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12) Hadith Al-Ada, Revealing Ibn Taymiyyah's Fears

Hadith al-Ada – in its theoretical and practical forms – has been authentically transmitted from the following Sahabah – in line with our preceding research:

- 1. Habashi b. Junadah
- 2. Anas b. Malik
- 3. Ibn 'Abbas, radhiyallahu 'anhu
- 4. Abu Bakr
- 5. Imam 'Ali, 'alaihi al-salam

Meanwhile, it has equally been narrated by a sixth Sahabi, as documented by Imam Ibn Asakir (d. 571 H):

أخبرنا أبو الفضيل الفضيلي أنا أبو القاسم الخليلي أنا أبو القاسم الخزاعي أنا الهيثم بن كليب الشاشي نا أحمد بن شداد الترمذي نا علي بن فادم نا إسرائيل عن عبد الله بن شريك عن الحارث بن مالك قال أتيت مكة فلقيت سعد بن أبي وقاص فقلت هل سمعت لعلي منقية قال قد شهدت له أربعا لأن تكون لي واحدة منهن أحب إلي من الدنيا أعمر فيها مثل عمر نوح عليه السلام إن رسول الله صلى الله عليه وسلم بعث أبا بكر ببراءة إلى مشركي قريش فسار بها يوما وليلة ثم قال لعلي اتبع أبا بكر فخذها فبلغها ورد علي أبا بكر فرجع أبو بكر فقال يا رسول الله أنزل بي شئ قال لا إلا خير إلا أنه ليس يبلغ عنى إلا أنا أو رجل منى أو قال من أهل بيتى

Abu al-Fudhayl al-Fudhayli – Abu al-Qasim al-Khalili – Abu al-Qasim al-Khuza'i – al-Haytham b. Kulayb al-Shashi – Ahmad b. Shaddad al-Tirmidhi – 'Ali b. Fadim – Israil – 'Abd Allah b. Sharik – al-Harith b. Malik:

I met Sa'd b. Abi Waqqas in Makkah and said, "Did you hear any merit of 'Ali?" He replied, "I have

witnessed four merits of his. If I had just one of them, it would more beloved to me than the world in which I would last like the lifetime of Nuh, peace be upon him (i.e. 950 years). Verily, the Messenger of Allah, peace be upon him, sent Abu Bakr with *Barat* to the polytheists of Quraysh (in Makkah). So, he journeyed with it for one day and one night. Then, he (the Prophet) said to 'Ali, "Pursue Abu Bakr and take it and convey it, and tell Abu Bakr to return." So, Abu Bakr returned and said, "O Messenger of Allah, has something (bad) been revealed about me (from heaven)?" He (the Prophet) replied, "No, except what is good. **But, none can convey on my behalf except myself or a man from me**" or he said, "from my Ahl al-Bayt".1

This gives us six Sahabah in total (and five for the practicalized version of *Hadith al–Ada*), and almost all the chains are either *sahih* or *hasan*. Although there are slight discrepancies among them, all the reports agree on the main facts: that the Messenger of Allah, *sallallahu 'alaihi wa alihi*, first sent Abu Bakr, then sent Amir al–Muminin, *'alaihi al–salam*, in his stead, and then announced and applied *Hadith al–Ada*. These *ahadith* are the most authentic reports on that incident, due to their *sihat* (reliable chains) and mutual corroboration.

The *hadith* proves a fundamental point: there are certain roles and functions in this *Ummah* that *only* the Prophet of Allah can discharge. This is by Allah's Decree. Moreover, there are others that can be discharged either by him or any other Muslim. When *Surah al–Tawbah* was first revealed, it was of the "general" class. However, Allah abrogated that status and placed it on the exclusive list of His Messenger. As a result, it technically became illegal for any creature to convey it to the people except the Prophet.

However, Allah also makes a very special exception to this rule. In any case that His Messenger is unable to discharge his *exclusive* function for any reason, then the job falls on a male member of his Ahl al–Bayt. But, it is not just any male relative of his. The man must be *from him* (i.e. the Prophet), and he too must be from the man. Other than such a man, no one else has any right or legitimate authority to act on behalf of the Messenger in any matter on his divinely–designed exclusive list. He also specifically named 'Ali. Therefore, as long as 'Ali was alive, no one else could fulfil that role.

It is further noteworthy that the Prophet mentioned "discharge" without qualifying it. If he had said "discharge my duties", then his liabilities would have been excluded and vice versa. By leaving it unrestricted, the Messenger of Allah – in his great wisdom – includes anything and everything that he could discharge exclusively. As such, all his exclusive duties, responsibilities, liabilities and so on are fully covered by *Hadith al–Ada*.

Duties, responsibilities and liabilities that have been limited exclusively to the Messenger of Allah – in the Qur'an and Sunnah – are several. However, we will focus on one of them here.

Is judicial sovereignty over the believers an exclusive title of the Prophet? Or, is it a shared authority? The Qur'an provides an explicit answer:

فلا وربك لا يؤمنون حتى يحكموك فيما شجر بينهم ثم لا يجدوا في أنفسهم حرجا مما قضيت ويسلموا تسليما

But no, by your Lord, they can have no faith, until they make YOU (Muhammad) the judge in WHATSOEVER dispute there is between them, and find in themselves no resistance against WHATSOEVER judgement you give, and submit with absolute submission.2

This verse is about all believers till the Day of Resurrection. None can be a true believer unless he makes the Messenger of Allah his judge in absolutely all matters of dispute – no matter the nature – between him and *any* other Muslim. Al–Hafiz Ibn Kathir (d. 774 H) further explains:

Allah swears by His Holy Self: that none can be a believer until he makes the Messenger, peace be upon him, the judge IN ALL MATTERS, and whatever he (the Prophet) judges is the truth that must be submitted to, inwardly and outwardly.3

A key fact in the above verse is that this authority is *absolutely* limited to the Prophet. None whatsoever shares it with him. It also remains with him, and exclusive to him, till the Hour. Moreover, the authority binds every single Muslim, whatsoever his rank, status or office. It is a condition of faith. Without it, there is no *iman*. So, if one must be a believer (and he must), then he must also adopt the Prophet as his judge in every instance of dispute between him and another Muslim.

Many contemporary Muslims would think that making the Messenger of Allah our judge only means adopting his Sunnah to resolve our disputes. Their reasoning would be that his Sunnah has taken his place since he is no longer physically present among us. However, such a thought is nothing but a misconstruction of the noble verse. The Sunnah mostly concerns jurisprudential and judicial matters. Meanwhile, the Prophet's judicial sovereignty extends into even completely secular, personal matters. Moreover, each case must be decided on the basis of its special circumstances. Therefore, there are instances where the judge must exercise personal discretion and flexibility in *Shari'i* issues, and equally in matters of no religious significance – something that is sometimes impossible with the rigid, non-secular Sunnah. A quick look at the circumstance of descent of the noble verse reveals the correctness of our submissions. Imam al–Bukhari (d. 256 H) records:

أن رجلا من الأنصار خاصم الزبير في شراج من الحرة يسقي بها النخل فقال رسول الله صلى الله عليه و سلم اسق يا زبير _ فأمره بالمعروف _ ثم أرسل إلى جارك. فقال الأنصاري آن كان ابن عمتك ؟ فتلون وجه رسول الله صلى الله عليه و سلم ثم قال السق ثم احبس حتى يرجع الماء إلى الجدر .واستوعى له حقه فقال الزبير والله إن هذه الآية }. أنزلت في ذلك {فلا وربك لا يؤمنون حتى يحكموك فيما شجر بينهم

Narrated 'Urwah b. al-Zubayr:

An Ansari man quarrelled with al–Zubayr about a canal in the Harrah which was used for irrigating date–palms. So, the Messenger of Allah, peace be upon him, ordering him to be considerate, said, "O Zubayr! Irrigate (your land) first and then leave the water for your neighbour." As a result, the Ansari said, "Is it because he is your aunt's son?" On that the colour of the face of the Messenger of Allah changed and he said, "(O Zubayr!) Irrigate (your land) and withhold the water till it reaches the walls that are between the pits around the trees." So, the Messenger of Allah gave him his full right. Al–Zubayr said, "By Allah, the following verse was revealed in that connection: 'But no, by your Lord, they can have no faith until they make you the judge in whatsoever dispute there is between them."4

Look at what this man from the Ansar uttered to the Prophet and compare it with Sunni claims about the Sahabah!

Anyway, the following points are obvious from the narration:

- 1. The dispute was between two Muslims, rather two Sahabis one a Muhajir and the other an Ansari.
- 2. The dispute was about the use of water flowing through a canal a secular matter.
- 3. The canal passed through al–Zubayr's land, and he used to withhold its flow into the Ansari's land. Al–Zubayr would irrigate his own land with all its water a personal matter.
- 4. The Messenger gave two different judgements on the case, both of them involving the use of personal discretion and flexibility. He first ordered al–Zubayr to allow the water flow to get to the Ansari's land too. But, due to the insolence of the latter, he changed the verdict right then and there.

Obviously, in order to exercise the judicial sovereignty of the Prophet of Allah, his Sunnah alone is not enough. He *must* be personally present to determine each case according to its merit, and to exercise personal discretion and flexibility wherever necessary.

Another point to further highlight is that even some punishments within the *Shari'ah* are also deferred to the personal discretion of the judge. For instance, Imam al–Tirmidhi records:

حدثنا قتيبة حدثنا الليث عن يزيد بن أبي حبيب عن بكير بن عبد الله بن الأشج عن سليمان بن يسار عن عبد الرحمن بن جابر بن عبد الله عن ابي بردة بن دينار قال: قال رسول الله صلى الله عليه و سلم لا يجلد فوق عشر جلاحمن بن جابر بن عبد الله عن ابي بردة بن دينار قال: قال رسول الله صلى الله عليه و سلم لا يجلد فوق عشر جلود الله

Qutaybah – al-Layth – Yazid b. Abi Habib – Bukayr b. 'Abd Allah b. al-Ashja' – Sulayman b. Yasar – 'Abd al-Rahman b. Jabir b. 'Abd Allah – Abu Bardah b. Dinar:

The Messenger of Allah, peace be upon him, said: "None is to be given more than ten strokes of the cane (in punishment) except in the case of punishments immutably fixed by Allah."5

Al-Tirmidhi comments:

This *hadith* is *hasan gharib* (i.e. has a *hasan* chain). We do not know it except through the *hadith* of Bukayr b. al-Ashja'. The scholars have differed about *al-ta'zir* (i.e. the use of personal discretion in awarding penalties). The best thing narrated about *ta'zir* is this *hadith*.6

'Allamah al-Albani, on his part, only says:

صحيح

Sahih7

The *hadith* establishes two crucial points:

- 1. There are some crimes whose penalties Allah has immutably fixed. In such cases, the judge *must* abide by the fixed penalties set by Allah.
- 2. There are also crimes whose penalties Allah has NOT fixed. In such cases, the judge has the discretion to award up to ten strokes of the cane against the convict.

As such, in many secular and *Shari'i* issues, the Messenger has an obligation to apply personal discretion – considering the unique circumstances of each case – in making his judgements. Doesn't this require his physical presence to fulfill, rather than merely records of his Sunnah?

This takes us back to the time of Abu Bakr! Who was the sovereign judge of the believers immediately after the demise of the Prophet? After all, the latter was no longer available to exercise his authority. Therefore, someone *must* take over his responsibility *in his name*. So, to whom *must* all Muslims all over the world refer all their disputes for judgment *in lieu* of the Messenger of Allah? The *hadith* is clear: it was Amir al–Muminin 'Ali b. Abi Talib! The Prophet never left his *Ummah* in disarray. If 'Ali was alive, then no one else could be sovereign judge:

Ali is from me and I am from 'Ali, and none can discharge on my behalf except myself or 'Ali.

If he was dead, then another male from the Ahl al-Bayt must fill the post:

None can discharge on my behalf except a man from my Ahl al-Bayt.

But, what happened? Even though he was fully aware of these *ahadith* (as they involved his case), Abu Bakr seized the reins of the Prophet's role as the sovereign judge of the *Ummah*! Then, matters of dispute – including those involving 'Ali – *must* be referred to him for judgment! Things turned really upside down!

There are only two explanations here:

- 1. Abu Bakr assumed that the Messenger's juridical sovereignty over his *Ummah* had ceased. So, Abu Bakr was only discharging the role *in Abu Bakr's name* and on Abu Bakr's *independent* authority.
- 2. Abu Bakr believed that the Prophet's jurisdiction remained, and that he (Abu Bakr) was only exercising the latter's authority *on his behalf* over his *Ummah*.

Neither of the options offers any good news to Abu Bakr and his followers.

The most interesting side to all of this is that whosoever holds the Prophet's judicial sovereignty *on his behalf* is necessarily the true *khalifah*. Only a *khalifah* can legitimately exercise such a level of authority, apart from a prophet:

O Dawud! We have appointed you a *khalifah* over the earth. **Therefore, judge between mankind** with the truth.8

- 1. Abu al-Qasim 'Ali b. al-Hasan b. Habat Allah b. 'Abd Allah, Ibn Asakir al-Shafi'i, Tarikh Madinah Dimashq (Beirut: Dar al-Fikr; 1415 H) [annotator: 'Ali Shiri], vol. 42, p. 117
- 2. Qur'an 4:65
- 3. Abu al-Fida Isma'il b. 'Umar b. Kathir al-Qurshi al-Dimashqi, Tafsir al-Qur'an al-'Azim (Dar al-Taybah li al-Nashr wa al-Tawzi'; 2nd edition, 1420 H) [annotator: Sami b. Muhammad Salamah], vol. 2, p. 349
- 4. Abu 'Abd Allah Muhammad b. Isma'il b. Ibrahim b. Mughirah al-Bukhari al-Ju'fi, al-Jami' al-Sahih al-Mukhtasar (Beirut: Dar Ibn Kathir; 3rd edition, 1407 H) [annotator: Dr. Mustafa Dib al-Bagha], vol. 2, p. 832, # 2233
- 5. Abu 'Isa Muhammad b. 'Isa al-Sulami al-Tirmidhi, al-Jami' al-Sahih Sunan al-Tirmidhi (Beirut: Dar Ihya al-Turath al-

'Arabi) [annotator: Muhammad Nasir al-Din al-Albani], vol. 4, p. 63, # 1463

- 6. Ibid
- 7. Ibid
- 8. Qur'an 38:26. Prophet Dawud was both a prophet and a khalifah. In the above verse, Allah is only making reference to his khilafah, and not to his nubuwwah.

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