

Chapter on Not Raising the Hands in other than the Opening & the Command to be Still in Salah

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1. **Narrated from Tamim ibn Tarafah from Jabir ibn Samurah (Allah be pleased with him): He said:**

Allah’s Messenger (Allah bless him and grant him peace) came out to us and said: “Why do I see you raising your hands like they are the tails of wild horses? Be still in Salah!” Muslim narrated it (1:181).

I say: The evidence adhered to in this hadith is his (Allah bless him and grant him peace) statement, “Be still in Salah,” as it proves the obligation of stillness and that raising the hands in Salah negates this [stillness].

If it is said that his (Allah bless him and grant him peace) statement, “Why do I see you raising your hands like they are the tails of wild horses?” was said specifically with respect to raising [the hands] upon *salam* as clarified in a second hadith, which is Muslim’s narration from ‘Ubayd Allah ibn al-Qibtiyyah from Jabir ibn Samurah, he said: “We would, when praying with Allah’s Messenger (Allah bless him and grant him), say ‘*al-salamu ‘alaykum wa rahmat Allah, al-salamu ‘alaykum wa rahmat Allah,*’” and he gestured with his hands to the side, “so Allah’s Messenger (Allah bless him and grant him peace) said: ‘Why do you gesture with your hands like they are the tails of wild horses?’”

We say: Apparently the hadith of Tamim ibn Tarafah and the hadith of ‘Ubayd Allah ibn al-Qibtiyyah are two separate incidents because it is not said to the one raising the hand during *salam*, “Be still in (*fi*) Salah,” since by this act [i.e. the *salam*] he comes out of Salah; so understand! Secondly, the context of the hadith of Ibn al-Qibtiyyah indicates that it occurred when praying behind Allah’s Messenger (Allah bless him and grant him peace) and the context of the hadith of Ibn Tarafah [indicates] that it occurred when praying individually. Thus, the assertion that they are the same [incident] is inaccurate.

If conceded [that they are the same incident], it is still possible to deduce evidence from it for not raising [the hands] upon bowing and after it by what Shaykh [Ashraf ‘Ali al-Thanawi] explained that: “He (Allah bless him and grant him peace) commanded [us] to not raise [the hands] in the act of *salam* which is internal to Salah from one perspective and external to it from another perspective as is not hidden, so this proves that it is required in that which is internal to Salah from all perspectives by way of greater priority as is indicated by his (Allah bless him and grant him peace) reasoning, ‘Be still in Salah.’ This was taught [to us] by the teacher of teachers, the chief of the brilliant scholars, the verifier, Mawlana Muhammad Ya‘qub [al-Nanotwi], the mercy of the Knower of Secrets be upon him.” Hence, in its inclusiveness, this entails [the hands] are not raised upon bowing and after it, and does not entail its omission when starting [the Salah], since this is not [regarded as] raising [the hands] inside Salah, rather it is external to it, because the opening *takbir* is a condition of Salah according to us and is not inside of it, while it is also excluded from the hadith by consensus.

Response to al-Bukhari's Vilification of the Imam

Know that al-Bukhari in *Juz' Raf' al-Yadayn* (p. 19) narrated without chain (*ta'liqan*) from Ibn al-Mubarak that he said:

I was praying to the side of [Abu Hanifah] al-Nu'man ibn Thabit and I raised my hands. He said: "Weren't you afraid that you would fly?!" I said: "If I didn't fly in the first [instance], I would not fly in the second."

Waki' [ibn al-Jarrah] said: "Allah have mercy on Ibn al-Mubarak. He was quick to respond, and the other was left speechless."

This chainless report was connected by Ibn Qutaybah (d. 276 H) in *Ta'wil Mukhtalif al-Hadith* (p. 66):

Ishaq ibn Rahwayh narrated to us, he said: Waki' reported to us that Abu Hanifah said: "What is the matter with him, that he raises his hands at every upward and downward movement? Does he wish to fly?!" Thereupon, 'Abd Allah ibn al-Mubarak said to him: "If he wishes to fly when he starts [his Salah], then indeed he wishes to fly when he moves up and down."

I say: There is no proof in this reply for the opposition at all, since Abu Hanifah only compared raising [the hands] with flight just as the Prophet (Allah bless him and grant him peace) compared raising the hands upon *salam* with the tails of wild horses. The intent of the Imam is that this raising [of the hands] is outside its [proper] place, and hence its omission is proper, just as was his (Allah bless him and grant him peace) intent in this comparison. Hence, that which Ibn al-Mubarak brought [as an objection] against the Imam, it may be brought against the hadith also, since it may be said: "If raising [the hands] upon *salam* is like the tails of wild horses, it is the same at the opening [of Salah], or else it is not [like the tails of wild horses]." Whatever your response is to [this objection against] the hadith, that is our response to what Ibn al-Mubarak said [against Abu Hanifah]. So, understand! It is strange from these outstanding Imams that they vilify Imam Abu Hanifah using that which is not a [valid] criticism, yet they are unaware that the same [objection] may be brought against the hadith also. We seek refuge in Allah from the excesses of fanaticism.

- 2. Narrated from 'Alqamah: He said: 'Abd Allah ibn Mas'ud said: "Should I not pray with you the Salah of Allah's Messenger (Allah bless him and grant him peace)?" Thereupon, he prayed, not raising his hands except in the first instance. Al-Tirmidhi narrated it (1:35) and he said: "In the chapter [of not raising the hands except in the opening of Salah is a hadith narrated] from al-Bara' ibn 'Azib,¹" and he said: "[The hadith of Ibn Mas'ud is] a *hasan* hadith, and many of the people of knowledge adopted it from the companions of the Prophet (Allah bless him and grant him peace) and the successors, and it is the opinion of Sufyan [al-Thawri] and the people of Kufa." Its narrators are the narrators of Muslim as mentioned in *al-Jawhar al-Naqi* (1:137). Ibn Hazm declared it *sahih* as mentioned in *al-Talkhis al-Habir* (1:83). Al-Nasa'i also narrated it as is to come².**

¹ See hadith no. 17

² See hadith no. 3

I say: Its chain according to al-Tirmidhi is as follows: “Hannad [ibn al-Sari] narrated to us: Waki’ [ibn al-Jarrah] narrated to us from Sufyan [al-Thawri] from ‘Asim ibn Kulayb from ‘Abd al-Rahman ibn al-Aswad from ‘Alqamah.” This hadith has been criticised for [a number of] reasons:

From them is that al-Tirmidhi narrated with his chain to Ibn al-Mubarak that he said: “According to me, the hadith of Ibn Mas‘ud that he (peace be upon him) did not raise his hands except in the first instance is not established.” The answer to this is:

Firstly, that this hadith was narrated from Ibn Mas‘ud in two forms:

- The first of them is from his [own] practice as was narrated by al-Tirmidhi, Abu Dawud, al-Nasa’i, Abu Bakr ibn Abi Shaybah, Ahmad and Abu Hanifah that “‘Abd Allah would raise his hands at the first *takbir* and then he would not repeat [it], and he attributed this to Allah’s Messenger (Allah bless him and grant him peace),” and in the wording of some of them, “‘Should I not pray with you the Salah of Allah’s Messenger (Allah bless him and grant him peace)?’ Thereupon, he prayed, not raising his hands except in the first instance.”
- And the second of them is traced (*marfu’*) to the Prophet (Allah bless him and grant him peace), that he did not raise his hands except in the first instance and the like of this, as transmitted by al-Tahawi and others.

Therefore, probably the intent of Ibn al-Mubarak is that the hadith of Ibn Mas‘ud is not established in the second form traced [to the Prophet (Allah bless him and grant him peace)], and that the one who narrated it traced [to the Prophet (Allah bless him and grant him peace)] narrated it by meaning [and not with the precise wording]. As for [the possibility of] his absolute rejection [of the narration], it is farfetched from the like of him. How [is this possible], when the disagreement of Ibn Mas‘ud and his companions on raising the hands is well-known (*mashhur*) amongst the hadith-scholars³? It is not hidden that the hadith in the first form is also traced [to the Prophet (Allah bless him and grant him peace)], though in ruling, since the statement of a Sahabi, “‘Should I not pray with you the Salah of Allah’s Messenger (Allah bless him and grant him peace),” has the ruling of being traced [to the Prophet (Allah bless him and grant him peace)] as is established in the principles [of hadith-science].

Ibn Daqiq al-‘Id said in *al-Imam*:

The non-establishment of the report according to Ibn al-Mubarak does not prevent analysis of it, and it revolves around ‘Asim ibn Kulayb, who Ibn Ma‘in declared trustworthy as we mentioned previously. (*Nasb al-Rayah*, 1:207)

I say: He is from the narrators of Muslim, as his narrations are found in his *Sahih*, and al-Bukhari transmitted from him without chain (*ta’liqan*), and Shu‘bah narrated from him. These [individuals] do not narrate but from trustworthy narrators as is known.

³ ‘Abd Allah ibn al-Mubarak is also one of the narrators of the hadith of Ibn Mas‘ud via the same route as Waki’ – see hadith 3. Therefore, his complete rejection of this narration is highly improbable. The hadith of Ibn Mas‘ud has also been narrated through a second route – see hadiths 8, 10, 14, 15 and 18. For the narrations reporting this same practice from the companions of ‘Abd Allah ibn Mas‘ud and from their companions, see hadiths 5, 9 and 14.

Ibn Ma'in and al-Nasa'i said, "Trustworthy." Abu Hatim said, "Acceptable." Al-Ajurri said, "I said to Abu Dawud: 'Asim the son of Kulayb the son of who?' He said: 'The son of Shihab, he was from the worshippers' and he recollected his virtues.'" And he said in another place, "He was the most virtuous of the inhabitants of Kufa." Ibn Hibban mentioned him in *al-Thiqat*. Ibn Shahin said in *al-Thiqat*, "Ahmad ibn Salih al-Misri said: 'He is counted amongst the outstanding trustworthy narrators of Kufa,'" and in another place, "He is trustworthy and reliable (*thiqah ma'mun*)." Ibn Sa'd said, "He was trustworthy, passable as proof. He did not narrate many hadiths." (Summarised from *Tahdhib al-Tahdhib*, 5:55-6)

By this, the invalidity of al-Hakim's statement as transmitted by al-Zayla'i from al-Bayhaqi from him that he said, "Asim ibn Kulayb's hadith is not transmitted in the *Sahih*," (*Nasb al-Rayah*, 1:207) is clear. Al-Zayla'i said:

Shaykh [Ibn Daqiq al-'Id] said: "The statement of al-Hakim that his hadith is not transmitted in the *Sahih* is incorrect, since Muslim narrated his hadith from Abu Burdah from 'Ali on [the hadith of supplicating for] guidance, and his hadith from him from 'Ali, "Allah's Messenger (Allah bless him and grant him peace) forbade me to place my ring on this [finger] and the one next to it," and other [hadiths] besides these. Moreover, it is not a condition of a *Sahih* collection to narrate from every reliable narrator, and indeed he [i.e. al-Hakim] transmitted in *al-Mustadrak* from a group who were not narrated from in the *Sahih* collections, yet he said: "It is according to the criteria of the two *shaykhs* [al-Bukhari and Muslim]." If he meant by his statement, "His hadith is not transmitted in the *Sahih*," that this [particular] hadith [is not found in the *Sahih*], that is not a defect, otherwise his entire objective in his book *al-Mustadrak* [which is to collect the *sahih* narrations according to the criteria of al-Bukhari and Muslim which they failed to include in their collections] will be spoilt." (*Nasb al-Rayah*, 1:208)

From them [i.e. the criticisms of this hadith] is what al-Mundhiri said: "Besides Ibn al-Mubarak, [another critic] said: 'Abd al-Rahman did not hear from 'Alqamah.'" Shaykh [Ibn Daqiq al-'Id] responded to this [as follows]:

This does not harm [the hadith] because it [i.e. that 'Abd al-Rahman did not hear from 'Alqamah] was narrated from an unknown man, and I searched for this speaker and did not find him. Ibn Abi Hatim did not mention him in his *Marasil*, and he only mentioned him in *Kitab al-Jarh wa al-Ta'dil* and he said: "'Abd al-Rahman ibn al-Aswad entered upon 'A'ishah while he was small and he did not hear from her, and he narrated from his father and 'Alqamah," and he did not say that this is disconnected. Ibn Hibban mentioned him *Kitab al-Thiqat*, and he said, "He died in the year 99 and his age was the age of Ibrahim al-Nakha'i," and since his age was the age of al-Nakha'i what prevents him from having heard from 'Alqamah when it is agreed al-Nakha'i heard from him? Along with all of this, Hafiz Abu Bakr al-Khatib stated in *Kitab al-Muttafaq wa al-Muftaraq* under the biography of this 'Abd al-Rahman that he heard from his father and 'Alqamah. (*Nasb al-Rayah*, 1:207)

From them [i.e. the criticisms of this hadith] is that it was mentioned in one narration, "He raised his hands in the first *takbir* and then he did not repeat [it]," and in a report traced [to the Prophet (Allah bless him and grant him peace)], "Then he would not repeat [it]," and his

statement, “then he did not repeat” and, “then he would not repeat” is not preserved (*ghayr mahfuz*). Ibn al-Qattan said in his book *al-Wahm wa al-Iham*:

Al-Tirmidhi narrated from Ibn al-Mubarak that he said, “The hadith of Waki’ is inauthentic,” and that which is [correct] according to me is that it is *sahih* and he only rejected Waki’'s addition of “then he would not repeat.” They [i.e. the scholars] said that he used to say this from himself, and sometimes he attached it to the hadith as though it is from the speech of Ibn Mas’ud.

Al-Bukhari said in *Juz’ Raf’ al-Yadayn* (p. 14): “It was narrated from Sufyan from ‘Asim ibn Kulayb,” and then he mentioned the hadith with its chain and text, and he said:

Ahmad ibn Hanbal narrated from Yahya ibn Adam, he said: “I looked into the book of ‘Abd Allah ibn Idris from ‘Asim ibn Kulayb in which ‘then he did not repeat’ is not found.” This is more authentic because a book is more accurate according to the scholars as a man narrates something and then refers to [his] book. Hence, it is as found in the book.

Then he narrated the hadith of *tatbiq* (placing the hands between the knees when bowing) from Ibn Mas’ud (Allah be pleased with him)⁴ and he said: “This is what is preserved from the hadith of ‘Abd Allah ibn Mas’ud according to the people of reflection.”

I say: As for his statement, that a book is more accurate according to the scholars, it is not conceded absolutely, since sometimes error and mistake occur in writing, and then the scholar corrects it and rectifies it from his memory, so it is not unlikely that the phrase “then he would not repeat” was dropped from the book of Ibn Idris due to an error of the scribe.

The hadith of *tatbiq* does not contradict this hadith as proven by their different contexts, and one hadith is not rejected for another. Even assuming they are the same, Ibn Idris’s conflict with Sufyan does not harm him, since the addition of a trustworthy narrator is acceptable, and Sufyan is trustworthy, a *hafiz*, jurist, worshipper, imam, and proof as mentioned in *Taqrib al-Tahdhib* (p. 74) while ‘Abd Allah ibn Idris is only trustworthy, a jurist and worshipper as mentioned in there also (p. 98), and he is not an imam or a proof according to them. It is strange from the hadith-scholars how they consider Sufyan stronger than Shu’bah in the chapter of raising the voice for Amin, and in favour of his statement, they leave the narration of Shu’bah with the wording, “He lowered his voice when [saying] it,” when he is the commander of the believers in hadith; while they also leave the statement of Sufyan in favour of the book of Ibn Idris while he is less in rank than Sufyan, and a book contains greater possibility of error than memory. Is this but clear obstinacy?

⁴ Al-Bukhari narrated the hadith of *tatbiq* as follows in his *Juz’ Raf’ al-Yadayn*:

Al-Hasan ibn al-Rabi’ narrated to us: Ibn Idris narrated to us from ‘Asim ibn Kulayb from ‘Abd al-Rahman ibn al-Aswad: ‘Alqamah narrated to us that ‘Abd Allah (Allah be pleased with him) said: “Allah’s Messenger (Allah bless him and grant him peace) taught us Salah, so he stood, said *takbir* and raised his hands. Then he bowed, doing *tatbiq* of his hands by placing them between his knees.” This reached Sa’d, and he said: “My brother spoke the truth – we used to do that at the start of Islam, and then we were commanded to [do] this [i.e. bow by placing the hands on the knees].” (*Kitab Raf’ al-Yadayn fi al-Salah*, p. 83)

As for what Ibn al-Qattan said, “Ibn al-Mubarak only rejected Waki’s addition,” it is refuted by what al-Nasa’i transmitted in his *Sunan* from Suwayd ibn Nasr from ‘Abd Allah ibn al-Mubarak from Sufyan in which is mentioned, “He raised his hands in the first instance and then did not repeat [it].” This chain is *sahih* and is the third hadith of this chapter. Hence, it is established by this that Waki’ was not alone in [narrating] this, rather he was followed-up by Ibn al-Mubarak from the companions of al-Thawri. Abu Hanifah narrated it through another route as is to come in the main text⁵, and in it is mentioned, “Then he would not repeat [it] in any part of it,” and it is acceptable as a supporting narration as we will explain.

Moreover, even if it were to be accepted that the addition “then he would not repeat” is an unpreserved addition, we are availed of it by the narration of al-Tirmidhi from his statement, “Then he did not raise his hands except in the first instance,” and what is mentioned in the hadith of Ibn Abi Shaybah that “he would raise his hands at the start when he began [the Salah] and then he would not raise them,” and in another narration from him, “Then he did not raise them except once,” and Ahmad also narrated it with the wording, “Then he did not raise his hands except once,” and Abu Dawud narrated it from ‘Uthman ibn Abi Shaybah from Waki’ with this wording and then he said: “Al-Hasan ibn ‘Ali narrated to us: Mu’awiyah and Khalid ibn ‘Umar and Abu Hudhayfah narrated to us, they said: Sufyan narrated to us this [hadith] and he said, ‘Then he raised his hands in the first instance,’ and some of them said, ‘One time,’” all of which we documented in the main text. It is not hidden that all of these wordings have the [same] meaning as his statement, “Then he would not repeat” or, “He did not repeat.”

Al-Zayla’i responded to it saying:

Al-Bukhari and Abu Hatim determined the error therein to be from Sufyan, while Ibn al-Qattan and others determined the error therein to be from Waki’, and this disagreement leads to discarding both opinions, and to returning to the [default] authenticity of the hadith due to it being narrated by trustworthy narrators. (*Nasb al-Rayah*, 1:208)

3. Suwayd ibn Nasr reported to us: ‘Abd Allah ibn al-Mubarak narrated to us from Sufyan from ‘Asim ibn Kulayb from ‘Abd al-Rahman ibn al-Aswad from ‘Alqamah from ‘Abd Allah: He said: “Should I not inform you of the Salah of Allah’s Messenger (Allah bless him and grant him peace)?” Thereupon, he stood up and raised his hands in the first instance [of Salah], and then he did not repeat [it]. In another version, “Then he did not raise [his hands].” Al-Nasa’i narrated it (1:158) and remained silent upon it. It is mentioned in *al-Ta’liq al-Hasan* (1:104): “This is a *sahih* chain.” I say: Its narrators are the narrators of the two *Sahihs* besides Suwayd who is trustworthy, and besides ‘Asim who is from the narrators of Muslim, and trustworthy.

I say: ‘Allamah al-Hashim al-Madani said in *Kashf al-Rayn ‘an Mas’alati Raf’ al-Yadayn* that the chain of al-Nasa’i is in accordance with the criteria of the two *shaykhs* [i.e. al-Bukhari and Muslim], as mentioned in *Ta’liq al-Tahawi* (1:132). Some people criticised this because the two *shaykhs* did not narrate from this Suwayd in their two *Sahihs*, as mentioned in *Tahdhib al-Tahdhib*:

⁵ See hadith no. 15

Abu Sa'd al-Sam'ani mentioned him in *al-Ansab*...Al-Bukhari, Muslim and al-Nasa'i narrated from him as stated by Abu Sa'd [al-Sam'ani], the two *shaykhs* probably having narrated from him outside of the *Sahihs*. (*Tahdhib al-Tahdhib*, 4:280)

Therefore, that which Hashim said that the chain of al-Nasa'i is in accordance with the criteria of the two *shaykhs* is incorrect because by this [phrase i.e. "in accordance with the criteria of the two *shaykhs*"] in the usage of the scholars of the science is meant the criteria of the two *Sahihs*, as is not hidden to the expert.

I say: Shaykh Ibn Daqiq al-'Id said in *al-Imam* as mentioned in *Nasb al-Rayah* (1:208):

It is not from the condition of a *Sahih* to transmit from every reliable narrator, and indeed al-Hakim transmitted in *al-Mustadrak* from a group not narrated from in the *Sahih* [collections], yet he said: "[It is] *sahih* according to the criteria of the two *shaykhs*."

Hence, that which Hashim said is correct according to the methodology of al-Hakim, and there is no tenacity in terminology; so understand!

4. **Narrated from al-Aswad: He said: "I saw 'Umar ibn al-Khattab raising his hands in the first *takbir*, and then he would not repeat [it]." Al-Tahawi narrated it and he said, "It is a *sahih* hadith," and [Ibn Hajar al-'Asqalani mentioned] in *al-Dirayah* (p. 85): "Its narrators are trustworthy."**
5. **Yahya ibn Adam narrated to us from Hasan ibn 'Ayyash from 'Abd al-Malik ibn Abjar from al-Zubayr ibn 'Adi from Ibrahim from al-Aswad: He said: "I prayed with 'Umar and he did not raise his hands in any part of his *Salah* except when starting the *Salah*," and I [i.e. al-Zubayr ibn 'Adi] saw Ibrahim, al-Sha'bi and Abu Ishaq not raising their hands except when starting the *Salah*. Ibn Abi Shaybah transmitted it in *al-Musannaf*, and its chain is *sahih* according to the criteria of Muslim.**

Al-Tahawi said: "This is established from 'Umar," as mentioned in *al-Jawhar al-Naqi* (1:134), and he said: "Al-Hasan ibn 'Ayyash is trustworthy and a proof as stated by Yahya ibn Ma'in and others." (*Sharh Ma'ani al-Athar*, 1:134)

Their significance to the chapter is obvious. They are contradicted by what al-Bayhaqi transmitted as mentioned in *al-Jawhar al-Naqi* (1:135) from Shu'bah from al-Hakam:

I saw Tawus saying *takbir*, and he raised his hands at the level of his shoulders upon *takbir* and upon bowing and upon raising his head from bowing, so I asked a man from his companions [about this], and he said that he narrated it from Ibn 'Umar from 'Umar from the Prophet (upon him peace).

Then he [i.e. al-Bayhaqi] said:

Abu 'Abd Allah al-Hafiz [i.e. Imam al-Hakim] said: "Hence, both hadiths are preserved: Ibn 'Umar from 'Umar from the Prophet (upon him peace) and Ibn 'Umar from the Prophet (Allah bless him and grant him peace), as Ibn 'Umar saw the Prophet (Allah bless him and grant him peace) practising it and he saw his father practising it, and he narrated it."

I say: It is mentioned in *al-Imam*:

It was narrated in this way by Adam and Ibn ‘Abd al-Jabbar al-Marwazi from Shu‘bah, and these two erred therein. The preserved [narration] from Ibn ‘Umar is from the Prophet (upon him peace). This narration hinges on an unknown narrator which is the man from the companions of Tawus narrating to al-Hakam, so it must be supported by another connected route, for otherwise there is no proof in the narration of an unknown.

It is mentioned in *al-‘Ilal* of al-Khallal from Ahmad ibn Athram: “I asked Abu ‘Abd Allah [i.e. Ahmad ibn Hanbal] about this hadith and he said: ‘Who narrated this from Shu‘bah?’ I said: ‘Adam al-‘Asqalani.’ He said ‘This is nothing! It was only narrated from Ibn ‘Umar from the Prophet (Allah bless him and grant him peace).’” It is mentioned in *al-Khilafiyat* by al-Bayhaqi: “This was narrated from Muhammad ibn Ja‘far Ghandar from Shu‘bah and he did not mention ‘Umar in its chain.”

Thus, it is established by this that the narration from ‘Umar (Allah be pleased with him) of raising [the hands] is inauthentic, and only its omission is established from him as stated by al-Tahawi. It is mentioned in *al-Ta‘liq al-Hasan* (1:105):

I say: Regarding the defects, that which al-Hakim claimed that this narration [i.e. the narration of al-Aswad from ‘Umar] is anomalous (*shadhdh*) is inaccurate. How [can it be], when its narrators are trustworthy and al-Tahawi authenticated it, and it is not opposed by the narration of anyone?

As for what he claimed that al-Thawri narrated it from al-Zubayr ibn ‘Adi and he did not say, “He did not repeat” in it, Shaykh ‘Allamah Ibn Daqiq al-‘Id replied to it in his book *al-Imam* that his statement, “Sufyan did not narrate ‘he did not repeat’ from al-Zubayr ibn ‘Adi” is very weak because Sufyan’s narration is with respect to the degree of raising [the hands], and al-Hasan ibn ‘Ayyash’s narration is with respect to the time of raising [the hands]. Moreover, the narration of one who adds does not contradict the narration of one who omits.

They [i.e. hadiths 4 and 5] are also contradicted by what al-Bayhaqi narrated as mentioned in *Nasb al-Rayah* (1:217) from Rishdin ibn Sa‘d from Muhammad ibn Sahm from Sa‘id ibn al-Musayyib, he said: “I saw ‘Umar ibn al-Khattab raising his hands in line with his shoulders when he began the Salah and when he bowed and when he raised his head from bowing.” [Al-Zayla‘i said:] “And in it is one who was weakened.”

I say: In its [chain] is Rishdin who was criticised as has preceded, and al-Zayla‘i alluded to this by his statement, “In it is one who was weakened.” Although disagreement [over the reliability of a narrator] does not harm [the use of a hadith as proof], that is when it is not contradicted by a [narration] stronger than it, and here this is not so, since the hadith of al-Aswad is more authentic than it and stronger. I did not find anyone who wrote a biography of Muhammad ibn Sahm, and the rest of the chain is not mentioned, so this narration cannot be used as proof.

Similar is what al-Bukhari said in *Juz’ Raf’ al-Yadayn* (p. 6): “Likewise, it was narrated from seventeen souls from the companions of the Prophet (Allah bless him and grant him peace) that they would raise their hands upon bowing and upon rising from it,” and he mentioned ‘Umar ibn al-Khattab (Allah be pleased with him) from amongst them, for al-Bukhari narrated this without

chain and did not quote its chain, and he also did not mention it using a term of authentication and certainty, rather in his statement, "Similarly it was narrated," is an indication of its weakness [due to the use of the passive verb]. Hence, there is no proof in this after not raising [the hands] has been authenticated from 'Umar (Allah be pleased with him) with a chain whose narrators are all trustworthy.

- 6. Narrated from 'Asim ibn Kulayb from his father that 'Ali (Allah be pleased with him) would raise his hands in the first *takbir* of Salah and then would not raise it thereafter. Al-Tahawi narrated it (1:132). Al-Zayla'i said: "It is a *sahih* narration." (*Nasb al-Rayah*, 1:211). And [Ibn Hajar al-'Asqalani mentioned] in *al-Dirayah* (p. 85): "Its narrators are trustworthy." It is mentioned in *al-Ta'liq al-Hasan* (1:107): "Al-'Ayni said in *'Umdat al-Qari'*: 'The chain of the hadith of 'Asim ibn Kulayb is *sahih* according to the criteria of Muslim.'"**

I say: Its significance to the chapter is obvious. It is contradicted by what al-Bayhaqi transmitted as mentioned in *al-Jawhar al-Naqi* (1:135) from the hadith of Ibn Abi al-Zinad from Musa ibn 'Uqbah from 'Abd Allah ibn al-Fadl from 'Abd al-Rahman al-A'raj from 'Ubayd Allah ibn Abi Rafi' from 'Ali, [and then he quoted] the hadith in which is mentioned that he (Allah be pleased with him) would raise his hands upon bowing and when he stood from the two prostrations.

I say: Ibn Abi al-Zinad is 'Abd al-Rahman. Ibn Hanbal said, "Conflicted in hadith," and he said, "He and Abu Hatim are not used as proof." 'Amr ibn 'Ali said, "Ibn Mahdi abandoned him."

There is also an addition in this hadith which is raising [the hands] upon standing from the two prostrations. Therefore, al-Shafi'i is obliged to profess this too assuming the authenticity of the hadith, though he does not hold this view. Al-Bayhaqi narrated this hadith earlier in "The Chapter on the Opening of Salah after *Takbir*" and he narrated with it the narration of Ibn Jurayj from Ibn 'Uqbah with his chain, and there is no [mention] in it of raising [the hands] upon bowing and rising from it; and there is no comparison between Ibn Jurayj and Ibn Abi al-Zinad [as Ibn Jurayj is an agreed-upon trustworthy hadith master]. Al-Bayhaqi attributed to Muslim in that [chapter] that he transmitted the hadith from al-Majishun from al-A'raj with this chain of his, and in this too there is no [mention] of raising [the hands] upon bowing and rising from it.

The upshot is that this hadith of Ibn Abi al-Zinad is anomalous (*shadhdh*), in which he contradicted trustworthy narrators, and he produced an addition which they did not produce, and although he is disagreed upon, and disagreement does not harm [the use of a hadith as proof], this is [only] when it is not contradicted by [evidence] stronger than it, and here this is not so, for the hadith of 'Asim ibn Kulayb from his father from 'Ali contradicts it, which is more authentic than it and stronger, as it is according to the criteria of Muslim.

It is also mentioned in *al-Jawhar al-Naqi* after his aforementioned statement:

Al-Tahawi said: "Not raising [the hands] in other than the first *takbir* is authentic from 'Ali, and it is improbable that he would do this after the Prophet (upon him peace) unless it was after the hadith's abrogation was established according to him." (1:135)

- 7. Narrated from Mujahid: He said: "I prayed behind Ibn 'Umar, and he would not raise his hands except in the first *takbir* of Salah." Al-Tahawi, Abu Bakr ibn Abi Shaybah and al-Bayhaqi in *al-Ma'rifah* narrated it and its chain is *sahih*, as mentioned in *Athar al-Sunan* (1:108).**

I say: It is contradicted by what al-Bukhari narrated in his *Sahih* from Nafi' that Ibn 'Umar would, when he entered into Salah, say *takbir* and raise his hands, and when he said "*sami' Allahu liman hamidah*" he raised his hands, and when he stood from two *rak'ahs*, he raised his hands; and Ibn 'Umar attributed this to the Prophet (Allah bless him and grant him peace) (*Fath al-Bari*, 2:84).

Hafiz [Ibn Hajar al-'Asqalani] objected to the hadith of Mujahid, saying:

They [i.e. those who adduce this narration as proof] are refuted by criticism of its chain because the memory of Abu Bakr ibn 'Ayyash, its narrator, worsened near the end of his life, and even assuming its authenticity, Salim, Nafi' and others affirmed this [i.e. the practice of raising the hands] from him [i.e. Ibn 'Umar], and the greater number is given preference over a single [narrator], especially since they are affirming and he [i.e. Mujahid] is negating [and affirmation is given precedence over negation]. Moreover, harmonising the two narrations is possible, by [postulating] that he did not regard it as an obligation, so he performed it sometimes and omitted it sometimes.

I say: Abu Bakr ibn 'Ayyash having weakened in memory towards the end of his life does not harm us after what Ibn 'Adi said about him:

This Abu Bakr is a famous Kufan, and he narrates from the greatest of people...There is no harm in him in all his narrations from all he narrated from, and this is because I did not find any of his hadiths objectionable (*munkar*) when a trustworthy narrator narrated from him, unless he narrated from a weak narrator. (This is mentioned in *Tahdhib al-Tahdhib*, 12:35)

This hadith is via the narration of a trustworthy narrator from him, since Ahmad ibn Yunus narrated it from him, and he is from the narrators of the Group [i.e. the six famous collectors of hadith], as is mentioned in it [i.e. *Tahdhib al-Tahdhib*] (1:50), and al-Bukhari used him [i.e. Abu Bakr ibn 'Ayyash] as proof through the route of Ahmad ibn Yunus in the "Book of Exegesis" of his *Sahih*⁶.

When a *Mujtahid* Adduces Evidence from a Hadith it is an Authentication of it

'Allamah Zahir said in *al-Ta'liq al-Hasan* (1:108):

Furthermore, 'Abd al-'Aziz ibn Hakim agreed with this hadith of Mujahid according to Muhammad ibn al-Hasan in his *Muwatta'*. He said: "Muhammad ibn Aban ibn Salih reported to us from 'Abd al-'Aziz ibn Hakim, he said: 'I saw Ibn 'Umar raising his hands to the level of his ears in the first *takbir* of the opening of Salah,' and he did not see him raising them in other than this [part of Salah]."

It has preceded that although Muhammad ibn Aban is weak, he is not from those who would lie, and his hadiths are written, so the hadith of Mujahid is strengthened thereby, while Muhammad ibn al-Hasan is a trustworthy *mujtahid* Imam according to us, and he mentioned this hadith in

⁶ Al-Bukhari does not use the hadith of one who changed towards the end of his life as proof unless it is through the route of his companions who heard from him before he became confused, as is known from the conditions of his *Sahih*. (Mawlana Zafar Ahmad al-'Uthmani)

the context of proof, and when a *mujtahid* adduces evidence from a hadith it is an authentication of it as mentioned in *al-Tahrir* and other [books]. This was mentioned in *Radd al-Muhtar* (4:57).

The Trustworthiness of Husayn ibn ‘Abd al-Rahman al-Sulami

Al-Tahawi narrated the hadith of Mujahid from Ibn Abi Dawud, he said: Ahmad ibn Yunus narrated to us, he said: Abu Bakr ibn ‘Ayyash narrated to us from Husayn from Mujahid, and then he mentioned it. Ibrahim ibn Abi Dawud, the teacher of al-Tahawi, is trustworthy as has preceded, and the remainder of the narrators are the narrators of the Group. This Husayn is Ibn ‘Abd al-Rahman Abu al-Hudhayl al-Sulami. Al-Dhahabi mentioned him in *Tadhkirat al-Huffaz* and said: “He was trustworthy, a proof, a *hafiz* with a high chain, and Ahmad said: ‘Husayn is trustworthy and reliable, from the senior scholars of hadith.’” (1:136). He also mentioned him in *al-Mizan* and said: “Al-Bukhari, Ibn ‘Adi and al-‘Uqayli mentioned him in *Kitab al-Du‘afa*, and this is why I mentioned him [in *al-Mizan*], for otherwise he is from the trustworthy narrators.”

As for the statement of Hafiz [Ibn Hajar al-‘Asqalani], “The greater number is given preference over a single [narrator], especially since they are affirming and he [i.e. Mujahid] is negating,” the answer to this is that harmonising the hadiths is possible by [postulating] that he would raise [his hands] initially due to a lack of knowledge of the abrogation of raising [the hands] in what is besides the opening, and then he left it once he knew of it, thus it is improper to leave one of these [narrations] for the other. And although affirmation is given preference over negation, this is not absolute, rather this is when there is no evidence for negation, and the matter here is not so, for Mujahid (Allah be pleased with him) truly strove to be particular about the actions of Ibn ‘Umar (Allah be pleased with them) in Salah, and then he reported on it, as is indicated by his statement, “I prayed behind Ibn ‘Umar...” His negation is, therefore, akin to affirmation.

That which al-Bukhari narrated in *Juz’ Raf’ al-Yadayn* (p. 10):

Al-Humaydi narrated to us: al-Walid ibn Muslim reported to us, he said: I heard Zayd ibn Waqid narrate from Nafi’ that when Ibn ‘Umar (Allah be pleased with them) would see a man not raising his hands when he bowed and when he rose [from bowing], he would pelt him with pebbles.

It is interpreted to [mean] that he would do this to those who regarding the raising [of the hands] as an innovation and necessary to avoid, for otherwise it is established from him that he would not raise [his hands] when bowing and after it, and this is authentic from [Abu Bakr] al-Siddiq (Allah be pleased with him), ‘Umar ibn al-Khattab and ‘Ali (Allah be pleased with them) as has preceded in the main text. ‘Allamah Ibn al-Turkumani said in *al-Jawhar al-Naqi*: “I have not found anyone mentioning ‘Uthman (Allah be pleased with him) amongst the group of those who would raise their hands when bowing and rising from it.” (1:140). Hence, it is not possible for Ibn ‘Umar to throw pebbles at one who would act upon the practice of the rightly guided caliphs, unless it is understood in the way we mentioned. And Allah knows best.

- 8. Waki’ narrated to us from Mis‘ar from Abu Ma’shar – I think he is Ziyad ibn Kulayb al-Tamimi – from Ibrahim from ‘Abd Allah that he would raise his hands at the start of when he began [the Salah], and then he would not raise them.” Ibn Abi Shaybah narrated it and this is a *sahih* chain as mentioned in *al-Jawhar al-Naqi* (1:139).**

Ibrahim did not hear from Ibn Mas‘ud, however his disconnected narration from him has the ruling of being connected as has passed many times. Al-Tahawi (1:133) said: “When Ibrahim would disconnectedly narrate from ‘Abd Allah, he would not disconnect it except after its authenticity [was established] according to him and the recurrence of the narrations from ‘Abd Allah [was established].”

- 9. Waki‘ and Abu Usamah narrated to us from Shu‘bah from Abu Ishaq: He said: “The companions of ‘Abd Allah and the companions of ‘Ali would not raise their hands except in the opening of Salah.” Waki‘ said: “Then they would not repeat [it].” Abu Bakr ibn Abi Shaybah narrated it in his *Musannaf* and its chain is *sahih* and prominent (*Al-Jawhar al-Naqi*, 1:139).**

I say: Their significance to the chapter is obvious. The hadith of Abu Ishaq proves the accuracy of what ‘Asim ibn Kulayb narrated from his father from ‘Ali that he would raise his hands in the first *takbir* and then would not raise [his hands] thereafter, because the companions of ‘Ali would similarly not raise [their hands] in other than the opening.

- 10. Narrated from Muhammad ibn Jabir from Hammad ibn Abi Sulayman from Ibrahim from ‘Alqamah from Ibn Mas‘ud: “I prayed behind the Prophet (Allah bless him and grant him peace), Abu Bakr and ‘Umar, and they did not raise their hands except at the start of Salah.” Al-Bayhaqi transmitted it and its chain is good (*jayyid*), as mentioned in *al-Jawhar al-Naqi* (1:138).**

[Ibn al-Turkumani] said in *al-Jawhar al-Naqi* (1:138):

Al-Bayhaqi then related from al-Daraqutni that he said: “Muhammad ibn Jabir is isolated in narrating it and he was weak. [Those] besides Hammad narrated it from Ibrahim disconnectedly from ‘Abd Allah from his practice, not traced to the Prophet (Allah bless him and grant him peace), and this is correct.”

I say: Ibn ‘Adi mentioned that Ishaq ibn Abi Isra‘il would prefer Muhammad ibn Jabir over a group of narrators who were superior and more trustworthy than him. Great luminaries have narrated from him, like Ayyub, Ibn ‘Awn, Hisham ibn Hassan, the two Sufyans, Shu‘bah and others, and were he not at that level, such individuals that he is beneath would not have narrated from him.

He was inconsistent in hadiths, and despite the criticism, his hadiths are written. Al-Fallas said: “Truthful (*saduq*),”⁷ and Ibn Hibban included him in *Kitab al-Thiqat*.

The Group with the exception of al-Bukhari narrated from Hammad ibn Abi Sulayman, and Yahya al-Qattan and Ahmad ibn ‘Abd Allah al-‘Ijli declared him trustworthy. Shu‘bah said: “He was truthful of tongue.” And when a connected report conflicts with a

⁷ I [Mawlana Zafar Ahmad al-‘Uthmani] say: This quote is deficient. It is mentioned in *Tahdhib al-Tahdhib* (1:89): “‘Amr ibn ‘Ali (i.e. al-Fallas) said: ‘Truthful, many mistakes, abandoned.’ Ibn Hibban said: ‘He was blind and included in his books what is not from his narrations and he stole what is mentioned in them and narrated them.’” So what benefit is there in his [i.e. al-Fallas’s] statement: “Truthful” and his inclusion in *Kitab al-Thiqat* with [the existence of] this statement? In sum, Muhammad ibn Jabir is criticised, some declared him trustworthy and others weakened him, but he does not fall below the level of proof, especially since this hadith of his has authentic corroborants which we mentioned in the main text.

disconnected report and a narration traced [to the Prophet (Allah bless him and grant him peace)] conflicts with a narration halted [at a Sahabi], the judgement according to most of them is given in favour of the connected report and the narrator who traced [it to the Prophet (peace and blessings be upon him)], because they added, and the addition of a trustworthy narrator is accepted.

I say: In *Mizan al-I'tidal* under the notice of Muhammad ibn Jabir (3:34), [it says]: “In sum, imams and *huffaz* narrated from Muhammad ibn Jabir,” while also, al-Daraqutni’s criticism of this hadith of his is not a [valid] criticism of it, since the disconnected narrations of Ibrahim, in particular from ‘Abd Allah ibn Mas‘ud, are authentic as you came to know many times.

As for his statement, “[Those] besides Hammad narrated it from Ibrahim disconnectedly from ‘Abd Allah from his practice, not traced to the Prophet (Allah bless him and grant him peace),” this is also not an [acceptable] criticism, since although what [those] besides Hammad narrated is not traced [to the Prophet (Allah bless him and grant him peace)] explicitly, it is in the ruling of being traced [to the Prophet (Allah bless him and grant him peace)], since al-Tirmidhi narrated it from ‘Asim ibn Kulayb from ‘Abd al-Rahman ibn al-Aswad from ‘Alqamah, he said: ‘Abd Allah said: “Should I not pray with you the Salah of Allah’s Messenger (Allah bless him and grant him peace)?” Thereupon, he prayed not raising his hands except in the first instance. And al-Nasa’i narrated it from ‘Asim from ‘Abd al-Rahman ibn al-Aswad from ‘Alqamah from ‘Abd Allah ibn Mas‘ud, he said: “Should I not inform you of the Salah of Allah’s Messenger (Allah bless him and grant him peace)?” He said: “Thereupon, he stood and raised his hands in the first instance and then did not repeat [it].” Ibn Abi Shaybah narrated it as did Ahmad and Abu Dawud from ‘Asim from ‘Abd al-Rahman from ‘Alqamah from ‘Abd Allah: “Should I not show you the Salah of Allah’s Messenger (Allah bless him and grant him peace)?” and the wording of Ahmad and Abu Dawud is: “Should I not pray for you the Salah of Allah’s Messenger (Allah bless him and grant him peace)?” Then they mentioned the like of it, without “then he did not repeat.” It is not hidden that such [a report] has the ruling of being traced [to the Prophet (Allah bless him and grant him peace)] according to them [i.e. the scholars of hadith].

It is mentioned In *Tahdhib al-Tahdhib* (9:89): “Ibn Abi Hatim narrated from Muhammad ibn Yahya: I heard Abu al-Walid say: ‘We do injustice to Muhammad ibn Jabir by not narrating from him.’” It is also [mentioned] in it (9:90): “Al-Dhuhli said: “There is no harm in him.” It is mentioned in *al-Taqrīb*: “Abu Hatim preferred him over Ibn Lahi‘ah.” (p. 179). You are aware that Ibn Lahi‘ah’s hadiths are *hasan* as has preceded more than once, so the hadiths of Muhammad ibn Jabir are not less than *hasan*. I say: And Shu‘bah only narrates from trustworthy narrators according to him as has preceded, and he narrated from him, so he is trustworthy according to him. It says in the introduction to *Tahdhib al-Tahdhib* (1:5): “I do not turn away from this [practice] except for a purpose like the narrator being known only to narrate from a trustworthy narrator, in which case I will list all his teachers or most of them, like Shu‘bah, Malik and others.”⁸

⁸ I [Mawlana Zafar Ahmad al-‘Uthmani] say: Likewise, al-Bukhari only narrated from trustworthy narrators, thus it is mentioned in *Shifa’ al-Siqam* (p. 8) from Shaykh Taqi al-Din Ibn Taymiyyah: “Those who speak on narrator-criticism from the scholars of hadith are of two categories: Some of them only narrate from trustworthy narrators according to them, like Malik, Shu‘bah, Yahya ibn Sa‘id, ‘Abd al-Rahman ibn Mahdi and Ahmad ibn Hanbal, as well as al-Bukhari and his likes.” I say: Like Muslim, al-Nasa’i, Abu Dawud and Ibn Khuzaymah. Ibn al-Qattan said: “Abu Dawud only narrates from trustworthy

The Trustworthiness of Hammad, the Teacher of the Imam

Hammad ibn Abi Sulayman was mentioned by al-Dhahabi in *al-Mizan* and he put a sign at the beginning of his biography indicating that the practice is upon his trustworthiness, and he said:

They criticised him for *irja'*, and had Ibn 'Adi not mentioned him in his *Kamil*, I would not have cited him [in this book]. Ibn 'Adi said: "Hammad⁹ has many narrations, and he has strange reports. He is strong, there is no harm in him." (1:279).

His statement, "Had Ibn 'Adi not mentioned him in his *Kamil*, I would not have mentioned him" is a reference to what he said in the introduction to *al-Mizan* (1:2):

In it [i.e. *al-Kamil* by Ibn 'Adi] are those who were criticised despite their trustworthiness and greatness with the slightest weakness and the least criticism, so if it were not that Ibn 'Adi and other authors of the books of criticism mentioned that person, I would not have mentioned him [in *al-Mizan*] due to his trustworthiness.

This hadith is contradicted by what al-Bayhaqi narrated in his *Sunan*:

Abu 'Abd Allah al-Hafiz [i.e. Imam al-Hakim] reported to us: Abu 'Abd Allah Muhammad ibn 'Abd Allah al-Saffar al-Zahid narrated to us by dication from his original book, he said: Abu Isma'il Muhammad ibn Isma'il al-Sulami said: I prayed behind Abu al-Nu'man Muhammad ibn al-Fadl, and he raised his hands when opening the Salah and when bowing and when raising his head from bowing, so I asked him about this, so he said: I prayed behind Hammad ibn Zayd, and he raised his hands when opening the Salah and when bowing and when raising his head from bowing, so I asked him about this, and he said: I prayed behind Ayyub al-Sakhtiyani, and he raised his hands when opening the Salah and when bowing and when raising his head from bowing, so I asked him [about this], and he said: I saw 'Ata' ibn Abi Rabah raise his hands when opening the Salah and when bowing and when raising his head from bowing, so I asked him [about his], and he said: I prayed behind 'Abd Allah ibn al-Zubayr, and he raised his hands when opening the Salah and when bowing and when raising his head from bowing, so I asked him [about this], and 'Abd Allah ibn al-Zubayr said: "I prayed behind Abu Bakr al-Siddiq, and he raised his hands when opening the Salah and when bowing and when raising his head from bowing, and Abu Bakr said: 'I prayed with Allah's Messenger (Allah bless him and grant him peace) and he would raise his hands when opening the Salah and when

narrators according to him." This is mentioned in *Nasb al-Rayah* (1:104). It is mentioned in *Mizan al-I'tidal*: "Al-Khatib said: 'Abu al-Walid's reliability according to us is not what Abu Bakr al-Baghandi narrated from al-Sukri, rather he was from the people of integrity. Al-Nasa'i narrated from him, and this is sufficient for you." (1:54) It is mentioned in *Majma' al-Zawa'id*: "The teachers of Ahmad are trustworthy." (1:80)

⁹ I [Mawlana Zafar Ahmad al-'Uthmani] say: Shu'bah narrated from him, and al-Bukhari transmitted his hadith in *al-Adab al-Mufrad* as mentioned in *Tahdhib al-Tahdhib* (3:16). Shu'bah only narrates from a trustworthy narrator as has preceded. In [al-Dhahabi's] *Kashif* under his biography is mentioned: "He is a trustworthy imam, and a generous and noble *mujtahid*." Al-Bukhari used him as supporting evidence with a chainless report in his *Sahih*, thus he said: "Hammad narrated from Ibrahim: 'If they [i.e. those in the public baths] have an undergarment on them, then say *salam*, otherwise do not say *salam*.'" It says in *al-Irshad al-Sari*: "Ibn Abi Sulayman, the teacher of Abu Hanifah, and the jurist of Kufa." This is mentioned in the introduction to *Tansiq al-Nizam* (p. 50).

bowing and when he raised his head from bowing.” Al-Bayhaqi said: “Its narrators are trustworthy.” This was mentioned in *al-Ta’liq al-Hasan* (1:109).

I say: ‘Allamah Zahir criticised this hadith from [a number of] perspectives:

From them is that Abu ‘Abd Allah al-Saffar is alone [in narrating] this report, and none of the people of knowledge followed him up on it.

From them is that al-Saffar did not explicitly state in this [narration] that he heard from Muhammad ibn Isma‘il al-Sulami, rather he used the phrase “he said” which has the ruling of disconnection (*inqita’*) after the early scholars, as Hafiz [Ibn Hajar al-‘Asqalani] stated in *Fath al-Bari*:

“He said” does not carry [the meaning] of audition except for one from whose habit it is known that he uses it in the meaning of audition, like Hajjaj ibn Muhammad al-A‘war. Ibn al-Salah held the opinion that the ruling of connection (*ittisal*) does not remain after the early scholars, and this is correct.

From them is that Abu al-Nu‘man Muhammad ibn al-Fadl ‘Arim al-Sadusi is in this [chain], who is trustworthy, having changed towards the end of his life, and Abu Isma‘il al-Sulami narrated this from him, and he is not from his early companions.

I say: It is not known if he heard from him before or after his change. It says in *Tahdhib al-Tahdhib*:

Ibn Abi Hatim said: My father was asked about him, and he said: “Trustworthy.” He said: And I heard my father say: “Arim became confused towards the end of his life and his mind went, so whoever heard from him before the confusion, his audition is authentic. I wrote from him before his confusion in the year 214 and did not hear from him after the confusion. Thus, whoever heard from him before the year 220, his audition is good.” Al-Nasa‘i said: “He was one of the trustworthy narrators before he became confused.” Ibn Hibban said: “He became confused towards the end of his life and he changed until he did not know what he was narrating, so many objectionable things occurred in his hadith, thus it is necessary to stay clear of his hadiths that were narrated by [his] later [companions], and if this cannot be distinguished from that, all of them should be abandoned, and none should be used as proof.” End of abbreviated [quote] (9:403-4).

If you say: Al-Daraqutni said as mentioned in *Tahdhib al-Tahdhib* also: “He changed towards the end of his life, and after his confusion no objectionable hadith appeared from him, and he is trustworthy.” I say: Abu Hatim, al-Nasa‘i and Ibn Hibban opposed him since the statement of Abu Hatim indicates that those who heard from him after [his] confusion, his audition is inauthentic, and the statement of al-Nasa‘i indicates that he did not remain trustworthy after [his] confusion, and Ibn Hibban clearly stated his hadiths cannot be used as proof when it is not known whether it is this [i.e. before the confusion] or that [i.e. after the confusion], so the lone opinion of al-Daraqutni will be disregarded.

As for what al-Dhahabi said as also mentioned in it: “Ibn Hibban was unable to cite one objectionable hadith of his, and the [right] verdict on this [issue] is what al-Daraqutni said.” [The fallacy] in this is that not citing [an example] is not evidence of his inability to do so. How so, when al-Ajurri narrated from Abu Dawud: “I was with ‘Arim and he narrated from Hammad

from Hisham from his father that Ma'iz al-Aslami asked about fasting while travelling, so I said to him, '[It is] Hamza al-Aslami [and not Ma'iz al-Aslami],'" meaning, that 'Arim said this, having lost his mind. This supports the statement of Ibn Hibban that he changed such that he did not know what he was narrating, so objectionable narrations occurred in his hadith. This is mentioned in *Tahdhib al-Tahdhib* (9:404). The truth is, therefore, that this hadith cannot be used as proof so long as it is not known that Abu Isma'il al-Sulami heard from him before the confusion. Al-Bayhaqi sufficed with the trustworthiness of its narrators, and he did not grade its authenticity. And Allah knows best.

- 11. Ibn Abi Dawud narrated to us: He said: Nu'aym ibn Hammad narrated to us: He said: Waki' narrated to us from Sufyan from 'Asim ibn Kulayb from 'Abd al-Rahman ibn al-Aswad from 'Alqamah from 'Abd Allah from the Prophet (Allah bless him and grant him peace) that he would raise his hands in the first *takbir* and then would not repeat [it]. Muhammad ibn al-Nu'man narrated to us: Yahya ibn Yahya narrated to us: Waki' narrated to us from Sufyan, then he mentioned the like of it with his chain. Al-Tahawi narrated them both.**

I say: Ibn Abi Dawud is trustworthy, and al-Tahawi authenticated his hadith in the narration of 'Umar (Allah be pleased with him) which has passed in the main text [above]. Nu'aym ibn Hammad is from the narrators of the two *Sahih*s. Yahya followed him up and he is trustworthy, firm, and an imam from the narrators of the two *shaykh*s as mentioned in *Taqrib al-Tahdhib* (p. 238), and this Muhammad ibn al-Nu'man is trustworthy as mentioned in there also (p. 197). The remainder of the narrators of the two chains are from the narrators of the two *Sahih*s besides 'Asim who is from the narrators of Muslim.

- 12. Waki' narrated to us from Sufyan from 'Asim ibn Kulayb from 'Abd al-Rahman ibn al-Aswad from 'Alqamah from 'Abd Allah: He said: "Should I not show you the Salah of Allah's Messenger (Allah bless him and grant him peace)?" Thereupon, he did not raise his hands except once. Ibn Abi Shaybah narrated it in *al-Musannaf (Athar al-Sunan, 1:104)*. I say: Its narrators are the narrators of the two *Sahih*s besides 'Asim who is from the narrators of Muslim.**

Ahmad narrated it with this very chain from 'Alqamah: He said: Ibn Mas'ud said: "Should I pray for you the Salah of Allah's Messenger (Allah bless him and grant him peace)?" He said: "Thereupon, he prayed and he did not raise his hands except once." This is mentioned in *Athar al-Sunan* (1:104). Abu Dawud transmitted it (1:116) and was silent about it: 'Uthman ibn Abi Shaybah narrated to us: Waki' narrated to us, the equivalent of the hadith of Ahmad in chain and text. Then he said: Al-Hasan ibn 'Ali narrated to us: Mu'awiyah and Khalid ibn 'Amr and Abu Hudhayfah narrated to us: They said: Sufyan narrated this to us with his chain, and he said: "Then he raised his hands in the first instance," and some of them said, "One time," and he [i.e. Abu Dawud] was silent about it.

I say: These two are in reality two separate hadiths although their meaning is one, and Ibn al-Mubarak probably criticised the first path that is traced [to the Prophet (Allah bless him and grant him peace)] and said it is not established. As for the second [narration], criticism from someone like him is farfetched. You are aware that the first path is also *sahih* since its narrators are all trustworthy, so its non-establishment according to Ibn al-Mubarak does not entail its

non-establishment absolutely, and we have discussed this point in complete detail at the start of the chapter, so [that] ought to be revised.

- 13. Muhammad ibn Aban ibn Salih reported to us from ‘Abd al-‘Aziz ibn Hakim: He said: “I saw Ibn ‘Umar raising his hands to the level of his ears in the first opening *takbir* of *Salah*, and he did not raise them in [any part of *Salah*] besides that.” Muhammad ibn al-Hasan transmitted it in *al-Muwatta’* (p. 90) and its narrators are trustworthy besides Muhammad ibn Aban. It says in *Lisan al-Mizan*: “Al-Nasa’i said: ‘Kufan, not trustworthy.’ Ibn Hibban said, ‘Weak.’ Ahmad said, ‘He would not lie.’ Ibn Abi Hatim said: I asked my father about him and he said, ‘Not strong, his hadiths are written and he is not used as proof.’ Al-Bukhari said in *al-Tarikh*, ‘They criticised his memory, he is not relied upon.’” This was mentioned in the footnotes to *al-Muwatta’* (p. 74). I say: Therefore it is acceptable amongst supporting narrations, especially since Muhammad ibn al-Hasan is a *mujtahid*, and his use of the hadith as proof is an authentication of it, as has come in the commentary.**

I say: Its significance to the chapter is obvious, and it is supported by the hadith of Mujahid which has been mentioned previously.

- 14. Ya‘qub ibn Ibrahim (i.e. Imam Abu Yusuf al-Qadi) reported to us: Husayn ibn ‘Abd al-Rahman¹⁰ reported to us: He said: We entered, I and ‘Amr ibn Murrah, upon Ibrahim al-Nakha’i. ‘Amr said: “‘Alqamah ibn Wa’il al-Hadrami narrated to me from his father that he prayed with Allah’s Messenger (Allah bless him and grant him peace) and he saw him raise his hands when he said *takbir* and when he rose.” Ibrahim said: “I don’t know, perhaps he did not see the Prophet (Allah bless him and grant him peace) praying till that day so he preserved this from him, while Ibn Mas‘ud and his companions did not preserve [it]. I did not hear it from any of them. They would only raise it at the start of *Salah* when they said *takbir*.” Imam Muhammad transmitted it in *al-Muwatta’* (p. 90), and its narrators are trustworthy.**

I say: Its significance to the chapter is obvious. Ibrahim al-Nakha’i is from the great *mujtahids* who preferred the hadith of Ibn Mas‘ud over the hadith of Wa’il. His preference is sufficient for you. In giving preference to one Sahabi over another Sahabi there is no manner of diminishment of the other – far-removed is Ibrahim from this! ‘Abd Allah ibn Mas‘ud has prominent virtues by which he excels many of the great Sahabah, so Ibrahim did not err in preferring him over Wa’il (Allah Exalted is He be pleased with them).

- 15. Narrated from Abu Hanifah from Hammad from Ibrahim from al-Aswad that ‘Abd Allah ibn Mas‘ud (Allah be pleased with him) would raise his hands in the first *takbir* and then not repeat [it] in any part of that [*Salah*], and he attributed this to Allah’s Messenger (Allah bless him and grant him peace). Abu Muhammad al-Bukhari al-Harithi transmitted it from Raja’ ibn ‘Abd Allah al-Nahshali from Shaiq ibn Ibrahim al-Balkhi from Abu Hanifah, as mentioned in *Jami’ Masanid al-Imam* (1:355). I say: The narrators of the chain of Abu Hanifah are all trustworthy, although some of the narrators leading to him were criticised, and its elaboration will come in the commentary. In brief, it is acceptable amongst supporting narrations.**

¹⁰ Trustworthy, a proof, a *hafiz* with a high chain, as mentioned in *Tadhkirat al-Huffaz* (Mawlana Zafar Ahmad al-Uthmani)

I say: Its significance to the chapter is obvious. The reports from 'Abd Allah agree that he would not raise his hands except in the opening *takbir* and he would attribute this to Allah's Messenger (Allah bless him and grant him peace). He is from the greatest and strongest of the Sahabah with a lengthy companionship and deep understanding. Three caliphs agreed with him on this as has preceded, and from the fourth [i.e. 'Uthman] nothing is established. Imitation of them is sufficient for the one who imitates.

Hafiz Abu Muhammad al-Harithi, known as "the teacher," the Compiler of the *Musnad* of the Imam

The hadith of Abu Hanifah was transmitted by al-Harithi in his *Musnad*. He is Imam Hafiz Abu Muhammad 'Abd Allah ibn Ya'qub ibn al-Harith al-Harithi al-Bukhari, popularly known as "'Abd Allah, the teacher." Hafiz Abu al-'Abbas ibn 'Uqdah al-Kufi, Abu Bakr ibn Adam al-Kufi, Abu Bakr ibn al-Ja'ani, Ahmad ibn Muhammad ibn Ya'qub al-Kaghadhi al-Baghdadi and many of the scholars of Bukhara narrated from him. Al-Khawarizmi said: "Whoever studies his *Musnad* which he compiled on [the narrations of] Imam Abu Hanifah will acknowledge his depth of knowledge of hadith and his encompassing knowledge of the routes [of hadith] and texts," as is mentioned in *Jami' Masanid al-Imam* (1:4, 2:275). It is mentioned in *al-Fawa'id al-Bahiyyah* from al-Sam'ani that he possessed many hadiths and he was a *shaykh* who would narrate many hadiths, although he was weak in narration, not dependable in what he transmitted, and al-Hakim said: "One who had strange and isolated reports from trustworthy narrators, they were silent about him." (p. 44, summarised) It is mentioned in *Lisan al-Mizan*: "Abu 'Abd Allah ibn Mandah narrated many [hadiths] from him, and he has [a number of] works...Al-Khalili said: 'He is popularly known as "the teacher," he has knowledge of this field, though he is weak, they weakened him.'" I say: Therefore, his hadith is acceptable for support.

I did not find Raja' ibn 'Abd Allah al-Nahshali, and about Shaiq al-Balkhi, it says in *Lisan al-Mizan*: "He was from the great ascetics, and it is inconceivable that he is graded weak." End of abbreviated [quote] (3:151-2).

Abu Hanifah's and al-Awza'i's Debate on the Subject of Raising the Hands

I say: Al-Harithi narrated in his *Musnad* the story of the Imam with al-Awza'i in relation to this hadith. He said:

Muhammad ibn Ibrahim ibn Ziyad al-Razi narrated to us from Sulayman al-Shadhakuni, he said: I heard Sufyan ibn 'Uyaynah say: Abu Hanifah and al-Awza'i met in the store of a perfume seller in Makkah. Al-Awza'i said to Abu Hanifah: "What the matter with you, that you do not raise your hands in Salah upon bowing and upon rising from it?" Abu Hanifah said: "Because nothing about this is authentic from Allah's Messenger (Allah bless him and grant him peace)." He said: "How is it not authentic, when al-Zuhri narrated to me from Salim from his father from Allah's Messenger (Allah bless him and grant him peace) that he would raise his hands at the opening of Salah and upon bowing and when rising from it?"

Abu Hanifah said: "Hammad narrated to us from Ibrahim from 'Alqamah and al-Aswad from 'Abd Allah ibn Mas'ud (Allah be pleased with him) that Allah's Messenger (Allah bless him and grant him peace) would not raise his hands except in the opening of Salah, and then he would not repeat [it] in any part of it." Al-Awza'i said: "I narrate to you from

al-Zuhri from Salim from his father from the Prophet (Allah bless him and grant him peace) and you say Hammad narrated to me from Ibrahim?!”

Abu Hanifah said to him: “Hammad had more jurisprudential knowledge than al-Zuhri, and Ibrahim had more jurisprudential knowledge than Salim, and ‘Alqamah is not less than Ibn ‘Umar in jurisprudential knowledge although Ibn ‘Umar had companionship and the excellence of companionship, and al-Aswad has great virtue, while ‘Abd Allah ibn Mas‘ud was much more superior in jurisprudence and recital [of the Qur’an] and the virtue of companionship with the Prophet (Allah bless him and grant him peace) from his youth than ‘Abd Allah ibn ‘Umar.” Thereupon, al-‘Awza‘i became silent. This is mentioned in *Jami‘ Masanid al-Imam* (1:352-3).

Its narrators have been criticised: As for al-Harithi, he was discussed earlier.

Muhammad ibn Ibrahim ibn Ziyad al-Tayalisi al-Razi (d. 313 H) was an itinerant hadith-scholar who narrated from Ibrahim ibn Musa al-Farra’ and Yahya ibn Ma‘in, and al-Ji‘abi, Ja‘far al-Khuldi and a group narrated from him. Abu Ahmad al-Hakim weakened him, and Shirawayh said, “They criticised him, though he had deep understanding of hadith and was advanced in age.” This was abbreviated from *Lisan al-Mizan* (5:22).

Al-Shadhakuni is Hafiz Sulayman ibn Dawud al-Manqari al-Basri one of the unique *huffaz*, though weak.

‘Amr al-Naqid said: “Al-Shadhakuni arrived at Baghdad, and Ahmad ibn Hanbal said to me: ‘Come with us to Sulayman, we will learn from him criticism of narrators.’” Hanbal said: “I heard Abu ‘Abd Allah [i.e. Ahmad ibn Hanbal] say: ‘The most learned from us of narrators is Yahya ibn Ma‘in and the most retentive of us of the chapters is Sulayman al-Shadhakuni.’” Salih ibn Muhammad Jazarah was asked about al-Shadhakuni and he said: “I have not seen [one] more retentive than him although he lies in hadith.” Ibn ‘Adi said: “I asked ‘Abdan about him, and he said: ‘Allah’s refuge [be sought] that he be accused [of lying]! Only that his books went so he began to narrate from memory.’” This is mentioned in *Tadhkirat al-Huffaz* (2:66).

I say: Hence, these [narrators] can be used as proof outside of rulings, as the laxity of the hadith-scholars in the matter of wars, campaigns and history is known, so this story is not harmed by the criticism of its narrators, especially since they are differed upon as you know. Ibn al-Humam said in *Fath al-Qadir* after mentioning this story: “Thus, Abu Hanifah gave preference to the jurisprudential understanding of the narrators just as al-Awza‘i gave preference to the highness of the chain which is a weak position according to us.”

16. Ibn Abi Dawud narrated to me: He said: Ahmad ibn Yunus narrated to us: He said: Abu Bakr ibn ‘Ayyash narrated to us: He said: “I have never seen a jurist doing this, raising his hands in other than the first *takbir*.” Al-Tahawi narrated it (1:134), and its narrators are the narrators of the *Sahih* besides Ibn Abi Dawud who is trustworthy as has preceded.

I say: This proves that the hadith of raising the hands upon bowing and rising from it was not commonly practiced in the time of the Tabi‘in, since Abu Bakr ibn ‘Ayyash is from the senior successors of the Tabi‘in. Al-Thawri and others narrated from him. Ahmad ibn Hanbal said: “I

believe that his birth was in the year 100, and he and Harun al-Rashid died in the same month of the year 193." This was abbreviated from *Tahdhib al-Tahdhib* (12:36).

In *al-Mudawwanat al-Kubra* by Malik, Malik said: "I do not recognise raising the hands in any of the *takbirs* of Salah, neither in an upward nor in a downward movement, besides the opening of Salah, [where] one raises his hands slightly." Ibn al-Qasim said: "Raising the hands was weak according to Malik except in the opening *takbir*." (1:71) I say: Malik is from the senior successors of the Tabi'in, so his lack of knowledge [of raising the hands] in other than the opening proves it was not practiced in the time of the Tabi'in, and a hadith not being practiced is an indication of its abrogation.

If it is said: Malik narrated the raising [of the hands] in *al-Muwatta'* so it is his *madhhab* which his followers have adopted in obedience to Allah and on which they imitate him. I say: Hafiz [Ibn Hajar] refuted this in his introduction to *Ta'jil al-Manfa'ah*:

The ruling according to the Malikis is not as he mentioned, rather their reliance in laws and verdicts is on what Ibn al-Qasim narrated from Malik, whether it agrees with what is in *al-Muwatta'* or not. One of the West Africans compiled a book [on those issues] in which the Malikis opposed the texts of *al-Muwatta'*, like raising [the hands] upon bowing and [when] straightening. (p. 4).

It is established by this that the narration of Ibn al-Qasim is stronger and preferred in terms of practice according to the scholars of [the *madhhab* of] Malik than *al-Muwatta'*. So understand!

It has preceded in the hadith of Abu Ishaq from the transmission of Ibn Abi Shaybah with a *sahih* chain that the companions of 'Abd Allah [ibn Mas'ud] and the companions of 'Ali would not raise their hands in other than the opening¹¹. It is mentioned in *al-Jawhar al-Naqi* (1:140):

Some of the Sahabah limited raising [the hands] to the opening *takbir*, as has preceded, and likewise a group of the Tabi'in, like al-Aswad, 'Alqamah, Ibrahim, Khaythamah, Qays ibn Abi Hazim, al-Sha'bi, Abu Ishaq and others. All this was narrated by Ibn Abi Shaybah in his *Musannaf* with good chains.

It is also mentioned in it (1:136):

The narration of Ibn al-Qasim from Malik is that there is no raising [of the hands] except in the first *takbir*. Abu 'Umar ibn 'Abd al-Barr said: "I do not raise [my hands] except at the opening [of Salah] according to the narration of Ibn al-Qasim."¹² It is mentioned in

¹¹ See hadith no. 9

¹² I [Mawlana Zafar Ahmad al-'Uthmani] say: This is opposed by what is mentioned in *Fath al-Bari*: "Ibn 'Abd al-Barr said: 'All from whom not raising [the hands] when bowing and rising from it was narrated, his practice was narrated from him, besides Ibn Mas'ud.' Muhammad ibn Nasr al-Marwazi said: 'All the scholars of the towns have agreed on its lawfulness besides the people of Kufa.' Ibn 'Abd al-Barr said: 'No one narrated the omission of raising [the hands] at these two [times] besides Ibn al-Qasim. That which we adopt is raising [the hands at these times] because of the hadith of Ibn 'Umar which Ibn Wahb and others narrated from Malik, and al-Tirmidhi did not relate any [opinion] besides this from Malik.' Al-Khattabi transmitted, followed by al-Qurtubi in *al-Mufhim*, that it is the last of Malik's two opinions and the most authentic of them. And I have not found any proof or basis for the Malikis leaving it except the statement of Ibn al-Qasim.'" (1:182) Al-Nawawi said in *Sharh Muslim*: "Abu Hanifah, his companions and a group of the people of Kufa said it is not recommended in other than the opening, and this is the most famous of the narrations of Malik."

Sharh Muslim by al-Qurtubi: "It is the famous position of Malik." It is mentioned in *Qawa'id* by Ibn Rushd: "This is the *madhhab* of Malik due to the practice [of the people of Medina] agreeing with it."

I say: It is mentioned in his *Bidayat al-Mujtahid*:

The people of Kufa, Abu Hanifah, Sufyan al-Thawri and all of their jurists held the opinion that the worshipper does not raise his hands except in the opening *takbir* and this is the narration of Ibn al-Qasim from Malik. Al-Shafi'i, Ahmad, Abu 'Ubayd, Abu Thawr and the majority of the scholars of hadith and the literalists held the opinion [that the hands should be] raised in the opening *takbir* and when bowing and when rising from bowing, and this was narrated from Malik, although according to them it is obligatory and according to Malik desirable. Some of the people of hadith have taken [the view] of raising them upon prostration and when rising from it...From them are those who restricted it to the opening only, giving preference to the hadith of 'Abd Allah ibn Mas'ud and the hadith of al-Bara' ibn 'Azib, and this is the *madhhab* of Malik due to the practice [of the people of Medina] agreeing with it. (1:78)

The hadiths of the chapter are contradicted by what al-Bukhari narrated from 'Abd Allah ibn 'Umar which we mentioned earlier; and by what was narrated from Malik ibn al-Huwayrith that he saw the Prophet (Allah bless him and grant him peace) raise his hands in his Salah when he bowed and when he raised his head from bowing and when he prostrated and when he raised his head from prostration, until he made them level with the lobes of his ears. Al-Nasa'i narrated it and its chain is *sahih*.

Hafiz [Ibn Hajar al-'Asqalani] said in *Fath al-Bari*: "The most authentic of what I have come across of the hadiths on raising [the hands] in prostration is what al-Nasa'i narrated from the narration of Sa'id ibn Abi 'Arubah from Qatadah from Nasr ibn 'Asim from Malik ibn al-Huwayrith," and then he mentioned it. He said: "Sa'id was not alone [in narrating it], for Hammam followed him up from Qatadah according to Abu 'Awanah in his *Sahih*." End of abbreviated [quote] (2:185).

It is mentioned in *al-Ta'liq al-Hasan*:

I say: Rather, many [narrators] from the companions of Qatadah followed him up: Hammam according to Ahmad and Abu 'Awanah; and Shu'bah and Mu'adh ibn Hisham according al-Nasa'i. Hence, there is no doubt that the addition of raising the hands for prostration is authentic. That which was narrated from Anas that the Prophet (Allah bless him and grant him peace) would raise his hands when bowing and prostrating, Abu Ya'la narrated it, and al-Haythami said its narrators are the narrators of the *Sahih*, as mentioned in *Majma' al-Zawa'id* (1:182). On this [matter] is also a narration from Ibn 'Umar (Allah be pleased with them) that the Prophet (Allah bless him and grant him peace) would raise his hands at the *takbir* of bowing and at the *takbir* when falling into prostration. Al-Tabrani narrated it in *al-Awsat* and its chain is *sahih*.

If you say: This contradicts al-Bukhari's narration traced [to the Prophet (Allah bless him and grant him peace)] from Ibn 'Umar in his *Sahih*: "And he would not do this when prostrating, nor when he raised his head from prostration." I say: Harmonisation is possible by [postulating] that the meaning of his [i.e. Ibn 'Umar's] statement "when prostrating" is the second prostration, and

this is supported by what is narrated from him: “He would not raise them between the two prostrations” as mentioned in *al-Ta’liq al-Hasan* (1:102).

From them [i.e. those narrations which contradict the hadiths of the chapter] is what Abu Hurayrah narrated, he said: “I saw the Messenger of Allah (Allah bless him and grant him peace) raising his hands in Salah to the level of his shoulders when opening the Salah and when bowing and when prostrating.” Ibn Majah narrated it. Its narrators are all trustworthy except Isma’il ibn ‘Ayyash who is reliable, although there is some criticism in his narration from non-Levantians.

[They are also contradicted by] what al-Husayn ibn ‘Abd al-Rahman narrated, he said: We entered upon Ibrahim [al-Nakha’i] and ‘Amr ibn Murrah narrated to him, he said: “We prayed in the mosque of the Hadramites and ‘Alqamah ibn Wa’il narrated to me from his father that he saw Allah’s Messenger (Allah bless him and grant him peace) raise his hands when opening the Salah and when he bowed and when he prostrated” to the end of the hadith. Al-Daraqutni narrated it and its chain is *sahih*.

[They are also contradicted by] what Yahya ibn Abi Ishaq narrated, he said: “I saw Anas ibn Malik raising his hands between the two prostrations.” Al-Bukhari narrated it in *Juz’ Raf’ al-Yadayn* and its chain is *sahih*. These three hadiths are mentioned in *Athar al-Sunan* (1:102-3).

The answer to them is that just as these are a proof against us, they are likewise a proof against al-Shafi’i and others, since the majority of them don’t profess [the opinion of] raising [the hands] when prostrating and when rising from it. According to al-Bayhaqi, an addition of raising [the hands] upon standing from two *rak’ahs* also was reported in the hadith of Ibn ‘Umar. According to him, [an addition of] raising [the hands] upon standing from the two prostrations was narrated from ‘Ali. Al-Bayhaqi used both of them to establish his *madhhab*. ‘Allamah Ibn al-Turkumani objected to him:

I say: Al-Bayhaqi formed this chapter for raising [the hands] upon bowing and [when] rising from it, and in this hadith is an addition to this, which is raising [the hands] upon standing from two *rak’ahs* and this is an acceptable addition, and his Imam, al-Shafi’i, does not profess it, so whatever he made a consequence of the opinion of his opposition with the addition of raising [the hands] upon bowing and rising from it, the same is a consequence of his opinion based on the addition of raising [the hands] upon standing from two *rak’ahs*. And the first to be content with a path is he who leads it.

And he said about the hadith of ‘Ali:

Furthermore, there is an addition in this hadith also, which is raising [the hands] upon standing from the two prostrations, so al-Shafi’i is compelled to profess it assuming the authenticity of the hadith, and he does not hold this opinion. (1:134-5).

Therefore, whatever is their answer to raising [the hands] for prostration and [at] other [places of Salah] which they do not profess, that is our answer to raising [the hands] for bowing and when rising from it. The verifier Ibn al-Humam said:

That which is [narrated] in al-Tirmidhi from ‘Ali (Allah be pleased with him) that the Prophet (Allah bless him and grant him peace) would, when he stood for the prescribed Salah, say *takbir* and raise his hands in line with his shoulders and do the like of this when he completed his recitation and wanted to bow, and he did this when he rose from

bowing, and he would not raise his hands in any part of Salah while sitting, and when he stood from the two prostrations, he raised [his hands] likewise, which al-Tirmidhi authenticated, it is understood [by us] to be abrogated due to the agreement of the abrogation of raising [the hands] upon prostration.

Know that the narrations from the Sahabah and the paths from him (Allah bless him and grant him peace) are very many, and there are extensive discussions on them from al-Tahawi and others. The extent that is certain after all of this is the establishment of the narration of both practices from him (Allah bless him and grant him peace), of raising [the hands] upon bowing and its omission. Hence, it is necessary to give preference [to one of the two practices] due to the establishment of a contradiction. What we have adopted is preferred since it is known that there were statements and actions that were permissible in Salah from the category of this raising [of the hands, i.e. against the desired concentration and stillness in Salah], and its abrogation is known, so it is not farfetched that this is also included within the abrogation, particularly since what positively opposes it is established with nothing deterring it. [This is] distinguished from its omission because the possibility of it not being from the Shari'ah does not arise as it is not from the category of where this [i.e. abrogation] is known, rather, it is from the category of stillness which is a means to something unanimously desired in Salah, i.e. concentration. Similarly [our opinion is preferred] due to the superiority of the narrators from Allah's Messenger (Allah bless him and grant him peace) as Abu Hanifah said to al-Awza'i. (1:270)

I say: This is a wonderful review. Moreover, it is established in the principles [of jurisprudence] that when two practices contradict, the statements and actions of the Sahabah are referred to, and when they differ, analogy is referred to, and analogy here demands not raising [the hands] based on what you heard many times that the objective of the Shari'ah is stillness in Salah, which is based on tranquillity and concentration, in the very same manner that servants and slaves [stand] in front of their masters with humility and stillness according to their normal habit.

If it is said that the hadith of raising [the hands] is recurrent (*mutawatir*) as mentioned in *Fath al-Bari* which states: "Al-Bukhari mentioned that 17 men from the Sahabah narrated it, and al-Hakim and Abu al-Qasim ibn Mandah listed amongst those who narrated it the ten promised [paradise]¹³, and our teacher, Abu al-Fadl Hafiz al-'Iraqi, said that he traced those of the Sahabah who narrated it and they reached fifty men." (2:182) Al-Suyuti counted it amongst the recurrent [narrations] in *Tadrib al-Rawi* (p. 191) where he said: "And the hadith of raising the hands in Salah is narrated from around fifty [narrators]."

¹³ Al-Zayla'i said: Shaykh [Ibn Daqiq al-'Id] said in *al-Imam*: "Al-Hakim's assured opinion that the ten narrated it is, according to me, not good, since certainty is only when the hadith is established and authentic, and it [i.e. the narration of raising the hands before and after bowing] is probably not authentic from all of the ten." (1:217) I say: Likewise the certainty of al-'Iraqi and others that its narrators from the Sahabah reach fifty is not good so long as the narration from them is not established with authentic chains, and probably it is not authentic except from a few of them; since the most authentic of the narrations on raising [the hands before and after bowing] is the hadith of Ibn 'Umar and it has been disputed, as Salim narrated it traced [to the Prophet (peace and blessings be upon him)] while Nafi' narrated it halted [at Ibn 'Umar], since he mentioned it from the practice of Ibn 'Umar, and Malik narrated it in *al-Muwatta'* and did not mention in it raising [the hands] upon bowing. Details can be found in *Nasb al-Rayah* (1:212-3). And Allah knows best.

I say: How does the recurrence (*tawatur*) benefit you after it is established from the rightly-guided caliphs and others from the eminent Sahabah that they did not practice it, and likewise the jurists of the Tabi'in, in particular the students of 'Ali and Ibn Mas'ud (Allah be pleased with them), such that Abu Bakr ibn 'Ayyash said: "I have never seen a jurist do this, raising his hands in other than the first *takbir*"? If its recurrence is conceded, it is like an abrogated verse. Its recurrence does not prevent its abrogation. However, we do not concede the recurrence [of this narration] except in raising the hands in general in Salah, as is indicated by the text of *Tadrib al-Rawi*. As for the recurrence of raising [the hands] specifically for bowing and rising from it, it is not accepted, and before establishing it the thorns of a cactus tree will be shred [i.e. it will be extremely difficult to establish]. And Allah knows best. The proof for this is what al-Shawkani said in *Nayl al-Awtar*: "Al-'Iraqi collected the number of those who narrated raising the hands in the beginning of Salah, and they reached fifty Sahabah, from them the ten promised paradise. Hafiz [Ibn Hajar al-'Asqalani] said in *Fath al-Bari*: 'Our teacher, Abu al-Fadl Hafiz al-'Iraqi, said that he traced those of the Sahabah who narrated it and they reached fifty men.'" (2:67) This is clear in that the narration of these fifty was only about raising [the hands] in the opening [of Salah] not on raising [the hands] when bowing and rising from it. So understand and do not be from the heedless!

Know that the Hanafis also draw evidence for not raising [the hands] upon bowing and rising from it from the hadith of Ibn 'Abbas: "The hands are not raised except in seven places," to the end of the hadith.

Shaykh [Ibn Daqiq al-'Id] objected to this [proof] in *al-Imam* from [a number of] perspectives: Firstly, Ibn Abi Layla is alone [in narrating it] and he is not used as proof; secondly, the narration of Waki' from him is halted (*mawquf*) at Ibn 'Abbas and Ibn 'Umar, and al-Hakim said: "Waki' is stronger than all those who narrated this hadith from Ibn Abi Layla"; thirdly, a group of the Tabi'in narrated with *sahih* chains from 'Abd Allah ibn 'Umar and 'Abd Allah ibn 'Abbas that they would raise their hands upon bowing and after raising their heads from bowing, and they attributed this to the Prophet (Allah bless him and grant him peace); fourthly, Shu'bah said al-Hakam only heard four hadiths from Miqdam, and this hadith is not from them; fifthly, it is impossible that raising the hands only in seven places is sound since there are recurrent reports on raising the [hands] on many other [occasions], from them the prayer of seeking rain and his (Allah bless him and grant him peace) raising his hands in supplication during Salah and his command to [do] so, and raising the hands in the Qunut of Witr and Fajr Salah. (Summarised from *Nasb al-Rayah*, 1:206)

The answer to the first [criticism] is that Ibn Abi Layla was not alone in [narrating] it, as al-Tabrani narrated it in his *Mu'jam*:

Ahmad ibn Shu'ayb Abu 'Abd al-Rahman al-Nasa'i narrated to us: 'Amr ibn Yazid Abu Yazid al-Harami narrated to us: Sayf ibn 'Ubayd Allah narrated to us: Warqa' narrated to us from 'Ata' ibn al-Sa'ib from Sa'id ibn Jubayr from Ibn 'Abbas that the Prophet (Allah bless him and grant him peace) said: "Prostration is on seven parts...And the hands are raised when you see the House and on Safa and Marwah and in 'Arafah, and when pelting the Jamarat, and when you stand for Salah." (*Nasb al-Rayah*, 1:206)

I say: Its narrators are all trustworthy except Sayf ibn 'Ubayd Allah who is reliable as mentioned in *al-Taqrīb* (p. 83). Al-Bayhaqi transmitted it through the route of al-Shafi'i: Sa'id ibn Salim

narrated to us from Ibn Jurayj, he said: I was narrated to from Miqsam from Ibn ‘Abbas from the Prophet (Allah bless him and grant him peace), he said: “The hands are raised in Salah,” and then he mentioned the like of it, and he added “and on the dead.” Moreover, Ibn Abi Layla was declared trustworthy by al-‘Ijli, and al-Tirmidhi declared some of his hadiths *sahih*, from them his hadith in *bab ma ja’a mata yaqta’a al-talbiyah fi al-‘umrah* (1:111).

[The answer] to the second [criticism] is that al-Bazzar narrated in his *Musnad*:

Abu Kurayb Muhammad ibn al-‘Ala’ narrated to us: ‘Abd al-Rahman ibn Muhammad al-Muharibi narrated to us: Ibn Abi Layla narrated to us from al-Hakam from Miqsam from Ibn ‘Abbas and from Nafi’ from Ibn ‘Umar from the Prophet (Allah bless him and grant him peace), he said: “The hands are raised in seven places,” to the end of the hadith. (*Nasb al-Rayah*, 1:205)

Hence, as you see, ‘Abd al-Rahman traced it [to the Prophet (peace and blessings be upon him)], and he is trustworthy. The two *shaykhs* narrated from him in their *Sahihs*. The hadith is therefore traced [to the Prophet (Allah bless him and grant him peace)] even if Waki’ halted it [at Ibn ‘Abbas and Ibn ‘Umar]. Al-Nawawi said in the introduction to *al-Minhaj Sharh Sahih Muslim ibn Hajjaj* (1:256):

When one trustworthy accurate narrator narrates [a hadith] connectedly and another disconnectedly; or one of them halts it and another traces it [to the Prophet (peace and blessings be upon him)]; the correct [practice] as stated by the verifiers of the hadith-scholars and stated by the jurists and scholars of [hadith] principles, which al-Khatib al-Baghdadi authenticated, is that the ruling is in favour of the one who connected it or traced it, whether his opponent is equivalent to him or more in number than him or more retentive than him, because it is the addition of a trustworthy narrator, which is accepted.

Moreover, Waki’ also traced it [to the Prophet (peace and blessings be upon him)] once as al-Bukhari mentioned without [his] chain [to Waki’] in *Juz’ Raf al-Yadayn*, where he said:

Waki’ narrated from Ibn Abi Layla from al-Hakam from Miqsam from Ibn ‘Abbas from the Prophet (Allah bless him and grant him peace), he said: “Hands are not raised except in seven places,” to the end of the hadith, as mentioned in *Nasb al-Rayah* (1:205).

Thus, it is established that the hadith is traced [to the Prophet (Allah bless him and grant him peace)] in the narration of Waki’ also.

The answer to the third [criticism] is that the narrations on raising [the hands] from Ibn ‘Umar are contradictory, since Mujahid narrated not raising [the hands] from him as has preceded in the main text with a *sahih* chain. Therefore, there is no proof in this [narration from Ibn ‘Umar]. Furthermore, if a Sahabi acts contrary to his report, the authenticity of the hadith is not affected according to the hadith-scholars as has passed, and according to the jurists it only affects [the hadith] when his opposition to it is established after his narration [of it], and this is not established, so the hadith is safe from conflict.

[The answer] to the fourth [criticism] is that Ibn Abi Layla narrated it from al-Hakam from Miqsam from Ibn ‘Abbas and from al-Hakam from Nafi’ from Ibn ‘Umar, and the first is disconnected and the second is connected, and when a disconnected report is strengthened by a

connected report, it is a proof according to everybody as is established in [hadith] principles. Furthermore, 'Ata' ibn al-Sa'ib narrated it from Sa'id ibn Jubayr from Ibn 'Abbas according to al-Tabrani as has preceded, so the hadith is connected to Ibn 'Abbas also. Moreover, the restriction in the assessment of Shu'bah is based on his observation, while Ahmad and others said: "Al-Hakam only heard five hadiths from Miqsam," and Yahya al-Qattan counted them; and despite this, al-Tirmidhi narrated many hadiths from al-Hakam from Miqsam, and in most of them there is the explicit wording of audition and narration, as mentioned in the introduction to *Tansiq al-Nizam* (p. 49).

[The answer] to the fifth [criticism] is what is stated in *al-Bahr al-Ra'iq* that the meaning is one does not raise his hands in the manner of an emphasised Sunnah except on these occasions, and it does not imply complete negation, since raising the hands at the time of supplication is desirable as the Muslims from all lands have agreed. Al-'Ayni said something similar in *Sharh al-Hidayah*. (Extracted from *Badhl al-Majhud*, 2:8)

As for what is mentioned in *al-Hidayah*: "That which is narrated of raising [the hands] is understood to be at the beginning [of Islam] as was narrated from Ibn al-Zubayr (Allah be pleased with him)," al-Zayla'i objected to it that it is a strange report, and Ibn al-Jawzi mentioned it in *al-Tahqiq* and said:

The Hanafis claim that the hadiths of raising [the hands] are abrogated by two hadiths:

One of them they narrated from Ibn 'Abbas, he said: "Allah's Messenger (Allah bless him and grant him peace) used to raise his hands everytime he bowed and everytime he rose, and then it shifted to the opening of Salah, and it was abandoned in other than that [part of Salah]."

The second they narrate from Ibn al-Zubayr that he saw a man raising his hands when bowing, so he said: "Stop, for indeed this is a thing the Messenger of Allah (Allah bless him and grant him peace) did and then he left it."

These two hadiths are not known at all, and the preserved [narration] from Ibn 'Abbas and Ibn al-Zubayr is contrary to this, as Abu Dawud transmitted from Maymun al-Makki that he saw Ibn al-Zubayr, and he prayed with them gesturing with his hands when standing and when bowing and when prostrating. He said: "Then, I went to Ibn 'Abbas and I informed him of this, and he said: 'If you wish to look at the Salah of Allah's Messenger (Allah bless him and grant him peace), then follow the Salah of Ibn al-Zubayr.'" If this is authentic¹⁴, the claim of abrogation is incorrect because from the conditions of an abrogater is its being stronger than the abrogated. (1:206)

I say: The best [proof] that is used as evidence for abrogation is what we explained earlier that there are hadiths transmitted on raising [the hands] which you admit to being abrogated, like raising [the hands] upon rising from the two prostrations, and raising [the hands] between the two prostrations and other than that. Hafiz [Ibn Hajar al-'Asqalani] said in *Fath al-Bari*:

Al-Tahawi narrated the hadith of the chapter [i.e. the hadith of Ibn 'Umar] in his *Mushkil al-Athar* through the route of Nasr ibn 'Ali from 'Abd al-A'la with the wording: "He would

¹⁴ This narration is not authentic because Maymun al-Makki is unknown (*majhul*) as mentioned in *al-Taqrīb*, and Ibn Lahi'ah is in the chain who was criticised.

raise his hands in every upward and downward movement, and bowing, prostration, standing and sitting, and between the two prostrations, and he mentioned that the Prophet (Allah bless him and grant him peace) would do that.” This narration is anomalous, since al-Isma‘ili and a group narrated from his teachers who were *huffaz* from the aforementioned Nasr ibn ‘Ali with the wording of ‘Ayyash, the teacher of al-Bukhari. He and Abu Nu‘aym also narrated it through other paths from ‘Abd al-A‘la in like fashion. (2:155)

I say: Hafiz [Ibn Hajar al-‘Asqalani’s] silence on the narrators of al-Tahawi indicates they are trustworthy, and the addition of a trustworthy narrator is acceptable as long as it does not contradict and negate the narration of other trustworthy narrators, and here this is so, since harmonisation is possible in that his (Allah bless him and grant him peace) practice in raising [the hands] differed, so sometimes he would raise [the hands] in every upward and downward movement and standing and sitting [postures] and sometimes he would not raise [his hands] in some places, so Ibn ‘Umar narrated both practices according to what he saw. Hence, neither of the hadiths will be disregarded for the other when this is the case.

Al-Bukhari said in *Juz’ Raf’ al-Yadayn*:

That which Ibn ‘Umar, ‘Ali and Abu Humayd amongst ten Sahabah added of raising [the hands] upon standing from two *rak’ahs*, it is authentic, because they did not report about one *Salah*, so they differed on it, and each of them only added to the other, and an addition is accepted according to the scholars. This is mentioned in *Fath al-Bari* (2:184).

I say: This supports what we said of harmonising between the hadiths. Therefore, it is not correct to reject what al-Tahawi narrated. How [can it be correct], when we have found a good corroborant for what he narrated which is what is mentioned in the *Musnad* of Ahmad (2:310):

‘Abd Allah narrated to us: My father [i.e. Imam Ahmad] narrated to us: Nasr ibn Bab narrated to us: from Hajjaj from al-Dhayyal ibn Hurmulah: He said: I asked Jabir ibn ‘Abd Allah: “How many were you on the day [you pledged under] the tree?” He said: “We were 1400.” He said: “And the Messenger of Allah (Allah bless him and grant him peace) would raise his hands in every *takbir* of *Salah*.”

Ahmad said about Nasr ibn Bab: “There was no harm in him” as mentioned in *Ta’jil al-Manfa’ah* (p. 431). Hajjaj is Ibn Artah whose trustworthiness has been explained earlier in the book. Al-Dhayyal ibn Hurmulah was declared trustworthy by Ibn Hibban as [mentioned] in *Ta’jil al-Manfa’ah* (p. 122).

Ibn Majah narrated in his *Sunan*:

Hisham ibn ‘Ammar narrated to us: Rifdah ibn Quda‘ah al-‘Asali narrated to us: al-Awza‘i narrated to us from ‘Abd Allah ibn ‘Ubayd ibn ‘Umayr from his father from his grandfather ‘Umayr ibn Habib, he said: “The Messenger of Allah (Allah bless him and grant him peace) would raise his hands with every *takbir* in the prescribed *Salah*.”

I say: Its narrators are all trustworthy except Rifdah ibn Quda‘ah who is disputed. Hisham ibn ‘Ammar declared him trustworthy and others weakened him as mentioned in *Tahdhib al-Tahdhib* (3:283). Therefore his hadiths are *hasan*. Ahmad weakened it because ‘Abd Allah is not known to narrate from his father ‘Ubayd as mentioned in *Tahdhib al-Tahdhib* (3:284). I say:

Hafiz [Ibn Hajar al-'Asqalani] said in the biography of 'Ubayd ibn 'Umayr: "His son 'Abd Allah narrated from him, and it was said that he did not hear from him." (7:71) This indicates that the preferred view is that he did hear from him, and even if disconnection between trustworthy narrators is conceded, that is not a defect according to us, and the hadith is valid as a follow-up to what Ahmad narrated from Jabir and al-Tahawi from Ibn 'Umar.

This proves that raising the hands was, at the beginning, in many places of Salah, and then it was left in some places by agreement, and it has been narrated from Ibn Mas'ud, 'Ali and their companions, [Abu Bakr] al-Siddiq, 'Umar ibn al-Khattab and al-Bara' ibn 'Azib (Allah be pleased with them) and others from the Sahabah and Tabi'in what indicates that raising [the hands] upon bowing and rising from it was also left, and this is established from them with authentic chains as has preceded. Hence, what we have adopted is stronger from the perspective of narration and comprehension both. And all praise is to Allah.

17. Narrated from Sharikh from Yazid ibn Abi Ziyad from 'Abd al-Rahman ibn Abi Layla from al-Bara' that Allah's Messenger (Allah bless him and grant him peace) would when he started the Salah raise his hands close to his ears and then would not repeat [this]. Abu Dawud transmitted it (*Badhl al-Majhud*, 2:22), and he said: 'Abd Allah ibn Muhammad al-Zuhri narrated to us: Sufyan narrated to us from Yazid the equivalent of the hadith of Sharikh, and he did not say, "Then he would not repeat." Sufyan said: He said, "Then he would not repeat" to us afterwards in Kufa. Abu Dawud said: "This hadith was narrated by Hushaym, Khalid and Ibn Idris and they did not mention, 'Then he would not repeat.'" Then he transmitted from Waki' from Ibn Abi Layla from his brother 'Isa and from al-Hakam from 'Abd al-Rahman ibn Abi Layla from al-Bara' ibn 'Azib: He said: "I saw the Messenger of Allah (Allah bless him and grant him peace) raise his hands when he began the Salah, and then he did not raise them until he finished." Abu Dawud said: "This hadith is not *sahih*." I say: Yes, but it is *hasan* as we will explain in the commentary.

I say: Abu Dawud criticised this hadith from two perspectives:

Firstly, based on what Sufyan said, that Yazid ibn Abi Ziyad did not narrate this wording initially, and he narrated it in Kufa afterwards, so it is as though he added it from his surroundings.

Secondly, Hushaym and Khalid and Ibn Idris did not narrate "then he would not repeat" from Yazid as Sharik narrated from him, so the narration of Sharik is anomalous and conflicts with trustworthy narrators.

He [i.e. Abu Dawud] criticised the hadith of Waki' due to Ibn Abi Layla who is Muhammad ibn 'Abd al-Rahman as is apparent.

The answer to the first [criticism] is that Yazid ibn Abi Ziyad is from the narrators of Muslim and the Four [i.e. al-Tirmidhi, Abu Dawud, al-Nasa'i and Ibn Majah], and al-Bukhari narrated from him without chain.

Ya'qub ibn Sufyan said: "Although they criticised Yazid due to his change, he is reliable and trustworthy, even if he is not like al-Hakam and Mansur." Ibn Shahin said in *al-Thiqat*: "Ahmad ibn Salih al-Misri said: 'Yazid ibn Abi Ziyad is trustworthy, and the speech of those who criticised him does not appeal to me.'" (Abbreviated from *Tahdhib al-Tahdhib*, 11:331)

This is an explained accreditation rejecting his weakness due to his change, as Ahmad ibn Salih and Ya'qub ibn Sufyan declared him trustworthy despite their knowledge of what others said about him, and that is inconsequential according to them. Furthermore, when a confused or changed [narrator] is followed-up or a corroborant is found for what he narrated, his hadith is accepted and used as proof, as we mentioned in the introduction, and Yazid is so, because al-Hakam and 'Isa ibn Abi Layla narrating from 'Abd al-Rahman ibn Abi Layla followed him up in his statement "then he would not repeat" as Abu Dawud, al-Tahawi and al-Bayhaqi transmitted from Waki', and both of them are trustworthy; rather 'Isa is trustworthy and firm, which is stronger than Yazid without doubt, as mentioned in *al-Jawhar al-Naqi* (1:137). Abu Dawud's statement regarding it, "This hadith is not *sahih*" does not harm us, for although Muhammad ibn Abi Layla was criticised, he is not less than Yazid, rather he is equal to him, since al-'Ijli praised him and he said: "He was a jurist, a champion of the Sunnah, reliable, passable in hadith," and Ya'qub ibn Sufyan said: "Trustworthy, righteous, there is some criticism of his hadith," as mentioned in *Tahdhib al-Tahdhib* (9:302). Al-Tirmidhi has declared a hadith of his to be *hasan*. Hence, the hadith is *hasan*.

As for the statement of Abu Dawud that Hushaym, Khalid and Ibn Idris did not narrate "then he would not repeat" from Yazid as Sharik narrated from him, this is opposed by the statement of Ibn 'Adi in *al-Kamil*: "Hushaym and Sharik and a group with them narrated it from Yazid with his chain, and they said in it, "Then he would not repeat." Al-Daraqutni transmitted it also from the narration of Isma'il ibn Zakariyya from Yazid, and al-Bayhaqi transmitted it in *al-Khilafiyat* through the route of al-Nadr ibn Shumayl from Isra'il ibn Yunus ibn Abi Ishaq from Yazid. This is mentioned in *al-Jawhar al-Naqi* (1:136). Therefore, it is apparent from this that Yazid is not alone in his narration from 'Abd al-Rahman ibn Abi Layla and Sharik is not alone in his narration of the phrase "then he would not repeat" from Yazid. Rather, there are follow-ups for each of them. Hence, the truth is that the hadith is *hasan*, and can be used as proof. And Allah Almighty knows best.

18. Abu Bakrah narrated to us: Mu'ammal narrated to us: Sufyan narrated to us from al-Mughirah: He said: I narrated to Ibrahim the hadith of Wa'il that he saw the Prophet (Allah bless him and grant him peace) raising his hands when he opened the Salah and when he bowed and when he raised his head from bowing, so he said: "If Wa'il saw him doing that once, then indeed 'Abd Allah saw him fifty times not doing that." Al-Tahawi narrated it (1:132). I say: The chain is *hasan*. Its narrators are all trustworthy besides Mu'ammal ibn Isma'il who is differed upon, some of them having declared him trustworthy while others having criticised him, and it is mentioned in *al-Taqrīb*: "[He is] reliable with bad memory," and [it is *hasan*] due to the corroborative report from the narration of Abu Yusuf al-Qadi from Husayn ibn 'Abd al-Rahman and 'Amr ibn Murrah from al-Nakha'i, which we mentioned earlier¹⁵.

I say: The meaning of Ibrahim's statement is that Wa'il infrequently accompanied the Prophet (Allah bless him and grant him peace) while Ibn Mas'ud frequently accompanied him, and Wa'il did not pray with him except a number of Salahs as distinguished from Ibn Mas'ud, since he prayed with him many Salahs and witnessed from his states what Wa'il and his likes did not witness. So the preference goes to the narration of Ibn Mas'ud.

¹⁵ In hadith no. 14

Faqih Abu Bakr ibn Ishaq objected to this that this reasoning equates to nothing because:

Raising the hands is authentic from the Prophet (Allah bless him and grant him peace), and then from the rightly guided caliphs, and then from the Sahabah and Tabi'in, and in 'Abd Allah ibn Mas'ud's forgetfulness of raising the hands is nothing that necessitates that these Sahabah did not see the Prophet (Allah bless him and grant him peace) raise his hands.

Ibn Mas'ud forgot from the Qur'an that which the Muslims did not differ on since [then], which is the *mu'awwidhatayn* (i.e. the last two chapters of the Qur'an); and he forgot what all the scholars agreed is abrogated, that is *tatbiq*; and he forgot the manner of two people standing behind the imam; and he forgot that in which there is no disagreement between the scholars, that the Prophet (Allah bless him and grant him peace) prayed Fajr on the Day of Sacrifice in its [correct] time; and he forgot the manner in which the Prophet (Allah bless him and grant him peace) combined [the prayers] in 'Arafah; and he forgot that in which there is no disagreement, of placing the elbow and wrist on the earth in prostration; and he forgot how the Prophet (Allah bless him and grant him peace) would recite *wa ma khalaqa al-dhakara wa al-untha* (Qur'an 92:3). Since it is possible for Ibn Mas'ud to forget such things with respect to Salah, why is the same not possible in raising the hands? Al-Bayhaqi narrated it from him as [mentioned] in *al-Jawhar al-Naqi* (1:139)

I say: The outcome of your statement is that none of Ibn Mas'ud's (Allah be pleased with him) hadiths can be used as proof at all due to the possibility of forgetfulness in them, so it is necessary for you to remove all his hadiths in their entirety from the books of hadith, particularly the two *Sahihs*, and remove his name from the group of the *huffaz* of hadith, and criticise the hadith-scholars who counted him amongst the *huffaz* of the Sahabah like al-Dhahabi, since he mentioned him in his *Tadhkirat al-Huffaz*, and he counted him amongst the *huffaz*, and he praised him [saying]:

The companion of Allah's Messenger (Allah bless him and grant him peace) and his attendant; one of the foremost and first [Muslims], and from the senior veterans of Badr, and from the noble jurists and Qur'an teachers. He was from those who would be careful in transmitting and strict in narrating. He deterred his students from being carefree in the precision of words, and he would narrate hadiths little and be cautious in the words. It was narrated from Abu 'Amr al-Shaybani: "I sat with Ibn Mas'ud for a year, and he would not [normally] say, 'Allah's Messenger (Allah bless him and grant him peace) said,' and when he did say, 'Allah's Messenger (Allah bless him and grant him peace) said,' he would be overcome with tremors, and he would say [after narrating], 'like this' or 'close to this.'"

'Umar wrote to the inhabitants of Kufa: "I have preferred you over myself with 'Abd Allah ibn Mas'ud." And 'Umar once looked at him and said: "A small vessel filled with knowledge." And Hudhayfah was asked about the nearest of people to the Messenger of Allah (Allah bless him and grant him peace) in conduct and characteristic, and he said: "That is Ibn Mas'ud. The protected companions of Muhammad (Allah bless him and grant him peace) knew that Ibn Umm 'Abd [i.e. Ibn Mas'ud] is from the nearest of them to Allah." End [quote], selected from 1:13, 14, 15.

If you say: We distinguish between the remainder of his hadiths and his hadith on not raising the hands, so we accept them and do not accept this, I say: Allah have mercy on you! Explain to us the reason for distinguishing between them – why do you leave his hadith on this due to the possibility of forgetfulness, and not leave the remainder of his hadiths due to this very possibility? If you say the reason for distinguishing [between them] is his isolatedness from other than him in narrating [the practice of] not raising the hands, I say: This is no doubt a lie and a claim without proof, since it is authentic from ‘Ali and ‘Umar (Allah be pleased with them) that which supports the statement of Ibn Mas‘ud, and we have not found anyone mentioning ‘Uthman (Allah be pleased with him) amongst the group of those who would raise [their hands] when bowing and rising from it, so your statement, “Raising the hands is authentic from the Prophet (Allah bless him and grant him peace), and then from the rightly guided caliphs” is inaccurate. Ibn al-Turkumani said:

That which was narrated from ‘Umar on raising [the hands] upon bowing and rising from it, al-Bayhaqi cited its chain in which are those who were weakened, which is why al-Bahayqi said in the previous chapter: “We narrated it from Abu Bakr and ‘Umar,” and he mentioned [with them] a group [of Sahabah], and he did not say this using the wording of authentication as Ibn Ishaq did.

His statement, “And then from the Sahabah and Tabi‘in,” is negligence, since some of the Sahabah limited the raising [of the hands] to the opening *takbir* as has preceded, and likewise a group of the Tabi‘in, from whom are al-Aswad, ‘Alqamah, Ibrahim, Khaythamah, Qays ibn Abi Hazim, al-Sha‘bi, Abu Ishaq and others, and Ibn Abi Shaybah narrated all of this in his *Musannaf* with good chains. He also narrated this with an authentic chain from the companions of ‘Ali and Ibn Mas‘ud, and they are sufficient for you, and in them is a great number as is not hidden, and we have mentioned most of these [narrations] in what has preceded [in the text].

His statement, “In ‘Abd Allah ibn Mas‘ud’s forgetfulness of raising the hands is nothing that necessitates that these Sahabah did not see the Prophet (Allah bless him and grant him peace) raise his hands,” is a claim without proof, as there is no means to know that Ibn Mas‘ud [initially] knew this and then forgot it. The correct etiquette in this situation – in which he attributed forgetfulness to him – is to say: “It did not reach him”¹⁶ as other scholars did.

His statement, “He forgot the manner of two people standing behind the imam,” by this he intends the narration that he prayed with al-Aswad and ‘Alqamah and he made them [stand] to his right and left. However, Ibn Sirin justified this by [explaining] that the mosque was narrow, as mentioned by al-Bayhaqi afterwards in *Bab al-Ma‘mum yukhalif al-Sunnata fi al-Mawqif*.

His statement, “He forgot that in which there is no disagreement between the scholars, that the Prophet (Allah bless him and grant him peace) prayed Fajr on the Day of Sacrifice in its [correct] time” is incorrect since it has been narrated in *Sahih al-Bukhari* and other [collections] from Ibn Mas‘ud that he (upon him peace) prayed Fajr on that day at the dark of the night (*ghalas*). Therefore, he did not forget that he prayed it in its time, rather he meant that he prayed it outside its habitual time which is when there is some brightness (*isfar*), and this is clear from what is narrated in *Sahih al-Bukhari* from his hadith: “When dawn came, he said: ‘Indeed the

¹⁶ And this is not a deficiency, as some rulings were hidden to [Abu Bakr] al-Siddiq, ‘Ali and ‘Umar (Allah be pleased with them), until those junior to them informed them, as is not hidden to one who has knowledge of hadith (Mawlana Zafar Ahmad al-‘Uthmani)

Prophet (Allah bless him and grant him peace) would not pray at this hour except this prayer in this place on this day.”

His statement, “He forgot that in which there is no disagreement, of placing the elbow and wrist on the earth in prostration,” by this he intends the narration from Ibn Mas‘ud that he said, “The bones of the sons of Adam were facilitated for prostration, so prostrate even on the elbows.” However the wording of Ibn Ishaq is weak, and it would have been better to say “of the detestability of placing the elbow and the wrist [on the earth].” Ibn al-Turkumani did not reply to this question. I believe that the narration of prostration on the elbows is inauthentic from him, since al-Tabrani narrated in *al-Kabir* from Ibn Mas‘ud: “We were commanded to prostrate on seven bones,” and its chain is *hasan* and although Isma‘il ibn ‘Amr al-Bajali who was criticised is in it, Ibn Hibban declared him trustworthy. He [i.e. al-Tabrani] also narrated from him: “When one of you prostrates, he should not prostrate lying down, and nor with the legs to the side.” Its chain is *sahih*. It is not hidden that prostration on elbows is precisely lying down [and prostrating] which he forbade. Al-Tabrani narrated in *al-Kabir* also from ‘Abd Allah ibn Ziyad that he said: One who saw Ibn Mas‘ud narrated to me, he said: “It is as though I am seeing him prostrating: he moved his elbows apart until I could almost see the whiteness of his armpits.” Al-Haythami mentioned all of these narrations in *Majma‘ al-Zawa‘id* (1:191-2).

His statement, “He forgot how the Prophet (Allah bless him and grant him peace) would recite *wa ma khalaqa al-dhakara wa al-untha* (Qur’an 92:3),”

It is mentioned in *al-Muhtasab* by *Ibn al-Jinni*: “The Prophet (Allah bless him and grant him peace), ‘Ali, Ibn Mas‘ud and Ibn ‘Abbas recited *wa al-dhakari wa al-untha* without *ma*.” [It is narrated] in the two *Sahihs* that Abu al-Darda said: “By Allah, verily Allah’s Messenger (Allah bless him and grant him peace) taught it to me [in this way].” So it is established that Ibn Mas‘ud was not alone in this, and we do not concede that he forgot how the Prophet (Allah bless him and grant him peace) would recite it. Rather, he heard it in another form, so he transmitted it as he heard [it]. (*Al-Jawhar al-Naqi*, 1:139-40)

As for his statement, “Ibn Mas‘ud forgot from the Qur’an that which the Muslims did not differ on since [then], which is the *mu‘awwidhatayn* (i.e. the last two chapters of the Qur’an),” [the error] in this is that Ibn Mas‘ud did not forget them and did not deny them being [part of] the Qur’an, sent down from Allah, and how is that possible for him or for any of the Arabs, when the inimitability (*i‘jaz*) is obvious in them just as it is in other chapters [of the Qur’an]? Rather, he only rejected their inclusion in the *mushaf* due to his belief that they were sent down for seeking protection only, not for recitation.

By this [analysis], al-Bayhaqi’s bias against the Hanafis is manifest to you, since he criticises their proofs by quoting such statements in which is bad behaviour with respect to the Sahabah, and he remained silent about it, and did not refute its speaker. By Allah! I recognise the greatness of al-Bayhaqi, his trustworthiness, his scrupulousness and his memory, and his great favour to the Muslims, and likewise the greatness of the jurist Abu Bakr ibn Ishaq, but the greatness of the Sahabah and their magnitude and their respect are greater in [my] heart than the greatness of all people after them, so silence is not permitted for me in this place. I felt that refutation of these statements and clarification of the errors of their speakers is more deserving and more worthy. [Having said] this, all praise belongs to Allah in the latter and the former [worlds].

Addendum

Al-Shawkani said in *Nayl al-Awtar*:

It is established from the hadith of Ibn 'Umar according to al-Bayhaqi that he said after mentioning the Messenger of Allah (Allah bless him and grant him peace) would raise his hands upon the opening *takbir* and upon bowing and when straightening: "And this remained his Salah until he met Allah (Exalted is He)." (*Nayl al-Awtar*, 2:67)

And he said after transmitting the hadith with the wording of al-Bukhari and Muslim without the addition of "and this remained his Salah until he met Allah (Exalted is He)":

The hadith was transmitted by al-Bayhaqi with the addition, "And this remained his Salah until he met Allah (Exalted is He)." Ibn al-Madini said: "This hadith, according to me, is a proof to all creation. All who hear it must act upon it, because there is nothing [problematic] in its chain." (*Nayl al-Awtar*, 2:68)

This gives the impression apparently that Ibn al-Madini strengthened it with this addition which al-Bayhaqi narrated, and that it is established from Allah's Messenger (Allah bless him and grant him peace) as such, and there is nothing problematic in this chain. This is an error. Rather, the speech of Ibn al-Madini refers to the hadith with the wording transmitted by the two *shaykhs* and there is no doubt in the authenticity of its chain and its being free from any defect. Yes, we have criticism of it from the perspective of [its] comprehension due to the narrations from Ibn 'Umar being contradictory on this [matter] as we discussed earlier.

As for the one with the addition which al-Bayhaqi narrated, it is not *sahih* at all. Rather, it appears to be fabricated, since al-Zayla'i mentioned its chain and said:

Shaykh [Ibn Daqiq al-'Id] said in *al-Imam*: "This doubt, i.e. the claim of abrogation, is removed by what al-Bayhaqi narrated in his *Sunan* through the route of al-Hasan ibn 'Abd Allah ibn Hamdan al-Raqqi: 'Ismah ibn Muhammad al-Ansari narrated to us: Musa ibn 'Uqbah narrated to us from Nafi' from Ibn 'Umar that Allah's Messenger would when beginning Salah raise his hands and when bowing and when raising his head from bowing and he would not do this during prostration, and this remained his Salah until he met Allah (Exalted is He). He narrated it from Abu 'Abd Allah al-Hafiz [i.e. Imam al-Hakim] from Ja'far ibn Muhammad ibn Nasr from 'Abd al-Rahman ibn Quraysh ibn Khuzaymah al-Harawi from 'Abd Allah ibn Ahmad al-Dajmahi from al-Hasan with it." (*Nasb al-Rayah*, 1:213)

'Abd al-Rahman ibn Quraysh was accused by al-Sulaymani of fabricating hadith as mentioned in *Lisan al-Mizan* (3:425), and no one declared him trustworthy. As for 'Ismah ibn Muhammad al-Ansari, Abu Hatim said, "He is not strong," and Yahya ibn Ma'in said, "An excessive liar, fabricating hadith," and al-'Uqayli said, "He narrates falsehoods from trustworthy narrators," and al-Daraqutni and others said, "Abandoned," and Ibn 'Adi said, "'Ismah ibn Muhammad ibn Fudalah ibn 'Ubayd al-Ansari, the Medinan, none of his hadiths are preserved." (*Lisan al-Mizan*, 3:170)

Hence, there is no proof therein, and the claim of abrogation is not repelled thereby at all, so be wary of this, for indeed many people were misled by this addition. And Allah knows best.

I'la al-Sunan, Idarat al-Qur'an wa al-'Ulum al-Islamiyyah, Karachi: Pakistan, 1427 H, 3:56-91¹⁷

¹⁷ According to what is written at the end of the third volume of *I'la al-Sunan*, this section of the book was completed on Dhu al-Qa'dah 1340 H/July 1922 CE