

46992 - Brief overview of the madhhab of Imam Abu Haneefah

the question

We hope that you could give us a brief overview of Imam Abu Haneefah and his madhhab, because I hear some people criticizing this madhhab because he relies too much on qiyaas (analogy) and ra'y (opinion).

Detailed answer

Praise be to Allah.

Imam Abu Haneefah is the great faqeeh and scholar of Iraq, Abu Haneefah al-Nu'maan ibn Thaabit al-Taymi al-Kufi. He was born in the year 80 AH, during the lifetime of some of the younger Sahaabah and saw Anas ibn Maalik when he came to them in Kufa. He narrated from 'Ata' ibn Abi Rabaah, who was his greatest Shaykh, and from al-Shu'bi and many others.

He was concerned with seeking reports and he traveled for that purpose. With regard to fiqh and examining and analyzing reports, he was the ultimate and people depended on him in that, as Imam al-Dhahabi said: "It would take two volumes to tell the story of his life, may Allaah be pleased with him and have mercy on him."

He was an imam who was eloquent and well spoken. His student Abu Yoosuf described him as follows: "He was the most well-spoken of the people and the most clear in expressing himself. He was pious and very protective with regard to transgression of the sacred limits of Allaah. He was offered worldly gains and a great deal of wealth, but he turned his back on it. He was whipped to force him to accept the position of judge or controller of the bayt al-maal (treasury of the Islamic state) but he refused.

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Many people narrated reports from him, and he died as a martyr of dropsy in 150 AH at the age of seventy. (Siyar A'laam al-Nubala', 6/390-403; Usool al-Deen 'inda al-Imam Abu Haneefah, p. 63).

The Hanafi madhhab is one of the four well-known madhhabs, and it was the first of the fiqhi madhhabs. It was said that "The people are dependent on Abu Haneefah with regard to fiqh." The origin of the Hanafi madhhab and all the other madhhabs is that these four imams - I mean Abu Haneefah, Malik, al-Shaafa'i and Ahmad - made the effort to understand the evidence of the Qur'aan and Sunnah, and they issued fatwas to people based on the evidence that had reached them. Then the followers of these imams took their fatwas and conveyed them and issued other fatwas based on them, and derived principles from them, and they set out guidelines for understanding the texts and reaching conclusions. Thus the fiqhi madhhab was formed, and the Hanafi, Shaafa'i, Maliki and Hanbali madhhabs, and other madhhabs such as those of al-Awzaa'i and Sufyaan, but these latter madhhabs were not destined to continue.

As you can see, what these schools of fiqh are based on is following the Qur'aan and Sunnah.

With regard to the ra'y and qiyaas adopted by Imam Abu Haneefah, what this means is not opinion based on whims and desires, rather it is an opinion based on the evidence, or analogies, or following the general principles of sharee'ah. The salaf used to describe ijtihaad in difficult issues as ra'y (lit. opinion). Many of them used to say when commenting on a verse of the Book of Allaah, "This is my opinion (my ijtihaad) concerning it," but that does not refer to opinion based on whims and desires, as stated above.

Imam Abu Haneefah followed ra'y and qiyaas a great deal in matters other than hudood punishments, expiations and other shar'i issues, and the reason for that is that he had fewer ahaadeeth at his disposal than other imams, because he came before the other imams and was very strict about accepting ahaadeeth, as false reports were so widespread in Iraq at that time and there was a great deal of tribulation.

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It should be noted that not all the opinions and views of the Hanafi madhhab that is named after Imam Abu Haneefah are the words of Abu Haneefah himself, or can be correctly attributed to him. Many of those views go against what Imam Abu Haneefah himself said, but they were regarded as part of his madhhab because they were worked out according to the guidelines of the madhhab which is derived from the other texts of the imam. Similarly the Hanafi madhhab may adopt the view of a student of the imam such as Abu Yoosuf and Muhammad, and it also includes the ijtihaad of students of the imam, which subsequently became part of the madhhab. This does not apply only to the madhhab of Abu Haneefah, rather the same may be said of all the well-known madhhabs.

If it is said: If the four madhhabs are based on the Qur'aan and Sunnah, why do we find differences of opinion between them on matters of fiqh?

The answer is: Each imam issued fatwas on the basis of the evidence that reached him. A hadeeth may have reached Imam Maalik on the basis of which he issued fatwas, that did not reach Abu Haneefah, so he issued fatwas stating something different, and vice versa. Similarly a hadeeth may have reached Abu Haneefah with a saheeh isnaad so he issued fatwas on that basis, and the same hadeeth may have reached Imam al-Shaafa'i with a different isnaad that was da'eef (weak), so he did not issue fatwas based on it, or he may have issued a fatwa saying something that went against the hadeeth based on the conclusion he reached. This is why differences arose among the scholars, but ultimately the point of reference is the Qur'aan and Sunnah.

In fact, Imam Abu Haneefah and other imams followed the texts of the Qur'aan and Sunnah, even if some of their fatwas were not based on that, the reason being that all four imams stated that if a hadeeth was saheeh, then that was their madhhab, that is what they followed, on what they based their fatwas and from what they derived their evidence.

Imam Abu Haneefah said: "If the hadeeth is saheeh then that is my madhhab." And he said: "It is

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not permissible for anyone to follow what we say if they do not know where we got it from.”

According to another report he said: “It is haraam for the one who does not know my evidence to issue a fatwa based on my words.” And according to another report he added: “We are human, we may say something today and retract it tomorrow.” And he said: “If I say something that goes against the Book of Allaah or the report of the Messenger (peace and blessings of Allaah be upon him), then ignore what I say.”

Imam Maalik (may Allaah have mercy on him) said: “I am only human, sometimes I make mistakes and sometimes I get things right. Look at my opinion and whatever is in accordance with the Qur’aan and Sunnah, take it, and whatever is not in accordance with the Qur’aan and Sunnah, ignore it.” And he said: “There is no one after the Prophet (peace and blessings of Allaah be upon him) whose words cannot be taken or left, apart from the Prophet (peace and blessings of Allaah be upon him).” (“Everyone’s statement can be taken or rejected except for the companion of this grave”)

Imam al-Shaafa’i (may Allaah have mercy on him) said: “There is no one who will not be unaware of some of the Sunnah of the Messenger of Allaah (peace and blessings of Allaah be upon him). Whatever I say or whatever guidelines I establish, if there is a report from the Messenger of Allaah (peace and blessings of Allaah be upon him) which is different to what I said, then what matters is what the Messenger of Allaah (peace and blessings of Allaah be upon him) said, and that is my opinion.”

Imam Ahmad said: “Do not follow me blindly and do not follow Maalik or al-Shaafa’i or al-Awzaa’i or al-Thawri blindly. Learn from where they learned.” And he said: “The opinion of al-Awzaa’i and the opinion of Maalik and the opinion of Abu Haneefah are all mere conjecture and it is all the same to me. Rather evidence is to be found in the reports – i.e., in the shar’i evidence.”

This is a brief look at Imam Abu Haneefah (may Allaah have mercy on him) and his madhhab. In

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conclusion, the Muslim cannot but acknowledge the status and position of these imams, but that should not lead us to give precedence to their views over the Book of Allaah and the saheeh reports from the Messenger of Allaah (peace and blessings of Allaah be upon him), because in principle we should follow the Qur'aan and Sunnah and not the opinions of men; any man's opinion may be taken or left, except the Messenger of Allaah (peace and blessings of Allaah be upon him), as Imam Maalik (may Allaah have mercy on him) said.

For more information please see questions no. [5523](#), [13189](#), [23280](#), 21420.

See also al-Madkhal ila Diraasat al-madaaris wa'l-Madhaahib al-Fiqhiyyah by 'Umar al-Ashqar.