

8. Moghairah Bin Sho'ba

Moghaira was of the Immigrant party. 'Omar made him Governor of Basra and dismissed him after he was accused of adultery. He was the Governor of Kufa when he died. Saif in the following story intended to show that the charge of adultery was unfounded.

Tabari in vol.3, pp. 170–171 has recorded from Saif that the reason that Moghaira was accused of adultery was some differences between him and Abu Bakra¹, one of the witnesses against him. Abu Bakra and Moghaira lived in two rooms opposite each other.

One day the wind blew open the window of Abu Bakra's room, he was closing it when he saw, through the opposite window Moghaira with a strange woman. Abu Bakra had some visitors and called them to see what was going on between Moghaira and that woman.

Abu Bakra said to his visitors that she was Umm-Jamil, a maid of the officials and civil servants. Abu Bakra's visitors saw something, but waited until they saw the woman clearly before making up their minds about the scene.

Saif then referring to the proceedings of the case in the court says that Moghaira pleaded to 'Omar to cross examine these four witnesses who were slaves, and said to them, "What have you seen of me, either I had no privacy or you had peeped in my house without permission.

Yet I was with my wife who looks like Umm-Jamil." Two witnesses told the same story, the third different to those two, and the fourth, Ziad, said he had seen something different altogether. The three witnesses were flogged for bearing false witness.

'Omar (the Caliph) said to Moghaira, "By God, if you had been guilty, I would have stoned you to death."

Other Historians

The story told by others apart from Saif as is recorded in Fotoohol-Boldan by Baladhori page 423, Kitabul Ahkam by Mawardi page 280, Ya'qoubi vol.2, p. 124. Tabari and Ibn Athir amongst the events of the year 17 Hejri was that Moghaira had an association with a woman called Umma- Jamil, the daughter

of Afqam Bin Mehjan Bin Abi 'Amr Bin Sho'ba. She was the wife of Hajaj Bin Atik of the Thaqif tribe. Now the rest of the story according to al-Aghani by Abulfaraj, vol. 14, pp. 139— 142.

Moghaira the Governor of Basra at the time of 'Omar, used to visit Raqta, a woman of the Thaqif tribe, secretly in her house. Her husband was Hajaj Bin 'Atik from the Thaqif tribe. One day Abu Bakra met Moghaira in the street and asked his destination. Moghaira said that he was going to see someone. Abu Bakra said, "The Governor has to stay at home and people have to visit him." Abu Bakra often said to Moghaira when he saw him outside during the day. The historians have said that the woman Moghaira used to visit was Abu Bakra's neighbor.

One day, Abu Bakra, his two brothers Naafe and Ziad and another person named Shebl Bin Ma'bad met together to talk, suddenly the wind blew and opened the window and the men saw Moghaira in the room opposite with a woman. Abu Bakra asked his visitors to confirm this. Abu Bakra waited until Moghaira left the woman's house and told him,

"You cannot be our Governor anymore, we saw you." ² At mid-day Abu Bakra wanted to prevent Moghaira from leading the prayer but the people intervened and told Abu Bakra to write to 'Omar (the Caliph) about Moghaira. They wrote to 'Omar who ordered Moghaira and the witnesses to go to Medina. Moghaira prepared for departure, and sent an Arab slave girl with her maid as present to Abu Musa ('Omar's representative).

At the court 'Omar asked Abu Bakra if he has seen Moghaira making love to the woman and Abu Bakra gave details. Moghaira said, "You have been spying on me." Abu Bakra said, " I did not miss that with which God will humiliate you." 'Omar wanted more details, so Abu Bakra described what he had seen.

When the second witness explained the same as the first, 'Omar said, "Moghaira half of you is gone." The third witness made the same as the other two, then, 'Omar said "Moghaira, three quarter of you is gone." (Moghaira was desperate and sought help from everybody).

Moghaira met the Immigrants and the mothers of the faithful (The Prophet's wives) and pleaded with them for help, they sympathized with him. 'Omar ordered the three witnesses to be isolated, until the fourth witness Ziad arrived from Basra.

The heads of the Immigrants and the companions parties gathered in the mosque when Ziad arrived there. Moghaira had prepared a defense. When 'Omar saw Ziad coming he said, " I see a man who will not let a member of the Immigrant party down, and God has decreed." He also said, " I see a lad who will not witness anything but the truth," according to Montakhab, vol.2, p.413. According to Abulfada, vol. 1, p. 171, 'Omar said to Ziad, " I see a man who, I expect, will not disgrace any companion of the Prophet of God."

In al-Aghani it is written that 'Othman al-Nahdi said that 'Omar's face changed color after the first witness and his face was as long as a fiddle after the second witness, and his face was ashen after the

third witness, and when 'Omar saw Ziad was coming dressed in white cloth he shouted at him "What do you know O, eagle's shed." Abu 'Othman shouted so loudly to imitate 'Omar that the narrator was extremely frightened.

Moghaira said, " O Ziad, remember God and the day of Judgment. God, His Prophet, His book and the prince of Believers ('Omar the Caliph) have saved my soul. Do not waste it by describing what you have not seen." Ziad said, "I have not seen what they have described. O prince of believers, but I have seen a disgraceful scene, and I saw that Moghaira was breathless after associating with the woman." Ziad denied what the other three witnesses described.

'Omar then said, "God is Great. Arise Moghaira and flog them." Moghaira gave Abu Bakra and the other two eighty lashes each. Hakim in Mostadrak and Dhahabi, vol.3, p.448 say, "'Omar said God is Great, and he greatly rejoiced and flogged the three witnesses, but not Ziad." It is recorded in Fotohol-Boldan that Shebl the third said, "The honest witness gets lashes despite God's order."

Abu Bakra after he was flogged, said again, " I bear witness that Moghaira has committed adultery." 'Omar ordered him to be punished again for bearing false witness. 'Ali objected saying to 'Omar, "If you flog him, I will stone your companion (Moghaira) to death." 'Ali meant that if Abu Bakra's second statement was allowed, then the four statements would prove Moghaira's guilt.

Hence he must be stoned to death. 'Omar asked Abu Bakra to repent. Abu Bakra asked if he wanted to take the responsibility of false testimony from him so as to purify him, for his next statement, 'Omar replied in the affirmative. Abu Bakra said that he did not want to give any more evidence. When the punishment was over Moghaira said to the witnesses, "Praise God who has humiliated .you."

'Omar said to Moghaira, "Silence. May God make the place unclean where they saw you."

Abu Bakra left the place saying, "By God, I cannot forget the scene." The other two witnesses repented so their evidence was accepted later. Abu Bakra was asked to give his testimony for some other incident and he said, "Ask someone else. Abu Moghaira has ruined my reputation."

It is recorded in al-Aghani and commentary of Nahj that Ratqa, the woman in Moghaira's case in Basra used to visit him in Kufa as well. 'Omar once saw Raqta during a pilgrimage in Mecca. Moghaira was also there. 'Omar asked Moghaira if he knew the woman. Moghaira said that she was Umm Kulthoom, (The wife of 'Omar). 'Omar said to Moghaira, "Woe to you, you are fooling me. By God I am sure Abu Bakra was right. I am afraid when I see you, a stone falls on me from heaven." Hassan Bin Thabet has composed the following verse:-

Talking of meanness, I have a strong belief, That real meanness comes from the tribe Thaqif That one-eyed man who gave up Islam and fell, One morning, in to the trope of a veiled damsel. He thought that he was in the prime of manhood. Playing with slave girls in courting mood.

Baladhori in Fotooul–Boldan, page 343 has recorded that when ‘Omar wanted to make Moghaira the Governor of Kufa he asked him if he would repeat that which was said about him. Moghaira said "No." Hamawi in vol. 1, p.642, Mostadrak, vol.3, p.449, Wafaiat, vol.2, p.455 and vol.5, p.406 and Bin Kathir, vol.7, p.281 have mentioned Moghaira's adultery.

Origin of Saif's Story

Saif has recorded from Muhammad, Talha, Mohallab and Amr. We have discussed the unreality of the first three in the previous story. Saif has narrated six stories from ‘Amr Bin Zian or ‘Amr Bin Rayyan who was a Saif made fictitious character according to Mizanol–E‘tedal.

Conclusion

Saif wanted to free Moghaira from the blame of adultery because he was the appointed Governor of the Caliph. He then manipulated the true event of adultery which is recorded by so many other historians. He says Abu Bakra lived in a room opposite to Moghaira's and he saw through– the window

Ummal–Jamil under Moghaira then he asked his visitors to witness it. They decided to accuse Moghaira but Moghaira and ‘Omar crossed examined the witnesses and proved that their evidence differed. Saif also says that ‘Omar said to Moghaira "If your guilt was proved I would stone you to death." Historians other than Saif have recorded the story differently as we have written. To manipulate the story in favor of Moghaira the Governor, Saif has created the narrators and Tabari has recorded from Saif.

1. Abubakra; his name is Nafe‘ son of Masruh Habashi and it is said that his father was called Harith bin Kelda bin ‘Amr bin ‘Alaj bin Abi Salma bin ‘Abd al–‘Uzza bin Qais
2. The story of Moghaira's adultery is told by Ibn Jarir, Ibn Athir and Abul Fida in the events of 17 Hejri

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