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Umar And The Sahabah

(1) Mu`adh Ibn Jabal

(A) A man complained to `Umar ibn al-Khattab that after he had been away from his wife for two years, he found her pregnant. `Umar consulted people whether he would sentence her to the punishment of stoning. Mu`adh ibn Jabal said, "If she is guilty, the fetus in her womb is not. You should leave her until she gives birth. `Umar did and the woman gave birth of a baby whose father avowed for the similarity between them. Commenting on the matter, `Umar said, "Women are too inadequate to give birth of one like Mu`adh. Without Mu`adh, `Umar would have perished."¹

(B) `Umar decided to sentence a retaliation punishment against a Muslim who had broken the head of a Dhimmi (a non-Muslim enjoying the protection of the Islamic state). Mu`adh intruded, "As much as I know, you are not allowed to decided such according to a report from the Holy Prophet." `Umar therefore gave the Dhimmi one dinar² as recompense, and he accepted it.³

(2) Zayd Ibn Thabit

(A) Mujahid narrated that when he was in Syria, `Umar decided to sentence the retaliation punishment to a Muslim who had killed a Dhimmi. But Zayd intruded, "You should not make your slave retaliate upon your brother!" `Umar therefore decided that the Muslim would undergo blood money.⁴

(B) Makhul narrated that `Abadah ibn al-Samit, once, asked a non-Muslim Bedouin to guard his riding animal while he would offer a prayer in the holy Mosque of Jerusalem. The man rejected and `Abadah, out of rage, hit him on the head.

The man complained before `Umar who decided to sentence retaliation punishment to `Abadah who claimed that his temper was so bad that he could not control himself. Yet, Zayd ibn Thabit intruded, "You should not allow your slave to retaliate upon your brother." Hence, `Umar decided that `Abadah would undergo blood money.⁵

(C) Zayd ibn Thabit narrated that `Umar, once, visited him... and said, "I visited you to counsel me about the share of a grandfather from his grandson's inheritance. Zayd apologized because he had known nothing about the matter. Once again, `Umar visited Zayd for the same matter. As he insisted, Zayd decided to write down his opinion. He also cited the following example, "This issue is like a tree that grew up on one trunk, which, later on, produced a branch.

That branch also produced another. The trunk thus supplies the first branch with water. If the first branch is cut, water will directly go to the second branch and if the second is cut, the water will directly go to the first." `Umar recited this before people and decided to depend upon Zayd's verdict.⁶

(3) Abu-`Ubaydah Ibn Al-Jarrah

`Umar ibn `Abd al-`Aziz narrated that `Umar decided to kill the Muslim individual who had killed a Dhimmi in Syria when he was there. Objecting to him, Abu-`Ubaydah said, "You are not allowed to do this." "Why am I not allowed to do it?" asked `Umar. "Is it lawful to kill a master as retaliation for his having killed his slave?" Abu-`Ubaydah asked. `Umar could not find a reply; he therefore decided that the Muslim should undergo one thousand dinars as blood money.⁷

(4) Hudhayfah Ibn Al-Yaman

One morning, `Umar met Hudhayfah ibn al-Yaman and greeted him. Hudhayfah said, "How do you expect me to be! Indeed, I dislike the right, love the temptation, testify the existence of a thing that I have not seen, learn by heart what has not been created, offer the prayer without ablution, and possess on this earth that which is not possessed by Almighty Allah in the Heavens."

On hearing this reply, `Umar became so enraged that he left hastily as he decided to harm Hudhayfah for such saying. On his way, he passed by `Ali ibn Abi-Talib who noticed his rage and thus asked, "What for are you so enraged, `Umar?"

"As I greeted Hudhayfah ibn al-Yaman, he said to me that he dislikes the right," said `Umar.

"This is true," said `Ali, "the man dislikes death, which is right!"

"He also said that he liked temptation!" added `Umar.

"This is true," said `Ali, "the man liked his fortune and sons; and Almighty Allah says,

***'Your wealth and your children are only a temptation.'* (Holy Qur'an: 64/15)**

"`Ali: he also claimed that he testified the existence of things that he had not seen!" added `Umar.

"This is also true," said `Ali, "He testifies of Allah's Oneness, the death, the Resurrection, the Judgment Day, Paradise, Hell, and the Path (*al-Sirat*) while he had not seen any of these."

“`Ali: he also said that he learnt by heart that which was not created!” added `Umar.

“This is also true,” said `Ali, “He has learnt by heart the Holy Book of Almighty Allah—the Qur'an that is not created.”⁸

“He also claimed that he offered prayer without performing the ritual ablution!” said `Umar.

“This is also true,” said `Ali, “He prays to Almighty Allah to send blessings upon my cousin, the Messenger of Allah, without need for performing the ritual ablution. This is of course permissible.”

“Abu'l-Hasan: he said a more serious thing,” said `Umar.

“What was that?” asked `Ali.

“He said that he possesses on this earth what is not possessed by Almighty Allah in the heavens!” explained `Umar.

“This is also true,” said `Ali, “the man has a wife and sons on this earth while Almighty Allah is too Exalted to have a wife and sons.”

Pondering over the answers of `Ali, `Umar confessed, “Son of al-Khattab would have perished were it not there `Ali ibn Abi-Talib.”⁹

(5) `Abdullah Ibn Mas`ud

Ibrahim al-Nakha`iy narrated that `Umar ibn al-Khattab decided to sentence death penalty to a man who had murdered another premeditatedly although some of the victim's heirs pardoned the murderer.

`Abdullah ibn Mas`ud intruded, “The soul of the murderer was in the hand of all of the victim's heirs, but when one of them allowed him to keep it, it was thus given life. This one cannot take his due unless the others do.”

“What do you think the judgment must be then?” asked `Umar.

“I think that you must decide that the murderer will undergo the blood money and then you can exempt him from the share of the heir who pardoned him.” `Umar then agreed to this judgment.¹⁰

(6) Ubayy Ibn Ka`b

(A) Al-Hasan al-Basriy narrated that when `Umar ibn al-Khattab decided to distribute all the gold and silver that were in the Holy Ka`bah, Ubayy ibn Ka`b objected.

“What for do you object?” asked `Umar.

“Almighty Allah, through the Holy Prophet, has explained the expenditure of each and every fortune,”

answered Ubayy.

“This is true,” confirmed `Umar.¹¹

(B) Ibn Qayyim al-Jawziyyah has reported that `Umar intended to seize the fortunes of the Holy Ka`bah claiming that it did not need them. He also intended to order the people of the Yemen to stop dyeing their clothes with the urination of camels and to forbid the Muslims from the *Mut`at al-Hajj*.¹²

Objecting to all of these, Ubayy ibn Ka`b said, “Although they needed the fortune of the Holy Ka`bah, neither the Holy Prophet nor did the Sahabah take it. Accordingly, you must not take it. The Holy Prophet and the Sahabah used to use the Yemeni clothes while they knew that they were dyed with the urination of camels. Yet, they did not warn people against using them. In the presence of the Holy Prophet, we practiced the *Mut`at al-Hajj* about the forbiddingness of which the Holy Qur'an has not said anything.”¹³

(7) Al-Dahhak Ibn Sufyan Al-Kilabiy

Sa`id ibn al-Musayyab narrated that `Umar ibn al-Khattab decided that the blood money in an issue of slaughter would be distributed among the victim's kinsmen while the widow's share is nothing. But when al-Dahhak ibn Sufyan informed him that the Holy Prophet had ordered him to give the widow of Ashyam al-Dhababiy a share of his blood money, `Umar retracted his decision.¹⁴

(8) Shaybah Ibn `Uthman

Shafiq reported from Shaybah ibn `Uthman that `Umar, once, sat down and decided to distribute all the fortunes of the Holy Ka`bah among the poor Muslims.

“You are not allowed to do so,” said Shaybah.

“What for?” asked `Umar.

“This is because neither the Holy Prophet nor did Abu-Bakr take anything of these fortunes although they need them more than you,” explained Shaybah.

On hearing this, `Umar left the place.¹⁵

(9) `Abdullah Ibn `Abbas

Nafi` ibn Jubayr narrated on the authority of `Abdullah ibn `Abbas that he witnessed the event when a lady that had given birth of a child only six months after her marriage was brought before `Umar to judge. All the attendants disapproved of her but `Abdullah said to `Umar, “Do not be unfair!”

“How is that?” asked `Umar.

`Abdullah answered, “You should consider Almighty Allah’s sayings (in the Holy Qur’an),

‘And the bearing of him and the weaning of him is thirty months.’ (Holy Qur’an: 46/15)

and

‘Mothers shall suckle their children for two whole years.’ (Holy Qur’an: 2/233)

As twenty four months is the period of the two whole years, six months remains for pregnancy as a minimum. Almighty Allah advances and delays the periods of pregnancy as He desires.” On hearing this answer, `Umar accepted it.¹⁶

(10) `Ali Ibn Abi-Talib

(A) `Abdullah ibn `Abbas narrated that `Umar, once, decided to sentence to stoning punishment an insane woman who had committed fornication. While she was led to the place where she would undergo the punishment, `Ali passed by her and asked about the matter, “This is so-and-so, the insane. `Umar decided to sentence her to stoning punishment after he had consulted people.”

`Ali asked them to take her back to `Umar. He then followed them and said to `Umar, “You should have known that the Messenger of Allah said that three categories of people are not condemned for any deed they would commit—these are the immature, the asleep, and the insane. This lady is insane. Perhaps, she committed this crime while she was in a brainstorm.”

`Umar thus released the lady and repeated saying ‘Allahu Akbar’ as sign of his admiration of `Ali’s answer.¹⁷

(B) A young woman was fond of one of the Ansar’s youths but he did not respond to her. She therefore decided to resort to trickery; she took an egg, threw away its yolk, and poured the albumen on her dress and thighs.

She then came towards `Umar screaming and claiming that she had been abused by that young man. `Umar intended to punish that young man as soon as some women, whom he had appointed to see the traces of the crime, confirmed the existence of sperms on the young woman’s dress and body.

Defending himself, the young man began shouting at `Umar to be sure of the question since he had not done it although she had sought to seduce him but he rejected. When `Umar referred the question to (Imam) `Ali, he looked at the traces on the dress, asked for a boiling water, poured it on the dress, and then the albumen solidified. As he smelled and tasted it, he knew that it was the white of an egg; therefore he scolded the young woman and she confessed of everything.¹⁸

(11) `Abd Al-Rahman Ibn `Awf

(A) `Abdullah ibn `Abbas narrated that `Umar, once, asked him whether he had heard anything from the Holy Prophet or the Sahabah as regards the doubts of the prayers. Meanwhile, `Abd al-Rahman ibn `Awf came and asked about the question, "I heard the Messenger of Allah saying that if one doubts in the prayer... etc."19

(B) Qatadah reported that `Umar, once, was asked about the ruling if a lady was divorced twice in the pre-Islamic era and then divorced once in Islam. As `Umar excused, `Abd al-Rahman ibn `Awf said, "I have the solution. Divorce before Islam is ineffective."20

Finally, even his wife corrected `Umar's information and cancelled his verdict when he wanted to forbid rise in dowries.21

The aforementioned examples prove evidently that the accurate course that should have been followed by the Sahabah was the full compliance with the judgments of Almighty Allah and the Holy Prophet and caliphs should have referred to the Holy Qur'an and Sunnah in the issuance of verdicts. This fact seemed to be firmly present in the mentalities of the Sahabah who corrected for the caliph his errors depending upon the Holy Qur'an and Sunnah.

These events also confirm that `Umar did not claim special rank in the knowledge of the religious laws or having a distinctive mentality that enabled him to extract the religious laws in such an idiosyncratic manner that bespoke his unique mastermind due to which the Divine Revelation used to depend his opinion and reproach the Holy Prophet for not having acted upon `Umar's opinions, and the Holy Prophet said, 'the Right is following `Umar wherever he would go'22 and `Umar carried the whole knowledge of the Holy Prophet as well as many alike fabrications that `Umar himself would have certainly denied had he heard them!

As has been previously demonstrated, `Umar's compliance with the Sahabah's opinions appertained to the religious laws, as well as the evidences that they used to infer from the Holy Qur'an and Sunnah, proves that he, on the first days of his reign, did not argue with them on their verdicts and proofs; yet, he, later on, changed his trend by confirming his personal opinions. He thus granted the caliphs a distinctive feature due to which they alone have had the right to issue religious verdicts. This issue will be discussed in details shortly.

The previous discussion can be summarized in the following three points:

1) `Umar ibn al-Khattab did not have full acquaintance with the Holy Qur'an and the Holy Prophet's instructions. Also, the Sahabah did not submit to his personal opinions.

2) The Holy Qur'an and the Holy Sunnah are the one and only sources of the Islamic legislation and, in the conception of the Sahabah including `Umar himself, nothing can ever replace or be as important as

them.

3) From the aforesaid texts, we conclude that `Umar ibn al-Khattab was about to be engaged in the most intense embarrassment, since it was not easy for the absolute ruler of the Islamic State to confess of his lack, in the field of knowledge, at all times, especially when we know that the majority of those who were experienced in the knowledge of the Holy Qur'an and Sunnah did not agree with `Umar in principle, conceptions, and values. The coming discussions will demonstrate these facts more obviously.

1. Sunan al-Daraqutniy: ordered in saorthy is Abu-ddressed by the angels.ar.seligious is perosnal xts and the instructions of hte ent and that n 3:322 H. 281; al-Bayhaqiy: al-Sunan al-Kubra 7:443 H. 15335; Musannaf `Abd al-Razzaq 7:354 H. 13454; Musannaf Ibn Abi-Shaybah 5:543 H. 28812; Al-Dhahbiy: Siyar A'lam al-Nubala' 1:452; al-Muzziy: Tahdhib al-Kamal 28:111; Ibn Abi'l-Hadid: Sharh Nahj al-Balaghah 12:202; Ibn Hajar al-`Asqalaniy: Fath al-Bari fi Sharh Sahih al-Bukhariy 12:120; al-Isabah fi Tamyiz al-Sahabah 3:427.

2. A currency

3. Al-Muttaqiy al-Hindiy: Kanz al-'Ummal 15:97; Musannaf `Abd al-Razzaq 10:100 H. 18511.

4. Al-Muttaqiy al-Hindiy: Kanz al-'Ummal 15:97 H. 40242; Musannaf `Abd al-Razzaq 10:100 H. 18509.

5. Al-Dhahbiy: Tadhkirat al-Huffadh 1:31 No. 16; al-Bayhaqiy: al-Sunan al-Kubra 8:32; al-Muttaqiy al-Hindiy: Kanz al-'Ummal 15:94 H. 40232;

6. Sunan al-Daraqutniy 4:93 H. 80; al-Bayhaqiy: al-Sunan al-Kubra 6:247; Ibn Hajar al-`Asqalaniy: Fath al-Bari fi Sharh Sahih al-Bukhariy 12:21.

7. Al-Bayhaqiy: al-Sunan al-Kubra 8:32; Al-Muttaqiy al-Hindiy: Kanz al-'Ummal 15:94 H. 40234.

8. The question whether the Qur'an was created or was existent since eternity is one of the issues of disagreement between the Muslim theologians. For details, refer to books of Islamic theology.

9. Ibn al-Sabbagh al-Malikiy: al-Fusul al-Muhimmah 35; al-Kinjiy: Kifayat al-Talib 218-9.

10. Al-Bayhaqiy: al-Sunan al-Kubra 8:60; al-Shafi'iy: Kitab al-Umm 7:329; al-Shaybaniy: al-Hujjah 4:385. In al-Muttaqiy al-Hindiy: Kanz al-'Ummal 11:33 H. 30513, there is another issue that occurred between `Umar and `Abdullah ibn Mas`ud. In the world of Ibn al-Qayyim (in l'lam al-Muwaqqi' in 2:237, `Abdullah ibn Mas`ud disagreed with `Umar in more than one hundred issues.

11. Al-Bayhaqiy: al-Sunan al-Kubra 5:159; al-Tabariy: al-Riyad al-Nadira 1-2:339; Musannaf `Abd al-Razzaq 5:88 H. 9084; al-Muttaqiy al-Hindiy: Kanz al-'Ummal 14:100 H. 38052.

12. For details on Mut`at al-Hajj, refer to the books of the Islamic laws.

13. Ibn Qayyim al-Jawziyya: Zad al-Ma`ad 2:208.

14. Al-Shafi'iy: Kitab al-Umm 6:88; Sunan Abi-Dawud 3:129 H. 2927; Musnad Ahmad ibn Hanbal 3:452; Sunan Ibn Majah 2:883 H. 2642; Sunan al-Tirmidhiy 434; al-Bayhaqiy: al-Sunan al-Kubra 8:134; Al-Khatib al-Baghdadiy: Tarikh Baghdad 8:343.

15. Sunan Abi-Dawud 2:215 H. 2031; Sunan Ibn Majah 2:104 H. 3116; al-Tabariy: al-Riyad al-Nadira 1-2:339; al-Tabaraniy: al-Mu`jam al-Kabir 7:300 H. 7195; Ibn Hajar al-`Asqalaniy: Fath al-Bari fi Sharh Sahih al-Bukhariy 3:456; Sahih al-Bukhariy 2:578 H. 1517, 6:2655 H. 6847; al-Bayhaqiy: al-Sunan al-Kubra 5:159 H. 9511; Musanaf Ibn Abi-Shaybah 6:466 H. 32976; Musnad Ahmad ibn Hanbal 3:410.

16. Musannaf `Abd al-Razzaq 7:352 H. 13449; al-Suyutiyy: al-Durr al-Manthur 7:442; Fath al-Qadir 5:19.

17. Sunan Abi-Dawud 4:140 H. 4399, 4402; al-Hakim al-Nisapuriy: al-Mustadrak `Ala'l-Sahihayn 2:68 H. 2351; al-Bayhaqiy: al-Sunan al-Kubra 4:269, 8:264; Sunan al-Daraqutniy 3:138 H. 173; Sunan al-Nassa'iy 4:324 H. 7347.

18. Ibn Qayyim al-Jawziyyah: al-Turuq al-Hikamiyyah 47 (as reported in al-'miliyy: al-Ghadir 6).

19. Musnad Ahmad ibn Hanbal 1:190; al-Bayhaqiy: al-Sunan al-Kubra 2:332.

20. Musnad Ahmad ibn Hanbal 3:482; Musannaf `Abd al-Razzaq 7:181 H. 16289.

21. Al-Zamakhshariy: Tafsir al-Kashshaf 1:258; Tafsir al-Qur'an al-`Adhim 1:467; Tafsir al-Qurtubiy 5:99; al-Suyutiyy: al-

Durr al-Manthur 2:446.

22. Dr. Nadiah al-`Umary: Ijtihad al-Rasul 299.

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