CHAPTER THREE

WORKS OF MUHAMMAD BIN AL-HASAN
AL-SHAYBANI

Importance of His Works and Their Impact
Upon Other Schools of Thought

Sources
Works
Importance of His Works and Their Impact Upon Other Scholars of Thought:

The works of Muhammad bin al-Hasan that reached us are considered as the historical record of his school of thought. Through these books he constructed the strong and imparanable wall with whose help he preserved the Hanafi school. These works, therefore, are treated as the prime and original sources of the school. Through his efforts Muhammad bin al-Hasan transmitted to us the jurisprudence of Iraqis and Hijazis.

His books gained a high respect among the people of Iraq because he was a Mujtahid scholar who had valuable and respectable opinions on the problems, unifying the jurisprudence of Iraq and Hijaz and transmitting these thoughts to the coming generation. His books therefore, were received with joy and pride.

Al-Halbi reported from Al-Hasan bin Daud that the people of Basarah boasted of four books. They felt proud of possessing twenty seven thousand issues which were resolved in the matters of lawful and unlawful applying the rational approach by a person who is called Muhammad bin al-Hasan. The people can
not ignore him.\(^{(1)}\) It is no doubt that he tried his best and worked hard. He used to pass the whole night awake. He left all his family problems to be catered to by his agent. One of his students asked him. Why do you not take rest in the night? He replied, "How can I sleep while the Muslims are solely relying upon us? They think, if we would face any problem we will ask him about its solution. If I sleep in the given situation it will be a loss for the religion."\(^{(2)}\) It is mentioned in the Book of Al-Alam al-Akhyar that the knowledge of Abu Hanifah was demonstrated through the books of Muhammad. It is said that he composed nine hundred ninety books and all were on the religious sciences.\(^{(3)}\)

As for the impact of his thoughts on other schools of jurisprudence is concerned, it is clear that all the compiled books in other schools were based on the works of Muhammad. Even Al-Asadiyah which is the original compilation of Maliki school was arranged after the supervision of Muhammad.

Imam Shafii composed all his old or new books after he learnt jurisprudence from Muhammad; he copied his books and memorized what he could.

Imam Ahmad bin Hanball and other jurists in the coming generation used to answer the questions
about various issues with the help of the books of Muhammad. (4)

Sources:

Jurisprudence

Imam Abu Hanifah was his first teacher. Though Muhammad could accompany him only in the early phase of his life disassociating him from his teacher after four years of teaching (5), but we find a clear impact of Abu Hanifah on his books. As an example we can study Kitab al-Athar in this perspective.

Imam Abu Yusuf is the second source. He taught Muhammad the Hanafi jurisprudence by creating an insight and understanding of all the works, and thoughts of Abu Hanifah. Muhammad, nevertheless did not narrate the books of Abu Hanifah on the authority of Abu Yusuf only. He was benefitted by other scholars too as is manifested from his writings. (6)

Hadith

Muhammad studied Hadith with Imam Awzai and Imam Malik when he travelled to Madinah. His version of Kitab al-Muatta has been considered the best and most authentic one. After three years' stay in Madinah he returned back to Iraq. (7)
He learned from everyone who had the knowledge of Hadith. It is reported that he used to go to industrialists to get acquainted with affairs and how they manage them.\(^{(8)}\)

The Arabic language was taught to him by Al-Kasai. Both the student and teacher learned from each other. Al-Kasai learned jurisprudence from Muhammad who studied Arabic language from him.\(^{(9)}\)

Muhammad learned Maghazi and Siyar from Al-Waqidi and taught him the science of jurisprudence.\(^{(10)}\)

These are some of the sources through which Muhammad learned the Islamic Sciences.

Works

The scholars have divided the works of Muhammad into two categories:

(a) The books of preponderant narrations known as Al-Usul. They are :-

1. **Kitab al-Aathar**
2. **Al-Mabsut**
3. **Al-Jame al-Sagheer**
4. **Al-Jame al-kabeer**
5. **Al-Radd ala Ahl al-Madinah**
6. **Al-Ziyadat**
7. **Ziyadat al-Ziyadat**
8. **Al-Siyar al-Sagheer**

9. **Al-Siyar al-Kabeer**

These books are known as *al-Usul* since they are narrated from Muhammad through the authentic channels. (11)

The famous scholar Amir Hajj al-Halabi in his commentary on *Kitab al-Munyah* has written that Muhammad had studied most of the books under Abu Yusuf except those who had the title of 'Kabeer' as a part of their name. These books were written by Muhammad himself like *al-Muzarabah al-Kabeer*, *al-Muzara'ah al-Kabeer*, *al-Mazuyn al-Kabeer*, *al-Jame al-Kabeer* and *Siyar al-kabeer*. (12)

(b) The second category of his books is not so authentic in their ascription to the author. They are:

1. **Al-Iktisab fi al-Rizq al-Mustatab**
2. **Al-Jurjaniyat**
3. **Al-Kisaniyat**
4. **Masharat al-Shaybani**
5. **Al-haruniyat** (13)

Some of his other books are mentioned by Fuad Sizkin. They are:

1. **Kitab Adab al-Qazi**
2. **Kitab al-istihsan**
3. **Kitab al-Iqrah**
4. **Kitab al-Buyu'**
5. **Kitab al-Taharri**
6. **Kitab al-Iqrar**
7. **Kitab al-Hudud**
8. **Kitab al-Dua**
9. **Kitab al-Sargah**
10. **Kitab al-Shurb**
11. **Kitab al-Shirkah**
12. **Kitab al-Shahadah**
13. **Kitab al-Sawm**
14. **Kitab al-Talaq**
15. **Kitab al-Muzarabah**
16. **Kitab al-Wasaya.**

**Notes and References**

(3) Al-Sarakhsi, Muqaddamah Sharh Ziyadat al-Ziyadat, p.6.
(4) Al-Kauthari, op.cit., p.61.
(6) See the second chapter.
(9) Ibid.
(10) Al-Kauthari, op. cit., p. 10.
(12) Ibid. p. 208.
(13) Ibid.