

DOI: <https://doi.org/10.63332/joph.v5i3.765>

The Shia Perspective on the Ijtihads of the Companions-May Allah Be Pleased with them- The Shura System during the Era of Umar: A Case Study

Sameera Taher Mohammad Nasr¹, Safia Ali Al-Share², Aseel ameen jaber alshdaifat³

Abstract

This study examines the issue of Umar's (may Allah be pleased with him) implementation of the Shura (consultative) system from both Sunni and Shia perspectives. The study aims to highlight aspects of Umar's ijtihad (juridical reasoning) that Shia scholars criticize, while Sunnis regard it as a reformist approach aligned with the texts and objectives of Islamic law. The researcher adopts both historical and analytical methodologies to determine the most substantiated opinion based on textual evidence and legal principles. The study concludes that some of the criticisms leveled by Shia scholars against Umar's ijtihad are based on unverified claims, while others have supporting evidence from Islamic texts and objectives. The findings suggest that the core dispute between Sunnis and Shias over the legitimacy of Umar's initial establishment of the Shura revolves around its outcome-namely, the appointment of Uthman (may Allah be pleased with him) as caliph. Had the succession instead passed to Ali (may Allah be pleased with him), Umar's ijtihad might not have been subject to the same level of criticism.

Keywords: Shia, May Allah Be Pleased with them, Companions, Shura System, Umar ibn al-Khattab, Era of Umar.

Introduction

All praise is due to Allah alone, and may peace and blessings be upon our prophet Muhammad.

Allah Almighty says: (Muhammad is no more than a messenger; other messengers have passed away before him. If he were to die or be killed, would you turn back on your heels? And whoever turns back on his heels will never harm Allah in the least, and Allah will reward the grateful.) (Surah Aal-E-Imran: 144).

Since the Muslim ruler is the successor of the Messenger of Allah (peace and blessings be upon him), the death of a ruler should not be a cause for people to turn back in disarray. Despite its great significance, the matter of caliphate remains a position of leadership and a trust to be held by those qualified for it under specific conditions and rulings, just like other aspects of Islamic jurisprudence.

Significance of the Study

Human nature is inherently inclined toward the love of ownership and eternity, which drives individuals to seek means to attain them. There is no greater position of authority on earth than the leadership of a state; thus, those who perceive themselves as qualified for such a role strive

¹ Assistant Professor of Islamic Doctrine, Email: nasr@yu.edu.jo.

² Associate Professor of Jurisprudence and its Principles, Email: safiyeh@yu.edu.jo.

³ Assistant Professor of Islamic Doctrine, Email: Ptl_aseel.alshdefat@yu.edu.jo.



ardently to achieve it. This is a natural inclination, and Muslims are no exception. Indeed, the very reason for Adam's expulsion from Paradise was his desire for sovereignty and immortality. This aspiration has been evident in Islamic history since the passing of the Prophet Muhammad (peace and blessings be upon him), with one notable example being the events that unfolded following the assassination attempt on Umar ibn Al-Khattab (may Allah be pleased with him).

Research Methodology

The study follows a historical-analytical approach, first examining the event in detail and then analyzing its various aspects

Research Structure: The study consists of an introduction, four main sections, and a conclusion, as follows:

- Introduction
- Section One: The details of Umar's consultation decree
- Section Two: The objections to the consultation decree from a Shiite perspective
- Section Three: A study of the criticisms of Umar's decision from a Sunni perspective
- Section Four: An analysis of the consultative decree based on the Purposes of Islamic Law (higher objectives of Sharia) perspective
- Conclusion

Section One: The Details of Umar ibn Al-Khattab's Consultation Decree

The details of this event have been documented in numerous historical sources. Some of these reports have authentic chains of narration, while others do not. The decree of Umar (may Allah be pleased with him) has been recorded in Tarikh al-Tabari, Al-Kamil by Ibn al-Athir, Sifat al-Safwah by Ibn al-Jawzi, and other references. Below are the key points of Umar's decree, as outlined by Al-Khalidi (pp. 96-102).

Key Elements of Umar's Consultation Decree:

1. Abdullah ibn Umar's Plea: Abdullah ibn Umar (may Allah be pleased with them both) approached his father, requesting him to appoint a successor.
2. Umar's Response: Umar (may Allah be pleased with him) replied that if he did not appoint a successor, the Prophet (peace and blessings be upon him) had not done so either. However, if he did, then Abu Bakr (may Allah be pleased with him) had set a precedent.
3. Saeed ibn Zayd's Plea: Saeed ibn Zayd (may Allah be pleased with him) also urged Umar to appoint a successor.
4. Umar's Decision: Umar (may Allah be pleased with him) declared that he would entrust the matter to six companions whom the Prophet (peace be upon him) passed away while being pleased with them:
 - Uthman ibn Affan
 - Ali ibn Abi Talib
 - Abdurrahman ibn Awf

- Sa'd ibn Abi Waqqas

- Talha ibn Ubaydullah

- Zubayr ibn Al-Awwam

He excluded Saeed ibn Zayd, though he was among the ten promised paradise, because he was a close relative of Umar.

5. Selection of the Six and Abbas's Advice: Umar (may Allah be pleased with him) advised Ali not to join the deliberations. He intended to appoint Ali as the next caliph, believing him to be the most capable of upholding justice. However, he refrained, as he did not wish to bear the burden of the decision in both life and death.

6. Potential Candidates: Umar mentioned that if Salim were alive, he would have appointed him due to his deep love for Allah. Similarly, he would have appointed Abu Ubaydah had he been alive, as he was Amin al-Ummah (the trustworthy one of this nation).

7. The Renewed Plea for Abdullah ibn Umar: A group of companions, including Mughira ibn Shu'bah, again urged Umar to appoint his son Abdullah as caliph. However, Umar refused, saying that the family of Umar had received enough from

8. The caliphate, whether good or bad.

The Six Candidates Gathered: Umar addressed them, saying:

"I have observed the affairs of the people and found no division among them, except that which may arise among you".

He then noted that the people would likely choose one of three individuals: Uthman, Ali, or Abdurrahman ibn Awf. He warned each of them not to grant undue privileges to their kin should they be chosen.

9. The Selection Process: The six companions were given three days to choose one among them. Abdullah ibn Umar was included in the discussions but had no voting power.

10. Suhaib Leads the Prayers: Suhaib (may Allah be pleased with him) was tasked with leading the Muslims in prayer during the three-day deliberation period.

11. The Role of Abu Talha Al-Ansari: Umar instructed Abu Talha Al-Ansari to select fifty armed men from his tribe to guard the house where the six candidates were deliberating, ensuring no one entered or exited until a decision was made.

12. Mechanism for Selecting the Caliph:

- The six would consult and agree upon a single candidate.

- If five agreed and one objected, the dissenting member would be executed.

- If four agreed and two objected, the dissenters would be executed.

- If there was a tie, Abdullah ibn Umar would act as the arbiter.

- If they still could not reach a decision, the final say would rest with the faction that included Abdurrahman ibn Awf.

- If, after three days, no decision was made, all six candidates would be executed, and the matter

would revert to consultation among the people.

Section Two: The Concerns Regarding the Consultation Decree from the Shiite Perspective

Shiite scholars have critically examined Umar ibn Al-Khattab's (may Allah be pleased with him) decision regarding the consultation (shura) and have identified concerns that they believe could lead the Muslim community toward unfavorable outcomes. They argue that Umar neither had a clear textual basis nor a compelling rationale based on public interest for his approach. Among the Shiite scholars who analyzed this decision is Al-Musawi Al-Amili in his book *Al-Nass wal-Ijtihad* (The Text and Interpretation). The following section outlines the criticisms raised by Al-Amili, representing the Shiite perspective, with additional scholarly insights to provide a more objective discussion.

1. The Nomination of Salim as a Successor

One of the primary concerns is Umar's preference for Salim, a freed slave of Abu Hudhayfah, over the six prominent companions and other notable figures of the time. Salim was originally a slave owned by the wife of Abu Hudhayfah ibn Utbah, and he was neither of Arab descent nor a member of the Quraysh—the tribe explicitly designated in narrations as the lineage from which leaders should be chosen. Even if the rationale for Quraysh's leadership was examined, it was based on their noble lineage, tribal solidarity, and political strength—qualities that, according to the critics, did not apply to Salim.

Shiite scholars question how Umar, who himself argued during the Saqifah meeting that leadership should remain within Quraysh, could then suggest appointing Salim. They also ask whether this preference undermines the status of the Prophet's companions and Ahl al-Bayt (the Prophet's family) by favoring someone outside of their ranks (Al-Amili, p. 170).

Additionally, Umar's justification that Salim was deeply devoted to Allah raises further questions. Critics argue that such reasoning implies that others lacked devotion to Allah, which is certainly not the case. Even if Salim's love for Allah was exceptional, many other companions possessed similar or greater qualities of piety, wisdom, and leadership.

2. The Nomination of Abu Ubaydah

Umar's preference for Abu Ubaydah ibn al-Jarrah over the six designated candidates, describing him as the "trustworthy one of this nation" (*Ameen hadhihi al-umma*), has raised concerns among Shiite scholars. Umar's statement, "Had Abu Ubaydah been alive, I would have appointed him as my successor," implicitly diminishes the status of the six candidates he had chosen. Since Umar was well aware of Abu Ubaydah's passing, his statement suggests that none of the living companions—including the six selected—were suitable for leadership (Al-Amili, p. 170). Furthermore, it is noted that Abu Ubaydah was present alongside Abu Bakr at Saqifah, where they both sought the caliphate in succession, indicating a pre-arranged plan (Ahmad Shalabi, p. 27). Umar had previously attempted to save Abu Ubaydah from the plague, possibly intending to preserve him for the caliphate, but Abu Ubaydah refused to abandon his post (Mahmoud Shalabi, p. 384).

3. The Nomination of His Son, Abdullah

Umar declined to appoint his son, Abdullah ibn Umar, as his successor, explaining that his family had already received enough from the caliphate—whether good or bad. Critics argue that

this justification is emotional and populist, suitable for commoners but lacking sound political reasoning.

If Umar had indeed appointed Abdullah, what would the consequences have been? Umar was known for his foresight and keen judgment, only entrusting leadership to those he deemed most qualified. The fact that he did not consider Abdullah competent suggests that his son lacked the necessary leadership qualities. Some scholars also point to a historical incident where Abdullah struggled to divorce his wife, implying that if he could not handle personal matters decisively, he might not have been suited for governance.

Additionally, even if Abdullah was competent, political turmoil surrounding the caliphate had persisted since the Prophet's passing and continued even when a caliph was in power. Given the ambitions of various factions, Umar may have foreseen that his son would not withstand the pressures of leadership. Some factions even challenged Umar's legitimacy, making it even more unlikely that his son would be widely accepted (Imara, pp. 93-94).

A further point of scrutiny is that Abdullah was included as an advisor in the selection council, even though he had no direct authority. However, if the council reached a deadlock and Abdullah was given the deciding vote, would he not then bear a share of responsibility for the final decision? If so, another member of Umar's family would have been involved in shaping the future of the Muslim community, raising questions about the neutrality of the selection process.

4. The Six Candidates Chosen by Umar and His Selection Criteria

Umar stated that the six men he selected met two key conditions:

1. They were among the remaining members of the ten companions promised paradise (al-mubashsharun bil-jannah), excluding his relative Sa'id ibn Zayd for personal reasons.
2. The Prophet (peace be upon him) passed away while being pleased with them.

The six candidates were:

- Uthman ibn Affan
- Ali ibn Abi Talib
- Talha ibn Ubaydullah
- Zubayr ibn al-Awwam
- Abd al-Rahman ibn Awf
- Sa'd ibn Abi Waqqas

However, critics argue that Umar structured the selection process to ensure Uthman's appointment. Ali ibn Abi Talib himself reportedly said, "He has turned the caliphate away from us," to which his uncle Abbas asked, "How do you know?" Ali responded:

"He placed me alongside Uthman and then instructed them to side with the majority. If two of us supported one candidate and two supported another, we were to side with those who included Abd al-Rahman ibn Awf. But Sa'd would never oppose his cousin Abd al-Rahman, and Abd al-Rahman is the brother-in-law of Uthman—they would never disagree. Even if the other two supported me, it would be useless." (Al-Amili, p. 170).

Thus, critics contend that rather than appointing Uthman outright, Umar engineered a selection

process that inevitably led to Uthman's leadership, with provisions for eliminating dissenters. This approach, they argue, showed a disregard for the lives of the candidates and placed them in an unnecessarily perilous situation. Furthermore, the way Umar structured the process alerted Mu'awiya ibn Abi Sufyan to the vulnerabilities of the caliphate, emboldening his later pursuit of power. Umar himself reportedly warned:

"If you become divided, envious, and resentful of one another, Mu'awiya ibn Abi Sufyan will overpower you in this matter" (Al-Amili, p. 170).

5. Umar's Consideration of Appointing Ali

It is argued that Umar ibn al-Khattab considered appointing Ali ibn Abi Talib as caliph, as he saw him as the most capable of enforcing justice. However, he refrained from doing so, stating that he did not want to bear the burden of leadership in life or death.

This reasoning is seen as inconsistent because Umar had already assumed leadership in multiple ways:

- * After the Prophet's passing, he played a key role in securing Abu Bakr's caliphate.
- * During Abu Bakr's rule, he was actively involved in governance.
- * As caliph himself, he took full responsibility for the leadership of the Muslim community.
- * Even in his final moments, he effectively dictated the method of succession.

If he truly wished to avoid this responsibility, why did he intervene so extensively in shaping the leadership process?

6. The Selection Council and the Threat of Execution

Umar justified his six-person council by claiming that these men were the leaders of the people and that he feared division among them. He aimed to prevent discord by limiting the candidates, excluding his own relative Sa'id ibn Zayd, despite him being one of the ten promised paradises.

Umar's justification: "I have observed that you are the leaders of the people and their commanders... but I fear that you may fall into disagreement."

However, did this process truly prevent division?

- The council members were not originally in direct rivalry, but the selection process itself fueled ambition and discord.
- Abd al-Rahman ibn Awf was naturally inclined toward Uthman, and his influence was decisive in tipping the scale.
- Sa'd ibn Abi Waqqas was unlikely to oppose Abd al-Rahman, making the process favor Uthman even before deliberations began.
- Al-Zubayr, previously an ally of Ali, changed his stance once the council gave him a perceived chance at power.

Rather than uniting the Muslim community, Umar's council deepened divisions, eventually leading to disputes, including the Battle of the Camel (Jamal), where Talha and Zubayr broke their oath to Ali (Al-Amili, pp. 172-173).

A particularly controversial measure was Umar's order that if the six could not agree on a caliph

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within three days, they should all be executed.

This raises a crucial question:

- If Umar truly wished for a purely consultative process, why threaten the candidates with death?
- If his concern was to avoid bearing responsibility, why establish a system that could have led to bloodshed?

Would it not have been better to leave the decision entirely open to the wider Muslim community rather than confining it to six men under extreme pressure?

7. The Role of Suhayb and the Military Enforcement of the Council's Decision

Umar decreed that Suhayb ar-Rumi would lead prayers for the community during the interim period. Critics argue this diminished the authority of prominent figures like Ali and Uthman, as it placed a former slave in charge while they were present.

Moreover, the six council members were physically confined and surrounded by guards, ensuring that they followed the strict process laid out by Umar—the very man who claimed he wanted no role in the decision (Al-Amili, p. 170). This militarized approach to succession, coupled with the rigid selection criteria, suggests that the council was not a free consultative body but a carefully controlled mechanism designed to secure a predetermined outcome.

8. Umar's Basis for Innovating This Unprecedented Approach

And now, we ask:

First: What was Umar's basis for his actions regarding:

A. Selecting the members of the Shura (consultative council) and introducing this method for choosing the caliph.

B. The process of selecting one from among the six designated candidates, whether through the percentage of votes, external arbitration by Abdullah ibn Umar, or internal resolution if they refused arbitration, particularly with the involvement of Abdurrahman ibn Awf.

Second: Who granted Umar this authority?

The selection of a council in this manner was unprecedented and lacked any supporting evidence. Likewise, the mechanism by which the council functioned until a candidate was chosen through allegiance had neither a principle nor a procedural precedent based on any textual evidence or past actions—whether from the Prophet (peace be upon him) or Abu Bakr. Umar unilaterally granted himself the right to handle one of the most critical matters of the Muslim nation without clear justification.

Section three: Examining Criticisms of Umar's Ijtihad from the Perspective of Ahl al-Sunnah

This summarizes the Shi'a criticisms regarding Umar's decision to establish a consultative council (Shura). However, Ahl al-Sunnah understands it differently, as follows:

First: The Succession of Salim

Umar hints at a crucial principle—that leadership and governance should be entrusted to the

most capable and suitable individuals. Suppose someone of royal lineage were a foolish or incompetent person, lacking wisdom and judgment—should the people be forced to accept such an unfit ruler? (Mahmoud Shalabi, p. 385).

Umar was laying the groundwork for the idea that leadership is not an exclusive right of a noble lineage, whether of prophetic or royal descent. Perhaps divine wisdom guided him to make such a statement, ensuring that both the elite and the general public would hear this perspective. By stripping certain individuals of their assumed entitlement to leadership, he simultaneously addressed the issue by citing someone who was already deceased.

As for the claim that choosing Salim, a former slave, diminished the status of the six appointed candidates and the senior Companions, this argument fails to grasp the essence of Islam and the Prophet's (peace be upon him) efforts to establish principles of equality and justice. Moreover, Umar was fully aware that Salim had passed away, and his statement, "Had Salim been alive, I would have appointed him as my successor," implies that succession was impossible due to his death. We cannot be certain that Umar would have appointed Salim had he been alive; rather, Umar's intelligence lay in directing minds toward this principle.

What further supports the idea that Umar would not have appointed Salim is his argument at Saqifah against the Ansar, asserting that leadership belongs to Quraysh. Additionally, his statement served to temper the ambitions of those eagerly preparing to seize power after his death. For instance, Talha—who belonged to the Taym tribe, like Abu Bakr—aspired to the caliphate after Abu Bakr's passing and even challenged Abu Bakr during his final illness, questioning him: "What will you say to your Lord when you meet Him, having appointed over us a harsh and stern man?"

During Umar's rule, Talha had supporters advocating for his succession. Similarly, some promoted Uthman. Hudhayfah reported that Umar once asked him, "Whom do the people consider as my successor?" Hudhayfah replied, "They have named Uthman." Umar then remained silent (Imarah, pp. 92–93).

Second: The Succession of Abu Ubaidah

The same points mentioned earlier apply here, with the addition that while Salim was a former slave, Abu Ubaidah was not. His selection did not undermine anyone's status, as he was known as the "Trustworthy One of this Ummah."

As for the claim that Abu Ubaidah was the third contender at Saqifah, alongside Abu Bakr and Umar, seeking the caliphate for himself in turn, this is incorrect. Rather, they were merely deliberating on the issue of leadership among themselves and agreed upon a decision guided by wisdom and foresight. Had either Umar or Abu Ubaidah been ambitious for the caliphate, Umar would not have sent Abu Ubaidah to fight in the Levant, knowing full well that life and death were equally probable outcomes.

Third: The Succession of Abdullah ibn Umar

Umar passed away wishing he had never been responsible for the affairs of the Ummah. He wished he were a mere straw rather than "Umar," longing to leave this world without bearing any burden of responsibility. If this was how he viewed the matter, could he then involve his son in it?

This was not the only consideration. Umar was aware that his era had witnessed political

ambitions, and appointing his son would not have been well received by these underlying factions. Moreover, Umar sought to dismantle illusions of hereditary leadership and class privileges—so how could he then appoint his son?

Umar remained consistent in his governance, making informed and deliberate decisions. He established broad political strategies and then adopted the most prudent and widely accepted methods for their execution (Mahmoud Shalabi, p. 368). His decision not to involve his son in succession was a testament to his wisdom and foresight, ensuring that the matter would be resolved in the best possible way.

As for the claim that Abdullah Ibn Umar struggled with divorcing his wife, this may have been a calculated move by Umar to shut down any calls for his son's candidacy, diverting attention away from him while providing an argument against those who advocated for his appointment—without demeaning his son. It is also known that Ibn Umar's actions led to a legal ruling rather than constituting an error. Therefore, Umar's refusal to appoint his son should be seen as a commendable decision, ensuring the well-being of both his family and the Ummah. This further affirms Umar's sincerity in establishing a governance model where the caliphate was not inherited as a privilege or birthright.

Fourth: Not Appointing Ali

Ali was not the only one among the six candidates known for his virtues. His distinction lay in his close relationship with the Prophet (peace be upon him). However, others also had noble lineage and supporters who would not have accepted Ali's appointment, such as the partisans of Talha and Uthman.

More importantly, Umar's perspective played a crucial role. In addition to the reasons he cited for choosing the six candidates, it appears that he deliberately avoided appointing Ali to prevent the caliphate from becoming an exclusive privilege of Ahl al-Bayt (the Prophet's family). He did not want a situation where both religious and political authority (prophethood and caliphate) remained solely with Ahl al-Bayt, lest they monopolize power indefinitely, ruling over the people without end. While Umar acknowledged Ali's suitability for leadership, he was concerned that future members of Ahl al-Bayt might not be as capable. This concern would only grow over time.

As for Umar's allegiance to Abu Bakr, he pledged it out of a deep commitment to the unity of the Ummah and to prevent division. He saw in Abu Bakr qualities that made him the most suitable leader and believed that the situation demanded immediate action. Umar's pledge to Abu Bakr reinforced his conviction that only the most qualified should assume leadership. Given this principle, he could not leave the Ummah without a governance framework. If he had done so, he would have indeed been responsible for any resulting disorder.

As for Umar's acceptance of the caliphate, we recall Abu Bakr's words to him when Umar hesitated, saying, "I do not need it." Abu Bakr responded, "But the Ummah needs you."

Finally, Umar's approach in appointing the Shura council can be interpreted as an extension of his own acceptance of responsibility—both before and during his caliphate—ensuring a structured and wise transition of power.

Al-Abbas's Advice to Ali Against Participation

Al-Abbas, and certainly Ali himself, recognized that joining this council implied an implicit—

if not explicit—acknowledgment of the five other candidates' legitimacy in competing for the caliphate. It would place them on equal footing with him in terms of eligibility for leadership. This perception was not lost on Umar either; he made it clear when selecting the six candidates that their defining qualification, aside from religious merit, was their shared stature. By doing so, Umar sought to neutralize the perceived superiority of Ahl al-Bayt by integrating others into the caliphate selection process.

Umar, known for his foresight, had warned Uthman about the dangers of allowing the Umayyads to dominate the people. His goal was to prevent anyone—regardless of lineage—from ruling based solely on inherited privilege. Instead, he reinforced the principle of equality among Muslims, making piety and deeds the true criteria for leadership. This perspective led him to express his wish that Salim had been alive so that he could have entrusted him with leadership. It also influenced his decision to appoint Suhayb as an interim leader until a caliph was chosen.

Had Ali followed his uncle's advice and refused to participate, a deep conflict might have erupted between him and his supporters on one side and the remaining five candidates and their followers on the other. Each contender could have aligned with his faction, escalating hostility among them. However, Ali's wisdom and strategic prudence prevented him from allowing such a division to take root.

Fifth: The Selection of the Six and the Arrangement Favoring Uthman Over Ali

Disregarding the opinion of the majority often leads to discord and division. Upholding the principle of majority rule serves as a safeguard against chaos, a principle upheld in Islamic law (Al-Kilani, *The Constraints on State Authority*, p. 179). Umar's selection and arrangement of the six candidates reflected a pragmatic approach that considered both the reality and the public interest. The qualities these six possessed distinguished them from others, particularly in their leadership roles. If the majority favored one candidate over another, this would naturally legitimize that individual's right to the caliphate. As for the notion that this arrangement deliberately excluded Ali, there is no issue with that once the principle of majority preference is acknowledged. Additionally, it ensured that both prophethood and the caliphate did not remain within Ahl al-Bayt alone, thereby serving the broader public interest. The claim that Umar was indifferent to their bloodshed is unfounded. His approach was a means of ensuring the six adhered to the process. Abu Talha's role in overseeing the council ensured they adhered to the deadline set by Umar. It is well known that enforcing justice sometimes requires strength. Umar's directive was aimed at preserving lives by preventing disputes over leadership. His stance is supported by the Prophet's (peace be upon him) words:

"There will be turmoil and conflicts. Whoever seeks to divide this nation while it is united, strike him down with the sword—whoever he may be" (Muslim, Hadith No. 1852).

Even if the reports that Umar ordered the execution of dissenters were accurate, they stem from narrations attributed to Abu Mikhnaf Lut ibn Yahya. However, scholars such as Yahya ibn Ma'in have dismissed him as unreliable, and Ibn Adi described him as a fervent Shi'ite who spread dubious reports (Al-Umari, p. 3). Regarding the claim that Umar warned the six about Mu'awiya's rise, it is implausible to suggest that Mu'awiya, the astute politician who had firmly controlled Syria, was unaware of such matters, waiting only for Umar's warning to the six to act.

Sixth: Leaving the Matter to Consultation Without Direct Appointment

Had Umar appointed a successor outright, the very discord and rivalry he feared would have erupted, given the presence of strong leaders who believed they were entitled to the caliphate. As for concerns that those not chosen would lose their influence, this would not have been the case had they followed Umar's plan. By voluntarily stepping aside for another, they would gain honor and respect, not humiliation. Their influence within the new leadership would remain strong, as their endorsement would solidify the chosen caliph's legitimacy. This approach fostered cooperation among the six and their respective supporters. However, events unfolded contrary to Umar's intentions, as some clung to the opportunity until the last moment.

Did their nomination truly increase division among them? Umar had foreseen that disputes would arise if these candidates were left to compete without a structured process, each believing in their own right to rule. His strategy did not create or fuel division; rather, it sought to manage this ambition by incorporating them into a formal council. If even Abu Bakr's appointment—despite his unparalleled stature—faced challenges, then how much more difficult would it have been for any of these six candidates in an environment where aspirations for leadership had grown even stronger?

Finally, it must be emphasized that the ambition of these five candidates does not undermine their integrity. It was a natural human response, as each saw their early conversion to Islam and their notable contributions as qualifications for leadership—especially considering they were among the ten promised Paradise (Al-Qasimi, p. 229).

Seventh: Suhayb Leading the Prayers and Abu Talha Guarding the Council

The rationale behind appointing guards has already been explained. As for Suhayb leading the prayers, it symbolized his temporary guardianship over the leadership of the vastest empire of the time. Umar, in this gesture, honored the marginalized and the working masses, who form the overwhelming majority of society. Leading the prayer is one of the most visible aspects of public authority (Mahmoud Shalabi, p. 385). Furthermore, Umar explicitly stated his reasoning: "He is a freedman who will not contend with you over authority."

Eighth: Umar's Justification for Innovating This Method of Selecting a Caliph

To begin with, several key facts must be acknowledged (Al-Qasimi, pp. 227–228):

1. None of the members of the council opposed Umar's decision. Additionally, the other companions did not object to this arrangement, as the people at large accepted it, recognizing its benefit.
2. The only opposition was not directed at the formation of the council or its procedures but at Ali's inclusion in it. This objection came from Abbas, meaning the debate was about membership, not the concept itself. Nevertheless, Ali accepted his role.
3. Umar's method did not contradict Islamic principles, especially the principle of shura (consultation). Umar himself stated, "Whichever course I take, there is precedent for it. If I do not appoint a successor, the Messenger of Allah did not appoint one. If I do, Abu Bakr did." His approach thus combined both methods—appointment and non-appointment.

Thus, Umar's decision was based on sunnah and ijma (consensus), in addition to considerations of public interest. The method of selecting a head of state falls under matters where Islamic teachings provide general principles rather than specific procedures. Muslims are obligated to

adhere to these principles while exercising their judgment to implement methods that best suit their society, provided they do not violate fundamental Islamic guidelines. These foundational principles include:

- Abolishing autocratic rule and exclusive governance by adopting a system of consultation among the people.
- Upholding full equality among all individuals in society.
- Obligating obedience to legitimate rulers as long as they uphold Islamic teachings and govern under them.

Section Four: The Purposes of the Islamic Law Perspective on Umar's Priority of Instituting the Shura Covenant

First: The Two Factors That Led Umar to Instigate the Covenant of Shura

Umar was motivated by two main factors:

1. He did not want to bear the responsibility of the caliphate both in life and death; hence, he did not appoint his son or anyone else specifically to succeed him.
2. He did not want the nation, which he had worked tirelessly to unify, to splinter and diverge into factions. Therefore, he did not leave the matter of succession unresolved (Biltaji, pp. 427-430). By establishing the method of shura (consultation), Umar cleverly avoided shouldering the burden of leadership both during his life and after his death while also preventing any hidden agendas or potential for conflict and division among the people. This method ensured that the caliphate was passed on to Uthman without a single drop of blood being shed.

Second: The Principles and Arrangements Preserved by Umar

Umar preserved and even advanced several key principles:

- **Maintaining and Developing the Principle of Shura:** He not only upheld the principle of consultation but also gave it philosophical depth and practical application, marking a significant development in political governance.
- **Dedication to His Duty:** Even in the final moments of his life, Umar's concern for the welfare of the ummah did not waver. His wounds and bleeding did not deter him from taking measures regarding the most pressing matters of the state.
- **Ensuring the People's Safety:** Umar ensured that the people's spiritual and material needs were taken care of until the new caliph was chosen. He instructed Suhayb to lead the prayers and arranged for food to be provided for the people for three days.
- **Maintaining Order and Security:** Umar appointed Abu Talha to maintain order until a caliph was elected, preventing any disturbances.
- **Efficiency in Governance:** He limited the process to three days to ensure the people's needs were not neglected during the transitional period.

Third: Umar's Acumen and Wisdom in Anticipating Outcomes

Umar's foresight and wise judgment manifested in several key instances:

- **Anticipating the Dispute over the Caliphate:** He predicted the potential for conflict over

- Foreseeing the Influence of Uthman's Family: Umar had predicted that Uthman's relatives would elevate him to a prominent position and warned him about this.
- Delegating the Final Decision to Abd al-Rahman ibn Awf: Umar entrusted Abd al-Rahman ibn Awf with the final decision on the caliphate, a choice that eventually led to a peaceful resolution. Abd al-Rahman's wise handling of the situation resulted in the caliphate's being peacefully transferred without civil strife.

Fourth: The System of Governance and Islamic Political Strategy

Issues of governance are inherently tied to al-siyasah al-shar'iyah (Islamic political strategy), which is about conducting affairs in a manner that serves the greater good (Al-Qaradawi, p. 29). Umar's actions exemplified the ideal implementation of Islamic political strategy, as he introduced an innovative solution that prevented a potential civil war and preserved the unity of the ummah. His solution was unprecedented and demonstrated his capacity for governance that took into account the long-term well-being of the people.

Fifth: The Ruler and Existing Political Factions

A ruler should be aware of the existing political factions, including the ones that are not openly visible. Umar's actions serve as a guide for rulers to remain vigilant of these factions and take appropriate measures to curtail their influence, thus maintaining national unity and preventing fragmentation.

In this regard, Al-Juwayni notes: "When the religion is free from impurities and the heresies of opinions and desires are cleansed, it is the duty of the ruler to oversee the people personally, using vigilant eyes and wise ears. He should guard them against internal discord and divisiveness, ensuring that the people's intentions and potential conflicts are addressed before they escalate. Preventing the spread of harmful ideologies is easier than cutting them off once they have taken root" (Al-Juwayni, p. 86). This highlights the importance of intelligence and foresight in a ruler, enabling them to detect hidden malice and prevent destructive outcomes for the nation.

Conclusion

This section includes the most important findings and recommendations.

A. Main Findings:

1. Omar innovated a new method for appointing a ruler based on both appointment and consultation. This method became known as "Appointment by Consultation."
2. Several criticisms were made by Shiite scholars regarding Omar's ijtiḥad, citing areas of inadequacy in this ijtiḥad and its divergence from the public interest.
3. A response to the objections and criticisms of this ijtiḥad clarifying the public interest that Omar aimed to achieve.
4. Omar's ijtiḥad on this issue represents an exemplary application of Islamic political theory, as it involves managing the affairs of the people in a way that benefits them.
5. The principles of Islamic law are embedded in Omar's actions and his guidance and direction for rulers and leaders in terms of:

- Being alert to underlying political currents by addressing them early on.
- Carrying out responsibilities until the last moment, without neglecting the affairs and interests of the people.
- Ensuring that the ruler is capable of handling the responsibility, or else they will be overwhelmed by the surrounding forces.

B. Recommendations:

Studying Islamic history, especially the Rashidun period, from a legal rather than purely historical perspective and presenting it clearly to the people of the nation, especially given the differing interpretations and justifications of events and positions.

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