



# MUWATTA' IMAM MALIK

*Translated with Exhaustive Notes*

*By*

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## PREFACE

The *Muwatṭā'* of Imām Mālik, compiled during the early Abbasid period, is regarded by some scholars, including Shāh Waliyullāh, as the most authentic book on *Ḥadīth*. The juristic verdicts in *Muwatṭā'* reflect the practice of the Medinese and the consensus of the Medinese scholars.

After the demise of the Holy Prophet (may peace be upon him), many of his Companions settled in the conquered provinces. Some of their successors collected and codified *Ḥadīth*. For example, Ibn Jarīḥ in Mecca, Awzā'ī in Syria, Ḥammād in Baṣrah, Haitham in Wāsiṭ, Ma'amar in the Yemen, Ibn Mubārak in Khurāsān and Jarir b. Ḥāmid in Rayy collected *Ḥadīth*. But none of these collections could compare with the *Muwatṭā'* of Imām Mālik, who passed his whole life in Medina and, therefore, had direct access to the most reliable authorities on *Ḥadīth*, because most of the leading Companions of the Holy Prophet (may peace be upon him) and their successors lived and died in Medina and narrated traditions from the Holy Prophet (may peace be upon him). The *Muwatṭā'* of Imām Mālik is based on the traditions narrated by them and the juristic verdicts given by them.

The word "*Muwatṭā'*" literally means the trodden or beaten path. In his book, *Musawwā*, Shāh Waliyullāh says that "trodden path" or "beaten path" means the path followed by eminent religious authorities. In other words, it means those verdicts which have been discussed by all religious scholars and about which there is complete agreement. According to Maulānā Sulaimān Nadvī, "*Muwatṭā'*" means that trodden or beaten path which has been trodden upon by all the Companions of the Holy Prophet (may peace be upon him), or, in other words, it means the agreed practice of the Companions of the Holy Prophet (may peace be upon him).

Before Imām Mālik finalised his book, the *Muwaṭṭā'* contained about ten thousand traditions of the Holy Prophet (may peace be upon him), but since Imām Mālik exercised great care in selecting *Hadīth* (traditions), he omitted eight thousand traditions. In its final form, the *Muwaṭṭā'* contains only about two thousand *aḥādīth* (traditions). Since the *Muwaṭṭā'* deals only with such *aḥādīth* as have a bearing on juristic verdicts, it omits many chapters and headings found in the *Ṣaḥīḥs* of Imām Bukhārī, Imām Muslim, Tirmidhī, and others. *Muwaṭṭā'* has been narrated from Imām Mālik in thirty different ways. Of these, sixteen are famous. Four narrations, those by Yaḥyā Ibn Bukair, Abū Mus'ab and Ibn Wahb, are most authoritative, but Yaḥyā's narration surpasses them all in popularity and fame.

Imām Mālik's jurisprudence (*fiqh*) produced lasting effects on the entire Muslim world. His disciples spread in all the provinces of the Muslim Empire. It is true that Imām Abū Ḥanīfah's disciples were scattered in the Ḥijāz, Persia and Transoxania, but they did not reach Africa and Spain. Imām Awzā'ī's *fiqh* (jurisprudence) won popularity in Spain, but it did not benefit the people of Iraq and Persia. On the other hand, Imām Mālik's disciples carried his juristic learning to all corners of the Muslim world.

The *Muwaṭṭā'* of Imām Mālik was compiled during the reign of Maṣṣū' al-Manṣūr, the second Abbasid Caliph. After he was installed as Caliph in 136 A.H., Maṣṣū' made his first Pilgrimage to Mecca. He visited Medina where he was received by leading scholars and men of eminence. Sufyān Thawrī, Sulaimān Khwāṣṣ and Imām Mālik also came to greet him. When Maṣṣū' saw Imām Mālik, he addressed him saying: "I have become disgusted with the differences of the jurists on Islamic law in different regions of the Empire. There is nothing of juristic learning in Iraq. The Syrians are known for their ardent love for *jihād*. There is little learning among them. All juristic knowledge and scholarship is centred in Ḥijāz and you are the leader of the scholars of Ḥijāz. I wish that your book, *Muwaṭṭā'*, may be kept in a prominent place in the Ka'bah, so that all the people should refer to

it on juristic questions. I also wish that copies of the *Muwatṭā'* may be circulated in all parts of the Empire so that all juristic verdicts may conform to it." But Imām Mālik expressed his disagreement with the opinion of Maṣṣūr. He said: "The Companions of the Holy Prophet (may peace be upon him) settled in all provinces of the Empire. Their juristic opinions and verdicts command respect and reverence of jurists in different regions of the Empire and the people of these regions follow their juristic opinions. Under these conditions, the people should not be forced to follow the opinions of a single jurist who is not infallible, after all, and may commit errors."

Another incident of the same kind shows the sturdy independence of mind of Imām Mālik and his refusal to submit to the wishes of the governmental authority. Although Maṣṣūr was very kind to the Imām, the latter never recognised the legitimacy of his government. Once he issued a *fatwā* that the caliphate belongs rightfully to Nafs Zakiyyā, a descendant of the Holy Prophet (may peace be upon him). The people objected saying that they had sworn fealty to Maṣṣūr. Imām Mālik said: "Maṣṣūr has coerced you into doing this and the *Shari'ah* does not regard as valid any act done under coercion. There is a *ḥadīth* (tradition of the Holy Prophet) that if a man is forced to divorce his wife, the divorce would be invalid." On hearing this, Ja'far, the Governor of Medina, asked the people to renew their oath of fealty to Maṣṣūr and ordered Imām Mālik not to issue any *fatwā* declaring that a divorce obtained by force or under coercion is invalid as this would strengthen the case of those who regarded as invalid the oath of fealty obtained by Maṣṣūr under coercion. But Imām Mālik refused to be browbeaten and continued to give his verdict against divorce under coercion. For this act of disobedience to the governmental authority, Imām Mālik was flogged in public until he bled white, but still he refused to bow to the wishes of the rulers.

# INTRODUCTION

It is my profound honour to introduce this posthumous English version of Imām Mālik's *Muwatṭā'* by late Professor Muhammad Rahimuddin who, to the best of my fortune, was my reverend father and teacher. As Maulana Mazheruddin Siddiqi has written the Preface and discussed *Muwatṭā'*, I will confine myself only to introducing the reverend and learned translator.

Professor Muhammad Rahimuddin started his career as an Assistant Professor of English of Nizam College wherefrom he was transferred to Osmania University and offered the seat of professorship. Many renowned scholars of international fame had the honour of being his pupils. Suffice to name here Dr Raziuddin Siddiqi and Dr Muhammad Hamidullah.

While in teens, during his college life, he wrote English verses and translated verses of Hāfiz which were published in 1905 and 1919, respectively.

When Professor Muhammad Rahimuddin was in the middle of his life his talents changed trend and turned to Islamic literature. His first contribution was *Qur'ānī Kirnain* ("Qur'ānic Beams"), translation of "Pārah-i-'Amm" with *Tafsīr* on modern scientific lines to quench the thirst of particularly the young educated generation, which desires and demands logical explanation instead of irrationally conventional elucidations of Qur'ānic verses. In this context it would be of interest to quote a few lines from the Foreword to *Qur'ānī Kirnain* by late Maulana Manazir al-Hasan Gilani:

"Professor Rabimuddin is my colleague. I only know him as a versatile and adept professor of English having full command over English literature and modern trends but very lately it revealed upon me that he is an equally eminent scholar of Islamic literature and has a great insight into the universality of the Holy Qur'ān. He is a Muslim to the core and a votary *Mu'min* and has a unique way of approach-













