

Part 3. Imām Muhammad Ibn Idrees ash-Shāfi‘ī (d. 204 AH رَحِمَهُ اللهُ)

As for Imām ash-Shāfi‘ī (رَحِمَهُ اللهُ), the narrations from him concerning following the *Hadīth*, avoiding *Taqleed* and opinions are the most numerous and finest. Ibn Hazm al-Andulūsi (d. 456AH رَحِمَهُ اللهُ) stated:

إِنَّ الْفُقَهَاءَ الَّذِينَ قُلِدُوا مُبْطِلُونَ لِلتَّقْلِيدِ وَإِنَّهُمْ نَهَوْا أَصْحَابَهُمْ عَنْ تَقْلِيدِهِمْ وَكَانَ أَشَدَّهُمْ فِي ذَلِكَ الشَّافِعِيُّ فَإِنَّهُ رَحِمَهُ اللهُ بَلَغَ مِنَ التَّأَكِيدِ فِي اتِّبَاعِ صِحَاحِ الْأَثَارِ وَالْأَخْذِ بِمَا أَوْجَبَتْهُ الْحُجَّةُ حَيْثُ لَمْ يَبْلُغْ غَيْرُهُ وَتَبَرَّأَ مِنْ أَنْ يُقَلَّدَ جُمْلَةً وَأَعْلَنَ بِذَلِكَ نَفَعَ اللهُ بِهِ وَأَعْظَمَ أَجْرَهُ فَلَقَدْ كَانَ سَبَبًا إِلَى خَيْرٍ كَثِيرٍ.

“The *Fuqahā* (scholars of jurisprudence) who are blindly-followed used to reject *Taqleed*. They forbade their students from blindly following them. The sternest of them in that regard was ash-Shāfi‘ī (رَحِمَهُ اللهُ) for he would, more than others, emphatically reiterate that the authentic narrations should be followed—and to accept what the proofs obligate. He freed himself completely from being blindly followed, and he announced that. May Allāh benefit [the Muslims] by him and grant him the greatest reward, for indeed he was a cause of much good.”¹⁸

ONE: Imām ash-Shāfi‘ī (رَحِمَهُ اللهُ)said:

¹⁸ See Ibn Hazm’s *Usool al-Ahkām* (6/118).

مَا مِنْ أَحَدٍ إِلَّا وَتَذَهَبُ عَلَيْهِ سُنَّةُ لِرَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ
وَتَعْرُبُ عَنْهُ فَهَمَّا قُلْتُ مِنْ قَوْلٍ أَوْ أَصَلْتُ مِنْ أَصْلٍ فِيهِ عَنْ رَسُولِ اللَّهِ
صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ خِلَافَ مَا قُلْتُ فَالْقَوْلُ مَا قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ
عَلَيْهِ وَسَلَّمَ وَهُوَ قَوْلِي.

“There is not a person except that some part of the Sunnah of Allah’s Messenger (صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ) escapes him and is hidden from him.

So, whatever I may have said, or any principle I may have established, that is found to be contrary to what has come from the Messenger of Allah (صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ)— then the correct statement is what the Messenger of Allah (صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ) said, and that is my view.”¹⁹

TWO: Imām ash-Shāfi‘ī (رَحِمَهُ اللَّهُ) said:

أَجْمَعَ الْمُسْلِمُونَ عَلَى أَنَّ مَنْ اسْتَبَانَ لَهُ سُنَّةٌ عَنْ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ
وَسَلَّمَ لَمْ يَحِلَّ لَهُ أَنْ يَدَعَهَا لِقَوْلِ أَحَدٍ.

“The Muslims have unanimously agreed that whoever has the Sunnah from the Messenger of Allah (صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ) clarified for him, it is not permissible for him to abandon it in favour of anyone’s saying.”²⁰

¹⁹ Reported by al-Hākim with his chain of transmission fully connected back to ash-Shāfi‘ī, as in *Tāreekh Dimashq* of Ibn ‘Asākir (3/1/15); also, in Ibn al-Qayyim’s *I‘lām al-Muwaqqi‘een* (2/363, 364); and in *al-Īqādh* (p. 100).

²⁰ Ibn al-Qayyim’s *I‘lām al-Muwaqqi‘een* (2/361); and in *al-Īqādh* of al-Fullānī (p. 68).

THREE: Ash-Shāfi‘ī said:

إِذَا وَجَدْتُمْ فِي كِتَابِي خِلَافَ سُنَّةِ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقُولُوا
بِسُنَّةِ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَدَعُوا مَا قُلْتُ.

“If you find in my writings something that contradicts the Sunnah of the Messenger of Allah (ﷺ), speak according to the Sunnah of the Messenger of Allah (ﷺ) and leave what I have said.” In a narration, he stated:

فَاتَّبِعُوهَا وَلَا تَلْتَفِتُوا إِلَى قَوْلِ أَحَدٍ.

“...so, follow the Sunnah, and do not look at the speech of anyone else.”²¹

FOUR: Ash-Shāfi‘ī (رَحِمَهُ اللَّهُ) said:

إِذَا صَحَّ الْحَدِيثُ فَهُوَ مَذْهَبِي.

“If a *Hadīth* is found to be *saheeh*, then that is my *Madhhab*.”²²

Ash-Sha‘rānī said: “Ibn Hazm said,

أَيُّ: صَحَّ عِنْدَهُ أَوْ عِنْدَ غَيْرِهِ مِنَ الْأَيِّمَةِ.

²¹ Al-Harawī in *Dhamm al-Kalām* (3/47/1); al-Khateeb in *al-Ihtijāj bish-Shāfi‘ī* (8/2); Ibn ‘Asākir (1/9/15); an-Nawawī in *al-Majmoo‘* (1/63); Ibn al-Qayyim (2/361); al-Fullānī (p. 100); and the second report is by Abu Nu‘aym in *al-Hilyah* (9/107); Ibn Hibbān in his *Saheeh* (*al-Ihsān* 3/284) with his *isnād* that is authentic to ash-Shāfi‘ī.

²² An-Nawawī in *al-Majmoo‘* (1/63) and ash-Sha‘rānī (1/57) and he sourced it to al-Hākim and al-Bayhaqī. See al-Fullānī (p. 107).

‘Meaning: that which is authentic according to himself or according to other than himself from the scholars.’”²³

And his following statement immediately after this is clear in affirming this meaning.

An-Nawawi (رَحْمَةُ اللَّهِ) said (summarised): “Our scholars acted upon this in the matter of *Tathwīb*²⁴ and in requiring release from *Ihrām* due to illness and in other cases that are well-known in the books of the [Shāfi‘ī] *Madhhab*. Among those reported to have issued *fatāwā* based on the *Hadīth* from our Shāfi‘ī scholars are: Abu Ya‘qoob al-Buwaytī and Abul-Qāsim ad-Dārakī.

Among our later scholars of *Hadīth* who based their *Fiqh* rulings on the *Hadīth* were Imām Abu Bakr al-Bayhaqī and others.

A group of the earlier scholars of our *Madhhab*, when they encountered a matter in which a *Hadīth* existed and the Shāfi‘ī *Madhhab* was contrary to it, they acted upon the *Hadīth* and issued rulings according to it, saying:

مَذْهَبُ الشَّافِعِيِّ مَا وَافَقَ الْحَدِيثَ.

‘The Shāfi‘ī *Madhhab* is what agrees with the *Hadīth*.’

The Shāfi‘ī scholar, Abu ‘Amr Ibn as-Salāh (d. 643AH) said: ‘Whoever among the Shāfi‘īs finds a *Hadīth* that contradicts his *Madhhab*, he looks to see whether he has the necessary requirements to make *Ijtihād* unrestrictedly, or the ability to make *ijtihād* in that

²³ Ash-Sha‘rānī (1/57).

²⁴ Saying in the Fajr *Adhān*: ‘*As-salātu khayrun min an-nawm* (prayer is better than sleep).’

particular subject—then, he would independently act upon the Hadīth [regardless of the Madhhab]. And if he does not possess the necessary requirements to make *Ijtihād*, but finds it difficult to contradict the Hadīth—and after researching the matter cannot find any convincing answer to contradict the Hadīth, then it is upon him to act upon the Hadīth [even if that contradicts his Madhhab] if there is an independent *imām* who acted upon the Hadīth other than ash-Shāfi‘ī. And that is a legitimate excuse to leave the Madhhab of his Imām in this case.’ What Ibn Salāh has said here is good and established, and Allāh knows best.”

Shaikh Al-Albānī (رَحِمَهُ اللهُ) said: “There is another scenario that maybe did not occur to Ibn Salāh, and that is: **‘What if a person does not find a scholar who acted upon the Hadīth? What does he do?’** Taqiyyud-Deen as-Subkī answers this in a treatise entitled *The Meaning of the Saying of ash-Shāfi‘ī: If a Hadīth is Found to be Authentic, Then That is My Madhhab*.²⁵ He said: ‘What is better in my view is to follow the Hadīth. A person should imagine that he is standing in front of the Prophet (صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ), and he hears this Hadīth from him. Would he have the right to delay acting upon it? By Allah, he would not... and every person bears a burden according to his understanding.’”²⁶

²⁵ Ref: (4/102).

²⁶ The complete discussion, research and verification of this subject can be found in *I‘lām al-Muwaqqi‘een* (2/302, 370) and in *Īqādh al-Himam* of Sālih Ibn Muhammad al-‘Umarī, well-known as al-Fullānī (d. 1217H). The latter is a unique book in this subject—a must read for every person who loves the truth. He should study it; understand it and reflect over it. Its full title is: *Īqāz himam ulī al-abṣār, lil-iqtidā’ bi-Sayyid al-Muhājirīn wal-Anṣār, wa-*

FIVE: Imām ash-Shāfi‘ī said to Imām Ahmad Ibn Hanbal (رَحْمَةُ اللَّهِ):

أَنْتُمْ أَعْلَمُ بِالْحَدِيثِ وَالرِّجَالِ مِنِّي فَإِذَا كَانَ الْحَدِيثُ صَحِيحًا
فَأَعْلِمُونِي بِهِ – أَيْ شَيْءٌ يَكُونُ: كُوفِيًّا أَوْ بَصْرِيًّا أَوْ شَامِيًّا –
حَتَّى أَذْهَبَ إِلَيْهِ إِذَا كَانَ صَحِيحًا.

“You are more knowledgeable concerning *Hadīth* and the narrators than me—so, when a *Hadīth* is authentic, inform me of it regardless of where it is from: Kufah, Basrah or Shām, so I may act according to it, as long as it is *saheeh*.”²⁷

Al-Fulāni said in *Īqādh al-Himam* (p. 152), “Al-Bayhaqī said: ‘For this reason, ash-Shāfi‘ī would take plentifully from the *Hadīth*. He gathered the knowledge of the people of Hijāz, Shām, Yemen and Iraq—and he accepted all what he saw to be *saheeh* without inclining or showing favoritism to the *Madhhab* of the people of his

taḥdhīruhum ‘an al-ibtidā‘ ash-shā‘i‘ fil-qurā wa-l-amṣār, min taqlīd al-madhāhib ma‘a al-ḥimma wal-‘aṣabiyya bayna fuqahā’ al-a‘ṣār, which [in English] means: *Awakening the aspirations of those endowed with insight, to emulate the leader of the Muhājirīn and Anṣār, and to warn them against the widespread innovations found in villages and cities, stemming from the blind following of Madhhab combined with zealotry and partisanship among the jurists of the ages.*

²⁷ Reported by Ibn Abī Hātim in *Adāb ash-Shāfi‘ī* (pp. 94-95); Abu Nu‘aym in *al-Hilyah* (9/106); al-Khateeb in *al-Ihtijāj bish-Shāfi‘ī* (8/1) and from him Ibn ‘Asākir (15/9/1); Ibn ‘Abdil-Barr in *al-Iqnā’* (p. 75); Ibn al-Jawzī in *Manāqib al-Imām Ahmad* (p. 499); al-Harawī (2/47/2) through three chains of transmission from ‘Abdullāh Ibn Imām Ahmad from his father, that ash-Shāfi‘ī said to him... (and he mentioned the narration). For this reason, Ibn al-Qayyim firmly ascribed it to him in *al-I‘lām* (2/325); al-Fulāni in *Īqādh al-Himam* (p. 152).

land when he saw that the truth was to be found elsewhere. And, among those who came before him were those who confined themselves to what they were accustomed to from the *Madhhab* of the people of their land—and did not exert themselves to ascertain the correctness of what opposed it. May Allah forgive us and them.”²⁸

SIX: Imām ash-Shāfi‘ī (رَحْمَةُ اللَّهِ) said:

كُلُّ مَسْأَلَةٍ صَحَّ فِيهَا الْخَبَرُ عَنْ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عِنْدَ أَهْلِ
النَّقْلِ بِخِلَافِ مَا قُلْتُ فَأَنَا رَاجِعٌ عَنْهَا فِي حَيَاتِي وَبَعْدَ مَوْتِي.

“Every issue for which there is an authentic report from the Messenger of Allāh (صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ) according to the scholars of transmission that is contrary to what I have said, then I retract from it, both during my lifetime and after my death.”²⁹

SEVEN: Imām ash-Shāfi‘ī said:

²⁸ In this is a lesson that *Ahlul-Hadīth was-Sunnah* do not confine themselves to the *Madhhab* of the land they live in, nor do they obligate the blind-following of that *Madhhab* upon others. So, a person living in Pakistan is not obligated with following the *fiqh* of the Hanafis, the people of Morocco are not obligated with the *fiqh* of the Mālikīs, and so on, unless it is supported by evidence. So, we call to the *Madhhab* of the People of Hadīth, which is to act upon the proofs, even if that opposes the *Madhhab* of a land, and it angers the blind-followers.

²⁹ Abu Nu‘aym in *al-Hilyah* (9/107); al-Harawī in *Dhamm al-Hawā* (1/48); Ibn al-Qayyim in *I‘lām al-Muwaqqi‘een* (2/363); al-Fulānī (p. 104).

إِذَا رَأَيْتُمُونِي أَقُولُ قَوْلًا وَقَدْ صَحَّ عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ خِلَافُهُ
فَاعْلَمُوا أَنَّ عَقْلِي قَدْ ذَهَبَ.

“If you ever see me making a statement that contradicts a narration of the Prophet (ﷺ) that is authentically reported from him, then know that my intellect had departed!”³⁰

EIGHT: Imām ash-Shāfi‘ī stated:

كُلُّ مَا قُلْتُ فَكَانَ عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ خِلَافَ قَوْلِي مِمَّا يَصِحُّ
فَحَدِيثُ النَّبِيِّ أَوْلَى فَلَا تُقِلُّهُوَنِي

“Whatever I have said—if there is something that is authentic from the Prophet (ﷺ) that opposes my saying—then the Hadīth of the Prophet (ﷺ) is more befitting to be followed, so do not blindly follow me.”³¹

NINE: Imām ash-Shāfi‘ī (رحمه الله) said:

كُلُّ حَدِيثٍ عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَهُوَ قَوْلِي وَإِنْ لَمْ تَسْمَعُوهُ مِنِّي

“Every *Hadīth* that is reported from the Prophet (ﷺ) is my saying, even if you did not hear it from me.”³²

³⁰ Ibn Abī Ḥātim in *Ādāb al-Shāfi‘ī* (p. 93); and Abū al-Qāsim al-Samarqandī in *al-Amālī* as cited in *al-Muntaqā minhā* by Abū Ḥafṣ al-Mu‘addab (1/234); and by Abū Nu‘aym in *Ḥilyat al-Awliyā’* (9/106); and by Ibn ‘Asākir (15/10/1) with a *saheeh isnād*.

³¹ Ibn Abī Ḥātim (p. 93), Abū Nu‘aym, and Ibn ‘Asākir (15/9/2), with a sound chain of transmission (*saheeh isnād*).

³² Ibn Abī Ḥātim (pp. 93-94).