

The Narrations of The Book Al-Kisaniyat in The Transactions, Collection and Study

By

Asma Allawi Romi Nasser

College of Islamic Sciences/ University of Baghdad/ Iraq

Email: mj043616@gmail.com

Layla Hassan Mohamed Zobaie

College of Islamic Sciences/ University of Baghdad/ Iraq

Abstract

This research is related to the collection of the narrations of the Kisaniyat book on purity and prayer, and this research included three topics: The first topic: Introduction to the book Al-Kisaniyat. The second topic: Narratives of the exception in the loan. The third topic: Narratives of the corrupt gift. Praise be to God, the truth of his praise, and prayers and peace be upon the seal of the prophets and the most honorable messengers, our master Muhammad, the faithful Arab prophet, and upon his good and pure family, and his faithful companions, and those who follow them in goodness until the Day of Judgment, the satisfaction of God the Blessed and Exalted be upon us and upon them all. Some scholars have made good efforts to serve Islam by serving its sciences, including the science of jurisprudence, and they wrote books for this purpose, but some of them have lost or lost large parts of it, and among these books that lost parts of it is the book (Al-Kisaniyat), which was written by Imam Suleiman bin Shuaib Al-Kisani and collected in it the sayings of God. His sheikhs, Imam Muhammad bin Al-Hassan Al-Shaibani, and Imam Abu Yusuf.

This is a study in the definition of the book Al-Kisaniyat, and a collection of two issues of purity and prayer.

After this brief introduction, this research included three sections:

The first topic: Introduction to the book Al-Kisaniyat.

The second topic: Narratives of the exception in the loan.

The third topic: Narratives of the corrupt gift.

Researcher's conclusion.

A list of sources and references.

The first topic

Introduction to al-kisaniyat book

First: The importance of Al-Kisaniyat Book

Haji Khalifa mentioned the origins of the Hanafi books by saying: "Know that the issues of our Hanafi companions are divided into three layers:

The first: the issues of the origins, and it is called: the apparent meaning of the narration, and it is the issues narrated from the followers of the doctrine, and they are: Abu Hanifa, Abu Yusuf, and Muhammad (may God have mercy on them), and they are joined by: Zafar, Al-Hasan bin Ziyad, and others, who were taken from Abu Hanifa, and they are called These are: applicants.

Then this issue, which was called: the issues of origin, and the apparent meaning of the narration, is what was found in the books of Muhammad, which are: (Al-Mabsoot), (Al-Zayyat), (Al-Jami' Al-Sagheer), (Al-Kabir), and (Al-Siyar), but it was called by the apparent meaning of the narration; Because it was narrated on the authority of Muhammad, according to the narration of trustworthy ones, it is either mutawatir or well-known on his authority.

The second: issues of anecdotes, which are: issues narrated from the aforementioned adherents of the madhhab; But not in the aforementioned books, but rather in other books that are attributed to Muhammad, such as the Kisaniyyat, the Haruniyyat, the Jurjaniyyat, and the Ruqyyat.

Rather, it was said to her that the narration is not apparent. Because it was not narrated from Muhammad with proven, authentic, apparent narrations, such as the first books, or in books other than Muhammad, (such as the book of the abstract) by Hassan bin Ziyad, and the books (Al-Amali) of the companions of Abu Yusuf, and others.

Or with single narrations, such as: the narration of: Ibn Sam'ath, the narration of: Ali bin Mansour, and others, on a specific issue.

The third: Fatwas and Realities: These are issues that the later mujtahids deduced when they were asked about them, and they did not find a narration in them from the people of the earlier madhhab, and they are: the Companions of Abu Yusuf, the Companions of Muhammad, the Companions of their Companions ... and so on, until the era of ijihad ends, and they are many.

Among the companions of Abu Yusuf and Muhammad, such as: Ibn Rustam, Muhammad bin Sam'ath, Abu Suleiman al-Jawzjani, and Abu Hafs al-Bukhari.

Among the companions of their companions, and those after them, such as: Muhammad bin Maslamah, Muhammad bin Salamah, Muhammad bin Muqatil, Nasr bin Yahya, and Abi Nasr: Al-Qasim bin Salam, as in: layers and dates, and they may agree to disagree with the owners of the doctrine for evidence that appeared to them ⁽¹⁾.

And he said: "There are nine anecdotes, and they are: Hisham's anecdotes, Ibn Sama'ah's anecdotes, Ibn Rustam's anecdotes, Dawud bin Rashid's anecdotes, Al-Mualla's anecdotes, Bishr's anecdotes, Ibn Shuja', Abi Nasr, and Abi Suleiman's anecdotes" ⁽²⁾.

It has been stated in some references that the Kisaniyat were those narrated by Shuaib bin Suleiman al-Kisani on the authority of Imam Muhammad ⁽³⁾, and the correct one, as presented in the first topic: it was narrated by Suleiman bin Shuaib directly on the authority of Imam Muhammad or on the authority of his father, and Haji Khalifa stated this by saying:

¹ Revealing suspicions about the names of books and arts, Mustafa bin Abdullah, the writer of Chalabi Constantinople, known as Haji Khalifa or Haji Khalifa (d. 1067 AH), Al-Muthanna Library, Baghdad, 1941 AD: 2/1282. See: The Shining Jewels in Tabaqat al-Hanafi, Abu Muhammad Muhyi al-Din Abd al-Qadir ibn Abi al-Wafa Muhammad ibn Abi al-Wafa al-Qurashi al-Hanafi (d. 775 AH), Mir Muhammad Kutb Khanh, Karachi, no date: 1/560.

² Uncovering suspicions: 2/1282.

³ See: Introduction to the Study of Fiqh Schools, Dr. Ali Gomaa, Dar Al Salam for Printing and Publishing, Cairo, 1422 AH - 2001 AD: 125; Oyster pearls in the graduation of the sources of the response of the muhtar, Louay bin Abdul-Raouf Al-Khalili, Dar Al-Fath for Studies and Publishing, Jordan, 2010: 1/401.

“Kisaniyat issues Narrated by: Suleiman bin Saeed Al-Kisani” ⁽¹⁾.

It is also said to Al-Kisaniyat Al-Amali, as it was dictated by Imam Muhammad bin Al-Hassan to Al-Mustamli ⁽²⁾.

A small piece of al-Kisaniyat or al-Amali was found, and it was printed in India under the title: al-Amali by Muhammad ibn al-Hasan al-Shaibani ⁽³⁾.

And dictation is when the scholar sits around him and his students with inkwells and crayons, and he says what God has opened to him from the back of his heart, and the students write it down, then they collect what they write in the councils, and it becomes a book, so they call it dictation and dictation. Knowledge and its people, and to God Almighty is the destiny.” ⁽⁴⁾.

Second: introducing al-kisaniyat collection

As for the collector of the Keysaniyat book, he is the imam “Sulaiman bin Shuaib bin Suleiman bin Kisan, Abu Muhammad al-Kisani al-Masri” ⁽⁵⁾.

Also, al-Kisani: With the conquest of the first of it and the sukoon of the ya’, and the conquest of the neglected sein, and after the Alef there is noon, this is attributed to Kisan, who is the grandfather of Solomon ⁽⁶⁾.

His nickname: Abu Muhammad ⁽⁷⁾.

Imam Suleiman (may God have mercy on him) was born in Egypt in the year 185 AH ⁽⁸⁾.

Also, his father's origin is from Kufa, and he is one of the strangers who came to Egypt ⁽⁹⁾.

Emerged in the family of Imam Suleiman two, are his father and grandson.

As for his father, Shuaib Abu Suleiman, Kofi ⁽¹⁰⁾, he came to Egypt, and he was one of the companions of the two imams Abu Yusuf and Muhammad (may God have mercy on them),

¹ Uncovering suspicions: 2/1525.

² See: Introduction to the Study of Fiqh Schools: 85.

³ See: History of Arabic Literature, Karl Brockelmann (d. 1956 AD), transferred to Arabic by Dr. Abdel Halim Al-Najjar, Dar Al-Maaref, Cairo, 5th edition, no date: 3/257; History of the Arab Heritage, Fuad Sezgin (d. 1342 AH), transferred to Arabic by Dr. Mahmoud Fahmy Hejaz, Imam Muhammad bin Saud Islamic University, 1411 AH - 1991 AD: 3/75; Dictionary of History - Islamic Heritage in the Libraries of the World, Ali Al-Rida Kara Ballut, and Ahmad Turan Kara Ballut, Dar Al-Aqaba Kayseri, Turkey, 1422 AH - 2001 AD: 3/78.

⁴ Sunni classes in Hanafi translations, Taqi al-Din bin Abdul Qadir al-Tamimi al-Dari al-Hanafi (d. 1010 AH), investigation by Abdel-Fattah Muhammad al-Hilu, Supreme Council for Islamic Affairs, Committee for the Revival of Islamic Heritage, Al-Ahram Commercial Press, Cairo, 1970 AD: 12.

⁵ History of Islam and the Deaths of Celebrities and Flags, Abu Abdullah Shams Al-Din Muhammad Bin Ahmed Al-Dhahabi (died 748 AH), investigated by Dr. Bashar Awad Maarouf, Dar Al-Gharb Al-Islami, Beirut, 2003: 6/555.

⁶ See: Al-Ansab, Abu Saeed Abdul Karim bin Muhammad bin Mansour Al-Tamimi Al-Samani (d. 562 AH), investigation by Abdul Rahman Yahya Al-Moalami Al-Yamani and others, Council of the Ottoman Department of Knowledge, Hyderabad, 1382 AH - 1962 AD: 11/195; Al-Labbab fi Tahdhib Al-Ansab, Izz Al-Din Abu Al-Hasan Ali bin Abi Al-Karam Muhammad bin Muhammad bin Abdul Karim Al-Shaibani Al-Jazari, known as Ibn Al-Atheer (d. 630 AH), Dar Sader, Beirut, undated: 3/125; Al-Jawaher Al-Duhaiya: 2/343.

⁷ See: The history of the city of Damascus and mentioning its virtues and naming those who solved it from the analogues, Abu Al-Qasim Ali bin Al-Hassan bin Heba Al-Shafi'i known as Ibn Asaker (d. 571 AH), achieved by Amr Gharamah Al-Omari, Dar Al-Fikr for printing, publishing and distribution, Beirut, 1415 AH - 1995 AD: 23/208.

⁸ See: Genealogy: 11/195; The songs of the good guys in explaining the names of the men of the meanings of the antiquities Abu Jaafar Al-Tahawi, Badr Al-Din Abu Muhammad Mahmoud bin Ahmed bin Musa bin Ahmed bin Hussein Al-Aintabi Al-Hanafi Al-Aini (d.

⁹ See: Tarikh Ibn Yunis al-Masry, Abu Saeed Abd al-Rahman Ibn Ahmad Ibn Yunus al-Sadafi (d. 347 AH), Dar al-Kutub al-Ilmiyya, Beirut, 1421 AH: 2/101; luminous gems: 1/257; Mughni al-Akhyr: 1/440, 448.

¹⁰ It was mentioned with the word (Sufi) in Al-Ansab: 11/195.

one of the sheikhs of al-Tahawi, narrated by Saeed Ibn Ufir and others, he died in Egypt in the year (204 AH) on Saturday for eleven nights left From Shawwal ⁽¹⁾.

As for his grandson, he is Abu Nasr Ali bin Al-Hasan bin Suleiman bin Shuaib bin Suleiman bin Salim bin Kisan Al-Kisani, from the people of Egypt. Narrated by his grandfather Suleiman bin Shuaib and others. He was polite, poor, and trustworthy. He died in Sha'ban in the year 330 A.H. ⁽²⁾.

There are different opinions regarding the date of his death: He died in Safar in the year 273 AH, and this saying was narrated on the authority of Ibn Yunus ⁽³⁾.

Al-Khatib Al-Baghdadi mentioned that between the death of Bishr bin Bakr Abu Abdullah Al-Dimashqi, Tennis descended, and the death of Abdullah bin Wahb Al-Masri and Suleiman bin Shuaib Al-Kisani seventy-six years ⁽⁴⁾.

Abu Jafar al-Tahawi said: This is where Suleiman bin Shuaib al-Kisani died in Safar (274 AH) ⁽⁵⁾. It was said: He died in the year (278 AH) ⁽⁶⁾. What seems closer to the truth is what his student al-Tahawi said, meaning that Suleiman died in the year (274 AH).

The second requirement

The exception to the loan

The narration of al-Kisaniyat: Imam al-Marghinani (may God have mercy on him) said: “And if he said to him: I have a thousand of the prices of goods, or he said: You loaned me a thousand dirhams, then he said: It is Zyouf ⁽⁷⁾ or Nabharjah, and the headquarters said to him: Horses, he must be horses according to my father’s saying. Hanifa, and they said: If he says connected, it is true, and if he says separated, it is not true, and it becomes as if he says: except that it weighs five, and on this disagreement: if he says: “Stock” or lead, and on this if he says except that it is false, and on this if he says for so-and-so Ali a thousand A dirham of counterfeit from the price of merchandise, and on the authority of Abu Hanifa, in other than the narration of “Usul from the Loan” that it is believed in “Forgeries if it arrives” ⁽⁸⁾.

Al-Babarti, Al-Ayni and Al-Shalabi indicated that what is meant by the narration is

¹ See: History of Ibn Yunus: 2/101; Genealogical: 11/195; Al-Labbab in Tahdheeb Al-Ansab: 3/125; luminous gems: 1/257; Singing the good guys: 1/488.

² See: Genealogy: 11/195; Al-Labbab in Tahdheeb Al-Ansab: 3/125; History of Islam: 7/593.

³ See: The former and the latter in the divergence between the death of two narrators on the authority of one sheikh, Abu Bakr Ahmad ibn Ali ibn Thabit ibn Ahmad ibn Mahdi al-Khatib al-Baghdadi (d. 463 AH), investigated by Muhammad ibn Matar al-Zahrani, Dar al-Sumaei, Riyadh, second edition, 1421 AH - 2000 AD: 169; Genealogical: 11/195; History of Islam: 6/555; Singing the good guys: 1/441.

⁴ See: Previous and Later: 169.

⁵ See: The History of the Birth and Death of Scholars, Muhammad bin Abdullah bin Ahmed bin Suleiman bin Zabar al-Rabi (d. 397 AH), investigated by Dr. Abdullah Ahmad Suleiman al-Hamad, Dar al-Assimah, Riyadh, 1410 AH: 2/593.

⁶ See: Al-Jawaher Al-Duhaiya: 1/252; Lisan Al-Mizan, Abu Al-Fadl Ahmed bin Ali bin Hajar Al-Asqalani Al-Shafi'i (d. 852 AH), investigated by Abdel-Fattah Abu Ghuddah, Dar Al-Bashaer Al-Islamiyyah, Beirut, 2002: 4/159; Tabaqat al-Hanafiya, Alaa al-Din bin Amr Allah al-Humaidi, known as Ibn al-Hanai, the famous Qanali Zadeh (d. 979 AH), investigated by Dr. Mohi Hilal Al-Sarhan, Diwan of the Sunni Endowment Press, Baghdad, 1426 AH - 2005 AD: 88.

⁷ Al-Zyouf: the plural of Ziv with the sakin of Yaa, which is a noun, and with emphasis Ziv is an epithet, and the falsifier is also false. He has falsified falsehood and the critic's falsehood, meaning he did not take it and negated it from the good. Al-Satuqa: dirhams with copper or lead in the middle, and their face is silver, and they are expressed, and they are three layers, the top and the bottom, silver and the middle. And it was said: The market is the most common copper in it, and it is forbidden to take it because it is money. And the falsehoods are better than all, and after the falsehoods, the narrator and after the falsifications, the falsehoods are the same as the dirhams that some money changers accept and not the others. And the bluster is what the money changers reject, which is called a changer, but there is more silver in it. The stalk is like zaghal, and it is the copper whose copper is more than its silver. See: Students of Students: 171; Morocco in the Arabized order: 215; Hashiyat Ibn Abidin: 7/23.

⁸ Guidance: 3/184.

other than the assets: Al-Amali, Al-Nawadir, Al-Ruqiyat and Al-Kisaniyat ⁽¹⁾.

Editing the subject of dispute: The reason for the disagreement is that Imam Abu Hanifa (may God have mercy on him) in a narration about him obliges the borrower to repay the money well if he acknowledges the loan and does not take the exception, while the two imams said, and it is a narration on the authority of Abu Hanifa that he believes in falsehoods if he arrives.

The sayings of the jurists: This issue is unique to the Hanafis, and they differed in it on two sayings:

The first saying: If a man confesses and says to so-and-so, one thousand dirhams from the price of a sale or a loan, then he says: Except that it is false, or a rumor; It is not true according to Imam Abu Hanifa: He arrived or separated, and he needs a thousand dirhams for horses in cash.

The face of this narration: that dealing is with horses, so the one who gives the loan goes to the horses, so the horses must be dealt with, then the claim of fraud is not accepted; Because it is a reversal of what he acknowledged, this is not correct by reversing.

The second saying: If he says: He has a thousand dirhams of a loan on me, they are falsehoods, he will be believed if his saying: They are fakes by saying: A thousand dirhams is a loan, but if he cuts his words and then says after a time: They are falsehoods, it is not believed according to the agreement of the narrations.

The face of this narration is that the loan necessitates restitution of the same as the one taken, and the loan may be false, and the loan is paid with an original as in the case of usurpation, for it may be that the usurped is a falsity and the same is paid for.

The most correct saying: It is the second saying to verify the severance in the appeal, and because proving the fault with the loan is something that should be taken into account, and it seems that the difference between the two sayings is a difference in time, so Abu Hanifa assumed good faith and honesty in the sale, due to the lack of fraud and lying in his time, and Abu Yusuf and Muhammad as a precaution for money because the prevalence of fraud and counterfeiting in money.

It is noted that the talk here is about the loan and not about the debt because of the difference between them, as the loan differs from the debt in the following:

1. The loan is the ownership of the lender. As for the debt, it must be in the custodianship without the will of the creditor, such as the blood money and the value of the spoiled ones.
2. A loan is a contract of donation from the lender, which is not required before the two. As for the debt, it is a binding contract.
3. That the loan includes options; Such as the option of defect, council, and condition, unlike debt, sale or lease and the like, which includes options ⁽²⁾.

The third requirement Corrupt giveaway

¹ See: Care: 8/371; Building: 9/460; Chalabi's footnote: 5/20.

² See: Mashariq al-Anwar on Sahih al-Athar, by Judge Abi al-Fadl Iyad bin Musa bin Ayyad al-Yahsabi al-Sabti (d. 544 AH), the Antique Library, and Dar al-Turath, Beirut, no date: 2/23.

The narration of al-Kisaniyat: Imam al-Baghdadi (may God have mercy on him) said: “Muhammad said in al-Kisaniyat: A man paid nine dirhams to a man and said: Three is to spend, and three is a gift, and three is charity. Also: A man paid a man ten dirhams and said: Five of them are a gift to you, and five are a deposit with you, so the holder of it consumed five, and he lost the remaining five, guaranteeing seven and a half ⁽¹⁾.

Documenting the narration: This narration was mentioned without attributing to the Kisaniyat: Qadikhan ⁽²⁾, and Al-Andarbti ⁽³⁾.

And Qadikhan explained this by saying: “Three said you have a portion of your right, and three for you are a gift, and three that I gave in charity to you. ⁽⁴⁾.

And it came in the explanation of that: “Three things are guaranteed as a gift, because it is a corrupt gift, and three is not guaranteed for charity, because almsgiving is permissible except in a narration” ⁽⁵⁾.

Definition: the gift language: donation, and the delivery of benefit to others, and slander: an exaggerated form of the gift ⁽⁶⁾.

Idiomatically: the possession of the eye without compensation. It is said to the one who does it: a donor, and for that money: a gifted, and to the one who accepts it is gifted to him, and inflaming means accepting the gift as well ⁽⁷⁾.

Editing the subject of the dispute: “One of the obligatory conditions for the gifted thing is that it be owned in itself, so it is not permissible to donate the permissible, due to lack of possession, and because the gift is ownership, and the ownership of what is not owned is impossible, and it is also necessary that the gifted thing be owned by the donor, because the gift of the money of others is prohibited. without his permission” ⁽⁸⁾.

The sayings of the jurists: There is no disagreement among the jurists because the corrupt gift is guaranteed by arrest; But it is not possessed by the gifted to him by the arrest ⁽⁹⁾.

And they agreed that absolute charity, gift and gift if it is abstract without the condition of reward or anything else, and it is not in the commons; if it is real estate or something else, and it is empty and unoccupied from the time of the charity until the time of receipt, then the donor accepts it or the giver or the giver of it, and he takes it from the donor. The giver or the giver or the giver of alms in the validity of the donor and the giver and the giver of almsgiving has lost possession of it unless the donor and the giver return in this respect ⁽¹⁰⁾.

The most correct saying: The corrupt gift is guaranteed by arrest.

¹ Collection of guarantees: 335.

² See: Fatwas of Qadi Khan: 3/268.

³ See: Tatarikhani Fatwas: 14/431.

⁴ See: Fatwas of Qadi Khan: 3/268.

⁵ Indian Fatwas: 4/379.

⁶ See: Al-Sihah: Article (Wahb) 1/236; The end in strange hadith and impact: 5/230.

⁷ See: Student Students: 106; Tariffs: 256; Anis al-Fuqaha: 95; Journal of Judicial Judgments: 161.

⁸ Encyclopedia of Fiqh: 42/127.

⁹ See: Pool of Guarantees: 304.

¹⁰ Ranks of Consensus: 96.

Conclusion

The following is a summary of the most important conclusions within the research:

1. He is Suleiman bin Shuaib bin Suleiman bin Salim bin Kisan al-Kalbi al-Kisani al-Hanafi, born in Egypt in the year (185 AH), and died in the year (274 AH).
2. Imam Suleiman was a student of the two Imams, Abu Yusuf and Muhammad (may God have mercy on him), and he followed Imam Muhammad, and he narrated from a large number of sheikhs, and a large number of the most prominent of them, Imam al-Tahawi, also studied.
3. He has a book of anecdotes or al-Kisaniyat, and he was trustworthy.
4. Al-Kisaniyat is one of the books of anecdotes and is considered the second source of Hanafi jurisprudence.

God grants success.

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