



Hadith 33: The Onus of Proof is on the Claimant and The Taking of an Oath is on the Denier

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عَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ عَنْهُمَا أَنَّ رَسُولَ اللَّهِ صَلَّى
 اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ: لَوْ يُعْطَى النَّاسُ بِدَعْوَاهُمْ لَادَّعَى
 رِجَالُ أَمْوَالِ قَوْمٍ وَدِمَائِهِمْ لَكِنَّ الْبَيِّنَةَ عَلَى الْمُدَّعِيِ
 وَالْيَمِينَ عَلَى مَنْ أَنْكَرَ.
 حَدِيثٌ حَسَنٌ، رَوَاهُ الْبَيْهَقِيُّ وَغَيْرُهُ هَكَذَا وَبَعْضُهُ
 فِي الصَّحِيحَيْنِ.

Ibn 'Abbas (ra) said that the Messenger of Allah (sas) said:

“ Were people to be given according to their claims, some would claim the wealth and blood of others. But the burden of proof is upon the claimant and the taking of an oath is upon the one who denies (the allegation).

(An excellent hadith which al-Bayhaqi and others have related. Parts of it is in the two Sahih books (i.e. in al-Bukhari and Muslim))

Commentary Summary

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