

16. Pleading Allah By The Right And Position Of Awliya'

One of the point of differences between the Wahhabi sect and the other sects of Islam is this that the former manifest two kinds of pleading as *haram* (forbidden) and occasionally as *shirk* (polytheism) in *'ibadah*.

These two kinds of pleading are:

1. Pleading Allah by the right and position of *awliya'*
2. Pleading to someone other than Allah.

Now, we shall discuss both of these topics in this chapter.

Pleading Allah By The Position Of Awliya'

The Holy Qur'an praises different groups under such titles as:

الصَّابِرِينَ وَالصَّادِقِينَ وَالْقَانِتِينَ وَالْمُنْفِقِينَ وَالْمُسْتَغْفِرِينَ بِالْأَسْحَارِ

The patient, and the truthful, and the obedient, and those who spend (benevolently) and those who ask forgiveness in the morning times. (Holy Qur'an, Surah Aale Imran, 3:17)

Now, if someone in the middle of the night, after the mid-night prayers, turns towards his Lord and pleads God by the right and position of this group and says:

اللهم إني أسئلك بحق المستغفرين بالأسحار اغفر لي ذنوبي

“O Allah, I ask Thee by the right of those asking forgiveness at twilight to forgive my sins.”

How can one call this action as *shirk* in *'ibadah* since *shirk* in *'ibadah* is this when we worship someone other than Allah and consider him as God or the source of divine affairs? While, in this benediction, we have not paid attention to other than Allah and we have asked only from Allah and nobody else.

Therefore, if such an action is forbidden, it should have some other reason than *shirk*. At this stage, we shall remind the Wahhabi writers of one point and it is the fact that the Holy Qur'an has mentioned as a criterion for differentiating a polytheist (of course *shirk* in *'ibadah*) from a monotheist and with this explanation, has closed any kind of interpretation of the word of polytheist according to one's personal opinion. This criterion is as follows:

وَإِذَا ذُكِرَ اللَّهُ وَحْدَهُ اشْمَأَزَّتْ قُلُوبُ الَّذِينَ لَا يُؤْمِنُونَ بِالْآخِرَةِ ۖ وَإِذَا ذُكِرَ الَّذِينَ مِنْ دُونِهِ إِذَا هُمْ يَسْتَبْشِرُونَ

And when Allah alone is mentioned, the hearts of those who do not believe in the hereafter shrink, and when those besides Him are mentioned, lo! they are joyful. (Holy Qur'an, Surah Al-Zumar, 39:45)

In another verse it describes the offenders who are the same polytheists as such:

إِنَّهُمْ كَانُوا إِذَا قِيلَ لَهُمْ لَا إِلَهَ إِلَّا اللَّهُ يَسْتَكْبِرُونَ وَيَقُولُونَ إِنَّا لَتَارِكُوا آلِهَتِنَا لِشَاعِرٍ مَجْنُونٍ

Surely they used to behave proudly when it was said to them: there is no god but Allah; And to say: What! Shall we indeed give up our gods for the sake of a mad poet? (Holy Qur'an, Surah Al-Saffat, 37:35-36)

According to the contents of these two verses, a polytheist is the one whose heart gets disgusted by remembering the Unique God and becomes happy in remembering the others (false gods) and or behaves proudly if asked to confess in the Oneness of God.

As per this criterion, can we label the one who in the middle of the night, calls nobody but Allah and takes pleasure from His remembrance to such extent that he forbids upon himself the sweet and pleasant sleep and instead, beseeches Him and pleads to Him by the position of the monotheist servants who are His beloved ones as a polytheist? Has he, in such a situation, turned away from the remembrance of Allah or has he acted with haughtiness from confessing His Oneness!?

Why have the Wahhabi writers with unknown and imaginary norms, named all the monotheists as polytheists and reckoned themselves to be the beloved ones of Allah?

By paying attention to this criterion, one cannot call ninety-nine percent of the people of *qibla* as

polytheists and reckon only the group of Najdi's to be monotheists.

The interpretation of *shirk* in *'ibadah* has not been left to our discretion and we have no authority to interpret it in the way we like and label any group that we assume as polytheists!

Amir Al-Mu'minin And His Pleading To God By The Position Of The Holy Ones

In the prayers of Amir Al-mu'minin Ali (a) we can find such pleadings very clearly.

After finishing the night '*Nafila*' (Supererogatory) prayers, Imam (a) would recite this dua:

اللَّهُمَّ إِنِّي أَسْأَلُكَ بِحُرْمَةِ مَنْ عَادَ بِكَ وَلَجَأَ إِلَى عِزِّكَ وَاسْتَنْظَلَ بِفَيْئِكَ وَاعْتَصَمَ بِحَبْلِكَ وَلَمْ يَتَّقُ إِلَّا بِكَ

"O Allah, I ask Thee by the honor of the one who seeks refuge in Thy repentance (he thinks of no shelter other than thee) and who seeks protection in Thy Honor and who is under the shadow of Thy protection and who has seized Thy rope and has not attached himself to anyone except Thee." [1](#)

In another invocation too, which Imam Ali (a) taught one of his followers, he says as such:

وبحق السائلين عليك ، والراغبين إليك ، والمتعوذين بك ، والمُتَصَغِرِينَ إِلَيْكَ ، وبحق كل عبدٍ متعبدٍ لك في كل برٍ أو بحرٍ أو سهلٍ أو جبلٍ أدعوك دعاء من اشتدَّت فاقته

"O Allah, by the right of the questioners and those who turn their attention and seek refuge in Thee; and those who are humble before Thee; and by the right of every worshipper who worships Thee in land and in sea, in desert and in the mountains, we call Thee; like the calling of the one whose helplessness has reached the extremes." [2](#)

Is it not that such soul provoking prayers and expression of such feelings before Allah brings no result other than strengthening monotheism! (Except for Allah there is no other refuge) and what else can we derive from expression of affection for the friends of Allah which itself is one way of paying attention to Allah!?

Therefore, we should overlook the charge of blasphemy and polytheism which can be found more than any other thing in the 'kit' of the Wahhabis and the matter should be looked from another angle.

On this basis, some of the moderates amongst them have mooted the matter of 'pleading Allah by the *awliya*' within the limits of prohibition and aversion. Contrary to the extreme Al-San'ani who ruled the matter of pleading within the circle of blasphemy and polytheism, they do not talk about it as blasphemy and polytheism.

Now that the main theme of discussion has been made clear and it is known that the matter should be discussed within the framework of *haram* (forbidden) and *makruh* (abominable) it is necessary to prove the authenticity of such *tawassul* (recourse).

Occurrence Of Such Pleadings In Islam

In Islamic traditions too, one can find such type of pleadings and with the presence of such firm traditions that have come down partly from the Holy Prophet (S) and partly from his Ahl Al-Bayt (a), one cannot consider such pleadings as *haram* or *makruh*.

The Holy Prophet (S) trained that blind person to say as such:

اللهم إني أسألك وأتوجه إليك بنبيك محمد نبي الرحمة

*“Oh God, I ask you and seek your attention for the sake of your prophet Muhammad, the merciful Prophet.”*³

Abu Sa'eed Al-Khudri has narrated from the Holy Prophet (S) the following *du'a*:

اللهم إني أسألك بحق السائلين عليك وأسألك بحق ممشاي هذا

*“Oh God I ask for the sake of those who ask for and I ask you for the sake of the followers of this matter.”*⁴

Adam (a) repented as such:

أسألك بحق محمد إلا غفرت لي

*“I ask you by the right of Muhammad to forgive me.”*⁵

When the Holy Prophet (S) buried the mother of Ali (a), he recited this invocation for her:

اغفر لأمي فاطمة بنت أسد ووسع عليها مدخلها بحق نبيك والأنبياء الذين من قبلي

*“Forgive my mother Fatima the daughter of Asad and by the right of your Prophet and the Prophets before him and make her place vast and wide (and save her from the torment of grave).”*⁶

Although in these types of sentences the word of pleading has not been explicitly mentioned yet, the true purpose of them, by the decree of *بإزاء* refers to pleading to Allah by the rights (*بحق*) of the *awliya*'. When

they say “O God, I ask You by the right of the questioners” it means “I plead You by their rights.”

The supplications that have been narrated from the fourth Imam (a) in *Al-Sahifa Al-Sajjadiyya* is itself a clear proof upon the authenticity and soundness of such *tawassul*. The splendid meanings of the supplications in *Al-Sahifa* and the eloquence and meanings of sentences makes us needless to mention its authenticity and its attribution to Imam.

Imam Al-Sajjad (a) used to secretly converse with Allah on the day of Arafat as such;

بحق من أنتجبت من خلقك ويمن اصطفيته لنفسك بحق من اخترت ، من برّيتك ، ومن إجتبيت لشأنك ، بحق من
وصلت طاعته ومن نُطت معاداته بمعاداتك

*“O God, by the right of those whom You have selected from Your other creatures; by the right of those people whom You have vested authority and have created them for acquainting (the people) of Your position; by the right of those pure ones whom You have connected their obedience to Your obedience and their enmity to Your enmity.”*⁷

When Imam Al-Sadiq (a) performed *ziyarat* of his great grandfather Amir Al-mu'minin (a), he concluded his prayers as such:

اللَّهُمَّ فَاسْتَجِبْ دُعَائِي وَاقْبَلْ ثَنَائِي وَاجْمَعْ بَيْنِي وَبَيْنَ أَوْلِيَائِي بِحَقِّ مُحَمَّدٍ وَعَلِيٍّ وَفَاطِمَةَ وَالحَسَنِ وَالحُسَيْنِ

*“O God respond to my prayers and accept my glorification (of You) and by the right of Muhammad, 'Ali, Fatima, Al-Hasan and Al-Husayn (a) unite us with Thy beloved ones.”*⁸

It is not only Imam Al-Sajjad (a) and Imam Al-Sadiq (a) who in their invocations pleaded to Allah by the right of His beloved ones but, in the supplications of other Shi'a Imams too, one can find such *tawassul*.

The noble leader, Imam Husayn ibn Ali (a) in one of the supplications says:

اللَّهُمَّ إِنِّي أَسْأَلُكَ بِكَلِمَاتِكَ وَمَعَاقِدِ عَرْشِكَ وَسُكَّانِ سَمَاوَاتِكَ وَأَرْضِكَ وَأَنْبِيَائِكَ وَرُسُلِكَ أَنْ تَسْتَجِيبَ لِي، فَقَدْ
رَهَقَنِي مِنْ أَمْرِي عُسْرًا ، فَأَسْأَلُكَ أَنْ تُصَلِّيَ عَلَيَّ مُحَمَّدٍ وَآلِ مُحَمَّدٍ وَأَنْ تَجْعَلَ لِي مِنْ عُسْرِي يُسْرًا

“O Allah, I ask You by Your words and the center of Your honor; and by the inhabitants of the heavens and the land; and by your Prophets and Messengers that You answer my prayers for my affairs have become difficult. I ask You to send salutations upon Muhammad and his progeny and to make my affairs easy.”

These kinds of supplications are so numerous that narrating all of them will lengthen our discussion. It is

better that we cut short our discussion here and mention the reasoning and objections of the opposition.

First Objection

The scholars of Islam are unanimous in their decision that pleading to Allah by the way of a creature or by the right of a creature is *haram* (forbidden).⁹

Reply

The meaning of unanimity or rather consensus is this that the scholars of Islam in every period of history or in all the eras are unanimous in their opinion over a decree derived from the commandments.

In such a case, the viewpoint of the scholars of Ahl Al-Sunnah and their consensus of opinion is itself one of the divine proofs. The Shi'a scholars consider this to be a divine proof from this viewpoint that it is springs from the Infallible Imam's counsel (who lives among the people) and his approval.

Now we ask whether such type of consensus of opinion exists in this matter. We keep aside the Shi'a and other Ahl Al-Sunnah scholars and consider the opinion of the leaders of the four schools of thought only. Have the leaders of these four schools of thought given *fatwa* (verdict) that the matter of pleading is forbidden? If they have given such verdict, we request them to produce the text of their verdicts along with the name of the book and the page number.

Basically, such type of *tawassul* has not been propounded in the books of *fiqh* (jurisprudence) and *hadith* belonging to the scholars of Ahl Al-Sunnah so that they can express their opinion about them. In such a case, how can there be unanimity and consensus as claimed by the author of *Al-Hadiyyah Al-Saniyyah*?¹⁰ The only person whom he says has prohibited this matter is an unknown figure by the name of Al-'Izz bin 'Abd Al-Salam. As if the opinions of all the scholars of Islam is considered by the author of *Al-Hadiyyah Al-Saniyyah* into the single opinion of Al-'Izz bin 'Abd Al-Salam.

Thereafter, he has narrated from Abu Hanifa and his student Abu Yusuf that both of them too have said that it is *makruh* (abominable) to say 'by the right of so and so'.

In short, there does not exist any proof in the name of consensus (اجماع) in this matter. What worth can the *fatwa* (verdict) of these two persons have in comparison to the firm tradition of the Holy Prophet (S) and his Ahl Al-Bayt which according to the consensus of the traditionists of Ahl Al-Sunnah are and their sayings a proof.¹¹ Moreover, the authenticity of attributing this *fatwa* to Abu Hanifa is also not proved.

Second Objection

إن المسألة بحق المخلوق لا تجوز لأنه لا حق للمخلوق على الخالق

“Asking Allah by the right of a creature is not permissible because the one who is created has no right

before the Creator.”¹²

Reply

Such reasoning is nothing but *ijtihad* (independent reasoning) compared to explicit text. If really a creature has no right before the Creator then why in the previous traditions, Adam (a) and the Holy Prophet (S) of Islam (S) pleaded o Allah by such rights and asked Allah by these same rights?

Besides, how should we justify the verses of the Qur'an? In certain instances, the Qur'an has explicitly indicated that the servants of Allah to possess a right upon Allah. The same is mentioned in Islamic traditions (hadiths).

These are the verses:

وَكَانَ حَقًّا عَلَيْنَا نَصْرُ الْمُؤْمِنِينَ

And helping the believers is ever incumbent on Us. (Holy Qur'an, Surah Al-Rum, 30:47)

وَعْدًا عَلَيْهِ حَقًّا فِي التَّوْرَةِ وَالْإِنْجِيلِ

A promise which is binding on Him in the Torah and the Injil (Holy Qur'an, Surah Al-Tawbah, 9:111)

كَذَلِكَ حَقًّا عَلَيْنَا نُنَجِّ الْمُؤْمِنِينَ

It is binding on us (that) We deliver the believers. (Holy Qur'an, Surah Yunus, 10:103)

إِنَّمَا التَّوْبَةُ عَلَى اللَّهِ لِلَّذِينَ يَعْمَلُونَ السُّوءَ بِجَهَالَةٍ

Repentance with Allah is only for those who do evil in ignorance. (Holy Qur'an, Surah Al-Nisa, 4:17)

Is it proper to interpret so many of these verses just for the sake of propagation of groundless dogmatic ideas?

Now some examples from traditions:

حَقٌّ عَلَى اللَّهِ عَوْنٌ مَنْ نَكَحَ الْتَمَاسَ الْعَفَافِ مِمَّا حَرَّمَ اللَّهُ

“It is a right upon Allah to help the one who marries because of protecting his chastity from the forbidden acts.”¹³

قال رسول الله : ثلاثة حق على الله عونهم: الغازي في سبيل الله والمكاتب الذي يريد الأداء ، والناكح الذي يريد التعنف

“The Holy Prophet (S) said: “There are three groups of people to whom help is an obligation upon Allah. A warrior in the path of Allah, a servant who agrees to pay a sum to his master for his release and a youth who wishes to protect his honor by way of marriage.”¹⁴

...أتدري ما حق العباد على الله

“Do you not see the obligation which is upon Allah with regards to His slaves?”¹⁵

Let it not remain unmentioned here that, essentially, no person is having any right even though he may worship God and remain humble before him for ages. This is because whatever a person possesses is from Allah and he has not used any of his own resources in the way of Allah so that it can be compensated in the form of reward.

Therefore, the meaning of this right in such cases is the very divine rewards and positions which Allah, due to His special favors has bestowed upon them and entrusted (these favors) upon Himself. Such a right (or obligation) upon Allah is the sign of His Greatness and Magnificence.

No creature has any right upon Allah except if Allah, due to His Mercy and Favor, justifies it upon Himself and shows that His creatures as creditors and Himself as debtor.

This matter that a creature possesses a right upon Him is similar to seeking of loan by Allah from His poor servants. These commitments and obligations which He has promised is due to His Grace and Honor. Moreover, with utmost Grace, He has considered Himself to be indebted to His virtuous servants and has presented them as owners of rights and Himself as and an obligor. ¹⁶

Swearing Upon Other Than Allah

Swearing (someone or something) upon other than Allah is a matter which is very sensitive for the Wahhabis.

One of their writers by the name of Al-San'ani¹⁷ in his book *Tathir Al-I'tiqad*¹⁸ has reckoned it to be the source of *shirk* (polytheism)¹⁹ and the author of *Al-Hadiyyah Al-Saniyyah* has called it as minor *shirk*.²⁰

However we shall, by the Grace of God, discuss the matter without any prejudice and will take into

account the Qur'an and the true *sunnah* of the Prophet (S) and inerrant Imams as the radiant of source for our guidance in this matter.

Our Proofs For Permissibility Of Swearing Upon Other Than

Allah

First Proof

Qur'an is the leader, the *Al-Thaqi Al-Akbar* (Greater Weight) and the living symbol of every Muslim. In this book, one can find tens of swearings upon other than Allah which, if we were to gather all of them in this book, it would lengthen our discussion.

In *Surah al Shams* (91) alone, Allah Himself swore by eight things from His creation. They are: Sun, its light, moon, day, night, heavens, earth and the human soul.[21](#)

Similarly, in *Surah Al-Nazi'at* (79), one can find such swearing for three things[22](#) and in *Surah Al-Mursalat* for two things[23](#). In the same manner, such swearings have been mentioned in *Surah Al-Buruj* (75), *Surah Al-Tariq* (76), *Surah Al-Qalam* (68), *Surah Al-Asr* (103), and *Surah Al-Balad* (90).

Once more, we remind you of some examples from the Qur'an:

وَالْتَيْنِ وَالزَّيْتُونَ وَطُورِ سَيْنِينَ وَهَذَا الْبَلَدِ الْأَمِينِ

I swear by the fig and the olive, and Mount Sinai, and this city made secure. (Holy Qur'an, Surah Al-Tin, 95: 1-3)

وَاللَّيْلِ إِذَا يَغْشَىٰ وَالنَّهَارِ إِذَا تَجَلَّىٰ

I swear by the night when it draws a veil, and the day when it shines in brightness. (Holy Qur'an, Surah Al-Layl, 92: 1-2)

وَالْفَجْرِ وَلَيَالٍ عَشْرٍ وَالشَّفْعِ وَالْوَتْرِ وَاللَّيْلِ إِذَا يَسْرِ

I swear by the daybreak, And the ten nights, And the even and the odd, And the night when it departs. (Holy Qur'an, Surah Al-Fajr, 89: 1-4)

وَالطُّورِ وَكِتَابٍ مَّسْطُورٍ فِي رَقٍّ مَّنشُورٍ وَالْبَيْتِ الْمَعْمُورِ وَالسَّعْفِ الْمَرْفُوعِ وَالْبَحْرِ الْمَسْجُورِ

I swear by the Mountain, And the Book written. In an outstretched fine parchment. And the House (Ka'ba) that is visited, and the elevated canopy, and the swollen sea. (Holy Qur'an, Surah Al-Tur, 52: 1-6)

لَعَمْرُكَ إِنَّهُمْ لَفِي سَكْرَتِهِمْ يَعْمَهُونَ

By your life! They were blindly wandering on in their intoxication. (Holy Qur'an, Surah Al-Hijr, 15: 72)

With such successive swearings in Qur'an, can one say that it is polytheism and (*haram*) forbidden?

Qur'an is the book of guidance and it is an example to follow and a model to adopt. If such a matter was forbidden for the people it was necessary for it (i.e. Qur'an) to mention that such swearings are the specific to Allah only.

Some of the ungifted men who are unaware of the Qur'anic aims, reply in this manner that it is possible that a thing issued from God's side is good but the same thing issued from someone other than God may not be good.

However the reply is obvious. Because truly, if the reality of swearing upon someone or something other than God is polytheism and same as likening that person to God, then why such an absolute or a minor polytheism has been committed by God? Is it right that God practically considers a partner for Himself but forbids others from considering such a partner to Him!?

Second Proof

In certain instances, the Holy Prophet (S) has sworn upon someone other than Allah.

1. Tradition from *Sahih Muslim*

جاء رجل إلى النبي فقال يا رسول الله أي الصدقة أعظم أجراً؟ فقال أما وائيك لتنبأه ، أن تصدق وأنت صحيح شحيح تخشى الفقر وتأمل البقاء

“A person approached the Holy Prophet (S) and said: ‘O Prophet of Allah, which charity bears the greatest reward?’ The Holy Prophet (S) replied: ‘I swear by your father that very soon, I will inform you about it. The charity which bears the greatest reward is the charity that you give when you are healthy and in need of it and when you fear from poverty and think of your future life.’ [’24](#)

2. Another Tradition from *Sahih Muslim*

جاء رجل إلى رسول الله من نجد يسأل عن الإسلام فقال رسول الله (صلى الله عليه وآله): خمس صلوات في اليوم والليل فقال: هل عليّ غيرهم؟ قال: لا إلا أن تطوّع وصيام شهر رمضان فقال: هل عليّ غيره؟ قال لا أن تطوّع وذكر له رسول الله (صلى الله عليه وآله) الزكاة فقال: هل عليّ غيره قال لا إلا أن تطوّع فأدبر الرجل وهو يقول والله لا أزيد على هذا ولا أنقص منه فقال رسول الله أفلح وأبيه إن صدق أو دخل الجنة وأبيه إن صدق

"A person from Najd approached the Holy Prophet (S) and questioned him about Islam. The Holy Prophet (S) replied: 'The foundations of Islam are the following: The daily five prayers. The Najdi man said: 'Is there any other salat other than these salat?' The Holy Prophet (S) replied: 'Yes they are mustahab (recommendable).' Fasting in the month of Ramadan. The man said: 'Is there any other fasting other than these fasting?' The Holy Prophet (S) replied: 'Yes they are mustahab.' Zakat. The man said: 'Is there any other zakat?' The Holy Prophet (S) replied? 'Yes they are mustahab.' The Najdi man left the Holy Prophet (S) while saying: 'I shall neither add nor deduct.' The Holy Prophet (S) said: 'I swear by his father that he will be successful if he speaks the truth; I swear by his father that he will enter paradise if he speaks the truth.'²⁵

3. Tradition from *Al-Musnad* of Ahmad ibn Hanbal:

فلعمري لأن تكلم بمعروف وتنهي عن مُنكر خير من أن تسكت

"I swear by my life that 'enjoining good and forbidding evil' is better than silence."²⁶

There are many other similar traditions and it will get very lengthy if we were to narrate all of them.²⁷

Amir Al-mu'minin Ali bin Abi Talib (a) who is an esteemed example of Islamic training has repeatedly sworn by his life in his sermons, letters and sayings.²⁸ Even the first Caliph swears in his conversations by the father of the addressee.²⁹

The Four Schools Of Thought And The Matter Of Swearing Upon Other Than Allah

Before examining the reasoning of the Wahhabis, it is necessary to know the *fatawa* (verdicts) of the leaders of the four schools of thought.³⁰

The Hanafis believe that swearing such as "I swear by your father and your life" and the like of it are *makruh* (abominable).

The Shafi'is believe that swearing by someone other than Allah is abominable but not similar seeking partner for Him and not as a trust.

The Malikis say: "Swearing by the great and holy existences like Prophet, *Ka'ba* and the like of them has

two interpretations: *makruh* and *haram* and what is famous is to honor.”

The Hanbali's believe that swearing by someone other than Allah and His qualities is forbidden even though the swearing may be in the name of Prophet or *wali* from one of his *awliya'*.

Let us overlook this fact that all these *fatawa* (verdicts) are a kind of *ijtihad* in the face of the clear texts of Qur'an and *sunnah* of prophet and *awliya' Allah* and due to the closure of the door of *ijtihad* for the Ahl Al-Sunnah, the contemporary scholars have no option but to follow their views.

Let us overlook the fact that Al-Qastallani has narrated in (*Al-Irshad Al-Sari*, vol. 9, page 358) from Malik ibn Anas about the matter of being abominable. And let us once more overlook this fact that attributing prohibition of such a swearing according to the Hanbalis is not certain because, Ibn Qudama³¹ in *Al-Mughni'* that was written with the aim of reviving the Hanbali *fiqh* (jurisprudence) writes: “A group among our companions have said that swearing by the Holy Prophet (S) is a promise which if not fulfilled would invite *kaffara* (atonement). It has been narrated from Ahmad ibn Hanbal that anyone who swears by the right of Messenger of Allah and then breaks it, has to pay *kaffara* since the right of the Holy Prophet (S) is one of the pillars of *shahada* (profession of Islam). Therefore, swearing in his name is (like) swearing by Allah and both invite *kaffara*.³²

From these narrations, it is obvious that it can never be said that any of the Imam of the four schools of thought have decisively given any verdict on the prohibition of this matter.

After getting acquainted with the views and opinions of the jurists of the four schools of thought, we shall now discuss two traditions which the Wahhabis have used as a pretext for unjustly shedding innocent blood³³ and accusing millions of Muslims with blasphemy.

First Tradition

إن رسول الله سمع عمر وهو يقول: وابي فقال إن الله ينهاكم أن تحلفوا بأبائكم ومن كان حالفاً فليحلف بالله أو يسكت

“The Holy Prophet (S) heard ‘Umar swearing by his father. The Holy Prophet (S) said: ‘God has forbidden you (all) from swearing by your fathers. Anyone who wishes to swear should swear by God or else should keep silent.’”³⁴

Firstly, swearing by their fathers was prohibited because of the fact that they were polytheists and idol-worshippers and such people did not hold any esteem or honor so that one could swear by them. As it has come down in some of the traditions that one should not swear either by the fathers or by the devils (the idols of the Arab).³⁵

Secondly, the prohibition to swear by the father is at times of judgement and hostilities. This is because

as per the consensus of the Islamic scholars, at times of hostilities, no swearing is allowed except for the swearing by Allah and His attributes which are a reference to His Essence.

By paying attention to what has been said, how can one dare to say that the Holy Prophet (S) has prohibited and restrained us from swearing by the holy personalities like the Prophets and *awliya*'. His prohibition was only under special circumstances and was not having a general application.

Second Tradition

جاء ابن عمر رجل فقال: احلف بالكعبة قال لا ولكن احلف برب الكعبة فإن عمر كان يحلف بأبيه فقال رسول الله (صلى الله عليه وآله): لا تحلف بأبيك فإن من حلف بغير الله فقد أشرك

“A person approached the son of ‘Umar and said: ‘I swear by the Ka’ba.’ The son of ‘Umar said: ‘You should swear by the Lord of the Ka’ba because when ‘Umar swore by his father, the Prophet (S) ordered him not to do so since anyone who swears by someone other than Allah has considered a partner for Allah.’³⁶

Reply

By paying attention to the previous reasoning that recommends swearing to someone other than Allah, this tradition should be described in the following manner.

This tradition consists of three parts:

1. A person approached Ibn 'Umar and wished to swear by the *Ka'ba* but the latter prevented him from doing so.
2. 'Umar swears by his father in the presence of the Holy Prophet (S) and the latter prevents him from doing so as it was the source of *shirk*.
3. The *Ijtihad* (independent reasoning) of Ibn 'Umar covered the Holy Prophet's saying and included swearing by the holy things such as *Ka'ba* too in the Prophet's saying.

Under these circumstances, the way of reconciling this tradition and the previous traditions (where the Holy Prophet (S) and others have sworn by someone other than God without any apprehension) is this that the saying of the Prophet, (that anyone who swears by someone other than God has committed *shirk*) is confined to instances where that person who is sworn by, is a polytheist and not a Muslim and holy like the Qur'an, *Ka'ba* or the Prophet. Thus the *ijtihad* of Ibn 'Umar who has derived a wider meaning from the saying of the Prophet is an argument only for himself and not for others.

The reason that swearing by the 'polytheist father' is one kind of *shirk* is because such swearing is apparently considered to be an approval of their ways and means.

This was an explanation of the *ijtihad* of Ibn 'Umar who derived a wider meaning from the tradition which has come down in the case of swearing by the polytheists. Moreover, he has also applied this to holy things too (for example, *Ka'ba*). So, there's another analysis for this tradition which is much clearer and more evident than the analysis of Ibn 'Umar.

Now, we shall discuss his second analysis.

Second Analysis

The saying of the Holy Prophet (S), that **من حلف بغير الله فقد أشرك** is related to swearing by the devil's gods such as Lat and 'Uzza and not swearing by the polytheist father; leaving aside the matter of swearing by the holy things like *Ka'ba*. It is the *ijtihad* of Ibn 'Umar who adopted this rule (which is exclusively related to the idols) to the two cases (swearing by the polytheist and swearing by the *Ka'ba*) or else, there was no such extension in the Holy Prophet's saying, the proof being that in another tradition, the Prophet (S) says:

من حلف فقال في حلفه باللات والعزى فليقل: لا إله إلا الله

"Anyone who swears and swears by Lat and 'Uzza and then immediately says "There is no god except Allah....." [37](#)

This tradition shows that the sediment of the period of ignorance was still prevailing in the minds of the people who were yet following the ancient habits like the practice of swearing by the idols and it was for the eradication of this ugly practice that the Holy Prophet (S) uttered such a general statement. But Ibn 'Umar has applied this to both swearing by the holy thing as well as swearing by a polytheistic father.

The proof that the saying of the Holy Prophet (S) is neither connected to swearing by the holy thing nor connected to swearing by a polytheist father and the evidence that it is Ibn 'Umar who has combined the Prophet's saying with two cases and even to the swearing of 'Umar by his father. The following is the text of another hadith:

Imam Hanbal in his *Al-Musnad* vol. 2, page 34 has narrated the second tradition in such a manner that it shows that such comparison is the work of Ibn 'Umar. Here is the text of the tradition:

كان يحلف أبي فنهاه النبيّ قال: من حلف بشيء دون الله فقد أشرك

"Umar swore by his father; then the Holy Prophet (S) prohibited him from doing so and said: 'The one who swears by someone other than Allah has adopted polytheism.'"

Just as you can see, the sentence **من حلف** has come without **وأوعافه** (parataxis) or **فاء** and if the second

tradition was below the tradition of 'swearing by the father', then it was necessary for the second tradition to come with the word of عطف (parataxis).

Again the writer of *Al-Musnad* in vol. 2, page 67 has narrated the tradition of من حلف in an independent form without the incident of 'Umar swearing. It is as such.

من حلف بغير الله قال فيه قولاً شديداً

"The one who swears by someone other than God has said an unfair thing and or the Prophet (S) has said something severe about him for example 'has adopted polytheism.'"

1. Sahifah Al-'Alawiyya, Islamic Publications, page 370.
2. Sahifah Al-'Alawiyya, page 51.
3. Sunan Ibn Majah, vol. 1, page 441; Musnad Ahmad, vol. 3, page 1388; Mustadrak Al-Hakim, vol. 1, page 313; and others.
4. Sunan Ibn Majah, vol. 1, page 261, 262; Musnad Ahmad, vol. 3, hadith no. 21.
5. Al-Durr Al-Manthur, vol. 1, page 59; Mustadrak Al-Hakim, vol. 2, page 615; Ruh Al-Ma'ani, vol. 1, page 217. (In the chapter of tawassul, this tradition was mentioned with greater context).
6. Al-Fusul Al-Muhimma, page 31 by Ibn Al-Sabbagh Al-Maliki (d. 855 AH).
7. Sahifah Al-Sajjadiyya, du'a no. 47. Accessible with English translation at: <https://www.Al-islam.org/sahifa-Al-kamilah-sajjadiyya-imam-zain-ul-abideen> [1]
8. Ziyarat of Aminullah. It is ziyarat of Imam Ali (a). Accessible with English translation at: <https://www.al-islam.org/supplifications-month-ramadhan/ziyarat-ameenullah> [2]
9. Kashf Al-Irtiyab, page 32 narrated from Al-Hadiyyat Al-Saniyya.
10. Al-Hadiyyah Al-Saniyyah wa-Al-Tuhfah Al-Wahhabiyyah Al-Najdiyyah written by Sulayman bin Sihman Al-Najdi, published by the orders of the ruler of Najd, 'Abdul 'Aziz Al-Sa'ud in 1342 A.H.
11. Hadith Al-Thaqalayn is an authentic tradition and none denies its authenticity except for the obstinate. For its authenticity kindly see: <https://www.Al-islam.org/hadith-Al-thaqalayn> [3]
12. Kashf Al-Irtiyab, p.331, narrated from Al-Qaduri.
13. Al-Suyuti, Al-Jami' Al-Saghir, vol. 2 page 33.
14. Sunan Ibn Majah, vol. 2 page 841.
15. Al-Bidayah wal Nihayah, Ibn Kathir, under " حق "
16. Surah Al-Baqarah, 2: 245. مَنْ ذَا الَّذِي يُقْرِضُ اللَّهَ قَرْضًا حَسَنًا فَيُضَاعِفَهُ لَهُ أَضْعَافًا كَثِيرَةً ﴿٢٤٥﴾
17. Muhammad ibn Isma'il Al-San'ani.
18. Tathir itiqad 'an adran Al-Illhad published by Dar Al-Kutub Al-Ilmiyah, Beirut, 1994.
19. Kashf Al-Irtiyab, page 336 narrated from the book Tathir Al-I'tiqad, p. 14.
20. Above reference, narrated from the book Al-Hadiyyat Al-Saniyya, p. 25.
21. Surah Al-Shams, 91: 1-7.
22. Surah Al-Nazi'at, 79: 1-3.
23. Surah Al-Mursalat, 77: 1- 3.
24. Sahih Muslim, Book of Zakat part 3; chapter of 'Best Charity' page 94.
25. Sahih Muslim, part 1 chapter of 'What is Islam and its qualities' page 32.
26. Musnad Ahmad ibn Hanbal, vol. 5, page 225.
27. Refer to Musnad Ahmad, vol. 5, p. 212; and Sunan Ibn Majah vol. 4, p. 995 and vol. 1, p. 255.
28. Nahj Al-Balagha, sermons 23, 25, 56, 85, 161, 168, 182, 187 and letters no. 6, 9 and 54. Online at: <https://www.al-islam.org/nahjul-balagha-part-1-sermons> [4]
<https://www.al-islam.org/nahjul-balagha-part-2-letters-and-sayings> [5]

- [29.](#) Malik bin Anas, Al-Muwatta', (along with commentary of Al-Zurqani), vol. 4, page 159.
- [30.](#) Al-Fiqh 'ala Al-Madhahib Al-Arba'ah, book of Al-Yamin, vol. 1, page 75 (Egyptian print).
- [31.](#) Abdullah Ibn Ahmad Ibn Qudama Al-Maqdisi (1146 – 1223 A.D.) was a famous Palestinian Syrian Sunni Hanbali Scholar and expert in the Hanbali fiqh (jurisprudence) and law. He compiled the first famous and complete book of Hanbali jurisprudence, Al-Mughni.
- [32.](#) Al-Mughni, vol. 9, p. 517. Published by Darul Kutub Al-'Ilmiyah, Beirut, 2013.
- [33.](#) The Wahhabis first attacked Karbala in the year 1216 A.H. / 1801 A.D. and again in the year 1259 A.H. / 1843 A.D. and in these attacks, they did not spare the young and the old. Within three days, they killed 6000 people and like the army of Yazid, they plundered the precious things inside the shrine. Why? Just because they were seeking tawassul by the progeny of the Holy Prophet (S) and were expressing their love towards them!
- [34.](#) Sunan Ibn Majah, vol. 1, p. 277; Sunan Al-Tirmidhi, vol. 4, p. 109; Sunan Al-Nasa'i, vol. 7, p. 485; Sunan Al-Kubra, vol. 10, p. 29.
- [35.](#) Sunan Al-Kubra, vol. 1, p. 29 narrated from Sahih Muslim, Sunan Al-Nasa'i vol.7, p. 7 and Sunan Ibn Majah, vol. 1, p. 278. In another tradition it has come as: لا تحلفوا بأبائكم ولا بأمهاتكم ولا بالأنداد (Sunan Al-Nasa'i vol.7, p. 6).
- [36.](#) Sunan Al-Kubra, vol. 1, p. 29 narrated from Sahih Muslim, Sunan Al-Nasa'i vol.7, p. 7 and Sunan Ibn Majah, vol. 1, p. 278. In another tradition it has come as: لا تحلفوا بأبائكم ولا بأمهاتكم ولا بالأنداد (Sunan Al-Nasa'i vol.7, p. 6).
- [37.](#) Sunan Al-Nasa'i, vol. 7, page 8

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