الفقه الأكبر

للإمام الأعظم أبي حنيفة النعمان بن ثابت الكوفي

تـ 150 هـ رضي الله تعالى عنه

علق عليه وشرحه

التفيير إلى ربه الفني

محمد بن يحيى النيوي المصري

AL-FIQH AL-AKBAR

(THE GREAT FIQH)

By

Al-Imam Al-A’tham Abu Hanifah (R.A.) (90-150H.)

Comments and Translation

by

Muhammad bin Yahya Ninowr

May Allah forgive him, his fathers, and all believers.
The Text of Al-Fiqh Al-Akbar

By Al-Imam Al-A’tham Abu Hanifah, radiya Allah anhu.

باب التوحيد:

The basics of Monotheism (Tawheed):

أصل التوحيد وما يصح اعتقاد عليه يجب أن يقول:

The basics of monotheism (Tawheed), and that which makes faith (Iman) valid, that one says:

1. I believe in Allah (God), His angels, His books, His messengers, resurrection after death, fate, whether good and bad is from Allah Ta’ala, the accounting, the scale, hellfire, and paradise, all is true.

2. Allah is One, not in a numerical sense, but in the sense that He has no partner – "Say: He is God The One; God the Samad; He begets not, nor was He begotten; and there is nothing comparable to Him."

1- Monotheism: means Tawheed. Some people translate Tawheed of Allah as “unity of Allah”, this is a dangerously erroneous translation, which may lead to blasphemy. Tawheed entails knowing The Creator, by His attributes of Perfection indicating His absolute uniqueness and Oneness. Notice that Al-imam Abu Hanifah (r.a.) mentions the Islamic Tawheed as one, reflecting the belief of early righteous Muslims. This refutes the evil innovators who presented a recent philosophical concept of Tawheed being three kinds (i.e. rububiyyah, uluiyyah, and asma wa sifat). Know, may Allah guide you, that such classification was never mentioned in the Qur’an, nor was it ever taught or even mentioned by the Prophet, sallallahu alahi wa aalihi wa sallam, throughout his entire life, nor any of the Ahlul Bayt or Sahaba al-Kiram ever even mentioned it, nor any of the massive numbers of Taabi’een nor Tabi’at-Taabi’een. Simply stated, the new innovation of three Tawheed instead of One, is a recent, unnecessary, and flawed philosophy. One should exercise the best efforts to adhere to the pure Tawheed as in the Qur’an and authentic Sunnah, and reject innovations made by fallible people.

2- As-Samad: it is mentioned in the 2nd ayah of Surat Al-Ikhlaas, aka: surat At-Tawheed, and it is among the names of Superiority of Allah Ta’ala. As-Samad means: The One who is not in need of anything for anything, yet everything is in need of Him for everything.
3. He does not resemble anything of His creation, nor does anything among His creation resemble Him.

4. He has eternally existed, and will everlastingly exist, with His names and attributes, both relating to Him and His actions—not subject to change.

5. As for the attributes relating to Him, they are: Life, Power, Knowledge, kalam, Hearing, Sight, and Will. As for those relating to His actions, they are: Creating, Sustenance, Originating, Making, Fashioning, and other attributes of actions.

6. He has eternally existed, and will everlastingly exist, with His attributes and names; neither attribute nor name was created—or subject to change.

7. He has eternally been The All-Knowing, by of His knowledge, and His knowledge (just like the rest of His attributes) is an eternal attribute.

8. He has eternally been attributed with Power, by His Power, and His power is an eternal attribute.

9. He has eternally been attributed with Al-Kalam, by His Speech and His Speech is an eternal attribute.

1. Eternal: when eternal or eternity is added to Allah’s attributes, it means an absolute eternity with no beginning as beginning is a thing, and Allah is The Creator of everything. Also beginning entails time, and Allah is The Creator of time. It is a reflection of the Arabic word: Al-Azali.

2. Everlasting: it means without an end. [Al-Abadi]. Both The Eternal and Everlasting are the English translation of the ayah: [٘ٛ الأٚي ٚا٢خش], which means: He is the Eternal with no beginning and The Everlasting with no end. It does not mean the first and the last, like some erroneous translations.
10. He has eternally been The Creator, by Creating, and His creating is an eternal attribute.

11- He wills for actions and things to happen, His will to initiate a certain thing is an eternal attribute, He is The One willing for it to happen. His will is an eternal attribute; the object of His Will is creation, and His action is non-created.

12- His attributes existed in eternity; they did not exist after being non-existent, nor were they created. Whoever says that they are created, existed after being non-existent, or is uncertain about the attributes and doubts them, is a disbeliever in Allah Ta’ala.

The Glorious Qur’an:

13. The Qur’an is the Kalam of Allah Ta’ala, written on books (masahif), preserved in the hearts, recited on the tongues, and revealed to the Prophet, sallallahu alahi wa aalihi wa sallam. Our utterance of the Qur’an is created, and our recitation of the Qur’an is created, but the Qur’an (as the attribute of Kalam of Allah) is not created.

14- And what Allah Ta’ala mentioned in the Qur’an about Moses and other of the prophets – alayhem assalatu wassalam - and also about the Pharaoh and Satan, all of it is Allah’s Kalam, informing us about them. Allah’s Kalam is not created, but the speech of Moses and other creation is created. The Qur’an is the Kalam of Allah Ta’ala, hence, it is not created, unlike the creation.
15- Moses, alayhi assalam, received the Kalam of Allah Ta’ala, as Allah Ta’ala mentioned (which means): “and Allah addressed Moses in speech.” Therefore, Allah Ta’ala was always attributed with Kalam in eternity, before willing to reveal anything to Moses. Just as Allah Ta’ala, was The Creator in eternity, even without having created anything. : “Nothing is like Him, and He is attributed with Hearing and Sight.” When Allah addressed Moses He did so with His Kalam that is an eternal attribute.

باب مخالفة صفات الله عزوجل للحوادث:

Dissimilar from every creation in every respect

16- And all of His attributes are unlike the attributes of the creation.

17- He is attributed with knowledge, which is unlike our knowledge.

18- He is attributed with Power, which is unlike our power.

19- He is attributed with Sight, which is unlike our sight.

20- He is attributed with Hearing, which is unlike our hearing.

21- Allah Ta’ala is attributed with Kalam which is unlike our speech, as it is neither by means of organs, parts, limbs, sounds, nor letters (alphabets).

22- Letters (alphabets or Sounds) are a creation. Yet Allah’s Kalam is not created.
The Core of Tawheed [monotheism]:

23- He is an “entity/thing”, but unlike other entities/things.

24- The intended meaning of saying He is a "thing," is to merely affirm His existence, but He is not a body¹, nor substance. Neither composed of nor consists of parts of a whole, or a whole without parts.

25- He does not have limits nor ends².

26- He does not have equals nor comparables.

27- There is nothing similar to Him.

1. Allah Ta’ala is not a body, nor is He a matter that has a mass and occupies space. Allah Ta’ala is The Creator of mass, matter, bodies and physics. The laws of physics do not limit Him, but certainly limits everything. Attributing Allah Ta’ala with a body, or similar to body, body organs, or limbs leads to unambiguous blasphemy. Allah is The Creator and is not similar to the creation.

2. Allah Ta’ala is not attributed with limits nor ends, because limits, ends, space, place, directions, time, above, below, and everything else are all His creation. He, subhanahu wa Ta’ala, existed eternally when nothing else existed, i.e. no place, no space, no directions, no limits, no above no below, etc., all those were brought into existence by Allah, who is not in need of them to exist, and existed before their creation without needing them. Attributing Allah Ta’ala with being confined to the sky, heaven, or above the 7th heaven, sitting on a throne, consisting of organs and limbs, being a mass, governed by space or time, being limited by His creation….etc., leads to unambiguous blasphemy. Allah is The Creator, and He does not resemble the creation in anyway. Nothing is like Him.
28- He added to Himself meanings of Yad (literal meaning is a Hand), Wajh (literal meaning is Face), and Nafs (literal meaning is Self); as Allah Ta’ala mentioned in the Qur’an. Hence, what Allah Ta’ala mentioned about the Yad, Wajh, and Nafs, are meanings He added to Himself, without a “how” (modality).

29- It should not be said that His Yad definitively means His power or His bounty (exclusively), because such a definitive (and exclusive) interpretation may negate the meaning (Allah willed). This is the method of the (Qadariyyah) and the Mu'tazilah.

30- Rather, His Yad is a meaning He added to Himself without a “how” [modality], (as there cannot be a how, because it is not similar to the creation, not limbs, organs, parts...etc., a modality, for or shape can only be applied to the creation and attributes of the creation).

31- Anger and pleasure, are two meanings He added to Himself, but (must be understood) without a “how” [modality].

1. The Ayat of the Qur’an are classified as per Surat Al-Imran, ayah 7, into two types; Ayat Mutashabhaat and Ayat Muhkamaat. Linguistically, The Muhkamat verses are those who linguistically and intellectually cannot accept but one meaning, such as: "ثلا و١ف روش اٌٛجٗ ٚاٌ١ذ ٚإٌفظ" which can only mean that Allah is One. The other verses, Ayat Mutashabhaat, are those ayat who linguistically and intellectually may accept more than one meaning. An example would be: "٠ذ الله فٛق أ٠ذ٠ُٙ" which means if translated literally: the hand of Allah is above their hands; yet attributing Allah with limbs or organs leads to blasphemy, hence, Al-imam Abu Hanifah (r.a) mentioned his way and the way of the pious predecessors in understanding such “Mutashabhaat” words, which is believing in such verses and submitting their entire meaning to Allah [Tafweedh]. Furthermore, Imam Abu Hanifah, warned from assigning a specific meaning to such verses, even if those meanings are facilitated linguistically and do not contradict the attributes of Perfection of Allah Ta’ala. One thing must be emphasized though, namely one must have no doubt that those kinds of verses do not intend to assign a limb, organ, or any attribute of any creation in any aspect. Attributing such things to Allah Ta’ala, leads to blasphemy.
The Creating and Decree:

32- Allah Ta’ala created things out of nothing (He brought entities from the state of non-existence into existence), and He had knowledge of them in eternity, before their creation.

33- He is The One who willed and decreed for all things to happen.

34- Nothing happens in this universe or in the hereafter except by His will, His knowledge, His judgment, predestination, and except it being written on the Sacred Tablet (Al-Lawh Al-Mah’footh), yet this inscription is description, not foreordaining.

35- The Ruling (Qada), Decree (Qadar) and Will are eternal attributes without “how” [modality].

36- Allah Ta’ala knows the non-existent, while in its state of non-existence, as non-existent. And He knows how it will be when He brings it into existence.

37- Allah Ta’ala knows the existent, while in its state of existence, as existent, and He knows how it will perish.

38- Allah Ta’ala knows the one who is standing, while in the state of standing as standing, and when in the state of sitting, as sitting, without Allah’s knowledge being changed, or new knowledge added to Him.

39- For change and alteration are attributes of the creation (not The Creator).
The natural intellectual capacity [fitra]:

40- Allah Ta’ala created the creation free of both belief and disbelief, and then He addressed them commanding and prohibiting them. Some people committed blasphemy through actions, denial and disbelief in the truth by Allah abandoning them. Those who believe did so through actions, testification, and affirmation, by Allah guiding and supporting them.

41- He brought forth the offspring of Adam, alayhi assalam, from his loins in the as particles, and gave them intelligence. Then He addressed them and commanded them to believe and forbade them from disbelief. Then they submitted to His Godhood, which affirms their belief in Him. Hence, they are born (on the fitra) in this state (in which they were initially exposed to the environment of belief) therefore they are conditioned to believe. Whosoever disbelieves thereafter is therefore changing and altering their original prior state – of belief-, and whosoever believes and affirms has conformed and remained steadfast.

Actions of the creation between the total freedom of choice and the absolute foreordaining:

42- He did not constrain any of His creation to either disbelieve or to believe; nor did He create them as believers or non-believers, but rather as people, with belief and disbelief being their own act.

43- Allah Ta’ala knows the unbeliever, in his state of unbelief, as an unbeliever, and if he thereafter becomes a believer, Allah Ta’ala knows him to be a believer in a state of belief and likes him, without any change to His knowledge or attributes.
44- All actions of the creation of Allah, whether motion or standstill are truly acquired by them; yet Allah Ta’ala is their creator. All of them are executed by His Will, Knowledge, Ruling, and Decree.

45- All acts of obedience are executed by the command, Love, Pleasure, Knowledge, Will, Ruling, and Decree of Allah Ta’ala.

46- All acts of disobedience take place by His Knowledge, Ruling, Decree and Will, but not by His Love, Pleasure and Command.

bab safat al-anbiya' wa usmamhun wibiyan mufaq al-nabi sali allaah ta'ali salamu alaihi wa alaihi wa salam:

The Prophets Attributes, their infallibility, and the high status of the Prophet, sallallahu alayhi wa aalihi wa sallam:

47. The Prophets, Alayhem assalatu wassalam, are infallibles of all sins, whether major, minor, or disbelief, and of all that is detestable/distasteful. It may be, however, that they commit insignificant lapses and inaccuracies [those are not true errors, as they usually indicate choosing the good, not the best. Secondly and most importantly, the Prophets, alayhem assalam, are immediately alerted to any lapses, and constantly directed by Allah towards the best].

48. And Muhammad, alayhi assalatu wassalam, is His beloved, His worshipper, His Messenger, His Prophet, His pious one, and His Chosen One. He never worshipped idols, he never associated anything with Allah, not even for a blink of an eye, and he never committed a sin, major or minor, ever.
The Righteous Caliphates, their righteous path and the importance of following and supporting them may Allah be pleased with them:

49. The best of people after the Messengers of Allah, alayhem assalatu wassalam, are Abu Bakr as-Siddeeq, then 'Umar bin al-Khattab Al-Faruq; then Uthman bin 'Affan Thu-Nurayn [the one with two noors (lights)]; then 'Ali bin Abi Taleb Al-Murtada [the chosen one], may Allah be pleased with them all. They were all [true] worshippers, steadfast on the true path, remained [always] with the truth, and we declare our loyalty and love to all of them.

50. We do not mention any of the Companions of the Messenger of Allah except righteously.

The danger of accusing a sinful Muslim with blasphemy:

51. We do not declare any Muslim a blasphemer because of a sin, however grave, unless that Muslim considers the sin permissible. Nor do we revoke the status of belief from him; and we continue to call him a believer, genuinely. It is possible to be a sinful believer [deviant] without being a blasphemer.

Wiping the shoes and praying Taraweeh:

52. Wiping the Shoes [that fulfill the conditions] is a Sunna.

53. The Taraweeh in nights of the month of Ramadan is a Sunna.
The increase and decrease of Faith (Iman):

54. Praying behind sinful or pious believers, is permissible.

55. We do not say that the believer is not harmed by sins, we do not say that the believer does not enter Hellfire, nor do we say that a believer remains in Hellfire everlastingly, even if he was a sinner, as long as he departed this life on a state of belief.

56. We do not say, that our good deeds are definitively-accepted, and our sins are forgiven, like the Mur`ji`ah. Rather we say that whoever does a good deed fulfilling all its conditions, free of invalidating flaws and nullifying contents, without having his deed voided through blasphemy and Riddah [departing Islam by deeds, actions, or words] until departing this life on the state of belief, Allah Ta'ala will not repeal his good deeds, rather He accepts it from him, and rewards him for it.

57. As for sins less than blasphemy and disbelief, for which the one who committed them did not repent from them, but died on the state of belief, then he is subject to Allah Ta’ala’s will, which may punish him in Hellfire or forgive him, without punishing him at all.

The Conspicuous Shirk:

58. Associating Ostentation with any deed leads to voiding its reward, and so would arrogance.
59. Miracles (mu’jiza) are ordained to the Prophets, and the supernatural wonders (karama) ordained to the pious people (awliya), are all true.

60. Supernatural wonders performed by the enemies of Allah, such as Satan, Pharaoh and the Anti-Christ (Dajjal), which are recorded in narrations as having happened in the past or will happen in the future, are neither miraculous nor wondrous. Rather we believe it is simply to facilitate their desires, because Allah Ta’ala facilitates the needs [istidraaj] of His enemies to beguile and punish them, so they are fooled, hence, they increase in tyranny and blasphemy. All of that is permissible and possible.

61. Allah Ta’ala was eternally The Creator before He created and The Provider before He provided.

62. Allah Ta’ala is seen in the Hereafter, and the believers in Paradise will see Him with their eyes, without Tashbeeh (anthropomorphism; attributing Him with attributes of the creation), or a “how” modality, nor is there a physical distance between Him and His creation.
Believers are equal in the basics of Iman:

63. Al-Iman [essence of Belief] is testification and affirmation.

64. The Iman [essence of faith] of those in heavens and on earth does not increase or decrease with respect to the content of [essential] faith, but [is vulnerable to] increase and decrease with respect to the [level] of conviction and affirmation.

65. All believers are equal in Iman [essence of faith] and Tawheed [monotheism], but they vary in their deeds.

66. Islam is submission and surrender to the commands of Allah Ta’ala.

67. Linguistically, there is a difference between Iman [faith] and Islam, but there cannot be Iman [faith] without Islam, and there is no Islam without Iman [faith], they are like the outer and inner part [of one thing].

Knowing Allah Ta’ala:

68. Faith [deen] is a term covering Iman [faith] and Islam, and all revealed laws.

69. We can only know Allah Ta’ala righteously by what He attributed Himself in His Book, and all His attributes [of Perfection].

70. No one can worship Allah Ta’ala perfectly as He deserves to be worshipped, but [the best way is that] one worships Him according to His orders, as He commanded in His Book and the Sunnah [tradition] of His Messenger.
71. All believers are equal [in being charged to seek] knowledge, conviction, reliance, love, satisfaction, fear, hope, and the belief in that. But they differ in other than the essential belief in the aforementioned.

باب أن نعم الله تعالى فضل وعقابه عدل:

The endowments of Allah Ta’ala are due to His generosity and punishment from Him is just:

72. Allah Ta’ala is generous with His worshippers, and just. He may give them a greater reward than they deserve, all due to His generosity.

73. He may punish [the sinners] for their sins because He is Just, and may forgive them because of His generosity.

باب شفاعة الأنبياء والشفاعة العظمى للحبيب المصطفى صلى الله عليه وآله وسلم والميزان والحوض:

The intercession of the Prophets, the Mizaan, the Basin, and the intercession of our beloved Prophet, sallallahu alayhi wa aalihi wa sallam:

74. The intercession of the Prophets, alayhem assalatu wassalam, is a fact.

75. And the intercession of our Prophet, alayhi [wa alihi] assalatu wassalam, for the sinful believers and those among them who committed grave sins and are [consequently] deserving of punishment, is an established fact.

76. Weighing the deeds on the scale on the Day of Judgment is a fact.
77. The Basin of the Prophet, alayhi –wa alihi- assalatu wassalam, is a fact.

78. Retribution among enemies on the Day of Judgment is a fact, through redistribution of the rewards [for their good deeds]. If they have no rewards [for their good deeds] left, then redistributing the burden of evil deeds to them [from their opponents] is a true possibility.

79. Paradise and Hellfire [are already created, and] exist today, and will never perish. The [Hur I’een in Paradise] shall never die.

80. The punishment and the reward of Allah Ta’ala, never ceases everlastingly.

81. Allah Ta’ala guides whomsoever He wants because of His generosity.
82. And He misguides whomsoever He wants out of His justice, and His misguiding is by forsaking him, and the meaning of forsaking [someone] consists in not facilitating for him to attain the Pleasure of Allah, which is just from Him.

83. And punishing the forsaken because of committed sins is just.

84. It is not permissible for us to say: "Satan yanks faith from mankind forcefully, and unwillingly." Rather we say: "when man abandons his faith, then Satan snatches it from him."

85. The questioning in the grave [shortly after death] by Munkar and Nakeer is a fact.

86. The rejoin of the soul [and mind] to the body [shortly after death for questioning] of mankind is a fact.

87. The tightening of the grave and the punishment therein is an inevitable fact affecting all blasphemers and some sinful believers.
Emphasis on pure Tawheed and avoiding Tashbeeh [anthropomorphism]:

88. Everything about the attributes of Allah Ta’ala, which the scholars quoted in the Persian language may be mentioned [as such], with exception of Yad (which literally may mean hand). It maybe said “bro khodai” [which literally may mean the face of God.”] He is exalted and glorified above the attributes of the creation, without likening Him to the creation nor a “how” [modality].

89. Being close to or far from Allah Ta’ala does not refer to spatial distance, great or small. Rather they refer to the honor rank or disgrace [of someone]. Hence, the obedient [worshipper] is close to Him, without a “how” [modality]. And the sinner is far from Him, without a “how” [modality].

90. Closeness, and farness or approaching [from Allah] captivates the beseecher.

91. Proximity to Allah Ta’ala in Paradise and standing between His hands are without a “how”. [The Imam considers these meanings as “mutashabeh”, hence, the proximity mentioned does not entail physical distance, and between His hands does not refer to limbs, organs nor places or spaces, it means standing before Him, and that does not entail physical distance, or place].

The status of the Qur’anic verses:

92. The Qur’an was revealed to the Prophet of Allah, sallallahu alayhi -wa aalihi- wa sallam, and it is inscribed in the “Mus’haf” [collections of leaves constituting the Glorious Qur’an].
93. The verses of the Qur’an, reflecting the objectives [of the verses], are equal in honor and magnificence; some, however, are have [a combination] of its own honor, in addition to the Glory of its content. An example is Ayatul-Kursi, because it mentions the Majesty, Glory, and attributes [of perfection] of Allah. Hence, it has a combination of honor, the honor of being a Glorious Qur’anic verse, and the Glory of what’s mentioned in it [the Glorious Attributes of Allah].

94. Other verses have the honor of being a Glorious ayah only. An example is [ayahs containing] the story of blasphemers, there is no honor to those who are mentioned in the ayah because they are blasphemers.

95. Similarly, all the Names of Superiority and the Attributes of Perfection are equal in their honor and magnificence; there is no difference among them.

باب أولاد النبي صلى الله عليه وألئه وسلم:
The children of the Prophet, sallallahu alayhi wa aalihi wa sallam:

96. Qasem, Taher and Ibrahim are the sons of the Messenger of Allah, sallallahu alayhi – wa alihi wa salam. Fatima, Ruqayyah, Zaynab, and Ummu-Kulthoom are all the daughters of the Prophet of Allah, sallallahi alayhi –wa alihi wasallam, and may Allah be pleased with them.
97. If a believer faces obscurity in some of the details of the science of Monotheism [Tawheed], then he must immediately submit to the correct [general] belief which Allah Ta’ala wants [according to the meaning Allah willed] until he finds a scholar to ask [and learn from]. He cannot delay seeking [knowledge], for hesitation to seek is not excusable, and ignoring seeking [of conviction in Tawheed] may lead to blasphemy.

98. The ascending [Mi’raj of the Prophet, sallallahu alayhi wa aalihi wa sallam] to heavens is a fact. Hence, whoever denies the Mi’raj is a deviant and an evil innovator.

99. The emergence of the Dajjal [anti-christ] and of Ya’joog and Ma’joog [Gog and Magog], the rising of the sun in the West, the descending of ‘Isa, alayhi asalam [Jesus], from heavens, are inevitable facts, so are all the other signs of the Day of Judgment, as narrated in authentic Ahaadeeth [Prophetic sayings].

And Allah Ta’ala guides whomsoever He wills to the righteous way.