

## Imam ‘Isa ibn Aban ﷺ

By Muaz Billoo

There have been numerous influential figures within the Hanafi intellectual tradition. Among the earliest of these figures was Imam ‘Isa ibn Aban ﷺ, who is predominantly known for his influence on the Hanafi *usul* tradition.

Born within the 2<sup>nd</sup> century AH, Imam ‘Isa ibn Aban ﷺ grew up among the circles of the Hadith scholars. As a result, ‘Isa ibn Aban ﷺ had some misgivings regarding the jurists. Imam Muhammad ibn Sama’ah (d. 233) ﷺ says,

“‘Isa ibn Aban had a fair complexion, and he used to pray with us (the jurists). I used to invite him to come sit with [Imam] Muhammad ibn al-Hasan, and he would say, ‘These are people who contradict the prophetic statements (*Hadith*),’ and ‘Isa had a profound memory when it came to prophetic statements. One day, he prayed the dawn prayer (*Fajr*) with us, and it so happened to be the day that [Imam] Muhammad would have his gathering. I did not leave him (‘Isa) until he sat in the gathering. When [Imam] Muhammad concluded, I brought him [‘Isa] closer to him [Imam Muhammad]. I said, ‘This is the son of your brother, Aban ibn Sadaqah, the scribe, and he has strong intelligence and proficiency over the prophetic statements. I invited him to come to you, but he refused, claiming that we contradict the prophetic statements.’ So, he [Imam Muhammad] turned to him [‘Isa ibn Aban], saying, ‘My son, which prophetic statement do you think we contradict? Do not bear witness against us until you have heard from us.’ On that day, he asked him regarding 25 chapters of prophetic statements, and [Imam] Muhammad ibn al-Hasan began answering him, clarifying which of the statements are abrogated (*Mansukh*), and would himself bring forth supporting evidence and proofs. Afterwards, he [‘Isa ibn Aban] turned towards me and said, ‘There was a barrier between myself and the light, and it has now been lifted. I did not think that in the entire kingdom of Allah, He would create such a man like this for the people.’ Thereafter he stayed and studied very closely under [Imam] Muhammad until he too became well-versed in jurisprudence.”<sup>1</sup>

Imam Muhammad’s ﷺ influence on him was so profound that his proficiency in jurisprudence can be gauged by what Imam al-Tahawi ﷺ narrated from Bakkar ibn Qutaybah ﷺ who said that Hilal ibn Yahya ﷺ said, “There is no court judge in all of Islam in this time who is more proficient in his knowledge of jurisprudence than him [‘Isa ibn Aban].”<sup>2</sup>

In the aforementioned story there is a very important lesson about studying Fiqh and Hadith together. If one wishes to gain an understanding of the Qur’an and the Sunnah, one cannot merely

---

<sup>1</sup> *Tarikh Madinah al-Salam* 12:481 as well as *Akhbar Abi Hanifah* of al-Saimari p. 132

<sup>2</sup> *Al-Jawahir al-Mudiyyah Fi Tabaqat al-Hanafiyyah* 2:679

study and memorize Hadith. Ultimately, one must also learn how to apply those Ahadith from the jurists. Thus the need for studying fiqh.

‘Isa ibn Aban was appointed as a court judge in Basrah in the year 211 AH. Hafiz Abu Sa’d al-Sam’ani (d. 563) رحمته الله has a brief biographical entry on him in his book, *al-Ansab*, under the section of those who were known as al-Qadi (the title assigned to court judges).<sup>3</sup>

He narrated prophetic statements from Isma’il ibn Ja’far, Hushaim ibn Bishr, Yahya ibn Zakariyya ibn Abu Zaidah, Muhammad ibn al-Hasan al-Shaibani, and others رحمته الله. Among those who narrated from him are al-Hasan ibn Sallam al-Sawwaq.

Khatib al-Baghdadi (d. 463) رحمته الله narrates the following authentic Hadith from him through a chain not found in other books: “Husain ibn ‘Umar ibn Barhan al-Ghazzal narrated to us that ‘Uthman ibn Ahmad al-Daqaq narrated to us that Hasan ibn Sallam narrated to us that **‘Isa ibn Aban** narrated to us that Muhammad ibn al-Hasan narrated to us that Abu Hanifah narrated to us from Hammad from al-Sha’bi from Ibrahim ibn Abu Musa al-Ash’ari from al-Mughirah ibn Shu’bah that he once went out with the Messenger of Allah ﷺ on a journey. The prophet ﷺ stepped out to relieve himself, and then he returned. He was wearing a roman *jubbah* with tight sleeves. So, the prophet ﷺ lifted it due to the tightness of the sleeves. Al-Mughirah said, ‘I began to pour water on him (for *wudu*) from a vessel, and so he performed the *wudu* that one normally performs in preparation for prayer. He then wiped over his *khuffain* and did not take them off. He then stepped forward and prayed.”<sup>4</sup>

Abu Khazim al-Qadi رحمته الله said, “I have not seen anyone from the people of Baghdad narrate more Ahadith than ‘Isa ibn Aban and Bishr ibn al-Walid.”<sup>5</sup>

Al-Ma’mun once heard a number of Ahadith, and the views of Imam Abu Hanifah رحمته الله seemed to contradict those Ahadith. Al-Ma’mun told Imam ‘Isa, “If you don’t bring forward proofs to support these views (of Imam Abu Hanifah) in light of these Ahadith, I will not allow you to give legal verdicts on the basis of these views, and I will make the people stand opposed (to these views of Imam Abu Hanifah).” As a result, Imam ‘Isa authored *Kitab al-Hujjah al-Saghir*,<sup>6</sup> and presented it to al-Ma’mun. Upon reading it, al-Ma’mun responded with couplets in praise of the Hanafi school. Imam ‘Isa also authored *Kitab al-Hujjah al-Kabir*, *Kitab Khabr al-Wahid*, *Kitab al-Jami’*, *Kitab Ithbat al-Qiyas*, and *Kitab Ijtihad al-Ra’i*.<sup>7</sup>

---

<sup>3</sup> *Al-Ansab* 10:305. On an interesting note, Hafiz al-Sam’ani says that the first person known to have been granted the title of al-Qadi was Salman ibn Rabi’ah al-Bahili al-Tamimi, who was also the first person to be assigned as a judge in Kufah. He was assigned the position by ‘Umar ibn al-Khattab رحمته الله.

<sup>4</sup> *Tarikh Madinah al-Salam* 12:481

<sup>5</sup> *Al-Fawaid al-Bahiyyah Fi Tarajim al-Hanafiyyah* 1:489

<sup>6</sup> Literally translates to: “The small book of proofs.” According to some manuscripts of Ibn al-Nadim’s *al-Fihrist* the book is entitled *Kitab al-Hujaj* while some have it listed as *Kitab al-Hujjah*; see *al-Fihrist* p. 258. The incident has been quoted from *Taj al-Tarajim* of Hafiz Qasim ibn Qutlubughah, who denotes the name as *Kitab al-Hujjah*, and thus has been left as is.

<sup>7</sup> *Taj al-Tarajim* p. 227

Hafiz al-Dhahabi (d. 748) ﷺ writes, “Isa ibn Aban: the jurist of Iraq, the student of Muhammad ibn al-Hasan, the court judge of Basrah. He narrated from Isma’il ibn Ja’far, Hushaim, and Yahya ibn Abu Zaidah. Among those who narrated from him include al-Hasan ibn Sallam al-Sawwaq and others. He wrote a number of works and was extremely intelligent. He was very generous. He passed away in the 221 AH, and Bakkar ibn Qutaybah took from him.”<sup>8</sup>

Hafiz al-Dhahabi also says, “I am not aware of anyone having declared him *da’eef* (weak in transmission) or *thiqah* (reliable in transmission).”<sup>9</sup>

However, Hafiz Sibt ibn al-Jawzi (d. 654) ﷺ writes, “He was truthful and reliable (*saduq, thiqah*).”<sup>10</sup>

### **His Influence on Hanafi Usul**

As mentioned previously, Imam ‘Isa ibn Aban ﷺ’s most noteworthy contribution is his impact on Hanafi *usul*. His *al-Hujaj al-Saghir* is perhaps one of the earliest extant works on Hanafi *usul*. ‘Allamah Muhammad Zahid al-Kawthari ﷺ alludes to Imam ‘Isa ibn Aban’s works being from the earliest sources of Hanafi *usul* in his *Husn al-Taqadi*.<sup>11</sup> Although the original work is no longer accessible, Imam Abu Bakr al-Jassas al-Razi (d. 370) ﷺ quotes from it extensively in his *al-Fusul fi al-Usul*, a work that is representative of early Hanafi thought and *usul*. He also quotes from Imam ‘Isa’s *al-Hujaj al-Kabir* as well as his *al-Radd ‘ala Bishr al-Marisi*. One who peruses through the book will find that he quotes from Imam ‘Isa extensively in his discussions in the chapters of *Sunnah*. In those sections, he discusses the principles laid out by Imam ‘Isa and explains them using examples.

For example, Imam Abu Bakr al-Jassas says,

“Abu Musa ‘Isa ibn Aban, may Allah have mercy on him, has mentioned a number of things regarding the organization of historical narrations and their subsequent rulings in his book, *al-Radd ‘ala Bishr al-Marisi* on historical narrations. I will be presenting its underlying meanings briefly ... he mentions that historical narrations are of three types:

1. Those narrations in which there is absolute knowledge regarding their authenticity and truthfulness of the narrator.
2. Those narrations in which there is absolute knowledge regarding its inauthenticity and that the narrator has told a lie.
3. Those that have a possibility of being true or false.

**As for the first type:** It is that in which absolute knowledge is attained from its narrator due to mass-transmission (*tawatur*), the logical impossibility of it being a lie, and conformity upon the narrator. For example, we have knowledge that in this world there exist places such as Makkah,

---

<sup>8</sup> *Siyar A’lam al-Nubala* 10:440

<sup>9</sup> *Mizan al-I’tidal* 3:310 #6553

<sup>10</sup> *Mirah al-Zaman Fi Tawarih al-A’yan* 14:261

<sup>11</sup> *Husn al-Taqadi fi Sirah al-Imam Abi Yusuf al-Qadi* p. 250

Madinah, and Khurasan. We know that Muhammad, the prophet, ﷺ, called mankind towards Allah ﷻ. He came with the Qur'an, and he mentioned that Allah ﷻ revealed it upon him ﷺ. He commanded us to pray, give alms, to fast in the month of Ramadan, to perform *Hajj*, etc.

‘Isa, may Allah have mercy on him, said, “Knowledge of these things is knowledge that is necessarily true...so whoever rejects them, has indeed rejected the prophet ﷺ; it is as though he has heard the prophet ﷺ saying that and he rejected it, and thus he becomes a non-believer (*Kafir*), outside of the fold of Islam. This is because knowledge of these (aforementioned) things is necessary knowledge (*‘ilm daroori*), just like knowledge of things via the senses and things that we observe. It is just like knowledge of that there was a nation in this world prior to us, and the current nations are the progeny of those nations. It is like the knowledge of the fact the sky existed before we were born, and things of that like.”

He also said, “There is no quantifiable limit or boundary that necessitates this type of (necessary) knowledge.” He also said, “The transmission of ten people and twenty people is not enough to qualify a historical report for mass-transmission (*tawatur*).”

**Imam Abu Bakr says,** His intended meaning to me is that if they all come together, then it is possible for a group like them to coincide upon a lie.”<sup>12</sup>

This short snippet from *al-Fusul fi al-Usul* was presented merely to demonstrate how early Hanafis such as Imam Abu Bakr al-Jassas al-Razi راجي ultimately relied heavily on the works of Imam ‘Isa ibn Aban راجي, thereby exhibiting his influence on the development of Hanafi *usul*. To better gauge this concept, one would ultimately have to go through the rest of the work and undergo a rigorous study of the Hanafi literary and legal tradition, from the earliest sources onward.

---

<sup>12</sup> *Al-Fusul fi al-Usul* 1:504-505