

Date: Unknown

---

**Synopsis :**

The document discusses the nature of loyalty, what to do with tyrants and those who fight against Muslims, how to interact with disbelievers, both inside and outside of Muslim territories, and finally delineates the goals and vision of the Jihad Group.

**Key Themes:**

This document is a discourse on loyalty and what to do with those who help tyrants. It may be a continuation of AFGP-2002-601667.

The author begins by discussing the nature of loyalty. Loyalty is serving as a guardian, in whatever capacity, against the enemy. The origin of a related concept, support, is love and closeness. Where believers are guardians and supporters of the Beneficent [it is unclear what this is], infidels are guardians of tyrants. According to Islamic law, those who support infidels at all (even befriending) will be judged as the infidels are judged. Those who serve as soldiers in armies that attack Muslims are infidels, even if they claim to be Muslims. Even those who promise to obey the infidels, and then do not are infidels themselves. Muslims owe non-believers nothing. It is impossible to judge people who are fighting for or taking refuge in tyrants, therefore they should be fought against without conditions or exceptions. In fact, the entire group must share the same fate as a single wrongdoer in its midst.

If a Muslim fights against other Muslims because of their religion (rather than over some material issue), he is an apostate, and is even worse than an infidel. The penalty for apostasy is death. Furthermore, the author equates fighting Muslims with hatred of Islam. He also commands his readers to fight even against Muslims who are forced to fight by infidels, since there is no way to tell their hearts in the heat of battle. If they are within the reach of the law, they must be tried. Otherwise, they must be fought – the group shares the same fate as its ruler. Those who are forced into infidels' armies have a duty to sabotage the infidels' plans. The author goes on to discuss a fatwa by Al-Shaykh Ahmad Shakir, where Shakir argues that cooperation with infidels (or even a lack of active opposition) will lead to a Muslim's religious actions being wholly false (and unacceptable to God).

Next, the author discusses the territories of Islam, and other territories. A group becomes part of the territory of Islam if rule by Islam is stipulated by Islamic law, even if the majority of the people to be ruled are not Muslim. Conversely, a territory where disbelievers have the upper hand is a non-Muslim territory, even if Muslims are the majority. Muslims have an obligation to flee a non-Muslim territory for a Muslim territory if possible, and fight the infidels. Many former Muslim lands have become disbelieving lands because Muslims did not see what was happening. Otherwise they would not have permitted such desecration. As for common people in such territories, if they are living under legitimate ignorance, then they are not infidels.

Only God knows true Muslims, and thus the author argues that Muslims should judge people based on their actions and pledges, even if their hearts are different. There are a number of signs that someone is a Muslim, namely:

1. A declaration of faith;
2. Praying alone or in groups;
3. Ceasing to fight when one hears the call to prayer, or sees a mosque.
4. Exalting God;
5. Offering peace;
6. Wearing Muslim clothing, and growing one's hair out.

For their part, apostates who wish to return to the faith must prove their credentials with special care. Regarding the treatment of non-believers, the author differentiates between Ahl Al-Dhimmah, Christians and Jews who pay the tax under Muslim rule, and Ahl Al-Kitab, those who do not pay, and conceal their activities from Muslims, thus earning Muslim animosity against their entire group. There are a number of conditions for dhimmi status, which can be abrogated if the non-believer does not want to pay the tax, or live by Muslim laws. The author argues that "citizenship" is against Islam, and serves as a loophole for dhimmis to get protection without meeting the requirements.

In closing, the author calls for jihad, which needs the support and solidarity of Sunni Muslims who are fighting tyranny. Jihad and obedience are obligatory, and Muslims should not break a covenant where they pledge to engage in jihad. The Jihad Group [the group that commissioned this document] chose its name because it believes that all activities, including science and education, should be in the service of jihad, which is the most important calling. Anything not ordained by God, including democracy, secularism, and socialism, is evil. The Jihad Group adheres to the consensus of scholars, and has as its goals a call to religion, revival among Muslims, deposing regimes through jihad, the creation of a military branch, the assistance of other jihadist groups, and ultimately the unity of Muslims. Publicity is important for carrying out this work, but secrecy is necessary as well, and all members must be able to keep secrets. The Jihad Group is international – all Muslims are equal, and all Muslim men are welcome to join. There is no promise of victory, and jihadis are few in number, but rewards are in the hands of God.

Document Page 1:

Supplement to the book, containing:

The Fourth Chapter: Loyalty and Judgment of the Tyrants' Helpers.

The Fifth Chapter: Laws Regarding the Territories and Those Living in Them.

The Sixth Chapter: The Group.

The Seventh Chapter: The Jihad Group.

### The Fourth Chapter

#### Loyalty and the Judgment of the Tyrants' Helpers

Containing Two Parts:

Part One: Loyalty

Containing Two Topics:

First: The Meaning of Loyalty and its forms.

Second: Judgment Regarding Those Who Follow the Infidels and Apostates and the Evidence of Such.

Part Two: The Helpers of the Tyrants:

Containing Three Topics:

First: What is meant by the Tyrants' Helpers

Second: The Judgment Regarding the Tyrants' Helpers and the Evidence of Such.

Third: The Judgment Regarding the Tyrants' Helpers in the Hereafter and the Stance on Them

#### *Part One: Loyalty*

First Topic: The meaning of loyalty and how it manifests itself:

The origin of 'loyalty' [TN: author is explaining the linguistics of the word here, which phonetically is 'muwaalaat'] is from the word *al-wali* – with a sukun on the lam –

and it means 'the approaching' and 'the closeness'. From it, the Prophet, may God's blessing and peace be upon him, says to the young man: "Eat from what is close to you;" i.e., what approaches you - go in between two things, going between them both without discrimination. So the origin of 'loyalty' is the approaching and the following up; the guardian against the enemy. The guardian is the helper, the supporter, the ally, the lover, the friend, the relative in kinship, the emancipator and the emancipated, and the servant. Each one who has carried out a matter is its guardian, as in the case of the guardian of a child, and the guardian of a woman. The antonym of sponsorship is antagonism, which is distancing and disagreement. Being cleared out of something means to be done with it and distanced from it. It is said a person is cleared out if he gets rid of something and is pure, untouched, and distances himself from it. The night of being cleared out is the night in which the moon breaks forth from the sun, which is the first night of the month. ([1])

Document Page 2:

The Shaykh of Islam, Ibn Taymiyah – may God have mercy upon him – said: support is the opposite of antagonism. The origin of support is love and closeness; and the origin of antagonism is hatred and distance; and 'al-wali' means close. It is said this one 'follows' that one [TN: author uses 'yali' a verb form of 'wali' for 'follows']; i.e., he is close to him. So, if he follows God, he is consistent in following that which God loves, desires, hates, fills Him with wrath, orders of him, and forbids of him; whereas the antagonist follows that which is hostile to God. The almighty God said "Oh ye who believe, do not taketh My enemy and your enemy for friends and offer them love..." ([2])

Muhammad Na'im Yasin said: "Know that the term 'wilaya' [TN: support] is derived from 'wilae' [TN: devotion], and it is the approaching and the closeness, and support is the antonym of antagonism; the guardian is the opposite of the enemy; the believers are guardians of the Beneficent; the infidels are guardians of the tyrants and the devil. From here it is apparent that loyalty to the infidel means closeness to them and the showing of love to them in words, actions and intentions..." further he said: "...included in this is assisting them, conspiring and planning with them, implementing their plans, and joining their organizations and their alliances, spying on their behalf, and conveying

|

the weaknesses of the Muslims and the secrets of the nation to them, and fighting in their ranks. ([3])

Second Topic: Judgment regarding those who follow the infidel Jews, Christians, and apostates, and the evidence of such:

It has been stipulated by the rules of Islamic law that he who supports the infidels and helps them in words and actions, and who battles the Muslims with them, so then will he be judged as they are judged. The evidence of such is:

First: The Almighty God said “Let not the believers take the unbelievers for their friends in preference to the believers. Whoso doth that hath no connection with Allah, unless (it be) that ye but guard yourselves against them, taking (as it were) security. Allah biddeth you beware (only) of Himself. Unto Allah is the journeying.” ([4])

The authority of commentators, Ibn Jarir Al-Tabari, – may God have mercy upon him – said “What that means, oh believers, is do not take the infidel in backing or support, following them in their religion and taking up with them a common cause against Muslims rather than with the believers, and showing them the way to their weaknesses. And for whoever does this, “he hath no connection with Allah”, meaning that he will be rid of God and God will be rid of him and his abandonment of his religion and his entry into disbelief. ([5])

Second: The Almighty God said “Oh ye who believe! Take not the Jews and the Christians for friends. They are friends one to another. He among you who taketh them for friends, is one of them; Lo! Allah guideth not wrongdoing folk.” ([6])

The Imam Al-Tabari – may God have mercy upon him – said “So, the truth is that we make our stands on the revelation based on face value taken in a general context...” and further he said – may God have mercy upon him -: “However, there is no doubt that the verse was revealed when the hypocrite who was supporting the Jews or the Christians was afraid himself of being afflicted with calamities; because the verse that follows this one proves that. And that is the Almighty God saying “And thou seest in whose heart is a disease race towards them, saying: We fear lest a change of fortune befall us.”

|

The truth of that saying from our perspective is, as it is said: “that God, Almighty be He, forbade the believers from taking the Jews and the Christians as supporters and allies against adherents of faith in God and His messenger.

God revealed, whoever takes them as supporter, ally, and friend rather than God and His messenger and the believers, is one of them in aligning against God and

Document page 3:

His messenger and the believers, and God and His messenger are rid of him...” further he said: “meaning – God, Almighty be He – in his saying: “He among you who taketh them for friends, is one of them”, i.e., whoever supports the Jews and Christians rather than the believers is one of them.

He is saying that if someone follows their advice and supports them against the believers, then he is a follower of their religion and their creed. So, no one would follow the advice of one of this group unless he is agreeing with him and his religion and he is content with that. If he accepted him and accepted his religion, then he is hostile and despising to that which is different and contrary to it, and the judgment on him had become the same judgment as on the disbeliever. ([7]).

Jamal Al-Din Al-Qasimi – may God have mercy on him – said: “In the saying of the Almighty God ‘He among you who taketh them for friends, is one of them’; i.e., whoever is in their group, then his judgment is their judgment. Even if he claimed that he has a difference with them in religion, by the nature of it, he is with them because this indicates full acceptance.” ([8])

Ibn Taymiyah, may God have mercy on him, said: “The Almighty God said: ‘He among you who taketh them for friends’ and agrees with them and supports them ‘is one of them’.” He also said in a commentary of this verse: “The commentators [TN: of the Qur’an] agree that it was revealed because a group of them who had shown to be of Islam but had disease in their hearts, was afraid the followers of Islam would be defeated so they followed the disbelievers of the Jews, Christians, and others, because of the fear in their hearts, not because they believed that Muhammad, may God’s blessing and peace be upon him, was a liar, and that the Jews and the Christians were the truthful.” ([9])

|

Al-Qurtubi, may God have mercy on him, said: “By the Almighty God’s saying: ‘He among you who taketh them for friends’; i.e., who supports them against the Muslims, ‘is one of them’, the Almighty God revealed that the judgment against that one is as judgment is against the infidels. It proves that the Muslim can not receive the inheritance of the apostate; as with the one who supported them, Ibn Ubayy, thus his judgment remains until the Day of Final Judgment...” Further to his saying, may God have mercy on him: “‘He among you who taketh them for friends, is one of them’ is a condition and a response [TN: in a grammatical sense]; i.e., because he had gone against the Almighty God and His messenger like they had done; and his hostility was incumbent on him as their hostility was incumbent on them; he was destined to the fire of Hell as they were destined to the fire of Hell. So, he became one of them; i.e., one among them.” ([10])

Sulayman Bin ‘Abdallah Al Al-Shaykh, may God have mercy on him, said: “He forbids, God the Almighty be praised, taking the Jews and the Christians as supporters, and he revealed that those of the believers that follow them are among them, thus the judgment of he who supports the infidel is the same as that of the Magi and the worshipers of idols, and he is one of them.” He said, may God have mercy on him: “God the Blessed and Sublime, did not separate between the fearful and the rest, rather God the Almighty apprised that those who have disease in their hearts create that fear of calamity and thus is the state of those apostates. ([11])

This verse and what is mentioned about it in the words of the scholars of commentary clearly proves the evidence of infidelity and apostasy against whoever supported the infidels and helped them against the believers, or who was with them in fighting the Muslims. More emphatic and greater than that are those infidel soldiers and their troops whose job is to fight the religion of God the Almighty and come in the way of it, and who were registered on their rolls and received salaries, bonuses, and awards from the battle of the Muslims, and who did a good job of it, and spent his life in this manner. So, this is an infidel of God the Magnificent, even if he prayed and fasted and claimed to be a Muslim.

|

What led those to sponsor those who are worst of the Almighty God's enemies and to be obedient to them and stand with them in the war of the Muslims, is nothing but that they had strayed away from the obedience of the Almighty God.

Shaykh 'Abd-al-Rahman Bin Hasan Al Al-Shaykh said: "The third matter that takes one out of the fold of Islam is the sponsorship of the polytheist and his dependency upon his help;

Document Page 4:

his physical, verbal, or monetary support. As the Almighty God said: 'So never be a helper to the unbelievers.' ([12]) And the Almighty God said: 'My Lord, for as much as thou hast favored me, I will nevermore be a supporter of the guilty.' ([13]) And the Almighty God said, 'Whoso of you taketh them for friends, such are wrongdoers.' This is the word of the Almighty God to the believers of this nation, so look, oh my listener at where you stand amongst these words and the judgment of these verses." ([14])

Third: God the Blessed and Sublime said: "O ye who believe! Choose not your fathers nor your brethren for friends if they take pleasure in disbelief rather than faith. Whoso of you taketh them for friends, such are wrong-doers." ([15])

Al-Qurtubi said: "The literal meaning of this verse is that it addresses believers in their entirety and it is the judgment that remains until the Day of Resurrection; it breaks off the connection between the believers and the infidels..." The Merciful God said: "Whoso of you taketh them for friends, such are wrong-doers." Ibn 'Abbas said: "He is a polytheist like them because whoever accepts polytheism, then is a polytheist." ([16])

Ash-Shaykh Muhammad Bin 'Abd-al-Wahhab, may God have mercy on him, had mentioned that among the offenses of Islam that would make the Muslim a disbeliever is backing the polytheists and assisting them against the Muslims..." Further to the Almighty God's saying: "Whoso of you taketh them for friends, such are wrong-doers." ([17]).

'Abd-al-Wahhab also said, may God have mercy on him: "If the loyalty was to their neighbors in their houses and they went out with them in battle and intended to do such, then the judgment on the houses' owners is that of blasphemy, as the Almighty God



|

said: ‘Whoso of you taketh them for friends, such are wrong-doers.’ And the Almighty God said, ‘He hath already revealed unto you in the Scripture that, when ye hear the revelations of Allah rejected and derided, ye sit not with them who disbelieve and mock until they engage in some other conversation. Lo! in that case if ye stayed ye would be like unto them.’” ([18])

Fourth: The Almighty God said “Lo! those who turn back after the guidance hath been manifested unto them, Satan hath seduced them, and He giveth them the rein. That is because they say unto those who hate what Allah hath revealed: We will obey you in some matters; and Allah knoweth their secret talk. Then how (will it be with them) when the angels gather them, smiting their faces and their backs! That will be because they followed that which angereth Allah, and hated that which pleaseth Him. Therefore He hath made their actions vain.” ([19])

Al-Shaykh Sulayman Bin ‘Abdallah Al Al-Shaykh said, may God have mercy on him: “The God Almighty revealed that the reason for what befell them was the apostasy and seduction of the devil, and his influence over them; saying to those who detested what God revealed: we will obey you in some matters.”

So, if the one who promised the polytheists who are against what God revealed he would obey them in some of the matters is considered a disbeliever, even if he did not do what he promised them, then what about the one who agreed with the polytheists who go against what God revealed about the matter of worshipping him alone with no other partners, and left God to worship his equal opponents, the tyrants, and the holy deceased ones, and showed that those people were on the right path and the monotheists were wrong to fight them, and that the right thing to do is make peace with them and join in their false religion? Those people are likely to be more like apostates than the ones who only promised the polytheists to obey in some matters. ([20])

So, whoever contemplated the noble scripture and the words of Al-Shaykh Sulayman, may God have mercy on him, knew the judgment on those who support the infidels and carried out their plans in an attempt to eradicate Islam and the Muslims – and he was the hand that struck all who proclaimed the implementation of the just law of the Almighty God in the two worlds [TN: the world of humans, and the world of non-humans] and called for that.

|

If the one who promised to obey the infidels in some matters but did not implement what he promised them is still considered a disbelieving infidel by the text of the noble verse, then what about the judgment of the one who actually was obedient to them in some matters? And what about the judgment on the one who was obedient to them in all matters

Document page 5:

and who delivered everything they ordered? He is an infidel, no doubt.

Al-Shaykh Shanqiti said in a commentary about this verse: “The noble verse proves that each one who obeys the one who goes against what God revealed by supporting him in his hatred and backing him in that falsehood is a disbeliever in God.” ([21])

### *Part Two: Helpers of the Tyrants*

First Topic: What is meant by the tyrants’ helpers:

Know that it is not possible for the infidel or wrongdoing man to oppress an entire nation unless he has helpers assisting him in that, and they help him and defend him from those who want to kill him or renounce him. The wrongdoer would have no existence except for his helpers. To that, the Almighty God said: “And with Pharaoh, firm of might” ([22]). The scholars explained ‘firm of might’ as the soldiers, as those are the ones who hold fast to his rule.

To that Ibn Jarir Al-Tabari, may God have mercy on him, said in a commentary on this verse: “The Exalted One says, ‘Haven’t you seen how your lord also had influence on Pharaoh, the one who has the firm of might?’ The interpreters differed in the meaning of the saying ‘the firm of might - why was it said like that? So some of them said the meaning of ‘the firm of might’ is the soldiers who strengthen his power, and they said ‘the firm of might’ in this context is the soldiers.” ([23])

What is meant by of the helpers of the ruler are the ones who help him in word or in deed, or who stop him with force, or are in his party, and the ministers, councilors, soldiers, and journalists who enter into that, fighting God and His messenger and the

corrupt scholars who lead the people astray and justify the deeds for the infidel ruler.  
“They believe in idols and false deities and how they say of those idolaters who disbelieve: ‘these are more rightly guided than those who believe?’” ([24])

Second Topic: The Judgment regarding the Tyrants’ Helpers and the Evidence of Such:  
All of whom were among those taking refuge in the tyrant and his sword with force - no one can try him except by fighting them or causing great harm to them, so they are judged by general observations and they deserve punishment without researching the conditions and the prohibitions, and the evidence of such is:

1- The Almighty God said: “Lo! Pharaoh and Haman and their hosts were ever sinning.”

And the Almighty God said “and to show Pharaoh and Haman and their hosts that which they feared from them.”

And the Almighty God said: “So We seized him and his hosts and flung them in the sea, for he was reprobate.”

And the Almighty God said: “And We made them patterns that invite unto the Fire, and on the Day of Resurrection they will not be helped.” ([25])

So with these verses, the God the Almighty had put Pharaoh (the Tyrant) on the same level as his soldiers and ministers in a number of matters:

- in the worldly judgment (‘they were ever sinning’); and in the worldly threats, it is the warning and the fear of the upper hand of the believers (‘that which they feared’); and in the worldly torment (‘we flung them in the sea’) and in the punishment of the afterlife (‘We made them patterns that invite unto the Fire, and on the Day of Resurrection they will not be helped’).

That is, these verses show that the tyrant and his ministers and soldiers have one judgment in the world and the afterlife, and they deserved this equal status because of the presence of the description of militant service in all of them.

Document Page 6:

2- The Almighty God said: “Oh ye who believe! Take not the Christians and the Jews for friends. They are friends one to another. He among you who taketh them for friends is one of them. Lo! Allah guideth not wrongdoing folk” ([26])

So, the judgment of the Almighty God is that one who sponsors the Jews and the Christians is therefore one of them, and his judgment is their judgment, and the greatest manifestation of this loyalty is in giving the support.

3- The Almighty God said: “He hath already revealed unto you in the Scripture that, when ye hear the revelations of Allah rejected and derided, (ye) sit not with them (who disbelieve and mock) until they engage in some other conversation. Lo! in that case (if ye stayed) ye would be like unto them. Lo! Allah will gather hypocrites and disbelievers, all together, into hell” ([27]). So the Almighty God’s judgment is equal between he who derides the Scripture of God and rejects it and he who voluntarily sits with one who does when he rejects Him.

4- Among those who verify the truth of the saying that those soldiers and assistants of the infidels or the apostates have the same judgment as their helpers, is the consensus of the Companions of the Prophet Muhammad regarding the treatment of the followers of the heads of the apostates, like the supporters of Musaylamah, the false prophet, and the supporters of Tulayhat Al-Asadi, which is to treat them as apostates.

This had already been conveyed in the narration of Tariq Bin Shihab that said: A Bazakhah delegation came from Asad and Gatafan to Abu Bakr asking him for reconciliation and their choice was between the devastating war or the shameful peace, so they said: “Oh successor of the messenger of God, we have already known this devastating war, so what is the shameful peace?”

He said: “Cast off from you the power that you have, and we take what we seized as booty from you, and you return to us what you seized from us; you return our dead and we do not return your dead; and your dead are in the fire and you leave the folks to follow the tails of the camels until God shows the successor of his messenger and the immigrants something to forgive you by.

So Abu Bakr laid out what he said to the people and ‘Umar stood up and said: “I have come up with an opinion and we will advise you: As far as what you mentioned about the devastating war and the shameful peace, then what you mentioned is wise. And

as for what you mentioned about returning our dead and your dead will be in the fire, then our dead fought and were killed for the sake of God; their reward is from God and it has no blood money.” Shihab said: “So the people followed what ‘Umar said one after the other,” ([28]) and the Hadith has its origin in Al-Bukhari. ([29])

It is known that the Bazakhah delegation mentioned in the Hadith are the Tulayhat Al-Asadi folks who were obedient to him and fought with him. So when Khalid Bin Walid, may God be pleased with him, fought them and the Companions of the Prophet Muhammad defeated them, they sent their delegation to Abu Bakr, may God be pleased with him.

5- For that reason, the Almighty God forbade the reliance on the wrongdoers and His Eminence said: “And incline not toward those who do wrong lest the Fire touch you, and ye have no protecting friends against Allah, and afterward ye would not be helped.” ([30]) The scholars said: “The ‘reliance’ is the mere tendency towards it, and if the reliance was forbidden, then what about for the one who was implementing with them their plans and programs for war against the Muslims? So there is no doubt that he is one of them and his judgment is their judgment.”

Ibn Taymiyah, may God have mercy on him, said: If the bandit fighters were a group, and if one among them carries out a killing and the rest belonging to him were helpers in support of him, then it had been said: “Then the perpetrator is the only one who receives the death penalty, but the consensus (of the scholars) says everyone is to be killed, even if there were a hundred; the supporters and the operative are equal. This is what was handed down to the wise successors.

So, ‘Umar Bin Al-Khattab, may God be pleased with him, killed the fighters’ lookout guard - and the lookout guard is the observer who sits in a high place, observing for them from it anyone who comes - because the fighter had managed to kill the one coming because of the lookout guard’s support and assistance. The group then, if it helps

Document Page 7:

one another until it becomes undefeatable, will all share in the reward and the punishment as the fighters.

So, the Prophet, may God bless him and give him peace, said: “The Muslims are equal in their blood and the lowest of them takes his strength from the highest and they are one hand against those who are against them; and those who go out to fight bring back the spoils to those who stay” ([31]) Meaning, that if the army sent out a company, and it took money as booty, then the army shares in that which was taken as booty, because its backing and force enabled it, but the company gets an extra share of the spoils. So the Prophet, may God bless him and give him peace, had given the company a quarter of the spoils, if in the beginning it had been divided into fifths. The Prophet said: “So, the assistants of the powerful group and its supporters share amongst them both rights and duties. ([32])

Ibn Quddamah, may God have mercy on him, said: “The verdict on the lookout for the perpetrator is the same verdict as for the perpetrator. Malik and Abu Hanifah agree in this, but Al-Shafi’i said there is nothing for the supporter except discretionary punishment because the fixed punishment [TN: used to sanction the five cardinal sins in Islam] is mandated by the commitment of a sin and is not related to the stipulations generally known to the fixed punishments.”

As for us: the verdict is related to the combating element, and the supporter and the operative are equal in it, as with the reward of spoils. That is because the combating element is based on the gaining of power, support, and help, so the perpetrator is not able to achieve it except through the power of the supporter, contrary to what is generally known about the fixed punishments. So, based on this, if one among them killed, the verdict of death falls within all of them; and if some of them killed and some of them took the money, it is permissible to kill them or crucify them as if each one among them carried out both actions.

Ibn Al-Qayyim, may God have mercy on him, said in a ruling of those who break the pact among the people of the pact who were all working together as one group, that the one who is the perpetrator in breaking the pact, is equal to the one who accepted it but kept silent: “The Prophet’s guidance, may God bless him and give him peace, was that if he made reconciliation with a group and some of them break his pact and his truce, and the rest acknowledge them and accept it, he will assault all of them and make them all

breakers of the pact, as was done with Qarizah, and Al-Nadir, and Bunni Qaynqa', and as was done with the people of Mecca.

So, this is the Prophet's Sunnah for the people of the pact and it follows in fashion that the ruling should apply to the Ahl Al-Dhimmah [TN: Non-Muslim people of the covenant who fall under the protection of Islamic rule], as the scholars among the companions of Ahmad and the others, and those who differ with them, the followers of Al-Shafi'i explained. And he said, may God have mercy on him:

“We have given our opinion to the ruler when the Christians burned the possessions and houses of the Muslims in Al-Sham, and they started to burn their great mosque even burning its minaret and almost – except for the grace of God – burning the whole thing. The knowledge of this was held by some of the Christians; they were in agreement with it, acknowledged it, and accepted it, but they did not inform the ruler. So, the ruler sought counsel about them from the scholars who were present. We counseled him that whoever does that is a breaker of the pact, or whoever is a helper to it in any manner, or who accepted it, or approved of it, his punishment is inevitably death, and the Imam can not make a choice in this as with a prisoner; death will be the punishment...” Further to his saying: “The Prophet's guidance and Sunnah, may God's blessing and peace be upon him, was that if reconciliation and a pact were made with a group and an enemy joined together among them and they entered with them in their contract; and another group joined up with him and entered into a contract with him, the verdict on those who fight those infidels who entered with him in his contract, is the same verdict on those who fight him.

The authority of Islam, Ibn Taymiyah, may God have mercy on him, gave the same opinion in the raid of the Christians of the East, when the enemy of the Muslims helped them in their battle; they supported them with money and weapons though they were not attacking us or fighting us. But, they were seen in this as breakers of the covenant. ([33])

The issue of judgment regarding those who are hostile to the Muslim and fight him because of his religion:

He who fought the Muslim against his religion – i.e., because of his religion – he is an apostate infidel, rather, more evil than the disbelievers in the pact. So he is a

combatant infidel in the same place as the infidels who were fighting the Prophet, may God's blessing and peace be upon him, and his companions; those will abide forever in Hell,

Document Page 8:

as the rest of the infidels do.

It had been asked of Ibn Taymiyah, may God have mercy on him, about whom is considered to have killed the Muslim because of his religion, and he replied, may God have mercy on him: "As far as that is concerned, if he killed him against the religion of Islam like the Christians fight the Muslims over their religion, then this infidel is more evil than the disbelievers of the pact. So, this infidel is a combatant in the same place as the infidels who fight the Prophet, may God's blessing and peace be upon him, and his companions; those will abide forever in Hell, as the rest of the infidels do. However, if he had killed him unlawfully over hostility, money, or an argument, or the like, then this one will fall under the cardinal sins, but it is not taken so far as to make him a disbeliever to the people of the Sunnah and the group, like those who are outside of the fold of Islam." ([34])

The similarity of the rulers who became apostates, and their soldiers and helpers in this issue, is their consideration of killing the devout Muslims and the fighters as a permissible and legal matter that is in accordance with their secular laws in denial of the religion which punishes by death all who want to change the pre-Islamic judicial system to the Islamic system that governs the people in it by the law of God, Lord of the Worlds.

Whoever considered it acceptable to shed the blood of the protected Muslim by way of these unfair laws that go against God's law, then he had denied the existence of the Great One, because his making it lawful is a type of denial of the texts that have uninterrupted proof handed down confirming the sanctity of the blood of the Muslims.

For that reason Ibn Taymiyah, may God have mercy on him, said: "When the person legitimized a sin that the consensus was unanimous about, or declared something permissible that the consensus found unlawful, or changed legislation of the consensus, he was an apostate infidel by agreement of the scholars." ([35])



|

What we can observe about the words of the authority on Islam is that he divided fighting into two parts: fighting because of religion, ideology, and methodology; and fighting because of hostility over a worldly matter, money, or a disagreement; and that whoever fights a Muslim over his religion or because of his ideology, is an infidel doomed eternally to the fire of Hell, and he is in the place of the infidels who used to fight the Prophet, may God's blessing and peace be upon him.

Whoever knew the posture of those tyrants and their soldiers and their helpers and the reasons why they fought against the Muslims and the warriors for God [TN: Mujahidin], he will know for sure that they fall under the category of the previous words of the authority on Islam, may God have mercy on him.

It is known to everyone that there is no disagreement between the Muslims and those tyrants except for the tyrants' rejection of enforcing the laws of the Lord of the Worlds in His nobility; and that they have no argument with them over money, or worldly matters.

There is no greater indication of the hatred of the religion of Islam by those tyrants and their soldiers and their helpers than their fighting the Muslims – and the fighting is the utmost demonstration of animosity and hatred – and in this regard, this is the second indication of one who is outside the fold of Islam – after making lawful what is unlawful.

Ibn Taymiyah, may God have mercy on him, had said about the judgment on the one who fights the Muslims while believing it is lawful to spill their blood: “The one who believes it is lawful to spill the blood of the Muslims and take their money, and sees fighting them as lawful, is worse than those who fight unlawfully in that he is fighting God and His messenger by seeking corruption on Earth. Likewise, the military infidel who sees it as lawful to shed the blood of the Muslims and take their possessions, and sees it permissible to fight them, is more deserving to be fought than the one who has strayed from the path of God who believes in the unlawfulness of that. ([36])

Third Topic: The judgment regarding the tyrants' helpers in the Hereafter and the stance on them.

|

The Judgment regarding the helpers of the infidels and the tyrants in the world is based on the judgment of what we see of their behavior. As far as the judgment in the hereafter is concerned, whoever among them chooses willingly, then he is an infidel by what we see of him, and by what is inside his heart, whereas the one among them that is forced to hate, then he is an infidel in what we see, but not in his heart, and his matter

Document Page 9:

is left to God the Almighty. It is not incumbent upon or necessary for the warriors for God to search for the status of each one among them in the world; for that the Almighty God has wiped out the entire army who wanted to violate the sanctity of his sanctuary [TN: the Ka'bah] and fight the Muslims; the one who meant to do it by choice and the one who was forced, despite the Glorious One's ability to distinguish among them. That, likewise, was in the Hadith of 'A'ishah and Umm Salmah and Hafsa, which was narrated by Muslim ([38]) and which said: "This house was invaded by an army of the people, and while they were in the wilderness of the land, God wiped them out. And it was said, 'Oh messenger of God, what if there are among them those who were forced?' And the Prophet, may God's blessing and peace be upon him, said: 'They will be resurrected based on their intentions.'"

Ibn Taymiyah, may God have mercy on him, said about the judgment regarding those who were forced to fight in the ranks of the disbelievers and those who forcefully made them fight – that is, Ahl Al-Harb [TN: the people of the war; i.e., the Non-Muslims] – that they are resurrected based on their intentions, and it is incumbent upon us to fight the whole army, for it is difficult to distinguish the one who is forced from the one who is not. It was verified in the Sahih [TN: authenticated narrations of the Hadith] from the Prophet, may God's blessing and peace be upon him, that he said: "The army has invaded the Ka'bah – and in another narration 'this house' – and while they were in the wilderness of the land, God wiped them out." And it was said: "Oh messenger of God, there are among the crowd those who were forced." And the Prophet said, may God's blessing and peace be upon him, "they will be resurrected based on their intentions." The Hadith from the Prophet, may God's blessing and peace be upon him, is

extensively detailed by the various narrators, ‘A’ishah, Hafsa, and Umm Salmah, may God have mercy on them all, and authenticated by the authorities of the Sahih. ([39])

In the Sahih of Muslim, from Umm Salmah, she said: “The messenger of God, may God’s blessing and peace be upon him, said: ‘When God was asked to protect the house he sent those who would protect it, and when they were in the wilderness of the land, God wiped them out.’ And it was said: ‘Oh messenger of God, what about the ones who were forced?’ And he said: ‘He has wiped out those who were with them, but on the Day of Judgment they will be resurrected based on their intentions’”.

And Ibn Taymiyah, may God have mercy on him, mentioned the Hadith from ‘A’ishah, and in it was said: “Oh messenger of God, travel brings people together.” The Prophet, may God’s blessing and peace be upon him, said: “Yes, among them may have been those coming for guidance, and those with needs, and the travelers, but they all suffered one death, but in various ways they will be resurrected based on their intentions...” Further to his saying, may God have mercy on him:

“So the Almighty God had wiped out the army who wanted to violate the sanctity of his house – those who were forced, and those who were willing – despite his ability to distinguish between them, because he will resurrect them based on their intentions.” So, how could it be incumbent upon the Muslims to distinguish between those who hate and the rest when they do not know what it is? Even if someone claimed he went out (for war) forcefully, it was useless to him, just because he merely claimed it. Likewise, it was narrated that ‘Abbas Bin ‘Abd-al-Mutallib said to the Prophet, may God’s blessing and peace be upon him, when the Muslims took him prisoner on the day of the Badr: “Oh, messenger of God, I was forced.” And the Prophet, may God’s blessing and peace be upon him: “As far as what we see from you is concerned, it is on us, and that which is hidden in your soul, is in the hands of God.” ([40])

Even if there were righteous folks from the best of people among the infidels, and it was not possible to fight them without killing those righteous folk, then kill them too. So, the scholars are in agreement that the disbelievers, if they barricaded themselves with Muslims and it was feared that the righteous Muslims would not fight then it is permissible for us to shoot them; it is our intention shoot the disbelievers, but if this did

not strike fear in the disbeliever then it is permissible to fire on those Muslims also, in one of the sayings of the scholars.

Further to his saying, may God have mercy on him: “If the jihad [TN: fighting for the sake of God] was a duty, even if killing a number of Muslims is what God wills, then killing those Muslims among the ranks of the disbelievers is for the need of the jihad, and there is nothing greater than that. The Prophet, may God’s blessing and peace be upon him, even ordered that the one forced into a battle of turmoil is to break his sword and he is not allowed to fight even if he is killed because of it, as it was in the Sahih of Muslim from Abu Bakr, may God have mercy on him. He said: “The Messenger of God, may God’s blessing and peace be upon him, said: ‘There will be this time of turmoil, then indeed there will be turmoil, then indeed there will be turmoil, and the one who is sitting in it is better than the one who is walking in it, and the one who is walking in it is better than the one who is rushing. Indeed, if this turmoil were to take place, then the one who had camels was to take them and leave, and the one who had sheep was to take them and leave, and the one who had land, was to go to his land and stay there.’ So, a man said: ‘Oh messenger of God, what about the one who has no

Document Page 10:

camels, nor sheep, nor land?’ And the Prophet, may God’s blessing and peace be upon him, said: ‘He gets his sword, and he strikes its edge with a rock, in order to seek salvation. Oh my Lord, I have passed this on, Oh my Lord, I have passed this on, Oh my Lord, I have passed this on.’ So the man said: ‘Oh messenger of God, what if I was forced to join one of these ranks, or one of the groups, and a man strikes me with his sword or his arrow and he kills me?’ The Prophet said: ‘He comes back bearing his sin and your sin and he will be with the people of the fire.’” ([41])

In this Hadith he forbade fighting out of turmoil; he even had ordered that which would make it difficult - staying out of the fight or sabotaging the weapon that he fights with, whether he forced to enter the battle, or not forced, then it would be apparent that if he had killed wrongly, the killer would bear his sin and the sin of the one killed.

Likewise, the Almighty God said in the story about the sons of Adam: “Lo! I would

rather thou shouldst bear the punishment of the sin against me and thine own sin and become one of the owners of the Fire” ([42]) ...Further to his saying, may God have mercy on him:

“What is meant is that if he was forced to fight in turmoil, he is not allowed to fight, rather he must sabotage his weapon and persevere until he is wrongly killed, so just imagine how much more so for the Muslims forced to fight with the group that is outside of the laws of Islam, like the ones who do not make their offering, and the apostates and the rest.”

There is no doubt that it is incumbent upon the one forced into battle to not fight, even if the Muslims killed him, just as if the disbelievers forced him to join their ranks to fight the Muslims. Likewise, if a man forced another man to kill a Muslim to whom it is forbidden, then it is not permissible for him to kill him - by the consensus of the Muslims - even if he was threatened to be killed by him. Saving himself by killing that righteous one is not more deserving than the opposite of that. He does not have the right to do wrong to someone else out of fear he will be killed by him. ([43])

Ibn Taymiyah also said in his words about the disbelievers: “They might fight, and among them is a believer hiding his faith witnessing the battle with them, and he can not get out and he is forced to fight, and he will be resurrected on the Day of Judgment based on his intentions” ... Further he said, may God have mercy on him: “This is what we can see about the matter, and if he was killed and the judgment on him was the same as the infidel is judged, then God will resurrect him based on his intention, as the hypocrites were judged by what was seen outwardly by the rule of Islam and will be resurrected based on their intentions. The punishment or reward on the Day of Judgment will be based on what is in their hearts, not merely on what was seen of their actions. ([44])

Thus, the Companions of the Prophet Muhammad, may God have mercy on them all, agreed unanimously after the debate of Abu Bakr and ‘Umar over fighting the apostates and the ones who do not make their offering after the death of the Prophet, may God’s blessing and peace be upon him; they did not stop them one by one in order to discern the charges of infidelity with respect to them, rather they fought them wholly, as one group.

However, we say: Each one of the Muslims who can discern the status of one of those helpers, especially those who were close to them, should invite him to come to the Truth, and to leave behind what he has in the way of this disbelieving loyalty, and to repent for it, which is pursuant to God Almighty saying: “So keep your duty to Allah as best ye can.” ([45])

The Issue regarding the types of the criminals:

The criminals, from the perspective of being within the reach of the law and the possibility of prosecuting them, are of two types:

1- The type who is under the reach of the law might be tried based on the detail [TN: rules of the trial] and we can look into the presence of criminal justification or the lack of justification in regard to it.

Document Page 11:

2- The type who is out of the reach of the law due to seeking refuge in outside power, and who is not able to be brought to trial except by plunging into battle. This one is judged and punished without looking into the justifications in detail due to the impossibility of this through their physically seeking outside power.

Al-Mawridi mentioned, may God have mercy on him, the difference between the apostate who is prosecutable and the apostate who is protected from the law, and that is in his words about fighting the people of apostasy. He said, may God have mercy on him: “So if they – that is, the apostates – among those who had to be killed as a punishment for what they had rejected from the true religion and left for the other religions, they did indeed fall under one of two situations:

First: If they were in an Islamic territory, isolated and alone they did not seek refuge in another country to seek superiority over the Muslims, then there is no need for us to fight them because they are within the reach of the law, and the reason for his apostasy will be sought out.” And he said, may God have mercy on him, “Whoever established his apostasy and did not repent should be killed, whether he was a man or a woman. And secondly, if they – that is the apostates – sought alliance with a country by which they

could gain an advantage over the Muslims, then they should be fought for their apostasy after having a debate with them, and after giving them a warning about the repercussions of their deed; the exact same ruling of death is applied to them for their fighting as is applied to the disbelievers...” To the end of his quote, may God have mercy on him. [46])

Ibn Taymiyah, may God have mercy on him, said: “The punishments that Islamic law has decreed for those who disobeyed God and his messenger are of two types: One of them is the punishment for the one who is within the reach of the law, whether it is from one person or a group. The other is the punishment of the one who is protected from the law, such as the one who can not be brought under the law except through fighting.” ([47]). He also said, may God have mercy on him: “Because the apostate, if he was protected from the law because he is joined with a non-Muslim region [TN: Dar Al-Harb; literally Territory of War, but is used to refer to a non-Muslim region], or because the apostates are becoming of power and protecting him from the law of Islam, then he must be killed without hesitation before repentance.” ([48])

The point of mentioning that is to show that the individual has the same verdict as the group whether being protected from the law or falling under the reach of the law, and the verdict on the group is the ruling on its rulers and religious leaders. So, based on this, if the ruler was an apostate like those who rule by other than what God has revealed, then his group, his helpers, and his supporters are called apostates. If the ruler of the group is a tyrant, then his group is called tyrannical. Likewise, the Almighty God said: “And if one party of them doeth wrong to the other” ([49]), and the Prophet, may God’s blessing and peace be upon him, said: “Let the transgressing group be killed by the ordinance of God.” ([50])

#### Fourth Topic: Excerpts from the Fatwa by Al-Shaykh Ahmad Shakir

We mention here excerpts from the Fatwa of the prominent scholar Al-Shaykh Ahmad Shakir – may God have mercy on him – about the judgment on fighting the occupiers among those who were originally disbelievers, and those who cooperated with them over the fight of Islam amongst individuals and governments. The Fatwa was issued in the early fifties at the peak of the people’s resistance against the English in the Suez

Canal, and it was published in his book “The Word of the Truth”. We are extracting from it what pertains to the judgment regarding the helpers of the tyrants.

The prominent Al-Shaykh Shakir says, may God have mercy on him: “Let every Muslim know in all parts of the Earth that if he cooperates with the enemies of Islam - the slave drivers of Muslims among the English, the French, their allies, and the like - in any type of cooperation whatsoever, or makes peace with them and does not fight them as much as he can, in addition to supporting them with words or deed against their brothers in religion – if he does any of that and prays, then his prayers are false; or if he purifies through ablution, bathing, or symbolic ablution, then his purification is false;

Document Page 12:

or if he performs the imposed fast, or voluntary fast, then his fast is false; or if he makes the pilgrimage, then his pilgrimage is false; or if he renders his imposed offering, or gives to charity voluntarily, then his offering is false and rejected back to him; or if he worships his lord in any way, then his worship is false and rejected back to him. There is no reward for him in that, rather he has born a sin and transgression” ... Further to his saying:

“Let every Muslim man and woman know that those who stray from their religion and help their enemies, those among them who are married, their marriage is fundamentally false and can not be followed by correction, and it is not followed by any of the rights of marriage like verifying lineage, or inheritance, and the rest. If one among them was already married, his marriage will be annulled for that; if one of them repented and returned to his Lord and religion, and fought his enemy and helped his nation, the woman whom he has married during this state of apostasy, or the one he was married to before that and entered the contract of marriage with him, then this woman is not his wife, and she is not be bound to the contract of marriage. After his repentance he must remarry her and enter into a true and legal contract, as this is clear and obvious.”

Chapter Five: Laws Regarding the Territories and Those Living in Them:

Containing three parts:



Part One:

Containing two topics:

First: The Types of Territories

Second: The Resulting Judgments on the Various Territories

Part Two: Judgment on the Common People

Containing two topics:

First: Those Who Appeared to have the Signs of Islam and are Judged as Such  
Based on the Perception of their Actions

Second: The Signs of the Judged Islam and Its Evidence

Part Three: Judgment Regarding the Ahl Al-Dhimmah

Part One:

First Topic: The Types of Territories

The countries of the world are grouped into two territories:

1- The Territory of Islam

2- The Territory of Non-Muslims

The group becomes the territory of Islam if the rule over it is the stipulation of Islam, even if the majority of its residents are disbelievers. If the country is ruled by the judgments of the disbelievers and the disbelievers have the upper hand in it, then it is the territory of non-Muslims, even if most of its residents are Muslims and the Muslims' blood and money are protected, whether in the country of Islam or the country of disbelievers. ([51]) This division is firmly proven in the book and the Sunnah and there is a consensus on it amongst the scholars of the nation among the predecessors and successors. Among the sayings

Document Page 13:

of the scholars about that are:

1 - Ibn Al-Qayyim, may God have mercy on him, said: "The consensus of scholars said that the territory of Islam is the one in which the Muslims resided in and the stipulations

|

of Islam were implemented upon it, and if the stipulations of Islam were not implemented upon it, then it is not the territory of Islam, even if it is next to it. So, Al-Ta'if by its very closeness to Mecca did not become the territory of Islam during the invasion of Mecca, nor did the coastal area.” ([52])

2 - Shawkani, may God have mercy on him said: “The consideration here is with whom lies the enforcing word. So, if the orders and the prohibitions of the people in the territory of Islam (are prevalent), inasmuch as the disbeliever in it is unable to show his disbelief except for that which the people of the territory of Islam allows him to do, and the outward appearance of the disbelieving characteristics is not harmful to it because they do not show the might of the infidel or their boldness, as is seen with the Jewish and Christian peoples and the residents of Islamic towns that have a pact, then this is a territory of Islam. And if the matter is opposite of this, then the territory is opposite.” ([53])

3 – Ibn Quddamah, may God have mercy on him said: “When the people of a country became apostate and imposed their rules upon it, they become the territory of non-Muslims by seizing their money and capturing their offspring, happening after the apostasy, and the rulers had to fight them. So, Abu Bakr Al-Sadiq, may God be pleased with him, fought the people of apostasy, per the consensus of the Companions of Muhammad.” Further he said:

“And Abu Hanifah said: a country does not become a territory of Non-Muslims unless three things converge in it: 1) It is next to a territory of Non-Muslims, with no territory of Islam lying between them; 2) No Muslim or non-Muslim would be able to live there in safety; 3) Their rules are imposed in it. And for us: If a country of disbelievers had their rules in it, then it was a territory of non-Muslims, the same as if these aforementioned characteristics had converged in it, or it was a country of original disbelievers.” ([54])

4 – Al-Kasani, may God have mercy on him, said in his book, *The Best of Creations*, what Abu Hanifah said previously, and added to it: “Abu Yusuf and Muhammad, may

|

God have mercy on them both, said: 'It becomes a territory of non-Muslims if the rules of the disbelievers are apparent in it.' ([55])

5 – Al-Qadi Abu Ya'la said: "Each country where the rules of the disbelievers have the upper hand becomes a territory of non-Muslims." ([56])

## Second Topic: The Resulting Judgments on the Various Territories

The purpose of knowing the grouping of the territories is to know the resulting judgments against them. There are many stipulations and we have extracted here the ones among them that pertain only to the pilgrimage and the Holy War:

1 – The obligation of migration from a territory of non-Muslims to a territory of Islam for one who has the ability to do so, or to a country of safety (and it is a disbelieving country of less temptation), if a territory of Islam does not exist, like the migration to Habshah [TN: Ethiopia], in the early stages of Islam.

2 – The obligation of fighting the original disbelievers in their countries, which is a surrogate obligation [TN: 'kifaya'; if someone is doing it somewhere, then it suffices for everyone]. This is what is called Jihad Al-Talab [TN: Holy War that is sought out proactively by the Muslim for the sake of God.]; and the obligation of fighting the apostates which is a personal obligation, and that is called Jihad Al-Daf'a [TN: Holy War for the sake of God to push away the danger.]

The Almighty God said: "O ye who believe! Fight those of the disbelievers who are near to you, and let them find harshness in you, and know that Allah is with those who keep their duty (unto Him)." ([57]) And the Almighty God said: "O ye who believe! When ye meet those who disbelieve in battle, turn not your backs to them." ([58])

A summary of the sayings is this: "That any country that has in it the might and the power of the infidels who apply disbelieving rules, and remove the rules of Islam from

|

the political and military life of the people, and in which the Muslims are not able to apply the rules of Islam except by the approval of those disbelieving authorities who do not put the word of God at the highest level and bring down the banners of the disbelievers, then that is a country in which the issues of the Country of the Disbelievers are materialized, and it is not a Country of Islam, even if the majority of its residents are Muslims, and even if the disbelieving rulers themselves represent themselves as Muslim. Such is the case with will all of countries of Islamic peoples currently, except those who receive God's mercy.

If the Muslims of this era understood this meaning and the judgments, they would not have been negligent in preparing for the Holy War for the sake of God, and would have prepared to take out those who desecrated their countries by making non-Islamic laws prevail in them, and who turned them into disbelieving countries after they were once a territory of Islam.” ([59])

## Part Two: Judgment on the Common People

The judgment on those who are fit to carry the responsibility [TN: of being Muslim] stands on the knowledge of their perceived deeds, so whoever showed their actions to be Islamic, then our judgment on them is such, and whoever showed their actions to be disbelieving, then our judgment on them is such after the fulfillment of the conditions and justifications of protection.

It is known that one should take into consideration the reasons for the protection from the judgment of disbelief in regards to those whom infidelity has come to amongst the ones fit to carry the responsibility of being Muslim. So, if he is judged among all the people whom infidelity has come to, then he is in the state of judgment against the ones who are seen to be protected from infidelity and whose weaknesses are out of what is considered as ignorant, or as derived from acceptable interpretation, or as from one who meets the conditions of being forced into it, etc. So, if someone is legitimately ignorant, and has not been lazy in seeking the truth and investigation of his religion, then he is not an infidel. Likewise for the one who interpreted something on a weak truth that he

|

thought was a strong one, or who interpreted the evidence of the law in a way that was linguistically sound [TN: but not the intended meaning]; then he is not an infidel. Same for the one who met the conditions of being forced into it and who is not able to defend himself or escape from it, then he, also, is not an infidel.

First Topic: Those Who Appeared to have the Signs of Islam and are Judged as Such Based on the Perception of their Actions

The Almighty God said through the tongue of his prophet Noah, may God's peace be upon him: "Nor say I unto those whom your eyes scorn that Allah will not give them good - Allah knoweth best what is in their hearts - Lo! then indeed I should be of the wrong-doers." ([60])

The evidence in the verse is clear. The prophet of God had determined the judgment in this verse to be based on the perception of their faith and he attributed the knowledge of what is in their hearts, and knowing what is in their spirits, to God alone. It is apparent if one judged another by other than what is the perception then he, at that time, is one of the wrongdoers.

The messenger of God, may God's blessing and peace be upon him, said: "I had not been ordered to search the hearts of the people and I do not break open their insides." ([61]). And he said, may God's blessing and peace be upon him: "I was ordered to fight the people until they witnessed that there is no God but Allah..." Further to the rest of the Hadith, which in it was also mentioned: "Their accounts will be left up to God". So the Prophet, may God's blessing and peace be upon him, was satisfied with judgment upon them based on what was seen of their actions, and their secrets are in the hands of the Almighty God.

Al-Shafi'i, may God have mercy on him, said: "The Almighty God imposed on his people to obey His prophet, may God's blessing and peace be upon him, and did not leave anything up to them, so they should not accept a judgment based on circumstantial evidence, or when in doubt, or for a shortcoming of their knowledge as compared to His prophets on whom God imposed to stand on what he revealed to them until He makes His final judgment. So, the Almighty God deprived them from excuses and He did not leave

any judgment up to them in the world, except for by what is perceived of the one being judged.

Document Page 15:

God imposed on His prophet to fight the idolaters until they surrendered to God and then their blood would be spared if they showed they were of the Islamic faith, and you should know that no one knows their trueness to Islam except God. Then he informed his messenger about people who showed they were of Islam while hiding the opposite, but He would not allow him to judge them contrary to the rule of Islam, and He would not allow him to judge them in the world by anything other than what they showed him of their actions. He said to his prophet: “The wandering Arabs say: ‘We believe’. Say (unto them O Muhammad): ‘Ye not believe, but rather say ‘We submit.’” ([62]) Meaning, ‘we surrender verbally fearing death or capture’, then he told them they would be rewarded if they obeyed God and His messenger.

He said about the hypocrites, who are in the category of idolaters: “When the hypocrites come unto thee (O Muhammad), they say: We bear witness that thou art indeed Allah's messenger. And Allah knoweth that thou art indeed His messenger, and Allah beareth witness that the hypocrites indeed are speaking falsely. They make their faith a pretext so that they may turn (men) from the way of Allah. Verily evil is that which they are wont to do” ([63]), meaning they use it as a shield from death.

The Sublime One said: “They will swear by Allah unto you, when ye return to them, that ye may let them be.” ([64]) So God ordered him to accept their perceived actions and did not allow His prophet, may God’s blessing and peace be upon him, to judge them by anything except that which they have sworn to.

God informed His prophet that they were in the lowest point of the fire, so the Almighty God judged them based on the secrets in their hearts, and the Prophet judged them in the world based on their behavior in showing repentance, and on what trustworthy Muslims based their judgments on in what they attested to verbally and what they denied of disbelief, as long as they did not accept the disbelief and it was not proven

that they did so. God denied them their talk in all of that, and thus told the Prophet, may God's blessing and peace be upon him, about God the Blessed and Almighty.

It was narrated by 'Uday Bin Al-Khiyar that a man confided in the Prophet, may God's blessing and peace be upon him, so nobody knew what he had confided until the Prophet, may God's blessing and peace be upon him, made it public that had counseled him to kill one of the hypocrites, and the Prophet, may God's blessing and peace be upon him, said: "Does he not attest that there is no God but Allah?", and the man said: "Yes, and his testimony is not accepted". And the Prophet, may God's blessing and peace be upon him, said: "Does he not pray?" And the man said: "Yes, but his prayer is not accepted". And the Prophet, may God's blessing and peace be upon him, said: "Those are the ones whom God has forbidden me to kill." ([65])

In the Hadith, the Prophet, may God's blessing and peace be upon him, said: "I have been ordered to fight the people until they witness to the fact that there is no God but Allah..." Further to the rest of the Hadith which in it says: "and their accounts will be left up to God". So, their accounts will be left up to God whether they are truthful or liars, and the secrets in their hearts will be left up to the Almighty God, the only one who has authority to judge them, not his prophets and the rulers of his people.

And in this way, the judgments of the Prophet, may God's blessing and peace be upon him, were carried out in the form of the sanctions of God and all the rights based on what was apparent about the servants. He taught them that all of his judgments were based on what they showed of their actions, and that God judges the secrets in their hearts.

In the Hadith 'Uwaymar Al-'Ajlan, gave testimony against his wife (for marital infidelity) and the Prophet, may God's blessing and peace be upon him, said: "If it was not for what God has revealed, I would have had another judgment against her." ([66])

In the Hadith Rakkanah made a final divorce of his wife [TN: they are allowed three] and the Prophet, may God's blessing and peace be upon him, asked him to swear: "Did you intend for it to be only one time?", so he swore to him and the Prophet returned her to him. ([67])

In that and the rest is the evidence that it is forbidden for the ruler to pass judgment at all on one of the servants of God, except for what he bases on the best of

what he sees even if what he sees is not the servant's best and he has no evidence against what is contrary to his best.

He said about those who testify against their wives [TN: in cases of infidelity]: "You wait for her to bear her child and if the child has signs of this or that, then I do not see but that he has truth over her." ([68]) Then she delivered the child as such, but he did not give the man more power over her, because she did not admit to her infidelity and there was no other undisputed evidence made against her. And he said, may God have mercy on him:

Document Page 16:

"So, whoever judged the people contrary to what was perceived of them - based on the consideration that what they showed of their actions was contrary to what they hid inside themselves whether proven or not, as far as I am concerned, he is against the revelation of God and the Sunnah." ([69])

Ibn Taymiyah, may God have mercy on him said: "There is no difference amongst the Muslims in that a combatant, if he embraces Islam and sees a sword [TN: i.e., faces death] whether he is unrestrained or restrained, his belief in Islam would be accepted and his repentance from disbelief would be accepted, even if the evidence of the situation reveals that what is hidden inside of him is contrary to what his perceived actions are.

Also, then, the Prophet, may God's blessing and peace be upon him, had accepted the behavior of the hypocrites and entrusted the secrets of their hearts to God despite God's revelation to him that they used their oath as a shield and that "they swore by Allah to what they said, but what they had said was the word of the disbelief." And it became known that whoever showed to be a believer of Islam and showed his repentance from disbelief, it would be accepted from him. ([70])

Ibn Qayyim said, may God have mercy on him: The judgments of the Almighty Lord are implemented over what appears to the people unless there is undisputed evidence that what was shown is contrary to what was hidden in their hearts. As to the story of the one who testified [TN: against his wife's adultery], the Prophet, may God's



blowing and peace be upon him, had said after the child is born and shows likeness to the one she is accused of being with: "If not for what was revealed in the Book of God, I would have had an issue with her." So, for this, God knows best and that is what the Prophet meant by the quote, if not for God's judgment of the oath made by the testifier, the likeness of the child to whom the wife was accused of being would require a different judgment; but the judgment of God regarding using the oath in testimony of adultery cancels the judgment of this likeness.

So, there are two pieces of evidence, one of them is stronger than the other, and implementation of the strongest one is obligatory. Likewise, if the evidence of a marital relationship is contradictory to the evidence of the likeness [TN: in the child born to the accused adulterer] then we must use the evidence of the marital relationship and we should not take into consideration the likeness, as is supported by the text and the consensus of scholars. ([71])

Al-Qadi 'Iyad said in the Hadith about the hypocrites: The judgment of Islam over them in worldly judgments is based on what they say with their mouths as it relates to what the Muslim religious leaders and rulers deal with, whose judgments are based on the perceptions of what is shown of the signs of Islam. It is not allowed for humans to judge based on the secrets of one's heart, and they were not ordered to search for them, rather the Prophet, may God's blessing and peace be upon him, forbade the passing of judgment and condemnation based on the secrets. He said: "Have you opened his heart." ([72])

Al-Qurtubi said in his commentary that the Almighty God said: "They used their oath as a shield." So, God explained that their situation was not hidden from Him, but his judgment was that whoever showed the faith, then the judgment of faith is to be made upon him. ([73])

Ibn Hajar said, may God have mercy on him: "And they all agreed that the judgments of the world are based on the perceived actions, and God has authority over the hidden secrets of the heart. The Prophet, may God's blessing and peace be upon him, said to Usamah: 'Did you open his chest.' And he said to the one who confided in him to kill a man: 'Does he not pray?' The man said: 'Yes.' The Prophet, may God's blessing and peace be upon him, said: 'Those are the ones I am forbidden to kill.' And it is in

some passages of the Hadith of Abu Sa'id that when Khalid Bin Al-Walid asked for permission to kill the one who contested the division of the booty [TN: made by the Prophet], he said: 'How many of those who pray say with their tongue what is not in their heart?' And the Prophet, may God's blessing and peace be upon him, said: 'I was not ordered to search the hearts of the people.'" Muslim included this [TN: in the Sahih] and the Hadiths about this are numerous. ([74])

Second Topic: Signs of the Judged Islam and its Evidence:

First: The Signs of Islam:

With regards to the signs of Islam, they are that which if shown by a person, then that person is judged as a Muslim, under the condition that it is among the characteristics of Islam that are specific to Muslims and not anyone else. These signs suffice in and of themselves in the judgment of Islam for those who perform them. Among these signs are:

Document Page 17:

The Declaration of Faith:

A) Among the evidence of that is the Prophet, may god's blessing and peace be upon him, saying: "I was ordered to fight the people until they declare that there is no God but Allah, and if they declared that, then their blood and money was protected from me, unless there is a rightful justification, and their accounts will be left up to God." ([75])

In this is the proof as to what makes the blood and money protected, so the Prophet, may God's blessing and peace be upon him, made the declaration of faith a protection for the blood and money even if what is hidden in the heart is contrary to that – because God is the One with the authority to judge the secrets of the heart, and that which is judged in the world is based on the perception of the action. That is why the Prophet, may God's blessing and peace be upon him, said: "Their accounts are left up to God."

I.e.; so the Almighty God has authority of their accounts if they were hiding something contrary to what they were showing.

Ibn Hajar, may God have mercy on him, said: “It is forbidden to kill someone who said there is no God but Allah, even if nothing was added to it, but does this absolutely make that person a Muslim? Probably not, but one should refrain from killing him unless he is tested. ([76])

B) From Usamah Bin Zayd, may God be pleased with him, he said: “The messenger of God, may God’s blessing and peace be upon him, sent to us to Al-Haraqah from Jahaynah”, and Usamah said: “So we battled with the people then we defeated them. And Usamah said: “A man of the Ansar [TN: Muslim converts in Medinah who helped the migrants from Mecca] and I chased a man among them”, and he said: “Then, when we caught up with him, he said: ‘there is no God but Allah.’” He said: “So, the Ansari man refrained from [killing] him, then I stabbed him with my spear until I killed him.” He said: “So when we returned, the Prophet, may God’s blessing and peace be upon him, had already learned of it and [Usamah] said: “So he said to me, Oh Usamah, you killed him after he said there is no god but Allah.” [Usamah] said: “I said, Oh messenger of God, it was because he had said this just for protection.” The Prophet said: “You killed him after he said there is no god but Allah?” [Usamah] said: “And [the Prophet] kept repeating it to me until I wished that I had not become a Muslim before that day. ([77])

In the Hadith of Usamah there is evidence that if someone said: “there is no God but Allah”, then he is a Muslim whose blood is protected and it is not permissible to kill him, and his blood must not be spilled on the condition that he does not contradict it by a word of disbelief or an action of disbelief, and God knows best.

2 - The person saying: “I am a Muslim” or “I have surrendered to God”, or any other statement that proves the desire to be Muslim, and among the evidence of that is:

From Al-Miqdad Bin Al-Aswad, may God be pleased with him, who said: “Oh messenger of God, what if I come across a man among the disbelievers and he fought me, then he struck one of my hands with his spear and cut it, then he took shelter from me in the trees and said: ‘I surrender.’ So, should I kill him, oh messenger of God, after he said

that?" The Prophet, may God's blessing and peace be upon him, said: "Do not kill him, for if you kill him, then he is the place you were in before you killed him, and you are in the place he was in before he said those words that he said." ([78])

And from 'Umran Bin Husayn, may God be pleased with him, who said: The Muslims captured a man from the Bunni 'Afil tribe, and they brought him to the Prophet, may God's blessing and peace be upon him, and (the man) said: "Oh Muhammad, I am a Muslim." So the Prophet, may God's blessing and peace be upon him, said: "If you had said that before you were brought to me you would have had control over your matter and you would have had success at its fullest." ([79])

It was conveyed in the Hadith of Ibn 'Umar, may God be pleased with him, about the company of Khalid Bin Al-Walid, may God be pleased with him, that was sent to the Bunni Jadhimah tribe, and the people were not used to saying the right words "we surrender", but instead accidentally said "we disbelieve, we disbelieve." And they were not used to saying the right words "we surrender"... (to the rest of the Hadith). ([80]) And that Khaka, may God be pleased with him, killed whoever was with him and he ordered the prisoners to be killed, so the Prophet, may God's blessing and peace be upon him, condemned (Khaka) and he carried their booty to their families. ([81])

Document Page 18:

Al-Shawkani said: The writer proved with the Hadiths of the chapter that a disbeliever becomes a Muslim by saying the declaration of faith, even if that was by way of indirect declaration without (actually) stating it. ([82])

### 3 – Offering Prayer

So, if a man is seen praying alone or in a group then he is judged as being a Muslim, and among the proof of that is:

A - From Anas Bin Malik, may God be pleased with him, who said: "The Prophet, may God's blessing and peace be upon him, said: 'whoever prayed our prayer and accepted facing Mecca, and ate our slaughtered animal, then that one is a Muslim who has the

protection of God and His messenger, so do not be timid in (receiving) God's protection.'" ([83])

Ibn Hajar, may God have mercy on him, said: "Regarding that, the matters of the people are carried based on perception, and whoever showed signs of the religion, the judgments of Islam were upon him, unless something contrary to that was shown, then the opposite holds true." ([84])

B – And from him also, he said: "The Prophet, may God's blessing and peace be upon him, said: 'I was forbidden to kill those who pray.'" ([85])

C – And from Baridah, may God be pleased with him, who said: "The Prophet, may God's blessing and peace be upon him, said: 'The pact that is between us and them is prayer, so if someone rejected it, then he was a disbeliever.'" ([86])

In the previous Hadiths, it is apparent that neglecting prayer is the difference between Islam and disbelief, and that whoever prayed, then his blood will not be spilled.

#### 4 – The Call to Prayer:

From Anas, may God be pleased with him, who said: "The Prophet, may God's blessing and peace be upon, if he attacked a people, used to not attack until morning appeared, so if he heard a call to prayer, he would stop, but if he did not hear a call to prayer, then he attacked after the morning came." ([87])

Ibn Hajar said, may God have mercy on him: "Al-Khattabi said: 'Regarding that, is that the call to prayer is a symbol of Islam.'" ([88])

And in another narration: "He used to attack when dawn broke and he would wait to hear the call to prayer, so if he heard a call to prayer, he did not attack."

In the Hadiths, there is permission to use it as proof for judgment, because the Prophet, may God's blessing and peace be upon him, refrained from fighting as soon as he heard the call to prayer. And he regarded that as sufficient in matters of life and death

because he refrained from (attacking) them in that situation even with the possibility that that it was not the truth.

#### 5 – The presence of Mosques

In the Hadith of ‘Asim Al-Muzanni, who said: “The Prophet, may God’s blessing and peace be upon him, had said: ‘If you saw a mosque, or you heard a call to prayer, then do not kill anyone.’” ([89])

Al-Shawkani said: “In it is proof that if a mosque is present in a town, then that is enough evidence that the people in it are Muslim even if a call to prayer was not heard from them, because the Prophet, may God’s blessing and peace be upon him, had ordered his companies to deem it sufficient if there was one of two factors: if there was a mosque present, or if the call of prayer was heard. ([90])

#### 6 – The Exaltation:

The Prophet, may God’ blessing and peace be upon him, heard a man saying: “God is Greatest, God is Greatest.” So the Prophet, may God’s blessing and peace be upon him said: “He did it by nature”, and the man said: “I attest that there is no god but Allah”, and the Prophet, may God’s blessing and peace be upon him, said: “You are saved from the fire.” ([91])

Al-Shawkani said: “‘He did it by nature’ means that the exaltation is one of the characteristics of the people of Islam, and that the evidence of it proves

Document Page 19:

the Islamic belief of the people of the village who were heard saying that. ([92])

These Hadiths prove also that which preceded his narration that whoever uttered the declaration of faith became a Muslim, and the town in which the call to prayer is performed, or its people pray in a mosque, is judged to be Muslim as long as they haven’t done anything to refute that.

Second: The evidence of Islam:

And it is what proves the Islamic belief of a man, and that he is not judged in it until after careful investigation, and among this evidence is:

1 – The Offering of Peace:

The Almighty God said: “O ye who believe! When ye go forth (to fight) in the way of Allah, be careful to discriminate, and say not unto one who offereth you peace: "Thou art not a believer," seeking the chance profits of this life (so that ye may despoil him). With Allah are plenteous spoils. Even thus (as he now is) were ye before; but Allah hath since then been gracious unto you. Therefore take care to discriminate. Allah is ever Informed of what ye do.” ([92])

It was conveyed in the commentary of this verse that the company of the Prophet, may God’s blessing and peace be upon him, met a man who had with him spoils of war, so he said: “Peace be upon you”, or he said: “There is no god but Allah and Muhammad is the messenger of God”, and one of the people killed him, so when they returned they reported that to the Prophet, may God’s blessing and peace be upon him, and the Prophet, may God’s blessing and peace be upon him, said: “Why did you kill him when he had surrendered?” And he said: “Because he said it to be protected from being killed.” So, the Prophet, may God’s blessing and peace be upon him, said: “Did you open his heart?” And the messenger of God, may God’s blessing and peace be upon him, carried his blood money to his family and returned his spoils of war to them.

Ibn Hajar, may God have mercy on him said: “In the verse is evidence that whoever saw any of the signs of Islam, he was not to spill his blood unless he examined his matter, because peace is a greeting of the Muslims and their greeting prior to Islam was different than that, so this was a sign. [95])

Al-Qurtubi, may God have mercy on him, said: “The same topic, from the viewpoint of Islamic law, is a huge chapter, and it has in it that the judgments are supported by doubts and perceptions, not on the sureness of knowing what is in the

hearts; so, if one said “Peace be upon you”, then we should not kill him as well until we are sure of what is behind this, as this is a subject of doubt. ([96])

## 2 – Showing the Signs of Islam by Visual Conduct:

Such as wearing the clothing of the Muslims, and letting the beard and hair grow, and wearing the turbans, and the like.

Sahib Al-Sayr Al-Kabir, said: “If the Muslims entered one of the cities of the polytheists by force, it was acceptable to kill whoever they found of their men unless he showed to them a mark of the Muslims or a mark of the Ahl Al-Dhimmah; then at that time, they must confirm his matter until his status is apparent to them. ([97])

Among the sayings of the scholars regarding this are:

1 – Al-Shirazi, may God have mercy on him, said in *The Teacher* [TN: Al-Muhadhdhib]: “If the apostate repented, his repentance was accepted, regardless of whether his apostasy was in disbelief as seen by his people, or in disbelief as concealed to his people, like the one who does not deny the laws but does not apply them either, and the one who completely denies them. When it was narrated by Anas, may God be pleased with him, he said: The Prophet, may God’s blessing and peace be upon him, said: “I was ordered to fight the people until they attested that there is no god but Allah and that Muhammad is the messenger of Allah, and if they attest that there is no god but Allah and the Muhammad is the messenger of Allah, and they accepted our facing Mecca (to pray), and they prayed our prayer, then their blood and their money is forbidden to us unless there is a rightful justification, and they receive the rights and duties of all Muslims.” ([98])

Document Page 20:

And since the Prophet, may God’s blessing and peace be upon him refrained from killing the hypocrites when they showed the signs of Islam despite what they were hiding contrary to that, then he was obligated to refrain from killing the apostate who does not



deny the laws but does not apply them either, and the one who completely denies them when they showed him the signs of Islam.” ([99])

So, if the apostate was one of those whom had no justification for his disbelief but made his declaration of faith then he is judged as a Muslim following the Hadith of Anas, may God be pleased with him; and if he prayed in a territory of non-Muslims he would be considered a Muslim.

But if he prayed in a territory of Islam, he was not judged as a Muslim because it was possible that his prayer in the territory of Islam was for pretense and for protection, whereas in the territory of non-Muslims that was not likely, so it proved his belief in Islam” ... Further to what he said: “If his apostasy was through denial of an obligation or the acceptance of something forbidden, then his Islam is not pure until he retracts what he believed and repeats the declaration of faith because he denied the existence of God and His messenger, may God’s blessing and peace be upon him, with what he believed (before) of what they brought, and his Islam is not pure until he says the declaration of faith.” ([100])

Al-Nawawi said, may God have mercy on him: “The contemporaries and scholars and preachers among the people of the Sunnah agreed that the believer who is being judged as one of the people who face Mecca [TN: i.e., a Muslim] and not living eternally in the fire, is no one but the one who believed with his heart in the creed of Islam without a doubt, free of all suspicions, and has made the declaration of faith. If he limited it to one of part of the declaration, he is basically not among the people who face Mecca unless he is unable to speak because of a defect of the tongue, or he is unable to do so because of sudden death, or something else; then he is considered a believer.” ([101])

As in the case of making the declaration of faith, it is not mandatory for that person to say ‘I am exonerated from all religion that is contrary to the religion of Islam’, unless he is among the disbelievers who think the message of the Prophet, may God’s blessing and peace be upon him, was dedicated only to the Arabs, then he is not judged as being a Muslim unless he frees himself – and according to our companions, the companions of Al-Shafi’i, may God have mercy on him – unless he frees himself completely, and not just in one thing.

In the case of someone who limited his declaration of faith to saying ‘there is no god but Allah’ and did not say ‘and Muhammad is the messenger of God’, what is common in our school of thought, and the school of thought of the scholars, is that he is not a Muslim. But, there are some among our companions who say he is a Muslim, and he is asked to attest to the rest of the declaration, but if he refuses then he is an apostate. What supports this saying is the Prophet, may God’s blessing and peace be upon him, saying: “I was ordered to fight the people until they attested there is no God but Allah, and if they said that, their blood and money is protected from me unless there is rightful justification, and their accounts will be left up to God.” This is accepted by the consensus regarding the saying of the two declarations of faith - that mentioning one of the declarations suffices for the other, as they are tied together and known commonly, and God knows best. ([102])

3- ‘Ala’ Al-Din Al-Kasani Al-Hanafi, may God have mercy on him, said: “If that person was among those of whom did not believe in The Maker ([103]) originally or those of whom denied the monotheism of God , then saying ‘there is no God but Allah’ would be accepted from him and he would be judged as being a Muslim because those people nullified the declaration originally, so if they accepted it, then that was proof of their faith.

“And if that person was among those of whom denied the message, or those of whom denied the message of the Prophet, may God’s blessing and peace be upon him, then when he said only: ‘there is no God but Allah’, he is not judged as being a Muslim, because the person who rejects the message has nothing originally against the first part of the declaration. But if he says ‘I declare that Muhammad is the messenger of God’ then he is judged as being a Muslim because he rejected this part of the declaration originally, so the acceptance of it was proof of the faith.

“And is someone had denied the message of the Prophet, may God’s blessing and peace be upon him, then he would not be accepted as a Muslim unless he frees himself of the Christian or Jewish religion that he has, because there are a number among those who accept the message of the Prophet, may God’s blessing and peace be upon him but say that he was sent to

Document Page 21:

the Arabs specifically and to no others, and in this case, the two parts of the declaration of faith without the freeing of other religions is not proof of the faith. For that reason, if he says ‘I believed’ or ‘I surrendered’, he is not judged as being a Muslim, because they claim they are believers and Muslims, and their faith and Islam are for their original faith.” ([104])

4 - Ibn Rajab Al-Hanbali, may God have mercy on him, said: “It is known for a fact for the Prophet, may God’s blessing and peace be upon him, to accept every person who came to him wanting to enter the Islamic faith by declaration of faith only, and his blood would be protected because of that, and he would be a Muslim. So, the Prophet condemned Usamah Bin Zayd for killing the one who said ‘there is no God but Allah’ because he raised his sword against him, and the Prophet reproached him severely. The Prophet, may God’s blessing and peace be upon him, would not make any stipulation upon whoever came to him wanting to be a Muslim except for prayer and fasting.” ([105])

He, may God have mercy on him, also said: “Whoever completed the performance of the pillars of Islam became a true Muslim, despite that whoever performed the declaration of faith is considered a Muslim by judgment, so if he entered Islam in that way, he is required to fulfill the rest of the pillars of Islam.” ([106])

5 – Ibn Quddamah said: “If a disbeliever prayed, he was judged as a Muslim, regardless of whether he was in a territory of non-Muslims, or a territory of Islam; or whether he prayed in a group, or alone.” And Al-Shafi’i said: “If (the disbeliever) prayed in a territory of non-Muslims, he was judged as a Muslim, but if he prayed in a territory of Islam, he was not judged as a Muslim because it was possible that he was praying for pretense and protection.”

Then Ibn Quddamah says: “For us: what was considered Islam in a territory of non-Muslims is considered Islam in a territory of Islam, such as the declaration of faith,

and since prayer is a pillar of Islam specific to it, then he is judged as a Muslim by it, same as with the declaration of faith, and the possibility of protection and pretense is nullified through the declaration of faith whether he was originally a Muslim or an apostate.” ([107])

6 - Abu Muhammad Al-Hasan Al-Barbahari, may God have mercy on him said: “No Muslim would be removed from the fold of Islam unless he rejects a verse of God’s Book in whole or in part, or he rejects anything of the Prophet’s works, may God’s blessing and peace be upon him, or he prays to anything other than God, or immolates to anything other than God. If he did any of those things, then it is incumbent upon you to remove him from Islam; and if he did not do any of those things, then he is a believer and a Muslim in judgment, and not necessarily in truth.” ([108]) That is to say, that this categorization is not heretical as some think, and the Almighty God is most knowing.

7 - Al-Qurtubi, may God have mercy on him said: “If a Muslim met a disbeliever, and he had no pact, it was permissible to kill him, then if he said ‘there is no God but Allah’, the Muslim was not permitted to kill him because he was sheltered by the protection of Islam which forbade his killing. So if the Muslim killed him after that, then he would be killed for his deed.

“Killing was banned for those people because they were in the beginning period of Islam and they made the judgment that one said [the declaration of faith] for protection and out of fear of the weapons, but for protection it must be said with conviction, so the Prophet, may God’s blessing and peace be upon him, taught that it was a protection in whatever manner the person said it.

“That is why the Prophet, may God’s blessing and peace be upon him, said to Usamah Bin Zayd: “So you did not open his heart to learn if he said it or not?” (included in the Sahih of Muslim ). That is, to see if he is truthful in what he said or a liar, and since that is not possible, there is nothing left except to go by what comes from his tongue. There is a huge chapter regarding this as it pertains to Islamic law, and that is because the sanctions are refuted by doubts and perceptions and are not based on surety or knowing the secrets of the heart.” ([109])

In this chapter is what Al-Qurtubi said, may God have mercy on him, in his interpretation of the Almighty God saying: “He only shall tend Allah's sanctuaries who believeth in Allah and the Last Day and observeth proper worship and payeth the poor-due and feareth none save Allah. For such (only) is it possible that they can be of the rightly guided.” And this is proof of the declaration that those who attend mosques are of the truth faith, because the Sublime God linked faith to it and told us how faith can be seen in those who adhere to it”... Further to his quote: “Al-Tarmadhi narrated from Abu Sa'id Al-Khudari that the Prophet, may God's blessing and peace be upon him, said: ‘If you see a man making a habit of going to the mosques, then you have witnessed that he is of the faith.’ The Almighty God said: ‘He only shall tend Allah's sanctuaries who believeth in Allah and the Last Day’” and in one narration ‘he is committed to the mosques.’

Document Page 22:

Al-Tarmadhi said: “The Hadith is classified as a single narration.” ([110])

### Part three: Judgment Regarding the Ahl Al-Dhimmah

Many of the scholars are in agreement that the Ahl Al-Dhimmah are the disbelievers who live in permanent residences in a territory of Islam and pay the tax [TN: head tax on free non-Muslims under Muslim rule] and are obligated to the rules of Islam. ([111]); whereas the Ahl Al-Kitab [TN: people of the book] are the Jews and the Christians in our country who are not the people of protection because they do not pay the tax to the Muslims and they do not follow the rules of Islam, rather they follow the secular manmade laws of citizenship in equality to the Muslim. Furthermore, they fight the Muslims either directly or through supporting the enemies of the Muslims and supplying them with arms or money. By this they excluded themselves from being under the auspices of the protection and the pact as set forth by the ‘Umari covenant which ‘Umar Bin Al-Khattab signed with the Christians in Al-Sham.

The Christians had made incumbent upon themselves - in the conditions of the 'Umari pact – “to not hide deception from the Muslims”. The Imam Ibn Al-Qayyim said: “This is more comprehensive than aiding and abetting the spy, and if it happened that they learned of a matter that bore deception to Islam or Muslims in it and they concealed it, then they had broken their pact.” ... Further to his saying:

“We passed this opinion to the ruler to break the pact with the Christians when they attempted to burn the mosque and the minaret, and marketed weapons; some of them did it, and some of them knew about it but concealed it and did not inform the ruler. In the same fashion the people of the Prophet, may God’s blessing and peace be upon him, applied the same against the breakers of the pact. So, the Bunni Qaynqa’, Bunni Al-Nadir, and Qarizah tribes, when they fought the Prophet and they broke his pact, the whole group was judged as breakers of the pact even though only it was only broken by some of them, as the others did not object to it and they concealed it from the Prophet, may God’s blessing and peace be upon him, and did not make it known to him. Likewise this was done to the people of Mecca when some of them broke his pact and the rest concealed it from him and stayed silent. When they made him aware of it, the entire group was judged for breaking the pact and he attacked them in their own land, and this is the right thing that can not allow for anything else, and God is the One who shows the way.” ([112])

The Imam Ibn Al-Qayyim said: “For this reason the Shaykh of Islam, Ibn Taymiyah counseled to attack the Eastern Christians when they supported the enemy of the Muslims in fighting them by supplying them with money and arms, even though they had not attacked us or fought us; he showed them with that, that they were breakers of the pact. Likewise, the Quraysh tribe broke the pact of the Prophet, may God’s blessing and peace be upon him, with their support to Bunni Bakr Bin Wa’il in fighting his allies. So, just imagine how it would be if the people of protection supported the polytheists in fighting the Muslims; and God knows best.” ([113])

The Imam Al-Kharaqi said: “Whoever breaks the pact with any violation of what they had reached a settlement on, his blood and money are not protected.” ([114]) As to the fame of the 'Umari pact and the obligation of implementing what is in it, Ibn Qayyim, may God have mercy on him, said: “The fame of these conditions gives it credibility

without applying the rules of authentication to them, because the religious leaders received them with acceptance and they mentioned them in their books, and they used them as a reference for other judgments, and they kept mentioning the conditions of the ‘Umari pact to their people, and in their books, and the successors implemented them afterwards, and they carried them out accordingly. ([115])

Al-Mawridi – may God have mercy on him – said: “In the covenant of the protection they made two conditions incumbent upon them: the mandatory, and the optional. As for the mandatory, there are six stipulations:

First – That they do not mention the Book of the Almighty God with criticism against it, or in perversion of it.

Second – That they do not mention the Prophet of God, may God’s blessing and peace be upon him, in denial of him or in contempt.

Third – That they do not mention the religion of Islam in a derogative manner, or slanderously.

Document Page 23:

Fourth – That they do not take advantage of a Muslim woman in adultery, or in the name of marriage.

Fifth – That they do not draw a Muslim away from his religion, or infringe upon his money or religion.

Sixth – That they do not support the unprotected non-Muslims, or covet their riches.

So these six conditions are obligatory without exception, and are made as a notification to them and to ensure they have made a solid and committed pact with them. For them to violate any stipulation after the condition has been put forward is a breach of their covenant.

The optional condition has six items:

First: Changing their lifestyles to wear different clothing than the Muslims and put on a belt.

Second: That they do not build structures higher than the Muslims' buildings, or put the Muslims at a lower level to them.

Third: That they do not allow the sounds of their church bells to be heard, or recitation of their books, or what they say of 'Aziz and the Messiah.

Fourth: That they do not go publicly to drink their wine, or show their crosses, or their pigs.

Fifth: That they discretely bury their dead and do not openly flail themselves in mourning and wail over them.

Sixth: That they are forbidden to ride the horses adorned in armor or camels with weapons, but it is not forbidden to ride mules and donkeys.

These six optional items are not required to keep the protection unless it is stipulated and becomes one of the mandatory conditions; and violation of such after the condition has been put forward is not considered a breach of their covenant, but if they are compelled to violate them they are verbally reprimanded for doing so, if verbal reprimand was so stipulated. ([116])

Here, vagueness occurs in this chapter. A summary of it is: that the people of the book during this era who were living in Muslim countries did not have anyone to make a pact with them to follow, and therefore, they should not be harassed because their blood and money was protected. Argument to this vagueness can be made from a number of angles:

First: The abrogation of the tax from the people of the book and their making them equal to the Muslims is considered the reason for breaking their pact, and changes them to disbelieving combatants.

Al-Shawkani – may God have mercy on him – said: “Maintaining protection for them is conditional upon them accepting the tax and adhering to what the Muslims had committed them to with the conditions. So, if they had not fulfilled what was stipulated upon them, they returned to what their status was before the pact and their blood and money was free game. And this is well-known; there is no dispute about it. At the end of the 'Umari pact, “if they violated anything that was conditional upon them, then there



|

was no protection for them and it becomes lawful for the Muslims to treat them the same as the offensive and aggressive people are treated.” ([117])

Second: The judgment is equal whether the breach of the pact is on their part, or if it is on the part of the disbelieving ruler who claimed to be a Muslim. So, the disbeliever is not protected – not himself or his money - from the Muslims except by adhering to the safety pact that has been ratified by the leader of the Muslims, and if not, then there is no protection for him.

Third: The justification of the vagueness is groundless, because it is an unfounded justification for an Islamic country to exist and for its rules and opinions to have the upper hand or to not have it, all being within the scope of what the Almighty God has destined.

In a statement about the groundlessness of the justification of destiny, Ibn Taymiyah – may God have mercy on him - says: “You cannot use fate as an excuse ... and the case for those who use fate as an excuse is unfounded.” ([118])

Document Page 24:

Fourth: The status of the people of the book among the Jews and the Christians during this era was not the status of the people of protection, so they – as we have already said – are either fighters against the Muslims in a direct manner with occupation, hostility, or the like, or they are supporters to the enemies of the Muslims by supplying the arms, money, and expertise and the like.

They even had held conferences in some of the Muslim countries, demanding in them clarification that the rules of Islamic law did not apply to them and they would not be accepting of them.

For all of these reasons then, the people of the book amongst the Jews and the Christians were not part of the people of the covenant, nor a pact, because they did not pay the tax to the Muslims and they did not adhere to the rules of Islam, rather they fought the Muslims with every type of weapon, covertly and overtly.

|

It does not escape us that we notice in that respect, the invalidity of the saying that drops the validity of the laws relating to the people of protection in the territory of Islam during this period, and the call to the dependence on the principle of citizenship as a replacement for reconciliation of the people of protection, and this invalid term was written in the constitutions of the disbelieving nations.

The justification for its invalidity is that it denies what is known for certain from the religion and what has been established by the Book, the way of the Prophet, and the consensus of the scholars. What is regrettable about it is that this term is promoted by some of the so-called Islamic intellectuals, and even some of the movements that are affiliated with Islam do the same thing. ([119])

We ask the Almighty God to enlighten us to the truth and help us in following Him.

## Chapter Six: The Group and the Covenants

And in it are two parts:

Part One: The Group

Part Two: The Covenants

Part One: The Group

The establishment of the ordinance of the jihad for the sake of the Almighty God requires solidarity and support, because the jihad is one of the social servitudes and the Almighty God had ordered in His Noble Book to have solidarity and coalition, and His Eminence forbade there to be dissension and argument. The Almighty God said: “And hold fast, all together, by the rope which God (stretches out for you), and be not divided among yourselves.” ([120]) And the Almighty God said: “And be ye not as those who separated and disputed after the clear proofs had come unto them. For such there is an awful doom.” ([121])

And the Almighty God said: “and dispute not one with another lest ye falter and your strength depart from you.” ([122]) And the Almighty God said: “and be not of those

who ascribe partners (unto Him) of those who split up their religion and became schismatics, each sect exulting in its tenets.” ([123])

Document Page 25:

And the Almighty God said: “He hath ordained for you that religion which He commended unto Noah, and that which We inspire in thee (Muhammad), and that which We commended unto Abraham and Moses and Jesus, saying: Establish the religion, and be not divided therein. Dreadful for the idolaters is that unto which thou callest them. Allah chooseth for Himself whom He will, and guideth unto Himself him who turneth (toward Him).” ([124])

The Prophet - may God’s blessing and peace be upon him – said in clarifying the relationship amongst the Muslims: “The image of the believers in their good relations and their mutual respect and compassion for one another is like one body; if one member falters the whole body suffers with fever and sleeplessness.” ([125])

And the Prophet – may God’s blessing and peace be upon him – said: “The believer is to the believer like the bricks are to each other on a wall - each one supports the other” ([126]). And the Prophet – may God’s blessing and peace be upon him said: “The Muslim is a brother of the Muslim.” ([127]) And the Prophet – may God’s blessing and peace be upon him – said in encouraging the solidarity, and warning and forbidding against division in the Hadith of Al-Harith Al-Sha’ri: “I order you to honor the five things God ordered me to honor: the solidarity, the listening, the obeying, the pilgrimage, and the jihad.” ([128])

And the Prophet – may God’s blessing and peace be upon him – said: “The Jews divided into seventy-one groups, and the Christians divided into seventy-two groups and my nation will divide into seventy-three groups, all of them in the fire, except one.” They said: “What is it, oh messenger of God?” He said: “It is like what you can see me and my companions doing.” ([129])

And the Prophet – may God’s blessing and peace be upon him – said: “It is about to be that the nations will call out to you like the diner calls out to his dish.” They said:

“Will there be a shortage of us on that day, oh messenger of God?” He said: “No, rather you will be many on that day, but you will be weak like the foam of the flood.” ([130])

The meaning of everything that preceded this is to clarify the necessity of the solidarity, support, and cooperation amongst the Muslims in establishing the religious obligations, and warn against division, as this division brings nothing but evil; the order is for solidarity and cooperation and that is the source of all goodness.

The Shaykh of Islam, Ibn Taymiyah – may God have mercy on him said: “All the sons of Adam will not achieve their goals, in this world or the hereafter, unless there is solidarity; so, the cooperation and the support are to secure their advantages and drive away their harms. This is why it is said a person is social by nature. If they get together there have to be things that they do to secure their interest, and things they avoid because of the corruption it has in it. They will be obedient to the one that commends them for good deeds and forbids that corruption, so all of the sons of Adam must be obedient to the order and the prohibition. ([131])

So, the solidarity is an obligation to the saying of the Prophet, may God’s blessing and peace be upon him: “I order you to honor the five things God ordered me to honor: the solidarity, the listening, the obeying, the pilgrimage, and the jihad.” ([132]) So, in this Hadith he began with the order for the solidarity and he ended with the order for the jihad, and in it is the indication that the road of the jihad begins with the formation of the Muslim group, and there must be for this group a chief. There is a reference about this leader in the Hadith using the terms “listening and obedience”; that is to say, for the chief of the group - and the Prophet, may God’s blessing and peace be upon him, stipulated ‘listening and obedience’ because they are among the greatest causes of unity and cohesion of the group and it is the sword and the might necessary for the jihad. ([133])

Ibn ‘Abd-al-Barr narrated in the Encyclopedia of the Interpretation of Knowledge, with support, from Tamim Al-Dari who said: “The people built tall buildings in the time of ‘Umar Bin Al-Khattab, may God be pleased with him, and he said: “Oh ye Arabs, stay to the ground, stay to the ground. There is no Islam unless it is in a group, and there is no group unless it has leadership, and there is no leadership unless there is obedience within it; if not then if someone is made master by his people because of his knowledge, then that was a good thing for him, and whoever was made master by his people who does not

have knowledge, then that was disastrous for him and for whomever followed him.”

([134])

So, in the saying of ‘Umar, may God be pleased with him, is the necessity of solidarity, leadership, and obedience to establish the laws of Islam. Then, if a number of

Document Page 26:

Muslims amounted to three or more, it is incumbent upon them to appoint one of them as a leader to represent them because in that is the safety from the conflict that leads to ruin. Through the appointment of a leader, there is consensus of the word. If the appointment of a leader is necessary for a sudden, short trip, then it is even more necessary to appoint the most deserving and appropriate person to lead a large number living in the village and the cities. They need to help each other to set up the religious duties and drive away the wrong-doing; to break up the disputes, commend good, and forbid evil, as well as what is necessary for the leadership to set up for the people the religious duties such as the jihad for the sake of the Almighty God. ([135])

The Islamic laws for this leadership are verified, such as the listening and the obedience to the leader, and that is because if the leadership was legitimate in some situation then it demands listening and obedience and it takes on rights and duties. If anyone has people who follow him then he is the one who is responsible, and it is incumbent upon each of the leaders to obey the Almighty God and forbid disobedience to Him. And it is incumbent upon each of the followers to be obedient to his leader as long as it is for the sake of the Almighty God, and God is most knowing. ([136])

What is the group?

The ‘group’ is repeated in the Islamic legal texts with numerous meanings. Among them are:

1 – The group means the people of the religion of Islam, as is in the Hadith “The blood of a Muslim man is not shed except for one of three types: the married adulterer, the one

who takes another's life, and the one who leaves his religion, straying from group."

([137])

2 – The group means the group of Muslims who are in obedience to their Imam, as what came in the Hadith: "Whoever sees something from his leader that he disagrees with, he should be patient with him because whoever strays from his group even a hand span then he dies the death of the pre-Islamic state." ([138]) And, 'the death of the pre-Islamic state' here means disobedience, not disbelief, because the scholars are in agreement that transgressors against the Imam are still believers based on the text of the Book and the Sunnah. ([139])

3 – The groups means adhering to the truth, as what was conveyed in the Hadith: "This nation was split into seventy-three parts, all of them in the fire except for one, and it is the group." ([140]) We consider the Islamic groups present today in most of the Muslim countries fighting against tyranny who are adherent to the creed of the people of the Sunnah, and the group, and carry out the duties of Islam to fall under this definition of the meanings of the group.

#### Part two: The Covenants

The covenants amongst the Muslims for pious deeds and permissible actions are legitimate and allow for one party to have trust in the other, as what the Almighty God said about Jacob, peace be upon him: "He said: I will not send him with you till ye give me an undertaking in the name of Allah that ye will bring him back to me, unless ye are surrounded. And when they gave him their undertaking he said: Allah is the Warden over what we say." ([141]) So, if a Muslim makes a pact in some matter, then he must fulfill it as the Almighty God said: "Oh ye who believe, fulfill your undertakings" ([142]) and the Almighty God said: "and keep the covenant. Lo! of the covenant it will be asked."

([143])

The Purpose of the Covenant:

The matters that are undertaken with a covenant, whether they are religions duties, or permissible or forbidden actions are regarded in the following manner: As far as obligations like the jihad and obedience to the leaders are concerned, they are obligatory

and supported by the authenticated Hadith and the Qur'an, and the covenants and ratifications add even more obligation and assurance. However, the permissible actions are not obligatory per the authenticated Hadith and the Qur'an, but they must be honored if a covenant and pact has been made for them, as in the saying of the Almighty God: "Fulfill your undertakings" and the saying of the Almighty God: "And keep the covenant." As far as the forbidden actions are concerned, they are not permissible in the first place, and a covenant and pact do not apply to them.

Document Page 27:

That is to say, one must honor that which is obligated by the Hadith and the Qur'an, and that which is set forth in a covenant and pact of the permissible duties that are not obligated by the Hadith and the Qur'an.

Among the examples of duties in this chapter, are the covenant and pact to carry out the obligatory duty of jihad for the sake of God, and obedience to the leaders who are obedient to the Almighty God. So that obligation must be fulfilled, and it is forbidden to break this covenant, whether the leader was a caliph, or a leader of the jihad.

Regarding this, the Shaykh of Islam, Ibn Taymiyah, may God have mercy on him, says: "What God and His messenger order in obedience to the leaders and in giving advice to them is incumbent upon the people even if they did not make a pact on it, and they did not swear a confirming oath to them, as it is the case for praying the five prayers, and giving the offering, fasting, making the pilgrimage to Mecca, and the rest of what God and His messenger ordered of obedience. Then if he swears to that, it is assurance and verification of what God and His messenger ordered of obedience to the leaders and in giving them advice. So, the one who swears to these matters is not free to do something contrary to what he swore to just like swearing to God or any other oath that Muslims swear to, so God made obedience to the leaders and giving them advice a duty for him even if he did not swear to it - so how much more so if he did swear to it?! And God and His messenger made their disobedience and disloyalty forbidden, even if they did not swear to it." ([144])

The Shaykh of Islam, Ibn Taymiyah, may God have mercy on him, also said in a statement about what is obligatory by the Qur'an and the Sunnah to begin with and what is obligatory through a covenant: "What God requires from a servant, he may make as an obligation for each person to begin with, like his requirement of faith and belief in one God, and He may make it an obligation because they made it an obligation on themselves, and if not for that, he would not have made it an obligation, like honoring the vow of the optional deeds and adhering to the pacts of the permissible actions such as with selling, marriage, divorce, and the like. If it was not a duty, He might make it so for both reasons, like making a pledge to the Prophet for the listening and obedience, as well as making a pledge to the leaders of the Muslims, and like the contracts the people have to make for what God and His messenger have ordered." ([145])

#### The Crime of Breaking the Covenant:

Breaking the covenant and lack of adherence to the pact is forbidden same as it was with the religious leaders of the Muslims or the leader of the jihad, or the average Muslim individuals. And that is shown in the following evidence:

1 – The Almighty God said: "And those who break the covenant of Allah after ratifying it, and sever that which Allah hath commanded should be joined, and make mischief in the earth: theirs is the curse and theirs the ill abode." ([146])

2 – The Almighty God said: "O ye who believe! Why say ye that which ye do not? It is most hateful in the sight of Allah that ye say that which ye do not." ([147])

3 – The prophet, may God's blessing and peace be upon him, said: "There are four traits for those who are total hypocrites, and if he has one, he will carry the traits of hypocrisy until he abandons it - if whatever he says is a lie, or if he breaks promise, and if he is indiscreet about a disagreement he has, or if he betrays his covenant." ([148])

Imam Ibn Rajab Al-Hanbali said in an explanation of the Hadith: As far as the pacts of the Muslims are concerned, fulfilling them is the most important thing and breaking them is the greatest crime, and among the worst of the them is breaking the covenant of the leaders to whom they follow and accept as a leader. ([149])

The Prophet, may God's blessing and peace be upon him, said: "The Almighty God said: Three will be my rivals on the Day of Resurrection – a man who swore by my



name then betrayed it; the man who sold a free person then took his money; and a man who hired a laborer, then used him but did not pay him his rate.” ([150]) So, the meaning of the Almighty God’s words ‘he swore by my name

Document Page 28:

then betrayed it’ is ‘he gave his oath to me’, that is to say, he swore by the Almighty God, and made a covenant with His name, then he broke it.

The Jihad Group (The Basic Characteristics)

The topics in it are:

The First Topic: The Naming of the Group

The Second Topic: Its Doctrine

The Third Topic: Its Program

The Fourth Topic: Its Goals

The Fifth Topic: Its Methods of Operation

The Sixth Topic: Its Field of Operation

The Seventh Topic: Its Membership

The Eight Topic: Its Emblem

The First Topic: The name of the group: (The Jihad Group)

The group adopted this name because the jihad is the matter that individuals of this group agreed upon, and not because the religion is only for the jihad. We see that the jihad and the call of the people to the religion of God are both the most important of the ways to establish the religion of God and his law on the Earth, whereas science and education and the rest should be serving the jihad rather than weakening it.

This does not mean that the activities of the group are limited to the jihad only; rather the group carries out the other duties of Islam to the extent of its ability, but gives priority to the duty of the jihad and the preparation for it over the rest of the surrogate

obligations when there is a conflict. So, this name is for the purpose of differentiation, not limitation. An example of that among the predecessors is: the name ‘the people of the Hadith’, which had applied to the scholars of the past like Ahmad Bin Hanbal, and Al-Bukhari, and the rest of them, but it did not mean that they did not work on things other than the Hadith, as they were among the authorities of the jurisprudents, may God be pleased with them and have mercy on them all.

### The Second Topic: The Doctrine of the Group

It is the doctrine of the people of the Sunnah and the group and what the Companions of the Prophet, may God’s blessing and peace be upon him, followed and the first three utopian centuries that were blessed by the Prophet, may God’s blessing and peace be upon him, before his death, same as in the areas of faith and fate and the characteristics of believers and the rest of the areas of the dogma. The group believes the infidelity of the countries and regimes and establishments that govern by other than what the Almighty God revealed, or that judge by other than God’s law, or that force the people to be in systems that are hypocritical to Islam, or that called for it, for example, through secularity, democracy, or socialism, or the like. The topics of this book include details for some of what was mentioned about the main characteristics of this doctrine.

Document Page 29:

### The Third Topic: The Group’s Program

It follows the Book and the Sunnah based on the understanding of the righteous predecessors, may God be pleased with them, whether in areas of creed or judgments – without exaggeration or abandonment – as were conveyed by the distinguished authorities and the steadfast scholars. We adhere to what they agreed upon; we give preponderance between their sayings in which they differed in accordance with the knowledge we have and its rules; and we are obligated to adopt caution in matters which preponderance could not be established.

#### The Fourth Topic: The Goals of the Group

These goals were adopted from the exalted goals from which Islamic law was derived, and among them are:

1- The call to the religion of the Almighty God, and the demonstration of the ideology of the predecessors, and the spreading amongst Muslims of beneficial knowledge that will make them aware of the truths of their religion and that are relative to the time in which they live. The Almighty God said: “Say: This is my Way: I call on Allah with sure knowledge. I and whosoever followeth me - Glory be to Allah! - and I am not of the idolaters.” ([152])

2- The work toward deposing the tyrants who are ruling with other than God’s law and establishing an Islamic rule and returning the Islamic succession with the Almighty God’s permission. The group does not see any means whatsoever for change except through the jihad, like the use of democracy, or the vicarious work through the channels of the tyrannical systems which contradict the basis of the ideology of the Divine Unity. The Almighty God said: “then fight the heads of disbelief - Lo! they have no binding oaths - in order that they may desist.” ([153])

3- The preparation for that through the creation of a Muslim group which is prepared following Islamic law and suitably prepared militarily to achieve the previous goals. The Almighty God said: “Make ready for them all thou canst of (armed) force and of horses tethered, that thereby ye may dismay the enemy of Allah and your enemy, and others beside them whom ye know not. Allah knoweth them. Whatsoever ye spend in the way of Allah it will be repaid to you in full, and ye will not be wronged.” ([154])

4- The assistance to the fighters for God, and support to them in their other jihadist movements in all of the Islamic countries, and cooperation with all of the Muslims – no matter what their legitimate affiliation is – with righteousness and piety. The Almighty

God said: “but help ye one another unto righteousness and pious duty. Help not one another unto sin and transgression, but keep your duty to Allah. Lo! Allah is severe in punishment.” ([155])

5- The work towards unifying the Muslims on the rest of the Earth and staying away from everything that causes conflict and dissension amongst the Muslims. The Almighty God said: “And hold fast, all together, by the rope which God (stretches out for you), and be not divided among yourselves.” ([156])

The Fifth Topic: Methods of Operation of the Group

1- Reliance on secrecy in the jihadist work:

The basis of the call to Islam is publicity and openness and that is because it is a call to all of mankind. The Almighty God said: “O Messenger! Make known that which hath been revealed unto thee from thy Lord, for if thou do it not, thou wilt not have conveyed His message.” ([157]) And the Almighty God said: “Messengers of good cheer and of warning, in order that mankind might have no argument against Allah after the messengers.” ([158]). These texts commending the proclamation indicate the necessity of publicizing the call to the general public, because the message of the Prophet, may God’s blessing and peace be upon him, was for the general public. Likewise the Prophet, may God’s blessing and peace be upon him, said: “It used to be that a prophet was sent to his own close circle of people, but I was sent to the general public”. The Almighty God said: “And We have not sent thee (O Muhammad) save as a bringer of good tidings and a warner unto all mankind.” ([159]) And with that

Document Page 30:

the Prophet, may God’s blessing and peace be upon him, kept his call as long as God permitted for him, and Al-Bukhari had narrated from Ibn ‘Abbas, may God be pleased with them both, to the saying of the Almighty God: “Do not be loud in your prayer, and

do not whisper it.” He said: “It was revealed and the messenger of God, may God’s blessing and peace be upon him, was hiding in Mecca, and what is meant by this term, ‘hiding in Mecca’ is ‘at the very beginning of Islam’.” ([160])

The call of the Prophet, made God’s blessing and peace be upon him, to his people was begun in secrecy. The Prophet, made God’s blessing and peace be upon him, used to conceal his message and he did not preach except for to his close circle, considering the fact he was guided by the revelation of Gabriel. However, if he knew the justification for the concealment, then he was able to measure other things against it, and the justification was that their numbers were few and they were weak. Whenever those two elements were present in the call of the Prophet, then concealment was required until they became stronger.” ([161])

As far as the military operations are concerned, the basis of it is secrecy, so it is an obligation to conceal the information and the secrets whenever possible. All of that is the goal to be able to achieve the element of suddenness and surprise, and it is one of the most important reasons for victory. As far as the evidences supporting secrecy in military operations is concerned, there are many. Among them are:

A – What Al-Bukhari narrated from Ka’b Bin Malik in a story about his staying behind for the attack on Tabbuk, he said: “The Prophet, may God’s blessing and peace be upon him, would not go for an attack unless he concealed it with another, until the Tabbuk attack was carried out by the Prophet, may God’s blessing and peace be upon him, in a strong heat and long desert travel, facing many enemies. In that case, the Prophet clarified his plan to the Muslims so that they could prepare their gear for their attack. That is why he told them about the direction he wanted to take.”

And he said: “The Prophet, may God’s blessing and peace be upon him, would not go for an attack unless he concealed it with another, indicating that the basis of military operations is to be secrecy. Abu Dawud had narrated it with the words: “He used to say war was deception; and also that the concealment of information was not only from the enemy, but also from the friend as well. That is not out of suspicion of him, but the goal of limiting the information is to narrow the circle and prevent it from being leaked to the enemy as much as possible, because the enemy has spies and may talk to the

friend. As the wise saying goes: “Your secret is within your blood so be cautious of with whom you keep it.”

B – Among the evidence also is the pledge of Al-‘Aqbah with the Ansari which was made in secret. Ibn Kathir narrated about this pledge when he said: “Ibn Ishaq said from Mu’abbad from ‘Abdallah Bin Ka’b Bin Malik from his father: “We were sleeping that night with our people while riding our camels until we spent a third of the night doing so, then we left our camels for a rendezvous with the Prophet, may God’s blessing and peace be upon him, we snuck away together, hiding until we met in the ravine at Al-‘Aqbah. We had seventy-three men and two of our women with us.” ([162])

Ibn Kathir also said: “Al-Bayhaqi said: - and this is supported – from ‘Amir Al-Sha’bi: The Prophet, may God’s blessing and peace be upon him left with his uncle Al-‘Abbas to the seventy Ansari at Al-‘Aqbah under the trees and said: Let your speaker talk and not make the speech long; there are eyes of the polytheists upon you and if they know about you, they will expose you.” ([163])

C- Also among the evidence is the pilgrimage of the Prophet, may God’s blessing and peace be upon him, from Mecca to Medina and it was a secret. The Almighty God said: “If ye help him not, still Allah helped him when those who disbelieve drove him forth, the second of two; when they two were in the cave, when he said unto his comrade: Grieve not. Lo! Allah is with us.” ([164]) Abu Bakr, may God be pleased with him, said: “I said to the Prophet, may God’s blessing and peace be upon him, when I was in the cave: ‘If one of them looked under his feet he would spot us’. And the Prophet responded: ‘What is your expectation, oh Abu Bakr, about two when God is the third?’ ([165]) And the Prophet, may God’s blessing and peace be upon him, said to Saraqah Bin Malik when he followed them: ‘Do not tell about us’ ([166]) ... further to the rest of the legitimate evidence supporting secrecy in military operations. ([167])

Document Page 31:

Everyone who joins the Jihad Group must adhere to this basis, unless it is asked of him to do otherwise. The group might resort to limited publicity in some operations, especially as it relates to the call for human preparation and this will be conducted

through limited channels, because secrecy in jihad activities is the capital of the fighters; it saves them a lot of effort and enables them to suddenly attack the adversary and surprise him.

#### The Sixth Topic: The Group's Field of Operation

The group is international for two reasons. First: The nation of the call is an international nation. The Almighty and Blessed God said: "Blessed is He Who hath revealed unto His slave the Criterion (of right and wrong), that he may be a warner to the peoples." ([168]) And the Prophet, may God's blessing and peace be upon him, said: "It used to be that a prophet was sent to his own close circle, but I was sent to the general population." ([169])

The second reason is that the nation of those who respond to the call is an international nation. The Almighty God said: "Lo! this, your nation, is one nation, and I am your Lord, so worship Me." ([170]). And the Prophet, may God's blessing and peace be upon him, said: "The believers are as one man; if his head suffers then the whole body will react with fever and sleeplessness". ([171]). And the Prophet, may God's blessing and peace be upon him, said: "The Muslims are equal in their blood and the lowest of them takes his strength from the highest and they are one hand against those who are against them." ([172]) There is no preference amongst the Muslims despite the differences of their colors, or their nationalities, or their languages, except in righteous work and conduct. The Almighty God said: "Lo! the noblest of you, in the sight of Allah, is the best in conduct." ([173]). Also, it is required of the Muslims to support their brethren if the enemy befalls their domain in any part of the Muslim countries. This is a religious obligation agreed upon by the scholars to be dutifully carried out. ([171])

The Jihad Group accepts all Muslims into its membership from all of the various countries; likewise, it is possible for the group to participate in the jihad in any part of the world, following the credible legitimate interests after proper study.

#### The Seventh Topic: The Group's Membership

The Jihad Group accepts into its membership every Muslim who is dedicated to the program of the group, its doctrines and its goals, and where there is no doubt in his religion, morals, or integrity. Membership is limited to men, and the group reserves the right to expel or punish whoever is proven to show corruption, or betrayal, or sabotage, or violation of the principles of the group's work; and that is in accordance with the disciplinary regulation set forth by the group.

#### The Eighth Topic: The Group's Emblem

There are two circles, one inside the other; one of them is large and the other one is small, and in the area between the two circles there is in its upper part the saying of the Almighty God: "Go forth, light-armed and heavy-armed, and strive with your wealth and your lives", and in its lower part is the name of the group – "The Jihad Group". Inside the small circle are the words of the declaration of faith, "There is no god but Allah and Muhammad is the messenger of God". This emblem signifies the obligation of the jihad for each Muslim, and that the intent of the jihad is to spread the creed of the belief in one God and to protect it. The symbol is as indicated in the picture below. [TN: See top of source document page 32.]

Document Page 32:

Conclusion:

Know, my Muslim brother, that we do not promise anyone victory or the achievement of our ultimate goals, and we do not know that which is unseen. The Almighty God said: "Say: For myself I have no power to benefit, nor power to hurt, save that which Allah willeth. Had I knowledge of the Unseen, I should have abundance of wealth, and adversity would not touch me. I am but a warner, and a bearer of good tidings unto folk who believe." ([175]) And the Almighty God said: "Say: I am no new thing among the messengers (of Allah), nor know I what will be done with me or with you." ([176]) And the Almighty God said: "Then have patience (O Muhammad). Lo! the promise of Allah is true. And whether we let thee see a part of that which We promise



them, or (whether) We cause thee to die, still unto Us they will be brought back.” ([177])  
What we would like to say to him on this occasion is:

Any effort endeavored on behalf of these goals is righteous work and the one who does it will be rewarded for it – if the intention is pure – Almighty God willing. If the goal is not accomplished or if he dies before it is so, his reward will be in the hands of God. The Almighty God said: “Whoso migrateth for the cause of Allah will find much refuge and abundance in the earth, and whoso forsaketh his home, a fugitive unto Allah and His messenger, and death overtaketh him, his reward is then incumbent on Allah.” ([178]) And the Almighty God said: “That is because neither thirst nor toil nor hunger afflicteth them in the way of Allah, nor step they any step that angereth the disbelievers, nor gain they from the enemy a gain, but a good deed is recorded for them therefor. Lo! Allah loseth not the wages of the good. Nor spend they any spending, small or great, nor do they cross a valley, but it is recorded for them, that Allah may repay them the best of what they used to do.” ([179])

And know, oh my Muslim brother, that the jihad should be accompanied by seeking the means, and we should prepare as much as possible because victory does not come in big numbers. The Almighty God said: “How many a little company hath overcome a mighty host by Allah's leave! Allah is with the steadfast.” ([180]) And ‘how many’ [TN: Author is referring to the first word “kam” in the Surah] is a word used in the language conveying the meaning of ‘multiplication or repetition’; that is, something that takes place often. The Almighty God said: “Allah hath given you victory on many fields and on the day of Huneyn, when ye exulted in your multitude but it availed you naught, and the earth, vast as it is, was straitened for you; then ye turned back in flight.” ([181])

So, the victory is from God alone. “Victory cometh only from Allah, the Mighty, the Wise.” ([182]) The Sublime one reveals his victory on those whose hearts were true and whose resolve was sure; the victory is related to the acts of the hearts more than it is related to superficial reasons, as the Sublime one said: “Allah was well pleased with the believers when they swore allegiance unto thee beneath the tree, and He knew what was in their hearts, and He sent down peace of reassurance on them, and hath rewarded them with a near victory; And much booty that they will capture. Allah is ever Mighty, Wise.” ([183]) That is, He knew what resolve was in their hearts, when they honored their

allegiance, so He sent down His peace upon them. “It is the reassurance in situations of fear and war.” And he rewarded them with victory and spoils of war. The Almighty God said: “O ye who believe! Endure, outdo all others in endurance, be ready, and observe your duty to Allah, in order that ye may succeed.” ([184]) And the Almighty God said: “Lo! We verily do help Our messengers, and those who believe, in the life of the world and on the day when the witnesses arise.” ([185]) And the Almighty God said: “It is a promise of Allah. Allah faileth not His promise, but most of mankind know not.” ([186])

Praise God, Lord of the worlds, and God’s blessing and abundant peace be upon our Lord Muhammad.

Document Page 33:

References:

- ([1]) Refer to *Lisan Al-‘Arab* [TN: translated as *The Tongue of Arabs*, but known better by its Arabic title] by Ibn Manzur, Subject “wali”, section 15/406: 415.
- ([2]) Refer to *The Difference Between Supporters of the Beneficent and Supporters of the Devil*, by Ibn Taymiyah, p.7.
- ([3]) Refer to *The Faith*, by Muhammad Na’im Yasin, p. 111.
- ([4]) Surah “The Family of ‘Imran”, verse: 28.
- ([5]) *The Al-Tabari Commentary*, section 6/313.
- ([6]) Surah “The Table of Spread”, verse: 51.
- ([7]) *The Al-Tabari Commentary*, section 6/276 : 277.
- ([8]) *The Best of the Interpretations*, by Al-Qasimi, section 6/240.
- ([9]) *Collection of Opinions*, section 7/193 : 194.
- ([10]) *The Al-Qurtubi Commentary*, section 6/217.
- ([11]) *Eleventh Message of the Collection of Monotheism*, p. 338.
- ([12]) Surah “The Story”, verse: 86.
- ([13]) Surah “The Story”, verse: 17.
- ([14]) *The Pure Source of Revealing the Likeness of the Misguided People*, p. 291.
- ([15]) Surah “Repentance”, verse: 23.
- ([16]) *The Al-Qurtubi Commentary*, section 8/93 : 94.

- ([17]) *The Collection of Monotheism*, p. 33.
- ([18]) *The Collection of Monotheism*, p. 175.
- ([19]) Surah “Muhammad”, verses: 25-28.
- ([20]) *Eleventh Message of The Collection of Monotheism*, pp. 346-347.
- ([21]) *Lights of Clarity*, section 7/587 : 560.
- ([22]) Surah “The Dawn”, verse: 10.
- ([23]) *The Al-Tabari Commentary*, section 179/30.

Document Page 34:

- ([24]) Surah “Women”, verse: 51-52.
- ([25]) Surah “The Story”, verses 8, 6, 40, 41, in order.
- ([26]) Surah “The Table Spread”, verse: 51.
- ([27]) Surah “Women”, verse: 140. And refer to *The Ibn Kathir Commentary*, section 504/1.
- ([28]) *Al-Barqani Narration*, following the narration of Al-Bukhari, and refer to *Nayl Al-Awtar*, [TN: translated as *Achieving the Goals*, but known better by its Arabic title], section 8/22.
- ([29]) *Fatah Al-Bari*, The Book of Judgments, Chapter “The Successor”, Hadith number 7221.
- ([30]) Surah “Hud”, verse: 113.
- ([31]) Narration of Abu Dawud and Ibn Majah with good support by ‘Amru Bin Shu’ayb from his father, from his grandfather; and from ‘Abdallah Bin ‘Abbas, may God be pleased with them.
- ([32]) *Collection of Opinions*, section 28/311 : 312, and refer to p. 318.
- ([33]) *Al-Mughni*, [TN: Translated as “The Sufficient”, but known better by its Arabic title] section 8/297, the Book of the Cardinal Sins, World of Books edition.
- ([34]) *Zad Al-Mu’ad* [TN: Translated as “Rations for the Hereafter” but known better by its Arabic title] with authentication by Shu’ayb and ‘Abd-Al-Qadir Al-Arnu’ut, section 3/136/ : 138
- ([35]) *Collection of Opinions*, section 34/136 : 137.

|

([36]) *Collection of Opinions*, section 3/267.

([37]) *Collection of Opinions*, section 28/470.

([38]) *The Sahih of Muslim*, the Book of Turmoil, chapter “The Destruction of the Army that is Going After the Ka’bah”; and refer to *Collection of Opinions*, section 28/535/ : 538.

([39]) Hadiths of ‘A’ishah, Umm Salmah, and Hafсах, may God have mercy on them all, from the narration of Muslim in the Book of Turmoil and the Signs of the Day of Judgment, chapter “The Destruction of the Army that is Going After the Ka’bah” and the Al-Bukhari narration of ‘A’ishah and Ahmad, the Hadith of Umm Salmah, and the Al-Nasa’i narration of the Hadith of Abu Harirah.

([40]) Hadith narrated by Al-Bukhari, originally in the Book of Battles, number 4018, and the narration which Ibn Taymiyah mentioned with inclusion of Ibn Ishaq from the Hadith of Ibn ‘Abbas, as mentioned by Al-Hafiz Ibn Hajar in an explanation of the Hadith, section 7/322, and narrated also by Ahmad with good support with a variance in wording from ‘Ali, may God be pleased with him; and narration of Al-Hakim in its longer version and his attachment; he said: it has good support and was not deviated from.

([41]) Narration of Muslim in the Book of Turmoil, chapter “The Affliction of Turmoil like the Falling of Drops”; and narration of Al-Bukhari from Abu Harirah in its entirety, and from Abu Bakrah, a summary in the Book of Turmoil, chapter “When There is Turmoil, Sitting in it is Better than Standing in it” from the list, number 7081-7082

([42]) Surah “The Table Spread”, verse 29.

([43]) *Collection of Opinions*, section 28/535 : 540.

Document Page35:

([44]) *Collection of Opinions*, section 19/224 : 225.

([45]) Surah “Mutual Disillusion”, verse: 16

([46]) *The Marwani Sultanate’s Verdicts*, pp. 69-70. Printed by Scientific Books House.

([47]) *Collection of Opinions*, section 28/349.

([48]) *The Sharp-Edged Sword*, p322. And refer to p. 325.

|

- ([49]) Surah “The Private Apartments”, verse: 9.
- ([50]) Narration of Al-Bukhari and Muslim.
- ([51]) Refer to *The Best of Creations* by Al-Kasani, section 9/4375, and *Al-Mughni* and *The Great Explanation*, section 9/335.
- ([52]) Verdicts of the Non-Muslims, section 1/366.
- ([53]) *Constant Rain Flowing on the Flower Gardens*, by Al-Shawkani, section 4/575.
- ([54]) *Al-Mughni*, section 3/138.
- ([55]) *The Best of Creations*, section 7/130. Refer to Hashiyah Bin ‘Abidin, section 3/390.
- ([56]) *Accredited Book for the Foundations of Religion*, by Abu Ya’la, p. 276.
- ([57]) Surah “Repentance”, verse: 123.
- ([58]) Surah “Spoils of War”, verse: [TN: verse number omitted from original document, but is known to be verse 15]
- ([59]) See *The Truth of the Jihad for the Sake of God*, by Shaykh ‘Abdallah Qadiri, section 2/682.
- ([60]) Surah “Hud”, verse: 21. [TN: Verse number in original document is wrong, it is actually verse 31].
- ([61]) Narrations of Al-Bukhari, Muslim, and Ahmad, with a slight difference in wording.
- ([62]) Surah “The Private Apartments”, verse 14.
- ([63]) Surah “The Hypocrites”, verse: 1-2.
- ([64]) Surah “Repentance”, verse: 95.
- ([65]) Narration of Al-Darimi in usage, and Malik in predisposition, and Ahmad in support.
- ([66]) Narration of Al-Bukhari and Abu Dawud and Al-Tarmadhi using the words: “If it was not for what was revealed in the Book of God, I would have dealt with her differently”; and conveyed by Al-Nasa’i with the wording: “If it was not for what was said regarding her in God’s Book”; and conveyed in the narration of Ahmad with the wording: “If it was not for the oath, I would have dealt with her differently.”

|

[[67]] The Narration of Ibn Majah, and Ibn Hajar said: The narration of Ahmad and Abu Ya'la and its verification by way of Muhammad Ibn Ishaq, and Al-Hafiz rejected those who said it was weak.

Document Page 36:

[[68]] The Narration of Al-Bukhari in the Book of Divorce in wording close to this.

[[69]] *The Source*, by Al-Shafi'i, section 7/295-297; see *Prominent Ones of the Signers*, by Al-Imam Bin Al-Qayyim, section 2/100-104.

[[70]] *The Sharp-Edged Sword Against Those Who Insult the Prophet*, by Ibn Taymiyah, p. 329.

[[71]] *Prominent Ones of the Signers*, by Ibn Al-Qayyim, section 3/138-139.

[[72]] *The Edge*, by Al-Qadi 'Iyad with explanation from Mulla 'Ali Al-Qari, section 2/7.

[[73]] The Al-Qurtubi Commentary, section 5/338-339, see section 18/124.

[[74]] *Fatah Al-Bari*, section 12/173.

[[75]] Agreed upon, and handed down as Al-Shuyuti said, may God be pleased with him.

[[76]] *Fatah Al-Bari*, section 12/279.

[[77]] Agreed upon.

[[78]] Narration of Muslim from Al-Miqdad Bin Al-Aswad, may God be pleased with him.

[[79]] Narration of Muslim and Ahmad and Abu Dawud and Al-Darimi and Malik from 'Umr Bin Husayn, may God be pleased with him.

[[80]] Narration of Ahmad and Al-Bukhari from Ibn 'Umar, may God be pleased with them both.

[[81]] (The term) 'wadahum' means: he carried their booty to their family or their closest relatives.

[[82]] *Nayl Al-Awtar*, section 7/223.

[[83]] Narration of Al-Bukhari.

[[84]] *Fatah Al-Bari*, section 1/497.

[[85]] Narration of Al-Tabrani in *Al-Awsat* from Anas, may God be pleased with him, supported by the Sahih.

|

|

([86]) Narration of Ahmad and Al-Tarmadhi and Al-Nasa'i and Ibn Habban and Al-Hakim from Baridah, may God be pleased with him, supported by the Sahih.

([87]) Narration of Ahmad and Al-Bukhari.

([88]) *Fatah Al-Bari*, section 90/2.

([89]) Narration of Al-Tarmadhi and Ibn Majah and Abu Dawud and Ibn Habban, and Al-Tarmadhi said: the classification is single-narration.

([90]) Nayl Al-Awtar, section 7/277-278, The Book of Jihad, chapter "Refraining from Those who Show the Signs of Islam".

([91]) Narration of Ahmad and Muslim and Al-Tarmadhi.

([92]) Nayl Al-Awtar, section 7/278.

([93]) Surah "Women", verse: 94.

Document Page 37:

([94]) Narration of Ahmad and Al-Tarmadhi and he said: "there is good verification", and Al-Hakim said: "the support is verified and it was not strayed from"; and the narration of Al-Bukhari from Ibn 'Abbas, may God be pleased with them both, in words close to this.

([95]) *Fatah Al-Bari*, section 8/259.

([96]) The Al-Qurtubi Commentary, section 5/339, second printing, House of the People.

([97]) *The Long Path*, by Muhammad Bin Al-Hasan Al-Shaybani, section 4/1444.

([98]) Hadith of Anas is considered by some of the scholars as handed down, and narration by the companions of Ibn 'Umar and Abu Harirah with Al-Bukhari and Muslim, and Jabir, may God be pleased with him, with Muslim, and Abu Bakrah, may God be pleased with him, with Al-Nasa'i, and Abu Bakrah and 'Umar and Jarir, with Ibn Abu Shibah and Anas, and Samrah Bin Jandab and Sahal Bin Sa'd and Ibn 'Abbas and Abu Bakrah and Abu Malik Al-Ashja'i; with Al-Tabrani and Al-Nu'man Bin Bashir, may God be pleased with him, with Al-Bazzar.

([99]) This inclusion is not valid except for those who said that the disbeliever is the same as the hypocrite. As far as those who said that the disbeliever is the one who repeatedly commits acts of disbelief and often in various ways, or those who time after time act as disbelievers and each time does not have pretense or solid evidence to warrant his death,

|

some of them say that they should be killed without repentance – they even said if he repents it will not be accepted.

([100]) *Collection of Refined Explanation*, section 21/68.

([101]) Stipulated to pass judgment of Islam for the person who proclaims the declaration of faith if he is able to, so if he refused his Islam would not be accepted, Al-Dhahabi, may God have mercy on him said: “A servant can not be fully aware that there is no God but Allah until he frees himself of every religion other than the religion of Islam, and until he says instead that there is no god but Allah with conviction. So if he knew but refused to say it if he is able, then he is considered to be a disbeliever. Refer to *Biography of the Prominent Noblemen*, by Al-Dhahabi, section 14/306.

([102]) Explanation of the Sahih of Muslim by Al-Nawawi. section 149.

([103]) There are some terms that require reservation in their usage when referring to the Almighty God, and among them are the terms “The Maker” and “The Existing One”. It is more appropriate in this chapter to use the expression which was conveyed in the Qur’an and the Sunnah, and especially with what was referring to the Almighty God, for those issues are among the matters of propriety.

([104]) *The Best of Creations*, section 4/4311.

([105]) *The Encyclopedia of Knowledge and Wise Sayings*, p. 101.

([106]) *The Encyclopedia of Knowledge and Wise Sayings*, p. 23.

([107]) *Al-Mughni*, section 8/143, printed by the House of the Revival of Heritage.

([108]) *Explanation of the Sunnah* by Abu Muhammad Al-Hasan Bin ‘Ali Bin Khalaf Al-Barbahari, p. 31; printed by House of Ibn Al-Qayyim.

([109]) *The Al-Qurtubi Commentary*, section 5/338.

([110]) *The Al-Qurtubi Commentary*, section 8/87. Printed by House of Hadith; and the Hadith was narrated by Al-Tarmadhi in the book *The Interpretation*, and Ahmad and Ibn Majah and Al-Darrami, and the Hadith refers back to Durraj Abu Al-Samah from Abu Al-Haytham, and Abu Dawud Al-Sijistani said in it about Durraj:



His Hadiths are sound except from Abu Al-Haytham, and about him also, Rushdin Bin Sa'd who Ahmad Bin Hanbal said about him: His Hadith is sound, and one time he said: It is weak, and Yahya Bin Mu'in said about him: He should not write his Hadith, and 'Amru Bin Al-Fallas said: He is weak in his Hadith, so the Hadith is weak, and God is the most knowing.

([111]) *Al-Mughni*, and *The Great Explanation*, section 10/576, 572, 608. *Talents of Jalil*, by Al-Khattab Al-Maliki, section 3/360, 380, and *Asna Al-Mutalib*, by Abu Yahya Al-Ansari Al-Shafi'i, section 4/210.

([112]) *Laws Relating to the Ahl Al-Dhimmah*, p. 715.

([113]) *Zad Al-Mu'ad*, by Imam Ibn Al-Qayyim, section 3/138, printed by Foundation of the Message and the Library of the Islamic Lighthouse.

([114]) *Compendium of Al-Kharaqi*, p. 133, printed by: The Islamic Office, by the Imam Abu Al-Qasim 'Umar Bin Al-Husayn Al-Kharaqi, deceased in year 344 (H) (note: the book *Al-Mughni*, by the Imam Ibn Quddamah is the explanation of this compendium).

([115]) *Laws relating to the Ahl Al-Dhimmah*, section 2/664, printed by the House of Learning for the Millions, year 1983 (A.D.)

([116]) *The Sultanate Judgments* by Abu Al-Hasan 'Ali Bin Muhammad Bin Habib Al-Mawridi, p. 145, printed by House of Intelligence.

([117]) *Al-Sayl Al-Jarar*, section 4/574.

([118]) *Collection of Opinions*, section 2/323-326.

([119]) See our publication "The Inspiration of God in the Replying to the Brotherhood's Statement".

([120]) Surah, "Family of 'Imran", verse 103.

([121]) Surah, "Family of 'Imran", verse 105.

([122]) Surah, "Spoils of War", verse 46.

([123]) Surah, "The Romans", verses 31-32.

([124]) Surah, "Counsel", verse 13.

([125]) Narration of Muslim and Ahmad from Al-Nu'man Bin Bashir, may God be pleased with him.

([126]) Narration of Al-Bukhari and Muslim and Al-Tarmadhi and Al-Nasa'i from Abu Musa, may God be pleased with him.

|

[[127]] Narration of Al-Bukhari and Muslim and Ahmad and Al-Tarmadhi and Abu Dawud from Ibn ‘Umar, may God be pleased with him.

[[128]] Narration of Ahmad and Al-Tarmadhi and its verification.

[[129]] Narration of the Imam Ahmad and Al-Nasa’i and Al-Tarmadhi and Ibn Majah, with good support from Abi Harirah, may God be pleased with him; and narration of Ibn Majah and the companions of the people of the Sunnah from ‘Awf Bin Malik, may God be pleased with him, supported by the Sahih, and in the narration of ‘Amru Bin Al-‘Ass with Al-Tarmadhi, the Prophet, may God’s blessing and peace be upon him, said: “Those are the one who follow what I and my Companions do.”

[[130]] Narration of Ahmad and Abu Dawud from Thawban, may God be pleased with him.

[[131]] *Collection of Opinions*, section 28/62.

Document Page 39:

[[132]] Narration of Ahmad and Al-Tarmadhi from Al-Harith Al-Sha’ri supported by the Sahih.

[[133]] Refer to the detail of that in the book *The Ultimate Source of Making Preparations for the Jihad for the Sake of God*, Chapter 3: Leadership pp. 48-107.

[[134]] *Encyclopedia of Clarification of Knowledge and its Benefit*, section 1/62, and narration of Al-Darimi with weak support.

[[135]] Refer to *Nayl Al-Awtar*, section 9/157, and *Collection of Opinions*, section 28/390. and *Fatah Al-Bari*, section 7/513, and what we have responded with as to the doubts some people have mentioned regarding the obligation of leadership which can be found in the book *The Ultimate Source of Making Preparations for the Jihad for the Sake of God*, so refer to it there.

[[136]] Refer to *Fatah Al-Bari*, section 6/180, and *Collection of Opinions*, section 28/170.

[[137]] Agreed upon.

[[138]] Agreed upon.

[[139]] *Fatah Al-Bari*, section 13/7.

|

- |
- ([140]) Narration of Ibn Abu ‘Asim in the book of the Sunnah from Mu’awiyah, may God be pleased with him, and it is authenticated.
- ([141]) Surah, “Joseph”, verse 66.
- ([142]) Surah, “The Table Spread”, verse 1.
- ([143]) Surah, “Children of Israel”, verse 34.
- ([144]) *Collection of Opinions*, section 35/9-10, refer to *Collection of Opinions* section 29/345-346, and the book *The Ultimate Source of Making Preparations for the Jihad for the Sake of God*, Chapter 4, the third issue, p. 143-174.
- ([145]) *Collection of Opinions*, section 29/345-346.
- ([146]) Surah, “The Thunder”, verse 25.
- ([147]) Surah, “The Ranks”, verses 2-3.
- ([148]) Agreed upon in the Hadith of ‘Abdallah Bin ‘Amru, may God be please with them both.
- ([149]) *Encyclopedia of Knowledge and Judgment*, pp. 376-377.
- ([150]) Narration of Al-Bukhari.
- ([151]) *Fatah Al-Bari*, section 418/4.
- ([152]) Surah “Joseph”, verse: 108.
- ([153]) Surah “Repentance”, verse: 12.
- ([154]) Surah “Spoils of War”, verse: 60.

Document Page 40:

- ([155]) Surah “The Table Spread”, verse: 2.
- ([156]) Surah “The Family of ‘Imran”, verse: 103.
- ([157]) Surah ”The Table Spread”, verse: 67.
- ([158]) Surah “The Women”, verse: 165.
- ([159]) Surah “Saba”, verse: 28.
- ([160]) *Fatah Al-Bari*, section 405/8.
- ([161]) Refer to the *Commentary of Ibn Kathir*, section 2/959. Printed by the House of Knowledge, and *The Beginning and the End*, by Ibn Kathir, section 3/30,31.
- ([162]) *The Beginning and the End*, by Ibn Kathir, section 3/160.
- |

|

[[163]] *The Beginning and the End*, by Ibn Kathir, section 3/163, and the Hadith narrated by Ahmad, with support from Al-Sha’bi from Abu Mas’ud Al-Ansari, uninterrupted.

[[164]] Surah “Repentance”, verse: 40.

[[165]] Narration of Al-Bukhari, Hadith number 3653.

[[166]] Narration of Al-Bukhari, Hadith number 3906.

[[167]] Refer to the sixth publication of the group’s printings entitled *Secrecy in Islamic Work*.

[[168]] Surah “The Criterion”, verse: 1.

[[169]] Narration of Al-Bukhari and Muslim from Jabir.

[[170]] Surah “The Prophets”, verse: 92.

[[171]] Narration of Muslim from Al-Nu’man Bin Bashir.

[[172]] Narration of Ahmad and Abu Dawud and Al-Diya’ with good support.

[[173]] Surah “The Private Apartments”, verse 13.

[[174]] *The Al-Qurtubi Commentary*, section 151/8.

[[175]] Surah “The Heights”, verse: 188.

[[176]] Surah “The Wind-Curved Sand hills”, verse: 9.

[[177]] Surah “Ghafir”, verse: 77.

[[178]] Surah “Women”, verse 100.

[[179]] Surah “Repentance”, verse 120-121.

Document Page 41:

[[180]] Surah “The Cow”, verse: 249.

[[181]] Surah “Repentance”, verse 25.

[[182]] Surah “The Family of ‘Imran”, verse: 126.

[[183]] Surah “Victory”, verses: 18-19.

[[184]] Surah “The Family of ‘Imran”, verse:200.

[[185]] Surah “Ghafir”, verse: 51.

[[186]] Surah “The Romans”, verse: 6.

|