بسم الله الرحمن الرحيم

Series of Questions Addressed to the Eminent Scholar Ata Bin Khalil Abu Al-Rashtah,

Ameer of Hizb ut Tahrir on his Fiqhi Facebook page

Answer to Question

The Takhreej (Extraction and Authentication) of the Hadith "Take the Gift as long as it is a Gift"

To: Sulaiman Riba'

(Translated)

Question:

Assalamu Alaikum Wa Rahmatullah Wa Barakatuh, We ask Allah to grant you health and success in pleasing Allah (swt) and bring victory and empowerment and glory of the Deen by your hands

Can you please give an extraction and authentication of this Hadith in terms of its correctness, strength, weakness, and using it as an evidence, thank you:

On the authority of Mu'az Ibn Jabal, he said: I heard the Messenger of Allah (saw) say: «حُدُوا الْعُطَاءَ مَا ذَامَ عَطَاءً، فَأَذَا صَارَ رَشُوَةً فِي الدَّينِ فَلَا تَأْخُدُوهُ، وَلَسْتُمْ بِتَارِكِهِ؛ يَمْتَعْتُمُ الْفَقْرَ وَالْحَاجَةَ، أَلَا إِنَّ رَحَى الْإِسْلَام ذَائِرَةً، فَدُورُوا مَعَ الْكِتَابِ حَيْثُ ذَارَ، أَلَا إِنَّ الْكِتَابَ وَالسَلُّطَانَ سَيَفْتَرَقَانِ، فَلَا تَفَارَقُوا الْكِتَابَ، أَلَا إِنَّهُ سَيَكُونُ عَلَيْكُمْ أَمَرَاء يَقْضُونَ ذَائِرَةً، فَدُورُوا مَعَ الْكِتَابِ حَيْثُ ذَانَ، أَلَا إِنَّ الْكِتَابَ وَالسَلُّطَانَ سَيَفْتَرَقَانِ، فَلَا تَفَارَقُوا الْكِتَابَ، أَلَا إِنَّهُ سَيَكُونُ عَلَيْكُمْ أَمَرَاء يَقْضُونَ لَأَنْ فَعُرُولُوا مَعَ الْكِتَابِ حَيْثُ ذَانَ، مَرْيَمَ، فَانُو عَصَيْتُمُوهُمْ قَتَلُوكُمْ، وَإِنْ أَطَعْتُمُوهُمْ أَصَرَاحُ هُمْ أَصَرَعَةً إِنَّكُمُ عَلَيْهُ أَمَرَاء يَقْضُونَ لَأَنَهُ مَنْ لا يَقْصُونَ لَكُمْ، إِنْ عَصَيْتُمُوهُمْ قَتَلُوكُمْ، وَإِنْ أَطَعْتُمُوهُمْ أَصَلُوكُمْ». قَالُوا: يَا رَسُولَ اللَّهِ كَيْفَ نَصَنْعُ قَالَ: «كَمَا صَنَعَ Take the gift as long as it is a gift. If it becomes a bribe in the Deen, do not take it, and you will not leave it due to poverty and need, verily the spokes of Islam are turning, so turn with the Book wherever it turns, verily the Book and the Sultan will separate, do not separate from the Book, verily you will have leaders who judge for themselves what they do not judge for you if you disobeyed them they killed you and if you obeyed them they led you astray." They said: "O Messenger of Allah what do we do (then)?" He said: "As the companions of Isa Ibn Maryam did, they sawed them in saws and carried them on wood. Death in obedience to Allah is better than a life in disobeying Allah."

Answer:

Wa Alaikum Assalamu Wa Rahmatullah Wa Barakatuh

Regarding this Hadith, it is said that in parts of its chain of narrators (sanad) it is weak (Dha'eef).... It is said that it has another version of narration that contain trustworthy narrators:

1- It is stated in (Jami' Al-Ahadith) by Jalal Al-Din As-Siuti (deceased 911 AH):

«خذوا العطاء ما دام عطاء، وإذا صار رشوة على الدين فلا تأخذوه، ولستم بتاركيه يمنعكم الفقر والحاجة، ألا [11863] -ان رحى الإسلام دائرة فدوروا مع الكتاب حيث دار، ألا إن الكتاب والسلطان سيفترقان، فلا تفارقوا الكتاب، ألا إنه سيكون عليكم أمراء يقضون لأنفسهم ما لا يقضون لكم، إن عصيتموهم قتلوكم وإن أطعتموهم أضلوكم، قالوا يا رسول الله كيف نصنع؟ قال: كما Take the gift as long as it is a gift. If it becomes a bribe in the Deen, do not take it, and you will not leave it due to poverty and need, verily the spokes of Islam are turning, so turn with the Book wherever it turns, verily the Book and the Sultan will separate, do not separate from the Book, verily you will have leaders who judge for themselves what they do not judge for you if you disobeyed them they killed you and if you obeyed them they led you astray." They said: "O Messenger of Allah what do we do (then)?" He said: "As the companions of Isa Ibn Maryam did, they sawed them in saws and carried them on wood. Death in obedience to Allah is better than a life in disobeying Allah." (At-Tabarani from Mu'az with this chain of narrators (sanad): Al-Qasim ibn Yusuf ibn Ya'qoob Al-Balkhi told us, Ali ibn Hujar Al-Marwazi told us, and Khatab bin Sa'eed Ad-Dimashqi told us, and al-Husain ibn Ishaq At-tastariu, they said: Hisham bin Ammar told us, they said: Abdullah bin Abdul Rahman bin Yazid bin Jabir told us, on the authority of Al-Wadayn bin Atta, on the authority of Yazid bin Marthad, on the authority of Mu'az bin Jabal, who said: I heard the Messenger of Allah (saw) say...

Extracted by At-Tabarani (16599), Al-Haithami said (238/5): Yazid bin Marthad did not hear Mu'az, <u>and Ibn Hibban and others authenticated Al-Wadayn bin Atta, but he was classified as weak (Dha'eef) by a group, but the rest of its narrators are trustworthy</u>.

It was also extracted by: At-Tabarani in Al-Shamieen (1/379 No. 658), and At-Tabarani in Al-Sagheer (2/42 No. 749). As you can see, some of the narrators of the sanad were seen as a problem by some the scholars of Hadith, but some of them are seen as trustworthy by other scholars.

2- It was stated in (Ithaf Al-Khiarata Al-Maharata) by its author Al-Hafiz Ahmad bin Abi Bakr bin Ismail Al-Busairi, who died in the year 840 AH:

It was narrated by Ishaq bin Rahwayh on the authority of Suwaid bin Abdul Aziz Al-Dimashqi, <u>who is weak and it was narrated by Ahmad Bin Mani', and its narrators are</u> <u>trustworthy</u>, and their wordings are the same.

As you can see, some of the narrations are weak. As for the chain of narrators (sanad) of the narration of Ahmad ibn Mani', they are trustworthy.

I hope this is sufficient, and Allah Knows Best and He is Most Wise.

Your brother,

Ata Bin Khalil Abu Al-Rashtah

9 Shawwal 1441 AH 31/5/2020 CE

Link for the answer on the Ameer's Facebook page:

https://web.facebook.com/HT.AtaabuAlrashtah/photos/p.2649144971998177/264914497199 8177/?type=3&theater