

## THE COMPARISON OF THE MAUQUF NARRATIVES CONVEYED VIA IBN MAS'ÛD IN AL-JÂMI OF MA'MER B. AL-RÂSHED WITH KUTUB AL-SİTTAH

Nilüfer Kalkan YORULMAZ<sup>1</sup>

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**Abstract:** Hegira II. century is the period when the books of prophet Mohammed's deeds (hadiths) date back, *al-Jâmi'i* of Mamer b. al-Rashed is of great importance because of both being the first resource reaching today and the hadiths being classified and presented as parts. Referring these hadiths to the Hegira III. Century is recognized as the golden age of classification of this source which is vital to see how the strains and scholarly accumulation in hadith stories reflect on the next period.

Along with especially the studies of the orientalis, stating that the hadiths are later fabricated/made up and they are not roughly the deeds or words of the prophet but attributed to the prophet Mohammed, another significant issue in the classical period works is that a hadith is conveyed as both marfu and mauquf. As a matter of fact, whether a narrative is agreed to be the Sunnah of prophet Mohammed or a deed of his companions affects the availability of the narrative in terms of uttering it as evidence for providing judgements and giving verdicts according to it.

Besides, spotting such problems in the transmission analysis, one of the most important fields of hadith discipline, and studying their causes will undoubtedly lead to establishing trust in the current material. Thus, the studies in Turkey in the recent years also point out this issue. Yet, it is emphasized that this issue's reflection on the practice must be rated in order to really comprehend the depths of the issue. From this point of view, the narratives conveyed in *al-Jâmi* of Mamer b. al-Rashed, mauquf from İbn Mas'ud are chosen as the sample since this is the first study with a classification system reaching the modern day. In the second phase, it was aimed at research whether these are conveyed as marfu by İbn Mas'ud who was stated as the owner of these narratives in the Hegira III. Century Kutub al-Sittah resources and those who have seen the companions of the prophet Mohammed. Thus, the ultimate objective was to contribute to the practical

1 Dr., İstanbul Üniversitesi İlahiyat Fakültesi, n. kalkan87@gmail.com, Orcid: <https://orcid.org/0000-0002-6191-8072>.

reflection of the raf problem through a case of work and a person who had seen the companions of the prophet Mohammed.

**Keywords:** Ma'mer b. al-Râsheds, Mauquf, Ibn Mas'ûd, Kutub al-Sittah, marfu.

**Özet:** Hicri II. asır hadis kitaplarının günümüze ulaştığı dönemdir. Ma'mer b. Râşid'in *el-Câmi'i* isimli yapıtı da hem bu türde günümüze ulaşan ilk kaynak olması hem de eserde hadislerin tasnif edilip bablar halinde sunulması açısından oldukça önem arz etmektedir. Bu kaynakta yer alan rivayetlerin tasnifin altın çağı olarak kabul edilen Hicri III. Asır eserlerine intikali meselesi de hadis rivayetindeki silsilelerin ve ilmi birikimin sonraki dönemlere nasıl yansıdığına görülmesi açısından oldukça önemlidir. Özellikle oryantalistlerin hadislerin sonradan uydurulduğu ve Hz. Peygamber'e izafe edildiği yönündeki çalışmalarının yanı sıra klasik dönem eserlerinde de yer alan önemli problemlerden biri de bir hadisin hem mevkuf hem de merfû olarak nakledilmesi meselesidir. Nitekim bir rivayetin Hz. Peygamber'in sünneti olarak mı yoksa sahabi sözü olarak mı değerlendirileceği hususu aynı zamanda rivayetin ahkamda delil olarak kullanılması ve bunun üzerine hüküm bina edilmesini de etkileyecek bir durumdur. Ayrıca hadis ilminin en önemli araştırma alanlarından olan sened tahlillerinde yer alan bu tür problemlerin tespitinin yapılarak sebeplerinin araştırılması da eldeki malzemeye güvenilmesi sonucunu da beraberinde getirecektir. Nitekim ülkemizde son dönemlerde yapılan araştırmalar da bu meselenin varlığına değinmekte ancak boyutunun anlaşılabilmesi için pratikteki yansımalarının oranının çıkarılması gerektiğine vurgu yapmaktadırlar. Buradan hareketle çalışmamızda günümüze ulaşan ilk tasnif sistemine sahip eser olması açısından Ma'mer b. Râşid'in *el-Câmi* isimli kaynakta yer alan İbn Mes'ûd'dan mevkuf bir şekilde nakledilen rivayetler örneklem olarak seçilmiştir. İkinci aşamada ise daha sonraki dönem olan Hicri III. Asır Kütüb-i Sitte kaynaklarında bu rivayetlerin sahabi ravisi İbn Mes'ûd olmak üzere merfû nakillerinin olup olmadığı araştırılmıştır. Böylece ref problemi meselesinin pratikteki yansımalarına bir eser ve bir sahabi üzerinden bir katkı yapılması hedeflenmektedir.

**Anahtar Kelimeler:** Ma'mer b. Râşid, Mevkuf, İbn Mes'ûd, Kütüb-i Sitte, Merfu.

## INTRODUCTION

The fact that the narratives conveyed as mauquf<sup>2</sup> (suspended) in the first resources were conveyed as marfu<sup>3</sup> (elevated) in the Works later, especially during the hegira III. Century, is important in terms of attributing

2 Mauquf is a narration from companion only. See, İbn Salah, Mukaddime, Beyrut, Daru'l-fikr, nd, p. 46. In this study, we will prefer this mean of mauquf. Therefore, we will use the word of mauquf as a companion's narrations. For this reason Marfu Hukmi narrations and *يرفعه* expressions are excluded from this study.

3 Marfu is a narration from Prophet. See, İbn Salah, Mukaddime, s. 45.

the conveyed information and sunnah to the prophet Mohammed. The information conveyed by the prophet Mohammed and a narrative conveyed by his companions are of different ranks in the discipline of sunnah when it comes to the power and the effect of the mentioned information or the narrative. Therefore, knowing if the source of convection of a narrative or information is marfu or mauquf will also mean determining its value and power in terms of the sunnah. This is the basis argument of this study when it comes to why such a topic was chosen.

However, the claim of the orientalist Schacht<sup>4</sup> that the narratives were later made up but attributed to the successors then the companions and then the prophet himself on purpose and the claim of Juynboll<sup>5</sup> that the narratives were also later referenced to the prophet himself and their considerations on these matter require providing satisfactory and convincing insights and information. It is also observed in the works of *al-Jarh wa al-tadeel (disproof and amendment)*, including the conveyed narrators named as *raffā'*, and the works of *Ilal (defect)* type are in our own classical literature. Besides, debated approaches in the case of *marfu hukmi*,<sup>6</sup> a part of the narrative is conveyed as marfu while one specific part of it is mauquf. These narratives are combined in one narrative, *يرفعه* expressions and many other cases are among the problems to face while determining the source of the narrative. From these claims, studies "Raf Problem in Hadiths (Attributing Marfu and Mauquf Narratives to Prophet Mohammed) (Hadiste Ref Problemi Mevkuf ve Maktu Rivayetlerin Hz. Peygamber'e İzafesi)"<sup>7</sup> prepared by Yusuf Suiçmez in 2005 and "Marfu-Mauquf Relation in Hadith Discipline" by Sabri Çap in 2008<sup>8</sup> are significant as they contribute to the topic in a theoretical context. In addition, the article "Narrative Style in Hijri Second Century, Mamer b. al-Rashed's el Jāmi in terms of Narrative" prepared by Bünyamin Erul also mentions, though partly, the hadiths became *muttasil* in the later periods.<sup>9</sup> Yusuf

4 Jo seph Schacht, *The Origins of Muhammadan Jurisprudence*, Oxford University Press, London, 1967, p. 171 ,169 ,141,165 ,140; A'zamī, *On Schacht's Origins of Muhammadan Jurisprudence*, Lahore, Shuail Academy, 2004, p. 78

5 G.H.A.Juynboll, *Muslim Tradition*, New York, Cambridge University Press, nd, p. 17.

6 For further information see İbn Hacer, *Nuzhetu'n-nazar*, Riyad, Mektebetu's-safir 1422, s.131; Ahmed Naim, *Tecridu Sarth Mukaddimesi*, Ankara, 1970, s. 136; İsmail Lütfi Çakan, *Hadis Usulü*, İstanbul, İFAV, 2008, s. 101.

7 Yusuf Suiçmez, *Hadiste Ref Problemi (Mevkuf ve Maktu Rivayetlerin Hz. Peygamber'e İzafesi)*, (PHD Thesis), Adv. Prof. Dr. Hayri Kırbaçoğlu, Ankara University Institute of Social Sciences, 2005.

8 -Sabri Çap, *Hadis İlminde Merfu Mevkuf İlişkisi*, (PhD), adv. Prof. Dr. İbrahim Ha tiböğlü, Uludağ University Institute of Social Sciences, 2008.

9 Bünyamin Erul, "Hicri İkinci Asırda Rivayet Uslubu Rivayet Açısından Ma'mer b. al-Rashed'in al-Jāmi", *Journal of Ankara University Faculty of Theology*, c. 43, s. 1, 2002, s. 55.

Suiçmez, in particular, emphasizes the need to draw a general picture on this issue. He also states that this general picture must be compared with the other sources of the narratives in the works and only this way it will be possible to realize how large the scale of the raf problem is.<sup>10</sup> Due to this stated necessity, our study aims to approach a certain part of the topic and then determine a rate in order to touch upon the reasons behind the raf problem. Therefore, the practical reflection of a problem identified in the theoretical sense can be determined through this study even if it is in a small area. As it is not possible for an article to cover all mauquf narratives in this study, narrative of Ibn Mes'ud (e. 32/652) was chosen as a sample regarding the issue. Studies regarding the other narratives by the companions of the prophet are excluded from this study with the hope that they will be paid attention to and discussed by either us or other people studying these areas in time. Thus, it is also our hope that this study will pave the way for other works and studies in this context to be conducted in the future.

While the raf problem can be faced in two contemporary sources, there's also a phenomenon where a narrative conveyed as mauquf in a source in an earlier period is given as marfu in a later period source. This is the primary reason of the criticism, particularly in this case. Based on the information in those resources, if one hadith is being transferred in two different works, as marfu in one and as mauquf in the other, one of the methods to be followed in this case is to look at which source has been copyrighted earlier. According to this option, it is assumed that the narrative which appeared in the earlier source is correct. As a matter of fact, especially if it is conveyed by the people who have communed with the prophet's companions or by the same imputation, the scale of the regarding raf problem is escalated in this case.<sup>11</sup> Therefore, Ma'mer b. al-Rashed's *al-Jâmi'* was chosen to evaluate the precedence of the narratives and what comes after them in this study as this was the first classification type of work reaching our current day.<sup>12</sup>

10 Yusuf Suiçmez, "Ref Problemi", *İslamiyat*, c. 10, s. 2, 2007, s. 144.

11 Suiçmez, "Ref Problemi", *İslamiyat*, c. 10, s. 2, 2007, s. 145. Hence, issues such as defiance to the prophet and prophet's companions hesitating to convey hadith narratives suggested by Sabri Çap and recognized among the causes of ref problem are eliminated in this case. When it comes to other issues such as the other suggested companions of the prophet refraining from attributing the hadiths to the prophet, talking about general and fetwa contents, error and speculation stemming from the narrator, attributing on purpose and et cetera will be mentioned later chapters. See. Çap, *Hadis İlminde Merfu Mevkuף İlişkisi*, (Phd Thesis), adv. Prof. Dr. İbrahim Hatiboğlu, Uludağ University Social Sciences Institute, 2008, p. 134-194.

12 See for discussions of Ma'mer b. al-Rashed that reached our current day, Tokpınar Mîrza, "Ma'mer b. Râşid'in el-Câmi'i Sanılan İki Yazma Hakkında Tespitler Dokuz Eylül Üniversitesi Journal of Ankara University Faculty of Theology, 2002, p. 17-36

Also, the reason why we chose Kutub al-Sittah in our study is that the most respected hadith sources were copyrighted in the hegira third age, the golden age of classification. Because the narrative era ended after this period, and the studies are now based on the studies of the second and third centuries; we therefore, believe that making a comparison in terms of resources between the hadith sorting and the copyrighting started with Mamer b. al-Rashed. Thus, with the most generally recognized examples of those resources, significant results will be provided in order to observe the occurring differences.

The reason why we selected Ibn Mesūd narrations in our study is that Ibn Mesud is considered by ahlu ar-ra'y among the most important sahabas and fakih narrators<sup>13</sup> of Mohammed's all sayings and deeds. However, the fact that he is the sahabi whose narratives are mentioned the most in *Kitāb al-athar* type of works, which in return is one of the hegira second century hadith classification types and his narratives are more of fatwa and opinion features rather than hadith narratives, are also the reasons why he was chosen as a sample.<sup>14</sup> As a result of the studies regarding the raf problem, convection with fatwa purposes is considered to be among the reasons why the hadiths were conveyed as mauquf in the hegira second century and then conveyed as marfu in later periods. Therefore, it was decided that the rafes made in later periods may not be on purpose.<sup>15</sup> Thus, in our research, we will try to determine whether the above-mentioned features in the Ibn Mesūd narrations have an effect on the source of the convections. Besides, due to views suggesting that Ibn Mesūd is the companion with the most narratives right after Umar ibn al-Khattāb, and Ibn. Mesūd based his accumulation on Umar ibn al-Khattāb's; the narratives of Ibn. Mesūd were preferred and chosen as a sample as they are believed to provide more information in terms of the general structure of the work. While comparing the mauquf narratives by Mamer b. al-Rashed via Ibn Mesūd in Kutub al-Sittah due to the the Raf high possibility, the narratives conveyed as marfu from Ibn Mesūd will be taken as the basis in this study and we will try to determine the reason of this problem.

Bunyamin Erul, "Ma'mer b. Rāsid'in el-Cāmi'i Hakkında Gereksiz Tereddütler ve Gerekli Tespitler", Dokuz Eylül University Faculty of Theology Journal, p. 18, İzmir, 2000

- 13 Pezdevi, *Usūlu'l-Pezdevi*, Dāru'l-kütübi'l-arabiyye, Beirut, 1997, II, 698; See for detailed information on the topic Chamnti Tsiligkir, *Hadis Rivayetinde Fakih Ravinin Rolü*, (Master Thesis), adv. Prof. Dr. Ali Akyüz, Marmara University Institute of Social Sciences, 2008.
- 14 Nilüfer Kalkan *Yorulmaz*, *İmam Muhammed'in Kitābu'l-āsār'ı ve Rivayetlerinin Kütüb-i Sitte ile Karşılaştırılması*, (Master Thesis), adv. Prof. Dr. Ahmet Yücel, Marmara University Institute of Social Sciences, 2011, p. 86-92.
- 15 Çap, *Hadis İlmünde Merfu Mevkuף İlişkisi*, (Phd Thesis), adv. Prof. Dr. İbrahim Hatiboğlu, Uludağ University Social Sciences Institute, 2008, p. 138.

Both Yusuf Suiçmez and Sabri Çap offer some methods in order to determine the Raf issue.<sup>16</sup> Among these methods, especially Suiçmez, the validity of imputation suggests that we should look for which source employs the narrative earlier, whether it is conveyed by the same sahabah in the sources or not, whether it complies with evidence of Qur'an, reason, history etc. or not and the opinions of the Islamic scholars and then we should come to a conclusion on the issue.<sup>17</sup> In this study, we will try to draw a conclusion using these methods. While doing that, we will firstly provide brief information on mauqf narratives in Mamer b. al-Rashed and then mention the convections of the narratives conveyed from Ibn. Mesûd as marfu in the Kutub al-Sittah sources one by one.

Therefore, in this study we will follow the deduction method. As a beginning we will try to show general picture of al-Jami. To do this, we will give the rate of all mauqf narritions and its companions in the tables. Later, we will try to clarify Ibn Masud's mauqf narrations.

### 1. Mauqf Narratives in Ma'mer b. al-Rashed's al-Jâmi

There are 2514 narratives in total in Mamer b. al-Rashed's work. 352 of those narratives are conveyed as mauqf and it makes up almost 14% of the whole work.<sup>18</sup> This rate also indicates that mauqf narratives in the work don't make up a great deal of the narratives.

When it comes to mauqf narratives, it can be observed that approximately 21% (74) of them were conveyed from Umar ibn al-Khattâb, 13% (45) from Ibn Mesûd, %10 (36) from Ibn Abbas, 9% (33) from Ibn Umar, 9% (30) from Abû Hureyre, 6% (21) from Aisha, 4% (15) from Ali Ibn Abu Talib, 4% (13) from Huzeyfe b. al-Yemân, 3% (12) from Enes b. Mâlik, 3% (9) from Abdullah b. Amr, 2% (7) from Ebu'd-Derdâ', 1,7% (6) from Ebû Sa'îd al-Hudrî, 1,4% (5) from Selmân el-Fârisî, 1,4% (5) from Ka'b b. Zuheyr and 1,4% (5) from Ebû Zerr. The remaining 10,1% of the narratives are conveyed by sahabahs such as Mu'âz b. Cebel, Ebu Bekir, Amr b. As, Osman, Imran b. Husayn, Sa'd b. Ebî Vakkâs, Sa'îd b. Cubeyr, Câbir b. Abdillâh, Ubâde b. Sâmit, Ebû Mûsâ el-Es'arî and Ummu Suleym.<sup>19</sup>

16 See for methods suggested by Sabri Çap Çap, *Hadis İlminde Merfu Mevkuף İlişkisi*, p. 214-287.

17 Suiçmez, "Ref Problemi", *İslamiyat*, v. 10, p. 2, 2007, p. 145.

18 These mauqf narration's numbers are determinde by us.

19 These numbers were determined by counting all narrations in the al-Jami. Then all the narrations that were found are proportionate to the whole. For instance, we have seen that 45 of the 352 mauqf narrations we have determined are from İbn Mesud. This number corresponds to 13% of all mauqf narrations.

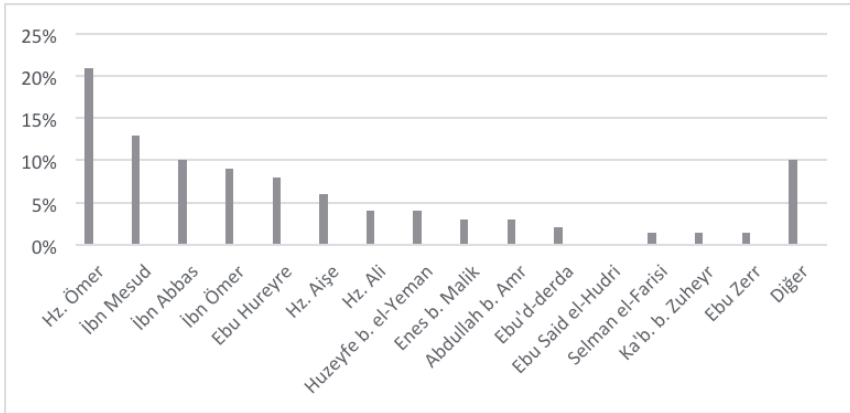


Table 1: Sahaba Rates of the Narratives in Mamer b. al-Rashed's al-Jāmi

Accordingly, when 45 Ibn Mesūd narratives within the scope of our article are compared to Kutub al-Sittah, it is seen that 25% (11) of them are marfu with different transmissions, 12% (6) are marfu by sahabi narrator Ibn Mesūd, 7% (3) are likewise conveyed as mauquf or maqtu and 56% (25) of them are cannot be accessed in the same resources.

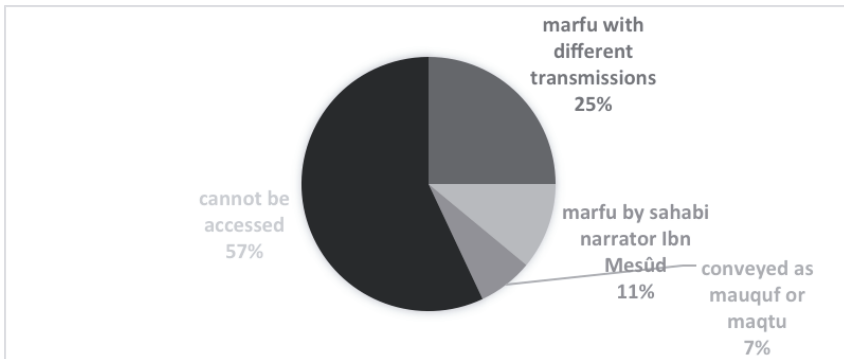


Table 2: Comparing the Ibn Mes'ūd Narratives in Mamer b. al-Rashed's al-Jāmi with Kutub al-Sittah

As a result of these determinations made, it is seen that only a very small part of the mauquf narratives in the work by origin are conveyed as marfu in Kutub al-Sittah sources. Therefore, it can be said that the ref problem does not correspond to a great deal of aggregation. However, if there is such a situation or doubt in even one narrative, it is necessary to investigate the reasons of this issue in order to understand it.

## 2. Comparing the Mauquf Ibn Mes'ūd Narratives in the Work with Kutub al-Sittah

In this part of the study, 45 mauquf convection from Ibn Mes'ud are compared with Kutub al-Sittah. As the number of the narratives that can be accessed in the Kutub al-Sittah works and conveyed as marfu from Ibn Mes'ud is just 6, evaluation of these narratives will be mentioned. As a result, the reasons why the narratives passed down by the sahabah are conveyed as marfu in the later resources will be investigated.

1. First narrative approached regarding the issue is mentioned as mauquf in the work of Mamer b. al-Rashed as “عَنْ مَعْمَرٍ، عَنْ الرَّزَّاقِ، عَنِ الْأَعْمَشِ، عَنْ شَقِيقٍ، عَنِ ابْنِ مَسْعُودٍ، قَالَ: أَوَّلُ مَا يُقْضَى بَيْنَ النَّاسِ يَوْمَ الْقِيَامَةِ فِي الدِّمَاءِ”.<sup>20</sup> When this narrative is investigated in the Kutub al-Sittah resources, it is seen that this narrative is conveyed by Buhārī<sup>21</sup> (d. 256/870), Müslim<sup>22</sup> (d. 261/875), Ibn Mâce<sup>23</sup> (d. 273/887), Tirmizî<sup>24</sup> (d. 279/892) and Nesai<sup>25</sup> (d. 303/915). According to this, the narrative is told in Mamer's work in the order of Ibn Mes'ūd←Sakîk←A'mes←Ma'mer←Abdurrezzak. Isnads of the narrative in Kutub al-Sittah is as follows:

20 Ma'mer b. al-Rashed, *al-Jāmi'*, X, 464.

21 Bukhari, IX, 2. For the origin of the narrative see “عَنْ أَبِي، عَنِ الْأَعْمَشِ، عَنْ أَبِي، عَنِ الْأَعْمَشِ، عَنْ شَقِيقٍ، عَنِ ابْنِ مَسْعُودٍ، قَالَ: أَوَّلُ مَا يُقْضَى بَيْنَ النَّاسِ فِي الدِّمَاءِ حَدَّثَنَا عُمرُ بْنُ حَفْصٍ، حَدَّثَنَا أَبِي، حَدَّثَنَا الْأَعْمَشُ، حَدَّثَنِي شَقِيقٌ، سَمِعْتُ عَبْدَ اللَّهِ رَضِيَ اللَّهُ عَنْهُ قَالَ: «أَوَّلُ مَا يُقْضَى بَيْنَ النَّاسِ بِالْدِّمَاءِ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ.»

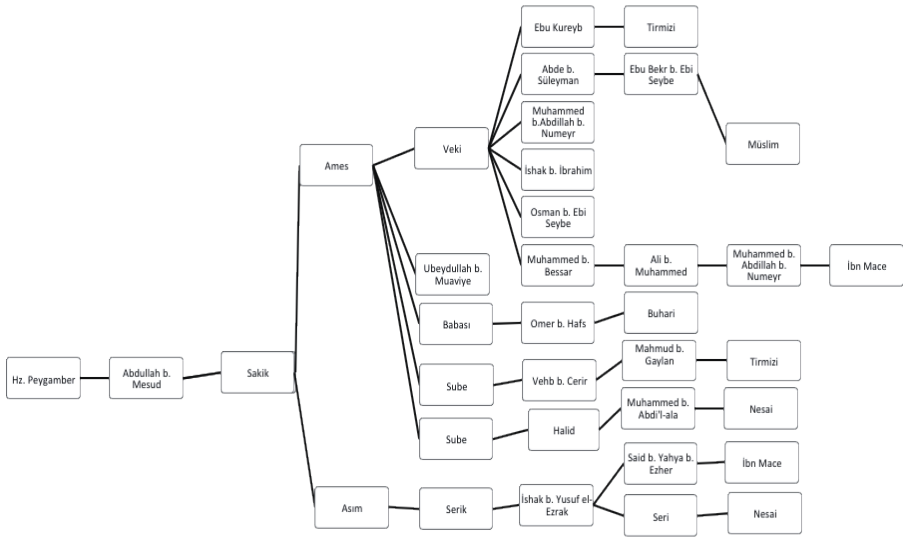
22 Müslim, III, 1304. For the origin of the narrative see “عَنْ أَبِي شَيْبَةَ، وَإِسْحَاقَ بْنِ إِبْرَاهِيمَ، حَدَّثَنَا مُحَمَّدُ بْنُ عَبْدِ اللَّهِ بْنِ نُمَيْرٍ، وَعَلِيُّ بْنُ مُحَمَّدٍ، وَمُحَمَّدُ بْنُ عَبْدِ اللَّهِ بْنِ نُمَيْرٍ، جَمِيعًا عَنْ وَكَيْعٍ، عَنِ الْأَعْمَشِ، ح وَحَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ، حَدَّثَنَا عَبْدُ بْنُ سَلِيمَانَ، وَوَكَيْعٌ، عَنِ الْأَعْمَشِ، عَنْ أَبِي وَائِلٍ، عَنْ عَبْدِ اللَّهِ، قَالَ: قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: «أَوَّلُ مَا يُقْضَى بَيْنَ النَّاسِ يَوْمَ الْقِيَامَةِ فِي الدِّمَاءِ فِي الدِّمَاءِ»

23 İbn Mâce, II, 873. For the origin of the narrative see “عَنْ عَبْدِ اللَّهِ بْنِ نُمَيْرٍ، وَعَلِيُّ بْنُ مُحَمَّدٍ، وَمُحَمَّدُ بْنُ بَشَّارٍ قَالُوا: حَدَّثَنَا وَكَيْعٌ قَالَ: حَدَّثَنَا الْأَعْمَشُ، عَنْ شَقِيقٍ، عَنْ عَبْدِ اللَّهِ قَالَ: قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: حَدَّثَنَا سَعِيدُ بْنُ جَحْبَةَ بْنِ الْأَزْهَرِ” II, 873. For other narratives see “أَوَّلُ مَا يُقْضَى بَيْنَ النَّاسِ يَوْمَ الْقِيَامَةِ فِي الدِّمَاءِ الْوَاسِطِيُّ قَالَ: حَدَّثَنَا إِسْحَاقُ بْنُ يُونُسَ الْأَزْرُقِيُّ، عَنْ شَرِيكِ، عَنْ عَاصِمٍ، عَنْ أَبِي وَائِلٍ، عَنْ عَبْدِ اللَّهِ قَالَ: قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: «أَوَّلُ مَا يُقْضَى بَيْنَ النَّاسِ يَوْمَ الْقِيَامَةِ فِي الدِّمَاءِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ.»

24 Tirmizî, IV, 17. For the origin of the narrative see “عَنْ عَبْدِ اللَّهِ بْنِ نُمَيْرٍ، وَعَلِيُّ بْنُ مُحَمَّدٍ، وَمُحَمَّدُ بْنُ عَبْدِ اللَّهِ بْنِ نُمَيْرٍ، جَمِيعًا عَنْ وَكَيْعٍ، عَنِ الْأَعْمَشِ، عَنْ أَبِي وَائِلٍ، عَنْ عَبْدِ اللَّهِ، قَالَ: قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: «إِنَّ أَوَّلَ مَا يُحْكَمُ بَيْنَ الْعِبَادِ حَدَّثَنَا أَبُو كُرَيْبٍ قَالَ: حَدَّثَنَا وَكَيْعٌ، عَنْ الْأَعْمَشِ، عَنْ أَبِي وَائِلٍ، عَنْ عَبْدِ اللَّهِ قَالَ: قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: «إِنَّ أَوَّلَ مَا يُقْضَى بَيْنَ الْعِبَادِ فِي الدِّمَاءِ»

25 Nesai, VII, 83. For the origin of the narrative see “عَنْ عَبْدِ اللَّهِ بْنِ نُمَيْرٍ، وَعَلِيُّ بْنُ مُحَمَّدٍ، وَمُحَمَّدُ بْنُ عَبْدِ اللَّهِ بْنِ نُمَيْرٍ، جَمِيعًا عَنْ وَكَيْعٍ، عَنِ الْأَعْمَشِ، عَنْ أَبِي وَائِلٍ، عَنْ عَبْدِ اللَّهِ، قَالَ: قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: حَدَّثَنَا سَعِيدُ بْنُ جَحْبَةَ بْنِ الْأَزْهَرِ” VII, 83. For other narratives see “أَوَّلُ مَا يُحَاسَبُ بِهِ الْعَبْدُ الصَّلَاةَ، وَأَوَّلُ مَا يُقْضَى بَيْنَ النَّاسِ فِي الدِّمَاءِ أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ الْأَعْلَى، عَنْ خَالِدِ بْنِ عَبْدِ اللَّهِ، حَدَّثَنَا شُعْبَةُ، عَنْ سَلِيمَانَ قَالَ: سَمِعْتُ أَبَا وَائِلٍ، يُحَدِّثُ عَنْ عَبْدِ اللَّهِ، أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ: «أَوَّلُ مَا يُحْكَمُ بَيْنَ النَّاسِ فِي الدِّمَاءِ»





Tablo 3: The Narrative of Isnad Schemes of عَنْ أَبِي مَعْمَرٍ، عَنِ الْأَعْمَشِ، عَنْ شَقِيقٍ، عَنِ ابْنِ مَسْعُودٍ، قَالَ: أَوَّلُ مَا بُقِضَ بَيْنَ النَّاسِ يَوْمَ الْقِيَامَةِ فِي النَّمَاءِ أَخْبَرَنَا عَبْدُ الرَّزَّاقِ، عَنْ مَعْمَرٍ، عَنِ الْأَعْمَشِ، عَنْ شَقِيقٍ، عَنِ ابْنِ مَسْعُودٍ، قَالَ: أَوَّلُ مَا بُقِضَ بَيْنَ النَّاسِ يَوْمَ الْقِيَامَةِ فِي النَّمَاءِ in Kütüb-i Sitte

As it is observed, the narrative is conveyed as marfu from Ibn Mes'ūd with ten different isnads. The most significant difference between the isnads mentioned in Kutub al-Sittah and the isnad of Mamer b. al-Rashed is that even though all narratives are conveyed from Ibn Mes'ūd, they are mentioned as marfu in Kutub al-Sittah resources and mauquf in *al-Jāmi*. However, the first three layers of the course of narrative conveyed by Mamer, namely Ibn Mes'ūd←Şakik←Ames line, are used by Buhāri, Müslim, Tirmizî and Ibn Mâce in the Kutub al-Sittah.

When a comparison is conducted between the texts of the narratives by Ibn Mes'ūd←Şakik←Ames line, it can be seen that the texts of the narratives conveyed by Mamer and Ibn Mâce are completely the same.<sup>26</sup> In Buhārî narratives, however, “يَوْمَ الْقِيَامَةِ” part in the other narratives is not mentioned.<sup>27</sup> Besides, the part mentioned as “مَا يُقْضَى بَيْنَ النَّاسِ” in the Mamer narrative is mentioned as “مَا يُحْكَمُ بَيْنَ الْعِبَادِ” in Tirmizî narrative<sup>28</sup>, and as “مَا يُقْضَى بَيْنَ الْعِبَادِمَا”<sup>29</sup> in another Tirmizî narrative and in Nesaî it is mentioned as “مَا يُحْكَمُ بَيْنَ النَّاسِ” In a narrative of Nesaî conveyed with a different transmission, “يَوْمَ الْقِيَامَةِ” part can said to be nonexistent.<sup>30</sup> Therefore, it is observed that the narrative texts provide the same meaning even though there are some wording differences between them. Moreover, it is also im-

26 Müslim, III, 1304; İbn Mâce, II, 873.  
 27 Bukhari, IX, 2.  
 28 Tirmizî, IV, 17.  
 29 Tirmizî, IV, 17.  
 30 Bukhari, IX, 2; Nesaî, VII, 83.

portant that the same text is found in the narrations of Muslim and Ibn Mâce, especially where the same isnad is used.

Within the scope of the subject, transmissions and texts where the narrative was conveyed as mauquf in the hegira second century source but then conveyed as marfu in higera third century source are mentioned. However, apart from this, it should not be overlooked that there are narratives conveyed from Ibn Mesud by Nesai as mauquf.<sup>31</sup>

As a result of the above-mentioned explanations, the question arises whether the narrative is originally conveyed as mauquf or marfu. In this context, Tirmizî's consideration that the narratives' line from the A'mes are not marfu but the ones apart from that are marfu is of importance.<sup>32</sup> However, Dârekutnî (d. 385/995) states that this is due to the fact that A'mes sometimes makes marfu convections and sometimes mauquf.<sup>33</sup> It also conveys the sense that Sufyân es-Sevrî knew that this narrative was marfu.<sup>34</sup> Zehebî (d. 748/1348), however, states that there is an effective problem in the A'meslines of this narrative.<sup>35</sup> Therefore, both from these expressions and the determinations made, A'mes can be agreed to be the source of the differences observed in the source of the narratives as he is the common narrator of all narratives except for one. However, when we examine the A'mes's situation in al-jarh and at-tadeel works, it is seen that not this issue but the problem is tadlis. Yet, it is also claimed that A'mes makes tadlis when he narrate from Enes.<sup>36</sup> Therefore, the information claiming this cause stemming from A'mes mentioned in the narrative above cannot be found in al-jarh and at-tadeel works. In this case, it can be said that the ref problem in the narrative is due to a sika narrator or some other situation. As a matter of fact, it can be said that there is no case in this narrative such as weakness in the transmission or narrative is aimed to be a fatwa.

2. The second narrative regarding the subject is conveyed by Mamer yet again via Ibn Mes'ud as mauquf "أَخْبَرَنَا عَبْدُ الرَّزَّاقِ، عَنْ مَعْمَرٍ، عَنْ أَبِي إِسْحَاقَ، عَنْ أَبِي الْأَحْوَصِ، عَنِ ابْنِ مَسْعُودٍ، قَالَ: «إِذَا أَرَادَ أَحَدُكُمْ أَنْ يَخْطُبَ خُطْبَةَ الْحَاجَةِ فَلْيَبْدَأْ وَلْيَقُلْ: الْحَمْدُ لِلَّهِ نَحْمَدُهُ وَنَسْتَعِينُهُ وَنَسْتَعِزُّهُ، وَنَعُوذُ بِاللَّهِ مِنْ شُرُورِ أَنْفُسِنَا، مَنْ يَهْدِي اللَّهُ فَلَا مُضِلَّ لَهُ، وَمَنْ يَضِلَّ فَلَا هَادِيَ لَهُ، وَأَشْهَدُ أَنْ لَا إِلَهَ إِلَّا اللَّهُ وَحْدَهُ لَا شَرِيكَ لَهُ، وَأَشْهَدُ أَنَّ مُحَمَّدًا عَبْدُهُ وَرَسُولُهُ»، ثُمَّ يقرأ هذه الآيات: ﴿يَا أَيُّهَا الَّذِينَ آمَنُوا اتَّقُوا اللَّهَ حَقَّ تَقَاتِهِ وَلَا تَمُوتُنَّ إِلَّا وَأَنْتُمْ مُسْلِمُونَ﴾ [إل عمران:

31 See Nesai, VII, 83-84.

32 Tirmizî, IV, 17.

33 Dârekutnî, *el-İlel*, V, 90-91.

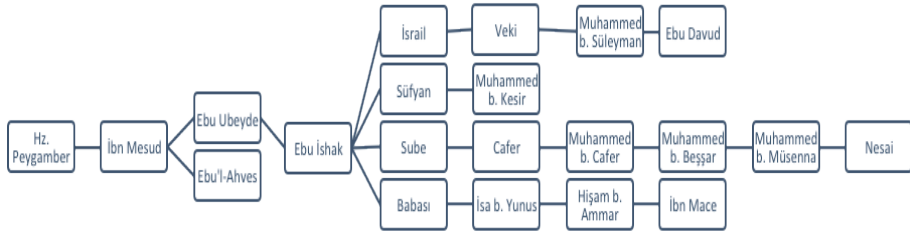
34 Dârekutnî, *el-İlel*, V, 90-91.

35 Zehebî, *Mu'cemu's-şuyûhi'l-kebir*, II, 423.

36 Zehebî, *Siyeru A'lâmi'n-nubelâ*, VI, 226-248; İbn Hacer, *Tabakâtü'l-muhaddisîn*, I, 33; Suyûtî, *Esmâu'l-mudellisin*, I, 55.

[ 1با ] بِهِ وَالْأَرْحَامُ إِنَّ اللَّهَ كَانَ عَلَيْكُمْ رَقِيبًا [ النساء: 163 ] ، [ اتَّقُوا اللَّهَ الَّذِي تَسَاءَلُونَ [ص: 102: أَخْبَرَنَا عَبْدُ الرَّزَّاقِ، عَنْ مَعْمَرٍ، عَنْ أَبِي إِسْحَاقَ، عَنْ أَبِي عُبَيْدَةَ، عَنْ أَبِي إِسْحَاقَ، قَالَ: «إِذَا أَرَادَ أَحَدُكُمْ أَنْ يَخْطُبَ خُطْبَةَ الْحَاجَةِ فَلْيَبْدَأْ وَلْيَقُلْ: الْحَمْدُ لِلَّهِ نَحْمَدُهُ وَنُسْتَعِينُهُ وَنَسْتَغْفِرُهُ... الْأَخْوَصُ، عَنْ ابْنِ مَسْعُودٍ، قَالَ: [ 70] أَيُّهَا الَّذِينَ آمَنُوا اتَّقُوا اللَّهَ وَفُولُوا قَوْلًا سَدِيدًا [ الأحزاب: 70] ] and Nesai<sup>40</sup> again conveys the same narrative with similar texts in Kutub al-Sittah from Ibn Mes'ūd as marfu. In Mamer's narrative is conveyed with Abdurrezzāk←Ma'mer←Ebū Ishak←Ebu'l-Ahves←Ibn Mes'ūd line. Transmissions of the same narrative in Kutub al-Sittah is as follows:

Table 4: The Narrative of Isnad Scheme of عَنْ أَبِي إِسْحَاقَ، عَنْ أَبِي عُبَيْدَةَ، عَنْ أَبِي إِسْحَاقَ، قَالَ: «إِذَا أَرَادَ أَحَدُكُمْ أَنْ يَخْطُبَ خُطْبَةَ الْحَاجَةِ فَلْيَبْدَأْ وَلْيَقُلْ: الْحَمْدُ لِلَّهِ نَحْمَدُهُ وَنُسْتَعِينُهُ وَنَسْتَغْفِرُهُ... الْأَخْوَصُ، عَنْ ابْنِ مَسْعُودٍ، قَالَ: [ 70] أَيُّهَا الَّذِينَ آمَنُوا اتَّقُوا اللَّهَ وَفُولُوا قَوْلًا سَدِيدًا [ الأحزاب: 70] ] in Kutub al-Sittah.



From this transmission scheme, the narrative conveyed by Ma'mer from Ibn Mes'ūd as mauquf is seen to be conveyed in the Kutub al-Sittah resources again from the same sahabi as marfu. However, it is seen that the Ebū Dāvud, Ibn Māce and Ma'mer transmission has conveyed the narrative via Ebū Ishak←Ebu'l-Ahves←Ibn Mes'ūd line. Therefore, while

37 Ma'mer, *age.*, XI, 162.

38 Ebū Dāvud, II, 238. For the origin of the narrative see عَنْ أَبِي إِسْحَاقَ، عَنْ أَبِي عُبَيْدَةَ، عَنْ أَبِي إِسْحَاقَ، قَالَ: «إِذَا أَرَادَ أَحَدُكُمْ أَنْ يَخْطُبَ خُطْبَةَ الْحَاجَةِ فِي النِّكَاحِ وَغَيْرِهِ، ح، وَحَدَّثَنَا مُحَمَّدُ بْنُ سُلَيْمَانَ الْأَنْبَارِيُّ، [ إِسْحَاقَ، عَنْ أَبِي الْأَخْوَصِ، وَأَبِي عُبَيْدَةَ، عَنْ عَبْدِ اللَّهِ، قَالَ: « عَلِمْنَا ٢٣٩ الْمَعْنَى، حَدَّثَنَا وَكَيْعٌ، عَنْ إِسْرَائِيلَ، عَنْ أَبِي إِسْحَاقَ، عَنْ أَبِي إِسْحَاقَ، قَالَ: «إِذَا أَرَادَ أَحَدُكُمْ أَنْ يَخْطُبَ خُطْبَةَ الْحَاجَةِ فَلْيَبْدَأْ وَلْيَقُلْ: الْحَمْدُ لِلَّهِ نَحْمَدُهُ وَنُسْتَعِينُهُ وَنَسْتَغْفِرُهُ وَنَعُوذُ بِهِ مِنْ شَرِّهِ أَنْفُسِنَا، مَنْ يَهْدِ اللَّهُ فَلَا مُضِلَّ لَهُ، وَمَنْ يَضِلَّ فَلَا هَادِيَ لَهُ، وَأَشْهَدُ أَنْ لَا إِلَهَ إِلَّا اللَّهُ، وَأَشْهَدُ أَنَّ مُحَمَّدًا عَبْدُهُ وَرَسُولُهُ، يَا أَيُّهَا الَّذِينَ آمَنُوا اتَّقُوا اللَّهَ [ أَيُّهَا الَّذِينَ آمَنُوا اتَّقُوا اللَّهَ حَقَّ تَقَاتِهِ وَلَا تَمُوتُوا إِلَّا وَأَنْتُمْ بِاللَّهِ الَّذِي تَسَاءَلُونَ بِهِ وَالْأَرْحَامُ إِنَّ اللَّهَ كَانَ عَلَيْكُمْ رَقِيبًا [ النساء: 71] ] أَيُّهَا الَّذِينَ آمَنُوا اتَّقُوا اللَّهَ وَفُولُوا قَوْلًا سَدِيدًا يُصَلِّحْ لَكُمْ أَعْمَالَكُمْ وَيَغْفِرْ لَكُمْ ذُنُوبَكُمْ وَمَنْ يُطِيعِ ١٠٢ مُسْلِمُونَ [ آل عمران: 71] ] اللَّهُ وَرَسُولَهُ فَقَدْ قَوْرًا فَوْزًا عَظِيمًا [ الأحزاب:

39 Ibn Māce, I, 609. For the origin of the narrative see حَدَّثَنَا هِشَامُ بْنُ عَمَّارٍ قَالَ: حَدَّثَنَا عَيْسَى بْنُ يُونُسَ قَالَ: حَدَّثَنَا أَبُو إِسْحَاقَ، عَنْ أَبِي الْأَخْوَصِ، عَنْ عَبْدِ اللَّهِ بْنِ مَسْعُودٍ، قَالَ: أَوْتِي رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ جَوَامِعَ الْخَيْرِ، وَخَوَاتِمَهُ، أَوْ قَالَ: فَوَاتِحَ الْخَيْرِ، فَعَلِمْنَا خُطْبَةَ الصَّلَاةِ، وَخُطْبَةَ الْحَاجَةِ، خُطْبَةَ الصَّلَاةِ: «التَّحِيَّاتُ لِلَّهِ وَالصَّلَوَاتُ وَالطَّيِّبَاتُ، السَّلَامُ عَلَيْكَ أَيُّهَا النَّبِيُّ وَرَحْمَةُ اللَّهِ وَبَرَكَاتُهُ، السَّلَامُ عَلَيْنَا وَعَلَى عِبَادِ اللَّهِ الصَّالِحِينَ، أَشْهَدُ أَنْ لَا إِلَهَ إِلَّا اللَّهُ، وَأَشْهَدُ أَنَّ مُحَمَّدًا عَبْدُهُ وَرَسُولُهُ»، وَخُطْبَةَ الْحَاجَةِ: «أَنَّ الْحَمْدُ لِلَّهِ، نَحْمَدُهُ، وَنُسْتَعِينُهُ، وَنَسْتَغْفِرُهُ، وَنَعُوذُ بِاللَّهِ مِنْ شَرِّهِ أَنْفُسِنَا، وَمِنْ سَيِّئَاتِ أَعْمَالِنَا، مَنْ يَهْدِهِ اللَّهُ فَلَا مُضِلَّ لَهُ، وَمَنْ يَضِلَّ فَلَا هَادِيَ لَهُ، وَأَشْهَدُ أَنْ لَا إِلَهَ إِلَّا اللَّهُ وَحْدَهُ لَا شَرِيكَ لَهُ، وَأَشْهَدُ أَنَّ مُحَمَّدًا عَبْدُهُ وَرَسُولُهُ، ثُمَّ تَصِلُ خُطْبَتُكَ بِثَلَاثِ آيَاتٍ مِنْ كِتَابِ اللَّهِ: [ يَا أَيُّهَا الَّذِينَ آمَنُوا اتَّقُوا اللَّهَ حَقَّ تَقَاتِهِ [ آل عمران: 71] ] أَيُّهَا الَّذِينَ آمَنُوا اتَّقُوا اللَّهَ وَفُولُوا قَوْلًا سَدِيدًا يُصَلِّحْ لَكُمْ أَعْمَالَكُمْ وَيَغْفِرْ لَكُمْ ذُنُوبَكُمْ [ الأحزاب:

40 Nesai, III, 104. For the origin of the narrative see أَخْبَرَنَا مُحَمَّدُ بْنُ الْمُثَنَّى، وَمُحَمَّدُ بْنُ بَشَّارٍ، قَالَا: حَدَّثَنَا عَنْ مُحَمَّدِ بْنِ جَعْفَرٍ، قَالَ: حَدَّثَنَا شُعْبَةُ، قَالَ: سَمِعْتُ أَبَا إِسْحَاقَ يُحَدِّثُ، عَنْ أَبِي عُبَيْدَةَ، عَنْ عَبْدِ اللَّهِ، عَنْ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، قَالَ: عَلِمْنَا خُطْبَةَ الْحَاجَةِ: « الْحَمْدُ لِلَّهِ نَسْتَعِينُهُ وَنَسْتَغْفِرُهُ، وَنَعُوذُ بِاللَّهِ مِنْ شَرِّهِ أَنْفُسِنَا، وَسَيِّئَاتِ أَعْمَالِنَا، مَنْ يَهْدِهِ اللَّهُ فَلَا مُضِلَّ لَهُ، وَمَنْ يَضِلَّ فَلَا هَادِيَ لَهُ، وَأَشْهَدُ أَنْ لَا إِلَهَ إِلَّا اللَّهُ، وَأَشْهَدُ أَنَّ مُحَمَّدًا عَبْدُهُ وَرَسُولُهُ، ثُمَّ يَقْرَأُ ثَلَاثَ آيَاتٍ: [ يَا أَيُّهَا النَّاسُ اتَّقُوا رَبَّكُمُ الَّذِي خَلَقَكُمْ مِنْ ١٠٢ الَّذِينَ آمَنُوا اتَّقُوا اللَّهَ حَقَّ تَقَاتِهِ وَلَا تَمُوتُوا إِلَّا وَأَنْتُمْ مُسْلِمُونَ [ آل عمران: نفسٍ وَاخْتَلَفَ مِنْهَا رُجُوحًا وَبَثَّ مِنْهُمَا رِجَالًا كَثِيرًا وَنِسَاءً وَاتَّقُوا اللَّهَ الَّذِي تَسَاءَلُونَ بِهِ وَالْأَرْحَامُ إِنَّ اللَّهَ كَانَ عَلَيْكُمْ رَقِيبًا [ 70] ]، [ يَا أَيُّهَا الَّذِينَ آمَنُوا اتَّقُوا اللَّهَ وَفُولُوا قَوْلًا سَدِيدًا [ الأحزاب: ١ [ النساء:

the narrative was mauquf in the hegira second century source, it was conveyed as marfu in hegira third century works.

When an evaluation of the texts, it has been seen that the part expressed in Ma'mer as "إِذَا أَرَادَ أَحَدُكُمْ أَنْ يَخُطِبَ خُطْبَةَ الْحَاجَةِ فَلْيَبْدَأْ وَلْيَقُلْ" expressed in Ebû Dâvud<sup>41</sup> and Nesaî<sup>42</sup> as "عَلَّمَنَا رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ خُطْبَةَ الْحَاجَةِ" "عَلَّمَنَا خُطْبَةَ الْحَاجَةِ" This part in Ibn Mâce<sup>43</sup> has been conveyed as "أُوتِيَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ جَوَامِعَ الْخَيْرِ، وَخَوَاتِمَهُ، أَوْ قَالَ: فَوَاتِحَ الْخَيْرِ، فَعَلَّمَنَا خُطْبَةَ الصَّلَاةِ، وَخُطْبَةَ الْحَاجَةِ" together with the Salat sermon. While the verses read after the *Hutbetu'l-hâcet* expressed as "ثُمَّ يَفْرَأُ هَذِهِ الْآيَاتِ" by Ma'mer, the verses start as "يَا أَيُّهَا الَّذِينَ آمَنُوا" in Ebû Dâvud,<sup>44</sup> a similar use of the narrative has been expressed in Ibn Mâce<sup>45</sup> as "ثُمَّ تَصِلُ خُطْبَتَكَ بِثَلَاثِ آيَاتٍ مِنْ كِتَابِ اللَّهِ" and in Nesaî<sup>46</sup> as "ثُمَّ يَفْرَأُ ثَلَاثَ آيَاتٍ". Thus, it is observed that even though there are some textual differences between the narrations, but there's nothing affecting the main theme. However, it is not believed that the narration has the content of fatwa.

It is observed that the evaluations conducted regarding the narrative is especially about the lines from Ebû Ubeyde isnad. As a matter of fact, the belief that Abu Ubeyde has not heard any narratives from his father Ibn Mes'ud is the basis of the criticism regarding the transmission.<sup>47</sup> It can be said that there's interruptions in Abû Ubeyde narratives in the Abu Dawud and Nesaî courses. In this case, the possibility that the raf issue in Abu Ubeyde narrations occurred due to a weakness in the transmission becomes prominent. Yet in this case, it makes one to question what is behind the problem in conveying the narratives of Ebu'l-Ahves as marfu in the same layer with the other isnads. When a study conducted regarding Ebu'l-Ahves, it was seen that he was regarded as a sika narrator.<sup>48</sup> Regarding Ebû İshak, the common narrator of all the narratives, while there is information supporting that he was a well-grounded narrator, and there's no information stating that he made up narratives in relation with this one.<sup>49</sup> Yet Dârekutnî, suggests the reason behind the wording differences the narrative contains is Ebû İshak<sup>50</sup> and states the narrative is

41 Ebû Dâvud, II, 238.

42 Nesaî, III, 104.

43 İbn Mâce, I, 609.

44 Ebû Dâvud, II, 238.

45 İbn Mâce, I, 609.

46 Nesaî, III, 104.

47 Nesaî, III, 104; Mizzî, *Tehzibu'l-Kemâl*, XIV, 61; İbn Hacer, *Tabakâtu'l-müdekkisîn*, I, 48; Zehebi, *Siyeru a'lâmi'n-nubelâ*, IV, 363.

48 Mizzî, *Tehzib*, XXII, 445.

49 İbn Hacer, *Tehzibu't-Tehzib*, VIII, 63.

50 Dârekutnî, *İlel*, V, 311.

conveyed as mauquf in Ebû İshak←Ebu'l-Ahves←Ibn Mes'ūd line.<sup>51</sup> Stating that there are marfu versions of the narrative, Dārekutnî attributes this to narrators conveying from Ebû İshak.<sup>52</sup> However, it is also seen in this narrative that mauquf and marfu narration case stemming from the narrators occurs as well.

3. Another narrative concerning the subject is conveyed by Ma'mer as mauquf: «أَخْبَرَنَا عَبْدُ الرَّزَّاقِ، عَنْ مَعْمَرٍ، عَنْ يَزِيدَ بْنِ أَبِي زَيْدٍ، عَنْ أَبِي الْكُنُودِ، عَنِ ابْنِ مَسْعُودٍ، قَالَ: «مَثَلُ الدُّنْيَا كَمَثَلِ تَعْبٍ»، قَالَ: قُلْنَا: وَمَا التَّعْبُ؟ قَالَ: «الْعَدِيرُ ذَهَبَ صَفْوُهُ وَبَقِيَ كَدْرُهُ»، فَأَلْمَوْتُ يُجِبُهُ كُلُّ مُؤْمِنٍ»<sup>53</sup> When the source of the narrative is searched in Kutub al-Sittah, it is seen that it is conveyed only by Bukhari as marfu, yet again as Ibn Masud's sahabi narrator. According to this, it is conveyed by Ma'mer as mauquf by the order Abdurrezzāk←Ma'mer←Yezîd b. Ebî Ziyâd←Ebu'l-Kenûd←Ibn Mes'ūd. The Bukhari course of the narrative is conveyed by the order Osman b. Ebî Şeybe←Cerîr←Mansûr←Ebû Vâil←Abdullah←Rasulullah.<sup>54</sup> It seems that the only common point on both sides is Ibn Masud.

If the narratives are to be compared on the basis of text, the text in Bukhari is conveyed longer and the text in Mamer is conveyed with some differences. The expression that makes the text in Bukhari marfu is the expression «أَنَا كُنَّا مَعَ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ» of Ibn Masud.<sup>55</sup>

If an assessment is to be made about the narrative, Yezîd b. Abi Ziyad there are evaluations regarding Yezid b. Ebi Ziyad mentioned within the transmission conveyed by Mamer such as “daifu'l-hadis, leyyin, la yuhtac bi hadisihi, alay bi kaviyyin, câizu'l-hadis.”<sup>56</sup> It is therefore seen the Mamer's isnad is weak. However, it is very unlikely the reason for the conveying of the narrative as mauquf can be attributed to this narrator. Therefore, it is seen in other sources that the narrative is conveyed as mauquf from Ibn Masud with an genuine isnad.<sup>57</sup> Regarding the narrators in Bukhari, no negative evaluation has been encountered. However, Ibn Hacer (d. 852/1449) makes an evaluation that all narrators of the narrative are of

51 Dārekutnî, *İlel*, V, 312.

52 Dārekutnî, *İlel*, V, 311-314.

53 Ma'mer b. al-Rashed, *el-Cami*, XI, 384.

54 Bukhari, IV, 51. For the origin of the narrative, see «عَنْ حَكَّنَا عُمَانُ بْنُ أَبِي شَيْبَةَ، حَكَّنَا جَرِيرٌ، عَنْ مَنْصُورٍ، عَنْ أَبِي وَائِلٍ، قَالَ: قَالَ عَبْدُ اللَّهِ رَضِيَ اللَّهُ عَنْهُ: لَقَدْ أَنَا فِي النَّوْمِ رَجُلًا، فَسَأَلَنِي عَنْ أَمْرٍ مَا دَرَيْتُ مَا أَرَدْتُ عَلَيْهِ، فَقَالَ: أَرَأَيْتَ رَجُلًا مُؤَدِّبًا نَسِيطًا، يَخْرُجُ مَعَ أَمْرَاتِنَا فِي الْمَغَارِي، فَيَعَزِمُ عَلَيْنَا فِي أَسْبَاءٍ لَا نُحْصِيهَا؟ فَقُلْتُ لَهُ: وَاللَّهِ مَا أَدْرِي مَا أَقُولُ لَكَ، إِلَّا أَنَا كُنَّا مَعَ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، فَعَسَى أَنْ لَا يَعَزِمَ عَلَيْنَا فِي أَمْرٍ إِلَّا مَرَّةً حَتَّى نَفْعَلَهُ، وَإِنْ أَحْسَبُ لَنْ يَزَالَ يَخْبِرُ مَا اتَّقَى اللَّهُ، وَإِذَا شَكَ فِي نَفْسِهِ شَيْءٌ سَأَلَ رَجُلًا، فَسَفَّاهُ مِنْهُ، وَأَوْشَكَ أَنْ لَا تَجِدُوهُ، وَالَّذِي لَا إِلَهَ إِلَّا هُوَ مَا أَنْكَرُ مَا غَبَرَ مِنْ الدُّنْيَا إِلَّا كَالْتَّعْبِ شَرِبَ، صَفْوُهُ وَبَقِيَ كَدْرُهُ»

55 There are those who accept such narratives as marfu narratives and in this work they are treated on the order of marfu.

56 Zehebî, *Siyeru A'lâmi'n-nubelâ*, VI, 129-131; *Mizânu'l-i'tidâl*, IV, 423.

57 See Ibn Ebi Şeybe, *Musannef*, VII, 109.

Qufa people.<sup>58</sup> However, this information does not provide any lead as to why the narrative is conveyed as marfu.

However, another issue that needs to be taken into consideration in relation to this narrative is related to the texts of the narratives. Thus, it seems that the texts conveyed as mauquf are similar to each other. Besides, it is seen Bukhari's narrative is based on a longer text and context. Thus, in these conveyings of Ibn Masud deviates the subject from the context and gives information about the meaning of a word. This information can be regarded as a narrative with general composition. The issue of raf at this point is related to the fact that Ibn Masud conveys a part of the text, that is, with the explanation of the word, which also conforms to his narrative style. Therefore, it is thought the reason for the raf issue in this case may have been caused by these reasons when the question of marafu hukmi is left out.

4. Another narrative regarding the subject is conveyed by Mamer: «أَخْبَرَنَا عَبْدُ الرَّزَّاقِ، عَنْ مَعْمَرٍ، عَنْ أَبِي إِسْحَاقَ، عَنْ رَجُلٍ، عَنِ ابْنِ مَسْعُودٍ، قَالَ: «إِذَا كَانَتْ سَنَةٌ» حَمْسٍ وَثَلَاثِينَ حَدَّثَ أَمْرٌ عَظِيمٌ، فَإِنْ تَهَلَّكُوا فَيَا لِحَرَى، وَإِنْ تَنْجُوا فَعَسَى، وَإِذَا كَانَتْ سَبْعِينَ رَأَيْتُمْ مَا «تُنْكِرُونَ».<sup>59</sup> When the narrative is searched in Kutub al-Sittah, it is seen that it is conveyed with a similar text by Ebu Davud.<sup>60</sup> According to this, Mamer conveys the narrative in order Abdurrezzâk←Ma'mer←Ebû İshâk←Racul←İbn Mes'ûd while Ebu Davud conveys it as marfu in order Muhammed b. Süleyman el-Enbârî←Abdurrahman←Süfyân←Mansûr←Rib'iy b. Hirâş←Berâ' b. Nâciye←Abdullah b. Mes'ûd←Rasulullah. The only thing in common between the two isnad is Ibn Masud, the sahabah narrator.

If an evaluation of the isnads of the narratives is to be made, it can be said that the Mamer's isnad is weak due to the existence of an unknown narrator. However, when you look at the narrative of Taberani, it is also seen there is a possibility that the indefinite narrator there is Ebu'l-Ahves.<sup>61</sup> In this case, the doubt about the isnad will disappear. There are sika evaluations on Berâ' b Nâciye, mentioned in the transmission that Ebu Davud conveys as well as the expressions of "fihi ceâlet and lâ yu'raf".<sup>62</sup> Therefore, there is a possibility the differences in susceptibilities are due to these narrators. However, it is seen the narrative

58 Ibn Hacer, *Fethu'l-Bârî*, VI, 119.

59 Ma'mer b. al-Rashed, *el-Cami.*, XI, 375.

60 Ebû Dâvud, IV, 98. For the origin of the narrative see «حَدَّثَنَا مُحَمَّدُ بْنُ سُلَيْمَانَ الْأَنْبَارِيُّ، حَدَّثَنَا عَبْدُ الرَّحْمَنِ، عَنْ سُفْيَانَ، عَنْ مَنْصُورٍ، عَنْ رَبِيعِ بْنِ جَرَّاشٍ، عَنِ الْبَرَاءِ بْنِ نَاجِيَةَ، عَنْ عَبْدِ اللَّهِ بْنِ مَسْعُودٍ، عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ: «تَنْدُورُ رَحَى الْإِسْلَامِ لِحَمْسٍ وَثَلَاثِينَ، أَوْ سَبْعٍ وَثَلَاثِينَ، أَوْ سَبْعٍ وَثَلَاثِينَ، فَإِنْ تَهَلَّكُوا فَسَبِيلٌ مِنْ هَذَا، وَإِنْ يَفُتُّ لَهُمْ دِينُهُمْ، يَفُتُّ لَهُمْ سَبْعِينَ عَامًا»، قَالَ: قُلْتُ: أَمَّا بَقِي أَوْ مِمَّا مَضَى؟ قَالَ: «مِمَّا مَضَى»

61 Taberâni, *el-Mu'cemu'l-kebir*, IX, 236.

62 İbn Hacer, *Tehzibu't-Tehzib*, I, 427.

is conveyed via other lines. Hence Ibn Ebi Seybe and Ahmed b. Hanbel conveys the narrative with the line Yezīd b. Harun←Avvām b. Havseb←Ebū Ishak es-Seybānī←Kāsım b. Abdurrahman←Abdurrahman←Ibn Mes'ūd←Rasulullah. However, there is information in sources that Abdurrahman b. Abdillah b. Masud did not receive any hadith from his father, Ibn Masud.<sup>63</sup> Therefore, it can be seen that there cannot be mentioned an genuine line for the convection of this narrative as marfu. Another narrative, which is quoted with a different isnad, is made by Bezzār. According to this, the convection is made with the line Fadl b. Sehl←Esved b. Amir←Sherīk←Mücâlid←Shabî←Mesrūk←Abdullah←Rasulullah.<sup>64</sup> However, there is such explanation referring to Mücâlid b. Said b. Umeyr mentioned in the books as "leyyin, weak, leyse bi şey'in, la yuhtac".<sup>65</sup> There is thus a lot of doubts about the well-being of this isnad, and it is also important for Mücâlid to be defined as a raffa. Nevertheless, the evaluation of Taberani's narrative reveals the reason why all these convections are conveyed as mauquf and marfu. According to this, the narrative of Tabarani is conveyed by Abu'l-Ahves as a mauquf, but Mesrūk, Abdurrahman b. Abdillah b. Mes'ūd and Berâ' b. Naciye make this narration marfu.<sup>66</sup> Therefore, the narrators who convey the narrative as marfu are those who use jarh expressions about themselves. In Mesrūk's isnad, it can be said in this context that the criticism of Mücâlid is taken into account and the reason for the conveying of this narrative as marfu is probably Mücâlid.

It should not be forgotten the text of the narrative is conveyed in a quite different way besides these problems that may be caused by narrator. Indeed, it should also be taken into account Ibn Masud may have intended to convey his knowledge about the subject.

5. Another narrative conveyed as mauquf by Ma'mer b. Rāşid is "خَبَرَنَا عَبْدُ الرَّزَّاقِ، عَنْ مَعْمَرٍ، عَنْ جَعْفَرِ بْنِ بُرْقَانَ، قَالَ: قَالَ ابْنُ مَسْعُودٍ: «كُلُّ مَا هُوَ آتٍ قَرِيبٌ، إِلَّا إِنْ التَّبَعِيدَ لَيْسَ بَأْتٍ، لَا يَعْجَلُ اللَّهُ لِعَجَلَةٍ أَحَدٍ، وَلَا يَخْفُفُ لِأَمْرِ النَّاسِ مَا شَاءَ اللَّهُ لِأَمَلِ النَّاسِ، يُرِيدُ اللَّهُ أَمْرًا، وَيُرِيدُ النَّاسُ أَمْرًا، مَا شَاءَ اللَّهُ كَانَ وَلَوْ كَرِهَ النَّاسُ، لَا مُقَرَّبَ لِمَا بَاعَدَ اللَّهُ، وَلَا مُبَعَّدَ لِمَا قَرَّبَ اللَّهُ، وَلَا يَكُونُ شَيْءٌ إِلَّا بِإِذْنِ اللَّهِ، أَصْدَقُ الْحَدِيثِ كِتَابُ اللَّهِ، وَأَحْسَنُ الْهُدْيِ هَدْيُ مُحَمَّدٍ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، وَوَسْرُ الْأُمُورِ مُحَدَّثَاتُهَا، وَكُلُّ مُحَدَّثَةٍ بِدَعْوَةٍ، وَكُلُّ بِدْعَةٍ ضَلَالَةٌ».<sup>67</sup> It is seen that the narrative is conveyed by Bukhari via Ibn Masud as mauquf when it is searched in the sources of Kutub al-Sittah.<sup>68</sup> Ibn Mace, however, conveys the narrative

63 İbn Hacer, *Tabakātu'l-müde'llisîn*, I, 40.

64 Bezzār, *Müsned*, V, 323.

65 Zehebî, *Siyeru A'lâmi'n-nubela*, VI, 284-287.

66 Taberânî, *el-Mu'cemu'l-kebir*, IX, 236.

67 Ma'mer b. al-Rashed, *el-Cami*, XI, 159.

68 Bukhari, VIII, 25; IX, 92.





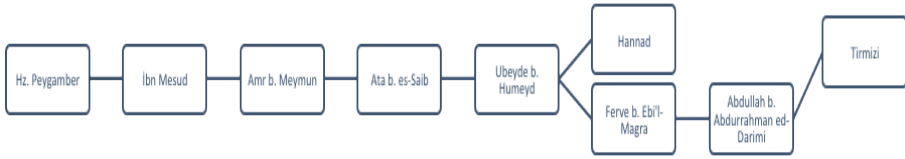


Table 5: The imputation of the narrative “عَنْ أَبِي إِسْحَاقَ، عَنْ عُمَرَ بْنِ مَيْمُونٍ الْمُؤَدِّيِّ، عَنِ ابْنِ مَسْعُودٍ، قَالَ: «إِنَّ الْمَرْأَةَ مِنَ الْحُورِ الْعِينِ لَيُرَى مَخُ سَاقِهَا مِنْ وَرَاءِ اللَّحْمِ» in Kutub al-Sittah

It is seen in Tirmizi the text is conveyed in a longer way and there are some literal differences in the same part. If the narratives are considered in a chronological order, it can be said mauquf narratives precede, marfu narratives in later sources. When evaluating isnad related to the subject, no narrator that will cause it to happen either in marfu or in mauquf transmission. However, besides the sika evaluations regarding Ubeyde b. Ubeyd, who is mentioned in Tirmizi's isnad, there are some expressions such as “makes mistakes or leyse bi kaviyyin.”<sup>77</sup> However, it is seen in both lines of the narrative from Ebu İshak and Ata, there are both marfu and mauquf narratives.<sup>78</sup> Therefore, the reason why this hadith has been conveyed as both marfu and mauquf is the person who takes place after these narrators. This person is called Ubeyde b. Humejd in Tirmizi's isnad and is Ma'mer himself in Mamer's isnad. If the expressions of Dârekutnî are to be acted upon, it is seen the correct version of the narrative is mauquf.<sup>79</sup> Moreover, the only name that conveys this narrative from Ata as marfu is Ubeyde b. Humejd.<sup>80</sup> In that case, Ubeyde stands alone in the narratives made by Ata, that he is characterized as a mistake-maker, that Dârekutnî stated the correct version of the hadith mauquf and that the transmission of the narrative by Ibn Ebi Seybe, which is an intermediate source between the two works, as mauquf strengthen the impression that it is Ubeyde b. Humejd who is responsible for the marfu narrative.

## CONCLUSION

Many of the mauquf narrations of Mamer b. al-Rashed from Ibn Masud are not included in the Kutub al-Sittah sources. The reason for this can be assessed through some probabilities. The first thing that comes

صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، قَالَ: «إِنَّ الْمَرْأَةَ مِنْ نِسَاءِ أَهْلِ الْجَنَّةِ لَيُرَى بَيَاضُ سَاقِهَا مِنْ وَرَاءِ سَبْعِينَ حُلَّةً حَتَّى يُرَى مَخُهَا، وَذَلِكَ [فَأَمَّا الْبِاقُوتُ فَإِنَّهُ حَجَرٌ لَوْ أَنْخَلَتْ فِيهِ سِلْكَا نَمَّ اسْتَصْفَيْتَهُ لِأُرَيْتَهُ مِنْ ٥٨ بِأَنَّ اللَّهَ يَقُولُ: {كَانَتْهُنَّ الْبِاقُوتُ وَالْمَرْجَانُ} [الرَّحْمَنُ: وَرَأَيْهِ] حَدَّثَنَا هُنَادٌ قَالَ: حَدَّثَنَا عَيْبِدَةُ بْنُ حُمَيْدٍ، عَنْ عَطَاءِ بْنِ السَّائِبِ، عَنْ عُمَرَ بْنِ مَيْمُونٍ، عَنْ عَبْدِ اللَّهِ بْنِ مَسْعُودٍ، عَنْ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ نَحْوَهُ

77 Mizzi, *Tehzibu'l-Kemâl*, XIX, 157; Zehebi, *Siyyeru a'lâmi'n-nubelâ*, VIII, 508.

78 Dârekutnî, *İlel*, V, 227. For the mauquf imputation of the narrative via Ata, see Ibn Ebi Şeybe, *Musannef*, VII, 32.

79 Dârekutnî, *İlel*, V, 227.

80 Dârekutnî, *İlel*, V, 227.

to mind about it is that the writers of Kutub al-Sittah have not reached these narratives. The second possibility is that these narratives are based on a fatwa-based or a general situation. However, all these possibilities are inadequate when it comes to explaining the situation and also make it necessary for further investigation.

As a result of the researches carried out, 13% of the mauquf narratives quoted from Ibn Masud are conveyed as marfu in Kutub al-Sittah, the same as the sahabi narrators. Therefore, this ratio shows the Raf problem is not a fundamental problem in the example of Ibn Masud and shows that it is not a case requiring to be suspicious of all the hadiths. However, it should not be forgotten this study reflects a very small part of the subject. In order to arrive at a complete conclusion about the subject, it is necessary to reach a conclusion by comparing all the mauquf narratives of the hegira second-century works with the later periods.

However, it is seen the cause of marfu narrations is generally related to the narrator. However, it should be noted here that among these narrators, some are found and defined as sika. Nevertheless, the other narrators who are not included in Irel books are evaluated as sika. Therefore, it is important to remember that it is not always possible to determine the narrator, who is responsible for the narratives conveyed both as mauquf and marfu.

In addition, one of the methods revealed in the solution of the problem in the previous researches is that the narrative conveyed by the same narrator is correct in the early period source. Notably, the results achieved in our study in this context also confirm this method. As a matter of fact, there is a strong possibility that the accurate and original version of the narrative examined in general is of the early period origin.

It can also be said that the results, such as the combination of the marfu and the mauquf narratives which are shown among the reasons of the Raf 'problem and the general informing purpose also fall under the category of narratives. It is also supported by the conclusion that there is a narration of general knowledge in the second narrative and the marfu part of the fifth narrative is merged with other narratives. Moreover, the fact that only one narrator stands alone in the last narrative in marfu version can also be regarded as another point to be resorted to in the solution of the case.

The results of the researches have proved that there is a problem of raf in hadiths. Hence, each narrative contains its own particular causes. This

suggests that it is necessary to examine and analyze the narratives which were copyrighted, particularly the ones in the second hijri century. Our research also provides a small contribution to this necessity and presents a practical reflection of the theoretical reasons and methods through a small sample. In the thesis and articles to be written after this, it is hoped that all the narratives are handled one by one and a general scheme can be established.

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