

Part 3:
Fundamental Issues of *Uṣul* & ‘*Aqeedah*

Kitāb ut-Tawḥeed
(The Book of Monotheism)

By Professor Muḥammad ibn Abdullah al-Mas’ari

Copyright © *Renascence Foundation*

All rights reserved



3. All previous Prophetic laws are abrogated

It was proved by overwhelming evidence, the denial of which is *kufir* (disbelief), that the previous Prophets and Messengers were just sent to their own specific tribes, peoples, locales or nations. Similarly, it was also proved that unlike previous Prophets and Messengers the Prophet Muḥammad (peace be upon him) was sent to all of mankind. To argue that the previous nations or peoples still exist presently seems incredulous. By the passage of time they have perished; long ceasing to be considered as distinct nations addressed by a particular Prophet or Messenger. In fact, they are now considered as a part of Muḥammad's (peace be upon him) nation. That is to say, each previous nation lost its description as a specific nation as well as its independent identity and became just individuals, groups, tribes, or peoples included in the nation of Muḥammad (peace be upon him).

The call of previous Prophets now has no legal significance, because the law they were sent with would address those who are no longer existent. Nobody in the present world is ordered to follow the law which was brought by Musa (Moses, peace be upon him), although there are existing individuals and tribes descended from Bani Israel. However, the nation of Musa (peace be upon him), described once as a nation of divine message, is gone, it has vanished through the passage of time. In a similar manner, nobody is required to follow the specific laws which were brought by Esa (Jesus, peace be upon him).

One can reasonably ask, so what has happened to those previous messages? Have the commands and prohibitions that Allah gave to those previous peoples evaporated entirely? Allah forbid! What has happened is that these specific laws and injunctions were *abrogated* in totality by him, exalted be his names. The precise moment of abrogation was the moment

revelation descended upon the final messenger sent to all of mankind, namely Muḥammad (peace be upon him). By Allah saying that he has sent Muḥammad (peace be upon him) as a Prophet and Messenger to *all* of mankind, by necessity, he has thereby abrogated all the previous messages, since the people they specifically addressed no longer exist. All the laws and detailed rulings that were applicable to the previous nations via their Prophets and Messengers have been abrogated totally. Every injunction that applied previously whether that be an obligation or prohibition, no longer applies anymore. Yet it is more than this – it is not merely the fact that they no longer apply, but it is prohibited to seek to apply them now following the advent of Muḥammad (peace be upon him).

Each of the previous Prophets and Messengers were not sent to us, nor have they addressed us in any manner, thus it is inconceivable that the specific laws that they brought could in some manner now apply to us. Following an abrogated religion and leaving the abrogating one is a major crime, it constitutes an annulment of the commands of Allah and rebellion against his sovereignty. Those that would purport to argue for the dictum of ‘the law of the previous Prophets is our law too’¹ are presiding over an absurdity. Whatever may appear to be similar in our present divine law brought by Muḥammad (peace be upon him) to that brought by previous Prophets or Messengers should not be construed as being in any way an affirmation or continuance of that legislation. How could it be the case that Allah abrogated all of the previous divine laws and at the same time re-legislated them as being ‘Islamic laws’ now?

The incredulity of the saying ‘the law of the previous Prophets is our law too’ should be evident by the fact that Muḥammad (peace be upon him) was sent to all mankind and even the *jinn*. His followers from amongst mankind are considered as being one *Ummah* subsuming all different races, tribes and nations on earth. As it is described as one nation, it therefore has only one creed and one law. While each one of the previous Prophets used to be sent to specific peoples, locales or nations, each of whom had a law and a method that differed from the others, even if they were under the same rule. Whoever claims that these laws are ours, he must do the following:

¹ The original Arabic for the term in the book as well as that found in the books of jurisprudence (*fiqh*) is: *Shara’ min qablina shara’ lanā*. We have chosen this phraseology above as opposed to a literal translation for the sake of clarity in English.

- ❖ Implement all of these laws at the same time from the same view and consideration; that is, to gather between opposing contrasts; which is an impossible matter to occur from both the reasonable and legal point of view.
- ❖ Make every law connected with a specific nation that would be followed by this *Ummah* only and not by any other nation from among mankind. If applied, by rights, anyone from the Far East – for example Japan, would be able to argue that this is the law sent to Israel – it cannot be obligatory now since I was not addressed with it originally. Even if present at the time of Musa (peace be upon him) it wouldn't have been obligatory to follow as he wasn't sent to the Japanese! Consequently, how could it ever apply now after the advent of Muḥammad (peace be upon him)?

From the Islamic legal point of view, this is impossible, as it contradicts the universality of the Muḥammad's message (peace be upon him) and the unity of his *Ummah*, whereas both matters were proved through definite and absolute proofs. Common people and scholars, Muslims and *mushrikeen* (polytheists) know these two matters in Islam as an acknowledged fact, as we mentioned earlier; this is but an additional proof put forward here. Some have tried to escape from this quandary by arguing with the following: 'The law of the previous Prophets becomes ours too, but only if it is mentioned in the Qur'ān or the *Sunnah*.' In reply we would posit that this line of argument is of no use. If it is mentioned in the present revelation it is by way of a report. If it is mentioned in the form of an address to the believers now, then it becomes a new law, however similar it may appear to that which has gone previously. The newly enacted law becomes mandatory to follow not because of anything that has gone previously, but because we are commanded with it now in the present revelation. It is prohibited to say now 'the law of the previous Prophets is our law too' or that it somehow 'becomes part of our laws'. One could say though that this is a new law for us, which appears similar to that previously revealed; legally that is tenable.

Writing in '*Issues from al-Uṣul*'², the second book of *al-Muḥalla bil athār*, the grand Imām of Andalusia, Ibn Ḥazm argued as follows:

² This appears in the *Muḥalla* after the book of *Tawḥeed*. Although *al-Muḥalla* is primarily a work of *fiqh* (jurisprudence) the section provides a good introduction to the doctrinal principles that Ibn Ḥazm held and utilises throughout the book. His major work on *Uṣul* is entitled: *al-Iḥkām fi Uṣul al-Aḥkām* (Judgement on the Principles of Law).

All previous Prophetic laws are abrogated

Mas'ala 102: Sharī'ah of Previous Prophets.

It is not permissible to follow any *Sharī'ah* of a Prophet (that came) before our Prophet (Muḥammad), as Allah has said:

لِكُلِّ جَعَلْنَا مِنْكُمْ شِرْعَةً وَمِنْهَاجًا

...for every one of you did We appoint a law and a way...³

Aḥmad ibn Muḥammad ibn al-Jasour narrated to us Wahb ibn Massara narrated to us Muḥammad ibn Waḍḍāḥ⁴ narrated to us Abu Bakr ibn Abi Shayba narrated to us Hushaym reported to us from Sayyār from Yazid al-Faqir he reported to us from Jābir ibn Abdullah that the Messenger of Allah (peace be upon him) said: *I have been given five (things) that have not been given to anybody before me: I have been supported with horror for a distance of one month; the whole earth has been made a masjid and ṭahur (purified / clean) for me anyone from my Ummah, man or woman, can pray wherever they are; the spoils of war have been permitted to me whereas they were not for previous nations; I have been given the intercession, and every previous Prophet has been sent to his own people whereas I have been sent to all of mankind.*

Since these messengers have been sent to their own specific people they are not addressing us – so how can their *Sharī'ah* apply or even be obligatory upon us? What makes our current *Sharī'ah* applicable is that we have been addressed with it. Whoever denies this, would therefore deny this *ḥadith* and the special *faḍeelah* (virtues) that has been given to Muḥammad (peace be upon him). Whoever says that the laws of the previous Prophets apply to us now given the advent of the Prophet Muḥammad (peace be upon him) who is sent to all of mankind is lying. And with Allah is all success.

Hats off to Ibn Ḥazm for furnishing us with this deep, thoughtful analysis! We also formally adopt this viewpoint and to it add the following dictum:

- ❖ *All previous divine laws were abrogated with the advent of the last Prophet, who was sent to all of mankind, namely Muḥammad bin Abdullah (peace be upon him). The abrogation was*

³ *Qur'an* 5: 48

⁴ Up to that point is Ibn Ḥazm's *isnād* to Imām Abu Bakr ibn Abi Shayba

absolute. Hence that is why is it unlawful to try and implement or follow a previous Sharī'ah to be begin with.

All rulings sent to us after the revelation of the first word of the Qur'ān word - *Iqra'* (read!)⁵ is a new law even if it appears to be similar to that previously issued or even if it is identical. Without doubt the reality of the matter is that it is new, so is absolutely unlawful to say that it is an acknowledgment of a previous law, as that which is abrogated becomes necessarily void and non-existent. Its return is the establishment of a new law not a confirmation of a previous one that still exists and applies. The glorious Qur'ān and the honourable *Sunnah* are full of proofs which confirm this reasoning, for the words of Allah and that revealed to his Messenger (peace be upon him) are never in contradiction to one another.

أَفَلَا يَتَذَكَّرُونَ الْقُرْآنَ وَلَوْ كَانَ مِنْ عِنْدِ غَيْرِ اللَّهِ لَوَجَدُوا فِيهِ اخْتِلَافًا كَثِيرًا

*Do they not then contemplate over the Qur'ān? If it were from any other than Allah, they would have found in it much discrepancy / contradiction.*⁶

Allah the exalted and majestic says:

وَأَنْزَلْنَا إِلَيْكَ الْكِتَابَ بِالْحَقِّ مُصَدِّقًا لِمَا بَيْنَ يَدَيْهِ مِنَ الْكِتَابِ وَمُهَيِّمًا عَلَيْهِ فَاحْكُم بَيْنَهُمْ بِمَا أَنْزَلَ اللَّهُ وَلَا تَتَّبِعْ أَهْوَاءَهُمْ عَمَّا جَاءَكَ مِنَ الْحَقِّ لِكُلِّ جَعَلْنَا مِنْكُمْ شِرْعَةً وَمِنْهَاجًا وَلَوْ شَاءَ اللَّهُ لَجَعَلَكُمْ أُمَّةً وَاحِدَةً وَلَكِنْ لِيَبْلُوَكُمْ فِي مَا آتَاكُمْ فَاسْتَبِقُوا الْخَيْرَاتِ إِلَى اللَّهِ مَرْجِعُكُمْ جَمِيعًا فَيُنَبِّئُكُمْ بِمَا كُنْتُمْ فِيهِ تَخْتَلِفُونَ

*And We have revealed to you the Book with the truth, verifying what is before it of the Book and a guardian over it, therefore judge between them by what Allah has revealed, and do not follow their low desires (to turn away) from the truth that has come to you; for every one of you did We appoint a law and a way, and if Allah had pleased He would have made you (all) a single people, but that He might try you in what He gave you, therefore strive with one another to hasten to virtuous deeds; to Allah is your return, of all (of you), so He will let you know that in which you differed.*⁷

⁵ Qur'an 96: 1

⁶ Qur'an 4: 82

⁷ Qur'an 5: 48

Contained within the aforementioned verse is the Arabic word ‘*muhaymin*’ [المهيمن] which is one of the ninety-nine names of Allah and is often translated as ‘The Protector’. Many interpretations have been given to this word including: ‘the witness and trustworthy, the faithful, the vigilant guardian’. But the foremost interpretation seems to be on two distinct levels, firstly, meaning the dominated controller who has the power over everything and whose commands are decisively accomplished; secondly this word refers to one who undertakes the responsibility of ruler and disposes all affairs. In *Fatḥ al-Bāri* Al-Ḥāfīz (Ibn Ḥajar) tried to summarise these interpretations and said the following:

They said regarding the word ‘*muhaymin*’ that the Qur’ān is trusted over all the books that preceded it. As cited by Abu Ḥātim from the channel of Ali bin Abi Ṭalḥa from Ibn ‘Abbās in relation to the statement of Allah ‘and *muhaymin* over it’ he said the Qur’ān is trusted over all the books that preceded it. Furthermore as reported by Abd’ bin Ḥumayd from the channel of Arbada at-Tamimi from Ibn ‘Abbās in relation to the statement of Allah ‘and *muhaymin* over it’ he said ‘entrusted over it’. Ibn Qutayba and others followed by the majority said: knowing it is trusted.

Some postulate it as being *mu’aymin*, the *ha* (ه) being read as a *hamza* (ء); *mu’aymin* means the one who offers peace and security. That is rejected because that is not the preponderant meaning, given that it is from amongst the names of Allah the exalted and not simply reduced to that. The truth is that its root has the meaning that he is superseded by something. *Al-Haymana* to protect and watch over, that is why it is said when a man watches over something and protects it he has ‘*haymana*’ over it. (Or) a man dominates a man if he becomes his watcher, hence he is *muhaymin*. Abu ‘Ubaida said: it didn’t come in the speech of the Arabs on this construction except four words: *mubayṭar*, *musayṭir*, *muhaymin* and *mubayqar*.

On the same subject in *Fatḥ al-Bāri*, Al-Ḥāfīz (Ibn Ḥajar) continues:

Al-Bayhaqy mentioned, ‘This explanation of the scholars of *Tafsir* with regard to the term ‘*al-mahaymin*’ is that it means ‘supervisor’. He then cites a narration from at-Taymi on the authority of Ibn ‘Abbās in reference to the verse, ‘(he is) *muhaymin* over it.’ Ibn ‘Abbās states that it means ‘protector’; in another narration from Ali bin ‘Abi Ṭalhah, Ibn

‘Abbās is reported to say that ‘*al-Muhaymin*’ means ‘supervisor’. In yet another narration from Mujāhid, Ibn ‘Abbās is reported to say, ‘*al-Muhaymin*’ means the witness. It is said that ‘*al-Muhaymin*’ means the observer over an object and guardian of it. It is also said that *al-haymanah* is to be in authority over something as a poet once said:

‘Is it not that the best of the people after their Prophet is their next *muhaymin* guiding them towards the good and the bad? The one in authority over the people wants to protect them even after his time has passed.’

It is therefore correct that this poetry implies that he wants security for them and what has been mentioned is in accordance with this.’

I would submit that Bayhaqy struck the point in his interpretation of the word ‘*al-muhaymin*’ with ‘based upon the people care for them.’ Not taken advantage of the poetic lines which is mentioned, the understanding of the sense of ‘*al-ḥākim*’ the ruler and ‘*al-musaytir*’ the dominant. While the meanings of witness and trustee are there they are not derived from the word itself. From the requirements of the *Shari*’ meaning it can be discerned to encompass that the trusted ruler watching over affairs, or else failing in that would be considered treacherous or even criminal. This is similar to what has come in *Lisān al-Arab*: ‘In the *ḥadith* of ‘Ikrima – I know Ali peace be upon him was from amongst the ‘*muhaymināt*’; any issues of dominance, which is the thing to do, to make her act is headed to matters such custodians.’ As for Imām aṭ-Ṭabari although he provides a lengthy and beautiful comment, he doesn’t necessarily approach the intended meaning with his interpretation.

Imām Ibn Kathir was closer to the mark in seeking to flesh out the meaning of the word *muhaymin* in his *Tafsir*. He writes:

The statement of Allah ‘*muhaymin* over it’: Sufyān ath-Thawri and other than him said: from Ibn Ishāq from at-Tamimi from Ibn ‘Abbās (who said) entrusted over it. And it’s said from Ali bin Abi Ṭalḥa from Ibn ‘Abbās – *al-muhaymin* is the trustworthy, the Qur’ān is trusted over all the books that preceded it. As well it has been reported from ‘Ikrima, Sa’eed bin Jubayr, Mujāhid, Muḥammad bin Ka’b, ‘Aṭiya, al-Ḥasan, Qatādah, ‘Aṭā al-Khurasāni, as-Suddi and Ibn Zayd about this. Ibn Jarir (Imām aṭ-Ṭabari) said: the Qur’ān is trustworthy over the books that preceded it. Therefore, whatever disagrees with the Qur’ān is false. Al-Wālabi said that Ibn ‘Abbās said that *muhayminan* means ‘witness.’

Similar was said by Mujāhid, Qatāda and as-Suddi. Al-‘Awfi said that Ibn ‘Abbās said that *muḥayminan* means dominant over the previous scriptures. These meanings are similar, as the word *muḥaymin* includes them all. Consequently, the Qur’ān is trustworthy, a witness and dominant over every scripture / book that preceded it. This glorious book which Allah revealed as the last and final book of all times. The Qur’ān includes all the good aspects of previous scriptures and even more, which no previous scripture ever contained. This is why Allah made it trustworthy, a witness and dominant over them. Allah promised that he will protect the Qur’ān and swore by his most honourable self when doing so. Verily Allah the exalted says: *Surely we have revealed the Dhikr and we will most surely be its guardian.*⁸

The comments from Ibn Kathir are good indeed. But it’s unfortunate that the majority of exegetes simply regurgitated the interpretation of Ibn ‘Abbās regarding word *al-muḥaymin* as being a witness, then a trustee or entrusted which only slightly fits into the overall context unlike the ruling concerning it. Ultimately this is due to *taqlēd* (imitation), laziness about being diligent and having independent thought. We have found in the book of history written by Imām aṭ-Ṭabari,⁹ regarding the death of Abu Shurayḥ, some lines of poetry which serve to provide some elaboration upon the linguistic meaning of this word:

[Al-Walīd] wrote to wrote to Uthmān about [these young men] and he wrote back to put them to death. Thus, [Al-Walīd] executed them at the gate of the Official Palace [*al-qaṣr*] in the square [*al-raḥabah*]. Concerning this [event] ‘Amr b. ‘Āsim al-Tamīmī said:

Never feed on your neighbours immoderately, O dissolute men, in the reign [mulk] of Ibn ‘Affān

For Ibn ‘Affān, whom you have put to the test, has cut off thieves by the well-established law of [our] salvation

Without fail he acts in accordance with the Book, keeping close watch over every neck and fingertip among them.

⁸ Qur’ān 15: 9

⁹ Ṭabari *History of Prophets and Kings*, Vol. 2 p. 439 (Arabic); the English is taken from the translation and is at Vol. 15, *The Crisis of the Early Caliphate*, p. 46

It would appear from these verses that the meaning relates to control. But control and dominance appears in the word of ‘*muhaymin*’, as stated in *al-Iṣāba fī Tamīyiz aṣ-Ṣaḥāba* by al-Ḥāfiẓ Ibn Ḥajar; during the biography of al-Fāria’ bin Abi aṣ-Ṣalt may Allah be pleased with her, sister of Umayyah bin Abi aṣ-Ṣalt, the famous poet. The following stanzas are from his *qaṣīdah*:

To you is all praise, all blessings, all favours, our Lord. There is nothing higher than you at all, neither is there a more absolute *muhaymin* or majestic king upon the throne of the heavens. Your power humbles masses and causes them to prostrate.

In my opinion, there is no meaning for *muhaymin* here except that it means the one who decrees and controls, who possesses absolute authority, and who is in ultimate disposal of all affairs. And this is what circulated among the tongues of the people from all levels in the later centuries. Therefore, if it is said *al-Haymanah al-‘Ajnabiyyah*¹⁰ then all listeners understand this term as ‘dominance, control, or foreign occupation’ and nothing else – this is the correct opinion *alḥamdulillah*. This is what Allah has meant by the term - that *muhaymin* means the one who decrees and controls, who possesses absolute authority, and who is in ultimate disposal of all affairs - nothing else is meant by it.

It is not that the Qur’ān is *muhaymin*, *ḥākim*, controlling or dominating the previous books except if it is abrogating them, it cannot imitate them rationally or legally in terms of what Allah has commanded or prohibited. This is because essentially they are of one rank, originating ultimately from the same source, namely Allah the exalted. Thus it is not an issue of the last revelation dominating or controlling those previous to it. It is *nāsikh* (abrogating) and that is *mansookh* (abrogated) by necessity. This will not be its condition or place. It cannot be imagined except as this. Yet it is another proof concerning the matter of the previous laws being abrogated in totality and that we are not originally addressed them by. To reiterate again, the argument that the ‘law of the previous Prophet’s is our law too’ is invalid and a great lie. Should one realize the ramifications of such a statement and still adhere to it, one would fall into *kufṛ* (disbelief).

¹⁰ *Haymanah* is the root word of the term ‘*muhaymin*’.

ثُمَّ جَعَلْنَاكَ عَلَىٰ شَرِيعَةٍ مِّنَ الْأَمْرِ فَاتَّبِعْهَا وَلَا تَتَّبِعْ أَهْوَاءَ الَّذِينَ لَا يَعْلَمُونَ

*Then we have made you follow a course in the affair, therefore follow it, and do not follow the low desires of those who do not know.*¹¹

The Prophet (peace be upon him) had his own independent specific law that differs from other previous ones. This law was revealed to him from the very beginning of his call, when he was at Mecca, as attested by the aforementioned verse, which is Meccan in origin according to the majority of scholars. That was why he did not ask any of the people of the book about any of their rules or judgments. In fact, this was forbidden, as it will be mentioned soon. Perhaps some people hated that, in particular the Jews, but Allah let them know after a while when they were at Medina that his steady, stable tradition was to make a specific law for every nation. Every such law is a law of Allah, in its time and for its nation among which it was legislated; applying it at its time is considered an act of obedience to Allah. The important point is to rush headlong toward good deeds and strive like in a race towards all virtues, rather than becoming bogged down in the technicalities of the specific law. If a certain divine law is abrogated, the new one will also be a law of Allah; obeying it is an obligation, while disobeying it is prohibited. Allah the exalted and glorious outlines this meaning when he says:

وَأَنْزَلْنَا إِلَيْكَ الْكِتَابَ بِالْحَقِّ مُصَدِّقًا لِّمَا بَيْنَ يَدَيْهِ مِنَ الْكِتَابِ وَمُهَيْمِنًا عَلَيْهِ فَاحْكُم بَيْنَهُم بِمَا أَنْزَلَ اللَّهُ وَلَا تَتَّبِعْ أَهْوَاءَهُمْ عَمَّا جَاءَكَ مِنَ الْحَقِّ لِكُلِّ جَعَلْنَا مِنْكُمْ شُرَعًا وَمِنْهَا جَا وَلَوْ شَاءَ اللَّهُ لَجَعَلَكُمْ أُمَّةً وَاحِدَةً وَلَكِنْ لِّيَبْلُوَكُمْ فِي مَا آتَاكُمْ فَاسْتَبِقُوا الْخَيْرَاتِ إِلَى اللَّهِ مَرْجِعُكُمْ جَمِيعًا فَيُنَبِّئُكُمْ بِمَا كُنْتُمْ فِيهِ تَخْتَلِفُونَ

*And We have revealed to you the Book with the truth, verifying what is before it of the Book and a guardian over it, therefore judge between them by what Allah has revealed, and do not follow their low desires (to turn away) from the truth that has come to you; for every one of you did We appoint a law and a way, and if Allah had pleased He would have made you (all) a single people, but that He might try you in what He gave you, therefore strive with one another to hasten to virtuous deeds; to Allah is your return, of all (of you), so He will let you know that in which you differed.*¹²

¹¹ *Qur'ān* 45: 18

¹² *Qur'an* 5: 48

According to the majority this *Surah, al-Mā'ida*, was revealed in Medina. A large number of *ḥadith* exist also to corroborate the points that we have made thus far, that the argument of the law of the previous Prophets being part of our present law is totally invalid. The Prophet (peace be upon him) said: *'If Musa were alive among you today and you followed him, leaving me, you would have gone astray.'* Musa (peace be upon him) was a Prophet and an infallible Messenger who did not disobey Allah's orders. If alive today, he would have no other choice than to follow Muḥammad (peace be upon him), otherwise he would be acting in disobedience to Allah. It is known by necessity that the law of Musa has now been totally abrogated, so if he was to be resurrected now it would be impermissible for him to follow any other than Muḥammad (peace be upon him); to do so would make him sinful, Allah forbid! This *ḥadith* is yet another evidence that proves all the previous religions and laws have been totally abrogated; we are not addressed by them at all. Hence the statement, 'the law of the previous Prophets is our law too' is not simply false or an absurdity, it stands in open opposition to the express statement of Muḥammad (peace be upon him).

One individual tried belatedly to conclusively address this problem. He was the Imām Abul'Farj Nur-ad-Deen ibn Burhān ad-Deen Ali bin Ibrāhim Aḥmad al-Ḥalabi (died 1044 AH). His solution though, wasn't much of a solution. Writing in the *Seerah of Ḥalab fi Seerah al-Ameen al-Mā'moon* he said:

You should know that he (peace be upon him) sender of all Prophet's and their nations to appreciate his presence in their time. Because Allah the exalted took along them and upon their nations confirmed on faith with him and supported him to be on the messengership and message to the nations. Prophethood and his message are more inclusive, and to be his law in those times for those nations that came by their Prophets, because the provisions and laws vary according to the people and the times. As-Subki said: all the Prophets and their nations from among his nation, peace be upon him, He (peace be upon him) said to Umar bin al-Khaṭṭāb – *'By him in whose hand my soul rests, if Musa peace be upon him were alive he would follow me.'*

Another demonstrable proof is the fact that the Prophet Muḥammad (peace be upon him) led in prayer all the other Prophets in his night journey to *Bait al-Maqdis*. The previous Prophets

were resurrected for him, they moved one another to lead the prayer, then they made him at the front or Jibreel (Gabriel, peace be upon him) did so. Thus, Muḥammad (peace be upon him) led them in the prayer, which proved that their manner of prayer was abrogated, as they prayed according to his prayer. Prayer is considered the main pillar of religion; other previous acts of worship were abrogated *a fortiori*. This is the fifth piece of evidence, which proves that all previous laws and religions have been abrogated, and that we are not addressed by them at all. Yet again it shows the absurdity of the statement ‘the law of the previous Prophets is our law too’; it is false statement and its use is forbidden. The primacy of the Prophet (peace be upon him) and his law can also be ascertained from a number of narratives that have reached us. As recorded by Imām Muslim:

وحدثني زهير بن حرب حدثنا حجين بن المثنى حدثنا عبد العزيز وهو بن أبي سلمة عن عبد الله بن الفضل عن أبي سلمة بن عبد الرحمن عن أبي هريرة قال: قال رسول الله، صلى الله عليه وسلم: لقد رأيتني في الحجر وقريش تسألني عن مسراي فسألتني عن أشياء من بيت المقدس لم أثبتها، فكربت كربة ما كربت مثله قط»، قال: «فرفعه الله لي أنظر إليه ما يسألوني عن شيء إلا أنبأتهم به، وقد رأيتني في جماعة من الأنبياء فإذا موسى قائم يصلي فإذا رجل ضَرْبُ جعد كأنه من رجال شنوءة، وإذا عيسى بن مريم عليه السلام قائم يصلي أقرب الناس به شبيها عروة بن مسعود الثقفي، وإذا إبراهيم عليه السلام قائم يصلي أشبه الناس به صاحبكم يعني نفسه، فحانت الصلاة فأممتهم، فلما فرغت من الصلاة قال قائل: (يا مُحَمَّدُ هذا مالك صاحب النار فسلم عليه!)، فالتفت إليه فبدأني بالسلام

And Zuhayr bin Ḥarb narrated to me Ḥujeen bin al-Muthanna narrated to us Abdal-Aziz and he is ibn Abi Salama narrated to us from Abdallah bin al-Faḍl from Abu Salama bin Abdar-Raḥman from Abu Hurayrah who said that the Messenger of Allah (peace be upon him) said: *I found myself in Ḥijr and the Quraysh were asking me about my night journey. I was asked about things pertaining to Bait-ul-Maqdis which I could not preserve (in my mind). I was very much vexed, so vexed as I had never been before. Then Allah raised it (Bait al-Maqdis) before my eyes. I looked towards it, and I gave them the information about whatever they questioned me I also saw myself among the group of apostles. I saw Moses saying prayer and found him to be a well-built man as if he was a man of the tribe of Shanu'a. I saw Jesus son of Mary (peace be upon him) offering prayer, of all of men he had the closest resemblance with 'Urwa bin Mas'ud ath-Thaqafi. I saw Ibrāhim (peace be upon him) offering prayer; he had the closest resemblance with your companion (the Prophet himself) amongst people. When the time of prayer came I led them. When I completed the prayer, someone said: Here is Mālik, the keeper of the Hell; pay him*

salutations. I turned to him, but he preceded me in salutation.

The narration is also in *Sunan al-Kubra* of Imām Nasā’i, the chain though is slightly different, narrated as: informed us Muḥammad bin Rāfi’ who said narrated to us Ḥubayn bin al-Muthanna who said narrated to us Abdal-Aziz bin Abi Salama in front of his eyes. In the *Sunan* of an-Nasā’i there is the following as part of a long *ḥadith*:

أخبرنا عمرو بن هشام قال: حدثنا مخلد عن سعيد بن عبد العزيز قال: حدثنا يزيد بن أبي مالك قال: حدثنا أنس بن مالك أن رسول الله، صلى الله عليه وسلم، قال: أتيت بدابة فوق الحمار ودون البغل، خطوها عند منتهى طرفها، فركبت ومعي جبريل عليه السلام فسرت إلى أن قال: ثم دخلت بيت المقدس فجمع لي الأنبياء عليهم السلام فقدمني جبريل حتى أمتهم، ثم صعد بي إلى السماء الدنيا،...

‘Amr bin Hishām reported to us he said Makhlad narrated to us from Sa’eed bin Abdal-Aziz he said Yazeed bin Abi Mālik narrated to us he said Anas bin Mālik narrated to us that the Prophet (peace be upon him) said: *I was brought an animal that was larger than a donkey and smaller than a mule, whose stride could reach as far as it could see. I mounted it, and Jibreel was with me, and I set off [until when he said]. Then I entered Bait Al-Maqdis (Jerusalem) where the Prophets peace be upon them were assembled for me, and Jibreel brought me forward to lead them in prayer. Then I was taken up to the first heaven....(etc).*

The narration is also recorded by many other collectors, such as aṭ-Ṭabarāni in *Mu’jam al-Kabir*,¹³ as well as in *Musnad ash-Shāmiayn*,¹⁴ Abu Ya’la recorded it in his *Musnad*¹⁵ as did al-Ḥārith / al-Haythami.¹⁶ In *Mu’jam al-Awsaṭ* Ṭabarāni records a long narration:

حدثنا علي بن سعيد الرازي قال: حدثنا الحسين بن عيسى بن ميسرة الرازي قال: حدثنا هارون بن المغيرة قال: حدثنا عنبة بن سعيد عن ابن ابي ليلى عن اخيه عيسى عن ابيه عبد الرحمن بن ابي ليلى أن جبريل أتى النبي، صلى الله عليه وسلم، بالبراق فحمله بين يديه وجعل يسير به؛ فساق الحديث حتى قال: [حتى أتينا

¹³ Ṭabarāni, *Mu’jam al-Kabir*, Vol. 10 sec. 70, no. 9,976

¹⁴ Ṭabarāni, *Musnad ash-Shāmiayn*, Vol. 1 sec. 196, no. 341

¹⁵ *Musnad* Abu Ya’la Vol. 8 sec. 451, no. 5,036

¹⁶ *Musnad* Vol. 1 sec. 267, no. 22

بيت المقدس فإذا هو بنفر جلوس فقالوا حين أبصروه مرحبا بمُحَمَّد النبي الأُمي وإذا في نفر الجلوس شيخ فقال محمد، صلى الله عليه وسلم: من هذا؟ قال: أبوك ابراهيم، ثم سأله فقال: من هذا؟ قال: موسى، ثم سأله من هذا قال: هذا عيسى ابن مريم، ثم اقيمت الصلاة فتدافعوا حتى قَدَمُوا مُحَمَّدًا، صلى الله عليه وسلم... إلخ؛

Ali bin Sa'eed ar-Rāzi narrated to us he said al-Ḥussein bin Esa bin Maysara ar-Rāzi narrated to us he said Hārūn bin Mughira narrated to us he said 'Anbasa bin Sa'eed narrated to us from Ibn Abi Layla from his brother Esa from his brother Abdar-Raḥman bin Abi Layla that Jibreel came to the Prophet (peace be upon him) with *al-Burāq* carrying him along making him walk [quoted the *ḥadith* until he said] Until he came to *Bait al-Maqdis* where there happened to be a gathering and they said welcome Muḥammad the unlettered. So he greeted the gathering and a man said: Muḥammad peace be upon him, from this? Your father Ibrāhim; then he asked and said who is this? He said Musa. Then the time of prayer came, so they moved one another until they let Muḥammad (peace be upon him) lead the prayer, etc.

I would submit that Ibn Abi Layla is Muḥammad bin Abdar-Raḥman bin Abi Layla has weakness of memory; it is with this, *mursal*. In *az-Zawā'id* 'the report of aṭ-Ṭabarāni in *al-Awsaṭ* is *mursal*. We don't know of this report except from this *isnād* by Ibn Abi Layla with *irsāl* in it; Muḥammad bin Abdar-Raḥman bin Abi Layla and he is *ḍaef* (weak).' However, as it appears in *Fath al-Bāri Sharḥ Ṣaḥīḥ al-Bukhāri*, an alternate channel is mentioned: 'and in the *ḥadith* of Abi Amāma when in aṭ-Ṭabarāni in *al-Awsaṭ* then he mentioned prayer until the coming of Muḥammad.' It also appears in *ad-Dar al-Manshoor* of Imām Suyuṭi, he writes: 'And as reported by aṭ-Ṭabarāni in *al-Awsaṭ*, Ibn Mardawayh from the channel of Muḥammad bin Abdar-Raḥman bin Abi Layla from his brother Esa from his father Abdar-Raḥman from his father Abi Layla that Jibreel....' Perhaps it is connected (*mawṣul*) via Ibn Mardawayh and Allah knows best.

On a final note to conclude this matter, the Arabs of Najd and Ḥijāz, who were mostly Adnāni, they were upon the law of Ismā'il albeit with many distortions prior to the advent of the Prophet (peace be upon him). With the advent of the new law which he (peace be upon him) brought, that which was being followed by the Arabs was repealed one by one. For example, a girl being owned by her father and married off, this was repealed; the idea that women were not allowed to inherit, was repealed and many more like this. It is noteworthy that many of the great Imām's of *fiqh* missed these points.