

the consensus of bin battal in his interpretation of sahih al-bukhari (the inheritance of the kalala as a model)

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## **The Consensus of Bin Battal in his Interpretation of Sahih Al-Bukhari (The Inheritance of the Kalala as a Model)**

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### **Abstract**

This study is a model for some issues on which the scholar bin Battal knows its validity, and its liberation. The sayings of the Imams who transmits the consensus and agreement. If there is disagreement that invalidates the consensus, we explain it and mention the opposing sayings and the ways of their inference and documentation from the approved sources. We clarify the most correct ones and their summary from the confirmation of the consensus and its validity or lack thereof. It concludes that most of the consensus of the scholar bin Battal (May God Almighty have mercy on him) in which the consensus is transmitted, and its evidence is true through its research and editing.

### **1. Introduction**

The survival of a group of scholars on the truth is apparent. They will not be harmed by those who forsake them until the command of God comes while they are on so. The reason for their survival is the survival of their scholars and their emulation of their Imams and scholars. The Imams of the Ummah are the prominent figures who paved the foundations of Islam and clarified the problems of rulings. Their agreement is a conclusive argument that every Muslim is obliged to follow, and the legislator made the consensus of this nation inviolability from error and misguidance. So, it is necessary for the Muslims to focus on the issues which are agreed upon by scholars, to realize the size of the sites of agreement which facilitates the achievement of the collection of the words. This is to know the value of this asset by identifying the scholars' agreement on legal issues which is one of the necessities. It is one of the agreed conditions that must be met by the diligent, so that he does not make callowness or perform diligence contrary to what the ummah has agreed upon. There is no doubt that one of the first scholars who was concerned with consensus and its transmission is the diligent scholar Ali bin Khalaf bin Abd Al-Malik bin Battal Abu Al-Hasan Al-Qurtubi. His book (Interpretation of Sahih Al-Bukhari), in which he collected a number of consensus in jurisprudence, interpretation, doctrine, and etc., is considered as one of the sources of consensus.

### **2. His Birth, Name, Nickname and Fame**

The first part presents bin Battal (may God Almighty have mercy on him), and it has two branches:

### **2.1. His Birth**

The two researchers did not find the biographical books that include the translation of the year of his birth, and thus it is difficult to be certain of the date of his birth, except that his origin is from Cordoba in the country of Andalusia, and then the strife took him to Valencia. But the study can estimate the year of his birth through the birth of his peers from among his elders and students the fact is that he was born in the year 390 AH.

### **2.2. His Name, Nickname and Fame**

He is the memorizer Imam Ali bin Khalaf bin Abdulmalik bin Battal Al-Bakri Al-Qurtubi Al-Balance who is known in bin Al-Lajjam and bin Al-Najam. His nickname is Abu Al-Hasan. He also known as bin Battal (may Allah have mercy on him).

### **2.3. His scientific life**

It has three branches:

#### 1- His upbringing, scientific status, and the scholars

We did not find in the translated books of bin Battal (may God Almighty has mercy on him) anything detailed about how he grew up and sought knowledge. They admired his great efforts in jurisprudence, the hadith, interpretation, belief, language, origins, and others.

a- The saying of al-Dhahabi (may God has mercy on him) mentions that he was one of the senior Al-Malikis.

b- Judge Ayyadh (may God has mercy on him) says that he was a noble, exalted, and morphologist man.

c- Bin Bashkwal (may God have mercy on him) states that he was one of the seekers of knowledge, understanding, good handwriting, and well-tuned. He meticulously cares about the Hadith perfecting what was restricted from it, and it is made up with Bilwaraqqa.

#### 2- His sheikhs and disciples

His time: The Imam Al-Hafiz bin Battal (may God has mercy on him) was a student of a large number of scholars of his time. The most prominent ones:

1- Abu Al-Walid is Abdullah bin Muhammad bin Yusuf bin Nasr Al-Fardi, Al-Qurtubi who was Imam, a skilled memorizer, trustworthy. Bin Bar narrated from him, and said: he was a memorized jurist, a scholar in all the arts of science in hadith. I took with him from most of my sheikhs. He had good companionship and cohabitation, and he was killed by the Berbers (403 A.H.), and he has several classifications, including them: The recombinant and the different, the history of Andalusia, and the news of the poets of Andalusia.

2- Abu Al-Qasim Abdurrahman bin Abdullah bin Khalid Al-Hamdani was a great trustworthy sheikh, and he was good and righteous. He had a journey in which he met people for about twenty years.

the consensus of bin battal in his interpretation of sahih al-bukhari (the inheritance of the kalala as a model)

Abu Hafs Al-Razi Al-Zahrawi, Hatim bin Muhammad, Abu Omar Ahmed bin Al-Zahtaal, Abu Muhammad bin Hazm, and others died in 411 A.H..

3- Abu Al-Mutref is Abdurrahman bin Nimrwan bin Abdurrahman Al-Qana'i Al-Ansari Al-Qurtubi who was considered as a modern jurist. He was issued for reading and jurisprudence in Cordoba, and then he traveled to the East. Bin Abi Zaid was found in Al-Qayraun, and he was taught from him, and bin Abdulbar and others narrated from him. He had useful classifications. He died in 413 A.H.

4- Abu Muhammad Abdurrahman bin Rabee bin Salih bin Banush Al-Tamimi al-Qurtubi was one of the people of Hadith and science. He met a group of sheikhs and narrators. He heard from them and wrote about them. He was born in 415 A.H.

5- Abu Omar is Ahmed bin Muhammad bin Afif bin Abdullah Al-Umayyad, Al-Qurtubi. He was considered a comprehensive figure in narration, and collection. He had a lot of knowledge. He died in 420 A.H.

6- Abu Al-Walid is Yunus bin Abdullah bin Moghith, the judge of judges in Cordoba who is known as bin Al-Saffar; the guardian of the judiciary with public speaking and the ministry. He was eloquent in his sermons, and held the leadership of religion and the world. He was a just jurist, and an argument in language and poetry. His death had an impact on people's hearts, and his followers were innumerable. He died in 429 A.H.

7- Abu Omar is Ahmed bin Muhammad bin Abdullah Al-Ma'afari, the Andalusian, the Talmanki, the modernist reciter, the preserver, and the scholar of the people of Cordoba. He was one of the seekers of knowledge. He has useful books including Al-Bayan in the Arabic Qur'an. He died in 429 A.H.

8- Abu Al-Qasim is Al-Muhallab bin Ahmed bin Abi Sufra Al-Asadi Al-Andalusi. He was a scholar, eloquent and intelligent in his works, such as Interpretation of Sahih Al-Bukhari. He died in 435 A.H.

9- Abu Bakr is Muhammad bin Al-Hasan bin Abdurrahman bin Abdulwarith Al-Razi Al-Khorasani. He heard about Asfahan from Abu Na'im, and the preserver. He heard in Egypt from Abu Muhammad Al-Nahhas, and he entered Andalusia and spread knowledge there. Al-Baji, and Abu Muhammad bin Hazim, and Al-Humaidi say that he entered Andalusia and we heard from him, and died there by drowning as it reached me after the year (450 A.H.).

His disciples: There are a group of scholars narrated from him. They are:

a- Muhammad bin Yahya bin Muhammad Al-Zahtaa Al-Taimi Al-Andalusi was an eloquent jurist, and well-versed in the arts of literature. He is taught by bin Battal (may God has mercy on him) and taught him understanding of bin Abi Zaid Al-Qayrawani and read his compositions, such as 'Introducing the men of Al-Muwatta', Al-Bushra in the expression of the vision, and etc. He died in 410 A.H.

b- Muhammad bin Khalaf bin Masoud bin Shuaibis known as Al-Saqqat Al-Funki. His nicknamed is Abu Abdullah. Bin Bashkwal said that he was a good handwriting, quick to write, and confident in what he narrated. He narrated in Andalus on the authority of Al-Mundhir bin Al-Mundhir. It was taken from bin Battal (Interpretation of Sahih Al-Bukhari). He died in 485 A.H.

c- Suleiman bin Abi Al-Qasim Najah Al-Maqri, and his nicknamed Abu Dawood was one of the seekers of knowledge and the Imams of knowledge in Andalusia in his time.

d- Ahmed bin Abdulmalik bin Musa bin Abi Jamra Al-Mursi Al-Maliki, his nicknamed is Abu Al-Abbas narrated on the authority of his father and who taught him, and Abu Al-Walid Al-Baji. He learned from Abu Al-Hasan bin Khalaf bin Battal (Interpretation of Sahih Al-Bukhari), Al-Dhahabi that he was alone in his time with permission of the Imam Abi Amr Al-Dani; Abu Omar bin Abdulbarr. He met him and Abu Muhammad bin Hazim Al-Zahiri, and bin Al-Dabbagh and etc. narrated from him. He belongs to seekers of knowledge, authenticity, and majesty, and he was a narrator of a jurist, a memorizer of literature, a collector of languages, supervising the knowledge of dates, and advanced in many. He died in 533 A.H.

e- Abdurrahman bin Bishr is from the city of Salem who narrated on the authority of bin Battal as the judge Ayadh (may God Almighty has mercy on them) said.

3- His doctrine of jurisprudence, his works and his death

-His jurisprudence

There is no doubt that bin Battal (may God has mercy on him) is one of the great Maliki jurists, as mentioned by the judge Ayad, and as Al-Kirmani mentioned in the introduction to his explanation of Al-Bukhari that Ghalib bin Battal is explained in the jurisprudence of Imam Malik.

-His works:

1- Explanation of Sahih Al-Bukhari: It is the subject of the study.

2- The Book of Asceticism.

3- The Book of Sitting in Hadith.

-His death:

Bin Battal (may God has mercy on him) died in Valencia on Wednesday night while he was prayed for at the noon prayer in (449 A.H. - 1057 A.D). Rather bin Bashkwal said that he read in the handwriting of Abu Al-Hasan Al-Maqri that he died on Wednesday night, and the funeral prayer was offered for him at the noon prayer in 449 A.H., and his death had a profound impact on the people's hearts because they lost one of the scholars of the Islamic nation.

### **3. Consensus**

Consensus is a fundamental issue which is related to the subject of my study according to the following three demands:

1- Defining consensus linguistically and idiomatically:

Firstly: the definition of consensus is linguistically the agreement or approval; it is agreed on the matter, ie: they agreed on it. People unanimously agree on such-and-such, that is, they became unanimous in it. So, they agree on one matter, and agreement brings similar opinions.

the consensus of bin battal in his interpretation of sahih al-bukhari (the inheritance of the kalala as a model)

Secondly: The definition of consensus idiomatically is, according to scholars, having several definitions that may not be free of objections, but it suffices us from that to mention the definition that is closer to safety than objections.

#### **4. Contrasting One with the Consensus**

If everyone agrees on a rule of an issue and one disagrees, does the consensus take place with one disagreement or not?

The scholars are different on this issue according to two schools of thoughts:

The first doctrine: Consensus does not occur when someone opposes. This is according to the majority of the fundamentalists because the reality of consensus is the agreement of all diligent.

The second doctrine: Consensus is held when one or two persons oppose, but it does not held when three oppose. This is according to the sayings of bin Jarir Al-Tabari and some scholars. Some of the public's evidences are prominent as having the answers:

1- The status of consensus indicates the infallibility of the nation from error, and the term "nation" applies to all of the nation not to some, and without disagreement, their agreement is not unanimous.

Objected:

The word ummah may be used to mean the most, as it is said that the Banu Tamim, to protect the neighbor and honor the guest. So, it means the most.

The answer:

Whoever says that the general form of Ummah refers to all, and it is not permissible to specific. If the term is used to refer to most of the nation, it is a figurative release that is not valid without a presumption. So, the term nation must be applied to all.

2- Al-Wuqa: since the time of the Companions, most of them agreed on a ruling, and the few were in opposition. Rather one of them has the sole opinion on a matter with the agreement of the most or all of them than another opinion, and this was not considered consensus.

His examples:

a- Bin Abbas's opposition is one of the most Companions mentioned in the issues of grandfather, brotherhood and dependence.

b- Bin Mas'oud's opposition is one of the most Companions mentioned in some issues of obligatory duties and other examples, and none of the Companions denied that. If denial is found, it is a denial in evidence and reasoning and it is not error according to bin Mas'oud's doctrine. The invalidity of the permissibility of convening the consensus with one's disagreement as an evidence is mentioned in some of the consensus while acknowledging the existence of the violator.

The third branch: Is the negation of knowledge in the difference of opinions counted as consensus?

The jurists and the fundamentalists differed in this issue. So, there are three opinions:

The first saying: This is not considered as consensus according to the majority of the fundamentalists, and Imam Al-Shafi'i stipulated it in his new treatise by saying: (What is not known will be considered as dispute, it is not consensus), and this saying was asserted by bin Hazim, and Imam Ahmad.

They cited the following:

1- Knowledge of disagreement is not knowledge of its absence, perhaps someone disagreed and did not know, even if he had reached a great deal in standing on the issues of disagreement.

2- Not knowing about a thing does not mean that this thing does not exist, rather it may exist, and therefore negating knowledge of the difference does not necessitate its non-existence. The occurrence of this among the senior Imams, such as Malik, Al-Shafi'i and others in order not to deny knowledge of issues in which the dispute was strong and well-known.

The Imam Malik (may God has mercy on him) said: "Do you see that if a man claimed money from another man, would he not swear by the one who is required, what is that right upon him? This is to mention that there is no difference among people. But if the dispute is very well-known, Abu Hanifa and Ahmad (may God has mercy on them) state the fact that the oath is not returned to the plaintiff, but rather the judge decides on the defendant to renounce the oath and oblige him to do what the plaintiff wants him to do.

Al-Shafi'i (may God has mercy on him) disagreed with a group of Imams about the almsgiving (zakat) of cows that no less than thirty of them can be sold. So, he said: (which I do not know about any of the scholars I met with disagreement), and the dispute has been proven in this collection among the jurists including: Saeed bin Al-Musayib, Abu Qilabah, Al-Zuhri, Al-Muzni, Qatadah, and etc.

The second saying: This is considered consensus according to the saying of some fundamentalists, and this saying is corrupt in reason and occurrence. As for reason, it is permissible to differ when it refers for fact. So, it is the occurrence of disagreement in the issues in which the disagreement was narrated.

The third one is detailing: This is to distinguish between someone who is knowledgeable and familiar with the areas of consensus and disagreement. Therefore, he is known among the people of knowledge for diligent and those who were not.

Whoever is aware of the points of consensus and disagreement, he follows the sayings of the people of knowledge. He hardly misses anything of it. His negation of the difference is consensus, and whoever is not like that, his denial of the difference is not considered as consensus.

Evidence for this statement:

1- If the narrator does not do the intense research and strong investigation, he confirms the reliance of his saying and not to be discarded because the dispute did not appear after searching. And if there is a dispute, then it will be found because the possibility of being overlooked in this way is possible.

the consensus of bin battal in his interpretation of sahih al-bukhari (the inheritance of the kalala as a model)

2 - Bin Taymiyyah (may God has mercy on him) mentions that: (He who knows a lot of what he claims of consensus and the order is contrary to it, is not in the position of the one from whom he does not know the proof of consensus of knowledge of its negation). Therefore, it is necessary to differentiate between one scholar and another to show that one is a scholar of consensus and other is disagreeable.

Most Correct:

One of the sayings is accepted as the third saying because the negation of disagreement by a diligent scholar who knows the sites of consensus and disagreement is only a consensus. A group of jurists expressed consensus the wording of negating disagreement, such as Imam Al-Shafi'i, bin Qudamah, and bin Battal (may God has mercy on them).

## 5. Conclusions

The study has come up to the following:

1- It is proved the superiority of Ka'b bin Battal (may God Almighty has mercy on him) is in jurisprudence, hadith, interpretation, doctrine, language and origins. Therefore, he won a high position among the scholars of his time.

2- It is found that bin Battal (may God Almighty has mercy on him) had a high determination in seeking knowledge. This is evident by large number of his sheikhs and the diversity of his sciences.

3- It proved the determination of bin Battal (may God has mercy on him) in teaching Sharia sciences which is evidenced by the large number of his students.

4- It showed the evidence of consensus and its validity which was transmitted by bin Battal (may God has mercy on him) from the scholars on the issue of the proof of consensus and its validity. This is through the meaning of brothers in the beginning of Surat An-Nisa which refers to the brothers from the mother, and the word brothers in the last Surat An-Nisa refers to all the brothers or from the father.

5- It became clear that the consensus of bin Battal (may God Almighty has mercy on him) is agreed with the truth, and they are valid consensus.

## Bibliography

### The Holy Quran

1. Consensus: by Ibn Munther: Investigation: Abu Hammad Saghir Ahmed bin Muhammad Hanif, 2nd Edition, Al-Furqan Library - Makkah Cultural Library - United Arab Emirates, 1420 AH - 1990 CE
2. Al-Hakam fi Usul Al-Ahkam, by Ali bin Muhammad Al-Amidi, commented on it by Abdul Razzaq Afifi, The Islamic Bureau, Beirut - Damascus - and Dar Al-Sumaei, Kingdom of Saudi Arabia, Edition 1, 2003 AD.
3. Al-Hakam fi Usul Al-Ahkam by Ibn Hazm Abu Muhammad Ali bin Ahmed bin Saeed bin Hazm Al-Andalusi Al-Qurtubi Al-Zahiri (d. 456 AH), achieved by: Ahmed Muhammad Shakir, Dar Al-Afaq Al-Jadeeda, Beirut.
4. Guiding stallions to achieving the truth from the science of origins, Muhammad bin Ali Al-Shawkani, investigated by: Sami bin Al-Arabi Al-Athari, Dar Al-Fadilah, Riyadh, 1, 2000 AD.
5. The comprehensive recollection of the doctrines of the jurists of the regions and the scholars of the countries in the meanings of opinion and antiquities contained in Al-Muwatta, and he explained all of this briefly and briefly,

Youssef bin Abdullah bin Muhammad bin Abdul Barr Al-Nimri (d. 463 AH) documented its origins and its texts came out: Abdul Muti Amin Al-Qalaji, Dar Qutaiba Damascus, House of awareness, Aleppo, 1st edition, 1993 AD.

6. Fundamentals of Islamic Jurisprudence, and Heba Al-Zuhaili, Dar Al-Fikr, Damascus, 1986 AD. .
7. Informing the signatories on the authority of the Lord of the Worlds: to Abu Abdullah Muhammad bin Abi Bakr bin Ayyub, known as Ibn Qayyim Al-Jawziyah (died: 751 AH) presented to him and commented on him and his hadiths and traces came out: Abu Ubaidah Mashhour bin Hassan Al Salman Participated in the graduation: Abu Omar Ahmed Abd Allah Ahmad, Publisher: Dar Ibn al-Jawzi, for publication and distribution, Saudi Arabia, 1, 1423 AH.
8. Persuasion in matters of consensus: Ali bin Muhammad bin Abdul-Malik Al-Katami Al-Hamiri Al-Fassi, Abi Al-Hassan Ibn Al-Qattan (T.: 628 AH), Investigator: Hassan Fawzi Al-Saidi, Publisher: Al-Farouq Al-Haditha for Printing and Publishing, 1, 1424 AH - 2004 AD
9. The Mother, Muhammad ibn Idris al-Shafi'i (died 204 AH), investigation: Refaat Fawzi Abd al-Muttalib, Dar al-Wafa', Egypt, 1, 2001 AD.
10. The Clear Sea, Explanation of the Treasure of Minutes, by Zain al-Din Ibn Najm al-Hanafi, (d. 970 AH), Dar al-Kutub al-Ilmiyya, Beirut, Lebanon, 1, 1418 AH - 1997 AD.