

Bismillahir Rahmaanir Raheem

## THE PROPERTY OF FADAK

### Why the dispute over its ownership was a defining episode

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The property of Fadak belonged to Fatima Zahra (SA) daughter of the Prophet (pbuh&p). It was given to her by her father in his lifetime. It was a The Prophet (pbuh&p) decided to give it to his daughter Fatima (SA in response to a verse of the Qur'an (17:26)<sup>1</sup>,

#### **What was Fadak and where was it located?**

Fadak, as many of the historians and writers have written, was a flourishing, fertile village in the land of "Hejaz" near Khayber, being two or three days journey from Medina, Some have reported this distance as 140 Kilometers, and in which there was a bubbling spring and many date palms.<sup>2</sup> After Khayber it was known as the stronghold of the Jews in Hejaz.

#### **What took place in the incident of Fadak?**

Soon after the death of the Prophet (pbuh&p) , the ruler of the time, saying that prophets leave no inheritance, claimed it as public property and took it away from Fatima (SA).

The confiscation of the property of Fadak was a defining episode; defining the two parties that were at odds with each other; the party of Fatima (SA) with her supporters, and the other, the ruling clique.

There were many controversial episodes in the history of Islam immediately before and soon after the death of the prophet (pbuh&p). Muslims were misled by the rulers by offering excuses, no matter how weak, to justify their actions contrary to Prophet's wishes.

#### **Some examples of actions by the companions contrary to Prophet's (pbuh&p) wishes:**

1. During his last illness Prophet asked for writing material so he could write his Will, so that Muslims would be rightly guided after him. Some companions refused to comply. The reason given was that "Prophet was ill and not mentally alert and was incapacitated."

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<sup>1</sup> "And give to the near of kin his due, and the needy and the traveler, and do not squander wastefully." Surah Al-Isra (Chapter 17) VERSE 26

<sup>2</sup> "Hazrat Zahra (AS) and the Heart-Rending Episode of Fadak," by Ayatullah Makaram Sherazi <[www.al-islam.org](http://www.al-islam.org)>

2. During his last illness Prophet (pbuh&p) asked all the prominent companions (Except Ali A.S.), to march away from Madinah under the command of Usama to confront the enemy. The companions did not leave. The reason given was that” they preferred to stay near Prophet during his terminal illness.”
3. While returning from the last Hajj, Prophet (pbuh&p) at Ghadeer-e-Khum declared “Of whomever I am Maula, this Ali is Maula.” This was clear reference to Ali (AS) being designated as his successor. After Prophet’s death, prominent companions denied Ali the Khilafat of the prophet. The reason given was that “the word ‘Maula’ was meant to be ‘friend’ and not to be implied as Prophets’ successor.”
4. When prophet died, Ali and some Banu Hashim were busy preparing the body for burial. At that time prominent companions and tribal leaders had gathered at a place called Saqifa and were arguing as to who will succeed the Prophet. Reason given was that “a leader was needed immediately to take charge to protect the state.”
5. Ali (AS) was not informed of the meeting at Saqifa. The reason given was that” he was too young for the job, and was not acceptable as a successor to the Prophet by some of the companions and tribal chiefs.”
6. Ali was forcefully brought to the court of the ruler demanding allegiance from him. The reason given was” to establish unity and prevent dissent.”
7. The property of Fadak was confiscated from Fatima (SA). The reason given was that “Prophets do not leave inheritance.”

While Ali (AS) chose not to confront the ruler with force regarding the usurpation of his right, and preferred seclusion, Fatima (SA) confronted the ruler and openly challenged the confiscation of her property. In the court of the ruler, her iron-clad evidence was that she quoted Qur’anic verses where Prophet Solomon (AS) inherited Prophet David’s (AS) estate (27:16) and Prophet Zachariah prayed for a son to be his heir. Allah granted him a son, Prophet Yahya (AS) (Qur’an 19: 5- 6).

Seeing Fatima (SA) in extreme sadness and hurt, the ruler did issue an order to give the property back to her. However his Lieutenant got hold of the letter and tore it up. The property was not returned to Fatima (SA) in her lifetime. Fatima (SA) did not talk to the ruler and his companion till her death and promised to complain to her father on the Day of Judgment. She quoted her father saying this,

*“Whoever hurts Fatima hurts me, and whoever hurts me, hurts Allah, exalted be His Majesty!”<sup>3</sup>*

Thus, Fadak could be considered the defining episode of the history of Islam that clearly identified the group that Fatima (SA), the daughter of the Prophet (pbuh&p), was displeased with.

### **Ayatullah Makaram Sherazi gives following arguments regarding confiscation of Fadak.**

(For lack of space, it is summarized here.)

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<sup>3</sup> Sunan of Ibn Majah, Vol. 1, p. 644

1. The land of Fadak was in her possession, and according to the views of all Islamic laws and the existent laws among the intelligent people of the world; the owner is not required to produce witnesses to prove ownership.

2. Lady of Islam (SA) was sufficient as a witness by herself, because she was one of the members of the family of the Prophet (pbuh&p) on whom descended the following verse of the Qur'an:

*"Allah only desires to keep away the uncleanness from you, O people of the house! And to purify you with (thorough) purification."* (Surah Al-Ahzab, 33:33)

3. The testimony given by Ali (AS) was also by itself sufficient, because he also possessed of the degree of purity. In addition to the purification verse and other verses and narrations attesting to this fact, there is this famous tradition:

*"Ali is just, and justice is with Ali, and wherever he is, justice is with him."*<sup>4</sup>

4. The testimony of Umm Ayman was also enough in itself, just as ibn Abi al-hadid reported:

Umm Ayman said to them, don't you swear to the fact that the prophet said this about me:

*"I am of the dwellers of Heaven, and if you accept this then how can you refute my testimony?"*<sup>5</sup>

6. The tradition about the "lack of inheritance left by Prophets" is actually in another form and having a different meaning, not the way that the ruler reported or interpreted. This tradition is reported as follows:

*"The prophets have not left dirhams and dinars as a memorial, but rather the inheritance of the Prophets was knowledge and learning, whoever obtains a greater portion of their knowledge and learning has received a greater inheritance from them."*<sup>6</sup>

7. If this tradition was valid, then why hadn't any of the Prophet's wives heard of it; since they came to the caliph demanding their portion of the Prophet's inheritance.<sup>7</sup>

8. If this tradition was valid, then why eventually did the ruler give orders in a letter to return Fadak to Fatimah (SA); which his lieutenant took it and tore it up.<sup>8</sup>

9. Furthermore, if this tradition had any reality and Fadak should have been divided among the poor as alms; then why did the second caliph in his own time (after everything was over), send for Ali (AS) and Abbas and told of willingness to give Fadak to them.<sup>9</sup>

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<sup>4</sup> Hazrat Zahra (SA) and Heart-Rending Episode of Fadak," by Ayatullah Makaram Sherazi <[www.al-islam.org](http://www.al-islam.org)>

<sup>5</sup> Sharah Nahjul-Balagha, by Ibn Abil-Hadid

<sup>6</sup> Hazrat Zahra (SA) and Heart-Rending Episode of Fadak," by Ayatullah Makaram Sherazi <[www.al-islam.org](http://www.al-islam.org)>

<sup>7</sup> Ibid.

<sup>8</sup> Ibid.

10. In credible books of both Shia and Sunni it has been reported that after the incident of the prohibition of Fadak, the lady of Islam (SA) became angry at these two and said:

*“I will never speak as much as one word to you.”*

And this situation continued until with great sorrow she closed her eyes to this world.

This was even though this Prophetic tradition is well known in Islamic sources:

*“Whoever likes my daughter Fatimah, likes me; whoever makes her happy has made me happy: and whoever angers her, has angered me.”*<sup>10</sup>

### **Subsequent fate of the Fadak property.**

It changed hands about 16 times, coming into the hands of descendants of Fatima (SA) about eight times.<sup>11</sup>

Umayyad Caliph Umar ibn Abdul-Aziz gave it to descendants of Fatima (SA). It was usurped by his successor.

Haroun Rasheed offered to return Fadak to Imam Musa al Kadim A.S. Imam did not indicate any interest in accepting the “Favor.”

Currently Fadak is under the control of Saudi authorities and is in very bad shape.

**Conclusion.** In the case of Fatima (SA) vs. the ruler, Fatima (AS), the plaintiff, was a clear winner. The defendant was unable to bring any reasonable argument for his actions. However, the property was not returned to her, in her lifetime, indicating conclusive guilt in this matter.

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<sup>9</sup> Ibid.

<sup>10</sup> Ibid.

<sup>11</sup> For details visit: <<http://islamquery.com/document/Fadak.pdf>>