(.Hadith Recordation by Imam Musa al-Kazim (A.S

Following the course of his forefathers, Imam Mu-sa- al-Ka-dhim paid great attention to the question of recording the religious knowledge and safeguarding such recordations in general and the Book of Imam `Ali- in particular. However, the recording of the Hadi-th during the age of the Imam took another form. The Imam, from behind the bars of al-Rashi-d's jail, had to use the form of the secret correspondence that he sent to his disciples answering their questions concerning religious affairs.

According to narrations, Imam Mu-sa- al-Ka-dhim, remained in prison for seven years on the order of `Abba-sid ruler, Ha-ru-n al-Rashi-d. Other narrations defined fifteen years as the period spent by Imam Mu-sa- al-Ka-dhim in the prison. At any rate, such a long period of imprisonment naturally necessitated the style of correspondence; therefore, the Imam used to exchange letters with his disciples some of whom used to visit him secretly and ask him about religious affairs although the style of correspondence was dangerous because the ruling authorities could have found such letters and investigated about the matter.

On the other hand, the intellectual and material luxury during the reign of al-Rashi-d caused the majority of the righteous and pious people to confine themselves to their houses and betake the methods of Sufism and seclusion. In no time did these practical methods change into intellectual aspects producing dangerous notions in Islam. Consequently, Imam Mu-sa- al-Ka-dhim had to concentrate on this field and show the actual meaning of asceticism as well as the genuine trend of Islam. One of the Imam's efforts caused Bishr al-Ha-fı- (the barefooted) to convert from the state of ultimate luxury and corruption into a superior state of asceticism and piety by virtue of the Imam's sound presentation.

The prison, the attempts of amending the deviations, and the sound treatments of the innovative schools—all these matters caused the religious course of Imam Mu-sa- al-Ka-dhim to slightly stand behind the lights that concentrated on the abovementioned aspects.

In spite of the presence of all these trends, the features of the recordation of the religious knowledge can be obviously seen in the conduct of Imam Mu-sa- al-Ka-dhim. Nevertheless, these features are less than they are with Imam Muhammad al-Ba-qir and Imam Ja`far al-Sa-diq. In this respect, Mu-sa- ibn Ibra-hi-m Abu--`Imra-n al-Maru-ziy al-Baghda-diy narrated

that he heard from Imam Mu-sa- al-Ka-dhim,

during his having been in the prison of the `Abba-sid ruler, some questions that the Imam narrated on the authority of his father on the authority of his forefathers on the authority of the Holy Prophet. These questions have been recorded by Shaykh al-Tu-siy[1160]and al-Naja-shiy.[1161] It has been also recorded by al-Halabiy, in his book of Kashf al-Dhunu-n, who says, “It has been also narrated by Abu--Na`i-m al-Isfaha-niy.” Depending upon al-Halabiy, Mu-sa-ibn Ibra-hi-m also narrated these questions.[1162]This book has been reprinted many times.

Imam Mu-sa- al-Ka-dhim had the Book of Imam `Ali- with him. Imam Ja`far al-Sa-diq introduced him to al-Mufaddal ibn `Umar as “the holder of the Book of `Ali-.” Al-Nu`ma-niy, in his book of Kita-b al-Ghaybah, has narrated on the authority of `Abd al-Wa-hid, on the authority of Ahmad ibn Muhammad ibn Raba-h, on the authority of Ahmad ibn `Ali- al-Himyariy, on the authority of al-Hasan ibn Ayyu-b, on the authority of `Abd al-Kari-m ibn `Amr al-Khath`amiy that al-Sa-'igh said that he heard al-Mufaddal ibn `Umar asking Imam Ja`far al-Sa-diq, “Is it possible that Almighty Allah imposes upon us to obey one of His servants but He does not acquaint him with the news of the Heavens (i.e. the hidden knowledge)?”

The Imam answered, “Be it known to you that Almighty Allah is too elevated, too generous, to merciful to his servants, and too compassionate to order of obeying a servant but He then conceals the hidden knowledge from that servant; rather Almighty Allah acquaints him with the hidden every day and night.”

Meanwhile, Abu’l-Hasan (Imam Mu-sa- al-Ka-dhim) attended that conversation. Imam Ja`far al-Sa-diq, hence, asked al-Mufaddal, “Would like to see the holder of the Book of `Ali-?”

Al-Mufaddal said, “Nothing will ever delight me more than seeing that one.” Imam al-Sa-diq, pointing to Imam al-Ka-dhim, said, “This is the holder of the Book of `Ali-.”[1163]

Ahmad ibn `I-sa- al-Ash`ariy, in his book of al-Nawa-dir, has narrated that he heard Ibn Abi--`Umayr saying that `Ali- ibn Yaqti-n asked Imam Mu-sa- al-Ka-dhim about the temporary marriage.

The Imam answered, “Why do you ask about such a matter while Almighty Allah has saved you

from it?" `Ali- ibn Yaqti-n answered, "I just want to learn its ruling." The Imam answered that in the Book of Imam `Ali-, it is written... etc.[1164]

It is worth mentioning that `Ali- ibn Ja`far learned at the hands of his brother Imam Mu-sa- al-Ka-dhim and then recorded that knowledge in a book entitled Masa-'il `Ali- ibn Ja`far. This book was reprinted several times and finally it has been published by The Mu'assasat A-l al-Bayt li-Ihya-' al-Tura-th (The A-l al-Bayt Foundation for Heritage Revivification) in Qumm - Iran. In addition, his disciples have narrated many other books and epistles from Imam Mu-sa- al-Ka-dhim who, also, objected to the innovative principles (Usu-l), such as analogy and Opinionism. These objections can be clearly found in his addresses to Suma-`ah ibn Mahra-n[1165] and Muhammad ibn Haki-m.

It has been narrated that Muhammad ibn Haki-m said to Imam Mu-sa- al-Ka-dhim, "May Allah accept me as ransom for you! We have learned the questions of our religion and by means of you, Almighty Allah has made us in no need for the people to the degree that we know the answer of each question that is ever put in any session that we attend.

This is of course out Almighty Allah's grace to us as a result of your presence among us. However, it happens that we face some questions the answers of which have not been known by us because we have not received anything from you or your forefathers in this respect. We therefore have to choose the best answer that jumps to our minds and select the answer that best suited the narrations that we have received from you."

Answering him, Imam Mu-sa- al-Ka-dhim said, "Far away is this! Son of Haki-m! Because of such (baseless verdicts), perdition has afflicted people."[1166] It has been reported that Abu--Yu-suf, once, asked Imam Mu-sa- al-Ka-dhim whether it is legal for a Muhrim to shade himself (or herself) under matters that should be avoided by the Muhrims.

The Imam answered no. Abu--Yu-suf then asked whether it is lawful for a Muhrim to sit under the shade of a wall, a howdah, or enter a house or a tent.

The Imam answered yes.

Abu--Yu-suf thus laughed mockingly, but the Imam said to him, "Abu--Yu-suf! The religion

cannot be exposed to analogy like yours and your teachers! Certainly, Almighty Allah, as is in His Holy Book, has enacted the law of divorcement and confirmed such with two witnesses stipulating that these two being decent. As is in His Book too, He has enacted the marriage but without witnesses.

Nevertheless, you have stipulated the existence of two witnesses in the matter about which Almighty Allah has not stipulated witnesses and canceled the stipulation of two witnesses in matters about which Almighty Allah has stipulated the existence of witnesses. Moreover, you have made lawful for the insane and the drunk to divorce. Similarly, when the Messenger of Allah went on the Hajj, he did not use the shade of anything nor did he enter a house or a tent; rather he shaded himself with a howdah and a wall. We are thus doing the same as the Messenger of Allah did."

This answer muted Abu--Yu-suf.[1167]

It is now obvious that the Book of Imam `Ali- was kept by Imam Mu-sa- al-Ka-dhim who acted upon it and showed before his disciples and others, especially in the controversial questions. In this respect, it has been narrated that Hamma-d ibn `Uthma-n asked Imam Mu-sa- al-Ka-dhim about the ruling appertained to the shares of inheritance of a man whose heirs are only his mother and brother. The Imam asked, "Do you want me to judge according to the Book of `Ali-?"

"Yes," answered the man.

The Imam then said, "(Imam) `Ali- used to give the inheritance according to the degrees of kinship." The man said, "This means that the brother's share is nothing."

The Imam commented, "I have told you that `Ali- used to give the inheritance according to the degrees of kinship."[1168] The Imam's answer in the abovementioned narration was the elucidation of the general rule without plunging into the details. The addressee understood the Imam's intention although the latter could not state the ruling openly for fear of the leverage of the ruling authorities and their fans who used to lurk each and every word that would be said by the Imam as reported from his forefathers and the Holy Prophet.

It is also noticeable that Imam al-Ka-dhim, in the previous narration, documented his answer by showing that it would be quoted from the Book of Imam `Ali- so that the asker would be certain of the accuracy of the answer and that the Imam would never answer out of his own conjecture as the others used to do.

A deep look into the presence of the Book of `Ali- with the Holy Imams demonstrates that the book slowly graduated until it manifested itself clearly during the ages of Imam Muhammad al-Ba-qir and Imam Ja`far al-Sa-diq. But it then began to abate during the age of Imam Mu-sa-al-Ka-dhim then began to graduate again, yet slowly, after the age of him.

This is because the genuine Muslim jurisprudence and the narrations from the Holy Prophet that were conveyed by his Household (i.e. the Ahl al-Bayt) who informed all the Muslims of the existence of the Book of `Ali- with them and that all their reports are from this book as well as other not less important books—all these matters were perfected to form an independent school of clear features during the ages of these three holy Imams. Accordingly, the intensive manifestation of the Book of `Ali- was purposed for consolidating and spreading the true knowledge of Islam. As a result, the majority of such intensive manifestation of the genuine Muslim jurisprudence happened during the ages of these three Imams.

Remark

It is evidently noticeable that the holy Imams used to refer to the Book of `Ali- particularly in matters appertained to the religious laws of inheritance, judicature, and testimonies; what is the secret beyond such particularization?

To trace the march of the history of the Muslim jurisprudence leads us to a serious reality that confirms the fact that has been documentatorily demonstrated in this book. This reality is that because the caliphs were in need for the religious authority while they failed to accomplished it, they had to prohibit the reporting and recordation of the Hadi-th. What is more is that because the elasticity in Opinionism and Ijtiha-d would greatly contribute in achieving their aims especially in hard times, they adopted and enacted it. To prove this fact, it is easily noticeable that the majority of the reports from the Book of Imam `Ali- were in the fields of the laws of inheritance, judicature, and testimonies.

As a matter of fact, the first jurisprudential controversy that occurred after the demise of the Holy Prophet was that which occurred between Lady Fa-timah al-Zahra-', the Holy Prophet's daughter, and Abu--Bakr, the caliph. This controversy aroused an enormous noise the sound of which has been heard all over ages up to the current day. The issue in brief is that when Abu--Bakr, having become the ruler of the Muslim community, confiscated the garden of Fadak from the attorney of Lady Fa-timah al-Zahra-', she came to him demanding with her property.

In the presence of the Muslims, she asserted that her father, the Holy Prophet, had donated that area to her exclusively. Yet, Abu--Bakr asked her to present witnesses supporting her claim. She therefore presented Imam `Ali-, al-Hasan, al-Husayn, Ummu-Ayman, and Ummu-Salamah. In that session, Abu--Bakr had to reject the testimonies of these people presenting excuses that were unacceptable for Lady Fa-timah al-Zahra-' for they were contradictory to the texts of the Holy Qur'a-n and Sunnah. Correspondingly, this was the first controversial issue in the Muslim history.

When Abu--Bakr rejected these testimonies, Lady Fa-timah al-Zahra-', condescendingly, argued with him that if Fadak was not her father's gift to her, it should be within her inheritance from him. She then provided a number of verses from the Holy Qur'a-n as her evidence. In her fabulous, excellent address, she said, "You are now claiming that I should not have any of my father's inheritance;

'Is it then the judgment of the times of ignorance that they desire? And who is better than Allah to judge for a people who are sure?' [Holy Qur'a-n: 5/50]

Son of Abu--Quha-fah; is it mentioned in the Book of Allah that you inherit your father while I am prevented from inheriting my father? 'Surely you have done a strange thing!' [Holy Qur'a-n: 19/27]

Has it been deliberately that you have neglected the Book of Allah and thrown it away behind you back, while it reads, 'And Solomon was David's heir,' [Holy Qur'a-n: 27/16]

and also reads, within the story of Prophet Jonah son of Prophet Zachariah, 'Therefore, grant me from Thyself an heir who should inherit me and inherit from the children of Jacob,' [Holy Qur'a-n: 19/5-6], and also reads,

‘And the possessors of relationships are nearer to each other in the ordinance of Allah,’ [Holy Qur’a-n: 8/75] and also reads, ‘Allah enjoins you concerning your children: The male shall have the equal of the portion of two females,’ [Holy Qur’a-n: 4/11] and also reads,

‘If he leaves behind wealth for parents and near relatives, according to usage, a duty incumbent upon those who guard against evil.’ [Holy Qur’a-n: 2/180]

As you have neglected all these and claimed that I should not have of my father’s inheritance?”[1169]

Abu--Bakr thus had to claim, alone, that he had heard the Holy Prophet saying, ‘We, the Prophets, do not leave as inheritance a single dirham or di-na-r.’ This in fact was the second controversial issue, because Lady Fa-timah al-Zahra-' refuted this claim using the general Qur'a-nic texts concerning the question of inheritance and that Prophet Solomon did inherit his father, Prophet David.

However, the best evidence on the falsehood of Abu--Bakr’s claim is that he himself gave al-Zubayr ibn al-`Awwa-m, the husband of his daughter Asma-’, and Muhammad ibn Muslimah and others their shares from the inheritance of the Holy Prophet![1170]In view of that, it is easy to conclude that these two fields of the Muslim jurisprudence experienced distortion and ignorance more than the other fields did.

The extension of changes in these two fields is another proof on this fact; the issue of Kha-lid ibn al-Wali-d’s having murdered Ma-lik ibn Nuwayrah and committed fornication with his fresh widow was an extension of the policy of ignorance and opening wide the door of Opinionism in the field of Muslim judicature.

In order to find himself an exit from this judicial confusing issue, Abu--Bakr had to invent the question of “As Kha-lid tried to infer the ruling (i.e. practice Ta’wi-l: interpretation), he missed the right,”[1171] although Kha-lid himself could not deny the perpetration of fornication because all the army had been the witnesses. Naturally, decent, trusty people must have existed among the individuals of that army.

A similar issue took place during the reign of `Umar ibn al-Khatta-b; Imam `Ali- ibn Abi--Ta-lib

and al-`Abba-s ibn `Abd al-Muttalib litigated before `Umar, although some narrations confirm that this issue was filed before Abu--Bakr, as regards the issue of the inheritance of the Holy Prophet. As `Umar ibn al-Khatta-b judged that the riding animal, the weapon, and the ring of the Holy Prophet should be kept by `Ali-, objections were aroused against him before he had previously supported the claim of Abu--Bakr that the Prophets do not leave inheritances; therefore, it was improper for him to judge that `Ali- and al-`Abba-s would inherit the Holy Prophet! As a result, `Umar had to chide them and declared nonintervention in the solving of that issue. This was of course an escape from plunging in the fields of the shares of inheritance, judicature, and testimonies that caused the doctrinal provisions to be violated.

During that period too, another similar issue took place. Al-Mughi-rah ibn Shu`bah committed fornication, and three witnesses testified so; rather the ruling authority colluded with the last witness in order to save al-Mughi-rah from the doctrinal punishment of committing such a crime. Yet, according to the Muslim jurisprudence the testimonies of three witnesses,

although they are not sufficient to materialize the crime of fornication, achieve the provision that the committer should be sentenced to the censure punishment for his having secluded himself with a married lady. Nevertheless, none of these punishments or procedures was carried out by the caliph. On the contrary, `Umar ibn al-Khatta-b threw aside all the religious laws appertained to this issue justifying that he had practiced Ijtiha-d in the fields of judicature, testimonies, and the violation of the doctrinal provisions.

During the reign of `Uthma-n ibn `Affa-n, a similar issue took place. Al-Wali-d led a congregational prayer while he was drunk, and a complete number of witnesses testified such. Rather, `Uthma-n desired to save al-Wali-d from the punishment of that act but Imam `Ali-, as well as the other Muslims, insisted on implementing that religious provision. A look at the proofs of `Uthma-n ibn `Affa-n that he presented for justifying the act of the accused as well as his efforts of threatening the witnesses confirms the topic of this discussion. In fact, `Uthma-n exceeded all limits in this respect until `A-'ishah declared that he had violated the doctrinal provisions and threatened the witnesses.[1172]

Distortion in the issues of the laws of inheritance continued and attained its climax when `Uthma-n ibn `Affa-n gave Fadak and al-`Awa-liy in possession to Marwa-n ibn al-Hakam violating the allegation of Lady Fa-timah al-Zahra-' that these areas had been donated to her

by her father or that they had been within her share of her father's inheritance. `Uthma-n's deed is also a violation to the claims of Abu--Bakr that these areas were for all the Muslims.

Having not stopped at this edge, this state reached a crisis when Yazi-d violated all the religious laws, committed all forbidden crimes, and drank intoxicants publicly while his father, Mu`a-wiyah, neither sentenced him to the doctrinal punishments of committing such crimes nor warned him against corruption and libertinism, publicly at least, although the Umayyads in general and Mu`a-wiyah in particular fought against Imam `Ali- under the pretense of inheritance and that his having been the heir of `Uthma-n ibn `Affa-n for nothing more than that both of them meet in the upper lineage while `Uthma-n's son was alive and he,

not Mu`a-wiyah, was legally authorized in judging about the issue of his killed father. Nevertheless, Mu`a-wiyah distorted the facts appertained to the laws of inheritance and could deceive the Muslims of Syria convincing them to fight and be killed depending upon this distorted presentation of the inheritance. However, this distortion was preceded by a similar one, which was declared on that day during the meeting of the Saqi-fah when the people of Quraysh took the leadership (caliphate) from the Ansa-r under the pretense of kinship to the Holy Prophet, while they neglected Imam `Ali- on the pretext that they were the clan of the Holy Prophet and were more powerful than Imam `Ali- in the administration of the new state since they were old men while `Ali- was still young!

The greatest calamity accompanied the coming of the `Abba-sid rulers to power; because the rivals of the `Abba-sid rulers, namely the descendants of Imam `Ali- ibn Abi--Ta-lib, were closer to the Holy Prophet than the `Abba-sids and they are thus worthier of holding the position of the leadership of the Islamic state, the `Abba-sids distorted and misused the religious laws of inheritance, judicature, and testimonies. As they realized that this fact would invalidate all their claims, the `Abba-sids spared no single effort in distorting the religious laws of inheritance, misrepresenting all the concepts and texts of the Holy Qur'a-n and Sunnah. In this respect, they urged a poet, named Marwa-n ibn Abi--Hafsah, to poetize the following:

How can it be? And it can never be Descendants of daughters inherit instead of uncles!

Though some reference books confirm that it was Imam `Ali- ibn Mu-sa- al-Rida- who refuted such distortion, a Shi-`ite poet replied, Why can it not be? Verily, it can be Descendants of

daughters inherit instead of uncles A daughter has a whole half of the heritage And the uncle's share is nothing What the Released one's relationship with the heritage[1173] While he only prostrated for fear of sword![1174]

It has been also narrated that Ha-ru-n al-Rashi-d, the `Abba-sid ruler, once visited the holy city of al-Madi-nah. When he passed by the tomb of the Holy Prophet, he greeted him saying, "Peace be upon you, cousin!" Imam Mu-sa- al-Ka-dhim who also attended that situation greeted the Holy Prophet saying, "Peace be upon you, father!" This answer enraged the `Abba-sid ruler very much.

According to another narration, it has been narrated that Ha-ru-n al-Rashi-d, once, asked Imam Mu-sa- al-Ka-dhim, "How do you claim that you, rather than us, are the sons and heirs of the Messenger of Allah while we are all cousins?" Answering the ruler, Imam Mu-sa- al-Ka-dhim asked, "Let us suppose that the Holy Prophet will ask for your daughter's hand, will you agree?" Ha-ru-n al-Rashi-d answered, "Definitely I will; and I will certainly take pride in this over all the Arabs and non-Arabs." Imam Mu-sa- al-Ka-dhim commented, "But if the Holy Prophet asks for my daughter's hand, it will be unlawful for me to agree, because he is my father."

This answer confuted the `Abba-sid ruler who could not find any answer.[1175] A similar situation occurred between the same `Abba-sid ruler and Yahya- ibn `Abdulla-h ibn al-Hasan.[1176] These situations and their likes were among the reasons that made the `Abba-sid ruler persecute Imam Mu-sa- al-Ka-dhim, Yahya-, and many other members from the Holy Prophet's offspring. On the other hand, the `Abba-sid rulers' attempts to distort the religious laws of inheritance, judicature, and testimonies continued ceaselessly. The best example on this fact is the following incident:

One day, Ha-ru-n, the `Abba-sid ruler, summoned Abu--Yu-suf, the famous judge, to find a solution for the issue that Ha-ru-n was entrapped in an ethical trouble when the Muslims as well as Ha-ru-n himself saw his son, al-Ami-n, drinking wine in the royal palace. Ha-ru-n did not know what to do; if he neglected the matter,

it would be circulated among the Muslims who would no longer believe him as the commander of the believers, and on the other hand he did not want his crown prince and son to be

sentenced to the legal punishment of consuming intoxicants. He therefore sought the help of Abu--Yu-suf, the judge, who did not disappoint the ruler when he presented so ridiculous pretexts in order to save the ruler's son. Thus, Ha-ru-n prostrated himself as an expression of gratitude to Almighty Allah for such (baseless) solution and conferred upon the judge a good wealth.[1177]

From the abovementioned presentation we can realize why the Holy Imams focused exclusively on the religious laws of inheritance, judicature, and testimonies among the other sections of the Muslim jurisprudence. Besides, the most common acts of the rulers obliged them to distort and misrepresent the laws of inheritance as well as the financial laws since such laws, if preserved as exactly as they are, would prevent them from usurping the public funds and misusing the fortunes of the Muslim community. Similarly, in order that the rulers' parties of entertainment, singing,

and impudence would continue, there should be found excuses for saving them from the doctrinal provisions of committing such acts. They therefore distorted the laws of testimonies and judicature. In the same way as the true divine law of Islam refutes the false claim that the ruler of the Muslim community is above the law and that all of his crimes and misdeeds are forgiven, it refutes all the distortions of these rulers.

Notes:

[1160] Shaykh al-Tu-siy: al-Fihrist 191 No. 721.

[1161] Al-Naja-shiy: al-Rija-l 407 No. 1082.

[1162] Al-Halabiy: Kashf al-Dhunu-n 1682.

[1163] Al-Nu`ma-niy: Kita-b al-Ghaybah 327 H. 4. A similar narration is recorded in Kha-timat al-Mustadrak 4:113.

[1164] Ahmad ibn `I-sa- al-Ash`ariy: al-Nawa-dir 78 H. 199. Shaykh al-Kulayniy has also recorded this narration in his book of al-Ka-fi- 5:452, under the title that one must not practice the temporary marriage so long as he can avoid it.

[1165] Shaykh al-Mufi-d: al-Ikhtisa-s 281; Muhammad ibn Hasan al-Saffa-r: Basa-'ir al-Daraja-t 302; al-Mi-rza- al-Nu-riy: Mustadrak al-Wasa-'il wa-Mustanbat al-Masa-'il 17:258.

[1166] Shaykh al-Kulayniy: al-Ka-fi- 1:56.

[1167] Al-Mi-rza- al-Nu-riy: Mustadrak al-Wasa-'il wa-Mustanbat al-Masa-'il 1:386.

[1168] Shaykh al-Kulayniy: al-Ka-fi- 7:91; Shaykh al-Tu-siy: Tahdhi-b al-Ahka-m 9:270.

[1169] Al-Tabrisiy: al-Ihtija-j 1:138. See also Ibn Abi'l-Hadi-d: Sharh Nahj al-Bala-ghah 16:209-253.

[1170] For more details, see al-Risa-lah al-Misriyyah Magazine; Issue No. 517, Eleventh Year, pp. 457. Also, refer to Sayyid `Abd al-Husayn Sharaf al-Di-n: al-Nass wa'l-Ijtiha-d (Text and Interpretation) 124.

[1171] Ibn Hajar al-`Asqala-niy: al-Isa-bah fı- Tamyi-z al-Saha-bah 3:357.

[1172] Al-Bula-dhiriy: Ansa-b al-Ashra-f 5:34; as quoted from Sayyid `Ali- al-Shahrista-niy: Wudu-' al-Nabiy 1:134.

[1173] To explain, the descendants of Imam `Ali- ibn Abi--Ta-lib are the sons of the Holy Prophet's daughter, namely Lady Fa-timah al-Zahra-', while the `Abba-sids are the cousins of the Holy Prophet since their forefather is al-`Abba-s, son of `Abd al-Muttalib. They therefore claim that uncles should inherit a man who has no male children. This is of course a distortion in the religious laws of inheritance that decide that uncles' shares of an inheritance is nothing when the inherited leaves a child, be it male or female.

Accordingly, the descendants of Imam `Ali- inherit the Holy Prophet while his uncles, including al-`Abba-s, inherit nothing. The second point presented in the poetic verses involved is that al-`Abba-s ibn `Abd al-Muttalib, to whom the `Abba-sids belong, converted to Islam only for fear of being killed after the conquest of Makkah. He is thus one of the Tulaqa-' (the released ones). The story of the Tulaqa-' (the released ones) is as follows:

The people of Quraysh—the tribe to whom the Holy Prophet belongs—allied each other against him and showed him various sorts of bitterness that obliged him to flee his hometown. When Almighty Allah gave him victory against them and enabled him to conquer their capital, they were quite sure that he would revenge himself upon them. He thus gathered them and said, 'What do you think that I am going to do with you?' 'Only the good, for you are a noble brother and the son of a noble brother,' answered they. He said, 'I will repeat the same wording of my brother Joseph the prophet: (Today, you are not condemned.) Go, you are released.'

[1174] Shaykh al-Sadu-q: 'Uyu-n Akhba-r al-Rida- 2:147.

[1175] Shaykh al-Sadu-q: 'Uyu-n Akhba-r al-Rida- 1:66 H. 9.

[1176] Abu'l-Faraj al-Isfaha-niy: Maqa-til al-Ta-libiyyi-n 473-474.

[1177] The details of this story can be found in al-Tanu-khiy: Nashwa-r al-Muha-darah 1:252, and Ibn Khallaka-n: Wafiyya-t al-A`ya-n.