

# FATĀWĀ AL-ḤĀ'IRIYYAH

SHAYKH  
NĀSIR AL-FAHĪD



# Fatāwā al-Ḥā'iriyyah

## 64 Q&A

The Noble Shaykh Nāṣir al-Fahd  
فك الله أسره

Translated from the Book:  
الفتاوى الحائرة



Ahlut-Tawḥīd Publications - 1439 A.H.

The Prophet ﷺ said:

**“The reward of deeds depends upon the intentions and every person will get the reward according to what he has intended.”**

*[al-Bukhārī, Ḥadīth 1]*

قال رسول الله صلى الله عليه وسلم:

**إِنَّمَا الْأَعْمَالُ بِالنِّيَّاتِ، وَإِنَّمَا لِكُلِّ  
أَمْرٍ مَّا نَوَى**

[رواه البخاري، حديث 1]

## TRANSLITERATION TABLE

### Base Alphabet

ا	none	ض	ḍ
ب	b	ط	ṭ
ت	t	ظ	ẓ
ث	th	ع	‘(ayn)
ج	j	غ	gh
ح	ḥ	ف	f
خ	kh	ق	q
د	d	ك	k
ذ	dh	ل	l
ر	r	م	m
ز	z	ن	n
س	s	ه ة	h
ش	sh	و	w
ص	ṣ	ي	y

### Vowels & Diphthongs

أَ	a	ء	’	يَ	ī
أُ	u	أَ	ā	وُ	aw
إِ	i	وُ	ū	يَ	ay

## PREFACE

Undoubtedly all praise belongs to Allāh. We praise Him, seek His aid and forgiveness. We seek refuge with Allāh from the evils of our souls and the evils our deeds. Whomsoever Allāh guides then no one can misguide him and whomsoever Allāh leaves to stray no one guide him. I bear witness that there is nothing worthy of worship except Allāh, having absolutely no partners. And I bear witness that Muḥammad is His slave and His Messenger. May the Ṣalāt and Salām be upon him, his family, and his Ṣaḥābah until the Last Day. As for what follows:

The Prophet صلى الله عليه وسلم said:

“Allah does not take away knowledge by taking it away from (the hearts of) the people, but takes it away by the death of the ‘Ulamā’ until no ‘Ālim remains. People will take as their leaders ignorant persons. Who when consulted will give their verdict without knowledge. So, they will go astray and will lead the people astray.”

[Ṣaḥīḥ al-Bukhārī, 100]

[End Quote]

In a time when the ‘Ulamā’ are killed & imprisoned. Ahlut-Tawḥīd Publications presents the English translation of a set of questions sent and answered by one of the few ‘Ulamā’ who remain. Shaykh Nāṣir al-Fahd addresses many relevant

topics that the ignorant ones today speak of and mislead the people with. Topics stemming from issues related to tawḥīd, takfīr, and groups who resist aspects of the Sharīah. Ahlut-Tawḥīd Publications is striving to spread the pure white authentic tawḥīd that was revealed to the Messenger of Allāh and followed by his noble Saḥābah. May Allāh accept it from us and guide us to the way of truth.

Āmīn.

*Ahlu-t-Tawḥīd Publications*

*1439 A.H.*

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# THE DESCENDANT OF NAJD

PEACE BE ON NAJD AND WHOMEVER DESCENDED IN  
NAJD,

EVEN IF MY GREETING INCREASES THE PASSION,  
ABĀ MUṢ'AB, HOW DIFFICULT IS BEING AWAY AS I,

FOUND THE DELIGHTFULNESS OF WATER: BITTER BECAUSE  
OF BEING AWAY.

AND I BECAME THAT IF A BITTER PASSES THROUGH TIME,  
I SAY: IT WAS BITTERER THAN HONEY!

AND I HAVE NEVER SEEN CRYING AS I SEE NOW,  
AND I HAVE NEVER KNOWN, BEFORE TODAY, WHAT THE  
GRIEF OF LOSS IS.

I HAVE CRIED TILL MY TEARS DECREASED AND WAS  
BORED,

AND IT LEFT ME CRYING ON YOUR FARNNESS, ALONE.  
IF A CRITICIZER SAW MY SUFFERING AND SADNESS,  
HE BLAMES ON THAT LITTLE THAT I SHOW!

DOES THE ONE WHO SLEEPS KNOW, [WHAT] IF HE SLEEPS  
TO WORRY, INSOMNIA TORTURED WITH INSOMNIA?

I AM UNLIKE THE ONE WHO COMPLAINS [ABOUT] THE  
DEPARTURE OF HIS BELOVED,

AND SNIFFS BECAUSE OF YEARNING TO MOUTH AND  
BREAST!

BUT HE IS A SEA OF KNOWLEDGE THAT FLOWS,  
AND THE PARCHED [IN LOVE] WAS DEPRIVED FROM ITS  
ABUNDANT WATER.

WHO WOULD PROVIDE ME WITH AN [EXEMPLARY PUNISH-  
MENT] IF A LIAR STANDS,

WANTING TO LAY TO THE ENEMY AND BEGS?

AND WHO WOULD REFUTE THE SUSPICIONS IF [BY THEM]  
THEY ARE IN CLAMOR

THE FRONTS OF THE ARMY OF SHIRK, DEFENDING ITS  
SHIRK?

AND IF SOME ACCIDENTS, IN THE DAY OF BATTLE, ARE  
AMBIGUOUS,

WHERE TO GET A CLARIFICATION,  
FOR GUIDANCE SEEKER, THAT GUIDES?

THE EYES OF ENVIERS CALL THE COMMENDABLE ACTS,  
TOWARDS HIM, BUT HIS MODESTY MEETS IT WITH  
AVOIDANCE.

HE HAS BEEN MODEST TILL THE IGNORANCE OF HIM  
THOUGHT:

THAT HE WOULD FALL BEHIND, LESS THAN THE SEA OF

EBB AND FLOW.

AND HE WAS STRONG ON THE KUFFAR, WHILE CONFINED,  
SO THEY WERE DESPISED BECAUSE OF WHAT IN THEIR  
HEARTS OF HATRED.

GLORY BE TO YOU, O ALLĀH, HOW MUCH KNOWLEDGE  
YOU HAVE PUT, AND MORALS IN THAT SLAVE?

AND NO CRIER HAVE CRIED, OR A SUPPORTER HAVE  
SUPPORTED,

OR A PRAISER HAVE PRAISED A BROTHER LIKE NĀṢIR AL-  
FAHD.

OH YOU WHO IS MOUNTED, IF YOU [EVER] COME ACROSS  
HIS LAND,

AND THE TRAVELLING WHITE CAMELS HAVE MOVED YOU  
FROM NAJD,

SEND MY GREETINGS ON NAJD AND WHOEVER DESCENDED  
IN NAJD,

A GREETING THAT IS EFFICIENT, AND HEALS THE PASSION.

*POEM BY SHAYKH 'ABD AL-'AZĪZ  
AT-TUWAYLAI'Ī*

*تقبله الله تعالى*



## INTRODUCTION

All praise belongs to Allāh and may the peace and blessings of Allāh be upon the Messenger of Allāh.

To proceed: these are some matters and selected Fatawā which are really appreciated with utmost reward and gratefulness to our Shaykh Nāṣir al-Fahd, حفظه الله, for answering them, and which Allāh has easily allowed to take out of the prison with me. It touches on different topics, so I wanted it for my brothers to share the benefit with me.

May Allāh benefit me and you with it in the dunyā (wordly life) and ākhirah (afterlife). May Allāh reward our Shaykh, protect him, raise his ranks, keep him steadfast, benefit us through his knowledge, and grant him victory against those who took him as an enemy. May Allāh gather him with us in the best of conditions, Indeed He (Allāh) is the Generous, Close-One and Answerer (to our prayers).

I would like to point out that our Shaykh answered what his memory has allowed him to without research and returning back to the sources. This is due to it being unavailable in prison. Which is why you may see him cite something from a book whilst doubting in the page number. So, perhaps the motivation of one of the brothers can be energised to revise it (i.e. find any mistakes in the page numbers of the sources).



~ Written by Abū Muhannad al-Jazrāwī حفظه الله in 1435 A.H..<sup>1</sup>

## THE BIOGRAPHY OF SHAYKH NĀṢIR AL-FAHD<sup>2</sup>

### HIS NAME, LINEAGE, AND FAMILY'S PLACE OF RESIDENCE

He is Nāṣir Ibn Ḥamad Ibn Ḥumayyin Ibn Ḥamad Ibn Fahd, from the tribe of al-Asā'idah al-Rawaqiyyah. His lineage goes back to Banī Sa'd Ibn Bakr, who were from those that nursed the Messenger صلى الله عليه وسلم and today they are known as 'Utaybah. His mother is Nūra al-Ghazziy, and her lineage goes back to the clans of ad-Dawāsir.

His family's place of residence was in al-Thuwayr, and it is from the villages of al-Zulfī. His father, Shaykh Ḥamad Ibn Ḥumayyin moved to ar-Riyāḍ to work with Shaykh al-'Allāmah Muḥammad b. Ibrāhīm رحمه الله. So, he stayed with him for 18 years until he passed away.

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1 Abū Muhannad al-Jazrāwī حفظه الله is the active member of the well-known 'al-Ghurabā'' team, of whom visited Shaykh Nāṣir al-Fahd حفظه الله and took out the answers with him from prison. May Allāh reward him immensely!

2 The source of this Biography is what was written by his son, Muṣ'ab Ibn Nāṣir al-Fahd on Tuesday 27/1/1434.



## THE YEAR OF HIS BIRTH, HIS LIFE AND PURSUIT FOR KNOWLEDGE

He was born in Riyāḍ in the month of Shawwāl 1388 A.H. and he was raised in it. After he completed his secondary education, he began to study Engineering in al-Mālik Sa‘ūd University. He was outstanding in it along with being the top student.

When he reached the 3rd year (of Engineering studies), he discontinued. So, he transferred from Engineering to the College of Shar‘īah in ‘The Islāmic University of Imām Muḥammad Ibn Sa‘ūd’.

He memorised the entire Qur’ān in 3 months! He wrote on the first page from his muṣḥaf that he was memorising from:

Accomplished - with the Praise of Allāh and His Success – the completion from it (i.e. the Qur’ān) and memorised from cover to cover in a single attempt after ‘Asr on Sunday 29/11/1412 from the Hijrah of al-Muṣṭafā صلوات الله وسلامه عليه<sup>3</sup> and the beginning of its memorisation was in the beginning of Ramaḍān in the same year. All Praise belongs to Allāh who by His praise the righteous deeds have been accomplished.

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3 It can be translated as: “May peace and blessings be upon him,” in the plural form. This is to show extra respect and honor to the Prophet صلى الله عليه وسلم since it was a blessed occasion (i.e. he memorized the Qur’ān).



[End Quote]

In the college of Shar‘īah, he graduated under the hands of some of the Mashāyikh, among the most prominent were: Shaykh ‘Abd al-‘Azīz ar-Rājiḥī, Shaykh Zayd Ibn Fayyāḍ رحمه الله and Shaykh Aḥmad Ma‘bad al-Azharī.

He was given an ijāzah in the college in the year 1412 A.H., finishing the top of his class. He was requested to study at the College of Shar‘īah and Uṣūl ad-Dīn again. So, he chose ‘Principles of the Dīn; Department of Creed and Contemporary Sects’. He was appointed as an ustāḍ (teacher) in Thailand – where he debated a Jahmī, gained victory over him, and was applauded by the audience.

He exerted efforts at the time in the pursuit of stockpiling books, reading, and researching. He was very fond of reading, and I did not see him for a single hour at home without a book (in his hands). He would take a book with him to the car and read it at the traffic lights. If I were to say he reads 15 hours a day, I would have grievously and unjustly wronged him.

He excelled and proved to be outmatched in most fields of the Shar‘īah. In ‘aqīdah and what is connected to it. In ḥadīth; ar-rijāl (the science of determining the reliable from the non-reliable narrator). In fiqh, according to all Madhāhib (Schools of Thought), uṣūl al-fiqh, and farā‘iḍ (inheritance). He had great speculation and ability to derive rulings, reasonings, and finalised statements.



He is also a scholar of history and genealogy (the study and tracing the lines of descent). Shaykh Walīd as-Sinānī <sup>أحسن</sup> <sup>الله فكاكه</sup> <sup>4</sup> was asked about some of the genealogies – he is an expert in genealogy who is unrivalled, for he is famous for that – so he replied, “Ask that As‘adī,” – in attribution to the Asā‘idah (tribe) – meaning Shaykh Nāṣir al-Fahd.

Some professors of ‘aqīdah in the Imām Muḥammad Ibn Sa‘ūd University have informed me, they said:

Your father was my peer in studying (i.e. Masters Degree), and he was the most intelligent man among us by heart. He was the quickest to memorise and understand. There is nothing to criticise from him except for his harshness.

[End Quote]

This is true! For indeed if he debates someone, he gets heated. Whenever his anger would cool down, he would apologise to his opponent. It has also reached me that an ustāḍ (teacher) in the Creed Department said to his students one day: “There was a man in our department who had a great deal of misconceptions, and no one was able to stand up to face him except for Nāṣir al-Fahd.”

In the year 1415 A.H. he got arrested and entered al-Ḥā‘ir Prison. He remained in prison for three and a half years, and he was released in the year 1418 A.H.

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4 It can be translated as: may Allāh free him with the best of freedom.



After he was released, he came onto the internet, and he would make announcements in which he had receipts. He later turned away from it, due to the time restraint.

The visitors were increasing in numbers, and he was not able to make time for it. So, he organised a gathering at his house on Saturday and Tuesday of every week between Maghrib and 'Ishā'. It revolved around mentioning new aḥādīth and reports. The gathering was getting crowded to the extent that all sides (of the room) was filled with people! Such that they would have to make a row right in the mid-point of the gathering (in-line with the Shaykh).

When Allāh tested the Muslimīn with America going to war with Afghāniṣṭān; the Shaykh exerted efforts to incite the believers to support their brothers and warn them from allying with the Kuffār against the Muslimīn. He did not change his stance until he was wanted (by the Sa'ūdī Ṭawāghīt).

He was re-imprisoned in the year 1424 A.H. Since that time till this very hour, he has been in solitary confinement. He is prevented from seeing his family or speaking to them during the last six years. <sup>5</sup>

Allāh has opened for him a path in prison from His

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5 For more information on the Shaykh's prison conditions. Watch the lecture by Shaykh Aḥmad Mūsā Jibrīl حفظه الله going into details about his imprisonment. A simple youtube search will suffice.



blessings, and increased him in an abundance of knowledge. For instance, he completed the memorisation of the nine books of ḥadīth from the *Yahyā compilation*.

He also memorised a good number of books and mutūn (texts). He also read *Majmū‘ al-Fatāwa* (by Ibn Taymiyyah رحمه الله) six times, and he authored 85 treatises. He made the *Uṣūl al-Fiqh* and *Uṣūl at-Tafsīr* of Shaykh al-Islām (Ibn Taymiyyah رحمه الله) into a poem consisting of more than 800 lines of poetry.

A brother who recently got released from prison reported to me:

Verily, some of the soldiers would say: “What is with this brackish guy – he intends Shaykh Nāṣir – he sleeps for 4 hours, and spends the rest of his time praying and reading!”

[End Quote]

He was subjected to fitnah in prison. He was tortured, and they wanted to disgrace him. But he refused! He still has remained steadfast, patient, and wanting the reward of Allāh. May Allāh increase him in steadfastness and free him. Āmīn.



## PRAISES OF SHAYKH NĀṢIR AL-FAHD FROM THE 'ULAMĀ'

I have listed some quotes that I have present with me here, without investigation, or demand, or selection. Thus, sufficient for you is the pendant necklace that is around the neck.

Shaykh al-'Allāmah Ḥamūd Ibn al-'Uqlā' as-Shu'aybī رحمه الله said in his commendation for (the book), *The Exposition Regarding the Disbelief of the One that Assists the Americans*:

The Shaykh, Nāṣir al-Fahd – may Allāh grant him success – has many blessed efforts. For he has taken part and expended effort in giving victory to the truth and its people while repelling falsehood and its people. He has confronted them in many well-known books and essays. We ask Allāh to write for him a goodly reward and keep him firm upon that.

[End Quote]

Some of our brothers have informed me, stating:

Whenever the brothers would come to Shaykh Ḥamūd as-Shu'aybī with a misconception for him to respond to, he would reply: “Has Shaykh Nāṣir responded to it?”

[End Quote]



Shaykh al-Muḥaddith al-‘Allāmah Sulaymān al-‘Alwān فاك الله أسره said in his commendation for (the book), *The Exposition Regarding the Disbelief of the One that Assists the Americans*:

May Allāh strengthen this Shaykh. How good is that which his hands have written! It is worthy of a good reception from the People of Knowledge and seekers of truth. So, without further a due, this is the book that has actualized ‘Aqīdah and Fiqh upon the path of those that have passed from the leadership of guidance, as well as the People of Knowledge and Taqwā.

[End Quote]

Shaykh Sulaymān also mentioned from what his son ‘Abd al-Mālik حفظه الله related with regards to Shaykh Nāṣir al-Fahd:

He is from the expert memorisers of knowledge. He has vast knowledge in many sciences, and he was oppressed in his prison-cell severely.

[End Quote]

Shaykh ‘Abd Allāh as-Sa‘d said in his commendation for (the book), *The Methodology of the Early Scholars (of ḥadīth) in Taḍlīs*:

I have previously looked at other essays authored by Shaykh Nāṣir al-Fahd, and I have found all of them to



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be beneficial. They are firmly established upon following what the Qur'ān and Sunnah has alluded to, and taking a path in accordance with the methodology of the Salaf. This is what we see him to be, and only Allāh – the Exalted – knows his true merits.

[End Quote]



## 1. COMMITTING DISBELIEF FOR THE SAKE OF MAŞLAĤAH (INTEREST)

**QUESTION.** When some of them are handed over leadership (i.e. authority to rule), he prostrates to the grave of Atatürk (may Allāh curse him) because it is a condition which is not possible to step down upon in the constitution.

Some people say it is permissible to prostrate to an idol in this situation, for the maşlahah (interest) of the Ummah. Likewise, the members in the Jihādī groups: such as Ḥamās and others. So, what is the ruling pertaining such a statement, and what is the response to it?

**ANSWER.** This is an enormously significant matter, and it is not permissible to commit kufr whatsoever – except in the case of ikrāh (coercion) alone. As it is mentioned in the āyah (from the Qur’ān regarding the coerced). Thus, whoever goes forth into it (i.e. kufr) while he is not coerced, then upon him is the curse of Allāh, even if he intended good.

Considering that many of those who affiliate themselves to the Islāmic Party have fallen into kufr from many aspects by claiming maşlahah for Islām. Such as the prostrating of this deviant person towards that Ṭāghūt – if it is proven – and such as taking an oath to respect the constitution. Also, taḥākum (seeking judgement) towards man-made laws, abolishing al-Walā’ wa al-Barā’, and other than that.



So, I will mention two proofs in this topic: the first is to show the manhaj of the Prophet صلى الله عليه وسلم pertaining the maṣḥab of da'wah. The second is showing the ruling of whoever adopts a manhaj contrary to his (the Prophet صلى الله عليه وسلم) manhaj.

As for the first (proof): it is the Makkan Period. So, from the well-known mutawātir knowledge of what happened to the Messenger صلى الله عليه وسلم and the Ṣaḥāba from trials and tribulations under the hands of the Kuffār. A group among them who were killed. Another group among them were tortured. Another group among them who were confined/imprisoned. Others among them who were driven out (of their homes) such as the migration to al-Ḥabashā' (Abyssinia). Finally, there some among them who were besieged such as the Prophet صلى الله عليه وسلم and those with him in the mountain hide-out of Abī Ṭālib for 3 years! So much so, that they even ate trees, and things similar to them.

Makkah was ruled by Abī Jahl and his companions. They did not want from the Prophet صلى الله عليه وسلم that he worship their idols. Rather, what they simply wanted is for him to remain silent from insulting them, making takfīr upon them, making takfīr upon their forefathers, and similar to that.

If they (i.e. Kuffār) wanted to lower their positions for something like that (i.e. abstaining from takfīr upon their idols and forefathers), they would be the quickest of people to abandon it (i.e. their positions) and give his companions what they wish.



In fact, it is narrated in the *sīrah* that they offered him (i.e. the Prophet صلى الله عليه وسلم) leadership, and the proof for this is the statement of Allāh:

وَدُّوا لَوْ تُدْهِنُ فَيُدْهِنُونَ

They wish that you would soften (in your position), so they would soften (toward you).  
(68:9)

Except that the greater *maṣlaḥah* (interest) and the trustworthy handhold is holding onto *tawḥīd* and having *barā'ah* (disavowal) from all that maligns it. It is about having *al-kufr bit-Ṭāghūt* (disbelief in Ṭāghūt).

Based upon the *qiyās* (analogy) of these contemporary people, then the *maṣlaḥah* (interest) of the *da'wah* would necessitate to remain in power/leadership – even if he does not hold onto and preserve *tawḥīd* and commits many nullifiers of Islām!!

As for the second (proof): It is what has been narrated pertaining the *Khawārij*. The *aḥādīth* are *mutawātir* regarding the vilifying of them:

“They will exit from Islām.”<sup>6</sup>

“The *Khawārij* are the worst of the slain who are killed

6 *Ṣaḥīḥ al-Bukhāri* [6995]



under the heavens.”<sup>7</sup>

“Dogs of the hellfire.”<sup>8</sup>

“Glad tidings to whoever kills them.”<sup>9</sup>

Other than that, while he mentioned their immense acts of worship:

A group of people will appear among you) whose ṣalāh and fasting will make you think little of your own ṣalāh and fasting.<sup>10</sup>

[End Quote]

They were people of qiyām (night worship), ṣalāt (prayer), and qirā’ah (recitation of Qur’ān). This is well known from their sīrah, yet the Ṣaḥābah unanimously agreed upon fighting them and vilifying them.

It is well known that they only intended good from what they did – they desired the truth. They exalted Islām and its symbols, and they abstained from sins – major sins that they even made takfīr upon whoever commits something

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7 *Sunan Ibn Mājah* [176]. Graded as Ḥasan by at-Tirmidhī رحمه الله in *Ma’jam al-Kabīr* [8/266-274].

8 Same as above.

9 Found in *al-Mustadrak by al-Ḥākim* [2696]. Authenticated by al-Ḥākim رحمه الله as well.

10 *Ṣaḥīḥ Muslim* [1064].



from them. Even with all of this, when they took a manhaj other than the manhaj (methodology) of the Prophet صلى الله عليه وسلم their great acts of worship did not intercede for them, nor their good intentions. They desired the truth.

So, how about the situation of these contemporary (sell-outs) among whom committed nullifiers (of Islām) which were not committed by the Khawārij. They (i.e. the sell-outs) adopted a manhaj contrary to the manhaj of the Prophet صلى الله عليه وسلم and the Ṣaḥāba. In fact, it is contrary to the manhaj of the People of Innovation such as the Khawārij, Mu‘tazilah, Zaydiyyah, Ashā’irah, and other than them. For all of them do not permit committing kufr for the sake of maṣlaḥah (interest).

And Allāh سبحانه وتعالى knows best.

[END OF FATWĀ]

## 2. REGARDS TO WEARING THE CLOTHES OF THE KUFFĀR TO REPEL THEIR HARM

**QUESTION.** Shaykh al-Islām Ibn Taymiyyah mentioned:

Just as if the army of the Kuffār came, and it is not possible to repel their evil from the Muslimīn except by wearing their clothes – then repelling them by wearing their clothes is better than allowing them to roam around



the land in fear of imitating them in (their) clothing. <sup>11</sup>

[End Quote]

This was affirmed by many scholars, and it causes a confusion (for me): which is if the clothing itself was considered kufr, such as wearing the revered cross, or an idol and what is similar to that – then what would the guidelines be pertaining to this issue? Especially if it is from our uṣūl (fundamentals of the religion) that nothing permits kufr except ikrāh (compulsion). So, what is the response to this misconception?

**ANSWER.** The books of tārikh (history) have mentioned that the Crusaders surrounded the city of ‘Akka after conquering al-Quds in the year 583 A.H. The besieged Muslimīn did not have much ammunition or food supplies. So, Ṣalāḥ ud-Dīn al-Ayyūbī رحمه الله and those with him sent a group of Mujāhidīn on a ship which resembles the ships of the Crusaders. They shaved their beards, wore the same clothes as the Kuffār, and raised the cross on their ship. So, when the Crusaders saw them, they thought they were their allies and they left them alone. Thus, these Mujāhidīn were able to enter ‘Akka, and give its people what they need during their besiegement.

As for the issue of wearing the clothes (of the Kuffār): such as shaving the beard, wearing gold, and what is similar to

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11 *Dara’ Ta’āruḍ al-‘Aql wa an-Naql [1/231].*



that when it is necessary to do so in jihād as is the case here, then it is permissible. For the permissibility of lying, walking with pride (in war), and wearing silk has been narrated (in the aḥādīth). So, whatever would fall under its same category would be permissible, and what is similar to these ḥarām acts are also permitted in times of necessity.

As for the issue of raising the cross and idols which have reverence to their kufr symbols, then it is not permissible. Since this is not permitted except in the case of ikrāh (compulsion) alone. However, some of the scholars have permitted it, and they have proofs, such as:

1. That some of them do not differentiate between ikrāh (compulsion) and ḍarūrah (necessity), so they make what is permitted in the case of ḍarūrah to be permitted in the case of ikrāh.
2. Based upon the ḥadīth of Muḥammad b. Maslamah when he killed Ka‘b Ibn al-Ashraf.<sup>12</sup>
3. Based upon the ḥadīth of al-Ḥajjāj Ibn ‘alat<sup>13</sup>
4. That if the Kuffār wage war against the Muslimīn and capture them: certainly, they would kill, or

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12 *Ṣaḥīḥ al-Bukhārī* [3031].

13 *Muṣannaf ‘Abd ar-Razzāq* [9771]. This is graded as Ṣaḥīḥ by Shu‘ayb Arna’ūt in the *Musnad of Imām Aḥmad*. Also authenticated by Ibn Kathīr in *al-Bidāyah wa an-Nihāyah* [volume 4].



imprison, or drive them out of their land. So, this is like ikrāh since they are waging war against them. This is similar in a sense that they are compelling the Muslimīn to perform this action. Thus, kufr is permitted in ikrāh if the heart is filled with Īmān.

These proofs are not free from criticism and debate, except for the 4th proof. For indeed if the situation of the Muslimīn is like that, until it reached the limit of ikrāh to deter the Muslimīn from being killed and imprisoned – then it becomes permissible (in that situation).

Allāh knows best, except that this is in a specific scenario where the People of Knowledge issue a fatwā when it occurs in accordance to the principles of the Shar‘īah.

And Allāh تعالیٰ knows best.

[END OF FATWĀ]

### 3. THE RULING ON MAKING TAḤĀKUM TO THE ṬĀGHŪT COURTS BASED ON ḌARŪRAH (NECESSITY)

**QUESTION.** About the principle mentioned in previous question: whoever is not able to solve an issue except by going through to the Ṭāghūt courts – then this is a necessity. Therefore, necessities make lawful the muḥarramāt (ḥarām acts), not the mukaffirāt (kufr acts). So, what is the tafsīl



(explanation) regarding this issue?

**ANSWER.** It is not permissible to go towards the Ṭāghūt for judgement, except in the case of ikrāh (coercion) alone, because it is kufr.

However, some Students of Knowledge view that the necessity here permits that (i.e. going to the court of Ṭāghūt), using the ḥadīth of al-Ḥajjāj Ibn ‘alaṭ<sup>14</sup> as evidence. Just as some of the scholars have entered ‘ḍarūrah’ (necessity) into ‘ikrāh’ (coercion), as it was mentioned in the previous answer.

But what is correct is that it is not permissible. However, if he had ta’wīl (misinterpretation) such as these ta’wīlāt (misinterpretations), and he was in necessary need of that (i.e. going to the Ṭāghūt courts), then he does not become a Kāfir.

And Allāh سبحانه وتعالى knows best.

[END OF FATWĀ]

#### 4. THE PROCESS OF ESTABLISHING THE ḤUJJAH AND THE ONE WHO ESTABLISHES IT

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14 Refer to the earlier footnote.



**QUESTION.** What is the process of establishing the ḥujjah (proof)? Who is the one that establishes it? I want a detailed explanation for that.

**ANSWER.** The issue of establishing the ḥujjah (proof), whoever establishes it, how to establish it, and what pertains to that differs depending upon the issues in the following aspects:

1. What pertains to aṣl ad-dīn (foundation of the dīn). It is tawḥīd and shirk. So, whoever opposes it is a Kāfir, whether the ḥujjah has been applied or not. However, we do not rule upon him by killing in this world, nor judge him to be in the hellfire in the hereafter – except whoever the ḥujjah (proof) has been applied upon.

The ḥujjah pertaining to aṣl ad-dīn is only having the message reach him. So, whoever has Islām, or the Qur’ān, or hearing about the Prophet صلى الله عليه وسلم, and similar to this reach him – then the ḥujjah has been applied upon him. Whether it reached him from a Muslim or a Kāfir, or he is able to seek knowledge about Islām but refuses to do so – then they are Kuffār in this life and the hereafter.

There are no conditions that need to be stipulated upon them regarding the establishing of the ḥujjah (proof) to begin with. Thereupon the grave worshippers in the lands of the Muslimīn are Kuffār in this life and the hereafter – even if one of them



was more ignorant than his family's donkey.

This is because the ḥujjah (proof) has reached them, which is Islām, and they have the Qur'ān. However, Allāh سبحانه وتعالى has set a seal upon their hearts, so they cannot comprehend. Allāh is the One Whose Help is sought.

It has been narrated in the Ṣaḥīḥ from Abī Hurayrah صلى الله عليه وسلم that the Prophet رضي الله عنه said:

By Him in Whose hand is the life of Muḥammad, he who amongst the community of Jews or Christians hears about me, but does not affirm his belief in that with which I have been sent and dies in this state (of disbelief), he shall be but one of the denizens of Hell-Fire <sup>15</sup>

[End Quote]

From here, we find that the majority of those who are in our time have the ḥujjah (proof) established upon them in the foundations of the dīn. They have either heard about Islām, and this is sufficient – or they are able to require knowledge about it but they opposed. Thus, the ḥujjah has been established upon both of these parties, and Allāh سبحانه وتعالى knows best.

15 *Ṣaḥīḥ Muslim [153].*



2. What pertains to the clear ordainments of Islām: such as the obligation of the 4 pillars, the prohibition of zinā, alcohol, and similar to that from the mutawātir (widespread) matters.

So, in this case, a person who is not able to acquire knowledge is excused in it. Such as the one who recently entered into Islām, or was raised far away from the lands of Islām.

Thus, if he perfects the aṣl ad-dīn (embracing tawḥīd and abandoning shirk), however he rejected the obligation of ṣalāt or he legalised alcohol for example. However, he is someone who is truly ignorant of this – then he does not become a Kāfir except if the ḥujjah has been established upon him.

The ḥujjah in this situation is showing the proofs in the issue. Whoever has been shown the proofs, then he has the ḥujjah established upon him. Even if the one showing the proofs is from the general masses of the Muslimīn and is not from the Students of Knowledge since these issues are clear and widespread.

3. What pertains to the unclear matters and other than that. This is because it differs depending on the time, place, and people. Therefore, the issue is disputable. Shaykh al-Islām Ibn Taymiyyah رحمه الله said to a group among the Jahmiyyah al-Ḥalūliyyah



(i.e. those who believe Allāh is everywhere):

If I said what you said, I would disbelieve. However, I do not see you as disbelievers because of your ignorance.

[End Quote]

The A'immaḥ of ad-Da'wah an-Najdiyyah differed with him. However, the point here is that these Jahmiyyah would say: "Allāh is everywhere." Thus, Shaykh al-Islām رحمه الله viewed that it was because of their ignorance pertaining to this matter – that the ḥujjah has not been applied upon them because of their strong misconception and what they were raised upon.

However, the A'immaḥ of ad-da'wah an-Najdiyyah differed with him as I mentioned. The taḥqīq (revised view) in the matter is that it returns back to ṭ matter, which is denial. So, whoever sees that the misinterpretation in these issues result in its reality towards denial, or he argues with them and sees that they deny the text – then they disbelieve. Whoever sees that they do not deny the text, rather they affirm it even if they distorted it from its true meaning, then they do not disbelieve.

This is the summarised statement in the issue even though it might require further breaking down than



this, and Allāh سبحانه و تعالى knows best.

So, you will find establishing the ḥujjah in the 3 categories differs:

- The foundations of the dīn: merely being shown or hearing (about Islām) on its own, even if it was from a Kāfir.

- The clear matters: being shown the proofs in the matter on its own, from any Muslim.

- The unclear matters: It requires removing the misconception, and this cannot be done by everyone (only the People of Knowledge).

[END OF FATWĀ]

## 5. THE CRITERION OF TA'WĪL WHICH EXCUSES AN INDIVIDUAL

**QUESTION.** There has been a lot of discussion surrounding 'ta'wīl' (misinterpretation) in the clear matters and surrounding its criterion. What is used as proof is the actions of Qudāmah رضي الله عنه with its various narrations. So, what is the criterion for ta'wīl (misinterpretation) that excuses an individual?

**ANSWER.** This has been responded to previously, and it (i.e.



the criterion) returns back to denial or rejection.

Thus, if his ta'wīl was acceptable, and it had a valid viewpoint which is indicative that this individual is not a denier or rejecter of the text – then he does not become a Kāfir.

But, if he was contrary to this, wherein it becomes known that this individual is either denying the text or rejecting it, and refusing to abide by it – then he becomes a Kāfir.

[END OF FATWĀ]

## 6. THE ISSUE OF 'ULUW (ALLĀH BEING ABOVE THE 'ARSH): IS IT FROM THE CLEAR OR UNCLEAR MATTERS.

**QUESTION.** The issue of 'Uluw (Allāh being above the 'Arsh) has more than one thousand proofs as Ibn al-Qayyim رحمه الله stated. So, is it from the clear matters where it is sufficient to recite the text with the opposing deviant sects? If it was not clear, then how can it be from the unclear matters while it has all these proofs?

**ANSWER.** There are matters which differ in clarity depending on the time, place, and reality. Such as some of the texts on the Ṣifāt (of Allāh), and the fundamental rule in this is:

If the innovator denied or rejected the text – then he is a Kāfir, or else he does not disbelieve.



[End Quote]

Thus, the texts on ‘al-‘Uluw’ (Allāh being above the ‘Arsh) for example was clear in the time of the Salaf. Which is why they made takfīr upon whoever negated or misinterpreted it. Then, it became unclear after the misconception was spread between the Muslimīn after the best generations (i.e. the first three).

Therefore, you find from the one ascribed to the People of Knowledge (i.e. ‘Ulamā’) who misinterpreted it, is most of the time exalting the texts. He does not deny it or reject it – however this misconception has appeared to him of which the Mutakallimīn (People of Rhetoric) spread between the people.

Thus, the clear matters are not upon one level, just like the unclear matters are not upon one level as well. Some of the clear matters can become unclear, and vice versa.<sup>16</sup>

16 **Translator’s Note.** Look at how the A’immah of Najd did not make absolute takfīr upon those who misinterpreted Allāh being above the ‘Arsh if they were ignorant of what the Prophet (ﷺ) believed concerning this, until the ḥujjah was established!

**Question.** Concerning rejecting the Ṣifāt (Attributes) that Allāh has described Himself with in His book such as:

“The hand of Allāh is over their hands.” [48:10].

Then he says, the hand of Allāh is His power.

He also misinterprets the Istiwā’ (rising above the throne) as meaning Istīlā’ (taking power and dominating). Or he says that



Allāh is everywhere, no place escapes Him. So, is this person a Kāfir or not?

**Answer.** Whoever believes in this ‘itiqād (creed) is an ignorant deviant innovator who has opposed the Salafī ‘Aqīdah that the Prophet (ﷺ), his companions, and successors who followed him excellently came with. Such as the four A’immah and those who followed them among the scholars.

But as for making takfīr due to that, then he is not judged upon as a Kāfir. Unless he knows that this ‘aqīdah contradicts what the Messenger of Allāh (ﷺ), his companions, and successors who followed excellently adopted.

And Allāh knows best.

[End of Fatwā]

~ Answered by the 2 sons of Shaykh al-Islām Muhammad Ibn ‘Abd al-Wahhāb (رحمه الله), i.e. Ḥussayn and ‘Abd Allāh in *Majmū‘ ar-Rasā’il wa al-Masā’il an-Najdiyyah* [1/41].

Imām Muhammad Ibn ‘Abd al-Wahhāb (رحمه الله) includes the issue of ‘Khalq al-Qur’ān’ (claiming the Qur’ān is created) and ‘al-Istiwā’ (Allāh being above the ‘Arsh) as from the *Masā’il al-Khafiyyah* (unclear matters). Wherein an individual only becomes a Kāfir if the ḥujjah is established upon him.

Note: at certain times and places, a specific issue may become clear. While at other times and places, the reality shows it is unclear. Likewise, it may differ depending upon who the doer of kufr is. Such as the scholar who debates on its behalf and blind-follower — concerning this point are details.



Imām Muhammad Ibn ‘Abd al-Wahhāb (رحمه الله) mentioned the following in his letter to Aḥmad Ibn ‘Abd al-Karīm al-Iḥsā’ī:

Indeed, the words of Ibn Taymiyyah where he said that the specific individual is not called a kāfir, unless the ḥujjah has been established upon him. What is meant by this are the matters which are not pertaining to major shirk and (clear) apostasy. But rather it is pertaining to specific ‘unclear’ matters. Whether it was from the uṣūl (matters of ‘aqīdah) or from the furū’ (matters of fiqh). Such as matters related to the Ṣifāt (Attributes of Allāh), or the Qur’ān (i.e. claiming it is created), or the issue of al-Istiwā’ (Allāh being above the throne), as well as other matters similar to this.

He then said: Indeed the Salaf would state in the likes of these matters. We make general takfīr in it. But as for specific takfīr, if he knows the truth and opposes it, he would disbelieve on an individual sense. Otherwise, he would not disbelieve.

Then he mentioned the scenarios of mu‘ānadah (stubbornly opposing the truth after knowing it). Such as whoever knows the madhab of the Salaf and the madhab of those who oppose them. Then, he declares in his books that the madhab of the opposition (to the Salaf) is correct while insulting and cursing the madhab of the Salaf. Then, this person is considered the mu‘ānid (stubborn opposer of the truth) who is individually judged upon with kufr.

[End of Fatwā]

~ Refer to *Fatāwā al-A’immat an-Najdiyyah* [3/295-296].

Therefore, those who make takfīr upon al-Ḥāfidh Ibn Ḥajar, an-Nawawī, al-Qurṭubī, and other ‘Ulamā’ for falling into this huge mistake need to fear Allāh and be deterred from giving any



And Allāh سبحانه و تعالى knows best.

[END OF FATWĀ]

## 7. WHAT IS MEANT BY 'UNDERSTANDING THE ḤUJJAH'

**QUESTION.** What is meant by understanding the ḥujjah (proof) which an individual is excused by. Also, what he is not excused by in the matter pertaining to establishing the ḥujjah (proof)?

**ANSWER.** What is meant by understanding is:

1. Knowing the meaning; this is a condition.
2. Convinced that it is the truth (i.e. the text); this is not a condition.

The ḥujjah in the foundations of the dīn is showing the message (of Islām) in any way.

The ḥujjah in the clear widespread matters is showing the proofs to those who are truly excused by it (i.e. unable to access these evidences).

The ḥujjah in the unclear matters is removing the  

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opinion! Who are they? When the A'imma of Najd would praise these scholars immensely in dozens of places.



misconception. The third category is unlike the first 2 categories.

And Allāh سبحانه وتعالى knows best.

[END OF FATWĀ]

## 8. WHAT IS MEANT BY ‘INABILITY TO UNDERSTAND THE ḤUJJAH’

**QUESTION.** What is meant by ‘inability to understand’ with regards to establishing the ḥujjah (proof)?

**ANSWER.** Inability to understand means two things:

1. One is unable to know the meanings of the words. So, this is an excuse with regards to establishing the ḥujjah (proof). Thus, the individual must know the meanings. Such as the non-Arab, for instance, if he was addressed in the Arabic language.
2. Allāh has sealed the hearts of the Kuffār and their inability to understand these words as being the truth, then this is not an excuse at all. Rather, Allāh سبحانه وتعالى has set a seal upon their hearts so that they will not understand.

From the most explicit proof is the statement of Allāh:



وَلَوْ عَلَّمَ اللَّهُ فِيهِمْ خَيْرًا لَأَسْمَعَهُمْ

Had Allāh known any good in them, He would have made them hear. (8:23)

Meaning: He allowed them to see the truth of what reached them. Then, He *جلا وعلا* said:

وَلَوْ أَسْمَعَهُمْ

And if He had made them hear. (8:23)

Meaning; even if we made them see it as the truth:

لَتَوَلَّوْا وَهُمْ مَعْرِضُونَ

They would (still) have turned away, while they were refusing. (8:23)

Who is more truthful than Allāh *وتعالى سبحانه* in speech?! He *جلا وعلا*, mentioned that the ignorance of the Kuffār whom Allāh *وتعالى سبحانه* has set a seal upon their hearts – that even if their scholars came to realise the truth of what reached them; they would remain upon their disbelief. Does anything after this require an explanation?!



And Allāh سبحانه و تعالى knows best.

[END OF FATWĀ]

## 9. IS ‘TALBĪS’ (DECEPTION) AN EXCUSE IN MATTERS OF SHIRK AND AŞL AD-DĪN (THE FOUNDATIONS OF THE DĪN)?

**QUESTION.** Is talbīs (deception) an excuse in matters pertaining to shirk and the foundations of the dīn?

**ANSWER.** Talbīs (deception) is not an excuse in major shirk. So, whoever falls into kufr without ikrah (coercion) then he is a Kāfir. Most of the Kuffār did not fall into their kufr except from the talbīs (deception) of their leaders and scholars over them.

Allāh سبحانه و تعالى said:

اتَّخَذُوا أَحْبَارَهُمْ وَرُهْبَانَهُمْ أَرْبَابًا مِنْ دُونِ اللَّهِ

They have taken their scholars and monks as  
Lords besides Allāh. (9:31)

It is a condemnation for them, not an excuse. Allāh سبحانه و تعالى said about them – while they are in the hellfire:



وَقَالُوا رَبَّنَا إِنَّا أَطَعْنَا سَادَتَنَا وَكُبَرَاءَنَا فَأَضَلُّونَا

السَّبِيلَا

And they will say, 'Our Lord, indeed we obeyed our masters and our dignitaries, and they led us astray from the (right) way'. (33:67)

Allāh سبحانه وتعالى said:

وَلَوْ تَرَى إِذِ الظَّالِمُونَ مَوْقُوفُونَ عِنْدَ رَبِّهِمْ يَرْجِعُ  
بَعْضُهُمْ إِلَى بَعْضٍ الْقَوْلَ يَقُولُ الَّذِينَ اسْتَضَعِفُوا  
لِلَّذِينَ اسْتَكْبَرُوا لَوْلَا أَنْتُمْ لَكُنَّا مُؤْمِنِينَ

But if you could see when the wrongdoers are made to stand before their Lord, refuting each other's words... Those who were oppressed will say to those who were arrogant: "If not for you, we would have been believers." (34:31)

There are many other verses concerning this. Also, it is mentioned in the famous ḥadīth. The ḥadīth of 'Abd Allāh Ibn 'Amr رضي الله عنهما regarding taking away knowledge, and it is mutawātir (contains numerous narrators) from



him. It mentions:

“People will take as their leaders as ignorant persons who when consulted will give their verdict without knowledge. So, they will go astray and will lead the people astray.”<sup>17</sup>

[End Quote]

The evidences are plentiful regarding this. Whoever wants to give excuse because of talbīs (deception), must also excuse all the Kuffār without exception. This is because all of them have the talbīs of Iblīs fall upon them:

وَمَا كَانَ لِي عَلَيْكُمْ مِنْ سُلْطَانٍ إِلَّا أَنْ دَعَوْتُكُمْ  
فَاسْتَجَبْتُمْ لِي فَلَا تَلُمُونِي وَلُومُوا أَنْفُسَكُمْ

But I had no authority over you except that I invited you, and you responded to me. So do not blame me; but blame yourselves. (14:22)

Those who are affiliated to the People of Knowledge who deceive these Mushrikān are from the Shayāṭīn:

شَيَاطِينِ الْإِنْسِ

17 Ṣaḥīḥ al-Bukhārī [100].



The Shayāḫīn (devils) of mankind. (6:112)

And Allāh is the One from Whom we seek help.

[END OF FATWĀ]

## 10. THE VIEW OF THE SHAYKH ON THE TREATISE OF *AL-IBRĀHĪMIYYAH*

**QUESTION.** You have mentioned that you agree with al-Ibrāhīmī in his treatise: *And They Were Ordered to Disbelieve in it* in the general ruling. So, is this your view in this issue?

**ANSWER.** I say, it is necessary upon the brothers to determine the matters of the Shar'iah and clarifying it to the people. But, as for specific individuals (whether they are Kuffār or not), it is not necessary to speak about them due to matters which are not obscure to you.

I would advise the brothers since the year 1425 A.H. to abandon disputing over specific individuals and stick to determining the uṣūl (principles) along with the qawā'id (fundamentals of takfīr).

I am still upon this opinion. I have mentioned to you from before:

It is not because these specific individuals are not made



takfir upon, however it is due to matters which relate to the maṣlaḥa (interest) of the da‘wah.

[End Quote]

There are Islāmic principles related to this, may Allāh grant you success.

[END OF FATWĀ]

## 11. INTERFAITH DIALOGUE

**QUESTION.** What is the ruling on the ‘Centre for Inter-Faith dialogue’ (based in Qaṭar)?

**ANSWER.** This centre is cursed! It is a negator to the foundations of the dīn. An abolisher to al-walā’ (allegiance) and al-barā’ (dissociation). It is a denier of the texts which command hostility to the Kuffār and having barā’ah from them, and an opposer to the texts of jihād in the Path of Allāh.

This centre is engaging in war against Allāh and His Messenger صلى الله عليه وسلم. So, everyone who established it, or participated in it, or is pleased with it – then he is a Kāfir Murtadd (apostate). Upon him is the curse of Allāh, the Angels, and all of mankind.

It is necessary to warn against it and those who participate in it in every way possible, for verily they are Tawāghīt. What



they only intend from it is to secure their authority – even if it means throwing all of mankind in the hellfire.

And Allāh is the One from Whom help is sought.

[END OF FATWĀ]

## 12. IS TALBĪS (DECEPTION) FROM THE MAWĀNI' (IMPEDIMENTS) OF TAKFĪR?

**QUESTION.** Is the talbīs (deception) of the scholars considered an excuse in withholding from (performing) takfīr?

**ANSWER.** The discussion regarding the excuse in (committing) kufr is very lengthy. Wherein I wrote an unfinished draft in prison. A book by the name of, *at-Tafsīl lil-'Udhri Bil-Jahl wa at-Ta'wīl (Explanation Regarding the Excuse of Ignorance and Interpretation)*.

What is correct is that there is no excuse for falling into kufr, except by ikrāh (coercion) alone as it is mentioned in the āyah. As for the rest of the excuses, then it is:

1. Not an excuse to begin with, such as whoever goes into extremes (exaggeration) in the issue of excuse of ignorance. So much so, that he even excused the grave worshippers by their ignorance!
2. That the Muslim did not fall into kufr to begin with, like the issue of mistakes and interpretation.



The discussion regarding the tafsīl (detailed explanation) of this is very lengthy, and it requires a complete book – except what I mentioned is only pointing out towards this matter.

So, if you know this, then we shall speak about talbīs (deception) of the scholars upon the general masses, and is it an excuse? We say that this is divided into two categories:

1. That the Muslim falls into an action of kufr himself, such as associating partners with Allāh and similar to that. Then, he is not excused by it as I previously stated, except by ikrāh (coercion) alone. But, as for talbīs (deception) of the scholars and their verdicts, then it is not an excuse, or else those who said:

وَقَالُوا رَبَّنَا إِنَّا أَطَعْنَا سَادَتَنَا وَكُبَرَاءَنَا فَأَضَلُّونَا  
السَّبِيلَا

And they will say, “Our Lord, indeed we obeyed our masters and our dignitaries, and they led us astray from the (right) way.” (33:67)

Would be excused, also, those who Allāh said about:

اتَّخَذُوا أَحْبَابَهُمْ وَرَهْبَانَهُمْ أَرْبَابًا مِنْ دُونِ



الله

They have taken their scholars and monks as Lords besides Allāh. (9:31)

Would be excused, and those which the authentic aḥādīth has mentioned regarding knowledge being taken away:

People will take as their leaders, ignorant persons who when consulted will give their verdict without knowledge. So, they will go astray and will lead the people astray. <sup>18</sup>

[End Quote]

Would be excused, and other than that.

2. That the Muslim does not fall into it (i.e. kufr); however, he does not make takfīr upon whoever does that (act of kufr) because of a misconception that has befallen him. Such as the talbīs (deception) of these scholars upon him and similar to that.

Thus, this person does not disbelieve. This is because he did not commit kufr, nor did he reject a text (from the Qurʾān and Sunnah), nor ijmaʿ (consensus). This is a sub-branch of the issue: “Whoever does not make takfīr upon a Kāfir,

18 Refer to the earlier footnote.



then he is a Kāfir.” Many mistakes occur within it, hence I will simplify the discussion regarding it. I say:

1. The Kāfir Aṣlī (Kāfir who never entered Islām), such as the Jew and Christian for example. So, whoever does not make takfīr upon him – then he becomes a Kāfir for rejecting the texts (Qur’ān and Sunnah) and ijmā’ (consensus).

2. The Kāfir Murtad who openly proclaims leaving Islām after he was a Muslim: either for another religion, or for atheism and similar to that. Then, he is like the first type as well (i.e. whoever does not call him a Kāfir is a Kāfir).

3. The Kāfir Murtad who commits a nullifier from the agreed upon nullifiers of Islām. For example: mocking the religion while he claims to be a Muslim. So, whoever refrains from performing takfīr upon him, then he is one of two people:

- Either he affirms that his action or statement which the text and consensus has mentioned is kufr. However, he refrains from performing takfīr upon him because of a misconception that appeared to him, or extremely fearful (to issue a verdict of takfīr) and similar to that. Then, this person does not disbelieve; because he did not reject the text or ijmā’ (consensus).



- Or he either disputes regarding the action or the statement: that it is not kufr. Then, the ḥujjah (proof) must be applied upon him by showing the evidences and ijmā' regarding this. Such that either he affirms that, or else he becomes a Kāfir.

4. The Kāfir Murtad who commits a nullifier which is differed upon, such as abandoning ṣalāt for example. So, whoever withholds from performing takfīr upon him does not become a Kāfir.

[END OF FATWĀ]

### 13. THE CRITERION FOR THE CONDITIONS OF TAKFĪR AND ITS IMPEDIMENTS.

**QUESTION.** What do you think about the one who says that it is necessary to look at whether the conditions have been met and the preventions of takfīr have been removed regarding the one who has committed kufr. Such as: shirk or siḥr (magic), or istihzā' (mocking of Allāh, His Messenger and Islām) and similar to that from the nullifiers – until we can individually rule upon him with kufr?

**ANSWER.** This is not correct, because it is primarily looking into the conditions and similar to that within the matters which become unclear. As for the matters of uṣūl (foundations) that you mentioned in the question:



shirk, siḥr and istihzā' (mocking Allāh, the Messenger and Islām), and similar to that. Then, the person who does that disbelieves with no dignity, except in the case of ikrāh (coercion).

The fundamental principle and criterion is:

Every person who has fulfilled what negates his submission to Allāh – then he is a Kāfir, only except for the coerced.

[End Quote]

Thus, make your judgement based upon this criterion in all scenarios. As we know that submission to Allāh is negated by 2 things:

1. That he submits to Allāh and to other than Allāh, and this is shirk.
2. That he does not submit to Allāh, and this is denial, arrogance, and similar to that.

Regardless whether this negator (of submission to Allāh) was in one issue or more. For example:

A) Whoever worships other than Allāh because he was ignorant. This means that shirk is established upon him.

B) Whoever legalises alcohol because he was



ignorant, and he is truly ignorant (i.e. unable to access knowledge). Thus, no nullifier is established upon him.

C) Whoever legalises alcohol, and he is someone who is not truly ignorant (i.e. able to access knowledge). Then, the denial and rejection of the text is established upon him.

D) Whoever misinterprets tawḥīd or the matters pertaining al-Walā' wa al-Barā' (allegiance and disavowal). Then, the denial and rejection of the text is established upon him.

E) Whoever misinterprets some of the Attributes of Allāh such as the Istiwā' (Allāh being above the Throne), and Qadr (destiny) because of a misconception (i.e. he did not deny or reject the text). Then, no nullifier of Islām is established upon him.

Likewise, with the rest of the scenarios.

And Allāh سبحانه وتعالى knows best.

[END OF FATWĀ]

## 14. THE DIFFERENTIATION BETWEEN



## ‘UṢŪL UD-DĪN’ (FOUNDATIONS OF THE DĪN), ‘CLEAR MATTERS’ AND ‘UNCLEAR MATTERS’

**QUESTION.** Shaykh Nāṣir al-Fahd حفظه الله was asked: What is the evidence for differentiating between the different issues (uṣūl ud-dīn/clear matters/unclear matters)? While explaining what each type means.

**ANSWER.** Shaykh Nāṣir al-Fahd حفظه الله responded by saying: The answer to this question requires a complete treatise, and I will summarise the answer for you here.

Islām is submission to Allāh سبحانه وتعالى, and it is nullified by 2 things:

1. That he submits to Allāh سبحانه وتعالى and to other than Him. This is shirk, whether it is done in one act of worship or more.
2. That he does not submit to Allāh سبحانه وتعالى. He is the arrogant one, or the one who refuses, and similar to that. Whether it is in one ordainment or more.

So, whatever negates Islām completely – that is what is known by uṣūl ud-dīn, and it is the first category. So, a Mushrik is not a Muslim to begin with until the symptoms of entitlement are looked at to rule upon him by Islām. Whatever does not negate Islām except with the condition



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of showing the evidences (to the individual) – then that is what is meant by the clear matters, and it is the second category.

It is a must to necessitate a result in arrogance, refusal, denial, or what is similar to that – hence Islām is negated from his name. This does not occur except with proof shown to him. Because, if he was ignorant of it, then no negator of Islām has been established upon him to begin with. This is because he did not show arrogance or deny the text.

As for the unclear matters, then it differs from the clear matters in terms of the Shar‘īah and rationally, as it is well known.

So, in order to make takfīr upon the individual, you must establish upon him what negates Islām from denial or arrogance. This is not met with the misconceptions and interpretations that he has with him (i.e. they must be removed). Such that he is not considered by that to be arrogant or a denier of the text due to these misconceptions.

However, if this misconception was removed in the correct way, the ḥujjah is established upon him until his arrogance and denial becomes definite afterwards. If he remains upon his statement, then he becomes a Kāfir.

This is all well known by examining the proofs of the Shar‘īah and the sayings of the scholars.



And Allāh سبحانه و تعالى knows best.

[END OF FATWĀ]

## 15. DEFINITION OF MINOR SHIRK

**QUESTION.** What is the definition of minor shirk?

**ANSWER.** I have written a draft in minor shirk. This is a summary of it.

The ‘Ulamā’ have differed over its definition. Some of them defined it by numbers, without giving it a comprehensive definition. Some of them defined it by a definition which cannot determine its individual numbers (except after innovation appears, then the scholars at the time can include it within minor shirk or not).

Such as what the Shaykh mentioned here, i.e. Shaykh ‘Alī al-Khuḍayr, in his definition of minor shirk into 3 types: by numbers, a comprehensive definition, and another comprehensive definition as well (for when innovation appears).

Thus, I strived in determining its definition after I collected the individual types of minor shirk. Hence, I found that it returns to 3 things:

1. Hidden shirk, such as minor riyā’ (insincerity -



showing off).

2. Shirk of words, such as taking an oath (by other than Allāh), “If Allāh wills and you will,” and “If it was not for Allāh and you,” and other than that.

3. Shirk of causes, and it is making what is not a cause as a cause (believing it has an affect). Such as ṭayyarah (superstitious belief in bird omens), ‘adwā (transmission of infectious disease without the permission of Allāh), naw’ (a promising star bringing rain), tamā’im (talisman or amulets), and at-tūlah (charms and love-potions).

Therefore, the definition of minor shirk based upon its different types is defined as:

A Muwaḥḥid diverting something to other than Allāh, which maligns ikhlās not in the sense of ‘ibādah.

[End Quote]

Explanation of the definition:

1. ‘A Muwaḥḥid diverting,’ this excludes the Mushrik who commits major shirk and the Kāfir, for indeed the speech revolving around minor shirk is a subsidiary issue which affirms (an individual’s) Islām.

2. ‘Something to other than Allāh,’ this excludes what is directed to Allāh, may He be glorified, from the acts of



worship , etc.

3. ‘Which maligns ikhlās,’ this excludes what does not malign ikhlās, such as attributing the causes (that function in the world) towards its actual causes (without believing amulets cause an affect). Thus, ikhlās is present in both knowledge and actions.

So ikhlās of actions: it is the required tawḥīd (of Allāh), Glory be to Him, through ‘words’ and by ‘actions’ without riyā’ (insincerity).

As for ikhlās of knowledge: it is tied to ‘ar-Rubūbiyyah’, and it is singling Allāh سبحانه وتعالى and solely devoting Him in controlling the creation, and from it is linking the causes to its actual causes, so whoever makes a cause which was not made by Allāh, he has also maligned ikhlās in relation to this.

4. ‘Not in the sense of ‘ibādah,’ this excludes (two types):

1 - The pure ‘ibādah such as sacrifices and vows (compelling yourself to obey other than Allāh in particular act).

2 - Minor shirk if ‘ibādah was intended by it (i.e. when minor shirk reaches the level of major shirk depending upon the intention of the individual).

[END OF FATWĀ]



## 16. DEFINITION OF DEMOCRACY, DIFFERENCE BETWEEN PARLIAMENT AND SHŪRĀ, AND THE RULING OF ENTERING PARLIAMENTS

**QUESTION.** What is the meaning of Democracy? What is the difference between Democracy and shūrā? What is the ruling on entering parliaments?

**ANSWER.** Democracy is the rule of the people. It means that the legislation – in terms of permitting and prohibiting – is for the population itself. It existed in Greece before the Birth of ‘Īsā عليه الصلاة والسلام. Then, it developed further after the English Revolution. Then, the French Revolution until it reached what it reached (i.e. today).

It is pure kufr, because the judgement/ruling is for Allāh على سبحانه وتعالى with no partners ascribed to Him, as Allāh says:

وَلَا يُشْرِكُ فِي حُكْمِهِ أَحَدًا

He makes none to share in His Rule. (18:26)

It differs to the shūrā more than zinā (fornication) differs to marriage. This is because of several aspects:



1. The shūrā is only for the matters of ijtihād (deduction), where there is no explicit text regarding it. As for the ruling being clear/apparent, then there is no shūrā regarding it. But as for Democracy: it is included into everything without exception.

2. The shūrā is for a group among the Ahl al-Ḥalli wa al-‘Aqd (People of Resolution and Agreement); who are well known for their justness, righteousness, and religiousness. As for Democracy, then it is for a group of people who are elected by the people according to their desires – and whatever brings benefit to them – even if they were from the vilest of people.

3. The judgement made in the shūrā is not compellable upon the correct view. So, the just leader is not compelled to take it if he views benefit opposing it. As for Democracy, it is compellable.

4. In the shūrā, they do not come up with rulings and legislation which are imposed upon the population. As for Democracy, they impose that by force.

Including other than those from the differences – there are books which are decent regarding this issue, they would be good to refer to.

As for entering parliaments, it is a great munkar (evil) from several aspects:



A) There is acknowledgement for the judgement of the population. This is because parliament is a legislative gathering which comes up with laws. So, by him entering it, he is acknowledging a Lawgiver besides Allāh سبحانه وتعالى and this is kufr.

Even if the ‘Islāmists’ rule over parliament for instance and they made the constitution Islāmic, then this is not the judgement of Allāh جل و علا rather it is the judgement of the population. That is why, if the members of parliament were changed, the laws would change, and similar to this. Thus, this is not ruling by Shar‘īah.

The Shar‘īah rules by force. Whoever refuses it from the people is hit with a sword and thrown in the rubbish bin! We do not look at the number of voters: the for and against.

- B) It is obliged for the person entering Parliament to take an oath to respect the constitution, and the constitution is originally kufr. It has many countless mukaffirāt (acts which are disbelief), and respecting it is kufr. So, how can you take an oath by that!
- C) Those that are called ‘The Islāmists’ step down on many things in their path to reach towards parliament. Then, they do not achieve a portion of what they provided from their stepping



down. Just look at our current situation today, you would know that very well.

Shaykh Aḥmad Shākir رحمه الله in *‘Umdat at-Tafsīr* regarding the statement of Allāh:

وَشَاوِرْهُمْ فِي الْأَمْرِ

And consult them in the matter. (3:159)

Has very beautiful words in comparing Democracy and shūrā together. It contains the reply against whoever considered Democracy to be from the shūrā, and whoever calls towards the elections. So, refer back to it, because it has words which should be written in gold ink.

[END OF FATWĀ]

## 17. REPLY AGAINST THE MISCONCEPTION: “THAT MOST OF THE POPULATION WILL CHOOSE (I.E. VOTE) SHARĪ‘AH.”

**QUESTION.** The issue of bringing about the Shar‘īah or ruling by the Shar‘īah through the process of voting. Is this considered a nullifier which takes one outside the fold of Islām? What if he said: “I know for a fact or I am fairly certain that the majority will vote in favour ‘for’ the



Shar‘īah?”

**ANSWER.** Yes (it is a nullifier), and this is the rule of the people which is called ‘Democracy’. We declare our innocence in Allāh from it, and from every Ṭāghūt. Even if he said that all the people - not only the majority - will vote for it (i.e. Shar‘īah), it is still invalid. This is not the rule of Allāh, rather it is the rule of the people.

For verily they did not judge by it because Allāh has obligated or legislated it. Rather, they judged by it because the people wanted it. Therefore, if someone else wanted it, he would go ahead with it.

Thus, the deviations of those who affiliate themselves to the Islāmic Party in this matter are numerous. All you need to ponder over are the aḥādīth regarding the Khawārij, and how they were ruled by emission from Islām. They were ordered to be killed! They were maligned and rebuked severely despite their great acts of worship, their exaltation of Islām, the Shar‘īah, and their good intentions. So, what is the reason for that?

It is because they took a manhaj (methodology) from their own intellect, not the manhaj of the Prophet صلى الله عليه وسلم and his companions رضي الله عنهم.

So how about these people who do not have such great acts of worship, and exaltation of the Shar‘īah which was present among the Khawārij. They (i.e. those who try to bring the



Shar'iah through the means of voting) have almost fell into every form of kufr!

So, will their good intentions intercede for them? The discussion regarding this is lengthy (the Shaykh did not have the time to fully answer).

And Allāh is the One from Whom help is sought.

[END OF FATWĀ]

## 18. THE REALITY OF 'DĪWĀN AL-MAZĀLIM' AND THE RULING ON MAKING TAḤĀKUM (ARBITRATION) TO IT

**QUESTION.** 'Dīwān al-Mazālim', what is its reality? What is the ruling in seeking judgement to it, to retrieve lost rights?

**ANSWER.** 'Dīwān al-Mazālim' rules by man-made laws. Even if they place Mashāyikh in there, they cannot deceive those with intellect!

Thus, it is not permissible to make seek judgement from it. And Allāh جل و علا knows best.

[END OF FATWĀ]



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## 19. THE TYPES OF PEOPLE WITH REGARDS TO ENFORCING (ḤARĀM) TOLLS, TAXES, AND ETCETERA.

**QUESTION.** Whoever works in these services, customs, traffic police, mayors, and was from those who conduct collecting (ḥarām) tolls and taxes, or issues licenses/permits and similar to that; what is the ruling upon him?

**ANSWER.** Know, my dear brother that the types of people in these affairs are three:

The legislators, governors, and judges: the ruling on these people is well-known. They are Ṭawāghīt who ruled by other than what Allāh has revealed.

The weak who do not have any might or power to change or denounce (munkar): the general principle regarding these people is that they are excused. Sin could fall upon some of them due to their acceptance, and its close-far distance from that (i.e. their relationship with them).

The employees who work in what you have mentioned: they similar to the first category in terms of implementation (enforcing commands). They are also similar to the second category in terms of their weakness and inability (to denounce munkar).

Thus, there is no doubt that they are sinful and committing



a major sin. However, to include them among the first category is questionable due to the (clear) difference.<sup>19</sup>

19 **Translator's Note.** For additional benefit, in some lands the traffic force is separate to the actual police force. Whereas in other lands they are the same. Here is a very beneficial question that was recently asked.

**Question.** What is the ruling on becoming a cop for a kāfir state?

**Answer.** In the name of Allāh — let all the Muslims know that working as a cop is explicit disbelief and apostasy from Islām. Whoever works in it or gives a fatwā to allow working in it has left the fold of Islām.

I will be listing the nullifiers a cop falls into In Shā' Allāh:

- Abstaining from the clear manifest mutawātir symbols of the dīn. Such as ruling by the Sharī'ah, striving in the cause of Allāh, walā' and barā', forbidding what Allāh has made ḥarām such as ribā and drinking alcohol. In fact it opposes this, not just abstains from (implementing) it.

It is a Ṭā'ifah that opposes whoever wants to establish the ordainments of Allāh and the worship of Allāh as He has ordered. The one who opposes such has a much severe ruling than the abstainer.

Allāh (جل وعلا) said:

الَّذِينَ كَفَرُوا وَصَدُّوا عَنْ سَبِيلِ اللَّهِ زِدْنَاهُمْ عَذَابًا فَوْقَ الْعَذَابِ بِمَا كَانُوا يُفْسِدُونَ

Those who disbelieved and averted [others] from the way of Allāh - We will increase them in punishment over [their] punishment



for what corruption they were causing. [16:88]

• It is a Ṭā'ifah that has fell into the nullifier of major shirk: shirk of obedience and monitoring (for the Ṭāghūt). They have taken their Ṭāghūt as a Lord besides Allāh. Those who legislate man-made laws for them. They make taḥākum (seek judgement) from it, and they follow him in disobedience to Allāh and His Messenger (صلى الله عليه وسلم).

Allāh (جل وعلا) said:

اتَّخَذُوا أَحْبَابَهُمْ وَرُءُوبَانَهُمْ أَرْبَابًا مِنْ دُونِ اللَّهِ وَالْمَسِيحَ ابْنَ مَرْيَمَ وَمَا أُمِرُوا إِلَّا لِيَعْبُدُوا إِلَهًا وَاحِدًا لَّا إِلَهَ إِلَّا هُوَ سُبْحَانَهُ عَمَّا يُشْرِكُونَ

They have taken their scholars and monks as lords besides Allāh and [also] the Messiah, the son of Mary. And they were not commanded except to worship one God; there is no deity except Him. Exalted is He above whatever they associate with Him. [9:31]

Shaykh Muḥammad Ibn ‘Abd al-Wahhāb (رحمه الله) said:

Its tafsīr which has no doubt pertaining it, is obeying the Scholars and Monks in disobedience to Allāh. Not their supplications unto them, as it was explained by the Messenger of Allāh (صلى الله عليه وسلم) to ‘Adī Ibn Ḥātīm (رضي الله عنه) when he asked him and said: “We do not worship them.” So, the Prophet told him that their worship is: “Obeying them in disobedience.”

[End Quote]

— Refer to *ad-Durar as-Saniyyah*. Moreover, this hadīth has weakness as Shaykh Sulaymān al-‘Alwān (فك الله أسره) stated. But the scholars of tafsīr have unanimously agreed upon explaining the āyah via the meaning of this ḥadīth.



• They have also fell into the agreed upon nullifier of supporting the Kuffār against the Muslims (giving authority to the Kuffār). In fact, they supported them against the religion of Islām itself. They assisted them in fighting it, extinguishing its light, killing, and imprisoning those who call towards it (i.e. the ḥaqq of Islām) from the preachers and scholars.

Allāh (جل وعلا) said:

وَمَنْ يَتَوَلَّهُمْ مِنْكُمْ فَإِنَّهُ مِنْهُمْ

“Whoever from amongst you takes them as allies is indeed from them.” [5:51]

• So, it becomes clear that this is a Ṭā’ifah of shirk and apostasy, even if it claims Islām. The ḥukm (ruling) of kufr is not limited to being general (النوع) alone. Rather it also includes their individuals, because the shurūṭ (conditions) have been fulfilled with them. Such as sanity (العقل), maturity (البلوغ), and intent (القصد). There is no doubt they intend and choose to perform their actions.

Likewise, ikrāh (الإكراه) is not met with them, because they were not compelled, nor tortured to the extent where they could not bear it in order for them to perform this action (i.e. become a cop for the Ṭāghūt). They were not threatened with death if they do not become one. So, the aṣl (default ruling) is that they are Kuffār Murtaddīn individually, judging by the apparent.

I have also decided to respond against some common doubts that are put forth:

• Claim #1 — “I did not intend to perform kufr or worship the Ṭāghūt.”



This is a bāṭil condition stipulated by the Murji‘ah and Jahmiyyah. Since what is stipulated is intending to do the action. Not intending to perform kufr, as no one intends kufr except whom Allāh wills.

There are so many examples of Allāh making takfīr upon those who fall into kufr without checking their so called ‘good intentions’ or ‘hearts’. As Allāh mentioned:

يَخْلِفُونَ بِاللَّهِ مَا قَالُوا وَلَقَدْ قَالُوا كَلِمَةَ الْكُفْرِ وَكَفَرُوا بَعْدَ إِسْلَامِهِمْ وَهَمُّوا بِمَا لَمْ يَنَالُوا

“They swear by Allāh that they did not say [anything against the Prophet] while they had said the word of disbelief and disbelieved after their [pretense of] Islām and planned that which they were not to attain.” [9:74].

This is for simply saying a word of kufr. So, imagine the case with directing an act of worship to other than Allāh or giving allegiance to the Ṭawāghīt?!

Allāh says:

وَمَا أُمِرُوا إِلَّا لِيَعْبُدُوا اللَّهَ مُخْلِصِينَ لَهُ الدِّينَ حُنَفَاءَ وَيُقِيمُوا الصَّلَاةَ وَيُؤْتُوا الزَّكَاةَ وَذَلِكَ دِينُ الْقَيِّمَةِ

“And they were not commanded except to worship Allāh, [being] sincere to Him in religion, inclining to truth, and to establish prayer and to give zakāt. And that is the correct religion.” [98:5]

- Claim #2 — “My shaykh said it is permissible for me to become a cop.”

Being deceived by your Shaykh is not a valid māni‘ (preventative of takfīr) when it comes to falling into major shirk. In fact you and



your shaykh will be punished together in the hellfire if you do not repent.

Allāh says:

اتَّخَذُوا أَوْلِيَاءَهُمْ مِنْ دُونِ اللَّهِ وَالْمَسِيحَ ابْنَ مَرْيَمَ وَمَا أُمِرُوا إِلَّا لِيَعْبُدُوا إِلَٰهًا وَاحِدًا لَآ إِلَٰهَ إِلَّا هُوَ سُبْحَانَهُ عَمَّا يُشْرِكُونَ

“They have taken their scholars and monks as lords besides Allāh, and [also] the Messiah, the son of Mary. And they were not commanded except to worship one God; there is no deity except Him. Exalted is He above whatever they associate with Him.” [9:31]

Allāh also says:

وَقَالُوا رَبَّنَا إِنَّا أَطَعْنَا سَادَتَنَا وَكُبَرَاءَنَا فَأَضَلُّونَا السَّبِيلَا

“And they will say: ‘Our Lord, indeed we obeyed our masters and our dignitaries, and they led us astray from the [right] way.’” [33:67]

This is all a condemnation for them, not an excuse! Shaykh Aḥmad Mūsā Jibrīl (حفظه الله) comments upon this āyah by saying: “Some think that’s an excuse when they stand before Allāh!”

- Claim #3 — “It is only kufr if a person loves the Ṭāghūt with his heart.”

This is why people love the beliefs of the Murji‘ah and Jahmiyyah. As they restrict kufr to belief in the heart, and allows the ignorant to do whatever they like.

Working as a cop is kufr in the sense of ‘actions’ (the actions of the limbs), whereas giving loyalty and allegiance to the Ṭāghūt is



kufr in the sense of 'beliefs' (the actions of the heart).

Loving the Ṭāghūt is kufr on its own, whether he became a cop or not. But becoming a cop is a separate independent nullifier which we clarified earlier.

- Claim #4 — “Okay. I agree there are Ṭāghūt courts in this job and know the ruling, but I can avoid it just like you.”

We must understand that there are two types of people when it comes to avoiding these Ṭāghūt courts. So let us not get mixed up when it comes to this, In Shā' Allāh:

1. If someone enters a big country and chooses to reside inside it. While knowing there are Ṭāghūt courts, so he rejects it in his heart without making taḥākum to it (unless he gets forced) – then there is no blame upon him.

2. But if someone enters a particular field, or job, or party. While knowing that ascribing himself to this job requires him to fulfil duties and rights. While it is also necessary for him to conform with their rules. Also, there are Ṭāghūt courts present in this field of his (which officers attend to) – then his affiliation to this job is sufficient enough to say he is pleased with the ruling of the Ṭāghūt. Therefore, he must leave this field and make barā'ah from all the kufr that it contains.

Allāh تعالیٰ said:

وَقَدْ نَزَّلَ عَلَيْكُمْ فِي الْكِتَابِ أَنْ إِذَا سَمِعْتُمْ آيَاتِ اللَّهِ يُكْفَرُ بِهَا وَيُسْتَهْزَأُ بِهَا فَلَا تَقْعُدُوا مَعَهُمْ حَتَّىٰ يَخُوضُوا فِي حَدِيثٍ غَيْرِهِ إِنَّكُمْ إِذَا مِنَّمُكُمُ الَّذِينَ اللَّهُ جَامِعُ الْمُنَافِقِينَ وَالْكَافِرِينَ فِي جَهَنَّمَ جَمِيعًا



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“And it has already come down to you in the Book that when you hear the verses of Allāh [recited], they are denied [by them] and ridiculed; so do not sit with them until they enter into another conversation. Indeed, you would then be like them. Indeed Allāh will gather the hypocrites and disbelievers in Hell all together” [4:140]

- Claim #5 — “But I am weak and forced to work as a cop.”

You will find several people who hate the Ṭawāghīt. In fact would disbelieve in him and make barā’ah from their kufr laws. However, he makes an excuse of ikrāh, or weakness, or that he may be imprisoned if he does not work as one.

Subhān Allāh, this is a misconception of the Shayṭān who causes people to divert away from the path of Allāh. The scholars have explained the boundaries of ikrāh. If you ponder over the situation of these people, you will not find them being under ikrāh in any case whatsoever!

On the contrary, this is their work and job which they are proud of doing. Such as gaining higher positions, reputable ranks, and a better salary. What type of ikrāh do these people speak about?! This is just another excuse to perform kufr for dunyā benefits or merely falling into shirk out of compounded ignorance.

As for their claim of being weak, a people before them have used this excuse and it was not accepted of them – neither by Allāh, nor by His Messenger.

Shaykh Sulaymān Ibn ‘Abd Allāh Ibn Muḥammad Ibn ‘Abd al-Wahhāb (رحمه الله) mentions in his amazing book on walā’ and barā’ entitled, *ad-Dalā’il fī Ḥukmi Muwālāt Ahl al-Ishrāk* (page 8):



The sixth proof — Allāh’s statement:

إِنَّ الَّذِينَ تَوَفَّاهُمُ الْمَلَائِكَةُ ظَالِمِي أَنْفُسِهِمْ قَالُوا فِيمَ كُنْتُمْ قَالُوا كُنَّا مُسْتَضْعَفِينَ فِي الْأَرْضِ قَالُوا أَلَمْ تَكُنْ أَرْضُ اللَّهِ وَاسِعَةً فَتُهَاجِرُوا فِيهَا فَأُولَئِكَ مَأْوَاهُمْ جَهَنَّمُ وَسَاءَتْ مَصِيرًا

“Indeed, those whom the angels take [in death] while wronging themselves - [the angels] will say, “In what [condition] were you?” They will say, “We were weak (oppressed) in the land.” [4:97]

Meaning, which side are you on? Are you on the side of the believers, or on the side of the Mushrikīn? So, they made an excuse for themselves for not being on the side of the Muslims via ‘weakness,’ but the Angels did not excuse them. They said to them:

إِنَّ الَّذِينَ تَوَفَّاهُمُ الْمَلَائِكَةُ ظَالِمِي أَنْفُسِهِمْ قَالُوا فِيمَ كُنْتُمْ قَالُوا كُنَّا مُسْتَضْعَفِينَ فِي الْأَرْضِ قَالُوا أَلَمْ تَكُنْ أَرْضُ اللَّهِ وَاسِعَةً فَتُهَاجِرُوا فِيهَا فَأُولَئِكَ مَأْوَاهُمْ جَهَنَّمُ وَسَاءَتْ مَصِيرًا

“The Angels will say, “Was not the earth of Allāh spacious [enough] for you to emigrate therein?” For those, their refuge is Hell - and evil it is as a destination.” [4:97]

No rational person doubts that inhabitants of a land who abandon the Muslims have become with the Mushrikīn and on their side and their group. This is while the āyah was revealed concerning a people from Makkah who embraced Islām. They refrained from making hijrah (with the Muslims).

So, when the Mushrikūn went out for Badr, they forced them to come out with them. So, they went out due to fear, and the Muslimīn killed them on the day of Badr. When they came to realise of their killing, they felt sorrow and said: “Our brothers.” Hence, Allāh revealed this āyah concerning them.



[End Quote]

Moreover, we have a perfect example of al-‘Abbās who claimed ikrāh when he was imprisoned in Badr. Is it me rejecting his excuse? No way! The Messenger of Allāh (صلى الله عليه وسلم) is the one who rejected his excuse! as Shaykh al-Islām Ibn Taymiyyah (رحمه الله) mentioned in *Majmū‘ al-Fatāwā* [28/537]:

Allāh has destroyed the army that wanted to violate His sanctity (i.e. Ka‘bah). While He has the ability to differentiate between them while they are sent out with different intentions. So, how could it be obligatory upon the believers to differentiate between the mukrah, (one forced) and other than him while they are unable to know that.

Rather, if a claimer makes a claim that he was sent out under the pretext of ikrāh, that mere claim would not benefit him. As it has been narrated that al-‘Abbās Ibn ‘Abd al-Muṭṭalib said to the Prophet (صلى الله عليه وسلم) when he was captured by the Muslims on the day of Badr:

“O Messenger of Allāh, I was forced,” so the Prophet (صلى الله عليه وسلم) replied, “As for your apparent, that was shown to us. But as for your inner secrets, that is left to Allāh.”

[End Quote]

Not even the claim of ikrāh was accepted by the Prophet (صلى الله عليه وسلم), so imagine every other weak claim!

In any case, I do not mean to get too deep into refuting every false claim. As that deserves a separate booklet. But I do hope



And Allāh جل و علا knows best.

[END OF FATWĀ]

## 20. THE FINALISED STATEMENT REGARDING THE ṬĀ'IFAH MUMTANI'AH

**QUESTION.** What is the reply to the one who says that there are two views regarding the Ṭā'ifah Mumtani'ah? Likewise, what is the reply to one who denies the ijmā' that Shaykh al-Islām (Ibn Taymiyyah) mentioned and he says: "I looked at the (claimed) ijmā' and I could not find it?"

How can there be an ijmā' of Ṣaḥābah then the Fuqahā' come after them going against this ijmā', while it is well known that going against the ijmā' is kufr?

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I have clarified some of the important matters concerning this topic.

I have been working on clarifying important matters addressing the 3rd nullifier, 4th nullifier, and 8th nullifier. There are important masāil connected to these enormous nullifiers.

May Allāh protect the Muslims from falling into disbelief and apostasy, and return them back to guidance and righteousness. Āmīn.

Written by Abū Bakr at-Ṭarābulṣī

1439 A.H.



**ANSWER.** The discussion regarding the Ṭāʾifah Mumtaniʿah is broken down into two parts:

A. Collecting the speech surrounding it.

B. The reason for their kufr.

The first part: the Ṭāʾifah Mumtaniʿah that is resisting the clear apparent laws of the Sharʿiah has two rulings with regards to it.

A. Fighting it. Regarding this, the Fuqahāʾ in all Madhāhib agree on this.

B. Their kufr. Regarding this, the Fuqahāʾ have two notable opinions. From the understanding of the Ṣaḥābah is that they all agreed on their kufr. But their ijmāʿ is not from their speech. Rather, it is from investigating and looking at their actions. That is also how all the Fuqahāʾ agree that the Ṣaḥābah had an ijmāʿ on fighting them. They (the Fuqahāʾ), however, disagree on how to label them.

Do we fight them because they are people of apostasy or is it from the types of fighting the bughāh (transgressing rebels)?

Shaykh al-Islām (Ibn Taymiyyah) has collected plenty of speech regarding this in several places, and he affirmed that they are fought because they are Murtaddūn.



This is what is apparent from al-Bukhārī رحمه الله when he named the chapter regarding the ḥadīth on Abū Hurayrah عنه رضي الله with regards to those who fought refusing to pay the zakāh:

*The Chapter on Killing Those Who Refuse to Accept the Obligatory Acts and the Apostasy They Were Attributed to* <sup>20</sup>

[End Quote]

Thus, they were labelled as Murtaddīn for not accepting and complying with the obligation of zakāt.

If this is affirmed, then know that Shaykh al-Islām (Ibn Taymiyyah) did not mention an ijmā' regarding their kufr. Rather, he mentions an ijmā' with regards to fighting them.

With regards to the Ṣaḥābah رضي الله عنهم, Ibn Taymiyyah رحمه الله has mentioned in numerous places in which they are in agreement that they (i.e. those who refused to comply with paying zakāt) are people of apostasy.

However, this came by the way of deduction [extracting the reason (they were fought)], not by the way of explicit statements from the Ṣaḥābah.

Therefore, what the Ṣaḥābah unanimously agreed upon with an explicit ijmā' by their actions - it is fighting them - there is no disagreement amongst the Fuqahā' about that.



However, with regards to the reason behind fighting them, then this is not as explicit as we previously mentioned. This is why they (i.e. the Fuqahā') differed about it.

Based upon this, it is not said that one does not view them to be Kuffār has gone against the ijmā' and the one who goes against it becomes a Kāfir. Since, this is only the case with the ijmā' al-qāṭi'ī (clear-cut consensus).

But as for this (issue), it is affirmed through investigation and deducting from their actions. Thus, it is ḡanni (not a clear-cut consensus - requires research to view the ijmā'). The second part: It is with regards to the basis for making takfīr upon the Ṭā'ifah Mumtani'ah.

Know that the heart entails 'speech' and 'action'. The speech of the heart is taṣḡīq (acknowledgment/affirmation) and the action of the heart is submission and compliance.

What goes against the speech of the heart is takdhīb (denying the text) and what goes against its action is refusal and resistance. The one who has one or both; disbelieves and leaves the Millah (of Islām).

If a man has taṣḡīq but he arrogantly and stubbornly resists accepting something from the Shar'īah that is apparent and established, then he becomes a Kāfir.

This is like one who leaves Ṣalāḡ out of laziness (not out of rejection), is called to perform it and he refuses to do



so. He is called to perform it or else face the sword, so he refused, both Ibn Taymiyyah and Ibn al-Qayyim رحمهما الله have firmly established that this one is a Kāfir by ijma'. So, one can be a denier, or he can arrogantly refuse (or both). It would never be acceptable for one to differ over that issue.

Ibn Taymiyyah stated that if one was to say: "If you killed someone like him then that is killing a Muslim." He has fallen into the doubts of the Murji'ah, in some of his long writings about it.

This is just like the disobedient sinner whose desires have overcome him. It could be that one resists in accepting and complying to what is ḥarām (making him a Kāfir), although he has taṣdīq (belief and acquaintance) in the prohibition. This is frequently found in those who are now called 'intellectuals'.

We will find plenty of them having arrogance and resistance to accepting some of those obligatory acts like jihād, commanding good, and what is similar to that. Also, with some of the acts that are ḥarām like music, unveiling oneself, and others similar to it.

The disobedient sinner who is arrogant is a Kāfir. Except, arrogance and resistance are hidden matters which is not able to be known. That is why the aṣl (default judgement) upon the disobedient sinners is not kufr (i.e. viewing them as Muslimīn until proven otherwise).



However, there are factors which are indicative to the existence of this resistance. If it becomes shown outwardly, he is ruled by what it necessitates (i.e. kufr).

If this is affirmed, then know that from the indicative factors, is the agreement of a group over that (matter of abstaining from an ordainment). For indeed, it is an indicative factor showing their arrogance and resistance from accepting and complying to the Shar'īah. This is the basis behind their kufr (as a whole group).

Verily, when it comes to refusing to comply with something from the Shar'īah; there is no distinction between the individual and the group (they receive the same ruling of kufr and apostasy).

However, the individual as aforementioned is not possible to find out what is inside of him. Thus, the aṣl (default judgement) upon him is 'Islām'. Unlike the case with a group, for indeed their agreement over deterring an obligatory act as an example is proof regarding their resistance and arrogance towards it.

And Allāh جل و علا knows best.

[END OF FATWĀ]

## 21. THE ISSUE OF ṬAWĀF



**QUESTION.** Are you able to elaborate upon the issue of ṭawāf for us (i.e. when would it be considered ḥarām or kufr)?

**ANSWER.** Ṭawāf has two aspects: intent and the place. The prescribed ṭawāf is what was done for Allāh سبحانه وتعالى and around the Ka‘bah. As for ṭawāf to other than the Ka‘bah, it is divided into the following categories:

1. If he made ṭawāf in any place to get closer to other than Allāh جلا وعلا there is no doubt regarding his kufr.
2. If he made ṭawāf around a place other than the Ka‘bah, like some of the areas of Makkah in Minā, or ‘Arafah, or Muzdalifah, or around the Prophet’s Mosque, or around Bayt al-Maqdis and similar to that.

Thus, if his ṭawāf was for Allāh جلا وعلا then he is a misguided innovator. However, he does not become a Kāfir. Why shall he become a Kāfir?

If you said: “Because he made ṭawāf to other than Allāh.” It can be said to you: “He made ṭawāf for Allāh.”

Likewise, if you said: “Because he made ṭawāf to other than the Ka‘ba.” It can be said to you: “Ṭawāf is not for the Ka‘bah, rather the Ka‘bah is the place for performing this act of worship.”



Therefore, he is a misguided innovator in his actions. Just like if he prayed to Allāh *سبحانه وتعالى* in a prohibited place for prayer to be held in, or during the prohibited times. Verily, he does not become a Kāfir, even though he is doing a prohibited act and is not in the (correct) place for ṣalāh.

If it is said: “Ṭawāf is not prescribed except in a single place, unlike ṣalāh.” It can be said in return:

Indeed, the speech here is referring to the place that The Legislator has prohibited. The speech regarding this is within a single context. Just as He (i.e. Allāh) prohibited ṭawāf in other than the Masjid al-Ḥarām, likewise He prohibited the ṣalāt in well-known places and times.

[End Quote]

3. If he made ṭawāf around a grave of a saint from the Awliyā’ or his house and similar to that. Here is the problem, because he did not make ṭawāf around this saint except to exalt him.

So, this ṭawāf even if he said it was only for Allāh, indeed the reality and situation prove that it is not for Allāh, *جل وعلا* rather it is for getting closer and to exalt this saint.

I think that this is a matter of perspective outlook and



reasoning. I was debating one of the honourable brothers in the year 1419 A.H. I mentioned to him that whoever makes ṭawāf around the grave is a Mushrik. However, he determined him to be an innovator if his ṭawāf was for Allāh **جل و علا**.

So, I said to him:

I think that our disagreement has no weight at all. Since I believe that you will not find a person who makes ṭawāf around the grave, except that he is indulging in other acts of shirk. (I said this) In his ear, from making du‘ā’ (to other than Allāh), vows (taking an oath of compelling oneself to obey other than Allāh), and other than it.

[End Quote]

So, if there is a man who truly perfects tawḥīd in all of its matters and disassociates himself from all kinds of shirk, and he does not indulge in it – except that he makes ṭawāf around a grave to get closer to Allāh **جل و علا**.

So, when that happens we will continue the debate. You will not find him (a person like that).

And Allāh **عز وجل** knows best, always.

[END OF FATWĀ]

## 22. THE ḤADĪTH OF ‘DHĀT ANWĀT’



**QUESTION.** In the ḥadīth of ‘Dhāt Anwāt’<sup>21</sup>, did the Ṣaḥābah, may Allāh be pleased with them, disbelieve by that statement or not? And why?

**ANSWER.** They did not disbelieve, because they did not commit kufr to begin with. Rather, it was a transgression in the question. Just like Banī Isrā’īl did not disbelieve by that question of theirs. Rather, it had transgression in the question.

The discussion regarding this ḥadīth is long, and it does not prove whatsoever towards excuse of ignorance. In fact it proves the exact opposite of that completely.

And Allāh **جل و علا** knows best.

[END OF FATWĀ]

## 23. A REVERT TO ISLĀM & SHIRK

**QUESTION.** Is the new revert to Islām excused if he performs shirk or commits a nullifier such as prostrating to an idol while he is in the lands of Islām? Is it valid to prove that (he has an excuse) with the ḥadīth of ‘Dhāt Anwāt’?

**ANSWER.** There is no excuse in aṣl ad-dīn (the foundations of the religion - major shirk). The ḥujjah is applied in it (for punishment in the dunyā and ākhirah) through the

21 *Sunan at-Tirmidhī* [2180]. He graded it as Ḥasan Ṣaḥīḥ.



conveyance of the Da‘wah (of Islām).

Rather, he can be excused in the ordainments (i.e. clear matters) such as (the obligation of) ṣalāh, the prohibition of alcohol, and what is similar to that.

As for using qiyās (analogy to give an excuse to shirk) by ‘Dhāt Anwāṭ’, then that is bāṭil (false). What shirk or kufr did the Ṣaḥābah fall into?!

Verily they did not cling upon the tree (with their weapons) to begin with. They rather asked (the Prophet صلى الله عليه وسلم about that). It is a transgression in the question – but not kufr – rather it is from the types of sins. So how can analogy be used for them to the one who prostrates to an idol as it is mentioned?

And Allāh جل و علا knows best.

[END OF FATWĀ]

## 24. MAKING TAKFĪR UPON A MUSLIM

**QUESTION.** It is mentioned in the authentic ḥadīth: “Whoever says to his brother, O Kāfir, then surely one of them is such.”<sup>22</sup>

So, is this from the nullifiers (of Islām)?

22 *Ṣaḥīḥ al-Bukhārī* [6103].



**ANSWER.** What appears to me, and Allāh جل وعلا knows best, is that the takfīr of a Muslim is divided into three categories:

i. The one who had ta'wīl in his speech (of calling the Muslim a Kāfir). There is no sin upon him. On the contrary, he could be rewarded as it was affirmed by several scholars (i.e. such as Ibn al-Qayyim رحمه الله). This is indicated by 'Umar رضي الله عنه saying to Hātib رضي الله عنه: "Allow me to strike the neck of this hypocrite."<sup>23</sup>

The saying of Usayd رضي الله عنه to Sa'd b. 'Ubādah رضي الله عنه: "Indeed, you are a hypocrite, you argue on behalf of the hypocrites."<sup>24</sup>

And other than that, and al-Bukhārī has written a chapter-heading based upon that in *al-Adab al-Mufrad*:

*The Chapter of Whoever Does Not View the Disbelief of One Who Said That (i.e. Takfīr of a Muslim) out of Misinterpretation or Ignorance*

[End Quote]

2. Whoever said it (i.e. takfīr of a Muslim) from the way of oppression/injustice, enmity of opposition,

23 *Ṣaḥīḥ al-Bukhārī* [4624].

24 Refer to *Tafsīr Ibn Kathīr* regarding the verse 63:7.



and accusation while he is truly a Muwahḥid inwardly – then, this person is in danger.

However, it does not appear (to mean), and Allāh جل وعلا knows best, that his kufr is major kufr. Rather he could have fell into an enormous sin and minor kufr. This is what the vast-majority of scholars are upon.

3. Whoever made takfīr upon him without a misinterpretation or misconception, so here he becomes a Kāfir.

Since he made īmān as kufr, and based upon this al-Bukhārī رحمه الله wrote a chapter-heading:

*Whoever Makes Takfīr on his Brother Without Ta'wīl, Then he is (exactly) Like What he Said*<sup>25</sup>

[End Quote]

Likewise, he mentioned some textual evidences regarding this (such as): “Whoever says to his brother, O Kāfir, (until the end of the ḥadīth).”

Pay attention: the difference between the first (case) and the second (case) is that the first (case) is a ta'wīl based upon a valid (Shar') misinterpretation by using evidences from the texts (Qur'an and Sunnah). Along with the

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25 This chapter is in his *Ṣaḥīḥ*.



purpose of establishing the truth for the sake of Allāh سبحانه وتعالى while ordaining the good and forbidding the evil.

But as for the second (case), then his ta'wīl is not a valid (Shar') misinterpretation. Even if he used evidences from the Shar'iah, with the purpose of enmity against his opponent, oppression/injustice, and gaining victory for himself.

And Allāh جل و علا knows best.

[END OF FATWĀ]

## 25. EXPLANATION OF THE THIRD NULLIFIER

**QUESTION.** What is the tafsīl regarding the third nullifier: “Whoever does not make takfīr upon the Mushrikīn and doubts in their kufr?”

**ANSWER.** The tafsīl (explanation) is divided into 4 types:

1. Whoever's kufr is aṣlī such as the Jew and Christian. Thus, whoever does not make takfīr upon him, or refrains from performing takfīr upon him – then he is a Kāfir because he has not disbelieved in the Ṭāghūt.

Since tawḥīd must be accompanied with two things: “Disbelieving in the Ṭāghūt, and believing in Allāh.”



2. Whoever apostates from Islām and openly proclaims in leaving it for Judaism, or Atheism, and what is similar to that – then he is like the first type.

3. Whoever apostates from Islām by committing an agreed upon nullifier such as insulting (Allāh and His Messenger) while he claims to be a Muslim. So, whoever affirms that his statement or action is kufr (in general), however he refrained from performing takfīr upon him (in specific based upon a misconception). Then, he does not disbelieve since he did not reject the text (Qur’ān and Sunnah) or ijma’.

4. Whoever apostates by committing a nullifier that is differed upon such as abandoning ṣalāh. So, whoever does not make takfīr upon him does not disbelieve. Even if he disputed in the core root of the matter because it is differed upon.

And Allāh جل و علا knows best.

[END OF FATWĀ]

## 26. THE RULING ON ABANDONING ONE ṢALĀH

**QUESTION.** Does a person become a Kāfir for abandoning one ṣalāh?



**ANSWER.** What appears to me, and Allāh سبحانه وتعالى knows best, is that the abandoner of ṣalāh does not disbelieve until the description of abandoning ṣalāh is established upon him.

Wherein he would abandon it more than establish it. So, whoever abandons one ṣalāt or some Ṣalawāt (prayers), even though his action is from the major sins, he does not disbelieve if he would establish ṣalāt most of the time.

Whereas some of the scholars make takfīr upon whoever abandons ١ ṣalāt, which is a narration from Imām Aḥmad رحمه الله.

And, Allāh سبحانه وتعالى knows best.

[END OF FATWĀ]

## 27. SHAYKH AL-ISLĀM IBN TAYMIYYAH ON THE TATĀR

**QUESTION.** Regarding the Tatār and the words of Shaykh al-Islām رحمه الله regarding them has confused me a lot. Did he rule upon them with kufr?

**ANSWER.** The Tatār who would fight against the Muslimīn, the Shaykh (i.e. Ibn Taymiyyah) may Allāh سبحانه وتعالى have mercy upon him would make takfīr upon them. <sup>26</sup>

26 **Translator's Note.** A short response against the Murji'ah



who take Ibn Taymiyyah’s quote on the Tatār out of context.

**Claim — Ibn Taymiyyah did not make takfīr upon those who allied with the Tatār against the Muslims, as he mentioned in *Majmū’ al-Fatāwā* [28/552]: “Moreover, no one fights with them (i.e. the Tatār) who is not forced – except a Fāsiq, or Mubtadi’, or Zindīq.”**

**Response.**

- Firstly — You have accused Shaykh al-Islām Ibn Taymiyyah (رحمه الله) of something he has never said. Which is claiming he does not make takfīr upon whoever allies with the Tatār (or any other type of Kuffār) against the Muslimīn. The quote you provided does not substantiate this claim.

- Secondly — If you refer back to the same page, Shaykh al-Islām Ibn Taymiyyah (رحمه الله) is talking about those who possess such attributes prior to joining the army of the Tatār, as he said:

Moreover, no one fights with them (i.e. the Tatār) who is not forced, except a Fāsiq, or Mubtadi’, or Zindīq. Such as the Qarāmiṭah Bāṭiniyyah Kuffār. As well as the Rāfiḍah who insult the companions. Along with the Jahmiyyah Mu’aṭṭilah, those who negate Allāh’s Names and Attributes among the Ḥalūliyyah. Likewise, there are those who blind-follow them of whom ascribe themselves to knowledge and the dīn. However, they are in fact worse than them.

[End Quote]

So, what is apparent from the words of Shaykh al-Islām Ibn Taymiyyah (رحمه الله) is that he is speaking about the reality of



those who join the Tatār. Not the ruling on fighting under their banner and flag!

Since he said, no one fights with the Tatār except a Fāsiq, or Muḩtadi‘, or Zindīq. Such as the Qarāmiṩah Bāṩiniyyah Kuffār. As well as the Rāfiḩah who insult the companions, etc.

So, what he means by ‘Zindīq’ are the Qarāmiṩah Mushrikīn. What he means by Muḩtadi‘ and Fāsiq are the Rāfiḩah and Jahmiyyah. Therefore, he is speaking about the reality of those who join them. Such that they are either Kuffār, Fussāq or Muḩtadi‘ah. This is similar to saying: “No one sacrifices to other than Allāh except a person with weak īmān or a person that lacks tawakkul.” This does not mean a person who commits this shirk has weak īmān, but it means that only those with weak īmān would fall into such shirk.

This is testified by numerous āyah and aḩādīth. Such as the famous incident of the companions who mocked the reciters of the Qur’ān. What made them fall into that nullifier was their weak īmān.

Allāh also says:

وَلَوْ كَانُوا يُؤْمِنُونَ بِاللَّهِ وَالنَّبِيِّ وَمَا أُنزِلَ إِلَيْهِ مَا اتَّخَذُوهُمْ أَوْلِيَاءَ وَلَكِنَّ كَثِيرًا مِّنْهُمْ فَاسِقُونَ

“And if they had believed in Allāh and the Prophet and in what was revealed to him, they would not have taken them as allies; but many of them are Fāsiqūn (defiantly disobedient).” [5:81]

The noble ‘Ālim and Mujāhid, Dr. ‘Uthmān Āl Nāziḩ (تقبله الله) comments upon this āyah by saying: “This fisq is what caused them to ally with the disbelievers.”



For additional benefit, it is important to note that the ‘Rāfiḍah Sabbābah’ Shaykh al-Islām Ibn Taymiyyah (رحمه الله) is referring to are those Rawāfiḍ who insult several groups among the companions. He is not referring to the Ghulāt ar-Rāfiḍah who insulted all companions except a handful. As well as directed acts of worship to ‘Alī, committing clear shirk. Ibn Taymiyyah made takfīr upon these people and even upon those who refrained from making takfīr (in general terms, but specific takfīr returns back to establishing the ḥujjah).

- Thirdly — How can you base your beliefs upon an unclear quote of Shaykh al-Islām Ibn Taymiyyah (رحمه الله), while abandoning the clear verses from the Qur’ān and Sunnah. In fact even the words of Ibn Taymiyyah himself on the kufr of those who ally with the Tatār, who said: “If you find me in the ranks of the Tatār, and there is a mushaf on my head – then kill me!”

An individual may refute this quote I brought by saying ‘killing’ does not equate to ‘takfīr’. That is a fair response which I must agree with. Therefore, it is required of me to prove that what he means here is killing in terms of kufr. As it will be shown below In Shā’ Allāh.

To give a few examples to prove that Ibn Taymiyyah (رحمه الله) ruled upon them with kufr, Shaykh Nāsir al-Fahd (فك الله أسره) mentions in *at-Tibyān* [page 101]:

Around the year 700H, the Tatār attacked the lands of Islām in the region of Shām and in other places and some of those who ascribed to Islām assisted them. So, Shaykh al-Islām Ibn Taymiyyah issued a legal verdict declaring whoever assisted them as an apostate from Islām.



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[End Quote]

Shaykhul-Islām Ibn Taymiyyah (رحمه الله) spoke abundantly about this issue, he mentioned in *Majmū‘ al-Fatāwā* [28/530]:

Everyone who joins up with them — meaning with the Tatār — from the commanders of the armies, and other than the commanders – then his ruling is their ruling. There is found in them (the commanders) of apostasy from the legislations of Islām in proportion to what he has apostasized from.

If the Salaf called those who withheld the zakat as apostates, even though they would fast and pray, and they did not fight the Jamā‘ah (congregation) of the Muslims. Then, what about those who ended up with (joined) the enemies of Allāh and His Messenger, fighting against the Muslims?!

[End Quote]

Shaykh al-Islām Ibn Taymiyyah (رحمه الله) also spoke about whoever is forced to go out with the Tatār. Such that they are all fought as Mushrikīn without requiring to differentiate between who is forced or not. As he repeated in several places in *Majmū‘ al-Fatāwā* [28/535-538] and [28/546-547]. Whilst also mentioning that Tatarruṣ (when some Muslims get mixed with Kuffār or taken as human shields), it is permissible to go forth by *ijmā‘*.

In reference to those fighting with the Tatār, Shaykhul-Islām Ibn Taymiyyah (رحمه الله) mentioned in *Majmū‘ al-Fatāwā* [28/537]:

Allāh has destroyed the army that wanted to violate His sanctity (i.e. Ka‘bah), while He has the ability to differentiate between them.



They are sent out with different intentions. So, how could it be obligatory upon the believers to differentiate between the mukrah (one forced) and other than him – while they are unable to know that.

Rather, if a claimer makes a claim that he was sent out under the pretext of ikrāh, that mere claim would not benefit him. As it has been narrated that al-'Abbās Ibn 'Abd al-Muṭṭalib said to the Prophet (صلى الله عليه وسلم) when he was captured by the Muslims on the day of Badr:

“O Messenger of Allāh, I was forced,” so the Prophet (صلى الله عليه وسلم) replied, “As for your apparent, that was shown to us. But as for your inner secrets, that is left to Allāh.”

[End Quote]

Shaykh al-Islām Ibn Taymiyyah (رحمه الله) affirms that whoever joins a group of apostates or enemies of Islām, then he takes the ḥukm of that group (even if there may be some truly excused with ikrāh in the sight of Allāh). As he stated in *Majmū‘ al-Fatāwā* [28/509]: “They are fought like the apostates and abstainers of zakāt, not the way the bughāt are fought.”

As for whoever is truly forced and not making a feeble claim, they are not allowed to fight or kill any Muslim whatsoever (but simply drop their weapon). As Ibn Taymiyyah (رحمه الله) mentioned in *Majmū‘ al-Fatāwā* [28/539], stating there is a consensus on this point.

Shaykhul-Islām Ibn Taymiyyah (رحمه الله) further mentions in *Majmū‘ al-Fatāwā* [28/534]:



This is very clear in his fatāwā, as well as his proofs and actions.

And Allāh سبحانه وتعالى knows best.

[END OF FATWĀ]

## 28. THE EXCUSE OF IGNORANCE

**QUESTION.** Would it be possible for you, may Allāh سبحانه وتعالى preserve you, to mention for us a short summary regarding the issue, ‘excuse of ignorance?’

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Whoever abandons them (i.e. the Muslims) and joins the Tatār, he would be more deserving of being fought than many of the Tatār. For indeed the Tatār have from amongst them the one who is forced and not forced. The sunnah has affirmed that the ruling upon the apostate is more severe than the original disbeliever.

[End Quote]

Moreover, numerous scholars have mentioned a consensus on the kufr of whoever allies with the Kuffār against the Muslims. One of the best books written on the topic is *at-Tibyān* by the noble Imām, Shaykh al-‘Allāmah Nāṣir al-Fahd (فك الله أسره) which is translated into English. Praise be to Allāh.

And Allāh knows best.

~ Written by Abū Bakr at-Ṭarābulṣī

1439 A.H.



**ANSWER.** Excuse of ignorance is differed upon into 3 sayings:

1. Those who give excuse of ignorance completely in all cases.
2. Those who do not excuse the people with ignorance in tawḥīd (the foundation of worship) completely in all cases. Irrespective if it was regarding the ‘asmā’ (applying the name of Mushrik upon him) in this world or the ruling (upon him) in the afterlife.

So, they consider him to be in the hellfire eternally – even if the risālah (prophetic message) did not reach him. They used the First Covenant (al-Mīthāq al-Awwal) as proof.

3. This is the correct view (Ahl us-Sunnah hold this position), that there are some (types) of ignorance which can be excused, and other (types) which are not (excusable).

A) So, he would be excused in the masā’il al-khafiyyah (unclear matters). Such as qadar, īmān, Ṣifāt (Attributes of Allāh). Likewise, in the likes of the apparent aḥkām al-‘amaliyyah (Shar‘īah rulings to do with actions) which are other than tawḥīd. Such as ṣalāh, zakāt, the prohibition of alchocol, and other than that.



B) He would not be excused in tawḥīd al-‘ibādah, because this is aṣl ad-dīn (the foundation of the religion) and the dīn of all the Messengers. This includes du‘ā’ (to other than Allāh), slaughtering (to other than Allāh), a vow (compelling yourself to obey other than Allāh in a particular act), and other than that. This Jāhil is also upon two categories:

- A Jāhil who is not excused in this world and the hereafter. Meaning that he will eternally remain in the hellfire, we seek refuge in Allāh from it (i.e. hellfire). He is the one who the ḥujjah has been established on by having the risālah (Prophetic message) reach him. No matter if he searched for it but did not understand it – ḥujjah only requires an understanding of knowing its meaning, not an understanding of being convinced – or he opposed it and did not bother searching for it (i.e. the message).

- A Jāhil who is excused in the hereafter, not in this world. He is the one who the ḥujjah has not been established on. Like the one who grew up in a far away country-side (where he is unable



to reach the knowledge), or was in a very tall mountain, or from the Ahl al-Fatrah, and other than them. So, this person is dealt with as a Mushrik in this world, but as for the hereafter, the matter is left Allāh **جل و علا**.

The most correct of what has been mentioned regarding him is that he will be tested (to see whether he enters paradise or hellfire).

And Allāh **جل و علا** knows best.

[END OF FATWĀ]

## 29. THE TYPES OF KUFR IN THE STIPULATION OF ‘APPLYING THE ḤUJJAH’

**QUESTION.** Is bulūgh al-ḥujjah (having the evidence reach an individual) a condition to apply kufr?

**ANSWER.** Kufr is of two types with regards to applying it:

1. It could be applied to mean ‘general kufr’. Which includes every person who does not comply with the religion of Islām – whether the ḥujjah has been applied or not.



2. It could be applied to mean ‘specific kufr’. Which includes rejecting the truth and denying it after the bulūgh (evidence reaching an individual). This is specifically for the one that the ḥujjah has been applied on. This is the kufr that is punished for (in the dunyā and ākhirah).

As for the ‘general kufr’ – Ahl al-Fatrah and others are entered into it – of those whom the ḥujjah has not been applied on. Even though they are called Kuffār, they are not punished (in the dunyā and ākhirah) except after applying the ḥujjah.

From this, you can explain the saying of Imām Muḥammad b. ‘Abd al-Wahhāb رحمه الله with regards to his refrainment on performing takfīr upon whoever worshipped the dome of Kawāz. Such as ‘Abd al-Qādir, and similar to them because of their ignorance.

So, he intends by the ‘specific kufr’ – which is conditioned by applying the ḥujjah – not the ‘general kufr’ that is contrary to (the religion of) Islām.

[END OF FATWĀ]

### 30. POSSIBILITY OF ENTERING PARLIAMENTS WITHOUT INDULGING IN KUFR



**QUESTION.** There are some who say that entering parliaments is not kufr to begin with. Since he could enter (parliament) without indulging in any kind of kufr.

**ANSWER.** That is impossible, because parliament is a legislative gathering. Affiliating himself to it makes him a legislator besides Allāh. Just as he (must) take an oath to respect the constitution. So how could he enter (parliament) without indulging in any kind of kufr?!

[END OF FATWĀ]

### 31. GENERAL TAKFĪR & SPECIFIC TAKFĪR

**QUESTION.** The separation between general (takfīr) and specific (takfīr). For example: a particular group are Kāfirah, but not the individuals. Is there any basis for this?

**ANSWER.** By principle, is that whoever falls into kufr – then he is a Kāfir. Rather the issue of separating between the general and specific is spread by the spread of irjā’.

Irjā’ could be by narrowing disbelief in Allāh to ‘itiqād (belief). Likewise it could be by not applying it (i.e. kufr) upon the individuals, as it is the case right now. Some of the intelligent people have even said:

Based upon the statements of these people (i.e. Murji‘ah): no one will ever enter the hellfire, except for kufr alone, because there is no Kāfir! (i.e. Since they say everything is



‘kufir’, but hardly apply it.)

[End Quote]

This does not mean putting aside the impediments and conditions (of takfīr). However, it is not like this image which is present today.

The biggest proof for that are the ‘Wars of Apostasy’.<sup>27</sup> I advise you to read the *Treatise of Shaykh Ishāq b. ‘Abd ar-Rahmān*, from the A’immat ad-Da‘wah, regarding the takfīr upon an individual and excuse of ignorance. He has responded against those people who say: “The action is kufir, however the person who does it does not disbelieve.”

And Allāh سبحانه وتعالى knows best.

[END OF FATWĀ]

## 32. THE TYPES OF LANDS

**QUESTION.** What are the (different) types of lands? What are its criterion?

**ANSWER.** The lands, as it is well known, are of three (types):

1. Dār al-Islām: which is what is ruled by with the \_\_\_\_\_

27 These occurred during the time of Abū Bakr as-Ṣiddīq. They were Murtaddīn who refused to pay the zakāt.



Shar‘īah.

2. Dār al-‘Ahd; which is Dār al-Kufr if there is a covenant between them and the Muslimīn. Such as Makkah after the Treaty of al-Hudaybiyyah.
3. Dār al-Harb; which is Dār al-Kufr that does not have a covenant between them and the Muslimīn.

Ibn Taymiyyah رحمه الله has some statements in *al-Mārdīniyyah* regarding the Dār al-Murakkabah:

Which is the land that has Muslimīn and Kuffār within it. Neither do the laws of Islām or kufr have authority over it (i.e. it is anarchy).<sup>28</sup>

[End Quote]

So, these (people) and those (people) are dealt accordingly. It is not given a single (general) ruling, this is the general principle.

As for the current reality, then each land is looked at accordingly. Since the affairs today have become mixed up, so you will find the lands with regards to their rulings all being lands of kufr.

But with regards to specific (areas), it differs. So, from it is Dār al-Kufr and from it is Dār al-Islām. Most of it, or many of it are from the Dār al-Murakabbah. As for a land that

28 *Majmū‘ al-Fatāwā* [28/240-241].



has a covenant in our times – then it does not exist, and this issue is lengthy.

And Allāh سبحانه وتعالى knows best.

[END OF FATWĀ]

### 33. RULING ON PROSTRATING TO OTHER THAN ALLĀH

**QUESTION.** What is the ruling on prostrating to other than Allāh?

**ANSWER.** Sujūd (prostration) to other than Allāh جلا وعلا in our Shar‘īah has two sayings:

1. That it is shirk unrestrictedly (in all cases).
2. Differentiating between sujūd at-taḥīyyah (prostration of respect and salutation) and sujūd al-‘ibādah (prostration of worship).

So, if the intent was the first (i.e. respect), and it is what is directed to a noble person, or elderly person, or president, and similar to that – this is ḥarām and is not shirk.

If it was to a tree, or rock, or grave, or idol (this is shirk), or if it was for an elderly person with the intent of submission in worship, or (if) it was legislated (to prostrate to anyone) – that is shirk and major kufr.



The proof for this differentiation is what is authentic from the prostration of the angels to Ādam عليه الصلاة والسلام. Likewise, the prostration of the brothers of Yūsuf عليه الصلاة والسلام to him (i.e. Yūsuf). Likewise, other than this from the textual evidences.

It cannot be said that this was the Shar'iah from before us. Since the Prophets all agree upon tawhīd, even if the details of their Shar'iah differed (i.e. the fiqh rulings).

For indeed, it was only made harām for this Ummah (to make prostration of respect) because of its perfection and completeness. I believe Shaykh al-Islām ibn Taymiyyah رحمه الله differentiates between the two matters.

From before (in the past), I used to adopt the first view that it is all shirk. However, when I pondered and reflected over the evidences of the second saying, I went towards it.

And Allāh جل علا knows best.

[END OF FATWĀ]

## 34. THE RULING ON THE LAWS OF SPORTS GAMES

**QUESTION.** The (sport) games and the rules that are in it: is it included within ruling by other than what Allāh has revealed?



If that was the case – then what is the ruling on those who work in it, engage in it, and approve of it? Likewise, the judge-makers in it?

**ANSWER.** The fundamental principle is that anyone who judges between two parties, even (between) children in calligraphy writing (‘al-Khuṭūṭ’ – he judges whose handwriting is better) and archery – then he is a judge as it was determined by the Ṣaḥābah. It was mentioned by the scholars such as Shaykh al-Islām (Ibn Taymiyyah) and the A’immat ad-Da‘wah.

So, it is not permissible for any judge to make a judgement except by the judgement of Allāh **جل و علا** and His Messenger **صلى الله عليه وسلم**. Refer back to the words of Shaykh al-Islām, in the last volume of his *al-Fatāwā*. Likewise, in the explanation of the ḥadīth of Abī Dhar **رضي الله عنه** in *as-Siyāsah ash-Shar‘īah*. For indeed, he affirms this command. He mentioned it from the Ṣaḥābah, and it is what the texts have alluded towards.

So if this is affirmed, then know that the judge-maker (i.e. umpire and referee) in the sport games is a judge who rules by other than what Allāh **جل و علا** has revealed. He rules by the laws of Fifa, may Allāh **جل و علا** curse them.

From the examples of that, is that if a player intentionally hits another player, then the ruling in the Shar‘īah is *qiṣās* (retribution).



But as for the ruling according to them, then it is the ‘red card’. Ruling by other than what Allāh **جل وعلا** has revealed is kufr. This is from the matters wherein the good has become munkar, and the munkar has become good.

And Allāh is the One from Whom help is sought.

[END OF FATWĀ]

### 35. THE RULER WHO RULES BY WHIMS

**QUESTION.** From the well-known types of ruling by other than what Allāh has revealed is:

The ruler who adheres to the Judgement of Allāh outwardly and inwardly, however he makes a judgement based upon a whim and desire in a specific matter, once or twice.

[End Quote]

As it is well-known he does not disbelieve, as is the madhab of the Salaf. So, is this correct? What is the ruling on whomever applied takfir upon him in a few matters (of ruling by other than Allāh’s law)?

**ANSWER.** This matter became obscure to many brothers, that even the Murji’ah overcame them, and from that is the debate in the recording between: (...) <sup>29</sup> and another person who views the kufr of the ruler that rules by other

29 The name is unavailable in the original text.



than the law of Allāh.

So (...) asked him, what if he ruled (by other than Allāh's law) in one matter? So, he replied: "He does not disbelieve." Then, he asked: "In two matters?" He replied: "He does not disbelieve."

So, he (the Murji') would keep increasing it bit by bit until he cornered him. He said to him: "Give me the number which would make him reach kufr." So, he (the brother) was unable to respond. Thus, the Murji'ah considered these words as a final decisive blow! Whereas it is falsely corrupt.<sup>30</sup>

To sum it up, is that the ruler in the likes of this situation is of two types:

1. Whoever's authoritative source was the Shar'iah in all of his affairs, however he ruled upon some of the issues by his whims – not by the Shar'iah. Meaning that he questioned the integrity/justness of the witnesses for instance, while they are just. Or he put doubts in a condition which is present. Or

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30 **Translator's Note.** Highly likely the Shaykh is referring to Shaykh al-Albānī (رحمه الله) as he is the one who is known for spreading this misconception. Shaykh al-Albānī is a Murji' and Jahmī when it comes to 'aqīdah. He completely excludes all actions from the nullifiers of īmān. والله المستعان. Shaykh al-Islām Ibn Taymiyyah mentioned this is as the madhab of al-Jahmiyyat al-Ināth. May Allāh forgive his errors.



he mentioned an impediment which does not exist, and similar to that.

Thus, his main-grounds for judgement is all outwardly from the Shar'īah, and inwardly has desires. So, this person is a sinner committing a major sin. His sin increases depending on the issue that he ruled by, no matter how few or many. But, he does not disbelieve as long as he is ruling by the Shar'īah, even if he was an oppressor.

If he also leaves off a ruling in some affairs; such as leaving off the ruling upon one of his relatives and upon someone who bribes him with money, and similar to that – then he is an oppressor who is committing a major sin. However, he does not disbelieve because his actions constitute a sin (leaving off a specific ruling). Not judging by the rulings of the Ṭāghūt from other laws.

So, there is a difference between someone leaving off the ruling by what Allāh has revealed in (specific) matters, and whoever rules by other than what Allāh **علا وجل** has revealed in (specific) matters.

2. Whoever's authoritative source was the Shar'īah in all his affairs, however in one issue, he went towards to the Ṭāghūt for judgement. Such as ruling upon a thief for instance by the French law, and (ruling upon) zinā with another law, and similar to that.



Then, this person becomes a Kāfir, even if he only ruled (by other than Allāh's law) in one matter, because he ruled by the Ṭāghūt.

So, if you know the difference between the two matters, the answer to the misconception of the Murji'ah would be clear to you.

And Allāh سبحانه وتعالى knows best.

[END OF FATWĀ]

### 36. RULING ON ASKING THE MESSENGER OF ALLĀH صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ FOR FORGIVENESS

**QUESTION.** What is the ruling on the one who says: “O Messenger of Allāh, call upon Allāh to forgive me?” Is this like saying: “O Messenger of Allāh, intercede for me?”

What is the ruling on the one who says that this saying [referring to the first statement] is a bid'ah and is not major shirk?

**ANSWER.** This issue has tafsīl (i.e. requires a detailed explanation), so it is divided into two categories:

1. If he supplicated with this du'ā' and he is far away



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from his grave (i.e. the Prophet's grave), then this is major shirk without any doubt because there is no misconception in that.

2. If he supplicates near his grave, then he is also upon two categories:

A) That he asks for his intercession or help, or victory, and similar to that – then this is also major shirk.

B) That he says: “Ask Allāh for me,” or “Intercede for me by (the permission of) your Lord.” While it is from the same type (both sayings are the same). Then, the People of Knowledge have two sayings regarding this:

- The A'immah of the Da'wah an-Najdiyyah view it as major shirk. They view it to be from among the types of shirk that Quraysh used to do: “These are our intermediaries with Allāh.” “Except that they bring us closer to Allāh in position.”

- Among the later scholars are those who view it as an innovation and munkar (despicable evil) and a means to shirk. However, it is not disbelief, because they have a misconception.



Which is his life in the grave (i.e. he is alive in the grave) and that he hears the salām for whoever gives him salām, and similar to that.

So, according to themselves they are not calling upon the absent (ghā'ib) or an incapable person (i.e. dead, etc.). Likewise, they do not call upon him by anything from the attributes of divinity; like asking for help, intercession, and similar to that. So (according to him), it is just like asking for a supplication from him during his life. This is not shirk by ijma'. Since according to themselves, he is right now alive within his grave – this is their misconception.

What appears to be most correct in my view is that it is major shirk. However, he is excused<sup>31</sup> from this by ignorance

31 **Translator's Note.** He is excused because this matter returns back to the branch issue of denying the text and misinterpreting the reality of a particular act.

There are 3 conditions that has to be met when making du'ā'; he must be alive, present, and capable.

Now, if we hear someone near the grave of the Rasūl (صلى الله عليه وسلم) say: "O Messenger of Allāh, ask Allāh to forgive me." He has only uttered this due to misinterpreting the life of the Rasūl (صلى الله عليه وسلم) in the grave. Thus it is necessary to clarify his doubts before making takfīr upon him.

Since, he has met the conditions of du'ā', which is that he is



present (near the Rasūl). He is also asking for something which he is capable of doing (if he was alive), except that he misinterpreted the Rasūl (صلى الله عليه وسلم) being alive. Which is why we say he has ta'wīl al-ḥāl' (a misinterpretation of the reality) and is excused before having the matter clarified to him. This is what Imām 'Abd Allāh Ibn Muhammad Ibn 'Abd al-Wahhāb (رحمه الله) alludes to as well in *ad-Durar as-Saniyyah* [1/236]. By saying Imām Ibn Ḥajar al-Haytamī was wrong on this issue, and considered him to be from the sincere scholars.

It is also important to mention, that unlike other acts of clear major kufr which by principle are not given any excuse except for ikrāh. The Shaykh views that this particular issue is differed upon whether it is major shirk or minor shirk. It is open to misconceptions which makes it fall under the 'unclear matters'. As Shaykh 'Alī al-Khuḍayr (فك الله أسره) said in *Sharḥ Nawāqid al-Islām*:

“If a particular nullifier is differed upon (whether it is kufr or not and open to doubts), then the individual is excused by ignorance and ta'wīl until the ḥujjah is applied upon him.”

[End Quote]

Even though Shaykh Sulaymān al-'Alwān (حفظه الله) views it as major shirk. He has stated that many scholars agreed with Shaykh al-Islām Ibn Taymiyyah that it is a bid'ah and minor shirk, but not major. He mentioned that you will find this in the books such as *Siyānat ul-Insān* and *Majmū' ar-Rasā'il wa al-Masā'il* by the great Imām of Najd, Shaykh 'Abd al-Laṭīf b. Hassan Āl al-Shaykh رحمه الله.

As for those who went into extremes in this issue, such as al-Ḥāzimī and al-Ghāmidī, they even ended up making takfīr upon



and ta'wīl (misinterpretation). Due to their strong shubha (misconception) in this situation.

And Allāh **جل و علا** knows best.

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other Ghulāt for simply disagreeing on this issue. Let alone their takfīr upon the A'immah of Tawhīd and Mujāhidīn who perfected their tawhīd.

Shaykh Khālid al-Ghāmidī said whoever claims there is a difference of opinion on this issue being major shirk, then he is a Kāfir Mushrik without any excuse. And Allāh's help is sought. He has so much extremism in his works. He says riddah is feared for those who permit photography and video taking, even for lessons of knowledge and battles! Let alone his takfīr upon Imām an-Nawawī and al-Ḥāfiẓ Ibn Ḥajar and everyone who misinterpreted the Ṣifāt!

Shaykh Aḥmad al-Hāzimī from the modern day Khawārij even takes it one step further and claims: whoever says to a Mujāhid who is actually alive: "If Allāh accepts you and gives you permission, ask Him to intercede for me." Then this person is a Kāfir Mushrik by ij mā' according to him. He also makes chain takfīr based upon this. لا حول ولا قوة إلا بالله

This is the reality of the modern day Khawārij known as the 'Ḥāzimiyyah'. We make complete barā' from the deviant path of the Khawārij which makes takfīr upon others based upon 'sins' (which may even be ḥalāl!), 'speculative unclear matters', and 'lawāzim' (the consequences of one's statement). As well as 'taṣalṣul' (chain takfīr), 'hastening and making blank takfīr upon Muslim populations unjustly,' as well as other major principles and traits.



[END OF FATWĀ]

## 37. THE RULING ON CALLING ONESELF A ‘DEMOCRAT’

**QUESTION.** What is the ruling on saying: “Fulān (i.e. so and so) is a Democrat.” Or, “I am a Democrat,” or “We want Democracy.” The person (saying it) does not know its true meaning. Rather he thinks that it means *shūrā*, despite him being among those who are able to ask questions and search about that?

**ANSWER.** If he intended by this phrase ‘*shūrā*’ (thinking this is what Democracy means), then he does not become a *Kāfir* by his speech. However, the phrase is *munkar* (evil). So, it is necessary for him to abandon it for the Islāmic terms in the *Shar‘īah*, instead of using the flimsy terms.

If he knew its meaning: that it is the ruling of the people, and he intended it – then this is disbelief.

If he knew its meaning (i.e. he knows what Democracy means), however he did not intend it. Rather he intended *shūrā* from that phrase, then he does not become a *Kāfir* either. However, the phrase is *munkar*.

And Allāh سبحانه وتعالى knows best.

[END OF FATWĀ]



## 38. SPECIFIC TAKFĪR UPON THE KHULAFĀ' WHO CLAIMED THE QUR'ĀN WAS CREATED

**QUESTION.** Is it narrated from the Salaf that they made takfīr upon the Khulafā' who claimed that the Qur'ān was created, individually?

**ANSWER.** Yes, it is proven from some of the Salaf that they made takfīr upon them.

- As for al-Ma'mūn: al-Khallāl رحمه الله has narrated in *as-Sunnah* [5/90] or similar to it from Abī Ṭālib that he said to Aḥmad رحمه الله:

That they passed by a man's grave in Ṭarsūs. (They did not mention his name, and who is intended is al-Ma'mūn.) So, they said: "The Kāfir, may Allāh have no mercy upon him." Aḥmad said: "Yes! May Allāh have no mercy upon him, he is the one who established this and came with this." <sup>32</sup>

32 **Translator's Note.** This is an authentic chain as quoted by the Ḥāfidh, Shaykh Sulaymān al-'Alwān (فك الله أسره). This narration is referring to the grave of al-Ma'mūn. Since none of the other leaders were buried in Ṭarsūs. Whether it may be al-Ja'd Ibn Dirham or al-Jahm Ibn Safwān.

Imām adh-Dhahabī (رحمه الله) in *Siyar 'alam an-Nubalā'* [10/289] mentioned in the biography of al-Ma'mūn:



He passed away in ‘al-Badhandūn’. Hence, his son al-‘Abbās moved him and buried him in ‘Ṭarsūs’, in the land of Khāqān, the servant of his father.

[End Quote]

As for al-Ja‘d, he was killed after the khuṭbah of ‘Īd by Khālīd al-Qasrī. While al-Jahm was killed in Khurāsān. Bishr al-Mirīsī died in Wāsiṭ, and Ibn Abī Du‘ād was buried in Baghdād.

So, there is no one left except for al-Ma‘mūn. He was the one who began testing people, and Imām Aḥmad did not intend by: “He came with this,” that al-Ma‘mūn was the first to state the Qur’ān was created. But rather he was the one who enforced this creed, forcing it upon the people’s necks by the sword.

For the benefit, the father of al-Ma‘mūn who is known as Hārūn ar-Rashīd would make takfīr upon those who state the Qur’ān is created and threaten them with death. Refer to *narration #62 in as-Sunnah by ‘Abd Allāh, the son of Imām Aḥmad*.

The ḥujjah was established upon al-Ma‘mūn who had knowledge of the implications of saying the Qur’ān is created, thus he is a Kāfir.

I’ll provide some narrations In Shā’ Allāh that show it is not permissible to make an unrestricted takfīr upon whoever says the Qur’ān is created unless the ḥujjah has been established.

Imām Aḥmad (رحمه الله) said:

Whoever would debate and is known for speaking, then he is a Jahmī. Whoever is not known for speaking, he is to be avoided until



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he takes back his statement. Whoever does not have knowledge, he is to be asked about the issue and taught.

[End Quote]

— Refer to *as-Sunnah* [223] by ‘Abd Allāh. Imām al-Khallāl also narrated it through his chain in *as-Sunnah* [1786 & 1824].

Imām Aḥmad (رحمه الله) also mentioned in another place:

Whoever does not comprehend, then he is to be enlightened (about the truth). But if he comprehends and is aware of such speech, then he is like them (Jahmiyyah).

[End Quote]

— Refer to *as-Sunnah* [1790] by Imām al-Khallāl.

Imām Ibn Abī ‘Āsim (رحمه الله) mentioned:

The Qur’ān is the speech of Allāh (تبارك وتعالى). Allāh has spoken it, it is not created. Whoever says it is created among those whom the ḥujjah has been established upon – then he is a Kāfir in the sight of Allāh, the Supreme. But whoever says it (being created) before the ḥujjah is established upon him, then he is absolved from that (ḥukm of kufr).

[End Quote]

— Refer to *as-Sunnah* [313].

Imām al-Bukhārī (رحمه الله) mentioned:



“It has been narrated to us by Abū Ja‘far, he said: “I heard Abā al-Mundhir speak about someone who heard Mu‘tamir Ibn Sulaymān condemn whoever says the Qur‘ān is created. Thus he makes tabdī‘ upon him (i.e. labels him an innovator).”

[End Quote]

— Refer to *Khalq Af‘āl al-‘Ibād* [page 27].

Imām Muhammad Ibn ‘Abd al-Wahhāb (رحمه الله) wrote:

What occurred during the era of the Tābi‘īn, and that is the incident of al-Ja‘d Ibn Dirham, and he was from the most famous of people pertaining to knowledge and worship.

But when he denied some things from the attributes of Allāh, the Exalted and Majestic, despite it being of unclear statements according to most scholars; Khālīd al-Qasārī slaughtered him on the day of ‘Īd al-Aḍḥā, wherein he said:

O people, make your sacrifices, may Allāh accept from you your slaughtering. For indeed I am burning in pain due to al-Ja‘d Ibn Dirham. Indeed, he claimed that Allāh did not take Ibrāhīm as a Khalīl, and that He did not speak to Mūsā with Kalām (speech).

[End Quote]

Then he came down (from the pulpit) and slaughtered him. We do not know anyone from the ‘Ulamā’ who objected to that. In fact, Ibn al-Qayyim mentioned a consensus from them pertaining to it being a praiseworthy act.



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[End Quote]

- As for al-Wāthiq, Aḥmad ibn Nasr al-Khuzā'i رحمه الله made takfir upon him. (Refer to *Tārīkh Ibn al-Athīr*, the incidents in the year 230 A.H. or what is similar to that, and Allāh knows best.)

- Abū Dāwūd رحمه الله said in his *Masā'il* [1696]:

I heard a man say to Aḥmad that a man said: The names of Allāh are created, and the Qur'ān is created, so Aḥmad said: "Clear kufr."

[End Quote]

And he also said in his *Masā'il* [305]:

I told Aḥmad about the days he used to pray Jum'ah behind the Jahmiyyah, I said to him: "The Jum'ah?"

He said: "I would repeat (my ṣalāt), and whenever you pray behind someone who says that the Qur'ān is created." Then to repeat, I said: "Even in 'Arafah?" He said: "Yes."

[End Quote]

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[End Quote]

— Refer to *ad-Durar as-Saniyyah* [9/392] and *Mukhtaṣar Sīrat ar-Rasūl* [page 45].



This is a response against those who quote from Imām Aḥmad رحمه الله that he did not perform takfīr upon their individuals, and that he used to pray behind them, and that it is not narrated that he used to repeat.

And Allāh سبحانه وتعالى knows best.

[END OF FATWĀ]

### 39. RULING ON USING THE WORD 'TERRORISM' ON THE MUJĀHIDĪN

**QUESTION.** What is the ruling on using this word 'terrorism' and applying it upon our brothers, the Mujāhidīn?

**ANSWER.** It is necessary to differentiate between two matters here with regards to 'terrorism':

1. The general principle of the legislation of jihād. So, whoever spoke about this general principle – like the rulers and their minions among the journalists – then this is disbelief without a doubt.
2. Whoever spoke about some of the Mujāhidīn – not all of them – and he does not consider them (i.e. the ones he spoke against) as being from the people of jihād.



So, these people do not become Kuffār if they affirm the general basis principle of jihād in the path of Allāh. Rather they oppose some of the actions which they view as ‘destructive actions’. Such as: destruction of homes, the killing of those who ascribe to Islām, and similar to that.

So, opposing jihād is one thing and opposing the actions of some Mujāhidīn is something else. The Prophet صلى الله عليه وسلم said: “O Allāh, I am free of what Khālid has done.” In the incident of Judhaymah.<sup>33</sup>

Likewise, what also occurred from the rebuke of ‘Umar to Khālid during the days of Abī Bakr, may Allāh be pleased with them. What also occurred during the days of fitnah between ‘Alī and Mu‘āwiyah رضي الله عنهم.

So, what is intended here is to differentiate between the two matters. However, our statement: “They do not become Kuffār.” Does not mean that they are not sinful by their words. Rather sin is tagged along with them in accordance to their shortcomings in searching for the ḥaqq along with their softness and mixing with the people of falsehood.

And Allāh سبحانه وتعالى knows best.

[END OF FATWĀ]



## 40. RULING ON CALLING THE KUFFĀR, 'OUR BRETHREN'

**QUESTION.** What is the ruling on those who say: "Our Jewish, Christian and Shī'a brothers," as a form of da'wah. They interpret the verses in Sūrah ash-Shu'arā', and what is intended by that, as brothers in humanity?

**ANSWER.** As for their statement of considering the Jews and Christians as brothers; I have written a treatise before I came to prison regarding this in response against al-Qarḍāwī. However, it did not get published because I did not finish it. This (interpretation) is corrupt, because brotherhood has 2 categories – there is no 3rd category for it.

- 1) Brotherhood in religion:

إِنَّمَا الْمُؤْمِنُونَ إِخْوَةٌ

Verily, the believers are but brothers.  
(49:10)

- 2) Brotherhood with family:

وَإِلَىٰ عَادٍ أَخَاهُمْ هُودًا

And to the People of 'Ād (We sent)  
their brother Hūd. (11:50)



Between them and those who they take as brothers; there is no unity in religion, nor common family ties. Thus, what kind of brotherhood do they claim?! Moreover, it is a negator of al-walā' and al-barā'. The evidences for that is too many to specify.

As for their evidences from Sūrah ash-Shu'arā', then it is an evidence against them. For two reasons:

1. That the statement of Allāh:

أَخُوهُمْ نُوحٌ

When their brother Nūh said to them:  
"Will you not fear Allāh?" (26:106)

أَخَاهُمْ هُودًا

Their brother Hūd. (11:50)

أَخَاهُمْ صَالِحًا

Their brother Ṣāliḥ. (7:73)

أَخُوهُمْ لُوطٌ



Their brother Lūṭ. (26:161)

All of this is regarding brotherhood of common family ties. As the Arabs say to the Tamīmī: “O brother from Tamīm.” This is well known in the Arabic Language.

2. That Allāh سبحانه وتعالى said:

كَذَّبَ أَصْحَابُ الْأَيْكَةِ الْمُرْسَلِينَ إِذْ قَالَ لَهُمْ  
شُعَيْبٌ يَا أَيُّهَا النَّاسُ اتَّقُوا اللَّهَ

The Companions of the Thicket denied the Messengers, When Shu‘ayb said to them: “Will you not fear Allāh?”  
(26:176-177)

Whilst He said in another place:

وَأِلَىٰ مَدْيَنَ أَخَاهُمْ شُعَيْبًا

And to Madyan (We sent) their brother Shu‘ayb. (11:84)



Thus, look at the difference when He attributed them to their tribe, He said:

وَإِلَىٰ مَدِينٍ أَخَاهُمْ شُعَيْبًا

Their brother Shu‘ayb. (11:84)

Then, when He attributed shirk to them:

أَصْحَابُ الْأَيْكَةِ

The Companions of the Thicket. (26:176)

He disconnected the brotherhood and did not mention it. This is from the clearest proofs in responding against them. Thus, He disconnected the brotherhood of common family ties when He attributed shirk to them.

Then what about those who do not agree with them in religion, nor share any common family ties?!

And Allāh سبحانه وتعالى knows best.

[END OF FATWĀ]

## 41. THE RULING ON MUNICIPAL



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## COUNCILS

**QUESTION.** The municipal councils, is it a smaller form of parliament due to the fact of the indicative roles from what you know concerning it?

This role gives an opportunity for the citizen to participate in ‘municipal administration and services’ through the means of taking decisions in municipal affairs, controlling municipal administration, and rationalising decision-making. This makes him a partner to it in upholding the responsibility and performance of duties with regards to the municipal affairs to actualise a common interest for the citizens.

**ANSWER.** I do not know the work involved within the municipal councils precisely, however I do not have any doubts pertaining to the prohibition of entering into it – for many reasons.

From the reasons is that many of the work involved in it is invalid and does not comply with the Shar‘īah. Rather it complies to the regime.

From the reasons is that it is a gathering which makes judgements. Thus, it assists in ruling by other than what Allāh has revealed.

From the reasons is that it comes from the path and process



of what is known as (local) ‘voting elections’ (i.e. the people vote for a local council leader), including other reasons.

And Allāh سبحانه وتعالى knows best.

[END OF FATWĀ]

## 42. REGARDING THE PROHIBITION OF VOTING ELECTIONS IN A MUNICIPAL COUNCIL

**QUESTION.** In the previous answer - may Allāh preserve you - about the municipal councils, you stated:

It comes from the path and process of what is known as (local) “voting elections” (i.e. the people vote for a local council leader)

[End Quote]

So, where is the prohibition in these (local council) voting elections? Is it from the aspect of seeking leadership, or from the aspect of imitating (the Kuffār), or what? Benefit us, may Allāh raise your ranks.

**ANSWER.** From the aspect of seeking involvement in its work (which consists of munkar), and from the aspect of those who are not suitable to be elected to enter into it. Likewise from the aspect of imitating the Kuffār, and



from the aspect of the ‘voting’ by corrupt people and other than them. There are (plenty) of other munkarāt (corrupt factors which prohibit it).

And Allāh سبحانه وتعالى knows best.

[END OF FATWĀ]

### 43. THE RULING ON SAYING: “BARAKAH HAS COME TO US BY YOUR ARRIVAL.”

**QUESTION.** What is the ruling on saying: “Fulān (i.e. so and so) is full of barakah.” Or “This is from your barakah, O Fulān.” Or “Tabārakta ‘alaynā (i.e. You brought blessings to us).” Or “Zāratnā al-barakah (the barakah has come to us by your arrival)?”

**ANSWER.** As for ‘tabārakta,’ numerous scholars such as Ibn al-Qayyim رحمه الله have mentioned that it is not to be used except for Allāh, may He be Glorified, because it is founded upon the essence of exaltation (i.e. the word ‘tabārakta’), just like ‘ta‘āla’ and ‘taqaddas’.

But as for the other statements which you mentioned, it does not appear to have anything wrong with it. Because sitting with the brothers, visiting them and discussing with them is from al-Barakah. Barakah is not a specific thing, so it could be referred to sensory and intangible matters (i.e. both physical and non-physical things). As well as the



external factors are indicative to what it refers to.

And Allāh سبحانه وتعالى knows best.

[END OF FATWĀ]

#### 44. RULING ON OBTAINING CITIZENSHIP IN A DISBELIEVING OR APOSTATE COUNTRY

**QUESTION.** What is the ruling on obtaining a citizenship of a disbelieving or apostate country?

**ANSWER.** Obtaining a citizenship of any country is in accordance to what it contains from conditions and necessities to be complied with. If it consists of kufr, then it is kufr. If it consists of ḥarām, then it is ḥarām.

And Allāh سبحانه وتعالى knows best.

[END OF FATWĀ]

#### 45. RULING ON WATCHING CIRCUS & STUNT EVENTS

**QUESTION.** What is the ruling on watching the circus and stunt acrobatic events? Does this fall under watching magic?



**ANSWER.** The circus in many of its stunts is included within siḥr in its general meaning: “Of that whose cause, or way, or means is hidden and subtle.”

I do not consider it far-fetched to say that many of its stunts are included within siḥr according to its real meaning. The munkarāt (evil factors it consists of) is numerous, and not just this alone.

And Allāh is the One Whom help is sought.

[END OF FATWĀ]

## 46. BEING ABLE TO JOIN ANOTHER COMPANY (IN JIHĀD) & THE VALIDITY OF JIHĀD

**QUESTION.** What is the response to the one that considers: “Being able to join another company (in jihād),” as a condition in the validity of jihād? What are the necessities of this saying? In addition to a response on their suspicions and evidences.

**ANSWER.** The response to these in detail will not be achieved until determining their statements and evidences in details. I have not come across that.

But, one of their evidences might be the time of Madaniyyah phase (time in Madīnah) and that jihād was not permitted in the Makkiyyah phase (time in Makkah).



Also the āyah:

وَلَوْلَا رِجَالٌ مُّؤْمِنُونَ وَنِسَاءٌ مُّؤْمِنَاتٌ لَّمْ تَعْلَمُوهُمْ أَنَّ  
تَطَّوَّهُمْ فَتَصِيبَكُمْ مِنْهُم مَّعْرَةٌ بَغَيْرِ عِلْمٍ

And if not for believing men and believing women whom you did not know - that you might trample them and there would befall you because of them dishonor without (your) knowledge - (you would have been permitted to enter Makkah). (48:25)

These evidences – if to be taken into consideration – do not indicate the conditioning of that. Therefore, I do not remember anyone of the famous scholars who said that: “Ability of joining another company in jihād.” Is a condition of jihād. If you know any, please let me know, may Allāh reward you with good.

Meanwhile, the scholars mention the general ability to wage jihād – which is the condition that is indicated in the general and specific textual evidences. Ability changes based on time and place.

As for the Madaniyyah phase, the jihād was valid because of the existent ability – not because of the issue of joining another company. The evidence for that is that the Prophet



صلى الله عليه وسلم waged jihād against Banī Qaynuqā', Banī an-Naḍīr, Banī Qurayzah, and all of them were with him in Madīnah.

Regarding the previous āyah, the Prophet صلى الله عليه وسلم was not obligated to invade Makkah at that time. That is why he reconciled them and invaded Khaybar afterwards. When the Mushrikīn revoked the covenant, he invaded them despite the existence of those Mu'minīn and Mu'mināt (mentioned in the āyah) in Makkah.

The speech in this issue goes on, and the issues of ability and its conditions are known and determined by people of experience and jihād. Not those who associate themselves with knowledge, as the majority of those who associate themselves to knowledge are among the most ignorant people in the issues of jihād in reality. Even if they knew the general rulings of jihād, but the issue here is to achieve the aims.

Also, 'joining another company' might be a danger on the Mujāhidīn, as in our present time with the developed weapons, satellites, drones, intercontinental missiles, and so on. These might eradicate the Mujāhidīn, Allāh forbid, in a blink of an eye. Unlike if they are not joining another company, as we can see, and with no doubt, the disbelievers wish that the Mujāhidīn would gather alone in a specific place so that they can bombard them. This is one of the strongest evidences to respond to these people (with that claim).



I know that many of these conditions and complications in the issues of jihād were founded to close the door of jihād in most of cases and because of hating it. Since many of scholars and students of knowledge became accustomed to comfort, rest, being guests on TV channels and being kissed on their heads. These things will be gone with jihād. Shaykh al-Islām Ibn Taymiyyah (may Allāh have mercy on him) said:

And the hump (top) of that is the jihād for the sake of Allāh. As it is the most loved by Allāh and His Messenger. Those who blame on it are many. As many of the people that have faith in them hate it, and they are either those who let down and reduce the endeavor and will in it. Or they are those who spread rumors and weaken the power and ability of it. All of that is from hypocrisy.<sup>34</sup>

[End Quote]

Or as he said.

And Allāh سبحانه وتعالى knows best.

[END OF FATWĀ]

## 47. RULING ON WRITING ON BOOKS THAT ARE COPYRIGHTED

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34 *al-Istiqāmah* [1/265].



**QUESTION.** Is it permissible to write on books that are copyrighted? Also taking and buying them when in need?

**ANSWER.** Writing on the books of mortmain has an explanation:

If the one who set it as a copyright provided that no one writes on them, then it is not permissible.

If he did not provide that:

- If the writing was in vain or without a benefit, then it is not permissible because he is using the other person's property with no benefit.

- If the writing was beneficial; such as determining the source of a ḥadith, or the description of a person, or clarifying a ruling in a matter, or to set a reference for another book, or to highlight a mistake and others – then it is permissible to do so.

Moreover, these comments would make the book look stronger and nicer. As it was said: the book does not light up until it gets dark (because of the beneficial writings on the margins).

Likewise, if someone comments on a book that is copyrighted – and then he needed these comments to be kept with him and bought another book to replace the original book – it appears to me that it is permissible because of having the similar intended benefit. Since the one who provided this



book as a copyright intended to benefit others, which is in what is written in the book. Not the material of the book, and that (benefit) is found in the other book.

And Allāh سبحانه وتعالى knows best.

[END OF FATWĀ]

## 48. RULING ON POISONOUS ALCOHOL WITHIN PERFUMES

**QUESTION.** If the alcohol in perfumes and others is poisonous or deadly, what is your opinion about this issue?

**ANSWER.** If alcohol is mixed with something else, it is divided into two categories:

1. If it is dissolved with another substance that is not intoxicant, then it is okay to use it. Similarly to khamr (alcohol) if it acetifies.
2. If it is not dissolved and remains intoxicant, then it is not permissible even if it is poisonous. For two or three reasons:

A) It is not permissible to keep or preserve khamr (alcohol). As its poisonous effect does not change its intoxicant state because the essence of khamr is being intoxicant: “Every



intoxicant substance is khamr.”

B) That khamr is impure (najis) – it is the opinion of the four scholars, and it is the correct one chosen by scholars like Ibn Taymiyyah, Ibn Al-Qayyim and others. It being najis requires it being avoided, and that is the obligation towards khamr. What is considered najis remains najis even if it is poisonous.

C) Also, it is a prohibition of what may lead to committing sins.

Some types of the alcohol that is found in perfumes, i.e. the Spirto substance, is not poisonous by itself. It is poisonous if taken in big amounts because a type of khamr, may Allāh protect us, is deadly if they drink it without mixing it with water. As it is like many substances that must be mixed with water, like drugs and others.

I wrote a letter in 1419 A.H. with the title: *The Ruling of Perfumes that Contain Alcohol*. I mentioned eight evidences in it about prohibiting it. The eighth evidence was: an-najāsah (i.e. impurity).

Since many scholars think that prohibition comes from being impure. Therefore, if they prove it to be pure – then it is no longer prohibited, and that is why I made this evidence the eighth.



Among other evidences is that it is (defilement) and (from the work of Shayṭān). The order of avoiding it is permanent. The prohibition of acetifying of alcohol. The obligation of spilling the khamr of the orphans. The curse of khamr (ten people are cursed in relation to khamr), and it is obligatory to avoid the cursed. The prohibiting of what may lead to committing sins. Also, some statements from the Ṣaḥābah in relation to forbidding the use of khamr in painting or combing the hair, and others.

And Allāh سبحانه وتعالى knows best.

[END OF FATWĀ]

## 49. RULING ON WHAT IS CALLED: ‘THE GOOD TAWARUQ’

**QUESTION.** There have been recently a plenty of ads of famous interest banks on what they call it: ‘The Good Tawaruq’ and ‘The Blessed Tawaruq’. They show in the advertisement in a stamp in which it is said: (accredited by the Shar‘ committee). Is that permissible?

**ANSWER.** The tawaruq that is known for scholars, on which there is a dispute, is that the person buys a commodity with later payment. Then he sells it to a third person – without a previous agreement or a deception – with a value that is lower than the previous later payment. The majority of scholars see that it is permissible if there is no deception



of interest, or an agreement between the parties. Some scholars, and it is a narration from Imam Aḥmad that is chosen by Shaykh al-Islām Ibn Taymiyyah, see that it is prohibited. Thus, it is better to avoid it.

However, if someone needs a valid loan then it is permissible for him to do so with the previously mentioned condition that the two contracts are valid, and there is no deception, nor a previous agreement.

That is the famous tawaruq found in the books of fiqh. The banking tawaruq that spread among these interest banks is an invention of the people of deception and abusing of the Shar‘ from those who are called as Shar‘ committees. The common image of that transaction is that the client wants to borrow from the bank with an interest, and he does not want the clear riba (interest). Then these Shar‘ committees provide him with a trick to make use of the ribā (in a way accepted by Shar‘īah!), and it is done by the client authorizing the bank to buy a commodity (that Allāh, His angels, the people, the bank, and that committee know that he does not want it nor he knows it nor he owns it, rather his intention is to get that money).

So, the bank buys it, as they claim, then it sells it with a later payment to that client – who did not see, nor know where that commodity is. Then he authorizes them to sell it – so the bank sells it – as they claim, with a value that is lower than the later payment, and they give the value to the client. So, the final result: the bank gave the client



a loan with an interest, and they made that transaction as a trick to make it look permitted by the Shar‘īah and to laugh on the Muslimīn.

This matter is like how Ayyūb (may Allāh have mercy on him) said: “They think to deceive Allāh as they deceive the young boys, if they did it publicly, it would be easier.”<sup>35</sup>

As some of the Salaf said regarding these tricks: “Dirāhim for Dirāhim, with a silk cloth in between.” This mentioned trick of (dirāhim for dirāhim) is accredited by these Shar‘ committees.

Refer to the book of Shaykh al-Islām *Bayān ad-Dalīl (Clarifying the Evidence)*. As he replied in detail to those who abuse the religion of Allāh and mock its rules. Also the book of Ibn Al-Qayyim, *‘Ilām al-Muwaqqi‘īn (Notifying those who Signed)*. The speech on this issue goes on and what I have mentioned is enough, In Shā’ Allāh.

Whoever wishes the safety of his religion would avoid those who deal with interest and their Shar‘ committees.

\*\*\*IN FRONT OF YOU, SO LOOK WHICH APPROACH YOU  
APPROACH - TWO PATHS, DIVERSE: STRAIGHT AND  
TWISTED\*\*\*

[END OF FATWĀ]

35 *Ighāthat al-Lahfān [1/341]*.



## 50. RULING ON AT-TASHRĪT

**QUESTION.** What is the ruling on ‘at-tashrīṭ’ (cutting oneself - mostly the wrist to receive medical attention or demands to be met) and hunger strikes (in prison)?

**ANSWER.** As for ‘at-tashrīṭ’: then it is not permissible except if it would repel a greater mafsadah (harm) than it. So, it would be from the aspect of repelling the greater of two harms, while carrying out the lesser of the two harms.

As for hunger strikes – if it is needed – then it becomes permissible. Even though having patience is better, but with the condition that the one doing the hunger strike is not harmed (i.e. a harm besides hunger and tiredness - whether it was an illness or death or other than that).

What proves that it is permissible, is ‘al-wiṣāl’ which has been confirmed in the *Ṣaḥīḥayn*. When the Ṣaḥābah did ‘wiṣāl’ (which is to fast consecutively for 2 days or more) with the Prophet صلى الله عليه وسلم until they saw the hilāl (crescent). So, the Rasūl صلى الله عليه وسلم said: “If it had not appeared (i.e. the crescent), I would have fasted for a longer period.”<sup>36</sup>

Ibn az-Zubayr رضي الله عنه would do wiṣāl for two weeks. When Imām Aḥmad رحمه الله and his children went to al-

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36 *Ṣaḥīḥ al-Bukhārī* [1965].



Mutawakkil in the year 237 A.H., Aḥmad did wiṣāl of ṣiyām - and it is like going out on hunger strikes - for many days. In order to put pressure for his children to return back to Baghdād, so much so, his vision got very weak (he found it hard to see). His health condition was not returned back to normal except after 6 months. He did not break his fast except after his uncle Iṣḥāq ordered him to do so by his right upon him.

What is significant from this, is that abandoning to eat on its own is not considered ḥarām due to these proofs. However if he is afflicted with a clear harm, it becomes impermissible due to the harm – not due to abandoning to eat.

I went out on a hunger strike for more than thirty days in the year 1425 A.H. in response to the request of the brothers. Despite that I did not feel anything except for hunger alone. I would pray standing, and I was not afflicted by any kind of injury or harm with the praise of Allāh.

And Allāh سبحانه وتعالى knows best.

[END OF FATWĀ]

## 51. THE ATTENDANCE OF THE HEART IN THE REMEMBRANCE OF ALLĀH

**QUESTION.** Is it stipulated to have the attendance of the heart



in order to receive the specified reward in the adhkar? Such as saying: “Lā ilāha ilā Allāhu waḥdahu...” 100 times, and “Subḥān Allāhi wa bi-ḥamdihi,” 100 times?

**ANSWER.** There is no doubt that the attendance of the heart is stronger in its affect (and rewards) by the permission of Allāh. However, there is nothing mentioned in the texts that are indicative towards stipulating this (condition of the heart’s attendance), and the bounty of Allāh is vast and expansive.

We ask Allāh to make us not rely upon our actions without Him, and to bestow and cover us by His mercy and Greatness.

The fundamental rule regarding that is what the Prophet صلى الله عليه وسلم said: “Do good deeds properly, sincerely and moderately, and receive glad-tidings.”<sup>37</sup>

We ask Allāh, the Generous one from His greatness (to grant us goodness).

And Allāh سبحانه وتعالى knows best.

[END OF FATWĀ]

## 52. LYING FOR BENEFIT IN PRISON

37     Ṣaḥīḥ al-Bukhāri [6463].



**QUESTION.** What is the ruling on lying for Maṣlahah, especially in prison?

**ANSWER.** This issue is differed upon, and it was mentioned by Ibn al-Jawzī رحمه الله in *Minhāj al-Qāṣidīn*, and an-Nawawī رحمه الله in *Riyāḍ as-Ṣāliḥīn*, and al-Hāfiẓ Ibn Hajr رحمه الله in *al-Fath*, and Ibn Mufliḥ رحمه الله in *al-Ādāb*, and others. That is based upon what has been narrated in the ḥadīth pertaining the permissibility of lying in reconciliation, in war, and to the wife.<sup>38</sup> There is a difference of opinion in other than these situations – so the scholars have differed over this. Can qiyas (analogy) be used for these three (mentioned in the ḥadīth) for what falls under its category? Are these three (mentioned in the ḥadīth) solely restricted (to them) or only used as an example?

So Ibn al-Jawzī, an-Nawawī, and al-Khaṭṭābī – may Allāh have mercy on them – and others went towards the view that whatever falls under its category; then it is permissible. Their criterion for it, is this:

Every praiseworthy goal which cannot be achieved except by lying, then it becomes permissible to lie.

[End Quote]

This is in (matters) besides a need and necessity. However,

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38 **Translator’s Note.** Lying to the wife is only allowed for things such as expressing a great deal of love even when you do not feel it. But as for lying out of deceit, this is ḥarām by ijmā‘.



in general, to stay away from lying whenever possible is safer for the individual in his dīn, and unclear indirect speech is an alternative from lying.

However, a person could be forgiven in prison due to the ikrāh and oppression. This would not be forgiven elsewhere. So, the issue has a difference of opinion as you see, and their statement has a point of view.

And Allāh سبحانه وتعالى knows best.

[END OF FATWĀ]

## 53. RULING ON TAKING SLEEP MEDICATION

**QUESTION.** What is the ruling on taking ‘hypnotic sleeping pills?’ Also, those which cause coldness or stimulation?

**ANSWER.** It is not permissible. The scholars dispute about what eliminates the mind and has no pleasure into two opinions – unlike what has a pleasure such as the alcohol. Thus, in addition to being similar to alcohol in terms of affecting the mind; these pills are harmful, as doctors affirmed.

Hence, if it is necessary to someone, some scholars permit what is prohibited in medication. Whereas some scholars, like Ibn Taymiyyah and others, do not permit it. Their



general rule regarding that is: no permission out of necessity is in medication.

And Allāh سبحانه وتعالى knows best.

[END OF FATWĀ]

## 54. RULING ON DEMONSTRATIONS

**QUESTION.** What is the ruling on demonstrations? What are the evidences for its permissibility? And what are the evidences for those who say it is prohibited?

**ANSWER.** The issue of demonstration is a long one. I will summarize my words for you regarding it by saying:

Some of the brothers that said that demonstrations are permissible. They researched in the Sunnah after evidences for this. They mentioned for example the famous ḥadīth of Abū Hurayrah regarding the neighbour. Something referred to in our times as: “Arousing the public opinion.” The source for this ḥadīth is in Sunan Abī Dāwūd.<sup>39</sup>

They also use the ḥadīth of ‘Abd Allāh Ibn Iyyās Ibn Abī Thubāb. Where women complained (in front of the Prophet صلى الله عليه وسلم) regarding their husbands, a female demonstration. This is also narrated in Sunan Abī

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39 *al-Adab al-Mufrad* [124]. Graded as Ḥasan Ṣaḥīḥ by al-Albānī رحمه الله.



Dāwūd.<sup>40</sup>

However, all of this is not necessary (to prove it is permissibility), because the rule is:

Nothing is legislated in this dīn except what Allāh has legislated, and nothing becomes forbidden except what Allāh has forbidden.

[End Quote]

So, the rule is regarding worship (‘ibādah) is that of tawqīf (requires a divine legislation to be performed). Hence, it is a must to provide an evidence for it.

The rule regarding customary things (‘ādāt) is that they are in general permissible. So, whoever forbids something is asked to provide an evidence for it. This is the fundamental rule (aṣl) regarding this.

Thus, whoever permitted demonstrations and holds to this fundamental rule – then he is of no need to bring forth any evidences. Since nothing is ḥarām except what Allāh has made ḥarām. Even if one brought forth evidences to prove this, then it is being generous.

What is left for us is to see what those that forbid demonstrations have for evidence – then afterwards we can answer them and let the issue be finished (over with).

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40 *Riyād us-Ṣāliḥīn* [279]. Graded as Ṣaḥīḥ by al-Albānī رحمه الله.



The most famous evidences that they have are three: that it is an innovation (bid'ah). That it is imitating the disbelievers. Finally, that it is forbidden as a means to block an evil which leads corruption.

1) With regards to their argument that it is an innovation, then this is false. Because innovation is in matters pertaining to worship ('ibādah), not customary things ('ādāt). Thus there is not any need for redundancy of words to show that this argument is void.

2) With regards to their argument that is imitating the disbelievers, then this is also false. For history is filled with people gathering, marching, and demanding something.

Go back to the history of 'Uthmān رضي الله عنه. Go back to the history of al-Baṣrah and al-Kūfa in the latter half of the first century (hijrī) and see how plentiful these sort of demonstrations were. This is not to prove that it is something legislated or permissible. Rather it is evidence that it is not from the issues of imitating the disbelievers.

3) Regarding their argument that it is something that leads to corruption (fasād), then this is not correct. Since we see it taking place everywhere and there is no corruption that takes place like which they claim will come about.



Rather great benefits have come through it, like the overthrowing of the Egyptian ṭāghūt (i.e. Mubārak, may Allāh curse him).

His overthrowing – even though it did not bring forth an Islāmic governance – eased the injustice and tyranny. It brought forth some justice that was not there during the time of Mubārak.

This is a quick summary regarding this issue.

And Allāh سبحانه وتعالى knows best.

[END OF FATWĀ]

## 55. CRITERION OF IMITATION OF THE KUFFĀR

**QUESTION.** Does imitating the Kuffār have a specific criterion? Is (the prohibited) imitation removed by diffusion (i.e. what is spread amongst both the Muslimīn and Kuffār)?

**ANSWER.** The Criterion for imitation returns back, and Allāh knows best, to three things:

- 1) What the text has mentioned specifically, such as the beard and clothing.



2) What is exclusive to the Kuffār and is indicative for them. Whether it was from the acts of the worship or customs.

3) What brings harm to the Muslimīn through it being spread (in the Ummah), even in the long-term.

As for diffusion (i.e. something spread amongst both the Muslimīn and Kuffār) of which no text has specifically mentioned, like clothing. Likewise, it is not exclusive to the Kuffār nor it does not bring harm to the Muslimīn. Then, it is not included, and Allāh knows best, within the prohibited imitation; such as boats for example.

As for clothing (exclusive to the Kuffār), then it is not permissible to imitate them in it at all. Even it became widespread amongst the Muslimīn. For the ruling pertaining to this matter is not removed, due to the narrated text (i.e. evidence) about it. Such that it is from the indicative signs of distinguishing between the Muslimīn and others.

And Allāh سبحانه وتعالى knows best.

[END OF FATWĀ]

## 56. RULING ON ATHLETIC WEAR CONTAINING THE CROSS

**QUESTION.** What is the ruling on wearing sport clothing



that have a cross?

**ANSWER.** Wearing sport clothing is not permissible to begin with. Since it is imitating the Kuffār <sup>41</sup>, and because it reveals the ‘awrah. It is not permissible to wear something that has the logo of a cross, and whoever leaves it there is sinful. However, as for him being a Kāfir – then that does not appear to me – except if it was worn in a way of exaltation.

And Allāh سبحانه وتعالى knows best.

[END OF FATWĀ]

## 57. CONFUSION REGARDING THE EXALTATION OF THE CROSS ON CLOTHING

**QUESTION.** A confusion occurred in the previous question. Which is: “That the clothes which have a logo of the cross which are not worn in a way of exaltation?”

**ANSWER.** The issue of wearing a cross if it was on the clothes is munkar (evil). This has been previously mentioned in the last question. If the customs (of a people) were to make the image on clothes (to be worn) in a way of exaltation, then this is kufr (if his clothing has a cross).

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41 This point is in relation to Middle Eastern countries. It is considered odd over there unlike in the Western countries.



However, it being worn in a way of exaltation is questionable. Which is why the scholars give a verdict of the impermissibility of placing verses (from the Qur'ān) and beautiful names (of Allāh) on clothing because it is usually subject to misuse. And Allāh knows best.

Notice: my dear brother, I see that you mostly focus on the clear-cut rulings. This is not possible in many situations and scenarios. Hence, you must precisely understand the overall framework (i.e. fundamental principles). Then, when it comes to the application, look at every situation accordingly. Not everything is judged on the same level. If you get confused in a specific situation within a fundamental principle, then hold back. There is nothing like keeping safe, may Allāh preserve you.

[END OF FATWĀ]

## 58. SPORT CLOTHING ON THE MUJĀHIDĪN

**QUESTION.** In the previous answer, you mentioned that wearing sport clothes are not permissible to begin with. So, does this apply upon our brothers, the Mujāhidīn?

**ANSWER.** No, this does not apply upon the Mujāhidīn, may Allāh almighty give them victory. For it is well known that they (i.e. the Mujāhidīn) have many specific rulings. From it, is what relates to the clothes.



And Allāh سبحانه وتعالى knows best.

[END OF FATWĀ]

## 59. SHAVING THE HEAD AS A BASIS OF TAKFĪR UPON THE SOLDIERS OF THE ṬĀGHŪT

**QUESTION.** There are some who consider shaving the head a basis for making takfīr upon the soldiers (of the army). How is that so?

**ANSWER.** Shaving the head is from the greatest forms of worship as it was affirmed by Ibn al-Qayyim رحمه الله in *Zād al-Ma'ād*. Thus, whoever shaves his head for other than Allāh عز وجل in a way of submission which the Sūfiyyah do with their Shuyūkh, and the soldiers do when they enter the army – then he is a Mushrik.

Likewise whoever shaves someone else's head in a way of humiliation and enslavement, like what they do with the brothers in prison. Then, it is a form of shirk as well. Since shaving the head is not to be done in submission to anyone except for Allāh عز وجل in 'an-nusuk' (at ḥajj).

And Allāh سبحانه وتعالى knows best.

[END OF FATWĀ]



## 60. THE RESPONSE AGAINST THE MISCONCEPTION OF SHAVING THE HEAD

**QUESTION.** How is it possible that shaving (the head) for the army is shirk? This shaving is from the doubtful bodies (i.e. rule enforcements) which is sub-joined to the niyyah (i.e. intention).

Meaning that whoever shaves (his head) to seek nearness to an individual has disbelieved. But as for whoever shaves (his head) from the aspect of following the regime – and the regime wanted them to humiliate themselves by that – then this is not kufr.

Rather it is a forbidden sin as it occurs in the Madhāhib. Shaving is dependent upon the intention. Therefore, if it only had a single view (i.e. it being shirk), it would not have been permissible for ‘Umar to shave the head of Naṣr Ibn al-Ḥajjāj for the sake of removing the fitnah from his appearance?

**ANSWER.** As for shaving (the head), if it was from the aspect of submission to others as the Sūfiyyah do in their shaving to their Shuyūkh, and as is the situation of the soldiers when they enter the army – then it is shirk. For shaving the head is not done in submission (to anyone) except to Allāh جل و علا at Ḥajj. Ibn al-Qayyim has affirmed that shaving (the head) is from the greatest forms of worship.



As for observing and comparing this to other situations, then the answer is given from two ways; brief and elaborated.

As for the brief answer: if the shaving done by these people was in a way of submission for the creation and humiliating him – then it is only one ruling – which is shirk. If it was not like that, then the qiyās (analogy used by the questioner) is invalid and it does not malign or impugn the general principle.

As for the elaborated answer: the shaving of the heads done by (different) entities – while it has something wrong with it – is not from the aspect of enslaving others. Rather it is from the aspect of ta'zīr (disciplining) by shaving the head.

Some of the scholars have adopted this view, and it has a basis in the Shar'iah, which is destroying a place of disobedience. Such as putting a hole in leather-made alcohol bottles (i.e. to remove it), breaking its vessels/glasses, burning the pubs, tearing silk clothes, and what is similar to that.

So, it is not from this aspect. Likewise, the teacher shaving the head of his students is from the aspect of cleanliness and upbringing, not enslavement. Such as the father shaving the head of his children.

It has been narrated that the Prophet صلى الله عليه وسلم shaved the head of Ja'far b. Abī Ṭālib رضي الله عنه<sup>42</sup> so

42 *Riyād us-Ṣāliḥīn* [1640]. Graded as Ṣaḥīḥ by al-Albānī رحمه الله.



there is a difference between the two matters here.

If this issue (of shaving their heads) in the army is ambiguous to you, then put it aside and look at the other matters. Such as the army courts, military hail, firmly standing up for the flag, shirk of obedience, and other than that.

[END OF FATWĀ]

## 61. THE MILITARY HAIL

**QUESTION.** Some of the brothers said:

With regards to the military hail, it is from the aspect of imitating the Mushrikīn. This is what the fatwā of Shaykh Ḥumūd at-Tuwayjirī is based upon. For if it is said that they exalt the star with an additional exaltation, and exalting inanimate objects is not permissible. Then I say: not all forms of exaltation for inanimate objects is shirk, rather it is of different types.

Some forms of it is a prescribed exaltation, which is exalting the black stone and kissing it. Whereas some forms of it is an innovated exaltation and a means towards shirk, such as exalting the shrines and graves by placing lamps (for light) and raising it above its (ground) level. Ibn al-Qayyim mentioned that this is from the pretexts of shirk and its means.

Likewise, whoever hangs an amulet believing it to be a cause to avoid the evil eye, then it is a bid'ah which does not reach shirk. But if he believed that it brings benefit or



harm besides Allāh, then he has fallen into major shirk. It is well known that the army does not believe that the star brings benefit or harm. However, he respects it in accordance to the regime, because it is one of the causes for promotion (in rank). Thus, it is considered in this aspect, minor shirk.

[End Quote]

**What is the response to this misconception?**

**ANSWER.** As for the issue of the military hail, then the discussion regarding it is lengthy. I will try to summarise it, then the discussion regarding the misconception you mentioned (will be addressed afterwards). So, I say:

Indeed, if a matter is proven to be an act of worship to Allāh, the Exalted, then diverting it to other than Him is shirk. But if it was not an act of worship, however it has been proven to be prohibited to do, then performing it is ḥarām (not shirk). That is like standing – which is our issue here – for indeed standing as it is well known, is of three types: two types are confirmed to be prohibited.

- Wanting people to stand up for him: “Whoever likes for the people to stand up for him... [until the end of the ḥadīth where the Prophet صلى الله عليه وسلم said, let him take his place in hellfire.]”<sup>43</sup>

43 *Sunan Abī Dāwūd [5229]. Graded as Ṣaḥīḥ by al-Albānī رحمه الله.*



- Standing up for someone: “You were at this time about to do an act like that of the Persians and the Romans. They stand before their kings while they sit, so do not do that.”<sup>44</sup>

So, these two types (of standing) are ḥarām. The prohibition of both (types of standing) has been confirmed, and they are not shirk. But as for standing in a way of submission and qunūt (i.e. prolonging), then it is an act of worship for Allāh, Glorified is He. It is an additional matter than simply standing up alone, as Allāh عز وجل said:

وَقُومُوا لِلَّهِ قَانِتِينَ

And stand up truly obedient (qānifīn) to Allāh.  
(2:238)

The tafsīr of the qunūt has been confirmed in the Ṣaḥīḥ (i.e. Muslim) from the ḥadīth of Zayd Ibn Arqam رضي الله عنه wherein he stated: “So, we were ordered to remain quiet, and we were forbidden from speaking.”

So, the likes of this standing in this way, if it was diverted to other than Allāh – then it is shirk. Whether it was to a human being, or rock, or tree, or anything else. What is well known is that the qunūt that is present in the army is

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44      Ṣaḥīḥ Muslim [413].



stricter and greater than the qunūt which is present in the standing of ṣalāt.

For during ṣalāt, he can recite, and it is permissible to make slight movements. As well as relaxing the feet, killing the two black ones (i.e. snake and scorpion), holding a child, and other than that.

This is all prohibited in the army. So if you add to that, raising the hand to the forehead, or to his weapon, and what is similar to that – then it is like a form of committing an act of worship to others. Also, with beating the man for him to submit as well. As it has been narrated in the famous authentic ḥadīth: “The Angels beat their wings in submission to Him (i.e. Allāh).”<sup>45</sup>

So, all these things make the standing that is present in the army as a type of ‘ibādah (act of worship). Whether it was for a commander, or star, or flag. The example is given by the realities and meanings. In fact, it is greater than the ‘ibādah which is present in the ṣalāt as we previously stated.

So, if this is affirmed, the misconception that he mentioned is cleared up. Like his statement regarding the exalting of the black stone and other than that. Hence, this is a different topic, it differs completely (from what we are talking about). For if a man diverted an act of worship to the black stone, or the ka‘bah, and what is similar to that

45 *Ṣaḥīḥ al-Bukhārī* [223].



– then he becomes a Kāfir.

The shirk which is mentioned in the army is not simply for exaltation alone, rather it is the shirkī exaltation. This brother of ours, may Allāh give him success, took the mutual tie with regards to the word ‘exaltation’. He did not pay attention to the difference (in application and meaning). I ask Allāh, glorified is He, to give success to everyone towards what He loves and is pleased with.

The Shaykh, حفظه الله, stated elsewhere: verily this salutation and submission is for the (promotion) ranking (stars and badges). Since it stands for royalty, and they call it the royal pursuit. Whereas worshipping other than Allāh does not differentiate between worshipping a human being, or rock. Except that this severs the proof made by those who make the issue from the category of sujūd al-taḥiyyah (prostration of salutation) which was prescribed (in the previous nations). It was abrogated in our Shar‘īah, because this cannot be imagined (in doing so) with rocks and inanimate objects.

This is all a legislation by the constitution which must be complied with. The one who does not comply with it is punished like the one who delays ṣalāt. So, ponder over all these matters. Free yourself from the norms, familiarity, love, and traditions (i.e. be unbiased). Undoubtedly it is a shirkī ‘ibādah (act of worship) to other than Allāh (major shirk). This is a brief discussion regarding it, and I ask Allāh to keep you firm, preserve you and hasten your release.



[END OF FATWĀ]

## 62. THE ṬĀ'IFAH MUMTANI'AH

**QUESTION.** Is the army considered a Ṭā'ifah Mumtani'ah? What are the nawāqid (nullifiers of Islām) that it consists of?

**ANSWER.** As for the army, then it is from the most clearest of examples pertaining the issue of at-Ṭā'ifah al-Mumtani'ah (the abstaining group) from complying to some of the ordainments of Islām. This is very clear and displayable.

In *ad-Durar as-Saniyyah* (volume 15 and 16), there is a specific chapter regarding the requirement (for a Ṭā'ifah Mumtani'ah). What the A'immat ad-Da'wah have mentioned about them, and they have mentioned some of the muḥarramāt (forbidden things) that are present. Such as imitating the Kuffār in wearing their clothes, their protocols (i.e. regimes), the military hail, music, and other than that.

Shaykh Hamūd al-Tuwayjirī رحمه الله spoke about the army and what it has from munkarāt (evil and corruption) in the book *al-Īdāḥ wa at-Tabiyīn Limā Waqa'ah Fīhi al-Aktharūn min Mushābahat al-Mushrikīn*. Such as the military hail, slapping a man, clothing, the (army) cap, music, and other than that. Ibn Bāz wrote an introduction for him.



There is a wide range of fatāwā about the munkarāt of the army that is present in *Fatāwā al-Lajnah ad-Dā'ima*. So this is all sufficient for whoever wants to argue if he was a seeker of the truth.

Let us just say (for argument sake) that it is not kufr. Then it is (still) munkar and ḥarām. This is the fatāwā of your Shuyūkh about it (i.e. the impermissibility of entering the army). It is not permissible to work in it at all, even if he does not comply to their protocols (i.e. regime). Since it has cooperation over sin and transgression. It strengthens their authority, increases their numbers, and other than that. Its munkarāt are so many as I previously stated. From it is:

1. Shirk at-ṭā'ah (i.e. shirk of obedience). It is from the most clearest forms of this shirk (of entering the army). Since they have a principle: 'carry it out, then object (afterwards)'.  
  
Every single one of them is ordered to obey whoever is above him in all cases. The criterion of the commands return back to the regime, not to the Shar'īah. So – if he ordered a command which is permitted by the regime – even if it was ḥarām according to the Shar'īah; then he is obliged to carry that out, and likewise vice-versa.

2. Shirk of the military hail and shirk of the salutation of the flag. I have written an essay on this topic in the year 1414 A.H.



3. Ruling by other than what Allāh has revealed, and that is due to them having specific courts, which are the military courts. They judge by the Ṭāghūt, not the Shar‘īah, the issues of the soldiers are referred to it.

4. That their pride and fighting and power is with the regime, not with the Shar‘īah. Just as Shaykh al-Islām (Ibn Taymiyyah) said about the soldiers of the Tatar who ascribe themselves to Islām. After ruling upon them with apostasy, he said: “Indeed their fighting is not on behalf of the dīn of Islām, rather it is on behalf of the Tatār state.”

5. That all of the things that became widespread in the land from the kufr, Ṭāghūt courts, allying with the Kuffār, and other than that is all through their intermediary and protection and assistance (for the Ṭāghūt).

6. Most of what is present in it (i.e. the army) is taken from the Kuffār. Starting from the clothing, rankings (of the soldiers), and ending with the aḥkām (i.e. rules and regulations) of the army. As well as moving around the way they have been taught, walking, and other than that. The discussion about it is lengthy, and this indication suffices from needing to say a lot.

And Allāh سبحانه وتعالى knows best.



### 63. ABANDONMENT OF THE SYRIAN ARMY & REPENTANCE

**QUESTION.** Is the abandonment from the Syrian Army considered a tawbah which does not require him to do anything else (to return back to Islām)?

**ANSWER.** His abandonment (of the army) on its own is not (considered) tawbah, and this is clear and apparent.

Rather, he must believe in Allāh **جل وعلا** and disbelieve in the Ṭāghūt. Such as Ba'thism, ruling by other than what Allāh has revealed, and all that which has nullified monotheism.

As it is clearly shown (from Syria) that many of the abandonments were only (done) for the dunyā, either for their incompetence. Or their hatred for Bashār al-Assad, and his counterparts. Or for their hunger/greed of wanting higher positions. Or because of fear from the revolutionists, and other than that.

They have still not met and perfected (the conditions) of tawhīd and disassociation from the Ṭāghūt. So, they have not done anything further, except that they have changed from (one) disbelief to another.



And Allāh is the One Whom help is sought from.

[END OF FATWĀ]

## 64. RULING ON APPEALING TO SEEK JUSTICE FROM HUMAN RIGHTS

**QUESTION.** The ruling on appealing to seek justice from ‘Human Rights,’ and retrieving your Islāmic rights?

**ANSWER.** Dealing with the Kuffār to retrieve rights and establish true justice is permissible with the condition that you do not exalt them. Nor exalt their systems and laws and submit to it.

This is proven by the incident of ‘Ḥilf al-Fuḍūl’. As well as the incident of the migration towards al-Ḥabasha. As well as the incident of the Prophet صلى الله عليه وسلم entering into the neighbourhood of al-Muṭ‘im Ibn ‘Adī. As well as the incident of Abī Bakr رضي الله عنه entering into the neighbourhood of Ibn ad-Dughna. and the entering of ‘Umar رضي الله عنه into the neighbourhood of al-‘Ās Ibn Wā’il as-Sahmī. As well as the entering of ‘Uthmān رضي الله عنه into the neighbourhood of al-Walīd Ibn al-Mughīrah, and other similar type incidents.

So, if someone was sent to the ‘Human Rights’ Kāfir organisations. Then described to them the situation of torture, oppression, etc. Then invited them to crack down on the oppression, without commending and praising



them, nor submitting to their systems – then there is nothing wrong with that.

And Allāh knows سبحانه وتعالى best.

**[END OF FATWĀ]**

I ask Allāh to grant us and you guidance, precision, and steadfastness until we meet death. As well as to make this a ḥujjah for us, and to make it beneficial for us. May Allāh send peace and blessings upon our Prophet Muḥammad صلى الله عليه وسلم.



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أهل التوحيد

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