

# **A Critical Study of the Chains of Transmission and Wording of Reports About the Permissibility of Backbiting Oppressive Rulers – Clarifying their Weakness and Answering their Evidential Reasoning**

By

**Shaykh Abdul Qadir al-Junayd**

*Translated and Annotated*  
**Abu Khuzaimah Ansari**

**Salafi Research Institute**

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Translated & Annotated  
Abu Khuzaimah Ansari

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In Defence of the Sunni Creed and Manhaj

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LONDON - BIRMINGHAM - LAHORE



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‘Audhu Billāhi min ash-Shayṭān al-Rajīm  
Bismillāh al-Raḥmān al-Raḥīm

***Alḥamdullilāhi Rabbil ‘Alamīn, Waṣalatu Wassalām ‘Ala  
Rasūlillahil Karīm, Wa ‘Ala Alihī Wa Aṣḥābīhi Wa Man  
Tabiāhum Bi-Eḥsan Illa’ Yaum al-Dīn; Wa Ba’d***

*All Praise belongs and is directed to the Rabb of everything  
that exists, Praise and Salutations be upon His  
Final beloved Messenger, his revered family  
and his noble Companions and upon  
those who follow them in good  
until the end of times,  
To proceed,*

## Introduction

This is a small treatise in which Shaikh Abdul Qadir al-Junayd explains and elucidates the harm and evil of backbiting Muslim rulers. He also discusses the weakness of the reports transmitted from the Salaf which are used by some claimants of Salafiyyah. This is important since some claimants of Salafiyyah are advocating the permissibility of backbiting rulers publicly on account of these reports from the Salaf which is an aberrant view. They hide behind these reports to express a legitimate difference of opinion from the Salaf.

When there is inherent desire to please the nafs to publicly ridicule and rebuke Muslim rulers on account of the shortcomings of the Ummah, this is nothing but weakness. The same people divert attention from evil corruptive sins of the heart and body resort to this; failing to address their accountability as an Ummah. This is the way of the cowards.

Since the spread of emotional outbreaks by the practitioners of evil, ruler or non-ruler, the same claimants of Salafiyyah abandon the Quran and Sunnah which detail how to deal with these affairs. To such an extreme that a brother said Salafis were duped in this issue based on these reports. Unbeknown to most, these reports from the Salaf are severely weak and have no support from the vast majority of the Salaf.

The Salaf do not support this view and the detractors have failed to prove this. They resort to cherry picking odd aberrant reports to support their redundant view. Shaykh Abdul Qadir has shown the clear weakness of these reports and refuted those who encourage backbiting Muslim rulers.

Presenting and screening themselves behind a singular, lone, odd, aberrant and contradictory statement from one Salaf is rudimentary and certainly insufficient to formulate legal points of Manhaj. This is further problematic when they clearly oppose the plethora of reports and statements from them which well documented in the early works of Aqidah and Manhaj.

Many people and claimants of Salafiyyah have been spreading these statements without recourse to research or relying on Sunni scholars for understanding. Merely quoting statements without context and the mere thought of the existence of a report is hardly thrilling. Nonetheless, this treatise will dampen the mood! Some brothers have been sharing scans while others continuously repeat these statements from websites, e.g., <http://abu0hamza.blogspot.com/2016/06/2882.html?m=1>

Lastly, as a summary, the view of the Salaf in this matter is very clear and it was comprehensively expressed by Imam Abu Bakr

al-Isma'ili (d.371H) when he said, *"Know, May Allah have mercy on us and you, indeed the Madhab of Ahlul Hadith wa Ahlus Sunnah wal-Jama'ah is...."* (**Kitab I'tiqad Ahlus Sunnah** p.35)

And then he said about the rulers, *"To supplicate for their rectification and that they turn towards being just."* (**Kitab I'tiqad Ahlus Sunnah** p.55 no.58. (KSA: Maktabah Dar ul-Minhaj, 1431H. 2<sup>nd</sup> Edn. Ed. Jamal Azzun). This opposes backbiting rulers openly since its deception and treachery.

The Manhaj of the Salaf on this issue can also be summarised with the view and statement of Imams Malik and Sufyan ath-Thawri when they said, *"It is better to be under the rule of an oppressive ruler for 70 years than not have a ruler for even an hour."* (**Tartib al-Madarik wa Taqrib al-Masalik** (2/493), **ad-Dibaj al-Madhab Fi Ma'rifah A'yan Ulama al-Madhab** (1/125)

Imam Ibn Taymiyyah echoes this by mentioning 60 years, wherein he said, *"The wise people said 60 years with an unjust ruler is better than a night without a ruler."* (**Majmu'a al-Fatawa** (30/136)

This shows the Salaf understood how to deal with oppressive rulers and would not want a believer to backbite them for 70 years! This explains it is better to have patience with an oppressive ruler then not have one and the ensuing harm.

I have presented a simple translation of the Shaykh's treatise and added detailed explanatory notes when needed. I did not reference the reports and ahadith in the introduction since the Shaykh clarifies he penned this elsewhere in a lengthier

treatise. The intention is to render this into English at some stage, In-Sha-Allah.

The reader might encounter different numbers for reports in Ibn Abi Dunya's book **as-Samt** and **al-Ghibah wan-Namimah**. This is because authors have used two different editions in their books. The publication of *Dar ul-Gharb* edited by Najm Abdur Rahman Khalaf and *Dar ul-Kutub al-Arabi* edited by Abu Ishaq al-Huwayni. These two have been used by numerous authors hence the numbering issue. Shaykh Abdul Qadir used the *Dar al-Kutub al-Arabi* edition and so are the scans.

I have presented scans where necessary and at other times I have referenced books with their publishers, so the avid reader can refer to them for further research. Some of the scans presented were originally shared on social media by the advocators of backbiting the oppressive ruler, and so I have presented them in this treatise for them to know this is a direct response to them.

Shaykh Abdul Qadir's words are in **black bold typography** and my additional notes are in **blue**, marked with **[AK]** at the beginning and **END]** when my notes are complete for each relevant section.

Abu Khuzaimah Ansari  
Birmingham, UK. 1445/2023



Shaykh Abul Qadir al-Junayd begins his small treatise by saying,

**All praise belongs to Allah and salutations on his Messenger  
Mustafa Sallallahu Alayhi Wasallam**

To proceed,

It has been transmitted from some Imams, they did not consider it backbiting to speak against the oppressive Muslim ruler, Therefore, some students of knowledge in our time, may Allah correct them, use this as evidence for the permissibility of rebuking the ruler openly by backbiting them.

I say,

This line of argument is defective due to the following reasons.

### **The First – 1<sup>st</sup> Reason**

The first thing to note; these reports which have been transmitted from these Imams are not authentic. These reports will be mentioned in due course, along with who transmitted them with clarifying their defects which indicate their weakness.

### **The Second – 2<sup>nd</sup> Reason**

Even if one statement from them was established to be authentic, their statements are not evidence according to the agreement of the scholars. Rather their statements in and of themselves require evidence as numerous people of knowledge have said. Evidence or proof is the statement of Allah, his Messenger Sallallahu Alayhi Wasallam, the statement of the Companions and the ijma of the scholars.

### **The Third – 3<sup>rd</sup> Reason**

Backbiting a fellow Muslim is haram whether it's the ruler or those being ruled over, based on the texts of the Quran, Prophetic Sunnah and the ijma of the scholars. The ruling of it being haram does not leave this status except by other evidence from the Shari'ah. There is no evidence in the Shari'ah that specifies the ruler.

So, there are no ayahs of the Quran, there are no clear authentic Prophetic hadith, nor are there any clear authentic reports from the Companions nor is there any ijma. Rather backbiting the ruler is more harmful and worse in terms of its severity on the general Ummah and the various Muslim lands. The likes of Abu Bakr al-Isma'ili ash-Shafi'i, Ibn Abi Zamanin al-Maliki, Ibn Salah ash-Shafi'i and Ibn Taymiyyah all said speaking against the ruler was backbiting. It is also permitted based on ijma as quoted by Ibn Taymiyyah to backbite the wicked sinner who publicises his evil sins. This is also supported by numerous texts of the Shari'ah.

### **The Fourth – 4<sup>th</sup> Reason**

Indeed, the statement of the Prophet Sallallahu Alayhi Wasallam is established and clear in its meaning which states, *"Whoever has advice for the ruler, he should not do it publicly, rather, he should take him by his hand and advise him privately. If he accepts it, he accepts, and if he does not, he would have fulfilled his duty."*

This hadith prohibits and denounces backbiting the ruler.

This point is further confirmed and clarified based on the reason this hadith was transmitted, its background and the

understanding of the Companions, May Allah be pleased with them all, in how commanding the good and forbidding the evil encompasses advising. This also includes guidance to whoever errs in this affair of the rulers. The hadith mentions,

*It is reported that Iyadh bin Ghanam lashed the governor of Dara when it was conquered, so Hisham bin Hakim spoke harshly with Iyadh until he (Iyadh) was angry. Then, a few nights later, Hisham bin Hakim came to him to excuse himself and said, "Did you not hear the Prophet say, "The worst punishment on Yawm ul-Qiyamah will be for the one who is worse in punishing people?" Iyadh bin Ghanam said, "Oh Hisham bin Hakim, we know what you know and saw what you saw, and we accompanied who you accompanied. Did you not hear Allah's Messenger Salallahu Alayhi Wasallam say, "Whoever wants to advise the ruler, he should not do so publicly. Rather, he should take him by his hand and advise him (privately). If he accepts it (that is good). If not, he has fulfilled his obligation." You, Oh Hisham, you are reckless, when you are reckless with the ruler of Allah, do not fear the ruler of Allah will kill you, since you will be someone killed by the ruler of Allah?"*

The statement of the Prophet Sallallahu Alayhi Wasallam, "...He should not do it publicly, rather, he should take him by his hand and advise him privately..." indicate a prohibition and a command. The foundational principle is that a command denotes an obligation (an obligatory act) and a prohibition denotes something which is unlawful.

The transmission of this hadith has been outlined in the lengthier treatise and a discussion related to its authenticity.

## The Fifth – 5<sup>th</sup> Reason

The Companions RadhiAllahu Anhum differed and disagreed with this view (of backbiting the ruler) and what they deduced from the texts. Their views take precedence over the views of others from amongst them. In fact, the statement of one (Companion) is considered evidence according to the view of Ahlus Sunnah if no one opposes it (i.e. another Companion). What about then if they all were agreed on one view? Rather, they complied and agreed with the Prophetic texts and their statements and actions are explanatory confirmations of this matter.

Imam Ibn Qayyim al-Jawziyyah said in an-Nuniyyah (p.226),

*“Knowledge is what Allah said, His Messenger said, his Companions said, as they were the first to know, Any knowledge attributed to any other than them is haughty, It is between the Messenger and the opinion of so and so.”*

1. It is authentically transmitted from Sa’id ibn Jubayr who said, *“I asked Ibn Abbas, “Shall I command my ruler with good?” Ibn Abbas said, “If you fear he will kill you, then no. If you must do so, then do it (privately) between you and him and do not backbite your ruler.”*

Ibn Abbas RadhiAllahu Anhuma prohibited him from rebuking the ruler publicly through backbiting since backbiting is unlawful.

2. It is authentically transmitted from Tawus who said, *“I mentioned the rulers in front of Ibn Abbas and a man became insolently brazen (with his statements) and no one was more*

*insolent than him in the house. Ibn Abbas heard him and said, "Oh Hazhan do not make yourself a fitnah for the oppressors." He then became small and humbled to the extent that no one was seen so small and humbled in the populus than him."*

So, Ibn Abbas RadhiAllahu Anhuma considered speaking of the shortcomings of the rulers to be a source of tribulation and aiding the oppressive people in their evil and corruption. This statement is conveying the warning against publicly rebuking the ruler by backbiting him.

This report has been referenced in the longer treatise.

**3.** It is established (authentically) from Sa'id bin Jumhan that he said, *"I met Abdullah bin Abi Awfa RadhiAllahu Anhu and he was a sight to behold. I greeted him with salam and he said to me, "who are you?" I replied, "I am Sa'id bin Jumhan." He asked me, "What did your father do?" I replied, "He killed the Azariqah." He said, "May the curse of Allah be upon the Azariqah, may the curse of Allah be upon the Azariqah. Allah's Messenger Sallallahu Alayhi Wasallam said they (Khawarij) are the dogs of hellfire. I said, "Al-Azariqah (a sect of the Khawarij) alone or all the Khawarij?" He said, "Rather all the Khawarij." I said to him, "But the ruler oppresses the people and does this, and he does that to them (i.e. their evil). So, then he grabbed me by my hand and pinched it very hard and said, "Oh Son of Jumhan, stick with the great majority (of scholars), stick with the great majority (of scholars). If the ruler listens to you then advise him in his home (in private), inform him of what you know. If he accepts (that's good) and if not then leave him, for you are not more knowledgeable than him."*

So, Abdullah bin Abi Awfa RadhiAllahu Anhu rebuked Ibn Jumhan's speech when he mentioned the evil of the ruler concerning his affair of governance by backbiting him. He said to advise the ruler privately if he listens to you.

This report has been referenced in the longer treatise and with a discussion whether it is Sahih or Hasan (authentic or good).

**4.** It is transmitted by **al-Bukhari** (no.3267) and **Muslim** (no.2989) and it is his wording on the authority of Usamah bin Zayd RadhiAllahu Anhu when it was said to him, *"Why don't you visit Uthman and talk to him? Thereupon he said, "Do you think that I have not talked to him that you also hear? By Allah. I have talked to him (about things) concerning me and him and I did not like to divulge those things about which I had to take the first step."*

This report establishes the Companions of the Prophet Sallallahu Alayhi Wasallam did not rebuke their rulers or leaders publicly if many people were around them. This was their way to do it behind closed doors and not publicly which was not their norm RadhiAllahu Anhum. Furthermore, Usamah RadhiAllahu Anhu did not want to be the first to open the door to fitnah by rebuking the ruler publicly.

**5.** *It is reported that Iyadh bin Ghanam lashed the governor of Dara when it was conquered, so Hisham bin Hakim spoke harshly with Iyadh until he (Iyadh) was angry. Then, a few nights later, Hisham bin Hakim came to him to excuse himself and said, "Did you not hear the Prophet say, "The worst punishment on Yawm ul-Qiyamah will be for the one who is worst in punishing people?" Iyadh bin Ghanam said, "Oh Hisham bin Hakim, we*

*know what you know and saw what you saw, and we accompanied who you accompanied. Did you not hear the Allah's Messenger Salallahu Alayhi Wasallam say, "Whoever wants to advise the ruler, he should not do so publicly. Rather, he should take him by his hand and advise him (privately). If he accepts it (that is good). If not, he has fulfilled his obligation." You, Oh Hisham, you are reckless, when you are reckless with the ruler of Allah, do not fear the ruler of Allah will kill you, since you will be someone killed by the ruler of Allah?"*

This hadith and incident has been referenced in the lengthier treatise wherein I have mentioned its authenticity whether it is Sahih or Hasan.

The point of deduction is, when Iyadh bin Ghanam RadhiAllahu Anhu knew someone wanted to publicly and openly rebuke the ruler by the way of recklessness, he said, *"You, Oh Hisham, are reckless. When you are reckless with the ruler of Allah."*

**6.** Abu Dawud at-Tayalisi said in his **Musnad** (no.928), From Humayd bin Mihran from Sa'd bin Aws from Ziyad bin Kusaib who said, *"Ibn Amir mounted the minbar while wearing a fine garment. Abu Bilal said, "Look at your leader wearing clothes of the wicked! Abu Bakrah who was (sitting) under the minbar said, "I heard Allah's Messenger Sallallahu Alayhi Wasallam saying, "Whoever insults Allah's leader then Allah disgraces him."*

**At-Tirmidhi** (no.2224) transmitted it through his chain of transmission (Abu Dawud at-Tayalisi's) with the wording, *"I was with Abu Bakrah under the Minbar of Ibn Amir while he was giving a Khutbah wearing a fine garment. Abu Bilal said, "Look*

*at our Amir wearing clothes of the wicked!' So, Abu Bakrah said, Be quiet! I heard Allah's Messenger saying, "Whoever insults Allah's ruler on the earth, Allah disgraces him."*

Imam at-Tirmidhi said, *"This hadith is Hasan Gharib."* Allamah al-Albani graded it Hasan according to his last view. Hafiz al-Bazzar said in his **Musnad** (no.3670),

*"This hadith has been transmitted from Allah's Messenger Sallallahu Alayhi Wasallam with similar words, and I do not know anyone to have transmitted this from Allah's Messenger Sallallahu alayhi Wasallam with this wording except Abu Bakrah."*

I say, Sa'd bin Aws al-Adawi is in the chain. As-Saji said concerning him *"Truthful."* Ibn Hibban and Ibn Khalfun mentioned him in **ath-Thiqat**. Ibn Hajr al-Asqalani said, *"Truthful but had errors."* Adh-Dhahabi said, *"He was declared weak by Ibn Ma'in while others said he was thiqah and Ibn Hibban mentioned him in his ath-Thiqat."* Al-Albani was inclined towards his tawthiq.

As for Humayd bin Mihran he is thiqah.

The point of deduction from this report which establishes proof is that Abu Bakrah ath-Thaqafi RadiAllahu Anhu rebuked the man's speech in front of the worshippers regarding the representative of the ruler and silenced him. He informed him this type of rebuking is insulting the ruler which results in Allah disgracing the one who does it.



### **The Sixth – 6<sup>th</sup> Reason**

On the authority of Anas bin Malik RadhiAllahu Anhu who said, *“Our elders from the Companions of Allah’s Messenger Salallahu alayhi Wasallam forbade us (warned us from) “Do not revile your rulers, do not deceive them, do not have hatred for them, have taqwa of Allah and have patience for indeed the affair is near.”*

Transmitted by Ibn Abi Asim in **as-Sunnah** (no.1015) and al-Bayhaqi in **Shu’bal Iman** (no.7523) and others. Allamah al-Albani said, *“the chain is good – jayyid.”*

The point of deduction is due to the prohibition of reviling the rulers in every affair, in cheating them while being ordered to have patience due to the corruption that would result in the Din, this world and for the worshippers. This is even though he might be correct in his cursing (i.e. the reason) and permissible by the way of punishment in the same way as long as the cursing does not entail words or cursing that are haram or transgress boundaries.

So, backbiting the ruler, rebuking him publicly by backbiting and mentioning his faults openly is prohibited even more so. The corruption of backbiting is worse than being abusive because its corruptive effects encompass the Din, this world and the ummah as a whole and it spreads. He does this to portray he is concerned for the religion and the Ummah. This is then accepted by the people and spread far and wide while misguiding many people. This is in opposition to abuse as this affects the abuser and he is vilified by the general public.

Backbiting the ruler and spreading his faults is not from the affair of advising him. The opposite to advising the ruler is deception and betrayal. We have been commanded to advise and prohibited from deceiving or betraying.

### The Seventh – 7<sup>th</sup> Reason

The Shari'ah came to expel evil and corruption from the Ummah. Ayahs of the Quran, texts from the Prophetic Sunnah both general and specific all elaborate this.

Allowing the ruler to be backbitten especially when he is oppressive and publicly rebuking him through backbiting is from the main reasons that bring evil and corruption in the ummah. This approach makes backbiting continuous and increase in its severity. This reason and affairs lead to rebelling against the just and oppressive ruler and the spread of the Madhab of the Khawarij.

It is transmitted by **al-Bukhari** (no,3267) and **Muslim** (no.2989) and it is his wording on the authority of Usamah bin Zayd RadhiAllahu Anhu when it was said to him, *"Why don't you visit Uthman and talk to him? Thereupon he said: Do you think that I have not talked to him but that I have make you hear? By Allah. I have talked to him (about things) concerning me and him and I did not like to divulge those things about which I had to take the first step."*

The wording in **al-Bukhari** is, *"Somebody said to Usamah, "Will you go to so-and-so and talk to him?" He said, "Do you think that I have not talked to him but that I have make you hear. I talk (advise) to him privately without opening the door (of*

trials), for neither do I want to be the first to open it (i.e. rebellion),”

The jurist Siraj ud-Din Ibn Mulqaain ash-Shafi'i said in his book, **at-Tawdih Li-Sharh al-Jam'i as-Sahih** (19/180),

*“His saying [I talk to him privately] meaning speaking out by rebuking the rulers openly would be from the affairs of opposing the rulers of the Muslims, it would cause splitting of the Muslim ranks and disrupt and separate the body of the Muslims. Just as the affair was when Uthman was confronted with public rebuking.”*

Al-Imam Abdul Aziz ibn Baz said in **Majmu'a al-Fatawa** (8/210-211)

*“...When the ignorant Khawarij opened the door to evil in the time of Uthman RadhiAllahu Anhu and they openly rebuked and criticised Uthman, it was a great fitnah, killing and corruption, the effect of which has still not subsided in people today. To the extent that the fitnah encompassed in what occurred between Ali and Mu'awiyah RadhiAllahu Anhuma. They killed Uthman and Ali RadhiAllahu Anhuma due to this reason [i.e., openly criticising and rebuking the rulers]. In fact, the same reason led to the killing of many Companions and others which was to openly rebuke and criticise rulers, to mention their sins openly. To the extent that many people had hatred for the rulers and killed them.”*

It is authentically transmitted from Abdullah bin Ukim that he said, “I will never aid the killing of any Khaliph after Uthman.” It was said to him, “Were you involved in spilling his blood?” he

replied, “I consider mentioning his faults the same as spilling his blood.”

(Transmitted by Ibn Sa’d in **at-Tabaqat al-Kubra** (3/80, 6/115), Ibn Abi Shaybah in his **Musannaf** (no.32706 and no.32043) al-Bukhari in **at-Tarikh al-Kabir** (1/31 no.45), ad-Dawlabi in **al-Kunna wal-Asma’** (no.476) and others.

And Abdullah bin Ukim was a Mukhadram, meaning he encountered and was alive during the time of Allah’s Messenger Sallallahu Alayhi Wasallam but he did not hear or meet him.

### **The Eighth – 8<sup>th</sup> Reason**

Permitting backbiting the ruler especially if he is oppressive and rebuking him publicly by backbiting, is slander and defamation in the Shari’ah. It is alleging there are contradictions in the Shari’ah. So how does one prevent the causes of evil and corruption in the Ummah, the prevention of which is supported by numerous texts (of Islam), both general and specific when at the same time the main reason which leads to evil, and corruption is being allowed or permitted?

The explanatory meaning above is evidence that you cannot find in the Shari’ah what they want to make permissible.

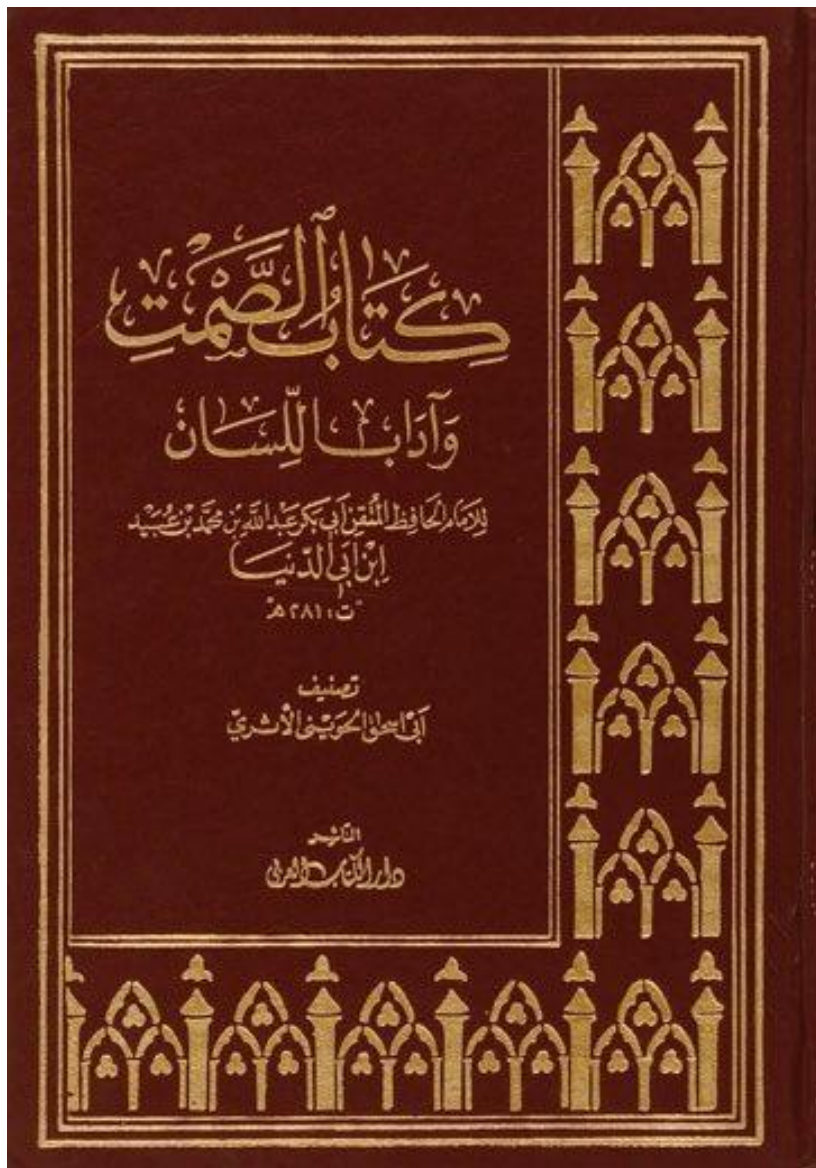
So, besides these affairs, May Allah reward you, the reports you have encountered with the following meaning, we will investigate them,

*"It is not backbiting when speaking about three people, the innovator, a wicked sinner who sins publicly and the oppressive ruler."*

**(*Athar al-Waridah Fi Jawaz Ghibah al-Hakim al-Ja'ir* p.1-10)**

## The 1<sup>st</sup> - Report of al-Hasan al-Basri Rahimahullah

Ibn Abi Dunya in his *as-Samt* (no.234) and *al-Ghibah wan-Namimah* (no.97) through the chain of Yahya bin Abi Bakir from Sharik from Uqil from al-Hasan. And Sharikh bin Abdullah in the chain is da'if – weak. Uqil in the chain is not specified and I was unable to find any narrations of Sharik from Uqil except only this narration. If it was Uqil bin Khalid, then he is trustworthy who transmits from al-Hasan but I could not find anyone saying Sharik narrates from this Uqil or whether a different one and Allah knows best.



The edition with Al-Huwayni's checking.

لِفَاجِرٍ حُرْمَةٍ. وكان رجل قد خرج مع يزيد بن المهلب، فكان الحسن إذا ذكّره هَرَّتُهُ.

[٢٣٣] حدثني محمد، حدثنا زيد بن الحباب، عن حماد بن سلمة، عن حميد الطويل، رضي الله عنه قال: ذَكُرُوا الْغِيَّةَ عند سعيد بن جبّير، رضي الله عنه، فقال: ما اسْتَقْبَلْتُهُ به، ثم قُلْتُهُ مِنْ وَرَائِهِ، فليس بِغِيَّةٍ.

[٢٣٤] حدثني محمد، حدثنا يحيى بن أبي بكير، عن شريك، عن عقيل، عن الحسن، رضي الله عنه، قال: ثلاثة ليس لهم غِيَّةٌ: صاحبُ هَوًى، والفاسقُ الْمُعْلِنُ بِالْفِسْقِ، والإمامُ الجائر. 

[٢٣٥] حدثني محمد، حدثنا مروان بن معاوية، عن زائدة بن قدامة قال: قلت لمنصور بن المُعْتَمِر: إذا كنتُ صائماً أنالُ من السُّلْطَان؟ قال: لا. قلت: فأنا من أَصْحَابِ الْأَهْوَاءِ؟ قال: نعم.

[٢٣٦] حدثنا عبيد الله بن جرير، حدثنا موسى بن إسماعيل، حدثنا

[٢٣٣] وسنده ضعف...

وشيخ المصنف هو محمد بن عباد الواقع في السند الماضي وقد أبهم نسبه في أحاديث تأتي. وهو محمد بن عباد بن موسى لم يحمّد ابن معين أمره، وقال ابن عقدة: «في أمره نظر».

وذكره ابن حبان في «الثقات» وقال: يخطئ أحياناً. ورغم ما قيل فيه، فقد زعم بعضهم أن «إسناده صحيح»!!

[٢٣٤] في سنده ضعف...

وشريك النخعي سىء الحفظ.

وقد مرّ نحوه من كلام إبراهيم النخعي. وانظر رقم (٢٢٢، ٢٢٦).

وأخرجه المصنف في «ذم الغيبة» بسنده.

وزعم بعضهم أن: «رجالهم ثقات»!! ورغم ما قيل في شريك النخعي!! فالله المستعان.

[٢٣٥] في سنده ضعف... لما تقدم قبل حديث...

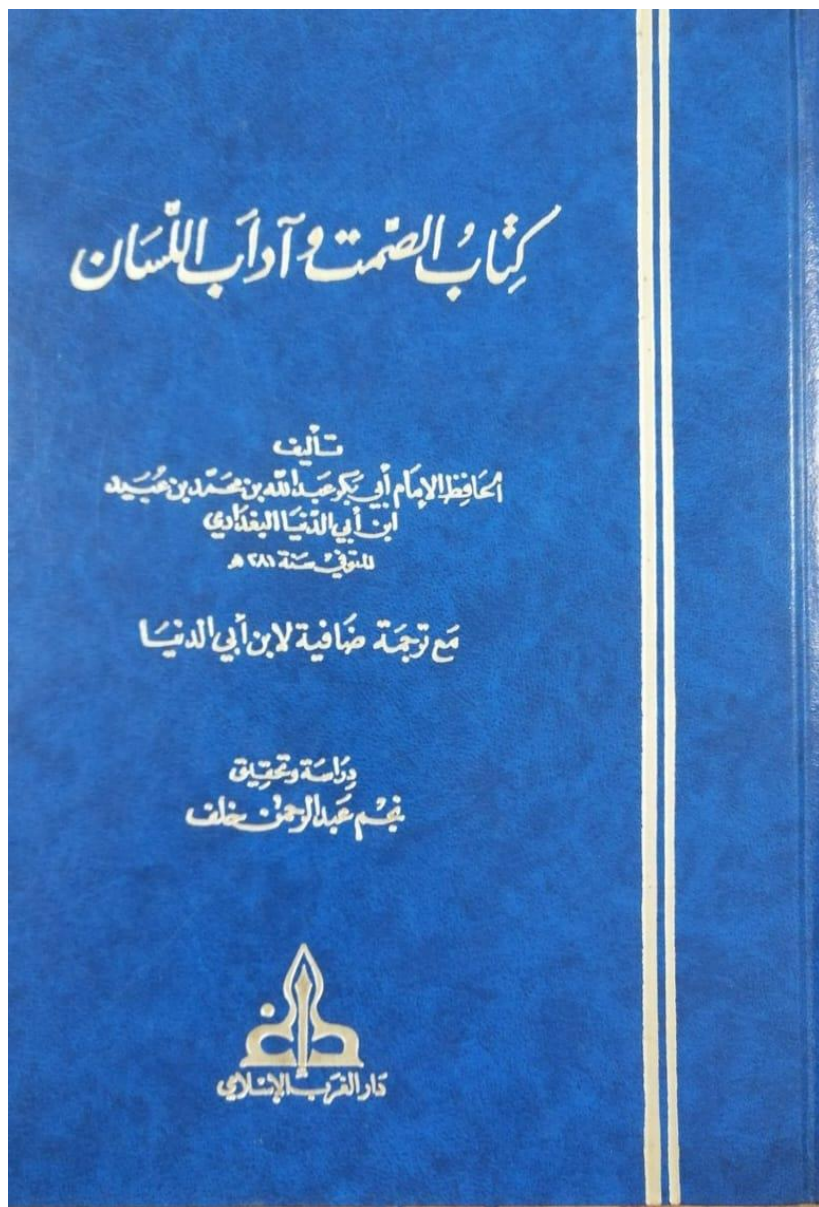
وأخرجه أبو نعيم في «الحلية» (٤١/٥ - ٤٢) من طريق عياش بن محمد، ثنا خلف بن تميم، ثنا زائدة به.

[٢٣٦]

المبارك بن فضالة صدوق يدلّس ويسوي كما في «التقريب» وقد عنعن هنا.

وأخرجه المصنف في «ذم الغيبة».





The edition with Najm Abdur Rahman's checking.

سلمة، عن حميد الطويل - رضي الله عنه - قال: ذكروا الغيبة عند سعيد بن جبير - رضي الله عنه - فقال:

ما استقبلته به ثم قلته من ورائه فليس بغيبة.

[٢٣٥] حدثني محمد، حدثنا يحيى بن أبي بكير، عن شريك<sup>(١)</sup>، عن عقیل<sup>(٢)</sup>، عن الحسن - رضي الله عنه - قال:

ثلاثة ليس لهم / غيبة: صاحب هوى، والفاسق المعلن بالفسق، [٢٥/ب] والإمام الجائر. [Salafiri.com](http://Salafiri.com)

[٢٣٦] حدثني محمد، حدثنا مروان بن معاوية، عن زائدة بن قدامة<sup>(٣)</sup>، قال: قلت لمنصور بن المَعْتَمِر: إذا كنت صائماً أُنال من السلطان؟

[٢٣٥] رجاله ثقات.

[٢٣٦] إسناده صحيح.

أخرجه المصنف في «كتاب الغيبة» ٨ ب من نفس الطريق.

(١) ابن عبد الله بن أبي شريك النخعي الكوفي، القاضي بواسط ثم الكوفة، أبو عبد الله صدوق يخطئ كثيراً، تغير حفظه منذ ولي القضاء بالكوفة، وكان عادلاً فاضلاً عابداً شديداً على أهل البدع، من الثامنة، مات سنة ١٧٧ أو ١٧٨ هـ. / خت م ٤ (تقريب ١ / ٣٥١، تهذيب ٤ / ٣٣٣ - ٣٣٧).

(٢) ابن خالد بن عقيل الإيلي، أبو خالد الأموي، مولى عثمان، ثقة ثبت، سكن المدينة ثم الشام ثم مصر، من السادسة، مات سنة ١٤٤ هـ على الصحيح / ع (تقريب ٢ / ٢٩، تهذيب ٧ / ٢٥٥ - ٢٥٦).

أخرجه المصنف في «كتاب الغيبة» ٨ ب من نفس الطريق.

وأورده الغزالي في «الإحياء» ٣ / ١٣٣.

والقرطبي في تفسيره ١٦ / ٣٣٩.

والزبيدي في «الإتحاف» ٧ / ٥٥٧ وعزاه للمصنف.

وجعفر شمس الخلافة في «كتاب الآداب» نحوه ص ٣٣.

(٣) الفقي أبو الصلت الكوفي، ثقة صاحب سنة، من السابعة، مات سنة ١٦٠ هـ. وقيل بعدها / ع (تقريب ١ / ٢٥٦، تهذيب ٣ / ٣٠٦ - ٣٠٧).

[AK] There is a difference of opinion concerning Sharik bin Abdullah whether he is weak or Hasan in hadith. Many of the scholars and Imams of hadith, rijal and Jarh wat-Ta'dil have criticised and praised him. For further details refer to ***al-Jam'i li-Kutub adh-Dhu'afa wal-Matrukin wal Kadhabin*** (7/261-281 no.5506) where the latter has collated over 20 pages concerning him by the way of his integrity in hadith.

Further to differences on his trustworthiness, Sharik is a Mudallis.

The following scholars all classed and graded him to be a mudallis. Hafiz Ibn Hajr in ***Tabaqat al-Mudallisin*** (p.75 no.56), Hafiz al-Ala'i in ***Jam'i at-Tahsil Fi Ahkam al-Marasil*** (p.77 no.23), Sabt ibn al-Ajami in ***Kitab at-Tabiyin Li-Asma al-Mudallisin*** (p.33), ***Manzumah Mahmud al-Maqdisi*** (line 4), Abu Zurah al-Iraqi in ***Kitab al-Mudallisin*** (no.28), Hafiz Suyuti in ***Asma Man Urifa Bi-Tadlis*** (no.31), Muhammad Tal'at in ***Mu'ajam al-Mudallisin*** (p.248-250) (KSA: Adwa as-Salaf 1426H/2005, 1<sup>st</sup> Edn.).

Shaikh Zubair Ali Za's discusses this to some extent despite declaring him hasan in hadith. See his ***Fath al-Mubin Fi Tahqiq al-Mudallisin*** (p.75 no.56). The Shaikh Rahimahullah also quotes Imam Ibn Hazm and Ibn Qattan al-Fasi declaring Sharik a Mudallis (***al-Muhalla*** (8/263 issue no.1383 and 10/333 issue no.2016) ***Bayan al-Wahm wal-Iyham*** (3/533-534) (KSA: Dar Tayybah, 1432H/2011) 2<sup>nd</sup> Edn. Ed.al-Hussain Ayat Sa'id)

Al-Qufili in his checking of ***Sharh Usul al-I'tiqad Ahlus Sunnah wal Jama'ah*** said, "Also transmitted by Abu Bakr Ibn Abi Dunya in ***al-Ghibah*** (no.98) and in ***as-Samt*** (no.235) through the route

*of Sharik bin Abdullah an-Nakha'i from Uqil bin Khalid al-Ayli from al-Hasan al-Basri with the same wording. However, its chain is weak due to Sharik al-Qadhi and there is a disconnection in the chain between Uqil and al-Hasan and Allah knows best.” (Sharh Usul al-I'tiqad (1/310)*

Najm Abdur Rahman in his checking of **Kitab as-Samt** said, “*Its narrators are from the thiqat.*” (**Kitab as-Samt wa Adab al-Lisan** (p.343 no.235) (Lebanon: Dar ul-Gharb, 1406H/1986) 1<sup>st</sup> Edn.). This is not the case, and he did this because he made assumptions on who this Uqil is and despite bringing criticism on Sharik. Al-Huwayni answers Najm’s words with surprise and astonishment, as you will read below.

Abu Ishaq al-Huwayni, who many of the advocates of backbiting the ruler publicly take from and who is known to have serious errors in Manhaj, grades the chain weak, he says, “*There is weakness in the chain and Sharik an-Nakha'i had a weak memory....some of them claim the narrators are trustworthy! Despite what they said about Sharik an-Nakha'i (in terms of weakness)!!*” (**Kitab as-Samt wa Adab al-Lisan** of Ibn Abi Dunya (p.145 no.234) (Lebanon: Dar ul-Kutub al-Arabi, 1410H/1990, 1<sup>st</sup> Edn. Ed. Abu Ishaq al-Huwayni) [END]

**Ad-Dinawari also transmit it in his book *al-Majalisah wa Jawahir al-Ilm* (no.1347) with a very weak chain.**

[AK] Ibn Qutaybah ad-Dinawari transmit this report in **al-Majalisah** (4/196 no.1347) also with the same chain in (8/43 no.3352) (KSA: Dar ibn Hazm, 1419H/1998) 1<sup>st</sup> Edn. Ed. Mashur Hasan) and in his other work, **U'yun al-Akhbar** (2/17).

The chain is from Ad-Dinawari from Ahmad from Yusuf bin Abdullah al-Halwani from Uthman from A'wf from al-Hasan. Yusuf bin Abdullah al-Halwani is majhul – unknown and ad-Dinawari himself was accused of lying by Imam ad-Daraqutni (***Mizan*** (1/156) and ***Lisan*** (1/309) END]

**Al-Bayhaqi also transmit it in *Shu'bal Iman* (no.9221). The chain includes Abul Abbas bin Masruq, Mandal and Musa bin Ubaydah and all three are dhu'afa – weak narrators.**





(١٦٧)

الجامع لشعب الإيمان

يا أباسعيد! مانراك إلا اغتبت الرجل، فقال: أي لكع هل عاب من شيء فيكون غيبة أيها رجل أعلن بالمعاصي ولم يكتمها كان ذكركم إياه حسناً تكتب لكم، وأيها رجل عمل بالمعاصي فكتمها الناس كان ذكركم إياه غيبة.

[٩٢٢١] أخبرنا أبو عبد الله الحافظ، أخبرنا جعفر الخواص، حدثنا أبو العباس بن مسروق، حدثنا إبراهيم بن سعد وسفيان بن وكيع، عن مندل بن علي، عن موسى بن عبيدة، عن سليمان بن مسلم قال قال الحسن البصري: ثلاثة ليست لهم حرمة في الغيبة: فاسق يعلن الفسق، والأمير الجائر، وصاحب البدعة **Salafiri.com**.

[٩٢٢٢] أخبرنا أبو عبد الرحمن السلمي، أخبرنا أبو الحسن الكارزي، أخبرنا علي بن عبد العزيز، قال قال أبو عبيد: في حديث علي رضي الله عنه وذكر آخر الزمان والفتن، فقال: خير أهل ذلك الزمان كل نومة، أولئك مصابيح الهدى، ليسوا بالمساييح، ولا بالمذاييع البذر.

[٩٢٢١] إسناده: ضعيف.

- جعفر الخواص هو جعفر بن محمد بن نصير الخلدني أبو محمد.
- وفي النسخ لدينا «أبو جعفر الخواص» وهو خطأ.
- أبو العباس بن مسروق هو أحمد بن محمد بن مسروق الطوسي ليس بالقوي.
- سفيان بن وكيع هو ابن الجراح الرؤاسي الكوفي صدوق.
- مندل بن علي هو العنزي، ضعيف.
- موسى بن عبيدة هو الرزدي، أبو عبد العزيز المدني، ضعيف.
- سليمان بن مسلم هو أبو المعلل الخزاعي العجلي كوفي الأصل بصري الدار، ذكره ابن حبان في «الفتن» (٣٩٣/٦) ولم يذكر في جرحاً ولا تعديلاً.

راجع «التاريخ الكبير» (٣٦/٢/٢) «الرحم والتعديل» (١٤٢/٤ - ١٤٣).

والأثر رواه ابن أبي الدنيا في «الصمت» (رقم ٢٣٥) وفي «الغيبة والنميمة» (رقم ٩٧) من طريق شريك عن عقيل عن الحسن البصري.

[٩٢٢٢] إسناده: جيد.

- أبو الحسن الكارزي هو محمد بن محمد بن الحسن بن الحارث.
- أبو عبيد هو القاسم بن سلام الهروي.
- والحديث في «غريب الحديث» (٤٦٣/٣).
- وذكره ابن الأثير في «النهاية» (١١٠/٢، ١٧٤/٢، ٤٣٢) و«أبو عبيد» في «الغريبين» (١٥٦/١) والزحشر في «الفتن» (٣١/٤) عن علي بن أبي طالب.
- ورواه الدارمي في المقدمة بسياق طويل (ص ٨١) من طريق أوفى بن دهم عن علي منقطعاً.







يا أبا سعيد! ما نراك إلا اغتبت الرجل، فقال: أي لكع  
هل عيب من شيء فيكون غيبة أيما رجل أعلن  
بالمعاصي ولم يكتمها كان ذكركم إياه حسنة تكتب  
لكم، وإما رجل عمل بالمعاصي فكتمها الناس كان  
ذكركم إياه غيبته.

٩٢٢١ - أخبرنا أبو عبد الله الحافظ، أخبرنا جعفر الخواص،  
حدثنا أبو العباس بن مسروق، حدثنا إبراهيم بن سعد

Salafiri.com

= راجع "الضعفاء الصغرى" (ص ٤٥) "تاريخ ابن معين" (١٦٦/٢)  
"تاريخ بغداد" (٣٩٩/٨) "المجروحين" (٢٩٥/١) "المجرح  
والتعديل" (٤٩٦/٣) "التاريخ الكبير" (٣١٠/١/٢) "الكامل"  
(٩٩٩-٩٩٨/٣) "الضعفاء والمتروكون" (ص ٢١١) "الضعفاء  
والمتركون" (ص ١٠٤) "الضعفاء الكبير" (٥٧/٢) "المميزان"  
(٦١/٢) "اللسان" (٤٦٨/٢) "المغنى في الضعفاء" (٢٣٤/١).

☆ يونس = ابن أبي اسحاق السبيعي؛

☆ الحسن = ابن أبي الحسن البصري؛

والحديث رواه السهمي في "تاريخ جرجان" (ص ١١٥) عن  
الإمام أبي بكر الإسماعيلي بنفس الإسناد.

(٩٢٢١) إسناده: ضعيف.

☆ جعفر الخواص = جعفر بن محمد بن نصر الخلدی أبو محمد؛

وفى النسخ لدينا "أبو جعفر الخواص" وهو خطأ.

☆ أبو العباس بن مسروق = أحمد بن محمد بن مسروق الطوسي  
ليس بالقوى؛

وسفيان بن وكيع، عن مندل بن علي، عن موسى بن  
عبيدة، عن سليمان بن مسلم قال قال الحسن البصري:  
ثلاثة ليست لهم حرمة في الغيبة: فاسق يعلن الفسق،  
والأمير الجائر، وصاحب البدعة. [Salafiri.com](http://Salafiri.com)

٩٢٢٢ - أخبرنا أبو عبد الرحمن السلمى، أخبرنا أبو الحسن  
الكاظمي، أخبرنا علي بن عبد العزيز، قال قال أبو عبيد:  
في حديث علي رضي الله عنه وذكر آخر الزمان والفتن،  
فقال: خير أهل ذلك الزمان كل نومة، أولئك مصابيح  
الهدى، ليسوا بالمصابيح، ولا بالمذابيح البذر.

☆ سفيان بن وكيع = ابن الجراح الرؤاسي الكوفي صدوق.

☆ مندل بن علي = هو العنزي، ضعيف؛

☆ موسى بن عبيدة = الربذي، أبو عبد العزيز المدني، ضعيف؛

☆ سليمان بن مسلم = أبو المعلى الخزاعي العجلي كوفي الأصل  
بصري الدار؛ ذكره ابن حبان في "الثقات" (٣٩٣/٦) ولم يذكر  
فيه جرحاً ولا تعديلاً.

راجع "التاريخ الكبير" (٣٦/٢/٢) "الجرح والتعديل"  
(١٤٢/٤-١٤٣).

والأثر رواه ابن أبي الدنيا في "الصمت" (رقم ٢٣٥) وفي "الغيبة  
والنعمية" (رقم ٩٧) من طريق شريك عن عقيل عن الحسن  
البصري.

(٩٢٢٢) إسناده: جيد.

☆ أبو الحسن الكاظمي = محمد بن محمد بن الحسن بن الحارث؛

☆ أبو عبيد = القاسم بن سلام المروى؛

والحديث في "غريب الحديث" (٤٦٣/٣). =

[AK] The chain from Imam al-Bayhaqi is from Abu Abdullah al-Hafiz, from Ja'far al-Khawwas from Abul Abbas bin Masruq from Ibrahim bin Sa'd and Sufyan bin Waki both from Mandal bin Ali from Musa bin Ubaydah from Sulayman bin Muslim who said al-Hasan al-Basri said.... (***Shu'bal Iman*** 12/167 no.9221) another edition (17/163-164 no.9221) (Indian Print)

Dr Abdul Ali Abdul Hameed Hamid grades this report **weak**; He continues and says Ja'far al-Khawwas is Ja'far bin Muhammad bin Nasir al-Khaladi Abu Muhammad and in the manuscript we have it says Abu Ja'far al-Khawwas, which is incorrect. He then says,

*"It's chain is weak...Abul Abbas bin Masruq is Ahmad bin Muhammad bin Masruq at-Tusi and he is not strong.....Mandal bin Ali is al-Anazi he is weak. Musa bin Ubaydah he is al-Rabadhi Abu Abdul Aziz al-Madani, he is weak."* (***al-Jam'i Shu'bal-Iman*** (17/163-164 no.9221) (India: ad-Darus-Salafiyyah, 1416H/1996, 1<sup>st</sup> Edn. Ed. Under the supervision Mukhtar Ahmad al-Nadwi), in another edition (12/167 no.9221), (KSA: Maktabah ar-Rushd, 1437H/2015, 4<sup>th</sup> Edn.) with the checking of Dr. Abdul Ali Abdul Hameed Hamid, refer to the scan above)

For ***Abul Abbas bin Masruq***

See ***Mizan*** (1/166), ***Lisan*** (1/646), ***Diwan ad-Dhu'afa wal-Matrukin*** (p.9), ***Mughni fidh-Dhu'afa*** (1/92), ***adh-Dhu'afa wal-Matrukin*** (1/89) of Ibn al-Jawzi from ***al-Jam'i li-Kutub adh-Dhu'afa wal-Matrukin wal Kadhabin*** (1/649 no.1011) (Egypt: Dar Ibn Abbas, 1439H/2018 1<sup>st</sup> Edn. Shadi Al Nu'man)

Imam ad-Daraqutni said, “He is not strong, and his narrations are from the *Mu’adhalat* (missing 2 consecutive narrators).” (*Suwalat Hamza bin Yusuf as-Sahmi*, no.165)

For ***Mandal bin Ali***

see ***Ahwal ar-Rijal*** (p.105), ***adh-Dhu’afa wal-Matrukin*** (no.611) an-Nasa’i, ***adh-Dhu’afa al-Uqayli*** (6/149), ***al-Majruhin*** (3/24) al-Kamil (8/214), ***Man Takallam Fihim ad-Daraqutni Fi Kitab as-Sunan*** (no.430), ***Tarikh Asma ath-Thiqat adh-Dhu’afa wal Kadhabin wal Matrukin*** (no.636) Ibn Shahin, ***adh-Dhu’afa wal-Matrukin*** (3/138) of Ibn al-Jawzi, ***Diwan ad-Dhu’afa wal-Matrukin*** (p.397), ***Mughni fidh-Dhu’afa*** (2/429), Mizan (4/380) from ***al-Jam’i li-Kutub adh-Dhu’afa wal-Matrukin wal Kadhabin*** (15/324 no.13255)

For ***Musa bin Ubaydah***

see ***adh-Dhu’afa*** (no.361) of al-Bukhari, ***adh-Dhu’afa al-Uqayli*** (5/440), ***Ahwal ar-Rijal*** (p.214), ***Asami adh-Dhu’afa Li-Abi Zurah ar-Razi*** (no.316), ***Suwalat al-Barza’i*** (no.478), ***al-Majruhin*** (2/234), ***Ta’liqat ad-Daraqutni Ala Kitab al-Majruhin*** (p.226), ***al-Kamil*** (8/44), ***adh-Dhu’afa wal-Matrukin*** (no.517) ad-Daraqutni, ***Man Takallam Fihim ad-Daraqutni Fi Kitab as-Sunan*** (no.434), ***Tarikh Asma adh-Dhu’afa wal Kadhabin wal Matrukin*** (no.588), ***adh-Dhu’afa*** (no.202) Asbahani, ***adh-Dhu’afa wal-Matrukin*** (3/147) of Ibn al-Jawzi, ***Diwan ad-Dhu’afa wal-Matrukin*** (p.402), ***Mughni fidh-Dhu’afa*** (2/441), Mizan (4/405), ***Kashf al-Hathith*** (no.796) from ***al-Jam’i li-Kutub adh-Dhu’afa wal-Matrukin wal Kadhabin*** (15/453 no.13425)

Imam al-Lalaka’i also transmits this in his ***Sharh Usul al-I’tiqad*** with the following chain, from al-Hasan from Ahmad bin al-Hasan bin Yunus from Muhammad bin Uthman from Ahmad bin

Yunus from Mandal from Musa bin Ubaydah from Sulayman bin Muslim from al-Hasan, *“It is not unlawful to backbite three people, one is the person of innovation who is extreme in his innovation.”* (**Sharh Usul al-I’tiqad** (1/231 no.278) (Maktabah al-Islamiyyah – Nashat bin Kamal). This is still weak due to Mandal and Musa bin Ubaydah.

It seems that Imam al-Lalaka’i made ikhtisar of the riwayat perhaps owing to only mentioning the point of discussion (backbiting the people of bid’ah) or perhaps the feasible possibility he was not convinced of the authenticity of the other two types of people. It is therefore also possible he might have summarised report (no.276), the report above or again, he might not have deemed the other wording to be authentic, Allahu Ta’la A’lam.

The muhaqqiq of **Sharh Usul I’tiqad**, Nashat bin Kamal said about this report (no,278), *“(1) Mandal bin Ali al-Anazi Abu Abdullah al-Kufi, Ahmad declared him weak. (2) Musa bin Ubaidah Nashit al-Rabadhi, he was a worshipper but weak in hadith especially when narrating from Abdullah bin Dinar.”* (**Sharh Usul al-I’tiqad** (1/231 no.278) (Egypt: Maktabah al-Islamiyyah, 1431H/2010, 6<sup>th</sup> Edn. Ed. Nashat bin Kamal al-Misri).

Al-Qufili said, *“This report is weak, and its chain is disconnected.* (He then quotes verbatim with the chain from **Shu’bal Iman** (vol 17 no.9221) [AK] Dar us-salafiyyah – Indian Print] *and said) Mandal bin Ali al-Anazi is in the chain who is weak. Musa bin Ubaidah al-Rabadhi is also weak. Sulayman bin Muslim Abul Mu’ali al-Ijli is Majhul al-Hal (unknown). Furthermore, there is link (missing) between (Sulayman) and al-Hasan al-Basri as*

mentioned in ***al-Jarh Wat'Ta'dil*** (4/142) and Allah knows best." (***Sharh Usul al-I'tiqad Ahlus Sunnah wal Jama'ah*** (1/309-310 no.244) END]

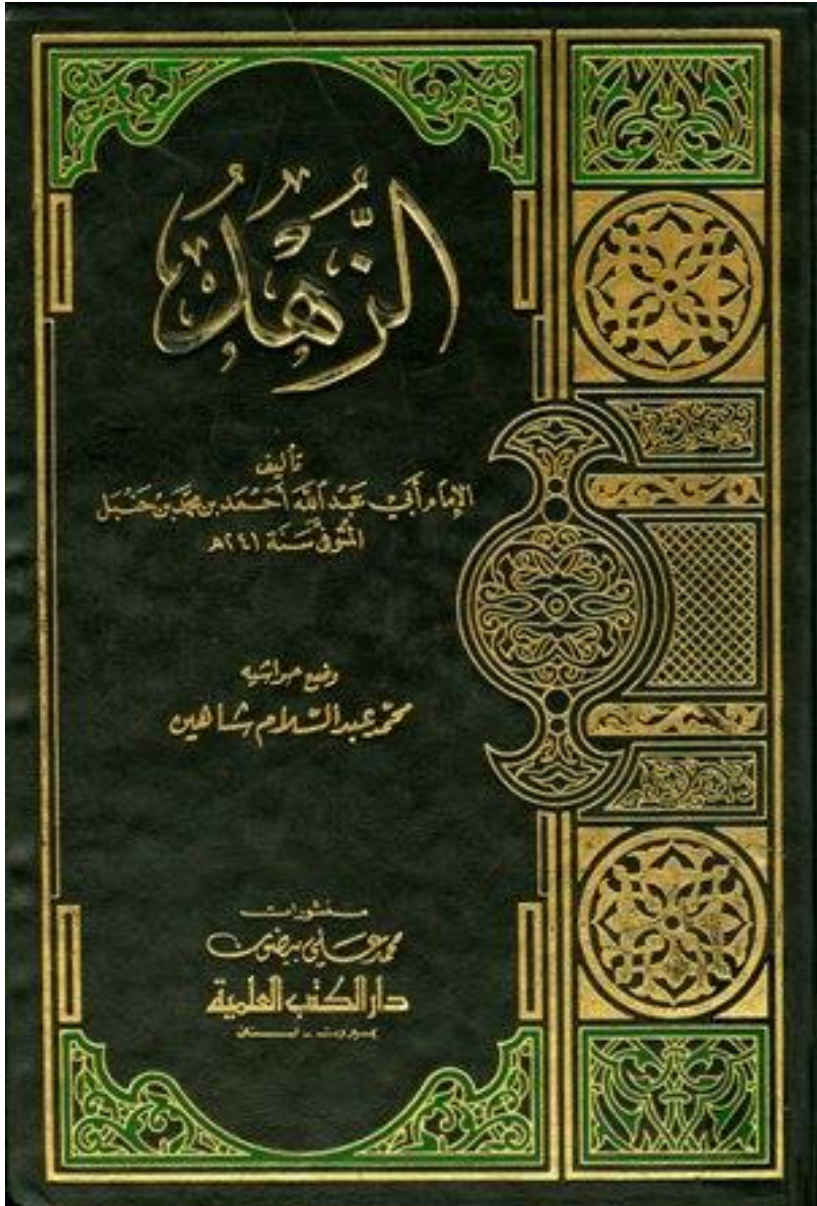
Also, Sulayman bin Muslim transmits from al-Hasan, but I could not find anyone who transmitted on al-Hasan al-Basri with that name. I found three people with that name who resided in al-Basrah who transmitted from al-Hasan, one is majhul and two are weak.

Several current researchers have definitively said Sulayman bin Muslim is Abu Mu'alli al-Ijli who is majhul – unknown.

[AK] Dr Abdul Ali Abdul Hameed Hamid said, "*Sulayman bin Muslim he is Abul Mu'alli al-Khuza'i al-Ijli Kufi al-Asal Basri ad-Dar. Ibn Hibban cited him **ath-Thiqat** (6/393) and he did not mention any criticism or praise for him.*" (***Shu'bal Iman*** (12/167 under no.9221) END]

Abdullah bin Ahmad bin Hanbal also transmitted in ***az-Zuhd*** (p.486 no.1689) and another edition (p.234 no.1666) but with wording, "*a treacherous ruler*" and through another chain of transmission from Abdullah bin Ahmad by Abul A'la Attar al-Hamdani in his book ***Futya Wa Jawabiha Fi Zikr al-I'tiqad Wa Dhamm al-Ikhtilaf*** (no.14) but with the wording as "*the oppressive ruler.*" And its chain is weak due to a disconnection in it.





أحقاباً» [النبا: ٢٣]. قال: أما الأحقاب فليس لها عدة إلا الخلود في النار ولكن قد ذكروا أن الحقب الواحد سبعون ألف سنة في كل يوم من ذلك السبعين ألف سنة مما تعدون.

١٦٦٦ - حدثنا عبد الله حدثنا أبي عبد العزيز الجروي عن ضمرة عن ابن شاذب عن الحسن، قال: ثلاثة لا غيبة لهم الإمام الخائن وصاحب الهوى الذي يدعو إلى هواء والفاسق المعلن فسقه.

١٦٦٧ - حدثنا عبد الله حدثنا الحسن بن عبد العزيز بن أبي سلمة عن الحسن، قال: طلبنا هذا الأمر ونظرنا فلم نجد أحداً عمل عملاً بغير علم إلا كان ما يقصد أكثر مما يصلح.

١٦٦٨ - حدثنا عبد الله حدثنا علي بن مسلم، حدثنا سيار حدثنا حماد بن زيد حدثنا الزبير الحنظلي، قال: قلت للحسن صليت يا أبا سعيد، قال: لا قلت إن أهل السوق قد صلوا قال: إن أهل السوق لا خير فيهم بلغني أن أحدهم يمنع أخاه الدرهم.

١٦٦٩ - حدثنا عبد الله حدثنا أبي وعلي بن مسلم، قالوا: حدثنا سيار حدثنا جعفر حدثنا عباد بن عمر العبدى، قال: قلت للحسن يا أبا سعيد ما للحوار العين، قال: هي عجائز هؤلاء ينشئهن الله خلقاً آخر قال: فقال يزيد بن مريم السلولي يا أبا سعيد من حدثك هذا قال: فحسب الحسن عن كم قميصه فقال حدثني فلان بن فلان المهاجري وفلان بن فلان الأنصاري حتى عد خمسة من الأنصار وأربعة من المهاجرين أو أربعة من الأنصار وخمسة من المهاجرين.

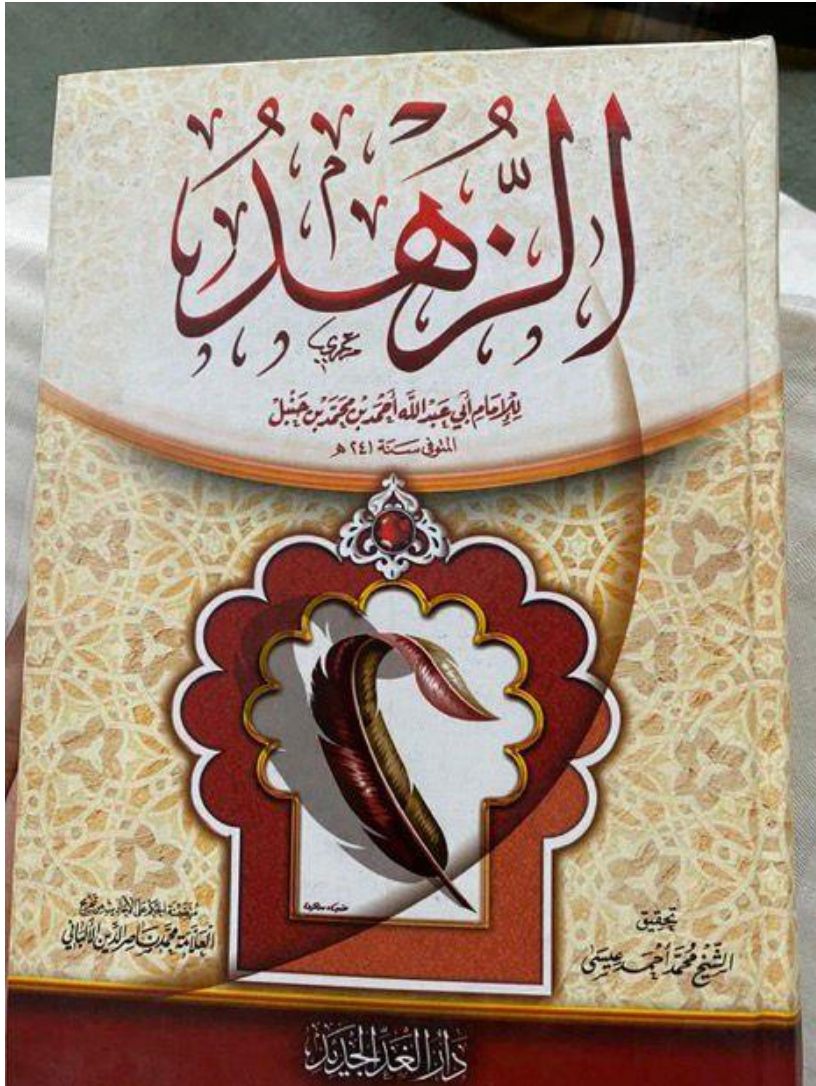
١٦٧٠ - حدثنا عبد الله حدثني أبي حدثنا عمر بن سليمان بن الربيع بن سويد بن إبراهيم عن الحسن، قال: إذا دخلت الرشوة من الباب خرجت الأمانة من الكوة.

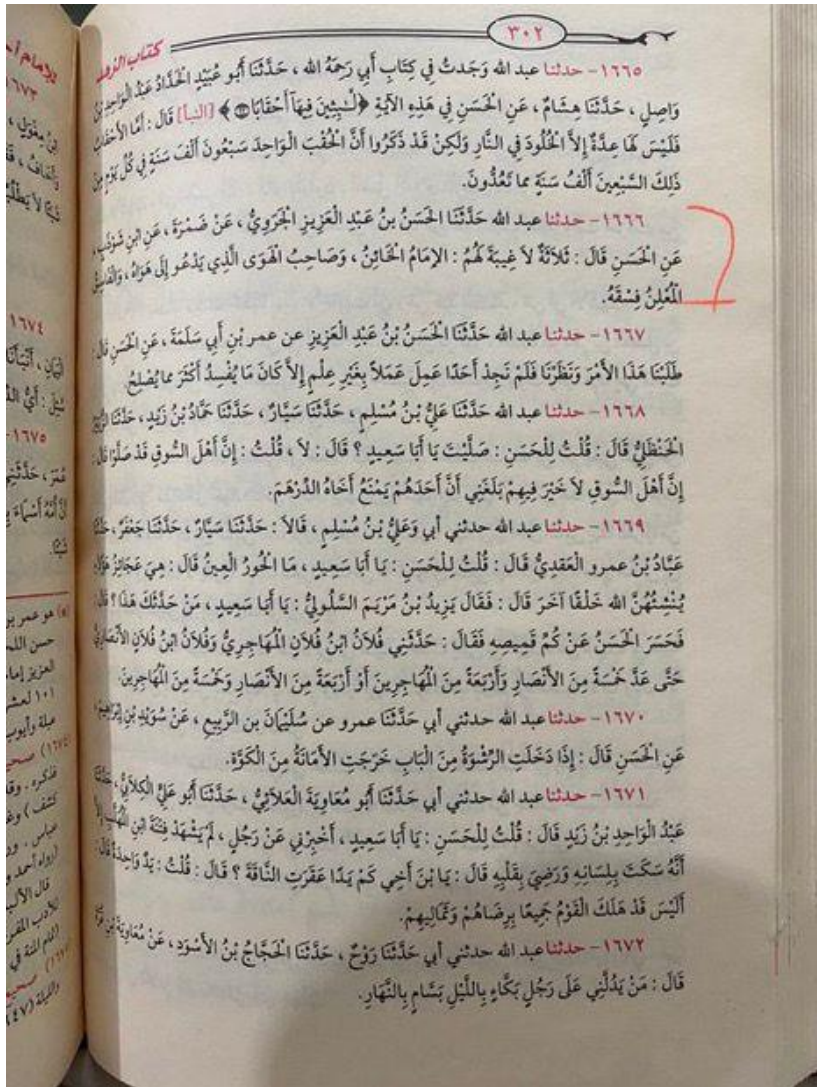
١٦٧١ - حدثنا عبد الله حدثنا أبي حدثنا أبو معاوية العلاءي حدثنا أبو علي الكلابي حدثنا عبد الواحد بن زيد، قال: قلت للحسن يا أبا سعيد أخبرني عن رجل لم يشهد فتنة ابن المهلب إلا أنه بلسانه ورضي بقلبه قال: يا ابن أخي كم يد عقرت الناقة قال: قلت يد واحدة قال أليس قد هلك القوم جميعاً برضاهم وتمايلهم.

١٦٧٢ - حدثنا عبد الله حدثني أبي حدثنا روح حدثنا الحجاج بن الأسود عن معاوية بن قرة، قال: من يذلني على رجل بكاء بالليل بسام بالنهار.

١٦٧٣ - حدثنا عبد الله حدثنا أبي حدثنا هاشم بن القاسم حدثنا أبو سعيد حدثنا مالك بن مغول عن معاوية بن قرة أنه جلس ورجل من التابعين فتذاكرا قال: فقال أحدهما إني لا أرجو وأخاف فقال الآخر من رجا شيئاً طلبه وإنه من خاف من شيء هرب منه وما أحسب امرأً يرجو شيئاً لا يطلبه، ما أحسب امرأً يخاف شيئاً لا يهرب منه.







**(These 2 scans were shared on social media by those who promote the permissibility of backbiting rulers publicly)**

[AK] **Kitab az-Zuhd** with additions by Imam Abdullah bin Ahmad bin Hanbal is referred to as **as-Zawa'id** of Abdullah bin Ahmad bin Hanbal. It has been published many times and thus different references are often quoted. The scan shows what the opposers have shared (p.302 no.1666) Dar ul-Ghad al-Jadid, ed. Muhammad Ahmad Isa. END]

**Imam Abu Hatim ar-Razi further said as mentioned in his son's book, *al-Marasil* (no.421), "Ibn Shawdhab did not see (i.e. meet) al-Hasan and he did not hear any hadith from him."**

[AK] The chain in **az-Zuhd** is from Abdullah from al-Hasan bin Abdul Aziz al-Jarawi from Dhamrah from Ibn Shawdhab from al-Hasan.

Although Ibn Shawdhab is thiqah, he did not meet al-Hasan. (**Kitab al-Marasil** (p.116 tarjamah no.194 no.421) (Syria: Mu'assasah ar-Risalah, 1439H/2018, 2<sup>nd</sup> Edn. Ed. Shukrullah bin Ni'matullah Qawchani.

So, it seems Abdullah bin Shawdhab encountered al-Hasan's era, but he did actually meet or transmit any narrations or reports from him. So, there is a disconnection in the chain which renders it weak.

Hafiz al-Ala'i (d.761) also classed Abdullah Ibn Shawdhab as narrator who did irsal while repeating the view of Imam Abu Hatim ar-Razi. (**Jam'i at-Tahsil Fi Ahkam al-Marasil** (p.212 no.371) (Lebanon: Alam al-Kutub, 1426H/2005, Edn. 3<sup>rd</sup> ed. Shaikh Hamdi Abdul Majid as-Salafi)

Hafiz Wali ud-Din bin Abdur Rahim al-I'raqi also classed him as a mursal narrator while relying on the view of Imam Abu Hatim ar-Razi. (***Tuhfah at-Tahsil Fi Zikr Ruwat al-Marasil*** (p.305 no.482 (Lebanon: Dar al-Moqtabas, 1439H/2018, Edn. 1<sup>st</sup> Ed. Nafiz Hussain, Rif'at Fawzi and Ali Abdul Basit END]

**Ibn Abi Dunya in his book *as-Samt* (no.238) from the statement of al-Hasan al-Basri through the chain of "From my father from Ali bin Shafiq from Kharijah from Ibn Jaban from al-Hasan who said, "It is not haram to backbite three, the open sinner, the oppressive ruler and the innovator."**

المبارك، عن الحسن رضي الله عنه قال: إذا ظَهَرَ فُجُورُهُ فلا غِيَبَةَ لَهُ. قال: نحو المَخْنَثِ، ونحو الحُرُورِيَّةِ.

[٢٣٧] حدثني عبيد الله، حدثنا موسى بن إسماعيل، حدثنا الصَّلْتُ بن طَرِيف المِغُولِي قال: سألت الحسن رضي الله عنه قلت: رَجُلٌ قد علمتُ عنه الفُجُورَ، وَقَتَلْتُهُ عِلْماً، أَفَذَكِّرِي لَهُ غِيَبَةَ؟ قال: لا، ولا نعمت عَيْنٌ لِلْفَاجِرِ.

[٢٣٨] حدثني أبي، أنبأنا علي بن شَقِيق، أنبأنا خازجة، حدثنا ابن جَابَان، عن الحسن قال: ثلاثة لا تَحْرُمُ عَلَيْكَ أَعْرَاضُهُم: الْمُجَاهِرُ بِالْفِسْقِ، والإِمَامُ الْجَائِرُ، والمُبْتَدِعُ. [Salafiri.com](http://Salafiri.com)

[٢٣٧] إسناده لين...

وتقدم الكلام عليه في الحديث (٢٣١).

[٢٣٨] إسناده ضعيف جداً...

وخازجة بن مصعب متروك كما قال النسائي وغيره وابن جابان لا أدري من هو؟!

[AK] See also **Mawsu'ah Ibn Abi Dunya** (4/379) and this report is extremely weak. END]

The chain for this report is very weak due to Kharijah bin Mus'ab who is abandoned. As for Ibn Jaban or Jaban I could not determine who he was (and thus his trustworthiness) as others have also said. Ibn Abi Dunya also reported this with the same chain in **al-Ghibah wan-Namimah** (no.101) but in marfu form and this is another defect (that is transmitted in marfu form)

[AK] This chain although it is the same, the only variation is Jaban instead of Ibn Jaban. Najm Abdur Rahman Khalaf said in his checking of **Kitab as-Samt**, "In the manuscript of al-Zubaydi it says Ibn Jaban." (**Ittihaf** (7/557) (**Kitab as-Samt wa Adab al-Lisan** (p.345) (Lebanon: Dar ul-Gharb, 1406H/1986) 1<sup>st</sup> Edn.)

Kharijah bin Mus'ab was a very weak narrator, heavily criticised, abandoned in hadith and would do tadlis from liars. Imam al-Bukhari said it was impossible to decipher his authentic hadith from others (ie weak) (**Kitab ad-Dhu'afa** (no.108), **Tarikh ash-Saghir** (p.192). He was also accused of Irja (**Ahwal ar-Rijal** (p.355), abandoned in hadith **adh-Dhu'afa wal-Matrukin** (no.184) of an-Nasa'i, he was accused of lying and abandoned by most of the scholars of hadith. Ibn Ma'in said he was a liar (**Tarikh Ibn Ma'in** (3/253)

For comprehensive statements concerning him refer to **al-Jam'i li-Kutub adh-Dhu'afa wal-Matrukin wal Kadhabin** (5/135 no.3902), where the author devotes approximately 8 pages to him.



Kharjah bin Mus'ab was also a mudallis. Hafiz Ibn Hajr brings his entry in ***Tabaqat al-Mudallisin*** and said, “*al-Khurasani, the majority of the scholars of hadith declared him weak and Ibn Ma'in said, “He would perform tadtis from liars.” (Tabaqat al-Mudallisin (p.155 no.136).*

Sabt ibn al-Ajami in ***Kitab at-Tabiyyin Li-Asma al-Mudallisin*** (no.24) and Muhammad bin Tal'at also declared him to be a Mudallis (***Mu'ajam al-Mudallisin*** (p.174-175)

Shaikh Zubair Ali Za'i in his summary said, “*Matruk – abandoned and accused of doing tadtis on liars. Hafiz Ibn Hajr said, “Matruk, he would do tadtis from liars and Ibn Ma'in declared him to be a lair.” (at-Taqrrib no.1612) from Fath al-Mubin Fi Tahqiq Tabaqat al-Mudallisin (p.155 no.136).*

Imam al-Bukhari also said, “*Waki abandoned him, and he (Kharijah) would do tadtis on Ghiyath bin Ibrahim. (Ghiyath is weak in his hadith” (adh-Dhufa as-Saghir (no.108 p.259), Tuhfa al-Aqwiya Fi Tahqiq Kitab adh-Dhu'afa (p.41), Tarikh ash-Saghir (p.192)*

Shaikh Zubair also said in his checking of ***Kitab adh-Dhu'afa as-Saghir***, “*Kadhab – a liar, matruk – abandoned, did tadtis from liars.” (Tuhfa al-Aqwiya Fi Tahqiq Kitab adh-Dhu'afa (p.41 no.109) (Pakistan: Maktabah al-Islamiyyah, 1433H)*

Furthermore, Ibn Jaban is not known on the scale of the scholars of praise or criticism. This then adds to the weakness of the report. Najm Abdur Rahman Khalaf said, “*I could not find a biographical note for him (Kitab as-Samt wa Adab al-Lisan (p.345)*

He continues and says, *"I think it was misspelt and it should be Ibn Jad'an al-Basri. He is one of the narrators who narrated from al-Hasan al-Basri. His name is Ali bin Zayd bin Jad'an at-Tamimi. He is weak. He was from the fourth tabaqah and he died in 131H, some said before that. (Taqrīb (2/37), Tahdhib (7/322-324))" (Kitab as-Samt wa Adab al-Lisan (p.345)*

Al-Huwayni in his checking of **as-Samt** said, *"The chain is very weak. Kharijah bin Mus'ad is matruk – abandoned (in hadith) as an-Nasa'i and others said and as for Ibn Jaban, I do not know who he is."* (**Kitab as-Samt wa Adab al-Lisan** of Ibn Abi Dunya (p.146 no.238) (Lebanon: Dar ul-Kutub al-Arabi, 1410H/1990, 1<sup>st</sup> Edn. Ed. Abu Ishaq al-Huwayni) END]

**Other people have transmitted this report from al-Hasan al-Basri and sometimes these reports only mention the innovator, sometimes they only mention the wicked sinner and sometimes they mention both.**

[AK] As mentioned there are various reports from Imam al-Hasan al-Basri in many books. Some of these reports are authentic and some are weak. Reports concerning innovators can be found in books of Aqidah and Manhaj that discuss the reprehension of innovations and innovators. Some of these reports are from Rabi bin Sabih, as-Salat bin Tarif, Uthman bin Matar, Yunus bin Ubayd and others.

Some are related to etiquettes and manners for example, from Qatadah from al-Hasan who said,



*“There should be no sense of respect between you and a wicked sinner.” (Adab al-Mufrad no.1018, Shaikh al-Albani authenticated it)*

Another interesting report of al-Hasan al-Basri with the chain from al-Mubarak bin Fadhalah from al-Hasan who said, *“When wicked sinning becomes open, it is not backbiting to speak about them. He said the same regarding the effeminate man and the Haruriyyah (the Khawarij).”* (Ibn Abi Dunya in **as-Samt** (no.236), **al-Ghibah wan-Namimah** (no.98)

The narrators in the chain are thiqah except al-Mubarak who is truthful but also mudallis and narrates with Aan-Aan, however all the various reports from al-Hasan that speak about backbiting the innovators support this transmission since some are authentic

Imam al-Khattabi (d. 388H) said while expanding the Manhaj of Imam al-Hasan al-Basri when he said, *“Who amongst is like al-Hasan today who will carry out his tasks with regards to giving sincere advice and aspiring admonishment. May Allah rectify us and our rulers, for they are corrupt because of our sins.”* (**al-Uzla** p.235. Damascus: Dar Ibn Kathir 1410H/1990 2<sup>nd</sup> Edn. Ed. Yasin Muhammad al-Sawwas)

This shows this was the Manhaj of Imam al-Hasan al-Basri of advising the rulers and not backbiting them. Imam al-Khattabi recalls this in his era of the 4<sup>th</sup> century and expresses the need for someone to be like Imam al-Hasan al-Basri.

There are many reports from al-Hasan al-Basri which show apparent contradictions with this view, for example Imam Ibn

Abdul Barr transmit from al-Hasan al-Basri said, *“One who acts without knowledge is like one who travels off the path; and the one who acts without knowledge corrupts more than he rectifies. So, seek knowledge in a way that does not harm your worship, and seek to worship in a way that does not harm (seeking) knowledge. For verily, there were people (the Khawarij extremists) who sought to worship (Allah) but abandoned knowledge until they attacked the Ummah of Muhammad Sallallahu Alayhi Wasallam with their swords. But if they had sought knowledge, it would not have directed them to do what they did.”* (**Jam’i Bayan al-Ilm wa Fadlihi** no.905)

These reports contradict his insightful words which Imam Ibn Abi Hatim mentions in his explanation of the Quran, when al-Hasan al-Basri said, *“If people called on Allah when put to trial because of their rulers, Allah would relieve their suffering, but instead they resorted to the sword, so they were left to it. And not one day of good did they bring. Then he recited (Quran 7: 137), “And the good word of your Rabb was fulfilled for Bani Isra’il, for the patience and perseverance they had, and We destroyed the works of Pharaoh and his people and what they had erected.”* (**Tafsir al-Quran al-A’zim Musnadan Aan Rasul Sallallahu Alayhi Wasallam was-Sahabah wat-Tabi’in**, (7/311 no.883), Ibn Sa’d in **at-Tabaqat al-Kubra** (7/164), and as-Suyuti in **ad-Darr al-Manthur** (3/532)

And when al-Hasan was on his deathbed some of his companions came to him and said: *“Oh Abu Sa’id, offer us some words you can benefit us with. He replied, “I will equip you with three words, then you must leave me to face what I am facing. (1) Be the farthest of people from those things you have been forbidden (2) And be the most involved of people in the good*

*you have been commanded to do (3) and know that the steps you take are two steps: a step in your favour and a step against you, so be careful where you come and where you go.” (Hilyatul Awliya (2/154)*

And when al-Hasan said to the people regarding the oppression of al-Hajjaj, *“If he is a punishment for you then do not oppose Allah’s punishment with the sword but with peace and supplication.” (Tarikh Dimashq (12/177)*

This again shows, the need to be patient when faced with oppression. It is not the case if one argues that al-Hasan said with peace and supplication and by backbiting him since this is incomprehensible. Yes, this is about not rebelling but the advice of the Salaf is to be patient and advise privately. END]

## The 2<sup>nd</sup> – Report of Ibrahim an-Nakha'i Rahimahullah

This is reported by Ibn Abi Dunya in *as-Samt* (no.222) and *al-Ghibah wan-Namimah* (no.85) through the transmission of Yusuf bin Musa from Abdur Rahman bin Maghra'a from al-A'mash from Ibrahim (an-Nakha'i)

[AK] See also *Mawsu'ah al-Imam Ibn Abi Dunya* (7/ 51 no.223). The text of the report is, *"It is not considered backbiting when speaking about three people, the oppressive ruler, the innovator and a wicker sinner who sins publicly."* END]

[٢٢١] حدثنا الحسن بن يحيى، أنبأنا عبد الرزاق عن زيد بن أسلم قال:  
إنما الغيبة لمن لم يعلن بالمعاصي.

[٢٢٢] حدثنا يوسف بن موسى، حدثنا عبد الرحمن بن مفرء، حدثنا  
الأعمش، عن إبراهيم قال: ثَلَاثُ كَانُوا لَا يُعَدُّوهُمْ مِنَ الْغَيْبَةِ: الإمام الجائر،  
والمبتدع، والفاسق المجاهر بنفسه. [Salafiri.com](http://Salafiri.com)

[٢٢٣] حدثنا خَلَف بن هشام، حدثنا أَبُو عَوَانَةَ، عن قَتَادَةَ، عن الحسن،  
رضي الله عنه، قال: لَيْسَ بَيْنَكَ وَبَيْنَ الْفَاسِقِ جُرْمَةٌ.

[٢٢٤] حدثنا علي بن الجعد، أنبأنا الربيع بن صبيح، عن الحسن  
رضي الله عنه، قال: لَيْسَ لِمُبْتَدِعٍ غَيْبَةٌ.

[٢٢٥] حدثنا عبد الرحمن بن صالح، حدثنا حسين الجعفي، عن هانئ  
ابن أيوب قال: سَأَلْتُ مُحَارِبَ بْنَ دَنَارٍ عَنْ غَيْبَةِ الرَّافِضَةِ؟ قال: إِنَّهُمْ إِذَا لَقَوْهُمْ  
صُدُّوا.

[٢٢٦] وبلغني عن أحمد بن عمران الأحنسي، حدثنا سليم بن حيّان، عن

[٢٢١] إسناده ضعيف...

وذلك لانقطاع بين عبد الرزاق وزيد بن أسلم.

[٢٢٢] في إسناده لين...

وعبد الرحمن بن مفرء صدوق تكلم في حديثه عن الأعمش، ولكنه توبع كما يأتي برقم (٢٢٦).  
وأخرجه البيهقي في «شعب الإيمان» كما في «الدر المنثور» (٩٧/٦) للسيوطي.

[٢٢٣] رجاله ثقات...

وأخرجه المصنف في «ذم الغيبة» بسنده سواء.

[٢٢٤] رجاله موثقون...

والربيع بن حبيب صدوق سقى الحفظ.

وعزه السيوطي في «الدر» (٩٧/٦) للبيهقي في «الشعب».

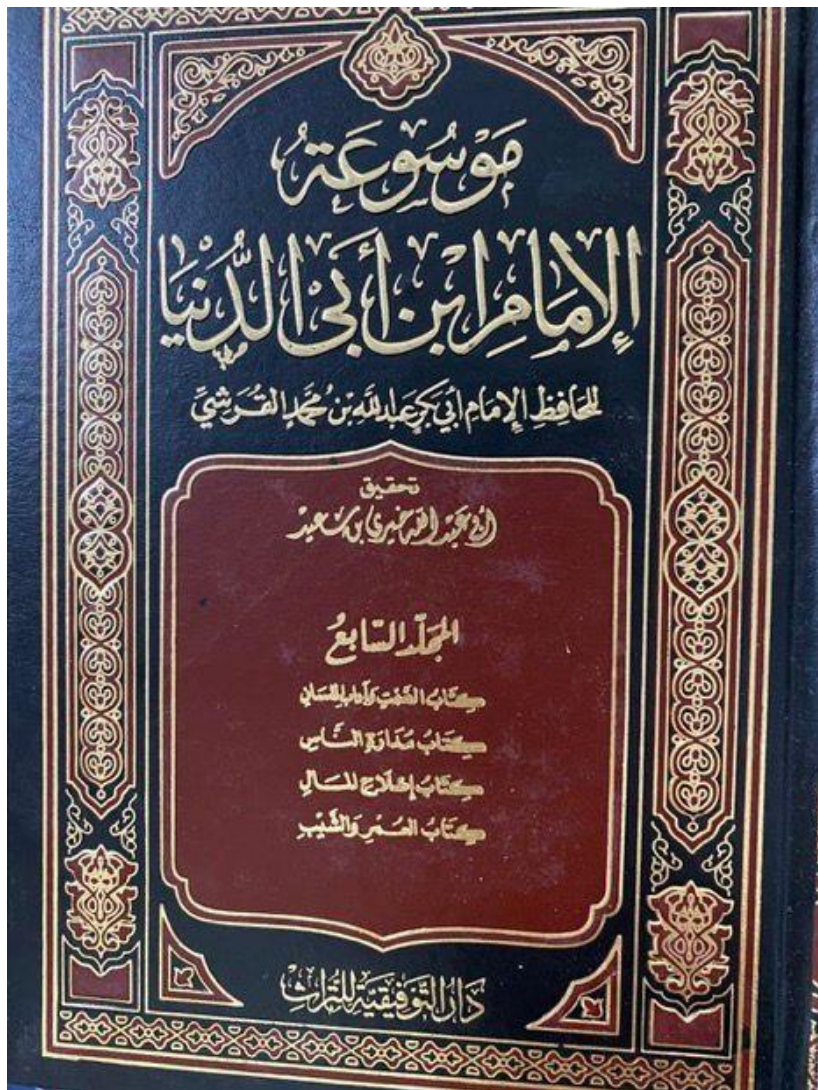
[٢٢٥] إسناده ضعيف...

أخرجه المصنف في «ذم الغيبة» بسنده سواء.

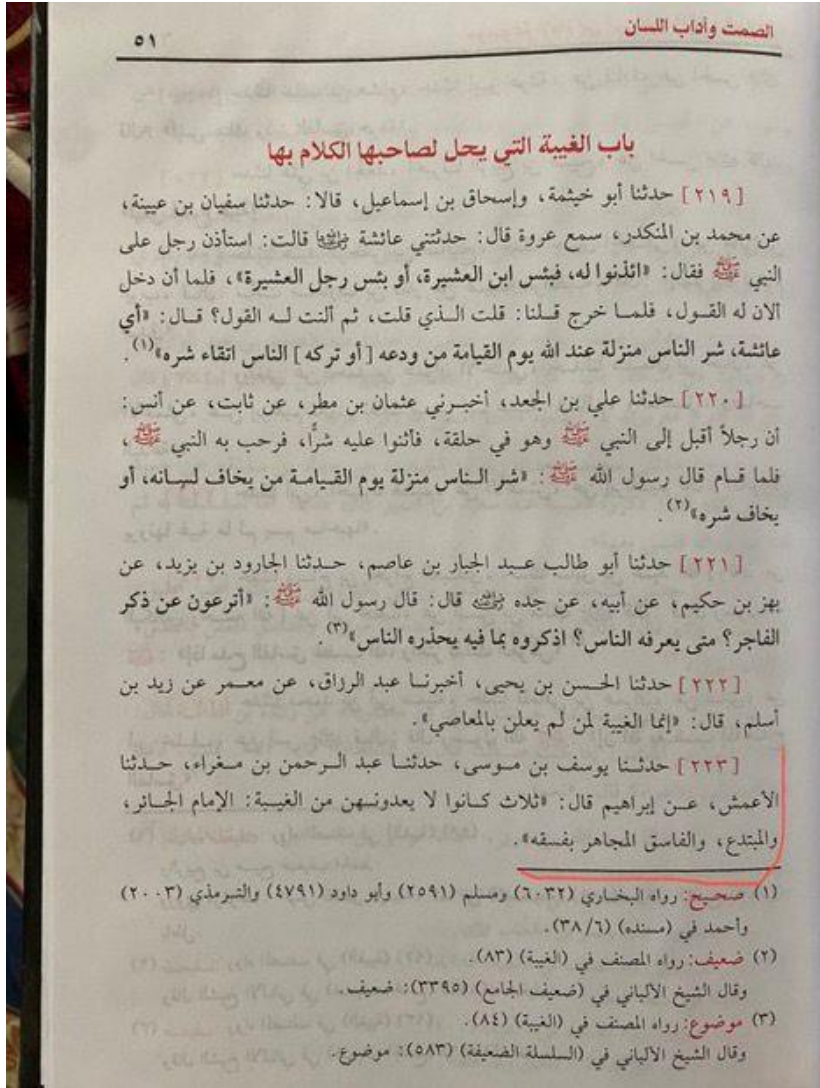
وهانئ بن أيوب وإن وثقه ابن حبان، فقد قال ابن سعد: «كان عنده أحاديث وفيه ضعف».

[٢٢٦] إسناده ضعيف...

أخرجه المصنف في «ذم الغيبة» بسنده.







(These 2 scans were shared on social media by those who promote the permissibility of backbiting rulers publicly)

**Abdur Rahman bin al-Maghra'a's trustworthiness and reliability is disputed. Ali bin al-Madini, Ibn Adiyy and others criticised him for his narrations from al-A'mash and this report is from and through the route of al-A'mash.**

[AK] Ali bin al-Madini said concerning Abdur Rahman bin Maghra'a, *"He is nothing he transmitted 600 hadith from al-A'mash, we discarded them as they were not transmitted like that."* Also, *"Trustworthy narrators did not corroborate his hadith, he narrated odd and strange narrations from other than al-A'mash and all of them were weak."* Yahya ibn Ma'in said *"He is nothing."* As-Saji said, *"He is from the truthful people but has weakness."* Abu Ahmad al-Hakim said, *"His hadith are not supported."* Abu Zurah said, *"Truthful"*, al-Khalili said, *"Thiqah."*

Refer to ***al-Kamil*** (5/471), ***al-Iktifa Fi Tanqih adh-Dhu'afa*** (2/406), ***Mukhtasar al-Kamil*** (p.490), ***adh-Dhu'afa wal-Matrukin*** (2/101) of Ibn al-Jawzi, ***Diwan ad-Dhu'afa wal-Matrukin*** (p.246), ***Mughni fidh-Dhu'afa*** (1/614), ***Mizan*** (2/520), ***Qanun adh-Dhu'afa*** (p.229) from ***al-Jam'i li-Kutub adh-Dhu'afa wal-Matrukin wal Kadhabin*** (8/441 no.6433)

Najm Abdur Rahman said in his checking of ***as-Samt***, *"Its chain is Hasan and Abdur Rahman bin al-Maghra'a is truthful."* And then he said, *"They (scholars of hadith) resented the hadith he transmitted from al-A'mash since he was not supported by other trustworthy narrators."* (***Kitab as-Samt wa Adab al-Lisan*** of Ibn Abi Dunya (p.338 no.223). So, there is a problem with al-Maghra'a from al-A'mash and his saying the chain is Hasan is incorrect.



Al-Huwayni in his checking of **as-Samt** said, *“There is weakness in the chain. Although Abdur Rahman bin Maghra’a is truthful his hadith from al-A’mash have been criticised.”* (**Kitab as-Samt wa Adab al-Lisan** of Ibn Abi Dunya (p.142 no.222). END]

**Ad-Darimi** (no.394) also transmitted it but without the words *“the oppressive ruler.”* He ad-Darimi transmits, *“From Makhlad bin Malik from Abdur Rahman bin Maghra’a from al-A’mash who said, “Ibrahim (an-Nakha’i) did not consider it backbiting when speaking about innovators.”*

[AK] This shows the wording especially the phrase, *“The oppressive/unjust ruler”* is controversial and disputed by the very fact it is lost in transmission in some reports. This is further problematic when the transmission is through the same narrators. Since the chain of transmission is the same in **Ibn Abi Dunya** except Musa bin Yusuf and Makhlad bin Malik.

Makhlad bin Malik is awthaq than Musa bin Yusuf and thus his riwayat is taken and accepted. Makhlad is a narrator of **Sahih al-Bukhari** and Imam al-Bukhari’s Shaikh. His narration in **Sahih al-Bukhari** is (no.4074).

Abi Nasr Ahmad bin Muhammad al-Bukhari al-Kalabadhi (d.398H) has an entry for him in his book on the narrators of al-Bukhari. He says, *“al-Bukhari transmitted from him in the Ghazwa of Uhud.”* (**Rijal Sahih al-Bukhari** (2/725 no.1205) (Lebanon: Dar al-Ma’rifah, 1407H/1987, 1<sup>st</sup> Edn. Ed. Abdullah al-Laithi). There is no doubt he is thiqah refer to (**al-Jam’a Bayna ar-Rijal as-Sahihain** (2/507), **at-Taqrif** (2/235), **Tahdhib ut-Tahdhib** (10/75), **al-Kashif** (3/113) as mentioned in **Rijal Sahih al-Bukhari**.

Abul Walid Sulayman bin Khalf al-Baji (d.474H) brings his entry in ***Kitab at-Ta'dil wat-Tajrih Liman Kharaja Lahu al-Bukhari F'il Jam'i as-Sahih*** (2/740 no.672) (Tunisia: Dar ul-Gharb, 1431H/2010) 2<sup>nd</sup> Edn. Ed. Abu Lubaba at-Tahir Salih Hussain. In another edition (p.259 no.672) (Lebanon: DKI, 2010, 1<sup>st</sup> Edn. Ed. Ali Ibrahim Mustafa)

Al-Hasan bin Muhammad al-Adawi and Umari (d.650) has an entry for in his book in the Shuyukh of Imam al-Bukhari. (***Asami Shuyukh al-Bukhari*** (p.218-219 no.280). (Syria: Dar ul-Kamal, 1437K/2916, 1<sup>st</sup> Edn. Ed. Hussain Salman Mahdi)

For further details on Makhlad refer to Imam al-Bukhari's ***Tarikh al-Kabir*** (4/438 no.1914. ***Tahdhib ul-Kamal*** (27/340), ***Tahdhib ut-Tahdhib*** (12/625-626 no.6937), ***al-Hidayah wal-Irshad*** (2/725), ***al-Mu'ajam al-Mushtamil*** (p.289)

For arguments sake, some researchers did authenticate this riwayat in ***Sunan ad-Darimi***, like Shaikh Subhi Hasan Hallaq (p. 106 no.408) and his saying the rijal are trustworthy and ad-Darimi is the only one who reported it, it is still not worthy of evidence since it does not contain the words which are disputed, namely the oppressive or unjust ruler.

Shaikh Muhammad Ilyas, a student of Shaikh Ibn Baz, alludes to its weakness. He says, *"The narrators of this narration are thiqah however there is criticism regarding Abdur Rahman bin Maghra'a's narrations from al-A'mash and al-Lalaka'i transmits it with an authentic chain."* (***Sunan ad-Darimi*** (1/240 no.408)

Nabil Hashim al-Ghamari also alluded to Abdur Rahman bin Maghra'a's narrations from al-A'mash being criticised and that

his reports from him were unsupported. He declared the chain of the report to be *hasan*, due to a supporting report in Imam al-Lalaka'i's ***Sharh Usul I'tiqad*** (no.276). (***Fath ul-Manan Sharh Musnad al-Jam'i*** (4/418 no.427) (Lebanon: Dar al-Basha'ir al-Islamiyyah, 1436H/2014, 2<sup>nd</sup> Edn. Ed. Nabil Hashim)

Again, this is not opposing the weakness of the former report since its words are different, this report does not mention the oppressive or unjust ruler. END]

**Al-Lalaka'i** also transmitted it in his book ***Sharh Usul I'tiqad Ahlus-Sunnah*** (no.276) through the route of Sulayman bin Hayyan from al-A'mash from Ibrahim with the wording, *"It is not backbiting when speaking about the people of innovation."*

The chain is *Hasan* but not Muhammad bin al-Hasan ash-Sharqi and perhaps he is Muhammad bin Ahmad bin al-Hasan ash-Sharqi, I could not any biographical information for an entry of that name.

[AK] reported in al-Lalaka'i's ***Sharh Usul I'tiqad Ahlus Sunnah wal Jama'ah*** (1/231 no.276) (al-Maktabah al-Islamiyyah – Nashat bin Kamal, in another edition (1/309 no.243) (Mutamayyiz / an-Nasihah – al-Qufili) with the chain from al-Hasan from Muhammad bin al-Hasan al-Sharqi from Muhammad bin Uthman from Abu Bakr from Abu Khalid from al-A'mash....

Al-Qufili said, *"This report is Hasan – good, and I could not find anyone other than the author transmitting it with a connected chain to (al-Hasan). Abu Khalid in the chain is al-Ahmar*

*Sulayman bin al-Azdi, who is truthful but would make mistakes.” (Sharh Usul I’tiqad Ahlus Sunnah wal Jama’ah (1/309 no.243) (KSA: Mutamayyiz / an-Nasihah, 1436H/ 2015, 1<sup>st</sup> Edn. Ed.al-Qufili)*

In the advent the report is taken to be authentic, it does not endorse the view of those who advocate backbiting the oppressive ruler. END]

**Ibn Abi Dunya also transmitted it in *as-Samt* (no.226) and in *al-Ghibah wan-Namimah* (no.89) from Ahmad bin Imran al-Akhnasi from Sulayman bin Hayyan from al-A’mash from Ibrahim who said, “*It is not backbiting speaking against three people, the oppressor, the wicker sinner and the person of innovation.*”**

[٢٢١] حدثنا الحسن بن يحيى ، أنبأنا عبد الرزاق عن زيد بن أسلم قال :  
إِنَّمَا الْغِيْبَةُ لِمَنْ لَمْ يُعْلِنْ بِالْمَعَايِي .

[٢٢٢] حدثنا يوسف بن موسى ، حدثنا عبد الرحمن بن مَعْرَاءَ ، حدثنا  
الأعمش ، عن إبراهيم قال : ثَلَاثَ كَانُوا لَا يُعَدُّوْنَهُنَّ مِنَ الْغِيْبَةِ : الْإِمَامُ الْجَائِرُ ،  
وَالْمُبْتَدِعُ ، وَالْفَاسِقُ الْمَجَاهِرُ بِفِسْقِهِ .  
Salafiri.com

[٢٢٣] حدثنا خَلْفَ بن هشام ، حدثنا أَبُو عَوَانَةَ ، عن قَتَادَةَ ، عن الحسن ،  
رضي الله عنه ، قال : لَيْسَ يَبْنُوكَ وَيَبْنِي الْفَاسِقُ حُرْمَةً .

[٢٢٤] حدثنا علي بن الجَعْد ، أنبأنا الربيع بن صَبِيح ، عن الحسن  
رضي الله عنه ، قال : لَيْسَ لِمُبْتَدِعٍ غِيْبَةٌ .

[٢٢٥] حدثنا عبد الرحمن بن صالح ، حدثنا حسين الجُعْفِي ، عن هانئ  
ابن أيوب قال : سألت مُحَارِبَ بن دَثَارٍ عن غِيْبَةِ الرَّافِضَةِ ؟ قال : إِنَّهُمْ إِذَا لَقَوْهُمْ  
صُدُّوا .

[٢٢٦] وبلغني عن أحمد بن عمرانٍ الأَخْنَسِيِّ ، حدثنا سَلِيم بن حَيَّان ، عن

[٢٢١] إسناده ضعيف . . .

وذلك للانقطاع بين عبد الرزاق وزيد بن أسلم .

[٢٢٢] في إسناده لين . . .

وعبد الرحمن بن معراء صدوق نُكَلِّم في حديثه عن الأعمش ، ولكنه تويع كما يأتي برقم (٢٢٦) .  
وأخرجه البيهقي في «شعب الإيمان» كما في «الدر المنثور» (٩٧/٦) للسيوطي .

[٢٢٣] رجاله ثقات . . .

وأخرجه المصنف في «ذم الغيبة» بسنده سواء .

[٢٢٤] رجاله موثقون . . .

والربيع بن حبيب صدوق سيق الحافظ .

وعزاء السيوطي في «الدر» (٩٧/٦) للبيهقي في «الشعب» .

[٢٢٥] إسناده ضعيف . . .

أخرجه المصنف في «ذم الغيبة» بسنده سواء .

وهانئ بن أيوب وإن وثقه ابن حبان ، فقد قال ابن سعد : «كان عنده أحاديث وفيه ضعف» .

[٢٢٦] إسناده ضعيف . . .

أخرجه المصنف في «ذم الغيبة» بسنده .

الأعمش عن إبراهيم قال: ثلاث ليس لهم غيبة: الظَّالِم، والفَّاسِقُ، وصَاحِبُ  
البِدْعَةِ. [Salafiri.com](http://Salafiri.com)

[٢٢٧] حدثنا أبي، أنبأنا هُشَيْمٌ، عن الأعمش، عن إبراهيم قالوا: كانوا لا  
يرونها غيبةً، ما لم يُسمَّ صَاحِبُهَا.

[٢٢٨] حدثنا رِيَّاحُ بن الجُرَّاحِ العَبْدِيُّ، حدثنا سابق بن عبد الله، وكان

وسنَدُهُ ضَعِيفٌ لِلانْقِطَاعِ بين المصنف وأحمد بن عمران الأَخْصِي في هذا الأثر. لأن المصنف  
روى عنه بلا واسطة قبل ذلك وانظر رقم ١٩، ١٦٨، ثم أحمد بن عمران قال البخاري: «يُكَلِّمُون  
فيه».

وقال أبو زرعة: «تركوه».

وقال الذهبي في «الميزان»: «وتركه أبو حاتم».

والذي في «الجرح والتعديل» (٦٥/١/١) عن أبي حاتم قال: «لم أكتب عنه وقد أدركته». قُلْتُ -  
القاتل ولَدُهُ -: ما حَالُهُ؟!.

قال: «شيخ».

قُلْتُ: فُلعلَّ أبا حاتم صرَّحَ بأنه متروك في كتاب آخر، وربما كان هذا من فهم الذهبي لقوله: «لم  
أكتب عنه وقد أدركته» فظن أنه تركه والعبارة تحتل وجهاً آخر غير الترك.

وقال بعضهم: «إسناده حسن وأحمد بن عمران وثقه جماعة وضعفه آخرون» وهو كاذب في هذا،  
فأين الذين وثقوه؟! بل أين الذي وثقه؟! ولم يكتف هذا المسكين بهذه الجراءة غير المحموده حتى زعم  
في الحديث رقم (٤١٧، ٤١٨) أن إسناده صحيح برغم أنهما من رواية أحمد بن عمران الأَخْصِي!! وقد  
تقدم القول فيه.

[٢٢٧] رجاله ثقات...

أخرجه المصنف في «ذم الغيبة» بسنده سواء.

[٢٢٨] إسناده ضعيف جداً...

أخرجه ابن حبان في «المجروحين» (٢٦٧/١) معلقاً، ووصله أبو يعلى في «مسنده» كما في  
«الفتح» (٤٧٨/١٠)، وعنه ابن عدي في «الكامل» (١٣٠٧/٣)، والخطيب في «التاريخ» (٢٩٨/٧)  
و (٤٢٨/٨) من طريق أبي خلف خادم أنس، عن أنس به.

قال الحافظ في «الفتح» (٤٧٨/٦٠):

«في سننه ضعف»!!.

قُلْتُ: هذا تساهلٌ، بل السند ضعيف جداً، وقد قال الحافظ في «التقريب» في ترجمة أبي خلف  
هذا:

«متروك، رماه ابن معين بالكذب»!!.

وله شاهدٌ من حديث بريدة.

أخرجه ابن عدي (١٩١٧/٥) من طريق عقبة بن عبد الله الأصم، عن عبد الله بن بريدة، عن أبيه

**Ahmad bin Imran bin Abdul Malik al-Akhnasi in the chain is weak and there is an unknown link between al-Akhnasi and Ibn Abi Dunya.**

[AK] Ahmad bin Imran al-Akhnasi is weak and abandoned in hadith. Imam al-Bukhari said, *“He is rejected in hadith, and he was criticised.”* (***adh-Dhu’afa*** (1/366) of al-Uqayli, ***adh-Dhu’afa wal-Matrukin*** (1/82) of Ibn al-Jawzi, ***Mughni Fidh adh-Dhu’afa*** (1/83), ***Mizan*** (1/146), ***Lisan*** (1/559).

Imam adh-Dhahabi said, *“His reports are false.”* Abu Zur’ah said, *“Kufi, abandoned (in hadith).”* (***Mughni Fidh adh-Dhu’afa*** (1/83). Abu Hatim also abandoned him. (***Mizan*** (1/146). Al-Azdi said, *“He was munkar al-hadith.”* (***Lisan*** (1/559).

Refer to ***al-Jam’i li-Kutub adh-Dhu’afa wal-Matrukin wal Kadhabin*** (1/546-547 no.851) for more details concerning him.  
END]

Najm Abdur Rahman said, *“The chain is Hasan, Ahmad bin Imran was declared thiqah by a group of scholars of hadith while others said he was weak. The author narrates from in his book in other places. He narrates from him many times with words that indicate he heard directly from him.”* (***Kitab as-Samt wa Adab al-Lisan*** (p.329 no.227).

Al-Huwayni in his checking of ***as-Samt*** said answers Najm’s argument, *“The chain is weak. The author also transmitted it through the same chain in his book ***Dhamm ul-Ghibah***. The chain is weak due to a disconnection in the chain between the author (Ibn Abi Dunya) and Ahmad bin Imran al-Akhnasi in this report. This is because the author transmits the report without*



a narrator between them yet in no.19 and no.168 he transmits with narrators between them. Furthermore, al-Bukhari said about Ahmad bin Imran, "He was criticised.", Abu Zur'ah "He was abandoned." adh-Dhahabi said in **Mizan**, "Abu Hatim abandoned him." This is why in **al-Jarh wat-Ta'dil** (1/1/65) Abu Hatim said, "He did not write anything from him, but he only encountered his era."... Abu Hatim clarified in another book that he was abandoned in hadith...So, it is possible adh-Dhahabi may have not taken the statement due to other reasons. Some people said, "The chain is Hasan (good) Ahmad bin Imran, a group of scholars said he was thiqah while others said he was weak." This is a lie in this matter, where are the those who said he was thiqah? And where was he declared thiqah? This miskin person was not satisfied with this audacity to the extent he declared other chains of Ahmad bin Imran al-Akhnasi (no.417, 418) to be authentic." (**Kitab as-Samt wa Adab al-Lisan** (p.142-143 no.226). END]

## **The 3<sup>rd</sup> – Report of Ubaydullah bin al-Hasan Rahimahullah**

**Harb al-Kirmani transmit in his *Masailuhu* (2/286)**

« أترعون<sup>(١)</sup> عن ذكر الفاجر؟ متى يعرفه الناس! اذكروه بما فيه يحذره الناس<sup>(٢)</sup> ».

١٤١٥ سألت إسحاق عن غيبة السلطان الجائر؟ قال: لا تكون فيهم، إلا ما يكره للإنسان أن يعود لسانه.

١٤١٦ حدثنا الأخصر قال: حدثنا عارم قال: حدثنا [ وهيب بن ] خالده قال: سمعت عبيد الله<sup>(٤)</sup> يقول في غيبة الخوارج والسلطان الذي قد أعلن، لم ير لهم غيبة. فأما من يعلم أنه مذنب وهو يحب أن يستتر، فرأى ذلك منهم غيبة<sup>(٥)</sup>.

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٤ - حكيم بن معاوية بن حيدة القشيري: قال ابن حجر: « صدوق . من الثالثة . خت ٤ » .

انظر: التقريب ( ١٤٧٨ ) .

٥ - معاوية بن حيدة بن معاوية القشيري . قال ابن حجر: « صحابي نزل البصرة ، ومات بخراسان وهو جد بهز بن حكيم . خت ٤ » .

انظر: التقريب ( ٦٧٥٥ ) .

(١) ارعوى عن الأمر: أي كفّ وانصرف عنه .

انظر ( رعو ) : النهاية ( ٢ / ٢٣٦ ) ، القاموس ( ص ١٦٦٢ ) .

(٢) رواه البيهقي في السنن ( ١٠ / ٢١٠ ) ، وفي شعب الإيمان ( ٧ / ١٠٩ ) ، والطبراني في الكبير

( ١٩ / ٤١٨ ) ، والخطيب في تاريخه ( ١ / ٣٨٢ ) ، ( ٣ / ١٨٩ ) ، ( ٧ / ٢٦٢ ، ٢٦٩ ) ، وابن

حبان في الجرحين ( ١ / ٢٢٠ ) ، وابن عدي في الكامل ( ٢ / ١٧٣ ) ، ( ٥ / ١٣٤ ) ، والعقيلي في

الضعفاء ( ١ / ٢٠٢ ) ، وابن الجوزي في العلل المتناهية ( ٢ / ٢٩٢ ) كلهم من طريق الجارود عن بهز

ابن حكيم . وقد روي من طرق أخرى عندهم عن بهز بن حكيم كلها ضعيف . قال ابن حبان :

« الخبر في أصله باطل ، وهذه الطرق كلها باطيل لا أصل لها » .

(٣) سقطت من الأصل ، وقد سبق نظير هذا السند في المسائل ( ٥٣٥ ، ٦٧٥ ) .

(٤) سنده :

١ - الأخصر : لم أقف على ترجمته . وانظر ما تقدم عنه في شيوخ حرب .

٢ - محمد بن الفضل السدوسي ، المعروف بعارم : ثقة تغير بأخرة . تقدم في المسألة ( ١١١ ) .

٣ - وهيب بن خالد بن عجلان الباهلي : ثقة تغير بأخرة قليلاً . تقدم في المسألة ( ٥٣٥ ) .

٤ - عبيد الله بن عمر بن حفص بن عاصم المَعْمَرِي : ثقة . تقدم في المسألة ( ١٣٣ ) .

(٥) لم أقف عليه .

[AK] This a typographical error, 286 should be 886. It is in his **Masail** (2/286 no.1416) as, from al-Akhdar from Arim from [Wuhayb bin] Khalid who said, *"I heard Ubaydullah say concerning the backbiting of the Khawarij and ruler which was done publicly, that he did not consider it backbiting. As for person who knows he is sinning, it is incumbent upon him to conceal it. He saw this as backbiting from them."* END]

**His Shaykh who is in the chain Abu Abdur Rahman al-Akdhar bin Manjab, his biography cannot be found.**

[AK] Dr. Fayiz, who published his Doctoral Thesis on Harb's Masail in this masala mentions, *"I could not find a biographical for him."* (**Masail Harb** (2/886 no.1416 footnote 4) END]

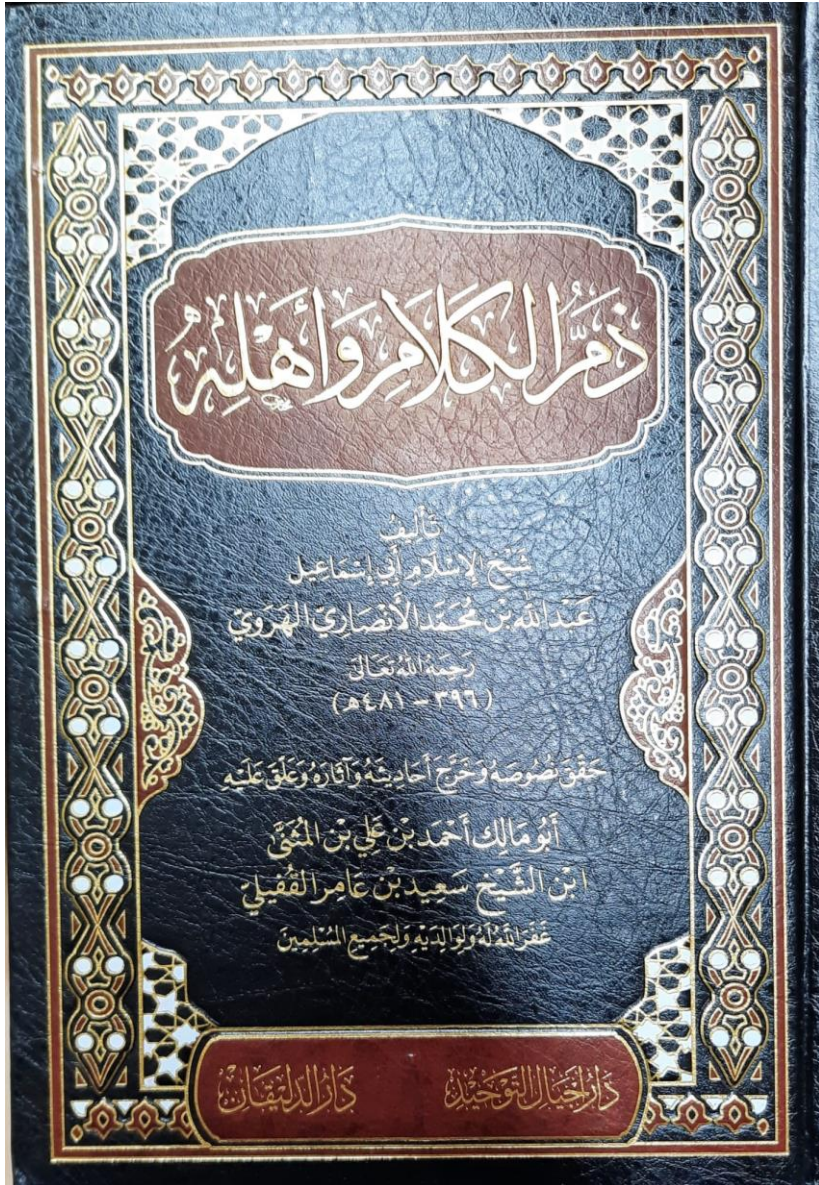
**His Shaykh in the chain is his uncle Arim, and it is not known whether he narrated from him before or after he became forgetful.**

[AK] Arim, who is Muhammad bin Fadhal as-Sadusi is Thiqah Thabt as Hafiz Ibn said in **Taqrib ut-Tahdhib** (no.6226). he became forgetful and his memory deteriorated. END]

## The 4<sup>th</sup> – Report of Yahya bin Abi Kathir Rahimahullah

This is reported by al-Harawi in *Dhamm ul-Kalam Wa-Ahlihi* (no.687)

[AK] This is from (*Dhamm ul-Kalam Wa-Ahlihi* (3/352 no.687) (KSA: Dar ul-Ajyal ut-Tawhid/Dar ul-Dalyaqan, 1442/2021, 1<sup>st</sup> Edn.) END]





بِسْمِ اللَّهِ وَأَهْلُهُ أَشْبَحَ الْإِسْلَامَ أَبِي إِسْمَاعِيلَ الْهَرَوِيَّ رَحِمَهُ اللَّهُ

٣٥٢

٦٨٧ - أَخْبَرَنَا أَبُو يَعْقُوبَ، أَخْبَرَنَا مُحَمَّدُ بْنُ أَحْمَدَ بْنِ الْأَزْهَرِ<sup>(١)</sup>، أَخْبَرَنَا

أَحْمَدُ بْنُ مُحَمَّدٍ بْنِ يُونُسَ، حَدَّثَنَا أَبُو زَيْدٍ الضَّرِيرُ الْمُسْتَمَلِي، حَدَّثَنَا أَحْمَدُ بْنُ أَبِي رَجَاءٍ،

حَدَّثَنَا مُعَاوِيَةُ بْنُ عَمْرٍو، عَنْ أَبِي إِسْحَاقَ الْفَرَازِيِّ، عَنْ الْأَوْزَاعِيِّ، قَالَ: قَالَ

يَحْيَى بْنُ أَبِي كَثِيرٍ: ثَلَاثَةٌ لَا غَيْبَةَ فِيهِمْ، إِمَامٌ جَائِرٌ، وَصَاحِبٌ بِدْعَةٍ، وَقَاسِقٌ<sup>(٢)</sup>.

(١) في (ب)، و(ظ): (أحمد بن محمد بن أحمد بن الأزهر)، وفي (ت): (أحمد بن محمد بن الأزهر)،  
والتصويب من الأسانيد الأخرى في الكتاب.

(٢) هذا أثر ضعيف.

أخرجه يوسف ابن عبد الهادي: ابن المبرد الحنبلي في "جمع الجيوش والساكر" (ص: ٢٠٢). من  
طريق المؤلف رَحِمَهُ اللَّهُ تَعَالَى، بِهِ مِثْلُهُ.

❀ شيخ المصنف رَحِمَهُ اللَّهُ تَعَالَى، هو: الحافظ أبو يعقوب إسحاق بن إبراهيم السرخسي، القرب،  
الهروي. وقد تقدم في (ج) برقم: ١٧/٨.

❀ وَشَيْخُهُ، هُوَ: الْعَلَامَةُ، أَبُو مَنْصُورٍ مُحَمَّدُ بْنُ أَحْمَدَ بْنِ الْأَزْهَرِ بْنِ طَلْحَةَ الْأَزْهَرِيُّ، الْهَرَوِيُّ،  
الْلُّقَوِيُّ، الشَّافِعِيُّ، كَانَ ثِقَةً، دَبَّيًّا، وَكَانَ رَأْسًا فِي اللُّغَةِ، وَالْفِقْهِ. وقد تقدم في (ج) برقم: ٥٧.

❀ وَشَيْخُهُ، هُوَ: أَبُو إِسْحَاقَ أَحْمَدُ بْنُ مُحَمَّدٍ بْنِ يُونُسَ الْبَرَّازُ، الْهَرَوِيُّ. وقد تقدم في (ج) برقم: ٧٠.

❀ وَشَيْخُهُ: (أَبُو زَيْدٍ الضَّرِيرُ، الْمُسْتَمَلِي)، هُوَ: أَبُو مَعْنَرٍ حَمْدُويه بن الحَطَّابِ الْبُخَارِيُّ، مُسْتَمَلِي  
الإمام الْبُخَارِيُّ. ترجمه الذهبي في "تاريخ الإسلام" (ج ٦ ص: ٦٤٦)، وابن ماكولا في "الإكمال"  
(ج ٢ ص: ٥٥٥)، ولم يذكر فيه جرحًا، ولا تعديلاً.

❀ وينظر لزائماً: "الإكمال" لابن ماكولا (ج ٢ ص: ٢٨٢): هامش (رقم: ٢).

❀ وَشَيْخُهُ: (أَحْمَدُ بْنُ أَبِي رَجَاءٍ)، هُوَ: إِمَامٌ عَصْرِهِ، بِ(هَرَاةَ)، فِي الْفِقْهِ، وَالْحَدِيثِ، أَبُو الْوَلِيدِ  
أَحْمَدُ بْنُ عَبْدِ اللَّهِ بْنِ أَيْتُوبَ الْحَنْفِيُّ، الْهَرَوِيُّ. ترجمه الذهبي في "تاريخ الإسلام" (ج ٥ ص: ٧٦١).

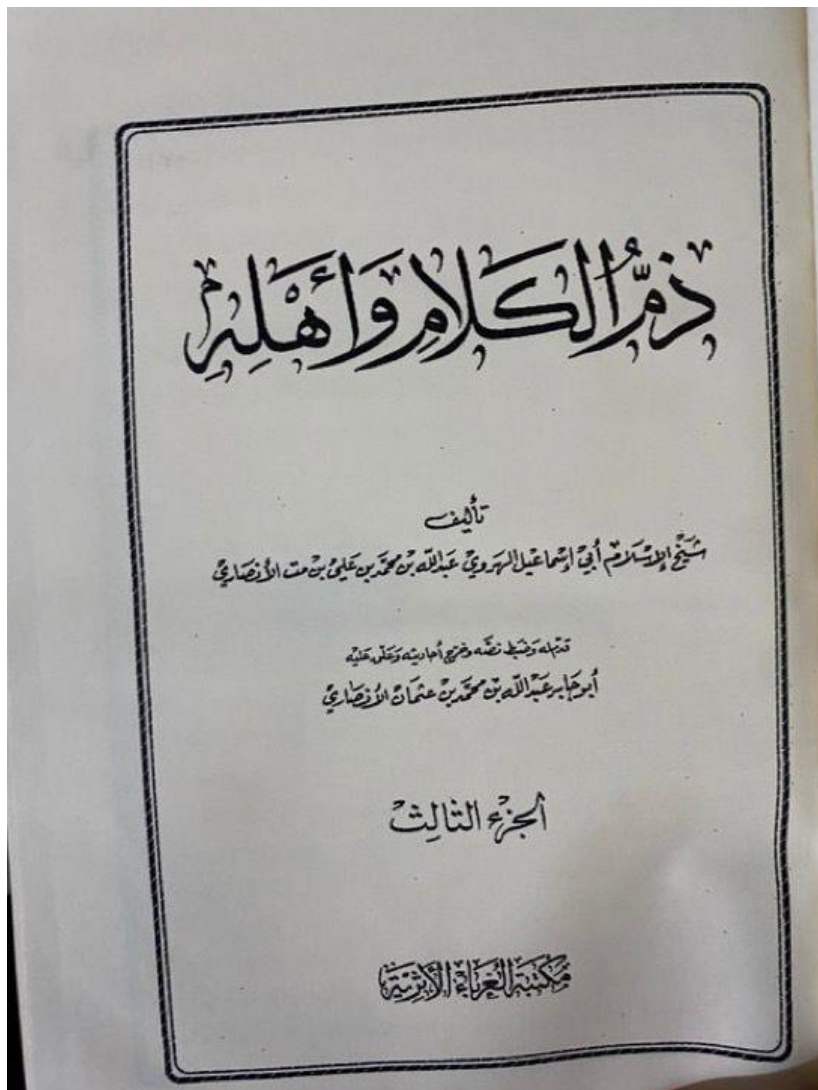
❀ وشيخه، هو: أبو عمرو معاوية بن عمرو الأزدي، البغدادي، وهو ثقة.

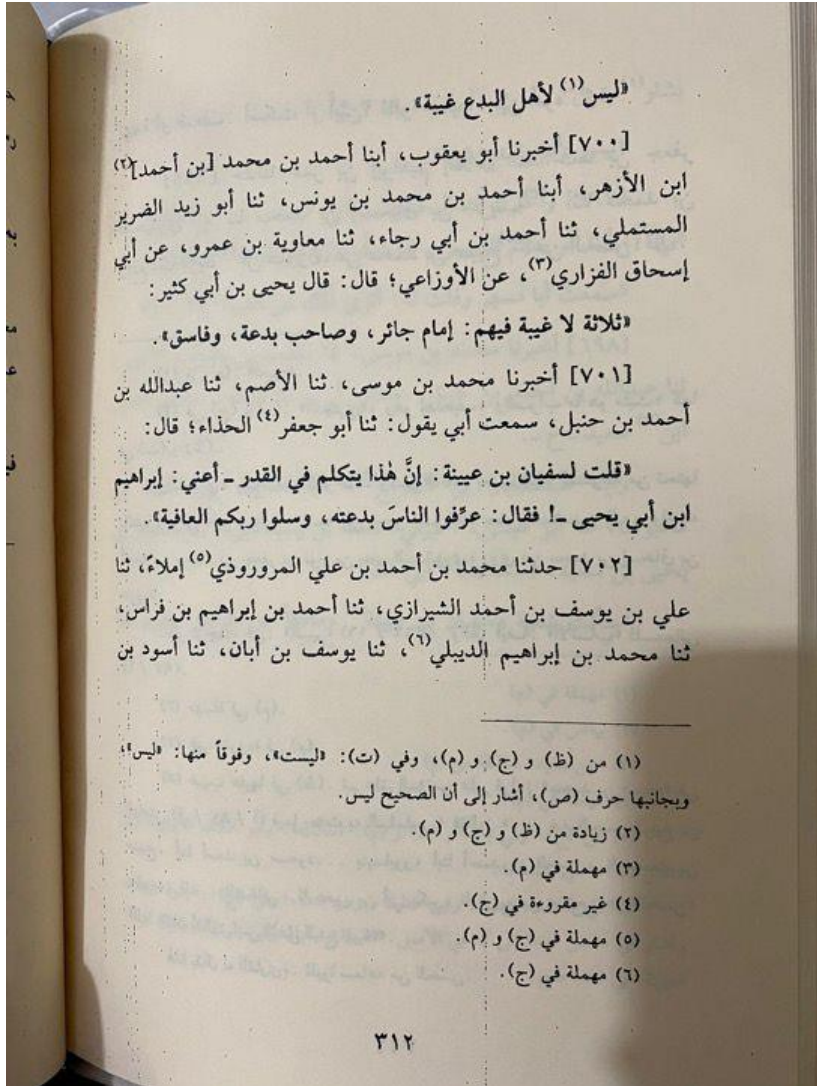
❀ وشيخه، هو: أبو إسحاق إبراهيم بن محمد بن الحارث الفزاري، وهو إمام ثقة حافظ.

❀ وشيخه، هو: أبو عمرو عبد الرحمن بن عمرو الأوزاعي، الشامي، الدمشقي.

❀ وشيخه، هو: أبو نصر يحيى بن أبي كثير، الطائي مولا لهم، اليمامي.







(These 2 scans were shared on social media by those who promote the permissibility of backbiting rulers publicly)

[AK] in another edition (3/312 no.700) (Maktabah al-Ghuraba al-Athariyyah) END]

He said,

*From Abu Ya'qub from Muhammad bin Ahmad bin al-Azhar from Ahmad bin Muhammad bin Yunus from Abu Zayd adh-Dharir al-Mustamli from Ahmad bin Abi Raja' from Mu'awiyah bin Amr from Abi Ishaq al-Fazari from al-Awza'i who said Yahya bin Abi Kathir said, "It is not backbiting to speak against three people, the oppressive ruler, the person of innovation and the wicked sinner."*

Abu Zayd adh-Dharir is in the chain, and I do not know who he is (his trustworthiness) and this is what others have said. The teacher of al-Harawi, Abu Yaq'ub, No one could be found who declared him trustworthy. (*Athar al-Waridah Fi Jawaz Ghibah al-Hakim al-Ja'ir* p.15)

[AK] This report is in ***Dhamm ul-Kalam Wa-Ahlihi*** (3/352 no.687) (Dar ul-Ajyal ut-Tawhid). The muhaqqiq Abu Malik Ahmad bin Ali bin al-Muthanna ibn Shaykh Sa'id bin Amir al-Qufili grades the report **weak**. He said, "*This Athar is da'if*" (footnote 2).

He also does not bring any scholar of hadith who declared Abu Ya'qub trustworthy. There are some scholars who referred to him with praiseworthy titles but not even one described him with words of praise according to the terminology of the Muhadithun.

Al-Qufili adds Abu Zayd has a biographical entry in Hafiz adh-Dhahabi's **Tarikh al-Islam** (6/646) and Ibn Makula in **al-Ikmal** (2/555) but none of them mention any words of criticism or praise for him. (**Dhamm ul-Kalam Wa-Ahlihi** (3/352 no.687) (KSA: Dar ul-Ajyal ut-Tawhid/Dar ul-Dalyaqan, 1442/2021, 1<sup>st</sup> Edn.)

Jamal ud-Din Yusuf bin Hasan bin Abdul Hadi al-Maqdisi al-Hanbali known as Ibn al-Mibrad also transmit this report in **Jam'a al-Juyush wad-Dasakir Ala Ibn Asakir** (p.202) and he quoted it in the context of backbiting the people of innovation and kalam and having those fanaticism of bidah (part of **Mathalib Ibn Abi Bishr** Egypt: Dar ul-Zakha'ir, 2017/1439H, 1<sup>st</sup> Edn. Muhammad bin Abdul Hamid al-Ghuwayatiyyi), another edition, (p.63) (KSA: Dar ul-Aqidah 2017 1439H 1<sup>st</sup> Edn. Ed. by Hussain bin Man'i al-Qahtani. END]

## **The 5<sup>th</sup> – Report of Abdur Rahman bin Udhaynah Rahimahullah**

Transmitted by Harb al-Kirmani in his *Masailuhu* (2/883-884) who said,

[AK] *Masail Harb* (2/883-883 no.1410). This report is mostly quoted from this Doctoral thesis in Fiqh of the Masail from Kitab un-Nikah to the end of the book. The Thesis was by Fayiz Ahmad Habis at Ummul Qurra University by in 1422H.END]

***Narrated Abdullah bin Abdul Wahhab who said Ziyad bin ar-Rabi'a from Abdur Rahman bin Udhaynah said our Shaykhs narrated to us and said, "There is no sanctity, and it is not backbiting when speaking about three people, the oppressive tyrannical ruler, the wicked sinner who sins publicly and the person of innovation."***



٣٩٧



المملكة العربية السعودية  
وزارة التعليم العالي  
جامعة إيج القري  
كلية الشريعة والدراسات الإسلامية  
قسم الدراسات العليا الشرعية  
فرع الفقه والأصول

# مسائل حرب

١٩٢٠ هـ

تصنيف

الإمام أبي محمد حرب بن إسماعيل بن خلف الكرماني

( ١٩٠ - ٢٨٠ هـ )

من كتاب النكاح إلى آخر الكتاب  
( دراسة و تحقيق )  
رسالة مقدمة لنيل درجة الدكتوراه في الفقه

إعداد

فايز بن أحمد بن حامد حابس

إشراف

فضيلة الشيخ الدكتور حسين بن خلف الجبوري

« المجلد الأول »

١٤٢٢ هـ

رجل سوء ؟ فكأنه رخص فيه .

١٤٠٨ حدثنا يحيى بن عثمان قال : أخبرنا بقية<sup>(١)</sup> قال : سألت الأوزاعي قلت: من الذي ينبغي لي أن أكف عنه ، أرى الرجل يسكر ، ويزني ، ويعمل عملاً لا يحل له ؟ قال : إن أسرها فليس لك أن تذكرها . وإن كان صاحبها لا يبالي من رآه ، ولا يستتر فلا غيبة له<sup>(٢)</sup> .

١٤٠٩ حدثنا أحمد بن نصر قال : حدثنا عبد الله بن غالب وعمر بن هارون عن الربيع بن صبيح<sup>(٣)</sup> عن الحسن قال : ليس لأهل البدع غيبة<sup>(٤)</sup> .

١٤١٠ حدثنا عبد الله بن عبد الوهاب قال : حدثنا زياد بن الربيع عن عبد الرحمن

Salafiri.com

(١) سنده :

١ - يحيى بن عثمان بن سعيد بن كثير القرشي : صدوق . تقدم في شيوخ حرب .

٢ - بقية بن الوليد بن صائد : صدوق كثير التذليل عن الثقات . تقدم في المسألة ( ١٥٧ ) .

(٢) لم أقف عليه .

(٣) سنده :

١ - أحمد بن نصر بن زياد القرشي : ثقة . تقدم في شيوخ حرب .

٢ - عبد الله بن غالب العبّاداني . قال ابن حجر : « مستور . من التاسعة . ق » .

انظر : التقريب ( ٣٥٢٧ ) .

٣ - عمر بن هارون بن يزيد الثقفي مولا هم البلخي . قال ابن حجر : « مزكوك ، وكان حافظاً . من

كتاب التاسعة . مات سنة أربع وتسعين . ت ق » .

انظر : التقريب ( ٤٩٧٩ ) .

٤ - الربيع بن صبيح السعدي : صدوق سيء الحفظ . تقدم في المسألة ( ٧٣ ) .

(٤) رواه البيهقي في شعب الإيمان ( ٣١٩ / ٥ ) ، ( ١١١ / ٧ ) ، واللالكائي في اعتقاد أهل السنة

( ١ / ١٤٠ ) ، والخطيب في الكفاية ( ص ٤٣ ) كلهم من طريق الربيع بن صبيح ، وقال العجلوني في

كشف الخفاء ( ٢ / ١٧٢ ) : « أخرجه البيهقي في الشعب وسنده جيد » .

وقد رواه اللالكائي أيضاً ( ١ / ١٤٠ ) من طريق هشام وسليمان بن مسلم عن الحسن .



ابن أذينة<sup>(١)</sup> قال : حدثنا أشياءنا قال : ثلاثة لا حرمة لهم ولا غيبة : الوالي الظالم الجائر ، والفاسق المعلن بفسقه ، وصاحب البدعة<sup>(٢)</sup> [Salafiri.com](http://Salafiri.com)

١٤١١ - حدثنا عبد الله بن عبد الوهاب قال : ثنا عُمَيْلَةُ بن بدر الأعرجي قال : حدثنا أبيان عن أنس بن مالك<sup>(٣)</sup> قال : قال رسول الله ﷺ : « من ألقى جلباب الحياء فلا غيبة له »<sup>(٤)</sup> .

(١) سنده :

- ١ - عبد الله بن عبد الوهاب الحَـجَـجِي : ثقة . تقدم في شيوخ حرب .
- ٢ - زياد بن الربيع اليُحْدَيْدي البصري . قال ابن حجر : « ثقة ، من الثامنة . مات سنة خمس ومائتين . خ ت ق » .
- انظر : التقريب ( ٢٠٧٢ ) .
- ٣ - عبد الرحمن بن أَدْنَةَ العبدِي الكوفي ، قاضي البصرة . قال ابن حجر : « ثقة . وهم من ذكره في الصحابة . خ ت ق » .
- انظر : التقريب ( ٣٧٩٧ ) .
- (٢) روى هذا القول عن جماعة ، منهم : الحسن في اعتقاد أهل السنة لللالكائي ( ١ / ١٤٠ ) ، وابن عيينة في شعب الإيمان للبيهقي ( ٥ / ٣١٨ ) ، وكشف الخفاء للعجلوني ( ٢ / ١٧٢ ) .

(٣) سنده :

- ١ - عبد الله بن عبد الوهاب الحَـجَـجِي : ثقة . تقدم في شيوخ حرب .
- ٢ - الربيع بن بدر بن عمرو التميمي السعدي الأعرجي ، يلقب : عُمَيْلَةُ . قال ابن حجر : « مزكوك . من الثامنة . مات سنة ثمان وسبعين . ت ق » .
- انظر : التقريب ( ١٨٨٣ ) .
- ٣ - أبيان بن أبي عياش فيروز البصري العبدِي . قال ابن حجر : « مزكوك . من الخامسة . مات في حدود الأربعين . د » .
- انظر : التقريب ( ١٤٢ ) .
- ٤ - أنس بن مالك رضي الله عنه : تقدم في المسألة ( ٢٠٤ ) .
- (٤) رواه ابن عدي في الكامل ( ١ / ٣٨٦ ) ، والخطيب في تاريخ بغداد ( ٤ / ١٧١ ) وابن الجوزي في اللؤلؤ المنتاهية ( ٢ / ٢٩٥ ) كلهم من طريق الربيع عن أبيان ، وقال ابن الجوزي : « ... فيه مزكوكان : الربيع وأبان » . وله متابع روي من طريق أبي سعد الساعدي عن أنس ؛ رواه ابن حبان في المحروحين ( ٢ / ١٥٧ ) ، والخطيب في تاريخ بغداد ( ٨ / ٤٣٨ ) ، والبيهقي في السنن ( ١٠ / ٢١٠ ) وقال : « هذا أيضاً ليس بالقوي ، ورواه في شعب الإيمان ( ٧ / ١٠٨ ) وقال : في إسناده ضعف » .

This chain is weak due to disconnection or a broken link in the chain with two or more successive narrators dropped from the chain. Ziyad bin ar-Rabi'a did not meet Abdur Rahman bin Udhaynah.

When Ibn Udhaynah died during the reign of Abdul Malik bin Marwan Hajjaj bin Yusuf took charge of Iraq in 75H and Abdul Malik died in 86H, and Hajjaj died in 95H.

Hafiz Ibn Hibban said in *ath-Thiqat* (no.3970) concerning the death of Ibn Udhaynah, "*He died when al-Hajjaj bin Yusuf took charge of Iraq.*"

*Tahdhib ul-Kalam Fi Asma ar-Rijal* (9/460) mentions concerning the death of Ziyad bin ar-Rabi'a, it says, "*Abu Musa Muhammad bin al-Muthanna said He died in the year 185H.*"

Imam Ahmad bin Hanbal said as mentioned in *al-I'llal Wa Ma'rifah ur-Rijal* (no.5902), "*He died in the year 186H.*"

So, we learn between the death of Ibn Udhaynah and the death of Ziyad bin ar-Rabi'a there is a gap of 110 years.

Furthermore, I could not anywhere in the books of rijal or in the books of hadith Ziyad bin ar-Rabi'a transmitting from Abdur Rahman bin Udhaynah. In fact, I could not any narration or report from him (Ziyad from Ibn Udhaynah) except and only this one.

The statement of Abdur Rahman bin Udhaynah, "*He said our Shaykhs transmitted to us.*" It gives the perception its only one narrator and not many.

Also, it is mentioned in *Ikmal Tahdhib ul-Kamal* (5/104 no.1718) under the biographical entry of ar-Rabi'a bin Ziyad, *"It is mentioned in Tarikh Abi Abdullah al-Bukhari, he transmits from Abdul Malik bin Habib and his chain needs looking into. Abul Arab al-Qayrawani mentioned the word weak for him as did Abu Bishr ad-Dawlabi, al-Uqayli, al-Balkhi and Ibn as-Sakan. Ahmad bin Hanbal, Abu Dawud and Ishaq bin Abi Isra'il said he was thiqah."*

Al-Hafiz Ibn Adiy said in his book *al-Kamil Fidh-Dhu'afa ar-Rijal* (no.96), *"Ziyad bin ar-Rabi'a has other hadith from the ones I mentioned, and I do not see his hadith except they are fine."*

## **The 6<sup>th</sup> – Report of Mansur bin al-Mu'tamar Rahimahullah**

**This is transmitted by Ibn Abi Dunya in his *as-Samt* (no.235) and *al-Ghibah wan-Namimah* (no.98) from Muhammad from Marwan bin Mu'awiyah from Za'idah bin Qudamah who said I said to Mansur bin al-Mu'tamar, "Can I insult the ruler when I am fasting? He said, no. He then said to him, "Can I insult the people of desires (innovators)? He said, yes."**

لِفَاجِرٍ حُرْمَةٍ. وكان رجل قد خرج مع يزيد بن المهلب، فكان الحسن إذا ذكّره هَرَّتْهُ.

[٢٣٣] حدثني محمد، حدثنا زيد بن الحباب، عن حماد بن سلمة، عن حميد الطويل، رضي الله عنه قال: ذَكُرُوا الْغِيَّةَ عند سعيد بن جبّير، رضي الله عنه، فقال: ما اسْتَقْبَلْتُهُ به، ثم قُلْتُهُ مِنْ وَرَائِهِ، فليس بِغِيَّةٍ.

[٢٣٤] حدثني محمد، حدثنا يحيى بن أبي بكير، عن شريك، عن عقيل، عن الحسن، رضي الله عنه، قال: ثلاثة ليس لهم غِيَّةٌ: صاحبُ هَوًى، والفاَسِقُ الْمُعْلِنُ بِالْفِسْقِ، والإمام الجائر.

[٢٣٥] حدثني محمد، حدثنا مروان بن معاوية، عن زائدة بن قدامة قال: قلت لمنصور بن المُعْتَمِر: إذا كنت صائماً أنال من السلطان؟ قال: لا. قلت: فأنا من أصحاب الأهواء؟ قال: نعم. [Salafiri.com](http://Salafiri.com)

[٢٣٦] حدثنا عبيد الله بن جرير، حدثنا موسى بن إسماعيل، حدثنا

[٢٣٣] وسنده ضعف...

وشيوخ المصنف هو محمد بن عباد الواقع في السند الماضي وقد أبهم نسبته في أحاديث تأتي وهو محمد بن عباد بن موسى لم يحمّد ابن معين أمره، وقال ابن عقدة: «في أمره نظر».

وذكره ابن حبان في «الثقات» وقال: يخطئ أحياناً.

ورغم ما قيل فيه، فقد زعم بعضهم أن «إسناده صحيح»!!

[٢٣٤] في سنده ضعف...

وشريك النخعي سبىء الحفظ.

وقد مرّ نحوه من كلام إبراهيم النخعي. وانظر رقم (٢٢٢، ٢٢٦).

وأخرجه المصنف في «ذم الغيبة» بسنده.

وزعم بعضهم أن: «رجالهم ثقات»!! برغم ما قيل في شريك النخعي!! فالله المستعان.

[٢٣٥] في سنده ضعف... لما تقدم قبل حديث...

وأخرجه أبو نعيم في «الحلية» (٤١/٥ - ٤٢) من طريق عياض بن محمد، ثنا خلف بن تميم، ثنا

زائدة به.

[٢٣٦]

المبارك بن فضالة صدوق يدلّس ويسوي كما في «التقريب» وقد عنعن هنا.

وأخرجه المصنف في «ذم الغيبة».

The teacher of Ibn Abi Dunya, Muhammad bin Ubad bin Musa is weak. And Marwan bin Mu'awiyah is a mudallis and would transmit with AanAan.

Hafiz Ibn Hajr al-Asqalani in his book *Ta'rif Ahlul Taqdis Bi-Maratib al-Mawsufin bit-Tadlis* (p.45 no.105) he said, "**He is famous for tadlis and he would do tadlis of his shuyukh and ad-Daraqutni described his affair like this.**"

[AK] Marwan bin Mu'awiyah despite being thiqah is also a mudallis, who did tadlis of his teacher's name. This is as Hafiz Ibn Hajr described him in *at-Taqrīb ut-Tahdhīb* (p.742, no.6579) (Syria: Mu'assasah ar-Risalah, 1436H/2015, 1<sup>st</sup> Edn. Ed. Sa'd bin Najdat Umar).

Hafiz al-Ala'i in *Jam'i at-Tahsil Fi Ahkam al-Marasil* (p.110 no.51), Abu Zurah al-Iraqi in *Kitab al-Mudallisīn* (no.62), Hafiz Suyuti in *Asma Man Urifa Bi-Tadlis* (no.70), Sabt ibn al-Ajami in *Kitab at-Tabiyin Li-Asma al-Mudallisīn* (p.54) (no.76), *Manzumah Mahmud al-Maqdisi* (line 12) all graded him to be a mudallis narrator.

Muhammad bin Tal'at describes his tadlis and criticism over 7 pages in his *Mu'ajam al-Mudallisīn* (p.436-443 no.154) (KSA: Adwa as-Salaf 1426H/2005, 1<sup>st</sup> Edn.)

Shaykh Zubair Ali Za'i further said while explaining Imam Ibn Ma'in's statement when asked by ad-Duri about Marwan transmitting from Ali bin Abil Walid, he replied, "**He is Ali bin al-Ghurab**" (*Tarikh ad-Duri* (no.2843), also (no.2611), *Tahdhīb ul-Kamal* (27/408).

Shaykh Zubair said, “Meaning he did *tadlis* of his *Shuyukh* and it not proven he did *tadlis* of the *isnad*.” (***Fath ul-Mubin Fi Tahqiq Tabaqat al-Mudallisin*** (p.124) (Pakistan: Maktabah al-Islamiyyah, 1434H) END]

**Imam Yahya bin Ma’in said, “I have not seen more devious *tadlis* from anyone except him.”**

[AK] This is mentioned in ***Tarikh ad-Duri*** (no.2843). It should be noted ad-Darimi in his recension from Imam Ibn Ma’in reports him to be *thiqah*, yet this contradicts most of Ibn Ma’in’s statements concerning Marwan. For a comprehensive overview of Imam Ibn Ma’in’s statements on refer to ***Mawsu’ah Aqwal Yahya ibn Ma’in Fi Rijal ul-Hadith wa l’Ilalihi*** (4/293-296 no.3646) (Tunisia: Dar ul-Gharb, 1430H/2009, Edn, 1<sup>st</sup> Ed. Bashir Ma’ruf, Jihad Mamud and Mahmud Muhammad).

How Najm Abdur Rahman said in his checking of ***as-Samt***, “Its narrators are from the *thiqat*.” (***Kitab as-Samt wa Adab al-Lisan*** of Ibn Abi Dunya (p.343 no.236) is baffling.

Al-Huwayni in his checking of ***as-Samt*** said, “There is weakness in the chain.” (***Kitab as-Samt wa Adab al-Lisan*** (p.145 no.235). END]

Abu Nu’aym also transmitted it in his book ***Hilyatul Awliya*** (5/41) and mentioned the same text through the chain Abu Hamid bin Jabalah from Muhammad bin Ishaq from Abbas bin Muhammad from Khalf bin Tamim from Za’idah from Mansur.

Abu Hamid bin Jabalah is in the chain, and I could not find any statements of praise or criticism for him.



Al-Khallal also transmit in his *Kitab as-Sunnah* (no.789) without mentioning the part of the rulers, he said, *from Harb from Muhammad bin Abdur Rahman from Abu Usamah from Za'idah who said, I said to Mansur, "Oh Abu Uttab, the day on which one of us fasts (for seeking reward) he denounces those who denounce Abu Bakr and Umar? He replied yes."*

[AK] This is reported in *as-Sunnah* of al-Khallal as Shaikh Abdul Qadir said, (1/391 no.789) (al-Faruq al-Hadithiyyah) and (1/400 no.774) (KSA: Dar al-Awraq, 1439H/2018. 3<sup>rd</sup> Edn. Ed. Al Hamdan. END]

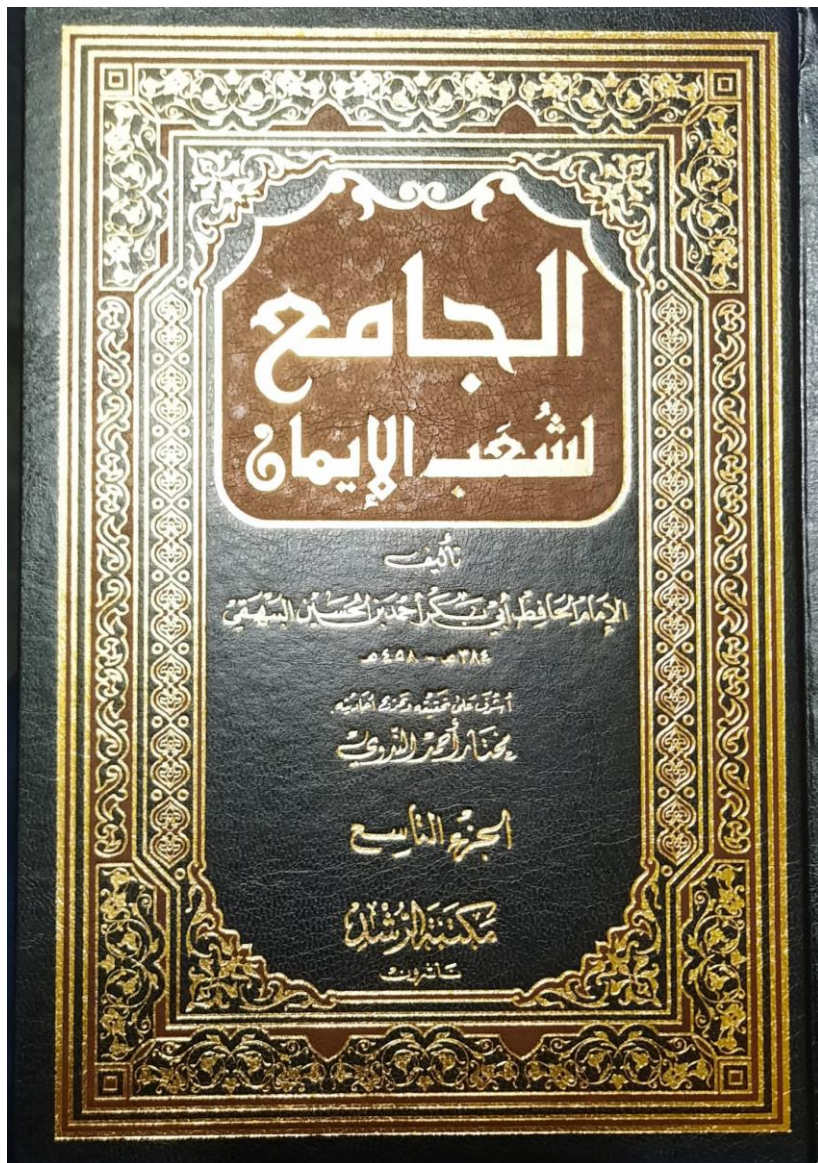
The chain contains Muhammad bin Abdur Rahman bin al-Hasan bin al- al-Ju'fi. Hafiz Abu Bakr Ibn Abi Shaybah said, *"he memorised hadith with good memory of hadith that were connected and disconnected."* Ibn Hibban mentioned him in *ath-Thiqat* and said he preserved hadith and his hadith transmitted from Sham are very strange and odd. Maslamah bin Qasim *said the people criticised him and he narrated abandoned reports.* Ad-Daraqutni said, *he is relied upon,* Ibn Hajr al-Asqalani said, *truthful and a preserver of hadith but he transmitted odd and strange reports.*

I say: This report is not evidence for backbiting the oppressive ruler rather it is clear evidence which prohibits it. When I mentioned these defects of this report to a detractor, may Allah correct him, he thought the meaning was, it was allowed to backbite the rulers when not fasting. He abandoned the clear claim and did not pay attention to the answer of Mansur to the question. The statement of the one who backbites is not evidence and the affair requires a legal Islamic text to support it.

## **The 7<sup>th</sup> – Report of Sufyan bin Uyaynah Rahimahullah**

Al-Bayhaqi transmits in his book *Shu'bal Iman* (10/257 no.6374) who said,

From Abu Abdullah al-Hafiz from Abu Abdullah Muhammad bin Abdullah bin Dinar al-Adl from Zakariyyah bin Dalwiyyah from Ali bin Salamah al-Lubqi who said he heard Ibn Uyaynah say *"It is not backbiting when speaking about three people, the oppressive ruler, the wicked sinner who publicises his sin and the innovator who calls people to his innovation."*



الجامع لشعب الإيمان

١٢٦

بمكة، حدثنا محمد بن يونس الكديمي، حدثنا أزهر بن سعد، عن ابن عون قال: قبل لمحمد بن سيرين: يا أبا بكر إن رجلا اغتابك فتحله، قال: ما كنت لأحل شيئا حرمه الله عز وجل.

[٦٣٧٢] أخبرنا أبو إسحاق إبراهيم بن محمد بن علي بن معاوية، أخبرنا أبو حامد بن بالويه العفصي، حدثنا أحمد بن سلمة، قال سمعتُ محمد بن أسلم يقول: سمعتُ محمد ابن جعفر، عن شعبة قال: الشكاية والتحذير ليستا من الغيبة.

هكذا أخبرناه يقرأ الشيخ.

[٦٣٧٣] وأخبرنا أبو عبد الله الحافظ، أخبرني أبو الفضل محمد بن إبراهيم بن الفضل، حدثنا أحمد بن سلمة، قال: سمعتُ محمد بن أسلم، يقول: سمعتُ المقرئ يقول: الشكاية والتحذير ليستا من الغيبة.

قال الإمام أحمد: وهذا صحيح فقد يصيبه من جهة غيره أذى فيشكوه، ويحكي ما جرى عليه من الأذى فلا يكون ذلك حراما، ولو صبر عليه لكان أفضل، وقد يكون مزكيا في رواية الأخبار أو الشهادات فيخبر بها يعلمه من الراوي أو الشاهد ليتني خبره وشهادته، فيكون ذلك مباحا [والله أعلم] (١).

[٦٣٧٤] أخبرنا أبو عبد الله الحافظ، أخبرنا أبو عبد الله محمد بن عبد الله بن دينار

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[٦٣٧٢] إسناده: رجاله ثقات ما خلا شيخ المؤلف لم أجد ترجمته .

• محمد بن أسلم هو الطوسي، تقدم.

والأثر ذكره السيوطي في «الدر المشور» (٥٧٧/٧) وعزاه للمؤلف وحده.

[٦٣٧٣] إسناده: كسابقه .

• المقرئ هو عبد الله بن يزيد أبو عبد الرحمن المقرئ.

وهذا الأثر لم أقف على من خرجه وهذا السند مع متنه سقط من «الأصل» و«ن» فأضفته من نسخة «ل».

(١) زيادة من نسخة «ل».

[٦٣٧٤] إسناده: فيه من لم أعرفه .

• زكريا بن دلويه لم أعرفه .

والأثر ذكره السيوطي في «الدر المشور» (٥٧٧/٧) برواية المؤلف وحده .



العدل، حدثنا زكريا بن دلويه، حدثنا علي بن سلمة اللبقي، قال: سمعت ابن عيينة يقول: ثلاثة ليست لهم غيبة: الإمام الجائر، والفاسق المعلن بفسقه، والمبتدع الذي يدعو الناس إلى بدعته. [Salafiri.com](http://Salafiri.com)

[٦٣٧٥] أخبرنا أبو زكريا بن أبي إسحاق، أخبرنا أبو أحمد حمزة بن العباس العقبي، حدثنا عباس بن محمد، حدثنا حجاج بن محمد، حدثنا الربيع بن صبيح، عن الحسن قال: ليس في أصحاب البدع<sup>(١)</sup> غيبة.

[٦٣٧٦] أخبرنا أبو عبد الله الحافظ، أخبرنا أبو عبد الله محمد بن علي الصنعائي، حدثنا إسحاق بن إبراهيم، أخبرنا عبد الرزاق، عن معمر، عن زيد بن أسلم قال: إنما الغيبة لمن لم يعلن بالمعاصي.

[٦٣٧٧] أنشدنا أبو عبد الرحمن السلمي، أنشدني الحسين بن أحمد بن موسى، أنشدنا الضُّولي، أنشدنا أحمد بن يحيى ثعلب:

لا تلم المرء على فعله وأنت منسوب إلى مثله.  
من ذم شيئا وأتى مثله فإنما يُزري على عقله.

[٦٣٧٥] [إسناده: رجاله ثقات .

• الحسن هو البصري.

والأثر أخرجه ابن أبي الدنيا في «الصمت» (رقم ٢٢٥)، وفي «ذم الغيبة» (رقم ٨٧) عن علي بن الجعد عن الربيع بن صبيح به.

وذكره السيوطي في «الدر المنثور» (٥٧٧/٧) وعزاه للمؤلف وحده.

(١) كذا في «الأصل» و«ن» وفي «ل» «البدعة».

[٦٣٧٦] [إسناده: كسابقه .

والأثر في «مصنف عبد الرزاق» (١١/١٧٨ رقم ٢٠٢٦٠).

وأخرجه ابن أبي الدنيا في «الصمت» (رقم ٢٢٢)، وفي «ذم الغيبة» (رقم ٨٤) عن الحسن بن يحيى عن عبد الرزاق به.

وأورده السيوطي في «الدر المنثور» (٥٧٧/٧) برواية المؤلف فقط.

[٦٣٧٧] [إسناده: جيد .

• الصولي هو محمد بن يحيى بن عبد الله.

• أحمد بن يحيى ثعلب هو أحمد بن يحيى بن زيد بن سيار أبو العباس النحوي الشيباني المعروف بشعلب.



هكذا أخبرناه يقرأ الشيخ .

٦٣٧٣ — وأخبرنا أبو عبد الله الحافظ ، أخبرني أبو الفضل محمد بن إبراهيم بن الفضل ، حدثنا أحمد بن سلمة ، قال سمعتُ محمد بن أسلم ، يقول سمعتُ المقرئ يقول : الشكاية والتحذير ليستا من الغيبة .

قال الامام أحمد : وهذا صحيح فقد يصيبه من جهة غيره أذى فيشكوه ، ويحكي ماجرى عليه من الأذى فلا يكون ذلك حراما ، ولو صبر عليه لكان أفضل ، وقد يكون مزكيا في رواية الأخبار أو الشهادات فيخبر بما يعلمه من الراوي أو الشاهد ليتقى خبره وشهادته ، فيكون ذلك مباحا [والله أعلم] <sup>(٨٦)</sup> .

٦٣٧٤ — أخبرنا أبو عبد الله الحافظ ، أخبرنا أبو عبد الله محمد بن عبد الله ابن دينار العدل ، حدثنا زكريا بن دلويه ، حدثنا علي بن سلمة اللبقي ، قال سمعت ابن عيينة يقول : ثلاثة ليست لهم غيبة : الأمام الجائر ، والفاسق المعلن بفسقه ، والمبتدع الذي يدعو الناس الى بدعته .

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(٦٣٧٣) اسناده : كبايقه .

☆ المقرئ = هو عبد الله بن يزيد أبو عبد الرحمن المقرئ . وهذا الأثر لم أقف على من خرجه وهذا السند مع متنه سقط من «الأصل» و«ن» فأضفته من نسخة «ل» .

(٨٦) زيادة من نسخة «ل» .

(٦٣٧٤) اسناده : فيه من لم أعرفه .

☆ زكريا بن دلويه = لم أعرفه .

والأثر ذكره السيوطي في «الدر المنثور» (٥٧٧/٧) برواية المؤلف وحده .



**Zakariyyah bin Dalwiyyah is in the chain and in Khatib's biographical entry for him in his *Tarikh* he does not mention any statement of criticism or praise concerning him and I could not find anyone declaring him trustworthy, and this is what others also said.**

[AK] I could not ascertain which edition Shaykh Abdul Qadir used, nonetheless the report number is the same. This report of Imam Sufyan is in ***al-Jam'i Shu'bal Iman*** (9/126-127 no.6374) of Imam al-Bayhaqi (KSA: Maktabah ar-Rushd, 1437H/2015, 4<sup>th</sup> Edn.) with the checking of Dr. Abdul Ali Abdul Hameed Hamid.

Dr. Abdul Ali Abdul Hameed Hamid said in his grading of the report, *"There is a narrator in the chain whose (trustworthiness) I could not ascertain. Zakariyyah bin Dalwiyyah – I could not determine his trustworthiness. As-Suyuti mentioned this report in **ad-Durr al-Manthur** (7/577) and he transmitted it only through the author (i.e. Imam al-Bayhaqi)."* (***al-Jam'i Shu'bal Iman*** (9/126 in the footnotes to no.6374, refer to the scan above)

This then indicates this is the only chain for this report, which has been shown to be weak. Some have put forward the argument Imam al-Bayhaqi said Zakariyyah was an *"Abid – a worshipper"* (***al-Jam'i Shu'bal Iman*** (9/192), then we know this is not praise that has any bearing on the authentication and trustworthiness of a narrator.

Throughout ***al-Jam'i Shu'bal Iman*** the muhaqqiq and tracer of the hadith Dr. Abdul Ali Abdul Hameed Hamid repeats this criticism on Zakariyyah, for example (6/134-135 no.3974) wherein he declared the chain to be weak.

Let the reader unequivocally note Imam al-Bayhaqi transmitted 60 reports prior to this report from Imam Sufyan bin Uyaynah in the same book that he said,

*“Backbiting is worse to Allah than fornication and drinking alcohol, since fornication and drinking alcohol is a sin between you and Allah. If you repent from them, Allah will accept your repentance. Yet backbiting is not forgiven unless the one backbitten forgives you.” (al-Jam’i Shu’bal Iman (9/98 no.6314).*

[٦٣١٣] أخبرنا أبو عبد الله الحافظ، حدثنا أبو العباس هو الأصم، أخبرنا العباس بن الوليد، أخبرني أبي<sup>(١)</sup>، قال: سمعتُ الأوزاعي يقول: بلغني أنه يقال للعبد يوم القيامة: قُمْ فخذ حَقَّكَ من فلان، فيقول ما لي قبله حق، فيقال: بلى ذكرك يوم كذا وكذا بكذا وكذا.

[٦٣١٤] أخبرنا أبو طاهر الفقيه، أخبرنا أبو بكر محمد بن عمر بن حفص التاجر، حدثنا جعفر بن محمد الصائغ، حدثنا إسحاق بن إسماعيل، قال: سمعتُ سفيان يقول: الغيبة أشد عند الله عز وجل من الزنا وشرب الخمر؛ لأن الزنا وشرب الخمر ذنب فيما بينك وبين الله عز وجل، فإذا ثبت منه تاب الله عليك، والغيبة لا تغفر لك حتى يغفر لك صاحبها. وهذا الذي قاله سفيان بن عيينة.

قد روي بإسناد ضعيف عن النبي ﷺ وبإسناد آخر مرسل.

[٦٣١٥] أخبرنا أبو عبد الله الحافظ، أخبرنا أحمد بن إسحاق بن إبراهيم الصيدلاني،

[٦٣١٣] إسناده: رجاله ثقات.

والأثر نسب السيوطي في «الدر المنثور» (٧/ ٥٧٦) للمؤلف فقط. (١) سقط من نسخة «ل».

[٦٣١٤] إسناده: رجاله ثقات ما خلا شيخ المؤلف فإنه لا يعرف.

• سفيان هو ابن عيينة. لم أقف على هذا الأثر.

[٦٣١٥] إسناده: ضعيف جداً.

- أحمد بن إسحاق بن إبراهيم الصيدلاني لم أجد ترجمته، تقدم.
- أبو يعقوب بن إسماعيل بن عبد الله البُغَاثِي (بضم الباء وفتح الغين والنون الساكنة وفتح الحاء المعجمة) النيسابوري.
- ذكره السمعاني في «الأنساب» (٢/ ٢٦٨) وقال: سمع قتيبة بن سعيد وإسحاق بن إبراهيم الحظلي، روى عنه أحمد بن إسحاق الصيدلاني.
- إبراهيم بن إسحاق الأنصاري أبو إسحاق الغسيلي البغدادي، كان ممن يسرق الحديث، وضعفه الخطيب، مَرَّ.
- الحسن بن قزعة الباهلي، الهاشمي مولا هم، البصري، صدوق، من العاشرة (ت س ق).
- أبو رجاء الخراساني هو عبدالله بن واقد بن الحارث بن عبدالله الحنفي الهروي الخراساني، ثقة، موصوف بخصال من الخير، من السابعة (ق).
- عباد بن كثير هو الثقفي البصري، متروك، روى أحاديث كذب.
- أبو بكر محمد بن القاسم بن أبي حنيفة البطائني شيخ الحاكم.

Imam al-Bayhaqi says, *“This is what Sufyan bin Uyaynah said (i.e. it his statement). It has also been reported with a weak chain from the Prophet Sallallahu Alayhi Wasalam and with another mursal chain.”* (***al-Jam’i Shu’bal Iman*** (9/98).

The muhaqqiq Dr. Abdul Ali Abdul Hameed Hamid under this report said, *“Its chain, the narrators are trustworthy except the Shaikh of the author as I was unable to ascertain his trustworthiness. Sufyan is Ibn Uyaynah, I was unable to find this report (elsewhere)”* (***al-Jam’i Shu’bal Iman*** (9/98 under hadith and footnote no.6314).

The checking or verification of ***Shu’bal Iman*** was first published several decades ago, and information was not widely available hence ascertaining the trustworthiness of the Shaikh of Imam al-Bayhaqi.

Abu Tahir al-Faqih is the Shaikh of Imam al-Bayhaqi in this report and his biographical entries are found in numerous books. His name is Muhammad bin Muhammad bin Mahmish.

Imam al-Khalili (d.446) declared him to be, *“Thiqah – trustworthy and they (the scholars of hadith) were agreed upon (his trustworthiness).”* (***al-Irshad Fi Ma’rifah Ulama al-Hadith*** (p.401 no.943) (Egypt: al-Faruq al-Hadithiyyah, 1431H/2010, 1<sup>st</sup> Edn. Walid Matwali Muhammad)

Nayf bin Salah bin Ali al-Mansuri present 5 pages of biographical notes on Abu Tahir Muhammad bin Muhammad bin Mahmish az-Ziyadi al-Faqih in his work on the Tarajim of the Shuyukh of Imam al-Bayhaqi. He concludes and says,

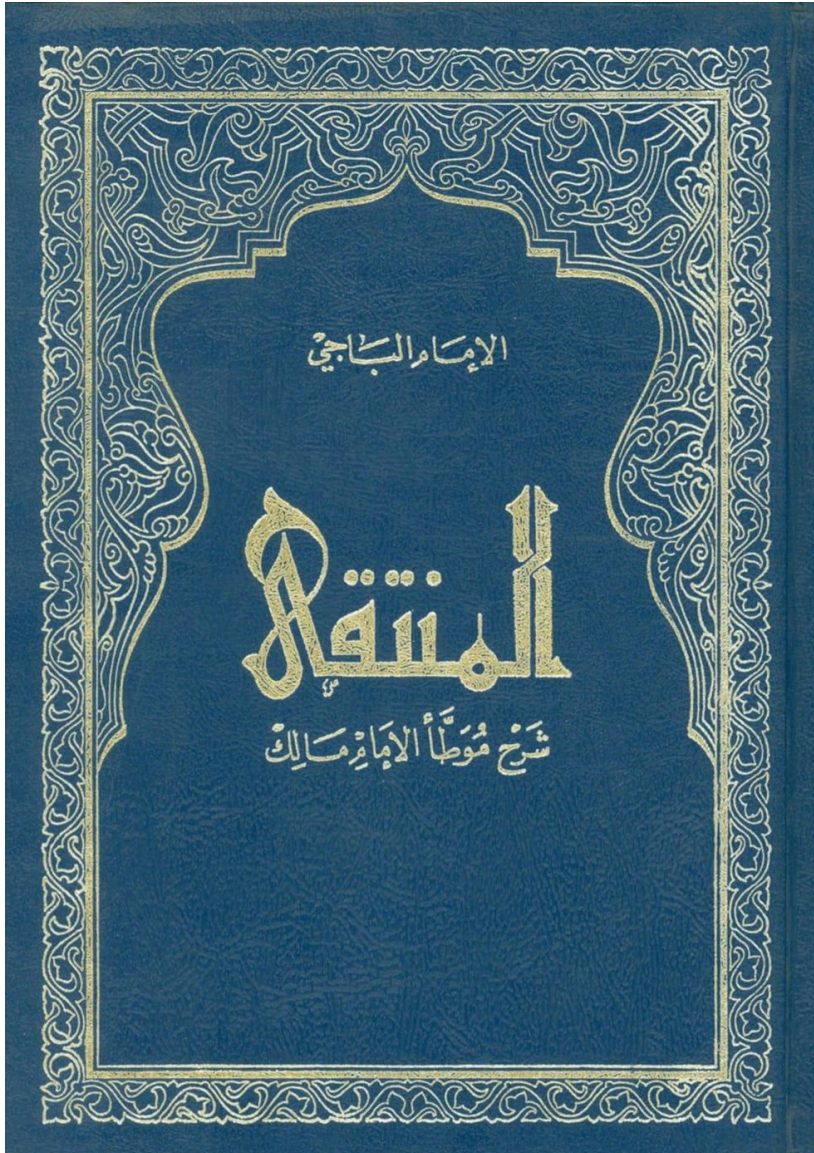
*“Thiqah Musnad an outstanding jurist, there is agreement on this phrase.” (as-Salsabil al-Naqi Fi Tarajim Shuyukh al-Bayhaqi (p.614). For detailed biographical notes refer to pages 611-615 no.195) (KSA: Dar ul-Asimah, 1432H/2011, 1<sup>st</sup> Edn. Ed. Abi Tayyib Nayf bin Salah bin Ali al-Mansuri)*

Mahmud bin Abdul Fattah an-Nahhal also presents a detailed biographical entry for him in *Ittihaf al-Murtaqi Bi-Tarajim Shuyukh al-Bayhaqi* (p.186) (KSA: Dar ul-Mayman, 1429H/2008, 1<sup>st</sup> Edn.) END]

## **The 8<sup>th</sup> – Report of Isa bin Dinar Rahimahullah**

**Abu Walid al-Baji transmitted it in his book *al-Muntaqi Sharh al-Muwatta* (7/312), he said,**







﴿ مَا جَاءَ فِيهَا يَخَافُ مِنَ اللِّسَانِ ﴾

( ੫੧੫ )

• حدثني مالك عن زيد بن أسلم عن عطاء بن

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ  
 اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ مَنْ وَقَّاهُ  
 اللَّهُ شَرَّ اثْنَتَيْنِ وَجَلَ الْجَنَّةِ  
 فَقَالَ رَجُلٌ يَا رَسُولَ اللَّهِ  
 الْإِخْبَرَنِي فَسَكَتَ رَسُولُ  
 اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ  
 ثُمَّ عَادَ رَسُولُ اللَّهِ صَلَّى  
 اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ  
 مِثْلَ مَقَالَتِهِ الْأُولَى فَقَالَ  
 لَهُ رَجُلٌ الْإِخْبَرَنِي يَا رَسُولَ

الله فكف رسول الله  
صلى الله عليه وسلم ثم قال  
رسول الله صلى الله عليه  
وسلم مثل ذلك أيضا فقال  
الرجل ألا تخبرني يا رسول  
الله ثم قال رسول الله صلى  
الله عليه وسلم مثل ذلك  
أيضا ثم ذهب الرجل يقول  
مثل مقالته الأولى فأسكته  
رجل إلى جنبه فقال  
رسول الله صلى الله عليه  
وسلم من وقاه الله شر  
التنتين ولج الجنة ما بين  
رجليه وما بين رجليه ما بين  
رجليه وما بين رجليه ما بين  
رجليه وحديث مالك عن  
زيد بن أسلم عن أبيه أن  
عمر بن الخطاب دخل  
على أبي بكر الصديق ودو  
بعيد لسانه فقال له عمر  
غفر الله لك فقال أبو  
لوارد

**Salafiri.com**

(فصل) وقوله صلى الله عليه وسلم اذا قلت باطلا فقل البهتان يريد انه أشد من الغيبة لما فيه من الباطل قال أبو عبيد الحروري البهتان الباطل الذي يخبر من بطلانه يقال بهت فلان فلانا اذا كذب عليه فهت بهت وبهت بهت

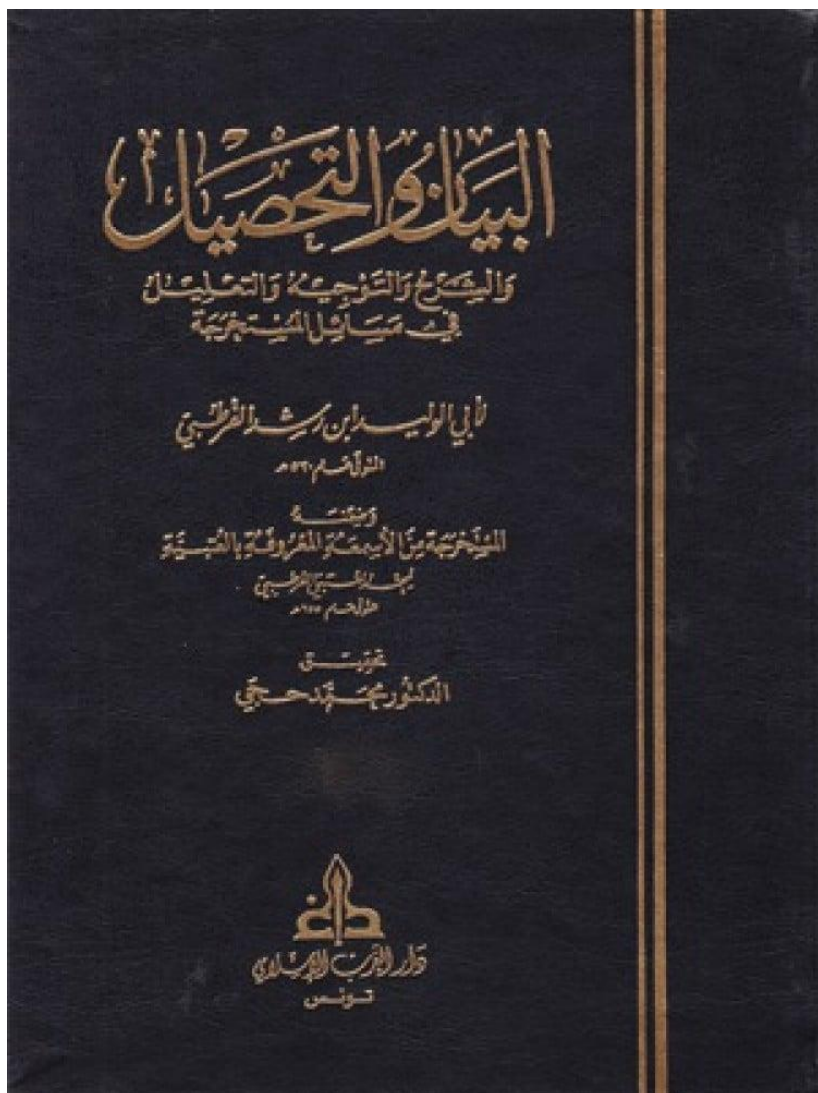
( ما جاء فيما يخاف من اللسان )

[illegible]

(فصل) وقوله صلى الله عليه وسلم ما بين لحمه وما بين رجله بر يدعوه ورجوه الله أعلم أن أكثر الذنوب تكون على هذين فدخل قبايين لحميه الأكل والشرب والكلام والسكون وشكر والنسي صلى الله عليه وسلم لذلك على معنى التنظير والتأكيدي الصريح من ذلك والله أعلم وأحكم من ما لم أعز به من أسلم عن أبيه أن عمر بن الخطاب دخل على أبي بكر الصديق وهو يجلس له فقال له عمر مغفرا الله لك فقال أبو بكر إن هذا أوردني الموارد في شىء قوله إن أبا بكر الصديق رضي الله عنه كان يجلس له خاليا بر بدو الله أعلم بنفسه من جهة العضو الذي كان يجدر مضى به عسى أن يتعذر ذلك من استقامتا كان عليه ودفعا من فضل أبي بكر الصديق ويندور وع ولكن مثل أبي بكر يتعذر هذان من نفسه وقد قال عبد الله بن مسعود المؤمنين يرى ذنوبه كأنه جالس تحت جبل يخاف أن يقع عليه والظاهر يرى ذنوبه كتجارب على أن نفسه ولذلك كان الصدر الأول أذواق الأمر

**Isa bin Dinar said (in the book) al-Utbiyyah about backbiting, *"It is not backbiting when speaking against the oppressive ruler, the wicked sinner who sins publicly and the person of innovation."***

**Ibn Rushd al-Maliki mentions the same in his book *al-Bayan wat-Tahsil* (17/575)**



وحدثني علي بن زياد عن أبي العباس عن أنس بن عياض أن رسول الله صلى الله عليه وسلم قال : أَلَا أُخْبِرُكُمْ بِسَاعَاتٍ مِنْ سَاعَاتِ الْجَنَّةِ ؟ الظل فيها ممدود والعمل فيها مقبول والرحمة فيها مبسوطة ، قالوا : بلى يا رسول الله ، قال من أَدَانَ صَلَاةَ الصُّبْحِ إِلَى طُلُوعِ الشَّمْسِ .

قال محمد بن رشد : هذه الأحاديث يَبَيِّنُ كلها في المعنى ليس فيها ما يَحْفَى وبالله التوفيق .

فيمن لا غيبة فيه

قال قال عيسى لا غيبة في ثلاث : إمام جائر وفاسق مُعْلَنٍ وصاحب بدعة [Salafiri.com](http://Salafiri.com)

قال محمد بن رشد : إِنَّمَا لم يكن في هؤلاء غيبةٌ لِأَنَّ الغيبةَ إِنَّمَا هي بَأَن يَذْكُر من الرجل ما يَكْرَهُ أن يذكر عنه لمن لا يعلم ذلك منه ، والإمام الجائر والفاسق المعلن قد اشتهر أمرُهُمَا عند الناس ، فَلَا غيبة في أن يذكر من جَوْر الجائر وفسق الفاسق ما هو معلوم من كل واحد منهما ، وصاحب البدعة يريد ببدعته ويعتقد أَنَّهُ على الحق فيها وَأَنَّ غيره على الخطأ في مخالفته في بدعته فلا غيبة فيه لِأَنَّهُ إن كان مُعْلَنًا بها فهو يُجِب أن يُذَكَّر بها ، وإن كان مستتراً بها فواجب أن يذكر بها ويحفظ الناس من إتباعه عليها ، وبالله التوفيق .

فيما يُحْتَجُّ به على القدرية

قال مالك : بلغني أَنَّ عمر بن عبد العزيز قال : في كتاب الله تبارك وتعالى لهؤلاء القدرية لعلمنا بَيِّنًا عِلْمه من علمه وجهله من جهله ، لقول الله تبارك وتعالى : ﴿فَإِنَّكُمْ وَمَا تَعْبُدُونَ مَا أَنْتُمْ

**This report was quoted without a chain and therefore it is difficult to make a ruling on its grading. Furthermore, al-Utbi's book *al-Mustakhrajah al-Utbiyyah Alal Muwatta* Hafiz adh-Dhahabi said Muhammad bin Waddah said the book has many mistakes. Imam adh-Dhahabi then goes on to quote others saying the book is filled with lies and most of the reports in his are weak and odd or has strange issues. (*Tarikh al-Islam* (19/234-235 no.393), *Siyar A'lam an-Nabula* (12/235-236 no.132))**

[AK] There is no chain for this report. Abul Walid al-Baji quotes it without a chain, it is not befitting to present this statement if the chain cannot be presented with it. The onus lies with those who quote this statement. END]

## The 9<sup>th</sup> – Report of Ishaq bin Rahawayh Rahimahullah

Harb al-Kirmani said in *Masai'luhu* (2/886),

*"I asked Ishaq about backbiting the oppressive ruler. He said, "It is not regarding them (i.e backbiting them), except that it is disliked a person makes it a habit."*

« أترعون<sup>(١)</sup> عن ذكر الفاجر؟ متى يعرفه الناس! اذكروه بما فيه يحذره الناس<sup>(٢)</sup> ».

١٤١٥ سألت إسحاق عن غيبة السلطان الجائر؟ قال: لا تكون فيهم، إلا ما يكره للإنسان أن يعود لسانه . Salafiri.com

١٤١٦ حدثنا الأخضر قال: حدثنا عارم قال: حدثنا [ وهيب بن ]<sup>(٣)</sup> خالد قال: سمعت عبيد الله<sup>(٤)</sup> يقول في غيبة الخوارج والسلطان الذي قد أعلن، لم ير لهم غيبة. فأما من يعلم أنه مذنب وهو يحب أن يستتر، فرأى ذلك منهم غيبة<sup>(٥)</sup>.

٤ - حكيم بن معاوية بن حيدة القشيري: قال ابن حجر: « صدوق . من الثالثة . خت ٤ » .

انظر: التقريب ( ١٤٧٨ ) .

٥ - معاوية بن حيدة بن معاوية القشيري . قال ابن حجر: « صحابي نزل البصرة ، ومات بخراسان وهو جد بهز بن حكيم . خت ٤ » .

انظر: التقريب ( ٦٧٥٥ ) .

(١) ارغوى عن الأمر: أي كفّ وانصرف عنه .

انظر ( رعو ): النهاية ( ٢ / ٢٣٦ ) ، القاموس ( ص ١٦٦٢ ) .

(٢) رواه البيهقي في السنن ( ١٠ / ٢١٠ ) ، وفي شعب الإيمان ( ٧ / ١٠٩ ) ، والطبراني في الكبير ( ١٩ / ٤١٨ ) ، والخطيب في تاريخه ( ١ / ٣٨٢ ) ، ( ٣ / ١٨٩ ) ، ( ٧ / ٢٦٢ ، ٢٦٩ ) ، وابن حبان في الجرحين ( ١ / ٢٢٠ ) ، وابن عدي في الكامل ( ٢ / ١٧٣ ) ، ( ٥ / ١٣٤ ) ، والعقيلي في الضعفاء ( ١ / ٢٠٢ ) ، وابن الجوزي في العلل المتناهية ( ٢ / ٢٩٢ ) كلهم من طريق الجارود عن بهز ابن حكيم . وقد روي من طرق أخرى عندهم عن بهز بن حكيم كلها ضعيف . قال ابن حبان: « الخبر في أصله باطل ، وهذه الطرق كلها بواطيل لا أصل لها » .

(٣) سقطت من الأصل ، وقد سبق نظير هذا السند في المسائل ( ٥٣٥ ، ٦٧٥ ) .

(٤) سنده :

١ - الأخضر : لم أقف على ترجمته . وانظر ما تقدم عنه في شيوخ حرب .

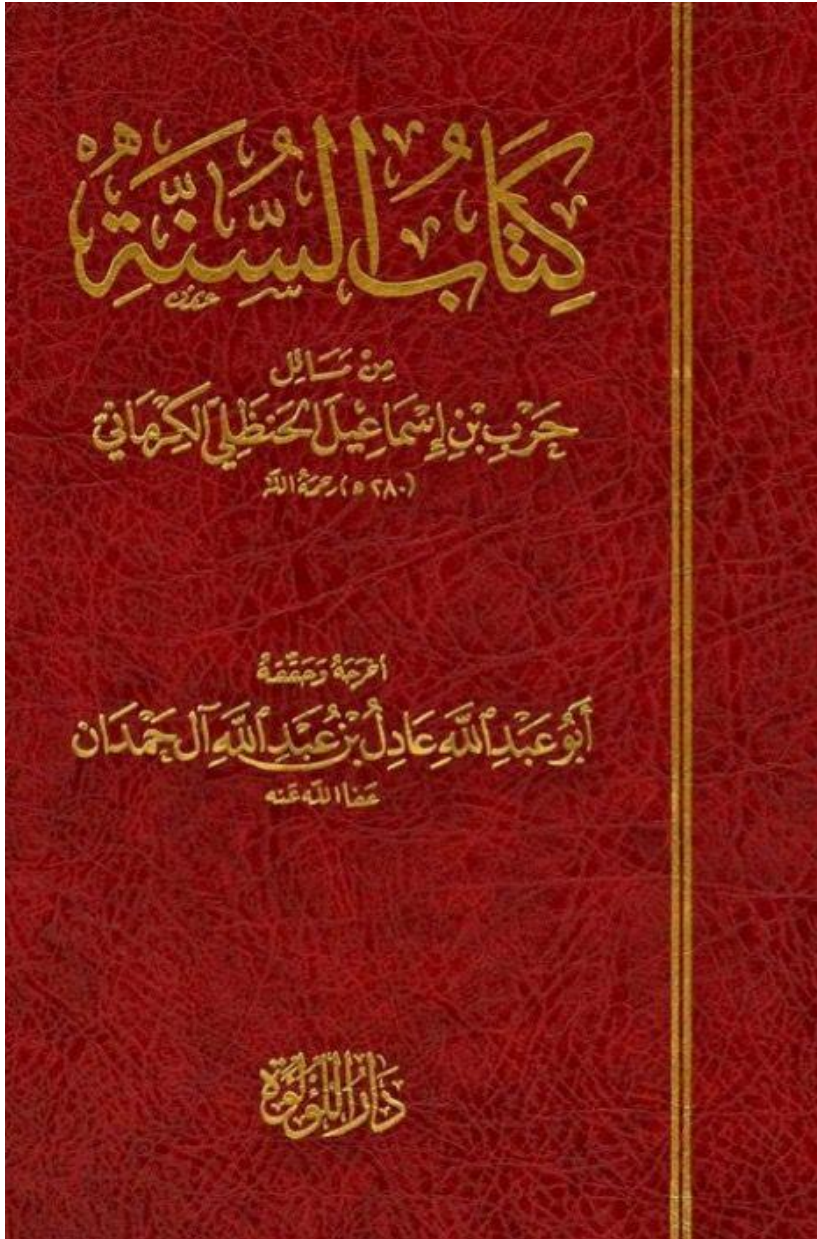
٢ - محمد بن الفضل السدوسي ، المعروف بعارم : ثقة تغير بأخرة . تقدم في المسألة ( ١١١ ) .

٣ - وهيب بن خالد بن عجلان الباهلي : ثقة تغير بأخرة قليلاً . تقدم في المسألة ( ٥٣٥ ) .

٤ - عبيد الله بن عمر بن حفص بن عاصم العمري : ثقة . تقدم في المسألة ( ١٣٣ ) .

(٥) لم أقف عليه .





كتاب التسنّة

٣٣٤

٦٥٧/١١٨ - حدثنا عبد الله، قال: ثنا أبو عوانة، عن قتادة، عن الحسن قال: ليس بينك وبين الفاسق حُرمة<sup>(١)</sup>.

٦٥٨/١١٩ - حدثنا أبو معن، قال: حدثنا معاذ بن هشام، قال: حدثني أبي، عن قتادة، عن الحسن أنه كان يقول: لا حُرمة للفاجر<sup>(٢)</sup>.

قال قتادة: فكأنه يرى إذا اغتیب المصلي الفاجر أنه لا بأس به<sup>(٣)</sup>.

٦٥٩/١٢٠ - حدثنا محمد بن رافع، قال: ثنا الجارود بن يزيد، قال: حدثنا بهز بن حكيم، عن أبيه، عن جده، قال: قال رسول الله ﷺ: «أترعوون<sup>(٤)</sup> عن ذكر الفاجر؟ متى يعرفه الناس؟ اذكروه بما فيه يحذره الناس»<sup>(٥)</sup>.

٦٦٠/١٢١ - سألت إسحاق: عن غيبة السلطان الجائر؟

- (١) رواه حرب في «المسائل» (١٤١٢).
- (٢) في «الصمت» (٢٣١) عن الصلت بن طريف قال: قلت للحسن: الرجل الفاجر المعلن بفجوره ذكري له بما فيه غيبة؟ قال: لا، ولا كرامة.
- (٣) رواه حرب في «المسائل» (١٤١٣).
- (٤) أي: أتحرجون وتورعون؟.
- (٥) رواه حرب في «المسائل» (١٤١٤).
- رواه العُقيلي في «الضعفاء» (٩٧٧)، وابن أبي الدنيا في «ذم الغيبة» (٣٨)، و«الصمت» (٢٢٠)، والطبراني في «الكبير» (٥٧٧/٧)، رقم (١٠١٠)، والبيهقي في «الكبرى» (٢١٠/١٠) وقال: حديث يعرف بالجارود بن يزيد النيسابوري، وأنكره عليه أهل العلم بالحديث سمعت أبا عبد الله الحافظ يقول: سمعت أبا عبد الله محمد بن يعقوب الحافظ غير مرة يقول: كان أبو بكر الجارودي إذا مرّ بقبر جده في مقبرة الحسين بن معاذ يقول: يا أبة، لو لم تُحدث بحديث بهز بن حكيم لزلتكَ. قال البيهقي: وقد سرقه عنه جماعة من الضعفاء، فرووه عن بهز بن حكيم، ولم يصح فيه شيء. اهـ.
- وقال الإمام أحمد والعُقيلي: ليس له أصل. انظر: «الآداب الشرعية» (١/٢٦٢).



ملحق / باب في غيبة أهل البدع

قال: لا تكون فيهم، إلا ما يكره للإنسان أن يعود لسانه<sup>(١)</sup>.

٦٦١/١٢٢ - حدثنا الأخضر، قال: حدثنا عارم، قال: حدثنا وهيب بن خالد، قال: سمعت عبيد الله يقول في غيبة الخوارج والسُّلطان الذي قد أعلن: لم ير لهم غيبة، فأما من يعلم أنه مذنب، وهو يحب أن يستتر، رأى ذلك منهم غيبة<sup>(٢)</sup>.

٦٦٢/١٢٣ - سألت إسحاق عن غيبة أهل الشرك؟

قال: ليس أكرهه، ولكن أكره أن يعود لسانه<sup>(٣)</sup>.

٦٦٣/١٢٤ - حدثنا أبو معن قال: حدثنا معاذ بن هشام، قال: حدثني أبي، عن قتادة، عن محمد بن سيرين: أنه كان يكره أن يقتاب النصراني<sup>(٤)</sup>.



(١) رواء حرب في «المسائل» (١٤١٥).

(٢) رواء حرب في «المسائل» (١٤١٦).

(٣) رواء حرب في «المسائل» (١٤١٧).

(٤) رواء حرب في «المسائل» (١٤١٨).

**(These 3 scans were shared on social media by those who promote the permissibility of backbiting rulers publicly)**

[AK] The people who use these reports often quote this statement of Imam Ishaq. They always quote it from the addendum from **Kitab as-Sunnah** which in turn quotes it from Harb's **Masail** as we can see above. END

**Shaikh Abdul Qadir al-Junayd said,**

***This is the best report I have seen in this matter. Ishaq is confined by the evidence that have preceded (which prohibit backbiting). He is indeed a man who is wrong and correct at times and his statements or opinions are not hujjah, rather he requires evidence for them to be accepted. It might also be the case he might have had other reasons, explanations or possibilities (for this statement)."***

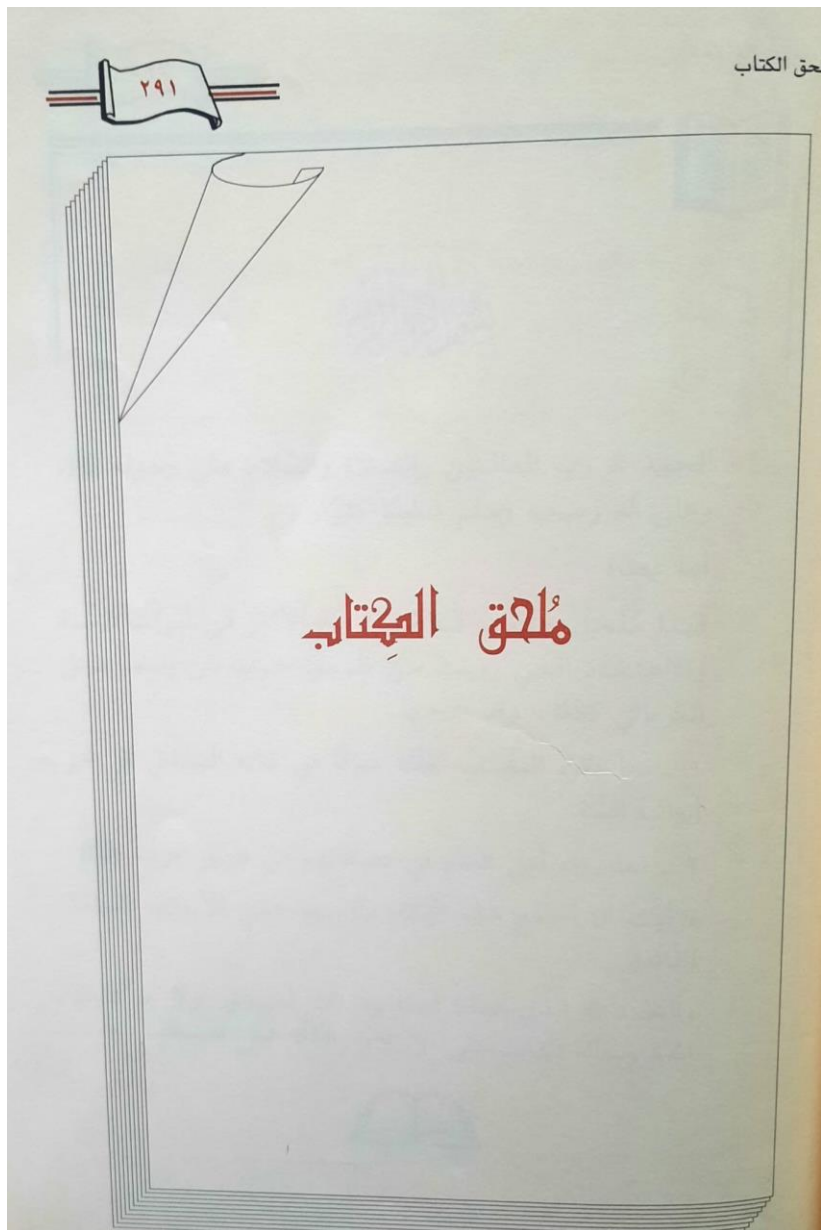
*(Athar al-Waridah Fi Jawaz Ghibah al-Hakim al-Ja'ir Ma'a Dirasah Asanidiha wa Alfadhuha wa Bayan Dhu'afuha wal Ijabah Anha Waradal Istidlal Biha p.20)*

**Written by**

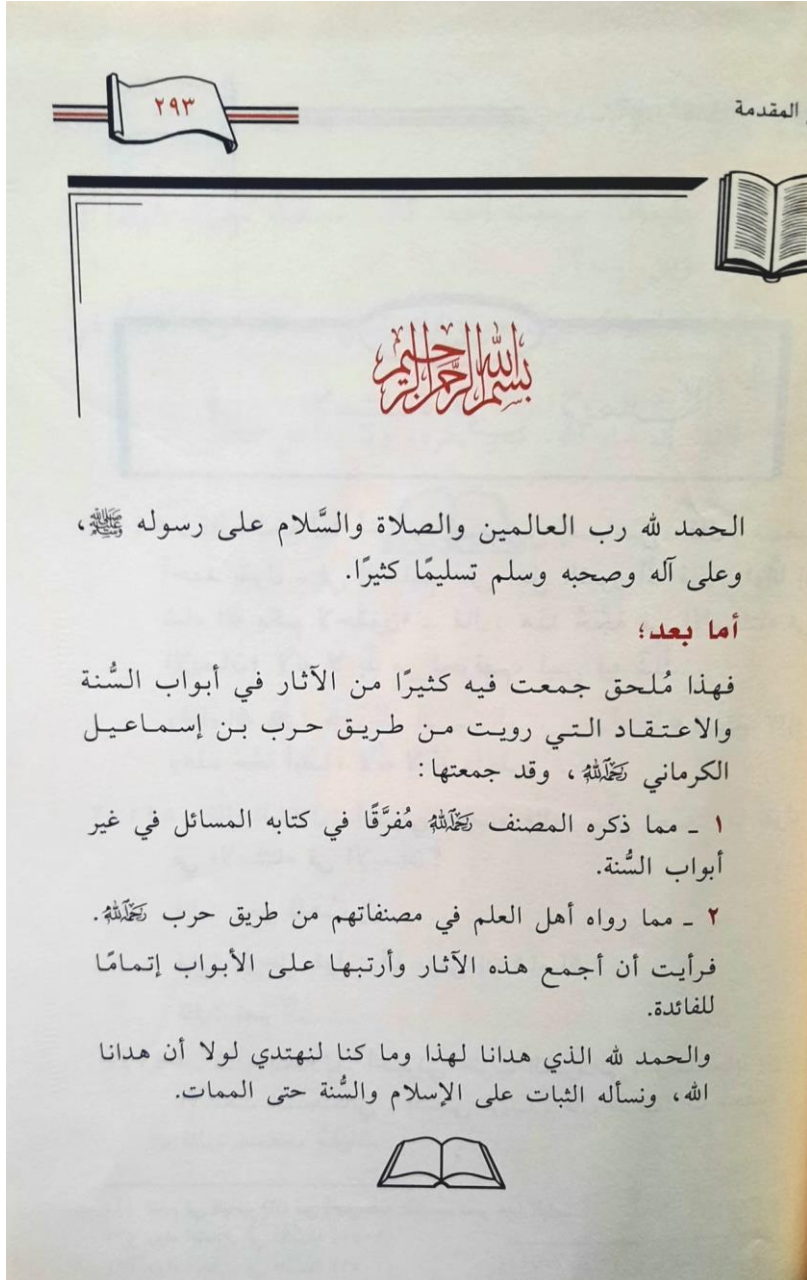
**Abdul Qadir bin Muhammad bin Abdur Rahman al-Junaid.**

[AK] This is the statement of Imam Ishaq bin Rahaywah. Although this statement is quoted in **Kitab as-Sunnah** of Harb bin Ismail al-Kirmani (d.280), it is not actually from it. The compiler, Adil Al Hamdan added additional chapters as addenda from various early books of creed and Masail which were transmitted by Harb but were not directly related to Masail of the Sunnah, namely creed and Manhaj.

This addendum starts from (p.291) of **Kitab as-Sunnah** (Adil Al Hamdan, Dar al-Loloaa, 2019 2<sup>nd</sup> edn) and this report is under the chapter of backbiting the people of innovation. We know the chapter was not from Imam Harb al-Kirmani but Adil Al Hamdan deemed it appropriate to categorise this report (no.660/121) under this chapter based on his understanding of the report.









كتاب السنة

٣٣٢

باب

في غيبة أهل البدع

٦٥١/١١٢ - قال حرب: سمعت أحمد يقول: الرجل إذا كان صاحب بدعة يظهر ذلك، أو مُعلنًا بفسقه؛ فليست له غيبة<sup>(١)</sup>.

٦٥٢/١١٣ - سألت إسحاق عن غيبة أهل البدع؟

قال: ليست لهم حرمة.

وذكر عن ابن المبارك قال: ليس لهم غيبة؛ ولكن أكره أن يعود الرجل لسانه.

وكذلك أهل الشرك.

وذكر عن ابن سيرين الكراهية<sup>(٢)</sup>.

٦٥٣/١١٤ - وسألت محمد بن بشار، قلت: الرجل يغتاب أهل البدع؟

قال: ليست لهم غيبة، ولا يعجبني، وأمّا قولك: إن فلانًا صاحب بدعة، فليس هذه غيبة.

وكذلك قولك في الحديث: كان فلان يغلط، وفلان كان

(١) رواه حرب في «المسائل» (١٤٠٥).

ورواه الخلال عن حرب كما في «الأداب الشرعية» (٢٦١/١).

(٢) رواه حرب في «المسائل» (١٤٠٦).

He also brings other such reports regarding backbiting the people of innovation. This then being the first answer that this report is more appropriately regarding the oppressive rulers who were innovators and those who believed in the innovated belief of the Quran being created.

Imam Harb al-Kirmani brings this report in his **Masail** (2/886 no.1415) and the researcher of the book does not make any comment.

Let the reader note, did not those who shared this report fail to read the numerous other chapters in this addendum regarding the censure and refutation of the **Khawarij** (p.308+ no.576/37+) and **advising the ruler** (p.307+ no.574/35+) and there are many other topics like this that would put the claimants in comprising situations, like the, **wilayah of a mushrik, marrying open sinners (Fusaq) and the people of desires or praying behind the Qadariyyah and innovators like them** and more importantly, **refuting and censuring desires and innovations and warning against its people and their books** (p.316+ no.596/57+).

So, would the claimants happily based on having this report to show the Salaf differed in speaking ill of the rulers also **take the statements on Abu Hanifah and his people of false opinions** transmitted by Imam Harb al-Kirmani in the same book, refer to (p.276-289 no.529-539), particularly report (no.536) which is also from the same Ishaq!

The inference here is, if you take an isolated or lone view of Imam Ishaq which opposes the view of most of the scholars of

the Salaf to show a difference of opinion exists or is validated, then surely you should also accept all the reports that show differences on other Masail and this example from Imam Ishaq himself on the veracity of Abu Hanifah. This is a rhetorical point for consideration and not for the blind followers of Abu Hanifah to show hypersensitivity.

Since we know the other reports are weak and the inference of the Salaf allowed backbiting the oppressive ruler is incorrect and wrong. So, we must then assume Imam Ishaq's statement must be specific to a particular matter. For example, this might apply to a ruler who has an innovated belief like Khalq ul-Quran.

The statement could also refer to when someone lodges a complaint to the Qadhi or he needs to offer testimony in a legal case. Another possibility is, it could be an older statement or view which Harb transmitted. As Shaykh Abdul Qadir al-Junayd, there is scope for a valid explanation.

Lastly, it is not from the Manhaj of the Salaf or Ahlus Sunnah to form legal Islamic positions based on isolated or lone reports or views while ignoring the absence of evidence. There must be clear, decisive and authentic texts from the Shari'ah, namely the Quran and Hadith that evidence and validate a legal view. Allahu Ta'la A'lam END]

***Wa Sallallahu Ala Sayyidina Muhammad Wa Ala Alihi Wa Ashabihi Wa-Sallam Tasliman Kathira.***

Abu Khuzaimah Ansari

Jumada al-Ula 1445H/ December 2023

Birmingham

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