



**AL-NASS
WEL-IJTIHAD**

TEXT AND INTERPRETATION

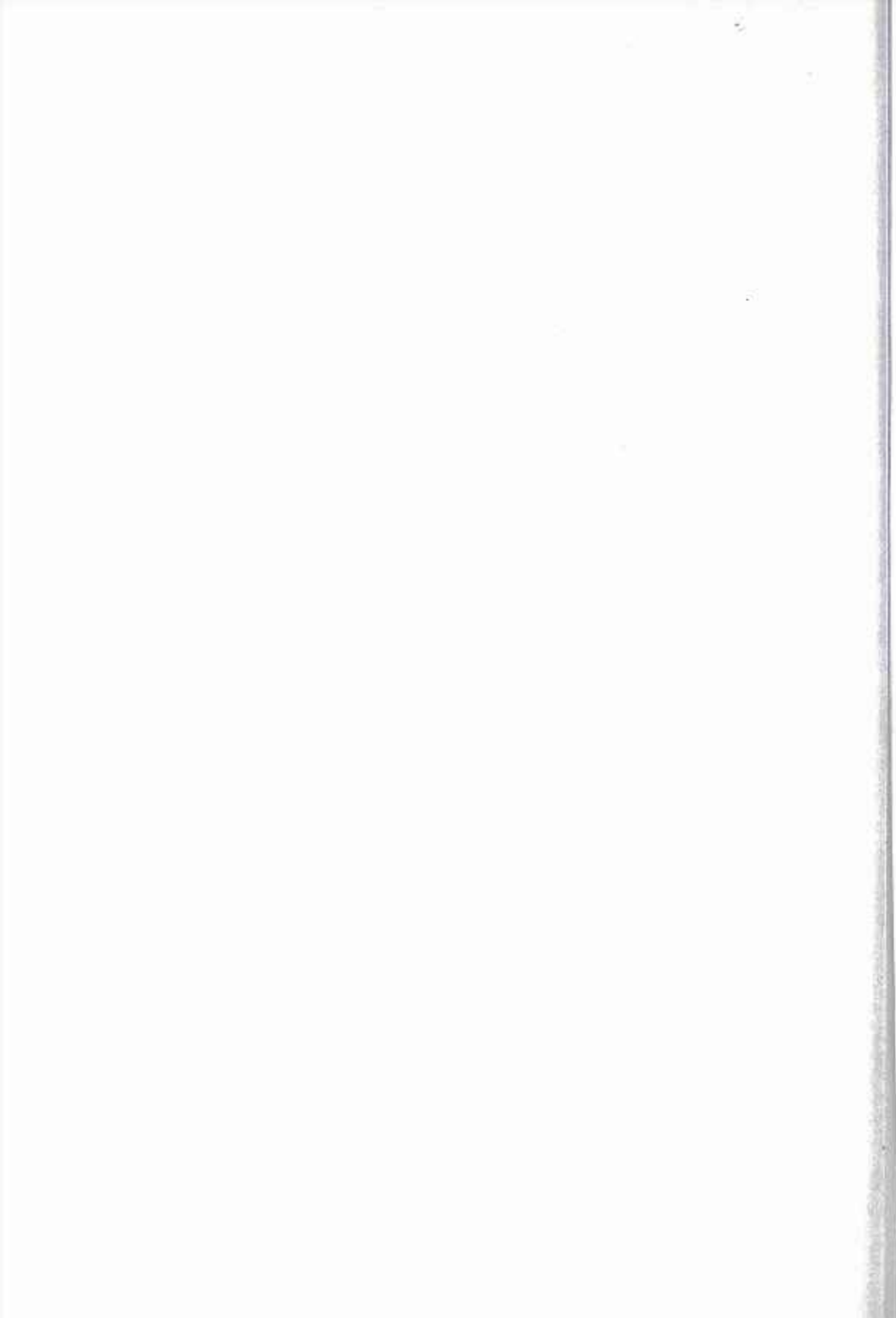
By

Abdul Husayn Sharafuddeen Al-Musawi

Translated by
Abdullah al-Shahin







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***IN THE NAME OF ALLAH,
MOST GRACIOUS, MOST MERCIFUL***

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A GLANCE AT THE AUTHOR'S BIOGRAPHY

*Written by Allama Sayyid Muhammad Sadiq as-Sadr
The previous head of the Legal Ja'fari Cassation counsel*

The Islamic world today highly appreciates the personality of the late great mujtahid¹ Sayyid Abdul Husayn Sharafuddeen, who has made himself as an entail for the sake of the public Islamic benefit.

This beloved personality, with its greatness and fame, has filled the sights and hearings when the life has been flourished with the useful existence of this great man.

The time has folded this bright page but its fragrance is still spreading with its abundant knowledge, great effects, benevolent works and august services for the sake of Allah, the religion and the nation.

This great man strove and endeavored as possible as he could along his life inviting the Muslims to unite, to agree with each other and to avoid the bad sectarianism through his eloquent speeches, crowded meetings and valuable eternal books.

The first work of him was before half a century. It was his book "Al-Fusool al-Muhimma fee Ta'leef al-Umma", which he had written in 1327 A.H.

He thought of the solidarity of the umma, in a time when no one thought of it except a very few learned persons of that age. He

¹ Mujtahid is a person accepted in Shiism as an authority on the interpretation of Islamic law.

discussed then in his "al-Fusool al-Muhimma" the obstacles that acted as stumbling blocks in the way of the unity of the umma. He uncovered those obstacles in a clear eloquence and decisive proofs, which did not let any way to suspicion and doubt.

Al-Fusool al-Muhimma was a book of clear scientific facts, which the imam of the knowledge and eloquence had formed in his bright Alawite literary style in order to unite the umma under the banner of monotheism and solidarity. Those discussions were accurate in thinking and eloquent in expressing that they were as something new for the Islamic studies before that date.

Those studies, in their noble Islamic aim, are to be in every house to guide the straying, to lead the confused and to direct people to the way of Ahlul Bayt,¹ whom Allah has purified from uncleanness and who have been the equivalents of the Book and the leaders of the umma to the truth and to the straight path.

Two years after his book had been published, Sayyid Sharafuddeen traveled to Egypt to invite for the Islamic unity through his speeches and moving sayings. His hopes had been refreshed by the Egyptians discussions and the Azharite "muraja'at",² which had happened between him and the allama of Egypt Sheikh Saleem al-Bishri, the head of al-Azhar University. Those friendly meetings had solved many problems and questions.

They both had exchanged their passions to each other and each of them had found in his friend abundant knowledge, magnanimity and determination to invite for unity that had to be among the fair ulama. As a result of those discussions and reviews was the book of "al-Muraja'at" by Sayyid Sharafuddeen that had spread allover the Islamic world in several editions.

A very fine saying was said by Sayyid Sharafuddeen in the beginning of his book al-Muraja'at about these meetings. He said: "How well it is when the ulama meet with pure spirits, pleasing sayings and

¹ Ahlul Bayt: the Prophet's progeny (s).

² Al-Azhar is a centre of Islamic and Arabic learning centered on the mosque of that name in Cairo, Egypt. Muraja'at means reviews.

prophetic morals! Whenever an aalim¹ is in this neat garment, he will be in goodness and blessing and people will be in safe and mercy. No one of people will refrain from telling such an aalim of his real opinion or what there is inside him.

Such was the aalim and imam of Egypt and such were our meetings, which we thanked infinitely.

I complained to him my passion and he complained to me the same thing. It was a lucky hour that inspired to us to think of something, by which Allah might reunite the umma. Among what we had agreed upon was that the two sects; the Shia and the Sunni were Muslims believing in pure Islam. They are equal in what the Prophet (s) has brought and there is no difference between them concerning a basic origin of the religion that may spoil their belief in pure Islam and there is no dispute between them except for the differences between the mujtahids concerning some verdicts due to their different points of views in interpreting those verdicts out of the Qur'an, the Sunna, the consensus and the fourth evidence (reason) and all these differences do not lead to separation (between the Muslims) nor to serious disputes. There is no any reason for this dispute, whose sparks have scattered since the existence of these two names; Sunni and Shia."

In such a high Islamic spirit our master Sayyid Sharafuddeen acted throughout his life, whose long years did not add to him save determination and insistence on this path.

It was for this continuous Islamic jihad that we found the different Islamic sects had agreed on loving and appreciating him and on looking at him with admiration and respect.

And now his name is gratified by every tongue and his eternal books are in every house and are read by all people, who compete to have them and to present them to anyone looking forward to the high Islamic culture.

Libraries and presses here and there make reading these books easy and offer them to the readers in the best way that fits their

¹ Aalim is the singular form of ulama. Aalim is a jurisprudent or a scholar.

importance. May Allah make the all succeed in the way of goodness and righteousness.

Here we show in summary the biography of this great man, whose life has been filled with glory, lessons and examples, so that to make this bright page as lessons teaching the umma jihad, unity, sincerity, cordiality and devoutness for the sake of the general Islamic welfare, to which Sayyid Sharafuddeen has devoted his long life. We pray Allah to help us in serving Him and achieving His rights.

What we mention here is a drop from an ocean of what we have known about this man. May Allah benefit His people with this man's knowledge and pen and make the umma walk in his guidance and act according to his sayings, maxims and instructions.

HIS BIRTH AND UPBRINGING

Sayyid Sharafuddeen was born in Kadhimiyya¹ in 1290 A.H. from Alawite parents. His father was the great allama Sayyid Yousuf Sharafuddeen and his mother was Az-Zahra' the daughter of ayatollah Sayyid Al-Hadi As-Sadr the father of the great religious authority Sayyid al-Hasan as-Sadr (may Allah have mercy upon them all).

The lineage of Sayyid Sharafuddeen² from his two parents reaches to Imam Musa al-Kadhim³ (s). Muhammad al-Awwal (the first) is the

¹ In Iraq.

² He is Sayyid Sharafuddeen bin (the son of) Sayyid Yousuf bin Sayyid Jawad bin Sayyid Issma'eel bin Muhammad the grandfather of the two families aal (the family of) as-Sadr and aal Sharafuddeen bin Sayyid Ibraheem (surnamed as Sharafuddeen) bin Sayyid Zaynul Aabideen bin Sayyid Ali Nooruddeen bin Sayyid Nooruddeen Ali bin Sayyid Izzuddeen al-Husayn bin Sayyid Muhammad bin Sayyid al-Husayn bin Sayyid Ali bin Sayyid Muhammad bin Sayyid Tajuddeen (known as Abul Hasan) bin Sayyid Muhammad (surnamed as Shamsuddeen) bin Sayyid Abdullah (surnamed as Jalaluddeen) bin Sayyid Ahmad bin Sayyid Hamza bin Sayyid Sa'dullah bin Sayyid Hamza bin Abul Sa'adat Muhammad bin Abu Abdullah (the chief of the chiefs of the Talibites in Baghdad) bin Abul Harth Muhammad bin Abul Hasan Ali (known as Ibnul Daylamiyya) bin Abu Tahir bin al-Husayn al-Qat'iy bin Musa Abu Sibha bin Ibraheem al-Murtadha bin Imam al-Kadhim bin Imam as-Sadiq bin Imam al-Baqir bin Imam Zaynul Aabideen (as-Sajjad) bin Imam Abu Abdullah al-Husayn bin Imam Ali bin Abu Talib (peace be upon them all).

³ He is the Seventh imam of the Shia.

son of the great mujtahid Sayyid Ibraheem (surnamed as Sharafuddeen), who is the common grandfather of the two families; aal¹ as-Sadr and aal Sharafuddeen. These two families were together in Baghdad known at that time as aal al-Husayn al-Qat'iy, from which was the family of the two great scholars Sharif al-Murtadha and Sharif ar-Radhiy.

In his honorable grandfather Sayyid al-Hadi's house, Sayyid Sharafuddeen was born under the care of his grandfather. He was beloved and preferred by his grandfather and by the all.

His uncle (my father) Sayyid Muhammad al-Husayn as-Sadr² was his mate and friend. They learned together because they were near in age, aim and thinking.

Beside them (in the school of the house) was his (Sayyid Sharafuddeen's) youngest aunt³ participating them their learning, studying and discussing. Sayyid Sharafuddeen often mention that with too much pride.

¹ Aal means "the family of".

² He was born in Kadhimiyya in 1288 A.H. and died in it in 1330 A.H.

³ She (may Allah have mercy upon her) was an example of virtue, intelligence, good memory, quick-witted, honesty and piety. She composed poetry in standard and colloquial Arabic. She was interested in holding meeting of consolation in Ashura (the tenth day of Muharram when Imam al-Husayn had been martyred) and the anniversaries of the deaths of the infallible imams in her house. The reciters (women) used to recite her poetry, which she composed for those occasions, in those meetings. Women often referred to her about the legal questions. On every event, she quoted for the women the fatwa of her brother Imam al-Hasan as-Sadr, whom she followed in her taqlid.

She was buried in the private graveyard of aal as-Sadr beside her father and relatives' tombs. Her death caused wide sorrow in Baghdad and Kadhimiyya and for Sayyid Sharafuddeen, who was in Aamila in Lebanon. He held a meeting of consolation there and many famous personalities of the country had attended the meeting, at the head of whom was the great mujtahid Sheikh Abdul Husayn aal Sadiq, who had recited his wonderful poem, in which he had mentioned the dead woman's brother Imam al-Hasan as-Sadr. He recited:

An imam but if no "No" was there

We could say he was a prophet getting wisdom from the Best of the wise

HIS STUDY

In the eighth year of his old his father Yousuf returned to Aamila¹ after he had finished his studies and got a certificate of absolute ijti^had² from the ulama of Iraq. His mother wished to stay near her family (in Iraq) to educate her only son (Sayyid Sharafuddeen) and to prepare for him the suitable sphere beside his grandfather and his uncle but his father did not agree to this wish because of his great love to him (to his son). He promised her that he himself would educate him and then he would send him back to Iraq in the proper time. She accepted this condition.

Sayyid Sharafuddeen kept to his father and learned from him what he needed of sciences of the Arabic language, logic, eloquence, Fiqh and Usool.³ His name shone among his fellow boys and his superiority was known while he was too young yet.

When Sayyid Sharafuddeen became seventeen years old, his father married him to his uncle's daughter (the mother of allama Sayyid Muhammad Ali⁴) and then sent him to Iraq to complete his studies.

In a few years Sayyid Sharafuddeen became very well-known in ijti^had and in accuracy and firmness of evidencing in arguments and deliberations. He became famous in deciding lessons of Fiqh and Usool profoundly, quick-wittedly and quick-derivationally. He solved difficult questions in a shortest way leading to the intended aim.

¹ In Lebanon.

² In Islamic law, the independent or original interpretation of problems not precisely covered by the Qur'an, Hadith (traditions concerning the Prophet's life and utterances), and scholarly consensus; therefore the mujtahids (qualified jurists) had the right to give their personal judgments on the problems, after trying their best in researching, depending on firm evidences and proofs derived from the legal sources of the Shariah.

³ Fiqh: jurisprudence, Usool: basic principles of religion.

⁴ He was one of the prominent scholars. He was born in Najaf (in Iraq) in 1318 A.H. and died in Mountain Aamil (in Lebanon) after a long disease. He wrote an important book called Sheikhul Abtah about the biography of Abu Talib (Imam Ali's father) and the evidences that proved his faith and high position in Islam. It was one of the profoundest Islamic studies showing the great intelligence of its author and his high culture and wide knowledge. The book was published in Baghdad when the author was still in Iraq.

He wrote many researches on fiqh while he was in holy Najaf in a style like the style of the book *Madarikul Ahkam fee Sharh Shara'i'ul Islam*, which had been written by his uncle Sayyid Muhammad bin Ali bin al-Husayn,¹ who was known of his great knowledge, his high ability in deriving verdicts and discussing the problems of fiqh in a scientific way showing his accuracy and discernment in dealing with difficult problems and vague matters. Sayyid Sharafuddeen had learned from other than the ulama of Iraq such as Aakhund Mulla Muhammad Kadhim al-Khurasani, Sheikh ash-Sharee'a al-Isfahani, Sayyid Kadhim al-Yazdi and the two great authorities Sayyid Issma'eel as-Sadr² and his uncle Sayyid Hasan as-Sadr and their likes of the ulama and leaders of the umma.

He asked his grandfather ayatollah Sayyid al-Hadi³ too much questions about everything. Sayyid Sharafuddeen said in his book *Bughyatur Raghibeem* about his grandfather: "...as for the sciences of Arabic language, he was unequalled especially in meanings and rhetoric. I always made use of his knowledge about what I could not understand from the problems of (al-Mutawwal) by at-Taftazani. He guided me to them with the light of his eloquence and the brightness of his evidences and then those problems became to me as bright as the sun. How often I referred to him about the difficult matters in logic and sciences of the Arabic language and he pleased me and droved my doubts away. He, though lofty and old, came to argue with

¹ Sayyid Muhammad, the author of *Madarikul Ahkam*, died in 1206 A.H. when he was eighty-eight years old. He was the brother of our grandfather Sayyid Nooruddeen Ali from his father and our grandfather was the brother of Sheikh Hasan, the author of *al-Ma'alim*, from his mother.

² Sayyid Issma'eel as-Sadr died in 1338 A.H. Sayyid Hasan as-Sadr was born in Kadhimiyya in 1272 A.H. and died in 1354 A.H. Each of them was a general imam and authority for the Shia allover the Islamic world.

³ He was born in 1235 A.H. and died in 1316. He was buried in his private graveyard in the yard of the holy shrine of Imam Kadhim (s) in Kadhimiyya-Baghdad. His biography had been mentioned in *al-Bughya* in details and also had been mentioned in *Takmilatul Amal* written by his son Imam al-Hasan as-Sadr. *A'lam ash-Shia* and *Takmilatul Amal* is a book including biographies of thousands of the Shia ulama of the different ages. This book shows the greatness of the Shia and their high position in knowledge and the eternity of their ulama in history. It is one of the best books of biographies.

me pleasantly, went on debating with me delightfully and forced me to argue with him. I swear by his high morals and his sacredness that I have never asked him about a problem or a question, unless I found the answer ready with him without needing to refer to any book as if he has prepared before and got ready to the answer."

Sayyid Sharafuddeen studied and researched too much and asked too much about the difficult problems whenever he met a great jurisprudent. It showed his care, accuracy and his love to debate and to get use.

When arguing about a subject, he did not like to dispute, to refute or to criticize uselessly but he offered a matter in order to get benefit and to make other get benefit without priding before the others or trying to hurt the feelings of the others when a dispute flared-up.

He was known as abundant in knowledge and firm in evidence. He seldom participated in an argument, unless he was the winner. This had made a prestige for him among all people and a sanctum inside the hearts whenever scientific arguments flared-up.

Whenever he participated in arguments, he respected the others and listened to them carefully and he never made anyone feel that he was proud before him due to his knowledge or position but he treated him as an opponent to a rival even there was a great difference between them in all criteria.

When he became twenty-three years old, he became one of the notable mujtahids. He became well-known in the scientific milieu in a way that seldom a jurisprudent got such a position in these few years of old.

His infinite ijtihaad was one of the agreed-upon facts among all of his fellows and those, who had been acquainted with him.

At his age there was no one in holy Najaf from the personalities of Aamila that had equaled him in his virtue, fame and being loved and respected by all people.

His learning was not limited in Najaf, but he often moved between Najaf, Kadhimiyya, Samarra' and Kerbala'¹ and met with the ulama,

¹ Najaf, Kadhimiyya, Samarra' and Kerbala' are religious centers in Iraq.

mujtahids and brilliant students of those centers. This made his name be mentioned in every scientific forum or any meeting of literature.

Before he left Najaf, he had sent for his brother the great allama Sayyid Shareef in order to take care of him and to instruct him before going back to Aamila. He loved him very much besides that he set great hopes on him because he had found that he was brilliant and too eager to learn more and more.

Sayyid Shareef did not disappoint his brother. He got ready seriously to study and learn. Only a few years passed when the Sayyid began to feel his favors and high position in his emigrant abode.

He went back to Aamila and his absolute ijtilah was confessed by the great mujtahids.

Besides his abundant knowledge, he was a poet from the first class. His poetry was delicate, clear, firm, accurate in meaning, eloquent in wording and wonderful in style.

Sayyid Shareef went back to his father and brother and the all gathered together. The scientific debates were held again between the father and his two sons as if they were between brothers and friends. They reactivated with their debates their old times when once they were in their scientific place of emigration.

Dispute and disagreement about scientific matters might arise between them but their faces always appeared smiling and their hearts were full of indulgence. Some tears might fall down from the father's eyes out of happiness and the two sons wiped them and bowed to kiss the father's hands. The father seemed happy and contented. He began invoking Allah to benefit the umma with them and with their knowledge.

But alas! This happiness did not last long. Sayyid Sharafuddeen lost his father and soon after a short time he was afflicted by the loss of his brother Sayyid Shareef. This great loss took away his patience and endurance though he was a mountain that could not be shaken by violent storms.

He often recited his brother's emotional poetry and tears fell down.

He became distressed with pains and greifs but he turned to Allah thanking Him in any case and resorting to His power. Glory Be to Him.

HIS RETURN TO MOUNTAIN AAMIL

Sayyid Yousuf Sharafuddeen contacted with the ulama of Iraq, in whom he had trusted, asking them about his son to know their opinion about his knowledge and piety. They replied certifying his son's abundant knowledge, high morals, wide information and unequalled piety that pleased the father's heart, delighted his eyes and comforted his conscience.

The clear answers of the ulama which certified the absolute ijtiHAD of the son made the father ask the son to come back to his country because of the urgent need for his ijtiHAD, knowledge, teaching and reforming.

The son had not save to obey his father's order although he was eager to stay longer or in fact forever in Iraq, the country of his uncles and cousins and the place of his birth, growing up and studying.

He returned to the country and the day of his return was a witnessed day in the history of Aamila. He was received by the ulama, the leaders and the public until the boundaries of the Mountain from the highway of Sham.¹ The people of the villages of Aamila came from everywhere until the city of Soor became overcrowded with the welcomers and the groups that had come to receive Sayyid Sharafuddeen acclaiming with *la ilaha illallah* and *allahu akbar*² as if they were like the first Muslims when they had received the Prophet (s) when he arrived at Mecca.

The moon shone to us from Thaniyyatul Wada'

*Thanking (Allah) became due as long as a caller would
invite for Allah*

¹ Nowadays Damascus. But then, Sham encompassed the present Syria, Jordan, Lebanon and Palestine.

² There is no God but Allah and Allah is great.

The coming of Sayyid Sharafuddeen to Soor was a cause for people to hold meetings and an incentive for Sayyid Sharafuddeen to visit his brothers of the great ulama, who recalled-by the return of the Sayyid- their previous days of learning and studying, and so they got ready again to debate and discuss the accurate useful matters.

Those debates showed his great scientific ability, which appeared via his correct opinions through the discussions and exchange of views.

People took a clear and live impression about the scientific personality of Sayyid Sharafuddeen and so his name was mentioned by every tongue.

Sayyid Sharafuddeen found some freedom near his father. The father sometimes went to Shahhoor and sometimes he was seen in Soor. The atmosphere of the meeting was a scientific atmosphere. They discussed the necessary matters together because people were in need to know how to deal with such matters.

At the first when returning to his country Sayyid Sharafuddeen stopped establishing legal verdicts (fatwa) and he just tried to end the disputes of people peacefully regarding the position of his father, who was so cautious in establishing verdicts although he was one of the great mujtahids. People were obliged to go to Shaqra' to ask about their affairs the great religious authority at that time Sayyid Ali al-Ameen,¹ who wrote to Sayyid Yousuf telling him that his son was just and absolute mujtahid and that he had not found his equal among the ulama of Aamila. Then people began to go to Sayyid Sharafuddeen for their affairs regarding his high position. His father himself asked disputers to go to his son whenever it was necessary.

In a few years his name spread everywhere and his fame filled the country and he became a great authority in issuing fatwas and

¹ Sayyid Ali al-Ameen had gone to great mujtahid and highest authority at that time Sayyid Muhammad Hasan ash-Shirazi to get permission (in ijtihaad) but Sayyid ash-Shirazi referred him to his disciple, who was entrusted with such tasks, ayatollah Sayyid Hasan as-Sadr. After some deliberations he was permitted to be as absolute mujtahid. The permission was offered to al-Mirza, who signed it. Sayyid al-Ameen was the only one among the ulama of Aamila, who had got certificate, which paved the way to him to have the absolute scientific and public leadership in Aamila after his return to it from Iraq.

answering different problems.

HIS TRAVEL TO EGYPT

Sayyid Sharafuddeen had traveled to Egypt twice. The first time was in 1329 A.H. and the second was in 1920 AD. after issuing his fatwa of jihad against the French and being sentenced to death by them.

In the first time he went to visit Egypt with his uncle (my father) Sayyid Muhammad Husayn as-Sadr. My uncle had told us about this visit when mentioning the biography of his uncle in his book *Bughyatul Raghibeen*. He said: "In 1329 A.H. he liked to tour. He began his tours with visiting the Kaaba to offer the hajj and to be honored by visiting good Medina. He was too eager to offer hajj and to visit the sacred places. Then he refreshed the old times and humored his loving fellows, who celebrated his being among them in an unequalled way. This made my mother so happy and glad that she found in him the delight of her eyes and the joy of her heart.

Then after sometime he sailed from Beirut to Egypt. I was with him to prepare all his affairs. Our travel got great results that served the religion and the belief of the Shia. It might be the best travel with best results and benefits."

Sayyid Sharafuddeen had mentioned what had happened between him and the great professor Sheikh Saleem al-Bishri, the jurisprudent of Egypt and the sheikh of al-Azhar at that time.

As a result of those deliberations the book *al-Muraja'at* was written by Sayyid Sharafuddeen. It spread in seven editions throughout the Islamic world. It was one of the best works known in the present age in the field of the Islamic studies through its abundant knowledge, profundity of research, clarity of intention, firmness of style and eloquence of thinking and expressing.

The second time he resorted to Egypt after he had been sentenced to death by French authorities, that found his existence in Lebanon dangerous to their benefits and as an obstacle in the way of their imperial efforts and aims.

The ulama, the men of letters and the Islamic learned groups, who had known about him since before, welcomed him so warmly in

Egypt.

He invited for Islamic unity and mutual understanding between all the sects. It was he, who had said his eternal word about the two sects; the Shia and the Sunni: "Politics has separated them, so let politics gather them." Allama Sayyid Rasheed Redha had recorded this word in his magazine (al-Manar) at that time regarding highly this Islamic spirit of Sayyid Sharafuddeen.

HIS NATIONAL JIHAD

The jihad of Sayyid Sharafuddeen at the time of the Ottomans was limited to religious jihad because the government in Lebanon was a Muslim government offering religious rituals as they had been established by Islam. But when the French came, they occupied the country, spread corruption, annulled the Islamic laws and controlled people against their own will where no one could be remain silent before such a status.

Sayyid Sharafuddeen began warning people of that oppression and injustice and began holding meeting with those, whom he had trusted and felt their support and national magnanimity inciting to what honorable situations the nation was in need of.

No doubt that the spiritual class was the first to volunteer to undertake this duty where it had the public and absolute religious leadership.

Sayyid Sharafuddeen thought to begin with the ulama first, deliberating about a consolidated plan that should be regarded by the all. He invited them to a congress held in Wadi al-Hajeer. The ulama and leaders of the country had attended the congress. Sayyid Sharafuddeen issued a fatwa of announcing jihad. The all supported his fatwa and then they went back to their towns preparing their firm plans against the French as possible as the circumstances allowed to.

People began to come to Sayyid Sharafuddeen's house signing protest notes confirming their objection to the French rule and requesting full independence.

The French knew about the matter. They sent Ibnul Hallaj, who was a Christian from Soor, to break into Sayyid Sharafuddeen's house, to

assassinate him and to take whatever documents asking for independence he would find.

Sayyid Sharafuddeen knew that, so he gave all the documents he had to his mother. Ibnul Hallaj did not find anything he looked for. When he tried to attack Sayyid Sharafuddeen, Sayyid Sharafuddeen knocked him down to the ground so he went back disappointed and shameful.

People heard of breaking into Sayyid Sharafuddeen's house. They gathered from all the villages of Aamila until the city of Soor became overcrowded with them. Sayyid Sharafuddeen thanked them for their high sentiment and national spirit. He asked them to go back to where they had come from. They came back waiting for his obeyed order.

When the crowd separated and the French knew the intents of Sayyid Sharafuddeen, they sent a great army toward the village of Shahhor, where Sayyid Sharafuddeen had gone to. They burned his house there. Before that, they had occupied his house in Soor and plundered his big library, which had the most valuable printed and manuscript books especially his own manuscripts that had been written by himself, which we referred to previously.

When the army entered Shahhor, Sayyid Sharafuddeen was there but he hastened to leave putting his aba over his turban and Allah blinded the army not to see him. He reached a cave¹ near the river and hid in it all the day and when he knew that the army had left he returned to Shahhor under the darkness. He spent the night there and then he left towards Sham disguisedly and he reached there peacefully. King Faysal the First welcomed his guest warmly and honored him in a good way.

¹ It is said that this is the same cave, in which one of Sayyid Sharafuddeen's grandfathers has hidden when fleeing from al-Haza'ir, the famous tyrant, and Allah has saved him from the injustice of the arrogant when he has set out towards Iraq resorting to his infallible grandfathers.

IN DAMASCUS

When Sayyid Sharafuddeen settled down in Damascus, he sent for his family and relatives, who joined him soon. The name of Sayyid Sharafuddeen became so famous and known until he became one of the leaders of intellect and thinking. He made speeches in many occasions that raised his position among all classes of people. These speeches showed his great knowledge and apposite thinking.

His house in as-Salihiyya quarter in his country was always open for people. People of different classes always went to him.

People of Salihiyya found in this man benevolence and kindness as if he was their kind father, who carried out their affairs.

He found them in need for money and knowledge so he aided the poor and taught the children in a school established in a simple house to educate the rising generation.

What drew the attentions was the visits of the high officials to him in his hose where no one of them had ever visited any of the ulama before him.

Yousuf al-Adhma (the martyr of Maysaloon) often visited Sayyid Sharafuddeen and admired him and admired his situations too much.

After the French had occupied Sham, Sayyid Sharafuddeen was obliged to leave to Palestine and then to Egypt after he had sent his family and relatives to Mountain Aamil spreading here and there.

IN EGYPT

Sayyid Sharafuddeen arrived at Egypt disguising in ordinary Arabic uniform with a kaffieh and a headband like the usual uniform of the people in Iraq.

He attended one of the celebrations that was crowded with people. He was still in his formal Arabic uniform when he ascended the minbar and said:

"If I do not stop where the army of death crowds,
then let my feet not take me to the way of highness!"

People began clapping so loudly. He felt that they thought it was him, who had said this verse. He followed up saying:

“May Allah have mercy upon the poet of Ahlul Bayt, Sayyid Haydar al-Hilli when saying:

If I do not stop where the army of death crowds,
then let my feet not take me to the way of highness!”

Then clapping rose again louder than before. Admiration increased from everywhere. He began his speech with his orotund voice and his prophetic manners and Alawite utterance. He pleased the crowds with his high eloquence and bright evidences. He controlled words and meanings however he liked.

This led people to ask and to insist on asking about the great personality of this man, whom they felt his great virtue even though he had disguised behind a kaffieh and a headband.

Whispers and inquiries increased until one of them announced that he (Sayyid Sharafuddeen) was the man of knowledge, patriotism and devotion. He was the brave hero. He was the fighter, who had fought against the imperialists. He was the son of Haydar al-Karrar.¹ He was Sayyid Abdul Husayn Sharafuddeen.

Among the attendants of the celebration there was the famous writer Mey Ziyada. Sayyid Sharafuddeen's playing with his ring on his finger during making his speech drew her attention. She said: “I do not know whether the ring is more obedient to his finger or eloquence is more obedient to his tongue!”

IN PALESTINE

Sayyid Sharafuddeen thought to be nearer to his country, so he left Egypt at the end of 1338 A.H. to a village in Palestine called Alma lying near the boundaries of Mountain Aamil and it was under the rule of the British.

His house there was as his house in Soor. It was always visited by people. It was the abode of guests and the destination of needy

¹ It was one of Imam Ali's surnames.

people. Meetings were held in it besides deliberations on knowledge, literature, politics and different affairs.

It was a strange chance that Sayyid Sharafuddeen was in Alma fleeing from the rule of the French while Sayyid Muhammad as-Sadr was in Lebanon fleeing from the rule of the British and both of these two leaders had fought against the imperialists and had been sentenced to death.

Sayyid Muhammad as-Sadr found that the nearness of Alma to Mountain Aamil would give him a good opportunity to meet with Sayyid Sharafuddeen at the boundaries of Palestine. He sent his messenger and companion in jihad Mawlood Mukhlis¹ to Sayyid Sharafuddeen informing him of Sayyid Muhammad as-Sadr's wish to visit him but Sayyid Sharafuddeen did not prefer this meeting for fear of the British and he put off this visit until a suitable time when the circumstances would permit that. You will see the details of this event later on inshallah.

HIS RETURN TO HIS COUNTRY (MOUNTAIN AAMIL)

Sayyid as-Sadr chose to live in Lebanon when he had been sentenced to death. The French knew his high position among the leaders and the public and knew the high position of his father Sayyid al-Hasan as-Sadr and his great religious authority, to which the Shia all over the Islamic world referred to. All that made them respect and regard Sayyid (Muhammad) as-Sadr so highly.

Sayyid Muhammad as-Sadr seized the opportunity and asked them (the French) to pardon Sayyid Sharafuddeen and to let him come back to his country, which was awaiting for him impatiently. Sayyid as-Sadr succeeded in his task.

Here we quote the saying of Sayyid Sharafuddeen in his book *Bughyatur Raghibeem* when talking about the history of that period. He said under the title of (as-Sadr in Damascus): "When he found

¹ Mawlood Basha came to Alma wearing ordinary Arabic cloths pretending as if he was a merchant of sheep. He went to Sayyid Sharafuddeen's house as a guest. No one of the people of the village felt anything about this guest because they had accustomed to see guests from different classes in the house of Sayyid Sharafuddeen.

that he could not stand longer against the power of the British, Sayyid as-Sadr retreated from his lair with some ulama and leaders of intellect in Iraq and began roving in the deserts with no provisions save the provision of a faithful soul and a firm determination. Days and nights passed with these men following after the guides of sons of deserts.

When he reached Sham, he had in Damascus a house, which became as a house of a generous leader, who came and went high respectedly. Between the celebration of the patriots and the welcome of the French, he kept on his peaceful jihad and his leadership turned into an intellectual front, via which he wrote bills and sent telegrams to the League of Nations and to everyone having anything to do with the Iraqi case, which had to be settled in the best way. During that time he had visited Mountain Aamil, which had been still looking forward to meet him and so eager to see him. The people crowded around him getting from his guidance and celebrating to welcome and glorify him. Wonderful celebrations were held in Sayda (Sidon), Soor, Nabatiyya, Bint Jubayl and Shahhor. Speechers and poets did well in praising him and showing his virtues and aspects of his rising. We then were like him. He had fled from Iraq and we had fled from Lebanon for the sake of Allah. He wished to meet with us when we were in Palestine but the caution for my self from the French and for him from the British prevented me from meeting him. He met the French leaders, who respected him, and interceded for me with them and so I could return to my country. The High Commissioner General Gorou regarded him too much. We returned to Lebanon after he had returned to Iraq."

Thus Sayyid Sharafuddeen had recorded that period, which had preceded his return to his country with faithfulness and fidelity. It was not strange to the high morals of that great man.

The returns of the two Sayyids to their countries were celebrated by their peoples splendidly as if they were unequalled events.

Poets competed to show their feelings in live poetry, which was of the best poetry of the present age.

A group of great men of literature, who had not participated in any celebration of literature before, participated in those celebrations,

which were full of eternal Arabic literature, just because of their sentiments agitated with sincerity and allegiance that made them announce their sentiments before the public. That was because of the great patriotic sacrifices of these two men that had glorified the fame of their countries in the world of history.

Poetry in the two countries was the same in the aim and feelings towards these two leaders. Poets often congratulated with their poems the great religious authority Sayyid Hasan as-Sadr, who was the father of Sayyid Muhammad as-Sadr and the uncle of Sayyid Sharafuddeen.

When Sayyid Sharafuddeen returned to his country after his jihad, he became the absolute leader for people in their affairs of life and religion as one of the poets had said:

Leadership came to him submissively

It did not fit save him and he did not fit save it.

HIS DELVING IN TRADITIONS

The ulama were interested in studying the prophetic traditions throughout all the ages. They distinguished the true ones from the fabricated ones. They knew the reliable and the unreliable narrators as well with no difference in that between the Shia and the Sunni but the Shia added to the traditions of the Prophet (s) the traditions narrated from Ahlul Bayt (s) because they were from their grandfather's traditions. In fact Ahlul Bayt (s) were as copies of their grandfather Muhammad (s).

Sayyid Sharafuddeen was not limited to the traditions of his imams and their narrators only but also he studied thoroughly the traditions mentioned by our Sunni brothers. Whoever referred to any of his books or works would find this fact clearly.

The ones from among our Sunni brothers, whom he depended on in mentioning traditions, were too many. He mentioned them in his thesis *Thabtul Athbat fee Silsilatur Riwayat*.

I think that what he has written to confirm the principles of his doctrine is nonesuch and unequalled in our present age.

The last of what he had written was his book *an-Nass wel-Ijtihad*, which if you read, you will feel that when he has written it, he was at the top of intellect and at the utmost skill of expression and description. He delved so deeply into research and argument until he made one feel that his ideas, expressions and patience in researching and inquiring had not known any meaning of weakness or being aged. This is the aspect of the exalted intellectual ulama of the progeny of Ahlul Bayt (s), whose bodies become old whereas their minds still supply the life with power and activity throughout the ages.

HIS LETTERS

His letters were distinguished by eloquence, honest aims and variety of subjects such as knowledge, literature, guidance, sociology, jurisprudence, history, sermons and maxims.

Sometimes he sent to his sons in their institute in Holy Najaf¹ letters full of paternal and educational guidance and all what a student of religious studies needed of sermons, maxims and instructions to light his way and sometimes he sent letters to his followers in their countries of emigration, in which he sent to them paternal recommendations to unite on one aim and to be like a compact structure. His scientific institute (Ja'fari College) was the seed of these liberal emigrants.

Sometimes he sent letters to the kings, leaders, politicians and officials. He advised them as a responsible alim who had to advise the officials to act with justice among the people, to help wronged people and to take lessons from the past and from the experiences of the others.

His letter to King Husayn after losing his rule was one of the most eloquent letters that had ever been written by the Arabs. It was a long letter having a historical record of what Ahlul Bayt (s) had faced

¹ In Holy Najaf there were Sayyid Sharafuddeen's sons; the great allama Sayyid Muhammad Ali and his two brothers the genius poet Sayyid Muhammad Redha and the famous writer of the Arabs Sayyid Sadruddeen and their cousin allama Sayyid Nooruddeen Sharafuddeen, who was the prime chancellor of the High Legal Ja'fari court of appeal in Beirut.

of ordeals and disasters.

The reply of King Husayn was full of sentiments and appreciations. He began his letter with the following verse of one of the poets:

"If the notables of my tribe were pleased with me,
The mean would still be displeased".

Many of his letters were spread here and there. Some of their copies were collected by his cousin and secretary Sayyid Ali Sharafuddeen, who was trusted and reliable in saving his letters and valuable works. We hope that he may permit to publish them so that the Arabic library may be enriched with bright Alawite literature.

HIS PROSE

His prose was too eloquent and bright and firm in style and each part confirmed the other that no writer whatever ability of eloquence he had could not omit even a word of it or replace it by another one because Sayyid Sharafuddeen thought and thought before he began to express his thoughts. He chose the best after he thought best.

He tried a sentence by his sharp sense before he dictated it to his clerk. His expressions always had a sense of good poetry.

His prose has a special nature that a reader will know whose prose it is before he sees the name of the writer.

His eloquence was clear in all what he had written and his style transmigrated into his accurate scientific meanings to make them brighter and more glamorous. We know no one in our present time that may be compared with him in eloquence, accuracy of meanings and clearance of intent in all what he has written whether scientific or Islamic subjects.

HIS SPEECHES

His speeches were distinguished by firm expression, accurate description and bright style. He always improvised his speeches and this did not prevent him from concentrating on his concept and showing his meanings in high eloquence.

His speeches were too far from affectation and mannerism. So were

his books, works, lectures and daily talks.

Thus was his ordinary life. His pure soul wished goodness to all people whether friend or enemy, near or far. His big heart was full of love and sympathy toward everyone. He was a great example in his Alawite morals and his pure manners throughout his eternal life.

This high Alawite soul had its great effects on his sayings and doings. He rushed into actions to a degree that his likes were rare and rushed into his speeches like a flood until it had been said that no one equalled him among his likes.

Once I traveled to Lebanon in 1350 A.H. and I saw him making a speech in the big Mosque every afternoon of the first ten days of Muharram. The title of his speeches of every day was (Aal¹ Muhammad and who aal Muhammad is). Every day he talked about an hour showing people the greatness of Ahlul Bayt (s) in the Book, the Sunna and among people. He specified the tenth day for Imam Husayn (s). The meeting was in the morning in the house of one of the notables of Soor, who was a close relative of Sayyid Sharafuddeen. He talked about the rising of Imam Husayn (s), its reasons, aims and great results in supporting Islam and confirming the religion. He ended his speech with the martyrdom of Imam Husayn (s). He mixed his speech with crying and made people cry bitterly until they were about to lose their consciousness.

His speech lasted for three continuous hours. If that subject (aal Muhammad) was recorded and published, it would be a great book collecting the virtues of Ahlul Bayt (s) and their biographies that every Muslim had to know.

Sayyid Sharafuddeen had great speeches in Beirut, Damascus, Palestine and Egypt that could not be forgotten. The journalists had recorded many of them at that time. Some of them were published in the newspapers. They were available with his secretary, who had added them to the letters we mentioned previously.

¹ Aal means the family or the progeny of.

HIS CRITICIZING POETRY

He was too sensitive, accurate in criticizing and understanding poetry and he had memorized too many verses of good poetry. Whenever he talked about a subject he evidenced his subject with chosen verses of poetry to confirm his opinion.

Once he noticed my astonishment about his acute memory of many subjects of literature that might slip away because of his old age and his many public affairs. He said to me: "This is from the age of youth but now I memorize something and after some hours I forget it."

He had a good faculty to compose good poetry. He practiced this during his youth but then he gave it up to the scientific subjects, to which he devoted his mind and pen. He permitted no one to narrate any poetry of his.

It was said that he had a good poem, in which he had elegized the great allama Skeikh Musa Sharara. It affected people too much. Sayyid Sharafuddeen was then in the first stage of his youth.

His sense in recognizing poetic meters was so sharp that he did not mistake any of the meters even they were too near and this was due to his acute sensitivity and not his knowing of metrics. I noticed that from him many times.

HIS GENEROSITY

He was a high example of generosity of morals and hand (giving). His morals were morals of a generous Alawite man. He respected the old, pitied the young, sympathized with the poor and pardoned badly doers.

As for his liberality, he was an example of that throughout his life, which was full of great acts. This aspect was clear in him. It was well-known by his relatives and friends since he had been a student in Holy Najaf, the capital of knowledge and religion. The examples on this matter were many but we mentioned here just a few of them:

1. Once he saw one of the students of the Hawza¹ of Najaf in ragged clothes that did not fit a student of religious studies, who had to have a special dignity. He was in the yard of the shrine of Imam Ali (s). Sayyid Sharafuddeen put off his own cloths and offered them to that student and came back home wrapped in his aba. He was then in the first month of his marriage.

2. One day he entered the house and found that his family had served good food for an occasion. He took all the food to his neighbor preferring his neighbor to himself. Those, who were familiar with him, said that his mother accepted that from him delightfully and always prayed Allah to make him succeed.

3. When he was in Najaf his expenditure came to him from his father and from his grandfather ayatollah Sayyid al-Hadi as-Sadr. It was more than his need and so he always spent the further amount on some of his study-mates.

4. Sheikh Imran Hadeeda an-Najafi said that once he had been in Mecca in the year when Sayyid Sharafuddeen had gone to offer the hajj.² He complained to Sayyid Sharafuddeen that he was in need of a jubba. Sayyid Sharafuddeen pointed to his own jubba hanged on the wall and said to him: "Take it with all what it has." There were ten Ottoman liras in its pocket.

5. Sheikh Imran said too: "Sayyid Sharafuddeen had a big tent, in which he used to held religious ceremonies. Many hajjis of ulama and high classes used to attend his meetings. Some merchants of Muscat saw how much money Sayyid Sharafuddeen had spent. They offered to him one hundred Ottoman liras, which Sayyid

¹ Hawza is a theological college, where students can specialize in Islamic law, philosophy, theology, and logic.

² It was in 1340 A.H. He went by sea to offer the hajj. With him there were a great number of people from his country Aamila. He led those people crowded in al-Masjid al-Haram in offering the prayer. He might be the first Shia imam who could lead the great masses of people in Mecca in offering the prayer. This made him as a famous religious authority, about whom people began to talk here and there. King Husayn welcomed him warmly and they both washed the Kaaba. He met with him many times. In honor of him, King Husayn invited famous ulama and leaders from different countries in a big invitation.

Sharafuddeen spread at once among the needy and for the public affairs. The next day they offered to him another hundred liras and said to him that they were not of the legal rights and they were as a gift and they insisted on him to spend them on his own affairs. He accepted the liras from them and spent them on the affairs of the meeting itself, which was as a forum that hajjis came to from everywhere.

HIS DIGNITY

All his life showed that he had a high dignity and a great personality.

I remember two events showing clearly this deep-rooted aspect in his high Alawite soul.

1. Sayyid Sharafuddeen was in Damascus during the reign of King Faysal the First when he had been exiled from his country and had been sentenced to death by the French. Among those, who had been included by this sentence was the leader of Mountain Aamil Kamil Beg al-As'ad, the sincere patriot.

Because he (the leader of Mountain Aamil) was away from his country, he became in financial straits. He became obliged to send his messenger to Bint Jubayl to borrow from one of the rich people three hundred Ottoman liras in order to pay for some of his needs. The rich man sent to him thirty liras and apologized for not sending the rest. The leader became very angry and sent the money back with the messenger at once.

Sayyid Sharafuddeen heard of this matter. He went to visit the leader and offered to him three hundred liras. He refused to accept them because he knew that Sayyid Sharafuddeen was also in a financial strait. Sayyid Sharafuddeen told him that he had enough money at that time. The leader accepted the amount and thanked him.

When the two leaders returned to their countries and the situation returned normal, Kamil Beg al-As'ad visited Sayyid Sharafuddeen in his house and with him there was the amount of money. He offered it to Sayyid Sharafuddeen gratefully but Sayyid Sharafuddeen refused to take it and told him that they were one self that could not be divided and they had spent the money on their united selves. The

leader returned to his country after he had become certain that Sayyid Sharafuddeen would never accept the amount.

The leader Kamil Beg al-As'ad visited Sayyid Sharafuddeen again having with him a document of entailment showing that he had entailed a property to Sayyid Sharafuddeen's elder son Sayyid Muhammad Ali Sharafuddeen, who was then in Holy Najaf. Kamil al-As'ad thought that matter had been concluded firmly and could not be revoked because an entail could not be changed or recanted. Sayyid Sharafuddeen smiled and said: "An entail does not become compulsive except by its conditions and among these conditions are delivering and receiving. Neither delivering by you nor receiving by my son have taken place and so this entailment is not compulsive. And thus the leader came back for the second time after he had become certain that Sayyid Sharafuddeen was serious.

The second event was that one day Sayyid Sharafuddeen with a delegation of some ulama went to visit King Faysal the First in Damascus. When the visit finished and he wanted to go back to Mountain Aamil, the king sent to him with al-Jabiry an amount of five thousand Ottoman liras as a gift. Sayyid Sharafuddeen accepted the gift gratefully and then he gave it back to al-Jabiry to be offered to the Arabic army in Syria as a gift from him. Then he said: "I wish I was a dirham to put myself in the bursary of the Arabic army to defend Islam and the Arabs".

Professor al-Jabiry often mentioned this event when he mentioned Sayyid Sharafuddeen with honor and glorification. He narrated this event in every occasion.

These two events showed Sayyid Sharafuddeen's liberality and highness of soul at the same time.

His life always gave lessons of knowledge, morals, sincerity and generosity of manners and nature to the umma.

HIS ASSIST TO PEOPLE OF KNOWLEDGE AND PEN

He cared too much for the people of study and talented writers and poets and he helped them as possible as he could. In fact many times he burdened himself with more than he could to help them. I

remember that I have seen him, during one of my visits to Mountain Aamil, taking much care of an occasion of the coming back of one of the ulama of Mountain Aamil, who had finished his studies and was coming back to his country to begin his task in teaching and guiding people. I saw him (Sayyid Sharafuddeen) visiting a village after a village that neighbored the village of that coming back jurisperit.

He made speeches before the people of those villages informing them of the high position of an alim and inciting them to take much care of him and to prepare all suitable circumstances for him to step toward a good future.

His encouraging authors and poets, in whom he found the ability to serve the welfare of people, was a famous matter that all people talked about in every occasion.

Once it happened that a famous learned poet had composed a divan, in which he had praised Ahlul Bayt (s), and offered a copy to Sayyid Sharafuddeen, who accepted it from him gratefully and offered to the poet an amount of money that befitted his own position and the poet's position. When the poet wanted to pay the costs of publishing his book, the publisher said to him that Sayyid Sharafuddeen had paid all the amount and that the poet had not had to pay anything.

HIS WORKS

Sayyid Sharafuddeen in his works reminds us of the age of Alamul Huda Sayyid al-Murtadha. Their aims met together and their intents were the same. They both had the same aspect of insight, accurate thinking, firm evidence, right opinion, getting to conclusion in a shortest way, deep research, bright style, fidelity in quoting and avoiding all what was far from the scientific facts.

He also looked like him in the high religious authority and he was near to him even in age.

It was no wonder because they were from one lineage and one dynasty. They belonged to the same grandfather Musa Abu Sibha, who was one of Imam Musa al-Kadhim's grandsons.

Sayyid Sharafuddeen followed the same way that had been followed by the teacher's son and the first teacher Sheikh al-Mufeed, his

disciple Sayyid al-Murtadha and the graduate of their school, the chief of the sect (the Shia) Sheikh at-Toossi (may Allah have mercy upon them).

This holy scientific trinity had offered to the religion of Islam and to the doctrine of the Shia great services, which history had perpetuated inside the souls of the generation throughout the ages.

Sayyid Sharafuddeen absorbed the souls of all these men inside his Alawite soul so he was from them and they were from him and then all these men together formed this flowing flood of knowledge that came out via this Alawite eloquent tongue and this firm pen that had formed these immortal books in eloquent expression, accurate depiction, deep meaning, clear aim and wonderful style, with which this pen had acted as it liked and as the truth and fact liked. It was this that had led people to regard and appreciate this man during his life and to keep his mention alive after his death.

He will remain alive and immortal in the people's minds throughout the ages as long as his works are recited and his books are read and published.

Here are the titles of his immortal works:

1. **Al-Muraja'at:** it is a sign and a miracle with its high eloquence, irrefutable evidences and honorable aim. It has been published twice during the lifetime of Sayyid Sharafuddeen and six times after his death. It has been translated into Persian, English and Urdu.
2. **Al-Fusool al-Muhimma fee Ta'leef al-Umma:** it is a loud cry in the way of uniting the umma. It has been published twice in Sayda (Sidon-Lebanon) and twice in Najaf (Iraq).
3. **The Answers of Musa Jarullah:** it is as answers on twenty questions offered by Musa Jarullah to the ulama of the Shia in the Islamic countries. These answers show his abundant knowledge and great information that suffice everyone looking for the truth. It has been published in Sayda in 1355 A.H./1936 AD. And another time in Sayda too in 1373/1953.

4. **Al-Kalima al-Gharra' fee Tafdheel az-Zahra'**: It has been published in Sayda attached with the second edition Al-Fusool al-Muhimma. It shows the high position of Lady Fatima az-Zahra'¹ (s) and why she has been preferred to the all women of the world with irrefutable evidences.
5. **Al-Majalis al-Fakhira fee Ma'atim al-Itra at-Tahira**: it has been published in Sayda and Najaf. It shows the facts of the revolution of Imam Husayn (s) and the favors of this revolution on Islam and the Muslims. Also it has sayings quoted from great foreign personalities, who have discovered the greatness of Islam via Imam Husayn (s) in his eternal revolution against the arrogants and injustice.
6. **Abu Hurayra**: It has been published in Sayda and then in Najaf twice. It is a new gate for understanding the prophetic traditions and interpreting them in the right way. He followed, in this way, the virtuous Egyptian allama Abu Riyya in his nonesuch book Sheikhu Madheera. How this umma is in need to approach to the truth and to be away from bad fanaticism!
7. **An-Nass wel Ijtihad** (this book): it is one of the profoundest Islamic studies in the present age. It has been published for the first time by the Society of Muntada an-Nashr in Najaf during the life of the author. Sayyid Sadruddeen Sharafuddeen (the author's son) has published the second edition in Beirut with additions added by his father after leaving to the better world. It has been published by Darul Nahj Publications.
8. **Falsafatul Meethaq wel Wilaya**: published twice in Sayda. Although it is small in size, it is great in meaning and subject.
9. **Masa'il Fiqhiyya** (juristic questions): juristic subjects with profound research and accurate concepts showing the magnanimity and the abundant knowledge of the author. It has been published during the author's life in Sayda and

¹ The Prophet's daughter (s).

then in Egypt, Beirut and Kerbala.

10. **Hawla ar-Ru'ya:** a religious thesis discussing the matter of the impossibility of seeing Allah in a scientific way and by convincing evidences. It has been published in Sayda in 1370 A.H.
11. **Ila al-Majma' al-Ilmi** (to the scientific convention): In this book he refutes the fabrications ascribed to the Shia and sends advices to the scientific convention inciting it towards agreement and to avoid disagreement and separation. It has been published in Sayda in 1369 A.H.
12. **Bughyatur Raghibeem** (manuscript): includes biographies of the famous personalities of the family of as-Sadr and Sharafuddeen with biographies of their teachers and students besides photos from those ages. It is one of the good books that is considered to be at the head of the books of biographies.
13. **Thabtul Athbat fee Silsilatur Riwayat:** In this book he talks about his teachers and the great ulama of the Islamic sects in a wonderful style. It has been published in Sayda twice.
14. **Zaynab al-Kubra** (great Zaynab): a good thesis, in which he has talked about the high position of Lady Zaynab (Imam Ali's daughter) (s) and her eternal situations in Islam. It was a speech he had made in the holy shrine of Lady Zaynab (s). It had been recorded and then published in Sayda.

HIS LOST WORKS

Sayyid Sharafuddeen had written many books other than these mentioned above, which would have enriched the Arabic library with great knowledge, but the storm of France willed to blow them away during the events of the twentieths. The French burned them as they had burned the house before them. Whenever Sayyid Sharafuddeen remembered them, his soul was about to leave his body because of regretting.

In order to immortalize those books, we mention them here:

1. **Sharh at-Tabsira:** in jurisprudence and in three volumes about purity, judgment, witnesses and inheritance.
2. **Ta'leeqa ala al-Istis-hab:** from the theses of Sheikh al-Ansari in Usool, one volume.
3. A thesis about the will of a sick man (who is about to die).
4. **Sabeel al-Mu'mineen:** about imamate, three volumes. Sayyid Sharafuddeen told me once that this book was the best of what he had ever written at that time.
5. **An-Nusoos al-Jaleela:** about imamate too. It had forty traditions agreed upon by all the Muslims and forty traditions from the sources of the Shia.
6. **Tanzeel al-Aayat al-Bahira:** about imamate, one volume depending on one hundred verses from the Holy Qur'an revealed about the imams according to the Sunni Sihah of traditions.
7. **Tuhfatul Muhaditheen feema kharaja feehi as-Sunna minal Mudha'afeen:** a unique book that no book had ever been written like it.
8. **Tuhfatul Ass-hab fee Hukm Ahlil Kitab.**
9. **Ath-Tharee'a fir-Radd ala al-Badee'a:** Badee'a of an-Nabhani.
10. **Al-Majalis al-Fakhira:** four volumes; the first about the life of the Prophet (s), the second about the life of Imam Ali, az-Zahra' and Imam Hasan (peace be upon them), the third one about Imam Husayn (s) and the fourth about the other nine imams (s).
11. **The writers of the Shia in the first age of Islam:** some of its chapters have been published in al-Irfan Magazine.
12. **Bughyatul Fa'iz fee Naql al-Jana'iz:** most of it has been published in al-Irfan Magazine. It refuted those, who thought of the prohibition of transferring dead bodies (from a tomb to another).
13. **Sir Bughyatus Sa'il an Lathm al-Anamil:** including

eighty traditions from the Sunni and the Shia.

14. **Zakatul Akhlaq:** some of its chapters have been published in al-Irfan Magazine.
15. **Al-Fawa'id wel Fara'id.**
16. **A comment on Sahih of al-Bukhari.**
17. **A comment on Sahih of Muslim:** these two books show clearly the abundant knowledge of Sayyid Sharafuddeen about the traditions and his great ability in refuting and concluding.
18. **Al-Asaleeb al-Badee'a fee Rijhan Ma'atim ash-Shia:** depending on rational and traditional evidences that prove the permissibility of practicing the obsequies by the Shia on their occasions.

These are the books that have had different Islamic studies in jurisprudence, traditions, biographies and distinguishing the narrators of the prophetic traditions. The French have burned these books out of their grudge against them and against Sayyid Sharafuddeen, who has fought them with his heart, tongue and hand.

Sayyid Sharafuddeen regretted bitterly whenever he remembered his burnt books and often said: "The sorrow when losing a son may disappear but the sorrow of losing the product of intellect remains and continues until the last moment of one's life."

But Sayyid Sharafuddeen has recompensed this great loss with what he has written of great immortal books that will remain as long as there is life on the earth.

HIS PROJECTS AND HERITAGE

When Sayyid Sharafuddeen came to live in Soor, the Shia had no even one mosque to gather them and to offer their obligations in it. He possessed a house and entailed it as a (Husayniyya) mosque, in which he led the Shia in offering the prayers, taught the believers religious lessons and principles and met with them to settle their problems.

After that he established a mosque, which was one of the stateliest

and most perfect and beautiful mosques. It had two big domes, a high minaret and a wide yard in front of a wonderful hall connected with the gates of the mosque. In the middle of the mosque there were two pillars from Phoenician ruins.

Every year on the twelfth of Rabee'ul Awwal¹ Sayyid Sharafuddeen celebrated the blessed anniversary of the Prophet's birth in this mosque and people gathered from everywhere of Mountain Aamil. When Sayyid Sharafuddeen finished his eloquent speech and scholars and poets finished their words and poems, the crowds went towards the house of Sayyid Sharafuddeen to have lunch, which consisted of various and delicious kinds of food due to his Hashemite and Alawite generosity.

Every year he stressed on the brotherly connections and relationships between the two great sects; the Shia and the Sunni.

Choosing the twelfth of Rabee'ul Awwal² as the day of the Prophet's birth was a clear evidence showing his truthful Islamic spirit that he always invited to.

When finishing the celebration, he used to go to the mosque of his Sunni brothers to congratulate them and to participate them in the general Eid of the Muslims. In their turn they thanked him for his prophetic morals and paternal kindness towards all the people of Soor that he always did and with no differentiating between a sect or another.

The horizon of his thinking was so wide and his magnanimity was so great that he undertook all that might raise the society and did not object to the religion. He expressed his opinion through his wonderful saying "Guidance does not spread except from where deviation has spread"; therefore he determined to fight deviation by himself to spread guidance among people. He determined to walk in

¹ It is the third month in the Islamic calendar.

² Some Shia ulama thought that the birth of the Prophet (s) was on the twelfth of Rabee'ul Awwal whereas most of them believed that the birth was on the seventeenth of the same month. Sayyid Sharafuddeen preferred the first opinion, which most of the Sunni ulama believed in. Sayyid Sharafuddeen celebrated on this day in order to unite between the different sects of the Muslims.

the way in order to make the Muslims safe from the barriers and obstacles that might block their way or puzzle their true Islamic culture. He established schools for them to learn the contemporary culture, with which the present age has armed, the culture that had to be mixed with the Islamic culture in order to be real Muslims as Islam willed for them.

He thought, in order to pave this way, to do the following:

First: He established a school called the Ja'fari¹ School to educate the new generation. It was a primary school consisting of fifteen classrooms besides the halls and yards. It was built on the roof of six big stores, which were to be the source of revenue to run the affairs of the school in the future.

Second: He established a club and called it "Imam as-Sadiq Club" for religious celebrations and cultural lectures.

Third: He added to the school and the club a mosque in the first floor and made it especially for the school and its pupils to offer their daily obligations in it. By this he ensured for the rising generation a primary culture based on religion and science. Undoubtedly if the base of a child was good, it would have a great effect on fixing beliefs and religion in the future.

Sayyid Sharafuddeen (may Allah have mercy upon him) thought that those pupils had to keep on studying in the secondary stage so that their bases would be firm and fixed that no effects could change their beliefs in the university. But what was the way for that whereas the matter needed a great assistance from Allah and supports from the people, who had to carry out this task and undertake its burdens, because the governments would not carry out such special projects although they were public educational projects?

Then who would do that?

No one came to his mind save his followers in the African countries of emigrations, who were as sons for him and he was for them as a father and a higher religious authority.

¹ Referring to the Shia and the name "Ja'fari" is derived from the Name of Imam Ja'far as-Sadiq (s), the founder of the Shiite school.

He sent to them his two sons Sayyid Sadruddeen and Sayyid Ja'far. Each of these two sons was as an example of his father. Sayyid Sadruddeen made speeches with the knowledge and eloquence of his father and Sayyid Ja'far came to them with the morals, politeness and kindness of his father. The two seas mixed and the place of emigration took out pearls and corals and then the edifice arose and it was the eternal Ja'fari College.

Sayyid Sadruddeen when making speeches, his voice reminded the people of his father's voice when talking with wisdom, knowledge and high politeness. He captivated the hearts and returned to the attendants the days of Sayyid Sharafuddeen, which had still been as a blaze on the front of time. People thanked this blessing with their tongues and hands. The delegation came back to Sayyid Sharafuddeen successfully with two hundred and fifty thousand Lebanese Liras that had formed that great edifice with its three floors and each floor with two wings, the first of which was sixty-eight meters long and the second was forty-one meters whereas both were ten meters wide. In the middle of the building there was a big tower having a big clock. In front of the building there was a yard of ten thousand square meters connected with the old school. There was a fence that made the buildings of the college as one unit that might be called as "the town of knowledge in Soor".

This Ja'fari College has become one of the best schools in Lebanon in the field of knowledge, culture and high morals. This was the hope of Sayyid Ja'far, who ran its affairs in the past and supervises it nowadays.

The Ja'fari College does not get fees from the poor but it gets fees just from the rich in order to carry out its duties towards the needy and their affairs.

Sayyid Sharafuddeen had established this school just to educate the rising generation of the rich and the poor equally.

Because of his too much care for the needy, Sayyid Sharafuddeen had established the Society of Charity to help the poor and to look after them and to carry out the procedures of burying their deads and because of this there was no beggar or needy in Soor.

HIS VISITING THE SACRED PLACES

In 1355 A.H. Sayyid Sharafuddeen visited the sacred places in Iraq and visited his uncles and relatives of Aal¹ as-Sadr. A group of ulama, ministers, lords, deputies and chiefs had received him until the bridge of Fallouja. At the head was the chief of Iraq Sayyid Muhammad Baqir as-Sadr, who was the chief of the House of Lords at that time.

At honor of Sayyid Sharafuddeen, Sayyid Muhammad Baqir as-Sadr² invited the ulama, ministers, lords, deputies and famous personalities to three invitations.

The house was crowded with ulama, leaders and ordinary people every day.

The learned Muslim class seized the opportunity of the availability of Sayyid Sharafuddeen in Iraq and began to put forth different religious questions and whatever ununderstandable traditions narrated from the infallible imams (s) and he answered every question in clear eloquence and irrefutable evidences.

I still remember that splendid meeting, in which many questions about conflicting traditions that each of them contradicted the other were put before him. Sayyid as-Sadr asked Sayyid Sharafuddeen permission to answer the questions. He began to answer the questions one after the other explaining with clear eloquence and bright evidences and removing the clouds of that contradiction from those traditions that drew all the attentions towards him and made all the believers regard him highly and admire his accuracy, quick-wittedness and firm evidencing.

Sayyid Sharafuddeen confirmed the answers of Sayyid as-Sadr showing his admiration and high regards.

The attendants admired Sayyid as-Sadr very much for they thought

¹ Aal means the family of.

² He was born in Kadhimiyya in 1300 A.H. and died in 1375. He was buried in the graveyard of Aal as-Sadr beside the tomb of his father ayatollah Sayyid Hasan as-Sadr, the patriot leader, who was well-known of his bright situations towards his country and people. He was really a religion in politics and good politics in religion.

that he had been interested in politics totally and turned away from the religious subjects although they knew about his excellent scientific degree he had got when studying in Holy Najaf during his youth.

When the meeting ended, the people left and Sayyid Sharafuddeen became alone with us, he said: "If a tradition has two meanings; a primary meaning that comes to people's minds and a secondary meaning that dose not come to mind except after long pondering, the second meaning will be as the first meaning in the mind of Sayyid as-Sadr."

Sayyid Sharafuddeen visited the shrines of the infallible imams in Kadhimiyya, Samarra', Kerbala' and Najaf. People received and welcomed him in all these sacred placed in a splendid way that befitted his high position.

Before receiving him in Holy Najaf, the capital of knowledge and religion, his book "al-Muraja'at" in its first edition had reached there. It occupied the highest position inside the selves of the ulama and scholars of Najaf. The all were waiting for the author of al-Muraja'at impatiently.

Sayyid Sharafuddeen became the guest of his aunt's son, the great religious authority ayatollah Sheikh Muhammad Redha Aal Yaseen, whose house was full of the people of knowledge and virtue. The scientific talks prevailed over the meeting and Sayyid Sharafuddeen had witnessed rounds that showed his great rank in branches and basic principles (Usool) of religion. The ulama of Najaf said then: "The good ability of Sayyid Sharafuddeen in scientific evidencing, mentioning traditions and accuracy of conclusions make us feel that as if he is still among us and has not left the hawza."

Sayyid Sharafuddeen recalled his memories in Najaf and Najaf began anew talking about his favors during his youth, about his virtues during his old age and his lofty services throughout the ages of his life.

The members of Literature League seized the opportunity of the existence of Sayyid Sharafuddeen in Najaf during the occasion of Eid al-Ghadeer and held a big celebration on this occasion, to which they

invited him besides the ulama and notables of Najaf. The poets recited poems talking about the Eid and about the virtues and favors of Sayyid Sharafuddeen. The poem of Professor al-Habboobi was the best in its high literature and abundant feelings among the other poems, which were full of tender feelings and sentiments.

After visiting Iraq, Sayyid Sharafuddeen kept on his travel towards Iran to be honored by visiting the shrine of Imam ar-Redha (s) and the shrine of Fatima al-Ma'ssooma (s) in Qom. He was the guest of his aunt's son ayatollah Sayyid Sadruddeen as-Sadr, who had emigrated from Iraq to Qom in order to run the Hawza there.

Many scientific meetings were held between Sayyid Sharafuddeen and the ulama of Qom, who regarded him highly and admired his great knowledge and his clear Arabic eloquence.

In every city in Iran he passed by, he was received and welcomed splendidly due to his high position among the faithful Iranian people.

NAJAF WAS IN NEED OF HIM

The great religious authority ayatollah Sayyid Abul Hasan al-Isfahani before his death had traveled to Lebanon for recreation. He settled down in Ba'albak.¹ The ulama and scholars of Lebanon competed to visit him. At the head was Sayyid Sharafuddeen. He was pleased very much to meet with him. Sayyid Abul Hasan found it a good opportunity to talk with Sayyid Sharafuddeen about the matter that Najaf was in need of him to be there and showed the utmost readiness to arrange his affairs and the affairs of everyone, who would be with him in a way that would befit his rank and position. Sayyid Sharafuddeen thanked him for his generous sentiment and apologized with convincing excuses that prevented him from leaving his country.

Those, who were close to ayatollah Abul Hasan, said that he often said in the last week of his life: "Najaf is in need of Sayyid Sharafuddeen".

¹ A city in Lebanon.

We understand from his previous request and mentioning the name of Sayyid Sharafuddeen in the last days of his life that Sayyid Sharafuddeen have had all what a religious authority has to have of great knowledge, firm evidences and wide comprehension of everything about traditions, narrators and Islamic jurisprudence that may not be easy except to very few of the ulama especially that Sayyid Sharafuddeen has clear eloquence, fluency in his speeches and a great ability of composition, which are necessary for a religious authority in the present age.

It was no wonder that Sayyid Sharafuddeen got all this regard from Sayyid Abul Hasan because a virtue would not be known except by its people and who was worthier than Sayyid Abul Hasan of virtues and of appreciating them?

HIS DEATH AND BURIAL

The man of that big heart that beat with life and was full of knowledge and faith became silent after passing eighty-seven years of old, which had been spent in continuous jihad for the sake of Allah in spreading the pure sharia, making the umma familiar with the two weighty things; the Book of Allah and pure progeny of the Prophet (s), guiding people towards their purity and welfare and leading them on the right path as Allah and His Messenger had ordered.

He wanted, some years before his death, to go back to Iraq, the place of his birth, of his growing up, of his study and the nation of his family and relatives to renew the age he had spent near them and to recall those happy days he had lived with them and to be, at the last moment of his life, beside the sanctum of his grandfather, the guardian (Imam Ali (s)), whom he hoped to be buried in his pure soil and to be joined with him in his sanctum!

Became silent that voice, which sounded with the truth and spread the mention of Allah. Calmed down those eyes, which stayed up to achieve justice and to look after the general Islamic welfare.

Went out that burning torch inside that genius mind, which kept on thinking of anything that might bring goodness to the umma.

Sloped those hands that stood against the untruth and stretched with

goodness to fulfill the needs of the needy. Stopped that continuous movement of that pure body, which was a source of goodness and mercy all the time.

He left to the better world on Monday, the thirtieth of December, 1975 AD. / the eighth of Jumada ath-Thaniyya,¹ 1377 A.H.

When the news of his death was announced, the people of the villages of Mountain Aamil gathered in Beirut to farewell their great religious leader. Beirut, with all its ulama, scholars, chiefs, politicians and the rest of people, went out. At the head were the ulama and the rulers.

The honored coffin was put in a special airplane to Baghdad. The crowds of the Muslims were waiting for him. Baghdad and Kadhimiyya escorted him and then we went on towards Kerbala. Every village on our way took its share of escorting.

Kerbala did the best in carrying funeral rites in a way that befitted the high position of the deceased man. When the coffin reached Najaf before the sunset, Najaf went out with all its people; ulama, scholars, poets, notables and all classes of people. It was a memorable day that Najaf had never seen its like before. All that was because of the high position of the man inside the selves of all the classes of people due to his valuable works, his nonesuch scientific fame and his great favors on Islam and the Muslims.

The funerals were distinguished with quality and quantity in comparison with the other deceased ulama, who had been escorted before this man, although among them were some ulama, who had resided in Najaf and had the general authority of taqlid.²

He was buried in one of the rooms in the holy shrine of Imam Ali (s) on Wednesday, the first of January, 1958/ the tenth of Jumada ath-Thaniyya, 1377 A.H. with crying and moaning.

The crowds of people cried and sighed bitterly over the great loss of this great man.

¹ The sixth months in the Islamic calendar.

² Taqlid: accepting and following the opinions of a mujtahid or a religious authority concerning the religious affairs.

Najaf expressed its deep sorrow on the fortieth day of the great loss by holding two solemn celebrations by the two societies; Muntada an-Nashr and the Literature League. The poets and scholars praised the deceased man and his valuable works. In the first of their speeches they mentioned the sayings of the great ulama and religious authorities about the deceased man. Obsequies were held in Iraq, Lebanon and the rest of the Islamic countries continuously until the fortieth day after his death.

We pray Allah to have mercy upon this great deceased man and make the umma take advantage of his works and make us patient before this great loss. (The contentment of Allah is our contentment; Ahlul Bayt. We became patient before His affliction and He will reward us with the reward of the patient).

7-1-1964 AD. / 1383 A.H.

Kadhimiyya-Baghdad

Muhammad Sadiq as-Sadr



INTRODUCTION

*By: Allama Sayyid Muhammad Taqi al-Hakeem
Professor of Usool in the college of Muntada an-Nashr
and the secretary general of the society of Muntada an-Nashr*

I am now before a book that has a great scientific value. It has been written by a man having the favor of teachership and education on the most of the researchers of doctrinism of this generation. The cultural assembly of Muntada an-Nashr wanted me to be honored by writing an introduction for this book to shed some lights on the contents of some of its scientific words and then to evaluate it and to show its aspects and main characteristics and after that to talk about the personality of the author to show some of his immortal qualities.

As I am confined to obey the will of the assembly, so I have no choice to avoid this decision though I think that I do not deserve this honor.

-1-

Writing an introduction to this book to define some of its idioms and to clear the importance of its researches takes us in the first to a group of the teachers of the science of Usool al-Fiqh (the principles of jurisprudence) to get their opinions on defining some concepts mentioned in the book, whose author has used the same idioms that they use.

The first thing that faces us is the title of the book "an-Nass wel Ijtihad". What has the author meant by the word "an-Nass" and what has he meant by "al-Ijtihad" and what does the comparison between them lead to?

I think that answering these three questions with all their

surroundings will be enough to understand all the concepts mentioned in the book.

The professors answer the question of "an-Nass"¹ that it is "the literal evidence that expresses the legal verdict and that has been proved from the legislator (Allah or His prophet) in irrefutable way or according to supposition that is regarded legally and rationally whether the source is the Book or the Sunna". Of course the author of this book has not intended other than this meaning as it appears from his researches.

As for the question of "ijtihad", they answered with many answers different according to their different thoughts and points of view although the differences between them had nothing to do to the essence.

It seems from their words that they have two idioms about this word; one is more specified than the other. Ijtihad in its general concept according to al-Aamudi is "trying the best to suppose something of the legal verdicts in a way that it is felt that that one is unable to get more than it".² Some jurisprudents of Usool adopted this definition with doing some reform to it and changing some of its words. Ad-Dahlawi defines it as: "trying the best to understand the legal sub-verdicts from their detailed evidences that all belong to four sources; the Book, the Sunna, consensus and analogy".³ Muhammad al-Khudhari defines it as: "trying the best by a jurisprudent to know the verdicts of the Sharia" then he adds "full ijtihad is to try all that he can until he feels that he is unable to get anything more".⁴

All these definitions and their likes are not skilled if they have meant to define the concept logically but if they have intended to explain the word like the linguists so it is no matter to depend on any of them. Perhaps the closer skilled definition that is away from criticism somehow is "the ability, by which one can join the little

¹ Nass means proviso, text or wording.

² Refer to al-Ahkam, vol.4 p.218.

³ The thesis of al-Insaf fee Bayan al-Ikhtilaf by allama Shah Waliyullah ad-Dahlawi mentioned in the Encyclopedia of Fareed Wajdi. This definition is in vol. 3 p.236.

⁴ Usool al-Fiqh by Muhammad al-Khudhari p.357.

matters to the greater ones in order to produce a legal verdict or a legal or rational practical function” and it somehow avoids the defects of the previous definitions.

Being limited to demand supposing the legal verdict, as in al-Aamudi's definition, excludes analogy,¹ which produces the legal conclusions, if its little and greater matters are certain and being limited to knowledge as in al-Khudhari's definition excludes the results that lead to the real verdict if its premises or some of them lead to accepted supposition legally and rationally because the result -as it is said- follows in its verdict the least of premises. And being limited to legal verdicts- as in all definitions-excludes the results, to which a mujtahid reaches via trying some rules and usools and especially the ones that annul its obligation like the legal acquittance derived from this tradition “the people of my umma are not responsible for what they do not know” and the rational acquittance derived from the decision of mind that decides the ugliness of punishing without an evidence and the likes. Of course these matters and their likes are not from the legal verdicts at all but they are practical functions determined by mind or legislation when a mujtahid becomes desperate to get a legal verdict by the means of knowledge or accepted supposition.

Anyhow the meaning of ijtehad in general is clear even if the previous definitions fail to give all its limits.

Ijtehad in its special meaning is a synonym of analogy according to ash-Shafi'iy's thought. He says: “...what is analogy? Is it ijtehad or they are different? I said: they are two names for one meaning”.² They might make it as a synonym for approval, opinion, conclusion and analogy as different names for one meaning. Mustafa Abdur Razaq says: “The opinion that we talk about is dependence on intellect in concluding the legal verdicts that is what we mean by ijtehad and analogy and it is also a synonym for approval and conclusion”.³ It is clear for one, who studies these researches and

¹ Analogy here means logical analogy that depends on Usool.

² Ar-Rissala by ash-Shafi'iy, p.477.

³ Introduction to the History of the Islamic Philosophy by Mustafa Abdur Razaq, p.138.

what definitions they have mentioned for these idioms, to find that this speech has come out according to the requirements of this subject and its idioms. Its reason might be an ambiguity that the general concepts have imposed their confirmation upon this great researcher.

Apparently that one, who observes their sayings about the subject of ijthad in its special meaning, will find it as a synonym of "opinion" for them and analogy, approval, benefits and the likes are just confirmations for this concept.

When comparing between "nass" and "ijthad" mentioned in the title of the book, we understand that the author has meant by ijthad here its special meaning, which is trying one's opinion to derive the legal verdict with ignoring the "nass" that contradicts the verdict.

As for these evidences that have been mentioned repeatedly in some definitions of ijthad in its general meaning and ad-Dahlawi has ascribed to it in his previous definition "the whole verdicts", they are four- as he has mentioned-three of which the Muslims have agreed on and they are: the Book, the Sunna and consensus. The jurisprudents of the Shia have added to them "reason" while their Sunni brothers have added "analogy" and perhaps some of them have added approval, benefits and others.

With regard to the importance of the research on these evidences and preferring some of them to the others and the important relation with the researches of this book, we shall talk about in some details as necessary as the subject requires.

The Book means the Book of Allah that has been revealed to His messenger Muhammad (s), who has informed his umma of it and it has circulated among the Muslims until this day with no increase and no decrease. Its verses that concern the legal verdicts whether worships or dealings such as personal law, civil law, criminal law, procedure or others, have been collected to be about five hundred verses; a little more or a little less. These verses are considered as the first source of legislation according to the consensus of all the Islamic sects. These verses have been collected and classified into the chapters of jurisprudence and have been attached with their comments by some scholars like al-Miqdad as-Siyori in his book

Kanzul Irfan fee Fiqh al-Qur'an and al-Jaza'iry in his book Qala'id ad-Durar fee Bayan Aayat al-Abkam bil-Athar and others.

Some of these verses need to be explained as general or special, absolute or confined, in summary or in details and then to show the annulling and the annulled ones etc. Besides that there are some actions, whose verdicts have not been legislated by the Qur'anic verses, so we are in need to the second source, which is the Sunna. The Sunna is the sayings of the infallible ones,¹ their doings and their accepting and confirming others' sayings and doings. This is to complete the legislation on one side and to interpret the unclear texts of the Book on the other side.

Then the Sunna is the complement of the Holy Book. In fact both of them are but one since they belong to the First Legislator "*Nor does he speak out of desire. It is naught but revelation that is revealed.* Qur'an, 53:3-4" The Muslims have agreed unanimously upon considering the Sunna as a source of legislation. Abdul Wahab Khallaf says: "The Muslims have agreed unanimously upon that all what the Prophet (s) has said or done or confessed of sayings and doings that have been conveyed to us correctly and truthfully and by which the Prophet (s) has intended to be as the essence of legislation and imitation, will be irrefutable proof for the Muslims and a source of legislation, from which the mujtahids are to conclude legal verdicts that manage the actions of the ordinary Muslims. This means that the verdicts derived from the Sunna will be, in addition to the verdicts mentioned in the Holy Qur'an, as the law that must be followed".²

Consensus is joined to the Holy Qur'an and the Sunna as the third source of legislation. Since we are Muslims and we believe that we have a divine Sharia, which has defined all what we need to manage our relations whether with Allah or among ourselves with one another and that this Sharia, which Allah has made flexible to keep pace with the time with its rules and principles, is the perfect Sharia

¹ The infallible ones according to the Shia are the Prophet (s) and the twelve imams, the first of whom is Imam Ali (s) and the last one is Muhammad bin al-Hasan (Imam al-Mahdi (s)).

² Ilm Usool al-Fiqh wa Khulasat Tareekh at-Tashree' al-Islami, p.37.

that has ended all the previous laws. And as we believe that the Sharia is really so; therefore we do not have to violate its legal texts (nass) and we have no right to determine according to our own thoughts. This is about to be one of the agreed upon usool determined by the most of the ulama of usool; the ancient and the recent ones, the Sunni and the Shia”.

Professor Khallaf says in his book “the Sources of the Islamic Legislation”: “The event that an irrefutable verdict has come out of its text I wording and its meaning...” It means that mind cannot recognize out of this text except a definite verdict that there is no way for ijtiḥad in it and that the verdict of this very text must be followed.

Hence there is no chance for ijtiḥad about prayers because offering prayers is obligatory. The same is said about the shares of the heirs concerning the matter of inheritance. Therefore the jurisprudents of Usool say that ijtiḥad is not permissible on matters with texts having clear and irrefutable verdicts.

The fact, whose verdict is derived from a text having suppositional meaning (that it may lead to two verdicts or more and that reason can recognize which of the verdicts is more suitable), can be submitted to ijtiḥad but this ijtiḥad must be bound to the meanings included by the text and then to prefer one of these meanings. The mujtahid has to try his best in preferring one of the meanings relying on the linguistic and legislative principles and whatever result he gets, he has to act according to it. For example Allah has said in the verse of wudu¹: (*and wipe your heads*)² and it is possible to refer either to wiping all the head because of the preposition (mentioned in the Arabic wording) or to wiping a part of the head. He adds: “The event that neither a text nor consensus has determined a verdict on can be submitted to ijtiḥad.”³

Some of the legislated verdicts can be got by knowledge either by using reason or depending on the true traditions and some of them

¹ Wudu¹ : ritual ablution as a prerequisite for offering prayers.

² In the Arabic wording there is a preposition before “your heads”.

³ The Sources of Islamic legislation, p.8-9.

cannot be got by knowledge but by supposition. Supposition is one of the ways that may not give the exact reality in order to be relied on. Allah has mentioned a kind of blame and scolding for absolute (unjustified) supposition when saying in this verse: "*they do not follow anything but conjecture, and surely conjecture does not avail against the truth at all.* Qur'an, 53:28" and "*O you who believe! avoid most of suspicion, for surely suspicion in some cases is a sin.* Qur'an, 49:12" and other verses.

But the Holy Legislator (Allah) has given a permission to depend on some of the conjectures to be considered as trusted evidences out of His kindness to his people to make their affairs easy and not difficult. So a tradition narrated by one narrator, consensus and other ways can be depended on in legislating legal verdicts if they are considered as trusted sources; otherwise people should resort to precaution.

Analogy means- as ad-Dawaleebi says: "applying a legal verdict of a matter to another matter when there is a same cause behind them both."¹ For example wine has been prohibited because it causes intoxication (if this justification agrees with the Book and the Sunna when prohibiting wine or other things) so this verdict will be applied to other things, which cause intoxication, even if they are not wine. The Shia do not regard analogy as one of the sources of legislation because it has been proved that the infallible imams of Ahlul Bayt (s) had forbidden from depending on it in concluding legal verdicts and because the evidences of analogy are not sufficient to make analogy accepted as a source of legislation.

What is said about analogy can be said about approval, whose evidences are more ambiguous than those of analogy.

As for the "suitable benefits" as called by the scholars of Usool and "the general benefits" as called by the Malikites and "istislah-regarding (something) good" as called by al-Ghazali,² the Muslims have disagreed on defining it or depending on it or preferring it to the first sources. Professor Khallaf defines it by saying: "It is the

¹ The Entrance to the science of Usool and Fiqh, p.261.

² Ilm Usool al-Fiqh wa Khulasat at-Tashree' al-Islami, p.92.

benefit that the Legislator (Allah) has not legislated a verdict on it and there is no legal evidence on regarding it or annulling it.”¹ The Shia do not accept it nor do they believe that it is permissible to rely on it in legislating legal verdicts or in preferring it to the first sources of legislation. In fact they believe that legislation is impermissible according to this source of legislation and they say: “adding something, which is not of the Sharia, to the Sharia”.

The strange thing is that some researchers have ascribed this matter to the Shia and said that they have practiced it and preferred it to the clear texts. The author of this book has refuted this fabrication in his book *al-Irfan* and then in this book and he has corrected their view about this subject.

Some of them have explained it in another way. They said: “Istislah in its real meaning is a kind of legislating a legal verdict according to the opinion based on the benefit on every matter that the Sharia has had no text on and that there is no another matter like it in order to submit it to analogy but the verdict is derived according to the general bases of the Sharia that any matter, which has no benefit, is not from the Sharia. These general bases are like what has been said by Allah: “*Surely Allah enjoins the doing of justice and the doing of good.* Qur’an, 16:90” and by the Prophet (s): “No harm or damage should be done (to anyone)”²

If we add to this explanation the word “special” after the word “nass” to accommodate its parts to each other and to remove the contradiction between them and we say that they mean by “the general benefit” this thing then the Shia will have no excuse to refrain from depending on this source in their legislation as long as it depends on the general bases determined by the Holy Legislator and refers to the legal principles. This is not acting according to the general benefit nor is it a kind of legislation but it is doing according to the Book and the Sunna.

In fact this research has made some researchers unable to define a certain concept on it and the examples mentioned on it do not

¹The Entrance to the science of Usool and Fiqh, p.216.

² The Entrance to the science of Usool and Fiqh, p.274.

concern it alone. Al-Ghazali gives an example by saying: (...like some unbelievers protecting themselves by some Muslim captives by making them as a shield; if we give up and leave them alone, they will attack us and defeat Islam and kill all the Muslims and if we shoot at the shield, we will kill an innocent Muslim, who is not guilty and who must not be killed, and this is not from the Sharia. If we give up, we will let the unbelievers prevail over all the Muslim and they will them all and then they will kill the captives too. So we may shoot at the shield (the Muslim captives) in order to save the rest of the Muslims. Achieving this aim in this way (killing innocent people) has not been determined by a certain source (of legislation)."¹ This example is one of the clearest points of (Tazahum) which means that when two different legal verdicts meet by accident at the same time and that one cannot achieve them both because he will have no enough time to do that and that he cannot give up them both because he has to obey them; therefore one must use reason to choose one of the two verdicts and certainly one must choose the more important and the most useful verdict of them. If one does not know which of them is better or they are equal, one can choose any of them and acts according to it and ignore the other verdict.

The two verdicts mentioned in the example of al-Ghazali show the impermissibility of killing a Muslim and the necessity of keeping all the Muslims safe. Executing the two verdicts together in this case is impossible because executing one of them requires ignoring the other. Choosing the more important one of the two and doing according to it means choosing one of the two texts and doing according to it and this is like doing according to the Book or the Sunna and not doing according to the concept of "istislah".

It appears from some of the other examples that they have been submitted to verdicts after comparing the texts with each other. I think that those, who have said that the Shia prefer general benefits to the texts and considered them as excessive in practicing that, have thought of that after referring to the subject of "preference"² mentioned in the principles of the Shia and considered that as

¹ Usool al-Fiqh by al-Khudhari, p.303.

² Preferring the more important verdict to the important one.

“Istislah”.

Allah has said: (*He has chosen you and has not laid upon you any hardship in religion*). The Prophet (s) has said: “No harm or damage should be done to others” besides the tradition that shows “necessities permit prohibited things”. All these evidences and their likes show that Allah has permitted his people to make use of the prohibited things in case of necessity or of facing serious dangers.

If there is no remedy to a sick man except by drinking an impure or a prohibited substance, then he should drink that prohibited substance and he will neither be sinful nor will he be punished by Allah because Allah is too kind to His people and He does not cause them any harm so He will not punish for drinking that prohibited substance (as remedy) in the necessary cases.

This is not in the way of preferring “istislah” to the text but it is preferring a text to another text and ignoring an evidence from the Book or the Sunna in special cases. The Shia ulama of Usool have many accurate studies about preferring some verdicts to others in the special cases. Let the reader refer to their books to see their opinions on the subject.

I have found after studying their (the Sunni’s) definitions and examples on the matter of “istislah” that they are classified into three classes; two of them belong to the concept of preferring some verdicts to others, the first of them concerns the matter of “tazahum” and the second concerns the matter of “preference”, which the Shia believe in, and the third class does not depend on a text whether special or general it is and the Shia do not believe in this principle. I think that the author of this book has discussed this class (of innovating verdicts) especially.

It has been mentioned that this kind of legislation has been adopted under the excuse of “the change of the verdicts according to the change of the time”. The Shia do not believe in subjecting the legal verdicts to the development that takes place. The Sharia with its divine verdicts, as the Shia believe, keeps pace with the different ages of time. It is full of vital power that makes it live forever. Its principles and evidences are enough to make it keep pace with every development that has taken place or will take place by concluding

legal verdicts out of its texts or by following certain steps when it is not possible to derive a legal verdict.

The Shiite books of Usool and jurisprudence have a great legislative supply that has been produced because the Shia have opened the gate of *ijtihad*. If these books are read, many reformers, who call for "subjecting the verdicts to the changes of time and ignoring the first legal verdicts by replacing them with new verdicts that do not rely on any legal source but just rely on what they call as general benefit", will make great use of them. We hope that the jurists, who are interested in such researches, and the scholars of our Sunni brothers to make use of the experiences of the Shia in opening the gate of *ijtihad*.

In short, the Book and the Sunna (with consensus) are preferred to the all other sources of *Ijtihad* like, analogy, approval, general benefits and others because they are numerous evidences and a *mujtahid* cannot do according to these bases when there is a clear text from the Book and the Sunna contradicting those bases.

Since this research, which we write this introduction to, is about verdicts and fatwas that have been issued in the first age of Islam, so we have no right to impose our opinions in preferring the rank of one evidence to the other before studying the subject fully.

Some historians have mentioned that when the Prophet (s) had sent Ma'ath bin Jabal to Yemen (as the wali), he asked him: "How will judge if cases are offered before you?" Ma'ath said: "I judge according to the Book of Allah." The Prophet (s) asked him: "If you do not find an answer in the Book of Allah?" he said: "Then I will judge according to the Sunna of the messenger of Allah (s)." The Prophet (s) said: "If you do not found an answer in the Book of Allah and in the Sunna of the messenger of Allah?" He said: "I will judge according to my own opinion."¹ It has been mentioned that the Prophet (s) had approved Ma'ath's saying and praised him and said at the end of the tradition: "Praise be to Allah who has guided the messenger of the messenger of Allah to what pleases the messenger

¹ Introduction to the History of the Islamic Philosophy, p.145.

of Allah.”¹

Maymoon bin Mihran narrated: “When litigants came to Abu Bakr, he referred to the Book of Allah to judge between them. If he could not find a judgment in the Book of Allah, he would refer to the Sunna of the Prophet (s). When he could not find something in the Book and the Sunna to judge according to it, he went out to ask the Muslims if any of them knew that the Prophet (s) had judged on such cases. Many Muslims came to him mentioning the judgments of the Prophet (s) on such cases. Abu Bakr said: “Praise be to Allah, Who has made among us some ones who keep the knowledge of our Prophet for us.” If he failed to find something in the Sunna of the Prophet (s) to judge with it, he gathered the chiefs and the notables of the people to consult with them and when they agreed unanimously on something, he would judge with it.”²

Umar said to Shurayh the Judge from among his instructions to him: “...if a case is offered before you and there is no verdict on it in the Book of Allah or in the Sunna of the messenger of Allah nor has it been judged by anyone before you, then you may choose one of two things; either to judge according to your own opinion if you like to give a quick judgment or to suspend your judgment if you like. I think that suspending your judgment is better to you.”³

Ibn Mass'ood said: “Whoever of you happens to judge between people, let him judge according to the Book of Allah. If he cannot find any judgment in the Book of Allah, let him judge according to the Sunna of the Prophet (s). If it happens that a case is offered before him that has judgment neither in the Book of Allah nor in the Sunna of the Prophet (s), let him judge according to what the righteous people have judged with. If a matter comes to him that it is neither in the Book of Allah nor in the Sunna of the Prophet (s) nor has it been judged by the righteous people, let him judge according to his own opinion but if he cannot, let him give up without feeling shy.”⁴ The traditions like these ones that have been narrated by the

¹ Introduction to the History of the Islamic Philosophy, p.145.

² Encyclopedia of Fareed Wajdi, vol.3 p.212.

³ Ibid.

⁴ Introduction to the History of the Islamic Philosophy, p.177.

companions are too many. Refer to the books of Hadith.

Dr. Goldzeher, the famous orientalist, has suspected the traditions saying that *ijtihad* has been found at the days of the Prophet (s) and then at the time of Umar after him. Among those traditions was the tradition of the Prophet (s) with Ma'ath bin Jabal when sending him to Yemen and the instructions of Umar to Shurayh the Judge and his letter to Abu Musa al-Ash'ari, in which he had showed him many systems of judgment and how to judge when there were no texts (from the Book or the Sunna) and especially the idiom of "analogy" was mentioned in this letter which had not been known except later on."¹

This orientalist-as Muhammad Yousuf Musa says-who has been interested in the Islamic studies, thinks that *ijtihad* has been practiced by the first generation of the Muslims but *ijtihad* in this stage was ambiguous and without positive guiding and it was away from the sect and its special doctrine. Later on it acquired certain limits and began to take a fixed direction and then it took the logical form which was "analogy".²

Dr. Musa has refuted the opinion of Dr. Goldzeher and his other orientalist historians because they were far away from understanding the essence of Islam and because the traditions mentioned by ibn Qayyim al-Jawziyya were enough to prove that. But then he came back to say: "Indeed *Ijtihad* in that period of the history of the Islamic jurisprudence was not the analogy that was known later on at the time of the jurists of the four famous sects but the *ijtihad* that had been practiced by some of the companions were not too far from this analogy if it was not the same even nothing had been mentioned about the cause, the manners and other researches which must be used in practicing analogy as we have found in the age of those jurists."³

Whatever value this suspicion has and how scientific the disapproval is, it doesn't matter. What is important to us is that what concerns the

¹ Lectures on the History of Islamic Jurisprudence, p.23.

² Ibid. p.24.

³ Ibid. p.25.

situations of the companions towards the verdicts determined by the Book and the Sunna. They have not permitted themselves to depend on other than these two sources especially when they often recited this verse: "*and whatever the Messenger gives you, accept it, and from whatever he forbids you, keep back.* Qur'an, 59:7" except if some of them violated the normal condition by committing some contradictions either because of special psychological cases or certain circumstances that led them to do that. They might be pleased with the opinions of some of them on the matters that there were no texts dealing with and so they formed the seed of consensus that was adopted by the scholars later on. I think that they resorted to the duty of one who doubted about a matter and then he should resort to reason and ijtiḥad even if they had not been as they had become later on as these two researchers have said.

Of course they did not resort to this duty before they had looked for a text concerning the matter in the Book and the Sunna. Ibn Hazm said: "The Prophet (s) was in Medina and his companions were busy working to get their livelihood because life was too difficult in Hijaz. The Prophet (s) often gave his fatwas and verdicts at the presence of some of his companions, who could attend his meetings. These few companions, who might be sometimes one or two, should convey the Prophet's verdicts to the absent companions who had to act according to these verdicts."¹ He also said: "We know that when the Prophet (s) wanted to give a fatwa or to determine a verdict, he did not gather all the people of Medina for that but he declared his verdicts before those who could attend his meetings and then the present companions should inform the absent ones. There is no doubt in this and it cannot be denied by any one who has reason and good sense."²

As ibn Hazm has said that the present companions should inform the absent ones of the Prophet's verdicts and this would an authority on them, which was really so, then the absent companions had no right to neglect searching for the legal texts. They had to search until they

¹ Al-Iḥkām fī Uṣūl al-Aḥkām, vol.1 p.114. Refer to Introduction to the History of the Islamic Philosophy, p.123.

² Ibid.

would fail to find any. Some traditions showed that the companions had kept on doing so. The tradition narrated by Maymoon bin Mihran mentioned this matter. He said: "...if he does not find an evidence in the Book of Allah, he has to judge according to the Sunna of the Prophet (s) but if he fails to find he any, he has to consult with the Muslims..."

Let us now come back to the book (this book) to understand its researches and to know its scientific value.

-2-

This book is an excellent study on doings, judgments and fatwas done by some of the great companions at the time of the Prophet (s) and after him. These doings, judgments and fatwas had contradicted the clear texts of the Book and the Sunna in spite that the doers had done them intendedly and they had known well that their doings were against the Book and the Sunna. If these doings had not been justified by some scholars and if the doers had not been excused in a way or another, these doings would have been considered as challenge and not ijtiḥad. Some other doings were clear in their contradiction to the texts of the Qur'an and the Sunna but they were different from the previous ones because the doers had done them while unknowing of the divine texts and when they were warned of their mistakes, they gave up and repented. These kinds of doings would not be blamed because the doers had tried their best to look for the legal evidences and when they failed to find any, they gave fatwas according to their own opinions.

And since these doings, fatwas and judgments, which this book has discussed here, had been done intendedly and without paying any attention to the legal texts or without trying to look for the legal texts especially the aware people of these texts were close to the doers, although the doers themselves were aware of the texts, so they would be blamed and responsible for these doings.

The third kind of these doings were considered as ijtiḥad on the meaning of the texts and then choosing what contradicted the real intention of the texts which normally came to mind and could be understood by all people. This kind of ijtiḥad annulled the apparent

meaning of the text and chose another instead. The common thing between these fatwas and verdicts has been showed by the author of this book in two words, which they are the title of the book; "an-Nass wel-Ijtihad" for all these doings belonged to personal ijtihad and opinions although there were clear divine texts, that could be obtained easily, contradicting those doings and fatwas.

The book has wonderful historical chapters discussing these fatwas and shedding lights on them to make them clear or to explain the view of the author in criticizing them. The author has distinguished these historical events from the researches of the book by putting them in independent chapters.

The style of the author in his researches depends on showing the events in a historical point of view after taking them from the most reliable sources. Then he analyzes the event in a pure objective manner with showing the opinions of the people of those events if they have had opinions mentioned by the historians or showing the opinions of the later scholars who have justified the faults of those people. After that he gives his opinion after discussing all the views about the event in an accurate scientific discussion.

One glance at any of the important matters discussed in the book makes you feel how great efforts the author has made in getting these matters from their sources in the books of history and Hadith or the wide intellectual power that the author has given to these matters which shows the great knowledge and the scientific abilities he has which are seldom available among the writers of this generation.

As for the style of the book, it is not different from the style of the author in most of his books; brightness, genuineness, easiness besides giving the events what they deserve whether in brief or in details. We can say about these researches that they express the power of the great souls in challenging the heavy burden that time puts on their shoulders for the author has written this book while he was about eighty-five years old. He has put in it the extract of his experiences of more than half a century which he has spent in studying, researching and inquiring. This book is the most recent work that has been written by the author's honored pen and we do

not say that it is the last one. May Allah make him live more and more to produce such great books and useful researches.¹

-3-

Talking about the great personality of Sayyid Sharafuddeen and shedding some lights on some aspects of this personality may take us back more than half a century to study some of the factors that have had effects on forming his personality and have participated in making him straight with no bit of deviation.

I mean by "some of the factors" the environment that has had the greatest favor on developing his talents. The environment was the holy Najaf, the Islamic university which has been established since more than one thousand years and it is still having its important scientific position. Sayyid Sharafuddeen was one of the most famous students of this university at that time. The university was, as it had been throughout its ages, rich with its cultural heritage in the sciences of the Arabic language, jurisprudence, philosophy, literature and poetry. To this university and to the University of al-Azhar belongs the greatest favor in connecting the circles of the Islamic culture with each other and in keeping the chain of this culture pure throughout the dark ages where ignorance and inactivity had prevailed over most of the cultural institutes. The University of Najaf might have been distinguished from the other institutes by opening the door of *ijtihad* for its students and leaving the way free for the minds to struggle in order to reach the truth via the scientific arguments to get out of the fruits of this struggle experiences full of life and activity.

Whenever the motive of the intellectual struggle is to reach the truth, it will be one of the most important tools of development and progress in every field of science and literature. This development that has joined jurisprudence and its principles in this university, whether in the programs or the methods, was one of the best fruits of that intellectual struggle. If we could study jurisprudence throughout its different ages, we would get, as I think, to a series of experiments

¹ This introduction has been written while the author was still alive.

successive in their simplicity and depth and each of them taking you to the next one to study it deeply and to add to it the new thoughts and experiences and so on.

The familiarity of Najaf with these kinds of arguments and struggles during its long scientific life has imparted to it the aspects of objectivity and humbleness and kept it away from the bad aspects of disputes such as hatred, grudge and clinging to one's opinion even if it appears to be wrong. These bad aspects often exist in people whose aim behind arguments is just to get personal advantages or is out of a psychological complex. But if the aim is to get to the truth and if the concept, which is the point of argument, is separate from persons, objectivity and submitting to the truth will be the axis of the arguments among most of the arguers.

Quite often we have found great teachers submitting to the opinions of their students when they find them true besides their submission to their teachers or to each other. The teachers themselves often encourage their students to argue with them in order to sharpen their minds on the one hand and to strengthen their personalities and to accustom them to genuineness and leaving imitating the opinions of their schools and their teachers, as weak students often do, on the other hand. In this sphere of mental freedom and intellectual dispute the author has spent his youth in Najaf moving between its institutes and great teachers to receive different sciences and knowledge. He, with his natural and acquired talents, was ready to receive all that knowledge and to comprehend it in the best way. He has been affected by this environment very much until his struggle for the sake of the truth has become as a nature to him. These effects might pass his mind to reach his conduct in his social life and so he has become a struggler in the different fields of life. I think that the clue of his personality after his graduation from the university might be known in the light of this nature more than any other aspect of his eternal aspects.

In order to see the effect of that on his mental and social life we show some sides of his life in which the nature of dispute and struggle for the sake of the truth has appeared in the most wonderful way.

The first of these sides was his struggle against the French colonists in Lebanon when he was young then. He had completed his religious study in Najaf and then he went to Aamila to carry out his duty in educating the people there. His fame in the field of knowledge had preceded him to there and concentrated his position inside the souls and since then he had become the leader of that country and the greatest educator there. He made use of his wonderful talent of making speeches to move the public opinion and to spread knowledge among the submissive people and to incite their zeal to ask for their rights. This had made him liable to the grudge of the French, who sent one of their mercenaries (ibn al-Hallaj) to assassinate him and this story became very famous in Lebanon.

After that he had been exiled from his country, his house had been plundered and his library had been burned besides the different forms of torment he had faced. Due to these doings the Islamic library had lost about twenty books written by the author besides many valuable and rare books he had in his library after being devoured by fire. He could not rewrite those burnt books after that.

Another side of his life was his struggle against some social diseases like appropriating the rights of weak people by some luxurious feudatories in the country. He found in that appropriation what contradicted the principles of Islam and so he made his famous rising against the feudatories. Murtadha aal Yaseen said when mentioning some scenes of the struggle of Sayyid Sharafuddeen in the introduction of al-Muraja'at: "Feudalism was spread then and the public did not have any control over their affairs. They did not understand from life save the meaning of injustice and slavery or they were not allowed to understand something other than of their mean lives which were subjected to serve the powerful people and the tyrants. When he (Sayyid Sharafuddeen) resided in Aamila, he could not bear this unjust system of life. He found that his soul, his faith and his piety did not let him keep silent before this feudalism, before these powerful tyrants and colonists and their mercenaries; therefore he revolted against feudalism and its people and denied it and denied them..."

Among the defects he found in his people was separation and the

weak religious spirit. the first thing he had done was making his house, which he possessed in the village, as a Husayniyya (mosque) for people to gather in on the religious occasions and to be as a minbar for him to achieve his mission. Then he built them a big mosque to gather them at the times of prayers. There was no mosque in the village at that time in which people might offer their prayers. He kept on preaching his people until he prepare a faithful generation that could recognize the reality of the society, the value of cooperation and rapport and could keep to the essence of the Islamic principles.

Some of my friends and I had the honor of visiting him two years ago in Yathir. We saw him instructing his followers to seize the opportunities to do good for people. While he was telling us about some of his reformatory projects and while we were listening to him carefully, we heard loud noises of delight coming from a far place. Sayyid Sharafuddeen stopped his talk and said: "I think that this approval was to so-and-so. He has succeeded to cut or to lift the biggest rock. The workers of the village have gone to build a mosque for them. I have encouraged them to compete in working. The encouragement you just heard was as a medal given to the first one of them who could succeed in carrying out his duty." Then he said: "If they come, you should congratulate them for their blessed work and praise the successful one of them because this will have an effect on them because you are from holy Najaf, their religious capital and the city of the master of the guardians." They came and we congratulated them after Sayyid Sharafuddeen had introduced us to them with a kind of praise that made us feel shy before this great man and his companions. It was a good situation of him to encourage those people to compete in doing good.

Sayyid Sharafuddeen (may Allah have mercy on him) had a short word but it had a great meaning showing his reformatory tendency and one of his manners in his struggle against the defects of the society. He said: "Guidance is not spread except from where deviation spreads."¹ Sayyid Sharafuddeen thought that strongest motive of deviation in his society was the programs of the

¹ The Introduction of al-Muraja'at, p.2.

imperialists which they had issued to teach them in their colonies. They had built modern schools to educate a generation far away from the essence of the religion that they would be able to revenge themselves on the hard struggle they had faced before during their missionary wars. It seemed that the missionary policy of the imperialists was the same everywhere. The word of Miss Bell, the famous English spy, was a clear proof on this matter although her activity was in Iraq especially. She said: "The clergymen were the most active propagandists for the revolution in Iraq during the First World War and after it and this had led the rulers to establish modern schools to weaken the religious principles inside the souls of the new generations and so they would pluck up the roots of revolution out of its base."¹

The clergymen then felt the danger of this policy and what subservience and surrender it would bring to the country; therefore they broke out in their famous rising against the policy of education and called for boycotting the modern schools but this call was unfortunately misunderstood at that time because of the effect of the opponents and then the clergymen divided into two groups; one group adopted the negative situation by being satisfied with calling for the boycott and uncovering the plots of the rulers as possible as they could and the other group thought that they should add to the boycott a positive action as it had been showed by the word of Sayyid Sharafuddeen "Guidance is not spread except from where deviation spreads." The base of this call was to establish modern schools imitating those schools in their programs and sciences which did not affect the Islamic principles besides teaching religious programs to concentrate the religious spirit inside the rising generation.

Among the propagandists of this group in Iraq was a great number of the scholars of Najaf. They tried many times to establish modern schools to achieve their aims but they faced many troubles that they could not solve then. After some time of their tries and thoughts the Society of Muntada an-Nashr tried to establish primary, secondary and high schools. These tries succeeded sometimes and failed other times according to their special circumstances. I think they will be

¹ Wu'aadh as-Salateen, Ali al-Wardi, p.398.

more successful in the next years inshallah if more accurate systems and programs derived from the previous experiences and the most modern programs of the other schools are followed.

In Syria Sayyid Muhsin al-Ameen had undertaken this positive movement by establishing schools having his name which they are still carrying out their reformatory mission. The author of this book Sayyid Sharafuddeen had undertaken this task in Lebanon by establishing the Ja'fari School in Soor and had run it with the modern programs. He took much care of it by adding to the programs religious lessons and he entrusted his son Ja'far Sharafuddeen with the school to run it and to develop its religious concept and aim.

At the time of al-Alwah Magazine I often read on its pages that Sayyid Sharafuddeen had determined to establish an edifice (Ja'fari School) and I saw its designs and maps published on the pages of the magazine. I thought that such a project could not be carried out by one individual. It might be nearer to imagination than to reality. In my visit To Soor I saw this imagination as a fact. I saw the school matching with its high building the surrounding mountains. It was really more wonderful than all the colleges we had seen in Lebanon. It was big and large and included all the utilities that a modern school required. At that moment I understood that determinations should not be measured with certain criteria; there might one person who could equal with his struggle and power many groups of people!

Sayyid Sharafuddeen intended-as he had told us-to join a secondary department to its primary and intermediate departments to prepare the pupils to specialize in the religious sciences and then to set out from it to holy Najaf to complete the high studies and to get the degree of ijtihaad or to specialize in the Islamic missionary affairs like what the Society of Muntada an-Nashr had done.

As for his struggle and intellectual dispute to get to the truth from the shortest ways, it can be felt in his works; al-Fusool al-Muhimma, al-Muraja'at, a Word about Vision, to the Scientific Convention, the Answers on the Questions of Musa Jarullah and other works. All of these works deal with scholastic matters that have been discussed in the way of arguing and discussing previous opinions deeply and

impartially as the author always has done and has been known with these aspects from among the writers of his generation.

These books, besides their scientific value, have excellent method in research and argument with humbleness that is seldom available except in the great ulama, whose souls are free from defects, and so they do not need to resort to haughtiness or flattery at the expense of the truth.

The best example on that is his book "al-Muraja'at" which is a collection of letters have been exchanged between the author and the head of al-Azhar University Sheikh Saleem al-Bishri on doctrinal subjects, which had been and are still objects of disagreement and dispute between the two greatest Islamic sects; the Sunni and the Shia.

These letters show wide knowledge, deep thinking and wonderful performance on the one hand and the firmness of argument and mental dispute besides being away from the emotional methods on the other hand. How wonderful it is when you see one of them (Sayyid Sharafuddeen and Sheik al-Bishri) submit to the other when he finds that his friend is nearer to the truth. He submits to the other without resorting to crooked ways or confused speech as some arguers do in order to satisfy their pride and haughtiness and to acquire the sympathy of their followers of simple people. I think that the researches of this book represent the best manners of arguments and intellectual disputes and if they are studied deeply and regarded impartially by the scholars of this generation, they will do away with most of the points of disagreement between the two great Islamic sects and they will make them closer to each other in order to achieve the unity that all the reformers seek nowadays.

Sayyid Sharafuddeen is one of the propagandists for the unity but not in its negative form that calls for forgetting the past and ignoring it totally and drawing the curtain on all its tragedies as some scholars believe. They forgot that keeping silent before those tragedies and drawing the curtain on them would not remove their dregs from the souls but they would remain active inside the souls until they would appear in exclusion. Sayyid Sharafuddeen thinks that many points of disagreement between the Sunni and the Shia do

not come out of basic evidences but they are as results of fabrications and propagandas that have been created by some circumstances and have been encouraged by some governments and authorities in the old ages and if they have been studied objectively and impartially, the two sects would believe that they are far away from reality. As for the other points of disagreement, they are just as any simple disagreement between a doctrine and another or between a mujtahid and another and they do not deserve to cause separation and hatred. Even if these points of disagreement have been discussed in al-Muraja'at by the two scholars, they would make the different points of views near to each other.

Whenever arguments and intellectual disputes are away from sophism and away from affecting the public opinion by artificial speeches and they are close to the modern scientific methods, they will be the best ways to unite the different sects. The invitation of Sayyid Sharafuddeen is a positive and a fruitful invitation that he has followed in all his works and especially his two books al-Fusool al-Muhimma and al-Muraja'at. Even in his book Abu Hurayra, which is as a biography of this companion who has narrated (and fabricated) too many prophetic traditions, he has not ignored this positive invitation.

In jurisprudence I have found many researches written by Sayyid Sharafuddeen having the same method of argument. He has written them out of this invitation. They are not less than the previous books in being as high examples on the good manners of arguments and debates. He has collected some of them under the title of "Juristic Questions" and published them in a special thesis. When I had the honor of visiting him, I expressed to him my admiration to these researches and to their wonderful method in argument and discussion and I begged him to keep on supplying the Arabic library with such jurisprudential researches.

His reply was too pleasing where he told us that he had begun writing a book about the matters of disagreement (in jurisprudence) among the Muslims since the first age of Islam until the time when the different Islamic doctrines had been formed in the middle of the Abbasid age. The book was supposed to be called as "al-Ijtihad fee

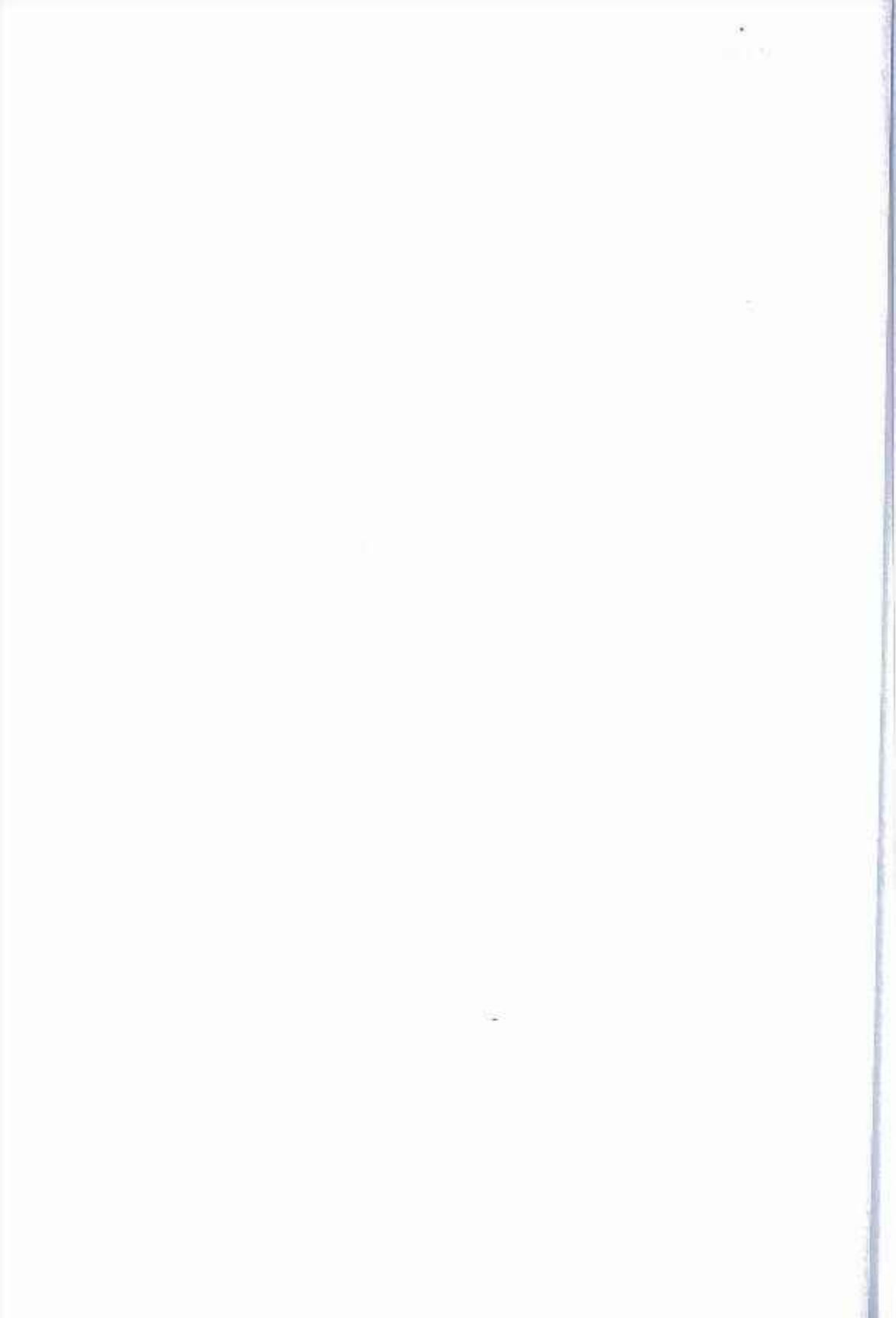
Muqabil (against) an-Nass" but later on it was called as "an-Nass wel-Ijtihad" after Sayyid Sharafuddeen had added more details to it. He told us that he had finished the researches concerning some companions of the first age of Islam and that he would complete the rest of the book inshallah.

When we returned to Iraq, we brought this good news to our brothers of the members of "the Cultural Convention" who looked forward to reading this book.

23^d of Ramadan, 1375 A.H. / 4-5-1956 A.D.

Muhammad Taqiy al-Hakeem

Holy Najaf



AN-NASS WEL-IJTIHAD

A word written by: Sadruddeen Sharafuddeen

(1)

I followed up this book step by step and found its firm structure when growing little by little with the deliberateness of innovation, improvement and discernment.

I often came to the author at the hours of travail to find him merged in his subject, enlivening a theme with long pondering and when his mold straightened up, he began to fill his mold with his high art and then to dedicate it to his clerk. He referred to his clerk many times before his work would be ready to appear with its final form. He did not finish his work until it harmonized before his ears, became firm in structure and convinced his eyes with its lines and colors.

A word near my father¹ was as a sixth sense. It did not please him, unless it acquired, besides the conditions of the truth, the criteria of beauty and the virtue of clearness.

I always saw him surrounded by masses of reference books; some were left open and others were turned over while he was reading in one of them sticking his face into its pages narrowing his left eye and closing the right one. Then he threw the book and combed his beard to spend moments in pondering while his sight swam in high spheres and hidden worlds. If you talked to him during these moments of inspiration, he would not hear you or he would not understand what you said.

¹ The writer of this word is the author's son.

His old age that was overburdened with heavy loads did not affect his young mind and youthful determination. His age did not weaken him to dive or to fly and his complicated public responsibilities did not divert him from his intellectual activities as if he had devoted himself to this field only. His sitting between the books at his last days was his meeting for people to judge among them and to settle their problems with his familiar aspects of joy, happy mien and accurate criteria. When he carried out the affairs of people, he came back to complete his work (book), which he often stopped. His memory was very accurate in keeping and recording all his affairs.

(2)

He often asked me to discuss his complete works. He might want me, out of this discussion, to understand and concentrate on intellectual matters more and more. He always encouraged me when seeing a good notice or a correct idea from me.

Once he said to me when this part of this book was about to be completed: "The introduction of this book will be written by you, O my son! I like you to show its right intention to serve the intellect because the real motives of research in this field may be unclear for many readers and that many biased persons may distort them and make them dangerous against the unity of the umma and may destroy the relations between its people".

Then he ordered me again and again to write a suitable introduction for the book. I got ready to undertake this task. I pondered on the subject, determined its headlines and explained the summary of its content orally one evening to my father, who became pleased with it and admired it at that day. Then many distresses happened that prevented me from writing the introduction. The bitterest of those distresses was the loss of my father, the author, besides many other distresses that everywhere of Lebanon was afflicted with their corruption. The country faced many crises in morals, economics and politics that history had never faced evil and corruption before. Our matter in this concern was the bitter loss of the author, to whom and to his likes of the true leaders we were in urgent need; those leaders, towards whom hearts and hopes would turn in the moments of

terror.

(3)

After three years I went out¹ to find that my father was no longer there, alas! But I found that the book had been published with a rich and judicious introduction written by allama Sayyid Muhammad Taqiy al-Hakeem. I found in the research of Sayyid al-Hakeem a full satisfaction that might make me curious if I tried to (show its right intention to serve the intellect...) because Sayyid al-Hakeem had clarified, in his bright and clear style, the bases and principles of the book in their scientific and Islamic course. Although the research of Sayyid al-Hakeem had left no chance to anyone to misunderstand or to fabricate the real intentions of the book, I found that I had to be sincere to the will of my father, when he had ordered me to put an introduction for the book. If I succeeded in this word, it would be a bit of service, and if not, it would just carry out an obligation from among many obligations I had towards my father.

(4)

Nass and *ijtihad* are two idioms from among the idioms of the Islamic jurisprudence. Sayyid al-Hakeem has explained them in details in the light of Usool. They both are two bases, on which legal verdicts, whether traditional or derivational, depend. *Nass*, which includes the evidences of the Qur'an and the Sunna, is a main base that cannot be violated because it has offered many verdicts and solutions to many events and cases whether concerning the belief or the obligations and whether concerning the social and economical cases or any other human activity. *Ijtihad* moves from the main base that comprehends the postulates and rules that lead to conclude a verdict on a case that the *nass* has generalized or ignored. This means that *ijtihad* acts after being armed with its scientific tools and means in accordance with the *nass* and walking in its (*nass*'s) circle—as the jurisprudents say—otherwise it will be a heresy. In order that an opinion is to be right according to a certain custom, it must be

¹ He might be in prison then.

confirmed by the basic systems and principles of that custom.

This is the question that the title of the book raises but as for the motive behind this question, it is the judgments and verdicts the author has collected, through his wide research, which have been innovated by famous companions of the Prophet (s) and by their successors that have contradicted the basic rules of ijtiHAD.

(5)

It would be better in this situation to put forth this question:

What use is got from reviving an intellectual problem, whose time has elapsed long ago? Does reviving it not cause a sedition that may delay the progress of the umma and may part its unity?

The question is notable especially if we permit caution to control our thinking; the caution of the worry of general life, suspicion and illusion but if we try the question out according to the fixed practical criteria, we shall interpret it as the following: what use is got from paying attention to jurisprudence and its principles? It is a question that if its meaning becomes more than a joke, it will do wrong to the reality and will remove an important intellectual matter from its place that has been deep-rooted in our present life. Rectifying ijtiHAD and managing the ways, in which it is used, is a valuable intellectual act and it will have great importance when being applied according to its real bases since it has been founded until now on condition that is to be differentiated between the innovation of ijtiHAD and the crooked heresies. In fact many groups of people have been tried during the abundant mental activities since the day of the battle of al-Jamal (the day of the perfidious) and the day of the Kharijites (the apostates) until the golden Abbasid age in the Middle Ages.

The importance of this research is not limited to the historical method but it exceeds it to include the methods of knowledge and action, which are connected with our basic system, which is Islam. The "nass" and defining the situation of ijtiHAD due to it are not from the ordinary heritage or from the extinct languages but they are bases, on which the reality of millions and millions of Muslims depends and around whose axis their lives turn in their wide

horizons.

The "nass" is the existence of the Islamic jurisprudence and the "ijtihad", armed with its mental bases, stands instead of the law of "mutability" if we do not say that it is itself. In order that the existence (nass) not to cause inactivity that may hinder progress, ijtihad comes out to soften the nass, to make it subdued to life and to supply it into the way of the civilizational progress and not to annul it or deviate from it because annulling the nass and being deviate from it lead to annul the fixed bases and to innovate a new sharia that will be strange to us, will not depend on our philosophy and will not come out of our characteristics and customs.

Hence it is clear that raising this question in this time of awakening will be a step inciting the specialized class of the Muslim ulama to revive the true soul of Islam and to define our situation towards the new matters in a way to prove our private Islamic personality among the modern invading trends.

It is not reactionism when intending to define the concept of ijtihad in discussing it through the conducts of the Muslims in the first age of Islam but it is freedom that helps to correct this concept according to the best opinion related to the true source and to make it easy in order to develop with it in our present time. But as for what is feared that it may lead to bad sectarianism, it will not come except to the narrow-minded, the diseased and those, who are affected by the ism of imperialism. The learned Arabs and Muslims have been free from the party spirits of history and have become as one umma. They do not look at history except from its scientific angle considering it as a test offering to them the experiences of their past to benefit from its virtues and to get lessons from its bad deeds in building their present and future. But as for its events that have been cutting out the shirts of Othman¹ and producing out of them sentimental tendencies covered with religious dresses, they have gone with their elapsed days. Any of us, who discusses these events now, just wants to research on history to know the stages of the dispute in order to

¹ He was the third caliph, who had been killed by the rebels. His bloody shirt had been used as an excuse to achieve personal greeds and that had caused a great sedition among the Muslims.

reform the faults and not to widen them, in order to make use of this reform at present and to make it grow in the future and not to recall a past that has elapsed and will never come back again.

Perception and reasonability the Arabs and the Muslims have got are about to match the progress of the age. This reasonability is enough to study the problem with objective spirit to restore the morals of our independent intellect that is connected with our civilizational bases, which have stopped giving their offers because of well-known reasons. This reasonability is also enough to study the nass and ijtiḥad since they have been founded until they have been codified in a spirit free from grudges and personal tendencies to make our present active and productive. It will connect our movement with the productive movements of the past before they have been separated from their true origins.

(6)

Many people think that connecting ijtiḥad to the nass will weaken its ability of progressiveness and prevent it from keeping pace with the advancement of all activities in the present age.

This is not right. The connection of ijtiḥad with the nass is necessary not because it is just a religious tradition or it is inevitable according to a rule acquired from a scientific decision, but because it is-before this and that-the source of our originality and a fixed partition that does not allow violating our basic constituents and does not allow to wrong the other cultures. In fact it orders to benefit from the cultures provided that those cultures are to be subjected to our principles, manners and morals. Ijtiḥad has this great gate; the gate that is open towards international meeting. No one is to think that this gate is narrow! It is a gate wide enough to receive every useful thing coming from the material civilization. It has been so in the Middle Ages when it has received the Greek, Persian and Indian civilizations but according to our conditions in a way that has given our civilization an aspect of superiority in the world. The reason behind this great flexibility in our ijtiḥad is the great flexibility of the nass, on which ijtiḥad has relied and has not separated from. Whoever refers to it, will find its comprehensiveness that has

become, really, the last of all the laws and the eternal Sharia of life forever. This means that the nass has made, since the beginning, a good adobe for progress. It has been noticed that since it has been issued, it has been complied with all the needs of its age and it has been applied to the new and progressive matters after that.

In more details we draw the attention to the integration of the Holy Qur'an when being revealed little by little complying with the nature of progressiveness according to experiments. The same is said about the Sunna; the mate of the Book in its revelations. It has shed lights on the clear (decisive) and ambiguous¹ verses of the Book and has formed with the Book the essence of this Sharia, which Allah has issued to manage all the affairs of the world with all its creatures in a perfect structure with great contents and eternal surviving.

(7)

When has ijtiḥad been determined as a principle?

It is time to put forth this question because of its close relation to the theme of the book "an-Nass wel-Ijtiḥad" and to refute the sayings showing that this principle has not been determined at the time of the Prophet (s).

We find, before all, that determining this principle at the time of the Prophet (s) is a matter, whose answer is with it. The wise legislator would not ignore such necessary basis like ijtiḥad, which would develop his Sharia that e had made to live forever and knew well that life would not stop after him.

It has been proved by true traditions and correct historical facts that the Prophet (s) has sent his messengers and deputies to the far countries and has instructed them to act according to their opinion on the matters that they would not find their direct answers in the Book and the Sunna. This was no doubt the foundation of ijtiḥad. Some of the orientalist and their disciples think that ijtiḥad has been founded after the first age of Islam and that which has led to found it is the complexities of life after the arising of some needs

¹ It can be interpreted into more than one meaning.

that have not been before and that the wide spreading of knowledge has led to it.

This may be right if it has been submitted to the conditions and tools of ijtiḥad, which has been limited to the complexity of life but the real ijtiḥad that has relied on the nass according to our concept has been founded at the time of the Prophet (s) no doubt. Besides the conduct of the Prophet (s) with his messengers and deputies, the ijtiḥad of Imam Ali (s) on the day of shura confirms the foundation of ijtiḥad at that time. Imam Ali (s) has insisted on his opinion when he has refused to add the policies of Abu Bakr and Umar during their reigns to the Book and the Sunna when Abdurrahman has put this condition for Imam Ali (s) in order to be chosen as a caliph. If ijtiḥad, in its special meaning, has not been issued before Abu Bakr and Umar, Imam Ali (s) would not refuse this condition. If it has been possible to give the sacredness of the Book and the Sunna to other than the Book and the Sunna, then this would have raised the position of those two caliphs to a high degree but he has intended to equal between the minds of the mujtahids and their opinions besides keeping the Book and the Sunna as the actual gravity. He has not intended by that save to emphasize on ijtiḥad as a principle having the banner of reason to go high with its dignity and to enrich the true legislation with its innovation.

Imam Ali (s) has followed by his will a custom having got used to ijtiḥad even it has had another idiom rather than ijtiḥad. It has been called "acting according to one's opinion".

(8)

After this I ask myself:

Have I put "an-Nass wel-Ijtiḥad" in its real frame of showing the true intention to unite the umma and to serve the intellect?

Have I been sincere to my first introduction that has made my father satisfied and pleased?

But there is an inner answer interrupting my chain of inquiries to say:

It is enough to a debtor his trying the best to repay his debt and his excused failure will be forgiven by the generous people. I have left commenting on the book because my comments will not suffice not to read it or to ponder on its words!

Sadruddeen Sharafuddeen



PREFACE

IN THE NAME OF ALLAH, THE BENEFICENT, THE MERCIFUL

Praise be to Allah, Who has distinguished His slave and messenger Muhammad with the high dignity and high position near Him, has taught him the knowledge of the first and the last and has given him virtues that He has never given to any other one in the worlds. (*Allah best knows where He places His mission*) so He has ended with Muhammad prophethood and revelation and has annulled with his Sharia all the previous sacred Sharias concerning the actions of people.¹ What has been permitted by Muhammad (s) is permissible until the Day of Resurrection and what has been prohibited by him is impermissible until the Day of Resurrection. All his verdicts are valid until the Day of Resurrection. This has been agreed upon unanimously by all the Muslims like their consensus on his prophethood. None of them has ever said a word opposite to this.

They have known that the Islamic Sharia has encompassed the worldly life and afterlife with all their systems and laws. It (the Islamic Sharia) is wise in all its verdicts and just in all its criteria. It is the wise civilization, which is kind and good to the people of the earth in everywhere and every age with all their different races, colors and languages.

The Legislator of Islam (the Aware of the unseen, the Almighty) has not left any aim unless He has declared its way and showed to the men of understanding its guide. Far be it from Him to leave His

¹ Not the basic principles of religion like monotheism, justice, prophethood, resurrection, paradise, hell, rewarding and punishment. These principles have been adopted by all the prophets (s) since Adam (s) until Prophet Muhammad (s).

people to their own opinions or to let them rove in His religion vigorously. He has bound them via His messenger (s) with His two "ropes" and preserved them with His two "weighty things".¹ His messenger has promised them of guidance if they would keep to them "the two weighty things" and warned them of deviation if they would turn away from them. He has told them that these two weighty things would never separate nor would the earth be empty of them until they would come to him at the pond (in Paradise). Whoever turns his back to them, the Prophet (s) will turn his back to him.

Their (the Prophet's progeny's) example in this umma is like the gate of Hitta "repentance" of the Israelites and like the Ark of Prophet Noah (s) for his people. No one, whatever high position he has, is to follow other than their path: *"And whoever acts hostilely to the Messenger after that guidance has become manifest to him, and follows other than the way of the believers, We will turn him to that to which he has (himself) turned and make him enter hell.* Qur'an, 4:115"² No one, when interpreting a Qur'anic verse or a prophetic tradition, is to deviate from the apparent meaning that comes to mind except if there is a clear evidence. If there is a clear evidence, one has to interpret a verse or a tradition according to that evidence; otherwise he will be deviate and heretic.

This has been agreed upon by all the Muslim nation, the umma of Muhammad (s) with all its sects. They have followed the apparent meanings of the Qur'an and the Sunna besides their clear texts (nusoos).³

They have done like the all peoples of the different languages, who interpret their wordings with the apparent meanings that come to mind. They do not interpret them according to their tendencies and

¹ The "two ropes" or the "two weighty things" refer to the Qur'an and the Prophet's progeny.

² Ibn Mardwayh mentioned when interpreting this verse: "...acts hostilely to the messenger and "guidance" mentioned in the verse concern Ali (s) and what he faces from people". Al-Ayyashi in his Tafseer mentioned the same. The true traditions narrated from Ahlul Bayt (s) have confirmed that "the way of the believers" is the way of Ahlul Bayt (s).

³ Plural form of "nass".

advantages whether personal or general.

Yes! I have found, regretfully, some of the rulers and notables of those past ages preferring their *ijtihad*, due to their advantages, to the apparent meanings of the Qur'an and the Sunna and their clear texts. They have interpreted those texts according to their tendencies audaciously and led people to contradict them (the Qur'an and the Sunna) willingly or unwillingly with all their powers. This cannot be excused in any case. We are Allah's and to Him we shall surely return!

Allah has said: *"... and whatever the Messenger gives you, accept it, and from whatever he forbids you, keep back, and be careful of (your duty to) Allah; surely Allah is severe in retributing (evil). Qur'an, 59:7"* and: *"And it behooves not a believing man and a believing woman that they should have any choice in their matter when Allah and His Messenger have decided a matter; and whoever disobeys Allah and His Messenger, he surely strays off a manifest straying. Qur'an, 33:36"* and *"But no! by your Lord! they do not believe (in reality) until they make you a judge of that which has become a matter of disagreement among them, and then do not find any straitness in their hearts as to what you have decided and submit with entire submission. Qur'an, 4:65"* and *"Most surely it is the Word of an honored messenger. The processor of strength, having an honorable place with the Lord of the Dominion. One (to be) obeyed and faithful in trust. And your companion is not gone mad. Qur'an, 81:19-22"* and *"Most surely, it is the Word brought by an honored Messenger. And it is not the word of a poet; little is it that you believe. Nor the word of a soothsayer; little is it that you mind. It is a revelation from the Lord of the worlds. Qur'an, 69:40-43"* and *"Nor does he speak out of desire. It is naught but revelation that is revealed. The Lord of Mighty Power has taught him. Qur'an, 53:3-5"*

The sayings of the Prophet (s) are like the speech of the Holy Qur'an: *"Falsehood shall not come to it from before it nor from behind it; a revelation from the Wise, the Praised One. Qur'an, 41:42"* One, who believes in these Qur'anic verses and believes in Muhammad's prophethood, must not deviate from his sayings even by a hair's breadth or less. Those people have not deviated from the Prophet's

sayings but they have become mujtahids interpreting his sayings by themselves (*...while they thought that they were acquiring good by their works*). We are Allah's and to Him we shall return!

Here are some examples of interpreting the clear texts by those people according to their own opinions. They have preferred their personal benefits to those verses and traditions.

This is what I could collect in hastiness and due to my old age and in spite of the distresses, grudges, seditions and the ordeals of time surrounding us. And with none but Allah is the direction of my affair to a right issue; on Him do I rely and to Him do I turn.

Here they are; one hundred examples in seven chapters. Let you listen to them and then you have the right to give your opinion about them. Allah is the Guide to the truth and to the right path and to Him is our return. Allah is Sufficient for us! Most Excellent is He, in Whom we trust. Most excellent is the Patron and most excellent is the Helper.

CHAPTER ONE

INTERPRETATIONS OF ABU BAKR AND HIS FOLLOWERS

1. THE DAY OF SAQEEFA

When Abu Bakr stretched his hand to be paid homage as the caliph after the Prophet (s), some people paid him homage willingly and others-later on-paid homage unwillingly although they knew well that the Prophet (s) had entrusted his brother and cousin Ali bin Abu Talib (s) with the caliphate after him. They had seen the Prophet (s) and heard him mentioning this matter many times since the beginning of his prophethood until the end of his blessed life. The Prophet (s) had mentioned this tradition in different ways and all of them were clear in declaring that Ali (s) would be the caliph after him. Whoever wants to know more details about this subject, let him refer to our book "al-Muraja'at", in which we have mentioned a full research on these traditions and all what have been said about them by the two sects; the Shia and the Sunni. We have exchanged deliberations with the sheikh of Islam and the teacher of the ulama Sheikh Saleem al-Bishri al-Maliki, the sheikh of al-Jami' al-Azhar (al-Azhar University) at that time when I have been studying there.¹ He was then the sheikh (dean) of al-Azhar University. He took much care of me as he always did to his students. Arguments and written deliberations began between us about the caliphate after the Prophet (s) and the traditions concerning it. We tried our best to go deep in research and to be fair to the truth and because of the good soul of

¹ In the year 1329 A.H. and later after we have returned from the hawza of holy Najaf.

Sheikh al-Bishri, the result was the useful book "al-Muraja'at", in which guidance shone in its brightest signs. Praise be to Allah for this success.¹

I hope that you scrutinize into the aims and the intents of the Prophet's sayings and doings, which are the point of deliberation between us (the Shia) and the Sunni. Let passion not overcome your minds like those, who have dealt with the clear texts like their dealing with general or ambiguous sayings without caring for their (the texts') rightness and clearness. Allah says: *(Most surely it is the Word of an honored messenger. The processor of strength, having an honorable place with the Lord of the Dominion. One (to be) obeyed and faithful in trust. And your companion is not gone mad)* then whereto do you go, O you the Muslims! *(It is naught but revelation that is revealed. The Lord of Mighty Power has taught him).*

I have not seen clear and recurrent traditions more than the traditions talking about the caliphate but they have been confiscated by the most of the umma while the wound has not recovered yet and the Prophet (s) has not been buried yet.

The life of the Prophet (s) after his prophethood was full of traditions that had talked about the caliphate of Imam Ali (s) clearly since the (day of the warning)² in Abu Talib's house and throughout the days after that until he had lain in the bed of death whereas his room was crowded with people when he said: "O people, I am about to die and to be taken hastily. I have informed you. I have left among you the Book of Allah and my progeny". Then he raised Ali's hand and said: "This is Ali. He is with the Qur'an and the Qur'an is with him. They will never separate until they will come to me at the pond (in Paradise)". The traditions of thaqalayn (two weighty things) are enough to be the judge between the two sects; the Shia and the Sunni. *"Most surely there is a reminder in this for him who has a heart or he gives ear with full intelligence. Qur'an, 50:37"*

¹ The deliberations (muraja'at) were one hundred and twelve ones.

² The Prophet (s) had invited his close relatives to warn them. The last of his speech to them was that when he held Ali's hand and said: "This is my brother, my vizier, my guardian and my caliph among you. Listen to him and obey him!" Refer to muraja'a no. 20 and the one after it in the book "al-Muraja'at".

They (the companions) had appropriate the matter (the caliphate) to themselves on the day of Saqeefa¹ interpreting some prophetic traditions according to their own opinions without caring for anything else. They had determined their matter among them without informing anyone of the Hashemites² nor any of their followers; the Hashemites, who were the family of the Prophet (s), the place of the divine mission, the descendance of the angels and the descendance of Gabriel and revelation. As if they had forgotten that the Hashemites were the weighty thing the Prophet (s) had left, the equal of the Book of Allah,³ the protection of the umma from separation,⁴ the ship of rescue for the umma from deviation⁵ and the gate of repentance for the umma.⁶ As if they had forgotten that the Prophet's family was to the umma as the head to the body and as the two eyes to the head.⁷ In fact they were as they had been meant by the saying of the poet:

¹ Saqeefa means a shed. They (most of the Prophet's companions) have gathered in the shed of Bani Sa'ida on that day to determine that caliphate after the Prophet (s).

² Hashem was the Prophet's ancestor.

³ With reference to the clear traditions mentioned in the reliable books of traditions; those traditions that have made the Prophet's progeny as the equal of the Qur'an to be the example that must be followed by the men of understanding. Refer to Muslim's Sahih (book of Hadith), at-Tarmithi's Sahih, an-Nassa'iy's Sahih, Ahmad's Musnad, at-Tabarani in his al-Kabeer, al-Hakim's Mustadrak, ath-Thahabi's Talkhees al-Mustadrak, ibn Abu Shayba's Sunan, Abu Ya'la's Sunan, ibn Sa'd's Tabaqat and many others. For details refer to muraja'a no.8 in our book "al-Muraja'at".

⁴ Referring to the Prophet's saying: "My family is security for my umma from being separated. If a tribe of the Arabs objects to them, it will separate and then become the party of Iblis". Refer to al-Hakim's Mustadrak, vol.3 p.149.

⁵ Referring to the Prophet's saying: "The example of my progeny among you is like the Ark of Prophet Noah. Whoever rides on it will be saved and whoever lags behind it, will drown". Refer to al-Hakim's Mustadrak, vol.3 p.151.

⁶ Referring to the Prophet saying: "The example of my progeny is like the Ark of Prophet Noah. Whoever rides on it will be saved and whoever lags behind will drown. The example of my progeny among you is like the gate of repentance of the Israelites. Whoever enters into it will be forgiven". Mentioned by at-Tabarani in his al-Awsat.

⁷ Imam as-Sabban in his book Is'af ar-Raghibeen and Sheikh Yousuf an-Nabhani in his book ash-Sharaf al-Mu'ayyad and others mentioned that Abu Tharr had narrated the Prophet's saying: "Make my family among you as the head to the body and as the two eyes to the head. The head is not rightly guided without the eyes". For details refer to our book al-Muraja'at, muraja'a no.6 -13.

The matter is determined when Taym¹ is absent

And they² are not asked permission when they are present.

Yes! The matter had been determined in the Saqeefa³ while the Prophet (s) was lying between his family and his close companions for three days. They were around him mourning bitterly and their hearts were about to be cut into pieces with sorrow that might tear the livers and with fear that might move the mountains. The world, with all its wideness, had become too narrow before them.

And those people were away from the ordeal for three days being busy preparing their determinations to seize his (the Prophet's) authority and to plunder his rule. They did not pay any attention to any affair of him until they had determined their matter without caring for anything else.

As soon as they finished burying him, they surprised his guardians and lovers with asking them either to pay homage or to be burned with their houses.⁴

The poet of the Nile, Hafidh Ibraheem had said in a famous poem:

And a saying to Ali said by Umar,

Honored is the listener and great is the sayer

I burn your house and let you not alive longer in it

If you do not pay homage

¹ One of the great families of Quraysh.

² The people of Taym.

³ Saqeefa means shed.

⁴ They had threatened Imam Ali (s) to be burned unless he would pay homage. Refer to Abu Bakr Ahmad bin Abdul Aziz al-Jawhari in his book as-Saqeefa, p. 130, Sharh Nahjol Balagha, vol. 1, p. 134, Ibn Jarcer at-Tabari in his book Tareekh al-Umam wel Mulook, ibn Qutayba in his book al-Imama wes-Siyasa, ibn Abd Rabbih al-Maliki, in al-Iqd al-Fareed, vol.2, al-Mass'oodi in Murooj ath-Thahab, ibn ash-Shuhna in Rawdhatul Manadhir, Abul Fida' in al-Mukhtasar fee Akhbar al-Bashar, ash-Shahristani in al-Milal wen-Nihal, allama al-Hilli in Nahj as-Sidq quoted from al-Mahasin wa Anfas al-Jawahir, ibn Khanzabah in al-Ghurur and Abu Makhnaf in a detailed book talking about the homage of the Saqeefa.

Even if the daughter of al-Mustafa¹ is in it.

No one save Abu Hafs² that has said it

Before the knight and protector of Adnan³

If it has been supposed that there was no clear tradition showing that the caliphate was to be for one of the Prophet's family and if it has been supposed that no one of them had good ancestry, rank, morals, knowledge, favors, jihad, faith, sincerity or excellent virtue but they were just like the rest of the Prophet's companions, then was there any legal, rational or traditional excuse that prevented the companions from putting off their homage until the funerals of the Prophet (s) would finish??? Even if they would have ordered the army to control the situation temporarily until the matter of the caliphate would be settled???

Would it be not better for them to be somehow kind to the Prophet's family, who were distressed with the great loss, if they had waited a little? The Prophet's family was his deposit and his leftover among the Muslims. Allah has said: "*Certainly a Messenger has come to you from among yourselves; grievous to him is your falling into distress, excessively solicitous respecting you; to the believers (he is) compassionate.* Qur'an, 9:128" Had this Prophet, who became so grievous when his umma fell in distress, who strove for its prosperity and who was so kind to his people, not had a right on them that his family would not be constrained or surprised with what it had faced while the wound was not yet healed and the Prophet (s) was not yet buried?!

It was enough for his progeny, then, to worry, to pillow on insomnia, to suffer griefs, to chat with the stars, to bear pangs and to struggle against agonies. Waiting a little would have been worthier to console the Prophet's progeny, to regard the Prophet's dignity, to unite the umma and would have been nearer to wisdom. But the people had determined to turn the caliphate away from the Prophet's family at any cost. They feared that waiting a little might lead them to other

¹ One of the Prophet's surnames.

² It is the surname of Umar bin al-Khattab.

³ Adnan is the ancestor of the Hashemites.

than what they had determined because if Muhammad's family had attended the deliberations, their evidences and proofs would prevail; therefore they had hastened to carry out the homage and seized the opportunity when the Hashemites were busy with their ordeal and with the ceremonies of the funeral. What helped those people in achieving their plan was the astonishment of the Muslims and their fear and confusion besides the meeting of the most of the Ansar¹ in the Saqeefa to nominate Sa'd bin Obada, the chief of al-Khazraj,² for the caliphate but his cousin Basheer bin Sa'd bin Tha'laba and Osayd bin al-Khudhayr, the chief of al-Owss,³ competed with him for the rule. They envied him and feared that he might be the caliph. They agreed among themselves to turn the caliphate away from him with all means. Owaym bin Sa'ida al-Owssi and Ma'an bin Adiy, who were from the Ansar, agreed with them on that. These two men had been planned secretly with Abu Bakr and Umar and their party to act so. They had been from among the followers of Abu Bakr during the time of the Prophet (s) besides that they had had grudge against Sa'd bin Obada. Owaym hastened towards Abu Bakr and Umar inciting them to oppose Sa'd. He hastened with them, Abu Obayda, Salim the freed slave of Hudhayfa and then followed by others from their party of the Muhajireen⁴ to the Saqeefa.

The dispute flared up between the Muhajireen and the Ansar. The quarrel became serious and their shouts loudened until sedition was about to happen. Abu Bakr made a speech, in which he praised the Ansar and acknowledged their favors softly and leniently. Then he protested against them saying that the Muhajireen were the people of the Prophet (s) and the result of his efforts. He told them that they would be the viziers if the Muhajireen became the rulers. Then he held Umar and Abu Obayda's hands and ordered the attendants to pay homage to one of them. As soon as he said so, Umar and Basheer hastened to pay homage to Abu Bakr himself. Then he was paid

¹ Ansar means helpers: the people of Medina, who had assisted (and believed in) the Prophet (s) and his companions when had emigrated from Mecca.

² One of the greatest tribes in Medina.

³ The other greatest tribe in Medina.

⁴ Muhajireen means the emigrants: the first Muslims, who had emigrated from Mecca to Medina.

homage by Osayd bin al-Khudhayr, Owaym bin Sa'ida, Ma'an bin Adiy, Abu Obayda bin al-Jarrah, Salim and Khalid bin al-Waleed and then these men tried their best to force the people to pay homage. The extremist among them was Umar and then Usayd, Khalid and Qunfith bin Umayr bin Jad'an at-Tameemi.¹ As soon as Abu Bakr was paid homage, the group that paid him homage came escorting him towards the Prophet's mosque as in a wedding procession² whereas the Prophet (s) was still lain down among his pure lovers. Imam Ali (s) then could not but to recite this verse of one of the poets:

Some people began saying whatever they like

And tyrannized when Zayd was afflicted with calamities³

Imam Ali (s) knew well that people had determined to turn the caliphate away from him and that if he had asked for his right (the caliphate) they would have disputed against him and if he had fought them they would have fought him and that would lead to a sedition in the religion and would bring dangers over the umma; therefore he chose to retire preferring the general welfare and preferring the most important thing to the important thing in order to keep Islam safe from any danger. It was a covenant from the Prophet (s). Ameerul Mo'mineen⁴ became patient unwillingly and restrained himself from

¹ These persons were among the ones, who had broken into the house of Fatima, the Prophet's daughter (s), when intending to set fire to it. Refer to Sharh Nahjol Balagha, vol. 2 p.19. Ahmad bin Abdul Aziz al-Jawhari narrated, as mentioned in Sharh Nahjol Balagha, vol. 1 p.130, that: "When Abu Bakr had been paid homage, Az-Zubayr, al-Miqdad and some other people often visited Ali in the house of Fatima (s). Umar went to Fatima and said: "O daughter of the messenger of Allah, none of the people in the world has ever been more beloved to us than your father and than you after your father. By Allah, this will not prevent me, if these people meet here in your house, from ordering to burn the house over them..."

² Mentioned by az-Zubayr bin Bukar in his book al-Muwaffaqiyyat. Refer to Sharh Nahjol Balagha, vol. 2 p.8.

³ Mentioned by Abu Bakr Ahmad bin Abdul Aziz al-Jawhary in his book as-Saqeefa. Refer to Sharh Nahjol Balagha, vol. 2 p.5.

⁴ "Ameerul Mo'mineen" means the commander of the believers. It is the title of Imam Ali (s).

carrying out the covenant.¹ Yes! He remained at home. He was discontented with what they had done until they took him out by force.²

He protested against those, who had extorted his right, and how eloquent his protest was when he said to Abu Bakr:

*If you protested against your opponents with kinship,
The others were worthier of the Prophet and closer than you
And if you ruled them by the shura,*

¹ For details refer to our thesis *Falsafatul Meethaq wel-Wilaya* (The Philosophy of the Covenant and guardianship) and refer to *al-Muraja'at*, *muraja'a* no.82, 84, and refer to chap.8 in our book *al-Fusool al-Muhimma*.

² Abu Bakr al-Jawhari mentioned in his book *as-Saqeefa-as* in *Sharh Nahjol Balagha*, vol. 2 p.19- a tradition narrated by ash-Shi'bi saying: "Umar and Khalid bin al-Waleed went to Fatima's house. Umar came into and Khalid stayed at the door. Umar said to az-Zubayr: "What is this sword for?" He said: "I have prepared it to pay homage to Ali." There were many people in the house. Among them were al-Miqdad and some of the Hashemites. Umar snatched the sword from az-Zubayr, struck it against a rock and broke it. They took az-Zubayr out to Khalid and his companions. There were many people with Khalid, Abu Bakr had sent them to support Umar and Khalid. Then Umar said to Ali: "Get up and pay homage!" He lagged and hesitated. Umar caught his hand and said to him: "Get up!" He refused. They carried him by force and delivered him to Khalid as they did with az-Zubayr. Umar and his companions drove Ali and az-Zubayr violently. People gathered looking at the scene. The streets of Medina became full of people. When Fatima (s) saw what Umar had done, she cried and shouted. Many women of the Hashemites and others gathered with her. She went out of her room and shouted: "O Abu Bakr, how hasty you attacked the Prophet's family. By Allah, I will not talk with Umar until I meet Allah."

Whoever examines the events of those days will find the clear truth in Abu Bakr's saying when he was about to die: "I wished I had not broken into Fatima's house even if it would lead to war." Abu Bakr al-Jawhari mentioned in his book *as-Saqeefa* another tradition narrated by Luhay'a from Abul Aswad: "Umar and his companions broke into the house while Fatima (s) was crying and adjuring them before Allah. They took Ali and az-Zubayr out being driven by Umar". Al-Jawhari mentioned too that: "Umar came to Fatima's house with people of Ansar and some men of Muhajireen and said: "I swear by Him, in Whose hand my soul is, either you come out to pay homage or I shall burn the house over your heads." Az-Zubayr came out drawing his sword but they gathered against him until his sword fell from his hand. Umar struck the sword against a rock and it broke and then he took them out of the house drawing them violently with their collars..." Refer to *Sharh Nahjol Balagha*, vol. 2 p.19.

*How is that while the people of the shura were absent?*¹

¹ These two verses are in Nahjol Balagha, the book, in which the speeches, the letters and the maxims of Imam Ali (s) have been collected. Abdul Hameed bin Abul Hadeed and Sheikh Muhammad Abda had commented on these two verses in their books. It would be better to the researchers to refer to. I have mentioned them in al-Muaraja'at no. 80. Al-Abbas bin Abdul Muttalib once had protested against Abu Bakr with something that as if its meaning had been taken from these two verses. He said to Abu Bakr through an argument between them: "If you have pretended that the Prophet (s) is from you, then you have extorted our right and if you have evidenced with the believers, then we are the first and the best of the believers so if this matter (the caliphate) would not be legal to you unless with the agreement of the believers then it would not be legal while we were unwilling". In another argument, as mentioned in Sharh Nahjol Balagha, vol. 2 p.1, he said to him: "As for your saying "we are the tree of the Prophet" you are its neighbors and we are its branches".

This was the meaning of Imam Ali's saying "You have argued about the tree but lost the fruit". Al-Fadhli bin al-Abbas said, as narrated by az-Zubayr bin Bukar in his Muwaffaqiyyat and mentioned in Sharh Nahjol Balagha, vol. 2 p.8: "O people of Quraysh and especially you bani Taym, you have taken the caliphate by means of the prophethood whereas we are its people rather than you but if we ask for this matter, which is our right, people will hate us more than to hate the others because of their envy and grudge towards us. We have known well that our man (Imam Ali) has a covenant that must be carried out."

Otba bin Abu Lahab said, as mentioned in Mukhtasar of Abul Fida' and in the last page of vol.2, Sharh Nahjol Balagha:

*I have not thought that the matter (caliphate) will be turned away
From Hashem (the Hashemites) and then from Abu Hasan (Ali)
Was he not the first who had offered prayers toward your Qibla
And the most aware of the Qur'an and the Sunna among all people,
And the closest one to the Prophet and to Gabriel
When helping him (Gabriel) in washing and preparing his coffin?
He has had nothing to be doubted
And none of them has had a bit of his virtues
What made them deny him? Let us know
It was injustice that no else was greater than*

Az-Zubayr bin Bukar, when mentioning these verses in his al-Muwaffaqiyyat, said: "...Ali sent for him (Otba bin Abu Lahab) and ordered him not to say such a thing again and said to him: "The safety of religion is more important for us than anything else". Az-Zubayr also mentioned in al-Muwaffaqiyyat as in Sharh Nahjol Balagha, vol. 2 p.7 that once Abu Sufyan had passed by Ali's house. He stopped before the house and recited:

O bani Hashem, do not let people deem you weak

Their homage was a slip that Allah had saved the Muslims from its evil as they had pretended but its cost was on the expense of Ameerul Mo'mineen when he became patient before harm, silent before injustice and when he sacrificed his right for the sake of Islam. Allah may reward him for his favors on Islam and the Muslims with the best of His reward.

2. THE SECOND SITUATION

When Abu Bakr was about to die, he entrusted Umar with the caliphate! How odd! (How wonder! As he has extorted it in his life, he has entrusted it to another one after his death. How much they have participated in its two udders!).¹ How wonder! As if the man has given the other a piece of his own properties! He has entrusted it to whoever he wished without fearing any punishment, blaming or criticizing. How wonder! As if he has forgotten or pretended that he has forgotten the covenant of the caliphate the Prophet (s) had given to Ali and then after him to the infallible imams of his progeny, who were one of the two weighty things that whoever kept to would never deviate and whoever turned away from their path would never be guided to the path of the truth. They were equal to the Qur'an. They (the Qur'an and the Prophet's progeny) would never separate until they would come to him at the pond in Paradise. They were like the Ark of Noah (s). Whoever rode on it would be rescued and whoever lagged behind it would drown. They were like the gate of repentance.

Especially Taym bin Murra and Adiy

For the matter is just among you and for you

No one deserves it save Abu Hasan Ali

O Abu Hasan, he determined for it

For you are the only well-qualified one for the hoped matter

His speech had no any effect on Imam. Ali said: "The messenger of Allah has promised me with something and I am still keeping to it". Abu Sufyan left Ali and went to al-Abbas bin Abdul Muttalib in his house. He said to him: "O Abul Fadhl, you are the well-qualified one for it (the caliphate) and worthier of the heritage of your nephew (the Prophet). Give me your hand to pay homage to you!" Al-Abbas laughed and said: "Ali refuses it and al-Abbas asks for it, how far!!!" Abu Sufyan went out disappointedly".

¹ This is a part of one of Imam Ali's speeches.

Whoever entered through it would be forgiven. They were the security for the people of the earth from being tortured and they were the security of the umma from separation (in religion). If a tribe opposed them, its people would disagreed among themselves and become the party of Iblis...etc. to the rest of the clear traditions that had declared their right of the caliphate and made that compulsory on the whole peoples. We have mentioned many of such traditions in our book *al-Muraja'at*.¹

3. THE THIRD SITUATION

The battle of Mu'ta: it took place in Jumada al-Oola, the eighth year of hijra, in which the Prophet (s) had appointed Zayd bin Haritha as the leader of the army. The Prophet (s) said: "If Zayd is struck, then Ja'far bin Abu Talib will be the leader and if he is struck then Abdullah bin Rawaha will be the leader". This has been said by all the Sunni whereas the Shia say that the first leader, according to the Prophet's tradition, is Ja'far, the second is Zayd and the third is Abdullah bin Rawaha. Our traditions on this subject are true and recurrent from the pure infallible imams (s).

Muhammad bin Iss-haq has confirmed this in his *Maghazi* when mentioning the poems of Hassaan bin Thabit and Ka'b bin Malik on praising and elegizing Ja'far when he has been martyred.²

However the order of these three leaders was, the fact was that the Prophet (s) had appointed Zayd as a leader whether he was the first or the second one. The army and the rest of the companions had heard the Prophet (s) appointing Zayd as the leader. After that there was no any excuse for those who had objected to this order unless it was possible for non-infallible one to interpret (change), according to his own opinion, a tradition said by an infallible one!!!

¹ You find them in *muraja'a* no.8 p.20 (the third edition) until *muraja'a* no.14. The dispute through the *muraja'at* between me and Sheikh al-Bishri flared up until he said to me in the last of his letters he had written about this subject: "You have sublimated and corrected my thinking in your last letter, from whose contents the lights of your star shone and the signs of your victory appeared". I said: "Praise be to Allah, the Lord of the worlds, for granting success and victory".

² *Sharh Nahjol Balagha*, vol. 3 p.607-.

The reason of this battle was that the Prophet (s) had sent his companion al-Harth bin Umayr to the king of Busra¹ inviting him to be a Muslim. When he was on his way, Shurahbeel bin Amr stopped him and asked him: "Where are you going to?" Al-Harth said: "To Sham". He said: "Are you one of Muhammad's messengers?" Al-Harth said: "Yes, I am." Shurahbeel ordered his mates to tie al-Harth and then he killed him. No one of the Prophet's messengers had been killed except this one. When the Prophet (s) had been informed of this, he ordered the army to march and appointed these three leaders according to the order we have mentioned before.

The Prophet (s) sent this army and another army under the leadership of Ussama bin Zayd to conquer Sham. Their hearts were full of the dignity of Islam and the Muslims and the hearts of the Romans were filled with fear and regard when they saw the seriousness, steadfastness, devotedness and competing towards martyrdom among the two armies.

How brave Ja'far bin Abu Talib was with his three thousand soldiers when they attacked Hercules and his two hundred thousand soldiers.² Ja'far recited:

How nice Paradise is and its becoming near!

How good it is with its cold drinks

And the Romans are waiting for their near torment

They are unbelievers and strangers for me

I will strike them in the meeting

When the fighting became so violent, Ja'far broke into on his horse. He slaughtered his horse and attacked the enemy. His hands were cut and then he was killed. Ja'far was the first one, who had slaughtered his horse in Islam. More than eighty wounds were found on his body.

It was narrated that the Prophet (s) had said: "Last night (in dream) Ja'far and some angels passed by me. He had two wings. His

¹ In Syria.

² One hundred thousand soldiers from the Romans and one hundred thousand from the Arabs from Najm, Jutham and other tribes as mentioned by Ibnul Atheer in his al-Kamil and by others.

primaries were dyed with blood".¹

How great the situation of Zayd bin Haritha was when he broke through the spears of the enemy! May Allah high his position as he has been honored in this life.

And how great the situation of Abdullah bin Rawaha was when he encouraged himself to face an army of two hundred thousand soldiers! He recited:

O my soul, if you are not killed, you will die

This is the death you are in now

Whatever you have wished, you have been given

If you do one of them, you will be guided then

He also recited:

O my soul, I swear that you must submit to death

Willingly or you will be forced to it

As people have got ready to meet the hope

So why you hate Paradise

How long you have been reassured

Then he got off his horse. One of his cousins came to him with a piece of meat and said: "Support yourself with this for you have got much tiredness." He ate a bit and then he heard a clamor coming from a side of the army. He said to himself: "Do hear this and you are still alive?" He threw the piece of meat and approached to fight until he was martyred.

Some Muslims of this army, after founding that the enemy army was about two hundred thousands, thought to inform the Prophet (s) about that but Abdullah bin Rawaha encouraged them to keep on by saying: "By Allah, we do not fight by equipments, powers or numbers. We fight by this religion, with which Allah has honored us. Go on! It is not but one of two good things; either victory or martyrdom". The people said: "By Allah, he is right". They went on without feeling weak or submissive. By Allah, it is the honor that goes high on the wing of the eagle and competes with the Gemini.

¹ Al-Kamil by Ibnul Atheer (the battle of Mu'ta) and other books of Hadith and history. The surname of Ja'far among all the Muslims is "the two-winged" man.

Yes! It is the real faith in Allah and His messenger. I wish I were with them to get the great victory!

4. THE ARMY OF USSAMA BIN ZAYD

The Prophet (s) had cared much for this army. He ordered his companions to get ready and incited them too much to join this army. He himself mobilized them in order to sharpen their determinations and to awaken their ardors. He let no one of the Muhajireen and Ansar, like Abu Bakr, Umar,¹ Abu Ubayda, Sa'd and their likes, unless he mobilized him for the army.² This was in Safar, the eleventh year of hijra. The next day the Prophet (s) sent for Ussama and said to him: "Go (with the army) to the place where your father has been killed. Let your horses tread on them (the Romans and the people of Sham). I have appointed you as the emir of this army. Attack the people of Ubna³ in the morning. Set fire to them. Hasten to precede the news. If Allah makes you defeat them, do not stay long there. Take some guides with you and send spies and pioneers before you".

On the twenty-eighth of Safar, the Prophet (s) began to feel ill. He got fever and headache. In the morning of the twenty-ninth he found that his companions (the army) were sluggish. He went to them and

¹ The historians agreed upon that Abu Bakr and Umar were in this army and they proved that as an irrefutable fact. Refer to at-Tabaqat by ibn Sa'd, At-Tabari's Tareekh, Ibnul Atheer's Tareekh, as-Seera ad-Dahlaniyya and others. Al-Halabi mentioned in his Seera, vol.3: "When al-Mahdi (the Abbasid caliph) came to Basra, he met Iyas bin Mo'awiya, who was very clever and intelligent. He was a young boy and behind him there were four hundred of ulama and notable men. Al-Mahdi said: "Woe to these beards! Is not there among them a notable man to be at the head other than this boy?" Then al-Mahdi turned toward the boy and said to him: "How old are you, boy?" The boy said: "O Ameerul Mo'mineen, may Allah make you live long! My old is as the old of Ussama bin Zayd bin Haritha when the Prophet (s) has appointed him as the leader of an army, in which Abu Bakr and Umar were." Al-Mahdi said: "Come on! May Allah bless you". Al-Halabi mentioned that Ussama was seventeen years old then.

² Umar often said to Ussama: "The Prophet (s) died and you were the emir over me". Some historians mentioned this like al-Halabi in his Seera when talking about the army of Ussama.

³ It is a village in Syria between Asqalan and ar-Ramla near Mu'ta, where Ja'far bin Abu Talib, Zayd bin Haritha and Abdullah bin Rawaha have been martyred.

urged them to move. He himself gave the banner to Ussama with his honored hand in order to motivate their zeal and to awaken their determination. Then he said: "Move in the name of Allah and for the sake of Allah! Fight those who have disbelieved in Allah!" Ussama moved with the army. He gave the banner to Burayda. They camped in al-Jurf and they became sluggish there. They did not leave there in spite of the clear orders they had heard from the Prophet (s) ordering them to hasten like his saying "Attack the people of Ubna in the morning..." and "Hasten to precede the news..." and many other orders that they did not obey.

Some of them rejected the leadership of Ussama as they had rejected the leadership of his father before. They criticized him too much and argued too much although they saw that the Prophet (s) himself had appointed him as the leader and had given him the banner of the emirate while he was ill. All that did not prevent them from rejecting the leadership of Ussama until the Prophet (s) became very angry. He went out wrapped with his plush and his head was bandaged suffering from fever and headache.¹ It was Saturday, the tenth of Rabee'ul Awwal, two days before his death (according to the date mentioned by the Sunni). He ascended the minbar, praised Allah and said (as mentioned by the Sunni and the Shia and by all the Historians): "O people, what is this saying, which I have been informed of, said by some of you criticizing my appointing Ussama as the emir of the army? As you criticize my appointing Ussama as the emir, you have criticized my appointing his father as the emir before. By Allah, he (Ussama's father) was well-qualified for the emirate and his son after him is well-qualified for it too". He urged the people to progress as quickly as they could. They began to farewell him and they went to the camping in al-Jurf. His case (illness) became worse. He kept on saying: "Prepare the army of Ussama...let the army of Ussama move...send the army of Ussama..." He repeated that while they were still inactive. On Sunday, the twelfth of Rabee'ul Awwal Ussama came from his camp to the Prophet (s). The Prophet (s) ordered him by saying: "Move in the morning with the blessing of Allah". Ussama farewelled the Prophet

¹ Refer to Ibn Sa'd's *Tabaqat*, al-Halabi's *Seera*, ad-Dahlani's *Seera* and all the books that talked about the army of Ussama.

(s) and left to his camp and then he returned with Umar and Abu Ubayda. They came to the Prophet (s) while he was about to die. He died on that same day. The army came back to Medina. They determined to cancel sending the army this time. They talked with Abu Bakr about that and insisted on him too much in spite of that they had seen the Prophet (s) caring much for this army and insisting on sending it. They decided to cancel sending the army but the Caliph Abu Bakr was determined and he insisted on sending the army. Then Umar came to Abu Bakr requesting him to depose Ussama and to appoint another one instead of him.

It was not a long time after the anger of the Prophet (s) when they rejected his appointing Ussama as the emir and his going out of his house angrily while he was too ill and his legs were about to fail him and it was not a long time after he had confirmed his orders by swearing, when they decided to turn over everything but the caliph Abu Bakr refused to respond to them to depose Ussama and he refused to cancel sending the army. He got up, caught the beard of Umar¹ and said: "Your mother may lose you O you ibn al-Khattab! The Prophet (s) has appointed him and you want me to depose him!"

When they sent the army-and they were about not to do-Ussama moved with three thousand warriors, among whom there were one thousand knights.² Some people, whom the Prophet (s) had ordered to join the army, did not join the army. The Prophet (s) had said: "Prepare the army of Ussama! Allah may curse whoever does not join this army!"³

They lagged behind the army at the first and refused to join it finally in order to firm the bases of their policy and to establish its pillars preferring their benefits to obeying the clear orders of the Prophet (s). They thought that their doing would be better to be carried out and worthier to be cared for because the army would not stop if they

¹ Al-Halabi in his Seera, ad-Dahlani in his Seera, Ibn Jareer at-Tabari in his Tareekh, the events of the eleventh year of hijra and other historians.

² He attacked the people of Ubna, burnt their houses, cut their palm-trees, made the horses tread on their properties, killed many of them and captured the rest. On that day he killed his father's killer. No one of the Muslims was killed on that day.

³ Ash-Shahristani in his book al-Milal wen-Nihal, the fourth introduction.

lagged behind or if they did not join it whereas the caliphate would be turned away from them to others if they went to the battle before the death of the Prophet (s).

The Prophet (s) wanted the capital to be empty of them so that the situation would be clear and safe for Ameerul Mo'mineen Ali bin Abu Talib (s). If they came back after the covenant of the caliphate would have been determined to Ali, they would have no good chance to dispute or disagree then.

The Prophet (s) had appointed Ussama, who was seventeen years old,¹ as the emir over them in order to degrade the haughty ones, to control the fancy of others and to be safe in the future from the disputing of the competitors if he had appointed one of them as the emir but they realized what the Prophet (s) had planned to, so they rejected the emirate of Ussama and refused to go with him to fight. They did not leave their camping in al-Jurf until the Prophet (s) went to the better world and then they intended to cancel the battle one time and to depose Ussama in another time. At last they did not join the army of Ussama and at the head of them were Abu Bakr and Umar.²

These were five things in the matter of the army of Ussama, which they (the companions) had not obeyed whereas they (these things)

¹ This was the most certain saying. It was also said that he was 18, 19 or 20 years old but no one had said more than that.

² *He was not in the army of ibn Zayd (Ussama)*

to be led by ibn Zayd

nor was he afraid on the day of the cave

nor hid himself on the day of al-Fareesh

nor was he deposed on the day of Bara'a

nor was he led behind in a prayer

a young man who has not got a root from Taym bin Murra

nor from the evil Abdul Lat

an imam of guidance who preferred the others to have his disc of bread

and so the red disc of the sun was returned white to him

Gabriel competed with him under the garment

Composed by ibn Abul Hadced al-Mu'tazily al-Hanafi (about Imam Ali (s))

were declared clearly by the prophetic sayings, preferring their fancies and their own ijtihads to the clear traditions of the Prophet (s).

Sheikh Saleem al-Bishri justified the companions' doing in some of our arguments (muraja'at). He said: "Yes, the Prophet (s) urged them to hasten with the army of Ussama and ordered them many times until he said to Ussama: "Attack the people of Ubna in the morning..." and he did not give him time even to the evening and he said to him: "Hasten..." He did not accept from him except hastening but immediately after that the Prophet (s) became so ill until it was feared for him. Their selves did not allow them to leave him while he was in such a case. They remained in al-Jurf waiting to see how he would become. This was because of their pity for him and their love to him. The aim behind their sluggishness was just waiting for one of two things; either to be delighted if he would restore his health or to win the honor of carrying out his funerals and to establish the affairs of the one, who would rule over them after him. They were excused and would not be blamed for that.

As for rejecting the emirate of Ussama before the death of the Prophet (s) in spite of the clear sayings and orders of the Prophet (s), it was just because Ussama was too young while they were middle-aged and old men and the souls of the middle-aged and old men would refuse-in their natures-to be led by the young and hate to submit to the orders of the youth so their rejecting his emirate was not a heresy but it was due to the human nature".

And as for their request to depose Ussama after the death of the Prophet (s), some of the ulama justified that in a way that the companions might think it would be permissible if the caliph Abu Bakr would have preferred to depose him due to the general welfare according to their own opinions.

Sheikh Saleem al-Bishri added: "Indeed I do not know any justification that mind may accept concerning their request to depose Ussama especially after the Prophet (s) has become so angry when they have rejected his appointing Ussama as the emir and he has come out, although he was seriously ill, wrapped with his plush and his head was bandaged because of fever and headache and he

has reproached them in his speech from above the minbar. It was one of the famous historical events, that has spread everywhere. Justifying their doing, after all that, is something unknown save by Allah.

As for their intention to cancel sending the army after they have seen the Prophet (s) caring too much to send it and insisting on hastening to send it and his many traditions about this matter, it was because of their precautions that the capital of Islam might be overcome by the polytheists after it would be empty of the forces. After the death of the Prophet (s) hypocrisy appeared, the Jews and the Christians became powerful, many tribes apostatized and other tribes refused to pay the zakat. The companions asked our master Abu Bakr as-Siddeeq to prevent Ussama from moving with the army but he refused and said: "By Allah, if I am snatched away by birds, is better to me than to change anything before carrying out the order of the messenger of Allah (s)". This is what has been mentioned by our ulama about the situation of Abu Bakr but as for the others, they are excused because they have had no intention save their fearing for Islam.

As for when Abu Bakr, Umar and others had abstained from joining the army of Ussama, when it went to fight, it was just to establish the Islamic rule and the Muhammadan state and to save the caliphate, which the religion and its people would not be saved then except with.

We found what you have quoted from ash-Shahristani in his book *al-Milal wen-Nihal* as *mursal* and not *musnad*.¹ Al-Halabi and ad-Dahlani said in their *Seeras*: "No tradition has been narrated about the subject at all". If you, may Allah assist you, have a tradition narrated by the Sunni, please guide me to it and thanks be to you".

We said when replying to the sheikh: "You have-may Allah keep you safe-acknowledged that those companions have been sluggish in al-Jurf and then they have not joined the army when moving to fight

¹ *Mursal* is a tradition narrated without a series of narrators or the narrators are unknown or unreliable. *Musnad* is a tradition narrated by truthful and reliable narrators.

although they have been ordered by the Prophet (s) to hasten in doing that.

You have acknowledged too that they rejected the emirate of Ussama in spite of the clear sayings and orders of the Prophet (s).

You have acknowledged that they have requested Abu Bakr to depose Ussama after the Prophet (s) has been so angry for that and that he has come out wrapped and bandaged because of illness. And then he has reproached them in his speech he made on the minbar that you have said it was a famous historical event. It was the speech, in which the Prophet (s) had declared that Ussama and his father, before him, were well-qualified for the emirate.

You have acknowledged their requesting the caliph to cancel sending the army, which the Prophet (s) has ordered to be sent, although they have seen the Prophet (s) insisting on that and inciting his companions to hasten moving toward Sham and his sayings were too clear and firm.

You have acknowledged that some companions, whom the Prophet (s) has ordered to join the army, had not joined the army.

You have acknowledged all these things, which have been mentioned by all the historians, and you have said they (those companions) were excused for doing that. The conclusion of what you have mentioned as a justification for their doings was that they have just preferred the welfare of Islam as they have thought and not according to the sayings and orders of the Prophet (s). We have not said, in this concern, more than this.

In another word, we want to ask: have they offered their worships according to all of the prophetic traditions or not? You have chosen the first and we have chosen the second. Your acknowledgment, now, that they have not acted in these matters according to the prophetic traditions confirms what we have chosen and whether they were excused or not, certainly has nothing to do with the subject of the research.

Since it has been proved that they have preferred the benefit of Islam, concerning the matter of the army of Ussama, by acting according to their own opinions rather than to act according to the

Prophet's orders, then why do you not say that they have preferred, in the matter of the caliphate after the Prophet (s), the benefit of Islam according to their own opinions too rather than to follow the prophetic traditions of al-Ghadeer and their likes?!

You have justified the doing of those companions, who have rejected the emirate of Ussama, by saying that they have rejected his emirate because he was too young and they were middle-aged and old men and you have said that the souls of the middle-aged and old men would refuse in their nature to be led by a young man. Then why have you not said the same about those who have not carried out the prophetic traditions of al-Ghadeer that have determined the caliphate of Ali, who was a young man then, over the middle-aged and old men of the companions for they-in the same way-have considered him as too young as they have considered Ussama when the Prophet (s) has appointed him a leader over them in that army? What difference between the emirate of an army and the caliphate is! If their souls-according to their human nature-refused to be led by a young man in an army for a short period of time, they would, no doubt, refuse to be ruled by a young caliph throughout his lifetime and in all the worldly and afterlife affairs!

You have mentioned that "the souls of the middle-aged and old men refuse-according to their human natures-to be led by the young". It is not probable that you have meant to generalize this criterion because the faithful souls of the sincere old men will never refrain from obeying Allah and His messenger in being led by the young or in anything else. Allah says: *"But no! by your Lord! they do not believe (in reality) until they make you a judge of that which has become a matter of disagreement among them, and then do not find any straitness in their hearts as to what you have decided and submit with entire submission. Qur'an, 4:65"* and *"...and whatever the Messenger gives you, accept it, and from whatever he forbids you, keep back. Qur'an, 59:7"* and *"And it behooves not a believing man and a believing woman that they should have any choice in their matter when Allah and His Messenger have decided a matter; and whoever disobeys Allah and His Messenger, he surely strays off a manifest straying. Qur'an, 33:36"*

As for the word of ash-Shahristani concerning those, who had refused to join the army of Ussama, it has come in a musnad tradition mentioned by Abu Bakr Ahmad bin Abdul Aziz al-Jawhari in his book Kitab as-Saqeefa. Here I quote the tradition as it has been mentioned:

“Ahmad bin Iss-haq bin Salih narrated from Ahmad bin Yasaar from Sa’eed bin Katheer al-Ansari from his companions that Abdullah bin Abdurrahman had said: “The Prophet (s), during his illness that led to his death, appointed Ussama as the leader of an army, which consisted the most of the Muhajireen and the Ansar, among whom were Abu Bakr, Umar, Abu Ubayda bin al-Jarrah, Abdurrahman bin Owf, Talha and az-Zubayr. He ordered him to attack Mu’ta where his father Zayd had been killed and to invade the valley of Palestine. Ussama lagged and all the army lagged with him. The Prophet’s health changed between a day and another but he still insisted on carrying out the task of the army of Ussama until Ussama said to him: “O messenger of Allah, may my father and mother die for you! Would you please allow me to stay some days until Allah restores your health?” The Prophet (s) said to him: “Go and set out with the blessing of Allah!” Ussama said: “O messenger of Allah, if I leave while you are still in this case, I will leave and my heart will be full of pain”. The Prophet (s) said: “Set out with victory and good will!” He said: “O messenger of Allah, I hate to ask the travelers about you”. The Prophet (s) said: “Do what I have ordered you!” Then the Prophet (s) fainted and Ussama left and got ready to set out. When the Prophet (s) regained his consciousness, he asked about Ussama and his army. It was said to him that Ussama and his army had been preparing to move. The Prophet (s) said: “Let the army of Ussama set out. Allah may curse whoever does not join Ussama.” He repeated that many times. Ussama set out with the banner fluttering over his head and the companions around him until he arrived at al-Jurf. He camped there and with him there were Abu Bakr, Umar and most of the Muhajireen and from the Ansar there were Usayd bin Khudhayr, Basheer bin Sa’d and many other notable personalities. Then the messenger of Umm Aymen¹ came saying to Ussama: “Come back to

¹ She was the Prophet’s nursemaid.

Medina! The messenger of Allah is dying". Ussama immediately came back to Medina and the banner was with him. He came and fixed the banner at the door of the Prophet's house where the Prophet (s) had died then".

This tradition has been mentioned by several historians like ibn Abul Hadeed al-Mu'tazili in *Sharh Nahjol Balagha*, vol. 2 p.20, Egypt Edition.

5. THE SHARE OF THOSE WHOSE HEARTS ARE MADE TO INCLINE (TO THE TRUTH)

Allah, in His holy Book, has assigned a share from the zakat for a certain group of people when saying: *"The alms are only for the poor and the needy, and those who collect them, and those whose hearts are to be reconciled, and to free the captives and the debtors, and for the cause of Allah, and (for) the wayfarer; a duty imposed by Allah. Allah is Knower, Wise.* Qur'an, 9:60"

The Prophet (s) used to give those people, whose hearts had been reconciled (to the Truth) this share from the zakat. They were different kinds of people. Among them there were notable men of the Arab tribes, whom the Prophet (s) gifted to become Muslims in order to be safe from their dangers and others who had become Muslims but their determinations were weak; therefore the Prophet (s) attracted them by gifting them profusely like Abu Sufyan and his son Mo'awiyya, Uyayna bin Hissn, al-Aqra' bin Habis and Abbas bin Mirdass, and among them there were those people, who were waiting for their equals of the Arab personalities to become Muslims so that they themselves, then, would become Muslims. The first kind of those people might be those people, whom the Prophet (s) gifted from the sixth of the khums¹ (fifth), which was his own pure share, and he had prepared some of those people, by gifting them with a part of the zakat, to fight the unbelievers.

Thus was the conduct of the Prophet (s) towards those, whose hearts had been reconciled to Islam, since this verse had been revealed to him until he left to the better world. He had never ordered anyone to

¹ A type of religious levy, equivalent to one fifth of taxable income.

annul it after him at all. All the umma has agreed unanimously upon this.

When Abu Bakr became the caliph, those people came to receive their shares as it was usual during the time of the Prophet (s). Abu Bakr wrote them a book confirming their right. They took the book to Umar to be signed by him. Umar tore the book and said to them: "We are not in need of you. Allah has strengthen Islam and made us no longer need you. Either you become Muslims or the sword will be between us and you." They went back to Abu Bakr and said to him: "Are you the caliph or he?" Abu Bakr said: "It is he inshallah" and he agreed to what Umar had done.¹

The matter had been settled by the two caliphs, Abu Bakr and Umar, and those, who had adopted their opinion, and they determined to deprive those people, whose hearts had been reconciled to Islam, of their share and turned it from them to the other classes mentioned

¹ Refer to al-Jawhara an-Nayyira ala Mukhtasar al-Qaddoori on Hanafite jurisprudence, vol.1 p.164. Also it has been mentioned by other historians when talking about the qualities of the two caliphs.

How many cases like this one Umar had done! One of them, for example, as mentioned by the historians, was: "Once Uyayna bin Hissn and al-Aqra' bin Habiss came to Abu Bakr and said to him: "There is a piece of inarable land that has neither plant nor any advantage". Abu Bakr said: "I see to grant it to you that Allah may make it useful". Abu Bakr asked the people around him: "What do you say?" They said: "It is ok." He wrote them a book about that. They took the book to Umar to witness on it. Umar took the book from them, spit on it and erased it. They became so angry and said to him bad words. Then they came back to Abu Bakr complaining. They said to Abu Bakr: "By Allah, we do not know who the caliph is, you or Umar!" Abu Bakr said: "It is he!" Umar came and stopped before Abu Bakr while he was angry. He said to Abu Bakr: "Tell me about this land that you have granted to these tow ones. Is it yours or it is for the Muslims?" Abu Bakr said: "It is for the Muslims." Umar said: "So what made you grant it to these two ones?" Abu Bakr said: "I consulted with the people around me." Umar said: "Did you consult with all the Muslims and get their consent?" Abu Bakr said: "I have said to you before that you are better than me in this matter (the caliphate) but you forced me to it". Mentioned by ibn Abul Hadeed in Sharh Nahjol Balagha, vol. 12 p.108, al-Asqalani in his Issaba when mentioning the biography of Uyayna and it has mentioned by others.

Would that they had consulted all the Muslims on the day of as-Saqeefa and would that they had waited a little until the Hashemites would have finished the funerals of the Prophet (s) to be able to attend that consultation for they no doubt were the worthiest of that among the umma!

in the Qur'anic verse.

Some virtuous ulama have talked about this subject that it would be better to quote their speech and to test it because it has some advantages.

Professor ad-Dawaleebi¹ said in his book *Usool al-Fiqh*:² "The ijtiḥād of Umar (may Allah be pleased with him) on stopping the gift that the Holy Qur'an had determined for the people, whose hearts had been reconciled to Islam, might have been the first of the verdicts that Umar had done according to "the change of benefits due to the change of time" although the Qur'anic text about the subject was still valid and had not been annulled just because he had preferred his own opinion, which had led to his ijtiḥād." Let you ponder on what he has said and scrutinize his following speech.

He added: "Allah, the Almighty has assigned, at the beginning of the advent of Islam and when the Muslims were still weak somehow, a gift to be given to some people, whose dangers against the Muslims were feared and whose goodness was expected, to reconcile their hearts to Islam. They were among the groups, whom the Qur'an had mentioned to be gifted from the charities of the treasury. Allah said: *(The alms are only for the poor and the needy, and those who collect them, and those whose hearts are to be reconciled, and to free the captives and the debtors, and for the cause of Allah, and (for) the wayfarer)*. Thus the Holy Qur'an had put those people, whose hearts were reconciled, among the groups of people, who received their shares of the charities, and had assigned for them certain allowances as some countries do nowadays when assigning some expenses from their budgets for the political propaganda."³ He added: "But when

¹ He is Sheikh Muhammad Ma'roof, the professor in jurisprudence and Roman laws in the College of Laws-Syrian University.

² Where he has mentioned examples about changing the verdicts according to the changes of the ages in p.239.

³ They (the countries) might have learnt this from the Qur'anic verse talking about those, whose hearts have been reconciled to Islam. England, U.S.A. and their likes supply the poor and needy people of the weak countries with food and clothes and reformative projects although these countries are not in need of those weak countries or their peoples but they follow the maxim, which is the aim of the Qur'an out of giving those people to reconcile their hearts.

Islam became strong and its rule became firm, Umar determined to deprive those people of their gifts, which the Qur'an had assigned for them".

I say: The professor has repeated his saying that Umar had stopped the gift of those people that the Qur'an had determined as a fixed right in a clear verse just to prefer his own opinion and then the professor has justified the doing of the caliph Umar by saying:

"...That did not mean that Umar had annulled a Qur'anic verdict but he had noticed the cause of the text (verse) and not its apparent form and he considered gifting those people as was related to temporary circumstances when Islam was weak yet and to be safe from their evils but when Islam became strong and the circumstances requiring to gift those people were changed then it became obligatory to act according to the cause¹ of the verse and to stop that gift".

I say: there is no doubt that the verse talking about gifting those people is absolute and not limited and this is clear in the Qur'an without any disagreement or ambiguity. We are not to limit it to some conditions or to justify it according to something unless there is an authority from Allah or His messenger. It is certain that there is no authority on this concern.²

Then how could we consider gifting those people as being justified according to temporary circumstances of a certain time, when it was to reconcile their hearts to Islam when Islam was still weak and not in other times?

¹ There was no cause here, on which the verdict relied, that following it would be required by the text (verse). Reconciling those people, whom Allah had assigned this share from the charities for, was not a cause for this legal verdict but it was from among the maxims and benefits that had been noticed in legislating it. The ulama know well that the cause of a certain verdict is something and the maxim, which is the benefit in legislating it, is something else. Have you not seen that the benefit behind the obligatory iddah (a prescribed period, during which a widow or a divorcee may not remarry, beginning from the death of her husband or from the divorce) on the divorced women is to keep the lineages of the fetuses that may be in their mothers' wombs? In spite of that the iddat of a woman is obligatory even if it becomes certain that she is not pregnant!

² The revelation of the Qur'an at the beginning of Islam and when Islam was still weak was not limited to any restrictions.

If the Muslims became safe from the evils of those people, whose hearts would be reconciled, in a certain time, their becoming Muslims because of gifting them would not stop. In fact this might increase due to the powerful authority of Islam and this hope would be sufficient to reconcile their hearts by gifting them. The Prophet (s) reconciled many classes of people by giving them gifts; some to be Muslims and consequently their peoples would be Muslims, some had become Muslims but their faith was somehow weak and so the Prophet (s) wanted to strengthen their faith by gifting them and some were gifted in order that the Muslims would be safe from their evils. Let us suppose that we were safe from the dangers of the evil ones; nevertheless this gift should be given to those, whose followers would be Muslims when they themselves became Muslims, or to those, whose weak faith would be strengthened and fixed, imitating, by that, the Prophet (s) and whoever imitated his prophet, surely would be the most beloved one to Allah among His people.

The power of Islam that had defeated the enemies of the Muslims and made them safe from their dangers changed into the opposite situation. The foreigners conquered the Muslims and forced them to flatter the foreigners and to attract their pity by paying them gifts or by other things as it is seen nowadays or it has been seen some time ago. Hence it became clear that annulling the share of those people, whose hearts had been attracted to Islam by being gifted, when Islam had become strong was just due to their being deceived by their state at that time but the Holy Qur'an is from Allah, the Knowing, the Wise.

Now we come back to our research on the absolute text and limiting it to the benefit that changes according to the changes of the different ages and due to that a legal verdict changes. We research on this principle according to its conditions.

We, the Shia, all in all and unanimously do not pay any attention to the benefit in specializing a general verdict or limiting an absolute verdict except if the Sharia has a clear text confirming this regard. If there is no source in the Sharia confirming this matter (specializing a general verdict or limiting an absolute verdict) whether positively or negatively it will have no any value near us. If there is a benefit or

not it will be the same for us.¹ This opinion is adopted too by the two sects; the Shafiites and the Hanafites.

As for the Hanbalites, although they have taken in their consideration the benefits that have no source in the Sharia, they do not make the benefits stand against the clear texts of the Sharia but they put the benefits after the texts.² Thus they do not limit the clear verse talking about the people, whose hearts have been attracted to Islam by gifts. Then they may be added to the Shia, the Shafiites and the Hanafites in this concern.

The opinion of the Malikites towards the text talking about the people, whose hearts have been reconciled to Islam, is also like the others', although they have taken the benefits in their consideration and made them oppose the text but they oppose with that the traditions narrated by single narrators (not proved by others) and the traditions that have not been proved definitely and they also oppose, with the benefits, the general verse of the Qur'an, which have not had definite meanings. But as for the texts that have been proved to be true and the ones that have assigned definite meanings like the verse talking about the people, whose hearts have been attracted to Islam by gifts, they do never make the benefits stand against such texts at all³ because they are definite in being true and definite in meaning as well.

After all, the principles of jurisprudence according to all these sects do not permit to justify depriving those people of their shares as Professor ad-Dawaleebi has justified it.

If the two caliphs (Abu Bakr and Umar) had not annulled-after the Prophet's death-the share of that class of people, whose hearts had been reconciled to Islam, and stopped their right, which had been determined by the Holy Qur'an, we could have said that the two caliphs (Abu Bakr and Umar) had not contradicted the Qur'anic verse even if they had not given those people their shares then

¹ The details of this matter are available in the books of the Shia jurisprudence, which are widespread everywhere.

² Ad-Dawaleebi in his book *Usool al-Fiqh*, p.294.

³ *Usool al-Fiqh* by ad-Dawaleebi, p.206.

because Allah had made those eight classes of people, mentioned in the verse, as the only ones, on whom the charities were to be spent just to limit the spending of the charities to them and not to other than them. The verse had not made it compulsory to spread the charities among all the eight classes mentioned. That is to say: if someone gives all his charity to only one class from among these eight classes, he will act correctly and will not be blamed exactly as if he has spread the charity among the eight classes. This has been agreed upon unanimously by all the Muslims and such they have done after the Prophet (s). So the doing of Abu Bakr and Umar would have been accepted if they had not annulled this right and invalidated it in spite of the clear Qur'anic text, which has been still fixed and not annulled.

Before we end this research, we think that we have to draw the attention of Professor ad-Dawaleebi to review what he has quoted about the Shia¹ that they believe in the benefits and prefer them to the definite texts. This is no true and no one of the Shia has ever said it. Sulayman at-Touffi was one of the fanatic people, who had been ascribed unjustly to the Shia by the opponents.

The opinion of the Shia in this concern is as what we have mentioned previously. All the Shia have agreed upon this unanimously. Their books are available everywhere. Let the professor refer to them and quote from them directly instead of quoting from the books of Ahmad bin Hanbal (may Allah forgive him).

¹ p.207, 209 in his book *Usool al-Fiqh*.

6. THE SHARE OF THE RELATIVES

It is the share that has been mentioned by this verse: *"And know that whatever thing you gain, a fifth¹ of it is for Allah and for the Messenger and for the near relatives and the orphans and the needy and the wayfarer, if you believe in Allah² and in that which We revealed to Our servant, on the day of distinction, the day on which the two parties met; and Allah has power over all things. Qur'an, 8:41"*

The Muslims have agreed unanimously that the Prophet (s) has taken a share of the khums for himself and given another share to his near relatives and he has never changed this matter nor has he ordered any one to change it until he has been invited by Allah to be in the better world.

When Abu Bakr became the caliph, he interpreted the verse according to his own thinking and he omitted the share of the Prophet (s) and the share of his relatives after his death.³ He prevented the Hashemites from getting their right of the khums and he considered them as same as the orphans, the poor and the wayfarers of the other Muslims.

Fatima (s) sent a messenger to Abu Bakr asking him for her inheritance of what her father (s) had left in Medina and Fadak and what had remained of the khums of Khaybar but Abu Bakr refused to

¹ The two sheikhs al-Bukhari and Muslim mentioned in their Sahihs (books of Hadith) a tradition narrated by ibn Abbas that the Prophet (s) had said to the delegation of Abdul Qayss when ordering them to believe in Allah, the One and the Only: "Do you know what believing in Allah alone is?" They said: "Allah and His messenger are more aware". He said: "Witnessing that there is no god but Allah and Muhammad is the messenger of Allah, offering the prayers, paying the zakat, fasting in Ramadan and giving the fifth of one's income".

² The meaning of this conditional phrase is that the khums (fifth) is a legal right that must be paid to the ones mentioned in the verse. The verse said: Do not be greedy for this right and pay it to its deserving ones if you have believed in Allah.

³ Refer to al-Kashshaf when talking about the verse of the khums. The author mentioned a tradition narrated by ibn Abbas: "The khums is six shares; two shares for Allah and His messenger and a share for the messenger's relatives...but Abu Bakr made it three shares". He mentioned the same about Umar and the caliphs after him (except Imam Ali). He mentioned that Abu Bakr had prevented the Hashemites from getting their share of the khums.

give her anything of that. She became very angry with him. She deserted him and did not talk to him until she died. She lived for six months after the death of the Prophet (s). When she died, her husband Ali (s) buried her at night without letting Abu Bakr know or attend the funerals....¹

Muslim mentioned in his Sahih a tradition narrated by Yazeed bin Hurmuz saying: "Najda bin Aamir al-Harawri the Kharijite wrote a letter to ibn Abbas. I was there when ibn Abbas read the letter and when he wrote his reply. Ibn Abbas said: "By Allah, I want just to prevent him from being in error; otherwise I will not write to him even one word." He wrote to him: "You have asked about the share of the relatives that Allah has mentioned in His Book... and who they are! We have seen that we are the relatives of the Prophet (s) but our people denied that..."²

Imam Ahmad bin Hanbal mentioned this tradition in his Musnad, vol.1 p.294. The tradition has been mentioned in many books of Hadith in true ways and by reliable narrators. What has been mentioned in the tradition expresses the real opinion of Ahlul Bayt (s).

But most of the Sunni imams have adopted the opinion of the two caliphs (Abu Bakr and Umar) without assigning a special share from the khums to the relatives (of the Prophet (s)).

Malik bin Anass had determined that all the khums would be spent according to the opinion of the imam, who would spend it on the benefits of the Muslims as he liked, and there was no shares for the relatives (of the Prophet (s)), the orphans, the poor or the wayfarers at all.

Abu Haneefa and his followers had omitted the share of the Prophet (s) and the share of his relatives and divided them among the orphans, the poor and the wayfarers of the rest of the Muslims where there was no difference, according to their opinion, between the Hashemites and the other Muslims.

¹ Al-Bukhari's Sahih, vol.3 p.36, Muslim's Sahih vol.2 p.72 and mentioned in other places of their Sahih.

² Vol.2 p.105.

Ash-Shafi'iy had made it five shares; a share for the Prophet (s) to be spent in the same ways that the Prophet (s) had been used to spend on the benefits of the Muslims like supplying the army with horses (equipments), weapons and the likes and a share for the relatives from bani Hashem and bani Abdul Muttalib and not bani Abd Shams and bani Nawfal to be divided in a way that a male would get as double as the share of a female. The rest of the khums was to be divided among the other three classes; the orphans, the poor and the wayfarers.

We, the Shia, divide the khums into six shares;¹ two for Allah and His messenger, and these two shares besides the share of the relatives (the Prophet's progeny) are for the (disappeared) imam, who represents the Prophet (s), and the rest three shares are to be given to the orphans, the poor and the wayfarers of the Prophet's progeny especially where no one of the common people has a right to be given from the khums because Allah has made charities impermissible for the Prophet (s) and his progeny and so He has compensated them for that by giving them the khums. This has been mentioned by at-Tabari when talking about Imam Ali bin al-Husayn as-Sajjad (s) and his son Imam Muhammad bin Ali al-Baqir (s).

Our ulama have agreed unanimously that the khums is obligatory to be deducted from every benefit one gets from business, trade, crafts, agricultural products, cattle and others. It is also obligatory on found (by chance) treasures, minerals, precious things got from the bottom of the sea by diving and other sources of wealth. This is mentioned in our jurisprudence and traditions narrated from the Prophet (s) and the infallible imams. Our evidence in that is the Qur'anic verse (*And know that whatever thing you gain, a fifth of it is for Allah and for the Messenger and for the near relatives and the orphans and the needy and the wayfarer*). "Gain" includes all that man can make use of. The lexicons have shown this meaning clearly and the point of discussion here is the ijtiHAD to omit the share of the relatives (of the Prophet) although the verse has confirmed it so clearly.

¹ Al-Jihad wes-Siyyer, vol.2 p.105.

7. BEQUEATHING BY THE PROPHETS

Allah has said: *"Men shall have a portion of what the parents and the near relatives leave, and women shall have a portion of what the parents and the near relatives leave, whether there is little or much of it; a stated portion. Qur'an, 4:7"* and *"Allah enjoins you concerning your children: The male shall have the equal of the portion of two females. Qur'an, 4:11"* These verses are general in concerning the Prophet (s) and the rest of the peoples equally. They are like the other general verses such as *"O you who believe! fasting is prescribed for you, as it was prescribed for those before you... Qur'an, 2:183"* and *"but whoever among you is sick or on a journey, then (he shall fast) a (like) number of other days. Qur'an, 2:184"* and *"Forbidden to you is that which dies of itself, and blood, and flesh of swine, and that on which any other name than that of Allah has been invoked, and the strangled (animal) and that beaten to death, and that killed by a fall and that killed by being smitten with the horn, and that which wild beasts have eaten, except what you slaughter... Qur'an, 5:3"* and many other verses that concern the legal verdicts, which includes the Prophet (s) and the rest of the peoples with no difference but the orders are addressed to the Prophet (s) to act according to them and to inform the others of them to act according to them too. In this case the verses just show that the Prophet (s) is worthier than the others in keeping to the verdicts.

Allah has said: *"...and those who are akin are nearer one to another in the ordinance of Allah. Qur'an, 8:75"* In this verse Allah has determined that the right of inheritance is for the relatives of the bequeather. Before the revelation of this verse, bequeathing was among the rights of wilayah (guardianship) in religion, but when Islam and the Muslims became powerful and prevailing, the rights of those, who were among the inheritors previously, were annulled by this verse. The right of inheritance became limited to the relatives of the bequeather; the nearest, the nearer and so on, whether the bequeather was the Prophet (s) or any of the other people according to the apparent meaning of the verse.

Besides these verses, Allah has said when talking about Zachariah: *"When he called upon his Lord in secret; he said: My Lord! surely my bones are weakened and my head flares with hoariness, and, my Lord! I have never been unsuccessful in my prayer to Thee, and surely I*

fear my cousins after me, and my wife is barren; therefore grant me from Thyself an heir, who should inherit me and inherit from the children of Yaqoub, and make him, my Lord, one in whom Thou art well pleased. Qur'an, 19:3-6"

Fatima az-Zahra' (s) and the infallible imams of her progeny have protested with this verse when asking about their extorted inheritance. Definitely this verse shows that the prophets bequeath wealth and properties and the word "inherit" mentioned here refers to inheriting properties and not inheriting knowledge or prophethood. All the Shia ulama have adopted this opinion and said that the word "inheritance" in the language and the Sharia does not refer except to movable wealth and properties and it is not used to refer to other than properties except figuratively and metaphor does never change a certain fact into a metaphor without a clear evidence.

Zachariah has said in his invocation: (*and make him, my Lord, one in whom Thou art well pleased*). This means: O my Lord, make the one, who will inherit me, pleased near You and make him obedient to Your orders. So if we interpret "inheritance" as inheriting prophethood, then the saying of Zachariah will be nonsense and vain. Do you not think that it is nonsense when someone invokes Allah by saying: "O Allah, send us a prophet and make him sane and well-mannered"? Definitely all the prophets, whom Allah has sent to guide His people, are the highest examples of morals.

What evidences our opinion is that Zachariah (s) has declared that he feared that his cousins might extort his properties after his death when saying: (*I fear my cousins after me*) so he has invoked Allah to grant him a child to inherit him. Surely he feared his cousins for his properties and not knowledge and prophethood because Prophet Zachariah (s) was aware and did not fear a bit that Allah might entrust someone, who was not qualified, with prophethood nor would Allah make bad people inherit His knowledge and wisdom.

Someone may say that this argument ascribes stinginess to Prophet Zachariah (s).

God forbid! We do never believe so. Wealth is granted (by Allah) to a believer and to a disbeliever, to a good man and to a bad man. Prophet Zachariah (s), because his cousins were bad, feared that they

would spend his wealth on corruption. This was the wisdom of Prophet Zachariah (s) because supporting corrupt people and assisting them to keep on their bad doings is prohibited by religion and reason. He, who considers this as stinginess, will be unfair.

His saying (*I fear my cousins after me*) means that he fears their immorality and bad doings. So he fears that his cousins may inherit his wealth and spend it on disobedience; therefore he invokes Allah to grant him a good child to spend his wealth on what will please Allah.

In short, we are to interpret "inheritance" in this verse to mean wealth and not prophethood or other things according to the real meaning of the word, which comes to mind, without supposing other meanings for there is no any context referring to prophethood or other things. In fact all the evidences in the verse lead to the real meaning of the word "inherit" and not a figurative meaning.

This is the opinion of the infallible imams (s) about this Qur'anic verse and no doubt that the infallible imams (s) are equal to the Qur'an and they both, the Qur'an and the infallible imams, will not separate until the Day of Resurrection. All people have known what there was between Fatima az-Zahra' (s), the head lady of the worlds' women, and Abu Bakr. She had sent a messenger to Abu Bakr asking him for her inheritance of her father's properties. Abu Bakr said: "The messenger of Allah said: "We (the prophets) do not bequeath. What we leave is to be considered as charity".¹ Aa'isha said: "Abu Bakr refused to give Fatima anything of her inheritance and he appropriated all the Prophet's properties to the treasury; therefore Fatima became very angry with Abu Bakr. She turned away from him and did never talk to him until she died. She lived after the Prophet (s) for six months and when she died, her husband Ali buried her in the night according to her own will² ...and Abu Bakr did not attend the funerals..."³

¹ This tradition has been refuted by Fatima (s) and the infallible imams. Refer to al-Bukhari's Sahih, chap. The battle of Khaybar.

² Sharh Sahih al-Bukhari, vol.8 p.157, al-Qastalani's Irshad, al-Ansari's Tuhfa.

³ Al-Bukhari's Sahih, vol.3 p.37, Muslim's Sahih, vol.2 p.72, Ahmad's Musnad, vol.1 p.6.

Yes! She became very angry...she put on her veil and gown and came, with her maids and some of her fellow-women walking exactly like her father's gait, to Abu Bakr, who was among a crowd of the Muhajireen, the Ansar and other people. A curtain was put between her and the people. She moaned in a way that all the people began to cry and the meeting shook. She waited until they stopped crying and became quiet. She began her speech with praising Allah and then her eloquence streamed...

She preached the people in the best of speeches

As if she talked with the tongue of al-Mustafa¹

The sights submitted and the souls surrendered. If politics was not prevailing over the minds at those days, she would turn back the strayed tendencies and bridle the worldly greed, but it was politics that had gone too far with its tendencies without caring for anything.

He, who reads her speech on that day,² will find what there was between her and those people³ (the caliph Abu Bakr and his

¹ Al-Mustafa is one of the Prophet's surnames; Fatima's father.

² The progeny of Ali and Fatima narrated the speech of Fatima, which she had speechified on that day, one after the other until it reached us. We, the Fatimites, narrate this speech from our fathers and our fathers narrate it from their fathers and so on for all generations until the times of the infallible imams. To see this speech, refer to al-Ihtijaj by al-Tabarsi, Biharul Anwar by al-Majlisi and refer to the Sunni books like as-Saqeefa and Fadak by Abu Bakr Ahmad bin Abdul Aziz al-Jawhari, in which there are many traditions about this speech, some of which are narrated from Zaynab, the daughter of Ali and Fatima (s), Imam Muhammad al-Baqir(s) and Abdullah bin al-Hasan bin al-Hasan. Refer to Sharh Nahjol Balagha, vol. 4 p.78, 93, 94. Zayd bin Ali bin al-Husayn bin Ali bin Abu Talib said: "I have heard the notables of the Talibites narrating this speech from their fathers and teaching it to their children".

³ She said to Abu Bakr when he deprived her of her right (inheritance): "O Abu Bakr, if you die, who will inherit you?" He said: "My children and family". She said: "Then why have you inherited the messenger of Allah instead of his children and family?" He said: "O daughter of the messenger of Allah, I have not done that". She said: "Yes, you have! You have extorted Fadak, which was the Prophet's pure property. You have dared to take it from us and you have dared to change what Allah has revealed concerning us." It has been mentioned in as-Saqeefa and Fadak by Abu Bakr al-Jawhari; refer to Sharh Nahjol Balagha, vol. 4 p.87. Abu Bakr al-Jawhari mentioned in his book a tradition narrated by Abu Salama saying: "When Fatima asked for her inheritance, Abu Bakr said to her: "I have heard the messenger of Allah saying: "A prophet does not bequeath". But I will sustain whomever the messenger of Allah has

followers). She quoted many clear verses to evidence her inheritance. They were irrefutable evidences that could never be denied. Among what she had said on that day was this passage: "Have you intendedly turned away from the Book of Allah and left it behind your backs? Allah says in His Book: *"And Solomon was David's heir. Qur'an, 27:16"* and He says when talking about Prophet Zachariah: *"therefore grant me from Thyself an heir, who should inherit me and inherit from the children of Yaqoub, and make him, my Lord, one in whom Thou art well pleased."* He also says: *"...and those who are akin are nearer one to another in the ordinance of Allah"* and *"Allah enjoins you concerning your children; the male shall have the equal of the portion of two females"* and *"It is prescribed for you, when death approacheth one of you, if he leave wealth, that he bequeath unto parents and near relatives in kindness. (This is) a duty for all those who ward off (evil). Qur'an, 2:180"* Has Allah distinguished you with a verse that He has excluded my father from? Or are you more aware of the special and general verdicts of the Qur'an than my

been sustaining and I will spend on whomever he has been spending on". She said: "O Abu Bakr, do your daughters inherit you whereas the Prophet's daughters do not inherit him?" He said: "It is so". Another tradition like this one has been mentioned by Ahmad in his Musnad, vol. 1 p.10. Al-Jawhari mentioned in his book as-Saqeefa and Fadak-as in Sharh Nahjol Balagha, vol. 4 p.81-a tradition narrated by Umm Hani bint Abu Talib: "Fatima said to Abu Bakr: "Who will inherit you when you die?" He said: "My children and family." She said: "Then why do you inherit the messenger of Allah instead of us?" He said: "O daughter of the messenger of Allah, your father has not bequeathed anything." She said: "Yes, he has. It is the share (Fadak) that Allah has given to us and it is in your hand now." He said: "I have heard the messenger of Allah saying: "It is but nourishment that Allah has granted to us and when I die it will be for the Muslims." Al-Jawhari mentioned another tradition like this one narrated by Abut Tufayl. The traditions talking about this speech are so many and especially those, which have been narrated by the infallible imams. She has another speech concerning the caliphate after the Prophet (s). It has been mentioned by al-Jawhari in his book as-Saqeefa and Fadak-as in Sharh Nahjol Balagha, vol. 4 p.87-narrated from Abdullah bin al-Hasan bin al-Hasan that his mother Fatima bint al-Husayn has said: "When Fatima (the daughter of the Prophet) became so badly ill, the women of the Muhajireen and the Ansar gathered around her. They said to her: "O daughter of the messenger of Allah, how have you become now?" she said: "By Allah, I have disliked your world and hated your men..." It is one of the most eloquent speeches among the speeches of Ahlul Bayt (s). It has also been mentioned by Imam Abul Fadhl Ahmad bin Abu Tahir in his book Balaghaatun Nissa'. It has been mentioned by al-Majlisi in Biharul Anwar, at-Tabarsi in al-Ihtijaj and by others.

father and my cousin (Ali)? Or do you say: "People of two (different) religions do not inherit each other"?

She protested against the caliph and evidenced her protest by quoting the clear Qur'anic verses (of Zachariah and Solomon) that had confirmed bequeathing by the prophets. By Allah, she is more aware of the meaning of the Qur'an than those, who have come a long time after the revelation of the Qur'an and who have distorted the real meaning of inheritance into inheriting wisdom and prophethood instead of wealth and properties. They have just preferred the figurative meaning to the real meaning without any evidence at all to drive the real meaning to another one. This is impermissible. If it was probable, then Abu Bakr or any one of that crowd of the Muhajireen and the Ansar would refute Fatima's claim on that day.¹

She also protested against the caliph, when asking for her inheritance, by referring to the general verses concerning inheritance and especially this general verse "*Allah enjoins you concerning your children: The male shall have the equal of the portion of two females...* Qur'an, 11:11" She denied his limiting the

¹ They had not opposed her on that day with this excuse but they had just confiscated her inheritance. Abu Bakr said to her: "O daughter of the messenger of Allah, I swear that Allah has not created anyone more beloved to me than your father. I wished the sky fell over the ground on the day when your father died. By Allah if Aa'isha (Abu Bakr's daughter) becomes needy is much better to me than to see you being needy. Do you think I give white and red people their rights and I deprive you of your right whereas you are the daughter of the messenger of Allah? This wealth was not for the Prophet (s) but it was among the wealth of the Muslims, with which the Prophet (s) used to spend on the armies and to spend for the sake of Allah and when he died I managed it as he had been managing it." She said: "By Allah, I will not talk with you for ever." He said: "By Allah, I will never desert you at all." She said: "By Allah, I will invoke Allah against you." He said: "By Allah, I will invoke Allah for you." When she was about to die, she recommended that Abu Bakr should not offer the prayer (for the dead) for her. It has been mentioned by Abu Bakr al-Jawhari in his book as-Saqeefa and Fadak as mentioned in Sharh Nahjol Balagha, vol. 4 p.80. You see here that Abu Bakr has not opposed Fatima (s) by refuting her evidence of bequeathing out of the two verses of Prophet David (s) and Prophet Zachariah (s) but he has pretended that the wealth was not the Prophet's. She was not satisfied with his pretense anyhow for she was more aware of her father's affairs than the others. We are Allah's and to Him we shall surely return!

general verdicts without any legal evidence from the Qur'an or the Sunna. She said denyingly: "Has Allah distinguished you with a verse that He has excluded my father from?" She confirmed by this saying that there was no any evidence in the Qur'an that might limit these general verdicts. Then she said: "Or are you more aware of the special and general verdicts of the Qur'an than my father and my cousin (Ali)?" By this saying she confirmed too that there was no any evidence in the Sunna that might limit these general verdicts. In fact she denied any kind of limitation at all because if there was something of that, then the Prophet (s) or his guardian Ali (s), would declare it to her and they would not let her unaware of it because that would be a kind of negligence in informing of the Sharia, dilatoriness in warning, hiding the truth, encouraging ignorance, inciting to ask for the untruth, injuring her dignity and would make her argue and confront and would expose her to enmity and hatred without having the right of what she would ask for. Definitely this is impossible for the prophets and for their guardians.

In short, the Prophet's love and kindness to his daughter was over any love of the kind fathers towards their dutiful children. He covered her with the shadow of his great mercy, sacrificed himself for her¹ and delighted greatly when being with her. He tried whatever he could to educate her and to honor her to the utmost. He taught her the knowledge of Allah and the knowledge of His laws. He didn't spare any effort in that until he made her at the top of every virtue and honor. After that, was it possible for him to conceal such a verdict without letting her know her legal obligation? God forbid! Would he expose her, by this concealment, to all of the troubles she had got after his death because of her inheritance? In fact all the umma faced a bad sedition, which was the consequence of depriving her of her inheritance.

And was her husband, the Prophet's guardian and spiritual brother, in spite of his abundant knowledge, wisdom, precedence in Islam,

¹ Once the Prophet (s) mentioned his daughter Fatima (s) and said: "Her father may die for her! Her father may die for her!" He repeated that three times. This tradition has been narrated by Ahmad bin Hanbal and others as mentioned by Ibn Hajar in his book *as-Sawa'iqul Muhriqa*, chzp.11, p.159.

kinship to the Prophet (s), honor, high position and guardianship, unaware, too, of this tradition "We, the prophets, do not bequeath"? And why the Prophet (s) had concealed that from his spiritual brother, his guardian, the guard of his secrets, the gate of the city of his knowledge, the best judge among his umma; the gate of repentance, the ship of rescue and the safety of the umma from being separated? And why had his uncle al-Abbas and the rest of the Hashemites not heard of this tradition until they were surprised with it after the death of the Prophet (s)? And why had the Prophet's wives not known about it so that they sent Othman to ask for their inheritance after the Prophet's death? How had the Prophet (s) dared not to inform his wives of this legal verdict? Definitely the Prophet (s) was not indifferent a bit at all! He used to announce the verdicts of Allah openly. His morals were not so towards his relatives. He was so kind and mindful as he had been ordered by Allah: "*And warn your nearest relatives.* Qur'an, 26:214"

One word remained for Fatima (s), by which she provoked the zeal of people and excited their anger to the utmost. She said: "Or do you say: "People of two (different) religions do not inherit each other"? She meant that the general verdicts of inheritance were not to be limited according to those people's own pretenses. The Prophet (s) had said: "People of two (different) religions do not inherit each other". She wanted to say to them: "You deprive me of my inheritance to say that I am not on my father's religion and so you will have a legal evidence on that!" We are Allah's and to Him we shall return!

8. THE DONATION OF FATIMA

When Allah the Almighty assisted the Prophet (s) to conquer Khaybar and cast horror into the hearts of the people of Fadak, they submitted to the Prophet (s) servilely. They made peace with him by giving him a half of their land¹ and the Prophet (s) accepted that from them and so a half of Fadak became a pure property for him where "*whatever Allah restored to His Messenger from them you did not press forward against it any horse or a riding camel but Allah*

¹ It is mentioned that they have given the Prophet (s) all of their land.

gives authority to His messengers against whom He pleases, Qur'an, 59:6" and upon this all the umma had agreed unanimously with no any objection by anyone.

When Allah revealed "*And give to the near of kin his due*," the Prophet (s) donated Fadak to his daughter Fatima (s). It was still in her hand¹ until it had been extorted from her to be added to the treasury.

This was what Fatima (s) had claimed after the death of the Prophet (s) and because of this she had been subjected to trial.

Al-Fakhr ar-Razi said: "When the messenger of Allah died, Fatima (s) claimed that the Prophet (s) had donated Fadak to her. Abu Bakr said to her: "It hurts me to see you needy and it delights me to see you needless but I do not know whether your saying is true or not;² therefore I can not judge for you." Umm Aymen and another mawla (follower) of the messenger of Allah³ witnessed for Fatima but Abu Bakr wanted a witness, whose witnessing would be accepted

¹ The infallible imams and their followers have not had any doubt that the Prophet (s) had donated Fadak to Fatima (s) and that it had been in her hand until it had been extorted from her. Imam Ali (s) said to his administrative official on Basra, Othman bin Hunayf: "...Yes, Fadak was in our hands out of all what was under the sky but some people felt greedy for it and others withheld themselves from it but the best of judges is Allah..." Refer to Nahjol Balagha. There are many traditions narrated from the infallible imams talking about the same matter. The reliable narrators have narrated a tradition from Abu Sa'eed al-Khidri saying: "When Allah has revealed (*And give to the near of kin his due*), the messenger of Allah gave Fadak to Fatima." Refer to Majma'ul Bayan by at-Tabarsi when interpreting this verse 17:26. You will find there that it is this tradition that has made al-Ma'moon, the Abbasid caliph, give Fadak back to the progeny of Fatima.

² By Allah O you Abu Bakr, have you really not known whether Fatima's claim was true or not after Umm Aymen (the Prophet's nursemaid) and Imam Ali (s) had witnessed it was true? Have you considered them all to be liars, aggressive or mistaken? Certainly not! But (*Nay, but your minds have beguiled you into something. (My course is) comely patience. And Allah it is Whose help is to be sought in that (predicament) which ye describe*).

³ The other witness besides Umm Aymen was Amcerul Mo'mineen Ali bin Abu Talib (s) undoubtedly. As if ar-Razi found the rejection of Imam Ali's witness by Abu Bakr abominable so he did not mention the name of Imam Ali (s) respecting Imam Ali and Abu Bakr together so he said "a mawla of the messenger of Allah".

according to the Sharia".¹

Ibn Hajar al-Haythami in his book *as-Sawa'iq* said: "Fatima, in her claim that the Prophet (s) had donated Fadak to her, did not bring except Ali and Umm Aymen as witnesses and so the quorum was not complete..."²

The same has been said by Ibn Taymiyya, ibnul Qayyim and other Sunni ulama concerning this case.

May Allah forgive them and us and may He be pleased with Abu Bakr and make Fatima, her father, her husband and her son forgive him! Would he have preferred a suitable decision in order not to put Fatima (s), the prophet's trust, who had recently lost her father, in those bad situations; once because of her inheritance, another time because of her donation of Fadak, a third time, a fourth time...worries and griefs...would he have not let her go angry and disappointed and then to die on her anger and to recommend in her will what she had recommended!

Glory be to Allah! Where was the deliberateness of the caliph (Abu Bakr)? Where was his patience? Where was his insight about the ends of the affairs and where was his caring for the benefits of the Muslims?

Would he have avoided the fail of Fatima (s) in her situations as possible as he could with all wisdom he had! Had he done so, it would have been much better for him and it would have kept him away from regretting and being blamed and it would have been better to unite the umma!

He could have protected the trust of the Prophet (s) and the only daughter of him, Fatima (s), from being disappointed and then to go back upset stumbling with her garment. What would he have lost, where he had occupied the position of her father, if he had given Fadak to Fatima (s) without a trial? An imam could do that due to his general guardianship and what the value of Fadak was before the general advantage of the Muslims and before avoiding evils!

¹ Tafseer Mafatcchul Ghayb by ar-Razi, vol.8 p.125.

² P.21 in his book *Shubah ar-Rafidha*.

This is what many earlier and later scholars have wished that Abu Bakr had done.

Here we quote a word concerning this subject said by Professor Mahmood Abu Riyya, the Egyptian coeval scholar: "There is a matter that we have to say a frank word about; it is the situation of Abu Bakr towards Fatima (may Allah be pleased with her), the daughter of the messenger of Allah, and what he has done to her concerning the inheritance of her father. Let us suppose that we submit to the traditions narrated by a single narrator and submit that they may limit the general verdicts of the Qur'an and that the Prophet (s) has said: "We, the Prophets, do not bequeath"; nevertheless Abu Bakr could give Fatima (may Allah be pleased with her) some of her father's inheritance and that Fadak might be considered as a part of that inheritance. This would be his right that no one could refute because he was the caliph and the caliph could give whatever he liked to whomever he liked. The caliph himself had donated some of the Prophet's inheritance to az-Zubayr bin al-Awwam,¹ Muhammad bin Maslama and others.² This very Fadak itself had been donated to Marwan by the caliph Othman after a short time!"³

Ibn Abul Hadeed mentioned in his book *Sharh Nahjol Balagha* some speech of some earlier scholars, who had criticized the two caliphs, Abu Bakr and Umar, due to their situations toward Fatima az-Zahra' (s) after her father's death: "It would be better for them to be more generous, besides their faith, than to commit what they had committed toward the daughter of the messenger of Allah". Ibn Abul Hadeed commented: "This speech has no answer!"⁴

Let us away from generosity and let us discuss the matter of the trial. The legal evidences were sufficient to make it obligatory to judge for

¹ He was the caliph's son-in-law. His wife was Asma', the daughter of Abu Bakr.

² Abu Bakr had given his daughter Aa'isha the prophet's house, in which she buried him beside the tomb of the Prophet (s) after his death and in which she buried Umar later on but when Imam Hasan (s), the Prophet's beloved grandson, died she refused to let him be buried in his grandfather's house and then a sedition was about to happen! Just to Allah we resort!

³ Refer to *ar-Risala al-Misriyya* magazine, vol.518, 11th year, p.457.

⁴ vol.4, p.106.

Fatima (s) in order to get her donation back. These evidences, besides that they were sufficient, were numerous. This was clear to the fair people of understanding.

It was enough that the ruler (the caliph), at that time, had already been certain that the claimer (Fatima), with her holiness, was equal to the Virgin Mary¹ or better than her² and that she and Mary, Khadeeja (the Prophet's wife) and Asiya (the Pharaoh's wife) were the best of the women of Paradise³ and that she and these three women were the best of the women of the worlds⁴ and it was she, to whom the Prophet (s) had said: "O Fatima, are you not satisfied to be the head lady of the believing women or the head lady of the women of this umma?"⁵

¹ According to the true traditions; ibn Abdul Birr said in his book *al-Istee'ab* when mentioning the biography of Fatima (s): "The Prophet (s) visited Fatima when she was ill and said to her: "O my daughter, how are you today?" She said: "I feel pain and what hurts me more that I have nothing to eat." He said: "O my daughter, are you not satisfied that you are the head lady of the women of the worlds?" She said: "O father, what about Mary the daughter of Imran?" He said: "She is the head lady of the women of her world and you are the head lady of your world. By Allah, I have married you to a master in this world and in the afterworld". Many such traditions have been mentioned by other scholars and historians.

² The infallible imams and their followers have agreed unanimously that Fatima (s) is better than the Virgin Mary (s). Many Sunni scholars have declared that she is better than all the women of the worlds even the Virgin Mary (s), such as at-Ta'iqy as-Sabki, al-Hallal as-Sayooti, al-Badr, az-Zarkashi, at-Ta'iqy al-Maqreezi, ibn Abu Dawood and al-Mannawi. Refer to *ash-Sharaf al-Mu'ayyad* by Allama an-Nabahani, p.59 when talking about the virtues of Fatima (s). The same has been said by Ahmad Zayni Dahlan, the mufti of the Shafiites when talking about the marriage of Fatima and Ali in his book *as-Seera an-Nabawiyya*.

³ It has been mentioned by Ahmad bin Hanbal in his *Musnad*, vol.1 p.293, by Abu Dawood as in *al-Istee'ab*, the biography of Khadeeja and by Qasim bin Muhammad as in *al-Istee'ab*, the biography of Fatima (s).

⁴ Narrated by Abu Dawood from Anass as mentioned in *al-Istee'ab* when talking about Khadeeja's biography and narrated by Abdul Warith bin Sufyan as in *al-Istee'ab*, biographies of Fatima (s) and Khadeeja.

⁵ *Al-Bukhari's Sahih*, vol.4 p.64, *Muslim's Sahih*, vol.2, the virtues of Fatima (s), *at-Tarmithi's Sahih*, *al-Jam' bayna as-Sahihhayn*, *al-Jam' bayna as-Sihah as-Sitta*, Imam Ahmad bin Hanbal's *Musnad*, vol.6 p.282, ibn Abdul Birr's *Istee'ab*, Muhammad bin Sa'd's *Tabaqat*, vol.2, vol.8. *Al-Bukhari* said in his *Sahih*, vol.4 the last page of chap. *al-Isti'than*: "Musa bin Owana narrated from Firas from Aamir from Masrooq that

All the Muslims have known well that Allah the Almighty has chosen Fatima (s) from among the women of the umma, chosen her two sons from among all the sons and chosen her husband from among the near people to be the elite with the Prophet (s) on the day of Mubahala (supplication) where Allah has revealed: *"But whoever disputes with you in this matter after what has come to you of knowledge, then say: Come let us call our sons and your sons and our women and your women and our near people and your near people, then let us be earnest in prayer, and pray for the curse of Allah on the liars.* Qur'an, 3:61"

Ar-Razi said in his book at-Tafseer al-Kabeer when interpreting this Verse: "The Prophet (s) came out wearing a black garment of wool while he was embracing al-Husayn and leading al-Hasan with his hand. Fatima was walking behind him and behind her was Ali. He said to them: "If I invoke Allah, you say Amen". The bishop of

Aa'isha (the Prophet's wife) had said: "We, the wives of the Prophet, were all with him and none of us left him when Fatima came walking like the walking of the messenger of Allah (s). When the Prophet (s) saw her, he said: "O my daughter, welcome!" Then he seated her beside him. He whispered in her ears and she began crying bitterly and when he saw her crying, he whispered in her ears again and she smiled. I, from among the Prophet's wives, asked her: "The Prophet (s) confided a secret to you from among all of us but you began crying!" When the Prophet (s) left, I asked her: "What secret did the Prophet (s) confide to you?" She said: "I would never disclose the Prophet's secrets". When the Prophet (s) died, I said to her: "I adjure you with my right on you to tell me what the Prophet (s) has whispered in your ears". She said: "Yes, now I shall do. The first time he told me that Gabriel was used to dictate the (entire) Qur'an to him once a year but that year Gabriel had dictated the Qur'an to him twice and so he thought that he would die soon. He said to me: "Fear Allah and be patient. I have been to you the best of fathers." So I began crying as you saw. When he saw me crying, he said to me: "O Fatima, are you not satisfied to be the head lady of the believing women... or the women of this umma?" Ibn Hajar in his book al-Issaba and other authors mentioned: "...are you not satisfied to be the head lady of the women of the worlds?" However the tradition is true and preferring Fatima (s) to all of the other women is clear. Ibn Sa'd in his book at-Tabaqat, vol.2 mentioned a tradition narrated by Umm Salama saying: "When the Prophet (s) was about to die, I asked Fatima about her crying and smiling on that day. She said: "He (the Prophet (s)) told me that he would die within a short time and then he told me that I was the head lady of the women of Paradise". It has been mentioned by Abu Ya'la and other scholars of Hadith.

Najran¹ said: "O Christian people, I see faces, which if ask Allah to remove a mountain, He will remove it for them. Do not defy them; otherwise you will perish and no Christian will remain on the earth until the Day of Resurrection".²

Also the Muslims have agreed unanimously that Fatima (s) was one of those, about whom Allah has revealed this Verse: "*Allah only desires to keep away the uncleanness from you, O people of the House! and to purify you a (thorough) purifying.* Qur'an, 33:33" and she was one of those, whom Allah has ordered the Muslims to love as a reward for (informing of) the mission when revealing this Verse: "*Say: I do not ask of you any reward for it but love for my near relatives.* Qur'an, 42:23" and she was one of those, whom Allah has imposed upon His people to pray for in their prayers as He has imposed upon them shahada.

Imam ash-Shafi'iy said, as mentioned in as-Sawa'iqul Muhriqa:

*"O people of the Prophet's family,
loving you is an obligation imposed by Allah in His Qur'an.
It suffices you, with your high position,
that whoever dose not pray for you (in his prayer)
his prayer will not be accepted".*

Sheikh ibnul Arabi said, as in as-Sawa'iqul Muhriqa:

*"I find my allegiance to the progeny of Taha³ an obligation
that, in spite of my farness, will make me near to Allah.
The Beneficent has not asked for a reward in return to informing of guidance
except to love the relatives (of the Prophet (s))".*

Allama an-Nabhani said in his book ash-Sharaf al-Mu'abbad: "O progeny of Taha, you are a progeny of the best of the Prophets.

Your grandfather is elite and you are elite.

¹ A place between Saudi Arabia and Yemen. It was a centre for the Christians before Islam.

² This tradition has been mentioned by the interpreters, the narrators, the historians and by everyone, who has recorded the events of the tenth year of hijra, in which this event has taken place.

³ Prophet Muhammad (s).

Allah has purified you from uncleanness, O you Ahlul Bayt, since long before, so you are the purest.

Your grandfather has not asked for reward, when informing the mission, save loving and kindness to his relatives”.

And also Fatima (s) is the best of the righteous, about whom Allah has said: *(Surely the righteous shall drink of a cup the admixture of which is camphor. A fountain from, which the servants of Allah shall drink; they make it to flow a (goodly) flowing forth. They fulfill vows and fear a day the evil of which shall be spreading far and wide. And they give food out of love for Him to the poor and the orphan and the captive. We only feed you for Allah's sake; we desire from you neither reward nor thanks.* Qur'an, 76:5-9”¹

In short, Fatima (s) was so holy near Allah, near the Prophet (s) and near the believers that would impose upon the all to trust in whatever she said. She would not need a witness to prove what she claimed. Her tongue was too far above every untruth. She would never say but the truth. Her very claim showed her definite truthfulness without a bit of doubt. No one of those, who had known her, would doubt this at all. Abu Bakr had known her very well and believed in whatever she said but the fact was as Ali bin al-Fariqi, who was one of the famous scholars of Baghdad, a teacher in the western school (in Baghdad) and one of the teachers of ibn Abul Hadeed (the author of Sharh Nahjul Balagha), had said when being asked by ibn Abul Hadeed if Fatima (s) had been truthful in her claim about her donation of Fadak: “Yes”. Ibn Abul Hadeed said to him: “Then why did Abu Bakr not give her Fadak while he knew well she was truthful?” He smiled and said nice words and then he added:

¹ The Shia have agreed, following their imams, unanimously that these Verses have been revealed to concern Ali, Fatima, al-Hasan and al-Husayn because of a charity (food) they have paid to a poor one, an orphan and a prisoner of war in three successive nights whereas they themselves have been badly in need of that charity. They have kept on fasting during those three days without having except some water for they have been offering a vow. Az-Zamakhshari in his book al-Kashshaf has mentioned this matter in a tradition narrated from ibn Abbas. It has been also mentioned by al-Wahidi in his book al-Baseet, Abu Is-haq ath-Tha'labi in his book at-Tafseer al-Kabeer and by Abul Mu'ayyad Muwaffaq bin Ahmad in his book al-Fadha'il. Many other scholars and authors have considered it as a reliable tradition.

"If he had given her Fadak that day just according to her claim, she would ask him the next day for the caliphate to be given to her husband (Imam Ali) and she would move him away from his position and then he would not find any excuse for that because he would have confirmed that she had been truthful in all what she had claimed without any need for witnesses".

Hence Abu Bakr has allowed himself to deny the witness of Ali bin Abu Talib (s), when witnessing for Fatima (s) concerning her donation, whereas the Jews of Khaybar, in spite of their meanness and in spite of that Imam Ali (s) has destroyed them, have considered him (Ali) too exalted for committing a false testimony. And so the matters were mixed together that Abu Bakr considered Fatima (s), in whose possession Fadak was, as a claimer, who had to have evidences to prove her possession. It was clear that this matter had been planned under darkness!

If we forgot many things, we would not forget Abu Bakr's saying to Fatima (s) "I do not know whether your saying is true or not" whereas her saying was merely the truth and the clearest evidence, due to which he had to judge for her as she had claimed.

If we gave up all that and we admitted that Fatima (s) was like any other good believing woman, who had to prove her claim with a true evidence, then what about Imam Ali (s), who had witnessed to her? It was Ali (s), who was the Prophet's spiritual brother and who was to the Prophet (s) as was Aaron to Moses. Imam Ali (s) was the lofty witness of the truth, with whose witnessing the lights of certainty shone. Was there anything beyond certainty that a judge would seek in his judgments? Therefore the Prophet (s) had considered the witness of Khuzayma bin Thabit as a witness of two truthful persons. By Allah, Imam Ali (s) was worthier of such a witness than Khuzayma and the others and he was worthier of every virtue than the rest of the Muslims.

If we gave up this too and admitted that the testimony of Imam Ali (s) was like the testimony of one man of the fair Muslims, then was it not possible for Abu Bakr to ask Fatima (s) to swear to be as the second witness? If she swore, he would accept her claim and if she did not, he would reject her claim. But he did not do that! He

rejected the claim disregarding the testimony of Imam Ali (s) and Umm Aymen.¹

Imam Ali (s) was the equivalent of the Qur'an. He was with the Qur'an and the Qur'an was with him. They would not separate.² In the Verse of Mubahala he was considered as the very self of the Prophet (s). But alas! In spite of all that, his testimony in this trial was considered as null! What a misfortune in Islam we have received that we cannot but say: we are Allah's and to Him we shall return!

9. HURTING FATIMA (S)

Rejecting Fatima's claim about her inheritance was against the clear traditions rather than its reasons and environments.³

Among those traditions is the one that has been mentioned by ibn Abu Aasim (as in al-Issaba-Fatima's biography). He mentioned that the Prophet (s) had said to his daughter Fatima (s): "Allah becomes

¹ Umm Aymen was the woman, who had brought up the Prophet (s) after the death of his mother. Her name was Baraka bint Tha'laba. The Prophet (s) said about her: "Umm Aymen is my mother after my (real) mother". The Prophet (s), when looking at her, often said: "She is one of my family". He said that she would be in Paradise. She had been mentioned in al-Issaba by ibn Hajar, al-Istee'ab by ibn Abdul Birr and by all the authors, who had mentioned the biographies of the Prophet's companions. They had mentioned her virtues, good faith, reason and loyalty. Her son Aymen had been martyred during the battle of Khaybar when fighting with the Prophet (s). She did not worry for that but she became patient hoping for the divine reward in the Hereafter.

² With reference to the famous tradition of (ath-Thaqalayn-the two weighty things), which has been mentioned in the books of Hadith (Sihah) and many other books. The Prophet (s) said: "I have left among you what if you keep to, you will never go astray at all; the Book of Allah and my family". Definitely the head of his family was Imam Ali (s).

³ With reference to the Prophet's saying narrated by Umm Salama that she said: "I have heard the messenger of Allah saying: Ali is with the Qur'an and the Qur'an is with Ali. They do never separate until they will come to me at the pond (in Paradise)". It has been mentioned by al-Hakim in his Mustadrak, vol.3 p.124 and by ath-Thahabi in his Talkhees. The Prophet (s), during the illness that led to his death, said while the room was crowded of his companions: "O people, I am about to die soon and I will inform you of something so that I will be excused before you. I have left among you the Book of my god, the Almighty, and my family." Then he lifted Ali's hand and said: "This is Ali. He is with the Qur'an and the Qur'an is with Ali. They do never separate". Refer to as-Sawa'iqul Muhriqa, chap.2 p.75.

angry when you become angry and He becomes pleased when you become pleased". It has also been mentioned by at-Tabarani and others as in ash-Sharaf al-Mu'abbad by an-Nabhani al-Beirut.

Al-Bukhari and Muslim mentioned-as in al-Issaba and other books when talking about Fatima's biography-a tradition that al-Musawwir had said: "I have heard the messenger of Allah saying from above the minbar: Fatima is a piece of me. Whatever hurts her hurts me and whatever distresses her distresses me". Sheikh Yousuf an-Nabhani mentioned in his book ash-Sharaf al-Mu'abbad a tradition quoted from al-Bukhari that the Prophet (s) had said: "Fatima is a piece of me. Whatever makes her angry makes me angry". In al-Jami'ul Sagheer it is mentioned that the Prophet (s) has said: "Fatima is a piece of me. Whatever depresses her depresses me and whatever pleases her pleases me".

She has said to Abu Bakr and Umar: "I adjure you by Allah, have you not heard the messenger of Allah saying: "The contentment of Fatima is my contentment and her discontentment is my discontentment. Whoever loves my daughter Fatima loves me, whoever pleases Fatima pleases me and whoever discontents Fatima discontents me"? They said: "Yes, we have heard this from the messenger of Allah".¹

He, who ponders on these traditions and who appreciates the Prophet (s), will find that these traditions refer to the infallibility of Fatima (s) because they show that depressing her, discontenting her, pleasing her, displeasing her, her contentment or her anger do not occur inexcusably. It is as same as depressing, discontenting, pleasing or displeasing the Prophet (s) himself and this is the essence and reality of infallibility.

Some Sunni scholars, like Ahmad bin Hanbal, have mentioned a tradition narrated by Abu Hurayra saying: "Once the Prophet (s) looked at Ali, al-Hasan, al-Husayn and Fatima and said: I am a war against whoever fights you and peace to whoever makes peace with

¹ Al-Imama wes-Siyasa by ibn Qutayba and other books of history.

you".¹

At-Tarmithi has mentioned a tradition narrated by Zayd bin Arqamas in al-Issaba, Fatima's biography-that once the Prophet (s) mentioned Ali, Fatima, al-Hasan and al-Husayn and said: "I am a war against whoever fights them and peace to whoever makes peace with them".²

Abu Bakr said: "Once I saw the messenger of Allah (s) erecting a tent.³ He was leaning on an Arabic bow while inside the tent there were Ali, Fatima, al-Hasan and al-Husayn. The messenger of Allah said: "O people, I am peace to whoever makes peace with the people in the tent, a war against whoever fights them and a guardian to whoever follows them. He, who loves them, is lucky and of a good origin and he, who hates them, is wretched and of a bad origin".

Professor Abbas Mahmood al-Aqqad has mentioned this tradition in his book *Abqariyyatu Muhammad* under chapt. "The Prophet, the Imam and the companions".

Ahmad bin Hanbal mentioned a tradition narrated by Abdurrahman al-Azraq that Imam Ali (s) had said: "Once the messenger of Allah (s) came to me while I was sleeping. Al-Hasan or al-Husayn asked for some water (or some milk). The Prophet (s) went to our ewe, which had no milk. He milked it and it gave much milk. Then al-Hasan came to the Prophet (s) but the Prophet (s) put him aside. Fatima said: O messenger of Allah, I think he is the most beloved one to you. He said: But he (al-Husayn) asked for some milk before him. Then the Prophet (s) added: I, you, these two boys and that sleeping one

¹ Ahmad's Musnad, vol.2 p.442. It has also been mentioned by al-Hakim in his *Mustadrak* and by at-Tabarani in his *al-Kabeer*.

² It has been mentioned by ibn Habban in his *Sahih*, al-Hakim in his *Mustadrak*, ad-Dhiya' in his *Mukhtarat*, at-Tabarani and ibn Shayaba from Zayd bin Arqam and by Abu Ya'la in *as-Sunna* and ad-Dhiya' in *al-Mukhtarat* from Sa'd bin Abu Waqqas. Also mentioned by other famous scholars like allama Alawi in his book *al-Qawl al-Fasl*, vol.2 p.7.

³ This tent might be the garment, with which the Prophet (s) covered them (Ali, Fatima, al-Hasan and al-Husayn) when Allah revealed to him: (*Allah only desires to keep away the uncleanness from you, O people of the House! and to purify you a (thorough) purifying*). Refer to chapt.2 in this book for details.

will be in one place on the Day of Resurrection".¹

Among their (the Prophet's progeny's) rights on the umma and especially the men of authority was that they should not be surprised by extorting their position in the umma after the Prophet (s) and doing without them even in consultation besides being so severe to them in the matter of the caliphate and denying their rights, khums, inheritance and donation as well as considering them as the rest of the ordinary people while the wound had not yet recovered and the Prophet (s) had not yet buried!

The seizers of the umma and their assistants at that time had arranged their affairs in a way that they had not left any chance to any one to oppose them otherwise that one would separate the umma and so they had become safe from the opposition of Imam Ali (s) and his followers. For full details about this matter, please refer to al-Muraja'at.

Among the principles of the rulers at that time was to be strict in carrying out the verdicts without differentiating between this and that or between the noble and the low. They controlled the treasury and enriched it with wealth and monies and they equalized between the recidivists and the others in the judgments.

What assisted them in carrying out their principles was their satisfaction and being away from greediness and transient pleasures of this worldly life besides their asceticism and so they satisfied the public and therefore they ruled with no troubles. But when the matter became serious on the trial of Fatima (s), they considered Fatima, the Prophet's piece, as any other woman, who was not purified from fabricating and lying.²

¹ Ahmad's Musnad, vol.1 p.101.

² In fact she was not even treated as an ordinary Muslim woman, because when a Muslim woman, who was not purified from fabrication, had one witness (a fair Muslim man) on her claim, then it would be enough for her, instead of the other witness, to be put to oath and her claim would not be rejected unless she abstained from the oath. As for Fatima (s), her husband Imam Ali (s) had witnessed for her and so the rulers had to put her to oath and if she abstained from oath then they would reject her claim. They did not do that. They just hastened to reject her claim without asking her for any kind of oath.

10. THE PROPHET (S) ORDERS ABU BAKR AND UMAR

The Prophet (s) had ordered Abu Bakr and Umar to kill Thu ath-Thadiyya but they did not kill him.

Thu ath-Thadiyya was al-Khusayra at-Tameemi Harqoos bin Zuhayr,¹ who was the head of the apostates. The Prophet (s) wanted to uproot the ravage and corruption of this apostate man when he ordered to kill him but the hypocrisy of this man and his false reverence in his praying deceived Abu Bakr and Umar and so they hated to kill him and they let him alive.

This has been mentioned by the scholars, the historians and the authors of the books of Hadith.

Abu Ya'la has said in his Musnad-as mentioned in al-Issaba by ibn Hajar, Thu ath-Thadiyya's biography: "At the age of the messenger of Allah (s) there was a man, whose worship and loyalty we had admired too much. We mentioned his name to the Prophet (s) but the Prophet (s) did not know him. We described him to the Prophet (s) and he did not know him. After a little the man came towards us. We said to the Prophet (s): "It is him." The Prophet (s) said: "You have told me about a man, in whose face there is a scorch of the Satan." He came until he stopped before us but he did not greet us. The Prophet (s) said to him: "I adjure you by Allah, did you say, when you stopped before the people: there is no one among this people better than me?" He said: "Yes, I did." Then he went in to offer prayer. The Prophet (s) said: "Who kills him?" Abu Bakr said: "I do." Abu Bakr went to him and he found him offering prayer. He said: "Glory be to Allah, shall I kill a praying one whereas the messenger of Allah has prohibited killing a praying one?" He came

In fact she had Fadak in her possession and had full control over it and so she had not to have evidence to prove her possession but the opposite side had to have an evidence according to the saying of the Prophet (s) "Evidence is on him, who claims, and oath is on him, who denies". This is one of the clear traditions that they have opposed depending on their own ijthihad.

¹ Ibnul Atheer mentioned his biography in his book Usdol Ghaba and mentioned another tradition narrated by Abu Sa'eed saying: "As the messenger of Allah was taking an oath one day, al-Khuwaysara at-Tameemi said: "O messenger of Allah, be just!" The Prophet (s) said: "Woe unto you! And who is just if I am not?" It was mentioned by Muslim too.

back. The Prophet (s) said: "What did you do?" Abu Bakr said: "I hated to kill him while he was praying and you have prohibited killing praying people." The Prophet (s) said: "Who kills him?" Umar said: "I do." He went to him and found him lying prostrate and his forehead touching the ground. Umar said to himself: "Abu Bakr is better than me" and he came back. The Prophet (s) said to him: "What did you do?" He said: "I found him prostrate before Allah and I disliked killing him." The Prophet (s) said: "Who kills him?" Ali said: "I do." The Prophet (s) said: "Yes, you do if you find him." Ali went to him and found that he had gone. The Prophet (s) said: "If he was killed, then no two men of my umma would ever disagree."

Al-Hafidh (memorizer) Muhammad bin Musa ash-Shirazi has mentioned this tradition in his book, which he had written according to the tafseers (interpretations) of Ya'qoob bin Sulayman, Yousuf al-Qattan, al-Qassim bin Salam, Muqatil bin Hiyad, Ali bin Harb, as-Sadiy, Qatada, Waqee', ibn Jurayh and others.

Some scholars have mentioned this tradition and considered it as true like ibn Abd Rabbih al-Andalusi in his book al-Iqd al-Fareed. He mentioned at the end of the tradition that the Prophet (s) had said: "This is the first horn that appears in my umma. If you kill him, no two men will disagree after him. The Israelites have separated into seventy-two groups and this umma will separate into seventy-three groups, all of which will be in Hell except one group."

11. THE PROPHET (S) ORDERS ABU BAKR AND UMAR FOR THE SECOND TIME

The Prophet (s) ordered Abu Bakr and Umar to kill this apostate for the second time but they did as they had done in the first time.

A friend of mine, whom I trust in his virtue, piety and knowledge, told me that once Abu Bakr passed by this apostate (Thu ath-Thadiyya), after he had been ordered to kill him but he disliked to kill him, and he found him offering prayer in one of the valleys where no one could see him save Allah. He admired his devotedness and supplication. He thanked Allah that he did not kill him. He came to the Prophet (s) interceding for that man. He mentioned to the Prophet (s) the sincerity and submissiveness of that man while

offering his prayer where no one could see him save Allah. The Prophet (s) did not accept Abu Bakr's intercession and he ordered him immediately to kill that apostate man. When Abu Bakr did not kill the man, the Prophet (s) ordered Umar and then ordered Imam Ali (s) and stressed on killing him and his companions. This is what I have been told by the one, whom I know well and know about his deep research and careful study.¹ He has confirmed it to me but I forgot to ask him about the source of the tradition. I began to research by myself until I found the tradition, and all thanks be to Allah, in Ahmad bin Hannibal's Musnad, vol.3 that Abu Sa'eed al-Khidri had said: "Once Abu Bakr came to the Prophet (s) and said to him: "O messenger of Allah, I passed through the valley of so and so and I saw a good looking man offering prayer reverently." The Prophet (s) said to him: "Go and kill him!" Abu Bakr went to him and when he saw him in that state, he disliked killing him and then he came back to the Prophet (s). Then the Prophet (s) said to Umar: "Go and kill him!" Umar went to him and he saw him in that state, which Abu Bakr had seen him in. he disliked to kill him and he returned to the Prophet (s). He said to the Prophet (s): "O messenger of Allah, I found him offering prayer reverently and I disliked killing him." The Prophet (s) said to Ali: "Go and kill him!" Ali went but he did not find the man. He came back to the Prophet (s) and said: "O messenger of Allah, I did not find him." The Prophet (s) said: "This man and his companions² recite the Qur'an but the Qur'an does not go past their clavicles. They get out of religion as an arrow that slips away from a hunted animal. Kill them for they are the worst of people."

He, who ponders on these two traditions concerning this apostate man; the tradition mentioned by Abu Ya'la and narrated by Anass and the tradition mentioned by Ahmad bin Hanbal and narrated by Abu Sa'eed al-Khidri, will know that the Prophet (s) has ordered to kill this man two times in different events. The first tradition narrated by Anass shows that the Prophet (s) has not known this

¹ He is the pious Sheikh Mirza Husayn an-Noori, the author of *al-Mustadrakat ala al-Wassa'il*.

² Later on, during the rule of Imam Ali (s), they seceded from Imam Ali (s) and were called the Kharijites.

apostate man before. The Prophet's companions mentioned and described the man to the Prophet (s) but he did not know him until he saw him and knew him because of the scorch in his face and because of his self-conceit and then the Prophet (s) ordered his companions to kill him. The prayer of that apostate, which pleased Abu Bakr and Umar on that day, was in the mosque whereas the second tradition mentioned by Ahmad and narrated by Abu Sa'eed showed that Abu Bakr had seen this apostate offering his prayer in one of the valleys and not in the mosque where Abu Bakr had admired this apostate's devotion and reverence where no one saw him save Allah the Almighty. Abu Bakr told the Prophet (s) about that and the Prophet (s) immediately ordered him to kill that man without seeing the man. This was because the Prophet (s) had already ordered before to kill that man so the traditions talked about two events with a period of time between them. Here the clear orders of the Prophet (s) were opposed by Abu Bakr and Umar due to their own ijtiHAD.

The Kharijites

The Kharijites were the Muslims, who apostatized from religion when they rebelled against Imam Ali (s). They denied the arbitration (between Imam Ali (s) and Mo'awiya), which they themselves had forced Imam Ali (s) to accept. They were about eighty thousands or more. Imam Ali (s) sent for them to remind them of Allah and the hereafter and to show them their faults and mistakes in what they had thought and kept to *"and most surely the frailest of the houses is the spider's house if they but knew. Qur'an, 29:41"* but they refused to come to him and they asked him to acknowledge that he had become unbeliever and he had to repent. When they did not come to him, Imam Ali (s) sent to them Abdullah bin Abbas, who tried his best to refute their opinions with clear evidences but they insisted on their deviation as if there was deafness in their ears and there were veils on their hearts.

They agreed unanimously on considering every Muslim, who did not adopt their opinions, as unbeliever and that he and his family were to be killed and his properties were to be appropriated. They rebelled against the Muslims and they killed whoever passed by them. Among

those, whom they had killed, was Abdullah bin al-Khabbab bin al-Arth at-Tameemi. They cut open his wife's abdomen while she was pregnant. Their evils spread everywhere. Imam Ali (s) came to them preaching them and showing them that they had mistaken when they rebelled against him. He refuted their excuses and warned them that if they insisted on their deviation, they would be killed and in the hereafter they would be in Hell.

They insisted on their transgression without intending to repent and they became like the people of Noah when *"they put their fingers in their ears, cover themselves with their garments, and persist and are puffed up with pride. Qur'an, 71:7"* and then Imam Ali (s) fought them and killed them.¹ Only ten of them escaped death and only ten of Imam Ali's companions were killed. This was exactly what Imam Ali (s) had predicted when warning them but they did not desist from doing evil.

Then some deviate people, who believed in the opinions of the Kharijites concerning the arbitration and rebelling against the walis, joined the few Kharijites, who had not been killed. When Abdullah bin az-Zubayr became the wali, some of those people appeared with Nafi' bin al-Azraq in Iraq and some appeared with Najda bin Aamir al-Harawri in Yamama (in the Arabia). Najda went too far in his opinions and he even exceeded the doctrine of the Kharijites themselves. He considered every one, who did not join him and his followers to fight the Muslims, as unbeliever. They annulled the verdict of stoning a married adulterer. They made it obligatory to cut a thief's arm from the armpit. They made it obligatory on a woman to offer prayers during the period of menstruation and many other heresies that there was no need to mention here.

Until now there is a remainder of them spread here and there. The explorer ibn Batota has met some of them in Oman during his travel

¹ By doing that Imam Ali (s) just followed the orders of the Qur'an and the Sunna. Allah said: *(fight that (group) which acts wrongfully until it returns to Allah's command)* and: *(The punishment of those who wage war against Allah and His messenger and strive to make mischief in the land is only this, that they should be murdered)*. As for the orders of the Sunna, I shall mention them in the main text of the book inshallah.

in the eighth century of hijra. He has mentioned them in his book *Rihlat ibn Batota* (ibn Batota's travel)¹ and said: "They are Ibadhite in doctrine. They offer Friday prayer in four rak'as and when they finish it, their imam recites some verses of the Qur'an and then he praises Abu Bakr and Umar but he does not mention Othman and Ali. If they want to mention Ali, they nickname him by saying "the man". They praise the cursed Abdurrahman bin Muljam (Imam Ali's killer) and call him as "the good servant of Allah" in spite of the great sedition he has caused. Their women commit adultery too much and their men do not deny that nor have they jealousy. One day I was with their chief Abu Muhammad bin Nabhan, who was from the tribe of al-Azd. A young beautiful woman came and said to him: "O Abu Muhammad, the Satan has played with my mind (her sexual lust was provoked)". He said to her: "Go and drive the Satan away from your mind!" She said: "I cannot do unless you protect me." He said: "Go and do whatever you like." When she left, he said to me: "This one, and whoever does like her, will be under my protection. She goes to commit adultery and neither her father nor any of her relatives will be able to show their jealousy. If they kill her they will be killed in return because she is under my protection".

The messenger of Allah (s) has informed of the truth when he has said: "O Ali, no one hates you but a bastard, a child of menstruation² or a hypocrite".

Killing the Kharijites

Many traditions have been narrated about killing the Kharijites especially from the infallible imams (s). Here we mention some of those traditions, which have been mentioned by the Sunni scholars. The Prophet (s) said describing the Kharijites: "They recite the Qur'an but it does not go past their clavicles. They kill the Muslims and set the idolaters free. They apostate from Islam like an arrow slipping out of a game animal. If I live until they appear, I shall kill them like the killing of the people of Aad."³

¹ Vol.1 p.172.

² That he has been created out of making love during a period of menstruation.

³ Muslim's Sahih, vol.1 p.393.

In another tradition the Prophet (s) said: "If I live until they appear, I shall kill them."¹

In a third tradition the Prophet (s) said describing them: "They are young and foolish. They repeat the best of saying. They recite the Qur'an but it does not go past their clavicles. They apostate from religion like an arrow that slips away from a hunted animal. If you find them, you are to kill them. Whoever kills them will be rewarded by Allah on the Day of Resurrection."² There are many other traditions like this mentioned in the books of Hadith. These traditions show that these people are unbeliever for killing them is like killing the people of Aad and Thamood.

They are the worst of people

The tradition narrated from the infallible imams (s) and showing that the Kharijites are the worst of people are clear and recurrent but here we mentioned the traditions mentioned by the Sunni scholars. Muslim mentioned in his Sahih a tradition narrated by Abu Tharr and Rafi' bin Umar al-Ghifari that the Prophet (s) had said: "After me there will be some people of my umma who recite the Qur'an but the Qur'an does not go past their throats."³ They get out of religion as an arrow that slips away from a hunted animal and then they do not go back to it (religion). They are the worst of people."⁴

Muslim mentioned in his Sahih another tradition narrated by Abu Sa'eed al-Khidri that the Prophet (s) had mentioned some people, who would appear from among his umma, and said: "...They are the worst of people. They will be killed by the righteous people." And then the Prophet (s) gave an example when saying: "...like a man, who shots his arrow at an animal and then he looks at the arrowhead

¹ Muslim's Sahih, vol.1 p.394.

² Narrated from Imam Ali (s) and mentioned by Muslim in his Sahih, vol. 1 p.396.

³ It means that their hearts do not perceive what they recite and they do not benefit from it. They do not do but uttering the words of the Qur'an in their mouths when reciting them. Their hearts are covered with the stain of the (ill) which they do! Nothing of the light of the Qur'an gets into their hearts. Neither their reciting the Qur'an nor any of their doings will be accepted by Allah.

⁴ Vol.1 p.398.

but he does not see anything and he looks at the bowstring and he does not see anything."¹

Ahmad mentioned in his Musnad a tradition narrated by Abu Barza in two ways that the Prophet (s) had described the Kharijites and said: "...They recite the Qur'an but the Qur'an does not go past their clavicles. They get out of religion as an arrow that slips away from an animal and they do not go back to religion. They will still appear until the last of them will be killed with ad-Dajjal (the fraud). If you meet them, you are to kill them for they are the worst of people and the worst in nature. They are the worst of people and the worst in nature. They are the worst of people and the worst in nature."²

If they were the worst of people and the worst in nature, then the idolaters and the unbelievers would not be worse than them and this would be a clear evidence showing their unbelief.

The Kharijites' apostasy

There have been many clear prophetic traditions talking about the apostasy of the Kharijites. Here are some of them besides the ones we have mentioned above. Al-Bukhari and Muslim have mentioned in their Sahihs a tradition narrated by Abu Sa'eed al-Khidri saying: "While we were with the Prophet (s), who was taking an oath, Thul Khuwaysira, who was a man from the tribe of Tameem, said: "O messenger of Allah, be just!" The messenger of Allah said: "Woe unto you! And who is just if I am not? Surely I shall fail and lose if I do not do right." Umar said (to the Prophet (s)): "Would you allow me to kill him?"³ The messenger of Allah (s) said: "Let him alone! He has companions, who exaggerate in offering prayers and in fasting. They recite the Qur'an but it does not go past their clavicles. They apostatize from religion as an arrow that slips away from a game animal...their sign is a black man whose upper arm is like a woman's breast or like a dangling piece of flesh...they will appear at the time of a good group of people."⁴ Abu Sa'eed said: "I witness that I have

¹ vol.1 p.395 and Ahmad's Musnad, vol.3 p.5.

² Ahmad's Musnad, vol.4 p.422, 424.

³ Would he have killed him when he had been ordered to!

⁴ The group of Imam Ali (s) and his followers.

heard this tradition from the messenger of Allah and I witness that Imam Ali (s) has fought them and I was with him. Imam Ali (s) ordered that man to be brought. When he was brought, I looked at him and I saw that he was as the Prophet (s) had described him."¹

The prophetic traditions talking about the evil doings and aspects of the Kharijites are true and recurrent whether have been narrated from the infallible imams (s) or the Sunni. These traditions were among the signs of the Prophet (s) and Islam due to the unseen that appeared like the light of morning to people after the death of the Prophet (s). People saw clearly the apostasy of that group (the Kharijites) from religion when they revolted against Imam Ali (s), who was the legal caliph.² Their rising was when people had separated into two groups.³ They were killed and their killer was the imam of the truth.⁴ They, as the Prophet (s) had predicted, killed the faithful people and let the idolaters free. They became too strict in religion where there was no necessity for strictness. They recited the Qur'an but it did not go past their clavicles because their hearts were covered with their apostasy. Nothing of the light of the Qur'an got into their hearts. They exaggerated in offering prayer and fasting but they ignored the rights of Islam by apostatizing and being away from its guidance. Their sign, as the Prophet (s) had predicted, appeared to the people. It was a black man whose upper arm was like a woman's breast or like a dangling piece of flesh as the Prophet (s) had said. The Prophet (s) had confirmed, through his sayings about this apostate group, that the umma would remain prevailing unlike what the fabricators had fabricated. It was the unseen that Allah had revealed to the Prophet (s). Allah said: *"The Knower of the unseen! So He does not reveal His secrets to any except to him whom He chooses as a messenger; for surely He makes a guard to march before*

¹ Ahmad's Musnad, vol.3 p.56.

² The Prophet (s) had predicted that: "They will revolt against the best group. (He means Imam Ali (s) and his followers)."

³ Their appearance was in Siffeen when the people were in two groups; one with Imam Ali (s) and the other with Mo'awiya.

⁴ The Prophet (s) said: "They will be killed by the one, who is the nearest to the truth" or "...the worthiest of the truth" in another tradition mentioned by Muslim in his Sahih.

him and after him. Qur'an, 72:26-27"

Let us finish our speech about this apostate group with a tradition narrated by Jundub¹ and mentioned by at-Tabarani in his book *al-Awsat*. Jundub said: "When the Kharijites parted with Ali, he decided to pursue them and we joined him. We moved until we reached their camp. There were noises like those of bees. They were busy reciting the Qur'an and among them there were notable and respected persons. When I saw them, I hesitated to fight them. I stepped aside, fixed my spear in the ground, got down of my horse, put off my burnoose, spread my armor on me, held the halter of my horse and began praying. I said in my prayer: "O Allah, if fighting these people is obedience to You, allow me to fight them and if it is disobedience to You, show me the truth." As I was doing so, Ali bin Abu Talib came near to me and said: "O Jundub, ask Allah to protect you from His wrath!" I beseeched him. He began praying. Then a man came to him saying: "O Ameerul Mo'mineen, have you anything to do with the people?" He said: "What is there?" The man said: "They (the Kharijites) crossed the river and went away." Ali said: "They have never crossed the river." The man said: "Glory be to Allah!" Another man came and said to him: "They have crossed the river and went away." Ali said: "They have not crossed the river and they will never cross it. They will be killed before it. It is a promise from Allah and His messenger." Then he rode on his horse and said to me: "O Jundub, I will send to them a man to invite them to the

¹ Jundub bin Zuhayr bin al-Harith bin Katheer bin Sab' bin Malik al-Azdi al-Ghamidi was one of Imam Ali's close companions. Ibn Hajar has mentioned him in his book *al-Issaba*. There was a debate about his companionship with the Prophet (s) but there was no doubt that he was one of the great successors and he was one of their heads and ascetics. He fought with Imam Ali (s) in the battles of al-Jamal, Siffeen and an-Nahrawan. In the battle of an-Nahrawan he was the leader of the infantrymen. Abu Durayd mentioned in his book *al-Amali* a tradition narrated by Abu Ubayda that Younus had said: "Abdullah bin az-Zubayr had lined us up on the day (the battle) of al-Jamal. Salih came out to us saying: "O people of Quraysh, I warn you of two men; Jundub bin Zuhayr and (Malik) al-Ashtar because you cannot stand against their swords." This Jundub bin Zuhayr was not Jundub, who had killed the magician. The one, who had killed the magician, was Jundub bin Ka'b al-Abdi and he had been killed in the battle of Siffeen when fighting with Imam Ali (s). This has been mentioned by az-Zubayr bin Bukar in his book *al-Muwaffaqiyyat* quoted from ibnul Kalbi and others.

Book of their god and the Sunna of their prophet but when he will come to them, they will shoot at him with arrows. O Jundub, less than ten persons from us will be killed and less than ten persons from them will escape death." Then he said: "Who will take this Qur'an and go to the people (the Kharijites) to invite them to the Book of Allah and to the Sunna of His messenger but he will be killed and will go to Paradise?" A young man from bani¹ Aamir bin Sa'sa'a responded to him. The young man, holding the Qur'an, went towards the Kharijites. As soon as he became near to them, they began shooting at him with arrows. Then Ali said: "Attack them!" I (Jundub) myself had killed eight persons of them before I offered Dhuhr² Prayer. Less than ten persons from us were killed and less than ten from them escaped death as Ali had predicted. Praise be to Allah."³

12. FIGHTING INNOCENT PEOPLE

Abu Bakr ordered to fight the people who had hesitated to pay him the zakat. They did so because they had doubted whether Abu Bakr was the legal guardian after the Prophet (s) or not.

Abu Bakr had gathered the companions to consult with them about fighting those people. Umar and many other Muslims thought that they were not to fight faithful people, who had believed in Allah and His messenger, and instead they were to make use of them to fight the enemy.⁴ Those, who had adopted this opinion, were the most of the attendants whereas those, who had thought to fight against those people, were few. The debate about this serious matter might have taken a long time until Abu Bakr himself interfered supporting the opinion of the few companions. He insisted on this opinion and this was clear out of his saying: "By Allah, if they refused to give me even a headband that they were used to give to the messenger of Allah (s), I would fight them for that." This saying did not deter Umar from seeing that such a fight would expose the Muslims to dangers and

¹ Bani means "the family of" or "the tribe of".

² Dhuhr means noon.

³ Kanzol Ummal, vol.6 p.71.

⁴ As-Siddeeq by Ahmad Hasanayn Haykal, p.104.

bad ends. Umar said sharply: "How do you fight these Muslims whereas the messenger of Allah (s) has said: "I have been ordered (by Allah) to fight people until they say "There is no god but Allah and Muhammad is the messenger of Allah". Whoever says that his life and monies will be safe except their due. It is Allah, Who will punish people."

But Abu Bakr did not hesitate to answer Umar by saying: "By Allah, I will fight whoever separate between offering prayers and paying zakat. Zakat is the due on properties and he (the Prophet (s)) said: "except their due".

I say: may Allah forgive Abu Bakr! He brushed aside this clear tradition and interpreted it as he liked according to his policy of fighting. No one of the believers, who had been fought and killed on that day, separated between prayer and zakat but they just hesitated to submit to Abu Bakr because they doubted (the legality of) his replacement for the Prophet (s)¹ and they were excused for that and in fact they would be rewarded for that.

They had the right not to obey except the orders of Allah and His messenger or the orders of the one, whose guardianship was determined by Allah and His messenger (s).

If Abu Bakr perceived those people's excuse, he would consider it as an evidence against him but how would those oppressed people be treated fairly by Abu Bakr on that day!

The Sihah and books of Hadith are full of true traditions that show the impermissibility of shedding the bloods of those faithful people and their likes and there is no tradition that annuls this verdict; nevertheless their bloods were shed by the order of the caliph, who interpreted the prophetic traditions according to his own tendency.

As for the zakat that Abu Bakr had talked about it was just an obligation on the Muslims. The guardian, who replaced the Prophet (s), was to ask the Muslims for the zakat and he was to take it from them. If they refused to pay it obeyingly, he then had to force them to pay it unwillingly by using his power but without fighting or

¹ We shall explain this matter later on inshallah.

killing them.

Fighting them just to take the zakat from them contradicted the verdicts that had determined to protect their bloods and monies.

Here are some of these traditions that have been mentioned by Muslim in his Sahih¹ under the chapter of "Ali's virtues". The messenger of Allah (s) said to Ali when he gave him the banner on the day (the battle of) Khaybar: "Move and do not turn." Imam Ali walked a little and then he stopped but did not turn. He cried: "O messenger of Allah, what for shall I fight the people?" The messenger of Allah (s) said: "fight them until they witness that there is no god but Allah and Muhammad is the messenger of Allah. If they do, they will spare their bloods and monies except for their due and they will be answerable before Allah."

In al-Bukhari and Muslim's Sahihs there is a tradition narrated by Usama bin Zayd saying: "The messenger of Allah (s) sent us (among an army) to al-Mahraqa. In the morning we reached there. We defeated the people. I and another man from the Ansar followed after a man from those people. When we caught him, he said: "There is no god but Allah." My companion abstained from killing him but I stabbed him with my spear. When we came back, the Prophet (s) knew about what we had done. He said to me: "O Usama, did you kill him after he had said "there is no god but Allah"?" I said: "He just wanted to save his life." The Prophet (s) kept on repeating this question until I wished I had not become a Muslim before that day."

He did not wish that unless he thought that all what he had offered of faith, prayers, zakat, fasting, companionship (with the Prophet (s)), jihad and other things before that day would not compensate for this sin and that all his good doings had come to nothing because of this sin. His saying showed clearly that he feared that Allah would not forgive him for ever after that sin and so he wished he had not become a Muslim before that day in order to be included by the Prophet's saying: "(Believing in) Islam forgives all the sins committed before."

It is a sufficient evidence that shows the dignity of the people of

¹ Vol.2 p.324.

“there is no god but Allah” and the protection of their bloods.

Al-Bukhari mentioned in his Sahih that a man had said to the Prophet (s): “O messenger of Allah, fear Allah!” The Prophet (s) said: “Woe unto you! Am I not the worthiest among all the people of the earth of fearing Allah?” Khalid (bin al-Waleed) said: “O messenger of Allah, do you allow me to kill him?” The Prophet (s) said: “No, he may offer prayers.”¹

In al-Bukhari and Muslim's Sahih there is a tradition narrated by ibn Umar that the Prophet (s) has said in Mina while he was pointing at the Kaaba: “Do you know what country is this?” His companions said: “Allah and His messenger are more aware.” He said: “This is a prohibited country.” Then he said: “Do you know what day is this?” They said: “Allah and His messenger are more aware.” He said: “It is a prohibited day. Do you know what month is this?” They said: “Allah and His messenger are more aware.” He said: “It is a prohibited month. Allah has prohibited your bloods, your monies and your honors like the prohibition of this day in this month in this country.”

The Sihah and books of Hadith are full of such traditions, whose

¹ This tradition has been mentioned by Ahmad in his Musnad, vol. p.4 and by ibn Hajar al-Asqalani in his book al-Issaba when talking about Sarhooq the hypocrite that he was brought to be killed. The Prophet (s) said: “Does he offer prayers?” It was said: “When people see him (it means when he thinks that people may see him during the time of prayers, he offers prayers).” The Prophet (s) said: “I have prohibited killing the prayers (ones who offer prayer).” Ath-Thahabi in his Mizan, when talking about the biography of Aamir bin Abdullah bin Yasar, mentioned a tradition narrated by Anass who said: “Once a man was mentioned to the Prophet (s) and it was said that he had been the head of the hypocrites. When people mentioned many bad things about him, the Prophet (s) allowed them to kill him and then he asked: “Does he offer prayers?” The companions said: “Yes, useless prayers.” The Prophet (s) said: “I have prohibited killing the prayers.”

Would Khalid bin al-Waleed have regarded the prayer of Malik bin Nuwayra and refrained from killing him although that Abdullah bin Umar and Abu Qatada al-Ansari had witnessed that Malik had offered Fajr (dawn) prayer with them! But Khalid had been charmed by Malik's beautiful wife as his coeval the poet Abu Zuhayr as-Sa'di had said in his poem:

Khalid killed him aggressively just for his wife.

He had tended to her before that.

contents are clear to the Muslims. According to these traditions fighting a Muslim just because he has hesitated in paying the zakat to the imam is prohibited especially if his hesitation is due to his doubting about the real imam as what has happened among some tribes when the Prophet (s) has left to the better world. A great Sedition has happened at that time and its evils spread everywhere. Many Muslims apostatized. The Muhajireen and the Ansar disagreed about the matter of the caliphate. Each of them had two opinions and the Ansar might have three opinions. During this sedition and evils Abu Bakr was paid homage as the caliph and his homage was as a slip that Allah had protected the Muslims from its evil as Umar had said! It was naturally at that time that people might doubt about the legality of such homage and the unanimous agreement on it while people were in disagreement. In fact the state at that time was much worse than what had been mentioned. So there was no blame on those, who had doubted the caliphate of Abu Bakr, when they did not submitted to him concerning the matter of zakat and other things until they would become certain that he was the legal caliph after the Prophet (s).

13. THE DAY OF AL-BITAH

It was the day of al-Bitah or the day of Malik bin Nuwayra and his people and what they had got from Khalid bin al-Waleed. Khalid was the absolute leader of the armies at that time so he ordered as he liked and he judged as he wished. He was satisfied with killing the believers but he exceeded in mutilation, capturing women and violating what Allah had prohibited of monies, honors and legal verdicts. He committed sins and evils that had never happened even in the pre-Islamic times.

Who was Malik?

Malik bin Nuwayra bin Hamza bin Shaddad bin Abd bin Tha'laba bin Yarboo' at-Tameemi al-Yarboo'iy was the top of honor for bani Tameem and the peak of glory for bani Yarboo'. He was one of the famous notables among the Arabs and an example of magnanimity, generosity, courage and valor in all their meanings. He was like the kings. When he became a Muslim, all the people of his tribe became

Muslims. The Prophet (s) had entrusted him with the charities of his people because he had great confidence and trust in him.

What was the guilt of Malik?

Malik's guilt, according to Abu Bakr's thought, was his situation concerning the matter of zakat and other religious obligations. Malik was looking for his legal duty according what Allah and His messenger had legislated.

He did not intend, out of his situation, to cause a separation among the Muslims, to cause a sedition or to cause a fight. He was surprised by the raid led by Khalid bin al-Waleed at the beginning of Abu Bakr's caliphate where disagreement was still burning about the caliphate. Ahlul Bayt (s) and their followers had their own opinion and Abu Bakr, Umar, Abu Ubayda, Salim and their followers had their own opinion. The Ansar, who had protected and supported the Prophet (s), were defeated especially their chief Sa'd bin Ubada, who had sworn if he had assistants, he would fight against Abu Bakr and his party but he withdrew from the political life and he did not participate in those people's occasions until he died lonely in Hawran. Add to that the disasters that were caused (by the ruling party) around the houses, about which Allah had said: "*O you who believe! do not enter the houses of the Prophet unless permission is given to you.* Qur'an, 33:53" and the distresses that were caused to the Prophet's daughter Fatima (s) just because she asked for her inheritance, donation and khums although she faced them with clear evidences, besides many other matters that the Qur'an had warned of. Hence it was naturally for a man like Malik, who had a high position among his people, to look for the one, who would carry out the will of Allah and who would lead the people to the truth. Malik waited in order to see the true man, who was qualified to replace the Prophet (s), and then he would pay him the zakat so that he would achieve his covenant with Allah. The ruling party had to give him enough time to look for the ambiguous truth at that confused time. They had not to surprise him with those disasters for he was not among those, who had denied the zakat, nor was he among those, who had separated between the prayer and zakat, nor was he among those who had permitted fighting Abu Bakr or other Muslims.

This was the truth of the situation of Malik and his companions; leading to it his advise to his people to keep to Islam and not to stand against Khalid. He ordered his people to separate in order not to clash with the army of Khalid and he forbade them from gathering in one place so that Khalid and his army might think that they were camping to be ready to fight.¹

Khalid's advance towards al-Bitah

When Khalid finished his fights against bani Asad and Ghatafan, he decided to move towards al-Bitah to meet Malik and his people but Malik had withdrawn from al-Bitah and had ordered his people to separate here and there-as we have said before-for he was looking forward to peace in order to protect Islam at that critical time. When the Ansar knew that Khalid would go to fight Malik and his people, they refused to go with him and they said: "This is not the order of the caliph. The caliph has ordered that when we finish fighting al-Buzakha we are to camp until he will write to us again." Khalid said: "The caliph has not entrusted you with anything. He has ordered me to go on. I am the emir and the orders come to me. If no book or order comes to me, I will find any opportunity to seize and then I will inform the caliph. If we face something that the caliph has not sent his order about, we will decide the best to do. Malik bin Nuwayra is in view of us and I will go to face him with my men."² Then he went with his men towards al-Bitah but when they arrived

¹ All that has been mentioned by Professor Muhammad Hasanayn Haykal in his book *as-Siddeeq Abu Bakr*, p.144. Professor Mahmood Abbas al-Aqqad in his book *Abqariyat Khalid*, p.131 said when talking about Malik's situation: "It was not a situation of obstinacy or being ready to fight." But Professor al-Aqqad has mistaken when he has interpreted Malik's verses of poetry into other than their real meaning.

² *As-Siddeeq Abu Bakr* by Professor Haykal, p.143 and *Abqariyat Umar* by Professor al-Aqqad, p.267. You see here through this dialogue that the caliph has not ordered the army to attack Malik but Khalid claimed that the caliph had entrusted him especially with the order of the attack and according to this the caliph had used trick to show the people that he was not responsible for the crimes that had been committed on the day of al-Bitah but it was Khalid who was responsible for that and then he would protect Khalid by justifying his doing by saying that he had interpreted the verdict but he had mistaken. This event showed that Abu Bakr was too skilful in politics.

there, they did not find anyone.¹

Killing Malik and his people

When they did not find any one of Malik's people in al-Bitah, Khalid sent his brigades to follow after them. They came back with Malik and some of his people. They were put in prison and then they were killed in a bad way which we will detail later on.

At-Tabari mentioned a tradition narrated by Abu Qatada al-Ansari, who was one of the leaders of the brigades of Khalid's army. He said: "When we found Malik and his companions and it was night, they took their weapons and got ready. We said: "We are Muslims." They said: "We are Muslims too." We said: "Then why have you got your weapons ready?" They said to us: "And why have you got your weapons ready?" We said: "If you are as you say then put your weapons down." Then we offered prayer and they offered prayer."

But after the prayer they (Khalid's soldiers) hastened to seize the weapons of Malik and his companions and then they tied Malik and his companions and drove them as captives to Khalid. Among them was Malik's wife Layla bint al-Minhal Umm Tameem, who was (as Professor Abbas Mahmood al-Aqqad said in his book *Abqariyat* Umar according to the historians) one of the most beautiful women among the Arabs especially her eyes and legs. It was said that no one had seen more beautiful than her eyes and legs.

Therefore Khalid was attracted by her beauty while he was debating with Malik where she was beside him.

Khalid said to Malik: "I will kill you." Malik said: "Has your master (Abu Bakr) ordered you of this?" Khalid said: "By Allah, I will kill you."

Abdullah bin Umar and Abu Qatada al-Ansari were present then. They talked with Khalid about this matter but he rejected their talks.

¹ The historians agreed upon that when Khalid occupied al-Bitah with his army, he did not find anyone of its people. That was because Malik had separated his people here and there and had ordered them not to fight against Khalid and his army. He had advised his people to keep to Islam and to remain separated until Allah would regather them. Refer to *as-Siddeeq Abu Bakr* by Haykal, p.144.

Then Malik said: "O Khalid, send us to Abu Bakr and he will decide what to do to us. You have sent to him other than us whose guilt is greater than ours." Abdullah bin Umar and Abu Qatada insisted on Khalid to send Malik and his companions to the caliph but Khalid refused and said: "Let Allah not forgive me if I do not kill him." Khalid asked Dhirar bin al-Azwar al-Asadi to kill Malik. Malik turned towards his wife and said to Khalid: "It is she who has killed me!" Khalid said: "It is Allah Who has killed you because you have apostatized from Islam." Malik said: "I am still on Islam." Khalid said to Dhirar: "Kill him!" Dhirar killed Malik. Khalid arrested Malik's wife and married her in that very night.

Khalid ordered his companions to put the captives (Malik's people) in prison. It was very cold. In a dark night Khalid's caller called out: "Warm your prisoners!" According to the dialect of Kinana this was a metonymy to mean killing and so all the prisoners were killed.

Khalid had ordered the executioners of his men to kill the prisoners when they heard this call. This was a trick used by Khalid to show that he was not responsible for this crime but it was obvious to Abu Qatada and his likes of the acute people. It was unknown just for the ordinary people, who had been deceived by the powerful rulers and their prevailing policies.

This is the truth behind the event that has happened between Khalid and Malik. Whoever studies carefully what has been mentioned by the historians about the event of al-Bitah, will find this truth clearly.

Let not the contradicting sayings scattering here and there keep you away from the truth; those sayings which have been woven by the personal tendencies and the flattery to the caliph and to the general leader of his armies in order to justify their mistakes.

We studied this event carefully and we did not find except a clear evidence showing that the caliph tried to distort the truth due to his loyalty in his love to Khalid and in defending him. Allah is the witness over the all!

The anger of Abu Qatada and Umar

Professor Haykal says in his book *as-Siddeeq Abu Bakr*:¹ "Abu Qatada al-Ansari became too angry at the crime of Khalid when he killed Malik and married his wife. Abu Qatada left Khalid and went to Medina deciding that he would never be under the leadership of Khalid at all. Mutammim bin Nuwayra, Malik's brother, went with him. When they arrived at Medina, Abu Qatada, who was still too angry, went to Abu Bakr and told him of what Khalid had done to Malik and his wife. He added that he had sworn by Allah not to be under the leadership of Khalid at all. But Abu Bakr was too pleased with Khalid and his victories and he became displeased with Abu Qatada. In fact he denied all what Abu Qatada said about the sword of Islam (Khalid)!"

Professor Haykal adds: "Do you think that Abu Bakr's anger frightened Abu Qatada and made him keep silent? Certainly not! His revolt against Khalid was too violent; therefore he went to Umar bin al-Khattab and told him all the story and showed him Khalid as the man, whose tendencies prevailed over his duties and who ignored the orders of Allah in order to satisfy himself. Umar confirmed Abu Qatada's opinion and participated with him in criticizing Khalid. Umar went to Abu Bakr and he was too angry at what Khalid had done. He asked Abu Bakr to depose Khalid. Umar said to Abu Bakr that Khalid's sword had committed a sin and the caliph had to punish Khalid. But Abu Bakr would not have punished any of his officials!² Therefore Abu Bakr said when Umar insisted on him many times to punish Khalid: "O Umar, let him alone. He interpreted but he mistook. Do not blame him any more!" But Umar was not satisfied with this answer and he did not refrain from asking to punish Khalid. When Abu Bakr became unable to bear the insistence of Umar, he said to him: "O Umar, no! I would not have to sheathe a sword that Allah has unsheathed against the unbelievers."

Professor Haykal adds: "But Umar found that Khalid's doing was

¹ p.147.

² In doing so Abu Bakr behaved according to his own *ijtihad* and ignored the order of Allah when saying: (*And We prescribed to them in it that life is for life...*) Qur'an, 5:45.

abominable and so his conscience was displeased. How, then, would he keep silent and let Khalid at ease feeling as if he had not committed any sin or crime? Umar had to repeat his request to Abu Bakr and to mention to him frankly that the enemy of Allah had killed a Muslim man transgressively and committed adultery with his wife and it was not fair at all not to be punished for his crime. Before the fiery anger of Umar, Abu Bakr could not but to send for Khalid and ask about what he had done. Khalid came to Medina. He came into the mosque with his war materiel wearing a garment, whose iron parts were rusty, and inserting some arrows into his turban. When Umar saw him coming into the mosque, he hastened to him, pulled the arrows out of his turban, destroyed them and said to him: "You have killed a Muslim man and committed adultery with his wife. By Allah, I will stone you until you die." Khalid kept silent and did not apologize. He came to Abu Bakr and told him the story of Malik and his hesitation (in paying the zakat). Khalid justified his doing with some excuses and Abu Bakr excused him and forgave him but he blamed him for marrying a woman, whose husband's blood had not dried yet. The Arabs hated sleeping with women during the wars and considered that as disgrace."

I say: Islam prohibits marrying a woman, whose husband has died, until she finishes her iddah.¹ If a man gets married to a woman during her iddah, she will be prohibited for him forever. If we suppose that Khalid has considered Malik's wife as a captive, also getting married to a captive woman is not permissible except after the legal absolution² whereas Khalid has killed Malik and married his wife in the same night.

Professor Haykal adds: "Umar did not change his opinion a bit about what Khalid had committed. When Abu Bakr died and Umar became the caliph, the first thing he did was sending a letter to Sham announcing the death of Abu Bakr and with it there was a book having a decree of deposing Khalid from the emirate of the army."

Professor Haykal says: "The historians agreed unanimously that

¹ Woman's prescribed waiting period after divorce or death of husband.

² Legal absolution here means that a woman has to pass at least one menstruation to be sure that she is not pregnant from the previous husband.

Umar had remained on his situation towards Khalid concerning the matter of killing Malik and marrying his wife and this situation had had its effect on the caliph when he had deposed Khalid."

How wonder it is!

How wonder and odd it was that during the reign of Abu Bakr all those bloods, honors and properties were wasted in vain! Allah's sacred rites were violated and His penalties were annulled. Khalid was not deposed in spite of all what he had committed! He kept on his extravagancy until the caliph died but when Umar became the caliph, he deposed him immediately.

Abu Bakr's opinion about the criminals on the day of al-Bitah was the first of the opinions that contradicted the Qur'an and the Sunna. He preferred benefit to obeying Allah.

Showing the opinion

Professor Haykal says in his book as-Siddeeq Abu Bakr when talking about Abu Bakr's opinion and excuse: "Abu Bakr thought that the situation was more dangerous than to regard such things.¹ Was there any importance of killing a man or a group of men due to a mistake in interpretation or even without a mistake where dangers surrounded all the state and the revolts had broken out throughout the Arab countries?²

¹ This is an exaggeration. Yes, the situation was too dangerous but this did not lead to ignore what was possible for the sake of what was not possible. The possible thing, which was the least thing that must be done, at that time was to depose Khalid from his position and to appoint a qualified one like Umar, Abu Ubayda, Ma'ath bin Jabal, Sa'd or any other one and to put off the trial of Khalid until the circumstances would become suitable and then to be punished according to the legal verdicts.

² This is an exaggeration too. His saying "due to a mistake in interpretation or even without a mistake" is just a fabrication. Malik's faith in Islam was doubted neither by Khalid nor by Abu Bakr and marrying Malik's wife while she was under her iddah deserved stoning according to the consensus of the Muslims. This was what Umar wanted to do if he could. His saying "was there any importance of killing a man or a group of men" shows indifference to killing whereas Allah says: *(whoever slays a soul, unless it be for manslaughter or for mischief in the land, it is as though he slew all men)* and *(And whoever kills a believer intentionally, his punishment is hell; he shall abide in it)* and *(And they who do not call upon another god with*

This leader, who was accused of being mistaken,¹ was one of the greatest powers, with which disasters and dangers were repelled.²

What was the problem in marrying a woman unlike the traditions of the Arabs if it was done by a conqueror, who had conquered countries and consequently had captive women who would be his possession?"³

Professor Haykal adds: "If we apply the Sharia, then we have not to criticize the great personalities like Khalid⁴ especially if that will harm the state and expose it to dangers."⁵

The Muslims were in need to the sword of Khalid. They were in need to Khalid on the day when Abu Bakr sent for him and scolded him

Allah and do not slay the soul, which Allah has forbidden except in the requirements of justice, and (who) do not commit fornication and he who does this shall find a requital of sin. The punishment shall be doubled to him on the day of resurrection, and he shall abide therein in abasement).

¹ Khalid was really a killer and an adulterer. He intended to do prohibited things and he did not miss them. In fact he got them intendedly even after being forbidden by the caliph.

² He could be replaced by any other qualified man as we have mentioned above.

³ I do not think that Professor Haykal has believed in this saying and the sayings before and after it nor has Abu Bakr! I do not think that Professor Haykal is indifferent to the honors when saying: "What was the problem in marrying a woman unlike the traditions of the Arabs if it was done by a conqueror..." and I do not think that he allows every conqueror to do what Khalid has done! This may be allowed to a Muslim conqueror, who conquers a country of Muslims, who do not believe in Allah, and most surely that Malik and his people were among the believers "*who keep up prayer and pay the poor-rate and of the hereafter they are sure*".

⁴ Uttering such a word by one like Professor Haykal is something odd and astonishing. As long as you live, you see many wonders! How wonder! Professor Haykal says that the legal verdicts do not allow criticizing great persons like Khalid whereas Allah has created the Paradise to every one, who obeys Him even if he is a black Abyssinian, and has created the Hell to every one, who disobeys Him even if he is a Qurayshi master. There is no flattery between Allah and any of His creatures; people are equal before Him. A noble man is low until the others' right is taken from him and he is punished and a low man is honorable until his right is restored to him.

⁵ If carrying out the legal penalties causes dangers, then the penalties should be put off until the dangers disappear. But the caliph (Abu Bakr) did not put off executing the penalties nor did he wait for the dangers to disappear. Rather he forgave all those sins and crimes and became pleased to the full with those criminals.

more than their need to him before. Musaylama the Liar with forty thousand men revolted in Yamama near al-Bitah and their revolt was the worst against Islam and the Muslims.¹ Was it possible to let the Muslim armies be defeated by Musaylama and the religion of Allah be struck with many dangers just for the murder of Malik bin Nuwayra or for the sake of beautiful Layla who had captivated Khalid?² Khalid was the sign of Allah and his sword was the sword of Allah. It was the policy of Abu Bakr when he sent for Khalid to be satisfied with scolding³ him and to order him at the same time to move with his army towards al-Yamama to meet Musaylama and his men.

When Abu Bakr ordered Khalid at that time to go to fight Musaylama, he might want to show the people of Medina, especially those who had adopted Umar's opinion, that Khalid was the qualified man who would defeat the difficulties and that he (Abu Bakr) had thrown him into a hell which would swallow him and that would be the punishment for what he had committed with Layla and her husband Malik⁴ or victory would purify him and then he would come back to the Muslims as triumphant and so he would calm their fears and then his doing committed in al-Bitah would be unmentionable thing beside his victory.

¹ This meaning has been repeated by Professor Haykal and here we say again that Khalid could be replaced with another leader and even if there was no one like Khalid, the orders of Allah could never be annulled for any reason. Executing the penalties could be put off but it could never be annulled at all. Abu Bakr behaved as if there were no crimes and no criminals!

² Yes, Khalid had to be deposed and to be killed immediately according to the verdict of Allah. A killer must be killed and an adulterer, who has a wife, must be stoned. If there is danger in executing the penalties, they will be put off until the danger disappears. The penalties can never be annulled for ever. All the Muslims have agreed on this matter unanimously.

³ But Allah would not be satisfied with that! The legal verdicts that have determined to kill the killer and to stone the adulterer are clear but Abu Bakr interpreted them as he liked and he preferred his own opinion to those divine verdicts.

⁴ Let us ponder on what Professor Haykal says as he quotes Abu Bakr's thoughts. Do you think that Abu Bakr and Haykal have ignored that an adulterer, who has a wife, must be punished by the Muslim ruler? Have they ignored that the punishment must be stoning especially and not to throw the adulterer into the hell of Yamama or other hells?

Yamama has tested and purified Khalid¹ even no long after that he married a young girl as he had done with Layla while the Muslims' bloods were not dried yet nor were the bloods of Musaylama's followers. Abu Bakr scolded him for this doing more than he had scolded him for his doing with Layla before.^{2,3}

Professor Haykal has showed clearly that Abu Bakr had preferred the benefits to the acting according to the verdicts of Allah and His messenger. Such was the opinion of many of the virtuous scholars of al-Azhar University about Abu Bakr. They themselves told me of that when I had met them in al-Azhar University in 1392 A.H. and later.

But Umar, even he himself had gone too far in interpreting the divine verdicts according to his own opinion, did not agree with Abu Bakr when he had forgiven Khalid. Professor Haykal declares Umar's opinion in details when saying: "Umar was the exact example of Justice. He thought that Khalid had killed a man transgressively and committed adultery with his wife before she had finished her iddah and so Khalid could never remain as the leader of the army lest he would commit another sin like that and then he would defame the Muslims and dishonor their position among the Arabs. Khalid could never be left without punishment for what he had committed with Layla. If it was as Abu Bakr said that Khalid interpreted the verdict but he mistook in his interpretation when he killed Malik, which Umar did not accept at all, then Khalid would be punished for the sin he had committed with Layla. Even if Khalid was the sword of Allah and he was the victorious leader, this would not be an excuse to protect him from being punished or to justify his crimes. If it was so, then Khalid and every one like Khalid would be free to commit any crime and sin as they liked without being punished and this would be the worst example of the Muslims who had to submit to the Book of

¹ What purifies the sinners is returning to Allah by repenting and doing good deeds sincerely for the sake of Allah only. Allah says: *(Save him who shall repent and believe and do right).*

² This young girl might have had a husband and Khalid committed adultery with her as he had done with Layla; therefore Abu Bakr scolded him for that more than he had scolded him after his sin with Malik's wife. If it had been not so, Abu Bakr would have not scolded him severely or in fact he would have not scolded him at all.

³ As-Siddeeq Abu Bakr, p.152.

Allah absolutely. Therefore Umar insisted on Abu Bakr to punish Khalid until Abu Bakr sent for Khalid and scolded him."

This is the very speech of Professor Haykal about Umar's opinion and evidence about the matter of Khalid quoted from his book *As-Siddeeq Abu Bakr*, p.151.

Some fairness

Professor al-Aqqad, after mentioning the contradicted sayings about the murder of Malik to defend Khalid, says: "Out of all these sayings we have to consider the true and indisputable one among them. It was not clear or decisive that Malik bin Nuwayra had to be killed.¹ Malik was worthier to be sent to the caliph than the chiefs of Fazara tribe and others, whom Khalid had sent to Abu Bakr to judge how to deal with, after the battle of al-Buzakha. Khalid got married to Malik's wife and took her with him to Yamama after meeting the caliph."²

After these facts, the truth imposed on us to say that the event of al-Bitah was a page in Khalid's history. It would be better for him if this page would have been omitted and not mentioned with any of the

¹ In fact it was the impermissibility of killing Malik that was clear and decisive. This murder was one of the great sins that must lead the murderer to the legal punishment because Malik was a sincere Muslim with no doubt at all. This was a clear fact to every one who had known the truth of the event of al-Bitah and had known the secret behind the violent revolt of Umar, Abu Qatada and all the people of Medina against Khalid. The last thing that Malik had said was "I am on Islam". Abu Bakr and Umar confessed that Malik was a Muslim when he died. Umar said to Abu Bakr: "Khalid has committed adultery and you have to stone him." Abu Bakr said: "I will not stone him. He interpreted (the verdict) but he mistook." Umar said: "He has killed a Muslim and you have to kill him." Abu Bakr did not say to Umar that Khalid had killed an apostate but he said: "I will not kill him. He interpreted (the verdict) but he mistook." This was a confession by Abu Bakr that Malik had been a Muslim; therefore Abu Bakr had paid the diyah (blood-money) to Malik's family from the public treasury of the Muslims and he had considered the captives of Malik's family as free people and so he had set them free besides that he had not accepted from Khalid his capturing them.

² Suppose that when Khalid committed adultery with Malik's wife, he was mistaken in his interpretation, then what was the excuse of Abu Bakr when he kept Khalid as the leader of his armies especially after meeting him and scolding him and what was the excuse of Abu Bakr when he kept Khalid in his position after taking Malik's wife with him to Yamama committing adultery with her while he had a wife?

justifications at all."¹

Conclusion

We end our speech about this subject with reference to those who have written about Malik concerning his position among the Arabs and among the Muslims and concerning the calamity that has afflicted Malik and his people on the day of al-Bitah. Here are some of the books that have detailed the matter of Malik; *Tareekh al-Umam wel Mulook* by Muhammad bin Jareer at-Tabari, *Jamharat an-Nasab* by ibnul Kalbi, *al-Kamil* by ibnul Atheer, *Kitab ar-Riddah wel Futooh* by Sayf bin Umar, *al-Muwaffaqiyyat* by az-Zubayr bin Bakar, *al-Aghani* by Abu Faraj al-Isfahani, *ad-Dala'il* by Thabit bin Qassim, *Nuzhat al-Manadhir* by ibn Shuhna, *al-Mukhtasar* by Abul Fida', *Sharh Nahjol Balagha* by ibn Abul Hadeed and other books of history and biographies.

The judge ibn Khillikan said in his book *Wafiyyatul A'yan* when mentioning the biography of Wuthayma bin Musa bin al-Furat al-Washsha' al-Farisi: "Malik bin Nuwayra was a noble man who accompanied the kings. Malik was mentioned in the proverbs; it was said: "No pasture like sa'dan,² no water like (that of) Sada'³ and no youth like Malik." He was a knight, a poet and an obeyed notable man among his people. He was somehow proud. He had a great group of companions. He was called al-Jafool.⁴ He came to the Prophet (s) among the Arabs who had come to declare their faith in Islam. He became a Muslim and the Prophet (s) entrusted him with the zakat of his tribe...his situation with Khalid bin al-Waleed on the day of al-Bitah had been detailed. There had been a long argument between them. Khalid said to Malik: "I am going to kill you." Malik said: "Has your friend (Abu Bakr) ordered you to do that?" Khalid said: "By Allah, I will kill you." Abdullah bin Umar and Abu Qatada were present then. They mediated to solve the problem but Khalid

¹ *Abqariyyatu Khalid*, p. 134.

² A kind of herbage.

³ A famous spring whose water was very pure and palatable.

⁴ Al-Jafool: the one who is always ready to help and aid the others; whenever he hears a call for help he hastens towards the caller.

paid no attention to their speech. Malik said to Khalid: "Send us to Abu Bakr and he will decide what to do with us for you have sent other than us whose guilt was greater than ours." Khalid said: "Let Allah not forgive me if I do not kill you." He asked Dhirar bin al-Azwar to behead Malik. Malik turned to his wife Umm Tameem and then said to Khalid: "It is she who has killed me!" Malik's wife was very beautiful. Khalid said to Malik: "Allah has killed you because you have apostatized from Islam." Malik said: "I am still on Islam." Khalid said to Dhirar: "Behead him!" He cut his head and made it as an anvil under a pot." Ibnul Kalbi said in his book Jamharat an-Nasab: "Malik was killed on the day of al-Bitah and Khalid captured his (Malik's) wife and married her. About this matter the poet Abu Zuhayr as-Sa'di had composed a poem."

After that Ibn Khillikan mentioned Umar's revolt against Khalid and his saying to Abu Bakr: "Khalid has committed adultery and you have to stone him." Abu Bakr said: "I do not stone him. He interpreted (the verdict) but he mistook." Umar said: "He has killed a Muslim man and you have to kill him for that killed one." Abu Bakr said: "I do not kill him for that one because he interpreted but he mistook." Umar said: "Then depose him!" Abu Bakr said: "I will not sheathe a sword that Allah has unsheathed against them." Ibn Khillikan mentioned more details about the matter. He said that Mutammim bin Nuwayra, Malik's brother, stood beside Abu Bakr leaning on his bow and began reciting his poem:

*"The best one you have killed O you son of al-Azwar,
When the wind wept behind the houses.
Have you invited him by Allah and then you betrayed him?
If he has invited you with a pact,
He will never betray you."*

He made a sign to Abu Bakr. Abu Bakr said: "by Allah, I have neither invited him nor have I betrayed him."

Then Mutammim bin Nuwayra recited the rest of his poem. He wept and collapsed from his bow to the ground.

Ibn Khillikan talked too much about Malik's qualities such as his courage, generosity, zeal and high position among his people.

Among the historians, who had talked about Malik in their books, was Abul Fadhl Ahmad bin Ali famous as ibn Hajar al-Asqalani. He said in the first part of his book *al-Isaba fee Tamyeez as-Sahaba*¹: "His name was Malik bin Nuwayra bin Hamza bin Shaddad bin Abd Tha'laba bin Yarboo' at-Tameemi al-Yarboo'iy. He was surnamed as al-Jafool. Al-Marzabani said that Malik was a noble poet, a great knight and one of the honored notables among his people in the pre-Islamic period. He was a companion of the kings. The Prophet (s) had entrusted him with the zakat of his people. When the Prophet (s) died, he stopped taking the zakat² and he spread (the zakat that had been already in his hand) among his people.³ He recited:

"I said: Take back your monies.

I am not afraid nor expecting what tomorrow will bring.⁴

If a right one will undertake the religion,

We will obey⁵ and say: the religion is that of Muhammad."

¹ At-Tabari mentioned Malik in his *Mu'jam* and said: "He is Malik bin Hamza at-Tameemi. The Prophet (s) has entrusted him with the zakat of Bani Yarboo' after he and his brother Mutammim had become Muslims..."

² He stopped taking the zakat from his people after the Prophet (s) had went to the better world because he wanted to be certain that the one, who would be the caliph after the Prophet (s), would be the right one and then he would carry out his duty concerning the zakat. You will find that clearly in his poetry which we have mentioned herein with our comment.

³ He spread the zakat among the poor and needy people of his tribe because he had taken it from them as he had the guardianship over the zakat from the Prophet (s) when he was alive and so he thought that he had had the right to dispose of it according to its legal ways. Malik was known for his pity towards the orphans, the widows and the poor as it had been showed through the poem of his coeval poet as-Sa'di when saying: Who will be for the orphans and the widows after him? And who will be for the poor and needy people?

⁴ He meant by this verse that he had not committed any wrong or a sin (when he took the zakat or when he spread it again) that he might fear on the Day of Resurrection.

⁵ This verse has been mentioned with the phrase "we will obey" by al-Asqalani in his book *al-Isaba*, by ibn Sa'd and by Alamul Huda ash-Sharceef ar-Radhiy in his book "ash-Shafi'iy" who had mentioned other verses when saying: "When Malik knew that the Prophet (s) had died, he stopped taking zakat from his people and he said to them: "Wait until a guardian will undertake the rule after the Prophet (s) and then we will see what to do." He indicated that in his poetry when saying:

"Some men said: Malik has done right today.

Malik and his companions were killed. He was mutilated. His wife was raped. The verdicts of Allah were annulled. His sanctity was violated. The cause behind all that was that they (Abu Bakr, Khalid and their likes) had interpreted the divine verdicts according to their own opinion and they had mistaken. We are Allah's and to Him we shall return!

14. PREVENTING FROM WRITING DOWN THE PROPHETIC TRADITIONS

Al-Hakim mentioned in his Tareekh a tradition narrated by Abu Bakr that the Prophet (s) had said: "He, who has written down knowledge or a tradition from me, will be granted with (divine) reward as long as that knowledge or tradition will remain."¹ In spite of that no

Some men said: Malik has not done right.

I said: let me alone. I have not done wrong.

I said: Take back your monies.

I am not afraid nor expecting what tomorrow will bring.

Here are the monies. They are yours.

I will defend you what you fear with my soul.

And I will achieve the truth as I say.

If a right one will undertake the religion,

We will obey⁵ and say: the religion is that of Muhammad."

But Professor Haykal in his book as-Siddeeq Abu Bakr and Professor al-Aqqad in his book Abqariyat Kkalid have mentioned the verse with the phrase "we will refrain (or stop)". I think that they have quoted the verse from someone of the historians who has taken sides against Malik to defend Khalid or Abu Bakr. Anyhow there is nothing in the verse showing apostasy or something like that.

¹ The prophetic traditions that the umma has narrated from Abu Bakr are one hundred and forty-two which have been mentioned in a special chapter by as-Sayooti in his book Tareekh al-Khulafa'. This tradition is the eighty-ninth one among them. The narrators have confirmed its content by the traditions they have narrated from Imam Ali (s), Abdullah bin Umar, Abdullah bin Mas'ood, Abu Sa'eed al-Khidri, Abud Darda', Anass bin Malik, Ma'ath bin Jabal and Abu Hurayra that the Prophet (s) had said: "Whoever has kept forty traditions for my umma, Allah will resurrect him on the Day of Resurrection among the jurisprudents and ulama." In another tradition "...Allah will resurrect him as a jurisprudent and as an aalim." In the tradition narrated by Abud Darda' it has been mentioned as "...I will be his witness and his intercessor." In the tradition of ibn Mas'ood "...he will enter into Paradise from any

tradition had been written down during the reign of Abu Bakr and Umar.

Abu Bakr, during his rule, had decided to write down the prophetic traditions. He had written down five hundred traditions but he had become upset. He could not sleep and he tossed about in his bed all that night. Aa'isha, his daughter, said: "I was uncomfortable because he was upset. In the morning he said to me: "O my daughter, bring me the traditions that are with you." I brought them to him and he burnt them..."¹

Az-Zuhri mentioned from Urwa that once Umar bin al-Khattab wanted to write down the prophetic traditions. He consulted with the Prophet's companions about the subject and they counseled him to write them down. He went asking Allah to inspire him with the best decision. He kept on that for a month and then he said: "I wanted to write down the prophetic traditions but I remembered some peoples before you who had written some books and then they kept to their books and ignored the Book of Allah. By Allah, I will not corrupt the Book of Allah with anything at all."²

Abu wahab said: "I have heard Malik (bin Anass) saying that Umar wanted to write down the prophetic traditions or he had already written them down but then he (Umar) said: "There is no book with the Book of Allah."³

Yahya bin Ju'da said: "Once Umar wanted to write down the Sunna but then he changed his mind and decided not to write it down. He sent a decree to the countries saying: "Whoever has written down

gate he likes." In the tradition of ibn Umar "...he will be considered as one of the ulama and he will be resurrected with the martyrs." They might have confirmed this tradition by the tradition in which the Prophet (s) had said: "Let the present of you inform the absent...may Allah have mercy on one who has heard my saying and he perceived it and spread it as he has heard it."

¹ Mentioned by Imadudeen bin Katheer in Musnad as-Siddeeq from al-Hakim bin Abu Abdullah an-Naysaboori and mentioned by Abu Umayya al-Ahwas bin al-Mufadhhal al-Ghilabi. It has been mentioned in Kanzol Ummal, vol.5 p.237.

² Kanzol Ummal, vol.5 p.239, al-Mukhtasar by ibn Abdul Birr, p.33, it also has been mentioned by ibn Sa'd from az-Zuhri as in Kanzol Ummal, vol.5 p.239.

³ Kanzol Ummal, vol.5 p.239, al-Mukhtasar by Ibn Abdul Birr, p.32.

some of the Sunna, has to delete it.”¹

Al-Qassim bin Muhammad bin Abu Bakr said: “The (writing down of) traditions have been increased during the reign of Umar so he asked the people to bring him those (written) traditions. When the people brought him the traditions, he ordered to burn them.”²

Ibn Umar said: “Once Umar wanted to write down the traditions. He prayed Allah for a month to inspire him with the best choice. Then he said: “I remembered that there were peoples before you who had written some books and they kept to those books and ignored the book of Allah.”³

During the rule of Umar one of his companions came and said to him: “O Ameerul Mo’mineen, when we have conquered the different countries, we have got some books of the Persian sciences and other wonderful subjects.” Umar began striking those books with his stick until they were torn. Then he recited: *(We narrate to you the best of narratives, by Our revealing to you this Qur’an)* and then he said to the man: “Woe unto you! Are these stories better than the Book of Allah?”⁴

The news showing that Umar had prevented people from writing and collecting the prophetic traditions and everything of the Sunna were certain and recurrent. He might have prevented them from narrating any prophetic tradition at all and he might have detained the great

¹ Al-Mukhtasar by ibn Abdul Birr, narrated by Ibn Khaythama as in Kanzol Ummal, vol. 5 p.239.

² Ibn Sa’d’s Tabaqat, vol. 5 p.140.

³ As-Salafi in his book at-Tuyooriyyat and as-Sayooti in his Tareekh al-Khulafa’.

⁴ This tradition has been mentioned in the books of Hadith. Ibn Abul Hadeed has mentioned in Sharh Nahjol Balagha, vol. 3 p.122. The caliph Umar had to check those books to see which of them was useful and which was not and then he would tear useless ones. This was the right of the umma and the right of the books themselves. Islam does never permit to tear the useful books such as those of medicine, mathematics, geology and history of the previous and ancient nations. Imam Ali (s) has said: “Knowledge is the long-sought aim of the believers. Try to gain knowledge even from the polytheists.” He also has said: “Wisdom is the long-sought goal of the believers. They are to look for it even it is in the policemen’s hands.” These two traditions of Imam Ali (s) have been mentioned by ibn Abdul Birr in al-Mukhtasar, p.51

figures in Medina so that they would not spread the traditions in the other countries.¹

No doubt that many corruptions had happened because of the decisions of the two caliphs (when preventing from writing down the Sunna) and those corruptions could not be avoided. Would have the two caliphs, Abu Bakr and Umar, tried with Imam Ali (s) and Ahlul Bayt (s) to collect the Prophet's traditions and Sunna and to write them down in a special book that the later Muslims and their successors of every generation in this umma would inherit! The holy Qur'an has analogous and ambiguous meanings. The Sunna explains the analogous and ambiguous meanings of the Qur'an and it details many of its special verdicts. It makes the scholars perceive the essence of the Qur'an and so it saves many verdicts of the Qur'an from being lost. It would have been better for the two caliphs if they had written down the Sunna because in doing that they would have saved the umma and the Sunna from the fabricators who had fabricated many lies against the Prophet (s). If the Sunna had been written down at that time in a book, which the umma would have sanctified, fabricators and liars would refrain from distorting or inserting any lie in the Sunna. And since the Sunna had not been collected in a special book, so the fabricators, who fabricated lies against the Prophet (s), were too active and politics played a great rule in distorting the Sunna especially during the reign of Mu'awiya and his oppressive party until imposture spread everywhere and vanities and trifles sold well.

The two caliphs and their followers could have saved the umma from the evil of those people if they had written down the Sunna. In fact they had known the great use of that and they had known that it was very necessary but their greed and tendencies, which they had prepared and got ready to achieve, did not meet with many of those

¹ Abdurrahman bin Ouff said: "By Allah, Umar, before he died, he had sent for the Prophet's companions who were in the different countries. He sent for Abdullah bin Huthayfa, Abud Darda', Abu Tharr and Uqba bin Aamir and said to them: "What are these traditions of the Prophet (s) that you have spread throughout the countries?" They said: "Do you prevent us from doing that?" He said: "No! You stay here! You will never be away from me as long as I am alive." Refer to Kanzol Ummal, vol.5 p.239.

clear prophetic traditions.

As for the Prophet (s), he had entrusted the Book, the Sunna and the heritage of the prophets with his guardian Ali bin Abu Talib (s) and hence he had recorded them in a clear book which falsehood should not come to from before nor from behind. He asked Imam Ali (s) to entrust the infallible imams after him with this trust. Hence this trust, the Qur'an, the Sunna and the prophet's heritage, would be guarded by the infallible imams (s) one after the other until they would come to the Prophet (s) at the pond (in Paradise) on the Day of Resurrection.

The Prophet (s) has said: "Ali is with the Qur'an and the Qur'an is with Ali. They will not separate until they will come to me at the pond."¹

A task

Some polytheists had come to the Prophet (s) for some task and he had referred to his two companions (Abu Bakr and Umar) in order to reject the polytheists' task but they (Abu Bakr and Umar) behaved as intercessors for the polytheists.

The story was when some polytheists came to the Prophet (s) saying: "O Muhammad, we are your neighbors and allies. Some of our slaves have resorted to you neither for religion nor for jurisprudence but they have fled from our farms and properties. Please return them back to us." The Prophet (s) did not respond to them lest they would spoil the faith of those slaves. The Prophet (s) did not want to tell them the truth openly so he referred to Abu Bakr saying: "O Abu Bakr, what do you say?" and he hoped that Abu Bakr would reject their request. Abu Bakr said: "O messenger of Allah, they are right."

¹ Al-Hakim's Mustadrak, vol.3 p.124 and ath-Thahabi's Talkhees. We would like to attract the reader's attention that this sacred accompaniment between Imam Ali (s) and the Qur'an has been continuous every moment until they will come to the Prophet (s) at the pond in Paradise without a moment of separation between them at all. Imam Ali (s) has died hundreds of years before coming with the Qur'an to the pond in Paradise so how would the inseparability between him and the Qur'an be valid? (*Most surely, it is the Word brought by an honored Messenger. And it is not the word of a poet; little is it that you believe. Nor the word of a soothsayer; little is it that you mind. It is a revelation from the Lord of the worlds*). Qur'an, 69:40-43.

The Prophet (s) blushed because Abu Bakr's answer was not as Allah and His messenger wanted. Then the Prophet (s) asked Umar hoping that he would be frank with them: "O Umar, what do you say?" Umar said: "O messenger of Allah, they are right. They are your neighbors and allies." The Prophet (s) blushed again..." this tradition has been mentioned by Ahmad bin Hanbal in his Musnad, vol.1 p.155 (traditions concerning Imam Ali) and by an-Nassa'iy in al-Khasa'is al-Alawiya, p.11. Here is the tradition as it has been mentioned by an-Nassa'iy: "...then the messenger of Allah (s) said: "O people of Quraysh, I swear by Allah that He will empower over you a man from you, whose heart Allah has tested with faith. He will strike you to keep to the religion." Abu Bakr said: "O messenger of Allah, is it me?" The Prophet (s) said: "It is the one who is mending the shoes." The Prophet (s) had given his shoes to Ali in order to mend them."



CHAPTER TWO

INTERPRETATIONS OF UMAR AND HIS FOLLOWERS

15. THE CALAMITY OF THURSDAY

It was in the eleventh year of hijra during the Prophet's illness which had led to his death.¹

The true fact of this calamity

The authors of *Sihah* (books of Hadith) and the historians had detailed this event in their books and considered it as one of the true facts.

Al-Bukhari mentioned² a tradition narrated by Ubaydillah bin Abdullah bin Mas'ood that ibn Abbas had said: "When the Prophet (s) was about to die, there were some men in his house among whom was Umar. The Prophet (s) said: "Come on! Let me write you a book that you will never go astray after it." Umar said: "The Prophet (s) has been overcome by pain. We have the Qur'an. The Book of Allah suffices us." The men in the house disagreed. Some of them said: "Approach the Prophet! Let him write you a book after which you will never go astray." Some of them repeated what Umar had said. When they did much noise and disagreement, the Prophet (s) said to them: "Get out!" Abdullah bin Mas'ood said: "Ibn Abbas often said: "It was the great calamity when their clamor and disagreement had prevented the Prophet (s) from writing that book."

¹ The Prophet's death was on Monday; four days after this event.

² In his *Sahih*, vol.1 chap. "Knowledge" and vol.4 chap. "The sick".

Muslim has mentioned this tradition in his *Sahih*, vol.2. Ahmad also has mentioned it in his *Musnad*¹ and so have all the historians but they have changed the wording somehow. The actual word of Umar was "...the Prophet (s) is raving" but they used "the Prophet (s) has been overcome by pain" in order to soften the horrible statement of Umar.

Abu Bakr Ahmad bin Abdul Aziz al-Jawhari mentioned in *Kitab as-Saqeefa*² that ibn Abbas had said: "When the Prophet (s) was about to die, he said, while there were some men in the house among them was Umar: "Bring me an inkpot and a piece of paper to write you a book after which you will never go astray." Umar said a word which meant that the Prophet (s) had been overcome by pain and then he added: "We have the Qur'an. The Book of Allah suffices us." The men in the house disagreed and disputed among them. Some of them said: "Approach! Let the Prophet (s) write a book to you." Some others said as Umar had said. When they did much clamor and disagreement, the Prophet (s) became angry and said to them: "Get out!"

It is clear, out of this tradition, that the historians have quoted the meaning of Umar's words and not the exact words he has said.

When the narrators had narrated the exact words of the man, who had opposed the Prophet (s), they did not mention the name of that man. Al-Bukhari said in his *Sahih*:³ "Qubaysa narrated from ibn Uyayna from Salman al-Ahwal from Sa'eed bin Jubayr that ibn Abbas had said: "Thursday...and what Thursday is!" He cried until his tears fell on the ground and then he said: "The Prophet (s) had become very ill on Thursday. He said: "Bring me a piece of paper to write you a book after which you will never go astray at all." They (the men who were in the Prophet's house) disputed whereas no one should dispute before a prophet. They said: "The messenger of Allah is raving." The Prophet (s) said: "Let me alone! What I am in is better than what you ascribe to me." When he was about to die, he ordered

¹ Vol.1 p.325.

² As in *Sharh Nahjol Balagha*, vol. 2 p.20

³ vol.2 p.118.

of three things: "Drive the polytheists out of Arabia, reward the delegations as I have rewarded them..." and I have forgotten the third one¹.

This is another tradition that has been mentioned by Muslim in his Sahih, by Ahmad in his Musnad² and by the rest of narrators. Muslim has mentioned in his Sahih, chap. "The will" the tradition from another way narrated by Sa'eed bin Jubayr that ibn Abbas had said: "Thursday and what Thursday is!" His tears began flowing on his cheeks and then he said: "The Prophet (s) said: "Bring me a blade and an inkpot (or a tablet and an inkpot) so that I write you a book after which you will not go a stray at all." They said: "The messenger of Allah is raving."³

He, who has studied the "calamity" in the Sihah, knows well that the first one, who has said "The Prophet (s) is raving" was Umar and then the present men, who had adopted his opinion, imitated his situation. You have seen above the saying of ibn Abbas in the first tradition "...the men in the house disputed. Some of them said: "Approach! Let the Prophet (s) write you a book after which you will never go astray" and some others said as Umar had said. That is "The Prophet (s) is raving."

At-Tabarani mentioned a tradition in his book al-Awsat⁴ that Umar had said: "When the Prophet (s) became ill, he said: "Bring me a piece of paper and an inkpot to write you a book after which you will never go astray at all." The women from behind the curtain said: "Do you not hear what the messenger of Allah is saying?" I (Umar) said (to the women): "You are like the women of Yousuf (Prophet Joseph). If he becomes ill, you press your eyes and if he becomes alright, you ride on his neck." The Prophet (s) said: "Let them (the

¹ Definitely the third thing was the order which the Prophet (s) wanted to write down to his umma in order not to go astray after that at all but politics had forced the narrators to pretend that they had forgotten it as the mufti of the Hanafites (in Soor) Sheikh Abu Sulayman Haj Dawood ad-Dada has said.

² Vol.1 p.232.

³ This tradition with the same wording has been mentioned by Ahmad in his Musnad, vol.1 p.355 and by other scholars of Hadith.

⁴ Kanzol Ummal, vol. 3 p.138.

women) alone. They are better than you.”

You see here that they have not obeyed the order of the Prophet (s). If they had done, they would have been safe from deviation. Would that they had been satisfied with disobeying the Prophet (s) only and had not rejected his order when they said: “The Book of Allah suffices us” as if he did not know the position of the Book of Allah among them or as if they were more aware of the Book and its values than him! And would that they were satisfied with all that and they did not surprised him with their horrible word “the messenger of Allah is raving” while he was about to die! What a word it was that they wanted to farewell their prophet with! They did not obey him pretending that the Book of Allah sufficed! Had they not heard the Book of Allah announcing day and night: *“and whatever the Messenger gives you, accept it, and from whatever he forbids you, keep back.* Qur’an, 59:7” and as if they, when saying: “the messenger of Allah is raving” had not read the sayings of Allah: *“Most surely it is the Word of an honored messenger. The processor of strength, having an honorable place with the Lord of the Dominion. One (to be) obeyed, and faithful in trust. And your companion is not gone mad.* Qur’an, 81:19-22” and *“Most surely, it is the Word brought by an honored Messenger. And it is not the word of a poet; little is it that you believe. Nor the word of a soothsayer; little is it that you mind. It is a revelation from the Lord of the worlds.* Qur’an,69:40-43” and *“Your companion does not err, nor does he go astray. Nor does he speak out of desire. It is naught but revelation that is revealed. The Lord of Mighty Power has taught him.* Qur’an, 53:2-5”

They knew that the Prophet (s) wanted to certify the caliphate of Ali (s) and the infallible imams of his progeny especially with a written covenant and therefore they prevented him from writing that book as the second caliph Umar had confessed later on through an argument between him and ibn Abbas.¹

If you ponder on the saying of the Prophet (s) “Come on! Let me write you a book after which you will never go astray” and on his saying in the tradition of “Thaqalayn”: “I have left to you what if you keep to, you will never go astray; the Book of Allah and my progeny”

¹ Sharh Nahjol Balagha, vol.3 p.114.

you will know that the purpose of the two sayings is the same. The Prophet (s), during his illness, wanted to write them the details of what he had ordered them of in the tradition of "Thaqalayn".

The Prophet (s) had given up writing that book because the horrible word of those men had forced him to give up that for there would be no use of his book. It would cause sedition and disagreement after him for they would dispute whether his book was out of his raving or not. They disagreed and disputed and caused much clamor before him and so he had nothing to do except to say: "Get out!" If he had insisted on writing that book, they would have persisted in their saying "the messenger of Allah is raving" and then their followers would try their best to prove that the Prophet (s) had really been raving and they would fabricate many stories and tales to refute that book and to refute whoever believed in it.

Therefore wisdom had led the Prophet (s) to give up writing that book lest those people and their followers would open a gap to criticize prophethood, Allah forbid! The Prophet (s) had found that Imam Ali (s) and his followers would submit to the content of that book whether it had been written or not and that the others would not regard nor would they do according to it whether it had been written or not. Hence wisdom determined to give up that book for it would lead to opposition and sedition.

The excuses of the resisters

Sheikh Saleem al-Bishri, through some of the muraja'ats (arguments) between him and me in Egypt in 1329 A.H. and after that, has justified that event by saying: "The Prophet (s), when ordering his companions to bring a paper and an inkpot, might not intend to write anything but he just wanted to inform them only and then Allah inspired Umar from among the companions with the intent of the Prophet (s) and so he prevented the others from bringing the paper and the inkpot. Hence we have to consider this prevention of Umar as one of his assents to his god and one of his charismata, may Allah be pleased with him. Thus some of the scholars have said. But it is fair to say that the saying of the Prophet (s) "you will never go astray after it" refutes that situation (of Umar) because the Prophet's saying is a conditional statement which

means: "if you bring me a paper and an inkpot and let me write you the book, you will never go astray after that at all". Definitely informing of such a thing just for mere informing to test the others is a kind of clear lying which we have to exalt the prophets far above especially in a time when not bringing the paper and the inkpot would be better than bringing them. This justification is weak from other sides and so we have to find another justification.

What we can say is that the matter was not a compulsory order that it could not be argued and the arguer would be disobedient but it was a matter of consultation. The companions often discussed some of those orders with the Prophet (s) and especially Umar who knew that he was always in conformity with the benefits and he was inspired by Allah. Umar, due to his kindness to the Prophet (s), wanted to cause no tiredness to the Prophet (s) when he would dictate that book while he was ill; therefore Umar thought that not bringing the paper and the inkpot would be better.

Or Umar might fear that the Prophet (s) would write some things that people would be unable to carry out and so they would deserve punishment due to that for the orders of the Prophet (s) would be compulsory and would not be interpreted in another way.

Or he might fear that the hypocrites would criticize that book because the Prophet (s) was ill when he wrote it and then it would cause sedition; therefore Umar said: "The book of Allah suffices us" for Allah has said: *(We have not neglected anything in the book)* and *(This day have I perfected for you your religion)* as if Umar was certain that the umma would not go astray because Allah had perfected the religion for it (the umma) and completed His favor on it.

This is the justification of the ulama. The saying of the Prophet (s) "you will never go astray" is decisive and compulsory because trying to assure what prevents deviation, if one is able to, is compulsory no doubt. The Prophet's anger and his saying to the companions "get out" when they did not obey his order was another evidence showing that the matter was compulsory and it was not a matter of consultation.

If you say: if the matter was compulsory, the Prophet (s) would not

give it up just because the companions opposed him as he had not given up informing of the mission in spite of the opposition of the unbelievers. The answer is that writing that book was not compulsory to the Prophet (s) after his companions had opposed him and this did not mean that bringing the paper and the inkpot was not compulsory especially when the Prophet (s) ordered them and declared to them that the book would save them from deviation. The fact is that a command is compulsory to the commanded one and not to the commander especially if the benefit of that command concerns the commanded one; therefore compulsoriness of this order concerned the companions and not the Prophet (s).

It might be compulsory to the Prophet (s) too but it became not so when the companions disobeyed him and said "the messenger of Allah is raving" for the book, after that, would not lead save to sedition.

Some scholars might justify that Umar and those, who had assisted him, did not understand from the Prophet's saying that the book would be the cause of saving every individual of the umma from deviation that no one would go astray after that at all. They understood from the saying "you will not go astray" that the whole umma all in all would not go astray and deviation would not reach every individual in the umma after writing that book. They knew that it was impossible for the whole umma to go astray; therefore they thought that writing that book was not necessary. They thought that the Prophet (s) just wanted to attract their attention to the matter due to his kindness and mercifulness. They opposed the Prophet (s) thinking that the matter was not necessary but it was out of his kindness and mercifulness so they wanted not to tire the Prophet (s) when they refused to bring the paper and the inkpot. This is all what has been said to justify this doing. But he, who ponders on this justification, will find it far away from the truth because the Prophet's saying "you will not go astray" means that the matter is necessary as we have said besides that his being angry with them means that they have left an obligatory order. The Prophet (s) has ordered them to get out in spite of his great patience and this is an evidence showing that they have left the most obligatory and the most useful thing as it has been known of his great morals.

It would be better, when talking about this event, to say: it was a matter that took place unlike their conducts. It was a slip and a stumble of them which we do not know a way to justify. Allah is the Guide to the straight path.”

Sheikh Saleem al-Bishri tried his best to justify this resistance and to find an excuse for those resisters but he did not find a way to that. Rather his knowledge and fairness refused save to refute these trifles. He was not satisfied in refuting them with one evidence yet he examined all the evidences he could get. May Allah reward him for what he has done.

Refuting the excuses in other ways

As we have had other evidences to refute those justifications, I liked at that time to offer these evidences to him (Sheikh al-Bishri) and asked him to judge on them.

You (Sheikh al-Bishri) said: they (who defended Umar) said that the Prophet (s), when he had ordered his companions to bring a paper and an inkpot, might have not intended to write anything but he just wanted to test them.

I say, in addition to what you have said: this event took place while the Prophet (s) was about to die. The time was not a time of testing; rather it was a time of warning and advising the umma. One, who was about to die, would be away from fun and jesting. He would be busy with himself, with his important affairs and the important affairs of his relatives, especially if he was a prophet.

If he, throughout his life, could not test his people, then how would he be able, at the time of dying, to test them?

When the companions disputed and did much clamor before him, the Prophet (s) ordered them to get out. This showed that he had become angry with them. If the resisters were right, the Prophet (s) would accept that from them and he would be pleased with them!

He, who studied this tradition and especially their saying “the messenger of Allah is raving”, would be certain that those companions were aware that the Prophet (s) had intended to declare something that they had hated; therefore they surprised him with

that horrible word and they disputed and made much ado before him.

The crying of ibn Abbas for this event and his considering it as a calamity was another evidence refuting this justification.

Those, who justified the event, said: Umar was always right in perceiving the benefits and he was inspired by Allah. This nonsense could never be listened to because it showed that the right in that event was on the side of Umar and not on the side of the Prophet (s) and it showed that Umar's inspiration was more truthful than the revelation that had been revealed to the Prophet (s) by Allah.

They also said: Umar wanted to relieve the Prophet (s) from the tiredness that he would get if he dedicated that book while he was ill. It was definitely that writing the book would make the Prophet's heart delighted because he would be certain that his umma would be safe from deviation.

The order and the divine will of the Prophet (s) must be obeyed. The Prophet (s) wanted the companions to bring him a piece of paper and an inkpot to write a book and the companions had no right to disobey him or to oppose his will. Allah said: *"And it behooves not a believing man and a believing woman that they should have any choice in their matter when Allah and His Messenger have decided a matter; and whoever disobeys Allah and His Messenger, he surely strays off a manifest straying.* Qur'an, 33:36"

The resistance of the companions and their disputes and clamors before the Prophet (s) were more tiresome to him than dictating that book. So how did the one, who pitied the Prophet (s) for being tired because of dictating the book, resist him and surprise him by saying: "the messenger of Allah is raving"?

They said: Umar thought that not bringing the paper and the inkpot was better although the Prophet (s) had ordered of that. Did Umar think that the Prophet (s) ordered of something which was better to be neglected?

Odder than that was their saying: Umar might fear that the Prophet (s) would write some things that people would not be able to carry out and then they would deserve punishment because of not carrying

them out!

How did Umar fear that whereas the Prophet (s) had said: "you will never go astray at all"? Did they think that Umar was more aware of the ends than the Prophet (s) and more compassionate and more careful for the umma? Certainly not!

They also said: Umar might fear that the hypocrites would consider the book as untrue because the Prophet (s) was ill when he wrote it and this would cause a sedition.

This was impossible because the Prophet (s) had said: "you will never go astray". He had confirmed that the book would save the umma from deviation; then how would it be a cause for sedition if the hypocrites criticized it?

If Umar was afraid that the hypocrites might consider the book as untrue; then why did he lead them to that when he resisted and said: "The messenger of Allah is raving"?

As for their saying when interpreting Umar's saying "the Book of Allah suffices us" according to these two verses: "*We have not neglected anything in the Book*" and "*This day have I perfected for you your religion*" is not right because these two verses do not refer to being safe from deviation and they do not assure guidance to people. How could it be possible for them to leave that book and to depend on these two verses? If the existence of the Qur'an would save the umma from deviation, then this deviation and disagreement among the Muslims would not have taken place!¹

¹ The Prophet (s) did not say: "I want to write the legal verdicts" so that one might say: "The book of Allah suffices us to understand the verdicts". If we supposed that the Prophet (s) wanted to write the verdicts, then writing them might be the cause to save the umma from deviation and hence no one would be excusable in neglecting that book and pretending to be satisfied with the Qur'an. In fact if that book had nothing except to save from deviation only, it would not be permissible to leave it depending on the Qur'an.

You know well that the umma is in necessary need of the sacred Sunna and it cannot do without it to depend on the Qur'an only because concluding the verdicts from the Qur'an is not easy for every one. If the Qur'an has sufficed without the Sunna, Allah would have not ordered the Prophet (s) to explain it to the people. Allah has said:

They said in their last justification: Umar did not understand from the Prophet's saying that that book would be the cause to save every individual of the umma from deviation but he understood that it would be a cause that would prevent the umma as whole from going astray and he (Umar), may Allah be pleased with him, knew that the umma would not get together on deviation at all whether that book had been written or not and therefore he resisted the Prophet (s) on that day.

I say, in addition to what you have said:¹ Umar was not of that kind that he would not understand from the tradition what had been clear to all of the people because every one had understood that if that book had been written, it would have been a perfect cause to save every individual from going astray. It is this meaning which is understood by the people.

Umar knew well that the Prophet (s) had not feared for his umma to get together on deviation because he often heard the Prophet (s) saying: "My umma does not get together on deviation nor on error" and "A group of my umma will still keep to the truth." Allah has said: *"Allah has promised to those of you who believe and do good that He will most certainly make them rulers in the earth as He made rulers those before them, and that He will most certainly establish for them their religion which He has chosen for them, and that He will most certainly, after their fear, give them security in exchange; they shall serve Me, not associating aught with Me. Qur'an, 24:55"* There are many clear texts in the Qur'an and the Sunna showing that the umma as whole will not gather together on deviation. Hence it was not reasonable that Umar or other than Umar might think that the Prophet (s) had feared for the umma to be deviate all in all. It behooved Umar to understand from the tradition what came to mind and not what the Qur'an and the Sunna had denied!

The Prophet (s) became angry and said to the companions: "Get out!" This meant that what they had resisted was one of the necessary obligations which they had to follow. If the resistance of

(and We have revealed to you the Reminder that you may make clear to men what has been revealed to them) 16:44.

¹ The author addresses Sheikh al-Bishri.

Umar was because he had misunderstood the Prophet's saying as they, who defended him, pretended, then the Prophet (s) would have removed his misunderstanding and would have declared his (the Prophet's) intent to the companions. In fact if the Prophet (s) could have convinced them of what he had ordered them, he would not have got them out of his house. The weeping and sadness of ibn Abbas is one of the clearest evidences that prove what we have said.

Indeed this "calamity" can never be excused. If it was, as you said, a slip and a stumble, it would be easy but it was the disaster that had broken the back! In fact the resistants were among those who believed in ijtiḥad against the clear text and in this event they had practiced ijtiḥad before the text of the Prophet (s). They had their own opinions and Allah had His own opinion!

Sheikh al-Bishri admires what we have said

When Sheikh al-Bishri read our speech in refuting those excuses, he replied to it saying: "You have closed the way before the justifiers, controlled their routes and separated between them and their intents. There is no doubt about what you have mentioned and there is nothing leading to suspect a bit of what you have declared..."

16. TREATY OF AL-HUDAYBIYA¹

On the day of al-Hudaybiya the Prophet (s) preferred peace to war and he ordered of that as Allah had revealed to him. The benefit of Islam required that treaty of peace but that benefit was unknown by the Prophet's companions and so some of his companions denied the treaty and resisted the Prophet (s) openly. The Prophet (s) paid no attention to their resistance and he went on carrying what he had ordered by Allah and then the end was of the best ends of the conquerors.

The event in details

The Prophet (s) left Medina on Monday, the first of Thul Qa'da in the sixth year of hijra to offer the minor hajj. He feared that Quraysh might wage a war against him or they might prevent him from

¹ Al-Hudaybiya is a village about nine miles from Mecca.

offering the hajj to the Kaaba as they had done before. He called out the people to offer the minor hajj with him. One thousand and four hundred men of the Muhajireen, the Ansar and other tribesmen followed him.¹ Among them there were two hundred knights. He took with him (al-hadiy) seventy camels as gift to the Kaaba. He did not take with him weapons except the weapons that travelers might take with them; swords and water-skins.² When the Prophet (s) and his companions reached Thul Hulayfa, they marked (al-hadiy) the camels and they became in the state of ritual consecration (ihram) so that the people would know that he and his companions had come as pilgrims and not warriors.

Then he and his companions went on and after he passed some of the way, he knew that Khalid bin al-Waleed was in al-Ghameem (a place near Mecca) with two hundred knights from Quraysh. At the head of them was Akrima bin Abu Jahl. The Prophet (s) told his companions of that and ordered them to take the right way in order to avoid the way of Khalid and his men. They moved around al-Hamd³ and Khalid did not notice them until he saw the black dust of their army. Khalid and his knights came near to the Prophet (s) and his companions. The Prophet (s) ordered Abbad bin Bishr to be with his knights opposite to Khalid.

The time of Dhuhr prayer came. The Prophet (s) offered the prayer with his companions. The polytheists said: "Muhammad and his companions have given you the opportunity to overcome them." Khalid said: "Yes, they were in inadvertence. If we had attacked

¹ It was also mentioned that they were more and it was mentioned that they were less. The Prophet (s) took with him his wife Umm Salama (may Allah be pleased with her). Many of the nomads had not followed him. They were hypocrites whom Allah had dispraised in the Sura of al-Fath which had been revealed after this event: (*and Allah is wroth with them and has cursed them and prepared hell for them, and evil is the resort*).

Among those, who went with him, were al-Mughcera bin Shu'ba and ibn Salool, who had paid homage to him under the tree in al-Hydaybaiya.

² Umar said to the Prophet (s): "O messenger of Allah, you fear Abu Sufyan and his companions. Why do you not take weapons with you?" The Prophet (s) said: "I do not take weapons with me while I am going to offer the hajj."

³ A place near al-Hudaybiya.

them, we would have overcome them. But after a short time they will have another prayer which is more beloved to them than themselves and their children." Then Allah revealed to the Prophet (s): "*And when you are among them and keep up the prayer for them, let a party of them stand up with you, and let them take their arms; then when they have prostrated themselves let them go to your rear, and let another party who have not prayed come forward and pray with you, and let them take their precautions and their arms; (for) those who disbelieve desire that you may be careless of your arms and your luggage, so that they may then turn upon you with a sudden united attack, and there is no blame on you, if you are annoyed with rain or if you are sick, that you lay down your arms, and take your precautions; surely Allah has prepared a disgraceful chastisement for the unbelievers. Then when you have finished the prayer, remember Allah standing and sitting and reclining; but when you are secure (from danger) keep up prayer; surely prayer is a timed ordinance for the believers. And be not weak hearted in pursuit of the enemy; if you suffer pain, then surely they (too) suffer pain as you suffer pain, and you hope from Allah what they do not hope; and Allah is Knowing, Wise.* Qur'an, 4:102-104"

Then the Prophet (s) offered Asr prayer with his companions as "fear" prayer which was legislated by these previous verses. (*And Allah turned back the unbelievers in their rage; they did not obtain any advantage*).

17. AGGRESSIVENESS OF QURAYSH AND THE WISDOM OF THE PROPHET (S)

When the Prophet (s) came to al-Hudaybiya, he got much harm from the polytheists. He and his companions faced rudeness, disgust, hatred and open enmity from them. Also the polytheists got from the Prophet's companions like that and more for they did according the saying of Allah: (*and let them find in you hardness*). But the Prophet (s), due to his patience that Allah had granted to him, tolerated the polytheists with his wisdom, which was a part of his nature, and his high morals with which Allah had preferred him to the rest of the prophets and messengers (s).

The polytheists prevented him from entering Mecca in a rude and offensive way but he did not become angry nor was his patience provoked. He dealt with those harsh people with leniency and indifference. He said humble words about them full of highness that made them see him above the stars and see themselves under the ground. His words were full of pity and advice to them and full of divine wisdom that moved their hearts in spite of their hardness and harshness and also were full of warning and threatening to uproot them if they kept on their way.

Here are some of the Prophet's sayings to ponder on them and to find out the Prophet's aims. The Prophet (s) said: "Woe unto Quraysh! The war has exhausted them. What will they lose if they let me alone with the Arabs? If the Arabs kill me, it will be the wish of them (Quraysh) and if Allah makes me prevail over them, they will become Muslims honorably and if they refused (to be Muslims), they will fight me with their full power! What does Quraysh think? By Allah, Whom there is no god but, I will still fight for the sake of what my god has sent me to until Allah makes it prevail or this neck is cut!"

He said attracting them towards his great morals and favors: "I swear by Him, in Whose hand my soul is, that if Quraysh invites me today for a plan, in which they ask me for keeping relations of kinship, I will respond to them."

He declared his mercifulness through these wise and compassionate words and then he gathered his companions to consult them for fighting Quraysh if Quraysh would insist on preventing him from visiting the Kaaba. Most of his companions or perhaps all of them were ready to fight Quraysh and other than Quraysh. They were zealous for that. During that enthusiasm, al-Miqdad rose expressing the situation of the all. He said: "O messenger of Allah, we do not say to you as the Israelites have said to Prophet Moses (s): *"So go thou and thy Lord and fight! We will sit here"* but we say: go, you and your Lord, and fight; we will fight with you. O messenger of Allah, by Allah, if you take us to Bard al-Ghamad,¹ we will go with you even if

¹ It was one of the impenetrable forts in Yemen. Marching towards that fort did mean that they would face inevitable death because the fort was very strong and defended.

just one of us will remain alive." The Prophet (s) became delighted to hear that. They paid him homage and promised him to support him until the last breath. They were one thousand and four hundred men. Among them was the head of the hypocrites; ibn Salool.¹ No one had refrained from paying homage to him except a man called al-Jadd bin Qays al-Ansari.²

Fright of the polytheists and request for peace

As soon as Quraysh heard of this homage (the homage of ar-Radhwan)³ their hearts shook and their chests were filled with fright

The fort, whose inhabitants were polytheists, was surrounded by mountains and the ways leading to it were very rough.

¹ Al-Halabi said in his Seera: "The historians, who had recorded the history of the battle of al-Hudaybiya, mentioned that Quraysh had sent a message to ibn Salool while he was with the Prophet (s). They said to him: "You can enter Mecca, if you like, and circumambulate the Kaaba." His son Abdullah (may Allah be pleased with him) said to him: "O father, for the sake of Allah, do not shame us everywhere. How will you circumambulate the Kaaba while the Prophet (s) will not?" Then he refused to do that and said: "I will not circumambulate the House until the Prophet (s) will do." When the Prophet (s) knew of that, he thanked Ibn Salool and asked Allah to be pleased with him. So ibn Salool was one of those who had paid homage to the Prophet (s) under the tree. Hence no one of those, who were with the Prophet (s) in al-Hudaybiya, had refrained from paying homage to the Prophet (s) except al-Jadd bin Qays al-Ansari according to all of the historians."

² Al-Halabi said in his Seera that Salama bin al-Aqwa' had said: "We have promised the Prophet (s) to die for him and none of us has refrained from that save al-Jadd bin Qays. He has stuck to the armpit of his camel to hide himself from people."

³ This homage had been paid to the Prophet (s) under a tree; therefore it had been called the homage of the tree and it also had been called the homage of ar-Radhwan (pleasement of Allah with the believers) due to the saying of Allah: (*Certainly Allah was well pleased with the believers when they swore allegiance to you under the tree*) and His saying at the end of the sura: (*Allah has promised those among them who believe and do good, forgiveness and a great reward*).

Blessed were those who had kept to faith and good doings until they met their Lord Who had been pleased with them and praised them in His Book and promised them with forgiveness and great reward. Allah said: (*And if you desire Allah and His Messenger and the latter abode, then surely Allah has prepared for the doers of good among you a mighty reward*) and (*As for those who say: Our Lord is Allah, then continue in the right way, the angels descend upon them, saying: Fear not, nor be grieved, and receive good news of the garden which you were promised*). The

especially after Akrima bin Abu Jahl with five hundred knights had attacked the Muslims and the Prophet (s), as mentioned in al-Kashshaf, had sent to him some of his companions who had defeated him and his men and forced them to retreat until they resorted to the walls of Mecca. Ibn Abbas said: "Allah has made the Muslims defeat Akrima and his men with stones until they entered into the house and then they knew that they would not be able to stand against Muhammad (s) and his companions."

Then the wise people of Quraysh were obliged to request the Prophet (s) for peace. They had known before that the Prophet (s) had said: "I swear by Him, in Whose hand my soul is, that if Quraysh invites me today for a plan, in which they ask me for keeping relations of kinship, I will respond to them" so they sent to the Prophet (s) some of their notables, at the head of whom was Suhayl bin Amr bin Abd Widd al-Aamiry to represent all of Quraysh before the Prophet (s) to ask for a truce on some conditions which they had put. The conditions were too oppressive for the Muslims and so they refused them but the polytheists of Quraysh insisted on them resorting to the promise the Prophet (s) had promised to respond to them if whenever they asked him for a matter of kinship. The Prophet (s) had been ordered by Allah to grant this promise and to act according to it. He had accepted their heavy conditions because he obeyed the revelation of Allah and according to the advantage that Allah had been aware of. Later on all the Muslims knew that advantage. You will see the details in a coming chapter inshallah.

Umar disdains the conditions of the truce

When peace was determined with those conditions by the two sides, Umar bin al-Khattab became too angry and zealotry occupied his mind. He came to Abu Bakr while he was flamed up with rage. He said to Abu Bakr: ¹ "O Abu Bakr, is he not the messenger of Allah?"

Abu Bakr said: "Yes, he is."

Umar said: "Are we not Muslims?"

sincere believers are far above all the false traditions the fabricators have fabricated against them for the holy verses of the Qur'an refute all these false traditions.

¹ As in al-Halabi's *Seera* and other books of history.

Abu Bakr said: "Yes, we are!"

Umar said: "Are they not polytheists?"

Abu Bakr said: "Yes, they are?"

Umar said: "Then why do we submit to their conditions?"

Abu Bakr said: "O man, he is the messenger of Allah and he does never disobey his Lord, Who supports him. Keep to him, follow him and obey him until you die. I witness that he is the messenger of Allah..."¹

Muslim mentioned in his Sahih, vol.2 chap. the Truce of al-Hudaybiya that Umar had said to the Prophet (s): "Are we not on the truth and are they not on the untruth?"

The Prophet (s) said: "Yes."

Umar said: "Then why do we submit to their conditions and come back (without offering the hajj) before Allah has judged between us and them?"

The Prophet (s) said: "O ibn al-Khattab, I am the messenger of Allah and Allah will never neglect me at all."

Umar became too angry and went to Abu Bakr saying to him: "Are we not on the truth and are they not on the untruth?"

Abu Bakr said: "Yes, we are."

Umar said: "Are our killed ones not in Paradise and are their killed ones not in Hell?"

Abu Bakr said: "Yes, they are."

Umar said: "Then why do we submit to them and do not defend our religion?"

Abu Bakr said: "O ibn al-Khattab, he is the messenger of Allah and Allah will never neglect him at all." Many other scholars have mentioned this tradition in their books.

Al-Bukhari mentioned in his Sahih² that Umar had said to the

¹ Woc! As if Umar doubted the prophethood of the Prophet (s)!

² vol.2 p.81.

Prophet (s): "Are you not really the messenger of Allah?"

The Prophet (s) said: "Yes, I am."

Umar said: "Are we not on the truth and is our enemy not on the untruth?"

The Prophet (s) said: "Yes, we are."

Umar said: "Then why do we submit to them and do not defend our religion?"

The Prophet (s) said: "I am the messenger of Allah. I do not disobey¹ Him and He will support me."

Umar said: "Have you not told us that we would circumambulate the Kaaba?"

The Prophet (s) said: "Yes, I have; but have I told you that we would circumambulate the Kaaba this year?"

Umar said: "No, you have not."

The Prophet (s) said: "You will come to the Kaaba and you will circumambulate it."²

Umar came to Abu Bakr and said to him: "O Abu Bakr, is he not really the prophet of Allah?"

Abu Bakr said: "Yes, he is."

Umar said: "Are we not on the truth and is not our enemy on the untruth?"

Abu Bakr said: "Yes, we are."

Umar said: "Then why do we submit and do not defend our religion?"

Abu Bakr said: "O man, he is the messenger of Allah. He does not

¹ The Prophet's saying "I do not disobey Him" confirms what we have said that the Prophet (s) has been ordered by Allah to carry out the truce as it has been taken place.

² In the year of al-Fat-h (the conquest) when the Prophet (s) took the key of Mecca, he sent for Umar. When he came, the Prophet (s) said to him: "O Umar, it is this that I have said to you." In the farewell hajj (al-wada') when the Prophet (s) stopped at Arafa, he sent for Umar too and said to him: "It is this that I have said to you."

disobey his Lord and Allah will support him.¹ Keep to him and follow him. By Allah, he is on the truth.”

Umar said: “Has he not told us that we would go to the Kaaba and would circumambulate it?”

Abu Bakr said: “Yes, he has, but has he told you that you would circumambulate the Kaaba this year?”

Umar said: “No, he has not.”

He said: “You will visit the Kaaba and you will circumambulate it.”

Umar said: “I did many things for that.”²

When the Prophet (s) finished writing the book of the truce, he said to his companions: “Go and slaughter the sacrifices and then cut your hair.” The narrator added: “By Allah, no one of them moved to carry out the Prophet’s order. The Prophet (s) repeated that for three times. When no one of them did that, the Prophet (s) came into his tent and then he went out without talking to anyone of them. He slaughtered a camel and then he asked a companion to cut his hair. When the companions saw that, they began to slaughter the sacrifices and then they cut each other’s hair until they were about to kill each other.” Ahmad bin Hanbal mentioned this tradition in his Musnad from al-Musawwir bin Makhrama and Marwan bin al-Hakam. Al-Halabi in his Seera and many other historians, when talking about the truce of al-Hudaybiya, mentioned that Umar had debated with the Prophet (s) on that day. Then Abu Ubayda bin al-Jarrah said to him: “O ibn al-Khattab (Umar), do you not hear what the Prophet (s) is saying? We resort to Allah from the evil of the Satan!” Al-Halabi and other historians mentioned that the Prophet (s) had said to Umar on that day: “O Umar, I myself have agreed so why have you not agreed?” They also mentioned that Umar often said after that: “I am still keeping on fasting, praying, paying charities

¹ Abu Bakr’s saying “he does not disobey his Lord” showed that Abu Bakr was aware that the Prophet (s) had been ordered by Allah to conclude the agreement of peace.

² This word of Umar showed clearly the great doings he had done to spoil the peace and because of that Umar and his followers did not obey the Prophet (s) when he ordered them to slaughter the sacrifices until he repeated his order for three times. You will see the details later on inshallah.

and setting slaves free so that my speech I have said to the Prophet (s) may be forgiven..."

Carrying out the treaty of peace

The Prophet (s) on that day did not pay any attention to the resistance of those people for he had been ordered by Allah to do that. The treaty of peace was too heavy because of its oppressive conditions. The Prophet (s) sent for Imam Ali (s) to write the form of the treaty. He said to Imam Ali (s): "Write: in the name of Allah, the Beneficent, the merciful." Suhayl bin Amr said: "We do not know this. Let him write: in the name of You, O Allah." The Muslims began clamoring and said: "No, by Allah, he will not write except what the messenger of Allah has said." But the Prophet (s) stopped the dispute by saying to Imam Ali (s): "Write: in the name of You, O Allah." Imam Ali (s) wrote the book as the Prophet (s) had ordered him. Then the Prophet (s) said to him: "Write: This is what Muhammad, the messenger of Allah, has agreed on with Suhayl bin Amr." Suhayl said: "If we have regarded you as the messenger of Allah, we will not have fought you or prevented you from the House (the Kaaba). But let him write: this is what Muhammad bin Abdullah has agreed on with Suhayl bin Amr." The Muslims broke out shouting and denying what Suhayl had said. They refused that and insisted on writing what the Prophet (s) had said. Sedition was about to take place. The Prophet (s) said: "I am Muhammad the messenger of Allah even if you do not believe in me. And I am Muhammad bin Abdullah. O Ali, write: This is what Muhammad bin Abdullah has agreed on with Suhayl bin Amr." Imam Ali (s) wrote it unwillingly. The Prophet (s) said to him: "O Abul Hasan (Ali), you will be in the same situation one day" or he said to him: "O Abul Hasan, you will receive the same and you will respond while you are oppressed."¹

The conditions of the truce required that the Prophet (s) and his companions were to go back from al-Hudaybiya to Medina and in the next year the people of Quraysh were to go out of Mecca so that the Prophet (s) and his companions would enter it and would stay there

¹ This saying of the Prophet (s) has been considered by all of the Muslims as one of the signs of prophethood and one of the signs of Islam. The details have mentioned in al-Halabi's *Secra*, ad-Dahlani's *Secra* and other books of history.

for three days. The Prophet (s) and his companions had to come with no weapons except swords in the sheaths. The war between them had to stop for ten years¹ during which people would live peacefully. They had to avoid provoking each other. Whoever of (other tribes of) the Arabs wanted to conclude peace with Muhammad,² could do that and whoever wanted to ally with Quraysh could do that. The two sides had not to have hidden grudge in their hearts against each other. They had to refrain from robbery and treason. If any one of Quraysh, who believed in Muhammad (s), resorted to Muhammad (s) without permission of his master, he must be returned to his master and if some one of Muhammad's companions resorted to Quraysh after having apostatized, Quraysh would not have to return him to Muhammad (s). The Muslims said: "Glory be to Allah! How do we return a Muslim, who resorts to us, to the polytheists of Quraysh?" The Muslims found it too difficult to accept this condition. They said: "O messenger of Allah, do you accept this condition against yourself?" He said: "Yes, I do. He, who leaves us after having apostatized, let Allah do away with him and he, who comes to us after being a Muslim and we return him to them, Allah will grant him deliverance."

While the Prophet (s) and Suhayl bin Amr were writing the treaty with the agreed upon conditions, Abu Jandal al-A'ass bin Suhayl bin Amr (the son of Suhayl bin Amr) came to the Muslims trailing with his ties. Abu Jandal had become a Muslim in Mecca some time ago but his father had prevented him from immigrating to Medina. He tied him and put him in prison. When Abu Jandal heard that the Prophet (s) and his companions had come to al-Hudaybiya, he played a trick to get out of prison. He took a way between the mountains until he came to the Muslims who became pleased to

¹ Due to other traditions mentioned by the historians the period of the truce was two years or four years.

² The tribe of Khuza'a concluded a treaty with the Prophet (s). They had been before the allies of the Prophet's grandfather Abdul Muttalib. The tribe of Bakr allied with Quraysh. Then a war took place between Khuza'a and Bakr, in which Quraysh supported their ally (the tribe of Bakr) against the Prophet's ally (the tribe of Khuza'a) and hence Quraysh broke the treaty of al-Hudaybiya with the Prophet (s) and then the Prophet (s) declared to invade Quraysh. The result of that invasion was the great victory and the significant conquest of Mecca.

receive him. But his father Suhayl dragged him with his clothes and hit him on the face severely¹ while saying to the Prophet (s): "O Muhammad, this is the first one whom I will ask you to return to me." The Prophet (s) said to him: "We have not finished writing the treaty yet." Suhayl said: "Then I will not make peace with you." The Prophet (s) said to him: "Let him be my resorter then!" he said: "I will not." The Prophet (s) said: "You are to do that." He said: "I will not do." Mukriz bin Hafs and Huwaytib bin Abdul Uzza, who were notable men of Quraysh, said to the Prophet (s): "O Muhammad, we will protect him for you." They took Abu Jandal into a pavilion and took his father away from him. Then Suhayl said: "O Muhammad, the matter between me and you has been concluded and completed before my son came to you." The Prophet (s) said: "You are right." Then the Prophet (s) said to Abu Jandal: "Be patient and wait for the reward of Allah. The treaty of peace has been concluded before you came and we do not betray. We requested your father concerning you but he refused. Allah will grant you and the weak like you with deliverance."

Here Umar jumped to Abu Jandal tempting him to kill his father and trying to give him a sword. Umar said, as mentioned in ad-Dahlani's *Seera* and other books: "I wished he had taken the sword and struck his father." He said to Abu Jandal: "One may kill his father. By Allah, if we had met our fathers, we would have killed them." But Abu Jandal did not respond to Umar in killing his father because he feared to cause sedition² and he obeyed the Prophet (s) when he had ordered him to be patient and to wait for the reward of Allah.³ He said to Umar: "Why do you yourself not kill him?" Umar said: "The Prophet (s) has forbidden us from killing him and other than him."⁴

¹ The Muslims began weeping for him.

² If Suhayl had been killed on that day, sedition would have occurred between the Muslims and Quraysh the evil of which would have spread everywhere.

³ No doubt that when Umar tempted Abu Jandal to kill his father, he objected to the Prophet (s), who had ordered Abu Jandal to be patient and to expect the deliverance of Allah.

⁴ This was another objection to the Prophet (s), who had forbidden his companions from killing Suhayl and other than Syhayl but Umar had tempted Abu Jandal to kill Suhayl.

Abu Jandal said to him: "You are not worthier than me of obeying the messenger of Allah."¹

Abu Jandal went back to Mecca with his father under the protection of Mukriz and Huwaytib. They put him in a special place and prevented his father from harming him in order to be loyal to the promise of protection they had given to the Prophet (s). After some time Allah granted deliverance to Abu Jandal and the rest of the oppressed weak Muslims. You will see that later on inshallah. Praise be to Allah, Who has supported His servant and carried out His promise.

The fruit of the peace

The first fruit of the treaty of peace was that it caused the Muslims and the polytheists to mix with each other. The polytheists began to come to Medina after the truce and the Muslims began to go to Mecca.

When the polytheists came to Medina and saw the Prophet (s) with his high morals and exalted conducts, they regarded him too much and appreciated his divine aspects and then they admired Islam with its laws and verdicts, with its permissibility and impermissibility, with its obligations and relations and with all its rules and judgments. They were affected by the Qur'an and its verses which attracted their minds and hearts. They were astonished to see the Prophet's companions submit completely to the orders of the Prophet (s). And so they became near to faith after they had been in the utmost blindness and aggression. When they went back to their people, they spread the principles of Muhammad (s) and warned of his conquest.

When the Muslims went to Mecca, they became alone with their relatives and close friends. They began advising them and inviting

¹Abu Jandal had a brother called Abdullah, who had become a Muslim before Abu Jandal. Abdullah had gone with the polytheist to the battle of Badr but he had been a Muslim before that but he had concealed his faith. When he arrived at the place of the battle, he joined the Prophet (s) and fought with him in Badr and in all the battles of the Prophet (s) after that. As for Abu Jandal, the first battle he participated in was the conquest of Mecca.

them to the mission of Allah and His messenger. They showed them the signs of prophethood and Islam. They showed the Qur'an with its knowledge, wisdom, social rules, obligations, ethics, maxims and histories of ancient and previous nations. They worked as preachers inside the heart of Mecca and this work had a great effect to even the way to the great conquest which had taken place without fighting or resistance.

One of the advantages of the peace was the mere meeting between the Prophet (s) and the polytheists in al-Hudaybiya. The polytheists met the Prophet (s) face to face and saw his great personality and high morals and guidance which most of Quraysh had known nothing about especially the youths. Abu Jahl, al-Waleed, Abu Sufyan, Shayba, Utba and their likes of the idolaters had tried their best to defame the Prophet (s) and they could poison the public opinion. They had done whatever they could in order to *put out the light of Allah with their mouths, and Allah would not consent save to perfect His light.*

They went to where he had immigrated to kill him with his companions and to do away with the people who had protected and supported him but Allah had granted him victory in Badr, Uhud and al-Ahzab; *(So the roots of the people who were unjust were cut off; and all praise is due to Allah, the Lord of the worlds).*

The people of Mecca, after those wars, remained on their deviate opinion concerning the Prophet (s) for they had not seen him after his emigration to Medina and they had not known about him except what the fabricators spread of false news but on the day of al-Hudaybiya when they mixed with him and with his companions they realized his great morals and high personality.

Whenever they treated him severely and did bad to him, he treated them kindly and did good to them. If they were severe and harsh towards him, he would be kind and merciful to them. He kept on meeting their bad doings with good doings. He followed the saying of Allah: *"Repel (evil) with what is best, when lo! he between whom and you was enmity would be as if he were a warm friend. And none are made to receive it but those who are patient, and none are made to receive it but those who have a mighty good fortune. Qur'an, 41:34-35"*

The Prophet (s) was able at that time to enter Mecca and to visit the Kaaba by force because Allah had said concerning this event: *"And if those who disbelieve fought you, they would certainly turn (their) backs, then they would not find any protector or a helper. Qur'an, 48:22"* and: *"And He it is Who held back their hands from you and your hands from them in the valley of Mecca after He had given you victory over them. Qur'an, 48:24"*

The polytheists were certain that the Prophet (s) would have defeated them if he had fought them. They knew that his companions had insisted on him to fight but he had refused preferring peace, whose end would be good, to war to save the bloods of people and to respect the Kaaba. The people of Quraysh knew well that the Prophet (s) had pitied them and cared for their rights of kinship; therefore he had accepted the truce with its heavy conditions. He did not have any grudge towards them although they prevented him and his companions from visiting the Kaaba and forced them to go back to Medina where many of his companions were unwilling.

Quraysh thought that this was as retribution to what had happened in the battles of Badr, Uhud and al-Ahzab for that day they realized that the Prophet (s) was not responsible for the shed bloods of the people of Quraysh but it was their chiefs of Quraysh who were responsible for that; like Abu Sufyan, Abu Jahl and their likes who had attacked the Prophet (s) in his place of emigration and so they forced him to defend himself and his companions. If they had left him and left those, who has received and protected him, alone, he would not have fought them and he would have been satisfied with spreading his mission with wisdom and fair exhortation.

In al-Hudaybiya the Prophet (s) had put out the flame of rage inside the hearts of those polytheists, removed their hatred and made them know the reality of their chiefs and masters until they confessed that they had wronged the Prophet (s) and themselves as well. Hence their hearts became lenient and they felt that their end would be good if they joined him and became under his banner. And it was so after the great victory and the honorable conquest of Mecca; the people of Quraysh, groups by groups, became Muslims.

Coming back to Medina

The Prophet (s) had stayed in al-Hudaybiya for nineteen days. After that he went back to Medina. When he arrived at Kira'ul Ghameem-between Mecca and Medina-the sura of al-Fat-h was revealed to him. Umar was still angry why the polytheists had prevented the Muslims from entering Mecca and forced them to go back unlike what they had expected. The Prophet (s), when this sura had been revealed to him, wanted to remove Umar's anger and grief therefore he said to him-as mentioned by al-Bukhari:¹ "A sura is revealed to me that is more beloved to me than all what is there on the earth." Then he recited the sura of al-Fat-h: (*Surely We have given to you a clear victory...*). One of the Prophet's companions said to him: "This is not a victory. We were prevented from visiting the House (the Kaaba) and two faithful men were returned (to the polytheists) after they had resorted to us."² The Prophet (s) said: "How bad speech it is! Yes, it is the greatest victory. The polytheists became satisfied to push you away from their country and they asked you for peace but they found in you what they disliked. Allah has given you a victory and returned you safe and rewarded. It is the greatest victory. Have you forgotten the day of Uhud when (you ran off precipitately and did not wait for any one, and I was calling you from your rear)? Have you forgotten the day of al-Ahzab when (they came upon you from above you and from below you, and when the eyes turned dull, and the hearts rose up to the throats, and you began to think diverse thoughts of Allah)?

The Muslims said: "Allah and His messenger are right. O prophet of Allah, by Allah we have not thought of what you have thought of. You are more aware of Allah and His orders than us."³

But Umar said then: "O messenger of Allah, have you not said that you would enter Mecca safely?"

¹ In his Sahih, vol.3 chap.The battle of al-Hudaybiya.

² How! Allah, the Almighty, said: (*Surely We have given to you a clear victory...*) and the Prophet (s) recited it as it had been revealed to him by Allah but this man said: "This is not a victory!" Do you know who this man is?!

³ Refer to the story of al-Hudaybiya in ad-Dahlani's Seera and the other books of history.

The Prophet (s) said: "Yes, I have, but have I said to you that I would enter Mecca this year?"

Umar said: "No, you have not."¹

Sa'eed bin Mansoor mentioned that ash-Shi'bi had said when talking about the Verse (*Surely We have given to you a clear victory*): "There was no victory in Islam greater than this before. When the truce was concluded and the state of war ceased, people felt safe with each other. So they met and debated with each other and then no one of the Muslims talked with a prudent one of the polytheists about Islam unless that one became a Muslim. The people, who believed in Islam during those two years, were more than the people who had believed in Islam during all the period before that. What confirmed this was that the Prophet (s) had come to al-Hudaybiya with one thousand and four hundred Muslims and then after two years he had come to conquer Mecca with ten thousand Muslims. The truce was the first step that paved the way to the great conquest of Mecca after which thousands of people became Muslims; therefore the peace of al-Hudaybiya was called as victory because it was the beginning of the great victory of conquering Mecca.

Deliverance the Oppressed were promised of

You saw the previous tradition of Abu Jandal, who had played a trick to get out of prison and then he came with his ties until he resorted to the Prophet (s) and his companions in al-Hudaybiya. The Prophet (s) could not protect him and he apologized to him but he ordered him to be patient and to expect the reward and deliverance of Allah. The Prophet (s) said to him: "Allah will grant you and the oppressed like you deliverance."

Among the oppressed and tortured men in Mecca there was a man called Abu Baseer² who was one of the Muslim heroes. He played a trick and get out of prison and then he fled to resort to the Prophet

¹ Al-Halabi's Scera and others.

² His name was Utba bin Asad bin Jariya bin Usayd ath-Thaqafi. Ibn Abdul Birr mentioned his biography in his book al-Istee'ab. Ibn Isshaq and other historians have mentioned this story in their books of biographies. Here we quoted it from al-Halabi's Scera.

(s) in Medina after he had come back from al-Hudaybiya. Quraysh wrote a book to the Prophet (s) to send this man back to them. They sent the book with a man from bani Aamir called Khunays and with him there was a guide to show him the way. They came to the Prophet (s) with the book. It was written in the book: "You have known well the conditions we have agreed on in the treaty that you have to send us back whoever resorts to you of our people. You are to send us Abu Baseer."

The Prophet (s) said: "O Abu Baseer, we have agreed with these people on some conditions as you know and we do not betray any one. Allah will bestow upon you and upon the weak and oppressed people like you His deliverance. Please go with grace of Allah."

Abu Baseer said: "O messenger of Allah, they will make me deviate from my religion."

The Prophet (s) said: "O Abu Baseer, go! Allah will grant you and those around you of the oppressed His deliverance."

Abu Baseer farewelled the Prophet (s) and went with those two men. When they arrived at Thul Hulayfa, they sat to rest beside a wall. Abu Baseer said to one of the men: "O man, is your sword sharp?"

The man said: "Yes, it is."

Abu Baseer said to him: "Could you show me it?"

The man gave his sword to Abu Baseer. Abu Baseer struck the man with the sword and killed him and he tried to kill the other one but he ran away until he came to the Prophet (s). Abu Baseer was running after him. When the Prophet (s) saw that, he said to the man: "What is the matter with you?"

The man said: "Your friend killed my friend and I hardly could escape his sword. I will be killed. O Muhammad, protect me!"

The Prophet (s) promised to protect him. Then Abu Baseer came with the sword in his hand and said: "O messenger of Allah, may I die for you! You have just carried out your promise when you handed me over to them but I defended my religion in order not to be deviated by them."

The Prophet (s) said to him: "You can go wherever you like."

Abu Baseer said: "O messenger of Allah, this man has robbed the man, whom I have killed. He robbed his sumpter and sword and you may punish him." The Prophet (s) said to him: "If I punish him, his people will think that I break the promise that I have given to them."

Then Abu Baseer went to a place through which the caravans of Quraysh passed. Many oppressed Muslims, who had been imprisoned in Mecca, joined him after they had been informed of his news and after they had heard that the Prophet (s) had said about Abu Baseer: "He would wage a war if he had some men with him." Those oppressed men began to slip away towards him. Abu Jandal bin Suhayl bin Amr slipped away from Mecca with seventy knights, who had become Muslims, and they joined Abu Baseer. They disliked going to the Prophet (s) at that period of the truce. Some people of the tribes of Ghifar, Juhayna, Aslam and other Arab tribes joined them until they became about three hundred warriors. They began to interrupt the way before the caravans of Quraysh. They killed any one of Quraysh they captured. They took all the caravans that passed by them. They prevented people from entering or leaving Mecca. The people of Quraysh were obliged to write to the Prophet (s) asking him by the kinship between him and them to protect them. They sent Abu Sufyan to the Prophet (s) to delegate with him. Abu Sufyan said to the Prophet (s): "We have given up this condition of the treaty. Whoever resorts to you (of those oppressed Muslims) you can keep him with no liability." Then the Prophet (s) wrote to Abu Baseer and Abu Jandal to come to him and those, who were with them, could join their families and they were neither to harm any one of Quraysh passing by them nor to seize any of their caravans. When the book of the Prophet (s) arrived, Abu Baseer was dying. He died while the book was still in his hand. Abu Jandal buried him in that place and built a mosque beside his tomb. Then Abu Jandal and some of his companions came to the Prophet (s) while the others went back to their families. The people of Quraysh felt safety for their caravan henceforth. Then the Prophet's companions, who had found it too difficult when the Prophet (s) had sent Abu Jandal back to Quraysh with his father, knew that obeying the Prophet (s) would be better than what they liked and they knew that the advantage in al-

Hudaybiya required the treaty of peace and that the Prophet (s) did not talk out of desire. They regretted their situation toward the Prophet (s) and they confessed that they were mistaken; besides that Quraysh appreciated the Prophet's situation with them when he accepted the truce to prevent bloodshed. They knew well that he was truthful, sincere, kind and merciful.

18. THE PROPHET'S PRAYER FOR IBN UBAYY, THE HYPOCRITE

When the Prophet (s) wanted to offer the prayer for Ibn Ubbayy, who was dead, Umar resisted him and objected to him severely and harshly.

Al-Bukhari mentioned in his Sahih¹ a tradition narrated by Abdullah bin Umar who had said: "When Abdullah bin Ubayy died, his son came to the Prophet (s) and said: "O messenger of Allah, give me your shirt to enshroud my father with it and please pray for him and invoke Allah to forgive him!" The Prophet (s) gave him his shirt and said to him: "If you finish enshrouding him, send for us." When he finished enshrouding his father, he sent for the Prophet (s). The Prophet (s) went to offer the prayer for (the dead) Abdullah bin Ubayy. Umar pulled the Prophet (s) and said to him: "Has Allah not forbidden you from offering prayer on the hypocrites when He has said to you: *"Ask forgiveness for them or do not ask forgiveness for them; even if you ask forgiveness for them seventy times, Allah will not forgive them?"* Qur'an, 9:80" Ibn Umar added: "After that this verse *"And never offer prayer for any one of them who dies and do not stand by his grave; surely they disbelieve in Allah and His Messenger and they shall die in transgression.* Qur'an, 9:84" was revealed to the Prophet (s) and so he stopped offering prayers for them."

As if Umar had understood that this verse *"Ask forgiveness for them or do not ask forgiveness for them..."* had prohibited offering prayers for the hypocrites. In fact this verse had not prohibited that. We will explain this soon. When Umar saw the Prophet (s) standing to offer the prayer for the hypocrite dead, he thought that he had

¹ Vol.4 p.18 and vol.3 p.92. It has also been mentioned by Ahmad in his Musnad and by others.

contradicted the verse that had prohibited such a prayer and hence Umar did not control his anger. He denied this doing of the Prophet (s) and so he pulled him to prevent him from offering this prayer.

Allah forbid! Far be it from Him and far be it from His messenger! The verse *"Ask forgiveness for them or do not ask forgiveness for them; even if you ask forgiveness for them seventy times, Allah will not forgive them"* did not show any kind of prohibition. It just informed that whether the Prophet (s) asked Allah to forgive the hypocrites or he did not ask Him to forgive them; it would be the same for them and it would not benefit them a bit.

The umma has agreed unanimously that prohibiting the prayer for the hypocrites had been determined by this verse *"And never offer prayer for any one of them who dies and do not stand by his grave"* and that this verse had been revealed after this event according to the consensus of the umma. Yet the tradition of ibn Umar was clear in showing this fact; that the verse, which had prohibited offering prayer for the hypocrites, had been revealed after this event; therefore the Prophet (s) did not paid attention to this resistance but he overlooked it due to his great discernment and wisdom. When Umar insisted too much on trying to prevent the Prophet (s) from offering this prayer using bad statement that did not behoove one like Umar to say to one like the Prophet (s), the Prophet (s) said: "O Umar, be away from me! I have been inspired. It has been said to me: *"Ask forgiveness for them or do not ask forgiveness for them; even if you ask forgiveness for them seventy times, Allah will not forgive them."* If I know that when I ask Allah more than seventy times to forgive them, He will forgive them, I will have done more." Then the Prophet (s) offered prayer for Ibn Ubayy, participated in his funerals and stood by his grave."¹

When the Prophet (s) offered the prayer for ibn Ubayy, he acted according to what he should do in dealing with people due to their apparentness. Ibn Ubayy was not one of the unbelievers, who had denied Islam. He had accepted Islam apparently and announced the

¹ It has been mentioned by al-Bukhari, Muslim, at-Tarmithi, Ahmad bin Hanbal, ibn Jareer, ibn Abu Hatim, ibn Mardwayh and others. Refer to Kanzol Ummal by al-Muttaqi al-Hindi, vol.1 p.247.

shahada but he practiced hypocrisy and yet it had not been prohibited to offer prayers for the hypocrites; therefore the Prophet (s) had offered prayer for him owing to his apparent belief and in order to conciliate his people (the tribe of al-Khazraj), from among whom one thousand men became Muslims soon after that. Hence the Prophet's shirt and his prayer for this man brought the Muslims a great conquest.

Then Umar regretted his hastiness and often said after that: "I have committed a mistake in Islam that I have never committed its like; the Prophet (s) wanted to offer prayer for Abdullah bin Ubayy but I pulled him by his clothes and said to him: "By Allah, Allah has not ordered you to do so. Allah has said: *"Ask forgiveness for them or do not ask forgiveness for them; even if you ask forgiveness for them seventy times, Allah will not forgive them."* The messenger of Allah said: "Allah has given me the option by saying *"Ask forgiveness for them or do not ask forgiveness for them"* and I have chosen..."¹

19. THE PROPHET'S PRAYERS FOR SOME OF THE BELIEVERS

Ibn Hajar al-Asqalani said in his *Issaba*, vol.4: "Al-Baghawai and Abu Ahmad al-Hakim mentioned a tradition narrated by Isma'eel bin Ayyash and at-Tabarani mentioned a tradition by Baqiyya; both narrated from Buhayr bin Sa'd from Khalid bin Ma'dan that Abu Atiyya had said: "A man died at the time of the Prophet (s). Some said (he meant Umar): "O messenger of Allah, do not offer the prayer for him!" The Prophet (s) said: "Has anyone seen him doing something good?" Someone said: "Yes, he has guarded with us some nights." Then the Prophet (s) offered the prayer for him and participated in the funerals unto the grave. He poured earth on him and said (addressing the dead): "Your companions think that you will be among the people of Hell but I witness that you will be among the people of Paradise." Then he said to Umar: "Do not ask about the deeds of people but ask about the unseen (or people's nature)."

Ibn Hajar also mentioned this tradition in his *Issaba* when talking about the biography of Abul Munthir. He said: "Mutayyan mentioned

¹ Mentioned by ibn Abu Hatim from ash-Shi'bi from Umar and mentioned in *Kanzol Ummal* and *Muntakhab Kanzol Ummal* printed on the margins of Ahmad's *Musnad*.

a tradition from Muhammad bin Harb al-Wasiti from Hammad bin Khalid from Hisham bin Sa'd from Yazeed bin Tha'lab from Abul Munthir who said that the Prophet (s) had poured earth on the grave three times. At-Tabarani mentioned the tradition in details from Amr bin Abu at-Tahir bin as-Sarh from his father from Abdullah bin Nafi' that Hisham bin Sa'd had said: "Once a man came to the Prophet (s) and said: "O messenger of Allah, so-and-so died and we want you to offer the prayer for him."

Umar said to the Prophet (s): "He is dissolute; do not offer prayer for him!"

The man said: "O messenger of Allah, he was among the guards at that night when you were there."

The Prophet (s) went (to offer the prayer for the dead) and I followed him. When the funerals finished, the Prophet (s) poured earth over the grave three times and said: "People think evil of him and I think good."

Umar said: "O messenger of Allah, how is that?"

The Prophet (s) said: "O Umar, please be quiet! He, who fights for the sake of Allah, deserves to be in Paradise."

20. PARADISE IS FOR THE MONOTHEISTS

The Prophet (s) has brought good news to the believers that Paradise would be the reward of believing loyally in the oneness of Allah. He declared this good news to the people to show them the end of the monotheists and to encourage the believers to keep on their faith.

He ordered Abu Hurayra to announce that among the people. He said to him: "Go and tell anyone you meet; who witnesses loyally that there is no god but Allah, he will be among the people of Paradise." The first one that Abu Hurayra met was Umar. He asked him what the matter was. Abu Hurayra told Umar of what the Prophet (s) had ordered him to do. Abu Hurayra said-as mentioned in Muslim's Sahih, vol.1: "...and then Umar hit me on my chest and I fell to the ground. He said: "Go back!" I went back to the Prophet (s) and began crying. Umar followed after me. The Prophet (s) asked me: "O Abu Hurayra, what is the matter with you?" I said: "I met Umar and I told

him of what you have told me but he hit me on my chest until I fell to the ground and he asked me to go back.”

The Prophet (s) said to Umar: “Why did you do that?”

Umar said: “O messenger of Allah, have you really sent Abu Hurayra to tell whoever witnesses loyally that there is no god but Allah that he would be among the people of Paradise?”

The Prophet (s) said: “Yes, I have.”

Umar said to the Prophet (s): “Do not do that! I fear that people may rely on this. Let them keep on practicing good deeds.”

The Prophet (s) said: “Let them!”

An-Nawawi, here, found an excuse to justify this objection of Umar. He quoted it from Judge Ayyadh and others. He said that Umar did not object to the Prophet (s) in this event or that he denied the matter, with which the Prophet (s) had sent Abu Hurayra, but he feared that people might rely on this good news and they then would give up doing good. So Umar thought that keeping this matter secret would be better for people and would be more advantageous to them than informing them of it. It was this that led him to hit Abu Hurayra and to make him go back. And it was this that made him say to the Prophet (s) “do not do that” to forbid him from carrying out the order he had determined to inform the believers of the good news of being among the people of Paradise.

This justification is not more than what we have said that Umar has preferred his own opinion to the clear verdicts of the Prophet (s). It is just a personal *ijtihad* before a clear divine text.

In fact this event did not concern Umar alone; yet he forced Abu Hurayra, after being hit, to give up what the Prophet (s) had ordered him to do. Moreover Umar was not satisfied with this but he asked the Prophet (s) himself to give up the matter. He said to the Prophet (s) audaciously: “Do not do that!”

But the Prophet (s), as he had been always, was patient with him and treated him with discernment. He was as Allah had said about him: *“Thus it is due to mercy from Allah that you deal with them gently, and had you been rough, hard hearted, they would certainly have*

dispersed from around you; pardon them therefore and ask pardon for them, and take counsel with them in the affair; so when you have decided, then place your trust in Allah; surely Allah loves those who trust (in Him). Qur'an, 3:159"

This resistance had no effect on the Prophet (s). He himself informed this good news to his umma after relying on Allah. Umar himself, Othman bin Affan, Ma'ath bin Jabal, Ubada bin as-Samit, Utban bin Malik and many others had heard this from the Prophet (s).¹ It was one of the necessities among the different sects of the Muslims.

How odd and astonishing it was that great scholars such as Allama an-Nawawi, Judge Ayyadh and their likes said that the rightness in this event was with Umar and they pretended that the Prophet (s) had confirmed Umar's opinion. Glory be to Allah! We have not but to resort to Him!

Here is what an-Nawawi has said: "In this tradition (the tradition of Abu Hurayra about this event) there is an evidence showing that if an absolute imam thinks something and one of his followers thinks the opposite, then the inferior follower has to show his opinion to the superior imam to think of it. If it appears that the opinion of the inferior is right, the superior has to adopt it; otherwise he has to explain to his follower the defects of his opinion..."²

This speech would be listened to if the superior leader was not a prophet but if he was a prophet, then all the umma had to obey him and to believe in him sincerely with no suspicion. Allah said: "*and whatever the Messenger gives you, accept it, and from whatever he forbids you, keep back, and be careful of (your duty to) Allah; surely Allah is severe in retributing (evil). Qur'an, 59:7*" and "*Most surely it is the Word of an honored messenger. The processor of strength, having an honorable place with the Lord of the Dominion. One (to be) obeyed, and faithful in trust. And your companion is not gone mad. Qur'an, 81:19-22*" and "*Most surely, it is the Word brought by an honored Messenger. And it is not the word of a poet; little is it that you believe. Nor the word of a soothsayer; little is it that you mind. It*

¹ Refer to Muslim's Sahih.

² Sharh Sahih Muslim, vol.1 p.404.

is a revelation from the Lord of the worlds. Qur'an, 69:40-43" and *"Nor does he speak out of desire. It is naught but revelation that is revealed. The Lord of Mighty Power has taught him. Qur'an, 53:3-5"* and *"Whither then will you go. It is naught but a reminder for the nations. For him among you who pleases to go straight. And you do not please except that Allah please, the Lord of the worlds. Qur'an, 81:26-29"*

21. THE PLEASURE OF THE HAJJ

The Prophet (s) had practiced this pleasure¹ during the rite of the hajj. He had ordered the Muslims to practice it after he had been ordered of it by Allah. Allah has said in the sura of al-Baqara: *"whoever profits by combining the visit (umra) with the pilgrimage (should take) what offering is easy to obtain; but he who cannot find (any offering) should fast for three days during the pilgrimage and for seven days when you return; these (make) ten (days) complete; this is for him whose family is not present in the Sacred Mosque. Qur'an, 2:196"*

Ibn Abdul Birr al-Qurtubi said: "There is no disagreement between the ulama that this verse (*whoever profits by combining the umra² with the pilgrimage...*) refers to the umra that is practiced during the months of the hajj but before the (great) hajj."³ Umra is obligatory on the people who live forty-eight miles from Mecca from every direction.

In this kind of hajj, pleasure (sleeping with one's wife or practicing temporary marriage) has been permitted during the period between the two ihrams⁴ (of umra and great hajj). It was this thing that had been disliked by Umar and some of his followers.

¹ During offering the umra (minor hajj) and the great hajj together (in the same year), the Muslims, after carrying out some rituals of the hajj, may sleep with their wives or practice temporary marriage. This is called "the pleasure of the hajj".

² Umra is the minor hajj.

³ Sharh Sahih Muslim by an-Nawawi, vol.7 p.46.

⁴ Ihram is the sacred state into which a Muslim must enter before performing a pilgrimage, during which sexual intercourse, shaving, cutting one's nails, and several other actions are forbidden.

Abu Musa al-Ash'ari permitted this pleasure in his fatwas. One day a man said to him: "Beware of some of your fatwas. You do not know what Ameerul Mo'mineen (Umar) has changed (of verdicts)." When Abu Musa met Umar later on, he asked him about that and Umar said: "I have known that the Prophet (s) and his companions have practiced this pleasure but I feared that the men might remain (sleeping) with their wives until they would go to offer the hajj while their (...) dripping."¹

In another way from Abu Musa that Umar had said: "...it is the Sunna² of the messenger of Allah, but I fear that they (the pilgrims) may remain sleeping with their women and then they go to offer the hajj with them (keeping on doing this)."³

Abu Nadhra narrated: "Ibn Abbas permitted people to practice this pleasure but ibn az-Zubayr forbade people from it. I mentioned this to Jabir bin Abdullah and he said: "We have been practicing this pleasure during the time of the Prophet (s) but when Umar became the caliph, he said: "Allah has permitted his messenger to do things as He liked and the Qur'an has been revealed as it has been! Offer the hajj and the umra as Allah has ordered you⁴ but you have to stop sleeping with women. Whenever I find a man practicing temporary marriage, I will stone him."⁵

One day he (Umar) made a speech before people, from above the minbar and he said frankly: "Two pleasures were practiced at the time of the messenger of Allah but I prohibit them and punish for them; the pleasure of the hajj (sexual intercourse during the hajj) and temporary marriage."⁶

¹ Musnad of Ahmad, vol. 1p. 50.

² He means the pleasure during the hajj.

³ Musnad of Ahmad, vol. 1 p.49.

⁴ By Allah, I do not know what to say! Has the Prophet (s) offered the hajj and umra unlike what Allah has ordered him? Was Umar more aware of the orders and verdicts of Allah than the Prophet (s)?!

⁵ Sahih of Muslim, vol.1 p.467.

⁶ This famous saying of Umar has been mentioned by most of the historians. Refer to Tafseer of ar-Razi when interpreting the verse no.196 of the sura of al-Baqara (2) and the verse no. 24 of the sura of an-Nissa' (4).

In another tradition Umar said: "O people, there were three things that had been practiced at the time of the Prophet (s) but I prohibit them and punish for them; the pleasure of the hajj, temporary marriage and (hayya ala khayril amal)^{1,2}

All of Ahlul Bayt (s) and all of their followers have denied this doing of Umar and many of the great companions have not agreed with him on this.

Muslim mentioned in his Sahih³ a tradition narrated by Shaqeeq saying: "Othman forbade people from practicing this pleasure but Ali permitted people to practice it. Othman said something to Ali and then Ali said to him: "O Othman, you know that we have practiced this pleasure at the time of the messenger of Allah." Othman said: "Yes, we have but we were afraid!"

Muslim also mentioned in his Sahih that Sa'eed bin al-Musayyab had said: "Once Ali and Othman met together in Asfan. Othman forbade people from temporary marriage and umra. Ali said to him: "Why do you forbid something that the messenger of Allah has done it?" Othman said: "Let us alone!" Ali said: "I cannot let you..."

Ghunaym bin Qays said-as in Sahih of Muslim: "Once I asked Sa'd bin Abu Waqqass about temporary marriage (during umra) and he said: "We have practiced it but this man⁴ disbelieves in the Lord of the Throne."

Abul Ala' narrated from Mutrif that Imran bin Hussayn had said to him: "I shall tell you something today that Allah may avail you of later on. Know that the messenger of Allah (s) has assigned the tenth (of zakat) to a group of his relatives. Neither a verse has been revealed to annul that nor has the Prophet (s) prohibited it until he has left to the better world. But then everyone followed his own opinion."

¹ Come on to the best of deeds! It is a part of azan.

² Sharh at-Tajreed by al-Qoushaji.

³ Vol.1 p.472-475.

⁴ He meant Mo'awiya bin Abu Sufyan, who had forbidden people from practicing the pleasure of umra following the same way of Umar and Othman.

Hameed bin Hilal narrated that Mutrif had said: "Once Imran bin Hussayn said to me: "I shall tell you something that Allah may benefit you with. The messenger of Allah (s) offered umra and hajj together and he did not forbid people from doing that and no verse was revealed to prohibit it until he died..."

Qatada narrated that Mutrif had said: "Imran bin Hussayn sent for me when he became ill before his death. He said to me: "I am going to tell you some traditions that Allah may benefit you with after me. If I remain alive, keep them secret and if I die you can tell them if you like. Know that the messenger of Allah (s) has offered umra and hajj together and then neither a Qur'anic verse was revealed to annul it nor did the Prophet (s) prohibit it. Then a man¹ determined according to his own opinion as he liked."

From another way Qatada narrated from Mutrif bin ash-Shakheer that Imran bin Hussayn had said: "Know that the messenger of Allah has offered umra and hajj together and then neither the Qur'an nor the Prophet (s) have forbidden us from doing it. Then a man determined according to his own opinion as he liked."

Imran bin Muslim narrated from Abu Raja' that Imran bin Hussayn had said: "The verse of "the pleasure of the hajj" was revealed in the Qur'an and the messenger of Allah (s) ordered us to practice it (the pleasure). Neither did the Qur'an annul this verse nor did the Prophet (s) forbid us from practicing it until he died. Then a man determined according to his own opinion as he liked."

This tradition has been mentioned by Muslim in his Sahih in many other ways narrated from Imran bin Hussayn but we do not want to mention them all. Al-Bukhari has also mentioned this tradition of Imran bin Hussayn in his Sahih vol.1 p.187.

Malik bin Anass has mentioned in his Muwatta'² a tradition narrated by Muhammad bin Abdullah bin al-Harith bin Nawfal bin Abdul Muttalib that he had heard Sa'd bin Abu Waqqass and ad-Dhahhak bin Qayss mentioning the pleasure of umra in the year when Mo'awiya bin Abu Sufyan had gone to offer the hajj. Ad-Dhahhak bin

¹ He means Umar.

² Vol.1p.130.

Qayss said: "No one does that (practicing the pleasure) unless he is unaware of the verdicts of Allah." Sa'd said: "How bad you said, O my nephew!" Ad-Dhahhak said: "Umar bin al-Khattab has prohibited that." Sa'd said: "The messenger of Allah (s) has practiced it and we have practiced it at his time."¹

Ahmad mentioned in his Musnad that ibn Abbas had said: "The Prophet (s) has practiced the pleasure of hajj." Urwa bin az-Zubayr said: "Abu Bakr and Umar have prohibited it." Ibn Abbas asked: "What did Urwa say?" It was said: "He said that Abu Bakr and Umar had prohibited the pleasure of hajj." Ibn Abbas said: "I see that they will perish. I say that the Prophet (s) has practiced it and they say that Abu Bakr and Umar have prohibited it!"²

Ayyoob narrated: "Once Urwa said to ibn Abbas: "Do you not fear Allah? Why do you permit the pleasure (temporary marriage)? Ibn Abbas said: "Ask your mother, O Urwa!" Urwa said: "Abu Bakr and Umar did not practice it." Ibn Abbas said: "By Allah, I see that you will not repent until Allah will torture you. We tell you from the Prophet (s) and you tell us from Abu Bakr and Umar!..."³

Muslim mentioned in his Sahih⁴ a tradition talking about someone who had asked ibn Abbas about the pleasure of hajj and ibn Abbas permitted it whereas ibn az-Zubayr prohibited it. Ibn Abbas said: "This is the mother of ibn az-Zubayr narrating that the messenger of Allah (s) has permitted it. You can go to her." The man said: "We went to her. She was a blind fat woman. She said: "Yes, the messenger of Allah (s) has permitted it."

At-Tarmithi mentioned in his Sahih⁵ that once Abdullah bin Umar had been asked about the pleasure of hajj and he said that it had been permissible. The asker said to him: "But your father has

¹ Refer to Sharh Muwatta' Malik by az-Zarqani, vol.2 p.178 to see the explanation of the author about this tradition.

² Refer to Jami' Bayan al-Ilm by ibn Abdul Birr and Mukhtasar Jami' Bayan al-Ilm by al-Muhammisi p.226.

³ Ibid.

⁴ vol.1 p.479.

⁵ vol.1 p.157.

prohibited it!" Abdullah bin Umar said: "Do you see that if my father has prohibited it and the messenger of Allah (s) has practiced it, we should follow my father or follow the messenger of Allah (s)?" the man said: "We should follow the messenger of Allah (s)." Abdullah bin Umar said: "The messenger of Allah (s) has practiced it." There are many other true traditions in the books of Hadith denying this act of Umar (when prohibiting the pleasure of hajj).

In the Farewell Hajj (the last hajj of the Prophet (s)) there was a clear evidence on this matter. Refer to Sahih of Muslim¹ to see that the Prophet (s) had announced it before more than one hundred Muslims; men and women of the umma, who had come from different countries to offer the hajj with the Prophet (s). When the Prophet (s) announced that, Suraqa bin Malik bin Khath'am got up and asked: "O messenger of Allah, is this pleasure for this year only or forever?" The Prophet (s) interlaced his fingers and said: "Umra has entered into the hajj, umra has entered into the hajj forever, forever."

Imam Ali (s) came from Yemen (during the season of the hajj) and found that Fatima (s) had put off her ihram and put on colored clothes and darkened her eyes with kohl. He denied that. She said: "My father has ordered me to do that." Imam Ali (s) went to the Prophet (s) asking him about the matter. The Prophet (s) said: "She is true. She is true..."

22. TEMPORARY MARRIAGE

Allah and His messenger have legislated temporary marriage and the Muslims practiced it during the time of the Prophet (s) until he left to the better world and they practiced it after that during the reign of Abu Bakr until he died. When Umar became the caliph, the Muslims still practiced temporary marriage until he forbade it one day when he said from above the minbar: "Two pleasures were practiced at the time of the messenger of Allah but I forbid them and punish for

¹ vol.1 p.157.

them; the pleasure of the hajj and temporary marriage.”¹

Allah has permitted temporary marriage when He said in the holy Qur'an: "*Then as to those whom you profit by, give them their dowries as appointed.* Qur'an, 4:24" Kinds of marriage in Islam are four. Allah has legislated them in four verses in the sura of an-Nissa' (women). We have detailed them in our book about temporary marriage.

As for the true traditions about temporary marriage, they are too many and they have been mentioned in all books of Hadith.

Muslim mentioned in his Sahih² a tradition narrated by Abu Nadhra saying: "Ibn Abbas often permitted practicing temporary marriage while ibn az-Zubayr forbade it. This was mentioned to Jabir bin Abdullah. He said: "It has occurred before me. We often practiced temporary marriage during the time of the messenger of Allah but when Umar became the caliph,³ he said: "Allah has permitted to His messenger as He liked by His will."⁴ Complete the hajj and the minor hajj and avoid temporary marriage. Whoever practices temporary marriage I will stone him."⁵

We have studied this subject deeply and carefully and then we indicated the truth in our books; al-Fusool al-Muhimma (the important chapters), Masa'il Fiqhiyya (juristic questions), The Answers of Musa Jarallah and what has been published in al-Irfan

¹ Ar-Razi protested, in his book at-Tafseer al-Kabeer when talking about the verse (*Then as to those whom you profit by, give them their dowries as appointed*) against prohibiting temporary marriage by Umar.

² Vol.1 p.467.

³ This saying shows clearly that prohibiting temporary marriage has not been determined before Umar.

⁴ Would that someone knows if this word could justify a way to prohibit temporary marriage! Had Umar thought that this matter concerned the Prophet (s) especially or concerned his time only? Certainly not! Lawful things of Muhammad are lawful until the Day of Resurrection and his unlawful things are unlawful until the Day of Resurrection.

⁵ Stoning is one of the punishments of the Heaven which cannot be legislated except by a prophet. One, who believes in the permissibility of temporary marriage, has concluded its decree from the Book and the Sunna. If he is right in his conclusion, he cannot be blamed and if he is mistaken unintendedly, he is considered to be in obscurity and so he cannot be punished.

Magazine, vol.36 part ten in which we have covered all the sides of the subject. We have explained that into eight chapters:

1. The essence of temporary marriage with its requirements and legal limits.
2. The consensus of the umma on its legality in Islam.
3. The evidences of the Qur'an on its legality.
4. Its legality according to the Sunna.
5. The pretense of those who say that it has been abrogated and their evidence.
6. Traditions showing that the caliph Umar has abrogated it.
7. The companions and their successors who have denied that from the caliph.¹
8. The opinion of the Shia and their evidences on the subject.

We have just intended to show the truth in our study on this subject. Our evidences have been derived from the Book, the Sunna and the

¹ Among them was Abdul Melik bin Abdul Aziz bin Jurayj Abu Khalid al-Mekki who was one of the famous scholars among the companions' successors. Ibn Khillikan mentioned his biography in his book wafiyyat al-A'yan, ibn Sa'd in his Tabaqat, vol.5 p.361, ibn al-Qaysarani in his book al-Jam' Bayna Rijal as-Sahihayn, p.314 and ath-Thahabi in his Mizan and he said about him: "He is one of the reliable scholars, who has been trusted by the all. He has got married to ninety women in temporary marriage. He thought that temporary marriage was permissible. He was the jurisprudent of Mecca at his time."

Al-Ma'moon also during his reign has denied prohibiting temporary marriage (by Umar) and ordered his officials to announce its permissibility-as mentioned by ibn Khillikan in his book Wafiyyat al-A'yan when talking about the biography of Yahya bin Aktham. Muhammad bin Mansoor and Abul Ayna' once came to al-Ma'moon. They found him brushing his teeth and saying angrily (repeating the saying of Umar): "Two pleasures were practiced at the time of the messenger of Allah and at the time of Abu Bakr but I (Umar) prohibit them! Who are you (this is the complement of al-Ma'moon) O you scarab, so that you prohibit what the messenger of Allah and Abu Bakr have practiced?" Muhammad bin Mansoor wanted to talk with al-Ma'moon but Abul Ayna' made a sign to him and said: "A man saying so about Umar bin al-Khattab, how can we talk to him?!" they did not talk to him. Then Yahya bin Aktham came to him and warned him that sedition might take place (if he permitted temporary marriage)..."

consensus of the umma. Let the fair researchers ponder on what we have written about this subject and then they are free to judge whether it is permissible or not.

23. CHANGING THE AZAN¹

We have researched on the traditions concerning the azan during the time of the Prophet (s) and we have not found this statement "prayer is better than sleeping" as a part of the azan. In fact this statement was not in the azan even at the time of Abu Bakr. Umar had ordered this statement to be added to the azan after passing of some period of his caliphate when he liked that and admired it to be in the azan of Fajr (dawn) prayer. He determined that and ordered people to announce it when calling the azan. Many true traditions about this matter have been narrated from the infallible imams (s).

The books of Hadith of other than the infallible imams (s) have had many such traditions. Malik mentioned in his *Muwatta'*: "Once the caller of azan came to Umar bin al-Khattab to announce the time of Fajr prayer and he found Umar sleeping. He said to him: "Prayer is better than sleeping." Umar admired that and ordered him to add it to the azan of Fajr."

Az-Zarqani said in his book *Sharh al-Muwatta'*² when commenting on this word: "Ad-Darqutni mentioned this tradition in his *Sunan* from Waqee' from al-Umari from Nafi' from ibn Umar that Umar had said to his caller (of azan): "When you reach "Come to success!"³ in the azan of Fajr prayer, say: Prayer is better than sleeping! Prayer is better than sleeping!" It was also narrated by Sufyan from Muhammad bin Ajlan from Nafi' from ibn Umar from Umar."

This tradition has also been mentioned by ibn Shayba from Hisham bin Urwa and has been mentioned by some other Sunni scholars.

There was no any value for the (false) tradition narrated by Muhammad bin Khalid bin Abdullah al-Wasiti from his father from Abdurrahman bin Isshaq from az-Zuhri from Salim that his father

¹ Azan is the call for the prayers (in their times).

² Vol.1 p.25.

³ Hayya alal falah.

had said: "Once the Prophet (s) consulted the Muslims about what should attract their attentions to the times of the prayers. Some of them suggested using a trumpet but the Prophet (s) disliked it because it was used by the Jews. Some others suggested using a bell but the Prophet (s) disliked it too because it was used by the Christians. At that night a man from the Ansar called Abdullah bin Zayd and Umar bin al-Khattab were inspired with the call (azan) in their dreams. In the same night Abdullah bin Zayd al-Ansari came to the Prophet (s) and told him of what he had seen in dream. The Prophet (s) ordered Bilal to announce it as the azan. Then Bilal added to it "prayer is better than sleeping" and the Prophet (s) approved it." Ibn Maja mentioned this tradition in his Sunan.

This tradition is null because it has been narrated by Muhammad bin Khalid bin Abdullah al-Wasiti, about whom Yahya has said: "He is an immoral man." Once again he has said about him: "He is nothing (unreliable)!"

Ibn Adiy said about him: "Ahmad and Yahya denied his traditions especially when he narrated from his father. He had many other denied traditions." Abu Zar'a said about him: "He is weak (untrusted)." Yahya bin Mo'een said: "Muhammad bin Khalid bin Abdullah is a liar. When you meet him, slap him!"

Ath-Thahabi talked about him in his Mizan and mentioned the criticism and defects ascribed to him by the scholars.

Like this tradition was the tradition narrated by Abu Mahtoorah when he had said: "I said: "O messenger of Allah, would you please teach me the azan?" The Prophet (s) rubbed over my head and said to me: "You say "Allah is great, Allah is great" loudly and then you say in a low voice "I witness that there is no god but Allah, I witness that there is no god but Allah, I witness that Muhammad is the messenger of Allah, I witness that Muhammad is the messenger of Allah" then you say loudly "I witness that there is no god but Allah, I witness that there is no god but Allah, I witness that Muhammad is the messenger of Allah, I witness that Muhammad is the messenger of Allah, come to prayer, come to prayer, come to success, come to success" if is Fajr prayer you say then "prayer is better than sleeping, prayer is better than sleeping, Allah is great, Allah is great, there is

no god but Allah, there is no god but Allah".

Abu Dawood mentioned this tradition from Abu Mahthoora in two ways; one from Muhammad bin Abdullah bin Abu Mahthoora from his father from his grandfather, the other from Othman bin as-Sa'ib from his father, who was unknown as ath-Thahabi had said in his Mizan.

Muslim has mentioned this tradition of Abu Mahthoora in his Sahih but it has not had this statement "prayer is better than sleeping".

Soon you will see the tradition mentioned by Abu Dawood and others that has been narrated by Muhammad bin Abdullah bin Zayd about the azan that Bilal has announced after it has been dictated to him by Abdullah bin Zayd. It has not had "prayer is better than sleeping" although it was the azan of Fajr prayer.

As for Abu Mahthoora, he was one of the freed captives of Mecca¹ and he was one of those, whom the Prophet (s) gifted in order to reconcile them to Islam. When the Prophet (s) went back from Hunayn victoriously, he was the most hated one to Abu Mahthoora and his orders and principles were the most hated things to him too. Abu Mahthoora often mocked at the Prophet's caller (who announced azan) but the pouch of silver coins, which the Prophet (s) had given, the booties of Hunayn, which the Prophet (s) had spread among the freed captives, who were his enemies and who had fought him for a long time, his great morals towards whoever had announced shahada from among the hypocrites besides his severity towards the unbelievers and that the Arabs began to become Muslims group by group, all that forced Abu Mahthoora and his likes to announce shahada by their tongues whereas their hearts were still occupied by the idols. He did not emigrate until he died in Mecca.² Allah is more aware of his inners!

The Prophet (s) had said a word about three men; Abu Mahthoora, Abu Hurayra and Samra bin Jundub. He warned them by saying:

¹ When the Muslims conquered Mecca, the Prophet (s) forgave the polytheists and set them free.

² Refer to al-Issaba, Abu Mahthoora's biography.

“The last to die of you, will be in Hell.”¹

This was a wise manner of the Prophet (s) to keep the hypocrites away from running the affairs of the Muslims. As the Prophet (s) was aware of the inners of these three men, so he wanted his umma to doubt the three of them and then to avoid them all. He wanted his umma not to entrust any of them with any affair of Islam and the Muslims. He said that he, who would die after his two friends, would be in hell but he had generalized his saying without giving any specification about certain one of them that any of the three men could be the one who would be in Hell. Days and nights passed and the word of the Prophet (s) remained as it was. The Prophet (s) left to the better world but without specifying his word; therefore the men of understanding were obliged to keep all the three men away from any affair of social rights in Islam that was to be entrusted to the reliable and trustworthy people of the umma. If these three men were not same in being avoided, the Prophet (s) definitely would specify one of them in order not to wrong the others.

If you say: the Prophet (s) might have defined one of them with something but that certain thing had been ignored because of the long time that had passed.

We say: if there was some definition that had specified one of them, then the three of them would have not feared that warning in the same way.²

There was no difference in this matter between not assigning one of them or that assignment had become unknown because the result would be the same for us. We would regard the three in the same way.

If you say: the one, who had been said to be in Hell, could not be known before the death of the first and the second ones and then the remaining one after the two would be the one whom the Prophet (s) had meant by his saying and so the saying of the Prophet (s) would not be general or ambiguous.

¹ Refer to Samra's biography in al-Istee'ab, al-Isaba and other books.

² As it is well-known by whoever studies their affairs after this threat.

We say: first it is impossible for the prophets (s) to hide the truth or to delay it until its necessary time may pass. In this matter the required time was connected with the threat and the Prophet (s) would have indicated it if any one of the three had had any respect because men, since they became Muslims, would be tried by the civil rights like imamate in offering prayers, witnesses in legal trials, issuing fatwas, judging and the likes, which required fairness, truthfulness and piety. If these three men deserved not to be kept away from all that civil rights and positions, the Prophet (s) would not delay declaring the truth concerning them. Far be it from the Prophet (s) to prevent any one from getting his right and far be it from him to disgrace someone innocent and to keep him on that disgrace, which he does not deserve, until he dies (before his two friends)!

And second: by Allah, we have tried our best as possible as we could in researching and studying the fixed facts but we could not know which one of these three men had died before the others. The sayings about the dates of their deaths were either contradicted¹ or alike and common. Hence we could not depend on any of them.

Third: the high morals of the Prophet (s), whom Allah has said about: *(Certainly a Messenger has come to you from among yourselves; grievous to him is your falling into distress, excessively solicitous respecting you; to the believers (he is) compassionate)* would not let him face an innocent one, whom he respected, with such a severe word. The Prophet (s), who had exalted personality and manners, would never surprise an innocent one with something bad that he did not deserve. If there was a good one among these three men, the Prophet (s) would not include him in this bad surprise; but it had been revealed to him by Allah to warn the umma against these men and their likes. *(Nor does he speak out of desire. It is naught but revelation that is revealed).*

¹ Some historians said that Samra had died in the year fifty-eight of hijra and Abu Hurayra in fifty-nine whereas other historians said that Abu Hurayra had died in fifty-seven of hijra and so on for the three of them. As for the alike dates, some historians said that the three of them had died in fifty-nine of hijra without referring to the time, the day or the month in which they had died.

He, who knew the opinion of our Sunni brothers of the four sects about the start of the azan and iqama¹ and about legislating them, would not be astonished to find them submitting to adding to them or omitting from them. They thought that azan and iqama had not been legislated by Allah via revealing them to the Prophet (s). They did not think that the Prophet (s) had announced them as divine rites determined by Allah but they were just a result of dreams seen by some companions as they had narrated in their traditions which they considered as true and recurrent.

Here are some of these traditions which they consider as the truest ones of them.

Abu Umayr bin Anass narrated from some of his uncles of the Ansar that: "The Prophet (s) thought about prayers; how to make people gather to offer them at their prescribed times. It was said to him: "Raise a banner and when people see it, some of them will announce that it is time to offer prayer." He did not approve this idea. Some people mentioned to him the trumpet but he disliked it and said it was used by the Jews. Others suggested using a bell. He said that it was used by the Christians. At the first he disliked it but then he ordered to make a bell of wood. Abdullah bin Zayd, when he saw the Prophet (s) concerned in the matter, began to think much about it. He was inspired in his sleep with a vision showing him how to do the azan. He went to the Prophet (s) and said to him: "O messenger of Allah, while I was in light sleep, someone came to me and taught me the azan." Umar bin al-Khattab had seen that vision in his sleep but he kept it secret for twenty days and then he informed the Prophet (s) of it. The Prophet (s) said to him: "What prevented you from telling me that?" Umar said: "Abdullah bin Zayd preceded me in telling you and then I felt shy." The Prophet (s) said: "O Bilal, get up and do as Abdullah bin Zayd will instruct you!" Then Bilal announced the azan..."²

Muhammad bin Abdullah bin Zayd al-Ansari said that his father

¹ A prerequisite call to the prayer.

² It has been mentioned by Abu Dawood in his Sunan, vol.1 chap. Start of Azan and it has been mentioned in many other books of Hadith. The Sunni scholars have considered it as a true tradition.

Abdullah bin Zayd had said: "When the messenger of Allah (s) had ordered a bell to be made in order to make people gather to offer the prayers, I saw in sleep that someone carrying a bell in his hand came to me. I asked him: "Do you sell this bell?" He said: "What will you do with it?" I said: "We will call for prayers by it." He said: "Shall I guide you to what is better than this?" I said: "Yes, please!" He said: "You say: Allah is great, Allah is great, Allah is great, Allah is great, I witness that there is no god but Allah, I witness that there is no god but Allah, I witness that Muhammad is the messenger of Allah, I witness that Muhammad is the messenger of Allah, come to prayer, come to prayer, come to success, come to success, Allah is great, Allah is great, there is no god but Allah."¹ After a moment he said to me: "When you stand up to begin the prayer, you say: Allah is great, Allah is great, I witness that there is no god but Allah, I witness that there is no god but Allah, I witness that Muhammad is the messenger of Allah, come to prayer, come to success, the time for prayer has come, the time for prayer has come, Allah is great, Allah is great, there is no god but Allah."

In the morning I went to the Prophet (s) and told him of what I have seen in my sleep. He said: "It is a true vision inshallah. Go with Bilal and instruct him what you have seen in your sleep. Let him announce it because his voice is more dulcet than yours." I went with Bilal and began teaching him the azan and then he announced it. Umar, from inside his house, heard the azan. He came dragging his garment and saying: "O messenger of Allah, I swear by Him, Who has sent you with the truth, that I have seen like what he has seen..."²

Malik abbreviated the tradition in his *Muwatta'*. He mentioned that Yahya bin Sa'eed had said: "The Prophet (s) wanted to use two pieces

¹ This azan-as the narrators, who had narrated this tradition from Abdullah bin Zayd, claimed-was the first azan in Islam. As you see, it does not have "prayer is better than sleeping" although it was for Fajr prayer. Then wherefrom has it come to be a part of the azan, O you Muslims?!

² Mentioned by Abu Dawood as-Sajistani in his *Sunan*, at-Tarmithi in his *Sahih*, ibn Hayyan in his *Sunan*, ibn Khuzayma in his *Sunan*, ibn Maja in his *Sunan* and other scholars of Hadith.

of wood¹ in order to gather the people to offer the prayers after beating them with each other. At that time Abdullah bin Zayd al-Ansari had seen in his sleep two pieces of wood. He said (in his sleep): "These two pieces of wood are like the ones that the messenger of Allah wants to gather people for prayers with." It was said to him: "Do you not announce azan for prayer?" He was taught the azan in his sleep. In the morning he came to the Prophet (s) and told him of that. Then the Prophet (s) ordered the azan to be announced."²

Ibn Abdul Birr said: "Some of the companions had narrated the story of Abdullah bin Zayd about the start of azan in different wordings but near meanings. The resources of these traditions are recurrent and accepted..."³

In commenting on these traditions I say:

First: the Prophet (s) would not have to consult the people in legislating the divine verdicts of the Sharia. He had just followed the divine orders that Allah had revealed to him "*Nor does he speak out of desire. It is naught but revelation that is revealed. The Lord of Mighty Power has taught him.* Qur'an, 53:3-5" All the prophets have not consulted their peoples about the divine verdicts "*Nay! they are honored servants. They do not precede Him in speech and (only) according to His commandment do they act.* Qur'an, 21:26-27" Allah has said to his messenger and the last of His prophets, Muhammad (s): "*Say: I only follow what is revealed to me from my Lord; these are clear proofs from your Lord and a guidance and a mercy for a people who believe.* Qur'an, 7:203" and "*Say: It does not beseem me that I should change it of myself; I follow naught but what is revealed to me; surely I fear, if I disobey my Lord, the punishment of a mighty day.* Qur'an, 10:15" and "*Say: I am not the first of the messengers, and I do not know what will be done with me or with you: I do not follow*

¹ Az-Zarqani said in his book *Sharh al-Muwatta'* when commenting on this tradition: "It is the bell; a long piece of wood that is beaten with a smaller one to produce sound." Az-Zarqani here has a noticeable comment on the tradition of Abdullah bin Zayd. I ask the researchers to refer to *Sharh al-Muwatta'*, vol.1 p.120-125.

² For details, refer to *Sharh al-Muwatta'* by az-Zarqani.

³ *Sharh al-Muwatta'* by az-Zarqani.

anything but that which is revealed to me, and I am nothing but a plain warner. Qur'an, 46:9" Allah has warned His messenger of hastiness even with a movement of the tongue. He has said: *"Do not move your tongue with it to make haste with it. Surely on Us (devolves) the collecting of it and the reciting of it. Therefore when We have recited it, follow its recitation. Again on Us (devolves) the explaining of it. Qur'an, 75:16-19*" Allah has praised the saying of His messenger by saying: *"Most surely, it is the Word brought by an honored Messenger. And it is not the word of a poet; little is it that you believe. Nor the word of a soothsayer; little is it that you mind. It is a revelation from the Lord of the worlds. Qur'an, 69:40-43*" and *"Most surely it is the Word of an honored messenger. The processor of strength; having an honorable place with the Lord of the Dominion. One (to be) obeyed, and faithful in trust. And your companion is not gone mad. Qur'an, 81:19-22"*

Second: reason regards the consultation mentioned in these traditions as null. Consultation with people has no any role in legislation the divine laws; therefore it was impossible for the Prophet (s) to consult his companions about the principles of the Sharia. Would Allah need the opinions of His servants to determine the laws of His Sharia? *"And if he had fabricated against Us some of the sayings. We would certainly have seized him by the right hand. Then We would certainly have cut off his aorta. And not one of you could have withheld Us from him. Qur'an, 69:44-47"*

Yes, the Prophet (s) consulted his companions about the affairs of this worldly life such as meeting the enemy, stratagems of war and the likes. He followed in that the saying of Allah: *"and take counsel with them in the affair; so when you have decided, then place your trust in Allah. Qur'an, 3:159*" In this concern the Prophet (s), in order to reconcile his companions, could consult them although the revelation sufficed him away from his companions' opinions; but as for the laws of religion it was not possible for him save to follow the revelation.

Third: these traditions showed that the Prophet (s) was confused and this could not be possible for the infallible prophet, who was so close to Allah and whom Allah had loved and preferred to all of the

creatures of the worlds. These traditions showed the Prophet (s) in a confused state until he became in need of people's consultation; once he disliked using a bell and then he ordered the bell to be used and then he gave up the bell and submitted to the vision of Abdullah bin Zayd! This was impossible for Allah and His messenger, who was the master and the last of the prophets and who was the trustee of the mission and revelation of Allah.

In fact the visions of other than the prophets could not be relied on according to the consensus of the umma.

Fourth: these traditions contradict each other and this leads to brush them aside especially the two traditions we have just mentioned above; the one narrated by Abu Umayr bin Anass from some of his uncles of the Ansar and the one narrated by Muhammad bin Abdullah bin Zayd from his father. Would that you ponder on them to see the contradiction between them especially what concerns the vision of Umar!

These two traditions limit the vision to ibn Zayd and Umar whereas the tradition of the vision mentioned by at-Tabarani in his book at-Tafseer al-Awsat shows that the vision (of the azan) has been seen by Abu Bakr too. There are other traditions showing that this vision has been seen by fourteen men of the companions as in Sharh at-Tanbeeh by al-Jubayli. It has also been mentioned that those, who had seen the vision at that night, were seventeen men of the Ansar besides Umar who was the only one of the Muhajireen. Another tradition said that Bilal had seen the vision of the azan too. There are many other contradictions about the subject. Al-Halabi mentioned some of them which were so astonishing and he tried to bring these contradictions close together but he failed.¹

Fifth: al-Bukhari and Muslim had ignored this version at all. They had not mentioned it in their Sahihs neither from ibn Zayd nor from Umar bin al-Khattab nor from any other because it had not been proved to be true. They mentioned in their Sahihs that Umar had said: "The Muslims, when they had come to Medina, gathered together and assigned the time of prayer without calling. One day

¹ in his Seera, vol.2 chap. Azan.

they discussed this matter. Some of them said: "Let us use a bell like the Christians!" Others said: "Let us use a trumpet like the Jews!" Then Umar said: "Why do you not send someone to call out the time of prayers?" The Prophet (s) said: "O Bilal, get up and call out for the prayer!" Then Bilal called out."

This is all what has been mentioned in the Sahihs of al-Bukhari and Muslim about legislating the azan. They have ignored anything concerning the start of azan other than this. This tradition contradicts all the previous traditions mentioned about the vision of azan. This tradition shows that the azan has started according to Umar's suggestion and not according to his vision or the vision of Abdullah bin Zayd or anyone else.

Also this tradition shows clearly that the Prophet (s) has ordered Bilal to call out the azan during the meeting of consultation, in which Umar was present, whereas those traditions of the vision shows that the Prophet (s) has ordered Bilal to call out the azan at the dawn when ibn Zayd has told the Prophet (s) about his vision that it was one night after the consultation at least where Umar was not there but he has heard the azan while he was in his house and then he came dragging his garment and saying: "I swear by Him, Who has sent you with the truth, that I have seen in my sleep as he has seen."

I adjure you by Allah, could you bring this tradition close to those ones? Certainly not! I swear by Allah and the truth!

Al-Hakim has ignored the traditions of the vision of azan and iqama. He has never mentioned any of them in his Mustadrak as the two sheikhs; al-Bukhari and Muslim have done. This shows that these traditions are untrue.

Al-Hakim took on himself to follow all the true traditions that al-Bukhari and Muslim had not mentioned in their Sahihs and since he himself had not mentioned the traditions talking about the vision of azan in his Mustadrak, so it has become clear that these traditions were not true.

Al-Hakim had said a word showing that these traditions of the vision were null and they were just fabricated lies. He said: "The two sheikhs (al-Bukhari and Muslim) ignored the tradition of Abdullah

bin Zayd about the vision and azan because Abdullah had died before this event (of the azan)...”¹

What confirmed this fact was that the azan, according to the Sunni, had started after the battle of Uhud. Abu Na'eem mentioned in his book *Hilyatul Awliya'* when talking about the biography of Umar bin Abdul Aziz that Abdullah al-Umayri had said: "Once the daughter of Abdullah bin Zayd bin Tha'laba came to Umar bin Abdul Aziz and said to him: "I am the daughter of Abdullah bin Zayd. My father participated in the battle of Badr and he was martyred in the battle of Uhud." Umar said to her: "Ask for whatever you like!" He gifted her (what she asked him for)."

If Abdullah bin Zayd had seen the vision of azan as they pretended, his daughter would have mentioned that to Umar bin Abdul Aziz as she had mentioned his fighting in Badr and his martyrdom in Uhud.

Sixth: Allah has ordered the believers not to precede Allah and His messenger and not to raise their voices above the voice of the Prophet (s), lest their deeds would be vain. Allah has said: *"O Ye who believe! Put not yourselves forward before Allah and His Messenger; but fear Allah: for Allah is He Who hears and knows all things. O you who believe! do not raise your voices above the voice of the Prophet, and do not speak loud to him as you speak loud to one another, lest your deeds became null while you do not perceive.* Qur'an, 49:1-2"

The reason behind the revelation of these verses was that some people of bani Tameem had come to the Prophet (s) asking him to appoint a man from them as a chief over them. Abu Bakr said:² "O messenger of Allah, appoint al-Qa'qa' bin Ma'bad as chief over them!" Umar bin al-Khattab said immediately: "O messenger of Allah, appoint al-Aqra' bin Habis from bani Mujashi'." Abu Bakr said to Umar: "You just want to oppose me!" They disputed before the Prophet (s) and their voices became too loud. Then Allah revealed these verses to the Prophet (s) because Abu Bakr and Umar had preceded the Prophet (s) and hastened in giving their opinions

¹ Al-Mustadrak, vol.4 p.348.

² Sahih of al-Bukhari, vol.3 p.127.

besides their disputing and clamoring before the Prophet (s).

Allah has addressed all the believers with these verses to be as a rule for them how to behave before the Prophet (s). These verses have forbidden every faithful man and faithful woman from being opinionated before the Prophet (s) and from preceding him in everything. The saying of Allah: *(O Ye who believe! Put not yourselves forward before Allah and His Messenger)* means that no Muslim has the right to give his opinion on a matter before Allah and His messenger would determine. As if those men, who preceded the Prophet (s) in giving their opinions, deemed themselves to be of high ranks that they had the right to decide on the public affairs; therefore Allah had warned the believers of their mistake and showed them their obligation that they would have not to exceed.

The saying of Allah: *(O you who believe! do not raise your voices above the voice of the Prophet)* refuted the concept of that those people had a right to decide on the affairs of the Muslims or they had a special position near Allah and His messenger for that whoever raised his voice above the voices of the others thought that he had a special rank or authority over the others and this could not be possible or accepted from anyone in the Prophet's presence.

He, who ponders on the sayings of Allah: *(fear Allah: for Allah is He Who hears and knows all things)* and *(lest your deeds became null while you do not perceive)*, will find the truth as it is.

And he, who knows that Allah has not approved what Abu Bakr and Umar have done when opinionating before Allah and His messenger, will be certain that Allah does not permit people to consult on legislating the laws of His Sharia. Would that our people know!

Seventh: azan and iqama are parts of the very daily obligations and He, Who has legislated them, is the same Who has legislated the daily obligations. They are the greatest divine rites, with which the Islamic umma has been distinguished from all the other nations and religions. They (azan and iqama) are examples of high eloquence, magnificent meanings and exalted aims. They announce the truth too openly; Allah is great, I witness that there is no god but Allah, I witness that Muhammad is the messenger of Allah-with praising him and praying Allah to bless him, come to prayer, come to success,

come to the best of deeds. He, who calls out these facts, does not fear save Allah and does not submit to any tyrant.

This is an alive mission as one of the scholars has said about it. As if you see that all the life listens and assents to it and as if man begins prayer since the first moment when he hears the first words of the azan and iqama. Man contacts with the world of the unseen since he listens to azan and iqama.

It is a mission, in which the earth and the heaven meet together and the submission of man mixes with the greatness of the Creator. The eternal truth comes to man's mind at every time of prayers, as if it is a new tiding!

Allah is great, Allah is great, there is no god but Allah, there is no god but Allah...it is the call of azan, with which the Muslims get ready to offer the prayers. It is the alive call which utters the eternal fact; the fact that is too simple but too wonderful because it is the richest fact that is in no need of being repeated throughout the ages and at the same time it is the fact that is in need much more of being repeated among the businesses of this worldly life and the signs of mortality.

A Muslim becomes in a state of praying since he hears the azan inviting him towards the prayer. Through the azan a Muslim remembers the greatness of Allah and this is the essence of the essence of the prayers.

The calmness of the night opens up with it (azan) as if it is one of the live phenomenon of nature to which hearings and souls assent, birds and trees listen, water and air hasten and all the world rises to respond since the first call of the caller...¹

In short, azan and iqama are things that the human beings could never contrive even if all of them would gather together. To Allah we resort and Him we ask not to make us among those who distort the bright facts especially those of the laws of Allah, His Sharia and His signs.

Eighth: the Sunni's traditions about the start of azan and iqama

¹ Da'iy as-Sama' (the caller of Heaven) by Professor al-Aqqad, p.136-142.

contradict the true traditions narrated from the infallible imams of Ahlul Bayt (s). And definitely any tradition that contradicts the true traditions of Ahlul Bayt (s) has no any value near us.

In the book *Wassa'il ash-Shia ila Ahkam ash-Sharia* it is mentioned that Imam Abu Abdullah Ja'far as-Sadiq (s) has said: "When Gabriel has brought the azan to the Prophet (s), he (Gabriel) uttered the azan and the iqama and then the Prophet (s) ordered Ali to send for Bilal. When Bilal came, the Prophet (s) taught him the azan and ordered him to announce it (at the times of the prayers)." This has been mentioned by Muhammad bin Ya'qoob al-Kulayni, as-Sadooq Muhammad bin Ali bin Babwayh al-Qummi and the sheikh of the Shia Muhammad bin al-Hasan at-Toossi. It suffices us that the truthfulness and piety of these scholars could never be doubted.

Sheikh Shahid Muhammad bin Mekki has mentioned in his book *ath-Thikra* (the memory) that Imam as-Sadiq (s) has dispraised some people, who pretended that the Prophet (s) had taken the azan from Abdullah bin Zayd al-Ansari. Imam Sadiq (s) said: "Gabriel has revealed it (azan) to your prophet and you pretend that the Prophet (s) has taken it from Abdullah bin Zayd!"

Al-Halabi in his *Seera* mentioned that Abul Ala' had said: "Once I said to Muhammad bin al-Hanafiyya (Imam Ali's son): "We narrate that the azan has started according to a vision that a man from the Ansar has seen in his sleep." He became too angry and said: "You have come to a basic principle of Islam and a sign of your religion and pretended that it has been issued according to a vision that a man of the Ansar had seen in his sleep; a vision that it could be true and could be false or it could be a bad dream!" I said to him: "But this tradition is spread among people." He said: "By Allah, it is the very untruth..."

Sufyan bin al-Layl said: "Once I visited al-Hasan bin Ali (s) in Medina. The people, in his meeting, discussed the matter of azan before him. Some of them said that the azan had started after a vision seen by Abdullah bin Zayd. Al-Hasan bin Ali (s) said: "The matter of azan is greater than that. Gabriel has called out the azan and iqama in the Heaven and then he has revealed them to the

messenger of Allah..."¹

Haroon bin Sa'd narrated from Shahid Zayd bin Imam Ali bin al-Husayn (s) from his fathers that Imam Ali (s) had said: "The messenger of Allah has been taught the azan in the night of his ascension to Heaven when prayer has been determined as an obligation."²

24. "COME TO THE BEST OF DEEDS"

This statement was a part of the azan and the iqama at the time of the Prophet (s) but the men of authority during the reign of the second caliph Umar tried to make people understand that "the best of deeds" was the jihad for the sake of Allah in order to go to it zealously and they thought that calling out "come to the best of deeds" for prayers was just a call to the five daily obligations and this contradicted their aim.

In fact they conceived a fear of this statement if it would remain in the azan and iqama. They thought that it would discourage people from jihad because if people knew that prayer was the best of deeds besides its easiness and peacefulness, they would rely on its reward and they would keep away from jihad and its dangers.

The men of authority at that time had devoted themselves to spread Islam and to conquer the east and the west. Definitely conquering countries required to stimulate the zeal of the soldiers to rush into dangers for the sake of that. The soldiers had to love jihad until they would feel that it was the best of deeds, which they would be rewarded for on the Day of Resurrection.

Therefore they preferred to omit this part of azan because they preferred the benefit to following the holy Sharia. The second caliph, Umar, had said from above the minbar-as mentioned by al-Qoushaji in his book *Sharh at-Tajreed*: "Three things were practiced at the time of the messenger of Allah but I prohibit them and punish for them; temporary marriage, the pleasure of the hajj and "come to the

¹ Al-Hakim's *Mustadrak*, vol.3 p.171.

² *Mushkil al-Aathar* by at-Tahawi, *Kanzol Ummal* by al-Muttaqi al-Hindi, vol.6 p.277.

best of deeds".¹

And then all the Muslims after Umar, except Ahlul Bayt (s) and their followers, omitted this part of azan "come to the best of deeds".

When the martyr of Fakh al-Husayn bin Ali bin al-Hasan bin Ali bin Abu Talib revolted in Medina during the reign of al-Hadi, the Abbasid caliph, he ordered the caller to announce "come to the best of deeds" in the azan and the caller did.²

Al-Halabi mentioned in his Seera³ that ibn Umar and Imam Zaynul Aabideen Ali bin al-Husayn (s) used to say "come to the best of deeds" after "come to success" in the azan.

This has been mentioned in the true and recurrent traditions of Ahlul Bayt (s). Refer to their traditions and jurisprudence to see their opinions about the matter.

Note

The parts of the azan, according to the Shia, are eighteen; four times: "Allah is great" and twice for each of: "I witness that there is no god but Allah", "I witness that Muhammad is the messenger of Allah", "come to prayer", "come to success", "come to the best of deeds", "Allah is great" and "there is no god but Allah".

The parts of the iqama, according to the Shia, are seventeen; two times for each of "Allah is great", "I witness that there is no god but Allah", "I witness that Muhammad is the messenger of Allah", "come to prayer", "come to success", "come to the best of deeds", "the time for prayer has come", "Allah is great" and one time "there is no god but Allah".

¹ The name of al-Qoushaji was Ala'uddeen Ali bin Muhammad. He was one of the scholars of the Ash'arites. This has been mentioned by Tash Kubri Zada in his book ash-Shaqa'iq an-Nu'maniyya. His biography has been mentioned by other historians. He has written many books such as Sharh at-Tajreed, ar-Risala al-Muhammadiyya, ar-Risala al-Fat-hiyya and other books.

² Mentioned by Abul Faraj al-Isfahani in his book Maqatil at-Talibiyeen and mentioned by all the historians who had talked about the revolution of the martyr of Fakh against the tyrants and injustice.

³ Vol.2 p.110.

It is desirable to say "blessing and peace be upon Muhammad and his progeny" after mentioning his name in the azan. Also it is desirable to say "I witness that Ali is the guardian of Allah" after "I witness that Muhammad is the messenger of Allah" in the azan and in the iqama.

He, who prohibited saying "come to the best of deeds" and its likes in the azan and said that they were heresies, had committed a mistake and had gone astray. Any caller (of azan) in Islam may recite a desirable word to be attached to the azan such as the verse (*And say: (All) praise is due to Allah, Who has not taken a son*) or another word such as "blessing and peace be upon you, O messenger of Allah) or something like that. This has not been legislated by Allah as apart of the azan and at the same time it is not a heresy or prohibited at all because all of the callers (of azan) do not consider it as a part of the azan but they recite it as a desirable thing according to some general evidences and also the statement "I witness that Ali is the guardian of Allah" is recited according to some general evidences.

A little of ordinary speech of human beings annuls neither the azan nor the iqama and it is not prohibited. Then why do they say that it is prohibited and it is a heresy? Why do they want to separate the Muslims especially in these days?

25. CHANGING THE RULES OF DIVORCE

The three-divorce, after which a divorced wife cannot return to her husband except after getting married to another one and then being divorced, is called the third divorce which is preceded by two returns after two divorces; that is to say: a husband divorces his wife for the first time and then he gets her back, then he divorces her for the second time and gets her back again and then he divorces her for the third time. Now she becomes prohibited for him as a wife unless she gets married to another man and then this man divorces her. This is the three-divorce after which a wife becomes prohibited for her husband until she marries another man and then the second husband divorces her. Allah has said: "*Divorce may be twice, then keep (them) in good fellowship or let (them) go with kindness... So if he divorces her (the third time) she shall not be lawful to him afterwards until she*

marries another husband; then if he divorces her there is no blame on them both if they return to each other (by marriage). Qur'an, 2:229-230"

Here is the interpretation of these verses by one of the great scholars of the Arabic language. Az-Zamakhshari says in his Tafseer al-Kashshaf: "*Divorce may be twice* means to be repeated twice and not to be pronounced all at once like His saying "*Then turn back the eye twice.* Qur'an, 67:4" which means a time after another...it is also said that it means the twice revocable divorce-one time after the other-because there is no return after the third divorce...if he (the husband) divorces her (the wife) for the second time as Allah has said "*Divorce may be twice...*" or if he divorces her for the third time after the two divorces, she will not be his legal wife after that unless she will get married to another man and then this man will divorces her...

This is the meaning of the verse that comes to mind straightway and such all the interpreters have interpreted this verse. The saying of Allah "*So if he divorces her (the third time) she shall not be lawful to him afterwards*" cannot be applied to the saying of a husband to his wife: "You are divorced, you are divorced, you are divorced in one occasion" unless he has divorced her twice before that and after each one he has got her back.

But Umar, during his caliphate, saw that men had got used to divorce their wives the third divorce by using one certain diction¹ and so he forced them to do what they had bound themselves with as a kind of punishment and discipline. There are many true traditions that have ascribed this doing to Umar.

Tawoos mentioned that Abu as-Sahba' had said to ibn Abbas: "Has (uttering the form of divorce three times in one occasion) not been considered as one divorce during the time of the Prophet (s) and the time of Abu Bakr?" Ibn Abbas said: "Yes, it has, but at the reign of Umar, people got used to this kind of divorce and he (Umar) made it

¹ Either to repeat this statement "You are divorced" three times in one occasion or to say "you are divorced thirdly".

permissible to them?"¹

Muslim mentioned another tradition that ibn Abbas had said: "During the time of the Prophet (s), the time of Abu Bakr and the first two years of the reign of Umar the divorce of three-repeated-statement (in one occasion) was considered as one divorce. Then Umar said: "People have hastened in a matter which had deliberateness to them. Would that we permit it to them!" And then he permitted it to them."²

Al-Hakim has mentioned this tradition in his *Mustadrak* and said that it was true according to the conditions of the two sheikhs; al-Bukhari and Muslim. Ath-Thahabi has also mentioned it in his book *Talkhees al-Mustadrak* and said that it was true according to al-Bukhari and Muslim.³

Ahmad bin Hanbal has mentioned this tradition of ibn Abbas in his *Musnad*⁴ and many other scholars of Hadith have mentioned it in their books.⁵

Sheikh Rasheed Redha has mentioned this tradition in *al-Manar Magazine*⁶ from Abu Dawood, an-Nassa'iy, al-Hakim and al-Bayhaqi and then he said: "From among the judgments of the Prophet (s) was the tradition that al-Bayhaqi had mentioned from ibn Abbas.⁷ Ibn Abbas said: "Rukana has divorced his wife three times in one occasion. He became too sad for her. The Prophet (s) asked him: "How did you divorce her?" He said: "Three times." The Prophet (s) asked him: "In one occasion?" He said: "Yes." The Prophet (s) said: "It is one divorce. You can get her back if you like."

An-Nassa'iy mentioned a tradition narrated by Makhrama bin

¹ Sahih of Muslim, vol.1 p.575, Sunan of al-Bayhaqi, vol.7 p.336, Sunan of Abu Dawood.

² Sahih of Muslim, vol.1 chap. Divorce.

³ Al-Mustadrak and Talkhees al-Mustadrak, vol.2 p.169. These two books are printed together and the numbers of their pages are the same.

⁴ Musnad of Ahmad, vol.1 p.314.

⁵ Al-Bayhaqi in his Sunan, vol.7 p.336, al-Qurtubi in his Tafseer, vol.3 p.130.

⁶ vol.4 p.210.

⁷ Seera of ibn Isshaq, vol.2 p.191.

Bukayr from his father that Mahmood bin Labeed had said: "Once the Prophet (s) was told that a man had divorced his wife three times together in one occasion. The Prophet (s) became very angry. He got up and said: "Is it played with the Book of Allah while I am still among you?" A man said: "O messenger of Allah, should we kill him?"¹ besides many other true traditions and therefore the ulama of Islam and the reliable scholars have admitted this fact.

Among them is Professor Khalid Muhammad Khalid who has said in his book (Democracy): "Umar bin al-Khattab ignored the holy religious texts of the Qur'an and the Sunna when benefits required him to do that. As the Qur'an had determined a share of zakat to be paid to those, whose hearts were reconciled to Islam by these gifts, the Prophet (s) and Abu Bakr used to do that but when Umar became the caliph, he said: "We do not pay anything for faith in Islam." And as the Prophet (s) and Abu Bakr had permitted selling bondwomen, Umar prohibited it. And as the three-divorce, which took place in one occasion, was considered as one divorce according to the Sunna and the consensus, Umar came to ignore the Sunna and to destroy the consensus."²

Dr. ad-Dawaleebi said in his book *Usool al-Fiqh*:³ "Among the verdicts that Umar (may Allah be pleased with him) had changed according to the base of "the change of the verdicts owing to the change of time" was permitting the third divorce if it took place in one occasion whereas at the time of the Prophet (s), the time of Abu Bakr and some time of Umar's caliphate if the three divorces took place (or were said together) in one occasion, they were considered as one divorce as proved by the true tradition of ibn Abbas when Umar had said: "People have hastened in a matter which had deliberateness to them. Would that we permit it to them!" And then he permitted it to them."

Dr. ad-Dawaleebi added: "Ibn al-Jawziyya said: "But Ameerul

¹ Qassim Ameen al-Misri has mentioned this tradition in his book *Tahreer al-Mar'a* (liberating woman) p.172, from an-Nassa'iy, al-Qurtubi and az-Zayla'iy narrated by ibn Abbas.

² Democracy, p.150.

³ p.246-

Mo'mineen Umar (may Allah be pleased with him) saw that people began to make little of the matter of divorce and that they did it with one statement and in one occasion, he thought that the benefit required to punish them by executing such divorce that when they knew of that they would refrain from divorcing their wives. Umar saw that this had a benefit in its own time and he thought that what had been during the time of the Prophet (s), Abu Bakr and some time of his rule was the most suitable for people because they feared Allah and refrained from divorcing their wives...this was one example on "the change of the verdicts owing to the change of time".¹ The companions perceived the good policy of Umar in disciplining his citizens in this concern and so they agreed with him on that and they gave such a fatwa to whoever asked them about such a matter.² But ibn al-Qayyim himself came and gave his opinion concerning his own time. He wanted to go back to the verdicts that were at the time of the Prophet (s) because time had changed too and the three-divorce were executed with one word and this had led to permit the marriage that had been impermissible at the age of the companions.³ He said: "If punishment led to corruption more than the corruption of the doing punished for, then giving up this punishment would be more beloved to Allah and His messenger."⁴

He added: "Ibn Taymiyya said: "If Umar (may Allah be pleased with him) saw that the Muslims had misused the permissibility of the return of a divorcee to her previous husband, he would go back to the verdicts that had been at the time of the Prophet (s)." The valuable notices of ibn Taymiya have led the legal courts in Egypt to the laws that had been at the time of the Prophet (s) owing to the

¹ Glory be to Allah! If the mujtahids had had the right to change the verdicts, like this fatwa, according to the change of time even in that short time between the rule of Abu Bakr and Umar, then the verdicts and the texts of the Book and the Sunna would have vanished. Woe! How dangerous it will be if the mujtahids follow such a rule, which Allah has never revealed!

² Had they had any proof on that?!

³ Time had no change and the change of time did not require changing the legal verdicts determined by the Book and the Sunna but ibn al-Qayyim did what he thought that it was the verdict of Allah.

⁴ Glory be to Allah! What is this playing with the Sharia of Allah?!

base of "the change of times".¹

26. THE PRAYER OF TARAWEEH²

This kind of prayers had not been legislated by the Prophet (s) nor had it been offered at the time of Abu Bakr and Allah had never legislated to offer Nafila³ prayer congregationally except for the prayer of Istisqa' (invoking Allah for rain).

Allah had legislated congregation to offer the obligatory prayers like the five daily prayers, the prayer of Tawaf (circumambulation), the prayers of the two feasts (Eid), prayers of Aayat (signs; eclipse and the likes) and the prayer of funerals (for the dead).

The Prophet (s) was used to offer the supererogatory prayers in the nights of Ramadan individually. He advised the Muslims to offer these prayers and they offered them as they had seen the Prophet (s) offer them.

So was the matter during the reign of Abu Bakr until he died in the year thirteen of hijra and then Umar became the caliph. In that year Umar fasted at Ramadan and offered the prayers as the Prophet (s) and Abu Bakr had done without any change. When the next Ramadan of the fourteenth year of hijra came, Umar with some of his companions came to the mosque. He saw the people busy offering supererogatory prayers; some rising, some prostrating, some reciting the Qur'an and some glorifying Allah in a scene that did not please him and he saw that he had to reform this "unpleasing" scene; therefore he legislated the prayer of Taraweeh⁴ for them to be offered at the beginning of night and to be offered congregationally. He sent his books to the different countries and appointed two imams in Medina; one for men and the other for women to lead the people in offering Taraweeh prayer congregationally. This fact has been

¹ No! but owing to the verdicts of the Book and the Sunna!!

² Nightly prayer during Ramadan.

³ Supererogatory practice (prayer).

⁴ Nafila is a prayer offered in the nights of Ramadan. The Sunni offer it congregationally while we, the Shia, offer it individually as the Prophet (s) has offered and as he has ordered: "Offer prayers as you see me offering them." *

mentioned in many true traditions.

Al-Bukhari and Muslim mentioned in their Sahihs that the Prophet (s) had said: "He, who spends the nights of Ramadan in offering its supererogatory worships faithfully and sincerely, Allah will forgive all his previous sins." The Prophet (s) died and the rites of Ramadan were still as they were; nothing changed even at the time of Abu Bakr and some period of Umar's rule.¹

Al-Bukhari mentioned in his Sahih too that Abdurrahman bin Abdul Qarriy² had said: "One night of Ramadan I went with Umar to the mosque. People were scattering here and there and each one was busy doing something. Umar said: "I see if I could gather them to one imam it would be better." Then he decided and gathered them to Ubayy bin Ka'b. I went with Umar in another night and we saw the people offering the prayer behind their imam. Umar said: "How good heresy it is!"

Allama al-Qastalani said³ when mentioning this saying of Umar "How good heresy it is": "He (Umar) called it "heresy" because the messenger of Allah (s) had not decided it to be congregational nor to be offered at the beginning of night nor had Abu Bakr (may Allah be pleased with him) decided that..." The same has been mentioned in Tuhfat al-Bari and other books of Hadith.

Allama Abul Waleed Muhammad bin Shuhna said in his book Rawdhat al-Manadhir when mentioning the death of Umar among the events of the year twenty-three of hijra: "He was the first who had prohibited selling bondwomen, the first who had made people say four Takbeer "Allahu akbar-Allah is great" in the prayer of funerals, the first who had gathered people to an imam in offering Taraweeh Prayer..."

As-Sayooti mentioned in his book Tareekh al-Khulafa' the initiatives

¹ Sahih of al-Bukhari, vol.1 p.233, Sahih of Muslim, vol.1 p.283.

² Abdul Qarriy was the official of Umar over the treasury. He narrated traditions from Umar, Abu Talha, Abu Ayyoob and Abu Hurayra. His son Muhammad, az-Zuhri and Yahya bin Ja'da bin Hubayra narrated traditions from him. He died in the year eighty of hijra.

³ In the fourth page of his book Irshad as-Sari fee Sharh Sahih al-Bukhari, vol.4.

of Umar that he had quoted from al-Askari¹ saying: "He (Umar) was the first to be called Amcerul Mo'mineen, the first who had decided Taraweeh prayer to be congregational and to be offered at the beginning of night in Ramadan, the first who had prohibited temporary marriage, the first who had made people say four Takbeers in the prayer of funerals..."

Muhammad bin Sa'd said in his *Tabaqat*: "He (Umar) was the first who had decided Taraweeh prayer to be congregational and to be offered at the beginning of night in Ramadan and ordered people to follow that and sent his books with this order to the different countries. It was in Ramadan of the year fourteen of hijra. He appointed two imams to lead the prayer of Taraweeh in Medina; one for men and the other for women..."

Ibn Abdul Birr said in his book *al-Istee'ab* when mentioning the biography of Umar: "It was he, who had lit the month of fasting (Ramadan) with the prayer of Taraweeh."

These scholars (may Allah forgive them) saw that Umar had found out (with his Taraweeh) a wisdom that Allah and His messenger had been inattentive of.

It was they themselves who were inattentive of the wisdom of Allah and His laws and systems. The wisdom behind not legislating supererogatory prayers of Ramadan to be offered congregationally is to let a believer be alone with his Lord in the heart of night in his house invoking Him, complaining to Him his grief, supplicating, repenting, hoping, resorting and confessing that there is no shelter save Allah's and there is no savior save Him.

Therefore Allah has let the obligations of Ramadan free from the tie of congregation to let the believers be alone with their Beneficent Lord in a spiritual connection. Making these obligations congregational may limit their use and benefit.

In addition to that; offering these Nafilas individually would not deprive the houses of blessing and honor of prayers and it would

¹ He was al-Hasan bin Abdullah bin Suhayl bin Sa'eed bin Yahya surnamed as Abu al-Laghawi. He had written a book called *al-Awa'il* (the firsts or the initiatives).

encourage the young generation to love prayers and to try imitating their parents and grandparents. This would have great effect on children and would fix faith in their minds and hearts.

Once Abdullah bin Mass'ood asked the Prophet (s): "Which is better; to pray in my house or in the mosque?"

The Prophet (s) said: "Do you not see how near to the mosque my house is? To pray in my house is more beloved to me than to pray in the mosque except for the obligatory prayers." This has been mentioned by Ahmad, ibn Maja, ibn Khuzayma and Zakiyuddeen Abdul Adheem bin Abdul Qawiy al-Munthiri.

Zayd bin Thabit narrated that the Prophet (s) had said: "O people, offer your prayers in your houses except for the obligatory prayers because offering prayers in the house is better." It has been mentioned by an-Nassa'iy and ibn Khuzayma.

Anass bin Malik narrated that the Prophet (s) had said: "Honor your houses with some of your prayers." The Prophet (s) also said: "The example of the house, in which Allah is mentioned, and the house, in which Allah is not mentioned, is like an alive and a dead." It has been mentioned by al-Bukhari and Muslim.

Jabir bin Abdullah narrated that the Prophet (s) had said: "If one of you finishes his prayer in the mosque, let him give a share of his prayer to his house. Allah will grant his house with good because of his prayer (in it)." It has been mentioned by Muslim, ibn Khuzayma and others.

But the caliph Umar (may Allah be pleased with him) was a man of organizing and strictness. He admired the congregational prayers, which had great social benefits which our ulama had discussed in full details. The Islamic Sharia has not ignored this side of the obligatory prayers but at the same time it has let the Nafilas to the other benefits of people. Allah has said: *"And it behooves not a believing man and a believing woman that they should have any choice in their matter when Allah and His Messenger have decided a matter. Qur'an, 33:36"*

27. THE PRAYER OF FUNERALS

The Prophet (s) was used to say five Takbeers (Allahu akbar-Allah is great) in the prayer for the dead but the second caliph Umar admired to say only four Takbeers and he made people do that too. Many scholars have mentioned this fact such as as-Sayooti in his book *Tareekh al-Khulafa'*, ibn Shuhna in his book *Rawdhatul Manadhir* and others.

Professor Khalid Muhammad Khalid has also mentioned this in his book *Democracy* which we have mentioned above.

Ahmad bin Hanbal mentioned in his *Musnad*¹ a tradition narrated by Zayd bin Arqam that Abdul A'la had said: "Once I offered a prayer for a dead behind Zayd bin Arqam and he recited five Takbeers. Abu Eesa Abdurrahman bin Abu Layla came to him (to Zayd), caught his hand and said to him: "Have you forgotten?" Zayd said: "No, but I have offered the prayer behind my beloved Abul Qassim (the Prophet) (s) and he recited five Takbeers. I will not give up that forever."

Zayd bin Arqam has offered the prayer of funeral for the companion Sa'd bin Jubayr, who was famous as Sa'd bin Habta,² and recited five Takbeers as mentioned by ibn Hajar in his *Isaba* and by ibn Qutayba in his *Ma'arif*.

Ahmad bin Hanbal mentioned a tradition narrated by Huthayfa that Yahya bin Abdullah al-Jabir had said: "Once I offered a prayer of funerals in al-Mada'in behind Eesa the mawla of Huthayfa and he recited five Takbeers and then he turned towards us and said: "I have neither forgotten nor have I mistaken but I have recited Takbeer as my master Huthayfa bin al-Yaman have offered a prayer for a dead and he have recited five Takbeers and then he turned towards us and said: "I have neither forgotten nor have I mistaken but I have offered the Takbeers as the Prophet (s) have recited

¹ Vol.4 p.370.

² Habta was his mother.

them.”¹

28. BEQUEATHING BETWEEN BROTHERS AND SISTERS

Allah has said: *“They ask you for a decision of the law. Say: Allah gives you a decision concerning the person who has neither parents nor offspring; if a man dies (and) he has no son and he has a sister, she shall have half of what he leaves, and he shall be her heir she has no son; but if there be two (sisters), they shall have two-thirds of what he leaves; and if there are brethren, men and women, then the male shall have the like of the portion of two females; Allah makes clear to you, lest you err; and Allah knows all things. Qur’an, 4:176”*

The verse is clear in concerning the obligation of bequeathing between brothers and sisters if the bequeather has no children. The word “son” here refers to the boy and the girl all the same.²

But Umar bin al-Khattab interpreted the word “son” mentioned in the verse to mean the male offspring only and so he equalled in inheritance between the daughter of a bequeather (a dead man) and his full sister; therefore he gave each of them a half of the inheritance. Then all the four Sunni sects followed him in this concern.

As for the infallible imams of Ahlul Bayt (s) and their followers, they have agreed unanimously on that the brothers and sisters and other relatives of a bequeather would have no right in the inheritance if the bequeather had a child whether it was a boy or a girl and whether it was one child or more. Their evidence was the saying of Allah: *(and those who are akin are nearer one to another in the ordinance of Allah)*. They are too strict in depriving the other relatives of the inheritance if the bequeather has children even if it is one daughter. He, who wants to know more about the traditions of the Shīa about the subject of inheritance, can refer to *Wassa’il ash-Shīa ila Ahkam*

¹ Mentioned by Ahmad in his *Musnad*, vol.5 p.406, and by ath-Thahabi in his *Mizan al-Itidal* from *Jareer ad-Dhabbi* from Yahya al-Jabir.

² The lexicons of the Arabic language prove this matter clearly. Allah says: (Allah enjoins you concerning your (sons) children: The male shall have the equal of the portion of two females) 4:11. When an Arab man begets a girl he may say: By Allah, it is not a good son! In Arabic “son” refers to either a boy or a girl.

ash-Sharia and the other Shiite books of Hadith.

Once ibn Abbas was asked about a man who had died and left a daughter and a full sister. He said: "The sister has no right to take anything from the inheritance and the daughter takes a half of the inheritance as her obligatory right and the other half belongs to her because she is the nearest relative to the dead man." The asker said to ibn Abbas: "But Umar has judged something else!" Ibn Abbas said: "Are you more aware than Allah?" The asker said: "I could not be certain of that until I asked ibn Tawoos and mentioned to him what ibn Abbas had said. Ibn Tawoos said to me: "My father told me that he had heard ibn Abbas saying: "Allah has said: (*if a man dies (and) he has no son and he has a sister, she shall have half of what he leaves*) but you say: she shall have half of what he leaves even if he has a son (child)."¹

29. SHORTAGE OF INHERITANCE

The Muslims have disagreed about the permissibility of shortage of inheritance. Shortage of inheritance is that inheritance becomes less than the shares of the heirs. For example when the heirs are two sisters and a husband; each sister should get a third of the inheritance and the husband should get a half of it.

The matter was ambiguous for the second caliph Umar. He did not know which of them Allah had given priority to the other so that he would give him/her priority and so he determined to distribute the shortage among the all according to the proportion of their shares and this was the utmost result he could reach to achieve justice when the matter became ambiguous to him.

But the infallible imams and the ulama of Ahlul Bayt (s) have known the prior and the later in this matter (and the people of a house are more aware of what there is in it).

Imam Abu Ja'far al-Baqir (s) has said: "Ameerul Mo'mineen Ali (s) said: "He (Allah), Who has counted the grains of the sand of Aalige,

¹ Mustadrak of al-Hakim, vol.4 p.339 and it has been mentioned by many other scholars of Hadith.

knows that the shares (of inheritance) do not exceed six¹ if they (people) know the ways of their solution."

Ibn Abbas often said: "Whoever likes I will challenge him before Allah near the Black Rock (in the Kaaba). Allah has never mentioned in His Book two halves and a third." He also said: "Glory be to Allah, the Almighty! Do you think that He, Who has counted the sand of Aalige, has made in an inheritance a half and a half and a third? These two halves cover all the inheritance so where will the third be?" It was said to him: "O ibn Abbas, then who was the first one who had lessened (changed) the shares?" He said: "When the shares of inheritance became confused to Umar and they conflicted with each other, he said: "By Allah, I do not know which of you Allah has given priority and which of you He has made later! I cannot but to distribute the inheritance equally among you." Ibn Abbas said: "By Allah, if you give priority (in distributing inheritance) to those, whom Allah has given priority and you delay those, whom Allah has delayed, no share of inheritance will be lessened." It was said to him: "Which one Allah has given priority and which one He has delayed?" He said: "Every share Allah has not replaced except with another obligatory share (to the same heir) is the one that He has given priority and every share that may be omitted if being conflicted with others is the one that Allah has delayed. Allah has given priority to the husband (of the (dead) bequeather) who should have a half of the inheritance but if another share conflicts with his, he should have a quarter. The same is said about the wife and the mother. But as for the shares that He has delayed they are the shares of the daughters and sisters who should have a half and two thirds but if there are other shares that conflict with theirs, they should get the remainder of the inheritance. If what Allah has given priority and what He has

¹ People at the time of Imam Ali (s) usually supposed everything to be of six parts as people nowadays suppose twenty-four carats. Imam Ali (s) wanted to say: would that you know the solutions of the shares when they conflict with each other! They do not exceed six shares. Since you do not perceive the ways of (distributing) the six shares, you add to the six inasmuch as the shortage. For example if the heirs are two parents, two daughters and a husband, the parents have two shares of the six, the two daughters have four (and so the six shares are complete) and then you add one and a half to the husband and so the shares exceed the six and become seven and a half shares and this is impossible to be imposed by Allah at all.

made later (of the shares) gathered together, those, which Allah has given priority, should be given first and if something of the inheritance remains, it should be given to the heirs, whom Allah has made later." This tradition has been mentioned by the Second Martyr in his book *ar-Rawdha*.

Al-Hakim has mentioned in his *Mustadrak*¹ that ibn Abbas had said: "The first one, who had lessened the shares (of inheritance), was Umar. By Allah, if he has given priority (in distributing the shares of inheritance) to those, which Allah has given priority and he has delayed those, which Allah has delayed, no share would be lessened." It was said to him: "Which of them Allah has given priority and which of them He has delayed?" He said: "Each share that Allah has not replaced except with another obligatory share (to the same heir) is the one that Allah has given priority like the shares of a husband, a wife and a mother and every share that is omitted if being conflicted with others is the one that Allah has delayed like the shares of sisters and daughters who should have the remainder of the inheritance. If what Allah has given priority and what He has delayed gather together, the prior heirs should be given their shares first and the remainder of the inheritance should be given to the others..."²

Hence if a husband, a mother and daughters are the heirs, the husband and the mother should be given their second (replaced) shares; a quarter of the inheritance for the husband, a sixth for the mother and the remainder of the inheritance should be divided equally between the two daughters. If there are sisters among these heirs, they will not deserve anything of the inheritance at all because the ranks of heirs due to kinship according to the belief of the infallible imams of Ahlul Bayt (s) and their followers are three; the first rank includes a father and a mother (without their fathers and mothers), sons and daughters, the second rank includes brothers, sisters, grandfathers and grandmothers and the second rank includes

¹ Vol.4 p.340.

² Al-Hakim said, after mentioning this tradition: "This is a true tradition according to the conditions of Muslim but they (al-Bukhari and Muslim) did not mention it in their *Sahihs*." Ath-Thahabi has mentioned it confessing its truthfulness. We have accurate researches on this subject in our book *The Answers of Musa Jarrullah*, let them be referred to.

uncles and aunts (both father and mother's brothers and sisters). No one from the second rank inherits the bequeather if there is an heir from the first rank and so on. (*...and the possessors of relationships are nearer to each other in the ordinance of Allah*). This is the belief of the infallible imams of Ahlul Bayt (s), whom Allah and His messenger have made as equal as the Book until the Day of Resurrection, and this is the belief of all of the Shia. Two sisters from the second rank will not inherit the bequeather if his mother is alive and Allah, the Almighty, is more aware!

30. INHERITANCE OF GRANDFATHER WHEN THERE ARE BROTHERS

Al-Bayhaqi mentioned in his Sunan and in Shu'abul Eeman¹ that Umar had asked the Prophet (s) about the inheritance of a grandfather when there were other brothers and the Prophet (s) had said to him: "O Umar, why do you ask about this? I think that you will die before you will have understood this matter." The narrator of this tradition, Sa'eed bin al-Musayyab, said: "Umar died before understanding this matter."

Umar has been confused in this matter throughout his rule that he has given seventy different judgments on it. Ubayda as-Salmani said: "I have written down one hundred different judgments determined by Umar on the matter of the inheritance of grandfather."² Umar himself said: "I have decided on the matter of grandfather's inheritance many judgments that I might have deviated from the truth."³ At last Umar referred to Zayd bin Thabit in this matter.

Tariq bin Shihab az-Zuhri said: "Umar bin al-Khattab has decided on the matter of the inheritance of grandfather when there were other brothers with him different judgments and then he gathered the companions and brought a tablet to write on it. They thought that he would make the grandfather (mentioned in the verse) as a father⁴ but

¹ And mentioned by al-Muttaqi al-Hindi in Kanzol Ummal, vol. 6 p.15.

² Mentioned by ibn Shayba and al-Bayhaqi in their Sunan and ibn Sa'd in his Tabaqat and al-Muttaqi al-Hindi in Kanzol Ummal, vol. 6 p.15.

³ Kanzol Ummal, vol. 6 p.15 from al-Bayhaqi in Shu'ab al-Eeman.

⁴ It means to be treated as a father concerning the matter of inheritance.

at this time a snake appeared and they separated. Then Umar said: "If Allah has willed to fix it, he would have done so." Then Umar went to Zayd bin Thabit in his house and said to him: "I have come to you about the matter of the grandfather and I want to make him as a father." Zayd said to him: "I do not agree with you to make him as a father." Umar became very angry and went away. Later on he sent for Zayd. Zayd wrote down his opinion about the matter on a tablet and sent it to Umar. When it reached Umar, he made a speech before the people and read for them what Zayd had written on the tablet and said: "Zayd has given his opinion about the matter of grandfather and I have approved it."¹

31. COMMON INHERITANCE

The case was that a woman had died and left a husband, a mother, two brothers from her mother but not her father and two other brothers from her mother and father at the reign of the second caliph Umar. This case was offered twice before the caliph. In the first time he judged to give the dead woman's husband his share, which was the half of the inheritance, to give her mother her share, which was a sixth, to give her two brothers from her mother the third; sixth to each of them and he excluded her two full brothers.

In the second time Umar wanted to decide the same judgment but one of the dead women's full brothers said to him: "Suppose our father is a donkey, then you are to join us with our brothers due to our relation to our mother." And then he distributed the third of the inheritance among the four brothers equally. A man said to Umar: "You have not done so in that year!" Umar said: "That case was as we have judged then and this one is as we judge now."²

¹ Hayat al-Haywan (animal life) by ad-Dimyari, chap. (Hayya-snake). He, who wants to see the confusion of Umar in this matter, can refer to the books of Hadith, the matter of inheritance. For example, let refer to Kanzol Ummal and Mustadrak of al-Hakim when talking about inheritance.

² Mentioned by al-Bayhaqi and ibn Abu Shayba in their Sunan and by Abdurrazaq in his Jami' as in Kanzol Ummal, vol. 6 p.7, and mentioned by ash-Sharqawi in his Hashiya printed with al-Tahreer by Sheikh Zakariyya al-Ansari. The author of Majma' al-Anhur fee Sharh Multaqa al-Abhur said: "Firstly Umar believed in not participating all the brothers in the inheritance of their mother and then he changed his mind. The

This case has been called as "al-Himariya" because one of the brothers has said to Umar: "Suppose that our father is a donkey (himar)..." It might also been called as al-Hajariyya or al-Yammiyya because it has been narrated that one of the brothers has said to Umar: "Suppose that our father is a rock (hajar) thrown in the sea (yamm)." Also it might be called as "al-Umariyya" because Umar has had two different judgments on it. It has also been called as "common inheritance".¹ It was one of the famous cases among the jurists of the four Sunni sects although they have disagreed among them about it; Abu Haneefa and his two companions, Ahmad bin Hanbal, Zafar, and ibn Abu Layla thought that the two full brothers had had no right of their mother inheritance as Umar had decided in the first time while Malik and ash-Shafi'iy thought that the two full brothers had the right to participate with their other two brothers in the third of their mother's inheritance as Umar had decided in the second time.

As for the infallible imams of Ahlul Bayt (s) and their Shia, they have divided the heirs according to their relationship into three orderly classes. No one of the next class would inherit if someone of the previous class was available at all. Mother, according to the Shia, is from the first class unlike brothers and sisters, who are from the second class. This has been detailed full in the jurisprudence of the Shia. According to this principle, the judgment on this case would be as the following; the husband would get half of the inheritance as his due right and the rest would be for the mother of the dead woman; some of it as her due right and the other would belong to her because she was the nearest relative (first class) to the dead. No one of the brothers and sisters would get anything of the inheritance since their mother's mother was alive.

reason behind changing his mind was that he had been asked about the case and he answered according to his own opinion concerning the matter of inheritance and then one of the full brothers said to him: "O Ameerul Mo'mineen, if we suppose that our father is a donkey, are we not from one mother?" Umar pondered a little and then he said: "You are right. You all are from one mother." Then he spread the third of the inheritance among all of them." This event has been mentioned in this way by Ahmad Ameen in his book *Fajr al-Islam*, p.285.

¹ For more details refer to *Taj al-Arooss* by al-Wasiti.

32. THE SHARE OF THE HEIRS

Allah has said: *"Men shall have a portion of what the parents and the near relatives leave, and women shall have a portion of what the parents and the near relatives leave, whether there is little or much of it; a stated portion. Qur'an, 4:7"* and *"Allah enjoins you concerning your children: The male shall have the equal of the portion of two females. Qur'an, 4:11"* All the verses of bequeathing and inheriting are in the same way of being general. They are mentioned in Sura of an-Nissa' (4). So are the true traditions and the consensus of the umma concerning this subject.

Imam Abu Abdullah Ja'far as-Sadiq (s) has said: "Islam is to witness that there is no god but Allah and that Muhammad is the messenger of Allah, with which the bloods (of the Muslims) are spared and according to which marriages and inheriting are managed."

Imam Abu Ja'far Muhammad al-Baqir (s) has said: "Islam is as it appears via sayings and doings. It is that on which the groups of people of all the Islamic sects. It is that with which the bloods are spared, according to which marriages and inheriting are managed and with which people have gathered together on prayers, zakat, fasting Ramadan and offering the hajj. With it all these people have got out of unbelief and entered into faith."

But Malik bin Anass has mentioned in his Muwatta' that Sa'eed bin al-Musayyab had said: "Umar bin al-Khattab refused to give the non-Arabs¹ their inheritances except one who was born from Arab parents." Malik added: "If a pregnant woman comes from the land of the enemy and gives birth to her child in the land of the Arabs, then her child will inherit her when she dies and she will inherit her child when he dies according to the Book of Allah."²

¹ Refusing to give the non-Arabs their inheritance might be because that it had not been proved to Umar that those people were legal heirs or that the dead was a Muslim and the heirs were unbelievers or that it had not been proved to Umar that they were among the relatives of the dead who would have deserved to inherit him. Allah is more aware!

² Muwatta' of Malik, vol.2 p.11.

33. UNCLE'S INHERITANCE FROM HIS SISTER'S SON

Sa'eed bin Mansoor mentioned in his Sunan: "Once a man recognized his sister, who had been taken captive in the pre-Islamic period. He found her with a son but he had not known who the father of the son was. He bought them both and set them free (for they were as slaves). The son (when he grew up) gained some wealth and then he died. The uncle came to ibn Mass'ood and told him the matter. Ibn Mass'ood asked him to go to Umar and then to come back to tell him what Umar would say. He went to Umar and told him his matter. Umar said to him: "He (the nephew) is not your relative and he is not included in the verdicts of inheritance." Umar refused to let the man inherit his nephew. The uncle went back to ibn Mass'ood and told him what Umar had said. Ibn Mass'ood came with the man to Umar and said to him: "How did you give this fatwa to this man?" Umar said: "I have not found him as one of his blood relations nor has he been among those who have deserved inheritance; therefore I have not permitted him to inherit that young man. What do you think, O Abu Abdullah?" Ibn Mass'ood said: "I see him as a kin (for being his uncle) and a benefactor (for he has set his nephew free from being as a slave) and so I see that he has the right to inherit his nephew." And then Umar annulled his first judgment and permitted the man to inherit his nephew."

This event has been mentioned by al-Muttaqi al-Hindi in his *Kanzol Ummal*, vol. 6 p.8. This fatwa would have been true if the mother had died before her son.

34. IDDAH OF A PREGNANT WOMAN

Al-Bayhaqi mentioned in his book *Shu'ab al-Eeman* that once a pregnant woman had asked Umar for a legal judgment saying to him: "I have given birth to my child after the death of my husband and before the end of my iddah." He asked her to wait until the end of the longest one of the two terms of iddah.¹ Ubayy bin Ka'b objected to Umar at the presence of the woman and said to him that her iddah had ended since she had given birth to her child and he permitted her to get married before the end of the four months and ten days (of

¹ Four months and ten days.

the iddah). Umar said nothing to the woman save this statement: "I am hearing what you are hearing"¹ and he gave up his fatwa. After that Umar agreed with Ubayy bin Ka'b and said: "If she had given birth to her child and her husband was still not buried yet, she could get married."² The followers of the four Sunni sects have followed this principle until nowadays.

But we, the Shia, have found in the holy Qur'an two verses opposing each other concerning the iddah of a woman whose husband dies while she is pregnant; in the first verse Allah has said: "*and (as for) the pregnant women, their prescribed time is that they lay down their burden.* Qur'an, 65:4" and in the second one He has said: "*And (as for) those of you who die and leave wives behind, they should keep themselves in waiting for four months and ten days.* Qur'an, 65:4" A pregnant woman, whose husband dies, can get married after giving birth to her child if she follows the first verse even if she has not passed the period of iddah mentioned in the second verse but if she follows the second verse, she can get married only after passing the period mentioned in the verse even if she has not given birth to her child yet. In both suppositions she will object to one of the verses and she cannot follow both of the verses at the same time unless she will wait until passing the longer of the two periods (either to pass four months and ten days or until giving birth to her baby) and then she has no way except to do that. This is what has been narrated from Imam Ali (s) and ibn Abbas.³ The Shia have followed their imams in acting according to this opinion.

Note

The Muslims have disagreed on the beginning of the iddah of death,⁴ which is four months and ten days. The Sunni believe that the iddah of death begins since the husband dies whether the wife knows of her husband's death or she does not know because of his being far away

¹ Kanzol Ummal, vol. 5 p.166.

² Sunan of al-Bayhaqi, Sunan of ibn Abu Shayba and Kanzol Ummal, vol. 5 p.166.

³ Mentioned by az-Zamakhshari in his Kashshaf when interpreting this verse (*and (as for) the pregnant women, their prescribed time is that they lay down their burden*). This is the opinion of Ahlul Bayt (s) and it is the most cautious opinion.

⁴ When a wife's husband dies.

from her or because of any other reason.

As for the Shia, they believe that the iddah of death begins when a wife knows of her husband's death even if the death has taken place some time ago. She has no right to get married until she passes the iddah, which is four months and ten days, since the moment she knows of her husband's death. And then she can get married according to the clear verse after passing the iddah and after the mourning that a wife has to show after the death of her husband.

35. MARRYING A MISSING HUSBAND'S WIFE

Ad-Dawaleebi said:¹ "...also Umar has judged according to his own opinion concerning the wife of a missing husband. He judged that a wife of a missing husband can get married after passing four years since the absence of the husband and after passing the iddah even if it had not been proved that her husband had died so that the wife would not remain in suspense forever. So was the opinion of Malik bin Anass which was unlike the opinion of the Hanafites and the Shafiites who believed that a wife had to wait until she would become certain of her husband's death because he would be considered as alive until a certain evidence on his death would appear. But the opinion of Umar was worthy of being regarded because it protected the wife of a missing husband from certain harms and dangers. He permitted the wife of a missing husband to get married despite that this decision opposed the clear texts of the Sharia, on which the rest of jurists depended. This was not but changing the verdicts according to the change of the conditions which must be regarded to avoid some harms. The Prophet (s) had said: "No harm (to be done against the others) and no reciprocal harm!" Allah had said: "*and He has not laid upon you any hardship in religion.* Qur'an, 22:78" In doing so, Umar did not annul the legal texts but he activated them in the light of the benefit and according to the different circumstances..."

As for the Shia, they have followed their infallible imams of Ahlul Bayt (s) in this matter. They have had fixed texts deciding according to the apparent principles. These texts say that when no information

¹ In his book *Usool al-Fiqh*, p.241.

can be obtained about a missing husband, his wife, if there is someone spends on her, must wait until her husband comes or his death is proved or something like that. But if the wife has no one to spend on her, she can bring her case to the legal judge to decide. When she does so, the judge will begin to search for the missing husband for four years in the possible places, in which the husband can be found, otherwise he looks for him in everywhere since the moment when the wife offers her case before him. Then the judge divorces her or he orders her guardian (the one who is responsible for her) to decide. It is necessary that the guardian may decide first but if he refuses to divorce her, then the judge is to divorce her but after passing the period of researching or after the return of the messengers who go to look for the missing husband or the like. After that the wife spends the period of the iddah of death which is four months and ten days and then she can get married. If the missing husband comes back during her iddah, he will have the right to marry her again but if he comes back after the iddah, he will have no right to marry her whether he finds her married or not. This is the principle of the Shia on this matter according to their infallible imams (s).

36. SELLING BONDWOMEN

All the Sunni Muslims of the four sects have confirmed that the one, who had prohibited selling bondwomen, was Umar whereas it had been permissible at the time of the Prophet (s), the reign of Abu Bakr and some time of Umar's rule. They have considered that as one of Umar's virtues as they have considered Taraweeh Prayer and its likes.

But the scholars, who have looked for the truth of this matter, found in the true prophetic traditions that the Prophet (s) had prohibited selling bondwomen and so found that Umar had followed those traditions and acted according to them. He (Umar) said to his son Abdullah that he had heard the Prophet (s) saying: "A bondwoman is not to be sold, nor to be given as a gift, nor to be bequeathed and not to be considered as entailment. Her owner enjoys himself with her along his life. When he dies, she is to be set free."

Ibn Abbas narrated that the Prophet (s) had said: "Every bondwoman, who gives birth to a child from her master, becomes free after his death."

These two traditions have been mentioned by Abu Ja'far Muhammad bin al-Hasan at-Toossi in his book *al-Khilaf*, vol.2. And according to the apparent meaning of the two traditions, it was clear that Umar had not prohibited selling bondwomen due to his own opinion, but he had acted according to the tradition of his son Abdullah and the tradition of Ibn Abbas.

But Sheikh at-Toossi was forced by the traditions of the infallible imams of Ahlul Bayt (s) about this subject to interpret these two traditions in a way to make them submit to the doctrine of Ahlul Bayt (s). He said: "When a bondwoman gives birth to a child from her master while she is still in his possession, she will have the right to be free due to her bearing a child. It is not permissible to sell a pregnant bondwoman and when she gives birth to her child, she is still in the possession of her master and she is not permissible to be sold as long as her child is alive but when her child dies, she may be sold anyhow. If her master dies, she is made in the possession of her child and then she is set free due to that. If her master does not leave save her, the share of her child (in her) is set free and she becomes among the shares of the rest of the heirs. Such was the opinion of Ali (s), Ibn az-Zubayr, Ibn Abbas, Abu Sa'eed al-Khidri, Ibn Mass'ood, al-Waleed bin Uqba, Suwayd bin Ghafla, Umar bin Abdul Aziz, Ibn Seereen and Abdul Melik bin Ya'la. Dawood said: "It is permissible to dispose of her in any way" but he did not give any details. Abu Haneefa, his companions, ash-Shafi'iy and Malik said: "She is not permissible to be sold nor to be disposed of in any way but she is to be set free when her master dies."

Sheikh at-Toossi added: "Our evidence on that is the consensus of the sect (the Shia) and their traditions. Also there is no disagreement on the possibility of being slept with by her possessor but if she becomes dispossessed, sleeping with her becomes not possible. The rule says that she is a slave and he, who pretends that she is freed after the death of her master, has to show the evidence on that. The tradition narrated by Ibn Abbas that the Prophet (s) had said: "Every

bondwoman, who gives birth to a child from her master, becomes free after his death" means that when her master dies and she becomes her child's possession, then she is set free due to that. The tradition narrated by Abdullah bin Umar that the Prophet (s) had said: "A bondwoman is not to be sold, nor to be given as a gift, nor to be bequeathed and not to be considered as entailment. Her owner enjoys himself with her along his life. When he dies, she is to be set free" means that she cannot be sold as long as her child is alive. When her master dies, she is set free due to what we have said in the first tradition."

37. NECESSITY OF TAYAMMUM¹ WHEN THERE IS NO WATER

It suffices as evidence on this matter that Allah has said in the sura of al-Ma'ida: "*O you who believe! when you rise up to prayer, wash your faces and your hands as far as the elbows, and wipe your heads and your feet to the ankles; and if you are under an obligation to perform a total ablution, then wash (yourselves) and if you are sick or on a journey, or one of you comes from the privy, or you have touched the women, and you cannot find water, betake yourselves to pure earth and wipe your faces and your hands therewith.* Qur'an, 5:6" and He has said in the sura of an-Nissa': "*O you who believe! do not go near prayer when you are intoxicated until you know (well) what you say, nor when you are under an obligation to perform a bath, unless (you are) traveling on the road, until you have washed yourselves; and if you are sick, or on a journey, or one of you comes from the privy or you have touched the women, and you cannot find water, betake yourselves to pure earth, then wipe your faces and your hands; surely Allah is Pardoning, Forgiving.* Qur'an, 4:43"

The true traditions on this matter are many and one confirming the other and all the umma has agreed unanimously on that except Umar, the only one who had contradicted the consensus. The famous traditions narrated from him showed that he had believed that one, who had no water, had not to offer the prayer until he would find

¹ Tayammum is performing ritual ablution, before offering prayers and other obligations, with earth when there is no water.

water.¹

Al-Bukhari and Muslim mentioned in their Sahihs a tradition narrated by Sa'eed bin Abdurrahman bin Abzi from his father that once a man had come to Umar and said to him: "I have been in ritual impurity and I could not find water to perform the ritual ablution." Umar said to him: "Do not offer the prayer!" Ammar bin Yassir was present then. Ammar said: "O Ameerul Mo'mineen, have you not remembered once when you and I were in a brigade (during a war) and we became impure and could not find water (to perform ablution). You did not offer the prayer but I rubbed myself with earth and offered the prayer. Then the Prophet (s) said: "It would have sufficed you to hit the earth with your hands and then you blow and rub your face and your two hands." Umar said: "O Ammar, fear Allah!" Ammar said: "If I do not narrate it!!"² Umar said: "We will see how to deal with you!"

It has been said that ibn Mass'ood had adopted the opinion of Umar in this matter. Al-Bukhari, and others, mentioned a tradition that Shaqeeq bin Salama had said: "Once I was with Abdullah bin Mass'ood and Abu Musa al-Ash'ari. Abu Musa asked Abdullah bin Mass'ood: "O Abu Abdurrahman, if one becomes impure and he does not find water, what will he do then?" Abdullah bin Mass'ood said: "He does not offer the prayer until he finds water." Abu Musa said: "Then how about the saying of Ammar when the Prophet (s) has said to him: "It would have sufficed you to..."?" Ibn Mass'ood said: "Do you not see that Ammar has not been satisfied with that?" Abu Musa said: "Let us put the saying of Ammar aside! What do you do with this verse..." he recited to him the verse of Tayammum mentioned in the sura of al-Ma'ida. Abdullah did not know what to say."³

I say: Abdullah bin Mass'ood was cautious in his speech with Abu Musa because he feared both Umar and Abu Musa. There is no doubt in that. Allah is more aware!

¹ Irshad as-Sari fee Sharh Sahih al-Bukhari by al-Qastalani, vol.2 p.131.

² Ammar said that out of his fear from Umar because the saying of Umar "We will see how to deal with you" was as a threat to Ammar.

³ Sahih of al-Bukhari, vol.1 p.50.

38. TWO SUPEREROGATORY RAK'AS AFTER ASR PRAYER

Muslim mentioned in his Sahih¹ a tradition narrated by Urwa bin az-Zubayr from his father that Aa'isha (the Prophet's wife) had said: "The Prophet (s) had never ignored the two rak'as (which he had been used to offer) after Asr prayer in my house at all."

He also mentioned a tradition narrated by Abdurrahman bin al-Aswad from his father that Aa'isha had said: "There were two prayers that the messenger of Allah (s) had never ignored, when being in my house, neither secretly nor openly; two rak'as before Fajr Prayer and two rak'as after Asr Prayer."

He mentioned another tradition that al-Aswad and Masrooq had said: "We witness that Aa'isha has said: "Whenever the messenger of Allah (s) was in my house, he offered the two rak'as after Asr prayer."

But Umar bin al-Khattab prohibited them (these two rak'as) and punished whoever offered them.

Malik mentioned in his Muwatta'² a tradition narrated by ibn Shihab from as-Sa'ib bin Yazeed who said that he had seen Umar bin al-Khattab beating al-Mukandar³ because he had offered two rak'as after Asr prayer.

Abdurrazaq mentioned that Zayd bin Khalid had said that once the caliph Umar had seen him offering two rak'as after Asr prayer and beaten him for that...then Umar said: "O Zayd, unless I fear that people may take it (the prayer after Asr prayer) as a (ladder) to prayer until the night, I will not punish for it."

He also mentioned a tradition like that narrated by Tameem ad-Dariy but he said in it "...Umar said: "...but I fear that some people may come after you that they offer prayers since the afternoon until

¹ vol.1 p.309.

² At the end of the chapter (prohibiting praying (two rak'as) before Fajr prayer and after Asr prayer.

³ Ibn Muhammad bin al-Mukandar al-Qarashi at-Taymi al-Madani, as in Sharh al-Muwatta' by az-Zarqani.

the sunset that they may offer prayers during the time,¹ at which the Prophet (s) had prohibited from offering prayers.”

39. DISPLACING ABRAHAM'S TEMPLE

The temple of Prophet Abraham (s) is the rock by which the pilgrims offer prayer according to the saying of Allah: “*Take as your place of worship the place where Abraham stood (to pray)*”. Qur'an, 2:125”

Abraham and Ishmael (s), when building the House, stood on this rock to hand over rocks and clay. The rock was stuck to the Kaaba but the Arabs after Prophet Abraham (s) moved it to its place nowadays. When Allah has sent Muhammad (s) as the prophet and granted him with means of power, he stuck the rock to the Kaaba again as it had been at the time of his fathers Abraham and Ishmael. When Umar became the caliph, he displaced it as it is nowadays. At the time of the Prophet (s) and the time of Abu Bakr the rock was stuck to the Kaaba.²

In the seventeenth year of hijra Umar enlarged the mosque by adding to it some of the companions' houses around it. The companions had refused to sell their houses but Umar tore down their houses and put their prices in the treasury until they, later on, took their monies.³

¹ He meant the time of sunset that the Prophet (s) had forbidden from offering prayers in. The true prophetic traditions about this matter have been mentioned in the books of Hadith. Malik in his Muwatta' mentioned a tradition from ibn Umar that the Prophet (s) had said: “Do not offer prayers at the sunshine nor at the sunset.” The wisdom behind this was that the umma should not imitate the Magi in their worshipping the sun when shining and when setting. But the caliph Umar became cautious to prevent the Muslims from offering prayers after Asr prayer at all and not only the time of the sunset. And so he contradicted the Sharia even if he intended to do good. Would that he had been satisfied with prohibiting offering this prayer without beating the servants of Allah while offering their prayers before their Lord!

² Tabaqat of ibn Sa'd, vol.3 p.204, Tareekh al-Khulafa' of as-Sayooti, p.53, Sharh Nahjol Balagha of ibn Abul Hadeed, vol.3 p.113, Kitab al-Haywan of ad-Dimyari, Tareekh Umar by Abul Faraj al-Jawzi p.60.

³ Mentioned by ibn al-Atheer in Al-Kamil, the events of the 17th year of hijra and by other historians.

40. *WEEPING FOR THE DEAD*

The sorrow of man for losing his lovers and his crying for them are parts of the sentiment of human beings besides that they are among the requirements of mercy if they are not accompanied with bad sayings and doings.

The Prophet (s) has said: "Whatever comes out of the heart and the eye is from Allah and mercy and whatever comes out of the hand and the tongue is from the Satan."¹

The Muslims have done so everywhere and always without having any evidence to prohibit it. The necessity required it (sorrowfulness or crying) to be permissible.

In fact the Prophet (s) himself has cried in many occasions and he has approved the others when crying in many occasions and admired it (crying) in other occasions. In fact he might have invited to it.

The Prophet (s) has cried for his uncle Hamza, the lion of Allah and the lion of His messenger. Ibn Abdul Birr and other historians said "When the Prophet (s) saw Hamza killed, he cried and when he saw him mutilated, he sobbed."²

Al-Waqidy said: "The Prophet (s) often cried when Safiyya³ cried and he sobbed when she sobbed." He added: "Fatima began crying and the messenger of Allah (s) began crying too for her crying."⁴

Anass bin Malik said: "When the army of the Muslims was in Mu'ta, Zayd took the banner but he was injured. Then Ja'far took the banner and he was injured too. Then Abdullah bin Rawaha took the banner and he was injured too. The Prophet's eyes were shedding tears..."⁵

Ibn Abdul Birr said in his *al-Istee'ab*: "The Prophet (s) cried for Ja'far and Zayd and he said: "They are my brothers, friends and

¹ A tradition narrated by ibn Abbas and mentioned by Ahmad in his *Musnad*, vol. I p.335.

² *Al-Istee'ab* by ibn Abdul Birr, biography of Hamza bin Abdul Muttalib.

³ She was the Prophet's aunt.

⁴ *Sharh Nahjol Balagha*, vol. 3 p.387.

⁵ *Sahih of al-Bukhari*, vol. I p.148, vol.3 p.39.

talkers.”

Anass said: “...then we came to him (to the Prophet (s)) while Ibraheem (the Prophet’s son) was dying. The Prophet’s eyes began shedding tears. Abdurrahman bin Ouff said to him: “Do you cry while you are the messenger of Allah?!” The Prophet (s) said: “O ibn Ouff, it is mercy!” Then he cried again and said: “The eye sheds tears and the heart becomes sad but we do not say what discontents our Lord. O Ibraheem, we are sad for your leave!”¹

Ussama bin Zayd said: “The daughter of the Prophet (s) sent for him that one of her sons had died. The Prophet (s) went with Sa’d bin Ubada, Ma’ath bin Jabal, Ubayy bin Ka’b and Zayd bin Thabit. The Prophet (s) lifted the boy while his breath was still clattering. The Prophet’s eyes began shedding tears. Sa’d said: “O messenger of Allah, what is this?” The Prophet (s) said: “It is mercy that Allah has put in the hearts of His people. Allah has mercy on the merciful ones of His people...”²

Abdullah bin Umar said: “One day Sa’d bin Ubada became ill. The Prophet (s) came to visit him with Abdurrahman bin Ouff, Sa’d bin Abu Waqqas and Abdullah bin Mass’ood. He found him in the middle of his relatives. The Prophet (s) asked: “Is he dead?” They said: “No, O messenger of Allah.” The Prophet (s) began crying. When the people saw the Prophet (s) crying, they began crying too. Then the Prophet (s) said: “Allah does not punish for the tears of the eyes nor for the sadness of the heart but He punishes and has mercy (on people) for this.” He pointed to his tongue.”³

Ibn Abdul Birr said in al-Istee’ab: “When the Prophet (s) was informed that Ja’far had been martyred, he went to his wife (Ja’far’s wife) Asma’ bint Umays and consoled her. Then Fatima (s) (the Prophet’s daughter) came in crying and saying: “O uncle!” The Prophet (s) said: “Let the criers cry for one like Ja’far!”⁴

¹ Sahih of al-Bukhari, vol.1 p.154.

² Sahih of al-Bukhari, vol.1 p.152, Sahih of Muslim, vol.1 chap. Crying for the dead.

³ Sahih of al-Bukhari, vol.1 p.155, Sahih of Muslim, vol.1 p.341.

⁴ In this tradition the Prophet (s) has approved crying for the dead and ordered of it. In fact the crying of Fatima (s) only could be enough evidence on the subject.

The historians like ibn Jareer, Ibnul Atheer, ibn Katheer and ibn Abd Rabbih mentioned the tradition of ibn Umar that Ahmad bin Hanbal had mentioned in his Musnad.¹ Ibn Umar narrated: "When the Prophet (s) (and his army) had come back from the battle of Uhud, the women of the Ansar began crying for their killed husbands. The Prophet (s) said: "But Hamza has no one crying for him!" Then the Prophet (s) went to bed. When he waked up, he heard the women crying. He said: "Then they are crying for Hamza today."

Ibn Abdul Birr in al-Istee'ab quoted from al-Waqidy his saying: "The women of the Ansar, after this saying of the Prophet (s) "But Hamza has no one crying for him", did not cry for a dead one of the Ansar unless they cried for Hamza first."

Crying for Hamza at the time of the Prophet (s), the time of the companions and the time of the companions' successors was clear evidence on the permissibility of the crying for one like Hamza even if it was a long time since he had died.

The saying of the Prophet (s) "But Hamza has no one crying for him" and his saying "Let the criers cry for one like Ja'far" proved that crying for (good) dead people were desirable.

In spite of all that, Umar bin al-Khattab had prohibited crying for a dead man whatever great he was. In fact he beat with a stick, threw with stones and threw soil on whoever cried for the dead. He did that since the time of the Prophet (s) and he kept on that until the end of his life.²

Ahmad bin Hanbal mentioned in his Musnad a tradition narrated by ibn Abbas about the death of Ruqayya, the Prophet's daughter, and the crying of women for her and then he said: "...Umar began beating the women with his whip. The Prophet (s) said to him: "Let them cry!" The Prophet (s) sat by the tomb and Fatima (s) was crying beside him. The Prophet (s) began wiping Fatima's eyes with his dress compassionately."³

¹ Vol.2 p.40.

² Al-Bukhari's Sahih, vol. 1 p.255.

³ vol.1 p.335.

Ahmad also mentioned in his Musnad¹ a tradition narrated by Abu Hurayra that once a procession of funerals passed by the Prophet (s). Among them there were some women crying. Umar scolded them. The Prophet (s) said: "Let them cry. The heart is sad and the eye is shedding tears."²

Aa'isha and Umar were in disagreement on this matter. Umar and his son Abdullah narrated that the Prophet (s) had said: "A dead is tortured because of the crying of his relatives for him\her." In another tradition: "...because of some of his relatives' crying" in a third saying "because of the crying of (people of) the quarter" in a fourth one "he is tortured in his grave whenever it is cried for him" in a fifth one "whoever is cried for, is tortured". All these sayings are untrue due to reason and tradition.

An-Nawawi said, when mentioning these sayings: "All these narrations have been narrated by Umar and his son Abdullah. Aa'isha denied that and accused them of being forgetting or mistaken. She refuted their sayings by reciting the saying of Allah: *(no bearer of burden shall bear the burden of another)*.

Ibn Abbas and all of the infallible imams of Ahlul Bayt (s) have denied these traditions and confirmed that the narrators were mistaken. Aa'isha and Umar were still in disagreement about this matter until Aa'isha cried for her father when he died. Because of that there were some things happened between them. At-Tabari mentioned in his Tareekh al-Khulafa', vol.4 when talking about the events of the thirteenth year of hijra, that Sa'eed bin al-Musayyab had said: "When Abu Bakr died, Aa'isha (with her fellow women) began crying for him. Then Umar came to her house and forbade her and the other women from crying for Abu Bakr. They refused to refrain from crying. Umar said to Hisham bin al-Waleed: "Go inside the house and bring me the daughter of ibn Abu Qubafa (Aa'isha the daughter of Abu Bakr)." Aa'isha said to Hisham when she heard the

¹ vol.2 p.333.

² One day during his caliphate, Umar heard some women crying inside one of the houses. He came into the house and began beating the crying women until their veils fell down of their heads. Then he said to his servant: "Beat the weeping women...beat them. They have no sanctity..." Refer to Sharh Nahjol Balagha, vol.3 p.111.

saying of Umar: "I forbid you from entering my house." Umar said to Hisham: "Enter the house! I have permitted you." Hisham went in and brought Umm Farwa, Abu Bakr's sister, to Umar. Umar began beating Umm farwa with his stick. When the crying women heard that, they separated here and there."

Here we attract the attention of the men of understanding to search about the reason that has led Fatima (s) to be away from the country when she wanted to cry for her father (s). She went, with her two sons and her fellow women, to al-Baqee' (graveyard). They cried for the Prophet (s) under the shadow of a tree there and when this tree was cut, Imam Ali (s) built her a house in al-Baqee' to weep for her father in it. It was called "the house of sorrows". This house had been visited by the different generations of this umma like the other sacred places. This house was demolished recently by the order of King Abdul Aziz bin Sa'ood al-Jundi when he prevailed over Hijaz and he destroyed the sacred places in al-Baqee' according to his Wahabite belief. It was in the year 1344 A.H. In the year 1339 we have got the honor of visiting this house (the house of sorrows) when Allah has granted us with the favor of offering the hajj and visiting the Prophet (s) and the places of his pure family in al-Baqee'.

41. THE PROPHET (S) CONFIRMS TRUTHFULNESS OF HATIB

Al-Bukhari mentioned in his Sahih a tradition narrated by Abu Owana that Hussayn had said: "Once Abu Abdurrahman and Habban bin Atiyya disputed. Abu Abdurrahman said to Habban: "I knew what had encouraged your friend-he meant Ali-to shed the bloods." Habban said: "Woe unto you! What was that?" Abu Abdurrahman said: "Something I have heard him saying it." Habban said: "What is it?" Abu Abdurrahman said: "Ali said: "One day the Prophet (s) sent for us; me, az-Zubayr and Abu Marthad, and all of us were knights, and he said to us: "You go to Rawdhat Haj.¹ There is a woman there having a letter from Hatib bin Abu Balta'a to the polytheists. Bring me the letter." We set out on our horses until we found the woman where the Prophet (s) had said to us that she was on a camel. Hatib had written a letter to the people of Mecca informing them that the

¹ It may be Rawdat Khakh, which is a place between Mecca and Medina.

Prophet (s) would attack them. We asked the woman: "Where is the book which you have?" She said: "I do not have any book." We made her camel kneel down and we searched her baggage but we did not find any book. My two companions said: "We do not think that she has a book." I (Ali) said: "We know well that the Prophet (s) has not told a lie." Then I swore: "By Him, Who is sworn by, either you take out the book or I shall disrobe you."¹ She took the letter out of her garment." They brought the letter to the Prophet (s). Umar said: "O messenger of Allah, he (Hatib) has betrayed Allah, His messenger and the believers. Let me behead him!" The Prophet (s) said to Hatib: "O Hatib, what made you do that?" Hatib said: "O messenger of Allah, I still believe in Allah and His messenger but I wanted to do the people (the polytheists) a favor so that they would not harm my family and properties. Every one of your companions there has someone of his tribe to defend his family and properties." The Prophet (s) said to his companions: "He is right. Do not say to him save good." Umar said again: "O messenger of Allah, he has betrayed Allah, His messenger and the believers. Let me behead him!"²

It was necessary for Umar no to say that after the Prophet (s) had told them that Hatib was right and after he had ordered them not to harm him.

42. THE PROPHET'S BOOK TO HIS EMIRS

Malik bin Anass and al-Bazzaz mentioned³ that the Prophet (s) had sent books to his emirs asking them that when they wanted to send him their mails they should make their letters and books with fine titles and in fine forms. When Umar knew that, he got up saying: "I do not know! Shall I say or shall I keep silent?" The Prophet (s) said to him: "O Umar, say!" Umar said to the Prophet (s): "You have forbidden us from being pessimistic but how do you become pessimistic now?" The Prophet (s) said: "I am not pessimistic but I have chosen the best."

¹ Imam Ali (s) threatened to disrobe her of her outer garment in which the book was.

² Al-Bukhari's Sahih, vol. 4. chap. Forgiving the apostatized.

³ As in Hayat al-Haywan by ad-Dimyari, chap. "luqha" she-camel.

43. DIVIDING THE CHARITIES

Ahmad bin Hanbal mentioned in his Musnad¹ that Salman bin Rabee'a had heard Umar saying: "One day the Prophet (s) distributed charities among some people. I said to him: "O messenger of Allah, there are other people who are more deserving than these people; they are the people of the Suffa."² The Prophet (s) said: "You ask me greedily (and at the same time) you intend to make me miser while I am not."

But the division has been done as Allah and His messenger willed. Abu Musa said that Umar had asked the Prophet (s) about some things that the Prophet (s) disliked until he became angry. Umar saw the anger in the Prophet's face.³

44. THE PROPHET (S) ORDERS UMAR TO HIDE HIS FAITH

Muhyiddeen ibn al-Arabi mentioned that the Prophet (s) had said to Umar bin al-Khattab, when he had become a Muslim: "Keep your faith secret." But Umar refused to do that and he announced his being a Muslim openly.⁴

Necessity then required the Muslims to conceal their faith because the mission would not succeed except with concealment but the (valor) of Umar led him to announce his being a Muslim even if he would contradict the order of the Prophet (s)!

45. FASTING AT THE BEGINNING OF ISLAM

In Ramadan, at the beginning of Islam, a fasting Muslim could eat, drink, sleep with his wife and do the other permissible things since the sunset until he offered Isha' prayer or he slept. If he offered Isha' prayer or he slept, it would be impermissible for him to eat, to drink, to sleep with his wife or to do other things that were not permissible

¹ Vol. 1 p.20.

² Suffa means shed, in which the neediest people lived at that time. It was erected beside the mosque of the Prophet (s).

³ Al-Bukhari's Sahih, vol. 1 p.19.

⁴ Tareekh Falsafatul Islam (history of the philosophy of Islam) by Muhammad Lutfi, p.301.

for a fasting one until the next night. But one night after Isha' prayer Umar slept with his wife. He regretted what he had done. He came to the Prophet (s) and said to him: "O messenger of Allah, I apologize to Allah and to you my mistaken soul..." He told the Prophet (s) of what he had done. Then some men got up and confessed that they often did as Umar had done after Isha' prayer. Then Allah revealed to the Prophet (s) this verse: *"It is made lawful to you to go into your wives on the night of the fast; they are an apparel for you and you are an apparel for them; Allah knew that you acted unfaithfully to yourselves, so He has turned to you (mercifully) and removed from you (this burden); so now be in contact with them and seek what Allah has ordained for you, and eat and drink until the whiteness of the day becomes distinct from the blackness of the night at dawn, then complete the fast till night. Qur'an, 2:187"* The verse showed clearly that they disobeyed Allah more than one time but Allah had forgiven them and accepted their repentance and He permitted them to practice what had been impermissible for them as mercy from Him.

46. PROHIBITING WINE

Allah has revealed three verses about wine; the first was: *"They ask you about intoxicants and games of chance. Say: In both of them there is a great sin and means of profit for men, and their sin is greater than their profit. Qur'an, 2:219"*

After this verse some of the Muslims drank wine and others refrained from drinking it until a man offered his prayer while he was drunk and so he mistook in reciting the verses in the prayer. Then Allah revealed: *"O you who believe! do not go near prayer when you are intoxicated until you know (well) what you say. Qur'an, 4:43"* After the revelation of this verse some Muslims drank wine and some others gave it up. Some historians mentioned that one day Umar drank wine and then he took a jawbone of a camel and struck Abdurrahman bin Ouff on the head. Then he sat weeping for the killed people of the battle of Badr and reciting some poetry of al-Aswad bin Ya'fur:

*"Is he unable to keep death away from me,
or resurrect me when my bones become destroyed?"*

*Is there someone who tells the Beneficent
that I have given up the month of fast?*

Say to Allah to prevent me my drink

And say to Allah to prevent me my food."

The Prophet (s) was informed of that and he became very angry. He went out dragging his garment and he hit Umar with something he had in his hand. Umar said: "May Allah save me from His wrath and from the wrath of His messenger!" Then Allah revealed: "*The Shaitan only desires to cause enmity and hatred to spring in your midst by means of intoxicants and games of chance, and to keep you off from the remembrance of Allah and from prayer. Will you then desist.* Qur'an, 5:91" Umar said: "We desist! We desist!"¹

47. THE PROPHET (S) FORBIDS FROM KILLING AL-ABBAS AND OTHERS²

During the battle of Badr the Prophet (s) said to his companions: "I know that some men of Bani Hashim have been forced to go to the battle (to fight against the Muslims) unwillingly. We have no need to fight them. When you meet any one of them (the Hashemites), you are not to kill him and if any one of you meets Abul Bukhturi bin

¹ Al-Mustatraf fee Kulli Fanin Mustadhraf by Shihabuddeen al-Absheehi, vol.3 chap.74. It has also been quoted by some scholars from Rabee'ul Abrar by az-Zamakhshari. Al-Fakhr ar-Razi has referred to some of this event in his Tafsee al-Kabeer, vol.3 p.446 when interpreting the Qur'anic verse (*The Shaitan only desires to cause enmity and hatred to spring in your midst by means of intoxicants and games of chance*). He said: "It has been narrated that when Allah has revealed (*O you who believe! do not go near prayer when you are intoxicated*), Umar said: "O Allah, declare to us a full declaration about wine! And when this verse (*The Shaitan only desires to cause enmity and hatred to spring in your midst by means of intoxicants and games of chance, and to keep you off from the remembrance of Allah and from prayer. Will you then desist*) was revealed, Umar said: "O our Lord, we desist!"

² The Prophet (s) has forbidden from killing al-Abbas (the Prophet's uncle). It has been mentioned in many true traditions and the books of Hadith are full of such traditions. All the historians, who have recorded the history of the battle of Badr, have mentioned this and mentioned that the Prophet (s) had forbidden from killing any one of the Hashemites.

Hisham bin al-Harith bin Asad, he has not to kill him¹ and if any of you meets al-Abbas bin Abdul Muttalib (the Prophet's uncle) he has not to kill him because he has gone to war unwillingly."

The Prophet (s) has forbidden his companions from killing any one of the Hashemites and then he has forbidden them from killing his uncle al-Abbas especially to confirm and to stress on that al-Abbas were not to be killed. When al-Abbas had been captured as prisoner, the Prophet (s) had spent that night sleeplessly. His companions asked him: "O messenger of Allah, why could you not sleep?" He said: "I heard my uncle writhing in his ties and I could not sleep." They went and set al-Abbas free of his ties and then the Prophet (s) could sleep.²

Yahya bin Katheer said: "On the day (the battle) of Badr the Muslims have captured seventy men of the polytheists, among whom was al-Abbas, the Prophet's uncle. Umar bin al-Khattab was responsible for tying him. Al-Abbas said: "O Umar, by Allah, what leads you to tighten my ties is because of my slapping you for the sake of the messenger of Allah."

The Prophet (s) heard the moaning of al-Abbas and he could not

¹ Al-Bidayeh wen-Nihayeh by ibn Katheer, vol.3 p.284 and other books of history like Seera of ibn Isshaq. The Prophet (s) has forbidden his companions from killing Abul Bukhturi because he was one of those who had broken the bond (as-Saheefa) of the blockade against the Hashimites and he was among those who had not harmed the Prophet (s) or showed him what he disliked. The Prophet (s) intended to keep him alive so that Allah might guide him to the right path one day. In the thick of the battle al-Mujthir bin Ziyad al-Balawi met Abul Bukhturi and said to him: "The messenger of Allah (s) has forbidden us from killing you." Abul Bukhturi had a companion with him. He was Junada bin Maleeha from bani Layth who had come with him from Mecca. Abul Bukhturi said to al-Mujthir: "Will my friend not be killed too?" Al-Mujthir said: "No by Allah, we will not leave your friend. The messenger of Allah has ordered us about you alone." Abul Bukhturi said: "Then I will die with him. I do not let the women of Quraysh in Mecca say that he has left his friend alone for the sake of his own life." They fought each other until al-Mujthir killed him. Then al-Mujthir came to the Prophet (s) and said to him: "I swear by Him, Who has sent you with the truth! I have insisted on him to be as prisoner to bring him to you but he refused except to fight me. We fought each other until I killed him."

² It has been mentioned by the historians who have recorded the events of the battle of Badr.

sleep. The companions asked: "O messenger of Allah, what prevents you from sleeping?" He said: "How can I sleep while I hear the moaning of my uncle?" Then the Ansar set him free..."¹

All the Prophet's companions of the Ansar, the Muhajireen and others knew well what high position Abul Fadhl al-Abbas had near the Prophet (s). When the Prophet (s) heard the word of Abu Huthayfa bin Utba bin Rabee'a bin Abd Shams, who fought with the Prophet (s) in Badr, when he said: "Do we kill our fathers and brothers and we leave al-Abbas free? By Allah, if I meet him, I will strike him with the sword" he became very angry for that and then he said to Umar provoking his zeal: "O Abu Hafs, is it right that the face of the Prophet's uncle is struck with the sword?" Umar said: "By Allah, it was the first day that the Prophet (s) had called me as Abu Hafs."²

The war came to an end. The Prophet (s) gained victory and his army returned with honor. Seventy of the tyrants were killed and other seventy of them were captured. The prisoners were brought dragging their ties. Abu Hafs (Umar) began inciting to kill them with severe words. He said: "O messenger of Allah, they have (considered you as a liar) disbelieved in you, exiled you and fought you. Would you permit me to kill so-and-so (one of his relatives) and permit Ali to kill his brother Aqeel and permit Hamza to kill his brother al-Abbas?"

Glory be to Allah! Al-Abbas and Aqeel were neither among those who had considered the Prophet (s) as a liar nor among those who had exiled him nor among those who had harmed him! They were with him in the Shi'b during the long period of the blockade against the Hashimites suffering distresses with him. They had been taken to the battle unwillingly as the Prophet (s) himself had witnessed and the Prophet (s) had forbidden his companions from killing them under the heat of the war so how would they be killed while they were captives? As the withering of al-Abbas had worried the Prophet (s) and prevented him from sleeping, then how would he become if his

¹ Kanzol Ummal, vol. 5 p.272, also mentioned by ibn Asakir.

² Al-Bidayeh wen-Nihayeh, vol.3 p.285.

uncle was killed for no reason? Al-Abbas had been a Muslim before that but he had concealed his faith for a wisdom behind which there was contentment to Allah and His messenger and goodness to him and to the umma.¹

48. TAKING RANSOM FROM THE PRISONERS OF BADR

¹ Ahmad Zayni Dahlan, the Mufti of the Shafiites, said in his book *as-Seera an-Nabawiyya*, vol.1 p.504 when mentioning al-Abbas during the battle of Badr: "Al-Abbas, according to what the scholars and historians had said, had become a Muslim a long time ago but he had concealed his faith. He became delighted when the Muslims obtained victory. The Prophet (s) often told him of his secrets when he was in Mecca and he always accompanied the Prophet (s) when going to invite the different tribes to believe in Islam. Al-Abbas always encouraged the tribes to support the Prophet (s). He had attended the homage of al-Aqaba which was between the Prophet (s) and the Ansar. All that showed that he was a Muslim. The Prophet (s) had ordered him to stay in Mecca in order to write to him the secrets and news of Quraysh. When Quraysh wanted to go to the war in Badr and called upon people to fight (against the Muslims) he could not but to go with them; therefore the Prophet (s) had said on the day of Badr: "He, who meets al-Abbas, has not to kill him because he has gone to the war unwillingly." This did not contradict the Prophet's saying when he asked him for redemption: "Apparently you were against us" because his being apparently against them did not contradict his being with them in his innerness. The Prophet (s) treated him according to his apparent condition to please the hearts of the companions where he had treated their fathers, sons and tribes in the same way. Al-Abbas had properties and monies near the people of Quraysh and he feared that if he had announced his being a Muslim, his properties would have been lost among them. He had concealed his faith according to the order of the Prophet (s). The Prophet (s) himself had not told his companions about the faith of his uncle out of his kindness to his uncle and because he had feared that his uncle's monies would have been lost. The Prophet (s) had had another aim in concealing his uncle's faith. He wanted him to be as a spy to bring him the news of Quraysh. But then when Islam prevailed over Quraysh on the day of conquering Mecca, al-Abbas declared his faith openly. He had not declared his faith until the conquest of Mecca. Al-Abbas often asked the Prophet (s) to permit him to immigrate to Medina to be with the Prophet (s) but the Prophet (s) wrote to him: "Your stay in Mecca is better to you." In another tradition the Prophet (s) had written to him: "O uncle, stay in the place where you are. Allah will complete the hijra (emigration) with you as he has completed prophethood." And it was so because al-Abbas was the last emigrant for he had met the Prophet (s) in al-Abwa' where he had not known that the Prophet (s) had gone to conquer Mecca and then he went back with him..." Al-Halabi in his *Seera* has had clearer speech about the preceding faith of al-Abbas and his wife Umm al-Fadhil, who had immigrated to the Prophet (s) too early. Let you refer to that and to the sayings of the other scholars about this subject.

When Allah has granted His servant and messenger with victory on the day of distinction, the day on which the two parties met; the prisoners have been brought to the Prophet (s). It seemed then that he would keep them alive so that Allah might guide them to His religion later on; and it happened by the grace of Allah!

But the Prophet (s) decided, after forgiving them, to take ransom from them in order to weaken them so that they would not be able to stand against him again and that he would be stronger than them with that ransom. This was the best for the two parties and it was the loyalty to Allah and to His people undoubtedly; *"Nor does he speak out of desire. It is naught but revelation that is revealed."* Though the Prophet (s) was merciful in nature and wherever he found a way he would not fail to show his mercy.

Umar thought that all of the prisoners should be killed as a reward because they had considered the Prophet (s) as a liar, harmed him, exiled him and fought him. Umar was too determined to do away with them and that they should be killed by their Muslim relatives.

But the Prophet (s) had exemplified the word of Allah: *"I follow naught but what is revealed to me; surely I fear, if I disobey my Lord, the punishment of a mighty day."* Qur'an, 10:15"

The Prophet (s) forgave them and set them free after taking the ransom. After that those, who were ignorant of his infallibility and wisdom, became as if they *"cannot arise except as one, whom the Satan has prostrated by (his) touch, does rise. That is because they say"* that the Prophet (s), when keeping them (the prisoners) and taking ransom from them, acted according to his own ijtihad (opinion)¹ whereas the right thing for him was to kill them and to get rid of their evil. They depended on false and fabricated traditions that neither reason nor custom would accept.

Among those false traditions was this one: "After the Prophet (s) had taken the ransom from the prisoners of Quraysh (and set them free), Umar came to him and found him and Abu Bakr crying. Umar said to them: "What are you crying for?" The Prophet (s) said: "We are about to be afflicted with a great torment because we have

¹ Ad-Dahlani in his *as-Secra an-Nabawiyya*, vol.1 p.512.

contradicted (Umar) ibn al-Khattab. If torment comes down, no one will be safe from it except ibn al-Khattab.”¹ (they said) then Allah revealed: *“It is not fit for a prophet that he should take captives unless he has fought and triumphed in the land; you desire the frail goods of this world, while Allah desires (for you) the hereafter; and Allah is Mighty, Wise. Were it not for an ordinance from Allah that had already gone forth, surely there would have befallen you a great chastisement for what you had taken to. Qur’an, 8:67-68”*

“And they did not assign to Allah the attributes due to Him” when they went far in deviation and ascribed ijtiHAD to the Prophet (s) whereas Allah said: *“It is naught but revelation that is revealed.”* They were too ignorant when they thought that the Prophet (s) had been mistaken and they went astray to the full when they preferred the saying of other than the Prophet (s). They became confused with this verse and became blind before its intents. They said that it had been revealed to scold the Prophet (s) and his companions when they-as the fool had pretended-preferred the pleasures of this life to the afterlife by keeping the prisoners alive and taking ransom from them before they *“had fought and triumphed in the land.”* They pretended that no one innocent of that sin save Umar and if the great chastisement would come down, no one would be safe from it except Umar!

Had told lies he who had pretended that the Prophet (s) had kept the prisoners and taken ransom from them before he (*had fought and triumphed in the land*). The Prophet (s) did that after he had fought and killed the heroes and tyrants of Quraysh like Abu Jahl bin Hisham, Utba, Shayba bin Abu Rabee’a, al-Waleed bin Utba, al-Aass bin Sa’eed, al-Aswad bin Abdul Asad al-Makhzoomi, Umayya bin Khalaf, Zam’a bin al-Asad, Aqeel bin al-Aswad, Nabeeh, Munabbih, Abul Bukhturi, Handhala bin Abu Sufyan, Tu’ayma bin Adiy bin Nawfal, Nawfal bin Khuwaylid, al-Harith bin Zam’a, an-Nadhr bin al-Harith bin Abd ad-Dar, Umayr bin Othman at-Tameemi, Othman

¹ As-Seera an-Nabawiyya by ad-Dahlani, vol.1 p.512, other traditions having somehow the same meaning mentioned in as-Seera by al-Halabi and al-Bidayeh wen-Nihayeh quoted from Ahmad bin Hanbal, Muslim, Abu Dawood and at-Tarmithi all narrated from Umar bin al-Khattab.

and Malik, the brothers of Talha, Mass'ood bin Umayya bin al-Mugheera, Qayss bin al-Faqih bin al-Mugheera, Huthayfa bin Abu Huthayfa bin al-Mugheera, Abu Qayss bin al-Waleed bin al-Mugheera, Amr bin Makhzoom, Abul Munthir bin Abu Rifa'a, Hajib bin as-Sa'ib bin Uwaymir, Ouss bin al-Mugheera bin Louthan, Zayd bin Malees, Aasim bin Abu Ouff, Sa'eed bin Wahab, Mo'awiya bin Abdul Qayss, Abdullah bin Jameel bin Zuhayr bin al-Harith bin Asad, as-Sa'ib bin Malik, Abul Hakam bin al-Ahnass, Hisham bin Umayya bin al-Mugheera...to the seventy heads of disbelief and the chiefs of polytheism. After all that how could the Prophet (s) have taken ransom before fighting? Would that they had minds! How did they dare to blame the Prophet (s) after his victories, O you Muslims?! Allah forbid! The Prophet (s) is too far above all what they have raved!

The fact was that the verse had been revealed to scold those who wanted to obtain the caravans and to capture their keepers as Allah had said about the event: *"And when Allah promised you one of the two parties that it shall be yours and you loved that the one not armed should be yours and Allah desired to manifest the truth of what was true by His words and to cut off the root of the unbelievers. Qur'an, 8:7"*

The Prophet (s) had consulted with his companions and said to them: "The people (the polytheists) have set out on their camels. Are camels more beloved to you or fighting?" They said: "Camels are more beloved to us than meeting the enemy." One of them said to the Prophet (s) when he saw him insisting on fighting: "You have better told us about fighting so that we could get ready for it. We have come to obtain the camels and not to fight." The Prophet (s) became too angry.¹ Then Allah revealed: *"Even as your Lord caused you to go forth from your house with the truth, though a party of the believers were surely averse. They disputed with you about the truth after it had become clear, (and they went forth) as if they were being driven to death while they saw (it). Qur'an, 8:5-6"*

Then Allah wanted to convince them by justifying the situation of the Prophet (s) in his insisting on fighting and in his indifference to the

¹ Al-Halabi's Seera, ad-Dahlani's Seera and other books of history.

camels and their keepers when He said: *"It is not fit for a prophet"* (from among the prophets who had come before your Prophet Muhammad) *"that he should take captives unless he has fought and triumphed in the land"* so your prophet would have no captives *"unless he has fought and triumphed in the land"* like the other previous prophets before him. But you wanted, by taking the camels and capturing their keepers, to obtain the pleasures of this life but Allah wanted the hereafter by doing away with His enemies and Allah is (Mighty, Wise). Might and wisdom at those days required to do away with the power of the enemies and to put out their flame. Then Allah said scolding them: *(Were it not for an ordinance from Allah that had already gone forth)* to prevent them from taking the camels and capturing their keepers, they would have captured the people and taken their camels. If they had done so *(surely there would have befallen you a great chastisement for what you had taken to)* before fighting in the land!

This is the meaning of the verse and it cannot be interpreted into other than this meaning. I do not know that there is someone preceding me in this interpretation when I have mentioned this verse and explained it in my book *al-Fusool al-Muhimma* (the important chapters).¹

49. PRISONERS OF HUNAYN

When Allah made His messenger defeat the tribe of Hawazin in Hunayn and granted him with that great victory, the caller of the Prophet (s) announced: "No prisoner is to be killed!" Umar bin al-Khattab passed by a tied captive called Ibn al-Akwa' who had been sent before by the tribe of Huthayl to Mecca as a spy on the Prophet (s) to convey the news of the Prophet (s) and his companions. When Umar saw him, he said: "This is the enemy of Allah. He had been spying on us. He is a captive here. Kill him!" One of the Ansar beheaded him. When the Prophet (s) was informed of that, he scolded them for doing that and said: "Have I not ordered you not to kill any captive?"²

¹ Chap. 8.

² Sheikh al-Mufeed's *Irshad*, chap. the battle of Hunayn.

After killing this one, they killed Jameel bin Ma'mar bin Zuhayr. The Prophet (s) sent for the Ansar while he was very angry. He said to them: "Why did you kill him whereas my messenger has come to you ordering you not to kill any prisoner?" They apologized and said that Umar had ordered them to kill the prisoner. The Prophet (s) became angry and deserted them (Umar) until Umayr bin Wahab interceded with him (for Umar) and then he forgave them.¹

Among those, who had been killed in Hunayn, was a woman from Hawazin. She was killed by Khalid bin al-Waleed. The Prophet (s) became very angry when he passed by her body, around which many people had gathered. The Prophet (s) said to one of his companions: "Follow after Khalid and said to him that the Prophet (s) orders you not to kill women, children or employees." It has been narrated by ibn Isshaq.

Ahmad bin Hanbal said: "Abu Aamir bin Abdul Melik narrated from al-Mugheera bin Abdurrahman from Abu az-Zinad from al-Muraqqi' bin Sayfi that his grandfather Rabah bin Rabee' had told him that once the Prophet (s) had come back from one of his battles where Khalid bin al-Waleed was the leader of the army. Rabah and the companions of the Prophet (s) passed by a killed woman, who had been killed by of the front of the army. They stopped looking at her astonishingly. When the Prophet (s) arrived, they spread out. The Prophet (s) stopped, looked at her and said: "She would not have fought!" He said to one of his companions: "Follow after Khalid and say to him not to kill a woman or an employee."² It has also been mentioned by ibn Dawood, an-Nassa'iy and ibn Maja from al-Muraqqi' bin Sayfi.

50. THE FLEERS FROM JIHAD

Allah has prohibited fleeing from jihad at all by this verse: *"O you who believe! when you meet those who disbelieve marching for war, then turn not your backs to them. And whoever shall turn his back to them on that day, unless he turn aside for the sake of fighting or withdraws to a company, then he, indeed, becomes deserving of*

¹ Sheikh al-Mufeed's Irshad, chap. the battle of Hunayn.

² Al-Bidayeh wen-Nihayeh by ibn Katheer, chap. The battle of Hunayn.

Allah's wrath, and his abode is hell; and an evil destination shall it be. Qur'an, 8:15-16"

It is a clear and absolute text in a clear verse of the holy Qur'an. But some of the companions have interpreted it according to their own opinions preferring the benefits to obeying the holy texts. In fact they have violated this clear text in many occasions.

One of those occasions was on the day of Uhud. Ibn Qam'a attacked Mus'ab bin Umayr (may Allah be pleased with him) and killed him thinking that he was the Prophet (s). He returned to Quraysh telling them that he had killed Muhammad. The polytheists began bringing good news to each other. They said: "Muhammad was killed! Muhammad was killed! Ibn Qam'a killed him." The Muslims were frightened and they fled unknowing what to do as Allah has said expressing their state: *"When you ran off precipitately and did not wait for any one, and the Messenger was calling you from your rear, so He gave you another sorrow instead of (your) sorrow. Qur'an, 3:153"*

The Prophet (s) was calling upon them: "O slaves of Allah, come to me! O slaves of Allah, come to me! I am the messenger of Allah. He, who attacks the enemy, will be in Paradise!" He was calling upon them while he was at the rear but they did not turn to any one at all (while fleeing).

Ibn Jareer and Ibnul Atheer mentioned in their Tareekh: "The defeat of the fleeing group of the Muslims, among whom was Othman bin Affan and others, took them to al-A'was. They stayed there for three days and then they came back to the Prophet (s) who said to them when he saw them: "You have gone where you liked!"¹

Ibn Jareer and Ibnul Atheer also mentioned that Anass bin an-Nadhr, who was the uncle of Anass bin Malik, met Umar, Talha and some of the Muhajireen, who had put their weapons aside and given up fighting. He asked them: "Why have you given up fighting?" They said: "The Prophet (s) has been killed". He said to them: "Then what do you do with life after him? Die for what the Prophet (s) has died for!" Then he attacked the polytheists and fought them until he was

¹ These details have been mentioned by all the historians who have talked about the Battle of Uhud.

killed. Seventy stabs and strokes were found in his body and no one could know him save his sister.

They mentioned that Anass bin an-Nadhr had heard some of the Muslims, among whom were Umar and Talha, saying when they heard that the Prophet (s) had been killed: "Would that Abdullah bin Abu Salool come to take safeguard for us from Abu Sufyan before they kill us!" Anass said to them: "O people, if Muhammad has been killed, the Lord of Muhammad has not been killed. Fight for what Muhammad has fought for! O Allah, I apologize to You for what these people say and acquit myself from what they do!" Then he fought until he was martyred.¹ Blessings of Allah be upon him.

And another one of those occasions was *"on the day of Hunayn, when your great numbers made you vain, but they availed you nothing and the earth became strait to you notwithstanding its spaciousness, then you turned back retreating. Then Allah sent down His tranquility upon His Messenger and upon the believers. Qur'an, 9:25-26"* who kept to the Prophet (s) when his companions fled; the companions among whom was Umar as al-Bukhari said in his Sahih² when mentioning a tradition that Abu Qatada al-Ansari had said: "...on the day of Hunayn the Muslims fled away and I fled with them. I saw Umar among the fleers. I said to him: "What is the matter with the people?" He said: "It is an affair of Allah..."

And another occasion; when the Prophet (s) marched to conquer Khaybar, he sent Abu Bakr at the head of the army. He was defeated and came back.³

Imam Ali (s) said: "The Prophet (s) marched to conquer Khaybar. He sent Umar at the head of the companions (the army). He and his companions were defeated and came back; one cowardling the other..."⁴

¹ This story has been mentioned by the historians who have detailed the events of the battle of Uhud.

² Vol.3 p.46. Al-Bidaych wen-Nihaych by ibn Katheer, vol.4 p.329 from al-Bukhari, Muslim and others.

³ Mustadrak of al-Hakim, vol.3 p.37, Talkhees al-Mustadrak by ath-Thahabi.

⁴ Mustadrak of al-Hakim, Talkhees al-Mustadrak of ath-Thahabi.

Al-Hakim mentioned in his Mustadrak¹ that Jabir bin Abdullah had said: "The messenger of Allah said: "Tomorrow I will send a man, who loves Allah and His messenger and they love him. He will not turn his back (to the enemy). Allah will grant him victory." The men looked forward to it. Ali was sore-eyed on that day. The Prophet (s) asked him to set out with the army. Ali said: "O messenger of Allah, I can see nothing." The Prophet (s) spit in Ali's eyes and gave him the banner. Ali asked: "O messenger of Allah, what shall I fight them for?" the Prophet (s) said: "To witness that there is no god but Allah and that Muhammad is the messenger of Allah. If they do, they will spare their bloods and monies and their reward will be with Allah." He fought them (the people of Khaybar) and defeated them."

Al-Hakim, after mentioning this tradition, said: "Al-Bukhari and Muslim have agreed on the tradition (of the banner) but they did not mention it in this way." So has been said by ath-Thahabi in his Talkhees after mentioning the tradition.

Iyass bin Salama narrated that his father had said: "We have fought with the Prophet (s) in Khaybar when he spit in Ali's eyes and they recovered and then the Prophet (s) gave him the banner. Marhab came out to Ali reciting:

*"Khaybar has known that I am Marhab,
Expert hero with sharp weapons
When wars come flaming."*

Ali (may Allah be pleased with him) came out to him reciting:

*"It is me, whom my mother has called me Haydara,
like a lion of forest with bad look.
I kill (many of) you with the sword."*

Ali struck Marhab and split his head and then the victory came."²

And another occasion during the battle of as-Silsila in the valley of ar-Raml (sand); it was like the battle of Khaybar. First the Prophet (s) sent Abu Bakr and then he came back defeated with his army.

¹ Vol.3 p.38.

² Mustadrak of al-Hakim, who said it was a true tradition according to the conditions of al-Bukhari and Muslim. So was said by ath-Thahabi in his Talkhees.

Then the Prophet (s) sent Umar who came back with defeat too. After that the Prophet (s) sent Imam Ali (s) who came back with victory, booties and captives.¹

The battle of as-Silsila is other than the battle of Thaat as-Salasil, which was in the seventh year of hijra under the leadership of Amr bin al-Aass. Abu Bakr, Umar and Abu Ubayda were among the army on that day according to all of the historians.

There were some problems between Umar and Amr bin al-Aass as al-Hakim has mentioned in his Mustadrak.² Abdullah bin Burayda narrated that his father had said: "The Prophet (s) had sent Amr bin al-Aass to the battle of Thaat as-Salasil as the leader of the army, in which Abu Bakr and Umar were as soldiers. When they arrived at the place of the battle, Amr ordered his army not to light any fire. Umar bin al-Khattab became angry and tried to attack Amr but Abu Bakr forbade him from doing that and said to him that the Prophet (s) had appointed Amr as the leader because he knew that he was expert in the affairs of the wars and then Umar became quiet."

Al-Hakim said, after mentioning this tradition, that it was true and ath-Thahabi said the same after mentioning the tradition in his Talkhees.

Note

The Prophet (s) had wise ways in announcing the virtues of Imam Ali (s) and in preferring him to the rest of the companions. The researchers knew that well.

Among these ways was that the Prophet (s) had never appointed any one as a leader over Imam Ali (s) neither in war nor in peace whereas the other companions had been under the leadership of others.³ The

¹ Refer to al-Irshad by Sheikh al-Mufeed for more details.

² Vol.3 p.43.

³ Once al-Hasan al-Basri was asked about Imam Ali (s) and he said: "What shall I say about one, who has obtained the four aspects; being entrusted with the sura of Bara'a, what the Prophet (s) has said about him in the battle of Tabook... if he missed any thing of virtues other than prophethood, the Prophet (s) would exclude him, the saying of the Prophet (s): ...the two weighty things; the Book of Allah and my family and that no emir has ever been appointed over him at all whereas the emirs have

Prophet (s) had appointed Amr bin al-Aass as the emir over Abu Bakr and Umar in the battle of Thaat as-Salasil. When the Prophet (s) left to the better world, Ussama bin Zayd, although he was too young, was the emir over the heads of the Muhajireen and the Ansar like Abu Bakr, Umar, Abu Ubayda and their likes.

When the Prophet (s) appointed Imam Ali (s) as a leader of an army, he joined to his army famous personalities but when he appointed other than him, he excluded him from those armies and kept him to be with him.¹

When the Prophet (s) sent two brigades; one under the leadership of Imam Ali (s) and the other under the leadership of another one, he ordered them that when the two brigades gathered together, both would be under the leadership of Imam Ali (s) and when they separated again, each one would lead his brigade.²

The Prophet (s), more than one time, had sent other than Imam Ali (s) on the armies but they came back unsuccessfully and then the Prophet (s) sent Imam Ali (s) to obtain great victories³ and in this

commanded other (companions) than him..." Refer to Sharh Nahjol Balagha, vol. 1 p.369.

¹ As he had done in the battle of Khaybar when he appointed Abu Bakr and then Umar as the leaders but he was not under their leaderships but when he appointed Imam Ali (s) as the leader, they both were under his leadership. Praise be to Allah for all of that!

² Ahmad bin Hanbal mentioned in his Musnad, vol.5 p.356 that Burayda had said: "The Prophet (s) had sent two armies to Yemen; one of them was under the leadership of Ali bin Abu Talib and the other was under the leadership of Khalid bin al-Waleed. He said to them: "If you meet together, Ali will be the leader of the two armies and if you separate, each one of you will lead his army." We met the tribe of Zubayda and we fought each other. The Muslims defeated the polytheists. We killed the warriors and captured the women. Ali chose a woman from among the captives to himself. Khalid sent a letter with me to the Prophet (s) telling him about that. When I came to the Prophet (s), I gave him the book. It was read to him. The sign of anger seemed on the face of the Prophet (s). I said: "O messenger of Allah, you have sent me with a man and ordered me to obey him and I did as I was ordered." The Prophet (s) said: "Do not involve yourself with Ali in any problem! He is from me and I am from him and he is your guardian after me." This tradition has been mentioned by other scholars of Hadith. Refer to our book al-Muraja'at, no.36.

³ As in the battle of Khaybar and the battle of Thaat as-Salasil mentioned above.

way the virtue of Imam Ali (s) appeared better than if the Prophet (s) would have sent him from the first.

The Prophet (s) might have sent other than Imam Ali (s) in a task, to which the necks stretched, and then Allah revealed to the Prophet (s) that: "No one is to carry out your tasks save you or a man from you" meaning Imam Ali (s) as it was with the matter of the sura of Bara'a and breaking the covenants of the polytheists on the day of the great hajj.¹

51. THE PROPHET (S) ORDERS HIS COMPANIONS NOT TO ANSWER ABU SUFYAN IN UHUD

On the day of Uhud, the Prophet (s) and his companions stopped at the bank of the valley and they let the mountain behind them. The polytheists were three thousand and seven hundred armored warriors and two hundred knights. There were fifteen women with them. The Muslims were two hundred armored fighters and two knights.

The two armies got ready to fight. The Prophet (s) (and his companions) turned his face to Medina and left the mountain of Uhud behind him. He made the archers, who were fifty men, behind him and appointed Abdullah bin Jubayr as their emir and said to him: "Keep the knights away from us by the arrows. Do not let them attack us from behind. Keep on your places whether we win or lose for we will not be attacked except from this defile (shi'b); the defile of Uhud."

Talha bin Othman, the bearer of the polytheists' banner, came out calling: "O companions of Muhammad, you claim that Allah will hasten us to Hell by your swords and He will hasten you to Paradise by our swords. Let some one of you, who wants to hasten me to Hell by his sword and to be hastened to Paradise by my sword, advance!"

Ibnul Atheer said in al-Kamil: "...Ali bin Abu Talib came out to him and struck him and his leg was cut. He fell to the ground and his private parts appeared. He begged Ali and Ali left him alone. He

¹ We have written a good research on this subject in our book Abu Hurayra. Please refer to p.157-188, tradition no.18.

weltered in his blood until he died. The Prophet (s) said: "Allahu akbar-Allah is great. The (ram) of the battalion!" The Muslims began crying: "Allahu akbar" after the Prophet (s). The Prophet (s) said to Ali: "What prevented you from finishing him off?" Ali said: "He begged me by Allah and kinship. I felt shy to kill him after that."

After that Imam Ali (s) withstood. He killed the bearers of the banner one after the other. Ibnul Atheer and other historians said: "The Muslims killed the bearers of the banner and it remained thrown on the ground; no one approached it. Then Amra bint Alqama al-Harithiyya took the banner and raised it and then Quraysh gathered around the banner. Then a slave of bani Abd ad-Dar, who was very strong, took the banner and he also was killed. He, who had killed the bearers of the banner, was Ali bin Abu Talib. Abu Rafi' said that."

People fought severely. Hamza, Ali, Abu Dijana and some of the Muslims had done well in the fight. Allah granted them victory and the polytheists were defeated. The women of the polytheists fled to the mountain. The Muslims entered the camp of the polytheists to rob their properties. When the archers saw their fellows robbing, they left their places in the defile and hastened to rob too forgetting what the Prophet (s) had ordered them of.

When Khalid bin al-Waleed, who was with the polytheists on that day, saw that the archers in the defile were a few, he killed them and attacked the Prophet's companions from the rear. The fled polytheists came back again with activity and fought the Muslims and defeated them after killing seventy of Muslim heroes, among whom was Hamza bin Abdul Muttalib, the lion of Allah and of His messenger. On that day the Prophet (s) fought severely until all his arrows finished. His bow was broken and he was injured in his cheek and his front. One of his teeth was broken and his lip was cut. Ibn Qam'a attacked him with his sword and was about to kill him.

Imam Ali (s) and five men of the Ansar, who were martyred then, fought before the Prophet (s) and defended him. Abu Dijana made himself as armor for the Prophet (s). The arrows stuck into the back of Abu Dijana while he was covering the Prophet (s) with his body. Mus'ab bin Umayr fought bravely and then he was martyred. He was

killed by Abu Qam'a, who thought that he had killed the Prophet (s). He went back to Quraysh saying: "Muhammad is killed." The people began crying: "Muhammad is killed! Muhammad is killed!" The Muslims fled aimlessly. The first one, who recognized the Prophet (s), was Ka'b bin Malik. He shouted at the top of his voice: "O Muslims, this is the messenger of Allah. He is alive. He is not killed." The Prophet (s) asked him to keep silent.¹

Then Imam Ali (s) and his companions took the Prophet (s) to the defile, in which he protected himself. Imam Ali (s) and his companions surrounded the Prophet (s) defending him.

Ibn Jareer and Ibnul Atheer in their Tareekhs and other historians said: "...the Prophet (s), while he was in the defile, saw some polytheists. He said to Ali: "Attack them!" Ali attacked them, killed some of them and scattered the others. The Prophet (s) saw another group of the polytheists. He said to Ali: "Do away with them!" Ali attacked them, killed some of them and scattered the others. Gabriel said: "O messenger of Allah, this is the assistance!" The Prophet (s) said: "He (Ali) is from me and I am from him." Gabriel said: "And I am from you both." Then a voice was heard saying: "No sword save Thul Faqar² and no youth save Ali!"

Imam Ali (s) began bringing water with his leather shield to wash the Prophet's wounds but the bleeding did not stop.³

Hind (Abu Sufyan's wife) and her fellow women went to the martyrs of the Muslims and began mutilating their bodies. They made from the ears, the noses and the fingers of the martyrs necklaces and rings. She had given Wahshi her rings and necklaces for his killing Hamza. Hind cut open the chest of Hamza and took out his liver. She chewed it but she found it unpleasant and then she emitted it.

Then Abu Sufyan came near to the Muslims and said: "Is Muhammad among you?" He repeated that three times. The Prophet (s) said to

¹ That the enemy might hear him and might attack the Prophet (s) again.

² Thul Faqar was the name of the famous sword of Imam Ali (s).

³ After that Fatima (s) burnt a piece of a straw mat and put some of the ash on the wound and then the bleeding stopped. She had attended the event. She embraced her father while he was wounded and she was crying.

his companions: "Do not answer him!"¹ Abu Sufyan said: "O Umar, I adjure you by Allah, have we killed Muhammad?" Umar said: "By Allah, no, you have not. He is hearing your speech."²

Umar preferred his opinion in answering Abu Sufyan to the order of the Prophet (s) when forbidding them from answering Abu Sufyan.

52. SPYING ALTHOUGH PROHIBITED

Allah has said: "*O you, who believe, avoid most of suspicion, for surely suspicion in some cases is a sin, and do not spy nor let some of you backbite others. Does one of you like to eat the flesh of his dead brother? But you abhor it; and be careful of (your duty to) Allah, surely Allah is Oft-returning (to mercy), Merciful.* Qur'an, 49:12"

The Prophet (s) has said: "Avoid suspicion! Suspicion is the falsest speech. Do not spy on each other, do not hate each other, do not envy each other and do not desist each other. Be brothers..."

But Umar, during his rule, found that spying brought benefits and goodness to the state. He patrolled at night and spied at day. One night, while he was patrolling in Medina, he heard a man singing in his house. He climbed the wall of the man's house. He found that there was a woman with him and a bottle of wine. He said to the man: "O enemy of Allah, have you thought that Allah protects you while you are disobeying Him?" The man said: "O Ameerul Mo'mineen, do not hasten! If I have committed one sin, you have committed three sins; Allah has said: (*do not spy*) but you have spied, and He has said: (*and go into the houses by their doors*) but you have climbed the wall and He has said: (*when you enter houses, greet each other*) but you have not greeted us." Umar said: "Would you do me good if I forgive you?" The man said: "Yes, I would." Then Umar

¹ Ibn Jarcer's Tareekh, Ibnul Atheer's Tareekh, Ibn Sa'd's Tabaqat, al-Halabi's Seera, ad-Dahlani's Seera, al-Bidayeh wen-Nihayeh by Abul Fida' and all the books of history that have recorded the events of the battle of Uhud.

² As if the Prophet (s) was not safe from Abu Sufyan and his men to attack him if they knew that he was still alive; therefore he ordered his companions not to answer Abu Sufyan and as if Umar, when answering Abu Sufyan, was not afraid and did not think that the caution of the Prophet (s) was justifiable!

forgave him and went out.¹

As-Sadiy said: "One night Umar went out with Abdullah bin Mass'ood. He saw a light of fire. He (with ibn Mass'ood) followed the light until he entered the house. There was a lamp inside the house. He came in and left Abdullah bin Mass'ood in the courtyard. There was an old man drinking wine and there was a songstress singing for him. Suddenly Umar attacked the old man saying to him: "I have never seen a scene uglier than a scene of an old man waiting for his end!" The old man raised his head and said: "In fact, your doing is uglier than what you have seen from me; you have spied whereas Allah has prohibited spying and you have entered the house with no permission." Umar said: "You are right." Then he went out biting his garment, crying and saying: "May Umar's mother lose him!"...The old man avoided to attend the meetings of Umar for some time. One day while Umar was sitting in his meeting, the old man came hiding himself not to be seen by Umar and he sat at the end of the meeting. Umar saw him and asked some of his companions to bring him. The old man thought that Umar would scold him. Umar said to him: "Come near to me!" Umar still asked him to be nearer until he seated him beside him. Umar said to the man: "Bring your ear near to me!" He said to him: "I swear by Him, Who has sent Muhammad with the truth, that I have not told any one of people about what I have seen from you even ibn Mass'ood, who was with me..."²

Ash-Shi'bi said: "Once Umar missed one of his companions. He said to ibn Ouff: "Let us go to the house of so-and-so." They went there and found that the door of his house was open while he was sitting and his wife was pouring something into a cup and giving it to him to drink. Umar said to Ibn Ouff: "It is this thing that has kept him away from us!" Ibn Ouff said: "How do you know what there is in the cup?" Umar said: "Do you fear that this may be spying?" Ibn Ouff said: "Yes, it is spying." Umar said: "Then how do we repent of this?" Ibn Ouff said: "Do not make him know that you have seen what he has

¹ Makarim al-Akhlaq by al-Khara'ity, Kanzol Ummal, vol. 2 p.167, Sharh Nahjol Balagha, vol. 3 p.96, Ihya'ul Uloom by al-Ghazali, p.137.

² Al-Qat' wes-Sariqa (cut and theft) by Abu al-Sheikh, Kanzol Ummal, vol.2 p. 141.

done!!...”¹

Al-Musawwir bin Makhrama narrated from Abdurrahman bin Ouff that one night he (Abdurrahman) and Umar were patrolling in Medina. While they were walking, a lamp was lit in one of the houses. They went towards the house and found the door closed. There were some people inside the house making loud noises. Umar took Abdurrahman's hand and said to him: "This is the house of Rabee'a bin Umayya. They are drinking wine now. What do you think to do?" Abdurrahman said: "I think that we have done what Allah has prohibited; we have spied." Then Umar went away and left them alone.²

Tawoos said: "One night Umar went out patrolling. He passed by a house, in which there were some people drinking wine. He shouted at them (from outside): "Are you committing sins?" Some of them said to him: "Allah has forbidden you from doing this!" He went back and left them alone."³

Abu Qulaba said: "Umar narrated that Abu Mihjan ath-Thaqafi drank wine in his house with his friends. One day Umar broke into Abu Mihjan's house. Abu Mihjan said to him: "O Ameerul Mo'mineen, this is not permissible to you. Allah has forbidden you from spying." Umar asked Zayd bin Thabit and Abdurrahman bin al-Arqam and they said to him: "He is right, O Ameerul Mo'mineen." Umar went out and let him alone."⁴

He, who followed the traditions about Umar's spying, will find clearly that spying has been a part of his policy. As if he thought that legal penalties would be annulled when the ruler committed mistakes; therefore he did not punish any one of those sinful people. Yet he did not harm any one of them. We do not know how he was satisfied to finish his spying in this way without any effect on those

¹ Kanzol Ummal, vol. 2 tradition no.3694.

² Narrated by Abdurrazaq, Abd bin Hameed and al-Khara'ity in Makarim al-Akhlaq, Kanzol Ummal, vol.2 tradition no.3693, Mustadrak of al-Hakim, vol.4 p.377, Talkhees of ath-Thahabi.

³ Kanzol Ummal, vol. 2 p.141.

⁴ Ibid.

sins! He encouraged the sinners to commit more sins when they saw this leniency of their imam!!

53. LEGISLATING A LIMIT TO WOMEN'S DOWRIES

The dowry of a woman must be from among what a Muslim man has possessed; such as material properties, religious things or some kinds of services. Deciding that belongs to the spouses themselves whether it is much or little on condition that it has not to be too little that it may have no value such as a grain of wheat for example. It is desirable that it has not to be more than the expense of a year which is about five hundred dirhams.¹

Once Umar decided to prohibit the excessiveness in women's dowries in order to make marriages easy to keep the youths away from adultery and sins. One day he made a speech on this matter. He said through his speech: "If I am informed that a dowry of a woman exceeds the dowries of the wives of the messenger of Allah, I will get that back from her." A woman got up and said to him: "Allah has not left that to you to decide on it. Allah has said: *And if you wish to have (one) wife in place of another and you have given one of them a heap of gold, then take not from it anything; would you take it by slandering (her) and (doing her) manifest wrong. And how can you take it when one of you has already gone in to the other and they have made with you a firm covenant.* Qur'an, 4:20-21" He changed his mind and gave up his decision saying: "Do you not wonder at an imam, who has mistaken, and at a woman, who has been right? She vied with your imam and defeated him."²

In another tradition Umar said: "Every one is more aware than Umar. You hear me saying like this and you do not deny that of me until a woman, who is not more aware than your women, refute me."³

In another tradition it has been said: "A woman got up and said: "O ibn al-Khattab, Allah gives us and you deprive us of (our rights)" and

¹ According to the value of that time.

² Sharh Nahjol Balagha, vol. 3 p.96 and mentioned by other historians and scholars of Hadith.

³ Az-Zamakhshari in his Kashshaf when interpreting the mentioned verse.

she recited the mentioned above verse. Umar said: "All the people are more aware than Umar." Then he gave up his decision."¹

The defenders of Umar justified this event as evidence on his fairness and confession! And how many such cases he had with men and women showing his fairness and confession whenever he admired a saying or a doing!

As it has happened to him with the Prophet (s) when he had been asked about some things he disliked. Al-Bukhari mentioned that Abu Musa al-Ash'ary had said: "One day the Prophet (s) had been asked about some things he disliked for they did not concern reasonable people nor were they among the matters that the prophets had been sent to explain. When his companions asked him many such questions, he became angry for they insisted on silly things which had no use to them. Then he said to them: "Ask me" as if he found that they became ashamed or shy because they made him angry and so he wanted to ease them and to show them his mercifulness by saying to them "ask me". Abdullah bin Huthafa asked him: "O messenger of Allah, who is my father?" The Prophet (s) replied: "Your father is Huthafa." Another one, who was Sa'd bin Salim, asked him: "O messenger of Allah, who is my father?" The Prophet (s) said: "Your father is Salim the mawla of Abu Shayba." They asked the Prophet (s) such questions because people had suspected their lineage. When Umar saw that the Prophet (s) was very angry, he said: "O messenger of Allah, we repent of whatever makes you angry."

Umar became pleased when the Prophet (s) approved that Abdullah was the son of Huthafa and Sa'd was the son of Salim as their mothers had claimed.

¹ At-Tafsir al-Kabeer by ar-Razi, vol.3 p.175. Ar-Razi had a stumble in his speech when talking about this verse. He said: "I think that the verse has no evidence showing that exceeding in dowries is permissible...to the last of his crooked speech, in which he wanted to refute the woman in order to defend Umar but he complicated the situation unknowingly. Refer to Tareekh Umar bin al-Khattab by Abul Faraj al-Jawzy, p.150. it has a tradition narrated by Abdullah bin Mus'ab and another one narrated by ibn al-Ajda' showing the speech of Umar, in which he has decided to prohibit the exceeding dowries and the refutation of the woman which has led Umar to give up his decision after confessing that the woman was right.

Al-Bukhari also mentioned in his Sahih that Abdullah bin Huthafa had asked the Prophet (s) who his father was and the Prophet (s) had said to him that his father was Huthafa.

Muslim mentioned in his Sahih: "Abdullah bin Huthafa was ascribed to other than his real father. When his mother heard about his question to the Prophet (s) about his real father, she said to him: "I have never seen a son more undutiful than you! Have you believed that your mother has committed what the women of the pre-Islamic age had been used to commit so that you expose her before people?"

When Umar heard the answer of the Prophet (s) to Abdullah, he knelt down before the Prophet (s) and said admiring the answer of the Prophet (s) that approved the claim of Abdullah's mother: "We have been satisfied with Allah as god, Islam as a religion and Muhammad as a prophet."¹ Umar said that joyfully because the Prophet (s) had covered many mothers, who had committed adultery in the pre-Islamic time; nevertheless believing in Islam cancelled (forgave) the sins committed before.

54. CHANGING LEGAL PENALTIES

Once the slaves of al-Hatib bin Balta'a had participated in stealing a camel of a man from the tribe of Merina. They were brought before Umar and they confessed that they had done that. Umar ordered Katheer bin as-Salt to cut their hands. When they were taken to be punished, Umar brought them back and sent for their master's son Abdurrahman bin Hatib and said to him: "I swear by Allah, unless you have employed them and left them hungry, I would have cut their hands. By Allah, since I have not done so, I will impose a fine on you that will make you suffer much..."²

Umar, when not punishing the stealing slaves, might think that they were obliged, because of hunger, to steal the camel to satisfy their hunger and so they might be among those whom the Qur'anic verse had talked about: "*But he who is driven by necessity, neither craving*

¹ Al-Bukhari's Sahih, vol. 1 p.19.

² A'lam al-Muwaqqi'een, p.32, Fajr al-Islam by Ahmad Ameen, p.287, al-Isaba by ibn Hajar, vol.2 biography of Abdurrahman bin Hatib.

nor transgressing, it is no sin for him. Qur'an, 2:173"

But they confessed the theft and they did not claim that necessity had driven them to do that. And if they had claimed that, then the ruler would have to ask them for what must prove their claim, but Umar did not do save pitying them and being severe to Abdurrahman bin Hatib. We do not know how Umar has known that the masters left their slaves hungry that they were obliged to steal!

55. TAKING NON-LEGISLATED RANSOM

Once some people of Yemen came to Abu Kharash al-Huthali, the companion and the poet, as guests during the season of hajj. He took his water skin and went in the night to bring them some water. On his way back, he was stung by a snake before reaching his guests. He hastened to them, gave them the water and said to them: "Cook your sheep and eat it!" He did not tell them what had happened to him. When the morning came, Abu Khurash was dead. They buried him before they left.

When the news reached Umar, he became very angry and said: "Had it not been for a sunna (rite), I would have ordered that no Yemenite would be received at all and I would have written to all the countries about that." Then he wrote to his emir on Yemen ordering him to arrest the men, who had been the guests of Abu Khurash al-Huthali, to take ransom from them for Abu Khurash and to punish them with severe punishment for their doing!!!¹

56. PENALTY OF ADULTERY

Ibn Sa'd mentioned in his *Tabaqat*² that once Burayd had come to Umar and scattered his quiver. A piece of paper appeared from the quiver. Umar took it and read it. It had some verses of poetry.

He said to his companions: "Send for Ja'da from the tribe of Sulaym." When Ja'da came, Umar whipped him one hundred whips after tying him and he forbade him from visiting any woman, whose husband was absent.

¹ *Al-Istee'ab* by ibn Abdul Birr, *Hayat al-Hauwan* by ad-Dimyari, chap. of "snake".

² Vol.3 p.205.

There was no evidence on punishing this man due to these verses of poetry, which no one knew who had composed. They just instigated the caliph against Ju'da by claiming that he had committed sins against young girls from the tribes of Sa'd bin Bakr, Sulaym, Juhayna and Ghifar by tying them and trying to violate their honors. This was all what had been ascribed to Ju'da in these verses of poetry. Even if it was proved to be true, it would not be enough to punish the man with that legal penalty. Yes, it required him to be scolded and censured. What the caliph did might be of this kind but what difference was between what he had done with this man and what he had done with al-Mugheera bin Shu'ba that you will see soon inshallah.

57. CANCELING THE PENALTY OF AL-MUGHEERA

Al-Mugheera bin Shu'ba had committed adultery with some married women such as Umm Jameel bint Amr from the tribe of Qayss and this event was one of the most famous events in the history of the Arabs. It was in the seventeenth year of hijra. All the historians, who had recorded the events of that year, had mentioned this event in their books. Abu Bakra,¹ who was one of pious companions of the Prophet (s) and one of the keepers of the prophetic traditions, Nafi' bin al-Harith, who was also one of the Prophet's companions, and Shibl bin Ma'bad had witnessed against al-Mugheera in this case. The witness of these three men was clear and certain that they had seen al-Mugheera doing his sin with their eyes but when the fourth witness, Ziyad bin Sumayya, came to witness, the caliph made him understand that he intended not to disgrace al-Mugheera and then he asked him about what he had seen. He (the fourth witness) said: "I heard fast breathing and I saw him sleeping on her abdomen." Umar asked him: "Did you see him inserting his (...) into her (...) and taking it out like a stick in a kohl jar?" He said: "No, but I saw him lifting her legs and I saw his testicles swaying between her thighs. I saw strong motivation and heard loud breathing." Umar asked: "Did you see him inserting his (...) and taking it out like a stick in a kohl jar?" He said: "No, I did not." Umar said: "Allah is great! O

¹ not Abu Bakr.

Mugheera, get up and beat them!" He executed legal penalties against the three witnesses.

Here are the details of this event as Judge Ahmad ibn Khillikan has mentioned in his book *Wafiyyat al-A'yan*. He said: "As for the matter of al-Mugheera bin Shu'ba and the witness against him...Umar had appointed al-Mugheera bin Shu'ba as the emir of Basra. He often left Darul Imara (the ruler's office) at midday and Abu Bakra often met him and asked him: "Where is the emir going?!" He said: "To do something." Abu Bakra said: "The emir is visited and he does not visit!" He often went to a woman called Umm Jameel bint Amr, whose husband was al-Hajjaj bin Utayk bin al-Harith bin Wahab al-Jashmi...while Abu Bakra and his brothers Nafi', Ziyad and Shibl bin Ma'bad, the sons of Symayya, were in their room and Umm Jameel bint Amr was in the opposite room, the wind opened the door of Umm Jameel's room and they saw al-Mugheera and the woman in a state of making love. Abu Bakra said: "It is an ordeal that you are afflicted with! Look!" They looked until they became certain of what al-Mugheera and the woman had done. Abu Bakra sat out waiting until al-Mugheera came out. He said to him: "Since you do so, then you have to retire from the emirate!" Al-Mugheera went to lead the people in offering Dhuhur Prayer and Abu Bakra went there too. Abu Bakra said to al-Mugheera: "By Allah, you do not lead us in the prayer after you have done your sin!" The people said: "Let him lead us in the prayer for he is the emir and you write to the caliph Umar about that." They wrote to Umar and he ordered them all; al-Mugheera and the witnesses to come to him. When they came, Umar sat in his meeting and sent for the witnesses and al-Mugheera. Abu Bakra advanced and Umar asked him: "Did you see him between her thighs?" Abu Bakra said: "Yes, by Allah, as if I saw clefts of smallpox on her thighs!" Al-Mugheera said to him: "You were very accurate in your look!" Abu Bakra said: "Yes, I wanted to be certain of what Allah would disgrace you with." Umar said to Abu Bakra: "No, until you witness that you have seen him inserting his (...) in her (...) like a stick in a kohl jar." Abu Bakra said: "Yes, I witness of that." Umar said: "O Mugheera, a quarter of you has gone!" Then Umar called for Nafi' and asked him: "What do you witness of?" He said: "I witness of what Abu Bakra has witnessed of." Umar said: "No, until you

witness that you have seen him doing with her as a stick in a kohl jar." He said: "Yes, until he reached the top." Umar (may Allah be pleased with him) said to al-Mugheera: "Your half has gone!" Then Umar called for the third witness and asked him: "What do you witness of?" He said: "Like the witness of my two companions." Umar said to al-Mugheera: "Three thirds of you have gone!" Then Umar wrote to Ziyad who was absent. When Ziyad came, Umar held his meeting in the mosque. The heads of the Muhajireen and the Ansar attended the meeting. When Umar saw Ziyad coming, he said: "Come to me! I see a man that Allah will not disgrace a man of the Muhajireen via his tongue!" Then Umar (may Allah be pleased with him) raised his head towards him and said: "What do you have with you, O you droppings of bustards?" It was said that al-Mugheera had got up to Ziyad and Ziyad said: "No cache for a perfume after a bride!" Al-Mugheera said to him: "O Ziyad, remember Allah and remember the Day of Resurrection. Allah, His Book, His messenger and Ameerul Mo'mineen have spared my blood except if you say what you have not seen. Let not a bad scene lead you to say what you have not seen. By Allah, if you were between my abdomen and her abdomen, you could not see my (...) going into her (...)." Ziyad's eyes began shedding tears and his face became reddish. He said: "O Ameerul Mo'mineen, I have not seen exactly what the others have seen but I saw a state of making love and I heard fast breathing and I saw him sleeping on her abdomen." Umar (may Allah be pleased with him) asked him: "Did you see him inserting it as a stick in a kohl jar?" He said: "No, I did not." It was said that Ziyad had said: "I saw him lifting her legs and saw his testicles swaying between her thighs then I saw strong motivation and I heard loud breathing." Umar said: "Did you see him inserting it like a stick in a kohl jar?" He said: "No." Umar said: "Allah is great! O Mugheera, get up and beat them!" Al-Mugheera whipped Abu Bakra eighty whips and then he whipped the rest. Umar admired the saying of Ziyad and so he cancelled the legal penalty of al-Mugheera. Abu Bakra said after he had been whipped: "I witness that al-Mugheera has done so and so." Umar intended to whip him again but Ali bin Abu Talib said to him: "If you whip him, then you have to stone your friend (al-Mugheera)." Umar left Abu Bakra alone and asked him to repent. Abu Bakra said: "You ask me to repent just to accept my witness." Umar said: "Yes."

Abu Bakra said: "I will never witness between two persons as long as I live." When the witnesses were whipped, al-Mugheera said: "Praise be to Allah Who has disgraced you." Umar said: "Allah disgraced a place, in which they saw you."

Umar bin Shayba mentioned in his book Akhbar al-Basra (the news of Basra) that when Abu Bakra had been whipped, his mother slaughtered a sheep and put its skin on Abu Bakra's back because, as it was said, that he had been whipped too severely. Abdurrahman bin Abu Bakra said that his father, Abu Bakra, had taken an oath that he would never talk with Ziyad as long as he lived. When Abu Bakra was about to die, he recommended that no one would offer the prayer (after his death) for him except Abu Barza al-Aslami, whom the Prophet (s) had associated as a brother with Abu Bakra. When Ziyad heard of that, he left to Kuffa. As for al-Mugheera bin Shu'ba, he was grateful to Ziyad and he did not forget his favor.

Once Umm Jameel came to Umar bin al-Khattab during the season of hajj while al-Mugheera was present. Umar asked al-Mugheera: "O Mugheera, do you know this woman?" He said: "Yes, she is Umm Kulthoom bint Ali." Umar said to him: "Do you confuse me? By Allah, I do not think that Abu Bakra has told a lie when he witnessed against you and I found that you were afraid that I would stone you with stones from the heaven!"

Sheikh Abu Isshaq ash-Shirazi said in his book al-Muhaththib: "...and three men witnessed against al-Mugheera; Abu Bakra, Nafi' and Shibl bin Ma'bad...Ziyad said: "I saw buttocks rising and two legs as if they were two ears of a donkey and I heard loud breathing but I did not know what there was behind them." And then Umar whipped the three witnesses and he did not punish al-Mugheera. The jurisprudents discussed the saying of Ali (may Allah be pleased with him) to Umar "if you whip him, you have to stone your friend". Abu Nasr bin as-Sabbagh said: "He wanted to say to Umar that if this saying was as another witness then the number of witnesses would be completed (four witnesses) otherwise you have whipped him for his first witness) and Allah is more aware!"

This is the end of Ibn Khillikan's saying about this tragedy and its concerns. Refer to Wafiiyyat al-A'yan, vol.2, biography of Yazeed bin

Ziyad al-Himyari.

Al-Hakim mentioned this event in his Mustadrak, vol.3 p.448, biography of al-Mugheera. Ath-Thahabi mentioned it in his Talkhees al-Mustadrak and all the historians, who have mentioned the biographies of al-Mugheera, Abu Bakra, Nafi' and Shibl bin Ma'bad and the historians, who have recorded the events of the seventeenth year of hijra, mentioned the details of this event.

58. HIS SEVERITY TO JABALA BIN AL-ABHAM

Once a delegation of five hundred knights from Akk and Jafna came on their trotting Arab horses wearing garments brocaded with gold and silver and at the head of them was Jabala, who had put on his head his crown on which was the earring of his grandmother Maria. They all became Muslims and the Muslims became too delighted and pleased with them and with their followers who would join them. Jabala and his companions attended the season of hajj with the caliph since their first year of being Muslims. While Jabala was circumambulating the Kaaba, a man from Fazara trod on his loincloth and untied it. Jabala slapped the man. The man resorted to Umar. Umar ordered Jabala either to let the man slap him or to content the man. Umar was too strict in his order until Jabala became desperate. When the night came, Jabala and his companions left towards Constantinople and they all became Christians unwillingly. They found favor with Hercules and got honor and magnificence above what they wished.¹ In spite of all that, Jabala often cried regretting what he had missed of the religion of Islam. He had composed the following verses of poetry:

"The honorables became Christians because of a slap,

There would be no harm if you were a little patient!

I was encircled with obstinacy and zeal,

And I sold the sound eye for one-eyedness.

Would that my mother had not begotten me!

¹ Al-Iqd al-Farced by ibn Abd Rabbih al-Andalusi, vol.1 p.187, Arabic Lessons for secondary schools, vol.1 p.62 edition of al-Kashshaf Press, Beirut, quoted from al-Aghani by Abul Faraj al-Isfahani.

Would that I had gone back to the people that Umar said!

Would that I grazed cattle in a desert!

Or I was a captive in Rabee'a or Mudhar!"

I said: would that the caliph had not driven this Arab emir and his people away even if he would have tried every means to content that man of Fazara whether the emir would know or would not know! It was too far that Umar would do such a thing!

Umar wanted to break the pride of Jabala from the first occasion! And this was his wont with every noble and honorable one! This is well known by the men of understanding who have studied his conducts.

You have seen above his severity to Khalid whereas he was from his relatives.

How difference there was between his two days; his day with his friend al-Mugheera when he cancelled his due punishment for adultery and his day with Khalid when he insisted on stoning him and if Abu Bakr was not there Khalid would have been stoned. The strength and vanity of Khalid led Umar to be too severe to him. The same was with Jabala; the pride and nobility of him led Umar to be very severe to him too unlike al-Mugheera, who was more obedient to Umar than his shadow and who was meaner than his shoes in spite of his cunning and tricking; therefore Umar kept him despite his lewdness.

The policy of Umar required terrifying the citizens by being severe to the honorable and proud people like Jabala and Khalid. He might have terrified the citizens by punishing his close relatives as he had done to his son Abu Shahma and Umm Farwa, Abu Bakr's sister and he might have done that with those who had no benefit to him whether in politics or other things as he had done to Ja'da as-Salami, Dhabee' at-Tameemi, Nasr bin Hajjaj, his cousin Abu Thu'ayb, the poor Abu Hurayra and their likes.

He kept to austerity in his food, abode and sumpter. He was patient towards desires and he refrained from pleasures. He was satisfied with subsistence. He spread the booties among the umma openhandedly without preferring himself or his family to the others.

He enriched the treasury. He was too strict in punishing his officials...and many things like that which helped him to drive the umma with his stick, to shut up the tongues and to bridle the mouths. No one of his officials had escaped his punishment save Mo'awiya despite the differences between them. He had never punished Mo'awiya nor had he blamed him for anything. He had left him free doing whatever he liked. He said to him: "I neither order you nor I forbid you." He, who knew Umar, would know that he had preferred Mo'awiya for something in his mind!

59. HIS SEVERITY TO ABU HURAYRA

Umar had appointed Abu Hurayra as the wali of Bahrain in the year twenty-one of hijra. In the year twenty-three he deposed him and appointed Othman bin Abul Aass ath-Thaqafi instead of him. The caliph not only deposed Abu Hurayra but also he saved from him ten thousand dinars for the treasury, alleging that he had stolen them, which they were of the Muslims. It was a famous case. Ibn Abd Rabbih al-Maliki mentioned (in his book *al-Iqd al-Fareed*, in the first pages of vol. 1) that the caliph Umar had sent for Abu Hurayra and said to him: "You know well that I had appointed you as the wali of Bahrain and you were barefooted and now it came to my ears that you have bought horses for one thousand and six hundred dinars." Abu Hurayra said: "We had some horses that bore and gifts that cumulated". The caliph said: "I counted your livelihood and income and I found that it is over than yours and you have to return it". Abu Hurayra said: "You cannot do that". Umar said: "Yes, I can and I will beat you on the back." Then Umar got up and beat him with his stick¹ until he wounded him and said to him: "Pay the money back." Abu Hurayra said: "Exempt me for the sake of Allah." Umar said: "That would be if it was halal (permissible) and that you paid it back obediently. Have you come from the farthest lap of Bahrain with people's taxes to be in your pocket, neither for Allah nor for the Muslims? Umayma² has begotten you just to graze donkeys."

¹ A dry bunch of dates he was used to hold in his hand.

² Umayma was Abu Hurayra's mother. This word of the caliph was among the worst words of abuse.

Ibn Abd Rabbih mentioned that Abu Hurayra had said: "When Umar deposed me in Bahrain, he said to me: "O enemy of Allah and enemy of His Qur'an, did you steal the wealth of the Muslims?" Abu Hurayra said: "I am not an enemy of Allah or His book, but I am an enemy of your enemies. I did not steal the wealth of the Muslims." Umar said: "Then how did you get ten thousand dinars?" He said: "We had some horses that bore, gifts that cumulated and shares that multiplied." Umar took the money from me but when I offered the Fajr (dawn) prayer, I asked Allah to forgive him." This tradition was also mentioned by Ibn Abul-Hadeed in his book *Sharh Nahjul-Balagha*, vol. 3,¹ and was mentioned by Ibn Sa'd in his book *at-Tabaqat al-Kubra* (Abu Huraya's biography)² narrated by Muhammad bin Seereen that Abu Hurayra had said: "Umar said to me: "O enemy of Allah and enemy of his Qur'an, did you steal the wealth of the Muslims...etc." Ibn Hajar mentioned this tradition in his book *al-Issaba* but he modified it and changed the truth in a way dissented from all the others in order to purify the fame of Abu Hurayra. But he forgot that he defamed the man, who beaten Abu Hurayra on the back, taken his money and deposed him.

60. HIS SEVERITY TO SA'D BIN ABU WAQQAS

Umar had appointed S'ad bin Abu Waqqas as the emir of Kufa and then he had been informed that Sa'd concealed himself in his palace from people. Umar sent for Muhammad bin Maslama and said to him: "Go to Sa'd in Kufa and burn down his palace over him and do not do anything until you come back to me!" Muhammad went to Kufa and set fire to the palace in order to surprise Sa'd. Sa'd came out saying: "What is this?" Muhammad said: "This is the determination of the caliph." He left it until it was burnt down and then he left to Medina.

61. HIS SEVERITY TO KHALID BIN AL-WALEED

When Khalid was the emir of Qinnisreen (by Umar), al-Ash'ath bin Qayss asked him for some gift. Khalid gifted him with ten thousand

¹ p.104, edition of Egypt.

² Vol.4, p.p.90.

(dirhams or dinars). Umar knew about that where nothing of Khalid's deeds was unknown by Umar. Umar sent for the mailman and he wrote with him to Abu Ubayda, his emir on Hims (in Syria): "Make Khalid stand on one leg, tie the other with his turban and put his cap off in public before the officials of the state and notable people until he tells you where from he has gifted al-Ash'ath. If it is from his own money, this will be wasting and Allah does not like the wasters and if it is from the wealth of the umma, this will be treason and Allah does not like the traitors. Depose him in any case and join his job to yours." Abu Ubayda wrote to Khalid and Khalid came to him. Then he gathered the people and he sat on the minbar in the great mosque. The mailman got up and asked Khalid where he had gifted al-Ash'ath from. Khalid did not answer while Abu Ubayda was silent saying nothing. Bilal al-Habashi got up and said: "Ameerul Mo'mineen (Umar) has ordered of so and so..." He took off Khalid's turban and cap, made him stand up and tied his leg with his turban and then he asked him: "Wherefrom have you gifted al-Ash'ath? Is it from your money or from the money of the umma?" He said: "From my money." He set Khalid free and put the cap and the turban on his head again with his hands saying: "We obey our guardians, glorify them and serve them." Khalid remained confused. He did not know whether he had been deposed or not because Abu Ubayda did not tell him of that for he respected him and glorified him. When Khalid's coming to Umar delayed, he guessed what had happened so he wrote to Khalid: "You are deposed. Withdraw from the emirate!" After that Umar had not entrusted Khalid with any position until he died.

62. BEATING AND EXILING DHABEE'

One day a man came to Umar and said to him: "O Ameerul Mo'mineen, Dhabee' at-Tameemi met us and he began asking us about the interpretation of some verses of the Qur'an and he said to me: "O Allah, enable me to overcome him (Umar)!" One day while Umar was sitting during a banquet he had made for people, Dabee' came wearing good cloths and a turban. He sat eating with people. When he finished eating, he asked Umar: "O Ameerul Mo'mineen, what is the meaning of this saying of Allah *"Weth-thariyat tharwa, wel-hamilat waqra-I swear by the wind that scatters far and wide, then*

those clouds bearing the load (of minute things in space). Qur'an, 51:1-2" Umar said to him: "Woe unto you! It is you!" Umar got up, uncovered his arms and began whipping the man until his turban fell down. He had two plaits of hair. Umar said: "I swear by Him, in Whose hand Umar's soul is, that if I have seen you with a shaven head, I would have beheaded you." Then he ordered the man to be imprisoned in a house. Every day he took him out to whip him one hundred whips. When he became well, Umar took him out to whip him another hundred whips. Then he carried him on a camel and sent him to Basra and wrote to his official there Abu Musa ordering him to forbid people from mixing with him. He ordered Abu Musa to make a speech for people telling them that Dabee' wanted to obtain knowledge but he went astray. After that Dhabee' became mean among people until he died whereas he had been the chief of his people before.¹

63. EXILING NASR BIN HAJJAJ

Abdullah bin Burayd said: "One night while Umar was patrolling, he arrived at a house, inside which there was a woman singing for other women:

*"Is there a way to get some wine to drink,
or to be with Nasr bin Hajjaj?"*

Umar said: "As long as she lives, she will not get that!" In the morning he sent for Nasr bin Hajjaj.² Umar looked at him and found him very handsome. He ordered him to collect his hair. He did and when his forehead appeared he became more handsome. Umar asked him to put on a turban. He put on a turban and then his plentiful hair appeared from under the turban and he seemed more handsome. Umar asked him to cut his hair. He cut his hair and he seemed too handsome. Then Umar said to him: "O bin Hajjaj, you have charmed the women of Medina. Do not neighbor me in a town I live in!" Then Umar exiled him to Basra. After spending some days in Basra, Nasr sent a letter to Umar having some verses of poetry, in which he had showed his innocence and asked Umar to let him go

¹ Sharh Nahjol Balagha, vol. 3 p.122.

² He was Nasr bin Hajjaj bin Alabit al-Bahzi as-Salami.

back to his house.

Umar said: "Certainly not, as long as I am the ruler!" When Umar was killed, Nasr rode his sumpter and joined his family in Medina.

64. EXCEEDING THE LEGAL PENALTY WITH HIS SON

Once Umar's son Abdurrahman, surnamed as Abu Shahma, drank wine in Egypt when Amr bin al-Aass was the wali there. The wali Amr bin al-Aass ordered Abu Shahma's hair to be cut and then he was whipped according to the legal penalty at the presence of his brother Abdullah bin Umar. When Umar was informed of that, he wrote to Amr bin al-Aass to send him Abu Shahma in aba and on a camel without a saddle. He stressed on that and ordered him with severe words. Amr bin al-Aass sent Abu Shahma in the condition as Umar had ordered and wrote to Umar that he had punished Abu Shahma with the legal penalty; cutting his hair and whipping him in the courtyard and he swore by Allah that it was the place, in which the legal penalties were executed on the Muslims and (ahlul thimma) the Christians and the Jews. He sent the book with Abdullah bin Umar (Umar's son). Abdullah bin Umar brought the book and his brother Abdurrahman and came to his father in Medina while Abdurrahman was putting on an aba and was unable to walk because he was ill and tired of sitting on the bare back of the camel all the way from Egypt to Medina. Umar became too severe with his son. He said to him: "O Abdurrahman, have you done this and that?" Then he cried: "Bring me the whips!" Abdurrahman bin Ouff interceded with Umar saying to him: "O Ameerul Mo'mineen, he has been punished with the legal penalty and his brother Abdullah has witnessed that." But Umar paid no attention to him rather he rebuked him. Umar began whipping his son Abdurrahman (Abu Shahma), who was shouting at his father: "I am ill and you are going to kill me!" Umar did never pity him and gave a deaf ear to his son's crying until he finished the number of the legal whips. After that he imprisoned him and a month later Abdurrahman died.¹

¹ This was one of the famous events in the history of Umar. It has been mentioned by the most of the historians. Refer to *Sharh Nahjol Balagha*, vol. 3 p. 123. Ibn Abul Hadeed mentioned in the same volume of his book that Umar had whipped one of his

If Amr bin al-Aass was trusted in the affairs of the Muslims (the legal penalties) and he was reliable near Umar, then he told Umar that he had punished Abu Shagma at the presence of his brother Abdullah, who was the most trusted one to his father from among the family of al-Khattab; hence Umar had no any evidence to punish his son again and if Amr bin al-Aass was not trustworthy and he was not truthful in his swear, then how had Umar appointed him as the wali of Egypt to execute the verdicts and penalties of Allah and how had he entrusted him with the bloods, honors and properties of the people?

According to the Shariah a sick person is not to be punished before recovering health and the punished one (with legal penalty) is not to be imprisoned especially if he is ill or that imprisonment may harm him but Umar was fond of preferring his own opinions to the legal verdicts.

65. CUTTING THE TREE OF AL-HUDAYBIYA

It was the tree, under which the Prophet (s) had been paid homage by his companions to die for him. It was called the homage of ar-Radhwan. Among the results of this homage was the great conquest of Mecca. Some of the Muslims often offered prayers under this tree to get blessing and to thank Allah for the great victory they got after the homage under this tree.

When Umar knew that they offered prayers under this tree, he ordered the tree to be cut. He said: "Since this day if any one returns to offer prayer near this tree, I will kill him with the sword as an apostate is killed."¹

Glory be to Allah! Praise be to Allah! Allah is great!!! How wonder! Yesterday the Prophet (s) ordered him to kill Thul Khuwaisira, the head of the hypocrites, and he refrained from killing him respecting his prayer and today he draws his sword to kill the believers who offer prayers under this tree; the tree of ar-Radhwan!!"

sons for drinking wine until he died. All the historians, who have talked about Abu Shagma, mentioned this case such as ibn Abdul Birr in his *Istee'ab, ad-Dimyari* in *Hayat al-Haywan* and ibn al-Jawzi in his book *Tareekh Umar*, chap.77.

¹Sharh Nahjol Balagha, vol. 1 p.59.

Woe! Who has made the bloods of the faithful prayers so cheap to him? This was the seed that grew and fruited in Najd (where the Satan would appear).

How many seeds like this Umar had such as his saying to the Black Rock (of the Kaaba): "You are just a rock; neither benefit nor harm. Unless I have seen the Prophet (s) kissing you, I would have never kissed you."

This word became as a principle due to which many ignorants prohibited kissing the holy Qur'an and glorifying the shrine of the Prophet (s) and the other sacred shrines. They lost by doing that many virtues as Allah has said: "... and whoever respects the sacred ordinances of Allah, it is better for him with his Lord. Qur'an, 22:30" and "... and whoever respects the signs of Allah, this surely is (the outcome) of the piety of hearts. Qur'an, 22:32" and they did not love Allah sincerely as one of the poets has said:

*"It is not the love of the country that has filled my heart,
but it is the love of who has dwelled in the country."*

66. UMM HANI COMPLAINS AGAINST HIM TO THE PROPHET(S)

At-Tabarani mentioned in al-Kabeer a tradition narrated by Abdurrahman bin Abu Rafi' that Umm Hani bint Abu Talib had said to the Prophet (s): "O messenger of Allah, Umar bin al-Khattab met me and said to me: "Muhammad will not avail you of anything." The Prophet (s) became angry. He made a speech saying to the people: "Why do some ones pretend that my intercession will not benefit my family? My intercession will avail Ham and Hakam."¹

The Prophet (s) became angry in another occasion when a son of his aunt Safiyya died and he consoled her. When she went out, a man² met her and said to her: "Your kinship with Muhammad will not avail you of anything." She began crying until the Prophet (s) heard her voice and hurried to her. She told him of what happened. He became angry and asked Bilal to announce the azan. The Prophet (s)

¹ Ham and Hakam were two tribes of Yemen, which had no any kinship with Quraysh, the Prophet's tribe.

² He was Umar bin al-Khattab undoubtedly.

got up to make a speech. He praised Allah and then he said: "Why do some people pretend that my kinship does not avail (my relatives)? Every kinship and means will be severed on the Day of Resurrection except my kinship and means. My kinship is connected in this life and in the afterlife."¹

67. THE DAY OF CONSULTATION (AN-NAJWA)

On that day all the people had missed goodness save Imam Ali (s). He was the winner of that goodness with no partner; neither Abu Bakr nor Umar nor any of the human beings. Here is the Qur'anic verse of that day and let you ponder on it and do not be among those whom Allah has meant when saying: "*Do they not then reflect on the Quran? Nay, on the hearts there are locks.* Qur'an, 47:24"

This is the verse: "*O you who believe! when you consult the Messenger, then offer something in charity before your consultation; that is better for you and purer.* Qur'an, 58:12." No one had ever acted according to this verse except Imam Ali (s). This has been confirmed by the consensus of the umma. Az-Zamakhshari in al-Kashshaf, at-Tabari in at-Tafseer al-Kabeer, ath-Tha'labi in at-Tafseer al-Adheem, ar-Razi in Mafateeh al-Ghayb and the other interpreters have said that in their books when interpreting this verse.

Al-Hakim mentioned in his Mustadrak² that Imam Ali (s) had said: "There is a verse in the Book of Allah that no one has acted according to before me and no one will act according to after me. It is the verse of (an-Najwa) consultation. I had a dinar and I sold it for ten dirhams. Whenever I consulted the Prophet (s) I offered a dirham before my consultation and then the verse was annulled by this one: "*Do you fear that you will not (be able to) give in charity before your consultation? So when you do not do it and Allah has turned to you (mercifully), then keep up prayer and pay the poor-rate and obey Allah and His Messenger; and Allah is Aware of what you do.* Qur'an,

¹ Thakha'ir al-Uqba by Muhibuddeen at-Tabari.

² Vol.2 p.842.

58:13"¹

This scolding included Umar and the rest of the companions except Imam Ali (s) because he had never (feared that he would not be able to give alms in charity) nor had he opposed the order so that he would need to repent.

Ar-Razi here arose as one who (*cannot arise except as one, whom the Satan has prostrated by (his) touch, does rise*). He said: "This verse distresses the hearts of the poor and makes them sad because they cannot pay charities, it embarrasses the rich because it imposes on them heavy duty and it causes the Muslims to criticize each other. Acting according to this verse causes separation and gloominess and giving up acting according to it causes cordiality. What causes cordiality is worthier of being followed than what causes separation and gloominess..." How odd his raving was! It contradicted the saying of Allah (*that is better for you and purer*) and His saying (*So when you do not do it and Allah has turned to you (mercifully), then keep up prayer*). Refer to this raving in his tafseer Mafateeh al-Ghayb, vol.8 p.168.

Would that he had said: "Zakat and hajj distress the hearts of the poor and bring them sorrow because the poor cannot do them and they (zakat and hajj) embarrass the rich because they impose on them heavy duty; therefore carrying them out causes separation and gloominess and giving up carrying them out causes cordiality and friendliness and whatever causes cordiality and friendliness is worthier of being followed than what causes separation and gloominess; therefore according to the analogy of this (imam) giving up the zakat and the hajj is worthier. In fact his analogy requires giving up all the religions in order not to lead to separation and disagreements. We resort to Allah to save us from the torpor of mind and the raving of tongue. There is no power save in Allah, the Mighty, the High!

¹ Al-Hakim after mentioning this tradition in his Mustadrak said: "It is a true tradition according to the conditions of the two sheikhs; al-Bukhari and Muslim but they have not mentioned it." The same has been said by ath-Thahabi after mentioning it in his Talkhees al-Mustadrak.

68. HIS INDULGENCE TO MO'AWIYA

Umar let Mo'awiya, who had been appointed by Umar as the wali of Sham, free to the full to do whatever he liked, to behave as his deviate mind led him, to rule however he wished. He lived at ease indifferent to anything other than what he chose to himself unlike what Umar had admired of his emirs. Once Umar saw Mo'awiya in Sham surrounded with splendor like that of Kasra (the emperor of Persia) and wearing highly brocaded cloths that the nature of Umar disliked and hated but he did not say to him then except: "I neither order you nor I forbid you". He gave him permission and option to do whatever he liked and so he ravaged left and right and there was no one daring to stand against his vanity and corruption. One of the fruits of this seed that Umar had grown in Mo'awiya was his transgression against Imam Ali (s) in Siffeen and after that was what he did against Imam Hasan (s) in Sabaat.

Since then the Umayyads had seized the wealth of Allah, enslaved His people and taken the religion of Allah as a means to achieve their greed and tendencies. We are Allah's and to Him we shall return and those who do wrong will come to know by what a (great) reverse they will be overturned!

69. HIS ILLEGAL ORDER

He often ordered of some things against the Sharia and then he gave up after being reminded.

First: Muhammad bin Mukhallad al-Attar mentioned in his *Fawa'id*:¹ "Once Umar has ordered a pregnant women to be stoned. Ma'ath bin Jabal denied that and said to Umar: "If you have an evidence against her, you have no evidence against the one in her abdomen." Umar annulled his judgment and said: "Women have become unable to beget one like Ma'ath. Were it not for Ma'ath, Umar would perish."

Second: al-Hakim mentioned in his *Mustadrak*² that ibn Abbas had said: "Once a mad pregnant woman was brought to Umar and he

¹ *Al-Isaba* by ibn Hajar, biography of Ma'ath bin Jabal.

² Vol.4 p.389.

decided to stone her. Ali said to him: "Have you not known that obligations are not imposed on three ones; a mad one until he becomes sane, a child until he becomes adult and a sleeping one until he awakes?" Then Umar set the woman free."

This woman was different from that woman. That one, about whom Ma'ath reminded the caliph, was not mad and the caliph could stone her but after giving birth to her child and then the caliph would have to ensure the nursing of the child after stoning his mother but as for the second woman, Umar could not stone her at all because she was mad.

The judge of the judges Abdul Jabbar in his book *al-Mughni* had a long speech about stoning a pregnant woman and this was a point of argument between him and Sharif al-Murtadha in his book *ash-Shafi*. Ibn Abul Hadeed mentioned the arguments of both of them in *Sharh Nahjol Balagha*, vol. 3 p.150-152.

Third: Ahmad bin Hanbal mentioned in his *Musnad*¹ that Abu Dhabyan al-Janbi had said: "One day a woman, who had committed adultery, was brought to Umar, who ordered her to be stoned. Ali took the woman away from Umar's men and prevented them from stoning her. They went back to Umar telling him that Ali bin Abu Talib had prevented them from carrying out the order of the caliph Umar. Umar said: "He (Ali) did not do that unless he knew something!" He sent for Ali. Ali came to Umar, who was somehow angry. He said to Ali: "Why did you prevent these men from executing my order?" Ali said: "Have you not heard the Prophet (s) saying: "Three ones are free from being considered as sinful; a sleeping one until he awakes, a child until he becomes adult and a mad one until he becomes sane"?" He said: "Yes, I have." Ali said: "This woman is mad. The adulterer might have committed the sin with her while she was mad." Umar said: "I do not know!" Ali said: "I also do not know!" Umar set the woman free and he did not stone her."²

¹ vol.1 p.154-.

² Mustadrak of al-Hakim, vol.4 p.389, Talkes al-Mustadrak by ath-Thababi. Al-Bukahri has summarized the tradition in his *Sahih*, vol.4 p.117 saying: "Ali said to Umar: "Have you not known that three ones are free from being considered as sinful;

Fourth: Ibn al-Qayyim mentioned in his book *at-Turuq al-Hakamiyya fee as-Siyasa ash-Shar'iyya* (the wise ways in legal politics) that once a woman had been brought to Umar and she confessed that she had committed adultery. Umar ordered the woman to be stoned. Ali asked him to delay his order a little that she might have an excuse which might save her from the punishment. He asked the woman: "What has led you to commit adultery?" She said: "There was a herdsman with me (in the pasture) who had water and milk among his camels but I had not. I became thirsty and I asked him for some water or milk. He refused to give me unless I would (give him my self). I refused to submit to him for three times but when I became too thirsty and I thought that I was about to die, I submitted to him and he gave me some water." Ali said: "Allah is great! *'but whoever is driven to necessity, not desiring nor exceeding the limit, then surely Allah is Forgiving, Merciful.* Qur'an, 16:115"

Al-Bayhaqi mentioned in his *Sunan* that Abu Abdurrahman as-Sulami had said: "Once a woman had become too thirsty. She passed by a shepherd and asked him for some water but he refused to give her unless she would let him make love with her. She submitted to him. Umar consult the people about stoning her. Ali said: "She was obliged to do that and I think that she is to be set free." Umar set her free."¹

Fifth: Ibn al-Qayyim said:² "Another woman was brought to Umar and she confessed and confirmed that she had committed adultery. Ali was present then. He said: "She talks as if she has not known that it (adultery) is impermissible." He did not punish her."

Ibn al-Qayyim added: "This is accurate insight."

Sixth: Ahmad Ameen said in his book *Fajr al-Islam*:³ "A case was offered to Umar that a man had been killed by his father's wife and her lover. Umar hesitated to kill two persons for one. Ali said to him:

a mad one until he becomes sane, a child until he becomes adult and a sleeping one until he awakes."

¹ *At-Turuq al-Hakamiyya fee as-Siyasa ash-Shar'iyya* by Ibn al-Qayyim, p.53.

² *Ibid.* p.55.

³ p.285, quoted from the book *A'lam al-Muwaqqi'een*.

"If a group of people participate in a theft, will you cut the hands of all of them?" Umar said: "Yes, I will." Ali said: "It is the same here." He did as Ali said to him and he wrote to his official: "Kill them both! If all the people of Sana'a participated in killing him, I would kill them all."

Seventh: Ibn Abul Hadeed said: "Once Umar sent for a woman to ask her about something. She was pregnant and because of fearing him, she miscarried of her fetus. He asked the great companions to give him a fatwa about this matter. They said to him: "You are not to be blamed because you are discipliner." Ali said to him: "If they wanted to compliment you, they have cheated you and if this was their opinion after trying their best, they have mistaken. You have to free a (believing) slave (as a penance)." Umar and the companions referred to Ali's opinion."¹

Eighth: Umar was confused what to do to a man from the first Muhajireen, who had fought in the battle of Badr. He was Qudama bin Madh'oon. One day he was brought to Umar after drinking wine. Umar decided to whip him. He said to Umar: "Why will you whip me? The Book of Allah is between me and you." Umar said: "Where is it in the Book of Allah that I should not whip you?" He said: "Allah says in His Book: *On those who believe and do good there is no blame for what they eat, when they are careful (of their duty) and believe and do good deeds, then they are careful (of their duty) and do good (to others), and Allah loves those who do good (to others).* Qur'an, 5:93" I am from among (those who believe and do good). I have attended with the Prophet (s) in Badr, al-Hudaybiya, al-Khandaq and other events. Umar did not know how to reply. He said to his companions: "Let any of you reply to him!" Ibn Abbas said: "These verses have been revealed as an excuse for the deceased Muslims and as a reminder to the remaining believers because Allah says: *O ye who believe! Intoxicants and gambling, (dedication of) stones, and (divination by) arrows, are an abomination of Satan's handwork: eschew such (abomination), that ye may prosper.* Qur'an, 5:90" Then he recited the other verse among which was *"they are careful (of their duty) and*

¹ Sharh Nahjol Balagha, vol.1 p.58.

believe and do good deeds, then they are careful (of their duty) and believe, then they are careful (of their duty) and do good." He added: "Allah has prohibited drinking wine, then would he, who drank wine after it has been prohibited, be pious and God-fearing?" Umar said: "You are right. Then what do you see?" Ali gave a fatwa to whip Qudama eighty whips. The penalty of a winer has become such since that day.¹

Ninth: Ibn al-Qayyim mentioned in his book at-Turuq al-Hakamiyya, p.27 a case of a woman, who had loved a young man from the Ansar but when he did not respond to her, she played a trick. She took an egg and poured its albumen on her dress and between her thighs and then she came to Umar crying. She said to him: "This (young) man has raped me and disgraced me among my family and this is the sign of what he has committed with me." Umar asked some women and they said that there was some sperm on her cloths and body. Then Umar wanted to punish the young man, who was crying for help and saying: "O Ameerul Mo'mineen, make sure of the matter! By Allah, I have not committed any sin. I have never intended to do anything to her. She tried to seduce me to yield to her but I refused." Ali was present. Umar asked him: "O Abul Hasan, what do you think about them?" Ali looked at the woman's cloth and he asked for boiling water. He poured the hot water over the dress and the white became solid. He took it, smelt it and tasted it and he found that it had the taste of egg. He scolded the woman and she confessed the truth.

Tenth: Ibn al-Qayyim in his book at-Turuq al-Hakamiyya² mentioned that two men from Quraysh had paid one hundred dinars to a woman as deposit and they said to her: "Do not give back the money to any one of us if the other is not with him." After a year one of them came and said to the woman: "My friend died and I want the money." She refused to give him the money and said: "You both have said to me not to give the money to any of you if the other was with him. I will not give it to you." He asked her relatives and neighbors to intercede with her until she agreed to repay him the money. After

¹ Mustadrak of al-Hakim, vol.4 p.376, Talkhees al-Mustadrak by ath-Thahabi.

² P.30-

another year the second man came to her and asked her to give him the money back. She said to him: "Your friend has come to me and he pretended that you had died and I gave him the money." They went to Umar to judge on their case. Umar wanted to judge against the woman. She asked him to send them to Ali bin Abu Talib to judge on their case. Umar sent them to Ali, who perceived that the two men had deceived the woman. He said to the man: "Have you not asked the woman not to repay the money to any of you unless the other one would be with him?" The man said: "Yes, we have." Then Ali said to him: "Go and bring your friend and then the woman will give you the money; otherwise you have no right to ask her for anything."

Eleventh: Ahmad bin Hanbal mentioned in his Musnad¹ a tradition narrated by ibn Abbas that once Umar had been confused about the doubt in prayer (being uncertain how many rak'as one has offered). He asked his servant: "O boy, have you heard from the Prophet (s) or any of his companions if one became uncertain in his prayer, what he should do?" After a moment Abdurrahman bin Ouff came and asked Umar: "What is the matter with you?" Umar said: "I asked this boy if he had heard from the Prophet (s) or any of his companions if one doubted in his prayer what he should do." Abdurrahman said: "I have heard the Prophet (s) saying: "If one of you becomes uncertain in his prayer..." Refer to this tradition; it has a fatwa from Abdurrahman which is opposite to what has been narrated from the Prophet (s) by the Shia.

The cases like these ones were many! They showed that Umar soon submitted to the truth in such matters since he recognized it and he submitted to whoever reminded him if he ignored; nevertheless he was too severe when determining his policies without paying any attention to anyone. He was too severe to his officials; whether to their bodies or their properties. He often confiscated some of their monies to the treasury and he often dealt with them with his stick severely! He might burn down their houses over them as he had done to his emir of Kufa, Sa'd bin Abu Waqqass when he ordered to burn down his palace. Once again he beat Sa'd with his stick when Sa'd competed with people to reach him. Once again he (Umar) saw some

¹ vol.1 p.190.

people following Ubayy bin Ka'b in the street and then he raised his stick to hit Ubbay. Ubbay said to him: "O Ameerul Mo'mineen, fear Allah!" Umar said to him: "O ibn Ka'b, what are these crowds behind you? Have you not known that it is conceit to the followed one and meanness to the followers?"

The darrah¹ of Umar was a whip of torment, which the great companions feared, until it was said that it was more frightening than the sword of al-Hajjaj.²

He had beaten Umm Farwa bint Abu Quhafa severely with his darrah when her brother Abu Bakr died and she with other women, at the head of whom was Aa'isha, began crying for him. He did pay no attention to her position that she was the aunt of Aa'isha and the sister of Abu Bakr. Hisham bin al-Waleed pulled her in a mean way to the street. Umar wanted to frighten the other women, who soon ran away here and there. How harshly he often behaved to achieve his policy without having any pity towards anyone and without fearing any end!

He had said to Imam Ali (s) and his companions, who had refused to pay homage to Abu Bakr, when they were in the house of Fatima (s): "I swear by Him, in Whose hand my soul is, either you come out to pay homage or I shall burn down the house over you." The daughter of the Prophet (s) went out crying and shouting. When she saw what Umar and his men had done to Imam Ali (s) and az-Zubayr, she said: "How soon you have attacked the family of the messenger of Allah!"³

And many many of such political situations which were as Imam Ali (s) had said when talking about entrusting Umar with the caliphate by Abu Bakr: "...he made it (the caliphate) in a harsh land, which was full of stumbles and which could not be avoided. A man in it was like a rider of a reluctant camel, if he tightened its noseband, he would tear its nose and if he loosened its noseband, it would insert him into difficulties. People were afflicted with confusion, fickleness and

¹ Darrah is a dry bunch of dates (after losing its fruits).

² Sharh Nahjol Balagha, vol. 1 p.60. Al-Hajjaj was a tyrant emir of the Umayyad state.

³ Sharh Nahjol Balagha, vol. 1 p.134.

objection..."¹

70. INVENTING THE SHURA

When Umar was about to die, he invented the Shura to choose the caliph after him. He appointed a committee of six persons pretending that Ali, the Prophet's brother and guardian, was one of them;

Ali, who was the best of the human beings after the Prophet, who was the very self of the Prophet (s).

Muhammad and Ali were the two eyes of the world;

one was the right and the other was the left.

Muhammad was the city of knowledge and Ali was its gate

and whoever wanted to come to the city,

had to enter it from its gate.

O my Lord! What was the Shura invented for?! Had he (Ali) been compared with the first one (Abu Bakr) so that he would be compared with these ones and their likes?! Certainly not! But "...a man (Sa'd) listened to his rage and the other (Abdurrahman) sided with his kin (Othman) for this and that."²

This Shura had many bad consequences and evil results that had caused great harm to Islam. Umar had in this Shura contradictories that he would have better not done!

When he (Umar) was stabbed³ and he became desperate of remaining alive, he was asked: "Would that you have appointed the caliph after you!" He said: "If Abu Ubayda was alive, I would appoint him a caliph because he was the trustee of this umma⁴ and if Salim, the

¹ Sharh Nahjol Balagha, vol. 1.

² Referring to horrible event that Imam Ali (s) disliked to mention openly.

³ On Wednesday, four days before the end of Thul Hijja, 23 A.H. and he died three days after that and then he was buried on Sunday.

⁴ If Abu Ubayda was the trustee of this umma, then Imam Ali (s) was worthier of the umma than itself as they had known well. Umar himself had congratulated him of that on the day of al-Ghadeer.

mawla of Huthayfa was alive, I would appointed him a caliph because he was too sincere in his love to Allah.”¹ His son Abdullah was mentioned to him but he refused to appoint him as the caliph. The companions went out and then they came back to him saying: “O Amcerul Mo'mineen, Would that you have determined a decree!” He said: “I have decided, after my first saying, to entrust your affair with a man, who is the best among you to lead you to the truth” meaning Ali (s). They said to him: “What prevents you from that then?” he said: “I cannot bear it (the caliphate) alive and a dead.” Then he said: “You are to keep to these ones; Ali, Othman, Abdurrahman, Sa'd, az-Zubayr and Talha. They should consult to choose one from among them. If they choose that one as the caliph, then they have to support and assist him.” Then he sent for those six men and said to them: “When I die, Suhayb should lead the people in offering the prayer. You have to deliberate for three days and when the fourth day comes you must have an emir from among you.”

Then he ordered Abu Talha al-Ansari to select fifty men from the Ansar with their weapons to supervise these six men until they should choose one from among them within three days after Umar's death. He ordered Suhayb to lead the prayers during that time. He ordered the six men to be inside a house under the supervision of Abu Talha with his sword and his armed men. He said to Abu Talha: “When five men agreed on one opinion and the sixth one objected to them, you should split his head with your sword and when four of them agreed and two refused, you should behead them both and if each three of them had an opinion, the caliph should be from the group of Abdurrahman and then you should kill those three if they would refuse to submit but if the three days elapsed while they have not agreed on one yet, you should kill all the six² and let the matter

¹ I do not think that he has forgotten his coming back with the banner after the coming back of his friend (Abu Bakr) from Khaybar defeated and sorrowful and I do not think that he has forgotten the good news of the Prophet (s) to Imam Ali (s), who has obtained the great victory, nor has he forgotten the saying of the Prophet (s) on that day: “By Allah, I will give the banner tomorrow to a man, whom Allah will grant victory. He loves Allah and His messenger and Allah and His messenger love him.”

² Umar's slighting the bloods of these men might encourage the killers of Othman to slight his blood and might encourage the Kharijites to slight the bloods of Imam Ali (s) and his companions on the days of al-Jamal, al-Basra, an-Nahrawan and Siffteen

of the caliphate to the Muslims to elect whoever they liked." This is the summary of the covenant of the Shura.¹

If Umar was unwilling to undertake the caliphate as he pretended, then why did he insert himself in what he had fled from and arrange in the worst and most harmful and dangerous way?! He chose six men out of the whole umma and described them with what prevented them from being chosen as caliphs that we have not mentioned here!² Then he arranged the matter in a way that it would lead to choose Othman as the caliph in any way and without a bit of doubt!³ Which bearing (that Umar pretended to refrain from) was more than this?! What was the difference between appointing Othman openly and limiting the matter in a way that would lead to him alone and would kill the rejecters?

Would he have appointed Othman or any one else and not put the slave Suhayb over their heads with Abu Talha and his men with their drawn swords to kill them (Ali and the others) if they opposed that critical plan which Umar had planned to them!

If he had entrusted the caliphate to anyone he liked, the umma would not have seen him slight their (these six men's) bloods and be

when fighting him and killing him later on and encouraged Yazeed to slight the blood of the master of the martyrs Imam Husayn (s) in Kerbala for Umar was the example especially for those people with no doubt!

¹ Umar's covenant of Shura in this way as we have summarized is proved by the recurrent traditions that have been mentioned by all the historians and scholars of Hadith. Refer to al-Kamil by ibn al-Atheer, vol.3, the events of the year 23 of hijra, Tareekh al-Umam wcl Mulook by ibn Jarcer, the events of 23 A.H., Sharh Nahjol Balagha, vol. 1 p.62 and the rest of the books of history.

² To see how Umar has described them, refer to Sharh Nahjol Balagha, vol.1 p.72 and you will find wonders!

³ Therefore Imam Ali (s) said: "It (the caliphate) gone away from us." His uncle al-Abbas said-as in al-Kamil by ibn al-Atheer and Tareekh al-Umam wcl Mulook by ibn Jarcer: "...how did you know?" Imam Ali (s) said: "Othman has been compared to me...they are with the majority; if two men will choose a man and the other two men will choose a man, then they will be with the group of Abdurrahman and Sa'd will never object to his uncle Abdurrahman at all and Abdurrahman is the kin of Othman; they will never disagree at all. Even if the other two are with me, they will not avail me."

indifferent to shedding their bloods¹ nor would have the umma seen him despise them by preferring the slave Suhayb to them in offering the prayer of his (Umar's) funerals and the five daily prayers.

As if he was not satisfied with despising and disgracing them when he said: "If Abu Ubayda was alive, I would appoint him a caliph and if Salim was alive, I would appoint him a caliph" preferring them to these six men, among whom was the Prophet's brother, guardian and heir, Aaron of the umma, the judge, the gate of the house of wisdom, the gate of the city of knowledge and the one who had had the knowledge of the Book; Imam Ali (s).

As for Salim, he was neither from Quraysh nor was he an Arab. He was a foreigner from Istakhr or Karmad. He was a slave owned by Abu Huthayfa bin Utba's wife, whose name was Thubayta bint Ya'ar bin Zayd bin Ubayd bin Zayd al-Ansari al-Ousi.² The umma had agreed unanimously due to the legal verdicts that imamate would not be permissible for one like Salim,³ then how did Umar say: "If Salim was alive, I would appoint him a caliph?"⁴

This Shura had caused competition and sedition between these six men that led to separation and disagreement among the Muslims for each one of these six men found himself as well-qualified for the caliphate and equal to the others whereas before the Shura (of Umar) they did not think in this way. In fact Abdurrahman was a follower of Othman, Sa'd was a follower of Abdurrahman and az-Zubayr was one of Imam Ali's followers, who had supported him on the day of the Saqeefa. It was him (az-Zubayr) who had drawn his sword⁵ defending

¹ In spite of that Allah has strongly prohibited shedding bloods in the clear verses of the Qur'an and it has been prohibited by the prophetic traditions and by the consensus of the umma.

² Al-Istee'ab by ibn Abdul Birr, biography of Salim.

³ Many scholars have declared the consensus on this matter such as an-Nawawi in his book Sharh Sahih Muslim, chap. of Imamate.

⁴ They justified that by saying that Umar had said that as an ijtihaad by him due to his own opinion. Among those who have mentioned this excuse was ibn Abdul Birr in his book al-Istee'ab. Refer to that to see that they were indifferent to the legal verdicts and the clear texts of Allah and His messenger.

⁵ Abu Bakr Ahmad bin Abdul Aziz al-Jawhari mentioned in his book Kitab as-Saqeefa a long tradition which also has been mentioned by ibn Abul Hadeed in Sharh Nahjol

Imam Ali (s) and it was him who was among the few ones who had escorted Fatima (s) to her tomb and offered the prayer for her where she had been buried under the darkness of night¹ according to the will of Fatima (s) herself and it was him who had said during the reign of Umar: "By Allah, if Umar dies, I will pay homage to Ali"² but the Shura made him look forward to the caliphate and so he parted with Ali (s) as the others did. He went to fight against Imam Ali (s) in the battle of al-Jamal (the camel). Abdurrahman bin Ouff himself regretted his doing when he had preferred Othman to himself in the matter of the caliphate and then he parted with him and tried his best to depose him from the caliphate but he did not succeed. And people knew well what Talha and az-Zubayr had done to incite people against Othman and then Aa'isha joined them assisting Talha and hoping that the caliphate might come back to Taym.³ She often said: "Kill Na'thal (meaning Othman) for he has disbelieved!"⁴

Balagha, vol. 2, saying: "Umar with a gang, among whom were Usayd bin Khudhayr and Salama bin Aslam, went to the house of Fatima (s). Umar said to them (to Ali and the companions who were with Ali inside the house): "Come out to pay homage." They refused to do that and az-Zubayr came out to them with his sword. Umar said: "Arrest the dog!" Salama bin Aslam jumped to him (to az-Zubayr) and took the sword from his hand and threw it against the wall..."

¹ Imam Ali (s) had lead his few companions in offering the prayer of funerals for Fatima (s) and Abu Bakr had not been allowed (or even informed) to offer the prayer for her. Refer to Sahih of al-Bukhari, vol.2 p.39 and Sahih of Muslim, vol.2 p.72.

² Once Umar said from above the minbar in a long speech he made: "...I have been informed that someone of you has said: "by Allah, if Umar dies, I will pay homage to so-and-so." Let no one be deceived to say such a thing. By Allah, the homage of Abu Bakr was a slip...but Allah has saved (the umma) from its evil..." Refer to Sahih of al-Bukhari, vol.4 p.119. Al-Qastalani said in his book *Irshad as-Sari* when explaining this tradition that az-Zubayr bin al-Awwam often said: "If Umar dies, I will pay homage to Ali. The homage of Abu Bakr was a slip but it was accomplished." This saying reached Umar, who became very angry and then he made that speech. Such was what all the scholars, who had explained Sahih of al-Bukhari, mentioned in their books.

³ Taym was the tribe of Abu Bakr, the father of Aa'isha.

⁴ All the historians have mentioned that she had incited people against Othman. One of her coevals blamed her by reciting the following verses of poetry:

The outset is from you and the vicissitudes of time is from you,
Storm is from you and rain is from you.

These ones and their followers activated their opposition against Othman until they encouraged the people of Medina and the other countries to revolt against him and then to kill him. When Othman was killed and the people paid homage to Imam Ali (s) to be the caliph, Talha and az-Zubayr were the first ones who had paid the homage but their position in the Shura raised their greediness to the caliphate and made them break their homage to Imam Ali (s) and then to wage a war against him. They (Talha and az-Zubayr) revolted against Imam Ali (s) and Aa'sha joined them hoping that Talha might be the caliph. Bloods were shed in Basra (the battle of al-Jama), Siffeen and an-Nahrawan, fatal seditions spread here and there and bloody wars were waged; all those horrible events were the consequences of Umar's Shura, which made opponents to Imam Ali (s) competing with him in his right and fighting him to extort this right from him. Moreover, it was this Shura that had incited Mo'awiya to stretch his neck towards the caliphate.¹ Then Mo'awiya and each one of the men of the Shura became impassable obstacle in the way of Imam Ali (s), who had intended to show the truth and to restore what had been corrupted.

You have ordered the emir to be killed,
And said to us that he has disbelieved!

Refer to al-Kamil by ibn al-Atheer, vol.3 p.8.

¹ Abu Othman mentioned in the book of as-Sufyaniyya as I Sharh Nahjol Balagha, vol. 1 p.62 that Ma'mar bin Sulayman at-Tameemi narrated from his father from Sa'eed bin al-Musayyab that ibn Abbas had said: "I have heard Umar saying to the men of the Shura: "If you cooperate, support each other and become loyal to each other, you will eat (obtain) it (the caliphate), you and your progeny but if you envy each other, disagree with each other and hate each other, then Mo'awiya bin Abu Sufyan is to be the caliph over you." Mo'awiya was the emir of Sham, appointed by Umar, at that time. It is clear that this word has nominated Mo'awiya and encouraged him to ask for the caliphate with all his power and as possible as he could use deceit and trick. When the fate of the caliphate after Umar became in Othman's hand, it meant that it would become in Mo'awiya's hand after Othman; therefore Umar had arranged the Shura in a way that it would consequently drive the caliphate to Othman as we have said. In short, Othman, before facing his fate, he had made five persons compete with Imam Ali (s) and fight him to extort his legal right. Othman was not satisfied with this until he incited Mo'awiya to stretch his neck towards the caliphate as it has been clear to the men of understanding.

The Shura of Umar had incited the umm against Othman¹ and planted seeds that took roots and grew after the killing of Othman that was an opportunity seized by the people who had fought Imam Ali (s) in al-Jamal, Siffeen and an-Nahrawan.

How odd and wonderful the order of Umar was! He ordered the six men, whom he had nominated for the Shura so that one of them should be elected as the caliph after him, to be killed if they would not achieve his order before the end of the third day after his death!!!

Woe! Could we believe that it was permissible for him (Umar) to kill these six men or any one of them just because of delaying carrying out his order after the third day of his death?!

But indeed he had ordered to kill them while he was comfortable and tranquil with that. He had ordered Abu Talha al-Ansari and his men with this order and stressed on them and on Suhayb to execute it.

The Muslims saw and heard,

But none denied or felt pain!

This was the utmost persistence of Umar. He went on his exaggeration to the farthest point! He knew well the position of these

¹ On the day of the Shura, Umar had said to Othman: "As if I see that Quraysh has entrusted you with this matter (the caliphate) and then you will make bani Umayya (the Umayyads) and bani Ma'et over the necks of people and will preferred them to the others with the wealth and then a group of the Arabs will come to you to slaughter you in your bed. By Allah, if they do, you will do, and if you do, they will do." Then Umar grasped the forelock of Othman and said: "When that occurs, remember my saying. It will take place." Ibn Abul Hadeed said in Sharh Nahjol Balagha, vol. 1 p.22 after mentioning this tradition: "Our Sheikh Abu Othman has mentioned this tradition in his book as-Sufyaniyya and it has been mentioned by others when talking about the insight of Umar." This confirms our saying that Umar has intended, out of the caliphate of Othman, to pave the way for Mo'awiya because he knew that Othman would be killed and then the way would be opened for Mo'awiya to reach the caliphate. In fact the very caliphate of Othman would take Mo'awiya to the throne!

The outset is from you and the vicissitudes of time is from you,

Storm is from you and rain is from you.

You have ordered the emir to be killed,

And said to us that he has disbelieved!

six men more than any other one of the companions and he witnessed then that the Prophet (s) died while he had been pleased with them.

Among the six there was one, who was the brother of the Prophet (s) and who was to the Prophet (s) as Aaron was to Moses but he was not a prophet. He was the vizier and the guardian of the Prophet (s). He was the father of the two grandsons of the Prophet (s). He was the hero of Badr, Uhud and Hunayn and he was the one who had the knowledge of the Book.

Umar had better avoid exposing this great man and the rest of the six to this danger and to this meanness and disgrace! He could entrust the matter with no one and he would let the Muslims choose whomsoever they liked and then he would be truthful in his saying: "I cannot bear it alive and dead."

Or he could appoint Othman as the caliph openly as Abu Bakr had appointed him (Umar) before and so he would be frank in what he had intended to do with no deceit or trickery for he had arranged the matter of the Shura in a way that it must lead to the caliphate of Othman definitely. Umar had not preferred Abdurrahman to the other five ones, unless he knew that this would affect the matter and he knew that Sa'd would not object to Abdurrahman at all.

People knew this trick of Umar even if he thought that he had blinded the matter and said: "I do not bear it alive and dead."

What did the Muslims think if the Prophet (s) heard Umar ordering Abu Talha by saying to him: "When five men agreed on one opinion and the sixth one objected to them, you should split his head with your sword and when four of them agreed and two refused, you should behead them both and if each three of them had an opinion, the caliph should be from the group of Abdurrahman and then you should kill those three if they would refuse to submit but if the three days elapsed while they have not agreed on one yet, you should kill all the six"? O Muslims, be liberal in your opinions and say what you think! We are Allah's and to Him we shall return!

CHAPTER THREE

OTHMAN AND HIS FOLLOWERS'

INTERPRETATIONS

71. HIS KINDNESS TO HIS RELATIVES

Othman was kind to his relatives¹ (the family of Abul Aass).² He loved them too much and preferred them to the all of the umma until he paid attention neither to the blamers nor to the revolters. He violated many Qur'anic verdicts and many holy texts of the sacred Sunna of the Prophet (s) and the traditions that had been followed before him in order to satisfy his relatives.

Ibn Abul Hadeed said:³ "The prediction of Umar about Othman turned out to be true. Othman made the Umayyads tread on the necks of people. He entrusted them with the emirate of the different countries and gifted them with the wealth of the Muslims. At his

¹ Othman had violated the legal texts in many occasions for the sake of his relatives. We cannot cover them all in this book. They may not be less than the violations of the two previous caliphs together.

² The Prophet (s) has said: "When the family of al-Aass becomes thirty men, they will distribute the wealth of the Muslims among themselves, make people slaves for them and distort the religion of Allah according to their interests." It has been mentioned by al-Hakim in his Mustadrak, vol.4 p.480, from Imam Ali (s), Abu Tharr, and Abu Sa'eed al-Khidri and mentioned by ath-Thahabi in Talkhees al-Mustadrak. The prophetic traditions dispraising the family of al-Aass are true and recurrent. The Prophet (s) has declared the reality of those hypocrite people and he has cursed them (*that he who would perish might perish by clear proof, and he who would live might live by clear proof*). Al-Hakim mentioned in his Mustadrk many other traditions which sufficed in this concern. Refer to our book Abu Hurayra, p.118-128.

³ Sharh Nahjol Balagha, vol. 1 p.66.

days Armenia was conquered. He took all the khums¹ of its booties and gifted it to Marwan."

Ibn Abul Hadeed added: "Once Abdullah bin Khalid bin Usayd asked Othman for a present. He gave him four hundred thousand dirhams...he permitted al-Hakam bin Abul Aass to return to Medina after the Prophet (s) had exiled him from it and Abu Bakr and Umar had refused to let him return. He gave him one hundred thousand dirhams. The Prophet (s) had given the Muslims a place of a market in Medina called Nahrooz as charity but Othman, after being the caliph, gifted it to al-Harith bin al-Hakam, Marwan's brother and he gave Fadak to Marwan, which Fatima (s) had asked for after the death of her father as her inheritance one time and as donation the other time but she had been deprived of it...he prevented all the Muslims from grazing their cattle in the pastures around Medina except the Umayyads...he gave Abdullah bin Abu Sarh all the booties the Muslims had got when conquering north Africa, from Tripoli to Tangier, without giving any share to any other Muslim...he gave Abu Sufyan bin Harb two hundred thousand (dirhams) from the public treasury on the same day when he gave Marwan bin al-Hakam one hundred thousand (dirhams) from the treasury when he had married him his daughter Umm Abban. On that day Zayd bin Arqam, who was the keeper of the treasury, brought the keys of the treasury and put them before Othman and began crying. Othman said to him: "Do you cry because I help my relatives?" Zayd said: "No, but I think that you have taken these monies instead of the monies you had spent for the sake of Allah at the time of the messenger of Allah. By Allah, if you give Marwan one hundred dirhams, it will be too much." Othman said: "O ibn Arqam, throw the keys! We will find other than you."

Ibn Abul Hadeed added: "One day Abu Musa brought him (Othman) great wealth from Iraq (as land taxes) and he distributed it all among the Umayyads. He married his daughter Aa'isha to al-Harith bin al-Hakam and he gave him one hundred thousand dirhams from the treasury after deposing Zayd bin Arqam from the treasury...besides these things he committed many other faults that made the Muslims bear grudge against him...such as exiling Abu Tharr to ar-Rabatha

¹ Fifth.

(in the desert), beating Abdullah bin Mass'ood until he broke his ribs, appointing doorkeepers (to prevent people from coming to him), deviating from the way of Umar in executing the penalties, judging among people, punishing the transgressors and in being strict to manage the affairs of the citizens. And he ended his bad deeds with his book to Mo'awiya ordering him to kill a group of the Muslims and then many people of Medina with the people who had come from Egypt revolted against him and killed him; yet they had to depose him from the caliphate and not to hasten in killing him...Ameerul Mo'mineen (Imam Ali) was the most innocent of killing him. He had declared that in many of his speeches. He said: "By Allah, I have not killed Othman and I have not agreed with the people on killing him." He had said the truth. Blessing be upon him..."

In short, all the transgressions of Othman had been narrated by the narrators and mentioned by the historians and the scholars of Hadith. Many of the scholars had considered them as true and fixed events. Refer to the resources to see the clear truth.¹

The speech of Imam Ali (s), called ash-Shaqshaqiyya, suffices in showing the reality of this man he said: "...until the third of people (of the caliphs-Othman) came (become the caliph) struttingly... and his relatives came with him gnawing the wealth of Allah as camels gnawing the grass of spring until his weaving turned over him, his deeds finished him off, his retinue failed him..."

¹ Among those, who have considered the transgressions of Othman as true and real with no doubt, was ash-Shahristani in his book *al-Mifel wen-Nihal*. Othman had committed many other violations such as burning the copies of the holy Qur'an in order to gather the Muslims on one reciting of the Qur'an, gifting the warriors from the monies of charity whereas they were not from among the eight classes that Allah had limited charity to by saying: *(Alms are only for the poor and the needy, and the officials (appointed) over them, and those whose hearts are made to incline (to truth) and the (ransoming of) captives and those in debts and in the way of Allah and the wayfarer)* 9/60, beating Ammar bin Yassir severely, not punishing Ubaydillah bin Umar with the legal penalty when he had killed al-Hurmuzan, his book to the people of Egypt to kill Muhammad bin Abu Bakr and a group of the believers with him and many other transgressions!

72. HIS PRAYER IN TRAVEL

A four rak'as prayer is shortened to two rak'as in travel whether in the case of fear or safety according to the Sharia. The legality of "taqseer or qasr"¹ has been proved by the Qur'an, the Sunna and the consensus of the umma. Allah has said: *"And when you journey in the earth, there is no blame on you if you shorten the prayer, if you fear that those who disbelieve will cause you distress. Qur'an, 4:101"*

Ya'la bin Umayya narrated that he had asked Umar: "Why do we shorten prayers though we have felt safe?" Umar said: "I have wondered at what you have wondered at and once I asked the messenger of Allah about it. He said: "It is a charity that Allah has endowed you with. Accept His charity!"²

Ibn Umar said:³ "I often accompanied the messenger of Allah (s) in travel. He did not offer more than two rak'as (in travel) until he left to the better world. I accompanied Umar (in travel). He did not offer more than two rak'as until he died. I accompanied Othman. He did not offer more than two rak'as."⁴

Allah has said: *"Certainly you have in the Messenger of Allah an excellent exemplar. Qur'an, 33:21"*

Ibn Shayba narrated that the Prophet (s) had said: "The best believers of my umma are they who witness that there is no god but Allah and that Muhammad is the messenger of Allah and who when doing good they become pleased, when doing wrong they ask Allah to forgive them and when traveling they shorten their prayers."

Anass bin Malik said: "Once we traveled with the Prophet (s) from Medina to Mecca. He offered two rak'as two rak'as until we returned."⁵

¹ Shortening prayers during travels.

² Sahih of Muslim, vol.1 p.258.

³ As in Sahih of Muslim, vol.1 p.295.

⁴ So did Othman during the first six or nine years of his caliphate but after that he offered full (four rak'as) prayers in travel until he died. We will mention this soon inshallah.

⁵ Sahih of al-Bukhari and Muslim.

Ibn Abbas said: "The Prophet (s) stayed at Mecca for nineteen days shortening the prayers..."¹ The Prophet (s) shortened the prayers during the nineteen days because he had had no intention of residence.

It has been proved that the Prophet (s), when leading the people of Mecca in offering the prayers after the hijra, had recited tasleem² after two rak'as in the four rak'as prayers. He had told the people (of Mecca) before beginning the prayers to complete their four rak'as prayers apologizing to them that he and his companions were travelers.

Anass said: "Once I offered Dhuhr prayer with the Prophet (s) in Medina in four rak'as and offered Asr prayer with him in Thil Hulayfa in two rak'as."³

The Qur'anic verse has confirmed the legality of shortening prayers by a traveler in the state of fear. The true traditions after that have confirmed the legality of shortening the prayers by a traveler at all and on this has been the consensus of the umma with no disagreement except from Aa'isha and Othman. It has been mentioned that both of them offered full prayers during travel. This was the first thing that the people began criticizing Othman for as the historians had recorded it from among the events of the year twenty-three of hijra.⁴

Al-Bukhari and Muslim mentioned in their Sahihs a tradition narrated by Nafi' that ibn Umar had said: "The messenger of Allah (s) always offered two rak'as (instead of four) in Mina. So did Abu Bakr after him. Umar did the same after Abu Bakr. Othman offered two rak'as during the first period of his caliphate but then he offered four rak'as (in Mina)..."

They (al-Bukhari and Muslim) also mentioned that Abdurrahman bin Yazeed had said: "Othman bin Affan led us in offering the prayer in Mina and he offered four rak'as. It was said to Abdullah bin

¹ Sahih of al-Bukhari, vol.1 p.131.

² Saying "peace, mercy of Allah and blessing be upon you" to finish prayers.

³ Sahih of Muslim, vol.1.

⁴ Al-Kamil by Ibn al-Atheer, vol.3 p.49, Tareekh aof at-tabari, vol.3 p.322.

Mass'ood about that. He sighed and then said: "I offered two rak'as with the Prophet (s) in Mina, two rak'as with Abu Bakr and two rak'as with Umar. I hope that two of these four rak'as will be accepted!"

They mentioned too that Haritha bin Wahab al-Khuza'iy had said: "Once the Prophet (s) led us in offering the prayer where the people were so many. His prayer was two rak'as."¹

Muslim mentioned in his Sahih a tradition narrated by az-Zuhri from Urwa that Aa'isha had said: "First the prayer has been legislated as two rak'as and then the prayer in travel has been fixed (as two rak'as) whereas the prayer in residence has become full (four rak'as)." Az-Zuhri said: "I asked Urwa: "Then why does Aa'isha offer full prayers in travel?" He said: "She has interpreted (the verdict according to her own opinion) as Othman has done."²

Al-Fadhil an-Nawawi said when explaining this tradition of Muslim: "The ulama disagreed on their (Othman and Aa'isha's) interpretations; it was said: Othman was Ameerul Mo'mineen (the commander of the believers) and Aa'isha was Ummul Mo'mineen (the mother of the believers) so as if they were always at home (in residence and not in travel). He added: "The scholars have denied this justification saying that the Prophet (s) would be worthier of this than Othman and Aa'isha and the same would be with Abu Bakr and Umar. It was also said that Othman had got married in Mecca.

¹ Ahmad bin Hanbal mentioned in his Musnad, vol.4 p.94 a tradition narrated by Abbad bin Abdullah bin az-Zubayr that his father had said: "Once when Mo'awiya has come (to Mecca) to offer the hajj, we came with him from Mecca. He led us in offering Dhuhr prayer. He offered two rak'as. But when Othman came to Mecca as traveler, he offered Dhuhr, Asr and Isha' prayer four rak'as and when he came to Mina he also offered full prayers (in Mina and in Arafat). When Mo'awiya offered Dhuhr prayer as two rak'as, Marwan bin al-Hakam and Amr bin Othman said to him: "No one has faulted your cousin (Othman) with worse than you have done!" He said to them: "How is that?" They said to him: "Have you not known that he (Othman) has offered full prayer in his travel? Mo'awiya said: "Has it been other than what I did? I have offered it (the prayer) with the messenger of Allah (s), with Abu Bakr and with Umar as qasr (shortened form)." They said to him: "But your cousin has offered it in full and your doing so would fault him." Then Mo'awiya offered Asr prayer four rak'as after he had offered Dhuhr prayer two rak'as."

² Sahih of Muslim, vol.1 p.258.

The scholars have denied this too saying that the Prophet (s) had traveled with his wives but he had shortened his prayers. It was also said that Othman and Aa'isha had done so for the sake of the nomads, who had been with them, so that they would not think that prayers were two rak'as whether in residence or in travel. The scholars have refuted this too by saying that this meaning was existing at the time of the Prophet (s). In fact the matter of prayer has become more famous at the time of Othman and Aa'isha than before. It was also said that Othman and Aa'isha had intended to reside in Mecca after offering the hajj. This has also been refuted by saying that residing in Mecca for more than three days was impermissible for the Muhajireen. It was said too that Othman had had a piece of land in Mina. The scholars have refuted this by saying that this did not require offering full prayers or residing. They (Othman and Aa'isha) might think that offering qasr prayer was permissible and offering full prayer was also permissible and so they followed one of the two.

In fact, their objection to the legal texts was not limited to this act, which had not led to profaning sanctities, shedding bloods, violating honors or extorting properties as their other interpretations. This was simple in comparison with their other interpretations against the legal verdicts.

CHAPTER FOUR

AA'ISHA AND HER INTERPRETATIONS

73. THE PRAYER OF AA'ISHA IN TRAVEL

Allah has legislated shortening the four rak'as prayers in travel through His holy Book and via His messenger through the sacred Sunna. The umma has agreed on this unanimously with no disagreement save that of Othman and Aa'isha, who have offered full prayers in travel.

This was despite the saying of Aa'isha herself "First the prayer has been legislated as two rak'as and then the prayer in travel has been fixed (as two rak'as) whereas the prayer in residence has become full (four rak'as)."¹

74. THE MARRIAGE OF ASMA' WITH THE PROPHET

Hamza bin Abu Usayd as-Sa'idy narrated that his father, who was one of the Prophet's companions of Badr, had said: "The messenger of Allah (s) got married to Asma' bint an-Nu'man al-Jowniyya and he sent me to bring her. Hafsa² said to Aa'isha: "You dye her hair (with henna) and I will comb it." They did so and then one of them said to Asma': "The Prophet (s) likes his wife, when coming in to him (for the first time), to say to him: "I seek the protection of Allah from you!" When she came in to the Prophet (s) and he closed the door and loosened the curtain, he stretched his hand towards her. She said to him: "I seek the protection of Allah from you." The Prophet

¹ Sahih of Muslim, vol.1 p.258.

² The Prophet's wife. She was Umar's daughter.

(s) hid his face with his sleeves and said: "I have sought the protection of Allah" three times. Then he went out to Abu Usayd and said to him: "O Abu Usayd, take her back to her family and give her two dresses." And so the Prophet (s) divorced her. After that Asma' often said: "Call me the unhappy one!" Ibn Umar said from Hisham bin Muhammad that Zuhayr bin Mo'awiya al-Ju'fi had said: "She died of sadness."¹

75. FABRICATIONS AGAINST THE PROPHET'S WIFE

Lies had been fabricated against Ibraheem, the Prophet's son, and his mother Maria, the Prophet's wife.

After that the Prophet (s) came to Aa'isha carrying his son Ibraheem, who looked like his father, and asked her about the reason behind that fabrication. She said: "It was jealousy that led me, as with many women, to say that I have not found him looking like his father." She wanted to confirm the lies of the fabricators by her saying but Allah has shown the innocence of Ibraheem and his mother by virtue of Imam Ali (s).²

76. THE DAY OF MAGHAFEER³

Al-Bukhari mentioned in his Sahih⁴ that Aa'isha had said: "The messenger of Allah (s) often drank honey with Zaynab bint Jahsh (his wife) and stayed with her. One day I and Hafsa⁵ plotted that when the Prophet (s) came to any of us, we would say to him: "Have you eaten maghafeer?" One of them said to him so and he said: "No, but I drank honey with Zaynab bint Jahsh. I will never do that again but you tell no one of that!"

¹ It has been mentioned by al-Hakim in his Mustadrak, vol.4 p.37, by ibn Sa'd in his Tabaqat of ibn Sa'd, vol.8 p.104, by ibn Jareer and others.

² Mustadrak of al-Hakim, vol.4 p.39, Talkhees al-Mustadrak by ath-Thahabi. Refer to them to see the wonders!!

³ Maghafeer: a viscous secretion of a certain tree. It has bad smell.

⁴ Vol.3 p.136.

⁵ Aa'isha and Hafsa were also the Prophet's wives.

77. AA'ISHA AND HAFSA WERE ORDERED TO REPENT

Allah revealed to the Prophet (s): *(If ye two turn in repentance to Him)* concerning his two wives; Aa'isha and Hafsa and this did mean that they disobeyed the orders of Allah because repentance would not be required except from guilty ones. After that Allah said: *(your hearts are indeed so inclined)* meaning that their hearts had inclined to other than the obligations and duties they had to submit to.

78. BACKING UP AGAINST THE PROPHET (S)

Allah has said: *"and if you back up each other against him, then surely Allah it is Who is his Guardian, and Gabriel and -the believers that do good, and the angels after that are the aiders. Maybe, his Lord, if he divorce you, will give him in your place wives better than you, submissive, faithful, obedient, penitent, adorers, fasters, widows and virgins. Qur'an, 66:4-5"*

Al-Bukhari mentioned in his Sahih¹ that Ubayd bin Hunayn had heard ibn Abbas saying: "I spent one year intending to ask Umar bin al-Khattab about a verse of the Qur'an but I could not ask him respecting his position until he went to offer the hajj and I went with him. While we were coming back, he went behind some trees to relieve himself. I waited until he finished his need and then I walked with him. I asked him: "O Ameerul Mo'mineen, who were the two that had backed up against the Prophet (s) from among his wives?" Umar said: "They were Hafsa and Aa'isha..." The tradition is long. You may refer to it and ponder on the Qur'anic verse to see how much the Prophet (s) has suffered from these two wives and how much Imam Ali (s), after the Prophet (s), has suffered from them.

79. THE GREAT EXAMPLE

Allah has said: *"Allah sets forth an example to those who disbelieve the wife of Nuh and the wife of Lut: they were both under two of Our righteous servants, but they acted treacherously towards them so they availed them naught against Allah, and it was said: Enter both the fire with those who enter. And Allah sets forth an example to those who believe the wife of Firon (Pharaoh) when she said: My Lord,*

¹ Vol.3 p.136, 137.

build for me a house with Thee in the garden and deliver me from Firon and his doing, and deliver me from the unjust people. Qur'an, 66:10-11" Such Allah has set forth an example to them (Aa'isha and Hafsa) to warn them of what they had done and to make them know that just being a wife of a prophet or a tyrant would not benefit or harm. What would benefit or harm was one's doing.

80. ENGAGEMENT OF SHIRAF

When the Prophet (s) wanted to engage Shiraf, the sister of Dahiyya al-Kalbi, he sent Aa'isha to see her. When Aa'isha came back, the Prophet (s) asked her: "What did you see (how was the girl)?" Aa'isha said: "There is no use." The Prophet (s) said: "In fact, there is a use! You have seen a mole that made you shiver!" She said: "O messenger of Allah, no secret can be hidden from you. No one can hide anything from you."¹

81. SHE QUARRELED WITH THE PROPHET (S)

Aa'isha said: "Once I quarreled with the Prophet (s) before (my father) Abu Bakr. I said to him: "O messenger of Allah, be just!" Abu Bakr slapped me on my cheek and said: "Do you say to the messenger of Allah "be just"? My nose began bleeding."²

82. BEING IMPOLITE TO THE PROPHET (S)

One day she became impolite to the Prophet (s). From among what she had said to him on that day was her saying: "...you who pretend that you are the messenger of Allah!!!"³

83. CRITICIZING OTHMAN AND ORDERING TO BE KILLED

All the historians have mentioned that Aa'isha often criticized Othman, faulted him and asked people to kill him. The traditions talking about this matter were true and recurrent and were

¹ Kanzol Ummal, vol. 6 p.294, Tabaqat of ibn Sa'd, vol.8 p.115.

² Kanzol Ummal, p.116, Ihya'ul Quloob by al-Ghazali, vol.2 p.35, Mukashafatul Quloob by al-Ghazali, p.238.

³ Ihya'ul Quloob by al-Ghazali, vol.2 p.35, Mukashafatul Quloob by al-Ghazali, p.238.

mentioned by all the scholars of Hadith.

Ibn Abul Hadeed said in his book *Sharh Nahjol Balagha*:¹ "All the historians have mentioned that Aa'isha had great grudge against Othman. One day she took out one of the Prophet's dresses and spread it in her house. She said to whoever came in to her: "This is the dress of the messenger of Allah. Before it ragged out, Othman had ragged the Sunna of the Prophet (s)." The historians said that the first one, who had called Othman as Na'thal,² was Aa'isha. She often said: "Kill Na'thal! May Allah kill Na'thal!" Al-Mada'ini mentioned in his book *al-Jamal*: "When Othman was killed, Aa'isha was in Mecca. When she was informed of that, she thought, with no doubt, that Talha was behind this matter. She said: "Away with Na'thal!" When Othman was killed, Talha took the keys of the treasury and he took the camels of Othman which were in his house but when he failed (to be the caliph) he gave them to Imam Ali (s). Abu Makhnaf said in his book: "When Aa'isha knew that Othman was killed while she was in Mecca, she hastened (towards Medina) saying: "Ah you, the one of the finger! How great of you! They found that Talha was the qualified one for it (the caliphate)."

Qayss bin Abu Hazim narrated that he had gone to offer the hajj with Aa'isha in the year when Othman had been killed. He heard her saying in the way: "Ah, the one of the finger!" When she mentioned Othman, she often said: "Away with him!" When she heard that Othman had been killed, she said: "Away with him! His guilt has killed him. Allah has punished him for his deeds. O people of Quraysh, let the murder of Othman not distress you. The worthiest one of this matter (the caliphate) is the one of the finger (Talha)." But when the news came saying that the people had paid homage to Ali (s) as the caliph, she said: "Woe to them! The matter (caliphate) will never come back to Taym³ at all."

Soon you will see her sayings and doings about the killing of Othman and the homage of Imam Ali (s) which have bolted the ears and

¹ vol.2 p.77.

² Na'thal was the surname of Othman near his mother.

³ Taym was the tribe of Abu Bakr.

opposed the Shariah with its clear texts of the Book and the Sunna and opposed all the evidences whether rational or traditional!

84. SOME OF HER TRADITIONS ABOUT THE PROPHET (S)

Aa'isha often narrated from the Prophet (s) (ascribed to him) traditions that could not be true at any way.

Al-Bukhari and others mentioned in their Sihah that she had said: "The first thing that was revealed to the Prophet (s) at the beginning of his prophethood was good visions. Every vision he had seen in his sleep became real like the light of morning. Then privacy was made beloved to him. He always became alone in the cave of Hira'. The angel came to him with the revelation. The Prophet (s) said: "I said: "I can not read." He took me to him and pressed me until I became too tired and then he let me free and said to me: "Read!" I said: "I can not read." He took me and pressed me for the second time until I became too tired. Then he let me free and said: *(Read in the name of your Lord Who created. He created man from a clot. Read and your Lord is Most Honorable)*. Aa'isha said: "The Prophet (s) went back with these words while his heart was shivering. He came to Khadeeja bint Khuwaylid (his wife) and said: "Wrap me! Wrap me!" She wrapped him. He said to Khadeeja after telling, her what had happened: "I feared for myself." Khadeeja said: "No, Allah will never disgrace you at all. You are too kind to your relatives; you assist the tired, help the needy, entertain the guests and support the oppressed." Aa'isha added: "Khadeeja went with him to her cousin Waraqa bin Nawfal, who had been a Christian. He had written many chapters of the Bible in Hebrew. He was an old man and he was blind. Khadeeja said to him: "O cousin, listen to your nephew!"¹ The Prophet (s) told him of what he had seen. Waraqa said: "This is the law that Allah has revealed to Moses. I wish I was young! I wish I was alive when your people would drive you away!" The Prophet (s) said: "Will they drive me away?"..."²

This tradition showed that the Prophet (s)-Allah forbid-was

¹ The Prophet (s) was not the nephew of Waraqa bin Nawfal but the Arabs often used such addressing.

² Irshad as-Sari fee Sharh Sahih al-Bukhari, vol.1 p.171.

suspicious of his prophethood after it had determined and suspicious of the angel after he had come to him and of the Qur'an after it had been revealed to him. The tradition showed that the Prophet (s) was so frightened that he was in need of his wife to encourage him and to quiet his heart and that he was in need of Waraqa, the blind Christian to strengthen his heart and to tell him about his future where his people would drive him away. All that was impossible!

We pondered on the saying that the angel took the Prophet (s) and pressed him twice until he became too tired and exhausted and his heart began shivering with fright and we find that it does not fit Allah the Almighty nor His angels or His messengers especially the last of His messengers. It has never been mentioned that such a thing had ever happened to any one of the prophets at all. Some of the scholars have discussed such things when explaining this tradition mentioned in Sahih of al-Bukhari.¹

We pondered on the dialogue that had occurred between the angel and the Prophet (s)-according to this stupid tradition-and we found that the Prophet (s) had not understood the intention of the angel when asking him: "Read!" where the Prophet (s) had said: "I cannot read." The angel had intended the Prophet (s) to repeat after him what he would recite but the Prophet (s) had understood that he had had to read while he had not known reading. As if the Prophet (s) had thought-Allah forbid- that the angel of Allah had asked him to do what he had not been able to do. All of that was impossible and it was just fabrication. Was it possible for a prophet not to understand what the angel said to him? Was it fit for the angel to be unqualified to carry out the revelation of Allah? Allah, His angels and His prophets are far above such raving!

The tradition was null due to its content and was null due to its series of narrators. It was a mursal tradition. The event had taken place some years before Aa'isha was born. She was born four years before the advent of the Prophet's mission at least. Where had she been at the advent of the revelation and where had she been when the angel had come down to the Prophet (s) in the cave of Hira'?

¹ Sahih of al-Bukhari, vol.1, vol.3 when interpreting the sura of Iqra' (Read), Sahih of Muslim, Sahih of at-Tarmithi and Sahih of an-Nassa'iy when interpreting this sura.

You may say: she could ascribe the tradition to the Prophet (s) if she had heard it from some one who had been there at the beginning of the revelation.

We say: she could do that but then the tradition would not be as an evidence nor would it be considered as a true tradition. It would be mursal. The narrators had to be known and their reliability had to be proved because the hypocrites were too many at the time of the Prophet (s) and among them were some whom Aa'isha had not known. In fact the Prophet (s) himself had not recognized some of the hypocrites. Allah has said: *"And from among those who are round about you of the dwellers of the desert there are hypocrites, and from among the people of Medina (also); they are stubborn in hypocrisy; you do not know them; We know them.* Qur'an, 9:101"

The holy Qur'an has confirmed that there were many hypocrites at the time of the Prophet (s). Our Sunni brothers agree with us on this matter but they say that all the companions after the Prophet (s) were fair and just! As if the existence of the Prophet (s) among them required the hypocrisy of those hypocrites and when the Prophet (s) left to the better world and the revelation stopped, those hypocrites became sincere and fair Muslims, who all in all became within a day and a night fair, just, reliable and loyal mujtahids, who could not be blamed for whatever they did even if they contradicted the divine texts and annulled their verdicts!

This tradition was just one from among many such mursal traditions of Aa'isha.

85. HER RISING AGAINST IMAM ALI (S)

She had waged a war against Imam Ali (s) revenging Othman, whom she often criticized and incited people to rise against him. She often abused Othman and said bad things about him.¹

¹ Here are many holy texts that Aa'isha has contradicted in her dealing with Imam Ali (s) and Othman. The traditions that Aa'isha has contradicted might be more than all the traditions the three caliphs have contradicted. It suffices you, as an example, to refer to her tradition, we have mentioned previously in this book, "First the prayer has been legislated as two rak'as and then the prayer in travel has been fixed (as two

Allah has said in the Qur'an concerning His orders to the wives of the Prophet (s): *"And stay in your houses and do not display your finery like the displaying of the ignorance of yore; and keep up prayer, and pay the poor-rate, and obey Allah and His Messenger. Qur'an, 33:33"* But Aa'isha rose against Imam Ali (s) after he had been paid homage by all the Muslims as the caliph and the first ones, who had paid him homage, were Talha and az-Zubayr, who, with Aa'isha, had formed that great army against Imam Ali (s).

She went out of her house, which Allah had ordered her to stay in. She went out riding on a camel and leading three thousands of the rabbles, among whom, unfortunately, were Talha and az-Zubayr who had broken their homage to Imam Ali (s). She led her army through mountains and valleys and she covered deserts and plains until she arrived at Basra, whose wali was Othman bin Hunayf al-Ansari who had been appointed by Imam Ali (s). Bloods were shed, honors were violated and many horrible disasters had taken place. The historians had called this event as the minor event (battle) of al-Jamal (the camel). It had taken place at the last of Rabee' ath-Thani¹ in the year thirty-six A.H. before Imam Ali (s) and his army reached Basra.

When Imam Ali (s) came to Basra, Aa'isha with her followers got ready to defend Basra against him. Imam Ali (s) refrained from fighting and invited her to peace with great and convincing speech but she insisted on the war and she began fighting. Then Imam Ali (s) could not do but to follow the saying of Allah *"And if two parties of the believers quarrel, make peace between them; but if one of them acts wrongfully towards the other, fight that which acts wrongfully until it returns to Allah's command. Qur'an, 49:9"*

Imam Ali (s) scored victory after great jihad, in which the believers had proved themselves brave. This battle was called the major battle of al-Jamal. It was on the tenth of Jumada al-Aakhira,² thirty-six A.H. These two events were successive like the battles of Siffeen and an-Nahrawan and like Badr, Uhud and al-Ahzab. These two events

rak'as) whereas the prayer in residence has become full (four rak'as)". She herself had narrated this tradition and then she did the opposite.

¹ It is the fourth month of the Islamic calendar.

² The sixth month in the Islamic calendar.

have been detailed by the historians, who have recorded the events of the year thirty-six of hijra.¹ They have also been mentioned by the historians, who have biographed the lives of Imam Ali (s) and Aa'isha and the lives of the companions who were with both of Imam Ali (s) and Aa'isha.²

About this tragedy

The historians said-as ibn Abul Hadeed mentioned in Sharh Nahjol Balagha-³ that Aa'isha had disliked Othman too much that once she had took out one of the Prophet's dresses and spread it in her house and she said to whoever came to her: "This is the dress of the messenger of Allah. It has not been ragged yet while Othman has ragged his (the Prophet's) Sunna." The historians mentioned that the first one who had called Othman as Na'thal, was Aa'isha. She often said: "Kill Na'thal! May Allah kill Na'thal! Kill Na'thal for he has disbelieved!"

Talha and az-Zubayr were extremely incited people against Othman. Al-Mada'iny said in his book al-Jamal: "When Othman was killed, Aa'isha was in Mecca. When she was informed of that, she thought, with no doubt, that Talha was behind this matter. She said: "Away with Na'thal! Oh, the one of the finger! Oh, Abu Shibl! Oh, cousin! As if I look at his finger while he is paid homage (to be the caliph).

When Othman was killed, Talha took the keys of the treasury and he took the camels of Othman which were in his house but when he failed (to be the caliph) he gave them to Ali bin Abu Talib (s).

At-Tabari⁴ mentioned that Asad bin Abdullah had narrated from some scholars that: "When Aa'isha arrived at Sarf on her way from Mecca, she met the slave of ibn Umm Kalam, who had been the slave of ibn Umm Salama. She asked him: "What is there?" He said: "They

¹ Hisham bin Muhammad al-Kalbi in his book al-Jamal, at-Tabari in Tareekh al-Umam wel Mulook, ibn al-Atheer in al-Kamil, al-Mada'ini in al-Jamal and others. To see more details, refer Sharh Nahjol Balagha, vol. 2 p.77-82, p.496-.

² Ibn Abdul Birr in al-Istee'ab, ibn al-Atheer in Usdol Ghaba, ibn Hajar in al-Isaba, ibn Sa'd in his Tabaqat and others.

³ Vol.2 p.77.

⁴ in his book Tareekh al-Umam wel-Mulook, vol.3 p.476.

have killed Othman and remained for eight days without a caliph." She asked: "What did they do then?" He said: "The people of Medina undertook the matter and they came to the best of ends. They agreed unanimously on Ali bin Abu Talib." She said: "O my God! Let the heaven cover over the earth if this matter comes to your man! Take me back! Take me back!" She went back to Mecca saying: "By Allah, Othman has been killed unjustly. By Allah, I will revenge his blood." Ibn Umm Kilab said to her: "You often said: "Kill Na'thal! He has disbelieved." She said: "They made him repent and then they killed him. I said and they said and my last saying is from my first one."

When she arrived at Mecca, she stopped at the gate of the mosque and then she went to the Rock (of the Kaaba). People crowded around her. She said: "O people, Othman has been killed unjustly. By Allah, I will revenge his blood." She caused a great sedition just to revenge on Imam Ali (s), the Prophet's brother. Imam Ali (s) was neither the killer of Othman nor had he incited people to kill him nor was he content with the murder of Othman.

Ibn al-Atheer mentioned in al-Kamil¹ that Aa'isha had said: "The rabbles of the countries, the mobs of the villages and the slavers of Medina have gathered together against this man and killed him unjustly. They denied his appointing young men in the high positions of the state whereas the ones before him have appointed young men like them and they opposed him that he had taken his relatives as his close companions. He repented and gave up what they had denied. When they did not find any excuse against him, they attacked him and shed the inviolable blood in the inviolable country and in the inviolable month and they seized the prohibited property. By Allah, a finger of Othman is better than thousands of thousands like them. By Allah, if the thing, for which they have attacked him, was guilt, he would be purified of it as gold purified of its refuse or as a dress purified of its dirt. They washed him as a dress washed with water." Abdullah bin Aamir al-Hadhrami, who was the emir of Mecca appointed by Othman, said: "I am the first one who will revenge (Othman)." The Umayyads, who had fled from Medina to Mecca after Othman had been killed, followed him.

¹ vol.4 p.103.

Umm Salama's situation toward this sedition

The historians mentioned as in *Sharh Nahjol Balagha*¹ that Aa'isha had come to Umm Salama² cheating her to rise to revenge Othman. She said to Umm Salama: "O daughter of Abu Umayya, you are the first emigrant from among the Prophet's wives and you are the eldest one among them. The Prophet (s) distributed our rights in your house and Gabriel more often came down (to the Prophet (s)) in your house." Umm Salama said to her: "You have something behind this saying!" Aa'isha said: "People asked Othman to repent and when he repented they killed him while he was fasting in the inviolable month. I have intended to go to Basra. With me there are az-Zubayr and Talha. Please come with us that Allah may fix this matter by us." Umm Salama said: "A little time ago you incited people against Othman and said bad things about him. You did not call him except with Na'thal. You have known well the position of Ali near the messenger of Allah!" Aa'isha said: "Yes!" Umm Salama said: "Do you remember when once the Prophet (s) and we have been in travel and when we arrived at Qadeed, the Prophet (s) became alone with Ali and when they took a long time together, you wanted to attack them and I forbade you from doing that but you disobeyed me and attacked them. A little later you came back crying. I asked you what the matter was with you and you said to me: "I came to them while they were communing with each other. I said to Ali: "I have only one day with the messenger of Allah from every nine days. O ibn Abu Talib, will you not let me be with him in my day?" The messenger of Allah (s) turned to me angrily and said: "Go back! By Allah, no one hates him (Ali) unless he will be out of faith." Then you came back with regret and anger." Aa'isha said: "Yes, I remember." Umm Salama said: "I remind you of something else; one day you and I were with the messenger of Allah (s) when he said to us: "Which of you will be the woman of the hairy camel when the dogs of al-Haw'ab³ will bark at her and she will be deviated from the right path?" We said: "We resort to Allah and His messenger not to do so!"

¹ vol.2 p.77-

² She was the Prophet's wife.

³ A place between Hijaz and Basra.

He patted on your back and said: "Beware O you Humayra' (Aa'isha)! Do not be that woman!" Umm Salama said: "I have warned you of that!" Aa'isha said: "I remember that." Umm Salama said: "Do you remember when you and I were with the messenger of Allah (s) in a travel when Ali undertook mending the shoes of the Prophet (s) and washing his cloths? When the shoe of the Prophet (s) was torn, Ali took it and sat under a tree to mend it. Your father (Abu Bakr) and Umar came and we came into our tent. They came in to the Prophet (s) and began talking with him until they said to him: "O messenger of Allah, we do not know how long you will be with us. Would you please tell us who will be the caliph after you so that we will resort to him?" He said to them: "I know well his place but if I tell you who he is, you will divert from him as the Israelites have diverted from Aaron." They kept silent and went out. Then we came to the messenger of Allah. You said to him and you were the most daring one among us before the Prophet (s): "O messenger of Allah, whom you will appoint as the caliph after you?" He said: "He is the mender of the shoe." We looked and we saw Ali there. I said: "O messenger of Allah, I do not see save Ali." He said: "It is him." Aa'isha said: "Yes, I remember." Umm Salama said to her: "Then how will you rise against him after all that?" Aa'isha said: "I just want to achieve reform for people."

Abu Muhammad Abdullah bin Muslim bin Qutayba mentioned in his book Ghareeb al-Hadeeth that Umm Salama had come to Aa'isha again after that and forbidden her from rising against Ali with severe words. Umm Salama said to Aa'isha from among a long speech: "The pillar of Islam will not be straightened by women if it inclines and will not be patched by them if it splits. Women should lower their gaze and protect their honor. What should you say if the Prophet (s) saw you in some of these deserts moving from a place to another? By Allah, if I do what you will do and then it will be said to me "enter into Paradise" I will be ashamed to meet Muhammad after exceeding the limits he has determined for me..."¹ to the end of her speech which Aa'isha had not listened to.

Then Umm Salama wrote a book from Mecca to Imam Ali (s). She

¹ Sharh Nahjol Balagha, vol. 2 p.79.

said in the book: "Talha, az-Zubayr and their deviate followers have intended to rise with Aa'isha and Abdullah bin Aamir against you claiming that Othman had been killed unjustly. Allah will do away with them with His might and power. If Allah has not ordered us (the Prophet's wives) to keep to our houses besides that you will not be pleased with our going out, I will join you to invite for support to you. But I am sending you my son Umar bin Abu Salama, who is as dear to me as my soul, to fight with you. O Ameerul Mo'mineen, take care of him." When Umar came to Ali (s), he honored him. Umar bin Abu Salama remained with Imam Ali (s) until he participated in all his battles.

The situation of Hafsa

Aa'isha sent for Hafsa and the other wives of the Prophet (s) asking them¹ to rise with her to Basra. No one of them responded to her except Hafsa (Umar's daughter) but her brother Abdullah bin Umar came to her and insisted on her to give up going with Aa'isha and then she submitted to her brother after she had got ready to leave.²

The situation of Malik bin al-Ashtar

Malik wrote from Medina to Aa'isha, who was in Mecca, saying to her: "You are the wife of the messenger of Allah (s). He has ordered you to keep to your house. If you do, it will be better for you but if you refuse save to take your stick, throw away your veil and show people your hairs, I will fight you until I will take you back to your house; the place which Allah has chosen to you."

General leadership in this sedition

The general leadership in this sedition was in the hand of Aa'isha. She gave orders, managed the armies, appointed emirs, deposed whomever she liked,³ sent her messengers with her books to the

¹ Then they were busy offering the minor hajj as Aa'isha, Talha and az-Zubayr themselves were.

² Sharh Nahjol Balagha, vol. 2 p.80.

³ Ash-Shi'bi narrated from Muslim bin Abu Bakra that his father-as in Sharh Nahjol Balagha, vol. 2 p.81-had said: "When Talha and az-Zubayr came to Basra, I girt myself with the sword intending to support them. I came to Aa'isha. I found her

Muslims inciting them against Ameerul Mo'mineen (Ali) and inviting them to support her. Some people submitted to her and other people of understanding denied her invitation. The Umayyads had tried their best and spent their monies to assist this sedition. They had joined Aa'isha from everywhere. Marwan bin al-Hakam was among the army of Aa'isha but sometimes he threw his arrows against the army of Aa'isha and sometimes he threw his arrows against the army of Ali (s) saying: "Which of them I hit, it will be success!" It was said that *he* had killed Talha.

Aa'isha rises from Mecca to Basra

When Aa'isha had determined to march towards Basra, she gathered the Umayyads and their followers to consult with them upon the matter. Some of them said: "We go to fight Ali." Aa'isha and some others said: "We cannot stand against the people of Medina." Some of them said: "Let us go to Sham." Aa'isha and some others said: "Mo'awiya suffices in Sham. We move towards Basra and Kufa. Talha has followers in Kufa and az-Zubayer has followers in Basra." They agreed on that.

Abdullah bin Aamir offered much money and many camels and Ya'la bin Umayya offered four hundred thousand (dirhams or dinars) and gave sumpters to seventy men of the army. He gave Aa'isha a camel called Askar, which was great and strong. When she saw it, she admired it. The camelcer began talking to Aa'isha about the strength and tolerance of the camel and he often called it, through his speech, Askar. When Aa'isha heard this name, she sighed and said: "Take it back. I do not need it." She remembered that the Prophet (s) had mentioned to her this name and forbidden her to ride on it. Then people looked for another camel but they did not find any one looking like this camel. They changed its covers and said to her: "We found to you another one which is greater and stronger than that one." She became calm and became pleased with the camel.¹ She did not leave Mecca until she got all the possible support of the

commanding and forbidding. She was the commander there. Then I remembered a tradition that I had heard from the messenger of Allah (s) "People, who are led by a woman, will never succeed." I left them and came back."

¹ Sharh Nahjol Balagha, vol. 2 p.80.

Umayyads.

The well of al-Haw'ab

Issam bin Qudama narrated from Akrima that ibn Abbas had said: "One day the messenger of Allah had said to his wives, who were all with him: "Which of you will be the woman of the hairy camel at whom the dogs of al-Haw'ab will bark? Many people will be killed at her right and her left; all of them will be in Hell and she will escape death after she will have plotted."¹

The historians have mentioned: "When Aa'isha (and her army) arrived at al-Haw'ab, in which there was a well of bani Aamir bin Sa'sa'a, the dogs began barking at them until the camels ran away. One of Aa'isha's companions said: "How many the dogs of al-Haw'ab are and how much their barking is!" Aa'isha held the reign of her camel and said: "They are the dogs of al-Haw'ab!!! Get me back! Get me back! I have heard the messenger of Allah saying..." She mentioned the tradition.

Someone said to her: "Wait a little! May Allah have mercy upon you. We have passed al-Haw'ab."² She kept on her way until she arrived at Hafr Abu Musa near Basra.

The situation of Abul Aswad ad-Du'Ali

When Aa'isha and her army arrived at Hafr Abu Musa, Othman bin Hunays, the wali of Imam Ali (s) on Basra at that time, sent Abul Aswad ad-Du'ali to Aa'isha and her people to see what they had come for. He came to Aa'isha and asked her about her intention. She said: "I have come to revenge Othman's blood." He said to her: "No one of the killers of Othman is in Basra." She said: "You are right but they are with Ali bin Abu Talib in Medina and I have come to Basra to arouse its people to fight against Ali. Is it possible to revenge you on the whip of Othman and it is not possible to revenge Othman on your

¹ Sharh Nahjol Balagha, vol. 2 p.497.

² Sharh Nahjol Balagha, vol. 2 p.80. The Prophet (s) had warned Aa'isha of riding this camel, passing by al-Haw'ab and the barking of the dogs in a true tradition that had been mentioned by all the Muslims. It was one of the signs of the prophethood of the Prophet (s) and the signs of Islam. It has been well known by the Muslims since that time until nowadays.

swords?" He said to her: "What is your business with the whip and the sword? You are the captive of the messenger of Allah. He has ordered you to keep to your house and to recite the Book of Allah. Women have neither to fight nor have they to revenge bloods. Ameerul Mo'mineen (Ali) is worthier of Othman than you and closer in kinship to him than you. They both are the sons of Abd Manaf."¹ She said: "I will not give up until I do what I have come to do. O Abul Aswad, do you think that there is one who may fight me?" He said: "By Allah, we will fight you violently."

Then Abul Aswad came to az-Zubayr and said to him: "O Abu Abdullah, people have known well that on the day when Abu Bakr was paid homage, you raised your sword and said: "No one is worthier of this matter (the caliphate) than Ali bin Abu Talib. What difference is between your situation now and yours then!" Az-Zubayr mentioned the blood of Othman and said: "You and your friend (Ali) are responsible of Othman's blood as we have been informed." Then Abul Aswad came to Talha and he found him insisting on his error and insisting on the war and sedition. Abul Aswad came to Othman bin Hunayf and said to him: "It is the war. Get ready for it!"

Aa'isha and ibn Souhan

Aa'isha wrote, while she was in Basra, to Zayd bin Souhan al-Abdi: "From Aa'isha, the mother of the believers, the daughter of Abu Bakr and the wife of the messenger of Allah, to her loyal son Zayd bin Souhan; stay at home and discourage people from joining Ali bin Abu Talib. Let me hear good news about you because you are the most reliable one among my people to me."

He replied: "From Zayd bin Souhan to Aa'isha bint Abu Bakr; Allah has ordered you with something and has ordered us with something. He has ordered you to stay at your house and He has ordered us to fight (for the sake of Him). Your book has reached me ordering me to do unlike what Allah has ordered me. If I obey you, I will do what Allah has ordered you to do whereas you have done what Allah has ordered me to do. I do not obey your order and I have no reply to your book."

¹ Abd Manaf was the Prophet's grandfather.

Jariya bin Qudama and Aa'isha

At-Tabari mentioned¹ that al-Qassim bin Muhammad bin Abu Bakr had said: "Jariya bin Qudama as-Sa'di came to Aa'isha and said to her: "O Ummul Mo'mineen,² By Allah, killing Othman is lesser evil than your leaving your house on this cursed camel to be liable to weapons. Allah has given you a shelter and sanctity but you have torn your shelter and lost your sanctity. He, who has encouraged you to fight, has led you to be killed. If you have come to us obediently, go back to your house and if you have come unwillingly, ask people to help you."

A young man from Bani Sa'd

A young man from bani Sa'd scolded Talha and az-Zubayr for waging the war. He said to them through a poem:

*"You have protected your women there,
but you have led your mother (Aa'isha),
I swear that this is not fair.
She has been ordered to keep to her house,
But she has come out covering the deserts,
And letting her sons fight for her
with arrows, spears and swords."*

A young boy from Juhayna

One day a young boy from the tribe of Juhayna came to Muhammad bin Talha and asked him: "Tell me about the killers of Othman!" Muhammad bin Talha said: "The blood of Othman is divided into three thirds; a third is on the woman of the camel (Aa'isha), a third is on the man of the red camel (Talha) and a third is on Ali bin Abu Talib." The young boy of Juhayna laughed and joined Ali (s).

¹ In his Tareekh, vol.6 p.482 also the story of the young man with Talha and az-Zubayr and the dialogue between al-Juhayni and Muhammad bin Talha.

² Ummul Mo'mineen (mother of the believers) was the title of the wives of the Prophet (s).

Al-Ahnaf bin Qayss and Aa'isha

Al-Bayhaqi mentioned¹ that al-Hasan al-Basri had said: "On the day of al-Jamal, al-Ahnaf bin Qayss said to Aa'isha: "O Ummul Mo'mineen, has the messenger of Allah entrusted you with this matter?" She said: "By Allah, no, he has not." He asked her: "Have you found it in the Book of Allah?" She said: "We recite (the Qur'an) as you recite." He said to her: "Have you seen the messenger of Allah asking for the help of his wives when the Muslims were few while the polytheists were too many?" She said: "No, by Allah, I have not." Al-Ahnaf said: "Then what is our guilt?"

In another tradition al-Ahnaf said to her: "O Ummul Mo'mineen, I will be severe to you in my requests so do not be angry with me." She said: "Ask and I will listen to you." He said: "Have you had a covenant from the messenger of Allah about your rising?" She said: "No, I have not." He said to her: "Have you had a covenant from him showing that you are infallible?" She said: "No, I have not." He said: "Allah has determined Medina to be your abode but you have chosen Basra and He has ordered you to keep to the house of His prophet (s) but you have resided in the house of one of bani Dhubba. O Ummul Mo'mineen, please tell me; have you come for war or peace?" She replied painfully: "For peace." He said to her: "By Allah if you have come and there is nothing between the people except beating with shoes and throwing with stones, they will not come to peace at the hands of you so how will it be while the swords are on their shoulders?" He embarrassed her and then she said: "To Allah I complain of the disobedience of my children."

Abdullah bin Hakeem and Talha

Abdullah bin Hakeem at-Tameemi came to Talha and said to him: "O Abu Muhammad, is this not your book to us?" Talha said: "Yes, it is." Abdullah said: "A little ago you have written to us inviting us to depose Othman and to kill him and after you have killed him you came to us revenging his blood! I swear that this is not your belief. You just want this worldly life (the rule). Wait! Wait! Why have you agreed to pay homage to Ali? You have paid homage to him willingly

¹ in his book *al-Mahasin wal Masawi'*, vol. I p.35.

and contentedly and then you broke your homage and came to involve us in your sedition." He said: "Ali invited me to pay homage to him after the people had paid homage to him.¹ I knew that if I did not accept his offer (to pay homage), I would not be safe and then he would incite his companions against me."

A wise man advising the people of Basra

When Aa'isha and her army had arrived at Mirbad,² a wise man from bani Jashm made a speech to the people of Basra, who had crowded there. He said: "This people have come to you. They are afraid whereas they have come from the place, in which birds and beasts feel safe. If they have come to you revenging the blood of Othman, let them know that the killers of Othman are other than us. O people, obey me and force them to go back to where they have come from. If you do not do, you will not be safe from a fierce war and dark sedition." Some people of Basra, whose tendency was with Aa'isha and her followers, threw the man with stones.³

The speech of Aa'isha to the people of Basra

Aa'isha came on her camel Askar and called loudly: "O people, do not speak and keep silent!" The people kept silent. She said: "O people, Ameerul Mo'mineen Othman had changed many things of the Sunna but he purified that with repentance. He was killed unjustly after having repented. They denied his beating with the whip, appointing the young men as emirs and keeping the pasture of (al-Ghamam) for himself only.⁴ They killed him while he was in the cloths of the hajj in the inviolable month and in the inviolable country. They slaughtered him like a camel. The people of Quraysh threw their aim with their arrows and wounded their mouths with their hands. They did not get by killing him anything nor did they achieve their aim. By Allah, they will meet great disasters that will shake standing ones and will make the sitting ones stand up. Allah will let tyrants overcome them with no mercy pouring on them great torment. O

¹ This perfidious liar was the first one who had paid homage to Imam Ali (s).

² A place in Basra.

³ Sharh Nahjol Balagha, vol. 2 p.498.

⁴ The pastures that were watered by the rain must be common among all the people.

people, Othman had not committed a sin that permitted shedding his blood. They rinsed him as rinsing a dirty dress and then they killed him after his repentance and after being free from his guilt. They paid homage to Ali bin Abu Talib unjustly without consulting with the public. Do you think that I revenge you on the whip and the tongue of Othman and I do not revenge Othman on your swords? Othman has been killed unjustly and you are to revenge him on his killers. When you catch them, you are to kill them and then you are to let the matter of the caliphate among the group that Ameerul Mo'mineen Umar bin al-Khattab has chosen. Do not let those, who have participated in killing Othman, be among the group of the Shura.

The people got excited and they disagreed. Some of them said: "Ummul Mo'mineen is right." Some others said: "She has no right to intervene in such matters. She is a woman that has to stay at home." Noises and nonsense became loud until the people began beating each other with shoes and throwing each other with stones and then they became two parties; one party with Othman bin Hunayf and the other with Aa'isha and her companions.¹

Getting ready to fight

The two parties got ready to fight each other. Othman bin Hunayf invited Aa'isha by the name of Allah and Islam and he reminded Talha and az-Zubayr of their homage to Imam Ali (s). They said: "We revenge the blood of Othman." He said to them: "It is not your matter! Where are his children? Where are his cousins, who are worthier of him than you? No! But you have envied Ali because all the people have agreed on him whereas you have looked forward to this matter (the caliphate) and you have prepared to get it. Was there anyone severer to Othman than you?" They abused him and his mother obscenely. Then he said to az-Zubayr: "It was Safiyya² and her position to the Prophet (s) that had taken you near the shadow." He said to Talha: "I know well what to do to you." Then he said: "O Allah, I have advised them!" Then people began fighting each other

¹ Sharh Nahjol Balagha, vol. 2 p.499.

² She was the Prophet's aunt.

violently and then they separated and made peace among them on certain conditions that had been detailed by the historians. They put off the matter until Imam Ali (s) would arrive at Basra. The two parties made Allah the witness on the covenant of peace they had written and they took strong oath to keep to the covenant. The book of the treaty was signed by the two parties.

Aa'isha, Talha and az-Zubayr decided to write to the tribes to attract the Arabs and especially the notables and the chiefs in a way that the emir Othman bin Hunayf and his companions would not know. When the people of al-Jamal (Aa'isha and her followers) had prepared their affairs, they marched in a dark, rainy and stormy night wearing armors under their cloths to conceal their intention. They arrived at the mosque at the time of Fajr prayer. Othman bin Hunayf had come to the mosque before them. Othman advanced to lead the people in offering the prayer but the companions of Talha and az-Zubayr prevented him and let az-Zubayr advance to lead the prayers. The policemen and the guards of the treasury came and took az-Zubayr out and advanced Othman to lead the prayers then the companions of az-Zubayr could put Othman aside to advance az-Zubayr. They still did so until the sun was about to rise. The people in the mosque shouted at them: "Do you not fear Allah, O you the companions of Muhammad?" The sun shone and az-Zubayr succeeded to lead the prayers.

When az-Zubayr finished the prayer, he ordered his armed companions to capture Othman bin Hunayf. They beat him too severely until he was about to die. They plucked out his beard, moustache, eyebrows, eyelashes and every hair in his head and face. They arrested the policemen and the guards of the treasury, who were seventy faithful men of the followers of Ali (s). They took them with Othman bin Hunayf to Aa'isha, who said to Abban bin Othman (the son of the killed caliph): "Go to him (Othman bin Hunayf) and behead him because the Ansar have killed your father." Othman bin Hunayf called out: "O Aa'isha, Talha, Zubayr! My brother Sahl is the emir of Ali on Medina. I swear by Allah that if I am killed, he will let his sword slaughter your families and tribes without leaving anyone." They gave up killing him but Aa'isha ordered az-Zubayr to kill the policemen and the guards. She said to him: "I was told about what

they had done to you." Az-Zubayr slaughtered them as if he slaughtered sheep. His son Abdullah undertook killing them. They were seventy men. Some guards remained guarding the treasury and said: "We do not hand it over to you until Ameerul Mo'mineen (Ali) comes." Az-Zubayer with his soldiers went to them at night. He killed some of them and captured fifty men of them and then he killed the captives. This was the first treason in Islam and the policemen and guards, who were killed, were the first Muslims who were killed after being captured. They were one hundred and twenty men and it was said-as in Sharh Nahjol Balagha-¹ that they were four hundred men.

After that they drove Othman bin Hunayf away and he joined Imam Ali (s). When he saw Imam Ali (s), he cried and said: "When I left you, I was an old man. Now I come back to you with neither beard nor hair." Imam Ali (s) said: "We are Allah's and to Him we shall return!" He said that three times.

Imam Ali (s) has suffered a great pang in this tragedy. He often complained his pain and sadness to Allah when saying from above the minbar: "O Allah, I resort to You to be my supporter against the people of Quraysh and their followers. They have killed my kin, belittled my high position and agreed on fighting me for something which is mine...there is something of the truth that one has to take and something one has to leave." Then he mentioned the people of al-Jamal (the camel) and said: "...they come out dragging the sanctity of the messenger of Allah (his wife Aa'isha) as a bondmaid dragged when being bought. They brought her (Aa'isha) towards Basra whereas they (Talha and az-Zubayr) had kept their women in their houses. They brought the preserved woman of the messenger of Allah out to themselves and to their army, which every one of its men had paid homage to me willingly and obediently. They came to my officer and the keepers of the treasury of the Muslim and other people in it (Basra). They killed some of them after being captives and killed others treacherously..."

¹ Vol.2 p.501.

The situation of Hakeem bin Jabala

When Hakeem bin Jabala knew about what the followers of Aa'isha had done to Othman bin Hunayf, the keepers of the treasury and other people of Basra, he rose with three hundred men from the tribe of Abdul Qayss, which he was the chief of. The army of Aa'isha put her on a camel and came to meet Hakeem and his men. That day was called the minor (event of the) camel whereas the day of Aa'isha against Imam Ali (s) was called the major (event of the) camel. The two parties fought each other with the swords. Hakeem and his men had proved themselves brave in this fight. A man from the army of Aa'isha attacked Hakeem. He struck Hakeem and cut his leg. The man himself fell down of his horse. Hakeem knelt, took his cut leg and threw the man with it then he moved to him and killed him by strangling him. Hakeem was one of the famous Arab heroes and one of the brave Muslims who had believed in Ahlul Bayt (s). His son al-Ashraf, three of his brothers and all his three hundred companions were killed with him in this fight. When Aa'isha, Talha and az-Zubayr overcame Basra after killing Hakeem and his men and after driving Othman bin Hunayf away, Talha and az-Zubayr disagreed on the prayer; each one of them wanted to lead the people in offering the prayers because each one of them thought that if he offered the prayer behind the other, it would mean that he submitted to him and accepted him as the leader. Aa'isha intervened and reconciled Talha with az-Zubayr. She made Abdullah bin az-Zubayr lead people one day and Muhammad bin Talha the other day. When they entered the treasury in Basra and found the great monies in it, az-Zubayr became too delighted and he recited: "*Allah has promised you many gains that ye shall acquire, and He has given you these beforehand.* Qur'an, 48:20" and then he said: "We are worthier of this wealth than the people of Basra."

Imam Ali arrives at Basra

After that Imam Ali (s) with his army arrived at Basra. Aa'isha and her army marched towards him to prevent him from entering Basra. Imam Ali (s) refrained from fighting them. He tried as possible as he could to avoid the war and to remove the enmity between the two parties. He wanted to end the matter in peace in a way that would

please Allah and His messenger.

Ibn Jareer at-Tabari said¹: "On that day Ali sent for az-Zubayr and reminded him of a word that the Prophet (s) had said "Your aunt's son will fight you unjustly." Az-Zubayr said: "I will never fight you." He left and came back to his son Abdullah. He said to him: "I have no will in this war." His son said to him: "When you have come, you have had a will but when you saw the banners of Ali bin Abu Talib and knew that death would be under them, you became coward." His son made him too angry until he began shouting. He said to his son: "I have taken an oath that I would never fight him." His son said: "Expiate (breaking) your oath by setting your slave Sarjas free." He set his slave free and joined the warriors.

At-Tabari added: "Ali said to az-Zubayr: "Do you revenge Othman's blood on me whereas you have killed him? May Allah punish the one of us (me and you), who has been severer to Othman, with what he hates."²

Then Ali sent for Talha and said to him: "O Talha, you have brought the wife of the messenger of Allah to fight by her and you have hidden your wife in your house. Have you not paid homage to me?" Talha said: "I have paid homage to you unwillingly." Talha insisted on the war.

Ali went back to his companions and said to them: "Which of you will show them this Qur'an³ with what it has in it? If his hand is cut, he should hold it by the other hand and if the other hand is cut, he should catch it with his teeth." A young man said: "I will do." Imam Ali (s) asked all his companions to do that but no one of them accepted it save that young man. Imam Ali (s) said to the young man: "Put forth this Qur'an and say to them: it is between us and you from its beginning to its end. For the sake of Allah spare our bloods and your bloods!" When the young man came towards the army of

¹ In his book *Tareekh al-Mulook wel Umam*, vol.3 p.519.

² *Tareekh al-Umam wel-Mulook*, vol.3 p.520. Allah had responded to Imam Ali (s) when Amr bin Jurmooz killed az-Zubayr on that very day.

³ We would like to refer to that Amr bin al-Aass had made the trick of using the copies of the Qur'an in the battle of Siffeen after this event but he had used it wrongly due to his evil tendency.

Aa'isha carrying the Qur'an in his hand, they attacked him and cut his hands. He took the Qur'an with his teeth until he was killed. Then Imam Ali (s) said to his companions: "You are permitted to fight. Attack them!"

The woman of the camel came to the battle and her head was agitating with arrogance and disdain. She became more daring than a lion. She aroused enthusiasm in her army pushing them towards death for the sake of her camel. She turned left and said: "Who are the people on my left?" Sabra bin Shayman replied: "We are your children; bani Azd." She said: "O aal¹ Ghssan, keep your brave fighting today as we have heard your poet saying:

*"The people of Ghassan fought bravely with their swords,
So did Ka'b, Ouss and Shabeeb."*

The people of Azd took the dung of the camel, smelt it and said: "It is the dung of our mother's camel. Its smell is like the smell of musk."

She turned right and said: "Who are the people on my right?" They said: "We are from the tribe of Bakr bin Wa'il." She said: "About you the poet has said:

*"They came to us with their weapons and glory,
as if they were Bakr bin Wa'il."*

She came near a battalion and asked: "Where are you from?" they said: "We are bani Najiya." She said: "How excellent! Qurashi² swords!" As if she set fire of zeal inside them. The bearers of the banners devoted themselves to her camel. They recited:

*"O mother, the wife of the Prophet,
the wife of the blessed and guided one,
we are bani Dhubba.*

*We do not flee even if we see our skulls falling down,
from which red blood flows."*

She still aroused their enthusiasm until her camel was killed after forty men had been killed under its reign. It was the defeat by the

¹ Aal means "family of".

² From Quraysh.

will of Allah! If Imam Ali (s) himself did not protect her, she would face what could not be even imagined as a result of this dark sedition she had caused and the separation and disagreement among the Muslims she had brought about which would last until the Day of Resurrection. All the events that took place later on were by consequence of this sedition; Siffeen, an-Nahrawan, the tragedy of Kerbala...even the disaster of Palestine in our present age.

The brother of the Prophet (s) and the father of the two grandsons of the Prophet (s) himself kept close to the camel, by whose death the sedition was put out. As the camel fell down with its howdah, in which Aa'isha was, Imam Ali (s) hastened towards it to protect the wife of the Prophet (s). He ordered Muhammad bin Abu Bakr, Aa'isha's brother, and some faithful women to accompany Aa'isha back to Medina. Imam Ali (s) gifted his warriors with what made them pleased and he set free the captives of his bitter enemies. He surrounded Aa'isha with respect and regard due to his high morals, exalted virtues and deep wisdom.

This event has been called the event of the major camel. It has taken place on Thursday, the Tenth of Jumada al-Aakhira in thirty-six A.H.

Thirteen thousands of the children of Aa'isha, among whom were az-Zubayr and Talha unfortunately, were killed and about one thousand of Imam Ali's followers were martyred.

Aa'isha was one of the most aware people of that Ali (s) was the brother, the guardian and the heir of the Prophet (s) and that he loved Allah and His messenger and Allah and His messenger loved him and that he was to the Prophet (s) as was Aaron to Moses except for prophethood. She had heard the Prophet (s) saying: "O Allah, be a supporter of whoever supports him (Ali) and an enemy of whoever opposes him, and help whoever helps him and betray whoever betrays him. May Allah have mercy upon Ali. O Allah, turn the truth with him wherever he turns."

She had witnessed the "farewell hajj" with the Prophet (s) and she had seen him on the day of the great hajj declaring the virtues of Ali (s) and ordering his umma one time to keep to the two weighty things; the Book of Allah and the Prophet's progeny and another time to follow his guardian Ali (s) warning his umma of deviation if

it would not submit to the Book of Allah and Ahlul Bayt (s) together.

On the day of al-Ghadeer she had seen the Prophet (s) ascending the minbar to declare his covenant to Ali (s) and to entrust him with leadership of the umma after him before the sight and the hearing of the thousands of Muslims who had come back after offering the last hajj with the Prophet (s).

She had seen the Prophet (s) looking at Ali, Fatima, al-Hasan and al-Husayn and saying to them: "I am war against whoever fights you and peace to whoever makes peace with you."¹

She had seen the Prophet (s) covering Ali, Fatima, al-Hasan and al-Husayn with his garment and saying: "I am war against whoever fights them and peace to whoever makes peace with them and enemy to whoever opposes them."² Besides many other true traditions like these ones that Aa'isha had known well for she had been said to be as the bag of traditions. A poet said about her:

*"She has memorized forty thousand traditions,
But she has forgotten a verse of the holy Book."*

It sufficed her that her father Abu Bakr had said: "One day I saw the messenger of Allah pitching a tent³ and then he leant on an Arabic bow while Ali, Fatima, al-Hasan and al-Husayn were inside the tent. The messenger of Allah (s) said: "O people, I am peace to whoever makes peace with the people of the tent, war against whoever fights them and a supporter to whoever supports them. Those, who loves them, are lucky and of pure births and those, who hates them, are unlucky and of bad births."⁴

¹ Musnad of Ahmad, vol2 p.442, Mustadrak of al-Hakim, at-Tafseer al-Kabeer by at-Tabarani. At-Tarmithi has mentioned this tradition from Zayd bin Arqam as in al-Isaba by ibn Hajar, biography of Fatima (s).

² As-Sawa'iq al-Muhriqa by ibn Hajar chap.11. He added that the Prophet (s) had said: "The war against Ali is a war against me and the peace with Ali is peace with me."

³ This tent might be the garment, with which the Prophet (s) had covered Ali, Fatima, al-Hasan and al-Husayn when Allah had revealed to him: *(Allah only desires to keep away the uncleanness from you, O people of the House! and to purify you a (thorough) purifying)*, 33:33.

⁴ Abqariyat Muhammad by Professor Abbas Mahmood al-Aqqad.

Had Ummul Mo'mineen Aa'isha, when rising against Imam Ali (s), intended to fight for the sake of Allah, His messenger and the afterlife? Had she been one of the loyal believers seeking after the reward that Allah had promised the wives of the Prophet (s) of when saying: *"O Prophet! say to your wives: If you desire this world's life ... and if you desire Allah and His Messenger and the latter abode, then surely Allah has prepared for the doers of good among you a mighty reward?"* Qur'an, 33:28-29"

Had she thought that there was leniency between Allah and her permitting her to do what Allah had prohibited all the human beings from doing? She committed against Imam Ali (s) a great crime as if she had been safe from the threat of Allah when saying: *"O wives of the prophet! whoever of you commits an open indecency, the punishment shall be increased to her doubly; and this is easy to Allah."* Qur'an, 33:30"

Had she found her rising against Imam Ali (s) as worshipping Allah and being obedient to Him and to His messenger and doing good as Allah had said: *"And whoever of you is obedient to Allah and His Messenger and does good, We will give to her her reward doubly, and We have prepared for her an honorable sustenance."* Qur'an, 33:31"

Had she considered the house of ibn Dhabba as her house, which Allah had ordered her to stay in? Had she found her leading the armies as a pavilion that Talha and az-Zubayr had erected for her to protect her from (the bedizenment of the time of ignorance) or to make her free to obey Allah and His messenger and to offer prayers and to pay zakat?

Had she found, after doing all that, that she had carried out the order of Allah when saying: *"And stay in your houses. Bedizen not yourselves with the bedizenment of the Time of Ignorance; and keep up prayer, and pay the poor-rate, and obey Allah and His Messenger?"* Qur'an, 33:33"

What would she or her followers say about the saying of Allah when addressing her and her friend (Hafsa) in this verse: *"If you both turn*

to Allah, then indeed your hearts are already inclined (to this);¹ and if you back up each other against him, then surely Allah it is Who is his Guardian, and Gabriel and the believers that do good, and the angels after that are the aiders.² Maybe, his Lord, if he divorces you, will give him in your place wives better than you, submissive, faithful, obedient, penitent, adorers, fasters, widows and virgins? Qur'an, 66:4-5"

It was enough as an evidence against them both the great example that Allah had mentioned in the sura of Tahreem when saying: *"Allah sets forth an example to those who disbelieve the wife of Noah and the wife of Lot: they were both under two of Our righteous servants, but they acted treacherously towards them so they availed them naught against Allah, and it was said: Enter both the fire with those who enter. And Allah sets forth an example to those who believe the wife of Firon (Pharaoh) when she said: My Lord! build for me a house with Thee in the garden and deliver me from Firon and his doing, and deliver me from the unjust people."*

How great the verses of the poet of Ahlul Bayt (s) were when saying:

*"O Aa'isha, what could we say about your war,
when you have followed the way of dangers?*

Sufficed you not the tradition of "the house"

Mentioned by al-Bukhari?³

It has been said that you (Aa'isha) have repented

And Ali has been wronged!

Then why did you prostrate yourself to thank Allah

¹ This verse confirms that they (Aa'isha and Hafsa) have committed guilt and that they must repent.

² This is the aim behind all these preparations to defend the Prophet (s) against his two wives (Aa'isha and Hafsa) that if all the inhabitants of the earth have backed up each other against the Prophet (s), Allah would have not prepared more than this to defeat them.

³ Al-Bukhari has mentioned in his Sahih, vol.2 p.125 when talking about the houses of the Prophet's wives that Abdullah had said: "Once the Prophet (s) pointed at the house of Aa'isha and said: "Here is the sedition! Here is the sedition where the (horn of) Satan will appear!" Muslim said in his Sahih, vol.2 p.403 that once the Prophet (s) had gone out of Aa'isha's house saying: "The head of disbelief comes out from here where the (horn of) Satan will appear."

*When he (Ali) was killed?*¹

*Why did you ride the mule on the day of al-Hasan
to light the fire of seditions?*²

¹ When Aa'isha was told that Imam Ali (s) had been killed, she prostrated herself to thank Allah and when she raised her head, she recited: "She dropped her stick and settled after roving,

as a traveler when being delighted after coming back from travel."

Then she asked who had killed him. It was said to her that it was a man from (the tribe of) Murad. She said something bad about Imam Ali (s). Zaynab bint Umm Salama denied that and said to Aa'isha: "O Aa'isha, do you say such a thing about Ali?" Aa'isha said: "I have forgotten. Whenever I forget, you are to remind me."

² Imam Hasan (s) had warned the Hashemites before his death of a sedition that the Umayyads would cause if the Hashemites wanted to bury him beside the tomb of his grandfather, the Prophet (s). He asked his brother Imam Husayn (s) to avoid dangers (of that sedition) if they would take place and to bury him in al-Baqee' graveyard beside the tomb of his grandmother Fatima bint Asad (Imam Ali's mother). He made him swear that he should not shed even a drop of blood for him.

When Imam Hasan (s) died, the Hashemites wanted to take his body to (the tomb of) the Prophet (s) (to do the last visit) or they wanted to bury him beside the tomb of the Prophet (s) if they felt that no sedition would happen but the Umayyads got ready with their arms to wage a war. At the head of them were Marwan bin al-Hakam and Sa'eed bin al-Aass. Marwan was calling: "Perhaps a battle is better than ease! Is Ameerul Mo'mineen (Othman) buried outside Medina whereas al-Hasan is buried with the messenger of Allah?" They brought Aa'isha on a mule. She prevented the Hashemites from entering her house (the Prophet's house) where the Prophet (s) had been buried.

Abul Faraj al-Isfahane mentioned in his book *Maqatil at-Talibiyeen* that Ali bin Tahir bin Zayd had said: "When they (the Hashemites) wanted to bury al-Hasan, Aa'isha rode on a mule and asked for the help of the Umayyads, Marwan and their followers. One of the poets said: "...one day on a mule and one day on a camel..."

Al-Mass'oodi, the historian, mentioned that Aa'isha had ridden on a gray mule in her second occasion against Ahlul Bayt (s) and that her nephew al-Qassim bin Muhammad bin Abu Bakr had come to her saying: "O aunt, we have not washed our heads from the day (the battle) of the red camel yet. Do want people to say 'the day of the gray mule'?"

One of the poets has said:

"You have ridden on a camel and then on a mule.

if you live longer, you will ride on an elephant.

You have a ninth out of the eighth (of the Prophet's inheritance)

but you have seized the all."

Here we want to discuss the matter of the Prophet's house, in which Aa'isha had lived, whether it was her pure possession or not that she had the right to allow whoever she liked to enter into it and to prevent whoever she liked from entering it. An owner has the right to deal with his ownership as he likes. Had the Prophet (s) sold his house or donated it to Aa'isha? Certainly not! No one has ever said that. Yes, the Prophet (s) had given her one of the rooms to live in as he had given his other wives a room to each of them. A husband has to house his wife in his house as one of her rights on her husband. Housing a wife is one of the obligatory duties of a husband towards his wife and when a wife lives in her husband's house it does not mean that the house becomes her own possession. The actual ownership of the house is still the husband's.

If we supposed that Aa'isha had possessed her room because it was in her hand, then why could Fadak not be Fatima's possession for the same reason? There is a great difference between the two hands; between the daughter who deals with the possessions of her father and before his sight and hearing which is a sign of ownership no doubt especially if the daughter is going from her father's house to her husband's and between the wife who has a hand over a room in her husband's house. We ask the human traditions to judge between these two hands!

The caliph Abu Bakr (Aa'isha's father) might have made his daughter the owner of the Prophet's house due to his general guardianship and this could be but we hoped that he would treat the daughter of the messenger of Allah (concerning Fadak which was in her hand) in the same way as he had treated his daughter. If he had done so, it would have lead to unite the umma and to save it from separation. But there is no power save in Allah, the Exalted, the Almighty.

CHAPTER FIVE

INTERPRETATIONS OF KHALID BIN AL-WALEED

86. ON THE DAY OF THE CONQUEST OF MECCA

On the day of the conquest of Mecca the Prophet (s) has ordered Khalid not to fight and not to kill anyone. The Prophet (s) has said to Khalid and az-Zubayr: "Do not fight except those who will fight you." Nevertheless Khalid fought and killed more than twenty persons from Quraysh and four persons from Huthayl. The Prophet (s) entered Mecca and saw a woman killed on the way. He asked Handhala the clerk who had killed her. He said that Khalid bin al-Waleed had killed her. The Prophet (s) ordered Handhala to follow after Khalid and to forbid him from killing any woman, child or employee.¹

87. HIS VIOLENCE TO BANI JUTHAYMA

Once the Prophet (s) had sent Khalid with three hundred men of the Muhajireen and Ansar after the conquest of Mecca to Bani Juthayma to invite them to Islam and not to fight them. Bani Juthayma had killed Khalid's uncle al-Fakih bin al-Mugheera before in the pre-Islamic time. When Khalid came to bani Juthayma, he said to them: "Put your arms aside because all the people have become Muslims." When they put their arms aside, he ordered his companions to tie them and then he began to kill them. He killed a great number of

¹ For more details refer to *Abqariyat Umar* by al-Aqqad, p.266.

them.¹ When the Prophet (s) was informed of that, he raised his hands towards the heaven and said twice: "O Allah, I am clear of what Khalid bin al-Waleed has done."²

Then the Prophet (s) sent Imam Ali (s) to the people of Juthayma and sent with him a great amount of money and ordered him to pay them blood money. Imam Ali (s) paid them their shares and some of the money remained with him. He asked them: "Is there anyone that has not taken his right?" They said: "No, there is not." He said: "Then I give you this remainder of the money as a precaution from the Prophet (s)." When he came back, he told the Prophet (s) of what he had done. The Prophet (s) said to him: "You have done well."³

Abbas Mahmood al-Aqqad has mentioned this event in his book *Abqariyat Umar*. He has said: "The Prophet (s) sent Khalid to bani Juthayma to invite them to Islam and not to fight them. He ordered him not to fight anyone if he saw a mosque or heard azan. Then bani Juthayma put their arms aside after argument among them and they gave in. Khalid ordered them to be tied and then he killed many of them. One of them, called as-Sumayda', could escape and came to the Prophet (s). He told the Prophet (s) of what had happened and complained against Khalid. The Prophet (s) asked him: "Did anyone deny Khalid's doing?" The man said: "Yes, a yellow medium sized man and a red tall man." Umar, who was present, said: "O messenger

¹ Here Khalid was not satisfied with contradicting the order of the Prophet (s) but also he violated many basic principles of Islam. Islam has forgiven all the sins that had been committed before the advent of the mission. Allah has said: *(And do not kill any one whom Allah has forbidden, except for a just cause, and whoever is slain unjustly, We have indeed given to his heir authority, so let him not exceed the just limits in slaying)* 17/33. Khalid has exceeded in shedding the bloods of those people just to revenge his uncle, who was mean and who had deserved to be killed. Moreover that Khalid was not the heir of his uncle nor had he the guardianship of his uncle. His crimes on that day, although he was the messenger of the Prophet (s) to those people, were among the worst denied doings and they were not less than his crimes on the day of al-Bitah that could not be forgotten until the Day of Resurrection.

² Sahih of al-Bukhari, vol.3 p.48, also mentioned by Ahmad bin Hanbal in his Musnad.

³ Mentioned by Ibn Jareer in his *Tareekh*, ibnul Atheer in his *Tareekh* and all the historians and biographers who have recorded the biography of Khalid. Ibn Abdul Birr said in his book *al-Istee'ab* after mentioning this story: "This is a true tradition."

of Allah, by Allah I know them. The first one is my son (Abdullah) and the other is Salim the mawla (freed slave) of Abu Huthayfa." After that it appeared that Khalid had ordered everyone to kill the captives whom he had captured. Abdullah bin Umar and Salim had set free two captives that they had captured...the messenger of Allah raised his hands towards the heaven and said: "O Allah, I am clear of what Khalid has done."...then the Prophet (s) sent for Ali bin Abu Talib (s) and ordered him to go to bani Juthayma with camels and money. He (Imam Ali) paid them the blood money."

The Prophet (s) did not kill anyone for that because the killers were Muslims and the killed ones did not say: "We have become Muslims" but they said: "We have apostatized" and this statement was not clear in showing that they believed in Islam and therefore a Muslim should not be killed for an unbeliever.

On the day of al-Bitah, Khalid has committed horrible crimes against Malik bin Nuwayra and his people. We have mentioned the details in chapter one of this book. Let you refer to that and ponder on it to know who was responsible for those horrible crimes when the bloods, the monies and the honors of the Muslims had gone in vain and when the verdicts of Allah had been annulled, His sanctities had been violated and the revolt of the revolters against Khalid had been calmed. At the head of those revolters was Umar who, when becoming the caliph, had despised Khalid and hastened to depose him immediately as mentioned by ibnul Atheer and the other historians.

CHAPTER SIX

THE VIOLATIONS OF MO'AWIYA

88. JOINING ZIYAD TO ABU SUFYAN (AS A SON)

Ziyad was an illegitimate son of Sumayya, with whom Abu Sufyan (Mo'awiya's father) had committed adultery while she was the wife of Ubayd. When Mo'awiya became the caliph, he announced that Ziyad was the son of Abu Sufyan according to a witness offered by Abu Maryam, the vintner and the pimp.¹ The Prophet (s) had said: "The child is to the bed and the stone is to the adulteress."² The Prophet (s) had also said: "He, who does something contrary to our religion, is apostate."

It suffices us that Allah has said: "*Call them by (the names of) their fathers: that is more equitable in the sight of Allah.* Qur'an, 33:5"

This doing of Mo'awiya was the first doing of the pre-Islamic age that was applied openly in Islam. All the Muslims denied that but Mo'awiya did not pay any attention and he became indifferent to them. In fact he often became angry when Ziyad was not called by the name of Abu Sufyan until one of his coevals said to him:

"Do you become angry when it is said that your father is chaste while you become delighted when it is said he is an adulterer?"

¹ Al-Mukhtasar by ibn Shuhna.

² It means that the illegitimate child is to be ascribed to the husband, on whose bed his wife has committed adultery, while the adulterous wife must be stoned.

89. ENTRUSTING HIS SON YAZEED WITH THE CALIPHATE

Mo'awiya had entrusted his son Yazeed with the caliphate while he was yet ignorant young boy drinking wine and playing with dogs and monkeys. He had not known anything of the religion. Yazeed was too excessive in corruption and his father Mo'awiya knew that well and he also knew well the high position of Imam Husayn (s) near Allah and His messenger (s) and inside the hearts of the believers.

At that time there were still many of the first Muslims of the Muhajireen and the Ansar, of those who had participated in the battle of Badr and those who had participated in the homage of ar-Radhwan. Among them were many reciters of the Qur'an and many jurisprudents who were aware of the divine verdicts and the affairs of politics, the caliphate and the rule; nevertheless Mo'awiya did not pay any attention to their precedence in Islam nor to their great jihad in supporting the religion. He made his wicked, dissolute and drunkard son as the caliph over those great companions; Yazeed that sinful and criminal dissolute who committed, a little time after being the ruler, his horrible crime in Kerbala against the master of the youths of Paradise, Imam Husayn (s), his family and his sincere companions...that crime which distressed the prophets and made the rocks cry. Then Yazeed, according to a covenant from his father Mo'awiya,¹ sent the criminal Muslim bin Aqaba to attack Medina. He committed horrible crimes against the people of Medina for three days. One thousand virgins from among the daughters of the Muhajireen and the Ansar were violated.² On that day ten thousand

¹ Ibn Jarcer at-Tabari in his Tareekh, vol.7 p.63, ibn Abd Rabbih in al-Iqd al-Fareed, vol. 2 when mentioning the event of al-Harrah. Neither Yazeed nor his father had paid any attention to the saying of the Prophet (s) "Whoever frightens Medina Allah will frighten him and the curse of Allah, the angels and all the people will be on him. Allah will not forgive him on the Day of Resurrection." Mentioned by Ahmad bin Hanbal in his Musnad, vol.4 p.96.

² Tareekh al-Khulafa' by as-Sayooti. Ibn at-Taqtaqi said in his book at-Tareekh al-Fakhri, p.107: "...it has been said that after this event when a daughter wanted to get married, her father could not guarantee her virginity and he said that she might be violated during the event of al-Harrah." Ash-Shabrawi said in his book al-Ithaf, p.66: "...in this event about one thousand virgins were violated and about one thousand women, who had had no husbands, became pregnant." Ibn Khillikan said in his

and seven hundred and eighty men of the Muhajireen, the Ansar, their offspring and the rest of the Muslims had been killed. No one of the Muslims of Badr had remained alive after this event.¹ A great number of women and children had also been killed. The soldiers pulled the suckling babies with their legs from their mothers' laps and threw them against the walls and made their brains scatter before the eyes of their mothers.² Then the people of Medina were ordered to pay homage to Yazeed on condition that they were considered as slaves; whether Yazeed liked to enslave them or to set them free. The people paid homage under this condition while their monies were plundered, their bloods were shed and their women were violated. Then Muslim bin Aqaba sent the heads of the killed people of Medina to Yazeed. When the heads were thrown before Yazeed, he became delighted and he recited some verses of poetry.

After that Muslim bin Aqaba went to fight ibn az-Zubayr, who had been paid homage as the caliph in Mecca. On his way to Mecca, Muslim bin Aqaba died. Then al-Husayn bin Numayr became the leader of the army by an order of Yazeed. He moved with his army until he arrived at Mecca. He ordered his army to set up mangonels towards Mecca. He ordered his men to throw Mecca with ten thousand stones in one day. The army blockaded Mecca for four months and kept on fighting every day until the news of Yazeed's death came. The mangonels had hit the Kaaba and destroyed it besides the fire that had been set on it.

The horrible crimes of Yazeed since the beginning of his life until his death were more than to be included in the books or to be written down by the pens. They had deformed the face of history and blackened its pages. His father Mo'awiya always saw the dogs,

Wafiyatul A'yan when mentioning this event: "Yazeed bin Mo'awiya, during his rule, has sent an army under the leadership of Muslim bin Aqaba to Medina. The army has plundered Medina and has driven its people to al-Harrah where the event has taken place. Many horrible crimes have been committed by Muslim bin Aqaba and his army...it has been said that after this event of al-Harrah more than one thousand virgins of Medina have become pregnant because of libertinism that has spread by the army of Yazeed."

¹ Ibn Qutayba in his book *al-Imama wes-Siyasa* and other historians.

² *Al-Imama wes-Siyasa* by ibn Qutayba, p.200.

monkeys, hawks and tigers of his son Yazeed, noticed his wines and corruptions, knew his horrible deeds, saw his playfulness with the beauties, knew his meanness and malice and knew well that he could not be entrusted with anything at all. After all that how could Mo'awiya raise Yazeed to the high position of the caliphate of the messenger of Allah, make him the ruler, the imam of the Muslims and make him control the necks of the umma?! By doing that Mo'awiya had cheated the umma whereas the Prophet (s) had said: "If a ruler, who rules some of the Muslims, cheats them, Allah will throw him into Hell."¹ The Prophet (s) had also said: "Whoever manages some affairs of the Muslims and appoints someone out of favoritism to rule over them, Allah will curse him, will not forgive him and will put him into Hell."² The Prophet (s) had also said: "If one, whom Allah has entrusted with His people, does not manage their affairs sincerely, he will never enter into Paradise."

90. HIS CORRUPTION IN YEMEN

Once Mo'awiya had sent Bistr bin Art'a to Yemen in the year forty A.H. to ravage there. The wali of Yemen at that time was Ubaydollah bin Abbas, who had been appointed by Imam Ali (s) who was the caliph of the Muslims then. The people of Yemen were loyal and sincere to Imam Ali (s). Bistr bin Art'a subjected the people of Yemen to severe torment. He killed their men and captured their women by the order of Mo'awiya.

Refer to the books of history that have recorded the events of that year to see the horrible crimes that have committed by Bistr and his men; they have killed the old men, slain the sucklings, plundered the monies and captured the women.

Bistr had captured the women of Hamadan, who were sincere to Ahlul Bayt (s), and taken them to the market with naked legs. Whoever of them had had bigger legs (thighs) had been sold with high price. They were the first Muslim women that had been taken as captives in

¹ Sahih of al-Bukhari, vol.4 p.155, Sahih of Muslim, vol.1 p.67.

² Musnad of Ahmad, vol.1 p.6.

Islam.¹

I do not know whether these doings were more horrible and painful or his doing to the two children of Ubaydollah bin Abbas the wali of Yemen then. Ubaydollah fled from Bisir and entrusted his children to Ubaydollah bin Abd al-Mudan al-Harithy, who was the grandfather of the children (their mother's father). Bisir killed the man among the thousands of the best Muslims he had killed in that event and killed his son too. He began looking for the two children until he found them with a man from (tribe of) Kinana in the desert. When Bisir wanted to kill the two children, the man said to him: "Why do kill them while they are innocent children? If you have determined to kill them, kill me before them." Bisir killed the man and then he slaughtered the two children in front of their mother. The mother was shocked terribly and she wandered aimlessly about the desert.²

A woman from Kinana said to Bisir when he slaughtered the children: "O you man, you have killed the men, then why did you kill these children? By Allah, no one has ever killed a child in the pre-Islamic age. O you (Bisir) bin Arta'a, by Allah a rule that is not established except by killing children and old men and by being merciless and indifferent to kinship is an evil rule."³ Refer to our book *al-Fusool al-Muhimma* to see the other horrible crimes of these criminals.

92. KILLING THE VIRTUOUS BELIEVERS

It was great aggression and injustice that Imam Hasan (s), the master of Ahlul Bayt (s) at his time and the imam and caliph after his father Imam Ali (s), had been killed by poison, which Ja'da bint al-Ash'ath had put in his food. Many true traditions had been narrated from Ahlul Bayt (s) about this fact and many historians had mentioned it in their books. Abul Hasan al-Mada'ini said: "Al-Hasan died in forty-nine A.H. when he was forty-seven years old. He was ill for forty days before his death. Mo'awiya had asked Ja'da bint al-Ash'ath to insert poison to him. Mo'awiya said to her: "If you kill him with poison, I will give you one hundred thousand (dirhams or

¹ *Al-Istee'ab* by ibn Abdul Birr, biography of Bisir.

² Tareekh of ibnul Atheer, *al-Istee'ab* of ibn Abdul Birr.

³ Tareekh of ibnul Atheer.

dinars) and I will marry you to Yazeed." When al-Hasan (s) died, Mo'awiya gave her the money but he did not marry her to Yazeed. He said to her: "I fear that you may do to my son as you have done to the son of the messenger of Allah."¹

Al-Mada'ini mentioned that al-Husayn bin al-Munthir ar-Raqqashi had said: "By Allah, Mo'awiya has not given al-Hasan his due of what he has promised him at all. He killed Hijr and his companions, appointed his son Yazeed as the caliph and poisoned al-Hasan."²

Abul Faraj al-Isfahani said in his book Maqatil at-Talibiyeen: "Mo'awiya wanted his son Yazeed to be paid homage (of the caliphate) and nothing was more difficult to him than the matter of al-Hasan bin Ali and Sa'd bin Abu Waqqas. He inserted poison to them and they both died."

Ibn Abdul Birr mentioned in al-Istee'ab, biography of Imam Hasan (s), that Qatada and Abu Bakr bin Hafs had said: "Ja'da bint al-Ash'ath has put poison in the food of al-Hasan bin Ali. Some people have said that Mo'awiya had asked her to do that."³

People knew well what horrible crime Mo'awiya had committed in Marj Athra' when killing the great companions of the Prophet (s); Hijr bin Adiy and his companions. He killed them because they refused to curse Imam Ali (s). They were among *(those who remember Allah standing and sitting and lying on their sides and reflect on the creation of the heavens and the earth: Our Lord! Thou hast not created this in vain! Glory be to Thee; save us then from the chastisement of the fire)*. They were killed in fifty-one A.H. All the Prophet's companions and the companions' successors denied this crime of Mo'awiya. All the historians, who have recorded the events of that year, have detailed this event in their books.

Mo'awiya has also killed Amr bin al-Hamq al-Khuza'iy, who was one of the great companions of the Prophet (s). His head was the first head that had been carried in Islam. He had no guilt save his love to Imam Ali (s), who had loved Allah and His messenger and Allah and

¹ Sharh Nahjol Balagha, vol. 4 p.4.

² Sharh Nahjol Balagha, vol. 4 p.70.

³ Ibid. vol.4 p.17.

His messenger had loved him.

Mo'awiya was not satisfied with killing the great believers until he killed the closest one to him himself; Abdurrahman bin Khalid bin al-Waleed, who had fought with him in Siffeen and had allied with him on the enmity of Imam Ali (s) and after that Mo'awiya had sold him cheaply. He killed him for fear that people might choose him (as the caliph) instead of Yazeed. Refer to the biography of Abdurrahman in al-Istee'ab for details.

92. HIS BAD DEEDS AND HIS BAD OFFICIALS

If we wanted to mention all the verdicts that Mo'awiya had altered, the legal penalties he had annulled, the ordeals he had caused to people, the heresies he had invented during his reign and the unjust oppressors he had participated in his rule like al-Mugheerah bin Shu'ba, Amr bin al-Aass, Bistr bin Arta'a, Samra ibn Jundub, Marwan, ibn as-Samt, Ziyad, ibn Marjana, al-Waleed and their likes, who had suppressed the umma and subjected the people to severe torment by killing their men and capturing their women, we could not have enough ink and papers to mention all the terrible crimes that had been committed throughout long years of suffering. Praise be to Allah, Who has made us aware of the guidance of Ahlul Bayt (s) and the deviation of their enemies!

93. HIS HATRED AND AGGRESSION TOWARDS ALI

Mo'awiya's hatred and aggression towards Imam Ali (s) are well-known by all the peoples of the earth with their different religions, languages and colors. It is like the matter of Adam and the Satan. Here are some of the many traditions talking about loving and hating Imam Ali (s) in Islam.

Salman al-Farisi said, when it was said to him "How greatly you love Ali": "I have heard the messenger of Allah (s) saying: "He, who loves Ali, loves me and he, who hates Ali, hates me."¹

¹ Al-Hakim mentioned it in his Mustadrak, vol.3 p.130 and said that it was a true tradition according to the conditions of al-Bukhari and Muslim but they had not mentioned it in their Sahihs. Ath-Thahabi mentioned it in his Talkhees al-Mustadrak and said that it was a true tradition.

Ammar bin Yasir said: "I have heard the Prophet (s) saying to Ali: "O Ali, blessed is he who loves you and believes in you and woe unto him who hates you and disbelieves in you."¹

Abu Sa'eed al-Khidri narrated that the Prophet (s) had said: "I swear by Him, in Whose hand my soul is. Whoever hates us, Ahlul Bayt, Allah will enter him into Hell."²

Abu Tharr said: "We did not know the hypocrites unless by their disbelieving in the messenger of Allah, being late in coming to offer the prayers and by hating Ali bin Abu Talib."³

Ibn Abbas said: "Once the Prophet (s) looked at Ali and said: "O Ali, you are a master in this life and a master in the afterlife. Your lover is my lover and my lover is the lover of Allah. Your enemy is my enemy and my enemy is the enemy of Allah. Woe unto whoever hates you after me."⁴

Amr bin Shas al-Aslami (he was one of the Muslims who had attended the treaty of al-Hudaybiya) said: "Once I travelled with Ali to Yemen. He turned away from me in that travel until I felt angry with him. When I came back, I complained of him in the mosque and the Prophet (s) knew of that. When the Prophet (s) saw me, he gazed at me sharply. When I sat down, he said to me: "O Amr, by Allah you have hurt me." I said: "I seek the protection of Allah if I hurt you!" He said: "Yes, you have. He, who hurts Ali, hurts me."⁵

Abu Tharr narrated that the Prophet (s) had said: "O Ali, he, who desists from me, desists from Allah and he, who desists from you, desists from me."⁶

The memorizer bin Abdul Aziz said-as in Imam Ali's biography in al-

¹ Mustadrak of al-Hakim, vol.3 p.135.

² Ibid. vol.3 p.150, Talkhees al-Mustadrak by ath-Thahabi.

³ Mustadrak of al-Hakim, vol.

⁴ Al-Hakim mentioned it in his Mustdrak, vol.3 p.128 and said that it was a true tradition according to the conditions of al-Bukhari and Muslim. Ath-Thahabi mentioned it in his Talkhees al-Mustadrak and said that all its narrators were trusted.

⁵ Mustadrak of al-Hakim, vol.3 p.122, Talkhees al-Mustadrak of ath-Thahabi.

⁶ Mustadrak of al-Hakim, vol.3 p.124.

Istee'ab- that the Prophet (s) had said: "He, who loves Ali, loves me. He, who hates Ali, hates me. He, who hurts Ali, hurts me and whoever hurts me hurts Allah."

The Prophet (s) has said: "Why do some people hate Ali? He, who hates Ali, hates me and he, who desists from Ali, desists from me. Ali is from me and I am from Ali. He has been created from my clay and I have been created from the clay of Abraham; offspring one from the other; and Allah is Hearing, Knowing. O Burayda, have you not known that Ali...and he is your guardian after me."

Some of the Prophet's companions complained against Ali because of his strictness in the way of Allah. The Prophet (s) said: "What do you want from Ali? What do you want from Ali? What do you want from Ali? Ali is from me and I am from him and he is your guardian after me."

Ibn Abdul Birr mentioned in al-Istee'ab (biography of Imam Ali) that some of the companions had narrated: "The messenger of Allah said to Ali (may Allah be pleased with him): "No one loves you unless he is faithful and no one hates you unless he is hypocrite." Ali (may Allah be pleased with him) often said: "By Allah it is the covenant of the (illiterate) Prophet that no one loves me unless he is faithful and no one hates me unless he is hypocrite." Muslim has mentioned this tradition in his Sahih.

The saying of the Prophet (s) "Whoever I am his guardian, here is Ali to be his guardian. O Allah, assist whoever assists him and be the enemy of whoever opposes him" has been recurrently narrated by most of the Muslims. We refer the researchers to our book *Sabeel al-Mo'imoneen* in which we have mentioned the true traditions talking about considering loving Imam Ali (s) as a main aspect of faith and hating him as a main aspect of hypocrisy.

94. CURSING IMAM ALI (S) IN PRAYERS

Ahlul Bayt (s) were the choice of Allah whom Allah had ordered the Muslims to pray for in all their obligatory and supererogatory prayers.

Ahlul Bayt (s) were those people whom Allah had purified from all

uncleanness as He had revealed in His holy Book and with whom the Prophet (s) had challenged his enemies after the order of Allah. Allah had ordered the Muslims to love them and the Prophet (s) had imposed their guardianship on the Muslims by the order of Allah. They were one of the two weighty things that no one would deviate if keeping to and no one would be guided if deviating from.

Mo'awiya cursed Ali, Ameerul Mo'mineen, the master of the guardians, the brother of the Prophet (s), the sincerest assistant of the Prophet (s) who had striven to establish the religion, for whom the Prophet (s) had witnessed that he loved Allah and His messenger and Allah and His messenger loved him, who had been to the Prophet (s) as Aaron had been to Moses, who was the vizier of the Prophet (s), the imam of the umma and the father of the two grandsons of the Prophet (s) al-Hasan (s) and al-Husayn, the two masters of the youth of Paradise. Mo'awiya not only cursed Ahlul Bayt (s); Imam Ali, al-Hasan and al-Husayn (peace be upon them) but he also cursed Abdullah bin Abbas, the scholar of the umma and the cousin of the Prophet (s).

Mo'awiya cursed them although he knew well that glorifying them was one of the necessities of Islam. He cursed them although he knew well their high position near the Prophet (s). They were the family of the Prophet (s), the disciples of the mission, the ones among whom the angels and the revelation often descended and they were the source of knowledge and interpretation.

Mo'awiya was not satisfied with cursing them by himself. He ordered the people to curse Imam Ali (s), the brother of the Prophet (s), the husband of Fatima az-Zahra' (s), the father of the infallible imams and the master of the umma. He forced the people to do that whether willingly or unwillingly and he made it as a law that cursing Imam Ali (s) must be announced openly on the minbars every Friday and every Eid. The speakers all over the Islamic countries had considered that horrible heresy as a part of the speeches of Fridays and the two Eids until the year ninety-nine A.H. when the best one of the Umayyads, Umar bin Abdul Aziz (may Allah reward him with good) cancelled it. Refer to whatever you like of the books of history to see

the truth of what we have said.¹

Imam Hasan (s) had agreed with Mo'awiya on some conditions when they had made the treaty of peace between them. From among the conditions was that Mo'awiya had not to curse Imam Hasan's father (Imam Ali) but Mo'awiya did not respond to this condition whereas he responded to the others. Then Imam Hasan (s) asked Mo'awiya not to let him hear cursing his father. Mo'awiya promised him to do that but he did not carry out his promise.²

Mo'awiya cursed Imam Ali (s) and Imam Hasan (s) from above the minbar of Kufa. Imam Husayn (s) got up to refute him but Imam Hasan (s) asked him to sit down and then Imam Hasan (s) himself got up and refuted Mo'awiya and exposed him before the people. This event has been mentioned by Abul Faraj al-Isfahani in *Maqatil at-Talibiyeen* and by other historians.

Mo'awiya kept on cursing Imam Ali (s) and disavowing him before everyone and he forced the people to do the same. Once he ordered al-Ahnaf bin Qayss to do that but he refused³ and he tried to incite Aqeel bin Abu Talib (Imam Ali's brother) with money to curse Imam Ali (s) but he also refused to do that.

Aamir bin Sa'd bin Abu Waqqas said: "Once Mo'awiya asked Sa'd bin Abu Waqqas: "What has prevented you from cursing Abu Turab (Imam Ali)?" Sa'd said: "Three things the Prophet (s) has said to him (Ali) that have made me not curse him at all. If I have one of them, it will be more beloved to me than the treasures of the world. Once the Prophet (s) left him behind in one of the battles. He asked the Prophet (s): "O messenger of Allah, why have you left me with the women and children?" The Prophet (s) said to him: "Are you not satisfied to be to me as Aaron has been to Moses except that there will be no prophet after me?" Once again I have heard the Prophet

¹ Refer to the speech of the interpreters of *Nahjol Balagha* when mentioning the saying of Imam Ali (s) "After me a man with a big throat and a large abdomen will appear to you. He will order you to curse me and to disavow me..." Refer to *Sharh Nahjol Balagha*, vol. 1 p.463 and the later pages to see the wonders.

² *Ibnul Atheer* in *Al-Kamil*, *ibn Jarreer* in *Tareekh al-Umam wel-Mulook*, *Abul Fida'* and *ibn al-Shuhna*.

³ Mentioned by *Abul Fida'* when talking about the events of the year 67 A.H.

(s) saying on the day of (the battle of) Khaybar: "I will give the banner to a man, who loves Allah and His messenger and Allah and His messenger love him." We all looked forward to it but the Prophet (s) said: "Send for Ali!" Ali came while he was sore-eyed. The Prophet (s) spit in Ali's eyes and gave him the banner and Allah granted him with victory. And when this verse "*But whoever disputes with you in this matter after what has come to you of knowledge, then say: Come let us call our sons and your sons and our women and your women and our near people and your near people, then let us be earnest in prayer, and pray for the curse of Allah on the liars.* Qur'an, 3:61" was revealed, the Prophet (s) said: "O Allah, these are my family."¹

Mo'awiya had killed Hijr bin Adiy and his companions just because they had refused to curse Imam Ali (s). If they had responded to Mo'awiya in cursing Imam Ali (s), Mo'awiya would have not killed them. Refer to al-Aghani by Abul Faraj al-Isfahani, vol.16 and the events of the year fifty-one in Tareekh of ibn Jareer and Tareekh of ibnul Atheer to see the truth and to know that when Abdurrahman bin Hassaan al-Anzi had refused to curse Imam Ali (s) in the meeting of Mo'awiya, Mo'awiya sent him to Ziyad and ordered him to kill Abdurrahman in a way that no one had ever been killed in Islam before. Ziyad had buried him while he was alive.

Mo'awiya had still kept on forcing people to curse Imam Ali (s) in every way. Some people of the Umayyads had said to him: "O Ameerul Mo'mineen (Mo'awiya), you have achieved your hopes. Would you stop cursing this man?" He said: "By Allah, I would not until children grow up and adults become old with it and until no one will mention a virtue of him."²

The Prophet (s) has said: "He, who curses Ali, curses me."³ Ahmad bin Hanbal mentioned in his Musnad⁴ that Abdullah or Ubay bin Abdullah had said: "Once I came to Umm Salama and she asked me:

¹ Sahih of Muslim, al-Khasa'is al-Alawiyya by an-Nassa'iy, Sahih of at-Farmithi, al-Jam' bayn as-Sahihayn, al-Jam' bayn as-Sihah as-Sittah.

² Sharh Nahjol Balagha, vol. 1 p.463.

³ Mustadrak of al-Hakim.

⁴ Vol.6 p.323.

"Is the messenger of Allah cursed among you?" I said: "Allah Forbid! Glory be to Allah!" she said: "I have heard the messenger of Allah saying: "He, who curses Ali, (as if he) curses me."

Ibn Abdul Birr mentioned in al-Istee'ab, biography of Imam Ali (s), that the Prophet (s) had said: "He, who loves Ali, loves me. He, who hates Ali, hates me. He, who hurts Ali, hurts me and whoever hurts me hurts Allah." The true traditions talking about such matter are recurrent especially the traditions that have been narrated from Ahlul Bayt (s).

It is an indisputable fact that cursing a Muslim is a transgression according to the consensus of the Muslims. Muslim has mentioned in his Sahih a tradition saying that: "Cursing a Muslim is a transgression and fighting him is disbelief."

95. HIS FIGHTS AGAINST IMAM ALI (S)

Mo'awiya marched with the rabbles of Sham to fight Imam Ali (s) after the Muslims had paid homage to him as the caliph. He lit the fire of his rage and hatred and set the reigns of his tendencies free whereas Imam Ali (s) invited him to return to Allah. The virtuous remainder of the first Muslims of Badr, Uhud, al-Ahzab, ar-Radhwan and a great number of the good believers were with Imam Ali (s) and all of them invited to the way of Allah and to obey Ameerul Mo'mineen Ali (s). But there was deafness into Mo'awiya's ears that he did not hear their invitation and he insisted on his oppression. He spared no effort to go on his deviation until he killed on that day a great number of the Muslims¹ that such a number had never been killed in any sedition before whereas the Prophet (s) had said: "Cursing a Muslim is transgression and fighting a Muslim is disbelief"² and he also had said: "If someone wants to separate your unity and scatter your gathering while you have agreed on one (leader) of you, you are to kill him."³

Ibn Abdul Birr said in al-Istee'ab, biography of Imam Ali (s): "Some

¹ Among the killed ones were many of the great companions of the Prophet (s).

² Sahih of al-Bukhari, vol. 4 p.147, Sahih of Muslim, vol.1 p.44.

³ Sahih of Muslim.

traditions have been narrated from Ali, ibn Mass'ood and Abu Ayyoob al-Ansari that Ali has ordered his followers to fight those who had broken the homage on the day (the battle) of al-Jamal, the oppressors (Mo'awiya and his followers, the people of Sham) in Siffeen and the Kharijites in an-Nahrawan. It was also narrated that Ali (s) had said: "I have found no way save to fight or to disbelieve in what Allah has revealed."

It sufficed Imam Ali (s) in his fighting against Mo'awiya that Allah has said: *"And if two parties of the believers quarrel, make peace between them; but if one of them acts wrongfully towards the other, fight that which acts wrongfully until it returns to Allah's command. Qur'an, 49:9"* No doubt that Mo'awiya and his followers were oppressive and they had acted wrongfully. This had been agreed on unanimously by the umma. The Prophet (s) had warned of that beforehand. Abu Sa'eed al-Khidri said: "We carried the adobes of the mosque one by one but Ammar carried two by two. The Prophet (s) passed by him, wiped the dust away from his head and said: "Blessed is Ammar! He will be killed by the aggressive party. Ammar will invite them to Allah and they will invite him to Hell."¹

According to this tradition Mo'awiya was among the ones who had been meant by this Qur'anic verse: *"And We made them Imams who call to the fire, and on the day of resurrection they shall not be assisted. And We caused a curse to follow them in this world, and on the day of resurrection they shall be of those made to appear hideous. Qur'an, 28:41-42"*

They are clear texts from the holy Book of Allah and the holy Sunna of the Prophet (s). Let you ponder on them and you are free to decide on them. The Prophet (s) has said: "Fighting against Ali is as fighting against me and making peace with him is as making peace with me." He has also said on the day when he has covered the five (himself, Ali, Fatima, Hasan and Husayn) with his garment: "I am a war against whoever fights them and peace to whoever makes peace with them and an enemy of whoever opposes them." He has also said to Imam Ali (s): "O Allah, assist whoever assists him, be the enemy of whoever opposes him, support whoever supports him and disappoint

¹ Sahih of al-Bukhari, vol.2 p.93, vol.1 p.61.

whoever disappoints him" besides many other sayings like this which have been narrated by all the umma.

96. FABRICATING TRADITIONS AGAINST IMAM ALI

The Mu'tazilite Sheikh Abu Ja'far al-Iskafi said: "Mo'awiya has forced some companions and some successors to fabricate bad traditions about Ali (s) to defame him and to lead people to disavow him. He gave them bribes for that in order to encourage the others to do the same. They fabricated what had pleased him. Among the fabricators were Abu Hurayra, Amr bin al-Aass and al-Mugheera bin Shu'ba and from among the successors was Urwa bin az-Zubayr. Az-Zuhri said that Urwa bin az-Zubayr had told him that Aa'isha had said to him: "Once I was with the Prophet (s) when al-Abbas and Ali came. The Prophet (s) said to me: "O Aa'isha, these two men will die on other than my religion."

Abdurrazaq narrated that Ma'mar had said: "Az-Zuhri had two traditions narrated by Urwa from Aa'isha about Ali (s). One day I asked him about them. He said to me: "What do you have to do with them (Urwa and Aa'isha) and their traditions? Allah is more aware of them and of their traditions. I suspect them when they talk about the Hashemites." As for the first tradition, we have mentioned it and as for the other one, Urwa pretended that Aa'isha had said to him: "Once I was with the Prophet (s) when al-Abbas and Ali came. The Prophet (s) said: "O Aa'isha, if you like to see two men of Hell, you can look at these two coming ones." I looked and I saw that they were al-Abbas and Ali bin Abu Talib."

As for Amr bin al-Aass, he said-as mentioned by al-Bukhari and Muslim in their Sahihs: "I have heard the messenger of Allah saying: "The (members of the) family of Abu Talib are not my guardians. My guardian is Allah and the good believers."

As for Abu Hurayra, he narrated that Ali (s) had engaged the daughter of Abu Jahl during the life of the messenger of Allah (s) and he made him angry. The messenger of Allah made a speech on the minbar and said: "By Allah, the daughter of the guardian of Allah (Fatima, the daughter of the Prophet) can never gather together with the daughter of the enemy of Allah, Abu Jahl. Fatima is a piece of

me. Whatever hurts her hurts me. If Ali wants to marry the daughter of Abu Jahl, he has to be away from my daughter and then let him do whatever he likes." This tradition has also been mentioned in Sahih of Muslim and Sahih of al-Bukhari narrated by al-Musawwir bin Makhrama az-Zuhri as mentioned by al-Murtadha in his book Tanzeeh al-Anbiya' wel-A'immah. He said that it had been narrated by Husayn al-Karabeesi, who had been known of his deviation from Ahlul Bayt (s) and of his enmity towards them and so his traditions could not be accepted. Abu Ja'far added: "Al-A'mash said: "When Abu Hurayra came to Iraq with Mo'awiya in the year of (Jama'a), he came to the mosque of Kufa. When he saw that many people had come to receive him, he knelt on his knees and hit his head with his hand many times and said: "O people of Iraq, you pretend that I fabricate the sayings of Allah and His apostle to be in Hell. I swear by Allah that I have heard the Prophet (s) saying: "Every apostle had a sanctum. My sanctum is Medina. Whoever spoils in Medina, will be cursed by Allah, the angels and all the people." I swear by Allah that Ali has spoiled in it!" When Mo'awiya heard him saying that, he endorsed him, rewarded him and made him the wali of Medina."¹

Sufyan ath-Thawri narrated from Abdurrahman bin Qassim that Umar bin Abdul Ghaffar had said: "When Abu Hurayra came to Kufa with Mo'awiya, he sat at the gate of Kinda in the night and people sat around him. One day a young man from Kufa-he might be al-Asbagh bin Nabata-came and said to him: "O Abu Hurayra, I ask you , by Allah, if you have heard the Prophet (s) saying to Ali bin Abu Talib: "O Allah, support whoever supports him and be the enemy of whoever opposes him." Abu Hurayra said: "Yes, I have." The young man said: "I swear by Allah that you have supported his enemies and opposed his assistants." Then he left."²

In short, Mo'awiya spared no effort and let no way unless he walked in to do wrong to Imam Ali (s). *"Those who do wrong will come to know by what a (great) reverse they will be overturned 26:227."*

¹ Sharh Nahjol Balagha, vol. 1 p.358.

² Sharh Nahjol Balagha, vol. 1 p.360.

97. BREAKING THE PROMISES HE HAD GIVEN TO IMAM HASAN(S)

Mo'awiya invited Imam Hasan (s) to peace and Imam Hasan (s) responded to him unwillingly because responding to the peace with Mo'awiya was the less one of the two evils and the easier of the two expected dangers¹ especially after Mo'awiya had accepted the conditions of Imam Hasan (s) and promised him before Allah that he would keep to them and he announced that in Iraq and Sham.

Many historians² mentioned that Mo'awiya had sent a blank paper with his seal on its bottom to Imam Hasan (s) and wrote to him: "Write down your conditions as you like in this blank paper which I have sealed."

He sent his letter and the blank paper to Imam Hasan (s) with Abdullah bin Aamir. Imam Hasan (s) did not want to write down his conditions with his own handwriting. He dictated them to Abdullah bin Aamir and Abdullah wrote them down as Imam Hasan had dictated them. Then Mo'awiya wrote all that with his own handwriting, sealed it with his seal and certified it with promises and binding oaths. He made the people of Sham witness it and then he gave it to Abdullah bin Aamir to deliver it to Imam Hasan (s).³

Mo'awiya enclosed the treaty with his saying "On Mo'awiya bin Abu Sufyan is the covenant and the oath of Allah and the faithfulness that Allah has ordered His people to keep to as He has bound Himself with."

But Mo'awiya was indifferent to the treaty and he did not carry out any of its conditions. He put the promises and the oaths under his feet. He cursed Imam Ali (s) and Imam Hasan (s) at the presence of Imam Hasan (s) and Imam Husayn (s) in the mosque of Kufa which was full of the crowds of people who had come to celebrate the treaty

¹ Refer to the introduction of Sulh al-Hasan by Sheikh Radhy aal Yaseen.

² Like ibn Jarceer in Tareekh al-Umam wal-Mulook, vol.6 p.93 and Ibnul Atheer in his Tareekh, vol.3 p.162.

³ Al-Imamah wes-Siyasa by ibn Qutayba, p.200.

of peace.¹

Then his policy kept on gushing out with all what contradicted the holy Qur'an and the Sunna. He committed every denied thing in Islam. He killed the virtuous believers, violated the honors, plundered the wealth, imprisoned the free people, exiled the reformers and appointed the vicious and evil people as the viziers of his state such as Amr bin al-Aass, al-Mugheera bin Shu'ba, ibn Sa'eed, Bisir bin Artā'a, Samra bin Jundub, ibn as-Samt, Marwan bin al-Hakam the deviate and the son of the deviate, ibn Murjana, al-Waleed bin Aqaba and Ziyad bin Sumayya, whom he had deprived of his legal father and ascribed him to his adulterer father Abu Sufyan and made him his brother to impose him on the Shia in Iraq to subject them to severe torment, to kill their men, capture their women, scatter them here and there, plunder their monies, burn their houses and to spare no effort in wronging them to support Mo'awiya in being loyal to carry out the conditions of his treaty with Imam Hasan (s)!!!

Mo'awiya had ended his horrible crimes with poisoning Imam Hasan (s) in order to pave the way for the rule of his drunkard son, who, later on, committed terrible crimes and brought fearful disasters to Medina, Mecca and Kerbala in every day of his life, which he had spent in fighting Allah and His messenger (s).

We resort to Allah and pray Him to make us free from Yazeed and from the one who has made him control the necks of the Muslims *"Certainly you have made an abominable assertion whereby almost the heavens are torn, and the earth is split asunder and the mountains fall in ruins. Quran; 19:89-90"*

¹ Mo'awiya surprised the people with this slighting and indifference to them, to the religion, to the Prophet (s) and to the Lord of the worlds but this impudence did not affect the patience and the great personality of Imam Hasan (s) who ascended the minbar and declared the truth and its people and exposed the untruth and its people. Refer to Sulh al-Hasan by Sheikh Radhy aal Yaseen, p.279-282.

CHAPTER SEVEN

THE SLIPS OF THE PUBLIC (THE SUNNI)

98. TRUSTING IN EVERYONE WHO HAS ACCOMPANIED THE PROPHET (S)

The Sunni have trusted in every Muslim who has accompanied the Prophet (s) even for one time as if companionship with the Prophet (s), according to their opinions, has made the companions infallible; therefore they have trusted in all what the companions have narrated (as they have claimed) from the Prophet (s) concerning the laws and the verdicts of the Sharia. They have relied on that and acted according to it without researching whether the companions, who have narrated the traditions, were fair, reliable, truthful and faithful or not. This is not possible at all because companionship itself, even if it is considered as a virtue, cannot be as evidence of infallibility. The companions of the Prophet (s) were like the rest of people; among them there were fair, virtuous, faithful and loyal believers, who were a lot, and also there were among them disobedient and hypocrite people besides that there were some companions whose real states were unknown.

The legal evidences have required that a narrator of a single tradition must be fair and trustworthy even if he was one of the Prophet's companions but as for the unfair and untrustworthy narrator, his traditions would be of no value at all according to definite evidences. As for the unknown companions, they would be proved to be fair and then it could be relied on their tradition concerning the branches of Islam and not the main principles but if they were proved to be unfair, it would be not possible to act

according to their traditions.

This is what we know of the opinion of the Sunni concerning the traditions narrated by a single narrator. There is no disagreement between us and them about this matter. But they have insisted on relying on the traditions narrated by the companions without researching or pondering on the fairness and truthfulness of the narrators believing that the companions all in all were fair and trustworthy as if they wanted to sanctify the Prophet (s) by considering all his companions as fair and faithful. This is a great mistake and ignorance that we deem them to be far above. Sanctifying the Prophet (s) is by sanctifying his Sunna and keeping it safe from the distortion of the fabricators. The Prophet (s) has warned his umma of the fabricators when he has said: "Fabricators will fabricate a lot of lies against me. He, who fabricates lies against me intendedly, will be in Hell."

If our (Sunni) brothers ponder on the clear verses of the Qur'an, they will find them full of the mention of the hypocrites and the harm they have caused to the Prophet (s). Allah has said: "*When the hypocrites come to you, they say: We bear witness that you are most surely Allah's Messenger; and Allah knows that you are most surely His Messenger, and Allah bears witness that the hypocrites are surely liars.* Qur'an, 63:1" and "*...and when the eyes turned dull, and the hearts rose up to the throats, and you began to think diverse thoughts of Allah. There the believers were tried and they were shaken with severe shaking. And when the hypocrites and those in whose hearts was a disease began to say: Allah and His Messenger did not promise us (victory) but only delusion.* Qur'an, 33:10-12" and "*And from among those who are round about you of the dwellers of the desert there are hypocrites, and from among the people of Medina (also); they are stubborn in hypocrisy; you do not know them; We know them.* Qur'an, 9:101"¹ and "*Certainly they sought (to sow) dissension before, and they meditated plots against you until the truth came, and Allah's commandment prevailed although they were averse (from it).* Qur'an, 9:48" and "*They swear by Allah that they did not speak, and certainly*

¹ He, who ponders on this verse and other verses like it, knows well that there have been hypocrites whose faith and fairness were unknown.

they did speak, the word of unbelief, and disbelieved after their Islam, and they had determined upon what they have not been able to effect, and they did not find fault except because Allah and His Messenger enriched them out of His grace; therefore if they repent, it will be good for them; and if they turn back, Allah will chastise them with a painful chastisement in this world and the hereafter. Qur'an, 9:74"

Would that I know where the hypocrites have gone after the Prophet (s)? They have caused him a lot of pains and distresses throughout his lifetime. They rolled the rocks before him¹ and tried to prevent him from spreading the Qur'an. The historians mentioned that the Prophet (s) had marched to the battle of Uhud with one thousand of his companions but before they reached their destination, three hundred hypocrites had gone back² and there might be some other hypocrites who had not gone back for fear of being exposed.

Even if there were only these three hundred hypocrites among this thousand of the Muslims, it would be enough evidence confirming that hypocrisy was spread at the time of the revelation; then how could it be ceased only when the revelation stopped and the Prophet (s) went to the better world? Was the existence of the Prophet (s) the reason behind the hypocrisy of the hypocrites? Was his death the reason behind their faith, fairness and their being the best of the people after the prophets? How did they change just when the Prophet (s) died to be, after being hypocrites, sacred and holy people that no one could suspect whatever crimes and sins they committed? What was the purpose of this blind obstinacy that disgusted the hearings, the sights and the hearts?!

The Qur'an and the Sunna have many evidences proving that the hypocrites have remained on their hypocrisy without repenting. Allah has said: *(And Muhammad is no more than a messenger; the*

¹ Some ones of the companions had rolled rocks in the night of al-Aqaba to frighten the she-camel of the Prophet (s) to make him fall down. That night the Prophet (s) was coming back from the battle of Tabook where he had left Imam Ali (s) in his place in Medina. Ahmad bin Hanbal has mentioned in his Musnad, vol.5 a long tradition narrated by Abut Tufayl about this calamity and at the end of the tradition it has been said that the Prophet (s) had cursed a group of his companions on that day.

² Mentioned by all the historians who have recorded the events of Uhud.

messengers have already passed away before him; if then he dies or is killed will you turn back upon your heels? And whoever turns back upon his heels, he will by no means do harm to Allah in the least and Allah will reward the grateful) 3:144.

Al-Bukhari mentioned in his Sahih¹ a tradition narrated by Abu Hurayra that the Prophet (s) had said: "While I will be standing (on the Day of Resurrection), a group of people will come. When I know them, a man (an angel) will come out between me and them saying to them: "Come on!" I will say: "Where to?" He will say: "To Hell, by Allah." I will ask: "What for?" he will say: "They have apostatized after you." Then another group will come. When I know them, a man (an angel) will come out between me and them saying to them: "Come on!" I will ask: "Where to?" He will say: "To Hell, by Allah." I will say: "What for?" He will say: "They have apostatized after you." I think that only a very few of them will be rescued."

Al-Bukhari has mentioned in the same chapter a tradition narrated by Asma' bint Abu Bakr that the Prophet (s) had said: "I will be at the pond (on the Day of Resurrection) to see who will come to me from you. Many people will be taken before me. I will say: "O my Lord, they are from me and from my umma." It will be said: "Do you know what they have done after you? By Allah, they have kept on turning back on their heels (apostatizing)." Ibn Maleeka often prayed to Allah by saying: "O Allah, we seek Your protection from turning back on our heels or being seduced from our faith."

He has also mentioned in the same chapter a tradition narrated by ibn al-Musayyab that the Prophet (s) had said: "Some of my companions will come to me at the pond but they will be taken away. I will say: "O my Lord, they are my companions!" He will say: "You do not know what they have done after you! They have apostatized."

He has also mentioned in the same chapter a tradition from Sahl bin Sa'd that the Prophet (s) had said: "I will precede you to the pond (in Paradise). Whoever will come to me, will drink from the pond and whoever will drink, will never be thirsty forever. Some people will come to me. I know them and they know me but then they will be

¹ Vol.4 p.94.

prevented from being with me." Abu Hazim said: "An-Nu'man bin Abu Ayyash heard this from me and he asked me: "Have you heard this as it is from Sahl?" I said: "Yes, I have." He said: "I swear that I have heard it from Abu Sa'eed al-Khidri but he added: "...I will say: "They are from me." It will be said to me: "You do not know what they have changed after you!" I will say: "Away with whoever has changed (the Sunna) after me!"

He has also mentioned a tradition from Abu Hurayra that the Prophet (s) had said: "On the Day of Resurrection some of my companions will come to me but they will be taken away from the pond. I will say: "O my Lord, they are my companions!" He will say: "You do not know what they have changed after you. They have turned back on their heels."

In the same chapter Abdullah narrated that the Prophet (s) had said: "I will precede you to the pond (in Paradise). Some of you will come to me and then they will be taken away before me. I will say: "O my Lord, they are my companions!" It will be said to me: "You do not know what they have fabricated after you."

Al-Bukha has also mentioned in his Sahih¹ a tradition from al-Ala' bin al-Musayyab that his father had said: "Once I met al-Bara' bin Aazib and said to him: "Blessed you are! You have accompanied the Prophet (s) and paid homage to him under the tree." He said: "O my nephew, you do not know what we have changed after him."

He has mentioned a tradition from Abdullah bin Abbas that the Prophet (s) had said: "...some of my companions will be taken to the left. I will say: "They are my companions! They are my companions!" It will be said to me: "They turned back on their heels (apostatized) since you had left them..."²

¹ p.30 chap. (the battle of al-Hudaybiya).

² Sahih of al-Bukhari, vol.2 p.154.

99. TURNING AWAY FROM THE INFALLIBLE IMAMS

The Sunni have taken the main principles of religion from Abul Hasan al-Ash'ari, al-Matureedi and their likes and they have taken the branches of religion from the four jurisprudents; Malik bin Anass, Abu Haneefa, Ahmad bin Hanbal and ash-Shafi'iy although they have preferred their own opinions to the clear texts that have put the infallible imams of Ahlul Bayt (s) in a position as equal as the Qur'an and made them in the umma as the Ark of Noah in his people; whoever rode on it would be rescued and whoever lagged behind it would drown and as the gate of Hitta (forgiveness) for the Israelites; whoever entered into it would be forgiven. Ahlul Bayt (s) were in the umma as the head to the body and as the two eyes to the head. There are many such prophetic traditions that have put Ahlul Bayt (s) in such a high position.

We have detailed this subject in our book *al-Fusool al-Muhimma*, chap. 12 and here we quote what we have said there to shed more light on the subject:

Our Sunni brothers have turned away from the doctrines of the infallible imams of Ahlul Bayt (s) and paid no attention to their opinions about the principles and the branches of the religion at all. They have not referred to them in interpreting the holy Qur'an except less than their referring to Muqatil bin Sulayman, the fraud and the embodier¹ and they have not relied on their traditions except less than their reliance on the traditions of the Kharijites, the Murjites and the fatalists.

If you count all the traditions of Ahlul Bayt (s) that have been mentioned in the books of the Sunni, you will find them less than the traditions that al-Bukhari alone has mentioned from Akrima, the Kharijite, the Berber and the liar. Worse than all that is that al-Bukhari has never mentioned any tradition from the infallible imams of Ahlul Bayt (s). He has never mentioned any tradition narrated from Imam as-Sadiq (s), Imam al-Kadhumi (s), Imam ar-Redha (s), Imam al-Jawad (s), Imam al-Hasan al-Askari (s), who was coeval with al-Bukhari, nor did he mention any tradition from al-Hasan bin

¹ Who believes in embodiment; ascribing human aspects to Allah, the Almighty.

al-Hasan,¹ Zayd bin Ali bin al-Husayn, Yahya bin Zayd, an-Nafs az-Zakiyya al-Kamil bin al-Hasan ar-Redha bin al-Hasan, Ibraheem bin Abdullah, al-Husayn al-Fukhkhi bin Ali bin al-Hasan bin al-Hasan, Yahya bin Abdullah bin al-Hasan, Idrees bin Abdullah, Muhammad bin Ja'far as-Sadiq, Muhammad bin Ibraheem bin Isma'eel bin Ibraheem bin al-Hasan bin al-Hasan known as ibn Tabataba, al-Qasim ar-Rassiy, Muhammad bin Muhammad bin Zayd bin Ali, Muhammad bin al-Qassim bin Ali bin Umar al-Ashraf bin Zaynol Aabideen, who was coeval with al-Bukhari,² nor any other one of the scholars of the Prophet's progeny like Abdullah bin al-Hasan, Ali bin Ja'far al-Uraydhi and the other personalities of the progeny of Ahlul Bayt (s). Al-Bukhari even has not narrated anything of the traditions of the elder (grand)son of the Prophet (s), Imam Hasan (s) the master of the youths of Paradise whereas he (al-Bukhari) has mentioned many traditions from the bitter enemy of Ahlul Bayt (s), the Kharijite Imran bin Hattan, who had praised Abdurrahman bin Muljim for killing Imam Ali (s) by saying:

"What a strike by a pious man it was!

He just wanted to attain the contentment of the Lord of the Throne.

I often mention him and I think that he is

the best of people near Allah for his good deeds."

I swear by the Lord of the Kaaba and the Sender of the prophets that I have stopped here surprisedly and frightenedly for I have not thought that the matter would reach this extent!

Ibn Khaldoon has uncovered the hidden secret of this matter when saying in his Muqaddima in the chapter he has assigned to talk about jurisprudence after mentioning the Sunni sects: "Ahlul Bayt became irregular with doctrines they had invented and jurisprudence they had established by themselves that they had based according to their belief in criticizing some of the companions³ and believing in the

¹ He was the imam after his uncle Imam Husayn (s) according to the opinion of the Zaydites and then Zayd and then the others as we have arranged them above.

² He was killed in Iraq six years before the death of al-Bukhari.

³ I do not know how the jurisprudential doctrines are built on criticizing some of the companions and I do not know how the legal verdicts are derived from criticizing

infallibility of their imams and the truthfulness of their sayings...which all were weak principles¹...the Kharijites have also been irregular;² therefore the public (the Sunni) have paid no attention to their doctrines. In fact they have denied them and refuted them. We do not know anything about their doctrines and we do not read their books. There is nothing of their books in the countries of the Sunni. The books of the Shia are in their countries where their state was in Morocco, the east and Yemen. The same can be said about the Kharijites. Each of them has books and strange thoughts in jurisprudence..." Let you ponder on his speech to see the wonders!

Then he came back to talk about the Sunni sects. He said: "The doctrine of Abu Haneefa has spread in Iraq, the doctrine of Malik in Hijaz, the doctrine of Ahmad bin Hanbal in Baghdad and Sham and the doctrine of ash-Shafi'iy in Egypt." Then he said: "Then the jurisprudence of the Sunni has been perished in Egypt when the state of ar-Rafidha³ (the Shia) has been established. The jurisprudence of Ahul Bayt⁴ has spread there and the jurisprudence of the others has vanished until the (Shiite) state of al-Ubaydiyeen of ar-Rafidha has been overthrown by Saladin Yousuf bin Ayyoub and then the jurisprudence of ash-Shafi'iy has come back to Egypt..."

people! Ibn Khaldoun is considered as one of the philosophers...then what is this raving of him?!

¹ The Shia have proved the infallibility of their imams in their books with rational and traditional evidences. Here we cannot discuss that because we will be way from the subject of this book. It is enough evidence on their infallibility that they are the equal of the Qur'an and they are the safety of the umma from disagreement; if a tribe of the Arabs disagree with them, they (the Arabs) become as the party of Iblis. The infallible imams are the ship of rescue and the gate of Hitta (forgiveness) for the umma. They are the ones who protect the religion from being distorted and from being interpreted by the ignorants. Blessing and peace be upon them all.

² Ibn Khaldoun has told a lie in this word! He has said that he has not known anything about their doctrines or their books then how could he say that they were irregular, deviate and heretic and how could he know that their principles were weak?

³ Ar-Rafidha means "the refusers". The Sunni have called the Shia with this name claiming that they (the Shia) have refused the first three caliphs and the companions.

⁴ He acknowledged that ar-Rafidha (the Shia) had believed in the doctrine of Ahul Bayt (s).

Ibn Khaldoon and his likes said that they were on guidance and on the Sunna whereas Ahlul Bayt (s) were irregular, heretic, deviate and (refusing).

No wonder if a Muslim when hearing this word stands up and sits down and no wonder if he dies regretfully for Islam and its people. There is no power save in Allah, the Great, the Almighty!

Ibn Khaldood said that Ahlul Bayt (s) were irregular, deviate and heretic whereas it was they, whom Allah had purified from all uncleanness as it had been revealed in the Qur'an,¹ whom the Prophet (s) had challenged his enemies with by the order of Allah,² whom the Qur'an had imposed loving them on the Muslims,³ whom Allah had imposed their guardianship on the Muslims,⁴ who were the ship of rescue⁵ when the sea of hypocrisy overflowed, who were the safety of the umma⁶ when the storms of disagreement blew, who

¹ With reference to the Qur'anic verse (*Allah only desires to keep away the uncleanness from you, O people of the House! and to purify you a (thorough) purifying*) 33:33.

² With reference to the verse (*But whoever disputes with you in this matter after what has come to you of knowledge, then say: Come let us call our sons and your sons and our women and your women and our near people and your near people, then let us be earnest in prayer, and pray for the curse of Allah on the liars*) 3:61.

³ With reference to the verse (*Say: I do not ask of you any reward for it but love for my near relatives*) 42:23.

⁴ Ad-Daylami and others have mentioned a tradition narrated by Abu Sa'eed al-Khidri that the Prophet (s) had said: "*And stop them, for they shall be questioned* (37:24)... about the guardianship of Ali." Al-Wahidy said-as in as-Sawa'iq al-Muhriqa-when interpreting this verse: "They will be asked about the guardianship of Ali and Ahlul Bayt."

⁵ Ibn Hajar said in his as-Sawa'iq al-Muhriqa, p.93: "It has been narrated from many ways each confirming the other that the Prophet (s) has said: "The example of my family among you is like the Ark 'of Noah; whoever rides on it will be rescued." Muslim added in his Sahih : "...and whoever lags behind it will drown and perish."

⁶ The Prophet (s) has said: "The stars are safety for the people of the earth from drowning and my family is safety for my umma from disagreement. If a tribe of the Arabs opposes them (the Prophet's family), they (the people of the tribe) will disagree among them and will be the party of Iblis." Mentioned by al-Hakim from ibn Abbas as in as-Sawa'iq al-Muhriqa by ibn Hajar, 93. Ibn Abu Shayba and Musaddad in their Musnads, at-Tarmithi in Nawadir al-Usool, Abu Ya'la, at-Tabarani and al-Hakim have mentioned a tradition narrated by Salama bin al-Akwa' that the Prophet (s) had said:

were the gate of Hitta (forgiveness)¹ whoever entered into it would be forgiven, who were the firmest handhold which should not break off and who were one of the two weighty things² that whoever kept to would never go astray and whoever deviated from would never be guided. It was they whom the Prophet (s) had ordered us to regard as the head to the body³ and as the eyes to the head and he had forbidden us from preceding them⁴ or lagging behind them. The

"The stars are safety for the inhabitants of the heaven and my family is safety for my umma." Also mentioned by as-Sayooti in his book *Ihya' al-Mayyit*, an-Nabahani in his *Arba'een* and by others.

¹ The Prophet (s) has said: "The example of my family among you is like the Ark of Noah; whoever rides on it will be rescued and whoever lags behind it will drown and like the gate of Hitta of the Israelite." Mentioned by al-Hakim from Abu Tharr. At-Tabarani mentioned in as-Sagheer and al-Awsat that Abu Sa'eed had said: "I have heard the Prophet (s) saying: "My family among you is like the Ark of Noah; whoever rides on it will be rescued and whoever lags behind it will drown. My family among you is like the gate of Hitta of the Israelites; whoever enters into it will be forgiven."

² With reference to the Prophet's saying "I have left among you what if you keep to, you will never go astray after me; the two weighty things, the Book of Allah and my family. They will never separate until they will come to me at the pond (in Paradise). Be careful how you will deal with them." Mentioned by at-Tarmithi and al-Hakim as in *Ihya' al-Mayyit* by as-Sayooti. It has been mentioned by the most scholars of Hadith with little differences in the wordings. Ibn Hajar said in as-Sawa'iq al-Muhriqa: "Know that this tradition has been narrated by more than twenty companions. In some ways of this tradition it has been said that the Prophet (s) had said it in his last (farewell) hajj and in another he had said it in Medina during his illness when his room was full of his companions. In another way he had said it in Ghadeer Khum and in another occasion he had said it after his coming back from at-Ta'if when he had made a speech before the people. There was no contradiction that the Prophet (s) had mentioned this tradition in all these occasions because he had intended to make people take much care of the Qur'an and the pure family of the Prophet (s)..." Refer to as-Sawa'iq, p.92.

³ As-Sabban said in his *Is'af*, p.114: "Some scholars of Hadith have mentioned in their Sunan a tradition narrated by many companions that the Prophet (s) had said: "My family among you is like the Ark of Noah; whoever rides on it will be rescued and whoever lags behind it will perish or (will drown) in another tradition or (will be thrown in Hell) in a third tradition. In another way narrated by Abu Tharr there was an addition. He said: "I have heard him (the Prophet (s)) saying: "Consider my family among you as the head to the body and as the two eyes to the head."

⁴ With reference to the Prophet's saying about keeping to the two weighty things "...do not precede them so that you may perish and do not teach them because they

Prophet (s) had said that they (his family) were the protectors of the religion, who would keep it safe from the distortion of the deviants throughout the generations of this umma.¹ The Prophet (s) had declared that knowing (being dutiful to) them (his progeny) would save from Hell,² loving them would help to pass to Paradise, submitting to them would save from torment and that the good doings would not benefit the doers except by knowing their (the Prophet's progeny's) rights³ and no one of this umma will step on the Day of Resurrection unless he will be asked about loving them.⁴ If a man has spent his age standing, sitting (worshipping Allah) and prostrating between the Kaaba and the temple (of Abraham) with out believing in the guardianship of Ahlul Bayt, he will be in Hell."⁵

are more aware than you." Refer to *Rashfat as-Sadi* by Abu Bakr al-Alawi, chap.5 and *as-Sawai'q al-Muhriqa* by ibn Hajar, chap.11.

¹ Al-Mullah mentioned in his *Seera* that the Prophet (s) had said: "In every generation of my umma there will be virtuous believers from my progeny, who will keep this religion safe from the distortion of the deviants, the fabrication of the liars and the interpretation of the ignorants. Your imams are your delegations to Allah. Be careful whom you will delegate." *As-Sawa'iq* by ibn Hajar, p.92.

² The Prophet (s) has said: "Knowing the family of Muhammad saves (people) from Hell, loving the family of Muhammad helps to pass to Paradise and submitting to the family of Muhammad saves from torment." *Ash-Shifa'* by Judge Ayyadh, vol.2 p.41.

³ The Prophet (s) has said: "Keep to loving us, Ahlul Bayt. He, who meets Allah with loving us, will enter Paradise by our intercession. I swear by Him, in Whose hand my soul is, that no deed will benefit anyone except by knowing our rights." Mentioned by at-Tabari in *al-Awsat*, *as-Sayooti* in *Ihya' al-Mayyit* and *an-Nabahni* in *al-Arba'een*.

⁴ The Prophet (s) has said: "No one will step unless he will be asked about four things; about his age how he has spent it, his body how he has worn it out, his money how he has spent and where he has gained from and about loving us Ahlul Bayt." Mentioned by at-Tabarani from ibn Abbas, *as-Sayooti* in *Ihya'ul Mayyit* and *an-Nabahani* in *al-Arba'een*.

⁵ The Prophet (s) has said: "If a man spends his age between the Kaaba and the temple (of Abraham) praying and fasting but hating Ahlul Bayt, he will be thrown into Hell." Mentioned by at-Tabarani, *al-Hakim* and *an-Nabahani*.

Abu Sa'eed narrated that the Prophet (s) had said: "By Him, in Whose hand my soul is, no man hates us Ahlul Bayt, unless he will be thrown into Hell." Mentioned by *al-Hakim*, *ibn Habban* and *an-Nabahani*.

Imam Hasan (s) has said to Mo'awiya bin Khudayj: "The messenger of Allah has said: "No one hates us and envies us unless he will be tortured on the Day of Resurrection with whips of fire." Mentioned by at-Tabarani as in *Ihya'ul Mayyit*.

After all that does it not behoove the Muslim umma to believe in Ahlul Bayt (s), to submit to them and to follow their way? Is any Muslim, who believes in Allah and His messenger, permitted to follow other than them? How could ibn Khaldoon consider Ahlul Bayt (s) as heretic so openly and impudently without feeling ashamed or fearing Allah?

Have the Qur'anic verses and the prophetic traditions ordered the Muslims to turn away from Ahlul Bayt (s), whom Allah has purified and made loving them obligatory on the Muslims and whom the Prophet (s) has ordered to keep to in order not to go astray? We have collected all the true traditions talking about the virtues and the high position of Ahlul Bayt (s) in our book *Sabeel al-Mo'mineen* and so have our scholars done in their books. Refer to them to know the truth and the essence of Ahlul Bayt (s) and their position in Islam.

They have neither committed any guilt nor have they had any defect that requires the (Sunni) Muslims to turn away from them. Would that the people of the four Sunni sects have studied the doctrine of Ahlul Bayt (s) as just a point of argument as they have done to the other doctrines which they have not acted according to! We have not found them dealing with Ahlul Bayt (s) in such a way in any age at all! In fact they have dealt with Ahlul Bayt (s) as if they have not been created yet or as if they have had no any bit of knowledge and wisdom!

Yes, they (the Sunni) often treated the followers (the Shia) of Ahlul Bayt (s) as if they were not Muslims and they fabricated against them all kinds of lies!

The time of oppression and enmity has gone and the age of brotherhood has come. It is time for all the Muslims to enter the town of the prophetic knowledge from its gate, to enter into the gate of Hitta and to resort to the safety of the people of the earth by riding on the ship of rescue of Ahlul Bayt (s). They are to be close to the Shia. The time of disagreement and separation has gone and the

Jabir bin Abdullah narrated that the Prophet (s) had said: "Once the Prophet (s) made a speech and he said: "O people, whoever hates us Ahlul Bayt, Allah will resurrect him on the Day of Resurrection as a Jew." Mentioned by at-Tabarani in *al-Awsat* as in *Ihya'ul Mayyit* by as-Sayooti and *al-Arba'een* by an-Nabahani.

morning of the firm relations between the Shia and the Sunni has shone. Praise be to Allah, the Lord of the worlds.

100. A CALL FOR GOOD FAITH

O brothers, until when will this disagreement last? What are these enmities and hatred for? Allah, the One and Only, is the Lord of us all. Islam is our religion. The holy Qur'an is the Book of all of us. The Kaaba is our Kiblah. The master of the prophets and the last of the messengers Muhammad bin Abdullah is our Prophet. His sayings and doings are our Sunna. The daily five prayers, fasting Ramadan, zakat and hajj are our obligations. The permissible things are the things that Allah and His messenger have permitted and the impermissible things are the things that they have prohibited. The truth is what they have determined as the truth and the untruth is what they have rejected. The guardians of Allah and His messenger are our guardians and the enemies of Allah and His messenger are our enemies. The day of Resurrection will come no doubt and Allah will resurrect the dead from their graves (*so that He rewards those who do evil, according to their deeds, and He rewards those, who do good, with what is best*). Are the Shia and the Sunni not equal in all these? (*...and the believers; they all believe in Allah and His angels and His books and His messengers; We make no difference between any of His messengers; and they say: We hear and obey, our Lord! Thy forgiveness (do we crave), and to Thee is the eventual course*) 2:285.

In fact the dispute between the Shia and the Sunni about the matters of disagreement is minor and there is no dispute between them about the great matters in the view of the discerning people at all. Do you not see that when they argue about the necessity of something or its impermissibility, or whether it is desirable or not or it is permissible or when they argue about someone whether he is fair or unfair, faithful or unfaithful, hypocrite or not or that he must be followed because he is the guardian of Allah or he must be opposed because he is the enemy of Allah, they argue to prove that with the legal evidences derived from the Qur'an, the Sunna, the consensus or reason. Each of them relies on what the legal evidences require. If the two parties know that a certain thing has been proved in Islam or

not proved or they both doubt about it, they will not dispute or disagree at all.

Al-Bukhari has mentioned in his Sahih¹ a tradition narrated by Abu Salama that the Prophet (s) had said: "If a ruler tries his best to give a judgment and his judgment is correct, he will be rewarded (by Allah) twice and if he tries his best and his judgment is incorrect, he will be rewarded with one reward."

Ibn Hazm has said in his book al-Milel wen-Nihal²: "A group of the Muslims thinks that a Muslim will not be transgressive or unbeliever if he issues an opinion or a fatwa. Everyone, who tries his best to look for the truth and then he believes in what he has found, he will be rewarded anyhow. If he is correct, he will be rewarded twice and if he is incorrect, he will be rewarded once. This is the opinion of Abu Layla, Abu Haneefa, ash-Shafi'iy, Sufyan ath-Thawri, Dawood bin Ali and all the companions who have talked about this matter. We have not known any disagreement between them about this matter at all..."

Those, who have declared this opinion from among the scholars of the umma, are too many; then what are all these troubles for, O you Muslims?!

Allah has said: "*The believers are but brethren, therefore make peace between your brethren and be careful of (your duty to) Allah that mercy may be on you.* Qur'an, 49:10" and "*and do not quarrel for then you will be weak in hearts and your power will depart.* Qur'an, 8:46" and "*And be not like those who became divided and disagreed after clear arguments had come to them, and these it is that shall have a grievous chastisement.* Qur'an, 3:105"

The Prophet (s) has said: "The protection of the Muslims is one. Every one of them has to strive for the sake of it. They must be as one hand against their enemies. Whoever violates the protection of a Muslim, the curse of Allah, the angels and all the people will be on him. He will not be forgiven on the Day of Resurrection."

¹ Vol.4 p.177.

² vol.3 p.247.

The true traditions about this matter are recurrent especially from Ahlul Bayt (s). Refer to our book al-Fusool al-Muhimma for there is what delights the hearts of the umma especially in the first seven chapters.

The following table shows the results of the experiment. The first column is the number of trials, the second column is the number of correct responses, and the third column is the percentage of correct responses.

Number of Trials	Number of Correct Responses	Percentage of Correct Responses
10	8	80%
20	15	75%
30	22	73.3%
40	28	70%
50	35	70%
60	42	70%
70	48	68.6%
80	55	68.8%
90	62	68.9%
100	68	68%

As can be seen from the table, the percentage of correct responses remains relatively constant, fluctuating between 68% and 80% across the different numbers of trials. This suggests that the subject's performance is stable and does not improve or decline significantly as the number of trials increases.

CONCLUSION

We end our book with the same subject that we have begun with; the imamate after the Prophet (s) because of its importance near Allah and His messenger and because of its necessity to the umma in its religion and life and because of that the Prophet (s) has spared no effort to fix it for the sake of Allah the Almighty and for the sake of his umma.

He, who has been aware of the way of the Prophet (s) in establishing the state of Islam since the first step, would find that Imam Ali (s) was his vizier, his partner in his affairs, his supporter against his enemies, the container of his knowledge, the heir of his wisdom, his guardian and the caliph after him. He, who has pondered on the Prophet's sayings and doings in his travel and residing, would find that many of them have declared these matters since the advent of the mission until the last day of his holy life. The Prophet (s) has kept on declaring these meanings in his wise manner throughout twenty-three years since he has been sent as a prophet until he has left to the better world. He praised the virtues of Imam Ali (s), mentioned his high position and glorified his personality in every occasion.

The Prophet (s) has declared the important position of Imam Ali (s) in a clear text since the first days of prophethood and before the mission has been spread openly in Mecca when he has warned his close relatives at the time of his uncle Sheikh al-Bat~ha' Abu Talib. He has said to them in the house of Abu Talib while putting his hand on the neck of Imam Ali (s), who was the youngest one among the relatives then: "This (Ali) is my brother, my guardian and my caliph

among you. You are to listen to him and to obey him..."¹

Since then the Prophet (s) kept on referring to the caliphate of Imam Ali (s) after him sometimes in clear texts like his saying to Imam Ali (s) when he had left him on Medina during the battle of Tabook "I should not go unless you remain as my caliph"² and sometimes in more special meanings like his saying when Burayda has complained against Imam Ali (s) "Do not get involved with Ali! He is from me and I am from him and he will be your guardian after me." It has been mentioned by Ahmad bin Hanbal in this way.

An-Nassa'iy has mentioned the tradition in this way: "O Burayda, do not offend Ali! He is from me and I am from him and he will be your guardian after me."

At-Tabarani mentioned the tradition in details that the Prophet (s) had said: "Why do some people disparage Ali? He, who hates Ali, hates me and he, who turns away from Ali, turns away from me. Ali is from me and I am from him. He has been created from my clay and I have been created from the clay of Abraham but I am better than Abraham; a progeny one from the other and Allah is Hearing, Knowing. O Burayda, have you not known that Ali deserves more than the bondmaid he has taken? He will be your guardian after me."

Imran bin Husayn narrated: "Four of the Prophet's companions have agreed to complain of Ali to the Prophet (s). One of them said: "O messenger of Allah, have you not seen that Ali had done so and so?" The Prophet (s) paid no attention to him. The second one said the same to the Prophet (s) and the Prophet (s) paid no attention to him. The third one said the same and the Prophet (s) paid no attention to

¹ We have mentioned this tradition in our book al-Muraja'at with its series of narrators and sources from the books of the Sunni. Refer to Muraja'a no. 20 and 22. Let you ponder on the Prophet's saying to his close relative, among whom were his uncles like Abu Talib and others "You are to listen to him (Ali) and to obey him" which has showed that Imam Ali (s) since those first days was to the Prophet (s) as Aaron was to Moses except that there would be no prophet after Prophet Muhammad (s).

² You find this text in a true tradition having more than ten aspects of Ali's each of which nominating him to the imamate. Refer to our book al-Muraja'at, muraja'a no.26-34.

him. The fourth one said the same. The Prophet (s) became too angry and he said: "What do you want from Ali? Ali is from me and I am from him and he will be the guardian of every believer after me."

Wahab bin Hamza said-as in al-Issaba, biography of Wahab: "Once I travelled with Ali and I found that he somehow had turned away from me. When I came back I mentioned Ali to the Prophet (s) and I criticized him. The Prophet (s) said to me: "Do not say this about Ali because he will be your guardian after me."

At-Tabarani mentioned this tradition of Wahab in al-Kabeer but he said: "...do not say this about Ali because he is the worthiest of the people for being your guardian after me."¹

The Prophet (s) might have entrusted some of his sincere companions such as Salman al-Farisi with his sayings about appointing Imam Ali (s) as his successor. At-Tabarani mentioned (from Salman) in al-Kabeer that the Prophet (s) had said: "My guardian, the keeper of my secrets, the best one whom I leave after me, the one, who executes my promises and pays my debts, is Ali bin Abu Talib."

And the Prophet (s) might have distinguished some of those, who had diseases in their hearts such as Burayda, with his special saying about Imam Ali (s). Muhammad bin Hameed ar-Razi mentioned from Burayda that the Prophet (s) had said: "Every prophet has had a guardian and heir. My guardian and heir is Ali bin Abu Talib."

And like Anass bin Malik who narrated, as mentioned in Hilyatul Awliya' by Abu Na'eem, that the Prophet (s) had said to him: "O Anass, the first one, who will come to you from this door, is the imam of the pious, the master of the Muslims, the guarder of the religion, the last of the guardians and the leader of the bright-faced people of Paradise." Anass said: "Then Ali came and the Prophet (s) got up delightfully and embraced him. The Prophet (s) said to him: "You carry out my affairs instead of me, convey to the people my orders and explain to them what they disagree on after me."²

¹ Refer to al-Muraja'at, muraja'a no.36.

² Al-Muraja'at, muraja'a no.68.

Anass also narrated that he had heard the Prophet (s) saying: "I and Ali are proofs before the umma on the day of resurrection."¹

The Prophet (s) had also entrusted some virtuous women with such traditions like his wife Umm Salama, his uncle's wife umm al-Fadhī, Asma' bint Umays, Umm Sulaym al-Ansariya and their likes. He had also declared this matter (Ali's right in leading the umma) from above his minbar. He had revealed it to some of his companions in al-Baqee' and hinted at it on the day of brotherhood in Mecca before the hijra and the other time in Medina on the day of brotherhood between the Muhajireen and the Ansar. In both occasions the Prophet (s) had taken Imam Ali (s) as his brother preferring him to the all other Muslims saying to him: "You are to me as Aaron was to Moses but there will be no prophet after me."

Such the Prophet (s) had done when he had closed all the doors of the companions leading to the mosque except the door of Imam Ali (s).²

The first caliph Abu Bakr narrated that the Prophet (s) had said: "Ali to me is as my position near Allah."³

The Prophet (s) had said: "My hand and Ali's hand are the same in justice."⁴

The Prophet (s) had interpreted the verse (7) of the "the warner and the guide" mentioned in the sura of ar-Ra'd (13) by saying: "I am the warner and Ali is the guide. O Ali, by you the people will be guided after me."⁵

The Prophet (s) had said: "Ali to me is as my head to my body."⁶

He had also said: "Ali is with the Qur'an and the Qur'an is with Ali;

¹ Kanzol Ummal, vol. 6 p.157.

² Al-Muraja'at, muraja'a no.32.

³ As-Sawa'iq al-Muhriqa by ibn Hajar, p. 106, chap. 11 when talking about the verse 14 mentioned in this chapter.

⁴ Kanzol Ummal, vol. 6 p.153, al-Muraja'at, p.167, 172 third edition.

⁵ Kanzol Ummal, vol. 6 p.157.

⁶ As-Sawa'iq al-Muhriqa by ibn Hajar, p.75 part 2 chap.9 narrated by al-Bara' and ad-Daylami from ibn Abbas.

they do never separate until they will come to me at the pond (in Paradise)."¹

The Prophet (s) had also said: "I am the city of knowledge and Ali is its gate and whoever wants to get knowledge has to come through the gate."²

The Prophet (s) had said: "I am the house of wisdom and Ali is its gate."³

He had also said: "O Ali, you explain to my umma what they will disagree on after me."⁴

He had also said: "He, who obeys me, obeys Allah and he, who disobeys me, disobeys Allah. He, who obeys Ali, obeys me and he, who disobeys Ali, disobeys me."⁵

There are many other traditions like these ones talking about the same meaning even if their wordings are somehow different. These traditions have given Imam Ali (s) a position near the Prophet (s) that no prophet can give except to the guardian and the caliph after him. This is the meaning of the traditions that comes to mind

¹ Mustadrak of al-Hakim, vol.3 p.124, Talkhees al-Mustadrak by ath-Thahabi.

² Mentioned by at-Tabarani from ibn Abbas as in al-Jami' as-Sagheer by as-Sayooti, p.107 and al-Hakim in his Mustadrak, vol.3 p.126-127 in two ways; from ibn Abbas and Jabir bin Abdullah al-Ansari. Al-Hakim has proved the tradition to be true with many exact evidences. Ahmad bin Muhammad bin as-Siddeeq al-Maghribi has written a book to prove the truthfulness of this tradition and he has called it "Fat-h al-Melik al-Aliy bisihhat Hadeeth Bab Medeenatul Ilm Ali" printed in Egypt in 1354 A.H. Let the fair researchers refer to it because it has good information and facts. The enemies of Ahlul Bayt (s), who have denied this tradition, have no value near us because they have no evidence in denying this tradition which has become as a proverb narrated by everyone and everywhere. We have pondered on their denying this tradition and we have found that it was out of impudence and fanaticism as Salahuddeen al-Ala'iy has declared by saying: "They have no evidence in denying this tradition save pretending that it is a fabricated tradition."

³ Mentioned by at-Tarmithi and ibn Jareer in their Sahihs and quoted from them by some scholars like al-Muttaqi al-Hindi in Kanzol Ummal, vol. 6 p.401.

⁴ Mustadrak of al-Hakim, vol.3 p.122. Al-Hakim said that it had been a true tradition according to the conditions of al-Bukhari and Muslim but they had not mentioned it.

⁵ Ibid. vol.3 p.121, Talkhees al-Mustadrak by ath-Thahabi in the same page. They said it was true according to al-Bukhari and Muslim.

according to the rules of the language.

There are other true traditions that have given Imam Ali (s) and the infallible imams after him the position of the caliphate after the Prophet (s) and have imposed on the umma to obey them. The Prophet (s) has bound the umma with the two ropes (the Qur'an and the Prophet's family) and tied the umma; the scholars and the ignorants, the free and the slaves, the rulers and the public to the two weighty things until the Day of Resurrection. He has not excluded any one of the umma; neither Abu Bakr, nor Umar, nor Othman, nor and nor...whether men or women...the two weighty things are the Book of Allah and the infallible imams (s) of the Prophet's progeny. The Prophet (s) has warned all of his umma of being deviated from the truth if they would not keep to these two weighty things and he has told them that these two weighty things would never separate and the earth would never be empty of them until they would come to him at the pond (in Paradise) and by this the truth has shone and there would be no way for suspicion. Praise be to Allah, the Lord of the worlds.

The Prophet (s) has not been satisfied with the traditions of "the two weighty things". He has compared his progeny once to the Ark of Noah that whoever has ridden on would have been rescued and whoever has lagged behind would have drowned and the other time to the Gate of Hitta of the Israelites that whoever has entered into would have been forgiven. The Prophet (s) has considered his progeny as safety for the people of the earth that would keep them safe from disagreement that whenever a tribe opposed them (the Prophet's progeny), it would be the party of Iblis.

The Prophet (s) has spared no effort to bind his umma to obey his progeny and to follow them. He has excluded no one of the umma from that.

How could any of the umma have an excuse to turn away from Ahlul Bayt (s) after they have become as the Ark of Noah and as the Gate of Hitta and after they have been the equal of the Qur'an that no Muslim could find a substitute for them?

Someone might say: How could the Prophet's companions, if the Prophet (s) had determined something, contradict his order? Why

did Ali (s) not try to get his promised right? Why did he not dispute or asked for his right? Why did he keep to his house throughout the period of the rule of the three caliphs and he always was loyal in advising them? What would the Shia say about the Prophet's saying "My umma will never agree unanimously on deviation or untruth"? Why did Ali (s) and his followers of the Hashemites or other than the Hashemites not protest against the homage on the Day of as-Saqeefa? Why had the caliphate of Ali (s) not been revealed by Allah in a clear verse like the verses of monotheism, prophethood, justice and resurrection?

The answer: as for their (the companions') contradicting the prophetic traditions, you have known this well from this book and the many occasions of their contradictions have been shown too clearly.

The conducts of the changeable people of politics and ambition and their followers from among the Prophet's companions have showed us that they have followed the prophetic traditions concerning the mere affairs of obligations such as the prayer which should be towards the kiblah and fasting which should be in Ramadan and the likes but as for the traditions concerning the affairs of politics such as caliphate, emirate, managing the affairs of the state and the rule, they have thought that following these traditions was not necessary and they often followed their own opinions as we have detailed that in our books *al-Muraja'at* and *al-Fusool al-Muhimma*.¹

As for saying that Imam Ali (s) has given up his right, has not asked for it, has kept to his house, has advised the caliphs sincerely and the opinion of the Shia about non-agreement of the umma on deviation, we have explained these subjects in details in our book *al-Muraja'at*.²

As for protesting or not against the homage (of the caliphate) on the day of as-Saqeefa, we have detailed that in our book *al-Muraja'at*, *muraja'a* no.102.

As for that Allah has not revealed a clear verse in the Qur'an about

¹ Refer to *muraja'a* no.84 p.262-265 third edition and chap.8 in *al-Fusool al-Muhimma*, p.81-85 second edition.

² *Muraja'a* no.82 and 84.

the caliphate of Imam Ali (s) like the verses of monotheism, justice, prophethood and resurrection, we refer the questioners to the detailed word in our thesis "Falsafat al-Meethaq wel-Wilaya: the philosophy of the covenant and guardianship"¹ where the truth has shone clearly.

The Prophet (s) has kept on preparing Imam Ali (s) to have his position in the umma since the first days of the mission. He has declared that in different ways until he has got ill at the last moments of his holy life. He has lain in his room, which was crowded with his companions. He has said: "O people, I am about to die and be taken to the other world soon. I have advised you to beware of your affairs. I have left among you the Book of Allah, the Almighty, and my family." Then he has lifted Imam Ali's hand and said: "This is Ali. He is with the Qur'an and the Qur'an is with him. They do not separate until they will come to me at the pond..."²

When the Prophet (s) had been inspired by the revelation that it would be near to him to leave for the better world, he, due to his great care for the matter of guardianship, announced that he would go to perform the hajj. It was the last (farewell) hajj in his life. He left Medina with about ninety thousand Muslims or more³ besides those who joined him along the way and in Arafa. When it was the day of the stop on Mount Arafa, the Prophet (s) made a speech before the hajjis advising and preaching. From among what he had said to them was: "O people, I am about to be called (for death) and I will respond. I have left among you what if you keep to, you will never go astray; the Book of Allah and my family. They will never separate until they will come to me at the pond (in Paradise). Beware how you will regard me in dealing with them!"

There were many situations before this one and after it in which the Prophet (s) had bound the umma with the two ropes and the two weighty things (the Book of Allah and the infallible imams). He promised the umma of remaining on guidance if it would keep to

¹ From p.17 to the end of the thesis.

² As-Sawa'iq al-Muhriqa, chap.2 p.75.

³ As in al-Halabi's Seera and ad-Dahlani's Seera.

these two weighty things and warned it of being deviated if it would turn away from them. He told the umma that these two things would not separate and the earth would not become empty of them.

These situations of the Prophet (s) were not general but his situation on the day of Arafat and then his situation on the day of al-Ghadeer were before great masses of the umma.¹

Before the Prophet (s) left Arafat, he had made a speech before the Muslims who were looking at him and listening with their ears and hearts. He said loudly: "Ali is from me and I am from Ali and no one is to carry out my affairs except me or Ali."²

How a great covenant it was; light for the tongue, heavy in the scales! It has given Ali (s) the authority of carrying out the affairs of the Prophet (s) as the same as the authority of the Prophet (s) himself in carrying out his own affairs. It was a permission to Ali (s) to legislate the legal verdicts the Prophet (s) had entrusted him with when the people would face problems after the death of the Prophet

¹ Ibn Hajar said in *as-Sawa'iq al-Muhriq*: "Know that this tradition has been narrated by more than twenty companions. In some ways of this tradition it has been said that the Prophet (s) had said it in his last (farewell) hajj and in another occasion he had said it in Medina during his illness when his room was full of his companions. In another way he had said it in Ghadeer Khum and in another occasion he had said it after his coming back from at-Ta'if when he had made a speech before the people. There was no contradiction that the Prophet (s) had mentioned this tradition in all these occasions because he had intended to make people take much care of the Qur'an and the pure family of the Prophet (s)..." Refer to *as-Sawa'iq*, p.89.

Ibn Hajar acknowledged that the Prophet (s) had declared the tradition of *ath-Thaqalayn* "the two weighty things" in many occasions and that it had been narrated by more than twenty companions. Even if the Prophet (s) had not declared this tradition except in these two occasions; on the day of Arafat and on the day of al-Ghadeer, it would have been a recurrent tradition because those, who had heard it and narrated it from the Prophet (s), were about ninety thousands at least in each of those two occasions.

² Mentioned by Ahmad bin Hanbal in his *Musnad*, vol.4 p.164 from Habashi bin Junada in many ways all of which were true. Ahmad has mentioned the tradition from Yahya bin Adam from Israel bin Younus from his grandfather *as-Subay'iy* from Habashi and all these narrators were reliable according to al-Bukhari and Muslim who had mentioned their traditions in their *Sahihs*. It has also been mentioned by *ibn Maja* in his *Sunan*, vol.1 p.92 and by *at-Tarmithi* and *an-Nassa'iy* in their *Sunans*. Refer to *Kanzol Ummal*, vol. 6 p.153.

(s).¹ The Prophet (s) has participated Imam Ali (s) in his mission and entrusted him with the revelation of Allah as Aaron had been to Moses except that Ali (s) was not a prophet but he was a vizier and a guardian. Imam Ali (s) has imitated the Prophet (s), followed his orders and carried out all what he has entrusted him with.

In this wise way the Prophet (s) has declared the matter of guardianship and in these intelligent manners he has spread it among the umma. He has advanced step by step with his different traditions and various manners according to the requirements of the different occasions and conditions of the umma.

He has not closed the way of misinterpretation (of the traditions) before the opponents in order not to embarrass them and then they might turn from Allah and His messenger; therefore he has behaved wisely to bring the opponents gradually towards the matter he has feared the opponents would deny and this wise conduct was one of his miracles.

In this way the Prophet (s) has decreased their rage and anger and has calmed their nerves. They, little by little, accepted the matter apparently whereas their hearts denied it. This has led the Prophet (s) to fear for the religion and the umma. When he has come back from the last (farewell) hajj with the great number of the pilgrims, he felt a great fear inside him. He prayed to Allah to have mercy on him and to protect him from people. When he arrived at Ghadeer Khum, Allah revealed to him: *(O Messenger! deliver what has been revealed to you from your Lord; and if you do it not, then you have not delivered His message, and Allah will protect you from the people; surely Allah will not guide the unbelieving people)*² 5:67.

¹ This is the meaning of carrying out the affairs of the Prophet (s) that Imam Ali (s) was the only one who had been permitted to do. The jurists carry out the principles and branches of the religion as Allah and His messenger have legislated, the people of Hadith carry out the traditions of the Prophet (s) and the scholars carry out the knowledge of the Prophet (s) but no one has a right to legislate legal verdicts after Allah and His messenger. He, who ascribes fabricated lies to Allah or His messenger, will be in Hell.

² The Shia have no doubt that this verse have been revealed about the guardianship of Imam Ali (s) on the day of Ghadeer Khum. The true traditions narrated from our infallible imams (s) are many and recurrent. As for the traditions narrated by the

Let the umma ponder on this verse with its severe threat (*O Messenger! deliver what has been revealed to you from your Lord; and if you do it not, then you have not delivered His message*) to see that the position of guardianship in their Islamic religion is a little less than the position of prophethood and they both are of the same kind especially after Allah has said at the end of the verse: (*surely Allah will not guide the unbelieving people*).

Do you not see that the threat in this verse (if not announcing guardianship) is like the threat (if giving up monotheism) mentioned in this verse: (*And certainly, it has been revealed to you and to those before you: Surely if you associate (with Allah), your work would certainly come to naught and you would certainly be of the losers*)?

Sunni, al-Wahidi has mentioned in his book *Asbab an-Nuzool*, p.50 when interpreting this verse a tradition narrated in two ways from Attiyya that Abu Sa'eed al-Khidri had said: "This was revealed in Ghadeer Khum concerning Ali bin Abu Talib." The same has been mentioned by Abu Na'eem in his book *Nuzool al-Qur'an* with two series of narrators one from Abu Sa'eed and the other from Abu Rafi' and mentioned by Ibraheem bin Muhammad al-Hamaweeni in his book *al-Fara'id* in many ways from Abu Hurayra. Abu Isshaq ath-Tha'labi has mentioned it in *at-Tafseer al-Kabeer*. Al-Ayyashi has mentioned in his *Tafseer-as in Majma'ul Bayan*-that ibn Abu Umayr narrated from ibn Uthayna from al-Kalbi from Abu Salih that ibn Abbas and Jabir bin Abdullah had said: "Allah has ordered Prophet Muhammad (s) to present Ali before the people and to inform them of his guardianship. The Prophet (s) feared that the people might say that he had favored his cousin or they would criticize him. Allah revealed to him this verse and then he announced the guardianship of Ali on the day of Ghadeer Khum." In *Majma'ul Bayan* it has been mentioned: "This very tradition has been narrated to us by Abul Hamd from al-Hakim Abul Qassim al-Hasakani from Abu Umayr in the book *Shawahid at-Tanzeel li-Qawa'id at-Tafseel wet-Ta'weel*. It has also been mentioned in *Majma'ul Bayan* that Hayyan bin Ali al-Alawi had narrated from Abu Salih that Ibn Abbas had said: "This verse was revealed concerning Ali. The Prophet (s) took Ali's hand and said: "Whoever I am his guardian, here is Ali to be his guardian. O Allah, support whoever supports him and be the enemy of whoever opposes him..."

What confirms this meaning is that before the revelation of this verse, the prayers were offered, zakat was collected, fasting in Ramadan and the hajj to the Kaaba were performed, the permissible things were clear and the prohibited things were clear, the penalties were executed, the Sharia was firm and the verdicts were fixed. Then what was that thing that Allah had ordered the Prophet (s) and insisted on him to announce and threatened him severely if he would not announce? Was it but the matter of the caliphate that the Prophet (s) feared of sedition if he announced and that he needed to be protected from the harm of people when carrying it out?

39:65.

If the Muslims ponder on the verse, they will know that the consequences of the threat concern those, who oppose announcing the matter of guardianship, and not the Prophet (s). Far be it from Allah to threaten His messenger! It is like His saying (*Surely if you associate (with Allah), your work would certainly come to naught and you would certainly be of the losers*). The threat is to those, who associate other gods with Allah, and not to the master of the prophets (s).

When the verse was revealed to the Prophet (s), he got down of his sumpter and asked the Muslims, who were with him, to get down of their sumpters. He sent for the advanced pilgrims to come back and he waited for the late ones to arrive. When all the people gathered in one place, the Prophet (s) led them in offering the prayer and then he asked his companions to make him a minbar. They made a minbar of the saddles of the camels between two trees to make a shadow for the Prophet (s). The Prophet (s) ascended the minbar and seated Imam Ali (s) on one step lower than him. He made a speech before the great mass of the pilgrims. He began his speech with the name of Allah. He praised Allah and said whatever he liked loudly to make the all hear him. They directed their ears and hearts towards him.

Here is some of his speech he made on that day:

“O people, I think I am about to be called (die)¹ and thus I must respond. I am responsible and you are responsible,² then what do

¹ He told them that he was about to die to warn them that it was time to announce his covenant of appointing the caliph after him and that he could not delay that for fear that he might leave this world before confirming this task which the umma could not do without.

² Since his covenant to his brother Ali (s) was heavy for the people of competition, envy, enmity and hypocrisy, he wanted, before declaring the covenant, to excuse his situation to reconcile their hearts so he said: “I am responsible and you are responsible” to make them know that he was ordered by Allah and he was responsible to carry out the order of Allah and that they were ordered to obey and they responsible for their obedience; therefore there was no way to give up informing of the order of Allah and that there was no way for them but to submit to the order of Allah and His messenger.

you say?" They said: "We witness that you have informed, advised and striven. May Allah bless you." He said: "Do you not bear witness that there is no god but Allah and that Muhammad is His servant and Apostle, and that His Heaven is true, His Hell is true, death is true, the Resurrection after death is true, that there is no doubt that the Day of Judgment will come, and that Allah will resurrect the dead from their graves?" They said: "Yes, we bear witness".¹ He said: "O Allah, bear witness." Then he said: "O people, Allah is my Lord and I am the lord of the believers. I am worthier of the believers than themselves.² Of whomsoever I had been guardian, Ali here is to be his Guardian. O Allah, be a supporter of whoever supports him (Ali) and an enemy of whoever opposes him." Then he said "O people, I will go ahead of you and you will arrive at my Pond (in Heaven) which is wider than the distance between Busra and Sana'a. It has receptacles as numerous as the stars, and two cups of gold and two of silver. I will ask you about the two weighty things that I have left for you when you come to me to see how you dealt with them. The greater weighty thing is Allah's book; the Holy Qur'an. One end is in Allah's hand and the other is in your hands. Keep it and you will not deviate. The other weighty thing is my family and my descendents. The Most Kind the Omniscient had told me that both of them would not separate until they come to my Pond."³

Ad-Daylami mentioned a tradition narrated by Abu Sa'eed al-Khidri that the Prophet (s) had said: "Question them! They are responsible for the guardianship of Ali." Al-Wahidi said: "They are responsible for the guardianship of Ali and Ahlul Bayt (s)."

¹ He, who ponders on this speech, will know that it has intended to show that the guardianship of Ali (s) was one of the basic principles (usool) of the religion as the Shia have believed. The Prophet (s) asked them first: "Do you not witness that there is no god but Allah and that Muhammad is the messenger of Allah... there is no doubt that the Day of Judgment will come, and that Allah will resurrect the dead from their graves?" then he mentioned the matter of guardianship after that immediately to make them know that guardianship was as important as the matters he had asked them about and they acknowledged. This is clear to whoever knows the styles of speech in the language.

² It means: (Allah is worthier of me than myself and I am worthier of the believers than themselves and whoever I am worthier of him than himself, Ali is worthier of him than himself).

³ Such it has been mentioned by at-Tabari, ibn Jarceer, al-Hakim and at-Tarmithi from Zayd bin Arqam. Many other scholars have mentioned the tradition from Zayd bin

This tradition is true and recurrent¹ but Sheikh al-Bishri (may Allah have mercy on him) said in his argument with me about this tradition: "Trusting in the companions or not requires to interpret the tradition (of al-Ghadeer) whether it was recurrent or not. The Sunni said that the word "mawla-guardian" was used to refer to different meanings as mentioned in the holy Qur'an. Once it means "the worthier" as Allah has said addressing the unbelievers: *"Your abode is the fire; it is worthier of you.* Qur'an, 57:15" Another time it means "supporter" as Allah has said: *"That is because Allah is the Supporter of those who believe and the unbelievers shall have no supporter for them.* Qur'an, 47:11" Sometimes it means "heir" as Allah has said: *"And to every one We have appointed heirs of what parents and near relatives leave.* Qur'an, 4:33" Sometimes it means "relatives" as Allah has said: *"And surely I fear my cousins after me.* Qur'an, 19:5" Sometimes it means "friend". Allah has said: *"The day on which a friend shall not avail (his) friend aught.* Qur'an, 44:41" Also the word "wali" means the one who is worthier to carry out the affairs of someone like saying "the wali of an underage one". It also means "assistant" or "beloved". The tradition might mean "Whoever I was his supporter, his friend or his beloved, Ali is the same" and this meaning would comply with the dignity of the companions and the imamate of the three caliphs (may Allah be pleased with them)."

I replied: "I know that your heart does not believe in what you have said and your soul does not accept it. You recognize well the excellent wisdom of the Prophet (s), his infallibility and his last prophethood and that he was the master of the wise men and the last of the prophets *"Nor does he speak out of desire. It is naught but revelation that is revealed. The Lord of Mighty Power has taught him."* If philosophers of other sects ask you about what has happened on the day of Ghadeer Khum by saying: "Why did the Prophet (s) prevent the many thousands of the Muslims from keeping on their ways? Why did he order them to stay in the desert under the heat of summer? Why did he send for the advanced

Arqam in the same way mentioned above such as Ibn Hajar al-Haythami in *as-Sawa'iq al-Muhriqa*, chap.5 p.25.

¹ We have proved the truthfulness of this tradition in our book *al-Muraja'at*, *muraja'at* no.56 with true evidences.

pilgrims to come back and wait until the late pilgrims would join him? Why did he make them stop at that desert without food or water to make a speech before them by the order of Allah at the crossroad from which they would separate towards their countries? What made him tell them at the beginning of his speech that he would die before long? He said: "I am about to be called (die) and thus I must respond. I am responsible and you are responsible." What was the matter that the Prophet (s) would be responsible for informing it and the umma would be responsible for obedience? Why did the Prophet (s) ask them: "Do you not bear witness that there is no god but Allah and that Muhammad is His servant and Apostle, and that His Heaven is true, His Hell is true, death is true, the Resurrection after death is true, that there is no doubt that the Day of Judgment will come, and that Allah will resurrect the dead from their graves?" they said: "Yes, we witness of that." Why did he take Ali's hand and lift it until the white of their armpits appeared and said: "O people, Allah is my Lord and I am the lord of the believers? Why did he interpret his word "I am the lord of the believers" by saying: "I am worthier of the believers than themselves"? Why did he say after that: "Of whomsoever I had been guardian, Ali here is to be his guardian. O Allah, be a supporter of whoever supports him (Ali) and an enemy of whoever opposes him. Assist whoever assists him and disappoint whoever disappoints him"? Why did he pray for him with such prayers that did not befit save the imams of the truth and the real caliphs? Why did he make them witness that he was worthier of them than themselves and when they said yes, he said: "Whoever I had been his guardian, here is Ali to be his guardian."? Why did he compare his family to the Qur'an? Why did he make his family as the example for the believers until the Day of Resurrection? Why was his family equal to the Qur'an? Why did he say that they would never separate? Why did he say that whoever kept to them (the Qur'an and the Prophet's family) would be guided and that whoever turned away from them would deviate? What was all this great interest of the Prophet (s) for?¹ What was the task that needed all these fore

¹ Glory and praise be to Allah! How wonderful the result of this great interest was! As the Prophet (s) had put Ali (s) and the infallible imams (s) of his progeny in the same position of the Qur'an and as its equal in the scales that they had the right to order, to

procedures? What was the purpose behind the situation on that famous day? What was the matter that Allah had ordered the Prophet (s) to announce when He had revealed to him: *(O Messenger! deliver what has been revealed to you from your Lord; and if you do it not, then you have not delivered His message, and Allah will protect you from the people)*. What task that required Allah to stress on it in this way and to insist on announcing it with a kind of threat? What matter that the Prophet (s) feared sedition if he would announce? Why did he need the protection of Allah against the hypocrites in order to announce this matter? By Allah, if you have been asked all these questions, would you answer that Allah and His messenger just have wanted to show the assistance and the friendship of Ali (s) to the Muslims and nothing else? I do not think that you are satisfied with this answer nor do I think that you see it is possible for Allah, the Lord of the worlds and for His messenger, the master of the wise and the last of the prophets (s). You are loftier than to think that the Prophet (s) may expend all his determinations to declare something that does not need to be declared or to clarify something that is clear to conscience and sight and no doubt that you glorify the Prophet's doings and sayings from being despised by the rational or being criticized by philosophers and wise men. There is no doubt that you know the wisdom and the infallibility of the Prophet's doings and sayings. Allah has said: *"Most surely it is the Word of an honored messenger. Mighty, having an honorable place with the Lord of the Dominion. One (to be) obeyed, and faithful in trust. And your companion is not gone mad.* Qur'an, 81:19-22"

Would it be possible for the Prophet (s) to worry himself with explaining the clear things and expressing the obvious matters and to present for these clear things preludes and introductions which had nothing to do with those clear things? Allah and His messenger are far above that! You, may Allah assist the truth by you, know that

forbid, to judge and to be the leaders of the people, but we found that they had become among the rabble of Taym, Adiy, aal Abul Aass and the likes without having any role in managing the affairs of the umma! The authority was among other than them! Alas! They had become victims and captives drawn with their ties to the mosque of Damascus before the sights and the hearings of the Muslims who neither denied that nor did they feel sorry for them!

what befitted the Prophet's position and interest in that hot weather and befitted his sayings and doings on the day of al-Ghadeer was to announce his covenant; to appoint the one who would be in his place and who would be his successor. All the evidences on that day confirmed that the Prophet (s) had intended to appoint the guardian and the caliph after him. The tradition is a clear text determining the caliphate of Imam Ali (s) and it does not accept any other interpretation and there is no way to turn it to any other meaning. This is clear (*for him who hath a heart, or giveth ear with full intelligence*).

This tradition was not safe from being abbreviated by omitting some parts of it because the authority and the majority at that time were with the changeable oppositionists who were the people of the power and the rule. Nevertheless the remainder of the tradition is enough to show the truth; yet it is wonderful that it has remained! In fact it has remained (*that he who would perish might perish by clear proof and he who would live might live by clear proof*) and Allah has the conclusive argument over people!

As for the Shia, they have true traditions from Imam Abu Abdullah as-Sadiq (s) from his fathers (s) that the Prophet (s) had determined clearly and openly on the day of al-Ghadeer that Imam Ali (s) would be the caliph after him and that the Prophet (s) had ordered his companions to greet Imam Ali (s) by calling him as Amecrul Mo'mineen (the commander of the believers). Some of the companions greeted him without saying anything and some others greeted him after they had asked the Prophet (s): "O messenger of Allah, is this from Allah and His messenger?" the Prophet (s) said: "Yes, it is from Allah and His messenger."¹ The truth has been clarified then and the morning has shone for the seers! Praise be to Allah!

Allah has said: "*Certainly they sought (to sow) dissension before, and they meditated plots against you until the truth came, and Allah's commandment prevailed although they were averse (from it)*. Qur'an, 9:48"

¹ Refer to Usool al-Kafi by Muhammad bin Ya'qoob al-Kulayni.

The oppositionists did not imagine that the Prophet (s) would take that situation which he had taken on the day of al-Ghadeer at all. When he surprised them with it and carried out what Allah had ordered him to do, they found that opposing him at the end of his mission (after the Arabs had submitted to him and the people had become Muslims group by group) would be useless. In fact they found that their opposition would bring them disasters and ordeals because it would cause their decline especially or the decline of Islam and the Arabs in general and consequently they would lose the aim they looked forward to and the position they got themselves prepared for.

Therefore they found that it would be better for them to be somehow patient and to give up rising at that moment. They decided to wait until the Prophet (s) would leave to the better world in order that their rising would not be against the Prophet (s) himself. Hence they behaved tactfully as possible as they could and they kept to the Islamic rituals and did well in defending them. Allah had revealed to the Prophet (s) about what they had hidden in their hearts and informed him of what they would do after him but the religion must be perfected, the favor must be completed and the mission must be informed of *(that he who would perish might perish by clear proof, and he who would live might live by clear proof) (and nothing rests on the Messenger but clear delivering (of the message))*.

Yes, the Prophet (s) had recommended his guardian to receive the people, when opposing him, with magnanimity, to prefer them to his own right, to face that ordeal with patience and reliance on Allah to save Islam from any danger and to prefer the general welfare to the personal benefits and he had ordered the umma to be patient before that ordeal.

Huthayfa bin al-Yaman narrated that the Prophet (s) had said: "After me there will be imams, who will not act according to my guidance and will not follow my Sunna. Among them there will be some men, whose hearts are hearts of devils in bodies of human beings." Huthayfa asked: "O messenger of Allah, if I live until then, what shall I do?" The Prophet (s) said: "You should listen to and obey the emir even if he beats you and takes your monies. Listen to him and

obey him!"¹

Abdullah bin Mass'ood narrated that the Prophet (s) had said: "After me there will be selfishness and some things that you will deny." The companions asked: "O messenger of Allah, what do you order us to do if we live until then?" He said: "You should do your duties and ask Allah for what you deserve."²

Abu Tharr often narrated: "My friend, the messenger of Allah (s) has advised me to listen to and to obey (the emir) even if he is a slave with amputated limbs."³

Salama al-Ju'fi asked the Prophet (s): "O prophet of Allah, if there will be emirs asking us for their rights but preventing us from our rights, what do you order us to do then?" The Prophet (s) said: "Listen to them and obey them. They will be responsible for their duties and you will be responsible for your duties."⁴

Umm Salama narrated that the Prophet (s) had said: "There will be emirs (ruling) over you. You will know (their bad deeds) and you will deny (them). He, who will know, will be innocent and he, who will deny, will be safe."⁵ The companions asked the Prophet (s): "Should we fight them?" He said: "No, you should not as long as they offer prayers."⁶

¹ Sahih of Muslim, vol.2 p.120 and other books of Hadith.

He, who knows what has befallen upon the Muslims after the death of the Prophet (s), recognizes that that time was not for dispute and nothing could be done save being patient before the harms because the disputes would lead to the decline of the Muslims.

² Sahih of Muslim, vol.2 p.18.

³ Ibid. vol.2.

⁴ Ibid. vol.2 p.119.

⁵ It means: he, who knows the abominable (impermissible) doings and he is not in doubt about them, will be innocent of their sin and punishment because he can change that abominable doings with his hand or tongue but if he is unable to do that, he can hate those doings and deny them with his heart.

⁶ Sahih of Muslim, vol.2 p.122.

The traditions having this meaning are many and recurrent especially the traditions that have been narrated from Ahlul Bayt (s).

Therefore Ahlul Bayt (s) were patient unwillingly following these sacred orders of the Prophet (s) and other recommendations and advises that the Prophet (s) had especially entrusted them with to keep the umma safe from dangers, to keep the unity of the Muslims, to prefer the religion to the personal rights and to spare the power of the Muslims. Therefore Ahlul Bayt (s) (as we have said in our book al-Muraja'at and other books) always advised the rulers and the men of authority with sincere advises and gave them their loyal consultations although they felt bitter pains inside them for their lost rights but they always preferred the benefit of the umma and the benefits of the Muslims to their own. They, although their position had been extorted, always carried out their duties towards the umma according to the rational and legal base of preferring the more important thing to the important thing. Therefore Imam Ali (s) had been sincere and loyal in giving his advises to the three caliphs and in responding to their needs when consulting with him about the different affairs of the states. When Imam Ali (s) had become desperate of getting his right of the caliphate, he took the way of meekness and reconciliation towards the rulers. He saw his legal throne in their hands but he neither fought them for it nor did he try to remove them from it. He tried his best to keep the umma away from any danger, to guard the unity of the Muslims, to defend the religion and to prefer the afterlife to the worldly life. He had been surrounded by serious matters and disasters; the caliphate with its legal texts and covenants that called for him with a voice that made his heart and his followers' hearts bleed besides prevailing seditions that were about to turn the Arabia over, to lead the Arabs to rise and to make Islam liable to be invaded by the hypocrites of Medina and the Arabs of the desert who were hypocrites as the holy Qur'an had said, in fact they were the severest in disbelief and hypocrisy and they were far away from the limits of Allah and His messenger,

besides (at-Tulaqa')¹ of the people of Mecca, who had hidden enmity and rage, and the other tyrants and enemies of the truth who had become strong and powerful after the death of the Prophet (s). The Muslims had become like sheep in a winter night between wolves and savage beasts; Musaylama the liar, Tulayha bin Khuwaylid the quack, Saja' bint al-Harith the impostor and their followers who were ready to do away with Islam besides the Romans, the kings of Persia and the other kings of the world who had lain in wait for the Muslims besides many other figures who were full of spite against the Prophet (s), his family and his companions and full of spite against Islam intending to tear down all its bases and pillars. They found, after the death of the Prophet (s), that the time had come for them to attack Islam. They wanted to seize the opportunity of the anarchy that had taken place after the death of the Prophet (s) before power and order would return to Islam. Ameerul Mo'mineen Imam Ali (s) stopped between these two dangers; the loss of the caliphate or the decline of Islam. It was natural for him to sacrifice his right of the caliphate for the sake of Islam and for the sake of the general welfare of the umma; therefore he kept to his house. He did not pay homage until he was taken out of his house by force to pay homage (to Abu Bakr). He refused to pay homage willingly to keep his right and to protest against those who had extorted his right and against their followers until the Day of Judgment. If he had paid homage, he would have had no evidence on his right later on nor would his followers have any authority at all. But by doing that, Imam Ali (s) had kept Islam and the Muslims safe and he had kept his right of the emirate of the believers and this showed his discernment, magnanimity, patience and preferring the general welfare too wisely. Surely Imam Ali (s) had gained a high position near Allah by giving up his right of such a great and important matter (the caliphate of the Muslims) just for the sake of the religion, the umma and the public benefits. His aim behind doing this was to win the best reward from Allah, the Almighty and to be closer to the Lord of the worlds (*Glory be to your Lord, the Lord of Honor, above what they describe and peace be on the messengers and all praise is due to Allah, the Lord of the worlds*)

¹ They were the polytheists of Mecca. The Prophet (s) had forgiven them and set them free when conquering Mecca and then they became Muslims unwillingly.

and the blessing of Allah on the master of the prophets and the last of the messengers Muhammad and his pure progeny.

This book has been completed with the grace of Allah, praise be to Him, in Soor¹ on Wednesday, the tenth of Rajab, 1375 AH, by the poor slave of Allah, who looks forward to the mercy of Allah, Abdul Hussayn bin² Sharif Yousuf bin Sharif Jawad bin Sharif Isma'eel bin Muhammad bin Muhammad bin Sharafuddeen, whose name was Ibrahim, bin Zein al-Aabideen bin Ali Nooruddeen bin Nooruddeen Ali bin Izziddeen al-Hussayn bin Muhammad bin al-Hussayn bin Ali bin Muhammad bin Tajuddeen, who was famous as Abul Hassan bin Muhammad, whose surname was Shamsuddeen, bin Abdullah, whose surname was Jalaluddeen, bin Ahmed bin Hamza bin Sa'dullah bin Hamza bin Abus-Sa'adat Muhammad bin Abu Muhammad Abdullah, the head of the chiefs of the Talibites³ in Baghdad, bin Abul Harth Muhammad bin Abul Hassan Ali, who was famous as ibnud Daylamiyya, bin Abu Tahir Abdullah bin Abul Hassan Muhammad al-Muhaddith bin Abut Tayyib Tahir bin al-Hussayn al-Qat'ei bin Musa Abu Sibha bin Ibrahim al-Murtadha bin Imam al-Kadhim bin Imam as-Sadiq bin Imam al-Baqir bin Imam Zeinul Aabideen bin Imam Abu Abdullah al-Hussayn, the Master of the martyrs, the grandson of the Prophet and the son of Amirul Mu'mineen, the master of the guardians, Ali bin Abu Talib. Allah's blessing and peace be upon the Prophet and all of his progeny and praise be to Allah, the Lord of the worlds.

¹ A city in Lebanon.

² Bin and ibn mean the son of.

³ Related to the progeny of Abu Talib.





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