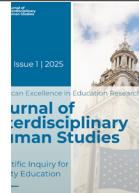




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THE GROUNDS FOR THE SUPERIORITY OF WEAK HADITHS OVER ANALOGICAL REASONING (QIYAS) IN THE HANAFI SCHOOL

Abstract. This article discusses the significance of weak (*da'if*) hadiths in the formulation of legal rulings (*fatwas*) within the Hanafi school of Islamic law. Although weak hadiths may at first appear insignificant in deriving *fatwas*, the founder of the Hanafi school, Abu Hanifa (may Allah have mercy on him), gave preference to them over analogical reasoning (*qiyyas*) and independent rational *ijtihad* based purely on reason. He believed that disregarding weak hadiths in such matters would ultimately lead to the derivation of legal rulings solely on the basis of analogy or independent personal reasoning. The article examines the conditions and requirements established by Islamic jurists regarding the consideration of weak hadiths. Additionally, the criteria developed by Hanafi scholars in this regard are analyzed comparatively, and scholarly conclusions are presented.

Keywords: Hanafi school, weak hadith (*da'if*), *qiyyas* (analogical reasoning), *ijtihad*, Islamic jurisprudence, *fatwa*, legal evidence, hadith methodology, juristic disagreement, *usul al-fiqh*.

INTRODUCTION

Within the framework of the schools of Ahl al-Sunnah wa al-Jama'ah, there exist differing views on the acceptance of weak hadiths as legal evidence and their use in resolving juristic issues. In this matter, Hanafi scholars, despite acknowledging the weakness of certain hadiths, nevertheless considered their existence as significant and gave them precedence over purely *ijtihad*-based opinions. Imam Sha'rani (d. 1566),

may Allah have mercy on him, narrates the following statement from Abu Hanifa: “Those who say about us that ‘they give preference to analogical reasoning over verses of the Qur'an and hadiths,’ by Allah, have indeed spoken falsely and have slandered us. Is there any need for analogical reasoning after the Qur'an and hadith?” (Usmani, 1995:162).

Imam al-Zarkashi (d. 1392), may Allah have mercy on him, states: “Ibn Khuzayma said the following: ‘The Hanafis have reached a consensus within the school of Abu Hanifa that a weak hadith is to be given precedence over personal reasoning’” (Usmani, 1995:162-163). Accordingly, it can be understood that there is no disagreement among the Hanafis on this matter.

Hafiz Ibn al-Qayyim (d. 1350) states: “The companions of Abu Hanifa reached a consensus on the statement that, within the school of Abu Hanifa, a weak hadith takes precedence over analogical reasoning (qiyas) and rational deliberation. His school is founded upon this principle. Giving priority to weak hadiths and the reports of the Companions over analogy and rational reasoning is the methodological approach of both Abu Hanifa and Ahmad ibn Hanbal. By ‘weak hadith’ here, what is meant is not the weak hadith as defined by later scholars, but rather that which they would classify as *ḥasan*, while earlier scholars would describe it as weak” (Usmani, 1995:162-163). It is thus evident that, in this matter, the scholars of the Hanbali school are also in agreement with the Hanafis.

Hanafi jurists have expressed two different views regarding the application of an *ahad* report when it conflicts with analogical reasoning (qiyas):

The first view:

An *ahad* report is given absolute precedence over *qiyas*. In this case, it makes no difference whether the transmitter of the hadith is a jurist (*faqih*) or not. This position has been upheld by the majority of Hanafi scholars, and the majority of jurists (*jumhur al-‘ulama’*) have also concurred with them on this matter.

The second view:

Qiyas is given precedence over a report under two conditions:

1. If the narrator is a jurist (*faqih*), then the report is given precedence; if he is not a jurist, then *qiyas* takes precedence over the report.

2. If the narrator transmits the *ahad* report in a manner consistent with *qiyyas*, the report is accepted. If it contradicts one form of *qiyyas* but conforms to another, it is still accepted. However, if the report contradicts all forms of *qiyyas*, then it is not accepted.

There are two primary reasons for a hadith being classified as weak:

1. A break in the chain of transmission (isnad). In the science of hadith, reports classified as *mu'allaq*, *mursal*, *mursal khafi*, *munqaṭi'*, *mudallas*, and *mu'dal* are considered weak due to a discontinuity in their chains of transmission.

2. The presence of criticism against a narrator. In hadith scholarship, reports described as *mu'allal*, *maqlub*, *shadhdh*, *muḍtarib*, *mudraj*, *munkar*, and *matruk* are regarded as weak due to defects or criticism affecting their narrators (Ahmad ibn Hammud Khalidi, 1985:5).

An important point to note is that Abu Hanifa (may Allah have mercy on him) may have held a distinctive perspective in classifying hadiths into categories, since the technical terminologies of hadith criticism were developed in later centuries. It is narrated from Abu Hurayra (may Allah be pleased with him) that the Messenger of Allah (peace and blessings be upon him) said: “Whoever deliberately attributes a lie to me, let him take his place in the Fire” (Imam Muslim, 1998:174).

Therefore, when transmitting a weak hadith, it is necessary to clarify that the report is attributed to the Prophet (peace be upon him) but that it is a weak narration.

Only under two conditions may a weak hadith be transmitted without explicitly mentioning its weakness:

1. It must not pertain to matters of creed ('*aqidah*).
2. It must not establish legal rulings related to what is lawful (*halal*) or unlawful (*haram*).

That is, the narration of weak hadiths is permissible only in the context of encouraging virtuous deeds and discouraging sinful acts. Even in such cases, it is not permissible to transmit them with definite assertion by saying, “The Messenger of Allah (peace be upon him) said,” but rather with non-definitive expressions such as, “It has been reported to us,” or “It is narrated from the Messenger of Allah (peace be upon him),” which do not convey certainty.

Zafar Ahmad ‘Uthmani al-Tahanowi (may Allah have mercy on him), in his work *I‘lā’ al-Sunan*, states that weak narrations are acted upon in matters of *Fada’il al-A‘mal* (virtuous deeds)¹.

Ibn ‘Abidin (may Allah have mercy on him) states: “Actions are performed in order to attain the virtues that result from them.” Imam Muḥammad (may Allah have mercy on him) narrates that Abu Ḥanifa (may Allah have mercy on him) said: “Had there not been reports (*athar*) regarding this issue (namely, the case of a person who forgetfully breaks his fast during Ramaḍan), I would have commanded him to make up the fast.” It is narrated from ‘Abdullah ibn al-Mubarak that he said: “I heard Abu Ḥanifa say: ‘If a hadith from the Prophet (peace be upon him) comes to us concerning an issue, we accept it without hesitation. If a report from his Companions is transmitted to us, we choose from among their opinions. But if a report comes from the Followers (tabi‘in), then in that matter we are on equal footing with them.’”

These texts clearly indicate that Abu Ḥanifa (may Allah have mercy on him) gave absolute precedence to transmitted reports over analogical reasoning (*qiyyas*), without making any distinction based on whether the narrator was a jurist or possessed other specific qualifications.

Imam Muḥammad (may Allah have mercy on him), regarding the issue of performing ablution due to loud laughter, stated: “Had there been no transmitted reports on this matter, it would have been valid to apply analogy based on the ruling stated by the people of Madinah (namely, that laughter does not invalidate ablution). However, where a report exists, there is no place for analogy; rather, only adherence to the transmitted reports is possible.” Imam Zufar ibn Hudhayl said: “We may exercise *ijtihad* only in cases where no report exists. But if a report is transmitted regarding a matter, we do not engage in *ijtihad* concerning it.”

A Comparison of the Terminology of the Schools: The position of Imam al-Shafi‘i and his followers, as well as that of Imam Ahmad ibn Ḥanbal and his followers, is as follows: When an *ahad* report and analogical reasoning conflict, the report is given precedence over analogy. This is also the position attributed to Imam Abu Ḥanifa. In

¹ That is, weak hadiths are to be acted upon in order to attain the virtues of practices that are already established in the Shari‘ah, not to introduce new practices that have no basis in it. Zafar Ahmad ‘Uthmani al-Tahanowi, *I‘lā’ al-Sunan*. Karachi: Idarat al-Qur’ān, 1995, vol. 1, p. 163.

contrast, in the Maliki school, analogical reasoning is given precedence over an *ahad* report.

Further Elaboration: If the narrator of a report is known for precision (*dabt*), jurisprudence (*fiqh*), and independent legal reasoning (*ijtihad*)—such as the Rightly Guided Caliphs, the four ‘Abdullahs, Mu‘adh ibn Jabal, and Zayd ibn Thabit (may Allah be pleased with them)—their reports are unanimously accepted, regardless of whether the content of the report conforms to analogy or contradicts it. If the *ahad* report conforms to analogy, it is considered as supporting the analogy. If it contradicts analogy, the analogy is abandoned and the report is acted upon.

If the narrator is a prolific transmitter but is not known for jurisprudence, *ijtihad*, or issuing *fatwas*, and he transmits an *ahad* report that conforms to analogy, it is accepted. If it contradicts one analogy but conforms to another, it is still accepted. However, if it contradicts all forms of analogy, it is not accepted. This position is attributed among the early scholars (*mutaqaddimun*) to Qađi ‘Isa ibn Aban and Qađi Abu Zayd al-Dabbusi. The majority of later Hanafi scholars (*muta’akhkhirun*) have also followed these two authorities (as-Sarakhsī, 2007:338).

The Companions reached a consensus on abandoning analogical reasoning (*qiyyas*) in the presence of an *ahad* report. The following may be cited as an example of this principle:

1. Abu Bakr al-Šiddiq (may Allah be pleased with him) implemented the report transmitted by al-Mughira and Muḥammad ibn Maslama (may Allah be pleased with them) regarding the inheritance share of the grandmother (Abdulhadi Ghiyas, 2023:168).

2. ‘Umar ibn al-Khaṭṭab (may Allah be pleased with him) acted upon the report transmitted by Dahhak ibn Sufyan regarding the ruling of the Prophet (peace be upon him) that the wife of Ashyam al-Dababi is entitled to inherit from her husband’s blood money (*diyya*) (Abu Ya‘la, 1990:866).

3. Likewise, ‘Umar (may Allah be pleased with him) abandoned analogical reasoning due to a transmitted report regarding the blood money (*diyya*) for fingers (al-Bukhari, 1890:378-379).

Many other similar cases and various incidents occurred among the Companions. This situation, as is evident from their explicit statements, leads to established knowledge just as consensus (*ijma’*) does. It clearly indicates that they reached a consensus, through

explicit declaration, on the fact that analogical reasoning (*qiyyas*) holds a lower rank than a transmitted report (*khabar*). This becomes evident to anyone who carefully examines and studies historical records and various events.

The likelihood of error in an *ahad* report is less than that in analogical reasoning. For this reason, it is given precedence over *qiyyas*. This is because accepting an *ahad* report requires passing through three stages:

1. Verifying the moral integrity ('*adalah*) of the narrator.
2. Examining the indication of the hadith for the legal ruling.
3. Establishing that the hadith constitutes valid legal proof suitable for implementation.

By contrast, adopting *qiyyas* requires passing through six stages:

1. Establishing the validity of the ruling in the original case (*maqis 'alayh*).
2. Identifying the general effective cause ('*illah*) in the original case.
3. Selecting a specific valid operative cause from among the general causes.
4. Ascertaining the presence of that cause in the new case (*maqis*).
5. Determining the absence of any factor that would prevent applying the ruling of the original case to the new case.
6. Establishing the obligation of acting upon that analogy.

The above discussion applies when the proof of the original case (*maqis 'alayh*) is not itself based on an *ahad* report. However, if its proof is itself an *ahad* report, then nine stages must be traversed in the process of *ijtihad*. There is no doubt that error occurs more frequently in analogical reasoning—which requires *ijtihad* based on multiple probabilities—than in a transmitted report, which calls for *ijtihad* based on fewer probabilities (al-Bukhari, 1890:379).

Those who give precedence to the *ahad* report over analogical reasoning state: “The report is stronger than analogy; therefore, it must necessarily be given priority. We adhere to this principle because the report is based on the statement of an infallible authority (the Prophet, peace be upon him), whereas analogy is not. Rather, it relies on the reasoning of a *mujtahid* who is not infallible. It is self-evident that the statement of one who is infallible is stronger than the statement of one who is not.” (al-Bukhari, 1890:379).

The proofs presented by those who maintain that analogy (*qiyas*) takes precedence over a transmitted report (*khabar*) under two conditions are as follows:

First, they cite instances in which the Companions accepted analogy and rejected an *ahad* report.

Ibn ‘Abbas (may Allah be pleased with him) rejected the report of Abu Hurayra (may Allah be pleased with him) concerning the obligation of performing ablution due to something that has been touched by fire, relying instead on his own opinion and analogy. He said: “If you perform ablution with hot water, would you then be required to perform ablution again because of it?”

Likewise, ‘Ali (may Allah be pleased with him) rejected the hadith (Ibn Abi Shayba, 1989:301-302) of Barwa‘ (may Allah be pleased with him) on the basis of analogy and ruled: “She is not entitled to a bridal dower (*mahr*); rather, she is entitled to inheritance, and she must observe the waiting period (*‘iddah*).” This is because the bridal dower is considered to be in exchange for marital benefit. If the husband has not benefited from what stands in exchange, the *mahr* does not become obligatory. He analogized this case to the price of goods in a sale (*thaman al-mabi*) (al-Mubarakfuri, 2015:267).

They further argue that because there exists, in an *ahad* report, the possibility of error or even falsehood on the part of the narrator, analogy is considered more reliable and firmly established than it. Such a possibility does not exist in analogy in the same manner. Moreover, the possibility of specification (*takhsis*) is absent in analogy as a principle of legal theory, whereas it may occur in a transmitted report. That which is free from the possibility of specification is considered stronger. Since analogy is safeguarded from these possibilities, it is deemed stronger than an *ahad* report, and therefore must take precedence over it.

CONCLUSION

In summary, the Hanafis have held that giving consideration to weak hadiths as legal evidence and deriving rulings from them is superior to relying solely on the independent *ijtihad* of a *mujtahid*. This principle constitutes one of the primary reasons for the emergence of juristic *ikhtilaf* (disagreement) among the schools of law in the aforementioned and other legal issues.

Regardless of the specific reasons for which weak hadiths are classified as weak, they have nevertheless played a significant role in encouraging deeper investigation of juristic

issues in Islamic law and in broadening the scope of legal discussion. Hypothetically, if the conclusion had been reached that weak hadiths should be completely disregarded in Islamic law, mujtahids would have faced numerous difficulties in constructing this legal system, and many rulings would have been based solely on their personal ijтиhad and subjective legal reasoning.

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