

.2014

---

" "

\*

458

:

---

\*

.2013/11/4 :

.2014

.2012/12/24 :

©

---

## **Mu'aath's Hadeeth on Ijtihad "Narration & Interpretation": Narrating Scholars' vs. Fundamentalists'**

**Firas abd El hamid Ashayep**

### **Abstract**

This paper aims at unveiling a significant issue that is considered as a milestone of practical evidence denoting the disparity of methodologies in weakening and/or strengthening Hadeeth as adopted by narrating scholars 'Muhadditheen' on the one hand and Fundamentalists & jurisprudence scholars, on the other hand. This issue is manifest in Mu'aath's Hadeeth regarding Ijtihad. The controversy is in operation between these two approaches. The former tend to believe in the weakness and invalidity of this Hadeeth while the latter tend to strengthen this Hadeeth and thus bring it to implementation. In addition, Narrating scholars have judged this Hadeeth based on two sources of narration only while this researcher has found other four sources and ways of narrating this Hadeeth, in light of which one can scrutinize and consider while judging the validity of this Hadeeth. Hence, this researcher's judgment can be evidently and accordingly approached.

**Keywords:** Jurisprudence Fundamentals, Ijtihad, Mu'aath's Hadeeth, Narrating Scholars, Fundamentalists.

.2014

---

الله  
بسم

بسم

بسم

؛

بسم

.1

.2

---

.25      83

(1)

ا

(2)ا

.2014

---

(4)

(3)

.1



(5) «....

» :

---

.2

(6)



(7) « . . . .



(8)



(9)

(10) «

" :

.2014

---

(12)

(11)

(13)

.1

(14)

(15)■

.2

(16)■

■

(17)

.3

.4

(18)

" "

---

.5

(19)

.6

(20)

.7

(21)

(23)

...

...

...

...

(24) ...

.2014

---

.....  
.....

" :

.....

(25) ..

" :

(27) ..  
.....

.....

.....

(28) ..

" :

.....

-

-

-

-

-

.....

.....

(29) ..

(30) ..

---

(31)

(32) "

" :

(33) "

(34) "

(35) "

(36) « ... »

" :

(37) "

(39)

(38) "

(40)

(41) "

.2014

---

(42)u

(43)

(44)u

(45)

(46)

(47)

---

(48)

(50)

(49)

(52)

(51)

(53)

(54)u

(55)u

(56)

(57)u

(58)

(59)

(60)

(61)u

(62)u

(63)

(64)u

(65)

---

(66)

(67)

( )

(68)<sub>u</sub>

.2014

---

(69)

(70)

(71)»

(72) «

---

۱۰

(73)۱۰

(74)

(75)

(76)

(77)

(77)

(78)۱۰

.2014

---

(79)u

(80)

(81)

.1

.2

.3

.4

---

(82)

"

:

(83)

(84)

"

"

:

(85) "

"

(86) "

"

:

(87) "

"

:

(88) "

(90)

(89) "

"

"

:

(91) "

"

(92) "

(94)

(93)

:

.2014

---

(95)

(96)u

«

» :

—

—

(97)u

(98)u

(99)u

(100)

(101)

(102)ii

.2014

---

(103)

(104)

(105)

(106)

(108)

(107)

(109)

(110)

.1

" :

" :

(111)"

(112)"

.2

(113)

.3

(114).36 :

: 36 :

(115)

(116)

" :

" :

(117)"

(118)"

" : 1

(119)"

سکون

سکون

.2

(120)

(121)"

سکون

سکون

» : 

(122) «

(123)

(125)

(124)

(126)

(127) "

(128)

(131)

(130)

(129)

(132)

---

" :

(133) "

" :

(134) "

" "

ঢাকা

:

" :

(134) "

:

(135)

:

" :

:

(136) "

....

.2014

---

(137)

(138)

(139)

(140)

.1

(141)u

.2

(142)

(143)

(144)

---

(145)

(146)

\*

(147)



.2014

---

(148)

(149)

(151)॥

(150)

" :

(152)॥

(153)॥



.38      :

      :

:

      :

:

      :

:

      :

:

      :

:

      :

:

      :

:

.89      :

      :

:

103

---

" "

" :

:

(154) ﴿

﴾



(155)

(156)

" :

.2014

---

: ﴿

(157)»

" :

"

"

: " :

(158)»

﴿

59:

54 :

﴿

» : ﴿

(159) «

" :

44 :

38

(160)ii

(161)

(162)<sub>II</sub>

»

» i

1

1

» . حَكَمَ اللَّهُ

» .

《 》

«

صلوات

《 》

•

١٣٦

.2014

---

(163)॥

॥  
॥

॥  
॥

(164)

॥

.1

-

-

-

.2

-

-

-

.3

॥

( 2011 - 1432)1 ( ) (1)

( 489 ) (2)

( ) :

.398-397 1 ( 1999- 8) 1

( 543 ) (3)

) :

106/1( . ) ( . )(

( 852 ) (4)

183-182/4 ( 1989 - 1419) 1 ( )

( 204 ) (5)

( ) (559)

: (22978)

( -241 ) ( 1995 - 1416)1 ( )  
: : (22007)

333 36 ( 2001 - 1421) 1 ( )  
417 -416 36 (22100)  
(3594)  
(1328)  
(168)

(20126)  
( -463 )  
- :  
121 2 2003-11424

(3595) (6)  
(1327)  
382 /36 (22061)  
(7)

122 2 (20126)  
( -463 ) (8)

- :  
121 2 2003-11424

1404 )1 ( 528 ) (9)  
: : 132 2 ( 1984 -  
147/1 ( 1986 - 1406) 1 ( )

: ( -256 ) (10)  
147/1 277/2

---

	616/3	277 /2	(11)
1	( )	( 365 )	
	266.267/5	465/2 ( 1997 - ) 1418	
	. :	( 322 )	
	215/1 ( 1984 - 1404)1 ( )		
	:		(12)
	.173	6 (1975 - 1395) 1	
( 1996) 1		.	(13)
		.284	
	( 748 )	208/7	(14)
		:	
)	46	4 ( 1985 - 1405)3 ( )	
1 ( )	:		( 748 )
	.42	1 ( 1998 - 1419)	
	46/4		(15)
	( 463 )		(16)
1727	4 (1412) 1 ( )	:	
:		( 852 )	
.269	7 ( 1412)1 ( )		
	( 475 )		(17)
50/6 ( )			
	( 852 )		
	:	:	
		.916/3( )	

.2014

---

		73/5	(18)
	.	: ( 742 )	
(3004)		481/13 ( 1980 - 1400) 1 ( )	
45/8		198/17	(19)
383/5		759 /5	(20)
23/10		16/27	441/7
	.433/3	149/34	(21)
		120/2	(23)
	46/7	339/17	(24)
		1867 /4	
		850/2	(25)
	( 256)	247/5	(26)
1 ( )		:	:
			.221
:		( 230)	(27)
		.441/7 ( 1968) 1 ( )	.
( 327 )		78/5	(28)
	274 5 ( )		
		40/26	(29)
		277/2	(30)
	( 748 )		(31)
		:	
175 2 ( 1995- 1416) 1 ( )			

---

"      "

:

:	( 297 )	(32)
616	3 ( )	
	( 774)	
2 ( )		:
	(38)      125-124	( 1996- 1416)
		( 748 )
	.175    2 ( 1995 - 1416)1 ( )	
	( 597 )	(33)
( 1983- 1403) 1 ( )		:
		759- 758/2
	( 456 )	(34)
417	7 ( 1404)1 ( )	
		: (35)
274	2 ( 1992 / 1412) 1 ( )	
		(36)
	.(22979)	
73/9		:
		74/1 (37)
		:
	215    1 ( 1998 - 1419) 1 ( )	
		(38)
		215/1
		:
	50 ( 1986 - 1406)1 ( )	
		(39)
		(63)

128/25	247/7	(40)
215/1	120/9	
121/9	: 442/7	(41)
	75/17	(42)
302-301 /4	17-16/4	(43)
252/1	135/4	
	115/1	(44)
(55)		(45)
	:	
127-126 ( 1406 )1 ( )		
( 571 )		(39-40)
58 ( 1995 - 1415) 1 ( )		:
.	409	
247 1 ( 1981 - 1401) 3 ( )		
(40) 127-126		(46)
247 1	409 58	(47)
	266/25	(48)
( )	:	( 579 )
	65 3 ( 1986-1406)	
391/9	(3110) 198-194/ 14	(49)
		(157)
	95/6	(50)

---

		"	"
350/4	257/1	(51)	
	247/5		
	342/17	(52)	
139/9	318 / 31	(53)	
	155	(54)	
:	447/4	(55)	
	276/2		
	411 / 58	(56)	
	620/19	(57)	
	123 /18	(58)	
:	( 852 )	(59)	
(6135)	383/6 ( )		
	682/10	(60)	
	680/10	(61)	
	682/10	(62)	
	681/10	(63)	
	683/10	(64)	
402/8	357/4	(65)	
	(8311)	359/8	
:		(66)	
		92/3	
	276/2	(67)	

( -804 )		(68)
-	:	
.275 / 2	103	(1994- 1414)1
:		(69)
( 1985 1405)1 ( )	.(533)	217
272/3	271 /2	(70)
62/6		310/1
103		(71)
410 / 58		(72)
( -463 )		(73)
:		
57 2 ( 1985)1 ( )		
373/18	237/3	(74)
448-440/14		(75)
453/14	218/2	(76)
:		(77)
143/1		:
302 /8		(77)
382/1		(78)
264 4 ( )		

---

	( 852 )	(79)
122      3    ( 1986 -      1406 3 (        )		
	667/2	
	1017/3	(80)
	414-413/4	(81)
	( )	(82)
( 1983 -      1403)1 (        )	:	
	759-758/2	
	( 543 )	(83)
(        )	:	
	106      1 ( . ) ( . )	
	447/4	(84)
	269	(85)
	264/1	(86)
	( 852 )	(87)
	:	
.119      1 ( 1998 -      1419) 3 (        )		
:		(88)
9 ( 1968      1388) 2 (        )		
	453-452	
	*	

	( 728 )	(89)
13 ( 2005 / 1426)3	:	
	364	
:	( 774 )	(90)
.7 1 ( 1999 - 1420 )2		
	472/18	(91)
	( 1250 )	(92)
1 ( )	:	
	430 ( 1992 - 1412)	
:	( 463 )	(93)
474 1 ( 1421)		
	( 752 )	(94)
1 ( )	:	
	155 1 ( 1991 - 1411)	
	472/1	:
:	( 370 )	155/1
1 ( )		.
( 505 )	412/2 ( 1985- 1405)	
	:	
	267-266/2 ( 2012 - 1433) 1 ( )	
	( 505 )	
430 ( 1998 - 1419) 3 ( )		
( 476 )	268/3	
425 ( 1403)1 ( )	.	:

---

" "

:	( 425 )
243 222/2( 1983-	1403)1 ( )
	( 730 )
1 ( )	:
	411/2( 1997 - 1418)
2 ( )	( 879 )
	94/2
	358 1 ( 1983 - 1403)
	344
	390/1
	:
	( 478 )
1 ( - )	
	1292 /4
	125 2 ( 1996 - 1417)
	:
	( 474 )
580 ( 1989 - 1409)1 ( )	
	396/1 ( )
	( 972 )
	( 325 )
	47 / 5
	272 ( 1982 - 1402) ( )
	447 /4
	:
	( 852 ) (97)
	:
	495-494 1 ( 1984- 1404)1 ( )
	( )
	( 902 )
	289-288 1 ( 1983- 1403)1
	184/1 (98)
	( 1182 ) (99)
	:

: 102 ( 1986- 1406)1 ( )  
222/2

1 ( ) : (100)  
( 885 ) .( 2011 - 1432)  
(101)

1815 /4 ( 2000 - 1421) ( )  
( 794 ) : (102)

109 1 ( 1998 - 1419) 1 ( )  
( 478 ) (103)

396 1 ( 1997 1418)4 ( )  
100 (104)

66 ( 1986- 1406)2 ( )  
( 1182 ) : (105)  
(106)

116-115 2 ( 1997- 1417)1 ( )  
553 396/1 : (107)  
( 911 ) (108)

317/1 ( ) : 115/2

---

				"	"
		:			( 1014 )
516	1	1	( )	:	
				320/1	
		:			( 802 )
.248		1	( 1998 - 1418)1	( - )	
( 794 )					(109)
.	:				
341	3	( 2000 - 1421)1	( )		
		100		1908/4	
		151 /2			336/2
				375/3	
				1908/4	(110)
		101		78	(111)
				101	(112)
553		396/1		101	(113)
				101	(114)
		1908/4		341/3	(115)
			336/2		100
115/2			317/1		151 /2
			248/1		
78/2		50		337	(116)
				317/1	
				134/3	(117)
				136 /3	
				120	

" : (118)

: : :

: : "

175-174

101 (119)

556 397/1 (120)

\*

(2342)

(1652)

(691)

(2113)

\*

\*

74 3

556 397/1 (121)

---

:		(122)
:	"	"
:	"	"
:	(6658)	
.	(2533)	
565/ 2	352/1	(123)
1908/4	341/3	
-516/1	115/2	317/1
	248/1	517
.321/1	389/3	
		(124)
		*
	:	
	:	
)	683	)
:	(	
)	(	)
)	(	
(	)	(
314/6	:	.( 721)
1908/4	341/3	
151 /2		(126)
115/2	337/2	
248/1	67-66	
		517 515/1

1909/4	341/3	(127)
336/2		100
115/2	317/1	151 /2
	516/1	
	45/4	(128)
	1293 /4	(129)
	472/1	(130)
	155/1	(131)
( 774 )		(132)
321/1	81 ( 1399)3	
	67	(133)
( 774 )		(134)
321/1	81 ( 1399)3	
	155/1	(134)
	370/3	(135)
	73-72/6	(136)
	316/1	(137)
86	1909/4	(138)
177/2	436/2	
337/2	315/1	195/2
370/2	116	

---

		"	"
305/1	301	(139)	
178/2		411/4	
314/1	315/1	91	
306/1	301	(140)	
	91		
	314/1	(141)	
.	314/1	(142)	
105	( 1997- 1418) 3 ( )		
86		1909/4	
563	401 /1	411 /4	337/2
	348/3	386/1	.195 116
314/1	301	(143)	
177/2		563	401/1
	117-116		436/2
314/1	301	(144)	
314/1	301	(145)	
401/1	100/2	1909/4	(146)
411/4	305/1	563	
	438-437/2		348/3
195 /2	337/2	177/2	
370/2	314/1	316/1	
		101/2	(147)

.2014

(5397)		(148)
	.(165)	
	:	
		(149)
(167)		(20129)
(5399)		(150)
		(20132)
396/1	358/1	(151)
	84 62 61 85/1	: (152)
	( 321 )	(153)
212 9 ( 1994 1415) 1 ( )		:
		(3582)
	( 456 )	(154)
	418 7 ( 1404) 1 ( )	
( )		(155)
285-284 ( 1995 - 1415) 2 ( )		.
		(156)
( 2012 - 1433) (27) (90) ( )		:
( 425 )		212
)		:
	800 ( 1412 ) (	

(157)

21 ( 1984- 1404)4 ( )

(158)

286 2 ( 1992 - 1412)1 ( )

410 28 (17174)

(159)

( 790 )

(160)

4 (1997 - 1417)1

•

311

(161)

494

(162)

(4344)

(163)

2004- 1

540 9 ( 2004- 1425) 1 ( )

(164)