



REVEALING
THE TRUTH

Ijtihad and the companions

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This article is our reply to Nasibi's defences of Hadhrath Ayesha and Mu'awiya - namely that their acts of insurgency and rebellion against Imam 'Ali (as) were based on Ijtihad for which they shall be rewarded.

In Islam all people are equal in the eyes of Allah (swt). As Muslims we are required to live our lives in accordance with the dictates of the Qur'an and Sunnah. If we look at the Muslim countries today we see leaders plundering the nations wealth; they commonly put friends and relatives in to positions of power, they likewise plunder the state's wealth. They commit acts that cause revulsion amongst the public, and yet they are 'above the law' you cannot question their actions. We hate this, we believe they should be brought to task; **accountability** is a key component in Islam. We all must comply with it and we are all responsible if we break it, no matter who you are, who you know, who you are related to. We have the verse in the Qur'an making it clear that we will be judged according to our actions on the Day of Judgement. Furthermore we have the following incident recorded in books of hadith:

"A woman belonging to a high and noble family was arrested in connection with a theft. The case was brought to the Prophet, and it was suggested that she may be spared the punishment of theft. The Prophet replied: "The nations that lived before you were destroyed by God because they punished the common man for their offences and their dignitaries go unpunished for their crimes; I swear by him (God) who holds my life in his hand that even of Fatima, the daughter of Muhammad has committed this crime, then I would have amputated her hand".

[*Human Rights in Islam, by Abul A'la Maudoodi page 35-36, published by the Islamic Foundation, United Kingdom 1976*]

This event makes it absolutely clear that:

- 1) All are accountable for their actions
- 2) You will be accountable irrespective of nobility

This is the justice of Allah (swt) the justice which Islam proclaims. With this clear evidence how would you feel if legislation were passed stating that you can never question the actions of members of the ruling party, no matter what they do? Would the reasonable person accept such a law? Certainly not, on the contrary this would be a clear violation of the Qur'an and Sunnah. Bearing this in mind it is most unfortunate that the majority sect has formulated an opinion that if the companions perform such violations, they are not in error and hence NOT accountable before Allah (swt), as their actions were due to mistakes in their Ijtihad.

The verdict of Ahl'ul Sunnah on the disputes between the companions

This is the Fatwa of the Wahabi scholar Shaykh Muhammad Al-Saleh Ul-Uthaimin on this matter:

"We believe that the disputes that took place among the Prophet's companions were the result of sincere interpretations they worked hard to reach. Whoever was right among them would be rewarded twice, and whoever was wrong among them would be rewarded once and his mistake would be forgiven" [*The Muslim's Belief, by Shaikh Al Saleh Al Uthaimin, translated by Ar Maneh Hammad al Johani, p 23*]

What sort of justice is this? If the companions commit any wrongdoing, not only are they unaccountable they are forgiven and rewarded for it! If the beloved daughter of the Prophet (s) is not above the law, then why are the companions?

Why adhere to such a belief?

The reality is that this concept has been developed by the scholars to in effect provide blanket immunity for those companions who committed major wrongs. Whilst the casual reader would be horrified by their actions his childhood beliefs that the companions actions were mistakes for which they would be rewarded have effectively subdued the majority to not think about what they read.

Never has the desire to believe in mistakes in Ijtihad been more important for the followers of the companions than when looks at the battles of Jamal and Sifeen. Here two groups of companions met each other on battlefield and fought one another. The same companions who had sat with the Prophet (s) were killing one another. As these battles are undeniable facts, and uncomfortable reading for scholars whose attitude has been all the companions are just, the concept of Ijtihad has proved to be a 'protection clause' a means of maintaining beliefs in the presence of facts which would otherwise create doubts in those beliefs. Ibn Khaldun exemplifies this thinking as follows:

"Beware! Do not speak ill of anyone of them. One ought to find some justification for each faction for they deserve to be rated highly by us. They differed on principle and rightly fought the battle. All those who were killed or were slain were fighting in the way of God for upholding truth and justice. Rather, I think that their differences were a blessing for the latter generations so that every one may choose anyone of them as his guide and Imam. Keep this in mind and try to understand the divine wisdom governing the world and the beings". *Tarikh e Islam by Akbar Shah Najeeb Abadi, Vol 2 p 145. Quoting Muqqadimah, by Ibn Khaldun p. 172*

The Ijtihad attributed to the companions who rose against Imam 'Ali (as) contradicts the Qur'an, the Sunnah and sheer common sense

It should be pointed out that both Sunni and Shi'a adhere to the concept of Ijtihad as a legitimate source of Islamic Law. We however assert that Ijtihad can only be exercised when there is no clear ruling within the Qur'an or Sunnah with regards to a particular matter. Ijtihad is therefore essentially the last resort, it cannot be utilised when solutions are evident in the Qur'an and Sunnah, and crucially Ijtihad can never be exercised when it is in violation of the Qur'an and Sunnah.

What gave one party the right to rebel and behave in this way against a Khalifa whom the vast bulk of Muslims deems rightly guided? Do these actions not therefore set a precedent that if you do not agree with a Khalifa you can mount armed rebellion against him? Would the common man ascribe to the view that ousting a Leader over a difference of opinion through armed rebellion is not only good but will be rewarded even if it is wrong? The Holy Qur'an states quite categorically: **"And whoever kills a believer intentionally, his recompense shall be hell, he shall abide therein and God's wrath (Ghazibullaho) shall be on him and his curse (lanato), and is prepared for him a great torment"** (Surah Nisa, v 93). With this verse in mind, history testifies that during the battles of Sifeen and Jamal 70,800 Muslims lost their lives. What is the position of the killers here? Does this verse not applicable to them? If these individuals opposed the Khalifa of the time and were responsible for spreading Fitna (dissension) and murder, what will be their position on the Day of Judgement?

If for arguments sake, this concept is indeed correct then why should any disputes be resolved in court? After all if there is a dispute between two groups of Muslims, why should they be punished? Can they not advance a defence that they were following the way of the companions and that whoever was right will receive one reward from Allah (swt) and whoever was wrong will get one reward and be forgiven. Should they not be encouraged to continue to fight and kill one another in the same way that the companions did?

Defending the indefensible

Despite such clear evidence - namely the verdicts of the Qur'an, the Sunnah, the Sahaba and the Ahl'ul Sunnah Ulema themselves, the majority school still maintain the belief that all the companions should be revered and committed mistakes in Ijtihad. In doing so they fall deeper into the quagmire of contradiction, inconsistency and absurdity. The perfect example of contradiction is evident if one analyses the rulings of the Wahabi scholar Shaykh Naasir al-'Aql whilst setting out the creed of the Ahl'ul Sunna wa al Jamaah. He proudly proclaims in the preface: **They are called the Jamaa'ah because they are the ones who gather upon the truth and do not split-up in their Religion; they gather upon the legitimate rulers and do not rebel against them; and they follow the consensus (ijma') of the Pious**

Predecessors of this Ummah". *The General precepts of Ahlus-Sunnah wal-Jamaa'ah, by Shaikh Naasir al-'Aql, p 12.*

Perhaps the Shaykh should also answer this question 'was Imam Ali (as) a legitimate ruler?' Clearly he was, he is deemed the fourth rightly guided Khalifa in the eyes of Ahl ul Sunna. To rebel against the legitimate leader according to Al' Aql takes you out of the Jamaa'ah. Did prominent companions not break ranks and rebel against Imam Ali?

Rising against Ahl'ul bayt can never be deemed a mistake in Ijtihad

The Prophet (s) had made an explicit instruction during the farewell pilgrimage, namely **"I am leaving you two weighty things, if you follow them you will never go astray, they are the Qur'an and my Ahlul'bayt"**. sahih al-Tirmidhi, v5, page 662-663

This meant that in all circumstances it was incumbent upon Muslims to attach themselves to the Family of the Prophet (s). At no point did he (s) ever say that it would be permissible to fight them, at no time did he state those that fought them would be rewarded because they exercised Ijtihad. On the contrary, Hadhrath 'Abu Bakr narrates: **"I saw the Messenger of God pitch a tent in which he placed 'Ali, Fatima, Hasan, and Husayn. He then declared: 'O Muslims, I am at war against anyone who wars against the people of this tent, and am at peace with those who show peace toward them. I am a friend to those who befriend them. He who shows love toward them shall be one of a happy ancestry and good birth. Nor would anyone hate them except that he is of miserable ancestry and evil birth"**. [Abu Ja'far Ahmad al-Muhib al-Tabari, *Al-Riyad al-Nadira (Cairo, n.d.), Volume 2, page 199*]

Is there anything more explicit than this instruction? Those who fight them are fighting the Prophet (s). Can fighting the Prophet (s) ever be deemed as a mistake in Ijtihad for which the perpetrators will be rewarded? By Hadhrath 'Abu Bakr's own admission fighting the Ahlul'bayt is on par with fighting the Prophet (s) so how can Ijtihad be used as a defence for those that fought Hadhrath 'Ali (as)?

The Sahaba never proclaimed that they had mad mistakes in Ijtihad

This is a very interesting point. There exists no statement from history in which any Sahaba who fought Imam Ali (as) declared that they had exercised Ijtihad that was wrong but they would be rewarded for it. Their advocates have only formulated this - years after their departure. Hadhrath Ayesha's own damning confession proves clearly that she did not believe that Allah (swt) would forgive her for her opposition to Ali (as). **"Hadhrath Ayesha narrates the Prophet said 'Allah asked me 'Whoever doesn't accept Ali's khilafath and rebels and fights him is a kaffir and will perish in the fire' Someone asked her 'Why did you rebel and fight him?' She replied 'I forgot this Hadith on the Day of the Battle of Jamal, I remembered it again when I returned to Basra and I asked for Allah's forgiveness, I don't think that I will be forgiven for this sin"** *Mawaddatul al Qurba p 32 by Sayyid 'Ali Hamdani, Chapter "Mawaddathul Saum"*