

# Qutb al-Din al-Razi as a Shafī'i Scholar and the Edition, Translation and Analysis of His Commentary on the Introduction of *al-Ḥāwī al-Şaghīr*

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**Abstract:** Qutb al-Din al-Rāzī, one of the eminent scholars of eighteenth/fourteenth century, occupies a special place in the history of Islamic thought thanks to his contributions in philosophy and logic. His serious interest in the Islamic sciences can be seen in his writings in the fields of Islamic law and Quranic exegesis. Regarded as one of their own by the scholars of the Shāfī'i school due to his expertise in the sciences of *uṣūl* and *furū' al-fiqh*, al-Rāzī wrote a commentary on 'Abd al-Karīm al-Qazwīnī's *al-Ḥāwī al-Şaghīr*, one of the school's significant doctrinal texts. This study will first present a portrait of al-Rāzī as a Shāfī'i scholar and then deal with how he was perceived by the school's scholars and *ṭabaqāt* (biographical dictionaries) writers. It also examines the place of *al-Ḥāwī al-Şaghīr* in Shāfī'i literature. After touching upon how he became interested in this book, the study discusses his scholarly affiliation and the intellectual line he followed based on the personal, conceptual, and affiliation maps deduced from the text. The study concludes with the edition and translation of the surviving part of his *Sharḥ al-Ḥāwī al-Şaghīr*.

**Key Words:** Shāfī'i, al-Qazwīnī, *al-Ḥāwī al-Şaghīr*, *uṣūl*, *furū'*, *ṭabaqāt*.

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## Quṭb al-Dīn al-Rāzī as a Shāfi'ī Scholar

**M**uḥammad b. Muḥammad Quṭb al-Dīn al-Rāzī al-Taḥṭānī (d. 766/1365) was listed as a jurist in contemporary Shāfi'ī *ṭabaqāt* (biographical dictionaries) books during his lifetime and in other compilations of history and *rijāl* books written afterwards. Even though we do not have sufficient and satisfactory information about his education and training in Islamic law and the extent of his engagement with it, al-Rāzī was regarded as a Shāfi'ī scholar by that school's bio-bibliographers, almost all of whom entered his name in almost all of the school's prominent *ṭabaqāt* books. The first author to do so was the contemporaneous Shāfi'ī jurist Tāj al-Dīn al-Subkī (d. 771/1370), who authored the most voluminous Shāfi'ī biographical dictionary by that time. Later *ṭabaqāt* writers, who mostly reiterated his information, continued to list al-Rāzī in their books. Al-Subkī, a jurist who adhered to the Ash'arī school in theological matters, considered al-Rāzī a Shāfi'ī scholar in a broad sense and gave a place in his book among Shāfi'ī circles. In his *Ṭabaqāt al-Shāfi'iyyat al-Kubrā*, al-Subkī provides the following information:

### **Muḥammad b. Muḥammad al-Rāzī**

Sheikh, scholar, the pole of religion, known by nisba of al-Taḥṭānī.

He is an authority (imām) who has come to fore in the rational sciences. His name is well-known, and his fame has been heard. When he came to Damascus in 763, we had a chance to deliberate with him on some scholarly matters. We witnessed that he was an authority (imām) in logic and philosophy; learned ('arif) in Qur'anic exegesis, semantics, and rhetoric; and interested (mushārik) in grammar. He was as sharp as a tack.

He wrote famous glosses on the glosses of al-Kashshāf, as well as a commentary on the book of logic al-Shamsiyya.

He passed away in Zahiriyya district of Damascus on 16 Dhū al-Qa'da 766, when he was about 74 years old.<sup>1</sup>

Al-Subkī does not mention who taught al-Rāzī law, which books he studied, and to whom he taught law. Although he does mention al-Rāzī's books on Qur'anic exegesis and logic, he does not mention the latter's commentary on *al-Hāwī al-Ṣaghīr* among his books probably because he was unaware of it.<sup>2</sup> Even though al-Isnawī (d.

1 Al-Subkī, *Ṭabaqāt al-Shāfi'iyyat al-Kubrā*, ed. Maḥmūd al-Ṭanāḥī and 'Abd al-Fattāḥ al-Ḥulw (Cairo: Hajr li al-ṭibā'a wa al-nashr, 1413/1993), 9:274-75.

2 The reason for not speaking about this book, even though he clearly states that he met al-Rāzī in

772/1370), another contemporary of al-Rāzī, does not refer to al-Subkī, he makes significant additions and variations in his article on al-Rāzī, which he constructed in sentences that are similar to al-Subkī's account. Al-Rāzī's name is recorded as Maḥmūd b. Niẓām al-Dīn. The story of how he received the *nisba* al-Taḥṭānī is also narrated, and the above-mentioned commentary was cited among his books.

When mentioning its title, al-Isnawī relates two important details: he mentions (1) *al-Ḥāwī* with the adjective *al-ṣaghīr* (the little),<sup>3</sup> and, more importantly, (2) that it was a four-volume book.<sup>4</sup> Ibn Qāḍī Shuhba (d. 851/1448), who lived about a century later, speaks about al-Rāzī not only as “one of the imams of the rational sciences,” but also as a scholar with a keen interest in religious studies and as one who continued to attend the gatherings of Aḍud al-Dīn al-Ījī. After mentioning the information given by al-Subkī, Ibn Qāḍī Shuhba relates Ibn Kathīr's favorable testimony about al-Rāzī. Reemphasizing the information that *Sharḥ al-Ḥāwī al-Ṣaghīr* was a four-volume book, Ibn Qāḍī Shuhba mentions that it was an incomplete commentary, based on the information provided by Ibn Rāfi' (d. 774/1372).<sup>5</sup> The statements used by Ibn Rāfi', who is the source of the information that the commentary of *al-Ḥāwī al-Ṣaghīr* was incomplete, imply that he had personally met Quṭb al-Dīn al-Rāzī.<sup>6</sup> In addition to al-Subkī's, al-Isnawī's, and Ibn Qāḍī Shuhba's bio-bibliographic books, which provide information about Shāfi'i jurists, one notes that Sunni scholars introduced al-Rāzī as a Shāfi'i scholar in general history books and biographical dictionaries.<sup>7</sup>

Damascus, might either be that it had not yet been written or that al-Rāzī did not tell him anything about it. If he had been aware of it, he undoubtedly would have mentioned it, as he did for all of the scholars presented in his book.

- 3 This record shows that al-Qazwīnī's *al-Ḥāwī* started to be known by this adjective a while after his death. Shāfi'i writers called it *al-Ṣaghīr* (the Little) to distinguish it from Māwardī's *al-Ḥāwī*, which they called *al-Kabīr* (the Big). In fact, al-Subkī cites it as *al-Ḥāwī al-Ṣaghīr* under the heading “al-Qazwīnī.” See *Ṭabaqāt al-Shāfi'iyyat al-Kubrā*, 8, 277.
- 4 See al-Isnawī, *Ṭabaqāt al-Shāfi'iyya*, ed. Kamal Yūsuf al-Ḥūt (Beirut: Dār al-Kutub al-'ilmiyya, 1422/2001), 1:155.
- 5 See Ibn Qāḍī Shuhba, *Ṭabaqāt al-Fuqahā' al-Shāfi'iyya*, ed. al-Ḥāfiẓ 'Abd al-'Alim Khān (Beirut: 'Ālam al-kutub, 1407/1987), 3:136.
- 6 Ibn Rāfi' describes Quṭb al-Dīn al-Rāzī as a scholar “nice to be met and to have a conversation with” (*kāna ḥasan al-multaqā layyin al-kalima*). See Ibn Rāfi', *al-Wafayāt*, ed. Ṣāliḥ Maḥdī 'Abbās and Bashshār 'Awwād Ma'rūf (Beirut: Mu'assasat al-Risāla, 1402 AH), 2:300.
- 7 The Shāfi'i jurist and historian Abū Zur'a (d. 826/1423), who lived shortly after al-Rāzī died, says that al-Rāzī was known as “a bright scholar in methodology, Arabic language, and logic” and clearly describes him as a Shāfi'i scholar. See Abū Zur'a, *al-Zayl 'alā al-'Ibar fi khabari man 'abar*, ed. Ṣāliḥ Maḥdī 'Abbās (Beirut: Mu'assasat al-Risāla, 1989), 184-85. See also Ibn Taghribardi, *al-Nujūm al-zāhira fī mulūk Miṣr wa-l-Qāhira* (Egypt: Wizārat al-Thaqāfa wal-Irshād al-Qawmī wa Dār al-Kutub), 9:87; Ibn al-'Imād, *Shadharāt al-dhahab*, ed. Maḥmūd al-Arnaūt (Damascus-Beirut: Dār Ibn Kathīr, 1406/1986), 8:355.

Even though the information presented so far leaves no doubt that the authors of Shāfi'ī biographical dictionaries accepted al-Rāzī as a Shāfi'ī scholar, the data they provide regarding his past and works as a jurist, as well as his judicial orientation and what contributions he made to jurisprudence, remain far from satisfactory. Above all, we have no clear information about from whom and where al-Rāzī received his education related to Shāfi'ī law, for the sources that name his teachers do not mention how and where he studied law under them. Moreover, one should note that the individuals named were primarily masters in methodology as opposed to substantial law. For example, among his teachers are Ash'arī-Shāfi'ī scholars such as Abū al-Thana Shams al-Dīn al-Iṣfahānī (d. 749/1349)<sup>8</sup> and Aḍud al-Dīn al-Ījī (d. 756/1355),<sup>9</sup> as well as philosopher-thinkers such as Quṭb al-Dīn al-Shirāzī. The common characteristic of these three names, in terms of Islamic legal sciences, is that all of them belong to the tradition of *mutakallimūn* methodology. Among the names of those who wrote commentaries and glosses contributing to this particular tradition, particularly al-Iṣfahānī and al-Ījī, are the names who came to prominence via their Ash'arī-Shāfi'ī identities.<sup>10</sup>

None of these three scholars produced any work on Shāfi'ī substantial law, for they dealt with legal thought at the theoretical level through legal methodology. This situation is also in line with al-Rāzī's scholarly orientation and tendencies. Even though it is not clear what kind of contributions he made to Shāfi'ī legal understanding and in what kind of legal works he was interested, one should not ignore the fact that he stayed in the Ṣahiriyya madrasa complex while he was living in Damascus.<sup>11</sup> Located near the Umayyad Mosque, this complex consisted of two

8 We owe this information, which is not mentioned in Shāfi'ī biographical dictionaries, to Ibn Taghribardī (*al-Nujūm al-zāhira*, 11:87-88). If the year 763 AH is accepted as the date of al-Rāzī's arrival in Damascus, and given the fact that he stayed there for a while before moving to Cairo, the statement that he received lessons there from al-Iṣfahānī (d. 749 AH) should be taken with caution. In order to establish that such a teacher-disciple relationship really existed, we need additional information to show that al-Rāzī had met him somewhere in the East before settling in Damascus.

9 Ibn Qāḍī Shuhba states that al-Rāzī had taken lessons (*jālasa*) from al-Ījī before coming to Damascus. See *Ṭabaqāt al-Fuqahā'*, 3:136.

10 One can argue that al-Iṣfahānī followed the Shāfi'ī-Ash'arī line based on his following books: *Maṭāli' al-anzār fī sharḥ Ṭawālī' al-anwār* (his commentary on al-Bayḍāwī's *Ṭawālī'*), *Sharḥ Minhāj al-Bayḍāwī* (his commentary on al-Bayḍāwī's *Minhāj*), and *Bayān al-Mukhtaṣar* (his book on Ibn Ḥājjib's *al-Mukhtaṣar*). See Zirikli, *al-'Ālām* (Beirut: Dār al-'Ilm li-l-malāyīn, 2002), 2:176. *Sharḥ Mukhtaṣar al-Muntahā li-ibn al-Ḥājjib* (Köprülü Library, 499), a work attributed to Quṭb al-Dīn al-Shirāzī, gives some ideas about his work on the methodology of jurisprudence.

11 Ibn al-'Imād, *Shadharāt al-dhahab*, 8:355.

madrasas – one each for Shāfī'i and Ḥanafī schools, a *dār al-ḥadīth*, and a tomb.<sup>12</sup> Based on the conditions of endowment deed, we can assume that Qutb al-Dīn al-Rāzī was accepted as a Shāfī'i jurist due to his residence there.<sup>13</sup>

The testimonies of certain contemporaneous writers of that time imply that not only did al-Rāzī excel in philosophical studies, but also in legal sciences. For example, Ibn Ḥabīb (d. 779/1377), a historian who lived in Syria, characterizes him as “bright in Islamic substantial law and the methodology of Islamic jurisprudence; a scholar who knows what he says in Qur'anic exegesis, Arabic, and logic (*ʿarif bi-mā yatakallamu*).”<sup>14</sup> However, other records state that al-Rāzī's mastery of Islamic legal studies did not reach the level of his mastery of the philosophical sciences. An argument that occurred between him and Taqī al-Dīn al-Subkī (d. 756/1355), a prominent representative of Shāfī'i-Ash'arī circles, constitutes an important testimony in this regard. As narrated by Ibn Ḥajar, al-Rāzī asked al-Subkī about the Prophet Muhammad's (pbuh) saying: “No child is born except in *al-fiṭra* (Islam).” Al-Subkī responded to al-Rāzī's question with an explanation, but al-Rāzī did not find it accurate and thus presented a counter response that was “excelled quite in quest and scrutiny.” Al-Subkī criticized his counter-response severely and said that al-Rāzī “was someone who adhered to the apparent principles of logic and did not understand the highly objectives of the Shari'a.”<sup>15</sup>

12 The construction of the Zāhiriyya complex was started by Mamluk Sultan al-Malik al-Zāhir Baybars (d. 676/1277), continued and expanded after his death by his son al-Malik al-Ṣa'īd Baraka (d. 678/1279), and completed during the reign of the following sultan, al-Malik al-Manṣūr Sayf al-Dīn Qalāwūn (d. 689/1290). The opening lecture on 13 Safar 677 (6 July 1278) was delivered by Rashid al-Dīn al-Fārūqī in the name of Shāfī'is and by Ṣadr al-Dīn Sulaymān b. Abī al-'Izz in the name of Ḥanafis. This dual education of this madrasa in legal studies continued in the following periods. For some famous scholars who gave lessons there, see al-Nu'aymī, *al-Dāris fī tārikh al-madāris*, ed. Ibrahim Shams al-Dīn (Beirut: Dār al-Kutub al-'ilmiyya, 1410/1990), 1:263-71.

13 The Zāhiriyya complex was a group of large structures financially supported by rich endowments. In addition to the madrasa assigned to Shāfī'is, it was required that the *mudarris* giving lessons at the *dār al-ḥadīth* and the imam of the tomb be Shāfī'is. For more information about the process of establishing the complex and its endowment deed see, Gary Leiser, “The Endowment of the Al-Zāhiriyya in Damascus,” *Journal of the Economic and Social History of the Orient* 27, no. 1 (1984): 33-55.

14 Ibn Ḥabīb lists al-Shāfī'i among the *nisbas* of al-Rāzī. See Ibn Ḥabīb, *Durrat al-aslāk fī dawlat al-Atrāk*, Süleymaniye Library, Turhan Valide Sultan 233, fol. 219<sup>v</sup>. I would like to express my gratitude to Mehmet Arkan, who told me of this book.

15 Ibn Ḥajar, *al-Durar al-kāmīna fī a'yān al-mi'at al-thāmina* (India: Majlisu Dā'irat al-Ma'ārif al-Uthmāniyya, 1392/1972), 1:99. See also al-Suyūṭī, *Bughyat al-wu'āt fī tabaqāt al-lughawiyyin wa-l-nuḥāt*, ed. Muḥammad Abū al-Faḍl Ibrāhīm (Sayda: al-Maktabat al-'Aṣriyya), 2:281. Even though al-Subkī, with whom al-Rāzī had an argument, was mentioned as the father Taqī al-Dīn, we should point out the possibility that he might be the son Tāj al-Dīn because Taqī al-Dīn al-Subkī passed away in 756/1355 and, based on the available evidence, is impossible to say for sure that al-Rāzī had come to

To this testimony, which implies al-Rāzī's weakness in legal studies, we should add al-Kāfiyaji's assessments regarding linguistics. According to the information provided by al-Suyūṭī, a student of him, al-Kāfiyaji describes both al-Rāzī and al-Jurjānī as philosophers "who could not feel the taste" of Arabic linguistics.<sup>16</sup> As a matter of fact, what is really bewildering about al-Rāzī is that he engaged in Islamic religious studies to a certain extent. After a certain date, group of scholars who engaged in philosophical studies took a greater interest toward Islamic religious studies; however, their contributions and expansions, especially in religious thought, is a significant subject that is still waiting to be addressed. One of the authors who recognized this fact was Ṭaşkōprülüzāde. In a chapter titled "*ilm al-ilāhi* (divine knowledge)" in his book *Miftāḥ al-sa'āda*, he first speaks about philosophers and then mentions seven more names, including al-Rāzī. These names (i.e., Quṭb al-Dīn al-Shirāzī, al-Rāzī, al-Taftāzānī, al-Jurjānī, al-Dawwānī, Hocazāde, and Kastali) are distinguished as scholar-thinkers who, unlike earlier philosophers, were seriously engaged in Islamic religious studies and achieved higher mastery in hadith, Qur'anic exegesis, theology, law, and the methodology of jurisprudence.<sup>17</sup>

Even though Quṭb al-Dīn al-Rāzī was clearly raised in Shāfi'ī-Ash'arī circles, after a certain date the record stating that he received lessons from the Shiite scholar Ibn al-Muṭaḥḥar al-Ḥilli (d. 726/1325) caused some discussions regarding his scholarly affiliation. Al-Shushtari (d. 1019/1610), who mentions this disciple-teacher relationship and claims that al-Rāzī belonged to the Buwayhids' lineage, indicates that al-Ḥilli gave him an authorization (*ijāza*) to teach and transmit his books. According to the records of this authorization, al-Rāzī studied al-Ḥilli's commentary *al-Qawā'id al-Jaliyya* under the latter's personal supervision and guidance, which the latter had written upon al-Kātibi's *al-Shamsiyya* in the city of Warāmin near Ray, and received his teacher's authorization (*ijāza*) on 3 Shaban 713 (23 November 1313).<sup>18</sup> According to the record of this authorization, which al-

Damascus before that date. In fact, Tāj al-Dīn al-Subki states in his above-mentioned writing that al-Rāzī arrived in Damascus in 763 AH. Because the Subkis were a large family of scholars, later sources sometimes confuse the father, son, grandson, and cousin Subkis with each other. If the one who argued with al-Rāzī was Tāj al-Dīn al-Subki, then the question arises as to why al-Subki did not mention this debate in his book. The reason might be that he did not want to remember al-Rāzī with such a debate or did not want to bring himself to forefront out of his respect for al-Rāzī.

16 Al-Suyūṭī, *Bughyat al-wu'āt*, 2:281.

17 See Ṭaşkōprülüzāde, *Miftāḥ al-sa'āda wa misbāḥ al-siyāda fi mawḍū'āt al-'ulūm* (Beirut: Dār al-Kutub al-'ilmiyya, 1405/1985), 1:295.

18 Al-Rahim argues that this book has been confused by al-Ḥilli's *Qawā'id al-aḥkām fi ma'rifat al-ḥalāl wa-l-ḥarām* which is a book on Islamic law according to Ja'fari School and states that the certificate

Shushtari mentioned was written on the title page (*zahriyya*) of *al-Qawā'id*, al-Rāzī received al-Ḥilli's authorization not only for this book, most of which he had read to his teacher, as well as his other books, but also all of al-Ḥilli's books written by "his school's former scholars."<sup>19</sup>

Again according to the information provided by al-Shushtari, the Shiite scholar Muḥammad b. Makkī (d. 786/1384), better known as Shahīd al-Awwal, served al-Rāzī in Damascus and received his authorization for transmission.<sup>20</sup> The student-teacher relationship, based on this and similar records, enabled Shiite authors a couple of centuries after his death to consider al-Rāzī a Shi'ite scholar. In addition to some researchers who affiliated him with that school, contemporary Shi'ite biographical dictionaries credit such claims.<sup>21</sup>

Robert Wisnovsky, who introduces the claims about al-Rāzī's Shi'ite affiliation within the context of the later period's debates regarding Avicennism, argues that he was among the thinkers who spread al-Ḥilli's, Badr al-Dīn al-Tustari's (d. 732/1332), and Naṣīr al-Dīn al-Ṭūsī's interpretation of Avicenna. According to this argument, against Fakhr al-Dīn al-Rāzī's critical approach as a Sunni scholar and commentator of Avicenna, Qutb al-Dīn al-Rāzī adopted and pursued the Shi'ite scholar al-Ṭūsī's approach in favor of Avicenna. Qutb al-Dīn al-Rāzī was also listed as a Shi'ite thinker along with the other aforementioned two figures who continued al-Ṭūsī's defense (*muḥākamāt*) against the Sunni-Asharite theologian Fakhr al-Dīn al-Rāzī's criticisms of Avicenna.<sup>22</sup> It is stated that these three thinkers' interpretation of Avicenna was continued by Safavid-era Shi'ite scholars and

of authorization is on the title page (*zahriyya*) of a book related to philosophy with the same title as *Qawā'id*. See Ahmed H. al-Rahim, *The Creation of Philosophical Tradition: Biography and the Reception of Avicenna's Philosophy from the Eleventh to the Fourteenth Century A.D.* (Wiesbaden: Harrassowitz, 2018), 131, footnote 493.

- 19 See al-Shushtari, *Majālis al-mu'minīn* (Tehran: Kitābfurūsh-i Islāmiyya, 1365), 2:212. For the transmission of this authorization and some other testimonies regarding al-Rāzī's affiliation to the Shi'ite school, see Ḥur al-Āmili, *Amal al-āmil*, ed. Ahmad Ḥusaynī (Qum: Dār al-Kitāb al-Islāmi, n.d.), 01-2:300.
- 20 See al-Baḥrānī, *Lu'luat al-Baḥrayn fi al-ijāzāt wa-tarājimu rijāl al-ḥadīth*, ed. Muḥammad Ṣādiq Baḥr al-Ulūm (Baḥrayn: Maktabatu Faḥrāwī, 1429/2008), 187-92; al-Rahim, *Philosophical Tradition*, 131-36.
- 21 For the claims that al-Rāzī attended al-Ḥilli's teaching circles in the *madrasa sayyāra* established by the Shiite Ilkhanate Sultan Olcaytu, see Sabine Schmidtke, "Ḥelli, Ḥasan b. Yusof b. Moṭahhar," *Encyclopaedia Iranica*, <http://www.iranicaonline.org/articles/helli-hasan-b-yusof-b-motahhar>. In *Mawsū'at ṭabaqāt al-fuqahā'* prepared under the editorship of Jafar al-Subḥāni, al-Rāzī is defined as "a scholar about whom there is no doubt that he was a Shi'ite." See *Mawsū'at ṭabaqāt al-fuqahā'* (Qum: Mu'assasat al-Imām al-Ṣādiq, 1419), 8:226-27.
- 22 See Robert Wisnovsky, "Towards a Genealogy of Avicennism," *Oriens* 42, 3-4 (2014): 358; Robert Wisnovsky, "Avicennism and Exegetical Practice in the Early Commentaries on the *Ishārāt*," *Oriens* 41, 3-4 (2013): 349-78.

became Persia's dominant religious-philosophical thought.<sup>23</sup> However, among the three names only al-Ḥilli is known to be a Shi'ite. In a narrow sense, Wisnovsky ignores both the nature of those theological discussions that go beyond the limits of school affiliation and the works of both al-Rāzī and Badr al-Dīn al-Tustarī on Shafī'i legal understanding.<sup>24</sup>

In addition to his books on Ash'arite theology, al-Tustarī also wrote a commentary titled *Majma' al-durar fī Sharḥ al-Mukhtaṣar* on Ibn Ḥājjib's (d. 646/1249) *Mukhtaṣar*, a book on the methodology of jurisprudence,<sup>25</sup> another commentary on al-Bayḍāwī's (d. 691/1291-1292) brief book titled *al-Minhāj*, and a mid-size commentary titled *Sharḥ al-Ghāyat al-quṣwā fī dirāyat al-fatwā* on again al-Bayḍāwī's book about Shāfi'i substantial law.<sup>26</sup>

Ahmed H. Al-Rahim, whose book traces the philosophical tradition through the spread of Avicennan philosophy throughout the Muslim world, deals with the issue of school affiliation and characterizes Quṭb al-Dīn al-Rāzī as a Shāfi'i scholar by showing the groundlessness of the claims that he was affiliated with the Shi'ite school. Al-Rahim states that the Shi'ite writers sought to portray him as a thinker of their school essentially due to their quest to establish a scholarly and philosophical link between Nasīr al-Dīn al-Ṭūsī and the Safavid-era scholars.<sup>27</sup> The fact that this entirely new image of the "Shi'ite Rāzī" started to gain weight after the seventeenth century supports his opinion.<sup>28</sup> The strongest justification for Al-Rahim's contention that al-Rāzī is a Shāfi'i scholar is his commentary *al-Ḥāwī al-Ṣaghīr*, which is the subject matter of this article.<sup>29</sup>

23 Robert Wisnovsky, "On the Emergence of Maragha Avicennism," *Oriens* 46, 3-4 (2018), 264, 304.

24 Even though Wisnovsky points out to al-Tustarī's affiliation with Shāfi'i School, he is silent about al-Rāzī's. See "Towards a Genealogy of Avicennism," 357-58.

25 Al-Tustarī, *Majma' al-durar fī sharḥ al-Mukhtasar*, vols. 1-4, pub. by 'Abd al-Wahhāb b. 'Abdullah b. Ṣālih al-Rasīni (Beirut: Dāru Ibn Ḥazm, 1439/2018).

26 Topkapı Palace Museum Library, 3. Ahmed 1059. Al-Isnawī includes al-Tustarī, under whom he had studied al-'Urmawī's *al-Maṭāli'* when he was in Egypt. He turned it into biographical dictionary in which he compiled Shāfi'i jurists. However, he describes al-Tustarī as someone "who do not have the light and weight of knowledge" for three reasons: his affiliation with the Rafizites, his overindulgence with chess, and his oft-repeated neglect to perform ritual prayers. See al-Isnawī, *Ṭabaqāt al-Shāfi'iyya*, 1, 154. Abd al-Wahhāb al-Rasīni, who prepared the *Majma' al-durar* for publication, opens al-Isnawī's testimony to debate, saying that in this book that al-Tustarī always sides with the Sunni view in all symbolic matters discussed between Sunnis and Shi'ites. See al-Tustarī, *Majma' al-durar*, 1:71-72 (in the publisher's preface).

27 Al-Rahim, *Philosophical Tradition*, 137-38.

28 The claim about al-Rāzī's Shi'ite affiliation came to the fore long after his death. No writers, whether living during the same period or close to it, employs any statement implying such an affiliation. Thus, this is an attempt by much later Shiite authors to claim him as one of their own.

29 See Al-Rahim, *Philosophical Tradition*, 34-36, 135-36.



The information and evaluations presented so far show that al-Rāzī's interest in Shāfī'i law did not go beyond a general feeling of affiliation. Al-Rāzī, whose serious effort in law enabled him to gain a special place in the school's history, was probably interested in *al-Ḥāwī al-Ṣaghīr* within such limits and wanted to embody this interest by writing a commentary on it. As will be examined below, the surviving part of his commentary provides mostly theological and linguistic explanations.

### The Subject Matter of the Commentary, al-Ḥāwī al-Ṣaghīr: Its author, its Features, and al-Rāzī's Connection with the Text

*Al-Ḥāwī al-Ṣaghīr*, upon which al-Rāzī wrote his commentary, is a brief legal text written by the Shāfī'i jurist Najm al-Dīn al-Qazwīnī (d. 665/1266). Although his books attracted much attention and were appreciated by Shāfī'i jurists, al-Qazwīnī's personal and scholarly life remain largely unknown.<sup>30</sup> He lived and wrote in an era of an intense drive to eliminate the school's Iraqi-Khorasani divide, which started in the late fourth/tenth century and deepened more in the following centuries.

Some Shāfī'i scholars pursued ways to unite the school's doctrine and eliminate this division, which almost caused the school to split into two sub-schools. This pursuit, which can be clearly felt with the books of al-Juwaynī and al-Ghazzālī, motivated those scholars who wrote books according to the school's legal understanding to examine the views of jurists from both regions and determine a common doctrine all of the school's adherents would recognize. This attempt, which

30 Al-Nāshirī, one of the scholars who wrote a commentary on *al-Ḥāwī al-Ṣaghīr*, says that he wanted to start his book with an introduction that provided information about the author, but could not find anything about his biography. See (quoted from *Īdāh al-fatāwī* by al-Qazwīnī), *al-Ḥāwī al-Ṣaghīr*, ed. Ṣāliḥ b. Muḥammad al-Ḍābī (Dammam: Dāru Ibn al-Jawzī, 1430 AH), 32 (in the publisher's preface). The author, who was related to Qazwīn (one of the cities of Isfahan) and lived until the age of eighty, should have been born around 585 AH. Al-Qazwīnī, who was a member of a scholarly family, received his primary education from his father, who also was a Shāfī'i jurist just like the author. Among his known teachers, Imam al-Rāfī'i (d. 623 AH), one of the school's most prominent jurists and authors, and 'Ufayfa al-Fārḥāniyya (d. 606 AH) are mentioned. His son Muḥammad, Ṣadr al-Dīn b. Ḥammūya, Sharaf al-Dīn al-'Afīfī and Ṣa'd al-Dīn al-Jīlī are among his known students. See *al-Ḥāwī al-Ṣaghīr*, 32-44 (in the publisher's preface). It is not known whether al-Qazwīnī travelled out of his city for educational or duty-related purposes. However, it is narrated that he met with the great Sufi master Shihāb al-Dīn al-Suhrawardī while performing the hajj. Al-Qazwīnī told him that he was writing *al-Ḥāwī*, and al-Suhrawardī encouraged him to finish it (al-Subkī, *Ṭabaqāt al-Shāfī'iyyat al-Kubrā*, 8:278). When the stories about al-Qazwīnī being a man of miracles (*ahl al-karāma*) were added to al-Suhrawardī's above-mentioned interest, we can say that he might have fit the profile of a scholar profile who combines the identities of an Asharite theologian, Shāfī'i jurist, and a Sufi, which we frequently witness in later periods.

intensified especially during the period between al-Rāfi'ī and al-Nawawī, succeeded due to the latter's books that, thanks to the contributions and support of their commentators, became the references for that school's thought.<sup>31</sup> In this respect, the books of al-Qazwīnī, who was a student of al-Rāfi'ī and a contemporary of al-Nawawī, deserve a special evaluation. This is so because even though he generally followed his teacher al-Rāfi'ī in determining the school's acceptable views, he nevertheless some of his views and preferences differed from those of his teacher and al-Nawawī.<sup>32</sup>

Moreover, the school's scholars held his books in high esteem, though not as much as al-Nawawī's books, and became the subject of secondary studies in the genres of commentaries, superglosses, abridgments, and versifications. Among the books written after the Iraqi-Khorasani division had largely disappeared, *al-Ḥāwī al-Ṣaḡhīr* especially attracted the attention of many Shāfi'ī jurists who lived in various lands and was placed at the center of the school's works used for teaching and writing.

Al-Qazwīnī wrote four books on Shāfi'ī law: *al-Ḥāwī al-Ṣaḡhīr*, *al-Lubāb* and its commentary *al-'Ujāb*, and *Jāmi' al-mukhtaṣarāt wa-mukhtaṣar al-jawāmi'*.<sup>33</sup> In order to prevent any confusion between his *al-Ḥāwī*<sup>34</sup> and the one written by al-Māwardī, those who came after him referred to his book as *al-Ṣaḡhīr* (the Little) and al-Māwardī's much more comprehensive work as *al-Kabīr* (the Big).<sup>35</sup> Al-Qazwīnī wrote *al-Ḥāwī* to add new issues that had not appeared in his *al-Lubāb* to provide an easy-to-study text for students as well as a reference for issuing legal rulings. Even though some researchers claim that this book is essentially based on *al-Lubāb* or an abridgment of al-Rāfi'ī's *al-Sharḥ al-kabīr*, it is more accurate to accept it as an independent book. Given that *al-Ḥāwī* consists of certain new matters, as stated in its introduction, it stands before us as a more comprehensive book even though

31 For the Shāfi'ī school's sub-divisions, see Bilal Aybakan, "Şāfi Mezhebi," *DİA*, 38:238-39.

32 It seems this situation occupied the attention of later scholars as well. For studies comparing *al-Ḥāwī* to other important sources of the school, see *al-Ḥāwī al-Ṣaḡhīr*, 72-73 (in the publisher's preface).

33 A book titled *Kitāb fī al-ḥisāb* is attributed to al-Qazwīnī, who also was an expert in both the mathematical sciences and law. See al-Subkī, *Ṭabaqāt al-Shāfi'iyyat al-Kubrā*, 8:277.

34 Al-Qazwīnī says in this book's introduction: "I called this book *al-Ḥāwī* for it consists of redundant benefits in addition to the issues existing in *al-Lubāb*." See *al-Ḥāwī al-Ṣaḡhīr*, 114.

35 Al-Qazwīnī's book is usually known in *ṭabaqāt* and *kitābiyyāt* books as *al-Ḥāwī al-Ṣaḡhīr*. Its commentator al-Qūnawī mentioned his book some of which carry the title *al-Ḥāwī fī al-fatāwī*, as *Sharḥu al-Ḥāwī al-Ṣaḡhīr*. See Süleymaniye Library, Fatih 2322, fol. 1<sup>b</sup>. For its other titles, see *al-Ḥāwī al-Ṣaḡhīr*, 47-48 (in the publisher's preface).

it varies from *al-Sharḥ al-kabīr* in certain matters and resembles *al-Lubāb* in its sentence structures and wordings.<sup>36</sup>

In order to determine why al-Rāzī regarded *al-Ḥāwī* as valuable enough to write a commentary on it and its place in Shāfiʿi legal literature, it will be useful to say a few more things about its author al-Qazwīnī, al-Rāfiʿī, and its connection with their works. Al-Qazwīnī was influenced by his teacher al-Rāfiʿī on several subjects. First of all, when Shāfiʿi writers differed in their ordering of subjects, he always followed the order adopted by his teacher. We may regard this preference as his indirect contribution to al-Rāfiʿī in the process of gaining his authority. Even though the jurist al-Qazwīnī, just as al-Nawawī did, accepted al-Rāfiʿī's authority and acted accordingly, instead of expending any direct effort on his teacher's books, he preferred to write his own books. On the other hand, al-Nawawī, who based his works on al-Rāfiʿī's books, was more successful at attracting the interest of the school's scholars because the line of al-Ghazzālī-al-Rāfiʿī-al-Nawawī induced more trust and authority. Thus, the school's later literature mainly continued from the point where al-Nawawī had stopped.

Although al-Qazwīnī's books also drew great attention, they never drew as much as al-Nawawī's. A similar situation exists with al-Bayḍāwī, who skipped al-Rāfiʿī's books and acted directly upon al-Ghazzālī's book. Even though al-Bayḍāwī's book is a very successful text, it has not been the focus of the school's literature.<sup>37</sup> The second important point in this regard was that al-Qazwīnī usually preferred and maintained al-Rāfiʿī's preferences when it came to determining the acceptable one among the school's matters, views, and disagreements. Al-Qazwīnī shaped his books mostly on Shāfiʿi's clear statements and al-Rāfiʿī's evaluations and preferences. Although he did disagree with his teacher over some issues, his commentators point out such issues and often bring the al-Rāfiʿī - al-Nawawī line forward and veil al-Qazwīnī.<sup>38</sup> Al-Qazwīnī's books contains issues that are not found in *al-Wajiz* and al-Rāfiʿī's commentary, as well as issues upon which he issued rulings in accord with his own preferences.

Many Shāfiʿi jurists and biography writers point out *al-Ḥāwī*'s exceptional place among the books written about the school. It is seen as successful for two reasons: (1) it brings the major subjects of the law together in a very succinct way.

36 See al-Qazwīnī, *al-Ḥāwī al-Ṣaḡhīr*, 49-50 (in the publisher's preface).

37 See Nail Okuyucu, "Kādī el-Beydāwī'nin Fıkıh Tasavvuru ve Şāfi Fırū-i Fıkıh Geleneğindeki Yeri," *İslām İlim ve Düşünce Geleneğinde Kādī el-Beydāwī* (İstanbul: İSAM Yayınları, 2017), 471-520.

38 For some examples, see al-Qazwīnī, *al-Ḥāwī al-Ṣaḡhīr*, 76-79 (in the publisher's preface).

*Al-Ḥāwī*, which is regarded as more successful in terms of comprehensiveness when compared to many voluminous books, is also distinguished by the benefits it contains, and (2) its accuracy in determining the views preferred to be the basis of the legal rulings accepted by the school. Al-Qazwīnī, fully aware of his teacher al-Rāfi‘ī’s efforts to make the school’s views more distinct, was able to express its crystallized views in his book.

Even though many texts written by prominent Shāfi‘ī jurists often point out the various views of the school’s imam and his companions’ different preferences, al-Qazwīnī chose to directly mention the view accepted as the legal ruling’s basis. For example, even al-Ghazzālī’s *al-Wajīz*, which is regarded as a brief text, makes references to the varying views of the imams of other schools, the fact that al-Qazwīnī does not mention the varying views that developed during the process of solving the issues (viz., the disagreements that arose within the school) is one of his book’s most significant features.<sup>39</sup> This shows that he set out to write a book that contained only the school’s undisputed doctrine.<sup>40</sup> Despite its superior characteristics, however, it was criticized even during the period in which it was written. But all such criticisms were forgotten later on, when it attracted the intensive interest and favor of the school’s scholars.

*Al-Ḥāwī al-Ṣaḡhīr* became the subject of secondary works probably while its author was still alive. This had been a reality which expressed by the author’s grandson Muḥammad al-Qazwīnī, and one of the text’s commentators.<sup>41</sup> The great attention given to this brief book should be due to the fact that it represents the final point in the scholars’ efforts to eliminate regional variations and its success in transmitting the acceptable view that became the basis of the school’s legal rulings.<sup>42</sup>

39 According to Ṣaliḥ b. Muḥammad al-Yābis, who prepared the text for publication, al-Qazwīnī only deals with the intra-school disagreements in two places. Sometimes he was criticized for not reflecting the majority view. See al-Qazwīnī, *al-Ḥāwī al-Ṣaḡhīr*, 76-77 (in the publisher’s preface).

40 Al-Nāshirī, one of the book’s commentators, expresses its superiorities in four articles: (i) its success in summarizing, (ii) its success in expressing many issues in few words, (iii) its organization and superiority in organization, and (iv) a scholar who lived relatively later than others had more encompassing knowledge than they had. See al-Qazwīnī, *al-Ḥāwī al-Ṣaḡhīr*, 55 (in the publisher’s preface) quoted from *Īdāḥ al-fatāwī*.

41 Muḥammad sibt ‘Abd al-Ghaffār b. ‘Abd al-Karīm al-Qazwīnī, *al-Kāfi fi ḥall al-Ḥāwī*, Topkapı Palace Museum Library, III. Aḥmad 938, fol. 1<sup>b</sup>.

42 Ḍiyā al-Dīn al-Ṭūsī, one of the book’s commentators, points out its success in covering the unanimously accepted views and among the disagreed ones adopted by the majority. see al-Ṭūsī, *Miṣbāḥ al-Ḥāwī wa-miftāḥ al-Fatāwī*, Süleymaniye Library, Turhan Valide Sultan 74, fol. 2<sup>a</sup>. Ḥajjī Khalifa narrates the following laudable statement: “There have been people who are interested in its commentary and its text because it is brief in statement, vast in meaning, its objectives are written, sentence structures are refined, nicely organized, and it is a nice book to study and arrange.” Kātib Ḍelebi (Ḥajjī Khalifa), *Kashf al-zunūn an asāmi-l-kutub wa-l-funūn* (Ankara: Maarif Vekāleti, 1941), 1:626.

However, it was necessary to write a commentary upon this brief and succinct text formed from sentence-like formulas in order to increase its use.

As far as we know, 'Alā' al-Dīn al-Ṭāwūsī wrote the first commentary.<sup>43</sup> Ḍiyā al-Dīn al-Ṭūsī (d. 706/1306-7), who evaluated it, states that al-Ṭāwūsī, whom he calls "his teacher," explained *al-Ḥāwī's* obscure phrases and introduced what every provision included and excluded, but rarely mentioned the differing views and interpretations. He states that he wanted to write a commentary on both explain this text's phrases and mention both the preferred and non-preferred views together with their evidences.<sup>44</sup> The lack of the explanation of "varying views," (*qawl-wajh-ṭarīq*), which is an indispensable part of a mid-size book – especially in a commentary – written about Shāfī'i law seems to have led al-Ṭūsī to regard his teacher's book as insufficient and therefore write a new one.

On the other hand, al-Ṭūsī spent much of his effort on the above-mentioned aspect and did not pay the necessary attention to another indispensable part of a commentary: its language and explanation of the concepts. 'Alā' al-Dīn al-Qūnawī (d. 729/1329), who evaluated both commentaries, states that al-Ṭāwūsī's commentary mostly confined itself to explaining the text's phrases while neglecting the explanations of the rulings' causations and justifications. Al-Ṭūsī's commentary, however, distinguishes itself by transmitting most of the varying views. According to al-Qūnawī, these books neglect the things that a jurist must know and thus a reader who is content with only these books will be unable to master the law. This does not overlap with al-Qazwīnī's purpose of writing this book. Al-Qūnawī, who points out that he decided to write a new commentary that would resolve the missing aspects of these two commentaries, says that he will use brief statements to address the issues neglected by the former and keep out most of the issues brought forward by the latter.<sup>45</sup>

43 Even though *Kashf al-zunūn* and other bio-bibliographic sources based on it contain statements that al-Ṭāwūsī completed his book in 775 AH, it is understood that this dating is an error. See Kātib Çelebi (Hajji Khalifa), *Kashf al-zunūn*, 1:626; Kaḥḥāla, *Mu'jam al-muallifin* (Beirut: Maktabat al-Musanā, n.d.), 13:207; Bağdatlı İsmail Paşa, *Hadiyyat al-'arifin asma' al-muallifin wa āṣār al-muṣannifin* (Ankara: Milli Eğitim Bakanlığı, 1951-1955), 2:527. Because the death dates of Ḍiyā al-Dīn al-Ṭūsī (d. 706 AH) and 'Alā al-Dīn al-Qūnawī (d. 729 AH), who were among the people who had seen and evaluated al-Ṭāwūsī's book, were earlier. If we accept 675 AH as the book's completion date, then it would be a very close date to 665 AH, when the author passed away.

44 See al-Ṭūsī, *Miṣbāḥ al-Ḥāwī*, fol. 2<sup>a</sup>. For the meaning of *qawl, wajh* and *ṭarīq* in Shāfī'i school, see Qutb al-Dīn al-Rāzī, *Sharḥ khuṭbat al-Ḥāwī*, Süleymaniye Library, Ayasofya 4846, fol. 10<sup>b</sup>-11<sup>a</sup>.

45 Al-Qūnawī's following words are important in terms of the place of *al-Ḥāwī* in Shāfī'i legal literature: "I have referred to the following source when explaining, transmitting, and analyzing the sentences of

The Shāfi'ī jurists who started to produce works on *al-Ḥāwī al-Ṣaghīr* after the second half of eighth/fourteenth century represented a certain tendency within the school. No fully identified division was experienced among Shāfi'ī jurists during a very early period and against the Ahl al-Ḥadīth Shāfi'īs who seemed to be the followers of a tendency closer to the school's early representatives, namely, the Ash'arīte-Shāfi'īs who were extensively engaged in theological and philosophical studies. In time, they gained strength and power. There were those who pursued the *mutakallimūn* method in the writings of the methodology of jurisprudence among the Ash'arīte-Shāfi'īs, who became the representatives of mainstream Shāfi'ī school especially after the fifth/eleventh century.

These scholars, whom we can place on al-Juwaynī-al-Ghazzālī-al-Rāzī line, came to prominence due to their mastery in theoretical studies, especially after al-Rāzī; studied throughout the history of Islamic thought, the religious sciences, and philosophical studies with the same competency, and were interested in resolving its issues and problems. In this respect, al-Chārpardī's (d. 746/1346) and Quṭb al-Dīn al-Rāzī's interest in *al-Ḥāwī al-Ṣaghīr* draws our attention. This interest, which we can say started with al-Qūnawī based on his books, though not so distinctly, may have affected how Quṭb al-Dīn al-Rāzī dealt with the text.

In fact, it is noteworthy that quite a number of those who wrote commentaries on al-Qazwīnī's work were theologians and philosophers, whereas the commentators of al-Nawawī, who represents the main line of the school's literature, were mainly scholars who distanced themselves from theological and philosophical studies and dealt extensively with Ḥadīth and historical studies.

Even though the available copy of al-Rāzī's commentary explains the introduction of *al-Ḥāwī al-Ṣaghīr* in only 70-80 words, some statements existing in the commentary itself imply that the author wrote a commentary on the whole text, or at least had the intention to do so but could not realize it. In fact, two places of this brief text refer to the headings of the coming chapters.<sup>46</sup>

the author – al-Rāfi'ī's *al-Sharḥ al-kabīr* – because this book is the basis of *al-Ḥāwī* and a reference book today. Based on al-Rāfi'ī's corrections, I pointed out most of the places where *al-Ḥāwī* disagreed (with al-Rāfi'ī and with most of Shāfi'ī jurists) in preference. In like manner, I have quoted from al-Nawawī's *Rawḍa* and *Mīnhāj* in order to be blessed by their spirituality." See al-Qūnawī, *al-Sharḥ al-Ḥāwī*, fol. 1<sup>b</sup>.

46 See al-Rāzī, *Sharḥ khūṭbat al-Ḥāwī*, fol. 7<sup>a</sup>, 10<sup>a</sup>.

Al-Rāzī mentions the following sentences when he speaks about the interest toward the book:

It is almost impossible to deduct the acceptable view to be the basis of legal ruling among the various opinions and preferences of the scholars transmitted in the voluminous books. This can be succeeded only by those who keep their interests high, understand the sources and justifications of the rulings, and are exceptionally intelligent. Before al-Qazwīnī, there had been many scholars who attempted to deduct the acceptable legal views from the books of law for the sake of competing to carry out this beneficial act. Because the number of those scholars who observed the interest in pursuing knowledge declined and the opinions in scholarly studies were weakened, they wrote books to achieve that end. The author of this book – May Allah bless his efforts and give him high rewards – got ahead of other authors in terms of sorting out the issues and gathering the scattered issues in succinct expressions.<sup>47</sup>

## The Map of Concepts, Persons, and Affiliation in the Commentary

The introductory section of al-Rāzī's commentary that we have today contains, despite its small size, enough data to earn itself a place in the history of Islamic studies and religious thought. Above all, this commentary of a brief text written according to the Shāfī'i school carries clear signs throughout its text to prove that al-Rāzī was a Shāfī'i in substantial law and the methodology of jurisprudence and followed Shāfī'i-Ash'arī theological line. We can evaluate such signs in terms of persons and concepts. The commentary mentions Imam al-Shāfī'i as well as Imam al-Ash'arī (d. 324/935-36), al-Bāqillānī (d. 403/1013), Qāḍī al-Marwarrūzī (d. 462/1069), Imam al-Ḥaramayn al-Juwaynī (d. 478/1085), and al-Ghazzālī (d. 505/1111) by name. All of them, except al-Marwarrūzī, are referred to within the theological framework in regards to the relationship of being-attribute, whereas the reference to al-Marwarrūzī appears in the section on substantial law while explaining the development of a sub-division within the school.

The first person named by al-Rāzī and from whom he transmitted information was the school's founder, namely, Imam al-Shāfī'i. Al-Rāzī narrates the following sentence from al-Shāfī'i's (d. 204/820) *al-Fiqh al-akbar* in regards to the being-attribute relationship: "As Allah Almighty is 'Ālim (All-Knowing) by a knowledge, Qādir (Omnipotent) by a power, He also al-Bāqī (the Everlasting) by an eternity."

47 Ibid., fol. 10<sup>b</sup>.

He attributes this approach to Imam al-Shāfi'ī personally.<sup>48</sup> However, doing so is a highly questionable undertaking because it contains issues debated at a later date and consists of theological and legal terminology that were also established at a later date.<sup>49</sup> It seems that this book, which was most likely written by a scholar who wrote about al-Shāfi'ī's views on the creed by using the scholarly terminology of his own time, was accepted by scholarly circles, including al-Rāzī, and its affiliation to Imam al-Shāfi'ī was not questioned.

Al-Rāzī continues his remarks starting with the above statement on the being-attribute relationship – one of Islamic theology's main and most-debated issues – by presenting the views of Imam al-Ash'arī as well as of other Ash'arite theologians. Al-Rāzī, who presents Imam al-Shāfi'ī's statement and Imam al-Ash'arī's statement "Eternity (*baqā*) is an existential attribute attached to the being of al-Bāqī (the Everlasting One) by which attribute al-Bāqī becomes eternal" as two mutually supporting statements, points out that this approach was adopted by such prominent Ash'arite theologians as al-Bāqillānī, Imam al-Ḥaramayn al-Juwaynī, and al-Ghazzālī. By quoting from al-Ghazzālī's *al-Maqṣad al-asnā fi Sharḥ asmā' Allāh al-husnā* – without giving its title – he points out that Imam al-Ash'arī's approach does not fully explain the eternity of the Divine Attributes.<sup>50</sup> Al-Rāzī finally mentions the view of a scholar whom he describes as "muḥaqqiq" (investigative) and, without mentioning his name, points out that he also accepts this lately crystallized approach. Accordingly, one must understand the impossibility that Allah Almighty would lack the attribute of Everlastingness, whereas the eternity of *ḥādīth* (created) beings must be understood as two successive continuation of those beings.<sup>51</sup> The linguistic explanations presented in the book are based on such linguistic authorities as al-Jawharī (d. before 400/1009) and Ibn al-Sikkīt (d. 244/858).

48 Ibid., fol. 3<sup>b</sup>.

49 See Bilal Aybakan, "Şāfi," *DĪA*, 38:231.

50 "As a proof for the error of this view, its consequences related to the eternity of pre-eternity and the pre-eternity of the attributes are sufficient enough. The same situation exists in the statement 'Pre-eternity is an attribute attached to the being of the pre-eternal being,' and it causes confusion regarding the eternity of pre-eternity and the pre-eternity of the attributes." (Al-Rāzī, *Sharḥ khuṭbat al-Ḥāwī*, fol. 4<sup>a</sup>). Even though al-Rāzī does not clearly mention when he explains God's names such as Kabīr and 'Azīm at the beginning of his book, it seems that he benefited from al-Ghazzālī's above-mentioned books. We see this in that chapter, for exact quotations were made from those books. See al-Rāzī, *Sharḥ khuṭbat al-Ḥāwī*, fol. 1<sup>b</sup>-2<sup>b</sup>.

51 See Al-Rāzī, *Sharḥu khuṭbat al-Ḥāwī*, fol. 3<sup>b</sup>-4<sup>a</sup>.



The introductory section, in which the statement of *ḥamdala* is explained, maintains the traditional debate around the three terms with similar meanings that was shaped especially by the glosses written over the glosses of al-Zamakhshari's *al-Kashshāf*. In this section, where al-Zamakhshari is also mentioned by name, remarks made about the relationship among the terms *ḥamd*, *madḥ*, and *shukr* clearly reflect the prominent debates existing at that time, particularly the Qur'anic exegeses of the later period, and present almost exactly the same examples and couplets.

The clearest statements that prove al-Rāzī's Sunni affiliation are seen in the sentences about the *ṣalwala* (blessings on Prophet Muḥammad) and prayer coming right after the *ḥamdala*. In the section where al-Rāzī explains al-Qazwīnī's statements of *ṣalwala*, which are exactly same ones that any other Sunni scholar may use, he interprets them as encompassing the Prophet's entire family and his Companions without any restriction. There is no sign here that he inclines toward the Shiite approach and leaves the Sunni perception behind. Al-Rāzī, mentions the debate over the definition and identities of the Companions by narrating some views that employ similar phrases of respect and esteem about the Prophet's family members. His sentences do not recall at all the restrictive Shiite understanding of the Prophet's family (Ahl al-Bayt). In that section, al-Rāzī also narrates the Prophet's saying that "the most superior one among the generations is the one living with me. Respect my Companions for they are the most superior ones of you, and then comes the generation following them." This clearly reflects his view regarding the Companions' superiority.

Al-Rāzī's book, the major part of which is based upon linguistic and theological explanations, also comprises quotations from the legal views of the Shāfī school with which he was affiliated. We may regard such quotations as signs of affiliation, in addition to the persons and concepts. For example, the issue of which phrases that the beginning *takbīr* needs to be recited at the beginning of a ritual prayer, is a debated issue among the majority of jurists, including Ḥanafis and Shāfīs. While Ḥanafis claim that one can start a prayer with all kinds of phrases revering Allah, including "*Allāhu akbar*," the majority of jurists highlight the issue's divine aspect and argue that a prayer can only be started with "*Allāhu akbar*."<sup>52</sup> When al-Rāzī

52 For the sources of this debate and evidences introduced, see al-Māwardī, *al-Ḥāwī-l-kabīr fī fiqhī madhhab al-imām al-Shāfī*, ed. 'Alī Muḥammad Mu'awwaḍ and 'Ādil Aḥmad 'Abd al-Mawjūd (Beirut: Dār al-Kutub al-'ilmiyya, 1414/1994), 2:93-95; Al-Nawawī, *al-Majmū' Sharḥ al-Muhadhdhab* (Beirut: Dār al-Fikr, n.d.), 3:302-04.

explains the concept of *kibriyā'*, he says that “this is because one says ‘*Allāhu akbar*’ in the beginning *takbīr*, which is the key to the prayer. According to the sagacious scholars, ‘*Allāhu A‘zam*’ cannot take the place of ‘*Allāhu akbar*,’” and thus praise the imam of his school and those who follow him.<sup>53</sup>

The section toward the end of introduction, in which the terms *qawl*, *wajh*, and *ṭarīq* are explained, is important in terms of the book’s conceptual structure related to substantial law. This section contains the author’s explanation of the methodology he used to decide about the ruling of the issues existing in the book. Three terms are mentioned that are significant in the process of justifying the issues debated within Shāfi‘ī school. Al-Rāzī explains these three terms, which the author of *al-Ḥāwī* mentioned by referring to the established explanations within the school. The ones he quoted in that section are especially important because they show his mastery of the terminology established after al-Rāfi‘ī-al-Nawawī.<sup>54</sup>

Al-Rāzī also mentions a matter usually noted by other commentators of *al-Ḥāwī*. He points out that al-Qazwīnī, despite his promise in the introduction, adopted and narrated the views on many issues that had not been adopted by the majority of the school’s scholars.<sup>55</sup> Al-Rāzī, feeling the need to defend the author in this regard, asserts: “What the author means by this statement is that he dealt with the majority of the issues of his book based on the views adopted by the majority of the scholars. The author might also have determined the majority not based on the number of the scholars but based on the preference of the evidences.”<sup>56</sup>

## A Couple of Notes Related to the Copy and Edition

Some writers of *ṭabaqāt* books who provide information about al-Rāzī state that his commentary on *al-Ḥāwī al-Ṣaghīr* reached three volumes but had not been completed yet. Based on the inquiries we have made so far, we have not found any copy that consists of the entire text of his commentary. It seems that the commentary on *al-Ḥāwī*’s introduction has survived – at least as far as we know –

53 Al-Rāzī, *Sharḥu khuṭbat al-Ḥāwī*, fol. 2<sup>b</sup>.

54 For *qawl*, *wajh*, *ṭarīq*, and other related terms that acquired special meanings in Shāfi‘ī legal literature, see al-Malibārī, *al-Qāmūs al-fiḥī fi al-madhhab al-Shāfi‘ī* (Amman: Dār al-Nūr, 2016), 65-115.

55 Al-Rāzī says, “God willing, we will point out these in our commentary.” But because the rest of the commentary is unavailable, we do not know to which matters he directs such criticisms. See Al-Rāzī, *Sharḥu khuṭbat al-Ḥāwī*, fol. 10<sup>a</sup>.

56 Al-Rāzī, *Sharḥu khuṭbat al-Ḥāwī*, fol. 10<sup>a-b</sup>.

to this day as the first text in a journal found in the Süleymaniye Library, section of Ayasofya (no. 4846). Even though there is a colophon dated 835 AH at the end of this 11-folio text, there is no record concerning who, where, and from which copy this text was copied.

Because we could not find any other copies of this text attributed al-Rāzī, we were unable to cross check and verify this information. However, when we compared the text to other available commentaries of *al-Ḥāwī al-Ṣaghīr*, we observed that it differs from all of them. The commentaries that we could access, namely, those ones written by the grandson al-Qazwīnī, al-Ṭūsī, al-Ṭāwūsī, al-Chārpardi, al-Qūnawī, Ibn al-Bārīzī, Ibn al-Mulaqqīn, and Ibn al-Muqrī, as well as the one attributed to al-Rāzī, are all different texts.<sup>57</sup> This reality supports the claim that the text we have is the introduction to the commentary written by al-Rāzī.

When preparing the copy found in Ayasofya, which will be referred to by the symbol (İ) to publication, we have applied the modern rules of spelling. When dividing the text into paragraphs, we followed the commentator al-Rāzī's sentences beginning with the word “فوله” and showed the phrases of the original text in a dark blue-colored font. We have paid attention to the notes given in the text's margins as the records of revisions and changes, reconstructed the text based upon such notes, and pointed to them in the footnotes. The Qur'anic verses and sayings of the Prophet quoted in the text were mentioned by their reference information. The only addition we made to the text was the death dates of the authors mentioned therein.

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57 See Muḥammad sibṭ 'Abd al-Ghaffār b. 'Abd al-Karīm al-Qazwīnī, *al-Kāfi fi ḥall al-Ḥāwī*, fol. 1<sup>b</sup>; al-Ṭūsī, *Miṣbāḥ al-Ḥāwī*, fol. 2<sup>a</sup>; al-Ṭāwūsī, *Ta'liqāt al-Ṭāwūsī 'alā al-Ḥāwī*, Süleymaniye Library, Turhan Valide Sultan 115, fol. 1<sup>b</sup>; al-Konawī, *Sharḥ al-Ḥāwī*, fol. 1<sup>b</sup>; al-Chārpardi, *al-Ḥādī fi Sharḥ al-Ḥāwī*, Süleymaniye Library, Yeni Cami 438, 1<sup>b</sup>-3<sup>b</sup>; Ibn al-Bārīzī, *Taysīr al-fatāwī min taḥrīr al-Ḥāwī*, ed. Muḥammad b. Aḥmad el-Kinānī, Usāma Ṣa'd al-Din Hashmat Jādū, and Aḥmad b. Muḥammad Aḥmad Riḍwan (Beirut: Dār al-Kutub al-'Ilmiyya, 1436/2015), 39; Ibn al-Mulaqqīn, *Taḥrīr al-fatāwī al-wāqī'a fi al-Ḥāwī*, Süleymaniye Library, Fatih 2284, fol. 1b; Ibn al-Muqrī, *Iḥlās al-nāwī fi irshād al-ghāwī ilā masālik al-Ḥāwī*, ed. 'Abd al-'Azīz 'Atiyya Zalat (Cairo: Wizārat al-Awqāf, 1989), 1:25-28.

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## شرح خطبة الحاوي لمولانا قطب الدين الرازي

رحمة الله عليه رحمة واسعة

[١٥] بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

ابتدأ به تبركا وتيمنا.

قوله الْحَمْدُ لِلَّهِ الْمُتَوَحِّدِ بِالْعِظَمَةِ وَالْكِبْرِيَاءِ

افتتح الكتاب بالحمد اقتداءً بكتاب الله المجيد واقتفاءً بسنة الحبيب حيث قال صلى الله عليه وسلم «كل أمر ذي بال<sup>١</sup> لم يبدأ فيه بالحمد فهو أجزم»<sup>٢</sup> أي ناقص موقوف البركة. والحمد هو الثناء باللسان على الجميل الاختياري من نعمة وغيرها؛ تقول حمدت الرجل على إنعامه وحمدته على حسبه وشجاعته. والمدح هو الحمد لكنه<sup>٣</sup> أعم من أن يكون للممدوح نوع اختيار فيما يُمدح به أو لا؛ تقول مدحت الأمير ومدحت القوس. وقول الزمخشري في الكشاف «الحمد والمدح أخوان»<sup>٤</sup> معناه إنهما متقاربان لفظاً ومعنى لا أنهما مترادفان. والشكر هو الثناء على النعمة وهو بالقلب واللسان والجوارح. قال الشاعر:

أفادتكم النعماء مني ثلاثة  
يدي ولساني والضمير المحجبا

وفي التنزيل ﴿اعْمَلُوا آلَ دَاوُدَ شُكْرًا﴾ [السبا ١٣/٣٤]. فالشكر أعم منها من وجه. والحمد إحدى شعب الشكر ومنه قوله صلى الله عليه وسلم «الحمد رأس الشكر»<sup>٥</sup> لأن الثناء باللسان أشيع وأدل على النعمة من الاعتقاد لما فيه من الخفاء [٢٢] ومن إداب الجوارح لما فيه من الاحتمال.

١ وفي الهامش: أي ذي شأن.

٢ أخرجه ابن ماجة بلفظ «كل أمر ذي بال لا يبدأ فيه بالحمد أقطع»، النكاح، ١٩.

٣ أ: هو الثناء [بدله في الهامش بما أئبناه].

٤ وفي الهامش: لاتحادهما في الحروف الأصلية بل وفي ترتيب أكثر الحروف أيضاً. انظر الكشاف للزمخشري في تفسير آية ﴿الْحَمْدُ لِلَّهِ رَبِّ الْعَالَمِينَ﴾ من سورة الفاتحة.

٥ وفي الهامش: أي من الحمد والمدح.

٦ أخرجه عبد الرزاق الصنعاني بلفظ «الحمد رأس الشكر ما شكر الله عبد لا يحمده»، المصنّف، المجلد العاشر، ٤٢٤.

والحمد نقيضه الذم والشكر نقيضه الكفران وفي كلام أهل التحقيق أن الحمد فعل يُشعر بتعظيم المنعم بسبب كونه مُنعمًا وذلك إما فعل القلب وهو اعتقادُ اتصافه بصفات الكمال والتوجه إليه بالإخلاص أو فعل اللسان وهو ذكْر ما يدل على ذلك أو فعل الجوارح وهو الإتيان بأفعال تدل على ذلك. والشكر صرف العبد جميع ما أنعم الله عليه من النعم الظاهرة والباطنة إلى ما خُلِق لأجله كالْبَصَرِ إلى مطالعة مصنوعاته والسمع إلى استماع نُذره وآياته والذهن إلى إدراك العلوم وعلى هذا يكون الحمد أعم من الشكر مطلقًا لتناوله النعم الواصلة إلى الحامد وغيره واختصاص الشكر بما يصل إلى الشاكر.


### قوله المتوحد بالعظمة والكبرياء

أي الذي تخصص بهما بلا مشاركة أحد كما ورد في الحديث القدسي «الكبرياء ردائي والعظمة إزاري فمن نازعني واحدًا منها أدخلته النار»<sup>٧</sup>. ذهب أهل الظاهر إلى أنها مترادفان وهو خلاف ظاهر الحديث لأنه شبهها بشيئين [٢<sup>ط</sup>] مختلفين في الرتبة فإن رتبة الرداء أعلى من رتبة الإزار ولذلك جعل مفتاح الصلاة «الله أكبر» ولم يقم عند ذوي البصائر مقامه «الله أعظم». وأيضًا الأصل عدم الترادف كما تقرر في الأصول. فالكبرياء هو كمال الوجود وذلك يرجع إلى شيئين أحدهما دوامه أزلاً وأبدًا وكل موجود مقطوع بعدم سابق أو لاحق فهو ناقص ولذلك يقال للإنسان إذا طالت مدته وجوده إنه كبير أي كبير السن ولا يقال إنه عظيم السن فالدائم الأزل الأبدي أولى بأن يكون كبيرًا. وثانيهما صدور ما سواه عنه. والعظم إنما وضع في الأصل بحسب امتداد مساحة الجسم فمنه ما يؤخذ في العين مأخذًا ولكن يحيط البصر بأطرافه كالفيصل ومنه ما لا يحيط البصر بأطرافه كالارض والسماء. وإذا عرفت ذلك فاعلم أن في مدركات البصائر أيضًا تفاوتًا فمنها ما يحيط العقل بكنهه ومنها ما يقصر عنه بعض العقول ومنها ما لا يتصور أن يحيط العقل بكنهه وذلك هو العظيم<sup>٩</sup> الذي جاوز جميع حدود العقول وهو الله تعالى. وقيل الكبرياء هو الترفع عن الانقياد والعظمة هو الامتناع من أن يحيط به غيره فهما صفتان محتصتان به [٣<sup>٥</sup>]

تعالى وإنما مثلها بالإزار والرداء إبرازًا للمعنى المعقول في صورة المحسوس لزيادته في تقرير

٧ سنن أبي داود، اللباس، ٢٨؛ سنن ابن ماجه، الزهد، ١٦.

٨: من [بدله في الهامش بما أشتناه].

٩ في الورقة خرقه قدر كلمة: .



المعنى. ثم إفادة الاختصاص إنّها هو بطريق الكناية فإنهم يَكُونون عن الصّفة اللازمّة للشخص بالثوب والرّداء ونحوهما كما يقولون شعارُ فلانٍ الزُّهد وليأسه التّقوى وفلانٌ ارتدّى بالمجد وأيزرٌ بالكرم كما تقرّر في علم البيان فكما لا تُشارك الرّجل غيره في إزاره وِرْدائه ويُستبَح طلبُ الاشتراكِ فيهما لا يجوز مُشاركة أحدٍ مع الباري تعالى في هاتين الصّفتين. ثم اعلم أنّ في إيراده بناءً المُطاوعة هنا وفيما بعدُ من المتفرد والمتحمّد ونحوهما تبيينها على أنّ هذه الصّفات المذكورة من مُقتضيات الدّات لا من الغير كما يُقال توحدَ الله بعظّمته أي عظّمته بنفسه ولم يكَله إلى غيره.

### قوله المتفرد بدوام العزّة والبقاء

قيل التّوحدُ في الدّاتِ والتّفردُ في الصّفاتِ أي الذي تفرد من بين الموجوداتِ وانفصل عنهم بدوام هاتين الصّفتين أحدهما العزّة وهي إنّها تتحقّق باجتماع معانٍ ثلاثيّة؛ قلّة وجود مثله وشدّة الحاجة وصعوبة الوصولِ إليه والكمال في هذه الثلاثة لا يُتصوّر لغير [٣٣] الله تعالى. أمّا في الأول فلأنه يستحيل وجود مثله ﴿لَيْسَ كَمِثْلِهِ شَيْءٌ﴾. وأمّا في الثاني فلاحتياج جميع ما سواه إليه وأمّا في الثالث فلامتناع الإحاطة بكنه ذاته وصفاته. وثانيهما البقاء وهو استمرارُ الوجود وذلك لازِمٌ لوجوب الوجود ولكنّه إذا أضيف في الدّهن إلى الاستقبال سمّي باقياً وإذا أضيف إلى الماضي سمّي قديماً والباقي هو الذي لا ينتهي تقديراً وجوده في الاستقبال إلى آخر ويُعبّر عنه بأنه أبديّ والقديم هو الذي لا ينتهي تمادي وجوده في الماضي إلى أوّلٍ ويُعبّر عنه بأنه أزليّ. وقولنا واجبُ الوجود مُتضمّنٌ لذلك كلّهُ لأنّ البقاء هو الدّوام بالنظر إلى المستقبل وهو الدّوام الخاصّ والدّوام المطلق قد يكون بالنظر إلى الماضي وقد يكون بالنظر إلى المستقبل. وإذا عرفت ذلك تبين لك أنّ إضافة الدّوام إلى البقاء على تقدير كونه معطوفاً على العزّة لا على الدّوام من باب إضافة العامّ إلى الخاصّ. وأوردَ الشافعيّ رضي الله عنه في كتابه المسمّى بالفقه الأكبر: «اعلموا أنّ الله تعالى باقٍ ببقاء كما أنّه عالمٌ بعلمٍ قادرٌ بقدره ومعنى البقاء أنّه صفةٌ وجوديّةٌ يمتاز بها عمّا ليس بباقي». وهذا

١٠ هكذا في أوّل الصّحيح «واتزر».

١١ انظر الفقه الأكبر في علم أصول الدين (المنسوب للإمام أبي عبد الله محمد بن إدريس الشافعي)، ص ٥١ - عبارات متقاربة. - نسبة هذا الكتاب إلى الإمام الشافعي غير ثابت وهذا الحكم مستند إلى سببين؛ أحدهما عدم ذكر مترجمي الشافعي هذا الكتاب فيما بين مؤلفات الإمام. وثانيهما درج الكتاب بعض المسائل التي لم ترد في عصر الشافعي ومناقشة المتن هذه المسائل العقديّة بمصطلحات متأخرة عن الإمام. أنظر؛ مقدمة المحقّق عبدو

يؤيد [٤٤] مذهب الأشعري وهو أن البقاء صفةٌ وجوديةٌ زائدةٌ على ذاتِ الباقي وهو باقٍ بها ونفاه القاضي وإمام الحرمين<sup>١٢</sup>. قال الغزالي: «ناهيك برهاناً على فساده ما لزمه من الخبط في بقاء البقاء وبقاء الصفات كما يلزم من قال القِدْمُ وصفٌ زائدٌ على ذاتِ القديم من الخبط في قِدَمِ القِدَمِ وقدم الصفات»<sup>١٣</sup>. وقال بعض المحققين المعقول من بقاء الباري تعالى امتناعُ عَدَمِهِ ومن بقاء الحوادثِ مقارنتُهُ وجوده لزمانين فصاعداً والامتناعُ والمقارنةُ الزمانيةُ من المعاني العقلية التي لا وجود لها في الخارج فلا يكون أمراً ثبوتياً زائداً على الذات.

### قوله المتحمّد بالمجد والبهاء

أي الذي اتّخذ النَّاسَ حامداً له من باب تَوَسَّدتْه أي أخذته وِسَادَةً أو المحمود فيكون بمعنى المطاوعة بالمجد أي بسبب المجد وهو شرف الذات إذا قارنته حسنُ الفعل فالماجد هو الشريف ذاته الجميل فعّاله الجزيل نواله. والبهاء حسنٌ يملأ العينَ ويفرغ القلبَ مع اشتهاٍ وافتخارٍ ولا أبهى من الله تعالى لأنه منبع كلِّ حسنٍ وجمالٍ.

### قوله المتمدّح بالكمال والسّناء

أي الذي اتّخذ النَّاسَ مادِحاً له أو الممدوح على ما سبق [٤٤] أنفاً بالكمال أي بسبب الكمال وهو حصول ما يليق بالشيء بالفعل ولا أكمل من الله تعالى لحصول جميع ما يليق بحضرتة له بالفعل مع أنه منبع لكلِّ كمالٍ في الوجود ويجوز أن يكون الباءُ في المجد وفي بالكمال للاستعانة كما في كتبتُ بالقلم فكأتمها ألتان للحمد والمدح يُستعان في أدائها بذكرهما. والسّناء مقصوراً صَوْءُ البرقِ ومدوداً الرّفعة ولا أسنى من الله تعالى بالمعنيين؛ أمّا بالمعنى الأول فلائته نورُ الأنوار ومُظْهِرِ المُمكنات من ظلمة العدم إلى ضياء الوجود ﴿هُوَ الَّذِي جَعَلَ الشَّمْسُ ضِيَاءً وَالْقَمَرَ نُورًا﴾ [يونس ١٠/٥]، ﴿الْحَمْدُ لِلَّهِ الَّذِي خَلَقَ السَّمَاوَاتِ وَالْأَرْضَ وَجَعَلَ الظُّلُمَاتِ وَالنُّورَ﴾ [الأنعام

أحمد ياسين، ص ١١-١٤؛ أكرم يوسف عمر القواسمي، المدخل إلى مذهب الإمام الشافعي، ص ٢٦٩؛ بلال ابيقان، «Şâfiî»، Türkiye Diyanet Vakfı İslâm Ansiklopedisi, XXXVIII, ٢٣١

١٣ الغزالي، المقصد الأسنى في شرح أسماء الله الحسنى، ص ١٤٨، بعناية بسام عبد الوهاب الجايي، بيروت: دار

[١/٦]. وأمّا بالمعنى الثاني فلائنه لا رتبة من المراتب الحسبية من العرش إلى الثرى ومن المراتب العقلية في سلسلة الأسباب والمسببات وفي تقسيم الموجودات إلى الدرجات المتفاوتات كالحى والميت، والعالم والجاهل ونحوهما إلا والحق تعالى في الدرجة العليا من درجاتها مع أنه واهب كل ذي فوق فوقيته ﴿رَفِيعُ الدَّرَجَاتِ ذُو الْعَرْشِ﴾ [المؤمن ١٥/٤٠] ويحتمل أن يُراد بالكمال الكمال في الذات وبالسناء الكمال في الصفات [٥] والأفعال.

### قوله المتعزّز بالجلال والعلاء

أي الذي تعزّز من تعزّز الرجل إذا صار عزيزاً وقد عرفت معنى العزة قال الجوهرى: «جلال الله عظّمته». <sup>١٤</sup> وجلّ فلانٌ يجلُّ بالكسر جلالاً أي عظم قدره فهو جليل فهذا يُشعر بأنّ الجلال والعظمة مترادفان وقد عرفت ما فيه. وقال الغزالي رحمة الله عليه: «الجلال يُشير إلى صفات الشرف ولذلك لا يقال فلانٌ أجلّ سنّاً لكن يقال أكبر سنّاً ويقال الفرس أعظم من الإنسان ولا يقال أجلّ. فكأنّ الكبير يرجع إلى كمال الذات والجليل إلى كمال الصفات والعظيم إلى كماليهما جميعاً منسوباً إلى إدراك البصيرة. ثم صفات الجلال إذا نُسب إلى البصر المُدرّكة لها سميت جمالاً والمتّصف بها جميلاً فالصفات الفاضلة بالنسبة إلى البصائر كالصور الظاهرة بالنسبة إلى البصر. بل لا مناسبة بين الجمالين عند العارفين كما أنّ جمال الصور الظاهرة إنّما يكون محبوباً عند المُبصرين لا عند العُميان». <sup>١٥</sup> وقال بعض المحققين صفات الجلال الصفات السلبية أو المتضمنة للقهر كالقدوس والسلام والفهار والمنتقم وصفات الجمال [٥<sup>ط</sup>] الصفات الثبوتية أو المتضمنة للطف كالعالم والقادر والرحمن والرحيم ويُشير به إلى قوله تعالى ﴿تَبَارَكَ اسْمُ رَبِّكَ ذِي الْجَلَالِ وَالْإِكْرَامِ﴾ [الرحمن ٧٨/٥٥] وأمّا العلاء فتبيّن معناه ممّا ذكرنا في شرح السناء بالمدد. قال الجوهرى: «علا في المكان يعلو علواً وعلي في الشرف بالكسر يعلى علاء». <sup>١٦</sup>

١٤ الصحاح، ص ١٦٥٨.

١٥ الغزالي، المقصد الأسنى في شرح أسماء الله الحسنى، ص ١١٥-١١٦، -بعبارات متقاربة-.

١٦ الصحاح، ص ٢٤٣٤.

## قوله المنزه عن التغير والفناء

أي المبعّد عن التغيّر في الصّفات والفناء في الذات من النّزاهة وهي البعد من السّوء والتّنزّه التّباعّد عن المياه والأرياف<sup>١٧</sup> قال ابن السّكيت: «ومّا يَصْعُه النَّاسُ في غير موضعه قولهم خرجنا تنزّه إذا خرجوا إلى البساتين وإنما تنزّه البراءى تعالى عنها لأنّه قديم الذات والصّفات والتغيّر والفناء من خواصّ المحدثات.

## قوله المقدّس عن الأمثال والأكفاء

أي المطهّر عن ممانّة الأمثال ومقارنّة الأكفاء إذ لا مثل له ولا كُفُو كقولهم لا ترى الصّبّ بها ينحجر. من التّقدّيس وهو التّطهير والقُدُس والقُدُس بالضمّ والسّكون الطّهر مصدرًا واسمًا والأمثال جمع مثل بالكسر والسّكون أو مثل بالفتحتين والمثل والمثل والمثيل كالشبه والشّبه والشبيه [٦٦] والأكفاء جمع كُفُو والكُفُو والكُفُو على فُعل وفُعول النّظير وكذلك كفى. وظاهر كلام أهل اللّغة يُشعر بأنّها مترادفان لكنّ التّحقيق أنّ الممانّة هي المساواة في الحقيقة والكفاءة هي المساواة في القوّة والصّفة<sup>١٨</sup> ولهذا قدرنا كلامه بقولنا عن ممانّة الأمثال ومقارنّة الأكفاء بناءً على أنّ النّفى إنّما يتوجّه إلى الصّفات دون الذات فيكون التّقدير على منوال علّفتها تبنًا وماء باردًا.

## قوله أحمدّه على النّعماء وأشكرّه على الآلاء

لما حمّد الله أوّلاً على صفاته العظام التي هي مبادئ نعمة الجسام ولهذا قدّمه بطريق العموم انتقل على حمده إياه تبارك وتعالى على نعمة الظّاهرة والباطنة بطريق الخصوص فقال «أحمده» سالكًا في ذلك طريق الإطناب<sup>١٩</sup> بذكر الخاصّ بعد العامّ تنبيهًا على مزية الخاصّ بحيث تميّز وانفرد قسمًا على حياله مع اشتماله على تنميط أشرف نوعي الحمد وهو الواقع في مقابلة الصّفات العظام بذكر النوع الآخر عقبيه وهو الواقع في مقابلة النعم الجسام ولما كانت الصّفات قديمة دائمة مستمرة والنعم متعاقبة متجدّدة ذكر الحمد الواقع في مقابلة [٦٦] الأولى بإيراد الجملة الاسميّة الدالّة على الثبوت والاستمرار والحمد الواقع في مقابلة الثانية بإيراد الجملة الفعلية الدالّة على التجدّد والتّعاقب.

١٧ وفي الهامش: «الرّيف الخصب».

١٨ وفي الهامش: «أي بإعادة مضاف آخر غير الأول للثاني».

١٩ وفي الهامش: «لكون حمد المصنّف أخص من مطلق الحمد».

ثم اعلم أن النعمة و النعمى بالصم مقصوراً و النعماء بالفتح ممدوداً متقاربة و الآلاء جمع إلى (٢٠) و قد يكسر و يكتب بالياء نحو معى ٢١ الأعماء. ٢٢ و قد يحسن أن يجمع النعماء على النعم الظاهرة و هي الحواس الظاهرة و ما يدرك بها من الأمور الملائمة، و الآلاء على النعم الباطنة و هي العقل و الحواس الباطنة و ما يدرك بها من الأمور الملائمة مراعاة لما عرفت من أن الحمد ٢٣ هو الثناء باللسان و هو من الأعضاء الظاهرة و الشكر قد يكون بالحنان و هو من القوى الباطنة.

### قوله و الصلاة على رسوله محمد أفضل الأنبياء و على آله و صحبه خير الأولياء

عقب حمد الله بما هو أهله بذكر الصلاة على رسوله صلى الله عليه وسلم بالأصالة و على آله و صحبه بالتبعية على ما جرت به عادة العلماء و الخطباء و الوعاظ أمام كل علم مفاد و قبل كل موعظة و تذكرة و في مفتتح كل خطبة و اقتبسوا هذا الأدب الجميل من قوله تعالى ﴿قُلِ الْحَمْدُ لِلَّهِ وَسَلَامٌ عَلَىٰ عِبَادِهِ الَّذِينَ اصْطَفَىٰ﴾ [النمل ٢٧/٥٩] ففي الآية بعث على التيمن بالذكرين [٧] و التبرك بها و الاستظهار بمكانها على قبول ما يلقي إلى السامعين و إصغائهم إليه و إنزاله في قلوبهم المنزلة التي ينبغيها المستمع. هذا مع أن في الحمد و الشكر استجلاب المزيد قال تعالى ﴿لَئِنْ شَكَرْتُمْ لَأَزِيدَنَّكُمْ﴾ [إبراهيم ١٤/٧].

و في معنى الصلاة التعرض للاستفاضة من روح النبي صلى الله عليه وسلم و أرواح آله و أصحابه الأقدسين الذين هم ينابيع العلوم و الحكم على ما شهدت به الأخبار و تواترت به الآثار. ثم اعلم أن الصلاة فعلة من صلى كالزكوة من زكى و كتبها بالواو على لفظ المعجم. و هي من الله تعالى الرحمة و من الملائكة الاستغفار و من المؤمنين الدعاء و في الخبر؛ «أن الله تعالى و كل بي ملكين فلا أدكر عند عبد مسلم فيصلي عليّ ٢٤ إلا قال ذاك الملكان غفر الله لك و قال الله تعالى و ملائكته جواباً لذئيك الملكين أمين» ٢٥ و هو بيان لقوله ﴿إِنَّ اللَّهَ وَمَلَائِكَتَهُ يُصَلُّونَ عَلَى النَّبِيِّ يَا أَيُّهَا الَّذِينَ آمَنُوا صَلُّوا عَلَيْهِ﴾ [الأحزاب ٣٣/٥٦] و في كونها واجبة أو مندوبة تفصيل يجيء في موضعه إن شاء الله و حده العزيز.

٢٠ و في الهامش: «معا». يعنى بكسر الهمزة وفتحها.

٢١ و في الهامش: «معا». يعنى بكسر الهمزة وفتحها.

٢٢ أ: «أعماء» [بدله في الهامش بما أثبتناه].

٢٣ أ: «مراعاة للنظر من حيث أن الحمد» [بدله في الهامش بما أثبتناه].

٢٤ أ - عليّ [صحح في الهامش مع علامة ظ اختصار من ظاهر].

٢٥ الطبراني، المعجم الكبير، المجلد الثالث، ٨٩.

والرّسول من له كتاب فيه حُكْمٌ لم يكن في دين من قبله والنبيّ من يدعو إلى دين من قبله وقيل الرّسول من نَزَلَ عليه جبريلُ عليه السلام [٧ط] والنبيّ من سمِعَ صوتاً أو رأى رؤياً كل ذلك بعد التّحدّي والدّعوى. ونبيّنا صلى الله عليه وسلم أفضل الأنبياء لدلائل حجّة منه قوله تعالى ﴿فَكَيْفَ إِذَا جِئْنَا مِنْ كُلِّ أُمَّةٍ بِشَهِيدٍ وَجِئْنَا بِكَ عَلَى هَؤُلَاءِ شَهِيدًا﴾ [النساء ٤/٤١] وقوله تعالى ﴿لِيُظْهِرَهُ عَلَى الدِّينِ كُلِّهِ﴾ [التوبة ٩/٣٣].

وآل الرجل أهله وعياله وآله أيضاً أتباعه وأصل آل أهل على رأي وأول على رأي ولا يستعمل إلا لذوي الخطر فلا يقال آل الإسكاف بل آل الملك. وإعادة الجارّ عليه حيث قال وعلى آله أبلغ لإفادته إن كل واحدة من الصّلاتين على صفة الكمال والتّمام. وصحّب جمع صاحب كركب وراكب. والصّحابي من رأى النبيّ صلى الله عليه وسلم واعتقد نبوّته وإن لم يرو عنه ولم تطلّ صحبته وقيل إن طالت وإن لم يرو وقيل إن اجتمعا والنزاع لفظي. والأدلة على خيريّة آله متكاثرة متظاهرة منها قوله تعالى ﴿قُلْ لَا أَسْأَلُكُمْ عَلَيْهِ أَجْرًا إِلَّا الْمَوَدَّةَ فِي الْقُرْبَى﴾ [الشورى ٤٢/٢٣] وقوله ﴿إِنَّمَا يُرِيدُ اللَّهُ لِيُذْهِبَ عَنْكُمُ الرِّجْسَ أَهْلَ الْبَيْتِ وَيُطَهِّرَكُمْ تَطْهِيرًا﴾ [الأحزاب ٣٣/٣٣] وقوله ﴿وَأذْكُرْنَ مَا يُتْلَىٰ فِي بُيُوتِكُنَّ مِنْ آيَاتِ اللَّهِ وَالْحِكْمَةِ﴾ [الأحزاب ٣٣/٣٤] وقوله ﴿يَا أَيُّهَا النَّاسُ إِنِّي تَرَكْتُ فِيكُمْ مَا إِن أَخَذْتُمْ بِهِ لَنْ تَضَلُّوا كتاب الله وعترتي وأهل بيتي﴾<sup>٢٦</sup> و«خير القرون قرني وأكرموا أصحابي فإنهم خياركم ثم يلوونهم»<sup>٢٧</sup>.

قوله أما بعد فإن هذا الكتاب سمّيته الحاوي لما حوى الفوائد الزوائد وما في اللباب

«أما» كلمة شرط بدليل لزوم الفاء في جوابه واستلزام الأول للثاني ويستعمل على وجهين؛ الأول تفصيل ما أُجبل على طريق الاستئناف، الثاني الأخذ في كلام مستأنف من غير أن يتقدّمها كلام يفصله نحو أما أنا فقد فعلت كذا. ويُعدّ من الظّروف الغاياتِ قُطعت عن الإضافة فصارت مبنية بالضمّ والعامل فيه هو الفعل المحذوف على تقدير مهها أذكر بعد ذلك فإنّ أو العامل أمّا لنيابتها عن الفعل ولم يعمل في غير

٢٦ سنن الترمذي، كتاب المناقب، الباب الثالث والثلاثون.

٢٧ مصنّف عبد الرزاق، باب لزوم الجماعة برقم ٢٠٧١٠. وأخرجه الإمام البخاري في صحيحه بلفظ «خير امتي قرني ثم الذين يلونهم ثم الذين يلونهم»، فضائل الصحابة، ١.

الظرف وههنا لا يجوز أن يكونَ العامِلُ ما بعد الفاء لا متناع عملٍ ما بعد إنَّ فيما قبلها وفيه بحث. واعلمُ أنّ ذكر «أما بعد» بعد الحمدِ والصّلاةِ من الاقتضابِ القريبِ من التخلّصِ في المعنى ويقال له فصل الخطابِ وأوّل من استعمله كعب بن لؤيّ من أجدادِ النّبِيِّ صلى الله عليه وسلّم وكان من كبارِ مُلوك العربِ وفُصائِحهم [٨٧] وقيل قسّ بن ساعدة الأياديّ وممن اشتهر باستعماله سبحان بن وائل، قال:

لقد علم الحَيّ اليمانون أنّني إذا قلت أما بعد إنّني خطيبها

و«سمّيت» تستعمل بمعنيين أحدهما التّكلم باسم الغير كما تقول سمّيت زيداّ وحينئذٍ تعدّى إلى مفعولٍ واحدٍ وثانيهما وهو المراد هنا جعلك الشّيء مُسمّى باسم وحينئذٍ تعدّى إلى مفعولين وقد يتعدّى إلى الثّاني بحرف الجرّ يقول سمّيته زيداّ أو يزيد. وما في «ما حوى» مصدرية أي لحوايته الفوائد ويحتمل أن تكون موصولة والعائد محذوف أي لما حواه والفوائد حينئذٍ منصوب بمقدّر من جنس المذكور أي حوى الفوائد على طريق الاستئناف أو بأعني ويقال له التّصّب على الاختصاص.

وفي قوله «ما حوى» تنبيه على سبب تسميته الكتاب الحاوي للفتاوي فإنّ وضع العَلَم قد يكون لمعنى في المسمّى لكن لا يكون الإطلاق مشروطاً به ألا ترى أنّك إذا سمّيت رجلاً فيه حُمْرةٌ بأحمر فإنه يُطلق عليه الأحمُر وإن زالت حُمْرته وبه ينسب لكن فرق بين اعتبار المعنى في إطلاق الوصف على الموصوف وبين اعتباره في المسمّى عند التّسمية.

و«الفتاوى» جمع الفتوى من فتى بالكسر يفتي فتى [٩٩] فهو فتى بالسّن وهو الحدّث من النّاس<sup>٢٨</sup> يقال لا أفعله ما اختلفَ الفتيان أي اللّيل والنّهار كما يقال ما اختلف الجديدان. وكلّ حدثٍ أشكل على السائل طلبه عن المفتي فيه أمراً جديداً حادثاً لم يكن عند السائل فالفتوى جوابٌ حديثٍ مستأنفٍ وكذلك الفُتيا على وزن حُبلي وفتاتوا إلى الفتية إذا ارتفعوا إليه في الفتيا. قيل في كلامه قلبٌ إذ الأصل لما حوى ما في اللّباب والفوائد الزوائد فقدّم المعطوف على المعطوف عليه كما قال الشّاعر؛

ألا يا نخلة من ذاتِ عرقٍ عليك ورحمة الله السّلام

وآخر؛

جمعتَ وبُخلاً غيبيةً ونميمةً ثلاث خصال<sup>٢٩</sup> لستَ عنها بمُرّ عوي

٢٨ وفي الهامش: «رجلٌ حدّث طري السّن».

٢٩ أ: «خلال» [بدله في الهامش بما أثبتناه].

ولقائل أن يقول ليس كلام المصنّف على منوال ما نُقِلَ لأنّ الشاعر قدّم المعطوف مع حرف العطف فلو قال «لما حوى والفوائد والزوائد ما في اللّباب» لكان مثله ويحتمل أن يقال لا احتياج إلى ارتكاب القلب في كلام المصنّف إذ التقدير «لما حوى الفوائد الزوائد على ما في اللّباب» ثم استشعر توهم متوهم يقول هل أخلّ بشيء مما في اللّباب فقال «وما في اللّباب» دفعاً لذلك التوهم مع رعاية السجع وقصد التيمّم. [٩٠] أو يكون التقدير «لما حوى الفوائد الزوائد على ما في الكتب» فدخل فيه ما في اللّباب فخصّه بالذكر لجلالة قدره وصعوبة مرآه وشرفه على نحو قوله تعالى ﴿وَمَلَايِكَتِهِ وَرُسُلِهِ وَجِبْرِيلَ وَمِيكَائِيلَ﴾ [البقرة ٩٨/٢]. واعلم أنّه لم يُردّ بالفوائد العموم وإن كانت على صيغته أعني الجمع المحلّي باللام بل المراد الجنس أي أنّ هذا الكتاب جامعٌ لهذا الجنس مع ما في اللباب على نحو قولهم فلان يلبس البرود أي هذا الجنس لا كلّ برود في الدنيا. ٣٠

قوله واكتفيت من الأفاويل والطُّرُق والوُجوه بما عليه مُعْظَمُ الأصحاب تسهيلاً للأمر على الطُّلاب يُقال اكتفيت من هذا بهذا أي تركت هذا إذا أخذت ذلك بدله أو استغنيت به عنه.

والقول للشافعي رضي الله عنه والوُجوه لأصحابه رحمهم الله وإتّما نسبوا إليه لأنهم اجتهدوا على طريقتيه في استعمال الأدلّة وترتيبها ووافق اجتهدهم اجتهداه في مُعْظَمِ المسائل وإن وقع الاختلاف أحياناً لم يُبالوا به فإن استنبطوه من الكتاب والسنة فهو الوجه المطلق وإن استنبطوه من قول الشافعي رضي الله عنه فهو الوجه المخرّج والقول المخرّج [١٠٠] والطريق خلاف المجتهد في خلاف كلّ صاحبٍ مذهبه ٣٢ كما نقل عن الشافعي رضي الله عنه أنّه نصّ في البئر إذا ازدحم عليه النازحون والنوب إذا تناوب عليه جماعة من العرارة وعلم أنّه لا تنتهي النوبة إليه إلا بعد الوقت أنّه يصبر ونصّ في السفينة إذا كان فيها موضع واحد يمكن القيام فيه أنّه لا يصبر قال المروّودي وجمع من المحققين فيها قولان بالفعل والتخريج؛ أحدهما الصبر لأنّ القدرة حاصلة والثاني التعجيل لأنّ القدرة بعد الوقت أنّه يصبر لا تأثير لها. ومن الأصحاب من قرّر النصين

٣٠ - في الدنيا [صحح في الهامش بما أثبتناه].

٣١ - معظم [صحح في الهامش بما أثبتناه].

٣٢ أ: «صاحب مذهب» [بدله في الهامش بما أثبتناه].



وفَرَّقَ بَأَنَّ الْقُعُودَ أَسْهَلَ وَلِذَلِكَ يَجُوزُ فِي النَّقْلِ مَعَ الْقُدْرَةِ بِخِلَافِ التَّيَمُّمِ وَكَشْفِ الْعُورَةِ فَفِي الْمَسْأَلَةِ طَرِيقَانِ؛ أَحَدُهُمَا طَرْدُ الْقَوْلَيْنِ فِي الْجَمِيعِ وَثَانِيهَا تَقْرِيرُ النَّصِّينِ.<sup>٣٣</sup>

والمصنّف طاب ثراه ترك في هذا الكتاب ذكر الأقاويل والوجوه والطّرق واقتصر على إيراد ما عليه معظم الأصحاب في مواضع الخلاف. فإن قلت قد ذكر في الكتاب كثيرًا من المسائل التي ليس عليها معظم الأصحاب قلت نعم وسنشير إليه في أثناء الشّرح إن شاء الله تعالى [١٠ ظ] ولكن مراد المصنّف معظم مسائله وأغلبها ممّا عليه معظم الأصحاب أو المراد معظمهم بحسب ترجيح الدليل لا بحسب العدد؛<sup>٣٤</sup> وإنما اختصر على إيراد ما عليه معظم الأصحاب تسهياً لأمر الفتوى على الطّلاب وتيسيراً للطريق الانتفاع به لأولي الرّغبات فالعبارة وجيزة والمسائل كثيرة والطالب يتمكّن من استظهاره واستحضاره في مدّة يسيرة هذا وإن استخرج الفتوى من المبسوطات مع اختلافهم في الاختيارات وإثارة ما أودعوا فيها من الأقاويل والوجوه والطّرق المختلفة لا يكاد يظفر بها إلا الأفراد من الأذكياء ذوي المهمم العاليات المطلعون على مآخذ الأحكام ومدارك الترجيحات.

وقد اعتنى قبله بتجريد الفتاوى وتحريرها من الكتب الفقهيّات جمع كثير من العلماء المسارعين إلى الخيرات لما رأوا المهمم في طلب العلوم قاصرات والآراء في تحصيلها فترات والمصنّف شكر الله سعيه وأعظم له المثوبات أحرز منهم قصب السبق في تنقيح المسائل وجمع المنتشرات بعبارات وجيزات ولما كان حسن القبول بحسن النية ومقادير المثوبات [١١ هـ] على مراتب النيات كقوله عليه الصلاة والسلام «إنما الأعمال بالنيات».<sup>٣٥</sup>

قال المصنّف «تسهياً للأمر على الطّلاب» تنبيهاً على أنه لم يقصد في وضع هذا<sup>٣٦</sup> الكتاب إلى غرض دنيويّ وعرض وفي من افتخار أو اشتهاه أو اكتساب ضياع وعقار بل إلى إعانة طّلاب العلم والنّصح لهم في الدّين وذلك من أفضل القرب وأجلّ الطلبات لعموم قوله تعالى ﴿وَتَعَاوَنُوا عَلَى الْبِرِّ وَالتَّقْوَى﴾ [المائدة ٥ / ٢] وقوله عليه السّلام «إنّ الناس لكم تبع وأن رجلاً يأتونكم

٣٣ انظر الوسيط للغزالي، المجلّد الأول، ٣٦٠-٣٦١؛ فتح العزيز بشرح الوجيز للرافعي، المجلّد الثاني، ٢١٨-٢٢١

٣٤ أ: عدده [بدله في الهامش بما أثبتناه].

٣٥ صحيح البخاري، بدء الوحي، ١.

٣٦ أ - هذا [صحّح في الهامش بما أثبتناه].

من أطراف الأرض يتفقهون في الدين فإذا أتوكم فاستوصوا لهم خيراً<sup>٣٧</sup> أي اطلبوا النصيحة والوصية لهم من أنفسكم واقبلوا وصيتكم في الخير فإن الله وملائكته وأهل السماوات والأرض حتى النملة في جحرها وحتى الحوت في بحرها ليصلون على معلم الناس الخير مع أن بديهة العقول شاهدة باستحسان إعانة المستحقين وإغاثة الطالبين الملهوفين؛

فمن منح الجهال علماً أضاعه ومن منع المستوجبين فقد ظلم

### قوله وأسألك اللهم المغفرة والثواب

أي مغفرتك للذنوب والسيئات وما عسى يقع من الخطأ وثوابك على [١١ ظ] الطاعات والحسنات وما هو الصواب قوله «وأسألك» عطف على ما سبق من الأفعال الماضية وإنما عدل إلى المستقبل استحضاراً للصورة المسألة التي هي مع كونها مهمة أبلغ في الاستكانة المؤدية إلى الاستجابة ويعين على ذلك لفظه «اللهم» عقيب كاف الخطاب.

قوله ﴿وَهَبْ لَنَا مِنْ لَدُنْكَ رَحْمَةً إِنَّكَ أَنْتَ الْوَهَّابُ﴾ [آل عمران ٣/٨].

اقتبس هذه الآية وذكرها في موضع أمين وختم بها ديباجة الكتاب أحسن الختام. والواو في ﴿وَهَبْ﴾ من الآية وأولها ﴿رَبَّنَا لَا تُزِغْ قُلُوبَنَا بَعْدَ إِذْ هَدَيْتَنَا وَهَبْ لَنَا مِنْ لَدُنْكَ رَحْمَةً﴾ فـ﴿هَبْ لَنَا﴾ عطف على ﴿لَا تُزِغْ﴾ ولا يتوهم أنها من كلام المصنف لثلاثين يَلَزَمُ عطف الجملة الإنشائية على الخبرية.

والله أعلم بالصواب وإليه المرجع والمآب.

وقع الفراغ من تسويد هذه الأوراق بتوفيق الملك الخلاق في سنة خمس وثلاثين وثمانمائة.