

A PERSON DOES NOT BECOME
KAAFIR UNLESS HE REGARDS IT TO
BE PERMISSIBLE...

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بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

This is a short extract taken from the book 'الحكم بغير ما أنزل الله' written by Dr. Abdur-Rahman Ibn Saalih al-Mahmood and translated into the English Language by Nasiruddin Khattab with the title 'Man Made Laws VS Shari'ah'. The book was published by International Islamic Publishing House in 2003, this book is a must have for every student of knowledge as it discusses one of the most controversial issues of the modern time which is the epidemic of 'Ruling by other than what Allah Revealed'. The following is a reply to the specious argument that person does not become a *kaafir* **unless** he regards it to be permissible to rule by something other than that which Allah has revealed and rejects that which Allah has revealed.

A person does not become a *kaafir* unless he regards it to be permissible to rule by something other than that which Allah has revealed and rejects that which Allah has revealed

Some researchers connect this to that which is more general and more comprehensive, namely the claim that no one who commits an act of *kufir* becomes a *kaafir* unless he rejects and denies (the ruling of Allah). They quote as evidence for that things like the words of at-Tahawi, who was quoting from the *a'immah* before him, "We do not regard any of the people of the Qiblah (i.e., Muslims) as a *kaafir* for committing a sin so long he does not regard it as being permissible." The one who rules or judges by something other than that which Allah has revealed is included in this general statement so he is not regarded as a *kaafir* unless he regards his action as being permissible.

This issue and the response to it may be discussed from several angles:

1 - The *a'immah* - the reputed Muslim jurists and scholars (may Allah have mercy on them), did not speak in general terms in the way that some have understood from the words of at-Tahawi and others.

For example, Imam Bukhari gave one of the chapters in *Kitaab al-Emaan* in his *Saheeh* the title *Baab al-Ma'aasi min Amr al-Jaahiliyah wa laa yakfur Saahibuhaa bi irtikaabihaa illaa bish-Shirk* (Chapter: Sin is the matter of Jaahiliyah and the one who commits sin is not a *kaafir* unless he commits *shirk*).¹ Here Imam Bukhari is pointing out that *shirk* on its own is *kufir*, although it is also a type of sin. What may be noted here is that Bukhari did not mention the one who believes sins to be permissible, so does this mean that he did not regard the one who believed sins to be permissible as a *kaafir*? Bukhari, like other *a'immah*, was speaking in general terms and did not mean that this was the only way of labelling a person *kaafir*, what he intended here was to refute the *Khawaarij* who labelled all sinners as *kaafir*.

Barbahari said in *Sharh as-Sunnah*: "No Muslim goes beyond the pale of Islam unless he rejects one or more verses of the Book of Allah, or rejects any of the hadith of the Messenger of Allah (ﷺ), or prays to anyone other than Allah, or offers a sacrifice to anyone other than Allah. If he does any of these things, then you must regard him as being beyond the pale of Islam, but if he does not do any of these things, then he is a believer and a Muslim in name, if not in reality."²

¹ Bukhari, *Kitab al-Emaan*, Chapter 22.

² *Sharh as-Sunnah*, Pp. 31, edited by Dr. Muhammad Saeed al-Qahtani.

He mentioned praying to anyone other than Allah and offering sacrifices to anyone other than Allah. These are sins and they are also actions, and the one who does them is beyond the pale of Islam. Barbahari meant to give examples, but he did not intend to list all the examples. By the same token, when the scholars said that the adulterer and the thief are not *kaafirs*, they did not limit that to those people; they were merely giving examples. This is clear.

2 - Similarly, the *a'immah* (may Allah have mercy on them) explained the correct meaning of the phrases used by at-Tahawi and others, and that the intention was to refute the *Khawaarij*; they did not mean that this applies to all sins and that no sins could make one a *kaafir*. It is sufficient to mention a few brief examples of what the scholars said concerning that.

Among them *Shaykh al-Islam* Ibn Taymiyyah said: "Hence the Sunni scholars said, when describing the belief of *Ahl as-Sunnah wal-Jamaa'ah*, that they did not denounce any Muslim as a *kaafir* for sinning, referring to the *bid'ah* (innovation) of the *Khawaarij* who denounced people as *kaafirs* for any sin."³ The phrase "denounced people as *kaafir* for any sin" refers to what we mentioned above, which is that the *Khawaarij* denounced people as *kaafir* for any sin; in contrast, the *Ahl as-Sunnah* do not denounce people as *kaafir* for all sins, only for some sins, for which there is clear evidence that the one who does them is a *kaafir*.

Ibn Taymiyyah also said: "What is indicated by the Qur'an and Sunnah is an established principle of *Ahl as-Sunnah wal-Jamaa'ah*, that they do not denounce any Muslim as a *kaafir* because of sin, and they do not regard him as being beyond the pale of Islam because of his actions, if he does something that is not allowed, such as committing adultery or stealing or drinking alcohol, so long as it does not imply that he no longer believes"⁴ - i.e., by doing something which nullifies faith, such as regarding the forbidden thing he is doing as being permissible, etc.

He also said: "If we say that the *Ahl as-Sunnah* are agreed that a person is not to be denounced as a *kaafir* because of sin, we mean that the sins such as adultery and drinking wine. But with regard to these basic issues, there is a well-known dispute as to whether the one who neglects them is to be denounced as a *kaafir*."⁵

What he means by "these basic issues" is the four pillars of Prayer, Zakah, Fasting and Hajj.

Shaykh Muhammad ibn ' Abdul- Wahhab (رحمه الله) said, refuting those who use the fact that the scholars said that it is not permissible to denounce a Muslim

³ *Majmu' al-Fataawa*, 12/474.

⁴ *Ibid*, 20/90.

⁵ *Ibid*, 7/302.

as *kaafir* because of sin (to support their own specious arguments): "This is true, but this is not the issue which we are dealing with here. The *Khawarij* used to denounce as a *kaafir* the one who committed adultery, stole or shed blood, indeed (their view was that) if a Muslim committed any major sin, he became a *kaafir*. But the view of the Ahl as-Sunnah was that a Muslim becomes a *kaafir* only if he commits *shirk*. We did not denounce the misguided leaders and their followers as *kaafirs* for anything but their *shirk*. You are one of the most ignorant of men if you think that a person who prays and claims to be a Muslim can never be denounced as a *kaafir*..."⁶

He further said, refuting the same idea: "Do you not see that when the Companions of the Messenger of Allah (ﷺ) fought those who withheld the *Zakah*, when they wanted to repent, Abu Bakr said, 'We will not accept your repentance until you bear witness that our slain are in Paradise and your slain are in Hell.' Do you think that Abu Bakr and his companions did not understand and that you and your father are the ones who understand? Woe to you, O' deeply ignorant one, if you think that!"⁷

He mentioned *shirk* and withholding the *Zakah*, and he explained the meaning of the words of the *salaf*, "we do not denounce anyone as a *kaafir* for sins." This *Shaykh* is the author of a well-known essay entitled *Nawaqid al-Islam* (What nullifies Islam), which includes things other than regarding as permissible that which is forbidden, such as practising witchcraft or magic, and ruling by anything other than that which Allah has revealed.

Shaykh 'Abdul-Lateef ibn 'Abdur-Rahmaan ibn Hasan (may Allah have mercy on them) said, refuting Dawood ibn Jarjees al-'Iraqi: "With regard to his saying that *Shaykh* Ahmad ibn Taymiyyah and his student Ibn al-Qayyim did not denounce any of the people of the *qiblah* as *kaafir*, it has to be said: if only he knew who were the people of the *qiblah* mentioned in this context and what is meant by this phrase, he would not have mentioned it here as evidence to support those who call upon anyone other than Allah and to say that they are not to be denounced as *kaafir*.

Whoever turns away from the words of the scholars and thinks that anyone who prays and says *Laa ilaaha ilia-Allah* is one of the people of the *qiblah* (i.e., a Muslim) even though he does what he does of things that indicate that he is guilty of *shirk* and has left the religion of Islam, is calling attention to his own ignorance and misguidance, and is exposing his lack of knowledge and religion by saying that. Imam Ahmad (رحمه الله) denounced the one who says,

⁶ *Ma Ilifaat Muhammad ibn ' Abdul- Wahhaab, Ar-Rasaa'il ash-Shakhsiyah, Pp. 233.*

⁷ *Ibid, Pp. 234.*

we do not label those who sin as *kaafir*,⁸ but this person claims to be following the *madhhab* of Imam Ahmad. This phrase meant a disavowal of the belief of the *Khawarij* who denounced people as *kaafir* simply for committing sin. This is quoting words out of context and distorting the meaning, because it is mistakenly applied to those who commit *shirk* and pray to righteous people. Thus he became confused and did not understand what the *salaf* meant by these words. This incorrect understanding is refuted by the Book of Allah, the Sunnah of His Messenger and the consensus of the scholars. The leading *fuqahaa'* of the *madhahib* (madhhabs) devoted a separate chapter to this issue, where they mentioned the ruling concerning apostates from Islam and listed many actions which make one a *kaafir*, which are less serious than the issue we are dealing with here. They affirmed that the means of protection against *kufr* is adherence to Islam and its pillars and basic principles, not merely saying words and praying whilst still persisting in things that go against Islam. Students who have only just begun their studies know this, and it is mentioned in the summaries of the books of the Hanbalis and others. This person does not know what young boys in school know. This claim is baseless and his lack of intellectual ability is obvious."⁹

What *Shaykh* 'Abdul-Lateef says is applicable to the matter we are discussing here, when he refutes those who quote as evidence the comments of at-Tahawi and the conclusion that no one becomes a *kaafir* except the one who regards that which is forbidden as being permissible.

3 - When the *a'immah* (Imams) said, "we do not denounce anyone as a *kaafir* for sins", they intended thereby to refute the *Khawarij*. The error stems from a misunderstanding of this phrase and using it in general terms to refer to all sins. That is not what the *a'immah* intended when they said this. The confusion surrounding this phrase may be dispelled in two ways:

a) The commentator on at-Tahawiyah, Ibn Abil-'Izz, said that many of the scholars of *Ahl as-Sunnah* stopped using this phrase in general terms, and that the correct thing to say in this case is "we do not denounce people as *kaafir* for all sins."¹⁰ This is in order to differentiate between the view of the *Khawarij*, who denounce people as *kaafir* for all sins, and the view of *Ahl as-Sunnah*, who denounce people as *kaafir* for some sins which imply *kufr*, for which there is clear evidence that the one who does them is a *kaafir*, but they do not denounce people as *kaafir* for all sins.

⁸ I say: perhaps when Ibn Abil-'Izz mentioned in *Sharh at-Tahawiyah* that many of the Sunni scholars disallowed use of the phrase "we do not denounce those who sin as *kaafir*" (as we will refer to in point 3 below), he was referring to the saying of Imam Ahmad as quoted from him by *Shaykh* 'Abdul-Lateef.

⁹ *Ad-Durar as-Sanniyah (ar-Rudood)*, vol. 9, Pp. 290-291, 1st edition.

¹⁰ *Sharh at-Tahawiyah*, Pp. 433-434, edited by at-Turki, al-Arnaa'oot.

b) What is meant by sins is acts of disobedience to Allah which do not make the person who does them a *kaafir*, such as adultery, stealing, drinking alcohol, killing unlawfully, disobeying one's parents, casting aspersions upon a person's lineage, wailing for the dead, etc. These do not make the one who does them a *kaafir* unless he believes that they are permissible. The sins which do make one a *kaafir*, such as insulting Allah, worshipping idols, showing disrespect to the *Mushaf* make the one who does them a *kaafir* regardless of whether he believes them to be permissible or not. Perhaps the phrase used by at-Tahawi, "from among the people of the *qiblah*" indicates that "the people of the *qiblah*" includes those who commit sins which do not nullify their Islam, such as those who commits sin like adultery, theft, consuming *riba*, etc. These people do not become *kaafir* because of their sins, unless they believe that they are permissible.

By taking these two points into consideration, what at-Tahawi meant becomes clear.

4 - Saying that no one is a *kaafir* except the one who rejects (the ruling) is the view of the *Murji'ah* of all kinds. The reason for that is that when they defined faith as being belief, they limited *kufir* to the opposite of faith, which is disbelief and denial.

The *salaf* were unanimous in condemning all the *Murji'ah*, whether they were the *Jahamiyyah* or the 'Islamic philosophers' (*mutakallimoon*) such as the *Ash'ariyyah* and *al-Maaturidiyyah*, or the *Murji'ah al-Fuqahaa* '. But unfortunately there are people among those who claim to follow the *salaf* who express the same view as the *Murji'ah* with regard to some issues of faith.

Shaykh al-Islam Ibn Taymiyyah said: "Jaham used to say that faith is simply belief in the heart, even if one does not speak the words of faith. This view is unknown from any of the scholars or *a'immah* (Imams) of this ummah. Indeed, Ahmad, Wakee' and others regarded *kaafir* those who expressed this view. But this view was supported by al-Ash'ari and most of his followers, despite that they said that everyone who is judged by shari'ah to be a *kaafir*, we also judge him to be a *kaafir*, and we take the fact that the shari'ah judges him to be a *kaafir* as evidence that his heart is devoid of knowledge."¹¹

The view that no one becomes a *kaafir* except the one who rejects (the ruling) is the view of the extreme *Murji'ah*, but it should be noted that even when the *Murji'ah al-Fuqahaa* and the *mutakallimoon* went along with this principle, they did not take it as an absolute rule. Rather, they said: whoever is judged by the Lawgiver to be a *kaafir* (i.e., because of any of the types of *kufir* apart from denial), we also judge him to be a *kaafir*. This, in general, is in

¹¹ *Majmu' al-Fatawa*, 13/47.

accordance with the view of the *salaf* but they introduced a *bid'ah* (innovation) and said: whoever is judged by the Lawgiver to be a *kaafir*, this is an indication that his heart is devoid of knowledge - which goes against common sense, reason and *shar'*.

We are not discussing the issues that have to do with classifying a person as a *kaafir*, but I shall quote one principle - on which there is consensus - to refute clearly the issue that we are discussing, and to settle the dispute between *Ahl as-Sunnah* and the *Murji'ah* of various kinds.

I have limited this to one issue for the sake of brevity, because in the case of what nullifies faith, quantity is irrelevant, as *Shaykh al-Islam* Ibn Taymiyyah says: "In the case of words that nullify faith, it does not matter whether it is one or many, even if the person does not utter words of blatant *kufr*, for example, if he rejects one *ayah*, or denies one obligatory duty, or insults the Messenger once, even if he does not state that he disbelieves in the Messenger. The same applies to words which nullify faith if they are uttered, such as saying, 'I nullify the covenant' or 'I have nothing to do with you.' The covenant (of Islam) becomes null and void because of this, even if he does not repeat it. Similarly, insulting the religion etc., does not need to be repeated."¹²

These are matters concerning which there is no dispute. If a person disbelieves in Prophet Nuh (Noah) (عليه السلام), then he is a *kaafir*, even if he believes in the rest of the Prophets, just as *taharah* (purity) and *salah* (prayer) may be nullified by one of the things that nullify them. Similarly, a Muslim may be one of those who profess the *Shahadatayn* and perform all the other pillars of Islam, but if he commits one action that nullifies Islam - such as denying that adultery or drinking alcohol is *haram* - then he is a *kaafir*, according to scholarly consensus.

Insulting the Messenger (ﷺ)

The one issue which we will examine here is that of insulting the Messenger (ﷺ). The scholars are unanimous that whoever clearly insults the Messenger (ﷺ) is a *kaafir*. Among those who stated that there is a consensus, are:

1 - Ishaq ibn Raahawayh, the famous Imam. *Shaykh al-Islam* Ibn Taymiyyah said: "Imam Ishaq ibn Raahawayh, one of the prominent *a'immah* (Imams), said: the Muslims are agreed that whoever insults Allah or His Messenger, or rejects anything that Allah has revealed, or kills one of the Prophets of Allah,

¹² *As-Saarim al-Maslul*, 2/178.

is a *kaafir* by virtue of that, even if he believes in everything that Allah has revealed."¹³

2 - Ibn al-Mundhir and al-Farisi. Ibn Hajar said in *Fath al-Bari*: "Ibn al-Mundhir narrated that there was consensus that whoever insults the Prophet (ﷺ) in clear terms must be killed. Abu Bakr al-Farisi, one of the Shafi'i Imams, narrated in *Kitab al-Ijmaa'* that whoever insults the Prophet (ﷺ) in a manner that is clearly slander, is a *kaafir* according to scholarly consensus."¹⁴

3 - Muhammad ibn Sahnun who said: "The scholars are agreed that whoever insults the Prophet (ﷺ) and shows disrespect to him is a *kaafir* and is subject to the warning of Allah's punishment. According to the view of the ummah, he is to be killed, and whoever doubts that he is a *kaafir* and deserves punishment is also a *kaafir*"¹⁵

This ruling of *kufir*, which is agreed upon concerning the one who insults the Messenger (ﷺ), is applicable simply for the action of insulting, regardless of whether he believes it to be permissible or thinks that it is forbidden. His *kufir* is both outward and inward, in contrast to the view of the *Murji'ah*. *Shaykh al-Islam* Ibn Taymiyyah said: "We say: that insulting Allah or insulting His Messenger is *kufir* both outwardly and inwardly, whether the one who does that believes that it is forbidden, or he thinks that it is permissible, or if he does not have any opinion on that. This is the view of the *fuqaha'* (Muslim jurists) and all of the *Ahl as-Sunnah*, who say that faith is both words and deeds."¹⁶ In this case, there is no difference between one who is joking and the one who is serious.¹⁷

The mere act of insulting is major *kufir*, whether one believes it to be permissible or not. Whoever says that it is *kufir* only in the case of one who believes it to be permissible has taken that from the *Murji'ah*, whom Ibn Taymiyyah criticized severely when he said: "It must be noted that saying the reason why the one who insults (Allah or His Messenger) is a *kaafir* is his belief that this is permissible, is a serious mistake and a grave error may Allah have mercy on al-Qadi Abu Ya'la who mentioned in more than one place in his books things that contradict what he said here. The reason why they fell into this pit is what they learned from a group of the later *mutakallimoon* (Scholastics), who were influenced by the *Jahamiyyah* in saying faith is merely the matter of belief in the heart, even if it is not accompanied by words on the

¹³ Ibid, 2/15, 3/955. The words of Ishaq are mentioned in *at-Tamheed* by Ibn 'Abdul-Barr, 4/226.

¹⁴ *Fath al-Bari*, commentary on hadith no. 6928 of Saheeh al-Bukhari. (*Fath al- Bari*, 12/281, 1st Salafiyyah edition)

¹⁵ *As-Saarl'm al-Maslul*, 2/15-16; 3/956.

¹⁶ Ibid, 3/955.

¹⁷ Ibid, 3/957.

lips and even if it does not lead to any action of the heart or physical action..."¹⁸

This consensus of the scholars and their comments on this issue indicate a number of things:

- a) That *kufr* is not limited only to rejection.
- b) That *kufr* may take the form of words or deeds.
- c) That *kufr* is not only dependent on a person believing something forbidden to be permitted.
- d) That this kind of *kufr* - which is described as such in a text - is both inward and outward *kufr*, and that it is *kufr* in and of itself, not because it indicates that the person believes something forbidden to be permissible.
- e) Those who go against this view are kinds of *Murji'ah*, extreme or otherwise.

In order to distinguish the view of *Ahl as-Sunnah wal-Jamaa'ah* - concerning the issue of insulting the Prophet (ﷺ) - from the views of the *Murji'ah*, we will mention various views on the matter, and the views of each group which went against the view of the *salaf*. These views (which are opposed to the view of the *salaf*) are as follows:

The first view: That a person who insults the Prophet (ﷺ) is not considered to be a *kaafir* (disbeliever) in this world unless he clearly states that he rejects (the ruling) or believes that uttering such insults is permissible. This is the view of the extreme *Murji'ah* who say that whoever is described by shari'ah as being a *kaafir* because he does or says something that implies *kufr* should not be judged to be a *kaafir* in this world unless he clearly states that he rejects (the ruling).

This group was accused of *bid'ah* (innovation) by the *salaf* because of their extreme *Murji'i* views which went against the texts which describe the one who commits an action that implies *kufr* (disbelief) as being a *kaafir* without stipulating the condition that it should be accompanied by denial or rejection. Thus they made rejection a condition for classifying a person as a *kaafir*, so that no one could be described as *kaafir* unless he clearly stated that he denied or rejected (the ruling).

The second view: That the one who insults the Prophet (ﷺ) is a *kaafir* outwardly — i.e., as far as the rulings of this world are concerned — but he may be a believer on the inside, if he believes in his heart. These people say

¹⁸ *As-Saarim al-Maslul*, 3/960.

that everyone who is described in shari'ah as being a *kaafir* must be judged as such outwardly, and the rulings of *kufr* must be applied to him in this world, but it may be that inwardly he is a believer, if he believes in his heart and does not reject (the ruling). This view is well known among the extreme *Murji'ah* who say that faith is knowledge. Their justification for that is "that he may say with his lips something that is not in his heart. If there is respect and veneration of the Messenger in his heart, what is inward cannot be undermined by his contrary outward speech, just as the hypocrite does not gain anything by making an outward show that goes against what is in his heart."¹⁹

Shaykh al-Islam Ibn Taymiyyah refuted the specious arguments of these people from three angles, of which the first one concerns us here. "The implication of this is that whoever utters words of rejection and denial, or any kind of *kufr*, without being forced to do so, may nevertheless still be a believer. Whoever believes this has cast aside the covenant of Islam (i.e., become a *kaafir*)."²⁰

Because of the seriousness of this specious argument — I mean the argument of the *Jahamiyyah* — and the extent to which it spread in later periods, I will quote what Ibn Taymiyyah said about it, and how groups among the *Ahl al-Kalaam* (Scholastics) other than the *Jahamiyyah* were influenced by it. He said: "Hence it is clear that Jaham ibn Safwan and his followers erred when they thought that faith is simply the matter of belief and knowledge in the heart, and they did not regard actions of the heart as being part of faith. They thought that a person could have perfect faith in his heart, yet at the same time he could insult Allah and His Messenger, or oppose Allah and His Messenger, and oppose the friends (*awliya*) of Allah and take the enemies of Allah as friends, and kill the Prophets, and destroy mosques, and show disrespect towards the *Mushaf* and show the utmost respect to the *kuffaar*, and the utmost disrespect towards the believers. They said, all of that is sin which does not nullify faith which is in the heart, indeed a person may do that whilst inwardly and before Allah he is a believer. They said: indeed the rulings on the *kuffaar* may be applied to him in this world because these words²¹ are sign of *kufr*, so he should be judged on outward appearance just as judgement may be based on confession and the testimony of witnesses, even though inwardly he may be different from that which he has confessed and that the witnesses have testified. If the Qur'an, Sunnah and scholarly consensus are quoted to them to prove that one of these people is a *kaafir* because of doing these actions and he will be punished in the Hereafter, they say: these actions are an indication of the absence of belief and knowledge in his heart. So in their view *kufr* means only one thing, namely ignorance, and belief means only

¹⁹ *As-Saarim al-Maslul*, 3/966.

²⁰ *Ibid* 3/973.

²¹ In *Al-'Abeekaan* edition, Pp. 212, it says "deeds".

one thing, namely knowledge, or rejection or belief in the heart. So they dispute as to whether belief in the heart is anything other than knowledge, or is it merely knowledge?

Though this is the most corrupt statement ever uttered concerning faith, it is the view of many of the scholars of *kalaam* who were influenced by the *Murji'ah*. The *salaf*, such as Wakee' ibn al-Jarraah, Ahmad ibn Hanbal, Abu 'Ubayd and others described as *kaafir* those who expressed this view. They said: Iblees is a *kaafir* according to the text of the Qur'an, and he became a *kaafir* because of his arrogance and his refusal to prostrate to Adam, not because he disbelieved in any text. The same applies to Pharaoh and his people, concerning whom Allah (سبحانه وتعالى) said:

﴿وَجَدُوا بِهَا وَاسْتَيْقَنَتْهَا أَنفُسُهُمْ ظُلْمًا وَعُلُوًّا...﴾ (١٤)

[النمل/١٤]

﴿And they belied them [those aayaat] wrongfully and arrogantly, though their own selves were convinced thereof [i.e. those (aayaat) are from Allah, and Musa (Moses) is the Messenger of Allah in truth, but they disliked to obey Musa (Moses), and hated to believe in his Message of Monotheism...].﴾

[an-Naml 27:14]²²

The difference between this group of the *Murji'ah* and that which came before — both of whom are among the extreme *Murji'ah* — is that the first group did not regard a person as *kaafir*, either in this world or in the Hereafter, unless he denied and rejected (the ruling), whereas the second group said: whoever is judged to be a *kaafir* according to shari'ah, we also regard him as a *kaafir* in this world, but inwardly he may be a believer so before Allah he is a believer.

These two groups were regarded by some of the *salaf* as *kaafir*, as stated above, because of their extreme views and because they went against the clear text (of the Qur'an and Sunnah).

The third view: That whoever is judged by the texts to be a *kaafir* — such as one who insults the Prophet (ﷺ) — is a *kaafir* both outwardly and inwardly, both in this world and in the Hereafter, but if his *kufr* is because of an action such as words or deeds, it is not because of the action itself, but because the action is indicative of the absence of belief in his heart, i.e., his action indicates that there is disbelief in his heart. This is the view of the *kalaami Murji'ah* such as the *Ash'aris* and others, who wanted to reconcile between their view that *kufr* is merely rejection or disbelief and their agreement with

²² Al-Emaan, in *Majmu' al-Fataawa*, 7/188-189.

shari'ah that such people are *kaafir*. So they said: this action is major *kufir*, but *kufir* happens because it is a sign of disbelief in the heart.

This is the view of those who say that the *kufir* of the one who insults the Prophet (ﷺ) is essentially because he believes it to be permissible to utter such insults. This is what Ibn Taymiyyah described as a serious mistake and a grave error, and he attributed this view to the later *Jahamiyyah* who followed the views of the early *Jahamiyyah*. We have quoted above what he said concerning this matter and how he criticized this specious argument.

They agreed with *Ahl as-Sunnah wal-Jamaa'ah* concerning the ruling, that whoever does this is a *kaafir* both outwardly and inwardly, but they differed from them concerning the reason for that. *Ahl as-Sunnah* said that he is a *kaafir* by virtue of the very action or words which imply *kufir*, whereas these people said that he is a *kaafir* because this action or these words are a sign of the absence of belief in his heart, and that is the reason why he became a *kaafir*. This is false, because not every *kaafir* disbelieves in his heart. Iblees, Pharaoh, the Jews, Heraclius and others believed and knew in their hearts, but they were *kaafirs* (disbelievers) because of their actions of refusal and turning away.

The *a'immaah* (Imams) engaged in debate with them, especially Ibn Taymiyyah in his two books *al-Emaan* and *as-Saarim al-Maslul*. Among the things that he said concerning these people was: "The words of Allah contain information and commands. With regard to the information, it is to be believed, and the commands are to be obeyed and submitted to. This is an action in the heart, based on submission to the command even if one does not do what is commanded... (Then he said): if there is any element of belittling or disrespect in the heart then there cannot be submission to the command, and thus there can be no faith in the heart. This is the very nature of the *kufir* of Iblees, for he heard the command of Allah and he did not disbelieve in any messenger, but he did not obey the command or submit to it, and he was too arrogant to obey, so he became a *kaafir*. This is an issue concerning which some of the later generations were confused. They imagined that faith is basically nothing more than belief, then they thought like Iblees and Pharaoh and others who did not disbelieve as such, either verbally or in their hearts, but their *kufir* was of the most extreme type. So they became confused, but if they had followed the guidance followed by the righteous *salaaf* they would have known that faith is both words and deeds..." After mentioning that both belief and obedience are essential, he said: "He cannot be a believer unless both conditions are met, for if he fails to obey and submit he is being arrogant, so he is one of the *kaafirs* (disbelievers) even if he believes. For *kufir* is more general than rejection. It may mean rejection and ignorance, or arrogance and wrongdoing. Hence Iblees was described as a *kaafir* and as being arrogant, but he was not

described as rejecting or disbelieving. Hence the *kufr* of those who had knowledge, like the Jews and their ilk, is described as being like the *kufr* of Iblees, and the *kufr* of those who were ignorant, like the Christians and their ilk, is described as misguidance, which is ignorance. Do you not see that a group of the Jews came to the Prophet (ﷺ) and asked him about some things, and when he told them, they said, 'We bear witness that you are a Prophet,' but they did not follow him.²³ The same is true of Heraclius and others. This knowledge and belief did not benefit them..."

Then he mentioned the *Shahadatayn* (the twin testimony of faith): the testimony that there is no god except Allah, and the testimony that Muhammad is the Messenger of Allah, then he said: "Since belief must be based on both parts of the *Shahadatayn*, — which simply means that one has accepted the Message — there were some who thought that this is the only foundation of faith, and they forgot the other essential principle, which is submission. So he may believe in the Messenger both outwardly and inwardly, but he still refuses to submit to the commands. All he achieves by believing in the Messenger is that he becomes like the one who heard the message directly from Allah, like *Iblees*.²⁴ This explains to you that mocking Allah and His Messenger essentially contradicts submission and obedience to Him, and it contradicts belief by implication, because it contradicts the consequences and implications of belief and prevents him from reaping its benefits.²⁵

These *Murji'ah* and those who agreed with them thought that there could be no *kufr* unless it was accompanied by disbelief or rejection.

When these cases were quoted to them, in which there is definitive proof that the people who commit these sins are *kaafir*, they said: this is *kufr*, but then they introduced a *bid'ah* (innovation) which goes against the view of *Ahl as-Sunnah wal-Jamaa'ah*, when they said: but it is *kufr* because doing that is an indication of the lack of belief in his heart. So they went against the evidence of shari'ah which stated that there is belief in their hearts, and they also went against the evidence of common sense, for a man may believe in his heart but his words and actions may demonstrate something other than what is in his heart.

The fourth view: *Ahl as-Sunnah wal-Jamaa'ah* say: just as faith is the matter of what is in the heart and what one says and does, the same applies to its opposite. *Kufr* is the matter of what is in the heart or what one says and does, or all of them. If a person does something which implies *kufr* — whether it is verbal, such as insulting Allah, or a physical action, such as showing

²³ This story is narrated by Tirmidhi, hadith no. 2877. He said, this is a *sahih hasan* hadith.

²⁴ i.e., without any intermediary such as an angel or Prophet. This is the highest level of establishing evidence, since Iblees heard the command to prostrate (to Adam) directly from Allah.

²⁵ *As-Saarim al-Maslul* 3/967-969.

disrespect towards the Qur'an — by virtue of this very action, he becomes a *kaafir*, both inwardly and outwardly, according to the rulings of both this world and the Hereafter. What is in his heart does not matter, because he may have belief or disbelief in his heart. What Allah tells us is true both outwardly and inwardly. So when Allah tells us about the *kufr* of those who say that Allah is one of three, or that Allah is the Messiah son of Maryam, or as He told us about those who mocked the religion:

﴿لَا تَعْتَذِرُوا قَدْ كَفَرْتُمْ بَعْدَ إِيمَانِكُمْ...﴾ (٦٦)

[التوبة/٦٦]

﴿Make no excuse; you disbelieved after you had believed...﴾

[at-Tawbah 9:66]

— these statements are true, and the *kufr* of such a person is real; the fact that the one who does it believes that Allah is One, or that the Messiah is not God, etc., will not avail him anything.

These views — which I have discussed in detail, with examples — explain the difference between the view of *Ahl as-Sunnah wal-Jamaa'ah* and the views of the *Murji'i* groups.

Conclusion

- *Ahl as-Sunnah wal-Jamaa'ah* say: this action which constitutes *kufr* is *kufr* in and of itself
- The *Ahl al-Kalaam* (Scholastics) who were influenced by the *Murji'ah* said that this was major *kufr* — which is in accordance with the view of *Ahl as-Sunnah wal-Jamaa'ah* — but they also said that it was *kufr* because it was indicative of disbelief or rejection in the heart. Thus they went against the view of *Ahl as-Sunnah wal-Jamaa'ah* in this sense, because they restricted the meaning of *kufr* to disbelief and rejection.
- One group went to extremes and said that it was *kufr* in an outward sense, according to the rulings of this world, but inwardly such a person may be a believer. This is a false view, as stated above.
- Another group went to extremes by saying that in principle, no one was a *kaafir* except the one who believed that the action he was doing,

which constituted *kufr*, is permissible and who disbelieved in the sense that he clearly rejected (the ruling). This is also a false view.

Let those who speak or write about these topics think long and hard lest they express these false views without realizing, and then attribute what they say to the view of the *salaf*.

5 - *Kufr* is not restricted only to disbelief or rejection. It may mean disbelief or it may mean some other action which implies *kufr*, whether that takes the form of words spoken or physical actions. There follow some examples of what the scholars have said on this matter:

- a) Whoever mocks Allah or His religion or the Messenger is a *kaafir*.
Allah (سبحانه وتعالى) says:

﴿وَلَئِن سَأَلْتَهُمْ لَيَقُولُنَّ إِنَّمَا كُنَّا نَخُوضُ وَنَلْعَبُ ۚ قُلْ أَبِاللَّهِ وَآيَاتِهِ
وَرَسُولِهِ كُنْتُمْ تَسْتَهْزِئُونَ ﴿٦٥﴾ لَا تَعْتَذِرُوا قَدْ كَفَرْتُمْ بَعْدَ إِيمَانِكُمْ ۚ
إِن نُّعَفُ عَن طَائِفَةٍ مِّنْكُمْ نُعَذِّبْ طَائِفَةً بِأَنَّهُمْ كَانُوا مُجْرِمِينَ
﴿٦٦﴾﴾

[التوبة/٦٥, ٦٦]

﴿If you ask them [about this], they declare: 'We were only talking idly and joking.' Say: 'Was it at Allah, and His *ayat* [proofs, evidences, verses, lessons, signs, revelations, etc.] and His Messenger that you were mocking?' Make no excuse; you disbelieved after you had believed. If We pardon some of you, We will punish others amongst you because they were *mujrimoon* [disbelievers, polytheists, sinners, criminals].﴾

[at-Tawbah 9:65-66]

Shaykh al-Islam Ibn Taymiyyah said:

"Allah tells them that they disbelieved (became *kaafir*) after they had believed, even though they said, 'we were speaking of *kufr* but we did not believe in it; we were only talking idly and joking.' He explains that mocking the signs or verses of Allah is *kufr*."²⁶

Ibn Taymiyyah also said:

"Allah says: ﴿If you ask them [about this], they declare: 'We were only talking idly and joking...'﴾ [at-Tawbah 9:65] so they admitted it and made excuses, hence Allah says: ﴿Make no excuse; you disbelieved after you had believed. If We pardon some of you, We will punish others amongst you because they

²⁶ *Al-Emaan*, Pp. 208, *al-Maktab al-Islami* edition.

were mujrimoon [disbelievers, polytheists, sinners, criminals].﴾ [at-Tawbah 9: 66].

This indicates that in their own view, they were not guilty of *kufr*, rather they thought that this was not *kufr*. So Allah explained that mocking Allah, His signs or verses and His Messengers is *kufr* which makes the one who does it a *kaafir* after he had believed. This indicates that they had weak faith and they committed his forbidden action, which they knew was *haram*, but they did not think that it would constitute *kufr*. But it did constitute *kufr* and they became *kaafir* because of it, even though they did not believe that it was permissible. This was the view of more than one of the *Salaf* concerning the description of the hypocrites of whom analogies are given in Surah al-Baqarah, where they are described as seeing then being blind, as knowing then denying, as believing then disbelieving..."²⁷

They became *kaafir* because of this mocking; no attention was paid to what they believed; in fact, the apparent meaning of the *ayah* is that they did not believe in the words that they were saying.

b) *Iblees* became a *kaafir* because of his refusal to prostrate to Adam, although he acknowledged Allah and had sworn an oath by His Glory, and asked Him to give him respite until the Day when they would be resurrected. So He believed in Allah, had knowledge of Him and believed in the Last Day.

Allah (سبحانه وتعالى) says:

﴿وَإِذْ قُلْنَا لِلْمَلَائِكَةِ اسْجُدُوا لِآدَمَ فَسَجَدُوا إِلَّا إِبْلِيسَ أَبَىٰ وَاسْتَكْبَرَ وَكَانَ مِنَ الْكَافِرِينَ ﴿٣٤﴾﴾

[البقرة/٣٤]

﴿And [remember] when We said to the angels: "Prostrate yourselves before Adam." And they prostrated except *Iblees* [Satan], he refused and was proud and was one of the disbelievers [disobedient to Allah].﴾

[al-Baqarah 2:34]

His *kufr* was the *kufr* of disdain and arrogance, caused by his refusal to prostrate (to Adam). He is a *kaafir* (disbeliever) simply because of this action, and the fact that he believed and did not deny is of no avail to him.

²⁷ Al-Emaan, Pp. 260.

c) Allah has described some people as *kaafir* because of things that they have said. Allah (سبحانه وتعالى) says:

﴿لَقَدْ كَفَرَ الَّذِينَ قَالُوا إِنَّ اللَّهَ هُوَ الْمَسِيحُ ابْنُ مَرْيَمَ...﴾ (١٧)

[المائدة/١٧]

﴿Surely, in disbelief are they who say that Allah is the Messiah, son of Maryam [Mary]...﴾

[al-Ma'idah 5:17/72]

And He (سبحانه وتعالى) says:

﴿لَقَدْ كَفَرَ الَّذِينَ قَالُوا إِنَّ اللَّهَ ثَالِثُ ثَلَاثَةٍ...﴾ (٧٣)

[المائدة/٧٣]

﴿Surely, disbelievers are those who said: 'Allah is the third of the three [in a Trinity]...﴾

[al-Ma'idah 5:73]

These are words that in and of themselves constitute major *kufir*, and the fact that the one who says them believes in his heart is of no avail, even if he believes that Allah is One with no partner or associate.

d) Those who worship graves, calling upon someone other than Allah, offering sacrifices to them and seeking their help are *kaafir* simply because of these actions, even if they claim to believe in *Tawheed* and that they believe in their hearts that benefit and harm are in the hand of Allah Alone, and they say that there is no god but Allah and Muhammad is the Messenger of Allah. All of that is of no benefit to them.

The evidence for this is well known, and the scholars, in the past and more recently, have discussed this matter a great deal. They have refuted the specious arguments of the grave-worshippers who quoted the evidence of the *Murji'ah* as proof that praying to graves, offering sacrifices and making vows to them is not *shirk* or *kufir* if the one who does that believes in his heart and utters the *Shahadatayn*.

The point here is that the action on its own constitutes major *kufir*, regardless of whether he regards it as being permissible or not.

This nullifies the claim of the one who says that no sin makes the one who does it a *kaafir* unless he regards it as being permitted.

e) Insulting Allah or the Messenger (ﷺ) is major *kufr*, regardless of whether one regards it as permissible or not. More than one scholar has reported consensus on this point, as we have quoted above.²⁸

f) The *sahaabah* unanimously agreed that those who withheld the *Zakah* and fought to do so were *kaafir*. We have discussed this matter in detail in Chapter 4. The point is that those who withheld the *Zakah* became *kaafir* simply by withholding it — whether they denied (the obligation) or not was not relevant.

g) Whoever claims that any created being, whether a *wali* ("saint") or anyone else, is allowed to go against the shari'ah of Muhammad (ﷺ) is a *kaafir*²⁹ — regardless of whether he believes that in his heart or not.

h) There is consensus that the one who deliberately mishandles the Qur'an or shows disrespect towards it is a *kaafir*,³⁰ regardless of whether he means that in his heart or not.

i) The one who does not pray — we are referring here to the one who does not deny that it is obligatory, because concerning the one who does deny that, there is no dispute (that he is a *kaafir*). The evidence of the Qur'an and Sunnah indicates that the one who does not pray is a *kaafir*. This evidence is listed by al-Marwazi in *Ta'zeem Qadr as-Salah*,³¹ Ibn al-Qayyim in *Kitab as-Salah*,³² and others.

What concerns us here is the fact that some scholars narrated that there was consensus on the *kufr* of the one who does not pray, even if he does not deny (that it is obligatory). This refutes the *Murji'ah* who said that no sin makes a person a *kaafir* unless he believes it to be permissible, without differentiating between major sins of action such as *zina*, stealing, etc., which do not make a person a *kaafir* unless he believes them to be permitted, and major sins which constitute *kufr* and make a person a *kaafir* regardless of whether he regards it as permissible or not — as in the examples given above. In the case of prayer, even though there is a dispute concerning it among the *a'immah* (Imams), especially after the time of the *sahaabah*, more than one scholar narrated that there was consensus that the one who does not pray is a *kaafir*. It is narrated that Ayyub said: not praying is *kufr* and there is no dispute on this point.³³ Ishaq ibn Rahawayh also narrated that there was consensus on this point,³⁴ and he refuted the *Murji'ah* who said that denial or rejection of the

²⁸ *Al-Emaan*, Pp. 295 ff.

²⁹ *Al-Iqnaa'* by al-Hajjawi, 4/299; *Majmu' al-Fataawa*, 3/422.

³⁰ *Ash-Shifa'* by al-Qadi 'Iyad, 2/1101, where he narrated that there is consensus on this point. See also *Rawdah at-Talibeen* by an-Nawawi, 10/64; *al-Iqnaa'*, 4/291.

³¹ 2/873 ff., no. 886 ff.

³² Pp. 395 ff., in *Majmu' al-Hadeeth an-Najdiyyah, as-Salafiyyah* edition.

³³ *Ta'zeem Qadr as-Salah*, 2/925, hadith no. 978; *Saheeh at-Targheeb*, 1/230.

³⁴ *Ibid*, 2/929, hadith no. 990.

ruling was a prerequisite for denouncing anyone as a *kaafir*,³⁵ even though not every scholar who did not denounce the one who does not pray as a *kaafir* was a *Murji'i*.

Ibn Rajab (رحمه الله) said: "Many of the scholars of *Ahl al-Hadeeth* think that the one who does not pray is a *kaafir*. Ishaq ibn Rahawayh narrated that there was consensus among them on this point, and he even described the view of those who say that the one who neglects these pillars but believes in them is not a *kaafir*, as being the view of the *Murji'ah*. Similarly, Sufyan ibn 'Uyaynah said that the *Murji'ah* called not doing the obligatory duties a sin, equivalent to committing forbidden actions. But they are not the same, because committing *haram* actions deliberately, without believing that they are permitted, is a sin, but not doing the obligatory duties, without being ignorant of them and with no excuse, is *kufir*. This is clear in the story of Adam and Iblees, and the Jewish scholars who verbally affirmed the mission of the Prophet (ﷺ) but did not follow his shari'ah. It is narrated that 'Ata' and Nafi', the freed slave of Ibn 'Umar, were asked about the one who says, prayer is obligatory but I do not pray. They said: he is a *kaafir*. This is the view of Imam Ahmad..."³⁶

Then he mentioned some of the views concerning the *kufir* of the one who does not abide by the four pillars — Prayer, *Zakah*, Fasting and *Hajj* — then he said: "Most of the scholars of hadith are of the view that not praying is *kufir*, unlike the case with the other pillars. Muhammad ibn Nasr al-Marwazi and others also narrated this view from them. Among those who said this was Ibn al-Mubarak, and Ahmad — in the well-known view narrated from him — and Ishaq. It is narrated that there was consensus among the scholars on this point, as stated above. Ayyub said: not praying is *kufir*, and there is no dispute on this point. 'Abdullah ibn Shaqeeq said: the Companions of the Messenger of Allah (ﷺ) did not think that neglecting any deed was *kufir*, except in the case of prayer. This is narrated by Tirmidhi, who narrated that 'Ali, Sa'd, Ibn Mas'ud and others said: whoever does not pray is guilty of *kufir*. 'Umar (رضي الله عنه) said: there is no share of Islam for the one who does not pray..."

We are not discussing the dispute concerning this matter here — although the most correct view, based on the evidence, is that one who does not pray is a *kaafir* even if he does not deny (that it is obligatory) — but we would like to mention here a number of points:

- a) The fact that consensus is reported on the point that the one who does not pray is a *kaafir*, even if he does not deny (that it is obligatory), or at the very least this is the view of the majority of the *salaf* of *Ahl al-Hadeeth* (i.e., early hadith scholars) destroys the view of the *Murji'ah* completely, because this is a sin of action, and whoever commits it,

³⁵ Ibid, 2/930 ff.

³⁶ *Fath al-Bari* by Ibn Rajab al-Hanbali, 1/23, *Maktabat al-Ghuraba'* edition.

even if he does not deny (that prayer is obligatory) is a *kaafir* in the sense of major *kufr* according to these *a'immaah* (Imams). So what is left of the *Murji'i* claim whose scholars say that no one can be denounced as a *kaafir* except the one who thinks that it is permissible for him to do (that sin), without differentiating between sins which constitute *kufr* and sins which are acts of disobedience but do not constitute *kufr* unless one believes them to be permissible.

b) If (a scholar) denounces the one who does not pray as a *kaafir* even though he does not deny (that it is obligatory), can it be said that he is going against the well-known principle that no one can be denounced as a *kaafir* for committing sin, so long as he does not regard that as permissible? Or can it be said that he is one of the *Khawaarij* who denounce people as *kaafir* for committing sins even though they do not regard them as permissible?

Those who set up these principles and rules say that no one can be denounced as a *kaafir* except the one who denies (obligations, etc.), and they make this a *salafi* principle, such that those who differ from it are viewed as being *Khawaarij*. This is the accusation which they make against those great *a'immaah* (Imams) of the past and present. The same is also said with regard to the issue of ruling by something other than that which Allah has revealed without denying (the obligation of ruling by shari'ah).

c) Some of those who liked the views of the *Murji'ah* were keen to support the view that the one who does not pray is not a *kaafir* unless he denies (that prayer is obligatory). This was so as not to undermine the principles of the *Murji'ah*, which state that no-one can be denounced as a *kaafir* unless he denies and rejects (the obligations and prohibitions etc). I do not know what makes him reject the view of those *a'immaah* (Imams) — of Ahl al-Hadeeth — and the *salaf* and *a'immaah* (Imams) of this ummah. Theirs are the views which destroy the false and innovated views of the *Murji'ah*.

They did not stop at opposing the *a'immaah's* (Imams') views concerning the issue of one who does not pray. They also opposed them with regard to another aspect of the issues of faith, namely the actions which constitute *kufr*, concerning which the *a'immaah* (Imams) are unanimous that the one who does them is a *kaafir* — such as insulting Allah and His Messenger, or showing disrespect towards the *Mushaf*. They said that the one who does that is not a *kaafir* unless he believes that it is permissible. This was so as not to undermine their basic principles, even though there is scholarly consensus on this matter, as stated above when we discussed the issue of insulting Allah and His Messenger, etc.

We said "some of them", because not everyone who said that the one who does not pray is not a *kaafir* was following the view of the *Murji'ah*. We have noted this point above.

d) We have quoted from Ibn Rajab, some of which was mentioned by al-Marwazi in *Ta'zeem Qadr as-Salah*, there is an indication that the *a'immah* (Imams) of the *salaf* were aware of and understood the views of the *Murji'ah* who said that no one was to be denounced as *kaafir* except the one who denied (the obligations or prohibitions). The fact that they mentioned the *Murji'ah* in connection with the issue of prayer is an indication that those who applied the principle that no one was to be denounced as a *kaafir* for sinning except the one who denies (that the sin is forbidden) to all cases of sin, are *Murji'ah* or express the same views as they did.

In conclusion: the view of the majority, if not all, of the *salaf*, that the one who does not pray is a *kaafir* even if he does not deny (that prayer is obligatory), refutes the principle mentioned by those who oppose this view and go along with the *Murji'ah*, knowingly or otherwise.

6 - From discussion of the previous points concerning this specious argument, it is clear that the view that no one can be denounced as a *kaafir* except the one who denies that which Allah has revealed,³⁷ is a view which is based on false principles which they set out so that they could apply them to the issue of ruling by something other than that which Allah has revealed. Concerning this matter we say the following:

It is clear that this principle, which they set out and applied to all sins, is false, and that this applies only to sins of action, such as adultery, stealing and drinking alcohol, for which a person does not become a *kaafir* unless he regards that action as permissible, unlike the view of the *Khawarij*. With regard to words and actions which constitute *kufir* and which nullify faith — examples of which we have given above - this principle does not apply to them; rather the one who does such things is a *kaafir* regardless of whether or not he regards them as being permissible. If this is clear, then we say: the ruler who rules by something other than that which Allah has revealed, at the national level — without regarding that as being permissible — is, according to the evidence, a *kaafir*. We have discussed this in detail above, in the previous section, and quoted the comments of scholars of the past and present. This shows that they think it more correct to view such a person as a *kaafir* in the sense of major *kufir*. This is the whole point of this book.

³⁷ *Shaykh* Muhammad ibn Ibrahim said in his *Fataawa* (6/189): "If the one who judges according to man-made laws says, 'I believe that this is false,' this does not change the ruling, rather he is abolishing the shari'ah. It is like a person saying, 'I worship idols but I believe that they are false.'"

Our purpose in mentioning this specious argument and refuting it is to undermine the principle on which those who hold the opposite view base their view and which they use as definitive evidence. This has been explained in the previous section.

Thus the issue of ruling by something other than that which Allah has revealed clearly does not come under the same heading as the principle referred to above, rather it is similar to the issue of the one who does not pray, and it is to be examined and judged in the light of the same evidence, i.e., the relevant evidence and the view of the *a'immaḥ* — the reputed jurists and scholars, then we may see which view is more correct and preferable.

The preferred view concerning this issue (ruling by something other than that which Allah has revealed) and concerning the ruling on the one who does not pray is that both constitute major *kufr*. Praise be to Allah, in thinking that this is the preferred view, that we have the example of many of the *a'immaḥ* (Imams) who came before us. Indeed, it has been narrated that there is consensus, as stated above concerning the issue of prayer, and as we shall see below concerning the issue of ruling by something other than that which Allah has revealed, when we respond to the sixth specious argument. And Allah knows best.