



## The Hadith 'Scholars are the Heirs of the Prophets' and its Impact on Issues of Islamic Jurisprudence Principles.

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### Research Summary

Many scholars and researchers have taken care to link the principles of jurisprudence with their legal evidence from the Qur'an and Sunnah. This research came to address an important hadith that scholars of jurisprudence relied on in many issues of this science, which is the hadith: "Scholars are the heirs of the prophets" The importance of the hadith lies in the comparison between the position of prophet hood and the position of ijti had, so that we may see through the issues studied in the research the points of agreement between our Prophet May God bless him and grant him peace And the scholars of his nation, and the areas in which they can inherit him.

Thirteen fundamental issues related to this hadith were studied. I presented the most important opinions on them, and limited my evidence to those who adhered to this hadith only, and the discussions that took place around it, in order to finally arrive at the opinion that I tend toward from all of that.

Accident «Scientists are the heirs of the prophets» And its impact on the issues of origins

All praise is due to Allah, we praise Him and seek His aid and forgiveness. We seek refuge in Allah from the evils of our own souls and the wickedness of our deeds. He whom Allah guides, none can misguide, and he whom He misguides, none can guide. I bear witness that there is no god but Allah. He is alone, without partner. and testify That Muhammad is his servant and messenger May God bless him and grant him peace.

Many scholars and researchers have taken care to link the principles of jurisprudence with their legal evidence from the Qur'an and Sunnah, as this strengthens these principles. This research came to address an important hadith that scholars of jurisprudence relied on in many issues of this science, which is the hadith: "Scholars are the heirs of the prophets<sup>(1)</sup>" The importance of the hadith lies in the comparison between the position of prophet hood and the position of ijti had, so that we may see through the issues studied in the research the points of agreement between our Prophet May God bless him and grant him peace And the scholars of his nation, and the areas in which they can inherit him.

**Keywords** – principles, comparison , agreement, Prophet, scholars

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(1 ) The hadith was narrated by Abu Dawud, Al-Tirmidhi, and Ibn Majah, and authenticated by Ibn Al-Jawzi, Ibn Al-Mulaqqin, Ibn Hajar, and Al-Albani. [See: Al-Ilal Al-Mutanahiyah: 1/70, Al-Badr Al-Munir: 7/587, Fath Al-Bari: 1/160, Sahih Al-Targheeb wa Al-Tarheeb 1/137].

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**Firstly Reasons for choosing the topic:**

There are several things that motivated me. To write on this topic and prepare research on it, the most important of which are:

- 1- I noticed that scholars of the principles of jurisprudence rely on this hadith in many issues of the principles of jurisprudence, so I decided to collect them in this research..
- 2- The fundamental rules that were built on this hadith were not agreed upon by scholars, so studying the disagreement on them by relying on the hadith is of great importance..
- 3- This research reveals the close relationship between the principles of jurisprudence and the texts of the Prophetic Sunnah..

**Second: Previous studies on the subject:**

I did not find any of the early scholars or contemporary researchers who studied this hadith from the fundamentalist perspective. Among the letters related to the research:

- "Evidence of the Fundamental Principles from the Prophetic Sunnah," by Dr. Fakhr al-Din bin al-Zubayr bin Ali al-Mahsi. He mentioned this hadith among the Sunnahs that the fundamentalists cited in establishing their principles, but he limited himself to only one issue, which is: "Did the Prophet May God bless him and grant him peace" A devotee of diligence."

**Third: Research methodology:**

I depend In preparation this Search on The inductive analytical approach, as did Following the fundamentalists' words on the subject, and Try strive Analyzing their opinions and discussing them in light of what has been decided by scholars of this art..

**Third: Research plan:**

By examining the words of the fundamentalists in their reliance on the hadith" Scholars are the heirs of the prophets" I found that their issues do not exceed two chapters of this science, so I divided the research into two sections:

**The first section: The argument based on the hadith" Scholars are the heirs of the prophets" In matters of evidence: It included the following:**

The first requirement: the validity of consensus.

The second requirement: Considering the common people's opinion on the validity of consensus.

The third requirement: Abrogation of the text by consensus.

The fourth requirement: the validity of analogy.

The fifth requirement: the validity of the law of those before us.

**Section Two: Argumentation with Hadith" Scholars are the heirs of the prophets" On issues of ijihad, imitation, conflict and preference: It included the following:**

**The first requirement:** Worship the Messenger May God bless him and grant him peace With diligence.

**The second requirement:** the qualities of the Mufti.

**The third requirement:** The obligation of scholars to explain the provisions of Islamic law.

**The fourth requirement:** The evidence of the mujtahid's action and his approval of his school of thought.

**Fifth requirement:** Rewarding the diligent person even if he makes a mistake.

**The sixth requirement:** An era without a diligent person.

**The seventh requirement:** prohibiting imitation of scholars.

**The eighth requirement:** Giving preference to different schools of thought or scholars by criticizing some of them.

**The first topic**

**Protest with Hadith" Scholars are the heirs of the prophets" In matters of evidence**

**The first requirement: the validity of consensus:**

The majority of scholars have agreed that consensus is authoritative.<sup>(1)</sup> Some of them provided evidence for this with a hadith. "Scholars are the heirs of the prophets." The evidence is that the Prophet May God bless him and grant him peace Since he was the second source for explaining the rulings of Sharia, the scholars after him were his successors in that. So if they agreed on a statement, it was as if it had been issued by the infallible Prophet in explaining the rulings of Sharia.<sup>(2)</sup>

**The second requirement: Considering the common people's opinion on the validity of consensus:<sup>(3)</sup>**

Scholars of the principles of jurisprudence differed regarding consensus. Is the opinion of the common people who are not people of ijtihad considered in its establishment, or is their opinion not considered? And The audience went They are to Their words are not considered On the validity of consensus .

And what they used as evidence is the hadith "Scholars are the heirs of the prophets". The evidence from this is that the common people's words are not to be taken into account regarding the rulings of the Sharia, because knowledge of them is from the elite scholars who inherited it from the Prophet. May God bless him and grant him peace Knowledge of Sharia rulings <sup>(4)</sup>

**The third requirement: Abrogation of the text by consensus.**

Scholars differed on the method of resolving the conflict between consensus and the legal text into two schools of thought. The majority of them held that consensus takes precedence over the text.<sup>(5)</sup>

And what they used as evidence is the hadith "Scholars are the heirs of the prophets". The evidence is that if the scholars agreed to abandon acting according to the apparent meaning of the Qur'an or Sunnah, their consensus would be an argument, because they are infallible from error. Just as the Sunnah of the Prophet May God bless him and grant him peace The apparent meaning of the Qur'an or Sunnah is left to her, and so is the consensus of scholars, because they are the heirs of the Prophet. May God bless him and grant him peace In knowing the provisions of Sharia <sup>(6)</sup>

**The fourth requirement: the validity of analogy:**

Al-Fakhr al-Razi cited a hadith as evidence «The scholars of my nation are like the prophets of the Children of Israel» On the validity of analogy, saying: "Just as the scholars of the Children of Israel used analogy, so do the scholars of the nation."<sup>(7)</sup>

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(1 ) Yconsideration: Crop: 4/35, Rawdat Al-Nazir: 1/335, Explanation of Tanqih Al-Fusul: 324, Openings Mercy: 2/213

(2)Obvious: 5/120

(3 ) See: Al-Mustasfa: 1/181, Al-Mahsul: 4/196, Rawdat Al-Nazir (With a fragrant stroll): 1/348, Explanation of the Purification of Chapters: 341, Al-Bahr Al-Muhit: 4/461, Explanation of the Shining Planet: 2/224, Openings of Mercy: 2/217

(4)Al-Bahr Al-Muheet: 6/410, Al-Fawa'id Al-Sunnayah: 1/416

(5 ) See: Rawdat Al-Nazir: 2/389, Al-Ahkam: 4/257, Sharh Al-Kawkab Al-Munir: 4/601, Fawaatih Al-Rahmut: 2/191

(6)Obvious: 4/317

(7 ) Yield: 5/99

Al-Sakhawi said about the hadith:Al-Badr Al-Zarkashi said: It has no known origin, and I saw our Sheikh Al-Asqalani.-May God have mercy on him-He stated this in some of his fatwas., And Allah is the Grantor of success. But it has been proven that the Prophet, may God bless him and grant him peace, said: "Scholars are the heirs of the prophets."<sup>(1)</sup>

Based on this, the hadith of the scholars, the heirs of the prophets, can be used as evidence for the validity of analogy, as it has been proven that the Prophet relied on it. May God bless him and grant him peace According to the analogy in some of the rulings.

It has been reported that: A woman came to the Messenger of God, may God bless him and grant him peace, and said::My mother died and she owed a month of fasting. He said: "Tell me, if she had a debt, would you pay it off?" She said: "Yes." He said::God's debt is more deserving of repayment<sup>(2)</sup>. He compared the religion of God to the religion of the servants in the permissibility of representation in both. <sup>(3)</sup>

Since scholars are the heirs of the prophets, it is permissible for scholars of the nation to use analogical evidence as an example. May God bless him and grant him peace.

### **The fifth requirement: The authority of the law of those before us:**

Scholars differed on this evidence in several schools of thought. And he went public They are to his authority<sup>(4)</sup>

They cited many proofs, including Quranic verses, prophetic hadiths, and rational arguments. I did not find anyone who cited the hadith of scholars being the heirs of the prophets, despite the fact that its evidence clearly indicates that the law of those before us is our law. The Prophet May God bless him and grant him peace He did not specify the legacy of the scholars of his nation with it, but rather he made a general statement about it, and stated that the scholars are the heirs of all the prophets. Therefore, if a legal ruling is proven from one of the prophets through a correct path, then it must be adhered to, because it is from the inheritance of the prophets, and God knows best.

### **The second topic**

### **Protest with Hadith" Scholars are the heirs of the prophets" In matters**

#### **Ijtihad, Taqlid, Conflict and Preference**

**The first requirement:** Worship the Messenger May God bless him and grant him peace With diligence.

Scholars of the nation differed in worship prophet HaMay God bless him and grant him peace By diligence in what is not mentioned in a text On doctrines, and the majority of them went to the permissibility of the Messenger's ijtihad May God bless him and grant him peace <sup>(5)</sup>

And what they used as evidence is the hadith" Scholars are the heirs of the prophets". They said: He said, may God bless him and grant him peace "Scholars are the heirs of the prophets" requires that it be proven to him May God bless him and grant him peace, the degree of diligence so that they may inherit it from him, If they had proven that from the beginning, They were not his heirs<sup>(6)</sup>

### **The second requirement: The qualities of the Mufti:**

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(1)Satisfactory answers to what Al-Sakhawi was asked about from the prophetic hadiths: 1/248

(2)Narrated by Muslim (The Book of Fasting-Chapter on making up fasts on behalf of the deceased):2/804

(3 ) See: Qawaati' al-Adillah: 1/294, Sharh Tanqih al-Fusul: 386, Sharh al-Kawkab al-Munir: 4/135

(4 ) Seen:Explanation of the revision of chapters:297,Brief explanation of Rawdah: 3/169,The ocean:8/42, Facilitating editing: 3/131

(5 ) Seen:Rawdat Al-Nazir: 2/341, Al-Ahkam (by Al-Amidi): 4/165,Explanation of the revision of chapters:436,Facilitate editing:4/183

(6 ) Seen:Harvest: 6/9, Al-Ahkam: 4/167, Explanation of Landmarks: 2/440, End of Access: 8/3796

Ibn Aqil mentioned There is Qualities You will love the Mufti, Mention It Imam Ahmed. He said: It is not appropriate. YA man can set himself up. Yes NY: For girls - Until it has five qualities: to have intention .And to have dignity and serenity. And to be strong in what he is in, and in his knowledge. And enough, otherwise people will chew it. And knowing people.

Then explain Ibn Aqil that These qualities are desirable. In the people of fatwa ,Because they Heirs of the Prophets <sup>(1)</sup>

### **The third requirement: The obligation of scholars to explain the provisions of Sharia:**

After Imam Al-Shatibi mentioned in the issue that explaining the Sharia is obligatory upon the Prophet May God bless him and grant him peace He followed it with another question in which he said: The scholar is the heir of the Prophet. Therefore, clarification regarding him is necessary because he is a scholar. The evidence for that is two things:

One of them: It has been proven that scholars are the heirs of the prophets, and this is a correct meaning. fixed. Being an heir requires that he take the place of his heir in the statement.. If the statement is imposed on the inheritor, It must also be obligatory on the heir. <sup>(2)</sup>

### **The fourth requirement: The evidence of the action of the mujtahid and his approval of his school of thought:**

Scholars agreed that the doctrine of a mujtahid is known through his words, and is confirmed through his speech in which he expresses his opinion. They differed in deriving his doctrine from his actions and approvals. Some of them went to that His actions and reports It is his doctrine, so it is correct to attribute it to him.<sup>(3)</sup>

And from what They cited the hadith as evidence. "Scholars are the heirs of the prophets "The evidence is that Scientists are the heirs of the prophets In knowledge, preaching and guidance A Sold, It is not permissible to The world did or acknowledges What no evidence attic Beware of misguidance and misguidance .<sup>(4)</sup>

### **Fifth requirement: Rewarding the diligent person even if he makes a mistake:**

Sheikh Al-Islam Ibn Taymiyyah said: None of the imams of Islam contradicts an authentic hadith without an excuse., And the excuses are the world is right in some of them, He will have two rewards. .And he is wrong in some of them after his effort, He will be rewarded for his efforts.. His mistake is forgiven, Because scholars are the heirs of the prophets And the prophets are not to be blamed for what they convey of the rulings of God Almighty. <sup>(5)</sup>

### **The sixth requirement :An era without a diligent person:**

Scholars differed on the permissibility of An era free of hurricanes People unless dust AD On two doctrines, and the Hanbalis went to the fact that in every era there must be someone who performs the function of ijtihad<sup>(6)</sup>

And what they used as evidence is the hadith "Scholars are the heirs of the prophets ".because The most deserving of inheritance among nations is this nation, and the most deserving of inheritance among prophets is the prophet of this nation, as there is no prophet after its prophet. <sup>(1)</sup>

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(1 ) See: Obvious: 5/462

(2)Seen:Approvals: 4/76

(3 ) Yconsideration:Approvals: 5/258, Description of the Fatwa, the Mufti and the Questioner: 103, Explanation of the Shining Planet: 4/497

(4 ) Yconsideration:Approvals: 5/262, Description of the Fatwa, the Mufti and the Questioner: 103, Brief explanation of the principles of jurisprudence by Al-Jara'i: 3/437

(5)Total Fatwas: 20/305

(6)Seen:Clear: 5/421, Draft: 472, Principles of Ibn Muflih: 4/1552, Explanation of the Shining Planet: 8/240

### **The seventh requirement: Prohibiting imitation of scholars:**

Scholars agreed that after a mujtahid has completed his ijthad on a specific issue and reached a specific ruling on it, he is not permitted to imitate another mujtahid. They differed on his imitation of another in the case where he has not yet exerted his effort on the issue, or has exerted ijthad on it but has not reached a specific ruling on it. The majority of them held that it is not permissible.<sup>(2)</sup>

And what they used as evidence is the hadith "Scholars are the heirs of the prophets", so How to be an heir The Messenger, may God bless him and grant him peace, is someone who toils to refute what he brought to the words of his imitator, and wastes hours of his life in fanaticism and passion, and does not feel his waste.<sup>(3)</sup>

### **The eighth requirement: Weighing between the schools of thought or scholars by criticizing some of them:**

Imam Al-Shatibi mentioned that The challenge and slander in the course of the response or preference may lead to Exaggeration and deviation in doctrines, which is the reason for stirring up hatred. It was mentioned in the hadith of the one who slapped the face of the Jew who said: "And He who chose Moses over mankind," that the Prophet, may God bless him and grant him peace, became angry and said: "Do not give me preference over Moses," even though the Prophet, may God bless him and grant him peace, also came with preference. Al-Maziri mentioned in his interpretation from some of his sheikhs that it is possible that he meant: Do not give preference between the prophets of God with a preference that leads to the deficiency of some of them.. This is what he said, and it is true, and it must be acted upon by scholars, for they are the inheritors of the prophets." <sup>(4)</sup>

### **Conclusion:**

Many scholars and researchers have taken care to link the principles of jurisprudence with their legal evidence from the Qur'an and Sunnah. This research came to address an important hadith that scholars of jurisprudence relied on in many issues of this science, which is the hadith: "Scholars are the heirs of the prophets" The importance of the hadith lies in the comparison between the position of prophet hood and the position of ijthad, so that we may see through the issues studied in the research the points of agreement between our Prophet May God bless him and grant him peace And the scholars of his nation, and the areas in which they can inherit him.

Through this, the research addressed the following issues:

**Firstly:** As for the chapter on legal evidence, I studied the following issues: The validity of consensus. Considering the common people's opinion regarding the validity of consensus. Abrogation of a text by consensus. The validity of analogy. The validity of the law of those who came before us.

**secondly:** As for the chapters on ijthad, imitation, conflict and preference, I studied the following issues: the worship of the Messenger May God bless him and grant him peace By diligence. Qualities of the Mufti. The obligation to explain the rulings of Sharia to scholars. The significance of the Mujtahid's actions and his approval of his school of thought. Rewarding the Mujtahid even if he makes a mistake. An era without a diligent person Prohibiting imitation of scholars. Giving preference to different schools of thought or scholars by criticizing some of them.

**Finally,** I ask God Almighty to make this research beneficial and to make it sincere for His sake. Whatever is correct in it is from God alone, and whatever is wrong or misguided in it is from myself and Satan. Our final supplication is that all praise is due to God, Lord of the Worlds.

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(1 ) Seen:The Obvious: 5/421, Al-Ahkam (by Al-Amidi): 4/233

(2 ) Seen:Rawdat Al-Nazir: 2/373,Explanation of Tanfeeh Al-Fusool:443The Ocean: 8/334,The openings of mercy:2/393

(3 ) Seen:Notification of the signatories: 2/11

(4)Approvals: 5/291 with modifications

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