



On Structuring over Tombs and Shrines

By

Najmuddin Tabasi

On Structuring over Tombs and Shrines (On Plastering Graves, Constructing Over Them and Making Them Places of Worship)

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Wahhabis' view and their Fatwa

One of the best reason about the legitimacy of structuring over tombs is the God's Messengers' graves around Jerusalem. All the sects of Muslims, through history did the same in visiting their graves; but Wahhabis are in opposite to the practices of building shrines and domes over tombs, and consider it as unbelief (*Kufr*) and associationism (*Shirk*) and that domes and shrines over tombs must be destroyed.

1- San'ani says:

Shrine is considered as an idol; because it is the same as people did in the Days of ignorance for the name of their idols. The same as "Qabryun" did it for graves or shrines of saints and pious. (*Kashf al-Irtyab* 286.)

2- Ibn Qayyem, Ibn Taymiyya's student, says:

Destroying the shrines and structures over the tombs is obligatory which are worshiped as an idols and idolatry (*taghut*). And after having ability and power of destroying them there is no point for hesitation even for one day. Because these structures are regarded as two idols called "aL-Lat" and "Uzza", and greatest dualistic deeds are performed in these places. (*Zad al-Ma'ad* 3:506.)

3- In a response that reputedly belonged to one of the Medina Scholar:

The prohibition of building a structure over tombs is consensus. There are some infallible hadiths which imply this prohibition, and in this case

many scholars have issued fatwa on destroying the shrines over them. For supporting their fatwa, they represent the hadith of "Abi al-Hiaj" from Ali Ibn Talib that he says to him: "Be aware, I dispatch you to a mission which Prophet Muhammad was dispatched me for. Don't leave any portrait or drawing, unless you have wiped out and all high graves leveled to the ground." (*Kashf al-Irtyab* 288.)

Criticizing this Fatwa:

In response to this fatwa we say:

The consensus over the fatwa of destroying shrines, that Wahhabis' claim is null, in spite of that fatwa, the permissibility this practice is consensus. Muslims from all sects through history, before the birth of Wahhabi's, were on this way. In this case, San'ani's confession about this practice, confirms our outlook.

He writes in an essay named "Tathir Al- I'tiqad":

"This practice is common in East and West of the world; in a way that there is no place in the Islamic countries without tombs or shrines even their mosques are not without a grave and no reasonable man can accept that this practice is forbidden and the scholars have no reaction against it.

Then he says: if we be fair and desist from following our predecessors, we will understand that truth is something that proved by reason not with consensus and generations acceptance of it. Therefore, these type of practices which performed by common people were just imitation of their ancestors without any reason, even those people who called

themselves knowledgeable and possess the positions of issuing fatwa or judgment or teaching or ruling people but their practices are according to common people.

Of course in promoting unknown issues, the silence of Ulama is doesn't mean that that issue is acceptable.

Another Reflection:

San'ani has confessed to the truthfulness of this practice which has performed among all levels of society, either commoners or scholars. On the other hand he says: "Truth is what proved by reason."

We respond: Is there any stronger reason that Uma's (the Muslim Community) consensus from one generation to the other generation?

Criticizing the Hadith:

It is important to say that the hadith that Wahhabis used for supporting their claim has been criticized from several aspects:

1. Accuracy of hadith, clarity of its implication and having no opponent, are not the reason of the accuracy of hadith in the outlook of Wahhabis. So how do they claim consensus about this issue?

2- There is paradox in the response related to Ulama of Medina; once they claim: "many scholars have issued fatwa for destroying the tombs." And once claim: "there is consensus about the accuracy of the Hadith that implies prohibition of it."

If it is a consensus subject, so why not all the scholars issued fatwa about destroying them?"

3- This hadith has problem either in its accuracy and implication. There are some people in the hadith transition who are considered as a weak

people by the scholars of hadith. One of the hadith transmitters is "Waki' bin Jarrah Rawasi".

Abdullah bin Ahmad bin Shaybani says about him: " I have heard my father that said: Ibn Mahdi's Tashif (any kind of error and mistake in reading or writing word) is more than Waki' but Waki's errors are more than Ibn Mahdi.

In other situation he says: " Waki' has done mistake in 500 hadiths." (*Tahdib al-Kamal* 30:471.)

Ibn al-Madyani says: Waki' was not professional in Arabic language and whenever he said hadith with his own words, his words were strange for the audience. He always says: "Hadathana al-Sha'bi 'an Aisha." " Al-Sha'bi told us from Aisha" (*Mizan al-I'tidal* 7:127.)

The other transmitter of this hadith is Sufyan al-Thawri.

Dahabi writes about him: By trick and deception, Sufyan al-Thawri, represented the authority of people who were weekend by the scholars of Hadith. (*Mizan al-I'tidal* 7:127.)

Yahya Ibn Mo'ein also has statement about him. He says: " no one is wise about Abu Ishaq's hadith than Sufyan al-Thawri, he was dissembler in hadith." (*Al-Jarh wa al-Ta'dil* 4:225.)

The other transmitter of this hadith is Habib Ibn abi Thabit. Ibn Habban says about him: he dissembled in hadith." (*Tahdib al-Tahdib* 2:156.)

Abu Wa'il is another transmitter of this hadith, who carried hate of Imam Ali in his heart. (*Tahdib al-Tahdib* 2:156.) And also we read in an accurate hadith that Prophet Muhammad said: "O' Ali, just the pious and true

bleivers love you, and just the hypocrite hate you." (*Majma' al-Zawa'id* 9:133.)

The text of that hadith is also critical and analyzable, beaucas ejust "Abu al-Hayaj" has narrated this hadith so this hadith is "Shad", means it has just one narrator.

Jallal al-Din Syuti in the explanation of Sahih Nisa'i writes: Just this hadith has been narrated from "Abu al-Hayaj" in the books of hadith. On the other side, this hadith has no implication on this claim; because on one hand it orders to equalize graves to ground, and on the other, forbid from structuring on the graves; because "Sharaf" means high position and literary means hump of camel. (*Al-Qamus* 3: 162.)

Thus (Sharaf) includes the absolute meaning of "hight" but "Sawayta" means equalizing, it is symmetry that (Sharaf) here has the meaning of lump, such as the hump of camel or back of fish.

In the other words, there are three possibilities in in this narration:

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1. High structures over the graves should be destroyed.
 2. Destroy the tombs into ground.
 1. Flatten all graves which has a lump the same as hump of camel.

The first probability is null; because the method of Muslims and Companions was totally against it and we have mentioned some evidences before.

The second probability is also untrue, because the absolute tradition implies that the graves store should have one span height from ground.

Third probability implies destroying all kind of lumps which are the same as camel's hump, and some Sunni's Scholars such as Nawawy and 'Asqalani, have explained hadith in this way.

Nawawy says: "the tomb shouldn't be higher than grave and a lump be on it like a hump of camel, but it should be higher than ground just for one span and the surface of the tomb should be flat. (*Al-Majmu' 5: 295; 1:229.*)

After mentioning the flattening the surface of graves, Qastalani says: the purpose of hadith of " Abi Al-Hiaj" is not to equalize the surface of a grave to the ground but it means that the surface of the grave should be flat even the grave itself it higher than the ground. (*Irshad al-Sari 2:468.*)

Muslims and Prophet's Companion's tradition:

There are many graves of divine prophets around Quds, for instance the grave of Prophet David in Quds and the graves of Ibrahim, Ishaq, Jacob, and Joseph are located in the city of Al- Khalil which are high structure over them even before Islam there were big stones over them and the stone were there until the Islamic conquest. (*Kashf al-Irtyab 306.*)

Ibn Taymiyya affirms this issue: "the structure over the grave of Ibrahim Khalil, had been existed until the conquest of Al-Khalil during the life of companions. But its door was closed until the year 400 A.H. (*Majmu' al-Fatawa Ibn Taymiyya 27:141.*)

Undoubtedly, when Umar conquered the city of Beit al-Muqadas, and saw the building he didn't command to destroy it. .

On the other hand, Ibn Bolhyd claims that structuring over tombs became a custom and practice after fifth century.

This claim is not true; because many of structures over graves belong to the first, second and third century of Hijri. (*Akhbar al-Medina* 1:81)

Here are some example of them:

1. The structure over the tomb of the Holy Prophet.
2. Building a mosque over the tomb of Hamzeh.
3. The grave of Ibrahim, son of the Holy Prophet, which was located in the house of Muhammad ibn Zayd ibn Ali (a.s.).
4. The structure over the grave of Ali Ibn Abi Talib which was built in 372A.H. (*Syar 'Alam Al-Nubala'* 1: 251.)
5. The structure over the grave of Zubayr which was built in 386 A.H. (*Al-Munjadam* 14: 377.)
6. The structure over the grave of Sa'd bin Mu'az which was built in the second century. (*Syar 'Alam Al-Nubala'* 13: 285.)
7. Structuring and building a shrine over the tomb of Bokhari in 256 A.H. (*Al-Tabaqat al-Shafei'ya al-Kubra* 2: 234.)

Reconstruction of the Tombs during the time of Companions and the Companions of Companions

We start this subject with this question: If the practice of building dome and shrines over graves is banned and forbidden, why not the companions didn't destroy the shrine over the tomb of Prophet Muhammad?

Furthermore, the house where Prophet Muhammad was buried in, doesn't have any wall around it and the first person who built wall for it was Umar Ibn Khattab. (*Wafa al-Wafa bi Akhbar al-Mustafa* 2: 541)

There is in a tradition that Ayesha built a wall between the tomb and her house where she was living there and she was praying there. Then Abdullah Ibn Zubayr made a structure over the tomb, after a while the wall of that structure fell down and during the period of Mutawakkil he restructured the building of that house and covered it with marble stone.

Graves of companions and others

1. In the second century, Haroon Al-Rashid built a dome over the grave of, Ali Ibn Abi Talib. (p.b.u.h) (*Syar 'Alam Al-Nubala' 16: 251.*)
2. In the 230 of A.H, Nahshal bin Hamid toosi, built a structure over the grave of Abi Tamam Habib Ibn Ose Ta'I, the famous poet. (*Shazarat al-Dahab 2: 74*)
3. Salman Farsi was died in 36 A.H. Khatib Baghdadi writes: his grave is near "Iywan Kasra" and it is famous and obvious... there is a structure over the grave... (*Tarikh Baghdad 1:163.*)
4. Ibn Battuta says about the shrine of Talha Ibn 'Ubaydollah (who was killed in the war of Jamal, in a state of disobedience to his Imam, Ali (p.b.u.h)) : his grave is located in the city and there is a mosque and structure over his tomb. (*Rihla Ibn Battuta 1:208*)
5. Muhammad Ibn Idris Shafe'i died in 204 Hejri. Dhabi says: Malik Kamil built a dome over his shrine. (*Dawal al-Islam 344.*)
6. Dahabi says: In 236 A.H, Mutawakkil ordered to ruin the grave of Hussein Ibn Ali (p.b.u.h) and all of surrounded buildings. After his command completed, Muslims got upset, and the inhabitants of Baghdad wrote slogans against him on the wall of mosques and the

poets composed verses against him. (*Ma'thir al-Naqa fi Ma'alim al-Khalafah, Qalqashandi 1:120.*)

Of course there are plenty of such clear instances in history and historical events, which show the method of Muslims was structuring domes and buildings over graves and this tradition has no harmony with Wahhabi's opinions. However someone like Akram Al-Booshi, who has commented on and wrote footnotes for the book of "Syar 'Alam al-Nubala'- writes:

“these are all fabricated by common Muslims who have no information about these issues ,and those deeds are innovations which are forbidden.”

Thank God that Akram Al-Booshi said that those deeds are practiced by common Muslims not Shi'a! Yes, maybe he considers himself as an elite and all Muslims common people.

Relying on the Hadith of Abu Zubayr

For confirming their claim, Wahhabis, rely on the hadith which is narrated by Abu Zubayr. He says: “The holy prophet prohibited Muslims from elaborating, sitting and structuring shrines over tombs.”

This Hadith had been narrated by different narrators, Muslim, Tirmidi, Ibn Majah, Nisa'i, Abu Dawood and Ahmad Ibn Hanbal. (*Sahih Muslim 2:66; Sunan Tirmidi 3:368; Sunnan Ibn Majah 1: 498; Sunan Nisa'i 4: 88; Sunan Abi Dawood 3: 216; Musnad Ahmad 3: 295.*)

Problematic issues of this Hadith

It's seems that there is an error in this hadith, either in its source or its implication.

1. There are some narrators in the source of this hadith such as Ibn

Jorayr, Abu Zubayr, Hafs bin Ghayath, Muhammad bin Rabi'ah, whom the experts in this field are in doubt about them.

One of its narrators is Ibn Jorayr.

Ahmad bin Hanbal writes about him: If Ibn Jorayr said: someone said this and that, he always narrates unknown hadith.

Ibn Habban also considered him as an unreliable person. (*Tahdib al-Kamal* 18: 348; *Tahdib al-Tahdib* 6: 357.)

Abu Zubayr is the next narrator. Na'im Ibn Hammad says about him: "I heard from Ibn 'Ayineh that he prohibited Abu Zubayr from narrating hadith.

Abd al-Rahman Ibn Abi Hatam asked his father about him. Abu Hatam said that Abu Zubayr's hadith are writing but not used as an evidence. (*Tahdib al-Kamal* 26: 407)

Hafs Ibn Ghayath is another narrator. Ya'qoub Ibn Sho'beh says about him that you should abstain about some of his records.

Dawood Ibn Rashid also commented about him. He said that Hafs made many mistakes and errors. (*Tarikh Baghdad* 8: 199.)

Really, how do Wahhabis, rely on this hadith which is full of errors and mistakes in its source and narrators, and accordingly call Muslims unbelievers and make their execution permissible?

2. This hadith has problem in its implication.

First of all this hadith says: "The holy prophet prohibited Muslims from elaborating, sitting and structuring shrines over tombs." But prohibition doesn't imply that something is legally prohibited; but some prohibitions imply jus disapproval, and there are plenty of such prohibition, and this plenitude belittles prohibition and

situation changes to disapproval.

Therefore, Sunni's scholars, have issued fatwa according to this hadith. Accordingly Shafe'ie says: It is recommended not to raise graves higher than ground.

Nawawy says: Structuring over tombs, is disapproved in the personal property of the grave owner and it is forbidden in the devoted place.

(Sharh Nawawy on Sahih Muslim 7:27.)

After narrating this hadith from Neyshaboori, Sendy says: This hadith is accurate but it is not applicable; because the Islamic leaders –from West to East– were used to write phrases on the graves and this is what the posterity learned from, the past generation. *(Comments of Sendy on Sunan Nisa'I 4:87.)*

Secondly: these hadiths are not looking for explaining the decree of structuring over tombs; because these practices are considered as divine rites and signs of God, and those rites should be respected. Being divine rites is because of the owner of the graves who are God's messenger or pious; or structuring over them and fixing them is important because of religious interest.

The following evidences support our claim:

1. Ibn Majeh says: Prophet Muhammad marked the grave of Othman bin Mad'un with putting a stone on it. *(Sunan Ibn MAjeh 1:498.)*

Following the speech of Ibn Majeh, Heithami writes: the document of this hadith is accurate and valid. *(Sunan Ibn MAjeh 1:498.)*

2. Asbagh ibn Nabatah says: Hazrat Fatima, daughter of

Prophet Muhammad, marked the grave of Hamza to recognize it from other graves.

He also adds that: There were small stones on the grave of Prophet Muhammad and Abu Bakr and Umar. (*Al- Musanaf 'Abd al-Razaq 3: 574.*)

Benefits of structuring over Graves

It is obvious that structuring over graves has some benefits and results, for example:

1. It is respecting the divine rites and bringing the enemies and repudiators down.
2. Worshipping and praying are preferred in these place because of the dignity. So, making shelter for protecting the visitors from hot and cold and preparing a comfortable condition for them for visiting, reciting Qur'an or praying and participating in sermons is recommended and a good action.
3. To safeguard religious samples for ever. Maybe one of the most important result and benefit of structuring over tombs is safeguarding the religious samples forever and without this respecting these samples may forget. Actually, Wahhabis' purpose of opposing with structuring over tombs is not acting to one religious command but they are looking for demolishing and wiping these samples, while human being needs pattern and sample for his training...

Using light on the graves

Wahhabis recounted a hadith forbidding both men and women from visiting graves and setting up mosques and lights over them. And they specified that women as well as men were forbidden from carrying out such practices: “the Holy Prophet has cursed the visitors of graves and those who sets up mosques and lights over them.” (*Sunan al-Nisa’I* 4: 94; *Al-Mustadrak ‘ala al-Sahihayn* 1: 530, *hadith: 1384.*)

Criticizing this Outlook

Their attitude can be studied and criticized in several points:

1- This hadith is weak.

Hakim Neyshaboori has recounted a hadith from Ibn Abbas with two documents in “Al-Mustadrak”. One of these narrators is Abu Saleh Badham. The scholars of hadith considered him as a weak person in hadith narration.

Abu hatam says about him: his hadiths are written but not reliable. Nesai’e writes about him: Abu Saleh Badham is not reliable in narrating hadith. (*Al-kamel fi al-Zo’afa’* 2: 71)

2- The mentioned curse in this hadith, includes these practices about the usual persons, not the prophets and righteous people, whom we are commanded to respect them. Therefore setting up lights over the prophets and righteous graves and going for visiting them during their lives or their graves after their lives, not only is not forbidden, but also is a suggested performance and has religious

reason.

3-The curse is when the setting up the lights are without purpose, but if it is for reciting Quran or Du'a and prayer or for those people who want to stay there at night, is not forbidden, but it is recommended, and is a kind of participation for good deeds. In the way that some Sunni's scholars have mentioned this reply:

'Azizi, in his interpretation of this Prophet's speech says: the Prophet's curse includes those people who set up lights over the graves where they have no benefits for the live people, and if they set lights while people can benefit from them, so there is no problem with it. (*Sharh Jami' al-Saghir* 3:198)

Sendi in the explanation of Sunna Nesai' writes that: there is no prohibition if people use the lights. (*Sendi's comments on Sunan al-Nisa'I* 4:95.)

The Hanafi scholar in "Jami' al-Saghir" writes: it is forbidden to set lights or candles on the grave of Prophets or the righteous without benefiting others. (*kashf al-Irtiyab* 338.)

The evidence for setting lights over the graves is Prophet's practice.

Termedhi writes: Ibn Abbas said: ' Prophet Muhammad entered a graveyard at night and set a light over one grave. (*Jami' al-Tashih* 3: 372)

4-Muslims practices

The fourth reason that proves the invalidation of Wahhabi's outlook is Muslim's practices before and after the birth of Ibn Teymiyyah, which are against Wahhabi's outlook.

Khatib-e Baghdadi writes that: Walid said: there were some

candlesticks on the grave of Abu Ayub-e Ansari. (*Tarikh-e Baghdad* 1:154)

Ibn Jowzy Says: It is one of the events of the year 386 A.H that the inhabitants of Basrah claimed that they have discovered the grave of Zobayr ibn ‘Awam , therefore they brought candlesticks and mats for his grave...” (*Al-Muntazam* 14:387.)

Khatib-e Baghdadi writes that the grave of Imam Musa Kadhim is a well-known and visiting place, and there is a great structure over his grave with so many golden and silver candlesticks and so many carpets. (*Wafayat al-A’yan* 5:310)

Making vows at the tombs of holy men

As we will mention, vow is a subject which has been introduced in the Holy Quran and the Islamic traditions, is a rational subject. But the Wahhabi group forbids vow to other people, some of them generally considered it as a subjects which violates monotheism, and some other believes that it is a lesser Shirk.

Ibn Taymiyya recognized two types of Shirk: greater and lesser.

1–The greater shirk of all is calling on any being other than God.

Calling on anyone or anything other than God for help, assistance, refuge, or any other thing is strictly, totally, and permanently forbidden. Other examples of greater shirk include invoking holy men and requesting their assistance, rather than God.

2–The lesser or hidden Shirk: defined as any action purportedly undertaken on order to serve or worship God that actually has the intent of calling attention to oneself; thus, hypocrisy, such as improving one's manner of praying when observed by others, or making vows or offerings at the tombs of holy men, are an example of lesser or hidden shirk.

There is a tradition that Abdullah bin Umar says: Prophet Muhammad said: “Whoever makes vow at other than God, has committed Shirk... The lesser shirk never makes a Muslim out of Islam, but he has committed a lesser shirk and has to penetrate.” (*Rasa'il al-Hadiyah:25*)

San'ani in his book of "Tathir al-I'tiqad", when he attributes Shirk to the Qabriyun, says: "They make vow to the others rather than God and if they make vow to the name of God for proving their truthiness it is not acceptable by them, but if they make vow at the name of their holy men they will accept it, and that is the worshiping the idols." (*Kashf al-Irtiyab: 219.*)

The respond of this view

We will discuss this view from different parts.

First, making vow to others rather than God has been done from God, Prophet Muhammad, Companions, and all other Muslims, from the past to present.

a) Making vow to others in the Quran's verses:

There are various verses in the Holy Quran which are about vow.

At the beginning of Surah al-ʿAsr we read:

"By Time!, Indeed man is in loss" (*Surah al-ʿAsr: 1, 2*)

In the other verse:

"By the snorting chargers." (*Surah al-ʿAdiyāt:1*)

And also we read:

"By those [angels] who wrest [the soul] violently, by those who swim smoothly" (*Surah al-Nāzil at: 1,2*)

We also read at the beginning of Surah al-Fuṣṣḥ:

"By the morning brightness, by the night when it is calm" (*Surah al-Fuṣṣḥ: 1, 2*)

Of course there are more verses in the Holy Quran which contain vows to other than God. If we say that this vow is allowed for God but not for the creature we can answer that: Dose God assign any partner for Himself with making this vow and committed a lesser shirk? And if

making vow to other rather than God violates monotheism, so it's issuance from God is also obscene.

b) Making vow to others in the traditions

It has been coated in a tradition that: “a man came to Prophet Muhammad and asked, which charity has the most reward? Prophet said:” By your father! You will be informed about it, give the charity when you are healthy and eager about it... (Sahih Muslim 2:716)

There is another tradition that: a man from Najd, came to Prophet Muhammad and asked him some questions about Islam. At the end of this conversation, Prophet said: “By his father! He will be saved if he tells the truth.” (Sahih Muslim1:41; Sunan al-Kubra 2:61)

Abu Tallib's vow and Prophet's confirm

There is a narration that one day Abu Talib (the uncle of Prophet Muhammad) composed a poem for Prophet Muhammad, in which he made vow to the Ka'ba, Prophet Muhammad heard it and didn't deny it. (*Iman Abu Talib:329; Muniyat al-Raghib fi Iman Abu Talib, Muhammad Rida Tabasi:122; Sharh Nahj al-Balagheh, Ibn Abi al- Hadid 14:79*)

Companions' practices

It should be mentioned that companions also were used to make vow to other rather than God.

Abdullah Ibn Ja'far says: whenever I asked my uncle, Ali Ibn Abu Talib, something and he didn't reply my request, I made vow to Ja'far, and then he replied my request. (*Sharh Nahj al-Balagheh:15:73*)

It has been mentioned in Nahj al-Balagheh that Imam Ali wrote a letter to Muawiyah and said: “By my soul! Muawiyah! If you look rationally you can understand that I am the purest man toward the blood of Othman.” (*Nahj al-Balagheh, Sharh Muhammad 'Abdo 3:7.*)

It is a narration that Masrooq asked ‘Ayesha about the Kharijits, he mentioned the grave of Prophet Muhammad and said: “By the owner of this grave, what did you hear about Kharijits?”

Criticizing Abdullah bin Umar’s Narration

Now, we will discuss Abdullah bin Umar’s narration about not making vow to other rather than God.

Termedi narrates that: one day Abdullah bin Umar heard from a man who said: by the Ka’ba! He said to this man that do not make vow to others rather than God, because I heard from Prophet Muhammad that said: “Whoever make vow to others rather than God he has committed Kufr.” (*Irshad al-Sari* 9:358; *Sunan Termedi* 4:110)

This hadith has two problems:

1. The chains of transmission
2. The content

One of its narrators is *Soleyman Ibn Hayya*. Ibbn Mo’in and Ibn ‘Oday (two Sunni Scholars’ of Biographical Evaluation) write about him that: “Soleyman is a good man but the hadiths which he narrates are not reliable because of his bad memory.”

This hadith also is problematic in its meaning and context, if we accept that it’s chains of transmission has no problem, we can say that if a person has the same belief on others that has about God, it may violates monotheism.

Qastalani says: “using the expression of Kufr and Shirk is an exaggeration in prohibiting making vow to others rather than God. Is it a boycott or aversion prohibition?”

Almost all of the Maliki’s scholars believe that this prohibition shows that aversion; but the Hanbali’s scholars believe that it is a boycott, and all of the Shafii’s scholars believe that it is an aversion. Some of the scholars believe that if he makes vow with

the same believe that he has about God, to others it is Haram, forbidden, and violates monotheism, but if his vow is just like a respect to the creature of God, it never leads to Kufr and doesn't violate monotheism. (*Irshad al-Sari 9:358*)

Holding Ceremonies

Holding happy ceremonies for the birthdays is a legal and usual practice among Muslims. But the Wahhabi group believes that holding ceremonies for the birthday of Prophet Muhammad, reciting Quran in that party, composing and reciting poem for him and feeding Muslims are forbidden.

Ibn Taymiyyah says that: *“Holding ceremony and happy party is an innovation and has no origin in Islam, none of our ancestors held these days as a special days and never gathered together to have a party, and they didn’t do any special practice for those days. But it is the Christian’s practice, which they used to hold a party for the birthday of Prophet Jesus and also the Jew did the same… and also holding party for the birthday of Prophet Muhammad is similar to their practice and if it is a good practice so our ancestors should have do it.”* (Iqtiza’ Sirat al-Mustaqim:294)

Muhammad Hamed al-Fiqi has also commented that: “ the memories and holding party for memorization of the righteous persons’ birthday or death, is a kind of worshiping them and respecting them which is prohibited.” (Al-Milal al-Nihal 4:320)

They trace back their incorrect idea to two below hadiths.

The first hadith: Abu Hurairah says: Prophet Muhammad says: “do not make your house the graves, and don’t make my grave as your happy day and recite Salawat upon me, because I will receive your Salawat wherever I am.” (Musnad Ahmad 2:367)

The second hadith: it has been narrated from Prophet Muhammad that he prohibited people from making graves as a happy day.

Criticizing this view:

It is obvious that this view can be criticize from some part.

Firstly, there is different between holding birthday party for Prophet Muhammad and worship. Because a person who worships should have one of these features:

- 1-He should believe on the divinity of the worshipped.
- 2-He should believe on the mastery of the worshipped.
- 3- He should believe that all the actions of God have been transferred to the specific god.

None of those parties' holders are not believe on these matters; actually they want to express their love toward Prophet Muhammad. Of course it is Quran's command to express your love toward Prophet Muhammad. When it says:

"Say, 'If your fathers and your sons, your brethren, your spouses, and your kinsfolk, the possessions that you have acquired, the business you fear may suffer, and the dwellings you are fond of, are dearer to you than Allah and His Apostle and to waging jihād in His way, then wait until Allah issues His edict, and Allah does not guide the transgressing lot.'" (Tawba: 24)

Prophet Muhammad himself commanded to do so. When he says: "None of you will enter into the circle of belief and faith, unless my family and I be the most beloved person for you." (*Al-Dur al- Manthor 4:157*)

Secondly, one of the Ibn Taymiyyah's principal is *Ibaha*, which means that: "in facing with people's practices and traditions, permissibility is the principle, unless there is a prohibition from God." (*Majmoo' al-Fatawa 4:196*)

As a result, because the hadiths that the Wahhabis refer to are problematic in their source and implication so there is no prohibition in holding such a ceremonies.

Third, if there were no hadith to support the permissibility of holding this ceremonies, but there is another argument to support these ceremonies which is the feel of "cordiality and friendship" toward Prophet Muhammad and his household which is one of the Islamic principal and has been mentioned and explained in the holy Quran and

the traditions. These ceremonies are the evidences of declaration of “cordiality”.

Fourth, past generation practices and costumes are the criteria in Ibn Taymiyyah methodology to accept whether one thing is forbidden or permitted. Which one is the criteria, Quran and tradition or the past generation’s practices? In addition we consider that also the past generation used to hold these kind of ceremonies.

Fifth, the sayings and narratives of the Sunni’s jurists indicate the Muslim’s customs in holding these ceremonies.

1. Qastalani (923 AH): “Muslims always are holding the ceremony of the birthday of Prophet Muhammad and they feed people for that…may God bless those people who hold ceremony for his birthday…” (*Al-Mawahib al-Laduniyah* 1:27)
2. Hussain bin Muhammad –well known as Dyar Bakri one of the Mecca’s judge– (966 AH): “Muslims are used to hold the ceremony of the birthday of Prophet Muhammad, they feed people, they collect and give charity to the poor people, and they express their happiness. They insist on helping poor people. They recite poems about Prophet Muhammad and the generosity of him reveals more in these ceremonies.” (*Tarikh al-Khamees* 1:323)

These evidences indicate the legal consensus of this practice in different ages.

Ibn Abbad says: it is obvious for me that the birthday of Prophet Muhammad is one of the Muslims special days and all practices for this ceremony is permissible. (*Al-Mawasim wa al-Marasim*:22)

Abu Sa’id Irbeli, is the pioneer in reviving these ceremonies in 630 AH.

Some say that the first ceremonies were held by the Fatemi’s Caliphs in Cairo by Al-Mo’jez Le-Din Allah in the month of Shawal in 361AH.
(*Bohooth fi al-Mellal wa al-Nihal* 4:323)

If we have a deep concentration on Quranic verse we will recognize that the Holy Quran instructed us to respect and honor Prophet Muhammad: *“those who believe in him, honor him, and help him and follow the light that has been sent down with him, they are the felicitous.”* (al-Al rāf:157)

Accordingly, holding ceremony is actually performing the Quran instructions and is the evidence of honoring Prophet Muhammad.

Criticizing the mentioned hadith

We mentioned before that Wahhabi refer to two hadith as their evidence for rejecting holding happy ceremonies. We already analyzed the first hadith. Now we go through the second one. They say that Prophet Muhammad says: “do not set my grave as Eid (especial day).”

This hadith has some problem.

1. Ahmad bin Hanbal narrates this hadith with other words, that Soihel bin Abu Saleh said: Prophet Muhammad said: “O’ God! Do not set my grave as idol.” (*Musnad Ahmad 2:246; it is worthy to mention that Dhahabi is criticized the source of this hadith: Siyar A’lam al-Nobala’ 4: 484.*) So it is possible that there was a problem in narration, and the hadith is this: “do not set my grave as your mosque and direction of praying.”
2. This meaning of this hadith is not correct. Because Eid refers to a special time when grave refers to a special place which is tomb or grave. Therefore there is no compatibility with this claim.
3. This hadith is problematic in its chain of transmission (*isnad*). Abdullah bin Nafe’ is one of the narrators of the first Hadith. Bukhari says: some of the hadith that Nafe’ were used to narrate them was well-known but some of them were unknown. (*Al-Tarikh al-Kabir: No.687*)
Ahmad bin Hanbal says about Abdullah bin Nafe’: “he was a very weak person and wasn’t an expert in hadith.” (*Mizan al-I’tidal 3:243; Tahdhib al-Kamal 12:223.*)

On the other hand, Soheil bin Abi Saleh is one of the narrators of the second hadith.

Abu Hatam says about him: the narrated hadiths by Soheil are writable but not reliable.” (*Tahdhib al-Tahdhib* 4:231.)

Some other Sunni jurists are narrated this hadith. Mondheri says: this hadith motivates us to visit the grave of Prophet Muhammad mote that one time a year, and just for the special days, we have to visit our Prophet more.” (*Shafa’ al-Soqam* 177)

In explaining this hadith Subki says: maybe this hadith wants to say that: do not choice any special time for visiting me (Prophet Muhammad); the same as other graves that you visit them just in special days. (*Shafa’ al-Soqam* 177)

On Crying and Mourning Rituals

Historical Tradition

History and tradition narrate that Prophet Muhammad and his companions were used to cry on the dead and martyrs, and they gave the opportunity to people to cry and held the mourning ceremony for their, even they encouraged them to do that. When Prophet Muhammad died, Ayesha was hitting her face.

Although different great ceremonies were held during the history for the death of great hadith narrators and other people.

Now we represent some example.

1. Osameh bin Zayd says: when Prophet's grandson dead, he went to the house of his daughter while some of the companions were following him. He took the dead body on his hand while he was crying and whispering some phrases. (*Sunan al-Nisai'e 4:22*)
2. Ahmad bin Hanbal says: "After the battle of Ohod, Prophet Muhammad said to the Ansar's women who were mourning for their husbands that: "but Hamzeh has no body to cry for him." The narrator says: Prophet Muhammad took a rest when he woke up he saw that women are crying and face-slapping for Hamzeh. Ibn Abd al-Birr says: this tradition still is working, people never cry for any dead person before they cry for Hamzeh." (*Al-Esti'ab 1: 374*)

Hakeem Neyshaboori narrates that: "Prophet Muhammad came out to participate in a funeral procession, Umar was also with him, women started weeping and crying, Umar prohibited them from crying, then Prophet Muhammad said: " Umar! Leave them alone; let their eyes cry, because this disaster has just accrued." (*Al-Mustadrak ala al-Sahihayn 1:381; Musnad Ahmad 2:444.*)

Dependent on these narrations it is obvious that this action was not forbidden in the tradition of Prophet Muhammad and that was Umar who didn't care about Prophet's tradition and tried to prohibit them from doing so.

The Practical Tradition of Prophet Muhammad

History and tradition reveal that Prophet Muhammad cried for his son – Ibrahim–, grandfather –Abdul Mutalib–, uncles – Abu Talib and Hamzeh–, his mother – Ameneh–, Imam Ali's mother – Fatimeh bint Asad–, Othman bin Maz'oon,·· and others.

When he was crying for his son – Ibrahim–, people asked him why do you crying for him? He replied: “the eyes are crying, the heart is burning, and I'm not saying what reveals God's wrath.” (*Iqd al-Farid 3:19; Sunan Ibn Majeh 1:506*)

In other tradition we read that when Othman bin Maz'oon died, Prophet Muhammad kissed his corpse and cried.” (*Al-Mustadrak ala al-Sahihayn 1:514.*)

Companions and Successors Tradition

The practical tradition of companions and successors was also crying for the dead person.

When Ali ibn abi Talib received the news that Malik Ashtar is killed, he said: “it is better to shed tear for person like Malik Ashtar.” (*Siyar Alam al-Nobala' 4:34; Al-Kamil fi al-Tarikh 3:227.*)

Abad says: “Ayesha said that when Prophet Muhammd died I put his head on a pillow and we started face-slapping.” (*Syrah al-Nabavyah 6:75; Musnad Ahmad 6:274.*)

Othman says: When we informed Umar about the death of Othman bin Maz'oon he put his hands on his head and cried. (*Al-Mustadrak ala al-Sahihayn 3:332; Al-Musanaf ibn Abi Shaybah 3:45; Musnad Ahmad 6:274; Al-Syrah al-Nabavyah 6:75.*)

When Muhammd bib Yahya Dhehli Neyshaboori was informed about the death of Ahmad bin Hanbal said: it is worthy that all resident of Baghdad to host mourning ceremony for him in their houses”. (*Siyar Alam al-Nobala' 11:203*)

The Annul Commemoration in Public Form and Beating Drum

Street and public commemoration and beating drum are among those rituals that were custom among Muslims.

Nasfi says: “I was sitting by the corpse of Abd al-Mo’min bin Khalaf(346AH) – one of the most important Sunni’s jurists– when the sound of drums overwhelmed the place...” (*Siyar Alam al-Nobala’* 15: 480; *Tarikh Ibn Asaker* 10:272)

Zahabi says: “Joveini was died in 25th of Rabi’ al-Thani of 478 AH, When he died, people broke his podium for blessedness, and they closed their shops for hid mourning. He had about 400 students, all of them broke their pencils and host mourning ceremony for him. They removed their turban for one year and nobody was dear to cover his head. His students were used to wonder in the city and recite recitation and weep and cry for him.” (*Siyar Alam al-Nobala’* 18:468; *Tarikh Baghdad*:93; *Vafayat al-Ayan* 3:149.)

Then Dhahabi the follower of Ibn Taymiyyah, continues that: this kind of rituals and practices are for non-Arab people and the scholars who follow the Prophet’s tradition never do such actions. In other part when he is talking about Imam Hussian’s mourning ceremony in Baghdad in 351AH, during the realm of Mo’iz al-Dawleh, after explaining that the shopees were closed and breast-beating and face-slapping, without any shame he says: “O’ My God, strengthen our wisdom.” (*Al-Ibar* 3:89; *Tarikh al-Islam*: 11 the events of 351 AH.)

It is obvious that this saying of Dhahabi is nothing just zealotry. Therefore some of the Sunni’s jurists tried to reply those sayings. Subki, a Sunni jurist in response to Dhahabi’s saying says: “Dhahabi said something about Imam Joveini that Imam is not satisfied with it. While Imam never did so and didn’t advice people to do so after his death, but he was so gracious that his followers

and students could no longer stand his death..." (*Tabaqat al-Shafei'eh* 5:184)

When the subject is about Imam Joveini, Subki is against Dhahabi but when the subject is about holding mourning ceremony for Imam Hussain, who is the patron of the youth in the paradise, neither Subki nor other scholars have any viewpoint.

About mourning ceremony for Umar bin Abd al-'Aziz, Khalid bin Rob'i says: "there is in Torah that sky and earth cry and weep for the death of Umar bin Abd al-'Aziz." (*Tarikh al-Kholafa', Suyuti* 1:245)

Holding Mourning Ceremony for Imam Hussain

In *Al-Bedayah va al-Nihayah*, Ibn Athir writes:

"During the realm of Malek Nasir (Aleppo governor) people asked for a person to come and speak about the tragedy of Karbara. Sebt bin Jawzi sat on the podium and but didn't talk for a long time, then he removed his turban and cried very hard, and while he was crying he recited these verses: "oh to those people whose interceders in the day of judgment become their enemies, Inevitably, Lady Fatima will enter to the Desert of Mahshar with the bloody shirt of his son Hussain."

Then he came down of the podium and went to his house while he was crying..." (*Al-Bedayah va al-Nihayah* 13:207)

According to the obvious traditions and historical evidences, holding and hosting mourning ceremony, reciting verses, weeping and crying for the death of beloved person, face-slapping and breast-heating, beating drum, closing the shops and other rituals were usual and prevalent among Muslims through the history.

Crying and Weeping for the Dead

Those who forbid crying for dead person have some arguments about it:

First: the hadith and narrations from Umar, and his son – Abdullah – and others, the abstract of those traditions is: “when the survivor cry the dead person suffers hardship” (*Jame’ al-Osool* 11:99, *hadith* No.:857; *Al-Syrah al-Halabiyah* 3:310; *Sunan Ibn Majeh* 1: 506, *hadith* No.1589.)

But some other traditions make it clear that the narrator has made a mistake while he was narrating or maybe he has forgotten the content of the narration.

Ibn Abbas says: “when they narrated this narration to Ayesha after the death of Umar, she said: “God Bless him, but Prophet Muhammad never said such a thing, but Prophet said: “indeed God will increase the misery of Kafir when his relatives cry for him.” Then she added: Quran is sufficient for you when says: “*No bearer shall bear another’s burden*” (*Surah al-Fatir:18.*)

Abdullah bin Umar was also there, but didn’t say anything. (*Al-Majmoo’* 5:308; *Sahih al-Bukhari* 1:432.)

In other narration we read: when this narration, narrated from Abdullah bin Umar for Ayesha, she said: “God forgive him, he didn’t lie but he forgot or made a mistake in narrating it! When Prophet Muhammad passed by a grave of a Jew woman, he saw that her relatives are weeping for her, said: “they are crying for the dead person, while she is in torture now.”

Justifying the Narrations

In this case some Sunni jurists started justifying these narrations. They say that: the meaning of this hadith is that when they were crying for the dead person they recall and retell some of his characteristics which are

forbidden in Islamic law, such as o' the destructive of houses, o' the killer of the husbands,...

Ibn Jarir, Qazi 'Ayaz and other justified these narrations in this way, they say that: the dead person feel sorry for his relatives when they cry for him.

The other justification is narrated from Ayeshe that: she said: Believers or non-believers will suffer while they relatives cry for them, not because of their cry and weeping but because of their own sins." (*Al-Majmoo' 5:308*)

The second narration which shows this prohibition is the one that is narrated by Mottaqi Hendi from Ayeshe. He says: "when Prophet Muhammad was informed about the news of the death of Ja'far bin Abi Talib, Zayd bin Haretheh, and Abdullah Ravahe, the sings of sorrow and unhappinees became obvious in his face, I saw that a man told him that women are weeping for Ja'far. Prophet said: Go back and make them silent, if they didn't stop, sprinkle some soil to their face." (*Kanz al-'Ommal 15:732; Al-Musanaf ibn Abi Shaybeh 3:265.*)

This tradition is discussable in some ways:

1. This narration is not in companion with other narration that say: Prophet Muhammad were used to cry and weep for the dead and martyr person, and encouraged others to cry for Hamzeh, Ja'far and ... And when Umar prohibited them from crying and weeping he said to him that leave them alone and let them cry..." (*Sunan Nesa'ie4:19; Musnad Ahmad 3:333; Al-Mustadrak 'ala Al-Sahihayn 1:381*)
2. Muhammad bin Ishaq bin Yasar bin Khayyar is in the chain of transmitter of this narration. The methodologist

of hadith have different point of view about him. Ibn Nomayr says: he is unknown and his narrations are invalid.

Ahmad bin Hanbal says: Ibn Ishaq dissembled in narrating hadith and pretended the weak hadith as a valid one. (*Tahdhib al-Kamal* 16:70)

The third reason for the prohibition of crying is Umar's action. Nasr bin Abi 'Asem says: "one night Umar heard the sound of women in Medina, he attacked them and whipped one of them in a way that her scarf fall down. They said to him her hair is obvious, he replied that, yes, but she has no respect and honor. (*Kanz al-'Ommal* 5:731; *Al-Musanaf 'Abd al-Razaq* 3:557, *hadith No. 6682*.)

1. Umar has attacked a house that women were there, and it recalls the memory of attacking the house of Fatima al-Zahra. Then he replied that that woman has no honor and respect. It means that those women were not Muslim or Umar didn't consider their respect and honor.
2. Is Umar's action a firm reason? Is he infallible? Nobody has claim that he is infallible. Imam Muhammad Ghazali believes that Umar and Abu Bakr's actions are not firm reason and reliable. He says: the second principal which has no base is that the validity of the action of some companions. Some believe that companions view point is valid in any case. Some believe that their view point is valid if it is in contrast with analogy.
Then Ghazali says: "all of those narrations are invalid, because a person who is not infallible and there is a

possibility for making mistake so his action has no validity.” (*Al-Mustasfa* 1:260; *Derasat Feqhiyah fi Masa’il Khilafiyah* 138.)

3. The narration which contain Prophet saying to Umar to leave alone those women and the other one that Ayesheh says God bless Umar but he make a mistake, are two evidences that show that Umar’s actions were in contrast with Prophet’s tradition and action.

Those things that we mentioned here are the excerpt of the pile of reasons which reject Wahhabi’s claims.