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32. Should the First Caliphate Have Been Established by Inheritance Popular Election or by the Prophet's Selection?

In order to know the legitimate government from the Islamic point of view we ought to know the attitude of Islam towards the human freedom and the legitimate way by which freedom could be restricted.

We ought to know also the extent of the freedom of the people in electing their governments and the extent of the freedom of the government in legislating rules and regulations. We ought to know also whether the nature of the Islamic principles agrees with the establishment of the government by election or inheritance or appointment.

The faith of Islam respects the freedom of the individual and recognizes it as long as it does not contradict the commandments of God and His prohibitions. As long as man exercises his freedom within the limitations of what God allowed his freedom is sacred and no one has the right to deprive him of it. Such freedom is a natural right. To deprive him of it is an encroachment on his natural right. It is injustice and God does not like injustice.

The faith of Islam acknowledges the right of every man and woman in ownership and in managing what they own. Islam acknowledges that every person has the right to benefit from public properties such as using the roads in land, sea and air.

As the individual has the right to manage what he owns he has the right to manage himself and his time. He has the right to move as he wants and to rest as he wants.

He has the right to exert himself and to be inactive. He has the right to think and express his opinion. He has the right to elect and authorize whomever he wants in managing his own affairs.

Since these individual freedoms are respected and sacred in the eyes of Islam no individual has a natural right to rule others because ruling others means restricting their freedom.

It is a function of the government to mobilize armies and security forces to train those forces to discipline them to move them from one place to another and to use them in the defense and the offense. It is a function of the government to build roads to expropriate its places to regulate trade to limit or to free import and export and to regulate the internal and external relations.

These regulations interfere in the freedom of the individual and restrict it and deprive the individual of his natural right. No one has the natural right to interfere in the freedom of others anymore than the others have the right to interfere in his freedom. No individual has an exclusive right to use or manage the public property which is owned by a community because people share that right.

Since governing means restricting the freedom of the individuals the government would not be legitimate in the eyes of Islam (under normal conditions) except through one of two ways:

1. Election by the people, or

2. Selection by God

Islam Has No Room for Hereditary Rule

Rule by inheritance is forbidden in Islam for the heir of the ruler would be imposed on the people without their will. His management of external and internal public affairs would be without authorization from the people whom he rules.

Should the rule of the bequeather come through a public authorization by his contemporary generation and should that generation authorize the bequeather to hand the rule to his heir in order to rule the future generation the rule of his heir would not be legitimate in the eyes of Islam.

The future generation has rights equal to those of the contemporary generation. Thus the contemporary generation has no right to restrict the freedom of its children and grandchildren. The coming generation has the right to abolish what the previous generation decided.

If the coming generation accepts the rule of the heir of the previous ruler the government of the heir would become legitimate not because the heir has the right to inherit the rule but because the new generation authorized him to manage their affairs. By this the government of the new ruler would be a government by election not by inheritance.

This is the attitude of Islam and the Muslim scholars towards the hereditary rules. One should never think that the Shi'ite Muslim scholars subscribe to the idea of the rule of the members of the House of the Holy Prophet by interitance.

These scholars are the most opposed to the rule by inheritance. They believe that leadership of the members of the House of the Holy Prophet was by a direct or indirect appointment by the Messenger rather than by inheritance from the Messenger.

Yes the legitimacy of the government in the eyes of Islam under normal circumstances would not take place except through election by people or selection by God. When people elect a government their election would be an authorization of the government to represent them.

Whatever it legislates of regulations which restrict the freedom of the people would be by their authorization and consent. The government in fact would be the people themselves because it represents them and fulfills their wish. This means that the individuals who elected their government are the ones who restricted their own freedom and gave up some of their natural rights by their own will.

As man has the right to restrict his own freedom the Creator has the right to restrict the freedom of His human creatures because the Creator is the giver of that freedom. Therefore He has the right to curtail it as He chooses.

Because the Creator has the right to restrict the freedom of His human creatures He sent Messengers to communicate to His servants His commandments and prohibitions and the rest of His laws. These laws restrict their freedom by commanding them to do what they do not like to do and to avoid many of the things which they do not like to avoid.

As the Creator of the individuals and the communities has the right to restrict their freedom He has the right to choose for them rulers to enforce the Heavenly law which the Almightly revealed to His Messenger.

If God chooses for His servants a ruler His choice would be binding on them. They have no right to choose for themselves other than what He chose for them. His choice for them is better than their choice for themselves.

When they choose for themselves they give up some of their freedom by their own consent but they do not insure for themselves what is good for them. They do not know with certainty the best man to rule them and they cannot foresee their future or the future of the ruler whom they choose. On the other hand God foresees their future as He sees their present and past.

The reader may think that the establishment of a government by God's appointment is a mere hypothesis which has no existence. What is available to peoples and nations is only man-made governments and their best kind is a government through a populous election.

This is true at the present. But the establishment of a government by Divine selection was possible and feasible at the time of the Holy Messenger Muhammad. He himself was a ruler by Divine selection. The evidence of this is that God Himself commanded the believers to obey the Messenger and said:

"O you who believe obey God and obey the Messenger and the people of authority from among you. If you dispute among yourselves about a matter return it to God and the Messenger if you believe in God and the Hereafter. That is best and most suitable for a final determination." The Holy Qur'an chapter 4 verse 59.

The Messenger had the right to establish for the Muslims after him a government he chooses for them. The Holy Qur'an gives him that right:

"The Prophet has more authority over the believers than they have over themselves..." The Holy Qur'an chapter 33 verse 6.

As he had this authority over the believers he had the right to choose for them a government after him. He sees through the Light of God and the Revelation what is better for his nation. If he chooses for his nation a government his choice would be binding on it. The nation would have no right to choose for itself after he chooses for it. The Holy Qur'an declares:

"And it is not for a believing man or believing woman to choose when God and His Messenger decide a matter. And whoever disobeys God and His Messenger he clearly deviates from the road." The Holy Qur'an chapter 33 verse 32.

Government by the Prophet's Appointment

The Prophet's government was by God's authorization and the Holy Prophet had the right to appoint a succeeding government in reliance on God's revelation. When a succeeding government comes through an appointment by the Prophet its righteousness and fitness would be secured because he is supported by the Divine Revelation.

Thus he knows what is good for his nation as he knows the most qualified for leading his nation and spreading the Islamic Message in other nations.

Should this take place it would be better for the Muslims and more beneficial to them and to their religion than establishing a government after the death of the Holy Prophet by a populous election even if the electors try their best to choose the best. This is because they do not know who is the most qualified. They may elect a person whom they think to be the best but he may fail them. Furthermore masses are often influenced by people of special interest who mislead them.

Elective Government

From this it would become evident that when the establishment of a government by appointment from the Messenger is not possible the only means to establish a legitimate government in the eyes of Islam (under normal conditions) is the populous election and nothing else.

Elective Government Is to Abide by the Qur'an

When such a government restricts its electors' freedom through its legislation it would not be encroaching on their rights because they themselves allowed it to restrict their freedom when they elected it.

However the legitimacy of a government elected by people is not absolute in the eyes of Islam. The Muslims are not allowed to elect transgressors whose actions and policies conflict with the Islamic teachings. The Holy Qur'an declares:

"And rely not on those who are unjust. The fire will touch you and you will have no protector against the punishment of God. Then you will not be helped." The Holy Qur'an chapter 11 verse 113.

The Holy Qur'an declares also the following:

"And cooperate in good doing and righteousness. And do not cooperate in sin and aggression. And obey God. Certainly God is severe in punishment." The Holy Qur'an chapter 5 verse 3.

The election of transgressors and authorizing them to handle the public affairs is a reliance on the unjust individuals who are unjust to themselves or to others and a cooperation with them in sin and aggression.

In addition the Holy Qur'an is the constitution of the Muslims and their governments. When an Islamic government's program and legislations are in disagreement with the constitution the program and the legislation would be invalid.

When such a government is a government of succession to the Prophet pledging to people to do according to the Book of God and the instructions of the Holy Prophet then fails to fulfill its pledge it would lose its legitimacy and people are not supposed to give it their obedience.

Therefore it would be necessary for the Muslim electors to do their best to bring to the chair of the caliphate a person whom they believe to be truly righteous. From among the righteous candidates they should choose the most knowledgeable one who is serious in enforcing the Islamic Law concerned with the interest of the nation and endowed with capability of leading the nation.

To elect a man without these qualifications would be a negligence of the national interest and a betrayal to Islam.

Of course the electors cannot know with certainty the existence of the necessary qualifications in the one whom they elect. But if they try their best in seeking the man with the qualifications they would have fulfilled their duty.

This is to be done only if the establishment of a government by appointment of the Holy Prophet is

impossible. When that is possible and feasible (and it was so before the Holy Prophet departed from this world) the elected government would be out of place. It would be a function of the Messenger and one of his important duties to choose for his nation a leader after him.

The nature of the islamic principles Is consonant with selection More than with election

Leaving the future of a reformatory message to a populous election puts the message in a serious jeopardy and most of the time it leads to the failure of the message.

Reformatory principles whether Heavenly or earthly do not accord with the populous desires. Therefore they are not consonant with populous elections. To illustrate this we ought to remember that the principles on which the foundation of a government is to be established can be of two kinds:

Popular Principles

1. The first kind are the populous principles which the majority of the people accept because they accord with their desires. Principles of this kind aim at pleasing the majority of the people. These principles would not be imposed on the people by force. They rather follow the opinion of the people and they can be changed by the people.

All the principles on which the democratic governments are founded are of this kind. These governments come through election by people and the electors are their supervisors.

These kinds of principles are consonant by their nature with populous election. Since the purpose of adopting such principles is to satisfy the desire of the masses people should try to elect an administration which serves their desires. The duty of such an elected government is to legislate laws and ordinances and issue decisions which accord with the wishes of the electors.

As long as the government does that it remains legitimate in the eyes of its electors. When its enacted laws and legislations disagree with the desires of the people they have the right to remove the government out of office.

In other words people are the highest authority when the government is based on popular principles. They have the right to supervise the government throughout its terms holding the government accountable for its errors.

Reformatory Principles

The second kind is the reformatory principles which usually do not accord with the desires of the people. These kinds of principles aim at reforming people changing their beliefs and their ways of life.

The principles which aim at changing the thinking of the people their habits and ways of life are usually born in the minds of a person (or persons) who proclaim them and call upon people to adopt them and usually the majority is opposed to them.

Should the man of such principles and the minority which follows him come to power through a coup or a revolution or any other way and a government headed by the founder of these principles be established the duty of the founding president and his government is to try to spread and protect them. It would be the duty of the founding head of state to choose as vice-president a person whom he considers to be the most sincere to the principles and the most qualified to lead the nation after him.

Let us remember that even in a democratic country the president chooses (his running-mate) vice-president and the nation which elects the president believes that he is entitled to choose his own deputy. Of course a head of state whose government is based upon a revolutionary system and unpopular principles is more entitled to choose his successor.

A government of this kind is a government of minority. It views itself not as a government by the people but for reforming the people through enforcing principles which are undesirable to them. Therefore the future of such a government and the future of the succeeding government should not be left to election by the people on whom the reformatory principles were imposed. Such a popular election may bring to power the enemies as well as the friends of these principles.

Thus populous election may become a means of destroying the principles on which and for which the revolutionary government was established Governments which are based on reformatory principles avoid populous elections because they are aware that their principles are undesirable to the people. If the establishment of the succeeding government is left to the people the electors will be anxious to elect a government less sincere to the proclaimed reformatory principles.

To illustrate this let us suppose that a minority believing in the soundness of a system such as that of the American Capitalism comes to power in a Communist country such as the Soviet Union. Such a government of minority would be expected to impose the non-Communistic principles on the people of the Soviet Union after they genuinely adopted the Communistic system. As it succeeds in enforcing the new principles the government would not be expected to leave the matter of choosing its successor to an election by the people who are expected to elect a government inclined towards Communism rather than Capitalism. The result of such an election would be the destruction of the reformatory principles upon which and for which the revolutionary government was established.

And so would be the case if a Communistic minority comes to power in the United States of America. Such a minority government would not be expected to leave the future of the succeeding government to a populous election. This is because the majority of the American people will choose representatives who believe in Capitalism rather than Communism.

Furthermore the founder of such a government would not be expected to leave the selection of his

successor (or the vice-president) to a popular election nor to selection by the members of his party who believed in his principles.

The members of his party with all their sincerity may ignorantly choose a person who would be viewed by the founding head of the state to be unqualified for leadership. To choose the unqualified is dangerous to any system. But it would be more dangerous to new reformatory principles because the majority of the people do not desire the reform.

Choosing an unqualified person would be an assistance to the majority who desire to replace the new system which was imposed upon them. An impotent leader may through his inefficiency bring about deviations or entice the majority through his inaptness to start a counter-revolution. Therefore the founder of the state would be duty-bound to choose a deputy who would be in his opinion the best of the members of his party.

This means that the reformatory principles are less consonant with the election than any other kind of principles.

Islamic Principles Are Reformatory

There is no doubt that the Heavenly principles in general and the Islamic principles in particular are reformatory principles which aim at changing peoples' belief thinking and ways of life. People were always inclined to worship idols or to deny the existence of God.

The Heavenly religions came attempting to lead them to the worship of the One God. People by their nature are inclined to materialism and to try to satisfy their bodily desires excessively to commit immoralities to encroach upon the rights of others and to take what does not belong to them.

The history of Prophethood is a history of struggle between the apostles of God and the communities to which they were sent. Every Prophet met difficulties from his own people because he was trying to prevent them from what they like.

Islam in particular stands against varieties of people's desires because of its numerous commandments and regulations. It is sufficient to mention the five daily prayers the fast of a month in every year during which adults are not allowed (during the day time) to take any food or drink the prohibition of man and woman to look at each other with coveting eyes or to scandalize or backbite (a male or female) or to take intoxicants. Above all that is the stand of Islam against any biased attitude towards relatives and friends.

Islam demands from the Muslims to side with the right side even if he is an enemy against the wrong side even if he is a brother. These and many others are repugnant to the human nature except the righteous individuals who rise through their faith to what is above their nature.

Thus a secular revolutionary founder of a state has to choose his successor (the vice president) and not leave his office to the chances of election by his party after his death.

The Prophet is more expected than any founder of state to do that because his reformatory principles are Heavenly and sacred. Such principles are more entitled to be protected at the present and in the future than any other kind of principles. The Heavenly principles which are proclaimed by such a founder of a State cannot be changed by his companions or the rest of the people or by himself while reformatory secular principles can be changed by the head of the state or by his party.

The Heavenly principles are hard on people including those who believe in them because they stand against human desires. On the other hand reformatory secular principles though the majority of the people may resent them at the beginning in the long run they may be accepted.

After all they are mostly materialistic and morally unrestrictive unconcerned with man's relationship to his Creator. Thus the preservation of the Heavenly principles would be emphatically demanding that the Messenger of God chooses his successor by himself.

Leaving the selection of the successor to the chances of election to be held after the death of the Messenger would put the message in danger and push it to an uncertain future. An election may bring the qualified as well as the unqualified leader who lacks the knowledge or firmness or righteousness.

An ignorant or unfirm or permissive leadership is dangerous to the faith of Islam and leads to deviation. A Heavenly message is a trust in the hands of the Messenger and the Messenger is too holy to neglect his sacred trust.

The Muslims were fortunate when they chose after the death of the Messenger a man such as Abu Bakr who was an outstanding companion whose short period was filled with brilliant events. The Muslims were fortunate to choose such a leader and he was fortunate when he chose ‘Umar as his successor who made great achievements with which books of history are filled. The arrival of these important leaders to power without being appointed by the Messenger does not mean that the nation was not in need of a successor appointed by him as many Muslims think.

The prevalence of this opinion is due to the fact that the history of these two Caliphs dazzled the eyes of the Muslim thinkers who forgot two important aspects:

1. The period of the reigns of the Two Caliphs was only twelve years. The aim of the message is to make adherence to the Islamic teaching a second nature and a way of life to the Muslims for generations to come.

2. The Muslims were lucky enough to have two righteous caliphs but this luck did not continue for long.

The Muslims or rather six outstanding companions had an election after the death of the Second Caliph and that was by a directive from the passing Caliph. The winner of the election was an outstanding

companion who was good hearted righteous yet he was weak and unfirm. He did not manage the public funds well and his weakness led to his assassination which brought upon the Muslims wars and crises for centuries and the Muslims are still suffering the consequences.

The Muslims afterwards elected the Imam ‘Ali Ibn Abu Talib the cousin of the Prophet the one whom he brothered and the one most resembling him in word and in deed. Had they followed this great Imam he would have led them on the clear road which the Holy Prophet wanted them to take. Due to many regressive evolutions born during after and before the days of the Third Caliph the Muslims failed to follow this unique Imam and their loss was great.

Imam ‘Ali was assassinated and many unrighteous caliphs came after him. Hundreds of them ruled after this Imam some through semi election and most of them were imposed on the people by force.

The overwhelming majority of these caliphs were not from the kind about whom the Almighty said: "Those who if We established them in the land they would establish prayer and pay the poor due and enjoin good and prohibit evil." They were rather bad examples for the Muslims and people are followers of their leaders except some exceptional ones.

Two Days Out of a whole Year

Thus the Muslims for centuries after the period of the four Righteous Caliphs were plagued with crises civil wars and untold miseries. If we compare the period of the Two Caliphs with the period during which the Umayyads Abasside and Otoman caliphs ruled it would be like comparing two bright days to a whole dark year. It would not be logical to overlook the darkness of a whole year and remember only the two bright days. This should be sufficient to prove that the nation was in need of leaders chosen directly or indirectly by the Holy Prophet.

The aim of the Islamic message is the continuation of the rule of the Holy Qur'an along with the instructions of the Holy Prophet and the realization of the goal which the Holy Qur'an declared:

"He* (*The Almighty*) *is the One who sent His Messenger with the guidance and the religion of truth to make it prevail over all religions though the Pagans may be averse." The Holy Qur'an chapter 9 verse 33.

To make the realization of this goal possible the Messenger was expected to offer to his nation what he could offer of guarantees for the continuity of the message and its diffusion throughout the world for generations to come. The first of the needed guarantees is to choose the best qualified person to take his place when he is absent and succeed him after his death.

When such a successor comes to power he would be expected to do as the Holy Prophet did. He chooses his own successor and that would be expected to be well qualified for leadership. This is because the first successor who was the Prophet's appointee is holy enough to have higher perception

than other people.

The successor in his turn is expected to follow the same road and to continue until the Qur'anic goal is realized and the adherence to the Islamic teaching becomes a second nature to the Muslims regardless of differences of language nationality and race.

The Dangers Which Were About To Face The Nation

The second reason which invites us to believe that choosing a leader for the nation after the death of the Messenger was of the prime functions of the Messenger is that the Messenger was aware of what the Nation was about to face of crises.

The first of those crises appeared during the life of the Holy Prophet. Musailimah the Liar and Al-Aswad Al-Anasi appeared while the Prophet was still alive. They claimed prophethood and they found followers and their dangers were growing. The Holy Messenger expressed his expectations of many faithtesting crises that will come after his death.

Al-Hakim in his Al-Mustadrak1 Imam Ahmad in his Musnad2 Ibn Hisham in his Al-Seerat3 and Ibn Saad in his Al-Tabaqat4 recorded that Abu Muwaihibah servant of the Messenger said the following:

"The Messenger told me (at a night before his last ailment): 'Abu Muwaihibah I have been commanded to pray to God to forgive the Muslims who are buried at the cemetery of Al-Baqee-a. Come with me.' I went with him.

When he stood in the midst of the graves he said: "Peace be upon you inhabitants of the cemetery. Congratulations on your condition which differs from the conditions under which the people are living. I wish you knew what God has saved you from. The faith-testing crises are coming like pieces of a dark night following each other. The last is worse than the first.".

The Prophet Predicted Companions'Failure in Test

The Holy Prophet informed the Muslims that many of his companions will lose their faith after his death. Here are a number of hadiths which speak clearly of that:

Al-Bukhari (in part 8 of his Sahih) in the book of prayers the section of "Al-Houdh" (the Basin) p. 149 recorded that Anas reported that the Prophet said: "Men from my companions will come to me on the day of judgment while I am at Al-Houdh (the Basin). When I recognize them they will be taken away. I say: My Lord these are my companions. He will say: You do not know what they innovated after you."

From the same source p. 150 we find that Abu Hazim reported that Sahl Ibn Saad said that the Holy Prophet said:

"I shall be the first among you to come to the Basin of the Water on the Day of Judgement Whoever comes to me will drink and whoever drinks will never become thirsty. Groups will come to me on that day I know them and they know me. Then they will be separated from me.".

Abu Hazim said: "Al-Naaman Ibn Ayyash said: Did you hear it from Sahl this way? I said: Yes. He said: I testify that I heard Abu-Sa-eed Al-Khidri adding to it the following: "Then I say: They are from me. I will be told: You do not know what they innovated after you. I say: Woe to those who changed after me.".

Muslim in his Sahih recorded this hadith in part 15 pp. 53-54 Al-Bukhari also reported that Sa-eed Ibn Al- Musayyab said that Abu Huraira used to say that the Messenger of God said: "A group from my companions will come to me on the Day of Judgment (seeking to drink from the Basin) and they will be driven away from the Basin. I will say: My Lord these are my companions. He will say: You have no knowledge of what they innovated after you. They deserted their faith and retreated after you." (part 8 p. 149)

Sa-eed Ibn Al-Musayyab used to say that the companions of the Holy Prophet said that the Prophet said that. And on p. 151 recorded that Ata-a Ibn Yasar said that Abu Huraira reported that the Prophet said:

"While I am standing a group of men will come and when I recognize them a man comes between me and them and he will say (to them) 'Come with me.' I shall say: 'Where to?' He will say 'To the Fire by God.' I shall say: 'What is their problem?' He will say 'They deserted their faith and retreated after you.' Then another group (will come). And when I recognize them a man comes between me and them. Then he will say to them 'Come with me.' I shall say 'Where to?' He replies 'To the Fire.' I say 'What is their problem?' He says 'They deserted their faith and retreated after you. I see only a few like abandoned camels will be saved from among them.'".

Al-Buknari (in part 4 of his Sahih) in the book of the Beginning of the Creation under the caption: "And God took Abraham as a friend " p. 169 recorded that Sa-eed Ibn Jubair reported that Ibn Abbas said that the Holy Prophet said: "You will be resurrected barefooted naked uncircumsized."

Then he recited the following verse: 'As We started the first creation We shall re-create it. This is a promise from Us. Certainly We shall do it.' And the first one to be clothed on the Day of Judgment will be Abraham. There will be people from my companions who will be taken to the left. I will say: My companions my companions. God will say: They deserted their faith since you left them. I shall say as the good servant of God (Jesus) said: I witnessed them as long as I was with them...”

Muslim in his Sahih recorded that Abdullah reported that the Messenger of God said: "I am your first at the Basin of the water on the Day of Judgment and I shall be disputed concerning some groups and they will be taken away from me. I shall say: "My Lord these are my companions. It will be said to me: You do not know what they innovated after you." (part 15 p. 59)

Muslim in his Sahih (part 15 p. 64) recorded also that Anas Ibn Malik reported that the Holy Prophet said: "Men from my companions will come to drink from the Basin on the Day of Judgment. When I see them and they come to me they will be barred from me. I shall say:

My Lord (these are) my companions. And I will be told: Certainly you do not know what they innovated after you." The Messenger of God foresaw through the Light of God the near future of his nation frought with crises which will test the faith of the believers. He congratulated the companions who died during his time because they did not live until the days of those faith-testing crises. It is inconceivable that he let his nation face such crises after him without providing the nation with the best qualified leader who could lead the Muslims to the right road if they chose to follow him.

The Prophet is the guardian of the Muslims. When a father knows that his children are surrounded by dangers of which they are unaware he should not leave them without the best possible means which they can use if they choose to pass the dangers safely. The Prophet is too great to leave the nation whom he loved so dearly without any guardian or security against spiritual dangers.

When the Holy Prophet knows that his nation will be in such a difficult position after his death it becomes his most important duty to choose a navigator that leads the ship of the nation to avoid her the perilous waves of the crises which he expects his nation to pass through.

This would be his important duty regardless of the nature of the principles of his reformatory message and its consonance or inconsonance with election. Should the nature of the Islamic principles be consonant with the election and the election be safe under normal circumstances it would not be safe at the exceptional situations which the Holy Prophet expected his nation to pass through.

To leave the nation to the chances of election during those dangerous circumstances would be a negligence of the trust which would not be committed by the greatest trustee and the master of the Prophets who was sent to mankind to lead them to the right path and spare them spiritual crises.

The Need for an Authority in Interpretation of the Qur'an and Communication of the Prophet's Instructions

There is a third reason which makes us expect the Messenger to deputize a person to lead the nation after his absence. The Heavenly message as the Messenger left it needed an exponent who could inform the nation about its details.

The Messenger left to his nation the Book of God and the instructions of the Prophet and he commanded the nation to follow these two important guides.

Interpretation of the Qur'an

The Book of God can be interpreted in more than one way. Its true interpretation is not known even to the great Muslim scholars. The Muslim scholars disagree and have various opinions. Each group of them cites the Holy Qur'an as evidence on its opinion. To illustrate this we mention the following: Some scholars believe that man's touch of a woman in any form spoils ablution. These scholars cite for their opinion the following Qur'anic verse:

"... If you are ill or on a journey or one of you comes from offices of nature or ye have been touching woman and ye find no water then take for yourselves clean soil and rub therewith your faces and hands. For God does blot out sins and forgives again and again." The Holy Qur'an chapter 4 verse 43.

These scholars take this verse as evidence on their opinions because they understand from the word "touching woman" the mere touch of any part of a woman's body. Therefore they believe that renewal of ablution would be necessary when a person touches the hand of his wife even unintentionally.

Some of the scholars believe that mere touch of woman does not spoil ablution. What spoils the ablution is intercourse. They cite for their opinion the verse itself because they understand from touching women what is beyond the mere touch.

The Muslim scholars disagree on some aspects of the ablution. Some of them believe that washing both feet is a part of the ablution. This group can cite the following verse:

"O ye who believe when ye prepare for prayer wash your faces and your hands to the elbows; and wipe your heads and your feet to the ankles..." The Holy Qur'an chapters 5 verse 8.

Some of the authorities on reading the Holy Qur'an read the verse in a way that it appears to make the feet join the face so both would be washed.

Another group of scholars believes that the feet are to be wiped rather than washed and this group can cite the same verse because some of the authorities in reading the Holy Qur'an read the verse in a way that it appears to have the feet join the head. So as you wipe your head you wipe your feet.[5]

In matters belonging to the creed of Islam which is more important than the details of ablution we find the Muslim scholars divided and each division cites for its opinion verses from the Holy Qur'an. To illustrate this we mention the following:

The advocates of predestination cite the following verses for their opinion:

"Thou makes whomever thou chooses unguided and guides whomever thou chooses... " (***The Holy Quran Chapter 7 verse 155***)

Again:

"You cannot lead to the right road whomever you love but God leads whomever He Chooses..." (***The Holy Quran Chapter 28 verse 56***).

"And you shall not will unless God wills..." (***76:29-30***)

The advocates of man's freedom and that he is not predestined to follow a specific course in his action or inaction also cite verses from the Holy Qur'an of which are the following:

"...God does not change the condition of a people until they change their own condition..." (***Chapter 13 verse 12***).

"And man has not but what he works for and that his work shall be seen." (***Chapter 53 verses 40-41***)

In the relation of the people to their ruler a group of Muslim scholars believe that people have to obey the ruler and not oppose him even if he is a transgressor. These scholars can cite for their opinion the following verse:

"O you who believe obey God and obey the Apostle and people of authority among you..." (***Chapter 4 verse 59***)

The verse may be understood to command the Muslims to obey their leaders even if they were transgressors. disobedient to God in words and deeds.

Other scholars believe that when the ruler is neglecting the interest of the nation and administers its affairs opposite of what God has commanded he is to be disobeyed and overthrown. They can cite for their opinion the same verse because it commands the Muslims to obey God and His Messenger and when the transgressor ruler commands people to follow the wrong road his disobedience would be imperative. To disobey such a ruler is to obey God and His Messenger and to obey him is to disobey God and His Messenger.

These are only a few of many examples where scholars with contradictory opinions can cite a verse or verses from the Holy Qur'an and each one of them tries to show the agreement of his opinion with the Qur'an. Yet the Holy Qur'an does not contradict itself and its true meaning cannot agree with contradictory opinions.

Therefore some of the parties who contradict each other must be wrong. Who should inform us of the true meaning of the Holy Qur'an after the Holy Prophet departed from this world? Should that be left to election? Election of a person does not make him aware of the true interpretation of the Holy Qur'an.

This is our situation with the Holy Qur'an which was recited by the Messenger and memorized by his companions who recited it day and night and every one of its verses was written during the time of the Messenger. What would be our situation with the instructions of the Holy Prophet? Do we need an

authority to resort to in this area?

The answer is in the affirmative.The answer is in the affirmative.

Categories of Hadiths

The instructions of the Holy Prophet were not written during his time; nor did he as far as we know advise any of his companions to write them. Most of the Prophet's instructions had not been written in any of the known books during the first century after the Hijra.

Very few hadiths were written during that period. What was recorded during the second century and afterwards was mostly uncertain. The absolute majority of the hadiths which reported those instructions were narrated by one or a small number of reporters.

The first reporter was a companion. The companion did not record the hadith; nor did the one who heard from him. The same thing happened with the third and the fourth until the hadith passed through many mediums. Finally the hadith was recorded but many hadiths were sifted and recorded in what are called Sahihs or Authentics but that did not free them completely of discrepancy.

Most of the hadiths which are free of contradictions cannot generate certainty. The hadiths are the sources of information about the words or the deeds of the prophet or his silent approvals. But these sources of information are mostly uncertain for the following reasons:

Hadith by Numerous Reporters

These sources of information are of two kinds: One kind is what we call "Mutawatir." The "Mutawatir" hadith is a statement or an action of the Prophet which was reported by numerous companions. These companions reported what they heard or witnessed.

The report of each one of these companions arrived to us through independent and reliable channels. This kind of hadith is the best source of religious information after the Holy Qur'an. For this kind of hadith generates certainty in our minds in relation to reported statements or actions of the Holy Prophet.

Unfortunately hadiths of this kind are not abundant The books of hadith do not contain sufficient quantities of this type of hadiths to inform us about the details of the Islamic teaching and the Prophet's instructions.

Hadith Reported by Few

The absolute majority of the hadiths came to us through channels in which one narrator reported what he heard from another who heard it from a third and so on until we get back to reports which were heard from a companion who had heard the statement from the Prophet.

This kind of hadith does not make us certain that the Messenger said or did what the hadith reported. Certainty takes more than one or two sources of information to be generated. Let us remember that the companion who was the first of the reporters did not record the statement in a book. He only delivered it verbally to his student and the recipient delivered it to his student until it finally was recorded.

Let us remember also that many of the reporters including some of the companions of the Prophet were not reliable.

To say that all the companions were righteous is illogical. A good number of them such as Muawiya Amr Ibn Al-Aws Samarah Ibn Jandab Naaman Ibn Basheer Mughirah Ibn Shu-Abah Walid Ibn Aqabah Abdullah Ibn Abu Sarh and even Talhah Al-Zubayr and others had participated in (or caused) the shedding of blood of good Muslims in order to reach high positions. Many of them were assisting the rulers who shed Muslims' blood.

Some of them such as Abu Hurairah was extravagant in reporting what he claimed to have heard or witnessed from the Prophet. The number of the hadiths of Abu Hurairah is larger than the total hadiths which were reported by the outstanding companions put together in spite of their long companionship to the Prophet and the short time of the companionship of Abu Hurairah to the Prophet.

We had already mentioned in this chapter that the messenger stated in many authentic hadiths which were reported by Al-Bukhari and Muslim that many companions of the Prophet will stray from his path after his death that they will be sent on the Day of Judgment to the place of punishment and that the Holy Prophet will declare on that day that he is clear from them.

The hadith specialists are not in agreement on the reliability of many of the reporters; one scholar testifies for the reliability of a narrator and another one testifies for his weakness. However we ought not forget that the reliable reporter is susceptible to forget or to be erroneous in his report.

An outstanding companion may report a hadith believing in the truthfulness of what he reported and believing that he understood what the Messenger said even though he may be mistaken. Muslim reported in his Sahih that ‘Umar Ibn Al-Khattab said to his daughter Hafsah that the messenger said "The deceased would be punished by the cry of his family” and that his son Abdullah reported the same.

When Ayeshah was informed of the report of ‘Umar and his son Abdullah she said "No by God the Messenger of God never said that the deceased would be punished for the cry of anybody. But he said the punishment of the unbeliever would increase by the cry of his family and no soul bears the burden of another soul." And that when she was informed of the report of ‘Umar and his son she said: "You are telling me about two persons who are neither liars nor discredited but the ear may mishear."[6]

According to another hadith: When she heard that Ibn ‘Umar reported that hadith she said: "The Prophet only said: "He (the deceased) is being punished for his sin while his family is crying for him."[7]

The two Sheikhs reported that Amir Ibn Masrooq said to Ayeshah: "Did Muhammad see his Lord?" She said: "My hair stood up because of what you said. Do not overlook the fact that there are three items whoever informs you that they took place would be lying. Whoever informs you that Muhammad saw his Lord lies. Then she recited:

'The eyes do not see Him and He sees all the eyes and He is the invisible the knower... ' Muslim reported this and added that Amir said: I was reclining. When I heard what she said I sat up and said: Did not God say 'And he had seen Him yet another time?' She said: 'I am the first one who asked the Messenger of God about this saying: Messenger of God did you see your Lord? He said: 'No I only saw Gabriel coming down.'8

This means that we know only little (with certainty) of the teachings of the Holy Prophet (which is called Sunnah). It is what we learned through the "Mutawatir" hadiths which were reported independently by numerous reporters whose cooperation in forging a lie would be improbable. These "Mutawatir" hadiths are very few.

Most of the hadiths are not of this type. They were reported only by one or a small number of reporters. Such hadiths would not produce certainty even if they were authentic and their reporters considered reliable because a reliable person can forget or misunderstand what he heard.

Of course it is our duty to accept this kind of authentic "non-Mutawatir" hadiths because some verses from the Holy Qur'an advise us to accept these hadiths.

We have the right to accept these hadiths and we are excused in the eyes of God if those hadiths were not in agreement with the fact. Yet the goal of the Islamic message is to follow the actual meaning of the Qur'an and the certain instructions of the Prophet rather than the uncertain kind. Straying from the right road is nothing but a disagreement with fact. What the Holy Prophet aimed at was to leave to his nation what secures it against straying.

It is reported through numerous channels that the Messenger of God said in his sermon during his valedictory pilgrimage the following:

"Certainly I have left for you what if you uphold you will never go astray: The Book of God and the members of my House..."9

It is recorded also in Al-Muwatta by Imam Malik and by Ibn Hisham in his Biography of the Prophet that the Holy Prophet said during the Valedictory Pilgrimage the following:

"... O people understand my word for I have delivered (the message) to you and I have left for you what if you fortify yourselves with you will never go astray: A clear teaching: The Book of God and Sunnah (the instructions) of His Prophet..."

The two hadiths indicate that the goal of the Messenger was to insure his nation against error. The first

hadith contains a clear message which is easy to understand. If the members of the House of the Holy Prophet had possessed the knowledge of the interpretation of the Holy Qur'an and the actual instructions of the Holy Prophet the nation will know through the two sources the exact truth.

To understand the second hadith we need some kind of interpretation in order to make its contents conceivable.

This hadith tells us of two things:

1. That we have to follow the Book of God and the instructions of the Holy Prophet.

2. Adherence to these two sources is a security to the Muslims against straying. Yet following the Book of God and the instructions of the Holy Prophet may secure us against straying only if the meaning of the words of the Book of God and the real instructions of the Holy Prophet are known with certainty. The known meaning of the Book and the known instructions of the Holy Prophet unite the Muslims.

Therefore the Muslims are in full agreement about every Muhkam (clear) verse which has a clear message and about every known instruction from the Holy Prophet. But when the outward meaning of a verse is in conflict with the outward meaning of another verse and we need to interpret this or the other one the interpretation multiplies and all of them become uncertain. If each party follows what it chooses of such interpretations the Muslims would be bound to stray from the right road.

This is because the interpretations contradict each other and some of them have to be wrong. This is surely in disagreement with what actually was meant by the two verses.

The Messenger informed us through the fortification hadith (the second hadith) that if we fortify ourselves with the Holy Qur'an and the "Sunnah" of the Holy Prophet we would be secured against straying and deviation. The fact remained that he left to us the Holy Qur'an with written and known verses but he did not leave us written hadiths. He left us a small number of "Mutawatir" (well known hadiths) and a large number of non–"Mutawatir" hadiths which do not represent a security against straying because they produce conjecture rather than certainty.

The various Islamic schools are physical evidence that the Holy Qur'an and the hadiths were not a security to the nation against straying. The scholars who formed those schools were relying in their verdicts on the Book of God and the "Sunnah" of the Holy Prophet yet they did not agree on the details of the rules. Had they been in agreement we would have had only one school.

By the existence of varieties of schools the difference among Muslims took place. This difference brought struggles and hostilities and sometimes a great deal of blood shedding. All that proves that the nation had strayed from the right road in spite of the endeavors of its scholars to try to follow the Qur'an and the "Sunnah.".

Yet we know that the Holy Messenger does not say but the truth and he according to the fortification

hadith said that the Holy Qur'an and his "Sunnah" are security against straying. This should make us realize that the meaning of the word "Sunnah " is the known Sunnah rather than the surmised Sunnah.

Since the "Sunnah" of the Holy Prophet was not known to the Muslims the Holy Prophet should have left to his nation a means through which the nation can know if it chooses the real teaching of the Holy Prophet with certainty and be able through that means to know the real meaning of the Holy Qur'an.

It would be logical to assume that "means" is a person who knows the interpretation of the Holy Qur'an and the actual teaching of the Holy Prophet. That man represents the Holy Prophet in teaching his nation what that nation needs to know of the "Sunnah" of the Holy Prophet and the interpretation of the Book of God.

Could election secure this kind of leadership which can inform the nation completely about the interpretation of the Holy Qur'an and the actual teachings of the Holy Prophet?

The nation cannot obtain that knowledgeable leadership through election. The nation can give its leadership to whomever it chooses but it cannot make that chosen leader knowledgeable of the "Sunnah" of the Holy Prophet.

Election of a person by the nation does not change his personality nor would it make him knowledgeable if he is ignorant; nor would it make him profoundly knowledgeable in the Book of God and the teachings of the Holy Prophet if he does not know it. Thus we logically come to the conclusion that the Holy Prophet should choose for his nation a knowledgeable leader who would be entrusted to perform the mission of keeping the nation on the right path.

The Prophet would not leave the matter to the election by the people. We are certain of this because we know that the nation did not elect after the death of the Holy Prophet the most knowledgeable among his students for its leadership.

Was there among the Muslims such a knowledgeable person? And did the Holy Prophet choose that knowledgeable one for the leadership of the Islamic nation? You may find the answer in the following chapters.

1. Al-Hakim Al-Mustadrak part 3 p. 53.
2. Imam Ahmad Al-Musnad part 3 p. 489.
3. Ibn Hisham Al-Seerat Al-Nabaweyah part 2 p. 642.
4. Ibn Sa'd Al-Tabaqat part 2 p. 204.
5. Al-Fakhr Al-Razi in his Commentary on the Holy Qur'an chapter 5 mentioned that Ibn Kathir and Assim and Hamzah read the verse in a way indicating the wiping rather than washing the feet is the duty in the ablution. He also mentioned two other readers: Nafi-a and Ibn Amir along with Assim read the verse in a way indicating that washing rather than wiping the feet is the duty (conveyed by Sheikh Mahmoud Shaltut in his "Tafsir Al-Qur'an" Commentary on Chapter 5)
6. Muslim in his Sahih part 6 pp. 230-232.
7. Mahmoud Abu Rayyah Adwa' Ala Al-Sunnah Al-Naba- weyah p. 74 (edition 3)
8. Mahmoud Abu Rayyah Adhwa Ala Al-Sunnah Al-Naba- weyah p. 74.

9. Al-Tirmidhi in his authentic Sunan part 5 p. 328 (hadith no.3874)

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