

Khalifa Ali bin Abu Talib - Vengeance for the Blood of Othman

Nature of the crime of the assassination of Othman

The assassination of Othman was a very tragic event in the annals of Islam. Particular sanctity is attached to the office of the Caliph, and if the Caliphs were to be murdered in cold blood as in the case of Othman, that boded ill for the Muslim polity. According to the Islamic law the heirs of a dead person have the right to claim blood money (Qasas) for such murder. It is the obligation of the State to enforce such right. In view of this legal position, the heirs of Othman had a prima facie case to claim vengeance for the murder of Othman. The law of "Qasas" applies in a normal case of murder when the person committing the murder can be apprehended. When the case is complex, and murder cannot be attributed to a particular person or persons, the law of Qasas would not apply in the conventional sense. The assassination of Othman was not a simple murder, it was in fact a revolt and coup d'etat. The natural law is that where a revolt fails, the rebels have to pay for such revolt with their lives. On the other hand where the revolt succeeds, the rebels capture power, and there is no question of taking any action against them for they are the victors, and the victors cannot be galled to account for any bloodshed that they might have caused necessary for their victory. In this case the revolt against Othman had been successful; Othman had been killed and the power had been captured by the rebels. The rebels voluntarily transferred the power captured by them to the people, and asked them to elect the Caliph. The people elected Ali as the Caliph. The people in this case exercised the power delegated to them by the rebels, and as such Ali owed his election to the rebels. In the circumstances the cry for vengeance for the blood of Othman had become infructuous and it could not be raised before Ali.

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