

Did the Prophet Say It or Not? The Literal, Historical, and Effective Truth of *Ḥadīths* in Early Sunnism

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INTRODUCTION

Clearly defining the place of prophetic *ḥadīths* in the epistemology of Sunni Islam has proven extremely difficult. On the one hand, Sunni *ḥadīth* scholars and legal theorists elaborated two parallel but contrasting scales for describing their certainty that a *ḥadīth* represented the authentic words or deeds of the Prophet. On the other hand, these Muslim scholars employed *ḥadīths* in a wide range of scholarly discourses and homiletics with seeming disregard for both of these epistemological rankings. The scale developed by legal theorists and adopted into Sunni Islam in the late fourth/tenth and early fifth/eleventh centuries has been well studied.¹ But what about the epistemological scale of the formative Partisans of Hadith (*ahl al-ḥadīth*), the original “Sunni” (*ahl al-sunna wa-l-jamā‘a*) scholars, who preceded this adoption? What did al-Shāfi‘ī (d. 204/820) or Ibn Ḥanbal (d. 241/855) mean when they said that a *ḥadīth* was “sound” (*ṣaḥīḥ*)?² Did they mean that they believed that the Prophet had actually said that statement, or that he probably had, or did they only mean that it was indicative of his normative precedent? When al-Bukhārī (d. 256/870) or al-Tirmidhī (d. 279/892) declared a *ḥadīth* to be sound or “fair” (*ḥasan*), how did those terms reflect their opinion on the historical truth of the *ḥadīth* in question? If a *ṣaḥīḥ ḥadīth* was an authenticated report of the Prophet, how could scholars so regularly state that one *ḥadīth* was “sounder” (*aṣaḥḥ*) than another?³ How do we translate the historical vision of early Muslim scholars into terms that are comprehensible in modern Western thought?⁴

In this article, I contend that *ahl al-ḥadīth* did not view the historical reliability of *ḥadīths* through the epistemological lens of later Sunni legal theorists. Rather, they conceived of sound *ḥadīths* as providing what I will define as historical certainty. Despite their open obsession with the authentication of *ḥadīths* through the *isnād*, they frequently employed *ḥadīths*

1. For comprehensive discussions of this subject, see Aron Zysow, “The Economy of Certainty: An Introduction to the Typology of Muslim Legal Theory” (Ph.D. diss., Harvard University, 1984), 14–49; Wael Hallaq, “The Authenticity of Prophetic Ḥadīth: A Pseudo-Problem,” *Studia Islamica* 89 (1999): 75–90. See also Bernard Weiss, *The Search for God’s Law* (Salt Lake City: Univ. of Utah Press, 1992), 259–321; Murteza Bedir, “An Early Response to al-Shāfi‘ī: ‘Isā b. Abān on the Prophetic Report (*khābar*),” *Islamic Law and Society* 9.3 (2002): 285–311.

2. In this article *ṣaḥīḥ* is translated as “sound” for the pragmatic reason that translating it as “authentic” would make any discussion of authenticity or the authentic beyond this technical usage very difficult. For discussions of the proper translation of *ṣaḥīḥ*, see G. H. A. Juynboll, “Ṣaḥīḥ,” *Encyclopaedia of Islam*, New ed.; Asma Hilali, “Étude sur la tradition prophétique: La question de l’authenticité du I/VIIème au VI/XIIème siècle” (doctoral diss., École Pratique des Hautes Études, 2004), 19.

3. I am indebted to David Powers for this excellent question.

4. For the dangers of assuming uniform notions of what constitutes history across time and locales, see David Lowenthal, *The Past is a Foreign Country* (Cambridge: Cambridge Univ. Press, 1985), 211–35. I am grateful to the anonymous reviewer for *JAOS* for this reference.

that did not live up to the *ṣaḥīḥ* rating because the scholars felt that circumstances corroborated their reliability. These *ahl al-ḥadīth* scholars also used *ḥadīths* they knew were unreliable because of the overpowering charisma and utility of words phrased in the prophetic idiom, turning to a variety of euphemistic devices to reconcile this practice with their stated commitment to textual authenticity.

The term *ahl al-ḥadīth*, which I translate as Partisans of Hadith, is certainly mercurial. The extent to which the term was actually used by those scholars later considered to belong to that school, and the extent to which that school represented a consistent approach to Islamic law and dogma, are both serious questions. As Melchert, Sectorsky, and Lucas have shown, there was real diversity within the “traditionist jurisprudent” school.⁵ Diversity, however, does not preclude overarching commonality, and discussing this school by one name or another is necessary for any coherent discussion of thought in the early Islamic period. In this article, I treat as falling under the general *ahl al-ḥadīth* umbrella those scholars who prioritized the derivation of norms from texts (*nuṣūṣ*) above consistency in legal analogy, selecting these proof texts through the emerging science of *ḥadīth* criticism (*jarḥ wa-ta’dīl*). This article will include al-Shāfi‘ī, for example, in the arena of the Partisans of Hadith due to his close and symbiotic scholarly relationship with prominent traditionist jurists like Ibn Ḥanbal and the influence of his works on other prominent Partisans of Hadith (including his landmark work in developing *ḥadīth* criticism).⁶ Of course, Ibn Ḥanbal and al-Shāfi‘ī differed in their legal thought, and I shall certainly distinguish between them. But here I contend that they shared comparable views on the epistemological and historical value of *ḥadīths*.

THE PROBLEMATIC PRISM OF LEGAL THEORISTS

We risk two pitfalls when thinking about how the early Sunnis viewed the historical reliability of *ḥadīths*. On the one hand, we might assume a common-sense approach to historical reports (a pedestrian one not complicated by historiographical debate), which seeks a clear “yes or no” answer to the question “did an event happen or not?” On the other hand, we risk misunderstanding the framework of classical Sunni epistemology, which has often been understood to consign almost all discussion of historical reports to a fog of probability.

5. Christopher Melchert, “The Traditionist-Jurisprudents and the Framing of Islamic Law,” *Islamic Law and Society* 8.3 (2001): 383–406; Susan A. Sectorsky, “Ḥadīth in the Responses of Ishāq b. Rāḥawayh,” *Islamic Law and Society* 8.3 (2001): 408–31; Scott C. Lucas, “Where are the Legal *Ḥadīth*? A Study of the *Muṣannaf* of Ibn Abī Shayba,” *Islamic Law and Society* 15.3 (2008): 283–314.

6. Ibn Ḥanbal, for example, said in a reliably attested work that al-Shāfi‘ī “did not benefit from us any less than we benefited from him”: Ibn Ḥanbal, *al-‘Ilal wa-ma‘rifat al-rijāl*, ed. Waṣī Allāh ‘Abbās (Beirut: al-Maktab al-Islāmī, 1408/1988), 1: 469. He also encouraged Ishāq b. Rāḥawayh to study with al-Shāfi‘ī: Ibn Abī Ḥātim al-Rāzī, *al-Jarḥ wa-l-ta’dīl*, 6 vols. (Hyderabad: Dā‘irat al-Ma‘ārif al-‘Uthmāniyya, 1959), 7: 202. Al-Shāfi‘ī also explicitly defends a group he calls *ahl al-ḥadīth* in his disputations with opponents: Muḥammad b. Idrīs al-Shāfi‘ī, *Kitāb al-Umm* (Cairo: Dār al-Sha‘b, 1968–), 7: 256. It is also reported that Ibn Ḥanbal considered al-Shāfi‘ī to be the renewer of Islam (*mujaddid*) of the second century A.H., and it is a position in the Ḥanbalī school of law that if no *ḥadīth* can be found on an issue, then the opinion of al-Shāfi‘ī is proof: Abū Bakr b. Nuṭṭa, *al-Taḥqīd li-ma‘rifat ruwāt al-sunan wa-l-masānīd*, ed. Kamāl Yūsuf al-Ḥūt (Beirut: Dār al-Kutub al-‘Ilmiyya, 1408/1988), 43–44. Another prominent member of the Partisans of Hadith, Abū Zur‘a al-Rāzī (d. 264/878), also heard all of al-Shāfi‘ī’s works from his famous student al-Rabī‘ (d. 270/883), and Abū Zur‘a’s student Ibn Abī Ḥātim (d. 327/938) wrote a book on the virtues of al-Shāfi‘ī (*Ādāb al-Shāfi‘ī wa-manāqibuhu*): Ibn Abī Ḥātim al-Rāzī, *al-Taqdīm* (Hyderabad: Dā‘irat al-Ma‘ārif al-‘Uthmāniyya, 1371/1952), 1: 344. Al-Shāfi‘ī’s *Risāla* provides the earliest extant elaboration of terms of *ḥadīth* criticism: al-Shāfi‘ī, *al-Risāla*, ed. Aḥmad Shākir (Beirut: al-Maktaba al-‘Ilmiyya, n.d.), 369ff. I thank Ahmed El Shamsy for help on this matter.

As laid out by Wael Hallaq and others, classical Muslim legal theorists held that the vast preponderance of the *ḥadīth* corpus consisted of *āḥād ḥadīths*, namely, reports transmitted by a limited number of chains of transmission. Even when transmitted by *ṣaḥīḥ isnāds*, these *ḥadīths* were therefore only probably authentic statements of the Prophet, according to the epistemological worldview of these legal theorists.⁷ To achieve certainty about the authenticity of any report emanating from the past, legal theorists required massive corroboration (*tawātur*) seldom if ever attained in the *ḥadīth* tradition.

Hallaq and others have noted that “[c]ertainty concerning the details of human behavior was considered unattainable” by Muslim scholars.⁸ This admission of ambiguity informed the legal theorists’ approaches to the epistemological rating of historical reports and facilitated the remarkably diverse range of opinions in Islamic substantive law. In reading Hallaq’s argument, however, we must remember that these Muslim legal theorists of the fifth/eleventh century were speaking in the language of pre-Islamic, Near Eastern epistemology.⁹ Although it is not clear if the Islamicate epistemological bifurcation of certainty (*‘ilm*; *qaṭ‘*, *yaqīn*) and probability (*ẓann*) was directly derived from Near Eastern antecedents, the Sunni tradition did inherit the heritage (and abiding disputes) of Aristotelian thought, Stoic logic, and the skepticism of the early Platonic Academy.¹⁰

While these Hellenistic traditions did not share a uniform division of certainty and probability, they did consider what we today would call epistemological certainty to be a rarity. In his dialogue on the nature of the gods, Cicero replies to the criticism of frustrated fellow Romans of the leisure class that Academic philosophers obnoxiously refuse to regard anything as certain. Cicero explains that even true perceptions often contain an element of falsehood that we are unable to detect. “It follows,” he says, “that we can attain only to a number of probable truths, which although they cannot be proved as certainties, yet may appear so clear and convincing that a wise man may well adopt them as a rule of life.”¹¹ Detractors of the skeptical Academic tradition had not understood that, in the post-Aristotelian philosophical world, epistemological certainty was a *rara avis* in everyday life and not at all to be expected.¹²

7. Hallaq, “The Authenticity of Prophetic Ḥadīth,” esp. 81.

8. *Ibid.*, 84. See also Robert Brunschvig, “Logic and Law in Classical Islam,” in *Logic in Classical Islamic Culture*, ed. G. E. von Grunebaum (Wiesbaden: Otto Harrassowitz, 1970), 13.

9. See Joseph van Ess, “The Logical Structure of Islamic Theology,” in *Logic in Classical Islamic Culture*, ed. von Grunebaum, 26–33. Van Ess reminds us that there remains much to be studied about the state of the Hellenistic/Near Eastern philosophical and rhetorical traditions inherited by the Muslims. Nabil Shehaby states that we do not have any independent evidence that any early Muslim jurists were familiar with the works of the Stoics “in any form”: Nabil Shehaby, “Stoic Logic and al-Jaṣṣās,” in *The Cultural Context of Medieval Learning*, ed. J. E. Murdoch and E. D. Sylla (Boston: D. Reidel, [1975]), 63.

10. Indeed, the distinction made by mature Sunni legal theory between a *ḥadīth*’s “probable” authenticity based on the evident (*ẓāhir*) reliability of its *isnād* and the *ḥadīth* being authentic “in its essence” (*fi nafs al-amr*) seems reminiscent of the Skeptical distinction between the knowable appearances of things and their unknowable essence. See Sextus Empiricus’s (fl. 200 C.E.) *Outlines of Pyrrhonism*, in *Greek and Roman Philosophy after Aristotle*, ed. Jason L. Saunders (New York: The Free Press, 1994), 156ff.; Abū ‘Amr Ibn al-Ṣalāḥ, *Muqaddimat Ibn al-Ṣalāḥ*, ed. ‘Aṣīsha ‘Abd al-Raḥmān (Cairo: Dār al-Ma‘ārif, 1989), 152; Jalāl al-Dīn al-Suyūṭī, *Tadrīb al-rāwī fī sharḥ Taqrīb al-Nawāwī*, ed. ‘Abd al-Wahhāb ‘Abd al-Laṭīf, 3rd ed. (Cairo: Maktabat Dār al-Turāth, 1426/2005), 1: 62.

11. Cicero, *The Nature of the Gods (De Natura Deorum)*, tr. Horace C. P. McGregor (New York: Penguin, 1967), 74 (1: 11–13).

12. The rarely attainable indissolubility of “knowledge” in Cicero’s Stoic/Academic worldview is described by Sextus Empiricus: “Knowledge is the assured and certain comprehension which cannot be set aside by argument.” Comprehension is the more common, less assured “daily” form of knowing: Saunders, ed., *Greek and Roman Philosophy after Aristotle*, 69.

In the universe of Aristotelian proofs, certainty was knowledge “that could not be otherwise.”¹³ It was the product of demonstration (*apodeixis*), a deduction based on premises that are certain and thus producing conclusions that are certain. Beyond this narrow scope of discourse, however, humans subsist in a realm of probability: knowledge of things that are “for the most part” (*eikos*), that could be otherwise. Dialectical argumentation uses the same mechanics as demonstration (the syllogism and its various forms), but its premises and thus its results are only probable. In rhetoric, both the examples that the speaker employs and the deductions that he makes on the basis of implicit premises shared by the audience (an enthymeme) generally rely on “things that can for the most part be otherwise” and are thus seldom certain.¹⁴ The daily lives and discourses of scholars and laymen, whether in speeches or debate, are built on and most often limited to probability. This is equally true for knowledge of the past and the investigation of history.

In our own discourse we must also remember that epistemological certainty is not the “certainty” that we mean when we speak about “historical reliability” or “certainty” in our daily lives. Certainty in our daily discourse is the “common sense” certainty of Thomas Reid and the commanding “probability” of Hume, not the epistemological certainty of Descartes.¹⁵ In discussions of past events, as Voltaire declared, “historical truths are nothing but probabilities.”¹⁶ That does not, however, mean that we treat all knowledge of the past as merely probable in the conventional sense of the word (e.g., “It is probable that I will go to the store”).

It is on this point that the work of Hallaq and others on the epistemology of Muslim legal theorists can be misleading. It might lead us into thinking that the epistemological probability with which Muslim scholars viewed *āḥād ḥadīths* meant that they believed that these *ḥadīths* were only “probably” true in our conventional sense of the word, and that they harbored effective doubts about the reliability of these *ḥadīths*. If this were the case, however, and Muslim scholars all believed that the *ḥadīths* that they cited in their writings were never more than “probably” the words of Muḥammad, why would they find such evidence compelling in their discussion of law and dogma?

Certainly, Hallaq emphasizes the consensus of Sunni scholars that these “probabilistic” *āḥād ḥadīths* were considered probable enough to carry probative weight in discussions of law and even ritual.¹⁷ But at an intuitive level, how could members of a scholarly community

13. See Aristotle, *Posterior Analytics*, I: ii.

14. Aristotle, *Rhetoric*, tr. Hugh Lawson-Tancred (London: Penguin, 1991), 77 (357a).

15. See Thomas Reid, *An Inquiry into the Human Mind*, ed. Timothy Duggan (Chicago: Univ. of Chicago Press, 1970), 4ff.; David Hume, *An Enquiry Concerning Human Understanding*, ed. Antony Flew (Peru, Ill.: Open Court, 1988), 144–45.

16. Voltaire, “Vérité,” in *Dictionnaire philosophique: Oeuvres complètes* (Paris: Baudouin Frères, 1829), 58: 414.

17. Hallaq, “The Authenticity of Prophetic Ḥadīth,” 83. For the later Muʿtazilite position, see Abū l-Ḥusayn al-Baṣrī, *Kitāb al-Muʿtamad fi uṣūl al-fiqh*, ed. Muhammad Hamidullah et al., 2 vols. (Damascus: Institut Français de Damas, 1964), 2: 570. For what became the stance of the Ashʿarī orthodoxy, see Abū Bakr Muḥammad al-Bāqillānī, *Kitāb al-Tamhīd*, ed. Richard J. McCarthy (Beirut: Librairie Orientale, 1957), 386; al-Khaṭīb al-Baghdādī, *Kitāb al-Faqīh wa-l-mutaṣaqqih*, ed. ʿĀdil b. Yūsuf al-ʿAzzāzī, 2 vols. (Riyadh: Dār Ibn al-Jawzī, 1417/1996), 1: 278; Imām al-Ḥaramayn al-Juwaynī and Jalāl al-Dīn al-Maḥallī, *Sharḥ al-Waraqāt fi ʿilm uṣūl al-fiqh* (Cairo: Dār al-Farfūr, 1423/2002), 72–73; Abū Ishāq al-Shīrāzī, *al-Tabṣira fi uṣūl al-fiqh*, ed. Muḥammad Ḥasan Hitū (Damascus: Dār al-Fikr, 1400/1980), 315; Abū Ḥāmid al-Ghazālī, *al-Mankhūl min taʿliqāt al-uṣūl*, ed. Muḥammad Ḥasan Hitū ([Damascus?]: n.p., [1970]), 252. For a similar Mālikī opinion, see Abū l-Walīd al-Bāji, *al-Ishāra fi uṣūl al-fiqh*, ed. ʿĀdil Aḥmad ʿAbd al-Mawjūd and ʿAlī Muḥammad ʿAwaḍ (Riyadh: Maktabat Nizār Muṣṭafā al-Bāz, 1418/1997), 207–8; and Ibn ʿAbd al-Barr, *al-Tamhīd li-mā fi l-Muwattaʿa min al-māʿāni wa-l-asānīd*, ed. Muṣṭafā b.

consistently argue, debate, and convince one another with a type of evidence if they all treated it as only being probably true?¹⁸ As Robert Summers puts forth clearly in the case of Anglo-American law, key to the legitimacy of any legal system is the people's belief that it in general corresponds with factual truth, both in its promised results and evidentiary standards.¹⁹ Furthermore, why would a congregation of laymen at Friday prayer be moved by sermons based on *ḥadīths* that they thought were only probably the words of the Prophet? By conflating the philosophical notion of certainty (apodictic, immediate knowledge²⁰ that a report is historically true) with "certainty" in scholarly discourse or daily life, we forget that Muslim scholars and their audiences wrote, spoke, and acted as if *āḥād ḥadīths* were historically certain.

Hallaq notes that the early Partisans of Ḥadīth and later *ḥadīth* scholars did not concern themselves with "the probable/certain dichotomy" as elaborated by Sunni legal theorists—they simply wanted to collect reports that met their minimal requirements for "soundness" in order to employ them in law.²¹ But if the early Partisans of Ḥadīth supposedly had a

Aḥmad al-ʿAlawī and Muḥammad ʿAbd al-Kabīr al-Bakrī, 2nd ed., 26 vols. ([Rabat]: Wizārat ʿUmūm al-Awqāf wa-l-Shuʿūn al-Islāmiyya, 1402/1982), 1: 2, 8. For a Ḥanbalī discussion of the school's stance, see Abū Yaʿlā Ibn al-Farrāʾ, *al-ʿUdda fī uṣūl al-fiqh*, ed. Aḥmad b. ʿAlī Sir al-Mubārak, 3 vols. (Beirut: Muʿassasat al-Risāla, 1400/1980), 3: 861, 900. For the Ḥanafī position, see Muḥammad b. Aḥmad al-Sarakhsī, *Uṣūl al-Sarakhsī*, ed. Abū l-Wafāʾ al-Afghānī, 2 vols. (Beirut: Dār al-Kutub al-ʿIlmiyya, 1414/1993, repr. Hyderabad edition: Lajnat Iḥyāʾ al-Maʿārif al-Nuʿmāniyya, 1953–), 1: 321–22; cf. ʿAlī Ibn al-Qaṭṭān al-Fāsi, *al-Iqnāʿ fī masāʾil al-ijmāʿ*, ed. Ḥasan b. Fawzī al-Ṣaʿīdī, 2 vols. (Cairo: Dār al-Farūq al-Ḥadīthiyya, 1424/2004), 1: 67. The Imāmi Shiʿi al-Sharīf al-Murtaḍā (d. 436/1044) rejected the idea that *āḥād ḥadīths* were legally compelling: al-Sharīf al-Murtaḍā, "al-Manʿ min al-ʿamal bi-khabar al-wāḥid," in *Masāʾil al-Murtaḍā*, ed. Wafqān Muḥsin al-Kaʿbī (Beirut: Muʿassasat al-Balāgha, 2001), 81.

18. Certainly, the probabilistic nature of *āḥād ḥadīths* could provide a tempting escape in an argument for later Muslim scholars. Answering the question of how the Prophet could have married ʿĀʾisha, who would later become a disbeliever in Imāmi Shiʿi eyes for battling ʿAlī, the great Shiʿi scholar al-Sharīf al-Murtaḍā replied that the Prophet did not know that she would do this. The only proof that he did is the *ḥadīth* "You will fight him [ʿAlī] and you will be in the wrong (*satuqātilinahu wa-anti zālīma*)," and this "appears only via *āḥād* means the likes of which cannot be considered certain." More recently, the Sunni Muḥammad Zāhid al-Kawtharī (d. 1952) dismissed an early Islamic scandal surrounding the Companion Khālīd b. al-Walīd by referring to *āḥād ḥadīths* not yielding certainty (*ʿilm*). Al-Kawtharī states that reports that Khālīd had killed another Muslim, Mālīk b. Nuwayra, so that he could marry his widow were not reliable and *āḥād*, "and this is a scholarly issue that requires evidence that yields certainty (*ʿilm*):" Ibn al-Jawzī, *al-Muntaẓam fī tārikh al-mulūk wa-l-umam*, ed. Muḥammad ʿAbd al-Qādir ʿAṭā and Muṣṭafā ʿAbd al-Qādir ʿAṭā (Beirut: Dār al-Kutub al-ʿIlmiyya, 1412/1992), 15: 296; Muḥammad Zāhid al-Kawtharī, *Maqālāt al-Kawtharī* (Cairo: Dār al-Salām, 1428/2007), 342–43.

19. Robert S. Summers, "Formal Legal Truth and Substantive Truth in Legal Fact-Finding—Their Justified Division in Some Particular Cases," *Law and Philosophy* 18 (1999): 497–511, esp. 509. I thank Intisar Rabb for guiding me to this citation.

20. Sunni legal theorists generally described the certainty yielded by massively transmitted *ḥadīths* as "apodictic" (*darūri*), meaning that anyone who was presented with this vast array of reports would know immediately that the contents were historically true. The proposition $2 + 2 = 4$, for example, is apodictically true. Some Sunni legal theorists and Muʿtazilites argued that this certainty was actually "discursive" (*naẓarī*) or "acquired" (*muktasab*) in nature—it was still total certainty, but only after some consideration of the reports did this inhere in the mind of the receiver. This debate, however, ultimately devolved into one of semantics. As al-Ghazālī explained, a person clearly cannot conclude that a massively transmitted report is true without any consideration, since one has to weigh the possibility of forgery or lying if only for an instant. This does not present a problem, however, since many propositions that we consider apodictic are actually not. We might think that $2 + 2 = 4$ is apodictic, but the qualitatively identical proposition $556 + 556 = 1112$ does take a moment to ponder; see Jonathan Brown, *The Canonization of al-Bukhārī and Muslim* (Leiden: Brill, 2007), 183–93; al-Ghazālī, *al-Mustasfā min uṣūl al-fiqh*, ed. Muḥammad Sulaymān al-Ashqar (Beirut: Muʿassasat al-Risāla, 1417/1997), 2: 153.

21. Hallaq, "The Authenticity of Prophetic Ḥadīth," 84.

strictly functional approach to evidence, we must ask ourselves whether they believed that the *ḥadīths* that they acted on truly represented the words or deeds of the Prophet. If they subscribed to a monotone epistemology, how do we reconcile this with their distinctly graded system of ranking the reliability of *ḥadīths* (*ṣaḥīḥ*, *ḥasan*, and *daʿīf*)?

This article attempts to provide answers to these questions by investigating how early Sunnis conceived of *ḥadīths* in terms of what we can call their historical truth (the extent to which they represented accurately the Prophet's precedent and general teachings as manifested in historical moments in the life of the early Muslim community) as opposed to what we can term their literal truth (whether or not the Prophet actually said a certain statement or performed a certain act). It will then address the effective truth of *ḥadīths*, namely, the power that the Prophet's word could wield in the Sunni tradition regardless of its actual authenticity or the stated commitment of Muslim scholars to assuring a *ḥadīth*'s reliability.

HISTORICAL TRUTH VS. LITERAL TRUTH

Here we must pause to ask the question about our own notions of historical certainty in the context of oral testimony and its recording in written form. What do we mean when we say we are "certain" that a historical figure said something? If we conceive of historical truth here as "what really happened," then we are actually phrasing it as a binary question of literal certainty. Either a historical personage said a specific statement or he did not. An act attributed to this person either happened or it did not. A report is either literally true or it is not. Although we might think of historical truth and literal truth in the same way, this notion of literal truth has proven highly evasive in human historical writing, which has been unwilling to bend to our binary proposition even in the modern period.²²

The Gettysburg Address of 1863 affords an excellent example in the context of *ḥadīths*, since as a historical event it originated as a written document performed orally and an oral performance recorded aurally. Moreover, historians and the population at large today are "certain" that Abraham Lincoln gave the famous speech; it is both well known and well recorded in its entirety, beginning with the immortal phrase "Four score and seven years ago our fathers brought forth upon this continent a new nation. . . ." Although many American schoolchildren are obliged to memorize it word-for-word, there is, in fact, significant ambiguity about the literal wording of this famous oration. Four manuscript versions of the speech exist, penned in Lincoln's own hand but differing in their details. We do not know exactly which version Lincoln read aloud, or if he deviated from his prepared remarks.²³ Furthermore, there is substantial disagreement among the accounts that journalists of the day gave of what they had heard and published in their newspapers in the immediate wake of the speech. Did Lincoln say "that the/this nation shall have a new birth," as Lincoln's first and second drafts read, or "that this nation, under God, shall have a new birth," as Lincoln wrote in copies of the speech he sent to two newspapers? Or did he say nothing of the sort, as conveyed by the text of the speech reported in an Illinois newspaper?²⁴ Even though we have access to the recorded recollections of someone who heard the speech, in addition to plentiful written evidence, we cannot be certain of the literal truth of Lincoln's words.²⁵ As

22. The modern obsession with determining "what actually happened" is most often associated with Leopold von Ranke (d. 1886). See von Ranke, *Sämtliche Werke* (Leipzig: Duncker und Humblot, 1868–90), 33: v–viii. Lowenthal reminds us that "Absolute 'truth' is a recent and uncommon criterion for evaluating accounts of the past": Lowenthal, *The Past is a Foreign Country*, 235.

23. Gabor Boritt, *The Gettysburg Gospel* (New York: Simon and Schuster, 2006), 113.

24. *Ibid.*, 264, 271.

25. <http://www.npr.org/templates/story/story.php?storyId=3602584> (last accessed May 18, 2008).

an object of literal truth, the speech does not exist. As an object of historical truth, what we are "certain" of is the gist of Lincoln's message and its general wording.

Even in the case of a well-documented, modern speech, then, we can only achieve certainty about approximately what was said in the past, not a binary certainty about whether a certain phrase was spoken or not. Although we may conceive in our own minds of historical reports as either being "true" or "false," even a historically "true" report might be possessed of a marked degree of literal ambiguity. Historical writing has long embraced this notion of a certainty of approximation and a creative recollection in spoken history, although this "gray area" might be "naturally vexatious to us."²⁶ Thucydides, whose history of the Peloponnesian War dealt with events contemporaneous with him, actually heard in person some of the speeches he records in his *History*. But he admits that, "it was in all cases difficult to carry them word for word in one's memory, so my habit has been to make the speakers say what was in my opinion demanded of them by the various occasions, of course adhering as closely as possible to the general sense of what they really said."²⁷

CERTAINTY AND PROBABILITY AMONG THE EARLY SUNNIS

Prior to the absorption of Mu'tazilite thought into Sunni legal theory in the late fourth/tenth century, the language of Islamic epistemology among the Partisans of Hadith was still rooted in Qur'anic vocabulary and early usage evident in the *ḥadīth* literature. *ʿIlm* (knowledge) and *yaqīn* (certainty) denoted both revealed religious knowledge and a cosmic certainty of faith. The Qur'an warns people not to "follow that of which you have no knowledge (*ʿilm*)" (Q 17:36). The holy book describes the Prophet's message as "the certain truth (*al-ḥaqq al-yaqīn*)" (Q 69:51), telling those who hear it, "if you but knew it with knowledge possessed of certainty (*ʿilm al-yaqīn*), indeed you would see the blazing Fire" (Q 102:5-6). *Ḥadīths* employ the term *yaqīn* to denote certainty of faith, with one rare report attributed to the Prophet stating, "I fear nothing for my community except weakness of certainty (*yaqīn*)."²⁸ In a report attributed to Ibn al-Muḥayrīz (d. ca. 101/720), this early scholar asserts a distinction between *ʿilm* as the certain knowledge contained in the Qur'an, and *fiqh* as the fallible human investigation of God's law.²⁹

The word *ẓann*, later employed in a positive light by legal theorists as probabilistic knowledge sufficient as proof in law and ritual, was more ambiguous. In the Qur'an and early *ḥadīth* literature *ẓann* could have the neutral meaning of "opinion" or "supposition," or the negative connotation of baseless speculation in the absence of true knowledge. When disbelievers claim that there is only this earthly life, the Qur'an objects that "they have no knowledge (*ʿilm*) of this; they do but speculate (*yaẓunnūn*)" (Q 45:24). In *ḥadīths* *ẓann* can

26. Charles Fornara, *The Nature of History in Ancient Greece and Rome* (Berkeley and Los Angeles: Univ. of California Press, 1983), 145.

27. Thucydides, *The Peloponnesian War*, tr. John F. Finley (New York: Random House, 1951), 14. Even a devoted textual critic such as Erasmus stated that this creative recollection of historical speeches and the reconstruction of what a figure "would have said" was praiseworthy and accepted by all historians: Myron P. Gilmore, *Humanists and Jurists* (Cambridge, Mass.: Harvard Univ. Press, 1963), 95; Desiderius Erasmus, *Opera Omnia* (Hildesheim: Georg Olms, 1961), 1: 106. The Greek historian Polybius disapproved of this practice, as did the prominent Renaissance textual critic, the French historian and jurist François Baudouin (d. 1573); see Polybius, *The Histories*, 7: 25a-b; Donald Kelley, *Foundations of Modern Historical Scholarship: Language, Law and History in the French Renaissance* (New York: Columbia Univ. Press, 1970), 132.

28. Muḥammad b. Ismāʿīl al-Bukhārī, *al-Tārīkh al-kabīr*, ed. Muṣṭafā ʿAbd al-Qādir ʿAṭā, 9 vols. (Beirut: Dār al-Kutub al-ʿIlmiyya, 1422/2001), 5: 153; Ibn Abī I-Dunyā, *Kitāb al-Yaqīn*, ed. Muḥammad Saʿīd Zaghūlī (Beirut: Dār al-Kutub al-ʿIlmiyya, 1407/1987), 52. *Yaqīn* is also used occasionally to refer metaphorically to death.

29. *Sunan al-Dārimī*, introd. chaps., *bāb karāhiyat al-futūā*.

simply mean "thought," such as the report of God saying, "I am with the thought (*ẓann*) of My slave when he thinks of Me,"³⁰ but it can also be associated with being judgmental of others. One *ḥadīth* states "Beware of *ẓann* (here "speculation about others"), for indeed *ẓann* is the falsest of speech."³¹

This usage of *ẓann* was prevalent as late as the fourth/tenth century among *ḥadīth* scholars. The Ḥanafī jurist and *ḥadīth* scholar Abū Jaʿfar al-Ṭahāwī (d. 321/933) explains:

Whoever narrates a *ḥadīth* from the Messenger of God out of *ẓann* (*bi-l-ẓann*), it is as if he narrates from him out of something other than the truth (*ḥaqq*); and whoever narrates *ḥadīths* from him out of something other than the truth is narrating from him out of falsehood (*bāḥil*).³²

As the Shāfiʿī jurist and influential legal theorist of Bust Abū Sulaymān Ḥamd al-Khaṭṭābī (d. 388/998) explains in his commentary on a *ḥadīth* that employed the word *ẓann*:

Ẓann is at one end of the spectrum supposition (*ḥusbān*) and at the other end are knowledge (*ʿilm*) and certainty (*yaqīn*). The Arabs make *ẓann* one time supposition and another time knowledge and certainty due to the two ends of [the word's meaning] touching upon these two extremes. So the beginning of knowledge is *ẓann* and its farthest extent is certainty.³³

The landmark fifth/eleventh-century books of Sunni legal theory contended that *āḥād ḥadīths* yielded only probable knowledge sufficient for law, but not the certainty (*ʿilm*) required for theological discussion.³⁴ Al-Khaṭṭābī al-Baghdādī (d. 463/1071) explained this position succinctly: *āḥād ḥadīths* cannot be accepted on questions of theology because "if one does not know with certainty (*yaʿlam*) that the report is the words of the Messenger, one is even less certain about the meaning of its contents. But as for matters of law that do not require us to know with certainty (*ʿilm*) that the Prophet established them and communicated them from God," this is compelling for Muslims.³⁵

Many of these legal theorists also noted, however, that some of the earlier Partisans of Hadith had affirmed that *āḥād ḥadīths* did, in fact, produce epistemological certainty.³⁶ We must not allow this dismissal by these spokesmen for the institutionalized Sunnism of the

30. Jāmiʿ al-Tirmidhī, *kitāb al-zuhd, bāb mā jāʿa fī ḥusn al-ẓann*.

31. Jāmiʿ al-Tirmidhī, *kitāb al-birr wa-l-ṣīla, bāb mā jāʿa fī ẓann al-sūʿ*.

32. Abū Jaʿfar Aḥmad al-Ṭahāwī, *Sharḥ Mushkil al-āḥād*, ed. Shuʿayb Arnāʿūṭ, 16 vols. (Beirut: Muʿassasat al-Risāla, 1415/1994), 1: 375.

33. Abū Sulaymān Ḥamd al-Khaṭṭābī, *Maʿālim al-sunan*, 3rd ed., 4 vols. (Beirut: al-Maktaba al-ʿIlmiyya, 1401/1981), 1: 82.

34. Although I will accept this claim for the purposes of this article, the reality is much more complex. Significant components of Sunni theology were built on *āḥād ḥadīths*, and reconciling this with post-fifth/eleventh-century legal theory was one of the great challenges of Sunni theologians. The mainstream solution used consensus to verify the theological contents of these *ḥadīths*. The Ḥanbalī Abū Naṣr al-Wāʿilī (d. 444/1052) simply twisted the definition of massive transmission (*tawātur*) to argue that these theologically oriented *ḥadīths* actually yielded epistemological certainty. Interestingly, al-Ghazālī (d. 505/1111) remarks that any *ḥadīth* whose authenticity (*siḥḥa*) is known is not *āḥād*. The general complexity of the use of *āḥād ḥadīths* can be seen in the claim of Ibn al-Qaṭṭān al-Fāsī that scholars "all believe in *āḥād ḥadīths* in issues of belief (*muʿtaqadāt*"); Brown, *The Canonization of al-Bukhārī and Muslim*, 183–93, 196–99; Ibn al-Qaṭṭān, *al-Iqnāʿ*, 1: 67; al-Ghazālī, *al-Mustasfā*, 1: 272.

35. al-Khaṭṭābī al-Baghdādī, *al-Kifāya fī uṣūl ʿilm al-riwāya*, ed. Abū Ishāq Ibrāhīm Muṣṭafā al-Dimyāḥī, 2 vols. (Cairo: Dār al-Hudā, 1423/2003), 2: 557.

36. al-Juwaynī, *al-Burhān fī uṣūl al-fiqh*, ed. ʿAbd al-ʿAzīm al-Dīb, 2 vols. (Cairo: Dār al-Anṣār, 1400/[1980]), 1: 600; al-Shīrāzī, *Sharḥ al-Lumaʿ*, ed. ʿAbd al-Majīd Turki, 2 vols. (Beirut: Dār al-Gharb al-Islāmī, 1988), 1: 552. It was generally concluded by Sunni analysts from the fifth/eleventh century onward that the certainty referred to by the Partisans of Hadith was discursive or acquired certainty: al-Ghazālī, *al-Mustasfā*, 1: 272; Ibn al-Farrāʾ, *al-ʿUdda*, 3: 900; Ibn Ḥajar al-ʿAsqalānī and ʿAlī b. Ḥasan al-Ḥalabī, *al-Nukat ʿalā Nuzhat al-naẓar fī tawdīḥ Nukhbat al-fikar*, 9th ed. (Dammam: Dār Ibn al-Jawzī, 1427/2006), 77.

fifth/eleventh century, which had absorbed the epistemological framework of Muslim rationalists, to sway us. This early Partisans of Hadith position was no minority stance. If we consider the most prominent Partisan of Hadith jurists of the third/ninth century and those scholars who authored the great *ḥadīth* collections of the Sunni canon, we find that many espoused this opinion dismissed by later legal theorists. For these early Sunnis, reliable *āḥād ḥadīths* were a true record of the Prophet's message and a sound base for theological tenets. When al-Tirmidhī presents a *ḥadīth* describing how God will take people's charitable donations "with His right hand," he explains:

More than one scholar has said that this *ḥadīth* and other narrations like it dealing with God's attributes and the Lord Most High's descending every night to the lowest heavens have been established and are to be believed. They say that one should not fall into error concerning them and say "How could this be?" It has been reported that Mālik b. Anas, Sufyān b. 'Uyayna, and 'Abdallāh b. al-Mubārak all said about such *ḥadīths*, "Take them as is without asking 'How'." Such is the stance of the scholars from the People of the Sunna and the Early Community (*ahl al-sunna wa-l-jamā'a*).³⁷

Al-Tirmidhī's words leave little doubt that, in his mind, the fact that these theologically loaded *ḥadīths* had been "established" (*thabata*) as being from the Prophet meant that they were to be believed. Ibn Ḥanbal issued a similar declaration about *ḥadīths* describing how the believers would see God on the Day of Judgment: "We believe in them (*nu'minu bihā*) and know that they are the truth (*ḥaqq*)."³⁸ Al-Shāfi'ī had made a similar statement in legal matters. In the chapter on his disagreements with his teacher Mālik b. Anas (d. 179/795) in *Kitāb al-Umm*, al-Shāfi'ī explains, "if a reliable person narrates from a reliable person until [the report] ends up at the Messenger of God, then the *ḥadīth* is established as being from the Messenger of God."³⁹ Abū Bakr Ibn al-Mundhir (d. 319/931) frequently begins chapters on legal issues in his compendium on juridical consensus and disagreement by stating what had been "established" (*thabata, thābit*) as the sayings of the Prophet; "It is established that the Messenger of God said, 'If a fly lands in your drink, push it wholly under the surface and then take it out, for if there is poison on one of its wings, on the other is the cure.'"⁴⁰

Interestingly, we know that the early Partisans of Hadith did conceive of different levels of knowledge. Although at first glance this epistemological gradation seems to anticipate the later epistemology of legal theorists, its primary function was polemical. As early as

37. Jāmi' al-Tirmidhī, *kitāb al-zakāt, bāb mā jā'a fī faḍl al-ṣadaqa*; cf. *kitāb ṣifat al-janna, bāb mā jā'a fī khulūd ahl al-janna wa-ahl al-nār*.

38. Ibn al-Farrā', *al-Udda*, 3: 900. There is a possibility that Ibn Ḥanbal's confidence in *ḥadīths* about seeing God on the Day of Judgment stemmed from their widespread acceptance among fellow scholars, as argued by Māhūd Aḥmad al-Zayn, "Ḥadīth al-āḥād: Al-ṣāḥīḥ bayn al-ilm al-qāṭi' wa-l-ẓann al-rājiḥ," *Majallat al-Aḥmadiyya* 3 (1420/1999): 133–70. For example, Abū Bakr al-Marrūdhī narrates from Ibn Ḥanbal that these *ḥadīths*, as well as others concerning matters such as the Prophet's ascension to heaven, had been "accepted by the community" (*ta-laqqathā al-umma bi-l-qabūl*): Ibn Abī Ya'lā, *Ṭabaqāt al-ḥanābila*, ed. 'Alī Muḥammad 'Umar, 2 vols. (Cairo: Dār al-Thaqāfa al-Diniyya, 1419/1998), 1: 96. Ibn Qayyim al-Jawziyya (d. 751/1350) quotes Ibn Ḥanbal as saying "these *ṣāḥīḥ ḥadīths*, we believe in them and affirm them. All that comes from the Messenger of God with a good *isnād* we affirm. For if we do not affirm what the Messenger of God brought and rejected, then we would be refusing the command of God Most High that 'What the Messenger has brought you, take it' (Q 59:7); Ibn Qayyim al-Jawziyya, *Kitāb al-Rūḥ*, ed. 'Ārif al-Ḥājj (Beirut: Dār Iḥyā' al-'Ulūm, 1408/1988), 111.

39. *Idhā ḥaddathā al-thiqa 'an al-thiqa ḥattā yantahiya ilā rasūl Allāh (ṣ) fa-huwa thābit 'an rasūl Allāh (ṣ)'*: al-Shāfi'ī, *al-Umm*, 7: 177.

40. Abū Bakr Muḥammad Ibn al-Mundhir, *al-Ishrāf 'alā madhāhib al-'ulamā'*, ed. Abū Ḥammād Ṣaghīr al-Anṣārī (Ra's al-Khayma: Maktabat Makka al-Thaqāfiyya, 1425/2004), 1: 144.

the lifetime of al-Shāfi'ī, Partisan of Hadith scholars were defending the use of *ḥadīths* in religious interpretation against rationalists who refused to admit into consideration any evidence not as historically reliable as the Qur'an. At least as they are depicted in Sunni polemical literature, some rationalists went so far as to argue that any *ḥadīth* whose truthfulness was not known with apodictic certainty should be classified as false.⁴¹

Partisan of Hadith scholars like al-Bukhārī confidently utilized *āḥād ḥadīths* as the sole and sufficient form of evidence in the chapters of their *ḥadīth* collections that dealt with Sunni theological stances such as the believers' vision of God upon resurrection or God literally speaking to the prophets on the Day of Judgment. This reliance on *ḥadīths* in theology, however, was ludicrous in the eyes of their rationalist opponents. The only concession that Partisan of Hadith polemicists realistically hoped to extract from rationalists was therefore that *āḥād ḥadīths* were both essential to and compelling in the elaboration of Islamic law, a project deemed worthy and necessary by rationalists and Partisans of Hadith alike.⁴²

Conceding a distinction between employing *ḥadīths* in law and in theology had other strategic benefits as well. In his discussion of legal principles in his *Ṣaḥīḥ*, al-Bukhārī includes a section on how the Companions depended on one another's reports from the Prophet to gain a full picture of God's law. Commenting on al-Bukhārī's work in the fifth/eleventh century, Ibn Baṭṭāl (d. 449/1057) of Cordoba explained that "this section rebuts a group of the Shi'is (*rāfiḍa*) and Khārijīs who claim that the rulings and Sunna of the Prophet were all transmitted from him by mass transmission (*tawātur*) and that it is not acceptable to act on anything not communicated in this way."⁴³ Showing that the Sunna was primarily made up of *ḥadīths* with limited transmission (*āḥād*) was thus perceived by Sunni scholars like Ibn Baṭṭāl as crucial for undermining other sectarian claims to a more certain vision of Islamic law.

The most salient difference between the epistemological gradation elaborated by the early Partisans of Hadith and that of later Sunni legal theorists was its purpose. In the case of the most fully developed Partisan of Hadith epistemology, that of al-Shāfi'ī, we find that his basic division of religious knowledge reflected first and foremost its intended audience, which only secondarily informed the degree of its certainty. The "Knowledge of the Masses" (*ʿilm al-ʿamma*) was that information whose knowledge was incumbent upon the generality of Muslims and was also transmitted from generation to generation by the community as a whole, such as the obligation to pray five times a day. The second type of knowledge was the "Knowledge of the Select" (*ʿilm al-khāṣṣa*), which consisted of matters of religious law on which no explicit Qur'anic text existed and which was thus subject to the deliberation of scholars.

Paralleling these two levels of knowledge, al-Shāfi'ī mentions two accompanying levels of reports: "Reports of the Masses" (*akhbār al-ʿamma*) and "Reports of the Select" (*akhbār al-khāṣṣa*). The latter were subject to interpretation in ways other than their evident meaning (*ta'wīl*) and could be interpreted in light of analogical reasoning. The Reports of the Masses,

41. al-Khaṭīb al-Baghḍādī, *al-Kifāya*, 1: 91.

42. See *Ṣaḥīḥ al-Bukhārī, kitāb al-tawhīd, bāb kalām al-rabb ʿazza wa-jalla yawm al-qiyāma maʿa al-anbiyāʾ, bāb wujūh yawmaʾidh nāḍira; kitāb akhbār al-āḥād, bāb mā jaʿa fī ijāzat khabar al-wāḥid al-ṣadūq fī l-adhān wa-l-ṣalāt. . .* The legally compelling nature of *āḥād ḥadīths* remained a cause célèbre among Sunnis for centuries. In the fifth/eleventh centuries both al-Khaṭīb al-Baghḍādī and Ibn ʿAbd al-Barr wrote treatises on this topic.

43. Abū l-Ḥasan ʿAlī b. Khalaf Ibn Baṭṭāl, *Sharḥ Ṣaḥīḥ al-Bukhārī*, ed. Yāsir b. Ibrāhīm, 11 vols. (Riyadh: Maktabat al-Rushd, 1423/2003), 10: 384–85; cf. *Ṣaḥīḥ al-Bukhārī, kitāb al-iʿtiṣām bi-l-kitāb wa-l-sunna, bāb al-ḥujja ʿalā man qāla inna aḥkām al-Nabī (ṣ) kānat zāhira. . .* For a crucial debate over the wording of the subchapter title, see Ibn Ḥajar al-ʿAsqalānī, *Fath al-bārī sharḥ Ṣaḥīḥ al-Bukhārī*, ed. ʿAbd al-ʿAzīz b. ʿAbdallāh b. Bāz and Muḥammad Fuʾād ʿAbd al-Bāqī, 15 vols. (Beirut: Dār al-Kutub al-ʿIlmiyya, 1418/1997), 13: 396–97.

however, were not subject to disputation, interpretation (*taʿwīl*) or “errors emanating from the report.”

Although there are striking similarities with the later *āḥād/mutawātir* dichotomy of Sunni legal theory, the most salient characteristic of these two species of reports in al-Shāfiʿī’s work is not their reliability but rather the nature of the duties they describe and the audiences they address—dimensions absent in the distinctions of later legal theorists. Furthermore, the uncertainty inherent in the Reports of the Select, like the discourse of the Knowledge of the Select, is more a function of interpretative ambiguity than historical uncertainty.⁴⁴

The epistemological distinction that al-Shāfiʿī draws that most closely resembles the later contrast between probability and certainty arises from his face-to-face encounters with Muslim rationalists such as Ibrāhīm b. ʿUlayya (d. 218/833). In his *Risāla*, al-Shāfiʿī explains that there are different breeds of knowledge, including “comprehensive knowledge of both the prima facie and ultimate aspects” (*iḥāṭa fī l-zāhir wa-l-bāṭin*) of a thing, as opposed to its mere “prima facie truth” (*ḥaqq fī l-zāhir*). The first consists of matters on which the Qurʾan or Sunna have provided clear rulings and that have been transmitted by the masses generation after generation. These are matters that all Muslims must know and “on which it can be sworn that what has been declared permitted by them is permissible and what has been forbidden by them is forbidden.” The second type is identical to the Knowledge of the Select, known only by limited *ḥadīths* transmitted by the scholars from the Prophet and only incumbent upon them to know.⁴⁵

In his debate with rationalists, al-Shāfiʿī responds to the objections of opponents who reject the proof value of *āḥād ḥadīths* and ask him how he could put reports “from so-and-so [or] from so-and so” on the same level as the Qurʾan. Al-Shāfiʿī replies, “We only grant this [credence] from a perspective of comprehensive knowledge (*iḥāṭa*), through the reports of truthful people and analogy.” An opponent warns him in asking for evidence that “I do not accept any [reports] if it is possible that they [the transmitters] erred, nor will I accept anything that I cannot swear to God by just as I swear by His Book, which no one could doubt a single word of.”⁴⁶ Al-Shāfiʿī responds that his opponent acknowledges that a Muslim judge would have someone executed if two witnesses testified that he had murdered someone, even though it is possible that those two witnesses were lying in their testimony. This is, no doubt, an affair in which one should demand “comprehensive knowledge (*iḥāṭa*),” so how does this differ from accepting *ḥadīths* in which there is a conceivable possibility of error or falsehood? His opponent, al-Shāfiʿī explains, is willing to take a life due to the “apparent truthfulness” (*ṣidq . . . fī l-zāhir*) of the witnesses, which is exactly what al-Shāfiʿī says he requires in *ḥadīth* transmission.⁴⁷

Here al-Shāfiʿī is not admitting that he is unsure about the truthfulness of what he would consider reliable *āḥād ḥadīths*. He is explaining that the world in which humans live and operate cannot demand the level of certainty that his opponent claims to require. That superior level of certainty simply does not exist for men. “Only God knows the unseen,” he explains.⁴⁸ If you are willing to take a life based on a type of evidence, then surely that evidence must convey all the certainty you could require. Despite the importance and seeming

44. al-Shāfiʿī, *al-Risāla*, 357–59; cf. Wael Hallaq, *A History of Islamic Legal Theories* (Cambridge: Cambridge Univ. Press, 1997), 26–27.

45. al-Shāfiʿī, *al-Risāla*, 478–79.

46. al-Shāfiʿī, *al-Umm*, 7: 250.

47. *Ibid.*, 7: 252–53.

48. *Ibid.*, 7: 252.

requirement for comprehensive certainty (*iḥāṭa*) in both cases, scholars make due with apparent truth.

Al-Shāfiʿī's supreme confidence in the certainty provided by reports is underscored in his statement in the *Umm* that a witness can only testify based on "what he has knowledge of." The witness's knowledge, he elaborates, can be of three types: (1) what he saw directly, (2) what he heard directly, and (3) affairs that "have been widely transmitted in reports but most of which were not actually witnessed [by the witnesses in question] but knowledge of which is established in the heart."⁴⁹ In this statement al-Shāfiʿī affirms that a witness must be as sure of his testimony as he is of his sensory perception or of widely accepted reports about events that occurred in the past. He doubts such a witness's certainty no more than he doubts sense perception or reliable transmission.

The inability of the judge to know the ultimate truth of guilt or innocence in a case he is adjudicating is represented in a prophetic report cited by the Partisans of Hadith: "I am but a man, and it may be that one of you will be more eloquent in your proof than the other. So whatever I portion out to you from that due to your brother, I portion out to you a portion of Hellfire."⁵⁰ A later version of this *ḥadīth*, found only in the notoriously unreliable *ḥadīth* collection *Firdaws al-akḥbār* of Shīrawayh b. Shahrudār al-Daylamī (d. 509/1115), embodies the editorial voice of the Partisans of Hadith. It implies that the outward certainty attainable by the judge (even the Prophet) is the only certainty that people can hope for without divine omniscience: "I am but a man, and I do not know the unseen (*ghayb*). . . ."⁵¹

We find a clear rejection of the notion that *āḥād ḥadīths* do not yield the certainty required in daily life from Ibn Ḥanbal. The Ḥanbalī legal theorist of Baghdad Ibn al-Farrāʾ (d. 458/1066) cites Ibn Ḥanbal's student Abū Bakr al-Marrūdhī (d. 275/888–89) as saying to his teacher, "Here is someone who says that a *ḥadīth* is compelling in law but does not yield knowledge (*ʿilm*)." Ibn Ḥanbal rejects this, scoffing "I have no idea what this is" (*mā adri mā hādihā*). Ibn al-Farrāʾ interprets this as meaning that Ibn Ḥanbal treated epistemological certainty (*ʿilm*) and legally compelling probability identically.⁵²

Here we must address a potential objection. Al-Shāfiʿī's opponent's choice to mention the Qurʾān raises an important question. If we maintain that al-Shāfiʿī held that the certainty provided by reliable *āḥād ḥadīths* was, in fact, the highest form of historical reliability available to a scholar, what about the reliability of the Qurʾān, which later Sunni legal theorists classified as *mutawātir* and thus epistemologically certain in its historical attribution to the Prophet?⁵³

Here we must contend that in its individual rulings and specific textual details, Partisan of Hadith scholars did not treat the Qurʾān as categorically epistemologically superior to reliable *ḥadīths*. In its interpretive authority, early proto-Sunnis and many later Sunni scholars explicitly subordinated the Qurʾān to the Sunna, which they declared "ruled over the Book

49. Ibid., 7: 82–83. I thank Ahmed El Shamsy for this citation.

50. *al-Muwaṭṭaʾ*, *kitāb al-aqdiya*, *bāb al-tarḥīb ilā l-qaḍāʾ bi-l-ḥaqq*; *Ṣaḥīḥ al-Bukhārī*, *kitāb al-maḥālim*, *bāb ithm man khāṣama fī bāʾil wa-huwa yaʿlamuhu*; *Ṣaḥīḥ Muslim*, *kitāb al-aqdiya*, *bāb al-hukm bi-l-zāhir wa-l-laḥn bi-l-ḥujja*; *Musnad Aḥmad b. Ḥanbal*, 2: 322, 6: 308, 320; Ibn Ḥajar, *Fatḥ al-bārī*, 13: 216ff.

51. Shīrawayh b. Shahrudār al-Daylamī, *al-Firdaws bi-maʾthūr al-khiṭāb*, 2 vols. (Beirut: Dār al-Fikr, 1418/1997), 1: 201.

52. Ibn al-Farrāʾ, *al-ʿUdda*, 3: 899–900.

53. See, e.g., Badr al-Dīn Muḥammad al-Zarkashī, *al-Baḥr al-muḥīṭ fī uṣūl al-fiqh*, ed. Muḥammad Muḥammad Tāmīr, 4 vols. (Beirut: Dār al-Kutub al-ʿIlmiyya, 1428/2007), 3: 317.

of God” and not vice versa.⁵⁴ In addition, in terms of their scale of transmission, readings of the Qur’an were not always accepted as canonical or authentic because they had met the technical requirements of legal theorists for massive transmission (*tawātur*) but simply because they had some *isnād* support and had become widely accepted.⁵⁵

For our purposes, unless it can be proven that Partisan of Hadith scholars in fact treated the detailed wording of Qur’anic verses as inherently more historically reliable than *ṣaḥīḥ ḥadīths*, the declaration of legal theorists of the fifth/eleventh century that the Qur’an is *mutawātir* thus has no bearing on the epistemological worldview of al-Shāfi‘ī or his cohort. Al-Shāfi‘ī distinguishes between the strengths of proof (*ḥujja*) provided by “an explicit text (*naṣṣ bayyin*) from the Book [of God] or an agreed-upon prophetic precedent (*sunna*), which no one could doubt,” on the one hand, and a prophetic precedent “from a report of the Elect about which the report could differ,” on the other.⁵⁶ But, again, the question here is not one of historical reliability but rather of interpretive explicitness and consensus on the meaning of a text on the one hand, and ambiguity and disagreement on the other.

ṢAḤĪḤ, LITERAL TRUTH, AND HISTORICAL TRUTH

The notion of a *ḥadīth* being “sound” (*ṣaḥīḥ*) or “established” (*ṭhabata*) (the two terms are used interchangeably in the third/ninth century) is difficult to define exactly. Neither al-Bukhārī nor Muslim (d. 261/875), the authors of the revered *Ṣaḥīḥayn*, left a description of his requirements for a sound *ḥadīth*. The earliest surviving definition of *ṣaḥīḥ* from someone who authored a *ṣaḥīḥ* collection comes from al-Bukhārī’s and Muslim’s student, Ibn Khuzayma (d. 311/923), who notes in the introduction to his collection that he only includes *ḥadīths* “that an upstanding (‘*adl*) transmitter narrates from another upstanding transmitter continuously to [the Prophet] without any break in the *isnād* nor any impugning of the reports’ transmitters.”⁵⁷

This dovetails with what the generation of al-Bukhārī’s and Muslim’s teachers had reportedly maintained. When asked to describe what sort of *ḥadīth* can be deemed “established” from the Prophet and be compelling proof (*ḥujja*), the Meccan al-Ḥumaydī (d. 219/834) replies that it must be “solidly established (*ṭhābit*) from the Messenger of God, with

54. *Jā’at al-sunna qāḍiyar*^m ‘alā l-kitāb wa-laysa al-kitāb qāḍiyar’^m ‘alā l-sunna. This quote is attributed to Yahyā b. Abī Kathīr and al-Awzā‘ī. See *Sunan al-Dārimī*, introd. chaps., *bāb al-sunna qāḍiya ‘alā kitāb Allāh*; Muḥammad b. Naṣr al-Marwazī, *al-Sunna*, ed. ‘Abdallāh b. Muḥammad al-Baṣīrī (Riyadh: Dār al-‘Āṣima, 1422/2001), 106–7; al-Ḥākim al-Naysābūrī, *Ma’rifat ‘ulūm al-ḥadīth*, 2nd ed. (Hyderabad: Dā’irat al-Ma’arif al-‘Uthmāniyya, 1385/1966), 82; al-Khaṭīb al-Baghdādī, *al-Kifāya*, 1: 81; al-Zarkashī, *al-Baḥr al-muḥīṭ*, 3: 239.

55. See Intisar Rabb, “Non-Canonical Readings of the Qur’an: Recognition and Authenticity (the Ḥimṣī Reading),” *Journal of Quranic Studies* 8.4 (2006): 105ff.; Aḥmad ‘Alī al-Imām, *Variant Readings of the Qur’an* (Herndon, Va.: International Institute of Islamic Thought, 1998), 121. Ibn Ḥajar al-‘Asqalānī attributes a similar opinion to Abū Shāma al-Maqdisī (d. 665/1267) and al-Baghawī (d. 516/1122): Ibn Ḥajar, *Fath al-bārī*, 9: 39. This was pointed out by the later Muslim analyst al-Shawkānī (d. 1834), who stated that the claim of Sunni legal theorists that the Qur’an is entirely *mutawātir* in all its verses across the seven canonical readings is a claim devoid of “even a hint of knowledge, for indeed each one of these readings has been transmitted via *āḥād* means, as anyone who is familiar with the *isnāds* of those [seven] readers for their transmissions [of the Qur’an] knows”: Muḥammad b. ‘Alī al-Shawkānī, *Irshād al-fuḥūl ilā taḥqīq ‘ilm al-uṣūl*, ed. Muḥammad Sa’id al-Badrī (Beirut: Mu’assasat al-Kutub al-Thaqāfiyya, 1412/1992), 62–63.

56. al-Shāfi‘ī, *al-Risāla*, 460–61.

57. Abū Bakr Muḥammad b. Khuzayma, *Ṣaḥīḥ Ibn Khuzayma*, ed. Muḥammad Muṣṭafā al-A‘zamī, 5 vols. (Beirut: al-Maktab al-Islāmī, [1970?]), 1: 3.

a contiguous *isnād* with no breaks, all through known transmitters." Al-Bukhārī's and Muslim's great rival Muḥammad b. Yaḥyā al-Dhuhli of Naysābūr (d. 258/873) agreed that "a *ḥadīth* is not established as being from the Prophet until a reliable transmitter narrates it from another reliable transmitter till the report ends with the Prophet in that way, with no unknown or criticized transmitter."⁵⁸

Partisan of Hadith scholars of the third/ninth century described some *ḥadīths* as "widely transmitted" (*tawātara*), having "become manifest" (*taẓāhara*) or "well known" (*ishtahara*). This would seem to be the most reliable form of transmitted material. These terms, however, were merely comparative descriptions of the extent to which a report had been corroborated as opposed to a contradictory and uncorroborated report. The "widespread transmission" (*taẓāhur*, *tawātur*) of reports was the term used by Partisan of Hadith scholars to denote reports that communicated a common idea in sufficient number and reliability that an isolated conflicting report could be assumed to be an error by dint of its contrary meaning.⁵⁹

These terms did not establish an epistemological class of reports distinct and superior to *ṣaḥīḥ* or *thābit ḥadīths*. Early *ḥadīth* critics could thus call a widely accepted *ḥadīth* both "sound" and "well known" (*ṣaḥīḥ mashhūr*) when comparing it to less solid or anomalous reports. Among the early Partisans of Hadith, this concept of broad corroboration only superseded a normal sound *ḥadīth* if that one *ḥadīth* clashed with or contradicted a "widespread" or "well-known" *ḥadīth*. In the absence of any overwhelming body of widely transmitted *ḥadīths* that disagreed with it, a single *ḥadīth* was in no way lacking in epistemological strength. Ibn al-Farrā' concedes that even an *āḥād ḥadīth* can yield certainty if nothing the Prophet said can be proven to contradict it. He cites a report that Ibn Ḥanbal's son heard his father say: "If a *ḥadīth* comes with a *ṣaḥīḥ isnād*, we say that it is the Sunna if there is nothing contradicting or resisting it."⁶⁰

At the very least, Ibn Ḥanbal's, al-Shāfi'ī's, and al-Tirmidhī's aforementioned statements demonstrate that they believed that a *ḥadīth* "that was made sound or established" by chains of transmission from the Prophet truly represented items of historical truth. In other words, they documented elements of his teachings or events in his life. Al-Shāfi'ī's rationalist opponent, however, had made a more specific demand, saying "I will not accept anything that I cannot swear to God by just as I swear by His Book, which no one could doubt a single word of."⁶¹ The opponent demanded literal truth. We find, however, that al-Shāfi'ī is only willing to make this claim in the case of the Knowledge of the Masses. His explanation of this type of knowledge, however, makes it clear that this certainty does not pertain to the literal truth of specific statements attributed to Muḥammad; it concerns the certainty that "what has been declared permitted by [these reports] is permissible and what has been forbidden by them is forbidden." Al-Shāfi'ī's statement is thus directed more at the unequivocalness of these *ḥadīths*' legal contents than their literal authenticity.

This focus on the certainty of a *ḥadīth* revolving around a certainty about the import of its contents as opposed to its literal truth appears in another statement of Ibn Ḥanbal. This opinion seems to contradict Ibn Ḥanbal's earlier statement that *āḥād ḥadīths* yield certainty, and it thus caused great consternation among later Ḥanbalī commentators trying to isolate the definitive stance of their school's founder. Ibn al-Farrā' states that he saw in the book

58. al-Khaṭīb al-Baghdādī, *al-Kifāya*, 1: 93, 103–4.

59. See Jonathan Brown, "How We Know Early Ḥadīth Critics Did *Matn* Criticism and Why It's So Hard to Find," *Islamic Law and Society* 15.2 (2008): 158, 163.

60. Ibn al-Farrā', *al-'Udda*, 3: 898, 901; cf. al-Zarkashī, *al-Baḥr al-muḥīṭ*, 3: 324.

61. al-Shāfi'ī, *al-Umm*, 7: 250.

Ma'ānī l-ḥadīth, compiled by Ibn Ḥanbal's student Ibn al-Athram (d. 261/875), that Ibn Ḥanbal said, "If a *ḥadīth* comes from the Prophet via a *ṣaḥīḥ isnād* and contains a ruling or obligation, I act according to that, and I profess it by God Most High, and I do not testify that the Prophet said it." In this case, Ibn al-Farrā' explains that Ibn Ḥanbal "was explicit that it does not yield epistemological certainty (*qaṭ'ī*)."⁶²

How can Ibn Ḥanbal state that *āḥād ḥadīths* from the Prophet are "truth" and dismiss those who say that they do not yield certainty, on the one hand, and yet refuse to swear that the Prophet said such a report, on the other? If al-Shāfi'ī believed that *āḥād ḥadīths* were as reliable a piece of historical evidence as one could hope for, why did he not tell his opponent that he could swear to God by them?

Returning to the lessons learned from the Gettysburg Address and Thucydides, we find that the Muslim *ḥadīth* critics of the second/eighth and third/ninth centuries were eminently aware of both the literal ambiguity inherent in even a "historically true" report and the creative component of transmitting the words of the Prophet. The canonical Sunni *ḥadīth* collections contain chapters with reports describing the seriousness of falsely attributing words to the Prophet and underscoring the cult of authenticity that lay at the heart of the Sunni tradition.⁶³ One such *ḥadīth* transmits: "Whoever narrates from me a *ḥadīth* that he sees is a lie (*kadhīb*), then he is among the liars." Al-Tirmidhī asked his teacher, the famous *ḥadīth* collector 'Abdallāh al-Dārimī (d. 255/869), whether a scholar who narrates a *ḥadīth* that he knows contains some trivial textual uncertainties would be subsumed by that threat. Al-Dārimī replied that this warning only addresses those people who narrate a *ḥadīth* that has no basis (*aṣl*) as being from the Prophet, not those who narrate versions of a *ḥadīth* with minor differences in transmission.⁶⁴

The notion of a *ḥadīth* having a "basis" or *aṣl* was central to *ḥadīth* criticism and transmission. The basis of a *ḥadīth* was the theoretical urtext of the report as narrated from the Prophet, although in its various narrations it could manifest itself in many permutations. As Asma Hilali explains, it is the meaning or event described by the *ḥadīth* that "preexists its transmission."⁶⁵ The basis of a *ḥadīth* was usually associated with a certain Companion, who was assumed to have heard the Prophet speak or observed him act on that occasion.

62. *Idhā jā'a al-ḥadīth 'an al-nabī (ṣ) bi-isnād ṣaḥīḥ fīhi ḥukm aw farḍ 'amiltu bi-l-ḥukm wa-l-farḍ wa-adantu Allāh ta'āla bihi, wa-lā ashhadu anna al-nabī (ṣ) qāla dhālika*: Ibn al-Farrā' provides the *isnād* for the transmission of this book from Ibn al-Athram: it was written in the hand of Abū Ḥafṣ al-'Ukbarī from Ibn al-Athram's copy and transmitted to Ibn al-Farrā' by Abū Ḥafṣ 'Umar b. Badr: Ibn al-Farrā', *al-'Udda*, 3: 898. Ibn al-Farrā' and later Ḥanbalīs such as Ibn Taymiyya spilled a great deal of ink struggling to reconcile the two positions attributed to Ibn Ḥanbal on the epistemological yield of *āḥād ḥadīths*. Ibn al-Qayyim attempted to dismiss Ibn al-Athram's narration from Ibn Ḥanbal because it impeded his argument that Ibn Ḥanbal had believed that *āḥād ḥadīths* yielded certainty and were thus sufficient to establish theological tenets such as God's descent during the night to the lowest heavens. Ibn al-Qayyim argues that the narration of Ibn al-Athram is not corroborated by any other of Ibn Ḥanbal's students and doubts whether Ibn al-Farrā' had actually heard the texts through audition (*samā'*). Interestingly, Ibn al-Qayyim interprets the texts of al-Shāfi'ī mentioned above as indicating that al-Shāfi'ī also believed that *āḥād ḥadīths* provided 'ilm: Ibn Qayyim al-Jawziyya, *Mukhtaṣar al-Ṣawā'iq al-mursala*, 2 vols. in 1 (Cairo: Maṭba'at al-Madani, [n.d.]), 365, 370–72. Interestingly, Ibn Ḥanbal's student Abū Bakr al-Marrūdhī reported that his teacher disliked Ibn al-Athram's posing legal and doctrinal questions (*masā'il*) to him; see Ibn Ḥanbal, *al-'Ilal wa-ma'rifaṭ al-rijāl*, ed. Waṣī Allāh Muḥammad 'Abbās (Mumbai: al-Dār al-Salafiyya, 1408/1988), 174; 'Alā' al-Dīn Abū l-Ḥasan 'Alī al-Mardāwī, *al-Taḥbīr sharḥ al-Taḥrīr*, ed. 'Awaḍ b. Muḥammad al-Qarnī (Riyadh: Maktabat al-Rushd, 1421/2000), 4: 1808–10.

63. See, for example, *Ṣaḥīḥ Muslim, muqaddima, bab al-nahy 'an al-ḥadīth bi-kull mā samī'a; Sunan Ibn Māja, muqaddima, bāb mān ḥaddatha 'an rasūl Allāh ḥadīth^{an} yarā annahu kadhīb. . .*

64. *Jāmi'* al-Tirmidhī, *kitāb al-'ilm, bāb mā jā'a fi-man rawā ḥadīth^{an} wa-huwa yarā annahu kadhīb.*

65. Asma Hilali, "'Abd al-Raḥmān al-Rāmahurmuzī (m. 360/971) à l'origine de la réflexion sur l'authenticité du ḥadīth," *Annales Islamologiques* 39 (2005): 134.

Sometimes *ḥadīth* critics could decide that a *ḥadīth* had absolutely no basis from the Prophet whatsoever. Examples include the reports that God created Himself from horse sweat, that “[t]heir [women’s] brains are in their crotches” (*‘uqūluhunna fī furūjihinna*), or that the Prophet wiped his penis with dust after urinating.⁶⁶

If a *ḥadīth* did have some basis from the Prophet, however, there was a wide range of acceptable permutations that it could take, no doubt the result of the vagaries of transmission. There was still room for substantial variation in both the chain of transmission and text of the report, even in the case of a *ḥadīth* that critics concluded was *ṣaḥīḥ*. Al-Bukhārī, for example, includes in his famous *Ṣaḥīḥ* three narrations of a well-known *ḥadīth* transmitted from the Prophet by the Companion Anas b. Mālik. The first transmission reads: “Aid your brother whether he is wronging or being wronged.” The second and third versions include the substantial addition of an explanation from the Prophet. Helping one’s brother when he “is wronging” is to advise him to cease his iniquitous behavior.⁶⁷ All these versions represent the same basic tradition, however, and all the versions are sound, according to al-Bukhārī. Like the variances in the Gettysburg Address, al-Bukhārī’s decision that the *ḥadīth* was *ṣaḥīḥ* meant that he was sure that the Prophet had said those approximate words.⁶⁸

Like Thucydides recounting historical speeches, early Muslim *ḥadīth* transmitters often substituted either the gist of a statement by the Prophet or their own recreations for his literal words. The practice of transmitting the general meanings of a *ḥadīth* (*al-riwāya bi-l-ma‘nā*) was widely accepted among *ḥadīth* transmitters of the second/eighth and third/ninth centuries and was eventually accepted unanimously in later manuals of the *ḥadīth* sciences, such as those of al-Khaṭīb al-Baghḏādī and Ibn al-Ṣalāḥ (d. 643/1245). Early proponents of transmitting the gist of the Prophet’s words claimed that the Companion Wāthila b. Asqa‘ had admitted that sometimes the Companions even confused the exact wording of the Qur’an, which was well known and well preserved. So how, Wāthila asked, could one expect any less in the case of a report that the Prophet had said just once? Al-Ḥasan al-Baṣrī (d. 110/728) is reported to have said, “If we only narrated to you what we could repeat word for word, we would only narrate two *ḥadīths*. But if what we narrate generally communicates what the *ḥadīth* prohibits or allows then there is no problem.”⁶⁹

66. Ibn Qutayba al-Dīnawarī, *Ta’wil mukhtalif al-ḥadīth*, ed. Muḥammad Zuhri al-Najjār (Beirut: Dār al-Jil, 1393/1973), 75–76; Shams al-Dīn al-Sakhāwī, *al-Maqāṣid al-ḥasana*, ed. Muḥammad ‘Uthmān al-Khiṣht (Beirut: Dār al-Kitāb al-‘Arabī, 1425/2004), 292; Mullā ‘Alī Qārī, *al-Asrār al-marfū‘a fī l-akhbār al-mawḏū‘a*, ed. Muḥammad Luṭfī al-Ṣabbāgh, 2nd ed. (Beirut: al-Maktab al-Islāmī, 1406/1986), 246; Ismā‘īl b. Aḥmad al-‘Ajlūnī, *Kashf al-khafā’,* ed. Aḥmad al-Qalāsh, 2 vols. (Cairo: Dār al-Turāth, [n.d.]), 2: 81; Ibn Abī Ḥatīm al-Rāzī, *‘Ilal al-ḥadīth*, ed. Sa‘d ‘Abdallāh al-Ḥumayyid and Khālid ‘Abd al-Raḥmān al-Juraysī, 7 vols. (Riyadh: Maṭābi‘ al-Ḥamīd, 1427/2006), 1: 542. For another excellent example of a *ḥadīth* that has no *aṣl* from the Prophet, see *ibid.*, 5: 267: “God does not punish from among His slaves except the strident rebel who rebels against God and refuses to say ‘There is no god but God’ (*inna Allāh ‘azza wa-jalla lan yu‘adhdhiba. . .*)” Abū Zur‘a al-Rāzī refused to narrate it.

67. *Ṣaḥīḥ al-Bukhārī, kitāb al-maḏālim, bāb a‘in akhāka; kitāb al-ikrāh, bāb 7.*

68. The *Sunan* of al-Nasā‘ī seems to have a specific focus on the different versions of *ḥadīth* urtexts. The most glaring example is in the *kitāb al-nahl*, which consists of only one subchapter entirely devoted to different versions of a report from al-Nu‘mān b. Bashīr about his father bequeathing him a slave.

69. Some early Muslim scholars insisted on repeating *ḥadīths* exactly as they heard them. Ibn Sīrīn (d. 110/728) even reportedly repeated grammatical errors in *ḥadīths* he heard: al-Khaṭīb al-Baghḏādī, *al-Jāmi‘ li-akhlāq al-rāwī wa-ādāb al-sāmi‘*, ed. Muḥammad Rif‘at Sa‘īd, 2 vols. (Mansoura, Egypt: Dār al-Wafā’, 1422/2002), 2: 71, 78–79; cf. *Jāmi‘ al-Tirmidhī, kitāb al-‘ilal*. One Companion reported that when the Prophet “recited a *ḥadīth*,” he would repeat it three times: *Sunan Abī Dāwūd, kitāb al-‘ilm, bāb takrīr al-ḥadīth*. Interestingly, al-Qāḏī ‘Iyāḏ b. Mūsā (d. 544/1149) stated that laxity in *ḥadīth* transmission led “master analysts” (*muḥaqqiqūn*) in the fifth/eleventh century to “close the door of *riwāya bi-l-ma‘nā*”: al-Qāḏī ‘Iyāḏ, *Mashāriq al-anwār ‘alā ṣiḥāḥ al-āthār*, ed. Bal‘amshī Aḥmad Yagan, 2 vols. ([Rabat]: Wizārat al-Awqāf wa-l-Shu‘ūn al-Islāmiyya, 1402/1982), 1: 23.

Here we find a simple explanation for the seeming contradiction between Ibn Hanbal's two statements about the certainty yielded by *āḥād ḥadīths* as well as al-Shāfi'ī's reticence to assure his interlocutors that they could swear to God by their literal truth. Even a *ṣaḥīḥ ḥadīth*, which so indubitably represented the teachings of the Prophet that it could be taken as the basis for law and theology in the eyes of the Partisans of Hadith, did not assuredly represent Muḥammad's literal words. It was only a permutation of an authentic urtext, with a strong possibility that it was just the gist of his words. Muslim *ḥadīth* critics were sensitive to this literal ambiguity. As Ibn Taymiyya (d. 728/1328) would later admit, even the most authentic *ḥadīths* can differ on details. Commenting on a *ḥadīth* in which the Prophet buys a camel from his Companion Jābir, Ibn Taymiyya states, "whoever looks at these *isnāds* knows with certainty that the *ḥadīth* is *ṣaḥīḥ*, even if the narrations disagree on the price."⁷⁰

HOW CAN ONE *ṢAḤĪḤ ḤADĪTH* BE MORE *ṢAḤĪḤ (AṢAḤḤ)* THAN ANOTHER?

Bridging the worlds of fifth/eleventh-century Sunni legal theory and the pre-Ash'arī Partisans of Hadith, al-Khaṭīb al-Baghdādī made a statement significant for our discussion: no report that yields epistemological certainty (*'ilm*) can be more certain than another, "since all things known with certainty are known in the same manner."⁷¹ In other words, if we are certain of the literal wording of the Gettysburg Address, we cannot accept another version of it as also certain. This idea makes sense in a binary conception of literal truth. It does not, however, reflect the nature of historical certainty nor the manner in which Partisan of Hadith critics evaluated and rated *ḥadīths*.

Having suggested that *ḥadīth* critics declared a *ḥadīth* to be sound when they were certain that the urtext of the report represented the Prophet's words or deeds, we can easily anticipate how one narration could be sounder (*aṣaḥḥ*) than another. Third/ninth- and fourth/tenth-century *ḥadīth* critics employed the term "sounder" to rank the variations of an urtext.

This often had nothing to do with the wording or implications of the *ḥadīth*, but rather with the exhaustingly technical question of which narration consisted of more respected transmitters or enjoyed more corroboration.⁷² Ibn Abī Ḥātim al-Rāzī (d. 327/938) notes that his father and leading teacher Abū Ḥātim al-Rāzī (d. 277/890) said that the narration of a *ḥadīth* from Sufyān al-Thawrī—Muḥārib b. Dithār—Sulaymān b. Burayda, that the Prophet prayed five prayers without renewing his ritual purity, was sounder (*aṣaḥḥ*) than another version with the same text but with the narration Sulaymān b. Burayda from his father—the Prophet.⁷³ Abū Ḥātim and his colleague Abū Zur'ā al-Rāzī (d. 264/878) concluded that the narration of another *ḥadīth* through Sufyān al-Thawrī (d. 161/778) was sounder than the same narration of that *ḥadīth* through his contemporary Shu'ba b. al-Ḥajjāj (d. 160/776), because Sufyān is considered more reliable and his version is more corroborated.⁷⁴

Sometimes a critic could not distinguish between two *ṣaḥīḥ* versions. Al-Tirmidhī asked al-Bukhārī which report stating that the Prophet wore a red robe (*ḥulla ḥamrā'*) was sounder,

70. Ibn Taymiyya, *Majmū'at al-fatāwā*, ed. Sayyid Ḥusayn al-'Affānī and Khayrī Sa'īd (Cairo: al-Maktaba al-Tawfiqiyya, [n.d.]), 3: 198–99.

71. al-Khaṭīb al-Baghdādī, *al-Kifāya*, 2: 560.

72. For more on the nature of these technical comparisons, see Jonathan Brown, "Criticism of the Proto-Ḥadīth Canon: Al-Dāraquṭnī's Adjustment of the *Ṣaḥīḥayn*," *Journal of Islamic Studies* 15.1 (2004): 21ff.

73. Ibn Abī Ḥātim, *al-'Ilal*, 1: 623–24.

74. *Ibid.*, 6: 656–57. For more examples, cf. *ibid.*, 2: 43–44, 4: 711; 6: 556–58. See also *Sunan Abī Dāwūd, kitāb al-ṣalāt, bāb fi 'tizāl al-nisā' fi l-masājid 'an al-rijāl; kitāb al-ṣalāt, bāb al-adhān qabla dukhūl al-waqt; kitāb al-adab, bāb mā jā'a fi l-rajul yuḥillu al-rajul qad ightābahu.*

the one narrated by Abū Ishāq al-Sabī'ī from the Companion Jābir b. Samura or the one that Abū Ishāq narrated from the Companion al-Barā' b. 'Āzib. Al-Bukhārī replied only that both were sound.⁷⁵

Of course, the question of which variation of a *ḥadīth* was “sounder” could have major legal or dogmatic consequences. Al-Shāfi'ī had said that, as a principle, no two authentic *ḥadīths* could truly contradict one another, since the Prophet's Sunna must be internally consistent. If two *ḥadīths* seem to clash, then either one abrogated the other, or, if there was no indication of abrogation, the jurist should choose the more reliable (*athbat*) report.⁷⁶ Two leading *ḥadīth* critics, al-Bukhārī and Abū Zur'ā al-Rāzī, for example, reject one narration of a *ḥadīth* (Salama b. Kuḥayl—Ḥujr b. al-'Anbas—'Alqama b. Wā'il—Wā'il b. Ḥujr—the Prophet) that describes the Prophet saying “Amen” silently after reciting the Qur'an in his prayer in favor of another version (Salama b. Kuḥayl—Ḥujr b. al-'Anbas—Wā'il b. Ḥujr—the Prophet) describing him saying it out loud. Al-Bukhārī and Abū Zur'ā explain that the second *isnād* is “more sound” than the first because the first *isnād* incorrectly adds 'Alqama b. Wā'il into the chain, a fact not corroborated by other narrations of the *ḥadīth*.⁷⁷

In the case of two contrasting reports being on the same level of reliability, al-Shāfi'ī instructs scholars to take the one closest to the Qur'an and the Prophet's Sunna in general.⁷⁸ We find an instance of the meaning of one version of a *ḥadīth* rendering it sounder than another in al-Tirmidhī's *Jāmi'*. Al-Tirmidhī narrates a number of versions of a *ḥadīth* from al-A'mash—Abū Šāliḥ—Abū Hurayra reporting that the Prophet said: “Whoever kills himself will be in hellfire eternally.” He then introduces a version of the same *ḥadīth* from Abū l-Zinād—al-A'raj—Abū Hurayra which does not include the phrase that a suicide will be punished eternally. Al-Tirmidhī notes that this version “is sounder because there are narrations that monotheists (*ahl al-tawḥīd*) are punished in hellfire [for a time] but then will exit it, and it is not mentioned that they are there eternally.”⁷⁹

ARE NON-“AUTHENTIC” ḤADĪTHS HISTORICALLY TRUE? HOW NON-ŠAḤĪḤ ḤADĪTHS FUNCTIONED IN LAW

The *ḥadīths* from which Islamic law was derived did not fall primarily in the *ṣaḥīḥ* category. Through Ibn Ḥanbal, al-Bukhārī, and Muslim, Partisan of Hadith scholars graded reports either as “sound/established” (*ṣaḥīḥ/thābit*) or “weak/sickly” (*da'if/ṣaqīm*) in terms of the make-up of their *isnāds*, and “well-known” (*mashhūr*) or “unaccepted” (*munkar*) in terms of their corroboration.⁸⁰ If they could find no *ḥadīths* that lived up to their requirements for reliability, however, Partisan of Hadith jurists like Ibn Ḥanbal or his student Abū Dāwūd (d. 275/889) turned to weaker *ḥadīths*.⁸¹ Ibn Ḥanbal is famously quoted as saying, “A weak *ḥadīth* is dearer to me than the use of independent reason (*ra'y*).”⁸²

75. *Jāmi' al-Tirmidhī, kitāb al-adab, bāb mā jā'a fi l-rukḥa fi lubs al-ḥumra li-l-rijāl.*

76. al-Shāfi'ī, *al-Umm*, 7: 177.

77. *Jāmi' al-Tirmidhī, kitāb al-ṣalāt, bāb mā jā'a fi l-ta'mīn.*

78. al-Shāfi'ī, *al-Umm*, 7: 177.

79. *Jāmi' al-Tirmidhī, kitāb al-ṭibb, bāb mā jā'a fi-man qatala nafsahu bi-summ aw ghayrihi.*

80. *Ṣaḥīḥ Muslim, muqaddima*, introduction.

81. Abū Dāwūd, for example, noted that (although his teacher Ibn Ḥanbal and his teacher al-Shāfi'ī before him had demonstrated the unreliability of *mursal ḥadīths*) he would include *mursal* reports as proof in his *Sunan* if no *ṣaḥīḥ ḥadīths* could be found on a topic: Abū Dāwūd al-Sijistānī, “Risāla ilā ahl Makka fi waṣf Sunanihi,” in *Thalāth rasā'il fi 'ulūm muṣṭalah al-ḥadīth*, ed. 'Abd al-Fattāḥ Abū Ghudda, 2nd ed. (Beirut: Dār al-Bashā'ir al-Islāmiyya, 1426/2005), 33.

82. Ibn Hajar, *Fath al-bārī*, 13: 358–59 (*lā takādu tanzuru aḥad naẓara fi l-ra'y illā wa-fi qalbihi daghal. . .*) For an earlier permutation of this quote, see al-Khaṭīb al-Baghdādī, *Tārikh Baghdād*, ed. Muṣṭafā 'Abd al-Qādir 'Aṭā

If these scholars accepted a *ḥadīth* as true provided they knew that its urtext authentically represented the Prophet's teachings, what did they think about the historical truth of *ḥadīths* that did not live up to that standard? How did these Sunni scholars, who declared that the preservation of the Prophet's authentic Sunna was paramount, reconcile this commitment with using non-*ṣaḥīḥ ḥadīths* as evidence?

First, a jurist from the Partisans of Hadith could accept a weak *ḥadīth* as a historically accurate representation of the Prophet's Sunna if it was buttressed substantially by the practice of Muslim scholars.⁸³ Here we must remember that declaring a *ḥadīth* "weak" was primarily an indictment of its *isnād* and the transmitters that constituted it.⁸⁴ If the text of the *ḥadīth* were bolstered by other means, either by other chains of transmission or by practice, a flaw in its *isnād* became moot.

Although the Partisans of Hadith regularly chastised those scholars whom they disdained as Partisans of Reason (*ahl al-ra'y*) for accepting *ḥadīths* with flaws such as interrupted *isnāds* or unknown transmitters if these *ḥadīths* were seen as representing local practice,⁸⁵ the Partisans of Hadith were guilty of the same practice. Ibn Ḥanbal, for example, acted on the *ḥadīth* "People are peers except for the chamberlain, the cupper, and the sweeper," disfavoring these professions when considering their testimony in court or marriage. His student Muḥannā b. Yaḥyā (d. 248/862–63) asked him, "You act on this but you declare it weak?" to which his teacher replied, "We only declare its *isnād* weak, but it is acted on (*al-ʿamal ʿalayhi*)."⁸⁶

In such cases, we cannot discern exactly what the Partisans of Hadith conceived of as being the driving evidence behind the legal ruling: the *ḥadīth* or practice. In the chapter on facing the imam when he is giving the sermon at Friday prayer, al-Tirmidhī states that there are no *ṣaḥīḥ ḥadīths* to this effect. He adds, however, that "the scholars among the Companions and those who came after them have acted according to this *ḥadīth*—they preferred to face the imam when he begins speaking. This is the stance of Sufyān al-Thawrī, al-Shāfiʿī, Aḥmad b. Ḥanbal, and Ishāq b. Rāḥawayh."⁸⁷ In this case, al-Tirmidhī appears to

(Beirut: Dār al-Kutub al-ʿIlmiyya, 1417/1997), 13: 420 (*daʿif al-ḥadīth khayr min ra'y Abi Ḥanīfa*); Ibn al-Jawzī, *Kitāb al-Mawḍūʿāt*, ed. ʿAbd al-Raḥmān Muḥammad ʿUthmān, 3 vols. (Medina: al-Maktaba al-Salafiyya, 1386–88/1966–68), 1: 34–35; al-Ḥusayn b. Ibrāhīm al-Jūzaqānī, *al-Abāṭil wa-l-manākīr wa-l-ṣiḥāḥ wa-l-mashāḥir*, ed. Muḥammad Ḥasan Muḥammad (Beirut: Dār al-Kutub al-ʿIlmiyya, 1422/2001), 76 (attributed to Sharik al-Nakhaʿī [d. 187/803]).

83. Here we find an interesting parallel in the historical-critical methods of Eusebius (d. ca. 340 C.E.) in his ecclesiastical history, where he considers the use by the early Christian community of certain writings, such as the dubious epistles of James and Jude, to be evidence of their acceptability as legitimate scripture: Eusebius, *The History of the Church*, tr. G. A. Williamson, ed. Andrew Louth (London: Penguin, 1989), 61.

84. *Ḥadīths* could also be dismissed as *munkar*, but this referred to a lack of corroboration as opposed to a strict weakness in the *isnād*. As al-Dhahabī notes, if a transmitter was respected enough he could transmit an uncorroborated *ḥadīth*, which would be accepted as "solitary but sound" (*ṣaḥīḥ gharīb*). An uncorroborated *ḥadīth* narrated by a transmitter who did not meet this level of confidence would be rejected as *munkar*. See al-Dhahabī, *Mizān al-ʿitidāl fi naqd al-rijāl*, ed. ʿAlī Muḥammad al-Bijāwī, 4 vols. (Beirut: Dār al-Maʿrifā, [n.d.], repr. of 1963–64 Cairo ʿIsā al-Bābī al-Ḥalabī edition, citations are to the Beirut edition), 3: 140–41; Brown, "How We Know Early Ḥadīth Critics," 174–75.

85. For examples of such attacks on the *ahl al-ra'y*, see *Ṣaḥīḥ Muslimi, muqaddima, bāb ṣiḥḥat iḥtijāj bi-l-ḥadīth al-muʿanʿan* (anti-*mursal*); Abū Dāwūd, "Risāla ilā ahl Makka," 35; al-Khaṭṭābī, *Maʿālim al-sunan*, 1: 3–4; Abū Bakr al-Bayhaqī, *Maʿrifat al-sunan wa-l-āthār*, ed. ʿAbd al-Muʿṭī Amīn Qalʿajī, 15 vols. (Cairo and Aleppo: Dār al-Waḥī, 1412/1991), 1: 219–20; Ibn ʿAbd al-Barr, *Kitāb al-Tamhīd*, 1: 4–5; Muḥammad b. Ṭāhir al-Maqdisī, *Shurūḡ al-ʿimma al-sitta*, ed. Muḥammad Zāhid al-Kawtharī (Cairo: Maktabat al-Qudsi, 1357/1938), 13; al-Jūzaqānī, *al-Abāṭil*, 74.

86. Ibn al-Farrāʿ, *al-ʿUdda*, 3: 938.

87. Jāmiʿ al-Tirmidhī, *kitāb al-ṣalāt, bāb mā jāʿa fi istiḡbāl al-imām idhā khaṭaba*.

be including a *ḥadīth* in the chapter merely to embody the practice of the early Muslim community in the form of a prophetic statement, despite the fact that the *ḥadīth* has no reliable *isnād*.

Second, the flaws that disqualified a *ḥadīth* from the *ṣaḥīḥ* rating outlined above did not necessarily exclude it from being a reliable indication of the Prophet's Sunna as received by the early community, especially if other narrations of the *ḥadīth* seconded it. The flaws in an *isnād* that could disqualify it from a *ṣaḥīḥ* rating included: (1) an interruption in the *isnād*, in which case one could not know who transmitted the report at a certain point and what changes might have been introduced; (2) a questionable transmitter in the *isnād*, who could err in accurately citing his sources or in the nature of his *isnād* in general; and (3) a weak transmitter, who could confuse the words of a scholar or transmitter with those of the Prophet. None of these involved the blatant misrepresentation of the Prophet's Sunna, which constituted the worst level of unreliability in a *ḥadīth*.

The "weak" *ḥadīths* that Ibn Ḥanbal and other Partisans of Hadith could employ if needed were not believed to be flagrant forgeries. They constituted an echelon of reports that were often impugned by some critics but upheld as reliable by others.⁸⁸ As the two great Ḥanbalī analysts Ibn al-Jawzī (d. 597/1201) and Ibn Taymiyya argued, these usable "weak" *ḥadīths* were what would later be called fair (*ḥasan*) reports after al-Tirmidhī introduced that term into technical usage.⁸⁹ Al-Khaṭṭābī remarked that the "fair" category subsumes most of the *ḥadīths* used by jurists.⁹⁰

As al-Tirmidhī noted in his definition of a *ḥasan ḥadīth*, it is "every *ḥadīth* that is narrated and does not have in its *isnād* someone who is accused of forgery (*kadhib*), and the *ḥadīth*

88. al-Bayhaqī, *Dalā'il al-nubuwwa*, ed. 'Abd al-Mu'tī Qal'ajī (Beirut: Dār al-Kutub al-'Ilmiyya, 1405/1985), 1: 37; Ibn al-Jawzī, *al-Mawḍū'āt*, 1: 34–35.

89. Ibn al-Jawzī describes these *ḥadīths* as "having some slight or probable weakness, these are the *ḥasan ḥadīths* that are suitable for acting on in law. And Aḥmad b. Ḥanbal put weak *ḥadīths* before independent legal reasoning (*qiyās*)." Ibn Taymiyya explains that scholars of Ibn Ḥanbal's generation used two categories for rating *ḥadīths*: *ṣaḥīḥ* and *ḍa'if*. The *ḍa'if*, however, was of two types: weak but not so weak that one could not include it as evidence in law (these are reports that Ibn Ḥanbal criticized with light phrases such as *fīhi lin*, *fīhi ḍa'if* and were equivalent to al-Tirmidhī's *ḥasan* grade); and so unreliable that they could be blatant forgeries and must be set aside: Ibn al-Jawzī, *al-Mawḍū'āt*, 1: 34–35; Ibn Taymiyya, *Majmū'at al-fatāwā*, 18: 23. There has been some debate over whether or not al-Tirmidhī was really the first scholar to use the term *ḥasan* as an intermediary term between *ḍa'if* and *ṣaḥīḥ*. Modern Muslim scholars such as 'Abd al-Fattāḥ Abū Ghudda (d. 1997) and Muḥammad 'Awwāma point to usages of the term by al-Tirmidhī's teacher al-Bukhārī and his teacher 'Alī b. al-Madīnī (d. 234/849). I think it is debatable whether these usages qualify as technical, however, and al-Tirmidhī certainly was the first to provide a technical definition for the term; see 'Abd al-Fattāḥ Abū Ghudda, *al-Fawā'id al-mustamadda fī 'ulūm muṣṭalaḥ al-ḥadīth*, ed. Mājīd al-Darwīsh (Beirut: Dār al-Bashā'ir al-Islāmiyya, 1426/2005), 139–51; cf. 'Alī b. al-Madīnī, *al-'Ilal*, ed. Ḥassām Muḥammad Abū Qurayṣ (Kuwait: Gharās, 1423/2002), 237. Discussions of what al-Tirmidhī meant when he described a *ḥadīth* with compound and sometimes seemingly contradictory terms, such as *ḥasan ṣaḥīḥ* or *ḥasan gharīb*, have also been legion. For a useful sample, see Ibn Kathīr and Aḥmad Shākir, *al-Bā'ith al-ḥathīth sharḥ Ikhtisār 'ulūm al-ḥadīth* (Cairo: Maktabat Dār al-Turāth, 1423/2003), 37; al-Suyūṭī, *Tadrib al-rāwī*, 1: 126; al-Kawtharī, *Maqālāt*, 236; 'Abdallāh al-Ghumārī, *Afḍal maqūl fī manāqib afḍal rasūl* (Cairo: Maktabat al-Qāhira, 1426/2005), 10; Khaldūn al-Aḥḍab, *Asbāb ikhtilāf al-muḥaddithīn*, 2 vols. (Jedda: Dār Kunūz al-'Ilm, 1422/2001), 2: 695–96; James Robson, "Varieties of the *Hasan* Tradition," *Journal of Semitic Studies* 6.1 (1961): 47–61. Several prominent *ḥadīth* scholars, including Ibn Diḥya (d. 633/1235), al-Dhahabī, al-Kawtharī, and Aḥmad al-Ghumārī (d. 1960) have concluded that al-Tirmidhī was very liberal in rating *ḥadīths* as *ḥasan* and that many of those he so described are actually unreliable. See Jamāl al-Dīn al-Zayla'ī, *Naṣb al-rāya*, 4 vols. (Cairo: Dār Iḥyā' al-Turāth al-'Arabī, 1407/1987), 2: 217–18; al-Dhahabī, *Mizān al-i'tidāl*, 4: 416; al-Kawtharī, *Maqālāt*, 235; Aḥmad b. al-Ṣiddīq al-Ghumārī, *al-Mudawī li-'ilal al-Jāmi' al-ṣaḥīr wa-sharḥayy al-Munāwī*, 6 vols. ([Cairo]: Dār al-Kutub, 1996), 1: 10.

90. al-Khaṭṭābī, *Ma'ālim al-sunan*, 1: 6.

does not differ with more corroborated evidence (*shādhah*), and is narrated via more than one chain of transmission (*wajh*).⁹¹ The flaws that disqualified such *hadiths* from a *ṣaḥīḥ* rating were minor and could be compensated for by corroborating narrations, as opposed to irreparable failings such as the presence of a known forger in the *isnād*. Transmitters known for minor flaws included Layth b. Abī Sulaym (d. 143/760–61), Ibn Abī Laylā (d. 148/765–66), or Ibn Lahī‘a (d. 174/790), who were used regularly in the six canonical Sunni *hadith* collections despite having been impugned as transmitters.⁹² As Abū Dāwūd notes, versions of a *hadith* in his *Sunan* might have breaks in their *isnāds*, but he included them because he knows the *hadith* has complete *isnāds* through other scholars.⁹³

As a result, even if such a weak report could not be taken on its own as an authenticated statement of Muḥammad according to the known *ṣaḥīḥ* criteria, it might still accurately reflect the practice of the early, righteous Muslim community. Since critics believed that the transmitters of these mildly weak *hadiths* were not so disingenuous as to intentionally forge material and attribute it to the Prophet, the worst case scenario for such a *hadith* would be that the transmitter had unwittingly attributed the statement of a Companion or another early Muslim to the Prophet. This is the case with Ismā‘īl b. Muslim al-Makkī (d. ca. 150/767), who mistook the Companion Jundub’s words “The punishment for the sorcerer is a blow of the sword” as a prophetic *hadith*.⁹⁴ But the opinions of the Companions and the two following generations of Muslims were highly esteemed by formative jurists such as Mālik, Abū Ḥanīfa, al-Shāfi‘ī, and Ibn Ḥanbal, and their rulings informed the bodies of law that these jurists elaborated. Ibn Ḥanbal’s and his cohorts’ willingness to accept such a possibility by admitting a weak *hadith* as evidence thus did not involve betraying their vision for the sources of Islamic law.

THE COMPELLING POWER OF THE PROPHET’S NAME: THE EFFECTIVE TRUTH OF WEAK *HADITHS*

To limit an analysis of the epistemological power of *hadiths* to the question of their authenticity in the eyes of Muslim scholars is to miss an essential aspect of the use of *hadiths* in the early Sunni tradition. While the stated commitment of the ulama to safeguard the authenticity of the Sunna and the *hadith* corpus must certainly be heeded, we must also examine the effective truth of how they employed *hadiths* whose authenticity they doubted or denied.

Here I borrow the notion of “effective truth” from Machiavelli’s *The Prince*, in which the Florentine theorist commits himself to representing the ideal state and the proper duties of a prince “as they are in an effective truth (*verità effettuale*), rather than as they are

91. *Jāmi‘ al-Tirmidhī, kitāb al-‘īlal*. I am translating *shādhah* in this manner, as defined by al-Shāfi‘ī, instead of the definition given by al-Ḥākim al-Naysābūrī (d. 405/1014), because al-Tirmidhī was heavily influenced by al-Shāfi‘ī and al-Ḥākim’s definition of *shādhah* as an uncorroborated chain of transmission would be redundant given the following clause in al-Tirmidhī’s text: Ibn ‘Adī, *al-Kāmil*, 1: 124; al-Ḥākim, *Ma‘rifat ‘ulūm al-ḥadīth*, 148.

92. Layth b. Abī Sulaym was used in the Six Books. Ibn Abī Laylā was used in the books of Abū Dāwūd, al-Tirmidhī, al-Nasā‘ī, and Ibn Māja. Ibn Lahī‘a was used in the books of Muslim, Abū Dāwūd, al-Tirmidhī, and Ibn Māja; see Ibn Ḥajar al-‘Asqalānī, *Tahdhīb al-tahdhīb*, ed. Muṣṭafā ‘Abd al-Qādir ‘Aṭā (Beirut: Dār al-Kutub al-‘Ilmiyya, 1415/1994), 8: 405–7, 5: 331ff., 9: 260–61. For more on this level of transmitters, see al-Dhahabī, *al-Mūqīza fī ‘ilm muṣṭalaḥ al-ḥadīth*, ed. ‘Abd al-Fattāḥ Abū Ghudda (Cairo: Dār al-Salām, 1421/2000), 33.

93. Abū Dāwūd, “Risāla ilā ahl Makka,” 51.

94. *Jāmi‘ al-Tirmidhī, kitāb al-ḥudūd, bāb mā jā’a fī ḥadd al-sāḥir*; al-Ḥākim, *al-Mustadrak ‘alā l-Ṣaḥīḥayn* (Hyderabad: Dā‘irat al-Ma‘ārif al-Niẓāmiyya, 1334/[1915–16]), 4: 360; al-Ghumārī, *al-Mudāwī*, 3: 395–96.

imagined.”⁹⁵ For example, a country may profess a commitment to freedom or human rights, but the effective truth of its policies may both wholly belie these stances and prove highly effectual in advancing that country’s national interests. We can apply this notion of effective truth to the *ḥadīth* tradition as a useful heuristic device, since it denotes both reality as it exists distinct from rhetoric as well as truth in action—truth that works.

In the case of the effective truth of *ḥadīths* in the Sunni tradition, two factors unrelated to historical reliability or authentication affected the conduct of scholars. The first was the overwhelming charisma of material phrased in the Prophet’s words, and the second was the paternalistic role of the ulama in guiding the Muslim masses.

Ibn Ḥanbal’s policy of heeding weak *ḥadīths* over independent legal reasoning was not due simply to his prioritization of revealed knowledge over human judgment. It stemmed from the intimidating power of knowledge phrased in the prophetic idiom. Words phrased in the formula “The Messenger of God said . . .” carried far more compelling authority than was granted to them by evaluations of their authenticity.⁹⁶ When an opponent tells Ibn al-Farrā’ that prudent caution (*ḥidhr*) in deriving God’s law would be to act only on reliable legal proofs (*dalil*), Ibn al-Farrā’ counters, “If people say that the Messenger of God said, ‘Whoever does such-and-such will be burned by hellfire, or whoever does such-and-such will be burned by hellfire,’ what would be prudently cautious would be to accept the *ḥadīth* and act on what was reported.”⁹⁷ To take an illuminating example from a period much later than that under study here, the fourteenth-century Egyptian Mālikī scholar Ibn al-Hājj (d. 737/1336) recounted how he had ignored a *ḥadīth* warning against cutting one’s fingernails on Wednesday because it causes leprosy. He was subsequently afflicted by leprosy. When the Prophet appeared to him in a dream, the scholar asked him why he was being punished, as he had analyzed the *ḥadīth* and concluded that it was not reliable (*lam yaṣihḥa*). The Prophet replied, “It suffices you to have heard it.” The scholar repented and was cured by the Prophet in his dream.⁹⁸

Although the Sunni tradition has prided itself on the preservation of the Prophet’s authentic Sunna, its science of *ḥadīth* criticism, and “Fending off lies from the Messenger of God,” the default position of Sunni scholars towards *ḥadīth* has ironically been one of credulity. In the third/ninth and fourth/tenth centuries (and beyond), collections devoted to *ṣaḥīḥ* or even *ḥasan ḥadīths* were the historical exception rather than the rule. The vast majority of *ḥadīth* collections made no pretense of guaranteeing the reliability of their contents, and yet they were regularly drawn on as sources by jurists. Muslim scholars hold that Ibn Ḥanbal had claimed about his famous *Musnad*, “I collected and sifted this book from more than 750,000 [narrations], so whatever *ḥadīths* from the Messenger the Muslims dis-

95. Niccolò Machiavelli, *Il Principe* (Rome: Solerno Editrice, 2006), 215 (beginning of chapter 15).

96. It is also possible that it is not the compelling power of the prophetic idiom that has made attributions to Muḥammad de facto compelling, but rather people’s default credulity in general. Thomas Reid noted man’s “natural credulity,” and Hume observed that, due to social pressures and necessities, men have “commonly an inclination to truth and a principle of probity”: Reid, 209–10; Hume, 145–46. William James contended that people believe things to be true until they are proven false, such that “[a]s a rule we believe as much as we can. We would believe everything if we only could.” James refers to this phenomenon as “Primitive Credulity,” borrowing the term from Josiah Royce: William James, *Principles of Psychology*, 2 vols. (New York: Henry Holt and Co., 1890), 2: 288–89, 299, 318–19.

97. Ibn al-Farrā’, *al-ʿUdda*, 3: 873.

98. Muḥammad ʿAbd al-Raʿūf al-Munāwī, *Fayḍ al-qadīr sharḥ al-Jāmiʿ al-ṣaḡīr*, ed. Aḥmad ʿAbd al-Salām, 6 vols. (Beirut: Dār al-Kutub al-ʿIlmiyya, 1415/1994), 1: 62.

agree on, let them refer to it. If they do not find it there, then it is not a proof (*ḥujja*). If they do, [then it is]."⁹⁹

Yet Ibn Ḥanbal himself identified unreliable *ḥadīths* in his *Musnad*,¹⁰⁰ and the work contains numerous *ḥadīths* that generations of Muslim *ḥadīth* scholars have considered forgeries. These include the report "Ashkalon is one of the two queens, from which God will resurrect seventy thousand souls on the Day of Judgment free of account" and the *ḥadīth* that an animal ate part of a crucial early copy of the Qur'an and left the revelation permanently truncated.¹⁰¹ Al-Daylamī opened his *Firdaws al-akhbār* by bemoaning how the people of his time no longer "know authentic from unreliable *ḥadīths*" and had become obsessed with the forged *ḥadīths* propagated by storytellers.¹⁰² He then packed his collection with a body of *ḥadīths* so problematic that al-Suyūṭī, hardly a stringent critic, stated that anything found only in the work was de facto unreliable.¹⁰³

This dissonance between a stated commitment to authenticity and the rampant collection of unreliable *ḥadīths* has been mitigated by elaborate notions of due diligence. Al-Khaṭīb al-Baghdādī states that as long as one provided the *isnād* one could narrate dubious *ḥadīths*, provided that one "disassociate oneself from responsibility for it (*al-barā'a min al-uhda*)."¹⁰⁴ We even find this notion of placing the burden of responsibility on the *isnād* in the *Uṣūl al-kāfi* of the Imāmī Shi'ī Muḥammad b. Ya'qūb al-Kulaynī (d. 329/939), who cites 'Alī as saying, "If you narrate a *ḥadīth* then provide the *isnād* of the person who told it to you. For if the *ḥadīth* is true, then the credit is yours, and if it is a lie then the burden is on your source."¹⁰⁵

99. Ibn Nuqṭa, *al-Taḥyid li-ma'rifat ruwāt al-sunan wa-l-masānid*, 161; Shams al-Dīn al-Dhahabī, *Siyar a'lām al-nubalā'*, ed. Shu'ayb Arnā'ūt et al., 3rd ed. (Beirut: Mu'assasat al-Risāla, 1412–1419/1992–1998), 11: 329. Ibn Ḥajar al-ʿAsqalānī claimed that there are no clearly forged *ḥadīths* in Ibn Ḥanbal's *Musnad* and that any weak narrations were included only to bolster other, authentic versions of the *ḥadīth* in question: Ibn Ḥajar, *Ta'jil al-manfa'a bi-zawā'id rijāl al-a'imma al-ashara* (Hyderabad: Da'irat al-Ma'ārif al-Nizāmiyya, 1324/1906), 6. Shāh Walī Allāh (d. 1762) said that everything in the *Musnad* has "a basis (*aṣl*)" with the Prophet, and al-Suyūṭī said that all the book's *ḥadīths* are admissible (*maqbul*) in one realm of scholarly discourse or another: Shāh Walī Allāh al-Dihlawī, *al-Inṣāf fī bayān asbāb al-ikhtilāf*, ed. 'Abd al-Fattāh Abū Ghudda (Beirut: Dār al-Nafā'is, 1403/1983), 49; al-Suyūṭī, *Jam' al-jawāmi' al-ma'rūf bi-l-Jāmi' al-kabīr*, 29 vols. ([Cairo]: Majma' al-Buḥūth al-Islāmiyya, 1390/1970), 1: 3–4; 'Abd al-Wahhāb al-Sha'rānī, *Kashf al-ghumma 'an jamī' al-umma* (Cairo: Maktabat al-Kāstiliyya, 1281/[1864]), 1: 12.

100. Ibn Ḥanbal is reported as saying that none of the twenty-eight narrations of the famous *ḥadīth* in which the Prophet tells 'Ammār b. Yāsir that he will be killed by the rebellious party (*al-fi'a al-bāghiya*), several of which he includes in his *Musnad*, is correct; see Muwaffaq al-Dīn Ibn Qudāma, *al-Muntakhab min al-ʿilal li-l-Khallāl*, ed. Abū Mu'ādh Ṭāriq b. 'Awaḍ Allāh (Riyadh: Dār al-Rāya, 1419/1997), 222.

101. For the first report, see *Musnad Aḥmad*, 3: 225; Ibn al-Jawzī, *al-Mawḍū'āt*, 2: 35; Ibn al-Qayyim, *al-Manār al-munif fī l-ṣaḥīḥ wa-l-ḍa'if*, ed. 'Abd al-Fattāh Abū Ghudda, 11th ed. (Beirut: Maktab al-Maṭbū'āt al-Islāmiyya, 1325/2004), 117; 'Alī b. Muḥammad Ibn 'Arrāq, *Tanzīh al-sharī'a al-marfū'a 'an al-akhbār al-shanī'a al-mawḍū'a* (Cairo: Maktabat al-Qāhira, [1964]), 2: 49; Mullā 'Alī Qārī, *al-Asrār al-marfū'a*, 246; al-Shawkānī, *al-Fawā'id al-majmū'a fī al-aḥādīth al-mawḍū'a*, ed. 'Abd al-Raḥmān b. Yaḥyā al-Mu'allimī, 2nd ed. (Beirut: al-Maktab al-Islāmī, 1392/1972–73), 429–30. For the second, see *Musnad Ibn Ḥanbal*, 6: 269; al-Jūzaqānī, *al-Abā'il*, 274. See also Hossein Modarressi, "Early Debates on the Integrity of the Qur'an: A Brief Survey," *Studia Islamica* 77 (1993): 5–39.

102. al-Daylamī, *Firdaws al-akhbār*, 1: 26.

103. al-Suyūṭī, *Jam' al-jawāmi'*, 1: 3–4.

104. al-Khaṭīb al-Baghdādī, *al-Jāmi' li-ikhtilāf*, 2: 139–40. This notion is found earlier in Ibrāhīm b. Ya'qūb al-Jūzaqānī, *Aḥwāl al-rijāl*, ed. Ṣubḥī al-Badrī al-Sāmarrā'ī (Beirut: Mu'assasat al-Risāla, 1405/1985), 210.

105. Muḥammad b. Ya'qūb al-Kulaynī, *Uṣūl al-kāfi*, ed. Muḥammad Ja'far Shams al-Dīn (Beirut: Dār al-Ta'aruf, 1419/1998), 1: 104. 'Abd al-Karīm al-Sam'ānī (d. 562/1166) lists this report as a prophetic *ḥadīth*; Ibn Ḥajar calls it a forgery; Abū l-Ḥasan 'Abd al-Karīm al-Sam'ānī, *Adab al-implā' wa-l-istimlā'* (Beirut: Dār al-Kutub al-ʿIlmiyya, 1401/1981), 5; Ibn Ḥajar al-ʿAsqalānī, *Lisān al-mizān*, 7 vols. (Beirut: Dār al-Fikr, [n.d.]), 6: 22.

Responding to criticisms that compilers of huge and uncritical *musnads* like al-Ṭabarānī (d. 360/971) had included patent forgeries in the *ḥadīth* collections, pillars of late Sunni *ḥadīth* scholarship such as Zayn al-Dīn al-ʿIrāqī (d. 806/1404) and Ibn Ḥajar al-ʿAsqalānī (d. 852/1449) explain that the master collectors who worked after the 800s C.E. felt that “if they provided the *ḥadīth* with its *isnād* they believed they had relieved themselves from the responsibility [for its status]. . . .”¹⁰⁶ Critics like al-Dhahabī (d. 748/1348) noted that this was a particularly glaring practice in the works of al-Khaṭīb al-Baghdādī and Ibn Manda (d. 395/1004–5), whom al-Dhahabī notes filled their various writings with countless forged *ḥadīths* without alerting the reader to their falsity.¹⁰⁷

Not all Muslim scholars approved of this practice. Ibn al-Jawzī rails against al-Khaṭīb al-Baghdādī for what he sees as his use of unreliable *ḥadīths* to indulge an excessive chauvinism for his Shāfiʿī school of law. Ibn al-Jawzī fumes:

There is in al-Khaṭīb’s using [weak *ḥadīths*] as evidence and remaining silent as to the criticisms of them an impudence towards the scholars of transmission, evident partisan chauvinism (*ʿasabiyya*), and a dearth of piety—for he knows that the *ḥadīth* is false. . . . Has he not heard the authentic *ḥadīth* from the Messenger of God, ‘Whoever narrates from me a *ḥadīth* that he knows is false, then he is among the liars’? Is he not like someone who pays with a counterfeit coin and conceals that? For indeed most people cannot distinguish a forgery from an authentic [*ḥadīth*], so if a master *ḥadīth* scholar (*muḥaddith ḥāfiẓ*) presents a *ḥadīth*, it does not occur to people’s hearts but that he has used it as proof because it is authentic.¹⁰⁸

The second technique for reconciling a commitment to authenticity with the citation of inauthentic or dubious *ḥadīths* involved the phrasing of that citation. The earliest known explicit discussion of this practice comes from the Muʿtazilite Shāfiʿī scholar al-Qāḍī ʿAbd al-Jabbār (d. 415/1024), who stated that if one wants to cite a *ḥadīth* that is unreliable one should not say “the Prophet said . . .” but rather “it has been narrated from the Prophet.”¹⁰⁹ As Ibn al-Ṣalāḥ explained in his *Introduction* to the *ḥadīth* sciences, if a scholar wishes to quote the Prophet but the *ḥadīth* is not reliable, then the phrase “the Prophet said . . .” suggests his certainty that Muḥammad had indeed spoken those words. Rather, the scholar should introduce the *ḥadīth* with more ambiguous phrases such as “it has been narrated from the Prophet. . . .” Ibn al-Ṣalāḥ, and the array of Sunni scholars who upheld this position, explain that “this is the ruling for [citing *ḥadīths*] about whose reliability or unreliability one has some doubt.”¹¹⁰

106. Zayn al-Dīn ʿAbd al-Raḥīm al-ʿIrāqī, *al-Tabṣira wa-l-tadhkira*, 3 vols. in 2 (Beirut: Dār al-Kutub al-ʿIlmiyya, [n.d.]), reprint of the 1353/[1935] Fez edition, ed. Muḥammad b. al-Ḥusayn al-ʿIrāqī al-Ḥusaynī, 1: 272; al-ʿIrāqī implicitly condones this practice as well, see *ibid.*, 1: 290; Ibn Ḥajar, *Lisān al-mizān*, 3: 75.

107. al-Dhahabī, *Mizān al-ʿitidāl*, 1: 111; cf. al-Zarkashī, *al-Tadhkira fī l-aḥādīth al-mushtahira*, ed. Muṣṭafā ʿAbd al-Qādir ʿAṭā (Beirut: Dār al-Kutub al-ʿIlmiyya, 1406/1986), 163. Al-Khaṭīb al-Baghdādī defends the recording of *ḥadīths* from unreliable sources for the purpose of elucidating their errors, but he does not always do so in the *Tārīkh* (1: 67). For examples of *ḥadīths* that Muslim scholars considered forged but that al-Khaṭīb al-Baghdādī narrated without any warning, see his *Tārīkh Baghdād*, 2: 358; 10: 29; 11: 213, 251.

108. Ibn al-Jawzī, *al-Taḥqīq fī aḥādīth al-khilāf*, ed. Masʿad ʿAbd al-Ḥamid al-Saʿdānī and Muḥammad Fāris, 2 vols. (Beirut: Dār al-Kutub al-ʿIlmiyya, 1994), 1: 464; cf. *idem*, *al-Muntaẓam*, 16: 133; cf. Abū Shāma ʿAbd al-Raḥmān al-Maqdisī, *al-Bāʿith ʿalā inkār al-bidaʿ wa-l-ḥawādith*, ed. ʿUthmān Aḥmad ʿAnbar (Cairo: Dār al-Hudā, 1978), 75.

109. al-Qāḍī ʿAbd al-Jabbār, *Faḍl al-ʿitizāl*, ed. Fuʿād Sayyid (Tunis: al-Dār al-Tūnisiyya, 1393/1974), 186.

110. Ibn al-Ṣalāḥ, *Muqaddima*, 287; Ibn Kathīr, *al-Bāʿith al-ḥathīth*, 75; al-ʿIrāqī, *al-Tabṣira wa-l-tadhkira*, 1: 290; Shams al-Dīn al-Sakhāwī, *Faṭḥ al-mughīth*, ed. ʿAlī Ḥusayn ʿAlī, 5 vols. (Cairo: Maktabat al-Sunna, 1424/2003), 1: 349; al-Suyūṭī, *Tadrib al-rāwī*, 1: 229; Muḥammad Maḥfūz al-Turmusī (d. ca. 1911), *Manḥaj dhawī al-naẓar sharḥ manẓumat ʿilm al-athar* (Cairo: Maṭbaʿat Muṣṭafā al-Bābī al-Ḥalabī, 1407/1985), 117.

Ibn al-Jawzī's concern over how trusting the masses are of a scholar's usage of *ḥadīths* and the pedagogical implications of ambiguous phrasing alert us to the second driving factor in the use of unreliable *ḥadīths* by early Sunni scholars: exhorting the masses to piety and proper religion. The role of the ulama in controlling what religious information reached the masses for their own benefit was well established by the third/ninth century.¹¹¹ As al-Shāfi'ī described, the scholars were the elect responsible for guiding the masses. Al-Bukhārī's *Ṣaḥīḥ* features a well-known quote of 'Alī ordering the learned to "narrate to the people what they can accept and leave out what they would reject, for do you wish that God and His Prophet be disbelieved?"¹¹²

Not only were scholars able to control what information reached the masses, they could also employ material of exceedingly dubious reliability in their exhortatory preaching. Partisan of Hadith scholars accepted *ḥasan*-grade *ḥadīths* in law because their questionable chains of transmission were mitigated by corroborating narrations or practice. These scholars dropped their authenticity requirements across the board, however, for topics such as manners (*adab*, *raqā'iq*) or exhortatory (*targhib*) and dissuasive (*tarhib*) homiletics.¹¹³ In these fields, critics did not feel a need to search for corroboration or strong *isnāds*. In the chapter of al-Tirmidhī's *Jāmi'* that deals with inheritance law, the author notes that only 7% of the *ḥadīths* he lists have limited corroboration (*gharīb*). In his chapter on manners and proper behavior (*birr wa-ṣila*), al-Tirmidhī notes that 35% of his *ḥadīths* have limited corroboration.

Al-Ḥākim al-Naysābūrī quotes the formative *ḥadīth* critic 'Abd al-Raḥmān b. Maḥdī (d. 198/814) as stating:

If reports are related to us from the Prophet concerning rulings and what is licit and prohibited, we are severe with the *isnāds* and we criticize the transmitters. But if we are told reports dealing with the virtues of actions (*faḍā'il al-a'māl*), their rewards and punishments [in the afterlife], permissible things or pious invocations, we are lax with the *isnāds*.¹¹⁴

'Abd al-Raḥmān b. Maḥdī's famous student Ibn Ḥanbal is quoted as advocating the same policy.¹¹⁵ Partisan of Hadith scholars did not as a policy advocate using *ḥadīths* they knew were forged for such purposes or espouse a reliance on proven liars. As Ibn Abī Ḥātim explains, the lackluster material used for instilling "goodly manners" (*al-ādāb al-jamila*, *raqā'iq*) and "exhortatory preaching" (*mawā'iz*, *targhib wa-tarhib*) still had to come from transmitters who were "sincere" (*ṣadūq*), although they might err frequently. Of course, no such material could be used in law.¹¹⁶

111. See Jonathan Brown, "The Last Days of al-Ghazzālī and the Tripartite Division of the Sufi World," *Muslim World* 96.1 (2006): 97ff.

112. *Ḥaddīthū al-nās bi-mā ya'rifūn wa-da'ū mā yunkirūn, a-tuḥibbūn an yukdhaba Allāh wa-rasūluhu: Ṣaḥīḥ al-Bukhārī, kitāb al-'ilm, bāb man khaṣṣa bi-l-'ilm qawm^{an} dūn qawm karāha^{an} an lā yafhamū;* al-Dhahabī, *Tadhkirat al-huffāz*, ed. Zakariyyā 'Umayrāt, 4 vols. in 2 (Beirut: Dār al-Kutub al-'Ilmiyya, 1419/1998), 1: 15. Cf. *Ṣaḥīḥ Muslim, muqaddima, bāb fī l-taḥdīr min al-kadhib 'alā rasūl Allāh*.

113. See J. Robson, "Ḥadīth: Criticism of Ḥadīth," *EP*, 3.

114. al-Ḥākim al-Naysābūrī, *al-Mustadrak*, 1: 490–91 (*kitāb al-du'ā' wa-l-takbir*); al-Khaṭīb al-Baghādādī, *al-Jāmi'*, 2: 134. Sufyān al-Thawrī is attributed with a similar statement in Ibn 'Adī, *al-Kāmil*, 1: 160.

115. al-Khaṭīb al-Baghādādī, *al-Kifāya*, 1: 399. The relatively late attestations for this quote from Ibn Ḥanbal are corroborated by his treatment of certain transmitters in his *'ilal* and *rijāl* works. For example, Ibn Ḥanbal said of al-Naḍr b. Ismā'il Abū l-Mughira al-Bajalī that "we've written [*ḥadīths*] from him, but he is not strong. His *ḥadīths* are considered, but only in *raqā'iq*;" Ibn Ḥanbal, *al-'Ilal wa-ma'rifat al-rijāl*, 126; al-Khaṭīb al-Baghādādī, *Tārīkh Baghdād*, 13: 436.

116. Ibn Abī Ḥātim, *al-Taqdima*, 1: 6; idem, *al-Jarḥ wa-l-ta'dil*, 2: 30–31.

The early Sunnis' use of unreliable *ḥadīths* for such matters seemed reasonable to them—these reports did not directly affect the core disciplines of law or dogma and reinforced values they believed were already established by the Qur'an and reliable *ḥadīths*. Nonetheless, admitting unreliable material was a slippery slope to using reports one knew were forged. As a result, tension over prioritizing pedagogical utility over authenticity inevitably arose. The early Ḥanbalī synthesist Abū Bakr al-Khallāl (d. 311/923) recorded that Ḥanbal b. Ishāq (d. 273/884) asked his uncle, Ibn Ḥanbal, about the storytellers (*al-quṣṣāy*) in the mosques of Baghdad. Ibn Ḥanbal replied:

The storytellers are the ones who would talk about Heaven and Hell, making people fearful of [Hell]. They have good intentions and are truthful in *ḥadīths*. But as for those who started forging reports and *ḥadīths*, that I cannot permit.

And Abū 'Abdallāh [Ibn Ḥanbal] added: But suppose that the ignorant people or those who do not know better might hear these storytellers, perhaps they might benefit from what they hear or desist from something [bad] they were doing?

It was as if Abū 'Abdallāh [Ibn Ḥanbal] did not want to prevent them from that. Ibn Ḥanbal added: Perhaps they could use authentic *ḥadīths* (*rubbamā jā'u bi-ahādīth ṣiḥāḥ*).¹¹⁷

Ibn Ḥanbal is represented as falling deeper into vacillation in another report recorded by al-Khallāl. He narrates that Ibn Ḥanbal passed by a mosque where a storyteller was invoking forged reports to curse heretical Muslims and “preach the Sunna.” Ibn Ḥanbal could only remark, “How useful they [these preachers] are to the masses, even if the mass of what they narrate is untrue.”¹¹⁸

Here we must consider how the masses of Muslims who attended Friday sermons or preaching sessions received the *ḥadīths* that scholars or preachers cited. Unfortunately, here our data come from the period subsequent to the formative third/ninth century, and, of course, we have only the ulama's perspective. Al-Khaṭīb al-Baghdādī, himself a preacher, felt that the masses would accept anything. He explains that “the cause for the storytellers (*quṣṣāy*) telling fantastic tales is their awareness of the shortcomings and ignorance of the masses. . . .”¹¹⁹ Ibn al-Jawzī bemoaned how ignorant scholars giving Friday sermons or Sufi preachers would wreak havoc with the proper beliefs of the impressionable population of Baghdad, “those ignorant masses who are effectively cattle (*fi 'idād al-bahā'im*).” The people who hear these preachers accept their words blindly, saying “‘The scholar so-and-so said . . . ,’ for the scholar in the eyes of the masses is whoever ascends the pulpit.”¹²⁰

Even when preachers relied on well-known collections of *ḥadīths*, most such books offered no assurance of authenticity. The *ḥadīth* collection on which al-Daylamī had based his notorious *Firdaws al-akhbār*, the equally unreliable *Shihāb al-akhbār* of the Egyptian Muḥammad b. Salama al-Quḍā'ī (d. 454/1062), was widely transmitted in Iran in the Middle Period. Although it would be centuries before a commentary was written on the *Ṣaḥīḥayn* in the accessible language of Persian, a commentary in the colloquial was composed for the *Shihāb al-akhbār* within decades of its author's death.¹²¹

117. al-Khaṭīb al-Baghdādī, *Tārīkh Baghdād*, 9: 456; Ibn al-Jawzī, *Kitāb al-Quṣṣāy wa-l-mudhakkirīn*, ed. Merlin Swartz (Beirut: Dar El-Machreq, 1986), 19. In Swartz's edited text, he reads Ḥanbal b. Ishāq's conclusion as “Ibn Ḥanbal did not want them to be stopped” (*kāna Abū 'Abdallāh kariha an yumna'ū*).

118. “*Mā anfa'ahum li-l-'amma wa-in kāna 'āmmat mā yuḥaddithūn bihi kadhiban*”: Abū Ṭālib al-Makkī, *Qūt al-qulūb*, 2 vols. in 1 (Cairo: Maṭba'at al-Anwār al-Muḥammadiyya, [n.d.]), 1: 151.

119. al-Khaṭīb al-Baghdādī, *al-Jāmi'*, 2: 199.

120. Ibn al-Jawzī, *Kitāb al-Quṣṣāy*, 109.

121. 'Abd al-Karīm b. Muḥammad al-Rāfi'ī, *al-Tadwīn fī akhbār Qazwīn*, ed. 'Azīz Allāh al-'Uṭāridī, 4 vols. (Beirut: Dār al-Kutub al-'Ilmiyya, 1987), 4: 178. For al-Suyūṭī's dismissal of the reliability of the *Musnad al-Shihāb*, see his *Jam' al-jawāmi'*, 1: 3–4.

CONCLUSION

Looking back at the early Sunni tradition, I have identified three points on which misunderstandings can lead us astray. First, we can mistakenly conflate the epistemological certainty described by Sunni legal theorists (and Post-Aristotelian philosophers of the Stoic and skeptical Academic traditions before them) with the historical and operative surety that passes for certainty in everyday life and work. For the Partisans of Hadith in the second/eighth and third/ninth centuries, this operative certainty was the only certainty they knew, and reliable *āḥād ḥadīths* were a dependable means of attaining it.

Partisan of Hadith scholars such as al-Shāfiʿī did subscribe to a graded epistemology for *ḥadīths*, but this was not an anticipation of the *āḥād/tawātur-zann/ʿilm* distinction of later legal theorists. Far from indicating any doubt about the reliability of *āḥād ḥadīths*, any admission of higher levels of historical certainty beyond that established by reliable *āḥād ḥadīths* was indulged in for polemical purposes. Furthermore, the various epistemological levels of *ḥadīths* concerned their intended audiences or degrees of interpretive ambiguity more than their historical reliability.

Second, we can conceive of certainty about events in the past in a binary manner—either someone said a statement or he did not—when, even in the modern period, the writing of oral history has been an activity generally unable to achieve more than an approximate record of human words. Even this act of recording has often involved a creative component that further distances us from knowing the literal truth of the past. This understanding of historical writing explains the admission of al-Shāfiʿī and Ibn Ḥanbal that, although a *ḥadīth* might be an entirely authentic representation of the Prophet's teachings, one could not swear that he had actually said those words.

It also explains how a scholarly community professedly obsessed with the authenticity of reports attributed to Muḥammad allowed acting on *ḥadīths* that did not live up to the requirements of soundness (*ṣiḥḥa*). The weak *isnāds* of the *ḥadīths* (which would later be subsumed under the "fair" [*ḥasan*] class) to which Ibn Ḥanbal or Abū Dāwūd resorted if they could find no sound *ḥadīths*, were compensated for by corroborating *isnāds* or buttressed by communal practice.

Finally, we may forget that the Sunni cult of authenticity did not trump the effective truth of statements phrased as the Prophet's words. The charisma and pedagogical value of the prophetic idiom were too powerful and too useful to circumscribe completely with requirements for historical reliability. In matters that they considered tangential to the purview of Islamic law, such as manners, etiquette, and homiletics, Partisan of Hadith scholars like Ibn Ḥanbal effectively had no compunction about setting aside the requirements for *ḥadīth* authenticity and even accepted known forgeries. Whether through placing the responsibility for such unreliable reports or forgeries on a chain of transmitters or euphemizing them through ambiguous citation, Sunni scholars made room for dubious *ḥadīths* in their pedagogical activities.

There is a temptation to believe that Sunni scholars all understood that the vast majority of *ḥadīths*, those with limited transmission (*āḥād*), were only probably accurate reports of the Prophet's words and deeds. Although this would acquit Sunni scholars of Western accusations of historical gullibility, it would leave us with the ungainly and inaccurate image of a scholarly community fervently employing *ḥadīths* in legal debates, theological treatises, and preaching all the while harboring constant doubt about their authenticity. The category of epistemological certainty, which Sunni legal theorists had embraced when they adopted the tradition of Near Eastern rationalism, was the ultimate level of knowledge. But even for philosophers it was not the epistemological currency in which daily claims to truth or certainty about historical events were conducted.

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