

What is truly sad to observe is that some people always shamelessly accuse The Mujlisul Ulama of South Africa of “forcing their opinions down others’ throats”. However, we see many others also doing precisely what they are accusing the Mujlisul Ulama of.

When there is dalaail from the Fuqaha on a certain mas’alah which has two different views, then one may understand that it is undoubtedly mukhtalaf feeh (i.e. an issue of valid difference of opinion). In addition, this is obviously when no Mufta Biha qawl has been specified. Otherwise, we have to take the Mufta Biha qawl, as we are Muqallideen – not Mujtahids. On the issue of Zaahirur Riwaayat, we find that there are several views about how many kitaabs do Zaahirur Riwaayat comprise of.

What may be said, is that on the issue of Zaahirur Riwaayat, there is no consensus that Zaahirur Riwaayat consist of six kitaabs. This much may be said. But to say that the opinion of Zaahirur Riwaayat being six is not correct because on the basis of the shallow research of a novice is undoubtedly ludicrous.

Many of these novice researchers do not comprehensively present the views of The Fuqaha in their researches, as they seem to have some weird phobia for narrating what The Fuqaha say on an issue. And this is not a mystery to solve. The reason is obvious. Since the views of the Fuqaha are in negation of what the researcher avers, he finds it appropriate and convenient to ignore it.

We shall begin with what the writer of the article states: “*However, al-Siyar al-Saghīr, a book originally considered a separate book to the five[10], is in fact a chapter from al-Asl. We can better understand this by keeping in mind that al-‘Asl is actually a collection of books written by Imām Muhammad on various topics of fiqh, [11] and al-Siyar al-Saghīr is one such book discussing the topic of Siyar [campaigns].*”

He says that As-Siyarus Sagheer is a chapter from Al-Asl. Then he says that Al-Asl is actually a collection of

books

. And then he again says that al-Siyar al-Saghīr is one such book

discussing the topic of Siyar. The writer may beguile those with little understanding, but not all will be able to dupe. If Al-Asl is a collection of books and As-Siyarus Sagheer is one of those books, then the fact is that it is a book even though some may regard it as being part of Al-Asl. Moreover, Many Fuqaha do regard as-Siyarur Sagheer as a separate book. Since, according to the writer, Al-Asl is a 'collection of books', these books may be separated into different volumes. Then it could be justifiably claimed that Zaahirur Riwaayat consists of perhaps 20 or 30 or 40 books depending on the number of books which has been consolidated into *Al-Asl*.

The writer then states:

“This conclusion is based on two premises.[12] Firstly, in his commentary on Mukhtasar al-Karkhī, Imām al-Qudūrī [d. 428 AH] quotes from al-Siyar al-Saghīr, and by cross-referencing these quotes with the chapter of al-Siyar al-Saghīr in al-‘Asl, we find that the two are absolutely identical. Thus, this is a clear indication that al-Siyar al-Saghīr is in fact a chapter of al-‘Asl. The term, al-Saghīr, was added to distinguish it from his other work, al-Siyar al-Kabīr. ”

1. Despite being identical, Imaam Quduri quotes from As-Siyarus Sagheer. He does not quote from Al-Asl. Why does Imaam Quduri quote from As-Siyarus Sagheer? And not Al-Asl? The answer is obvious.

1. Why does Imaam Quduri quote from As-Siyarus Sagheer? Is he quoting from the kitaab Al-Asl? Or is he quoting from a kitaab in his hands, which is called As-Siyarus Sagheer?

Furthermore, the writer states: *“Secondly, in his abridgement of al-‘Asl[13] called al-Kāfī, al-Hākīm al-Shahīd [d. 344 AH] has titled the chapter on Siyar [campaigns] as “The Book of al-Siyar al-Saghīr.” If al-Kāfī is an abridgement of al-‘Asl, it follows that al-Siyar al-Saghīr found in al-Kāfī is actually an abridgement of a chapter in al-‘Asl titled al-Siyar al-Saghīr*

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1. This argument is extremely weak. Haakim Shaheed is simply making sharah (i.e. presenting an explanation) of what he has found in Al-Asl. Even if he is making sharah of what is in Al-Asl, what is wrong if the Fuqaha separated As-Siyarus Sagheer from Al-Asl? Haakim Shaheed rendering an abridgement of a chapter in Al-Asl titled, As-Siyarus Sagheer does not negate As-Siyarus Sagheer being a separate kitaab.

1. The writer should instead try to find the reason for The Fuqaha having separated As-Siyarus Sagheer from Al-Asl if it is conclusively proven that As-Siyarus Sagheer is in fact part of Al-Asl.

1. We do not have a copy of Nazurah Al-haq. What is the basis for saying that Al-Kaafi is only a Sharah of Al-Asl?

Continuing, he states: “*The following statements also substantiate this research. The author of Kashf al- \square un \square n quotes from al-Manth \square rah, “The books of \square \square ahir al-Riw \square ya are five: al-J \square mi’ al-Sagh \square r, al-Mabs \square t [al-‘Asl], al-J \square mi’ al-Kab \square r, al-Ziy \square d \square t and al-Siyar al-Sagh \square r” without mention of al-Siyar al-Sagh \square r. Furthermore, when enumerating the books of \square ahir al-Riw \square yah, \square ash Kup \square r \square Z \square dah [d. 968 AH] did not include al-Siyar al-Sagh \square r. In addition, Burh \square n al-D \square n al-Bukh \square r \square [d. 616 AH], author of al-Muh \square t al-Burh \square n \square , while discussing the methodology of his book, writes, “I gathered the issues of al-Mabs \square t [al-Asl], both of the J \square mi’s [i.e. al-J \square mi’ al-Kab \square r, al-J \square mi’ al-Sagh \square r], al-Siyar [al-Kab \square r] and al-Ziy \square d \square t; I also added the issues of al-Naw \square dir.” He did not make mention of al-Siyar al-Sagh \square r as an independent work.*”

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ZAAHIRUR RIWAAYAT – SIX OR FIVE?

Written by Administrator

Wednesday, 30 April 2014 11:40 - Last Updated Wednesday, 30 April 2014 11:44

1. That is the opinion of Al-Manthura which is not binding on us. Quote the page numbers of the kitaabs please in compliance with what Sheikh Awwamah says. Why are there no page references for all the kitaabs quoted above?

2. Where is this statement of the honourable author of Muheetul Burhaani?

3. Does Burhanuddeen Bukhari himself write the word Kabir?

The sababe taaleef (the reason for writing) of Siyarul Kabeer shows that Siyarul Sagheer is a separate kitaab. Check Rasmul Mufti. Furthermore, this is a very brief response. But, we will suffice with this much. At the end of the Day, those who wish to regard it as five may do so. We are not forcing our opinion down anyone's throat. But to aver that six is wrong, is utterly baseless. There is simply no basis for this claim. Both premises are flawed. Hence, the conclusion of Zaahirur Riwaayat being five based on what has been written in the article of the novice is likewise flawed.

We wish to warn the writer that he should not perpetrate tricks of plagiarism. Copying and translating from Arabic websites serves no purpose. The author of the Arabic article, likewise did not have any references for all the quotes mentioned in Manthura. The same applies to the one who wrote this article. Copying, cutting, translating and pasting from the internet serves no purpose.

Nevertheless, he may come up with more quotes. We have already studied the balance of the quotes. We re-iterate that we do not say that the view of five is incorrect as a minority of Fuqaha did have this view. But, the view of six is also correct. Imaam Quduri's citation from As-Siyarus Sagheer and not from Al-Asl is simply one daleel which indicates that Zaahirur Riwaayat consist of six kitaabs. At the end of the day, whether five or six, the content matter is the same. What is there to crow about Zaahirur Riwaayat being five kitaabs like a chicken which has just laid an egg??? Even if these kutub are divided into 20 different books or collected into one or two volumes, and it be said that Zaahirru Riwaayat consist of 20 books or 2 books respectively, then too, it will be correct as long as the books contain all the content matter of the SIX kutub.

Our advice for the novice 'researcher' is to utilize his time constructively, and not to squander it in futile pursuits. *(End of the Student's article)*

OUR COMMENT

ZAAHIRUR RIWAAYAT – SIX OR FIVE?

Written by Administrator

Wednesday, 30 April 2014 11:40 - Last Updated Wednesday, 30 April 2014 11:44

The above article was prepared by a Student Mufti in refutation of the defective research of another Student Mufti who deemed it appropriate to waste valuable time refuting what he imagined to be an error of the vast majority of illustrious Fuqaha who said that *Zaahirur Riwaayat* of the hanafi Math-hab consist of SIX kutub. It is contended by the student that some Fuqaha say that the number of books are five, not SIX. Thus, he set himself the task to make a 'research' of this drivel. The conclusion of his 'research' conveys the notion that the vast majority of Fuqaha who claimed SIX, have been dwelling in deception.

The student has abortively tried to make a mountain of an anthill, but has miserably failed. His research only exhibits the superficiality of his intelligence and the fact that his brains lack the ability of seeing beyond the mere texts of books or beyond his nose.

His 'research' is full of sound and fury signifying nothing. His silly 'research' will dupe other shallow-minded students like himself. These creeps want to set themselves up as mujtahids, but are unable to make the grade of even cardboard 'mujtahids'.

Whether Siyarus Sagheer is a chapter of Mabsoot or a separate book, makes no difference. If it originally was a chapter of Mabsoot, then according to those Fuqaha who had excised it from Al-Asl, there are six kutub constituting Zaahirur Riwaayat. According to those who regarded it as a chapter, Zaahirur Riwaayat consists of five kitaabs. Now what is the big issue to crow or cackle about like a hen who has just laid an egg.

If today we publish Mabsoot in ten or twenty books in terms of chapters and give each one a different name, then it will be correct to say that Zaahiru Riwaayat consists of 14 books, namely, the 10 (into which we have divided Mabsoot), plus the other four.

It is necessary to brand these students morons because they have got too big for their boots. They are stupid yet they advertise themselves as mujtahids with their shallow and defective 'researches'. This moron has simply messed up several pages writing crass drivel – a lot of hot hair devoid of substance.

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He has no constructive work to do. A person who is ghaafil of his Maut and the Aakhirah, squanders time in nonsensical 'research' which he uses for expressing his ujub. What has he achieved by crowing from the roof that according to certain Ulama Zaahirur Riwaayat consists of five, not six books? The moron would have had a point, if Siyarus Sagheer did not constitute a chapter of Mabsoot, and if the early Fuqaha had rejected its status. When it is enumerated as a separate book, there are then six. If regarded as a chapter of Mabsoot, then there are five. But the fact remains the content matter of the Zaahir Rowaayat remains exactly the same, whether we say five or six.

The stupid 'researches' of these liberal, modernist morons are just a waste of time.

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