷, and four times in *kitāb al-kbunthā*⁵⁷⁸.

FATĀWĀ AL-BAZZĀZIYYAH

Ibn ‘Ābidīn refers to *Fatāwa al-Bazzāziyyah* 1057 times.

He uses the word *Bazzāziyyah*, without the ‘*al*’ particle 135 times: twice in *kitāb al-ṭabārah*⁵⁷⁹, thrice in *kitāb al-ṣalāh*⁵⁸⁰, once in *kitāb al-ṣawm*⁵⁸¹, six times in *kitāb al-nikāḥ*⁵⁸², twice in *bāb al-radā*⁵⁸³, twice in *kitāb al-ṭalāq*⁵⁸⁴, once in *bāb al-khula*⁵⁸⁵, once in *bāb al-iddah*⁵⁸⁶, four times in *kitāb al-aymān*⁵⁸⁷, once in *kitāb al-jihād*⁵⁸⁸, once in *kitāb al-sharikah*⁵⁸⁹, four times in *kitāb al-waqf*⁵⁹⁰, twelve times in *kitāb al-buyū*⁵⁹¹, twice in *kitāb al-ḥawālah*⁵⁹², once in *kitāb al-qaḍā*⁵⁹³, ten times in *kitāb al-shahādāt*⁵⁹⁴, seven times in *kitāb al-wakālah*⁵⁹⁵, eight times in *kitāb al-da‘wā*⁵⁹⁶, six times in *kitāb al-igrār*⁵⁹⁷, once in *kitāb al-ṣulāḥ*, thrice in *kitāb al-īdā*, twice in *kitāb al-āriyah*, seventeen times in *kitāb al-hibah*⁵⁹⁸, ten times in *kitāb al-ijārah*⁵⁹⁹, thrice in *kitāb al-ikrāh*, once in *kitāb al-ma’dhūn*, twice in *kitāb al-qismah*, once in *kitāb al-muzārah*, twice in *kitāb*

⁵⁷⁵ Eight times in *shurūṭ al-ijārah*, once in *maṭlab fī bayān al-murād bi al-ziyādah ‘alā ajr al-mithl*, once in *bāb mā yajūzu min al-ijārah wa mā yakūnu khilāfan fīhā*, and six times in *tanbīh tafāsakhā ‘aqd al-ijārah wa al-zar’ baql*.

⁵⁷⁶ Once in *faṣl fī al-naẓar wa al-mass*, and twice in *far’ yukrabu i’ṭā’ sāl al-masjid illā idbā lam yatakhaṭṭa riqāb al-nās*.

⁵⁷⁷ Once in *faṣl fī al-janīn*.

⁵⁷⁸ Four times in *masā’il shattā*.

⁵⁷⁹ Once in *faṣl fī al-bi’r* and once in *furū’ fī al-istibrā’*.

⁵⁸⁰ Once in *kitāb al-ṣalāh*, once in *furū’ yajibu al-istimā’ li al-qirā’ah muṭlaqan*, and once in *furū’ mashā al-muṣalli mustaqbil al-qiblah bal tafsudu ṣalātubu*.

⁵⁸¹ Once in *bāb mā yufsidu al-ṣawm wa mā lā yufsidubu*.

⁵⁸² Twice in *furū’ ṭallaqa imra’atuhu taṭliqatayn wa labā minhu laban fa i’taddat nakaḥat ṣaghīran fa arḍa’atbu fa ḥarumat ‘alayh fa nakaḥat ākbar fa dakhala bihā*, once in *maṭlab fī ḥaṭṭ al-mahr wa al-ibrā’ minhu*, once in *maṭlab anfaqa ‘alā al-mu’taddah al-gbayr*, once in *maṭlab fī mahr al-sirr wa mahr al-alāniyyah*, and once in *maṭlab al-walad yatba’u khayr al-abawayn dīnan*.

⁵⁸³ Twice in *bāb al-radā’*.

⁵⁸⁴ Once in *bāb tafwid al-ṭalāq*, once in *bāb al-amr bi al-yad*.

⁵⁸⁵ Once in *maṭlab fī kbūl’ al-ṣaghīrah*.

⁵⁸⁶ Once in *furū’ ṭalaba min al-qāḍī an yaskuna al-mu’taddah bi jiwārihi*.

⁵⁸⁷ Once in *kitāb al-aymān*, twice in *furū’ ḥalafa lā yusākinu fulānan fa sākanahu fī ‘arṣihi dār*, once in *bāb al-yamīn fī al-akl wa al-shurb wa al-lub wa al-kalām*.

⁵⁸⁸ Once in *maṭlab al-ma’ṣiyah tabqā ba’d al-riddah*.

⁵⁸⁹ Once in *maṭlab fīmā yubṭilu al-sharikah*.

⁵⁹⁰ Once in *maṭlab ta’liq al-taqrīr fī al-waḥā’if*, twice in *maṭlab waqf ‘alā awlādihim wa sammāhum*, once in *maṭlab al-qāḍī idbā qaḍā fī mujtabid fīhi nafadhā qaḍā’uhu illā fī al-masā’il*.

⁵⁹¹ Once in *maṭlab fīmā yakūnu qabḍan li al-mabī’*, once in *bāb khiyār al-‘ayb*, four times in *tanbīh fī ṣifāh al-kbuṣūmah fī khiyār al-‘ayb*, once in *maṭlab fī bay’ al-marhūn al-musta’jir*, once in *maṭlab fī masā’il al-tanāquḍ*, once in *maṭlab fīmā law bā’a ‘aqāran wa barbana annahu waqf*, once in *maṭlab lā ‘ibra bi tārikh al-gbaybah*, once in *maṭlab qāla li madyūnah idbā mita fa anta barī’un*.

⁵⁹² Twice in *kitāb al-ḥawālah*.

⁵⁹³ Once in *furū’ al-qaḍā’ mazhar lā muthbit wa yatakhaṣṣu bi zaman wa makān wa kbuṣūmah*.

⁵⁹⁴ Six times in *bāb man yajibu qabūl shahādātibi ‘alā al-qāḍī*, twice in *furū’ bayyinah al-fasād awlā min bayyinah al-ṣiḥḥah*, and twice in *bāb al-ikhtilāf fī al-shahādah*.

⁵⁹⁵ Twice in *bāb al-wakālah bi al-bay’ wa al-shirā’*, four times in *faṣl lā ya’qidu wakil al-bay’ wa al-shirā’*, and once in *bāb ‘azl al-wakil*.

⁵⁹⁶ Twice in *sabab al-da‘wā*, thrice in *faṣl fī daf’ al-da‘wā*, twice in *bāb da‘wā al-rajulayn*, and once in *bāb da‘wā al-nasab*.

⁵⁹⁷ Four times in *kitāb al-igrār* and twice in *bāb igrār al-marīḍ*.

⁵⁹⁸ Nine times in *kitāb al-hibah*, six times in *bāb al-rujū’ fī al-hibah*, and twice in *faṣl fī masā’il mutafarriqah*.

⁵⁹⁹ Once in *shurūṭ al-ijārah*, once in *bāb mā yajūzu min al-ijārah wa mā yakūnu khilāfan fīhā*, twice in *tanbīh tafāsakhā ‘aqd al-ijārah wa al-zar’ baql*, once in *bāb al-ijārah al-fāsīdah*, once in *maṭlab fī ijārah al-binā’*, once in *bāb ḍamān al-ajir*, once in *maṭlab fiṣq al-musta’jir laysa ‘udhr fī al-faskh*, once in *maṭlab irādah al-safar aw al-nuqlah min al-miṣr ‘udhr fī al-faskh fī al-ijārah*, once in *maṭlab fī ijārah al-muqta’ wa infisākhā bi mawt al-muqṭi’ wa ikbrājūhu labu*.

*al-musāqāb*⁶⁰⁰, twice in *kitāb al-udḥiyah*, twice in *kitāb al-ḥaḥar wa al-ibāḥab*⁶⁰¹, thrice in *kitāb iḥyā' al-mawāt*⁶⁰², seven times in *kitāb al-rabn*⁶⁰³, once in *kitāb al-jināyāt*, thrice in *kitāb al-diyyāt*⁶⁰⁴, and once in *kitāb al-waṣāyā*⁶⁰⁵.

He uses the word *al-Bazzāziyyah*, with the 'al' particle 922 times: seven times in the *muqaddimah*, sixteen times in *kitāb al-tahārah*⁶⁰⁶, forty-seven times in *kitāb al-ṣalāh*⁶⁰⁷, twenty times in *kitāb al-zakāh*⁶⁰⁸, nine times in *kitāb al-ṣawm*⁶⁰⁹, once in *bāb al-i'tikāf*, thrice in *kitāb al-ḥajj*⁶¹⁰, fifty-two times in *kitāb al-nikāh*⁶¹¹, five times in *bāb al-raqā'*, seventy-six times in *kitāb al-ṭalāq*⁶¹², eight times in *bāb al-īlā'*⁶¹³, twenty-two times in *bāb al-khula'*⁶¹⁴, seven times in *bāb al-'iddah*⁶¹⁵, thirteen times in *bāb al-naḥaqah*⁶¹⁶, twenty-six times in *kitāb al-aymān*⁶¹⁷, ten times

⁶⁰⁰ Once in *kitāb al-musāqāb* and once in *far' qama al-'āmil 'alā al-karm ayyāman thumma taraka fa lammā adraka al-tbamar jā'a yaṭlubu al-ḥiṣṣah*.

⁶⁰¹ Once in *kitāb al-ḥaḥar wa al-ibāḥab* and once in *faṣl fī al-lubs*.

⁶⁰² Thrice in *faṣl al-shurb*.

⁶⁰³ Twice in *kitāb al-rabn*, once in *bāb mā yajūzu irtibānubu wa mā lā yajūz*, twice in *bāb al-rabn yūda'u 'alā yad 'adl*, once in *bāb al-taṣarruf fī al-rabn wa al-jināyah 'alayh wa jināyatihi ay al-rabn 'alā gharibi*, once in *faṣl fī masā'il mutafarriqah*

⁶⁰⁴ Once in *bāb mā yuḥditububu al-rajul fī al-ṭarīq wa gbayrihi*, once in *bāb al-jināyah al-babimah wa al-jināyah 'alayhā*, and once in *faṣl fī gaṣb al-qinn wa gbayrihi*

⁶⁰⁵ Once in *bāb al-waṣiyy*.

⁶⁰⁶ Five times in *sunan al-wuḍū'*, twice *bāb al-miyāh*, once in *al-mā' al-musta'mal*, once in *far' muḥdith inghamasa fī bi'r li dalu wa lā najasun 'alayhi wa lam yanwi wa lam yataḍallak*, once in *far' al-bu'd al-māni' min uṣūl najāsah al-bālū'ah ilā al-bi'r*, twice in *sunan al-tayammum*, thrice in *bāb al-anjās*, once in *faṣl al-istinjā'*, and once in *furū' fī al-istibrā'*.

⁶⁰⁷ Twice in *kitāb al-ṣalāh*, once in *fā'idah al-taslim ba'd al-adḥān*, once in *furū' fī al-niyyah*, once in *wājibāt al-ṣalāh*, once in *furū' kabbara bi gbayri 'ālīmīn bi takbir imāmīhi*, four times in *furū' qara'a bi al-fārisiyyah aw al-tawrāh aw al-injil*, five times in *bāb al-imāmah*, thrice in *furū' iqtidā' mutanaḥḥil bi mutanaḥḥil wa man yarā al-witr wājiban bi man yarāhu sunnatan*, once in *bāb mā yufsidu al-ṣalāh wa mā yukribuhu fihā*, nine times in *furū' mashā' al-muṣalli mustaqbil al-qiblah bal tafsudu ṣalātuhu*, once in *furū' afḍal al-masājid*, twice in *bāb al-witr wa al-nawāfil*, once in *bāb idrāk al-farīdah*, once in *bāb sujūd al-sabw*, five times in *bāb sujūd al-tilāwah*, once in *furū' fī qaṣr al-ṣalāh*, twice in *bāb bāb al-jumu'ah*, once in *bāb al-'idāyān*, thrice in *bāb ṣalāh al-janāzah*, once in *maṭlab fī al-tḥawāb 'alā al-muṣībah*, and once in *tatimmah qat' al-nabāt al-ruṭb wa al-ḥashīsh min al-maqbarah dūwna al-yābis*.

⁶⁰⁸ Thrice in *kitāb al-zakāh*, five times in *bāb zakāh al-ghanam*, once in *bāb al-'āshir fī al-zakāh*, once in *bāb al-'usbr*, five times in *furū' fī zakāh al-'usbr*, four times in *furū' fī maṣrif al-zakāh*, and once in *bāb ṣadaqah al-fīṭr*.

⁶⁰⁹ Nine times in *bāb mā yufsidu al-ṣawm wa mā lā yufsidubu*.

⁶¹⁰ Once in *kitāb al-ḥajj*, once in *bāb al-jināyāt fī al-ḥajj*, once in *maṭlab fī tafḍil al-ḥajj 'alā al-ṣadaqah*.

⁶¹¹ Five times in *kitāb al-nikāh*, once in *furū' ṭallaqa imra'atabu taṭliqatayn wa labā minbu laban fa i'taddat nakaḥat ṣaghīran fa arda'athu fa ḥarumat 'alayh fa nakaḥat ākhar fa dakhala bihā*, eleven times in *bāb al-walī*, once in *bāb al-kafā'ah*, once in *maṭlab fī al-wakīl wa al-fuḍūli fī al-nikāh*, twice in *maṭlab fī abkām al-mut'ah*, ten times in *maṭlab fī ḥaṭṭ al-mahr wa al-ibrā' minbu*, thrice in *maṭlab fī al-nikāh al-fāsīd*, once in *maṭlab fī ḍimān al-walī al-mahr*, twice in *maṭlab fī al-safar bi al-zawjab*, twice in *maṭlab masā'il al-ikhtilāf fī al-mahr*, twice in *maṭlab fīmā yursilubu ilā al-zawjab*, once in *maṭlab anṣafaq 'alā al-mu'taddah al-ghayr*, once in *far' law zuffat ilayhi bi lā jihāz yalīqu bihi*, once in *furū' al-waṭ' fī dār al-islām*, once in *bāb nikāh al-raqīq*, once in *maṭlab fī ḥukm al-'azal*, once in *bāb nikāh al-kāfir*, thrice in *maṭlab al-walad yatba'u kbayr al-abawayn dīnan*, and once in *bāb al-qasam bayna al-zawjāt*.

⁶¹² four times in *maṭlab fī al-masā'il allatī taṣiḥḥu ma'a al-ikrāh*, twice in *maṭlab fī ta'rīf al-sukrān wa ḥukmuhu*, nine times in *maṭlab ṣarīḥ al-ṭalāq*, seven times in *maṭlab al-inqilāb wa al-iqtisār wa al-istinād wa al-tabyīn*, thrice in *bāb ṭalāq gbayr al-madkhūl bihā*, eight times in *maṭlab al-ṭalāq yaqa'u bi 'adad qurīna bibi lā bibi*, seventeen times in *bāb al-kināyāt*,

once in *bāb al-amr bi al-yad*, once in *faṣlun fī al-mashī'ah*, thrice in *bāb al-ta'līq*, once in *maṭlab fī al-fāḥ al-shart*, once in *maṭlab fī ikhtilāf al-zawjayn fī wujūd al-shart*, five times in *maṭlab al-masā'il al-istithnā' wa al-mashī'ah*, four times in *maṭlab fīmā law idda'ā al-istithnā' wa ankarathu al-zawjab*, six times in *maṭlab fī ḥilab isqāt 'iddah al-muḥallil*, and four times in *maṭlab al-iqdām 'alā al-nikāh al-iqrār bi muḍiyy al-'iddah*.

⁶¹³ Eight times in *maṭlab fī qawlibi anti 'alayya ḥarām*.

⁶¹⁴ Once in *bāb al-khula'*, nine times in *fā'idah fī shart qabūl al-khula' wa al-fāḥiḥi*, twice in *maṭlab fī kbul' 'alā nafaqah al-walad*, five times in *maṭlab fī kbul' al-ṣaghīrah*, five times in *furū' qāla khāla'tuki 'alā alfin qālahu thulāthan fa qubilat*.

⁶¹⁵ Thrice in *bāb al-'iddah*, thrice in *maṭlab fī waṭ' al-mu'taddah bi shubḥah*, once in *furū' ṭalaba min al-qāḍi an yaskuna al-mu'taddah bi jiwārihi*.

⁶¹⁶ Once in *maṭlab lā tajibu 'alā al-ab nafaqah zawjab ibnihi al-ṣaghīr*, twice in *maṭlab fī akbbh al-mar'ah kafīlan bi al-nafaqah*, once in *maṭlab fīmā law zuffat ilayhi bi lā jihāz*, once in *maṭlab lā taṣīru al-nafaqah daynan illā bi al-qadā' aw al-riḍā'*, thrice in *maṭlab fī maskan al-zawjab*, once in *maṭlab fī nafaqah zawjab al-ab*, thrice in *maṭlab fī nafaqah al-uṣūl*, and once in *maṭlab fī nafaqah al-mamlūk*.

⁶¹⁷ Nine times in *kitāb al-aymān*, once in *bāb al-yamīn fī al-dukhūl wa al-kburūj wa al-suknā wa al-ityān wa al-rukūb wa gbari dhālik*, thrice in *furū' ḥalafa lā yusākinu fulānan fa sākanabu fī 'arṣihi dār*, twice in *bāb al-yamīn fī al-akl wa al-shurb wa al-lubs wa al-kalām*, eight times in

in *kitāb al-ḥudūd*⁶¹⁸, once in *kitāb al-sariqah*⁶¹⁹, twenty-four times in *kitāb al-jihād*⁶²⁰, once in *kitāb al-ābāq*, twice in *kitāb al-mafqūd*⁶²¹, twelve times in *kitāb al-sharikah*⁶²², forty-four times in *kitāb al-waqf*⁶²³, one hundred and thirty-three times in *kitāb al-buyū*⁶²⁴, eighteen times in *kitāb al-kafālah*⁶²⁵, eleven times in *kitāb al-ḥawālah*⁶²⁶, forty-one times in *kitāb al-qadā*⁶²⁷, twenty-one times in *kitāb al-wakālah*⁶²⁸, twenty times in *kitāb al-da'wā*⁶²⁹, seventeen times in *kitāb al-iqrār*⁶³⁰, ten times in *kitāb al-ṣulah*⁶³¹, once in *kitāb al-muḍārabah*⁶³², four times in *kitāb al-īdā'*, four times in *kitāb al-āriyah*, five times in *kitāb al-bibah*⁶³³, fifty-five times in *kitāb*

furū' ḥalafa lā ya'kulu laḥman wa al-ākharu baṣalan wa al-ākharu filfilan fa ṭubikha ḥashwun fihi kullu dhālik fa akalū, once in *bāb al-yamīn fi al-talāq wa al-īṭāq*, twice in *bāb al-yamīn fi al-bay' wa al-shirā' wa al-ṣawm wa al-ṣalāh wa ghayrihā*, and once in *furū' qāla li ghayrihi wa Allāh latafa'alanna kadhbā*.

⁶¹⁸ Once in *bāb ḥadd al-shurb al-maḥurram*, eight times in *bāb al-ta'zīr*, and once in *far' aqarra 'alā nafsibi bi al-diyātbah aw 'urifa bibā*.

⁶¹⁹ Once in *bāb qa't al-ṭarīq*.

⁶²⁰ Thrice in *kitāb al-jihād*, thrice in *faṣl fi kayfiyyah al-qimah*, once in *bāb istilā' al-kuffār 'alā ba'dibim ba'dan aw 'alā amwālinā*, once in *faṣl fi isti'mān al-kāfir*, four times in *bāb al-'usbr wa al-kharāj wa al-jizyah*, once in *maṭlab fi yuntaqaḍu bibi 'abd al-dhimmi wa mā lā yuntaqaḍu*, twice in *bāb al-murtad*, six times in *maṭlab tawbah al-ya's maqbūlah dūna imān al-ya's*, and thrice in *maṭlab al-ma'ṣiyah tabqā ba'd al-riddah*.

⁶²¹ Once in *far' abaqa ba'd al-bay' qabl al-qabḍ*.

⁶²² Once in *maṭlab fi sharikah al-'inān*, four times in *maṭlab fi tawqīt al-sharikah*, thrice in *maṭlab fīmā yubṭilu al-sharikah*, twice in *furū' fi al-sharikah*, once in *faṣl fi al-sharikah al-fāsīdah*, and once in *maṭlab fi al-ḥā'it idbā khariba wa ṭalaba aḥad al-sharikayn qismatuhu aw ta'miruhu*.

⁶²³ Five times in *maṭlab fi waqf al-murtad wa al-kāfir*, thrice in *far' binā' baytan li al-imām fawqa al-masjid*, once in *maṭlab fi waqf al-manqūl tab'an li al-'aqār*, once in *maṭlab fi qa't al-jihāt li ajl al-'imārāh*, once in *maṭlab fi al-waqf idbā khariba wa lam yumkin 'imāratubi*, four times in *maṭlab fi istibdāl al-waqf wa shurūṭihi*, five times in *faṣl ijārah al-wāqif*, twice in *maṭlab ishtarī bi māl al-waqf dāran li al-waqf yajūzu bay'uhā*, thrice in *maṭlab fi al-muṣādafah 'alā al-nazar*, twice in *maṭlab matā dhakara al-wāqif shartayn muta'aridayn*, fifteen times in *maṭlab waqf 'alā awlādhim wa sammāhum*, and once in *maṭlab al-qādī idbā qadā fi muṭtabid fihi nafadba qadā'uhu illā fi al-masā'il*.

⁶²⁴ Five times in *kitāb al-buyū'*, once in *maṭlab fi bay' al-jāmikiyyah*, once in *maṭlab mā yubṭil al-mā' sab'ah*, five times in *maṭlab muhim fi ahkām al-nuqūd idbā nasadat aw inqāṭa 'at aw ghalat aw rakhuṣat*, once in *maṭlab fi bay' al-thamar wa al-zar' wa al-shajar maqṣūdan*, once in *far' zahara ba'd naqd al-sarrāf an al-darābim zuyūf*, twice in *maṭlab fīmā yakūnu qabḍan li al-mabī'*, six times in *bāb khiyār al-sharṭ*, twice in *furū' bā'a dārabu bimā fibā min al-judhū' wa al-abwāb fa idbā laysa fibā shay' min dhālika*, twice in *maṭlab al-bay' lā yubṭilu bi al-sharṭ fi ithnayni wa thalāthina mawḍū'an*, nine times in *bāb khiyār al-'ayb*, six times in *tanbīh fi ṣifāh al-khuṣūmah fi khiyār al-'ayb*, six times in *maṭlab muhim fīman qabaḍa min gharīmibi darābim fa wajadahā zuyūfan*, twice in *maṭlab fīmā yakūnu riqā bi al-'ayb wa yamna'u al-radd*, thrice in *maṭlab muhim fi ikhtilāf al-bā'i' wa al-mushtarī fi 'adad al-maqbūḍ aw qadrībi aw ṣifatihi*, once in *maṭlab fi al-bay' bi sharṭ al-barā'ah min kullī 'ayb*, once in *maṭlab fi jumlab mā yaqṭu bibi al-khiyār*, once in *maṭlab fi bay' al-mughīb fi al-arḍ*, four *maṭlab fi al-bay' al-fāsīd*, once in *maṭlab fi al-bay' bi sharṭ fāsīd*, thrice in *maṭlab radd al-mushtarī fāsīdan ilā bā'ibi fa lam yaqbalhu*, once in *maṭlab ahkām nuqṣān al-mabī' fāsīdan*, five times in *faṣl fi al-fuḍūlī*, thrice in *maṭlab fi bay' al-marbūn al-musta'jir*, nine times in *bāb al-iqālah*, once in *faṣl fi al-qarḍ*, once in *maṭlab fi shirā' al-mustaqriḍ al-qarḍ min al-muqriḍ*, twice in *maṭlab fi istiqrāḍ al-darābim 'adadan*, four times in *bāb al-istiḥqāq*, eight times in *maṭlab fi masā'il al-tanāquḍ*, thrice in *bāb al-salam*, once in *furū' 'asl al-naḥl fi arḍibi milkubu muṭlaqan*, once in *maṭlab idbā iktasaba ḥarāman thumma ishtarā fa huwa 'alā khamsah awjub*, thrice in *mā yubṭilu bi al-sharṭ al-fāsīd wa lā yaṣiḥḥu ta'liqubu bibi*, nineteen times in *maṭlab qāla li madyūnah idbā mita fa anta barī'un*, once in *maṭlab mā taṣiḥḥu idāfatuhu wa mā lā taṣiḥḥu*, and fifteen times in *maṭlab masā'il fi al-muqāṣah*.

⁶²⁵ Eight times in *maṭlab fi al-kafālah al-mu'aaqatab*, four times in *maṭlab kafālah al-māl*, once in *maṭlab fi ta'liq al-kafālah bi sharṭ gbayr malā'im*, once in *fā'idah matā adā bi kafālah fāsīdah raja'a ka ṣaḥīḥibi*, and four times in *maṭlab bay' al-'iyanah*.

⁶²⁶ Ten times in *kitāb al-ḥawālah* and once in *maṭlab fi al-saftajah*.

⁶²⁷ Once in *maṭlab yuṣṭi bi qawl al-imām 'alā al-īṭāq*, twice in *maṭlab fi al-kalām 'alā al-rushwah wa al-badiyyah*, four times in *maṭlab fi al-ijtibād wa shurūṭihi*, fifteen times in *faṣl fi al-ḥabs*, thrice in *maṭlab fi istikhlāf al-qādī nā'iban 'anbu*, thrice in *maṭlab yawm al-mawt lā yadkbulu taḥta al-qadā'*, thrice in *maṭlab fi qadā' al-qādī bi gbayr madhbabibi*, once in *bāb al-taḥkīm*, twice in *bāb kitāb al-qādī ilā al-qādī*, twice in *maṭlab fi qadā' al-qādī bi 'amalibi*, thrice in *masā'il mutafarriqah*, twice in *far' waqa'a al-ikhtilāf fi kufr al-mayyit wa islāmībi*, four times in *kitāb al-shahādāt*, twice in *far' lā yanbaghī li al-fuqahā' kutub al-shahādah*, five times in *bāb man yajibu qabūl shahādatihi 'alā al-qādī*, twice in *furū' bayyinah al-fasād awlā min bayyinah al-ṣiḥḥah*, and five times in *bāb al-shahādah 'alā al-shahādah*.

⁶²⁸ Ten times in *kitāb al-wakālah*, five times in *bāb al-wakālah bi al-bay' wa al-shirā'*, twice in *faṣl lā ya'qīdu wakil al-bay' wa al-shirā'*, twice in *bāb al-wakālah bi al-khuṣūmah wa al-qabḍ*, and twice in *bāb 'azl al-wakil*.

⁶²⁹ Thrice in *kitāb al-da'wā*, twice in *rukn al-da'wā*, once in *abl al-da'wā*, five times in *sabab al-da'wā*, five times in *faṣl fi daḥ' al-da'wā*, thrice in *bāb da'wā al-rajulayn*, and once in *bāb da'wā al-nasab*.

⁶³⁰ Seven times in *kitāb al-iqrār*, once in *bāb al-istithnā' wa mā fi ma'nābu*, thrice in *bāb iqrār al-marīḍ*, and six times in *faṣl fi masā'il al-shattā*.

⁶³¹ Four times in *kitāb al-ṣulah* and six times in *faṣl fi al-takhāruj*.

⁶³² Once in *bāb al-muḍārib yuḍāribu*.

⁶³³ Once in *kitāb al-bibah* and four times in *bāb al-rujū' fi al-bibah*.

*al-ijārah*⁶³⁴, six times in *kitāb al-ikrāh*, once in *kitāb al-ḥajr*, sixteen times in *kitāb al-ma'dhūn*, twenty-three times in *kitāb al-ghaṣab*⁶³⁵, nine times in *kitāb al-shuf'ah*⁶³⁶, nine times in *kitāb al-qismah*⁶³⁷, thrice in *kitāb al-muzāra'ah*, thrice in *kitāb al-musāqāh*⁶³⁸, six times in *kitāb al-dhabā'ih*, ten times in *kitāb al-uḥḥiyah*⁶³⁹, sixteen times in *kitāb al-ḥaẓar wa al-ibāḥab*⁶⁴⁰, thrice in *kitāb ihyā' al-mawāt*⁶⁴¹, twice in *kitāb al-asḥribah*, five times in *kitāb al-ṣayd*, twenty times in *kitāb al-rahm*⁶⁴², eleven times in *kitāb al-jināyāt*⁶⁴³, nine times in *kitāb al-diyyāt*⁶⁴⁴, seventeen times in *kitāb al-waṣāyā*⁶⁴⁵, and seven times in *kitāb al-khunthā*⁶⁴⁶.

FATĀWĀ QĀḌIKHĀN

Ibn 'Ābidīn refers to Fatāwā Qāḍikhān 2029 times throughout his commentary.

Ibn 'Ābidīn mentions the full name Qāḍī Khān, with a space between the two words 296 times. Thrice in the *muqaddimah*, eighteen times in *kitāb al-ṭahārah*⁶⁴⁷, thirty-five times in *kitāb al-ṣalāh*⁶⁴⁸, fourteen times in *kitāb al-zakāh*⁶⁴⁹,

⁶³⁴ Twice in *kitāb al-ijārah*, eight times in *shurūṭ al-ijārah*, eleven times in *tanbīh tafāsakhā 'aqd al-ijārah wa al-zar' baql*, four times in *bāb al-ijārah al-fāsīdah*, thrice in *maṭlab fī ijārah al-binā'*, once in *maṭlab fī isti'jār al-mā' ma'a al-qanāh wa isti'jār al-ājām wa al-ḥiyād li al-samak*, six times in *bāb ḍamān al-ajr*, thrice in *maṭlab fī al-ḥāris wa al-khānātī*, once in *mabḥath ikhtilāf al-mu'ajjir wa al-musta'jir*, seven times in *bāb faskh al-ijārah*, twice in *maṭlab fīq al-musta'jir laysa 'udhr fī al-faskh*, thrice in *maṭlab irādah al-safar aw al-nuqlah min al-miṣr 'udhr fī al-faskh fī al-ijārah*, once in *masā'il shattā fī al-ijārah*, twice in *maṭlab fī ijārah al-musta'jir li al-mu'ajjir wa li gharibi*, once in *maṭlab fī ujrak ṣakk al-qāḍī wa al-muftī*, and once in *maṭlab ḍalla labu shay' fa qāla man dallanī 'alaybi fa labu kadba*.

⁶³⁵ Thrice in *kitāb al-ghaṣab*, four times *maṭlab fīmā law hudima ḥā'it*, once in *maṭlab fī radd al-maghṣūb wa fīmā law abā al-mālik qabūlahu*, once in *maṭlab fī abḥāth ghāṣib al-ghāṣib*, twice in *maṭlab fī lubḥūq al-ijāzah li al-ittilāf wa al-af'al fī al-luqāṭah*, once in *faṣl masā'il mutafarriqah tattaṣilu bi masā'il al-ghaṣab*, twice in *maṭlab fī ḍamān manāfi' al-ghaṣab*, and four times in *maṭlab fī ḍamān al-sā'i*.

⁶³⁶ Four times in *kitāb al-shuf'ah*, twice in *bāb ṭalab al-shuf'ah*, twice in *bāb mā yubṭil al-shuf'ah*, and once in *furū' bā'a mā fī ijārah al-ghayr wa huwa shaf'i'ihā*.

⁶³⁷ Twice in *kitāb al-qismah* and seven times in *maṭlab li kull min al-shurakā' al-suknā fī ba'd al-dār bi qadr ḥiṣṣatibi*.

⁶³⁸ Twice in *kitāb al-musāqāh* and once in *far' qama al-āmil 'alā al-karm ayyāman thumma taraka fa lammā adraka al-thamar jā'a yaṭlubu al-ḥiṣṣah*.

⁶³⁹ Eight times in *kitāb al-uḥḥiyah*, once in *furū'*, and once in *furū' lawn uḥḥiyatibi 'alaybi al-ṣalāh wa al-salām sawdā'*.

⁶⁴⁰ Five times in *kitāb al-ḥaẓar wa al-ibāḥab*, once in *faṣl fī al-lub*, twice in *bāb al-istibrā'* wa ghayrihi, five times in *faṣl fī al-bay'*, and thrice in *far' yukrabu i'tā' sāl al-masjid illā idbā lam yatakhatta riqāb al-nās*.

⁶⁴¹ Thrice in *faṣl al-shurb*.

⁶⁴² Nine times in *kitāb al-rahm*, four times in *bāb mā yajūzu irtibānubu wa mā lā yajūz*, once in *bāb al-rahm yūḍa'u 'alā yad 'adl*, thrice in *bāb al-taṣarruf fī al-rahm wa al-jināyah 'alayb wa jināyatibi ay al-rahm 'alā gharihi*, once in *furū' rahm al-ab min māl ṭiflihi shay'an bi dayn 'alā nafsihi*, twice in *faṣl fī masā'il mutafarriqah*.

⁶⁴³ Once in *kitāb al-jināyāt*, five times in *faṣl fīmā yujib al-qawad wa mā lā jūjibubu*, once in *bāb al-qawad fīmā dūna al-nafs*, thrice in *furū' alqā ḥayyah aw 'aqraban fī al-tariq fa ladaghat rajulan*, and once in *faṣl fī al-fī'layn*.

⁶⁴⁴ Once in *faṣl fī al-shujā'*, thrice in *bāb mā yuḥdithubu al-rajul fī al-tariq wa ghayrihi*, twice in *furū' labu kalb ya'kulu 'inab al-karm fa ashhada 'alaybi fībi fa lam yahfaẓbu ḥattā akala al-'inab*, once in *faṣl fī al-jināyah 'alā al-'abd*, and twice in *kitāb al-qasāmah*.

⁶⁴⁵ Five times in *kitāb al-waṣāyā*, thrice in *bāb al-'itq fī al-marād*, thrice in *bāb al-waṣiyy*, once in *faṣl fī shahadah al-awṣiyyā'*, and five times in *furū' yuqbalu qawl al-waṣiyy fīmā yadda 'ibi min al-infāq bi lā bayyinah*.

⁶⁴⁶ Seven times in *masā'il shattā*.

⁶⁴⁷ Thrice in *sunan al-wuḍū'*, once in *sunan al-ghuṣl*, once in *far' mā yakhruji min dār al-ḥarb ka sinjāb in 'alima dabghabu bi ṭābir*, once in *far' wajada fī thawbibi maniyyan aw bawlan aw daman*, five times in *far' al-bu'd al-māni' min wuṣūl najāsah al-bālū'ah ilā al-bi'r*, once in *furū' ṣallā al-maḥbūs bi al-tayammum*, twice in *shurūṭ al-maḥ' alā al-kbuḥḥayn*, once in *bāb al-ḥayd*, twice in *bāb al-anjās*, and once in *furū' fī al-istibrā'*.

⁶⁴⁸ Once in *bāb al-adhān*, once in *maṭlab fī satr al-'awrah*, once in *maṭlab qad yuṭlaqu al-fard 'alā mā yuqābilu al-rukn wa 'alā mā laysa bi rukn wa lā shart*, twice in *wājibāt al-ṣalāh*, thrice in *furū' qara'a bi al-fārisiyyah aw al-tawrāh aw al-injil*, once in *faṣlun fī al-qirā'ah*, seven times in *bāb al-imāmah*, once in *bāb al-istikhlāf*, five times in *furū' mashāh al-muṣalli mustaqbil al-qiblah hal tafṣudu ṣalātubu*, twice in *bāb idrāk al-farīḍah*, thrice in *bāb qāḍā' al-fawā'it*, once in *bāb sujūd al-sahw*, once in *bāb ṣalāh al-marīd*, once in *bāb sujūd al-tilāwah*, once in *bāb ṣalāh al-musāfir*, twice in *bāb bāb al-jumu'ah*, and twice in *bāb ṣalāh al-janāzah*.

⁶⁴⁹ Five times in *kitāb al-zakāh*, once in *bāb zakāh al-ghanam*, once in *bāb zakāh al-māl*, twice in *bāb zakāh al-rikāz*, four times in *bāb al-'ushr*, and once in *furū' fī zakāh al-'ushr*.

twice in *kitāb al-ṣawm*⁶⁵⁰, once in *bāb al-i'tikāf*, fifteen times in *kitāb al-ḥajj*⁶⁵¹, twenty-one times in *kitāb al-nikāḥ*⁶⁵², once in *bāb al-raḍā'*, twelve times in *kitāb al-ṭalāq*⁶⁵³, once in *bāb al-īlā'*, thrice in *bāb al-khula*⁶⁵⁴, twice in *bāb al-īnnīn*, thrice in *bāb al-iddah*⁶⁵⁵, once in *bāb al-ḥadānah*, five times in *bāb al-naḥaqab*⁶⁵⁶, twice in *kitāb al-īṭq*⁶⁵⁷, five times in *kitāb al-aymān*⁶⁵⁸, thrice in *kitāb al-ḥudūd*⁶⁵⁹, once in *kitāb al-sariqab*⁶⁶⁰, six times in *kitāb al-jihād*⁶⁶¹, twelve times in *kitāb al-waqf*⁶⁶², nineteen times in *kitāb al-buyū*⁶⁶³, ten times in *kitāb al-qaḍā'*⁶⁶⁴, five times in *kitāb al-shahādāt*⁶⁶⁵,

thrice in *kitāb al-wakālah*⁶⁶⁶, seven times in *kitāb al-da'wā*⁶⁶⁷, four times in *kitāb al-īqrār*⁶⁶⁸, twice in *kitāb al-ṣulab*⁶⁶⁹, four times in *kitāb al-īdā'*, three times in *kitāb al-āriyah*, five times in *kitāb al-hibab*⁶⁷⁰, eighteen times in *kitāb al-ijārah*⁶⁷¹, twice in *kitāb al-ḥajr*, five times in *kitāb al-ma'dhūn*, six times in *kitāb al-gbaṣab*⁶⁷², four

⁶⁵⁰ Twice in *bāb mā yufsidu al-ṣawm wa mā lā yufsiduhu*.

⁶⁵¹ Once in *kitāb al-ḥajj*, twice in *faṣṣun fī al-ibrām wa ṣifab al-mufrīd*, once in *faṣṣun fī ramy jamrah al-'aqabab*, once in *maṭlab fī ṭawāf al-ziyārah*, five times in *bāb al-jināyāt fī al-ḥajj*, once in *bāb al-iḥṣār*, and four times in *maṭlab fī al-farq bayna al-'ibādah wa al-qurbah wa al-tā'ab*.

⁶⁵² Four times in *kitāb al-nikāḥ*, once in *furū' ṭallaqa imra'atabu taṭliqatayn wa labā minbu laban fa i'taddat nakaḥat ṣaghīran fa arda'atbu fa ḥarumat 'alayh fa nakaḥat ākhar fa dakhala bibā*, twice in *bāb al-kafā'ah*, once in *maṭlab fī aḥkām al-mu'tab*, twice in *maṭlab fī ḥaṭṭ al-mahr wa al-ibrā' minbu*, five times in *maṭlab masā'il al-ikhtilāf fī al-mahr*, four times in *maṭlab anḥaqa 'alā al-mu'taddah al-ghayr*, once in *maṭlab fī ḥukm al-'azal*, and once in *bāb nikāḥ al-kāfir*.

⁶⁵³ Once in *kitāb al-ṭalāq*, once in *maṭlab fī ta'rīf al-sukrān wa ḥukmuhu*, once in *maṭlab ṣarīḥ al-ṭalāq*, once in *maṭlab al-inqilāb wa al-iqtisār wa al-istinād wa al-tabyīn*, once in *bāb al-kināyāt*, once in *bāb tafwīḍ al-ṭalāq*, twice in *faṣṣun fī al-mashī'ah*, and four times in *maṭlab fī ikhtilāf al-zaujāy fī wujūd al-sharṭ*.

⁶⁵⁴ Thrice in *fā'idah fī sharṭ qabūl al-khula' wa alfāzihi*.

⁶⁵⁵ Once in *faṣṣ fī al-ḥidād*, and twice in *faṣṣ fī thubūt al-nasab*.

⁶⁵⁶ Twice in *maṭlab lā tajību 'alā al-ab naḥaqab zawjab ibnihi al-ṣaghīr*, twice in *maṭlab fī al-kalām 'alā al-mu'nisab*, and once in *maṭlab fī naḥaqab al-uṣūl*.

⁶⁵⁷ Once in *bāb al-tadbīr*, and once in *furū' arāda waṭ'a amatihī*.

⁶⁵⁸ Once in *bāb al-yamīn fī al-akl wa al-shurb wa al-lub wa al-kalām*, once in *furū' ḥalafa lā ya'kulu laḥman wa al-ākharu baṣalan wa al-ākharu fiṣṣan fa ṭubikha ḥashwun fībi kullu dhālik fa akalū*, once in *bāb al-yamīn fī al-ṭalāq wa al-īṭāq*, and twice in *bāb al-yamīn fī al-bay' wa al-shirā' wa al-ṣawm wa al-ṣalāh wa ghayribā*.

⁶⁵⁹ Once in *kitāb al-ḥudūd*, once in *far' al-istimnā'*, and once in *bāb ḥadd al-shurb al-maḥurram*.

⁶⁶⁰ Once in *bāb qa'ṭ al-tarīq*.

⁶⁶¹ Once in *kitāb al-jihād*, once in *faṣṣ fī kayfiyyah al-qismah*, twice in *maṭlab fīmā taṣīru bihi dār al-islām dār ḥarb wa bi al-'aks*, once in *maṭlab taubah al-ya's maqūlah dūna imān al-ya's*, and once in *maṭlab al-ma'ṣiyah tabqā ba'd al-riddah*.

⁶⁶² Five times in *maṭlab fī istibdāl al-waqf wa shurūṭihī*, five times in *faṣṣ ijārah al-wāqif*, once in *maṭlab fī iqālah al-mutawallī 'aqd al-ijārah*, and once in *maṭlab waqf 'alā awlādihim wa sammāhum*.

⁶⁶³ Once in *kitāb al-buyū*, once in *maṭlab fī bay' al-thamar wa al-zar' wa al-shajar maqṣūdan*, once in *bāb kbiyār al-sharṭ*, once in *maṭlab fī kbiyār al-ta'yīn*, once in *bāb kbiyār al-ru'yab*, twice in *bāb kbiyār al-'ayb*, once in *tanbīh fī ṣifab al-khuṣūmah fī kbiyār al-'ayb*, once in *maṭlab fī bay' al-mughīb fī al-arḍ*, thrice in *maṭlab fī bay' dūdah al-qirmiz*, twice in *maṭlab radd al-mushṭarī fāsīdan ilā bā'ibī fa lam yaqbalhu*, once in *faṣṣ fī al-fuḍūlī*, once in *maṭlab fī bayān barā'ah al-istifā' wa barā'ah al-isqāt*, once in *maṭlab qāla li madyūnah idhā mitta fa anta barī'un*, and twice in *maṭlab masā'il fī al-muqāṣah*.

⁶⁶⁴ Five times in *faṣṣ fī al-habs*, once in *māṭlab fī qaḍā' al-qāḍī bi ghayr madhbhabihī*, once in *māṭlab ṭā'ah al-imām wājibah*, once in *bāb kitāb al-qāḍī ilā al-qāḍī*, and twice in *masā'il mutafarriqah*.

⁶⁶⁵ Four times in *bāb man yajību qabūl shahādatihī 'alā al-qāḍī*, and once in *bāb al-shahādah 'alā al-shahādah*.

⁶⁶⁶ Twice in *kitāb al-wakālah*, and once in *bāb 'azl al-wakīl*.

⁶⁶⁷ Once in *sabab al-da'wā*, five times in *bāb da'wā al-rajulayn*, and once in *bāb da'wā al-nasab*.

⁶⁶⁸ Twice in *bāb al-istithnā' wa mā fī ma'nāhu*, once in *bāb iqrār al-marīḍ*, and once in *faṣṣ fī masā'il al-shattā*.

⁶⁶⁹ Once in *kitāb al-ṣulab*, and once in *faṣṣ fī da'wā al-dayn*.

⁶⁷⁰ Thrice in *kitāb al-hibab*, once in *bāb al-rujū' fī al-hibab*, and once in *faṣṣ fī masā'il mutafarriqah*.

⁶⁷¹ Thrice in *shurūṭ al-ijārah*, once in *tanbīh tafāsakhā 'aqd al-ijārah wa al-zar' baql*, once in *maṭlab fī ijārah al-binā'*, twice in *maṭlab fī al-istijār 'alā al-ma'āsī*, twice in *bāb fask al-ijārah*, twice in *maṭlab irādah al-safar aw al-nuqlah min al-miṣr 'udbr fī al-faskh fī al-ijārah*, twice in *masā'il shattā fī al-ijārah*, once in *maṭlab fī ijārah al-musta'jir li al-mu'ajjir wa li gharibi*, once in *maṭlab fī ujrāh ṣakk al-qāḍī wa al-muṣṭī*, and thrice in *maṭlab ḍalla labu sbay' fa qāla man dallanī 'alayhi fa labu kadhā*.

⁶⁷² Once in *kitāb al-gbaṣab*, twice in *maṭlab fīmā yajūzu min al-taṣarruf bi māl al-ghayr bi dūna idhn ṣarīḥ*, twice in *faṣṣ masā'il mutafarriqah tattaṣilu bi masā'il al-gbaṣab*, and once in *maṭlab fī ḍamān al-sā'ī*.

times in *kitāb al-shuḥḥ*⁶⁷³, twice in *kitāb al-muzāraʿah*, twice in *kitāb al-dhabāʾih*, once in *kitāb al-uḍḥiyah*, thrice in *kitāb al-ḥaḥar wa al-ibāḥah*⁶⁷⁴, thrice in *kitāb al-ṣayd*, six times in *kitāb al-rabn*⁶⁷⁵, twice in *kitāb al-jināyāt*⁶⁷⁶, twice in *kitāb al-diyyāt*⁶⁷⁷, twice in *kitāb al-maʿāqil*, seven times in *kitāb al-waṣāyā*⁶⁷⁸, and thrice in *kitāb al-khunthā*⁶⁷⁹.

Ibn ʿĀbidīn mentions the word *Khāniyyah*, without the ʿalʿ particle 163 times. Eight times in *kitāb al-ṭahārah*⁶⁸⁰, ten times in *kitāb al-ṣalāh*⁶⁸¹, five times in *kitāb al-zakāh*⁶⁸², twice in *kitāb al-ṣawm*⁶⁸³, twice in *kitāb al-ḥajj*⁶⁸⁴, four times in *kitāb al-nikāḥ*⁶⁸⁵, once in *bāb al-raḍāʿ*, seven times in *kitāb al-ṭalāq*⁶⁸⁶, once in *bāb al-ʾinnīn*, seven times in *bāb al-naḥaqah*⁶⁸⁷, five times in *kitāb al-ʾitq*⁶⁸⁸, ten times in *kitāb al-ʾaymān*⁶⁸⁹, twice in *kitāb al-ḥudūd*⁶⁹⁰, once in *kitāb al-jihād*⁶⁹¹, twice in *kitāb al-luḡṭah*, twice in *kitāb al-sharikah*⁶⁹², four times in *kitāb al-waqf*⁶⁹³, ten times in *kitāb al-buyū*⁶⁹⁴, thrice in *kitāb al-kafālah*⁶⁹⁵, thrice in *kitāb al-shahādāt*⁶⁹⁶, twice in *kitāb al-iqrār*, twice in *kitāb al-ṣulāḥ*, thrice in *kitāb al-idāʿ*, twice in *kitāb al-ʿāriyah*,

⁶⁷³ Once in *kitāb al-shuḥḥ*, and thrice in *furūʿ bāʿa mā fī ijārah al-ghayr wa huwa shafīʾihā*.

⁶⁷⁴ Once in *faṣl fī al-naḥar wa al-mass*, once in *bāb al-istibrāʾ wa ghayrihi*, and once in *faṣl fī al-bayʿ*.

⁶⁷⁵ Thrice in *kitāb al-rabn*, once in *bāb al-rabn yūḍaʿu ʿalā yad ʿadl*, and twice in *faṣl fī masāʾil mutafarriqah*.

⁶⁷⁶ Twice in *bāb al-qawad fīmā dūna al-naḥs*.

⁶⁷⁷ Once in *faṣl fī al-shujāʿ*, and once in *faṣl fī al-ḥāʾiṭ al-māʾil*.

⁶⁷⁸ Once in *kitāb al-waṣāyā*, once in *bāb al-waṣiyyah bi thuluth al-māl*, twice in *bāb al-ʾitq fī al-marād*, and thrice in *bāb al-waṣiyy*.

⁶⁷⁹ Thrice in *masāʾil shattā*.

⁶⁸⁰ Once in *sunan al-wuḍʿ*, once in *farʿ mā yakbruji min dār al-ḥarb ka sinjāb in ʿalima dabghabu bi tābir*, thrice in *sunan al-tayammum*, once in *furūʿ ṣallā al-maḥḥūs bi al-tayammum*, once in *shurūṭ al-maḥ ʿalā al-kbuḥḥayn*, and once in *bāb al-anjās*.

⁶⁸¹ Once in *bāb al-adhān*, once in *fāʾidab al-taslim baʿd al-adhān*, once in *maṭlab fī satr al-ʾawrah*, once in *furūʿ maḥā al-muṣalli mustaqbil al-qiblah hal tafsudu ṣalātuhu*, thrice in *bāb al-witr wa al-nawāfil*, once in *bāb sujūd al-tilāwab*, once in *bāb bāb al-jumuʿah*, and once in *tatimmah qatʿ al-nabāt al-ruṭb wa al-ḥashish min al-maqbarah dūna al-yābis*.

⁶⁸² Twice in *kitāb al-zakāh*, and thrice in *bāb ṣadaqah al-fiṭr*.

⁶⁸³ Once in *sabab ṣawm ramadān*, and once in *faṣl fī al-ʾawāriḍ al-mabiḥah li ʿadm al-ṣawm*.

⁶⁸⁴ Once in *faṣlun fī al-iḥrām wa ṣifab al-mufrid*, and once in *maṭlab fī al-farq bayna al-ʾibādah wa al-qurbah wa al-ṭāʾah*.

⁶⁸⁵ Once in *furūʿ ṭallaqa imraʾatuhu taṭliqatayn wa labā minbu laban fa ʾitaddat nakahat ṣaghīran fa arḍaʿatbu fa ḥarumat ʿalayh fa nakahat ākhar fa dakhala bibā*, once in *bāb nikāḥ al-raḥiq*, once in *maṭlab fī ḥukm al-ʾazal*, and once in *bāb al-qasam bayna al-zawjāt*.

⁶⁸⁶ Once in *maṭlab ṣarīḥ al-ṭalāq*, once in *maṭlab al-inqilāb wa al-iqtisār wa al-istinād wa al-tabyīn*, once in *maṭlab al-ṭalāq yaqaʿu bi ʾadad qurina bibi lā bibi*, twice in *bāb al-kināyāt*, once in *bāb al-taʾlīq*, and once in *maṭlab fīmā law idda ʿā al-isthibnāʾ wa ankarathu al-zawjāb*.

⁶⁸⁷ Once in *maṭlab fī nafaqah khādīm al-marʿah*, once in *maṭlab fī faskh al-nikāḥ bi al-ʾajz ʿan al-nafaqah wa bi al-ghaybah*, once in *maṭlab fī irḍāʿ al-ṣaghīr*, and four times in *maṭlab fī nafaqah al-uṣūl*.

⁶⁸⁸ Twice in *farʿ yustahabbu an yatuba li al-ʾitq kitāban wa yushbidu ʿalayhi shuhūdan*, once in *maṭlab fīmilk dbī al-raḥim al-maḥram*, once in *bāb ʾitq al-baʿd*, and once in *farʿ qāla aḥad al-sharikayn li al-ākhar biʿtu minka naṣībī*.

⁶⁸⁹ Once in *kitāb al-ʾaymān*, twice in *furūʿ ḥalafa lā yusākīnu fulānan fa sākanahu fī ʾarsibi dār*, twice in *furūʿ ḥalafa lā yaʿkulu laḥman wa al-ākharu baṣalan wa al-ākharu filfilan fa ṭubikha ḥashwun fībi kullu dbālik fa akalū*, twice in *bāb al-yamīn fī al-bayʿ wa al-shirāʾ wa al-ṣawm wa al-ṣalāh wa ghayrihā*, once in *bāb al-yamīn fī al-darb wa al-qatl wa ghari dbālik*, and once in *furūʿ qāla li ghayrihi wa Allāh lataʾalanna kadhā*.

⁶⁹⁰ Once in *kitāb al-ḥudūd*, and once in *bāb ḥadd al-shurb al-maḥurram*.

⁶⁹¹ Once in *maṭlab al-maʿṣiyah tabqā baʿd al-riddab*.

⁶⁹² Once in *kitāb al-sharikah*, and once in *maṭlab fīmā yubṭilu al-sharikah*.

⁶⁹³ Once in *maṭlab sakana dāran thumma zahara annahā waqf*, once in *farʿ arāda ahl al-maḥallab naqd al-masjid wa bināʾabu aḥkama min al-awwal*, once in *faṣl ijārah al-wāqif*, once in *maṭlab fī iqālah al-mutawallī ʾaqd al-ijārah*, and once in *maṭlab al-qādī idhā qaḍā fī muṭtabid fībi nafadhā qaḍāʾuhu illā fī al-masāʾil*.

⁶⁹⁴ Once in *maṭlab al-bayʿ lā yubṭilu bi al-sharṭ fī ithnayni wa thalāthina mawḍūʿan*, once in *bāb kbiyār al-ʾayb*, once in *tanbīḥ fī ṣifab al-kbuṣmah fī kbiyār al-ʾayb*, once in *maṭlab muḥim fīman qabaḍa min gharīmībi darābim fa wajadabā zuyūfan*, once in *maṭlab fī al-bayʿ bi sharṭ al-barāʾah min kullī ʾayb*, once in *bāb al-bayʿ al-fāsīd*, once in *maṭlab fī bayʿ dūdab al-qirmīz*, once in *maṭlab al-darābim wa al-danānīr jins wābīd fī masāʾil*, and twice in *bāb al-iqālah*.

⁶⁹⁵ Once in *maṭlab fī al-kafālah al-muʾaqqatab*, and twice in *maṭlab bayʿ al-ʾiyanah*.

⁶⁹⁶ Twice in *bāb man yajibu qabūl shahādātīhi ʿalā al-qādī*, and once in *bāb al-ikhtilāf fī al-shahādah*.

ten times in *kitāb al-bibab*⁶⁹⁷, four times in *kitāb al-ijārah*⁶⁹⁸, thrice in *kitāb al-ikrāb*, once in *kitāb al-ma'dhūn*⁶⁹⁹, once in *kitāb al-ghaṣab*⁷⁰⁰, four times in *kitāb al-shuḥfah*⁷⁰¹, once in *kitāb al-qismah*⁷⁰², four times in *kitāb al-muzārah*, thrice in *kitāb al-dhabā'ih*, seven times in *kitāb al-uḥḥiyah*⁷⁰³, six times in *kitāb al-ḥaḥar wa al-ibāḥab*⁷⁰⁴, twice in *kitāb ihyā' al-mawāt*⁷⁰⁵, once in *kitāb al-ashribah*, twice in *kitāb al-ṣayd*, twice in *kitāb al-rabn*⁷⁰⁶, twice in *kitāb al-jināyāt*⁷⁰⁷, thrice in *kitāb al-diyyāt*⁷⁰⁸, twice in *kitāb al-ma'āqil*, and seven times in *kitāb al-waṣāyā*⁷⁰⁹.

Ibn 'Ābidīn mentions the word *Khāniyyah*, with the 'al' particle 1570 times. Once in the *muqaddimah*, ninety-nine times in *kitāb al-ṭahārah*⁷¹⁰, one hundred and forty-nine times in *kitāb al-ṣalāh*⁷¹¹, thirty-six times in *kitāb al-zakāh*⁷¹², nineteen times in *kitāb al-ṣawm*⁷¹³, eight times in *bāb al-i'tikāf*, twenty-four times in *kitāb al-ḥajj*⁷¹⁴, ninety times in *kitāb al-nikāh*⁷¹⁵, twelve times in *bāb al-radā'*, seventy-four times in *kitāb*

⁶⁹⁷ Six times in *kitāb al-bibab*, and four times in *bāb al-rujū' fī al-bibab*.

⁶⁹⁸ Once in *tanbīh tafāsakhā 'aqd al-ijārah wa al-zar' baql*, twice in *bāb al-ijārah al-fāsīdah*, and once in *maṭlab fī al-isti'jār 'alā al-ma'āṣi*.

⁶⁹⁹ Once in *furū' aqarra al-ṣabiyy wa al-ma'tūh al-ma'dhūnān bi mā ma'ābā min kasb aw irth*.

⁷⁰⁰ Once in *maṭlab fī radd al-maghṣūb wa fīmā law abā al-mālik qabūlabu*.

⁷⁰¹ Once in *bāb ṭalab al-shuḥfah*, once in *bāb mā yubṭil al-shuḥfah*, and twice in *furū' bā'a mā fī ijārah al-ghayr wa huwa shafī'ihā*.

⁷⁰² Once in *maṭlab li kull min al-shurakā' al-suknā fī ba'd al-dār bi qadr ḥiṣṣatibi*.

⁷⁰³ Five times in *kitāb al-uḥḥiyah*, once in *furū'*, and once in *furū' lawn uḥḥiyatibi 'alayhi al-ṣalāh wa al-salām sawdā'*.

⁷⁰⁴ Twice in *kitāb al-ḥaḥar wa al-ibāḥab*, once in *bāb al-istibrā' wa ghayrihi*, twice in *faṣl fī al-bay'*, and once in *far' yukrahbu i'tā' sā'il al-masjid illā idhā lam yatakhḥṭa riqāb al-nās*.

⁷⁰⁵ Once in *kitāb ihyā' al-mawāt*, and once in *faṣl al-shurb*.

⁷⁰⁶ Once in *bāb al-rabn yūda'u 'alā yad 'adl*, and once in *faṣl fī masā'il mutafarriqah*.

⁷⁰⁷ Once in *bāb al-qawad fīmā dūna al-nafs*, and once in *furū' alqā ḥayyah aw 'aqrabān fī al-tariq fa ladaghat rajulan*.

⁷⁰⁸ Once in *faṣl fī al-ḥā'it al-mā'il*, and twice in *furū' wujida qatil fī dār al-ṣabiyy aw ma'tuwb*.

⁷⁰⁹ Five times in *kitāb al-waṣāyā*, and twice in *bāb al-waṣiyy*.

⁷¹⁰ Once in *kitāb al-ṭahārah*, eleven times in *sunan al-wuḍū'*, twelve times in *sunan al-ghusl*, six times in *bāb al-miyāb*, once in *al-mā' al-musta'mal*, five times in *far' muḥḍith inghamasa fī bi'r li dalu wa lā najasun 'alayhi wa lam yanwi wa lam yatadallak*, twice in *far' mā yakbruji min dār al-ḥarb ka sinjāb in 'alīma dabghabu bi ṭābir*, once in *furū' al-tadāwī bi al-muḥarrām*, thirteen times in *faṣl fī al-bi'r*, once in *far' wajada fī thawbihi maniyyan aw bawlan aw daman*, six times in *sunan al-tayammum*, once in *furū' ṣallā al-maḥbūs bi al-tayammum*, four times in *shurūṭ al-mash 'alā al-khuffayn*, thrice in *maṭlab nawāqid al-mash*, thrice in *bāb al-ḥayd*, twenty-three times in *bāb al-anjās*, seven times in *furū' fī al-istibrā'*.

⁷¹¹ Thirteen times in *kitāb al-ṣalāh*, once in *bāb al-adhān*, five times in *fā'idah al-taslim ba'd al-adhān*, once in *bāb shurūṭ al-ṣalāh*, thirteen times in *maṭlab fī satr al-'awrah*, four times in *wājibāt al-ṣalāh*, once in *furū' kabbara bi ghayri 'ālīmīn bi takbir imāmīhi*, twelve times in *furū' qara'a bi al-fārisiyyah aw al-tawrāh aw al-injil*, once in *faṣlun fī al-qirā'ah*, twice in *furū' yajibu al-istimā' li al-qirā'ah muṭlaqan*, seventeen times in *bāb al-imāmah*, twice in *furū' iqtidā' mutanaffil bi mutanaffil wa man yarā al-witr wājiban bi man yarāhu sunnatan*, five times in *bāb al-istiklāf*, once in *bāb mā yufsidu al-ṣalāh wa mā yukrihubu fihā*, five times in *furū' sami'a al-muṣallī 'ism Allāh fa qāla jalla jalālūh aw al-nabi ṣallā Allāhu 'alayhi wa sallam fa ṣallā 'alayhi*, six times in *furū' mashā al-muṣallī mustaqbil al-qiblah bal tafsudu ṣalātūhu*, once in *far' lā ba'sa bi taklīm al-muṣallī wa ijābatibi bi ra'sibi*, twice in *furū' ishtimāl al-ṣalāh 'alā al-sammā' wa al-i'tijār wa al-talaththum wa al-tanakkhum wa kullu 'amal qalil bi lā 'udhr*, thrice in *furū' afḍal al-masājid*, twelve times in *bāb al-witr wa al-nawāfil*, twice in *bāb idrāk al-farīdah*, twice in *bāb qadā' al-fawā'it*, once in *bāb sujud al-sahw*, eighteen times in *bāb sujud al-tilāwah*, twice in *bāb ṣalāh al-musāfir*, nine times in *bāb bāb al-jumu'ab*, five times in *bāb al-'idayn*, twelve times in *bāb ṣalāh al-janāzah*, and once in *tatimmat qat' al-nabāt al-ruṭb wa al-ḥashīsh min al-maqbarah dūwna al-yābis*.

⁷¹² Seven times in *kitāb al-zakāh*, four times in *bāb zakāh al-ghanam*, twice in *bāb zakāh al-rikāz*, eleven times in *bāb al-'ushr*, four times in *furū' fī zakāh al-'ushr*, five times in *bāb maṣrif al-zakāh wa al-'ushr*, and thrice in *bāb ṣadaqah al-fiṭr*.

⁷¹³ Seven times in *sunan ṣawm ramadān*, eight times in *bāb mā yufsidu al-ṣawm wa mā lā yufsidubu*, thrice in *faṣl fī al-'awāqid al-mabīḥah li 'adm al-ṣawm*, and once in *maṭlab fī ṣawm al-sitt min al-shawwāl*.

⁷¹⁴ Five times in *kitāb al-ḥajj*, four times in *maṭlab fī abkām al-'umrah*, eleven times in *faṣlun fī al-ihrām wa ṣifāh al-mufrid*, twice in *faṣlun fī ramy jamrah al-'aqabah*, twice in *maṭlab fī ṭawāf al-ziyārah*, once in *bāb al-qirān*, ten times in *bāb al-jināyāt fī al-ḥajj*, once in *bāb al-iḥṣār*, four times in *maṭlab fī al-farq bayna al-'ibādah wa al-qurbah wa al-tā'ah*, once in *bāb al-bady*, and thrice in *maṭlab fī man janā' fī ghayr ḥaram thumma iltaja'a ilayh*.

⁷¹⁵ Eight times in *kitāb al-nikāh*, nine times in *furū' tallāqa imra'atahu taṭliqatayn wa lahā minhu laban fa i'taddat nakaḥat ṣaghīran fa arḍa'atbu fa ḥarumat 'alayh fa nakaḥat akbar fa dakhala bibā*, fourteen times in *bāb al-walī*, once in *furū' laysa li al-qāḍi tazwīj al-ṣaghīrah min nafsihi wa lā min man lā tuqbalu shahādātūhu*, six times in *bāb al-kafā'ah*, once in *maṭlab fī al-wakīl wa al-fuḍūlī fī al-nikāh*, once in *furū' al-fuḍūlī qabla al-ijāzah lā yamliku naqd al-nikāh*, four times in *bāb al-mahr*, once in *maṭlab nikāh al-sbigbār*, twice in *maṭlab fī abkām al-mut'ab*, ten times in *maṭlab fī ḥaṭṭ al-mahr wa al-ibrā' minhu*, once in *maṭlab fī al-nikāh al-fāsīd*, twice in *maṭlab fī ḍimān al-*

*al-ṭalāq*⁷¹⁶, seven times in *bāb al-ilā*⁷¹⁷, seventeen times in *bāb al-khula*⁷¹⁸, seven times in *bāb al-ḡibār*⁷¹⁹, six times in *bāb al-ʿinnīn*, fifteen times in *bāb al-ʿiddab*⁷²⁰, thrice in *bāb al-ḥaḍānah*⁷²¹, thirty-six times in *bāb al-naḥāqab*⁷²², sixteen times in *kitāb al-ʿitq*⁷²³, seventy-seven times in *kitāb al-ʿaymān*⁷²⁴, thirty times in *kitāb al-ḥudūd*⁷²⁵, four times in *kitāb al-sariqab*⁷²⁶, forty times in *kitāb al-jihād*⁷²⁷, seven times in *kitāb al-laḡīṭ*, seven times in *kitāb al-luḡṭab*⁷²⁸, twenty-eight times in *kitāb al-sharikab*⁷²⁹, eighty-four times in *kitāb al-waqf*⁷³⁰,

walī al-mabr, four times in *maṭlab fī manʿ al-zawjab nafsīhi li qabḍ al-mabr*, once in *maṭlab fī al-safar bi al-zawjab*, twice in *maṭlab masāʾil al-ikhtilāf fī al-mabr*, once in *maṭlab fīmā yursilubu ilā al-zawjab*, twice in *maṭlab anfaqa ʿalā al-muʿtaddab al-ḡbayr*, once in *furūʿ al-waṭʾ fī dār al-islām*, twice in *bāb nikāḥ al-raḡīq*, five times in *maṭlab fī ḥukm al-ʿazal*, six times in *bāb nikāḥ al-kāfir*, and eleven times in *bāb al-qasam bayna al-zawjāt*.

⁷¹⁶ Once in *rukn al-ṭalāq*, five times in *maṭlab fī al-masāʾil allatī taṣībhu maʿa al-ikrāb*, five times in *maṭlab fī taʾrīf al-sukrān wa ḥukmubu*, eleven times in *maṭlab ṣarīḥ al-ṭalāq*, four times in *maṭlab fī idāfah al-ṭalāq ilā al-zamān*, thrice in *maṭlab al-inqilāb wa al-iqtisār wa al-istinād wa al-tabyīn*, six times in *maṭlab al-ṭalāq yaqaʿu bi ʿadad qurīna bibi lā bibi*, four times in *bāb al-kināyāt*, thrice in *bāb tafwīd al-ṭalāq*, once in *bāb al-amr bi al-yad*, seven times in *faṣṭun fī al-mashīʿab*, six times in *bāb al-taʾlīq*, once in *maṭlab al-masāʾil al-istithnāʾ wa al-mashīʿab*, twelve times in *maṭlab fīmā law iddaʾā al-istithnāʾ wa ankarathu al-zawjab*, thrice in *bāb ṭalāq al-marīd*, once in *bāb al-rujʿah*, and once in *maṭlab fī ḥilāb isḡāt ʿiddab al-muḥallil*.

⁷¹⁷ Four times in *bāb al-ilā*, and thrice in *maṭlab fī qawlibi anti ʿalayya ḥarām*.

⁷¹⁸ Five times in *bāb al-khula*, five times in *fāʾidab fī shart qabūl al-khulaʾ wa alfāzībi*, thrice in *maṭlab fī kbulʾ ʿalā nafaqab al-walad*, thrice in *maṭlab fī kbulʾ al-ṣaḡbīrah*, and twice in *furūʿ qāla kbāla ʿuki ʿalā alfin qālabu thulāṭhan fa qubilat*.

⁷¹⁹ Six times in *bāb al-ḡibār*, and once in *bāb kaḡfārah al-ḡibār*.

⁷²⁰ Once in *bāb al-ʿiddab*, thrice in *maṭlab fī ʿiddab al-mawt*, once in *maṭlab ʿiddab al-mankūḥab fāsīdan wa al-mawṭūʿab bi shubbab*, five times in *maṭlab fī waṭʾ al-muʿtaddab bi shubbab*, once in *farʿ adkhalat maniyyahu fī farjihā hal taʾtaddu*, once in *faṣṭ fī al-ḥidād*, once in *faṣṭ fī thubūt al-nasab*, and twice in *farʿ nakāḥa amatan fa ṭallaqahā fa sbarāḥā fa waladat li aqalli min nisf ḥawl mundbu shirāḥā*.

⁷²¹ Thrice in *bāb al-ḥaḍānah*.

⁷²² Nine times in *maṭlab lā tajību ʿalā al-ab nafaqab zawjab ibnihi al-ṣaḡbīr*, twice in *maṭlab lā taṣīru al-naḥāqab daynan illā bi al-qadāʾ aw al-riḡāʾ*, twice in *maṭlab fī maskan al-zawjab*, twice in *maṭlab fī al-kalām ʿalā al-muʿnisab*, twice in *maṭlab fī farḍ al-naḥāqab li zawjab al-ḡhāʾib*, once in *maṭlab fī nafaqab al-muṭallaqab*, twice in *maṭlab al-ṣaḡbīr wa al-muktasib nafaqab fī kasibi lā ʿalā abīhi*, thrice in *maṭlab fī nafaqab zawjab al-ab*, twice in *maṭlab fī irdāʾ al-ṣaḡbīr*, ten times in *maṭlab fī nafaqab al-uṣūl*, and once in *maṭlab fī nafaqab al-mamlūk*.

⁷²³ Five times in *farʿ yustaḥabbu an yatuba li al-ʿitq kitāban wa yushbidu ʿalayhi shubūdān*, twice in *maṭlab fīmilk dbī al-raḥīm al-mabram*, thrice in *bāb al-tadbīr*, once in *bāb al-istilād*, four times in *farʿ bāʾa umma waladibi wa al-mushtarī yaʾlamu bibā fa waladat faʾddaʾābu*, and once in *furūʿ arāda waṭʾa amatibi*.

⁷²⁴ Twenty-one times in *kitāb al-ʿaymān*, twice in *bāb al-yamīn fī al-dukḥūl wa al-khurūj wa al-suknā wa al-ityān wa al-rukūb wa ḡhari dhālik*, fifteen times in *furūʿ ḥalafa lā yusākinu fulānan fa sākanahu fī arṣīhi dār*, thrice in *bāb al-yamīn fī al-akl wa al-shurb wa al-lubs wa al-kalām*, thirteen times in *furūʿ ḥalafa lā yaʾkulu laḡman wa al-ākharu baṣalan wa al-ākharu filfilan fa ṭubikha ḡashwun fīhi kullu dhālik fa akalū*, twice in *bāb al-yamīn fī al-ṭalāq wa al-ʿitq*, eight times in *bāb al-yamīn fī al-bayʿ wa al-shirāʾ wa al-ṣawm wa al-ṣalāb wa ḡbayribā*, six times in *bāb al-yamīn fī al-ḍarb wa al-qatl wa ḡhari dhālik*, and seven times in *furūʿ qāla li ḡbayrihi wa Allāḥ latafʾalanna kadḥā*.

⁷²⁵ Twice in *kitāb al-ḥudūd*, six times in *bāb al-waṭʾ alladhī yūjību al-ḥadd wa alladhī lā yūjībubu*, once in *farʿ al-istimnāʾ*, once in *bāb ḥadd al-shurb al-maḡurrām*, twelve times in *bāb ḥadd al-qadḡaf*, twice in *bāb al-taʾzīr*, thrice in *farʿ man ʿalayhi al-taʾzīr law qāla li rajulin aqīm ʿalayya al-taʾzīr fa faʾalabu thumma rufiʾa li al-ḡakīm*, and thrice in *farʿ aqarra ʿalā nafsībi bi al-diyāṭḡab aw ʿurifa bibā*.

⁷²⁶ Twice in *bāb kayfiyah al-qatʿ wa itḡbātibi*, and twice in *bāb qaṭ al-ṭarīq*.

⁷²⁷ Eight times in *kitāb al-jihād*, once in *bāb istilāʾ al-kuffār ʿalā baʾḡibim baʾḡan aw ʿalā amwālīnā*, twice in *maṭlab fīmā taṣīru bibi dār al-islām dār ḡarb wa bi al-ʾaks*, four times in *maṭlab fī kbārāḡ al-muḡāsamah*, four times in *faṣṭ fī al-jīzyab*, once in *maṭlab fī aḡkām al-kanāʾis wa al-bayʿ*, twice in *maṭlab fī tamyīz aḡl al-dḡimmab fī al-malbas*, once in *maṭlab fī al-suknā aḡl al-dḡimmab bayna al-muslimīn fī al-mīṣr*, twice in *maṭlab fī yuntaqaḡu bibi ʾabd al-dḡimmi wa mā lā yuntaqaḡu*, twice in *bāb al-murtad*, eight times in *maṭlab tawḡab al-yaʾs maḡbūlab dūna imān al-yaʾs*, thrice in *maṭlab al-maʾṣiyab tabḡā baʾd al-riddab*, and twice in *bāb al-buḡḡāḡ*.

⁷²⁸ Four times in *kitāb al-luḡṭab*, twice in *maṭlab fī man māta fī safaribi fa bāʾa raḡiqubu matāʾabu*, and once in *maṭlab man wajada darāḡim fī al-jidār aw istayqaḡa wa fī yadibi ṣurrab*.

⁷²⁹ Seven times in *kitāb al-sharikab*, once in *maṭlab fī sharikab al-ʿinān*, once in *maṭlab fī tawḡīt al-sharikab*, ten times in *maṭlab fīmā yubṭīlu al-sharikab*, thrice in *furūʿ fī al-sharikab*, once in *maṭlab fī al-sharikab al-fāsīdah*, and five times in *furūʿ al-qawl li munkar al-sharikab*.

⁷³⁰ Twice in *maṭlab qad yatḡbbutu al-waqf bi al-ḍarūrāb*, ten times in *maṭlab fī waḡf al-murtad wa al-kāfir*, thrice in *maṭlab sakana dāran thumma ḡabara annahā waḡf*, thrice in *farʿ bināʾ baytan li al-imām faḡqa al-masḡūd*, once in *maṭlab fī waḡf al-mashāʾ al-maḡdī bibi*, once in *maṭlab fī waḡf al-maḡūl qasdan*, once in *maṭlab fī qaṭʾ al-jihāt li aḡl al-ʿimārāb*, once in *maṭlab fī al-waqf idḡā kbārība wa lam yumkīn ʿimāratubi*, once in *maṭlab fī ʾazl al-nāḡīr*, four times in *maṭlab li al-maḡrūḡ ḡabu al-ruḡūʾ bi māl al-farāḡḡ*, five times in *maṭlab fī istībdāl al-waqf wa shurūṭibi*, nine times in *faṣṭ ijārah al-wāḡif*, thrice in *maṭlab isḡtarī bi māl al-waqf dāran li al-waqf yaḡjūzu bayḡḡā*, four times in *maṭlab al-tawliyah kbārījab ʾan ḡukm sāʾīr al-sharāʾīṭ*, twice in *maṭlab fīmān bāʾa dāran thumma iddaʾā annahā waḡf*, four times in *furūʾ muḡimmab*, twice in *maṭlab laysa li al-qādī an yuḡarrīra waḡīfah fī al-waqf illā al-naḡar*, nine times in *maṭlab fī al-istīdānab ʿalā al-waqf*, twice in *maṭlab fī al-muṣāḡafab ʿalā al-naḡar*, five times in *maṭlab fī aḡkām al-waqf ʿalā fuḡarāʾ qarābatibi*, five times in *maṭlab*

one hundred and sixty-seven times in *kitāb al-buyū*⁷³¹, thirty-six times in *kitāb al-kafālah*⁷³², eight times in *kitāb al-ḥawālah*⁷³³, thirty-five times in *kitāb al-qadā*⁷³⁴, seventeen times in *kitāb al-shahādāt*⁷³⁵, twelve times in *kitāb al-wakālah*⁷³⁶, thirteen times in *kitāb al-da'wā*⁷³⁷, fifteen times in *kitāb al-igrār*⁷³⁸, ten times in *kitāb al-ṣulāḥ*⁷³⁹, six times in *kitāb al-mudārabab*⁷⁴⁰, four times in *kitāb al-īdā*⁷⁴¹, thrice in *kitāb al-āriyah*, twenty-one times in *kitāb al-bibab*⁷⁴¹, forty-six times in *kitāb al-ijārah*⁷⁴², twice in *kitāb al-makātib*⁷⁴³, eleven times in *kitāb al-ikrāh*, six times in *kitāb al-ḥajr*⁷⁴⁴, seven times in *kitāb al-ma'dbūn*⁷⁴⁵, ten times in *kitāb al-ghaṣab*⁷⁴⁶,

fī iqālah al-mutawallī 'aqd al-ijārah, thrice in *maṭlab fīmā yata'allāqu bi waqf al-awlād min al-durar wa ghayrihā*, thrice in *maṭlab waqf 'alā awlādihim wa sammāhum*, and once in *maṭlab al-qādī idbā qadā fī mujtahid fīhi nafadha qadā'ubu illā fī al-masā'il*.

⁷³¹ Five times in *kitāb al-buyū*⁷³¹, twice in *maṭlab fī khalw al-ḥawānūt*, once in *maṭlab fī in'iqād al-bay' bi lafẓ wāḥid min jānibayn*, twice in *maṭlab mā yubṭil al-mā' sab'āb*, once in *furū' bā'a bi ḥāl thumma ajjalahu ajalān ma'lūman aw majhūlan*, twelve times in *maṭlab mubim fī abkām al-nuqūd idbā kasadat aw inqāṭa'at aw ghalat aw rakbuṣat*, five times in *faṣl fīmā yadkbulu fī al-bay' tab'an wa mā lā yadkbulu*, once in *maṭlab fī bay' al-thamar wa al-zar' wa al-shajar maqṣūdan*, once in *far' ḡabara ba'd naqd al-sarrāf an al-darābim zuyūf*, thrice in *maṭlab fīmā yakūnu qabḍan li al-mabī'*, eleven times in *bāb kbiyār al-sharṭ*, thrice in *maṭlab fī kbiyār al-ta'yīn*, thrice in *bāb kbiyār al-ru'yab*, eleven times in *bāb kbiyār al-'ayb*, ten times in *tanbīh fī ṣifāh al-kbuṣūmah fī kbiyār al-'ayb*, four times in *maṭlab mubim fīman qabaḍa min gharīmibi darābim fa wajadahā zuyūfan*, four times in *maṭlab mubimm fī ikhtilāf al-bā'i wa al-mushtarī fī 'adad al-maqbūḍ aw qadribi aw ṣifatibi*, once in *maṭlab fī al-ṣulḥ 'an al-'ayb*, once in *maṭlab fī jumlab mā yaqūtu bihi al-kbiyār*, twice in *maṭlab fī bay' al-mughīb fī al-ard*, eight times in *maṭlab fī bay' dūdab al-qirmiz*, eight times in *maṭlab fī bay' al-tariq*, once in *maṭlab fī bay' al-shurb*, six times in *maṭlab fī al-bay' bi sharṭ fāsīd*, thrice in *maṭlab radd al-mushtarī fāsīdan ilā bā'ibi fa lam yaqbalhu*, once in *faṣl fī al-fuḍūlī*, thrice in *maṭlab fī bay' al-marhūn al-musta'jir*, four times in *bāb al-iqālah*, thrice in *bāb al-murābahah wa al-tawliyah*, thrice in *faṣl fī al-taṣarruf fī al-mabī' wa al-thaman qabla al-qabḍ wa al-ziyādah wa al-ḥaṭ fī bimā wa al-ta'jil al-duyūn*, once in *maṭlab fī bayān al-thaman wa al-mabī' wa al-dayn*, twice in *maṭlab fī bayān barā'ah al-istifā' wa barā'ah al-isqāṭ*, thrice in *faṣl fī al-qard*, six times in *maṭlab fī shirā' al-mustaqriḍ al-qard min al-muqriḍ*, once in *maṭlab kulla qard jarra naf'an ḥarām*, once in *maṭlab fī al-ibrā' 'an al-ribā*, once in *maṭlab fī istiqrād al-darābim 'adadan*, once in *bāb al-ḥuqūq fī al-bay'*, twice in *bāb al-istiḥqāq*, thrice in *maṭlab lā 'ibra bi tārikh al-ghaybah*, once in *maṭlab fī al-tadāwī bi al-mubarram*, once in *maṭlab idbā iktasaba ḥarāman thumma ishtarā fa huwa 'alā kbamsah awjub*, once in *maṭlab sharā badhr biṭṭikh fa wajadahū badh qiththā'*, once in *maṭlab sharā shajarah wa fī qal'ihā qarar*, nine times in *maṭlab qāla li madyūnah idbā mitta fa anta barī'un*, once in *maṭlab mā taṣiḥḥu idāfatuhu wa mā lā taṣiḥḥu*, and nine times in *maṭlab masā'il fī al-muqāṣab*.

⁷³² Once in *maṭlab fī kafālah nafaqah al-zawjah*, nine times in *maṭlab yaṣiḥḥu kafālah al-kafil*, four times in *maṭlab fī al-kafālah al-mu'aqqatah*, once in *maṭlab fī al-mawāḍi' allatī yanṣibu fīhā al-qādī wakīlan bi al-qabḍi 'an al-ghā'ib al-mutawārā*, twice in *maṭlab kafālah al-māl*, five times in *maṭlab fī ta'līq al-kafālah bi sharṭ ghayr malā'im*, seven times in *fā'idah matā adā bi kafālah fāsīdah raja'a ka ṣaḥīḥibi*, six times in *maṭlab bay' al-'iyanah*, and once in *fā'idah maṣādirah al-sulṭān li arbāb al-amwāl*.

⁷³³ Six times in *kitāb al-ḥawālah*, and twice in *far' law anna al-mustafraḍ wababa minhu al-zā'id*.

⁷³⁴ Once in *kitāb al-qadā'*, twice in *maṭlab fī al-kalām 'alā al-rushwah wa al-badiyyah*, once in *maṭlab fī al-ijtihād wa shurūṭibi*, thrice in *māṭlab fī al-badiyyah al-qādī*, seven times in *faṣl fī al-ḥabs*, thrice in *māṭlab fī istikhlāf al-qādī nā'iban 'anhu*, twice in *māṭlab yawm al-mawt lā yadkbulu taḥta al-qadā'*, five times in *māṭlab fī qadā' al-qādī bi ghayr madhbabibi*, once in *māṭlab tā'ah al-inām wājibah*, five times in *bāb kitāb al-qādī ilā al-qādī*, once in *masā'il mutafarriqah*, thrice in *far' waqa'a al-ikhtilāf fī kufr al-mayyit wa islāmibi*, and once in *far' lam yakun li al-qādī shay'un fī bayt al-māl*.

⁷³⁵ Thrice in *kitāb al-shahādāt*, five times in *far' lā yanbaghī li al-fuqabā' kutub al-shahādah*, four times in *bāb man yajibu qabūl shahādātibi 'alā al-qādī*, and five times in *bāb al-shahādah 'alā al-shahādah*.

⁷³⁶ Thrice in *kitāb al-wakālah*, and nine times in *faṣl lā ya'qīdu wakil al-bay' wa al-shirā'*.

⁷³⁷ Twice in *kitāb al-da'wā*, once in *abl al-da'wā*, eight times in *sabab al-da'wā*, once in *bāb al-taḥāluf*, and once in *bāb da'wā al-nasab*.

⁷³⁸ Eight times in *kitāb al-igrār*, twice in *bāb al-istithnā' wa mā fī ma'nābu*, four times in *bāb igrār al-marīḍ*, and once in *faṣl fī masā'il al-shattā*.

⁷³⁹ Eight times in *kitāb al-ṣulāḥ*, once in *faṣl fī da'wā al-dayn*, and once in *faṣl fī al-takbāruj*.

⁷⁴⁰ Twice in *kitāb al-mudārabab*, and four times in *faṣl fī al-mutafarriqāt fī al-mudārabab*.

⁷⁴¹ Thirteen times in *kitāb al-bibab*, six times in *bāb al-rujū' fī al-bibab*, and twice in *faṣl fī masā'il mutafarriqah*.

⁷⁴² Thrice in *kitāb al-ijārah*, thirteen times in *shurūṭ al-ijārah*, once in *māṭlab fī al-marṣad wa al-qīmāh wa misbadd al-miskah*, once in *bāb mā yajūzu min al-ijārah wa mā yakūnu kbilāfan fīhā*, five times in *tanbīh tafāsakhā 'aqd al-ijārah wa al-zar' baql*, twice in *bāb al-ijārah al-fāsīdah*, thrice in *maṭlab fī ijārah al-binā'*, once in *maṭlab fī al-isti'jār 'alā al-ma'āṣi*, once in *maṭlab fī isti'jār al-mā' ma'a al-qanāh wa isti'jār al-ājām wa al-ḥiyād li al-samak*, twice in *bāb ḍamān al-ajir*, once in *maṭlab fī al-ḥāris wa al-khānātī*, thrice in *mabḥath ikhtilāf al-mu'ajjir wa al-musta'jir*, once in *maṭlab fiṣq al-musta'jir laysa 'udbr fī al-faskh*, twice in *maṭlab irādah al-safar aw al-nuqlah min al-miṣr 'udbr fī al-faskh fī al-ijārah*, five times in *masā'il shattā' fī al-ijārah*, once in *maṭlab fī ujrāh ṣakk al-qādī wa al-muṭī*, and once in *maṭlab dalla labu shay' fa qāla man dallanī 'alaybi fa labu kadhā*.

⁷⁴³ Once in twice in *kitāb al-makātib*, and once in *bāb mā yajūz li al-makātib an yaf'alabu*.

⁷⁴⁴ Five times in *kitāb al-ḥajr*, and once in *faṣl bulūgh al-ghulām bi al-iḥtilām*.

⁷⁴⁵ Five times in *kitāb al-ma'dbūn*, and twice in *furū' aqarra al-ṣabiyy wa al-ma'tūh al-ma'dbūnān bi mā ma'abā min kasb aw irth*.

⁷⁴⁶ Five times in *kitāb al-ghaṣab*, once in *maṭlab fīmā law hudima ḥā'it*, once in *maṭlab fī radd al-maghṣūb wa fīmā law abā al-mālīk qabūlahu*, twice in *maṭlab fī ḍamān manāfi' al-ghaṣab*, and once in *maṭlab fī ḍamān al-sā'ī*.

nineteen times in *kitāb al-sbufab*⁷⁴⁷, sixteen times in *kitāb al-qismah*⁷⁴⁸, fourteen times in *kitāb al-muzāra'ah*, thrice in *kitāb al-musāqāb*⁷⁴⁹, twice in *kitāb al-dhabā'ih*, twenty-one times in *kitāb al-uḥḥiyah*⁷⁵⁰, thirty-seven times in *kitāb al-ḥaḥar wa al-ibāḥab*⁷⁵¹, Eight times in *kitāb iḥyā' al-mawāt*⁷⁵², five times in *kitāb al-asḥribah*, sixteen times in *kitāb al-ṣayd*, fourteen times in *kitāb al-rahn*⁷⁵³, twenty times in *kitāb al-jināyāt*⁷⁵⁴, thirteen times in *kitāb al-diyyāt*⁷⁵⁵, twice in *kitāb al-ma'āqil*, forty-six times in *kitāb al-waṣāyā*⁷⁵⁶, eight times in *kitāb al-khunthā*⁷⁵⁷, and once in *kitāb al-farā'id*.

FATH AL-QADĪR

Ibn 'Ābidīn refers to *Fath al-Qadīr* 3533 times.

Ibn 'Ābidīn mentions the name Ibn al-Humām 167 times. Eight times in the *muqaddimah*, thirteen times in *kitāb al-ṭahārah*⁷⁵⁸, fifty-five times in *kitāb al-ṣalāh*⁷⁵⁹, five times in *kitāb al-zakāh*⁷⁶⁰, thrice in *kitāb al-ṣawm*⁷⁶¹, four times in *bāb al-i'tikāf*, fifteen times in *kitāb al-ḥajj*⁷⁶², ten times in *kitāb al-nikāḥ*⁷⁶³, ten times in *kitāb al-ṭalāq*⁷⁶⁴,

⁷⁴⁷ Thrice in *kitāb al-sbufab*, seven times in *bāb ṭalab al-sbufab*, twice in *bāb mā tathbut al-sbufab fībi aw lā tathbut*, five times in *bāb mā yubṭil al-sbufab*, and twice in *furū' bā'a mā fī ijārah al-ghayr wa huwa shafī'ihā*.

⁷⁴⁸ Four times in *kitāb al-qismah*, and twelve times in *maṭlab li kull min al-shurakā' al-suknā fī ba'd al-dār bi qadr ḥiṣṣatibi*.

⁷⁴⁹ Once in *kitāb al-musāqāb*, once in *maṭlab fī al-musāqāb 'alā al-ḥūr wa al-ṣafṣāf*, and once in *maṭlab yashtaritu fī al-munāṣabah bayan al-muddah*.

⁷⁵⁰ Thirteen times in *kitāb al-uḥḥiyah*, four times in *furū'*, and four times in *furū' lawn uḥḥiyatibi 'alaybi al-ṣalāh wa al-salām sawdā'*.

⁷⁵¹ Eight times in *kitāb al-ḥaḥar wa al-ibāḥab*, thrice in *faṣl fī al-lubs*, five times in *faṣl fī al-naḥar wa al-mass*, four times in *bāb al-istibrā' wa ḡbayribi*, twelve times in *faṣl fī al-bay'*, and five times in *far' yukrabu i'tā' sāl'il al-masjid illā idbā lam yatakhaṭṭa riqāb al-nās*.

⁷⁵² Twice in *kitāb iḥyā' al-mawāt*, and six times in *faṣl al-shurb*.

⁷⁵³ Once in *kitāb al-rahn*, thrice in *bāb mā yajūzu irtibānubu wa mā lā yajūz*, four times in *bāb al-rahn yūḍa'u 'alā yad 'adl*, twice in *bāb al-taṣarruf fī al-rahn wa al-jināyah 'alayh wa jināyatibi ay al-rahn 'alā ḡharibi*, once in *furū' rahn al-ab min māl ṭiflībi shay'an bi dayn 'alā nafsibi*, thrice in *faṣl fī masā'il mutafarriqah*.

⁷⁵⁴ Once in *kitāb al-jināyāt*, eight times in *fīmā yūjib al-qawad wa mā lā jūjibubu*, six times in *bāb al-qawad fīmā dūna al-nafs*, twice in *furū' alqā ḡayyah aw 'aqaban fī al-ṭarīq fa ladaghat rajulan*, twice in *faṣl fī al-fī'layn*, and once in *bāb al-shahādah fī al-qatl wa i'tibār ḡalātibi*.

⁷⁵⁵ Once in *faṣl fī al-janīn*, thrice in *bāb mā yuḥdithubu al-rajul fī al-ṭarīq wa ḡbayribi*, once in *faṣl fī al-ḡā'it al-mā'il*, once in *bāb al-jināyah al-babīmah wa al-jināyah 'alayhā*, once in *faṣl fī al-jināyah 'alā al-'abd*, once in *faṣl fī ḡaṣb al-qinn wa ḡbayribi*, four times in *kitāb al-qasāmah*, and once in *furū' wujida qatil fī dār al-sabiyy aw ma'tuwah*.

⁷⁵⁶ Four times in *kitāb al-waṣāyā*, once in *bāb al-waṣiyya li al-aqārib wa ḡbayribim*, once in *bāb al-waṣiyya bi al-khidmah wa al-suknā wa al-ithamarah*, eighteen times in *bāb al-waṣiyy*, eight times in *faṣl fī shabadah al-waṣiyyā'*, and fourteen times in *furū' yuqbalu qawl al-waṣiyy fīmā yadda'ibi min al-infāq bi lā bayyinah*.

⁷⁵⁷ Eight times in *masā'il shattā*.

⁷⁵⁸ Once in *arkān al-wuḍū'*, once in *sunan al-wuḍū'*, thrice in *sunan al-ghusl*, thrice in *bāb al-miyāh*, twice in *bāb al-tayammum*, twice in *furū' ṣallā al-maḡbūs bi al-tayammum*, once in *maṭlab nawāqīd al-maṣh*, and once in *bāb al-anjās*.

⁷⁵⁹ Four times in *kitāb al-ṣalāh*, four times in *maṭlab fī satr al-'awrah*, once in *furū' fī al-niyyah*, once in *maṭlab qad yuṭlaqu al-farḍ 'alā mā yuqābilu al-rukn wa 'alā mā laysa bi rukn wa lā shart*, twice in *wājibāt al-ṣalāh*, once in *furū' kabbara bi ḡbayri 'ālimin bi takbir imāmībi*, seven times in *furū' qara'a bi al-fārisiyyah aw al-tawrāh aw al-injil*, seven times in *bāb al-imāmah*, four times in *furū' masbā al-muṣallī mustaqbil al-qiblah hal tafsudu ṣalātubu*, once in *far' lā ba'sa bi taklīm al-muṣallī wa ijābatibi bi ra'sibi*, thrice in *far' lā ba'sa bi ittikhād al-mūbahab li ḡbayri riyā'*, once in *bāb al-witr wa al-nawāfil*, once in *bāb idrāk al-farīḍah*, once in *bāb qadā' al-fawā'it*, once in *bāb sujūd al-sahu*, once in *bāb ṣalāh al-marīḍ*, thrice in *bāb sujūd al-tilāwah*, twice in *bāb bāb al-jumu'ah*, twice in *bāb al-'idayn*, five times in *bāb ṣalāh al-janāzah*, once in *maṭlab fī al-thawāb 'alā al-muṣībah*, and once in *maṭlab fī ziyārah al-qubūr*.

⁷⁶⁰ Once in *bāb zakāh al-ghanam*, once in *bāb maṣrif al-zakāh wa al-'ushr*, and thrice in *bāb ṣadaqah al-fiṭr*.

⁷⁶¹ Twice in *sabab ṣawm ramadān*, and once in *bāb mā yuḥsidu al-ṣawm wa mā lā yuḥsidubu*.

⁷⁶² Four times in *kitāb al-ḡajj*, four times in *sunan wa ādāb al-ḡajj*, thrice in *faṣlun fī al-ibrām wa ṣifah al-mufrid*, once in *maṭlab fī ṭawāf al-ziyārah*, once in *bāb al-tamattu'*, four times in *bāb al-jināyāt fī al-ḡajj*, once in *maṭlab fī al-farḡ bayna al-'ibādah wa al-qurbah wa al-ṭā'ah*, and once in *ḡaram al-Madīnah wa Makkah*.

⁷⁶³ Twice in *kitāb al-nikāḥ*, once in *furū' ṭallaqa imra'atahu taṭliqatayn wa labā minhu laban fa i'taddat nakahat ṣaḡhīran fa arḍa'athu fa ḡarumat 'alayh fa nakahat akḡhar fa dakhala bihā*, twice in *bāb al-walī*, once in *bāb al-kafā'ah*, once in *bāb nikāḥ al-raḡiq*, once in *bāb nikāḥ al-kāfir*, and twice in *bāb al-qasam bayna al-zawjāt*.

⁷⁶⁴ Twice in *maṭlab ṣarīḥ al-ṭalāq*, twice in *maṭlab al-ṭalāq yaqa'u bi 'adad qurina bihi lā bihi*, twice in *bāb al-amr bi al-yad*, once in *maṭlab*

once in *bāb al-khula*⁷⁶⁵, four times in *bāb al-nafaqah*⁷⁶⁶, four times in *kitāb al-‘itq*⁷⁶⁷, twice in *kitāb al-aymān*⁷⁶⁸, once in *kitāb al-ḥudūd*⁷⁶⁹, once in *kitāb al-sariqah*⁷⁷⁰, four times in *kitāb al-jihād*⁷⁷¹, twice in *kitāb al-ābāq*, seven times in *kitāb al-waqf*⁷⁷², four times in *kitāb al-buyū*⁷⁷³, once in *kitāb al-kafālah*⁷⁷⁴, thrice in *kitāb al-qadā*⁷⁷⁵, once in *kitāb al-shahādāt*⁷⁷⁶, twice in *kitāb al-ijārah*⁷⁷⁷, once in *kitāb al-ikrāb*, twice in *kitāb al-dhabā’ih*, and four times in *kitāb al-ḥaḥar wa al-ibāḥab*⁷⁷⁸.

Ibn ‘Ābidīn mentions the full title *Faṭḥ al-Qadīr* 184 times. Six times in the *muqaddimah*, ten times in *kitāb al-ṭahārāh*⁷⁷⁹, thirty-seven times in *kitāb al-ṣalāh*⁷⁸⁰, twelve times in *kitāb al-zakāh*⁷⁸¹, four times in *kitāb al-ṣawm*⁷⁸², seven times in *kitāb al-ḥajj*⁷⁸³, eighteen times in *kitāb al-nikāḥ*⁷⁸⁴, sixteen times in *kitāb al-ṭalāq*⁷⁸⁵, once in *bāb al-ḥibār*, once in *bāb al-‘innīn*, four times in *bāb al-‘iddah*⁷⁸⁶, four times in *bāb al-nafaqah*⁷⁸⁷,

fī alfāz al-sharṭ, twice in *maṭlab fīmā law idda‘ā al-istithnā’ wa ankarathu al-zawjab*, and once in *maṭlab fī ḥilāb isqāṭ ‘iddah al-muḥallil*.

⁷⁶⁵ Once in *furū’ qāla khāla‘uki ‘alā al-fīn qālabu thulāthan fa qubilat*.

⁷⁶⁶ Once in *maṭlab lā tajibu ‘alā al-ab nafaqah zawjab ibnibi al-ṣaghīr*, twice in *maṭlab fī farḍ al-nafaqah li zawjab al-ghā’ib*, and once in *maṭlab fī nafaqah al-uṣūl*.

⁷⁶⁷ Twice in *far’ yustahabbu an yatuba li al-‘itq kitāban wa yushbidu ‘alaybi shubūdan*, once in *far’qāla aḥad al-sharikayn li al-ākhar bi’tu minka naṣībī*, and once in *bāb al-tadbīr*.

⁷⁶⁸ Twice in *bāb al-yamīn fī al-ḍarb wa al-qatl wa gharī dhālik*.

⁷⁶⁹ Once in *furū’ irtaddat li tufāriqa zawjabā*.

⁷⁷⁰ Once in *bāb qaṭ al-ṭarīq*.

⁷⁷¹ Thrice in *maṭlab fī yuntaqaḍu bibi ‘abd al-dhimmi wa mā lā yuntaqaḍu*, and once in *bāb al-murtad*.

⁷⁷² Once in *far’ ṭalīb tawliyah al-waqf lā yuwallā*, once in *maṭlab laysa li al-qādī an yuqarrira waṣīfah fī al-waqf illā al-naḥar*, and five times in *maṭlab fī iqālah al-mutawallī ‘aqd al-ijārah*.

⁷⁷³ Once in *maṭlab fī bay’ al-jāmikiyyah*, once in *maṭlab fī al-bay’ bi sharṭ fāsīd*, once in *maṭlab mā taṣiḥḥu idāfatubu wa mā lā taṣiḥḥu bāb al-ṣarf*, and once in *maṭlab masā’il fī al-muqāṣah*.

⁷⁷⁴ Once in *maṭlab kafālah al-māl*.

⁷⁷⁵ Once in *kitāb al-qadā*, once in *faṣl fī al-ḥabs*, and once in *bāb kitāb al-qādī ilā al-qādī*.

⁷⁷⁶ Once in *bāb man yajibu qabūl shahādatihi ‘alā al-qādī*.

⁷⁷⁷ Once in *maṭlab fī ijārah al-binā*, and once in *maṭlab fī takbliyah al-ba’id*.

⁷⁷⁸ Thrice in *kitāb al-ḥaḥar wa al-ibāḥab*, and once in *faṣl fī al-bay’*.

⁷⁷⁹ Once in *kitāb al-ṭahārāh*, once in *arkān al-wuḍū’*, twice in *sunan al-wuḍū’*, twice in *sunan al-ghusl*, once in *far’ muḥdith inghamasa fī bi’r li dalw wa lā najasun ‘alaybi wa lam yanwi wa lam yatadallak*, once in *faṣl fī al-bi’r*, once in *maṭlab nawāqid al-mash*, and once in *furū’ fī al-istibrā’*.

⁷⁸⁰ Once in *bāb al-adhān*, once in *fā’idāh al-taslim ba’d al-adhān*, once in *maṭlab qad yuṭlaqu al-farḍ ‘alā mā yuqābilu al-rukn wa ‘alā mā laysa bi rukn wa lā sharṭ*, twice in *wājibāt al-ṣalāh*, twice in *furū’ qara’a bi al-fārisiyyah aw al-tawrāh aw al-injīl*, twice in *faṣlun fī al-qirā’ah*, once in *furū’ yajibu al-istimā’ li al-qirā’ah muṭlaqan*, once in *bāb al-imāmah*, once in *bāb al-istikhlāf*, once in *furū’ sami’a al-muṣallī ism Allāh fa qāla jalla jalālūh aw al-nabī ṣallā Allāhu ‘alaybi wa sallam fa ṣallā ‘alaybi*, five times in *bāb al-witr wa al-nawāfil*, twice in *bāb idrāk al-farīdah*, four times in *bāb qadā’ al-fawā’it*, once in *bāb sujūd al-sahw*, once in *bāb sujūd al-tilāwah*, once in *bāb bāb al-jumu’ah*, thrice in *bāb al-‘idayn*, six times in *bāb ṣalāh al-janāzah*, and once in *maṭlab fī ziyārah al-qubūr*.

⁷⁸¹ Thrice in *kitāb al-zakāh*, once in *bāb al-sā’imah*, twice in *bāb zakāh al-ghanam*, twice in *bāb zakāh al-rikāz*, once in *bāb al-‘usbr*, once in *furū’ fī zakāh al-‘usbr*, and twice in *bāb ṣadaqah al-fiṭr*.

⁷⁸² Twice in *kitāb al-ṣawm*, once in *bāb mā yufsidu al-ṣawm wa mā lā yufsidubu*, and once in *maṭlab fī ṣawm al-sitt min al-shawwāl*.

⁷⁸³ Once in *kitāb al-ḥajj*, once in *maṭlab fī al-mawāqīt*, twice in *faṣlun fī al-iḥrām wa ṣifāh al-mufrīd*, once in *bāb al-qirān*, and twice in *maṭlab fī al-farq bayna al-‘ibādah wa al-qurbah wa al-ṭā’ah*.

⁷⁸⁴ Twice in *furū’ ṭallaqa imra’atubu taṭliqatayn wa lahā minhu laban fa i’taddat nakahat ṣaghīran fa arḍa’atubu fa ḥarumat ‘alayh fa nakahat ākhar fa dakhala bibā*, seven times in *bāb al-walī*, thrice in *bāb al-kafā’ah*, once in *bāb al-mabr*, once in *maṭlab nikāḥ al-shighbār*, twice in *maṭlab anfaqa ‘alā al-mu’taddah al-ghayr*, and twice in *maṭlab fī ḥukm al-‘azal*.

⁷⁸⁵ Four times in *kitāb al-ṭalāq*, once in *rukn al-ṭalāq*, twice in *maṭlab ṣariḥ al-ṭalāq*, once in *maṭlab al-inqilāb wa al-iqtisār wa al-istinād wa al-tabyīn*, thrice in *bāb al-kināyāt*, once in *maṭlab fīmā law idda‘ā al-istithnā’ wa ankarathu al-zawjab*, twice in *bāb ṭalāq al-marīd*, once in *bāb al-rujūb*, and once in *maṭlab fī ḥilāb isqāṭ ‘iddah al-muḥallil*.

⁷⁸⁶ Once in *bāb al-‘iddah*, once in *maṭlab fī waṭ’ al-mu’taddah bi shubbah*, once in *far’ adkhalat maniyyabu fī farjihā bal ta’taddu*, and once in *faṣl fī thubūt al-nasab*.

⁷⁸⁷ Once in *maṭlab fī akhbāb al-mar’ah kafīlan bi al-nafaqah*, once in *maṭlab fī al-amr bi al-istidānah ‘alā al-zawj*, once in *maṭlab fī al-kalām ‘alā al-mu’nisah*, and once in *maṭlab fī nafaqah al-uṣūl*.

eight times in *kitāb al-‘itq*⁷⁸⁸, thrice in *kitāb al-aymān*⁷⁸⁹, thrice in *kitāb al-ḥudūd*⁷⁹⁰, five times in *kitāb al-jihād*⁷⁹¹, eight times in *kitāb al-waqf*⁷⁹², twelve times in *kitāb al-buyū*⁷⁹³, once in *kitāb al-kafālah*⁷⁹⁴, five times in *kitāb al-qaḍā*⁷⁹⁵, five times in *kitāb al-shahādāt*⁷⁹⁶, once in *kitāb al-iqrār*⁷⁹⁷, once in *kitāb al-makātib*⁷⁹⁸, twice in *kitāb al-udḥiyah*⁷⁹⁹, twice in *kitāb al-ḥaḥar wa al-ibāḥab*⁸⁰⁰, twice in *kitāb al-ashribah*, once in *kitāb al-diyāt*⁸⁰¹, four times in *kitāb al-waṣāyā*⁸⁰², and twice in *kitāb al-khunṭhā*⁸⁰³.

Ibn ‘Abidin mentions the word *al-Faṭḥ* 3182 times. Once in the *muqaddimah*, one hundred and sixty-six times in *kitāb al-ṭahārah*⁸⁰⁴, three hundred and fifteen times in *kitāb al-ṣalāh*⁸⁰⁵, seventy-nine times in *kitāb al-zakāh*⁸⁰⁶,

⁷⁸⁸ Once in *kitāb al-‘itq*, twice in *maṭlab fī kināyāt al-i-tāq*, twice in *bāb ‘itq al-ba’ḍ*, once in *bāb al-istilād*, and twice in *far‘ bā’a umma waladibi wa al-mushtarī ya lamu bibā fa waladat fa’dda’ābu*.

⁷⁸⁹ Thrice in *bāb al-yamīn fī al-akl wa al-shurb wa al-lub wa al-kalām*.

⁷⁹⁰ Twice in *bāb al-waṭ’ alladhī yūjibu al-ḥadd wa alladhī lā yūjibubu*, and once in *far‘ aqarra ‘alā nafsibi bi al-diyāthab aw ‘urifa bibā*.

⁷⁹¹ Once in *bāb al-magham wa qismatubu*, once in *faṣl fī kayfiyyah al-qismah*, once in *maṭlab fī aḥkām al-kanā’is wa al-bay’*, once in *maṭlab tawbah al-ya’s maqbūlah dūna imān al-ya’s*, and once in *bāb al-bughāb*.

⁷⁹² Once in *kitāb al-waqf*, once in *maṭlab fī istibdāl al-waqf wa shurūṭihi*, once in *maṭlab laysa li al-qāḍī an yuqarrira waṣīfah fī al-waqf illā al-naḥar*, once in *maṭlab fī al-muṣādafah ‘alā al-naḥar*, once in *maṭlab fī aḥkām al-waqf ‘alā fuqarā’ qarābatibi*, once in *maṭlab fīmā yata’allaqu bi waqf al-awlād min al-durar wa ghayrihā*, once in *maṭlab waqf ‘alā awlādibim wa sammāhum*, and once in *maṭlab al-qāḍī idhā qaḍā fī muṭtabid fībi nafadha qaḍā’ubu illā fī al-masā’il*.

⁷⁹³ Once in *maṭlab mubim fī aḥkām al-nuqūd idhā kasadat aw inqaṭa’at aw ghalat aw rakḥṣat*, once in *bāb kbiyār al-ru’yah*, once in *bāb kbiyār al-‘ayb*, once in *tanbīh fī ṣīfah al-kbuṣūmah fī kbiyār al-‘ayb*, once in *maṭlab mubimm fī ikhtilāf al-bā’i wa al-mushtarī fī ‘adad al-maqbūd aw qadrihi aw ṣīfatibi*, once in *maṭlab fī jumlah mā yaqṭu bibi al-kbiyār*, once in *maṭlab fī bay’ al-mughīb fī al-ard*, once in *maṭlab fī ḥukm ijāz al-birak lil al-iṣṭiyād*, once in *bāb al-murābahah wa al-tawliyah*, once in *maṭlab fī istiqrād al-darāhim ‘adadan*, once in *bāb al-ḥuqūq fī al-bay’*, and once in *maṭlab qāla li madyūnah idhā mita fa anta barī’un*.

⁷⁹⁴ Once in *fā’idah matā adā bi kafālah fāsidad raja’a ka ṣahībi*.

⁷⁹⁵ Twice in *masā’il mutafarriqah*, and thrice in *far‘ waqa’a al-ikhtilāf fī kufr al-mayyit wa islāmīhi*.

⁷⁹⁶ Twice in *bāb man yajibu qabūl shahādātibi ‘alā al-qāḍī*, twice in *bāb al-shahādah ‘alā al-shahādah*, and once in *bāb al-rujū’ an al-shahādah*.

⁷⁹⁷ Once in *bāb iqrār al-marīḍ*.

⁷⁹⁸ Once in *bāb mawt al-makātib wa ‘ajzibi wa mawt al-mawlā*.

⁷⁹⁹ Once in *kitāb al-udḥiyah*, and once in *furū’ lawn udḥiyatibi ‘alaybi al-ṣalāh wa al-salām sawdā’*.

⁸⁰⁰ Once in *kitāb al-ḥaḥar wa al-ibāḥab*, and once in *bāb al-istibrā’ wa ghayrihi*.

⁸⁰¹ Once in *bāb mā yuḥdithubu al-rajul fī al-ṭarīq wa ghayrihi*.

⁸⁰² Thrice in *kitāb al-waṣāyā*, and once in *bāb al-waṣiyya li al-aqārīb wa ghayribim*.

⁸⁰³ Twice in *masā’il shattā*.

⁸⁰⁴ Once in *kitāb al-ṭahārah*, twice in *arkān al-wuḍū’*, fifty-five times in *sunan al-wuḍū’*, four times in *farḍ al-ghuṣl*, thirteen times in *sunan al-ghuṣl*, fourteen times in *bāb al-miyāb*, thrice in *al-mā’ al-musta’mal*, four times in *far‘ muḥdith inghamasa fī bi’r li dalw wa lā najasun alayhi wa lam yanwi wa lam yatadallak*, twice in *far‘ mā yakbruji min dār al-ḥarb ka sinjāb in ‘alima dabghabu bi ṭābir*, six times in *faṣl fī al-bi’r*, five times in *far‘ al-bu’d al-māni’ min wuṣūl najāsah al-bālū’ah ilā al-bi’r*, twice in *al-tayammum wa shurūṭihi*, nine times in *sunan al-tayammum*, twice in *furū’ sallā al-maḥbūs bi al-tayammum*, once in *maṭlab nawāqīd al-maṣḥ*, four times in *bāb al-ḥayḍ*, twice in *maṭlab fī aḥkām al-ma’ḍbūr*, twenty-eight times in *bāb al-anjās*, thrice in *faṣl al-istinjā’*, and six times in *furū’ fī al-istibrā’*.

⁸⁰⁵ Ten times in *kitāb al-ṣalāh*, six times in *bāb al-adhān*, nineteen times in *fā’idah al-taslīm ba’d al-adhān*, eighteen times in *maṭlab fī satr al-‘awrah*, once in *furū’ fī al-niyyah*, thrice in *bāb ṣīfah al-ṣalāh*, seventeen times in *maṭlab qad yutlaqu al-farḍ ‘alā mā yuqābilu al-rukn wa ‘alā mā laysa bi rukn wa lā shart*, eleven times in *wājibāt al-ṣalāh*, once in *furū’ kabbara bi ghayri ‘alimin bi takbir imāmīhi*, seventeen times in *furū’ qarā’a bi al-fārisiyyah aw al-tawrāb aw al-injīl*, thirteen times in *faṣlun fī al-qirā’ah*, once in *furū’ yajibu al-istimā’ li al-qirā’ah muṭlaqan*, twenty-seven times in *bāb al-imāmah*, six times in *furū’ iqtidā’ mutanaḥḥil bi mutanaḥḥil wa man yarā al-witr wājiban bi man yarāhu sunnatan*, nine times in *bāb al-istikhlāf*, thrice in *bāb mā yuṣidu al-ṣalāh wa mā yukribubu fihā*, once in *furū’ samī’a al-muṣallī ism Allāh fa qāla jalla jalālub aw al-nabī shallā Allāhu ‘alayhi wa sallam fa shallā ‘alaybi*, twelve times in *furū’ maṣḥā al-muṣallī mustaqbil al-qiblah hal taṣṣudu ṣalātubu*, twice in *far‘ lā ba’sa bi taklīm al-muṣallī wa ijābatibi bi ra’sibi*, once in *far‘ lā ba’sa bi ittikhād al-miṣbahab li ghayri riḥā’*, thrice in *furū’ isbtimāl al-ṣalāh ‘alā al-ṣammā’ wa al-i’tijār wa al-talatḥum wa al-tanakhkhum wa kullu ‘amal qalil li lā ‘udhr*, once in *furū’ aḥḍal al-masājīd*, twelve times in *bāb al-witr wa al-nawāfil*, eleven times in *bāb idrāk al-farīḍah*, ten times in *bāb qaḍā’ al-fawā’it*, sixteen times in *bāb sujūd al-sabw*, once in *bāb ṣalāh al-marīḍ*, eight times in *bāb sujūd al-tilāwah*, seven times in *bāb ṣalāh al-muṣāfir*, twice in *maṭlab fī al-waṭn al-aṣlī wa waṭn al-iqāmah*, once in *furū’ fī qasr al-ṣalāh*, ten times in *bāb bāb al-jumu’ah*, thirteen times in *bāb al-īdayn*, five times in *bāb al-kusūf*, twice in *bāb al-istisqā’*, once in *bāb ṣalāh al-khawf*, thirty-seven times in *bāb ṣalāh al-janāzah*, nine times in *maṭlab fī dafn al-mayyit*, once in *furū’ fī al-janā’iz*, once in *maṭlab fī al-thawāb ‘alā al-muṣibah*, once in *maṭlab fī ziyārah al-qubūr*, twice in *tatimmah qat’ al-nabāt al-ruṭb wa al-ḥashīsh min al-maqbarah dūwana al-yābis*, and four times in *bāb al-shahād*.

⁸⁰⁶ Eight times in *kitāb al-zakāh*, once in *bāb niṣāb al-ibil*, twelve times in *bāb zakāh al-ghanam*, eight times in *bāb zakāh al-māl*, four times

seventy-seven times in *kitāb al-ṣawm*⁸⁰⁷, twice in *bāb al-i'tikāf*, one hundred and ninety-three times in *kitāb al-ḥajj*⁸⁰⁸, two hundred and seventy seven times in *kitāb al-nikāḥ*⁸⁰⁹, seventeen times in *bāb al-radā'*, two hundred and forty-one times in *kitāb al-talāq*⁸¹⁰, forty-three times in *bāb al-īlā'*⁸¹¹, thirty-three times in *bāb al-khula*⁸¹², twenty-two times in *bāb al-zihār*⁸¹³, twenty-three times in *bāb al-li'ān*⁸¹⁴, thirteen times in *bāb al-īnnīn*, sixty-one times in *bāb al-iddah*⁸¹⁵, thirteen times in *bāb al-ḥadānah*, fifty-nine times in *bāb al-nafaqah*⁸¹⁶, sixty-six times in *kitāb al-īṭq*⁸¹⁷, two hundred and fourteen times in *kitāb al-aymān*⁸¹⁸,

in *bāb al-āshir fī al-zakāh*, five times in *bāb zakāh al-rikāz*, seven times in *bāb al-ʿusbr*, once in *furū' fī zakāh al-ʿusbr*, twenty-one times in *bāb maṣrif al-zakāh wa al-ʿusbr*, twice in *furū' fī maṣrif al-zakāh*, ten times in *bāb ṣadaqah al-fiṭr*.

⁸⁰⁷ Once in *kitāb al-ṣawm*, twenty-three times in *sunan ṣawm ramaḍān*, thirty-eight times in *bāb mā yuṣidu al-ṣawm wa mā lā yuṣidubu*, once in *furū' fī al-ṣiyām*, nine times in *faṣl fī al-ʿawāriḍ al-mabīḥab li 'adm al-ṣawm*, five times in *maṭlab fī ṣawm al-sitt min al-shawwāl*.

⁸⁰⁸ Sixteen times in *kitāb al-ḥajj*, five times in *maṭlab fī aḥkām al-ʿumrah*, five times in *maṭlab fī al-mawāqīt*, thirty-two times in *faṣlun fī al-ibrām wa ṣifab al-mufrid*, ten times in *faṣlun fī ramy jamrah al-ʿaqabah*, fourteen times in *maṭlab fī ṭawāf al-ziyārah*, ten times in *bāb al-qirān*, seven times in *bāb al-tamattu'*, forty-seven times in *bāb al-jināyāt fī al-ḥajj*, four times in *bāb al-iḥṣār*, twice in *bāb al-ḥajj 'an al-ghayr*, twenty-eight times in *maṭlab fī al-farq bayna al-ibādah wa al-qurbah wa al-ṭā'ah*, five times in *bāb al-hady*, once in *furū' fī al-ḥajj*, twice in *maṭlab fī takfīr al-ḥajj wa al-ʿumrah*, and thrice in *khātimah fī al-ḥajj*.

⁸⁰⁹ Forty-four times in *kitāb al-nikāḥ*, twice in *furū' qāla zawwijnī ibnataḥ 'alā anna amrahā biyadik*, seven times in *faṣlun fī al-muḥarramāt*, fifty times in *furū' ṭallaqa imra'atabu ṭalīqatayn wa labā minhu laban fa i'taddat nakaḥat ṣaghiran fa arḍa'athu fa ḥarumat 'alayh fa nakaḥat akhar fa dakhala bihā*, thirty-six times in *bāb al-walī*, eleven times in *furū' laysa li al-qādī tazwij al-ṣaghirah min nafsibi wa lā min man lā tuqbalu shabādatuhu*, eight times in *bāb al-kafā'ah*, ten times in *maṭlab fī al-wakīl wa al-fudūlī fī al-nikāḥ*, four times in *bāb al-mabr*, three times in *maṭlab nikāḥ al-shighār*, six times in *maṭlab fī aḥkām al-mu'āb*, eleven times in *maṭlab fī ḥaṭṭ al-mabr wa al-ibrā'*, five times in *maṭlab fī al-nikāḥ al-fāsīd*, five times in *maṭlab fī ḍimān al-walī al-mabr*, twice in *maṭlab fī man' al-zawjah nafsibi li qabḍ al-mabr*, thrice in *maṭlab fī al-safar bi al-zawjah*, thrice in *maṭlab masā'il al-ikhtilāf fī al-mabr*, six times in *maṭlab fīmā yursiluhu ilā al-zawjah*, once in *maṭlab anfaqa 'alā al-mu'taddah al-ghayr*, four times in *far'un law zuffat ilayhi bi lā jibāz yaliqu bibi*, eleven times in *bāb nikāḥ al-raḡiq*, ten times in *maṭlab fī bukm al-'azal*, eighteen times in *bāb nikāḥ al-kāfir*, four times in *maṭlab al-walad yatba'u khayr al-abawayn dīnan*, and thirteen times in *bāb al-qasam bayna al-zawjāt*.

⁸¹⁰ Ten times in *kitāb al-talāq*, once in *maḥal al-talāq*, nine times in *rukn al-talāq*, ten times in *maṭlab fī ta'rīf al-sukrān wa ḥukmuhu*, once in *maṭlab i'tibār 'adad al-talāq bi al-nisā'*, thirty times in *maṭlab ṣarīḥ al-talāq*, five times in *maṭlab fī idāfah al-talāq ilā al-zamān*, thirteen times in *maṭlab al-inqilāb wa al-iqtisār wa al-istinād wa al-tabyīn*, once in *bāb talāq ghayr al-madkhūl bibā*, seven times in *maṭlab al-talāq yaqa'u bi 'adad qurina bibi lā bibi*, twenty-one times in *bāb al-kināyāt*, eighteen times in *bāb tafwīḍ al-talāq*, thrice in *bāb al-amr bi al-yad*, fourteen times in *faṣlun fī al-mashī'ah*, six times in *bāb al-ta'līq*, five times in *maṭlab fī al-fāz al-shart*, once in *maṭlab zawāl al-milk lā yubṭilu al-yamīn*, four times in *maṭlab fī ikhtilāf al-zawjayn fī wujūd al-shart*, once in *maṭlab fīmā law takarrara al-shart bi 'atf aw bi duwnihi*, four times in *maṭlab al-masā'il al-istithnā' wa al-mashī'ah*, twenty times in *maṭlab fīmā law idda'ā al-istithnā' wa ankarathu al-zawjah*, fourteen times in *bāb talāq al-marīḍ*, twenty two times in *bāb al-ruj'ah*, thrice in *maṭlab fī al-aqd 'alā al-mubānah*, fifteen times in *maṭlab fī ḥilab isqāṭ 'iddah al-muḥallil*, and thrice in *maṭlab al-iqdām 'alā al-nikāḥ al-iqrār bi muḍiyā al-'iddah*.

⁸¹¹ Twenty-seven times in *bāb al-īlā'*, and sixteen times in *maṭlab fī qawlibi anti 'alayya ḥarām*.

⁸¹² Twice in *bāb al-khula*, seventeen times in *fā'idah fī shart qabūl al-khula' wa al-fāzībi*, five times in *maṭlab fī kbul' 'alā nafaqah al-walad*, six times in *maṭlab fī kbul' al-ṣaghirah*, once in *maṭlab fī kbul' al-marīḍah*, and twice in *furū' qāla khāla'tuki 'alā alfin qālabu thulāthan fa qubilat*.

⁸¹³ Nine times in *bāb al-zihār*, and thirteen times in *bāb kaffārah al-zihār*.

⁸¹⁴ Nine times in *bāb al-li'ān*, and fourteen times in *maṭlab al-ḥaml yaḥtamilu kawnaḥu nafaḥan*.

⁸¹⁵ Thirteen times in *bāb al-iddah*, seven times in *maṭlab fī 'iddah al-mawt*, thrice in *maṭlab 'iddah al-mankūḥah fāsīdan wa al-mawṭ'ah bi shubbah*, five times in *maṭlab fī waṭ' al-mu'taddah bi shubbah*, once in *far' adkhalat maniyyahu fī farjibā hal ta'taddu*, fourteen times in *faṣl fī al-ḥidād*, sixteen times in *faṣl fī thubūt al-nasab*, and twice in *far' nakaḥa amatan fa ṭallaqahā fa sharāḥā fa waladat li aqalli min nisf ḥawl mundhu shirābā*.

⁸¹⁶ Thrice in *bāb al-nafaqah*, sixteen times in *maṭlab lā tajibu 'alā al-ab nafaqah zawjah ibnihi al-ṣaghir*, thrice in *maṭlab fī akhdh al-mar'ah kafīlan bi al-nafaqah*, once in *maṭlab fīmā law zuffat ilayhi bi lā jibāz*, twice in *maṭlab fī nafaqah khādīm al-mar'ah*, once in *maṭlab fī faskh al-nikāḥ bi al-'ajz 'an al-nafaqah wa bi al-ghaybah*, once in *maṭlab fī al-amr bi al-istidānah 'alā al-zawj*, four times in *maṭlab lā taṣīru al-nafaqah daynan illā bi al-qadā' aw al-riḍā'*, four times in *maṭlab fī bay' al-'abd li nafaqah zawjatibi*, twice in *maṭlab fī maskan al-zawjah*, twice in *maṭlab fī al-kalām 'alā al-mu'nisab*, five times in *maṭlab fī nafaqah al-muṭallaqah*, thrice in *maṭlab al-ṣaghir wa al-muktasib nafaqah fī kasbihi lā 'alā abibi*, twice in *maṭlab fī irḍā' al-ṣaghir*, nineteen times in *maṭlab fī nafaqah al-uṣūl*, and once in *maṭlab fī nafaqah al-mamlūk*.

⁸¹⁷ Four times in *kitāb al-īṭq*, four times in *far' yustahabbu an yatuba li al-īṭq kitāban wa yushbidu 'alayhi shubūdan*, four times in *maṭlab fī kināyāt al-i'tāq*, twice in *maṭlab fīmilk dhī al-raḥim al-maḥram*, eight times in *bāb 'īṭq al-ba'd*, seven times in *far'qāla aḥad al-sharikayn li al-ākhar bi'tu minka naṣībī*, five times in *bāb al-ḥaliḥ bi al-īṭq*, twice in *furū' fī al-ḥulf bi al-īṭq*, eleven times in *bāb al-īṭq 'alā ju'ul*, six times in *bāb al-tadbīr*, four times in *bāb al-istilād*, and nine times in *far' bā'a umma waladibi wa al-mushtarī ya'lamu bibā fa waladat fa'dda'āhu*.

⁸¹⁸ Fifty-nine times in *kitāb al-aymān*, fourteen times in *bāb al-yamīn fī al-dukhūl wa al-khurūj wa al-suknā wa al-ityān wa al-rukūb wa ghari dbālik*, eighteen times in *furū' ḥalafa lā yusākinu fulānan fa sākanahu fī 'arṣihi dār*, twenty-eight times in *bāb al-yamīn fī al-akl wa al-*

one hundred and sixty-one times in *kitāb al-ḥudūd*⁸¹⁹, sixty-seven times in *kitāb al-sariqah*⁸²⁰, two hundred times in *kitāb al-jihād*⁸²¹, twelve times in *kitāb al-laqīṭ*, sixteen times in *kitāb al-luqṭah*, nine times in *kitāb al-ābāq*, four times in *kitāb al-maḥqūd*⁸²², twenty-four times in *kitāb al-sharikah*⁸²³, eighty-six times in *kitāb al-waqf*⁸²⁴, four hundred and twenty two times in *kitāb al-buyū*⁸²⁵, eighty-one times in *kitāb al-kafālah*⁸²⁶, fifteen times in *kitāb*

shurb wa al-lubs wa al-kalām, thirty times in *furū' ḥalafa lā ya'kulu lahman wa al-ākbaru baṣalan wa al-ākbaru filfilan fa ṭubikha ḥashwun fihi kullu dhālik fa akalū*, twelve times in *bāb al-yamīn fi al-ṭalāq wa al-ṭāq*, thirty-three times in *bāb al-yamīn fi al-bay' wa al-shirā' wa al-ṣawm wa al-ṣalāh wa gḥayribā*, nineteen times in *bāb al-yamīn fi al-ḍarḥ wa al-qatl wa gḥari dhālik*, and once in *furū' qāla li gḥayribi wa Allāh latafaḥalanna kadhā*.

⁸¹⁹ Forty-one times in *kitāb al-ḥudūd*, fourteen times in *bāb al-waḥ' alladhī yūjibu al-ḥadd wa alladhī lā yūjibubu*, eleven times in *far' al-istimnā'*, thirteen times in *bāb al-shahādah 'alā al-zinā wa al-rujū' 'anbā'*, twelve times in *bāb ḥadd al-shurb al-maḥurram*, thirty-three times in *bāb ḥadd al-qadhaf*, nine times in *bāb al-ta'zīr*, thirteen times in *far' man 'alaybi al-ta'zīr law qāla li rajulin aqim 'alayya al-ta'zīr fa fa'alabu thumma rufi'a li al-ḥākim*, and fifteen times in *far' aqarra 'alā nafsihi bi al-diyātibah aw 'urifa bibā*.

⁸²⁰ Forty times in *kitāb al-sariqah*, once in *furū' sariqa fustāṭan mansūban*, fourteen times in *bāb kayfiyyah al-qaṭ' wa itbbātibi*, and twelve times in *bāb qaṭ' al-tariq*.

⁸²¹ Twenty-two times in *kitāb al-jihād*, fourteen times in *bāb al-magḥnam wa qismatubu*, two times in *faṣl fi kayfiyyah al-qismah*, six times in *bāb istilā' al-kuffār 'alā ba'dhibim ba'dan aw 'alā amwālīnā*, twice in *bāb al-musta'min*, seven times in *faṣl fi isti'mān al-kāfir*, seven times in *maṭlab fīmā taṣīru bibi dār al-islām dār ḥarb wa bi al-'aks*, four times in *maṭlab fi kharāj al-muqāsamah*, eleven times in *faṣl fi al-jizyah*, eight times in *maṭlab fi abkām al-kanā'is wa al-bay'*, four times in *maṭlab fi al-suknā abl al-dhimmah bayna al-muslimīn fi al-miṣr*, thrice in *maṭlab fi yuntaqaḍu bibi 'abd al-dhimmi wa mā lā yuntaqaḍu*, once in *maṭlab fi maṣārif bayt al-māl*, five times in *bāb al-murtad*, ten times in *maṭlab tawbah al-ya's maqbūlah dūna imān al-ya's*, seventeen times in *maṭlab al-ma'siyah tabqā ba'd al-riddah*, and nineteen times in *bāb al-bughāh*.

⁸²² Four times in *far' abaqa ba'd al-bay' qabl al-qabḍ*.

⁸²³ Nine times in *kitāb al-sharikah*, twice in *maṭlab fi tawqūt al-sharikah*, five times in *maṭlab fīmā yubṭilu al-sharikah*, twice in *furū' fi al-sharikah*, once in *maṭlab sharikah al-wujūb*, four times in *maṭlab fi al-sharikah al-fāsīdah*, and once in *furū' al-qawl li munkar al-sharikah*.

⁸²⁴ Four times in *kitāb al-waqf*, thrice in *maṭlab qad yathbutu al-waqf bi al-ḍarūrāh*, eight times in *maṭlab fi waqf al-murtad wa al-kāfir*, seven times in *maṭlab sakana dāran thumma ḥabara annahā waqf*, once in *far' arāda abl al-maḥallah naqḍ al-masjid wa binā'ahu aḥkama min al-awwal*, twice in *far' binā' baytan li al-imām fa waqf al-masjid*, once in *maṭlab fi waqf al-manqūl tab'an li al-'aqār*, thrice in *maṭlab al-tahdīd fi waqf al-'aqār*, twice in *maṭlab fi waqf al-mashā' al-maqḍi bibi*, twice in *maṭlab fi waqf al-manqūl qaṣḍan*, thirteen times in *maṭlab yabda'u min gḥallab al-waqf bi 'imāratibi*, five times in *maṭlab fi qaṭ' al-jihāt li ajl al-'imārāh*, nine times in *maṭlab fi al-waqf idhā khariba wa lam yumkin 'imāratubi*, four times in *maṭlab li al-mafrūgh labu al-rujū' bi māl al-farāgh*, five times in *maṭlab fi istibdāl al-waqf wa shurūṭibi*, once in *far' aqarra bi waqf saḥīḥ wa bi annahu akbrajabu min yadibi wa wāritubu ya'lamu kbilāfabu*, twice in *faṣl ijārah al-wāqif*, thrice in *maṭlab al-tawliyah kbārijah 'an ḥukm sā'ir al-sharā'it*, once in *maṭlab ista'jara dāran fibā ashjār*, thrice in *maṭlab fi abkām al-waqf 'alā fuqarā' qarābatibi*, twice in *maṭlab fi iqālah al-mutawallī 'aqd al-ijārah*, twice in *maṭlab fīmā yata'allaqu bi waqf al-awlād min al-durar wa gḥayribā*, twice in *maṭlab waqf 'alā awlādibim wa sammāhum*, once in *maṭlab al-qāḍi idhā qadā fi mujtabid fihi nafadha qadā'uhu illā fi al-masā'il*, and once in *maṭlab fi qadā' al-qāḍi bi kbilāf madhhabibi*.

⁸²⁵ Twenty times in *kitāb al-buyū'*, once in *furū' fi al-bay'*, thrice in *maṭlab fi in 'iqād al-bay' bi lafz wāḥid min jānibayn*, six times in *maṭlab mā yubṭil al-mā' sab'ah*, twice in *far' law kāna al-thaman fi surrah wa lam ya'rif mā fibā*, eleven times in *maṭlab mubim fi abkām al-nuqūd idhā kasadat aw inqaṭa'at aw gḥalat aw rakbuṣat*, five times in *faṣl fīmā yadkḥulu fi al-bay' tab'an wa mā lā yadkḥulu*, seven times in *maṭlab kullu mā dakhala tab'an lā yuqābilubu shay' min al-thaman*, fourteen times in *maṭlab fi bay' al-thaman wa al-zar' wa al-shajar maqṣūdan*, once in *far' ḥabara ba'd naqḍ al-sarrāfan al-darāhim zuyūf*, fourteen times in *bāb kbiyār al-sharṭ*, seven times in *maṭlab fi kbiyār al-ta'yīn*, four times in *furū' bā'a dārabu bimā fibā min al-judhū' wa al-abwāb fa idhā laysa fibā shay' min dhālika*, once in *maṭlab al-bay' lā yubṭilu bi al-sharṭ fi ithnayni wa thalāthīna mawḍū'an*, fourteen times in *bāb kbiyār al-ru'yah*, once in *furū' sharā' shay'an lam yarabu*, thirteen times in *bāb kbiyār al-'ayb*, twenty-one times in *tanbih fi ṣifah al-kbuṣmah fi kbiyār al-'ayb*, nine times in *maṭlab mubim fiman qabaḍa min gḥarīmibi darāhim fa wajadahā zuyūfan*, once in *maṭlab fīmā yakūnu riḍā bi al-'ayb wa yamna'u al-radd*, five times in *maṭlab mubimm fi ikhtilāf al-bā'i wa al-mushtarī fi 'adad al-maqbūḍ aw qadribi aw ṣifātibi*, four times in *maṭlab fi al-bay' bi sharṭ al-barā'ah min kullī 'ayb*, six times in *bāb al-bay' al-fāsīd*, five times in *maṭlab fi bay' al-mughīb fi al-arḍ*, once in *maṭlab fi al-bay' al-fāsīd*, seven times in *maṭlab fi ḥukm ijāz al-birak lil al-iṣṭiyād*, fourteen times in *maṭlab fi bay' dūdah al-qirmiz*, twice in *maṭlab al-darāhim wa al-danānir jins wāḥid fi masā'il*, twice in *maṭlab fi bay' al-tariq*, once in *maṭlab fi bay' al-masil ay masil al-mā'*, nine times in *maṭlab fi bay' al-shurb*, nine times in *maṭlab fi al-bay' bi sharṭ fāsīd*, nine times in *maṭlab radd al-mushtarī fāsīdan ilā bā'ihi fa lam yaqbalhu*, thirteen times in *maṭlab abkām nuqṣān al-mabī' fāsīdan*, five times in *faṣl fi al-fudūli*, eleven times in *maṭlab fi bay' al-marḥūn al-musta'jir*, seventeen times in *bāb al-iqālah*, nineteen times in *bāb al-murābahah wa al-tawliyah*, thirteen times in *faṣl fi al-taṣarruf fi al-mabī' wa al-thaman qabla al-qabḍ wa al-ziyādah wa al-ḥaṭ' fibimā wa al-ta'jil al-duyūn*, twice in *maṭlab fi bayān al-thaman wa al-mabī' wa al-dayn*, thrice in *maṭlab fi bayān barā'ah al-istifā' wa barā'ah al-iṣqāṭ*, twice in *faṣl fi al-qarḍ*, twelve times in *maṭlab fi al-ibrā' 'an al-ribā*, once in *maṭlab fi anna al-naṣṣ aqwā min al-'urf*, twenty times in *maṭlab fi istiqrād al-darāhim 'adadan*, four times in *bāb al-ḥuqūq fi al-bay'*, four times in *bāb al-istiḥqāq*, thrice in *rujū' al-mushtarī 'alā al-bā'i*, four times in *maṭlab fi masā'il al-tanāquḍ*, once in *maṭlab lā 'ibra bi tārikḥ al-gḥaybah*, twenty-six times in *bāb al-salam*, twice in *maṭlab fi al-istishnā'*, once in *far' al-salam fi al-dibs*, four times in *maṭlab fi al-tadāwī bi al-muḥarram*, once in *maṭlab li al-qāḍi idā' māl gḥā'ib wa iqrāḍuhu wa bay' manqūlah*, twice in *maṭlab fīmā yanṣarifū ilayh ism al-darāhim*, once in *maṭlab fi al-nababrajah wa al-zuyūf wa al-satūqah*, once in *maṭlab qāla li madyūnah idhā mita fa anta barī'un*, four times in *bāb al-ṣarf*, four times in *far' al-sharṭ al-fāsīd yaltahiqu bi aṣl al-'aqd*, once in *maṭlab fi ḥukm bay' fidḍah qalīlah ma'a shay' ākḥar li isqāt al-ribā*, and sixteen times in *maṭlab masā'il fi al-muqāṣah*.

⁸²⁶ Thrice in *kitāb al-kafālah*, thrice in *maṭlab fi kafālah nafaqah al-zawjah*, twice in *maṭlab yaṣiḥḥu kafālah al-kafil*, ten times in *maṭlab fi*

*al-ḥawālah*⁸²⁷, one hundred and seventeen times in *kitāb al-qaḍā'*⁸²⁸, thirty-eight times in *kitāb al-shahādāt*⁸²⁹, once in *kitāb al-wakālah*, twice in *kitāb al-da'wā*⁸³⁰, once in *kitāb al-ṣulāḥ*, once in *kitāb al-makātib*⁸³¹, twice in *kitāb al-walā'*, once in *kitāb al-ma'dhūn*, once in *kitāb al-shuḥfah*, twice in *kitāb al-ḥaṣar wa al-ibāḥab*⁸³², twice in *kitāb al-ashribah*, once in *kitāb al-diyyāt*⁸³³, and once in *kitāb al-farā'id*.

AL-İKHTIYĀR LI TA'LİL AL-MUKHTĀR

Ibn 'Ābidīn doesn't refer to the book by the full title *al-İkhtiyār li Ta'līl al-Mukhtār* in his commentary. However, he does mention *al-İkhtiyār* 187 times. Seven times in *kitāb al-ṭabārah*⁸³⁴, ten times in *kitāb al-ṣalāh*⁸³⁵, four times in *kitāb al-zakāh*⁸³⁶, five times in *kitāb al-sawm*⁸³⁷, four times in *kitāb al-ḥajj*⁸³⁸, thirteen times in *kitāb al-nikāḥ*⁸³⁹, twice in *kitāb al-ṭalāq*⁸⁴⁰, four times in *bāb al-li'ān*⁸⁴¹, thrice in *bāb al-iddah*⁸⁴², once in *bāb al-ḥaḍānah*, six times in *bāb al-naḥaqah*⁸⁴³, thrice in *kitāb al-ṭiq*⁸⁴⁴, twelve times in *kitāb al-aymān*⁸⁴⁵, four times in *kitāb*

al-kafālah al-mu'aqqatab, thrice in *maṭlab fī al-mawādi'* *allatī yaṣību fihā al-qādi wakīlan bi al-qabdi 'an al-ghā'ib al-mutawārā*, eleven times in *maṭlab kafālah al-māl*, twelve times in *maṭlab fī ta'līq al-kafālah bi shart ḡhayr malā'im*, thirteen times in *fā'idah matā adā bi kafālah fāsīdah raja'a ka ṣaḥīḥibi*, seven times in *maṭlab fī butlān ta'līq al-barā'ah min al-kafālah bi al-shart*, eleven times in *maṭlab bay' al-iyānah*, six times in *bāb kafālah al-rajulayn*.

⁸²⁷ Thirteen times in *kitāb al-ḥawālah*, and twice in *maṭlab fī al-saftajah*.

⁸²⁸ Five times in *kitāb al-qaḍā'*, once in *maṭlab yuḥfi bi qawl al-imām 'alā al-ṭlāq*, seven times in *maṭlab fī al-kalām 'alā al-rushwah wa al-badiyyah*, ten times in *maṭlab fī al-ijtibād wa shurūṭibi*, fifteen times in *maṭlab fī al-badiyyah al-qādi*, eleven times in *faṣl fī al-ḥabs*, eleven times in *maṭlab fī istikhlāf al-qādi nā'iban 'anhu*, twice in *maṭlab fī al-qaḍā'* *bi shahadah al-zūr*, ten times in *maṭlab fī qaḍā' al-qādi bi ḡhayr madhhabibi*, once in *maṭlab li al-qādi iqrād māl al-ya'im wa nahwibi*, once in *furū' al-qaḍā'* *mazhar lā muthbit wa yatakhaṣṣu bi zaman wa makān wa kbuṣmah*, twice in *maṭlab fī' l al-qādi bukm*, once in *bāb al-takkīm*, five times in *maṭlab ḡukm baynahumā qabla taḡkīmibi thumma ajzāzahu*, twelve times in *bāb kitāb al-qādi ilā al-qādi*, twice in *maṭlab fī qaḍā' al-qādi bi 'amalibi*, nine times in *masā'il mutafarriqah*, and twice in *far' waqa'a al-ikhtilāf fī kufr al-mayyit wa islāmibi*.

⁸²⁹ Twice in *kitāb al-shahādāt*, thrice in *far' lā yanbaghī li al-fuqahā'* *kutub al-shahādah*, sixteen times in *bāb man yajibu qabūl shahādatihi 'alā al-qādi*, nine times in *bāb al-ikhtilāf fī al-shahādah*, once in *furū' shahidā bi alf wa qāla aḡaduhumā qaḍā' kbasimi'ah*, five times in *bāb al-shahādah 'alā al-shahādah*, twice in *bāb al-rujū' 'an al-shahādah*.

⁸³⁰ Twice in *bāb da'wā al-nasab*.

⁸³¹ Once in *bāb kitābah al-'abd al-mushtarik*.

⁸³² Once in *faṣl fī al-naṣar wa al-mas*, and once in *far' yukrahu i'tā' sā'il al-masjid illā idbā lam yatakhatṭa riqāb al-nās*.

⁸³³ Once in *bāb mā yuḡditbubu al-rajul fī al-ṭarīq wa ḡhayrihi*.

⁸³⁴ Once in *sunan al-wuḡū'*, once in *far' mā yakbruji min dār al-ḡarb ka sinjāb in 'alima dabḡhabu bi ṭābir*, once in *faṣl fī al-bi'r*, once in *shurūṭ al-maḡh 'alā al-kbuḡffayn*, twice in *faṣl al-istinjā'*, and once in *furū' fī al-istibrā'*.

⁸³⁵ Once in *kitāb al-ṣalāh*, once in *maṭlab qad yuṭlaqu al-fard 'alā mā yuqābilu al-rukn wa 'alā mā laysa bi rukn wa lā shart*, once in *furū' qara'a bi al-fārisiyyah aw al-tawrāh aw al-injil*, twice in *bāb al-imāmah*, twice in *bāb al-witr wa al-nawāfil*, twice in *bāb ṣalāh al-janāzah*, and once in *maṭlab fī dafn al-mayyit*.

⁸³⁶ Thrice in *bāb zakāh al-ḡhanam*, and once in *bāb al-'usbr*.

⁸³⁷ Twice in *sunan ṣawm ramadān*, once in *bāb mā yuḡsidu al-ṣawm wa mā lā yuḡsiduhu*, and twice in *faṣl fī al-'awāriḡ al-mabīḡah li 'adm al-ṣawm*.

⁸³⁸ Once in *kitāb al-ḡajj*, once in *faṣlun fī al-ibrām wa ṣifah al-muḡrid*, and twice in *bāb al-jināyāt fī al-ḡajj*.

⁸³⁹ Twice in *furū' ṭallaqa imra'atabu taṭliqatayn wa lahā minhu laban fa i'taddat nakahat ṣaḡhīran fa arḡa'atbu fa ḡarumat 'alayb fa nakahat ākḡar fa dakḡbala bibā*, once in *furū' laysa li al-qādi tazwīj al-ṣaḡhīrah min naḡsibi wa lā min man lā tuḡbalu shahādatusu*, five times in *maṭlab fī ḡaṭṭ al-mabr wa al-ibrā' minhu*, twice in *maṭlab fī al-nikāḡ al-fāsīd*, once in *maṭlab fī ḡimān al-walī al-mabr*, and twice in *maṭlab fī al-safar bi al-zawjab*.

⁸⁴⁰ Twice in *bāb tafwīḡ al-ṭalāq*.

⁸⁴¹ Thrice in *bāb al-li'ān*, and once in *maṭlab al-ḡaml yaḡtamilu kawḡnahu naḡkḡban*.

⁸⁴² Once in *maṭlab fī 'iddah al-mawt*, once in *maṭlab 'iddah al-mankūḡḡah fāsīdan wa al-mawṭū'ah bi shubḡbah*, and once in *faṣl fī al-ḡidād*.

⁸⁴³ Once in *maṭlab lā tajibu 'alā al-ab naḡaqah zawjab ibnihi al-ṣaḡbūr*, once in *maṭlab fī akḡḡb al-mar'ah kafīlan bi al-naḡaqah*, once in *maṭlab fī al-amr bi al-istidānah 'alā al-zawj*, once in *maṭlab fī al-kalām 'alā al-mu'nisab*, and twice in *maṭlab fī naḡaqah al-uṣūl*.

⁸⁴⁴ Once in *maṭlab fīmilk dbī al-raḡim al-maḡram*, once in *far' qāla aḡḡad al-sharīkayn li al-ākḡar bi'tu minka naṣībi*, and once in *bāb al-tadbīr*.

⁸⁴⁵ Six times in *kitāb al-aymān*, twice in *furū' ḡalafa lā yusākīnu fulānan fa sākanabu fī 'arṣibi dār*, once in *bāb al-yamīn fī al-akl wa al-shurb wa al-lub wa al-kalām*, and thrice in *furū' ḡalafa lā ya'kulu laḡman wa al-ākḡaru baṣalan wa al-ākḡaru filḡilan fa ṭubikḡa ḡashwun fībi kullu dhālik fa akalū*.

*al-sariqah*⁸⁴⁶, nineteen times in *kitāb al-jihād*⁸⁴⁷, four times in *kitāb al-waqf*⁸⁴⁸, thirteen times in *kitāb al-buyū*⁸⁴⁹, once in *kitāb al-kafālah*⁸⁵⁰, eight times in *kitāb al-qaḍā*⁸⁵¹, once in *kitāb al-shahādāt*⁸⁵², twice in *kitāb al-da'wā*⁸⁵³, once in *kitāb al-muḍārabah*⁸⁵⁴, twice in *kitāb al-ijārah*⁸⁵⁵, twice in *kitāb al-makātib*, four times in *kitāb al-ghaṣab*⁸⁵⁶, once in *kitāb al-shuḥḥ*⁸⁵⁷, thrice in *kitāb al-qismah*⁸⁵⁸, once in *kitāb al-muzārah*, once in *kitāb al-dhabā'ih*, thirteen times in *kitāb al-ḥaḥar wa al-ibāḥab*⁸⁵⁹, once in *kitāb ihyā' al-mawāt*, twice in *kitāb al-ṣayd*, thrice in *kitāb al-rahḥ*⁸⁶⁰, five times in *kitāb al-jināyāt*⁸⁶¹, seven times in *kitāb al-diyyāt*⁸⁶², nine times in *kitāb al-waṣāyā*⁸⁶³, twice in *kitāb al-kbunthā*⁸⁶⁴, and four times in *kitāb al-farā'id*⁸⁶⁵.

Ibn 'Ābidīn does mention the name al-Mawṣilī once in his commentary, in *kitāb al-wakālah*⁸⁶⁶. There is a possibility that it could be in reference to a secondary title.

AL-'INĀYAH FĪ SHARḤ AL-HIDĀYAH

Ibn 'Ābidīn refers to *al-'Ināyah* 333 times.

Ibn 'Ābidīn mentions the word al-Bābartī just once, in the *muqaddimah*.

In *bāb al-tafwīd al-ṭalāq*, al-Ḥaṣkafī mentions that al-Akmal transmits it. Ibn 'Ābidīn says that it is in *al-'Ināyah*. Thus, I also checked for the name al-Akmal. Where it has come together with the book name *al-'Ināyah*, I counted it, which is reflected in the keyword *al-'Ināyah*. Generally, it appeared for the book *Khizānah al-Akmal*. Seldomly, it also appeared for *al-Taqrīr* or the commentary of al-Bazdawī.

He mentions the word *al-'Ināyah* 332 times. Once in the *muqaddimah*, thirteen times in *kitāb al-ṭabārah*⁸⁶⁷, forty-four times in *kitāb al-ṣalāh*⁸⁶⁸,

⁸⁴⁶ Once in *bāb kayfiyah al-qaṭ' wa itbbātibi*, and thrice in *bāb qa'ṭ al-ṭariq*.

⁸⁴⁷ Four times in *kitāb al-jihād*, thrice in *bāb al-magḥnam wa qismatuhu*, once in *faṣl fī kayfiyyah al-qismah*, twice in *maṭlab fī kharāj al-muqāsamah*, four times in *faṣl fī al-jizyah*, and once in *maṭlab fī aḥkām al-kanā'is wa al-bay'*.

⁸⁴⁸ Twice in *maṭlab al-tawliyah khārijah 'an ḥukm sā'ir al-sbarā'it*, and twice in *maṭlab fīmā yata'allaqu bi waqf al-awlād min al-durar wa ghayrihā*.

⁸⁴⁹ Six times in *tanbīh fī ṣifāh al-kbuṣūmah fī kbiyār al-'ayb*, six times in *maṭlab fī istiqrād al-darāhim 'adadan*, and once in *bāb al-salam*.

⁸⁵⁰ Once in *maṭlab bay' al-'iyanah*.

⁸⁵¹ Once in *maṭlab fī al-ijtibād wa shurūṭibi*, and seven times in *faṣl fī al-ḥabs*.

⁸⁵² Once in *bāb al-shahādah 'alā al-shahādah*.

⁸⁵³ Once in *faṣl fī daf' al-da'awā*, and once in *bāb da'wā al-nasab*.

⁸⁵⁴ Once in *bāb al-muḍārib yuḍāribu*.

⁸⁵⁵ Once in *maṭlab fī al-isti'jār 'alā al-ma'āsī*, and once in *bāb fask al-ijārah*.

⁸⁵⁶ Once in *maṭlab fī radd al-magḥṣūb wa fīmā law abā al-mālik qabūlahu*, twice in *faṣl masā'il mutafarriqah tattaṣilu bi masā'il al-gḥaṣab*, and once in *maṭlab fī ḍamān manāfi' al-gḥaṣab*.

⁸⁵⁷ Once in *bāb ṭalab al-shuḥḥ*.

⁸⁵⁸ Once in *kitāb al-qismah*, and twice in *maṭlab li kull min al-shurakā' al-suknā fī ba'ḍ al-dār bi qadr ḥiṣṣatibi*.

⁸⁵⁹ Six times in *kitāb al-ḥaḥar wa al-ibāḥab*, twice in *faṣl fī al-lubs*, thrice in *faṣl fī al-naḥar wa al-mass*, once in *faṣl fī al-bay'*, and once in *far' yukrahū i'ṭā' sā'il al-masjid illā idhā lam yatakhṭṭa riqāb al-nās*.

⁸⁶⁰ Twice in *kitāb al-rahḥ*, and once in *bāb al-rahḥ yuḍā'u 'alā yad 'adl*.

⁸⁶¹ Once in *kitāb al-jināyāt*, twice in *faṣl fīmā yūjib al-qawad wa mā lā jūjibuhu*, and twice in *bāb al-qawad fīmā dūna al-nafs*.

⁸⁶² Once in *kitāb al-diyyāt*, once in *faṣl fī al-shujā'*, twice in *faṣl fī al-janīn*, and thrice in *bāb al-jināyah al-bahīmah wa al-jināyah 'alaybā*.

⁸⁶³ Once in *kitāb al-waṣāyā*, once in *bāb al-waṣiyyah bi thuluth al-māl*, twice in *bāb al-waṣiyya li al-aqārib wa ghayrihim*, once in *bāb al-waṣiyya bi al-khidmah wa al-suknā wa al-thamarah*, once in *furū' awṣābi bi thuluth mālibi li al-ṣalawāt*, and thrice in *bāb al-waṣiyy*.

⁸⁶⁴ Once in *kitāb al-kbunthā*, and once in *masā'il shattā*.

⁸⁶⁵ Twice in *faṣl fī al-'aṣbāt*, and twice in *faṣl fī al-gḥarqā wa al-ḥarqā wa gḥaribim*.

⁸⁶⁶ Once in *faṣl lā ya'qidu wakīl al-bay' wa al-shirā'*.

⁸⁶⁷ Once in *arkān al-wuḍū'*, four times in *sunan al-wuḍū'*, twice in *sunan al-ghuṣl*, once in *faṣl fī al-b'r*, once in *far' wajada fī thawbibi manīyyan aw bawlan aw daman*, thrice in *bāb al-ḥayd*, and once in *bāb al-anjās*.

⁸⁶⁸ Once in *kitāb al-ṣalāh*, twice in *bāb al-adhān*, twice in *maṭlab fī satr al-'awrah*, twice in *maṭlab qad yuṭlaqu al-fard 'alā mā yuqābilu al-rukn wa 'alā mā laysa bi rukn wa lā shart*, once in *wājibāt al-ṣalāh*, once in *faṣlun fī bayan ta'līf al-ṣalāh ilā intihā'ihā*, thrice in *furū' qara'a bi al-fārisiyyah aw al-tawrah aw al-injil*, once in *faṣlun fī al-qirā'ah*, twice in *furū' iqtidā' mutanaḥḥil bi mutanaḥḥil wa man yarā*

sixteen times in *kitāb al-zakāh*⁸⁶⁹, thrice in *kitāb al-ṣawm*⁸⁷⁰, four times in *bāb al-i'tikāf*, sixteen times in *kitāb al-ḥajj*⁸⁷¹, twelve times in *kitāb al-nikāh*⁸⁷², twice in *bāb al-raḍā'*, seven times in *kitāb al-ṭalāq*⁸⁷³, twice in *bāb al-ilā'*, once in *bāb al-li'ān*, once in *bāb al-'innīn*, thrice in *bāb al-'iddah*⁸⁷⁴, twice in *kitāb al-'itq*⁸⁷⁵, six times in *kitāb al-aymān*⁸⁷⁶, thrice in *kitāb al-ḥudūd*⁸⁷⁷, thirteen times in *kitāb al-jihād*⁸⁷⁸, once in *kitāb al-luqṭab*, thrice in *kitāb al-sharikah*⁸⁷⁹, twenty-three times in *kitāb al-buyū'*⁸⁸⁰, nine times in *kitāb al-kafālah*⁸⁸¹, once in *kitāb al-ḥawālah*, five times in *kitāb al-qadā'*⁸⁸², thrice in *kitāb al-shahādāt*⁸⁸³, thrice in *kitāb al-wakālah*⁸⁸⁴, five times in *kitāb al-da'wā'*⁸⁸⁵, twice in *kitāb al-iqrār*⁸⁸⁶, once in *kitāb al-ṣulah*, once in *kitāb al-muḍārabah*⁸⁸⁷, once in *kitāb al-hibah*⁸⁸⁸, six times in *kitāb al-ijārah*⁸⁸⁹,

al-witr wājiban bi man yarābu sunnatan, twice in *bāb al-iṣṭiklāf*, twice in *furū' mashā al-muṣalli mustaqbil al-qiblah hal tafsudu ṣalātuhū*, once in *far' lā ba'sa bi ittikhāb al-misbahah li ghayri riyā'*, once in *furū' ishtimāl al-ṣalāh 'alā al-ṣammā' wa al-i'tijār wa al-talaththum wa al-tanakkhum wa kullu 'amal qalil bi lā 'udbr*, once in *furū' afdal al-masājid*, thrice in *bāb al-witr wa al-nawāfil*, twice in *bāb idrāk al-farīdah*, once in *bāb qaḍā' al-fawā'it*, once in *bāb sujūd al-sabw*, twice in *bāb ṣalāh al-marīd*, once in *bāb sujūd al-tilāwah*, thrice in *bāb ṣalāh al-musāfir*, four times in *bāb bāb al-jumu'ah*, once in *bāb al-kusūf*, and four times in *bāb ṣalāh al-janāzah*.

⁸⁶⁹ Once in *kitāb al-zakāh*, twice in *bāb zakāh al-ghanam*, six times in *bāb al-'āshir fī al-zakāh*, once in *bāb zakāh al-rikāz*, once in *bāb al-'ushr*, four times in *bāb maṣrif al-zakāh wa al-'ushr*, and once in *bāb ṣadaqah al-fiṭr*.

⁸⁷⁰ Twice in *sabab ṣawm ramadān*, and once in *faṣl fī al-'awārid al-mabīḥah li 'adm al-ṣawm*.

⁸⁷¹ Once in *kitāb al-ḥajj*, thrice in *faṣlun fī al-ibrām wa ṣifāh al-mufrid*, twice in *faṣlun fī ramy jamrah al-'aqabah*, once in *maṭlab fī tawāf al-ziyārah*, twice in *bāb al-tamattu'*, six times in *bāb al-jināyāt fī al-ḥajj*, and once in *maṭlab fī al-farq bayna al-'ibādah wa al-qurbah wa al-tā'ah*.

⁸⁷² Twice in *kitāb al-nikāh*, twice in *furū' tallāqa imra'atuhū taḥlīqatayn wa labā minhu labān fa i'taddat nakaḥat ṣaghīran fa arḍa'athu fa ḥarumat 'alayh fa nakaḥat ākhar fa dakhala bihā*, twice in *bāb al-mahr*, once in *maṭlab fī ḍimān al-walī al-mahr*, once in *maṭlab masā'il al-ikhtilāf fī al-mahr*, once in *far'un law zuffat ilayhi bi lā jibāz yalīqu bibi*, once in *bāb nikāh al-raḥiq*, and twice in *bāb nikāh al-kāfir*.

⁸⁷³ Once in *maṭlab al-inqilāb wa al-iqtisār wa al-istinād wa al-tabyīn*, once in *bāb tafwid al-ṭalāq*, thrice in *faṣlun fī al-mashī'ah*, *bāb al-rujū'ah*, and once in *maṭlab fī ḥilah isqāt 'iddah al-muḥallil*.

⁸⁷⁴ Once in *bāb al-'iddah*, and twice in *maṭlab fī waṭ' al-mu'taddah bi shubbah*.

⁸⁷⁵ Once in *maṭlab fī kināyāt al-i'tāq*, and once in *bāb al-'itq 'alā ju'il*.

⁸⁷⁶ Once in *kitāb al-aymān*, four times in *bāb al-yamīn fī al-bay' wa al-shirā' wa al-ṣawm wa al-ṣalāh wa ghayrihā*, and once in *bāb al-yamīn fī al-ḍarb wa al-qatl wa gharī dhālik*.

⁸⁷⁷ Once in *bāb al-shahādah 'alā al-zinā wa al-rujū' 'anhā*, once in *bāb ḥadd al-shurb al-maḥurram*, and once in *bāb ḥadd al-qadḥaf*.

⁸⁷⁸ Twice in *kitāb al-jihād*, once in *faṣl fī kayfiyyah al-qismah*, thrice in *bāb istilā' al-kuffār 'alā ba'dhim ba'dan aw 'alā amwālīnā*, once in *maṭlab fī kharaāj al-muqāsamah*, once in *faṣl fī al-jizyah*, once in *maṭlab fī maṣarif bayt al-māl*, once in *bāb al-murtad*, and thrice in *maṭlab tawbah al-ya's maqbūlah dūna imān al-ya's*.

⁸⁷⁹ Once in *maṭlab fī tawqīt al-sharikah*, once in *furū' fī al-sharikah*, and once in *maṭlab fī al-sharikah al-fāsidad*.

⁸⁸⁰ Once in *maṭlab mā yubṭil al-mā' sab'ah*, twice in *bāb kbiyār al-shart*, once in *maṭlab fī kbiyār al-ta'yīn*, twice in *bāb kbiyār al-ru'yah*, once in *bāb kbiyār al-'ayb*, once in *tanbīh fī ṣifāh al-kbuṣūmah fī kbiyār al-'ayb*, once in *maṭlab muhim fīman qabaḍa min gharīmībi darābīm fa wajadabā zuyūfan*, once in *maṭlab bay' al-muḍtar wa shirā'uhū*, once in *maṭlab fī bay' al-shurb*, twice in *maṭlab radd al-mushtarī fāsīdan ilā bā'ihī fa lam yaqbalhu*, once in *bāb al-iqālah*, once in *bāb al-murābahah wa al-tawliyah*, once in *faṣl fī al-taṣarruf fī al-mabī' wa al-thaman qabla al-qabḍ wa al-ziyādah wa al-ḥaṭ' fīhimā wa al-ta'jīl al-duyūn*, twice in *maṭlab fī istiqrād al-darābīm 'adadan*, once in *maṭlab fī al-tadāwī bi al-muḥarram*, once in *maṭlab qāla li madyūnah idhā mitta fa anta barī'un*, once in *far' al-shart al-fāsīd yaltahīqu bi al-'aqd*, and once in *maṭlab masā'il fī al-muqāṣah*.

⁸⁸¹ Twice in *kitāb al-kafālah*, once in *maṭlab fī ta'līq al-kafālah bi shart ghayr malā'im*, thrice in *maṭlab fī buṭlān ta'līq al-barā'ah min al-kafālah bi al-shart*, and thrice in *maṭlab bay' al-'iyanah*.

⁸⁸² Once in *kitāb al-qadā'*, once in *maṭlab fī al-ijtibād wa shurūṭihī*, twice in *māṭlab fī istikhlāf al-qādī nā'iban 'anhu*, and once in *bāb kitāb al-qādī ilā al-qādī*.

⁸⁸³ Once in *far' lā yanbaghī li al-fuqahā' kutub al-shahādah*, once in *bāb al-ikhtilāf fī al-shahādah*, and once in *bāb al-shahādah 'alā al-shahādah*.

⁸⁸⁴ Twice in *bāb al-wakālah bi al-bay' wa al-shirā'* and once in *bāb 'azl al-wakīl*.

⁸⁸⁵ Once in *sabab al-da'wā'*, thrice in *bāb al-tahāluf*, and once in *bāb da'wā al-rajulayn*.

⁸⁸⁶ Twice in *bāb iqrār al-marīd*.

⁸⁸⁷ Once in *bāb al-muḍārib yuḍāribu*.

⁸⁸⁸ Once in *faṣl fī masā'il mutafarriqah*.

⁸⁸⁹ Once in *shurūṭ al-ijārah*, twice in *maṭlab fī al-isti'jār 'alā al-ma'āṣī*, once in *bāb ḍamān al-ajīr*, and twice in *mabḥath ikhtilāf al-mu'ajjir wa al-musta'jir*.

ten times in *kitāb al-makātib*⁸⁹⁰, four times in *kitāb al-ikrāb*, four times in *kitāb al-ma'dhūn*⁸⁹¹, eight times in *kitāb al-ghaṣab*⁸⁹², seven times in *kitāb al-shuf'ah*⁸⁹³, thrice in *kitāb al-qismab*⁸⁹⁴, five times in *kitāb al-musāqāb*⁸⁹⁵, seven times in *kitāb al-dhabā'ih*, five times in *kitāb al-uḍḥiyah*⁸⁹⁶, ten times in *kitāb al-ḥazar wa al-ibāḥab*⁸⁹⁷, five times in *kitāb ihyā' al-mawāt*⁸⁹⁸, twice in *kitāb al-ashribah*, four times in *kitāb al-ṣayd*, eight times in *kitāb al-rahṇ*⁸⁹⁹, nineteen times in *kitāb al-diyyāt*⁹⁰⁰, once in *kitāb al-ma'āqil*, fifteen times in *kitāb al-waṣāyā*⁹⁰¹, and twice in *kitāb al-khunthā*⁹⁰².

AL-JĀMI' AL-KABĪR

Ibn 'Ābidīn mentions Muḥammad *fī al-Jāmi' al-Kabīr* in his commentary 3 times. Twice in the *kitāb al-nikāḥ*⁹⁰³, and once in *kitāb al-jināyāt*⁹⁰⁴.

Ibn 'Ābidīn does also refer to the *Sbarḥ* of *al-Jāmi' al-Kabīr* in his commentary. He mentions the commentaries of Fakhr al-Islām, Ḥaṣīrī and mentions the commentary *Talkbis al-Jāmi' al-Kabīr* by name.

Ibn 'Ābidīn mentions the title *al-Jāmi' al-Kabīr* in his commentary 15 times. When he mentions it alone, there is a possibility it could refer to another title. Thrice in *kitāb al-ṣalāḥ*⁹⁰⁵, thrice in *kitāb al-ṭalāq*⁹⁰⁶, twice in *kitāb al-aymān*⁹⁰⁷, thrice in *kitāb al-buyū*⁹⁰⁸, once in *kitāb al-kafālab*⁹⁰⁹, once in *kitāb al-qaḍā'*⁹¹⁰, once in *kitāb al-shahādāt*, and once in *kitāb al-ṣulah*.

⁸⁹⁰ Thrice in *kitāb al-makātib*, thrice in *bāb mā yajūz li al-makātib an yaf'alahu*, once in *bāb kitābah al-'abd al-mushtarik*, and thrice in *bāb mawt al-makātib wa 'ajzibi wa mawt al-mawlā*.

⁸⁹¹ Twice in *kitāb al-ma'dhūn*, once in *mabḥath fī taṣarruf al-ṣabiyy wa maṇ labu al-wilāyah 'alaybi wa tartībihā*, and once in *furū' aqarra al-ṣabiyy wa al-ma'tūb al-ma'dhūnān bi mā ma'abā min kasb aw irtb*.

⁸⁹² Once in *kitāb al-ghaṣab*, once in *maṭlab fīmā law hudima ḥā'it*, twice in *maṭlab fī radd al-maghṣūb wa fīmā law abā al-mālik qabūlahu*, thrice in *faṣl masā'il mutafarriqah tattaṣilu bi masā'il al-ghaṣab*, and once in *maṭlab fī ḍamān manāfi' al-ghaṣab*.

⁸⁹³ Once in *bāb ṭalab al-shuf'ah*, once in *bāb mā tathbut al-shuf'ah fīhi aw lā tathbut*, thrice in *bāb mā yubṭil al-shuf'ah*, and twice in *furū' bā'a mā fī ijārah al-ghayr wa huwa shaf'i'ihā*.

⁸⁹⁴ Once in *kitāb al-qismab*, and twice in *maṭlab li kull min al-sburakā' al-suknā fī ba'ḍ al-dār bi qadr ḥiṣṣatibi*.

⁸⁹⁵ Twice in *kitāb al-musāqāb*, once in *maṭlab fī al-musāqāb 'alā al-ḥūr wa al-ṣafṣāf*, and twice in *far' qama al-'āmil 'alā al-karm ayyāman thumma taraka fa lammā adraka al-thamar jā'a yaṭlubu al-ḥiṣṣah*.

⁸⁹⁶ Four times in *kitāb al-uḍḥiyah*, and once in *furū' lawn uḍḥiyatibi 'alaybi al-ṣalāḥ wa al-salām sawdā'*.

⁸⁹⁷ Once in *kitāb al-ḥazar wa al-ibāḥab*, four times in *faṣl fī al-naẓar wa al-mas*, thrice in *bāb al-istibrā' wa ghayrihi*, and twice in *faṣl fī al-bay'*.

⁸⁹⁸ Four times in *kitāb ihyā' al-mawāt*, and once in *faṣl al-shurb*.

⁸⁹⁹ Twice in *kitāb al-rahṇ*, twice in *bāb mā yajūzu irtihānahu wa mā lā yajūz*, once in *bāb al-rahṇ yūḍā'u 'alā yad 'adl*, once in *bāb al-taṣarruf fī al-rahṇ wa al-jināyah 'alayh wa jināyatibi ay al-rahṇ 'alā gharibi*, and twice in *faṣl fī masā'il mutafarriqah*.

⁹⁰⁰ Once in *bāb mā yubḍithuhu al-rajul fī al-ṭarīq wa ghayrihi*, once in *faṣl fī al-ḥā'it al-mā'il*, twice in *bāb al-jināyah al-bahīmah wa al-jināyah 'alayhā*, five times in *bāb jināyah al-mamlūk wa al-jināyah 'alayhi*, once in *faṣl fī al-jināyah 'alā al-'abd*, thrice in *faṣl fī ḡaṣb al-qinn wa ghayrihi*, and seven times in *kitāb al-qasāmah*.

⁹⁰¹ Five times in *kitāb al-waṣāyā*, twice in *bāb al-waṣiyyah bi thuluth al-māl*, once in *bāb al-waṣiyya li al-aqārib wa ghayribim*, once in *faṣl fī waṣāyā al-dhimmī wa ghayrihi*, and six times in *bāb al-waṣiyy*.

⁹⁰² Once in *kitāb al-khunthā*, and once in *masā'il shattā*.

⁹⁰³ Once in *bāb nikāḥ al-raqiq* and once in *maṭlab al-walad yatba'u khayr al-abawayn dīnan*.

⁹⁰⁴ Once in *bāb al-shahādah fī al-qatl wa i'tibār ḥālātibi*.

⁹⁰⁵ Twice in *furū' fī al-niyyah*, and once in *bāb ṣalāḥ al-janāzah*.

⁹⁰⁶ Once in *maṭlab al-inqilāb wa al-iqtisār wa al-istinād wa al-tabyīn*, once in *bāb tafwīd al-ṭalāq*, and once in *maṭlab al-iqdām 'alā al-nikāḥ al-iqrār bi muḍiyy al-'iddah*.

⁹⁰⁷ Once in *furū' ḥalāfā lā ya'kulu laḥman wa al-ākharu baṣalan wa al-ākharu filfilan fa ṭubikha ḥaṣhun fībi kullu dbālik fa akalū*, and once in *bāb al-yamīn fī al-ṭalāq wa al-'itāq*.

⁹⁰⁸ Once in *bāb al-istihqāq*, once in *rujū' al-mushtarī 'alā al-bā'i*, and once in *bāb al-salam*.

⁹⁰⁹ Once in *maṭlab bay' al-'iyanah*.

⁹¹⁰ Once in *far' waqa'a al-ikhtilāf fī kufr al-mayyit wa islāmihī*.

AL-JĀMI' AL-ŞAGHĪR

Ibn 'Ābidīn mentions the title *al-Jāmi' al-Şaghīr* in his commentary 18 times.

Ibn 'Ābidīn mentions Muḥammad *fī al-Jāmi' al-Şaghīr* in his commentary 18 times. Thrice in the *muqaddimah*, twice in *kitāb al-ṭabārah*⁹¹¹, thrice in *kitāb al-ṣalāh*⁹¹², twice in *kitāb al-aymān*⁹¹³, four times in *kitāb al-buyū*⁹¹⁴, once in *kitāb al-kafālah*⁹¹⁵, once in *kitāb al-ijārah*⁹¹⁶, once in *kitāb al-dhabā'ih*, and once in *kitāb al-ḥaẓar wa al-ibāḥab*⁹¹⁷.

Ibn 'Ābidīn mentions *al-Jāmi' al-Şaghīr* 82 times without any reference to al-Shaybānī. When he mentions it alone, most likely it will refer to Imām Muḥammad's *al-Jāmi' al-Şaghīr*. However, without cross reference, there is a possibility it could refer to another title. For this reason, I have not included this count. He does mention it at times with the addition *li al-Suyūṭī* or *al-Ṭabarānī*. He mentions the commentary of al-Suyūṭī's *al-Jāmi' al-Şaghīr* by al-Munāwī several times. Similarly, he mentions several commentators of Imām Muḥammad's *al-Jāmi' al-Şaghīr*⁹¹⁸. All of these were omitted from the numerical value.

Ibn 'Ābidīn mentions *al-Jāmi' al-Şaghīr* without any reference to Imām Muḥammad in the following chapters: twice in *kitāb al-ṭabārah*⁹¹⁹, eight times in *kitāb al-ṣalāh*⁹²⁰, four times in *kitāb al-zakāh*⁹²¹, twice in *kitāb al-ṣawm*⁹²², five times in *kitāb al-ḥajj*⁹²³, thrice in *kitāb al-nikāh*⁹²⁴, six times in *kitāb al-ṭalāq*⁹²⁵, once in *bāb al-kbula*⁹²⁶, once in *bāb al-ḥadānah*, four times in *kitāb al-aymān*⁹²⁷, once in *kitāb al-sariqah*⁹²⁸, once in *kitāb al-jihād*⁹²⁹, seven times in *kitāb al-buyū*⁹³⁰, once in *kitāb al-kafālah*⁹³¹, four times in *kitāb al-qadā'*⁹³², once in

⁹¹¹ Once in *far' al-bu'd al-māni' min wuṣūl najāsah al-bālū'ah ilā al-bi'r*, and once in *faṣl al-istinjā'*.

⁹¹² Once in *far' lā ba'sa bi taklīm al-muṣallī wa ijābatibi bi ra'sibi*, once in *bāb al-witr wa al-nawāfil*, and once in *bāb sujūd al-tilāwah*.

⁹¹³ Once in *furū' ḥalafa lā yusākinu fulānan fa sākanahu fī 'arṣibi dār*, and once in *bāb al-yamīn fī al-bay' wa al-shirā' wa al-ṣawm wa al-ṣalāh wa ghayrihā*.

⁹¹⁴ Once in *maṭlab radd al-mushtarī fāsīdan ilā bā'ihī fa lam yaqbalhu*, once in *bāb al-murābahah wa al-tawliyah*, once in *faṣl fī al-taṣarruf fī al-mabī' wa al-thaman qabla al-qabḍ wa al-ziyādah wa al-ḥaṭ fihimā wa al-ta'jil al-duyūn*, and once in *maṭlab qāla li madyūnah idhā mitta fa anta barī'un*.

⁹¹⁵ Once in *maṭlab fī al-mawādi' allatī yanṣibu fihā al-qādī wakilan bi al-qabḍi 'an al-ghā'ib al-mutawārā*.

⁹¹⁶ Once in *shurūṭ al-ijārah*.

⁹¹⁷ Once in *faṣl fī al-lubs*.

⁹¹⁸ He mentions eight commentators: Fakhr al-Islām, Qādī Khān, al-'Alqamī, al-Ḥusāmī, al-Isbjābī, al-Tumurtāshī and the author of *al-Dhakīrah*.

⁹¹⁹ Once in *furū' fī al-ṭabārah*, and once in *bāb al-anjās*.

⁹²⁰ Once in *maṭlab fī satr al-'awrah*, thrice in *faṣlun fī al-qirā'ah*, once in *bāb al-witr wa al-nawāfil*, once in *bāb sujūd al-tilāwah*, and twice in *bāb al-'idayn*.

⁹²¹ Once in *bāb al-'ashir fī al-zakāh*, and thrice in *bāb zakāh al-rikāz*.

⁹²² Twice in *sabab ṣawm ramadān*.

⁹²³ Once in *faṣlun fī al-iḥrām wa ṣifāh al-mufrid*, and four times in *bāb al-jināyāt fī al-ḥajj*.

⁹²⁴ Once in *maṭlab fī ḥaṭṭ al-mabr wa al-ibrā' minhu*, *maṭlab fī al-nikāh al-fāsīd*, once in *maṭlab masā'il al-ikhtilāf fī al-mabr*, and once in *maṭlab fīmā yursiluhu ilā al-zawjab*.

⁹²⁵ Once in *maṭlab ṣarīḥ al-ṭalāq*, once in *maṭlab al-inqilāb wa al-iqtisār wa al-istinād wa al-tabyīn*, once in *bāb tafwīḍ al-ṭalāq*, once in *bāb al-amr bi al-yad*, once in *faṣlun fī al-mashī'ah*, and once in *maṭlab fīmā law idda'ā al-istithmā' wa ankarathu al-zawjab*.

⁹²⁶ Once in *fā'idah fī shart qabūl al-kbula' wa alfāzihī*.

⁹²⁷ Twice in *furū' ḥalafa lā yusākinu fulānan fa sākanahu fī 'arṣibi dār*, once in *bāb al-yamīn fī al-bay' wa al-shirā' wa al-ṣawm wa al-ṣalāh wa ghayrihā*, and once in *bāb al-yamīn fī al-ḍarb wa al-qatl wa ghari dbālik*.

⁹²⁸ Once in *bāb qa'ṭ al-tarīq*.

⁹²⁹ Once in *faṣl fī al-jizyah*.

⁹³⁰ Once in *bāb kbiyār al-shart*, once in *furū' sharā' shay'an lam yarahu*, once in *maṭlab radd al-mushtarī fāsīdan ilā bā'ihī fa lam yaqbalhu*, once in *maṭlab fī bay' al-marhūn al-musta'jir*, once in *faṣl fī al-taṣarruf fī al-mabī' wa al-thaman qabla al-qabḍ wa al-ziyādah wa al-ḥaṭ fihimā wa al-ta'jil al-duyūn*, once in *maṭlab fī istiqrāḍ al-darāhim 'adadan*, and once in *maṭlab idhā iktasaba ḥarāman thumma ishtarā fa huwa 'alā khamsah awjuh*.

⁹³¹ Once in *maṭlab fī ta'liq al-kafālah bi shart gbayr malā'im*.

⁹³² Once in *maṭlab fī istikhlāf al-qādī nā'iban 'anhu*, and thrice in *far' waqa'a al-ikhtilāf fī kufr al-mayyit wa islāmihī*.

*kitāb al-shahādāt*⁹³³, once in *kitāb al-igrār*, thrice in *kitāb al-ijārah*⁹³⁴, twice in *kitāb al-shuḥḥ*⁹³⁵, twice in *kitāb al-qismah*, once in *kitāb al-dhabā'ih*, once in *kitāb al-uḍḥiyah*, twelve times in *kitāb al-ḥaḥar wa al-ibāḥab*⁹³⁶, once in *kitāb al-rabn*⁹³⁷, thrice in *kitāb al-jināyāt*⁹³⁸, four times in *kitāb al-waṣāyā*⁹³⁹, and once in *kitāb al-khunthā*⁹⁴⁰.

MAJMA' AL-BAḤRAYN

Ibn 'Ābidīn refers to *Majma' al-Baḥrayn* 94 times.

Ibn 'Ābidīn mentions *Majma' al-Baḥrayn* in the entire form in only three entries. Once in *kitāb al-ṭabārah*⁹⁴¹, once in *kitāb al-mudārabah*⁹⁴², and once in *kitāb al-farā'id*⁹⁴³.

Ibn 'Ābidīn mentions the word *al-Majma'* 93 times. Some searches did include *Sharḥ al-Majma'*, once with the entry *Nazm al-Majma'*, and thrice with *Shāriḥ al-Majma'*. I have not included these in the number.

Ibn 'Ābidīn has included the word *al-Majma'* in the following chapters: Once in the *muqaddimah*, once in *kitāb al-ṭabārah*⁹⁴⁴, nineteen times in *kitāb al-ṣalāh*⁹⁴⁵, once in *kitāb al-zakāh*, once in *kitāb al-ṣawm*⁹⁴⁶, thrice *kitāb al-ḥajj*⁹⁴⁷, eight times in *kitāb al-nikāh*⁹⁴⁸, thrice in *kitāb al-talāq*⁹⁴⁹, once in *bāb al-khula*⁹⁵⁰, once in *bāb al-'innīn*, four times in *bāb al-'iddah*⁹⁵¹, once in *bāb al-ḥaḍānah*, twice in *bāb al-naḥaqah*⁹⁵², once in *kitāb al-'itq*⁹⁵³, once in *kitāb al-jibād*⁹⁵⁴, ten times in *kitāb al-buyū*⁹⁵⁵, once in *kitāb al-kafālah*⁹⁵⁶, once in *kitāb al-ḥawālah*, thrice in *kitāb*

⁹³³ Once in *bāb man yajibu qabūl shahādātibi 'alā al-qādī*.

⁹³⁴ Once in *shurūṭ al-ijārah*, once in *tanbīh tafāsakhā 'aqd al-ijārah wa al-zar' baql*, and once in *bāb damān al-ajir*.

⁹³⁵ Once in *kitāb al-shuḥḥ*, and once in *furū' bā'a mā fī ijārah al-ghayr wa huwa shafī'ihā*.

⁹³⁶ Thrice in *kitāb al-ḥaḥar wa al-ibāḥab*, thrice in *faṣl fī al-lub*, once in *faṣl fī al-naḥar wa al-mass*, twice in *faṣl fī al-bay'*, and thrice in *far' yukrahu i'ṭā' sāl al-masjid illā idhā lam yatakhaṭṭa riqāb al-nās*.

⁹³⁷ Once in *bāb al-rabn yūda'u 'alā yad 'adl*.

⁹³⁸ Twice in *faṣl fīmā yujib al-qawad wa mā lā jūjibubu*, and once in *bāb al-shahādah fī al-qatl wa i'tibār ḥālātibi*.

⁹³⁹ Twice in *kitāb al-waṣāyā*, once in *bāb al-waṣiyyah bi thuluth al-māl*, and one in *bāb al-waṣiyy*.

⁹⁴⁰ Once in *masā'il shattā*.

⁹⁴¹ Once in *sunan al-ghusl*.

⁹⁴² Once in *faṣl fī al-mutafarriqāt fī al-mudārabah*.

⁹⁴³ Once in *bāb al-makhārij*.

⁹⁴⁴ Once in *sunan al-tayammum*.

⁹⁴⁵ Once in *kitāb al-ṣalāh*, once in *fā'idah al-taslīm ba'd al-adhān*, once in *maṭlab fī satr al-'awrah*, once in *wājibāt al-ṣalāh*, once in *furū' kabbara bi ghayri 'alimīn bi takbir imāmī*, four times in *furū' qara'a bi al-fārisiyyah aw al-tawrah aw al-injil*, once *faṣlun fī al-qirā'ah*, once in *bāb al-imāmah*, once in *bāb al-istikhlāf*, twice in *bāb mā yufsidu al-ṣalāh wa mā yukribuhu fihā*, once in *furū' samī'a al-muṣallī ism Allāh fa qāla jalla jalālūh aw al-nabī ṣallā Allahu 'alayhi wa sallam fa ṣallā 'alayhi*, twice in *bāb al-witr wa al-nawāfil*, once in *bāb bāb al-jumu'ah*, and once in *bāb ṣalāh al-janāzah*.

⁹⁴⁶ Once in *sunan ṣawm ramadhān*.

⁹⁴⁷ Twice in *maṭlab fī ṭawāf al-ziyārah*, and once in *bāb al-jināyāt fī al-ḥajj*.

⁹⁴⁸ Twice in *bāb al-kafā'ah*, once in *maṭlab fī ḥaṭṭ al-mabr wa al-ibrā' minbu*, thrice in *maṭlab fī al-nikāh al-fāsīd*, and twice in *maṭlab fī ḍimān al-walī al-mabr*.

⁹⁴⁹ Once in *maṭlab fī ta'rīf al-sukrān wa ḥukmubu*, and twice in *maṭlab fīmā law idda'a al-istithnā' wa ankarathu al-zawjah*.

⁹⁵⁰ Once in *fā'idah fī shart qabūl al-khula' wa alfāzibi*.

⁹⁵¹ Twice in *bāb al-'iddah*, once in *faṣl fī thubūt al-nasab*, and once in *far' nakaḥa amatan fa ṭallaqahā fa sharāḥā fa waladat li aqalli min nisf ḥawl mundhu shirāḥā*.

⁹⁵² Once in *bāb al-naḥaqah*, and once in *maṭlab fī irḍā' al-ṣaghīr*.

⁹⁵³ Once in *bāb al-tadbīr*.

⁹⁵⁴ Once in *maṭlab fīmā taṣīru bihi dār al-islām dār ḥarb wa bi al-'aks*.

⁹⁵⁵ Once in *maṭlab mā yubṭil al-mā' sab'ah*, once in *maṭlab law ishtarā shay'an wa māta muḥlisān qabla qabḍibi fa al-bā'i' aḥaqqu*, once in *bāb kbiyār al-shart*, once in *bāb kbiyār al-'ayb*, once in *maṭlab fī bay' dūdab al-qirmiz*, twice in *bāb al-murābahah wa al-tawliyah*, and thrice in *maṭlab fī al-ibrā' 'an al-ribā*.

⁹⁵⁶ Once in *fā'idah maṣādirah al-sultān li arbāb al-amwāl*.

*al-qaḍā*⁹⁵⁷, twice in *kitāb al-shahādāt*⁹⁵⁸, twice in *kitāb al-da'wā*⁹⁵⁹, twice in *kitāb al-ṣulāḥ*⁹⁶⁰, once in *kitāb al-īdā'*, once in *kitāb al-āriyah*, once in *kitāb al-hibab*, once in *kitāb al-ijārah*⁹⁶¹, once in *kitāb al-makātib*, once in *kitāb al-ikrāh*, once in *kitāb al-ghaṣab*⁹⁶², four times in *kitāb al-shuf'ab*⁹⁶³, thrice in *kitāb al-ḥazar wa al-ibāḥab*⁹⁶⁴, once in *kitāb ihyā' al-mawāt*, twice in *kitāb al-ṣayd*, thrice in *kitāb al-diyyāt*⁹⁶⁵, once in *kitāb al-ma'āqil*, and thrice in *kitāb al-waṣāyā*⁹⁶⁶.

MUKHTAṢAR AL-QUDŪRĪ

Ibn 'Ābidīn refers to *Mukhtaṣar al-Qudūrī* 164 times.

Twice in the *muqaddimah*, thirteen times in *kitāb al-tahārah*⁹⁶⁷, twenty-two times in *kitāb al-ṣalāh*⁹⁶⁸, four times in *kitāb al-zakāh*⁹⁶⁹, four times in *kitāb al-ṣawm*⁹⁷⁰, nine times in *kitāb al-ḥajj*⁹⁷¹, four times in *kitāb al-nikāḥ*⁹⁷², six times in *kitāb al-ṭalāq*⁹⁷³, twice in *bāb al-li'ān*, five times in *bāb al-'iddah*⁹⁷⁴, once in *bāb al-ḥadānah*, four times in *bāb al-naḥaqab*⁹⁷⁵, once in *kitāb al-'itq*⁹⁷⁶, five times in *kitāb al-aymān*⁹⁷⁷, thrice in *kitāb al-ḥudūd*⁹⁷⁸, once in *kitāb al-sariqah*, twice in *kitāb al-jibād*⁹⁷⁹, thrice in *kitāb al-luqṭah*, once in *kitāb al-sharikah*⁹⁸⁰, once in *kitāb al-waqf*⁹⁸¹, twelve times in *kitāb al-buyū*⁹⁸²,

⁹⁵⁷ Once in *kitāb al-qaḍā'*, once in *masā'il mutafarriqah*, and once in *far' waqa'a al-ikhtilāf fī kufr al-mayyit wa islāmihī*.

⁹⁵⁸ Twice in *bāb al-rujū' 'an al-shahādah*.

⁹⁵⁹ Once in *sabab al-da'wā*, and once in *bāb al-tahāluf*.

⁹⁶⁰ Once in *kitāb al-ṣulāḥ*, and once in *faṣl fī da'wā al-dayn*.

⁹⁶¹ Once in *maṭlab fī al-isti'jār 'alā al-tā'āt*.

⁹⁶² Once in *faṣl masā'il mutafarriqah tattaṣilu bi masā'il al-ghaṣab*.

⁹⁶³ Twice in *kitāb al-shuf'ab*, and twice in *bāb mā yubṭil al-shuf'ab*.

⁹⁶⁴ Thrice in *faṣl fī al-bay'*.

⁹⁶⁵ Once in *kitāb al-diyyāt*, and twice in *bāb jināyah al-mamlūk wa al-jināyah 'alaybi*.

⁹⁶⁶ Twice in *bāb al-waṣiyyah bi thuluth al-māl*, and once in *bāb al-waṣiyya li al-aqārib wa ghayrihim*.

⁹⁶⁷ Twice in *kitāb al-tahārah*, once in *arkān al-wuḍū'*, six times in *sunan al-wuḍū'*, twice in *faṣl fī al-bi'r*, once in *far' al-bu'd al-māni' min wuṣūl najāsah al-bālū'ah ilā al-bi'r*, once in *sunan al-tayammum*.

⁹⁶⁸ Once in *kitāb al-ṣalāh*, once in *wājibāt al-ṣalāh*, once in *ādāb al-ṣalāh*, four times in *furū' qara'a bi al-fārisiyyah aw al-tawrāh aw al-injil*, once in *faṣlun fī al-qirā'ah*, twice in *bāb al-imāmah*, once in *furū' mashā al-muṣalli mustaqbil al-qiblah hal tafsudu ṣalātuhu*, four times in *bāb al-witr wa al-nawāfil*, once in *bāb sujūd al-sahw*, twice in *bāb bāb al-jumu'ah*, once in *bāb al-istiṣqā'*, and thrice in *bāb ṣalāh al-janāzah*.

⁹⁶⁹ Once in *bāb zakāh al-ghanam*, twice in *bāb zakāh al-rikāz*, and once *bāb maṣrif al-zakāh wa al-'usbr*.

⁹⁷⁰ Thrice in *sabab ṣawm ramadān*, and once in *faṣl fī al-'awāriḍ al-mabīḥah li 'adm al-ṣawm*.

⁹⁷¹ Once in *kitāb al-ḥajj*, once in *maṭlab fī al-mawāqit*, twice in *faṣlun fī al-ihrām wa ṣifāh al-mufrid*, once in *maṭlab fī ṭawāf al-ziyārah*, once in *bāb al-tamattu'*, and thrice in *bāb al-jināyāt fī al-ḥajj*.

⁹⁷² Four times in *maṭlab fī ahkām al-mut'ah*.

⁹⁷³ Once in *rukn al-ṭalāq*, once in *maṭlab ṣarih al-ṭalāq*, once in *bāb al-kināyāt*, twice in *maṭlab fīmā law iddā'a al-isthibnā' wa ankarathu al-zawjah*, once in *bāb ṭalāq al-marīḍ*.

⁹⁷⁴ Once in *bāb al-'iddah*, once in *maṭlab fī 'iddah al-mawt*, and thrice in *faṣl fī thubūt al-nasab*.

⁹⁷⁵ Once in *maṭlab lā tajibu 'alā al-ab naḥaqab zawjah ibnihi al-ṣaghīr*, once in *maṭlab lā taṣīru al-naḥaqab daynan illā bi al-qaḍā' aw al-riḍā'*, once in *maṭlab al-ṣaghīr wa al-muktasib naḥaqab fī kasbihi lā 'alā abībi*, and once in *maṭlab fī irdā' al-ṣaghīr*.

⁹⁷⁶ Once in *far' qāla aḥad al-sharikayn li al-ākbar bi'tu minka naṣībī*.

⁹⁷⁷ Once in *furū' ḥalafa lā yusākinu fulānan fa sākanahu fī 'arṣihi dār*, twice in *bāb al-yamīn fī al-akl wa al-shurb wa al-lubs wa al-kalām*, and twice in *furū' ḥalafa lā ya'kulu laḥman wa al-ākbaru baṣalan wa al-ākbaru fūlilan fa ṭubikha ḥashwun fībi kullu dhālik fa akalū*.

⁹⁷⁸ Once in *kitāb al-ḥudūd*, once in *bāb al-waṭ' alladhī yūjibu al-ḥadd wa alladhī lā yūjibuhu*, and once in *bāb al-ta'zīr*.

⁹⁷⁹ Once in *faṣl fī kayfiyyah al-qismah*, and once in *bāb al-bughāh*.

⁹⁸⁰ Once in *furū' fī al-sharikah*.

⁹⁸¹ Once in *maṭlab fī al-waqf idbā kbariba wa lam yumkin 'imāratuhi*.

⁹⁸² Once in *maṭlab muhim fī ahkām al-nuqūd idbā kasadat aw inqāṭa'at aw ghalat aw rakbuṣat*, once in *maṭlab kullu mā dakbala tab'an lā yuqābiluhu shay' min al-thaman*, thrice in *bāb kbiyār al-ru'yah*, twice in *tanbīh fī ṣifāh al-kbusūmah fī kbiyār al-'ayb*, once in *maṭlab muhim fīman qabaḍa min gharīmihī darābim fa wajadabā zuyūfan*, once in *maṭlab fī ḥukm ūjāz al-birak lil al-iṣṭiyād*, once in *maṭlab fī bay'*

thrice in *kitāb al-kafālah*⁹⁸³, twice in *kitāb al-ḥawālah*, ten times in *kitāb al-qadā'*⁹⁸⁴, thrice in *kitāb al-shahādāt*⁹⁸⁵, once in *kitāb al-āriyah*, six times in *kitāb al-ijārah*⁹⁸⁶, once in *kitāb al-ikrāh*, twice in *kitāb al-ghaṣab*⁹⁸⁷, thrice in *kitāb al-shuf'ah*⁹⁸⁸, twice in *kitāb al-qismah*⁹⁸⁹, once in *kitāb al-dhabā'ih*, thrice in *kitāb al-uḍḥiyah*, five times in *kitāb al-ḥazar wa al-ibāḥab*⁹⁹⁰, once in *kitāb ihyā' al-mawāt*, once in *kitāb al-ashribah*, once in *kitāb al-ṣayd*, four times in *kitāb al-rahn*⁹⁹¹, twice in *kitāb al-jināyāt*⁹⁹², four times in *kitāb al-diyyāt*⁹⁹³, thrice in *kitāb al-waṣāyā'*⁹⁹⁴, and once in *kitāb al-farā'id*⁹⁹⁵.

AL-MULTAQĀ AL-ABḤUR

Ibn 'Ābidīn refers to the *Multaqā al-Abḥur* 166 times throughout his commentary.

Ibn 'Ābidīn mentions the full title *Multaqā al-Abḥur* just the once in *kitāb al-nafaqah*⁹⁹⁶.

Ibn 'Ābidīn mentions the word *al-Multaqā*, with the 'al' particle 150 times. Several times it comes with *al-Biḥār* appended to it. I have not included this in the number. Similarly, many a times, it appears as *Sharḥ Multaqā*. This too I have not included.

The word *al-Multaqā* is mentioned in the following chapters: ten times in *kitāb al-ṭabārah*⁹⁹⁷, ten times in *kitāb al-ṣalāh*⁹⁹⁸, six times in *kitāb al-zakāh*⁹⁹⁹, once in *kitāb al-ṣawm*¹⁰⁰⁰, twice in *kitāb al-ḥajj*¹⁰⁰¹, seven times in *kitāb al-nikāh*¹⁰⁰², five times in *kitāb al-ṭalāq*¹⁰⁰³, twice in *bāb al-khula'*¹⁰⁰⁴, once in *bāb al-li'ān*¹⁰⁰⁵, once in *bāb al-innīn*, once in *bāb al-ḥadānah*, once in *bāb al-nafaqah*¹⁰⁰⁶,

al-shurb, once in *maṭlab fī al-bay' bi shart fāsīd*, and once in *faṣl fī al-qard*.

⁹⁸³ Once in *maṭlab fī ta'līq al-kafālah bi shart ghayr malā'im*, and twice in *maṭlab bay' al-īyanah*.

⁹⁸⁴ Once in *maṭlab fī al-ijtihād wa shurūṭihī*, once in *māṭlab fī al-badiyyah al-qādī*, twice in *faṣl fī al-ḥabs*, five times in *māṭlab fī istikhlāf al-qādī nā'iban 'anhu*, and once in *masā'il mutafarriqah*.

⁹⁸⁵ Once in *kitāb al-shahādāt*, and twice in *bāb al-shahādah 'alā al-shahādah*.

⁹⁸⁶ Once in *kitāb al-ijārah*, once in *tanbih tafāsakhā 'aqd al-ijārah wa al-zar' baql*, once in *maṭlab fī ijārah al-binā'*, thrice in *bāb fask al-ijārah*.

⁹⁸⁷ Once in *maṭlab fīmā law hudima ḥā'it*, and once in *faṣl masā'il mutafarriqah tattaṣilu bi masā'il al-ghaṣab*.

⁹⁸⁸ Once in *bāb ṭalab al-shuf'ah*, and twice in *bāb mā yubṭil al-shuf'ah*.

⁹⁸⁹ Once in *kitāb al-qismah*, and once in *maṭlab li kull min al-shurakā' al-suknā fī ba'd al-dār bi qadr ḥiṣṣatihī*.

⁹⁹⁰ Once in *faṣl fī al-naẓar wa al-mass*, and four times in *faṣl fī al-bay'*.

⁹⁹¹ Thrice in four times in *kitāb al-rahn*, and once in *bāb al-taṣarruf fī al-rahn wa al-jināyah 'alayh wa jināyatihī ay al-rahn 'alā gharibihī*.

⁹⁹² Twice in *bāb al-qawad fīmā dūna al-naḥs*.

⁹⁹³ Once in *kitāb al-diyyāt*, once in *faṣl fī al-shujā'*, once in *bāb al-jināyah al-bahimāh wa al-jināyah 'alayhā*, and once in *faṣl fī al-jināyah 'alā al-'abd*.

⁹⁹⁴ Twice in *bāb al-waṣiyyah bi thuluth al-māl*, and *bāb al-waṣiyyah*.

⁹⁹⁵ Once in *faṣl fī al-'aṣabāt*.

⁹⁹⁶ Once in *maṭlab fī fard al-nafaqah li zawjah al-ghā'ib*.

⁹⁹⁷ Once in *sunan al-ghusl*, once in *bāb al-miyāh*, four times in *far' mā yakhruji min dār al-ḥarb ka sinjāb in 'alima dabghahu bi ṭābir*, twice in *maṭlab nawāqid al-mash'*, once in *bāb al-anjās* and once in *furū' fī al-istibrā'*.

⁹⁹⁸ Twice in *maṭlab fī satr al-'awrah*, twice in *wājibāt al-ṣalāh*, once in *faṣlun fī bayan ta'līf al-ṣalāh ilā intihā'ihā*, once in *faṣlun fī al-qirā'ah*, once in *bāb idrāk al-farīdah*, once in *bāb sujūd al-sahw*, and twice in *bāb bāb al-jumu'ah*.

⁹⁹⁹ Twice in *kitāb al-zakāh*, once in *bāb zakāh al-ghanam*, once in *bāb zakāh al-rikāz*, and twice in *bāb al-'usbr*.

¹⁰⁰⁰ Once in *sabab ṣawm ramadān*.

¹⁰⁰¹ Once in *faṣlun fī al-ibrām wa ṣifāh al-mufrīd*, and once in *bāb al-tamattu'*.

¹⁰⁰² Once in *kitāb al-nikāh*, once in *bāb al-kafā'ah*, once in *maṭlab fī al-nikāh al-fāsīd*, once in *maṭlab fī ḍimān al-walī al-mabr*, and thrice in *maṭlab masā'il al-ikhtilāf fī al-mabr*.

¹⁰⁰³ Thrice in *bāb ṭalāq al-marīd*, once in *bāb al-ruj'ah*, and once in *maṭlab fī ḥilāh isqāṭ 'iddah al-muḥallil*.

¹⁰⁰⁴ Once in *fā'idah fī shart qabūl al-khula' wa al-fāzihī*, and once in *maṭlab fī khul' al-marīdah*.

¹⁰⁰⁵ Once in *maṭlab al-ḥaml yaḥtamilu kawnahu nafkhan*.

¹⁰⁰⁶ Once in *maṭlab fī nafaqah al-uṣūl*.

twice in *kitāb al-ʿitq*¹⁰⁰⁷, once in *kitāb al-aymān*, once in *kitāb al-ḥudūd*¹⁰⁰⁸, once in *kitāb al-sariqah*¹⁰⁰⁹, ten times in *kitāb al-jihād*¹⁰¹⁰, once in *kitāb al-luqṭah*, once in *kitāb al-mafqūd*¹⁰¹¹, once in *kitāb al-sharikah*¹⁰¹², once in *kitāb al-waqf*¹⁰¹³, eight times in *kitāb al-buyū*¹⁰¹⁴, twice in *kitāb al-kafālah*¹⁰¹⁵, four times in *kitāb al-qadā*¹⁰¹⁶, thrice in *kitāb al-shahādāt*¹⁰¹⁷, once in *kitāb al-daʿwā*¹⁰¹⁸, once in *kitāb al-mudārabah*, thrice in *kitāb al-ijārah*¹⁰¹⁹, four times in *kitāb al-ghaṣab*¹⁰²⁰, twice in *kitāb al-shufʿah*¹⁰²¹, twice in *kitāb al-qismah*, five times in *kitāb al-muzārah*¹⁰²², twice in *kitāb al-dhabāʾih*, once in *kitāb al-uḍḥiyah*, ten times in *kitāb al-ḥaṣar wa al-ibāḥah*¹⁰²², twice in *kitāb ihyāʾ al-mawāt*¹⁰²³, thrice in *kitāb al-ashribah*, five times in *kitāb al-ṣayd*, twice in *kitāb al-rahṅ*¹⁰²⁴, once in *kitāb al-jināyāt*¹⁰²⁵, twelve times in *kitāb al-diyyāt*¹⁰²⁶, twice in *kitāb al-maʿāqil*, six times in *kitāb al-waṣāyā*¹⁰²⁷, and thrice in *kitāb al-farāʾid*¹⁰²⁸.

Ibn ʿĀbidīn mentions the word *Multaqā*, without the ʿalʿ particle fifteen times. Once in *kitāb al-ṭahārah*¹⁰²⁹, once in *kitāb al-zakāh*¹⁰³⁰, once in *bāb al-khulā*¹⁰³¹, once in *kitāb al-jihād*¹⁰³², twice in *kitāb al-buyū*¹⁰³³, once in *kitāb*

¹⁰⁰⁷ Twice in *farʿ qāla aḥad al-sharikayn li al-ākhar biʿtu minka naṣībī*.

¹⁰⁰⁸ Once in *farʿ aqarra ʿalā naṣībī bi al-diyyāthab aw ʿurifa bihā*.

¹⁰⁰⁹ Once in *bāb qaʿt al-ṭarīq*.

¹⁰¹⁰ Twice in *bāb al-maghnam wa qismatubu*, twice in *faṣl fī kayfiyyah al-qismah*, once in *maṭlab fīmā taṣīru bibi dār al-islām dār ḥarb wa bi al-ʿaks*, once in *maṭlab fī kharāj al-muqāsamah*, thrice in *faṣl fī al-jizyah*, and once in *maṭlab al-maʿṣiyah tabqā baʿd al-riddah*.

¹⁰¹¹ Once in *farʿ abaqa baʿd al-bayʿ qabl al-qabd*.

¹⁰¹² Once in *maṭlab fī tawqīt al-sharikah*.

¹⁰¹³ Once in *maṭlab sakana dāran thumma ṣahara annahā waqf*.

¹⁰¹⁴ Once in *furūʾ bāʿa bi ḥāl thumma ajjalabu ajalān maʿlūman aw majhūlan*, once in *maṭlab muhim fī aḥkām al-nuqūd idhā kasadat aw inqaṭaʿat aw ghalat aw rakbuṣat*, once in *bāb kbiyār al-ʿayb*, once in *maṭlab fī bayʿ al-ṭarīq*, once in *maṭlab fī al-bayʿ bi shart fāsīd*, once in *maṭlab fī bayʿ al-marhūn al-mustaʿjir*, once in *maṭlab qāla li madyūnah idhā mitta fa anta barīʿun*, and once in *maṭlab masāʾil fī al-muqāṣah*.

¹⁰¹⁵ Once in *fāʾidah matā adā bi kafālah fāsīdah rajaʿa ka ṣahīḥihī*, and once in *maṭlab fī buṭlān taʿlīq al-barāʿah min al-kafālah bi al-shart*.

¹⁰¹⁶ Once in *maṭlab fī istikhlāf al-qādī nāʾiban ʿanhu*, twice in *bāb kitāb al-qādī ilā al-qādī*, and once in *farʿ waqaʿa al-ikhtilāf fī kufr al-mayyit wa islāmihī*.

¹⁰¹⁷ Once in *farʿ lā yanbaghī li al-fuqahāʾ kutub al-shahādah*, and twice in *bāb man yajibu qabūl shahādatihī ʿalā al-qādī*.

¹⁰¹⁸ Once in *bāb daʿwā al-rajulayn*.

¹⁰¹⁹ Once in *maṭlab fī al-istiʿjār ʿalā al-ṭāʾāt*, once in *maṭlab fī al-istiʿjār ʿalā al-maʿāṣī*, and once in *maṭlab fiṣq al-mustaʿjir laysa ʿudbr fī al-faskh*.

¹⁰²⁰ Four times in *maṭlab fī radd al-maghṣūb wa fīmā law abā al-mālik qabūlabu*.

¹⁰²¹ Once in *kitāb al-shufʿah*, and once in *bāb ṭalab al-shufʿah*.

¹⁰²² Four times in *kitāb al-ḥaṣar wa al-ibāḥah*, twice in *faṣl fī al-lubs*, once in *faṣl fī al-nazar wa al-mass*, and thrice in *faṣl fī al-bayʿ*.

¹⁰²³ Once in *kitāb ihyāʾ al-mawāt*, and once in *faṣl al-shurb*.

¹⁰²⁴ Once in *bāb mā yajūzu irtihānubu wa mā lā yajūz*, and once in *bāb al-rahṅ yūdaʿu ʿalā yad ʿadl*.

¹⁰²⁵ Once in *faṣl fī al-fiʿlayn*.

¹⁰²⁶ Once in *kitāb al-diyyāt*, twice in *bāb mā yuḥdithubu al-rajul fī al-ṭarīq wa gbayrihi*, twice in *bāb al-jināyah al-bahimah wa al-jināyah ʿalayhā*, once in *bāb jināyah al-mamlūk wa al-jināyah ʿalayhī*, and six times in *kitāb al-qasamah*.

¹⁰²⁷ Twice in *kitāb al-waṣāyā*, once in *bāb al-waṣīyah bi thuluth al-māl*, twice in *bāb al-waṣīyya li al-aqārib wa gbayrihim*, and once in *bāb al-waṣīyya bi al-khidmah wa al-suknā wa al-thamarah*.

¹⁰²⁸ Twice in *bāb tawrīth dhawī al-arḥām*, and once in *bāb al-makhārij*.

¹⁰²⁹ Once in *maṭlab nawāqid al-mash*.

¹⁰³⁰ Once in *bāb zakāh al-rikāz*.

¹⁰³¹ Once in *fāʾidah fī shart qabūl al-khulāʿ wa alfāzihī*.

¹⁰³² Once in *faṣl fī istiʿmān al-kāfir*.

¹⁰³³ Once in *maṭlab fī bayʿ al-thamar wa al-zarʿ wa al-shajar maqsūdan*, and once in *bāb kbiyār al-ruʿyah*.

*al-shahādāt*¹⁰³⁴, once in *kitāb al-muḍārabah*¹⁰³⁵, twice in *kitāb al-ghaṣab*¹⁰³⁶, once in *kitāb al-diyyāt*¹⁰³⁷, twice in *kitāb al-waṣāyā*¹⁰³⁸, and twice in *kitāb al-khunthā*¹⁰³⁹.

AL-NAWĀZIL FĪ AL-FURŪ‘

Ibn ‘Ābidīn refers to *Al-Nawāzil fī al-Furū‘* twice.

There are 85 instances where there is a possibility that Ibn ‘Ābidīn has referred to *Al-Nawāzil fī al-Furū‘*.

The book name *Kitāb al-Nawāzil* is mentioned by Ibn ‘Ābidīn twice as a full word. The first instance is in the *muqaddimah* and the second in *kitāb al-ṣawm*¹⁰⁴⁰.

Ibn ‘Ābidīn mentions just the word *al-Nawāzil* three times and does attribute it to Abū al-Layth: In *furū‘ al-niyyah*, *maṭlab idhā māta man labu shay’un min al-ṣirr wa al-ḥabb yastahiqqu naṣībahu* and *maṭlab waqafa ‘alā awlādihim wa sammāhum*.

In *kitab al-ṣalāh*, Ibn ‘Ābidīn states that in the *fatāwa* of al-Shaykh Qāsim from *khulāṣah al-Nawāzil* of Abū al-Layth.

Ibn ‘Ābidīn uses the term *al-Nawāzil* on its own without any reference to an author forty eight times: twice in *bāb al-anjās*, *fā’idah al-taslīm ba’d al-adhān*, *maṭlab fī satr al-‘awrah*, *bāb al-imāmah*, *furū‘ iqtidā’ mutanaffilin bi mutanaffilin wa man yarā al-witr wājiban bi man yarāhu sunnatan*, *furū‘ mashyu al-muṣallī mustabil al-qiblah hal tufsidu*, *bāb ṣalāh al-janāzah*, *kitāb al-ḥajj*, twice in *kitāb al-nikāh*, twice in *bāb al-walī*, *bāb al-kafā’ah*, *maṭlab fī mā law iddā’ al-istithnā wa ankarathu al-zawjah*, *maṭlab fī ‘iddah al-mawt*, *maṭlab fī waṭ’ al-mu’taddah bi shubbah*, *maṭlab fī al-kalām ‘alā al-mūnisah*, thrice in *kitab al-aymān*, *bāb al-yamīn fī al-akl wa al-shurb wa al-lubs*, *furū‘ ḥalafa lā ya’kulu laḥman wa al-ākharu baṣalan wa al-ākharu fulfulan fa ṭubikha ḥashwun fīhi kullu dhālika fa akalū*, *bāb fī al-yamīn fī al-bay’ wa al-shirā’ wa al-ṣawm*, *kitāb al-sharīkah*, *kitāb al-waqf*, *maṭlab waqafa ‘alā awlādihim wa sammāhum*, thrice in *bāb fī al-ḥuqūq fī al-bay’*, *maṭlab fī al-muqāṣṣah*, *maṭlab fī al-ijtibād wa shurūṭihī*, *man jājibu qabūl shahādātihī ‘alā al-qāḍī*, *bāb da’wā al-rajulayn*, *kitab al-īdā’*, *masā’il shattā’ fī al-ijārah*, *maṭlab fī ijārah al-muqṭi’ wa infisākhahā bi mawt al-muqṭi’ wa ikbrājuhu labu*, *kitab al-ikrāh*, *maṭlab fī radd al-maghṣūb wa fī mā law abā al-mālik qabūlahu*, thrice in *kitab al-shuf’ah*, *kitāb al-dhabā’ih*, *far’un yukrahū i’tā’ sā’il al-masjid illā idhā lam yatakhṭṭa riqāb al-nās*, *faṣlun fī al-ḥā’iṭ al-mā’il*, *kitab al-waṣāyā*, *faṣlun fī shahadah al-awṣiyā’*, twice in *furū‘ yuqbalu qawl al-waṣiyy fī mā yadda’ihī min al-infāq bi lā niyyah*.

Ibn ‘Ābidīn makes mention of Abū al-Layth on its own without any reference to a book thirty one times: in *furū‘ afdal al-masājid*, *bāb al-īdayn*, *furū‘ fī al-istibrā’*, *furū‘ qara’a bi al-fārisiyyah aw al-tawrah aw al-injīl*, *faṣlun lā ba’sa bi taklīm wa ijābatuhu bi ra’sihī*, *ṣalāh al-janāzah*, twice in *maṭlab fī tawāf al-ziyārah*, *bāb ṭalāq al-marīd*, *maṭlab tajidū ‘alā al-ab nafaqah zawjah ibnihi al-ṣaghīr*, *bāb ‘itq al-ba’d*, *bāb al-yamīn fī al-dukhūl wa al-khurūj wa al-suknā*, *furū’un ḥalafa lā yusākinu fulānan fa sākanahu fī ‘arṣati dār*, *bāb al-yamīn fī al-akl wa al-shurb wa al-lubs*, *bāb al-yamīn fī al-ḍarb wa al-qatl wa ghayr dhālik*, *kitāb al-jihād*, *tawbah al-ya’s maqbūlah dūna imān al-ya’s*, *faṣlun ijārah al-wāqif*, *maṭlab kullu mā dakhala tab’an lā yuqābiluhu shay’un min al-thaman*, *bāb al-istihqāq*, *maṭlab fī istikhṭāf al-qāḍī nā’iban ‘anhu*, *maṭlab fī al-qadā’ bi shahadah al-zūr*, *masā’il al-mutafarriqah*, *bāb al-shahādah ‘alā al-shahādah*, *maṭlab fisq al-musta’jir laysa ‘udhran fī al-faskh*, *maṭlab fī ijārah al-musta’jir li al-mūjir wa li ghayrihi*, *maṭlab fī ḍamān al-ghaṣb*, *kitāb al-aḍḥiyah*, *faṣlun al-shurb*, *bāb al-qasāmah*, *furū‘ yuqbalu qawl al-waṣiyy fī mā yadda’ihī min al-infāq bi lā niyyah*.

¹⁰³⁴ Once in *bāb man jājibu qabūl shahādātihī ‘alā al-qāḍī*.

¹⁰³⁵ Once in *bāb al-muḍārib yuḍāribu*.

¹⁰³⁶ Twice in *maṭlab fī ḍamān manāfi’ al-ghaṣab*.

¹⁰³⁷ Once in *faṣl fī al-jināyah ‘alā al-‘abd*.

¹⁰³⁸ Once in *bāb al-waṣiyya li al-aqārib wa ghayrihim*, and once in *faṣl fī waṣāyā al-dhimmī wa ghayrihi*.

¹⁰³⁹ Twice in *masā’il shattā’*.

¹⁰⁴⁰ Once in *maṭlab fī ṣawm al-sitt fī al-shawwāl*.

AL-SIYAR AL-KABİR

Ibn ‘Ābidīn mentions Muḥammad *fī al-Siyar al-Kabīr* in his commentary six times. Once in *kitāb al-ṣalāh*¹⁰⁴¹, once in *kitāb al-zakāh*¹⁰⁴², once in *kitāb al-waqf*¹⁰⁴³, once in *kitāb al-buyū*¹⁰⁴⁴, once in *kitāb al-shahādāt*¹⁰⁴⁵, and once in *kitāb al-ḥaḥar wa al-ibāḥab*¹⁰⁴⁶.

Ibn ‘Ābidīn mentions the title *al-Siyar al-Kabīr* in his commentary 32 times, thrice in the *muqaddimah*, once in *kitāb al-ṣalāh*¹⁰⁴⁷, once in *kitāb al-nikāḥ*¹⁰⁴⁸, nine times in *kitāb al-jihād*¹⁰⁴⁹, twice in *kitāb al-waqf*¹⁰⁵⁰, five times in *kitāb al-buyū*¹⁰⁵¹, thrice in *kitāb al-qaḍā*¹⁰⁵², once in *kitāb al-shahādāt*¹⁰⁵³, thrice in *kitāb al-ijārah*¹⁰⁵⁴, twice in *kitāb al-ḥaḥar wa al-ibāḥab*¹⁰⁵⁵, and twice in *kitāb al-waṣāyā*. There is a possibility that it could refer to another title. There are times where Ibn ‘Ābidīn mentions the title *al-Siyar al-Kabīr* on its own, without the word ‘*sharḥ*’, but then mentions by al-Sarakhsī.

He does also refer to the commentary of *al-Siyar al-Kabīr* by al-Sarakhsī several times, by mentioning *Sharḥ al-Siyar al-Kabīr li al-Sarakhsī*.

AL-SIYAR AL-ṢAGHĪR

Ibn ‘Ābidīn mentions the title *al-Siyar al-Ṣaghīr* in his commentary just twice, once in the *muqaddimah* and once in *kitāb al-jihād*¹⁰⁵⁶.

TUḤFAH AL-FUQAḤĀ

Ibn ‘Ābidīn refers to *Tuḥfah al-Fuqahā* four times.

There are twelve instances where there is a possibility that Ibn ‘Ābidīn has referred to *Tuḥfah al-Fuqahā*.

The book name *Tuḥfah al-Fuqahā* is mentioned by Ibn ‘Ābidīn three times as a full word. Once in *kitāb al-ṭabārah*¹⁰⁵⁷ and twice in *kitāb al-buyū*¹⁰⁵⁸.

Ibn ‘Ābidīn mentions once *wa fī al-Tuḥfah* and clarifies that this is by al-Samarqandī. This is in the section *shurūṭ al-maṣḥ ‘alā al-khuḫfayn*. There are seven instances where Ibn ‘Ābidīn states *wa fī al-Tuḥfah* but doesn’t specify that it is by ‘Alā’ al-Dīn al-Samarqandī. These are in the following sections: *kitāb al-ṣalāh*, *fā’idah al-taslīm ba’d al-*

¹⁰⁴¹ Once in *furū’ maṣḥā al-muṣalli mustaqbil al-qiblah bal tafsudu ṣalātubu*.

¹⁰⁴² Once in *bāb maṣrif al-zakāh wa al-’usbr*.

¹⁰⁴³ Once in *maṭlab fī iqālah al-mutawallī ‘aqd al-ijārah*.

¹⁰⁴⁴ Once in *maṭlab muhim fīman qabaḍa min gharīmīhi darāhim fa wajadabā zuyūfan*.

¹⁰⁴⁵ Once in *bāb al-shahādah ‘alā al-shahādah*.

¹⁰⁴⁶ Once in *faṣl fī al-lub*.

¹⁰⁴⁷ Once in *bāb ṣalāh al-janāzah*.

¹⁰⁴⁸ Once in *bāb nikāḥ al-kāfir*.

¹⁰⁴⁹ Twice in *kitāb al-jihād*, thrice in *bāb al-maghnam wa qismatubu*, once in *faṣl fī kayfiyyah al-qimah*, once in *faṣl fī isti’mān al-kāfir*, once in *maṭlab fī tamyiz ahl al-dhimmah fī al-malbas*, once in *maṭlab fī yuntaqaḍu bibi ‘ahd al-dhimmi wa mā lā yuntaqaḍu*.

¹⁰⁵⁰ Once in *maṭlab qad yathbutu al-waqf bi al-ḍarūrah*, and once in *far’ ṭalīb tawliyah al-waqf lā yuwallā*.

¹⁰⁵¹ Twice in *maṭlab muhim fī ikhtilāf al-bā’i wa al-mushtarī fī ‘adad al-maqbūḍ aw qadrihi aw ṣifatibi*, once in *maṭlab fī istiqrāḍ al-darāhim ‘adadan*, once in *maṭlab idbā iktasaba ḥarāman thumma ishṭarā fa buwa ‘alā khamsah aujub*, and once in *maṭlab qāla li madyūnah idbā mita fa anta barī’un*.

¹⁰⁵² Twice in *maṭlab fī istikhḫāf al-qāḍī nā’iban ‘anhu*, and once in *maṭlab fī qaḍā’ al-qāḍī bi gbayr madhbabibi*.

¹⁰⁵³ Once in *bāb al-shahādah ‘alā al-shahādah*.

¹⁰⁵⁴ Thrice in *maṭlab ḍalla labu shay’ fa qāla man dallanī ‘alaybi fa labu kadhā*.

¹⁰⁵⁵ Twice in *faṣl fī al-bay’*.

¹⁰⁵⁶ Once in *bāb al-maghnam wa qismatubu*.

¹⁰⁵⁷ Once in *arkān al-wuḍū*.

¹⁰⁵⁸ Twice in *al-murābahā wa al-tawliyah*.

adbān, bāb ṣalāh al-janāzah, bāb zakāh al-ghanam, maṭlab tajidū ‘alā al-ab nafaqah zawjab ibnibi al-ṣaghīr, maṭlab fī bay‘ al-thamar wa al-zar‘ wa al-shajar maqṣūdan, bāb kbiyār al-ru’yah.

In *kitab al-waṣāyā*, he doesn’t mention the book title, but does provide the reference to the authors name ‘Alā al-Dīn al-Samarqandī, which could be alluding to *Tuhfab*, or another of his works.

The word al-Samarqandī is mentioned in the following chapters but could relate to another author: twice in *bāb al-anjās*, three times in the section *maṭlab ‘iddah al-mankūḥah fāsīdā wa al-mawṭū’ah bi shubḥah, tanbīh tafāsakhā ‘aqd al-ijārah wa al-zar‘ baql, kitāb ihyā’ al-mawt, faslun fī mā yūjib al-qawad wa mā lā yūjibuhū.*

AL-WIQĀYAH

Ibn ‘Ābidīn refers to *al-Wiqāyah* 47 times. Twice in the *muqaddimah*, thrice in *kitāb al-ṭahārah*¹⁰⁵⁹, thrice times in *kitāb al-ṣalāh*¹⁰⁶⁰, twice in *kitāb al-zakāh*¹⁰⁶¹, five times in *kitāb al-ṣawm*¹⁰⁶², once in *bāb al-i’tikāf*, once in *kitāb al-ḥajj*¹⁰⁶³, twice in *kitāb al-nikāḥ*¹⁰⁶⁴, thrice in *kitāb al-ṭalāq*¹⁰⁶⁵, once in *bāb al-khula*¹⁰⁶⁶, once in *bāb al-zihār*¹⁰⁶⁷, once in *kitāb al-itq*¹⁰⁶⁸, once in *kitāb al-ḥudūd*¹⁰⁶⁹, nine times in *kitāb al-buyū*¹⁰⁷⁰, twice in *kitāb al-da’wā*¹⁰⁷¹, once in *kitāb al-ijārah*¹⁰⁷², once in *kitāb al-ma’dhūn*, twice in *kitāb al-gḥaṣab*¹⁰⁷³, thrice in *kitāb al-shuf‘ah*¹⁰⁷⁴, once in *kitāb al-uḍḥiyah*, once in *kitāb al-jināyāt*¹⁰⁷⁵, and once in *kitāb al-diyyāt*.

SHARḤ AL-WIQĀYAH

Ibn ‘Ābidīn refers to *Sharḥ al-Wiqāyah* 28 times. Four times in *kitāb al-ṭahārah*¹⁰⁷⁶, four times in *kitāb al-ṣalāh*¹⁰⁷⁷, five times in *kitāb al-zakāh*¹⁰⁷⁸, twice in *kitāb al-ṣawm*¹⁰⁷⁹, once in *kitāb al-nikāḥ*, twice in *kitāb al-ṭalāq*¹⁰⁸⁰, once in *bāb al-li‘ān*, once in *kitāb al-aymān*, once in *kitāb al-jihād*¹⁰⁸¹, twice in *kitāb al-buyū*¹⁰⁸², once

¹⁰⁵⁹ Once in *far‘ mā yakhruji min dār al-ḥarb ka sinjāb in ‘alima dabghahu bi ṭābir*, once in *sunan al-tayammum*, once in *maṭlab nawāqid al-mash*.

¹⁰⁶⁰ Once in *bāb sujūd al-sabw*, and twice in *bāb bāb al-jumu’ah*.

¹⁰⁶¹ Twice in *bāb sadaqah al-fiṭr*.

¹⁰⁶² Five times in *faṣl fī al-‘awāriḍ al-mabīḥah li ‘adm al-ṣawm*.

¹⁰⁶³ Once in *bāb al-jināyāt fī al-ḥajj*.

¹⁰⁶⁴ Twice in *bāb al-walī*.

¹⁰⁶⁵ Once in *maṭlab al-inqilāb wa al-iqtisār wa al-istinād wa al-tabyīn*, and twice in *bāb al-ruj‘ah*.

¹⁰⁶⁶ Once in *maṭlab fī khul‘ ‘alā nafaqah al-walad*.

¹⁰⁶⁷ Once in *bāb kaḥfārah al-zihār*.

¹⁰⁶⁸ Once in *bāb al-itq ‘alā ju’il*.

¹⁰⁶⁹ Once in *bāb al-shahādah ‘alā al-zinā wa al-ruj‘ah ‘anbā*.

¹⁰⁷⁰ Thrice in *bāb kbiyār al-sharṭ*, once in *maṭlab fī al-bay‘ bi sharṭ fāsīd*, once in *maṭlab radd al-mushtarī fāsīdan ilā bā’ihī fa lam yaqbalhu*, once in *maṭlab fī al-ibrā’ ‘an al-ribā*, once in *maṭlab fī al-istiṣnā’*, once in *mā yubṭilu bi al-sharṭ al-fāsīd wa lā yaṣīḥḥu ta’lūquhu bihi*, and once in *far‘ al-sharṭ al-fāsīd yaltahīqu bi aṣl al-‘aqd*.

¹⁰⁷¹ Once in *bāb da’wā al-rajulayn*, and once in *bāb da’wā al-nasab*.

¹⁰⁷² Once in *maṭlab fī al-istiṣnā’ ‘alā al-ṭā’āt*.

¹⁰⁷³ Twice in *maṭlab fī radd al-maghṣūb wa fīmā law abā al-mālik qabūlabu*.

¹⁰⁷⁴ Once in *bāb ṭalab al-shuf‘ah*, and twice in *bāb mā yubṭil al-shuf‘ah*.

¹⁰⁷⁵ Once in *bāb al-qawad fīmā dūna al-nafs*.

¹⁰⁷⁶ Once in *sunan al-wuḍū’*, once in *sunan al-tayammum*, and twice in *bāb al-ḥayḍ*.

¹⁰⁷⁷ Twice in *furū’ mashā al-muṣalli mustaqbil al-qiblah hal tafsudu ṣalātuhu*, and twice in *bāb idrāk al-fariḍah*.

¹⁰⁷⁸ Five times in *bāb zakāh al-rikāz*,

¹⁰⁷⁹ Twice in *faṣl fī al-‘awāriḍ al-mabīḥah li ‘adm al-ṣawm*.

¹⁰⁸⁰ Twice in *maṭlab al-inqilāb wa al-iqtisār wa al-istinād wa al-tabyīn*.

¹⁰⁸¹ Once in *bāb istilā’ al-kuffār ‘alā ba’ḍihim ba’dan aw ‘alā amwālīnā*.

¹⁰⁸² Once in *bāb kbiyār al-sharṭ*, and once in *maṭlab fī al-ibrā’ ‘an al-ribā*.

in *kitāb al-kafālah*¹⁰⁸³, once in *kitāb al-ṣulāḥ*¹⁰⁸⁴, twice in *kitāb al-ḥaḥar wa al-ibāḥah*¹⁰⁸⁵, and once in *kitāb al-waṣāyā*¹⁰⁸⁶.

AL-ZIYĀDĀT

Ibn ‘Ābidīn mentions *al-Ziyādāt* in his commentary 55 times.

Twice in the *muqaddimah*, once in *kitāb al-ṭahārah*¹⁰⁸⁷, thrice in *kitāb al-ṣalāḥ*¹⁰⁸⁸, once in *kitāb al-nikāḥ*¹⁰⁸⁹, thrice in *kitāb al-ṭalāq*¹⁰⁹⁰, four times in *bāb al-khula*¹⁰⁹¹, once in *bāb al-ḥibār*¹⁰⁹², once in *kitāb al-‘itq*¹⁰⁹³, twice in *kitāb al-aymān*¹⁰⁹⁴, once in *kitāb al-ḥudūd*¹⁰⁹⁵, five times in *kitāb al-buyū*¹⁰⁹⁶, ten times in *kitāb al-ḥawālah*, once in *kitāb al-wakālah*¹⁰⁹⁷, once in *kitāb al-da‘wā*¹⁰⁹⁸, six times in *kitāb al-iqrār*¹⁰⁹⁹, four times in *kitāb al-ijārah*¹¹⁰⁰, once in *kitāb al-ṣayd*, thrice in *kitāb al-rabn*¹¹⁰¹, thrice in *kitāb al-diyyāt*¹¹⁰², and twice in *kitāb al-waṣāyā*¹¹⁰³.

There were entries which had *Sharḥ al-Ziyādāt*, these were omitted. Ibn ‘Ābidīn has mentioned the commentaries of *al-Ziyādāt* by al-‘Attābi, al-Bazdawī, Qāḍī Khān, and al-Sarakhsī.

¹⁰⁸³ Once in *maṭlab fī ta‘līq al-kafālah bi shart ghayr malā‘im*.

¹⁰⁸⁴ Once in *faṣl fī al-takhārūj*.

¹⁰⁸⁵ Once in *faṣl fī al-lub*, and once in *faṣl fī al-bay‘*.

¹⁰⁸⁶ Once in *faṣl fī waṣāyā al-dimmī wa ghayrthi*.

¹⁰⁸⁷ Once in *sunan al-tayammum*.

¹⁰⁸⁸ Once in *maṭlab fī satr al-‘awrah*, once in *bāb qaḍā’ al-fawā‘it*, and once in *bāb al-shabīd*.

¹⁰⁸⁹ Once in *furū’ ṭallaqa imra‘atuhu taṭliqatayn wa lahā minhu laban fa i’taddat nakāḥat ṣaghīran fa arḍa‘atbu fa ḥarumat ‘alayh fa nakāḥat ākhar fa dakhala bibā*.

¹⁰⁹⁰ Once in *rukn al-ṭalāq*, once in *maṭlab al-ṭalāq yaqa‘u bi ‘adad qurina bibi lā bibi*, and once in *bāb tafwīd al-ṭalāq*.

¹⁰⁹¹ Four times in *furū’ qāla khāla ‘uki ‘alā alfin qālahu thulūthan fa qubilat*.

¹⁰⁹² Once in *bāb kaffārah al-ḥibār*.

¹⁰⁹³ Once in *far‘qāla aḥad al-sharikayn li al-ākhar bi‘tu minka naṣībī*.

¹⁰⁹⁴ Once in *bāb al-yamīn fī al-dukhūl wa al-khurūj wa al-suknā wa al-ityān wa al-rukūb wa ghari dhālik*, and once in *furū’ ḥalafa lā ya ‘kulu lahman wa al-ākharu baṣalan wa al-ākharu filfilan fa tubikha ḥashwun fībi kullu dhālik fa akalū*.

¹⁰⁹⁵ Once in *bāb al-waṭ‘ alladhī yūjibu al-ḥadd wa alladhī lā yūjibubu*.

¹⁰⁹⁶ Once in *maṭlab fī jumlah mā yaquṭu bibi al-khiyār*, twice in *maṭlab fī bay‘ al-tarīq*, once in *maṭlab fī bay‘ al-shurb*, and once in *bāb al-istihqāq*.

¹⁰⁹⁷ Once in *bāb al-wakālah bi al-khusūmah wa al-qabḍ*.

¹⁰⁹⁸ Once in *bāb al-tahāluf*.

¹⁰⁹⁹ Five times in *kitāb al-iqrār*, and *faṣl fī masā‘il al-shattā*.

¹¹⁰⁰ Once in *maṭlab fī al-istiḥār ‘alā al-ma‘āṣī*, once in *bāb fask al-ijārah*, and twice in *maṭlab fiṣq al-musta‘jir laysa ‘udbr fī al-faskh*.

¹¹⁰¹ Twice in *bāb mā yajūzu irtibānahu wa mā lā yajūz*, and once in *faṣl fī masā‘il mutafarriqah*.

¹¹⁰² Once in *faṣl fī al-janīn*, and twice in *bāb jināyah al-mamlūk wa al-jināyah ‘alaybi*.

¹¹⁰³ Once in *furū’ awṣā bi thuluth mālihi li al-ṣalawāt*, and once in *bāb al-waṣiyy*.

This statistical study of Ibn ‘Ābidīn’s citations in *Radd al-Muḥtār* reveals important insights into his methodological approach. The frequency with which he cites certain sources, particularly Ibn Nujaym’s *al-Baḥr al-Rā’iq*, highlights the importance he placed on aligning his explanations with well-established and authoritative Ḥanafī jurisprudential works. The predominance of *al-Baḥr al-Rā’iq* among the cited sources can be ascribed to his own deep engagement with the text, as demonstrated by the annotation he penned on it named *al-Minḥab*. This annotation has been printed with certain prints of *al-Baḥr al-Rā’iq*. This reveals not only his respect for Ibn Nujaym, but also his profound understanding of its content. He quoted this book, according to my estimates, 8014 times. In addition, seeing as *al-Durr al-Mukhtār*, the primary text he was commenting on, is known for its conciseness, Ibn ‘Ābidīn turned to *al-Baḥr al-Rā’iq* to read and include a more detailed analysis provided by Ibn Nujaym. This let him to build on the brief statements in *al-Durr* and present a more in-depth and nuanced interpretation of legal matters. His gloss on *al-Baḥr al-Rā’iq* further indicates his trust on the text as a key interpretive tool, bridging the gap between the concise formulations of *al-Durr al-Mukhtār* and the comprehensive legal discourse necessary for effective juristic reasoning, which was required in a detailed work such as *Radd al-Muḥtār*. *al-Baḥr al-Rā’iq* is also considered an accepted work for Hanafī juristic rulings, which is also possibly why he relied on it so much. This would also, most likely, be the reason that his work gained such prominence, because the scholars in his era already relied upon these works for their rulings and had faith in previous accepted works such as *al-Baḥr al-Rā’iq*. Other scholars, both before Ibn ‘Ābidīn’s era and post this used and still use *al-Baḥr al-Rā’iq* as a source in their rulings and legal opinions, which could be a valid exploration for future studies, where *al-Baḥr al-Rā’iq* could be studied in greater detail, depicting its value to past and present scholars.

In addition to his dependency on lengthier works such as *Fatḥ al-Qadīr*, which according to my estimates, has been quoted 3533 times and *Badā’i’ al-Ṣanā’i’*, which according to my numerical analysis has been quoted 1198 times, his method to citation shows a distinct preference for detailed works and *fatāwā* collections over the more concise *matn* of the Ḥanafī school. An accepted *matn* like *Mukhtasar al-Qudūrī* only features 164 times, according to this analysis, compared to the lengthier and more detailed works which feature in the thousands. Although the *matn* serve as the foundational core of legal principles, Ibn ‘Ābidīn relied on the detailed discussions found in the lengthier works, as they offered the required explanation and context needed to tackle the complicated and subtle legal questions of his time. This may also have offered him a richer base from which he could derive his legal conclusions. Whilst the *matn* is sporadically mentioned, their brevity and concentration on fundamental principles probably made them less useful for intricate legal analysis that Ibn ‘Ābidīn aimed to impart, especially in an effort that sought to serve as a complete legal manual.

This numerical analysis provides significant value for contemporary scholars and *muftis* in that it provides a first glimpse into *Radd al-Muḥtār*’s sources broken down into the frequency that Ibn ‘Ābidīn uses these sources and in which chapters and sub-chapters they are mentioned. This provides a deeper understanding of the reliance of Ibn ‘Ābidīn on specific legal authorities, such as Ibn Nujaym and his *al-Baḥr al-Rā’iq* and Ibn al-Humām and his *Fatḥ al-Qadīr* over other reliable sources of *fatwā* in the Hanafī school. Furthermore, it also illustrates the identification of trends and shifts within the text, in that he applied different sources in varying ways in different chapters. It also depicts that in applying quantitative techniques to classical texts, new dimensions of analysis are unlocked, which may be overlooked in purely qualitative studies. It will also enhance the appreciation of Ḥanafī *fiqh* and the scholars who contributed to its growth and advancement.

Ibn ‘Ābidīn’s citations do not feature a preference for a particular time-period, rather it covers a vast period, from the scholars who are seen as being from the founders of the school like Muḥammad ibn al-Shaybānī right to those who were almost contemporaries to him, such as al-Taḥṭāwī. This also shows his deep appreciation for all scholars whose works had value from which he could benefit. He also does not seem to have a particular preference for a region over another. His sources come from different geographical areas of the Islamic world. Of course, this is limited to the areas which were predominantly Ḥanafī.

The reliance on the key texts frequently cited also highlight Ibn ‘Ābidīn’s commitment to ensuring continuity and integrity of Ḥanafī legal thought. He did not wish to stray from the core principles and decades of scholarship that the school prides itself on, but also wished to remain relevant by not turning a blind eye to contemporary issues that

the people were facing. An example of him tackling contemporary issues is where Ibn ‘Ābidīn mentions a habit prevalent in his era where money was taken from Christian visitors to Bayt al-Maqdis. He opined that this is not allowed and then goes on to explain this ruling in that it is not accepted to take any person’s wealth except with their explicit consent and then goes on to describe the difference between a resident of a Dār al-Ḥarb and a *Mustāmin*.¹¹⁰⁴ Another example of Ibn ‘Ābidīn providing a ruling to contemporary issues is the ruling of *al-Sawkarah*. This was a form of insurance or guarantee that traders took from those whom they were hiring conveyances from. Besides the rental, there was an added amount that they paid which served as a sort of insurance premium for protection of the goods that were being transported. If the transported goods were destroyed or damaged in transit, then in lieu of the premium advanced, the equivalent or the value of the destroyed or damaged items was reimbursed. This concept of *al-Sawkarah* was in vogue in Ibn ‘Ābidīn’s time and he issued a ruling that this is not allowed and then expounded on the reasons behind his pronouncement.¹¹⁰⁵

Furthermore, the distribution of citations equally points out his engagement with a wide array of juristic opinions, which would have facilitated navigation of intricate legal matters with depth and accuracy. This not only highlights the hierarchical importance of key texts within the school, but also demonstrates the delicate way Ibn ‘Ābidīn weighed traditional authority with his own juristic reasoning.

The statistical data presented also acts as a framework for further exploration, offering potential avenues for comparative studies with other jurists and legal schools.

More importantly, this study also reiterates the importance of *Radd al-Muḥtār* as a bridge between past Ḥanafī scholarship and the application to the legal challenges of Ibn ‘Ābidīn’s time. This marks his status as a key figure in the preservation and development of the Ḥanafī school of thought.

Methodology for Tracing the Data

I used the software ‘Shamela’ for this chapter. ‘Shamela’ or ‘Maktabah Shamela’, available as a standalone programme or web application boasts the largest comprehensive digital library. Most web applications and software are restricted to a particular science or feature selected key texts. However, Shamela contains thousands of texts from each field. In most cases, Shamela will include what these applications offer and additionally include hundreds of additional texts for each field.

Shamela is the only application that includes several texts of the Ḥanafī *madhhab*. Thus, Shamela was used to locate, derive, and capture data, which facilitated in tracing the sources cited by Ibn ‘Ābidīn.

Shamela has an advanced search functionality, which allows a user to search for single words within a text. For instance, when locating the source ‘al-Bazzāziyyah’ in *Radd al-Muḥtār*, by searching for just the word ‘Bazzāziyyah’ without the ‘al’ particle brings 135 entries, but with the ‘al’ particle 922 entries are found. I noticed that searching for the same text using the ‘al’ particle will bring one set of results and omitting the ‘al’ particle will bring another set data. Thus, I brainstormed all the possibilities for each text and located each separately. Additionally, at times a text may have more than one name or may be abbreviated to a shorter name. For example, Ibn ‘Ābidīn refers to *Fatāwā Qāḍīkhān* by both *al-Khāniyyah* and *Qāḍīkhān*. Without taking this into consideration, the numerical value would be limited. Lastly, as there is scope for misspelling, which would also impact the data entry, I typed in various spellings for each word. For instance, when locating *Al-Badā’i*’ of al-Kāsānī, when typing al-Kāsānī, only one entry is found. The typist had changed the letter *sīn* to the letter *shīn*. Thus, entries will only appear by typing al-Kāshānī.

There were required texts that were not initially available on Shamela. However, Shamela does allow a user to add additional texts onto the system and incorporate them into the software. Thus, I added *Fatāwā Qāḍīkhān* as a .BOK file, to be able to trace the data required.

Once I had brainstormed and listed all the possible entries, I entered every possible word as a separate search and manually tallied the count for each one. Shamela provides the page number, volume number, chapter and sub-chapter title for each search. Using the contents page and sequence provided by Ibn ‘Ābidīn, I manually recorded

¹¹⁰⁴ Ibn ‘Ābidīn, *Radd al-Muḥtār* (4:169).

¹¹⁰⁵ Ibn ‘Ābidīn, *Radd al-Muḥtār* (4:170).

each search under the respective chapter title. I calculated the total for the entire book and each individual chapter. In the footnotes I recorded the name of the sub-chapters they appear in and the frequency they appear there too.

For example, the text *Fatāwā Qāḍikhān*:

1. List all the possible entries:

Qāḍī Khān, al-Khāniyyah, Khāniyyah.

2. Search for each entry individually:

Qāḍī Khān (296), al-Khāniyyah (1570), Khāniyyah (163).

3. Total count with all entries: 2029.

4. Frequency of each word per chapter:

‘Qāḍī Khān’: Thrice in the *muqaddimah*, eighteen times in *kitāb al-ṭahārah*, thirty-five times in *kitāb al-ṣalāh*, fourteen times in *kitāb al-zakāh*, twice in *kitāb al-ṣawm*... etc.

5. Breakdown per sub-chapter:

‘Kitāb al-Ṭahārah’: Thrice in *sunan al-wuḍūʿ*, once in *sunan al-ghuṣl*, once in *farʿ mā yakbruji min dār al-ḥarb ka sinjāb in ʿalima dabghabu bi ṭābir*, once in *farʿ wajada fī thawbihi maniyyan aw bawlan aw daman*, five times in *farʿ al-buʿd al-māniʿ min wuṣūl najāsah al-bālūʿah ilā al-biʿr*, once in *furūʿ ṣallā al-maḥbūs bi al-tayammum*, twice in *shurūṭ al-maṣḥ ʿalā al-khuffayn*, once in *bāb al-ḥayḍ*, twice in *bāb al-anjās*, and once in *furūʿ fī al-istibrāʿ*.

The purpose of this chapter was to undertake a numerical study of the sources referenced by Ibn ʿĀbidīn, followed by a concise discussion on the findings. Additionally, I provided details thereof utilising the program mentioned.

CONCLUSION

In conclusion, this study has been noteworthy in that it has increased our knowledge in understanding the sources used by Ibn ‘Ābidīn in his book *Radd al-Muḥtār*. Through a careful analysis of the history behind his main work and the available primary sources that we have studied, we can establish that besides the Qur’ān and *ḥadīth*, Ibn ‘Ābidīn relied greatly on the accepted works of the previous *‘ulamā* (scholars), especially those in the *Ḥanafī* school in the field of Islamic jurisprudence. We also found that he uses his own judgement, and he draws from his own personal experiences and rulings which impacts on his informed legal rulings. This makes his work a unique contribution to the field of Islamic jurisprudence. The implications of the findings from this dissertation are extensive, as they provide new insights into the intricate legal reasoning and methodology utilised by Ibn ‘Ābidīn and to the sources used by him to reach those results.

The section titled, ‘A Brief History of Fiqh’, acquaints the reader with the six time periods that shape Islamic law. Although I provide an explanation for the first three periods, a more detailed exploration can be pursued. Firstly, by providing examples when citing history helps clarify abstract or complex historical concepts, making them more concrete and understandable. Concrete examples are easier to remember than abstract concepts, aiding in the recall of historical information. Similarly, it will allow the reader to understand the conditions and circumstances of a particular historical period. This leads the reader to a more nuanced and accurate comprehension of history. Furthermore, examples serve as evidence to support claims and arguments. This enhances the credibility and persuasiveness of the historical analysis. For instance, in the first era, the companions would directly seek counsel and guidance from the Prophet on matters. Companions would equally use their own reasoning when they did not have direct access to the Prophet. Here, several accounts for both can be cited.

In the second era, I highlighted that those who issued *fatāwā* were divided into traditionalists and rationalists. By providing examples, it will demonstrate to the reader how traditionalist and rationalists might come to different conclusions for one ruling, while also illustrating the reasoning behind each perspective. In the second era, I also highlight the rise of the centres of learning and draw attention to two. Examples can be provided to realise the initial differences between the two centres of learning, and textual evidence can help understand how these differences were bridged. A detailed breakdown of scholars can also be mapped to demonstrate the lengths they would travel to reach these centres of learning.

In the section titled, ‘Great Personalities in *Ḥanafī Fiqh*’, I initially examined a selection of 15 personalities who were instrumental in transmitting the works of the *madhhab*. Noticing that several leading personalities were missing, I consulted two biographical dictionaries of the *Ḥanafī madhhab*. I provided an infographic which demonstrated other such notable personalities. This data was arranged according to social levels and highlighted those who assumed the role of the *qādī* or was offered the post, and similarly those who authored books. The initial social levels also pointed out the students of Abū Ḥanīfah and his students. By utilising all the biographical dictionaries that are accessible, gaps within each social level can be filled. Additionally, a country flag can be added that highlights where each scholar passed away. This would illustrate the spread of the *madhhab*. Those who were students of Imām Muḥammad ibn al-Shaybānī who settled elsewhere, would also help demonstrate the spread of the *madhhab*. An additional infographic can be created maps the Islamic world during different time periods which highlights the *Ḥanafī* judges who assumed positions. This will also allow the reader to see how the school spread.

In the section titled, ‘Books of *Fatwā* in the *Madhhab*’, a detailed analysis of each book could be presented. When analysing each title, the following points could be considered:

- 1) Providing a detailed biography of the author.
- 1) Highlighting the methodology of the author.
- 2) Highlighting the strengths and weaknesses of the book.
- 3) Highlighting those rulings which are contrary to the *madhhab*.
- 4) Listing all the commentaries and compositions for the book.
- 5) Highlighting the strengths and weaknesses of each commentary.
- 6) Providing the sources that the author utilised and referred to.

In the section titled, 'Ibn 'Ābidīn', under the sub-section 'written works', regarding the compositions relating to Islamic law, a detailed comparison can be conducted to see if the verdicts penned are contrary to that which Ibn 'Ābidīn mentions in *Radd al-Muḥtār*. Similarly, in those ruling where Ibn 'Ābidīn mentions '*fiyhi al-naẓar*', the reader will notice if he did provide the answer in another of his works.

A detailed study should be conducted regarding the sources cited by Ibn 'Ābidīn. From my study, we notice that Ibn Nujaym's *Al-Baḥr al-Rā'iq* was the text that Ibn 'Ābidīn consulted and cited the most. As mentioned previously, Ibn 'Ābidīn did hold al-Ḥaṣkafī in high regard. A comparison between Ibn 'Ābidīn's text *al-Minḥab* and *Radd al-Muḥtār* may prove to be useful. Did Ibn 'Ābidīn reproduce his commentary where needed as a gloss to *al-Baḥr* upon the completion of *Radd al-Muḥtār*? Did he utilise *al-Baḥr* to understand the text of *Al-Durr al-Mukḥtār*? Are any of the explanations provided by Ibn 'Ābidīn identical to the text of *al-Baḥr*? When providing commentary, does he generally cite the explanation of al-Ḥaṣkafī in *al-Baḥr*, and thereafter support or counter the argument with a detailed analysis using other authors?

I also noticed that some sources were utilised extensively for several chapters yet were absent in other sections of the commentary. Is there a correlation between this and the four phases undertaken when penning his commentary? Were some sources not utilised during certain phases?

Many a times, Ibn 'Ābidīn highlights that he consulted several editions of the same source. Are these differences he alludes and points out to present in printed editions? By them not being present, does it change rulings that are at hand to us?

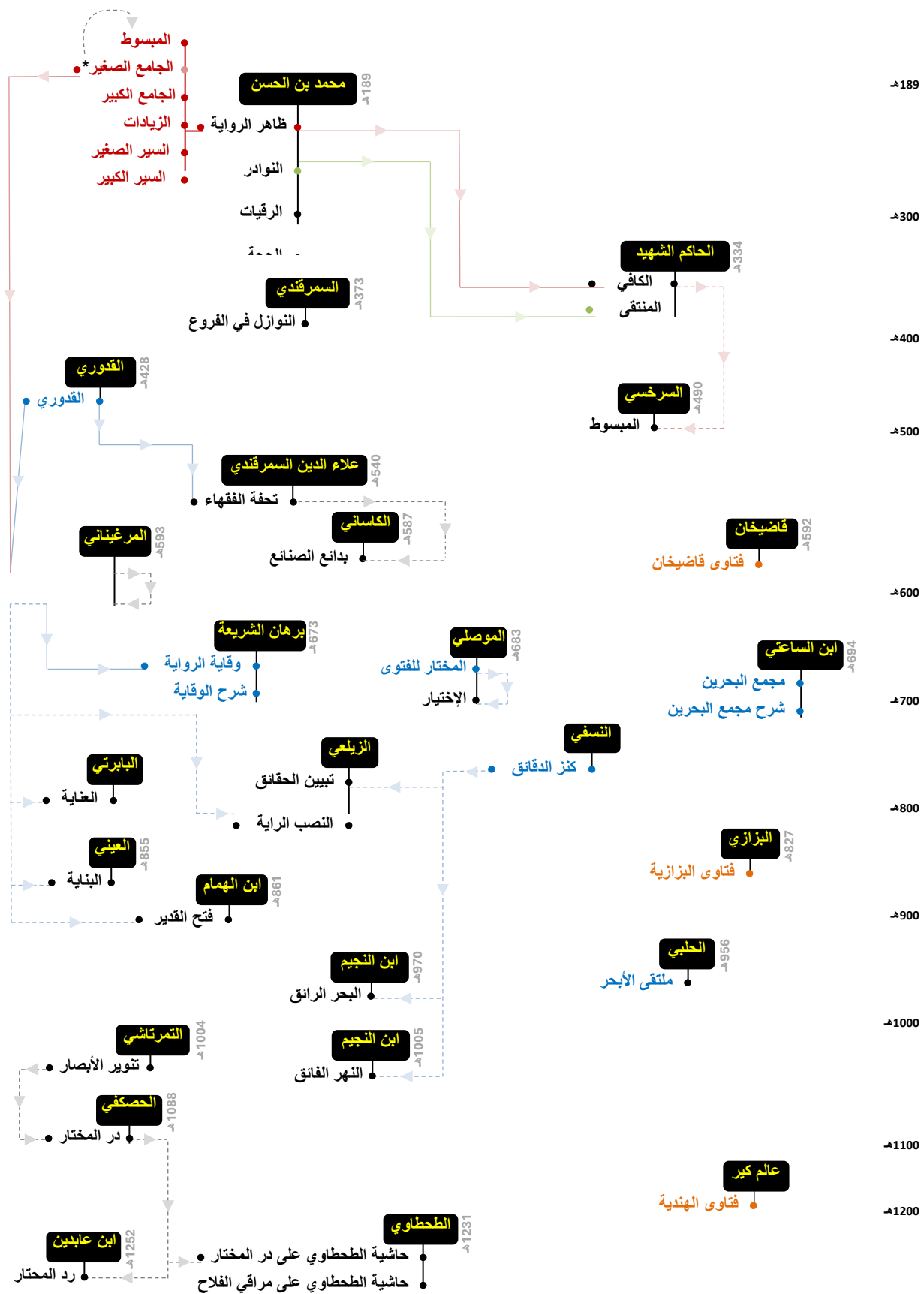
I highlighted several texts of Islamic law that was cited by Ibn 'Ābidīn. However, Ibn 'Ābidīn extensively cites and refers to books from several genres. These should also be analysed and categorised according to subject. For instance, he refers to lexical definitions in the chapter of purification. Does he utilise several dictionaries when providing lexical definitions or relay from just the one? Are definitions provided for every chapter, or does he commence with definitions in the chapter of purification, and slowly omit them as he proceeds?

All these questions and more could give us a greater understanding of the *Hanafī* school and of Ibn 'Ābidīn's thought process.

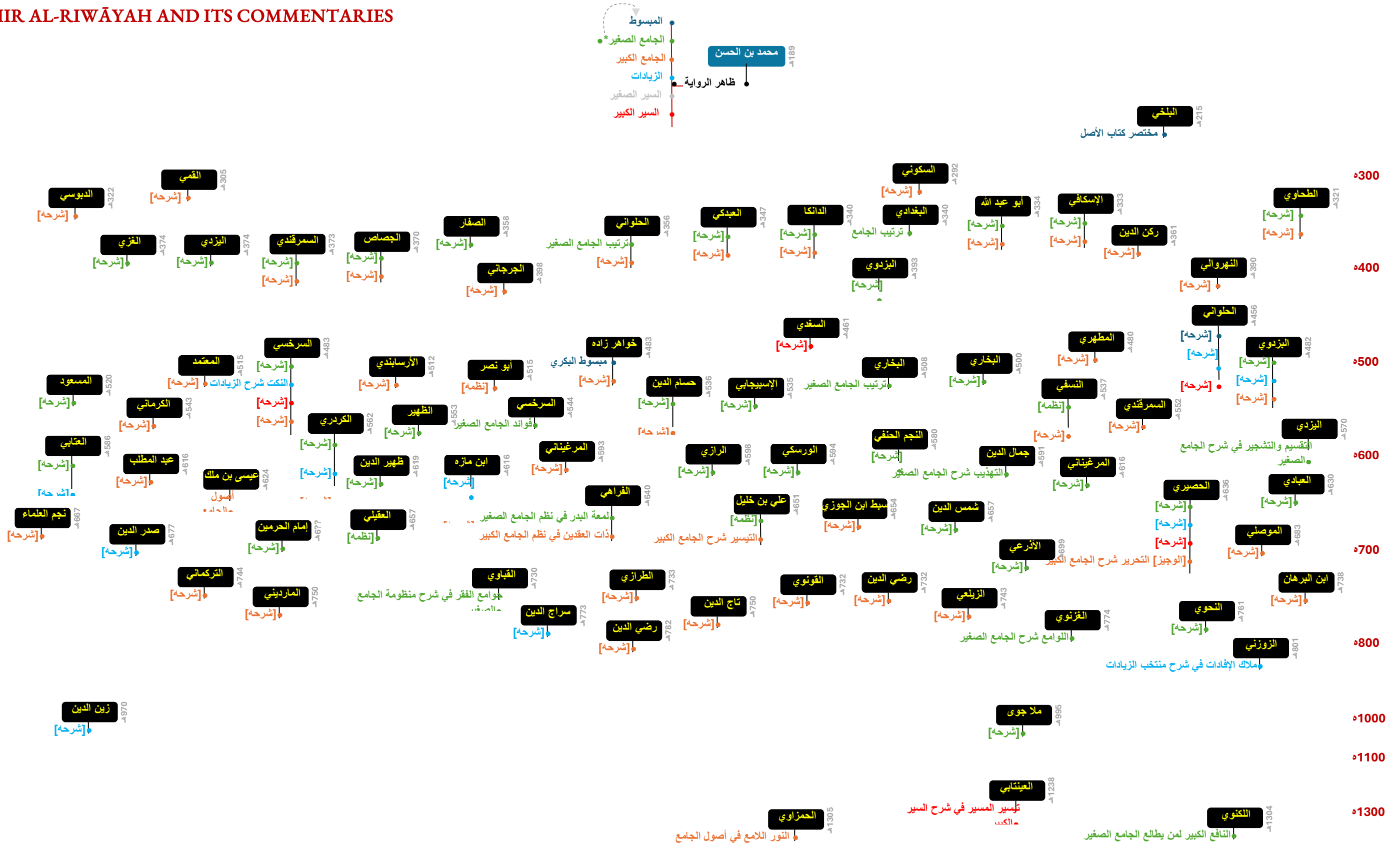
While this study has also provided valuable insights into the sources used by Ibn 'Ābidīn, there is still much to be learned about his work and its impact on the field of Islamic law. Future research could explore the specific sources used by Ibn 'Ābidīn in more detail, examine how his work influenced later scholars, or compare his methodology to that of other legal thinkers.

Overall, this study is an important step in our understanding of the sources and methods used not only by Ibn 'Ābidīn, but other earlier scholars in the *Hanafī* school. The insights gained from this research will be valuable to scholars, particularly Muftīs and students of Islamic law and theology, and will contribute to future research in these fields.

BOOKS IN THE MADHHAB



ZĀHIR AL-RIWĀYAH AND ITS COMMENTARIES



See:

1. Al-Ḥabashī, *Jāmi' al-Shurūḥ wa al-Ḥawāshī* (2:331-338), (2:341-350), (2:787-789), (3:72-73).
2. Al-Mar'ashī, *al-Fiqh al-Ḥanafī Uṣūlan wa Furū'an* (1:29-54).

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