



TRESSES OF JANNAT

The Female Hair Issue

The Response to Baatil
PART 3 of 3

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.....continued from part 2

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THE INTENTION OF THE AZWAAJ-E-MUTAHHARAAT

If the ostensible meaning of the Hadith of Abu Salamah should be accepted for argument's sake, and it be momentarily conceded that it does refer to hair-cutting literally, then we have to probe for the reason which had constrained the Holy Wives to have resorted to an act which in the opinion of the deviate was prohibited by virtue of the *Urf* of the age. Al-Qaadhi Iyaadh, Imaam Nawawi and others who were at pains to argue away the ambiguities of this narration, concluded that the only reason for this act was abandonment of adornment and to ease the task of tending to the hair. Since the latter act is concomitant to the need for beauty and adornment, the need for it no longer remained in view of the attitude of the Holy Wives, namely, to refrain from adornment.

This they did during their old age and on account of them being consigned to *iddat* for the rest of their lives. By the command of the Qur'aan the Wives of Rasulullah (sallallahu alayhi wasallam) could not marry after him. Their old age coupled with their life-long *iddat* led them to conclude the permissibility of cutting their hair in the pursuit of abstention from adornment which is an act of *ibaadat* for women in their *iddat*.

By resorting to the act of cutting their hair in their old age the *Azwaaj-e-Mutahharaat* had actively and intentionally adopted ugliness for themselves. They preferred to remain unattractive and ugly after the demise of Rasulullah (sallallahu alayhi wasallam). Their act of hair-cutting (on the assumption that the narration does refer to hair-cutting) was motivated by their intention to make them ugly. Thus, this is the *illat* (reason) for the act of the Holy Wives to which Imaam Nawawi and Qaadi Iyaadh refer to in their interpretation.

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As far as modernist women of this age are concerned, their intention for hair-cutting is diametrically opposed to the intention of the *Azwaaj-e-Mutahharaat*. While the intention of the Holy Wives was to abstain from adornment and beautification, the intention of modernist women yearning for the kuffaar hair-styles is to pursue adornment and beauty. It is therefore ludicrous to cite the act of the *Azwaaj-e-Mutahharaat* as a basis for legalizing the *haraam* act of hair-cutting for the women of this age whose minds are preoccupied with all the immodest ways of the kuffaar women of the west. Where are the *Azwaaj-e-Mutahharaat* and where are these present day women who crave for emulating the immoral women of the west!!!

IMMORALITY

“Verily, those who love that immorality spreads among the Believers, for them there is a painful punishment in this world and the Hereafter.”

(Qur’aan)

The desire of a woman to cut her hair and adopt a western stylish hair-cut believing that such an act is beauty, is motivated by a base condition of the heart which the Hadith describes as zina of the heart. Hair-cutting by women is a stepping stone of immorality, the ultimate conclusion of which is zina.

THE HADITH OF SAALIM

Hadhrat Saalim (radhiyallahu anhu) was the servant of Rasulullah (sallallahu alayhi wasallam). According to him, the Holy Wives of Nabi (sallallahu alayhi wasallam) would as a matter of practice tie their tresses on top of their heads during ghusl. This explanation is the actual *tafseer* for the ambiguous statement of ‘*they took*’ which appears in the narration of Abu Salamah (rahmatullah alayh). While all the Akaabir Ulama accept the Hadith as a valid explanation for the Hadith of Abu Salamah, the deviate lost in his *dhalaal*, says in his booklet of *baatil*:

“Did those who supplied the objector with this hadith not inform him that the narrator of this hadith is one Umar Harun Balkhi who stands accused by the muhaddithun of being a confounded liar and hadith forger? Did they not inform him that this

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liar claims to have received this hadith from Imam Ja'far ibn Muhammad as-Sadiq, but the muhaddithun have exposed his mendacity by pointing out that Umar ibn Harun reached Madinah only after the death of Imam Ja'far."

The deviate continuing his diatribe against Umar Bin Harun Balkhi brands the Hadith as absolutely unreliable. The deviate wants to know the basis on which we have accepted the Hadith. He rants that we have presented "*the ahadith of fabricators and forgers as authentic Shar'i evidence*".

Firstly, while the deviate may succeed in befuddling ignorant modernists who desire to live the ways and culture of the kuffaar, with his lies, diversions and deceit, he cannot pull wool over the eyes of discerning and honest people who seek the Haqq as we shall soon show.

Secondly, the vile epithets which he has hurled on Umar Bin Harun Balkhi aptly fit the deviate. He is all the things which he has accused the Narrator of. "Confounded liar, forger, fabricator," etc., are among the attributes of the deviate, hence he has set himself up as a tin-topped plastic mujtahid.

The deviate makes the sweeping statement that "the muhaddithun" have branded the Narrator a fraud and a fabricator of Hadith. He thus attempts to create the idea that in the unanimous opinion of all the Muhadditheen, the Narrator Umar Bin Harun Balkhi is rejected and labelled a fabricator, etc. Yet this claim is false. If some authorities have authenticitated a narrator, then his narrations are acceptable notwithstanding the opinion of other authorities. Irrespective of the principle of *Talaqqi Bil Qubool*, every *dhaeef* Hadith is not summarily set aside or rejected. It has already been shown that Imaam Ahmad Bin Hambal accepted and relied on a Hadith which most Hadith authorities strike down and claim that it is not authentic and that it has not been authentically linked to Rasulullah (sallallahu alayhi wasallam). What he had mentioned is not an isolated example. There are innumerable such Ahaadith which the Muhadditheen have rejected, but which great Fugaha have accepted. Then there are narrations which are struck down by some Hadith Authorities and accepted as authentic by other Authorities of Hadith. This characteristic applies to the Hadith of Saalim as well.

The Hadith of Saalim in whose Chain of Narration appears Umar Bin Harun Balkhi, is one such Hadith which some Hadith Authorities have accepted and authenticitated. In spite of many Muhadditheen having labelled the Hadith *dhaeef* on account of the presence of Umar Bin Harun

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Balkhi in the *sanad*, it is mentioned in *Al-Mu'jamul Kabeer* of Tabaraani that Qutaibah and other Muhadditheen have authenticitated him.

Furthermore, there is the authenticitation of the one who is regarded as the greatest authority in the field of Hadith — Imaam Bukhaari (rahmatullah alayh). Regarding the Narrator Umar Bin Haarun Balkhi, Imaam Bukhaari said: ***“I have found a basis for every narration of his except one.”*** And, for the information of the deviate, that exception is not this particular Hadith which provides a perfect explanation for the ambiguous Hadith of Abu Salamah.

The differences among the Muhadditheen regarding the reliability of Umar Bin Haarun Balkhi is of no consequence in the context of our discussion and the acceptance of the narration as **tafseer** for the ambiguity in Abu Salamah's statement regarding the hair-cutting suggestion. When the certificate of authenticity of Imaam Bukhaari, Qutaibah and other Muhadditheen has been issued, there is no need to pay attention to the stupid lament of the deviate.

Another fact of importance is that the Hadith of Saalim is not cited as *the mustadal* (basis for deduction) for the prohibition of hair-cutting. None of the Fuqaha has presented this Hadith, to the best of our knowledge, as the basis for prohibiting hair-cutting for women. It is presented merely as an explanatory note for the ambiguity of Abu Salamah's narration. Even if the narration of Saalim has to be discarded, it will not affect the ruling of prohibition of the Fuqaha. The narration of Saalim is merely presented to cast light on the ambiguity of the narration of Abu Salamah — so severe and difficult is the ambiguity that all the *Shaariheen* (Commentators) of former and later times, have been left in a quandary, hence great Mashaaikh have been constrained to say: *“The heart is not satisfied”* with these interpretations.

UMAR BIN HAARUN BALKHI

In view of the horrible epithets which the deviate has hurled at the Raawi (Umar Bin Haarun Balkhi), it will be an act of grave injustice to pass on with the discussion without saying something in his defence.

Let it be understood that while the great Muhadditheen had a right to state their views regarding any narrator even if the criticism is adverse, deviates and non-entities, especially of this age, have no such right. The negation of the right to make vile criticism of narrators is applicable to a greater degree when many great Muhadditheen authenticitate the very same Narrator who

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is branded a liar, fabricator, etc. by other Muhadditheen. The puny molvi and shaikh, even if he is not a deviate, may only present an impartial view by quoting both sides of the episode. To be selective for the sake of substantiating one's personal view, thereby slandering personalities who may have been true Ulama and Auliya is to expose one's Imaan to the danger of kufr. The necks of such scum will be broken by Divine Wrath. May Allah Ta'ala save us all from such calamities, and may He protect our Imaan from satanic intrusions.

IMAAM BUKHAARI AND UMAR BIN HAARUN

In his Jaami', Imaam Tirmizi says:

"I heard Muhammad Ibn Ismaail (i.e. Imaam Bukhaari) saying: 'Umar Bin Haarun was Muqaaribul Hadith. I am not aware of any Hadith of his which does not have a basis, except this one, namely: Nabi (sallallahu alayhi wasallam) used to shorten from his beard in its width and its length (i.e. when it reached more than a fist-length). We do not know it (this Hadith) except from the Hadith of Umar Bin Haarun.'" (Imaam Tirmizi commented): "I saw him. (Imaam Bukhaari) having a good opinion of Umar Bin Haarun."
(Jaami Tirmizi, page 100)

IMAAM QUTAIBAH AND UMAR BIN HAARUN

Imaam Tirmizi says:

"I heard Qutaibah say: "Umar Bin Haarun was a Saahib-e-Hadith. He used to say that Imaan is qaul (word) and amal (deed)." (Imaam Tirmizi) said: "Qutaibah said that Wakee' Bin Al-Jarraah narrated from a man who narrated from Thaur Bin Yazeed that Nabi (sallallahu alayhi wasallam) positioned a minjeeq (cannon) by the community of Taa-if." Qutaibah said: 'I said to Wakee': 'Who is he (i.e. the man)?' He (Wakee') said: 'Your Companion, Umar Bin Haarun."

(Jaami' Tirmizi, page 100)

"Qutaibah said: 'He (Umar Bin Haarun) was severe against the Murjiah sect (a deviate and baatil sect of kufr). He was among the most learned in Qiraa-aat.'"

(Meezaanul I'tidaal of Imaam Zahbi, Vol.3, page 238)

OTHER AUTHORITIES AND UMAR BIN HAARUN

“Inspite of his dhu’f (weakness in the technical terminology of the Muhadditheen), he was among the Repositories of Knowledge)”

(Meezaanul I’tidaal, Vol.3, page 238)

Imaam Zahabi says: “I do not regard him among those who intentionally perpetrate baatil (falsehood).”

(Meezaanul I’tidaal, Vol.3, page 239)

“Abu Bakr Bin Abi Daawood narrating from Saeed Bin Zanjil, said: ‘I heard a Companion of ours who is called Thaur Bin Al-Fadhl, say: ‘I heard Aba Aasim mention Umar Bin Haarun, and he said: ‘Umar according to us was better at grasping Hadith than Ibn Mubaarak.”

(Tahzeebul Kamaal, page 164)

“Ahmad Bin Sayyaar Al-Marwazi said: ‘Umar Bin Haarun Al-Balkhi was a prolific listener (of Hadith). Affaan Bin Muslim, Qutaibah Bin Sa’d and others among the authorities of Hadith narrate from him. It has been said that the Murjiah (deviates) of Balkh slandered him. Abu Raja’, i.e. Qutaibah, profusely praised him and authenticitated him.”

“Wakee’ said: ‘I heard Aba Raja’ (Qutaibah) saying: ‘Umar Bin Haarun was severe against the Murjiah. He would mention their evils and calamities. It is on account of this that there was the animosity between them and him. He was among the most learned in Qiraa-aat. I heard Aba Raja’ (Qutaibah) saying: ‘I asked Abdur Rahmaan Bin Mahdi: ‘Verily, we narrate much from Umar Bin Haarun and it has reached us that you have criticized him. He (Mahdi) said: ‘I seek refuge with Allah! I did not say anything about him but good.’ Wakee’ said: ‘I heard Aba Raja’ saying: ‘I said to Abdur Rahmaan Mahdi: “It has reached us that you said that he narrates from a certain person while he has not heard from him.” He (Mahdi) said: ‘O, Subhaanallaah! I did not say that at all. And, if he did narrate (so), then he is not suspected (of falsehood) by us.”

(Tahzeebul Kamaal, page 164)

Haafiz Muhammad Bin Hibbaan states:

“Umar Bin Haarun Al-Balkhi narrates from Ibn Urwah, Ibn Juraij and Shu’bah. The people of Iraaq and his city narrated from him. He was among those who narrated from Ath-Thiqaat Al-Mu’dhilaat.”

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(Thiqaat refers to reliable narrators. Mu'dhilaat refers to such narrators who drop off two consecutive narrators from the Chain of Narration).

"Ibn Mahdi entertained a good opinion about him."

"Abu Haatim said: 'Umar Bin Haarun was a man of the Sunnah, virtuous and generous. The people of his city harboured animosity for him because of his severity (of opinion) regarding the Sunnah and his defence of it (the Sunnah).'"

"Abu Haatim said: 'A group of our Shuyookh spoke well of him.'"

(Haafiz Muhammad Bin Hibbaan, Vol.2, pages 90 and 91)

The following appears in *Al-Majmoo' fidh Dhu'afaa' wal Matrukeen*:

"Umar Bin Haarun Bin Yazeed Al-Balkhiwas a Haafiz (of Hadith) among the Nine.....His narrations are in Tirmizi and Ibn Maajah." (Page 171)

Imaam Az-Zahabi says in his *Al-Kaashif*:

"Qutaibah has highly praised him and accredited him, and Ibn Khuzaimah records him in his Saheeh, and Haakim in his Mustadrak."

All the Hadith Examiners have presented both sides of the story. They have given in detail the criticism of those who brand Umar Bin Haarun as unreliable, as well as the views of those who have accredited him and accepted his reliability. They have not been selective in their presentation of this Narrator. In view of the sharp and conflicting opinions about this Narrator, the opinion is gained that he was a controversial figure. Nevertheless, great Authorities of Hadith such as Imaam Bukhaari, Imaam Tirmizi, Imaam Qutaibah and Ibn Mahdi held him in esteem.

Both Imaam Tirmizi and Imaam Ibn Maajah record his narrations in their Authentic Compilations. Regarding one particular Hadith for which Imaam Bukhaari could not find any other Chain to corroborate it, Imaam Tirmizi, after recording the Hadith, comments: *"It is Ghareeb"*. In the meaning of Hadith terminology this refers to a *Saheeh* Hadith which has only one Chain. In view of its authenticity, Imaam Tirmizi includes it in his Jaami'.

We have not mentioned the adverse criticism the Muhadditheen (not all of them) have directed to this Narrator because the deviate (the one who

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endeavours to legalize for women the *haraam* act of hair-cutting), has already selected that side of the coin in his bid to bolster his gone and lost case.

The summary of the foregoing discussion is:

- (1) Saalim's Hadith is acceptable on the basis of the principles of the Muhadditheen even if there is no *Talaqqi Bil Qubool*.
- (2) Great Muhadditheen have authenticitated the narrations in whose Chain appears Umar Bin Haarun Balkhi.
- (3) Imaam Bukhaari, the greatest Hadith authority has confirmed the authenticity of the Narrator.
- (4) The Hadith has not been tendered as the basis for the prohibition. It has been presented as an explanation for the ambiguity in Abu Salamah's narration.
- (5) *Dhaeef* Ahaadith do have the capability of being employed as *Mustadallaat*. This will be discussed later, Insha'Allah.
- (6) Even if Saalim's Hadith should be discounted and discarded as a complete 'fabrication by the greatest Hadith forger', it will not in any way whatsoever detract from the validity of the Prohibition.
- (7) The Hadith of Saalim does not conflict with any *hukm* or principle of the Shariah. On the contrary, it supports the view of Prohibition which is substantiated by the *Nusoos* of the Qur'aan (*Taghyeer li khalqillaah*) and Sunnah, and the *Ijma'* of all four Math-habs.

Now when Imaam Bukhaari has found a basis for every *isnaad* of Umar Bin Haarun, and Ibn Maajah records his narrations, and Imaam Tirmizi confirms his narrations to be *Saheeh*, and Imaam Ahmad Bin Hambal narrates his Ahaadith, and Haakim narrates him in his Mustadrak, and Ibn Khuzaimah narrates him in his Saheeh, and Ibn Qutaibah highly praises him, and Ibn Mahdi disowns having spoken adversely of him, and it is acknowledged that he vehemently defended the Sunnah, and that the deviate Murjiah sect spread evil rumours about him, etc., then we are doing nothing but acting within the confines of Rectitude by citing a Hadith which merely corroborates the accepted Ruling of Prohibition of the Fuqaha. Another factor of significance in this debate is the issue of mistaken identity. In the footnotes of *At-Taareekhul Kabeer* of Imaam Bukhaari, the Annotator comments:

"Perhaps Ibn Hauzah is in fact Haarun, but I did not see anyone saying so explicitly."

In view of the uncertainty and the facts favourable to Umar Bin Haarun, the citation of his Hadith by us is upheld by the Ulama-e-Haqq. And, the lament of the deviate is of no significance.

Umar Bin Haarun died in the year 194 A.H. on the 1st Ramadhaan which happily was a Friday. It was thus his good fortune to be absolved from the Questioning of the Grave until the Day of Qiyaamah — or perhaps this Hadith too is a ‘forgery and fabrication’ in the opinion of the deviate. May Allah Ta’ala grant Umar Bin Haarun *maghfirah* and for us too through the medium of his virtues — *Rahmatullaahil Waasiah alahi*.

CHANGING ALLAH’S LAW

“And, do not say for the falsehood which your tongues fabricate that ‘this is halaal, and this is haraam’, thereby you forge on Allah falsehood.” (Qur’aan)

The attempt to change the fourteen century prohibition of hair-cutting for females is the fabrication of falsehood in the Name of Allah Ta’ala.

THE UTILITY OF THE MUHADDITHEEN

The deviate queries:

“He (referring to the authors) himself has admitted —Albeit grudgingly — that the muhaddithun do have some utility in Islam, and that “this is where the Compilations and classification of Ahaadith become necessary”. So what has happened to the utility of the muhaddithun now? Has it suddenly lost its value....?”

No, it has not ‘suddenly lost its value’. It remains intact with its value. We have to ask: What has given the deviate the idea that we have acknowledged the Utility of the Muhadditheen ‘grudgingly’? We reproduce here just one of our statements in this regard, which appeared in our earlier book:

“The utility of the Muhadditheen will remain in the Ummah until the end of the world’s time. No one can ever minimize the wonderful and sacred role which the illustrious Muhadditheen played in the preservation of the Sunnah and of the knowledge of

the Deen in general. Allah Ta'ala had created the Jamaat of Muhadditheen specially for Hadith Compilation. The world never again saw the likes of these illustrious Souls after they had departed from the world, having accomplished their mission with unparalleled excellence. Neither does our treatise assign the Muhadditheen to oblivion nor does it seek to minimize their role. Should we or anyone even entertain such a notion, we shall undoubtedly slip into the same abyss of spiritual corruption and jahaalat leading to kufr in which the shaykh of the baatil article is presently entrapped”.

(Page 129 of the reprint of our book, on THE FEMALE’S HAIR)

To understand the falsehood and deceit of the deviate, pages 129, 130 and 131 of our earlier book (reprint) should be read. Nowhere is there any statement which will lead the unbiased reader to conclude that we “grudgingly acknowledge the utility of the Muhadditheen” as the *kath-thaab* has alleged. On the contrary we claimed that denial of the utility and of the role and rank of the Muhadditheen opens up the avenue for kufr — an avenue in which the deviate is presently entrapped because he has set himself up in refutation of the *Ijma’* of the Ummah in his rabid desire to make lawful what the Shariah has made unlawful.

It was not claimed that the narration of Saalim constituted the basis for the Prohibition. It was cited merely to explain the ambiguity of Abu Salamah’s statement. Saalim’s Hadith was used to show that the Wives of Rasulullah (sallallahu alayhi wasallam) had long hair — not short hair. What Saalim said in the Hadith is corroborated by other Ahaadith as well. Long hair was the “norm of society” even on the admission of the deviate. Nothing in Saalim’s Hadith conflicts with the Shariah. In view of these factors there is no need to even probe the *sanad* of the Hadith. If a weak Hadith in which appears that *masah* of the head has to be made during wudhu, is cited, there is no need to check the Chain of Narration because the narration does not conflict with the Shariah. On the contrary, it corroborates the teaching of the Shariah. The same explanation applies to Saalim’s Hadith in whose Chain of Narration appears the Narrator Umar Bin Haarun who has been accepted by great Muhadditheen despite the controversy surrounding him and irrespective of many Muhadditheen having branded him as unreliable.

If we look at the Hadith in question, we find no *Talaqqi Bil Qubool* for it. This, we have assumed. We do not as yet concede that this principle has not

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been satisfied by this Hadith. However, in our incomplete/defective search, we have not ascertained *Talaqqi* in regard to this particular Hadith.

In the absence of *Talaqqi Bil Qubool*, we have to resort to the Muhadditheen for their views and treatment. Now if we do so and make use of the *Utility of the Muhadditheen*, we find that many Muhadditheen have accepted the Narrator Umar Bin Haarun as we have explained in some detail earlier on. Accepting the ruling of these Muhadditheen, we cited the Hadith. Thus, we upheld the *Utility of the Muhadditheen*. In citing Saalim's Hadith we did not discard the views of the Muhadditheen among whom there is NO unanimity on his alleged unreliability, 'forging' and 'fabricating'.

Indeed, the deviate may direct his charge of the presentation of forged and fabricated narrations to Imaam Tirmizi, Imaam Ibn Maajah, Imaam Qutaibah and others. They have not confined themselves to recording only one narration in whose chain appears Umar Bin Haarun. Several of his Ahaadith are recorded and passed by the Imaams of Hadith. The deviate, having no basis and no explanation for his *baatil* opinion has merely attempted to set up another diversionary smokescreen to confuse the Prohibition of hair-cutting for women.

The views of some seniors will throw more light on this simple issue which the deviate's intransigence has obfuscated.

The deviate is averse to accept that the principles and rules of Hadith classification which the later Muhadditheen had formulated never applied to the Shariah's laws nor to the Hadith *mustadallaat* of the *Fuqaha-e-Mutaqaddimeen*. Only a moron can deny this obvious fact. Principles, rules and classifications cannot apply to Fuqaha who flourished two centuries before the event.

The Aimmah Mujtahideen who were the highest ranking Fuqaha acquired their *Ilm* and expertise directly from the Sahaabah. Just as the Sahaabah were independent of the *Usool-e-Hadith* and the classification of Hadith of the Muhadditheen, so too were the Aimmah Mujtahideen who gained their knowledge from the Sahaabah. The next generation after the first Jamaat of Fuqaha was the Taabieen who were the Students of these illustrious Aimmah. By virtue of their proximity to the Sahaabah and being direct recipients of the *Ilm of Wahi* from the very First Students of Rasulullah (sallallahu alayhi wasallam) the Fuqaha of the Taabieen and Tabe Taabieen

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ages were in command of all branches of Uloom and were totally independent of the principles and classification of Hadith of the *Muta-akh-khireen* Muhadditheen. This is not a mystery which requires any unravelling. It is a self-evident fact.

Explaining this fact, Shah Waliyullah (rahmatullah alayh) states in his *Hujjatullaahil Baalighah*:

“The Salaf (The early predecessors —the Taabieen and Tabe Taabieen) did not compile the Shariah (in book form). The fact that the Shariah was not compiled was not detrimental because Nabi (sallallahu alayhi wasallam) had already prepared its principles and deduced the particulars (masaail). The Fuqaha among the Sahaabah such as Amirul Mu'mineen Umar, Amirul Mu'mineen Ali, Zaid, Ibn Abbaas, Aishah and others (radhiyallahu anhum) followed in his footsteps. They probed the Shariah and disseminated it.

Thereafter the Ulama of the Deen and the Travellers along the Path of Yaqeen presented whatever was required (in regard to new developments) from the treasure Allah Ta'ala had stored in their hearts.

The former people (i.e. the Ulama of that era) were independent (did not need) of compiling kutub in this field. This independence was due to the purity of their beliefs by virtue of the barakat of their companionship with Nabi (sallallahu alayhi wasallam), and by their proximity to his age, and by the minimal of differences among them, and by them being contented and not probing what had already been substantiated from Rasulullah (sallallahu alayhi wasallam), and by their lack of need to reconcile narrational facts with rationalism, and by their ability to readily refer to reliable (authentic Ulama) in much of the subtleties of Knowledge.

Furthermore, they were not in need of kutub (for the same abovementioned reasons) and because they were contemporaries of the Men of Hadith. They were among them, saw and heard them. The (evil) of fabrication was negligible. Thus they had no need for compiling all the subjects of Hadith such as commentary of unfamiliar Hadith, Asmaaur Rijaal, classification of the narrators, the principles of Hadith, the conflicting Ahaadith, their reconciliation

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and differentiation between dhaeef and saheeh (strong), maudhoo' and thaabit.

The principles and details of these issues which had not been formulated (in the early period), were formulated ages after — long afterwards — when the need for it developed and the goodness of Muslims depended on it.”

In his Annotation on *I'laaus Sunan*, Hadhrat Maulana Taqi Uthmaani whom the deviate has acknowledged to be a Hanafi Faqih and Muhaddith of the highest rank, quotes Allaamah Ibn Ameer Haaj, the *Tilmeez* (student) of Al-Kamaal Ibnul Humaam:

“It is appropriate to say that the greater authenticity of the two (Saheehs — Bukhaari and Muslim) over the other Hadith kutub besides them is in relation to those after them, not in relation to the Mutaqaddimeen Mujtahideen before them. Verily, this, inspite of it being apparent is sometimes obscure to some or they are in error in this regard. And Allah Subhaanahu knows best.”

Mufti Taqi Uthmaani Sahib then says:

“Our Shaikh, Imaam Al-Kauthari (rahmatullah alayh) said in his Ta'leeq alaa Shurootil Aimmatil Khamsati lil Haazimi.....'He intends thereby that Shaikhain (Imaam Bukhaari and Imaam Muslim) and the Ashaab of the Sunan were a contemporary group among the Huffaaz (of Hadith). They appeared on the scene after the compilation of the Islamic Fiqh (i.e. of the Shariah). They became concerned with the classification of Hadith while the Aimmah Mujtahideen before them were more accomplished in knowledge and in Hadith. Before them were Marfoo', Mauqoof and Mursal (narrations), as well as the Fataawa of the Sahaabah and the Taabieen.

The gaze of the Mujtahid is not deficient with regard to Hadith categories.....The Authors of the Jawaami' and Musannafaat (kinds of Hadith kutub) prior to the Six (Sihaah Sittah) were in fact the Ashaab (Students) of these Mujtahideen and the Students of their Students. To look at their asaaneed was a simple matter for them (these Authors) in view of their high-ranking category. This is especially so when the Mujtahid makes istidlaal with a Hadith, for

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(such istidlaal) is the authentication of that Hadith. The need to resort to the Six (Sihaah Sittah) and to formulate (ihtijaa) with (the narrations) of these (Six) are in relation to those who came after them. And Allah knows best.”

(I’laaus Sunan, Vol 19, page 65)

It should now be quite clear that the utility of the principles and classification of the later Muhadditheen is applicable to those who came after them, not to the Fuqaha before them.

HADITH OF MAYMUNAH

The deviate does not respond to what has been put to him in this regard. He implies that he is a ‘mujtahid’, hence he feels competent to dissect and interpret Ahaadith as he deems fit. Imaam Hambal’s interpretation is for us Muqallideen, not for self-advertised ‘mujtahids’. Our request is simple and straightforward. The act of shaving the head by Hadhrat Maymunah (radhiyallahu anha) is a substantiated and an accepted fact. This truth cannot be denied. Just as the deviate has latched onto the ambiguous statement of Abu Salamah in his attempt to legalize hair-cutting for women, so too should he claim that “in principle it is permissible for women to shave their heads bald”.

The deviate has rejected the interpretation of the Fuqaha and Ulama of both former times and later times in regard to the statement of Abu Salamah, now he quickly presents Imaam Ahmad’s interpretation in regard to the shaving act. Why does he not rescind the interpretation of the Fuqaha on the issue of shaving for women and declare it permissible on the basis of the authenticity of the Hadith? Why accept the interpretation of the Fuqaha on the act of shaving, and not on the act of hair-cutting. The argument that he has accepted the interpretation of Imaam Nawawi is absolutely baseless. We have already shown the absurdity of accepting Imaam Nawawi’s statement for practical purposes. Imaam Nawawi, himself, upholds the view of prohibition as has been mentioned several times earlier.

Why does the deviate not say that shaving the head for women will be permissible if the ‘norm’ of some stupid or immoral society changes. The day that shaving for women becomes a fad, then it should be permissible in terms of the deviate’s understanding of the principle of *Urf*.

We did not present this Hadith for argument in relation to and in negation of the '*Ijma*' enacted on the prohibition of shaving for women. It was presented to enable the deviate to declare shaving 'permissible' on the basis of his '*ijtihad*' since he believes himself to be a competent '*mukharrij*' of Ahaadith. In fact the Ulama say that presenting an interpretation for the Hadith of Maymunah (radhiyallahu anha) is fraught with greater difficulty than the Hadith of Abu Salamah.

THE HADITH OF THE TASBEEH OF THE MALAAIKAH

In the matter of Hadith Methodology and logical deduction we need not display 'powers' and 'ability' because we are Muqallideen who stand on the bedrock of Taqleed. Our task and duty are to state and narrate what our Fuqaha and Ulama have ruled.

The deviate wandering in a cesspool of confusion claims:

“Out of all hadith sources this hadith appears listed only in Kashf al-Khafa.”

Firstly, the authenticity of a Hadith is not inextricably interwoven with appearance in a book of Hadith. Secondly, the principle of *Talaqqi Bil Qubool* is a most authoritative standard of authenticity. Thirdly, from whence did the deviate obtain the theory that the authenticity of a Hadith cannot be established if it does not appear in a book of Hadith? Fourthly, has the deviate encompassed **all** Hadith sources? Does he claim to have greater knowledge of Hadith than the illustrious Muhadditheen of the past who too did not encompass all Hadith sources?

There is no principle in the Shariah which states that the authenticity of a Hadith can be established only if it is to be found in a Hadith book. The Ahaadith — thousands of them — on which the Aimmah Fuqaha based the *ahkaam* were not acquired from Hadith books. In fact, the Aimmah-e-Mujtahideen committed to writing their Ahaadith after they had acquired it, and so did the later Muhadditheen. The deviate speaks absolute nonsense by asserting that a Hadith is unauthentic if it does not appear in a Hadith book. Did the deviate research each and every Hadith kitaab there presently exist on earth to enable him to make the sweeping statement he has ventured?

Abu Haazim narrated a Hadith to the illustrious Imaam Zuhri who said: “*I don’t recognize this Hadith.*” Abu Haazim said: “*Have you memorized all the Ahaadith of Rasulullah (sallallahu alayhi wasallam)?*” Imaam Zuhri said, “*No.*” Abu Haazim said: “*Half of it?*” Imaam Zuhri said: “*I hope so.*” Abu Haazim said: “*Assign this one (which I am narrating) to the other half (which you are unaware of).*”

When this was the condition of an expert and authority of the likes of Imaam Zuhri, what judgement should be passed regarding the ‘knowledge’ of Hadith which the deviate possesses?

His claim that the Hadith in question is listed in only *Kashful Khafa* is baseless. Assuming that it is listed in only this kitaab, then too, it is of no significance for a deviate who endeavours to discard the Hadith in the trash.

Allaamah Abu Muhammad Mahmud Bin Ahmad Al-Aini, besides being a great Faqeeh was a Muhaddith. In his Sharah of Hidaayah, *Al-Binaayah*, Allaamah Aini, providing proof for the, *mas’alah* of payment of *Diyat* if someone shaved off another person’s beard, says:

“It has been narrated that for Allah Ta’ala there are Malaaiakah who recite the Tasbeeh:

‘Subhaanallaah, He Who has beautified men with beards and women with tresses.’” (Al-Binaayah Vol.12, page 223)

When a Faqeeh and a Muhaddith of the stature of Allaamah Aini brings a Hadith in support of a Fiqhi *hukm*, the authenticity of the narration is unquestionable. What a deviate says to the contrary is drivel.

What the deviate says about *Kashful Khafa* does not detract from the authenticity of the Hadith of the Tasbeeh of the Malaaiakah. Firstly the authenticity of the Hadith in question is not restricted to what is stated in *Kashful Khafa* as will be shown during the progress of this discussion. If the puny deviate cannot swallow *Musnadul Firdaus* of Dailami, it is no reflection on that *Musnad* nor on the authenticity of the Hadith. If Hadhrat Shah Waliyullah (rahmatullah alayh) has disparaged *Musnadul Firdaus*, other Ulama cite from it. Besides this, a Faqeeh and Muhaddith of Allaamah Aini’s calibre cites this Hadith.

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Futhermore it does not follow from the citation of this Hadith by the Fuqaha that they had extracted it from *Musnadul Firdaus*. Imaam Sarakhsi, the author of the famous *Al-Mabsoot* consisting of 15 volumes which he dictated to his students from memory while he was imprisoned, and who died in 483 A.H. did not acquire the Hadith of the Tasbeeh of the Malaaiakah from *Musnadul Firdaus*.

Allaamah Aini and Imaam Sarakhsi were not the little brothers of some deviate to cite any drivel as proof for a Fiqhi *mas'alah* in their most authentic and authoritative kitaabs of the Ahnaaf Fuqaha. The Source of Allaamah Aini is at this moment unknown to us. But suffice to say that when such an Authority accepts a Hadith it is proof of its authenticity, especially when other Authorities corroborate the Hadith with their own acceptance and citations as shall be shown soon, Insha'Allah.

In *Kashful Khafa* it is said about this Hadith:

“Al-Haakim narrated it from Aishah (radhiyallahu anha). It is mentioned in the Takhreej of the Ahaadith of Musnadul Firdaus of Haafiz Ibn Hajar. He has linked the sanad to Aishah (radhiyallahu anha).”

Hadhrat Maulana Mufti Rasheed Ahmad (rahmatullah alayh) states in his *Ahsanul Fataawa*, Vol. 1, page 499:

“In Kunuzul Haqaaiq li Abdir Ra-oof Al-Munaawi ala Haamishil Jaami-is Sagheer, Vol.1, page 142, citing Haakim, this extent of the Hadith is narrated: “Subhaana ...(Pure is He Who has beautified men with beards and women with tresses.)” And, on page 90, Vol.2 citing from Musnadul Firdaus of Ad-Dailami, these words appear: ‘The Malaaiakah of the Heaven recite Istighfaar by the tresses of women and the beards of men. The word Tasbeeh of the Malaaiakah is not mentioned. It is possible that it appears in some other Kitaab of Haakim, and it (Tasbeeh of the Malaaiakah) may appear (in the other kitaab) although when something is attributed unconditionally to Haakim, it means only Mustadrak.”

The venerable Mufti Sahib does not refute the validity and authenticity of the Hadith, but upholds it.

For a Hadith of this nature which is not the actual *mustadal* for the Prohibition, but rather an aid and a support, there is no need for a *sanad*

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which results in absolute certitude (*Qat'iyat*). If this was the only 'proof' for the case of Prohibition, the deviate may then perhaps have had some justification for demanding proof of a higher grade. Neither is the Hadith of Saalim nor the Hadith of the Tasbeeh of the Malaaiakah the only proofs for the Prohibition. In such circumstances, the Muhadditheen allow latitude in the authenticity of the *asaaneed*. In the footnote on page 666, Vol.1 of *Mustadrak of Haakim*, it appears:

“Abdur Rahmaan Bin Mahdi said: “When we narrate regarding matters of halaal and haraam, then we are very stern about the Narrators. And, when we narrate about the fadhail (virtues) and permissible things, then we adopt latitude in the asaaneed.”

What we have just mentioned here should not be misconstrued to mean that the Hadith of the Tasbeeh of the Malaaiakah is lacking in authenticity. Its authenticity is an established fact which is confirmed by the acceptance of numerous Authorities of the Shariah of high rank.

The deviate had claimed that “*Out of all hadith sources this Hadith appears listed only in Kashful Khafa*”. To say the least, by his presumptuous attitudes he wishes to convey the impression that after he had checked all Hadith sources in all the libraries and other places of the earth, he had established that only *Kashful Khafa* makes reference to this Hadith. Yet, *Kunuzul Haqaaq* of *Abdur Ra-oof Al-Munaawi* also refers to this Hadith. He also cites Haakim as the Narrator. The same Source then also cites *Musnadul Firdaus* of Ad-Dailami. The third source which is mentioned in *Kashful Khafa*, is the *Takhrij* of Ad-Dailami's *Musnadul Firdaus* by Ibn Hajar. If the search continues, Insha'Allah, more sources will come to light because this Hadith fully satisfies the principle of *Talaqqi Bil Qubool* as will soon be shown, Insha'Allah.

Different Sources confirmed that Haakim has recorded the Hadith. Now do we accept what is mentioned in *Kunuzul Haqaaq*, *Kashful Khafa*, *Musnadul Firdaus* and *Haakim* or do we accept what one lost soul who has mushroomed from somewhere, has to say while all the Fuqaha and our Akaabir Ulama accept this Hadith, not one of them making critical comments about it? Every man of some intelligence will understand what we have to do.

Now it does not matter whether the Hadith appears in *Mustadrak of Haakim* or in some of his other works. Nor does it matter in the least, if the deviate

or any of us are unable to locate the kitaab in which Haakim has mentioned this narration with its *sanad* linking up with Hadhrat Aishah (radhiyallahu anha). The deviate's inability to find the kitaab, cannot be presented as proof for the non-existence of the Hadith which many of our Fuqaha have recorded in their highly authoritative Fiqh kutub. The fact that the sources of this Hadith have been reliably stated is sufficient, moreover, its acceptance by the Fuqaha is conclusive evidence of its authenticity.

If *Musnadul Firdaus* of Ad-Dailami contains some or many unreliable narrations, it is not proof for the stupid claim of the deviate that the Hadith of the Tasbeeh of the Malaikah is unauthentic. There will most certainly be innumerable Ahaadith in *Musnadul Firdaus* pertaining to Tahaarat, Salaat, Saum, Zakaat, etc., etc., which everyone accepts. Only someone extremely dense in the mind will claim that all the narrations in *Musnadul Firdaus* are unreliable and fabricated on the basis of some narration therein being unreliable. Shah Waliyullah (rahmatullah alayh) did not write off *Musnadul Firdaus* as a forgery as the deviate tries to convey.

The bone of contention is a particular Hadith, namely the Hadith of the Tasbeeh of the Malaikah. The deviate alleges that this Hadith in *Musnadul Firdaus* is unauthentic and fabricated because Shah Waliyullah said that there are 'forgeries' in that kitaab. But did he claim each and every Hadith recorded in *Musnadul Firdaus* is fabricated, a forgery and unreliable? Obviously not. The deviate should prove the unreliability and unauthenticity of this Hadith by means of independent evidence, specific evidence — reliable evidence, not by means of generalities such as, for example, the book contains unreliable narrations. No kitaab is free of some errors, save the Qur'aan Majeed. The manner of the argumentation of the deviate conspicuously displays the tactics and tricks of diversion and confusion he has embarked on in his bid to detract from the main dispute for want of evidence for his claim of permissibility for the act of hair-cutting.

If the kutub were not well-known to the Ulama, they would not have cited these as references for their contentions. The very fact that Ulama have cited these kitaabs and have quoted from them, shows the relevance of these sources.

The deviate, true to his form of deceit and *kizb*, quotes our statement, "*These kutub are well-known to the Ulama.*", out of its context. He says that *Tarikh Naysabur* was never published, hence he does not know what

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we mean by our statement of “these kutub” being well-known to the Ulama. *Tarikh Naysabur* is a kitaab. The plural, *kutub*, is not a reference to it. In our earlier book, on page 22 (reprint), we stated:

“The sources from which this Hadith has been cited are not obscure. These kutub (i.e. more than two) are well-known to the Ulama. If these books of Fiqh and Tafseer are obscure to the author of the spurious essay, it will testify for his own ignorance, not for any imagined unauthenticity of the Hadith.”

We had cited, and will again, Insha’Allah, cite the names of the *kutub* in which this Hadith appears. He deceptively cut our statement from its context which relates to the several *kutub* besides *Tarikh Naysabur*, and tries to deceive readers into accepting that we claimed that *Tarikh Naysabur* is not obscure, but well-known to the Ulama. Although we had made no such comment about *Tarikh Naysabur*, we do not concede the alleged obscurity of this kitaab. Be this as it may. Our statement, viz., “*These kutub are well-known to the Ulama.*”, was a reference to Musnadul Firdaus, Allaamah Aini’s Al-Binaayah, Mabsoot of Imaam Sarakhsi, Badaaius Sanaa’, Tabyeenul Haqaaq, Haashiyah Shaikh Shuhaabuddin Ahmad Shalabi, Al-Ikhtiyaar Li Ta’leelil Mukhtaar, Tafseer Roohul Bayaan, Al-Jaamius Sagheer, Kunuzul Haqaaq and in many of the Fataawa *kutub* of our Akaabireen.

In view of the many authoritative *kutub* to which our statement refers, the attempt by the deviate to confine it to *Tarikh Naysabur* is a despicable and a dishonest exercise calculated to mislead.

SHAH WALIYULLAH

The deviate contends:

“The second book of these books (i.e. Musnadul Firdaus) is listed by Shah Waliyyullah as one of those books “the ahadith of which are tolerably weak at best, and forgeries and fabrications at worst”.

On the basis of the ‘critical’ remarks which Hadhrat Shah Waliyullah (rahmatullah alayh) had made regarding the narrations or some narrations in *Musnadul Firdaus of Dailami*, the deviate seeks to label the Hadith pertaining to the Tasbeeh of the Malaaikeh as being a ‘forgery and a fabrication’. *Musnadul Firdaus* is the work of a Muhaddith whose feet the deviate will not be able to correctly praise even if he is reborn. Should the

remarks of Hadhrat Shah Waliyullah be construed to mean that each and every Hadith mentioned in *Musnadul Firdaus* is a forgery and a fabrication? Did Ibn Hajar arrive at this conclusion in his *Takhrij of Musnadul Firdaus* or anywhere else? Did Al-Munaawi make such a declaration in *Kunuzul Haqaaq*? Did Shah Waliyullah (rahmatullah alayh) claim that every Hadith in *Musnadul Firdaus* is a forgery and a fabrication?

Any sane Muslim possessing some discernment on these issues will understand that it is not possible that Ad-Dailami had compiled his *Musnad* comprising of only forgeries and fabrications unless of course the deviate can substantiate that Dailami had in fact made this compilation of forgeries and fabrications to alert the Ummah of the presence of such narrations. The fact that his *Musnad* is not such a Compilation should suffice to convince anyone that to brand every Hadith in this kitaab is unjust, stupid and smacks strongly of bigotry.

The deviate has not succeeded nor can he succeed to assault the authenticity of the Hadith of the Tasbeeh of the Malaaiikah simply by presenting the ‘disparaging’ comments of Shah Waliyullah, which were comments in general, not directed to the specific Hadith in our discussion nor to *Musnadul Firdaus* in particular. By generalising the issue, the deviate attempts his diversionary tactics to deflect attention from the main issue of contention.

It is necessary for the deviate to produce evidence from the statements of the Authorities to disprove the authenticity of this Hadith. The isolated statement of one or two later Hadith Examiners are of no significance when there exists a mass of evidence for the authenticity and strength of the Hadith. When even isolated statements of the later Hadith examiners are of no significance, a general remark of Shah Waliyullah, which is not directed specifically to this Hadith, is devoid of substance and does not serve the cause of the deviate.

Among the authoritative Muhadditheen who have branded Umar Bin Haarun as a *kath-thaab* (liar), is Yahya Bin Mu-een. He is among the greatest authorities of Hadith. Hadhrat Shah Waliyullah says that some Shiah frauds had succeeded in infiltrating the ranks of the Muhadditheen. Once these fraudsters had succeeded in gaining the confidence of the authoritative Muhadditheen, they initiated the process of subtly introducing their fabrications. This method of deception had created much confusion in the Ahlus Sunnah Wal Jama’ah. The very first Shi’i fraud to embark on this

plot, according to Shah Waliyullah, was Ajla'. Even an illustrious authority such as Hadhrat Yahya Bin Mu-een became a victim of Ajla's plot. Without realizing that he had become a victim in the trap laid by the Shi'i fraud, the great Muhaddith Yahya Bin Mu-een declared the reliability of Ajla. It was left to other authorities of the Ahlus Sunnah to expose Ajla'.

According to Shah Waliyullah, even a Muhaddith of the standing of Sayyid Jamaaluddin, author of *Raudhatul Ahbaab*, narrated from fraudulent historical records of the Shiah frauds.

Now what shall we say about the authenticitation and accreditation of a fraud such as Ajla' by such a great personality as Yahya Bin Mu-een, and his denunciation of Umar Bin Haarun who has been authenticitated and accredited by Imaam Bukhaari, Imaam Tirmizi, Imaan Ibn Maajah, Ibn Qutaibah, Ibn Khuzaimah, Abu Aasim and others? On the basis of the remarks of Shah Waliyullah who had proclaimed Yahya Bin Mu-een a victim of the plots of the Shiah, the deviate attempts to reject the whole *Musnadul Firdaus* as a forgery and fabrication while he will not accept Shah Waliyullah's comment regarding Yahya Bin Mu-een who had fallen prey to the plots of the Shiahs. On this basis, Yahya Bin Mu-een's denunciation of Umar Bin Haarun should be set aside in the same way as his accreditation of the Shi'i Ajla has been set aside.

The ignorance of the deviate is displayed by the fact of his conspicuous 'principle of selection'. If something in an authority's comments are favourable to him, he will accept it, and if unpalatable to his opinion, he denies or ignores it. But he is not a mujtahid in any field. He has no right to pick and choose from the statements of the authorities to soothe the dictates of his whimsical fancy — his nafs. Even if *Musnadul Firdaus* is not a kitaab of the first degree of authenticity, the muqallid has no right to dissect and select from such kutub as he deems appropriate.

Reliable Muftis —the Akaabireen — quote from such *kutub*. Ulama who have spent their lives in teaching Hadith, Tafseer and Fiqh have no qualms about quoting from such *kutub* inspite of their awareness of the views of Shah Waliyullah. The deviate should not expect Muslims to follow the nonsense he propagates. The correct attitude is to examine what the Akaabireen say and have said about a *mas'alah*. Then present the doubts one entertains on the issue. By adopting the correct approach, one will safeguard one's Imaan. It is pure *shaitaaniyat* for a non-entity to summarily reject what the *Jamhoor* have opined and what the Akaabireen have unanimously ruled on, and then to justify the conflicting view with isolated

statements which need clarification or interpretation. Of greater impudence is the stupidity of the non-entity to elevate a muqallid such as Maulana Abdul Hayy Sahib to the level of *Mujtahid fil Usool*. A Muqallid, regardless of the ocean of knowledge he possess, remains a Muqallid. Ulama of the calibre of Imaam Raazi and Imaam Ghazaali (rahmatullah alayhima), according to the Fuqaha were Ulama of the third or fourth level. They too had no right to dabble in *Ijtihaad*, and they did not venture into this field.

The authenticity of the Hadith of the Tasbeeh of the Malaaiakah has not been tarnished in any way whatsoever by its appearance in *Musnadul Firdaus*, in exactly the same way that the authenticity of any Ahaadith pertaining to Salaat, Tahaarat, etc., which appear in *Musnadul Firdaus* have not been tarnished. If a Hadith which happens to be in Bukhaari or Muslim is also found in *Musnadul Firdaus*, that Hadith will not automatically become a fabrication on account of its appearance in a kitaab which has been ‘disparaged’ by Shah Waliyullah. Allah Ta’ala commands in the Qur’aan Majeed:

“And ask the People of Thikr (Ilm) if you do not know.”

The muqallid has to incumbently ask the Senior Ulama, not leap into a cesspool which threatens to ruin him — ruin his Aakhirah.

The impression which the deviate is desirous of selling to Muslims is that the Author of *Musnadul Firdaus* was a highly unreliable, untrustworthy person who simply compiled forgeries and fabrications, hence his entire Kitaab is a forgery and fabrication fit for the trash can. Hadhrat Shah Waliyullah (rahmatullah alayh) who appeared almost seven centuries after the illustrious Author of *Musnadul Firdaus*, did not write off this Kitaab as a forgery and fabrication as the deviate has depicted.

Inspite of Hadhrat Shah Waliyullah’s belief that this kitaab contained many *maudhoo’ and weak* narrations, he did not believe that the Author was an unreliable fabricator. What had transpired in the seven centuries between the Author and Shah Waliyullah is known to only Allah Ta’ala. It is quite possible that the narrations which were authentic to the Author appeared as fabrications and weak to Hadhrat Shah Sahib seven hundred years later.

Hadhrat Shah Abdul Azeez Muhaddith Dehlwi, the noble son of Hadhrat Shah Waliyullah, presenting a character sketch of the Author of *Musnadul Firdaus*, writes in his *Bustaanul Muhadditheen*:

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“The name of the Author of the Kitaab Firdaus is Haafiz Sherwiyah. He had acquired the Ilm of Hadith from Yoosuf Bin Muhammad Bin Yoosuf Mustamalli, Sufyaan Bin Al-Hasan Bin Fankhuyah, Abdul Hameed Bin Al-Hasan Al-Qafaaee, Abdul Wahhaab Bin Mundah, Ahmad Bin Eesaa Deenwari, Abul Qaasim Bin Al-Busra and numerous other Ulama of Hadith. He had journeyed to Isfahaan, Baghdad, Qazween and other Islamic cities (in his quest for the knowledge of Hadith).

Describing his attributes, Haafiz Yahya Bin Mundah says: ‘He was exceptionally handsome, of beautiful character and exceptionally staunch on the Sunnah. He was far from I’tizaaal (the math-hab of the Mu’tazilis). He spoke less and was very brave. However, in Ma’rifat and Ilm he was somewhat deficient. (The deficiency mentioned here was in terms of the exceptionally high standards of those early times, not in relation to the extremely low standard of today’s knowledge).”

While handsomeness is not a qualification for *Ilm*, we have merely reproduced above what Shah Abdul Azeez (rahmatullah alayh) states in his *Bustaanul Muhadditheen*.

Regarding the flaws in the Kitaab, Shah Abdul Azeez Muhaddith Dehlawi says:

“His (the Author’s) son, Shahrdaar Dailami was superior to his father in Ilm-e-Hadith and Ma’rifat. Hence, Sam’aani too testifies to his understanding and ma’rifat.....Most of the time he was engrossed in imparting Hadith and recording it.....After the demise of his father, he acquired Ilm from numerous Ustaadhs.....It is he who had arranged Kitaab Firdaus in the present order. He gathered the asaaneed (of the Ahaadith in Firdaus) with great effort and toil. When this Kitaab was purified and adorned (with authentic asaaneed), his son, Abu Muslim Ahmad Bin Shahrdaar Dailamai and numerous of his students narrated it from him. Shahrdaar Dailami died in 458 Hijri.”

This elaboration of Shah Abdul Azeez Muhaddith Dehlawi confirms that the *asaaneed* of the Ahaadith in *Al-Firdaus* had been compiled after considerable labour and effort by a highly qualified Muhaddith who was the son of the Author. This explanation of Shah Abdul Azeez presents the true

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picture of *Musnadul Firdaus* which the deviate had dismissed as a forgery and fabrication.

Throwing further light on *Musnadul Firdaus*, Hadhrat Mufti Taqi Uthmaani Sahib commenting on the Fourth Category of Hadith Kutub mentioned by Shah Waliyullah (rahmatullah alayh) in his *Al-Hujjatullaahil Baalighah*, writes in his *Dars-e-Tirmizi*:

“With regard to the remaining kutub (which include Musnadul Firdaus), the meaning of Hadhrat Shah Sahib’s comment is apparently that those narrations of these kutub which are not corroborated by narrations in other kutub are weak. In fact some of the narrations in these kutub are to be found also in the Sihaah Sittah. Such Ahaadith cannot be outrightly said to be Dhaeef.” Leave alone them being fabrications and forgeries!

The deviate should understand that the Hadith pertaining to the Tasbeeh of the Malaaiakah is not the narration exclusively of *Musnadul Firdaus*. It is found in other kutub as well, and the most reliable sources of its location are the highly authoritative Fiqh books of the Fuqaha such as *Al-Mabsoot* of Imaam Sarakhsi, *Badaaius Sanaa’* of Allaamah Kaasaani, *Tabyeenul Haqaaq* of Imaam Zayla’i, and, ofcourse, in the Annotation on Hidaayah by Maulana Abdul Hayy Sahib.

Mufti Hamidullaah Khan, the Chief Mufti of Daarul Ifta, Jaamia Ashrafiyyah, Lahore Pakistan states:

“Take for example this very Hadith (i.e. the Hadith of the Tasbeeh of the Malaaiakah) which some have said to be baseless and without sanad. However, Allaamah Ajlooni (rahmatullah alayh) says in Kashful Khafa:

‘Haakim narrated it from Aishah. It is also mentioned in the Takhreej of the Ahaadith of Musnadul Firdaus of Haafiz Ibn Hajar during the (discussion of) the Hadith of the Malaaiakah.....He linked the sanad to Aishah.’”

(Kashful Khafa, Vol.1, page 538)

We concede that a Hadith does not become authentic by the number of times *“it is plastered over the pages of a booklet in shoddy calligraphy.”* But it does become ***Saheeh*** in the highest category of authenticity when *all* the Fuqaha accept it — all Fuqaha from the former times and the later times. In other words when the principle of *Talaqqi Bil Qubool* has been satisfied,

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and this applies most perfectly in the case of the Hadith pertaining to the Tasbeeh of the Malaaiakah, the Hadith is authentic.

In his condemnation of *Musnadul Firdaus*, the deviate writes:

“The second of these books is listed by Shah Waliyullah as one of those books “the ahadith of which are tolerably weak at best, and forgeries and fabrications at worst.”

What is the meaning of “tolerably weak”? What does this degree of weakness imply and what exactly is its consequence in terms of the principles of the Muhadditheen? What purpose does the toleration serve? It is simple to make a statement, but to explain it when it is the product of thoughtlessness and when it is drivel, then it is not quite so simple to offer an intelligent explanation which would be acceptable on the principles of the subject being dealt with.

Does the deviate hold the same view of *toleration* for the narrations of Bukhaari Shareef and the other Saheeh Hadith kutub? It is reasonable to infer that he does not claim that some of the Ahaadith in these authentic Hadith kutub are “tolerably weak”. Yet innumerable Ahaadith which appear in *Musnadul Firdaus* are to be found in Bukhaari Shareef and the other well-known Saheeh Hadith kutub. Random samples are presented as evidence.

Hadith No.6671 of *Musnadul Firdaus* is also narrated in Bukhaari Shareef.
Hadith No.6672 of *Musnadul Firdaus* is also narrated in Bukhaari, Muslim, Ahmad, Abu Daawood, Al-Baihaqi, Al-Huliyah and Tajreedut Tamheed.

Hadith No.3734 of *Musnadul Firdaus* is also narrated in Bukhaari, Muslim, Musnad Ahmad, Tirmizi, Nasaai’, Ibn Hibbaan, etc.

Hadith No. 5352 of *Musnadul Firdaus* is also narrated in Bukhaari, Muslim, Musnad Ahmad, Abu Daawood, Ibn Maajah, Faidhul Qadeer.

Hadith No.5353 is also narrated in Muslim, Ahmad, Nasaa’i, Ibn Maajah.

Hadith No.1347 is also narrated by Muslim, Tirmizi and Baihqi.

Hadith No.1348 is also narrated by Muslim, Abu Daawood, Tirmizi, Ibn Maajah and Daarimi.

Hadith No.5037 is also narrated by Bukhaari, Muslim, Ibn Maajah.

Hadith No.5038 is also narrated by Tirmizi, Ahmad, Abu Daawood and Haakim.

The deviate may now conclude that these few Ahaadith mentioned above as well as the thousands of other narrations in *Musnadul Firdaus* which also appear in Bukhaari Shareef, Muslim Shareef, Nasaa'i, etc. are all "tolerably weak", hence they need to be discarded.

Sight should not be lost of the sweeping claim which has been made. The claim is : *"At best the Ahaadith in Musnadul Firdaus are tolerably weak."* Yet innumerable of these so-called "tolerably weak" Ahaadith are to be found in the most authentic Hadith kutub. Does the deviate have in store the same criticism for Bukhaari Shareef, Muslim Shareef, and the other Reliable Hadith kutub?

And, if they are "tolerably weak", then the logical conclusion of this 'toleration' is their reliability. Acceptance of these narrations is within the ambit of a tolerable authenticity and reliability.

He should juggle his brains in an endeavour to understand what precisely Shah Waliyullah (rahmatullah alayh) meant by his comment. Surely Shah Sahib's comment will not apply to the Ahaadith of *Musnadul Firdaus* which are corroborated and confirmed as authentic by Imaam Bukhaari, Imaam Muslim and the other Muhadditheen.

CONCEALMENT

*"Woman is an object of concealment. When she emerges, shaitaan waits in ambush for her."
(Hadith)*

The opposite of concealment is exhibition. A necessary product of hair fashion produced by hair-cutting is female exhibition. This evil is necessarily accompanied by the desire of self-exhibition. Denial of this motive is self-deception.

THE DEVIATE'S NEW PRINCIPLE

The deviate says that for the benefit of our Ulama “who refuse to see the light”, he will quote his Imaam, Maulana Abdul Hayy Sahib, whose muqallid he has become selectively. Maulana Abdul Hayy Sahib said:

“To the contention that the quotation of those who quote these narrations is in itself sufficient basis for reliance due to their eminence and reputations, we respond by saying: Never! No hadith will be accepted without an isnad, even if it should be quoted by a reliable person, especially if the quoter is not a hadith expert.”

This statement of Maulana Abdul Hayy which has been presented by the deviate as a new principle for refuting Shar'i *ahkaam*, requires some elaboration.

- (1) The deviate has not correctly understood the meaning of what Maulana Abdul Hayy says here. If he has understood from this statement that the Ahaadith which constitute the *mustadallaat* of the authoritative Fuqaha, and which have fully satisfied the principle of *Talaqqi Bil Qubool*, then we have to conclude that the deviate wallows in stark *jahaalat*. If this statement of Maulana Abdul Hayy has to be accepted literally, it will lead to the elimination of the entire Shariah which the Mathaahib have transmitted from the age of the Sahaabah. The deviate's understanding of Maulana Abdul Hayy's statement is plain nonsense and absurd.
- (2) If truly Maulana Abdul Hayy's understanding is what his statement ostensibly conveys and further supported by his comments on the narrations of Hidaayah, then let it be understood that what he has said is not *Nass*. No one is under any Shar'i obligation to make taqleed of Maulana Abdul Hayy who had died about a century ago and who himself was the victim of freelancing. Only Allah's fadhl saved him from the ultimate disaster of shrugging off the sacred bonds of Taqleed. He thus remained a staunch follower of the Hanafi Mathhab. Be that as it may. The fact to understand and remember is that the Ulama of former times and of later times, reject the baseless view which emanates from the statement of Maulana Abdul Hayy. The Ummah will follow Saahib-e-Hidaayah, not Maulana Abdul Hayy nor the erroneous views of Az-Zayla'i on the narrations of Hidaayah regardless of the rank of the latter which anyhow is nowhere near to

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the loftiness of the rank of the Author of Hidayah. In this regard, again read what Maulana Abdul Hayy said about the Author of Hidaayah. See page 141.

Allaamah Zafar Ahmad Uthmaani makes it abundantly clear in *I'laa'us Sunan* that he (Allaamah Zafar Ahmad) has found in authentic kutub of the Ahnaaf Aimmah many of the Ahaadith on which Zayla'i commented: *"It is Ghareeb. I have not found it."* Allaamah Zafar Ahmad responds: *"Alhamdulillah! I have found many of these narrations....."*

The apparent view which the statement conveys is outrightly rejected by the Ulama. Besides Maulana Abdul Hayy and deviates who have latched onto some of his ambiguous and even erroneous views, none of the Ulama among our Akaabireen accept this opinion. If this is Maulana Abdul Hayy's opinion and principle for establishing the authenticity of Ahaadith which have been accepted as authentic since the time of Imaam Abu Hanifah (rahmatullah alayh), it is not the opinion of the Fuqaha and Ulama of former times and later times, including the present time. When the Fuqaha cite a Hadith as their basis, it is highly authentic to them regardless of the differences of the Muhadditheen centuries later.

Hadhrat Maulana Muhammad Abdur Rasheed Nu'maani (rahmatullah alayh) writes in *Ma Tamussu ilayhil Haajat, Muqaddamah Ibn Maajah*: *"All the Ahaadith and narrations which our Fuqaha (rahmatullah alayhim) narrate in their books without mentioning any sanad and source as is the practice of As-Sarakhsi in Mabsoot, Al-Kaasaani in Al-Badaai' and Al-Murghheenaani in Hidaayah, are such Ahaadith and Aathaar which they found in the kutub of our Aimmah Mutaqaddimeen such as Imaam A'zam (Imaam Abu Hanifah), his two Companions (Imaam Abu Yusuf and Imaam Muhammad), Ibnul Mubaarak, Al-Lu'luwi, Ibn Shujaa' Ath-Thalji, Eesa Ibn Abaan, Al-Khassaaf, At-Tahaawi, Al-Karkhi and Al-Jassaas (rahmatullah alayhim)."*

This is the view of all the Ulama with the solitary exception of Maulana Abdul Hayy. His views in this regard are of no significance and devoid of substance. Our Ulama are not the muqallideen of Maulana Abdul Hayy. It is pointless for the deviate to quote Maulana Abdul Hay Sahib as 'daleel' because his views are rejected.

Maulana Muhammad Abdur Rasheed Nu'maani continues in the Muqaddamah of Ibn Majah:

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“Then came along the *Mukharrijoon* (commenting) on Al-Hidaayah, Al-Khulaasah and other kutub besides these two. They then searched for these Narrations (of Hidaayah, etc.) in works which were compiled after the second century by the People of Hadith. When they could not find these Ahaadith (of Hidaayah, etc.) in the books of Hadith, they issued the verdict of weakness. In fact, some of them conjectured evil opinions about the Aimmah-e-Fuqaha. They ascribed paucity of knowledge of Hadith to these Aimmah. Never was this their condition.

On the contrary, As-Sarakhsi, Al-Kaasaani and Al-Murghheenaani relied in this matter on their Aimmah who were well-known for their hifz, thiqah (authenticity) and amaanat (trust/honesty).”

Haafizul Asr Qaasim Ibn Qutloobugha said:

“Verily, The Mutaqaddimeen among our Ashaab (rahmatullah alayhim) used to commit to writing the masaa-il of Fiqh and their proofs from the Ahaadith of the Nabi (sallallahu alayhi wasallam) with their asaaneed, such as Abu Yusuf in Kitaabul Kharaaj and Al-Amaali; and Muhammad in Al-Asl and As-Siyar. Similarly At-Tahaawi, Al-Khassaaf, Ar-Raazi and Al-Karkhi, except in the Al-Mukhtasaraat.”

“Then came those who relied on the Kutub of the Mutaqaddimeen and they recorded the Ahaadith in books without mentioning the sanad nor the source.”

(Ma Tamassul Ilayhil Hajah)

This then is the reason for the *asaaneed* not appearing in the kutub of the Fuqaha. The Ahaadith were recorded from the initial kutub of the Aimmah and transmitted from generation to generation—from Ustaadh to his Students —until it reached us by this system of reliable and authoritative transmission.

To accuse the great Fuqaha of including baseless narrations and fabrications in their illustrious Works of Fiqh and to accuse them of employing fabrications as *mustadallaat* for Fardh and Waajib *ahkaam* are slanderous claims. It is tantamount to saying that the Islam which has reached us from the Aimmah and Fuqaha is baseless since its laws have been based on fabrications and forgeries on account of the *supposedly* ‘careless’ acceptance of Hadith narrations by the illustrious Fuqaha. This is

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precisely what the modernist *mulhids and zindeeqs* who clamour for the reinterpretation of Islam claim.

This calumny is intolerable and has to be dismissed with contempt no matter from whom it emanates. It should be understood that Allah Ta'ala created the Jamaat of the Fuqaha first — long before — centuries before the Muhadditheen appeared on the horizon. The Fuqaha were the first of the *Khairul Quroon* after the Sahaabah. The Muhadditheen, i.e. the later Imaams of Hadith, were nowhere in sight in this noble age. The Fuqaha themselves were Muhadditheen of high or highest rank.

It was the sacred task and duty of the Fuqaha, not of the Muhadditheen, to arrange the Shariah in a systematic order and to formulate such principles of law which will endure and be applicable to all exigencies until the Day of Qiyaamah. Can it be said of such illustrious Souls who had such a sacred role to play, that they reared the structure of the Shariah on fabrications, forgeries, weak narrations, etc.? If this was the case with the very first Jamaat created by Allah Ta'ala for the sacred obligation, then it will be a direct attack on the Qur'aan which states that it is Allah's obligation to safeguard the Deen.

How is it ever conceivable that the Fuqaha used fabricated narrations as a basis for *Wajib ahkaam*? Stupid deviates who have a rabid craving to be seen as 'mujtahids' can entertain such notions of kufr, not Muslims who believe in the authenticity of the Shariah — an authenticity which has been transmitted from generation to generation from the time of the Sahaabah. The ignoramuses should understand that there is absolutely no missing link in the *Sanad of Ta'leem of the Fuqaha and Ulama*. They are not self-taught ignoramuses nor freelancers of shallow understanding and oblique vision. The *Sanad* of the Fuqaha is an unbroken golden Chain linking them to Rasulullah (sallallahu alayhi wasallam). They are not men who had strayed from the Path of Rectitude, plunging themselves into the dregs of *jahaalat and nafsaniyat* as is the case with deviates.

The principle which the deviate has forged from the statement of Maulana Abdul Hayy has absolutely no validity in the Shariah. We shall shortly prove, Insha'Allah, that the narrations of the Fuqaha are absolutely authentic regardless of what classification the centuries later Muhadditheen have assigned to these narrations. Regardless of the Fuqaha not mentioning any sanad or source for their narrations, these Ahaadith which have been used by the Fuqaha as basis for the formulation of laws are of the highest

category of authenticity even if the later Muhadditheen branded such narrations as dhaeef and maudhoo', etc.

The formulation of the laws did not initiate with the Muhadditheen two and three centuries after the demise of Rasulullah (sallallahu alayhi wasallam). The process was initiated immediately during the very age of the Sahaabah under whose supervision and guidance thousands of Taabieen acquired their Knowledge of Islam. If the *Sanad* of these Fuqaha is examined, one cannot but wonder with awe at the type of Ulama these Fuqaha were. Their minds and hearts were mind-boggling. The character sketches of these illustrious Souls presented by Maulana Abdul Hayy should suffice to knock some sense of perception of the Haqq into the mind of the deviate. These Men were created specially for the sacred Task which Allah Ta'ala had imposed on them. It is precisely for this reason that after their age passed by, Fuqaha of the calibre of the Aimmah never graced the world again with their presence. Who were they? The loftiness of their rank and the Authority they wielded in Islam should be more conspicuous than daylight from the fact that the entire edifice of the Shariah of Islam has been structured by the likes of Haakim Ash-Shaheed, Imaam Sarakhsi and numerous others of this category of Fuqaha who were the close Ashaab by way of *Sanad* of Imaam Abu Hanifah (rahmatullah alayh) via the agency of Imaam Abu Yusuf or Imaam Muhammad.

If the statements and narrations of Paragons and Foundations of the Shariah such as Haakim Ash-Shaheed, Imaam Sarakhsi, Al-Kaasaani, Al-Murghheenaani, Tahaawi, etc., etc., who narrate the *Riwaayaat* of Imaam Abu Hanifah via the agency of either Imaam Abu Yusuf or Imaam Muhammad cannot be accepted without '*isnaad*' despite their tremendous reliability, authenticity, accreditation, *amaanat*, *adaalat*, *ilm*, *taqwa* and despite them being Muhadditheen in their own right, and despite them being great Mujtahideen, and despite the *masaail* they narrated and recorded having been integral constituents of the Shariah for the past fourteen centuries, then the evil deviates should declare that Islam in its true form has never existed, and that in this era of *shaitaaniyat* of the present time, the new group of deviates are making attempts to unravel the hidden mystery of Islam so as to establish the pure Islam which the Qur'aan Majeed declares was perfected fourteen centuries ago. If inspite of all these credentials, their narrations supposedly without *isnaad* are unacceptable, then no one's narration, even of Imaam Bukhaari and the likes, are acceptable. In short, there is no Shariah of Islam, no Islam. This is the

logical conclusion of the subtle kufr which the deviates of this age are advocating.

It is now imperative to briefly explain exactly who these illustrious Foundations of the Shariah were. As far as ordinary readers are concerned, these are merely lengthy names signifying nothing to them, hence the need to present some introduction.

IMAAM SARAKHSI

Consider this Miracle Imaam, the likes of whom the world can never dream of seeing again. Who was he and what did he leave for the Ummah? Firstly, let us see what Maulana Abdul Hayy Sahib, the Imaam of the deviate who is insane in his desire to legalize for women the haraam act of hair-cutting, says about Imaam Sarakhsi (rahmatullah alayh):

“Muhammad Bin Ahmad Bin Abi Sahl Abu Bakr Shamsul Aimmah As-Sarakhsi was an Imaam, Allaamah, Hujjat (Proof), Perfect, Debater, Usooli and Mujtahid. Kamaal Paashah enumerated him among the Mujtahideen fil Masaa-il..... He became the outstanding personality of his age.....He dictated (writing of) Al-Mabsoot in 15 Volumes while he was in jail in Auzjand, having been jailed by the ruler Khaaqaan for a word of Naseehat. He would dictate Al-Mabsoot from memory without reference to any kitaab while he was held in captivity in a well. His Ashaab (Students) would gather at the mouth of the well.I have studied his Sharah of As-Siyarul Kabeer, and all praise is unto Allah, Rabbul Aalameen. In it are numerous Masaail and wonderful benefits..... It is mentioned in Tabqaatul Qaari that he dictated Al-Mabsoot of approximately 15 volumes while he was imprisoned in Auzjand as a result of a word of naseehat. He is among the Seniors of our Ulama (of the region known as) Ma Waraaun Nahr (the Land beyond the River Oxus—the Lands of Bukhaarah, Samarqand, etc.—the Home and Headquarters of Fuqaha and Muhadditheen). He was Saahibul Usool and Furoo’. He died in 438 A.H.” (Fawaaidul Bahiyyah)

The famous Hanafi Faqeeh among the *Mutaqaddimeen* Fuqaha, Al-Haakim Shaheed (died 334 A.H.), assassinated while he was in Sajdah, had compiled in concise form all the *masaail* of the *Kutub Zaahirur Riwaayaat* of the Ahnaaf in his kitaab *Al-Kaafi*. This kitaab is also referred to as *Mukhtasarul Kaafi*. It is a kitaab of foundational import in the Hanafi Math-hab. Its importance, reliability and authenticity are unquestionably of

the loftiest calibre. This is the *Ijma'* of the Ahnaaf Fuqaha. In view of this kitaab comprising of all the *masaail* of the kutub known as *Zaahirur Riwaayaat*, it is also enumerated among the *Kutubul Usool* (the Kitaabs of Foundational Importance).

While many Fuqaha have written *Shuroohaat* (elaborate commentaries) on *Al-Kaafi*, the most reliable, authentic and voluminous is the *Sharah of Imaam Sarakhsi*. His *sharah* is known as *Al-Mabsoot* comprises 15 volumes, each one of about 500 pages. According to all the Fuqaha (and also Maulana Abdul Hayy), *Al-Mabsoot* of Imaam Sarakhsi is the most authentic and most reliable of all the *kutub* in this field. ***And in this wonderful Kitaab of this illustrious Imaam appears the Hadith of the Tasbeeh of the Malaaiakah, and Imaam Sarakhsi (rahmatullah alayh) did not extract this Hadith from Musnadul Firdaus nor from Kashful Khafa.***

While there are many Fuqaha among the Ahnaaf whose title is *Shamsul Aimmah* (*The Sun of the Aimmah-e-Fuqaha*), whenever it is used without mention of the name of the Faqeeh, it refers to Imaam Sarakhsi who was the *Shaagird* (Student) of *Shamsul Aimmah Al-Halwaani* (Died 448 A.H.).

If there is a conflict in any *mas'alah* with *Al-Mabsoot* of Imaam Sarakhsi, then preference is accorded to this *Sharah* (*Al-Mabsoot*). Allaamah Tartusi (rahmatullah alayh) has categorically claimed this fact.

Imaam Sarakhsi compiled *Al-Mabsoot* while he was in jail — jailed for the Haqq. He compiled this kitaab entirely from memory, not from written references. It is the most acclaimed Kitaab in the Hanafi Math-hab.

Now when an Imaam of this lofty calibre narrates in his *Al-Mabsoot* a Hadith without mentioning the *isnaad*, it will be the heights of stupidity to aver that the Hadith thus presented is without an authentic *isnaad*. These Fuqaha were preoccupied with the presentation of *Fiqhi Masaail* which had already been formulated by the Aimmah-e-Mujtahideen — Imaam Abu Hanifah, Imaam Abu Yusuf and Imaam Muhammad (rahmatullah alayhim) who had completed the work of establishing the authenticity of the Ahaadith on which they had based the *masaail*. These great Fuqaha such as Shamsul Aimmah Imaam Sarakhsi, had no need for the *sanad* of a Hadith, because they acquired the narration from great Authorities (their Ustaadhs) whose *isnaad* linked up with Rasulullah (sallallahu alayhi wasallam) via the agency of the golden Links in this sacred Chain.

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Now when Imaam Sarakhsi states in his *Al-Mabsoot* that the basis for a certain *mas'alah* pertaining to payment of *Diyat* is the Hadith of Rasulullah (sallallahu alayhi wasallam) in which is mentioned the Tasbeeh of the Malaaikeh, then if a thousand Maulanas like Maulana Abdul Hayy Sahib and millions of deviates like the one who labours to make haraam, halaal for the modernist women of this age, claim that this narration is fabricated, then people of fairness, justice, knowledge and understanding cannot but conclude the extreme deviation from the Road of the Ahlus Sunnah into which the freelancers have drifted.

We have presented in brief the credentials of a Foundation of Islam such as Imaam Sarakhsi. The rank of the other Fuqaha such as the Author of Hidaayah, etc., can be gauged from the sketches which the deviate's Imaam, Maulana Abdul Hayy Sahib gives in some of his books. It suffices to say that the view which discards the reliability, authenticity, eminence and greatness of the illustrious Fuqaha for the sake of branding a highly authentic Hadith to be a fabrication merely on the basis of the mistaken belief that the Hadith has no *isnaad*, is a ploy of shaitaan whispered into the hearts of those who have set themselves up as the critics and derogators of that Jamaat of Fuqaha who are the *Waratha (Heirs)* of Rasulullah (sallallahu alayhi wasallam) in the first and highest category after the Sahaabah (radhiyallahu anhum).

The *Isnaad* of Imaam Sarakhsi, the Author of *Al-Mabsoot*, joins up with Imaam Muhammad through only six great and golden Links:

Shamsul Aimmah Sarakhsi > Shamsul Aimmah Halwaani > Abu Ali An-Nasafi > Abu Bakr Muhammad Bin Fadhl > Abu Hafs As-Sagheer > Abu Hafs Al-Kabeer > Imaam Muhammad > **Imaam Abu Hanifah** (rahmatullaah alayhim).

Maulana Abdul Hayy, Az-Zayla'i, Ibn Hajar and thousands of other Ulama cannot measure up to the lofty height occupied by Imaam Sarakhsi in the Shariah of Islam. What the deviate speaks is plain nonsense.

(3) There is no corroboration for the view of Maulana Abdul Hayy from the Fuqaha, neither from the Akaabireen Ulama of former and later times. The view of Maulana Abdul Hayy may be *hujjat* for his muqallid, the deviate, but not for us, not for our Akaabir Ulama and not for the Fuqaha of Islam. It is the height of mental insolence and plain ignorance to expect the Ulama of the Ummah to swallow the misconceived view of a Maulana who appeared

a century ago and who had almost gone over the brink into the abyss of ruin on which he was tottering. Hakimul Ummat Maulana Ashraf Ali Thaanvi had appropriately commented on the direction of Maulana Abdul Hay (See page 24)

(Tasbeeh of the Malaaikah in the Heavens)

سُبْحَانَ مَنْ زَيَّنَ الرِّجَالَ بِالْحَىِّ وَ زَيَّنَ النِّسَاءَ بِالدَّوَابِّ

“Glory to Allah (i.e. He is above all defect)

Who has adorned men with beards and women with tresses.”

TALAAQQI BIL QUBOOL

This principle simply means the Acceptance of a narration or a mas’alah by the Authorities of the Shariah. The acceptance by them is so prominent and absolute that there is no scope for claiming that all the great Authorities have united in accepting a fabrication or a forgery. The Authorities of the Shariah are unanimous in their view of accepting the authenticity of a narration or mas’alah which satisfies this principle, even if no *isnaad* is presented by the Fuqaha.

When a Mujtahid or the Fuqaha of lofty and authoritative rank do not mention the *sanad* of a narration it never means that there is no *authentic sanad* for the Hadith. This has already been explained earlier. While the deviate is eager to minimize the worth, operation and role of this vital principle which in fact is the highest standard on which to establish authenticity, he has not been able to produce any corroboration for his view. He has presented a lopsided interpretation of *Talaqqi Bil Qubool*, and the only thing he could quote in this regard is the statement of Ibn Hajar which fully supports and vindicates what we had said of this principle in our earlier book. He thus is forced to cite Ibn Hajar for lack of any evidence to support his case. Ibn Hajar states (we quote from page 18) of the deviates a rejoinder.

“Hafiz Ibn Hajar writes: One of the criteria for acceptance...is that the ulama concur in acting upon a particular hadith. Such a hadith will be accepted and it will be a matter of obligation to act according to it. A group of the ulama of usul have made clear mention of this. An example of it is Imam ash-Shafi’i’s words: ‘What I have said regarding water becoming impure when najasah falls into it and its

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taste, smell or colour changes, is narrated from Rasulallah sallallahu alayhi wasallam in a manner which the people of hadith do not affirm. But it is the view of all, and I am not aware of any difference on the point."

The "people of hadith" are the Muhadditheen who have formulated many principles and criteria for establishing the authenticity of Hadith narrations. The Hadith to which Imaam Shafi'i refers to in the above statement of Ibn Hajar, is not 'affirmed' by the Muhadditheen. In other words, they cannot find a chain of narrators to authenticitate the Hadith. In spite of this which conflicts with the criteria for establishing authenticity, the Hadith is accredited and forms an authentic basis for formulation of *ahkaam* in the Shaafi'i Math-hab.

On what basis have the Muhadditheen set aside their rigorous criteria and principles of establishing authenticity? Is it correct and logical to authenticitate a narration in spite of its failing to meet the criteria of authenticity? How can laws of compulsion be derived from narrations whose authenticity cannot be affirmed and determined by the Muhadditheen? The answer for all this is that the principle of *Talaqqi Bil Qubool* is of overriding importance. It overrides the criteria and principles which the Muhadditheen had established centuries after the first Jamaat of Aimmah Mujaahideen whose Ustaadhs were the Sahaabah of Rasulallah (sallallahu alayhi wasallam).

In view of this tremendous and vital importance of *Talaqqi Bil Qubool*, the opinion proffered by Maulana Abdul Hayy Sahib is untenable and has to be dismissed as being in violent conflict with the Shariah. How stupid and absurd are these modernists to present the solitary opinion of a solitary Maulana Sahib in conflict with what thousands of illustrious Fuqaha have proclaimed !!! The incongruity of this ludicrousness is even more glaring when we see that the Maulana Sahib appeared on the scene thirteen centuries after the age of the Sahaabah.

It should be abundantly clear to even laymen that in spite of there being no *affirmed isnaad* for the Hadith cited by Imaam Shaafi'i (in the above statement of Ibn Hajar), the narration has been conferred authenticity by the Shaafi'i Fuqaha on the basis of *Talaqqi*. And so is it among the Fuqaha of all Math-habs.

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Allah Ta'ala did not bring into existence the Jamaat of Muhadditheen two and three centuries after the age of the Fuqaha for the purpose of giving the former Fuqaha a lesson in Hadith authentication. The utility of the Muhadditheen is for posterity —after their age, not for the Fuqaha who flourished two centuries before them. What nonsense is it to even consider that the criteria evolved by the Muhadditheen apply to the Hadith narrations which Imaam Abu Hanifah, Imaam Abu Yusuf and Imaam Muhammad (rahmatullah alayhim) had accepted as authentic and had established as their *mustadallaat for the ahkaam of the Shariah* !!! And, that too, two hundred years before. And that too inspite of these Aimmah having been the Students of Akaabir Taabieen Aimmah-e-Fuqaha whose Asaatizah were all Fuqaha of the highest rank in the Jamaat of the Sahaabah!!! What can we say about those who say that inspite of the eminence, reliability and greatness of such Authorities of the Shariah, their Ahaadith “will not be accepted without *isnaad*”. Those who tender such absurdities have no understanding of the meaning of *isnaad*. There is a textual *isnaad* and an implied *isnaad*.

The implied *isnaad* gives rise to a greater degree of authenticity than the textual *isnaad* in view of the fact that the Hadith is presented by Fuqaha of outstanding rank and eminence as *Mustadallaat* (Basis for formulating *ahkaam of the WujooB category*). Ibn Hajar has presented the example of Imaam Shaafi's statement pertaining to the Hadith with an unaffirmed *sanad* in terms of the criteria of the Muhadditheen. There are countless such highly authentic Ahaadith with implied *asaaneed* of the highest authenticity.

The validity and authenticity of the implied *asaaneed* are the consequence of the principle of *Talaqqi Bil Qubool*. Let us now hear what the Authorities of the Shariah have to say about this vital principle on the basis of which hinges so many important laws of the Shariah.

Although the explicit declaration of Hafiz Ibn Hajar on the validity of *Talaqqi Bil Qubool* is sufficient for people of unbiased discernment, we shall cite the rulings of more Authorities for further satisfaction, and we think that the decrees of the deviate's Imaam, Maulana Abdul Hayy might serve a better purpose at this juncture.

In his *Al-Ajwibatul Faadhilah*, Maulana Abdul Hayy explaining the principle of *Talaqqi Bil Qubool*, says:

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“Similarly (will a Hadith be accepted) when the Ummah accepts a Dhaeef Hadith. In the authentic view it will be acted on. Allaamah Muhaddith Faqeeh Shaikh Husain Bin Muhsin Al-Ansaari Al-Yamaani who died in the land of Bhopal in Hindustan in the year 1328 A.H. —rahmatullah alayh — was asked about the statement of Imaam Tirmizi who says in his Jaami’ when he narrates a Dhaeef Hadith, “Amal (practical adoption) on it is according to the Ahl-e-Ilm (the Ulama).” And it was also asked about the established principle on which there is the unanimity of the Muhadditheen that anything other than a Saheeh or Hasan Hadith will not be accepted in the matter of ahkaam. But this Hadith (referring to a particular narration) is Dhaeef. How is it then permissible for the Ulama to act on it?

The Shaikh (Allaamah Husain Bhopali) said in response:

“May Allah grant us and you taufeeq. Verily, A Dhaeef Hadith is one which lacks a condition from among the conditions of acceptance.....As-Suyuti said in Sharh Nazmid Durar (Al-Bahrul lazi Zakhar): ‘Qabool (Acceptance) is:

(1) What the Ulama have accorded Talaqqi bil Qubool (i.e. have accepted) even if there is no saheeh (authentic) isnaad for it. Among the Group of Ulama who have narrated this is Ibn Abdul Barr.

(2) Or it (the narration) has become well-known to the Aimmah-e-Hadith (the Muhadditheen) without them criticizing (it).

And As-Suyuti has also said after mentioning the Hadith....(referring to a particular Hadith)...Tirmizi said (about this particular Hadith): Amal today is on this by the Ulama. With this (statement) he indicated that a Hadith is strengthened with the statement of the Ulama.”

Verily, many (Authorities) have explicitly said that of the evidence of the authenticity of a Hadith is the statement (of acceptance) by the Ulama even if there is no reliable isnaad for it.

And As-Suyuti (rahmatullah alayh) has also said in Tadreebur Raawi: “Some of them (the Authorities) said: ‘Hadith will be accorded authenticity when the People (i.e. the Ulama) have accorded it acceptance even if there is no saheeh isnaad for it.”

Ibn Abdul Barr said in Al-Istithkaar when it was narrated from Tirmizi that Al-Bukhaari authenticitated the Hadith of the Ocean (‘Its water is pure’), while the Muhadditheen do not authenticitate this

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type of isnaad. Nevertheless according to me the Hadith is Saheeh because the Ulama have accorded it acceptance."

And it is mentioned in At-Tamheed: 'Jaabir narrated from Nabi (sallallahu alayhi wasallam): 'A dinar is twenty four qeeraat'. (About this Hadith) he said: 'In terms of the qawl of the Jamaa'atul Ulama and the Ijma' of the People regarding its meaning — "It is independent of Isnaad."

Regarding the practice of talqeen to the mayyit (according to the Hambali Math-hab), "A Dhaeef Hadith is narrated on this issue. At-Tabraani records in his Mu'jam, the Hadith of Abu Umaamah.....This Hadith is not substantiated. However, the continuity of practice in this regard in all the lands and ages without any rejection (of the Authorities) suffices for its practical adoption."

The Hanafi Muhaqqiq, Imaam Al-Kamaal Al-Hammaam says in Fathul Qadeer (about the weakness of a Hadith): "Among the factors which authenticate Hadith is the practice of the Ulama on its concurrence."

And Tirmizi said after its narration: 'Hadithun Ghareebun.' (This Hadith is Ghareeb). (But notwithstanding this) the amal is on it according to the Ulama among the Sahaabah of Rasulullah (sallallahu alayhi wasallam) and others besides them (i.e. the Taabieen, etc.)'

And Imaam Maalik said: "The fame of a Hadith in Madinah makes it independent of a saheeh sanad."

Haafiz As-Sakhaawi says in Fathul Mugheeth: 'When the Ummah accords a Dhaeef Hadith acceptance, then it will be adopted according to the authentic view. So much so, that it will attain the rank of Mutawaatir in that it will abrogate Maqtoo' (Ahaadith). It is for this reason that As-Shaafi'i (rahmatullah alayh) said about the Hadith : 'There is no bequest for an heir.', verily, the Muhadditheen have not substantiated it (i.e. it is not authentic), nevertheless, the Aammah (the Ummah) has accorded it acceptance and have adopted it practically to the extent that they (the Fuqaha) have affirmed it to be Naasikh (an abrogation) for the (Qur'aanic) aayat regarding wasiyyat (bequest)."

(Al-Ajwibatil Faadhilah)

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The foregoing discussion has been extracted from the treatise of Maulana Abdul Hayy Sahib whom the deviate has appointed his Imaam. Before we proceed to furnish more substantiation for the principle and meaning of *Talaqqi Bil Qubool*, a very significant factor of the Ahnaaf shall be mentioned here. Imaam Sarakhsi and Shaikh Ibn Humaam said:

“Imaam Abu Hanifah gave preference to a riwaayat (Hadith) on the basis of the fiqaahat (wisdom) of the Narrators just as Imaam Auzaaee would give preference on the basis of the high grade of the Isnaad. This (preference of fiqaahat) is the Mansoos Math-hab by us (the Ahnaaf) because Tarjeeh (giving preference) is with the fiqaahat of the narrators not with the high grade of the isnaad.”

(Mabsoot of Sarakhsi, Vol.1, page 14; Fathul Qadeer Vol.1, page 219; I'laaus Sunan Vol.2, page 499)

Consider two narrations with ‘defective’ chains, the one perhaps more ‘defective’ than the other. A factor which the Ahnaaf Fuqaha considered before preferring any particular Hadith will be the wisdom of the narrators. Hence, even if the chain of the one narration is superior, but the narrators are comparatively speaking lacking in wisdom, then the other Hadith whose narrators possess greater *fiqaahat* will be accepted.

If a choice has to be made between two narrations, the Ahnaaf take into consideration the *fiqaahat of the ruwaat*.

This principle of the Ahnaaf is vindicated by what Imaam Suyuti (rahmatullah alayh) said regarding one of the factors which elevates the status of a *Dhaeef* Hadith to the degree of *Saheeh*. In his *Al-Ajwibatil Faadhilah*, Maulana Abdul Hayy Sahib states that according to Imaam Suyuti, among the factors for the promotion of a *Dhaeef* Hadith is:

“The Hadith conforms to an aayat of the Qur’aan or with some of the Usool of the Shariah provided that there is no kath-thaab (liar) in its sanad.”

In this case where there is no *Talaqqi Bil Qubool* of the Fuqaha, a precaution has been added by the Authorities for the elevation of a *Dhaeef* Hadith, and that precaution is that there should be no *kath-thaab* in the chain. But this condition is not applicable to the Ahaadith which have been accepted by the Fuqaha regardless of the state of the *sanad*, and regardless

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of the fact that it has no *sanad*. From this could be gauged the strength and overriding force of the principle of *Talaqqi Bil Qubool* by the Fuqaha.

The meaning of “the people” in this context is the Jamaat of the Fuqaha. It does not refer to the masses of laymen, least of all deviates and self-acclaimed ‘mujtahids’ irrespective of their numbers.

Continuing with the discussion on *Talaqqi Bil Qubool*, Maulana Abdul Hayy says in his treatise:

“Allaamah Saalih Bin Mahdi Al-Muqbeeli said: “Verily, Saheeh Hadith in the specific meaning of the Mutaakh-khireen (the later Muhadditheen) from about the age of Bukhaari and Muslim is that which has been narrated by an uprighteous Haafiz from a similar narrator without defect (it has a specific meaning in the meaning of Hadith accreditation), and (Saheeh Hadith) in the general meaning according to the Mutaqaddimeen (of earlier times) among the Muhadditheen, all the Fuqaha and the Usuliyyeen is (a narration) on which there is practical adoption (ma’mool bihi).” Thus, when a Muhaddith among the Muta-akh-khireen (the later ones) says: ‘This Hadith is not Saheeh.’, then while it negates the special (and restricted) meaning of the term, it does not negate the general meaning (of authenticity according to the Mutaqaddimeen Muhadditheen, all the Fuqaha and Usuliyyeen). Therefore at this juncture there is the possibility of the Hadith being (of the) Hasan or Dhaeef or Ghair Ma’mool (category). On account of this possibility, it devolves as an incumbency to probe the Hadith. If it is established that it is Hasan or Dhaeef Ma’mool bihi (i.e. has been practically adopted by the Fuqaha), then it will be accepted. And if it is Dhaeef Ghair Ma’mool bihi (i.e. it has not been adopted practically by the Fuqaha), then it will not be accepted.”

What Maulana Abdul Hayy Sahib has cited in the foregoing discussion of Allaamah Saalih Bin Mahdi Al-Muqbeeli (rahmatullah alayh) is a clear vindication of what we had said in our earlier book about the function of the later (Muta-akh-khireen) Muhadditheen. The Hadith classification of Ahaadith of the later Muhadditheen do not apply to the narrations accepted and adopted by the Fuqaha who went before them. When the Fuqaha-e-Mutaqaddimeen had already adopted a Hadith as their *mustadal* (basis for formulation of a rule), then such adoption is the daleel for the authenticity

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of the Hadith. This is precisely what is explained in the foregoing discussion of Allaamah Saalih.

Besides what the Authorities have said in this regard, it is simply rational and logical for an intelligent person having even a smattering affinity with *the Ilm* of the Deen provided he has no ulterior motive, to understand that a technical classification formulated two centuries after the age of the Fuqaha cannot negate the authenticity of the narrations accredited by the Mutaqaddimeen Fuqaha who flourished in close proximity to the era of the Sahaabah.

Continuing the exposition of the principle of *Talaqqi Bil Qubool* in his treatise, Maulana Abdul Hayy Sahib says:

“Shaikh Ibraaheem Ath-Thabrahaiti Maaliki says in Sharhul Ar-baeen An-Nawwiyah: ‘The occasion for not adopting Dhaeef Hadith in matters of ahkaam (formulation of laws) , etc., is when the People have not accorded it (the Dhaeef Hadith) acceptance. If this is so (i.e. acceptance has been accorded), then it is confirmed, and it (the narration) becomes a proof which shall be practically adopted in matters of ahkaam, etc. as Imaam Shaafi’i has said.....”

“Haafiz Ibn Hajar says in Fathul Baari: “None of the isnaad (of the narrations) is devoid of some criticism. But on the whole the Hadith has a basis. In fact, As-Shaafi’i has explicitly stated in Al-Umm that the text of this (Dhaeef) Hadith is Mutawaatir.....”

Consider the following example, also extracted from the treatise of Maulana Abdul Hayy Sahib:

“Haafiz Bin Hajar said (about a certain Hadith), Bukhaari said: “It is not Saheeh.” The Compilers of the Four Sunan narrated it, and Haakim narrated it from the tareeq of Eesaa Bin Yoonus. Tirmizi said ‘It is Ghareeb’. We do not recognize it except from the narration of Eesaa Bin Yoonus from Hishaam. I (Imaam Tirmizi) asked Muhammad i.e. Imaam Bukhaari, about it. He said: ‘I do not regard it to be secure (i.e. its sanad).” Ibn Maajah and Haakim have narrated it from the avenue of Hafs Bin Ghiyaath, also from Hishaam. Tirmizi said: It has been narrated in different ways from Abu Hurairah. Its isnaad is not Saheeh. (In spite of all this), the amal is on it by the Ulama (i.e. they have adopted it).”

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In his stupid essay (*his rejoinder*), the deviate had accused us of demoting the Muhadditheen and nullifying their utility. Hadhrat Maulana Badr-e-Aalam (rahmatullah alayh)'s exposition on this issue fully vindicates what we had written about the utility and function of the later Muhadditheen. In his treatise, Maulana Abdul Hayy Sahib says:

“Our Ustaadh, Allaamah Shaikh Muhammad Badr Aalam — May Allah protect him — said in the Ta’leeq on the discussion of Imaamul Asr: ‘I say: ‘.....Verily, the Shaikh does not intend with the aforegoing discussion the abolition (the minimization, cancellation, discardence) of the application of Isnaad. How is this possible? If it was not for this, anyone would have said simply what he desires. On the contrary, the Shaikh intends that when a Hadith has become authentic by way of indications and it has become obvious, then to abandon it merely on the basis of a weak narrator is not correct. How can this be so when continuity of practical adoption of it is a stronger testification for its substantiation according to him”

“.....Ash-Shaikh Muhammad Yusuf Al-Binnuri said: ‘Verily, Shaikh Al-Anwar (Hadhrat Anwar Shah Kashmiri — rahmatullah alayh). Would say: ‘The purpose of the Isnaad is to ensure that something which is not of the Deen does not enter the Deen. Its purpose is not to expunge from the Deen what has been substantiated of it by the practice of the Ahl-e-Isnaad (the Ulama whose Isnaad links up with Rasulullah— sallallahu alayhi wasallam).”

Our explanation on *Talaqqi Bil Qubool* and The Utility of the Muhadditheen which appear in our earlier book should be read in conjunction with the aforementioned comment of Hadhrat Maulana Badr-e-Aalam (rahmatullah alayh). This vindication of our claim is not the vindication of an independent opinion ventured by us. What we have said was merely the narration of what the Authorities have said and are saying. We did not present our personal opinion. We are Muqallideen of Imaam Abu Hanifah and we may not traverse beyond the confines of Taqleed. Any opinion which Muqallideen offer in conflict with the rulings and opinions of the Fuqaha have to be struck down and discarded into the trash. Allaamah Badr-e-Aalam (rahmatullah alayh) has explained the utility of the Muhadditheen. Their function of Hadith accreditation was never to expunge any of the *ahkaam* of the Shariah based on Ahaadith authenticitated by the acceptance of the Mutaqaddimeen Fuqaha as Hadhrat

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Anwar Shah Kashmiri (rahmatullah alayh) affirmed. We hope that the deviate will heed the Haqq before it is too late for heeding.

A few more statements of the Fuqaha will be cited in conclusion of this discussion.

Wakee' Bin Jarraah, the renowned Muhaddith and expert in the field of examining narrators said:

"A Hadith which is in circulation among the Fuqaha is better than a Hadith in circulation among the Shuyookh (of Hadith)."

"When the Mujtahid employs a Hadith as a basis for formulation (of masaa-il), then (his istidlaal with it) is authentication of the Hadith." (Raddul Muhtaar, Vol.4, page 38)

"Is the ittifaaq (unanimity) of the Jamhoor not a sign for the Hadith having a strong basis even if the factor of dhu'f (weakness) has become attached to it by way of the sanad?"

(Imdaadul Fataawa, Vol.1, page 147)

"The fame of an issue (a Deeni mas'alah) sets us free from (the need) of probing the asaaneed."

(I'laaus Sunan, Vol.13, page 146)

"Imaam Shaafi'i has written in his Risaalah that the Taabieen Ulama had accepted it (referring to a particular Hadith with no proven isnaad) in view of the fact that it was confirmed to them that it was the instruction of Rasulullah (sallallahu alayhi wasallam). Ibn Abdul Barr said that this instruction (referring to the Hadith in question) is well-known to the Ulama of history and the Fuqaha, hence in view of it resembling Mutawaatar, there is no need for its isnaad."

(Ainul Hidaayah, Vol.4, page 604)

Allaamah Anwar Shah Kashmiri (rahmatullah alayh) said:

"The Muhadditheen (i.e.the later Hadith Compilers) take into consideration only the state of the isnaad. They do not consider Ta-aamul. Hence, many a time a Hadith is authentic on the basis of their criteria. However, they find that there is no practical adoption of it. Thus they (the Muhadditheen) are bewildered. In this regard Tirmizi

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narrated in his Jaami' two authentic narrations, valid for practical adoption. Then he commented: 'Verily, no one has adopted it for practise.' In spite of the authenticity of the isnaad, there is no practice on it. In the same way, they (the Muhadditheen) have classified as Dhaeef a Hadith from the angle of its Isnaad although the Hadith is widely practised on (by the Ummah) in their time (ma'mool bihi). Thus there is a disadvantage here from a different angle. It is therefore imperative to consider Ta-aamul along with the isnaad, for verily, the Shariat revolves around Ta-aamul and Tawaaruth."

(Faidhul Baari, Vol.2, page 237)

The widespread acceptance and practical adoption of an act by the Ummah from the earliest age of Islam and its existence in continuity from that age down the centuries in all times and lands are termed *Ta-aamul* and *Tawaaruth*. It is impossible to attribute such acts to falsehood in view of the fact that they enjoy the acceptance of the Ulama from the very beginning of Islam.

Sufficient evidence has been presented for the validity and importance of the principle of *Talaqqi Bil Qubool*. In relation to the deviate, the fact that most of the evidence has been forthcoming from his Imaam, Maulana Abdul Hayy Sahib, should be of greater significance. Another fact of much importance in relation to us is the deviate's decision not to cite his Imaam on the question of *Talaqqi Bil Qubool*. He has simply scanned over this issue after citing two extracts on *Talaqqi* — one from Ibn Hajar and one from Ibn Humaam, and both are in our favour, supporting exactly what we have written in our earlier book on this question.

The reason for his hurried exit from the *Talaqqi Bil Qubool* discussion and his stratagem of refraining from seeking the aid of his Imaam on this issue is that Maulana Abdul Hayy Sahib speaks with the greatest clarity on the validity of this principle and the overriding importance of submitting to the Acceptance by the Fuqaha of narrations regardless of the state of the *Isnaad*, be it totally unreliable. The Fuqaha's *Acceptance* — *their Talaqqi Bil Qubool*, and also their *Rejection* despite the authenticity of the *isnaad* are the determinants.

Although Maulana Abdul Hayy Sahib has contradicted himself in expressing his erroneous view regarding the *riwaayaat* or *some riwaayaat* in authoritative kutub such as Hidaayah, he nevertheless has stated the correct conception of *Talaqqi Bil Qubool*. After all, he was a sincere man as

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Hadhrat Maulana Ashraf Ali Thaanvi explained. May Allah Ta'ala bestow *maghfirat* to Maulana Abdul Hayy Sahib and grant him the lofty states of Jannatul Firdaus.

The deviate has perspired profusely in his attempt to eke as much capital out of the following statement of Maulana Abdul Hayy, which we repeat:

“To the contention that the quotation of those who quote these narrations is in itself sufficient basis for reliance due to their eminence and reputations, we respond by saying: Never! No hadith will be accepted without an isnad, even if it should be quoted by a reliable person especially if the quoter is not a hadith expert.”

To this error we respond: Never shall we accept this highly erroneous idea ostensibly conveyed by the statement. The Ulama reject it as baseless. In fact, Maulana Abdul Hayy's exposition of *Talaqqi Bil Qubool* presented in the foregoing discussion militates against his self-contradictory error. Even the later Muhadditheen such as Imaam Bukhaari, Imaam Tirmidhi, etc., and the Fuqaha and Aimmah such as Imaam Shaafi'i and Imaam Ahmad Bin Hambal who appeared a century after Imaam A'zam Abu Hanifah, bowed their heads in submission and obedience to the principle of *Talaqqi Bil Qubool*. Purely on the basis of *Ta-aamul and Tawaaruth* did they accept unconditionally the authenticity of Ahaadith with corrupt *asaaneed* and even without *asaaneed*. Maulana Abdul Hayy Sahib has fully endorsed this principle and practice although there is absolutely no need for his endorsement. But his endorsement may assist to open the eyes of the deviate and exhort him to return to the fold of the Ahlus Sunnah Wal Jama'ah.

THE DEVIATE'S FALSE ALLEGATION

In another attempt to wriggle out of the mess in which he has entrapped himself, the deviate says:

“.....the talaqqi which the ulama speak of is something vastly different from that which the objector invokes as his ‘overriding criterion of authenticity’”.

He has made an allegation without stating his proof and without showing in which way is our explanation of this principle “*vastly different*” from the

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Talaqqi principle of the Ulama and from the explanation given by Maulana Abdul Hayy in his *Al-Ajwibatul Faadhilah*.

In our earlier book, on page 25 (reprint), we mentioned about this principle:

“The soundest proof for the authenticity of this Hadith (i.e. the Tasbeeh of the Malaaiikah narration) is the principle of Talaqqi Bil Qubool by the Fuqaha and Ulama. As mentioned earlier, the determinant for accepting a narration to be valid is the conference of acceptability to it by the Fuqaha regardless of the classification assigned to the Hadith by the Muhadditheen.”

On page 14 of our earlier book (reprint), appears the following:

“Our surest and strongest criterion for the authenticity of Ahaadith is the view of the Fuqaha.”

Then in substantiation we cited:

“Is the consensus of the Jamhoor Fuqaha not a sign (proof) for the Hadith having a strong basis inspite of the dhu’f (weakness) of the circumstance of the sanad.”The following appears in Raddul Muhtaar, page 38, Vol.4: “When the Mujtahid makes istidlaal (logically deducts) on the basis of a Hadith, then such deduction (by the Mujtahid), is authenticication of the Hadith.”

On page 16 of our earlier book (reprint), we mentioned:

“The acceptance by the Ulama in general, in fact, elevates the Hadith to the category of Mutawaatar.”

Now in which way is this explanation “vastly different” from what “the ulama speak of”? In fact, we should ask: “In which way is our explanation different in any way whatsoever from the exposition of *Talaqqi Bil Qubool* presented by Maulana Abdul Hayy Sahib? He and all the Authorities —the Mutaqaddimeen Fuqaha and Muhadditheen, as well as the Muta-akh-khireen Fuqaha and Muhadditheen — state without the slightest ambiguity that the *Acceptance of the Fuqaha* is the criterion. We have not differed from this. At no stage did we venture an interpretation of this principle to bring into its scope the acceptance by a solitary Faqeeh whose view may be in conflict with the *Jamhoor*.

We stated without ambiguity that the principle envisages the Acceptance of the Ulama in general. We stated that it is the Acceptance of the Fuqaha, and this does not refer to a solitary Faqeeh. It refers to the Jamhoor Fuqaha. Now why would the deviate resort to blatant falsehood? He has been guilty of this crime throughout his *a rejoinder*. He has perpetrated this unholy sin of falsehood for lack of evidence and to hoodwink readers by creating smokescreens and diversions to induce in them forgetfulness about the main issue, viz., the Prohibition of the immoral act of women cutting their hair.

He resorts to the chicanery of conveying the impression that the Hadith pertaining to the Tasbeeh of the Malaaiakah does not satisfy the principle of *Talaqqi Bil Qubool* allegedly on account of it being an isolated narration which has been criticized by some later-era Muhadditheen, and due to the supposed fact of it not enjoying the ‘*concurrence*’ of the Jamhoor Fuqaha. If this is his claim —and in fact it is — then it devolves on us to show and prove that this Hadith does enjoy the Acceptance of the Jamhoor Fuqaha, and that there is absolutely NO difference of opinion among the Fuqaha and Ulama, both Mutaqaddimeen and Muta-akh-khireen, on the issue of the acceptance of this Narration, and that this Hadith has been considered fit to be presented as a *Mustadal for Ahkaam of the Shariat*. *Insha’Allah*, we shall now proceed with this argument.

(1) Haafiz Ibn Hajar in his Takhrij of Dailami’s *Musnadul Firdaus*, cites the Hadith of the Tasbeeh of the Malaaiakah, mentioning that Haakim has narrated it.

(2) Allaamah Abdur Ra-oof cites the Hadith in his *Kunoozul Haqaaq*, also via the agency of Haakim.

(3) Since both these Authorities cite the Hadith from Haakim, it is sufficient evidence from which to infer that Haakim did in fact narrate the Hadith, be it in whichever kitaab of his. No one has denied this fact.

(4) At another place (on page 90) of *Kunoozul Haqaaq*, Allaamah Al-Munaawi again mentions the Hadith from another source, viz. *Musnadul Firdaus*. On page 142, Vol.1, he attributes the narration to Haakim, and on page 90 to *Musnadul Firdaus*. We have already discussed this kitaab earlier on.

(5) The Hadith is narrated in Tafseer Ruhul Bayaan, Vol.1, page 222 where it is said:

“Shaving the beard is ugly, in fact it is disfigurement and haraam. Just as shaving the hair of the head is disfigurement for women, prohibited and tashabbuh with men, as well as elimination of beauty, so too is shaving of the beard disfigurement for men, and prohibited. The Fuqaha have said that the beard in its time (i.e. when it begins to grow) is beauty, and in shaving it is the elimination of perfect beauty. Of the Tasbeeh of the Malaai-kah is:

“Subhaan for The One Who has beautified men with beards and women with tresses.”

(6) In the *Ta’leeqaat* of Kitaabud Diyaat of *Al-Ikhtiyaar li Ta’leelil Mukhtaar*, Vol.5, page 44, this Hadith is cited as a *mustadal* for a compulsory *hukm* pertaining to the payment of *diyat*. It is said in this *kitaab*

“Regarding the beard, in it is perfect beauty (for men) because of the statement of Rasulullah (sallallahu alayhi wasallam): ‘Verily, the Malaai-kah of the Samaa- e-Dunya (the first heaven) say:

“Subhaan for The One Who has beautified men with beards and women with tresses.”

(7) On page 141, Vol.3, *Badaaius Sanaai’* records this Hadith as a *mustadal* for the prohibition of shaving the beard. The illustrious Author of *Badaaius Sanaai’*, died 587 A.H. Allaamah Al-Kaasaani says:

“And, because shaving the beard is disfigurement, because Allah Ta’ala has beautified men with beards and women with tresses. This is on the basis of what has been narrated in the Hadith that for Allah Ta’ala there are Malaai-kah whose Tasbeeh is:

“Subhaan unto The One Who has beautified men with beards and women with tresses.”

(8) This Hadith is mentioned as a *mustadal* in the *Haashiyah* of Shaikh Shahaabuddin Ahmad Shilbi, He was among the Fuqaha of the 10th century. The Shaikh mentioning the Hadith says: *“Rasulullah’s (sallallahu alayhi wasallam) statement is : ‘Verily for Allah there are Malaai-kah whose Tasbeeh is:*

“Subhaan for The One who has beautified men with beards and women with tresses.”

(9) This Hadith is again narrated in *Badaaius Sanaai*, Allaamah Al-Kaasaani, on page 312, Vol.7 as a *mustadal* for the *Diyat mas’alah*.

“And for us (the proof for this mas’alah) is that, verily, hair for women and for men is perfect beauty and similarly is the beard for men. And the daleel for this is (the Hadith) which has been narrated: ‘Verily, Allah Tabaaraka wa Ta’ala, Azza Wa Jal, has created in the heaven and earth Malaaiakah whose Tasbeeh is:

“Subhaan (pure and devoid of all defect) is He Who has beautified men with beards and women with tresses.”

(10) Narrating this Hadith as a *mustadal* for the *diyat mas’alah*, Allaamah Muhammad Bin Husain Bin Ali At-Toori says:

“...because the beard in its time is beauty, therefore the full diyat becomes incumbent.....and the daleel for the fact that the beard is beauty is the statement of Rasulullah (sallallahu alayhi wasallam): ‘Verily, for Allah there are Malaaiakah whose Tasbeeh is

“Subhaan for The One Who has beautified men with beards and women with tresses.”
(Bahrur Raa-iq, Vol.7, page 231)

(12) Now we present the Daleel of Imaam Sarakhsi (died 483 A.H.) who narrates this Hadith in his *Al-Mabsoot*, perhaps the greatest and most authoritative of all the kutub of the Ahnaaf Fuqaha, obviously besides the Works of Imaam Abu Hanifah, Muhammad and Abu Yusuf. Imaam Sarakhsi states in his *Al-Mabsoot* while discussing the *mas’alah of diyat*:

“Similarly is the beard. The asal (basis) for this is what has been narrated from Nabi (sallallahu alayhi wasallam) that he had said: ‘For Allah Ta’ala there are Malaaiakah whose Tasbeeh is:

“Subhaan for The One Who has beautified men with beards and women with tresses.”

There are still more Authorities who have offered their Acceptance.

- (13) In *Kashful Khafa* of Imaam Al-Ajluni, the following is recorded regarding the *Tasbeeh* of the *Malaaiakah*:

***“Subhaan for The One Who has beautified
men with beards and women with tresses.”***

“Haakim has narrated it from Aishah. It is mentioned in the Takhrij of the Ahaadith of Musnadul Firdaus of Haafiz Ibn Hajar in the course of the Hadith with the word, the Malaaiakah of the heaven seek forgiveness by the tresses of women and the beards of men, and they say:

***“Subhaan for The One Who has beautified
men with beards and women with tresses.”***

Elsewhere in *Kashful Khafa* it is mentioned:

“Aishah—she has narrated it as Marfoo’ (i.e. she attributed it to Rasulullah—sallallahu alayhi wasallam): ‘The Malaaiakah of the heaven seek forgiveness by the tresses of women and the beards of men. They say:

***‘Subhaan for The One Who has beautified
men with beards and women with tresses.’”***

The disparaging remarks the deviate makes about *Kashful Khafa* are truly absurd. He has no valid grounds for claiming that this kitaab cannot be cited as a reference. It is not a kitaab for his trash can.

Regarding *Musnadul Firdaus* —he dismisses this kitaab as if it is a book of fables and fairy tails. He lacks in entirety in understanding and respect for *Ilm*. *Musnadul Firdaus* is a reliable Work, hence Haafiz Ibn Hajar considered it appropriate to make it the subject for his research and comment. The deviate has no inkling of the value and loftiness of *Musnadul Firdaus*. This was the Compilation of two illustrious Muhaddiths —father and son. In this kitaab consisting of 10 Volumes, 10,000 Ahaadith were compiled. Each Volume consisted of 1000 Ahaadith. He was given the title of *Sayyidul Huffaaz* of the age. The narrations in *Musnadul Firdaus* were compiled without their *asaaneed*. Ad-Dailami, the son, compiled four volumes consisting of all the *asaaneed* of the Ahaadith which his father had compiled. The *sanad* for every Hadith was recorded.

Musnadul Firdaus is not a kitaab which can be summarily dismissed as a forgery consisting of fabrications.

(14) It should be borne in mind that the deviate is relying heavily on Imaam Zayla'i and Maulana Abdul Hayy to aid him in his predicament and to extricate him from the quagmire of *baatil* in which he is sinking. However, the only 'support' if it could at all be termed support, which the deviate feels he can gain from Zayla'i, is the latter's claim about the 'unreliability' of some of the Hadith narrations mentioned in Hidaayah. Let us nudge the deviate out from the latitude of the generalities he has introduced with the motive of diverting attention from the specific issue of hair-cutting for women. For a while leave Zayla'i's view with regard to the other assumed unreliable narrations, and let us concentrate on this specific Hadith of the Tasbeeh of the Malaaiakah. What is Zayla'i's view on this particular Hadith? Has he discarded it into the trash bin as the deviate has done? The deviate may derive some interest from what Zayla'i states in his *Tabyeenul Haqaa'iq Sharh Kanzid Daqaa'iq*. On page 130 in Kitaabud Diyaat, Zayla'i states:

"Verily, the beard in its time is beauty. Similarly the hair of the head is beauty.....And, the daleel for the fact that it is beauty is the statement of Rasulullah (On whom be Salaat and Salaam): "Verily for Allah there are Malaaiakah whose Tasbeeh is:

**"Subhaan for The One Who has beautified
men with beards and women with tresses."**

This is the same Imaam Zayla'i whom the deviate cited as the rejector of the *riwaayat* which appear in the kutub of the Fuqaha without *isnaad*. Zayla'i, himself accepts the authenticity of this Hadith and presents it in his Sharah of *Kunzud Daqaa'iq* to prove the correctness of the *diyat mas'alah*.

Now irrespective of what Zayla'i's views are regarding the other narrations in the books of the Fuqaha, as far as this particular Hadith is concerned, Zayla'i accepts its authenticity and its validity to constitute a *mustadal* for the important and incumbent law of *diyat*. The deviate's case has long ago been lost. Imaam Zayla'i and Maulana Abdul Hayy Sahib have hit the last couple of nails in the deviate's coffin of *baatil*.

(15) Whom else should we now produce as evidence for the authenticity of the Hadith of the Tasbeeh of the Malaaiakah? We are of the opinion that

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Maulana Abdul Hayy has an important role to fulfil at this juncture in the stand against *baatil*.

In Kitaabud Diyaat of Hidaayah whose narrations both Zayla'i and Maulana Abdul Hayy had criticized, the illustrious Faqeeh and Author states:

“For us (the Ahnaaf), the beard in its time is beauty. And in shaving it, is the elimination of beauty in entirety..”

In his annotation on Hidaayah, Maulana Abdul Hayy Sahib states:

“The daleel for this (fact that the beard is beauty) is that Rasulullah (sallallahu alayhi wasallam) said: “Allah has Malaaiakah whose Tasbeeh is:

***“Subhaan for The One Who has beautified
men with beards and women with tresses.”***

Maulana Abdul Hayy Sahib has presented two beauties in having produced this Hadith to substantiate the *diyat mas'alah*. The first beauty is that the illustrious Author of Hidaayah does not even cite this Hadith as his *mustadal* although the Ulama are aware that it is his *mustadal*. Nevertheless, he does not produce this Hadith in Hidaayah. In spite of this fact, Maulana Abdul Hayy Sahib brings forth this Hadith of his own accord to state the grounds for the *diyat mas'alah*. Maulana Abdul Hayy has not commented adversely on this specific Hadith. He accepts its authenticity and produces it as the basis for the *mas'alah*, hence the deviate has no alternative but to submit to his Imaam and accept the authenticity of the Hadith of the Tasbeeh of the Malaaiakah even if he believes that some other *riwaayaat* in Hidaayah are fabrications.

The second beauty which Maulana Abdul Hayy Sahib has presented, is that he acquired this Hadith from Zayla'i who happens to be Maulana Abdul Hayy's co-partner in assailing the illustrious Murghenaani, Author of Hidaayah who was accused of entertaining forgeries and fabrications in his most authentic and most authoritative Book, Hidaayah. But on the issue of the authenticity and strength of the Hadith of the Tasbeeh of the Malaaiakah, both these Ulama are unanimous.

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We have cited the verdicts of 15 Fuqaha and Ulama. They belong to different epochs of the history of Islam. They have bridges of centuries separating them. Most of whom we have mentioned, are among the finest Fuqaha of Islam. Their spiritual and academic lineage can be easily traced back to Rasulullah (sallallahu alayhi wasallam) without a single missing link in their golden *isnaad*. They are Men on whose shoulders Allah Ta’ala had imposed the Edifice of the Shariah. Anyone who has the audacity and immodesty of accusing these illustrious Aimmah such as Imaam Sarakhsi, Al-Kaasaani, Al-Murghheenaani, etc., etc., of having formulated the *ahkaam* of the Shariah on fabricated and forged narrations is an abhorrent specimen of humanity suffering from a demented mind and a deranged *nafsaani* attitude gone haywire.

Indeed it will be an act of superior *ibaadat* to supplicate to Allah Ta’ala to rather create impediments of thorns in one’s tongue before one will venture the *shaitaaniyat* of wagging one’s filthy and ugly tongue in devilish exercises of castigating the finest Examples of *Warathatul Ambiya*.

In addition to the illustrious Fuqaha of former times, we claim without the slightest fear of contradiction, that all our Akaabir Ulama such as Hadhrat Maulana Ashraf Ali Thaarvi, Hadhrat Maulana Rashid Ahmad Gangohi, Hadhrat Maulana Masihullah and a huge galaxy of other Akaabir Ulama, all accept the authenticity of this Hadith. Can the deviate cite the name of any of our Akaabir who disagree with this view and who brand the Hadith a forgery as the deviate is guilty of?

We have established and substantiated beyond the slightest vestige of doubt that the Hadith pertaining to the Tasbeeh of the Malaaiikah has fully satisfied the principle of *Talaqqi Bil Qubool*, hence the array of Fuqaha and Ulama all citing the very same Hadith as their *mustadal* for important and obligatory *ahkaam* of the Shariah— and Maulana Abdul Hayy Sahib and Imaam Zayla’i have endorsed this truth.

EXHIBITION

*“(O women!) Remain (glued) within your homes
and do not make a display (of yourselves) like the*

Female-hairstyles are part of the heritage of the times of Jaahiliyyah (Ignorance). It was an evil practice of the females of Bani Israaeel, and it was one of the acts of exhibition which led to the prohibition of women attending the Masjid.

THE HADITH OF JUMMAH

We reiterate the claim we had made in our earlier book regarding the deviate’s criticism, attack and rejection of this Hadith of Rasulullah (sallallahu alayhi wasallam). The deviate’s argument in this regard is devoid of substance. In his *a rejoinder* he attempts to escape the charge by an exceedingly weak ‘technical’ argument which readers do not understand head or tail. He speaks about ‘*tadlis*’ and ‘*tadlis at-taswiyah*’ as if he is some ‘muhaddith’ who possesses authority in a field which remains sealed to him.

He is not in any position to issue a ruling on the condition of a Hadith after the Ulama have examined it and utilized it for exposition of a Shar’i *hukm*. He cannot arbitrarily reject the Hadith on the basis of what he has understood of the classification of Hadith and the operation of the Ahaadith of different categories in different capacities of the Shariah. Some narrations despite the defective *asaaneed* (chains) have been accepted by the Fuqaha for even formulation of *ahkaam* as has already been explained in the previous pages. It does not automatically follow that a Hadith in whose chain happens to be the defect of *tadlees* or even *double tadlees* is discarded for the waste bin.

Furthermore, a Hadith which has been labelled defective by one Muhaddith, may be quite acceptable to another or to other Muhadditheen.

It is of utmost importance to understand that the conflict in Hadith classification, particularly among the later Muhadditheen is so acute, so intense and bewildering for even the authorities, that it is the height of *jahaalat* for a layman in this critical age of Imaan to attempt to examine Ahaadith in the way the early Muhadditheen had done. The issue of Hadith classification has been resolved centuries ago. It is *haraam* for anyone of us in this age to review and re-interpret any of the laws of the Shariah. It is

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unlawful to base our opinions on the very same Ahaadith which were known to all the Authorities throughout the history of Islam, and then to arrive at a stupid ‘fatwa’ in conflict with what the Fuqaha have ruled centuries ago. Islam cannot be reviewed and re-interpreted. Re-interpretation of Islam is kufr. It is a subtle way of attempting to abrogate the Immutable Shariah of Islam.

The deviate had the obligatory duty of first consulting with his Ustaadh and the other senior Ulama before embarking on an exercise of issuing ‘fatwas’ on the strength of Ahaadith which he uses in a bid to scuttle Shar’i *ahkaam*.

The deviate by his personal opinions and by his self-conceited attitude of his ‘expertise’ in the field of Hadith, compels us to delve into this subject in some detail to show up the fallacy and drivel he pouts. Instead of simply admitting his error, he gets himself more trapped in the mire of the mess his *baatil* opinion has brewed for him.

In his ‘*a rejoinder*’ he has raised other points of defect for the *isnaad* of the Hadith in question. But in his first essay he had stated only one assumed defect. Now after we had appropriately refuted his contention pertaining to that single assumed defect which he had stated, he seeks to vindicate his position by bringing to light more defects and says: “*The objector attempts to take mileage out of the fact that I did not state complete details about the lack of continuity in the chain of narration.*”

Again, for lack of evidence, he attempts to confuse the issue with unrelated facts. What he has brought up now about ‘*tadlis*’ is unrelated to his first objection and our response. A sensible person could not have expected us to respond to the defect of ‘*tadlis*’ which he just now vomited up in his *a rejoinder*. He had made no reference to this defect in his first essay, hence it is plain stupidity to have expected us to respond to hidden factors. He had criticized the Hadith only on the basis of lack of continuity, not on the basis of the new defects he is now pointing out, hence he said: “*...but its failure to satisfy the requirements of authenticity is due to a problem with continuity in its chain of narration.*”

This was his only criticism at that stage, and we have adequately responded to it. See pages 35, 36, 37 and 38 of our earlier book.

Besides bringing up the issue of new defects, he has miserably failed to answer the other issues we had raised in regard to the Hadith which he

senselessly rejects while authorities accept it. He had assailed the Hadith only on the basis of the assumed defect of lack of continuity. He has not accepted or refuted our response. Since he knows that we stated the Haqq for which we had provided the evidence, he is unable to refute it. On account of deceit he is unable to concede the correctness of our response, hence his silence and the introduction of another dimension which we shall, Insha'Allah, now discuss.

It is necessary to understand that *ilal* (defects) are factors of technical import. The terms do not have literal meanings. If a Hadith is classified '*Dhaeef*' for example, it does not literally mean that the Hadith is a forgery and fabrication and unfit for adoption. Similarly with other 'defects' which technically 'corrupt' the *isnaad* (chain of narration).

An *isnaad* with even more than one or two defects can still be authentic and acceptable for utilization as a basis for formulation of Shar'i laws. But, deviates who feel claustrophobic within the confines of the Shariah desire wide scope for manoeuvring. They, therefore, mislead ordinary people into believing that the technical terminology of the Muhadditheen have literal meanings. Hence, laymen understand that a Hadith which one or some Muhadditheen have labelled *Dhaeef* or *Maudhoo*' is totally unfit and have to be discarded into the trash can as forgery. This is far from the reality of the situation.

In the previous pages we had presented some explanation on the Narrator, Umar Bin Haarun Balkhi. Many Muhadditheen brand him a *kath-thaab* (liar) and a *khabeeth* (evil). Even the puny deviate has joined in the fray with some vile expletives. He spat out with vehemence that this Narrator is a 'fraud', a 'forger', etc. Yet, inspite of the intense academic controversy in the circles of the Muhadditheen regarding the reliability or unreliability of Umar Bin Haarun, the Chief of the later Muhadditheen, Imaam Bukhaari authenticitates him. He describes this Narrator as '*Muqaarabul Hadith*'. This is a classification for narrators in the language of the Muhadditheen. For the understanding of the laymen, it refers to narrators of moderate reliability. Their narrations cannot be summarily dismissed as fabrications and forgeries merely because some Muhadditheen have classified them as 'liars'. This is merely one example of intense conflict among the later Muhadditheen in the sphere of Hadith classification. Volumes have been written on this subject. It suffices here to understand that it is the heights of folly fraught with perils for one's Imaan to slander Narrators whose Ahaadith have been accepted as *Saheeh* by Muhadditheen of the calibre of

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Imaam Bukhaari, Imaam Tirmizi, Imaam Ibn Maajah, Imaam Ahmad Bin Hambal, Imaam Qutaibah, Imaam Ibn Khuzaimah, Imaam Haakim and many others notwithstanding the designation of '*kath-thaab*' and '*khabeeth*' as we have seen with the Narrator, Umar Bin Haarun.

The defective 'research' of the deviate has taken him to the brink of spiritual disaster. May Allah Ta'ala protect us all from shaitaaniyat.

TADLEES

The literal meaning (i.e. the meaning in the dictionary) of *tadlees* is to conceal defects in merchandise. On account of a degree of concealment in a chain of narration, the literal term connoting concealment has been adopted by the Muhadditheen for this technical 'defect' of 'concealment'. The narrator who practises *tadlees* (*concealment*) in the *isnaad* is termed a *Mudallis*.

One form of *tadlees* is that the narrator does not mention the Shaikh from whom he had acquired the Hadith. He mentions the name of the Narrator from whom the first Narrator had heard the Hadith. He narrates the chain in such a way that the audience gains the impression that he had heard the Hadith directly from the Shaikh above the first Shaikh from whom the *Mudallis* had heard the Hadith.

There is wide difference of opinion among the Muhadditheen in the matter of the acceptability of the narrations of a *Mudallis*. The ruling oscillates between permissibility and prohibition, some saying that it is *haraam* to accept such narrations. Some Muhadditheen explicitly declare *tadlees* as being a serious defect which disqualifies the narration. According to other authorities it is not a disqualifying defect and the narrations of a *Mudallis* will be acceptable.

The deviate's defective 'research' brought him to the limit where there appeared a signboard with the 'fatwa': '*Ash-Shamani said: 'At-Tadlees is haraam according to the Aimmah. It has been narrated from Wakee' that he said that when tadlees is not lawful in garments, how can it be lawful in Hadith? And Shu'bah was intense in his criticism of tadlees.'*'

About such deficient researchers as the deviate, the Qur'aan Majeed says: "*That is the limit of their knowledge*".

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When the deviate reached this station in his defective ‘research’, he gained the impression that this was all to it, hence, he tries to put across the ‘unreliability’ of a Hadith in whose *sanad* there happens to be the factor of *tadlees*. However, either he is ignorant of the full story of *Tadlees* or he has deliberately again perpetrated his chicanery to confuse readers and to convey a semblance of defence for his shattered cause of attempting to make *halaal* the *haraam* act of hair-cutting for women.

According to the *Jamhoor Ulama* (Muhadditheen) *tadlees* is conditionally acceptable, e.g. if it is known that the *Mudallis* narrates from authentic sources such as Ibn Uyainah.

The motive for *tadlees* is not always corrupt. It is for this reason that according to the *Jamhoor Muhadditheen* the narrations of the *Mudallis* are conditionally accepted. Since this is not the occasion for a detailed exposition of this subject, we shall bypass the details.

A word of advice from Allaamah Zafar Ahmad Uthmaani (rahmatullah alayh):

“The explicit statements of the Aimmah-e-Hadith on the fact of Hadith-scrutiny being an ijtihaadi matter are beyond enumeration (on account of abundance). Perhaps what we have mentioned will suffice. Thus, it is not a necessary consequence from the authenticity of a Hadith according to one authority that it also be authentic by another authority nor that if one Hadith is Dhaeef by one authority, it will necessarily be Dhaeef by another authority. Therefore, understand well and do not be among the ghaafileen (ignorant ones).”

(Muqaddamah I’laa-us Sunan)

If some authorities have rejected a Hadith on the basis of *tadlees* while others have accepted it despite this technical deficiency of the *isnaad*, then there is no need for the Muqallideen to embark on the dangerous and futile exercise of hurling abuse at the narrations of the other Math-hab. Such an attitude is the consequence of bigotry and narrow mindedness, and at times it is the result of pure *nafsaaniyat* — the motive being emancipation from the fetters of the Shariah.

Everyone is aware of the numerous differences in the *masaa-il* in the *Math-habs*. While certain acts nullify wudhu according to one Math-hab, they do

not do so in another Math-hab. A Hadith which happens to be a valid *mustadal* for a law in one Math-hab is refuted by another Math-hab for lack of authenticity based on the principles of authenticity of that Math-hab. In such matters the Muqallideen have to incumbently adhere to their respective Math-habs and not create confusion and corruption by resorting to their opinions with their defective research.

A similar explanation applies to '*Mu-an-an*' *Ahaadith*. Ahaadith in whose chains of narration appear the term '*un*' (عن), are termed '*Mu-un-un*'. The acceptability of such narrations is also subject to conditions, and there is difference of opinion among the Muhadditheen in this regard.

In view of this position, the Muqallid only has to follow the directive and direction of his Math-hab. He may not become a freelancer in this field and dissect the Ahaadith at will and fancy. For acceptance or rejection of the Hadith regarding the prohibition of the *jummah* hair-style for women, the need is to ascertain and accept the ruling of the Akaabir Ulama. If they have accepted the Hadith, it will be folly and pride to resort to an independent examination of the *sanad* and then to base it on the standard pleasing to our personal opinion. This is precisely the error of the deviate, hence he cannot see whether he is coming or going. When a Muqallid falls into the trap of assumed ability of *ijtihad*, he will soon be unable to distinguish right from left.

Let's get back to the actual Hadith of the argument. In this Hadith, Rasulullah (sallallahu alayhi wasallam) prohibited women from a certain hair-style known as *jummah* which is shoulder-length hair. Since the acquisition of this type of hair entails cutting off the tresses, the Hadith fully substantiates the prohibition on which *Ijma'* of all the Fuqaha of all the Math-habs has been enacted regardless of the desperate laments of the deviate to the contrary. It has therefore become necessary for him to clutch at even straws in order to falsify the Hadith, hence he said in his essay:

"The hadith prohibiting the jummah for a free woman is documented in al-Musnad as Sagheer by al-Tabarani (no.363). Al-Haythami has correctly remarked in Majma'us-Zawaahid that its narrators are all reliable, but its failure to satisfy the requirements of authenticity is due to a problem with continuity in its chain of narration."

There is no kitaab of Tabaraani by the name ‘al-Musnad as-Sagheer’. We had reproduced his error in our earlier kitaab without comment. The deviate did pick up his own error in our reproduction of his statement, but he cunningly and conveniently opted for silence. He does not bring up this ‘error’ in his errata list because he knows that it is his own blunder which we had attributed to an error of typography or genuine oversight. Such things are common with even great Allaamahs. But in view of his implied claim of infallibility in the literary field, it has become necessary to highlight this error which we have explained further in the section under the caption, ERRATA.

In trying to falsify the Hadith by the attempt to assail its authenticity, the deviate is guilty of skulduggery. He is forced to accept that the narrators of this Hadith “are all reliable”. When they all are authentic and reliable, there is no scope for denigrating the authenticity (literally speaking) of the Hadith. Ordinary people who are not schooled in the higher knowledge of the Deen are readers to whom the deviate has addressed his stupid and fallacious article. The ‘authenticity’ about which Al-Haitami speaks is not the literal authenticity which laymen understand. Any ‘problem’ which the *isnaad* of the Hadith has is of a technical import, not of literal significance to render the Hadith fit for the deviate’s trash can. When Ahaadith with ‘*kath-thaabeen*’ (*liars*) in their chains of narration are also acceptable and classed as *Saheeh*, how can a Hadith with a chain of reliable and authentic narrators be discarded as unauthentic? The one ‘authenticity’ is of technical import while the authenticity which ordinary people understand is something entirely different. In the understanding of laymen an unauthentic Hadith is a forgery —a fabricated narration manufactured by a scoundrel with base motives. It is not a Hadith in whose chain of narration are only *Thiqah* (Authentic) narrators.

The deviate in his usual exercise of diversion and deceit, brings up the ‘*un-unah*’ issue which is hieroglyphics and a mystery to ordinary readers. By simply sounding ‘knowledgeable’ and ‘technical’, and without responding to our criticism properly, he wants to convince readers with his mental gymnastics. The ‘*un-unah*’, the ‘*tadlis*’ and the ‘*at-taswiyah*’ attributes of *Hadith*, with which he attempts to impress ordinary people, do not assist him in achieving his goal of *baatil*.

The technical “problem with the continuity” of the chain does not affect the literal authenticity of the Hadith nor is there unanimity of the Muhadditheen on the technical consequence of the “problem”. The technical “problem” is

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known to Hadith authorities. Notwithstanding this, they produce the Hadith in support (as daleel) for the prohibition of hair-cutting by women.

Shaikhul Hadith, Hadhrat Maulana Muhammad Zakariyya (rahmatullah alayh) who spent his entire life teaching Hadith, commenting on this particular Hadith in relation to the ambiguity contained in Abu Salamah's statement on 'hair-cutting', says:

“Even if it should be accepted (for argument's sake) that the ostensible meaning of hair-cutting applies (to what Abu Salamah said), then too this act (of hair-cutting) is Mauqoof which is in conflict with the Marfoo' riwaayat because there is tasreeh (explicit mention) in Jam'ul Fawaaid by the riwaayat of Tabaraani (in his Kabeer and Sagheer:

'Rasulullah (sallallahu alayhi wasallam) prohibited jummaah for a free woman.'”

This comment made by Shaikh Zakariyya is to be found on page 179 of *Faidhul Mun'im*, the author of which is Hadhrat Maulana Saeed Ahmad Palanpuri Sahib, the Ustaadh of the deviate.

Hadhrat Zakariyya's comment requires some elucidation so that readers may understand exactly what Shaikhul Hadith said and also what drivel the deviate is attempting to pass in his bid to discard the authentic Hadith of Rasulullah (sallallahu alayhi wasallam).

The Hadith of Abu Salamah in Muslim Shareef, namely the Hadith around which centres this whole controversy about hair-cutting, is unquestionably authentic. If the ostensible meaning of hair-cutting has to be accepted, then Shaikhul Hadith counters it with another Hadith, namely, the Hadith which prohibits the *jummaah* style for women. But a *Saheeh* Hadith cannot be countered and set aside with an unauthentic Hadith. The deviate has implied that the *jummaah* Hadith is unauthentic. But Shaikhul Hadith makes *istidlaal* with it to negate the view stated in the *Saheeh* Hadith of Abu Salamah. If the deviate wishes us to believe that Shaikhul Hadith Maulana Zakariyya (rahmatullah alayh) was a novice in this field and that he was not fully qualified in the sphere of Hadith Principles, then we shall leave others to put up a defence for Hadhrat Shaikhul Hadith (rahmatullah alayh). But the deviate dare not say so even if this calumny lurks in his heart.

It is abundantly clear that Shaikhul Hadith did not only regard the *jummaah* Hadith as *Saheeh* on par with Abu Salamah's Hadith in Muslim Shareef, but

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he regarded the Tabaraani narration of the *jummah* Hadith superior. By virtue of its superiority, Hadhrat Shaikhul Hadith presents it in refutation of Abu Salamah's Hadith. He explicitly states that the act of hair-cutting reported in Abu Salamah's Hadith is *Mauqoof* (i.e.its source is the Sahaabiyyah Hadhrat Aishah(radhiyallahu anha), while the *jummah* Hadith recorded in Tabaraani's Kabeer and Sagheer is *Marfoo'*, i.e. its source is Rasullullah (sallallahu alayhi wasallam). It is therefore valid to refute the weaker Hadith of Abu Salamah with the stronger *jummah* Hadith.

We think that this argument of Shaikhul Hadith Maulana Zakariyya Sahib is more than adequate to dismiss the drivel of the deviate.

It is appropriate here to draw attention to another trick of dishonesty perpetrated by the deviate in his comment on the *jummah* Hadith. Commenting on the Hadith in question in a subtle bid to destroy its authenticity and credibility, he says:

“Al-Haythami has correctly remarked in Majma'us Zawahid that its narrators are all reliable, but its failure to satisfy the requirements of authenticity is due to a problem with continuity in its chain of narration.”

Any person who reads this comment will gain the impression that the words which we have underlined above are also part of Al-Haitami's comment whereas it is not so. The underlined words are the deviate's remarks. There are no such 'remarks' made by Al-Haitami in *Majmauz Zawaahid*. The only comment which appears on this Hadith in *Majmauz Zawaahid* is:

“At-Tabaraani narrated it in Al-Kabeer and As-Sagheer. And its Rijaal (Narrators) are Thiqaat (Authentic).”
(Page 306, Vol. 5)

This interpolation of the deviate makes him guilty of aggravated *tadlees*, worse than the *At-Taswiyah* category he has mentioned.

From the foregoing explanation it should be clear that the *jummah* Hadith is valid in authenticity. It is sufficiently strong to negate the interpretation of literal hair-cutting which has been ascribed to the statement in the Hadith of Abu Salamah. It is a *Saheeh Marfoo'* Hadith which can be used as a *mustadal* notwithstanding the factor of *tadlees* in its chain.

REVILING THE ULAMA

Hadhrat Maulana Rashid Ahmad Gangohi (rahmatullah alayhi) said:

"The faces of those who criticize and revile the Ulama are turned away from the Qiblah in their graves. Whoever wishes to ascertain this may proceed and see."

Those who are in the habit of criticizing the illustrious Fugaha and Heirs of Rasulullah (sallallahu alayhi wasallam), should heed this terrible warning.

THE PROHIBITION OF HALQ FOR WOMEN

In his explanation (in his *a rejoinder*) on the prohibition of *halq* (shaving the head) for woman, the deviate does not concede the existence of *Ijma'* on this prohibition. What he does, is to concede *Ijma'* on the "fact that a woman's duty is only *taqseer* and not *halq*". But this is not a contentious issue. Either he has to accept or deny the existence of *Ijma'* on the prohibition of *halq*. He has tried to escape from his dilemma by once again diverting attention from the main issue and by introducing something which was not raised. Besides the existence of *Ijma'* that *taqseer* is obligatory on women for releasing them from *ihraam*, there is also *Ijma'* on the prohibition of *Halq* for them.

Readers who are concerned with this issue should read carefully our explanation from page 44 to 55 of our earlier book, on the prohibition of *halq* for women and the enactment of '*Ijma'*'—the '*Ijma'*' of all Four *Math-habs*—on this prohibition. The deviate has attempted to create a diversion with his confusion, hence it is necessary to examine what he says in his *a rejoinder* in the light of what we have written in our book in the aforementioned pages.

It is futile and redundant to reproduce the proofs of *Ijma'* on *halq* which we have mentioned copiously in our earlier book. Refer to the section: THE HADITH ON SHAVING THE HEAD (Pages 44—55). We shall content

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ourselves to cite here only what Allaamah Binnuri (rahmatullah alayh) said in his *Ma-aarifus Sunan*, Vol. 6 page 275.

He writes:

“In this chapter (of prohibition of halq for women), the Hadith of Ali has been narrated. Tirmizi , alone, has recorded it. The hukm for women in tahallul (release from ihraam) is Taqseer to the extent of an annulah. This is Mashroo’ (the law of the Shariah) for them (women) by virtue of Ijma’ because of the narration of prohibition of halq for them as it appears in the Hadith of this chapter.”

All Four Math-habs are unanimous on the prohibition of *halq* for women, not only on the obligation of *Taqseer* for them. But the deviate says: “*It is not obligatory on a woman to shave her hair.*” By making this statement, he desires people to draw the conclusion that while it is not obligatory on them, it is nevertheless permissible. If an act is not obligatory, then it will be permissible. But this conclusion is baseless. A *Mustahab* act is not obligatory, but it remains permissible. Performing *Tahiyatul Wudhu* for example, is not obligatory. There is *Ijma’* on this fact whether it is ‘documented’ or not.

In the style of his presentation of the Hadith negating and **prohibiting** *halq* for women, the deviate has attempted to convey the idea that while shaving the head is not obligatory for women it is nevertheless permissible. This style of deduction is Islamically absurd in view of the prohibition of *halq* being *Mansoos Alayh* regardless of the *idhtiraab* and whatever other ‘defects’ there may be in the chains of narration.

The deviate, presenting his baseless argument in conflict with *Ijma’* on the prohibition of *halq*, says:

“All that the hadith of Ibn Abbas states is that Rasulullah sallallahu alayhi wasallam said: ‘Laysa alan-nisa’i halqun, innama alayhinnat-taqsir.’ (Shaving is not obligatory upon women, only trimming is.)”

Firstly, the translation is erroneous. The Hadith does not say : “*it is not obligatory upon women*”. It says: “There is NO *halq* on women. On them is ONLY *Taqseer*.” There is a big difference in the two translations. The *mashroo’* act is restricted obligatorily to *Taqseer* in this Hadith. Rasulullah (sallallahu alayhi wasallam) states with complete clarity in this Hadith that

the obligation is confined to trimming (taqseer). In other words, it is not permissible to remove the obligation from the confines of *Taqseer* to bring it within the scope of *Halq*.

If a woman, instead of *taqseer*, shaves her head bald, then while this *haraam* act will suffice for *tahallul*, i.e. release her from *ihraam*, she is guilty of a grave sin because the '*laysa*' (*the negative term*) in this Hadith means "Not permissible".

The *Ijma*' of the Ummah and the corroboration of several Ahaadith of prohibition regardless of the state of their *isnaad*, effectively negate any interpretation of permissibility. It is highly erroneous to extract the meaning of permissibility of *halq* for women from this Hadith by making an inference on the basis of the restriction of the obligation to *Taqseer*. This Hadith cannot be interpreted in isolation from the other Ahaadith on this issue and the *Ijma*' which categorically prohibit shaving.

In the context of the meaning of this Hadith and reading it in conjunction with the several other Ahaadith on this subject, the meaning of "*Laysa*" is: "It is not permissible". The Ahaadith of Prohibition confirm this meaning.

The deviate implies that the Ahaadith on the prohibition of shaving for women are of such an unreliable class that it is not valid to formulate the law of prohibition on their basis. Allaamah Zafar Ahmad Uthmaani states:

"It is permissible to formulate (ihtijaa) with Dhaeef (narrations) when there is an indication as to its sihat (authenticity), in the same way as it is permissible to abandon amal on Saheeh (narration) on account of an indication to the contrary."

(I'laa'us Sunan, Vol.1, page 56)

It is an accepted fact by the Muhadditheen and Ulama that a Hadith which is 'unreliable' according to some authorities, can be 'reliable' to others. A narrator who is 'unreliable' to some Muhadditheen may be 'reliable' to other authorities. The difference of opinion on these issues is intense among the Muhadditheen. The severity of the differences among the Muhadditheen on these issues prompted the great Imaam of Hadith and Expert in the field of classification, Imaam Az-Zahabi to say:

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“There were never two Ulama of this (lofty) category who had reached consensus on authenticating Dhaeef nor on weakening Thiqaah.”

This comment of Imaam Zahabi adequately conveys the state of difference in this field. When even great authorities of Hadith could not unite on a verdict, how can fools of this age venture into such a vast wilderness strewn with thorns, pitfalls and dangers!

But this does not mean that all direction is lost in view of this state of affairs. The difficulty and perplexity will be suffered by the Mujtahid. By Mujtahid we mean a true Mujtahid— and there are none existing today. The Mujtahideen in this Branch of Knowledge, in particular the later Muhadditheen, were faced with this dilemma. They had the onerous and unenviable task of determining the integrity of a narrator who had been classified authentic, unauthentic, reliable, unreliable, honest, dishonest, uprighteous, evil, truthful and a liar by different Muhadditheen.

In *Nasbur Raayah*, Zayla’i quoting Ibnul Qattaan, says:

“Regarding a Hadith in (whose authenticity or unauthenticity) there is difference (among the Muhadditheen), it is appropriate to designate such a Hadith Hasan”.

In Fathul Qadeer, Ibnul Humaam says about one specific Hadith:

“Abdul Jabbaar Bin Muslim has faulted him (the narrator) with weakness while Ibn Hibbaan mentioned him among the authentic narrators. Thus the Hadith will not be demoted to lower than Hasan.”

This is merely a sample. The list of such differences in which diametrically opposite views prevail among the Muhadditheen is too long to encompass.

We are merely repeating what has already been discussed. The *Talaqqi Bil Qubool* of the Ulama on the narration of the *mudhtarab* (containing the defect of *idhtiraab*) Ahaadith as *mustadallaat* for the prohibition is ample evidence for the authenticity of these Ahaadith. The rule:

“When the Mujtahid formulates (a law) on the basis of a Hadith, then that Hadith is Saheeh for him.”,

is well-known and accepted by the Ulama.

In the case of the ‘defective’ narrations pertaining to prohibition of shaving the head for women, all the Mujtahideen have accepted all these so-called defective narrations. Their attitude towards these narrations is the strongest testimony for their authenticity regardless of what the deviate tries to imply by introducing the story of ‘defects’. He should forget about his ‘knowledge’ of Hadith and about the ‘idhtiraab’ and ‘un-unah’ business and submit meekly to the rulings of the Ulama — and we mean the Akaabir Ulama who happen to be our *Asaatiza* and the *Asaatizah* of his *Asaatizah*.

Accepted authorities in this field such as Haafiz Ibn Hajar Asqalaani, are also prone to errors and have committed grave errors in promoting and demoting narrators and Ahaadith. In one place, the Muhaddith authenticitates a narrator, and in another place the same Muhaddith proclaims his unreliability. In the *Muqaddamah* of *Taqreebut Tahzeeb* of *Haafiz Ibn Hajar Asqalaani*, Shaikh Muhammad Awwaamah points out the many contradictions of Haafiz Ibn Hajar Asqalaani. It is not our intention to delve into the errors of such an illustrious authority. We are merely mentioning this fact to show the blunders that self-styled ‘mujtahids’ and deviates in this age commit with their defective ‘research’. As for the Muqallideen, they are on safe ground because they do not present their personal opinions and ‘fatwas’ on these matters. The Muqallid’s obligation is to merely narrate what his seniors say.

THE EVIL OF CUTTING TRESSES

In some societies when an argument or quarrel between two women would boil over, a woman would threaten to get the tresses of her adversary cut off. It was considered as a mark of disgrace since a woman without tresses was thought of as a prostitute.

(Tasbeeh of the Malaaiikah in the Heavens)

سُبْحَانَ مَنْ زَيَّنَ الرِّجَالَ بِاللِّحَى وَ زَيَّنَ النِّسَاءَ بِالدَّوَابِّ

“Glory to Allah (i.e. He is above all defect)

Who has adorned men with beards and women with tresses.”

THE AUTHORITIES AND THE AHAADITH PROHIBITING HALQ FOR WOMEN

Imaam Tirmizi included the *Halq* Hadith in his *Jaami'* because it is fit to be used as a basis for formulating a Shar'i law regardless of the *idhtiraab* or any other 'defect' in the chain of narration. We shall now see the attitude and treatment of the great Fuqaha in this regard.

Shaving the head is unanimously prohibited. There is no difference of opinion on this issue although the deviate attempts to imply that the *Ijma'* is on the obligation of *Taqseer* during Hajj, not on the prohibition of *Halq*. *Ijma'* on *taqseer* is one issue, and *Ijma'* on the prohibition of *Halq* is entirely a different issue. However, the deviate tries his best to confuse the two issues in his bid to mislead the unsuspecting readers.

(1) In *Tarhut Tathreeb*, the following appears:

"With regard to women, Taqseer is mashroo' for them by Ijma'. Abu Dawood narrated in his Sunan from Ibn Abbaas (radhiyallahu anhu) that Nabi (sallallahu alayhi wasallam) said: "There is no halq on women, Verily, on them is only taqseer." Our Ashaab (the Shaafi'is) said: 'If a woman shaves, it will suffice for her (i.e. to be released from ihraam). Al-Maawardi said: 'And, she will be sinful." A Jamaat among our Ashaab said that halq is Makrooh (Makrooh Tahrimi) for her. The two Qaadhis — Abu Tayyib and Husain — said: 'It is not permissible (i.e. halq is not permissible.).'.....The mustadal for the karaahat (being Makrooh) is the Hadith of Ali (radhiyallah anhu) that Rasulullah (sallallahu alayhi wasallam) forbade that a woman shaves her hair.' Tirmizi narrated it, and said that in it is idhtiraab." (Vol.5, Page 115)

(2) In *I'laaus Sunan*, after narrating the Hadith of Ibn Abbaas (radhiyallahu anhu) that Rasulullah (sallallahu alayhi wasallam) said:

"There is no halq on women. On them is only taqseer.", Allaamah Zafar Ahmad Uthmaani comments: "Abu Dawood, Ad-Daara Qutni and At-Tabaraani narrated it. Verily, Bukhaari strengthened its isnaad in At-Taareekh, and Abu Haatim in Al-Ilal. Haafiz designated it Hasan. Ibnul Qataan faulted it, and Ibnul Mauriq refuted it."

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“Ali narrated: ‘Rasulullah (sallallahu alayhi wasallam) forbade that a woman shaves her head.’ Razeen added: ‘In Hajj and Umrah.’ He said: ‘On them is only taqseer.’ (Jam’ul Fawaa'idh). Tirmizi and Nasaai narrated it. Its narrators are authentic except that he differed in its wasl (continuity) and irsaal (lack of continuity). — Diraa'yah.”
(I'laa'us Sunan, Vol.10, page 177)

- (3) Commenting on the same Hadith of Ibn Abbaas, Allaamah Khalil Ahmad Sahaaranpuri says in *Bazlul Majhood*: *“Shaukaani said: ‘In it is daleel on taqseer being mashroo’ for them (women).”*
(Vol. 9 page 303)

This issue is dealt with in more detail in our earlier book. Here we simply want to show that inspite of the *idhtiraab* and whatever other defect the deviate is speaking about, the Fuqaha employ this and other similar Ahaadith as their basis for formulating the law of prohibition of *Halq*.

The deviate says that *Taqseer* is regarded obligatory “not so much on account of the hadith itself, as it is on account of the fact that there exists *ijma*”. He either overlooked or is ignorant of the fact that every Faqeeh cites this Hadith as the basis for not only the obligation of *taqseer*, but also for the prohibition of *halq*. They furthermore, bring in the other Ahaadith on this question to corroborate the Hadith thereby adding strength and greater authenticity to it. If the Hadith was not up to standard, the Fuqaha would not have cited it as their *daleel* for either *taqseer* or prohibition of *halq*. In the unanimous view of the Fuqaha, a Hadith cited as *daleel* by a Mujtahid is authentic. The Mujtahid’s act of formulation with the Hadith is the proof of the authenticity of that Hadith.

In stating the proof for the prohibition of *halq*, all the Fuqaha cite the Hadith which forbids shaving as the *daleel* for the prohibition. The contention of the deviate is therefore devoid of any substance.

The deviate should answer now: On what is the *Ijma*’ based? In his opinion there are no authentic Ahaadith for the obligation of *taqseer* and for the prohibition of *halq*. So what is the basis of the *Ijma*’ he has mentioned? His admission of the absence of *Saheeh* Ahaadith for the obligation of *taqseer* and for the prohibition of *halq* leads to the logical conclusion of the overriding importance of *Talaqqi Bil Qubool*, *Ta-aamul* and *Tawaaruth* of the Ummah regardless of the designation the later Muhadditheen gave to the Ahaadith. Since there exists *Talaqqi Bil Qubool* of the Ulama regarding the ‘defective’ Ahaadith on the question of *taqseer* and *halq* for women, the

authenticity of the narrations is established, hence the valid basis for the laws.

The deviate ignorantly believes that only if the word ‘ijma’ is ‘documented’ or written in a book will there be *Ijma*’ otherwise not. All the Fuqaha *unanimously* claim it is prohibited for women to cut their hair. The deviate has so far not come up with the name of a single Faqeeh who claimed that it is permissible for women to cut their hair. Yet he intransigently and stupidly requests to see the word ‘ijma’ written somewhere as if each and every *hukm* of the Shariah on which there exists *Ijma*’ is written in some book under the heading of *Ijma*’.

The evidence for the authenticity of the Hadith in question is overwhelming as has been shown in these pages as well as in the dozen pages written on this subject in our earlier book. It is necessary to read those pages in conjunction with the claim of the deviate and our response in this book. Only then will readers understand the full argument and be able to separate falsehood from truth.

The deviate alleges:

“I should point out, however, that Mawlana Zafar Ahmad Uthmaani has conclusively laid to rest all speculation that this idhtiraab is of the harmful variety.”

The deviate tries to convey the idea that Allaamah Zafar Ahmad Uthmaani has declared the *idhtiraab* mentioned by Imaam Tirmizi in the Hadith prohibiting *halq*, to be of the ‘harmful variety’ which disqualifies it for *istidlaal* and qualifies it for discarding. This claim by the deviate is false for two reasons:

- (1) Allaamah Zafar Ahmad Uthmaani is aware that the Fuqaha utilize this and similar Ahaadith for the ruling of prohibition and taqseer.
- (2) Allaamah Zafar Ahmad himself produces this Hadith and another similar Hadith in *I’laa’us Sunan*, on page 177, Vol.10, to substantiate the law in this regard. We have already mentioned the relevant extract above. He accepts the Hadith as authentic despite the ‘defect’ of *idhtiraab* mentioned by Imaam Tirmizi. From this it should be clear that while the *idhtiraab* in the *qullatain* Hadith is *idhtiraab* of the “harmful variety” according to Allaamah Zafar Ahmad Uthmaani, the *idhtiraab* in the *halq* and *taqseer* Hadith are not of the kind to warrant it being discarded. The deviate has only seen the word *idhtiraab* and Allaamah Uthmaani’s criticism of it

without understanding what the Allaamah said. If he had understood correctly, he would have understood why Allaamah Zafar Ahmad Uthmaani authenticitates the *halq* and *taqseer* Hadith with its *idhtiraab*, and refuting the *qullatain* Hadith with its *idhtiraab*.

The fact that the Fuqaha of all the Mathaahib cite the Hadith in question as proof for the prohibition of *halq* (some say Makrooh Tahrimi, some say Haraam), for woman is the proof of its authenticity by the consensus of the Fuqaha. The consensus had been transmitted from long before Imaam Tirmizi appeared on the scene to highlight the '*idhtiraab*' in the chain which had reached him more than two centuries after it had reached the Aimmah-e-Mujtahideen of the early period of Islam.

THE AHAADITH OF THE SIHAAH SITTAAH AND OF OTHER HADITH KUTUB ARE ALL VALID FOR ISTIDLAAL

We reiterate that all the Ahaadith in the *Sihaah Sittah* as well as in other authentic Hadith kutub are valid for *istidlaal*. In denying this, the deviate refers us to Maulana Abdul Hayy Sahib. In response we say that we are not the muqallideen of Maulana Abdul Hayy Sahib. If he had concluded the contrary, it is his opinion which is not binding on anyone. Even if Maulana Abdul Hayy Sahib answered this contention in a hundred pages, it is of no concern to us Muqallideen who are not only the Muqallideen of Imaam Abu Hanifah, but also of our immediate Akaabir Ulama to whom we owe our *Ilmi* and our *Roohaani* existence. If Maulana Abdul Hayy's opinions conflict with the opinion of our Akaabireen, we conclude that such opinions of his are erroneous and devoid of Shar'i substance.

While there are valid differences among the authorities on this question, the contention we have made is not baseless. It cannot be baseless because it is not our opinion. We have not assumed this. On the basis of what the Akaabireen have said, we emphasise that all these kutub of Hadith contain Ahaadith which are valid for *Istidlaal*. By this we mean that *every Hadith* in the *Sihaah Sittah* and in other kutub annexed to the authentic Six, is a valid basis for formulating Shar'i rules.

The contention that according to some authorities most of these kutub contain many *Dhaeef* narrations, hence it is erroneous to claim that every

Hadith in these kutub is fit for *istidlaal*, does not alter the position. If our contention sounds like a “sweeping claim” for the deviate, it is as a result of his defective research. It does not behove a ‘mujtahid’ in a field of knowledge to be ignorant, in fact plain stupid, of the viewpoints and opinions of others in the same field. Muqallideen, like us can be excused for incompetence and paucity of knowledge, but not the ‘mujtahid’.

It goes without saying, that while certain narrations in this and that Compilation are *Dhaeef* to some Muhadditheen, they are *Saheeh and Hasan* and worthy of *istidlaal* according to other Muhadditheen. The verdict of one Muhaddith who is a Mujtahid in Hadith Knowledge, is not a *hujjat* against another Mujtahid in the same sphere. Ahaadith which Imaam Abu Hanifah regarded as authentic and which he used as *mustadallaat*, are dismissed as ‘weak’ or *Dhaeef* by Imaam Shaafi’ and the same is true vice versa. If the deviate cites a dozen Muhadditheen to bolster his claim, namely, that certain narrations in Tirmizi, for example, are not *Saheeh*’, then there are other authorities who regard those self-same Ahaadith as being *Saheeh*. Furthermore, inspite of some Ahaadith being recorded as weak in the Hadith Kutub of the later Muhadditheen, they were *Saheeh* according to the Aimmah-e-Mujtahiddeen decades and even centuries before. The *halq* Hadith is a typical example.

We are not contending that there is unanimity among the Ulama on the claim we have made. But we had put forward a valid claim— a claim which the Ulama have made—yes, great Ulama, even if the deviate is unaware of them due to his defective research. The fact that he is aghast at this revelation, and that when he read it in our book it was the first time he became aware of such a contention, speaks volumes for the “*knowledge*” of this ‘mujtahid’ and for the “level of his academic competence”.

The deviate and all of his ilk should understand that the illustrious Muhadditheen were not compilers of fables and fairy tales. They were not writing some silly ‘thesis’ for some silly ‘doctorate’ degree. They were men created by Allah Ta’ala for a sacred purpose — to compile the *Saheeh* Ahaadith of Rasulullah (sallallahu alayhi wasallam) for the benefit and for the safety of the Imaan of posterity. The suggestion or implication that Imaam Tirmizi, Imaam Ahmad Bin Hambal and other Aimmah-e-Hadith of this calibre included forgeries, fabrications and unreliable Ahaadith in their *Sihaah* is indeed lamentable and revulsive. Will an Imaam of Hadith of the status of Imaam Hambal and Imaam Tirmizi include unreliable narrations in

their Works of Authenticity? No, never! This satanic implication can never be accepted.

The technical and academic arguments on the categories of the narrations are entirely different issues, not open for satisfying the desires of deviates to scuttle *ahkaam* of the Deen. Imaam Ahmad Bin Hambal (rahmatullah alayh) was not dense in the mind nor a forger to include forgeries in his *Saheeh*. Imaam Tirmizi (rahmatullah alayh) was not a novice in the field of Hadith accreditation. He knew what all the deviates and all the pious Ulama of this age and ages beyond do not and did not and will not know about Hadith accreditation until the Day of Qiyaamah. To blabber in a manner which assails the lofty status and integrity of such Aimmah by targeting their Saheeh Compilations on the basis of technical factors such as *idhtiraab* and *dhu'f* is a display of a tendency of kufr which lurks concealed in the heart.

We state with the greatest degree of emphasis, conviction and without the slightest fear for contradiction which may emanate from the *mudhilleen*, *zanaadaqah* and *mulhideen*, that **every** Hadith in the Compilations of Imaam Ahmad, Imaam Tirmizi, Imaam Abu Daawood, Imaam Nasaa'i and other Aimmah Mujtahideen of this calibre, is *Saheeh* and worthy of *istidlaal* notwithstanding the technicalities of *ilal* (defects) in the chains of narration. Elevation and promotion of lesser categories of narrations is a branch of this science of *Usool-e-Hadith* which has hitherto been beyond the scope of the defective 'research' of the deviate. It is precisely for this reason that he not only refutes a Hadith when he sees the terms *idhtiraab* and '*dhaeef*', but he actually gloats.

By denying the validity of the claim we have made, the short-sighted deviate is aiding in the process of opening the avenue for the destruction of the Deen. It is the ludicrous contention of the modernist *zindeeqs* and *mulhids* (all products of kuffaar universities) that the Shariah is the edifice which the Ulama erected from Ahaadith, the whole lot of which is 'spurious'. According to the *zindeeqs* and *mulhids*, 'only' the Qur'aan, i.e. only its text, is Islam and nothing else. Obedience to the Rasool which the Qur'aan commands is of no significance in the religion of kufr of these modernist deviates. But, such obedience is submission to the Ahaadith from which the practical *Sunnah* is derived. And, this Divine Immutable Sunnah of Rasulullah (sallallahu alayhi wasallam) is not confined to the Compilations of Imaam Bukhaari and Imaam Muslim in the unanimous ruling of the Fuqaha, Ulama and Muhadditheen of all times. This reality has been explicitly asserted by these two illustrious Imaams of Hadith as well.

Denial of this contention of the Ulama, which we have stated, is to open the way for modernists, deviates, morons, mulhids and zindeeqs to simply dissect these kutub at whim and fancy and to discard just any Hadith of Rasulullah (sallallahu alayhi wasallam) which is unpalatable to their westernized palates.

For the benefit of the deviate, our contention does not posit that every Hadith in each one of these kutub is valid for *istidlaal* or acceptable for *istidlaal* by each and every one among those qualified to formulate *ahkaam*. It means that the very same Hadith which has been set aside by one authority on the basis of his assessment, can be a valid *mustadal* for another qualified person. The process of *istidlaal*, however is not available to deviates who believe that they are among the *Mujtahideen*. Indeed the vile manner in which freelancers with their defective ‘research have made a toy out of the *Sihaah Sittah* and the other Hadith kutub more or less of the same level of authenticity, is despicable. They have exposed themselves to kufr. The *ikhtilaafaat* of the Muhadditheen may not be seen as latitude and licence for justifying personal and nafsaani opinions of *baatil and shaitaaniyat* — to legalize haraam, as the deviate is guilty of.

Every modernist deviate who possesses some ‘doctorate’ degree acquired from kuffaar institutions or some westernized institution of ‘Islamic’ theology feels himself competent to expunge from the Shariah just any immutable *hukm* of Allah Ta’ala. In justification of such kufr the deviates cite the ‘*dhuf*’ and the ‘*idhtiraab*’ of Saheeh Ahaadith in the same way as the deviate with whom we are dealing is guilty of.

For almost any *mustadal* there is scope for criticism. Deviates will for example produce the comments of some Muhaddith to refute the *mustadallaat* of a particular Math-hab, not because they happen to be followers of another valid Math-hab, but in order to expunge the *hukm* from the Shariah. The deviate is guilty of this capital crime on this hair issue.

On the basis of his shallow understanding of Hadith and defective ‘research’, and assumed ‘academic competence’, he has developed the audacity to refute what all the Senior Ulama and all the Fuqaha of all the Lands have said since the past centuries of Islam’s history.

We shall cite here just one reference to enlighten the deviate on the issue of the *Istidlaal-value* of all the Ahaadith in the *Sihaah Sittah*.

Imaam Suyuti says:

“Everything contained in these five kutub (Bukhaari, Muslim, Saheeh of Ibn Hibbaan, Mustadrak of Haakim and Al-Mukhtarah of Al-Muqaddasi) is Saheeh.....Similarly, is it with whatever is in Muatta of Maalik, the Saheeh of Ibn Khuzaimah, Saheeh of Abu Awaanah, of Ibn Sakan and Al-Muntaqi of Ibn Jaar, and Al-Mustakh-rajaat.....And, everything that is in Musnad Ahmad is acceptable because the Dhaeef therein approximates Hasan.”

(I’laa-us Sunan, Vol. 19, pages 67, 69)

This should suffice. The deviate may expand on his ‘research’ in this regard.

TAQSEER REPRESENTATIVE OF HALQ

The deviate claims that we had removed a certain statement from its context and mis-translated it, and in so doing we had “perpetrated a ploy”. The deviate presents the translation as: “*Taqsir can take the place of halq, but halq is better.*” Our translation was: “*Taqseer is representative of halq.*” There is nothing amiss with this translation. Something which “can take the place” of another thing, is the same as saying that it represents that act. Before we proceed with this argument, it is best that we reproduce the deviate’s translation of a passage from *Raudhatut Taalibeen* from which we had also cited the relevant statement in question. The deviate presenting his translation says:

“There are two opinions (of Imam as-Shafi’i) on (the nature of) halq at its (appointed) time (during hajj). The one is that is (?) the commission of a (hitherto) unlawful act and not a ritual act; and the stronger of the two is, it is a ritual act that is a rukn and cannot be compensated for by a dum, so that if a person suffers from an ailment on his head for which reason he cannot cut his hair, he should persevere till it becomes possible, and he will not give a fidyah. The case is different for one who has no hair on his head. He will not be commanded to shave it after it grows (again), because the ritual is to shave hair which is found during the state of ihram. Taqsir can take the place of halq, but halq is better.”

He has committed three errors in his presentation and understanding of this text. The first error is in the translation. Translating the words:

انه استباحة محذور – وليس بنسك (*Istibaahatu mahzoor wa laysa bi nuskin*), he says: “*The one is that is the commission of a (hitherto) unlawful act and not*

a ritual act.” (The underlining and the question mark are ours, and the purpose for this is the atrocity of the ‘that is’ which appears in the translation of the deviate.)

According to the Shaafi’i Math-hab there are two dimensions to the practice of *halq* (*shaving the head*) in relation to the duties of Hajj and Umrah. The one view is that *halq* (for males) is *Istibaahatu mahzoor* which does not mean “*the commission of a hitherto unlawful act*”. The readers are mystified by the translation which in actual fact means: Halq is to commit an act which was hitherto (until now) unlawful. Halq does not mean the commission of any act other than shaving the head. Yes, it has a consequence in the context of Hajj and Umrah. Its consequence is the legalization of the prohibitions of *Ihraam*. This is what the first view states. *Istibaahatu Mahzoor* means ‘making lawful the prohibitions of Hajj’. *Istibaahatu* means “to make permissible”. *Mahzoor* refers to the prohibitions or the things which were made unlawful during the state of *Ihraam*. There is a big difference between ‘committing an act’ and ‘making lawful an act’. In short, the translation of the term *istibaahatu* has been rendered incorrectly.

The second error flows from the manner in which the translated sentence has been phrased. His translation means that *Halq is the commission of a hitherto unlawful act and not the commission of a ritual act*. Firstly, as mentioned, the translation of the word *istibaahatu* is incorrect. Secondly, the meaning that *it is not the commission of a ritual act*, is also incorrect. The correct translation of the statement is:

“Halq at its appointed time in Hajj and Umrah— there are two views in this regard. The first of the two is: It is the legalization of prohibitions, and it (i.e. halq) is not a ritual act.”

The third error is in understanding. He has misunderstood the text, hence he conjoins the entirely new sentence, namely,

و يقوم التقصير مقام الحلق لكن الحلق افضل

(*Taqseer is representative of Halq*) with the former *mas’alah* in which the two Shaafi’i views are stated. The words which form the last sentence in this translation, pertain to an entirely new *mas’alah*. It is unrelated to the two views which are explained in the previous statement. Any sensible reader will be able to understand that the statement: “*Taqseer is representative of Halq..*”, is not related to the two views in the previous

statement. However, the deviate has erroneously connected it to the previous statement.

In the statement which he has connected to the previous statement, it is merely said that *Taqseer* will suffice in place of *Halq*. In other words, if someone does not shave his head, which is the rite to gain release from the prohibitions of *ihraam*, then *Taqseer* will also serve the same purpose, namely, release from *ihraam*. This is a *mas'alah* on its own. It is a separate rule, unconnected with the previous statement which explains the two views of the Shaafi Math-hab on the conception of *Halq*.

Imaam Nawawi (rahmatullah alayh) who is the author of *Raudhatut Taalibeen*, explains the same *masaail* in his *Al-Majmoo'*. The two rules are in fact written in separate paragraphs in *Al-Majmoo'*.

While such errors are expected from incompetent Muqallideen like us, it is not expected of a 'mujtahid' and a 'poet' to commit such trivial errors. There was a better way and a logical way in which the deviate could have faulted our citation of the particular sentence as substantiation for our case. We shall apprise him of the rational way in which he could have achieved this even if it goes against the grain of our argument. He should have argued as follows:

The statement:

"Taqseer is representative of Halq", in the context of Hajj applies to only males not to females. The statement merely means that just as release from ihraam is achieved by means of halq, so too is it achieved by means of taqseer. It deals with tahallul (release from ihraam). Even if Taqseer is representative of halq, there is no support for the claimed prohibition of hair-cutting in this statement because it deals with only the Hajj rites. The representative effect of Taqseer in this context is restricted to tahallul. In other words, just as tahallul is acquired by halq, so too is it acquired by taqseer."

This was the correct manner in which to neutralise the *istidlaal* from this particular *mas'alah*. But after committing three errors in the process, the deviate did not achieve his purpose logically. While our claim, namely, *taqseer* (trimming/cutting) is representative of *halq* in relation to women, is correct, we concede that the *istidlaal* from this particular *mas'alah* is incorrect as is evident from the counter argument we have stated above.

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This, however does not detract from the fact that just as *halq* is prohibited for women, so too is cutting their hair prohibited. Besides the incorrect argument, we have already presented copious Shar'i evidence for the prohibition. That cutting is representative of shaving minus the context of *tahallul*, is true, is supported also by the Shaafi Math-hab.

Haafiz Ibn Hajar Al-Haitami in his *Haashiyah ala Sharhil Eedhaah*, discussing the category of prohibition of *halq* (some Shaafi'is say that it is *Makrooh Tahrimi* and some say *Haraam*), cites Al-Isnawi as follows: "*Taqseer of more than an annulah is like the earlier explanation of halq.*" (Page 355) . According to the Shaafi'is, the ruling varies from *Makrooh Tahrimi* to *Haraam*. Thus, in cases where *halq* for women for *tahallul* is in the prohibited category of *Makrooh Tahrimi*, in the same instances cutting more than one *annulah* will also be *Makrooh Tahrimi*. When *halq* for women is in the prohibited category of *Haraam*, then cutting more than one *annulah* will also be *Haraam*.

In this explanation the purely representative nature of cutting is stated. It is not restricted to only Hajj. Even outside of Hajj, cutting hair for women will be *Makrooh Tahrimi* according to those Shaafi'i Fuqaha who say that shaving is *Makrooh Tahrimi*. According to those who say that *halq* is *Haraam*, cutting will also be *Haraam*.

Another strong indication for the claim that even according to the Shaafi'i Math-hab hair-cutting (*taqseer*) is representative of *halq*, is the exceptionally severe stand which the Shaafi'i Fuqaha have adopted on the abhorrence of hair-cutting. All the Fuqaha of all Math-habs, in all the Lands of Islam and in every age have explicitly declared that shaving the head is not only ugly, but is disfigurement for a woman. There are no two opinions on this issue. On the very basis of this issue have Al-Maawardi and other senior Fuqaha among the Shawaafi' adopted the severe stand:

"She should not cut (the one annulah) from her tresses because that disfigures her (makes her ugly), but she should lift the tresses and cut from the (hair) on the place under the tresses."

Almost every authoritative Shaafi'i kitaab mentions this fact. *Anmulah* is the size of one third of a finger. How will cutting such a little hair from half metre long tresses disfigure a woman? When women deviates in this age see 'beauty' in a woman who has cut off all her tresses and has

emulated males in her styles and appearance, how can we ever expect people with such diseased palates to understand the Islamic concept of beauty — the beauty which Allah Ta'ala has ordained?

In fact, the severity of the Shaafi'i viewpoint on cutting even less than one *anmulah* is sufficiently demonstrated by some Shaafi'i Fuqaha who say that in certain cases, a woman shall be prevented from cutting even one *anmulah* to secure release from *ihraam* without the permission of her master. If she does not have his permission, she may cut only *three strands* of her hair to be released from *ihraam*. From this severe position adopted by some Shaafi'i Fuqaha, the concept of beauty and ugliness in Islam can be readily understood.

The question here is not that this *three strand* view is not the opinion of the *Jamhoor* Shaafi'i Fuqaha. In spite of the *Jamhoor* Fuqahaa not accepting the *three strand* view, none of them dispute the rationale for this view. Other arguments are produced to contradict the view, the main one being that when the master allowed her to perform Hajj, he by implication consented to her availing of the Sunnat of making *Taqseer* of one *anmulah* of her hair. But, the issue of disfigurement is not contested by anyone.

Since the Shaafi'i Fuqaha regard even the cutting of one third the size of the finger (in length) as disfigurement for a woman, the claim that hair-cutting, especially the hair-cutting (styles of diseased beauty) advocated by the modernist deviates is *representative of halq* is more than adequately vindicated.

CONSENSUS ON HALQ

The deviate says:

“But all said and done, I am candidly prepared to admit acceptability of the hadith prohibiting shaving for a woman according to the criteria of the Hanafiyyah, and I apologise for the fact that my earlier statement created the wrongful impression that its authenticity was a matter of consensus.”

The acceptance or rejection of the deviate is of no substance. The fact remains that the consensus on the prohibition of shaving for women is the consensus of the entire Ummah — of all the Fuqaha of all Math-habs. Whatever he has said earlier, he has created the impression that there is no consensus on the prohibition of *halq* for women. His statement of

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‘acceptability’ is a gross understatement, deception and baseless. In *Al-Majmoo’*, Imaam Nawawi says:

“The Ulama have enacted ijma’ on the fact that a woman will not be instructed with halq. But, her act is taqseer of the hair of her head. Ash-Shaikh Abu Haamid, Ad-Daarimi, Al-Maawardi and others besides them said: ‘Halq is Makrooh (i.e. Makrooh Tahrimi) for her.’ Al-Qaadhi Abu Tayyib and Al-Qaadhi Hasan said in their Ta’leeq: ‘Halq is not permissible for her.’ (Imaam Nawawi then comments): Perhaps they meant (by not permissible) it is Makrooh. And, at times istidlaal on karaahat (prohibition) is made with the Hadith of Ali (radhiyallahu anhu) that Rasulullah (sallallahu alayhi wasallam) forbade that a woman shaves her head.’ Tirmizi narrated it and he said that there is idhtiraab in it.”
(*Al-Majmoo’*, Vol.8 page 177)

Regardless of the *idhtiraab and dhu’f* (technical factors of defect) in the chain of narration of this and similar other Ahaadith, these narrations have been used by the Fuqaha of all Math-habs as the basis for the prohibition of *halq*.

Then there is another tactic of deception which the deviate employs in order to create the impression that there is no *Ijma’* of the Ummah on the prohibition of *halq* for woman. In his statement which we have just quoted above, he said:

“...I apologise for the fact that my earlier statement created the wrongful impression that its authenticity was a matter of consensus.”

While he has climbed down a bit and conceded the consensus of the Hanafi Fuqaha on the authenticity of the Hadith prohibiting *halq*, the deviate ‘mujtahid, lost in his egoistic fancies, peddles the idea that there is no such consensus among the Fuqaha of the other Math-habs. The motive for the endeavour to gain acceptance for this idea is to get ordinary people to accept that after all, *the prohibition of halq* is not so severe as the Ahnaaf would like us to understand. If this idea succeeds in finding a responsive note in the minds of laymen, the next step is a forgone conclusion. If *there is no consensus on the prohibition on halq*, then to a greater degree will there be no consensus on hair-cutting. The attempt to belittle the degree of the prohibition of cutting hair is a despicable exercise stemming from brains

disfigured by the kufr influences of the corrupt western culture of liberalism and libertinism —the culture in which immorality, lesbianism and homosexuality preponderate.

There is complete consensus of the Ummah on both acts of disfigurement — shaving the head and cutting the hair. The severe stand of the Shaafi'i Fuqaha and the *la'nat* on such woman reported unanimously by the Hanafi Fuqaha should be sufficient to convince even modern women who cut their hair and wear shaitaani garments that this act is *haraam*. If the Imaan in the heart is not on the verge of extinction, even such women will concede the *Haqq* which came from their Nabi Muhammadur Rasulallah (sallallahu alayhi wasallam), and they will, Insha'Allah, gain the *taufeeq of Taubah* at some time during their lives.

Taqseer, for these reasons does represent *Halq*, not only in the instance of *tahallul*, but also in the acts of *muthlah* (disfigurement) and *shain* (ugliness) and *tashabbuh bir rijaal* (emulating males), and *tashabbuh bil-kaafiraat* (emulating the kuffaar women).

SIN AND CURSE

Rasulullah (sallallahu alayhi wasallam) has invoked the *la'nat (curse)* of Allah Ta'ala on those who bring about changes in their naturally created forms. Hair-cutting by women is described as *taghyeer li khalqillaah* (changing the natural form created by Allah Ta'ala). It is an act which results in sin and the curse of Allah Ta'ala. Such an accursed act can never be a 'sinless' deed. An act which renders a woman *mal-oonah (accursed)* cannot be *Mubah* (permissible) or *Makrooh Tanzihi*.

THE PRINCIPLE OF ORIGINAL PERMISSIBILITY

On the issue of the Shar'i principle that originally things are permissible and that only by the ruling of the Shariah do things become unlawful, the deviate has tried to squeeze out capital for his baseless opinion of the permissibility of hair-cutting for women. He had cited this principle as

‘proof’ for his opinion. Such citation is utterly baseless as we shall soon show.

He baselessly accuses us of ‘partial quotation’. ‘Partial quotation’ is valid if the meaning of the text is not altered or destroyed. There is no incumbency to quote a whole page or several pages of text. Only such portions considered relevant to the discussion may be cited. This is perfectly in order. By having deleted certain portions of the text from which we had quoted the different views regarding this principle, we had not cited any word out of context. Nothing of the meaning of the text has been changed. The purpose of quoting the text from *Al-Ashbaah*, was merely to show that there is no unanimity on this principle.

We did not claim anywhere in our book that the majority Hanafi view is *Tawaqquf* (Non-committal) as the deviate falsely alleges. It is necessary for readers to read the relevant section (pages 126, 127 and 128) of our earlier book (reprint) in conjunction with what the deviate alleges, and then refer to the present explanation we are proffering.

The deviate alleged:

*“the view of tawaqquf which **the objector had appropriated as the Hanafi view** is actually the view of some Ash’aris and the muhaddithun.”* (Emphasis ours)

Nowhere in the entire discussion on this subject did we “appropriate *Tawaqquf* as the Hanafi view. We had not passed any ‘fatwa’ on the three different views on this issue. We had only reproduced the text from an authoritative kitaab and stated the truth as follows:

“From this array of different meanings for this concept, the shaykh very selectively chose a definition which he thought suited his baatil idea the best. What is the basis for this selection?”

We faithfully stated the three views which are explained in the text of *Al-Ashbaah*. What we wished to know at that stage was the determinant for the deviate selecting the option of the original permissibility of all things. He is not a Hanafi. He is not a Shaafi. His dabbling with the Shariah with his corrupt ‘ijtihaad’ bears ample testimony for this. He is what they call ‘*La-Math-habi*’ — a deviate without guidance — one who has strayed from

the Path of the Ahlus Sunnah, like the ‘holy’ cows and bulls of India, roaming in the streets, eating from this one’s basket and that one’s basket and getting whacked by each owner of the respective baskets. The deviate tries to pick and choose from the Math-habs in this way — like the holy cows and bulls of India. He selects to suit the fancy of the inordinate nafs.

Let us momentarily grant him the benefit of doubt and accept that he is either a Hanafi or a Shaafi’i. If so, then by what right did he adduce the authority of going directly to the Ahaadith, dissecting it, criticizing it, reviewing it and mutilating it, then come up with his own opinion?

We had merely displayed the differences regarding the principle about which he was making an issue, kicking up dust about nothing. Accepting the fact that the principle in things is permissibility in the majority view of the Hanafis and Shaafi’is, we must still contend that the deviate has no right to employ this principle on any issue on which the Shariah has issued its ruling. The principle which he had selected applies to such things on which the Shariah is completely silent and in regard to which there are no Shar’i indications to prefer a particular ruling. In the text which he has quoted from Allaamah Ibn Aabideen, the following is clearly stated:

*“.....it is stated that most of our companions (Hanafis) and most of the companions of ash-Shafi’i hold the view that **before the coming of the Shariah.....**”*

This principle applies only to things “before the coming of the Shariah” and to things on which there is no Shar’i ruling and there are no Shar’i principles other than *Ibaahah* which could be applied to such things, then only will this principle operate.

This principle cannot be used to proclaim pork lawful on the basis of the argument that all things originally are permissible. The Shariah has already ruled on pork. The example which Imaam Muhammad (rahmatullah alayh) gives and which appears in Ibn Aabideen’s statement quoted by the *deviate*, should not throw any one into confusion. Eating carrion, drinking liquor and eating pork, etc. would have been lawful on the basis of the principle of *Ibaahah* only in the absence of any directive from the Shariah. Now that there are Shar’i directives on the prohibition of these things, it will be plain stupidity, deviation and shaitaaniyat for someone to argue that in view of the principle of original permissibility, relishing in pork consumption, drinking wine, etc., etc., are lawful. If this is understood, then it will be a

simple matter to understand why this principle cannot be invoked for legalizing hair-cutting for women. There is a mass of Shar'i evidence, including *Ijma'* of the Ummah, on the prohibition of this act of disfigurement.

Furthermore, the principle of *Ibaahah* applies to things in the original state not in their state of corruption. The original condition of the female's hair is long hair. Therefore in terms of this principle at most it will be said that long hair is permissible, not the disfigurement produced by shortened hair because such shortening is in fact mutilation of the natural originality.

The deviate's whole argument on this principle is insipid and another example of his diversionary tactics to deceive and confuse people unschooled in the knowledge of the Shariah.

On the basis of this principle there is no proof for either the permissibility of hair-cutting or for its prohibition. The ruling has to be acquired from the authorities of the Shariah—the Fuqaha of Islam.

ERRATA

In the presentation of his list of errata, the deviate has displayed puerility and vindictiveness for which he may be excused. We do realize that the tone of our criticism has made him see red. His childish reaction as displayed in his compilation of the errors in our book should not detract from the main issue, viz., the prohibition of hair-cutting. Since the deviate has been unable to prove his case and claim of permissibility of the immoral act of hair-cutting for women, he was obliged to divert attention from the main issue to our deficiencies.

The charges of incompetence, etc. do not detract from the fact that he has miserably failed to substantiate what he has claimed about hair-cutting. The permissibility of hair-cutting for women cannot be proved from our incorrect spelling of names of books and authors. Unfamiliarity with the names of authors and books do not dent the Shar'i arguments based on Shar'i principles. If it does, the deviate should substantiate such a claim. Firstly, we have to confess to our incompetence in regard to names. But in spite of such incompetence, there is, *Alhamdulillah*, sufficient competence in these Muqalliddeen to smash out the brains of *baatil* as Allah Ta'ala declares in His Qur'aan Majeed:

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“In fact, We fling the Haqq on Baatil. Then it (the Haqq) smashes out its brains (the brains of Baatil). Then suddenly it (Baatil) vanishes. And Wail (Jahannam) for what you are fabricating.”

The deviate has displayed extreme childishness in the presentation of his errata thesis. This is the type of ‘ijtihaad’ in which he excels. A man of true *Ilm-e-Deen* never gets himself bogged down in such futility. Rasulullah (sallallahu alayhi wasallam) said:

“The beauty of a man’s Islam is that he shuns all things futile.”

While the physical beauty and even spiritual, if the intention is pious, of man is his beard and that of a woman her long tresses, the intellectual beauty, the spiritual beauty and the health of Imaan are evidenced by his abstention from drivel and futility. But this claimant of ‘ijtihaad’ has the inclination and the leisure for indulgence in exercises of futility with the intention of ridicule and also to display his ‘expertise’ in Arabic, as well as to convey to people that he is a master in the art of perfection.

Besides these reasons, he has a more serious motive for his thesis of errata. Just as it was motivated by childishness and vindictiveness, so too was it motivated by a sinister ploy. And that ploy is his trick of diversion. In view of his total bankruptcy in so far as Shar’i *dalaail* are concerned for his *baatil* opinion of permissibility of hair-cutting for women, he has produced the diversionary trick of his errata list. The sinister attempt is to derail laymen from the main argument, viz., the prohibition of hair-cutting for women.

The idea is to convince them by hook or crook that it is ‘permissible’ for women to parade around with their hair cut in kuffaar styles. If it was not for this dishonest diversionary ploy, we would never have bothered to waste time answering an errata list, especially when such a list itself is based on 90% error.

Furthermore, the urge to defend oneself when errors are pointed out is a reflection of *takabbur* (pride). All people are prone to error, and error in abundance. It is for this reason that the Ulama say:

“Insaan (the human being) is constituted of error.”

The Ulama also have said :

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“A Fortunate man is he whose errors are counted and an Aalim is he whose errors are enumerable.”

The aim of the deviate is to detract from his failure to provide Shar’i proof for his claim, hence the attempt to ‘convince’ readers with an errata list primarily consisting of typographical errors mainly due to the proof-reading of the book not having been done. Since unsuspecting and unwary persons may fall into this trap and misread the arguments presented in refutation of the deviate’s *baatil*, we are constrained, much to our aversion, to respond to the stupid errata list.

Let it also be understood that the deviate’s ‘ijtihaad’ and whimsical fancy in his evolvment of a process of transliteration of diacritical signs (*fat-hah, kasrah, etc.*), and his use for an apostrophe to connote certain *huroof*, is not binding on us nor on anyone else. We are not his *muqallideen* in any sphere. Nor is there any *nass* or any incumbency whatsoever to adopt his peculiar brand of spelling and letters to represent different *huroof* and *harakaat, etc.* In this matter we are not the followers of anyone’s *urf-e-khaas* (special custom, system or preference).

When this has been understood, the deviate should understand that it is perfectly correct to spell the word مسجد with either *a* or *u*. Thus it is proper to spell *Musjid*, the *fathah* being discharged by the *u* as in the English word *bun*. It is also correct to spell *Masjid*, the *fathah* fulfilled by the *a* as in *map*. Similarly it is correct to spell مسلم with *u* or *oe* or *o* or *oo* or *ou*. Thus, *Muslim* as in *put*; *Moeslim* as in the Afrikaans version; *Moslim* as in *do*, and *Mooslim* as in *book*; *Mouslim* as in *courier*. All versions are proper although the *oo* in the word *book* is the closest to the correct pronunciation. It is the whimsical fancy of a person which dictates such adoptions.

It is correct to spell معین with either an *a* or a *u*. Both these letters can be used to represent a *fathah*.

Consider the word, *Allah*. This is the way in which the *urf-e-khaas* of most Muslims has the spelling. Yet we all know that the *single a* does not correctly serve the purpose of either *fathah* or *alif qasr*. No one is under any obligation to adopt the system of the deviate and insert a hybrid ‘*alif qasr*’ with a infinitesimal stroke on top of the *a*

But errors in an evolved system by a claimant of perfection and a self-styled ‘mujtahid’ are intolerable. While he desires to be known as a perfectionist with his imagined ‘meticulous’ spelling and transliteration, he consistently, throughout his essays of *baatil*, commit errors such as the following:

- He spells with a small letter a proper Arabic name. When the name is preceded by an *alif* and *laam* which transform a common noun into a proper noun in Arabic, he uses a small letter. Thus, he writes, for example, ‘*al-Qattan*’ instead of Al-Qattan; ‘*al-Bukhari*’ instead of Al-Bukhari. In Arabic the *alif-laam* do not render the name a common noun. On the contrary it is the opposite. A ‘mujtahid’ should at least be aware of the very elementary rules of the language in which he writes, especially when he demands the world to be his followers even in his personal whims and fancies.

Then he uses the letter *h* to represent ح. But this is clearly erroneous. The *h* does not convey the sound of the Arabic *harf*. In view of the fact that the deviate has adopted for himself a ‘system’ to convey his ‘perfection’ in pronunciation, it is incumbent that he adopts some term of hieroglyphic writing to discharge the ح. The simplest for him, seeing that he has failed to evolve a sign to represent the ح, is to adopt the Capetonian *urf-e-khaas* of *gh*. It will be superior for him to therefore write *Ghadiith* as they write *Moeghamat* and *Aghmad*. But then he will have to evolve a sign for غ.

The deviate also has failed to write the ط correctly. He represents this *harf* with a *t* whereas the closest to the correct pronunciation would be *tw*.

In view of everyone being his own ‘mujtahid’ in such matters which are of no Shar’i concern, one may spell *qabul* or *qubul* or *qabool* or *qubool* or *qaboel* or *quboel* or *kubul* or *kabul* or *kaboel*. The drivel the deviate says is devoid of substance.

His childishness or silliness is adequately displayed by his reference to an imagined error which appears on page 46 of our book (reprint). We spelt the name of a narrator *Hummaam*. The deviate writes in his errata that the “correct spelling is Hammam”. Yet just six lines below *Hummaam* we spelt the name *Hammaam* which according to the deviate is the ‘correct spelling’. A sensible person would have attributed the *u* to a typographical error or to

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a common error or to a preference. We have already explained above that both the *u* and the *a* are correct.

At best, the errata thesis of the deviate is a display of extreme childishness. At worst, it is a deliberate design or sinister ploy to divert attention from his inability to provide Shar'i evidence for the *Haraam* hair-cutting act by women.

It does not matter and it does not affect the argument if one transliterates **تَوَقَّف** *tawaqquf* or *tawuqquf*. In our book this term appears twice. Once we spelt it with an *a*, and once with a *u*. In a transliteration there is no incumbency to have either *a* or *u* to represent *fathah*.

Another example which displays the deviate's wrath and puerility is his reproduction of our statement: THE PRINCIPAL OF AL-IBAAHAH. After the misspelt word, *PRINCIPAL* he adds his remark, '(sic)'. Yet in the three pages dealing with this topic the word is spelt correctly 13 times, namely, *principle*. We are sure that any sensible person would have understood that this is a typographical error in the same way as he states on page 28 of his booklet: "*Sayyidah Maymuna, the wive*" instead of wife.

Again he comments with his sick remark (*sic*) when the *I* was left out at the end of *Nasaai*'.

It is not our intention nor desire to put up a defence for errors in our book. However, since the deviate has attempted to use these errors as a diversionary tactic to divert from the fallacy of his case regarding hair-cutting for women, we have to in general explain that to any unbiased reader it will be clear that the book went to print without proof-reading. Besides the errors which the deviate has compiled in his pamphlet, there are a further couple of dozen errors which he has not picked up. He should have been a bit more meticulous in his gathering of errors because he would have had more grounds for gloating with the additional errors to expand the size of his pamphlet.

His comment that such errors are due to unfamiliarity with the kutub, is quite true. We are not writing any thesis for a "doctorate" degree to be acquired from *zindeeqs* and *mulhids* or worse, from some kaafir university. The array of kutub are studied when the occasion demands. For example, when some deviate presents his *baatil*, then the need arises to refer to the kutub. Hence, due to unfamiliarity with the names such errors are not

surprising when committed by muqallideen of deficient knowledge such as us. But when a claimant to 'ijtihaad' commits blunders in the translation of the text, especially if he happens to be an 'expert' of the Arabic language of which we are not, and especially if he happens to be a self-acclaimed poet, then it is indeed surprising.

Reading our present book, the reader will see the serious blunders he has committed in both the translation and understanding of the texts in certain cases. Besides this, his gravest blunder is his refutation of the law of prohibition on hair-cutting on which there exists consensus of the Ummah. His many blunders in the presentation of argument and his incompetence in understanding the principles of Hadith are true blunders which rub off onto one's Imaan. Such blunders expose the deviate to the dangers of kufr.

Consider his spelling of the name of Imaam Nawawi's kitaab. He spells it: *Rawdat at-Talibin*. Both the spelling and the pronunciation are wrong. In English, the spelling 'raw' never gives the sound of رو which can neither be properly conveyed by 'aw' nor 'ou'. It can be however conveyed by only a single 'o' as in the case of the word *focus* or *bogus*. Hence, if anyone has a preference for any one of these modes, he is at liberty to adopt the one of his choice. But to say :

Rawdat at-Talibin is incorrect. The ض may not be conjoined with the ة. On the contrary, the ة has to be conjoined with the ط in the next word which is الطالبيين. His other error in the combination of these two words is that he says 'at' instead of 'ut' or 'oet'. The 'a' in English never gives the sound of a dhammah.

He commits the same type of error a hundred and one times throughout his booklet. But this is not something to crow about. We are merely drawing attention to the fact that when a person lacks in solid arguments, then he clutches at every passing straw to save himself. He is constrained to create diversions to detract from the actual dispute, viz., that hair-cutting for women is immoral and haraam in the unanimous ruling of all the Fuqaha of all the Math-habs, of all the Lands and of all the ages, not only from Rasullullah's time, but from the time of Hadhrat Aadam (alayhis salaam). The divine *Urf* has never changed nor will it ever change regardless of the satanic efforts of deviates and modernists whose ideas are part of the inheritance from the kuffaar orientalists.

Although the deviate has confessed that part of his intention in his presentation of the list of errors is to ridicule, he cannot achieve the

objective of his motive because his ridicule is simply a ploy to divert attention from the main argument, which is the prohibition of hair-cutting for women. Citing spelling errors, errors in pronunciation of unfamiliar names and typographical errors do not negate the validity of the *dalaa-il* (*proofs of the Shariah*) which have been presented in negation of the *baatil* hair-cutting opinion.

Consider his pettiness in his ‘fatwa’ that the term ‘*sharah*’ used by us is erroneous. Regardless of the Arabic spelling being ‘*sharh*’, we have inherited the expression in the Urdu language as ‘*sharah*’ from our Akaabireen. In Urdu, the term is expressed ‘*sharah*’, not ‘*sharh*’. The same applies to the word *salf*. In Urdu, we do not say ‘*Salaf Saaliheen*’. We say, ‘*Salf-e-Saaliheen*’. Such pronunciations are on our tongues, gained from our Seniors. It does not detract from the validity of the *dalaa-il* which thoroughly refute and neutralize the baseless arguments of the deviate.

While some of the spelling errors he has pointed out regarding names of some kutub and their authors are not typographical errors. We accept that this is due to unfamiliarity with the kutub, but not with the content-matter.

Regarding the kitaab *Al-Jauharatun Nayyirah*, he is in error for claiming that the commentary is well-known for students who have studied *Al-Qudoori*. The system of our Akaabireen, which have of recent changed, was to ban all *Shuruhaat* (Commentaries) for students during their Madrasah days. Commentaries were not allowed in the Madrasah where we pursued *Ilm*. In this far-sighted policy of the Akaabireen of our Madaaris there are benefits. It prevents the student from two destructive harms — a *zaahiri* detriment, and a *baatini* detriment. This is not the occasion to expound these harms and the wisdom of our seniors.

Ridiculing and gloating on account of such errors which do not affect the validity of the *dalaa-il* is not surprising from deviates. When the deviate has the rude audacity to produce criticism for personalities such as Imaam Al-Ghazaali, Saahib-e-Hidaayah, Al-Kaasaani, etc., then there is nothing to surprise us in his ridicule. When the impression has been conveyed to an unschooled public that these great and illustrious Auliya of Allah Ta’ala, who occupied exceedingly lofty heights in the Office of the *Warathatul Ambiyaa*, were the compilers of forged and fabricated narrations, then every Muslim can understand the degree of *Imaani* corruption such deviates suffer from.

And, who is free from the commission of an abundance of errors. Great Muhadditheen — it is improper to mention their names here — who

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excelled in their fields of *Ilm*, committed numerous errors, not spelling errors, but grave errors of judgement. Such errors are not our discovery. Other authorities presented these for valid reasons, not for ridiculing the Muhadditheen. They did not dismiss the kutub of the Muhadditheen as compilations containing forgeries and fabrications. They did not dismiss their narrations as the deviate has treated Al-Hidaayah . The disparaging manner in which he refers to *Badaaius Sanaai*’ reveals the *zung* which has engulfed his heart. About this highly authoritative kitaab of Imaam Al-Kaasaani (rahmatullah alayh), the deviate spits:

“And anyone who thinks — as the objector evidently does — that mention of this hadith in a fiqh work such as Badai’as-Sanai’ guarantees its genuineness would be well-advised to go and read Mawlana Abd al-Hayy’s words in the second section of this rejoinder.” (Underlining ours)

What really does the deviate mean by his disparaging remark of “*such as Badai’as Sanai*”? Truly, he scrapes the dregs of disrespect. For Ulama we say that it is ‘*not permissible*’ to even handle this sacred Kitaab of this great and illustrious Imaam without wudhu. But the one whose heart is corroded with *baatini zung* implies that such a sacred Kitaab contains fabrications and forgeries and that its narrations lack ‘genuineness’.

There is no need for us or any Mu’min to refer to Maulana Abdul Hayy Sahib for understanding what *Badaaius Sanaai*’ is and who its Author, Allaamah Al-Kaasaani was. However, it will perhaps benefit the deviate to read about the accolades which Maulana Abdul Hayy Sahib bestows on the illustrious Author of this sacred Kitaab, in his *Al-Fawaaidul Bahiyyah*.

When the Fuqaha and the Ulama of the entire World of Islam have recognized the authority of Allaamah Kaasaani and the value of the Treasure called *Badaaius Sanaai*’, there is absolutely no need for us to refer to Maulana Abdul Hayy Sahib for the acquisition of any reference on this illustrious Authority of the Shariah to whom all the later Muhadditheen are subservient.

Consider the deviate’s spelling , ‘*ibn Muhammad al-Qastallani*’ on his page 40. A ‘mujtahid’ and a ‘poet’ is not allowed to make such an error which is expected of incompetent Muqallideen. The correct spelling is *Qastalaani* with one *laam* or *l*.

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Commenting on our statement, '*Al-Hamawi, the Sharah of Al-Ashbaah*', he says:

"Al-Hamawi is not a "sharah". It is the eponym of the author. The commentary itself is named Ghamz Uyun al-Basa'ir."

When a person's speech is the consequence of anger, he becomes reckless in blurting out nonsense. Just as the word *Al-Hamawi* is the eponym of the Author, Ahmad Ibn Muhammad, so too is it the eponym of the Commentary which he wrote. No one in Ulama circles refers to this commentary by its title, *Ghamzu Uyooniil Basaa'ir*. When the Ulama refer to this *Sharah*, they say: *Hamawi*. Numerous kutub are referred to by the names of their Authors. Saheeh Bukhaari is simply referred to as *Bukhaari*, and Saheeh Muslim as *Muslim*. The names of the authors have become the eponyms of their Works.

Our Senior Ulama, when they cite from *Raddul Muhtaar* of Ibn Aabideen, they simply say *Shaami* which is the eponym of both the Author and of his Work. For the Kitaab of Imaam Tahaawi, namely, *Sharhu Ma-aanil Aathaar*, the Ulama simply say, '*Tahaawi*'. An Authority of the calibre of Haafiz Ibn Hajar Al-Haitami says: '*fil Muslim*' (In Muslim), yet the name of the Work of Imaam Muslim is *Saheeh Muslim*. The list is never-ending. The use of the eponym, *Al-Hamawi*, for the Commentary of the Author is thus perfectly in order.

While the deviate wishes to display his 'expertise' in Arabic, he commits two errors in spelling the title of *Al-Hamawi*. His spelling is '*Ghamz 'Uyun al-Basa'ir*'. The correct spelling is *Ghamzu Uyooniil Basaa'ir*. While he is entitled to employ a *u* with a stroke to denote the long vowel, it is incorrect to say *Uyun al-Basa'ir*. The grammatical construction of the terms demands '*il*', not '*al*'. He has deleted the *dhammah* from the word *Ghamz*. While such deletions are not errors for incompetent Muqallideen, they are a bad reflection on one who demands meticulous spelling from others, especially if he seeks to peddle the idea of him being a 'mujtahid' and a 'poet' excelling in the Arabic language.

He finds fault with the typographical error which appeared in the name of the kitaab, *Al-Fiqhul Islaamiyyu Wa Adillatuhu*. Soothing himself with his ridicule, he states:

"And in any case with the title boldly embossed upon the cover of every volume, it is inconceivable how the objector managed to make this blunder."

If the deviate had momentarily expunged the bias from his heart, he would have understood that such an error is readily conceivable because typographical errors are a *standard practice* even after proof reading. He may perhaps not be aware that some prints of *Mishkaat* contain more than a 1000 serious errors. *Ma-aanil Aathaar of Imaam Tahaawi* contained 80 full pages of errors numbering 850 which were rectified in the later prints. And, the 23 Volumes of Imaam Nawawi's *Al-Majmoo'* must be containing in excess of a thousand errors which are recorded in the errata lists in each volume.

While these are typographical errors and errors due to those doing the proof-reading perhaps not being as competent as the 'mujtahid-poet', the deviate spells the very name of Dr. Wabbah's kitaab incorrectly. While pointing the finger at others, he spells the name: '*al-Fiqh al-Islami wa Adillatuhu*'. In spite of the name being conspicuously embossed on the cover as well as on the inside of every volume, he misspells it. The name of the kitaab is *Al-Fiqhul (not Fiqh al-) Islaamiyyu (not Islami), and the I'raab (the diacritical sign) —the dhammah in this case— is conspicuously embossed on the last letter of the word*. What viable explanation can there be for a 'mujtahid-poet' to blunder in this way?

Regarding the kitaab, *Irshaadus Saari*, he is blissfully unaware that it is not only the name of a Commentary of Bukhaari Shareef. The Author of the Kitaab is Husain Bin Muhammad Saeed Abdul Ghani Al-Makki Al-Hanafi. The full name of this Sharah is *Irshaadus Saari ilaa Manaasikil Mullaa Alil Qaari*. Instead of writing the lengthy name we simply abbreviated it in this manner without thinking of anyone's ridicule. But to claim or imply that in this wide world there is only the *Irshaadus Saari* which happens to be the Commentary of Saheeh Bukhaari, is to display arrogant ignorance.

Regarding the name of Imaam Ahmad Ibn Hambal, our use of 'm' for the ن (noon) in حنبل is correct. The rule of *Qalb* has been employed, hence the noon is replaced with a *meem*. This is the manner in which all our Akaabireen pronounce the name. They don't say *Hanbal*. They say *Hambal*. No one pronounces the name 'Hanbal'. Everyone says '*Imaam Hambal*'

As for the gross misspelling, *Al-Nadaiul Mukhtaar*, it will obviously "*beat*" his "*powers of deduction*" on account of deficiency in such powers. If he had employed his powers of deduction correctly, i.e. without being prey to wrath and bias, he would have immediately referred to *Al-Ashbaah Wan-Nazaair* which is the kitaab from which we cited the text. This is mentioned

in our book. If he had referred to *Al-Ashbaah*, he would have seen that the name of the Kitaab is *Al-Badaai'* and the word following is *al-mukhtaar* which is not the name of a kitaab. Surely, any sensible person will understand that this is an error of a typographical nature made by a typesetter who has no understanding of these terms and names. Surely, the deviate cannot be so stupid to believe that the name of Allaamah Kaasaani's Kitaab which we have referred to in the same book a dozen times, is unknown to us. When we have already mentioned *Badaai'* elsewhere in the book, he should have understood the type of error this was. But when blinded with bias and wrath, the mind is overwhelmed with the *zung* of the heart. In case he has not unravelled the mystery of the meaning of *zung*, he can refer to his noble Ustaadh, Hadhrat Maulana Saeed Palanpuri who still happens to be in his post at Daarul Uloom Deoband.

While the Arabic pronunciation is *jarh*, the Urdu pronunciation is *jarah*. His aversion for Urdu, the language of his Asaatizah whose salt he ate for perhaps 8 years, is disgusting. Is his aversion for Urdu motivated by a bias for the Hanafi Math-hab, or by a more sinister motive? He cannot conceivably say that he has never heard the Asaatizah in Deoband pronounce the terms *sharah*, *salf*, *jarah*, etc.

Consider another error the deviate commits. In his first essay, mentioning the name of a kitaab, he says: *al-Musnad as-Saghir* by *at-Tabrani*. The name of Tabaraani's kitaab from which he quotes the Hadith is *Al-Mu'jamus Saghir*, not *al-Musnad as-Saghir*. In spite of the 'mujtahid-poet' committing this grave error by substituting *Musnad* for the correct name, *Al-Mu'jam*, he makes a childish issue from a typographical error which appears in our book regarding a similar kitaab of Tabaraani. The name of that kitaab is *Al-Mu'jamul Kabeer*. A typographical error presented it as *Al-Mujma-ul Kabeer*. The deviate is quite aware that it was an error of the typesetter because elsewhere in the book, the word, *Al-Mu'jam* is correctly spelt.

The deviate has evolved for himself a style of diacritical signs to indicate how 'meticulous' he is in the pronunciation of the Arabic *huroof*.

He thus denotes the *alif qasar* with a horizontally written '*fathah*' on an *a*. An upside down *dhammah* (*an inverted comma*) in front of a letter denotes ع to him. A *dhammah* (*comma*) in front of a letter denotes ء (*hamzah*). An *i* with a horizontal *fathah* denotes ي preceded by *kasrah*. A *th* denotes ث. These are about all the constituents of the system he has evolved. But

reciting all the *huroof* correctly is important. His extremely deficient system, however, does not consider it necessary to have signs to denote the other *huroof* of distinction. For example, he uses *s* for ص ; *h* for ح and ه; *t* for ت and ط.

He thus incorrectly spells words such as *Muhammad*, *Muhadditheen*, etc. The *h* in *Muhammad* has the sound of ه (haa) in Arabic. The Arabic rendition of *Muhammad* is محمد, which has a vastly different meaning. This is not expected of one who considers himself a ‘mujtahid-poet’ who demands the highest standard in literary matters. He has as yet not evolved signs to connote غ, ظ, ذ, ص.

He trumpets much about ‘urf’. He should have adhered to the *Urf-e-Khaas* of the Capetonians in the matter of transliteration of the Arabic *huroof*. In their *special urf* the letters *gh* denote ح. In the *Urf-e-Khaas* of those associated with the Indo-Pak Ulama, the letter *h* denotes both ح and ه. Both urfs are correct usages and are covered by the principle of *Urf-e-Khaas*.

Then while ridiculing the typographical error of the double *e* which appeared in the word *Seeraatul*, he objects only to the double *e*. He is blissfully ignorant of the fact that *s* does not convey the meaning of ص. *Sw* better conveys the meaning of ص.

There is absolutely nothing wrong if anyone uses a *k* for ق. It is part of a special *urf*, although it was a typographical error on the part of our typist. No one is under any Shar’i obligation to adopt the *special urf* of any person or community.

His rendition of the word مولانا is *Mawlana*, which does not produce the correct pronunciation. Our rendition is *Maulana*. Others write *Moulana*. *Molana*, as in the word *tone*; *Mowlana* as in the word *own*; *Moelana* as in the word *foes*. All forms are correct to their authors. It is pure childishness and stupidity to make an issue about nonsense. Highlighting such ‘errors’ displays the shallowness of a man’s understanding and the constriction of the heart. It is precisely on account of such stupid vindictiveness motivated by animosity which we concede is spawned by our tone of acquittal, that you will find a ‘mujtahid-poet’ descending to the ridiculous level of making an issue of a plain typographical error such as typing *Karhi* for Karkhi, and *Huzaimah* for Khuzaimah.

Regarding the word *Qitaan* appearing in our book, the deviate says: “Only a person who comes across the name of Ibn al-Qattan for the first time in a

book will spell his name as 'Ibn Qitaan'." The conclusion is incorrect. One can come across it a hundred times and spell it incorrectly because the error does not pertain to *I'raab* which requires the application of grammatical rules for correctness. But as far as the insertion of *harakaat* in strange and unfamiliar names is concerned, this is not governed by rules of grammar. Correct pronunciation in such cases is related to what one's ears have heard from the people of the language. Thus in English there is no grammatical rule to decree that *gh* produces the sound of *f*. Sometimes it conveys the sound of *f* as in *enough*, and sometimes it does not have this sound, as in *bough*. There are numerous such words in all languages, the pronunciation of which is not the product of rules, but depends on what the people of the language say.

Hence, if the word **قطان** is written without the *harka*, and the reader has not been informed of the correct pronunciation, then even if he comes across it a thousand times he may err and pronounce it *Qitaan*, *Qittaa*, *Qataan*, *Qutaan*, *Quttaan*. But this pronunciation does not affect the *dalaail* which have established that hair-cutting for women is immoral and *Haraam*. The motive for highlighting such acceptable errors is twofold—ridicule and worse, to divert attention from the prohibition of hair-cutting for women. And, of course, there is also another reason, and that is to convince ignorant laymen who do not understand the operation of *Shar'i dalaal* and *Mustadallaat*, that if names are misspelt, the 'logical' conclusion is error in the *dalaail* and *mustadlaat* of the Fuqaha who proclaim the prohibition of hair-cutting. But the deviate conceals behind the smokescreens of such diversions to attribute the *mustadallaat* and *fataawaa* of the Authorities to these insignificant Muqallideen.

It is understandably difficult for him to say, for example, Imaam Sarakhsi (rahmatullah alayh) wrote nonsense and drivel when he cited the Hadith of the Tasbeeh of the Malaaiakah as his *mustadal* for a mas'alah pertaining to a *Wajib* ruling. He cannot overtly declare that the Ahnaaf Fuqaha had all accepted the 'fabricated and forged' Hadith of the Tasbeeh of the Malaaiakah. So, he finds an easy outlet for the corruption of his view by attributing the acceptance of the Hadith and using it as a *mustadal* to these Muqallideen.

The lesson the deviate should learn from the puerility of his exercise is that those who live in glass houses should not throw stones.

A perusal of the list of errors produced by the deviate has established, besides typographical and spelling errors in names, only one or two genuine

errors, and these errors pertain to confusion in names, not any confusion in the presentation of *dalaail*. The validity of our arguments remain intact and unassailable despite the errors in the names. One is the incorrect attribution of a statement to Daarimi. This is an error due to our deficiency. Insha'Allah, this error and spelling errors in some of the words shall be corrected in the next edition. But there is nothing for the deviate to gloat about. The *dalaail* on the prohibition of hair-cutting for women are all valid and intact, Alhamdulillah. That is the fadhl of Allah Ta'ala.

We reiterate that we are averse to defending our errors and faults. The only reason why we felt impelled to offer some explanation is the possible confusion which can develop in the minds of laymen who are generally unacquainted with *Ilmi* discussions. They may be misled to conclude that the spelling and typographical errors and the non-errors which the deviate depicted as errors, substantiate the *baatil* case of the deviate on the haraam hair-cutting issue. The demand of *Ilm* and of our spiritual training is to immediately acknowledge our errors and faults and not to put up a defence. Self-vindication is the product of *takabbur* (pride) which is the shaitaani attribute from which those who pursue 'doctorate' degrees suffer. They are chronic patients of this disease, hence they cannot tolerate criticism even though they do not hesitate to criticize those illustrious Stars of the Shariah who may not be criticized by morons and those deficient in knowledge.

IMAAM SHAAFI'I AND HIS USTAADH

The story of Imaam Shaafi'i (rahmatullah alayh) should serve as a lesson in *adab* which the junior has to compulsorily observe for Ustaadhs and Akaabireen. When Imaam Shaafi'i (rahmatullah alayhi) would be in the same room with his Ustaadh, Imaam Waki' (rahmatullah alayh), both being engrossed in *mutaala-ah* of kutub, Imaam Shaafi'i would be in a dilemma when he reached the end of the page he was studying. The dilemma which he faced was the distraction which the sound of the turning page would cause to his Ustaadh who was absorbed in *mutaala-ah*. For fear of disturbing his Ustaadh with the 'sound' of the turning page, Imaam Shaafi'i would exercise the greatest caution to avoid the sound of the turning page reaching the ears of his Ustaadh and distracting him.

Then the deviate and all students in the Madaaris should open their ears and their eyes, listen and read the following anecdote of a great Muhaddith, Allaamah Anwar Shah Kashmiri. Usually in the margins of our kutub, some lines are written in an inverted position. To read these lines, students

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usually turn the kitaab around with the *matan* (the central text) the other way. When the need should arise for Allaamah Anwar Shah Kashmiri to read the inverted *ibaaarat* (text), he would not commit the disrespect of turning the kitaab upside down. Rather, he would rise and go to the other side to read the inverted lines. Let no deviate labour under the impression that the Allaamah lacked in the ability to read the *ibaaarat* sitting in his position, i.e. reading the inverted lines without getting up and without turning the kitaab around. Alhamdulillah, even the students in the Madaaris who lack in Taqwa are able to recite the *ibaaarat* upside down. But the degree of awe and *adab* the Fuqaha and Auliya had for Deeni *Kutub*, constrained them to conduct themselves in this manner.

This was their condition towards the *Kutub* which expound the *Ilm of Wahi* — the Qur’aan Majeed. The sanctity of these Books of the Deen constrained the true Students of the Deen to be always in the state of Wudhu. They did not sit in *Dars* without wudhu. Yet the deviate can wag his corroded tongue and wield his satanic pen against the likes of Allaamah Kaasaani, Allaamah Murgheenaani and others of this stature (rahmatullaah alayhim)!!!

The *Ilm of the Deen* is the Knowledge of the Qur’aan. Such *Ilm* is a *Noor* from Allah, which settles in the heart of the *Mutaqqi* Taalib. It does not enter a heart corroded with *zung*. A student or a so-called shaikh or molvi who lacks in even the rudiments of *adab* and who does not understand the stature of those he is criticizing, can never be a recipient of *the Noor of Ilm*, regardless of how many silly ‘*doctorates*’ he has acquired and how many miserable ‘*disciplines*’ he has pursued.

Hadhrat Shaikh Tastari (rahmatullah alayh) said:

“The worst zulmat (spiritual darkness) is the zulmat of knowledge.”

By knowledge here is meant book knowledge bereft of *taqwa*. It refers to the type of ‘*disciplines*’ deviates pursue and struggle for in the universities of *dhalaal*. It is about such ‘knowledge’ which takes a man to the brink of kufr and Jahannum that Imaam A’zam Abu Hanifah (rahmatullah alayh) said: *“Ilm is the greatest veil.”* It creates a veil between man and his Rabb.

THE LESSON FROM THE AKAABIREEN

We have taken this opportunity to offer the aforementioned *naseehat*, not to the deviate, but to the *Talabah* in our Madaaris. They should not be blind to

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the pitfalls in the Path of *Ilm*. There are too many wolves in sheep skins — too many shayaateen in human form, roaming around to enlist followers from the ranks of the *Ahl-e-Ilm*.

The lesson we have acquired from our Akaabireen who were all remnants of the noble *Salf-e-Saaliheen* —Allah Ta'ala having retained them for this age in close proximity to Qiyaamah — is the lesson of *Tawaadhu* which is the true emotional state of feeling lower than even an animal due to the abundance of our sins. This attribute of humility was an outstanding feature of our Akaabireen. An episode of Hadhrat Maulana Ya'qoob (rahmatullah alayh), an Ustaadh of Hakimul Ummat Maulana Ashraf Ali Thaanvi (rahmatullah alayh) will not be out of place at this juncture.

Hadhrat Maulana Ya'qoob (rahmatullah alayh) according to our Akaabireen was among the senior *Abdaal*. This is a category of Auliya who are always 40 in number. Their headquarters are located in Damascus. They rank high in the hierarchy of the *As-haab-e-Takween* and their identities are unknown save to a few. Whenever Hadhrat Maulana Ya'qoob (rahmatullah alayh) was stumped while teaching, he would immediately take the Kitaab and barge into any class in Daarul Uloom and regardless of the 'junior' status of the Ustaadh in that class, he (Maulana Ya'qoob) would open up the Kitaab, indicate the text he did not understand and asked the Ustaadh to explain. After acquiring the explanation, he would return to his class, pass on the explanation and at the same time inform the students that a certain Maulana Sahib (taking the name of the Ustaadh) had explained it to him in this manner. *Subhaanallaah! Alhamdulillah!* Such were our Akaabireen. And, this occurred frequently with this great Ustaadh. *Tawaadhu* (total humility) had permeated every capillary in their bodies. They lacked in entirety in pretence.

It is our good fortune to have sat at the feet of such august personalities, hence we do endeavour to follow that Path of the Sunnah which our Akaabireen have grounded into us. Thus, for this Refutation of Baatil which we are presently engaged in, we have sought the assistance of even students in our Madaaris due to the deficiency of our knowledge.

We lay no claim to being 'allaamahs', 'mujtahids' and 'oceans of knowledge'. Such pretences are among the attributes of those who are devoid of *adab* for *Asaatizah* and for the sacred *Kutub* of the illustrious Fuqaha and those who dismiss the *Kutub* of the Muhadditheen as forgeries and fabrications, and they indulge in destructive even corruptive exercises

while their *Asaatizah* are still alive They become adversaries to their seniors, simply discarding their advices . They feel over-competent, hence they do not deem it proper to consult with their *Asaatizah*.

This is the disease from which the deviate suffers. In spite of his awareness of the explicit *fatwa* of prohibition of his Ustaadh and of all the Akaabireen whom at least he cannot openly refute, he defies them, and does not feel obliged to consult with them in order to rid himself of the doubts and *wasawis* which are plaguing him on this issue.

Deviates lack the ability and competence of correctly understanding the *Kutub* of the Fuqaha, but they are swift in posing as critics of these admirable and unique *Kutub* — Works which have a status far superior to the Works of the later Muhadditheen. While the Muhadditheen were in entirety dependent on the Fuqaha-e-Mutaqaddimeen, the latter were in entirety independent of the former. This is a fact stated by senior Ulama and cannot be denied by men of intelligence.

Let us revert to the errata compilation of the deviate. Just how is the *dalil* of the *Ahl-e-Haqq* affected or weakened if instead of *Daraqutni* it is said *Daar Qutni* or *Daaru Qutni*? Does it alter the meaning of the statement or view attributed to him? And how does the spelling *Moosili* or *Mawsili* strengthen or weaken an argument? And in which way does the typographical error in the name *Jurzaqaani* instead of *Jawraqani* etc. alter the validity of the argument. How does the correct spelling *Ibn Mueen* strengthen the argument of the deviate who prefers *Ibn Ma'in*. What mileage does the deviate gain from *Qattan*, and in which way did he dent the claim of prohibition maintained by those who have spelt the word *Qitaan*?

Is the spelling *Tibraani* a refutation of the *daleel* of prohibition and is the spelling *Tabarani* a substantiation for the *Haraam* opinion for hair-cutting for women? And did Sayyiduna Bilal's (radhiyallahu anhu) pronunciation *Ashadu* for *Ash-hadu* invalidate the *Athaan* he used to recite? How does the term *Jurashi* debunk the arguments in favour of prohibition and how does the word *Harashi* add strength to the arguments presented in favour of *Haraam* hair-cutting for women? Does the spelling of *Tayaalasi* instead of *Tayalisi* create a fundamental change or a superficial change in the prohibition of hair-cutting on which there exists *Ijma'* of the Ummah? How does the incorrect spelling of Imaam Tirmizi's name lend support to

the deviate's claim of harmful *Idhtiraab* in the *Halq* Hadith narrated by the illustrious Imaam?

Consider the following different spelling versions both correct and incorrect in relation to the actual argument and see if such different versions of spelling produce any change in the *Daleel*.

- Imaam *Sarakhsi* said that the basis of the *mas'alah* is the Tasbeeh of the Malaaiakah.
- Imaam *Saraghshi* said that the basis of the *mas'alah* is the Tasbeeh of the Malaaiakah.
- Iemaam *Carakhshi* said that the basis of the *mas'alah* is the Tasbeeh of the Malaaiakah.
- Eemaam *Serakhse* said that the basis of the *mas'alah* is the Tasbeeh of the Malaaiakah.
- Emaam *Creghsee* said that the basis of the *mas'alah* is the Tasbeeh of the Malaaiakah.
- Imam *Srkhsi* said the basis of the *mas'alah* is the Tasbeeh of the Malaaiakah.

Besides the abovementioned few forms which are all correct in terms of the customary practices which anyone chooses to satisfy his fancy, there are many other versions which could also be adopted. While some of the versions maybe genuine errors in pronunciation due to unfamiliarity with the name, such versions and errors in no way whatsoever detract from the validity of the claim that ***the statement concerning the Tasbeeh of the Malaaiakah has been correctly attributed to the illustrious Imaam Sarakhsi (rahmatullah alayh).***

In the same way we ask in which manner did the deviate gain support for his *baatil* view from the rest of the “errors” he has compiled? And in which way has he, in anyway whatsoever, achieved to produce the slightest kink in our *dalaail* to prove the prohibition of hair-cutting for women?

THE FUQAHA AND HAIR-CUTTING FOR WOMEN

In the previous pages readers must have realised the confusion the deviate had endeavoured to create and his attempts to detract attention from the prohibition of hair-cutting for women. After all the labyrinthal and confusing arguments, we bring readers to the actual rulings which the Fuqaha of Islam have issued and their comments. Their rulings are the Law

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of Islam since all verdicts of the Fuqaha are based on teachings and principles of the Qur'aan and Sunnah. Opinions which novices, deviates and freelancers formulate on the basis of their personal understanding of the Qur'aan and Hadith have no validity in Islam.

Since the Chain of Learning of the Fuqaha is directly linked to Rasulullah (sallallahu alayhi wasallam) without any missing link, and with each Link in the Chain being a Golden Link, no one can fault the *Sanad* of the Fuqaha. Each Ustaadh in the Golden *Sanad* of the Fuqaha was an authority in Fiqh, Hadith and all branches of Islamic *Uloom*. Not a single authority, *Faqeeh or Muhaddith*, had ever criticized any one of the Ustaadhs in the *Sanad* of the Fuqaha. On the contrary, there is a preponderance of conflict in the classification of the *Raawis* (Narrators) of the Ahaadith compiled in the kutub of the Muhadditheen.

The most authentic and authoritative Ahaadith are those which appear in the kutub of the Fuqaha, without *sanad*. Those Fuqaha who were the Students of the Aimmah-e-Mujtahideen were totally independent of seeking the *asaaneed* for the Ahaadith which constitute the basis for the *ahkaam* which appear in the kutub of Fiqh.

They had acquired the Ahaadith from their most reliable and most authoritative Sources in whose integrity there is not the slightest blemish of any kind of *ilal* (defects) whatsoever. On the other hand, a *Raawi* who is authenticitated by one of the later Muhadditheen is branded a liar by another Muhaddith. Such conflict does not exist among the Fuqaha of a Math-hab.

The Ahaadith were transmitted to the Fuqaha of one generation by their Ustaadhs who were even greater Fuqaha, from the earlier generation. The earlier generation acquired the narrations from greater authorities before them. And so the Chain continues until it meets Rasulullah (sallallahu alayhi wasallam). No one, but deviates, can find fault with the Ahaadith which constitute the *mustadallaat* of the *Fuqaha-e-Mutaqaddimeen*.

The Later Fuqaha acquired everything — the *Usool and the Furoo-aat* (The Principles and the Details) and the Ahaadith with their classification, from their senior *Asaatizah* above them on a higher level in the Ladder climbing into the Heavens. Thus, the *ghuthaa* (*rubbish*) which the deviate gorges out about forgeries and fabrications in the kutub of the highest category of *Warathatul Ambiyaa* (Heirs of the Ambiyaa) is *ghuthaa* of a foul stench.

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The later Muhadditheen, all of them, were the Students of the Students of the Fuqaha who in turn were the Students of the Students of the Sahaabah. It is precisely for this reason that Imaam Tirmizi will frequently comment in his Jaami, inspite of defect in the chains of narration: *“The practice of the Ulama is on this.”* And, why should he not make this declaration when he himself was a Student of the Student of the illustrious Fuqaha?

It is of vital importance to understand and remember that Islam and its Shariah were not unearthed from a mass and mess of folklore by the Muhadditheen two centuries after the Sahaabah. When the Muhadditheen appeared on the scene, they performed Salaat, fasted, paid Zakaat, performed Hajj and executed all the *ahkaam* of the Shariah in exactly the same way as all Muslims do. They followed specific Math-habs, and they were Muqallideen. They were not deviates wandering in confusion and bewilderment in a barren wilderness like the modernist deviates. They proceeded with their acts of ibaadat in the manner they had acquired it from their Fuqaha *Asaatizah*. In relation to the illustrious *Fuqaha-e-Mutaqaddimeen*, the later Muhadditheen like Imaam Bukhaari, etc., (rahmatullah alayhim) were all infants.

When the Mu'min searches for a directive of the Shariah, he has no option but to turn to the Authorities of the Shariah, namely, the Fuqaha. He cannot turn to the Muhadditheen for a ruling nor to their Kutub. They operated in an entirely different field.

The Shariah of Islam for practical adoption is thus what is stated in the Kutub of the Fuqaha not what appears in the Kutub of the Muhadditheen who all practised the *Masaail* as they appear in the Kutub of *Fiqh*.

THE RULINGS OF THE FUQAHA

(1). Ad-Durrul Mukhtaar, citing from Mujtaba states:

“A woman who cuts her hair, has sinned, and she is accursed.” ‘Bazaaziyaah adds: ‘...and even if her husband consents because there is no obedience to anyone in an act of disobedience to the Creator.”

The Author of Mujtaba is a Faqeeh who died in 658 A.H.

(2). *“In this Hadith is the daleel (proof) for the fact that it is not permissible to change anything on which Allah has created a*

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woman whether it is by increasing or decreasing (any of her natural physical characteristics) for the sake of gaining beauty for the husband or for anyone else.”

(Bazlul Majhood, page 54)

Cutting hair is among the acts of *taghyeer li khalqillaah* (changing the natural appearance which Allah Ta’ala has created for women).

- (3). *“It is not permissible for a woman to cut her hair even with the permission of the husband.”*

(Al-Ashbaah Wan-Nazaair, page 178)

Allaamah Zain Ibn Nujaim, the Author of Al-Ashbaah died in 921A.H.

- (4). *“If a woman cuts the hair of her head, she sins and is cursed (by Allah Ta’ala).”*

(Shaami, Vol.10, page 431)

Allaamah Ibn Aabideen As-Shaami died in 1306 A.H.

- (5). *“It is not lawful for a woman to cut her hair just as it not lawful for a man to cut his beard. Similarly, if the husband permits her to cut her hair, it is not permissible for her (to do so).”*

(Al-Multaqat)

Author of Al-Multaqat is Allaamah Abul Qasim Muhammad Bin Yoosuf Husaini Samarqandi who died in 556 A.H.

- (6). *“If a woman cuts her hair, Istighaar (seeking forgiveness) from Allah Ta’ala is incumbent on her.”*

(Khulaasatul Fataawaa, Vol.2, page 52)

The Author of this Kitaab is Allaamah Taahir Bin Ahmad Bukhaari who died in 542 A.H.

- (7). *“When a woman cuts her hair, she sins and she comes under la’nat (curse of Allah Ta’ala). It is incumbent on her to seek forgiveness from Allah Ta’ala, and to repent.”*

(Kitaab Jumalil Ahkaam, Vol.3, page 165)

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The Author of this Kitaab is Imaam Abu Abbaas Ahmad Bin Muhammad Bin Umar An-Naatifi who died in 446 A.H.

- (8). *“Allaamah Abu Bakr Al-Iskaaf was asked about a woman who had cut her hair. He said: ‘It is incumbent on her to seek forgiveness from Allah Ta’ala, repent and not again return to this act.’ It was said (to him): ‘If she cuts her hair with the permission of her husband?’ He said: ‘There is no obedience to any creature (person) in any act which is disobedience to Allah.’ He was asked: ‘Why is it not permissible for a woman to cut her hair?’ He said: ‘Because (in so doing) she emulates males. Nabi (sallallahu alayhi wasallam) said: Allah curses women who emulate men, and men who emulate women.” And, because hair for women is like the beard is for men.”*

(An-Nawaazil , page 111—Ta’leeqaat—Kitaab Jumalil Ahkaam)

Allaamah Muhammad Ibn Ahmad Abu Bakr Al-Iskaaf Al-Balkhi died in 333 A.H. His *Sanad* (Chain of Qualification) links up with Imaam Muhammad and Imaam Abu Yusuf via only two Links, namely, Muhammad Bin Salmah (Died 278 A.H.) and Abu Sulaiman Al-Jauzaani (Died after 200 A.H.).

- (9). *“Al-Maawardi said: A woman should not cut (even the size of one anmulah) from her tresses. But she should lift her tresses and cut from the hair under the tresses because (cutting from the tresses) disfigures her.”*

(Kitaabul Majmoo’, Vol.8 page 177)

Al-Maawardi was among the very senior Shaafi’i Fuqaha. This is the view of many senior Fuqaha of the Shaafi’i Math-hab. Imaam Nawawi narrates this Fatwa in his Kitaabul Majmoo’. Al-Maawardi died in 450 A.H. The permissibility for the cutting of one *anmulah* applies to *tahallul* (gaining release from Ihraam).

- (10). *“A woman who has cut her hair has sinned and she is cursed (by Allah Ta’ala) even if her husband permits her because there is no obedience to any creation in any act which is disobedience to Allah.”*

(Fataawaa Bazaaziyyah)

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- (11). *“A woman shall be prohibited from shaving her head....The obvious meaning of halq of the hair of her head, is its removal whether by shaving, cutting, plucking or lime. She should therefore abstain (from this act of removing the hair on her head). The meaning of not being permissible is that its is Makrooh Tahrimi. This is said in Miftaahus Sa-aadah.”*

(Al-Hamawi, Vol.1, page 73)

- (12). (According to the Shaafi’is) *“The law pertaining to Taqseer (cutting) more than anmulah (during Hajj) is just as the law pertaining to halq (shaving).”*

(Tarhut Tathreeb Fi Sharhit Tatreeb, Vol. 5 page 116)

According to the Shaafi’i Math-hab for the prohibition of halq for women there are two views. One is Makrooh Tahrimi and the other is Haraam. The same ruling will apply to *Taqseer* (cutting more than one *anmulah*) during Hajj. While one *anmulah* in length is permissible to secure release from Ihraam, more than it is either Makrooh Tahrimi or Haraam according to the Shaafi’i Math-hab. In this regard, it appears in *Tarhut Tathreeb*:

“Should permission be given to cut more than this, (i.e. anmulah during Hajj), it will ultimately lead to disfigurement as we have already explained.”

- (14) *“Ibn Hajar (among the Shaafi’is) said (regarding cutting for release from Ihraam):except from her tresses because cutting some of it disfigures her.”*

(In the Annotation of Allaamah Shabramallisi
of Ar-Ramali’s Nihaayatul Muhtaaj)

Haafiz Ibn Hajar Al-Haitami died in 909 A.H.

- (15) In his Fatwa of the prohibition of hair-cutting, Hakimul Ummat Maulana Ashraf Ali Thaanvi says:

(16)

“In Ad-Durrul Mukhtaar narrating from Al-Mujtaba it appears: ‘When a woman cuts her hair, she has sinned and is accursed.’ Bazaaziyah added: ‘And, even if the husband permits her because there is no obedience for any creature (person) in anything which involves disobedience to the Creator. The rationale for this (prohibition)

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is emulation of males. In Al-Ashbaah in the chapter on the ahkaam for females is this statement: ‘A woman shall be prohibited from shaving the hair of her head.....’. For the full Fatwa of Hakimul Ummat, see pages 106 and 107 of the reprint of our earlier book on THE FEMALE’S HAIR.

(16) Hadhrat Maulana Saeed Ahmad Palanpuri says:

“It is prohibited for a woman to cut her hair.....It is haraam for a woman to shave or cut her hair. Such a woman is deserving of the la’nat (curse) of Allah Ta’ala. It appears in Shaami: ‘A woman who cuts her hair has sinned and is cursed.’”

(The Beard and the Sunnats of the Ambiyaa, pages 96, 97)

Hadhrat Maulana Saeed Ahmad Sahib is a senior Mufti and Ustaadh at Daarul Uloom Deoband, and he is the Ustaadh of the deviate.

(17) In his Fataawaa, Mufti Ludhyaanwi of Pakistan writes:

“It is not permissible for women to cut their hair.”

(Vol. 7 Page 132)

(18) In a lengthy Fatwa in Imdaadul Ahkaam, Allaamah Zafar Ahmad Uthmaani, the Author of I’laaus Sunan, explains the Fatwa of Prohibition, namely, hair-cutting for women is haraam. In his Fatwa he also mentions:

“No where is it proven from the Mujtahideen that they had given permission for either a married woman or a widow to cut hair without the valid reason of pain, sickness or Hajj. On the contrary, the Fuqaha have totally prohibited women from shaving or cutting their hair. There is no proof for permissibility in the statement (of Imaam Nawawi)....”

(19) The Author of Fataawaa Rahimiyyah, Hadhrat Mufti Abdur Rahim Lajpuri states:

“It is a grave sin if a woman cuts her hair because her husband wants her to have a fashionable hair-style or even if she herself desires such a style. It is haraam. In an act of sin obedience to the husband is not permissible. In Ad-Durrul Mukhtaar it is said: ‘When a woman has cut the hair of her hair, she has sinned. Bazaaziyah added: ‘and, even if the

husband permits her because there is no obedience for makhloq in an act which is disobedience to Khaaliq.”

(Fataawaa Rahimiyyah, Vol. 10, page 321)

(20) In another place, Hakimul Ummat Maulana Ashraf Ali Thaanvi says: *“It is haraam for a woman to shave and cut her hair. In the Hadith it comes that la’nat is invoked on her.”*

(Beheshti Zewer, Part 11, page 124)

Besides, these few Fuqaha and Ulama mentioned here, there are innumerable other Ulama who have issued the *Fatwa* of Prohibition. However, paucity of kutub has not permitted us to acquire further names. But in reality, more names are not required.

Every unbiased, intelligent Muslim earnestly seeking the truth on this *mas’alah* will readily understand and accept the Rulings issued by the authorities we have mentioned here. It will be seen from the illustrious names we have cited, that the Ruling of Prohibition is stated from Fuqaha and Ulama of different ages and different lands. And, all those Fuqaha and Ulama who have issued a unanimous verdict are great Authorities of the Shariah whose *asaaneed* (chains of learning) link up with Rasulullah (sallallahu alayhi wasallam). Each link in the Chain is golden without the slightest tinge of alloy or blemish. We shall now proceed with the views and rulings of Contemporary Ulama.

THE CONTEMPORARY ULAMA

The deviate in his booklet claims for his *baatil* view “*corroboration by contemporary ulama*”. In support for this preposterous claim he presents a view which he had picked up from the internet which is perhaps the most unreliable of all the unreliable instruments which disseminate news and information. From the internet he picked up a *fatwa* which is attributed to Hadhrat Mufti Taqi Uthmaani Sahib of Pakistan.

The *fatwa* of Mufti Taqi Uthmaani purportedly states the permissibility of hair-cutting for women to beautify themselves. Then he refers to Shaikh Abdullah Bin Baaz (rahmatullah alayh) who is alleged to have issued a *fatwa* of permissibility. On the assumption that these two Ulama did issue rulings of permissibility, their views which conflict with the views and ruling of all the Fuqaha and Ulama of all Math-habs have to be set aside

and dismissed as erroneous. All narrational and rational *dalaa-il* negate the view of permissibility.

Furthermore, from the innumerable Ulama still living in this corrupt world, the deviate has been able to come up with only two names from the contemporary Ulama. He has *Asaatizah* who are top-grade Ulama in Daarul Uloom Deoband. He spent many years in the *Ilmi* circles of Daarul Uloom and he must be acquainted with many Ulama, yet he has been unable to furnish a single name from the many contemporary Ulama besides picking up a dubious internet report. Surely there is something seriously amiss. If he was on the Path of Rectitude, he should have been able to enlist the support of many contemporary Ulama, especially in this liberal and immodest age in which an extremely wide avenue has opened up for *baatil and kufr ta'weel* (interpretation).

HADHRAT MUFTI TAQI UTHMAANI

As far as the venerable Mufti Sahib is concerned, the internet report is highly incorrect and misleading. Mufti Taqi Uthmaani Sahib has dissociated himself from the view of permissibility. He is at one with the Akaabireen in the *fatwa* of the prohibition of hair-cutting for women. We have already reproduced his explanation and clarification on this issue. See page 17 & 18. The deviate may now expunge the name of Hadhrat Mufti Taqi Uthmaani from his brief list of two contemporary Ulama. He is now left with one name —Shaikh Bin Baaz (rahmatullah alayh).

SHAIKH BIN BAAZ

(1) Shaikh Bin Baaz has purportedly issued the following *fatwa*:

“I do not know of anything (wrong) in cutting a woman’s hair. It is not allowed to shave all of it off. You (referring to the female who posed the question.) cannot shave off the hair of your head but you may shorten its length. I do not know of anything wrong with that.”

This ‘fatwa’ which cannot be termed a *fatwa*, appears in the book, *Fataawal Mar’ah* (FATAWA REGARDING WOMEN). This is the work of contemporary Hambali Ulama of Saudi Arabia.

In the very same kitaab, *Fataawal Mar’ah*, in the Arabic version appear two *fatwas* of his colleague, Shaikh Ibn Uthaimin (rahmatullah alayh), one of

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the top Ulama of Saudi Arabia. In both these fatwas, Shaikh Ibn Uthaimin very explicitly and with much emphasis states the prohibition of hair-cutting for women. Shaikh Ibn Uthaimin and Shaikh Bin Baaz were members of the same Ulama Standing Committee.

In the English version of the book, only one of the two *Fatwas* he issued in Arabic on the prohibition, appears. In the Arabic version of the book appears one fatwa of permissibility issued by Shaikh Bin Baaz, and two of prohibition issued by Shaikh Ibn Uthaimin, and of these two only one appears in the English translation.

Then, the so-called fatwa of Bin Baaz looks like the work of a modernist layman. It cannot be called a fatwa. The statement states : “I do not know of anything wrong in cutting a woman’s hair.” No Shar’i arguments are presented for this view. Not a single Shar’i *daleel* is presented. Only, “I don’t know of anything...” mentioned thrice in the short ‘fatwa’. If one Shaikh does not know, someone else will know. A fatwa is not based on what the Mufti does not know. A true Shar’i *Fatwa* is based on explicit teachings or principles of the Shariah.

It is strange that Shaikh Bin Baaz (rahmatullah alayh) issued a ‘fatwa’ based on his ignorance of the Hambali view and ruling on this issue. His colleague has explained with clarity the Hambali position, and the *Fatwa* of prohibition appears in the same book. Furthermore, the two Shaikhs were colleagues serving on the very same Standing Committee. It is inconceivable that Shaikh Bin Baaz was unaware of the Hambali Math-hab’s viewpoint on this question.

A man’s personal opinion, and that too, based on his ignorance regarding the matter concerned, is not the Shariah. If there is no Shar’i basis for a ‘fatwa’, it shall be discarded and rejected. This is the treatment which has to be meted out to the so-called ‘fatwa’ of Shaikh Bin Baaz.

It is indeed weird that Shaikh Bin Baaz did not know of anything which renders hair-cutting for women haraam. How is it possible to believe that such an able Shaikh with extensive knowledge of the Deen happens to be so entirely ignorant of such a basic mas’alah? His co-Shaikh in the same Standing Committee presented the views of the Hambali Math-hab with much clarity and emphasis. How come Shaikh Bin Baaz was so blissfully ignorant of these views of the Hambali Math-hab and of his own colleague,

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and that the ruling of prohibition issued by Shaikh Ibn Uthaimin (rahmatullah alayh) appears in the same book in which his fatwa appears?

Any discerning Muslim will be able to understand , if he reads Shaikh Bin Baaz's statement, that these are the words of some layman. It is unacceptable of a man of learning such as Shaikh Bin Baaz to issue such a nonsensical statement which has been attributed to him, and to believe that such nonsense is a Fatwa of Shar'i import. The statement is ridiculously silly to say the least. It has to be necessarily dismissed. Whether the statement has truly been issued by the Shaikh or not, it is drivel to be discarded in someone's trash can.

We shall now present the *Fatwa* of Shaikh Ibn Uthaimin (rahmatullah alayh) who was the colleague of Shaikh Bin Baaz (rahmatullah alayh).

(1) Shaikh Ibn Uthaimin, a senior Mufti of the Hambali Math-hab in Saudi Arabia, issued the following *Fatwa*:

“A woman cutting her hair, does so either on account of emulating males. In this case it is Haraam and of the great sins because Nabi (sallallahu alayhi wasallam) said: ‘Women who emulate men have been cursed’. Or the hair-cutting may not reach (the limits) of tashabbuh with men. In this case, the Ulama have differed and there are three views: Among them are those who say that it is permissible. And, among them are those who say that it is haraam, and among them are those who say that it is Makrooh (Tahrimi). The well-known (Mash-hoor) view of the Math-hab of Imaam Hambal is that it is Makrooh (Tahrimi). The reality is what we have answered earlier (referring to another question). Just a short time ago, we saw women (i.e. Muslim women) taking pride in an abundance of hair on their heads and in long hair. What has happened with their condition (nowadays)? They go towards this act (of hair-cutting) which has come to us from alien lands. I am not denouncing every new development, but I denounce every thing which leads to the changing of the community to the acceptance of the practices of non-Muslims.”
(*Fataawal Mar'ah*, page 232)

(2) In another *Fatwa* Shaikh Ibn Uthaimin says:

“Hair-cutting for women according to the Hanaabilah is Makrooh (Tahrimi). However, if the cutting is in emulation of males, then it is Haraam because Rasulullah (sallallahu alayhi wasallam) said :

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“Allah has cursed women who imitate men.” Similarly (will it be haraam) if she cuts her hair in emulation of kaafiraat (non-Muslim women). This too is Haraam because it is not permissible to emulate kaafir women and immoral women because Rasulullah (sallallahu alayhi wasallam) said: “Whoever emulated a people, becomes of them.” If there is no tashabbuh with this (hair-cutting) or with that (hair-cutting), then according to the Hanaabilah Ulama, it is Makrooh (Tahrimi).”

(Fataawal Mar’ah, pages 235, 236)

The Shaikh has stressed the prohibition without any ambiguity. Even if the hair-cutting is not in emulation of kuffaar or males, then too it is prohibited according to the Hambali Math-hab. We have already, elsewhere in this book, clarified the meaning of Makrooh when used without any descriptive word. When the word Makrooh is used it means Makrooh Tahrimi according to all Math-habs, especially if the *hukm is between Haraam and Makrooh*.

From these two *Fatwas* of Shaikh Ibn Uthaimin, the view of the Hambali Math-hab is adequately and unambiguously stated. The ruling of the *Jamhoor* Hambali Fuqahaa is either Makrooh Tahrimi or Haraam even if the factors of *tashabbuh bir rijaal* (imitating men) and *tashabbuh bil kaafiraat* (imitating kaafir women), and *tashabbuh bil faajiraat* (imitating immoral women) are not present in the hair-cutting.

PERMISSIBLE?

In one of his two Rulings, Shaikh Ibn Uthaimin (rahmatullah alayh) mentioned that of the three Hambali views, one view is permissibility if there is no *tashabbuh* (imitating kuffaar) accompanying the act of cutting hair. It is necessary to comment on this claim of the venerable Shaikh.

In Saudi Arabia, the Ulama in general, and the establishment Ulama in particular, are under strain and pressure from different quarters. They are not entirely free. Their position in official committees such as the Standing Ulama Committee demands that they tread warily and speak with caution so as not to ruffle the feathers of people of prominence in the different circles of the establishment. The statement of the one view of permissibility which the venerable made in his one *fatwa* is of the type of caution which he was constrained to exercise for some reason known to him.

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In fact, in the Hambali Math-hab there are no three views regardless of the absence of the factor of *Tashabbuh*. Even if the hair-cutting by women is not accompanied by *Tashabbuh*, it remains prohibited. The only difference in the Ruling is the designation accorded to the Prohibition. In this case the one Hambali view is *Makrooh Tahreemi* and the other view is *Haraam*.

The imaginary third view was simply to accommodate the baseless view of Shaikh Bin Baaz who had proffered the view of permissibility if there is no *Tashabbuh* involved. In spite of this aberration introduced by Shaikh Ibn Uthaimin, he nevertheless, stated unequivocally the *Mash-hoor* (Well-Known and Established) and the *Mufta Bihi* (the Official Verdict) of the Hambali Math-hab, viz., Hair-cutting by women is either *Makrooh Tahrimi* or *Haraam* notwithstanding the absence of *Tashabbuh*.

The venerable Shaikh Ibn Uthaimin (rahmatullah alayh) accommodated the baseless view of of Shaikh Bin Baaz on account of either duress or weakness. May Allah Ta'ala forgive him. He was a Man of the *Haqq*.

This leaves the deviate deprived of the straw which he had clutched under the subterfuge of 'contemporary ulama'. The fact is that there are no contemporary Ulama who hold the view of permissibility. Of course, the dandy type modernist beardless, suit and tie wearing sheikh is of no concern. Such deviates simply do not feature anywhere in this discussion and they are of no substance even if they are able to outclass Abu Jahl in proficiency of the Arabic language and compilation of poetry.

(3) In the kitaab, *Tambeehaat Alaa Ahkaamit Takhassusin bil Mu'minaat*, Shaikh Saalih Bin Fawaan Bin Abdullah Al-Fawaan of Saudi Arabia says:

"Muslim ladies are required (by the Shariah) to lengthen the hair on their heads. Shaikh Muhammad Bin Ibraaheem Aal Ash-Shaikh, the previous Grand Mufti of Saudi Arabia said: 'It is not permissible for women to shave their heads because of (the prohibition) in the following narrations:

Imaam Nasaai' (rahmatullah alayh) narrates in his Sunan from Hadhrat Ali (radhiyallahu anhu), Imaam Baza (rahmatullah alayh) narrates in his Musnad from Hadhrat Uthmaan (radhiyallahu anhu), and Allaamah Ibn Jareer Tabari (rahmatullah alayh) narrates from Ikramah (radhiyallahu anhu) that Rasulullah (sallallahu alayhi wasallam) prohibited women from shaving their heads.

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The prohibition of Rasulullah (sallallahu alayhi wasallam), invokes Tahreem (being haraam) if there is no contrary hukm.

In Mirqaat, Sharah Mishkaat, Mulla Ali Qaari (rahmatullah alayh) writes:

“Rasulullah’s instruction that a woman should not shave her head, is on account of the fact that in the matter of beauty and adornment, tresses for women have the same status as the beard has for men.”

Besides the motive of beauty and adornment, there is nothing wrong to shorten the hair for some other (valid) purpose. (But not for the sake of beautifying). If the motive in shortening the hair is to emulate non-Muslims and immoral women, then undoubtedly it is haraam.

If the intention in shortening the hair is to gain beauty and adornment then evidently this does not seem permissible. If the husband orders his wife to shorten her hair, it is not permissible for her to obey him because obedience to anyone in any act which is sin against Allah Ta’ala is not permissible.....It is necessary for women to fully protect their hair and form them into tresses.

*In the same way as women have been prohibited from shaving and **cutting** their hair without valid reason, so too is it prohibited for them to artificially lengthen their hair.*

(4) The *Fatwa* and clarification of Mufti Taqi Uthmaani appears on page 17 & 18. The deviate should have no qualms in accepting Mufti Taqi’s Ruling. After all, Hadhrat Mufti Sahib in the words of the deviate is: “*a Hanafi faqih and muhaddith of the highest rank*”.

(5) In his *Fatwa*, Maulana C.M. Sema Sahib of Daarul Uloom Newcastle says:

(6)

“Nabi-e-Kareem (sallallahu alayhi wasallam) has warned us from imitating the lifestyle of the Kuffaar, the Yahood and the Nasaara. On many occasions he said: ‘Oppose the Yahood and the Nasaara.’

Nabi (sallallahu alayhi wasallam) also said: ‘Whoever imitates a people becomes of them.’ In the light of these Ahaadith and warnings it is not permissible for Muslim women to imitate the hairstyle of non-Muslim women and shorten their hair.”

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It is significant in relation to the prohibition, that all Ulama see in it the vice of *Tashabbuh bil kaafiraat wal faajiraat*, i.e. emulating immoral non-Muslim women. Regardless of whatever is proclaimed, the bottom line is that when there is no valid reason, the motive for hair-cutting is nothing but the adoption of the hairstyles of western women.

(5) Mufti Gulaamullah Sahib of Madrasah Miftaahul Uloom says in his *Fatwa*:

“When one looks at the pure teachings of our Shariah, one will note that Islam has always made a clear difference between right and wrong, good and bad. Even the identity of a male believer has been kept clear of any resemblance with a female believer. One of the salient features of this pattern is the hair of the head. Through the long corridor of our history, the Ulama have always ruled against the cutting of the female’s hair without a real shar’ee reason. May Allah Ta’ala protect our sisters from emulating the women of the kuffaar whose common practice is to cut their hair. Hair-cutting for them is Haraam and can never be justified by the argument of beauty.”

(6) Mufti Ebraahim Desai Sahib from Daarul Ifta, Madrasah In’aamiyyah, Camperdown, South Africa, writes in his *Fatwa*:

“The Ruling of our Daarul Ifta has always been that generally it is prohibited for females to trim their hair. We have corresponded with Mufti Taqi Usmani Sahib directly and he has clarified his position on the matter, namely, a female may trim her hair at the bottom (i.e. the ends of the tresses), only to straighten the uneven ends or to enhance its growth. Such cutting does not exceed more than a few inches (and is not a hair style designed for beauty). Mufti Taqi Sahib has stated that his ruling on the albalagh.net site should be read in this context.”

(Mufti Taqi Sahib’s full clarification appears on page 17 & 18)

(7) Mufti Ebraahim Salejee of Siraatul Haq Madrasah, Escort, South Africa states in his *Fatwa*:

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“It is not permissible for women to cut their hair to shoulder length or shorter for the sake of beauty or even for the sake of pleasing their husbands. In such trimming is the resemblance with men and also imitation of non-Muslim women. Both acts are Haraam..”

(8) Mufti Ya'qoob Wali of Jamia Miftahul Falaah, South Africa states after citing the Arabic kutub references:

“It is evident from this text that even with the permission of the husband and with the intention of beautifying herself, it is not justifiable to cut off the long tresses of hair. Such an act is impermissible and sinful. All our Akaabireen are unanimous in regard to this prohibition.”

(9) Mufti Rizaaul Haq Sahib of Madrasah Zakariyya Lenasia, South Africa, writes in his *Fatwa*:

“Regarding the issue of women generally cutting or trimming their hair, the Fuqaha and Ulama state that a woman who cuts her hair has committed a sin and is cursed (Ad-Durrul Mukhtaar quoting from Al-Mujtaba). It is further mentioned in Al-Bazaziyyah that this is not permissible even if her husband permits it because the Hadith states: ‘There is no scope for obeying the creation in matters wherein the disobedience of the Creator takes place.’ It is for the very same reason that it is haraam for a male to cut his beard (even at the insistence of his wife).

The main reason for women not being permitted to cut their hair is that it leads to resemblance with the menfolk. It is further stated in Al-Ashbaah under the laws pertaining to women that the prohibition of a woman shaving her hair encompasses all modes of removal (of hair) whether it be by means of cropping, trimming, plucking out with tweezers, or shaving with a razor. Imam Nasaa'i (rahmatullah alayh) has recorded a Hadith on the authority of Hadhrat Ali (radhiyallahu anhu) that Rasulullah (sallallahu alayhi wasallam) prohibited women from shaving their hair (Mishkaat). In this Hadith too, the word ‘shaving’ brings within its scope the prohibition of all forms of removing the hair. (Imdaadul Fatawa, also Safai Muamalaat and Beheshti Zewer).”

(10) Mufti Ahmad Mia Sahib and Mufti Basheer Sanjalvi Sahib of Waterval Islamic Institute, Johannesburg, South Africa, state:

“The female’s hair is part of her blessed natural beauty and

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adornment.....Thus the principle by law in the Shari-ah is that it is Haraam for females to shorten their hair or shave their heads. This is from the hadeeth mentioned in Nasa-iy, that Rasulullah (sallallahu alayhi wasallam) prohibited females to shave their heads. Therefore Muslim females should carefully avoid and abstain from hair fashions and styles which are merely for the ogling eye.”

The principle, as the venerable Muftis have clarified, is “that it is Haraam for women to shorten their hair.” The principle is not permissibility to cut as the deviate has claimed.

(11) Mufti Shuayb Rawat of Jamia Masihiyyah Ashrafiyyah, De Deur, South Africa states in his *Fatwa*:

“It is not permissible for a woman to cut her hair short. It is not permissible for her to cut her long tresses even if her husband wishes her to do so. Our Akaabir Ulama and Muftis have all along held the view of female hair-cutting to be prohibited.

It is stated in the authoritative Hanafi kitaab, Al-Multaqaat, page 102:

‘It is not halaal for a woman to cut her hair. Similarly, if her husband grants her permission for cutting, then too, it is not permissible for her.’”

Numerous Fuqaha who were Muhadditheen of the highest calibre, have employed the Hadeeth of the Malaaiakah’s Tasbeeh as a basis to deduce important masaa’il on the issue of Jinaayat and Ihlaal from Ihraam. Among them are Muhaqqiq Badrud Deen Aini, the author of the celebrated Sharh of Bukhaari Shareef, Umdatul Qaari Fee Sharhil Bukhaari, and Uthmaan Bin Ali Zaila’i, author of Tabyeenul Haqaaq Sharhu Kanzid Daqaaq.

Their acceptance and employment of the Hadeeth on the Tasbeeh of the Malaaiakah as mustadal leaves no scope for doubt on the authenticity of this Hadeeth.

The Ulama of Deoband are unanimous on women’s cutting hair being na-jaaiz (not permissible). Refer to Hazrat Shaikh Zakariyya’s fatwaa on this issue in Faidhul Mun’im, pages 178/9. Hazrat Shaikh

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(rahmatullah alayh) refutes the contention of permissibility which has been deducted on the basis of the Hadeeth of Muslim.

All those linked to the Imaam of Tasawwuf, Hazrat Moulana Maseehullah Khaan Sahib (Rahmatullah alayh) are aware of the great Shaikh's explicit views on the prohibition of women cutting their hair and are familiar with the words of the Hadeeth related by Hazrat Maseehullah Sahib. Thus, after narrating:

***“Glorious is He Who has adorned men with beards
and women with locks and tresses”,***

(Refer to the Majlis Maseehul Ummat, No.34. Page 111)

He laments: ‘Women are cutting their tresses which are a wonderful item of beauty, and men are shaving their beards which are (their) adornment.....’

(12) Mufti Muhammad Saeed Motara Sahib of Madrasah Arabiyya Islamiyya Ifta Department issued his *Fatwa* which is as follows:

“Apart from the occasions of Hajj and Umrah when it becomes essential for a woman to cut a negligible amount of hair in order to come out of Ihraam, it is prohibited under normal circumstances for women to cut or trim their hair. The prohibition is further aggravated by the fact that women who do have the inclination of cutting their hair up to their shoulders or even shorter, do so in emulation of western lifestyle. The Qur’aan clearly proclaims: ‘That which the Rasul has brought to you, accept it, and that which he prohibits you from, desist from it. (Surah Hashr, 59:7) In this Aayah we have been commanded to refrain from whatever has been prohibited by Rasulullah (sallallahu alayhi wasallam). If we now cast our glance at the prohibitions of Rasulullah (sallallahu alayhi wasallam) with regard to women who emulate men and the western world by cutting their hair, we find the following Ahaadeeth:

Rasulullah (sallallahu alayhi wasallam) prohibited free women from shoulder-length hair (Faidhul Qadeer, Vol.6, pg.312), as recorded by Tabaraani on the authority of Hadhrat Abdullah bin Umar (radhiyallahu anhu). It is obvious that the hair of a woman can only be shoulder-length if it is trimmed and cut to this length. Keeping hair in this manner has been expressly forbidden in this Hadith.

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Rasulullah (sallallahu alayhi wasallam) cursed those men who emulate women and also those women who emulate men. (Narrated by Bukhaari -Mishkaat, page 380)

In one Hadith, Hadhrat Ali (radhiyallahu anhu) narrates: 'Rasulullah (sallallahu alayhi wasallam) forbade women to shave the hair on their heads.' (Mishkaat, Pg. 334 narrated by Nasaa'ie)

Just as shaving the head is essentially a male practice so too is the practice of trimming, chopping and cutting the hair. Thus, it goes without saying that women who trim and cut their hair are, (apart from emulating western society) also emulating men, thereby making themselves targets for the curse of Rasulullah (sallallahu alayhi wasallam).

Mulla Ali Qaari (rahmatullah alayh) writes: "Long hair and plaited locks are adornments for women, just as the beard is an adornment for men." Since long hair is an adornment and beauty for women, they should fulfil the right of that adornment by lengthening their hair and not cutting it. Nowadays, most women have a totally opposite concept in that they regard trimming and cutting the hair as an act of beauty and adornment. This ideology has crept into Muslim women too, due to western influence and indoctrination. By trimming and cutting the hair, a Muslim woman will, in effect be emulating the lifestyle of the western world whereas emulation of nations foreign to Islam, has been severely condemned in a Hadith wherein Rasulullah (sallallahu alayhi wasallam) says:

"Whoever emulates (the lifestyle of another) nation is from amongst them."

From the abovementioned facts, it can be safely deduced that it would not be permissible for a woman to cut her hair, even though her husband may desire this. The whims of the husband cannot justify disobedience to the injunctions of the Shariah. A Hadith of Rasulullah (sallallahu alayhi wasallam) clearly states: "The creation cannot be obeyed when such obedience countenances disobedience to the Creator."

We take this opportunity to express our *shukr* (thanks and gratitude) in particular to Mufti Motara Sahib, and in general to the Ulama of the other

Madaaris, who have assisted with numerous references from the kutub. The information they had provided with copious references sent to us have proved very helpful in the preparation of this book against *baatil*. We have also derived assistance from the *tahqeeqaat* of Mufti Motara's *Talabah*.. It is our fervant dua that Allah Ta'ala grants them all greater *ikhlaas*, greater *taqwa*, *hikmat* and the *taufeeq* to serve his Deen. Their co-operation in this exercise to uphold the *Haqq* and to demolish *Baatil* has considerably assisted these incompetent *khudaam* (servants) of the Ulama, and Muqallideen deficient in *Ilm* and *A'maal*. To all of them we say:

Jazaakumullaah!

REVILING THE ULAMA

Hadhrat Maulana Rashid Ahmad Gangohi (rahmatullah alayh) said:

“The faces of those who criticize and revile the Ulama are turned away from the Qiblah in their graves. Whoever wishes to ascertain this may proceed and see.”

Those who are in the habit of criticizing the illustrious Fuqaha and Heirs of Rasulullah (sallallahu alayhi wasallam), should heed this terrible warning.

THE FATWA OF DAARUL ULOOM DEOBAND

In a very recent *Fatwa* issued by the Headquarters of the Ulama-e-Deoband, Daarul Uloom, Deoband, four Muftis of Daarul Uloom's Ifta Department jointly issued their verdict as follows:

“THE ANSWER WITH THE TAUFEEQ OF ALLAH”

“We do not know who Shaikh Muhammad Taha Karaan is nor are we aware of the occasion when he qualified at Daarul Uloom Deoband. We are not in agreement with his liberal views which he has expressed on the question of women's hair. We do not consider his personal views to be correct.

This *mas'alah* (of hair-cutting for women) is a well-substantiated ruling. It is proven from the Saheeh Hadith that it is *Waajib* for women to keep the hair of their heads. It is *Haraam* for them to cut or

shave their hair. It is narrated from Ali (radhiyallahu anhu) that Rasulullah (sallallahu alayhi wasallam) prohibited a woman from shaving her head.” Nasaai’ narrated in —Mishkaat, Vol.1, Page 384.

This Hadith has complete clarity and is faultless. It is above every vestige of doubt and defect, hence *amal* (practice) on it is *Waajib*.

With regard to the narration of Muslim Shareef, namely the Hadith in which appears the statement: **يَاخُذْنَ مِنْ رُؤُسِهِنَّ حَتَّى تَكُونَ كَالْوَفْرَةِ**

It means that the Wives of Nabi (sallallahu alayhi wasallam) would arrange their hair in such a manner during ghusl that it had the appearance of the hair style called *wafrah*. Allamah Zafar Ahmad Uthmaani, the Commentator of Muslim, in explaining this Hadith, presented several probabilities. At the end of his elaboration he said that the Wives of Nabi (sallallahu alayhi wasallam) did not cut their hair. In fact, they would tie up their hair at the back of their necks during ghusl. This gave the impression of hair like *wafrah*. Hence (to the observer) it appeared that their hair was not lower than the ears. In our land too, many old and other women do not leave their hair loose during ghusl. (After washing the hair), they tie it behind their necks.

Even during Hajj when women have to release themselves from Ihraam, then they have to make *taqseer* (trim the hair). Malikul Ulama (The King of the Ulama, i.e. Allaamah Al-Kaasaani) says in Al-Badaai’, Vol.2, page 29:

“There is no shaving for a woman. Because of what has been narrated from Ibn Abbaas who narrated that Nabi (sallallahu alayhi wasallam) said: ‘There is no halq on women. On women is only taqseer.’ Narrated by Tirmizi. Aishah (radhiyallah anha) narrated that Nabi (sallallahu alayhi wasallam) forbade that a woman shaves her head.’ This (prohibition) is also because halq for women is disfigurement. It is for this reason that none of the Wives of Rasulullah (sallallahu alayhi wasallam) did it. On the contrary, they made taqseer. They would cut on the sides of their hair the extent of one anmulah because of what has been narrated from Ibn Umar (radhiyallahu anhu). He was asked: How much should a woman cut (her hair in Hajj)? He said: ‘So much (and he indicated to the tip of the finger (i.e. anmulah) —Haakim in Mustadrak.”

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For Muslim women to emulate non-Muslim women and to cut their hair into different styles, is undoubtedly *tashabbuh* with males, hence unlawful and forbidden. Such women become deserving of *la'nat* (divine curse) as it is mentioned in the Ahaadith. If the husband gives permission then too will she be sinful on account of the Hadith:

'There is no obedience to any creation in any act which involves disobedience to The Creator.'

It is mentioned in Durr-e-Mukhtaar:

"A woman who has cut her hair has sinned and has become accursed. Bazaaziah adds: And even if the husband gives permission, because there is no obedience to makhlooq in any act of disobedience to Khaaliq, It is for this (same) reason that it is haraam for a man to cut his beard. The rationale (for the prohibition) is tashabbuh with men.'

In Al-Ashbaah, in Ahkaamul Unthaa is mentioned: 'Woman will be prevented from shaving the hair on her head.... The self-evident meaning of halq of her head is the removal of hair whether by shaving, cutting, plucking or lime (etc.). Therefore reflect! The meaning of not permissible is Makrooh Tahrimi.....'

The term *halq* brings within its scope cutting as well. The Ruling (of prohibition) for both acts is the same." (18th Safar 1424) [21st April 2003] (*End of Deoband's Fatwa*)

"Those who dispute in (in the Shariah) of Allah after its acceptance (by the ummah), their disputation is false by their Rabb. And on them is the wrath (of Allah) and for them is a severe punishment."

[Qur'aan]

WHAT IS MUTHLAH?

*Al-Mutrazi (rahmatullah alayh) said: “Muthlah is to cut part of the limbs, to disfigure the face and to change the natural appearance.”
(Al-Binaayah)*

All the Fuqaha describe shaving and hair-cutting for women as *muthlah*.

Muthlah as defined by the Fuqaha is to cut off parts of the limbs. In other words, it is to mutilate. It is not merely disfigurement. We have persistently translated *muthlah* with the term *disfigurement* which is not wholly correct. In fact, it could be said to be incorrect and a gross understatement of the proper meaning of *muthlah*. Nevertheless, we chose the mild term to describe hair-cutting by women in view of the fact that minds clouded by westernism and *the norms of the immodest cult* are incapable of comprehending just how an act like hair-cutting executed in the quest of ‘beauty’ can be described as *mutilation*. Be that as it may. The fact is that in the Islamic and divine concept of beauty for the Mu’mineen, hair-cutting by women is mutilation and bringing change in the natural created appearance of women. A woman cutting her hair is just like a woman cutting off her nose or part of her nose. Since cutting her nose is mutilation (*muthlah*), hair-cutting too is in the same category.

It is, however, interesting that the deviate who was on his witchhunt for errors in our book, had failed to pick up this ‘incorrect’ presentation by us. Either it was due to his ignorance or by deliberate design. We are of the opinion that the latter is the case because the correct translation conveys the abhorrence of the act and the gravity of the prohibition. Furthermore, the Shaafi’i Fuqaha are in the habit of using this term to describe the abominable act. The ploy of deceptive manipulation of the other Math-habs to portray the assumed ‘extremism’ of the Hanafi Math-hab is an outworn stunt.

In terms of the Shariah hair-cutting in general for women is *muthlah* which means it is disfigurement caused by mutilation.

THE FATWA OF MAULANA ABDUL HAYY

Al-hamdulillaah! We have so far presented numerous *Fataawaa*, statements and views of Fuqahaa and Ulama, from among the *Mutaqaddimeen*, *Mutaakh-khireen*, of the past, of recent times and of contemporary times —of those who have already passed on to the next stage of existence, and of those who are still living. Innumerable *Fataawaa* to support the Prohibition of hair-cutting by women can be acquired from the Ulama of the world. The *Ijma' of the Ummah* is total on this Prohibition as the many *Fataawa* which we have included in this book testify.

However, our list will be incomplete without presenting the *Fatwa* of Maulana Abdul Hayy Sahib (rahmatullah alayh). It will be recalled that according to the deviate, Maulana Abdul Hayy Sahib was of the greatest luminaries of the Indian subcontinent. In his eulogy, the deviate says:

“Mawlana Abd al-Hayy of Farangi Mahal, Lucknow died just over a century ago in 1304 AH. With his brilliance of mind, unequalled command of fiqh and hadith, phenomenal literary output and — probably his most admirable quality — his fair mindedness and impartiality, he must be ranked one of the subcontinent’s greatest luminaries. Two of the fiqh texts included in the dars-e-nizami (the curriculum taught at the dar al-ulums) carry his annotations: Shar al Wiqayah and al-Hidayah.”

We trust that the deviate will read, study and reflect on Maulana Abdul Hayy’s *Fatwa* on the question of hair-cutting for women. Perhaps he will be guided when he realises that the Imaam whom he follows and has eulogized so much is an integral part of the Fabric of *Ijma'* on the Prohibition of hair-cutting for women.

While the deviate had laboured his best to contain the effect of the Prohibition by battling to keep it nailed to *Al-Mujtaba* of Ibn Mahmud Abdur Raja’ Najmuddin Zaahidi of the 7th century, Maulana Abdul Hayy Sahib took us back into antiquity by another four centuries to Imaam Abu Bakr Al-Iskaaf Al-Balkhi who issued the *Fatwa of Prohibition and La’nat* long before the third century of the Hijrah era ended. Between Imaam Abu Bakr Al-Iskaaf and Imaam Muhammad are only two Ustaadh Links. We are truly indebted to Maulana Abdul Hayy Sahib for his *tahqeeq* on this issue.

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May Allah Ta'ala bestow to him the high stages of *Illiyyeen* and *Jannatul Firdaus*.

The following question was posed to Maulana Abdul Hayy Sahib in regard to hair-cutting by women:

Question: *Is it permissible for women to pluck and cut hair from their foreheads for the sake of beauty?*

ANSWER: *For women to pluck hair from the head is just as unlawful as it is for men to pluck hair from the beard. While adornment for women is permissible, it never means changing of their natural appearance on which they were created. It appears in Nisaabul Ihtisaab: It is mentioned in An-Nawaazil in Kitaabun Nikaah that Abu Bakr (Al-Iskaaf) was asked about a woman who cut her hair. He said: 'She should seek forgiveness from Allah, repent and not commit such a deed again.' It was said to him: What if she did that with the permission of her husband? He said: 'There is no obedience to anyone in an act which involves disobedience to The Creator.' It was said to him: 'Why is that not permissible for her? He said: "Because, verily, she (thereby) emulates males. Verily, Nabi (sallallahu alayhi wasallam) said: Allah has cursed men who imitate women and women who imitate men." And (also) because hair for a woman is like the beard for a man. Hence, just as it is unlawful for a man to cut his beard, so too is it unlawful for a woman to cut her hair."*

(Fataawa Maulana Abdul Hayy, page 429)

It is abundantly clear from this *Fatwa*, that according to Maulana Abdul Hayy Sahib:

- (1) It is *Haraam* for women to cut their hair.
- (2) Hair-cutting for women is an act of *taghyeer li khalqillaah*.
- (3) The act of hair-cutting for women is sinful.
- (4) Hair-cutting is *tashabbuh* with males.
- (5) The prohibition of hair-cutting is equivalent to the prohibition of cutting the beard by men. This is inspite of the fact that men are allowed to cut the beard after it has exceeded one fist-length, but women are not allowed to cut their hair at all.

It should be borne in mind that Maulana Abdul Hayy Sahib issued this *Fatwa* about 150 years ago when the question of emulating western women never was the issue in India. Furthermore, although it is clearly stated in the

question that the object of the cutting was for the sake of beauty, then too Maulana Abdul Hayy Sahib stated with clarity and emphasis that the element of *tashabbuh* existed, hence it is *Haraam*.

After all, despite his initial leaning towards *ghair muqalidi'ism*, he was not a victim of the liberalism and libertinism which have smitten the modernist deviates of this age, hence he fully submitted to the *Ijma'* of the Fuqaha on the Prohibition.

It will be appropriate at this juncture to offer some advice to the deviate. It is clear that he has accepted Maulana Abdul Hayy to be a Mujtahid Imaam inspite of the fact that the Maulana Sahib had not abandoned his *taqleed* of the Hanafi Math-hab. Nevertheless, for the benefit of the deviate, we shall for a while assume that Maulana Abdul Hayy Sahib was a 'Mujtahid'. Now, the deviate is not a mujtahid. He will, therefore, be on safe ground if he makes *taqleed* of the *Furoo'at* of his Imaam, Maulana Abdul Hayy Sahib. The deviate is neither a 'mujtahid' in the *usool* of Maulana Abdul Hayy nor in his *Furoo'-aat*. Since the deviate recognizes the outstanding all-round knowledge and abilities of Maulana Abdul Hayy Sahib, he is under Shar'i obligation to make *taqleed* of the *Furoo'-aat* of his Imaam.

Among the *Furoo'-aat* is Maulana Abdul Hayy Sahib's *Fatwa* on the Prohibition of hair-cutting for women. If the deviate honestly believes in Maulana Abdul Hayy's *ilmi* superiority and in his lofty rank in Fiqh and Hadith, he should have no difficulty and no qualms in following the Maulana in the *Furoo'at*. If he does so, he (the deviate) will remain a 'pukka'—a fully-baked— Hanafi Muqallid. After all, that was the end pedestal from which Maulana Abdul Hayy Sahib departed from this world by the *fadh*l and *rahmat* of Allah Ta'ala.

MAULANA ABDUL HAYY SAHIB AND THE TASBEEH HADITH

The deviate has sweated a lot in his labour to debunk the authentic Hadith of the Tasbeeh of the Mala'ikah. In this attempt he had abortively tried to enlist the support of Maulana Abdul Hayy Sahib and Imaam Zayla'i by referring to some of their generalisations, the scope of which excludes the Hadith pertaining to the Tasbeeh of the Mala'ikah. But to his utter consternation it has transpired that Maulana Abdul Hayy Sahib has upheld the authenticity of the Hadith of the Tasbeeh of the Mala'ikah. In spite of

the aspersions cast on the authenticity of some narrations in Al-Hidaayah, Maulana Abdul Hayy Sahib, himself produces the Hadith of the Tasbeeh as the *mustadal* for the *Diyat mas'alah*. He brings up this Hadith in his Annotation on Hidaayah.

What is so pleasantly surprising is that although the illustrious Imaam of Fiqh and Hadith, Allaamah Murgheenaani, the Author of Hidaayah, does not cite this Hadith as his *mustadal*, Maulana Abdul Hayy Sahib brings in this Hadith to prove the correctness of the *mas'alah* stated in Hidaayah.

Then to add *Noor* upon *Noor*, Maulana Abdul Hayy Sahib acquires the Hadith of the Tasbeeh of the Malaaiikah on the authority of Imaam Zayla'i who had also made some critical remarks about some of the narrations of Hidaayah.

To add to this *Noor*, Imaam Zayla'i despite his criticism of Hidaayah and despite Hidaayah NOT citing this Hadith, also presents the Hadith in his own Work, *Tabyeenul Haqaaiq* which is a Sharah on *Bahrur Raa-iq*. Hence, regardless of what they had commented about Hidaayah, both these Scholars at least believe in the authenticity of the Hadith:

“GLORY UNTO ALLAH WHO BEAUTIFIED MEN
WITH BEARDS AND WOMEN WITH TRESSES.”

What a wonderful juxtaposition of the elements of the *Haqq*!

The deviate had commenced his evil refutation of the 14 century Prohibition and Practise of Islam with selected statements of Maulana Abdul Hayy Sahib and Imaam Zayla'i. He presented these two Ulama as his fundamental basis for attacking some of the great personalities, luminaries and Fuqaha of Islam. He tried to utilize their criticism to convey the impression that some of the greatest Mujtahideen of the Ahnaaf who were themselves Muhadditheen had haphazardly included forgeries and fabricated narrations in their kutub, and had utilized such fabrications for their basis for the *ahkaam* of the Shariah.

But this stunt has rebounded on him. Both Imaam Zayla'i and Maulana Abdul Hayy Sahib have presented as *Mustadal* for Fiqhi masaa-il such an allegedly fabricated Hadith which Saahib-e-Hidaayah does not even cite in his Hidaayah. Allah Ta'ala explaining such turn of events says in the Qur'aan Majeed:

“And, Haqq has arrived while baatil has dissolved. Verily, baatil (by its very nature) perishes.”

THE PRIORITY OF HADITH

Ibnul Hazam narrated that there is Ijma' on the fact that according to the Math-hab of Abu Hanifah, Dhaeef Hadith has priority over Qiyaas and opinion when there is no other Hadith available (on the question).

(Daleelut Taalib, page 887)

THE EXCEPTIONALLY STRONG SHAAFI'I VIEW

The deviate has alleged that the Hanafi Math-hab has adopted the “severest position on the cutting of hair for a woman”. Undoubtedly, according to the Hanafi Math-hab as well in terms of the other three Math-habs, this practice is *Haraam*. The technical definitions of the terms *Makrooh* and *Haraam* are not of real significance in so far as the practical adoption of the Ruling goes. According to all Math-habs hair-cutting for women is prohibited, sinful and a punishable offence.

If consideration has to be accorded to the deviate’s claim of ‘*severest position*’, then by this time all those who have read this book with an open mind will have understood that it is either the Shaafi Math-hab or the Maaliki Math-hab which has adopted the “severest position.”

Taqseer or trimming slightly the hair in order to gain release from *Ihraam*, is obligatory (*Waqjib*) for a woman according to all Math-habs. Furthermore, according to all Math-habs, the Sunnat requirement is for women to cut the length of one *anmulah* which is about one third the size of a finger. While according to the Maaliki, Hambali and Hanafi Math-hab, a woman should cut this amount from her entire head and also from the sides of the head, according to the Shaafi'i Math-hab cutting even this small amount from the tresses is disfigurement and should be avoided. The woman is required to lift her tresses and cut this slight bit from the hair under her tresses, not from the tresses.

Tresses of Jannat- Part 3

The rationale for this instruction is that cutting from the tresses disfigures the woman. It makes her ugly. In spite of the fact that cutting one or two centimetres from the bottom of the tresses is not noticeable and despite the fact that to cut this amount is Sunnat, the Shaafi'is are averse to allowing women to cut from their tresses.

Not a single Shaafi'i authority, to the best of our knowledge, has disputed the rationale for this severity of the prohibition of cutting from the tresses. The reason for this prohibition cited by the Shaafi'i Fuqaha is 'disfigurement'. People nowadays will fail to understand how cutting one or two centimetres from the bottom of the tresses can constitute disfigurement and cause ugliness. Be that as it may. The fact is that those whose spiritual vision is Islamically healthy understand the ugliness of the act. Even if anyone cannot understand this concept, it should at least be conceded that the "severest position" is the position of the Shaafi'i Math-hab, or perhaps of the Maaliki Math-hab as will be seen later.

In view of this rigid stand taken by the Shaafi'i Fuqaha, what logical reason is there for the claim that the Hanafi Math-hab has adopted "*the severest position*"? There is absolutely no conflict with the Shariah in the severe position adopted by the Shaafi'i Fuqaha. We have no objection to this stand nor do we regard it as being severe. In fact, the immorality of women cutting their hair has constrained this "severe position".

It has always been the gimmick of the modernists, liberals and those averse to the 'orthodox' practices of the Sunnah to mislead people by telling them that the rigid practices of Islam, e.g. keeping a beard, hijab, prohibition of music, the female's voice being *satr*, etc., etc., are according to the Hanafi Math-hab. Bereft of any Shar'i *dalaail* in terms of the Math-habs with which they have a very loose bond, to support their claims, they perpetrate the deception of their gimmick. The deviate too has adopted this gimmick on the hair-cutting issue.

Lacking in entirety in Shar'i *dalaail*, he tries to secure his view by peddling the baseless idea of the *severest position* being the propagation of the Hanafi Math-hab so that those who are not followers of the Hanafi Math-hab and those who do not follow any Math-hab can soothe their conscience by fooling themselves to believe that they are not committing any sin with their indulgence in the *Haraam* act. But the veneer of such fallacies is extremely thin.

A FALSE ANALOGY

In his desperation to find some basis for legalizing the *Haraam* act of hair-cutting for women, the deviate has descended to an extremely base and ignorant level. In his initial article of *baatil*, he claimed:

“The fact that Allah adorned men with beards did not preclude Ibn Omar and other Sahabah from trimming their beards to the length of a fist. By the same token, the adornment of women with flowing tresses does not have to mean that the shortening thereof is unlawful.”

Why does it not have to mean this?

This analogy is conspicuously false. The cutting of the beard to a fist-length is *Mansoos Alayh*, i.e. there exists Ahaadith which allow this. It was the practice of Rasulullah (sallallahu alayhi wasallam) and his Sahaabah to keep a beard which differs in style from the beards of non-Muslims. The Ahnaaf Fuqaha state the permissibility of cutting the beard after it has exceeded the length of a fist. Whereas the Shariah allows this beard-cutting in order to maintain a differentiation between Muslims and non-Muslims, the Fuqaha expressly prohibit any form and any amount of hair-cutting for females. The *anmulah* rule is sufficient daleel for this.

There is *Ijma'* of at least the Hanafi Fuqaha on the validity and permissibility of such cutting (i.e. beyond one fist-length), inspite of their alleged “*severest position*” on the prohibition of hair-cutting for women.

In direct contrast, all the Fuqaha forbid hair-cutting for women. Even the one *anmulah* has to be cut from a concealed spot under the tresses according to Shaafi'i Fuqaha. Hair-cutting was never allowed during the time of Rasulullah (sallallahu alayhi wasallam) as was limited beard-cutting allowed. Although the deviate concedes this irrefutable fact, he attributes it to his crooked understanding of the Shar'i concept of *Urf*. This *Urf* has endured in the Ummah for the past fourteen centuries. Never did women cut their hair.

For cutting the beard to the mandatory length of one-fist, there is *Nass*, and this is therefore prescribed by the Shariah whereas there is no prescription nor any provision in the Shariah for shortening the hair of females. In fact, the rigid adherence to the *anmulah* extent when cutting becomes incumbent

during Hajj is clear evidence for the prohibition of cutting even a little hair when there is no incumbent need such as *tahallul*_ (to be released from ihraam).

If hair cutting even a little was tolerable, the restriction of one *anmulah* would not have been prescribed by the Shariah on the occasion of Hajj. The very fact that for the purpose of *tahallul* males are exhorted to remove all their hair, and greater *thawaab* has been promised for complete removal of hair, while women have been given permission to remove from their heads such a small amount, the cutting of which is indiscernible, and can hardly be described as cutting of hair, is sufficient evidence for the prohibition. This restriction placed on women testifies to the abhorrence of hair-cutting for them and that the argument that ‘by the same token’ of men being allowed to cut their beards, women too are allowed to cut their hair, is utterly baseless and stupid.

Can the deviate produce just one Authority who countenances the false analogy he has conjectured?

Narrating his dream, Muhaddith Dehlawi Shah Waliyullah (rahmatullah alayh) said:

“Rasulullah (sallallahu alayhi wasallam) apprized me that most certainly, there is a wonderful Path in the the Hanafi Math-hab which is the most conforming Path with the Sunnah which was gathered and compiled during the age of Bukhaari and his Ashaab.” (Fuyoodhul Karamain, page 48)

BEAUTY IN ISLAM

It is reported in the Hadith that Allah Ta’ala loves beauty. But beauty is not everything people regard as beautiful. Beauty has its limits and description in Islam. Most things which are beautiful to kuffaar are ugly in terms of Islam. Nudity, immorality, kuffaar dress-styles, kuffaar hair-styles, wandering in the public bare-headed for both men and women, etc., while beautiful for non-Muslims, are ugly and *haraam* for Muslims.

Tresses of Jannat- Part 3

Acts of so-called beauty which cause change in the natural physical appearance are termed in the Qur'aan Shareef and the Hadith *taghyeer li khalqillaah*. Such change is described in the Qur'aan as an act of shaitaan. Rasulullah (sallallahu alayhi wasallam) invoking the *la'nat* of Allah Ta'ala on women who tattoo, file their teeth, pluck hair from their faces and eyebrows, artificially lengthen their hair, etc. described these acts as wroughting changes in the creation of Allah Ta'ala.

In the *Tafseer of Aayat 118 and 119 of Sura Nisaa'*, Al-Qurtubi explains:

"Abu Ja'far Tabari said: 'In the Hadith of Ibn Mas'ood (radhiyallahu anhu) is daleel that it is not permissible for (a woman) to change anything in her natural form in which Allah has created her, whether (the change effected) is by increasing or decreasing (anything in her natural form) for the sake of gaining beauty for her husband or for anyone else.' (Al-Jaami' Li Ahkaamil Qur'aan)

The rigid position adopted by some authorities in this regard, is stated by Al-Qurtubi in the *tafseer* of the same verses:

"Regardless of whether such change is by her making gaps between the teeth or she has an extra tooth and extracts it, or she has long teeth and has the ends cut. Similarly, it is not permissible if a beard or moustache or hair grows on her face, for her to shave it off because such an act will be taghyeer khalqillaah (changing what Allah has created). Qaadhi Iyaadh said: '...If an extra finger or limb has grown, it is not permissible to cut it off or to remove it because that will be taghyeer khalqillaahi ta'ala, except if these deformities cause pain, then there is nothing wrong in removing them according to Abu Ja'afar and others.'

In the same category is the statement of Rasulullah (sallallahu alayhi wasallam): 'Allah curses the waasilah and the mustausilah. Muslim has narrated it. Thus Rasulullah (sallallahu alayhi wasallam) has forbidden that a woman joins hair to her hair (i.e. artificially lengthening it). Waasilah is the woman who effects this act (i.e. the 'beautician'). Mustausilah is the woman who has this act done to her. Asma Bint Abi Bakr said: 'A woman came to Nabi (sallallahu alayhi wasallam) and said: 'O Rasulullah! I have a daughter who has just got married. Small-pox (or measles) afflicted her and her hair fell out. Can I artificially lengthen it?' Rasulullah (sallallahu alayhi wasallam) said: 'Allah has cursed the waasilah and the mustausilah.'

Tresses of Jannat- Part 3

All these (the verses and the ahaadith) are Nass (categorical statements) making haraam joining of hair. Imaam Maalik and a Jama'at of Ulama have said this".

(Al-Jaami' Li Ahkaamil Qur'aan)

There are differences of opinion among the Fuqaha on issues such as removal of deformities, etc. But from what has been explained it should be abundantly clear that *taghyeer li khalqillaah* is a *haraam* and an accursed deed which the Qur'aan Majeed attributes to shaitaan.

Long hair for woman is the accepted and encouraged form of beauty in Islam. But when a physical change is effected to gain even desired and lawful beauty, then it becomes unlawful and falls within the scope of the satanic act. Joining artificial hair brings about a change which is deceptive, hence Rasulullah (sallallahu alayhi wasallam) refused permission for this deceptive change even when the hair of a woman had fallen out on account of an ailment. So severe is the prohibition for *taghyeer li khalqillaah* that the *la'nat* of Allah Ta'ala afflicts such a person. Acquisition of beauty is therefore not a valid reason for effecting change in *khalqillaah*.

Now when artificially the hair is lengthened, no *muthlah* (disfigurement) and no ugliness occur. Nevertheless, the prohibition is severe enough to invite Divine Curse. What then is the judgement when the natural and beautiful *ni'mat* of divinely bestowed long hair is cut off ? In this case, several factors of prohibition aggravate the position and Divine Curse will be the consequence to a greater degree. *Taghyeer li khalqillaah*; disfigurement, ugliness, emulating kuffaar women, emulating men, violating the Islamic *Urf* and expressing ingratitude for the bounty of Allah Ta'ala are among the evils concomitant to women cutting their hair.

Removing deformities such as long protruding teeth or cutting off the ends is described as *taghyeer li khalqillaah*. Long protruding teeth are decidedly ugly, especially for a female. But she has to adopt *sabr* while in this transitory abode of the world and not shorten the teeth as the *tafseer* presented by the Maaliki Fuqaha has clarified.

When she is not allowed to remove an eleventh deformed finger nor long protruding teeth which make her ugly, then what is the intelligent Mu'min's judgement regarding cutting off beauty awarded by Allah Ta'ala and commanded by the Shariah to uphold? When she is not allowed to remove ugliness on account of it forming a natural constituent of her body, how can

the Shariah permit her to remove the beautiful tresses which Allah Ta'ala has gifted to her? How can a Mu'minah cut off those tresses by which the Malaaiakah of Allah recite His Tasbeeh?

“Subhaan The One who has beautified men with beards and women with tresses.”

Neither is knowledge required nor is there a need for great wisdom to understand this prohibition. Only thinking which is unadulterated with western influences and concepts is sufficient to understand the natural prohibition and the unnatural act of disfigurement of cutting hair for a woman.

In the aforementioned Hadith narrated by Asma Bint Abi Bakr (radhiyallahu anhumaa) which has been mentioned in brief in the *tafseer* of Imaam Qurtubi, the bride's mother was prompted to seek permission from Rasulullah (sallallahu alayhi wasallam) to lengthen her daughter's hair for the sake of pleasing her husband who was very upset to behold the ugliness which had developed in his young bride on account of her hair having fallen out. Rasulullah (sallallahu alayhi wasallam) did not consider the fancy of the husband in this matter. Nabi-e-Kareem (sallallahu alayhi wasallam) responded with the invocation of *la'nat* for those who commit such acts of *taghyeer li khalqillaah*.

On the basis of such Ahaadith, have the Fuqaha ruled that even if the husband desires a form of beauty which is repulsive to Islam, he may not be obeyed. Obedience in the first instance is to Allah Ta'ala. It is indeed a self-evident fact that hair-cutting for women comes fully within the glare and scope of the Qur'aanic aayat forbidding *taghyeer li khalqillaah* and the Hadith of *la'nat*. For any unbiased Muslim who is conscious of the Deen there is no need to write a book of *dalaail* to convince him and to prove to him such a simple, straightforward *mas'alah* which has been known to the entire Ummah since time immemorial, from the time of Hawwaa (alayhas salaam) — the simple *mas'alah* that long hair and tresses are *Waajib* and cutting hair for women is *Haraam*. And, Allah guides whomever He wishes and misleads whomever He wishes.

(Tasbeeh of the Malaaiakah in the Heavens)

سُبْحَانَ مَنْ زَيَّنَ الرِّجَالَ بِالْحَى وَ زَيَّنَ النِّسَاءَ بِالذَّوَابِ

“Glory to Allah (i.e. He is above all defect)

Who has adorned men with beards and women with tresses.”

THE QUESTION OF TASHABBUH

Tashabbuh (to resemble, to imitate, to emulate) is of two kinds:

- (1) *Tashabbuh bir rijaal* or emulating males
- (2) *Tashabbuh bil kaafiraat* or emulating non-Muslim women.

Both these acts or acts motivated by these designs or acts resembling these deeds even without a conscious niyyat, are *Haraam*. These misdeeds are among the great sins, hence those who perpetrate these evils become deserving of the *la'nat* of Allah Ta'ala.

When a Muslim woman cuts her hair without valid Shar'i reason, she is guilty of committing both the abovementioned *haraam* acts regardless of her intention. While almost every case of female hair-cutting is accompanied by or motivated by one or both of these evils, there may be the odd one who has no such intention. But the intention does not matter in this case. A *haraam* deed is not rendered lawful by intention. The intention does not cancel the abovementioned two acts which accompany hair-cutting by women.

Since hair-cutting is primarily and only an act of males, it will be said in terms of the Shariah that a woman who cuts her hair is guilty of *tashabbuh bir rijaal* irrespective of her intention. Similarly, it will be said that she is also guilty of *tashabbuh bil kaafiraat*.

Allah Ta'ala says in the Qur'aan Majeed:

"In fact, insaan (the human being) has full awareness of his nafs, even if he puts forth excuses." (Surah Al-Qiyaamah)

A person may temporarily succeed in deceiving others. But neither can one dupe Allah Ta'ala nor oneself. What lurks within the recesses of the heart is well-known to that person. In this age of corruption, immodesty, abandonment of *hijaab*, wandering in the streets, market-places, and other public places adorned in attractive garb and finery, out to lure and to be the agents of shaitaan, when a woman desires to cut her hair, it will, besides being an expensive exercise to the beauty parlour of the kuffaar, be the adoption of a kaafir style which conforms to the western concept of beauty.

Tresses of Jannat- Part 3

No woman will desire to cut her hair in any way other than a style which appears ‘beautiful’, and which will attract gazes.

A man who desires his wife to look ‘beautiful’ with a hair-cut also suffers from a diseased mental palate. His Muslim tastes have become corrupted and diseased. He too will desire the type of beauty which western female hair-styles have to offer. There is, therefore, no doubt whatsoever that the desire underlying the exercise of legalizing *haraam* hair-cutting for women is a plot to accommodate the western concept of beauty, and to open the door to greater *Fitnah*.

Just as wearing male garments is emulation of men regardless of the intention which had motivated the adoption of this act, so too is hair-cutting emulation of males with the aggravating factor of emulation of non-Muslim women. Such emulation is a *Kabeerah* sin, hence the *la’nat*.

***“Glory unto Allah Who has beautified men
with beards and women with tresses.”***

THE CLASSIFICATION OF HADITH

In its *Fatwa*, Daarul Iftaa of Jaamiatul Uloomil Islam, Binnuri Town Karachi, Pakistan, states: “When a Muhaddith says about a Hadith: *‘I have not found it.’*, it does not follow therefrom that the Hadith is baseless and is devoid of *sanad*. Every Commentator speaks within the confines of his knowledge. It does not mean that there is no existence for this Hadith. It also does not follow that when a Muhaddith labels a Hadith *Dhaeef*, that it will necessarily be *Dhaeef* by others.”

THE OBSESSION WITH URF

Urf refers to customary practice — a practice or a custom which has become widely accepted in the community. In the Shariah there is this principle of *Urf* on the basis of which an act can become permissible. From this concise definition, every intelligent Muslim whose mental outlook has not been poisoned and corrupted by alien and atheistic influences, will readily understand that this principle is not an abrogator of the Shariah. It does not transform *haraam* into *halaal* merely on account of the *haraam* practice having attained acceptability in the community. Thus, mere “*norm of society*” does not become an Islamic *Urf* simply because of it having

become an entrenched custom in society. This should not be difficult to understand.

If “*norm of society*” was an unrestricted principle in the Shariah, then today shaving the beard, roaming around bare-headed, immodest dress, no hizaab, abandonment of Salaat, intermingling of sexes, etc., etc., would all have to be considered lawful in the Shariah in terms of the misconceived principle of *Urf*.

Urf cannot abrogate or cancel any teaching or principle of the Shariah. In our time, for example, most Muslim men throughout the world shave their beards. While this has become the norm of society it remains *haraam*. It cannot be argued that in principle beard cutting is permissible because Nabi (sallallahu alayhi wasallam) and the Sahaabah did cut their beards, and that the fist-length was the *Urf* of that age. However now that the “urf” in our time has become the shaving of the beard, hence this act is permissible. All right thinking Muslims can understand the fallacy of this reasoning and the stupid application of *Urf* in this manner.

If all or most Muslim men begin wearing shorts which expose their thighs and this becomes an accepted and a customary practice in the entire community or in the whole world, it will not become lawful on the basis of *Urf*. In some places it has become the “*norm of society*” for women to drive vehicles. Although this has become an accepted practice in society, *Urf* cannot legalize it. It remains a *haraam* practice for women.

It has become ‘urf’ for women to wear tops and tightfitting pants. But this accursed ‘urf’ is not acceptable on the basis of Shar’i *Urf*. These few example should suffice for understanding. The vital fact to remember is that the customary practice does not override any law of the Shariah.

The deviate, bereft of any proper Shar’i argument or *daleel* for his *baatil* opinion of the permissibility of hair-cutting for women, is desperately clinging to the principle of *Urf* which offers him neither succour nor subterfuge for his deviation. Just as *Urf* lacks the force to legalize shaving of the beard for men, so too in exactly the same manner is it helpless to render *halaal* the *haraam* practice of hair-cutting for women.

Readers will remember that all the Fuqaha have said that hair-cutting for women is like beard-cutting for men. The Authorities of the Shariah never prohibited hair-cutting for women on the basis of it not being the *Urf* of the

Ummah. They have presented other arguments for the Prohibition. These were already discussed in this book and in our earlier book. Not a single Faqeeh or Authority of the Shariah ever argued the Prohibition on the basis of any *Urf* prevalent during the age of Nubuwwat or in the centuries thereafter.

The deviate claims that hair-cutting for women is “in principle lawful”. If something is permissible in principle it will remain lawful unless there is a strong factor to negate it. Perhaps the permissible (*Mubah*) act leads to evil and mischief. On account of such an external factor, a permissible practice can be declared unlawful in terms of the principles of the Shariah. But a permissible act cannot be declared *haraam* on account of *Urf*. Take for example, the red scarf which has been accepted by Muslim males. It has been adopted from the Arabs. Muslims all over the world are wearing this type of scarf around their necks and as an Islamic headgear. While this type of scarf was not the *Urf* during the time of the Sahaabah, its use is permissible because it does not conflict with any teaching or principle of the Shariah. But this never means that this new *Urf* renders unlawful wearing of the *Masnoon Amaamah* or any other type of Islamic headgear. If the entire Ummah abandons wearing the turban and substitutes in its place only the red scarf which has become the accepted “*norm of society*”, the *Amaamah* will remain permissible and *Sunnat*.

In this country and in all western countries, riding in cars is the *Urf*. Riding a camel is not the *Urf* here. Notwithstanding this fact, riding a camel remains permissible anywhere in the world even where there are no camels. From this explanation it will be understood that what is permissible according to the Shariah does not become *haraam* on the basis of *Urf*.

Now if hair-cutting was lawful or permissible “in principle” as the deviate claims, then it would have remained permissible in every age. *Urf* lacks the force to transform the permissible act into a *haraam* deed. Hence, if long hair was on account of the then *Urf*, hair-cutting would have remained permissible if it was “in principle lawful”.

Lengthening hair artificially, inspite of having been the *norm of society* during the time of Rasulullah (sallallahu alayhi wasallam) became unlawful and an accursed practice, and so it has remained to this day, and so will it remain until the Day of Qiyaamah, regardless of this practice being the norm of society in some countries where Muslim women have fully adopted it. The same argument applies to the other accursed acts described as *taghyeer li khalqillaah*. No *Urf* can ever legalize such practices. Hair-

cutting falls in the same category and cannot be excluded from its original law of Prohibition on account of some kuffaar ‘urf’.

The arrival of Qur’aanic *Nass* and the interpretation and instruction of Rasulullah (sallallahu alayhi wasallam) — in short, the Shariah — cancelled out all ‘urfi’ (customary) practices which were in conflict with any teaching or principle of the Divine Law. Since there exists *Nass-e-Qur’aani* and the *Nass of the Ahaadith* which prohibit hair-cutting for women, the Prohibition remains in force and will ever remain in force regardless of the proliferation of any “*norm of society*” becoming entrenched in the Muslim community.

“Urf is ineffective in Mansoos Alayh (laws).”
(*Al-Hamawi, Vol.1, page 270*)

“Ta-aamul (general and customary practice) in conflict with Nass is not valid.”
(*Al-Hamawi, Vol.1, page 270*)

This is the plain and simple principle of *Urf*. It is the weakest of principles. It will be struck down when it comes into conflict with the *Mansoos* teachings and principles of the Shariah.

A practice or norm which is repugnant to Islamic intelligence and attitude can never become lawful on the basis of *Urf* regardless of its prevalence and acceptance by the entire world. Hence it was the *Urf* during the era of Rasulullah (sallallahu alayhi wasallam) for the people of *Jahiliyyah* to make tawaaf of Baitullah in the state of nudity. Making tawaaf was *Urf* and making tawaaf naked was also the *Urf*. The Shariah struck down the one and upheld the other. In *Dars-e-Sharh Uqood Rasmil Mufti*, Hadhrat Mufti Muhammad Rafi’ Uthmaani Sahib says:

“Urf is such a norm which becomes grounded in the heart by virtue of intelligence, and it is acceptable to healthy (i.e. uncorrupted) natural attitude.”

“Only an Urf which has been in operation since the era of Risaalat (i.e. from the time of Nabi—sallallahu alayhi wasallam) can restrict Hadith. Urf will be valid in only those issues which are based on Urf. Urf has no validity in those masaa-il which are not based on Urf.”

(*Pages 62, 63*)

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In this age in which we dwell, the kilogram is the standard of weight. It is the *Urf* which is acceptable and permissible. It will thus operate and be valid in issues pertaining to this standard of weight. It will not render unlawful the use of the *Saa'* which was the standard and the *Urf* in the early days. Even today it remains permissible.

On the contrary, the *Urf* of the Shariah or any of its laws or principles will strike down and cancel any 'urf' subsequent to the era of *Risaalat*. On the basis of this principle, the long-hair *Urf* since the time of Rasulullah (sallallahu alayhi wasallam) negates any new 'urf' which develops in conflict with this *Urf* of Islam. Furthermore, as already pointed out and conclusively substantiated, long hair for women in Islam is not the product of the wildly fluctuating vagaries of man's 'urf' prompted by the inordinate craving of the *nafs*.

Consider the practices of tattooing, artificial hair joining, filing teeth, plucking hair from the eyebrows and keeping long tresses. During the time of Rasulullah (sallallahu alayhi wasallam), all these practices were part of the then *Urf*. In spite of the acceptability of these customary practices, and notwithstanding the fact that these acts were "*the norms of society*", Rasulullah (sallallahu alayhi wasallam) vehemently banned them and retained only the practice of tresses for women.

"Subhaanallaah (Glory unto Him) Who has beautified men with beards and women with tresses."

(The Malaaiakah in the Heavens)

Imaam Nawawi (rahmatullah alayh) in the course of presenting his interpretation of the ambiguous portion of Abu Salamah's Hadith explains clearly that it was the *Urf* of the Arab women to keep long hair and tresses. It was not a new practice which developed after the advent of Islam. In spite of it having been the *Urf* of women since the time of *Jaahiliyyah*, this practice was retained since it was a practice inherited from Hawwaa (alayhas salaam) while all the other prohibited acts were part of the heritage of shaitaan.

By ambiguity in this context is meant ambiguity in the meaning of the narration, not necessarily in the authenticity of the Hadith recorded by Imaam Muslim. By the consensus of our senior Ulama, the narration has in it several possibilities, hence the different interpretations accorded to it. For males to shave their heads is permissible, and so is it permissible to keep hair shoulder length. If the "*norm of society*" becomes only bald

heads, and every male in the community has abandoned keeping long shoulder-length hair, then the ‘urf’ of baldness does not render unlawful keeping long hair shoulder length. The prevalent custom does not abrogate the permissibility of shoulder-length hair for males.

These examples should suffice to convince the unbiased reader that if the prohibition was a temporary measure occasioned by *Urf*, while in principle hair-cutting for women was permissible, then this practice would have remained permissible in all ages regardless of “*norm of society*”. But since this was never the case, the Fugaha upheld the Prohibition. Thus hair-cutting remains **Haraam** for women, and will always remain so. Remember that the Shariah says:

“Tresses for women are like beards for men. Cutting the tresses is like men cutting their beards.”

And, why should it not be so, when the perpetual *Tasbeeh* of a myriad of Malaaiakah is:

“Subhaanallaah — The One Who has beautified men with beards and women with tresses.”

QAADHI IYAADH AND HAIR-CUTTING

In his Sharah on Muslim Shareef, Imaam Nawawi had presented the interpretation which Qaadhi Iyaadh had proffered on the ambiguous portion of Abu Salmah’s Hadith. In his interpretation, Qaadhi Iyaadh said:

“Perhaps they (the Wives of Rasulullah— sallallahu alayhi wasallam) had done so after his demise. It cannot be imagined that they had done so while he was alive.”

On the basis of this interpretation, the deviate had considered it proper to reject the law of Prohibition which has come down in the Ummah from the time of Rasulullah (sallallahu alayhi wasallam). In this regard, the deviate says in his pamphlet:

“Both Qadi Iyad and Imam Nawawi were aware of the fact that the norms of the society wherein the wives of Nabi sallallahu alayhi wasallam lived disapproved of a woman’s removing her tresses. They knew this because the norm had still not changed in their own times....Qadi Iyad therefore made the tentative conclusion, “Maybe

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the wives of the Nabi sallallahu alayhi wasallam did so after his death.”

Since the deviate has been compelled to clutch at straws throughout his exercise to legalize the *haraam* act for want of *dalaail*, he hung on to this interpretation of Qaadhi Iyaadh and inferred therefrom that it is permissible for women to cut their hair. He commits the dishonesty of putting across to people that Qaadhi Iyaadh and Imaam Nawawi believed in the permissibility of the revulsive act of hair-cutting and that the only reason which restrained them from issuing a clear-cut ‘fatwa’ of permissibility was their awareness of the unchanged state of Rasulullah’s *Urf* as well as the *Urf* of their own time.

This conclusion besides being false is ridiculous. It is unacceptable that Qaadhi Iyaadh even implied permissibility for hair-cutting by women. His interpretation was for the purpose of explaining the ambiguous portion of Abu Salamah’s Hadith and not to legalize the act of *muthlah* nor to advocate *taghyeer li khalqillaah*. This is not our opinion. It is the express and emphatic statement of Qaadhi Iyaadh himself.

Qaadhi Iyaadh is among the very senior Maaliki Fuqaha. In the *tafseer* of aayat 119 of Surah Nisaa’ in which *taghyeer li khalqillaah* is attributed to shaitaan, the Imaam and Mujtahid of the Maaliki Math-hab, Abu Ja’far Muhammad Ibn Jareer Tabari states:

“In the Hadith of Ibn Mas’ood is the daleel for the fact that it is not permissible to change anything of her natural created form (i.e. of her body) which Allah has created for her, whether (this changing) is by adding (something) or decreasing (removing, cutting, etc.) for the purpose of gaining beauty for the husband or for anyone else, whether she makes gaps in between the teeth or she removes an extra tooth (which has grown) or she cuts the ends of long (protruding) teeth. Similarly it is not permissible for her to shave any beard or moustache which grows on her (face) because all these acts are taghyeer li khalqillaah. Iyaadh said: ‘On the basis of what he (Imaam Ibn Jareer Tabari) has mentioned, it is not permissible for a person to cut off an extra finger which has grown nor to remove it (in any way) because that would be taghyeer li khalqillaah .”
(Al-Jaami’ li Ahkaamil Qur’aan of Al-Qurtubi, Vol.5, page 252)

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Imaam Nawawi in his Sharah of Muslim Shareef, also mentioning the Maaliki view on this issue as stated by Imaam Ibn Jareer, states:

“This act (i.e. plucking hair from the face) is haraam except when beard and moustache grows on a woman, then its removal is not haraam. In fact (its removal for a woman) is Mustahab according to us (Shaafi’is). Ibn Jareer (the Maaliki Mujtahid and Imaam) said: “It is not permissible for her to shave off her beard nor the hair which grows below the lip nor her moustache. It is not permissible for her to commit any taghyeer whatsoever in her natural form whether by increasing or decreasing anything.”

This is the staunch and rigid position of the Maaliki Math-hab to which Qaadhi Iyaadh subscribes. When according to his Math-hab it is not permissible for a woman to cut off and remove deformities from herself such as long protruding teeth, an extra finger, etc., how can it be accepted that Qaadhi Iyaadh’s interpretation of Abu Salamah’s Hadith is a licence for permissibility to cut the hair of women — such hair which in Islam is beautiful, which is not a deformity, which is desirable and which is part of her body created by Allah Ta’ala?

And how can it ever be accepted that Qaadhi Iyaadh implied permissibility of cutting the tresses of women when according to his Math-hab and his Aimmah-e-Mujtahideen it is not permissible for her to even cut any beard or moustache or any hair that grows on her face? Beard and moustache for a woman are decidedly ugly and makes her extremely repugnant. In spite of beard and moustache being deformities and ugliness for women, in the Math-hab of Qaadhi Iyaad it is *haraam* for them to cut or remove it.

Can it now be accepted that Qaadhi Iyaadh implied that a woman may cut her beautiful Allah-given tresses and that such an abominable act will not constitute *taghyeer li khalqillaah*? No one is in need of intelligence to understand this fact and to answer the question. From this prohibition of cutting even her unnatural beard, the severity of the Maaliki prohibition on cutting her natural hair can be adequately gauged.

The incongruity of the ‘ijtihaad’ of the deviate in his employment of the interpretation of Qaadhi Iyaadh for the permissibility of hair-cutting should now be glaringly conspicuous.

Whose position on the prohibition is the severest? The Hanafi position? The Shaafi'i position? Or the Maaliki position which prohibits women from cutting even the deformity of a beard growing on their faces?

THE URF OF THE UMMAH'S WOMEN IS THE URF OF THE DAMSELS OF JANNAT

Jannat is the end of this worldly sojourn. It is *insaan's* original homeland where Hadhrat Aadam and Hadhrat Hawwaa (alayhimas salaam) were created and where they lived. Our original Parents were sent to this earth for a short stay. The Qur'aan Majeed and the Ahaadith of Rasulullah (sallallahu alayhi wasallam) explain that the wonders, beauties, pleasures and comforts of *Jannat* are indescribable. *Jannat* and its pleasures have never been seen by the eye, nor heard of by the ear nor did it cross the mind of man.

The *beauty* of *Jannat* is the most perfect beauty. In relation to man, there is nothing more beautiful than the beauties of *Jannat*. The objects of comfort and pleasure and the customs and practices of *Jannat* are unique. The *Urf of Jannat is the purest, the holiest and the most beautiful* of all urfs. An urf which is in conflict with the *Urf of Jannat* is an evil urf. A custom or a culture which displaces the *Urf of Jannat* which has been ordained for Muslims, is a vile and an impure urf and culture.

Since this book deals with just one aspect of beauty, viz. tresses which Allah Ta'ala has bestowed to females, we shall confine ourselves to this aspect of *Jannat's Urf*. Concepts of beauty and methods of gaining beauty have constantly changed and fluctuated wildly in this world among the various cultures of non-Muslims. As far as Muslims are concerned, the concept of worldly beauty has remained largely constant from the time of Hadhrat Aadam (alayhis salaam) until recently, about a century or so ago.

The dress-style of the Mu'mineen since Aadam (alayhis salaam), according to the Ahaadith was basically the same, consisting of two sheets of cloth for males and long enshrouding cloaks for women. The massive upheaval and revolution wrought in concepts of beauty and the resultant consequences of immodesty and immorality are all the ugly fruits of kuffaar civilization. The norms of the society of kufr are in conflict with not only the *Urf of Jannat*, but with the *Urf of Islam* on earth which originated with the appearance of our Original Parents on earth.

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Imaam Abu Hanifah (rahmatullah alayh) narrating from Ismaaeel, narrating from Abu Saalih, narrating from Umm-e-Haani (radhiyallahu anha) said:

*“Rasulullah (sallallahu alayhi wasallam) said: ‘In Jannat Allah has created a city of Ath-khar musk. Its water is Salsabeel. Its trees have been created out of Noor. In this City are damsels of exceptional beauty. Each one of them has **seventy thawaaib (tresses)**. If just one of these tresses should hang into earth, it will brighten up the world from east to west, and fill the earth with the sweetness of its fragrance. Rasulullah (sallallahu alayhi wasallam) was asked: ‘O Rasulullah! For whom will be (these damsels)?’ He said: ‘The one who is tender (kind-hearted) when he seeks payment (from debtors).’ (Musnad-e-Abi Hanifah)*

In a similar narration, Imaam Abu Hanifah (rahmatullah alayh) states in his Musnad that Rasulullah (sallallahu alayhi wasallam) said:

*“Allah has created a City from Ath-far musk. This City is suspended below the Arsh (Allah’s Throne). The trees of this City are of Noor and its water is Salsabeel. The damsels of this City were created from the grass of Jannat . On each one of the damsels are **seventy tresses**. If one of these tresses should hang out in the east, it will brighten all the people of the west.”*

Insaan has been created from decomposing clay soil. No one can imagine what the grass of *Jannat* is which grows in the sand of *Jannat* which is saffron. It is from such wonderful celestial grass that the damsels of that abode have been created. In another narration of Hadhrat Anas (radhiyallahu anhu) which is a *Hadith Marfoo’*, damsels of *Jannat* have also been created from saffron. No one knows what the saffron of *Jannat* is. In another Hadith narrated by Hadhrat Aishah (radhiyallahu anha), the damsels of *Jannat* have also been created from a *Tasbeeh of the Malaaiakah*.

From a variety of exceptionally fine and celestial fibre have the damsels of *Jannat* been created. To enhance their indescribable and unimaginable beauty, Allah Ta’ala has adorned them with **seventy tresses**. They do not resemble males with hair cut.

The Mother of *Insaan*, Hadhrat Hawwaa (alayhas salaam) was created with tresses and appeared on earth with her tresses. She and her daughters never cut the treasure of their tresses. Throughout history, since time immemorial,

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women, both Muslims and non-Muslims, retained their tresses. Minds had not become so demented and concepts had as yet not become so corrupted and immoral to reject the natural beauty of tresses which Allah Ta'ala had bestowed to females.

Allah Ta'ala had subjected Hadhrat Nabi Ayyub (alayhis salaam) to great trials. He was afflicted with severe diseases. The community dumped him in the outskirts of the city for fear of his disease spreading. Everyone but his wife, abandoned him. He languished in this trial for a number of years. His *sabr* is proverbial. His contentment with his lot and with the decree of Allah Ta'ala did not permit him to even make Dua for cure. His faithful wife would set out daily to earn. With her day's wage she would buy food for Nabi Ayyub (alayhis salaam) and herself. One day, she was unable to find any work. In desperation she cut off and sold one of her beautiful long tresses to a wealthy lady who had insisted on buying it from her in exchange for food. The *Urf* of the age was to artificially lengthen hair to enhance beauty. She obtained a substantial sum of money and bought more than the usual amount of food for Nabi Ayyub (alayhis salaam). She did not inform Hadhrat Ayyub (alayhis salaam) of her deed which remained concealed due to her *hijaab-cloak*.

The next day, again she was unable to find work. She then sold the remaining tress to the lady. When she returned with the abundant and delicious food, Nabi Ayyub (alayhis salaam) demanded to know how she had managed to obtain the food. He took an oath that he will not eat the food until she had informed him. She then removed her head-covering. When he saw her tresses gone, his grief was indescribable. His years of affliction did not cause him the pain which the disappearance of his wife's tresses caused him. With a broken heart, he lamented:

"Verily, affliction has overwhelmed me. You (O Allah!) are the Most Merciful of the merciful ones."

(Qur'aan, Surah Ambiyaa, aayat 73)

But today deviates and all those with concepts and tastes corrupted by the libertine cult of westernism perceive 'beauty' in the ugliness of the short-hair styles of women.

It should be clear to the Mu'mineen that long hair for women is the *Urf* ordained for them by Allah Ta'ala. It is the *Urf* of Hawwaa (*alayhis salaam*). It was the *Urf* of all Muslims, as well as non-Muslims, down the long

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corridor of thousands of years of mankind's history. It was the *Urf* of the Sahaabah and of the Ummah from the time of the Sahaabah to the present day. There has never been a change in this divinely ordained *Urf*.

With the revolution of corruption and libertinism which swept the western world about a century or less ago, concepts of beauty changed. Ugliness became beauty and beauty became ugliness. This disease has overwhelmed the world to such a degree that even molvis and sheikhs — deviates and fakes — have become the victims of the immodest and immoral cult of the western world. The outstanding feature of this cult is to parade the semi-nude body of the female to satisfy the inordinate cravings of a depraved *nafs*.

It is only a deranged mind which sees beauty in ugliness. The *Urf of Jannat* and of Islam is tresses — long hair for females. Short hair, kuffaar hairstyles are the *urf* of the immoral masculinized defeminized women of the west. It is indeed a great disaster when Muslims, especially those who had undergone Qur'aanic and Hadith studies, advocate the adoption of the *urf* of lesbians and other immoral specimens of humanity thereby subtly propagating the abandonment of the *Urf of Islam — the Urf of Jannat*.

While modernist and lewd women are struggling to get the *Urf of Islam* changed with the aid of 'mujtahids' and deviates who look with oblique vision at the Shariah due to great defect in their vision, the *Urf* of Islam has not changed. It is precisely for this reason that people are seeking 'fatwas' of permissibility for hair-cutting from deviates. About these deviates masquerading as 'mujtahids', 'mujtahideen' and 'muhadditheen', Rasulullah (sallallahu alayhi wasallam) said:

“Verily, I fear for my Ummah the Aimmah-e-Mudhilleen.”

They are the self-appointed leaders who mislead the community and take Muslims along the path to Jahannum.

The deviate did not present a single Aalim in his support. He could not cite a single Faqeeh to substantiate his corrupt view. Even the two Aalims — one still alive and one deceased — whom he had projected as his supporters, have not substantiated him. Hadhrat Mufti Taqi Uthmaani Sahib, has distanced himself from the 'fatwa' of permissibility and has confirmed the prohibition. Maulana Abdul Hayy Sahib had issued a very strong *Fatwa* on the Prohibition of women cutting their hair.

All Four Math-habs have rigid views on the Prohibition. There is no support whatsoever for the deviate in any Math-hab. The severity of the positions of the Math-habs are incremental —the one has a sterner position than the other. But there are no lenient positions of any Math-hab on the Prohibition.

Shaikh Bin Baaz's contemporary, Shaikh Ibn Uthaimin has issued strong *fatwas* in affirmation of the Prohibition. Innumerable contemporary Ulama have condemned the view of permissibility and have endorsed the *Fatwa of Prohibition*. All the Ulama-e-Haqq of South Africa and of other Lands are unanimous in confirming the Prohibition. The Daarul Uloom where the deviate had pursued his knowledge of the Deen have issued its *Fatwa of Prohibition*. And, of much significance, the deviate's Ustaadh, Hadhrat Maulana Saeed Ahmad Palanpuri, a senior Ustaadh at Daarul Uloom Deoband, has criticized the evil stand which his student, the deviate, has adopted. Hadhrat Saeed Ahmad's full statement appears further on in this book.

The deviate stands out on a limb, hanging over the brink of spiritual disaster in his intransigence. It is so simple to understand, that it is not possible for the whole world of Fuqaha from the earliest time to have erred and all the Ulama of recent and contemporary times being in error and only this non-entity has managed to stumble on the path of rectitude. Surely he is not so dense in the head to understand his *baatil*. But when *the nafs* and shaitaan grip a man, then there is no remedy.

Our advice for the deviate is that he should take the opportunity to debate and discuss this issue with his venerable Asaatizah in Daarul Uloom Deoband. It will do him good, and protect his Imaan, to seek guidance from the seniors who will remain his masters forever. Rasulullah (sallallahu alayhi wasallam) said that the Ustaadh who has taught you one word, has become your master. You are his slave. It does not behove the slave to labour under the impression that he is independent and can function independently. Such is the *waswasah* of shaitaan.

SOME BASIC FACTS

The deviate only needs to reflect on some basic facts of reality, and we are sure that he will divest himself of his error.

- (1) All the contemporary Ulama reject the view of permissibility, even the liberal minded Ulama.

- (2) Hadhrat Mufti Taqi Uthmaani whom the deviate had perceived to be a proponent of permissibility, is in fact the advocate of Prohibition
- (3) Maulana Abdul Hayy (rahmatullah alayh) who appears to be the Imaam the deviate is following has unequivocally proclaimed the Prohibition of women cutting their hair.
- (4) Both Maulana Abdul Hayy and Imaam Zaylai' uphold the authenticity of the Hadith regarding the Tasbeeh of the Malaikah.
- (5) Qaadhi Iyaadh, on whose interpretation of Abu Salamah's Hadith the deviate has relied so much, believes that it is *haraam* for a woman to cut or shave even the beard and moustache which abnormally grows on her face despite its ugliness and the disfigurement and heartache it cause the woman. His stance of hair-cutting for women should thus be self-evident.
- (6) Imaam Nawawi endorses the view of Al-Maawardi and other Shaafi Fuqaha who say that a woman should not cut the one *anmulah* from her tresses during Hajj. She should lift her tresses and cut the hair at the back of her neck under her tresses.
- (7) The Fuqaha do not present *Urf* as the rationale for the Prohibition. They say that the reason is *muthlah, shain and nuqs istimtaa'*

THE DEVIATE'S PURPOSE FOR HAIR-CUTTING FOR WOMEN

The deviate, in his bid to legalize the *Haraam* practice of hair-cutting by women, has drifted extremely far off the mark in the presentation of even a semblance of argument which could be regarded as valid by shallow-minded people. He acknowledges, that this practice never existed among the women of Islam right from the age of Rasulullah (sallallahu alayhi wasallam). He concedes that it was an act which rendered women ugly throughout the ages of Islam's history. After having conceded these indisputable realities, he produces Imaam Nawawi's interpretation in which he alleges is the basis for the permissibility of women cutting their hair.

Although he grabs on to this straw which he extracts from Imaam Nawawi's interpretation, he sets aside the rationale which Imaam Nawawi, Qaadhi Iyaadh and **all** the Ulama of Islam present for the assumed cutting of hair. The rationale in this interpretation of the Ulama is *abandonment of beauty*. But the deviate's eagerness to force permissibility for the prohibited act, is the exact opposite. His rationale for permissibility is *acquisition of beauty*. Thus he says in his first essay:

“In my opinion, our society does not view the cutting of a woman’s hair as an act which despoils her beauty.”

It is clear from his conclusion of beauty in hair-cutting that the purpose of women cutting their hair *is the acquisition of beauty*.

He employs an act which was motivated by the desire to abstain from beauty, to obtain a ruling of permissibility for an act which is motivated by the desire to acquire beauty. The conflict in his mind and the bankruptcy of his arguments should be self-evident from this incongruity. Even on the assumption that the Hadith of Abu Salamah does refer to literal hair-cutting by the Holy Wives, it should be understood that the motive for such cutting according to Qaadhi Iyaadh and Imaam Nawawi was abandonment of beauty, not to seek beauty as the ‘emancipated’ women of today desire in the act of hair-cutting.

AUTHENTICITATION OF NARRATORS NOT AN ISSUE OF ABSOLUTE CERTITUDE

An exercise fraught with perils —perils for the safety of Imaan — is the indiscrete and grossly deficient examination of Ahaadith by unqualified people like the deviate. People of this ilk having acquired a smattering of book knowledge, consider themselves qualified to read and handle Ahaadith in a manner for which even the likes of Allaamah Suyuti (rahmatullah alayh) was not qualified inspite of the Ummah’s acceptance of the greatness, expertise and glory of the Allaamah.

Grossly incompetent, and deficient in *Ilm*, deviates in this day, influenced by western libertinism and craving for emancipation from the Fetters of Sacred Taqleed, form their conclusions after making cursory glances through the Books of Hadith. When a Hadith which goes against their grain is found with a Narrator whom some authorities may have labelled *Dha-eef*, *Matrook*, etc., etc., they are swift to jump on the shaitaani bandwagon of rejection of Hadith. They reject the Hadith as spurious, a forgery and a fabrication. Neither are they interested in establishing correctly the credentials of the said Narrator nor do they possess the ability for this exercise. Even if their deficient ‘research’ should make them stumble on other Authorities who have accredited the Narrator, they resort to their *baatil ta’weel and nafsaaniyat* to intransigently cling to the erroneous

conclusion they have formed on the Narrator. This evil attitude is motivated purely by the desire to get their opinion accepted by hook or by crook.

The deviate with whom we are dealing presently is of this category. There exists intense *ikhtilaaf* in the ranks of the Muhadditheen regarding authentication of narrators and the categorization of the *asaaneed* of narrations. Some authorities may have branded a narrator as being a *kath-thaab* (liar), *Dhaeef* (Weak), *unreliable and of no significance* while other muhadditheen had given opposite views and had accepted the same narrator as reliable. An example of this type of difference has already been presented in the discussion of the narrator Umar Bin Haarun. Another example follows hereunder.

One of the Narrators of Hadith is *Shahr Bin Haushab*. Regarding this Narrator Imaam Ahmad says: "He is *Thiqah*" (Reliable, Authentic). Abu Haatim says: "He is not less than Abuz Zubair. *Ihtijaaj* cannot be made with him." In other words, his narrations cannot be employed for deduction of *ahkaam*.

Abu Zur'ah said: "*There is nothing wrong with him.*" An-Nadhr Bin Shumail narrates that Ibn Aun said: "*The people (i.e. the Muhadditheen) have rejected him.*" Nasaai' and Ibn Adi said: "*He is not strong.*" (i.e. His reliability is not of a high standing).

Yahya Bin Abi Bukair Al-Kirmaani narrating from his father said: "*Shahr took (stole) dirhams from the Baitul Maal.*"

As-Sa'di said that Al-Fallaas said: "*Ahaadith were not narrated (by Muhadditheen) from Shahr. However, Abdur Rahmaan would narrate from him.*" In response to a question about a Hadith by Muaaz Bin Muaaz, Ibn Aun said: "*What should be done with Shahr? Verily, Shu'bah has discarded Shahr.*" Ubaad Bin Mansur said: "*I performed Hajj with Shahr, and he stole my wallet.*"

Ishaaq Bin Al-Munthir said: "*He is Sudooq (Truthful)*". Imaam Tirmizi said: "*Muhammad (i.e. Imaam Bukhaari) said: 'Shahr is a narrator of Hasan Hadith (which is a category of authentic Hadith), and he (Imaam Bukhaari) strengthened his (Shahr's) position.'*"

Ya'qoob Bin Shaibah said: "*Shahr is Thiqah (reliable), however, some have criticized him (i.e. his integrity).*" Ibn Adi said: "*Shahr is among those with whom proof cannot be taken nor can reliance be reposed on his Hadith.*"

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Summing up all this confusion on Shahr's reliability or unreliability, Allaamah Zahbi says:

“A group (among the Muhadditheen) regard him worthy of Ihtijaaj...An-Nasawi said: ‘Although people (Muhadditheen) have criticized him, he is Thiqah (Reliable).”

At times the differences among the Muhadditheen are so intense that opinions of reliability and unreliability oscillate between *kath-thaab* (Great Liar) and *Thiqah* (Reliable/Authentic).

The authorities pass judgement on the integrity of Narrators in the light of their investigations. No Muhaddith can or has claimed that his personal investigation is all-encompassing and is the final word in the category of Qur'aanic Wahi, on his *fatwa* on the Narrator. Even Muhadditheen were thrown into bewilderment in the difficult and delicate task of establishing the category of a narrator. Those who have studied Hadith in this day cannot honestly claim to have even commenced the journey. They remain effectively outside this dark tunnel which is cluttered with dangerous impediments and thorns.

It is astonishing ignorance for a man in this age to believe that he is capable of making an independent judgement on the categories of Ahaadith simply by reading treatises such as *Al-Ajwibatul Faadhilah* of Maulana Abdul Hayy Sahib, and some books written by Muhadditheen and Hadith Examiners. The ultimate result of such deviation is subservience to personal *nafsaani* opinion which leads to ruin of Imaan.

It should be understood that there is absolutely no scope for examining Ahaadith in this belated fifteenth century, viz., the Ahaadith which the great Fuqaha of former ages have regarded as authentic for their *mustadallaat* of the *ahkaam* of the Shariah. The Deen is not up for auction. No one has the right to interpret its laws to suit whims and personal opinion. *Ahkaam* which have come down in the Ummah reliably and authoritatively, may not be subjected to any kind of scrutiny or criticism, for such *ahkaam* are inseparable constituents of the Immutable Shariah which stems from the Qur'aan and the Sunnah. All *Ahkaam* of the Shariah have already been resolved and finalised in the very age of the Sahaabah whose duty was to impart to the Aimmah-e-Mujtahideen (the Fuqaha of the Taabieen age) the principles and the methods of systematizing and codifying the Shariah for the everlasting benefit of posterity.

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The Aimmah-e-Mujtahideen owe their greatness, their knowledge, their wisdom, their uniqueness and their astonishing expertise in all branches of Qur'aanic *Ilm* to the illustrious Sahaabah of Rasulullah (sallallahu alayhi wasallam). If it were not for these great Personalities of Islam who were the Students of Rasulullah (sallallahu alayhi wasallam), then those whom we today call the Aimmah-e-Mujtahideen and the Fuqaha would have been unknown entities.

The *Ahkaam* of Shariah have already been sealed in the sacred confines of the Qur'aanic and Hadith principles evolved by the Aimmah-e-Mujtahideen under the supervision of the Sahaabah. Hence the *Ahkaam* of the Shariah cannot be subjected to principles of Hadith classification evolved more than two centuries after the Sahaabah for an entirely different purpose.

The only recourse a Muslim has for establishing the authenticity of a law or rule is to refer to the Fuqaha who had acquired the laws from the Sahaabah via their highly authentic and golden *asaaneed* of *Asaatizah*. While there is considerable scope for debate and discussion in the *asaaneed* of Narrations presented by the Muhadditheen, there is absolutely no room for doubt and criticism of *asaaneed* of the Fuqahaa—their Chains through which they acquired their *Ilm*. They were the very first group created by Allah Ta'ala to systematize, codify and defend this Deen of Islam. It is therefore tantamount to kufr—it is kufr of the *ilhaad* category—to review and reinterpret any of the *Mansoos alayh Ahkaam* of the Shariah.

(Tasbeeh of the Malaaiakah in the Heavens)

سُبْحَانَ مَنْ زَيَّنَ الرِّجَالَ بِاللِّحَى وَزَيَّنَ النِّسَاءَ بِالذَّوَابِبِ

“*Glory to Allah (i.e. He is above all defect)*

Who has adorned men with beards and women with tresses.”

THE IMPERATIVE NEED TO REFER TO ONLY THE FUQAHAA

***“One Faqeeh is sterner on shaitaan than a
a thousand Aabid.” (Hadith)***

(Aabid is a man of adequate knowledge who devotes the greater part of his life to only ibaadat. However, he lacks in the divinely bestowed attribute of fiqaahat — a Noor of Understanding which Allah Ta’ala infuses into the heart of the Mu’min.)

The Chain of the Fuqaha commences with the Sahaabah who were the Students of Rasulullah (sallallahu alayhi wasallam). While all the Sahaabah were not Fuqahaa, a great many were Fuqahaa (Jurists of Islam) of the highest class. These Fuqaha among the Sahaabah spread out into the distant lands of the Islamic Empire after the demise of Rasulullah (sallallahu alayhi wasallam). They imparted and disseminated the *Ilm* of the Qur’aan to the those who became the Aimmah-e-Mujtahideen and Fuqaha of the first and highest class in the era of the Taabieen.

The Taabieen duplicated the function and the activities of their Sahaabah-Ustaadhs. In this way, from one generation to the next, came into existence great and illustrious Fuqaha who raised the Edifice of the Divine Immutable Shariah on the Foundations of the Qur’aan and Sunnah.

This was that Jamaat of Men whom Allah Ta’ala had chosen to guard and defend the Deen of Islam. There is no comparison with them. They were unique in every aspect. They were Fuqaha, Muhadditheen, Mufasssireen, etc. of the highest category. None of the later Muhadditheen such as Imaam Bukhaari (rahmatullah alayh) attained the rank of *Ilm* which was occupied by the Aimmah-e-Mujtahideen.

No one, neither Muhaddith nor Mufasssir of any age, was independent of the Fuqahaa. Every authority in Islam on any subject had to incumbently refer to and bow their heads in subservience to the Fuqaha. For the safety of Imaan the need to accept without scrutinization and with complete submission the rulings of the Fuqaha, is imperative. Whoever has attempted to set himself up as an adversary to the Fuqaha has miserably failed and ended up in the dregs of deception and deviation —far, very far from *Siraatul Mustaqeem*. The imperative nature of submission to the Fuqaha is

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explained by Hakimul Ummat Maulana Ashraf Ali Thaanvi (rahmatullah alayh) in the following answer to a question posed to him.

QUESTION

Whenever the Ahnaaf Ulama issue a fatwa on any mas'alah, they always refer to Durr-e-Mukhtaar, Raddul Muhtaar, Shaami, Aalamghiri, etc. They do not say: 'Allah said so or Rasulullah (sallallahu alayhi wasallam) said so...' Why have they adopted this practice when Qur'aanic and Hadith references are more convincing to a Mu'min?

ANSWER by Hakimul Ummat

"In fact, you have not even seen the kutub of the Ahnaaf Ulama. You will find for example Hidaaya replete with Aayaat and Ahaadith references. The same will be found in Badaai' and Mabsoot. The same applies for Durr-e-Mukhtaar and Raddul Muhtaar. Why do present-day Muftis refrain from citing the Qur'aan and Hadith? Its answer is that today all Ulama are Muqallideen. They do not possess the ability to deduct ahkaam directly from the Qur'aan and Hadith. It is for this reason they cite the reference of such Ulama-e-Mujtahideen who had made use of ijtihaad and had compiled the kutub.

If they do not do so, and of their own accord deduct masaail from the Qur'aan and Hadith, even the questioner will have no confidence. Furthermore such a Mufti is the victim of thousands of errors. When he is not on the pedestal of Ijtihaad, how can he employ ijtihaad to formulate masaail from the Qur'aan and Hadith? Besides reading the superficial translation and deceiving people, he does nothing else. In the present age there is a group of people who are trapped in the disease of self-deception imagining themselves to be among the Mujtahideen.

If their 'ijtihaad' is examined, the state of their error will be understood. In view of the condition of today's claimants of ijtihaad, it is the Ruling of the Ulama that taqleed of the illustrious Predecessors (the Salaf) is Waajib. Hence, they issue Fataawa by reference to these kutub in which are compiled the Ahkaam which have been formulated on the basis of the Qur'aan and Hadith (by the Aimmah-e-Mujtahideen)"

(Imdaadul Ahkaam, Vol.1, page 228)

IJTIHAAD AND ITS CLAIMANTS

In this age of liberalism, the disease of pride has impelled many half-baked students of Deeni knowledge to lay claims to Ijtihad and to imagine that they are Mujtahideen, Muhadditheen and Mufasssireen. They consider themselves competent to deduct Shar'i *ahkaam* directly from the Qur'aan and Sunnah, and feel themselves independent of the Fuqaha. In this regard, Shaikh Yoosuf Bin Ismaaeel An-Nibhaani writes in his treatise, *Hujjatullaahi Alal Aalameen*:

“Today it is only a man who is mentally deranged and whose Deen is corrupt, who will lay claim to Ijtihad. This has been said by Shaikhul Akbar Muhayyuddin. Imaam Al-Munaawi said in his *Sharhul Kabir alal Jaami'i*s *Saghir* that Allaamah Shihaab Ibn Hajar Al-Haitami said:

“When Al-Jalaal As-Suyuti claimed Ijtihad (for himself), his contemporaries (among the Ulama) stood up and unanimously criticized him. They forwarded to him a questionnaire consisting of a number of questions (each one having) two views. They said that if he possessed the ability of the lowest category of Ijtihad, namely, Ijtihaadul Fatwa, then he should comment on the Raajih (Preferred view) from the views presented, and he should expound the daleel for each view in terms of the principles of the Mujtahideen. Allaama Suyuti returned the questionnaire without answering the questions and presented the excuse of the volume of work which prevents him from studying the questions.”
Ibn Hajar then adds: Now ponder the colossal difficulty of this category, namely Ijtihaadul Fatwa, which is the lowest category of Ijtihad. It will then become manifest to you that the one who lays claim to even this lowest category of ijtihaad, leave alone Ijtihaad-e-Mutlaq, is trapped in bewildering confusion in his affairs and he languishes in mental corruption. He is among those who wander aimlessly in blindness”

Imaam Nawawi says in *Ar-Raudhah*: *“Istimbaat (Deducting masaail) directly from the Kitaab (Qur'aan) and Sunnah is not permissible except for one who has attained the pedestal of Ijtihad. This has been explicitly said (by the Fuqaha).”*

There is no need to comment further on those who have embarked on deviation on the basis of their misconceived ability of ‘ijtihaad’.

(Tasbeeh of the Malaaiakah in the Heavens)

سُبْحَانَ مَنْ زَيَّنَ الرِّجَالَ بِاللِّحْيِ وَ زَيَّنَ النِّسَاءَ بِالنَّوَائِبِ

“Glory to Allah (i.e. He is above all defect)

Who has adorned men with beards and women with tresses.”

THE PROOF FOR THE PROHIBITION OF HAIR-CUTTING FOR WOMEN

Much has been written on a variety of topics which the deviate has unnecessarily introduced for total lack of Shar’i evidence for his contention of permissibility of hair-cutting for women. His exercise was one of pure diversion. He has attempted to conceal the law of prohibition in a mire of technicalities by introducing such arguments which are unrelated to the Prohibition. We have been constrained to respond to his futility and fallacy to avoid the impression that he has Shar’i facts for his *baatil* opinion.

He has attempted desperately and vainly to divert all attention to issues such as the Hadith of the Tasbeeh of the Malaaiakah. He tried to show that this is a fabricated and a forged Hadith. He laboured under the misconception that if he could succeed in ‘proving’ that this is a fabricated Hadith, the case of Prohibition will break down. He has not succeeded to prove his *baatil*.

It is essential to understand that we did not pivot the authenticity of the Hadith on *Musnadul Firdaus* nor on *Khashful Khafa’*. These kutub were merely cited as added support for the Hadith which has already been substantiated in terms of *Talaqqi bil Qubool*. Even without *Musnadul Firdaus* and *Khashful Khafa’*, our *Daleel* remains intact. The fulcrum of the *Dalaail* we have presented on this issue is the Rulings of the Fuqaha and Ulama, not what we or anyone else understand directly from the Hadith.

Neither we nor anyone else who follow the Shariah need look anywhere beyond the Fuqaha for the ruling. All the irrefutable *Dalaail* (Arguments and Proofs) are with them. They have stated their basis and they have furnished the Ruling of the Shariah which they have acquired from the

loftiest heights by means of a Golden *Sanad* linking them directly to Rasulullah (sallallahu alayhi wasallam) — a Chain in which every Link is of the highest quality and degree of authenticity and reliability. It is this lofty Channel of Transmission which renders the *Ahkaam* formulated by the Fuqaha constituents of the Divine Shariah which was perfected in the time of Rasulullah (sallallahu alayhi wasallam). Attesting to this eternal Haqq, the Qur’aan Majeed declares loudly and forcefully for all and sundry, including deviates to hear:

“This Day have I perfected for you your Deen and have I completed for you (O Ummah of Muhammad!) My Ni’mat (the Divine Shariah), and have I chosen for you Islam as (your) Deen.”

This Perfection and Completion were not postponed by Allah Ta’ala to the age of the Muhadditheen some centuries later.

THE AUTHENTICITY OF THE MUSTADALLAAT OF THE FUQAHA

Mustadal (plural *mustadallaat*) is the basis of the formulation for a Shar’i *hukm* (law). Qur’aanic aayaat, Ahaadith, Statements and Fataawa of the Sahaabah and the Principles of Shar’i Qiyaas form the *Mustadallaat* of the Aimmah-e-Mujtahideen and the Fuqaha. Nothing outside the confines of these Qur’aanic principles is used as a *mustadal* by the Fuqaha.

Shaikh Yoosuf Bin Ismaaeel An-Nibhaani says in his *Hujjatullaahi Aalal Aalameen*:

“Whoever says that Sunnat is only what is explicitly mentioned in the Ahaadith has in fact rejected all the Math-habs of the Mujtahideen and he has opposed Ijma’. The evil of his belief is not hidden. We seek protection from Allah (against such deviation). It is stated in Al-Yaaqoot Wal Jawaahir, and similarly is it narrated in Al-Meezaanul Khadriyyah (of Imaam Sha’raani) that Shaikhul Islam Zakariyya (among the Shaafi Fuqaha) said: ‘I have, Alhamdulillah, searched for the Proofs of the Mujtahideen (i.e. for their dalaail and mustadallaat). I have not found even a fara’ (a mas’alah which is not a principle) from among the Furoo’ of their Mathaahib except that it is substantiated by a daleel, either an aayat (of the Qur’aan) or a

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Hadith or an Athar (statement of a Sahaabi) or Saheeh Qiyaas — based on Saheeh principles.....All their statements are derived from the rays of the Noor of the Shariah which is the Foundation. It is impossible to find a fara' (of the Fuqaha) without a basis."

From the foregoing explanation it should be clear that when a Muhaddith of the later eras says about the *sanad* of a Hadith: “*I do not recognize it*”, “*I do not know it*”, “*There is no basis for it*”, “*It is weak*”, etc., etc., he says so within the limits of his knowledge and investigation. He never directs such comments against the *Mustadallaat* of the Fuqaha who were the *Asaatizah* of the *Asaatizah* of the Muhadditheen.

On the contrary it was the practice of the Muhadditheen to set aside their own Saheeh Ahaadith if there was a conflict with the Practice and Ruling of the Fuqaha. Thus, they would say: “*The amal of the Ahl-e-Ilm is on this.*”, and they would say this even if they had classified the Ahaadith *Dhaeef*.

Now when the Muhadditheen who had compiled all the Hadith kutub themselves would practise in accordance with the Ahaadith which they themselves had classified *Dhaeef* on the basis of such *Dhaeef Riwaayaat* being the *Mustadallaat* of the Fuqaha, who does the deviate think he is when he gorges out criticism on the illustrious Works of Saahib-e-Hidaayah and the Author of Badaaius Sanaai’, Allaamah Kaasaani (rahmatullah alayhimaa)? May Allah Ta’ala save us all from such *dhalaal*, and may He guide those who have deviated.

(Tasbeeh of the Malaaikeh in the Heavens)

سُبْحَانَ مَنْ زَيَّنَ الرِّجَالَ بِاللُّحَى وَزَيَّنَ النِّسَاءَ بِالذَّوَابِ

“*Glory to Allah (i.e. He is above all defect)*

Who has adorned men with beards and women with tresses.”

THE MEANING OF HALQ

The term *halq* brings in its scope even *qasr* (cutting). The Fuqaha and the experts of the Arabic language use *halq* even to describe hair-cutting. In the story of Nabi Ayyub (alayhis salaam) explained in *Tafseer Ibn Katheer*, as well as in most of the other *Tafaaseer* kutub it is mentioned that the wife of Nabi Ayyub (alayhis salaam) had sold her two plaits (tresses) for food. Ibn

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Katheer explicitly mentions that when Nabi Ayyub (alayhis salaam) saw her “mahloofur raas”, he lamented and cried to Allah Ta’ala.

Mahloof is dervied from *halq* which generally and literally means ‘to shave’. However, inspite of their being consensus of the Mufasssireen that she had only cut off her two tresses, this act has been described with the term, *halq*, hence *mahloofur raas*.

Al-Hamawi, the Sharah of *Al-Ashbaah* states:

“The obvious meaning of her making halq of the hair of her head is its removal whether by means of shaving, cutting, plucking and naurah (lime or any chemical substance).”
(Page 73)

Hakimul Ummat Maulana Ashraf Ali Thaanvi (rahmatullah alayh) states in his Imdaadul Fataawa, Vol. 4, Page 229:

“Cutting comes within the scope of halq as well. Hence, the Hadith (on the prohibition of Halq) covers it (i.e. cutting) as well.”

The Authorities of the Shariah apply the Ahaadith which prohibit *halq* to both shaving of the hair and cutting of the hair. The views and decrees of the senior Authorities of the Shariah suffice for the Ummah. No amount of skulduggery and display of expertise in Arabic by deviates and modernists can override the verdicts of the Fuqaha and the Ulama of the Shariah.

Since both acts cause *shain* (ugliness) and *muthlah* (mutilation and disfigurement), they are *Haraam*. Both acts constitute *Taghyeer li khalqillaah* or wroughting change in the natural appearances and forms created by Allah Ta’ala, hence for a woman to shave and cut her hair are *Haraam*. Just as a male’s act of cutting his beard is described as *muthlah* by the Shariah, so too is the female’s act of cutting her hair described as *muthlah* or mutilation by the Shariah of Allah Ta’ala.

“Verily those who dispute in the Aayaat of Allah without any proof having come to them (from Allah and His Rasul), most certainly in their hearts is the (disease) of kibr (pride) which they will never attain.” [Qur’aan]

A SUMMARY TO EXTRICATE YOU FROM THE MAZE

The preponderance of *ghutha* which the deviate has presented as his basis and argument for his attempt to legalize what Allah Ta'ala has made *haraam*, and the resultant complicated confusion in the wake of a discussion which should not be for laymen due to their lack of comprehension of academic issues, has undoubtedly created a haze which must have left most ordinary readers in a maze of quandary. They may, therefore, not understand and appreciate the validity of the Shar'i arguments which require proper *Ilm* for comprehension. On the other hand, the requisite of *Ilm* is obviated for gaining comprehension of the *ghutha* of deviates. There is, therefore, a need to present a succinct synopsis of this labyrinthal exposition for the ready comprehension of the ordinary mind unacquainted with the technical intricacies of the principles of the Shariah. Just in case the deviate pleads ignorance of the term *ghutha* — it is a Qur'aanic and Hadith term meaning *pure rubbish, nonsense, drivel*.

THE SUMMARY

The skeleton of the deviate's 'proofs' for the baseless claim of the permissibility of hair-cutting for women consists of the following decomposed bones:

- (1) Imaam Nawawi's interpretation of the Abu Salamah's Hadith, viz., in this Hadith is the proof for this permissibility.
- (2) Qaadhi Iyaadh's interpretation of the same Hadith.
- (3) Since men are allowed to cut their beards, women too are allowed to cut their hair.
- (4) The prohibition of hair-cutting for women was linked to the then prevailing custom (*urf*) which considered this act ugly for women. However, the trend has changed. Since hairstyles are regarded as beautiful in this day, hair-cutting is permissible for them.
- (5) The Hadith of the Tasbeeh of the Malaaikeh which proclaims the beauty of tresses for women is a forgery and a fabrication, and so are any other Ahaadith which ban hair-cutting for women.
- (6) There is no consensus of the Ummah on this prohibition.

OUR RESPONSE

- (1) Imaam Nawawi was a Muqallid of the Shaafi'i Math-hab. The Shaafi'i Fuqaha, including Imaam Nawawi, believed in the strict prohibition of hair-cutting for women to the extent of not allowing women to cut even the size of a third of a finger from their tresses when they have to emerge from Ihraam. In spite of the other three Math-habs allowing the cutting of this extent from the tresses, the Shaafi'i Fuqaha instruct that this amount should be cut from the hair at the back of the neck under the tresses which should be lifted when the cutting is effected. According to Imaam Nawawi it is not permissible for a male to cut his beard even if it has reached more than a fist-length in spite of the fact that this is permissible according to the other Math-habs. To a greater degree does Imaam Nawawi consider cutting of woman's hair to be an act of interference in the natural creation of Allah Ta'ala.
- (2) Taking support from Qaadhi Iyaadh is absurd. According to Qaadhi Iyaadh who is a staunch follower of the Maaliki Math-hab, cutting any part of the body, even a deformity is not permissible since such cutting is an interference in the natural creation of Allah Ta'ala. According to the Maaliki Math-hab of which Qaadhi Iyaadh is a top-ranking Authority, it is not permissible for a woman to cut or shave even the deformity of a beard and moustache growing on her face. When she is not allowed to cut and remove even the ugliness of a beard and moustache on her face, how can an intelligent person accept that Qaadhi Iyaadh condones the cutting of a woman's natural hair which according to Islam is part of her inherent beauty?
- (3) The analogy with beard-cutting is absolutely fallacious. Firstly, beard-cutting has been expressly permitted by the Hadith. Secondly, Imaam Nawawi whom the deviate purports to follow, contends that it is not permissible to cut the beard at all. Even if the beard grows wildly and reaches any length, it is not permissible to cut it. Imaam Nawawi rejects the Hadith narrations as *Dhaeef (Weak)* which according to him cannot constitute a basis for a rule to be formed. Furthermore, the deviate himself claims that one of the narrators of one of the beard-cutting Ahaadith is a '*confounded liar, a forger of hadith and a fabricator*'. He thus has absolutely no basis whatsoever for presenting the beard-cutting argument to justify hair-cutting for women.
- (4) *Urf* or custom or 'norm of society' (as the deviate says), cannot override a clear-cut law and practice of the Shariah. It is the other way around. The Shariah's law overrides customs and trends when these conflict with its teachings and principles. The trend of hair-

cutting is in conflict with the fourteen century Prohibition and Custom of Islam. Example: all Muslim males shave their beards, in fact this is the trend with 90% of Muslim males today, it will not cancel the Shariah's Prohibition of cutting and shaving the beard. The Law of the Shariah is immutable, absolute and final.

- (5) The Hadith of the Tasbeeh of the Malaikah is authentic. There is no defect in it. It has been accepted by **all** Authorities of Islam, including the deviate's Imaam, Hadhrat Maulana Abdul Hayy Sahib. Also Imaam Zayla'i whom the deviate seems to follow much, authenticitated the Hadith. We have already proved the authenticity of this Hadith. Besides this fact, we do not regard this Hadith alone to be the basis of the Prohibition. It has been cited merely in aid of the other Proofs for the prohibition.
- (6) There exists *Ijma'* (Consensus) of the Ummah on the Prohibition of hair-cutting for women. There is not a single Authority of Islam who has ventured the view of permissibility. The deviate has miserably failed to cite even a single Faqeeh who had issued a fatwa of permissibility. Imaam Nawawi's interpretation is not a fatwa. It was an interpretation to clear up the ambiguity in the Hadith and to confirm the Prohibition of hair-cutting. Even the deviate's Imaam, Maulana Abdul Hayy came out strongly with his *Fatwa* of Prohibition and *La'nat* on women who cut their hair.

THE FURTHER PROOFS FOR THE PROHIBITION

- (1). Hair-cutting never was the practice of Muslim women, not even before the advent of Rasulullah (sallallahu alayhi wasallam). It has always been the practice of Muslim women right until the present day to keep long hair.
- (2). The extent which the Shariah allows for cutting is only one third the size of a finger, and this too, when a woman has to be released from the restrictions of Ihraam. This is the unanimous ruling of all Math-habs.
- (3). All the Fuqaha describe the act of hair-cutting for women to be *muthlah* (mutilation) and *shain* (ugliness). Such acts are not allowed.
- (4). All Authorities of Islam regard hair-cutting by women to be an act of *taghyeer li khalqillaah* (changing the natural creation of Allah), which the Qur'aan attributes to Shaitaan.
- (5). The Fuqaha explicitly state that Allah's *la'nat* (curse) settles on a woman who cuts her hair, and she is not allowed to submit to this command of her husband.

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- (6). According to Islam tresses constitute a major part of woman's beauty. The authentic Hadith of the Tasbeeh of the Malaaiqah and the express statement of Ibn Qayyim Al-Jauzi and of others are emphatic on this contention.
- (7). Hair-cutting for women is *Tashabbuh Bir Rijaal* (Emulation of men) which is *haraam* and a major sin.
- (8). Hair-cutting for women is *Tashabbuh bil kaafiraat* (Emulation of non-Muslim women, which is also *haraam* and a major sin.
- (9). All the Ulama unanimously proclaim the Prohibition of hair-cutting for women.
- (10). **The strongest and most authoritative Proof for the prohibition is that this prohibition is explicitly stated in the most reliable and authentic Kutub of the Fuqaha.**

Let it be clearly understood that for gaining awareness of the *Ahkaam* of the Shariah, the only recourse available to the Ummah is the Office of the Fuqaha who were the highest-ranking Representatives of Rasulullah (sallallahu alayhi wasallam). This Office commenced with the Sahaabah. It is not permissible for any Muslim today, be he the most learned Allaamah, to resort directly to the Qur'aan and Hadith for ascertaining a *mas'alah* on which the Shariah has issued its explicit Ruling.

The practice of all great and senior Ulama is to refer to the Kutub of the Fuqahaa and then issue *Fatwa*. Deviates who have become bloated with a false sense of pride imagine that they have mounted the pedestal of *Ijtihaad*. They destroy themselves with such notions of *Takabbur* and mislead others. The Jamaat of Fuqaha whom Allah Ta'ala had created for *Ijtihaad* has left this world more than a thousand years ago after having accomplished their mission which was divinely assigned to them. Now whoever lays claim to *Ijtihaad* in this day is a deviate of demented intelligence, a bogus and a *mudhil*. About the *mudhilleen* (those who lead others astray into the path of deviation leading to Jahannum), Rasulullah (sallallahu alayhi wasallam) expressed his gravest concern and fear for the Ummah.

THE FUQAHAA

Shaikh Ibn Taimiyyah (rahmatullah alayh), whom the revilers of Taqleed consider as one of their Imaams, said in Raf'il Malaam: "Verily, the Aimmah

(Mujtahideen) who flourished before the compilation of these books had greater knowledge of the Sunnah than the Muta-akh-khireen (the later Muhadditheen). Much of what had reached them (of the Ilm of the Deen) and which was authentic according to them did not reach us except from unknown entities or with a munqata' (interrupted) isnaad or it (the Hadith) did not reach us at all."

THE SUMMING UP BY HADHRAT MAULANA SAEED AHMAD PALANPURI, THE USTAADH OF THE DEVIATE

It is nothing but appropriate to reproduce here the Opinion and Naseehat of Hadhrat Maulana Saeed Ahmad Palanpuri, the Senior Ustaadh at Daarul Uloom Deoband where the deviate had acquired his certificate of qualification. Hadhrat Maulana Saeed Ahmad Sahib is the Ustaadh of the deviate. The venerable Maulana writes:

“Maulana Taaha Karaan Sahib is a graduate of Daarul Uloom Deoband. He had studied under me. He had a good ability. In Dorah (the Final Year) he attained first position. His father, Maulana Yusuf Karaan is also a graduate of Daarul Uloom Deoband. His *isti'daad* (ability) too was very good, and he is my colleague.

As you have written, Maulana Taaha Karaan Saahib after having studied here (at Daarul Uloom) went to Egypt and there too he pursued studies. As you have written, having gone to Egypt he set aside the *Maslak and Mashrab* of his Ulama of Deoband. Now what is there to lament about?"

(Our comment: By this, Hadhrat Saeed Ahmad Sahib implies that what his student has said on the issue of hair-cutting should not be attributed to the Ulama of Deoband. He acquired his views from elsewhere, not from the Ulama of Deoband.)

Hadhrat Maulana Saeed Ahmad Sahib continues:

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"He has imported liberalism from Egypt. Furthermore, he is not a Mufti. Neither did he learn to be a Mufti here (at Daarul Uloom) nor in Egypt. He has begun to interfere with *Masaa-il* (of the Shariah) merely on the strength of his own knowledge. Thus, his writings could be called articles. It cannot be described as Fatwa."

There are many Usool (Principles) for (competency in) Fatwa. It is obligatory on a Mufti to take into consideration such principles (of Ifta). Awareness of such principles is the first obligation of a Mufti. For example in his writings he differentiates between Haraam and Makrooh whereas these terms are technical terminology. If the prohibition of things is substantiated on the basis of the Qur'aan, the Ulama describe it with the term, Haraam, and if the prohibition is substantiated on the basis of Ahaadith, the term Karaahat (being Makrooh) is used. But in *Urf* this differentiation is not made. The word Haraam is used for Makrooh Tahrimi as well. This reality is not in front of Maulana Taaha.

Similarly, he has understood the act of the Azwaaj-e-Muttahharaat (the Holy Wives of Rasulullah — sallallahu alayhi wasallam), which was restricted to aged widows, to be the general hukm of the Shariat (i.e. applicable to all women). However, he (i.e. Taaha) did not reflect on this fact that the other Ladies of Islam of that age did not adopt that act (the assumed hair-cutting) as their practice. *(As a warning Hadhrat wrote the following Qur'aanic aayat after his comment):* "Verily, in this is a lesson for the People of Intelligence."

In addition, he (Taaha) has not correctly understood the riwaayat (Hadith narration) pertaining to tashabbuh (emulation) of males. In this age the women who have the desire for hair-cutting, entertain this fancy on account of fashion. This, in fact, is tashabbuh with aliens.

I have sent your letter to Daarul Ifta and the answer is annexed hereto. Muslims should repose reliance on only this Fatwa (of Daarul Uloom). They should not accord any reliance to the research of Shaikh Taaha Karaan. Was-salaam."

Saeed Ahmad Palanpuri, Khaadim (Servant) of Daarul Uloom
3rd Rabiul Awwal 1424
(5th May 2003)

End of Hadhrat Maulana Saeed Ahmad's Fatwa.

There is much *ibrat* for Shaikh Taha Sahib in the unambiguous Naseehat of his Ustaadh.



***Subhaanallaah —He Who has beautified men
with beards and women with tresses.***



HAIR-CUTTING IS NOT THE ONLY ISSUE

There is no need to produce *daleel* to prove that Islam originated in the era of Muhammad (sallallahu alayhi wasallam) who was the Rasool to whom Islam was revealed. It is also clearer than daylight that the Qur'aan proclaims the completion and the perfection of Islam during the very lifetime of Rasulullah (sallallahu alayhi wasallam). It is also a known and an accepted fact that Allah Ta'ala has undertaken the safeguarding of the purity of Islam.

From this it is simple for the Mu'min to understand that the Shariah of Islam is sacrosanct and immutable. It brooks no interpolation and no change. Its completion and perfection in the age of *Risaalat* firmly and convincingly rule out the possibility of review and reinterpretation of the *Ahkaam* of the Shariah. It should thus be simple Islamic logic for Muslims to understand that the Principles of the Shariah formulated by the Aimmah Mujtahideen who were the Students of the Sahaabah, cannot be employed to bring about any change to the laws of the Shariah which have existed from the time of Rasulullah (sallallahu alayhi wasallam) and his Sahaabah. Any such attempt will be viewed as a satanic plot to unravel and scuttle the Shariah.

Although the current dispute with the deviate centres around a single issue, namely, the act of hair-cutting for women, it does not end there. This is merely the beginning of the opening of an avenue for wholesale submission of the Shariah to personal review and interpretation of Allah's sacred and immutable Shariah. Shaitaan operates in extremely subtle and cunning ways. He enlists a variety of forces and elements in his conspiracy to deflect Muslims from *Siraatul Mustaqeem*. He had succeeded with Bani Israa'el — with the Yahood and Nasaara. His conspiracy was successful and he achieved the goal of mutilating the Islam of Bani Israa'el beyond recognition.

Shaitaan is ever diligent and perpetually lies in ambush awaiting opportunities to harness the different elements in a variety of guises to scuttle the Shariah of Islam and to transform the Sunnah into a cult of

Bid'ah Sayyiah (Evil and dark innovation). In former years, a couple of decades ago, the deviates in the community were more exposed to public glare than the deviates of today. The deviates some years ago were the uneducated (Islamically speaking) clean-shaven modernists in their western attire. They were the products of some hybrid secular-religious institutions in which the tuition and influence of the kuffaar orientalist pervaded and predominated.

The modernist deviates did not have the subterfuge of Islamic education acquired from a Daarul Uloom, hence their *baatil* was very conspicuous and the ordinary Muslims in the community, inspite of their ignorance, did not attach any importance to their preachings of kufr. While they too were a threat to the Imaan of the unwary ordinary Muslim, the threat was not as grave and great as the threat which is presently being posed by a new brand of deviate.

THE NEW BRAND

The new brand of deviate who is a dangerous *mudhil* (one who leads others astray) is a molvi, a shaikh, a mufti— one who has gained some knowledge of the Deen at a Daarul Uloom. He is fitted out with Islamic attire and has an Islamic appearance.

The community labours under the impression that he is a guide of the Deen, a *Naasih* (Provider of admonition and advice) and a Defender of Allah's Shariah, when in reality he is the very antithesis of this. In the words of Rasulullah (sallallahu alayhi wasallam) he is a wolf in sheep's skin or a shaitaan in a human body. His mission in life is to utilize the Qur'aan, the Sunnah and the Principles which the Aimmah-e-Mujtahideen had extracted from the Qur'aan and Hadith to dig at the very foundations of the Shariah. His ploy is to present the Shariah as the product of man's reasoning which everyone understands can never be immutable.

Just as the modernist deviates monotonously claim that the Shariah is man-made and is the opinions of the Fuqaha, so too is the molvi-type deviate engaging in the same pernicious plot. The difference, however, is that he seeks to accomplish his nefarious goal by remaining concealed within the Shariah ostensibly asserting his allegiance to the Qur'aan and Sunnah.

The molvi-type deviate generally requires western aid to accomplish his mission. To achieve the aims of the satanic conspiracy, the dead

‘knowledge’ acquired with a darkened heart from his Madrasah is wholly inadequate. Since he feels grossly inadequate in his Deeni attainments in view of the fact that his heart is devoid of the *Noor of Ilm*, he feels constrained to pursue some silly course of study to acquire a degree which has some value in worldly eyes. The molvi/shaikh thus gets transformed into a Mr. and a Professor as well. His make-up and the subterfuge of his Madrasah’s certificate position him well for putting into action the plan of shaitaan.

Such deviates engage in the process of dismantling the Shariah, sometimes knowingly and sometimes unknowingly. The one’s who have joined the camp of shaitaan without having realized their misfortune, are those who happen to be deficient in intelligence and discernment, or intoxicated with pride and vanity. Nevertheless, they all are cogs in the satanic menace of destroying the Deen of Allah Ta’ala.

Consider the position of the deviate with whom we are presently dealing. He is a molvi who qualified at the highest of our Madaaris, Daarul Uloom Deoband. The Asaatizah at whose feet he sat and from whom he acquired Deeni Ilm, are true Ulama of the Sunnah. This molvi embarks on a controversy based on a personal opinion which is in diametric opposition to the *Fatwa* of the entire Ummah of Islam from the time of Rasulullah (sallallahu alayhi wasallam). The question on which he has stupidly and dangerously voiced his opinion is not a new development. It is not an exigency which requires the invocation of the Principles of the Shariah for securing a ruling. It is not an issue on which his Asaatizah and the other Ulama all over the world have displayed ignorance. It is not a *mas’alah* in regard to which the authoritative kutub of the Deen are silent. It is a well-established and a well-known *mas’alah*.

He cannot present the excuse of being unaware of the *Fatwa* of the Ulama in general, and of his Asaatizah in particular, on the issue of hair-cutting for women. But his pride impels him to ignore the fourteen century Ruling of the Shariah, to ignore consultation with contemporary Ulama and to ignore his own senior Asaatizah. Then he blunders into error manifest by setting himself up as a mujtahid. He feels himself competent to do what Imaam Bukhaari (rahmatullah alayh) found onerous, arduous and fearful. He examines, dissects, interprets, accepts and rejects Ahaadith on which the Fuqaha and Ulama have already issued rulings many, many centuries ago.

He presents argument to detract from the loftiness and the authority of the Aimmah-e-Mujtahideen. He refers to the illustrious Fuqaha as if they are

his little brothers. He heaps scorn on the sacred and marvellous Kutub of the Fuqaha which we are required to handle with Wudhu. He subtly attempts to shift the date of the Shariah's commencement to the Muhadditheen, centuries after Rasulullah (sallallahu alayhi wasallam). This dastardly exercise implies:

- (1) That Islam was not completed and perfected during the age of Rasulullah (sallallahu alayhi wasallam).
- (2) That the basis on which the Fuqaha whose Asaatizah were the Sahaabah and the Taabieen had structured the Edifice of the Shariah is flawed and spurious since they had employed such Ahaadith for the formulation of the *Ahkaam* which lacked in authenticity or which were defective, etc.
- (3) That after some centuries true Islam was established when the age of the Muhadditheen dawned, and they revealed the flaws of the *mustadallaat* of the early Fuqaha.
- (4) That on the basis of the satanic principle of 'retrospective relevance' which this puny deviate has evolved, the *Ahkaam* of the Shariah which were formulated by the early Fuqaha can be reviewed and abrogated in view of the supposedly spurious Ahaadith Narrations which had constituted the basis of the Fuqaha.

A man of *Ilm* is expected to tread warily and not issue opinions which are in conflict with *Fataawa* which have existed in the Shariah for centuries. The man who possesses true *Ilm* will consult on such *masaail* with his seniors. It is his obligation to present his *wasaawis* to his seniors and gain direction from them.

THE ISSUE

The issue in front of us is not only the *mas'alah* of hair-cutting for women. It is a shaitaani plot. That plot is the concept of reinterpretation of the Shariah which every now and again some deviate propagates in a different guise. In spite of the variance in guise and method, the theme is the same. The aim is the same. The conspiracy is to dismantle the Shariah. And, this goal is attainable only if the authority of the Aimmah-e-Mujtahideen is demolished. This is the reason why deviates of a variety of persuasions always attribute the Shariah to human beings. If they can succeed to convince Muslims that the Shariah is not the product of the Qur'aan but is the opinion of Ulama, then they feel that their goal will have been achieved.

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It should be understood that there was no interval or any vacuum in Islam after the demise of Rasulullah (sallallahu alayhi wasallam), in which there was no Shariah. The efforts of the Muhadditheen centuries later to compile the Ahaadith was not to formulate the Shariah nor does it mean that the process of formulation of the *Ahkaam* was initiated by them. Imaam Bukhaari and all the later Muhadditheen performed Salaat, fasted, performed Hajj and executed the multitude of Shar'i *Ahkaam* in strict accordance with the *fiqhi masaail* they acquired from their Asaatizah who were Muqallideen of the Aimmah-e-Mujtahideen. These great Muhadditheen did not wait until they had gathered sufficient *Saheeh* Ahaadith before beginning to perform Salaat. They attended to their Deeni duties and obligations in accordance with the *Masaail* handed down by the Fuqaha who came before them.

The two centuries prior to the age of the later Muhadditheen was not a period without the Shariah. Saahib-e-Hidaayah did not formulate the *Ahkaam*. The Shariah was inherited whole and intact by all the Fuqahaa who followed the Aimmah-e-Mujtahideen. The Aimmah-e-Mujtahideen too did not find themselves without a Shariah.

These great Aimmah had for their Asaatizah the noble Sahaabah from whom the Shariah was acquired. It is therefore perfidy and satanic to believe that the true Shariah came into being as a consequence of the Hadith compilation by Imaam Bukhaari, Imaam Muslim and the other Muhadditheen of the later times.

The eagerness with which the deviate seeks to propagate his 'retrospective relevance' theory should be seen in the light of the old plot to reinterpret the immutable Shariah. This theory is a sinister plot which originated with the orientalist some decades ago. The hybrid so-called Islamic universities were the main substrata for this satanic plot to subvert Islam by review and reinterpretation. However, the subtle manner in which the 'retrospective relevance' theory has been presented has been designed to mislead unwary Muslims.

The plot of this *baatil* theory which in effect is kufr in that its aim is to review and displace the *Ahkaam* of the Shariah by baseless interpretation, is not directed solely to the hair-cutting *mas'alah*. This issue was introduced as a test case — as a feeler — to gauge the attitude of Muslims. The satanic aim is to reinterpret one Shar'i issue after the other until a concept of kufr has been acquired in the name of the Shariah.

It is the Waajib obligation of the Ulama to be alert and diligently confront and expose the deviates who are out to tamper with and scuttle the immutable Shariah of Allah Ta'ala. This Shariah is not the product of any man's reasoning. It is the product of *Wahi*. It is therefore Immutable. In relation to the Ummah right until the Day of Qiyaamah, the Sole Repositories of Islam and its Shariah and the Sunnah of Rasulullah (sallallahu alayhi wasallam) are the Fuqaha.

العلماء ورثة الانبياء

“The Ulama are the Heirs of the Ambiya”
(Hadith)

CALLIGRAPHY?

Calligraphy is not among the proofs of the Shariah. “Shoddiness” of calligraphy does not detract from the effectiveness of the Daleel.

AN ANSWER ALSO FOR THE DEVIATE SALAFIS

The primary aim of this book was to refute the *baatil* opinion of the deviate who had undertaken the satanic obligation of attempting to legalize hair-cutting for women. In the course of this refutation we had to discuss several issues pertaining to Hadith, the Muhadditheen, the Fuqaha, the Shariah, etc.

In the explanations which we have offered in this book will also be a response to the deviate Salafi sect whose mission is the displacement of the Shariah of the Qur'aan and Sunnah in a subtle way common to all deviates of whatever persuasion their deviation may be. The common thread which runs through the variety of deviatism is the assault on the Aimmah-e-Mujtahideen. The claim of all deviates is that the Shariah is the product of the opinion of the Aimmah-e-Mujtahideen. Hence they blurt out stupid questions such as: “Did the Math-habs exist during the time of the Sahaabah?” “Were there Hanafis, Shaafis, Maalikis and Hambalis during the age of the Sahaabah?”

With such stupid questions they confuse and mislead unwary and ignorant Muslims. They attempt to create the impression that the teachings of the Math-habs are in conflict with the Qur'aan and Sunnah, hence the *Taqleed* of the Math-habs should be rejected and everyone should become a 'mujtahid' by resorting to Bukhaari Shareef, Muslim Shareef, Tirmizi Shareef and Nasaai' Shareef. People are hoodwinked into believing that by making a 'research' of these few Hadith kutub, they will be able to practise Islam in accordance with the Qur'aan and Sunnah. But this is truly a shaitaani deception and a snare for the ruin of Imaan.

Firstly, we should say with emphasis: ***Yes, the Math-habs did exist during the age of the Sahaabah. In fact, the Math-habs existed even while Rasulallah (sallallahu alayhi wasallam) was alive? And, yes! The Hanafi, Maaliki, Hambali and Shaafi Math-habs did exist, not only during the age of the Sahaabah, but while Rasulallah (sallallahu alayhi wasallam) was alive.***

Anything which did not exist in the time of Nabi-e-Kareem (sallallahu alayhi wasallam) and any *Shar'i Hukm and Principle* which is not in the Qur'aan and Sunnah is not part of Islam. The concept of Islam which the deviated Salafi sect of this age is propagating is an 'islam' which commenced more than two centuries after Rasulallah (sallallahu alayhi wasallam). By anchoring the Shariah to the Hadith kutub of the later Muhadditheen who appeared on the scene more than two centuries after Rasulallah, the implied claim is that in the interval between Rasulallah (sallallahu alayhi wasallam) and the Muhadditheen, Islam was lost. The true Islam which Rasulallah (sallallahu alayhi wasallam) had established in his 23 year mission of *Risaalat* had been transformed into an alien religion by the opinions of the Aimmah-e-Mujtahideen. This is the logical conclusion stemming from the blind insistence on rejection of the Shariah taught by the Students of the Sahaabah and substituting in its place the new 'shariah' which individuals formulate on the basis of their study of the later Hadith kutub.

Since in the understanding of the followers of Deviatism the true Islam which the Sahaabah had disseminated had disappeared or was largely contaminated with man's opinion, the need arose to restructure the Shariah on the basis of 'saheeh' Hadith, hence the need for Muhadditheen such as Imaam Bukhaari (rahmatullah alayh). Islam 'surfaced' again only after Imaam Bukhaari, Imaam Muslim and other Muhadditheen had compiled their kutub.

The contention of the Salafis and of all deviates is that the Hadith books of the later Muhadditheen should displace the Shariah as is taught by the Four Math-habs. A mere study of the Hadith books will establish one on the path of the Sunnah. In such absurd claims resulting from the teachings of the deviates, the implication is that the knowledge which the illustrious Aimmah-e-Mujtahideen had acquired from the Sahaabah is spurious and the product of opinion. The deviates will conveniently say that it is the product of the opinion of the illustrious Fuqaha while in reality it is the knowledge of *Wahi* imparted by the Sahaabah to the Taabieen from whose ranks arose the illustrious Aimmah-e-Mujtahideen.

The *Ilm of Wahi* acquired from the Sahaabah was transmitted from generation to generation in an unbroken Golden Chain of great Fuqaha and Ulama of the highest calibre. Imaam Bukhaari and the other Muhadditheen were born into Islam and were practising Islam in exactly the same way as the masses of the Ummah knew it and practised it. The noble Mujtahideen practised Islam as they had acquired it from the Fuqaha.

The mission of Hadith compilation was not undertaken to displace the Shariah which they had inherited from their *Asaatizah*. Never did the Muhadditheen embark on any such vile mission.

When Imaam Bukhaari (rahmatullah alayh) did not rely on his Hadith compilation for his Shariah, what right do stupid deviates of this age have to hoist Bukhaari Shareef as the abrogator of the Shariah which was acquired from the Sahaabah? Shariah which they had inherited from their *Asaatizah*. Never did the Muhadditheen embark on any such vile mission.

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The chapters in this book dealing with the utility of the Muhadditheen and related issues are an adequate response and refutation of the baseless 'daleel' of the Salafis and others of the same persuasions. Muslims should not become befuddled by their talk of the 'Qur'aan and Sunnah'. The 'Qur'aan and Sunnah' did not originate more than two centuries after Rasulullah (sallallahu alayhi wasallam) nor were they lost during this interval as were the previous religions. The religions of the other Ambiya

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were distorted and mutilated beyond recognition by their followers as soon as the Ambiya had departed from the world. But Allah Azza Wa Jal has promised in the Qur'aan that He would guard Islam. Hence, Islam remained intact after the demise of Rasulullah (sallallahu alayhi wasallam).

This Islam of Muhammadur Rasulullah (sallallahu alayhi wasallam) was transmitted to posterity — to each successive generation of the Ummah — by a Chain of Unbroken Narration. The continuity of the Transmission Process of Islam is unparalleled and unique. Only Shiahs, Salafis and deviates of the variety of breeds believe in the theory of interpolation and each miserable group of deviates has had its claim of 'renaissance.' Every 'renaissance' movement in the Ummah was a movement of Kufr.

It is the incumbent obligation of the Ulamaa-e-Haqq to be alert and diligently confront the menace of kufr which every now and again raises its head in a different guise and comes painted in a different hue of deception. The Institution which Allah Ta'ala has established on earth for the defence of Islam is the Institution of the Ulama-e-Haqq. Insha' Allah, this Institution will remain to execute its obligation until the Day of Qiyaamah. Declaring this truth, Rasulullah (sallallahu alayhi wasallam) said:

“There will ever remain a Group of my Ummah who will fight on the Haqq until the arrival of the Hour. Those who oppose them or refrain from aiding them will not be able to harm them.”

(Tasbeeh of the Malaaikeh in the Heavens)

سُبْحَانَ مَنْ زَيَّنَ الرِّجَالَ بِاللُّحَى وَ زَيَّنَ النِّسَاءَ بِالذَّوَائِبِ

“Glory to Allah (i.e. He is above all defect)

Who has adorned men with beards and women with tresses.”

THE THAANVI ACADEMY

The International Thaanvi Academy of Islamic Research consists of Ulama from various regions, whose function it is to conduct research in spheres of the Shariah. The aim of the Academy is the defence of Islam which has in this day become a toy in the hands of every *mulhid* and *zindeeq*. Every second ignoramus walking the streets considers himself a mujtahid, a muhaddith, a mufassir and a mufti of high rank. This mental ailment being extremely contagious has been responsible for the ruin of the Imaan of numerous Muslims.

The Academy, in its humble and small way, will endeavour to present to Muslims the truth of the Shariah and expose the deception of the deceivers and mis-leaders. This mission requires much research and is a full-time occupation. We are therefore, not in position to entertain any correspondence nor answer questions. Questions on the *Masaail* and *Ahkaam* of the Deen should be referred to other Ulama, to the Daarul Iftas and the Madaaris

Any query anyone has on the Shar'i aspects of the Mas'alah of the Prohibition of hair-cutting for females, may be referred to any of the undermentioned Ulama Organizations:

*Ifta Department
Madrasah Arabia Islamia
P.O.Box 9786
Azaadville 1750
South Africa*

*Daraul Ifta
Madrasah In'aamiyyah
P.O.Box 39
Camperdown
3720
South Africa*

*Daarul Ifta
Waterval Islamic Institute
P.O.Box 1
Johannesburg 2000
South Africa*

*Mujlisul Ulama of S.A.
P.O.Box 3393
Port Elizabeth 6056
South Africa*

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*Daarul Ifta
Madrasah Zakariyya
P.O. Box 10786
Madrasah Zakariyya
Lenasia 1820
South Africa*

*Madrasah Miftahul Uloom
P.O.Box 523
De Deur 1884
South Africa*

*Jamiah Miftahul Falaah
P.O.Box 213
Harding 4680
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*Daarul Ifta
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