## THE CONCEPT OF ZANAZUA IN THE ISLAMIC SCIENCES

## EAWEY SHADAN ELGARIANI

INTERNATIONAL ISLAMIC UNIVERSITY MAI AYSIA

NOVEMBER 2003





#### THE CONCEPT OF TAWATUR IN THE ISLAMIC SCIENCES

## BY FAWZY SHABAN ELGARIANI

A THESIS SUBMITTED IN PARTIAL
FULFILMENT OF THE REQUIREMENTS FOR
THE DEGREE OF MASTER OF ARTS
(ISLAMIC CIVILIZATION)

THE INTERNATIONAL INSTITUTE OF ISLAMIC THOUGHT AND
CIVILIZATION (ISTAC)
INTERNATIONAL ISLAMIC UNIVERSITY
MALAYSIA

**NOVEMBER 2003** 

#### ABSTRACT OF THE THESIS

This thesis is a descriptive as well as an analytic study on the concept of tawātur in four major Islamic sciences, namely, juridical methodology (usul al-figh), hadith methodology (mustalah al-hadith), theology (kalam) and the science of the variant readings ('ilm al-qira'āt). It provides a general, yet comprehensive, idea about this concept in the four abovementioned sciences. It also makes a comparison between these sciences in dealing with the concept. However, much focus has been given to the epistemological implications of tawatur, showing the similarites and the differences between the said sciences in this respect. The thesis is a scientific attempt to make a comparative study between some of the Islamic sciences on certain subject to show their strong overlapping with each other. The study about the concept of tawatur, in this respect, is to show this strong relationship of the four sciences in the area of Islamic epistemology. It is found here that all the four subjects dealt with it almost in the same manner. It has been considered in all of them as one of the sources that have superiority in epistimology and in producing knowledge. However, usul al-figh and kalam seem to have the strongest relationship in this respect in terms of the topics tackled and the objectives intended with regard to this notion. In mustalah al-hadith, the concept was dealt with in a large scale by the later traditionists who, as it is clear from the context, were influenced by the studies of usul al-figh and kalam on tawatur. In the area of gira'at, on the other hand, focus was on the applications of tawatur rather than on its quiddity (mahiyyah) and meaning.

#### ملخص البحث

هذه الرسالة عبارة عن دراسة وصفية وتحليلية عن مصطلح التواتر في أربعة من العلوم الاسلامية الأساسية، ألا وهي: أصول الفقه وعلم الكلام ومصطلح الحديث وعلم القراءات، تعطى فكرة عامة ـ لكنها في الوقت ذاته شاملة ـ عن هذا المصطلح في هذه العلوم الأنفة الذكر ، كما أنها تعقد مقارنة بينها من حيث معالجتها للمواضيع المتعلقة بمفهوم التواتر ، تبرز نقاط الاتفاق والاختلاف فيما بينها في هذا المجال. وعلى كل، فإنه قد تم التركيز أكثر على جو انب نظرية المعرفة {الإبستيمولوجي} لمفهوم التواتر من وجهة نظر علماء كل من العلوم المذكورة أعلاه. إن هذه الرسالة هي محاولة علمية لعقد در اسة مقارنة بين بعض العلوم الإسلامية في جانب معين لإبر از التوافق الكبير فيما بينها في هذا الجانب، وتأتى هذه الرسالة عن مصطلح التواتر \_ في هذا السياق ـ التظهر جليا تلك العلاقة القوية بين العلوم الأربعة المشار إليها أنفا في مجال نظرية المعرفة الإسلامية؛ فقد وجد الباحث أن هذه العلوم كلها تعتبر الخبر المتواتر و احدا من مصادر المعرفة البشرية الموثوق بها، وواحدا من مدارك اليقين لدى الإنسان. إلا أن الجدير بالذكر هو أن العلاقة بين أصول الفقه وعلم الكلام قوية جدا في هذا السياق من حيث تطابق المواضيع والنقاط المبحوثة في كل منهما عن مفهوم التواتر، ومن حيث النتائج المتوصل إليها. أما في مصطلح الحديث فإن در اسة هذا المفهوم لم تتم إلا من قبل المحدثين المتأخرين الذين ظهر جليا تأثر هم بدر اسات الأصوليين و المتكلمين عن التواتر إما في علم القراءات، فإن التركيز كان حول تطبيقات التواتر أكثر من كونه عن در اسة ماهيته ومعناه.

#### APPROVAL PAGE

I certify that I have supervised and read this study and that, in my opinion, it conforms to acceptable standards of scholarly presentation and is fully adequate, in scope and quality, as a thesis for the degree of Master of Arts (Islamic Civilization).

Supervisor Dr. Ugi Suharta

I certify that I have read this study and that, in my opinion, it conforms to acceptable standards of scholarly presentation and is fully adequate, in scope and quality, as a thesis for the degree of Master of Arts (Islamic Civilization).

Dr. Szekanadya birgi Abdallah Examiner

This thesis was submitted to the International Institute of Islamic Thought and Civilization (ISTAC) and is accepted as a partial fulfilment of the requirements for the degree of Master of Arts (Islamic Civilization).

Dean, The International Institute of Islamic Thought and Civilization (ISTAC).

#### DECLARATION

I hereby declare that this thesis is the result of my own investigation, except where otherwise stated. Other sources are acknowledged by footnotes giving explicit references and a bibliography is appended.

Name: Fawzi Shaban Elgariani

Date: 11/12/ 2003

#### INTERNATIONAL ISLAMIC UNIVERSITY

### DECLARATION OF COPYRIGHT AND AFFIRMATION OF FAIR USE OF UNPUBLISHED RESEARCH

Copyright © 2003 by: Fawzi Shaban Elgariani, All rights reserved

THE CONCEPT OF TAWATUR IN THE ISLAMIC SCIENCES

No part of this unpublished research may be reproduced, stored in a retrieval system, or transmitted, in any form or by any means, electric, mechanical, photocopying, recording or otherwise without the prior written permission of the copyright holder exept as provided below.

- Any material contained in or derived from this unpublished research may only be used by others in their writing with due acknowledgement.
- IIUM or its library will have the right to make and transmit copies ( print or electric) for institutional and acadeic purposes.
- The IIUM library will have the right to make, store in a retrieval system and supply copies of this unpublished research if research if requested by other universities and research libraries.

Affirmed by: Fawzy Shaban Elgariani

11/12/2003

Signature

Date:

To my beloved father, the man who used

to encourage me all the times to study

and to get the highest degrees in knowledge,

the one who enlightened me with his wisdom and advice

To my beloved mother, the woman who filled me with mercy and love, who sacrified in order to see her son being a scholar

#### ACKNOWLEDGEMENTS

I wish to express my appreciation to the administration of ISTAC, both the former and the current, particularly to Professor Dr. Syed Muhammad Naquib al Attas, Professor Dr. Wan Muhammad Nor Wan Daud and Professor Dr. Malik Badri, for giving me the opportunity to pursue my studies in this institution at which I have acquired an enormous amount of knowledge.

I am deeply thankful to Dr. Ugi Suharto, the supervisor of this thesis, for his efforts and invaluable advice that have greatly influenced my choice of the topic of this thesis. His patience, clear guidance and diligence have greatly facilitated the realization of this thesis.

My thanks are also due to Dr. Siraji Ssekamanya Abdallah, the second reader of this thesis, whose notes and commentaries have helped to make this work more beneficial.

To Professor Dr. Mokhtar F. Sassi, the principal of the Libyan School – Kuala Lumpur and my sincere mentor and friend, I am greatly indebted for his continous advice and endless support.

My thanks go also to Mr. Mohammad Al-Katib and his noble family, to whom I used to shelter, in Kuala Lumpur, seeking for some times of relief between the times of hard work.

My deep thanks go to the ISTAC acadamic staff who have been willing to help at any time.

The ISTAC library has provided me with all the necessary materials that have facilitated my study and research, so my thanks are due to its respected staff.

#### TABLE OF CONTENTS

Abstract (English) Abstract (Arabic)	
Approval Page	
Declaration	
Copyright Page	
Dedication	
Acknowledgments	
CHAPTER 1 : INTRODUCTION	340
CHAPTER 2 : TAWATUR IN ISLAMIC LEGAL METHODOLOGY	
I. Introduction	
II. Definition of Tawatur in Uşul al-Fiqh	terri .
III. Epistemological Implications of Tawatur According to Usul al-Figh.	
A. Does Tawatur Produce Certain Knowledge or Mere Probability?	2121
B. Is the Knowledge Produced By Tawatur Necessary or Acquired?	
IV. Conditions of the Mutawatir Report in Uşul al-Fiqh	
V. Types of Mutawatir Reports	
VI. Tawatur and Abrogation (Naskh)	
A. Reporting and Abrogation (al-Ikhbar wa al-Naskh)	
B. Abrogation of Legal Ruling Whose Source of Provision is a	
Mutawatir Report	
CHAPTER 3 : TAWĀTUR IN THEOLOGY (KALĀM	
I. Introduction II. Definition of knowledge ( 'ilm)	
III. Types of 'ilm  A. The Necessary Knowledge (al-'llm al-Daruri)	
B. The Acquired Knowledge (al-'Ilm al-Nazari)	
IV. Causes of knowledge (asbāb al-'ilm)	
A. The Senses (al-Ḥawās)	
B. The Reports (al-Akhbar)	
C. The Reason (al-'Aql)	
V. The Mutawatir Report	*****
A. The Definition of <i>Mutawatir</i> Reports in <i>Kalam</i>	
B. Epistemological Implications of Mutawatir Reports in Kalam	
Does Tawatur Produce Certain Knowledge or Probability?	
2. Is the Knowledge of Tawatur Necessary or Acquired?	
VI. Conditions of the Mutawatir Report in Kalam	71177
CHAPTER 4 : TAWATUR IN HADITH METHODOLOGY	
I. Introduction	
II. Tawatur in the Writings of Early Traditionists	
A. Position of Early Traditionists on Tawatur	
B. Mutawātir, a Type of Mashhūr	
III Tawatur in the Writings of Later Traditionsts	

A. Definition of Mutawatir According to Later Muhaddithun
B. Epistimological Implications of Mutawatir.
C. Conditions of Mutawatir Reports
D. Types of Mutawatir Reports
IV. Position of Muhaddithun in General on the Availability of Mutawat
in theProphetic Traditions
V. Works on Mutawatir Traditions
CHAPTER 5: TAWATUR IN THE SCIENCE OF VARIANT READINGS
Introduction
I. Meaning of the Variant Readings (al-Qirā'āt)
II. The Development of Qirā'āt
III. Qirā'āt and the Seven Ahruf
A. Revelation of the Qur'an in Seven Ahruf
B. Meaning of the Seven Aḥruf
C. The Relationship Between Qira'at and the Seven Ahruf
IV. Types of Qirā'āt
V. Conditions of Accepted Qirā'āt
VI. Position of Tawatur in the Conditions of Accepted Qira'at
A. Meaning of Tawatur According to 'Hm al-Qira' at
B. Is Tawatur an Essential Condition for Accepting the Qira'ah?
C. The Successive Readings (al-Qirā'āt al-Mutawātirah)
CONCLUSION
BIBLIOGRAPHY

# CHAPTER ONE INTRODUCTION

#### CHAPTER 1

#### INTRODUCTION

The Islamic way of searching for the truth is based on traditions (shar') as well as on reason ('agh). The Our'an forbids Muslims to adopt any idea, even if it is part of the religion itself, unless it is proved by reason through sound evidence.1 The Our'an says: "And follow not that of which you have no knowledge" (Sūrat al-Isra', 17: 36)2. It also says: "They, the disbelievers, follow but a guess (zann), and verily, guess is no substitute for the truth" (Surat al-Najm, 53: 28). Therefore, Muslim scholars in different knowledge disciplines have established a comprehensive theory of knowledge for the purpose of finding out the truth in a scientific way. It has been based on a magnificent principle which says: 'Acceptability of reports requires proving their trueness, and of claims requires evidence' (in kunta nagillan fa alsihhah aw mudda iyyan fa al-dafih.3 This is because, any research subject is either a report or a claim. If it is the former, focus will be then on investigating the authenticity of the ascription (nisbah) to its source, since this ascription is what creates doubts and probabilities. If it is found related to its source through an authentic chain of narrators, its content would be considered and, subsequently, a specific ruling would be given. In case of claims, on the other hand, investigations

Muhammad Sa'id Ramadan al-Buţi, Kubra al-Yaqiniyyat al-Kawiyyah (Damascus: Dar al-Fikr 1993) 31.

<sup>&</sup>lt;sup>2</sup> For the translation of the Qur'anic verses, I used Muhammad Taqiyyuddin al-Hilafi and Muhammad Hashim Khan's *Translation of the Meanings of the Noble Qur'an* (Medina: King Fahd Complex for the Printing of the Holy Qur'an, 1417 A.H).

<sup>3</sup> Al-Būti Kubrā al-Yaqiniyyat al-Kawiyyah., 34.

would focus on the proofs by which they are uncovered as to whether the claim is true or false.4

The successive report (al-khabar al-mutawātir) is one of the sources of knowledge according to Islāmic scholarship. It is considered as one of the sources of knowledge for humans that produces a necessary kind of knowledge (madārik al-yaqīn) that is equal to what man receives by means of his senses. Moreover, according to Muslim scholarship again, what man ascertained of knowledge through tawātur is more than what he ascertained by inference and rationalization (al-'istidlal wa al-nazar). This is due to the authenticity of the successive report, as convention rules out any attempt by the narrators to conspire to lie or forge.

The Holy Qur'ān and the Sunnah of the Prophet are the essential sources of the different aspects of the Shari'ah, i.e. 'aqā'id, 'ibādat, mu'āmalāt and akhlāq. Accordingly, nothing can be regarded as valid or binding if it is not somehow grounded in these sources. This is because of the fact that they are both from Allah, who creates man and knows what is useful for him and what is harmful.

The Qur'an and the Sunnah are, however, reports in general. And any report is either true or false. We, as Muslims, believe that both are true. For the Qur'an has been transmitted from generation to generation since the time of the Prophet, who was supported by the miracles, in a way that precludes any possibility of agreement on

<sup>4</sup> Ibid

<sup>&</sup>lt;sup>3</sup> Abû Hāmid Muḥammad b. Muḥammad al-Ghazāli, al-Mustasfā Min Uṣūl al-Fiqh, ed. Muhammad 'Abd al-Salām 'Abd al-Shāfi (Beirut: Dār al-Kutub al-'Ilmiyyah, 1993), 37.

Abū Bakr Muhammad b. Ahmad Al-Sarakhsi, Uşūl al-Sarakhsi, ed. Abū al-Wafa al-Afghāni, (Istanbul: Dār Qahramān), 1:283

any error or forgery. Some of the *Sunnah*, on the other hand, was narrated in the same manner, while most of it came in a solitary  $(\bar{a}h\bar{a}d)$  fashion; yet a very large number of the narrators of this kind of *Sunnah* were leading figures in Islam whose narrations were strongly reliable.

Muslim scholars, however, accepted any ruling whose source of proof is the Qur'ān or the successive Sunnah (al-Sunnah al-Mutawātirah) as long as the text is clear in indicating the content of that ruling. The reason behind this is that both the Qur'ān and the successive Sunnah are certainly from Allah; and whatever ruling acquires its legitimacy from Allah would be accepted in full submission and tranquility. This attitude of the scholars is not the same when it comes to the solitary kind of Sunnah (al-Sunnah al-Āhād). One finds them disputing, even regarding the necessity of acting according to the content of the solitary hadīth, let alone the necessity of believing in what the hadīth contains.

Since the *mutawātir* report is related to certainty and faith in Islam as well as to Islamic epistemology and to the determination of the rulings of the *Sharī'ah*, Muslim scholars have studied it carefully and explained its different aspects and written a huge number of works for that purpose. However, it has been dealt with much in four disciplines of Islamic scholarship; namely, Islamic Legal methodology (*uṣūl al-fiqh*), *Ḥadīth* Methodology (*muṣṭalaḥ al-ḥadīth*), Theology (*kalām*) and the Science of the Variant Readings (*'ilm al-qirā'āt*).

This thesis is a descriptive and analytic study on the concept of tawātur in the four abovementioned sciences, based on what the scholars of each science have written. It aims to show the importance of the concept of tawātur in Islamic epistemology and to find out the similarities as well as the differences between the mentioned sciences in treating this concept through making a comparison between them in the issues they discussed concerning it.

The thesis consists of an introduction, four chapters and a conclusion. The introduction is to provide a brief statement of the research subject, i.e. tawatur. It also includes the linguistic and technical definitions of the concept as well as an explanation of its importance. Each of the four chapters is dedicated to dealing with this concept in one of the four sciences. The first chapter is on the concept of tawatur in Islamic Legal Methodology (usul al-figh). It includes its definition, epistemological implications, conditions and types in this field of knowledge. It also includes a section dealing with tawatur and naskh (abrogation) as that is relevant to epistemology. The second chapter is on tawatur in Islamic theology (kalam). It starts with a section dealing with Knowledge in general in terms of its definition, types and causes, as tawatur, according to Islamic Theology, is one of the causes of knowledge. The other sections are about tawatur from kalam perspective. It shows its relevant researches that shows the views of mutakallimun in this respect. The third chapter discusses the concept of tawatur in Hadith Methodology (mustalah al-hadith). It includes discussions and arguments about it in this discipline. It shows the position of early and later traditionsists on tawatur, and demonstrates the influence of usul alfigh and kalam, in particular, on the researches of later traditionists concerning this concept. The Fourth chapter deals with tawātur in the science of Variant Readings ('ilm al-qirā'āt). It provides first some information about qirā'āt and aḥruf before it focuses on the importance of tawātur in this field. The conclusion is a summary of the work done in this thesis. It also provides the results and findings of the thesis.

#### DEFINITION OF TAWATUR

Lexically, tawātur is the verbal noun of the verb (tawātara), which is derived from the root (w.t.r). The verb means: things to come one after another with an interval between every two. In the Qur'ān, Allah says: "thumma arsalnā rusulanā tatrā" (Then We sent our messengers in succession) (Sūrat al-Mu'minūn, 23:44). Mutawātir, the active participle of the verb, means a thing that comes successively. In this context, the successive report (al-khabar al-mutawātir) is the report that is narrated by one to another.<sup>7</sup>

Technically, the term tawātur has been defined in different and various terms which, neverthless, mostly lead to the same meaning. From an investigation of the definitions given by the scholars of the four abovementioned Islamic sciences in which tawātur was dealt with in detail, we found that none of them was a comprehensive definition of the notion under study that brings together all of its elements and conditions, and on the other hand, prevents the inclusion of other notion's elements. The proof of this claim will be presented during the course of the thesis. For this reason, an attempt is made here to provide a comprehensive definition

Muḥammad b. Makam Ibn Manzūr, Lisān al-'Arab, Beirut: Dār Şādir, vol. 5, p. 275; Muḥammad Murtadā al-Zabīdī, Tāj al-'Arūs, Beirut: Dār Sādir, vol. 3, p. 596.

of the term tawatur that gives a general and precise idea about it, avoiding what might be considered as mistakes in making definitions in the area of logic. As such, we define tawatur as the following: 'It is a verbal or meaningful narration of a large group of people about a report that convention makes it impossible for them to lie about, from another group similar to it, and subsequently until it ends up with a similar group who experienced the issue of the report tangibly in a way that the hearer of it is certain that it is true without any doubt'. Tawatur is not a report itself, as many refer to it; rather, it is a description about the report narration. That is, first: its narrators at every stage of the narration process are many in a way that convention precludes that they could agree on a lie or forgery; second, the first group should experience the issue of the report tangibly; and third, the hearer, subsequently, finds no doubt in his heart that such a report is true. In this way, all the elements and the conditions of the term tawatur are included in this definition, and all the outside elements are prevented from intering it. Hence, it annuls the remarks that can be raised about the definitions put by the scholars of the four Islamic sciences dealt with in this thesis. The good thing about this definition is that it brings together the elements, the conditions and the intended epistemolgical fruit of tawatur in only a few lines.

# CHAPTER TWO THE CONCEPT OF *TAWĀTUR* IN ISLAMIC LEGAL METHODOLOGY (*UṢŪL AL-FIQH*)

#### **CHAPTER 2**

# THE CONCEPT OF *TAWĀTUR* IN ISLAMIC LEGAL METHODOLOGY (*UṢŪL AL-FIQH*)

#### I. INTRODUCTION

Islamic legal methodologists (uṣūliyyūn) study the concept of tawātur within the sections dealing with reports (akhbār). They study it comprehensively in a manner that includes its definition, epistemological implications, conditions, types and other relevant research. Almost every book on Islamic legal methodology (uṣūl al-fiqh)² includes a chapter dealing with this concept, although they differ in length according to the book's size.

Generally, khabar, the singular form of akhbār, has been defined according to different approaches. One of the famous definitions is: 'a speech that bears to be either true or

The uṣūliyyūn differ regarding the placement of akhbār in their books. Some place it within the sections dealing with the Sunnah, or the traditions of the Prophet, as an introduction to talk about it, as in the case of al-Ghazālī in al-Mustaṣfa, al-Baydāwī in Minhāj al-Wuṣūl, whereas some place it in separate chapters, as in the case of al-Āmidī in his al-lhkām, al-Rāzī in al-Muḥajūl and al-Baṣrī in al-Mu'tamad. However, Ibn Hazm in his al-lhkām declares that what he means by akhbār is the Sunnah itself.

<sup>&</sup>lt;sup>2</sup> Usul al-figh has been translated into English in many ways, such as: Principles of Islamic Jurisprudence, Islamic Legal Theories, Islamic Legal Methodology, etc. I preferred here to use the term Islamic Legal Methodology because usul al-figh is, in fact, a set of methods and ways through which the jurist deduces the rulings of the Shari ah (the Islamic Law) from its sources, i.e. the Qur'an, the Sunnah, etc. The other terms, however, do not convey this meaning completely.

false' (mā yaḥtamil al-ṣidq aw al-kadhib).³ From the definition, it is clear that the report (khabar) is either true (ṣādiq) or false (kādhib). The true report (al-khabar al-ṣādiq) is the one which corresponds to reality (mā ṭābaq al-wāqi¹) and the false report (al-khabar al-kādhib) is the opposite, that is, that which does not correspond to reality (mā lam yuṭābiq al-wāqi¹).⁴ The uṣūliyyūn mention several types of khabar under each of the two categories. We will briefly mention the types of true report only because tawātur, the research topic, is under this section. They are: 1) The report that corresponds to necessary knowledge (al-khabar al-muwāfiq lil'ilm al-ḍarūrī). 2) Allah's report (khabar Allah). 3) The report of the messenger who is supported by miracles (khabar al-rasūl al-muʾayyad bī al-muʾjizah). 4) The report of the whole nation (khabar kul al-ʾummah). 5) The report which is supported by evidence (al-khabar al-muḥtaf bī al-qarāʾin). 6) The successive report (al-khabar al-mutawātir).

There are other types of *khabar* mentioned by the *uṣūliyyūn*.<sup>5</sup> However, the degree of certainty left by these types in the listener's heart differs. Some of them yield necessary knowledge ('ilm darūrī) whereas some yield only acquired knowledge ('ilm nazarī).

<sup>&</sup>lt;sup>3</sup>Abū al-Ma'ālī 'Abd al-Malik Al-Juwayī, al-Burhān Fī Uṣūl al-Fiqh, ed. 'Abd al-'Azim al-Dīb, Dār al-Wafā', al-Manşūrah, 1992, vol. 1, pp, 367; Abū al-Ḥusayn Muhammad b. Ali al-Baṣri, al-Mu'tamad Fī Uṣūl al-Fiqh, ed. Muhammad Ḥamīdullah, al-Ma'had al-'llmī al-Faransī lī al-Dirāsāt al-'Arabiyyah, Damascus, 1965, vol. 2, pp. 542-543; Abū Isḥāq Ibrāhīm al-Shīrāzi, Sharḥ al-Luma', ed. 'Abd al-Majîd Turkī, Dār al-Gharb al-Islāmī, Beirut', 1988, vol. 2, p. 567.

<sup>&</sup>lt;sup>4</sup>Abū al-Walīd Sulaymān b. Khalaf Al-Bājī, *İḥkām al-Fuṣūl Fī Aḥkām al-Uṣūl*, ed. 'Abdullah al-Jabbūri, Mu'assat al-Risālah, Beirut, 1989, p. 235; 'Ali b. Muhammad al-Āmidī, al-Iḥkām Fī Uṣūl al-Aḥkām, ed. Sayyid al-Jumayli, Dār al-Nāshir al-'Arabi, Beirut, 1984, vol. 1, pp.16-17; al-Baṣrī, al-Mu'tamad, vol. 2, p. 544. However, al-Jāḥiz (d. 255/868) says that there is a third type of the report: that which is neither true nor false. See his opinions and the reply of scholars to them in al-Āmidī's al-Iḥkām, vol. 1, pp. 17-18; al-Baṣrī's al-Mu'tamad, vol. 2, pp. 544-546.

<sup>&</sup>lt;sup>3</sup>Al-Başrî, al-Mu'tamad, vol. 2, pp. 546-547; al-Āmidī, al-Iḥkām, vol. 1, pp. 19-20; Fakhr al-Dīn Muḥammad b. 'Umar, al-Razi, al-Maḥṣūl Fī 'Ilm Uṣūl al-Fiqḥ, ed. Taha Jābir al-'Alwānī, Muassasat al-Risālah, Beirut, 1992, vol. 4, pp. 273-284; Muḥammad b. Aḥmad Ibn al-Najjār, Sharḥ al-Kawkab alMunīr, eds. Muḥammad al-Zuḥaylī and Nazīh Ḥammād, Maktabat al-'Ubaykān, Riyadh, 1993, vol. 2, pp. 317-318.

The concept of tawātur has been elaborated primarily in the books of usūl al-fiqh. However, since the central concern of the uṣūliyyūn is the possibility of proof (ḥujjiyyah) of a Prophetic tradition for determining the legal status (mashrū'iyyah) of an act, their detailed elaboration about tawātur seems to be logical. What is worthy of note is that many of the uṣūliyyūn did not confine themselves to discussing only the Prophetic traditions when discussing the mutawātir report. Rather, they went on to include whatever is called "khabar mutawātir", as we will see when we deal with certain aspects of this term, although their first and last purpose is the Prophet's traditions.

#### II. DEFINITION OF TAWATUR IN USUL AL-FIQH

The  $usuliyy\bar{u}n$  defined  $taw\bar{a}tur$  in various ways, yet on deliberation, these various words lead to the same meaning; although they differ in elucidating this meaning, as well as in their consideration of the rules of definitions given by logicians in terms of being inclusive  $(j\bar{a}mi')$  of all elements of the thing defined and exclusive  $(m\bar{a}ni')$  of other elements, as will be noticed clearly when we discuss some of these definitions. However, it is worthy of note that some leading usuli' scholars did not mention a direct definition of  $taw\bar{a}tur$  in the sections dealing with it in their works; rather, they mentioned in detail its epistemological implications, conditions and other related subjects. Those scolars are Abū al-Husain al-Baṣrī (d. 436/1044) in his al-Mu'tamad, al-Juwainī (d. 478/1085) in al-

<sup>&</sup>lt;sup>6</sup> A.J. Wensinck, "Mutawatir" in Encyclopedia of Islam, second ed. (Lydin: E.J. Brill), 781.

Usuli is the adjective from the noun usul of Usul al-Figh.

Burhān and al-Ghazālī (d. 505/1111) in al-Mustaṣfā and al-Mankhūl.<sup>8</sup> Perhaps the reason for their not mentioning it is that it is clear; for the lexical meaning of the word conveys its technical definition. They were, thus, satisfied with that and illustrated what is more important through which the technical meaning can be made explicit.

In the following are some of the definitions mentioned by some 'uṣūl al-fiqh scholars, and detailed comments on them.

- 1. In his book al-lhkām, Ibn Ḥazm (d. 456/1063) defined tawātur as: 'what a big group of people after another big group (kaffātun ba'da kaffātin) reported until it reached the Prophet (p.b.u.h)'. 9
- Al-Bājî (d. 474/1081) defined it as: 'any report the knowledge of which is necessary to its receiver from its source'.<sup>10</sup>
- 3. Al-Shirāzi (d. 476/1083) defined it as: 'any report the knowledge of which is necessary'. He added: and it is said: 'that which the created being (al-makhlūq) can not repulse from himself by doubts'. 11
- 4. Al-Sarakhsi (d. 490/1096) in his al-'Uşūl defined it as: 'what has been reported by people whose gathering makes it unimaginable that they lie due to their big number and

See: al-Baṣrī, al-Mu'tamad, vol. 2, pp. 546-553; al-Juwaynī, al-Burhān, vol. 1, pp. 368-378; Abū Hāmid Muḥammad b. Muḥammad al-Ghazālī, al-Mustaṣfā Min Uṣūl al-Fiqh, ed. Muḥammad 'Abd al-Salām 'Abd al-Shāfī, Dār al-Kutub al-'Ilmiyyah, Beirut, 1993, pp. 105-116; Al-Ghazāli, al-Mankhūl Min Ta'līqāt al-Uṣūl, ed. Muḥammad Hasan Hītū, Dār al-Fikr, Damascus, 1980, pp. 235-242.

Abu Muḥammad 'Ali Ibn Ḥazm, al-lḥkām Fī Uṣūl al-Aḥkām, Dār al-Jīl, Beirut, 1407, vol. 1, p. 100.

<sup>10</sup> Al-Bāji, al-Ihkam, pp. 235.

<sup>11</sup> Al-Shirazi, Sharh al-Luma\*, vol. 2, p. 569

the multiplicity of their places from other people like them in this way until it is linked to the Prophet (p.b.u.h)'.<sup>12</sup>

- Al-Rāzī (d. 606/1209) in al-Maḥṣūl defined it as: 'a report of people who reached with their number where the knowledge took place'.
- 6. Al-Āmidī (d. 631/1233) defined tawātur in his al-lḥkām as: 'the sequence of a report by a group that yields knowledge about its subject'. 14
- Al-Baydawi (d. 685/1286) defined it as: 'a report of which the number of its narrators
  is so big that convention ('adah) makes it impossible for them to lie'. 15
- 8. Ibn al-Subki (d. 771/1369) defined the mutawātir report saying: 'mutawātir, in terms of meaning or utterance (ma'nan aw lafzan), is a report of a group that it is impossible for them to lie about a sensory thing'.<sup>16</sup>
- 9. Al-Şuyūţi (d. 911/1505) defined it as: 'a report of a group of people whose number makes their agreement on a lie impossible on a sensory matter, even in terms of meaning'.<sup>17</sup>
- Ibn al-Najjar (d. 972/1564) in Sharḥ al-Kawkab al-Munīr, defined the term as: 'a group's report whose large number precludes that they could lie about a sensory thing'. 18

<sup>&</sup>lt;sup>12</sup> Abū Bakr Muḥammad b. Aḥmad Al-Sarakhsi, Uṣūl al-Sarakhsi, ed. Abū al-Wafā al-Afghāni, Dār Qahramān, Istanbul, n.d., vol. 1, p. 282.

<sup>13</sup> Al-Razi, al-Mahsul, vol. 4, p. 227

<sup>14</sup> Al-Amidi, al-Ihkam, vol. 1, p.25.

Muḥammad b. al-Hasan al-Badakhshi, Manāhij al-'Uqūl Sharḥ Minhāj al-Wuṣūl, Dar al-Kutub al-'Ilmiyyah, Beirut, 1984, vol. 2, p. 290

Badr al-Din Muhammad Ibn. Bahādir al-Zarkashī, Tashnīf al-Masāmi' Bijam' al-Jawāmi', ed. Abū 'Amr al-Husaynī Bi 'Umar, Dār al-Kutub al-'Ilimiyyah, Beirut, 2000, vol. 1, pp. 474.

<sup>&</sup>lt;sup>17</sup> Al-Suyūti, Jalal al-Dīn 'abd al-Raḥman, al-Kawkab al-Sāṭi' Nazm Jam' al-Jawāmi', Maktabat Ibn Taymiyyah, Cairo, 1998, pp. 267.

<sup>18</sup> Ibn al-Najjar, Sharh al-Kawkab al-Munir, vol. 2, pp. 324.