Al-Imām al-Shāfiʿī's methodology in dealing with the contradictory *Hadiths*

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Abstract: The contradictions between two words or between a word and an action of a person signify his inconsistency and untrustworthiness. If this occurs in a source that is counted among the foundations of a religion, it will be supportive to consider that religion untrue. *Hadith*, which is defined as the words, actions and agreements of the Prophet (PBUH), is the second foundation source of Islam; being the Noble *Qur'an* the first. It has been argued from the early centuries of Islam that there are many *Hadiths* which contradict either with other *Hadiths*, or the Noble *Qur'an*, or the consensus of the Muslim community (*ijmāʿ*). This argument has acted as a means to reject many *Hadiths*. Accordingly, the counter arguments also started, i.e., to rebut the allegation of contradiction and to affirm that there was no such contradictions between them. This paper attempts to make an analysis on the methodology of al-Shāfiʿī in dealing with the allegedly *Contradictory Hadiths* based on his *Ikhtilāf al- Ḥadīth*, a pioneer work in the field. Throughout *Ikhtilāf al- Ḥadīth*, al-Shāfiʿī employs three major methods to solve the apparent contradiction between those *Hadiths*, namely, Method of Reconciliation, Method of Abrogation and Method of giving Preponderance which are followed by minor methods coming under the three. The book mainly focuses on Jurisprudential issues and, thus, can be considered an important text in the Shāfiʿite Jurisprudence as well.

Keywords: *al-Imām al- al-Shāfiʿī, contradictory Hadith, hermeneutics, fusion of text-author-reader*

Explanation of the term

'Contradictory *Hadith*' is the English rendering the Arabic term *Mukhtalif al-Hadith*. *Hadith* scholars define it as follows:

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According to al-Nawawī: "They are those two *Hadiths* which conflict each other apparently, then reconciliation (*jam*ʿ) will be made between them or either of them will be given preponderance (*tarjīḥ*)" (1985, p. 90). According to him, only those scholars who have collective knowledge in *Hadith*, *Fiqh*, *Uṣūl al-Fiqh* and deep understanding of the minute imports of the words (Arabic language) are able to do it (1985, p. 90).

Ibn Ḥajar al-ʿAsqalānī says:

> if an acceptable *Hadith* (*maqbūl Hadith*) is free from contradiction, it is called *muḥkam*; If it contradicts with another, we will look whether any reconciliation between them is possible or not; If the reconciliation is possible, then it is *Mukhtalif al-Hadith*; If the reconciliation is not possible, but the chronology [of both] is known then the latter is *nāsikh* (abrogating) and the former is *mansūkh* (abrogated); If the chronology is unknown, then we will give preference (*tarjīḥ*) to any of them, [and if preference also is not possible] then *tawaqquf* (suspending the view) [is opted] (2001, pp. 91-97).

He further elaborates the *tawaqquf*: suspending the action is better than rejecting any of them, because the inability to give preponderance to any of them may be only to that person and others may be able to do it (2001, p. 97).

The above definitions point that Contradictory *Hadiths* are those *Hadiths* which apparently contradict with any Quraʾnic verse, another *Hadith*, or the consensus of the *Ummah*; The conflict is not in reality; The apparent conflict can be lifted by making reconciliation between them or by giving preponderance to either of them; and the conflict may be due to the abrogation happened to either of them.

Views of the scholars on *Mukhtalif al- Hadith*

Hadith is the practical explanation of the Noble *Qurʾan* wherein Allah says (which means): "We have sent down to you the remembrance (*al-dhikr*) so that you make clear to humankind what has been sent down for them" (*Al-Qurʾan*, 16: 44). This verse is justified by the fact that there are many such instances in the *Qurʾan*

in which it is difficult to understand the Noble *Qur'an* without the aid of the *Hadith*; in some places the Noble *Qur'an* has given only a general description and *Hadith* specified it, and in some other places the Noble *Qur'an* has described in a concise manner and the *Hadith* explained it.

For instance, Imām al-Shāfiʿī says: Allah says, (which means): "When you intent to offer the prayer wash your faces and hands" (*Al-Qur'an*, 5: 6). The apparent meaning of the verse is that whenever we want to offer prayer we have to make ablution and we cannot offer two prayers with one ablution (*wuḍūʾ*). Then the Prophet (PBUH) instructed that ablution is obligatory in particular times because he offered more than one prayer with one ablution and explained when ablution becomes obligatory (1985, introduction).

Another instance is the verse wherein Allah says, (which means): "Take *ṣadaqah* (obligatory alms) out of their wealth through which you may cleanse and purify them, and pray for them" (*Al-Qur'an*, 9: 103) and the verse: "You establish prayers and give *zakāt*" (*Al-Qur'ān*, 2: 43). These verses are limited to a general description of the obligatory alms. Here, the Prophetic *Hadith* is depended for explanation which expounds the time of obligation and quantity and quality of the wealth (Al-Shāfiʿī, *Ikhtilāf al- Ḥadīth*, Introduction).

So the *Hadith* is inevitable to understand and practice the Noble *Qur'an* in its proper way. As Allah has taken the responsibility to preserve the Noble *Qur'an* (see: *Al-Qur'an*, 15: 9) and *Hadith* is necessary to understand the Noble *Qur'an*, it signify that the verse also has taken the responsibility of the preservation of the *Hadiths*. Moreover, the *Hadiths* are coming from the Prophet (PBUH) who will not speak without the order of Allah (see: *Al-Qur'an*, 53: 3, 4). So, once a *Hadith* is authenticated as the word of the Prophet (PBUH), then there is no option but to accept it. This is the rationale for the scholars including al-Shāfiʿī to say that once a narration is affirmed to be coming from the Prophet (PBU) it will not carry any mistake be it contradiction or other. This stand is reflected in Abū Bakr ibn Khuzaimah while saying "there is no contradictory *Hadith*.

Should anyone find out any such instance, come to me. I will combine between them" (Hāshim, 1997, p. 203).

Having established the necessity of *Hadith*, scholars turn to stress its infallibility and non-susceptibility to contradiction. They say, *Hadith*, which is either a revelation from Allah to the Prophet (PBUH) or reasoning (*ijtihād*) from the Prophet (PBUH) with approval from Allah, in reality is free from any contradiction because it is impossible for them to conflict with the other, for it will necessitate the weakness and ignorance on the part of Allah. In the same manner, Allah will not agree with the Prophet (PBUH) on a wrong or a contradictory reasoning, since Allah has made him model for us (see: 33: 21) (Ḥammād, 1993, p. 25, 26). Here, the platform of discussion is the unmediated connection of the infallible prophet (PBUH) to Allah. This is the context where al-Shāfiʿī says: "it is binding upon a scholar to know that the rules of Allah and the rules of the Prophet (PBUH) will not contradict the other; rather, they will go on same pattern (al-Shāfiʿī, 2005, p. 173). In the same vein, Ḥāfiẓ al-Dīn al-Nasafī says: "You know that no contradiction or conflict will happen between the proofs of the Noble *Qur'an* and the Sunnah, because it is a sign of weakness (of Allah), and Allah is above being attributed with weakness. Rather, the contradiction is due to our ignorance concerning the abrogation, and the chronology [of the *Hadiths*]. If the chronology is known, no contradiction will remain and the former will be abrogated by the latter" (Ḥammād, 1993, p. 28).

Scholars say that apparent contradiction may be due to the lack of understanding on the part of the reader. The proper understanding of the *Hadith* requires profound erudition on a multitude of disciplines. Describing the necessary qualities of a scholar to deal with the *Hadiths*, al-Qarḍāwī says:

> He should be proficient in understanding the Prophetic text according to the meanings indicated by the language [Arabic]; in the light of the circumstance and cause of the *Hadith*; in the shade of the *Qur'anic* and other Prophetic texts; in the framework of the general principles and

totality of the purpose of Islam. All that, together with the necessity of distinguishing what has come by way of the preaching of the [Prophetic] message, and what has not come in that way. In other words: to know what was part of the legislative *Sunnah* and what was not legislative; then, within legislative *Sunnah*, what has the attributes of general and permanent import, and what has the attributes of general and time-bound import.

He also should assure that the text is safe from contradiction by what is stronger than it, such as the Noble *Qur'an* and other *Hadiths* more abundant in number of sources, or sounder in proof of their authenticity, or more consonant with original principles, or more fitted to the purpose of the legislative measures. Or it may be the general purposes of the law, which have acquired definitiveness because they are derived from one or two texts, but from an assemblage of them, giving the advantage- through conjoining some with others, together with the authenticity of their proofs- of certainty and definitiveness (2006, pp. 19, 20).

So, the *Hadith* scholars insist that the same must be approached after having a deep understanding of the discipline. Only a person having such knowledge is eligible to comment on it. Such a lack of knowledge is repeatedly pointed by al-Shāfi'ī in *Ikhtilāf al-Hadīth* and Ibn Qutaibah in *Ta'wīl Mukhtalif al-Ḥadīth*. They explain in both books many instances where various persons misunderstood *Hadith* and reached wrong conclusion. The following is a brief description of how al-Imām al-Shāfi'ī dealt with the so-called 'contradictory *Hadith*'. Here I will just describe what al-Shāfi'ī said and no analysis will be made with them. It is to bring into light how he approached such traditions. It may help readers understand the methods used by al-Shāfi'ī and apply them into similar instances he come across. After this description, I will try in the conclusion to highlight the contemporary relevance of that approach. No doubt, being pioneer in this field, and one of the most distinguished scholars the Muslim Community ever witnessed, revisiting his methodology deserves greater significance.

Al-Imām al-Shāfi'ī and *Ikhtilāf al- Ḥadīth*

Al-Imām al-Shāfiʿī was the first scholar to write a book on the contradictory *Hadiths*. His *Ikhtilāf al-Hadīth* is the pioneer work in this field. However, scholars are in row as to whether it is a special book or part of his voluminous work *al-Umm*. Whereas al-Ḥāfiẓ ibn Kathīr, al-Sakhāwī, and al-Suyūṭī favour the latter and consider it as part of *al-Umm*, other scholars regard it as a special book, which is the preponderant view. The proof for the holders of the latter view is that some issues discussed in *Ikhtilāf al-Ḥadīth* are discussed in *al-Umm* also. They argue that if *Ikhtilāf al-Ḥadīth* was part of *al-Umm* those issues would not have been discussed in it elsewhere (Ṣidqī, 2001, p. 70)

Al-Shāfiʿī's methods in dealing with *Contradictory Hadiths*

While reading *Ikhtilāf al- Ḥadīth*, it will be clear that throughout this work al-Shāfiʿī uses three methods to deal with the contradictory *Hadiths*. They are as follow: Method of reconciliation, Method of abrogation and Method of preponderance. The following is an analysis of these three methods along with the sub divisions coming under them.

1- The method of reconciliation

Method of Reconciliation is first of the major three methods employed by al-Shāfiʿī in *al-Ikhtilāf*. Before submitting his view on the method of Reconciliation, al-Shāfiʿī explains the general criteria to accept a *Hadith*. According to him, only those *Hadiths* reported from reliable scholars are acceptable. Elaborating this criterion further, he says: "as witness is acceptable only from a person known with honesty, only the affirmed *Hadith* is acceptable. If the *Hadith* is unknown [of the source], or is from an undesirable, it is equal to non-existence, for it is not affirmed [through the proper way]" (Al-Shāfiʿī, *Ikhtilāf al- Ḥadīth*, Introduction, 65).

If two *Hadiths*, alleged to be contradictory, are affirmed through such reliable sources, both of them should be taken into consideration as far as possible, except if one of them is abrogating *Hadith* (*nāsikh*) and the other abrogated (*mansūkh*). Al-Shāfiʿī says:

"whenever two *Hadiths* have the possibility of being considered together, both of them should be taken into action and none of them would invalidate the other" (Al-Shāfiʿī, *Ikhtilāf al- Ḥadīth*, Introduction, 64). He further says: "if they have no possibility other than contradiction, then one of them will be abrogating; the other being abrogated" (Al-Shāfiʿī, *Ikhtilāf al- Ḥadīth*, Introduction, 64).

The apparent contradiction is not a contradiction; rather, as has been discussed above, is result of the lack of understanding and can be solved by a knowledgeable person. In *Ikhtilāf al- Ḥadīth*, al-Shāfiʿī applies the method of Reconciliation for the following instances: [a] Difference of the permissibility, [b] Difference of the general and specific; [c] Difference of the context [d] Difference in the transmission of the narrators, and [e] Difference of the command and prohibition. All these five instances are explained below with few examples (Ṣidqī, 2001, pp. 100-102).

a) Difference of permissibility: One *Hadith* may come with a rule and another *Hadith* on the same issue may give a different rule. In such cases, both *Hadiths* may seem to be contradictory. Al-Shāfiʿī rejects such a doubt by clarifying them as two permissible actions on the same issue.

For example: Ibn ʿAbbās says: the Prophet (PBUH) performed ablution by washing his face and hands and rubbing his head twice.

In another report from Ḥumrān, the slave of ʿUthmān ibn ʿAffān: the Prophet (PBUH) made ablution by washing thrice.

ʿAmr ibn Yaḥyā reports from his father: he heard a person asking ʿAbd Allāh ibn Zaid: can you show me how the Prophet (PBUH) was making ablution? Then ʿAbd Allāh ordered to bring water and he washed his face thrice, hands twice, and rubbed his face and washed his feet.

Solving the apparent contradiction between these three reports, al-Shāfiʿī says: none of those *Hadiths* are contradictory. Here the actions are differed in terms of permissibility, and one can say that

washing once is the least acceptable form in ablution and thrice is the complete form (Al-Shāfiʿī, *Ikhtilāf al- Ḥadīth, Bāb al-Ikhtilāf min Jihat al-Mubāḥ*).

b) Difference of general and specific: Some *Hadith* may mention an issue in general and other *Hadith* will specify it. Those who are not familiar with them may consider them as contradictory *Hadiths*. The generality and specification occurs in the *Hadiths* because the Prophet (PBUH) may be giving answers to specific questions. When somebody raises a question on a particular issue, the Prophet (PBUH) will answer to that specific question and may not enter to other parts of the issue. When somebody asks other parts of that issue, he will answer to that part. The narrators will hear either of them and will report it. When these different *Hadiths* are presented to the people they may feel contradiction in them.

For example Abū Saʿīd al-Khudhrī narrates: One person asked the Messenger of Allah (PBUH): dogs and [wastes of] menstruation is put in the well of Buḍāʿah [do these actions impure it?]. The Prophet (PBUH) replied: nothing will unclean that water.

ʿAbd Allāh ibn ʿAbd Allāh ibn ʿUmar narrates from his father: The Messenger of Allah (PBUH) said: if the water reached two *qullat*,[1] it will not carry any impurity.

Abū Hurairah narrates: Messenger of Allah (PBUH) said: None of you should urinate in the stagnant water and then take bath from it.

Abū Hurairah narrates: Messenger of Allah (PBUH) said: if the dog licks in your container, you should wash it seven times.

Whereas the first two *Hadiths* reject the uncleanness, the latter two *Hadiths* affirm it. Al-Shāfiʿī rejects this contradiction by putting them in their proper places (Al-Shāfiʿī, *Ikhtilāf al- Ḥadīth, bāb al-*

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[1]*Qullat* is a measurement. The schools of jurisprudence have different opinions as to what is the quantity of two *qullat*. According to Shāfiʿī's School of Jurisprudence, it is about 500 litre of water in the measurement of Baghdad (al-Makhdūm, 2004, p. 43).

Ṭahārat bi al-mā). For instance, he says, the well of Buḍā'ah is too big and vast and the amount of waste mentioned in the report will not unclean it (Al-Shāfi'ī, *Ikhtilāf al- Ḥadīth, bāb al-Ṭahārat bi al-mā*).

c) Difference of the context: The rule of an issue may change according to the variation of the contexts; some *Hadiths* may describe these different rules without explaining the context and the people who see them separately may judge them as contradictory *Hadiths*.

For example: Abū Ayyūb al-Anṣārī says: The Prophet (PBUH) prohibited from defecating facing the *Qiblah* and told to do it by facing east or west. Abū Ayyūb says: when we arrived at Sham we came across some lavatories facing the *Qiblah*; therefore we turned ourselves while using them and asked for Allah's forgiveness.

Ibn 'Umar says: Some people say: When you sit for your needs do not face the *Qiblah* or *Bait al-Maqdis*. Ibn 'Umar says: When I climbed the top of our house I saw the Prophet (PBUH) sitting for his needs on two bricks facing the *Bait al-Maqdis*.

Al-Shāfi'ī rejects the contradiction by elaborating that the Arabs were going to the desert to fulfil their needs, and in most cases they may not get a grass to hide them, so if a person sit for his needs facing the *Qiblah*, he may be faced by a prayer. Hence, he prohibited from defecating facing the *Qiblah*, but the situation is different in homes. One can defecate in home, and nobody will see him until he enter that place or peep into it. The *Hadith* of Ibn'Umar demonstrates that prohibition of the Prophet (PBUH) is for the desert, not for the home. Abū Ayyūb feared facing *Qiblah* because he did not hear the experience of Ibn 'Umar (Al-Shāfi'ī, *Ikhtilāf al- Ḥadīth, bāb Istiqbāl al-qiblah li al-ghā'iṭ aw al-bawl*).

d) Difference of the transmission of the narrators: Some apparent contradictions may be due to the difference of the words in the different narrations. While some *Hadiths* narrate completely some other narrations may be incomplete.

For example: different *Hadiths* describe different words for *tashahhud* (sitting of the prayer). Ibn 'Abbās reports: the Prophet

(PBUH) used to teach *tashahhud* as he teaches the chapter of the Noble *Qur'an*. He was saying: *"al-taḥiyyāt al-mubarākāt al-ṣalawāt al-ṭayyibāt lillāh, salāmun alayka ayyuha al-nabiyyu wa raḥmatullāh wa barakātuhu, salāmun ʿalaynā wa ʿalā ʿibādillāh al-ṣāliḥīn, ashhadu an lā ʾilāha illallāhu, wa anna Muḥammadan Rasūlullāh."*

Some other reports exclude some of the words mentioned in this report. Al-Shāfiʿī says there is no contradiction here. The Prophet (PBUH) taught *tashahhud* to them in a group and in person; somebody memorize it in a word different to others, without making fault in the meaning of *tashahhud*, which is to remember Allah and show respect to Him and seek bounty for his Prophet (PBUH). As far as this meaning is present, the Prophet (PBU) agreed their words and did not see problem in the variation of the words. Al-Shāfiʿī adds: We selected the report of Ibn ʿAbbās because it is complete and consisting more words (Al-Shāfiʿī, *Ikhtilāf al- Ḥadīth, Bābun fī al-tashahhud*).

e) Difference of the command and prohibition: Sometimes a *Hadith* will make some actions binding and another *Hadith* will imply that it is not obligatory or a *Hadith* will prohibit something and another *Hadith* will imply that it is not prohibited.

For example: Sālim narrates from his father: The Prophet (PBUH) said: whoever comes for Friday prayer, he should take bath.

Sālim ibn ʿAbd Allāh reports: One of the companions of the Prophet (PBUH), ʿUthmān ibn ʿAffān, entered the mosque when ʿUmar was giving the Friday sermon. ʿUmar asked: what is the time now? He said: O leader of the believers, I was in market while the call for the prayer was given, so I could not make other than ablution. ʿUmar asked: why you did not take bath whereas you knew that the Prophet (PBUH) commanded it? Al-Shāfiʿī says: ʿUthmʿān neither go out to take bath nor ʿUmar ordered him to do it or any of the Companions of the Prophet who were present there did not mention to ʿUmar that the bath on the Friday is obligatory.

Al-Shāfiʿī rejects the contradiction between these *Hadiths* by saying that: the command from the Prophet (PBUH) to take bath is not for obligation, but it means that the bathing is better and is helpful for good smell while people gather for the Friday prayer and, hence, it is recommended (Al-Shāfiʿī, *Ikhtilāf al- Ḥadīth, bāb ghasl al-jumuʿah*).

2- The method of abrogation

He says: if they have no any possibility other than contradiction, then one of them will be abrogating, while the other being abrogated (Al-Shāfiʿī, *Ikhtilāf al- Ḥadīth*, introduction). Abrogation means: removal of one *sharīʿah* ruling by another ruling which comes later than it, provided that it comes from the legislator (Allah or the Prophet) (Al-Nawawī, 1985, p. 88).

How an abrogation is recognized and accepted? Al- Shāfiʿī explains his method to accept it saying: abrogation cannot be taken as a proof without a narration from the Prophet (PBUH), or a statement or chronology which signify that one of them is after the other; or by a statement from those who heard the *Hadith* or by the common, or by a method which explain the abrogating and the abrogated (Al-Shāfiʿī, *Ikhtilāf al- Ḥadīth*, introduction).

The above statement restricts the ways of abrogation into three:

a) Affirmation of a *Hadith* from the Prophet (PBUH) or from his companions or from those who heard them, which say that such and such *Hadith* is abrogated by such and such *Hadith*.

b) To get the consensus of the *ummah* that one of them is abrogated by the other.

c) To know the chronological order of the *Hadiths* which says that such and such *Hadith* is later than the other.

Al-Shāfiʿī gives a multitude of examples for abrogation. One of them is given below:

Anas ibn Mālik narrates: once the Prophet (PBUH) rode a horse and fell down, and the right side (of his body) was injured. He offered one of the prayers while sitting and we also prayed behind him sitting. When he completed the prayer, he said: the *imām* is to be followed. Pray standing if he prays standing, and pray sitting if he prays sitting.

ʿĀʾishah narrates: the Prophet (PBUH) ordered Abū Bakr to lead the prayer during his illness. Then he felt a bit relieved and came out and sat nearby Abū Bakr. The Prophet (PBUH) led Abū Bakr sitting and Abū Bakr led the people standing (Al-Shāfiʿī, *Ikhtilāf al-Ḥadīth, Bāb ṣalāt al-imām jālisan wa man khalfahu qiyāman*).

Al-Shāfiʿī says: the former *Hadith* is abrogated by the latter, because the latter *Hadith* is the narration of the last prayer led by the Prophet (PBUH) (Al-Shāfiʿī, *Ikhtilāf al- Ḥadīth, Bāb ṣalāt al-imām jālisan wa man khalfahu qiyāman*). Here the abrogation is determined by checking the chronological order of the two reports.

3-   The method of preponderance

The method of preponderance is the third way applied by al-Shāfiʿī to reconcile between the contradictory *Hadiths*. If there is no possibility to reconcile between two *Hadiths* and none of them abrogates the other, then he will give preponderance to either of them with certain criteria. His criterion to give preponderance is based on the following: one of them has more similarity with the Noble *Qur'an*, or with other traditions of the Prophet (PBUH), or with the analogy. In such cases, we will accept the *Hadith* which matches any of them (Al-Shāfiʿī, *Ikhtilāf al- Ḥadīth*, introduction).

For example: it is reported from ʿAmrah: ʿĀʾishah was told about ʿAbd Allāh ibn ʿUmar that he says: the dead will be punished in the grave due to the crying of the alive. Then ʿĀʾishah said: he did not tell lie, but he has mistaken or forgotten. (But the reality is that) the Prophet (PBUH) passed by a Jewish family while they were crying for a dead woman. Then he said: they are crying for her and she is being punished in her grave.

In another narration: When ʿUmar was attacked, Ṣuhaib began to cry: O my dear friend, O my brother! Then ʿUmar said: O Ṣuhaib, are you crying for me? The Prophet (PBUH) has said: the dead will be punished due to the crying of his family for him. When this was mentioned to ʿĀʾishah after the death of ʿUmar, she said: may Allah forgive ʿUmar. By Allah, the Prophet (PBUH) did not say that the dead will be punished due to the crying of his family, rather he said: Allah will increase the punishment of the disbeliever due to the crying of his family. ʿĀʾishah added: The Noble Qur'an is enough for you, which says: "No bearer of burdens bears the burden of another" (Al-Qur'an, 6: 164).

Al-Shāfiʿī accepted the opinion of ʿĀʾishah saying that it is closer to the Noble Qur'an and the Sunnah and cited the verses of al-Anʿām: 164, al-Najm: 39, al-Zalzalah: 7, 8 and Ṭāha: 15 (Al-Shāfiʿī, Ikhtilāf al- Ḥadīth, Bāb fī bukāʾ al-ḥayy ʿalā al-mayyit).

Maḥmūd Ṣidqī divides al-Shafi's method of preponderance into three and then sub categorized them as follow (Maḥmūd Ṣidqī, 2001, pp. 103-107):

a) *Giving Preponderance regarding the chain of Hadith:* selecting one chain of narrators over the other may be due to many factors such as the number of the narrators,[1] narrators' knowledge and power to memorize,[2] the narration of the elder companions,[3] the narration of

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[1] For example, al-Shāfiʿī accepted the *Hadith* which says that Prophet raised his hands up to shoulders while opening the prayer, because number of the reporters who narrated it are more (Al-Shāfiʿī, *Ikhtilāf al- Ḥadīth, Bāb rafʿ al-aidī fī al-ṣalāh*).

[2] for example he accepted the reports of ʿĀʾishah and Umm Salamah that a man with major impurity can take fast, against the report of Abū Hurairah that he cannot, saying that former two are more knowledgeable than Abū Hurairah (Al-Shāfiʿī, *Ikhtilāf al- Ḥadīth, Bāb man aṣbaḥa junuban fī shahri ramaḍān*); Likewise he accepted the reports of Abū Hurairah and Abū Saʿīd al-Khudhrī against the report of Usāmah ibn Zaid on interest (*ribā*), saying that former two are more knowledgeable than the latter (Al-Shāfiʿī, *Ikhtilāf al- Ḥadīth, (Bāb mā yukrahu fī al-ribā min al-ziyādat fī al-buyūʿ*).

[3] For example, he accepted the report of ʿUthmān ibn ʿAffān that the Prophet (PBUT) had prohibited the performer of Ḥajj from engaging in marriage

the man of the story,[1]and giving Preponderance to the authentic narration on others.[2]

b) *Giving Preponderance according to the text of the Hadith*: This is the second method of giving preponderance. It may be by looking to the narration with more complete words,[3]the narration with clearer words,[4]the narration which affirms over the narration which denies it[5]and the narration with good context.[6]

c) *Preponderance the Haidth with an exterior factor*: this is the method of al-Shāfiʿī to select one *Hadith* over another. It may be selecting the narration which accords with the *Noble Qur'an*,[7]the

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against the reports of others saying that he is senior to them (Al-Shāfiʿī, *Ikhtilāf al- Ḥadīth, bāb nikāḥ al-muḥrim*).

[1] For example he accepted the aforementioned words of ʿĀʾishah and Ummu Salamah on fasting of the major impure as they experienced it with the Prophet (PBUH) against the word of Abū Hurayrah who can know this issue only after hearing others (Al-Shāfiʿī, *Ikhtilāf al- Ḥadīth, Bāb man aṣbaḥa junuban fī shahri ramaḍān*).

[2] The way he accepted the report that the Prophet (PBUH) raised hands to shoulders during opening of the prayer, is an example to it (Al-Shāfiʿī, *Ikhtilāf al- Ḥadīth, Bāb rafʿ al-aidī fī al-ṣalāh*).

[3] The way he accepted the report of Ibn ʿAbbās on *tashahhud* is an example for it (Al-Shāfiʿī, *Ikhtilāf al- Ḥadīth, Bāb fī al-tashahhud*).

[4] clarity of words was a major reason that encouraged al-Shāfiʿī to select the report of Jābir ibn ʿAbd Allah against the report of Abū Rāfiʿ in pre-emption (*al-Shufʿah*) (Al-Shāfiʿī, *Ikhtilāf al- Ḥadīth, Bāb fī al-Shufʿah*).

[5] The way he accepted the report which affirms rising of hands up to shoulders in the opening of the prayer than which denies it is an example for it (Al-Shāfiʿī, *Ikhtilāf al- Ḥadīth, Bāb rafʿ al-aydī fī al-Ṣalāh*).

[6] Good context is the main reason that encouraged al-Shāfiʿī to select the report of Jābir ibn ʿAbd Allāh on how the Prophet (PBUH) performed Ḥajj (Al-Shāfiʿī, *Ikhtilāf al- Ḥadīth*, (Al-Shāfiʿī, *Ikhtilāf al- Ḥadīth, Bāb al-mukhtalafāt allatī ʿalaihā dalālatu*)).

[7] the reason al-Shāfiʿī said to select the report of Ibn al-Ṣimmah which says that the Prophet (PBUH) made *tayammum* (The activity of making ablution with soil in the absence of water) up to arms than the report of ʿAmmār ibn Yāsir which says that he made *tayammum* up to shoulders, is that the former's report accords with the verse of the Qur'an (al-Māʾidah: 6) (Al-Shāfiʿī, *Ikhtilāf al- Ḥadīth, Bāb al-tayammum*).

narration which accords with another *Hadith*[1] and the narration which accords with the analogical reasoning (*qiyās*).[2]

Conclusion

Detailed description on al-Shāfiʿī's methods to deal with Contradictory *Hadiths* along with examples is given here to show how much diverse are the ways followed by the *Hadith* scholars to remove the so called contradictions. It is clear from the above discussion that al-Shāfiʿī's primary function with contradictory *Hadiths* is to check their authenticity; their coming from the infallible Prophet. Thereafter, he adopted three methods to deal with such *Hadiths*, namely, method of Reconciliation, method of Abrogation and the method of giving Preponderance with their subdivisions.

His main aim was to defend authentic *Hadiths* from the allegation of contradicting each other. Such apparent contradictions have led and still prompt many critics of *Hadith* to reject this source and depend only on the *Qur'an* or to abandon Islamic sources altogether. Al-Shāfiʿī claims that such contradictions are present only in the weak subjective understanding of the reader. His methodology is developed to eradicate this subjective problem. He neither agrees autonomy of the text from the intention of the author as it was later argued by the hermeneutical thinkers like Gadamer (1900-2002) and Ricoeur (1913-2005) nor he is with the postmodern thinkers like

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[1] an example for this can be seen in his selection of the reports of ʿĀʾishah, Zayd ibn Thābit, Anas ibn Mālik and Sahl ibn Saʿd al-Sāʿidī which encourage to offer the Ṣubḥ prayer in the darkness (*taghlīs*) against the *Hadith* solely reported by Rāfiʿ ibn Khadīj which exhorts to offer it in the morning light (*isfār*). The rationale for him to select the former was that it was backed by other reports and the Qur'anic Verse "Be watchful over the prayers and the middle prayer" (*Al-Qur'ān*, 2: 238)[1] for the better care of the prayer is in offering it in its first time (Al-Shāfiʿī, *Ikhtilāf al- Ḥadīth, Bāb al-Isfār wa al-taghlīs bi al-fajr*).

[2] One of the best examples for *qiyās* can be found in the way he rejected the narration said to have been mentioned by the Companion Wābiṣat ibn Maʿbad which nullifies the prayer of a man who offer it by standing alone in a row in the congregational prayer and demands to resume it. He rejected by saying that it does not match with the *qiyās*.

Roland Barthes (1915-1980) who argued that "the author must die so that the reader may live" giving independence to the reader to interpret it. Instead, he believes in the fusion of the text, author and the capacity of the reader. Only the reader equipped with above mentioned requirements is eligible to interpret *Hadith*, provided that he has comprehensive understanding of the similar *Hadiths*, their contexts, narrators, etc. Similar stance can be seen in Ibn Qutaiba's (828-889 C.E) *Ta'wīl Mukhtalif al-Hadith* too. He repudiated the arguments of the critics who put forward many *Hadiths* as contradicting with some other *Hadiths*, the *Qur'anic* verses or *qiyās*. As Jonathan A. C. Brown observed, "a common saying among Muslim scholars thus identifies *Hadith* critics with pharmacists who provide the medicine, and legal scholars with doctors, who know how to use this medicine properly" (2009, p. 160). Being a Jurist and a *Hadith* scholar, al-Shāfi'ī was pharmacist and doctor at the same time.

While upholding the independence of the text or the reader from the author and his contexts, the hermeneutical thinkers favor the possibility of creativity. Al-Shāfi'ī does not categorically reject it but restricts the chance to those qualified. Once the reader meets the requirements he has the authority to interpret the text and his analyses will be accepted. This is what meant by the prophetic saying "When a judge gives a decision, having tried his best to decide correctly (*ijtahada,* past tense of *ijtihād*) and is right, there are two rewards for him; and if he gave a judgment after having tried his best (*ijtahada*) but erred, there is one reward for him" (*Saḥīḥ Muslim*: No. 1716; with interpretation of al-Nawawī). So, multiple legitimate interpretations and opinions are possible but are restricted to conditions. Putting eligibility criteria to scholars of *Hadith* is not odd to this field. In our day-to-day life we practically follow such criteria in all fields. We do not consult a pediatrician to know pregnancy related issues. Only qualified surgeon is consulted to do surgery. Similarly, a highly qualified surgeon is not consulted to construct buildings. So, inability and ability are frequently checked in all fields.

Through his approach towards contradictory *Hadiths*, al-Shāfiʿī, who is credited with founding *Uṣūl al-Fiqh* through his *al-Risālah*, has developed a firm methodology to understand and interpret *Hadiths*. Such an attempt was continued by Ibn Qutaiba in *Taʾwīl Mukhtalif al-Ḥadīth* and al-Ṭaḥāwī (853-933 C.E.) *in Mushkil al- Āthār*, etc.

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