

Second Introduction

Muslims believe that a caliph must enjoy two authorities:

(1) **Political Capacity:** A caliph must enjoy experience in the management of the ummah's affairs in both states of war and peace, protecting the frontiers of the Islamic State, confronting the enemies of the religion, and subjecting them to the Islamic laws as well as the other secondary affairs, such as organizing the economic affairs, covering the requirements of the needy and the like.

(2) **Scientific Capacity:** A caliph must be capable of issuing verdicts according to the rulings of the Holy Qur'an and the heritage of the Holy Prophet. During the lifetime of the Holy Prophet, people used to receive rulings directly from the Holy Prophet to whom they referred in any new question. In the caliphs' reigns, they should refer to the caliphs for learning the laws and the innovated affairs.

Furthermore, most of them did not reside in Makkah or al-Madinah and thus they should receive the religious knowledge from the companions of the Holy Prophet. Hence, the majority of Muslims should have received their religious directives from the caliph and their retinue taking into consideration the big difference between a caliph and the Holy Prophet.

During the Holy Prophet's lifetime, people considered him as legislator for he, in the word of the Holy Qur'an, never speaks out of desire.¹ Accordingly, the Holy Prophet's instructions were so authoritative that none had the right to violate or disobey since their source was the Divine Revelation.

A caliph does not enjoy the authority of the Holy Prophet or a legislative role as regards the religious laws;² rather he is regarded as no more than a reporter from the Holy Prophet.

Having realized this fact, Abu-Bakr and `Umar, in the beginning, used to convey the religious laws as exactly as found in the Holy Qur'an and Sunnah. When they had to face an ambiguous issue, they would refer it to the grand Sahabah asking them whether they had heard from the Holy Prophet something in this regard. Then, they would convey the ruling to those involved in the issue. Let us now cite examples on this information:

(A) Maymun ibn Mahran is reported to have said, “When an issue is presented before Abu–Bakr, he used to refer to the Holy Qur'an first. If he found the answer, he would say it lest he would look in the Holy Sunnah. If he would not find the answer, he would ask people whether they had heard something in this regard from the Holy Prophet. One of them would say what he had heard from the Holy Prophet about the issue. When he could not find anything related, he would gather the most experienced ones and consult them. When they agree on a definite ruling, he would pass it.”[3](#)

(B) Malik, Abu–Dawud, Ibn Majah, al–Darimiy and others have reported that Abu–Bakr, once, said to a grandmother who came asking for her share of an inheritance, “In the Holy Qur'an, I could not find anything related to your case. Also, I could not find anything in the Holy Sunnah. You should now wait until I consult people.”

Al–Mughirah said, “When such a case was submitted before him, the Holy Prophet decided to give the one–sixth of an inheritance.” “Does anyone else have anything in this respect?” asked Abu–Bakr. Muhammad ibn Muslimah al–Ansariy stood and confirmed al–Mughirah's claim. Thus, Abu–Bakr accepted.[4](#)

Like Abu–Bakr, `Umar used to ask the Sahabah on such issues and then judge.

(C) On the authority of al–Salamiy, al–Bayhaqi narrated that `Umar consulted the people whether he would sentence to stoning punishment the lady who committed adultery with a shepherd who refused to give her water, while she was extremely thirsty, unless she would allow him to sleep with her.

(Imam) `Ali answered, “This lady was compelled; therefore I see that you should release her.” Following `Ali's verdict, `Umar did.[5](#)

(D) `Umar asked Abu–Waqid al–Laythiy about the Surahs that the Holy Prophet used to recite in the Prayer of the Feast (*Salat al–`Idayn*). “The Holy Prophet used to recite Surah of *Qaf* (No. 50) and Surah of *Iqtarabat* (*al–Qamar* 54),” answered Abu–Waqid.[6](#)

(E) On the authority of Sa`id ibn al–Musayyab, al–Hakim reported that while `Umar ibn al–Khattab was reciting the Holy Qur'an, he passed by the holy verse,

“Those who believe and do not mix up their faith with iniquity.” (Holy Qur'an: 6/82)

He summoned Ubayy ibn Ka`b and asked, “Are we excluded from this verse because none of us has ever committed iniquity?” Ubayy answered, “Iniquity in this verse stands for polytheism as is proven by the holy verse,

“And when Luqman said to his son while he admonished him: O my son! Do not associate aught with Allah; most surely, polytheism is a grievous iniquity. (Holy Qur'an: 31/13)”[7](#)

(F) `Umar ordered to apply the sentence of whipping to one of the first Muhajirun because he had had

strong drink. The man objected saying, “You should not sentence me to whipping penalty; I can prove it in the Holy Book of Allah (the Qur'an).”

“How is that?” asked `Umar.

“Almighty Allah says in the Holy Qur'an,

‘On those who believe and do deeds of righteousness there is no blame for what they ate, when they guard themselves from evil, and believe, and do deeds of righteousness,(or) again, guard themselves from evil and believe,(or) again, guard themselves from evil and do good. For Allah loveth those who do good.’ (Holy Qur'an: 5/93)

I am one of those who believed, did deeds of righteousness, then guarded themselves from evil and believed and did deeds of righteousness. I participated with the Holy Prophet in the battles of Badr, al-Khandaq, and the Truce of al-Hudaybiyah as well as other campaigns.”

`Umar asked the attendants for an answer; therefore `Abdullah ibn `Abbas said, “The verse that you have cited as your excuse carried excuses for the deeds that were done in the pre-Islamic era and also carried arguments against the coming generations. This is because Almighty Allah says elsewhere,

‘O ye who believe! Intoxicants and gambling, (dedication of) stones, and (divination by) arrows, are an abomination,—of Satan's handwork: eschew such (abomination), that ye may prosper(Holy Qur'an: 5/90)'

This holy verse carried a clear-cut prohibition of drinking strong drink.”

Having been convinced by `Abdullah's refutation of the claim, `Umar said, “You have told the truth! Now, what do you think this man should undergo?”

(Imam) `Ali answered, “We see that because this man drank strong drink, he has raved; and because he has raved, he forged fabrications (against Almighty Allah); and the sentence of him who forges fabrications is to undergo eighty whips.” `Umar thus ordered to sentence the man to eighty whips as punishment.[8](#)

The aforementioned narrations, as well as many others that have not been mentioned for fear of lengthiness, prove clearly that neither Abu-Bakr nor did `Umar claim full knowledge with all the religious laws that were said by the Holy Prophet or that they, and none else, were versed in the Hadith; rather they, like the majority of the Sahabah, did not go through many issues of the religious legislation.

On this account, the exaggerated claim that they were the most acquainted with the Hadith and the most knowledgeable in the issues of the religious knowledge and laws has been based upon a purely extreme emotional, not rational, situation that is far away from the historical reality. Moreover, the majority of the reports that narrated or confirmed such claim are exposed to suspicion and uncertainty. One of such

fake reports has been the following: Imam `Ali is reported to have said, “We were telling each other that an angel was talking on behalf of `Umar!”⁹

`Abdullah ibn Mas`ud is reported to have said, “If the knowledge of `Umar is put in a scale of a balance and the knowledge of all the peoples in the other, the scale of Umar’s knowledge will certainly incline!”¹⁰

The Holy Prophet is reported to have said, “Had there been a prophet to come after me, `Umar would have certainly been that prophet!”<sup>11</sup> And, “In the past nations, there were individuals communicated by the angels. If this occurs to my nation, `Umar will certainly be the one communicated by the angels!”¹²

The likes of such exaggerated superstitions are too many. Similarly, too many are the motives and reasons beyond them.

One of the clear-cut issue is that had Abu-Bakr and `Umar enjoyed special knowledge in this respect, they would have directly given out religious verdicts without need for consulting the Sahabah in matters they ignored, no contradiction would have ever occurred in their opinions and verdicts, they would not have withdrawn many of their verdicts in view of the reports and opinions of the other Sahabah and `Umar would not have come to a point where he declared openly, ‘All people are more knowledgeable than `Umar,’¹³ and ‘Even women in boudoirs are more knowledgeable than `Umar!’¹⁴

In conclusion, the recognition of the religious laws among the first generation of Islam was not attained except through pure compliance with the laws issued by Almighty Allah and the Holy Prophet. This fact was known by everyone during that period of the Islamic history. Similarly, neither Abu-Bakr and `Umar nor did any of the other Sahabah have the right to adopt their personal opinions in issues judged by clear-cut texts of the Holy Qur'an and Sunnah.

Nevertheless, they committed a breach of the Holy Prophet’s orders on certain occasions when they adopted their personal views and violated the sacred texts.

Referring to a necessarily obvious fact, Ibn Hazm says, “The Holy Prophet, at issuing a verdict or a judgment, did not summon all the inhabitants of al-Madinah to inform them; rather it was sufficient in his view that the attendants listened to that judgment and they would certainly convey it to the others whom, after that, would not be allowed to claim unfamiliarity with that judgment.

Obviously, some of the Sahabah used to interpret a Hadith—that reached his hearing—in such an inaccurate way that it would lose its actual purport. In addition, some of them confessed that they were unaware of many religious laws. In this connection, Abu-Hurayrah declared,

“The Muhajirun, my brethren, were always engaged in making deals in marts; and the Ansar, my brethren too, were engaged by guarding their fortunes.”¹⁵

It has thus been obvious that the exaggerated picture in which `Umar was given such special and unattainable rank was the product of an inordinate emotion that is rejected and denounced by `Umar

himself. To make it more obvious, let us cite the following reports about the Sahabah's relationship with `Umar.

1. The Holy Qur'an reads, "Nor does he speak out of desire. 53:3"
2. Ibn Hazm: al-Ihkam fi Usul al-Ahkam 1:11 and Dr. Muhammad Sallam Madkur: Manahij al-Ijtihad fi'l-Islam et al.
3. Ibn Qayyim al-Jawziyyah: A'lam al-Muwaqqi'in 1:62; al-Bayhaqi: al-Sunan al-Kubra 10:114.
4. Malik ibn Anas: al-Muwatta' 2:513 H. 4; Sunan Abi-Dawud 3:121 H. 2894; Sunan Ibn Majah 2:909 H. 2724; Sunan al-Darimi 2:359.
5. Al-Bayhaqi: al-Sunan al-Kubra 8:236; al-Tabari: al-Riyad al-Nadira 3,4:163-164 and Dhakha'ir al-Uqba; Ibn Qayyim al-Jawziyyah: al-Turuq al-Hikamiyyah.
6. Malik ibn Anas: al-Muwatta' 1:180; Sahih Muslim 2:607, H. 14; Sunan Abi-Dawud 1:30 H. 1154; Sunan al-Tirmidhi 2:23 H. 532; al-Bayhaqi: al-Sunan al-Kubra 3:294; Sunan Ibn Majah 1:408 H. 1282; Sunan al-Nassa'i 3:183 H. 184 (with little difference).
7. Al-Hakim al-Nisapuri: al-Mustadrak `Ala'l-Sahihayn 3:305.
8. Al-Hakim al-Nisapuri: al-Mustadrak `Ala'l-Sahihayn 4:376; Sunan al-Daraqutni 3:166 H. 245; al-Bayhaqi: al-Sunan al-Kubra 8:320; Sunan al-Nassa'i 3:252 H. 5288. In addition to al-Hakim, al-Dhahbi, in Talkhis, decides this narration as authentic.
9. Tarikh Wasit 1:167; Min Hadith Khaythama 1:42; Abu-Na'im: Hilyat al-Awliya' 1:42; Muhibb al-Din al-Tabari: al-Riyad al-Nadira 1:376. Al-Tabari, in al-Mu'jam al-Awsat 7:18 H. 6726, has recorded this narration on the authority of Abu-Sa'id al-Khidri who reported the Holy Prophet as saying, "Among the nation of each and every Prophet that Almighty Allah sent, there must be one addressed by the angels (directly). If there is such an individual among my nation, he must be `Umar." The Holy Prophet was asked how one can be addressed by the angels. He answered, "The angels talk on behalf of him." Al-Haythami, in Mujma' al-Zawa'id 9:69, added, "One of the reporter of this narration is Abu-Sa'd, the slave of al-Hasan al-Basiri, whom I cannot tell. Yet, the others are trustworthy."
10. Al-Madkhal Ila'l-Sunan al-Kubra 1:126 H. 70; Ibn `Abd al-Barr: al-Tamhid 3:198; al-Hakim al-Nisapuri: al-Mustadrak `Ala'l-Sahihayn 3:92 H. 4497; Jamal al-Din al-Muzzi: Tahdhib al-Kamal 21:325 No. 4255; Ibn Qayyim al-Jawziyyah: A'lam al-Muwaqqi'in 1:20; Dr. Ruwas Qal'achiy: Fiqh `Abdullah ibn Mas'ud, the Introduction.
11. Sunan al-Tirmidhi 5:619 H. 3686; al-Hakim al-Nisapuri: al-Mustadrak `Ala'l-Sahihayn 3:92 H. 1279; al-Tabari: al-Riyad al-Nadira 2:287; Musnad Ahmad ibn Hanbal 4:154; Ibn Hajar al-Asqalani: Fath al-Bari fi Sharh Sahih al-Bukhari 7:51.
12. Sahih al-Bukhari 3:1279 H. 3282, 3:1349 H. 3486; Sahih Muslim 4:1864 H. 2398; Sunan al-Tirmidhi 5:285 H. 3776; al-Hakim al-Nisapuri: al-Mustadrak `Ala'l-Sahihayn 3:86; al-Tabari: al-Riyad al-Nadira 2:287; Sunan al-Nassa'i 5:39 H. 8119.
13. Al-Zamakhshari: Tafsir al-Kashshaf 3:573; Ibn Abi'l-Hadid: Sharh Nahj al-Balaghah 1:182; al-Jami' li'Ahkam al-Qur'an 14:277; al-Suyuti: al-Durr al-Manthur 5:229; Ibn Hazm: al-Ihkam fi Usul al-Ahkam 2:253.
14. Ibn Abi'l-Hadid: Sharh Nahj al-Balaghah 1:128.
15. Ibn Hazm: al-Ihkam fi Usul al-Ahkam 1:153. The narration is also recorded in Sahih Muslim 4:1940 H. 2492; al-Isfahani: Dala'il al-Nubuwwah 1:86 H. 78; Al-Dhahbi: Siyar A'lam al-Nubala' 2:595.

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