

General Summary

Two major issues can be inferred from the abovementioned discussions:

First Issue

The warning against writing down the Hadith was not legal; and all the narrations that are ascribed to the Holy Prophet in this respect have been totally forgeries. Actually, the decision of the prohibition of recording the Hadith was originated from a political situation adopted by `Umar ibn al-Khattab and the rulers who came to power after him (of course, except Imam `Ali ibn Abi-Talib). It was natural that false Hadiths had been fabricated for the sake of justifying `Umar's attitudes towards the reporting and recordation of the Hadith.

If there had been authenticated narrations revealing that the Holy Prophet had warned against and prohibited from writing down his heritage and Hadiths and the Muslims had known about such Prophetic decisions, Abu-Bakr would not have written down five hundred Hadiths that he had received from people that he trusted; and he would not have sent a message comprising the sayings of the Holy Prophet about the rulings of the almsgiving and other topics to `Amr ibn al-`As and Anas ibn Malik; and `Umar ibn al-Khattab would not have summoned the Sahabah so as to discuss with them and seek their advices concerning the question of writing down the Hadith and they then advised him to carry out; and he would not have ordered the people to bring him all the papers and books in which they had recorded the Hadith... etc.

All these facts indicate and prove the legality of writing down the Hadith. Later on, I will present a detailed thesis about the jurisprudential trend of the Sahabah who kept the Holy Sunnah in written form, the Ansar, and the Sahabah who participated in the battles led by Imam `Ali ibn Abi-Talib.

Such a thesis will expose how these Sahabah had disagreed to the trend of the ruling authorities who prohibited recording the Sunnah. In addition, these Sahabah and Ansar supported the trend of the thorough compliance with the sacred texts.

After the second caliph, namely `Umar ibn al-Khattab, had been acquainted with the existence of records comprising the traditions of the Holy Prophet with the Sahabah, he ordered them to bring these records to him. While they had believed that the caliph just wanted to investigate these records and choose the most authentic among them, a surprise was waiting for them! The caliph collected these records and set fire to them!

A deep contemplation over the texts of the fabricated reports exposing that the Holy Prophet had warned against and prohibited from writing down his traditions and instructions divulges that such a prohibition had been preceded by the permissibility of recording the Hadith.

In other words, according to the claims of those who prohibited the recordation of the Hadith, the Holy Prophet had first permitted the people to write down his traditions, but he then prohibited them from such. He thus said, “Anyone who had already written down anything should now erase it!”¹

Thus, this fact proves false the claims of Dr. Subhiy al-Salih and other scholars that the Holy Prophet had prohibited the Muslims from writing down his Hadiths so that they would not be confused with the Holy Qur'an, but when the Holy Qur'an was recorded in papers, the Holy Prophet allowed recording his traditions!²

Once again, the decision of the prohibition of recording the Hadith was a pure governmental resolution that was free from any legal form derived from the Holy Sunnah. on the contrary, the Holy Prophet, through numerous narrations and instructions, confirmed on the learning of writing and reading; in the issue of the prisoners of the Battle of Badr, he decided to release any prisoner who would learn ten of the Muslim individuals how to write and read; and he, on more than one occasion, confirmed the necessity of spreading his Hadith.

Nevertheless, Dr. Subhiy al-Salih and other scholars have claimed that the Holy Prophet allowed the Muslims to write down his Hadiths after he had prevented them from such, while the abovementioned authentic narrations have manifestly confirmed the opposite.

As a consequence, we can conclude that the decision of the prohibition had two dimensions; the first was political and the other was related to the Muslim legislation and jurisprudence. The details of these two dimensions have been previously cited. In addition to the Muslim sectarian factors, the discrepancies about the traditions of the Holy Prophet were within the outcomes of the decision of prohibiting the reporting and recordation of the Hadith.

Thus, the claim of Goldtzeher that all the Hadiths that comprised the warning against writing down the Holy Sunnah was fabricated by the Opinionists and all the Hadiths that comprised the confirmation on the recording was fabricated by the Hadithists—this claim has been also proven false.³

Nevertheless, it is undeniable that the foremost Opinionists, during the reigns of the Holy Prophet and the first three caliphs, had played a role in the fabrication of Hadiths calling for stopping recording the

Holy Sunnah, while the reporting and recordation of the Hadith were practiced by the grand Sahabah and were deemed legal by the Holy Prophet himself; rather these Hadiths were not fabricated by the Hadithists, as has been claimed by Goldtzeher.

In view of that, I do not regard as necessary that some authors join between the Hadiths comprising the warning against recording the Hadith and those comprising the confirmation on it, since, in my conception, the motives of the emergence of such two trends had been purely political. The details of this matter have been earlier in this book discussed. The exposition of these motives is the most important effort that is exerted in this regard.

Yet, some scholars have attempted to make comparisons between these two categories of Hadiths, claiming that some of them can be categorized as *Marfu`* (related to the Holy Prophet without mentioning the intermediate series of narrators) while the others as *Mawquf* (Discontinued Hadith; a narration that is related to one of the Sahabah but the latter had not related it to the Holy Prophet), and thus the *Marfu`* must be preferred to the *Mawquf*... etc.

It has been narrated that a number of the Sahabah and Tabi`un warned against and loathed writing down the Hadith. As a matter of fact, these are personal impressions that were originated from their feelings towards the decision of the prohibition of recording the Hadith. Besides, they stand for personal opinions.

These Sahabah and Tabi`un did not want for the Hadiths to be documented in written forms so that they would not be confused with other materials; rather they intended that their contradictory items ensued from their personal opinions and their practice of Ijtihad as well the contradiction between their personal opinions and the Holy Prophet's Sunnah would not come to view.

Nevertheless, they used to note down their personal views so that any contradiction between these views would be avoided. When they did not like publicizing these notes, they set fire to them. In this respect, it has been narrated that al-Shi`biy told that Marwan, once, ordered a man to sit behind a curtain so that he would write down any word said by Zayd ibn Thabit who was present there. As he noticed the situation, Zayd said, "Excuse me, Marwan! I am just expressing my personal opinions!"⁴

Dr. Muhammad `Ajjaj al-Khatib says,

The Tabi`un disliked writing down the knowledge very much especially after their personal opinions had been circulated among the publics. They therefore anticipated lest their students would write down these personal opinions with the Hadith and thus confusion would occur.

It is now easily inferable that those who disliked writing down the religious knowledge had done such because they, most certainly, did not want their personal opinions to be written down. In this respect, our master scholar, Dr. Yusuf al-Ishsh, says, "It has been narrated that this generation (i.e. the Tabi`un) disliked writing down the religious knowledge.

The one and only reason behind such was that because they all were jurists (*fuqaha*) not reporters of Hadith, and a jurist usually speaks out both a Hadith and his personal view, they anticipated that their personal views would be written down besides the traditions of the Holy Prophet. They therefore disliked the recordings.”

Demonstrating examples on this fact, Dr. al-`Ishsh further says, “Actually, there are traditions revealing that the Sahabah disliked their personal opinions to be kept in written forms. For instance, Zayd ibn Thabit refused that Marwan would write down his words.

It has been also narrated that Sa`id ibn al-Musayyab, one of the scholars whom are reported to have disapproved of writing down the religious knowledge, answered the man who had asked him about a question.

The man then asked Sa`id’s personal opinion about another question, and Sa`id answered. The man then wrote down Sa`id’s opinion. One of the companions of Sa`id asked, “Are you going to let him write down your personal opinions?” Hence, Sa`id asked the man to give him that paper, and he then tore it out.⁵ According to another narration, Jabir ibn Zayd said to those who were writing down his opinions, “You are writing materials that I may change tomorrow.”⁶

Dr. Subhiy al-Salih says,

They hated the writing of the religious knowledge more and more after their personal opinions had been publicized. They anticipated that people would write down these personal opinions next to the traditions of the Holy Prophet. Many narrations have confirmed this truth. However, the most obvious narration in this regard is that concerning the saying of Jabir ibn Zayd when those... etc.⁷

It has been further narrated that Ibn `Awf said, “I believe that these records will certainly mislead the people.”⁸

It has been narrated that `Umar ibn al-Khattab refrained from accomplishing the book that he had written about the shares of grandmothers from inheritances. Accordingly, it is probable that such refraining was because he anticipated that such book, which comprised his personal views about the question, would be confused with Holy Sunnah.

The same thing can be said about the Sahabah and Tabi`un who ordered their heirs to erase their books and terminate them by water. In plain words, these books and their likes must have comprised the authors’ personal views rather than the Hadith of the Holy Prophet. Dr. Muhammad `Ajjaj al-Khatib further says,

Historians have reported that these master scholars disliked writing down the religious knowledge. Manifestly, these reports have meant that the scholars disliked writing down their personal opinions, not the Hadith and traditions of the Holy Prophet.

Similarly, all the reports that carry the warning against and the prohibition from writing down in general have meant the writing down of the personal views. Those very scholars and Tabi`un are authentically reported to have allowed and urged their students to write down the Hadiths that they mentioned. This fact supports my previous idea.⁹

In view of that, Zayd ibn Harith disliked writing down his speech, because it was his personal opinions rather than reports from the Holy Prophet; and Sa`id ibn al-Musayyab did the same thing for the same reason. Moreover, reference books of Hadith and biography have comprised many texts in this regard.¹⁰ It is now evident that the deeds of these Sahabah cannot be presented as evidence on the discommendation of writing down the Holy Sunnah.

As long as this topic is being discussed, it seems suitable to refer to another issue; it has been narrated that the Sahabah used to write down the Hadith in order to memorize it, and when they memorized, they used to erase it. Such narrations have been mentioned in the book of *Taqyid al-`Ilm* and other reference books.

To accept and to add this report to the many reports that revealed the Sahabah's having issued religious verdicts in most cases out of their personal inferences lead us to the result that the personal opinions were mixed with the Hadith in such a way that it became too confusable to discriminate between the two.

For that reason, much of the Holy Prophet's verbal heritage is in fact the words and understandings of the Sahabah, especially when we believe that Abu-Bakr and `Umar brought to existence the decision of the prohibition of reporting and recording the Hadith and that the decision, which was never deemed legal by any of the texts of the Holy Sunnah, was a personal situation imposed by certain circumstances. In this regard, Shaykh Muhammad Abu-Zahw, in his book of *al-Hadith wa'l-Muhaddithun* pp. 126, says that the decision was a personal view of `Umar.

Yahya ibn Ju`dah is reported to have said, “`Umar ibn al-Khattab had wanted to write down the (Holy) Sunnah but he changed his mind afterward. He then wrote a missive to all the Islamic provinces ordering them to erase any written item of the Sunnah.”

The words of “had wanted”, “changed his mind”, and “wrote a missive to all the Islamic provinces” clearly indicate that `Umar ibn al-Khattab had done so out of his personal desire and private volition.

The following is quoted from the book of *Dala'il al-Tawthiq al-Mubakkir*:

“All those who stood against recording the Hadith had actually had their personal reasons. Moreover, even al-Faruq (i.e. `Umar) who is considered the head of those who objected to the recordation of the Hadith had not presented even a single report from the Holy Prophet to support his viewpoint that opposed the recording.”¹¹

Al-Qasim ibn Muhammad ibn Abi-Bakr is also reported to have said, “`Umar, after he had received

news confirming that people started to hold (or write) books, denied and disliked the matter... etc.”

This narration indicates that it was `Umar, not the Holy Prophet, who had denied and disliked the matter before his eyes fell on these documents. Of course, such a question is terribly noteworthy.

To sum it up, `Umar ibn al-Khattab adopted the policy of prohibiting the reporting and recordation of the Hadiths including those comprising the merits of certain people and the religious laws. This policy was originated from his personal opinion, as it had never obtained legality from the Holy Prophet. For these reasons, we have not made any comparison between the narrations comprising the warning against the recordation of the Hadith and those comprising the encouragement on it.

Second Issue

The issuance of laws deduced from the sources of the Islamic legislation (*Shari`ah*) took two trends opposite to each other in principles and fundamentals. Some Muslims have argued that personal opinions and fancies, as the opposites of the decisive evidences, are legal matters in the issuance of religious laws; and have also argued that the personal views of `Umar ibn al-Khattab in many issues, such as that of the share of the *al-Mu'allafah Qulubuhum*, should be considered legal.

On the other side, some of the Sahabah rejected such personal opinions unless they would be deduced from the sacred texts (of the Holy Qur'an and Sunnah). They also believed that the Holy Prophet had been thoroughly compliant with the sacred texts and had never issued his personal opinions or fancies; rather he used to wait for the divine revelation in order to judge in the questions that were raised before him. In this respect, the Holy Qur'an has declared:

“Nor does he speak out of desire. It is naught but revelation that is revealed.” (Holy Qur'an: 53:3-4)

“We have sent down to thee the Book in truth, that thou mightest judge between men, as guided by Allah.” (Holy Qur'an: 4/105)

“It is not fitting for a believer, man or woman, when a matter has been decided by Allah and His Messenger to have any option about their decision: if any one disobeys Allah and His Messenger, he is indeed on a clearly wrong path.” (Holy Qur'an: 33/36)

Most likely, these sacred texts of the Holy Qur'an have proposed the acts of those practisers of Ijtihad who intended to recognize the actual interest, out of their personal opinions, while they were in the presence of the Holy Prophet who was the one and only to convey the instructions and laws of Almighty Allah.

Hence, these sacred texts have carried clearly the illegality of such acts, since Almighty Allah has perfected His laws in His Book and commissioned His Prophet to explain them to the people. In his

refutation of `Umar ibn al-Khattab's claims in the question of the divinely commissioned leadership (Imamate) of the Holy Imams of the Ahl al-Bayt, `Abdullah ibn `Abbas cited the third holy verse as his evidence.¹²

Not only do Ijtihad and dependence upon personal views in the issuance of religious verdicts and in the judgment of religious affairs lack any decisive evidence from the Divine Revelation, but they are also considered violation against the Owner of the Shari`ah and deciding laws opposite to what Almighty Allah has revealed. In this regard, the Holy Qur'an reads,

“Say: Hath Allah indeed permitted you, or do ye invent (things) to attribute to Allah?” (Holy Qur'an: 10/59)

These Sahabah disallowed the resting upon personal opinions as regards the religious affairs, because they knew for sure about the presence of certain individuals who had full acquaintance with the revelation and exact interpretation of the sacred texts, and they knew for sure that Almighty Allah has conferred upon these individuals with exclusive understanding and comprehension of the affairs of His religion.

As everybody knows, the Sahabah also knew that it was permissible to neglect the personal inferences of the Sahabah since their words would be no more than personal views that lack any binding value in the Divine Legislation.

The preference of the opinions of Abu-Bakr and `Umar to the words of the Holy Prophet; the adoption of their personal views before comparing them to the Holy Qur'an and Sunnah to see whether they are corresponding to these two or not; and the claim that `Umar being more knowledgeable than the others as regards the logics for the religious laws—these matters cannot stand before the facts.

`Umar ibn al-Khattab intended to achieve an essential matter in the religious legislation; he wanted for his personal opinion-based decisions not to be criticized and objected after his death; rather he wanted for them to be included with the Islamic legislation.

For this very matter, `Abd al-Rahman ibn `Awf specified, as stipulation of holding the position of the leadership of the Islamic State, that `Uthman ibn `Affan should rule according to the Book of Allah, the Sunnah of His Messenger, and the conducts of the two Shaykhs—Abu-Bakr and `Umar, because any violation of the conducts of the two Shaykhs would strengthen and support the opposite party (of the objection to the personal views and the thorough compliance with the sacred texts).

As he agreed to these stipulations, `Uthman ibn `Affan had decided to act upon them, but in the last six years of his reign, he exceeded this red line since he regarded himself as qualified as the two Shaykhs to practice Ijtihad.

On the other hand, Imam `Ali ibn Abi-Talib neither accepted the practice of Ijtihad in issues about which

sacred texts are available nor agreed to the last stipulation, proposed by `Abd al-Rahman ibn `Awf, of acting upon the conducts of the two Shaykhs; rather he only agreed to act upon the Book of Almighty Allah and the Sunnah of the Holy Prophet. 13

Thus, two opposite trends came into view as regards the Islamic legislation; one trend was represented by Imam `Ali and his followers, such as `Abdullah ibn `Abbas, `Ammar ibn Yasir, Abu-Dharr al-Ghifariy, Salman, and many others and, from the next generations, al-Hasan ibn `Ali, al-Husayn ibn `Ali, `Ali ibn al-Husayn, Muhammad ibn `Ali, Ja`far ibn Muhammad, Musa ibn Ja`far and the other Imams of the Ahl al-Bayt and their followers and disciples.

The other trend was represented by the rulers and their followers, such as Abu-Bakr, `Umar ibn al-Khattab, `Uthman ibn `Affan, Mu`awiyah ibn Abi-Sufyan, `Amr ibn al-`As, `Abdullah ibn `Amr, Abu-Hurayrah, Samarah ibn Jundub, Husham ibn `Abd al-Malik, Abu-Ja`far al-Mansur, and Harun al-Rashid as well as the other Umayyad and `Abbasid rulers.

Surely, those who adopted the dependence upon personal opinions in the issuance of religious laws used Ijtihad and Ta`wil (individual interpretation) in order to save themselves from flagrant embarrassments among which were that they wanted to find excuses for `Abd al-Rahman ibn Muljim for he murdered Imam `Ali ibn Abi-Talib although that murderer was not included with the Sahabah; they wanted to find excuses for Yazid ibn Mu`awiyah for he killed Imam al-Husayn ibn `Ali; they wanted to find excuses for Abu'l-`Aladiyah for he killed `Ammar ibn Yasir; they wanted to find excuses for Mu`awiyah ibn Abi-Sufyan for he poisoned Imam al-Hasan to death; they wanted to find excuses for `Uthman ibn `Affan for he set fire to the copies of the Holy Qur'an; they wanted to find excuses for `Umar ibn al-Khattab for he set fire to the books of Hadith; and they wanted to find excuses for Abu-Bakr for he justified Khalid ibn al-Walid's crimes of killing Malik ibn Nuwayrah and committing fornication with his widow at the same night!

Again, as a result of the caliph's enactment of laws in the Islamic legislation, the idea of preferring the less virtuous to the most virtuous came to light. Accordingly, Mu`awiyah, Yazid, Marwan ibn al-Hakam, and his sons—all these are less virtuous than others are. Nevertheless, the public interest necessitated that they should sit on the chair of the leadership of the Islamic State.

Imam `Ali's Attitude

Let us now cite some of the oppressions that were practiced against the Ahl al-Bayt owing to their having adhered to their beliefs and insisted on keeping the religion pure from any innovative matters and heresies.

Describing the harm that the people of Quraysh had inflicted upon the Hashimites, Imam `Ali said,

“As Almighty Allah grasped the soul of His Prophet, the people of Quraysh took hold of the matter (of

caliphate) against us. We were thus taken away from the right that we are the worthiest of having it among all the peoples.

Yet, I found that endurance thereon was better than separating the word of the Muslims and shedding their blood, especially the people had just converted to Islam and the religion had just been so fresh that the least feebleness would spoil it and the least discrepancy would turn it over.”¹⁴

In his missive to his brother `Aqil, Imam `Ali further said,

“Certainly, the Arabs are today backing each other in waging war against your brother in the same as they backed each other in waging war against the Messenger of Allah in the past.”¹⁵

On other occasions, Imam `Ali said,

“O Allah! I beseech Thee to take revenge on the Quraysh and those who are assisting them, for they have cut asunder my kinship and over-turned my cup and have joined together to contest a right to which I was entitled more than anyone else.

They said to me: “If you get your right, that will be just, but if you are denied the right, that too will be just. Endure it with sadness or kill yourself in grief.” I looked around but found no one to shield me, protect me or help me except the members of my family.¹⁶

When Allah took the Prophet (to Himself) a group of men went back on their tracks. The ways (of misguidance) ruined them and they placed trust in deceitful intriguers, showed consideration to other than kinsmen, abandoned the kin whom they had been ordered to love, and shifted the building from its strong foundation and built it in other than its (proper) place.”¹⁷

In one of his sermons that he delivered before his disciples, Imam Muhammad al-Baqir said,

“Before he was taken by Almighty Allah, the Messenger of Allah had informed that we are the worthiest of leading the people. Nevertheless, the people of Quraysh began to back one another until they swerved the matter (of the leadership) from its original place.

Although they presented our due and our privilege as their pretexts against the Ansar, they alternated one another in seizing our right. When it returned to us, their allegiance to us was breached and wars were waged against us, and the holder of the matter was kept in increasing difficulty until he was killed.

Then, allegiance and pledges were sworn and given to al-Hasan but he was then betrayed and disappointed before the enemies. The people of Iraq further revolted against him until he was stabbed with a dagger in his flank, and his camp was stolen, and even the anklets of his bondwomen were about to be robbed. He therefore had to make peace with Mu`awiyah in order to spare the lives of his adherents, who were very very few, and him.

Then, twenty thousand persons from the people of Iraq swore allegiance to al-Husayn but they then betrayed, fought against, and slew him although their allegiance to him were still hanged to their necks.

After that, we, the Ahl al-Bayt, have been still humiliated, oppressed, exiled, contemned, deprived (of our rights), slain, and terrified; and thus we have not experienced any security over the souls of our adherents and us...

The fabricators and the deniers have thus found an excellent field for practicing their fabrications and denial in order to flatter their masters, wicked judges, and evil governmental officials in each and every city; they therefore forged lies against us and spread them to these individuals reporting from us that which we did not say or do so as to make people hate us.

This situation was in its highest level during the reign of Mu`awiyah after the demise of al-Hasan. Accordingly, our adherents decreased in number, hands and legs were severed for the least doubt, and anyone who mentioned us or declared loyalty to us would be imprisoned, or his properties would be confiscated, or his house would be demolished. These misfortunes and ordeals increasingly perpetuated until the reign of `Ubaydullah ibn Ziyad, the killer of al-Husayn.

As al-Hajjaj came afterward, he massacred them (i.e. the adherents to the Ahl al-Bayt) so violently and persecuted them for the least doubt or accusation to the degree that people preferred to be accused of infidelity and atheism to being accused of adherence to `Ali (i.e. being Shiites). Moreover, the situation reached such a gravely dangerous state that a man who was known as virtuous, pious, and truthful would narrate fabulously strange reports and events showing the merits and most virtuousness of some of the past rulers, while all such reports were definitely fabricated and such events had never occurred. Nevertheless, that man thought of them as true because they had been narrated by reporters known as truthful and pious.”¹⁸

Referring to the fact that the Muslims had not carried out the instructions of the Holy Qur'an and Sunnah; rather they were prevailed by several trends, Imam `Ali says,

“I wonder, and there is no reason why I should not wonder, about the faults of these groups who have introduced alterations in their religious pleas, who do not move on the footsteps of their Prophet nor follow the actions of the vicegerent. They do not believe in the unknown and do not avoid the evil. They act on the doubts and tread in (the way of) their passions.

For them good is whatever they consider good and evil is whatever they consider evil. Their reliance for resolving distresses is on themselves. Their confidence in regard to dubious matters is on their own opinions as if every one of them is the Leader (Imam) of himself. Whatever he has decided himself he considers it to have been taken through reliable sources and strong factors.”¹⁹

On another occasion, he said,

“Certainly the Qur’an is with me. I never forsake it since I adopted its company. We have been with the Prophet in battles wherein those killed were fathers, sons, brothers and relations of one another. Nevertheless, every trouble and hardship just increased us in our belief, in our treading on the right path, in submission to (divine) command and in endurance of the pain of wounds.

We now had to fight our brethren in Islam because of entry into Islam of misguidance, crookedness, doubts and (wrong) interpretation. However, if we find any way by which Allah may collect us together in our disorder and by which we may come near each other in whatever common remains between us we would accept it and would give up everything else.”²⁰

In a sermon that he delivered on return from the Battle of Siffin, Imam `Ali further said,

“At that time people had fallen in vices whereby the rope of religion had been broken, the pillars of belief had been shaken, principles had been sacrilegied, system had become topsy turvy, openings were narrow, passage was dark, guidance was unknown and darkness prevailed. Allah was being disobeyed, Satan was given support and Belief had been forsaken. As a result the pillars of religion fell down, its traces could not be discerned, its passages had been destroyed and its streets had fallen into decay.”²¹

On another occasion, he said,

“I always apprehended from you consequences of treachery and I had seen you through in the garb of the deceitful. The curtain of religion had kept me hidden from you but the truth of my intentions disclosed you to me. I stood for you on the path of truth among misleading tracks where you met each other but there was no leader and you dug but got no water.”²²

Indications

Without doubt, the people of Quraysh exerted all possible efforts to boycott the Hashimites in the beginning of the Divine Mission. Nevertheless, the Hashimites endured and withstood the three-year siege imposed by the Arabs in the Abu-Talib Col. Then all the Arabs agreed to participate in killing the Holy Prophet so that the Hashimites would not be able to take revenge.

For this reason, the Holy Prophet praised the Hashimites saying, “They never let me down neither in the pre-Islamic era (i.e. Jahiliyyah) nor in Islam. In fact, they and we are inseparably the same.” On saying this statement, the Holy Prophet intertwined his fingers.²³

The Hashimites thus never separated or disappointed the Holy Prophet; rather they acted as his shelter and armor as they defended him to the last spark of his lifetime.

In the same way as the Arabs allied with each other against the Holy Prophet, they allied with each other to contend and annihilate his household. The schemes for which they had planned during the lifetime of the Holy Prophet were practically expanded and established after him.

Except for the Ahl al-Bayt, the people of Quraysh decided the legality of dependence upon personal views in the issuance of religious laws, the legality of personal identifications of the public interest, the legality of exerting efforts for realizing the logics of the religious laws, and the prohibition of recording the Hadith as well as any issue that would contribute in the spread of the Holy Prophet's heritage and traditions. Moreover, they decided many such baseless matters.

As is known by everybody, all these decisions were carried out practically afterward; the appointment of a successor (in the sense of crown prince) in the Islamic government became legal because they claimed the Holy Prophet's having not nominated any individual as his successor and because Abu-Bakr nominated his successor; the recordation of the Hadith became abominable and hateful because `Umar ibn al-Khattab did not like it and then became permissible because `Umar ibn `Abd al-`Aziz practiced it; and it was decided that Prophethood and leadership of the Islamic State (i.e. Imamate) must not be joined for the same clan and the Messenger of Allah had not left any inheritance because Abu-Bakr and `Umar believed in such. In this respect, it seems possible to quote the following narration,

When `Uthman ibn `Affan was decided as the caliph after `Umar, al-`Abbas ibn `Abd al-Muttalib said to Imam `Ali, "Did I not tell you (that this would happen)?"

Imam `Ali answered, "O Uncle: You have forgotten a matter! You should have considered the saying of `Umar (ibn al-Khattab) -that he declared from the minbar (i.e. publicly)- that Almighty Allah would not allow the members of this family (i.e. the Hashimites) to hold both the Prophethood and the caliphate!

I only wanted him to belie his claim with his own words so that the people would realize that `Umar's claim had been false and untrue and that we (i.e. the Hashimites) can hold the position of the caliphate."

Thus, al-`Abbas kept silent.²⁴

Had it been true that the Holy Prophet are ordered not to leave any inheritance, why did Abu-Bakr say, "I have handed over the properties, sword, and mule (i.e. riding animal) of the Messenger of Allah to `Ali."?²⁵

Why did the widows of the Holy Prophet demanded Abu-Bakr with giving them their shares of the Holy Prophet's inheritance?

These questions require urgent answers. In my conception, the misapprehensions have led to common beliefs that are still present in the history and daily lives of the Muslims.

I cannot find a reasonable justification why it was astoundingly surprising that Almighty Allah bestowed upon the family of Muhammad the Book, Wisdom, and a great kingdom while it was not surprising that He had bestowed upon the family of Prophet Abraham these things! In this respect, Almighty Allah has said in the Holy Qur'an,

"Or do they envy 'THE PEOPLE' for what Allah hath given them of His bounty? But We had

already given the people of Abraham the Book and Wisdom, and conferred upon them a great kingdom.” (Holy Qur’an: 4/54)

Imam `Ali has said,

“By Allah I swear; the people of Quraysh have hated us for nothing other than that Almighty Allah has preferred us to them and ordered them to follow us.”

As has been previously cited, in his reply to the message of Muhammad ibn Abi-Bakr, Mu`awiyah said,

“It was your father and his *faruq* (i.e. `Umar ibn al-Khattab) who preceded anyone else in usurping the right of `Ali and in violating him. They had already agreed on and planned to do this...”

In any event, the most important point in this discussion is that the Muslim jurisprudence was certainly inflicted by political motives, and the actual religious laws became ambiguous because of private atmospheres that were fashioned by the ruling authorities and the Opinionist caliphs.

Supporting this fact, Ibn al-`Arabiy, as is recorded in the book of *al-I`tisam*, says,

Our master scholar, Abu-Bakr and Fihriy, used to raise his hands (to the level of the ears) during the genuflection (*Ruku`*) of the ritual prayers and when he raised his head after it. This manner has been decided by the Malikiyyah and Shafi`iyyah Schools of Muslim jurisprudence. Also, it has been decided by the Shi`ite Muslims.

One day, he visited me in the place where I used to deliver my lectures and the time for the Dhuhr Prayer was about to commence. He went forward until he stood in the first line (of the followers of the congregational prayer) while I was sitting on the seashore breathing the pure air due to the hot weather. Abu-Tamnah, a captain, sat next to me along with his sailors waiting for the prayer and looking at the ships there.

When Shaykh al-Fihriy raised his hands in the *Ruku`*, Abu-Tamnah said to his companions, “See how you let this man enter our mosque! Stand up, kill him, and throw him in the sea before anybody would see you.”

As I heard this order, I was terribly terrified. I thus said, “How strange this is! This is al-Tartushiy! He is a jurisprudent!”

They asked me, “If he is such, why is he raising his hands (during the prayer)?”

I answered, “Thus did the Holy Prophet! And thus has decided the scholars of the Malikiyyah School according to the narration of the people of al-Madinah!”

I then tried to keep them quiet until the Shaykh finished his prayer. I immediately hurried towards him. When he noticed the pale color of my face, he asked me about the reason and I told him of the whole

story.

He then laughed saying, “I will be very lucky if I am killed because of my adherence to one of the traditions of the Holy Prophet!”

I said, “Is it lawful for you to do such? You are among the people who may shed your blood if you do it.”

He then changed the subject.²⁶

In this narration, Ibn al-`Arabiyy advised his teacher to act upon Taqiyyah (pious dissimulation), while his teacher preferred to be slain for practicing one of the traditions of the Holy Prophet.

It is also appropriate to quote the following words of `Umar ibn al-Khattab,

“During the time of the Messenger of Allah, people were called to account in the light of the Divine Revelations. Now, because the Divine Revelation has stopped, I will call you to account according to your external deeds.

Hence, we will secure and show favor to him who shows us good deed, and we will not consider that which he conceals at all since it is only Almighty Allah Who calls to account for the hidden deeds. In the same way, we will neither secure nor believe him who shows us ill deed even if he claims the virtuousness of his inner self.”²⁷

As one of the examples on the political motives' influence, al-Bukhariyy, as well as Muslim, wrote down, in their books of *al-Sahih*, the reports of Marwan ibn al-Hakam, Abu-Sufyan, Mu`awiyah ibn Abi-Sufyan, `Amr ibn al-`As, al-Mughirah ibn Shu`bah, `Abdullah ibn `Amr ibn al-`As, and Nu`man ibn Bashir, but they did not write down a single narration from Imam al-Hasan or Imam al-Husayn, the grandsons of the Holy Prophet; and they did not write down a single narration from Imam Ja`far al-Sadiq although they lived in the same age of him.

Herein, the names of those whose narrations were written down by al-Bukhariyy more than others are listed: Abu-Hurayrah, `A'ishah, `Umar ibn al-Khattab, `Abdullah ibn `Umar, and `Abdullah ibn `Amr ibn al-`As. More detailed, al-Bukhariyy wrote down 446 narrations from Abu-Hurayrah, 270 from `Abdullah ibn `Umar, and 442 from `A'ishah. From Lady Fatimah al-Zahra¹, the daughter of the Holy Prophet, al-Bukhariyy narrated one narration only; and from Imam `Ali, he narrated twenty-nine narrations only. Let us thus put the following question:

Why has the al-Bukhariyy's book of *al-Sahih* included a very little number of Imam `Ali's narrations (29 only) if compared with the narrations of Abu-Hurayrah (446)? Were Abu-Hurayrah or `Abdullah ibn `Amr ibn al-`As closer and more favorite to the Holy Prophet than `Ali ibn Abi-Talib? Was `Ali one of the Sahabah whom were described by Abu-Hurayrah as having been engaged in making deals in the markets rather than attending the sessions of the Holy Prophet?

Naturally, the answer is no.

In fact, the reason is something else. The reason is that the Qurayshite spirit held sway over the religious laws!

It has been narrated that, after accomplishing the matter of the new leadership on the Shura Day, al-Miqdad ibn al-Aswad said to `Abd al-Rahman ibn `Awf, "You have neglected `Ali while he is most certainly one of those who judge with the right do justice in the light of truth."

`Abd al-Rahman answered, "By Allah, I have only exerted all my efforts for the sake of the Muslims' good."

Al-Miqdad replied, "I have never seen anybody given the like of what has been given to this Household after their Prophet. I am very surprised by the people of Quraysh! They have neglected the man who is the most knowledgeable and the fairest judge. By Allah, if only I could find supporters in this matter!"

`Abd al-Rahman said, "Fear Allah, Miqdad! I only anticipate that you are leading a mutiny."

One of the attendants asked al-Miqdad, "May Allah have mercy upon you! Who are the members of that Household? And who is that man?"

Al-Miqdad answered, "The Household are the descendants of `Abd al-Muttalib; and the man is `Ali ibn Abi-Talib."²⁸

The Holy Prophet is reported to have said during the sermon of the Farewell Hajj:

"O People: Take the (governmental) donations so long as they are actual donations; but when the people of Quraysh fight each other for coming to power and give you such donations as bribes, then you should not take."²⁹

Comparison Between The Two Trends

On balance, the separating edge between the two trends was the negligence of the Hadith and the reference to the Holy Qur'an alone. Declaring this decision, Abu-Bakr said, "Do not report anything from the Messenger of Allah. If one asks you about it, you should say: only does the Holy Qur'an stand between you and us."

The following points demonstrate some of the points of difference between the two schools:

1) The School of Ijtihad has believed that the Holy Prophet had the right to practice Ijtihad and decide verdicts depending upon his personal views, while the School of Thorough Compliance (or the School of the Ahl al-Bayt) denied such claim since it has been based upon fancy; and there is a great difference between fancy and conjecture on one side and certitude and conviction on the other.

2) The School of Ijtihad has claimed that the Holy Prophet did not nominate any successor, while the School of Thorough Compliance confirms that he nominated `Ali and his progeny as his successors and divinely commissioned leaders of the Muslim community.

3) The School of Ijtihad and the people of Quraysh prohibited the Muslims from writing down the traditions of the Holy Prophet, while the School of the Ahl al-Bayt practiced and called for it despite all the circumstances.

4) The School of Ijtihad has claimed that the Holy Qur'an should be alone adopted and should not be confused by any other material, while the School of the Ahl al-Bayt confirmed that each text of the Holy Qur'an can carry more than one meaning and can be interpreted into more than one sense; therefore, its facts and details cannot be comprehended except through the Holy Sunnah as well as the exegesis of those whom Almighty Allah has given exclusively the knowledge of the Holy Qur'an.

5) The School of Ijtihad has not accepted resting upon the Holy Qur'an in examining the opinions and words of the Sahabah; rather it has believed the Sahabah's words' being restricting the general meanings of the Holy Qur'an! On the other hand, the School of the Ahl al-Bayt has called for the obligatory necessity of resting upon the Holy Qur'an in deciding the acceptability of the Sahabah's words and then whatever opposes the Holy Qur'an must be thrown away. In this regard, the Holy Infallibles are reported to have said, "If I relate to you anything, you should first ask me for a proof from the Holy Qur'an."

6) "Refer all my word to the Holy Qur'an; if they conform to it, then you should accept it, but if it does not, you should then throw it away."

7) The School of Ijtihad has believed that all the religious laws deduced by the mujtahids must be decided as valid, while the School of the Ahl al-Bayt has believed that a mujtahid may be right or wrong.³⁰

8) The School of Ijtihad has canceled decency and justness as one of the stipulations in many religious laws, such as judicature, and even acts of worship. It has thus decided that it is lawful to follow, in a congregational prayer, any imam (leader) whether he is pious or wicked! On the other hand, the School of the Ahl al-Bayt has not acceded to such laws.

1. This form has been mentioned in the report ascribed to Abu-Sa`id al-Khidriy. See al-Khatib al-Baghdadiy: Taqyid al-`Ilm 30-31; Sahih Muslim—Kitab al-Zuhd 16:3 H. 21, 39.

2. Subhiy al-Salih: Ulum al-Hadith wa Mustalahuh 7-9; Muhammad `Ajjaj al-Khatib: al-Sunnah qabl al-Tadwin 53.

3. Mustafa al-A`dhamiy: Dirasatun fi'l-Hadith al-Nubawiy, 82.

4. Ibn Sa`d: al-Tabaqat al-Kubra 2 :361.

5. The entire narration is written down in Ibn `Abd al-Rabb al-Qurtubiy: Jami`u Bayan al-`Ilm wa-Fadlih(i) 2:144.

6. Ibn `Abd al-Rabb al-Qurtubiy: Jami`u Bayan al-`Ilm wa-Fadlih(i) 2:31. The words of Dr. Muhammad al-Khatib are quoted from his book of 'al-Sunnah Qabl al-Tadwin 323-324.

7. Subhiy al-Salih: Ulum al-Hadith wa Mustalahuh 34.
8. Al-Khatib al-Baghdadiy: Taqyid al-`Ilm 57.
9. Muhammad `Ajjaj al-Khatib: al-Sunnah qabl al-Tadwin 324.
10. For instance, refer to Ibn `Abd al-Rabb al-Qurtubiy: Jami`u Bayan al-`Ilm wa-Fadlih(i) 1:74, and al-Khatib al-Baghdadiy: Taqyid al-`Ilm 64.
11. Dala'il al-Tawthiq al-Mubakkir 239 as mentioned in Sayyid Muhammad Rida al-Jalaliy: Tadwin al-Sunnah al-Sharifah 288.
12. Ibn Abi'l-Hadid: Sharh Nahj al-Balaghah 12:53.
13. Al-Majlisiy: Bihar al-Anwar 31:371.
14. Ibn Abi'l-Hadid: Sharh Nahj al-Balaghah 1:249.
15. Ibn Abi'l-Hadid: Sharh Nahj al-Balaghah 3:67.
16. Nahj al-Balaghah Sermon No. 216.
17. Nahj al-Balaghah Sermon No. 149.
18. Ibn Abi'l-Hadid: Sharh Nahj al-Balaghah 11:43-44.
19. Nahj al-Balaghah Sermon No. 88.
20. Nahj al-Balaghah Sermon No. 121.
21. Nahj al-Balaghah Sermon No. 2.
22. Nahj al-Balaghah Sermon No. 4.
23. Sunan al-Nassa'iy 7:131; Sunan Abi-Dawud 3:146, H. 2980.
24. Shaykh al-Saduq: `Ilal al-Shara'i` 171, Chapter: 134, H. 1; Shaykh al-Majlisiy: Bihar al-Anwar 31:355.
25. For details, see, for instance, Ibn Abi'l-Hadid: Sharh Nahj al-Balaghah 16:240.
26. Al-Qasim ibn Muhammad: al-I'tisam bi-Habl-illah al-Matin 1:358.
27. Muhammad `Ajjaj al-Khatib: al-Sunnah qabl al-Tadwin 403 as quoted from al-kifayah 78.
28. Tarikh al-Tabariy; Ibn al-Athir: al-Kamil fi'l-Tarikh 3:37 (Story of the Shura).
29. Sunan Abi-Dawud 3:137 H. 2958.
30. The majority of the Muslim jurists, especially the Shi`ah Imamiyyah scholars, have adopted the conception of the 'Mukhatti'ah', which means that a mujtahid may be right or wrong; when his conclusion is right (i.e. conforming to the actual law of Almighty Allah), he will be awarded a double reward, and when his conclusion is wrong, he will be awarded once only. The adopters of this conception also believe that the Islamic legislation comprises rulings for each and every event and a proof on such rulings can be found in sources other than the Holy Qur'an and Sunnah. On the other hand, those who belong to the School of Ijtihad have adopted the conception of Taswib. In the terminology of the Muslim jurisprudence and the Principles of the Muslim Jurisprudence (`Ilm al-Usul), al-Musawwibah (the adopters of Taswib) are those who argue that Almighty Allah has referred the rulings in the questions about which no sacred text (from the Holy Qur'an and Sunnah) can be found to the mujtahids and thus whatever is decided by the mujtahids should be decided as the law of Almighty Allah.

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