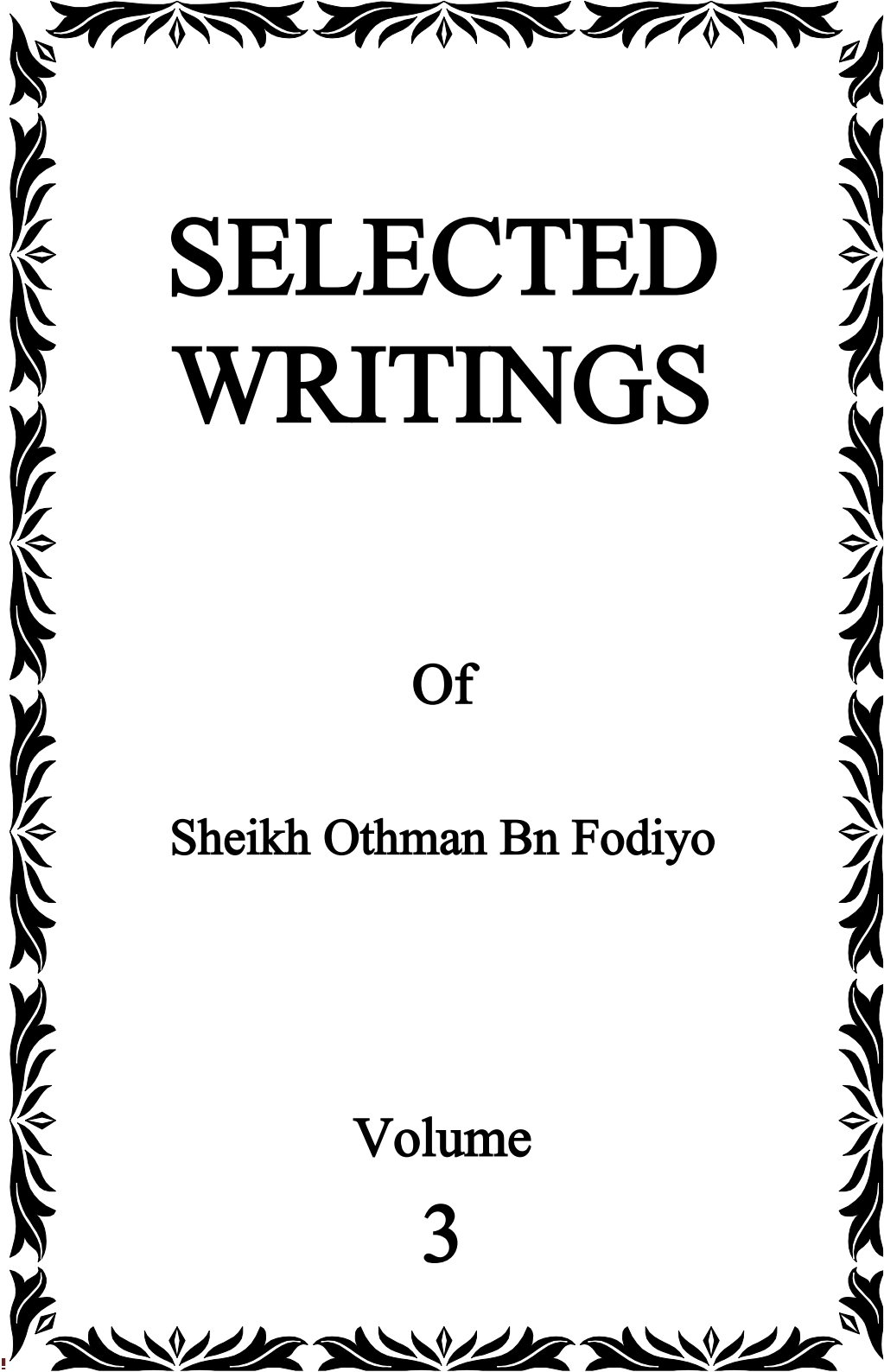




SELECTED WRITINGS

Of

Sheikh Othman Bn Fodiyo

Volume

3

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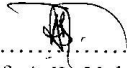
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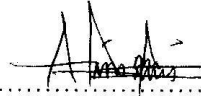
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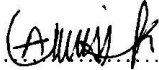
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CONTENT

Enlightening Minds.....	1
Informing Brothers On The Position Of The People In Sudan Area	15
The Hijrah Obligation	39
Halting The Deniers	221
Enlightening Brothers	235
Guiding The Brothers On The Rules Of Women Going Out.	331
The Command To Support And Stand By The Believers.....	347
Important Issues	357
Awakening The Students That Allah Is Known Through Instinct.....	383
Glorifying Allah.....	393
Advice To Contemporaries	397
Life Span Of The World	445
Words Of Advice To The Muslim Community	455
Enough For The Guided.....	507
Encouraging TheUmmah To Follow The Sunnah	519

نور الأبواب

ENLIGHTENING MINDS

By

Sheikh Othman Bn Fodiyo

Translator

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CONTENTS

In The Name of Allah	5
Chapter One: Signs of Confused Minds	6
Chapter Two: Calamities That Have Become Wide Spread In Our Lands	9

In the Name of Allah, the Beneficent, the Merciful

May the peace and blessings of Allah be upon our leader, Prophet Muhammad (saw), his family and companions.

Uthman Bin Muhammad Bin Uthman also known as Bin Foduye. May Allah be merciful to him (Ameen) –A servant of Allah who is in dire need of his creator's mercy said:

All praise is due to Allah. May Allah's peace and blessings be upon our leader, Prophet Muhammad (saw), his family and all his companions. May Allah also be pleased with those that followed their path, our great scholars and the four rightly guided caliphs and whoever emulates them till doomsday.

This book is titled: **Nurul Al-Bab (*Enlightening Minds*)**. It is envisaged to render much benefit to its readers, particularly the people of the Hausa land.

Kindly know my dear brother that, people who reside in these areas can be classified into three groups:-

First Group: They were those Muslims who adhered strictly to the teachings of Islam, and did not practice those acts of unbelief, which are against the teachings of Islam. Such Muslims enjoyed all the rights that a Muslim deserves to enjoy.

Second Group: They were those who practiced Islam alongside with those acts of unbelief (paganism). They also made utterances that made them far away from the Islamic faith. These people are considered as disbelievers and should therefore not enjoy the rights that those in the Islamic State enjoy.

Third Group: They never smelled the scene of (embraced the Islamic) faith and had never claimed to be Muslims. The ruling for such group is clearly defined in Islam.

CHAPTER ONE

Signs of Confused Minds

The question to ask is: Explain to us the confused minds to know them by their signs. The answer is simple, but it is only through the guidance of Allah that we can know them. In short, they are:

- (1) Whoever proclaims Islam, but at the same time worships, trees and stones, by offering sacrifices in the form of giving out charities and painting them with all sorts of things should be outrightly considered an unbeliever.
- (2) Whoever proclaims Islam and carries out some Islamic practices but denies resurrection after death should also be considered an unbeliever. The ruling of Islam is not effecting on them.
- (3) Whoever proclaims Islam but makes jest of Islam, i.e.; he makes jest of the adherents to Islam; those who perform ablution, and women who keep away (avoid) foreign men, should also be considered an atheist.
- (4) Whoever proclaims Islam and claims to have knowledge of the unseen (Gaib) through calling the jinn or through observing the behaviours and sounds of birds etc, should also be considered a disbeliever.
- (5) Whoever proclaims Islam and observes Islamic injunction but believes in what the sorcerers tell him, and even asks them about his future and believes in it should also be considered an unbeliever.
- (6) Whoever proclaims Islam but at the same time believes the placing of cotton on stones or under trees or on places where roads meet and believe that those things can influence his life should be considered an unbeliever.
- (7) Whoever proclaims Islam but gives out presents like clothes, food and other items, etc, on the graves of a scholar, or pious, and righteous persons who are already dead thinking that a pledge has been rendered should be considered an unbeliever.
- (8) Whoever proclaims Islam but practices sorcery and even separates a husband and his wife; and also separates two people who love each other, should be considered an atheist.

Enlightening Minds

- (9) Whoever proclaims Islam but accompanies the reading of the Glorious Qur'an with the beating of drums should be considered an atheist.
- (10) Whoever proclaims Islam but writes the Names of Allah, the Glorious Qur'an on dirty items, for example: on the bones of the dead and the heads of dead dogs, or writes the Qur'an and the names of Allah with blood of a slaughtered animals, or writes Allah names or Qur'anic verses then washes it and mixes it with the skin of a snake should also be considered an atheist.

The aforementioned are those with confused minds but are in reality atheists, not Muslims.

As for those who practice Islam but never embark upon any act of atheism, which will imply conversion from Islam should not be described by any person as disbelievers. We are only allowed to judge people as disbelievers by what they do and not by that which they conceal in their hearts. We are also not allowed to describe those Muslims who commit major sins as disbelievers.

The next questions are: How should we relate with such persons based on the teachings of Islam? Should we consider their children as slaves? What about the wealth which they loot from Muslims and vice versa; and also what is the ruling on those who possess slaves but claim they are free?

I will respond to those questions by Allah's help. And I say:- You should know that the disbelievers are classified into three groups:-

FirstGroup: The disbeliever who does not belong to the State of Islam, e.g. the Jews, the Christians, the Magicians etc who inherited non-Islamic religions from their parents.

SecondGroup: Those who were Muslims but converted from Islam and clearly pronounced it and embraced other than Islam.

ThirdGroup: This group are those that fall into the category of Muslims with confused minds, because they do what a Muslim does not embrace which implies atheism.

Based on the teachings of Islam, non-believers who are in a state of war (aggressive enemies) with Muslims under an Islamic state are considered as captives, and their wealth as spoils of war without any disagreement between scholars on that issue, except on the issue of that person who converts to Islam.

Enlightening Minds

Ibn el-Qasim said that regarding “Muslims whose wives and slave girls become apostates and yet are in a state of war with Muslims are not regarded as captives, and their wealth are not considered as spoils of war.”

While Ibn Rushid said: “I consider Ibn el-Qasim's opinion as the correct one, because those who apostatized from Islam are originally free persons.” He further said: “The generality of the past and present Muslim scholars go by his (ibn el-Qasim's) view.”

You should also know that under an Islamic state, if any one converts from Islam, he is asked to repent and revert to Islam or else the state declares the penalty of death by sword on him, but this never affects his children (cannot be captured as slaves).

However, with regard to the wealth that non-believers loot from Muslims, the ruling is that the wealth should be returned, but if it is the other way round (the wealth obtained by Muslims) from non-Muslims who are at war with the Islamic state should not be returned to them (the Non-believers). In a situation whereby a person claims to possess a slave, but the slave denies that claim, the fact remains that the person is free until a clear justification is produced which proves him a slave. This is precisely what I wish to explain with regard to the categories of persons with confused identities.

CHAPTER TWO

Calamities That Have Become

Wide Spread In Our Lands

These calamities are not only widespread in Hausaland but globally. Amongst the calamities are how some of our scholars neglect their wives, daughters and slaves and treat them like beasts without teaching them about the Islamic creed and the rulings on how to perform ablution, prayer, fasting etc. Such scholars also refuse to enlighten their wives and daughters on issues related to Islamic rulings on trade and commerce. This is very wrong and can be described as an unlawful innovation in Islam. They handle them as containers, which they finally throw away into the dustbin after use. Amazing! How should they leave their wives, daughters and slaves ignorant and engage themselves in serving others day and night merely to gain popularity. Such scholars' act of teaching others is supererogatory in Islam, and obligatory acts are superior over supererogatory acts. Teaching family members is compulsory upon a scholar, while teaching any other student is not compulsory.

O you Muslim women! Never obey those who are lost and are bent in misleading you that you should obey your husband's rather than obeying Allah and His messenger (saw). Such people claim that a woman's happiness is only achievable through her servitude to her husband. They do this purposely to satisfy their selfish interests. Among their selfish interests includes instructing their wives to cook for them, wash their clothes etc, which are not in any way what Allah and His messenger (saw) instructed them to do.

Certainly, a wife must obey her husband both privately and in public, even if her husband is unfair unto her or even if he is a slave. She is not allowed to offend him except if he instructs her to commit sin. She is instructed to disobey him in such situation, because of the statement;

لا طاعة لمخلوق في معصية الخالق

“There is no loyalty to any being in committing sin against the Creator.”

If a woman obeys her husband she would have two folds of reward, although that is secondary to her obedience to Allah and His Messenger (saw).

Among the societal evils, that we face today is that some people describe some days as good and others as evil. Such insinuations are lies and innovations that

Enlightening Minds

are against the teachings of our Prophet Muhammad (saw) and other Prophets and Messengers of Allah (May peace and blessings of Allah be upon them).

All the past and present scholars of Islam condemned such beliefs. Amongst the scholars that condemn these are Imam Malik, Imam Shafii, Imam Abu Hanifah, Imam Ahmad bin Hanbal and those that followed their footsteps (past and present). These acts were copied from Jews and Christians who tampered with the true teachings of their Prophets and followed their selfish whims and this is the undeniable fact concerning this issue.

It is also not permissible for any Muslim to emulate the Jews or the Christians, because they are considered by scholars as disbelievers, and whoever doubts that is also a disbeliever. There are those who ascribe this statement to Ka'ab Al-Akhbar, that he is of that opinion, but the fact is that he had that opinion before embracing Islam, and changed his view after embracing Islam.

With regard to those who agree with the fact that all days are possessed by Allah and they can neither bring benefit nor cause harm, but insist on following the trend of our fore fathers, are committing a big mistake and their action is a clear innovation which necessitates repentance. This is simply because the disbelievers uttered the same statement, which is clearly stated in the Glorious Qur'an:

﴿وَإِذَا قِيلَ لَهُمُ اتَّبِعُوا مَا أَنْزَلَ اللَّهُ قَالُوا بَلْ نَتَّبِعُ مَا أَفْنَيْنَا عَلَيْهِ آبَاءَنَا ۚ﴾ البقرة: ١٧٠

“And when they are instructed to follow that which Allah has revealed, they say, we will rather follow what we met our fathers practicing.”(Q 2:17)

This is a great deviation from the right path. Amazing!!!

How could someone prefer some days over others? The days only carry the activities that occur in them; e.g. eating, drinking etc based on the persons' inward conviction. Such beliefs can only be described as ignorant, foolish, lost and illegal innovation. It is not befitting for anyone who believes in Allah and the last day to run into such ignorant conclusions which cannot be found either in the Qur'an or in the books of the people of the Book who had tampered with their scriptures.

Another societal ill that we face today in our land is the innovation of “the knowledge of letters”, which part of it is clear disbelief. It happened on one occasion whereby such letters were read by a Muslim and a Christian laughed at him, saying, “Do you know that you are abusing Your Lord and Prophet unknowingly?”

Enlightening Minds

Among the societal ills that we face today in our land is trying to know the hidden knowledge through casting and astrology. This had resulted into greater calamities like sorcery. The scholars said: “casting with birds is in line with gambling” and it reached a stage whereby some of them gamble, using the pages of the Qur'an.

Other societal ill that we face today in our land is attaching values to the festivals of disbelievers; e.g. white Sunday, Pentecost etc.

Also, among the societal ills that we face today in our land is seeking blessing by praying on graves and building Mosques on graves. Such practices belong to the Christians. In Islam, we are only allowed to visit the graves.

Also, among the societal ills which, we face today in our land is believing in fictions at the expense of the authentic narrations. These activities include observing prayers during the 1st Thursday night of the month of Rajab, so also the Night of mid Sha'aban, 27th Night of Rajab, farewell to Ramadhan, the prayer of Ashura day, praying on graves, praying for both parents, a special week prayer etc which are all lies ascribed to Prophet Muhammad (saw).

To mention, yet, another societal ill that we face today in our land is giving preference to supererogatory acts with the hope of attaining salvation through practicing them, while ignoring obligatory acts and committing sins.

Also, among the societal ills that we face today in our land is the slaughtering of oxen, and slaughtering of cows and sheep, based on baseless beliefs. Another illegality is also the illegal training of youths in the desert by lighting fires, which result in their disobeying their parents. The acts that are illegal in Islam are particularly practiced by the Fulani's.

Also, among them is free mixing of males and females in the markets and the level of nudity in our society.

Also, among the societal ills that we face today in our land are the illegal practices attached to circumcision and wedding and naming ceremonies, so also those attached to burials etc.

It should also be noted that innovations increase based on the level at which the community respects the innovators. This leads them to gathering opposite sexes to dance and play, based on the seduction which is illegal based on the teachings of the Qur'an and Sunnah and Ijma' (views of the generality of scholars). No Muslim is allowed to grant permission to his wife, children or slaves to partake in such illegal and cursed activities, and whoever permits them has offended Allah and His messenger (saw).

Enlightening Minds

If a Muslim finds himself in such a society, he is instructed to warn them or else migrate to another place. If it has not reached a great extent, he can confine himself and his family members within the vicinity of his residence, totally disallowing them to participate in all of their activities. This is because they are impious, and contributing to vices and act of impiety!

Sheikh Muhammad bin Muhammad bin Ahmad Al-Madyuniy said in his explanation to the book: **FATHUL JALIL**: “To pass the night at the residence of a deceased family is only as a result of ignorance.” This includes eating the food the deceased's family prepares on the 7th day seeking for Allah's mercy for him, which is also an act of innovation.

The scholars (may Allah be pleased with them) said: “It is not permissible for Muslims to imitate non-believers.” He should therefore stop others from attending such occasions; e.g. slapping of cheeks, tearing pockets and shouting when someone passes on.

Another innovation is delaying the circumcision of matured boys to be done in congregation with their younger ones in the desert, and preventing or stopping them from crying during circumcision. Adherents of such belief should repent and seek Allah's forgiveness.

The worst societal ill in our land is the act of deceit in business, e.g. the mixing of milk with water and the trickish behaviours of intermediaries in business who deceive commodity owners.

It is not uncommon to see traders defrauding in measure, which is illegal in the Qur'an, Sunnah and Ijma' of scholars. In Islam, we are not allowed to defraud through tricks in measures and weight. It is a negligence; the absence of a standard form of measures in the land is a must for a just and fair trading.

Equally wrong is the act of treating the law of inheritance not in accordance with the teachings of the Qur'an and Sunnah. The eldest takes over the wealth and so on. This is illegal based on the teachings of the Qur'an, Sunnah and Ijma'.

Among the societal ills of our land is what is considered as act of respect to elders, e.g. bowing your head when greeting them is illegal in Islam, based on a clear authentic hadith transmitted by Tirmidhi on the authority of Anas. Although some scholars consider it permissible if it does not imply that it is Ruku' (the act of bowing down during Salat).

These are the societal ills we wish to clarify based on the teachings of the Qur'an and the sayings of our Imams. And with this purpose the writing of this

Enlightening Minds

book **NURUL AL-BAB** (Enlightening Minds” With Allah's Enlightenment) has become accomplished.

All praise is due to Allah and may the peace and blessings of Allah be upon Muhammad (saw), his family, and all his companions, and may Allah be pleased with those who follow their footsteps, our righteous scholars and the four rightly guided caliphs and those who emulate them until the Day of Judgment.

نُنبِهُ الإِخوانَ على أحوال أَرْض السودان

INFORMING BROTHERS

**ON THE POSITION OF THE PEOPLE
IN SUDAN AREA**

By

Sheikh Othman Bn Fodiyo

Translator

Adamu Bala

Editor

Prof. Suleiman Musa

CONTENTS

In The Name of Allah	19
Chapter One: African Land and the Difficulties Encountered	20
Chapter Two: General Ruling on their Islam.....	21
Chapter Three: Ruling On The State of Hansaland	23
Chapter Four: The Inception of Islam.....	25
Chapter Five: Letter From As-Suyuti	26
Chapter Six: The Recommendations Sheikh Muhammad Ibn AbdulKareem Al Maghili At-Tilmisani to Abu Abdullahi Muhammad Ibn Ya'qub, the Ruler of Kano	30
Chapter Seven: Explaining Migration from Gobir	34

In the Name of Allah, The most Gracious, The Most Beneficent

May the peace and blessings of Allah be upon our leader, Prophet Muhammad, his household and Companions.

Uthman Ibn Fodio, the indigent and needy of his Lord's mercy (May Allah shroud him with His mercy).

All praise belongs to Allah who favoured us with the favour of Iman and Islam and has guided us through our leader, Muhammad, may the best of peace and perfect blessings be upon him.

This book is titled: “**Informing Brothers on the Position of the People in Sudan Area**” I have mentioned in it twenty points.

Chapter 1: Explaining the stretch of the land of the blacks and the difficulties encountered in its western region

Chapter 2: Explaining the ruling on the land of the blacks regarding their Islam and Kufr (disbelief).

Chapter 3: Explaining the ruling on our Hausa land and its environs regarding their Islam and disbelief.

Chapter 4: The commencement of Islam in these lands in which Islam has became widespread among the African lands like the people of Borno, Kano, Katsina and part of Zaria; Songhai and Mali did not happen through Jihad.

Chapter 5: The legacy of Sheikh Abdulrahman As-Suyuti in his: “Message to the Kings and sovereign leaders of the Hausa land in general and to ascetic King, Muhammad Ibn Sutafulu, the custodian of Agadaz and to King Ibrahim, the custodian of “Katsina” in specific.

Chapter 6: On the testament of Sheikh Muhammad Ibn AbdulKareem Al-Maghili At-Tilimsani to Abu Abdullah Muhammad Ibn Ya'qub, the Sultan of Kano in his treatise summarizing what is upon the leaders in deterring people from Haram.

Chapter 7: The reason for our Migration from the land of “Gobir” and the Jihad that took place between us and the Hausa leaders.

CHAPTER ONE

African Land and the Difficulties Encountered

I say, and with Allah is success that the distance across the African land is the journey of 12 years. Al Qastalaani Said in the commentary of Al Bukhari and Ibn Abdil Barr mentioned it in his book **Al Qasdul Umam ilaa ma'rifati Asbabul Ummam** that the estimated stretch of the world is the journey of 120 years. This is divided into 90 years to the Gog and Magog, 12 years to the Africans, 8 years to the Europeans, 3 years for the Arabs and 7 years for others nations.

As for some western tribes of the African land, Imam Waliy Ibn Khaldun mentioned in his Tarikhul Al-Kabir, the historical details of the African dynasties neighboring the west. On the west are merchant tribes, then the Kanem, the Kuku and after them is the Tukrur. He also included in the discussion the different classes of the African people.

In As-safar Rabi: "The Ethiopians are the greatest nation among the Africans. They are neighbours to Yemen along the coast of the western sea. They were upon the Christian religion". Then he said: "Later, and those amongst them that became Muslims at the time of the Prophet (saw) following the companions migrated to him before the migration to Madina, accepted and protected them, and upon whom the prophet (saw) made salat after being informed of his death is called Al-Najashi."

I say: He is among the leaders of the paradise, as contained in Al-Jami Saghir by Abdulrahman As-Suyuti.

CHAPTER TWO

General Ruling Their Islam

The African lands can be divided into two:

- a. The Muslim lands.
- b. The land of the disbelievers.

This classification can be understood from the statement of Ahmad Az-Zarooq and Abu Hassan Al-Maliki who said in **Tahqiqal Mabani, Sharhu Risalah** regarding the statement of the author: “It is detested that one trades into the land of the enemies and the African lands,” meaning the disbelievers amongst them. It can be understood that his statement meant that it is detested to trade into the land of the enemies; Africans or not. Then he said: “As for the land of the Africans, what is intended is the land of disbelievers amongst them.”

This explanation notifies that among the Africans are the believers and the disbelievers and it is evident in the statement of Ahmad in the book *Al Kashfuwal Bayan Li Asnafu Majlub Sudan* as will be mentioned in Chapter three, Insha Allah.

However, I have seen in some writings of the scholars what shows that the lands of Islam have never existed on the African continents, when he said: “The leaders of the African lands cooperated to annul the Shariah of our Prophet (saw) from the lands of the disbelievers from amongst which were never from the lands of the muslims”. The first explanation is more pleasing to one. And Allah knows Best.

However, no one will argue that most African lands are for the disbelievers Mukhtar Ibn Ahmad Al Kanti said in **An Nasihatul Kafiya** that: “The land of the Africans have been overtaken by the forces of disbelief and whosoever among the muslim who live there are under the subjugation of the disbelievers. The people have taken them (the disbelievers) as leaders and relates to them as their leaders in most cases. They are wallowing deeply in ignorance, misguidance and disbelief.”

Informing Brothers.....

It is to this effect that travelling to the lands of the enemies is prohibited and the lands of the Africans as Shihaabu Deen said in **Nasimu Riyadh, Sharhu Shifaa**: Among the Africans are muslims and infidels. Those who worship trees and those who worship other bodies in the water.

CHAPTER THREE

Ruling on the State of Hausalands

Ahmad Ibn Ahmad Ibn Al-Haaj has ruled in the book **Al Kashfu Wal Bayan Li asnafi Majlub As-Sudan** that the land of Borno, Kano, Katsina, Songhai, some parts of Zaria are lands of Islam. However, next to each of them are lands in which disbelievers reside: “The response is to a question asked about the ruling regarding the people of above mentioned lands. He said: The people of these lands are Muslims except “Afuno”. For I do not know where it falls and had never heard any detailed information about it.

This statement could be accepted as correct in his time about the leaders and the followers of these lands. A scholar's judgment is usually based on the information available to him. However, it does not necessitate that his ruling over a matter remains as such in every age and time, for rulings change with prevailing circumstances.

What is known in our time is that the wide spread of Islam in these mentioned lands is not found in their leaders. As for its leaders, they are plainly disbelievers, even though they claim to be Muslims. For they are people who are given to idolatry and they turn people away from the path of Allah, and prefer the worldly kings over the banner of Islam. All these are Kufr in general. For the ruling on the authority of a land is given to the land. If he is a Muslim, the land is referred to as a land of Islam. If a non-Muslim, it is referred as a land of Kufr from which it is obligatory to migrate from it.

No one can argue that the authorities of these lands glorify places, trees and stones by slaughter and alms giving. This is plain disbelief. However, a statement of ours is built on what is most preponderant regarding their actions and does not make impossible the fact that some of them can be Muslims in small numbers. In addition, ruling is not given to the rare case. The common phenomenon is given precedence over the rare. It is so in the matter of our Shari'ah

The statement on what we met them upon in the past. As for now, we had fought and conquered them. We killed some and expelled some out of those mentioned lands by the help of Allah. We placed in it Islamic leadership, then it became lands of the Muslims without doubt. Praise be to Allah for that.

Informing Brothers.....

He also said in the mentioned book that: “Some African judges mentioned that the Imam that sought to open their lands while they were upon disbelief decided to leave there on what they were on.”

The Sheikh said. “This is what we heard and met. Enquire from the African judge who this Imam was. At what time did he conquer their lands? What land did he conquer? His response to these questions will make it clear to you the ingenuity of his claims; you will find none to support these claims. What can he conclude about his claims is that it is not authentic?

If you ask: When were these lands conquered? I say: “I have not come across a statement by anyone who had made effort to explain the historical period (of its conquest), nevertheless, Imam Al-Hafadha Waliy Deen Ibn Khaldun mentioned in his **Tarikh Kabir** regarding the Hafsiyat state in Tunis. In the year 655, a gift arrived from the King of Kanem, the head of Borno Empire in the direction of Turabulus to Tunis in which is a Giraffe, a strange looking animal that attracted a huge viewing from the people of Tunis.”

CHAPTER FOUR

The Inception of Islam

The inception of Islam in the land of Borno, Kano, Katsina, Zaria, Songhai and Mali was done by mere submission and not domination by others, Sheikh Ahmad Baba said in the book **Al Kashfu Wal Bayan Li Asnaf Majlub As-Sudan** “The people of these lands did not accept Islam by conquest of others on them.”

He said in the same book, in another portion that; “what is most apparent from the statement of Ibn Khaldun and others is that they willingly submitted to Islam.”

CHAPTER FIVE:

Letter From As-Suyuti

This chapter is on the recommendation of Sheikh Abdulrahman As-Suyuti in his book: *Risalatul Muluk Bil Bilad As-sudaniyyah Al Hausawiyah Al Takruriyah*.

This is (a message to all) and the ascetic King Muhammad Ibn Sifofu, the head of Zaria, Agadaz, and his two brothers, Muhammad and Umar. Also to their cousin, Muhammad Ibn Abdulrahman. To King Ibrahim, the Ruler of Katsina in particular. The text of his message is contained in the book below.

In The Name Of Allah the Most Gracious, the Most Merciful

May His peace and benediction be upon our leader Muhammad, His household and companions “O you who believe, fear Allah and utter only what is appropriate. He shall make good your deeds and forgive you your sins. Whosoever obeys Allah and His messenger has indeed attained a great success.”

(A message): “From the indigent, Abdulrahman Ibn Abubakr As-Suyuti to the kings and authorities in the land of Tukfurs in generality, and to the ascetic king, Muhammad Ibn Suofu Agadaz, his brothers Muhammad and Umar, their cousin, Muhammad Ibn Abdulrahman and to king Ibrahim, the head of Katsina in particular”. Assalamu Alaikum, Wa Rahmatullah Wabarakatuhu.

What follows: “I thank Allah for you, the One besides whom there exist no other diety. I seek blessings upon his prophet, Muhammad (saw), to admonish you all to fear Allah for it is the pinnacle of the matter and its hump. He has indeed attained success and goodness, he whosoever makes it (the fear of Allah) what he clings onto and judges with fairness amongst the subjects and maintains the legislation of the Shariah.

“None of you should become deluded by what he has been given by Allah from sovereignty and authority and other worldly luxuries. This world is but a slumber. Verily one must wake up from his slumber.

“It has reached me that some of you, when informed of the legal standing of the Shari'ah regarding properties refuses to give it back to the rightful owner and prevents him from it (his property), saying it has fallen into my dominion and authority and he rejects the ruling of the Shariah..... by false aspirations.

Informing Brothers.....

None of you does fear Allah, the Possessor of all sovereignty that He might cause a great punishment to descend upon them and send down his anger upon them in this world before the grave. “Verily, the strike of your land is severe”, “and verily, your Lord is not unjust to His slaves”.

Does any of you become deluded by his reign, which is not but like a drop a water and seeks to abrogate the laws of Allah by establishing his personal legislation? That which is not worth that of Allah as the worth of a wing of a fly.

“Do you feel secured that the One in the heaven cannot cause the earth to quake from beneath you? Or bring down what is between its length and breadth. The prophet (saw) has been reported to say: “The rulers are the shades of Allah on the earth. Every oppressed slave runs to him. If he is just, for him is reward and upon the subject is to be thankful. If he cheats, upon him is the consequence and upon the subject is patience.

“Umar Ibn Khattab (ra) said: “I said, O messenger of Allah inform me of such ruler that the shoulders have been humbled and bodies lying in his honour?” He said: “they have the shades of Allah on the earth. If they deal with goodness/fairness, for them is reward and upon you is gratitude. If they deal wrongfully, on them is the evil and upon you is patience.

The Prophet (saw) also said: “Two kinds of people will never enjoy my intercession: an oppressive ruler and an extremist in the affairs of the religion”. The prophet (saw) also said: “No one will rule over 10 people except that he shall come on the Day of Judgment in locks and chains”. In another narration: “he shall come on the day of resurrection chained.”

“The Messenger of Allah said: “Whosoever is placed over 10 people and judges with what they like or detest will come (on the day of judgement) with his hands chained.” If he was a just ruler, never accepted bribe and never covered up the truth, Allah will let him loose. If he judge with other than Allah's legislation, accepted bribe and oppressed, Allah shall tie up his left hand to the right one then throw him into the base of the hell fire and will spend 500 years to reach its base”.

“The Prophet (saw) also said: “On the day of judgment, a ruler will be brought out and made to stand on a bridge. Allah will order the bridge to tremble to such a degree that it will cause every bone to leave its position and will reorder the bones to resume its position. Then he will question him, if he was obedient. He will take his hand and give him double guarantee out of His

mercy. If he was disobedient, the bridge will tear up and he will fall into the hell at distance of 10

The Prophet (saw) said: “There are six (groups of people) I cursed, then Allah has cursed them and every Prophet whose call was responded to has curse: a denier of the predestination of Allah; one who adds to the book of Allah; one who makes what is forbidden in the ancestral lineage permissible; a tyrannical ruler who glorified what was low and make low what Allah has glorified; the one who permits the prohibitions of Allah and the one who abandons my practice.”

The Prophet (saw) also said: “No one will assume a position of authority in the affairs of this Ummah and does not uphold justice except that Allah will make him capsized in the fire.”

The Prophet (saw) also said: “I call unto Allah as a witness over a ruler after me over the community of Muslims. He is merciful onto the young and honours the old; he pays the workers (their due on time). He does not cause them harm by humiliating them nor causing a severity in their progeny. He does not close his doors upon them, allowing the strong to devour the weak. He does not make the wealth of the community the exclusive property of the rich. Have I delivered the message? O Allah bear witness”.

The messenger of Allah (saw) said: “The just ones are going to be on the right side of the throne upon pulpits from height. These are they who were just in their rulings, with their families and their subjects.”

The prophet (saw) said: “To be just for an hour is more rewarding than Ibadah (worship) of 60 years of standing its nights and fasting its days. An oppression of an hour is more heinous in the sight of Allah than disobedience to Him for 60 years”.

In another narration: “The ruler is the shade of Allah on the earth.” Whoever deceives him is led astray and the one that advises him is guided. For this, I give my advice to you all and delivered to you what has been reported from the messenger of Allah from the narrations of advice. So rule with justice and give the trust to their rightful owners”.

Of what has been specifically said about you is the issue of Al-Haj Muhammad Al-Turjuman with his slave that had deviated from the truth and Judge Muhammad Ibn Abdul Kareem ruled that he must remain in his slavery and ordered that he be returned to the owner. So (you leaders) ruled on falsehood and treated the Shariah of Allah as if abrogated. Repent altogether to

Informing Brothers.....

Allah from this great offence and do not come between a man and his slave except that he had taken a covenant from him to emancipate him by his will”.

It had reached me that Muhammad Ibn Maryan has abstained from what he was upon and had returned and repented to Allah. This shall benefit him in the final destination. I have heard that the people of Gobir, whenever one of them falls ill, he slaughters one of his slaves, boy or girl, claiming that such will ransom him from dying. There is no act of Kufr that is as great as this act of his and claim. This is what have made and had beautified in the heart of the enemies. And it shall drag him into Kufr. He shall realize that Allah and His messenger are innocent of such act. This will never make him actualize his wish and request. Had he emancipated him that would have been closer to a ransom than oppression.

Whomsoever is faced with an issue, he should refer it to the Sharia and as a knowledgeable person, he must trust in his knowledge and obey his judgment; “And have the fear of a day you all shall return therein to Allah and everyone shall be recompense for what he has earned and shall not be oppressed.”

CHAPTER SIX

Recommendations of Sheikh Al Maghili At-Tilmisani to Abu Abdullahi Muhammad Ibn Ya'qub, the Ruler of Kano

In his book **Ma Yajuuz Lil Hakim fee Radi Nas anil Haram**, he said: “In the name of Allah the Most Gracious, The Most Merciful. May the peace and benediction of Allah be upon the prophet, his household and companions.

From Abdullah, Muhammad ibn AbdulKareem ibn Muhammad Al-Maghili At-Tilmisani, may Allah be kind to him and his loved ones.

Assalamu Alaikum Wa Rahmatullahi Wabarakaatuhu.

To what follows:

“You have requested from me that I write for you a summary of what is permissible for the leader in preventing people from indulging in Haram. You should be aware, may Allah assist us in discharging the trust and leadership over the people and protecting the Shariah. It is imperative that we ward off evil concerning worldly and religious affairs with the extinguisher of the Shariah to a degree that is humanly possible. No evil person is to be left with his evil when it is possible to make him abandon it, by either insulting, cursing, imprisoning, tying down, beating, crucifying, exterminating, exciling, confiscating his wealth, burning down his house or other kinds of sanctions of the Shariah. For in every ailment there exists its remedy. And for every position is its rightful statement and actions in accordance to how the situation appears.

“Some of the different prophetic methods of turning people away from evil dealings through their speech and actions are to humiliate them. This is applied on the one whom patience can no longer be exercised over his actions because he had become addicted to it and never cease to indulge in it. This is necessary because warding off such evil is the right of Allah and His Messenger.

“Therefore, prevent the entire people of your land from all forms of idolatry, nudity, intoxicants, eating dead animals, blood and from other shades of haram. Prevent the disbelievers too from manifesting all these.

“They (disbelievers) should also be prevented from manifesting the eating and drinking of these items in Ramadan because they live amidst the Muslims in their homes and markets and other places.

Informing Brothers.....

“If they can be made to leave worshipping idols (in the open), drinking intoxicants, eating (the mentioned items) in Ramadan, indulging in fornication (other forms of detested acts and shades of heresy), it will serve as a deterrent to those with weak minds from among the laymen, women, children; and others from taking after them, especially when ignorance and (other) whimsical desires which, is their original trait is prominent on the land.”

The scholars used to say: “Retracing ones original trait happens with very little effort”. Forbid these evils. Make public the prohibition and announce the punishment for the one who indulge in them and thereafter punish with the least severe method that will deter him and others like him. If applying the light punishment does not deter him from it except by amputating his hand or leg or execution or other means provided by the Shari'a, then do it. This is because he is an evil-doer and an evil-doer must be made responsible for his actions.

“Never punish an evil-doer with a more severe measure compared to his crime except in a situation where you perceive him of not shunning the evil except with a severe form of punishment. This is as in the case of one who continually deals in intoxicants and will not mend his ways except when his properties are confiscated, or his house is burnt, or he is expelled from the land, or selling the Kuffar or other kinds of measure. Then do it and do not bother.

“Whosoever does not clothe his slave boy or girl properly and refuses to comply except if the slave is sold or taken away from him, then do it and do not be worried. Such is the case of the one who cheats people by reducing the size of lands when he sells them or refuses to end activities on a rented land, so confiscate such land and put it into the service of the Muslims. As for he that does not cheat nor refuses, then order him to take care of the land if he wishes to keep it for his use.

“Also take note of the one who intercepts farm goods such as food stuffs or other farm produce heading for the market. He purchases it before reaching the market or after reaching it and sells it by himself. If he refuses to desist except he is banned from the market or the goods are confiscated from him, then do it and do not worry; the reason being that the Shari'ah has provided these deterring measures in order to ward off evil and bring about good as much as possible in every age and time.

“For this reason, the just Imam, Umar Ibn Abdul Azeez (ra) said: “Bring upon the people a commensurate punitive measure to what they have invented of evil. Warding off evil is imperative at all times. Whenever a good clashes with

Informing Brothers.....

an evil, warding off the evil is to be given preference over obtaining the good. Whenever two forms of evil clashes, one an evil concerning worldly affair and the other concerning the religious affairs, warding off the evil concerning the affairs of the religion is preferred over the other. Also, when two forms of evil clashes, with one greater in severity than the other, warding off the greater evil is more preferred.

All what we have explained to you should be sufficient by the grace of Allah, in dealing with these evils and others.

“You should realize that every person should be treated equally with regards to the ruling of Allah and His messenger (saw), the scholar, the slave, the honorable and the leader is not exempted from the rulings. So, establish the right of Allah upon every slave with the fear of Allah and not by your whims. Whosoever challenges you thereafter should be deterred with a commensurate form of punishment for him and others like him. If this is not achieved except by amputating his hand or leg or expulsion or fructification, then do without fear.

“However, after establishing and affirming the law, reprimanding with what is commensurate and befitting according the dealings, either good or evil, humbleness or excessiveness, dealing with this should be based on the extent of their action so that the scale of justice is balanced, as to witness an event is more comprehending than hearing its information. This should be sufficient for the one whom Allah had willed to protect”.

Was Salam Alaikum Warahmatullahi, Wabarakaatu.

Written in the year 897 A.H.

From what he had written and what we had taken benefit from it, such that if we admonish you on them regarding issue of your religion or worldly affairs, you should hold onto it. However, if you should forget any of it, then do not forget that anyone who changes the Shariah of Allah has become a **Kafir**. This include whosoever changes the law of Allah, be he an unjust judge because he judges based on falsehood and claims it to be the law of Allah. Whoever does this is a Kafir. This is because he has turned falsehood into the truth and the truth into falsehood. If it becomes imperative to make an unjust person a ruler, then do not place him there in the name of a judge, because giving verdicts is a characteristic of prophet (saw) and should be used to describe anyone except one who is knowledgeable and pious. He who neither accepts bribe nor give judgment based on whimsical desire.

Informing Brothers.....

These recommendations are the most emphatic of all recommendations. Does it not suffice that you cheat in the name of leadership and become sinners seeking the mercy of Allah than cheating in the name of Shariah and you become Kuffar? The Kafir does not have any share from the mercy of Allah. The position of the Shariah is clear regarding every filth and the filthy ones. It is the position of the Prophet (saw). We do hope that Allah will forgive you your sins. All praise is for Allah and May His peace and blessing be showered over the one after whom there shall be no Prophet.

CHAPTER SEVEN

Explaining Migration from Gobir

I say and with Allah lies success. What my brother, Abdullahi, wrote explaining these reasons is sufficient. I told him on that blessed day that he should write on the cause of our migration from Gobir and the cause for the Jihad that took place between the Hausa leaders and us. This will serve as our excuse before anyone that comes across it amongst the impartial ones. These were his statements in response to my request:

In the Name of Allah, the Most Gracious, the Most Merciful

All praise due to Allah, and peace and blessing be upon the last prophet (saw).

As to what follows:

My intent for writing this is to explain the reason for migrating from Gobir and the cause of jihad that took place between Hausa leaders and us. This will serve as our excuse before an impartial person who comes across the book.

Our Sheikh, Uthman Ibn Muhammad, the leader of the believers (May Allah prolong his life in His Obedience) came into focus in the call to the religion of Allah in every sitting he attends. He explains to everyone attending the sitting what their basic religious requirement/needs are, what have been made obligatory upon them and other things. He orders them to pick up good moral behaviours and struggle against ambiguities in the aspect of the Oneness of Allah and other aspects of the religion. He also orders them to shun destructive traits and adopt successful traits. They should enliven the prophetic practices and destroy innovation in the religion. A large number of people heeded his call. They assisted him to a point he became famous with the call. Usually, he moves about with his group entering different lands calling to the true religion therein, till the most ignorant repented from their disbelieving practices, and evil innovations. He perambulated in the midst of the scholars existing in his time, amongst those who oppose and detest his call. He never went to the rulers, basically, until his group amassed a great number and was popular with the appellation “the group” in Hausa language. The people left their towns and moved to him.

Among those who went to him were those in the military. They repented and migrated with their wealth leaving their leadership positions. This among

Informing Brothers.....

others infuriated the rulers until it reached a degree that a great heat (tension) developed between them and himself. He used to say: "I will not come into the matters of leadership. I will not separate between anyone and his sovereignty in order to avoid calamity befalling. Despite this measure, the situation did not become less severe. At this point, he had started taking his call to the rulers by travelling to them and making the correspondences between them known. This did reduce the threat they see in the continuously expanding group and the honour they are accruing to themselves. All these made them furious.

The devils among the Jinn and men inspires them saying: "If you do not break this group, then your dominion shall go. They shall spoil the land for you by the people going to them and (who are) leaving you.

It got to an extent that the ruler of Gobir sent a message to us to move out of his land.

Thus, we come to a realization based on the things we've heard and taking a deep reflection over his various statements, actions and circumstances that they do not desire except for our total failure and destruction. And Allah saved us from their evil.

Thereafter, we returned to our various places. The ruler of Gobir waged war against the group of the Sheikh that were running away from him because of the fear they have of him. The ruler of Gobir went after them with an army till he caught up with them. He killed their men. He took as captives their children, wives and eventually started to sell them. They continued threatening us with these kind of things until the king sent a message to the Sheikh that he must go out of his land, he and his wives, children and brethren. He must not take along with him other than these and he must detach himself from his group.

The Sheikh responded by saying, that I shall never break away from my group but I will take my leave. Whosoever wishes to come along should come and whosoever wish to stay should stay". Thereafter, we migrated through the center of the town in the year 1318, the 10th day of Dhul Qa'idah, to the outskirts of the towns of Al-Barary. The Muslim began to migrate to us and came along with us. Some joined us along with their wealth and families, while others with just their families and others without family.

The King of Gobir ordered that the wealth of those that migrated be confiscated and prevented others from migrating. A large number of Muslims had their wealth taken away while some were killed.

Later, the leaders of the lands we had migrated from the direction of the east became envious of us and started killing, looting and taking us as captives. The situation of the people became turbulent and we went to the Sheikh saying: “These situations of the people have become greatly difficult and had protracted into the month in which it is permissible to take up arms. It is pertinent to generate a leadership to whom the affairs of the people shall return to because it is not permissible to leave the believers unprotected. We made a pledge to him owing to the situation at hand, that we would follow his command that is based on the Qur'an and Sunnah. We also made a pledge to go on Jihad. Some of us rose to defend ourselves from those who hated us because it is obligatory to protect ones soul, family and wealth by consensus. First, we approached those who were having our hatred in their minds and they were a huge army.

We confronted them with a great fight and defeated them. We burnt their houses and killed their men, taking their wives and children as captives. Thanks to Allah, they ran away.

Thereafter, it reached us that ruler of Gobir was preparing a great army to exterminate us, so we dug a trench in preparedness for them, and in emulation of the messenger of Allah (saw).

The people in the fortress of the king were among those jealous over our call from the eastern region. We advanced against them and opened their fortress killing and taking them as captives. After executing their king, our army returned in readiness for the attack of king of Gobir. He approached with his army and consequently fled and returned to his fortress, conquered and humiliated. The entire disbelieving Hausa leaders also faced their humiliation by the king's humiliation.

They were enraged by their defeat. They started to kill every Muslim residing in their lands. Great fighting took place between them that uprooted the Kuffar as a fulfillment of His promise to assist His religion and its helpers.

After banishing the King of Gobir from the land, we sent to other Hausa rulers to assist in the establishment of the religion on the lands and they refused. So Allah uprooted them all, “the root of the wrong-doers was then cut off, all praise is to Allah the Lord of the world”

This concludes his report on the events that took place. By his conclusion, we also conclude our book “Informing brothers the position of people in the lands of the Sudan by the help of Allah, the Kind, the Generous, in the afternoon of Monday 24th Day of Shawwal 1226 H.

Informing Brothers.....

All praise is to Allah, who had guided us to this (Islam). Had Allah not guide us we wouldn't have been guided. May the best of praise and the most perfect of blessing be upon Prophet Muhammad (saw), his household, companions and be pleased with scholars, and those acting on knowledge. Ameen.

بيان وجوب الهجرة على العباد

ونصب الإمام وإقامة الجهاد

THE HIJRAH OBLIGATION

By

Sheikh Othman Bn Fodiyo

Translator

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CONTENTS

In The Name of Allah	45
Chapter One: The Obligation to Migrate from the Land of Infidels.....	46
Chapter Two: The Interpretation of the Prophet's Word: "No Migration is Ordained after Victory"	52
Chapter Three: Allah's Commendation to Muhajiruns (-literally, the Emigrants, but meaning the Makkah Companions of the Prophet (saw)), Who Fled their Homes and Abandoned their Wealth to the Infidels, and Who Exposed Themselves to Difficulty, Hurt and Slaying Because of Hijrah, and His Commendation to the Ansaris (-literally, The Helpers, but meaning the Medinite Companions of the Prophet (saw)), Who Gave Shelter to the Muhajiroons and Aided Them, and the Promise made to Them in that Regard.....	56
Chapter Four: The Prohibition to Befriend Infidels (Unbelievers).....	59
Chapter Five: The Obligation to Take Believers as Friends	63
Chapter Six: The Obligation to Appoint an Imam and to Obey Him, and the Prohibition to Rebel against Him and to Remove (Dislodge) Him Except on Account of Unbelief.....	65
Chapter Seven: The Conditions of the Imam.....	69
Chapter Eight: The Basis of Leadership	71
Chapter Nine: The Pillars of Authority	74
Chapter Ten: Kinds of Religious Authority	76
Chapter Eleven: The Rule of Appointing Caliphs in Towns, and the Explanation of the Requirements on Governors (or Appointees) and the Rule of their Gifts	84
Chapter Twelve: Encouraging People Towards Jihad (Fighting in the Cause of Allah)	86
Chapter Thirteen: The Rule of Jihad.....	89
Chapter Fourteen: The Continuation of Jihad Obligation on the Muslim Community After the Prophet's Companions Period -May Allah be Pleased with Them.	91
Chapter Fifteen: The Definition of Jihad	93

The Hijrah Obligation

Chapter Sixteen: The Conditions for the Obligation of Jihad.....	95
Chapter Seventeen: The Obligatory Things in Jihad	96
Chapter Eighteen: The Rule of Fighting in the Sacred Months: Dhul Qa'da, Dhul Hijja, Muharram and Rajab	98
Chapter Nineteen: Those Who Should be Fought in Jihad.....	101
Chapter Twenty: Those Whose Aid Should be Sought in Jihad.....	104
Chapter Twenty One: The Rule of Beating Drums at Jihad to Scare the Infidels	106
Chapter Twenty Two: The Rule of Wearing Silk at Jihad.....	108
Chapter Twenty Three: The Rule of Decorating the Instruments of War with Gold and Silver in Jihad.....	112
Chapter Twenty Four: The Rule of Tying Bells and Strings Round Animals' Necks in Jihad.....	114
Chapter Twenty Five: The Rule of Giving the Flag to the Commander of Troops in Jihad	115
Chapter Twenty Six: The Rule of Calling the Infidels to Islam before Battle	116
Chapter Twenty Seven: The Rule of Accepting the Infidels' (Claim) of Islam and of Accepting Tribute from Them if they are in a Place at Which We Feel Secure Concerning Them.....	118
Chapter Twenty Eight: The Planning of War and Its Stratagem in Jihad.....	119
Chapter Twenty Nine: The Rule of Waxing Proud When Shooting, and Chanting, Mentioning One's Name and Yelling during Jihad	124
Chapter Thirty: The Methods of Battle.....	126
Chapter Thirty One: The Rule of Fighting the Infidels if They Take Their Children or Muslims as Shields	129
Chapter Thirty Two: The Rule of Running Away from the Infidels	131
Chapter Thirty Three: Kinds of Spoils.....	133
Chapter Thirty Four: The Method of Distributing Spoils.....	135
Chapter Thirty Five: The Rule of Looting and of One's Taking of What He Deserves from the Spoils if the Distribution is not Done According to Religious Law	137

Chapter Thirty Six: The One Fifth, and Other Forms of the Treasury Wealth, and the Rule of Revisiting What Unjust (Oppressive) Leaders and their Appointees have Sold from the Treasury.	139
Chapter Thirty Seven: The Rule of What the Infidels Acquire of the Wealth of Muslims.....	143
Chapter Thirty Eight: The Attainment of Freedom by Infidel Slaves if they Flee to Us, and the Lawfulness of Having Sexual Intercourse with Women that are Taken as Captives Among Them after One Menstrual Period has been Observed, Even if They Have Husbands in the Hostile Land	145
Chapter Thirty Nine: The Rule of a Person that is Foundbeing Enslaved in the Hands of the Infidels, then He Claims to Be a free Muslim, and that He Didn't Just Emigrate, and the Rule of a Person that is Brought from a Town in which Trade in Free People is Rampant, then He Claims to Be a Free Muslim	147
Chapter Forty: The Rule of the Infidel's Children and his Wealth if He Becomes A Muslim in the Hostile Land and Continues to Reside Therein, or if He Comes Forth to Us and Leaves His Children and Wealth There.....	149
Chapter Forty One: The Rule of the Wealth of Muslims Residing	151
in the Hostile Land.....	151
Chapter Forty Two: The Rule of Ransoming Muslim Captives and Paying Back the Ransom Price	153
Chapter Forty Three: Immunity	155
Chapter Forty Four: Reconciliation with the Infidels (Enemies) to Have a Truce	157
Chapter Forty Five: The Rules of Covenanted Infidels, Involving Taking Tribute and Other Things.....	158
Chapter Forty Six: The Difference between Fighting Infidels by Origin and Fighting Renouncers	161
Chapter Forty Seven: The Difference between Fighting Rebels and Fighting Infidels.....	164
Chapter Forty Eight: The Difference Between Fighting Robbers and Fighting Rebels	165

Chapter Forty Nine: The Rule of the Wealth of Muslims Who Reside with Robbers Willingly	168
Chapter Fifty: The Rule of the Wealth of the Missing, the Waiting Period of their Wives, and the Rule of Bathing Martyrs, Shrouding them, and Praying Funeral for Them	170
Chapter Fifty One: Forgiveness, Overlooking, Accountability and Discipline	173
Chapter Fifty Two: Forbidding Injustice and Tale-Bearing	177
Chapter Fifty Three: Attributes with which Authority Does Not Last	181
Chapter Fifty Four: Good Traits for Leaders and Others	183
Chapter Fifty Five: Concealing Secrets	190
Chapter Fifty Six: A Trait That Makes Relating with All Creatures Easy for the Leader of the Faithfuls and Others	192
Chapter Fifty Seven: What the Leader of the Faithful Should Resort to when His Conditions Change, and the Things that Would Make His Affairs Right	195
Chapter Fifty Eight: The Prophet's Conduct (saw) with Creatures (People) When He Was Sent to Them	196
Chapter Fifty Nine: The Caliphate of Abubakr, -may Allah Be Pleased With Him	200
Chapter Sixty: The Caliphate of the Leader of the Faithful, Umar Ibn Al-Khattab, -may Allah be pleased with him!	206
Chapter Sixty One: The Caliphate of Uthman Ibn Affan, -may Allah be pleased with him!	212
Chapter Sixty Two: The Caliphate of the Leader of the Faithful, Ali Ibn Abi Talib, -may Allah be pleased with him!	215
Chapter Sixty Three: The Caliphate of the Leader of the Faithful, Al-Hassan Ibn Ali, -may Allah be pleased with him!	218

In the name of Allah, the Beneficent, the Merciful

Blessings and peace be upon the Messenger of Allah, and upon his household and companions.

After this (opening), this is the book: Explaining the Obligation on People to Emigrate, and the Obligation to Appoint an Imam and to Establish Jihad.

Let me say –guidance being from Allah – that I have made this book comprise of sixty-three sections in accordance with the age of the Prophet, peace be upon him (p.b.u.h.). It is a beneficial book by the grace of Allah, (especially) in this age, for anyone that resorts to it.

The first section involves the obligation to migrate from the infidel's land.

The second involves the interpretation of the Prophet's word: "No migration is ordained after Victory."

The third involves Allah's exalted praise (i.e.; commendation and extolling) of the Immigrants (or rather Muhajirun). This is, in a sense, referring to the Makkan companions of the Prophet (saw) who went forth from their homes and left their wealth for the infidels (unbelievers), exposing themselves to hardship, hurt and slaying because of migration. It also includes His praise of the Ansaris (i.e. the Madinah companions of the Prophet (saw), who gave them shelter and aided them.

The fourth involves the prohibition to befriend infidels.

The fifth involves the obligation to take believers as friends.

The sixth involves the obligation to appoint an Imam. The seventh involves the conditions for (being) an Imam.

CHAPTER ONE

The Obligation to Migrate from the Land of Infidels

Let me say – guidance being from Allah –that, it is obligatory to migrate from the infidels land according to the Qur'an, Sunna (i.e.; Prophetic tradition/practice) and the consensus of Islamic scholars. As to the Qur'an, Allah, the Exalted says:

﴿إِنَّ الَّذِينَ تَوَفَّيْنَاهُمُ الْمَلَائِكَةُ ظَالِمِي أَنْفُسِهِمْ قَالُوا فِيمَ كُنْتُمْ قَالُوا كُنَّا مُسْتَضْعَفِينَ فِي الْأَرْضِ قَالُوا أَلَمْ تَكُنْ أَرْضُ اللَّهِ وَاسِعَةً فَهَاجِرُوا فِيهَا فَأُولَٰئِكَ مَأْوَاهُمْ جَهَنَّمُ ۖ﴾ النساء: ٩٧

“Verily, those whose souls the Angels take while wronging themselves, - they (i.e. the Angels) will say: 'What have you been doing?' They will say: 'We have been abased (weak) in the earth.' They will say: 'Has Allah's earth not been abundant, so you should migrate therein?' –Those shall have their abode as the Hellfire.” Q 4:97

Scholars of Qur'anic interpretation have said that this verse contains the evidence for the obligation to migrate from the infidel's land. Jalal Abdulrahman Al-Suyuti has said, explaining the meaning of;

﴿ظَالِمِي أَنْفُسِهِمْ﴾ النساء: ٩٧

“Wronging themselves” Q 4:97

In **Takmila**, his commentary on the Qur'an, - he has said that it means wronging themselves by staying with the infidels and abandoning migration.

As to the Sunna, it is the word of the Prophet (saw) that:

من جامع المشرك أو سكن معه فإنه مثله

“Anyone who associate with an infidel or resides with him is like him.”

And his word:

المؤمن والكافر لا تراءى نارهما

“The fire of the believer does not see eye to eye with that of the unbeliever!”

This tradition is reported by Sayyiduna Mukhtar bin Ahmad Al-Kunti, in **Al-Nasihah Al-Kafiya** (-literally, **The Sufficient Advice**).

The Prophet (saw) also says:

من جامع المشرك أوسكن معه فإنه مثله

“Whoever adopts togetherness with a polytheist (infidel) or lives with him shall be like him!”

Narrated by Abu Dawud through Samura.

As to consensus, Al-Wansharishi has said in Al-Mi'iyar (-literally, The Criterion) that “the Islamic consensus is that there is an obligation to migrate.” Taking one's kindred rights or spousal (ie.; marriage) rights into consideration should not be an excuse for anyone in abandoning Hijrah (migration), so wealth and houses should be more deserving, not to be an excuse. Allah, the Exalted, says:

﴿ قُلْ إِنْ كَانَ آبَاؤُكُمْ وَأَبْنَاؤُكُمْ وَإِخْوَانُكُمْ وَأَزْوَاجُكُمْ وَعَشِيرَتُكُمْ وَأَمْوَالٌ اقْتَرَفْتُمُوهَا وَبُيُوتُكُمُ الْكَسَادُهَا
وَمَسْكَنُكُمْ تَرْضَوْنَهَا أَحَبَّ إِلَيْكُمْ مِنَ اللَّهِ وَرَسُولِهِ وَجِهَادٍ فِي سَبِيلِهِ ﴾

التوبة: ٢٤

“Say: If it be that your fathers, your sons, your brothers, your mates, or your kindred: the wealth that you have gained, the commerce in which you fear a decline, or the dwellings in which you delight, (if they) are dearer to you than Allah and His Messenger and the striving in His cause,” so you sit back on that account (and refused to) migrate.” Q 9:24

As mentioned in **Takmila**, the commentary on the Qur'an by Abdulrahman Al-Suyuti that:

﴿ فَتَرَبَّصُوا حَتَّى يَأْتِيَ اللَّهُ بِأَمْرِهِ ﴾ التوبة: ٢٤

“Then wait until Allah brings about His Decision.” Q 9:24

It is mentioned in Al-Khazin's commentary on the Qur'an that the reason for which, this verse was revealed had been the word of those who became Muslim but did not migrate. They are used to saying: “If we migrate, our wealth will be lost, our commerce will vanish, and our homes will be out (of our possession), and we will sever our blood (i.e.; kindred) relations.” Then he said: “This verse contains the evidence that if there is a conflict between religious interest and worldly interest, it becomes obligatory on every Muslim to prefer the religious interest to the worldly one.”

Let me say that it is also obligatory to prefer it to the remaining aspects of the Five Universal Points (known as **Al-Kulliyat Al-Khams** in the Fundamentals of Jurisprudence), which are safeguarding the soul, the mind, lineage and

wealth. Some scholars have included personality (or rather personal honor). In **Ithaful Mureed** (-literally, The Student's Provision), which is the commentary on **Jawharatu-Tauheed**, Abdulsalam bin Ibrahim Al-Laqqani said, where the author of the poem had said:

*And safeguarding religion, soul,
wealth, lineage*

*Likewise mind and personality,
has been obligatory,*

Al-Laqqani said: "The most emphatic of the five is religion because safeguarding the others is a means of safeguarding it. Then (i.e.; next in emphasis comes) safeguarding souls, then minds, then lineage, then wealth, and safeguarding personal worth is on the same level as safeguarding wealth if hurt in it does not lead to severing lineage. Otherwise, it will be on the level of lineage." Then he said: "Safeguarding all of them has been obligatory in all laws because of their lofty position."

If you understand what has been mentioned, you will know that, according to the Qur'an, Sunnah and Consensus, it is obligatory to migrate from the infidel's land, which comprises most of the land of Sudan (i.e.; most black, non-Arab lands. Note: The term "Sudan" is as complicated as the term "Middle East" today. As will be seen soon, in this book, it is a term that has not been categorically defined, but in general, it means any land where unbelief prevails), since those lands are of three kinds as understood from the word of scholars, may Allah be pleased with them:

The (first) kind of the lands is the one in which unbelief is prevalent, and Islam is rare, such as the towns of Mushe, Gurmi, Bas, Borgu, Yoruba, Dagombe, Kutkul, Tunbug, Bobul, and Gombe, as exemplified by Ahmad Baba in the book *Al-Kashf wal-bayan Li asnafi Majlubil Sudan* (-literally,

Discovering and Explaining Kinds of Acquisition from the Non-Arab Lands). These are all infidel's lands without doubt, since judgement is based on what is prevalent. The leaders of this kind (of lands) are also infidels, all of them, and the rule of a land follows the rule of its leader, as will be explained, by the grace of Allah, the Exalted.

The (second) kind is the one in which Islam is prevalent, and unbelief is rare, such as the towns of Borno, Kano, Katsina, Sage, and Mali, as exemplified by Ahmad Baba, too, in the book that has been mentioned. These are also infidel's towns without doubt since the Islam that is prevalent in them is not found with their leaders. As to the leaders of these towns (themselves), they

are infidels, like the (leaders of the) first kind, even if they profess (i.e.; claim) the religion of Islam, because they are men of polytheism and they bar people from the way of Allah; they also elevate the banner of the authority of this world over the banner of Islam. This is all unbelief according to the consensus of scholars. There is no disputing that the rule of a land is the same as that of its leader, such that if he is Muslim, the land becomes a land of Islam, and if he is an infidel, the land becomes an infidel's land from which fleeing must be made to another land.

It is for this reason that Ahmed bin Saeed had said in **Mukhtasaru Ikmalil Ikmal**, written by Al-Abiyy that: "There is no controversy that it is obligatory for Muslims to remove their leader (or Imam) if he is an infidel, but the obligation on them to rise against him should be when they figure out that they can subdue him. If they are sure that they have no ability against him, it will not be obligatory to rise against him. What is obligatory on every Muslim that is in such a leader's land (in that case) is to migrate from it, to another land."

We have mentioned that the leaders of this (second) kind are infidels is based on what is prevalent and known concerning them. That does not negate (the fact) that some of them might rarely be Muslim, but judgment is not based on what is rare.

The (third) kind is the one that is not of the infidel's lands considering the Sultans (leaders) and others. Rather, it is absolutely of the Muslim land. This kind of land is the one we have not known (i.e.; found) in the black non-Arab lands, but it is understood (that it exists) from the word of scholars, as will be mentioned, by the grace of Allah, the Exalted.

Sayyiduna Mukhtar bin Ahmad Al-Kunti said in Al-Nasihah Al-Kafiya: "The Land of Sudan means any land whose predominant inhabitants are infidels, and such that the Muslims in it are under the subjugation of the infidels that they have taken as leaders. (It is a well-known fact) that people always work according to the deed of their leader, being under the levels of the darkness of ignorance, caprice (i.e.; the soul's desire), and unbelief. It is for this reason that it has been forbidden to travel to the hostile land and to the Land of Sudan."

In Tahqeequl Mabani, the commentary on Al-Risala, where the author had said it was reprehensible to travel on commerce (i.e.; because of it) to the hostile land and to the Land of Sudan," Abul Hassan Al-Maliki said: "That means the infidels among them. It is as though he had said it was reprehensible to travel on commerce to the hostile land whether it was Sudan or other places." Then he said: "Al-Dawurdi has said, as to the Land of Sudan, it is said (by some scholars) that it means the infidel's land thereof."

This word arouses the feeling that the Land of Sudan comprises of the Infidel's Land and the Land of Islam as has been alluded to. It is also what is obvious from the word of Ahmad Baba in his book, **Al-Kashf Wal-bayan Li asnafi Majlubil Sudan**. I have seen what one scholar has written that the Land (or Home) of Islam is basically not found in the Land of Sudan, where he says: "The leaders of the Land of Sudan have succeeded one another in frustrating the religion of our Prophet, Muhammad (P.B.U.H.), and the Land of Sudan is the land of unbelief. It is not of the Lands of Islam in any way!" Allah knows best.

If you said (or rather asked) whether those who became Muslim among the people of Sudan had done so after they had been conquered or whether it was willingly, I would say that the answer is as Sheikh Ahmad Baba had said in the book **Al-Kashf Wal-bayan Li Asnafi Majlubil Sudan**, that they became Muslim with no one conquering them. He also said in another place of the book: "What is obvious from the word of Ibn Khaldun and others is that those who became Muslim among the people of Sudan had done so with no one conquering them." He also said therein: "One of the judges of Sudan had informed that the Imam who had sought for their opinion (regarding Islam) while they were infidels chose to let them remain slaves." Then Sheikh Ahmad Baba said: "This is what we have basically heard and what has come to us, but you should ask this Sudanese judge: 'Who was that Imam?' and 'What time did he conquer their land?' and 'Which land did he conquer?' Let him specify all of that to you!"

Nothing is nearer to invalidity than his word. If you inquired, you would not find anyone to inform you about the reality of what he had said. Therefore, whatever is based on his word should not be considered. Therefore, what is obvious and outweighing to one's thought is that it is not correct!"

If you said: "What is the definition of the Land of Sudan?" I would say: "I have not found anyone that has addressed where it begins and where it ends. Imamul Hafaza Waliyyudden Ibn Khaldun said in his book **Al-Tareekhul Kabeer** (literally, The Great History), when he was talking about the story of the kings (or rulers) of Sudan, who were neighboring Morocco, -he said: 'Of the people of Sudan (are the inhabitants of) Tajura, followed by Al-Kanem. They are followed westward by Koko, and after them are the abased people of Tukrur.'" He also said when he talked about the kinds (of the land or people) of Sudan in the fourth page: "The Abyssinians (i.e.; Ethiopians) are the largest of the people of Sudan!"

What we have mentioned at the beginning of this section that it is obligatory on every Muslim to migrate from the infidel's land is not disputed by any two people (i.e.; by anyone). There is no excuse for anyone to abandon it:

﴿إِلَّا الْمُسْتَضْعِفِينَ مِنَ الرِّجَالِ وَالنِّسَاءِ وَالْوِلْدَانِ لَا يَسْتَطِيعُونَ حِيلَةً﴾ النساء: ٩٨

“Except those who are (really) weak and oppressed – men, women, and children who have no means in their power.” Q 4:98

i.e.; they have neither power nor feeding to enable them migrate:

﴿وَلَا يَهْتَدُونَ سَبِيلًا﴾ النساء: ٩٨

“Nor can they find a way (to escape).” Q 4:98

i.e.; A way to the land of Hijra (migration), as mentioned in **Takmila**, the commentary on the Qur'an by Abdulrahman Al-Suyuti. In explaining the meaning of “who have no means in their power,” it is said in Al-Khazin's commentary on the Qur'an: “It means that they have no ability to scheme it, and they have no feeding and no power to go forth (i.e.; to get out of Mecca). Allah, the Exalted, says concerning these people:

﴿فَأُولَٰئِكَ عَسَى اللَّهُ أَن يَعْفُو عَنْهُمْ﴾ النساء: ٩٩

“For these, there is hope that Allah will forgive.”

Scholars of the commentary on the Qur'an have said the word is mentioned with the terms of hope and forgiveness (i.e.; pardon). This is to highlight that it is a dangerous (and grave) thing to abandon Hijrah, to the extent that even the person that is excused in his own case should not feel secure, and that he should earnestly look forward to the chance (to migrate), and he should tie his heart to that.

My brothers, you must therefore migrate from the infidel's land to the land of Islam in order to have the success of Paradise, and to be the companions of your father, (Prophet) Abraham (i.e.; to be with him in Paradise), and your Prophet, Muhammad (saw), because he has said:

من فر بدينه من أرض إلى أرض وإن كان شيرا من أرض استوجب الجنة

“Whoever flees from one land to another with his religion, even if it is a hand span of a land, he will deserve Paradise.”

And he will be a companion (in Paradise) of Abraham, and of his Prophet, Muhammad” – Blessings and peace of Allah be upon them!

CHAPTER TWO

The Interpretation of the Prophet's (saw) Word: "No Migration is Ordained after Victory"

Let me say – guidance being from Allah – that it is narrated in the Authentic Book of Al-Bukhari through Ibn Abbas, who said: "The Prophet (saw) said on the day of victory over Makkah that:

لا هجرة بعد الفتح

'No migration is ordained after Victory.'

It is narrated in the Authentic Book of Al-Bukhari, also, through Mujashi Ibn Mas'ud. He said: "Mujashi came with his brother, Mujalid Ibn Mas'ud to the Prophet (saw) and said: "This is Mujalid pledging allegiance (i.e.; swearing fealty) to you on migration,' then the Prophet (saw) said:

لا هجرة بعد فتح مكة

"No migration is ordained after victory over Mecca."

In the Authentic Book of Al-Bukhari, too, (it is narrated that) Amr Ibn Dinar Ibn Juraih said: "I heard Ata say, 'Ubaid Ibn Umair and I went to A'isha (ra) (the Prophet's wife) while she was near Zubair. She said to us: Hijrah has ceased since Allah gave His prophet (saw) victory over Makkah."

As to the interpretation of the Prophet's (saw) word (saw): "No migration is ordained after Victory," scholars have said that it means: "No migration is ordained from Makkah after victory (over it), i.e.; after it has become the Home of Islam." In Al-Khazin's commentary on the Qur'an, where Allah, the Exalted, says:

﴿إِنَّ الَّذِينَ تَوَفَّيْنَاهُمُ الْغَالِبِينَ ظَالِمِينَ أَنْفُسِهِمْ قَالُوا فِيمَ كُنْتُمْ ۖ﴾ النساء: ٩٧

"Those whose souls the Angels take wronging themselves ..." Q 4:97

(It is said): It means by polytheism (associating partners with Him). Some scholars have said it means (they wrong themselves) because they live in the home (or land) of polytheism (hence unbelief). This is because Allah did not accept the Islam of anybody after the Prophet's migration (saw) until he had

migrated to the Prophet (i.e.; to meet the Prophet). Then it was abrogated after victory over Mecca by the Prophet's word (saw):

لا هجرة بعد الفتح...

“No migration is ordained after victory over Makkah.”

As the last directive that is reported in the two Authentic Books. In Al-Khazin's commentary, also, where Allah, the Exalted says in Suratul Anfal (The Spoils of War):

﴿وَالَّذِينَ آمَنُوا مِن بَعْدُ وَهَاجَرُوا وَجَاهَدُوا مَعَكُمْ فَأُولَٰئِكَ مِنكُمْ﴾ الأنفال: ٧٥

“Those who accept faith subsequently, and emigrate, and fight (for the faith) in your company.” Q 8:75

(It is said): “Scholars differ on the word “subsequently.” It is said (by some scholars) that it means after the Hudaibiya Treaty, which represents the second migration (Al-Hijrah Athaniya). Some have said it means after the revelation of this verse. Others have said it means after the Battle of Badr.” Then he (i.e.; Al-Khazin) said: “The most accurate word is that the people of the Second Hijrah are the ones meant by it because it came after the First Hijrah. This is because the First Hijrah ended after victory over Mecca since it became the Home of Islam after the victory.” What points to that (i.e.; what buttresses it) is the Prophet's word (saw):

لا هجرة بعد الفتح...

“No Hijrah after Victory...”

However, Al-Hassan has said that Hijrah has not ceased. Then he (i.e.; Al-Khazin) said: “The response to this is that what is meant by the specified Hijrah is the Hijrah from Makkah to Madina. As to any believer that is in a land in which he fears to make his religion obvious because of the infidels, it is obligatory on him to emigrate to a land (or town) in which he will not be afraid of showing his religion. Al-Qustalani said: “So long as the infidel’s land exists in this world, emigrating from it is obligatory. The rule revolves around its cause.” What points to that is the Prophet's word (saw):

لا تنقطع الهجرة حتى تنقطع التوبة ولا تنقطع التوبة حتى تطلع الشمس من المغرب

“Hijrah will not cease to exist until repentance ceases to exist, and repentance will not cease to exist until the Sun rises from the West (i.e.; from where it now sets).”

Narrated by Abu Dawud through Mu'awiyya. Ibn Abdulsalam said:

الهجرة تجب في آخر الزمان كما تجب في أول الإسلام

“Hijrah is not as obligatory at the end of time (i.e.; on later generations) as it had been at the beginning of Islam.”

If you said (i.e.; asked): “Is the Islam of a person that becomes Muslim in the land of unbelief but does not emigrate valid?” I would say: “The answer is as said in **Fawakihu Dawani**, the commentary on **Al-Risala**, by Al-Nafrawi. The author did not explain the rule of those among the hostile people (i.e.; the infidels) who became Muslim, as to whether it is lawful for them to remain in the hostile land (literally, The Home of War), or they should emigrate from it to the land of Islam! However, other scholars have explained it, saying: “If an infidel people become Muslim, then if they are in a place where the infidel rules are applied on them, it becomes obligatory on them to depart (i.e.; emigrate) from it. If they do not depart, they would be sinning against Allah and His Messenger (saw), but their Islam is valid.”

Just as no two people (or scholars) will dispute that a person that resides in the hostile land of his own choosing disobeys Allah and His Messenger (saw), no two people will also dispute that such a person's witness (or testimony, e.g.; in the court of law) is not allowed (hence invalid). It is mentioned in **Al-Mi'iyar** that “the witness of dwellers within the hostile land, as well as of their judges, is invalid because they have chosen (and been pleased) to be taken care of by Christians.” In it, also, Al-Maziri was asked concerning rules that came from Saqliyya issued by its judge, as well as concerning equitable witnesses, as to whether or not that should be accepted when we did not know whether.

Their stay there under the infidel people had been on account of necessity or their own choosing! He answered that “if this person that had resided in the hostile land had done so on account of necessity, there is no doubt that such a stay would not vilify (i.e.; defame) his equity. The same applies when his interpretation is right, such as (when he explains) his residing there because of hope that the hostile people may be guided (to Islam). If, on the other hand, he stays on the basis of Jahili (i.e.; un-Islamic rule) and of swerving away from explanation (i.e.; he has no religiously genuine explanation), and he does so of his own choosing, there is no doubt that it vilifies his equity. If the equity of a person is obvious, but the basis of his stay (in the infidel land) is doubted, then the basic rule is to accept his excuse, except if there are some proofs that bear witness that his stay has been of his own choosing (i.e.; without any necessity). It is invalid to appoint an infidel as a judge, but in spite of that, the

implementation of his verdicts should not be vilified (i.e.; rejected) since it is obligatory to keep people under control among themselves.

Let me say: These all relate to a person that has not fought the infidels to the extent of overcoming them and having the ability to make religion obvious, such by which the land becomes the Home of Islam. This is because Al-Qastalani has said in Al-Irshad, the commentary on Al-Bukhari's (Authentic Book): "Al-Mawardi said: 'If he has the ability to make religion obvious in any of the infidel lands, then the land on that account becomes the Home of Islam. Therefore, residing there is better than departure, because of the attendant hope that others besides him may embrace (i.e.; accept) Islam.'" Allah's commendation and promise to the Emigrants and their Helpers.

CHAPTER THREE

Allah's Commendation to Muhajiruns -literally, the Emigrants. That is, the Makkah Companions of the Prophet (saw)), Who Fled their Homes and Abandoned their Wealth to the Infidels, and Who Exposed Themselves to Difficulty, Hurt and Slaying Because of Hijrah. Also His Commendation to the Ansaris -literally, The Helpers. That is, the Medinite Companions of the Prophet (saw)), Who Gave Shelter to the Muhajiroons and Aided Them, and the Promise made to Them in that Regard

Let me say – guidance being from Allah – that a lot of verses have come in that regard. Allah, the Exalted, says:

﴿لِلْفُقَرَاءِ الْمُهَاجِرِينَ الَّذِينَ أُخْرِجُوا مِنْ دِيَارِهِمْ وَأَمْوَالِهِمْ يَبْتَغُونَ فَضْلًا مِنَ اللَّهِ وَرِضْوَانًا وَيَصْطُرُونَ اللَّهَ وَرَسُولَهُ أُولَئِكَ هُمُ الصَّادِقُونَ ﴿٨﴾ وَالَّذِينَ تَبَوَّءُوا الدَّارَ وَالْإِيمَانَ مِنْ قَبْلِهِمْ يُحِبُّونَ مَنْ هَاجَرَ إِلَيْهِمْ وَلَا يَجِدُونَ فِي صُدُورِهِمْ حَاجَةً مِمَّا أُوتُوا وَيُؤْثِرُونَ عَلَى أَنْفُسِهِمْ وَلَوْ كَانَ بِهِمْ خَصَاصَةٌ ﴿٩﴾﴾ الحشر: ٨ - ٩

“To the indigent Muhajir, those who were expelled from their homes and their property, while seeking grace from Allah and (His) Good Pleasure, and aiding Allah and His Messenger: Such are indeed the truthful. And those who before them, had homes (in Madina) and had adopted the faith, - show their affection to such as came to them for refuge, and entertain no desire in their hearts for things given to the (latter), but give them preference over themselves, even though poverty was their (own lot).” Q 59:7-8

He, the Exalted, also says:

﴿وَالسَّابِقُونَ السَّابِقُونَ أُولَئِكَ الْمُقَدَّمُونَ يُغْفِرُ لَهُمْ سَيِّئَاتِهِمْ كُلَّهَا خَالِدِينَ فِيهَا ذَلِكَ الْفَوْزُ الْعَظِيمُ ﴿١٠﴾﴾ التوبة: ١٠

“The vanguard (of Islam) – the first of those who forsook (their homes) and of those who gave them aid, and (also) those who follow them in (all) good deeds, - well-pleased is Allah with them, as are they with Him. For them has He prepared Gardens under which rivers flow, to dwell forever therein! That is the supreme triumph.” Q 9:100

He, the Exalted, also says:

﴿وَالَّذِينَ ءَامَنُوا وَهَاجَرُوا وَجَاهَدُوا فِي سَبِيلِ اللَّهِ وَالَّذِينَ ءَاوُوا وَنَصَرُوا أُولَٰئِكَ هُمُ الْمُؤْمِنُونَ حَقًّا لَهُمْ مَغْفِرَةٌ وَرِزْقٌ كَرِيمٌ﴾

﴿٧٤﴾ الأنفال: ٧٤

“Those who believe, and emigrate, and fight for the faith in the Cause of Allah, as well as those who give (them) asylum and aid, - these are (all) truly the believers. For them is the forgiveness of sins and a provision most generous.” Q 8:74

He, the Exalted, also says:

﴿وَمَنْ يَخْرُجْ مِنْ بَيْتِهِ مُهَاجِرًا إِلَى اللَّهِ وَرَسُولِهِ ثُمَّ يُدْرِكُهُ الْمَوْتُ فَقَدْ وَقَعَ أَجْرُهُ عَلَى اللَّهِ وَكَانَ اللَّهُ غَفُورًا رَحِيمًا﴾

النساء: ١٠٠

“Whoever goes forth from his home, emigrating to Allah and His Messenger, then is met by death, his reward becomes due and sure with Allah, and Allah is Oft-forgiving, Most Merciful.” Q 4:100

He, the Exalted, also says:

﴿فَالَّذِينَ هَاجَرُوا وَأُخْرِجُوا مِنْ دِيَارِهِمْ وَأُوذُوا فِي سَبِيلِي وَقَاتَلُوا وَقُتِلُوا لَأُكَفِّرَنَّ عَنْهُمْ سَيِّئَاتِهِمْ وَلَأُدْخِلَنَّهُمْ جَنَّاتٍ

تَجْرِي مِنْ تَحْتِهَا الْأَنْهَارُ ثَوَابًا مِنْ عِنْدِ اللَّهِ وَاللَّهُ عِنْدَهُ حُسْنُ الثَّوَابِ﴾ آل عمران: ١٩٥

“Those who have left their homes, and were driven out therefrom, and suffered harm in My cause, and fought and were slain, - verily, I will blot out from them their iniquities, and admit them into Gardens with rivers flowing beneath; - a reward from Allah, and from Allah is the best of rewards.” Q 3:195

These verses have shown that whoever emigrates will certainly be touched by suffering and adversity. Allah, the Exalted, says:

﴿أَمْ حَسِبْتُمْ أَنْ تُدْخِلُوا الْجَنَّةَ وَلَمَّا يَأْتِكُمْ مَثَلُ الَّذِينَ خَلَوْا مِنْ قَبْلِكُمْ مَسَّتْهُمُ الْبَأْسَاءُ وَالضَّرَاءُ وَزُلْزِلُوا حَتَّى يَقُولَ الرَّسُولُ

وَالَّذِينَ ءَامَنُوا مَعَهُ مَتَى نَصْرُ اللَّهِ ؕ أَلَا إِنَّ نَصْرَ اللَّهِ قَرِيبٌ﴾ البقرة: ٢١٤

“Or do you think that you will enter the Garden (of Bliss) without such (trials) as came to those who passed away before you? They encountered suffering and adversity, and were so shaken in spirit that even the Messenger (saw) and those of faith who were with him said: 'When will the help of Allah come?' Ah! Verily, the help of Allah is (always) near!”

Q 2:214

In Al-Khazin's commentary, it is said: "The verse means: 'Do you, O believers, think that you will enter Paradise just by (proclaiming) faith, when the things that had befallen the followers of Prophets and Messengers who were before you, involving hardships, disasters, trials and tests, have not befallen you?' He also said a little before this word: "When the Messenger of Allah (saw), and his companions entered Madina at the beginning of Hijrah, harm became serious on them because they had gone forth (i.e.; fled) without wealth. They had left their wealth and homes in the hand of the infidels, preferring the pleasure of Allah and His Messenger, and the Jews, as well as the families of hypocrites, showed their open enmity to the Messenger of Allah (saw), so Allah sent down this verse to appease their hearts."

Similar to this is what commentators on the Qur'an have said, that it was narrated through Ibn Abbas (ra) that he said: "The reason the word of Allah, the Exalted:

﴿إِنَّ الَّذِينَ تَوَفَّيْنَاهُمُ الْفَالِغَةَ ظَالِمِينَ أَنْفُسِهِمْ قَالُوا فِيمَ كُنْتُمْ قَالُوا كُنَّا مُسْتَضْعَفِينَ فِي الْأَرْضِ قَالُوا أَلَمْ تَكُنْ أَرْضُ اللَّهِ وَاسِعَةً
فَتُهَاجِرُوا فِيهَا فَأُولَئِكَ مَأْوَاهُمْ جَهَنَّمُ﴾ النساء: ٩٧

"Those whose souls the Angels take wronging themselves, - they (i.e.; the Angels) will say: 'What have you been doing?' They will say: 'We have been abused in the earth.' They will say: 'Was Allah's earth not abundant, so you should emigrate therein?' – Those shall have their abode as the Hellfire."

Q 4:97

He said the reason it was revealed is that some of the people of Mecca had become Muslim, and they used to hide their Islam, so the infidels brought them forth together with them (i.e.; to fight on their side) on the Day (i.e.; Battle) of Badr, and some of them were injured. Then Muslims said: 'Let's ask Allah to forgive them.' The verse was sent down (i.e.; revealed), and they wrote it down, and they sent it to the Muslims that remained with the infidels so they should know that they had no excuse, so they came forth, but the infidels caught up with them and killed a number of them. Then (the remaining ones) returned, so this was revealed:

'There are among men such as say, 'We believe in Allah,' but when they suffer affliction in (the cause of) Allah, they treat men's oppression as if it were the wrath of Allah.'

So it was written to them. Then they came forth, but were met (by the infidels), so those who escaped did, and others were killed.

CHAPTER FOUR

The Prohibition to Befriend Infidels (Unbelievers)

Let me say – guidance being from Allah – that it is forbidden by the Qur'an, Sunna and Consensus to take unbelievers as friends. As to the Qur'an, Allah, the Exalted, says:

﴿لَا يَتَّخِذِ الْمُؤْمِنُونَ الْكَافِرِينَ أَوْلِيَاءَ مِنْ دُونِ الْمُؤْمِنِينَ وَمَنْ يَفْعَلْ ذَلِكَ فَلَيْسَ مِنَ اللَّهِ فِي شَيْءٍ﴾

آل عمران: ٢٨

“Let not the believers take for friends unbelievers rather than believers. Anyone who does that shall have no relation left with Allah!” Qur’an 3:28

That is to say, they stand on nothing in the religion of Allah, as mentioned in **Takmila**, the commentary on the Qur'an by Abdulrahman Al-Suyuti. He, the Exalted, also says:

﴿يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَتَّخِذُوا الْكَافِرِينَ أَوْلِيَاءَ مِنْ دُونِ الْمُؤْمِنِينَ أَرْيَا إِنْ تَجْعَلُوا لِلَّهِ عَلَيْكُمْ سُلْطَانًا مُبِينًا

النساء: ١٤٤﴾

“O you who believe, take not for friends unbelievers rather than believers. Do you wish to offer Allah an open proof against yourselves?” Qur’an 4:144

That is to say a manifest evidence about your hypocrisy, as mentioned in **Takmila**, the commentary on the Qur'an by Abdulrahman Al-Suyuti. He, the Exalted, also says:

﴿وَمَنْ يَتَوَلَّهُمْ يَتَوَلَّهُمْ أَجْمَعِينَ﴾ المائدة: ٥١

“Whoever takes them as fiends among you is one of them!” Qur’an 5:51

It is mentioned in **Madarikul Tanzil** that it means his rule shall be the same as their rule. Then, he (i.e.; the author) said: This is toughness by Allah, the Exalted, against them, and stressing on the fact that it is obligatory to desert anyone that opposes religion. Allah, the Exalted, also says:

﴿يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَتَّخِذُوا الَّذِينَ اتَّخَذُوا دِينَكُمْ هُزُؤًا وَلَعِبًا مِنْ الَّذِينَ أُوتُوا الْكِتَابَ مِنْ قَبْلِكُمْ وَالْكَافِرَ أَوْلِيَاءَ وَاتَّقُوا اللَّهَ إِنَّ اللَّهَ بَالِغُ أَمْرِهِ

مُؤْمِنِينَ﴾ المائدة: ٥٧

***“O you who believe, take not for friends those who take your religion for a mockery or sport, - whether among those who received the Scripture before you, or among those who reject faith, but fear Allah if you have faith.”
Qur'an 5:57***

In explaining the meaning of this verse, commentators on the Qur'an have said that, Allah has tied the prohibition of taking them as friends to their taking of (i.e.; our) religion as a mockery. This is in order to point out the reason and to highlight that anyone in this condition is far from being a friend and entitled to be taken as an enemy.

– Allah, the Exalted, says:

﴿إِلَّا تَتَّخِذُوهُ﴾ الأنفال: ٧٣

“If you do not do it” i.e.; take believers as friends and sever (i.e.; abandon) unbelievers.” Qur'an 8:73

﴿تَكُنْ فِتْنَةً فِي الْأَرْضِ وَفَسَادٌ كَبِيرٌ﴾ الأنفال: ٧٣

“There would be temptation (trial) in the earth and big corruption (perversion).” Qur'an 8:73

That is to say, there would be the strength of unbelief and the weakness of Islam, as mentioned in **Takmila**, the commentary on the Qur'an by Abdulrahman Al-Suyuti.

It is mentioned in Al-Khazin's commentary that Ibn Ishaq has said, 'Allah has made the Muhajirun and Ansaris (- already explained) the men that bear authority or allegiance in religion. That is to say that, Allah has made them the ones who deserve to be taken, unconditionally, as friends in religion. This is not the case with others. He (Allah) has made the infidels friends among themselves (i.e.; the infidels love one another). A Muslim must not love an infidel. Then Allah, the Exalted, says:

﴿إِلَّا تَتَّخِذُوهُ﴾ الأنفال: ٧٣

'If you do not do it.' Qur'an 8:73

And not doing it means a believer takes an unbeliever as a friend:

﴿تَكُنْ فِتْنَةً فِي الْأَرْضِ وَفَسَادٌ كَبِيرٌ﴾ الأنفال: ٧٣

“There would be temptation in the earth and big corruption (perversion).”

Temptation in the earth means the strength of unbelievers, and big corruption means the weakness of Muslims.

Allah, the Exalted, also says:

﴿لَا تَجِدُ قَوْمًا يُؤْمِنُونَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ يُوَادُّونَ مَنْ حَادَّ اللَّهَ وَرَسُولَهُ وَلَوْ كَانُوا آبَاءَهُمْ أَوْ أَبْنَاءَهُمْ أَوْ إِخْوَانَهُمْ أَوْ عَشِيرَتَهُمْ﴾ المجادلة: ٢٢

“You will not find any people who believe in Allah and the Last Day loving those who oppose Allah and His Messenger (saw), even though they were their fathers or their sons, or their brothers, or their kindred.” Qur’an 58:22

Rather, they will have bad things happen to them as their purpose, and they will fight against them in terms of faith, as occurred in the case of some companions of the Prophet (saw) according to what is mentioned in the commentary on the Qur'an by Jalaluddeen Al-Muhalla. Allah, the Exalted, also says:

﴿يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَتَّخِذُوا عَدُوِّي وَعَدُوَّكُمْ أَوْلِيَاءَ﴾ الممتحنة: ١

“O you who believe! Take not My enemies and yours as friends (or protectors), - offering them (your) love.” Qur’an 60:1

That is to say: applying love between yourselves and them, as mentioned in the commentary on the Qur'an by Jalaluddeen Al-Muhalla.

As to Sunna (i.e.; evidence from the prophetic practice/tradition), a lot of traditions have been reported concerning the prohibition of taking infidels as friends. Of those traditions is the word of the Prophet (saw):

(المؤمن والكافر لا تترأى نهارهما).

“The fire of the believer does not see eye to eye with that of the unbeliever.”

Scholars have said that it means it is impossible to have affection, or mutual counseling, or coexistence (on a non-hypocritical) basis between them. This is proclaimed (i.e.; mentioned) by Sayyiduna Mukhtar Ibn Ahmad Ibn Abibakr Al-Kunty in Al-Nasihah Al-Kafiya (-literally, The Sufficient Advice).

As to consensus, scholars of Sunna have all agreed that it is forbidden to befriend unbelievers, except if it is when there is fear, because Allah, the Exalted, says:

﴿إِلَّا أَنْ تَكُونُوا مَنَافِقَةً﴾ آل عمران: ٢٨

“Except by way of precaution (known in Arabic as taqiyya), that you may guard yourselves from them.” Qur’an 2:28

In Takmila, the commentary on the Qur'an by Abdulrahman Al-Sayouty, it is mentioned that it means: You have some fear of them, so you should show friendship to them by tongue, not the heart. This was before the strength of Islam, and it applies to every land in which Islam is not strong.” It is mentioned in Al-Khazin's commentary that “precaution (in this regard) should not be applied except where there is fear of being killed, and it should be done with a wholesome intention (i.e.; a Muslim that does precaution must have his heart rest on an unshakable faith). Moreover, this precaution is just allowed as an ease, so if he should be patient until he was killed, he would have a great reward in that regard.” Then he (i.e.; Al-Khazin) said: “However, some people do reject precaution today, saying precaution only existed at the beginning of Islam before the establishment of the religion and the strength of Muslims. Therefore, Muslims are not required (anymore) to apply taqiyya to their enemies.”

CHAPTER FIVE

The Obligation to Take Believers as Friends

Let me say – guidance being from Allah – that it is obligatory on every Muslim according to the Qur'an, Sunna, and consensus, to take believers as friends.

As to the Qur'an, Allah, the Exalted, says:

﴿وَالْمُؤْمِنُونَ وَالْمُؤْمِنَاتُ بَعْضُهُمْ أَوْلِيَاءُ بَعْضٍ﴾ التوبة: ٧١

“The believers, male and female, are friends of one another.” Q 9:71

He, the Exalted, also says:

﴿إِنَّمَا الْمُؤْمِنُونَ إِخْوَةٌ فَأَصْلَحُوا بَيْنَ أَخَوَيْكُمْ﴾ الحجرات: ١٠

“The believers are but a single brotherhood.” Qur'an 49:10

﴿فَأَصْلَحُوا بَيْنَ أَخَوَيْكُمْ﴾ الحجرات: ١٠

“So make peace and reconciliation between your two (contending) brothers.” Qur'an 49:10

As to Sunnah, a lot of traditions have been reported in that regard. Of those traditions, as in the Authentic Book of Al-Bukhari through Anas (ra), is the word of the Prophet (saw):

(لا يؤمن أحدكم حتى يحب لأخيه ما يحب لنفسه).

“None of you truly believes until he loves for his brother what he loves for himself.”

It is narrated in the Authentic Book of Muslim through Abu Huraira (ra), who said: “The Messenger of Allah (saw) said:

(لا تحاسدوا، ولا تناجشوا، ولا تباغضوا ولا تدابروا)

'Do not be envious of one another! Do not inflate in trade against one another! Do not hate one another! Do not turn away from one another!'

– Such is the tradition with its length.

As to consensus, scholars of Sunna have all agreed that it is obligatory to take believers as friends.

In **Al-Risala**, it is mentioned that, “it is required on the believer to ask Allah’s forgiveness for his believing parents, and to take believers as friends, as well as be counseling to them. No one reaches true faith until he has loved for his brother what he loves for himself. That is how it was related from the Messenger of Allah (saw).” It is mentioned in **Al-Fawakih Al-Dawani** that what is meant by taking them as friends is to be together with them, to show love to them, and to avoid such things as rancour and envy that cause resentment – may Allah, the Exalted, forbid! It does not mean meeting with bodies that are void of hearty affection.”

You should know that the leniency of side, also known as humility, is of three kinds:

(First) is the obligatory one, such as being humble to Allah, His Messenger (saw), the judge (or leader), a knowledgeable person, and to (one’s) parent(s).

(Second) is the forbidden one, such as being humble to oppressive people and to infidels. This is because humility before these people represents humiliation that comes without any honor, as well as abasement that comes without any rise.

(Third) is the recommended (or praiseworthy) one, such as being humble to the (righteous) servants of Allah other than those that have been mentioned.

The understanding of those who believe is that it is not lawful to befriend unbelievers in terms of the meaning that has been mentioned, because Allah, the Exalted, says:

﴿لَا يَجِدُ قَوْمًا يُؤْمِنُونَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ يُوَادُّونَ مَنْ حَادَّ اللَّهَ وَرَسُولَهُ وَلَوْ كَانُوا آبَاءَهُمْ أَوْ أَبْنَاءَهُمْ أَوْ إِخْوَانَهُمْ أَوْ عَشِيرَتَهُمْ﴾ المجادلة: ٢٢

“You will not find any people who believe in Allah and the Last Day loving those who oppose Allah and his Messenger (saw), even though they were their fathers or their sons, or their brothers, or their kindred.” Qur’an 58:22

Rather, they understand them as being with evil, and they fight against them if they are hostile. However, if they are covenanted infidels, they should not be touched except as demanded by the (necessary) need, because it is forbidden to hurt the covenanted infidel (- a covenanted infidel being one that has been granted Islamic protection in return for his payment of tribute/tax according to some treaty).

CHAPTER SIX

The Obligation to Appoint an Imam and to Obey Him, and the Prohibition to Rebel Against Him and to Remove (Dislodge) Him Except on Account of Unbelief

Let me say – guidance being from Allah – that you should know that it is religiously and by consensus obligatory to appoint an Imam for Muslims. Abdulsalam Ibn Ibrahim Al-Laqqani said in Ithaful Mureed (-literally, The Student's Provision), which is the commentary on **Jawharatu-Tauheed**, where the author had said in poetry:

Obligatory it is to appoint an equitable Imam

On religious basis,

Not by the law of rationality

That you should know!

He said: “That is to say establishing leadership and appointing the leader (i.e.; the Imam). This is a requirement on all the Islamic Community, right from the death of the Prophet (saw), to the Hour of Resurrection. If the people of executive influence do it, the requirement falls off others. There is no difference in that regard between the age (or time) of sedition and any other time. This is the approach of the followers of Sunna. Whenever the term “imamate” (i.e.; leadership) is used (and applied) absolutely, the term “caliphate” does not apply,- (in other words, leadership represents caliphate when applied or used absolutely, i.e.; they both stand for the same thing in that case), and it means the general leadership concerning the affair of religion and this world on behalf of the Prophet (saw).”

Explaining his word: “on religious basis,”– he said: “That means that the obligation to appoint an Imam for the Islamic Community is the path of religion. It is in the understanding of the followers of Sunna, and the consensus of the companions of the Prophet (saw) who explained how it is approved, may Allah be pleased with them. They were preoccupied with it from the time of burying the Prophet (saw) as we have also been preoccupied after the death of every Imam to this present time of ours. Their argument in appointing who was eligible to be the Caliph does not vilify (or harm) their agreement on the obligation of appointing him. This was the reason none of them had said there was no need of appointing him.

It is also mentioned in **Al-Sabki** that “people are obliged to appoint an Imam that will run their (affairs in accordance with their) good interest. The companions of the Prophet (saw) – may Allah be pleased with them - had consensus in that regard after the death of the Prophet (saw), to the extent that they made it the most important of all obligations, and the people of every age continued on that, even if the person that was appointed was excelled by others (in attributes). This is because appointing the Imam suffices for (i.e.; prevents) rebellion against the system.”

As to the obligation to obey him, Abdulsalam Ibn Ibrahim Al- Laqqani said in **Ithaful Mureed** (-literally, The Student's Provision), which is a commentary on **Jawharatu-Tauheed**, where the author said, “and do not swerve away from the manifest affair thereof.” He added “That is to say what is manifest as going in accordance with the rules of Shari'a, (and that one should) not swerve from the affairs of his Caliphs and representatives since obedience to them is obligatory on all subjects openly and secretly, because Allah, the Exalted, says:

﴿يَا أَيُّهَا الَّذِينَ آمَنُوا أَطِيعُوا اللَّهَ وَأَطِيعُوا الرَّسُولَ وَأَطِيعُوا أَمْرًا مِنْكُمْ﴾ النساء: ٥٩

“O you who believe, obey Allah and obey His Messenger and those charged with authority among you.” Qur'an 4:59

And because the Prophet (saw) has said:

(من أطاع أميري فقد أطاعني ومن عصى أميري فقد عصاني)

“Whoever obeys my “ameer” (i.e.; a leader that I appoint or one that works according to my tradition) has indeed obeyed me, and whoever disobeys my “ameer” has indeed disobeyed me”

It is also mentioned in the Prophetic tradition that:

(أوصيكم بتقوى الله العظيم والسمع والطاعة ولو لعبد حبشي).

“I enjoin you to fear Allah, the All-Great, and to listen and obey even if it were for an Abyssinian slave.”

– narrated by Abu Dawud.

Ahmad Zaruq said: “In their authority, the men of authority have four levels of affairs: Listening and obedience, not opposing them even if they are wrongdoing sinners, overlooking their bad sides even if they are obvious, and being confined within their instruction even if they hurt you (by such an instruction).”

As to the prohibition to rebel against them, Allah, the Exalted, says:

﴿وَأَعْتَصِمُوا بِحَبْلِ اللَّهِ جَمِيعًا وَلَا تَفَرَّقُوا﴾ آل عمران: ١٠٣

“Hold fast to the rope of Allah altogether, and be not divided.” Qur’an 3:103

As narrated in the Authentic Book of Muslim through Ibn Umar (ra), the prophet (saw) also says:

(من خلع يدا من طاعة لقي الله يوم القيامة لا حجة له، ومن مات ليس في عنقه بيعة مات ميتة جاهلية).

“Whoever withdraws a hand from obedience to Allah will meet Allah on the Day of Resurrection (Judgment) without any evidence, and whoever dies not bearing allegiance will die the Ignorant (Jahili) way!”

Al-Sabki has said: “It is not lawful to rebel against the Sultan. This is a rule on which is the agreement of all scholars if the Sultan is just (i.e.; equitable). The rule is understood as 'famous' (but does not have the agreement of all scholars) if he is oppressive, except in the Isolationist (i.e.; the Mu'tazilite) doctrine.” In the book, **Qawa'id** (-literally, Rules) by Ahmad Al-Zaruq said: “It is unavoidably obligatory to maintain order and to take the public (good) interest into consideration. It is for this reason that scholars have agreed that it is forbidden to rebel against the Imam by word or action, to the extent that their agreement condones the fact that (it is lawful) to be led by a righteous, as well as by a perverse leader or other persons in prayer.”

In Bahjatun Nufoos, the commentary on Al-Bukhari, Waliyullah Ibn Abi Jamrah said: “The Prophet (saw) instructed that allegiance should be safeguarded, saying:

(وإن كان ذا ذبيبتين منفوخ الخيشوم فاسمع وأطع وإن ضرب الظهر وأخذ المال).

“Even if he were of a rough hair, haughty, you should listen and obey, even if he whipped (your) back and took (your) wealth!”

It was said: “O Messenger of Allah (saw), how would you see it if leaders who would require their rights from us but would not give us our rights are appointed against us?” He (saw) said:

(أعطوهم حقوقهم واطلبوا حقوقكم من الله فإن الله سألهم عما استرعاهم..)

“Give them their rights, and ask Allah for your rights, for Allah will assuredly ask them concerning the trust He has given them.”

That is due to such things as the honor (or strength) of Islam, making rules manifest, and uprooting enemies that emanate from that. Dividing (people's

resolve), however, causes the opposite of that. It is also not lawful to remove the leader except on account of unbelief. In **Ra'ihatul Janna**, the commentary on **Ida'atul Dujna**, it is said: “It is not lawful for us to turn the Imam away from his leadership or to remove him because of any sin which he perpetrates without deeming the sin as permissible, so long as such a sin is short of disbelief, whether he does it secretly or openly.”

In **Jaza'iri** poem, it is said:

The haughty leader that is perverse

Is not removed

Except for unbelief – For that, he must be changed!

It is also said in **Ida'atul Dujna**:

It is unlawful to remove him if it occurs

That he is perverse or oppressive,

And he does injustice

Nor is it lawful to rebel against him, except if he disbelieves

And he delves into oppression following his desire in what he digs
(perpetrates)

CHAPTER SEVEN

The Conditions of the Imam

Let me say – guidance being from Allah – that the conditions of the Imam are of eleven kinds, as mentioned in Diya'ul Khulafa.

First is Islam. Therefore, it (i.e.; leadership, hence being an Imam) is not accorded to an infidel based on the consensus of (Islamic) scholars.

Second is Equity(justice), because a perverse person could apply his soul's desire to transgress, leading to the loss of (people's) rights.

Third is being Masculine (i.e.; the Imam must not be a woman).

Fourth is Freedom(i.e.; the Imam must not be a slave).

Fifth is Maturity(or rather advancing to the age of puberty).

Sixth is Reason (i.e.; rationality: he must be of sound mind, not insane).

Seventh is that he should be capable of interpretative judgment concerning the fundamental and subsidiary aspects of religion if such a person is found.

Otherwise, the best emulator should be required (to be the Imam).

Eighth is that he should be courageous, such as would not be weak in terms of encountering the enemies and establishing penalties.

Ninth is that he should be a man of sagacity and good policy in handling matters, with the ability to apply sternness (strictness) in the places it is needed, and leniency where it is needed.

Tenth is that he should have the ability to enforce his instruction and rule.

Eleventh is that it is required of the Arch-Imam (i.e.; the Grand Imam, hence the Caliph) to be Quraishi (i.e.; from the Quraish Clan), if such a person is found fulfilling the conditions.

Otherwise, he should be Kinani (i.e.; from the Kinani Clan). If no Kinani is found, he should be from the offspring of Ishmael (Prophet Isma'il (as)). If he is not found, then a foreigner should be the leader. In the commentary on Jaza'iri Poem, the author wrote about the rules of leadership, i.e.; of being an Imam. He said the rules are many and have been written down in (various) books. In that commentary, Sheikh Al-Sanusi also mentioned these conditions

that have been mentioned. According to him: “It is mentioned in (the book) **Tawali** that some group of scholars have taken it easy concerning these three attributes, I mean the seventh condition and what comes after it, saying it is valid for a person that does not have those (three) attributes to be an Imam.” Then he said: “Sheikh Ibn Arafat has said it is a flaw on the part of Al-Amidi when he counts them as conditions upon which scholars (all) agree!”

Let me say that unity is also of the conditions of the Imam (-unity meaning that there must not be two Imams for one place), as reported by Al-Ubayy from Al-Amidi at the beginning of the Leadership Chapter in the Authentic Book of Muslim. Abdulsalam Ibn Ibrahim Al-Laqqani said in Ithaful Mureed (-literally, The Student's Provision), which is the commentary on Jawharatut-Tauheed: “It impermissible to have the plurality of Imams at the same age and in the same land, based on the consensus of scholars, because the Prophet (saw) said:

(من بايع إماماً فأعطاه صفقة يده وثمرة قلبه فليطعه إن استطاع، فإن جاء الآخر ينازعه فاضربوا عنق الآخر).

'Whoever pledges fealty (allegiance) to an Imam, so he accords him the deal of his palm (i.e.; a handshake) and the fruit of his heart, he should obey the Imam as much as possible.'

(فاضربوه بالسيف كائناً من كان).

“If another person comes disputing with the Imam (in terms of leadership), strike the neck of that other person!”

In another tradition, it is said:

(إذا بويع الخليفة فافتلوا الآخر منهما).

“Strike him with the sword, be he whom he may!”

However, Al-Ubayy reported through Ibn Arafat that the tradition that says, 'if two caliphs are pledged allegiance, you should kill the last of them' is understood in accordance with the place that the rule (i.e.; the authority or control) of the Imam reaches (i.e.; covers). As to a place that is distant from the rule of the Imam, it is lawful to appoint another Imam of that district therein.

CHAPTER EIGHT

The Basis of Leadership

Let me say – guidance being from Allah – that five fundamental things represent the bases of leadership, as mentioned in Diya'ul Khulafa.

First, is that a person that seeks for leadership should not be the leader, based on the tradition narrated by Al-Bukhari:

(إنا لا نستعمل على أمرنا هذا من أراداه).

“We do not assign this affair to the person that seeks for it.”

Rather, the most righteous among Muslims should choose the grand Imam from among their scholars and righteous men. They should all accept him to be the leader of Muslims because he is the best and the most righteous of them in that regard, just as the companions of the Prophet (saw) had chosen Abubakr, may Allah be pleased with him, after the Prophet (saw)., as well as Umar (ra) thereafter. The same applies to the remaining of the four rightly guided caliphs. If authority had been by inheritance, they would not have arranged it that way. If it was said (or asked) that Prophet Joseph (Yusuf, as) had sought for leadership when he said:

﴿اجْعَلْنِي عَلَى خَزَائِنِ الْأَرْضِ إِنِّي حَفِيظٌ عَلَيْهَا﴾ يوسف: ٥٥

“Let me be in charge of the store-houses of the land. I am a good keeper, knowledgeable.”Qur'an 12:55

We would say (or rather respond) that Yusuf (as) is one of the Prophets of Allah, and he is infallibly guarded (or guided). He saw Allah's trusts being wasted in hands that were unqualified for that, and there was no way of keeping that trust except through leadership, so he sought for that when he had seen that it had become particularly obligatory on him since there was no other person besides him. That is exempted on the basis that it is forbidden since it represents seeking for leadership in order to get the rights of the poor to them, not to oneself. It could also be that a revelation had been sent to him (in that regard).

Second is to keep to consultation. Allah, the Exalted, says:

﴿وَشَاوِرْهُمْ فِي الْأَمْرِ﴾ آل عمران: ١٥٩

“Consult them in the affairs (of moment).”Qur'an 3:109

This is because (even) if the person that makes consultation is better in opinion than the one he consults, he certainly gains more understanding with the latter's opinion, or he could benefit from the latter's opinion. One king has said: "Let not what you have in yourself as the loftiness of your position prevents you from joining your opinion with the opinion of others. If you make consultation and get it right, people will commend your opinion. If you err, they will bear your error. One of the ugliest things that a king is described with is despotism in opinion and abandoning making consultation.

Third is to avoid harshness. Allah, the Exalted, says:

﴿وَلَوْ كُنْتَ فَظًّا غَلِيظَ الْقَلْبِ لَانْفَضُّوا مِنْ حَوْلِكَ﴾ آل عمران: ١٥٩

"If you had been severe and harsh-hearted, they would have broken away from about you." Qur'an 3:109

Fourth and fifth are justice and kindness. Allah, the Exalted, says:

﴿إِنَّ اللَّهَ يَأْمُرُ بِالْعَدْلِ وَالْإِحْسَانِ﴾ النحل: ٩٠

"Verily, Allah enjoins you to do justice and kindness." Qur'an 16:90

– As in the verse.

As to justice, it comprises of Prophetic justice, such as has been brought by the Messengers and Prophets (of Allah), blessing and peace be upon them. What it entails is that the Sultan should bring close to him the people that are knowledgeable. This is involving his men that have memorized the Qur'an, his caretakers, and his jurists who point out the path of Allah, and who establish the command of Allah, - men who safeguard the limits set by Allah, and who give counsel to (i.e.; serve in the good interest of) the servants of Allah. He should not do anything except on the basis of their instruction (or rather opinion).

It also comprises of terminological justice, which means the policy that kings were used to applying before (the coming of) Islam. It is on the basis of such policy that he (i.e.; the leader) oversaw (i.e.; administered) the affair of their world (i.e.; his subjects' affair in this world), so anyone that abandoned it among them should have his affair destroyed. When Shari'a (i.e.; religion, hence Islam) came, it established what it established thereof, and it nullified what it nullified.

As to kindness, it means keeping to honorable manners. Allah, the Glorious, knows that it is not every soul that becomes righteous by means of justice, but

The Hijrah Obligation

that some souls need kindness, which is (an attribute) beyond justice, He instructs that they both (i.e.; justice and kindness) be applied. The summation is that relative to the Sultan, the subjects are of three (kinds of) souls (or rather persons): elderly, young, and a person that is in the middle course. The leader should take the elderly person thereof as a father, the person in the middle as a brother, and the young one as a son. Therefore, he should respect his father, do kindness to his brother, and be compassionate to his son.

CHAPTER NINE

The Pillars of Authority

Let me say – guidance being from Allah – that you should know there are four pillars of authority, which are the pillars of power. No power is validly exercised without them, just as a bed cannot validly stand without four legs.

First of those pillars is to have a truthful minister that awakens him when he slumbers in terms of authority, such as will let him see when he is blind, and as will remind him when he forgets (-awakening, slumber, sight and blindness used figuratively). The most grievous of all calamities to leaders is when they are denied righteous ministers and aides. It is of the conditions of a minister that he should be of established mercy for people, lenient with them.

Second of the pillars of power is to have a judge that fears no blame in the service of Allah. It is mentioned in Al-Qawanin that the judge's authority comprises of ten things:

First is settling the dispute between disputants either by reconciliation agreed by the parties, or by enforcing an issued verdict.

Second is incapacitating oppressors from extortion, transgression, and other (evil) things, as well as aiding the oppressed and conducting every owner of right to his right.

Third is establishing penalties and enforcing the rights of Allah.

Fourth is judging in matters of blood and injury.

Fifth is judging in matters of the wealth of orphans and the insane, as well as offering caretakers to them.

Sixth is judging in matters of endowments.

Seventh is implementing testaments (i.e.; bequests).

Eighth is conducting the marriage of women if they do not have guardians or if the guardians prevent them from marriage.

Ninth is looking into public matters of good interest, involving Muslim roads and other things.

Tenth is enjoining what is good and forbidding evil by word and action. This is the end.

The Hijrah Obligation

Plurality is allowed in leadership (but it should be as defined) in **Al-Mukhtasathat** that “it is permissible to have plurality, such that he should be independent (from another Imam) or he should be specific to a district or in kind.”

Third of the pillars of authority is to have a police that gets the right of the weak from the strong.

Fourth of the pillars is to have a tax collector (i.e.; a publican) who collects dues and does not oppress the subjects.

In **Diya'ul Khulafa**, these four pillars are enumerated according to that order. Umar Ibn Al-Khattab (ra) said: “A leader is only qualified when possessing four attributes: having the strength to collect wealth from the lawful areas thereof, and placing the wealth in its rightful place, strictness that contains no arrogance and leniency that contains no weakness. If one (of these attributes) is short, his affair will not be right for him.”

CHAPTER TEN

Kinds of Religious Authority

Let me say –guidance being from Allah – that you should know that scholars have categorized the kinds of religious authority, as said by Ibn Al-Arabi in **Al-Ahkam**, into twenty forms of leadership. These are: The General (Grand) Leadership (or Caliphate), ministry, judgment (legal) authority, penal (enforcement) authority, the authority to return unjustly acquired wealth to their owners and the authority to (carry out) Jihad. Others are the authority to distribute spoils, the authority to distribute the wealth that accrues to the treasury without actual combat, clerical authority (i.e.; one of writing records), boundary (or rather pastureland) authority, the authority to apply tribute (jizya), the authority to apply tax and the authority of the war of (public) interest. There are also prayer authority, charity authority, pilgrimage authority, religious policing authority, syndicate authority, land allotment authority, and the authority of unclaimed land.

As to the authority of the Caliphate (i.e.; of vicegerence or being Allah's representative on earth), it is authentic and has been existent. As to ministerial authority, it is a religious authority, explained in terms of a man (or rather person) that is trustworthy in his religion and mind, such as will be consulted by the Caliph (or Imam) in whatever affair appears pressing to him. Talking about Prophet Moses, Allah, the Exalted, says:

﴿وَجْعَلْ لِي وِزِيرًا مِّنْ أَهْلِي﴾ ﴿٢٩﴾ هَارُونَ أَخِي ﴿٣٠﴾ أَشَدُّ بِدِينٍ مِنِّي ﴿٣١﴾ طه: ٢٩ - ٣١

“And give me a minister from my family: Aaron, my brother. Add to my strength through him.”Qur’an 20:29-31

It was reported that the Prophet (saw) said:

(وزرائي من أهل السماء جبريل وميكائيل، ووزرائي من أهل الأرض أبوبكر وعمر).

“My ministers from the creatures of the heaven are (Angels) Gabriel and Michael, and my ministers from the people of the earth are Abubakr (ra) and Umar (ra).”

As to legal authority, the Prophet (saw) had put Ali Ibn Abi Talib, may Allah be pleased with him, forward during his life time, when he sent him to Yemen. He said to him:

(لا تقض لأحد الخصمين حتى تسمع من الآخر).

“Do not judge in favor of any of two disputants until you have heard from the other.”

As to penal authority, it is of two kinds: an authority that deals with establishing the binding facts, - that belongs to the judges -, and an authority that deals with getting it enforced, - that belongs to the people that are qualified for that. Indeed, the Prophet (saw) had assigned this (kind of) authority to some people, among whom were Ali Ibn Abi Talib (ra), and Muhammad Ibn Maslama.

As to the authority of returning unjustly acquired wealth, it is an exotic (i.e.; newly adopted) authority that succeeding leaders have adopted anew because of people's perversion. It refers to any rule at which the judge is incapacitated (i.e.; unable for some huge reasons), so a person that is stronger in garb than the judge should look into the case.

This is because if dispute is between two weak persons, he should strengthen one of them (i.e.; the one that truly has the right). If it is between a strong person and a weak person, or between two strong persons, and one of them has the power because of his authority, such as (it applies in cases of) injustice (or oppression) by leaders and governors, then this becomes a case for which the Caliphs themselves (i.e.; the grand or arch-Imams) have been appointed.

The first person to sit down for (i.e.; to attend to) such a case is Abdulmalik Ibn Marwan. Then Umar Ibn Abdulaziz attended to such cases, and he returned the wealth that was unjustly acquired by Banu Umayya (The Umayya Clan) to the oppressed people. This was because such wealth was in the possession of leaders before whom judges are incapacitated. This has become the custom on the basis because it was originally within the tenets of law. The leaders were the ones that had weakened the judges in order for them to be able to oppress the subjects, and in order to make people be in need of them. Their intention is for the unjustly acquired wealth should remain with them.

As to the authority of Jihad, distributing spoils and **Fai** (-already explained), the Prophet (saw) did appoint leaders (i.e.; commanders) of troops and military detachments among his companions, in every battle (or expedition) that he did not attend. They distributed the spoils, so one of the forms of authority got into the other, but the Imam or governor has the right to separate them. The distribution of Fai(-already explained) was known in the era of the Prophet (saw). The authority of Fai (-already explained) became established.

In the case of clerical authority, the Prophet (saw), as well as the Caliphs after him, had scribes (writers). Scribes are utilized in keeping records and tabs on (the matters of) troops, involving knowing their salaries, and determining wealth in order to get its advantage to those who deserve it.

On the issue of demarcation or creating boundary of pastureland authority, it is famous, and the first person to appoint someone in that regard is Abubakr, may Allah be pleased with him. He appointed his freed slave, Abul Usama on the area of the land of Al-Rabza, and Umar, may Allah be pleased with him, appointed his freed slave, Haniyya, on the area of land of Al-Saraf. In the book, **Ta'leem Al-radi Asbabal Ikhtisas Bi Mawatil Aradi** (literally, Educating the Receptive Person in the Specifics of Un-reclaimed Lands), it is said: "You should know that specifically owning a land should (only) occur with the protection (i.e.; approval) of the Imam or his representative. He is expected to prevent the use of a pastureland in order to make the produce thereof (i.e.; the fodder) available for specific animals.

There are four conditions for its permissibility: First is that the pastureland (hence wasteland) should belong to the Imam (i.e.; under his authority). This is because the Prophet (saw) said:

(لا حمى إلا لله ورسوله)،

"No boundary (wasteland) except for Allah and His Messenger."

Therefore, the Imam represents the Prophet (saw). Second is that the place under such protection should be what is needed for the benefit of Muslims. Third is that it should be a little, such that should not cause difficulty to people; i.e.; it should be of the surplus (or what remains after the need) of the inhabitants of those places, and it should have neither plants (crops) nor building belonging to anyone. (It should be in places) like the bottom of valleys, mountain paths and un-reclaimed lands.

Fourth, is that it should be specified for animals used in Jihad (fighting or striving) in the Cause of Allah, or for what is joined to that, such as the horses that are dedicated for Jihad, and the camels on which bearing is made in the Cause of Allah, as well as camels for charity and the animals of the poor. The Prophet's convoy (saw) did specify a pastureland at An-Naqa, which was at the beginning of Al-Aqeeq, and that was a place that measured twenty Parasangs in Madina, estimated as eight by one (8 x 1) miles for the horses of the Meccan companions of the Prophet (saw). Umar (ra) also specified Al-Saraf as a pastureland. It was a place that was near Tan'eem, and he made Haniyya therein to be in charge of the camels of charity and of the animals of the poor,

as well as Al-Rabza, which was a place between the two Sacred Precincts, and it was twelve by twelve (12 x 12) miles. Some of the Caliphs after him had even added to that. As to the authority of applying tribute (jizya, -paid by unbelievers in return for Muslim protection) and tax, the Messenger of Allah (saw) had a reconciliation deal with (the people of) Akeed Dawma using Ali (ra), and the people of Bahrain, so he appointed Al-Ala Ibn Al-Hadramy as their leader after due estimation. If the estimation were to be untenable for the Imam, it would be lawful for him to send who would do the estimation, just as Umar (ra), may Allah be pleased with him, did when he sent his governors to Iraq, instructing them in terms of a piece of land, and Al_Munkar applied tax thereon. As to the authority of the war of public interest, it is of three (kinds): War against renunciation of religion, against armed robbery, and against transgression.

Renunciation and armed robbery had occurred during the Prophet's lifetime (i.e.; in his era, (saw), and he amputated (i.e.; he ordered the amputation) of the hands and legs of armed robbers; he also gouged out (i.e.; ordered the gouging out of) their eyes as they had done to the shepherds, when the verse:

﴿يُحَارِبُونَ اللَّهَ وَرَسُولَهُ﴾ المائدة: ٣٣

“The punishment of those who wage war against Allah and His Messenger (saw) ...” Qur’an 5:33

It was revealed. The explanation of the war against renunciation is settled by Abubakr (ra), may Allah be pleased with him, with its rules explained by him, as availably found in the books of prophetic traditions and jurisprudence. As to war against transgression, Allah has mentioned it in His Book, where He says:

﴿وَإِنْ طَائِفَتَانِ مِنَ الْمُؤْمِنِينَ اقْتَتَلُوا فَأَصْلَحُوا بَيْنَهُمَا فَإِنْ بَغَتْ إِحْدَاهُمَا عَلَى الْأُخْرَىٰ فَفْتِنُوا الَّتِي تَبْغِي

حَقَّ نَفْسٍ مَّا لَكَ أَمْرٌ اللَّهُ﴾ الحجرات: ٩

“If two parties among the believers fall into a fight, you should make peace between them, but if one of them transgresses beyond bounds against the other, then fight you all against the one that transgresses until he complies with the command of Allah.” Quran 49:9

The explanation of that has been fully rendered by Allah through (the actions of) Ali Ibn Abi Talib, may Allah be pleased with him.

Prayer authority is fundamental in itself and a branch of authority. When the Prophet (saw) sent (someone as) a leader, that person would lead (others) in

prayer. However, when leaders became perverse and there was no one of satisfactory behaviour among them, power remained in the hands of such leaders on account of subjugation, and the person whose conduct was acceptable to the leaders thereof was made to lead people in prayer, so the leaders should stay on their own.

In the case of authority regarding matters of charity, the Messenger of Allah (saw) did assign the authority of charity to many people. For pilgrimage authority, it is specific to the land where the pilgrimage is made (now Saudi Arabia), and the first leader to whom it was assigned was Abubakr Al-Siddeeq, may Allah be pleased with him. The Messenger of Allah (saw) sent him in the ninth year (of migration), before the Farewell Pilgrimage. He sent him with (the message of) Suratul Bara'a. Then he made Ali (ra), may Allah be pleased with him, to follow him.

There is the need for religious policing authority (Hisba). It is a new phenomenon, but its basis represents the greatest of all forms of authority, which is enjoining what is good, and forbidding what is evil. It is on account of the multiplicity of that (work) that leaders have seen it right to assign it to a person that should investigate specific persons round the clock (i.e.; continuously).

Syndicate authority is also a new phenomenon, which came about when claims grew high concerning matters of the Hashimite lineage, because of their ascendance to state authority (i.e.; their control of political power). The leaders appointed some people who would safeguard the lineage in order to avoid entering into the lineage of people that did not belong to it.

As for land allotment, the author of **Ta'aleem Al-radi Asbabal Ikhtisas Bi Mawatil Aradi** (literally, Educating the Receptive Person in the Specifics of Un-reclaimed Lands) said therein: "The Prophet (saw) allotted a land in which were date palms that had been of the Nadeer Clan (Banun Nadeer) to Al-Zubair. He allotted Aynoon, a town in Syria, to Tameem Al-Dari before it was conquered; he allotted to Tha'alaba Al-Khushany some part of his (i.e.; Tha'alaba's) town to him before it was conquered; he allotted the resources of the tribe to Bilal Ibn Al-Harith."

He went on to say that: "You should know that anyone to whom the Imam allots a land will own it specifically, in the sense that it belongs to him as property which he can sell, or grant as a gift. It can be inherited from him (by his heirs when he dies), irrespective of whether the allotment is from the wasteland or developed areas, but it is not lawful for the Imam to allot to anyone in a way of possession a developed (or built) land that was conquered

by force. It is only lawful for him to do that by way the land should not be allotted to people permanently. It should be done temporarily. What is meant by a developed land is what is suitable for planting seeds (or grains) and such as the landed property of the infidels.

Any land that is not suitable for planting seeds and is not of the landed property of the infidels is (deemed as) of un-reclaimed lands, even if it is suitable for planting trees therein. The reason why it is not lawful to allot a developed land that is conquered by force as a permanent possession is that it becomes an endowment (for charitable purposes) as soon as control is attained over it. As to a developed land that is not conquered by force, the Imam allots it as a permanent possession or as a temporary allotment for advantage, with the exception of the land of reconciliation. He cannot allot its developed area, neither as a permanent possession nor as a temporary allotment for advantage.

It is mentioned in **Al-Nukat** that there are five kinds of land: A land conquered by force. This land is neither sold nor given as a gift. Rather, it remains (i.e.; it is kept) for the (public) benefits of Muslims. (Next) is the land of reconciliation. It belongs to its owners, and they do whatever they want with it. Then there is the land whose inhabitants (or owners) become Muslim possessing it. It belongs to them, and nothing shall be required of the land. (Next) is such a land whose inhabitants (or owners) have fled or abandoned it.

It belongs to the Imam, in the sense that he should use interpretative judgment (or rather his discretion) to do what he deems appropriate in that regard. Then there is the land whose inhabitants (or owners) do not accept Islam and do not seek for reconciliation. The Imam has the right to allot such a land to anyone he wants.”

As to un-reclaimed lands, they relate to some rules, but they do not come under the forms of authority. It is said in **Ta'alim Al-radi Asbabal Ikhtisas Bi Mawatil Aradi** (literally, Educating the Receptive Person in the Specifics of Un-reclaimed Lands) that: “You should know that specifically owning a land takes place by reclaiming the land, or by the land being a precinct of the land that has been reclaimed by someone. The Imam's allotment of land to a person, or by his (i.e.; the Imam's) having custody thereof. These are four causes.”

Then, he (i.e.; the author) said: “You should know that reclaiming a land that is free of an owner, which is the land that is not developed and has no one possessing it, -reclaiming such a land requires the permission of the Imam. If the un-reclaimed land is near a developed (or inhabited) area, a Muslim should reclaim it with the Imam's permission, as opposed to a covenanted unbeliever.

It is absolutely impermissible for him to reclaim any near land. It is, however, lawful to reclaim a land without the Imam's permission if it is far from inhabited area. This freedom of action covers even if the reclamer is a covenanted unbeliever (i.e.; he is allowed to reclaim such a distant land) so long as it is in a place other than the Arab Peninsula: Makkah, Madina and Yemen. What is meant by the land that is near is the one that is in the precinct (or neighborhood) of a town and the area that goes beyond that, such as is near to the town (-in other words, the precinct of the town and thereabouts).

A distant land is the one that is outside the precinct and far from it.” Then he said after some talk: “You should know that anyone who reclaims a land that had been un-reclaimed shall have that land and its precinct established in his ownership specifically. The precinct of a town (is defined as)the logging (or rather wood-fetching) area and the pastureland (grazing area) of the town, i.e.; the places where wood is collected for the benefit of its inhabitants, and where the inhabitants graze (or pasture) their animals, such as are traversed morning and evening.”

Al-Kharshi and others have said: “It is not lawful for anyone to initiate any building or other things in the precinct of the people of a developed area, such as will hurt (or be uncomfortable to) them.” Suhnun said: “As to what is at the distance of a day from a developed area, such as is not met by grazing animals in their departure and arrival, - that is a distant land.

Therefore, the men of reason should consult the Imam in that regard.” It is mentioned in **Al-Shabarkiti** that “the wood-fetching area might be more distant than the grazing area, and the reverse is also true. What is obvious, however, is that the precinct is the place that is farther than the two.” The precinct of a house that is surrounded by un-reclaimed lands is what the inhabitants of the house make use of, involving the entrance and the exit paths, as well as such places of their well-being interests like the place where their refuse is disposed, and where the water of their drainage and toilets flows. As to a house that is surrounded by owned property, it is not lawful for anyone to specifically own its precinct.

On the contrary, everyone among the inhabitants has the right to make use of the precinct that is towards his own house, so long as he does not hurt his neighbors. Otherwise, he should be prevented. The precinct of an orchard of date palms or other crops is what contains the goodness of the orchard, such as its surroundings, as well as its entrance and exit paths. (Determining that) goes back to experts in that regard. The precinct of a well that is used in planting (or cultivation) and similar things is what does not harm its water and those who

fetch it. The precinct of a well that is used for grazing animals (i.e.; for their drink) is what does not cause difficulty for the person that comes with his animals to drink. In the same way, the precinct of a river is what does not harm what flows to it. All these do not have a specific limit in the pronouncement of Malik and Ibnul Qasim.

However, Suhnoon has said that the precinct of a well that is used for planting and of a valley in a land that is not owned is twenty cubits. Ibn Al-Shihab also said: “The precinct of water springs is five hundred cubits, and the precinct of a river is one thousand cubits.” The precinct of a road is seven cubits because the Prophet (saw) said:

(إذا اختلفت الناس في الطريق فحدّها سبعة أذرع).

“If people dispute concerning a road, the limit should be seven cubits.”

CHAPTER ELEVEN

The Rule of Appointing Caliphs in Towns, and the Explanation of the Requirements on Governors (or Appointees) and the Rule of their Gifts

Let me say – guidance being from Allah – that concerning the rule of appointing caliphs (leaders) in towns, Ibn Al-Araby said in (the book) Al-Ahkam: “There are various kinds of caliphs. First of them is the Grand Imam (the Arch-Imam) and the last of them is a slave concerning the wealth of his master.” Then he said: “The Prophet (saw) said;

(كلكم راع وكلكم مسؤول عن رعيته).

“Every one of you is as a shepherd and every one of you shall be questioned (or responsible) for what is entrusted to his care.”

Therefore, the Imam is a shepherd that takes care of people, but he cannot be in charge of every affair (directly) by himself. It becomes inevitable for him to delegate, and delegation is of various kinds. First of them is to delegate someone on a town. It could be on a general or particular basis.

Therefore, anyone that (the Grand Imam) appoints on a particular (specific) basis and assigns a specific duty to him, he should focus his sight (i.e.; attention) on what has been specified for him. Anyone that (the Grand Imam) appoints on a general basis, then whatever is in that town should yield to his control. It is said in **Al-Mi'iyar** that: “Ibn Al-Hajj said, 'If the leader of Muslims appoints a person as a leader over a given place without limiting the person's authority to anything, then what is obvious is that his authority should embrace everything (in that place).’”

As to explaining the conditions that are required of governors (or appointees), you should know – may Allah guide us – that as mentioned in Diya'ul Khulafa, it is obligatory to appoint as officials (governors or others) people of resolve, competence, truthfulness and trustworthiness, and the appointment should be based on the fear of Allah, not according to the soul's desire. When Umar Ibn Al-Khattab, may Allah be pleased with him, sent a governor, he used to give him five conditions. First, that he should not ride jade (hence exotic) horses; second, he should not wear soft (hence expensive or gaudy) attires; third, he should not eat refined (hence sumptuous) meal; fourth, he should not adopt seclusion, and finally, he should not shut his gate against people's needs and what would serve their (righteous) interest. He would also say to him: “I have

not appointed you against the skin, or personality, or wealth of people. I am only appointing you in order that you lead them in prayer and that you judge between them with justice (i.e.; equitably).”

As to the rule of their gifts, it is related in the Authentic Book of Al-Bukhari that the Prophet (saw) appointed a man called Ibn Al-Lutbiyya. When he came (from his job), he said, “O Messenger of Allah (saw), this is for you, and this has been given to me as gift!” The Prophet (saw) became angry, so he said:

(ما بال الرجل نستعمله على عمل من أعمالنا فيقول هذه لكم وهذا أهدي لي، أفلا قعد في بيت أبيه وأمه فينظر هل يهدي له؟).

‘What is the matter with a man that we have appointed for a job of ours, then he says, ‘This is for you, and this has been given to me as gift?’ Why hasn’t he sat in the house of his father and mother to see if the gift would be given to him?’

Malik also said: “Umar Ibn Al-Khattab, May Allah be pleased with him, used to have governors, such that he would take half of their wealth (for the Muslim treasury), when some wealth that they were not known to have had become obvious with them after the appointment.” This is because even if what a governor (or an appointee) gets free of bribery is lawful, he does not deserve it since he has, because of his authority, the power to lawfully get what others cannot get, and so what goes beyond his need should be returned to the treasury.

Itab Ibn Usaid said: “I swear by Allah, I did not acquire anything but two clothes which I gave my freed slave, Kisan, to wear, from the work for which the Messenger of Allah (saw) appointed me.” It is said (poetically) in Shurb Al-Zilal:

Leave whatever is taken by means of authority
Do not eat it, even if it is judged by truth

Likewise the gifts of appointees
For all of it is ill gotten by straying

CHAPTER TWELVE

Encouraging People Towards Jihad

(Fighting in the Cause of Allah)

Let me say – guidance is from Allah – that a number of verses of the Qur'an and Prophetic traditions have come exhorting (i.e.; encouraging) people towards Jihad. Examples of that in the Qur'an (include) the word of Allah, the Exalted:

﴿فَلْيُقَاتِلْ فِي سَبِيلِ اللَّهِ الَّذِينَ يَشْرُونَ الْحَيَاةَ الدُّنْيَا بِالْآخِرَةِ ۚ وَمَن يُقَاتِلْ فِي سَبِيلِ اللَّهِ فَيُقْتَلْ أَوْ يَغْلِبْ
فَسَوْفَ نُؤْتِيهِ أَجْرًا عَظِيمًا﴾ النساء: ٧٤

“Let those fight in the Cause of Allah sell the life of this world for the Hereafter. To him who fights in the Cause of Allah, - whether he is slain or gets victory – soon shall we give him a reward of great (value).” Qur'an 4:74

And His Exalted word:

﴿لَا يَسْتَوِي الْقَاعِدُونَ مِنَ الْمُؤْمِنِينَ غَيْرُ أُولَى الصَّرِيرِ وَالْمُجَاهِدُونَ فِي سَبِيلِ اللَّهِ بِأَمْوَالِهِمْ وَأَنْفُسِهِمْ فَضَّلَ اللَّهُ الْمُجَاهِدِينَ بِأَمْوَالِهِمْ
وَأَنْفُسِهِمْ عَلَى الْقَاعِدِينَ دَرَجَةً ۚ وَلَا وَعَدَ اللَّهُ الْحَسَنَ ۚ وَفَضَّلَ اللَّهُ الْمُجَاهِدِينَ عَلَى الْقَاعِدِينَ أَجْرًا عَظِيمًا ﴿٩٥﴾ دَرَجَتَيْنِ ۖ وَهُوَ مُغْفِرٌ رَّحِيمٌ
وَكَانَ اللَّهُ غَفُورًا رَّحِيمًا﴾ النساء: ٩٥ - ٩٦

“Not equal are those believers who sit (at home), except those who are disabled, and those who strive and fight in the Cause of Allah with their wealth and their persons. Allah has granted a grade higher to those who strive and fight with their wealth and persons than to those who sit (at home) by a great reward. Ranks specially bestowed by Him and forgiveness and mercy, for Allah is Oft-forgiving, Most Merciful.” Qur'an 4:95-96

(And His Exalted word):

﴿إِنَّ اللَّهَ اشْتَرَى مِنَ الْمُؤْمِنِينَ أَنْفُسَهُمْ وَأَمْوَالَهُمْ بِأَنَّ لَهُمُ الْجَنَّةَ يُقَاتِلُونَ فِي سَبِيلِ اللَّهِ فَيَقْتُلُونَ
وَيُقْتَلُونَ وَعَدًا عَلَيْهِ حَقًّا فِي التَّوْرَةِ وَالْإِنْجِيلِ وَالْفُرْقَانِ ۚ وَمَنْ أَوْفَى بِعَهْدِهِ مِنَ اللَّهِ فَاسْتَبْشِرُوا بِبَيْعِكُمْ
الَّذِي بَاعْتُمْ بِهِ ۚ وَذَلِكَ هُوَ الْفَوْزُ الْعَظِيمُ﴾ التوبة: ١١١

“Allah has purchased of the believers their souls and their goods (wealth) in return for the Garden (of Paradise): They fight in the Cause of Allah, and slay and are slain: A promise binding on Him in truth, through the Torah, the Gospel, and the Qur'an, and who is more faithful to his covenant than Allah? Then rejoice in the bargain which you have concluded: That is the supreme achievement.”Qur'an 9:111

And His Exalted word:

﴿إِنَّ اللَّهَ يُحِبُّ الَّذِينَ يُقَاتِلُونَ فِي سَبِيلِهِ صَفًّا كَأَنَّهُمْ بُتَيْنَ مَرْمُوسٍ﴾ الصف: ٤

“Truly Allah loves those who fight in His Cause in battle array, as if they were a solid cemented structure.” Qur'an 61:4

And His Exalted word:

﴿يَا أَيُّهَا الَّذِينَ آمَنُوا هَلْ أَذْكَرُ عَلَىٰ بَعْضِكُمْ شَيْعًا مِّنْ عَذَابِ الْإِلَهِ ﴿١٠﴾ تَوَمَّنْ بِاللَّهِ وَرَسُولِهِ وَتُجَاهِدُونَ فِي سَبِيلِ اللَّهِ بِأَمْوَالِكُمْ وَأَنفُسِكُمْ﴾

الصف: ١٠ - ١١

“O, you who believe! Shall I lead you to a bargain that will save you from a grievous chastisement? –That you believe in Allah and His Messenger (saw), and that you strive (your utmost) in the Cause of Allah, with your wealth and your persons. That will be best for you, if you but knew!”Qur'an 61:10-11

These are examples of what has come in the Qur'an encouraging people towards Jihad.

There are examples of what has been reported in terms of Sunna (Prophetic tradition) in this regard. It is narrated in the Authentic Book of Al-Bukhari, under the explanation of the advantage of Jihad, through Abu Huraira (ra), who said: “A man came to the Messenger of Allah (saw) and said, 'Guide me to a deed that is equal to Jihad;' He (i.e.; the Messenger of Allah (saw)) said: “I don't find it!” It is also narrated therein through Anas Ibn Malik, that the Prophet (saw) said:

لغدوة في سبيل الله أو روحة خير من الدنيا وما فيها،

“Verily, going out in the morning or in the evening for (battle) in the Cause of Allah is better than this world and what it contains.”

It is also narrated under the explanation of the ranks of fighters in the Cause of Allah, through Abu Huraira (ra), who said: “The Messenger of Allah (saw) said:

The Hijrah Obligation

(إن في الجنة مائة درجة أعدها الله للمجاهدين في سبيل الله ما بين الدرجتين كما بين السماء والأرض).

'There are one hundred ranks (or degrees) in Paradise, which Allah has prepared for those who fight in the Cause of Allah. What is between (every) two ranks (thereof) is as the distance between the heaven and the earth!'

It is narrated under the explanation of the advantage of keeping garrison by horses, through Abu Huraira (ra), through Abdullah Ibn Umar (ra), who said: "The Messenger of Allah (saw) said:

(من احتبس فرسا في سبيل الله إيمانا بالله تصديقا بوعده فإن شبعه وريه وروثه وبوله في ميزانه يوم القيامة).

"Whoever keeps a horse in the Cause of Allah, believing in Allah and the truthfulness of His Promise, the fill in food and drink of the horse, as well as its dung and urine will count on his scale (of righteous deeds) on the Day of Resurrection."

In it also, (it is narrated that the Prophet said):

(من جهز غازيا في سبيل الله فقد غزى، ومن خلف غازيا في سبيل الله بخير أو خلفه بخير فقد غزى)

"Whoever equips a fighter in the Cause of Allah has indeed participated in the battle, and whoever keeps a fighter in the Cause of Allah in goodness has indeed participated in the battle."

It is also narrated therein, under the explanation of the advantage of garrison, through Sahl Ibn Sa'ad Al-Sahili (ra), that the Messenger of Allah (saw) said:

(رباط يوم في سبيل الله خير من الدنيا وما عليها).

"The garrison of a day in the Cause of Allah is better than this world and all that is on it."

CHAPTER THIRTEEN

The Rule of Jihad

Let me say – guidance is from Allah – that the rule of Jihad is that it is obligatory on people, because Allah, the Exalted, said:

﴿كُتِبَ عَلَيْكُمُ الْقِتَالُ﴾ البقرة: ٢١٦

“Fighting is prescribed upon you,” Qur’an 2:216

And the Prophet (saw) said:

(الجهاد واجب عليكم مع أمير بر أو فاجر).

“Jihad is obligatory on you whether it be with a righteous or a perverse leader.”

– Narrated by Abu Dawoud.

In **Al-Fawakih Al-Dawani**, the commentary on **Al-Risala**, Al-Nafrawi said: “The obligation to carry out Jihad rests on the leader, as well as on the Muslim Community if there is no leader.” In accordance with the pronouncement of the majority (of scholars), the obligation is a Collective Duty (such that some Muslims can do it on behalf of others).

In **Qawaninul Ahkam**, Muhammad Ibn Ahmad Ibn Jazy Said: “It is a Collective Obligation (**fard kifaya**) based on the pronouncement of the majority.” However, Ibn Habeeb said it was an Individual Obligation (**fard ayn**). Al-Dawurdi also said: “It is an Individual Obligation on every person that resides near (the homes of) the infidels. If the surroundings of a town are protected and the porous areas are covered, the obligation of Jihad falls off. It remains a supplementary (i.e.; voluntary) thing.”

Jihad becomes mandatory by three things: First of them is the instruction of the Imam. It is obligatory on anyone that the Imam specifies to go forth to Jihad. Second is when the enemies take the Muslims land by surprise. It becomes obligatory on them (i.e.; Muslims) to block the assault. If they are not put back, it becomes obligatory on the (Muslims) that are near them (i.e; near the Muslims that have been attacked). If they are yet not put back completely, it becomes obligatory on the remaining Muslims until the enemies are blocked.

Third is when the battle is in order to free Muslim captives from the hands of the infidels. It is said in **Al-Mukhtasar**: “Jihad should be done in the most important area every year, even if one fears the foe, just as it applies to visiting the Ka'aba; it is a Collective Obligation.” In the commentary on **Al-Mukhtasar**, in this place, Al-Kharshi said: “It means that Jihad is a Collective Obligation based on the prominent pronouncement. It falls off some people when others do it, because Allah, the Exalted, said:

﴿فَضَّلَ اللَّهُ الْمُجَاهِدِينَ بِأَمْوَالِهِمْ وَأَنْفُسِهِمْ عَلَى الْقَاعِدِينَ دَرَجَةً وَلَا وَعَدَ اللَّهُ الْخُسُوفَ﴾ النساء: ٩٥

“Allah has granted a grade higher to those who strive and fight with their wealth and persons than those who sit (at home). Unto all (in faith) has Allah promised good!” Qur’an 4:95

This shows that the address is directed to all in terms of shift (i.e.; some could sit and others would go to fight this time, and the reverse another time), and that if some people do it, Jihad falls off others. If it had been an Individual Obligation, the person that sits without any essential reason would be sinning.

In the commentary on **Al-Mukhtasar**, Al-Shabarkhiti said: “If it was asked why the Prophet (saw) got angry with the three men (of his companions) who lagged behind? The fact is that Jihad was a Collective Obligation. It had been an Individual Obligation on the Ansaris (i.e.; Madinite companions of the Prophet) because they had pledged allegiance to the Messenger of Allah (saw) in that regard. Therefore, their lagging behind from this battle (or expedition) became a major sin.” This was said by Al-Suhaily in **Al-Raud Al-Unf** concerning the tradition of the three companions, as narrated through Ibn Battal.

CHAPTER FOURTEEN

The Continuation of Jihad Obligation on the Muslim Community After the Prophet's Companions Period -May Allah be Pleased with Them

Let me say – guidance is from Allah – that Jihad continues to be obligatory on the Muslim Community after the Prophet's companions, may Allah be pleased with them, because Allah, the Exalted, said in Suratul Baqara that:

﴿وَقَاتِلُوهُمْ حَتَّى لَا تَكُونَ فِتْنَةٌ وَيَكُونَ الدِّينُ لِلَّهِ﴾ البقرة: ١٩٣

“And fight them on until there is no more persecution and the religion becomes Allah's.” Qur'an 2:193

And His Exalted word in Suratul Anfal that:

﴿وَقَاتِلُوهُمْ حَتَّى لَا تَكُونَ فِتْنَةٌ وَيَكُونَ الدِّينُ كُلُّهُ لِلَّهِ﴾ الأنفال: ٣٩

“And fight them on until there is no more persecution and the religion becomes entirely Allah's.” Qur'an 8:39

In **Takmila**, the commentary on the Qur'an by Abdulrahman Al-Sayouty, where Allah, the Exalted, said:

﴿وَيَكُونَ الدِّينُ كُلُّهُ لِلَّهِ﴾ الأنفال: ٣٩

“And the religion becomes entirely for Allah.” Qur'an 8:39

It is said: “It means until no polytheism is found.” In Al-Khazin's commentary, it is said: “Ibn Abbas (ra) said it meant until there was no polytheism.” He also said concerning the exalted word of Allah “and the religion becomes entirely Allah's,” – he said: “It means that obedience (devotion) and worship should all be sincerely for Allah, not anyone else.” Also showing that Jihad continues to be obligatory is the word of Allah, the Exalted:

﴿فَإِذَا لَقِيتُمُ الَّذِينَ كَفَرُوا فَضَرْبَ الرِّقَابِ حَتَّى إِذَا أَتَخْتَمُوا فَشُدُّوا الْوَتَاكُ فَإِمَّا مَنًّا بَعْدُ وَإِمَّا فِدَاءً حَتَّى تَضَعَ الْحَرْبُ أَوْزَارَهَا﴾ محمد: ٤

“Therefore, when you meet the unbelievers (in fight), smite at their necks. At length, when you have thoroughly subdued them, bind (the captives) firmly: therefore (is the time for) either generosity or ransom: Until the war lays down its burdens.” Qur'an 47:4

Commentators on the Qur'an have said it means: Until the war ends in such a way that only a Muslim or a submissive infidel in quest for peace remains. It means until the hostile people abandon their polytheism (i.e.; unbelief) and sins (acts of disobedience). It is the objective of the smiting, firm binding, generosity and ransom that have been mentioned. That is to say war should continue to be applied on them until the disappearance of the infidels' strength. Some scholars have said until the coming of Jesus, peace be upon him, which leads to lack of war with them. In Imam Ahmad's Musnad is the tradition that mentioned about Dajjal (the False Messiah/Anti-Christ). It is said: "Then Jesus, peace be upon him, comes down ..." to the place where the (the narrator) said: "So he will kill him, to the extent that trees and stones will be calling out, 'O Spirit of Allah, here is a Jew,' so he will not leave anyone that had been following Dajjal without killing him." Al-Bukhari actually narrated, in his Authentic Book, the tradition that says:

(لينزلن ابن مريم حكما عدلا فليكسرن الصليب وليقتلن الخنزير وليضعن الجزية).

"The Son of Mary will assuredly come down, being an equitable judge, so he will dismantle the cross, kill pigs, and apply tribute."

In the narration of Abu Dawud Al-Tayalisi, it is said:

(حتى يهلك في زمانه الملك كلها غير الإسلام).

"To the extent that he will destroy all creeds of his time, except (the religion of) Islam."

Also showing that Jihad obligation continues is the Prophet's word (saw):

(الجهاد ماض - أي مستمر - منذ بعث الله نبيه لا ينقضه جور من جار ولا عدل من عدل).

"Jihad shall persist" i.e.; it will continue, "beginning from the time Allah sent His Messenger. Neither the injustice of an oppressive person, nor the justice of an equitable person can nullify it."

And the Prophet's word, as mentioned in Al-Madkhal:

(لن يبرح هذا الدين قائما يقاتل عليه عصاة من المسلمين حتى تقوم الساعة).

"This religion shall not cease to continue with a group of Muslims fighting in defense of it (i.e.; in the Cause of Allah) till the Hour of Judgment."

CHAPTER FIFTEEN

The Definition of Jihad

Let me say – guidance being from Allah – that as to the definition of Jihad, Ibn Arafat said:

الرجل يقاتل للمغنم، والرجل يقاتل للذكر، والرجل يقاتل ليرى مكانه، فمن في سبيل الله؟

“It is a Muslim’s fighting of an infidel (unbeliever) that has no covenant (treaty) in order to uplift the Word of Allah.”

(من قاتل لتكون كلمة الله هي العليا فهو في سبيل الله).

“The Exalted, or his attendance for the fight, or his entry into the infidel’s land for that purpose.”

Al-Kharshi said: “His word, 'to uplift the Word of Allah' implies that whoever fights to acquire spoils, or to show bravery, or for other purposes is not a fighter in the Cause of Allah. Therefore, he does not deserve to be given of the spoils of war where that (evil intention) becomes obvious from him. It is also not lawful for him to take it if he knows about that concerning him.

Let me say: The origin of this definition is what has been narrated in the Authentic Book of Al-Bukhari, through Abu Musa Al-Ash'ary, who said: “A man came to the Prophet (saw) and said, 'A man fights for spoils, and another man fights for fame, and another man fights to make his position noticed! Who (of them) fights in the Cause of Allah?’

The Prophet said: “Whoever fights to uplift the Word of Allah is the one that fights in the Cause of Allah.” It is mentioned in **Al-Madkhal** that “if he intends to fight in order to uplift the Word of Allah, such things that might come his way thereafter as fighting them with anger or zeal, or things that are similar to that, do not harm his intention. This is the whisper and pull of Satan, and of heart obsessions, that one does not control. Allah, the Glorious and Exalted, has forgiven us in that regard.” Let me say, as well, that having spoils within his purpose does not harm him if he fights to uplift the Word of Allah, as explained by scholars. It is for this reason that Al-Shabarkhiti said in the commentary on **Al-Mukhtasar** that the martyr of a battle should not be bathed for burial. Al-Shabarkhiti said: “You should know that there are three kinds of martyrs: A martyr of this world and the Hereafter, a martyr of this world only, and a martyr of the Hereafter only.”

The martyr of both worlds is like a person that fights the infidels to uplift the Word of Allah, the Exalted, whether or not he entertains the purpose of getting spoils or not. The martyr of this world only, is a person that fights only for the purpose of spoils; or in order to be mentioned; or in order to show bravery; and or because of his tribal zeal. Other reasons that makes one a martyr of this world is to die fighting with the intention to recover from the enemies his wealth or his wives (or rather family), or in order to protect his personality, or for similar reasons. The martyr of the Hereafter only is like someone that drowns, or is burnt (to death) by fire, or (is killed by) a plague.”

Moreover, as said by Al-Kharshi, Jihad is of four kinds. The First is the Jihad of the soul, which means striving against Satan and against one's soul in terms of forbidden desires. Second is the Jihad of the tongue, which means enjoining things that are good and forbidding things that are evil, and the Jihad of the hand, which means that leaders should deter the people of evil deeds by means of discipline and beating in accordance with their discretion. It also includes establishing penalties and Jihad by sword (i.e.; actual combat). When Jihad is used absolutely, it goes back to mean fighting by sword only.

CHAPTER SIXTEEN

The Conditions for the Obligation of Jihad

Let me say – guidance is from Allah – that in *Al-Qawanin* Ibn Jazy said: There are six conditions (for the obligation of Jihad). They are Islam, maturity (i.e.; legal competence), freedom, being masculine, and ability in terms of body and wealth. In **Al-Mukhtasar**, it is said that the obligation of Jihad falls off because of sickness, absence of maturity (i.e.; being less than the age of puberty, hence legally incompetent), insanity, blindness, lameness (i.e.; being crippled), being female, lacking what is needed for Jihad, being a slave, being in a debt whose payment time is due.

It is also not recommended on a person based on parents' refusal to let him participate in Jihad. Jihad is a Collective Obligation involving fighting at sea or some danger. It does not fall off because of a grandfather's refusal. Except in Jihad, an infidel father should be obeyed like any (Muslim) father in matters whose doing is a Collective Obligation.” The author of **Al-Qawanin** said therein: “The infidel father is like the Muslim father (in terms of the rule of) preventing (his son) from travelling or dangers, except in Jihad because of the suspicion against him in that regard. Some scholars have said he can prevent (his son) absolutely (i.e.; from every risk including Jihad).”

In **Al-Zaharat Al-Wardiyya**, it is said: “You should know that Jihad obligation has six conditions. It is never obligatory without the conditions, and whenever any of them is not fulfilled, the obligation falls off. They are Islam, maturity (-already explained), being sane, freedom, being masculine, and having the ability in terms of bodily health and the amount of wealth required.”

CHAPTER SEVENTEEN

The Obligatory Things in Jihad

Let me say –guidance is from Allah – that, as said by Ibn Jazy in **Al-Qawanin**, there are six obligatory things in Jihad. These are “intention, obedience to the Imam, avoiding looting, fulfillment of trust, firmness during advancement (or rather encounter), and staying away from perversion. However, there is no blame to be in the Jihad that is led by perverse leaders.” Let me say: Jihad is obligatory even if it is led by perverse leaders.

It is said in **Al-Mukhtasar** that: “Even if it were with a perverse leader,” i.e.; the leader that does not put the one fifth (of spoils) in its due place, and he does not fulfill promise. (Jihad should be fought under his command) as a matter of doing the lesser evil, since fighting under their command means aiding them in their oppression, and refusing to fight under their command represents neglecting Islam, but it is obligatory to aid (the cause of) religion. What is meant by the leader is the commander of troops. Al-Shabarkhiti said, where the author had said, 'even if it were together with a leader that oppresses his people,' – he said: “Such that he does injustice to them or in terms of putting (i.e.; expending) the one fifth of spoils not in its right place. This is because the Prophet (saw) said:

(الجهاد ماض منذ بعث الله نبيه لا ينقضه جور من جار ولا عدل من عدل).

“Jihad shall persist, beginning from the time Allah sent His Messenger. Neither the injustice of an oppressive person, nor the justice of an equitable person can nullify it.”

Also, Abu Ayyub Al-Ansari fought in the rank of Yazeed Ibn Mu'awiyya after he had paused (i.e.; refused to do so for a while), then he regretted his pause. Someone also said to Ibn Abbas, 'Shall I fight in the rank of an Imam that only seeks for this world?' and he said: “You should fight on the basis of your luck (reward) in the Hereafter.” Abdulbaqi also said, where the author had said, 'even if it were together with an oppressive leader,' – he said: “That means the commander of troops who does not put the one fifth (of spoils) in its right place. (Fighting should be done under his command) as a matter of doing the lesser evil, since fighting under his command means aiding him in his oppression, and leaving him with that oppression represents neglecting Islam while it is obligatory to aid (the cause of) religion. The same applies to any

oppressive person in his rule, or a person that is perverse in his physical action.”

In Al-Jami, the commentary on **Al-Mukhtasar**, it is said: “Even if he (i.e.; such an oppressive or perverse person) does not fulfill his promise. This is on the basis of doing the lesser evil, which is a famous fundamental and a recorded custom that should be considered, as agreed to by the consensus of scholars.” It is also said in **Al-Risala**: “The enemies should be fought under the command of any leader, righteous or perverse.”

CHAPTER EIGHTEEN

The Rule of Fighting in the Sacred Months: Dhul Qi'ida, Dhul Hijja, Muharram and Rajab

Let me say – guidance is from Allah – that fighting in them was forbidden by the textual evidence of the Book of Allah, the Glorious and Exalted, at the beginning of Islam. Allah, the Exalted said:

﴿يَسْأَلُونَكَ عَنِ الشَّهْرِ الْحَرَامِ قِتَالٍ فِيهِ قُلْ قِتَالٌ فِيهِ كَبِيرٌ﴾ البقرة: ٢١٧

“They ask you concerning fighting in the prohibited month. Say: Fighting therein is a grave (offence).” Qur’an 2:217

The pronouncement on which majority of scholars depend, as said by commentators on the Qur'an, is that the prohibition to fight in these sacred months has been abrogated by the word of Allah, the Exalted:

﴿فَاقْتُلُوا الْمُشْرِكِينَ حَيْثُ وَجَدْتُمُوهُمْ وَخُذُوهُمْ﴾ التوبة: ٥

“Slay the polytheists (infidels) wherever you find them.” Qur’an 9:5

And the word of Allah, the Exalted:

﴿وَقَاتِلُوا الْمُشْرِكِينَ كَافَّةً﴾ التوبة: ٣٦

“Fight the polytheists (infidels) altogether.” Qur’an 9:5

I.e.; completely, in all months, as mentioned in **Takmila**, the commentary on the Qur'an by Abdulrahman Al-Suyuti. In Al-Khazin's commentary, it is said: “Scholars vary into two words regarding the rule of this verse. First of them is that it is a fundamentally clear verse in the sense that it is not permissible to fight in the sacred months, except if they are fought (by their enemies) in the months, then they should fight defensively. It was reported from Ata that he used to swear by Allah that it was not lawful for people to fight in the sacred months except if they were fought in them, and that the verse was not abrogated. The second word is the word of the majority, and it is the right word, which is the fact that the verse has been abrogated by the word of Allah, the Exalted:

﴿الْمُشْرِكِينَ حَيْثُ وَجَدْتُمُوهُمْ وَخُذُوهُمْ﴾ التوبة: ٥

“Slay the polytheists (infidels) wherever you find them.” Qur’an 9:5

And by His word:

﴿وَقَاتِلُوا الْمُشْرِكِينَ كَافَّةً﴾ التوبة: ٣٦

'Fight the polytheists (infidels) altogether.' Q 9:36

I.e.; in the sacred months and in other months. In Al-Khazin's commentary, too, where Allah, the Exalted, said,

﴿وَقَاتِلُوا الْمُشْرِكِينَ كَافَّةً﴾ التوبة: ٣٦

'Fight the polytheists (infidels) altogether,' Q 9:36

It is said: "Scholars vary concerning the prohibition of fighting in the sacred months. Some scholars have said, 'it was a major sin that was forbidden, then it was abrogated by the word of Allah, the Exalted,

﴿وَقَاتِلُوا الْمُشْرِكِينَ كَافَّةً﴾ التوبة: ٣٦

"Fight the polytheists (infidels) altogether." Q 9:36

I.e.; in the sacred months and in other months. This is also the pronouncement of Qatada, Ata, Al_Khurasani, Al-Zuhri and Sufyan Al-thaury. They said the Prophet (saw) fought Hawazin at Hunain, and Thaqif at Taif, and he besieged them in the month of Shawwal and some days of Dhul Hijja. Other scholars say it has not been abrogated.

Let me say that this variance in pronouncement applies where the infidels have not transgressed against Muslims by fighting them in the sacred months. Otherwise, there is no dispute that they should be fought in the months, because Allah, the Exalted, said:

﴿مَنْ أَعْتَدَى عَلَيْكُمْ﴾ البقرة: ١٩٤

"If anyone transgresses the prohibition against you." Qur'an 2:194

i.e.; by fighting you in the Sacred Precincts, or while you are in the state of pilgrimage, or in the sacred month,

﴿فَاعْتَدُوا عَلَيْهِ بِمِثْلِ مَا أَعْتَدَى عَلَيْكُمْ﴾ البقرة: ١٩٤

"You should transgress likewise against him." Qur'an 2:194

– as mentioned in Takmila, the commentary on the Qur'an by Abdulrahman Al-Suyuti, and because He, the Exalted, said:

﴿فَاعْتَدُوا عَلَيْهِ يَوْمَئِذٍ مَّا أَعْتَدْتُمْ عَلَىٰ آلَيْكُمْ﴾ البقرة: ١٩٤

“The prohibited month for the prohibited month.” Qur’an 2:194

i.e.; as they fight you in it, you should also fight them likewise in it, because Muslims see the reverence in that, as seen in the commentary that has been mentioned.

CHAPTER NINETEEN

Those Who Should be Fought in Jihad

Let me say – guidance is from Allah – that three kinds of people are fought in the Cause of Allah. They are those that are infidels by origin or by renunciation of faith, and transgressors, and rebels. The difference in fighting these people will soon come (i.e.; it will soon be explained), by the grace of Allah.

In **Al-Qawanin**, Ibn Jazy said: “They are three kinds: Infidels (unbelievers), transgressors and rebels. As to the infidels, all kinds of them should be fought. Based on the agreement of all scholars, women and children are not fought. A foolish (i.e.; an insane) person, as well as a blind and an infirm person, is not killed. However, scholars differ if they (i.e.; the last two) are of those that can plan (the war). It is said in **Al-Mukhtasar** that those not to be attacked are: “a woman, except if she fights. Others (not to be fought) are a child, an insane person, an old man, an infirm person, a blind person, and a rabbi (i.e.; a religious scholar) who secludes at home or in a sanctuary, having no involvement (in the war), where only what they need is sufficiently left with them. Anyone that kills (any of) these people should ask Allah for forgiveness. The same applies to the people that have not been reached by the call to Islam. If they are taken into possession, then their worth should be paid. A male or a female religious scholar should be freed.”

In **Al-Zaharat Al-Wardiyya**, it is said: “All infidels are fought (or slain) except seven: a woman, a child, an insane person, a very old person, and infirm person, a blind person, and a rabbi (or religious person) that secludes at home or in a sanctuary.” As to a woman, she should not be killed if she does not fight. If she does, then Ibnul Qasim has said in **Al-Muwaziya** and **Al-Utbiya** that she should be killed. As to a child, he has two conditions. First of them is to have doubt in his being a child. He is not killed in this case. The obvious word of scholars is that he should not be killed even if he fights.

The second condition is when there is doubt concerning him. The rule is to uncover his pants, and then he should be killed if he has grown pubic hair, just as it would apply to anyone that has shaved (the pubic hair).

A teenager is like a woman (in terms of rule), such that he should be killed if he fights with a sword or similar weapons. If he throws stones, he should not be killed, except if he kills thereby, then he should be killed in that regard. As

to the insane person, if he is such that is completely clamped by insanity, he should not be killed. If he is such that regains his mind sometimes, then the obvious word of Al-Lakhmy is that he should be killed. As to the very old man, he should not be killed except if it is known that he is one of those with the brain and planning against Muslims.

As to the infirm person, such as a non-functioning person (e.g.; one that is terminally ill), a lame person, and a paralyzed person who have neither opinion nor planning against Muslims, they should not be killed. In the same way, a religious person that secludes at home or in a sanctuary should not be killed except if he is of opinion and planning against Muslims. As to the clergymen that conduct churches, they should be killed without any details. In Al-Utbiyya, Malik joined religious women with religious men (in terms of rule), saying they are more deserving to that.

Let me say: The infidels of Sudan are as other infidels in all rules, as Ahmad Baba said in **Al-Kashf Wal-bayan Li asnafi Majloobil Sudan** (-literally, Discovering and Explaining Kinds of Acquisition from the Non-Arab Lands). In the commentary on **Al-Mukhtasar**, the author had said that 'it is lawful to fight (an infidel) Roman or Turkish person if permission is granted (by the Imam in that regard), so it becomes realistic with that permission.'

Abdulbaqi said: "In another edition, the word Nubian is used instead of Turkish, and the Abyssinians (Ethiopians) are the ones meant by that, even though Nubians are people other than the Ethiopians originally, and it is right as it is therein." Let me say that the author has used that to allude to the tradition which says, "Leave the Abyssinians wherever they leave you, and leave the Turks so long as they leave you" is not applied in practice according to the obvious meaning thereof, which is the obligation to abstain from them and the prohibition of fighting them.

What is meant by the instruction to not (fight them) is only didactic, so it does not negate the permission. It is for this reason that it was mentioned, and that fighting other infidels besides them in that era was more appropriate. It could also be that those records have not been found authentic by the Imam. As to Romans, no prohibition to fight them has been narrated, so there is no need to respond to that. Meant by Romans (here) are the descendants of Rome Ibn Ais (-Ibn meaning the son of) Ibn Ishaq Ibn Ibrahim, and they are the ones that the people of this land call "ifring" (-literally, foreigners). The Turks, on the other hand, are a generation that has no (heavenly revealed) book.

It should not be understood from his words that the permission to fight is limited to these two kinds, as thought by the commentator, because they are

not the object of the condition. Rather, these two groups have been mentioned because of their strength.

Therefore, any (infidel) besides them should also be fought if he refuses to accept Islam, such as the weak infidels of the Copts and Abyssinia (Ethiopia), since, as a result of their abasement (or lack of honor), they incline to accepting humiliation and derision. It is also because most Muslims feel secure about them.” Al-Kharshi and Al-Shabarkhiti said, after they had brought this talk, - they said: “With that, the understanding of the word of commentators that it is not permissible to fight other infidels like the Copts and Abyssinians is nullified. The prominent word is that it is permissible to fight them.

CHAPTER TWENTY

Those Whose Aid Should be Sought in Jihad

Let me say – guidance is from Allah – that Ibn Jazy said in **Al-Qawanin**: “The fundamental rule is that they (i.e.; the people whose aid should be required in Jihad) should be free Muslims that have attained puberty (i.e.; they are legally competent).” It is also lawful of a slave, but it should be with his master's permission, as well as of strong teenagers. It is unlawful to seek for the aid of infidels, as opposed to Shafi'i and Abu Hanifa.

Habeeb said: “This relates to the battle row and advancement. As to dismantling things, there is no blame (in seeking for their aid).” He also said: “There is no blame for him (i.e.; a Muslim) to use the infidel that is in peace with him against the one that is hostile to him.” In **Al-Mukhtasar**, the author said: “It is forbidden to use poisoned arrows, and to seek for a polytheist's aid except if it relates to some service.” Al-Kharshi said, where the author had said, 'and to seek for a polytheist's aid, except if it relates to some service,' – Al-Kharshi said there: “It means that we are forbidden from seeking for an unbeliever's aid in Jihad, except if he is one that is at our service in digging, dismantling, or shooting mangonel (i.e.; slingshot/catapult), or similar things. The “seenun” letter (in the Arabic word) denotes request. What is required (of us) is to desist from seeking for their help.

Therefore, if any of them comes forth on his own, (to help us), it is not be forbidden for us to accept his help. This is what has been reported from Yahya, as opposed to Al-Asbag. What is meant by a polytheist is an infidel. Al-Shabarkhiti said, where the author had said, 'and to seek for a polytheist's aid,' – he said: “The “seenun” letter is for emphasis. Therefore, we are forbidden from accepting his aid, and this is the pronouncement of Al-Asbag, and it has been deemed more obvious in Al-Hashiya.

It is contrary to what has been reported from Yahya, which states that what is forbidden is to seek for their help, but whoever comes forth on his own, it would not be forbidden for us to accept his help. On that basis, the “seenun” letter denotes request, and this is what Al-Zarqany has used to confirm the author's word, and what is obviously understood from Ibn Rushd is that he has found it (more) prominent.

What is in the report (otherwise known as the Hearing of Yahya) is pointed out by the battle (or expedition) of Safwan Ibn Umayya together with the

Prophet (saw) at Hunain and Taif. Al-Asbag's pronouncement is pointed out by what Muslim narrated, that the Prophet (saw) went forth before (the Battle of) Badr, and when he had reached Harratul Wabra, a man that was known with boldness and altruism met him, so the Prophet's companions became happy when they saw him. When he had met the Prophet (saw), he (i.e.; the Prophet (saw)) said to him:

(لم جئت؟)

“Why have you come?”

He said: “I have come to be of benefit to you, or to be hurt with you.” The Prophet (saw) said:

(تؤمن بالله ورسوله؟)

“Do you believe in Allah and His messenger?”

He said: “No!” The Prophet said:

(فارجع، فلن أستعين بمشرك).

“Then you should go back, for never will I seek for an infidel's help.”

Then the man met the Prophet (saw) by a tree, and he said the same thing he had said to him, so he went back. Then he said to him at the third time: “Do you believe in Allah and His Messenger?” He said: “Yes!” The Prophet (saw) said to him: “Let's go!”

What the battles of Hunain and Taif, as attended by Safwan Ibn Umayya together with the Prophet (saw) denote is that it was before Safwan had accepted Islam. Should the Prophet's silence concerning Safwan's aid to Muslims represent his permission (inaccepting) the infidels' help or not? That is the obvious thing in Safwan's case that has been mentioned. If the author had used the expression “a Person of the Book” instead of “an infidel,” that would have been more appropriate because it is concerning him that Malik and Abu Hanifa vary in pronouncement. As to the polytheist infidel, who is not a Person of the Book, they both agree that his help is not sought. Abdulbaqi said: “Some of our colleagues have responded (to the case) that the prohibition was at a particular time, which was at (the Battle of Badr), as buttressed by the fact that Safwa attended Hunain and Taif together with the Prophet (saw).”

CHAPTER TWENTY ONE

The Rule of Beating Drums at Jihad to Scare the Infidels

Let me say – guidance being from Allah – that it is permissible to beat drums at Jihad if its purpose is to scare the infidels and to strengthen Muslims. Ibn Al-Arabi said in **Al-Ahakam**: “Drums are of two kinds: the drum (that is beaten) at war, - there is no problem with that (religiously speaking) because it establishes the souls (on the war) and it frightens the enemies, - and the drum (that is beaten) at weddings, such as the tambourine. It is (also) lawful if it involves good talk and is free from obscenity and women's nudity in the favor of men.”

In **Diya'ul Khulafa**, it is said: “If they go forth (for Jihad), they should beat drums, because that establishes souls and frightens the enemies.” Let me say: It is required that the purpose of religion be considered in beating the drums, such as having people gathered for the purpose, and making the departure of troops known (to Muslims), as well as their landing or arrival, and similar purposes. This is because anything that is not Sunna is limited to the extent of the dictates of necessity, just as drums were beaten when a caravan came to Dihya. In the commentary of Jalaluddeen Al-Muhalla, it is said: “The Prophet (saw) was delivering a sermon on Friday when a caravan arrived, so drums were beaten for their arrival according to the (existing) custom. Then the people that were in the mosque went forth to the caravan except twelve people, so the (Qur'anic verse;

﴿وَإِذَا رَأَوْا تِجَارَةً أَوْ لَهْواً أَنْفَضُوا إِلَيْهَا﴾ الجمعة: ١١

“And when they see some bargain or some pastime, they disperse headlong to it,” i.e.; commerce, because it is what is required of them, not pastime.”

Let me say: Consider how He (i.e.; Allah, the Exalted) has called beating drums a pastime despite the fact that they had been beaten with a religious purpose. This is because beating drums is not part of truth in itself. How then is (the rule) concerning what the ignorant do, involving beating the instruments of pastime and music. No two (righteous) people would dispute that such an act is of falsehood (i.e.; evil) and that it is not of truth. Nothing is apart from the truth but falsehood. In Al-Madkhal, Ibnul Qasim said: “I asked Malik about music, and he said, 'Allah, the Exalted, said:

﴿فَمَاذَا بَعْدَ الْحَقِّ إِلَّا الضَّلَالُ﴾ يونس: ٣٢

“What is besides the truth other than falsehood?”

So, is it the truth?” In Al-Mi'iyar, it is said: “What the leader should forbid his subjects from doing should be the instruments of pastime (i.e.; musical instruments.” It is also mentioned therein, a little while after this talk, that: “Music is in all conditions not allowed, - neither at weddings nor at any other occasion! Umar Ibn Abdulaziz had written to various towns that pastime (music) should be entirely stopped, except the tambourine alone at weddings. Yahya said: This is the pronouncement that I accept.”

CHAPTER TWENTY TWO

The Rule of Wearing Silk at Jihad

Let me say – guidance is from Allah – that it is forbidden for men to wear silk; it is a major sin. In **Al-Zawajir An Iqtirafil Kaba'ir** (-literally, Warning against the Perpetration of Major Sins), Shihabuddeen Ahmad Ibn Hajar Al-Haitami said: “The one hundred and seventh major sin (- as enumerated in the mentioned book) is the wearing of pure silk by a man. Al-Bukhari and Muslim, as well as others, narrated through Umar, may Allah be pleased with him, who said: “The Messenger of Allah (saw) said;

(لا تلبسوا الحرير فإنه من لبسه في الدنيا لم يلبسه في الآخرة).

“Do not wear silk, for anyone that wears it in this world will not wear it in the Hereafter.”

They, as well as others, also narrated the tradition:

(إنما يلبس الحرير من لا خلاق له...)

“The person that has no share (in the Hereafter) is the one that wears silk.”

Abu Dawud and An-Nasa'i also narrated through Ali (ra), may Allah be pleased with him, who said: “I saw the Messenger of Allah (saw) take (a cloth of) silk and put it to his right, and (a piece of) gold and put it to his left, then he said:

(إن هذين حرام على ذكور أمتي...)

‘These two are forbidden for the men of my people (i.e.; the Islamic Community).’

Al-Bukhari and Abu Dawud also narrated the tradition:

(ليكونن من أمتي أقوام يستحلون الحرير يمسح منهم قردة وخنازير إلى يوم القيامة).

“There will exist among my people (i.e.; the last generation) some people who will make silk lawful; they shall be transformed into apes and swine till the Day of Resurrection.”

Then he said: “Note: What is obvious from the authentic traditions that have been mentioned is that wearing silk is counted as a major sin because of the strong threat (or warning) of punishment that the traditions contain.” Then he

said: “But the majority of our leading scholars are of the pronouncement that it is a minor sin. Perhaps they have considered the fact that a major sin is the one that is specified as having a penalty. However, it has been mentioned that the right word is the one that is contrary to that.”

Therefore, the understanding that cannot be avoided when consideration is made of those traditions and their meaning is that they are traditions that contain serious and resolute warning that such an act (of wearing silk) is a major sin. Of the scholars that have chosen this (pronouncement) is Al-Jalal Al-Balqiny, as well as others. It is also to it that Imamul Haramain (-literally, the Imam of the Two Sacred Mosques) inclines.

All this applies in places other than Jihad. As to wearing it at Jihad, it is also forbidden based on the prominent pronouncement. In the commentary on Al-Mukhtasar, the author had said, “He sins, but it is valid, if he wears silk.” In this place, Abdulbaqi said, “It is forbidden to wear silk because of itching or at Jihad, based on the prominent pronouncement.” This is the word of Ibnul Qasim and what he had reported from Malik, as opposed to Ibn Habeeb in the first case, and to Ibn Al-Majishoon in the second case, who (i.e.; Ibn Majishoon) gave as his evidence the fact that wearing silk at Jihad contains (lawful) exultance and frightening (of the enemies) at war. It shields from arrows and other (similar) things at combat when there is no (heavy) weapon (like a sword). Some of the companions of the Prophet (saw) and those that succeeded them also made it lawful at war. It was also the word of Abdulhakam, and Ibn Sha'aban reported it from Malik through the narration of Isa Ibn Al-Qasim. Ibn Al-Jallab confines himself to allowing it in both cases, but his word is weak (hence irrelevant).”

In Al-Ahkam, Ibn Al-Araby said: “There are nine words (of scholars) concerning silk. First is that it is forbidden for me in all conditions. Second is that it is forbidden except at war. Third is that it is forbidden except on a journey. Fourth is that it is forbidden except when someone is sick, such as having itching (or allergy). Fifth is that it is forbidden except on an expedition. Sixth is that it is allowed in all conditions. Seventh is that it is forbidden except if it is used for things like a flag. Eighth is that it is forbidden for (both) men and women. Ninth is that it is forbidden to wear it, but it is not forbidden to use it as a spread (mat/bed sheet).”

Let me say: What is prominently approved of these words is that men are forbidden from wearing pure silk including at Jihad and using it as a spread, as well as riding on it and sitting on it. However, except if the silk is beneath a screen, as mentioned by Al-Maziry and Iyyad; or if it occurs in terms of

something belonging to his wife. In Al-Zaharat Al-Wardiyya, it is said: “The predecessors and scholars have varying opinions concerning silk. Some have said that it is forbidden for men and women. Others have said it is reprehensible for them. Some have said it is lawful for them, but what is right in the Maliki School of Jurisprudence and the opinion of the majority of jurists is that it is lawful for women and forbidden for men. Ibn Jazy said in Al-Qawanin: “As to men, they are totally forbidden from silk and gold.” Then he said: “However, Ibnul Qasim pronounced that it was lawful to have a flag from it.”

This all relates to silk and gold wears. As to other kinds of wears, they are lawful. In the commentary in Al-Waglisiyya, Ahmad Zaruq said: “It is deemed praise-worthy for a knowledgeable person and for a student to dress beautifully (i.e.; to dress well) especially with white clothes, without being averse to the remaining colors.” The Prophet (saw) had worn clothes that were green, red, black and yellow, with the exception of blue color because no tradition that instructs or prevents wearing it has been reported.

This all relates to the case where such clothes are not the ones specifically worn by the infidels, such as the girdle (-a kind of waistband worn by infidels). It is certainly forbidden to wear it. It is rather an act of disbelief to wear it, based on the obvious word of the author of **Al-Mukhtasar**. Explaining the author's word, “and wearing the girdle,” Abu Abdillah Ibn Marzuq said: “The obvious word of the author is that tying (i.e.; putting on) the girdle alone implies unbelief. However, the obvious word of Al-Shifa is that such wearing of girdle means unbelief when it involves going to churches.” He also said: “It is weak evidence to say that action (of wearing girdle) denotes unbelief because of the possibility that the wearer may choose to wear that attire for some meaning (or reason) other than unbelief.

Therefore, there must be another accompanying reason (to show that he is an unbeliever).

Al-Kharshi said, (explaining the author's word), “and tying the girdle,” – he said: “The same applies to anyone who does anything that is specifically known to be of the infidel attire, but (to take him as an unbeliever), that must include going to the church and similar things. It is also limited to the case where he does it in the Home of Islam.”

In Naseem Al-Riyadh, the commentary on Al-Shifa, where the author had said, 'and using their attire for adornment,' – it is said: “That means using their jewels for adornment and taking them as wears. Attire means physical appearance with clothes or similar things. The Arabic word “zananir” is the

The Hijrah Obligation

plural of “zunnar” (-literally, girdle), which is a waistband that Christians tie round their waist, and it is something that they are specifically known with and is required of them in order to be distinguished from Muslims. That was actually known in the first era (i.e.; at the beginning of Islam). Therefore, it is ugly (evil) to wear the infidel attire whether or not one is in the hostile land, and if a person wears it with the intention of showing his being pleased with their religion, or because he inclines to the religion, or because he neglects Islam, he becomes an unbeliever. Otherwise, he does not disbelieve (in that regard).”

CHAPTER TWENTY THREE

The Rule of Decorating the Instruments of War with Gold and Silver in Jihad

Let me say – guidance is from Allah – that it is forbidden to decorate the instrument of war, even if it were in a Jihad, with gold and silver except if it is a sword, based on the prominent word of the (Maliki) School of Jurisprudence. In **Al-Mukhtasar**, it is said: “A man is forbidden from using jewels even if it were on a band (belt) or an instrument of war.” In this place, Al-Kharshi said: “that means it is forbidden to decorate a belt, as well as the instrument of war (with gold or silver), based on the prominent pronouncement.

The law applies equally whether the instrument is such that is used to shield the head, or is used for assault like a lance (spear) and knife, or is used for ride like a saddle or stirrup, or is used to help control a horse like the rein.” He also said, where the author had said, 'except the Qur'an and the sword,' – he said: “That means it is lawful (permissible) to use a sword that is decorated with gold and silver. This rule applies equally whether the decoration is connected to the sword, like the handle, or is separated from it, like the scabbard, because Prophetic tradition has come with the permission, not because it is the greatest of the instruments of war.

In Al-Jami, the commentary on Al-Mukhtasar, it is said in this place: “It is permissible to decorate the sword with gold and silver in order to frighten the infidels.” Ibn Jazy said in Al-Qawanin, explaining the decorated things that are lawful: “As to women, it is absolutely permissible. As to men, though, it is lawful to decorate the sword with silver with the agreement of all scholars, and to decorate it with gold based on two (varying) pronouncements. There are also two pronouncements (in terms of yes and no) as to whether other instruments of war should be joined with the sword in this rule.

In the Authentic Book of Al-Bukhari, in the chapter of decorating swords, it is narrated through Abu Umama that “some men whose swords were not decorated with gold and silver did gain recurrent victory. Their decoration (of their swords) had only been with bandages, lead and iron. In Al-Irshad, Al-Qalastani said in this place: “Decorating their swords with the things that have been mentioned should not be taken to mean that decorating the sword by other means is impermissible.

The Hijrah Obligation

Therefore, it is lawful for a person to decorate his sword, as well as other instruments of war, with silver, such as a lance (spear), the sides of arrows, armors, bands (belts), and “raneen,” which is a mule that is worn on the legs but does not have the foot part. Rather, it is (worn) between the knees and the ankles. The same applies to “khuff” (- a mule that is worn on the foot).

These may all be decorated for war) because that aggrieves the infidels. It is, however, not lawful to decorate any of the things that have been mentioned with gold.” Let me say: What has been mentioned that the sword is decorated with gold is the prominent pronouncement in our School of Jurisprudence. As to joining other instruments of war with it (in terms of rule), there are two words of scholars, one forbidding it, and the other allowing it, but the prominent word is to forbid it.

CHAPTER TWENTY FOUR

The Rule of Tying Bells and Strings Round Animals'

Necks in Jihad

Let me say – guidance is from Allah – that you should know that it is reprehensible to tie bells and strings round animals' necks. It is mentioned in Al-Jami, written by Al-Khalil Ibn Ishaq that “it is reprehensible to tie bells and strings round animals' necks.” Ibn Jazy said in Al-Qawanin: “It is impermissible to bind strings on animals and to tie bells on them because that has been forbidden in Prophetic tradition. That relates to big bells, as opposed to small ones.

The bigger a bell becomes, the more resembling to the church bell it is. This is why it is forbidden. Some scholars have said (it is forbidden) because the enemies will know about us. They will come taking us as targets if they had been searching for us, or they will get farther if they had been running away. It is narrated from Abdullah Ibn Abibakr, through Abbas Ibn Tameem, that Abu Basheer Al-Ansari, as recorded in the Authentic Book of Al-Bukhari, in the chapter of what has been said about the bell and similar things that he travelled with the Messenger of Allah (saw) in one of his journeys. Abdullah said: I think he said that people were asleep (at that time) – then the Messenger of Allah (saw) sent a messenger, instructing him thus:

(لا يبقين في رقبة بعير قلادة من وتر أو قلادة إلا قطعت)

“Let no string or band remain on the neck of any camel without being cut off!”

Al-Qastalany said in **Al-Irshad**, on this issue that: “That is how it is, with the word “or” which depicts doubt or variation. The prohibition is on the basis of integrity (virtuousness). It corresponds in the sense that bell is not tied round the necks of camels except with a tie, which is the string and things like it, so the author mentioned bell, which is put on by a string. Therefore, since the prohibition to tie strings round the neck of camels has been reported, the prohibition to put bells thereon is included necessarily. Basically, though, what is meant is to prohibit the bell.”

CHAPTER TWENTY FIVE

The Rule of Giving the Flag to the Commander of Troops in Jihad

Let me say – guidance is from Allah – that it is Sunna to give the flag to the commander of troops in Jihad, because the Prophet (saw) used to do that, as narrated in the Authentic Book of Al-Bukhari, through Abi Sahl Ibn Sa'ad, that the Messenger of Allah (saw) said:

(لأعطين الراية غدا رجلا يفتح الله على يديه).

“I will assuredly give the flag tomorrow to a man in whose hand Allah will grant victory.”

So people spent the night arguing who would be given the flag. When it was daybreak, they went to the Messenger of Allah (saw), each hoping to be given the flag. Then the Prophet (saw) said: “Where is Ali Ibn Abi Talib (ra)?” They said: “He has some problem with his eye, O Messenger of Allah (saw).” He said: “Send for him,” and he was brought. When he had arrived, the Prophet (saw) spat in his eye and prayed for him. He was healed as though he never had any ailment. Then the Prophet (saw) gave him the flag.

It is also narrated in the Authentic Book of Al-Bukhari, through Salama Ibn Al-Akwa, who said: “Ali (ra) had lagged behind the Messenger of Allah (saw) in (the battle of) Khaibar because he had ophthalmic (i.e.; some problem with his eye). Then Ali (ra) said: “How could I lag behind the Messenger of Allah?” (i.e.; he was querying himself to have failed to depart to the battle with the Messenger of Allah (saw)). So Ali (ra) went forth and caught up with the Prophet (saw). When it was evening of the night in whose morning he conquered Khaibar, the Messenger of Allah (saw) said: “I will assuredly give the flag” or rather “To assuredly take this flag tomorrow shall be” “a man that is beloved by Allah and His Messenger.” Then all of a sudden came Ali (ra), and we did not think he would be there.” So people said: “This is Ali,” and the Messenger of Allah (saw) gave it to him, so Allah gave us victory.

It is also narrated in the Authentic Book of Al-Bukhari, through Nafi Ibn Jubair, who said: “I heard Al-Abbas saying to Al-Zubair: “Did the Messenger of Allah (saw) instruct you to fix a flag?” He said: “Yes.”

CHAPTER TWENTY SIX

The Rule of Calling the Infidels to Islam before Battle

Let me say – guidance is from Allah – that it is obligatory to call the infidels to Islam before battle. It is narrated in the Authentic Book of Al-Bukhari that when the Prophet (saw) had given Ali the flag on the Day of Khaibar, he said to him: “O Messenger of Allah (saw), should I fight them until they become like us?” He said:

(انفذ على رسلك حتى تنزل بساحتهم ثم ادعهم إلى الإسلام فأخبرهم بما يجب عليهم من حق الله فيه، فوالله لأن يهدي الله بك رجلا واحدا خير من أن يكون لك حمر النعم).

“Move at your ease until you land on their corridor. Then you should call them to Islam. Inform them about their obligations concerning the right of Allah in Islam, for I swear by Allah. That should Allah guide a man (i.e.; one person) by your means is better for you than red (hence special and expensive) camels.”

In Al-Mukhtasar, it is said: “They should be called to Islam, then to paying tribute.” In the commentary on Al-Mukhtasar, in this place, Abdulbaqi said: “They should be called to Islam whether or not such a call had reached them.” Ibn Jazy said in Al-Qawanin: “The call to Islam before battle is specifically made to those who had not been reached by the call. Therefore, they should be called to Islam first. If they respond (i.e.; accept Islam), they should not be touched. If they refuse, payment of tribute should be suggested to them. If they refuse (to accept paying tribute), they should be fought.

As to those that have been reached by the call to Islam, they should not be called. Surprising them should be the target.” In Al-Zaharat Al-Wardiyya, it is said: “Scholars of (our) School of Jurisprudence are of variance as to whether the call to Islam should precede (i.e.; come before) battle. There are among the scholars such as see that the School (of Jurisprudence) has three pronouncements: That the call is obligatory before battle, that it is not obligatory, and that it is obligatory in terms of the person whose home is distant (from the Land of Islam). Some scholars add a fourth word, which is the fact that the call should precede the battle if Muslim troops are many and have a sense of security. Otherwise, it should not precede the battle. What is meant by the call is that they should first be called to Islam. If they accept, that will be the end of talk (i.e.; the matter is settled). If they refuse, they should be

called to paying tribute. If they accept, they should not be fought. If they refuse, they should be fought.”

Al-Lakhmi said: “Scholars agree to the obligation to call anyone that had not been reached by the call. As to a person that had been reached by the call, there are four (pronouncing) ways: That it is obligatory to call (him to Islam before battle), that it is praise-worthy, that it is merely allowable (hence discretionary) thing, and that it is forbidden. It is obligatory when we have the outweighing thought that they will accept (Islam) if they are called to it and the infidel troops cannot confront Muslims. It is praise-worthy if there is doubt as to whether or not they will accept (Islam). It is discretionary if it is known that they will not accept (Islam).

It is forbidden if Muslims are few and fear is entertained amongst Muslims when the call is made. There is no doubt that the (requirement to call them before battle) becomes void (i.e.; it does not apply) if they take us by surprise.” Al-Kharashy said: “The call only applies if they do not take us by surprise in fighting. Otherwise, they should be fought without any call, since in that case, the call is forbidden. In Al-Zaharat Al-Wardiyya, it is said: “So if they are called to Islam and they accept it, they should certainly not be fought as mentioned in An-Naql, even though the obvious word of Al-Risala is that, to avoid fighting them, they must actually be Muslim, or they must pay tribute. In that regard, their mere response to (or acceptance of) Islam is not sufficient.”

CHAPTER TWENTY SEVEN

The Rule of Accepting the Infidels' (Claim) of Islam and of Accepting Tribute from Them if they are in a Place at Which We Feel Secure Concerning Them

Let me say – guidance being from Allah – that in the commentary on Al-Mukhtasar, where the author had said, 'They should (first) be called to Islam, then to tribute at a place where there is security against their treachery,' – in that place, Al-Kharshi said: “That relates to “they should be called” or to “Islam, then to tribute.”

That is to say they should only be called (to Islam) at a place of security. Therefore, they should not be spared if they respond to (i.e.; accept) Islam or pay tribute except if they are in a place where there is security against their treachery.” In this place, Abdulbaqi also said: “It is possible that it relates to “they should be called” or to “tribute” or to both of them. This is said by Tut. If, however, they did not accept to pay tribute, or if they accept it but are in a place that is not governed by our rules and they refused to move to our land, or it is feared by calling them to Islam or to paying tribute, that they may attack us by surprise, they should be fought henceforth.”

Al-Shabarkhiti said that: “It relates to “they should be called” or to “Islam and tribute.” That is to say, they should not be called except where there is security. Otherwise, the call is forbidden, and they should not be spared if they respond to (the call of) Islam or to tribute except if they are in a place where there is security against their treachery.” This has to do with the tribute that is stipulated on a land that is conquered by force. As to a reconciliatory land, that is not considered in it.

In Al-Jami, the commentary on Al-Mukhtasar, it is said: “That means they should be called to Islam at a place of security. As to a place that is not of security, they should not be called to it. It is also possible to understand it thus: (If they refuse), then they should be called to pay tribute at a place of security. Otherwise, they should not be called to it.

It is also possible that it goes back to both of them.” In Al-Zaharat Al-Wardiyya, it is said: “The word of the author of Al-Mukhtasar “in a place of security” means that the infidels must be in a place we feel secure about. What is meant by it being a place of security is that they should be covered (or governed) by our rules therein, whether it is a near or a distant place, as mentioned in Al-Jawahir and Al-Risala.”

CHAPTER TWENTY EIGHT

The Planning of War and Its Stratagem in Jihad

Let me say – guidance being from Allah – that you should know, as mentioned in **Diya'ul Khulafa**, that people have written books about the planning of war. They have made several arrangements that may not cover the people of other areas (or districts), since every people, in most cases, has some kind of planning, and some form of stratagem and some shape of scheme, as well as some sort of encounter, assault and retreat. However, we will describe (or rather explain) some of those things, which are seldom disputed as being war emergencies.

Let us start with what Allah, the Exalted, mentioned in His Book, saying gloriously:

﴿وَأَعِدُّوا لَهُمْ مَا اسْتَطَعْتُمْ مِنْ قُوَّةٍ وَمِنْ رِبَاطِ الْخَيْلِ تُرْهِبُونَ بِهِ عَدُوَّ اللَّهِ وَعَدُوَّكُمْ﴾ الأنفال: ٦٠

“Against them make ready your strength to the utmost of your power, including steeds of war, to strike terror into (the hearts of) the enemies of Allah and your enemies.” His word “to the utmost of your power.” Qur’an 8:60

Contains all kinds of readiness, instrument and stratagem that is in the capacity of man, but the Prophet (saw) explained it as being any projected (weapon, i.e.; something that can be thrown, shot, or fired) when he passed by some people who were engaged in archery, so he said:

ألا إن القوة في الرمي

“Lo! Strength exists in throwing (projecting/shooting).”

He said it three times. Ibn Al-Araby said in his book Al-Ahkam that: “I have seen battle a number of times but I have not seen any instrument that is more beneficial and quicker in advantage than the arrow.” You should know that Allah has compiled war disciplines for us in His word:

﴿يَا أَيُّهَا الَّذِينَ آمَنُوا إِذَا لَقِيتُمْ فِئَةً فَاغْلِبُوا وَادْكُرُوا اللَّهَ كَثِيرًا لَعَلَّكُمْ تُفْلِحُونَ ﴿٤٥﴾ وَأَطِيعُوا اللَّهَ وَرَسُولَهُ وَلَا تَنَازَعُوا فَتَفْشَلُوا وَتَذْهَبَ رِيحُكُمْ وَاصْبِرُوا إِنَّ اللَّهَ مَعَ الصَّابِرِينَ﴾ الأنفال: ٤٥ - ٤٦

“O you, who believe, when you meet a force, be firm, and call Allah in remembrance much (and often) that you may prosper. And obey Allah and His Messenger, and fall into no disputes, lest you should lose heart and your

power should depart. Be patient (and persevering), for Allah is with those who patiently persevere.” Quran: 45-46

And His word:

﴿يَا أَيُّهَا الَّذِينَ آمَنُوا إِن نَّصُرُوا اللَّهَ يَنْصُرْكُمْ وَيُثَبِّتْ أَقْدَامَكُمْ﴾

“O you, who believe, if you help (the Cause of) Allah, He will help you and plant your feet firmly.”

Therefore, the cause of victory and defeat becomes clear to us, and (we understand that) running away (from the battle field) is a result of sins, as (explained) by the word of Allah, the Exalted:

﴿إِنَّ الَّذِينَ تَوَلَّوْا مِنْكُمْ يَوْمَ الْجَمْعَانِ إِنَّمَا أَسْرَأَهُمُ الشَّيْطَانُ بِبَعْضِ مَا كَسَبُوا﴾

آل عمران: ١٥٥

“Those of you who turned back on the day the two hosts met, -it was Satan who caused them to fail because of some evil they had done.” Quran 3:155

The Prophet (saw) said:

الحرب خدعة

“War is (a matter of) stratagem.”

It is of the resolve of a king (or leader) that he should not belittle (i.e.; underestimate) his enemy even if the enemy is worthless. He should also not be negligent about him even if he is insignificant. An enemy is like fire in the sense that if the beginning of fire is countered, it becomes easy to extinguish it, but if it is left until its burning gets established, its affair becomes difficult. When some of the companions of the Prophet – may Allah be pleased with them – wanted to go to a battle, they would not trim their fingernails. Therefore, the first thing that a person who wants to go to an encounter (i.e.; battle) should do is to do good deeds before the encounter. These include charity, fasting, returning an unjustly acquired item to its owner, maintenance of blood relations, sincere prayer (or rather supplication), enjoining the things that are right and forbidding the things that are evil, and similar deeds.

Umar Ibn Al-Khattab, -may Allah be pleased with him, used to instruct that way. He would say: “(You should know) that your deeds are your means of battle.” It was narrated that an emissary (i.e.; a messenger) came to him, informing him about the victory that Muslims had attained, so Umar said to him: “What time did you encounter the enemies?” He said: “In the morning.”

He said: “And when were they defeated?” He said: “At the inclination of the sun (i.e.; at noon).” Umar (ra) said: “To Allah we belong, and to Him shall we return! How could unbelief have withstood faith from morning to noon? You must have introduced new phenomena after me (i.e.; acts of disobedience)” or “New phenomena must have been introduced after you!”

Therefore, the matter of war all rests on having good commanders, and choosing well-selected leaders and the men that carry the flags. It is not right to appoint a commander of troops except a brave person, of a strong heart, true to battle, of those who have permeated wars and have had mutual brush with men (i.e.; those who have had combat experience with men), born down on (opponent) colleagues (in battle), and hit (opponent) heroes hard. If the commander is like that, and all the troops are issued in accordance with his opinion (i.e.; command/directive), i.e.; as though they were all like him, (the matter now rests in his hands), so if he finds appropriateness in striking the opponent (i.e.; infidel) heroes, he should do it. Otherwise, he should order the sheep back to its home (-a figure of speech standing for ordering the lion back to its den, which means ordering the troops back to their barracks).

All wise people agree that war is a matter of stratagem (i.e.; planned trick). The first thing in that stratagem is that he (i.e.; the leader) should dispatch spies in the ranks (i.e.; bases) of the enemies to find out about their news, leaders and commanders, as well as about the brave among them, and about their plans.

He should accord beautiful promise to them, strengthening their yearnings of getting exotic gifts from him. He should say to anyone that is with him: “If you intend to have an encounter (i.e.; to get engaged at war), you should not start it, even if you are confident in your strength, until you have known how to exit the war. This is because the soul is stronger when it finds a way of stratagem and weaker when it despairs of the way. It is of resolve (at war) to have the defenders of men (i.e.; the elite force: the most excellent combatants), who are the brave men at the middle. This is because whenever the two wings (of the troops begin to) lose courage, all eyes will be looking towards the center. If the flags of the center fly in the sky, and its drums are beaten – (i.e.; if the center is still militarily active), that will be (as) a fortress for the two wings, and every person that begins to lose courage will resort to it. If the center loses courage, the two wings will be torn apart.

Therefore, the loss of courage by the two wings does not harm (the war) so long as the center is still firm. Then every person that intends to run away should go to the center. Quite seldom does a troop whose center is defeated

win the war. Of the most important things, also, is to choose brave fighters. Therefore, you should choose hard people, and do not bother that such people are not many. Do not forget the poet's word:

A thousand among people are like one person

And one person is like a thousand people when a matter (of war) is concerned

Of the things that are mandatory on the commander, when he gets to the place of encounter, is to conceal his mark (or sign) by which he has been famously known, because (he should know that) his enemies must have investigated his (kind of) stratagem and the color of his horse and animals.

Therefore, he should not keep to his camp (i.e.; he should not be there) at night or during the day. He should (always) change his attire and his camp. He should make his place obscure, so the enemies should not seek to take him by surprise. If the war abates, he should not move in the midst of few people outside his camp, because his enemies' spies must have been dispatched against him. It is by this means that Muslims broke (i.e.; destabilized and defeated) African troops when the land was conquered.

That was because the war abated in the middle of the day, so the commander of the enemies came forth walking outside his camp, then information came to Abdullahi Ibn Abi Al-Sarah, so he went forth accompanied by those he trusted among his men, and he bore down on the enemies and he killed their king, so victory was earned.

As to the method of encounter (combat), it is of the best arrangement (or planning). Men (i.e.; fighters) should get ready for it by wearing complete protectors, having long spears and teathed, well-piercing javelins (lances). They should make their rows and be positioned in their quarters, with their spears on the ground, each man among them placing the knee of his left leg on the ground while his shield stands right before (i.e.; in front of) him. Behind them should be archers whose arrows tear (the hostile) armors apart. Behind the archers should be horses.

When the enemies bear down on Muslims, no infantry should move from their position, and no man should stand up on his feet. When they (i.e.; the enemies) draw near, the archers should spray them with arrows and the infantry should (pierce) them with lances. The lances should be directed towards them, taking them by the right and the left and the Muslim horses (i.e.; cavalry) should then come out to strike the enemies that Allah wishes them to strike.

The Hijrah Obligation

Victory starts from working together, and defeat starts from division. The cornerstone of working together is listening and obedience (to the leader). Some men of fairness (i.e.; some wise men) have said: Too much proclamation of **Takbeer** (-saying Allahu Akbar: Allah is Great) at combat denotes the loss of courage.

Therefore, what is required is that, you should lower your voices, seek for tranquility, conceal cowardice, and remember the rancor (hatred) that the enemies have against you, for that motivates towards advancing (in battle). You should also keep to obedience (i.e.; obey superior orders) because that obedience represents the fighter's fortress. When the encounter occurs, the (hidden) decree (of Allah) manifests, (but you should know that) quite often stratagem leads more successful than reinforcement!

Quite often would a word defeat an army! Patience is the cause of victory, and victory comes with patience. There is no victory with transgression. You should not be afraid at encounter, and you should not desecrate (the enemies) when you have had power over them. You should also not squander (or lavish) when you gain victory, and you must not loot the spoils of war. You must purify Jihad from the goal of this world.

CHAPTER TWENTY NINE

The Rule of Waxing Proud When Shooting, and Chanting, Mentioning One's Name and Yelling during Jihad

Let me say – guidance being from Allah – that it is permissible to do all the things that have been mentioned. In Al-Mukhtasar, at the end of the chapter of racing/competition, it is said: “It is lawful in what is besides that when it is for free.

(Also lawful) is boasting while shooting, as well as chanting, mentioning one's name and yelling. However, what is most beloved is the remembrance of Allah, not the archer's (or shooter's) talk.” Al-Kharshi said in this place: “That means it is lawful to boast, i.e.; to mention matters by which one prides himself at war, while shooting, such as ascribing one's lineage to (his own) father or clan because that makes the other person (i.e.; his infidel opponent) more jealous. It is also lawful to do that by walking exultantly at war, as was done by Abu Dujana, and the Prophet (saw) said to him: “It is a walk that is resented by Allah except in this kind of place.”

It is also lawful to chant (poetry) while shooting, because of the tradition that Muslim narrated through Salama Ibn Al-Akwa, who said: “I went forth, following the footsteps of the (infidel) people, shooting them with arrows, chanting and saying:

I am Ibn Al-Akwa

Today is the day mothers will lose their babies.

In the same way, it is lawful to mention one's name while shooting, such as saying, 'I am so person, son of so person.' It is also lawful to yell while shooting because that embodies encouragement and making the mind (or soul) preoccupied away from weariness. He (i.e.; Al-Kharshi) also said, “However, what is most beloved is the remembrance of Allah, not the archer's (or shooter's) talk” adding: “That means the remembrance of Allah by means of **Takbir** or other means is better than all that, not the archer's (or shooter's) talk, which involves complimenting himself and mentioning his good traits.”

In some editions, the word “archery” is used instead of “archer.” What is meant by the archer's talk is (his) boasting, chanting, mentioning of his name and yelling. In some editions, also, it is said “to the archer's traditions”, with the preposition that depicts cause (in Arabic), and traditions being the plural of tradition, which means what has been narrated from the Prophet (saw). It relates to “it is lawful.” That is to say it is lawful to boast and to do the things

that have been mentioned together with it because of the traditions that have been narrated in that regard. Otherwise, what is better concerning them both is to forbid them because of the conceit and insolence they embody.

Note: In fighting the (infidel) enemies, as well as in the kind of fighting that is lawful between Muslims (as in Qur'an 49:9), the word "and boasting..." applies. Al-Shabarkhiti said, where the author had said, 'and boasting while shooting' -Al-Shabarkhiti said: "That is by mentioning his good traits."

It was narrated that the Prophet (saw) threw (i.e., shot an arrow), and he said, 'I am the Son of the Fragrant Ones of Sulaim,' i.e.; of pleasant smell from Sulaim. It is also lawful to do it by mentioning one's clan, just as Makhool had said: "I am the Boy of the Huzail Clan." Ibn Arafat said, where the author had said, 'and chanting,' -Ibn Arafat said: "It is more manifest at the time of war, because the Prophet (saw) said at the Battle of Hunain, when he came down from (i.e.; got off) his mule, proclaiming (Allah's aid to him):

(أنا النبي لا كذب، أنا ابن عبد المطلب).

***"I am the Prophet, without falsehood
I am the Son of Abdulmutallab."***

CHAPTER THIRTY

The Methods of Battle

Let me say - guidance is from Allah – that there are several methods of battle. Talking about the issue of the methods of battle, Ibn Jazy said in **Al-Qawanin**: “There is no blame in destroying their town (i.e.; the infidels' town) and fortresses, as well as flooding to submerge them with water, or cutting off water from them, or ruining the towns, shooting them with slingshots (manganese).” As to using fire (to burn or punish them), scholars disagree (i.e.; they vary) in pronouncement.

There is also no blame in cutting their fruitful trees as well as other kinds of trees. If they have Muslim captives in their possession, their towns should neither be burnt nor caused to drown. (In that case), scholars vary in pronouncement in terms of slingshot and cutting off water from them. If they are together with women and children, scholars have four pronouncements: That it is lawful to use slingshots, not burning and drowning, -and this is the prominent pronouncement.

(Second) is that it is lawful to use all (i.e.; any) of them. (Third) is that it is forbidden to use any of them, and (fourth) is that it is forbidden to use burning. If they use women and children as shields, we should leave them, except if some danger is feared against Muslims by leaving them. In that case, they should be fought even if they use them as protective shields. It is lawful to kill their animals, as opposed to Shafi'i and Ibn Wahb. The choice between killing their animals and hamstringing them has been reported from Malik. Scholars are of consensus that a horse in the hand of an (infidel) rider (fighter) should be killed.

There is variance (in pronouncement) concerning bees. It is not permissible to take the heads of (slain) infidels from one town to another, nor is it lawful to take them to leaders. Enumerating forbidden acts, it is said in Al-Mukhtasar: “And carrying a head to another town.”

Al-Shabarkhiti said: “What is obvious is that the (prohibition to take the head to another place) applies if there is no advantage in doing that, such (advantage) as making people's hearts rest assured that he certainly has died. Indeed, the head of Ka'ab Ibn Al-Ashraf was taken to Madina, as was Abu Jahl's to Quraish.” Explaining the instruments of fighting the infidels, it is said in Al-Mukhtasar: “By cutting off water, by weapon, and by fire if it is not

possible to use other than fire and no Muslim is among them, even if they were in a ship or a fortress, without burning or drowning (them) with children and wives. If they take children as shields, they should be left, except if there is fear.” Al-Shabarkhiti said, where the author had said, 'by cutting off water,' –Al-Shabarkhiti said: “That is to say by cutting off water from them or against them.” He also said, where the author had said, 'and weapon,' –he said: “Involving shooting slingshots (mangonels), striking with a sword, piercing with a lance or with an arrow, even if there are women, children and offspring among them, as the Prophet (saw) did with the people of Taif.” Then he said after some talk: “Ibn Al-Zaruq reported the consensus of scholars that they could be fought with fire where the two parties (i.e.; Muslims and the infidels) are in ships, and there is absolutely no Muslim in the hands of the infidels, i.e.; (no Muslim is a captive in their custody) in the land or at sea.

The end result is that they are fought with fire in ships if there is absolutely no Muslim with them (i.e.; in their possession), and they are fought with fire in places other than the ships if no Muslim is in their possession, too, and it is not possible to use other means. You should know that if there is a Muslim in their possession, and not shooting them with fire (i.e.; using other means in fighting them) will lead to killing (or rather to the death) of a group (or a number) of Muslims, it becomes lawful to fight them with fire as a matter of doing the lesser evil. Al-Kharshi said, where the author had said, 'even if they were in ships,' –Al-Kharshi said: “This goes to the extent of the meaning.

That is to say if it is possible to fight them by other means, or if there is a Muslim in their possession, they should not be shot (or fought) with fire, even we, as well as they, are in ships, based on the prominent pronouncement. It is even more so if we, as well as they, are in fortresses. What is meant by the extent of the meaning is to retort (i.e.; object to) Ibn Zarqun's reporting that scholars are of consensus on the permissibility to shoot them with fire if we, as well as they, are in ships, because if we do not shoot them with it, they will shoot us with it. He said, where the author had said, 'or in a fortress, without burning or drowning (them) with children and wives,' –he said: “It has been mentioned that if the infidels are in a fortress together with their children, it is lawful to shoot them with slingshots (mangonels), and it is unlawful to burn or drown them.

Women are like children (in this regard). It is even more deserving (to not burn or drown them) if there is a Muslim (in their possession) in the fortress, if no fear is entertained against Muslims.” It is said in Al-Mukhtasar: “It is lawful to take what one needs, to destroy and cut down date palms, or to burn them if it inflicts the enemies or if the date palms are not needed. What is

The Hijrah Obligation

obvious is that it is recommended as it also applies to the reverse. (It is also lawful) to slaughter animals, or to hamstring them, destroying them utterly. As to bees, if they are many and their honey is not needed, scholars have to pronouncements (in terms of the lawfulness to destroy or spare them). Carrion (i.e.; dead animals) should be burnt if the infidels are such that eat dead animals. The same applies to an item that Muslims are unable to carry (i.e.; it should be set ablaze).”

CHAPTER THIRTY ONE

The Rule of Fighting the Infidels if They Take Their Children or Muslims as Shields

Let me say –guidance is from Allah. The author of **Al-Mukhtasar** said that: “If they take children as shields, they should be left, except if there is fear they may harm them. Similarly, if they take Muslims as shield, there should be no attack on their fortress if there is no fear that the majority (i.e.; the outweighing number) of Muslims will be in danger.” Al-Kharshi said, where the author had said, 'and if they take a Musli,' –Al-Kharshi said:

“If they take Muslims as shields, they should certainly be fought, but the shield should not be the target, except if there is fear (of some danger) against most of the Muslims, then (in that case), the prohibition to attack the shield becomes void.” Then he said: “But some additional limitations have been mentioned in Al-Jawahir. He expressed that “if they use Muslims as shields in the (battle) row, such that if we should leave them, Muslims would be defeated and evil would grow high, and it is feared that Islam, as well as its people and powerful men, would be uprooted, then it becomes obligatory to fight in defense. The issue of taking the life of Muslim shield into account becomes void.”

Abdulbaqi said in this place: “They are left if they take children as shields, and are fought if they take a Muslim as a shield, despite the fact that the Muslim is more honorable than their children because the souls (or rather hearts) of Muslims are naturally disposed towards hating infidels. Therefore, if it was made lawful to fight them while they take their children as shields without taking the shield as a target, that might have led to killing their children due to the fact that Muslims would not spare because they (i.e.; Muslims) would also resent the children. That, however, is not the case if they (i.e.; the infidels) take Muslims as shields”, as said by Al-Barmouny.

Let me say: The fear that is mentioned in the word of **Al-Mukhtasar** that “if there is no fear of (some danger) against the most of Muslims” is conditioned to where it is decisively known (that such a danger exists) or where there is strong thought which is near a decisive knowledge.

In the commentary on **Al-Kawkab**, Abdulrahman Al-Sayouty said: “If, on the other hand, it is not decisively known, or there is no thought that is near the decisive knowledge that they will uproot (i.e.; utterly destroy) Muslims, it will

not be lawful to shoot (them). The same applies if the advantage is not general, such as shooting at a ship in which are Muslims in order to save some of them (knowing fully that other Muslims will die). If they would not be saved generally, i.e.; if the rescue does not relate to all the (Muslim) community, or if it is not necessary, such as shooting (or striking) the people of a castle who have taken Muslims as shields, since conquering the castle is not necessary, then it is absolutely not permissible.”

A little while before this talk, he explained “the (Muslim) interest is where that is necessary, general, and considered decisively” – he explained it, after mentioning it, by saying: “It is certainly what evidence has shown that it should be considered as a decisive right. That is like (it applies in) striking the infidels who have taken Muslim captives as shields in the war. It is certainly lawful (to strike them) even if it leads to their death.

That applies when it is feared by failing to strike them that Muslims will be destroyed. That involves killing of an innocent Muslim, but it is because of the coming together of three things into this public interest: (First) is that it is necessary since it cannot be attained by other means. (Second) is that it generally goes back to the entire Muslim Community since the (Muslim) interest is attained by a decisive knowledge, not by conjecture. (Third) is because of the certainty that evil will occur without it. The evidence that allows for the consideration of this form (or matter) is what is known in religion that safeguarding the whole precedes safeguarding the part, and that protecting the basis of Islam against the destruction of the infidels is part of protecting any particular group (of Muslims) in accordance with the religious perspective.”

CHAPTER THIRTY TWO

The Rule of Running Away from the Infidels

Let me say that guidance is from Allah. You should know that the consensus of Islamic scholars is that it is forbidden to run away from advancing in war. In **Al-Risala**, it is said: "It is of major sins to flee from the enemies if they are twice or less than the number of Muslims. If they are more than that (i.e.; more than twice the number of Muslims), there is no blame in that." Ibn Jazy said in **Al-Qawanin** that: "It is not lawful to depart (i.e.; flee) from the battle front if that would cause Muslims to lose courage. If it would not, it is lawful for a person that retreats as a stratagem of war or one that retreats to a troop."

What is meant by retreating as a stratagem of war is to show that he intends to flee while he actually wants to return. That is a trick of war. It is also lawful to retreat in order to meet a group (of fighters), who are present (in the battle ground). As to retreating to meet a group of Muslims, who are absent or to meet (some Muslims) in a city, scholars vary in pronouncement (in terms of yes and no)."

It is not permissible to feel defeated (i.e.; to yield) until the infidels are more than twice the number of Muslims. The yardstick in that regard is the number of people, based on the prominent pronouncement. Some scholars have said it is the power (i.e.; force). However, if the number of Muslims reaches twelve thousand, it is not permissible to yield even if the infidels are more than twice the number. If Muslims know that they will be killed, retreat becomes more appropriate. If they know that they will be killed and that (even if they stand to fight the infidels knowing that they will be killed), they will have no capacity of inflicting pain on the infidels, it becomes obligatory to run away. Abul Ma'ali said:

"There is no controversy in that regard." Enumerating the things that are forbidden (at war), the author of **Al-Mukhtasar** said: "And running away, if Muslims reach half (the number of their enemies) but have not reached twelve-thousand fighters, except if it is done as a stratagem of war or in order to meet a group (of Muslim fighters), where there is fear." Al-Kharshi said in this place: "The conjunction in his word, 'but have not reached twelve-thousand fighters' explains the situation (as understood in Arabic language). It goes back to the meaning that is deduced from his word, 'if Muslims reach half.' That is to say it is permissible to run away if they are fewer than half of the number of

the infidels in a condition in which they (i.e.; Muslims) have not reached twelve-thousand fighters.

It is therefore a condition that limits the deduction. If the number of Muslims reaches twelve-thousand, it is forbidden to flee even if the number of the infidels goes beyond twice the number of Muslims (which is now twelve-thousand). That applies where Muslims have one word (i.e.; they do not dispute, i.e.; they are not united) and where they have weapons. If they are not united, it is permissible to flee. The same applies where the enemies are at a place of supply while Muslims do not have supplies. If this is taken into account where they have reached twelve-thousand, then it should also be taken into account where they reach half the number of their enemies but are fewer than twelve-thousand fighters.”

CHAPTER THIRTY THREE

Kinds of Spoils

Talking about the kinds of spoils, Ibn Jazy said in **Al-Qawanin** that: “Spoils are of seven kinds: The infidels' men, their women, their children, their wealth, their land, their food, and their drink.” As to the men, the Imam is given the choice to do one of five things with them: Killing, generosity (i.e.; setting them free), ransom, tribute, or enslavement. He should do the most appropriate (or suitable) of them.

As to women and children, the Imam is given the choice of generosity, ransom, or enslavement concerning them. As to wealth, it is of four kinds. First is the one that is wholly for Allah's cause, and that involves tribute, tax, and the one tenth that covenanted infidels and the infidels of reconciliation pay of their wealth, as well the wealth that is acquired without actual combat, which is all known as *fai*. Therefore, the Imam should do what he deems serving the Muslim public interest in that regard.

He should not divide such wealth into fifths, as opposed to Shafi'i. Second is the wealth that one takes. Such wealth does not require a one fifth. It is the wealth that one takes from a place in the hostile land without any expedition (with either cavalry or camelry, i.e.; without any combat), such as when a captive escapes from them with some wealth, as well as what the enemy throws away lest he should drown, except if it is gold. In that case, it should take the rule of buried treasures that are found.

Third is the wealth whose one fifth is expended in Allah's cause, and the remaining belongs to those who have attained it. This wealth is the spoils of war and buried treasures. By spoils, we mean what one takes in terms of defeating his enemies. Taking the same rule is what is taken in terms of plundering and snatching. Fourth is the wealth concerning which scholars vary in pronouncement as to whether or not it should be fived! It is the wealth that slaves have acquired as the spoils of war having no free person together with them, or what women and children acquire as spoils without any man together with them, as well as the wealth whose owners flee without any landing of troops. The troops shall have nothing of such wealth. Some scholars have said that such wealth should be fived.

As to lands, if they are conquered by force, then they are of three kinds: The land that is far from our control. It should be destroyed by dismantling or

burning. (Second) is the land that is under our control but which is not inhabited. The Imam should give such a land to the people that will be of aid (to the Muslim) cause. The troops shall have no share in it. (Third) is the land that is near and such in which there is interest. The prominent pronouncement is that it should be kept as an endowment, and its revenue should be used in the Muslim public interest, involving the salaries of fighters in the Cause of Allah, as well as workers, builders of waterways, mosques, fences, and other (similar) things. Some scholars have said that it should be distributed like other spoils, as adopted by Shafi'i. Some scholars say the Imam should be given the choice in that regard, as adopted by Abu Hanifa. If a land is attained on the basis of reconciliation, then it is dealt with in accordance with the dictates of that reconciliation.

As to food and drink, it is lawful to make use of them (even) without having them distributed so long as they are in the hostile land. That applies to staple food, fruit, meat, and fodder according to need, whether or not one is in need of it. If anything of the food or drink remains with him after entering the land of Islam and after the army has dispersed, he should give it as charity. If it is little, he should make use of it. It is lawful to slaughter cattle for food and to take the hide for sandals (shoes) and mules (socks). Some scholars have said it is not permissible to slaughter them. (Going by the lawfulness to slaughter them for food), the permission of the Imam is not required. If the Imam were to collect what remained of that, then people (later) became in need of it, they should eat thereof without his permission.

It is lawful for one to take a weapon (from the infidels' belongings, such as would later become the spoils of war) – it is lawful to take it and fight with it, but he should return it. The same applies to an animal that he should ride to his town, and he should later return it to the spoils, as well as a cloth that he should wear and return it. However, Ibn Wahb said: “He should not make use of any weapon, or cloth, or animal (in such a case).”

In *Al-Mukhtasar*, written by Al-Khaleel, it is said: “It is lawful for a person in need to take sandals (shoes), a belt, a needle, some food, even if it were of cattle, and fodder, as well as a cloth, some weapon and an animal in order to bring them back. Surplus (i.e.; what remains after use) should be returned if it is much. If it is difficult to return it, it should be given as charity.”

CHAPTER THIRTY FOUR

The Method of Distributing Spoils

Let me say that guidance being from Allah. Ibn Jazy said in **Al-Qawanin** that: “The leader should sort out the troops. He should distribute four over five of the spoils to them in the hostile land (that has now been defeated).” Abu Hanifa said: “Spoils should not be distributed until they are in the land of Islam, and the Imam has the choice to (either) distribute the spoils in kind or in cash (i.e.; by selling them and distributing the money, for example, or by estimating the worth and paying from the wealth of the treasury). He should do what he deems most befitting in that regard.”

Concerning those who shall have the spoils distributed to them, he said: “Scholars all agree that a Muslim that is free (not a slave), male and mature (i.e.; of legal competence, having reached the age of puberty) should have a share. As to an infidel, if he does not fight (in favor of Muslims), he shall have no share. If he fights, there are three pronouncements, the third of which is to differentiate whether or not Muslims are in need of his help, so he should be given his share (from the spoils) if yes, and not given if no.

(The first of the three words is that he shall have a share absolutely if he fights; the second is that he shall have no share absolutely, even if he fights, as understood from the logical context). A slave is like the infidel (in terms of rule here). A child that has the ability to fight shall have a share. Some scholars say he shall have no share, as adopted by Abu Hanifa and Shafi'i. If a woman does not fight, she should have no share. If she fights, scholars are of two pronouncements in terms of her deserving the share (i.e. some say yes, and others say no). Based on the prominent pronouncement, if a trader and a hired person fight, they shall have a share. Spoils are also distributed to the lame person (if he attends and perhaps fights the battle), as well as a leper, and a person whose left (hand) is amputated (i.e.; since he can fight with the right hand), as opposed to the blind and the (terminally) crippled persons, and a person whose two hands are amputated.”

Explaining the things that make one deserve spoils, he said: “Spoils are deserved by attending the battle, even if the spoils are acquired thereafter, based on the prominent pronouncement. Some scholars have said that they are acquired by attending the battle if the spoils are acquired therein. Some scholars say they are deserved by (just) entering the hostile land (for the battle). Based on the prominent pronouncement, the share of a person who dies after the battle, or is sent by the leader for some matter of Muslim interest,

or a person whose horse dies or who sells his horse (thereafter), - the share of these persons is established (i.e; they must be given their share). If a person lags behind on the road, failing to be at the battle, he shall have no share. If he is such that gets lost from the troops (i.e.; he strays inadvertently) until they have acquired spoils, there are three pronouncements concerning him. There is the giving him a share, denying him the share, and differentiating between his straying before entry into the hostile land. In the latter case he shall have no share, and after entry into the hostile land, in which case he shall have an established share. This is the prominent word.

The same applies to ships if wind should bring back some of them (that had gone missing). If the army comes across a river, so some people cross it and acquired spoils, and others remain behind in such a place that they could reinforce their colleagues if they are in need of them, the troops should include them in sharing the spoils. The same applies to a case where a detachment of an army goes forth and acquires spoils in a place that is near (the base of the army), such as the reinforcement of the army could reach the detachment. If it is far, the army shall not share them in their spoils.

However, if the army were to acquire spoils after the detachment had departed, the latter (i.e.; the detachment) shall have an established share as long as they had gone forth with the Imam's permission. Abu Hanifa said if reinforcement were to arrive after the war had ended and after spoils had been acquired, the reinforcing troops should share the others in the spoils.” Explaining the rule concerning the share of a horse and of other animals, he said: “An infantry soldier (i.e.; one that fights on his foot, not riding a horse) shall have one share, and the cavalier (one riding a horse) shall have three shares, one for him, and two for the horse.

However, Abu Hanifa said the horse should have (just) one share. In terms of share, an owned horse, a horse of endowment, a hired horse, a borrowed horse, and an extorted horse are the same. In all these cases, the share of the horse goes to its rider (i.e.; the person that fights on it), and the rider is liable, if it is an extorted horse, to pay the owner the rental charge that such a horse deserves. If a person has (a lot of) horses, only one of them shall be given the share, and scholars all agree that the share should not be given to more than two of such horses. The prominent pronouncement is the one that says share should not be given to the second of such horses (i.e.; only one and not more than that should have a share), as opposed to Ibn Hambal. The commander's share is like the share of any other person. No share is given to mules, donkeys, camels, and elephants. An emaciated horse that gives no advantage (at war) shall have no share, as opposed to a horse that has some problem in its hoofs, as well a horse that is lightly (or slightly) ill.”

CHAPTER THIRTY FIVE

The Rule of Looting, and of One's Taking of What He Deserves from the Spoils if the Distribution is not Done According to Religious Law

Let me say – guidance being from Allah – that Ibn Jazy said in **Al-Qawanin** that: “Looting is prohibited by the consensus of Islamic scholars. If the looter comes repenting before the spoils are distributed, he should not be disciplined. What he had looted should be returned to the spoils. If he repents after the army has dispersed, he should be disciplined, and the loot should be given as charity.”

Scholars vary in pronouncement as to whether (items of) spoils are owned by taking them (from the spoils) or by the distribution of the spoils. Shafi'i adopted the first, and Abu Hanifa adopted the second. On that (i.e.; Abu Hanifa's) basis, anyone that had a sexual intercourse with a girl (or a woman/maid) that is of the spoils shall have the penalty (of adultery) applied on him. If he steals, his hand should be amputated, as opposed to Ibn Al-Majishhon in that regard. However, Suhnun said: “If he steals what goes beyond his share by three Dirhams, his hand should be amputated. Otherwise, he should not be amputated.”

Enumerating the prohibited things, the author of **Al-Mukhtasar** said: “And looting, and he (i.e.; the looter) should be disciplined if it appears against him.” In this place, Al-Kharshi said: “Ibn Arafat defined that by saying: If he takes such a thing that is allowed to be used of the spoils before it is owned (by distribution).” Ibnul Qasim said the looter should be disciplined.

If he comes repenting, the discipline does not apply because it becomes void by repentance. You should know that because the looter is entitled to a share in the spoils (having attended or fought the battle), that does not prevent the mandate to discipline him if the loot appears against him (i.e.; if the evidence is established that he has actually looted) before he comes repenting. All applies if it is before the items of the spoils are owned (by individuals after the distribution). If it is after that, he shall have the penalty (of theft applied on him, because it now means he is stealing someone's property).

Explaining the author's word, 'he should be disciplined if it appears against him,' Al-Shabarkhiti said: “Not if he comes repenting, as opposed to Suhnoon, even if it is after the distribution, the dispersal of troops and when it is difficult to bring back the loot. This is the obvious pronouncement reported from Ibn Habeeb in Al-Nawadir. After the Imam has been given the one fifth of such a

regained loot, the remaining thereof should be given as charity on behalf of the fighters.” Abdulbaqi said in this place: “The looter should be disciplined if it appears against him. His deserved share of the spoils does not prevent him from that discipline, except if he comes repenting. In that case, he should not be disciplined, even if it is after the distribution, or the dispersal of troops, or when it is difficult to bring back the loot. It should be given as charity on behalf of the fighters after the one fifth of it has been given to the Imam.”

There is the issue of someone taking what he deserves from the spoils especially, if they are not shared according to Shari'a (religious law). Al-Shabarkhiti as well as Abdulbaqi have said that: “It is not of looting when a person that fights in the Cause of Allah under an unjust leader who does not distribute spoils religiously. It is not of looting if such a person takes only what he deserves. This is actually allowed, because it is as a person that takes his own thing. This is said by Al-Zarqani and reported by Al-Barzali.”

CHAPTER THIRTY SIX

The One Fifth and Other Forms of the Treasury Wealth and the Rule of Revisiting What Unjust (Oppressive) Leaders and their Appointees have Sold from the Treasury

Let me say – guidance being from Allah – that you should know that it is obligatory on Muslims, including Muslim slaves, to give forth the one fifth of spoils (to the treasury). It is said in **Al-Mukhtasar** that: “And a Muslim's giving of the one fifth, even if he is a slave, based on the most authentic pronouncement, not so for the covenanted infidel (i.e.; the infidel is not required to do that).” In this place, Al-Kharshi said: “A Muslim, even if he is a slave –based on the prominent word, should divide the spoils he has acquired into five. It is also the pronouncement of Ibnul Qasim, that his word “on the most authentic pronouncement” refers. The rule applies equally whether the Muslim is a man or a woman, mature (i.e.; legally competent) or not. As to the covenanted infidel, he certainly does not divide what he acquires as spoils into five, period! This is because Allah, the Exalted, said:

﴿وَأَعْلَمُوا أَنَّمَا غَنِمْتُمْ مِنْ شَيْءٍ فَإِنَّ لِلَّهِ خُمُسُهُمْ﴾ الأنفال: ٤١

“And know that out of the booty you may acquire, a fifth share is assigned to Allah.”Qur’an 8:41

The address is to those who believe.

As to the area of expending the fifth and other forms of the treasury wealth, the author of **Al-Mukhtasar** also said therein: “The revenue that accrues from land, as well as the fifth (of spoils) and (the wealth of) tribute, is expended on the Prophet's household, then on the public interest of Muslims. The people in whose treasury is the wealth should be given preference (i.e.; the wealth should be expended in their public interest), then it should (thereafter) be taken to those that have more pressing need of it.” In this place, Abdulbaqi said: “The pronouncement that is in **Al-Mudawwana** is that the Prophet's (saw) household and the public interest of Muslims are treated on the same footing, except if starting with the household is understood as a recommendable (hence praise-worthy) thing,” as said by Al-Bisaty.

Moreover, (you should know that) when the Prophet's household is given, its share should be abundant since they (i.e.; the members of the household) are

not given from the wealth of alms (Zakat).” Then he said in conclusion: “Ibn Jama'a has explained what is deposited in the treasury poetically:

Seven are the areas of the kinds
of treasury wealth
Put in a verse of poetry by its writer
Fifth, non-combatant wealth (fai), tax,
tribute, tenth
Inherited quota, and wealth of a missing owner

Then he said: “If he had said, “inherited wealth,” it would have been better because the treasury does not inherit as having a specified share in our understanding. His word “wealth of a missing owner” means that the owner is unknown.”

In Shur Al-Zalal, it is said (poetically):

The kinds of treasury wealth are:
The fifth, the tenth
Tribute, tax, non-combatant wealth(fai)
That is available
And the things whose owners are unknown
And inherited wealth that has no heirs
These seven represent the treasury

For anyone that has an understanding of what is lawful, Ibn Jazy said in Al-Qawanin that: “In our School of Jurisprudence, the affair of the fifth is left to the discretion of the Imam. He should take what suffices him, even if it is all of it. He should use (or expend) the remaining on the public interest of Muslims” Then he said: “The tradition of equitable leaders regarding non-combatant wealth (fai) and the fifth is to use them in defending areas of fear and porous areas, and in preparing the instruments of war and fighters' salaries.

If something remains, it goes to judges, workers, building of Mosques and waterways. The rest is distributed to the poor. If something remains, the Imam has the choice of distributing it to the affluent and keeping it for the disasters that may befall Islam. Scholars vary in pronouncement as to whether he should prefer (i.e.; give more) to people that have religious eminence and positive track records, or he should do that on the same footing.

If you said (or rather asked), 'Is it lawful for any Muslim to take what goes beyond his sufficient need from the treasury or not? – I would say: “The

answer is that, Al-Ajhoury was asked about that, as mentioned in **Al-Zaharat Al-Wardiyya**, and he answered saying, 'You should know that no Muslim has the right to take from the treasury except the quantity that he needs. If the treasury does not have resources that go beyond the dues of those that are entitled, as it is in this our time, he is liable to pay it back to those that are entitled to it, and he is also obliged to return it. In the same way, if a person has what suffices him in his necessary needs without the treasury, he shall have no right to take anything from the treasury. If he does, he must be liable of paying it to those who are entitled, and he must return it.'

After he has mentioned the views of Al-Ajhoury, Abdul-Mu'allysaid in the book that has been mentioned that: "It has been deduced from the writings of the leaders of our School of Jurisprudence mentioned earlier that, the reliable position by which pronouncement should be issued is that a person is given what will suffice him (his basic need) from the treasury for a year. He should not be given more than that if the treasury does not have the resources that go beyond its areas of spending, which are the Prophet's relatives (saw) and the public interests of Muslims."

It is said in **Diya'ul Khulafa** that: "Furthermore, it is not an obligation to make the treasury cover all Muslims, nor is it to be specifically dedicated to the poor. Rather, its affair is left to the discretion of the Imam. The evidence is that Al-Abbas said to the Prophet (saw): "Give me from this wealth." The Prophet said: "Go and take." He spread his cloth and poured what he was unable to carry in it." Abubakr, also gave Abul Ayyoub Al-Ansari one thousand five hundred Dinars while he (i.e.; the latter) was of the affluent people of Madina."

In Tahqeeq Al-Mabany, where the author had said, 'and what Muslims take as spoils after war, the Imam should take a fifth of it.' It is said in Tahqeeq Al-Mabany that: The Imam should deal with that by his discretion. If he wants, he may deposit it in the treasury in order to expend it in the Public interest of Muslims, such as buying weapons and other things that he deems are in the interest of Muslims. If he wants, he may distribute it, giving all of it to the Prophet's household (saw), if he wants, or to other Muslims, or giving the household some of it and giving the remaining to others."

In the chapter that deals with the treasury, it is said in **Diya'ul Khulafa** that: "This is a case in which kings had taken a path contrary to the tradition of the Prophets and Messengers (of Allah), and of the rightly-guided caliphs, such that kings used to hoard the wealth, conceal it against the subjects, and prepare it for an ugly day. The Messengers (of Allah), peace be upon them, as well as

the caliphs after them would give the wealth in abundance, not hoarding it, and they would generously give it to men (i.e.; to people/subjects), so their subjects became the troops and the guards. This was the tradition of our Prophet (saw), as well as of the rightly-guided Caliphs after him: Abubakr, Umar, Uthman and Ali, -may Allah be pleased with them, as well as of Ali's son, Al-Hassan (ra), and Umar Ibn Abdulaziz (ra).

The Prophet (saw) did not have the treasury, nor did the rightly-guided caliphs after him. All they did was to distribute the wealth that was lawfully acquired to Muslims, and when some insignificant things remained thereof, they were put in a house. If people were not in need of them at that time, they were put in a house, and if an absent person returned, or a present person fell in need, he would have his share of them, then it would be distributed until no Dirham (i.e.; until nothing) remained in it.”

As to the rule of revisiting the things that unjust leaders and their appointees have sold from the treasury, Al-Wanshirisy said in **Al-Mi'iyar** that: “Ibn Al-Hamdain said. 'What is appropriate is not to revisit such a thing and not to look into it, even if they are oppressive and unjust, because so doing would open the door of evil, which is searching (i.e.; digging into) people's wealth, since this is something that happens a lot.’” Then Sheikh Abul Hassan said: “If we should rise to nullify this kind of transaction, and to dig into people's wealth, no transaction of kings (or rulers) would remain (valid). What is appropriate, therefore, is to leave it, even though the right thing is to revisit (or investigate) the deeds of unjust leaders (or judges) and of unjust workers, (but the first has been chosen) as a matter of dispensing with the lesser evil by the greater one. The Prophet (saw) said:

إذا اجتمع ضرران نفى الأصغر الأكبر

“If two evils meet, the lesser one negates the greater one.”

Therefore, you are obliged, O my brothers, to give forth the one fifth, as well as other kinds of the treasury wealth, and to give it to those who deserve it, and to avoid using the wealth of Allah not in its right place. In the authentic book of Al-Bukhari, it is narrated through Khaula Al-Ansariyya, who said: “I heard the Prophet (saw) say:

إن رجلاً يتخوضون في مال الله بغير حق فلهم النار يوم القيامة

“Some men (i.e.; some people) do plunge into the wealth of Allah without any right. They shall have hellfire on the Day of Resurrection.”

We ask Allah for safety (from that)!

CHAPTER THIRTY SEVEN

The Rule of What the Infidels Acquire of the Wealth of Muslims

Let me say –guidance being from Allah – that in explaining what has been mentioned, Ibn Jazy said in **Al-Qawanin** that: “It is of four kinds. First is the wealth, which they become Muslim possession. That belongs to them. Second is the wealth that they bring to the Muslim land upon the Islamic immunity issued to them. That belongs to them, (too). (Malik) said in Al-Mudawwana: “I would like that such wealth is bought from them.” Ibn Al-Mawwaz said: “It is lawful to buy that from them. If its owner comes (later, claiming injustice), he has the right to take it by paying the price.” Third is what a Muslim who had gone to their land upon immunity bought from them.

The owner shall have nothing of it (thereafter), except by paying the price. If they had given it as a gift to the Muslim that went to their land, the owner should be most entitled to it without any price, except if the Muslim had compensated the giver for the gift. (If what was given to the Muslim had been a male or a female slave), and he had freed the slave or had made the female slave a Child-bearing Slave, that renders the case closed, as opposed to Ash'hab. Fourth is what Muslims acquire as spoils.

It belongs to the Muslim that had owned it, and it is not lawful to distribute it within the spoils if it is known (that it had been the property of a given Muslim before the infidels seized it). If the Muslim owner meets the item before the spoils are distributed, he should take it without any price. If he does not know about it until the spoils have been distributed, he shall be most entitled to it by paying the price, as adopted by Ibn Hambal. Al-Shafi'i said he should be most entitled to it without any price. Abu Hanifa said if the infidels had defeated us before taking the item, then the owner should be most entitled to it without any price before the spoils are distributed, and by paying its worth after the spoils are distributed. If the infidels had taken it without defeating us, it belongs to the owner absolutely.

In Al-Mukhtasar, it is said: “The person that has been determined as being the owner of something before should take it without any price, even if he is a covenanted infidel. He should swear an oath that it belongs to him. (If such an owner is known but is not at the battle ground), the item should be taken to him if so doing is better, or it should be sold for him (to have the money). His swearing of an oath is approved on interpretative basis based on what is best. That is not so if the owner has not been determined.”

Al-Shabarkhiti said, where the author had said, 'he should swear an oath that it belongs to him.' Al-Shabarkhiti said: "That means if a Muslim or a covenanted infidel finds any of his belongings in the spoils before they are distributed, and witnesses testify that it belongs to him, he shall have it without any return (i.e.; without any price). This will be after he has sworn a religious oath that he had not sold it or offered it as a gift, and that it had not gone out of his possession by lawful means, and that it still remains his. Therefore, he shall be entitled to have it in his possession by lawful means as a deserved right for whose ownership the swearing of an oath is necessarily required. This oath is called (blotted out in the manuscript), and it completes the rule."

In Al-Jami, the commentary on Al-Mukhtasar, in this place, it is said: "He should swear an oath that his ownership still remains, and that he had not sold it, or given it as a gift, or given it as charity, and that it had not gone out of his possession by any legal means, which is through a legal oath." Al-Shabarkhiti said, where the author had said, 'Not if the owner has not been determined,' - Al-Shabarkhiti said: "Rather, it is known only on general terms that it belongs to a Muslim, such as (when the item is) the Qur'an or (books of Prophetic traditions like) Al-Muwatta and Al-Bukhari, or to a covenanted infidel. Based on the prominent pronouncement, it is lawful to distribute it within the spoils on the basis of giving preference to the ownership of those who have acquired the spoils. The reported word is that it is lawful to distribute it (within the spoils) right from the beginning as we have established."

CHAPTER THIRTY EIGHT

The Attainment of Freedom by Infidel Slaves if they Flee to Us and the Lawfulness of Having Sexual Intercourse with Women that are Taken as Captives Among Them after One Menstrual Period has been Observed, Even if They Have Husbands in the Hostile Land

Let me say – guidance being from Allah. The attainment of freedom by those whom we have mentioned is by means of what we have mentioned. The author of **Al-Mukhtasar** said that: “A slave that becomes Muslim belonging to an infidel, and then he runs away (from the infidels) shall be free. Also, if he remains (with them as a Muslim) until he is taken as of spoils of war (i.e.; he shall also be free), not if he goes out after his master has become Muslim.”

In this place, Al-Kharshi said: “That means if a slave belonging to an infidel escapes to the Muslim land before his master has become Muslim, he shall be free, because he has owned (i.e.; emancipated himself as of spoils). He shall be free whether he is Muslim or not.” His word “that becomes Muslim” has no logical significance. If the slave comes with wealth, it will belong to him, and such wealth should not be fived. In the same way, he shall be free if he becomes Muslim, but remains in his master's place in the hostile land until he is taken as of spoils of war by Muslims while his master is an infidel.

This applies if he comes to us as an infidel or a Muslim before his master becomes Muslim.” Abdulbaqi said: “But if the slave remains until he is taken as of spoils of war, then he claims that he had been Muslim, his word should not be accepted because it involves the right of the fighters that have acquired the spoils.” He also said, where the author had said that, 'a slave that becomes Muslim belonging to an infidel, and then he runs away (from the infidels) shall be free, or if he remains (with them as a Muslim) until he is taken as of spoils of war (i.e.; he shall also be free). He also said: “The same applies if he does not become Muslim, based on the adopted pronouncement.”

In this place, Al-Shabarkhiti said: “Scholars all agree that he shall be free because he has owned himself (in so doing). The Prophet (saw) used to emancipate the slaves that came to him from Taif, even though they had come forth to him as Muslims. It is a verdict he made attesting to their freedom, not an initiation of the freedom.”

As to the lawfulness of having sexual intercourse with women that are taken as captives from the enemies, after they have observed one menstrual period,

even if they have husbands in the hostile land, Al-Khazin said in his commentary on the word of Allah, the Exalted,

﴿وَالْمُحْصَنَاتُ مِنَ النِّسَاءِ إِلَّا مَا مَلَكَتْ أَيْمَنُكُمْ﴾ النساء: ٢٤

“Also (prohibited are) women already married, except those whom your right hands possess.” Qur’an 4:24

He said: “That means the women that are taken as captives having husbands in the hostile land. It is lawful for the person that obtains them to have sexual intercourse with them after one menstrual period, because captivity negates the marriage between such a woman and her husband.” Abu Sa’eed Al-Khudry said: The Messenger of Allah (saw) sent an army to Autas, and they acquired (female) captives that had infidel husbands, and they detested having sexual intercourse with them, so Allah sent down this verse.”

Al-Kharshi explained in the commentary on **Al-Mukhtasar**, where the author had said, ‘captivity destroys marriage’ that, the statement “means, if two infidel spouses (a husband and his wife) are taken as captives, or if one of them is taken as a captive before the other, the marriage between them is nullified. It is, therefore, lawful to have sexual intercourse with her after one menstrual period. She should not be required to observe the (actual) Waiting Period (of three months or three menstrual periods) because she is now a female slave.”

In Al-Risala, it is said: “The waiting period of a female slave in order to transfer her possession is one menstrual period, whether the transfer of possession is by trade, or gift, or captivity, or other means.” In **Tahqeeq Al-Mabany**, it is said: “What is religiously meant by the waiting period, (which is known as **istibra**), is to discover the condition of the womb (i.e.; ascertaining whether or not she is pregnant) when possession is transferred. This is in order to safeguard (people’s) lineage. It is obligatory in the same way the waiting period of wives (known as **idda**) is obligatory, because the Prophet (saw) said:

لا توطأ حامل حتى تضع ولا غير ذات حمل حتى تحيض حيضة

“A pregnant woman should not be touched sexually (i.e.; she should not be married) until she has given birth, nor should a non-pregnant woman be touched sexually until she has observed one menstrual period.”

—narrated by Abu Dawud and Al-Hakim, who pronounced it as authentic.

CHAPTER THIRTY NINE

The Rule of a Person that is Found Being Enslaved in the Hands of the Infidels, then He Claims to Be a free Muslim, and that He Didn't Just Emigrate, and the Rule of a Person that is Brought from a Town in which Trade in Free People is Rampant, then He Claims to Be a Free Muslim

Let me say – guidance being from Allah. In an answer to the questions of the leader, Al-Hajj Askiya, Muhammad Ibn Abdulkarim Al-Maghily said: “As to the person you find being enslaved in their possession, then he claims to be a free Muslim, his word should be accepted, until evidence is established that he is a slave.” Then he said to him: “And anyone of them you leave because of his claim to be a free Muslim, then it (later) becomes clear to you that he had been an infidel, you should return him back to his slavery.”

There is the case of the person that is brought from a land in which trade in free people is rampant, but he claims to be a free Muslim. Ibn Zarib was asked, as mentioned in **Al-Mi'iyar**, about a slave that was in a man's possession, but claimed to be a free Muslim. It was known that the slave had been sold in a town where selling of people was known to be rampant. He answered thus: “The slave should get out of the hand of the person that possesses him (i.e.; he should be free) until he (i.e.; the possessor) establishes evidence that he had bought him from a person that was his owner.”

It is mentioned in Al-Nawazil, written by the father of Al-Asbag, the prominent Imam that: “If a slave claims to be a free person and mentions that he had come from a town in which selling free people is rampant, it is the onus of the buyer (i.e.; the person that now possesses him) to establish evidence of purchase. According to Muhammad Ibn Al-Waleed and Yahya Ibn Abdulaziz, the buyer should be required to establish the evidence that he is a slave.” Suhnun also said the same thing.

In **Al-Kashf Wal-bayan Li asnafi Majloobil Sudan** (-literally, Discovering and Explaining Kinds of Acquisition from the Non-Arab Lands), Sheikh Ahmad Baba said: “The scholar of jurisprudence, Mahmoud Ibn Umar Ibn Muhammad Aqeet used to issue verdict at his time, attesting to the freedom of anyone who claimed to be a free person among them. He would pull him out of the possession of the owner until he had established (his) ownership (of the person as a slave). Otherwise, he would make the verdict to the freedom of the slave from his owner. It is also with it that the jurist, Al-Hafiz Al-Makhloof Al-balbaly had given pronouncement. Then he said: “However, Ibn Lubaba

said: "The person that claims to be a free person should be the one to establish evidence (to that effect)."

Let me say: The conditions of the people of these towns of Sudan, as found in the mentioned book, are almost the same, such that they are not distinguished from one another except on the basis of saying: This is a Muslim by origin, and that is an infidel by origin. Hence, the situation becomes confusing for those that are brought to them in the sense that they would not know the reality about the person that has been brought. If you asked whether it was established that the Prophet (saw) and his companions used to inquire about what (i.e.; the slaves) they possessed and be hesitant in that regard, or whether they used to own them, not caring about anything.

I would say: The answer is as found in the mentioned book, that the condition of people in the era of the Prophet (saw) and his companions –may Allah be pleased with them - was known because disbelief was prevalent among people at that time. Therefore, a slave that was possessed had a known condition since he was of the infidels, and because anyone that became Muslim at that time was known.

Note: In **Al-Mi'iyar**, it is said: "Whoever sells a free person should be compelled to find him and bring him back, and to pay the price to the person that has bought the free person from him, if the buyer does not know that he is a free person. He (i.e.; the seller) should be punished according to interpretative judgment (i.e.; according to the judge's or the Imam's discretion). If the buyer knows that he is a free person, some scholars have said that he should have (his money) returned to him. Others have said it should not be returned to him. Rather, the price should be given as charity as a means of discipline to him. If the seller searches for him, but does not find him, and the time becomes prolonged in that regard, he should be liable for paying his blood money in full. That had been the pronouncement of the judge of Qurtuba, Muhammad Ibn Bashir, meaning that the blood money should be (paid to) his heirs, as though the seller had killed him.

CHAPTER FORTY

The Rule of the Infidel's Children and his Wealth if He Becomes A Muslim in the Hostile Land and Continues to Reside Therein, or if He Comes Forth to Us and Leaves His Children and Wealth There

Let me say –guidance being from Allah. The author of **Al-Mukhtasar** said therein: “His children and wealth are (deemed) non-combatant wealth absolutely (i.e.; fai, hence wealth that should go to the Muslim treasury).” Al-Kharshi said on this issue that: “The pronoun (or possessive adjective) 'his' refers to the person that has become Muslim, which is understood from his word thereafter. What is meant is that if an infidel becomes a Muslim and escapes to our place or remains in his town (land) until we have acquired his land (town) as spoils of war, his children and wealth will certainly be spoils of war for the army that have gone into his town.”

That is what he (i.e.; the author) means by non-combatant wealth. If he had used that expression, it would have been better. As to his wife, scholars all agree that she is of the spoils of war. The same applies to her dowry. There is no difference concerning his children between the small and the big, whether the infidel remains in his town, or comes forth to us, leaving his wealth and children there, or whether he becomes Muslim at our place after he has been given Islamic immunity, or in his land. That is the meaning of the word “absolutely”.

Abdulbaqi said, where the author had said, “His children and wealth are (deemed) non-combatant wealth absolutely”. Abdulbaqi said: “That means an infidel that becomes Muslim, then Muslims wage war against his (infidel) town”. They took his child as spoils of war, and the child's mother had given birth to him before his father became Muslim, as pointed out by his previous word 'he (i.e.; the child) should be taken as a slave if she (his mother) had given birth to him in disbelief.' However, if she bore him after his father had become Muslim; he (i.e.; the child) shall be free as agreed by all scholars, as in Tut.” He also said, where the author had said, 'non-combatant wealth (fai),' – he said: “That means spoils of war for the army that has gone into his land.” He said, where the author had said, 'absolutely,' –he said: “That means whether the children are small or big, whether the infidel has come to us, leaving his children there, or whether he has not come.”

It is said in **Al-Jami**, the commentary on **Al-Mukhtasar**, where the author had said, 'absolutely,' –it is said: “That means whether the children are small or

matured, whether he (the infidel) comes forth to us after he has become Muslim, or whether he remains in the hostile land, whether he meets that (situation) before the spoils are distributed or after it, -it makes no difference.”

Then he said: “This is contrary to the word of those who said it should only be (regarded as) non-combatant wealth (fai) if he had come forth to us, and that if he had not come forth to us, it would not be fair. Rather, it would belong to him since his wealth is in his possession and has not been acquired by any other person. These two are interpretations of (what is in) Al-Mudawwana.” Ibn Jazy said in Al-Qawanin: “If an infidel becomes Muslim, then Muslims wage war against his town, his wife shall be fai, as well his children based on the prominent pronouncement.”

CHAPTER FORTY ONE

The Rule of the Wealth of Muslims Residing

In Hostile Land

Let me say –guidance being from Allah. In **Al-Zaharat Al-Wardiyya**, Al-Ajhoury was asked about a group of Muslims that (were residing) in the place of an infidel king, the Sultan of Muslims waged a war against them and took spoils from them. Then they came and identified their wealth. Would they have the right to take it, or not? He answered, saying: “The wealth of Muslims who reside in the hostile land is (regarded as) a non-combatant wealth (fai). Therefore, it should be of the sum of the treasury wealth. This was pronounced by Al-Barzaly, reporting from some scholars.”

Then he said: “I was also told that Al-Asbag pronounced the same thing because the owner has no control over it. Rather, the infidels have control over it. Ibn Rushd also said the same thing.” Then he said: “On that basis, it is absolutely not lawful for any one of them, who finds something of his wealth to take. It is mentioned in **Al-Mi'iyar** that Al-asbag, of our scholarly colleagues, used to pronounce that such wealth was permissible since the owner had no control over it. Rather, the infidels had control over it. Ibn Rushd had the same word.” Then he said: “Al-Barzaly said that the wealth of the companions of the Prophet (saw), which they had left in Mecca could be used as evidence, because the Prophet (saw) said:

(وهل ترك لنا عقيل من دار)،

“Did Aqeel leave any house whatsoever for us?”

– and it goes beyond that! In fact, it is even more befitting here because he has chosen (and been pleased with) residing in the midst of infidels, making himself and his wealth to be under their control, despite the Islamic consensus that it is obligatory to emigrate (from such a place).” In another place of **Al-Mi'iyar**, also, it is mentioned that **Ash'hab** and **Suhnoon** said this wealth would not be permissible because of the general nature of the Prophet's word (saw) that

(لا يحل مال امرئ مسلم إلا عن طيب نفس منه).

“The wealth of a Muslim person is not permissible except with the pleasure of (his) soul (heart).”

In another place of it, also, it is said: “The scholars of late (i.e.; succeeding scholars) have variance in pronouncement concerning making their wealth permissible on the basis that its rule should be the rule of the home (or land) and (concerning) according to the honor of Islam. The first is what is right.”

In **Al-Jami**, the commentary on **Al-Mukhtasar**, where the author had said, “The infidel's children and his wealth are deemed non-combatant wealth (fai) absolutely”. He said (in this place): “If a Muslim goes forth to the hostile land and resides in it, will his wealth be regarded as non-combatant (i.e.; fai, hence wealth that should go to the Muslim treasury) taking into account the place in which he is, or not, taking into account the fact that it is the wealth of a Muslim, and that the original (basic) rule is to prevent (violating the honor of a Muslim's wealth) ? This issue is dealt with according to this question.

CHAPTER FORTY TWO

The Rule of Ransoming Muslim Captives and Paying Back the Ransom Price

Let me say –guidance being from Allah. It is obligatory to ransom Muslim captives. Ibn Jazy said in **Al-Qawanin**: “It is obligatory to rescue them from the infidels by war. If Muslims are unable to do that (i.e.; to free them by battle), they are obliged to ransom them with wealth. Therefore, it is obligatory on an affluent (rich) captive to ransom himself, and the Imam is obliged to ransom the poor from the treasury. If the treasury falls short of that, it should be borne by all Muslims. The Imam should compel the leaders of the infidels (who reside in the Muslim land) to use such infidels in ransoming Muslims, but he should pay them the price.” It is said in *Al-Mukhtasar*: “A Muslim captive should be ransomed with fai (wealth that accrues to the treasury without actual combat), then with the wealth of Muslims, then with the captive's wealth.”

In this place, Al-Kharshi said: “What is meant is that it is obligatory to ransom a Muslim captive, and ransoming him should begin through fai, which, in the terms of Ibn Bashir and Ibn Rushd, is the treasury itself. If the treasury falls short of that, or it does not get to that, or it had got to that, but now falls short of the ransom, he should be ransomed with the wealth of Muslims (i.e.; Muslims should contribute in that regard, generally)”. In case of shortage in the treasury, according to their wealth (i.e.; each should contribute according to his earning). (It must be done) even if it consumes all their wealth, so long as it is not feared that the enemies might subdue (Muslims if they are financially incapacitated).

It is for this reason that Ibn Arafat said: “The captive is like any of them, even if he has wealth, but if Muslims refuse to do that (i.e.; contribute their wealth), or, according to *Al-Shabarkhiti*, if they are unable, he should be ransomed with his wealth if he has wealth. The wealth of Muslims is started with before his wealth because the interest in tying ransom to the wealth of Muslims is stronger than tying it with his wealth, since that will encourage them to fight the infidels, -add to that the fact that it is easier to that with the wealth of Muslims than with his wealth.” Abdulbaqi said: “However, the Imam has no right to compel one specific Muslim with that. Rather, they are all obliged to do it according to their (financial) ease (i.e.; each should contribute according to his earning).

As to paying back the ransom price, Ibn Jazy said in **Al-Qawanin**: “Whoever ransoms a captive based on the captive's instruction (or rather request) has the right to demand the ransom price paid back (to him), as agreed to by all scholars. If he ransoms him without his request or knowledge, he shall also have the right to demand it paid back, as opposed to Shafi'i. Some scholars have said he shall have that right if the captive is affluent (rich), and the treasury should pay him back if the captive is poor. Paying ransom is given preference over the paying debt. If any of the spouses (husband and wife) ransoms the other, he/she shall have no right to demand it be paid back except if he/she has done it upon the captive's instruction. The same applies to relatives, involving parents (fathers and mothers), children, grandparents, paternal and maternal uncles, brothers and among themselves, as well as sisters and among themselves.”

It is said in **Al-Mukhtasar**: “He shall demand pay-back in terms of same where same is involved, or worth where worth is involved; from the affluent as well as the poor. If he has not meant it to be charity, and it has not been possible to free the captive by other means, except an unmarriageable relative or a spouse, where he/she knows him/her or emancipates him/her bearing the cost, except if he/she has instructed him/her to do it and he/she pledges it.”

CHAPTER FORTY THREE

Immunity

Let me say – guidance being from Allah. Ibn Jazy said in **Al-Qawanin** that “immunity is of three kinds, two of which are general, and only the Sultan issues it. They are Reconciliatory Immunity (amanus sulh) and Covenant Immunity (dhimma). Both of them will soon be explained. The third one is limited to one infidel or to a limited number of infidels. It is valid to be issued (or accorded) by every distinguishing (i.e.; sane) Muslim, including a woman according to the four leaders (of the schools of jurisprudence), and a slave according to three of them: Malik, Shafi’I and Abu Hanifa, as well as a child that understands what immunity means according to our school of jurisprudence. Therefore, the Imam, as well as other Muslims, is obliged to fulfill (respect) the immunity if it does not contain some harm. (The immunity must be respected) whether or not it contains benefit, (so long as there is no harm), and whether it is accorded by word or in writing and with whatever language, or whether it is implied or is given as an understandable gesture.

If an infidel thinks that a Muslim has meant according him immunity while the Muslim has not (actually) meant it, he should not be killed. If he gives the condition that his family and wealth should be covered by the immunity, (and it is accorded to him on that basis), it must be fulfilled (i.e.; respected). Whoever comes to our land or an embassy or commerce would not require immunity. That purpose itself immunizes him.” Then he said after some talk: “If an infidel comes to our place upon immunity, then he leaves his property (or belonging) with us, -that should belong to him or his heirs after him (i.e.; if he dies). If an infidel is seized on the road, then he claims something that could safeguard his blood (i.e.; something that could prevent him from being hurt or killed), but his truthfulness cannot be distinguished from his falsehood, it is obligatory to return him to his place of safety if his claim is not accepted. (In other words, he should not be hurt. He should be returned to his town).”

It is said in **Al-Mukhtasar** that “Killing becomes void (by granting immunity), even if it is after victory, (granted) by word or an understandable gesture, if there is no harm. If an infidel thinks he has been granted immunity, so he comes (to us), people are ordered not to hurt him. If they (seek to) disobey, or they forget, or they are ignorant of it, or his Islam is unknown, not the approval thereof, it (i.e.; the immunity should be approved, hence respected), or he should be returned to his place (of safety, i.e.; his town). If he

The Hijrah Obligation

is seized coming from their land (to the Muslim land), then he says, 'I have come asking for immunity,' or if he is seized in our land, then he says, 'I thought that you do not touch traders,' or if he is seized between the two lands, he should be returned to his place of safety. If there is evidence, then action should be taken according to it. If he is brought by wind (e.g.; hurricane), he shall remain in his safety until he arrived home.

CHAPTER FORTY FOUR

Reconciliation with the Infidels (Enemies) to Have a Truce

Let me say –guidance being from Allah. Ibn Jazy said in **Al-Qawanin** that “There are four conditions for its permissibility. First is that there should be the need for it. If the (Muslim) interest is in other than it, it will not be lawful, even if the enemies offer wealth in abundance. If it is because of some (Muslim) interest, like absolutely being unable (i.e.; not ready in combat terms) to fight, or it is in a specific (peculiar) time, then it is lawful, whether or not it involves some (material) return, in accordance with what should be a defense to Muslims. Second is that none but the Imam should be in charge of it.

Third is that it should be free from an invalid condition, such as leaving a Muslim in their hands, or giving them wealth in abundance when (Muslims) have no fear (of them). If there is fear, it is lawful. Fourth is that it should not go beyond the period that is required by the need (or necessity), understood according to interpretative judgment.” Abu Imran said: “It is recommended that it does not go beyond four months, except if there is inability (to fight them).” It is said in *Al-Mukhtasar*: “The Imam has the right to make truce for some (Muslim) public interest, if it is free from the condition of leaving a Muslim there. (In this case, it is not allowed) even (if the infidels offer) wealth, except if there is fear. There is no limit to its period, but is recommended that it does not go beyond four months. If he has a sense of their treachery, he should throw it back and warn them.”

CHAPTER FORTY FIVE

The Rules of Covenanted Infidels, Involving Taking Tribute and Other Things

Let me say – guidance being from Allah. In explaining how tribute is contracted the author of **Al-Mukhtasar** said that “the contract of tribute means, the Imam granting of permission to an unbeliever that has been validly taken as a captive, being mature (legally competent), free (i.e.; not a slave), not set free by a Muslim, to reside in a place other than Makkah, Madina and Yemen, but having the right to pass through them. The Imam grants that permission) to an unbeliever that has been conquered by force, in return for paying four Dinars or forty Dirhams in a year (i.e.; annually). The obvious rule is that it is paid at the end of the year.

A poor person should have it decreased according to his earning, and it is not inflated (i.e.; added) on the affluent. In other words, the rich should not be required to pay more than that. If an infidel that has had reconciliation (with Muslims) shall have what is conditioned (in the treaty applied to him). If it is made open, then it is like the first.

The obvious rule is that if the first person (that we have described (i.e.; the unbeliever that is granted permission) pays duly, it is forbidden to fight him, but he should be humiliated when the payment is received from him. Both of them (i.e.; the tribute of those conquered by force and the reconciliatory tribute) becomes void with accepting Islam, just as the stipends (they give Muslims), and their hosting of a Muslim that passes through their land for three days as a result of the injustice that they had done. An infidel conquered by force shall be free (if he pays the tribute). If he dies or becomes Muslim, only the land shall belong to Muslims. In reconciliation, where it is made open (i.e.; general terms are used in it), they (i.e.; the reconciliatory infidels) shall have their land, the right to make bequest regarding their wealth, and they shall inherit it (in case of death, among themselves).

If it is distributed to be borne by necks (i.e.; various people), they shall have it, except if a person dies leaving no heir, then it should belong to Muslims. Whatever bequest they make should be within the one third of what they possess. If it is distributed on them both, they shall have the right to sell it, and the seller is the one liable for paying the tribute thereof.” Then he said after some talk: “Such an infidel should be prevented from riding a horse, a mule, and from using a saddle when he rides (other animals), as well as from being

at the central part of the road. He must be compelled to wear attire that distinguishes him. He should be disciplined for failing to wear the girdle (-a waistband significant to infidels), for the appearance of intoxication and for publicizing his creed, as well as for not controlling his tongue (i.e.; what he says). (Their) liquor should be poured down (i.e.; destroyed), and church bells should be broken down. The truce has been acquired because of the permission to pay tribute. It becomes invalidated if they fight us, refused to pay the tribute, or go stubborn against (our) rules, or rape a free Muslim woman, or deceive (seduce) her, or seek to know the secrets of Muslims, or insult any Prophet (of Allah) with something that is not the cause of their disbelief. Anyone of them that insults a Prophet as mentioned) should be killed if he does not become Muslim. If he goes forth to the hostile land, and he is seized, he should be enslaved if he had not been unjustly cheated (e.g.; deceived or forced under duress to go there). Otherwise, he should not be enslaved.”

Ibn Jazy said in **Al-Qawanin**, explaining the obligations they owe us (i.e.; the things they must do for us): “They are twelve things. First is that they pay tribute with their own hands in the state of humiliation. The tribute is four Dinars annually on each person, for those who deal with gold and forty Dirhams for those who deal with silver. Nothing should be added to that because not everyone of them has the strength (i.e.; affluence) to pay. It should be reduced if they are and cannot pay. Shafi’i said, “The tribute is one Dinar on every head, but if they make a reconciliation (with Muslims on the basis of paying) more than that, it is lawful.”

Abu Hanifa and Ibn Hambal said: “It is twelve Dirhams on the poor, twenty four Dirhams on the middle class, and forty eight Dirhams on the rich. If a covenanted infidel becomes Muslim, paying tribute becomes void, even if only a day remains from that year of his (-i.e.; he must not be required to pay the tribute of that year). Second is that they host Muslims for three days if they pass through their land. Third is that they pay one tenth of their trade in lands other than the one in which they reside. That of course is after they have paid tribute. Tribute is of three kinds: The tenth tribute, which is this one, the tribute of force, which is the one that is mentioned before this one, and reconciliatory tribute, which has no limit, nor is there a limit to (the number of) those from whom it is taken. It all depends on the terms of the reconciliation.

Fourth is that they do not build a church or leave it in the state of being built in any town that Muslims have built, if such a town had been conquered by force. However, if it had been acquired on the basis of reconciliation and they had

given the condition (as of the terms of the treaty) that the church should remain, it is lawful. As to accepting the condition that they build a church (in that treaty), scholars are of two pronouncements (in terms of yes and no). Fifth is that they do not ride prestigious horses and mules, as opposed to donkeys.

Sixth is that they are forbidden from the central part of the road and that they are subjected to taking the narrow paths. Seventh is that they are compelled to have a sign by which they are distinguished, like the girdle (waist band), and that they are punished for leaving it. Eighth is that they do not defraud (swindle) Muslims and that they do not shelter (or keep) any spy. Ninth is that they should not prevent Muslims from landing in their churches at night or during the day.

Tenth is that they respect Muslims, such that they should neither beat any Muslim nor insult him, nor use him in their service. Eleventh is that they conceal their bells and do not show anything of the rites of their religion. Twelfth is that they do not insult anyone of the Prophets (of Allah), blessing and peace be upon them, and that they should not publicize their creed". Then he said, there are obligations Muslims owe them (i.e.; the things that we must accord them). These are that Muslims must "Respect their established rights to reside in our land, except the Arabian Peninsula, i.e.; Hijaz and Yemen. There is a restraining order from ourselves not to hurt them. Muslims must protect and provide them with security concerning their souls (persons) and wealth, not assaulting their churches (or sanctuaries), as well as their liquor and swine (pigs) so long as they do not make them public.

"If they make their liquor public, we should pour it down (i.e.; destroy it) against their will. If they do not make it public, and a Muslim pours it down, he shall be liable (i.e.; he must pay them for it). Some scholars say he shall not be liable. Anyone of them that brings a pig to the public should be disciplined. If they get out (fleeing from the Muslim land) without any violence against them, and without any injustice, they should be enslaved. If they get out because of injustice and violence, they should not be enslaved. Ash'hab said: They should basically not be enslaved (i.e.; whether or not they get out as a result of violence or injustice)."

CHAPTER FORTY SIX

The Difference between Fighting Infidels by Origin and Fighting Renouncers

Let me say – guidance being from Allah. In the answers to the questions by Askiya, Muhammad Ibn Abdulkarim Al-Maghili said: “Infidels are of three kinds. First, is the one that is an obvious unbeliever by origin and textual evidence, like the Jews, Christians, Magicians, and people like them, such as have inherited plain unbelief from their fathers. Second, is the one that was a Muslim, then he renounced the religion of Islam manifestly, and he made it open that he had exited the religion of Islam and had gone into a religion of unbelief. Third, is the one that claims to be Muslim, but such as we have judged as being an infidel because a deed that obviously does not come except from an infidel has come from him.

The children and women of infidels by origin are taken as captives, and their wealth is distributed (as spoils). There is no dispute in that regard among scholars. As to infidels by renunciation, scholars vary in pronouncement. Ibnul Qasim said concerning Muslims that had the succor of Islam but who have now renounced the religion of Islam and gone into unbelief: “Their children and wives are not taken as captives, but their wealth becomes both (already explained) for Muslims.” Ibn Rushd said: “That is right in terms of consideration because the renouncers are free people by their origin.” He said: “And it is with the pronouncement of Ibnul Qasim that the generality of scholars and leaders of the predecessors (salaf) have pronounced.” Then he said concerning the third kind: “Their children are not taken as slaves, but they are compelled to Islam.”

It is said in **Al-Mukhtasar**: “If some people renounce Islam and fight against Muslims, they should be treated as renouncers.” Al-Shabarkhiti said in this place, explaining what that meant: “The big should be respited (three days) to repent, the small should be compelled, (their) wealth should be taken as endowment, but (their) families (wives and children) should not be taken as captives. That was what Umar, -may Allah be pleased with him did, and it is what the generality of scholars and the leaders of the predecessors, except a few, have adopted.”

However, Asbag said: “They should be treated as hostile infidels. They, as well as their children and wives, should be taken as slaves. By the Lord of my life, it was a matter in which, Umar (ra) acted contrary to Abubakr (ra)

concerning the people that renounced Islam. Abubakr deemed them as having breached out of their (religious) trust, so he killed the big among them, and took women and the small (the young) as captives, so they, together with their wealth, were distributed as spoils of war. It was exactly what Abubakr Al-Siddeeq did, -may Allah be pleased with him.” The author said: “What is obvious is that Umar (ra) did not act contrary to Abubakr (ra). Rather, he did it in order to appease the hearts of Muslims, because it was a case where some people saw their daughters, wives, own slaves with others, despite the fact that they were equal to such possessors in lineage and eminence. That contained such difficulty and (the strength to) alter minds that (we all) should know. Some scholars have said he did it by taking a return for it (in the interest of Muslims).

The case must be interpreted this way or in a similar way. Otherwise, it would serve as a nullifier to Abubakr's verdict while doing so is void.” However, Ibn Rushd said: “The people that Abubakr issued his verdict attesting to their captivity (hence taking them as slaves) were the same people concerning whom Umar (ra) nullified the case. That is (evidence) against people's word that a judge does not nullify the verdict passed by a previous judge by his interpretative judgment (or discretion). Take note of that!

This has been responded to by the fact that passing the verdict that attests to the captivity of some people is not nullified by the verdict to apply generosity on them since there is no contradiction between them, and because the generosity to set a person free is itself a product of captivity. A product may be different from its cause, but it does not nullify the cause. It is for this reason that an Imam that gives the verdict of captivity to some people, then he gives the verdict of setting them free upon generosity does not contradict his verdicts. Therefore, what Umar (ra) did was only generosity to them because of the (public) interest of Muslims that he had seen in doing so.

This (explanation) is in view of what the author and Ibn Rushd had said concerning the enforcement of the verdict of Abubakr (ra). As to the case of not enforcing the verdict on them, as said by Abu Al-Rabi Ibn Salim, there is no confusion because Huzaifa Ibn Al-Yamany went forth to Madina on their account. They were three hundred fighters and four hundred women and children, so Abubakr (ra) tied (i.e.; detained in shackles) them in the home of Ramla Ibn Al-Harith with the intention of killing the fighters. Then Abubakr (ra) died, leaving them tied (i.e.; detained in shackles). When Umar (ra) was made the Caliph, he set them free. Ibn Abbas (ra) mentioned that Abubakr (ra) had made consultation concerning them. The Meccan companions of the Prophet (saw) were of the opinion of killing and exorbitant ransom price.

Umar (ra), however, was of the opinion that there should be neither killing nor ransom (i.e.; they should be set free). They remained detained until Umar (ra) was made the Caliph, and he set them free without ransom.

Ibn Al-hajjaj said in **Al-Madkhal**: “The Home of Renouncers of Islam is different from the Hostile Land in four respects. First, is that they are not demanded with a truce to reside in their land. Second, is that reconciliation is not made with them in terms of paying some money in order to remain on their reconciliation. Third, is that their men are not enslaved, and their women are not taken as captives. Fourth is that fighters do not take their wealth as spoils of war. The Home of Renunciation also differs from the Home of Islam in four ways. First is that it is lawful to fight them whether they are advancing or fleeing, just as it applies to infidels. Second is that their blood is lawful (i.e.; it is lawful to kill them) as prisoners of war, even if they object to it. Third is that their wealth becomes for Muslims (i.e.; their wealth goes to the Muslim treasury). Fourth is that it is invalid to marry them.

CHAPTER FORTY SEVEN

The Difference between Fighting Rebels and Fighting Infidels

Let me say – guidance being from Allah. Ibn Al-Hajj said in **Al-Madkhal** that “Fighting against rebels differs from fighting infidels in thirteen ways. *First* is that they are fought with the intention to deter them. The fighting is not meant to intentionally kill them. *Second* is that they are fought if they advance, but they are left if they run away. *Third* is that an injured person among them is not given the death blow. *Fourth* is that their captives are not killed. *Fifth* is that their women (wives) are not taken as captives. *Sixth* is that their children are not taken as captives. *Seventh* is that their wealth is not taken as spoils. *Eighth* is that they are not required to have a truce for them to reside in their town. *Ninth* is that reconciliation is not made with them to let them remain on their deeds of innovation. *Tenth* is that help is not sought from the infidels in order to fight them. *Eleventh* is that people are not appointed to frighten them. *Twelveth* is that their houses are not set ablaze against them. *Thirteenth* is that their trees are not cut down”.

CHAPTER FORTY EIGHT

The Difference Between Fighting Robbers and Fighting Rebels

Let me say – guidance being from Allah. Ibn Al-Hajj said in **Al-Madkhal** that “Fighting robbers is like fighting the transgressing group in all its conditions except in five things. They differ from them in that regard. First is that they are fought whether they are advancing or running away. Second is that it is lawful to intentionally kill them at war. Third is that it is lawful to detain their captives. Fourth is that they are liable for whatever they destroyed: blood or wealth, at war or any other place; that of course is not permissible in terms of the transgressing group after the war has been clear (i.e.; when it has ended). Fifth is that whatever they take as tax or charity is as what is taken by extortion, and the person in whose hand it is found is liable to pay it back (to the owner).”

Ibn Jazy said in **Al-Qawanin** that “It is obligatory to first preach to them (i.e.; to admonish them), i.e.; the robbers, such that they should be required to swear an oath by Allah three times (not to go back to their evil deed). If they desist, (they shall have no problem), but if they do not, they should be fought, and fighting them is an act of Jihad. The blood of anyone of the robbers that is killed shall go in vain, and whoever is killed by the robber is regarded as a martyr. If a robber is seized before he repents, the penalty should be enforced on him, -the penalty being killing, or crucifixion, or amputating his hand and leg, or banishment (hence imprisonment).

As to killing and crucifixion, they are done together, starting with crucifixion according to Ibnul Qasim, and with killing according to Ash'hab. As to amputation, his right hand and his left leg should be amputated. As to banishment, it is applied on a free person, not a slave. He is banished to another town and imprisoned there. Abu Hanifa (ra) said he should be imprisoned in his town until it becomes obvious that he had repented. If the robber kills someone, he must be killed whether he is a free person, or a slave, or a covenanted infidel. It is impermissible for the guardian of the murdered person to forgive him. If the robber has not killed anyone, the Imam is given the choice between killing, banishing and amputating him. The Imam should do what he deems right out of the three based on consideration, not by the judgment of his soul's desire. Shafi'i said: The Imam is not given the choice. Rather, these penalties are arranged according to the crimes, such that if the robber kills, he should be killed. If he takes wealth, he should be amputated. If

he does not kill and does not take wealth, he should be banished.” Then Ibn Jazy said in Al-Qawanin: “If the robber repents before he is overcome, the penalty would not apply on him, but he shall be liable for people's rights in terms of the Law of Equality, and he must pay back the wealth that he had taken to the owners. His rule in terms of paying back is as the thief's rule in terms of his poverty and affluence.

Some scholars have said the penalty and the Law of Equality would not apply on him (if he repents before he is seized), but that he shall be liable for wealth. Other scholars have said the penalty, the Law of Equality, and the liability for wealth would not apply on him (in that case) except if something of the wealth is still in his hand, so it should be taken from him. Scholars vary in pronouncement in terms of the form of his repentance. Some scholars say it is that he leaves the robbery that he has been doing; some scholars say it is that he comes to the Imam (and declare his repentance); others say it is that he leaves what he has been doing and comes to the Imam.”

Ibn Jazy said concerning transgressing group that “Transgressors are people who fight (fellow Muslims) based on their construed (but erroneous) interpretation (of religious texts). They are groups that have gone astray, like the Kharijiti and others, as well as those that rebel against the Imam, or refuse to come under obedience to him, or refuse to give some right that is required of them as a religious obligation, like Zakat (alms) and similar things. They should first be invited to return to the truth. If they do, it should be accepted from them and they should not be touched (i.e.; they should not be fought), but if they refuse, they should be fought, and shedding their blood becomes permissible.”

In **Al-Mi'iyar**, Abu Muhammad was asked about a person that had been in robbery with other persons, then they took something in his presence, but he did not eat from it, nor did he make any use of it, as to whether or not he should be liable for something, and what the rule would be if he was juvenile. He answered Thus: “If he attended (a crime) together with thieves in theft or plunder or similar things being mature (i.e.; not juvenile), then according to the pronouncement of Malik, he is regarded as those who bear liability, so he will be liable concerning all of the things whose taking he has attended (if the others are not found).

Some scholars say he shall be liable only for the thing that he takes. As to the juvenile, both pronouncements say he shall only be liable for what he takes.” If you said: “What should be lawful to a person concerning using such things as cloths and food that belong to another person if he falls in (dire) need? -the

answer, as mentioned in Al-Dawud, would be what would be enough for him to pray with, which is such a cloth as may cover him from (his) navel to (his) knees, and the food that he may eat on that day of his. He is different from the bankrupt person (-known in Islamic jurisprudence as muflis) in the sense that people's wealth has not come to him as ransom. It is for this reason that he is given the cloth that his type needs and what he will survive on for days.

In the commentary on **Al-Mukhtasar**, the author had said that "His food should be left for him and the necessary feeding expenses with the exception of his expensive life style, as well as the feeding of his family, -all as people defeated". On this issue, Al-Kharshi said that "What is meant is that the judge (or leader) should sell the belongings of the bankrupt person against his will. It should be shared among his creditors. The judge should, however, leave his food, the food of the people that he legally bears the responsibility to feed, such as his wives, children, slave, child-bearing slaves, and freedom-by-death slaves (known as mudabbar). He should not be denied to have ease, as opposed to a person that got his neck immersed in injustice and people's claims when he is bankrupt. Nothing should certainly be left to such a person but what he may protect his hunger with (i.e.; just what he will eat at one time)."

In **Al-Mi'iyar**, also, Ibn Abi Zaid was asked about a man that was among a troop that belonged to an oppressive person, such that they could extort some wealth, and he might get something insignificant from what was extorted, as to whether he should be liable for just what he had taken, or for what the troop had taken.

He answered thus: "If he was the commander of the troop, such that what happened would not have happened if it were not because of him, he should be liable for the entire thing. If he was such that had no say or command in the troop, he should be liable for just what he had taken. Some scholars have said that this, however, is different from what is applied on robbers, since each of them bears the responsibility of the other even if he has no command therein, and each of them is held accountable for the entire thing. (The basis of the difference is) that the army comprises of truth and falsehood (i.e.; good and evil), while robbery rests (wholly) on falsehood (i.e.; evil)."

CHAPTER FORTY NINE

The Rule of the Wealth of Muslims Who Reside with Robbers Willingly

Let me say – guidance being from Allah. The rule is that their wealth is lawful (i.e.; it is lawful to take it). Abul Qasim Al-Barzali actually mentioned this in his book, the text of which is: “The Sultan assuredly defeated a group of (the inhabitants of) an African valley and most of them had necks that were immersed in unjustly acquired wealth. Our scholar, Ibn Arafat issued the pronouncement that made their wealth lawful on the basis of applying what is most frequent until the people that had acquired their wealth lawfully were ascertained among them.” He said: “This is because they were sinners by aiding robbers and adding to their strength. They should not be accorded the eminence that a person who distanced himself and did not mix with them should have.”

Let me say: This is an issue about which the leader, Al-Haj Askiya, had asked Muhammad Ibn Abdulkarim Al-Maghili. He has enquired: “What is your answer concerning robbers of the Fulani tribe and others, who were with people that claimed to be Muslim while they resided with them, and were always with them when they departed and returned (i.e.; in their journeys), and they mixed with them in all their conditions and affairs, and they put their horses together with the people's horses, fighting and robbing together.

“This is what is frequent about their condition, but there were such people that were with them, but did not rob with them. They only served as neighbors to them, so when we fought those robbers, our troops gathered the robbers with them, and they brought all of them to us. The people then said: 'We are Muslim,' so we said to them, 'Then how could you be together with these robbers?' they said, 'We were unable to escape from them because we feared, lest they should seize us. If we had been able to escape, (we also feared) that other people could seize us since we were poor people and could not defend ourselves,' so we said to them, 'separate yourselves from them.' Should we stop fighting the robbers in order not to hurt (or harm) those Muslims who were with them but who failed to separate from them, or would it be mandatory to fight them even if harm might get to the Muslims that have been mentioned who were with them?’”

Some of the jurists of our town have confused me, to the extent that I have stopped consulting them.” This is the end of the text of the question. As to the text of Al-Maghili's answer, it is his word: “As to the robbers, they must be

The Hijrah Obligation

fought, and you shall bear no blame for anyone that is injured (or affected in whatever way) among those Muslims that are with them, because they have been unjust to themselves by residing with them. Anything of the souls and wealth of those Muslims that you do not know about until it has been destroyed, -you shall bear nothing in that regard. As to what you know about before it is destroyed, you should keep yourselves restrained about it and should give it back to its owner.

That, however, is if they do not live with them willingly, and if they do not make assaults together with them, and if they do not aid them. As to the person that makes assaults together with them and aids them on their corruption (i.e.; perversion/evil), such a person is of them, i.e.; you should kill him and take his wealth, and do not accept his repentance when Allah has given you the chance over them.” This is the end of his answer.

CHAPTER FIFTY

The Rule of the Wealth of the Missing, the Waiting Period of their Wives, and the Rule of Bathing Martyrs, Shrouding them, and Praying Funeral for Them

Let me say – guidance being from Allah. There are also the case concerning the wealth of the missing and the waiting period (Idda) of their wives. Ibn Jazy said in **Al-Qawanin** that “It is of four forms: a person that goes missing in the land of Muslims, in the hostile land, in a war where Muslims fight (the infidels) in the hostile land, in Muslim battle (against themselves) during strife (or sedition). As to the person that is missing in the land of Muslims, if his wife takes her case to the judge, he should require that she establish that they are married and that she establish his absence, then he should find out about his news, writing to towns in that regard.

If his news is determined for him (i.e.; his whereabouts), he is not regarded as missing, so the judge should demand that he return or divorce his wife. If he remains there on the basis of hurting her, the judge should divorce her against his will. If his news is not determined, and it is not known whether he is alive or dead, a period of four years should be fixed for her, where the husband is a free person, or two years, where he is a slave, from the date that she takes the case to the judge. If the period ends, she should do the Waiting Period of death, and then she should marry if she wants to.

However, Abu Hanifa and Shafi'i said: “It is not lawful to marry the wife of a missing person until it is valid that he is dead.” Four Branches of Explaining the Case: First is that if he had consummated her, he is liable to feed her for four years. If he had not consummated her, then if his absence is distant, he is liable to feed her by giving her some share of his wealth, if she accepts that. If his absence is near, scholars have two pronouncements.

Second is that if her husband within the time that has been fixed or during the Waiting Period, or after it but before she gets married, she shall remain his wife. If he comes after she has gotten married, then if the second (i.e.; the recent husband) has consummated her, she shall remain his wife, not the wife of the first (that had been absent or missing). If he has not consummated her, scholars are of two pronouncements. Third is that if separation is made from the missing before consummation, she is entitled to half of the dowry. This is his rule concerning his wife.

As to his wealth, it should be kept (as an endowment) and must not be inherited until his death is known, or until he is given the time to live, such that a time comes when (it is known) he could not live to that extent. Scholars vary in limiting (or determining) that time, but in the prominent pronouncement, it is seventy years. Some scholars say eighty years. Others say ninety years. Abu Hanifa said one hundred and twenty years, but all that begins from the start of his age. If he goes missing at seventy, he should be respited ten years thereafter, based on the prominent pronouncement.

As to the person that goes missing in (civil) strife, scholars have two pronouncements, the first of which is that he shall have the rule of a killed person, so his wife should do the Waiting Period (Idda) and his wealth should be distributed (in terms of inheritance). Furthermore, scholars differ as to whether that should be counted from the day of the battle or after waiting is made to the extent at which a person that runs away from war or is defeated returns.

The waiting should be for a year if the battle ground is distant, but if it is near, then it should be less than that. Scholars also vary as to whether the Waiting Period of his wife should be within the time he is being waited or not. The second word is that he is given a fixed time of one year (during which he shall be waited), then his wife should observe her Waiting Period (Idda) thereafter, and his wealth should be distributed.” It is said in Al-Mukhtasar: “The wife of a missing person takes her case to the judge, or the governor, or the officer in charge of water, or (in the absence of any person with authority) to the Muslim community.

A free person is then respited for four years if her feeding continues (i.e.; sustains her), and a slave is respited half of that period, if there is inability to find out his news. Then she should do the Waiting Period (idda) as of a dead person.” Then he said after some talk: “The Child-bearing slave of a person that goes missing in the infidel land, his wealth, as well as the wife of a captive shall wait for life-determining period, which is seventy years.

The Two Erudite Scholars: Abu Muhammad Ibn Zaid Al-Qairawany and Abul Hassan Al-Qabisy have chosen eighty years, but the verdict should be issued for seventy five years. If the witnesses dispute about his age, the least should be taken. It is lawful for them to give their witness of his age by estimation, and his heir should then swear an oath. If a (Muslim) captive becomes Christian, it should be understood that he has done it willingly. The wife of a person that goes missing in the war among Muslims (i.e.; civil strife) should do the Waiting Period (idda) after the dispersal of the two hosts. There are two

interpretations (i.e.; pronouncements) as to whether he should be waited as determined by interpretative judgment.

His wealth should be inherited at that time, just as it is in the case of a person that dwells in (or resorts to) a plagued land (where his news is unknown) or at the time of plague, as well as a person that goes missing between Muslims and infidels after a year (and) after his case is considered.” It is to this that Abubakr Ibn Asim Al-Qaisy refers in **Tuhfatul Hukkam**:

A word has come of fixing a year
From the time of despair of him, not of standing
And (his) wealth is distributed upon (his) death
And (his) wife does the Waiting Period (idda) as from his death

Judgment is by this in Andalusia (Spain)
For past Scholars, so whoever follows them emulates

As to the rule of bathing martyrs, shrouding them, and praying funeral for them, ibn Jazy said in Al-Qawanin: “If a martyr dies in the battle of Jihad (i.e.; fighting in the cause of Allah), he is not bathed, not shrouded, and not prayed the funeral. If he is unjustly killed not in the battle (of Jihad), or he is brought out of the battle (of Jihad) alive, with his soul not gone, then he dies, he should be bathed and prayed the funeral based on the prominent pronouncement, as adopted by Shafi’i. Whoever is killed in the battle of Muslims (i.e.; in a civil strife) should be bathed and prayed the funeral. If a martyr dies having sexual (or rather seminal) impurity, scholars vary in pronouncement as to bathing him.”

It is said in **Al-Mukhtasar** that “The martyr of a battle is the only one that is not bathed even if the battle were in the land of Islam, or he did not fight the battle (but was there), and even if he has seminal impurity based on the best pronouncement. This is not so if he is carried alive (from the battle ground), even if he has been hit in a deadly way, not if he is completely incapacitated (then he dies). The martyr should be buried with his cloth if it covers him. Otherwise, it (i.e.; covering him) should be added (i.e.; completed) by mules (slippers), cap and belt (or rather waistband) that are not expensive, and a ring whose stone is little (i.e.; not very precious), not armor or weapon.”

CHAPTER FIFTY ONE

Forgiveness, Overlooking, Accountability and Discipline

Let me say –guidance being from Allah –that Allah, the Exalted, said:

﴿ خُذِ الْعَفْوَ وَأْمُرْ بِالْعُرْفِ وَأَعْرِضْ عَنِ الْجَاهِلِينَ ﴾ الأعراف: ١٩٩

“Hold to forgiveness; command what is right, but turn away from the ignorant.” Qur’an 7:199

He, the Exalted, also said:

﴿ وَالْكَاظِمِينَ الْغَيْظَ وَالْعَافِينَ عَنِ النَّاسِ وَاللَّهُ يُحِبُّ الْمُحْسِنِينَ ﴾ آل عمران: ١٣٤

“(Those) who restrain anger and pardon people, for Allah loves those who do good.” Qur’an 3:134

He, the Exalted, also said:

﴿ وَلْيَعْفُوا وَلْيَصْفَحُوا أَلَا تُحِبُّونَ أَنْ يَغْفِرَ اللَّهُ لَكُمْ ﴾ النور: ٢٢

“Let them forgive and overlook. Do you not wish that Allah should forgive you?” Qur’an 24:22

He, the Exalted, also said:

﴿ وَإِنْ عَاقَبْتُمْ فَعَاقِبُوا بِمِثْلِ مَا عُوقِبْتُمْ بِهِ وَلَئِنْ صَبَرْتُمْ لَهُوَ خَيْرٌ لِلصَّابِرِينَ ﴾ النحل: ١٢٦

“And if you punish, let your punishment be proportionate to the wrong that has been done to you, but if you show patience, -that is indeed the best (course) for those who are patient.” Qur’an 16:126

He, the Exalted, also said:

﴿ وَلَمَنْ صَبَرَ وَعَفَرَ إِنَّ ذَلِكَ لَمِنْ عَزْمِ الْأُمُورِ ﴾ الشورى: ٤٣

“But indeed whoever shows patience and forgives, -that would truly be an affair of great resolution.” Qur’an 42:43

He, the Exalted, also said:

﴿ وَحَزَبُوا سَبِيلَهُ سَبِيلَهُ نَبَلُهُمْ فَمَنْ عَفَا وَأَصْلَحَ فَأَجْرُهُ عَلَى اللَّهِ ﴾ الشورى: ٤٠

***“The recompense for an injury is an injury equal thereto (in degree), but whoever forgives and makes reconciliation, his reward is due from Allah.”
Qur'an 42:40***

A'isha –may Allah be pleased with her – said: “I have never seen the Prophet (saw) revenged for himself for some injustice done to him, but if something of the limits of Allah is violated, nothing stands in front of his displeasure!” The Prophet (saw) also said:

ارحموا من في الأرض يرحمكم من في السماء

“Have mercy on those on the earth, so that those in Heaven shall have mercy on you.”

Wise men have also said that “There is no eminence with being vindictive, and there is no leadership with conceit and pride (haughtiness). You should know that it is better for you to err in forgiveness regarding one thousand cases than to err in punishment regarding one case.”

*If a transgressor assaults you with his ignorance
Slay him with kindness, not by what is evil*

Therefore, if the perpetrator is guilty, he is covered by forgiveness, and if he is innocent, he is covered by justice. Al-Mansour said: “Punishing free (i.e.; equitable) people (if they err) could be by indirect method, and punishing evil people should be by exposing them. You should accept (people's) excuse, except if the person is such that should be morally avoided (or severed), or if your accepting his excuse would mean encouraging him on evil or aiding him in it. In that case, accepting (his) excuse means cooperating with him in evil, so forgiveness in that case becomes an evil.”

In his book Al-Ahkam, Ibn Al-Arabi said, explaining Allah's word;

﴿وَالَّذِينَ إِذَا أَصَابَهُمُ الْبَغْيُ هُمْ يَنْتَصِرُونَ﴾ الشورى: ٣٩

“(They are) those who, when an oppressive wrong is inflicted on them, (are not cowed but) help (and defend) themselves.” Qur'an 42:39

He said that “Allah mentioned helping one's self in terms of “oppressive wrong” as a commendable thing, and he mentioned forgiveness for a crime in another place as a commendable thing, too. That goes to situational difference. If the transgressor (or oppressive person) is such as is perverse openly, shameless of the public, hurting the young and the elderly, it is better to revenge against him. It is concerning such a person that, Ibrahim Al-Nakha'i

had said that ‘it is reprehensible for believers to demean themselves to the extent of making the perverse emboldened.’ If revenging against him is such that will stir (or cause) sedition, or if the crime is done by a person that understands what humiliation means, so he comes asking for forgiveness, the best thing (here) is to forgive him. It is about people like him that the verse;

﴿وَأَنْ تَعْفُوا أَقْرَبُ لِلتَّقْوَىٰ﴾ البقرة: ٢٣٧

“That you forgive is nearer to piety.” Qur’an 2:237

And a similar verse was revealed.

In **Diya'ul Khulafa**, it is said that “You should know that Allah established obligatory and supplementary acts, and he forbade prohibited acts. Then he determined a specific penalty for violating every deed, and he forbade going beyond that limit. Therefore, (of understanding those limits is that) a person that deserves to be amputated or detained or disciplined should not be killed, and a person that deserves to be killed should not be amputated. Mu'awiyya said, 'I do not resort to my sword if my scourge (whip) suffices me, nor do I resort to my scourge if my tongue suffices me’.

Anyone that is other than those that have been mentioned should be dealt with according to his position and lapse. This could be done by letting him to stand in a council where his colleagues sit, so that should serve as a discipline to him. Another should have his bosom (i.e.; the part of his shirt that covers that area) torn; and another should have his turban removed from his head; and himself taken round the mosque, and another should have a harsh word spoken to him.”

It is said in **Al-Mukhtasar** that “The Imam should discipline (people) if they disobey Allah, or because of someone's right. The discipline should be by detention, scolding, making the culprit stand (i.e.; depart), removing turban, beating him with a scourge (whip), or by other means even if it goes beyond (prescribed) penalties, or it gets to (losing the person's) soul.” Al-Kharshi said in this place: “Discipline is made by detention, scolding, making the culprit stand (or depart) from a council and from ceremonies.

There are people who should have their turban removed, and there are those who should have their wrappers loosened. Some scholars have interpreted “making someone stand” to mean making him stand on his feet (for a long time), then to sit down thereafter, but that is not what is intended.

Otherwise, the author would have said “and standing.” Some people should be disciplined by (beating them with) whip, bar, staff (stick), and beating their

The Hijrah Obligation

nape (i.e.; the back of their neck) with plain palms (of the hand). If the interpretative judgment of the Imam conducts to having them disciplined with what goes beyond (prescribed) penalties or what goes to losing of the soul (i.e.; death), he should certainly do it, and he shall not be liable if he has not meant to let him die at the beginning, but has rather thought he will be safe.”

CHAPTER FIFTY TWO

Forbidding Injustice and Tale-Bearing

Let me say – guidance being from Allah and Allah, the Exalted, said:

﴿وَلَا تَحْسَبَنَّ اللَّهُ غَفْلًا عَمَّا يَعْمَلُ الظَّالِمُونَ إِنَّمَا يُؤَخَّرُهُمْ لِيَوْمٍ تَشْخَصُ فِيهِ الْأَبْصَارُ﴾ إبراهيم: ٤٢

“Think not that Allah does not heed the deeds of those who do wrong. He but gives them respite against a day when the eyes will fixedly stare in horror.” Qur’an 14:42

It is said in **Diya'ul Khulafa** that “This verse is enough for a warning (threat) to the oppressor, and an appeasement to the wronged.” Ka'ab also said to Abu Huraira (ra) that “It is mentioned in the Torah that 'anyone that does injustice only ruins his house,' so Abu Huraira (saw) said: “And that is in the Book of Allah (i.e.; the Qur'an, where Allah, the Exalted said):

﴿فَتِلْكَ بُيُوتُهُمْ خَاوِيَةً بِمَا ظَلَمُوا﴾ النمل: ٥٢

***“Now such were their houses in utter ruin because they did injustice.”
Qur’an 27:52***

Injustice is the greatest thing that causes the withdrawal of blessings and the befalling of calamities (chastisements). Ibn Abbas narrated that the Prophet (saw) said:

اتقوا دعوة المظلوم فإنها ليس بينها وبين الله حجاب

“Beware of the supplication of the person that is wronged (i.e.; treated unjustly), for there is no screen between it and Allah.”

Abu Huraira (ra) also narrated, saying: “The Prophet (saw) said:

من كانت لأخيه مظلومة من عرضه أو ماله فليتحلل منه بقدر مظلومته قبل يوم لا يكون فيه درهم ولا دينار، إن كان له عمل صالح أخذ منه بقدر مظلومته، وإن لم تكن له حسنات، أخذ من سيئات صاحبه فيحمل عليه

“Anyone that has treated his brother unjustly concerning his personality and wealth should seek to have him allow it for him (i.e.; forgive him) before a day in which will be neither Dirham nor Dinar, where it will be taken from his righteous deed, if he has any, according to the injustice he had done (to his brother), and if he does not have good deeds, it will be taken from the sins of his colleague (i.e.; brother) and thrown as a burden on him.”

Saeed Ibn Zaid (ra) said: "I heard the Prophet (saw) say,

من ظلم شبرا طوقه من سبع أراضين

"Any person that does injustice to the tune of a hand span of the earth shall have tied round his neck from the seven (levels of the) earth."

Abu Ja'afar said: "What it means is that it will be transformed to bald (hence formidable) snake to be tied round his neck." Anas also narrated that the Prophet (saw) said:

انصر أخاك ظالما أو مظلوما

"Help your brother whether he does injustice or injustice is done to him!"

He said: "O Messenger of Allah (saw), we may help him if injustice is done to him, but how could we help him if he does injustice?" He said:

تأخذ فوق يده

"Have a grab of his hand (i.e.; restrain and prevent him from doing it)."

Muslim also narrated in his authentic book that the Prophet (saw) said:

من اقتطع حق امرئ مسلم بيمينه فقد أوجب الله له النار وحرم عليه الجنة

"Whoever seizes the right of a Muslim person with his hand would have Allah obliged his entry into the Hellfire and Paradise forbidden from him."

Then a man said: "Even if it is an insignificant thing, O messenger of Allah?" He said:

وإن كان قضيبا من أراك

"Even if it is a mouth-brushing stick."

It was also reported that one king wrote these poems on his rug:

Do not do injustice when you have power
For the source of injustice leads to regret
Your eye sleeps while the unjustly
Treated keeps vigil
Praying against you,
The sight of Allah never sleeps
No doubt! It is with the prayer of the unjustly treated that you will land
In the home of meanness, the home of humiliation and chastisement.

Bilal Ibn Sa'eed said that "Fear Allah concerning a person that has no helper but Allah." It was narrated that the Prophet (saw) said:

(يقول الله عز وجل: ((اشتد غضبي على من ظلم من لم يجد له ناصرا غيري)).

"Allah, the Glorious and Exalted, said: 'My wrath is intense on anyone that does injustice to a person that finds no one to help him but Me.'"

As to prohibiting tale-bearing, Allah, the Exalted, said:

﴿إِنْ جَاءَكَ فَاسِقٌ مِّنْ يَّنِي فَتَّبِعْنَاهُ﴾ الحجرات: ٦

"If a sinner comes to you with any news, ascertain the truth." Qur'an 49:6

– As in the verse. Huzaiifa said: "I heard the Prophet (saw) say;

لا يدخل الجنة قتات

"No tale-bearer would enter Paradise."

It was also narrated that the Prophet (saw) said:

ألا أخبركم بشراكم؟

"Shall I not inform you about the evil ones among you?"

They said: "Inform us, O Messenger of Allah." He said:

من شراكم المشاءون بالنميمة المفسدون بين الأحبة، الباغون العيوب

"Of the evil ones among you are those who go talebearing, those who destroy the relations between friends, -those who go Fault finding."

Ibn Qutaiba narrated that the Prophet (saw) said:

الجنة لا يدخلها ديوث ولا قلاع

"The woman-mixer and people-mow will not enter Paradise."

The woman-mixer (known as dayyus in Arabic) is the person that joins (i.e.; mixes) between women and men, and the people-mow (known as qalla) is the person that castigates (or calumniates) people in the place of leaders. That means the person that has an established position in the place of the Sultan, so he continues to instigate him until he uproots him. When the (Christian) priest of Najran met Umar Ibn Al-Khattab, -may Allah be pleased with him, he said: "O Leader of the Faithful, beware of a person that kills three!" He said: "And who would that be?" He said: "The person who takes false talk to the Imam

and has the Imam accept it, thereby killing himself, his colleague (i.e.; the person against whom he speaks to the Imam), and the Imam.”

It was narrated that a man went to Al-Waleed Ibn Abdulmalik with his neighbor, then Al-Waleed said to him: “If you want, we could be free with you, so if you are truthful, we will resent you; if you are a liar, we will punish you; now if you want, we will leave you.” He said: “Leave me, O leader of the Faithful,” so he said:

“We have left you!” Let Allah's blessing be on Al-Iskandar! When a tale-bearer brought some tale (against someone) to him, he said: “If it pleases you, we may let you face your colleague, with the condition that you accept that, and if it pleases you, we may remove you from your position (i.e.; you have to choose one of the two).” He said: “Remove me.” He said: “We have removed you. Restrain yourself from evil, and then evil will be restrained from you!”

CHAPTER FIFTY THREE

Attributes with which Authority Does Not Last

Let me say – guidance being from Allah –that Allah, the Exalted, said:

﴿وَإِذَا أَرَدْنَا أَنْ نُهْلِكَ قَرْيَةً أَمَرْنَا مُتْرَفِيهَا فَفَسَقُوا فِيهَا فَحَقَّ عَلَيْهَا الْقَوْلُ فَدَمَرْنَاهَا تَدْمِيرًا﴾ الإسراء: ١٦

“When We decide to destroy a town, We command those among them who are given the good things of this life (to be obedient), but they continued to transgress, so that the word is proved true against them, then We destroy them utterly.” Qur’an 17:16

In **Diya'ul Khulafa**, it is said that “If Allah decides the ruining of a state (or authority), he will give control of its affair to the children of lavishing (extravagant) Sultans, whose main purpose had been to exaggerate the affair of the authority, and to acquire aspects of lust (and the soul's desire), and to get into acts of sinning, so Allah will withdraw honor (or eminence/power) from them on that account.”

A man was asked: “What is the matter with the king of the Susan Dynasty that made him become what he became?” He said: “It is because they had vested small men with the works of great men.” It is in this regard that wise men have said: “The death of one thousand people among the highly-placed men is less harmful than the rise into authority of one person among the abased.”

It is also said in proverb: Authority disappears with the selection of the mean.” Shafi'i –may Allah have mercy on him – said: “The mean person is the one that is the most unjust of people to himself: If he gains greatness, he deserts (or shuns) his relatives, rejects those he had known, belittles respectable people and waxes haughty to people of eminence.”

A king was asked after his authority had vanished: What had caused him to lose authority? He said: “Our euphoria made us preoccupied away from being dedicated to our duties; we had confidence in our assembly, but they preferred their enjoyment to us, and our governors did injustice to our subjects, so they wished they had (their) relief against us.”

One of the fastest things that destroy authority is to prefer one tribe (or clan) to another, and to treat some people with favoritism against others, and to bring near such a person that should rather be kept far. Another king was asked after his authority had vanished, -he was asked about what had caused it to vanish,

and he said: “My being despotic (or dictatorial) with my opinion and my negligence in making consultation.” Of those things, also, are arrogance and conceit. They cause virtues to vanish.

There are six things, which must not be forgiven for a leader: lie, envy, breach, harshness, niggardliness, and cowardice. Of those things, also, is a king's (or a leader's) hiding away from his subjects. This is because if an oppressive person is assured that the oppressed person cannot get to the Sultan, he will increase his oppression. Subjects will continue to have one Sultan so long as they can get to their Sultan, but if hides himself (from them), (he should know that) there would be a lot of Sultans.

O you king, you have hidden yourself from (your) subjects using screens (mantles, hence barricades) and gates, and you have placed fortified rocks against them when Allah's gate is open to those who ask (and supplicate) with neither a screen, nor a gateman! (You should know that) authority may last with unbelief, but will never last with injustice.

CHAPTER FIFTY FOUR

Good Traits for Leaders and Others

Let me say – guidance being from Allah – that of the praise-worthy traits of leaders is reason (hence sagacity). The Prophet (saw) said:

أفضل الناس أعدل الناس

“The best of people is the most reasoning of them.”

It was narrated that Abu Al-Darda (ra) said: “The Prophet (saw) said:

يا عويمر ازدد عقلا تردد من ربك قريبا

“O Uwaimir, be more reasoning, so you will be nearer to your Lord.”

I said: “I will offer my father and mother to ransom you, (O Messenger of Allah), who am I to have that reasoning?” He said:

اجتنب محارم الله، وأد فرائض الله تكن عاقلا، ثم تنفل صالح الأعمال تردد في الدنيا عقلا، وتردد من ربك قريبا

“Stay away from the things that Allah has forbidden, and do the things that He has made obligatory, then you will be a reasoning person. Then if you should do complementary (i.e.; voluntary) deeds of righteousness, you will be more sagacious in this world and nearer to your Lord.”

The reasoning person is he that has his reason focused on guidance, and his opinion focused on succor, so his word is straight, and his deed is praise-worthy. The ignorant person is he that has his ignorance focused on causing people to stray, so his word is poisonous, and his deed is blame-worthy. The advantage of reason is that one uses what he sees as evidence towards what is hidden. Therefore, whoever uses what he sees as evidence to what is hidden is called a reasoning person, but reason has some ills that prevent it from being beneficial! Those ills are caprice (the soul's desire), envy/jealousy, arrogance, and similar things.

There are four kinds of living things: The Angels, who have reason devoid of lust and the soul's desire; humans, who have reason, lusts, and the soul's desire; devils and the genies. They are also like that. (Fourth) are animals, which have only lusts. The lusts of devils overwhelms their reason, so they adopt blame-worthy manners, such as arrogance, conceit, hatred, pride, (false) claim, envy, hurt, and others. As to humans and the genies, some of them have their reason to overcome their lust. They have been caused to meet with

Angels. They are people like the Prophets and the Messengers (of Allah), as well as the devoted servants (of Allah).

Some of them have their reason overcome by their lawful desires, like food, rides, women, branded horses and beasts of cattle, so they have joined (the lower) animals. Some of them have their reason overcome by forbidden desires, like arrogance, conceit, envy, fraud, and others, so they have joined the devils.

Of the praise-worthy traits of leaders and others is religion. It is the fruit of reason, and it serves as evidence (overseeing) the traits of goodness. Therefore, anyone that does not have religion has no reason, nor does he have any praise-worthy trait. Of the praise-worthy traits of leaders and others is knowledge. You should also know that the person that is the neediest of people to expenses is the one that has more dependents, more followers, more servants, and more friends (colleagues) among them. People should all draw bright manners from the Sultan, and they should need him in terms of rules, stopping argument and settling disputes.

Therefore, he (i.e.; the Sultan) is the neediest of the creatures of Allah (i.e.; the neediest of people) to understanding knowledge and compilation (or rather enactment) of rule. A person without knowledge is like a town without inhabitants. Therefore, the best thing that should be found in a Sultan particularly, and in people generally, is the love of knowledge and interest in listening to it, as well as reverence to those that have it. It is also of the most emphatic things by which he will cause the subjects to love him. If a king (or a leader) is void of knowledge, he will ride on his soul's desire and hurt (harm) his subjects. He will be like an animal that goes through various roads without a halter (or leash). That animal could destroy whatever it passes over.

Therefore, lofty positions most earnestly require sitting with scholars, and being together with jurists, as well as studying books of knowledge and wisdom, and researching the records and history of wise men. This is because the Sultan has had himself vested with the post in order to experience the manners of people and to settle their disputes, as well as undertaking their judgments.

These all require expertise knowledge, strong insight, and prolonged study. How would his condition be if he did not prepare well for these issues, and if he did not precede them by planning for them? This is because a person other than the Sultan does not will always find someone that will object to him, show him his bad sides (or faults), and differ with him in terms of the schools of jurisprudence, so that will be of help to him in training himself and learning

the things that will guide him. This is contrary to the Sultan, because the highness of his position stops all that from him, since no one sits with him but those who esteem his worth and conceal his faults, praising (or extolling) him with what is not in him. This kind of people only respond by saying the emir (or leader) has spoken the truth.

Of the praise-worthy traits of leaders and others is patience (or clemency). Allah, the Exalted, said:

﴿إِنَّ إِبْرَاهِيمَ لَحَلِيمٌ أَوَّاهٌ مُنِيبٌ﴾ هود: ٧٥

“Abraham (as) was, without doubt, forbearing, compassionate, and given to patients.” Qur’an 11:75

He also said to His Prophet (saw):

وجبت محبة الله على من أفضب فحلم

“So overlook (any human faults) with gracious forgiveness.”

It is said in the Prophetic tradition: “The love of Allah is certain for a person that is angered but remains patient, and of the most patient of people was Ishmael (as), when it was said to him:

﴿إِنِّي أَرَى فِي الْمَنَامِ أَنِّي أَذْبَحُكَ فَأَنْظِرْ مَاذَا تَرَى﴾ قَالَ يَا أَبَتِ افْعَلْ مَا تُؤْمَرُ سَتَجِدُنِي إِن شَاءَ اللَّهُ مِنَ الصَّابِرِينَ
الصفات: ١٠٢

“I have seen in a dream that I offer you in sacrifice. Now see what is your view? He said: O my father! Do as you are commanded. You will find me, if Allah so wills, one of the steadfast.”

Al-Ahnaf said: “I have found patience more helpful to me than men.” Al-Ahnaf also said: “Beware of the views of villains”. They said: “And who are the villains?” He said: “Those who see pardon and forgiveness as a shame”.

Of the praise-worthy traits of leaders and others is generosity, which means that giving to people should not be difficult for you. Allah, the Exalted, said:

﴿وَيُؤْتِيهِمْ عَلَى أَنْفُسِهِمْ وَلَوْ كَانَ بِهِمْ خَصَاصَةٌ﴾ الحشر: ٩

“They give people preference over themselves, even though poverty was their (own lot).” Qur’an 59:9

The Prophet (saw) said:

The Hijrah Obligation

السخي قريب من الله، قريب من الناس، قريب من الجنة، بعيد من النار، وبخيل بعيد من الله بعيد من الناس بعيد من الجنة، قريب من النار

“The generous person is near (in terms of blessing and reward) to Allah, near to people, near to Paradise, and far from Hellfire. The niggardly person is far from Allah, far from people, far from Paradise, and near Hellfire.”

You should know that generosity is of two kinds: worldly, which is offering, giving, self-abnegation, and self-tolerance. Allah, the Exalted, said:

﴿وَمَنْ يُوقِ شُحَّ نَفْسِهِ فَأُولَٰئِكَ هُمُ الْمُفْلِحُونَ﴾ الحشر: ٩

“And whoever is saved from the covetousness of their own souls, -they are the ones that achieve prosperity.” Qur’an 59:9

Its sign is to stop hoarding and to resent piling wealth, and to be with your (Muslim) brothers with your heart being pleased. (Second) is religious (generosity), which means to be generous with your soul, such that you seek to lose it for the sake of Allah, the Exalted, worshipping Him, and fighting in His cause without any resentment of that, and not seeking anything with it but the Countenance (i.e.; pleasure) of Allah. It is said to Umar Ibn Al-Khattab (ra): “Who is a leader?” He said: “The generous person”. Mawriq Al-Ajali used to be lenient in seeking to do kindness to his brothers. He would put one thousand Dirhams in the place of one of them, saying keep them until I come back to you again. Then he would send to them thereafter, saying: You may use it free of any liability.”

Of the praise-worthy traits of leaders and others is commanding what is right. It is the one that comprises of all the traits. Allah, the Exalted, said:

﴿خُذِ الْعَفْوَ وَأْمُرْ بِالْعُرْفِ وَأَعْرِضْ عَنِ الْجَاهِلِينَ﴾ الأعراف: ١٩٩

“Hold to forgiveness; command what is right, but turn away from the ignorant.” Qur’an 7:199

It means that you forgive the person that does injustice to you, and that you give the person that denies (i.e.; refuses to give) you, and that you keep the relations with those who sever you.

Of the praise-worthy traits of leaders and others is righteousness. Allah, the Exalted, said:

﴿وَتَعَاوَنُوا عَلَى الْبِرِّ وَالتَّقْوَىٰ وَلَا تَعَاوَنُوا عَلَى الْإِثْمِ وَالْعُدْوَانِ﴾ المائدة: ٢

“Help one another in righteousness and piety, but do not help one another in sin and rancor.” Qur’an 5:2

Of the praise-worthy traits of leaders and others is perseverance. You should know that perseverance is the rein of all the other traits. Allah, the Exalted, said:

﴿إِنَّمَا يُوفَّى الصَّابِرُونَ أَجْرَهُمْ بِغَيْرِ حِسَابٍ﴾ الزمر: ١٠

“Those who patiently persevere will truly receive a reward without measure.” Qur’an 39:10

Allah, the Exalted, said:

﴿وَكَمَتَ كُلُّمَتْ رَيْكَ الْحُسْنَىٰ عَلَىٰ بَنِي إِسْرَءِيلَ بِمَا صَبَرُوا﴾ الأعراف: ١٣٧

“The fair promise of your Lord was fulfilled for the Children of Israel because they persevered.” Quran 7:137

Allah, the Exalted, said: “But if you persevere and guard against evil, -then that indeed is a matter of great resolution.” Allah, the Exalted, said:

﴿وَلَا تَصْبِرُوا وَتَتَّقُوا فَإِنَّ ذَلِكَ مِنْ عَزْمِ الْأُمُورِ﴾ آل عمران: ١٨٦

“O you who believe! Persevere in patience and constancy; vie in such perseverance.” Qur’an 3:186

Allah, the Exalted, said:

﴿وَأَسْتَعِينُوا بِالصَّبْرِ وَالصَّلَاةِ﴾ البقرة: ٤٥

“Nay, see (Allah's) help with patient perseverance and prayer.” Qur’an 2:45

Allah, the Exalted, said:

﴿إِنَّ اللَّهَ مَعَ الصَّابِرِينَ﴾ البقرة: ١٥٣

“Surely, Allah is with those who persevere.” Qur’an 2:153

(The evidence) is a lot in the Qur'an. The Messenger of Allah (saw) said:

الصبر نصف الإيمان، والصبر عند الصدمة الأولى. والصبر قسمان: صبر على ما أمر الله به وصبر على ما نهى الله عنه

“Perseverance is half of faith, and perseverance counts at the first shock (or strike).”

It is of two kinds: Persevering on what Allah has instructed, and persevering over (abandoning) what Allah has forbidden.

Of the praise-worthy traits of leaders and others is gratitude (i.e.; being thankful). Allah, the Exalted, said:

﴿وَقَلِيلٌ مِّنْ عِبَادِيَ الشَّاكِرُونَ﴾ سبأ: ١٣

“But few of My servants are grateful.” Qur’an 34:13

Gratitude is of three levels: gratitude by heart, gratitude by tongue, and gratitude by limbs (organs). The first is that you know that blessing is from Allah alone, and it is on that basis that the word of Allah, the Exalted,

﴿وَمَا يَكُم مِّن نِّعْمَةٍ مِّنَ اللَّهِ﴾ النحل: ٥٣

“And whatever blessing you have is from Allah”

The second, which is gratitude by tongue, is that what you should speak about. On that basis is the word of Allah, the Exalted “But the bounty of your Lord, - rehearse and proclaim!” Its reality is to praise the Gracious by remembering His grace. The third, which is gratitude by limbs, is to perform the right of Allah as required of every limb and to worship Him with all of the limbs. On that basis is the word of Allah, the Exalted:

﴿اعْمَلُوا آلَ دَاوُدَ شُكْرًا﴾ سبأ: ١٣

“Exercise thanks, Sons of David (as).”

Qur’an 34:13

Of the praise-worthy traits of leaders and others is leniency and avoiding severity. Allah, the Exalted, said:

﴿وَلَا تُفَضِّنْ جَنَاحَكَ لِمَنِ اتَّبَعَكَ مِنَ الْمُؤْمِنِينَ﴾ الشعراء: ٢١٥

“And lower your wing to the believers who follow you.”

He, the Exalted, also said:

﴿وَلَوْ كُنْتَ فَظًّا غَلِيظَ الْقَلْبِ لَانْفَضُّوا مِنْ حَوْلِكَ﴾ آل عمران: ١٥٩

“If you had been severe and harsh-hearted, they would have broken away from you.”Qur’an 3:159

There are many and innumerable traits of goodness. I have only brought these ten in order to earn blessing in terms of Ali Ibn Abi Talib's enumeration, -may Allah be pleased with him – when he said:

Honorable manners are pure traits
Reason is the first of them, religion the second
Knowledge the third, patience the fourth
Generosity the fifth,
Commanding what is right the sixth
Righteousness the seventh,
Perseverance the eighth
Gratitude the ninth and leniency the tenth

CHAPTER FIFTY FIVE

Concealing Secrets

Let me say –guidance being from Allah and Allah, the Exalted, said, talking about (Prophet) Jacob (as):

﴿قَالَ يَبْنَؤُ لَا تَقْصُصْ رُءْيَاكَ عَلَى إِخْوَتِكَ فَيَكِيدُوا لَكَ كَيْدًا إِنَّ الشَّيْطَانَ لِلْإِنْسَانِ عَدُوٌّ مُبِينٌ﴾ يوسف: ٥

“My little son! Do not relate your vision to your brothers, lest they concoct a plot against you.” Qur’an 12:5

So when Joseph divulged (i.e.; revealed) his vision in the presence of a wife of Jacob, she told his brothers, and the disaster that befell him befell him. It is said in Prophetic (saw) tradition:

(استعينوا على قضاء الحوائج بالكتمان)

“Seek help in realizing (your) needs by (resorting to) concealing (the secret).”

You should know that concealing secrets is of the praise-worthy traits in all manners. It is also of what is compulsorily required of kings, and of the obligatory duties on ministers, councilmen and followers. Ali Ibn Abi Talib – may Allah be pleased with him – said: “Your secret remains your captive (i.e.; you are in control of it) so long as you have not spoken (divulged it). If you speak about it, you become its captive.” You should know that it is more difficult and less available to find people you can entrust your secret than those you can entrust your wealth, and that keeping wealth is easier than concealing secrets.

A man could be as strong as carrying heavy load and walking with it, but may not be able to keep secrets. Any person that keeps tabs on (i.e.; controls) his secret will succeed in his need and be free from subjugation. Your secret is of your blood, so you should not cause it to flow not in its veins. If you speak about (i.e.; divulge) your secret, you have spilled your blood.

Umar Ibn Abdulaziz said: “Hearts are bags, and their buckles are the lips. Tongues are their keys. Therefore, every person should guard the keys of his secret.” It is also said: “The most persevering of people is the one that perseveres in concealing his secret, so he does not divulge it to his friend, lest he should be an enemy someday.” Amr Ibn Al-As said: “I would not divulge my secret to a person and blame him if he divulged it, because if my bosom

(heart) could not keep it, then his bosom should be narrower.” Wise men have said;

Poetically:

If a person divulges his secret
In the place of another
Then he blames the other person for it
He is foolish
If a person's bosom cannot keep his secret
The bosom of the person entrusted the secret is narrower.

It used to be said that “The hearts of free (i.e.; great) men are the graves of secrets.” Al-Hakeem also said: “Whatever you conceal from your enemy, -you should not reveal it to your friend, and if you must, then let it be to a friend that is counseling, advisory and trust-worthy in terms of secrets, such as is reasoning, religious, and loving. Do not keep your secret with the person that demands for it, for the person that demands to be given a trust is (always) treacherous. You should also know that divulging other people's secret is uglier than revealing your own secret, because it takes one of two stains: treachery, if the person that has entrusted you the secret had trusted you, and tale-bearing, if you are the one that have sought information from him. A wise man said to his son: “My little son, be generous with wealth in areas of the truth, and be stingy to all creatures with (your) secrets.”

CHAPTER FIFTY SIX

A Trait That Makes Relating with All Creatures Easy for the Leader of the Faithful and Others

Let me say – guidance being from Allah. You should know the trait that makes relating with all creatures easy for the Leader of the Faithful and others is deduced from the Glorious Qur'an. Allah, the Exalted, said:

﴿وَمِنْ دَابَّتٍ فِي الْأَرْضِ وَلَا ظَلَمَ يَطِيرُ بِجَنَاحَيْهِ إِلَّا أُمَمٌ أَمْثَلُكُمْ﴾ الأنعام: ٣٨

“There is not an animal (that lives) on the earth, or a being that flies on its wings, but (forms part of) communities like you.” Qur'an 5:38

Therefore, Allah, the Exalted, establishes where we correspond with other animals. It is known that they are not like us in creation, shape and reason, but in manners. There is no one among creatures but has some trait of the traits of animals. Therefore, if you see a person that goes beyond moderate manners among people, find out what corresponds with him in the traits of animals, and annex him to that; treat him according to it, so you will be relieved of him, and he will be relieved of you.

If you see a person that is ignorant in his manners, harsh in his behavior, strong in his body, such that people do not feel safe from his transgression (or insolence), annex him to the world of tigers. Arabs say “he is more ignorant than a tiger.” You of course know that if you see a tiger, you should stay far from it, and you should not fight with it. Therefore, take that man like that. If you see a person that has stealing secretly in his manners, annex him to the world of apes (monkeys), for an ape destroys luggage (i.e.; property), so do not dispute with him. Just protect your property. If you see a person that assaults people's personal worth, annex him to the world of dogs, for dogs' manner is that they get rude to people who are not rude to them, and they start hurting who does not hurt them.

Therefore, do not fight such a person if he assaults your personal worth. Take him like a dog that barks at you. Wouldn't you go to your affair, and not insult the dog? If you see a person that is disposed to false argument, such as says “yes” when you say “no,” and “no” when you say “yes,” annex him to the world of donkeys. The donkey's manner is that when you bring it near, it goes far, and when you keep it far, it comes near, so you may enjoy staying with a donkey without insulting or forsaking it. If you see a person that finds the

faults of people, annex him to the world of flies. A fly falls on the body and looks for nothing but the places of blood and impurity.

Therefore, you should ditch such a person out (i.e.; throw him away), and do not turn to him, as you would do with a fly. If you are tempted by a leader that assaults (people's) wealth and souls, annex him to the world of lions. Therefore, you should beware of him, and you should run away from him, as expressed by Al-Nabiga, where he said: "No firm position at the roar of a lion." If you are tempted with a person of inordinate cunning, annex him to the world of foxes, so you should leave him with his manners. If you are tempted with a tale-bearer, who separates between friends, you should annex him to the world of skunks. A skunk is an animal whose wind (smell/fart) is intolerable.

The Arabs express separating people saying: "A skunk has made a fart between them, so they separated." Since people would drive away this animal and prevent it from coming into their midst when it approaches them, the tale-bearer should be forced out of people or they should stand and leave him (alone, i.e.; they should all depart and abandon him)." If you see a person that does not listen to knowledge and wisdom, and deserts the council of scholars and wise men, and is given to listening the tales of this world and other superstitions, as well as what occurs in the council of the multitude (i.e.; the ignorant who constitute the masses), you should annex him to the world of all forms of beetles. The beetle loves eating feces, and it gets used to the stink of impurities. You would always see it frequent toilets and bathrooms, and you will see it run from the fragrance of Musk (perfume) and flowers. If Musk or a (good-smelling) flower is thrown (or poured) on it, it dies.

If you see a person whose manner is to snatch (the things of) this world, not ashamed of leaping over it, you should annex him to the world of kites (-kinds of bird, also known as glides). You should hide your property from him, because he (i.e.; such a person) does not respect pact. If you see a person that (ostensibly and deceitfully) has gentleness and tranquility, but who has set his snare to entangle this world, in order to eat the wealth of trust, of widows and orphans, you should annex him to the world of wolves. It is as someone has said:

You would see a wolf (as though it were) praying
When you passed by it, it bows
(As though it were) praying, and
Most of its prayer
Is (to ask) why his snare hasn't caught the prey
Hasten with it, you there over
For the heart has been of two minds

You should beware of such a person as you would do for the wolf. If you are tempted to be in the company of a liar, you should make his rule as a dead person. The dead person (as you know) has no information. Therefore, you should not accept any information (or news) from the liar. You should annex him to the world of ostriches.

The ostrich buries all its eggs beneath sand, then it lies on one egg on the surface of the earth, and another egg is under the heat of the sand, while the other eggs are in the depth (or bottom) of the hole. If an inexperienced person sees it, he takes that egg and departs, or he uncovers the surface of the sand, so he gets the other one, thinking that there is nothing (else).

A person that is experienced in the ostrich's trick would continue to dig until he gets to his need. He does not get deceived by that egg. The same applies to a liar. If you hear any news from him, do not believe him. Turn away from it (i.e.; the news) and investigate it until you get to (your) objective, which is to uncover it. If you see a person whose manner is to adorn himself like a bride, always whitening (i.e.; washing) his clothes, and adjusting his turban, protecting it from being touched by something, looking onto the sides of his body, having no purpose but his adornment, you should annex him to the world of peacocks.

Therefore, you should turn away from him. If you see a rancorous person, who does not forget (or forgive) mistakes, you should annex him to camels, and you should stay away from him. The Arabs say: "He is more rancorous than a camel." If you see a hypocrite, hiding the contrary of what he shows, annex him to the world of rodents. A rodent is a kind of rat that lives in the land, taking (i.e.; making) a hole beneath the earth. The hole is called "nafiq" (in Arabic), and it has two openings, so it enters through one of them and exits from the other. It is from the word that "munafiq" (meaning "hypocrite") is derived (in Arabic).

Therefore, you should turn away from him. All in all, there are many traits of people. You should stay with everybody according to the implication of his condition, so you will be relieved of him, and he will be relieved of you. Allah knows best.

CHAPTER FIFTY SEVEN

What the Leader of the Faithful Should Resort to when His Conditions Change, and the Things that Would Make His Affairs Right

Let me say –guidance being from Allah. The king (or leader) should gather the scholars of jurisprudence in order to call to the truth and to make instruction with it, as well as to revive the tradition (or practice of the Prophet (saw)), spread justice, and to sit determined in order to have (his) consideration capture unjustly acquired wealth. He should be known to honour men of knowledge, wisdom and generous. (Something missing from the manuscript) He should be wary of kings, as well as the sons (or children) of kings, and that of giving them generous appointments, lofty positions and various status. He should confide that (i.e.; each assigned authority) to one of them (i.e.; only to the person to whom it is assigned), and he should dissolve authoritarian (hence despotic) taxes and compulsory duties.

Then he should honor the eminent people of every tribe, and the first-ranking of every clan. He should instruct them to do kindness to the people that have knowledge, as well as to those who safeguard Shari'a, righteous people and those of little interest in this world. He should assign governing them to the best among them, and to those that are tolerating among them. He should not remove a leader from his leadership position. Rather, he should let every person of highness remain with his highness, and he should assign those of standing what is due to them. It is at that time that he becomes the leader of leaders. A poet said:

*Anarchy does not make people without leadership to be good
And there is no leadership when the ignorant become leaders*

A leader wins his enemies according to his justice (and equity) to his subjects, and his catastrophe in his wars shall be according to his injustice. Making one's subjects right is better than the multiplicity of troops. The Arabs say: "Modesty represents the crown of a leader. Justice is his fortress; the subjects represent his wealth, and no victory comes with transgression, and authority in rule does not come with the absence of knowledge, nor does eminence come with vengeance. It is realistically required of the Sultan to make himself used to perseverance (patience), and to be audacious (bold) in (tolerating) the bitterness caused by rudeness of (his) subjects.

You should know, O you king (or leader), that you are not a deity. You must not feel secure that people will be clear (i.e.; sincere) to you when they have not been sincere to the Lord who created them and bestowed various kinds of blessing on them, yet they say things that are not appropriate to Him, and they attribute things that are impossible concerning His right to Him!

CHAPTER FIFTY EIGHT

The Prophet's Conduct (saw) with Creatures (People) When He Was Sent to Them

Let me say – guidance being from Allah. You should know that when the Messenger of Allah (saw) was sent to people, he called them to the Oneness of Allah, and he made dazzling miracles manifest to them, such as no sane person would doubt that he was (and still is) the Messenger of Allah, but some people rejected and hurt him severely in that regard. He was patient with them. They also hurt those who believed in him utterly, to the extent that they killed some of them, and they forced others to get out of Mecca to the place that they could proclaim the Oneness of their Lord and worship Him.

When hurting them became intense, (Angel) Gabriel (as) came down, and he said: “O Muhammad (saw), Allah, the Exalted, has instructed that the heaven, the earth, and mountains obey you (i.e.; if you ordered their destruction).” He (i.e.; the Prophet (saw)) said: “I seek respite for my people, for Allah may accept their repentance.” When the Angel assigned to mountains said to him “If you want, I will turn the two mountains of Mecca (known as Akhshaban) on top of them,” he said: “I seek respite for them, for Allah may bring forth from their loins people that will proclaim the Oneness of Allah.” Despite this generous offer made to him by his Lord, he never sought to subdue them at the outset. Rather, he would take himself to clans and make himself known in occasions, saying:

من يؤمن بي، من ينصرني حتى أبلغ رسالة ربي وله الجنة؟

“Who wants to believe in me? Who wants to aid me, so I should deliver the Message of my Lord, and he shall have Paradise?”

That was when the Medinites (Ansars) had salvation.

They met him during the occasions, and they pledged fealty to him (i.e.; they accepted him). A man would go forth to him from Madina and believe in him, then he would come back to his own people (or family), and they would believe on account of his belief, to the extent that no house of the Ansaris remained except that there was a group of Muslims, who publicize their Islam in it. Then they met and said: “To what extent shall we abandon the Messenger of Allah (saw) to be driven within the mountains of Mecca?” Then seventy people went forth and said: “We pledge fealty (allegiance) to you.” He said:

تبايعوني على السمع والطاعة في النشاط والكسل، وعلى الأمر بالمعروف والنهي عن المنكر، وأن تقوموا في الله ولا تخافوا في الله لومة لائم، وعلى أن تنصروني وتمنعوني إذا قدمت عليكم بما تمنعون به أنفسكم وأموالكم وأبنائكم ولكم الجنة

“You should pledge fealty to me on the terms that you listen to me and obey me whether you are strong or weak (i.e.; in all conditions), and that you instruct what is good and forbid evil, and that you stand firm in (defense) of Allah's cause, not fearing the scold of anyone while you are in the path of Allah, and that you aid me and prevent me if I come with something against you, such as you would prevent yourselves, your wealth, and your children, so you shall have Paradise.”

And they stood up and pledged him fealty on those terms. Then Sa'ad Ibn Zurara, -may Allah be pleased with him -, who was the youngest of them, held the Prophet's hand and said: “At ease, O people of Yathrib (i.e.; Madina). Assuredly, we have not goaded the hearts of (our) camels to him (i.e.; we have not come to him) but knowing that he is the Messenger of Allah (saw). It means the best of you may be killed, and swords will have a bite (i.e.; a strike) on you. Now it is either you become people that will persevere in that regard, so your reward shall be with Allah, or you become people that will be afraid of cowards coming against you, so you should make that known to serve (sarcastically speaking) as a better excuse for you in the sight of Allah!”

They said: “Keep this aside from us, O Sa'ad, for we swear by Allah, we will never abandon this fealty.” When the Messenger of Allah (saw) emigrated, they gave him shelter, aided, respected and followed him, i.e.; they followed the light that was sent with him, so they earned salvation (eternal happiness) in this world and the Hereafter because of the blessing brought by pledging allegiance to him, despite the fact they had recently been infidels.

As for you, the oppressor, woe to you! After Allah, the Exalted has perfected (His) religion and caused the death of the affairs of the Age of Ignorance, you want to have the contrary! You are addressed as people's Imam, or as the Deputy Imam, when you are (actually) a Satan or a Deputy Satan, and you want to be like Korah (Qaroon), seeking to cause a lot of sedition! Allah, the Exalted, said:

﴿إِنَّمَا أَمْوَالُكُمْ وَأَوْلَادُكُمْ فِتْنَةٌ﴾

“Your wealth and your children are but a temptation.”

It is said in an authentic tradition: “The Messenger of Allah (saw) left neither Dirham nor Dinar, neither a male nor a female slave when he died, except his white mule which he used to ride, and his weapon (i.e.; sword), and a land that he gave as charity for travellers.” A'isha, -may Allah be pleased with her –said the Messenger of Allah (saw) never got full eating barley (or wheat) bread.” It is also said in an authentic tradition: “He used to remain hungry, turning around throughout his night because of hunger, but that wouldn't stop him from fasting his day. If his Lord willed, he could give him the treasures of the earth, its fruit, and the sumptuous sustenance therein.”

Of his character in humility was that (Angel) Israfeel (saw) said to him: “O Muhammad, your Lord is giving you the choice of being a Prophet that is a king, or a Prophet that is a mere servant (of Allah).” He said:

بل نبيا عبدا

“I'd rather be a prophet servant.”

It was narrated that Abu Umama said: “the Messenger of Allah (saw) came forth to us leaning on a staff, so we rise onto him, and he said:

لا تقوموا كما تقوم الأعاجم يعظم بعضهم بعضا

“Do not rise the way foreigners do, magnifying one another.”

He also said:

إنما أنا عبد آكل كما يأكل العبد وأجلس كما يجلس العبد

“I am nothing but a servant (of Allah), and I eat as every other servant eats, and I sit as every other servant sits.”

He used to ride donkeys and would carry someone behind him. He used to visit the needy and sit with the poor; he would respond to the call of a slave, and he used to sit down in the midst of his companions, mixing with them as allowed by the circumstances of the council, as one of them, not distinguished from them. His donkey's halter (rein) is of fibers, and on it is the saddle acquired on the Day (i.e; in the Battle) of Banu Quraiza. He did the pilgrimage (Hajj) on a tattered saddle, and his camel had some problem walking, and he said:

اللهم اجعله حجامبرورا لا رياء فيه ولا سمعة

“O Allah, make it a righteous (acceptable) Hajj wherein nothing is done to be seen or heard of men.”

So it was, yet he had victory over the whole land. In his house, he was always in the service of his family, getting his cloth cleaned and stitching it, mending his sandals, serving himself, feeding his camel with fodder, and sweeping the house. He would eat together with a servant and would make banter together with him. He would carry his item from the market, and would let no one carry it for him. He never denied his smile to anyone.

He would work in service of a guest. Anas, may Allah have mercy on him, said: "I served the Prophet (saw) for ten years, but he never said fie to me, nor did he ever say, 'why did you do that?' for something I had done, or 'why didn't you do that?' for something I did not do. He accepted the excuse of those that had an excuse, and he would be the one to start a handshake with his companions. He never interrupted anyone while talking, and he never spoke to anyone what he (i.e.; such a person) would detest. He never revenged for himself, except if the limits of Allah were violated. That was when he would stand for Allah. Examples of these lofty attributes are innumerable.

As to his asceticism (i.e.; little interest in this world) he (saw) is known for his patience, generosity, shyness, goodness of relations, justice, sobriety, and the rest of his praise-worthy traits, which cannot be enumerated, and which, if we should intend to enumerate them, they would come in volumes. Any interested person should read the book **Al-Shifa**, written by Iyyad, as well as the books of Prophetic history written in that regard. A'isha (ra) said: "Why don't you get enough as you may eat from this world?" He said:

يا عائشة، مالي وللدنيا؟ إن إخواني من أولى العزم من الرسل صبروا على ما هو أشد من هذا فمضوا على حالهم فقدموا على ربهم فأكرم مآبهم وأزل ثوابهم. فأجدني أستحيي إن ترفهت في معيشة أن يقصر بي غدا دونهم، وما من شيء أحب إلي من اللحوق بإخواني وأحلاتي

"O A'isha (ra), I have no interest in this world! My brothers of the Messengers of Great Resolution had persevered patiently for what was more difficult than this, so they continued in their condition, and they went forth to their Lord, so He honored their abode and made their reward magnificent. I find myself shy if I should have euphoria in (my) livelihood, lest I should have less than what they have had. Nothing is more beloved to me than meeting my brothers and friends."

The Messenger of Allah (saw) only lived for a month after that, and then his soul was taken.

CHAPTER FIFTY NINE

The Caliphate of Abubakr, -may Allah BePleased With Him

Let me say – guidance being from Allah. You should know that, when Allah, the Exalted, had taken the soul of his Prophet (saw), people gathered in waves, and the situation became intense. (All) Arabs were shaken, and the companions of the Prophet (saw) got anxious. The most anxious of them was Umar Ibn Al-Khattab, may Allah be pleased with him, for he held onto the handle of his sword and said: “I will not hear anyone say that the Messenger of Allah (saw) is dead without striking him with my sword!”

Then Abubakr came forth, and got into the (place where) the Prophet (saw) was. He uncovered the Prophet's honorable face, kissed him, wept, and said: “I would offer my father and mother to ransom you, O Messenger of Allah (saw)! Allah will not cause you to have two deaths together.” Then he came out and said: “After this, whoever had worshipped Muhammad should know that Muhammad is certainly dead, but whoever had worshipped Allah should know that Allah is Ever-living and never dies. Allah, the Exalted, said:

﴿وَمَا مُحَمَّدٌ إِلَّا رَسُولٌ قَدْ خَلَتْ مِنْ قَبْلِهِ الرُّسُلُ أَفَإِنْ مَاتَ أَوْ قُتِلَ انْقَلَبْتُمْ عَلَى أَعْقَابِكُمْ وَمَنْ يَنْقَلِبْ عَلَى عَقْبَيْهِ فَكَانَ

يُضِرَّ اللَّهَ شَيْئًا وَسَيَجْزِي اللَّهُ الشَّاكِرِينَ﴾ آل عمران: ١٤٤

“Muhammad is no more than a Messenger: (many were) the messengers that passed away before him. If he died or were slain, will you then turn back on your heels? Whoever turns back on his heels, not the least harm will he do to Allah, and Allah will swiftly reward those who (serve Him) with gratitude.”Qur'an 3:144

Umar (ra) said: “Then I trembled to the extent that I fell down on the earth.” Then the Prophet's companions regained their attention. Then people rose in waves and their hearts got mixed up, and they looked forward to a leader to whom the planning of their affairs should return. The Medinite companions of the Prophet (known as the Ansaris) met at the shelter of Bani Sa'ida in order to surrender their affairs to one man among them, and the Meccan companions of the Prophet (saw) (known as the Muhajiroon) gathered onto Abubakr (ra) and informed him about that.

They said: “Let's send to (or for) them!” Abubakr (ra) said: “No! We should meet them in their place,” so he moved forward, and the Muhajiroon followed him until they had come to the Ansaris. They exchanged words. The Ansaris

said: “Let there be one leader from us and one from you”. Abubakr spoke in accordance with the dictates of religion, saying: “O you Community of Ansaris, you indeed know that we are the people of the Messenger of Allah (saw) and the origin of Arabs, and the Prophet had said, 'Leaders shall be from Quraish till the coming of the Hour (of Resurrection). Allah has called us the truthful ones in His Book, when He said: '(Some part is due) to the indigent Muhajirs, -those who were expelled from their homes and their property, while seeking grace from Allah and (His) good pleasure, and aiding Allah and His Messenger. Those are indeed the truthful.' And He called (i.e. described) you as the prosperous ones, (saying):

﴿وَالَّذِينَ تَبَوَّءُوا الدَّارَ وَالْإِيمَانَ مِنْ قَبْلِهِمْ يُحِبُّونَ مَنْ هَاجَرَ إِلَيْهِمْ وَلَا يَجِدُونَ فِي صُدُورِهِمْ حَاجَةً مِمَّا أُوتُوا وَيُؤْثِرُونَ عَلَى أَنْفُسِهِمْ وَلَوْ كَانَ بِهِمْ خَصَاصَةٌ وَمَنْ يُوقِ شَحْنًا نَفْسِهِ فَأُولَٰئِكَ هُمُ الْمُفْلِحُونَ﴾ الحشر: ٩

“And those who before them had homes (in Madina) and had adopted the faith, show their affection to such as came to them for refuge, and entertain no desire in their hearts for things given to the (latter), but give them preference over themselves, even though poverty was their (own lot). And those saved from the covetousness of their own souls, -they are the ones that achieve prosperity.”Qur'an 59: 9

He instructed you to be with us in His word:

﴿يَا أَيُّهَا الَّذِينَ آمَنُوا اتَّقُوا اللَّهَ وَكُونُوا مَعَ الصَّادِقِينَ﴾ التوبة: ١١٩

'O you who believe, fear Allah, and be with the truthful.'

Qur'an 9:119

The Prophet (saw) also said to you:

(سترون بعدي أثرة فاصبروا حتى تلقوني على الحوض)

'Soon will you see preference, so be patient until you meet me at the Pond,'

And he said to us in his last sermon:

(أوصيكم بالأنصار خيرا تقبلوا من محسنهم وتجاوزوا عن مسيئهم)

'I strongly instruct you to do goodness to the Ansaris. Accept it from their good ones, and overlook the faults of those who err among them.'

Therefore, if you were to have anything in the affair (of this leadership), you would not see preference, and he would not have instructed us concerning you.” When they heard that, they remembered the truth and yielded, and they

obeyed his rule. Then Umar (ra) took the first step onto him, saying: “Stretch out your hand, so I should pledge fealty (allegiance) to you, O Abubakr (ra),” and Abubakr (ra) stretched out his hand, and Umar (ra) pledged him fealty, so people pledged him fealty.

When Al-Siddeeq (i.e.; Abubakr) had been made the Caliph, he rose to give a sermon. He said: “After all this, O people, I have been made in charge of your affairs, but I am not the best of you. The Qur'an came down (revealed), and the Messenger of Allah (saw) established his practice (tradition), so we know that wisdom means the fear of Allah (i.e.; piety), and foolishness means perversion, and that the strongest of you in my place is the weak person until I have taken (regained) his right for him, and the weakest of you in my place is the strong person until I have taken the (weak person's) right from him.

O people, I am only a follower. I am not a starter, so if I do goodness, you should aid me, but if I stray, you should make me straight.”

Thereafter, Al-Siddiq, may Allah be pleased with him, gathered the Companions and consulted them concerning fighting the renouncers of Islam and those who refused to give Zakat (alms).

The Companions said to him: “Leave the issue of Zakat until religion has grown strong and the anxiety of Muslims has abated,” but he said: “By Allah, if they refused to give me a rope (or tie), I would fight because of it.” Then Umar (ra) said to him: “Get used to people, and be lenient with them.” He said: “A brave man in the era of Ignorance, but fainthearted in Islam? The revelation has ended, and religion is complete. Would it be nullified when I am alive?” Osama Ibn Zaid had been dispatched by the Messenger of Allah (saw) to Syria in a group of seven hundred brave men.

When he had landed (i.e.; reached) Dzu Hasha, the soul of the Messenger of Allah (ra) was taken, and the Arabs trembled, so the Companions said to Abubakr (ra): “Bring them back!” He said: “I swear by Allah, and there is no deity worthy of worship but He. If dogs were to run against the legs of the wives of the Prophet (saw) (i.e.; if some infidels should make an offensive against them, we would die defending them, but), I would not call back an army that was equipped (and made combat-ready) by the Messenger of Allah (saw)”. So he instructed Osama to proceed, and he said (to Osama): “If you accept that you permit Umar (ra) to stay in my place, I should have consolation from him and get the aid of his opinion, (that would be appreciated!)” Osama said: “I have permitted him.”

Then Usama, may Allah be pleased with him, departed, and whenever he passed by a tribe that had wanted to renounce Islam, they would say if these people had no power, they would not come forth with people like these from among them. Then they (i.e.; Usama and his men) met the Romans, and they defeated them: They killed the Romans, and they returned unhurt. Then Abubakr (ra) fought against groups of renouncers until they returned to the religion of Allah. He also sent troops to Syria and Iraq, and he had victory over Yamamah.

What Abubakr did turned out to be the right thing, because if he had taken it easy with them in their refusal to give Zakat, they would have grown stronger, and it would have been hard to turn them back to obedience. He hastened the treatment before the disease had become incurable. If he had taken it easy with them and let them understand weakness, all those that had wanted to renounce Islam would have done so, and (at that time), slitting would not outrun the tailor. Umar (ra) said: "If it were not for Abubakr (ra), we would have been destroyed."

Abu Huraira said: "I swear by Allah, and there is no deity worthy of worship but He, if Abubakr (ra) was not made the Caliph, Allah, the Exalted, would not have been worshipped." After Allah, the Exalted, had strengthened religion with him, and the affair (of Islam) had become straight, he secluded from people for three days, rising onto them every day and saying: "I have made you quit of the fealty you pledged to me, so you may pledge fealty to anyone you wish". Umar (ra) would say: "We will not seek that you remove yourself, swearing by Allah, and we will not remove you! The Messenger of Allah (saw) placed you forward. Who is the one to put you backward?"

Then after all these, Abubakr, -may Allah be pleased with him -was not changed from his humbleness by the Caliphate, because of the strength of his religion. One day, he went out, with a gown on his shoulders. Then a man said: "I will protect you!" He said (to the man): "Stay away from me. Do not deceive me!" He also used to help the neighborhood milk their sheep, so when he was pledged fealty as the Caliph, a lady of the neighborhood said to him: "Now he will not milk the camels of our house," so he heard her. He said: "I will assuredly milk them for you, and I hope that the thing in which I have found myself does not change the manner on which I had been". He continued to milk (the camels) for them as it was before-may Allah be pleased with him.

When disputants came to him, he would look into the Book of Allah, the Exalted. If he found therein what he would use to judge between them, he would do so. If he did not find, but he knew (i.e. understood the case) from the

tradition of the Messenger of Allah (saw), he would judge with that. If he did not find, he would come forth to ask Muslims, then he would say: "Praise be to Allah, Who has made those who safeguard our religion for us be among us," or he would say "those who safeguard our tradition (i.e.; the path of the Prophet)." He used to hold his tongue and say: "It is this (tongue) that has led us to (unprofitable) places." When he got sick, he said: "Find out what has increased in my wealth since I became the Caliph, and sent it (i.e.; hand it over) to the Caliph after me". They did and found a slave that had gone away with the load of his children, and a camel, so they sent that to Umar (ra), who said: "The mercy of Allah be upon Abubakr! He has indeed made those after him seriously weary."

It was said to Abubakar (ra), when he was sick: "Shall we not call a doctor to diagnose you?" He said: "He has diagnosed me!" They said: "And what did he say to you?" He said: "He told me that He is the One that does whatever He will (i.e.; Allah)." The cause of his death had been his grief over the death of the Messenger of Allah (saw), i.e.; hidden sadness. His soul was taken (i.e.; he died) on Tuesday night, between Sunset (Maghrib) and Night (Isha) prayer, eight days to the end of Jumada Al-Akhira, the year 13 A.H. at sixty three, - may Allah be pleased with him, and may He make others pleased with him!

It is said in **Al-Kawakib Al-Duriyya**, written by Abdulrauf that "Abubakar Al-Siddeeq --may Allah be pleased with him, had been (of) the most knowledgeable of men about Allah, and the most pious of them, to the extent that the smell of roasted liver would come out of his inner self. He used to be most precautionary about what he ate or drank, and if he had eaten some food of ambiguous nature, he would make himself vomit it excessively. He drank some milk of the earning of his slave, and then he asked, so the slave said: "I did soothsaying for some people, so they gave it to me." Then he put his finger into his mouth and spewed it out (i.e.; vomited) to the extent that it was thought he was going to lose his life.

Then he said: "O Allah, I ask for your pardon concerning what veins have taken and the intestines have mixed with!" The author of Al-Ihya said: "he used to intentionally stay hungry for six days, and he would hold the tip of his tongue and say, "It is this that has led me to (unprofitable) places." He also said: "Nothing is good about a word that is not meant for the pleasure of Allah. Nothing is good about the wealth from which nothing is expended in the Cause of Allah, nor in a person whose ignorance outweighs his patience, nor in a person that fears to be scolded by anyone because he is in the path of Allah." He also said: "If any servant (of Allah) gets conceited because of something of the beauty of this world, Allah will resent him until he gets quit

of that beauty.” He also said: “We have found honor existing in the fear of Allah, affluence in the certitude of faith, and eminence in humility.” He also said: “Anyone who has a taste of the sincere understanding of Allah, -that will make him preoccupied way from anything besides Allah (i.e.; he will be busy worshipping Allah alone), and he will find that all people (who are not in the same path) are better isolated.”

He also said: “Whoever resents his soul in service of the Essence of Allah, Allah will grant him security from against Wrath.” He also said: “You should beware of waxing proud. How could a person that was created from soil and will return to it, to thereafter be eaten by maggots, -how could that person wax proud?” He also said: “Any excellence after which comes the hellfire has no goodness, and any disaster after which comes Paradise has nothing bad.” He entered an orchard, and there was a bird under the shade of a tree, so he sighed high and said: “How excellent it is for you, O bird! You eat fruit and have the shade of trees, and you move (i.e.; fly) free of any reckoning.

I wish Abubakar were like you!” When he was extolled, he would say: “O Allah, You are better Aware of myself than I, and I am better aware of myself than they. Make me better than what they think; forgive me what they do not know, and do not hold me accountable because of what they say.” If he stood in prayer, it is as though he were a cut down stick (i.e.; a lifeless stick) because of the humility (fear of Allah) that comes through him.

He also said: “I wish I were a tree (whose fruit) was being eaten, and which was being supported.” When he became sick, it was said to him: “Shall we not call a doctor for you?” He said: “The Doctor has already seen me, and told me that He is the One that does whatever He will.” Then he called Umar (ra) and admonished him to the extent that he made Umar (ra) cry. Then he said to him: “If you keep to my legacy, then let not anything that is absent (unseen) be more beloved to you than death. It will assuredly come to you, but if you neglect it, then let not anything that is absent be more resented to you than it, and (know that) you cannot frustrate it.”

Then he said to those that were present: “I strongly instruct you to hold onto Allah! Fear Him, lest you should be lacking and wretched. Praise Him with what He deserves, and seek for His forgiveness. He is assuredly Ever-forgiving. -Peace be upon whosoever follows guidance! He died in the thirteenth year (of migration), at sixty three based on the most authentic narration.

CHAPTER SIXTY

The Caliphate of the Leader of the Faithful, Umar Ibn Al-Khattab, -may Allah be pleased with him

Let me say – guidance being from Allah. You should know that Umar --may Allah be pleased with him, was the first person to be called the Leader of the Faithful (**Ameerul Muumineen**), and he was the first person with whom Allah honored Islam. He was also the first to walk around doing his duty at night in order to safeguard religion and people.

People, indeed, had awe (great respect) for him, to the extent that they abandoned sitting in dooryards. When that got to him, he gathered them, and then he sat on the pulpit, where Abubakr used to put his feet. He stood up and gave gratitude to Allah and praised Him as due for Him. He sent blessings on the Prophet (saw). Then he said: "It has reached me that people have had awe of my sternness and toughness, and that they have said, 'Umar had been tough with us when the Messenger of Allah (saw) was among us, then he was tough with us when Abubakr (ra), not he, was our leader (caliph). (Imagine) how it would be when the affairs have come down to him!'

Anyone that has said that has spoken the truth. I was with the Messenger of Allah (saw), and I was (as) his slave, servant, and his unsheathed sword until he returned me to the scabbard or left me. I continued with him on that trait until Allah took his soul, and he (the Prophet) was pleased with me, praise being to Allah, and I was the most satisfactory of men in that regard. Then Abubakr (ra) took charge of people's affairs, and I became his servant and aid, mixing my sternness with his leniency, so I was an unsheathed sword until he had put me back to the scabbard or left me. I continued to be with him on that trait, until Allah took his soul, and he was pleased with me, praise be to Allah, and I was the most satisfactory of men in that regard. Then I was made in charge of your affairs.

You should know that such sternness has been doubled, but it will only be on oppressors and those who transgress against Muslims. As to those who are for peace and religion, I am more lenient to them than they are among themselves. I will not let anyone oppress another without putting his cheek on the ground and putting my feet on his other cheek until he comes down to the truth. I owe you the obligation to not throw you into destructive things, and when you go absent engaging in detachments (of Jihad), I shall bear all your family

responsibilities until you come back. I have said this, my word, and I ask Allah to forgive me and you.”

Sa'eed Ibn Al-Musayyib said: “By Allah, Umar (ra) fulfilled it. He increased his sternness in its appropriate places. He was lenient in its appropriate places, and he bore all family responsibilities to the extent that he would walk to the women whose husbands had gone missing and say to them: 'Do you have any need that you want me to buy for you. I resent to see you cheated in terms of selling and buying and they would send their maids together with him. He would go into the market with people's maids behind him, (and they would go to the boys at the market) a plethora times, and he would buy what they need for them.

He would carry the need of anyone of them that did not have a servant, and he would, from what he had, buy for such women that did not have anything, - may Allah be pleased with him. One night, he went round, so he found a woman surrounded by some (i.e.; her) children and they were crying. There was a pot on fire filled with water. Then Umar (ra) came near to the door and said: “O you female servant of Allah! For what are these children crying?” She said: “Of hunger! I tantalize them with this pot until they sleep, insinuating to them that there is something inside.” Umar (ra) began to cry.

Then he departed to the charity home (or bureau). He took a sack and (put) some powder, oil, fat, dates, cloths, and Dirhams until he had filled the sack. Then he said to his boy (servant), Aslam: “O Aslam, help me put it on me to carry!” He said: “O Leader of the Faithful, I will carry it on your behalf!” He said: “No! O Aslam, I'd rather carry it because I am the one that is responsible for it in the Hereafter.”

He carried it on his shoulders until he came to the woman's house. Then he took the pot and put some powder in it, and some fat and date, turning it with his hand and aerating (i.e.; blowing) the fire under the pot.” He said: “And I saw smoke coming through his beard till he had cooked for them. Then he went on scooping it with his hand for them and feeding them until they became full. Then he went out, -may Allah be pleased with him.

Talha (ra) also went out at a dark night, then he saw Umar,-may Allah be pleased with him – enter a house and come out of it. When the day broke on Talha, he went to that house, and there was a blind, old woman seated! He said: “What's the matter with this man that he should come to you at night?” She said: “He has been coming to me since so and so time with what would make me good, and he would cast off dirt, -she meant feaces –from me!”

Furthermore, he, -may Allah be pleased with him, also dispatched detachments, and Allah gave victory in his hand over Damascus, then Rome, then Qadisiyya, Hams, Jaloola, Raqa. Rauhan, Nasibain, Askalan, Tripoli and the coastal areas that are next to it, as well as Jerusalem, Ahwaz, Egypt, Tastur, Nahawind, Asfahan, Persia, Ustukhur, Hamdan, Barbar, Barans, and others. His whip had been more frightening than Al-Hajjaj's sword. The kings of Persia and Rome used to have awe of him (i.e.; be afraid of him), yet he remained in the condition on which he had been before he became in charge, in terms of his cloths, attire, actions, and his humility.

He would walk alone when he was at home and on journeys, not changed by leadership. He never subdued any Muslim with his tongue, nor did he have a screen (barrier between him and people). He did not treat anyone differentially concerning any right because of such a person's position. No noble person ever coveted Umar's right, nor did any weak person get despair of his justice. He did not fear to be scolded by anyone in his service to Allah. He made himself assume the position of (being equal to) any other man (or person) among Muslims in terms of the wealth of the treasury. He never ate from it except as he needed to have the strength of putting things right. He used to wear a jubbah (cloak) of patched (or stitched) wool, -stitched with dermis.

He would go round the market with a whip he would use to discipline people. He would pass by threads (or ropes) and seeds, and he would pick them and throw them into people's house, so they should make use of them, such a thread as had become loose from a knitting, (-he would throw it to them), so they could knit it again. He wore a new shirt, then he demanded that a knife be brought, then he said to his son, Abdullah: "Compress the shirt, then put your hand at the sides of the fingers, then cut it." He said: "Then I cut what he commanded, and I said: 'You'd rather make it right!' He said: "Leave it that way! I had seen the Messenger of Allah (saw) do it."

Al-Ahnaf Ibn Qais said: "Omar (ra) made us go forth in a (military) detachment to Persia, so we acquired from the land of Persia, and we earned, so we came to Umar (ra). He turned his face away from us and did not speak to us. That troubled us a lot, so we complained about that to his son, Abdullah. He said: "(It must be because) he saw you wearing clothes that the Messenger of Allah (saw) did not wear, nor did the Caliph after him," so we came back to our homes, and we removed what we had been wearing. Then we came back in the garments that he had known us with, and he stood onto us and hugged us one by one. Then we presented the spoils to him, and he distributed them among us on the same footing. Then something of the spoils remained. It was of the kinds of candy (known as khabees in Arabic).

He tasted it, and he found it of sweet fragrance and taste. Then he said: "O you Community of Muhajiroon and Ansar, a son of you would assuredly slay his father and a brother his brother, over this food." Then he instructed that it be taken to the children of the Muslims that had been killed. Then he departed without taking anything for himself.

A freed slave of Uthman, -may Allah be pleased with him, said: "I was with Uthman at some of his home (that was in a place called) Aliya, in a difficult (hot) day, then all of a sudden, he saw a man goading two camels, and the earth was with heat spread as a mat (i.e.; it was very hot). Uthman (ra) said to him: "What is the matter with this person! He should have had a nap at Madina until he had attained coolness in it!" When the man came near, he said: "Find out who he is!" Then I looked, and behold, it was Umar, so I said: "He is the Leader of the Faithful," so Uthman stood up and put his head out of the door, and there was the burning breeze of the hot wind, so he took back (i.e.; he took in) his head, and Umar (ra) had come next to him, he said: "What has brought you out at this hour?" He said: "Two camels of the camels of charity that lagged behind, so I intend to catch up with them in this heat, fearing that lest they should stray, and Allah should ask me about them."

Then Uthman (ra) said: "O Leader of the Faithful, come onto water and shade, so we should do it on your behalf!" He said: "Go back to your shade," so I said: "We have someone to do it on your behalf (i.e.; someone to relieve you of it)," but he said: "Go back to your shade," and he proceeded. Then Uthman (ra) said: "Whoever wants to see a strong person should look at this (i.e.; Umar)!"

When hunger became serious on people, he felt falling short of ability because of (his concern about) people, and he could not get (good) barley, so he would eat from (the bad one), and his stomach would growl. He would put his hand on it and say: "It's up to you to growl or not to growl, for you will have nothing other than this in my place until Allah has given abundance to Muslims."

He used to say: "If a young goat were to die at the beach of Euphrates, I would be afraid that Allah might hold Umar accountable for it!" He was scolded one day for not sleeping at night, so he said: "What has Umar gotten to do with sleep? If I slept during the day, the subjects would stray, and if I slept my night, I would lose (or neglect) myself! So how could I sleep in both cases?"

Woe to you, oppressor! Why do you claim to be the governor when you don't know what is done in your home, much less the outside? Nay, you know, but you do not care! Measure yourself with the things that Muslim leaders do, and

you would see a distant gap (i.e.; great difference) between you. Umar used to say: “O Allah, my age has grown old, my strength has gone weak, and my subjects have spread. Do take my soul to You while I am neither negligent nor excessive.” That was his supplication in three days after Eid Al-Adha, so the month of Dhul Hijja did not end when he was stabbed by Abu Lu'ulu'a, the slave of Al-Mughira Ibn Shu'uba. Then Umar said: “The curse of Allah on him! You have instructed (i.e.; done) goodness thereby!” Then he said: “Praise be to Allah, Who has not placed my death in the hand of a man that claims Islam,” and he died –may Allah be pleased with him – four days to the end of Dhul Hijja, the year 23 A.H. at sixty three, like the age of the Prophet (saw).

It is mentioned in Al-Kawakib Al-Duriyya, written by Abdulrauf that “he was the first person to publicize Islam, as narrated by great and leading scholars, so religion became public. He subdued the schemes of the infidels by the certitude of faith which overflowed his heart, not considering their great number, and not concerned about their favoritism and the unity of their word, because he placed his trust on their Creator, and he sought the aid of their Destroyer and Annihilator (i.e.; Allah). He did so, enduring the things that the Messenger (saw) had endured, and persevering over their resented manners.”

Al-Ghazali said: “When he was made the Caliph, he had a wife that he loved, so he divorced her, lest she should point out to him that he should accept (her) intercession unjustly, and lest he should allow her to do it, seeking for her pleasure. He was then a person that left what had no blame for fear of doing what contained blame. His daughter went into his place while he was distributing the wealth of the treasury, so she took one Dirham. He rose searching for her, to the extent that the cloth that he was wrapping fell from one of his shoulders. The little girl entered the house crying, and she had the Dirham in her mouth, so he put his finger, brought it out and threw it into the tax money. Then he said: “O people, neither Umar (ra), nor the family of Umar (ra) has anything but what Muslims have, -whether they are near or far!”

He –may Allah be pleased with him – was the Caliph, but he would deliver sermon wearing a wrapper that had twelve patches and a shirt that had four patches. He did not have other ones. One day, he was late from coming forth to Friday (Jumu'at) prayer, then he gave the excuse that he had been washing his cloth and that he had no other one. He also used to visit the blind, the infirm, the old, and the young at night, carrying water and wood to them by himself, and removing hurt from them. Some people would say to him: “Let us relieve you of it,” but he would say: “Who would relieve me of my sins on the Day of Judgment?”

He went to Syria after it was conquered, and he was the Caliph, so they came trooping in, so he got off his camel and placed his sandals on his shoulder. Then he held the reins of the camel and walked through. Abu Ubaida (ra) said: “O Leader of the Faithful, (how could) you do this? It does not please me that the people of Syria should see you (this way)!” He (i.e.; Umar (ra)) said: “Lo! If someone other than you, Abu Ubaida, had said this, I would have made him a penal example to people! We had been of the most abased people, then Allah honored us with Islam, so whenever we seek for honor not by what Allah has honored us, He will make us abased (humiliated).”

Of his rare words that depict the reality of his conditions are his words: “We have found patience to be the best of our livelihood,” and his word “Anyone that fears Allah would not seek to appease his anger, and whoever adopts piety for Him will not do whatever he likes,” and his word “A leader is such a person that is generous when he is asked (or begged), and who is patient when he is treated ignorantly, and who respects anyone that lives with him.” This is the end of what is **Al-Kawakib Al-Durriyya** in brief.

CHAPTER SIXTY ONE

The Caliphate of Uthman Ibn Affan, -may Allah be pleased with him

Let me say –guidance being from Allah. His name had been Uthman (ra) in the Pre-Islamic Age of Ignorance, as well as in Islam, and he was of great wealth and compassion for Muslims. When he was made the Caliph, his humility, as well as his leniency, to them increased. Al-Hassan said: “I saw him recline in the Mosque with his cloth (or wrapper) under his head, and a man would come and sit next to him, then another man would come (and do the same), as though he were one of them. He would rise, and there would be the trace of pebbles on his forehead. He used to feed people with the food of the emirate (i.e.; caliphate) but he would eat (just) oil and vinegar.

He had a slave, so he said to him: “I had scrubbed your ear. You should take your revenge on me”. The slave held Uthman's (ra) ear and Uthman (ra) said to him: “Pull it as is good for the Law of Equality in this world, so there should not be such a law applied against me in the Hereafter.” One day, he was called against some people for an ugly thing (that they were doing), so he went forth to them but found that they had run away. Then he praised Allah, the Exalted, and he freed a slave on that account, because of his compassion for them. Goodness became abundant during his time. He used to fast the whole year, and he would spend the night in vigil (i.e.; praying) except a little sleep at the beginning of the night.

Uthman (ra) had precedence in goodness. Ibn Abbas, - may Allah be pleased with him – said: “At the time of Abubakr Al-Siddiq, -may Allah be pleased with him, a serious famine befell people, so they complained to him about the condition in which they were, and he said: “You will not get into the evening without Allah giving you relief. Then one thousand camels of Uthman (ra) arrived with wheat and food from Syria, and merchants came to Uthman (ra). They knocked the door, and he came out to them, saying: “What do you want?” They said: “That you sell to us until we have made it abundant for the indigent (poor) ones in Madina,” so Uthman (ra) said to them: “Come in!” (Then they entered), and behold, one thousand measures of heavy load have been poured down in Uthman's (ra) house. He said: “How much do you want?” They said: “We will give twelve for every ten.” He said: “They have offered me more!” They said: “Then fourteen for every ten!” He said: “They have offered me more!”

They said: "Then fifteen for every ten!" He said: "They have offered me more!" They said: "And who has offered you more when we are the merchants of Madina?" He said: "They offered me ten for every Dirham!" They said: "No! We cannot do that!" He said: "O you Community of Merchants, I call you to witness that the load shall be for charity to the indigent ones in Madina." Ibn Abbas said: "Then I slept my night, and behold, I saw the Messenger of Allah (saw) wearing a garment of light, and there was a staff of light in his hand. I said: "I would offer my father and mother to ransom you, O Messenger of Allah! I have been longing for you," and the Messenger (saw) said:

إني مبادر إلى عثمان، تصدق بوقر ألف راحلة وأن الله قبلها منه، وزوجه بها عروسا في الجنة، وأنا ذاهب إلى عروس

عثمان

"I am going to Uthman. He gave one thousand measures of heavy camel load as charity, and Allah has assuredly accepted it. He has given him a bride in Paradise on that account, and I will go to Uthman's bride."

Uthman also equipped a troop of ten men with nine hundred and fifty camels including their saddle cloths and saddles, and he completed it to a thousand by giving fifty horses. He also sent ten thousand Dinar for equipping the troop. He equipped the troop twice, and during his caliphate, victory was earned over Alexandria, Naisabur, Africa, Cyprus, the coastal areas of Rome, the second Ustukhur, the first Persia, Jour, the second Persia, Tuburstan, Karman, Sajastan by sea, Africa through the fortresses of Cyprus, the coast of Jordan, and Maru.

Then in the month of Dhul Hijja, the year 35 A.H., he – may Allah be pleased with him – was besieged. He was besieged by the people of Egypt and others, among those Kharijites, who had held assemblies in order to kill him, -the curse of Allah be on them. They besieged him for one month while he was in (his) house. When the siege became intense, Ali, may Allah be pleased with him, came out of his house, wearing the turban of the Messenger of Allah (saw), and carrying his sword, with his son, Al-Hassan, as well as Abdullah Ibn Umar (ra), in front of him, in a group that comprised of the Muhajiroon and the Ansaris, so they bore down upon people, and they dispersed them.

Then they went into Uthman's place, and he (i.e.; Ali) said: "Peace be upon you, the Leader of the Faithful," and he responded to the greeting of peace. He (Ali) said: "Give us the command to fight," and Uthman (ra) said: "I implore any person that knows he owes an obligation to Allah, and who acknowledges that he owes me an obligation, not to spill even a cupping glass of blood

because of me.” Then Ali (ra) came out saying: “O Allah, You know that we have made every effort.” Then he entered the Mosque. They broke into Uthman's house, and he was fasting, and had slept during the day and seen the Messenger of Allah (saw), who said to him:

إنك تفطر عندنا الليلة

“You will break your fast with us tonight.”

He was killed that day. It was for that reason that he prevented people from fighting. He was killed on Wednesday, after Asr (Afternoon) Prayer and was buried on Saturday before Zuhr (Noon) Prayer, the eighteenth of Dhul Hijja, in the year 35 A.H., at eighty eight. Some scholars have said at ninety. Allah knows best.

In **Al-Kawakib Al-Durriyya**, written by Abdulrauf, it is said that: “He used to sleep in the Mosque as the Caliph without anyone guarding him. He would also carry his servant at the back of his ride. He would also deliver sermons, wearing an Adani wrapper that was thick (hence coarse and rough), which cost four or five Dirhams. He would also feed people the food of the emirate, but would go into his house and eat vinegar and oil.

He never touched (or rubbed) his private part with his right hand since he became Muslim. When he passed by a grave, he would cry until his beard got wet, and he would always look at the Qur'an every day, saying: “This is the Book of my Lord. A servant must always look at his master's book every day when it comes to him, so he should work with what it contains.”

Of his word is “Everything has some bane, and every blessing has some defect. The bane of this religion and the defect of this blessing are slanderers and calumniators who show you what you love and hide what you dislike.” He also said: “The evil that Allah removes by the Sultan (i.e.; power or authority) is more than the evil He removes by the Qur'an.” He also said: “If our hearts were to be completely purged (i.e.; purified), we would not be full (hence we would not be needless) of the Word of Allah.”

CHAPTER SIXTY TWO

The Caliphate of the Leader of the Faithful, Ali Ibn Abi Talib, -may Allah be pleased with him

Let me say –guidance being from Allah. When Uthman (ra), -may Allah be pleased with him, had been killed, people went to Ali (ra) and knocked at his door. They said: “This man has been killed, and (now) people must have a leader, and we do not know anyone that is more deserving to it than you”. He asked them to leave, but they refused, so he said to them: “If you refuse to leave, then you should know that pledging fealty to me must not be in secret.”

Therefore, they came to the Mosque, then he went and met them. The Meccan and Medinite companions of the Prophet gathered to pledge him fealty (allegiance), but a group of people lagged (i.e.; refused) to pledge him fealty, and he did not compel them. Then what happened between him and A'isha (ra) (i.e.; strife) in the Camel Encounter took place. Then Mu'awiya and the people of Syria who were with him also lagged behind from pledging him fealty, so what happened between them (i.e.; strife) at Siffeen took place, -may Allah forgive them all!

Then the Kharijites rebelled against him, but he fought them and uprooted their groups. Ibn Abbas (ra) said; may Allah be pleased with him, said: “I have never seen a person that puts himself in a risk more than Ali. I have seen him go forth fatigued, but holding a sword against an armored man, but he would kill that man, -may Allah be pleased with him.” He was of great compassion to his subjects, humble, pious, and strong in religion. He used to say: “I am not a Prophet, nor is any revelation sent down to me, but I work with the Book of Allah and the tradition of His Messenger (saw) as far as I can, so whatever I instruct of obedience, you have the obligation to obey, whether you like or resent it.”

He used to walk in the markets, and he would help load carriers to carry their load, reciting the verse:

﴿ تِلْكَ الدَّارُ الْآخِرَةُ نَجْعَلُهَا لِلَّذِينَ لَا يُرِيدُونَ عُلُوًّا فِي الْأَرْضِ وَلَا فَسَادًا وَالْمُتَّقِينَ ﴾ القصص: ٨٣

“That is the Home of the Hereafter, which we give to those who do not seek for exultance or corruption in the earth, and the good conclusion is for those who fear Allah.” Qur'an 28:83

His (daily) food was barley powder. He would take a hand grasp of it and put it in a goblet (or cup), so he would pour water therein in order to drink it. Musarrin said: "I saw Ali wearing a wrapper and a garment (or robe), and he was carrying a whip as though he was a Bedouin Arab, (and he walked) until he arrived at the market. He said: "O elderly man, sell this shirt to me at the goodness of three Dirhams," and when the man recognized who he was, he refused to let him buy anything from him, so he went to another one, and it was the same thing. Then he went to a young boy and bought a shirt from him at three Dirhams while the worth was two Dirhams.

When the boy's father saw that, he returned one Dirham to Ali, but Ali, may Allah be pleased with him, said: "Stay away from me (in this regard), for he has sold it to me with my consent, and I have taken it from him with his consent". He was also brought some tangerines, so Al-Hassan took one, but he (i.e.; Ali) pulled it out of Al-Hassan's hand and he instructed that (all) the tangerines be distributed to people. Ibn Al-Arqam said: "My father said (to me) that he saw Ali in the market selling a sword that belonged to him, saying: 'Who will buy this sword from me, for I swear by Him that makes and created the seed (or rather He that made the seed to grow) and created people. I have used this sword many times to wipe away wars from the face of the Messenger of Allah (saw) with this sword. If I had the money for a wrapper, I would not sell it.'"

One day, he prayed the Subh (Morning/Dawn) prayer, and then he turned towards his right. He had some sorrow (pain), and when the sun had shone as a lance in length on the wall of the mosque, he turned his hand (perhaps palms) and said: "I had seen the companions of the Messenger of Allah (saw), but I haven't seen anything like them, as they are today.

They used to get into the morning disheveled and dusty because they had spent the night prostrating to Allah and standing in prayer, reciting the Book of Allah, and when the morning broke on them, they would remember Allah, and their eyes would flow in tears until their cloths had been wet. By Allah, people slept (last night) neglecting (such religious duties)!" He (i.e.; Ali) was not seen laughing at any recess till the time he was struck by Ibn Miljam. The Prophet (saw) had said:

أشقى آخرين من يضر عليا هذا فيبل هذه

"The most wretched (hence damned) of the last generation shall be the person to strike this Ali, and cause this to be wet."

—and the Prophet (saw) held the beard of Ali, may Allah be pleased with him! When Ibn Miljam had struck him, his sons, Al-Hassan, Al-Hussain and

Muhammad gathered in his place, so he bequeathed a long legacy to them, at the end of which was: "O Sons of Abdulmutallab, do not plunge into the blood of Muslims in any way, saying that the Leader of the Faithful has been killed. Do not kill anyone but the person that has killed me. You should strike him once! Do not desecrate him." Then he died, -may Allah be pleased with him! He was sixty five or sixty three. Allah knows best.

In **Al-Kawakib Al-Durriyya**, written by Abdulrauf, it is said that: "Ali, may Allah be pleased with him, had some powder in a sealed vessel (container) from which he drank (i.e.; mixing the barley powder with water), and it was said to him: 'How could you do this in Iraq despite the variety of their food?' He said: "As for me, I do not seal it to be niggardly. Rather, I don't like what is not of it to be put into it, lest what is not healthy (or what is not lawful) should get into my stomach." Ibn Al-Tayyah came to him and said: "O Leader of the Faithful, the treasury has become full of white (silver) and yellow (gold)," so Ali said: "Allah is Great! Then he called people to come, and he distributed all what is in the treasury, saying: 'O you white and yellow! Find someone to lure besides me! Take and take (i.e.; he went on giving people) until neither Dinar nor Dirham remained.'" Then he instructed that water be sprinkled in the treasury (to douse the dust), and he prayed two units there.

He was stitching his shirt, so it was said to him: "O Leader of the Faithful, why is this?" He said: "The heart is humble, so the believer is copying it!" One day, he came to the market, and he said: "Who has a shirt that costs three Dirhams?" Then a man said he had it, so he brought and gave it to him, and he (i.e.; Ali) wore it, and behold, it went beyond the sides of his fingers (i.e.; the sleeves were a bit long). He instructed that it be cut." He also sold his sword at the price of his wrapper, saying: "By Allah, if I had its price, I would not sell it, because many times did I wipe away troubles (i.e.; wars) from Al-Mustapha (i.e.; the Prophet) with it!"

Of his word is "This world is (as) carrion, so anyone that desires it should be patient over mixing with dogs." One day, he bought some meat with a Dirham, and he carried it, so it was said to him: "Let us relieve you of it (i.e.; let's carry it on your behalf)!" He said: "The person responsible is more entitled to carrying it!" He also said: "This world deceives, hurts and gets bitter. Allah never considers it a reward for His devoted servants or a chastisement for His enemies." He also said: "Time is of two days: A day for you and a day against you. If it is for you, do not wax arrogant, and if it is against you, do not be restless." He also said: "What is the matter with the human person that he waxes proud? His beginning is semen (sperm), and his end is carrion. Hecan neither give himself sustenance nor prevent his death."

CHAPTER SIXTY THREE

The Caliphate of the Leader of the Faithful, Al-Hassan Ibn Ali, -may Allah be pleased with him

Let me say – guidance being from Allah. Muslims pledged fealty attesting to the caliphate of Al-Hassan, may Allah be pleased with him, after the death of his father, but Mu'awiyya refused. Then he wrote to Mu'awiyya offering to surrender the affair to him, and he gave him some conditions. Mu'awiyya responded accepting to endure the conditions set on him. On that account, Al-Hassan was scolded (or blamed by people) for surrendering the affair to Mu'awiyya. He (Al-Hassan) said: “I have preferred three things to three things: Togetherness (with the Islamic Community) to separation, restraining blood to shedding it, and friendship to hostility”. His words came true to what the Messenger of Allah (saw) had said about him, that

إن ابني هذا سيصلح الله به بين فئتين عظيمتين من المسلمين

“Allah will use this, my son, to reconcile between two great groups of Muslims.”

His caliphate lasted for six months, and it served as the completion of the duration of the caliphate, which the Messenger of Allah (saw) had mentioned, then it would become an agonizing kingdom, then it would become insolence and corruption in the earth, so it happened as the Prophet had said.

In **Al-Kawakib Al-Durriyya**, written by Abdulrauf, it is said that: “Al-Hassan, may Allah be pleased with him, was an honorable leader, patient, and of tranquility, sobriety and generous. He resented sedition, and he used to give one hundred thousand (Dirhams) to just one person. He performed the Hajj (pilgrimage) twenty five times walking (on foot) from Madina while prestigious horses (and camels) were being ridden before him. He was pledged fealty to be the caliph after the death of his father and he held the position for six months and some days.

Then he moved to battle against Mu'awiyya Ibn Abi Sufyan. Forty thousand fighters pledged allegiance to him (that they would fight) till death. When the two troops met, Al-Hassan looked at them and saw that they were as mountains of iron, so he said: “Should these people kill themselves, because of one of the kings of this world? I have no need of this!” He sent to Mu'awiyya offering to abundantly surrender the affair to him, not because his men were few, nor because they were abased. In other words, he made the offer despite

his strength and eminence. He accepted that he should be the caliph after him; that he should also pay the debts that he has incurred (during his short reign), and that he should not hold anyone among the people of Madina, Hijaz and Iraq accountable for anything that happened during the time of his father and Mu'awiyya responded (positively) to all that, and they reconciled.

The Prophet's miracle became manifest in that regard. Al-Hassan resigned from being the caliph on those terms, and he moved from Kufa to Madina, and he resided there. Unfortunately, the leader of Madina, Marwan, began to insult Al-Hassan and his father (i.e.; Ali) on the pulpit (while he made sermons) and in other places. He went to the extreme in hurting him, to such an extent that made death (appear) less severe (i.e.; one had rather die than face that humiliation), but Al-Hassan was patient, anticipating his reward from Allah.

Of his word, may Allah be pleased with him, is "The most discerning of all clever people is the one that fears Allah, and the most foolish of all foolish people is the one that is immoral." He also said: "Tolerance means that you be generous when you are affluent and when you are in want." He also said: "Clemency means that you suppress your anger and control yourself, and sufficiency is that the soul accepts what has been apportioned to it, even if it is little, and poverty means the soul's coveting everything, and burden is when you talk in what does not concern you."

In the commentary on **Muqaddamatil Wusul** (-literally, the Beginning of Arrival), written by Sheikh Ibrahim AL-Muwahiby, reporting from his scholar, Al-Arif Abul Muwahib Al-Tunusy, -it is said: "The first person to get Al-Mustapha's (i.e.; the Prophet's) Qutbaniyya was Fatima Al-Zahra, (and she had it) throughout his life. Then it moved to Abubakr, then to Umar, then to Uthman, then to Ali, and then to Al-Hassan, -may Allah be pleased with all of them!"

This is the end of his word, and with its end comes the end of the book "Explaining Hijra Obligation on People to Emigrate, and the Obligation to Appoint an Imam and to Establish Jihad" by Allah's praise and His good aid, Thursday noon (i.e.; at the time of Zuhr Prayer), the ninth day of Ramadan, in the year 1221 A.H.

Praise be to Allah who has bestowed the blessing of faith and Islam on us, and has guided us by means of our leader and guardian, (Prophet) Muhammad, -may the best blessing and the purest peace of Allah, the Exalted, be upon him. Praise be to Allah who has guided us to this. We would not have been guided if Allah had not guided us. The last of our prayer is praise be to Allah, Lord of the Worlds. O Allah, bestow general mercy on the people (i.e.; followers) of Muhammad by his glory, Amen!

إفحام المنكرين
فيما أمر الناس به أو فيما
أنهاهم عنه في دين الله تعالى

HALTING THE DENIERS

By
Sheikh Othman Bn Fodiyo

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Prof. A.B. Yahya,

In the Name of Allah, the Beneficent, the Merciful

May His peace and blessings be upon our Master Muhammad, his family and companions.

The poor servant, desperate for the mercy of his Lord, Uthman bn Muhammad bn Uthman, otherwise known as Ibn Fodiyo (May Allah cover him with His mercy) Ameen, said: All praise is due to Allah, the Lord of the universe and may His best peace and prayers be upon our Master Muhammad, his family and all his companions. May He also be pleased with the followers of their footsteps, the practicing scholars, the four Imams of Ijtihad and their imitators till the end of times.

This book is titled: **Halting the Deniers to a Standstill on the Injunctions and Interdictions of the Religion of Allah.** I wrote it in order to explain to them the proof of what they deny with the hope that they will stop the denial. If they do not stop, they will turn their backs humiliated and defeated.

I say, by Allah is my success. O you who deny me! What is it that you are denying in me? On what issue are you denying me? Because if you were impartial you would not deny, or if you had insight you would know that I did not command people to do anything except with a proof; that the thing is Allah's command and I never forbid anything except the thing that is forbidden. This is clear to those gifted with insight, among those who are with me. That being the case, show me what you deny in me knowing that all my statements were aimed at calling people to the religion of Allah within the context of eight modules: The first: On admonition. The second: On purification. The third: On women's cover. The fourth: On repelling illusion. The fifth: On fighting bad habits and customs. The sixth: On avoiding oral mistakes. The seventh: On fighting bad habits; and the eighth: On combating evil innovation.

Now tell me! In which of these areas was your denial? If your denial is in the area of admonition, then the proof of answers you will hear will turn your backs defeated. Allah said:

﴿فَذَكِّرْ بِالْقُرْآنِ مَن يَخَافُ وَعِيدِ﴾ ق: ٤٥

***“Remind and admonish with the Qur'an whoever fears the punishment.”
Qur'an 50:45***

﴿وَذَكِّرْ فَإِنَّ الذِّكْرَ يَنْفَعُ الْمُؤْمِنِينَ﴾ الذاريات: ٥٥

“Remind and admonish, for indeed admonition benefits.” Qur’an 51:55

﴿ادْعُ إِلَى سَبِيلِ رَبِّكَ بِالْحُكْمَةِ وَالْمَوْعِظَةِ الْحَسَنَةِ﴾ النحل: ١٢٥

*“Call to the way of your Lord with wisdom and good admonition.”
Qur’an 16:125*

Furthermore, in **Bukhari**, Ibn Mas'ud (ra) was reported to have said that: “The Prophet (saw) used to admonish us with appropriate measure”, and in the same **Bukhari**, Abi Sa'id Alkhudry, reported that some women said to the Prophet (saw): “Men have taken most of you, will you spare a day for us?” Therefore, he promised them one day in which he admonished and commanded them. Also in **Bukhari**, Abu Wail said that Abdullah used to admonish people every Thursday.

There is a sound report from Ibn Mas'ud in which he was reported to have addressed a story teller, saying: “You have innovated Bid'ah (innovation) out of the right path or you are engaged in various talk at a gathering of the companions, and people dispersed from him until no one remained. I say: The answer is that he was narrating in his stories what was invented by the ignorant story tellers including lies and fabricated hadiths.

This was mentioned by Ahmad bn Hajar Alhaithami in the book of **Azzawajir**- Scoldings. On the other hand, proper story telling by reminding people of Allah and His verses (the Qur'an) and teaching them things they need to know, this is in itself a way of drawing closer to Allah and is a praiseworthy occupation. Moreover, if there is consensus on that admonition is praiseworthy, as described by Al Haithaini, which is the type of admonition done by Imams, like Abdullah bn Mas'ud, Hassan AlBasari, Abdulqadir Aljilani, Aljunaid Ashabili, Mansur bn Ammar, Ibn Samak, Yahya bn Muhammad, Abil Fadli Aljau hari, Attusi and many more.

But if denial is on the issue of purification, likewise evidences will answer you and you'll turn your backs defeated. Allah said with regard to bath on major impurity:

﴿وَإِنْ كُنْتُمْ جُنُبًا فَاطَّهَّرُوا﴾ المائدة: ٦

“If you are in a state of major impurity then purify yourselves.” Qur’an 5:6

And He said on ablutions:

﴿يَا أَيُّهَا الَّذِينَ آمَنُوا إِذَا قُمْتُمْ إِلَى الصَّلَاةِ فَاغْسِلُوا وُجُوهَكُمْ وَأَيْدِيَكُمْ إِلَى الْمَرَافِقِ وَامْسَحُوا بِرُءُوسِكُمْ وَأَرْجُلَكُمْ إِلَى الْكَعْبَيْنِ﴾ المائدة: ٦

“O you who believe, when you stand for prayer wash your faces and your hands to the elbows and wipe your heads and your feet to the ankles..”
Qur'an 5:6

In addition, the Prophet (saw) said:

لا تقبل صلاة بغير طهور

“No prayer is accepted without purification.”

Attirmizi reported from Ibn Umar (ra), and in **Bukhari** from Abu Huraira (ra) “Allah does not accept the prayer of whoever has answered the call of nature until he performs ablution.” There is a consensus on the necessity of bath for major impurity as well as for ablution for minor impurities (before prayer).

Now, if your denial is on women's cover, the evidence will answer you and you'll turn back defeated.

﴿يَا أَيُّهَا النَّبِيُّ قُلْ لَأَزْوَاجِكَ وَبَنَاتِكَ وَنِسَاءَ الْمُؤْمِنِينَ يُدْنِينَ عَلَيْهِنَّ مِنْ جَلْبِيبِهِنَّ﴾ الأحزاب: ٥٩

“O Prophet! Tell your wives, daughters and the women of the believers to draw their veil over their bosom.” Qur'an 33:59

He also said:

﴿وَلْيَضْرِبْنَ بِخُمُرِهِنَّ عَلَى جُيُوبِهِنَّ﴾ النور: ٣١

“Let them use their head scarf over their chest.” Qur'an 24:31

Likewise in Bukhari, Aishat (ra) said: “May Allah have mercy on the women of the first emigrants; when Allah revealed:

﴿وَلْيَضْرِبْنَ بِخُمُرِهِنَّ عَلَى جُيُوبِهِنَّ﴾ النور: ٣١

“Let them use their head scarf over their chests”. Qur'an 24:31

And: “They plucked off their hair to cover themselves with it.” In the same Bukhari, it was reported that Aishat (ra) said: “The Prophet (saw) used to pray Fajr and believing (pious) women would be present, covered with their hair

Halting the Deniers

and they would return to their houses without being recognized”. As a matter of fact, there is consensus on the fact that women should cover all their body in the presence of strangers except the face and the hands.

Or, if your denial is on the issue of following the Sunnah in the essentials and branches of religion, the manifest and the hidden, then the proof (against your denial) will send you back defeated. Allah said:

﴿لَقَدْ كَانَ لَكُمْ فِي رَسُولِ اللَّهِ أُسْوَةٌ حَسَنَةٌ لِّمَن كَانَ يَرْجُوا اللَّهَ وَالْيَوْمَ الْآخِرَ وَذَكَرَ اللَّهَ كَذِكْرًا﴾ الأحزاب: ٢١

“Indeed there is for you in the Messenger of Allah a role model”;
Qur’an 33:21

﴿وَمَا آتَاكُمُ الرَّسُولُ فَخُذُوهُ وَمَا نَهَاكُمْ عَنْهُ فَانْتَهُوا﴾ الحشر: ٧

“And whatever the Messenger gives you, take it; and whatever he prohibits you, refrain from it.” Qur’an 59:7

The Prophet said:

مَا أَمَرْتُكُمْ بِهِ فَأَتَوْهُ وَمَانَهَيْتُكُمْ عَنْهُ فَانْتَهُوا

“Whatever I command you, do it and what I forbid you stop it.”

All reported by Ibn Majah, chapter on following the Sunnah, by Abu Bakr bn Abi Shuaibu, from Sharik, from Al'A'amash, from Abi Sualih, from Abu Hurairah. He also said the Prophet (saw) said:

عليكم بسنتي وسنة الخلفاء الراشدين عضوا عليها بالنواجذ

“Follow my Sunnah and the Sunnah of the guided Khalifs; bite into it with your molars.”

Reported by Abu Dawud from Abi (ra). Also narrated by Attirmizi, saying it is a good, sound hadith. Moreover, there is consensus on the fact that to follow the Sunnah is Wajib (obligatory). If your denial is on the issue of combating illusions of those sects who consider Muslims non-Muslims, for certain creeds or sins, or those who do not consider even those who mix Islam with Kufr words or deeds as non-Muslims, likewise the proof will respond to you and send you back defeated.

As for those who call Muslims Kafirs because of certain creeds, Allah says:

﴿وَلَا تَقُولُوا لِمَن أَلْفَقَ إِلَيْكُمْ أَسَلَّمَ لَسْتُمْ مُؤْمِنًا﴾ النساء: ٩٤

“And do not say to whoever extends salam (peace) to you: “you are not a believer.” Qur’an 4:94

And the Prophet (saw) said:

أمرت أن أقاتل الناس حتى يقولوا لا إله إلا الله وأن محمدا رسول الله ويقيموا الصلاة ويؤتوا الزكاة فإذا فعلوا ذلك عصموا مني دماءهم وأموالهم إلا بحق الإسلام وحسابهم على الله

“I was commanded to fight people until they testify that there is no god except Allah and Muhammad is His Messenger, establish prayer and give zakkat. If they do so, they protect from me their blood and property except for the duty of Islam and their judgment is in the hands of Allah.”

Reported in Bukhari by Ibn Umar (ra). He (saw) also said:

من صلى صلاتنا واستقبل قبلتنا وأكل ذبيحتنا فذلك المسلم له ذمة الله وذمة رسوله فلا تخفروا الله في ذمته

“Whoever performs our Salat, faces our Qiblah and eats what we slaughter, then he is a Muslim. He has got protection from Allah and protection from His Messenger, so do not embarrass Allah in His covenant of protection.”

Whoever affirms the words of faith is to be treated as a Muslim. Those who declare Muslims Kafirs because of sins, their illusion has also been debunked by Allah's words:

﴿إِنَّ اللَّهَ لَا يَغْفِرُ أَن يُشْرَكَ بِهِ وَيَغْفِرُ مَا دُونَ ذَلِكَ لِمَن يَشَاءُ﴾ النساء: ٤٨

“Indeed, Allah does not forgive that He is given partners in worship, but He forgives aside of this to whoever He wishes.” Qur’an 4:48

And in Bukhari chapter: sins are issues of ignorance and the sinner is not a kafir except by associating partners to Allah, based on the saying of the Prophet:

إنك امرؤ فيك جاهلية

“You are an individual with traces of ignorance.”

To Abi Zari (when he insulted someone). Then Bukhari used the above mentioned verse to buttress his view and debunk their illusions with the following Hadith:

كفوا عن أهل لا إله إلا الله لا تكفروهم بذنوبهم فمن كفر أهل لا إله إلا الله فهو إلى الكفر أقرب

“Stop or hold on concerning the people of La Ilah Illah, do not call them kafirs because of sins, whoever calls them kafirs he is closer himself to Kufr (disbelief).”

Attabarani as explained by Shihabuddeen Ahmad bn Hajar Alhaithami in the book of **Azzawajir**, and also Albaihaqi with a sound chain told Jabir bn Abdillah that he was asked: “Were you calling any sin Kufr, shirk or hypocrisy?” He said: “May Allah protect us. Rather, we (should) say believing sinners.” And there is a consensus that none should be called Kafir because of a sin.

As for those who do not consider Kafirs the ones who mix Islam with Kufr words or actions, they have also been given answers and their illusion debunked by the consensus of Muslims. Indeed, there is a consensus on the fact that whoever venerates stones, trees by slaughtering on them is a kafir, even though he claims to be a Muslim. Likewise whoever denies one essential knowledge of the religion, or takes the religion of Allah for mockery, or abuses Allah; His Angels; His Books; His Messengers or His religion all of those are Kafirs by consensus, even though they claim Islam. In addition, there is consensus on that whoever does not consider them Kafirs is a kafir, even though he claims to be a Muslim. Check this Algerian Poem, known as Al-Jazairiyya:

“They acted all the shirk acts, even though they claim the religion, they are Kafirs, but don't say.”

And in the Shining Star Alkaukabu saatuu.”

Whoever denies an agreed upon (established) essential knowledge of religion is not a Muslim. And in the Illuminating the Darkness- **IDA'ATUD-DUJINNAH** it was written that “Whoever denies an essential knowledge has become a kafir and his vain glory finished.” Also in the **Bad'ul Amani** – Beginning of Hope: it was also written that: Professing Kufr without believing in it is the same as rejecting the religion by abandonment, or if your denial is on the issue of oral mistakes invented by some reciters in these territories of Sudan, by changing the hamzah between waw and yay or changing waw with yaw or what they invent in prolongation for amusement and resonance, then the proof will respond to you and you'll turn your backs defeated, because recitation must be done as it came through Jibril by consensus. Analogy does not creep into it, so how will innovation be permissible in it? May Allah protect us from this boldness (affront) on the Qur'an.

Or if your denial is on the issue of fighting bad habits and customs like entering other people's homes without permission; lack of covering on the part of women in the presence of their brothers in law, cousins (maternal and paternal), the husband of their sister, the friends of their husbands, or seclusion between (of) a man and a strange woman; or marriage celebrations comprising evil acts, or women going out (unavailably) for no necessity to the markets mixing with men; or their going out to buy from hawkers without proper dressing i.e; exposing parts of their bodies considered Haram to be seen by men; or not following the book on issues of inheritance as Allah made it incumbent, then the proof will respond and you will turn your back defeated. There is consensus that a custom is rejected if it contradicts the Sharia.

Or if your denial is the issue of rejecting bad innovations, the proof will also respond and you will turn your faces humiliated. Allah said:

﴿وَأَنَّ هَذَا صِرَاطِي مُسْتَقِيمًا فَاتَّبِعُوهُ وَلَا تَتَّبِعُوا السُّبُلَ فَتَفَرَّقَ بِكُمْ عَنْ سَبِيلِهِ﴾ الأنعام: ١٥٣

“In fact, this is my way, a straight one, follow it and do not follow other ways which will divide you from His way.” Qur'an 6:153

Ibn Mas'ud said that the Prophet of Allah (saw) drew a line and by its right he drew many lines as well as by its left, then he said:

(هذا سبيلي وهذه السبل وعلى كل سبيل منها شيطان يدعو إليه)

“In fact, this is my way, a straight one, follow it and do not follow other ways which will divide you from His way.” Qur'an 6:153

I think he said among people the innovators, then he recited the above mentioned verse:

: (هذا سبيلي وهذه السبل وعلى كل سبيل منها شيطان يدعو إليه) وأحسبه قال: "من الإنسن" يريد به أهل البدعة ثم

تلى هذه الآية: ﴿وَأَنَّ هَذَا صِرَاطِي مُسْتَقِيمًا﴾ يعني الخط ﴿فَاتَّبِعُوهُ وَلَا تَتَّبِعُوا السُّبُلَ﴾ يعني الخطوط ﴿فَتَفَرَّقَ

بِكُمْ عَنْ سَبِيلِهِ﴾

“In fact this is my way and a straight one” i.e.; The line: “follow it and do not follow other ways” i.e.; the lines “which will divide you from the way.”

Mujahid said as well as Zaid bn Aslami: “His way is Islam and the Sunnah. The other ways are the innovations and desires.” The Prophet (saw) said:

من أحدث في أمرنا هذا ما ليس منه فهو رد

“Whoever invents in this our matter what does not belong to it, it will be rejected.”

Bukhari and Muslim also reported:

من عمل عملا ليس عليه أمرنا فهو رد

“Whoever does an act which is not in our matter it will be rejected.”

These two Hadiths are enough as answer to all kinds of evil innovations. Therefore, it is recommended to memorise them, spread them and use them in fighting all forbidden and disliked innovations. The scholars said that there is consensus on refuting innovations that contradict the Sunnah.

Here I have presented all the proofs dealing with the topics on these eight issues where I call people to Allah the Most High. Whoever wishes to get the details of the proofs in each of the topic I have treated, let him refer to my other books where he will, insha Allah, get his need..

I say it should be borne in mind that the good (aim) is to clarify the truth for those who deny me and not to argue with them, and I think this has become clear like the sun before mid-day. Praise be to Allah that you have no more excuse to deny me.

Now (you should) know that all innovation is forbidden in the Mazhab Malik, whether it contradicts the Sunnah or not, contrary to the Shafi'y Mazhab where it is only forbidden if it contradicts the Sunnah; know also that your denial is related to issues where there is consensus on their being obligations or interdictions. If the case was on issues where there is divergence, then whoever leaves a thing in which there is disagreement in its being wajib or does something in which there is disagreement on its being haram, there is no problem against him if he is imitating some scholars. But he should not be contradicting the scholar he imitates by refuting his ruling on similar issues. It also should be borne in mind that the denial we are condemning here is the haram one, but if the denial is with the intention of giving advice and guidance, or commanding it as an advice or guidance, all that is considered sincere advice and kindness because all the scholars agree on encouraging people to get out of divergence..

Also, your words you deniers as AbdurRahman Assuyut said in his book on the age of this Ummah crossing the thousand: If we were to gather ourselves with you in one plain land then we made lines, reminded ourselves and then

Halting the Deniers

blew on you, at once you would become dust flying over. This statement is gratitude not pride because the one who said:

﴿فَلَا تُزَكُّوا أَنْفُسَكُمْ هُوَ أَعْلَمُ بِمَنِ اتَّقَى﴾ النجم: ٣٢

“Do not think of yourself as purified,” Qur’an 53:32

Is the same as the one who said:

﴿وَأَمَّا بِنِعْمَةِ رَبِّكَ فَحَدِّثْ﴾ الضحى: ١١

“And about the favours of your Lord speak out.” Qur’an 93:11

But if you say that we are being proud, we will say yes, but with the promise of Allah (May He be glorified), how will we not be proud when he made us servants of the Sunnah of His religion saying:

﴿وَلَيَنْصُرَنَّ اللَّهُ مَن يَنْصُرُهُ إِنَّ اللَّهَ لَقَوِيٌّ عَزِيزٌ ﴿٤٠﴾ الَّذِينَ إِذَا مَكَتَهُمْ فِي الْأَرْضِ أُقَامُوا الصَّلَاةَ وَآتَوْا الزَّكَاةَ وَأَمَرُوا بِالْمَعْرُوفِ وَنَهَوْا عَنِ الْمُنْكَرِ﴾ الحج: ٤٠ - ٤١

***“Indeed Allah will surely help those who help Him. Certainly Allah is All-Mighty, All-Honourable, those whom when we establish on earth are steadfast on Salat, give Zakat, command good and forbid evil,”
Qur’an 22:40-41***

And we know for sure that if the deniers come together from the east, west, right and left, they could be defeated by only one helper of the religion of Allah, because he is among the soldiers of Allah and one of His party; and whoever is a soldier of Allah and of His party is not vanquished, but yes, (he) is the victor, Allah said

﴿وَلَا جُنْدًا لَهُمُ الْغَالِبُونَ﴾ الصافات: ١٧٣

“Indeed, our army is the victorious.” Qur’an 37:173

﴿وَمَن يَتَوَلَّ اللَّهَ وَرَسُولَهُ وَالَّذِينَ آمَنُوا فَإِنَّ حِزْبَ اللَّهِ هُمُ الْغَالِبُونَ﴾ المائدة: ٥٦

“And whoever supports Allah and His Messenger, indeed the party of Allah is the victorious.” Qur’an 5:56

My deniers should also know that the true scholars, those who support and help Allah's religion, (are) never confused with the evil ones (scholars), those who do not help the cause of Allah; and the glariest sign of evil scholars is that

they do not help in reforming and they do not allow those who are reforming. To do so, their similitude is like that of a rock at the entrance of a river, it does not drink and it does not allow room for others to drink. Hearing is not like seeing.

As for the good scholars, among their greatest signs is commanding and forbidding evil and solving people's problems, spreading peace, helping the truth against falsehood, reviving the Sunnah, killing innovation and evil customs. Above all, Allah gives every guide among the sincere scholars of every generations light upon light to serve as guidance to the people of paradise and proof against the people of fire.

The explanation is that it has been part of Allah's wisdom not to punish a people until He clarifies for them what they fear, that being His Sunnah in the early and later generations, so that in the day of judgement they will not say:

﴿إِنَّا كُنَّا عَنْ هَذَا غَافِلِينَ﴾ الأعراف: ١٧٢

“Indeed we were unaware of this.” Qur'an 7:172

Out of His wisdom He put that clarification on the tongues of the Prophets in earlier generations and on the tongue of the scholars in the later generations and He made for every guided scholar an enemy from the satans of Mankind and jinn who inspire beautiful words to one another in deception. Therefore, there is need for clear light with which to distinguish the truthfulness of the truthful from the lies of satan, so Allah gave that to the Prophets by equipping them with miracles and to the scholars by the capability of performing good deeds. Indeed, there is none among the Prophets of Allah sent to people that Allah did not give a clear light with which people knew him to be in the clear truth and whoever contradicted him and departed from him was astray and leading people astray and constituting a barrier on the way of Allah. As a matter of fact, Allah promised to send to this Ummah at the end of every century, a scholar that will reform and renew the religion for them. Abdur-Rahman Assuyut said in his book **Bayan Al-Mujaddideen** – Manifesting the Reformers” in a poem:

It came in a popular Hadith
That at the end of every century
From us a reforming scholar
Reported by all reliable memorizers
Our Lord sends to this Ummah
To renew the religion of guidance

Every reformer of every century must have a very strong willpower to command good, forbid evil and solve people's problems, spreading justice among them as well as helping the truth against falsehood, reviving the Sunnah and putting off innovations as well as bad customs. That way he scarce will be different and alone in his state. His type are few or equivalent to him. Then it will become clear that he is a reformer and whoever contradicts him and dissents from him by diverting people from him is an evildoer. The Prophet (saw) said:

بدأ الإسلام غريبا وسيعود غريبا كما بدأ فطوبى للغرباء

***“Islam came as a strange religion and it will turn strange as it started.
Fortunate are the strangers.”***

They asked: “Who are the strangers O messenger of Allah?” He said:

الذين يصلحون عند فساد الزمان

“Those who reform when time is evil.”

So among the glariest (clearest) signs of the sincere scholars whom Allah uses to reform people in their religion are five conditions which must be possessed by the reformer. Abdurrahman Assuyut explained them in his book-Manifesting the Reformers-saying:

The common trait is that hundred (years) must pass while he is alive with the group of people looking up to his rank in knowledge. He helps the Sunnah with his words, he knows of every subject and his knowledge encompasses the people of his generation.

Then I confess to you after clarifying the truth with its proofs that we do not have a stand in the ranks of scholars that qualifies us. We have by the grace of Allah a parasite rank, and we do not have in their presence a song from the Psalms of Zabur (Divine Book), but we have by the grace of Allah the echo of Zabur.

Here we have come to the end of the book: Halting the Deniers in the Injunctions and Interdictions of the religion of Allah. All praise is due to Allah the Lord of the universe, and may the best of His peace and blessings be upon our Master Muhammad, his family and companions. May He also be pleased with the honorable followers of their footsteps, the practicing and sincere ones, the four Imams of Ijtihad and their imitators, till the end of times.

نجم الإخوان

يهندون به في أمور الزمان

Enlightening Brothers

By

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CONTENTS

In The Name of Allah	242
Introduction	242
Chapter One: Arguing With The Ignorant	249
Chapter Two: Time and Religion.....	265
Chapter Three: Vice Regency and Leadership	269
Chapter Four: Status Of Leaders And Other Apointees	295
Chapter Five: On Using Ring or Necklace	299
Chapter Six: Property and Ownership	307
Chapter Seven: Jihad in Hausa an Borno Lands	314
CONCLUSION	329

In the Name of Allah, the Beneficent, the Merciful

Peace and blessings be upon our leader, Muhammad; his household and all his companions.

The needy servant of Allah, one earnestly in need of the mercy of his Lord, Othman Ibn Muhammad Ibn Saleh, known as Ibn Fodio, may Allah cover him with His mercy, amen, wish to say: Praise be to Allah, Who has given us the blessings of faith and Islam and has guided us through our leader and comforter, Muhammad, may the greatest blessing and purest peace of Allah be upon him.

Indeed, this book **Enlightening Brothers** would help people to be guided in contemporary affairs, by the grace of Allah. I have, indeed, compiled it within an introduction, seven chapters and a conclusion. It is a book that will benefit any person who turns to it (reads it) in this age, by the help of Allah, the Exalted. We ask Allah to make understanding it easy and to make us take advantage of it, by His glory and Bounty.

I have resolved not to mention a word without referring it to its source, or without mentioning the book from which I have quoted it, according to my tradition in most of my books. This is because doing so is close to making the minds have peace. Similarly, my tradition in most of my books is to encourage people to get out of dispute, because scholars have unanimously agreed that it is necessary to get out of dispute; and to give chance to brothers by mentioning the words of scholars in controversial issues. My purpose of doing that, although intentionally, may not sometimes be stripped (free) of some faults, is to safeguard the system of the ummah (Islamic community), and to avoid causing confusion to the multitude by opening the door of dispute. Any person who understands me contrary to that (tradition of mine), I would say that Allah would judge him on the day when the secrets are disclosed. (The Day of Judgment).

INTRODUCTION

This involves the explanation that the religion of Allah is simple, and the explanation of what Allah has bestowed on us as blessings in this age, involving religion and the world.

In explaining that the religion of Allah, the Exalted is simple, Allah has said:

﴿يُرِيدُ اللَّهُ بِكُمْ الْيُسْرَ وَلَا يُرِيدُ بِكُمْ الْعُسْرَ﴾ البقرة ٢:١٨٥

"Allah wants you to have ease; and He does not want to make things difficult, for you." Qur'an 2:185

And

﴿وَمَا جَعَلَ عَلَيْكُمْ فِي الدِّينِ مِنْ حَرَجٍ﴾ الحج ٢٢:٧٨

"Allah has not made any difficulty for you in religion."

The Prophet (saw) has also said:

(إن دين الله يسر ولن يشاد الدين أحد إلا غلبه فسددوا وقاربوا وأبشروا واستعينوا بالغدوة والروحة وشيء من الدلجة).

"Religion of Allah, the Exalted is easy (So), and He does not want you to have difficulty."

He has also said: "Indeed, religion is simple; and never would one make it difficult without being defeated by religion. Therefore, you should desire to put things right, come near to one another, receive good tidings, and seek help by praying (in the hours of) morning and evening and some hours of the night."

This is related by Al-Bukhari, in his authentic book. The Prophet (saw) has also said:

(يسروا ولا تعسروا وبشروا ولا تنفروا)

"Make things easy and not difficult. Give good tidings and not (bad ones that would cause people) to run."

This is related by Al-Bukhari, in his authentic book. In (the book of) **Takhalis El-Ikhwān**, the Prophet (saw) was reported to have said:

(اختلاف أمتي رحمة).

“The variance in opinion among my people (the Islamic community) is a mercy.”

In **El-Duraa El-Multaqata**, Abd El-Azeez wrote that: "It owes to the generosity of Allah that scholars have varying opinions. So, if this scholar aggravates (makes his word rigid), the other makes it easy. Indeed, the religion of Allah is simple. So, any person whose knowledge grows strong (deep) and who possesses an understanding that is right, would aggravate for himself and would make it easy for people." According to Ruwaim: "It is a quality in the wise person to give chance to his brothers in terms of rules, and to strengthen (aggravate) upon himself. It has been made easy for me to understand that giving chance emanates from working in accordance with knowledge, and aggravating upon one's self emanates from the wisdom of piety."

Sheikh Abu Ishaq El-Shatiby has said that: "what is better in my opinion regarding every issue for which the scholars of the schools of jurisprudence opinions have two words, whereby people may work in accordance with one of them, even if it is the one that has been outweighed in terms of consideration, what is better in my opinion is that it should not be retorted against them. They should be understood as having used it in the first (earlier) age wherein work was done according to it. Indeed, if they are understood in a way other than that, it would be confusing to the multitude (layman) and an opening of the door of dispute."

Abd El-Wahhab El-Sha'arany has also said in **El-Yawaqeeet** that: "I heard Sayyidi Ali El-Khawwas, may Allah have mercy on him, say: you should endeavour to collect together the words of scholars. Indeed, using the two words of scholars is better than throwing away (not using) one of them. So, doing so would limit the contradiction of the words of scholars. Any person who certainly reaches the stage of discovery and understanding would find that all the scholars have issued interpretative pronouncements have not gone outside the Qur'an and the Sunnah, in any of their words. All their evidences have been drawn from the rays of the light of Shari'a, because certainly, they have taken after traces of the Messenger of Allah."

Brothers in Islam, just as you are required to believe and have faith in all what the Messengers of Allah, peace be upon them, have brought, such that might, from outward, appear as different from your Shari'a (the message your Prophet, the last Messenger of Allah, Muhammad (saw) has brought), you must as well believe and have faith in the authenticity of what interpretative

scholars have extracted (in general), even if (what has been extracted by some scholars) is different from the opinion of the jurist school of your Imam.

Abdul El-Wahhab El-Sha'arany has also said in some other place in **El-Yawaqeeet** that: "In the book of **Al-Bukhari**, it was reported from Muhammad Ibn Ka'ab El-Qurdy, who was a great successor to the companions of the Prophet (saw), that he used to say: "the person among Muslims who bears the greatest crime (sin) is the person who is asked about something that is not prohibited (in Islam), but prohibits it to Muslims. Indeed, the Prophet (saw) used to fear too much revelation of rules for his people (the Islamic community)."

Then, he said after some talk: "I have also heard Sayyidi Ali El-Khawwas, may Allah have mercy on him, say: Any scholar who instructs people to do what the Shari'a does not approve of its instruction to be done would wish, on the Day of Judgment, that he had not pronounced any action outweighing (to another action)." Then, he said: "There are two kinds of people who use their selfish interest to favour a deed that is contrary to what the Shari'a favours. The first person is the one who gives prominence to declaring a lawful deed unlawful; and the second is the person who gives prominence to dispensing with difficulty from the ummah by returning to the basic rule. This (second person) is in the right of Allah, nearer to the (true) position than the person who pronounces lawful deeds unlawful". This is because the phenomenon of saying a lawful deed is unlawful is forgiven to the basic (Islamic rule); while the person that seeks to dispense with difficulty revolves around the basic rule.

To it, indeed, the conditions of people would return in the gardens (of Paradise), where they will occupy where they wish in Paradise. So, nobody is more negligent (in thought) than the selfish people as they fail to understand this issue, even though they may be believers. They will regret (their action) when the Veil is cleared (for final judgment). Therefore, my brother, you should beware of the bewilderment of nature (of the self). Indeed, a plot could be made against the soul of a servant from where he does not know (from where he least expects).

However, if you ask whether what we have mentioned from the beginning of this introduction to this place, implies that it is part of making things easy not to have the section that intensifies rules in religion, because religion is easy? The answer is that it does not imply that because indeed, such a section is also known to exist in religion. Indeed, many traditions (of the Prophet) (saw) have come in that regard, and many scholars have taken after the way of that section (they have applied it), such as Sheikh El-Sanusy, in terms of (the methods of)

consideration (of rules), and such as El-Tartoosh and Ibn El-Haj, the author of **El-Madkhal**, involving matters of innovation, whereby each of them wrote according to his good intention and according to the people of his time.

Abdul-Azeez has said in **El-DurarEl-Mutaqata** that "if a scholar pronounces rigidly and by leaving to make his pronouncement easy due to what he finds manifest, in accordance with (his) knowledge, and due to the fear of Allah that has influenced him. It should be understood as part of the scholars who leave to make (what is) prominent easy for fear that the multitude may go loose and abandon to be careful in religion. Indeed, what is often about the multitude is to be careful generally, if some easy chance is found".

The explanation of the fact that Allah has bestowed blessing on us, in this age, and in terms of religion and the world, and on account of which the people of the age should thank Allah so that they get more blessing, (the explanation would owe to) the word of Allah, the Exalted: **"If you are thankful, I will verily add for you."** Every sane person should know that we are followers of Prophet Muhammad El-Mustafa (saw) in all our affairs. Peace and blessings be upon him. You should know, my brothers, that Allah, the Exalted has certainly bestowed blessings on us in this age, as we explain what should be done, what should be abandoned and what is allowed in the religion of Allah; and as we dispense with confusions in the religion of Allah; and as we enjoin what is right and forbid what is wrong; and as we frighten (scold) people by what would encourage them to abandon any person who disobeys Allah; and we give people the tidings that would encourage them to worship Allah.

Indeed, Allah has also bestowed blessings on us, as we have migrated (from the land of disbelief to the establishment of the land of faith), and as we have been blessed by having Ameer El-Mu'omineen (the Leader of the Faithful), the instruments of Jihad, involving horses, arrows, bows, spears, swords, shields, armours, battle girdles, instruments of throw and flags (battle banners). Allah has also granted us the blessing of carrying out the Jihad, using those instruments, and we have had the blessing of appointing ministers, commanders, treasurers, sub-rulers of towns, clerks, messengers, who are sent to kings, house attendants, judges, territorial directors and pilgrimage leaders. These are twenty three properties that are emblematic of Islam, corresponding with the year during which the Prophet (saw) delivered his message. We thank Allah for blessing us with the opportunity to make these emblems manifest in the last age.

El-Hasan El-Yousy has said in **El-Muhadarat**, after he has made mention of how the people of every age have blamed their age, involving poets and other

people, and that the world has changed, El-Hasan El-Yousy has said: "It is deducible from this that the world is like that (it is a changing world) and that people have been themselves since they were created. Therefore, what is better for a person is to submit to, nay, accept his time. In so doing, he will be successful in his conduct before Allah, the Exalted, the All-Wise and All-Aware, the Lord of the first and last generations. He would also be successful by thanking and praising Allah, and by the peace of mind, and by being safe from being over-curious and by having a pure (safe and peaceful) mind towards the people of his time, as he would give them their (due) rights, and have a good thought about the scholars of his time. So, he would (religiously) take advantage of them and (be able) to see the good sides of time and avoid bad and other similar things".

Indeed, Allah has given the companions of the Prophet, (saw) the best age. Therefore, they used to remember what had been the past time, involving (all) kinds of vices such as idolatry and the perpetration of uncomplimentary deeds. Therefore, they would praise and thank Allah, the Exalted (for giving them the age of guidance). Every believer should similarly consider what Allah, the Exalted has granted him; involving the good things of his time in (both) religion and the world, and to consider (the blessing by which) Allah has rescued him from present and past evils. So, he should praise Allah, the Exalted for that.

El-Hasan El-Yousy, thereafter, says: "Indeed. I have written some poems capturing the essence of this meaning, whereby I have said:

We praise Allah that our time is a time of good deed
Let go whatever time precedes it
Except the time of the Prophet (saw), the blessings of Allah be upon him
And, O! Allah, the Companions and the three rightly-guided
Our religion is free from innovation and blindness
And we have lived the best of all times
Whoever keeps to it shall have good
Wherein he would be succeeding

I wish to say that we, certainly praise Allah, the Exalted for what He has given us, involving the good (things) of our time, in both the religious and worldly terms; and for what He has rescued us from, involving present and past evils. I have also written some poems capturing the essence of this meaning:

We praise Allah that our time is a time of light
A time it is wherein darkness is dissipated for creatures

We praise Allah that our time is a time of victory
A time of the defeat of the totality of disbelievers
We praise Allah that our time is a time of restoration
Of the path on behalf of the leader of the Prophets
We praise Allah that our time is a time of honour
A happy time for the totality of Muslims
We praise Allah that our troop is the troop of Abd-El
Qadir El-Ghauth, the leader of the profoundly scholarly.

If you ask why I have mentioned the good person(s) of my time and not the bad ones, the answer is that what is better is to desist from mentioning bad persons, even though it is allowed where such people would not be mentioned with their particular names. Indeed, no benefit would be drawn from mentioning them other than the fact that a person would make his mind and tongue weary.

According to El-Hasan El-Yousy in **El-Muhadarat** that "there is no doubt that it is allowed to disreputably mention the people of one's time (age, if they are involved in evil), because that does not fall under the talk about what is unknown (such as the destiny of a particular person is, however, (only) allowed if they would not be particularly (openly) pointed at. Indeed, in (his book) **Risalat El-Quds**, Ibn El-Araby envisaged that (phenomenon) when it occurred in (the circles of) the Sufists of his time (the people who practice Sufism: a religious form of mysticism involving asceticism). He answered (them) with a word similar to that, and gave evidence to that effect with the fact that A'isha, (ra), as well as other religious men, had blamed some persons of her time. What is better, however, is to desist from that, especially because nothing other than making of one's mind and tongue weary would seem to be achieved from that. Certainly, though, it is of benefit to mention, by way of history, the evils that such people have done, in order to bring about (a moral) guard (against such evils) in an equitable manner, just as Abu El-Abbas has done in (his book) **El-Nusah El-Anfa'u**.

It is also mentioned in **Umdat El-Mureed** that it is good and of benefit to do so, not that it is difficult because it requires the ascertaining of facts, the delving into educational resources and a full experience. This is because it is quite scanty to find realistic issues, but you would find that such issues are castigated from every direction, or praised, most of which is based on possessive consideration which differs according to the difference of persons,

Enlightening Brothers

purposes, time, places and conditions. You should understand (this). "This is the end of his words, by which the introduction (of this book) also ends. It is hightime we began with the chapters of the book."

CHAPTER ONE

Arguing With The Ignorant

This chapter involves the explanation that it is blameworthy to dispute (argue) with person without knowledge and the explanation of the ways (sections) of Shari'a. I wish to say, and Allah is my guide, that you should know, O my brothers, that argument without knowledge leads to the missing of many good things. It also leads a person to falsify one of the sections of Shari'a by means of his (ignorant) argument; and that would cause him to be counted among those who deny Shari'a. This is because Shari'a has its roots in three hundred and thirteen sections.

Abd-El-Wahhab El-Sha'arany says in **El-Bahr El-Maurood** that: "it is part of the covenant and oath by which we are charged not to give any of our colleagues a chance by opening the door of argument with people, without (having) knowledge". This is based on the word of the Prophet, peace be upon him that:

(لا يجادل في الدين إلا جاحدا أو مرتابا في دينه)

"None but the perverse person or one who is doubtful about his religion would argue in religion (groundlessly)."

However, we limit the blame on argument using our phrase "without knowledge," in order to seclude the blame from a person who argues with knowledge in defence of the religion of Allah, the Exalted. Indeed, that is necessary. Certainly, a person does not reach the status of (being described by) knowledge and of being called (counted) among those who argue based on knowledge until he knows all the sections of Shari'a. It is mentioned in (Prophetic) tradition that: "Shari'a emanates from three hundred and thirteen sections, by means of none of which a servant would meet his Lord without entering Paradise (by whichever one of them he meets his Lord, he would enter Paradise)." This is related by El-Tabarany and others.

Any person who knows all these sections and finds some sections that contradict all of them would have the right to argue. However, if a person is ignorant of some of these sections, even if it were only one section, it would not be right for him to argue, because of the probability that he would falsify one of the sections of Shari'a (unknowingly) or he would refuse to work in accordance with it. Therefore, many good things (reward) would escape him, and he would be counted among those who deny Shari'a. Then, he said that: "taking part in an argument without knowledge is the argument by emulators from among the followers of the four schools of jurisprudence as well as from

other schools, as well as falsifying the evidences of each other by logical or linguistic reasons, to the extent that one of them would disclaim the opinion of the other. The problem is that he would see as if that opinion which, he has disclaimed is against Shari'a. He should have seen that all the (jurists) opinions of Muslims fall under Shari'a, and that none of the word of jurists falls outside it, as we have explained in the foreword of our book **Kashf El-Ghumma-An-Jami'il Ummah**. Indeed, Allah is Generous, All-Knowing.

I wish to say that it is due to the multiplicity of the sections of Shari'a, which is the referent of (all) the opinions of the Muslim schools of thought (schools of jurisprudence) that the erudite scholar whose knowledge and righteousness have been unanimously confirmed, Izz-El-Deen Ibn Abd-El-Salam has said: "It is quite a difficult, nay, an untenable thing to disclaim people's view. This is because the (art of) disclaiming is tied to what scholars are of consensus about, its obligation or prohibition. Therefore, any person who abandons an action whose obligation is controversial, or does an action whose prohibition is controversial, if such a person bases (his inaction or action) on his emulation of some scholar(s), it would not be right to dispute with him, except if he emulates (such a scholar) on an issue that violates the scholar's rule. (Here), if the emulator is an ignorant person, it would not be disputed with him. It would be rather good to guide him to what is correct. It is not right to dispute with him because he has not perpetrated what is prohibited. Indeed, he is not required to emulate a person that has pronounced prohibition and obligation (at the same time)".

Also, If you ask about a person who does an action without knowledge (not based on knowledge) and without emulating any scholar, but the action corresponds with knowledge, the answer is what Ibn Abi Jamra El-Asady has already explained in **Bahjat El-Nufoos**, which is a commentary on Al-Bukhari, where he said: "indeed, scholars have three different words regarding a person who does an action not based on knowledge, but the action corresponds with knowledge. Some scholars said he would be rewarded for his action. They gave evidence by the fact that the action has taken place in accordance with what is enjoined by Shari'a; and so, any person who does what is enjoined would have reward for his obedience. Some scholars say that person would be sinning. They give evidence by the fact that Allah, the Exalted does not require anybody to worship him with ignorance. What is lawful for that person is to work with knowledge and not with ignorance. Allah, the Exalted has said:

﴿فَسْأَلُوا أَهْلَ الذِّكْرِ إِنْ كُنْتُمْ لَا تَعْلَمُونَ﴾ النحل ٤٣:١٦

"Ask those who possess the knowledge if you don't know." Q.16:43

Therefore, since that person has done an action without knowledge, he has committed what is forbidden. Any person who commits what is forbidden would be sinning. Other scholars say that person would neither have reward nor punishment. They give evidence by the fact that such a person has not fallen into what is forbidden based on knowledge, whereby he would have been sinning; and it is not a case where he has been instructed not to do any action except with knowledge, and so he has not done the action. Therefore, he would have no reward.

It is mentioned in **Takhlees El-Ikham** that the controversy of scholars is mercy. I wish to say that any person who knows the words of the Prophet (saw):

(اختلاف أمتي رحمة)

"Controversy among my people (the Islamic community) is mercy."

They would not do three things. First, is that, he would not disclaim (the action) of a person who chooses the word of whom he wishes among the scholars of his jurist school of thought. Second, is that, he would not disclaim the action of a person who chooses the word of whom he wishes from among the scholars of a jurist school of thought other than his own. Third, is that, he would not be rigid in controversial issues. It is said that the first is found in the book of **Taqyeed**, wherein it is written that: "any person who follows a jurist school of thought is permitted to choose the word of whom he wishes among the scholars of that school because it would certainly mean that he emulates a school (of thought)".

The second, according to Ibn Arafat, is the word of Ibn Hazm, where he says: "scholars have agreed that the person who inexpensively goes after easy things would be a perverse person whose deed would be rejected." They have based their word on the pronouncement of the erudite scholar whose knowledge and righteousness have been unanimously endorsed, Sheikh Izz-El-Deen Ibn Abd-El-Salam. He said that "It is not a mandate that if the layman emulates a scholar in a matter, he (should be required to) emulate him in all other controversial matters, because right from the time of the companions of the Prophet (saw) to the time during which jurist schools of thought appeared, people have asked about what the controverting scholars would allow them,

without disclaiming anyone (of them). The (issue) is the same whether a person follows what is cheap (inexpensively easy) or great in that regard, because any person who holds that it is only one scholar who is right can (definitely) not identify (that scholar); and any person who says every interpretative scholar is right would not disclaim a person who emulates some (interpretative scholar) in what is right."

AbdulRahaman As-Suyudy says in a book called Explanation of **El-Kawkab**: "There are two words of scholars whether it is necessary for the layman and other person who has not reached the status of interpretative pronouncement to stick to a particular opinion from the jurist school of thought (from the opinions) of interpretative scholars. The first is Yes (it is necessary). This is pronounced right in **Jami'i El-Jawami'i**. The second is, no! This is chosen by El-Nawawy. He, therefore, says: "What the evidence suggests is that he is not required to follow any jurist school of thought.

Instead, he should seek pronouncement from whom (from the scholar) he wishes." He said: "There are different opinions of scholars whether it is permissible for a person who sticks to a particular school of thought to go out of that school." The first is that it is absolutely allowed. This is pronounced authentic by **El-Rafi'yyu**. The second is that it is absolutely not allowed because he has already chosen one.

The third is that it is allowed if it would not involve rejecting any matters; but it is not allowed if it would (only) involve some and not other matters. While we have allowed him to go out of the school of thought, (it should be noted that) what is, however, right is that it is not allowed to go after only easy things in the schools of thought, such that he takes from every school of thought what (he finds) most simple. He would be pronounced perverse if he does so. Some scholars say it is allowed and that he would not be pronounced perverse. This is reported by the author of **El-Raudha**.

El-Ajhaury has said that: "Indeed, El-Qarafy has limited himself to the opinion that allows it, in his commentary on **El-Tauqeeh**, but with three conditions: that such a person should not involve himself on two (issues/things) in a manner that would be contrary to the consensus (of Islamic scholars), such as a person who gets married without a guardian, without dowry and without witnesses; and that he should believe in the merit of the scholar he emulates; and that he should not go after easy things in the schools of thought. However, all schools of thought are ways that could lead to Paradise.

This is said by El-Zunnany. Then, El-Ajhaury said: "his words that: he should not go after easy things' (should be understood in the following manner): if he means that easy things are those on account of which the rule of a judge can be invalidated (revisited), which are four things: (viz) what is contrary to consensus or principle or text or a manifest analogy, his word would be good and binding. If, however, he means what contains ease for the obliged person, no matter what, then it would mean that any person who emulates Malik in the rules he applies to water, inheritance and dispensing with the specification of words in terms of contracts (such as oaths, and so on) would be acting contrary to the law of Allah, the Exalted. That (in fact) is not so."

Then, he said: "This is the end of the words of El-Qarafy in his commentary on El-Tanqeeh, briefly." He said: "That shows the outweighing strength of the word that says it is lawful to emulate, based on the conditions that have been mentioned, and that what is meant by easy things are those on whose account the rule of a judge can be invalidated, and not everything that contains ease. Therefore it is lawful to emulate every matter that does not contradict consensus or principle or text or a manifest analogy. Most matters are, however, of this kind. Indeed, the matters on whose account the rule of a Judge is invalidated are few in contrast to the other kinds of matters." Then, he said: "In the book called **El-Ihkam Fi Tamyeez El-Fatawa Wal-Ahkam**, El-Qarafy has said that what is pronounced in the Maliki school of thought is that it is not allowed for one who sticks to the Maliki school to emulate the Shafi'ist in (any) matter. In the same manner, it is not allowed for the Shafi'ist to emulate the Maliki." Then, he said: In a commentary called **ATTANQIHY**: "His word is the contrary to this (i.e., to what has just been said)."

This corresponds with an incident involving Ibn El-Qasem, may Allah, the Exalted have mercy on him, where he pronounced for Abd-El-Majeed that he (i.e., Abd-El-Majeed) should expiate for his oath when he swore to walk (to travel) to Mecca but he violated his oath. Then Ibn El-Qasem said (to him thereafter): "I have certainly pronounced to you, using the word of El-Laith; but if you do that again, I shall only pronounce to you with the word of Malik, which says you are obliged to travel to Mecca."

El-Qarafy has also said: "There is the consensus of scholars that a person who embraces Islam has the right to emulate the word of whom he wishes, without any restriction. The companions of the Prophet (saw) have also agreed that any person who draws his pronouncement from Abu Bakr (ra) and Umar (ra) by emulating them has the right to draw his pronouncement from Abu Huraira (ra), Mu'az Ibn Jabal (ra) and others, without any discrimination. Any person

who claims the invalidity of these two consensus should provide (his) evidence. In **El-BAHAR El-Maurood**, dealing with covenants and oaths, Abd-El-Wahhab El-Sha'arany says: "we have made the covenant not limited to any of our Muslim brothers sticking to a particular school of thought. Instead, we validate (endorse) whatever action they do, as long as there is flow with any among the interpretative schools. This is for fear not to let the prayer of the Messenger of Allah (saw) meet (befall) us, where he says:

(اللهم من شق على أمتي فشقق اللهم عليه).

"O! Allah, whoever causes hardship against my people, cause hardship, O! Allah, against him."

Indeed, none is greater in causing hardship against Muslims than a scholar that rules in order to contaminate (destroy/spoil) their acts of worship, their deals and their marriages by pronouncing what the Shari'a does not mention, or what scholars have not agreed upon (have no consensus about). Such a person (sometimes goes to the extent in which he gives no evidence from the Prophetic tradition or from any source. He also said in the book that has been mentioned that: "We have made the covenant not to allow any of our brothers (scholarly colleagues) to repeat a prayer that is deemed right (valid) in a school among the scholars of thought (in case any other school says it is not valid). That is in order for us not to have bad thought of scholars and in order not to make their words look as if they are outside (the circle) of Shari'a"

In **El-Durar El-Multaqata**, Abd-El-Azeez says that: "The four schools of thought are on the truth, and every interpretative scholar is right (in his pronouncement); and any person who emulates a scholar among them has the right to emulate another scholar (among them), especially if there is necessity (for that). This is what is right. Among scholars, however, are those who forbid that. They say he should only emulate one scholar; but what is right in this matter is that it has three stages:

First is the stage of men of piety. Indeed, we have seen some of our scholars who stick to this stage. It is the stage whereby a person takes what is more precautionary and sticks to what is rigid in the school of thought, such that he would wash semen (sperm), because it is impure, according to the Maliki school; and he would wash off the urine of an animal whose meat is lawful, because it is an impurity, according to the Shafi'i school; and he would rub the whole of his head and make rubbing (in ablution), and do what is complete and what is fullest in everything, and he would abandon an action over which prohibition is controversial.

The second is the middle stage, whereby he should stick to one school of thought, and should not get out of it.

The third is that he should hold onto what is easy and simple in every school of thought. There is no blame to do so if necessity calls for it. We have not seen any emulator that is needless of emulating a scholar other than (his model) scholar in terms of necessity.

Abd-El-Azeez has also said in the book that has been mentioned, in another place, that: "what is right is that it is allowed for an emulator to move from one school of thought to another; and it is allowed for him to emulate (some scholar) in some matters but remain in his school of thought. There is no sin counted against him (in that regard)". However, it is piety to stick to one school of thought and not to go beyond it. It is more of a piety to hold onto what is more rigid and more precautionary in every school of thought.

Abd-El-Azeez has also said in the book that has been mentioned that: This deals with the variance (of the opinions) of the schools of thought. Indeed, Allah, the Exalted has sent Muhammad (saw) and has revealed the Qur'an onto him, and has taught him the rules (of the Qur'an). Therefore, controversy (the variance of opinion) over the interpretation of what appears in the Qur'an and over the traditions narrated by individuals has occurred, due to the width of the Arabic language in terms of understanding it figuratively, and due to the difference in the (narrative methods and conditions) of those who report (Prophetic) traditions. So, whatever documentary evidence is not found for it should be referred to analogy. However, when the Messenger of Allah (saw) died, the companions controverted (the understanding of) few matters.

Therefore, controversy on a small scale occurred during the time of the companions but no person limited himself to the opinion of a particular person. When the companions died, controversy grew among the successors, and then (more) in the third century (A.H.). Therefore, schools of thought grew more. So, scholars agreed to choose these four schools of thought (Maliki, Shafi'i, Hambali and Hanafi) in the last hundred of the three hundred years from the Prophets migration (in the third century A.H.), and to leave other schools of thought so that controversy does not become much. However, all the schools of thought are on the truth and every interpretative scholar is right (in pronouncement).

However, I wish to make a comment in respect of his words: "So, scholars agreed to choose these four schools of thought, and to leave other schools of thought," should not be understood to mean that the other schools of thought

are on falsehood. Consider his words thereafter: "However, all schools of thought are on the truth!" See the words of Abd-El-Wahhab El-Sha'arany: "if those who argue without knowledge had known all the sections of Shari'a, they would have seen that all the Muslim schools of thought fall under Shari'a and that, as already mentioned, none of their words fall outside it!"

See also the words of Ibn Jaza in **El-Qawaneen**, where he mentions that scholars are the "models of Muslims in (all) parts of the earth," and that they should be followed (and made to lead the people) in groups, (and thereafter says): "We call attention to people among Muslim scholars other than (the leaders of the four schools of thought), such as Sufyan El-Thaury, El-Hasan El-Basary, Abdullahi Ibn El-Mubarak, Ishaq Ibn Rahawaihi, Abu Thaur, El-Nakh'iyya and Dawood Ibn Ali, the leader of the Zahiri school of thought. Indeed, we have frequently taken from his school. (Among them, also, are) El-Laith Ibn Sa'ad, Sa'eed Ibn El-Musayyib, El-Auza'iyy and others, may Allah be pleased with all of them. Indeed, each of them has been an interpretative scholar in the religion of Allah; and their schools are paths that would lead to (the reward of) Allah, the Exalted.

In **El-Kaukab El-Sati'u**, written by Abd-El-Rahman El-Sayooty, (the following are also mentioned): Malik, El-Shafi'i, El-Hanzaly, Ishaq, El-Nu'uman, Ibn Hambaly, Ibn E'ina together with El-Thaury, Ibn Jareer, together with El-Auza'iyy, El-Dzahiriyy and other scholars, all on guidance and mercy from their Lord. Abd-El-Wahhab El-Sha'arany has said in **El-Yawaqee't** that: "By the praise of Allah, the Exalted, I have carefully followed the evidences of interpretative scholars, and I have not found a branch among the branches of their schools of thought which is not based on an evidence that is either the (Qur'anic) verse, or (Prophetic) tradition, or a (religious but Islamically documentary) source (the trace of the actions of the companions of the Prophet) or an analogy, for instance. Some of their evidences are taken from those evidences that have been drawn, and so on. Therefore, among their words is what is near (to the evidence) and what is nearer; and what is far from the evidence and what is farther; but all are drawn from the rays of the light of Shari'a, which is the source. It is, indeed, impossible to obtain a branch without its source.

Abd-El-Azeez has also said in **El-Durar El-Multaqata** that the reasons for controversy among scholars of thought are many.

You should know that if a matter appears in the Book of Allah, the Exalted (in the Qur'an) as a text that is not liable to interpretation, no scholar controverts over it; such as the words of Allah, the Exalted:

﴿وَلِلّٰهِ عَلَى النَّاسِ حِجُّ الْبَيْتِ ...﴾ آل عمران ٩٧:٣

"Allah has made it a duty on mankind to visit the House (to go for pilgrimage)." Q 3:97

If a matter, (on the other hand) appears in the Qur'an as a manifest word that requires interpretation, there would be controversy over the matter, based on the controversy over the interpretation, such as the words of Allah, the Exalted:

﴿أَوْ لَمَسْتُمُ النِّسَاءَ فَلَمْ تَجِدُوا مَاءً ...﴾ النساء ٤٣:٤

"Or if you have been in contact with women and you find no water." Qur'an 4:43

According to Abu Hanifa, 'touch' means sexual intercourse, such as it obtains in the words of Allah, the Exalted:

﴿إِذَا نَكَحْتُمُ الْمُؤْمِنَاتِ ثُمَّ طَلَقْتُمُوهُنَّ مِنْ قَبْلِ أَنْ تَمْسُوهُنَّ ...﴾

"When you marry believing women and then divorce them before you have touched them." Q 33: 47

Touch here means sexual intercourse, without any controversy. Therefore, the opinion of the Hanafi School is that (just) touching a woman, (and not sexual intercourse), does not violate ablution. Shafi'i, however, holds onto the outward meaning of the word. So, he says that 'touch' means the occurrence of the (contact) of skin. Malik, however, interprets it to mean a play (romance) that involves sexual desire. He therefore says that if touching involves sexual desire, it would violate (vitate) ablution. If a matter, however, comes in Prophetic traditions with different narrations, such as the issue of Basmala (mentioning the name of Allah before every action), then it would be right to take from every Imam (scholar) in whose place any authentic narration is found. If the matter is, however, one that is not mentioned in the Qur'an or in Prophetic tradition, or if it is not one upon which scholars have agreed (have had consensus), nothing (else) would remain (applicable), but the Quyas (analogy) which means using meaning to draw evidence, and returning branches (of what is interpretatively deducible) to the basic rule.

Therefore, it would be right to take from a person in whose place analogy is prominent. Indeed, Allah has only intended to make this nation (the Islamic community) have leniency (ease). Therefore, he made its Messenger (saw) the

Messenger of mercy He has sent to the nation (Ummah) an Arab, whereby the Arabic language is vast, containing literal and figurative languages, as well as synonyms and (many words of the unity of expression). He has, therefore, given scholars a comfortable field of consideration. Indeed, however, every interpretative scholar is right (in pronouncement); and all schools of thought are branches that rest high on the Truth.

Let us (now) go back to our previous division of the three-matters. Indeed, we have explained what scholars have said to give evidence to the first and the second. It remains to explain what they have said to give evidence to the third, which is the fact that a person who knows the words of the Prophet (saw): "the controversial issues. It is for this reason that Abd-El-Azeez has said in **El-Durar El-Multaqata** that: "a person who does not emulate (take from) a school of thought other than his school of thought has (indeed) made narrow what Allah has made abundant for him. Indeed, all schools of thought are on the truth. This is why He has sent a Book to them, in Arabic, whereby the Arabic language is vast, carrying a variety of meanings."

In **El-Bahar El-Maurood**, dealing with covenants and oaths, Abd-El-Wahhab El-Sha'arany has also said: "we have made the covenant not to be rigid in dispensing with an evil, except if that evil is one whose prohibition is unanimously endorsed, or one that destroys the world and religion, such as seeking to have a place in the right of the judge against people; and struggling to take people's wealth unjustly; and such as seeking to seduce a woman who is not one's wife; and such as extortion, robbery and struggling to destroy the observance of congregational prayer in a town Mosque, and other similar things. However; the issue should be taken easy regarding a matter whose prohibition has not been unanimously endorsed, and which does not contaminate the system of religion, such as drum, reed pipe and listening to song; and such as gathering in places of merriment and birthday of scholars, where mixed number of people gather, such as the birthday festivity of Sayyidi Ahmed El-Badawy and (scholars of) his kind the matter would be simple in that regard."

Then he said after some talk that " I have heard Sayyidi Abd-El-Qadir El-Dastuty, may Allah have mercy on him, say: "The basis of prohibiting the listening to (musical) instruments is because people neglect their occupations which bring (some great) good for them in religion and in the world. So, if those instruments are, in themselves, used as instruments of occupation, such that the owners (users) keep their living by means of the instruments, the matter would be simple in that regard."

Abd-El-Wahhab El-Sha'arany has also said in the parenthesis to the book of **Kashf El-Ghumma-An-Jami'i El-Ummah** that: "Allah has only prohibited some play instruments and other similar instruments in order to block people from neglecting the sources and purposes of Shari'a. Therefore, any person who is not deluded from a good thing by those instruments, or if those instruments are, in themselves, used for occupation, such that a person seeks for the bounty of Allah by that means, the matter would be simple in that regard. Indeed, scholars have pronounced abundantly on that. Some prohibit it absolutely. Others allow it absolutely. Some, however, make details regarding the issue.

In the book of **El-Ahkam**, where he explains the rule of beating drums, Ibn El-Araby says: "Drum is of two kinds. One is beaten for battle courage. There is no blame in this because it strengthens the minds and frightens the enemy. The other is beaten during marriage, such as the tambourine. It is allowed, if it involves good words, and if it is free from (not associated with) immorality and women's exposure of body to men."

In **El-Durar El-Multaqata**, Abd-El-Azeez has said: "it has been reported in an authentic tradition that Medinite females used to beat tambourine in the presence of the Messenger of Allah (saw), and in his house, while he did not forbid (disclaim) it. It has also been reported that Abu Bakr, may Allah be pleased with him, (once) disclaimed it, and the Prophet (saw) said to him:

(دعهن فإنهن في يوم العيد)

"Leave (allow) them, because they are certainly in a day of festivity."

So, whatever is allowed in the day of festivity should also (be understood as) allowed in any other day.

In **Kashf El-Sha'arany**, in the chapter that deals with women's beating of tambourine due to the arrival of a person that has been absent, or due to some other reasons, Buraida, may Allah be pleased with him, has said: "The Messenger of Allah (saw) went out in some of his battles. So, when he came back, a black female slave came and said to him: "Messenger of Allah, I have certainly vowed that if Allah brings you back safely, I would beat (tambourine) in your presence and I would sing." The Prophet (saw), therefore, said:

(إن كنت نذرت فاضربي، وإلا فلا)

"If you have vowed, you should beat (the tambourine); but if you have not vowed, you should not."

She therefore began to beat it; then, Abu Bakr (ra) entered while she was beating it. Then, Ali (ra) entered while she was beating. Then Othman (ra) entered while she was beating. Then, when Umar (ra) entered, she threw the tambourine beneath her buttocks, whereby she sat on it."

It is also related in the Sunan of Abu Abdullahi Ibn Majah, under the chapter that deals with song and tambourine, through Anas Ibn Malik, may Allah be pleased with him, that the Prophet (saw) passed some corners of Madina, where he found some female slaves beating their tambourine and singing. They were singing: "We are the female slaves of (the clan of) Bani El-Najjar how lovely to have Muhammad (saw) as neighbour!"

The Prophet (saw), therefore, said:

(الله يعلم إنني لأحبكن)

"Allah knows that I certainly love you."

In the Sunan of Abu Abdullahi Ibn Majah, under the chapter that deals with El-Ghalas (drum), Amir reported that Iyyadh El-Ash'ary witnessed a festivity at Aqbar. He said: "why don't I see you beat the drum as it used to be beaten in the place of the Messenger of Allah (saw)!" In it also, it is reported that Qais Ibn sa'ad, may Allah be pleased with him, said: "Indeed, I have seen everything that had happened during the time of the Messenger of Allah (saw) (happen in this age) except one thing. (This thing is the fact that) indeed, people used to beat drums for the Messenger of Allah (saw) on the day of breaking of fast (the day of the El-Fitr festivity, that comes at the very end of Ramadan fasting)." Then Abu Abdullahi said: "people say the meaning of El-Ghalas is drum".

Then if you say that your brother, Abdullahi has said in the book of **Diya'u El-Sultan** that what is in the tradition of Ibn Majah, (the tradition of drum), which has been mentioned is "assumable, or not authentic, or abrogated; and if it had not been so, the majority would not have abandoned it," When he mentioned his word in **Misbah Ahl-El-Zaman**. (How, then, is) your evidence, using this tradition, that people used to beat drums for the Prophet (saw) on the day of festivity? The answer is that his use of the words: "assumable, or not authentic, or abrogated" is true; but it is appropriate to limit it, and to say (it is assumable, or not authentic or abrogated) "in their opinion," because that

would not render the tradition un-authentic or abrogated just because the majority have abandoned it.

This is because a tradition could be un-authentic in the opinion of some scholars, but authentic in the opinion of other scholars. It could also be abrogated in the opinion of some scholars, but not abrogated in the opinion of other scholars. But I found it as evidence, after my confirmation that, few scholars have the opinion that this thing is permissible not only during marriage. In fact, I have found it as an evidence in **Tahqeeq El-Mabany**, where the author says "excepting tambourine in marriage". However, scholars have varying opinions whether or not it is allowed in (occasions) other than marriage, such as festivities, (times of) circumcission and the arrival of an absent person. What is prominent is that it is not allowed, and that drum is like the tambourine in that controversy.

In (the book of) **Tahqeeq El-Mabany**, Abu El-Hasan El-Maliki has also said, where the author says: "and listening to some instruments and to say", that: "I don't know any manifest verse in the Qur'an, or any authentic and manifest tradition in the Sunnah that prohibits what the author has mentioned. What he has used are just some general phenomenon that people resort to, and not clear-cut evidences. Just as (some of) our colleagues have phenomena by which they give evidence to prohibit it, some scholars who are not our colleagues (members of our school of thought) also have phenomena they use as evidence to allow it. Indeed, predecessor scholars have listened to poems that were recited with melody.

Among the predecessor scholars who pronounced allowance is Malik Ibn Anas, may Allah have mercy on him, and the generality of the scholars of Hijaz allow songs. However, there is the consensus of scholars that cameleer's songs is allowed. Indeed, traditions have come in that regard, and evidences exists in that regard. El-Ghazaly has come with (has written) an over-flowing sea (of evidences), and he has mentioned what each scholar has used as evidence among those who have pronounced prohibition. He has given answers (he has replied) to them by words which cannot be doubted to be correct by any person who listens to the words (whoreads the words).

Abd-El-Azeez has said in **El-Durar El-Multaqata**, also, that "it is allowed to beat the tambourine. Indeed, a tradition has been reported to its effect in marriage. Indeed, if it had been a prohibited act, it would not have been allowed in marriage. Moreover, allowing it in marriage, and allowing it for women shows that it is also, more appropriately, allowed for men.

In **Sunnan El-Muhtadeen**, Muhammad Ibn Yusuf El-Mawwaq has said: In his (book) *Aridha* that, Ibn El-Araby says: "song is not prohibited, because, certainly, the Prophet (saw) listened to it. If any person goes beyond what obtained in the Prophet's time, such as a person who plays mandolin and similar (instruments), he would fall under the words of Abu Bakr (ra), that (he has played)" the reed pipe of Satan in the house of the Prophet (saw)." That, however, does not influence its prohibition, because they are all instruments to which the hearts of weak people are tied. Therefore, the Islamic law allows that."

In **El-Durar El-Multaqata**, Abd-El-Azeez has said that: "If singing with playful melody and listening to clarinet (flute) and (beating) tambourine involves other playful instruments such as copper strings (mandoline/guitar), scholars have controversy over that. The Maliki opinion is that all are prohibited. This is the word pronounced by members of his school of thought in order to block (people's) pretext, because the men of evil (perversion) would compare themselves with righteous men (who might play such instruments), so that they would use them as evidence for that. The Shafi'i opinion includes the variances of word. One word prohibits it; and the other allows it.

This word has been brought about by scholars who have taught the multitude." Then, he said: "What is basic, however, in allowing these things is that they occurred in the Prophet's (saw) time and he did not disclaim them". Then, he said, after some talk: "The objective position of any person who intends to make the truth clear, without any fanaticism regarding listening (to those instruments) is that listening to all melody instruments is allowed. No manifest text has prohibited it, and there has not been consensus prohibiting it".

Indeed, the Messenger of Allah (saw) listened to poetry from Hasan Ibn Thabet and others; and tambourine was played in his presence (by people who intended to show their happiness about him. This is the rule due Shari'a. However, the truth (can also be understood by knowing that) any act about which the mind is resolved towards good (deed) and by which the heart turns to Allah, the Exalted, would emanate from one of the doors of good deeds (righteousness. In other words, people who use those instruments against evil can be pronounced right.

In **Tahqeeq El-Mabany**, Abu El-Hasan El-Maliky has said, where the author says: "and listening to play instruments such as flute and reed pipe," that: "It has been reported that Malik allowed listening (to instruments)." El-Asqalany has said in **El-Irshad**, the commentary on the authentic book of Al-Bukhari, interpreting the word of Allah, the Exalted: "But when they see some bargain

or some pastime, they disperse headlong to it-," that "what is meant by pastime is the drum that is beaten when a caravan arrives. The verse was revealed when the caravan arrived at Medina in the days of want (hardship), while the Prophet (saw) was delivering a sermon. Then, people heard the beating of drum (signifying the arrival of the caravan). So, they dispersed to it, and only twelve men (twelve people) remained."

If you ask about the rule of a person who pronounces by prohibiting melody instruments, the answer is that his pronouncement is right, if he does not disclaim that it is a prohibited deed for the person who uses the instruments based on his emulation of the words of scholars who allow it, because what is permanent in the four schools of thought is that it is prohibited, according to what Abd-El-Rahman El-Sayooty has said in **Ta'areef El-Fi'at Bi-Ajwibat El-As'ilat El-Mi'a**. Indeed, we have for the most part quoted the evidences of those who permit it in this book. Indeed, we have already mentioned the word of Abd-El-Wahhab As-Sha'any in a book called **El-Ghummah-An-Jami'i Kashaf El-Ummah**, where he said: "The matter is simple about it, indeed, scholars have pronounced abundantly on that. Some prohibit it absolutely. Some allow it absolutely; and others make details on the issue."

However, we have not abundantly quoted the evidences that permit musical instruments in this book for you to be occupied with them, because no two people would dispute the fact that those instruments do not represent anything in religion. What we have meant by that abundant quotation is that you should not disclaim (the use of musical instruments) as prohibited things for whom uses them based on his emulation of the scholars who permit it, and that you should not castigate the righteous persons for whom such instruments are played. Indeed, Allah has protected them against the evil forms (parts) of the instruments, and has made them realise their inner secret. If you castigate them, you would make yourselves liable to wrath from Allah, the Exalted.

In **El-Muhadarat**, El-Hasan El-Yoosy has said about Abdullahi Ibn Hasoon for whom play instruments used to be played every day; he said that: "he might have been drawing the benefits of some secret (hidden/uncommon) meanings from those sounds; or that might have been an aesthetic condition that visited him at the time; or he might have been (a pillar of erudite understanding), whereby some majestic time coincided with (his feelings)." He also said in the book that has been mentioned in **Siraj El-Muredeen**, that-Sheikh Abu El-Hasan El-Jawhary said that some men who play instruments slept close to him one night. So, they took his attention away from his want (usual) act of worship on account of their play.

Enlightening Brothers

So, when he woke up in the morning and sat down in his council, he said: "indeed, some people slept close to us last night, and they filled our hearing with knowledge and wisdom". Therefore, a person said (to him): "interpret the wisdom to me"; and another said: "let him interpret it to you and to me", and another said the same thing. Therefore, he began to establish the knowledge and the wisdom until he filled the council with wisdom, good words and secrets (uncommon meanings)."

This is one of the most wonderful things that are especially given by Allah to his righteous servants. Indeed, therefore, Allah has prevented him from the evil part (of the instruments), and has given him the inner secret (of the instruments). How wonderful this is! How could one ever disobey the Lord! How could one deny the Lord when in everything is a miracle that shows that He is certainly One!

CHAPTER TWO

Time and Religion

This chapter is concerned with the explanation that the depreciation of time and the depreciation of its people do not necessitate (imply) the discontinuity of religion and the end of admonition.

I wish to say, and Allah is my guide, that you should know, brothers, that you are obliged to thank Allah for what He has bestowed as blessings upon you, in your age, involving religion and the world, even if it would be smaller, considering what Allah, the Exalted has bestowed upon (the righteous) predecessors. This is because you live in the concluding age, whereby all things are diminishing. In spite of that, religion is, certainly, continuous; and truth would be manifest until the rule (the final order) of Allah comes. This is because the Prophet (saw) has said:

(من يرد الله به خيرا يفقهه في الدين، وإنما أنا قاسم والله يعطي، ولن تزال هذه الأمة قائمة على أمر الله لا يضرهم من خالفهم حتى يأتي أمر الله).

"Any person who Allah wishes to have good life, He would make him understand religion. I am only (here) to apportion (explain), while Allah is the one who gives. This nation would never cease to remain on the affair (i.e., religion) of Allah, such that no person who is contrary to them could harm them, until the rule of Allah comes."

This is related by Al-Bukhari, in his authentic book.

In **El-Muhadarat**, El-Hasan El-Yoosy has said that "A word has (just) come (to me), and I intend to call attention to it. This is the fact that after the death of the erudite Sunni scholar, Abu Abdullahi Ibn Naser, may Allah be pleased with him, we have continued to benefit people by teaching (them) what they need in their religion, and what they need, involving voluntary deeds and the remembrances that they would use to provide themselves (for a good return to their) destination (the Hereafter); and the qualities they would have in order to draw near to (appropriately worship) their Lord.

We have worked, in that regard, based on friendly terms and by dealing with each other in accordance with righteousness and counseling, not according to sheikhdом (not claiming to be erudite scholars). We have also worked according to education and guidance, not as (popular) moralists. Then, that led to a phenomenon where some person would either speak disclaiming or

advising (the cause). So, a colleague informed me that such a actions caused some discussions between him and some judge that is important in teaching.

So, the judge talked to him about my affair. He said to him that he had seen reason for him to admonish me regarding my affair, whereby he said (to my colleague): "what made that man (me) give people the prescription of acts of worship? Have you ever seen a Mureed (a successor intending to attain greatness in religion. It is term used in Sufist circles to denote some special status) that has fulfilled the requirements that would make him eligible to prescribe acts of worship? So, when my colleague told me, I said: "but we, indeed, have not seen a Mureed like that. How could we, except if Allah covers us with His mercy!

Sheikh Abu El-Abbas Zarooq used to report that his teacher, Sheikh Abu El-Abbas Ibn Utba El-Hadhrany, may Allah be pleased with them, used to say to him: "If you would search from the most distant place of the earth in the East, to the most distant place in the West, looking for a Mureed who is truthful in his affairs, you would not find him. How, then would searching for a complete Arif (already explained, somewhere in this translation) be? In spite of that, however, the depreciation of time and the depreciation of its people do not imply the discontinuity of religion and the end of admonition.

Indeed, this depreciation have found way into religion, minds, means of earning, the arch-leadership and the sub-leadership, into admonition and into some other aspects. It is an already destined matter that goes in accordance with the prediction of Prophet Muhammad (saw), the truthful and trusted, peace and blessing be upon him. It is found in many traditions (of the Prophet). It is to it that reference is made, in the word of the person who has said: "this age which we fear," as it obtains in the word of Ka'ab.

In the word of Ibn Mas'ud, (however), "it is an age by which truth is suspended entirely, while transgression and injustice are not suspended (are not avoided). If this continues and no person talks about it, (it would reach a stage where) a dead person will not be mourned, and people would not be happy about a new born child. If that had indeed continued, things would only grow more severe, and turning away from good (deeds) would grow high, until everything goes into extinction. However, what should be taken into account in every age is what obtains in it; and the rule of Allah, the Exalted,

applies to each age according to its condition; and religion continues; and truth remains manifest until the decree (the final order) of Allah comes.

Indeed, O! You admonishing judge, what is required of you in such a matter is the same as what is required of us; and what becomes your answer is our own answer, because you have certainly occupied a place of teaching. Have you seen a teacher (scholar) who (entirely) possesses the requirements of teaching (scholarship, or have you seen in your person (all) the requirements of knowledge, and in the person who sits before you (just) one requirement to be a student? If you have found that right, in both the manifest and hidden terms, then, you should occupy (your present position); but if you see it differently, then how would it be lawful for you to occupy (it), while the absence of condition necessitates the absence of the item to which the condition is tied. Indeed, the Prophet (saw) has said:

(لا تؤتوا الحكمة غير أهلها فتظلموها)

"Do not give wisdom to those who are not entitled. You would be unjust if you do so."

So, if that person answers that he has followed the lesser evil, or that knowledge should be more prevented from reaching people who are not entitled to it, or by a similar thing, that (indeed) is our answer."

In the book **El-Nasa'ih Wal-Wasaya**, by Abd-El-Wahhab El-Sha'arany has said "O! my brothers, (indeed) shyness is entirely, a morality; but a person might demand (might be pressed) to abandon it in many places, in this age (of ours). This is due to the perversion (corruption) of brothers, the change in the mark of things, the change in deeds, involving words, and because of a general trial that has befallen everything, including religion."

Therefore, people would sometimes appear like leopards in their behaviour; sometimes like dogs; sometimes like wolves; sometimes like pigs, sometimes like lions; sometimes like snakes; sometimes like devils; sometimes like infidels; sometimes like hypocrites; sometimes like believers; sometimes like righteous people and sometimes like other things that cannot be counted. I have indeed seen that in myself before seeing it in people.

Therefore, it will suffice (cover) you to be like them in word and action; and nothing would be reckoned against you (you would have no sin), if the mind is healthy (pure). Indeed, the mind is the pivot of every affair. You should always ask and turn to Allah, the Exalted, in every issue of your affairs. That would make it easy. You should work with (good) intention; and you should

know that every age has its own nation and men. So, it is of no benefit for the person who measures people by the yardstick of a day that has passed. How then is the person who (seeks to) measure people by (comparison with) the conditions of the companions of the Prophet, and of those succeeded them?

In **El-Bakr El-Maurood**, dealing with covenants and oaths, the author said: "we have made the covenant to revolve with the people of our time (age) according to how they revolve, and not to praise, in comparison with the condition of the past age. Indeed, all affairs (everything) have been reversed, as people with insight could see."

Then, he said after some talk: "My brother, you should like people in their conditions, and you should be disposed to them in the manner they are disposed to you. If they appear to you like leopards, you should be a leopard; if they appear like a beast of prey, you should be a wolf; if they plan against you, plan against them, until you arrive at your right. You should be so disposed. And, brother, you should intend, by so doing, to prove the Messenger of Allah (saw) right in what he predicted to happen close to the Day of Judgment. He said after some talk: "you should beware not to measure the conditions of people by the yardstick of a day that has passed.

You would certainly do injustice to them if you do so How then (would it be) if you measure them by the yardstick of the companions of the Prophet, and of those who succeeded them? Instead, I have heard some scholars say, if it had been destined for the righteous predecessors to remain up to this age, they would have fallen into, what we have fallen into, so that the prediction of the Messenger of Allah (saw) is fulfilled. This is why we have numerously established that it is not right for us to seek to have (absolute) purity at any time, from our brother."

I wish to say that his words that have been mentioned: "If they are so to you, be so to them" are not an instruction (an enjoining/encouragement) to sinning. Rather, it is but an instruction towards guidance, and an opening of some doors to prevent hurt.

CHAPTER THREE

Vice Regency and Leadership

This chapter involves the confirmation (of the issue) of deputation (caliphate, which means vicegerence), Imama (leadership), Imara (rulership), Wilaya (allegiance), Saltama (Sultanate, which involves authority and power), Mulk (kingship), and what is required of kings in terms of rights and obligations, and the qualities that are the basics of power, and the worth of Muslim leaders.

I wish to say, and Allah is my guide, that you should know, my brothers, that all these words that have been mentioned have been found in Shari'a. Caliphate is mentioned in the word of Allah, the Exalted:

﴿وَعَدَ اللَّهُ الَّذِينَ آمَنُوا مِنكُمْ وَعَمِلُوا الصَّالِحَاتِ لَيَسْتَخْلِفَنَّهُمْ فِي الْأَرْضِ كَمَا اسْتَخْلَفَ الَّذِينَ مِن قَبْلِهِمْ﴾
النور: ٥٥

"Allah has promised, to those among you who believe and work righteous deeds, that He will, of a surety, grant them in the land, the representative (inheritance/vicegerence of power), as He granted it to those before them."

Qur'an 24:55

In **Ta'arikh El-Khulafa**, written by Abd-El-Rahman El-Sayooty, it is reported that Utba Ibn Ubaid (ra) said the Prophet (saw) said: 'leadership should be in (the clan of) Quraish.' Narrated by Imam Ahmed and Abu Ya'ala in their Musnadai (books), and by El-Tabarany through Abu Huraira (ra), as mentioned by Abd-El-Rahman El-Sayooty, in **Ta'arikh El-Khulafa**. In terms of rulership, however, the Messenger of Allah (saw) has said in a tradition narrated by El-Sayooty in **Ta'arikh El-Khulafa**, that:

(الأمراء من قريش)

"Rulers should be in Quraish."

In terms of allegiance, however, the Prophet (saw) has said:

(اللهم من ولي أمر أمي شيئا فرفق بهم فارفق، به ومن ولي أمر أمي شيئا فشق عليهم فاشقق عليه)

"O! Allah, any person to whom allegiance of a matter is given by my people, if such a person is lenient to them, you should be lenient to him too. But if he becomes hard to them, you should be hard to him."

This is narrated by Muslim, in his authentic book, through A'isha, may Allah be pleased with her. In terms of Sultanate (power) however, the Prophet (saw) has said:

(السلطان ظل الله في الأرض فمن أكرمه أكرمه الله عز وجل)

"Power is the shade of Allah on earth. So, any person who honours power, Allah, the Exalted will honour him."

This is narrated by Ahmed, El-Tayalisi, Tirmidiz, El-Tabarany and El-Baihaqy through Abu Bakr, may Allah be pleased with him. It is mentioned by Shams El-Deen Muhammad El-Sakhawy, in his book **Rafl El-Shukook-An-Mufakharat El-Mulook**. In terms of kingship power, however, Allah, the Exalted has said, telling us about the word of Yusuf, peace and blessing be upon him that:

﴿رَبِّ قَدْ آتَيْتَنِي مِنَ الْمُلْكِ﴾

"O! My Lord You have indeed bestowed on me some kingship power." Q 12:101

Allah has also said about Dawood, peace be upon him,

﴿وَقَتَلَ دَاوُدُ جَالُوتَ وَءَاتَاهُ اللَّهُ الْمُلْكَ وَالْحِكْمَةَ﴾

"And Dawood (i.e., David) killed Goliath; and Allah gave him kingship power and wisdom." Q 2:251

He has also said about Dawood, (as) that:

﴿وَسَدَدْنَا مَلَكُوتَهُ وَءَاتَيْنَاهُ الْحِكْمَةَ وَفَصَّلَ الْخِطَابِ﴾

"We strengthened his kingdom, and gave him wisdom and sound judgment." Q2:102

Allah, the Exalted, has said about Suleiman (Solomon) (as) that:

﴿وَاتَّبَعُوا مَا تَتْلُوا الشَّيَاطِينُ عَلَىٰ مُلْكِ سُلَيْمَانَ﴾

"They followed what the Satans recited over Solomon's kingdom." Qur'an2:102

Allah has also said, telling us about Solomon's words (as) that:

﴿قَالَ رَبِّ اغْفِرْ لِي وَهَبْ لِي مُلْكًا لَا يَنْبَغِي لِأَحَدٍ مِنْ بَعْدِي﴾

"O! my Lord, forgive me, and grant me a kingdom which will not belong to another after me." Qur'an 38:35

Allah has also said about Talut:

﴿وَقَالَ لَهُمْ نَبِيُّهُمْ إِنَّ اللَّهَ قَدْ بَعَثَ لَكُمْ طَالُوتَ مَلِكًا قَالُوا أَنَّى يَكُونُ لَهُ الْمُلْكُ عَلَيْنَا وَنَحْنُ أَحَقُّ بِالْمُلْكِ مِنْهُ وَلَمْ يُؤْتَ سَعَةً مِنَ الْمَالِ قَالَ إِنَّ اللَّهَ اصْطَفَاهُ عَلَيْكُمْ وَزَادَهُ بَسَاطَةً فِي الْعِلْمِ وَالْجِسْمِ وَاللَّهُ يُؤْتِي مُلْكَهُ مَنْ يَشَاءُ وَاللَّهُ وَاسِعٌ عَلِيمٌ ﴿٢٤٧﴾ وَقَالَ لَهُمْ نَبِيُّهُمْ إِنَّ آيَةَ مُلْكِهِ أَنْ يَأْتِيَكُمُ التَّابُوتُ﴾

"Their Prophet said to them, "Allah has appointed Talut as king over you," they said: "How can he exercise authority, and he is not even gifted with wealth in abundance?" He said: Allah has chosen him above you, and has gifted him abundantly with knowledge and bodily powers. Allah grants His authority to whom He pleases, He is all and He knows all things. And (further) their Prophet said to them: "A sign of his authority is that there shall come to you the Ark of the Covenant, with (an assurance) therein of security from your Lord..." Qur'an 2:247-248

Allah has also said about Muhammad (saw) and his companions:

﴿قُلِ اللَّهُمَّ مَلِكُ الْمُلْكِ تُؤْتِي الْمُلْكَ مَنْ تَشَاءُ وَتَنْزِعُ الْمُلْكَ مِمَّنْ تَشَاءُ وَتُعِزُّ مَنْ تَشَاءُ وَتُذِلُّ مَنْ تَشَاءُ يَبْدَأُ الْعَمَلُ بِكَ الْعَصْرُ إِنَّكَ عَلَى كُلِّ شَيْءٍ قَدِيرٌ﴾ آل عمران: ٢٦

"Say: (O Muhammad (saw)) "O! Allah, Lord of the Kingdom, you give the Kingdom to whom You please, and seize the Kingdom from whom You please. You give honour to whom You please, and You bring low whom You please. In Your hand is all good. Verily, over all things, You have power." Qur'an 3:26

The Messenger of Allah (saw) has also said:

(الخلافة ثلاثون عاما ثم يكون بعد ذلك الملك)

"Caliphate would stay for thirty years. Thereafter shall be kingdom."

This is narrated by Ahmed through Safina. It is also reported by the scholars of Sunna. Ibn Habban and others have pronounced it authentic; and Abd-El-Rahman El-Sayooty has reported it in **Ta'arikh El-Khulafa**. The Messenger of Allah (saw) also said:

((إن الله زوا لي الأرض فأيتها مشارقها ومغاربها وسيلغ ملك أمتي مازولي منها))

"Indeed, Allah has shown me the earth brought together. So, therefore, I have seen the East and the West of the earth; and (that) the kingdom of my people (the Islamic community) will reach the part of the earth that has been brought together for me."

This is narrated by Muslim, in his authentic book. In the commentary on **Alfiyyat El-Siyar**, El-Ajhaury has said: "The East and the West are particularly mentioned in order to show that the Kingdom of the Prophet's community would contain them, in contrast with the South and the North. Indeed, the Kingdom of the Islamic community did not duly have its place in these places."

Once you understand these, you will realize that it is correct to use the word vicegerence, leadership, allegiance, sultanate, kingship in Islam, since they have been mentioned in Sharia. If it was not permissible to use the words, they could not have been used in Sharia. It is not the word that could indicate the goodness or evil of a person but goodness or evil is only attached to the person, how he handles his leadership you could see clearly, when Allah, the Exalted, said on Adam (as).

﴿إِنِّي جَاعِلٌ فِي الْأَرْضِ خَلِيفَةً﴾ البقرة: ٣٠

"I will make you a vice regent on earth." Qur'an 2:30

Here it is indicating goodness, since he is a Prophet of Allah. Also in the case of Prophet David (Dawood) (as) where the Exalted says,—

﴿يَنْدَاوُدُ إِنَّا جَعَلْنَاكَ خَلِيفَةً فِي الْأَرْضِ﴾ ص: ٢٦

"O! David, We have made you to be a vice regency on the earth." Qur'an 38:26

Also, narration on Prophet Hud (as), where the Exalted says:

﴿وَاذْكُرُوا إِذْ جَعَلْنَاكُمْ خُلَفَاءَ مِنْ أُمَّةٍ قَوْمِ نُوحٍ﴾ الأعراف: ٦٩

"You should remember how We made you vice regent, after passing away of Prophet Noah and his people". Qur'an 7:69

The Exalted says- in case of Prophet Salihu (as)-

﴿وَأَذْكُرُوا إِذْ جَعَلَكُمْ خُلَفَاءَ مِنْ بَعْدِ عَادٍ﴾ الأعراف: ٧٤

"You should remember how We made you vice regent after passing away of people of Adun." Qur'an 7:74

The Exalted has said:

﴿وَهُوَ الَّذِي جَعَلَكُمْ خَلَائِفَ الْأَرْضِ وَرَفَعَ بَعْضَكُمْ فَوْقَ بَعْضٍ دَرَجَاتٍ لِيَبْلُوَكُمْ فِي مَا آتَاكُمْ﴾ الأنعام: ١٦٥

"He is the one who made you vice regent on earth, and raise some of you above others, just to examine how you will behave on what He grants to you." Qur'an 7:165

The Exalted says:

﴿وَيَجْعَلُكُمْ خُلَفَاءَ الْأَرْضِ﴾ النمل: ٦٢

"He makes you vice regent on earth." Qur'an 27:62

The word vice regency does not indicate good character, because, the people whom the word (vice regency) was referred to are not good people in their deeds. You can also understand, from the saying of the Prophet (saw) where he said Vice Regency period after me is thirty years. This is describing the good quality of Abubakar, Umar, Usman, Aliyu and Hassan (ra), which they copied directly from the Prophet (saw).

The Exalted has said when He is making a reference to Imama (Leadership)

﴿وَجَعَلْنَاهُمْ أَيْمَةً يَهْتَدُونَ إِلَى الْكَافِرِ﴾ القصص: ٤١

"We make them leaders, who guide people to Hell Fire." Qur'an 28:41

This shows good recommendation because they are leaders in good things, but if you see His saying, the Exalted:

﴿وَجَعَلْنَاهُمْ أَيْمَةً يَهْدُونَ بِأَمْرِنَا﴾ الأنبياء: ٧٣

"We make them leaders, who lead their people to our command." Qur'an 21:73

We understand this as bad recommendation because they are leaders of bad things. Also, the Prophet (saw), when mentioning leaders said:

(أكرم الناس إلى الله يوم القيامة وأدناهم منه مجلسا: إمام عادل)

"The best people and very close to Allah on the Day of Judgment is the just leader."

This is good recommendation since he (leader) is just.

He also says:

(وأبغض الناس إلى الله وأبعدهم منه مجلسا إمام جائر)

"The most hated person and far away from Allah on the Day of Judgment is an unjust leader."

This is bad recommendation, because he is unjust. The saying of the Prophet (saw), encourage Muslims to: listen and obey your ruler whether you like or dislike him, unless his command is not permissible in Islam, then you should not listen or obey him. The Prophet (saw) also said:

(من أطاع أميره فقد أطاعني ومن عصا أميره فقد عصاني)

"Anybody who obeys the ruler, he obeys nobody but me (Prophet) (saw)."

The above Hadith is shows good praise to the ruler/leader because the Prophet (saw) associates the ruler with himself and makes it a must to the people to obey him (leader/ruler).

Don't you see the answer given by the Prophet (saw) when asked: O! Messenger of Allah, should we obey a ruler/leader who is always requesting his right from us but is not willing to give us our own right? He said:

: (اعطوهم حقوقهم وأطلبوا حقوقكم من الله فإن الله سائلهم عما استرعاهم)

"You should give him his right, but on your own right you should ask Allah because Allah will surely demand from them to account on their leadership on the Day of Judgement. And they will be subjected to accountability on their leadership."

You could also see from the saying of the Prophet (saw) on allegiance:

(اللهم من ولي أمتي شيئا فرفق بهم فارق به)

"O! Allah, anybody to whom allegiance is given to him by my people, if such person is lenient to them, You should be lenient to him."

We realize here it is a good recommendation because the leader is lenient to his subjects. You could also see on the Prophet saying:

(ومن ولي من أمر أمتي شيئا فشق عليهم فاشقق عليه)

"Anybody whom allegiance of a matter is given to him by my people, then he becomes hard to them, O! Allah, you should be hard to him."

You should realize here it is bad recommendation for the leader who is not lenient to his subject it is based on the view of (Sheikh) Al-Jazairi, that leadership is a dangerous affair.

You should also see the saying of the Prophet (saw) when Umar (ra) asked him on Sultanate, when his subjects accept him willingly. He answered:

(ظل الله في أرضه فإن أحسنوا فلهم الأجر وعليكم الشكر)

"Sultanate is the shadow of Allah on earth, if they do good in their leadership."

They will be rewarded abundantly and you the subjects should be thankful. From this Hadith, we could understand that they got good recommendation because of their good deeds. But in another saying of the Prophet (saw):

(وإن أساءوا فعليهم الوند وعليكم الصبر)

"If they do bad action in handling the affairs of their subjects, they become sinful and you the subjects should be patient."

Here we realize bad recommendation was given to them because of their bad actions. Also, in the saying of the Prophet (saw) regarding kingship:

(ما من ملك يصل رحمه وذا قرابته ويعدل في رعيته إلا شدد الله ملكه وأخزل ثوابه وأكرم مثابه)

"Any ruler, who connects his blood relation and does justice in handling the affairs of his subjects, Allah will strengthen his leadership and reward him abundantly and honour his position on the last day."

"Also, we realize here, there is good recommendation because of his blood relationship connectivity and doing justice to his subjects."

Another saying of the Prophet (saw):

(إن هذا الأمر بدأ بالنبوة ورحمة ثم تكون خلافة ورحمة ثم تكون ملكا عضوا)

"This matter starts from Prophetic and Allah's mercy, then to Caliphate, vicegerence and mercy from Allah, then it will become kingship with dictatorial idea."

We should realize here that, there is bad recommendation because of the dictatorship ideology, because peoples' rights may be violated. We already explained earlier that the word does not involve any recommendation either good or bad, or from its meaning, but bad recommendation is the meaning associated with deed because you see that the word kingship is connected with the Prophetic, as mentioned by Allah the Exalted, in the case of Prophet Joseph (Yusuf) (as):

﴿ رَبِّ قَدْ آتَيْتَنِي مِنَ الْمُلْكِ ﴾ يوسف: ١٠١

"O! Allah, you have granted me Muluk (kingship)."

His mention in the case of Prophet David (Dawood):

﴿ وَشَدَدْنَا مُلْكَهُ ﴾ ص: ٢٠

"We strengthen his Muluk-kingship." Qur'an 38:20

His saying on explanation given by Solomon (Sulaiman) ;

﴿ رَبِّ اغْفِرْ لِي وَهَبْ لِي مُلْكًا ﴾ ص: ٣٥

"O! Allah, forgive me and grant me Muluk (kingship)." Qur'an 38:35

Also, Muluk is connected with the Sahab (companion of the Prophet (saw) when Mu'awiya said: "I am the first king". Kingship is also connected with willaya (allegiance) as described by Umar bn Abdul Azeez: If it is allegiance, the meaning is true. Also, kingship is connected with belief, as most of the rulers or Sultan who come after Mu'awiya.

Kingship is also connected with Kufar infidel (non-believe) as described by the Exalted:

﴿ أَلَمْ تَرَ إِلَى الَّذِي حَاجَّ إِبْرَاهِيمَ فِي رَبِّهِ أَنْ آتَاهُ اللَّهُ الْمُلْكَ ﴾ البقرة: ٢٥٨

"Have you seen the person who argues with Prophet Abraham (Ibrahim) regarding his Lord? Because Allah has granted him Muluk (kingship)."
Qur'an:257

That is, Namarud. The exalted says:

﴿ وَكَانَ وَرَاءَهُمْ مَلِكٌ يَأْخُذُ كُلَّ سَفِينَةٍ غَصْبًا ﴾ الكهف: ٧٩

"There is a king behind them who seizes any ship (good ones) in the bad way." Qur'an 18:79

The king's name is Haddud bn Baddud. If you understand what we mentioned above, you will realize that bad or good recommendation is not on the word, but bad or good character depends on how the owner of the title uses it.

That is why, the word has been used in Islam on anybody, and also, people use the word on the leaders of Islam in general, or in a particular cases, or both case. What Hassan Al-Yossy said in a lecture: Kings are vicegerence of Allah upon His servants (believers and unbelievers), even though believers are in two ways (this world and Hereafter), while unbelievers are in one way only (this world). Ruler or king is the designer of the people way of life, but the soul of the design is justice.

An example of a general case is to call them by writing them letter e.g. light of king, text message of kings, expensive ways, sultanate etc. Example of a particular case is the saying of Hassan bn Ali (ra): When his army faced the army of Mu'awiya (ra), about forty- thousand gave their allegiance to him (Hassan) that they are ready to die. He (Hassan) looked at them, they look like a fixed rock, then he said “these people will kill each other because of Muluk (Kingship) of the world affairs; I don't need it.”

Other examples include the saying of Abdurrahman Soyooty in his book called Risalatul Muluk, When the holy Prophet (saw) was given an option, either to be king and Prophet at the same time, like Joseph (Yusuf), or David (Dawood) or Solomon (Suleiman) but he chose to be Prophet and servant, because of his non-arrogant behaviour. You could also, see what Sheikh Al-Fazazy said in his book called **Ashiriniya** that the kings/rulers will stay under his feet afraid, but the Prophet (saw) did not show any arrogance or pride to them.

You could also observe in another example from those that are praising the Messenger of Allah (saw) Kisra and Kaiser are crying, because their power (leadership) has left them to the holy Prophet saw. It indicate also that the prohibition is not on the word, and not in general or particular case. What is not allowed is to call somebody with the title – king of kings, or owner of the power or real king. Hassan Al-Yossy said in a lecture: the worst title is to call somebody King of Kings.

There was a poem from Aludul-Daulat which says: “life will not be joyful without night conversation with beautiful sound from beautiful girls in the early daybreak. The singers who cause someone to forget what is forbidden, like drinking beer, arrogant and bashful; who praise rulers as the king of kings and the over comer of the destiny”. Then, Hassan Al-Yosy said this is example of exaggeration which is not allowed, because this word – king of kings

belong to Allah alone, to describe somebody with this title is incorrect. There are different pronouncements among the scholars. The word judge of all judges whether it is permissible or not. Then, he (Hassan Al-Yoosy) said, there are some bad titles that people use nowadays, like what happened to the son of Sultan Rashid bn Sharif, in a poem by some singers, where they wrote like this: vicegerence is lost which we considered to be an imaginary, but kingship is the reality not imaginary.

This type of praise is considered to be exaggeration, to call somebody's power as the real not imaginary, but the real power only belongs to Allah alone. Any power, ruler or leadership is imaginary, whether he receives praise or not. But to associate divinity to anybody, can cause infidelity (disbelief), this is the consensus among the scholars. This explanation is in regard to the word and the pronouncer, it may be real or imaginary, to the believer, it is not real, he only uses it to describe high stand of praise which is very bad and wrong.

We have discussed at length with regards to these issues because people ask many questions on this topic and they demand from me to answer them with clear explanation on the actual meaning of these words. Because some students when they heard that the word Muluk (kingship) is a bad word as mentioned in the book called **Diya'ul Sultan**, the book written by my brother Abdullahi, they taught the prohibition of the word Muluk (kingship) is general, to the extent that one of them said to me that, why do I use the word Muluk for my governors, instead of the word leader, then I realized there was misunderstanding among the people on the word. They think it is not allowed in Islam to use the word. Some think that it is totally disallowed because the word is new in this part of the world; but it is part of the pillars in building Islamic religion and it is a must affair as accepted by all scholars and it is included in the books written by scholars on faith.

In a book called **Qasidatul-Ja'iziyat**, it is highly recommended to give correct title to a ruler/leader who is just, in his handling his subjects affairs, as recommended in a Sharia. We should not consider the idea of Mu'utazil, because it is one of the pillars in Islamic religion. Once the leadership is going according to what is recommended, that is, there is justice in the leadership.

In a book called **Kaukab As-Sata'i**, it said that: it is compulsory to give the title to a just leader, even if he is a leader who like enjoyment. This is recommended to the people, to give him the title.

The word Muluk used by my brother in his book **Diya'ul Sultan**, which causes misunderstanding among the disciples of this community comes from

the statement of Al-Magily where he interchanged the word Muluk with Imaraty, because this name (Imaratu) in Islam which is good, as he claimed; and that the meaning is vicegerence not kingship, because according to him the word Muluk is the title given to rulers before coming of Islam. It is clearly indicated in his writing that the word Muluk, Kingship is prohibited in Islam, but it is not like that (it is not correct) because the Prophet (saw) used the word Muluk (king) to the ruler in Islamic religion as mentioned earlier in many Hadiths.

So, we should not take his (Al-Mugily) statement because we know that it is not forbidden to use the word Muluk (kingship) in Islam because the word had been used in many places in the Qur'an and Hadith. What we should say is that the word, Imarat or Ameer was not known before the coming of Islam, but what they knew is the word Muluk (kingship). It is mentioned also in the above book, **Diya'ul Sultan**, the author said Al-Magily differentiates the word so that it be different from what the infidels call their leaders.

The infidels always considered their (Muluk) King or leader to be the sole owner of their property and all their deed/ action is just to prepare the property of their leaders as servants. The different word had been use also, to differentiate the two types of leadership that is the word Imaratu, it is specifically for Muslim nation while Muluk (kingship) is to the infidel rulers; but it is not correct in the literal or actual meaning. If you take the words Imarat and Muluk, they do not show any particular meaning to any type of administration.

In the actual meaning, the word Muluk (kingship) had been in use for leaders, Muslim and non-Muslim, since the period of Mu'awiya to last day, because the Prophet (saw) said: The vice regency (Khalifatu) is thirty years (after the Prophet (saw) then it will become kingship (Muluk) as ealier mentioned. So, it is not possible to accept totally the statement of Al-Magily, but only in some particular cases of bad rulers of infidel people, that is, if the king/leader or ruler takes himself to be the owner of all the property that belongs to his subject, and enslaved them.

He said in the book, **Diya'ul Ulul-Amar**, after mentioning different statements by scholars in reference to the word kingship and vice regency (Muluk and Hilafatu) that "I did very long explanation on this topic because some ignorant people among us think that, the word (kingship) Muluk is the best word or even a must to describe a leader in Islam; they didn't differentiate between the good vice regency/Ameer and the bad one.

The Prophet (saw) said:

(إن هذا الأمر بدأ نبوة ورحمة ثم تكون خلافة ورحمة ثم تكون ملكا عضوضا ثم تكون جبروتا وفسادا)

"This matter started with Prophethood and mercy, then it will become vicegerence and mercy, then it will become kingship (Muluk) and merciless, then it will become dictatorship and destruction."

Then, he (Al-Magily) said, the fact that the first generation were praised with title of mercy, and the two last generations described with mercilessness and destruction; which indicates bad recommendation.

Albeit, his statement should not be considered the prohibition of the word (Muluk) kingship if we take its literal meaning in Islam. It can only be prohibited as described in his book only as he said. It is a must to Imamul A'Azam Chief-leader, to have good intention in his leadership for the sake of Allah alone; to take care of his people so that their worldly and religious affairs are in the way as described by the Prophet (saw). If he (leader) wants to be a real vicegerence of the Holy Prophet (saw) and true leader, he should not be their leader by force or through inheritance just to satisfy his worldly desires, such as pride and executing his actions upon anybody he wishes, or on delicious food, expensive clothes, and big houses. If these are his desires to become a leader then his leadership is called Muluk (kingship).

Then he Quoted scholars' statements, to confirm his claim that the word Muluk (kingship) is a bad word that, it is only used for bad rulers. He said Annafarawy said in a commentary of a book called Risalah that: after mentioning vicegerence, those who changed the correct ways of leading people, they are called Muluk.

Then I (Usman) said, please look at the word: "they are Muluk (King) and to know that the prohibition is not on the word, because changing the correct ways of handling the affairs of the people does not make somebody an unbeliever. Then, he said: Umar bn Khattab said to Salmanu (ra): "How do you describe me, whether a King (Muluk) or Khalifa (vice regent)?" Salman answered him: "If you (umar) collect a single coin (kobo) or more, then you put it in its right place, you are vice regent. If not, you are Muluk (King)". Then, he (Umar) said: "I don't know whether I am vice regent or king, but if I become a king that is very serious situation."

Somebody said to him, there are differences between him or her (vice regent/king). Umar (ra) asked what the difference is." He answered that

vicegerence does not take anything unless it is right and put it in the right place. Praise be to Allah, you are like that”.

“The king assists people with the people's money to collect from some and give to others” Umaru (ra) kept silent. (Usman) said: This is a true statement. But it forbids people from cheating one another, but it is not forbidden to be used in Islam. Then he aid, in the period when Makkah was conquered, Abu Sufyan said to Abbas bn Abdul Muttalib: The kingship (Muluk) of the son of your brother is very big”, then Abbas answered him: “No, it is not kingship but Prophetic affairs.” Then Abu Sufyan said, “Yes.”

Then, if you ask, why did Abbas deny this to be kingship? This is if you take kingship in its literal meaning only, as described in a book of **Ishiriniya**. There is great difference between kingship and Prophethood.

He also said in a book called **Al-Iktafa'u**, written by Kala'I that; Mu'azu bn Jabal said to the Roman people that, the foundation of you Kingship is Hirqal while the foundation of our Kingship is Allah, the Exalted. I (Usman) said this is very clear because the actual kingship belongs to Allah alone; Allah the Exalted says:

﴿الْحَمْدُ لِلَّهِ الَّذِي لَمْ يَنْخِذْ وَلَدًا وَلَمْ يَكُنْ لَهُ شَرِيكٌ فِي الْمُلْكِ﴾ الإسراء: ١١١

"All praises and thank be to Allah who has not begotten son/child, and who has no partner in His Muluk (Kingship)." Qur'an 17:111

But this does not forbid an imaginary kingship, because of its availability in the world. Allah, the Exalted said, while quoting the statement of a believer among the followers of Fir'auna:

﴿يَقَوْمِ لَكُمْ الْمُلْكُ الْيَوْمَ ظَهَرْتُمْ فِي الْأَرْضِ﴾ غافر: ٢٩

"O! My people, you are the king now, who control the powers on earth." Qur'an 40:29

To confirm the availability of kingship in the Hereafter, the Exalted will ask: who has the power (kingship) today? For confirmation of kingship, Allah, the Exalted say:

﴿الْمُلْكُ يَوْمَئِذٍ الْحَقُّ لِلرَّحْمَنِ﴾ الفرقان: ٢٦

"The Muluk on that day is true and it belongs to Allah, the Merciful." Qur'an 25:26

Then he said in a book called **Nailul Ibtihaj** written by Ahmad Baba, Al-Makary said: the title of kingship is not given to us but to those people who came before us. The Exalted says:

﴿وَجَعَلَكُمْ مُلُوكًا﴾ المائدة: ٢٠

"We make you kings on earth." Qur'an 5:20

﴿إِنَّ اللَّهَ قَدْ بَعَثَ لَكُمْ طَالُوتَ مَلِكًا﴾ البقرة: ٢٤٧

"We sent Dalut to become a king within you." Qur'an 2:247

But it was not said within this nation, but their own is vicegerence, as described in the Qur'an:

﴿لَيَسْتَخْلِفَنَّهُمْ فِي الْأَرْضِ﴾ النور: ٥٥

"We are going to make you vicegerence on earth." Qur'an 24:55

So, Israel people were given the title of Muluk (kingship) while we, the people of the Seal Prophets, our title is vice regent. I (Usman) said: the statement of Al-Makary, that says: "the title of kingship is not found in our religion, but it is the title of those who came before us," does not indicate the prohibition of the title in our religion. The title was given specifically to Israel in the history of Dalut, as described in the Qur'an:

﴿أَنِّي يَكُونُ لَهُ الْمُلْكُ عَلَيْنَا وَنَحْنُ أَحَقُّ بِالْمُلْكِ مِنْهُ وَلَمْ يُؤْتَ سَعَةً مِنَ الْمَالِ﴾ البقرة: ٢٤٧

"Why should he (Dalut) become our king, we are the right people to be given the kingship because he (Dalut) was not given abundant money." Qur'an 2:247

In the situation that he qualified to be given the kingship because he was more knowledgeable than them, even though he had no abundant money to support him. He said, they said so because they knew that Dalut was a poor man, cattle rearer or a tanner, from the clan of Binyaminu and his clan had no kingship or Prophethood, but what was known as Prophethood belongs to clan of Lawiy, and kingship belongs to clan of Yahuza/Yahuda.

If you ask, that in their religion, kingship is based on inheritance but that is not permissible in our religion, Is it possible for a Chief Imam to appoint his son or his father, without consulting anybody or is it permissible? There are different answers to this question by different scholars. Some scholars looked

at it from blood relationship, so, they say it is prohibited. Some looked at it from the angle of leadership, so they allow it, that it is permissible.

In a book called **Fatahul-Alimil-Khallaq**, the commentary on a book called **Lamiyatuz Zaqaq**, written by Sheikh Miyara, he said: If the Imam (leader) wants to appoint his successor, he should do thorough research for the best candidate, who has all the necessary qualifications on leadership matter. If he finds only one qualified person; but not his son or father, then he should appoint him, even without consulting his council.

But there are different opinions among scholars. If the qualified person is his son or father, one opinion says he must consult his council before the appointment; if the council accepts him because of his qualification, then it is okay for the Imam (leader) to execute the appointment; because their opinion is equal to certification of the quality of the candidate. Their collective decision is just like consensus opinion on his son or father because it is not permissible for anybody to certify or give witness against or support his son or father. Since it is a council decision, nobody will accuse him for the appointment of his son or father.

The second answer is that some scholars permit the Imam-leader to appoint his son or father without any consultation because he was given power to lead his people, to make appointment is part of the power granted to him. He is however expected consider qualification first, then relationship. If he finds somebody more qualified than his son or father, they should be given preference in order to avoid unnecessarily b accusation we give more preference to the son than others in our nature even more than father.

Al-Makary said: to His saying, the Exalted

﴿وَجَعَلَكُمْ مُلُوكًا﴾ المائدة: ٢٠

"We make you kings." Qur'an 5: 20

﴿قَدْ بَعَثَ لَكُمْ طَالُوتَ مَلِكًا﴾ البقرة: ٢٤٧

"We sent Dalut to be a king upon you." Qur'an 2:237

The verse does not say among us. This does not mean the word Kingship is prohibited within this nation (of the Prophet, (saw)). We understand in the saying of Allah, the Exalted, that the word Muluk (kingship) was not mentioned in reference to this nation, but this does not mean it is prohibited because the Prophet (saw) explained this clearly in his Hadith as mentioned

earlier. The meaning of Muluk (kingship) is within this nation of the Seal of Prophets because Allah has given to this nation, the Muluk (kingship) that was given to Israel, Persia and Rum, as says the Exalted:

﴿تُؤْتِي الْمُلْكَ مَنْ تَشَاءُ وَتَنْزِعُ الْمُلْكَ مِمَّنْ تَشَاءُ﴾ آل عمران: ٢٦

"You give kingship to whom You want, You remove the kingship from whom You want." Qur'an 4:26

Sheikh Dahir said in a book called **Al-Kubra**, written by Sanusi, when comparing the statement above with what is in the New Testament (Injil): Their kingship (power) will be removed and be given to his people. Qastalany said in a book called **Irshad**, the commentary of **Sahihul Bukhari**, in the Hadith narrated by Abdullahi bn Abbas, that the Messenger of Allah (saw) sent Abdullahi bn Huzafat Assahamy, with a letter to Qisra, asking him to give the letter to Azimul-Bahrainy, and he (Azimul Buhrainy) should give the letter to Qisra. The meaning of Azimul is Muluk (Kingship title) because the infidel people have no Sultanate.

In a book called **Darul Manthur fi Tafsiril Ma'athur**, by Abdurrahman Suyooty, narrated by Abdullah bn Humaid and Bn Jarir and Bn Hatim from, Qatada, he said, the Prophet (saw) requested Allah, the Exalted to give his people the kingship of Parsia and Rome, then this verse was revealed: say,

﴿قُلْ اللَّهُمَّ مَلِكُ الْمُلْكِ تُؤْتِي الْمُلْكَ مَنْ تَشَاءُ وَتَنْزِعُ الْمُلْكَ مِمَّنْ تَشَاءُ وَتُعِزُّ مَنْ تَشَاءُ وَتُذِلُّ مَنْ تَشَاءُ يَبْدَأُ الْعَمَلُ بِكَ الْعَمَلُ

إِنَّكَ عَلَى كُلِّ شَيْءٍ قَدِيرٌ﴾ آل عمران: ٢٦

"O! Allah, the giver of the Muluk (Kingship), you give the kingship to whom you want." Qur'an 4:26

To the end of the verse.

I (Usman), said, Makary had said to specify the word (Muluk) kingship to Israel, where the Exalted said:

﴿وَجَعَلَكُمْ مُلُوكًا﴾ المائدة: ٢٠

"We make you king." Qur'an 5:20

This is not a reason, to say that kingship will not be given to the followers of the Prophet (saw). Kingship here is referred to possessing of people (followers), servants, wives, houses, horses (mobility) and all these are available within this nation, followers of the Prophet (saw). In a book titled

Takmila, Abdulrahman Suyooty, in the translation of saying of the Exalted: “we make you kings”: those who possessed followers, and servants. In a book, **Durarul Manthur** by Suyooty, is the saying of the Exalted, on the narration of Prophet Musa (as) on the people of Israel: that you should remember the bounty of Allah, He produced (among) you Prophets and made you Kings. Abdullahi Bn Humaid narrated from Qatada Allah’s Saying of Prophet Musa (as) about the bounty of Allah by giving you Prophets among you, and making you kings. He said you (follower of the Prophet, saw), I swear by Allah, Allah has given you a Prophet and made you kings on top of the people, therefore, you should praise Allah on these because Allah is the Giver of bounty, He likes people who show praise for His bounty.

Bn Jarir narrated from Qatada (ra) that Allah, the Exalted said:

﴿وَإِذْ قَالَ مُوسَىٰ لِقَوْمِهِ يُقَوِّمُ أَذْكُرُوا نِعْمَةَ اللَّهِ عَلَيْكُمْ إِذْ جَعَلَ فِيكُمْ أَنْبِيَاءَ وَجَعَلَكُمْ مُلُوكًا﴾

“Remember, when Prophet Moses (as) said to his people O my people remember the favour of Allah to you when He made prophets among you, made you kings and gave you what He had not given to another among the (mankind and jinn, the past.”

To end this matter here, we are saying that, the people of Moses (as) were the first generation to be, given the people to serve them and had power over them.

AbdulRazaq Bn Humaid Bn Jarir and Bn Munzir, all of them narrated from Qatada: regarding the saying of the Exalted: “We made you kings”. They possessed servant. They were the first generation who possessed people as their servant. Bn Jarir narrated from Abdullah Bn Abbas (ra) on Allah’s saying that: “We made you kings”, explaining that, if a man among Israel had a wife, servants and personal house he is called a king. Also a similar Hadith was narrated by AbdulRazaq, Abdullah and Bn Jarir, from Bn Abbas on the verse. We make you Kings: wife, servant and house. Irbal, Bn Jarir Bn Munzir and Hakim, Albailik say the Hadith is authentic as in the book called **Shu'ubul Iman** by Bn Abbas in His saying, the Exalted: He gave among you Prophets and made you kings: It means, a wife and servant.

Bn Abi Hatim narrated from Abu Saeed Al-Khudiry, that the Messenger of Allah (saw) said:

“It is a custom among the people of Israel, that anybody who possessed a wife, servant, and camel for mobility was called a king.

Bn Jarir narrated and Zuhiry bn Malkau in a book called Waqafiyat by Zaid bn Aslama wrote: the Messenger of Allah (saw) said: "Anybody who possessed a house and a servant he is a king". Abu Dawood narrated in his Murasil from Zaid bn Aslama, on the saying of Allah: We make you kings that: the Messenger of Allah (saw) said: a wife, house and servant makes you king. Saeed Bn Mansur, Bn Jarir both of them had narrated from Abdullah Bn Amr, Bn Ajj: that he has asked somebody ownership of: "are we not poor immigrant"? The person replied: "don't you have a wife, who stays with you?" I answered that "I do have" then he asked: don't you have a house where you live"? I answered, I do have, then he said, you are among the rich people," I further said to him that, I have a servant, then he said: O! you are a king.

From Humaid, Bn Jarir and Bn Munzir narrated from Mujahid, regarding the saying of Allah "We make you kings." He said, we give you a wife, a servant and a house. Bn Jarir narrated from Hassan in the saying of Allah". We make you kings" and: he said, the kingship is to possess mobility, servant and house.

I (Usman) said: If you understand what we discussed above, you will know that the prohibition is not referring to the word in our Sharia legal system. The prohibition is how the king/leader handles the affairs of his subjects.

You will also see in the statement of Al-Makary that: Abubakar (ra) is the vicegerent of the Prophet (saw), based on consensus by all companions of the Holy Prophet (saw). Abubakar appointed Umar (ra) to take charge of affairs of the Muslim Umma, in order to remove the idea of inheritance as it used to be in the kingship method (that is, son to succeed the father) This is what was put in place during the vicegerence period. Vicegerence is given to the qualified candidate only, who is to take care of affairs of the Muslim Umma Umar (ra) later appointed a Shura (consultative forum). They were the first and the best followers of the Messenger of Allah (saw). They reached a consensus upon Usman (ra). You see that Umar (the second Khalifa) remove it from his son, but referred to it a committee, consultative forum because it is not a kingship affairs. Then, after Usman, nobody possessed qualification of vicegerence like Aliyu bn Abi Talibi (ra), that was why he was given the appointment by the people who preferred the Hereafter than the worldly affairs. Then followed by Hassan bn Aliyu (ra). Mu'awiyya was the first person who turned the vicegerence to kingship, through inheritance, through one of his governor, Mugira bn Sh'uba. He destroyed this good methodology of appointment, based on qualification..

Anytime kingship that comes through qualification, it becomes a vicegerence, not kingship. You see clearly that Umar bn AbdulAzeez was a vicegerence,

not King, because Sulaiman refused to appoint a successor from his closest family. He appointed the best on qualification. This is the end of Makary statement.

My brother Abdullah quoted all these in his book called **Diya'u** and this is the end of what I quoted from scholars statements as regards the word (Muluk) kingship and Khilafa vicegerence on the way of good recommendation. But on what is incumbent upon kings/leaders, it is said in a book called **Addur-Thamin Fi-Madahi Muluk Wassaltin**, in the first chapter, in the first section, on what affects the leaders (Muluk) or kings in particular, regarding good deeds or bad deeds. He mentioned the quality which will be fundamental to any leader and leadership that is brings peace and progress of the country.

This section has two subsections. The first one, on the wisdom of putting in place the leader (Sultan) in the country and on what Allah provides for a just leader, that is, bigger position in Hereafter, and on what Allah makes compulsory upon the subjects to obey the leaders, and promise Hell torment for anybody who disobeys them, removes his allegiance to them, and brings disunity among the people, the person will be entitled to different forms of punishment in the world, and disgrace in the Hereafter.

Allah, particularly gives them, high places in the world, good names because of the difficulties they encounter during their leadership, by enforcing people to follow the Sunnah of the Prophet (saw) and to do compulsory deeds ordered by Allah. Allah differentiates their (leader) with big position among his servants, and He leads them to maintain His commandment; if you observe, no position is higher than the position which is associated with Messengership of Allah and Prophethood. That is the high position, why not? Anybody who obeys them (leaders), he obeys nobody but Allah, and He makes it compulsory to obey them as described in his Book which is full of wisdom, the Qur'an, where He says:

﴿يَا أَيُّهَا الَّذِينَ آمَنُوا أَطِيعُوا اللَّهَ وَأَطِيعُوا الرَّسُولَ وَأُولِي الْأَمْرِ مِنْكُمْ﴾ النساء: ٥٩

"O! You who believe, you should obey Allah, obey His messenger and those who are leaders of yours affairs." Qur'an 4:59

He said with regards to the wisdom of appointing a leader (Sultan) in a country, you should know that in the appointment of any leader, there is wisdom behind it and it is a mercy or bounty from Allah, the Exalted. He created human beings to love justice and make them to hate injustice. The example of a town that has no leader is just like fishes in the river. The big

ones consume the smaller ones or the stronger ones eat the weak ones. Once there is no leader to direct their affairs accordingly, living will be very difficult for them in that town/country; they will not enjoy the bounty of life. That is why a statement from past people says: “Assuming leadership should be removed from earth, then, Allah has nothing to do with people on earth.”

Another wisdom for appointing a leader is a sign of His Oneness. Two leaders at a time in one town are not ideal, that is why the Oneness of Allah is true. That is the reason Ali bn Abi Talib (may Allah honour him), said: There are two big things, one of them need singleness only; the second one needs collectivity: If there is a just leader, there is going to be general benefit, no rampant killing, protection of dignity, establishment of good markets, protection of properties, but once there is no leadership, you will see disorder in the markets system, increase in bad behaviours, cheating, theft and destruction everywhere.

Nobody hopes for the removal of leadership from the people except foolish, ignorant people; because the maintenance of peace in the world and to obtain good place in the Hereafter are all connected to leadership. Justice is in the leadership.

You should associate yourself with anything that will bring general benefit to the people and the town and which will cause benefit to the world and the Hereafter and what will cause to you big position from Allah and in the mind of the people.

He says that what is mandatory upon the leader is obeying order from his subjects. It is narrated by Bn Umar (ra), from the Prophet (saw):

(على المرء المسلم السمع والطاعة لأمره فيما أحب وكره إلا أن يأمر بمعصية فلا سمع ولا طاعة)

“It is a must upon a Muslim to obey and listen to his leader, whether he likes or not unless if he commands on sinful things, then you should not obey or listen.”

There is another Hadith by Muslim, from Abu Hurairah (ra), from the Prophet, peace be upon him:

(من أطاع أميري فقد أطاعني ومن عصا أميري فقد عصاني)

“Whoever obey the leader he obeys nobody, but me (Prophet saw), and who disobeys the leader, he disobeys nobody but me.”

Enlightening Brothers

There is another narration from Sahihul-Bukhari, from Anas (ra), from the Prophet (saw) who said:

(اسمعوا وأطيعوا وإن استعمل عليكم عبد حبشي).

“You should listen and obey the leader, even if the leader is a slave from Abbisia.”

There is another narration from two authentic books from Abu Huraira (ra) from the Prophet (saw) who said:

(من خرج من طاعتي وفارق الجماعة مات ميتة جاهلية).

“Anybody who disobeys the leader should be put away from the community; he will die the death of pre-islamic period.”

Allah, the exalted said with regards to what is a must on leaders concerning doing justice to their subjects for in His Book that:

﴿يَا دَاوُدُ إِنَّا جَعَلْنَاكَ خَلِيفَةً فِي الْأَرْضِ فَاحْكُم بَيْنَ النَّاسِ بِالْحَقِّ وَلَا تَتَّبِعِ الْهَوَىٰ فَيُضِلَّكَ عَنْ سَبِيلِ اللَّهِ﴾ ص: ٢٦

“O! David (Dawood), We make you a vicegerence on earth You should do justice among the people, You should not follow the desire of your mind, and if not, you will on the wrong path of Allah.” Qur’an 38:26

A Hadith was narrated by Bukhari, Muslim, Tirmizy and Abu Dawood, from Bn Umar (ra), from the Prophet (saw) who said:

(كلكم راع وكلكم مسؤول عن رعيته. فالإمام راع ومسؤول عن رعيته).

“All of you are rearers, and all of you, will be asked to account for your stewardship. The leader will be asked to account for his leadership upon his subject.”

There is narration from Bukhari and Muslim from Abu Saeed, from the Prophet (saw) who said:

(إن الدنيا حلوة خضرة، وإن الله مستخلفكم فيها فناظر كيف تعملون).

“The world is like a beautiful garden Allah will make you vice regent (leader) and see how you will behave with regard to leadership upon your subjects.”

On the two characters which are part of fundamental of leadership: Allah, the Exalted says:

﴿وَلَيَنْصُرَنَّ اللَّهُ مَن يَنْصُرُهُ﴾ الحج: ٤٠

“Surely Allah will grant His assistance to those who assist Him.” Qur’an 22:40

The only way to assist Allah is to expand his religion of Islam, follow Shari’a; do (ensure) justice among the people. Allah gives good tidings to those who assist His religion. He will assist them, strength on them and high rank among the people. The Exalted says:

﴿إِنَّ اللَّهَ لَقَوِيٌّ عَزِيزٌ﴾ الحج: ٤٠

“Surely, Allah is strong and possesses power over everything.” Qur’an 22:40

The Exalted explained the condition for His assistance and called them the assisted people, He says:

﴿الَّذِينَ إِذَا أَقَامُوا الصَّلَاةَ وَآتَوُا الزَّكَاةَ وَأَمَرُوا بِالْمَعْرُوفِ وَنَهَوْا عَنِ الْمُنْكَرِ وَاللَّهُ عَزِيزٌ
الْأَمِيرُ﴾ الحج: ٤١

“Those who if given the power (leadership), will concentrate on prayer (salat), giving alms, command good deeds and forbid bad deeds, the best end (entering Paradise) belongs to Allah.” Qur’an 22:41

Somebody may think that Allah has granted the leaders His assistance if the above laid down conditions are there, but assuming he sees the opposite (lack of assistance): he should not be discouraged. He, the Exalted said:

﴿وَمَا كَانِ اللَّهُ لِيُضِلَّ قَوْمًا بَعْدَ إِذْ هَدَاهُمْ حَتَّى يُبَيِّنَ لَهُم مَّا يَتَّقُونَ﴾ التوبة: ١١٥

“Allah will not allow people on the right path to go astray” Qur’an 9:115

It is a promise any leader who maintains the above conditions, to get assistance, to win, to be seen as charismatic by his subjects. His name will be read in books. Once he sees weakness in his leadership, or sees some uprising in some section of his town/country, he should know that there are deficiencies in one of the four conditions or all of them. He should investigate himself. He should turn to Allah, the Exalted, in any difficulty therefore seek refuge from Him in all affairs, and try to return to the above mentioned conditions. The

promise of Allah will surely happen; no stopping it. He says: there is no victory except from Allah, the Owner of wisdom and power.

The Exalted says:

﴿وَهُوَ الَّذِي جَعَلَكُمْ خُلَفَاءَ الْأَرْضِ وَرَفَعَ بَعْضَكُمْ فَوْقَ بَعْضٍ دَرَجَاتٍ لِّيَبْلُوَكُمْ﴾

“He is the one who make you vice regent on earth, He raises some above others in rank just to examine your behaviour.”

It means to observe justice toward your subjects, justice to yourself and how you follow Shari'a on what He granted you. It means, on His bounty of leadership and Sultanate, He gave you strength and power.

The Exalted says:

﴿وَعَدَ اللَّهُ الَّذِينَ آمَنُوا مِنكُمْ وَعَمِلُوا الصَّالِحَاتِ لَيَسْتَخْلِفَنَّهُمْ فِي الْأَرْضِ كَمَا اسْتَخْلَفَ الَّذِينَ مِن قَبْلِهِمْ وَلَيُمَكِّنَنَّ لَهُمْ دِينَهُمُ الَّذِي ارْتَضَىٰ لَهُمْ وَلَيُبَدِّلَنَّهُم مِّن بَعْدِ خَوْفِهِمْ أَمْنًا﴾

“Allah promised those who believe among you and do good deeds, that He will make them vice regent on earth as He made those who came before you, and made your religion as the leader of all religion, which He chose for them and changed the conditions of fear to tranquility.”

It means to extend their land of rule and strengthen them, once they maintain the conditions.

On the dignity of Islamic leaders, the author of the book Durrul Thamin, narration from Bukhari, Muslim and Nisa'I from Bn Umar (ra), from the Prophet (saw) that:

المقسطون يوم القيامة عند الله على منابر من نور عن يمين الرحمن وكلتا يديه يمين الذين يعدلون في حكمهم وأهليهم وما ولوا

“The justice leaders, on the Day of Judgment, are on the top of minaret of light on the right hand side of Allah, the Merciful, (both His hands are right (no left).”

The justice leaders are those who do justice in their judgment upon their people and on any appointment given to them.

Then, he said again, from what is narrated from book, Shihabul Akhabar

من أكرم سلطان الله أكرمه الله ومن أهان سلطان الله أهانه الله

“Anybody honours the leader (Sultan), Allah will honour him, anybody who disgraces the leader, Allah will disgrace him.”

Then, he said again, from what was narrated by Al-Hafiz Abu-Nu'aim Asbahany (ra), from Bn Abbas (ra), from the Prophet (saw):

(من ولي من أمر أمتي شيئاً فحسنت سيرته رزق الهيبة وإذا بسط يده بالمعروف رزق المحبة وإذا عدل زيد في عمره وإذا أنصف الضعيف من القوي كان معي في الجنة)

“Anybody appointed to handle the affairs of my people, and he handles it with justice, Allah will grant him pride among his people; if he extends his hand in commanding good things, Allah will grant him likeness among his people; if he does justice, he will be extended in his lifespan; if he assists the weak not to be cheated by the strong one, he will be together with me (the Prophet (saw) in Paradise.”

The Prophet (saw) combined his two fingers, the middle one and the one next to it, indicating togetherness.

Then, he said, narration from Anas bn Malik (ra), from the Prophet (saw):

(السلطان ظل الله في الأرض من نصحهم ودعا لهم اهتدي، ومن غشهم ودعى عليهم ضل)

“Sultans (leaders) are the shadow of Allah on earth, anybody who advises them and prays for them, he is on the right path. And anybody deceives them and prays against them, he is on the wrong path.”

He then said, narration from Bn Abbas (ra), from the Prophet (saw):

(السلطان والإسلام توأمان لا يصلح واحد منهما إلا بصالح الآخر. والإسلام أس والسلطان حارس، وما لا رأس له منهدم، وما لا حارس له ضائع).

“The leadership and Islam are like twins, one will not be good without the other. Islam is the head and leadership is the guard, anything that lacks head will be destroyed and anything without guard will vanish.”

Then he said, narration from Hassanul-Basary, when he said to Hajaju, the Governor, narration from Bn Abbas (ra), from Prophet (saw):

(لا تسبوا السلطان فإنه ظل الله في الأرض، به تقام الحدود ويظهر الدين وبه يدفع الظلم، ويهلك الفاسقين)،

“You should respect the leaders and value them high because they are the shadow of Allah on earth if they are leaders in justice, that means doing justice to their subject.”

Then he said, narration from Huzaifa, from the Prophet (saw):

والذي نفس محمد بيده إنه ليرفع للسلطان من العمل مثل عمل جملة الرعية

“You should not curse the leaders because he is the shadow of Allah on earth, with his assistance the rule of Allah is maintained, the appearance of religion, to discourage cheating and to deal with bad people.”

Then, he said, a narration from Gazali (ra) from the Prophet (saw):

والذي نفس محمد بيده إنه ليرفع للسلطان من العمل مثل عمل جملة الرعية

“I swear with whom my soul is in His hand, Allah will ask the Angel to write reward to a leader equivalent to what all his subjects deed.”

He said also that, there is a narration that Allah said: I am the Ruler of all rulers. Their souls and their foreheads are in my hand (control). Any community that I accept their deed and character, I will appoint to them a ruler who will have mercy upon them. Any community that I am not happy with or I do not accept their deeds and character, I will appoint a ruler for them who is not merciful, just to punish them; so you should not concentrate on cursing the leaders/rulers but you should repent to me and I will make them have mercy upon you.”

Sahalu bn Abdullah Tustra, was asked: who are the best people? He answered “the leader (Sultan)”. Then it was said to him but the worst among the people is the leader (Sultan). He said that: please wait, Allah looks at two i.e. merciful one concerning, the security of the people and their properties and the second one; the security of their soul. Allah will book at the inner mind of the leader who protected these two forms of securities, then Allah will forgive him all his sins.

Then, the author of a book called **Durrus Thamin**, after quoting all the above narrations, said, this is sufficient evidence on the affairs of leaders, the high status. They occupy, the high dignity they possess, their high rank and pride which will remain with them and good names throughout a decade and century. Allah, the Exalted commanded His Prophet, Moses (as) to be in proper manners and good when talking with Pharaoh (Fir'auna) where the Exalted says:

﴿فَقُولَا لَهُ قَوْلًا لِّئِنَّا﴾

“You should talk to him, lenient word.”

It means, lenient statement. Moses (as) should address him as how the people address the leaders/rulers, even though he is infidel, ungrateful to the bounty of Allah. Yahaya bn Mu'azu, used to ask, when he read the verse: ***“O! my Lord, this with regards to the person that says he is the lord of high rank; then what of those leaders that say La ilaha illahllahu?”***

Sheikh Al-Imam, Al-Allama, Hafizul Asar, Sheikh of Hadith, Abubakar Shamsudeen Muhammad As-Sakhawiy in his book called **Raf'ul Shukuk An Mafakhiril Muluk** wrote that: the Prophet (saw) said:

(السلطان ظل الله في الأرض فمن أكرمه أكرمه الله عز وجل ومن أهانه أهانه الله عز وجل)

“The leader is the shadow of Allah on earth. Anybody who honours the leader, Allah will honour him, and anybody who disgraces the leader, Allah will disgrace him.”

Narrated by Ahmad, Tulaiwy, Tirmizy, Tabriy, Baihaqy from Abubakar (ra). He said also, on the above mentioned book **“the best among your leaders are those who you love and they love you also.”**Muslim narrated two in his authentic book, from Auf bn Malik (ra).

He wrote also in the above book, the Prophet (saw) said:

إن أحب الناس إلى الله تعالى يوم القيامة وأدناهم منه مجلسا إمام عادل

“The best people among you to Allah on the Day of Judgment and most closest to His seat is the leader who is just.”

According to Abu Nu'aim and Dailamy stated that Abu Huraira (ra). Reported, in the above book that, the Prophet (saw) said:

لن تهلك الرعية وإن كانت ظالمة مسيئة إذا كانت الولاة هادية مهديّة

“The people will not go astray, even if they are worst in action, once their leaders are on the right path”

Abu Nu'aim also Abu Amr. said also the above book that the Prophet (saw) said:

ما من ملك يصل رحمه وإذا قرابته ويعدل في رعيته إلا شدد الله ملكه وأجزل ثوابه وأكرم مثابه

“Any leader (Ruler/King) who does justice to his followers, Allah will strength his leadership, give him abundant reward and honour him in the hereafter.”

As narrated by Dailamy in his Musnad from Aliyu bn Abi Talib (ra).

CHAPTER FOUR

Status Of Leaders And Other Apointees

This chapter is concerned with the status of leaders, judges and governors with what differ, which was found during the Sahabat (ra), the wearing Al-Hariry cloth during war (Jihad) and uniform of non-Arabs.

I say all guidance belongs to Allah alone. My brother, you should know that wearing big clothes heavily decorated began when the Sahabas conquered Syria and mixed with non-Arab. This generation discussion as to whether they are permissible or not. There are different opinions among the Sahaba whether it is permissible or not. Later, it became permissible and even compulsory because people dignify their leaders only if they appear in big clothes with big designs.

Qurafy said that, what is recommended in innovation is what has a root from recommended things in Sharia and its reason, like Tarawihy prayer. Making big clothes with large designs by the leaders, judges and governors is contrary to the behaviour of the Sahaba (ra) but the main reason of this decoration is that people do not dignify the integrity of the leaders in their mind unless with this type of decorative status.

During the period of the Sahaba, people dignified the leaders based on religion, but as time went by, the first generation of the Muslim gone, the next generation emerged, people started to dignify their leaders based on decorative status. It became compulsory to enlarge the decorative status, so that respect would be maintained to enable leaders execute the commandment of Allah, the Exalted.

In a commentary of a book, Al Mihaj written by Ahmad bn Ali bn Abdul Rahman Al Manjuri, it was repeated that when Umar (ra), the second Khalifa, reached Syria, he met Mu'awiyya, the Governor of Syria then, Umar saw him, he had the chamberlain and very expensive mobility with decorative clothing. He followed the footstep of the kings and rulers, then Umar asked him, why all these decorations? He answered him, that we are in the land that we need all these types of appearance. Then Umar said to him, "I will not say, yes, it is okay or not. It depends on you. If you truly need it, then it is allowed and if you do not need it, then it is not allowed."

We can understand here from the saying of Umar that it depends on the situation the leaders found themselves and the period, the town, century and so on. This is why there is a need to always change the systems of decoration,

administration. Sometimes it becomes a compulsory situation. On wearing silk during war (jihad) and making clothes of non-Arab nations, there is a narration from Abdullah Bn Majah in his Sunan, on the chapter of wearing of silk and brocade during war. The narration from Asma Binti Abubakar (ra) is that she brought a long coat decorated with silk brocade, she said the Prophet (saw) used to wear this cloth when he met with the enemy.

Kalaby said in book **Al-Iqitifa'i**, that Umaru bn Khattab (ra) said that when he reached the town of Iliya'a (Baitul Mukkadis), the Muslims met him, among them was Abdul A'awar Assalamy and he wore clothes of Rome people. He looked like them in cloth and Umar (ra) said "please put sand on him or his face let him come back to our design and our Sunnah." Or something like that's.

As for some of the people who decorate themselves with silk brocade, he (Umar) ordered them to be burnt. In another Hadith narrated by Sufyan, from Khalid bn Walid (ra), Umar (ra) met them at a place called Jababiyat. He (Khalid) wore clothes decorated with silk brocade and silk. Umar (ra) came down and picked marble and started throwing/stoning them with it. They said "O! the leader of the faithful (Amirul Muminin) we use it to protect ourselves from weapons". Then, Umar (ra) said it was okay.

In a Hadith narrated by Abu Saeed Khudiri, Yazid bn Abu Sufyan said to Umar (ra) (second Khalifa) that we have sufficient clothes, animals and all what we need in life is in abundance. Food is very cheap. In short, the situation of people is as you wish, that is, nice condition; why should we not wear nice and very decent clothes and use the best animal for your mobility and eat delicious food? This could be better and it will look very nice and it would earn you respect among the non-Arabs.

Umar (ra) answered Yazid bn Abu Sufyan saying No! No! No! I swear by Allah, I will never leave the situation, that my two companions left me on it. Therefore, Umar (ra) remained in the place/situation, which the Prophet (saw) and the Abubakar, first Khalifa (ra), left him.

I (Usman) said, that Abu Ubaida, have different opinion between him and Khalid bn Walid, Mu'azu bn Jabal, Amir bn As, and Mu'awiya bn Abu Sufyan in wearing the clothes of Rome people and making dressing like them and accepting big decorations or wearing of silk during war (Jihad). This is one of the difference in opinion that occurred among the Sahaba on wearing clothes of silk during (Jihad) war. Abdul-Baqiy said in his commentary of the book Risalah (after mentioning the authentic pronouncement of Malik Mazahab),

that to wear silk is prohibited during Jihad. But Bn Majushun has a different opinion on the issue. He said. it is permissible to wear silk during war (Jihad) because it protects the person from arrow and other war weapons. Also, some Sahaba and Tabi'un permit the use of silk. This pronouncement is accepted by Abdul-Hakeem.

Bn Sha'ayan narrated this from Malik, through Isa Ira, from Bn Kasim, Bn Jallaba also, accepted the use of silk as permissible.

Qastalany said in a book **Irshadi** commentary of Bukhari that from the, narration of Bn Habib from Majushun, it is recommended to use silk during Jihad and to perform prayer with it at that period. The wearing of silk makes the enemy to be afraid and causes discouragement in their minds.

This is one of the similar differences which used to occur between Sahaba in clothes and other things that made them to look like Ajam non Arabs. Muhammad bn Yusuf said in a book, **Al-Muwaqi**, (quotation from past leaders), that not everything done by Ajam (non-Arabs) is prohibited unless it is specifically mentioned in Sharia that it is prohibited and all the relevant reasons show that.

The meaning of Ajam, that we should not be like them and follow their examples are Qaisar (leaders) of that period and the prohibition is, if it does not tally with sharia. But, the action in clothing and decoration which tallied with Sharia, we should not avoid them simply because they are doing it, and if the Shari'a does not prohibit it, it is not prohibited, it is permissible. The Prophet (saw) made a ditch round the town of Madina, and this system is entirely the work of non-Arabs. Then, he said, the scholar that I trusted from the past scholars said that, the Messenger of Allah (saw) prohibited the Arabs to dress like non-Arabs, but we didn't receive any Hadith from the Prophet (saw) asking the delegates of non-Arabs that came to him to change their dressing to Arab form. This is one of the reasons given by Bn Rushid for allowing the Murabitun to wear non-Arab clothes. He explained that this is the clothing people used to recognize them with and they were the forces of Islam.

He said that Allah created human beings and made them stay in different parts of the world and differentiated them in clothing, food and physical environment among other things. It is not a must for anybody to change his clothing to another. To cover the mouth and nose is the dressing of the Murabitun, they should stick to it. It is not even recommended to leave this form of dressing. It is allowed for someone to pray with his mouth and nose closed, with turban if it is his custom it may not be necessary for others.

Al-Muwaqy said in a Sunan which I did a research on, the people of the town of Fahsu. They wear clothes called Radandin as Imam Malik mentioned in **Muwatta**. He said this is not the type of clothing used by Salaf, but said it is permissible since they use it to protect themselves from cool-condition. But later, he rejected the idea because it is the clothing of Rome people. A muslim should not look like them unless f used only to protect somebody from cold weather.

Then Al-Muwaqy wrote that “I heard from the scholars I trusted not all what non-Arabs did is prohibited unless it is specifically mentioned that it is prohibited”. It is an authentic narration from the Prophet (saw), that he wore long coat with tight hand made from Rome. Bn Araby said, it is made from Syria, Sham, and Syria at that period was under the control of Rome. This shows that it is allowed to use a clothing with tight hand; it is even recommended at war for easiness and copying the Messenger of Allah (saw). But, it is prohibited to be used in the house, when not travelling. Al-Muwaqy said a similar pronouncement to the above explanation as was given by Bn Umar in a book, **Istizkar**.

CHAPTER FIVE

On Using Ring or Necklace

In this chapter, effort is made to provide explanation on whether it is allowed to use a ring or necklace of gold/silver, not during Jihad (war), and the wearing same during Jihad. The chapter will also address the wearing of infidel clothes, which were seized from them to show praise to Allah's bounty or to disgrace them or for people to see the big lesson on world affairs, or to possess it, but not permanently.

I said, all the guidance belongs to Allah alone.

My brothers, you should know that to adorn oneself in the period outside Jihad in the form of decoration is prohibited. This is a consensus among the scholars. Nevertheless, to be adorned during Jihad, it is prohibited according to another pronouncement, whether it is to protect you from weapon, arrow, and knife or to decorate animal like saddle. Kharshy said in a book, **Sharhil Mukhtasar** that it is not permissible for a man to adorn, even if it is belt or war weapon. However, Jurzy in **Qawanin** insisted that: to include other weapons like knives are two different pronouncements.

Qastalany said, in a book called **Irshad Sharhil Bukhari** that Abu Umama said many towns had been conquered by the army of the Sahaba. At that time, the decoration of their weapons (sword, knife, arrow) were not in gold or silver. It was an ordinary iron because that was what was available then. It was possible to decorate sword and other weapons with silver, like sword, arrow head, coat of mail, belt, socks (from knee to ankle), because this made the infidel feel angry. The Sahaba during their time had no need for all these because of their strong mind and belief. They did not need any form of decoration of their weapons with either silver or gold.

In a book titled: **Mi'iyar**, it was said that when Bn Wahab Abuttahita and some scholars in Shafi'iy Mazahab saw the similarity between them. They concluded that all the weapon equipment, silver or gold metals could be used, as part of permissible things, like sword.

But to adorn (use silver/gold) with which was collected from the infidel people as war booty in order, to show gratitude to Allah or to disgrace the infidel or to show to the people the greatness of the Islam is allowed, but not to be used constantly.

Al-Mabarid said, it is allowed for a male person to adorn himself but only to show gratitude to Allah and to expose the mercy of Allah upon him. He gave the evidence by narrating a Hadith that a long coat was brought belonging to Qisra to the Prophet (saw). He (saw) bought it and wore it. later, he gave it to Usamatu and the Sahaba asked why should you give Usama the clothes of Qisra? The Prophet (saw) said:

“Praise be to Allah, He seized them from Qisra and gave it to Usamatu.”

Mubarid explained that: the Prophet gave the cloth (long coat) to Usamat to show the mercy/bounty of Allah given to the Muslim community. Allah seized all what Qisra possessed and gave them to the Muslims. It is also to show that the cloth which belonged to only kings before is the with poor people like Usamatu. Usamatu (ra) was a free slave of Prophet (saw).

In a book titled **Al Iktifa'i**, written by Kalaly, he narrated what happened when the two armies of Muslims and the Persians. General Shuhuriyan from Persian army called the battle to commence, Zaharata wanted to go, but since the Persian army said he needed the strongest, they decided to send a slave. If he (the Persian man) runs away, it would be a disgrace to them.

Nabila Al-A'ujay, was a brave and a bold soldier from the clan of Bani Tamim. He was directed to come out. Each one of them came out with arrows, and both of them were very huge but Shuhuriyan was like a camel. When Nabila saw him, he dropped his arrows. They held each other tight. The Persian soldier threw Nabila to the ground and lay on top of him. He brought out a knife to slaughter Nabila. He tried to remove the coat of mail on the neck of Nabila but Nabila grabbed the fingers of Shuhuriyan with his teeth and broke them into pieces. Nabila turned and threw him to the ground and sat on his chest. Nabila picked the knife of Shuhuriyan and exposed his belly from the coat of mail and inserted the knife into his belly and he died. He took his horse, his rings and all what was in his possession. That was one of the reasons of their victory. The remaining army ran away. The commander of the army, Zaharat remained there until Sa'ad bn Abu Waqas met him. Ordered that all what Nabila got from Shuhuriyan be given to him as part of his share in the war booty.

Sa'ad told Nabila that, he should remove the rings because they were made from silver/gold, but if it is during battle he is free to wear them. In the same book **Al-Iktifa'i**, written by Al-Kalaly, that when jewels and ornament of Qisra were brought to Umar (ra), Aliyu (ra) said to Muhallam, who was a giant at that time to put the jewels and the ornament in one of the Mosque's

pillars. Muhallam did adorn the pillars and people saw him, including Umar (ra), people were very surprised. Qisra clothes just for people to see. Then later Umar (ra) gave the sword of Qisra to Muhallam.

Kalaly said that the name of Muhallam appeared here in this Hadith, I don't know him. The only person with name Muhallam is Muhallam bn Jathama. There is a saying that he died during the lifetime of the Prophet (saw). His story on blood paying, forgiveness or repaying is very popular story but some claim he died after the Prophet (saw).

In another narration, it was said that he lived and the person Umar (ra) directed to wear the rings and ornament of the Qisra was Suraqatu bn Malik Al-Mudlijy. Sufyan bn Uyainat narrated from Abu Mura from Hassan that the Prophet (saw) said to Suraqat bn Malik: "How will you feel if you wear the ornament of Qisra?"

It is said what when the ornament of Qisra was brought to Umar (ra), he called Suraqat and adorned him with it. Suraqat was a hairy person (on head). Umar said he should raise his hand, then, Suraqat said: "Allah is Great, praise be to Allah. He seized this ornament from Qisra bn Hurmaz and handed them to Suraqat bn Malik of the clan of Ja'atham, a villager from Bani Mudiligy". Umar (ra) made say his statement very loud.

I (Usman) said: In these three narrations, to adorn with silver/gold is just to show gratitude to Allah's bounty, to disgrace the infidel people or to show to the people how the world changes so quickly; but the wearing should not be constant/permanent.

Al-Wansharishy said in a book **Al-Mi'iyar**, that the story of Suraqat bn Malik was just to show an example, it is not for permanent use. What Sharia forbids is to adorn permanently because Suraqat only used it once. If you say: I know the wearing by Usama of long coat is just to show praise and gratitude to Allah, as described by the Prophet (saw) because, when asked, he (the Prophet) said "praise and gratitude be to Allah for His seizure from Qisra to Usama". The Prophet directed Usama to wear the ornament just to show Allah's bounty to the Muslim community. He (Allah) seized from Qisra and gave to us. Then, what is the purpose of it being worn by Suraqat bn Malik? The answer is the statement of Umar bn Khattab as described by Mubarid, when Umar said: Allah is great, Praise be to Allah who seized it from Qisra bn Hurmuz and gave Suraqat bn Malik, Juthama, a villager from Bani Mudliji.

If you said that, the wearing of ornament by Suraqa is a miracle as described by the Prophet (saw) before the period, then what is the gratitude there,

exposing the beauty? It is correct to show the miracle and at the same time to show the gratitude for Allah's bounty because there is no bounty greater than miracle that justifies Prophethood.

Again if you asked, if Suraqa's wearing the cloth shows the bounty of Allah, why not Umar? The answer is that it was he (Umar) who called Suraqa in the public and asked him to wear it and then Umar (ra) praised Allah loudly.

If you said: for Suraqat to wear the ornament if it was for the purpose of showing the bounty of Allah, can we get the reason in another narration? Answer: yes, it was narrated from Prophet (saw) that he adorned Usamat with Qisra long coat to show gratitude for Allah's bounty, and praised Allah, discussed earlier, similarly in the statement of Mubarid and a similar narration in the case of Sa'eed bn Abi Waqas and Nahila, when he won over Shuhariyan, when Sa'eed said to him you must adorn with this ring, cap, coat mail and climb his horse; Nahila followed the instruction, then Sa'ad said to him, you should remove his ring (made from gold) unless during battle. He is the first person from Iraq to wear a ring made from gold, just to show gratitude to Allah's bounty because that time was not battle period.

If you asked: how could the adornment of Suraqat be lawful? Even though it is to express gratitude for Allah's bounty; and we all know it is a forbidden thing in our Shari'a and to show gratitude is supposed to be with what is permissible?.

The answer to this is that adornment done by Suraqat at that time was permissible as said by Al-Wanshirishy, in a book called **Al-Mi'iyar**, it by is permissible since it is only to wear and remove it, not to be worn permanently. What is not permissible is to wear permanently. However, if it is aimed to achieve a certain goal wearing is permissible because the aim of adornment is to be permanent but in the case of Suraqat, it was not like that.

Nevertheless, to show something to the people needs to stay for some long period, not just to wear and remove instantly? Answer to this is, if it should for long period then it should not be specifically for Suraqa alone. If you said, your brother (Abdullah bn Fodio) said in his book **Diya'ul Sultan** when he quoted your statement regarding this issue in a book called **Misbahu Ahlul Zaman**, he didn't explain all these, that is wearing gold/silver is just to show gratitude to Allah's bounty, also the author of **Al-Mi'iyar** didn't mention anything like that?

Answer: This is a statement from good point of view because we had been directed to keep our mouth closed if we do not know.

The author of **Mi'iyar** didn't say anything on this issue. I didn't see any scholar from Malik Mazahab say anything on this issue. The wearing Suraqat as instructed by Umar is just to justify the miracle of the Prophet (saw) as described by him.

If it is to show gratitude to Allah's bounty, Umar (ra) should be in the best position to adorn it for that purpose more than Suraqat bn Malik. This statement was quoted from other scholars. Looking from another angle is to show Allah's bounty is on what is permissible only; this is, if it is permanent, but for a just while, is okay. We explained very clearly to the satisfaction of everybody as said earlier and we did it to show that Suraqat's adornment was something particular to him alone; also to justify the miracle of the Prophet (saw) that is the aim of Umar in instructing Suraqat to adorn with the ornament. He did to justify the truth of the Prophet's statement, but this does not mean to justify the true of the Prophet statement, or to justify the miracle. It could not be with something which is not lawful.

It is because of this that I said in a book called **Misbahu Ahlul Zaman**, in chapter six, on the permission to use what is seized from infidels, like silver or gold just to show gratitude to Allah's bounty but not to adorn it permanently was not mentioned in the book in **Al-Mi'iyar** by Alwau-Shurishy. To say otherwise the case of Suraqat could have not come. The truth of the matter is that it is allowed only to show gratitude with what is permissible. At least we have removed any doubt by our explanation on this in connection with the condition of permission to use it. I did not mention the word showing gratitude to Allah's bounty in the book, **Misbahu Ahlul Zamani**, in chapter six, (on permission to use infidel property like silver or gold) to show Allah's bounty, but if not permanently used. Also in **Mi'iyar** where Alwanshurishy narrated the story of Suraqat, he didn't make reference that it was to show Allah's bounty.

The answer: the main reason why the Prophet (saw) asked Usamatu to wear the coat of Qisra is just to show gratitude for Allah's bounty. His (saw) intention is that when people asked why should Usamatu wear the coat of Qisra, it is to explain to the Muslim umma, the bounty of Allah to them. He seized it from Qisra and gave it to the Muslim nation, the story of Usamatu on this, is similar to that of Suraqatu, as he (Suraqatu) wore Qisra's coat, belt, and cap, because nobody will say there was difference between them. He (Suraqat) said: Allah Akbar (praise be to Allah), who seized them from Qisra bn Hurmaz and gave Suraqat bn Malik bin Juthama, a villager from Bani Mudilij, Umar raised his voice loud with this word.

If you said, this is Ijtihad (research) from you and you are not one of the Mujtahid then, how come?

Answer: this is not Ijtihad but just comparison methodology, which is permissible even to non-Mujtahid because it is a clear problem as it is a normal method in Fiqh.

AbdulRahman Suyooty said in **Sarhil Kaukab**, after mentioning the types of Mujtahid explained that others are the Mujtahid from the root of the affairs, the Mujtahid from the branch of the affairs; and the Mujtahid in between them, as was mentioned in a **Sharhil Muhazab**, the fourth degree of Ijtihad that is to keep or stick to Mazahab. But there is weakness in this form of Ijtihad; because of this all his fatwa and writing is limited to Mazahab. If he didn't get it in one fatwa, he will get it from another without much difficulties. The person of this type of degree of striving is not among the people of Ijtihad (those who strive).

The possible ways of combining these issues especially to those who see it as a very big problem, is that showing gratitude to Allah's bounty in the case of Usamatu's story is very clear, but still it is allowed for Umar, the second Khalifa. For Suraqat bn Malik to wear the cloth, it is just to confirm to the people the true miracle told by the Prophet (saw).

This is because, to show to the people the miracle is also showing gratitude for Allah's bounty, it is even more important to show to the people the actual truth of the Prophet's miracle because it will confirm the Prophethood as discussed earlier.

The reason why I joined the story of Usamatu with the story of Suraqatu is because Al-Mubarid gave permission to adorn with silver/gold without any condition. It becomes ambiguous because to adorn with silver/gold, not during war, is not permissible, this is a consensus idea among the Islamic scholars.

I saw a place where Sheikh Al-Wansharishy, gave the condition to adorn with silver/gold in a book called **Al-Mi'iyar** when he narrated the story of Suraqatu bn Malik: It is permissible to wear it only once, not permanent. Then I become very glad with a condition that is why I combined the story of Usamatu with the one of Suraqatu Bn Malik because they are similar.

This is to enable people understand that to adorn with silver/gold just for showing gratitude of Allah's bounty is permissible without any conditions.

Due to of this warning, I said in a book called **Misbahul Ahlul Zaman**, chapter six, on the explanation on what is collected from infidels during war,

like gold and silver and general ornament to be used only to show gratitude to Allah's bounty, but not to be used/wear permanently.

I (Usman) wish to respect again from the above book in order to avoid adornment of silver/gold. O! My brothers, to adorn with silver/gold just for decoration purpose is not permissible. This is the consensus (stand) idea among the Islamic scholars but what is permissible is only what we discussed above. So, please you should be careful. I have said in the above book as regards to the story of Usamatu, where Al-Mubarid made it permissible without any conditions, you should consider that it is to wear just for a while.

My brother (Abdullahi bn Fodio) rejected the idea of Al-Mubarid totally, because to show Allah's bounty should not be with what is not permissible. But to reject an idea with or without any condition is not clear to me.

This is because, the wearing does not reach the situation of being forbidden, if you consider what is in the book, Al-Iktifa'i on what happened between Sa'ad and Nabila, when he said to him, "I swear, you must wear it." The adornment of Shuhuriyan and the climbing of his horse by Nabila, Sa'ad wanted to see the decoration of Shuruniyan on Nabila, this is not only to show the miracle but, if you analyze the command given by Sa'ad to Nabila, the adornment of silver/gold, without making it a permanent or allowed.

You also remember how Umar (ra) directed Suraqat bn Malik to wear the silver/gold of Qisra, as narrated by Sufyan bn Uyainat, from Abu Musa, that Prophet (saw) said to Suraqatu bn Malik:

(كيف بك إذا لبست سوارى كسرى؟)

"How will you feel if you wear the ornament of Qisra?"

Umar (ra) directed Suraqat to wear Qisra's ornament, belt, cap, and all his form of decoration. He wore for pride. Qisra possessed many ornaments, but Umar (ra) asked Suraqat to wear them all at different times.

There was a time Umar (ra) decorated Suraqatu with Qisra's ornament, and sat him between two pillars of the Mosque pillars including all the Qisra titles. He asked Suraqatu to sit in the public where all the people were be able to see the decoration. Umaru looked at him and people looked at him (Suraqat). People read big lessons: How Allah seized these decorations from Qisra and gave them Suraqatu, a poor man.

Later, Umar asked Suraqatu to change position and put new decoration. This process continued, till all the ornaments of Qisra were wore by Suraqatu.

Enlightening Brothers

This was followed by, Suragatu to wearing Qisra's battle weapons including his sword. People looked at him again, then he removed them. The process of wearing of the Qisra's ornament was not only limited to miracle, but we could see three things:

First is to show the miracle of the Holy Prophet (saw) which is the biggest among the three things,

Second is to show to the Muslim community how Allah removed these ornaments from Qisra, the most powerful ruler of his time, and gave them to people that had no power at all so that they can praise Allah on this big opportunity, so that they could justify the additional bounty of Allah.

Third, to take good lesson from the world, how Qisra was misled with the ornaments of this world and forgot his Creator, so people should take note of this and be warned.

CHAPTER SIX

Property and Ownership

This chapter is concerned with the explanation of how to handle the case of property belonging to Muslims seized by infidel rulers of Hausa land before this period, if the ownership is clearly known. And, how to handle the property of military people of Fulani tribe and others especially those who claimed to be Muslims in Hausa land before this period, that is the Fulani Jihad period.

I said all guidance belongs to Allah alone.

O! my brethren, you should know, what my brother, Abdullah, discussed in his book *Diya'ul Sultan*, is sufficient regarding the above topic in this chapter.

The quotation from his book after narrating the statement of Muhammadul Magily in the case of the ruler, Sunni Ali and people like him. If you look carefully at what is said about Sunni Ali and similar people like him is enough. You will surely understand what we mean especially on most Hausa land rulers and their helpers, and how the other rulers did in West Africa, which are similar to Hausa rulers. He said after a long statement, that what they seized from the Muslim community, if the owner is able to identify his property, he should collect it without any payment whatsoever. The person who possesses it either by buying, gifts, inheritance, because anybody possessing, something that he knows is possessed illegally, he too is involved in sin. He must return it.

On those who say, what the rulers/kings used or seized illegally, should be forgotten because of the problem of involved, this should be only on what is kept in the public Treasury (Baitul Mali) and goes unto different hands. But what is confirmed as belonging to a specific Muslim there is, no reason to disallow the owner from taking his property.

The same principles apply to Fulani tribe and other tribes who claim to be Muslims, when they are involved in illegal possession of their brothers' properties. In the case of a ruler/king and their helpers, who possess the property which does not belong to them, that property should be in public Treasury (Baitul-Mali) as you know that public Treasury belongs to everybody.

But on the property which is not in the public Treasury (Baitul Mali), and the ownership is confirmed, the owner should collect it anywhere he sees his

property; this is the actual meaning of Muhammadul-Mugily's statement as mentioned earlier; which is very clear to any student of Fiqh.

However, if the collection of their property will cause a lot of conflict in to the society, it should be left as it is because taking the safer way is the best. It is compulsory on leaders to explain to the people so that they should not be mistaken to think it is Halal (permissible). Some people thought that what they possessed before our Jihad (Fulani Jihad in Hausa Land) is permissible to them to use it which is not like that. If they didn't hear from us criticizing it they may think it is like that. The matter is that what we see we execute without any problem, but the one that has problem, we keep silent for a while and if we get the opportunity we implement it.

To mix a thing which is explicit is wrong. When you ask our Khadis (Judges) on the right of possessing of a slave, is the slave or something like that, you possessed the slave before the Jihad (Fulani Jihad) it is yours? They answer that if it is before the Jihad, your possession is right, but after the Jihad they will say an investigation has to be done. This is a very big mistake because the right to possess a slave is the same right before and after the Jihad (Fulani Jihad in Hausaland). These are what we know, but anybody with any idea contrary to these should bring an evidence which is clear. If we see it, we will definitely accept it by the grace of Allah, if not we are to remain on our earlier knowledge.

There is another surprising thing: they permit an infidel ruler to use the property seized from Muslim community; before the jihad even the rightful owner sees it, they say he should collect the property only by purchasing it or they should forget it.

Another wrong is that if the infidel possesses a free Muslim as his slave before the Jihad, they say the possession is right. See how these scholars permit people to eat people's property, permitting sex wrongly, this I don't have any idea about it Allah should protect us from this action.

It is a very big sin to permit the infidel people to enslave the free Muslim and also to permit the infidel people to have sex with free Muslim woman as their slave. We come from Allah and to Him we shall return. O! Allah, show us the right path and give us chance to follow it and show us the wrong path and protect us from following it. This is the end of the statement.

I want to give more light on the issue.

The first issue is that the property of the Muslim which the infidel ruler seized from Muslim in Hausaland before the Jihad, and some Muslim purchase it, the investigation on this issue should be closed because of the problem associated with it as discussed in a book called **Al-Mi'iyar**.

The second issue. This property is permissible for those purchased it, since the actual or rightful owner is unknown, as described in a book called **Shurbal Zulal**. As for the property where the rightful owner is unknown, it is permissible to be utilized.

The third issue: Assuming the rightful owner is identified, he should collect his property free of charge as described by my brother Abdullahi in the above mentioned book.

In the book called **Mukhtasar**: the hirer or what is given as gift to him, once they are known they have the right to collect it as the original possessor.

Also, the purchaser, as discussed in the commentary of the above statement and that it is a clear pronouncement; which is supposed to be used the best way. The opposite statement to the above, is that any property possessed by way of battle or in the field of battle, the owner will collect it only by paying money. This statement was accepted by many scholars.

The fourth issue: on the property of the Fulani army who claimed to be Muslims and some other tribes that are mixed with them, their property should be considered as by right possess, as described by my brother, Abdullah, in his above mentioned book. Abul-Kasim Al-Burzali, mentioned in his book that the rulers in the desert of Africa are the right owners of the property they possessed. So, our Sheikh Bn Arafat gave fatwa, that the property of their ruler is permissible except the one clearly indicated that it is not permissible. Their army are mixed up with most of the people of that area. They could be able to win and spread Islam.

If you understand the above discussion you will know, their property is supposed to be in Bait Mali (public Treasury). The public treasury property is for all, as discussed by my brother Abdullah in the above mentioned book.

Al-Wansharishy said in the book **Al-Mi'iyar**, on the explanation whether what somebody purchased from unjust ruler/king, from the Baitul Mali (public Treasury). Is Halal Bn Hammadain said the best option is to allow it as there is no need for a long research on it; even if the leader is not a just leader; because this may open the way that will cause a lot of disorder within the society. By checking people's possessions move crises may arise.

Sheikh Abul-Hassan said: if a committee is setup, to start investigation on that issue, the work of the ruler will be of no use; that the best option on this issue is just to leave it. Although it is permissible to investigate the misdeed of a judge and bad rulers, the better to forget the issue with less problem and concentrate on the bigger issue. The Prophet (saw) said:

"If two problems occur at the same time, the bigger one overrides the smaller one."

The fifth issue: The statement of my brother, Abdullah, in the above mentioned book is that: most of our judges of present period and scholars of fatwa, if asked on the right ownership of a slave or similar question, they will ask the owner, if the possession was before or after the Fulani Jihad? If they answer, it is not before the Jihad, they will permit it without any explanation, but if they answer that that it is after the Jihad then, they will have to carry out a thoroughly investigation. This is a very big mistake because after or before Jihad should not be the yardstick for confirmation of the things possessed, whether it is permissible or not before and after the Jihad is all the same to Judge a thing whether it is permissible or not. This is a good notification and true and even compulsory. This is to be taken into consideration, to draw people to the right direction.

Because of exaggeration by some people concerning this issue, (that is after or before Jihad), the issue is the same regardless of the time-period. We have agreement with some people (Tuaregs) and presently are staying with our enemy that is in Gobir town. The Gobir town belongs to Gobirawa not Tuaregs, so if we conquer the town of Gobir, we are going to seize their property as war-booty including the Tuaregs property, but we have to return the property we seized from Tuaregs, since we have agreement with them. We have to fulfill the agreement. The decision taken by some scholars among us that anything seized before Jihad is permissible will not be correct. Even the war-booty collected from the enemy has same conditions. What we seized must be confirmed that it belongs to a Muslim that property has to be returned to him as pronounced by scholars like Al-Ajhury Bn Rushid and Asbag. But the opinion differ between the pronouncement of the recent scholars as indicated in the book, **Al Mi'yar**, that is to use their seized property since they decided to remain in the land of our enemy. But the first pronouncement is more authentic.

In addition, there is a uniform decision by some scholars that anything seized from them, after the Jihad should be returned to them because their town now becomes a Muslim town. Nobody is allowed to permit the seizing of his or

her property. This is one of the reasons why some scholars make different pronouncement on before and after the Jihad. The mistake done is to generalize the issue whether it is a Muslim town or not at all; what is considered is when was the property seized and the period and time or the man concerned in this is wrong.

The sixth issue: the statement of my brother Abdullahi in the above mentioned book: it is very surprising to suggest that what the unbelievers collected from Muslims as war booty, during fidelity period or if they claimed to be Muslims, to say this is Halal for them, that if the owner (Muslim) sees his property, he is to collect it back only by purchasing or he should forget about it. Another surprising statement assuming what they seize is a free man, but enslaved him. According to that pronouncement we should leave them to enslave that free man which is very wrong.

They said that we shouldn't complain on how to collect the property. That we should give it back to the rightful owner, just we should leave them, to be using Muslim property and their integrity, because this property are collected before the Fulani Jihad and to permit the infidel to have sexual intercourse with free Muslim woman in the name of slave that they possessed. This actually is not permissible and this warning is very important so people should take note.

If they are truly Muslims, why should they make it permissible to use or utilize other Muslims property without Shari'a consent?

Taking their slave illegally, if they belong to Ahalul Aman (fidelity people), why should they also utilize their property illegally? This is not permissible as declared by all scholars. There is a consensus among them.

The correct way of Sharia should be applicable to them as applied to other Muslims, unless if it will cause a serious damage or disorder. then the matter should be left for the time being. if you said this offence affected those who committed it after accepting Islamic religion or accepting Muslim Fidelity, could this offence, affect those who accepted Islam after they possessed their property? Could he set free the slaves he possessed and they are free Muslims since he possessed them before accepting Islam? Will this involve those who were given Islamic fidelity? The above issues have been discussed fully in the book written by Abdullahi where he said: which offence is bigger than the offence of permitting the unlawful sex and taking a free Muslim man as a slave?

The answer to these questions is that there are different opinions among Islamic scholars but the popular pronouncement is that it is not permissible and few scholars said it is allowed. But to say it is not permissible is the most popular among the Imam Malik companions.

Bn Juziyi said in the book, **Qawanin**, that the correct answer to the first request is that: when a Kafir (unbeliever) becomes a Muslim and among his property there is a slave who originally was a free Muslim, that person should be set free automatically.

The author of a book called Al-Jami'u said in reference to the above that, unbeliever, when he becomes a believer, has the right to possess all his property except a free Muslim. If is among his slaves, Shari'a does not grant him the right to possess a free Muslim as a slave. But some scholars said, he has to be compensated. There is also, a very weak opinion that said, "that he (unbeliever) possesses everything including all the slaves if he becomes a Muslim." In the book, **Risalah** the author: "Anybody who converted to Islam and he possessed some property that belong to a Muslim, which he got during war, as war booty, the property belongs to him, according to Sharia".

The commentator on the book **Risalah**, said: "what is well known among the Islamic scholars, is that property of a non-believer, when he becomes a believer belongs to him except a free Muslim taken to be his slave."

The author of the book, **Al-Jamiu**, said in the case of the second request, that is, if the unbelievers come to our town for business and granted fidelity, their property should not be seized, including their slaves even, if the slaves are free Muslim, they captured them during a war, as war booty. They could have sex with their slave women, this is to fulfill the agreement between us. This statement is what is in the book, **Mukhtasar** without mentioning any different opinion.

The commentator on **Mukhtasar** called Kharshy said in this place: "If they (unbelievers) come to us under agreement of fidelity and they come with their slaves and among the slaves are free Muslims, we should not seize them. They should be allowed to take them back to their home-town, either female slaves or male slave. This pronouncement is from Bn Qasim in one of his opinions. But in the other opinion, Bn Qasim said: the free-Muslim taken by unbelievers, should be free, and this is most popular opinion among the companions of Imam Malik and this is the decision to be depended upon.

The explanation from Bn Qasim is that, agreement of fidelity is the right of a non-believer to possess his property. But the truth of the matter is that the free-

Muslim slave should be exempted. Another statement from Bn Qasim is that the free Muslim slave should be seized from the unbeliever, but to be compensated and this is pronounced by the companions of Imam Malik.

Then he said: what the author of the book said is better not to be disclosed. Kharshy said: In this place, we disagree to what the author said here, that is: a man from Madina called Dawalad when Imam Malik heard about him that his free Muslim slaves are seized from him, he said: were you not aware when the Prophet (saw) reached agreement between him and the Meccans, that he will return to them anybody who came from Mecca to Madina. You could remember the case of Abu Jandal bn Suhailu when he came to the Prophet (saw) as a Muslim but returned him back to Mecca and the Prophet (saw) said, we are not going to disrespect the agreement.

But Kharshy, answered this by saying, this is at the earlier period of Islam before Islam became very large and strong in terms of population. Lakhamy, said this should not be permissible when Islam became very strong because to turn the Muslim to the country of unbelievers is a disgrace to Islam and the Muslim nation.

Abdul Baqiy said regarding this case that the Muslim will not seize the property of unbelievers including their slave (even free Muslims) once there is fidelity agreement between them, whether the slaves are male or female and they may take them to their hometown. This is one of the statements of Bn Qasim. But in another statement he said the free Muslim slave should be seized but with a compensation; and this last statement is the most popular among the companions of Imam Malik.

CHAPTER SEVEN

Jihad in Hausa and Borno Lands

This chapter discussed reasons why we fought Hausa rulers and their followers; why we fought Borno people and their followers and the reason why we insist that they are on the wrong path; and why we seize their rulers. We called them to the right path before declaring our Jihad against them. And why we take some to be our slaves?

The main reason for battle with Hausa rulers and their followers is that the ruler of Gobir town called Yunfa was the first ruler who started to fight us. He sent his military men to fight us, so we too sent our military to defend, luckily enough, Allah gave us victory over the military of Yunfa. They returned again back to their town disgraced, without victory. Because of our victory over Yunfa's military, all the Hausa rulers were not happy with it. This led to disorder in Hausa land because many Hausa rulers started to fight Muslims found in their area or locality.

This was the reason why the Jihad was officially declared. Allah granted assistance to us, we removed all and replaced the rulers of infidels by Muslim rulers, as Allah's promises to assist His religion.

After we conquered the ruler of Gobir, Yunfa, we sent letter to all Hausa rulers, to assist the religion of Allah but they turned down the request. They showed arrogance and refused totally to cooperate with us Allah removed them from power and the back bone of the tyrant people was cut off. All praise belongs to Allah, the Owner of the universe.

﴿فَقُطِعَ دَائِرُ الْقَوْمِ الَّذِينَ ظَلَمُوا وَالْحَمْدُ لِلَّهِ رَبِّ الْعَالَمِينَ﴾ الانعام: ٤٥

“So the root of those who did wrong was cut off and all the praises and thanks are to Allah, the Lord of (Mankind, Jinn, and all that exist).” Q(6:25)

The reason of fighting Borno people or the ruler of Borno and his followers is that we did not fight them because they are infidel people, even though what they were doing was just like those who do not believe. In a place called Gabaruwa, in Bakko, because we do not know its actual meaning in Islam, we declared war (Jihad) against them because they were the first people to start fighting us and assisted the infidel people to declare war against us. You

are assisting infidel people to fight Muslims may cause disbelief if they are truly Muslims.

The reason why we considered their path as a wrong path similar to the path of non believers is because some didn't accept Islam totally. The consensus among scholars is that, the person who didn't accept Islam hundred percent is a non believer. But with regards to some who embraced Islam, we still equated them to non believers. It is similar to what Al-Magily said to Sunni Ali and his followers in his books called **Ajwaba** and **Misbahu**. He said the reason why we considered them to be unbelievers is that they still take some places like trees, stones and so on to slaughter some special animals or put alms in the name of sacrifice to that tree or stone and always consulted magicians in any action they did. These activities are totally disbelief that is the reason my brother Abdullahi; in his book, **Diya'ul Sultan**, after quoting the statement of **Al-Magily** regards Sunni Ali's case and his followers as unbelievers. He said if you observe very carefully on what **Al-Magily** said with regards to Sunni Ali and his followers, it is similar or exactly what we found Hausa rulers and their followers doing. And also it is similar to the people that are in the western part and Eastern part of Hausa land, so the same treatment is applicable to them.

I (Othman) said, another reason we considered them unbelievers is that they punished everyone who embraced Islam, and seized their property. It was one of the reasons some people were afraid to embrace Islam. Moreover, Islamic scholars consider an unbeliever on who discourages new converts to Islam and seizing their property.

Because the scholars said: Assuming somebody will come to you and demand to embrace Islam, then you tell him to wait let me finish this job/work you are encouraging a non-believer to remain as unbeliever. All these actions are considered disbelief. All these were mentioned in a book written by **Al-Magily** called, **Misbahu**.

There is another reason we consider those believers to be unbelievers. Giving assistance and supporting the infidel people to fight the Muslims is unbelief. Following and supporting unbelievers is in three different types; the first one is allowed that is, to accept them by visiting and accepting their gifts, for the reason to be protected from their mischief. This type of following is similar to one described in Allah's statement:

﴿إِلَّا أَنْ تَكْفُرُوا مِنْهُمْ نَسَةً﴾ آل عمران: ٢٨

“Unless you follow because of fear of being cheated.” Qur'an 3:28

A commentator of the Qur'an called **Baidawy** said, this verse is indicating that to follow the desire of unbelievers is not allowed every time unless you are in the state of fear. Muwalat (following) under this condition is acceptable in Sharia. Suyooty said in a book called **Takmila** on the commentary on the above verse that if you are afraid of being cheated, you should follow them by the tongue and not by inner mind.

The second type of following that is the sinful is visiting the infidel and showing full acceptance just to get what is in his possession, like money. This type of following is described in the Qur'an:

﴿يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَتَّبِعُوا قَوْمًا عَصَبَ اللَّهِ عَلَيْهِمُ ۖ الْمَمْتَحَنَةُ: ١٣﴾

"O! You who believe, do not follow those people who Allah is angry with"
Qur'an 60:13

Baidawy explained that, people who follow the desire of Jews just to receive the gift of fruit from them. Or because of money, is not disbelief but is a sin.

The third type: the following of their desire, which will cause disbelief, is to assist them against Muslims and supporting them on any act that is against Islamic Sharia. On this type of following, Qur'an says:

﴿لَا يَتَّخِذِ الْمُؤْمِنُونَ الْكَافِرِينَ أَوْلِيَاءَ مِنْ دُونِ الْمُؤْمِنِينَ ۚ وَمَنْ يَفْعَلْ ذَلِكَ فَلَيْسَ مِنَ اللَّهِ فِي شَيْءٍ ۚ﴾ آل عمران: ٢٨

"Believers should not follow the desire of unbelievers and forget the desire of believers, anybody who does something like this, he becomes worthless to Allah." ***Qur'an 3:28***

That is, he is worthless to Allah's religion, as described in a book, **Takmila** by Suyooty.

Based on this, the Exalted said:

﴿يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَتَّبِعُوا الْكَافِرِينَ أَوْلِيَاءَ مِنْ دُونِ الْمُؤْمِنِينَ ۚ أَتُرِيدُونَ أَنْ تَجْعَلُوا لِلَّهِ عَلَيْكُمْ سُلْطَانًا مُبِينًا ۚ﴾ النساء: ١٤٤

"O! You who believe, you should not follow the desire of unbelievers and forget the desire of believers, or do you want to set a reason for dealing with you by Allah." ***Qur'an 4:44***

In the book, **Madarik**, they have the same punishment. Also, explained by this verse:

﴿إِلَّا تَفْعَلُوهُ﴾ الأنفال: ٧٣

“If you do it”. Qur'an 7:73

Means follow them and cut off from believers.

﴿تَكُنْ فِتْنَةً فِي الْأَرْضِ وَفَسَادٌ كَبِيرٌ﴾ الأنفال: ٧٣

“It will cause serious disorder in the town and big destruction.” Qur'an 8:73

That is, the unbelievers will become powerful and Islam and Muslims become weak: as in the book **Takmila**. In another book of commentary titled **Khazin**, he explained that “If you do it”, the believers follow the unbelievers and forget the believers

﴿تَكُنْ فِتْنَةً فِي الْأَرْضِ وَفَسَادٌ كَبِيرٌ﴾ الأنفال: ٧٣

**“This will cause serious disorder in the town and big destruction.”
Qur'an 8:73**

The disorder here is that the unbeliever will possess power and; “the big destruction” here means “weakness of Islam and Muslims.”

Al-Magily, further, said in the book, **Misbahu** that there is a reason to show somebody lost his belief as described in the Qur'an, for Anybody who follows the desire of unbelievers, the Exalted said:

﴿كَرِهَى كَثِيرًا مِنْهُمْ يَتَوَلَّوْنَ الَّذِينَ كَفَرُوا لَيْسَ مَا قَدَّمَتْ لَهُمْ أَنْفُسُهُمْ أَنْ سَخِطَ اللَّهُ عَلَيْهِمْ وَفِي الْعَذَابِ هُمْ خَالِدُونَ ﴿٨٠﴾ وَلَوْ كَانُوا يُؤْمِنُونَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ وَمَا أَزَلَّ إِلَهُ مَا أَخَذُوهُمْ أَوْلِيَاءَ وَلَكِنْ كَثِيرًا مِنْهُمْ فَسَقُونَ﴾ المائدة: ٨٠ - ٨١

“You will see most of them, following the desire of unbelievers, this is a very bad deed upon themselves, Allah is angry with them, and they will be in Hell fire permanently.” Qur'an 5:80-81

If they truly believe in Allah, the Prophet and on what was sent to him (Prophet), they will not follow the unbelievers, but most of them are dissolute. This shows that one retains his belief if he does not follow the desire of unbelievers.

With this evidence from Allah, it is correct to say, that anybody who follows the desire of unbelievers anywhere and anytime, he is like them. Following them, means assisting them. Because the follower means he who assists. Anybody giving protection or assistance to Yahudu or Nasara on any matter which is against Islamic religion, as what is happening in desert Sahara, will be considered as an unbeliever, his complain of saying I am doing it just for ordinary benefit (worldly benefit) will not be acceptable. Example: if somebody to prostrate to an idol, because he will receive one hundred thousand Dirham, the Shari'a demands his repentance or to be killed. However, if he dies before repentance, he is an unbeliever. The Muslim bath or prayer should not be done for him and he will not be taken to the Muslim graveyard, even if throughout his life he had been mentioning Kalimatus Shahada, praying fasting, Hajj and other Islamic activities. Because any action has to be upon belief (Iman). One attitude of disbelief destroys one thousand deeds of Iman (belief).

Example: the hypocrite person does all the action of Islam but he is considered unbeliever in the actual sense. So, the following of Jews and Christians, is being like them as described by the Exalted,

﴿وَمَنْ يَتَوَلَّكُمْ فَاِنَّكُمْ مِنْهُمْ﴾ المائدة: ٥١

“Anybody who follows them, he is among them.” Qur'an 5:51

In the case of hypocrite people, the Exalted says:

﴿بَشِّرِ الْمُنَافِقِينَ بِأَنَّ لَهُمْ عَذَابًا أَلِيمًا ﴿١٣٨﴾ الَّذِينَ يَتَّخِذُونَ الْكَافِرِينَ أَوْلِيَاءَ مِن دُونِ الْمُؤْمِنِينَ أَمِئْتُؤُتْ عِنْدَهُمُ الْعِزَّةُ فَإِنَّ

الْعِزَّةَ لِلَّهِ جَمِيعًا﴾ النساء: ١٣٨ - ١٣٩

“Give tidings to those hypocrites that for them are a great punishment. Those who follow unbelievers are not believers, are they seeking power from them? (Tell them) all power belongs to Allah.” Qur'an 4:138:139

The Islamic scholars confirmed the disbelief of a believer by doing one attitude of unbelievers. These attitudes are many; but he said in the conclusion that, there is consensus among the scholars, that some attitudes cause disbelief while some are not but are acts of sin.

If you said my brother Abdullahi said in his book, **Diya'ul Sultan**, where he quoted from a book, **Siraj**, you will clearly understand that assistance given to infidels by some scholars, or medical doctors has to be classified. Some assistance to them in mixing good with bad action. This causes disbelief. Bad

is Kufr (disbelief) and good is Islam. Some scholars, give assistance by joining their military against Muslim military.

But according to Al-Magily what causes disbelief is to assist them on the action which is unbelief (Kufr) as the hypocrite people do. This is the reason as explained by the commentators of the Qur'an that to assist the infidel to continue his action causes disbelief, but assistance on sinful deed does not cause disbelief unless he makes it permissible. Sending the military to fight Muslims by unbelievers is not (Kufr) or disbelief but it is a very big sin. It should be clear that to assist them will not cause somebody disbelief unless if he makes it permissible.

AbduKarim Al-Magily mentioned the word "assistance" without reference to something, but we can say he means to assist them on an action, which is disbelief, not assist in sinful action. This is the same stand of Ahlul-Sunna scholars. He did not say the sending of military by infidel people to Muslim nation causes disbelief. If he removes the word, sending military by disbelievers to fight Muslim army might have been better because we know that fighting Muslims does not cause disbelief. All knowledge belongs to Allah.

The answer to my brother's (Abdullah) statement here shows leniency and good understanding because he says, "to assist the infidel military against Muslim military is disbelief" is not clear to me.

﴿وَلَا تَقُولُوا لِمَنْ أَلْفَقَ إِلَيْكُمْ أَسْلَمَ لَسْتَ مُؤْمِنًا﴾ النساء: ٩٤

"Do not say that which you have no knowledge." Qur'an 4:94

Our understanding is that he wants to measure the statement of **Al-Magily** on a scale, which is relevant to Ahlul Sunna scale in order, not to call a person who committed sin, a disbeliever where he says: "AbdulKarim **Al-Magily** mentioned the word assistance without making any reference to the type of assistance. It may be to assist them on the action, which causes disbelief, according to Sharia; not the action, that causes sin only. So, his statement tallies with Ahlul Sunna statement, by saying that fighting between Muslims causes disbelief". This good understanding of my brother shows that the battle between two armies of Muslim groups among themselves does not cause disbelief. This would not be correct as specifically mentioned by **Al-Magily**, where he says: Anybody who assists Jews or Christians, to violate Islamic Sharia, as what happens to desert people by Jews, we are to call them unbelievers, based on what we see clearly from them. No complaint to be

accepted, to claim worldly benefit, as if somebody prostrates to idol because of one hundred thousand Dirham. We understand from his statement that giving assistance or following the desire of unbelievers against Muslims or to violate the Islamic Sharia, causes disbelief. The reason is from the saying of the Exalted:

﴿ تَرَى كَثِيرًا مِنْهُمْ يَتَوَلَّوْنَ الَّذِينَ كَفَرُوا ﴾ المائدة: ٨٠

“You will see most of them following unbelievers.” Qur’an 5:80

And another saying of the Exalted:

﴿ وَلَوْ كَانُوا يُؤْمِنُونَ بِاللهِ وَالنَّبِيِّ وَمَا أُنْزِلَ إِلَيْهِ مَا اتَّخَذُوهُمْ أَوْلِيَاءَ ﴾ المائدة: ٨١

“If they truly believe in Allah, Prophet (saw) and on what was revealed to him, they could have not followed the unbelievers.” Qur’an 5:81

Al-Magily said: the reason is that anybody who retains his faith will not follow unbelievers, he will retain his Kalimatus Shahad.

Anybody who follows them, anywhere, anytime, he is to be joined with them because the follower is a partner.

In addition, anybody who followed them permanently and cuts off from believers shows that he really agrees with their religion and has the desire for their ruling to continue and their names to be elevated. No doubt this action causes disbelief even if he claims to be among the Ahlul Sunna, he is not among them really. This is the most accepted opinion. This is the reason mentioned in a book titled: **Mukhtasar Ridda**, whence it is explained that a Muslim becomes unbeliever clearly either by statement or by action that shows that. Ajhury wrote in the book, **Zahratu**, that disbelief is to reject what is fully known, that is what is brought by Prophet (saw) or action, which will show that rejection.

Abdul Baqy wrote that: concerning the statement of the author of **Mukhtasar**: there is need for explanation on disbelief. People of good character cannot certify that a person is an unbeliever unless they explain fully the causes of disbelief. There are different opinions of Ahlul-Sunna scholars on what causes disbelief. It may be true to some scholars while it may not be like that to some scholars.

For example: when Umar (ra) called Bn Balta'a an unbeliever by merely sending letter to Meccans and said as quoted in Durar: O! Prophet (saw).

Permit me to cut off his head because he is among the hypocrite people”. The Prophet (saw) said:

: (وما يدريك لعل الله أطلع على أهل بدر فقال اعملوا ما شئتم قد غفرت لكم)

“Who informed you? Don't you know, may be Allah had said to the people who attended the battle of Badr do whatever you want, Allah has forgiven you.”

Then, this verse was revealed:

﴿عَسَىٰ اللَّهُ أَن يَجْعَلَ بَيْنَكَ وَبَيْنَ الَّذِينَ عَادَيْتُم مِّنْهُمْ مَّوَدَّةً﴾ الممتحنة: ٧

“Perhaps Allah will make friendships between you and those whom you hold as enemies (60:7).” Qur'an 60:1

I said, this Hadith was narrated by Bukhari in his authentic book. Ajhury said in a book, **Sharhi** that when referring to the Prophets (saw) statement, shows the importance of not killing him. This involves a person who sent an ordinary letter to infidel people, what will you say, about those who help them to fight Muslims and disallow the Muslims to perform their religious duty. Anybody who assists unbelievers, he is not among the people who assist the religion of Allah, but he is among the people who fight the religion of Allah. The Exalted says:

﴿وَكَانَ الْكَافِرُ عَلَىٰ رَيْبٍ مِّنْ ظَهْرِهِ﴾ الفرقان: ٥٥

“The unbeliever is a rebellious person against Allah.” Qur'an 25:55

Unless he does not know they are unbelievers, because he heard them saying the Kalimatus Shahada, he did not hear anything opposite to Islamic activities.

Explanation On the Three Types of Following Muwalat

We are going to divide them into five sub divisions, to get more clarifications.

If you said to follow the desire of an unbeliever causes disbelief as indicated by **Al-Mugily** when he quoted the statement of Abu Yahaya in a book, **Fatahul Rahman**, from the Exalted saying:

﴿وَمَن يَتَّبِعْهُمْ مِّنكُمْ فَإِنَّهُ مِنْهُمْ﴾ المائدة: ٥١

“Anybody who follow them among you, he is joined of them.” Qur'an 5:51

From above you may say that anybody who loves the Ahlul Kitab becomes an unbeliever, is not correct. Then he explained that this verse gives serious warning on following unbelievers; or any action, which is against Islam, or the verse was revealed upon the hypocrite people who are unbelievers. We understand here, to follow unbelievers does not cause disbelief.

The difference between his statement and the **Al-Magily** statement on following the unbelievers, or mere love, having kinship or because of his gift to you and, so on, what Abu Yahaya means is that this type of connection does not cause anything harmful.

In the book of **Ashriniya**, it is said that, to follow the desire of the enemy, you are an enemy too. To follow the unbeliever in this form is a sin but, once combined with bad expectations but if not, then it is not sin. Because to love naturally does not come within the capacity of men. Al-Magily explained the assistance as part of following the desire of the unbeliever. The exalted says:

﴿اللَّهُ وَلِيُّ الَّذِينَ آمَنُوا﴾ البقرة: ٢٥٧

“Allah is the Protector to those who believe.” Qur’an 2:257

The Exalted says:

﴿فَاللَّهُ هُوَ الْوَلِيُّ﴾ الشورى: ٩

“Allah is the Protector.” Qur’an 42:9

If we take the meaning of Muwalat as protector, then it may cause someone to be a non-believer. Allah is the protector and accepts someone as Muwalat is not merely sin. Anybody who strengthens the non-believer, this is unbelief, May Allah protect us from this.

All our statements here are based on knowledge, not hearsay as regards to the following of unbelievers; it is divided into five classes.

1. Following based on natural love like kinship, to love the person who does good deeds to you, to love a beautiful woman among them, this type of following has no problem. It is permissible because it is not within a man’s capacity, that is how Baidawy translated it, from the Exalted statement:

﴿أَحَبُّ إِلَيْكُمْ مِنْ اللَّهِ وَرَسُولِهِ وَجِهَادٍ فِي﴾ التوبة: ٢٤

“Is lovelier to you than Allah, His Prophet (saw) and the Jihad on His cause.” Qur’an 9:24

Again in His saying:

﴿وَلَقَدْ هَمَّتْ يَدُوهُمْ بِهَا﴾ يوسف: ٢٤

“She intended to him, he too intended to her.” Qur’an 12:24

It means desire and struggle to overcome it not intentionally, this is part of which is outside human capacity. This is the way to translate the statement of Abu Yahaya from his book, **Fatahul Rahman** when the Exalted says:

﴿وَمَنْ يَتَوَلَّهُمْ مِنْكُمْ فَإِنَّهُ مِنْهُمْ﴾ المائدة: ٥١

“Anybody followed them among you, he is to be joined with them.” Qur’an 5:51

Because to love Jews or Christians will not cause anybody to be a non believer, since it is part of human nature.

2. Following them, in tongue and idea, not by inner mind in order to protect yourself from their wickedness. It is allowed. In a book, **Takmilat**, written by Suyooty, the Exalted says:

﴿إِلَّا أَنْ تَكْتَفُوا مِنْهُمْ قُتْلًا﴾ آل عمران: ٢٨

“Unless you are afraid.” Qur’an 3:28

If you are afraid of being cheated or tyranny, you should accept it by tongue not by inner mind, said Baidawy on this verse. To show following is allowed.

3. To follow them in sense of love by showing desire, because you want to receive benefit from them, this type of following is not permissible. That is why this verse was revealed:

﴿يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَتَّبِعُوا فَوَاقِمْ غَضَبَ اللَّهِ عَلَيْهِمْ﴾ الممتحنة: ١٣

“O you who believe, do not follow the desire of the people who Allah is angry with.” Qur’an 60:13

That is Jews, because some poor Muslims followed them at Madina, during the life time of the Prophet (saw) in order to receive a fruit from them.

It is also not permissible to upgrade them or call them with titles of Islam, which will show they are important. In addition, it is not allowed to allow them to use money in the form of tyranny, as pronounced by Ajhury. It was also mentioned in a book, **Lawaqy's**.

To support them in the sense of giving them assistance on something relevant to Islamic principle, like a Muslim to assist unbelievers who are under fidelity, to remove tyranny against them or to assist in carrying out justice upon them, as described by Shari'a or to assist them in giving them good advice, this type of support/encouragement is even compulsory in the first and second cases after the Christian for all Muslims life. It is permissible in the third case.

Hassan said in a lecture that, it was narrated that Abdu bn Sa'u, came to visit, Ismail bn Hammadu. The visitor was a Christian and Ismail stood up and welcomed him warmly. The people present there were not happy with his action. He said I realized that you were unhappy with my attitude. They said, yes. He said, but remember the saying of the Exalted:

﴿لَا يَنْهَىٰكُمْ اللَّهُ عَنِ الَّذِينَ لَمْ يُقَاتِلُوكُمْ فِي الدِّينِ وَلَمْ يُخْرِجُوكُم مِّن دِيَارِكُمْ أَن تَبَرُّوهُمْ وَتُقْسِطُوا إِلَيْهِمْ ۗ﴾ الممتحنة: ٨

"Allah does not forbid you to have good relationship between you and those who have not involved themselves in fighting you and do not remove them from your houses, you should do justice to them." Qur'an 60:8

Then he said, this man is handling the affairs of the Muslim in a good manner. He is the ambassador between us and them; and this is part of good deeds, so they kept silent. Then, Hassan Yossy said; All this, is part of good relationship which may lead to the removal of tyranny.

I, (usman) said: Ajhury said, a statement similar to what is in the book, **Zahratu**, that an infidel should not be called with Islamic title or to stand up because of them or provide place for them to sit or to begin to greet them, good morning, good evening, how are you and so on.

Abdul Azeez said in a book, **Durar** that it is permissible for Muslims to join hands with Christians to remove tyrant or to draw benefit to the people. All these should be for the sake of Allah alone. The Exalted says:

﴿لَا يَنْهَىٰكُمْ اللَّهُ عَنِ الَّذِينَ لَمْ يُقَاتِلُوكُمْ فِي الدِّينِ وَلَمْ يُخْرِجُوكُم مِّن دِيَارِكُمْ أَن تَبَرُّوهُمْ وَتُقْسِطُوا إِلَيْهِمْ ۗ﴾ الممتحنة: ٨

"Allah does forbid you to deal justly and kindly with those who fought not against on account of religion....." Qur'an 60:8

To the end of the verse.....

It is allowed to have good understanding between yourself and the people of the Scripture and with the infidel people. However, it is not permissible to do that with an enemy. He said again in the above-mentioned book that it is

allowed for a Muslim to have some connection with Christians, for any meaningful development or friendship, or neighborhood and so on, but if he shows any character of an infidel, you should hate that habit.

It was mentioned in the above book that it is allowed to welcome him, to pay a condolence visit and talk softly with him, with hope he may become a Muslim. It was mentioned in the above book also, to have good connection with them is allowed; even the infidel people to have business connection, just to ease their mind, so that they may believe.

5. Following in the sense of giving assistance, but you should know that any assistance that will be opposite to Shari'a rule or to weaken Islam and destroy it, to make infidel powerful to assist them, in declaring war against Muslims and Islam, these types of assistance are not permissible. That is the reason Al-Magily said this type of following/assistance can cause disbelief. Where he said that you should keep closely to your Kalimat-Shahada and hate any assistance in following the infidel people anytime, anywhere and anyplace. Following means assistance, because the word follower means to assist. Then, he specifically refers the assistance or following the Jews, Christians in a way, which may cause damage to any act of Sharia principle. Any person doing it will be considered as unbeliever.

On the above statement, (to give assistance on something) that could cause damage to Sharia, but if it will not cause any form of damage, it is allowed, as mentioned in number one. To follow them or love them based on natural habit, like beauty, among others. In number two: the following there refers to show love or good relationship with tongue not by inner mind, but in number three, it is following in order to receive worldly benefit from them, in number four it is to follow them in something that is not against Sharia principles.

So, the statement of Al-Magily my brother is referring to is number five only to follow or assist on anything which will cause damage to religion or to people of religion and give power to unbelievers. This is exactly what my brother, Abdullah, refers to in his book, **Diya'u us-Sultan** where he said Abdul Karim said the word assistance without referring, so we can refer it to assist in the activity, which may cause disbelief, like polytheism, or denial of Prophethood which is similar to the character of hypocrite people which this number five refers.

Bn Marzuq said in a book, **Sharhil Mukhtasar**, that one of the things that causes disbelief is wear a girdle (Christian belt that they wear during Church service). That is to wear a **zinnar** alone could cause disbelief. The word

zinnar is girdle, but in the book of **Ashafa**, to wear a girdle and walk into the church, this description is clearer because what he did is the action of only Christians but to wear girdle may not cause disbelief but to walk into the Church with girdle, that is clearly the work of a non-Muslim.

Al-Magily discussed extensively on this issue, so he quoted the verse from the Qur'an:

﴿ تَكْرَى كَثِيرًا مِنْهُمْ يَتَوَلَّوْنَ الَّذِينَ كَفَرُوا لَيْسَ مَا قَدَّمَتْ لَهُمْ أَنْفُسُهُمْ أَنْ سَخِطَ اللَّهُ عَلَيْهِمْ وَفِي الْعَذَابِ هُمْ خَالِدُونَ ﴿٨٠﴾ وَلَوْ كَانُوا يُؤْمِنُونَ بِاللَّهِ وَالْيَوْمِ وَالْآخِرِ مَا أَنْزَلْنَا إِلَيْهِ مَا اتَّخَذُوهُمْ أَوْلِيَاءَ ﴾ المائدة: ٨٠ - ٨١

“You will see most of them following the unbelievers, this action is very bad. Allah is angry with them and they will remain in Hell fire permanently. If they truly believe in Allah, His Prophet (saw) and on what was revealed to him, they could have not followed them.” Qur’an 5:80-81

His reason is based on these two verses that were revealed upon hypocrites. It is acceptable since any Mujtahid, use to get his reason from Allah's statement or Prophet's (saw) statement because the reason of revelation is not restricted to it alone, it may be upon other things as it is well known in Fiqh.

If you ask what is the correct name to call the person who is within number five of this classification? (Answer): his name is unbeliever based on the Sharia and hypocrite, based on worship. That is why Al-Magily said in a book, **Misbahu**, that to follow Jews or Christians in all their religious deeds as described by the Exalted.

﴿ وَمَنْ يَتَوَلَّهُمْ فَوَإِنَّهُمْ مِنْهُمْ ﴾ المائدة: ٥١

“Anybody who follows them will be joined with them.” Qur’an 5:51

They are hypocrite in their action, the Exalted says:

﴿ بَشِّرِ الْمُنَافِقِينَ بِأَنَّ لَهُمْ عَذَابًا أَلِيمًا ﴿١٣٨﴾ الَّذِينَ يَتَّخِذُونَ الْكَافِرِينَ أَوْلِيَاءَ مِنْ دُونِ الْمُؤْمِنِينَ ﴾ النساء: ١٣٨ - ١٣٩

“Give tidings to hypocrite people that they will have severe punishment. Those who follow unbelievers and cut off from believers.” Qur’an 4:138-139

But the reason of our Jihad with the Hausa and the Borno people was to seize their kingship.

Please note that this Jihad became necessity because these people, (Hausas and Borno people) mixed Islam with work of the infidel people. So they became like infidel people as described by Al-Magily, when he was asked about the condition of Souhay people. He authorized the ruler (Askia) the Great to declare Jihad on them and seize power, which is considered the best way.

This is the reason my brother Abdullah, said in his book **Diya'ul Sultan**, after making reference to Al-Magily's directives, he said, if you analyze the activity of Sunni Ali and his followers, you will clearly understand that Hausa leaders were like Sunni Ali and his followers. And the Hausa neighbours from the western part and the Eastern part are the same so, to declare war (Jihad) against them is more suitable.

As for calling people to Islam before declaring Jihad against them, there are different opinions among Islamic scholars, in a book **Mukhtasar**, call to Islam then you give due. Abdul Baqy said on this statement. That calling is of two types, will calling will reach them or not. Bn Juzzy, said in a book **Qawaniny** that calling to Islam before declaring Jihad is to those who did not receive any information about Islamic religion. As for those who received information about Islam, there no need of calling them. Qastalany said in a book, **Irshad**, narration from Bn Abbas (ra), from the Prophet (saw), the Holy Prophet (saw) sent letters through Abdullah bn Sahamy to Qisra calling them. This letter is indicating the calling to Islam because a letter represents the tongue, but in Shafi'iyya Mazahaba, it is a compulsory to call before Jihad, if you know that the calling didn't reach them; but if it reaches them, it is now recommended.

In case of the, Hausas and Borno people, they are among the people that the calling of Islam has reached. The reason for jihad and asking them is that these people were in two categories: Infidel from origin and those who mixed Islam with polytheism. They are also unbelievers according to Sharia.

Al-Magily said in the book, **Ajwaba** that the infidel people, their children should be enslaved and their women and their property taken as war booty there is no disagreement about this among Islamic scholars. But on those believers who became unbelievers, there are different opinions among the scholars. Because of this different opinions, my brother Abdullah, said in a book **Diya'u Sultan** that to enslave their children is not acceptable from the opinion of some scholars.

In a book, **Mukhtasar**, it was written that if people of a town become unbelievers and declare a war against Islam, they will be considered like

Enlightening Brothers

unbelievers. Shabarkhyti said: the adult among them will be required to repent but children to be returned to Islam by force; their money to be seized, but not to enslave their family. This tallies with Umar (ra) and other scholars. Asbagu said: to enslave their family just like infidel. Is similar to what Abubakar (ra) did to Ahlul Ridda adults who were killed, women and children were enslaved and their property taken as war booty. This is what Abubakar (ra) did .

CONCLUSION

The objective of this book is to encourage people to stick to their Islamic scholar of their time. And to stick upon four things, that will enlighten their soul.

I said, all guidance belongs to Allah. O! my brethren, you should stick to the books written by scholars of your time because they explain the matters of your time which are relevant to your period. Anybody who sticks to what the scholar of his time writes, he will get all what he requires inhandling his religious affairs correctly.

Muhammad bn Salihu showed this clearly in a book **Nafi'atul Dalibi**. In any period, there are scholars who write on religion that is relevant to their period. Al-Aujaly made the same reference in the book, **Dala'il**. No advicebook possesses all what we need. Therefore, I advise you to stick to the books of my brother, Abdullahi, because he wrote a lot on Sharia, and you should read the books of my son, Muhammad Bello because he discussed extensively on administration, politics and how to rule with justice, which are relevant to us, and our period and our country.

Also, you should read my books because have discussed both politics and religion. All our books (Abdullahi, Muhammad Bello and Usman) are from the Qur'an and the Hadith.

Abdulwaha said in a book, **Al-Yawaqit** that I heard Aliyu Khawassy saying that statement of ours is sourced from the Qur'an or the Hadith that is why the Exalted said to the Prophet (saw) ;

﴿لَتُبَيِّنَ لِلنَّاسِ مَا نُزِّلَ إِلَيْهِمْ﴾ النحل: ٤٤

“You should explain to the people what we sent down to them.”
Qur'an 16:44

To recite the Qur'an alone will not be sufficient explanation and all the explanations of Qur'an come directly from the Prophet (saw) or from strivers, Mujtahidun. It is similar to our period now. All the explanations of the Qur'an will come from them, because they know better. They are the people to explain what is needed in our present period. If not because of this explanation, many books could have not got commentary, and could have not been translated from one language to another language.

The Qur'an's commentary could have not existed together with side notes. Sometimes they put side notes to a side note.

The secret behind this is that any scholar's statement or book will not cover all what is required, or to answer all questions. It is only the Prophet (saw) correct, through revelations and he was protected from committing any error in his statement:

﴿وَمَا كَانَ رَبُّكَ نَسِيًّا﴾ مريم: ٦٤

Allah does not forget. Qur'an 19:64

Apart from the Prophet (saw), any scholar could make a mistake

﴿وَلَوْ كَانَ مِنْ عِنْدِ غَيْرِ اللَّهِ لَوَجَدُوا فِيهِ اخْتِلَافًا كَثِيرًا﴾ النساء: ٨٢

"If this Qur'an came from somebody, other than Allah, you could have seen a lot of differences." Qur'an 4:82

You should know that scholars of any period are a mercy from Allah sent to the people of their time, as you know the initiator of good things will receive a portion of reward from the people who follow him. This shows that all the followers of the Prophet (saw) sent some portion of their rewards to the Holy Prophet (saw) because he is the first director, directing people to good deeds and to the Day of Judgment.

Nevertheless, this is not applicable to all strivers (Mujtahidun) if not because of their explanation the Qur'an and Hadith could have remained as they were during the Prophet (saw).

We would not have known how to perform ablution or what destroys it. We would have not known on how to pray, fasting, alms, Hajj or what violate them. We would have no knowledge on our business and so on, if not because of the explanations we receive from scholars of our period.

Also, if not because of strivers in Islam, all these would remain dormant. This system continues to the last hour. The scholars of that time will explain to the people the statement of those that came before them. Anybody says strivers in Islam know everything, let him bring his reasons because all explanations of the scholars are within the Qur'an and the Hadith, also the Kashaf for lovers of Allah (Auliya), is within the Qur'an and the Hadith. Anything brought by any waliyi, we have to compare it with the Qur'an and the Hadith if it tallies with them, then you can take it.

Enlightening Brothers

The four things that enlighten your mind are these. So, my brethren, anybody who wants to get his soul enlightened by Allah, he should:-

1. Stick to fearing Allah, that is, enjoin good and forbid evil deeds.
2. Stick to reading the Qur'an always.
3. Reading Hadith of the Prophet (saw) and his ways of life.
4. Reading the History of Sahaba and Salaf.

Anybody who sticks to these four things, Allah will enlighten his soul/mind. This is a true matter even without giving any reason, as no any reason to give if the sun rises.

O! Allah, retain us on these four things and give us death with belief. This is the end of the book **Najamul Ikhwan, Enlighting Brethren With Allah's Assistance**, on Monday midday, in the month of Zul-Qa'ada on the year of Shukur from the Prophet's Hijrah (saw). I made a promise when writing this book, that any statement I say, I will make a reference to a book or a scholar because this gives us more tranquility in mind and I put my best in doing that. I finished with assistance from Allah. All praise be to Allah Who guided us to this which we could not have done without His guidance.

The best peace and mercy of Allah be upon our leader Muhammad (saw) including his household and his companions.

May Allah accept and forgive our leader of succession, our scholars who follow their footsteps and the four leaders of our Mazahab and their followers, to the last hour. O! Allah, have mercy upon the people of Muhammad (saw). May Allah have peace and mercy upon the honourable Prophet (saw). Ameen

إرشاد الإخوان

إلى أحكام خروج النسوان

**GUIDING THE BROTHERS
ON THE
RULES OF WOMEN GOING OUT**

**By
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In the name of Allah the Beneficent, the Merciful

May peace and blessings of Allah be upon our Master Muhammad (saw), his family and companions.

Alhamdu lillah. All Praise be to Allah, the Lord of the universe and may peace and blessing be upon the Master of the Messengers, his family, all companions, and may Allah be pleased with the respected followers of their footsteps, the practicing scholars, the four Imams of 'Ijtihad' and their imitators till the day of reckoning.

The title of this book is: **Guiding the Brothers on the Rules of Women Going Out**, and I say depending on Allah for success:

My brothers! Know that what made me write this book is that I saw people having different opinions with regard to women going out in our land of Sudan (Black nation). There are two groups: One group of them went to the extreme in loosening the rules considering it permissible for women to go out for their needs generally like men, with or without a valid excuse legally.

This is completely wrong and the proponents of this view are the majority in Sudan (Black nation).

The other group went also to the opposite extreme, saying that it is not permissible for women to go out for any of their needs generally, with or without any legal excuse. This is also completely wrong and the advocates of this view are the minority. They are known as a few people. They introduced these ideas into our present nations and in recent time.

By writing this book, I wanted to advise all (of them) and establish a balance between the two extremes and give details of the rules of women going out based on the statements of the scholars of Sunnah. This is for the truth to manifest itself and being practical in calling all those who went to the extremes to return to the middle way. This would allow women to go out and take care of their needs with a legal necessity or excuse which can be justified. This include, going out to earn a living, seeking for sustenance and the likes. Then the religious reasons like going out to seek for knowledge, for acts of worship like Salat, Fast...e.t.c.) which their husbands cannot teach them, because no one has the responsibility to acquire knowledge on behalf of others except by oneself.

I have explained and classified their going out into twelve types and I have arranged them in the order of chapters based on shari'ah knowledge in order to make it easy for whoever wants to refer to any particular aspect of the content therein. The details of the rules of the types of going out for woman contained in this book comprise of those that have not been mentioned in the list:

1. Those going out to seek for a particular and obligatory knowledge.
2. Those going out for defecation.

3. Those going out to the Mosque for Fardh Salat (obligatory prayer).
4. Those going out for Salatul Juma'ah (Juma'at prayers).
5. Those going out for Salatul Eid (Eid festival Prayers).
6. Those going out for salatul Istisqo (prayer for seeking rainfall).
7. Those going out for funerals and visiting cemeteries.
8. Those going out for Hajj (pilgrimage).
9. Those going out for marriages.
10. Those going out for buying and selling in the market or other places.
11. Those going out to court.
12. Those going out to visit.

As for their going out to seek for knowledge of what is obligatory, it is compulsory if their husbands cannot teach them. It is allowed if the class is only female or they are behind the veil in a male class. Its forbidden if they can get the teaching from their husbands or if in a male class without veil.

Bukhari reported in the chapter that should a day be set aside for teaching woman only? He explained in his biography that among those who set aside days for women is Sayyid Ahmad bn Sulaiman Azzahid (one who abstains). Abdul Wahab Asha'arani in the book "**Lawafihi Anwar fi Tabagoti al Akhyari**" described him as Sheikh, Imam, Divine Scholar, Sheikh of Tariqah part of Sufism and a jurist of his the people of that time. He trained men and revived the Tuariqah of people. He used to admonish women setting aside for them a day to teach them the rules of religion as well as their religion from scholars when none among their husbands taught them.

Abdul Rauf said in the book **Kawakibu Durriya**, in the biography of sufi masters that he used to admonish woman and teach them their religion. He is called Azzahid (one who abstain from worldly things). A man came to him and taught him chemistry in one night and sent his servant in the morning to throw it into a pit and never talk about it. People started calling him the abstainer (Azzahid) without them knowing what had transpired. He died in the 820AH. This is all on the issue of women going out to learn Fard obligatory and knowledge among themselves, which is more beneficial and safer.

As for them going out to the gathering with men with the same goal as above, but behind the veil, Al-Gazali said in **Ihyathat** the veil must be raised between men and women to prevent them from having visual contact. In the book, **Al-Madhkhal**, it was reported that it was the habit of the predecessors for the wife of the scholar to transmit to women the rules of Shari'ah generally and to some men particularly, but behind the veil as it is done when women talk to men.

Muhammad bin Umar bin Abdul Azeez used to teach men and children in the presence of women behind a veil. He explained to them the creed in clear language, understood by all. Then the Devil among men turned this into evil issue arguing that teaching women faith is evil. But, if a woman can go to Hajj following its conditions what will you say of faith without, which nothing is valid. Her staying at home in ignorance does not benefit her except may be to go to Hell fire. These very complainants, when they see women committing evil in marriages by dancing, singing, mixing with men, spraying money and their going out decorated and beautified for Eid-festival and other events they do not condemn. It is unfortunate that when they see some women going out to learn the books of their obligations and save themselves from fire they say this is evil.

The fact is that it is Wajib (obligatory) on all those who have obtained the age of religious responsibilities, male or female, to learn the necessary things about prayer and other responsibilities not to mention, faith. This is all on their going out to learn obligatory things and faith.

As for going out for other purposes like general lectures as men do, it is not allowed. It is written in **Ihya** that “once the woman has learnt the Faradh (what is obligatory on her) she does not have to go out to learn what is not essential, except with the permission of her husband.”

In the book, **Takhlis al-Ikhwan**, it is said that some writers have been tough in preventing women from going out in case where they do not have a “legal excuse or necessity”. Sheikh bin Arafah gave Fatwa (verdict) on preventing them from going out for knowledge of Zikr or admonition even among themselves without men. Al-khorash as well as Abdul-Baaq and Ashabrakhiti in their explanation of **al-Mukhtasar** said **something similar**. Abdul Baqi added to it by saying that the statement of Ibn Arafat in preventing women even when they are among themselves and ask if he means women generally or the young especially since Sheikh Dawud said so. And I say it is not understood from the verdict made by Ibn Arafa concerning preventing women from going out for knowledge, zikr and admonition. Obliging to sit at home with ignorance that can lead her to hell-fire. This is what may be understood from his statements by with insight of knowledge.

Contrarily, it is Wajib for her to go out and ask scholars if her husband cannot teach her. However, if the husband is teaching her, she does not need to go out and ask scholars even if his knowledge is limited. He should ask on her behalf and deliver the answers to her. Otherwise, she must go out and the husband is committing a sin by preventing her.

In **al-Madhkhal** it was written that: “It is incumbent on the man to teach his wife if he knows and if he is not knowledgeable he must ask those who know and convey the knowledge to her, or allow her to go out to get the knowledge. If he does not allow her to go, she should go and there is no problem on her and she will not be found disobedient.” It is also incumbent on the judge to

force him to convey knowledge to her on things like the expenditure, knowing that learning is of great importance; and if he does not do, then the judge should allow her to go and seek for knowledge. This statement is the consensus of scholars.

If you understand above, you will realise that the verdict of Ibn Arafat on preventing women from going to gatherings of knowledge, zikr and admonition does not mean that she should or must sit at home with ignorance that will lead her to hell, as understood by those with no sight. It has become clear through the above deliberation that going out to learn Fard is an obligation if their husbands cannot teach them, whether the gatherings are solely female or they are behind the veil with men. It is forbidden if they get to learn from their husbands to go out or if the gathering is for men without veil.

Once you have understood that the last is forbidden, then, do you think that it is permissible for the scholar to seat and stop going out to teach Islamic Jurisprudence, based on his that his going out will cause the presence of women seating with men? Moreso, when he realised the impossibility of raising a veil between the males and the females as it happens during journeys or public preaching. In addition, by going out he will see the evil that takes place in the society, which is outside the range of what was mentioned of woman attending gatherings of men without veil.

I say: the answer is that it is not an excuse for him to seat and stop going out to teach Islamic jurisprudence. He must go out and prevent the mixing of men and women wherever he goes by putting men on one side and women on the other side and teaching all that mixing between men and women is forbidden based on consensus. In addition, he must forbid any evil that takes place in his presence by impressing on everyone that happens to be there to know that it is evil. Indeed, most people are ignorant of shari'ah. Therefore, if his going out is for changing whatever he can of the evil what he cannot afford to change of it does not harm him.

Gazali said in the book, **Ihya**, that whoever seats today at home wherever he may be is not free from evil. Seating and not going out to guide people, teaching them and bringing them to what is good, is incumbent on every Faqih that has finished his Fard ain (appointed obligatory) and is ready for his Fardh-Kifayah (duties that once done by one covers all). Indeed, most people are ignorant of Shari'ah. Let him go to the people in the contiguous to his territory to teach them their religion and the duties of Islamic injunction. Once one person performs this duty, it covers the burden of responsibility on others. However, if no one does it, the sin is on all, the scholar for not teaching and the ignorant for not going to learn.

As for the knowledgeable person his deficiency lies on him sitting and not going out to teach, while for the ignorant, his deficiency lies on him failing to learn.

Likewise, anyone capable of changing evil in people he is not allowed to neglect that by sitting at home. It is incumbent on him to go out. In fact, even if he is not capable of changing some and wants to avoid seeing other evil deeds, he must go out and change whatever he is capable of changing.

Accordingly, it is prohibited to attend places of evil without a good reason. It is incumbent on every Muslim to begin with his soul, habituating it with the fulfillment of Fardh (duties), the abandonment of Haram, then proceed to teaching some to his family and relatives. After that, he can now go to his neighbours, then his friends, then the people of his area and the generality of people of his region till the farthest places; and once this is done to the closest, the farthest is exempted. If none does it all capable ones share the sin, close or distant and this is something to worry about by every one that cares about the issue of his religion.

Among those who traveled territories to teach people their religion, is I Say Al-Bajiri. He was described by Abdur-Rauf in the book **al-kawakibu Adduriyyah** in the biography of Sufi Masters that he was very knowledgeable, abstaining a lot, with a fear (piety) that no one else had in his time, nothing of the standing of the Qiyamat escaped him and he was fond of saying "we ask Allah to make us safe." From his childhood, he never wasted time; neither did he lay down on the ground for long time. Asharani said "I was his companion for twenty years and I found him combining between Shari'ah and Haqiqah (knowledge of reality). He spent most of his time at the countryside moving from place to place to teach people their religion and guide them, and you would hardly see him free from teaching and he died in the year 53 A.H."

He prohibited his congregation to do what some people do when they get to a land by raising their voices with zikr until they meet. He said in "**Talkis al-ikhwan**" al Bagdad condemned saying "whoever wants to be popular does not belong to the people of Tariqah (way of Sufism) in anything, contrarily, he is the opposite of them." There is nothing in it except innovation for those that do it (i.e wanting popularity). What do you say about those spreading this evil of noisy proclamations that happened because of publicity? They come from different sides and as soon as they are about to enter a city they start remembering Allah aloud. They raise their voices with no intention of doing zikr, but yes, with the intention of notifying the people of that city or village and their neighbors of the arrivals of the Sheikh with the devotees, for them to come out for them.

Actually when they (people) hear zikr they come out men, women and youth. This is by itself contradictory to Shari'ah and we have seen more than once that a woman does not leave her house except for a necessity. Even then, she must follow the commanded rules of going out. She is expected to come out covered, moving by the walls and talking to no one except for a necessity. In this case they come out, uncovered, although some of them cover themselves, others don't and they raise their voices which people hear making much noise.

Unfortunately, all of these happens in the presence of the Sheikh and to his knowledge. This is unbecoming from those who affiliate themselves to the path of religious and righteous people, talk less of belonging to those who claim to be inviting people to Allah. "Indeed, we belong to Allah and unto Him shall we return."

Going back to our topic, let us talk about women going out to answer the call of nature. It is impossible if they do not have toilets in their homes. If they have, it is Haram as we understand it from the words of Ibn Hajar. We shall talk about that later, Allah Willing. Bukhari, in the chapter of woman going out to answer the call of nature, reported a Hadith from Aishat (ra) saying that the wives of the Prophet (saw) went out in the night to answer the call of nature over the sand (in the desert). Umar ibn Al-Khattab (ra) used to tell the Prophet (saw) to veil his wives and the Prophet did not do it. One night Saudat bintu Zamrah, a wife of the Prophet (saw) came out around Ishah (prayer) time and she was tall. Umar (ra) called her, saying "We have recognized you O Saudah!" (He said) out of zeal for veil to be ordained, and Allah revealed the verses of Hijab.

Also in Sahih Bukhari, Aishat (ra) reported the Prophet (saw) to have said: "permission has been given for you to go out for your needs (the "you" is plural for women)" . Hisham said " he means defecation." AbdurRahman Assuyut said on footnotes explaining the statement of Umar (ra) which he said to the Prophet (saw) "veil your wives" that it means: prevent them from going out of the house as a way of veiling them. Umar (ra) said after his statement "they cover themselves by covering their faces" and coincidentally expressing the view of the Qur'an on that which did not happen because of necessity. Ibn Hajar said this. Then Abdur Rahman Assuyut said likewise his statement in Hadith "Allah revealed the verse of veil them." Because it was revealed commanding to cover the faces.

There is also another story in the Sahih, which says that Umar said: "O Messenger of Allah (saw)! Indeed your women, are seen by the good and the bad among people. It would be better if you commanded them to veil themselves." It is impossible to put the two Hadiths in the same line of thought because the two veils are different and there was never a verse stopping them from going out. What we said is supported by his statement in the Hadith, after; "permission has been given for you to go out for your needs." Ibn Hajar said that women going out for defecation did not continue because soon after toilets were built in the houses and they stopped going out except for a necessity.

In the case of women going out to the Mosque to perform Sualat Fardh, (obligatory prayer) it is Haram (forbidden) to the young (who have attained puberty) to go to the Mosque) and the popularly known by their beauty contrary for the elderly that are not popular (known) by their beauty. It is permissible for the adult woman that has not removed completely from herself the desire of man and it is Mandub (recommended) for the one that men have

no desire towards her. Gazali said in **Ihya** that “we must stop women from going out to the Mosque for prayer if there is fear of Fitna (trouble) from them. Aishat (ra) prevented them and they told her that the Prophet (saw) did not prevent them from attending congregational prayer and she said “If the Prophet (saw) knew what women did after him (his death) he would have forbidden them”

Some use this as evidence. Al-Qastualani mentioned prohibition of women going to the Mosque in his **Irshad**. Generally, people said that Aishat (ra) did not clearly say it was prohibited although her words indicate that she viewed it as forbidden. Besides, Allah knew what they would do, but did not reveal to the Prophet to stop them. Also, if what they did attracted banishing them from the Mosques, they should in the same way be stopped from going to the markets and other places, bearing in mind that the actions that attracted prohibition came from some of them not all of them. Therefore, the blame and banishment should be on the guilty ones and their prayer at home is better than their prayer at the Mosque.

He also said **Al-Madhkhal** that if people say that women used to go out to the Mosque in time of the Prophet (saw) and prayed in congregation with him, and it happened that he hastened prayer because a child was crying, fearing for her/his mother; the answer of that is twofold. The first is what Aisha said (ra) : “if the prophet knew what women did after him (saw), he would have stopped them from going to the Mosque the way the women of Bani Israel (Isrealite) were stopped. The second is that prayers behind the Prophet (saw) is not like any other and both matters exist no more.”

Al-kharashi said in the explanation in **Al-Mukhtar**, on the going out of an adult woman for Eid and prayer for rain and a young woman to a Mosque that it is permissible or it is polite for the adult that is advanced in age whom men do not desire. It is Mandub for her to go to Eid prayer and prayer for rain and other Fardh Sualats (obligatory prayer) while the adult who are attracted to men can go the Mosque for Fardh Sualat on the condition that they are not too youthful neither attractive and smart, otherwise they are not to go out at all. This report teaches us that women are in four categories.

Al-Shabrakhity said in **Al-Mukhtasar** that scholars have made it a condition for women to go out in the night, but they should not be ornamented nor perfumed. This is based on the Hadith that says that any woman that has perfumed herself should not pray Isha’I (night prayer) with us and they should not be moving shoulder to shoulder with men and neither should a young woman whose temptation is feared. She should also come out in her rough clothes without apparently making up (beautifying) in such a way to be noticed. As for the make-up that is not noticeable to men by looking or hearing voice, there is no problem with that. Al-Bisatui added that she should not be famous by her beauty (to avoid Fitna)

On the appropriateness of going out for Juma'at prayer, it is forbidden for the young women whose temptation is feared and it is disliked (Makruh) for the young that are not tempting. It is permissible for the elderly that are no more attractive to men.

Al-Kharrashi said in the explanation of **Al-Mukhtasar** on the merits of Jumma'a that "it is detestable for a young lady whose temptation is not feared to attend it." I cannot stop her from attending it. Abdu-Baqi added in the same place that "It is permissible for the adult that is no more desired by man". He said in **Arrissalat** that the young woman should not go out for it. As for the adult, she can go out for Soulat Eid (the two Eids prayer) and is permissible. However, it is not permissible for the young especially in these days when mischief is rampant. Nevertheless, if you say that what was reported in Sahih Bukhari by Ummi Abuiyah that they were commanded to go out, the seductive and attractive women, it then means that it is recommended for women to come out for Eid prayer generally.

I say, the answer, as Qastualani said in **al Irshadi**, that it was (only possible) in that time when the women were not as mischievous as they are today. Yes! It is recommended (mustahab) nowadays for the old who have reached menopause to go to the Mosque.

Al-kharshani said while explaining **Mukhtasar**, where the author said the adult can go out for Eid that it means that it is permissible, while it is Mandub for the old, those who are no more desired by men.

Abdul Baqi said as well as Al-kharrashi on the statement of the author and the merits of the two Eid prayers, using perfume and ornament even for those who will not pray, when they go out even though old (post menopause) they should not use perfume and neither should they make up nor decorate themselves to avoid tempting men.

As for their coming out for prayer for rain, it is permissible for the adult, but not so for the young. Abdul Baaqi said in the explanation of **Mukhtasar** where the author discussed in the chapter for prayer for rain that "they come out at Duha time (morning) on foot with sacrifice and humility comprising of old people and old women." The Sheikh himself based himself on the saying of Allakhami that three categories come out for Istisqa (prayer for rain): men, those who are old enough to pray among the children and the old women.

As for their coming out for Funerals, there is explanation on that. It is forbidden for a young woman whose temptation is feared to attend a funeral. It is, nonetheless, lawful for her to attend the funeral of someone very close to her whose loss is a great pain for her like father, her mother, her husband, son, daughter, sister, or brother. It is, also, permissible for an old woman to attend the funeral of everyone. Al-Kharrash said in the explanation of **Al-Mukhtasar** where the author mentioned going out of an old woman is permissible. As for a young woman, it is not permissible if temptation is feared, to go to the funeral and procession, but it is permissible for the young whose temptation is

not feared to attend the funeral of some one very close to her like her father and the likes. It is detestable to others apart from them, and it is forbidden for her when there is fear of temptation. This is about funerals.

As for them going out for visiting the graves there are details just as the above mentioned conditions of going out. Abdul Baaqi said in the explanation of **al-Mukhtasar** on the statement of the author: "as for visiting the graves", the manifest literal meaning from the statement of the author is that women are included. He also said that it is proper that her visit (to the graves) takes the ruling (conditions) of their coming out as we have seen. Ashabrikhati said in the explanation of **al-Mukhtasar** in this portion that "their visiting is divided into their going out as we have seen in the word of Tattoe. It is reported in Al-Madhhkal that it is proper for a scholar to prevent women from going out to the graves even though they have a deceased because the Sunnat has ruled out preventing them from going out.

The Prophet (saw) said to groups of women that have come out for a funeral: "are you going out to carry it among those who carry it?" They said "no." He said "are you going to put it down in the grave among those who will?" They said "no." He said: "are you going to pour sand on it with those who will?" They said no, and he said: "then go back overburdened not rewarded!"

He also (saw) said: "Allah curses women that visit the graves, and those who turn them into Mosques and put lamps" as reported by Abu Dawud in his Sunan. Tirmizhi and Annasa'i also recorded the Hadith.

Abdullah bin Mas'ud saw women in a funeral and drove them away, saying: "by Allah I will not return if you do not return home." He threw pebbles on them. Based on this, women do not have share (reward) in attending funerals.

And scholars differed into three groups on women attending funeral. Some prevent them, which we have seen, others allow it on the condition that they comply with Shari'ah such as, covering themselves and behaving modestly. The very opposite of what is done nowadays. Third, the difference between the old and the young being permissible for the former.

However, you should know that the above mentioned divergence is concerning the women of that time, and they were habituated (used) to following the Sunnat and women going out in our time to the graves. We certainly ask Allah to protect us from any scholar with scruples and jealousy in religion to permit (advocate for) that. However, if a necessity comes up for them to come out to the graves, then let it be in conformity with what is known in Shari'ah which is; by covering as we have seen, not the way they use to come out seductively nowadays. He also said, before this that "it is proper to teach them the Sunnat if they are compelled by necessity to come out, because the Sunnat teaches that a woman should go out in her roughest (most unattractive) clothing as well as ugliest (old and unattractive) dragging behind her a palm or the arm (of a young man).

Ongoing out for Hajj, it is obligatory for them the way it is for men. They must conform to the conditions in few things mentioned by Sheikh Khalid in the **Mukhtasar**. He explained that a “Woman is like a man except in walking long distance and traveling by sea, except if she is given special skill, backed up by a 'Mahram (family member to protect her) to serve as company and security.” In **Al-Iktifa'**, it is said that she must be “with women or men or in a congregation”. Al-kharrashy, Ashibrakhiti and Abdul-baaqi said on this statement that “except in walking long distance”. The meaning is that, it depends on the persons involved, because women in the city are different in strength and weakness. Abdulbaaqi said that she must be “backed up with Maharam”, or the husband in case the Mahram is not available, or the husband is incapable of going out. Except if, she has to pay if she can afford, and in that case, it is forbidden for her to go out with unescorted company. He said they could not make it (the Maharam and the husband) or they asked for what she could not afford. In that situation, she goes out with the company.

It was reported by a group from the Malikis that it is what he said. The apparent meaning being that they too asked what she could afford, in that case she cannot go out with the escorted company even if what they asked is much.

As for their going out for marriage, it is permissible if the marriage is for their relatives who insisted that they must be there and the celebration is free from evil and forbidden things. If there is evil like mixing of opposite sex or playing 'mizmar' (musical instruments) and the likes, it is forbidden. Nawazil-al-Jami'e of Al-Mifyar, was asked about one who has a wife that goes out without covering her face, attending marriages and Walimats (feasts), with both men and women, dancing, and I replied by the grace of Allah, the unique and eminent. The answer being that which, Sheikh al-Mishdali, gave verdict on one who had a wife, who went out for her needs without covering her face and external parts of her body. This behavior which is like the habit of the Bedouins is not permissible and it is not accepted. The husband is under the wrath of Allah and so will he be if she remains like that.

Abdallah Azzawawi said that if he is capable of stopping her and does not, then what Al-Midali said is correct. Sayid Abu Abdallah bn Marzuk said that if he is capable to veil her from those who see, what is not permissible from her and he did not do it because of a defect in him, or he is not capable in any way, and then there is no problem. They give verdict on the defect of her husband; his problem is worse and more deserving of condemnation because there is conversation and dancing in the presence of men and he knows the harm when men and women mix.

The Prophet Muhammad (saw) said: “keep distance between the breath of men and that of women”. May Allah protect us and you from going astray, from hidden and manifest hardship. He is relied upon for success. Ubaidullah wrote it to Ahmad bn Yahya al-wansharisi.

As for their going out for buying and selling in the market and other places there is also explanation that it is permissible if they could not have somebody who can do that for them like a husband or a Mahram or others among elderly women. It is forbidden if they have who can do that for them among the people above mentioned.

In **al-Madhkhal**, it is written that it is permissible for a young lady to go out for buying and selling if she does not have anyone to do that on her behalf, like a husband or Mahram. If they are available, it is not allowed for her to go out. Her going out is temptation. It is detestable for her to go out because the prohibition includes all of them, except the ones that have been exempted like the old women whom men do not find (attractive). She must find someone to go out on her behalf among the above mentioned people, otherwise let her send someone among the old women whom men will not look and neither will they bother about them and there is no more fitna in their shape or way of talking. If that also is not possible, then let her get rid of her ornament, which is better for her before her Lord and more rewarding.

In **Al-Madhkhal** it is also written that if his wife needs to buy a cloth, ornament or other things, let him do that himself if he can do it (completely), or find someone that can represent him based on counsel of scholars and that is known. It is not possible for them to go out for this kind of things because doing so leads into clear evil that is done by many of them openly. I mean their sitting with people without morals and others whom they have audience with and feel comfortable with and sometimes to the extent of coming close to the possibility of committing great (sin) abomination.

I say: It is among the evils of women going out to meet and associate with hawkers in the village square or market in order to buy or sell. He said in **al-Madhkhal** like when a hawker who sells clothes comes and they sometimes remain in seclusion with the woman is forbidden. Sometimes she comes with her friends and gathers around him and in the process of their conversation with him; many forbidden things take place, because many of them go out to him without veil.

As for their going out to court, there is also explanation that it is permissible for the old and for the young woman that is not famous by her beauty, but not permissible for the young woman that is famous for her beauty.

Moreover, it is commendable for the judge to set aside time or a day for women like Mufti and the teacher. Al Jami'u explains the meaning of that saying: a specific time in which he does not do proceedings excepts for women, or a specific day in which he only takes cases of women and between men and women in three stages: one day for women only, one day for men only and one day for both men and women.

Others organise it in two stages: one day for men and one day for women, and whenever there is dispute between a man and a woman, the man is brought on the day of men while the woman comes on the day for women.

As for the beautiful young woman, she does not come, but she should delegate. Ibn Qaim (ra) used to wear a low quality cap and lower his head down on the day for women.

Abdulbaaqi said at this point, i.e his statement, “it is commendable for him to set aside time or day for women, when disputes are between themselves or with a man if he oppressed them”.

As for their coming out for visiting, it is permissible if they are going out to visit their relatives among women or their Maharims among men, when the need for that presents itself. It is forbidden if their going out is to visit their beloved ones among men even if they will meet with strangers mixed with their relatives like cousins (paternal and maternal). Al-kharrashi as well as Abdul-Baaqi said of the statement of the author in **Al-Mukhtasar** that “to her parents or her son without entering to her” means that the husband does not have the right to prevent the parents of his wife or her son from other men from entering to (visit) her.

The Shari'ah recommended the observance of duties of kinship and that has become a habit. Ibn Rushud makes it incumbent on the man to allow his wife to receive her relatives among women in her privacy, but not the men, with the exception of the Maharims. Abdulmalik narrated that these include her brother, her paternal and maternal uncles, and her nephew from her brother or sister. He cannot prevent her from going out with them, but he by preventing them does reach the level of sin he gets from preventing her parents, because indeed there is no sin except in them.

Al-Karrashi said of the statement of the author of **Al-Mukhtasar**, like his swearing that “she will not visit her parents if she is not escorted although young.” The meaning is that if a woman is escorted and her husband swears that she will not visit her parents, he commits a sin by doing so and he must give it up (the swearing) when the judge decides that she should go out to visit them or for other benefits. Therefore, he goes back on his swearing whether for the young or other. This statement of the author means that concerning the women that cannot be trusted he is not to be blamed for not allowing her to visit her parents even if she is with a trusted woman. This was attributed to Sheikh Karimuddin. Abdul-Baaqi said “because there is probability of her lewdness (misbehaviour) to manifest even with a trusted one.”

I say “everyone should know that when going out for any journey, it is not permissible for women except with their husbands or Maharims or a trusted company.” This is wajib as we shall see by the grace of God.

Al-Kharrashi, Abdul-Baaqi as well as Ashibrikhiti said of the statement of the Sheikh in **al-Muktasar** in the chapter on Hajj that a woman is more stressed than a man unless she finds a Mahram to travel with or her husband. According to the statement of the Messenger of Allah(saw) “It is not permissible for a woman that believes in Allah to go out at night except with a Mahram”. He used Mahram to include her relatives, in-laws and step brothers.

It was also reported that she should not travel for half-day, two or three days or even a night without a related company. Without Mahram, based on the principle of jurisprudence that the general can only be restricted by one restriction, not by more than one. To this, I reply saying that the specific reports they come up based on the difference of those who asked the Prophet (saw) by asking him, “can a woman travel a distance of a day without Mahram?” And he replied “She is not to travel one day without Mahram.”

Likewise, other specific reports do not have a specific understanding; and what is intended from them is whatever is called journey because it is forbidden for her to be left alone with strangers. He said in **Arrissalat** that it is not proper for her to travel without a Mahram for one day and one night or more, except for obligatory Hajj, in the statement of Malik, in a trusted company even if not Mahram.

Abdul-Baaq and Ashibrikti said pertaining to the statement of Sheikh Khalid in the chapter of Hajj that she could only travel with a “trusted company for an obligatory act like hajj, and the remaining obligatory journey for her is if she becomes a Muslim in the land of unbeliever fighting Islam. In that case, she comes out with trusted company, but if she does not get a trusted company and if by staying or moving out, she would be afflicted with harm, then she should choose the lesser harm, but if the harm is the same, she then chooses whatever she feels comfortable with”.

Alkharashi said, at this point that a trusted company is enough for her and it stands in the place of Mahram or husband in obligatory acts; not in a voluntarily journey in the absent of husband or Mahram or their refusing or their incapability. Therefore, his saying obligatory is related to an omitted clause. The permission for the woman to travel in a trusted company is for Fardh (obligatory duties). These includes all Fardh, like if she becomes a Muslim in the land of unbelievers, or she was taken captive and she ran away; or she returned home to complete the waiting period after moving out for a necessity following the death of her husband or she is divorced, or she goes out for bond or visit.

I say all of the above are examples of legally permitted types of going out. As for what some women do nowadays is questionable. This include going out for what the lost ones call going out to our sheikh in order to enjoy looking at his face only. We seek Allah’s protection from anyone that considers it permissible.

He also said in **Talkis Alikhwani** that the women of our land leave their husbands and children and go to our Sheikh in order to enjoy looking at his face for a long period of time then they return. Among them, however, some do not visit their Sheikh out of ignorance of Shari’ah on their part for some reasons best known to them.

Fasting is the shield from fire and a woman does not do it voluntarily without the permission of her husband. Likewise prayer and reliable reports from those

who cannot lie got to us confirming great mischief, in that and I will not waste time transmitting what is said, done and what is used as evidence. I say at the beginning of the book that the principle of women going out rests on legal necessity which is sometimes worldly in nature. These include like their going out for their basic needs, while some other times the necessity is religious in nature like their going out in order to ask scholars if their husbands cannot teach them.

He said in **Al-Madhkhal** that for a woman who has a husband, it is incumbent on him to teach her if she is ignorant of Islamic ruling. If he does not teach her, she should ask him to do so. If he does not know, he should either ask and inform her or give her permission to learn. However, if he does not allow her, and she goes out without his permission, as we have seen the explanation, and I mean of women asking their rights on the issues of religion which they were created for.

Allah Almighty said: "I did not create the Jinni and mankind except for them to worship me." This has been abandoned nowadays and neglected to the extent of it not being discussed. It is not that neither of the two spouses are ignorant about it. In most cases, because, the demand of the wife from husband are concentrated mostly in enjoyment and clothing nowadays, as well as other worldly issues. As for their religious obligations, they are not bothered and they do not feel any sense of guilt.

It is such that when a woman asked for her right (religious right) from her husband, the right to teach her issues of her religion personally or by delegating or by allowing her to go out, he wouldn't do it until forced by the judge. It is the same way. He has to be compelled to fulfill her worldly rights because the former are more critical.

This is the end of his words and with it ends the book: **Guiding the Brothers on the Ruling of Women on Going Out.**

Alhamdu lillahi- praise to Allah, the Lord of the universe. May His peace and blessing be upon Muhammad, on his family and all companions. Amen.

الأمر بموالاتة

المؤمنين والنهي عن موالاتة الكافرين

**The Command to Support and
Stand by the Believers**

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In the Name of Allah, the Beneficent, the Merciful

May Allah's peace and blessings be upon the Generous Prophet.

The poor servant of Allah, the one under the mercy of his Lord, Uthman bin Muhammad bn Uthman, popularly known by Ibn Fodiyo said: "Praise be to Allah who gave us the favour of Islam and faith, and guided us through our master and custodian, Muhammad (May Allah's best and purest peace and blessing be upon Him)."

This book is titled: **"The Command to Support and Stand by the Believers and the Interdiction to do so to the Non-believers"**. I say and my success depends upon Allah.

My brethren, know that to support and stand by the believers is a duty (Wajib) on every Muslim, by the Qur'an, Sunnah and consensus. As for the Qur'an it is enough for you as word of Allah: "The believing men and women are supporters and protectors of one another." Plus;

﴿وَالْمُؤْمِنُونَ وَالْمُؤْمِنَاتُ بَعْضُهُمْ أَوْلِيَاءُ بَعْضٍ﴾ التوبة: ٧١،

"Indeed, the believers are brethren, so make peace between your brothers."
Qur'an 9:71

And:

﴿إِنَّمَا الْمُؤْمِنُونَ إِخْوَةٌ فَأَصْلَحُوا بَيْنَ أَخَوَيْكُمْ﴾ الحجرات: ١٠،

"Indeed, the believers are brethren, so make peace between your brothers."
Qur'an 49:10

And:

﴿وَأَصْلَحُوا ذَاتَ بَيْنِكُمْ﴾ الأنفال: ١،

"Make peace between yourselves." Qur'an 8:1

As for the Sunnah, there are many Hadiths reported to that effect. Among them, the Prophets' (saw) saying, as reported in Bukhari from Anas that:

(لا يؤمن أحدكم حتى يحب لأخيه ما يحب لنفسه)

"None among you is a believer until he loves for his brother what he loves for himself."

In Sahih Muslim, Abu Hurairah (ra) said: The Messenger of Allah (saw) said:

(لا تباغضوا ولا تقاطعوا ولا تدابروا...)

“Do not hate yourselves, Do not cut off your rapport among yourselves and do not turn your backs against yourselves...”

As for the consensus, all people of Sunnah agree on the fact that it is Wajib (obligatory) to support and protect the believers. It is written in “The Message” **Arrissalah**, that it is incumbent on every believer to ask for forgiveness for his believing parents; as it is incumbent on him to support the believers and offer them sincere advice.

ولا يبلغ أحد حقيقة الإيمان حتى يحب لأخيه ما يحب لنفسه.

“None shall ever attain the peak of faith until he loves for his brother what he loves for himself.”

Thus, it has been reported from the Prophet (saw) in **Al-Fawakih Addawani**: Easy to Harvest Fruits, that the meaning of supporting them (the believers) is to be with them, express and manifest love to them and keep away whatever may cause dissention like grudges and hatred. May Allah protect us from such!

In addition, being with them does not mean with the body without love in the heart, and know that the softness known by humility is in three categories:

1. Wajib: Like humility towards Allah, his Messenger (saw), the leader, Islamic scholar and the father.
2. Haram: Like humility towards the oppressors and the non-believers, because humility towards them does not bring honour, but lowliness with no honor nor dignity.
3. Mandub (Recommended): Like humility towards Allah's servants.

This support is exclusive to the believer because it is not permissible to give it to non-believers as above mentioned; for the saying of Allah:

لَا تَجِدُ قَوْمًا يُؤْمِنُونَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ يُوَادُّونَ مَنْ حَادَّ اللَّهَ وَرَسُولَهُ وَلَوْ كَانُوا آبَاءَهُمْ أَوْ أَبْنَاءَهُمْ أَوْ

إِخْوَانَهُمْ أَوْ عَشِيرَتَهُمْ ۚ الْمَجَادِلَةُ: ٢٢

“You do not find people who believe in Allah and the last day loving those who confront Allah and His Messenger (saw), even if they are their parents, children, brothers or their family.” Qur’an 58:22

Instead, you should see them as evil and fight them if they were among those who fight Allah, except if they are people who are under protection of the Muslim government, and then they are not to be confronted except to the extent of need, because it is forbidden to harm people under protection of a Muslim government.

Sheikh Abu Muhammad Abdul Jalil said in the book, **Shu'abul Iman** (Branches of Faith) that among those to be loved for the sake of Allah are: all the remaining believers; and that because of what they manifest in faith and Islam, you love for them what you love for yourself. Allah said:

﴿ إِنَّمَا الْمُؤْمِنُونَ إِخْوَةٌ ﴾ الحجرات: ١٠

“Indeed, the believers are brethren.” Qur'an 49:10

Moreover, if they happen to be disobedient, contradicting the Shari'a and committing oppression or other things, you (should) detest and dislike that aspect of them only, but love that they should repent, as you love it (repentance) for yourself; and you pray for them and love them for the manifest faith and obedience in them.

Moreover, as you love to cover your defects, you should likewise love to cover their shortcomings, and do not love to spread abomination among those who believe. You should also be an advocate of peace, righteousness, repentance, and mercy in their congregation. Although these are all righteous deeds, they do not eliminate envy and grudges because the latter will definitely take place whether in this world or in the hereafter, and you shall not enter paradise except in the state of love for the sake of Allah.

Allah, the Almighty said:

﴿ وَنَزَعْنَا مَا فِي صُدُورِهِمْ مِنْ غِلٍّ إِخْوَانًا عَلَى سُرُرٍ مُتَقَابِلِينَ ﴾ الحجرات: ٤٧

“And we removed whatever grudges they had in their hearts, restoring their brotherhood, we made them brothers facing one another on the thrones”.

Qur'an 15:47

And among the best deeds is having a clean heart towards the whole Muslim nation, that will transform the bodies into transmitters of love and kindness. May Allah accept our repentance and that of all sinners (male and female), and may He have mercy on us and on them in this world, in death and in the Hereafter.

I say: whoever understands what we have just mentioned will surely know that to support the believers is Wajib (Obligatory) by the Qur'an, the Sunnah and consensus of Islamic scholars, while supporting the non-believers is forbidden by the Qur'an, Sunnah and consensus. As for the Qur'an, it is enough as evidence in the saying of Allah:

﴿ يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَتَّخِذُوا الَّذِينَ اتَّخَذُوا دِينَكُمْ هُزُؤًا وَلَعِبًا مِنَ الَّذِينَ أُوتُوا الْكِتَابَ مِنْ قَبْلِكُمْ وَالْكَافِرَ أَوْلِيَاءَ وَاتَّقُوا اللَّهَ إِنَّ اللَّهَ بَكُنْ

مُؤْمِنِينَ ٥٧ المائدة:

“O ye who believe do not take those who take your religion for mockery and play among those who were given the book before you and the non-believers as friends and supporters; and fear Allah if you are believers.” Qur’an 5:57

Baidawi said in the explanation of the meaning of this verse that the interdiction to take non-believers as friends and supporters is built upon the fact that they take your religion for mockery and play. They also, at the same time let you know that whoever is of that character does not deserve to be taken as a friend and supporters, but as an enemy.

As for the Sunnah, it is enough as evidence his (saw) saying:

(المؤمن والكافر لا تتراءى نارهما).

“The believer and the non-believer; their fires do not see each other”.

The scholars said: it is impossible for them to love each other, sincerely; advice one another or find rest in one another's living together, said by Sayidina Mukhtar bn Ahmad bn Abi Bakr Alkuntiy in the book **Annasuihat Alkafiyata** (The Ultimate Advice).

As for the (Ijma') consensus among the scholars of Sunnah have agreed upon the interdiction of taking non-believers for friends and allies except in times of fear. I say: “Whoever understands what has been mentioned will surely know that taking non-believers for friends and allies is forbidden by the Qur'an, Sunnah and consensus. Know that taking them for friends and allies is in three categories:

The first is the permissible one is taking them as friends by relating with them in the tongue, but not in the heart out of fear, that is the meaning in the verse. Baidawi said: “this is an interdiction to take them for friends and allies outwardly and inwardly all the time except in time of fear in which it is permissible to display friendship outwardly”. This is what Aljalal Assuyut said in the book **Attakmilat Utafsir**.

The Completion of Tafsir explaining this verse: “If you fear something, then you can show support in your tongue but not in your heart” This was before Islam became manifest, and it applies also everywhere Islam has not become strong.

It is also mentioned in the Tafsir, **ALHAZIN**, that **Taqiyat** (hiding your true stand by pretending to be a friend) is only permissible if one fears to be killed, but it must also be done with the right intention. In addition, this **Taqiyat** is an exceptional permission, but if one is patient and is killed, he will have great reward. Then he said, but some people condemn **Taqiyat** in our days, saying that it was used at the inception of Islam before religion took hold and when Muslims were weak, but today, Allah has strengthened Islam and Muslims; and there is no need for Muslims to fear their enemy.

The Command to Support...

The second type of showing support is a sin, such as relating with the non-Muslims and showing them love in order to get something from them like money. This is the kind of support referred to in His words:

﴿يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَتَوَلَّوْا قَوْمًا غَضِبَ اللَّهُ عَلَيْهِمْ ۖ الْمَمْتَحَنَةُ: ١٣﴾

“O you who believe, do not take for friends and allies a people upon whom is the anger of Allah.” Qur’an 60:13

i.e.; the Jews. Baidhawi said this verse was revealed concerning some poor Muslims who related with the Jews in order to get something from their hand which is not an act of disbelief, but is a sin, and because of that, Yahya Zakaria Al-Ansari quoted in **Fath Rahman** (The Help of the Merciful) talking about Allah words:

﴿وَمَنْ يَتَوَلَّهُمْ يَتَوَلَّهُمْ أَجْمَعِينَ ۖ فَإِنَّهُمْ مِنْهُمْ ۖ الْمَائِدَةُ: ٥١﴾

“Whoever supports them from among you, he is part of them.” Qur’an 5:51

If you say that, this means loving the people of the book is tantamount to disbelief that is not correct. Allah used that strong term as a warning for people to avoid contradicting religious injunctions or because the verse was revealed about the hypocrites who are themselves non-believers.

The third type of support is disbelief that is to support the non-believers against Muslims, and to protect them on an issue where the limits of Shari’a are trespassed. This is referred in the following verses:

﴿لَا يَتَّخِذِ الْمُؤْمِنُونَ الْكَافِرِينَ أَوْلِيَاءَ مِنْ دُونِ الْمُؤْمِنِينَ ۚ وَمَنْ يَفْعَلْ ذَلِكَ فَلَيْسَ

مِنْ آلِ اللَّهِ فِي شَيْءٍ ۚ آل عمران: ٢٨﴾

“The believers do not take the unbelievers for friends and allies instead of the believers, and whoever does so does not have any position before Allah.” Qur’an 4:144

i.e.; He is not in the religion of Allah as it is in “The completion of Tafsir” by Abdurrahman As-Suyuti.

Also in the same meaning, the following verse: “O you who believe! Do not take the non-believers for friends and allies instead of the believers. Do you want to create a situation whereby Allah has a clear authority against you.” This is a clear proof of their hypocrisy as it is in the Completion of Tafsir by Abdur-Rahman Assuyut, as well as in **Madariki Tanzil** (Grasping the Revelation), so the ruling is that they are part of them.

On this is the following verse: “If you do not do” i.e.; if you do not support the believers and cut off your ties with the non-believers, there will be trial and tribulation on earth as well as a lot of mischief because of the strength of the

non-believers and weakness of Muslims. This is in the Completion of Tafsir by Abdur-Rahman As-Suyuti. As for Alazin in his Tafsir (Commentary) of the verse “if you do not do” i.e.; the Muslims must not support the non-believers instead of the believers. “There shall be trial on earth and great mischief” fitnah (trial) on earth because of the power of the non-believers, and the great mischief is weakness of the Muslims”. It is also in the following verse:

﴿لَا تَجِدُ قَوْمًا يُؤْمِنُونَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ يُوَادُّونَ مَنْ حَادَّ اللَّهَ وَرَسُولَهُ وَلَوْ كَانُوا آبَاءَهُمْ أَوْ أَبْنَاءَهُمْ أَوْ إِخْوَانَهُمْ أَوْ عَشِيرَتَهُمْ﴾ المجادلة: ٢٢

“You do not find a people that believe in Allah and the Last day, loving those who contradict Allah and His messengers even if they are their parents, children, brothers, or family.” Qur’an 58:22

They make things difficult for them and fight them because of their faith the way it happened to a group of the companions. (See Tafsir Djalali Din Al-Mahalli). On the same issue also is the statement of Al-Maghili in **Misbahu-Arwaah**(Light of the Souls) stressing the lack of faith for those who support the non-believers based on the Qur'an:

﴿تَرَى كَثِيرًا مِنْهُمْ يَتَوَلَّوْنَ الَّذِينَ كَفَرُوا لَيَبْسُ مَا قَدَّمَتْ لَهُمْ أَنْفُسُهُمْ أَنْ سَخِطَ اللَّهُ عَلَيْهِمْ وَفِي الْعَذَابِ هُمْ خَالِدُونَ﴾ المائدة: ٨٠

“You will see many of them supporting the non-believers. What an evil have they put forward for themselves, by incurring the wrath of Allah and in the punishment they will dwell forever.” Qur’an 5:80

﴿وَلَوْ كَانُوا يُؤْمِنُونَ بِاللَّهِ وَالنَّبِيِّ وَمَا أُنْزِلَ إِلَيْهِ مَا اتَّخَذُوهُمْ أَوْلِيَاءَ وَلَكِنَّ كَثِيرًا مِنْهُمْ فَسِقُونَ﴾ المائدة: ٨١

“And if they believed in Allah and the Prophet and what has been revealed to him, they would not have taken them as supporters, but the truth is that many of them are transgressors.” Qur’an 5:81

As the evidence just mentioned stresses that whoever has faith would not support the non-believers that are enough evidence from Allah, to the contrary that whoever supports them is not a believer – no matter whoever he is, anytime, anywhere. Supporting them is helping them, because a supporter is a helper.

Therefore, whoever supports a Jew or a Christian or protects them on an issue where the limits of Shari'ah are trampled upon, like the case of the Jewish labourers in the territories of the desert. Whoever supports them becomes a non-believer, for the manifest support he gives them, but is excused for his intention of getting some benefit. Like someone who prostrates to a statue for

one hundred thousand Dirham, he is commanded to repent at the threat of a sword, and if he happens to die or be killed before he repents then he dies as a non-believer. He is not going to be washed or prayed for and neither will he be buried in the Muslim cemetery.

This is if he professed the statement of faith-(La'ilaha illah Allah Muhammadu Rasulullah) all his lifetime, prayed, fasted, performed pilgrimage and performed all acts of kindness. Because, indeed, there is no acceptance of deeds except if, there is faith, and one attribute of disbelief nullifies a thousand of the attributes of faith. Don't you see that the hypocrite performs many acts of kindness while he is a non-believer at the same time? Likewise, the allies of the Jewish and Christians share the same status based on Allah's words:

﴿وَمَنْ يَتَوَلَّهُمْ فَاِنَّهُمْ مِنْهُمْ﴾ المائدة: ٥١

“Whoever supports them from among you, then he is part of them.” Qur'an 5:51

They are hypocritical in their deeds, based on:

﴿بَشِّرِ الْمُنَافِقِينَ بِأَنَّ لَهُمْ عَذَابًا أَلِيمًا﴾ النساء: ١٣٨

“Give glad tidings to the hypocrites that for them are painful punishment.” Qur'an 4:139

﴿الَّذِينَ يَتَّخِذُونَ الْكَافِرِينَ أَوْلِيَاءَ مِنْ دُونِ الْمُؤْمِنِينَ﴾ النساء: ١٣٩

“Those who take the non-believers for allies instead of the believers. Are they seeking honour from them? Indeed, honour belongs to Allah, all of it.” Qur'an 4:139

Then he said: “How will they not be so when scholars have written about one becoming a non-believer because of only one attribute among many!”

I say: whoever understands these three divisions will not find any ambiguity in the issue of supporting the non-believers by Allah's grace.

Here we have come to the end of the book “The Command to Support and Stand by the Believers and the interdiction to do so to the Non-believers”, by Allah's help on Wednesday Zuhr time, Muharram 7th, year of gratitude.

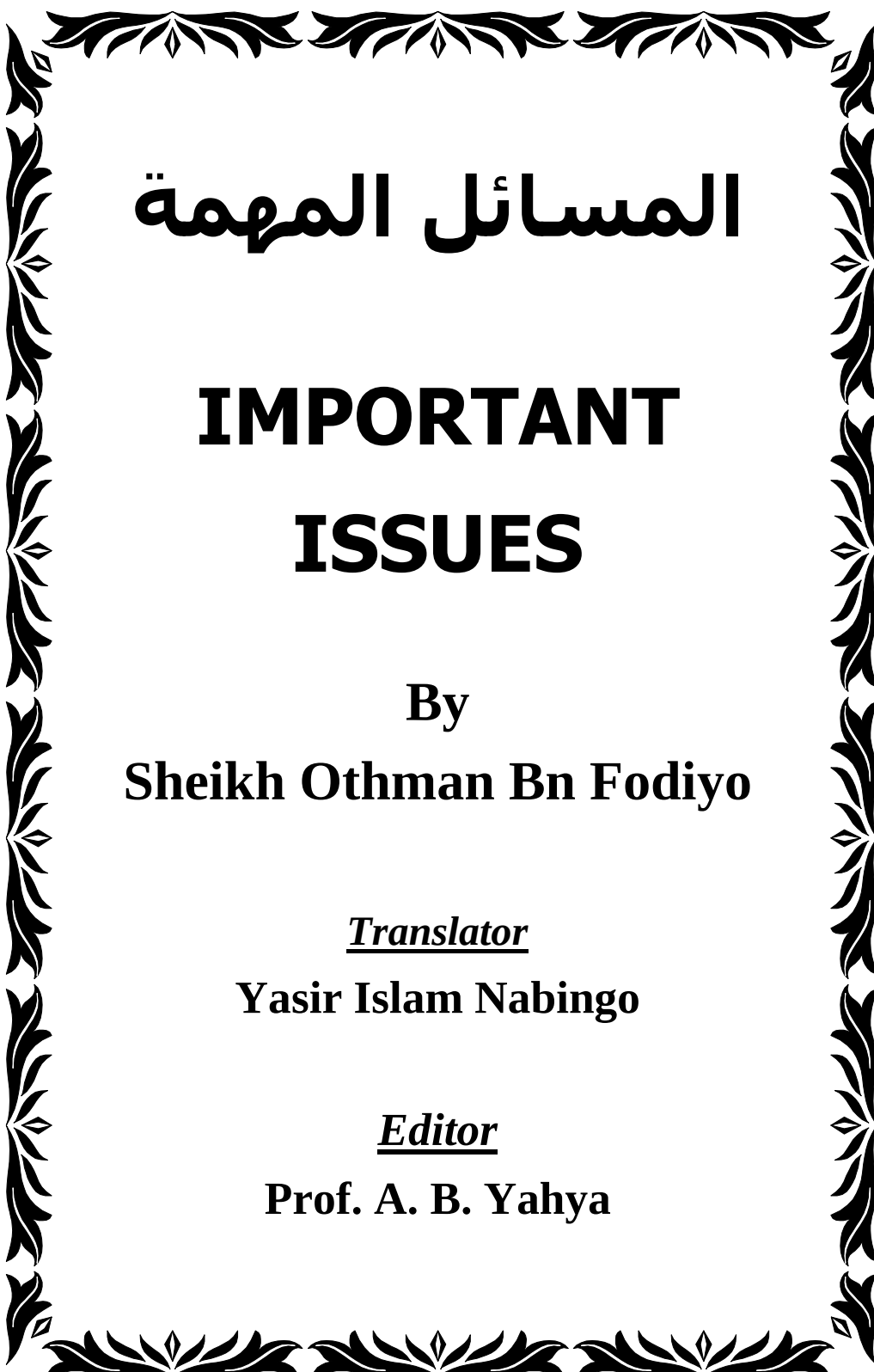
Praise be to Allah who guided us and we were never to be guided if not for His guidance. May His best peace and blessings be upon our Master Muhammad, his family and all his companions. May Allah also be pleased with the followers of their footsteps the practicing scholars and the four imams of ijtihaad as well as their imitators till the day of judgement.

The Command to Support...

اللهم ارحم أمة محمد رحمة عامة آمين، اللهم اغفر لنا ولوالدينا ولمن سبقنا بالإيمان إنك حميد مجيد آمين

“O Allah! Have mercy on the Ummah of Muhammad (saw) encompassing all of them. Ameen.”

O Allah! Forgive us, our parents and predecessors in faith, indeed You are the most praised One, the owner of majesty. Ameen.



المسائل المهمة

**IMPORTANT
ISSUES**

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CONTENTS

In The Name of Allah.	361
Chapter One: Religion is Built upon Verification	363
Chapter Two: Muslims Must Not Remain Without Declaring Allegiance To An Iman (Leader).....	364
Chapter Three: Ruling on Emigrating from the Land of the Unbelief to the Land of Islam	365
Chapter Four: On Supporting the Unbelievers, ...	368
Chapter Five: Ruling on the Property of the Muslims Residing in the Lands of the Unbelievers Voluntarily	371
Chapter Six: Ruling on the Property of the Unbelievers During Escort and Security.	372
Chapter Seven: Ruling on Fighting the Unbelievers and the Legal Differences Between Fighting them and Fighting the Apostates.	373
Chapter Eight: Ruling on Fighting those who Fight Islam and those Muslims Living with them Voluntarily, and the Legal Differences Between fighting them and Fighting the Transgressing Party.	375
Chapter Nine: Ruling on Repelling the Enemy	377
Chapter Ten: Buying a Fulani from Land for Slavery	378
Chapter Eleven: Ruling on Buying from Lands in which Islam is Rampant.	379
Chapter Twelve: Limit of Lawful, Unlawful and Ambiguity.....	380
Chapter Thirteen : Concerning the Rulings how to Relate with the Oppressors.....	381
Chapter Fourteen: Ruling on going to the Children of the World Among the Oppressors (evil doers) and Others with the Hope of Getting some Benefits for the Muslims as well as Avoiding Harm.	382

In the Name of Allah, the Beneficent, the Merciful

May His peace and benediction be upon our Master Muhammad, his family and companions abundantly.

The needy servant, the one under the mercy of his Lord, Uthman bn Muhammad bn Uthman bn Salih, popularly known by Ibn Fodio (May Allah cover him with His mercy). Ameen, says: All praise is due to Allah the Lord of the universe. May the best peace and blessings be upon our Master Muhammad (saw), his family and companions. May He also be pleased with the honourable followers and practicing scholars as well as the four Imams of Ijtihad and their imitators until the day of Qiyamat.

There are important issues the knowledge of which is needed by the people of Sudan and all those whose territories are similar among our brethren in all regions and countries.

First: Concerning that religion is based on verification and whoever follows his opinion is not following the supreme Legislator.

Second: Concerning that, it is not permissible for the Muslims to remain without giving allegiance to any Imam.

Third: Concerning the ruling of emigrating from the lands of Unbelievers to the lands of Islam; from the land of Bid'ah (innovation) to the land of Sunnah and from the land of disobedience to the land of obedience.

Fourth: Concerning the ruling on supporting the Unbelievers.

Fifth: Concerning the ruling on the property of Muslims living in the lands of unbelievers voluntarily.

Sixth: Concerning the ruling on the property of the Unbelievers during escorting and safety from shedding blood.

Seventh: Concerning the ruling on fighting the Unbelievers and the legal differences between fighting them and fighting the apostates.

Eight: Concerning the ruling on fighting countries who fight Islam and those who live there voluntarily from among the Muslims, and the legal differences between fighting them and fighting a transgressing Muslim country.

Ninth: Concerning the ruling of defending oneself when attacked by enemies in one's town or city.

Important Issues

Tenth: Concerning the ruling on buying a Fulani from the Sudan land for ownership and slavery.

Eleventh: Concerning the ruling on buying those brought from those lands in which Islam is rampant.

Twelfth: Concerning the lawful and the forbidden, and the ambiguity.

Thirteenth: Concerning the ruling on how to relate with the oppressors.

Fourteenth: Concerning the ruling on going to the people of worldly desire among the oppressors and others with regard to what is expected of benefit to the Muslims as well as avoiding harm on same. These are fourteen issues.

CHAPTER ONE

Religion is built upon verification

I say, and all help is from Allah; Ahmad Azzaruf said in **Umdatil Muridissuadiq** (The Base of the True Discipline) after mentioning the verse that Allah said:

﴿قُلْ هَذِهِ سَبِيلِي أَدْعُو إِلَى اللَّهِ عَلَى بَصِيرَةٍ أَنَا وَمَنِ اتَّبَعَنِي﴾ يوسف: ١٠٨

“Say this is my way. I call to Allah on insight and verification: I and whoever follows me.” Qur’an 12:108

It therefore becomes clear that insight is an integral part of religion, and whoever practices religion based on his own opinion is not following the Legislator. Nevertheless, people are of three categories: A scholar that is competent in his verification, always looking for evidences, although he is not a hardworking person. Then the one who is between the scholar and ordinary Muslims. It is not permissible to follow him except after due verification or after concluding (satisfactorily) that he is among those who should be followed based on the Sharia, and then abstain from talking of his knowledge what contradicts the basic principles of Shari'a, because it is not permissible for any to cross his knowledge. Allah said:

﴿وَلَا تَقْفُ مَا لَيْسَ لَكَ بِهِ عِلْمٌ﴾ الإسراء: ٣٦

“Do not follow that which you have no knowledge about.” Qur’an 17:36

As for the ignorant, his duty is to stop (accept and believe) where he has no doubt that this is from Allah and be steadfast in it otherwise he will be like someone playing with his religion or mocking it. You should know that this is enough to affirm answer to this issue.

اللهم أرنا الحق حقا وارزقنا اتباعه وأرنا الباطل باطلا وارزقنا اجتنابه

“O Allah! Show us the truth as truth and inspire us to follow it, and show us falsehood as falsehood and inspire us to shun it.”

CHAPTER TWO

Muslims Must Not Remain Without Declaring Allegiance To An Imam (Leader)

I say -seeking Allah's help that to give allegiance to the Commander of the believers is obligatory on every Muslim once he can get a Commander. Muhammad bn Abdulkareem Almugili said in his answers, which he gave to Askiya on the same question: it is not permissible for any group of Muslims to remain lost (with no leader). Allah said:

﴿وَأَعْتَصِمُوا بِحَبْلِ اللَّهِ جَمِيعًا وَلَا تَفَرَّقُوا﴾ آل عمران: ١٠٣

“And hold the rope of Allah all together and do not be divided.”
`Qur'an 3:103

And in Sahih Muslim, Ibn Umar (ra) was reported to have said that the Messenger (saw) of Allah said:

(من خلع يده من طاعة لقي الله يوم القيامة لا حجة له، ومن مات ليس في عنقه بيعة مات ميتة جاهلية)

“whoever withdraws his hand from the obedience of the Emir, will meet Allah in the day of Qiyamah without proof, and whoever dies without (giving allegiance to an Emir) having allegiance on his neck, dies the death of the times of ignorance.”

This is enough to answer the question.

In this, there is enough response to this issue.

اللهم أرنا الحق حقا وارزقنا اتباعه وأرنا الباطل باطلا وارزقنا اجتنابه.

“O Allah! Show us truth as truth and inspire us to follow it, and show us falsehood as falsehood and inspire us to shun it.”

CHAPTER THREE

Ruling on Emigrating from the Land of the Unbelief to the Land of Islam

I say - and Allah is my Helper. Indeed relocating from the lands of unbelief, innovation, and disobedience is obligatory by consensus and there is no more explanation after Allah's explanation that:

﴿إِنَّ الَّذِينَ تَوَفَّيْنَاهُمُ الْغَالِيْنَ أَنفُسِهِمْ قَالُوا فِيمَ كُنْتُمْ قَالُوا كُنَّا مُسْتَضْعَفِينَ فِي الْأَرْضِ قَالُوا أَلَمْ تَكُنْ أَرْضُ اللَّهِ وَسِعَةً فَهَاجِرُوا فِيهَا قَالُوا لَيْتَكُمَاؤُهُمْ جَهَنَّمَ وَسَاءَتْ مَصِيرًا ﴿٩٧﴾ إِلَّا الْمُسْتَضْعَفِينَ مِنَ الرِّجَالِ وَالنِّسَاءِ وَالْوِلْدَانِ﴾ النساء: ٩٧ - ٩٨

“Indeed, those whom the Angels take their souls while they are wronging themselves it will be said to them what were you involved in? They will say: “we were oppressed on earth.” It will be said: “Wasn't Allah's earth wide enough for you to emigrate?” These ones, their abode will be Hell fire, what a bad destination. Except the oppressed ones among men and women and children, those who have no way.” Qur'an 4:97-98

Jalal Assuyut said, explaining the part wrote that:

﴿ظَالِمِيْ أَنفُسِهِمْ﴾ النساء: ٩٧

“Wronging themselves.” Qur'an 4:97

means residing with the unbelievers and refusing to emigrate. In addition, Ahmad said in his summary that there is no divergence on that. It is obligatory on the Muslims to remove the Imam if he displays unbeliever's act by not establishing Salat as well as calling (others) into it, or changes a command of Shariah. In fact, they must reside with the unbelievers if they are stronger than him, but if they are weaker, then it is obligatory for the Muslims to emigrate from that land to another one. (IKMALIL IKMALI ALLABI). Also in **Shu'ubil Iman** –Facets of Faith-from Mu'awiyah, he reported that the Prophet (saw) said:

(لا تنقطع الهجرة حتى تنقطع التوبة ولنقطع التوبة حتى تنقطع الشمس من المغرب)

“Emigration does not stop or end until repentance ends and repentance does not end until the sun rises from the west.”

Abu Dawuda (ra) in his Sunnan, likewise said:

(كل الفرار من ظهراني المشركين واجب على كل مسلم وكذلك كل موضع يخاف عنه فالهجرة عنه واجبة إلى أرض الله الواسعة)

“Running from residing with the Idol worshipers is obligatory on every Muslim, likewise every place he fears it is obligatory to emigrate from it to the vast (free) land of Allah.”

Aljazuli said explaining the book called **Arrissalat** that “It is a must for every human being to run if afraid for his life and religion and property to a place he does not fear anything of that nature. In the same-way, if he is in a land where he witnesses plots in form of killing, robbery and forbidding activities, then he must emigrate from that place to a place where he will not witness the same, even if the place where he witnessed mischief is the best like Mecca or Medina (thus he can migrate even from them)”..

Ibnu Abdulsalam said “Emigrating in the latter years as well as in the earlier ones is an obligatory tradition”. Also, Muhammad bn Jizzy said in the book, **Laws of the Principles of Shariah and Issues of Juridical Ramifications** that “Running is to get out of the land of disbelievers to a Muslim one, or from a land of innovation to a land of Sunnah, and moving out of the land in which forbidden act is rampant as well as running to avoid forbidden acts on your body, family or property.”

Qurtubi said in the book titled **Attazkir** that “When tribulations take over, all perish, and that is when sins become manifest, evil rampant and there is lack of change. At this moment, it is obligatory on the believers, those who reject the status quo in their hearts to emigrate (emigration) from those lands, running from them.” This was the ruling on those before us among the nations as in the story of the people of Assabti when they ran away from disobedience. They said we will not reside with you, and for this reason the righteous predecessors, Ibn Wahab reported that Malik said “One will emigrate from land where forbidden acts are popular”. Abu Amruwi then said that, also related from Ashahab Ibn AbudlAzeez, he said that Malik said: “It is not polite for a believer to reside in a land where their acts are not righteous and they abuse pious leaders”. Abu Umar said, “This statement made by Malik means that if there is another land where acting on truth is better”.

He also said in **Fawakihi Daniya**, which is an explanation of the book, **Risala**, that “The author did not explain the ruling on those who become Muslims among the enemies of Islam, whether they should remain in the land of unbelievers or they should emigrate to the land of Islam?” Someone else explained saying: if some unbelievers become Muslims and they are living

where the principles of the unbelievers reach them, then they must migrate, and if they do not, they will be disobeying Allah and His messenger (saw). Their Islam is, however, correct because emigration was after Islam, before the conquest of Mecca. I wish to add that emigration was obligatory before the conquest of Mecca for the fear of being tempted in their religion, also in order to preserve the knowledge of Shari'ah and its principles and fight the unbelievers.

Also in Bukhari from Atta'i bin Abi Rabbah was reported to have said: I visited Aishat (ra) with Ubaid bin Umair (ra) and I asked her about emigration and she said: "There is no more Hijra today, the believers used to run with their religion to Allah and His Messenger (saw) for the fear of being tempted. Today Allah has given victory to Islam, and the believers can worship Allah wherever they wish. What is left now is Jihad of intention." Aqastalani was reported to have said in **Al-Irshad** (The Guidance) explaining this hadith that so far one is in "the land of unbeliever, to emigrate from it is obligatory to whoever embraces Islam, and fears to be tempted in his religion or fears lack of learning the principles of religion, and the ruling moves along with its causes and reasons." Al-Mawardi said if he is capable of establishing religion in any of the unbeliever lands, then those lands have become Muslim lands and remaining there is better than moving away, because of the hope of converting people into Islam. This is enough for an answer.

O Allah! Show us truth as truth and inspire us to follow it, and show us falsehood as falsehood and inspire us to shun it.

CHAPTER FOUR

On Supporting the Unbelievers

I say with Allah is the guidance and that supporting unbelievers is divided into three categories:

First this is a kind of support that is disbelief by consensus; that is relating with the unbelievers, and befriending them, loving them for being unbelievers, and out of hatred to the religion of Islam and its adherents. This meaning is contained in the following verses:

﴿لَا يَتَّخِذِ الْمُؤْمِنُونَ الْكَافِرِينَ أَوْلِيَاءَ مِنْ دُونِ الْمُؤْمِنِينَ وَمَنْ يَفْعَلْ ذَلِكَ فَلَيْسَ مِنَ اللَّهِ فِي شَيْءٍ﴾ آل عمران: ٢٨

“The believers do not take the unbelievers as friends and allies instead of the believers, and whoever does so is not of Allah in anything.” Qur'an 3:28

Also;

﴿بَشِّرِ الْمُنَافِقِينَ بِأَنَّ لَهُمْ عَذَابًا أَلِيمًا﴾ النساء: ١٣٨

“Give glad tidings to the hypocrites that for them are a painful punishment.”
Qur'an 4:138

﴿الَّذِينَ يَتَّخِذُونَ الْكَافِرِينَ أَوْلِيَاءَ﴾ النساء: ١٣٩

“Those who take the unbelievers as friends and allies.” Qur'an 4:139

Also;

﴿وَمَنْ يَتَوَلَّهُمْ يَتَوَلَّهُمْ أَجْمَعِينَ﴾ المائدة: ٥١

“Whoever inclined unto them among you he is indeed part of them.”
Qur'an 5:51

Second: This is a kind of support that is a disobedience but not disbelieving in Allah by consensus, like relating with them in order to get (or earn from) what is in their hands. This is referred in the verse:

﴿يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَتَوَلَّوْا قَوْمًا غَضِبَ اللَّهُ عَلَيْهِمْ﴾ الممتحنة: ١٣

“O you, who believe, do not take for allies, people upon whom is the wrath of Allah.” Qur'an 60:13

I.e. the Jews. The commentators said that this verse was revealed on some poor Muslims who used to relate with the Jews in order to get their fruits. This

is to make it clear that ordinary display of love towards the unbelievers and relating with them in order to get worldly benefits from their hands is not disbelieving in Allah, but yes, it is a sin. Ibn Yahya Zakariya Al-Anwari said in **Futuhur Rahman**(The Succor of the Compassionate) on the commentary of the verse:

﴿وَمَنْ يَتَوَلَّهُمْ مِنْكُمْ فَإِنَّهُ مِنْهُمْ﴾ المائدة: ٥١

“And whoever supports them from among you then he is part of them.”

Qur'an 5:51

If you say it indicates that loving the people of the Book is disbelieving in Allah; it is not. I say: He said that exaggerating so as to keep people away from those who don't share their religion, or because the verse was revealed on the hypocrites who are unbelievers already.

Third: This is a kind of support that is permissible by Consensus, like relating with the Unbelievers as friends only in the tongue not in the heart out of fear. This is referred to in the saying:

﴿إِلَّا أَنْ تَخَفُوا مِنْهُمْ فُتْنًا﴾ آل عمران: ٢٨

“Except if you fear something from them.” Qur'an 3:28

In the commentary of this verse; Al-Baidawi said: “this is an interdiction to support them outwardly and inwardly at all times, except in times of fear in which it is permissible to display love.” Aljalal Assuyut commenting on this verse said: “If you fear them, then display support by your tongue but not in your hearts, and this was before, when Islam was not strong, and the same applies to any country where Islam is not strong.” He also said in **Alfawakihu Addawani** -Close Fruits, an explanation of the Book called **Risalah** in the author's statement: “The believer must ask forgiveness from his believing parents, support the believers i.e.; to get involved with them, show them love and avoid what may be a cause of dissension like grudges and envy. May Allah protect us. So, what is meant is not just an ordinary getting involved with them physically without love in the heart.

Also, know that the softness known as humility is of three kinds: the obligatory that is humility towards Allah, His messenger (saw), the leader and the knowledgeable father. The forbidden is humility towards the oppressors and the unbelievers. It is not permissible because humility towards these ones does not bring any honour, and is meanness with no advancement. The recommended one is humility towards Allah's servants.

Important Issues

This support is exclusive to the believers because it is not permissible to give it to non-believers as mentioned above; for the saying of Allah:

لَا تَجِدُ قَوْمًا يُؤْمِنُونَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ يُوَادُّونَ مَنْ حَادَّ اللَّهَ وَرَسُولَهُ وَلَوْ كَانُوا آبَاءَهُمْ أَوْ أَبْنَاءَهُمْ أَوْ إِخْوَانَهُمْ أَوْ عَشِيرَتَهُمْ ﴿٢٢﴾ الْمَجَادِلَةُ: ٢٢

“You do not find people who believe in Allah and the last day loving those who confront Allah and His Messenger (saw), even if they are their parents, children, brothers or their family.” Qur’an 58:22

Instead you see them as evil and fight them if they are among those who fight Allah, except if they are under protection of the Muslim government; they should not be confronted except to the extent of need, because it is forbidden to harm those under protection of a Muslim government. This is enough for an answer.

O Allah! Show us truth as truth and inspire us to follow it, and show us falsehood as falsehood and inspire us to shun it.

CHAPTER FIVE

Ruling on the Property of the Muslims Residing in the Lands of the Unbelievers Voluntarily

I say and my success depends upon Allah. In fact, to take the property of the Muslims who voluntarily live in unbelievers lands is permissible when mixed (added) with the spoils of the idol worshipers. Al-Ajhuri said in **Azzahrat Al-Mouridiyat** when asked about a group of Muslims living under an unbeliever King while they were capable of running (away from the land) but they did not. Later, the Leader of the Muslims captured some properties as war spoils. Some Muslims remained, but others came and identified their property, which has already been divided among Muslims as spoils of war. The question is: should they take it or not? So he answered; the property of Muslims residing voluntarily in unbelievers lands, its ruling is the ruling of the property of the enemy. It is taken just like the property of the enemy that is taken without war, and it becomes part of the Treasury, The Muslim Treasury. Whoever finds his property he should not take anything. This is enough.

O Allah! show us the truth as truth and inspires us to follow it, and show us falsehood as falsehood and inspire us to shun it.

CHAPTER SIX

Ruling on the Property of Unbelievers During Escort and Security

I say depending on Allah for success. To take the property of the unbelievers during escort and security is forbidden. In Bukhari, it is narrated that Al-Mugirat escorted some people in the times of Jahiliyah (period of Ignorance) before Islam, then he killed them and took their property. Later on, he became Muslim and the Prophet (saw) said:

(أما الإسلام فأقبل وأما المال فلست منه في شيء)

“Islam accepts it, but the property you are not entitled to it.”

Al-Qastalani said in Guiding the Disciple an explanation of Bukhari, while commenting on the statement of Prophet (saw) that:

(وأما المال فلست منه في شيء)

“The property you are not entitled to it.”

i.e.; you have no right over it because you took it by betraying its owners. The property of the Idol worshipers, although it is lawful to take after overpowering them, it is not permissible to take it when there is a debt (agreement) on security. In the case of escort, each of the sides is guaranteed security from the other. There should be no shedding of blood. Therefore, taking property in that situation is betrayal; which is frowned upon even towards the unbelievers and others. Yes, their property is held only through fighting. This is enough for an answer.

O Allah show us truth as truth and inspire us to follow it, and show us falsehood as falsehood and inspire us to shun it.

CHAPTER SEVEN

Ruling on Fighting the Unbelievers and the Legal Differences Between Fighting them and Fighting the Apostates

I say depending on Allah for success. To fight the unbeliever is (sufficient obligation) done by some. The actions of these few covers all, but it is incumbent on the person of the Leader of the believers and on the congregation of Muslims as a whole. If there is none; i.e. doing it as it is in- **Fawak Addawani** (Close Fruits). Also in the **Mukhtasari-** Jihad it is among the most important obligations all round the year, but if there is fear of an enemy, visiting the Ka'abah is sufficient obligation. This is even with an unjust ruler on all capable responsible male Muslims.

Now to the differences between fighting the unbeliever and fighting the apostates, al-Mugili said when answering Askiya Muhammad's question that the unbeliever are in three categories: the first is a clear manifest unbeliever by origin, like the Jews, Christians, the Majus and others among those who inherited unbelief from their parents.

The second: is a Muslim who becomes unbeliever by apostasy physically. The third is one who claims to be a Muslim, but is considered an unbeliever for displaying acts that comes only from an unbeliever.

The unbeliever by origin and his offspring as well as his women are taken captives and their property is divided. There is no disagreement on this among the scholars. On the apostates, there is difference of opinion. Ibnul Qasim said concerning the people of Hisni (town), those who become apostates, their offspring, and women are not taken as captives, but their property is for the Muslims. Ibn Rushd said that "this is the correct view because the apostates are of free origin." This is the view towards which most scholars and Imams in the past gravitated.

After knowing that, we add that whoever performs those acts that nullify Islam, replacing it with unbelief, is commanded to repent, and if he repents, he is left alone, but if not, then he is killed by the sword as an unbeliever, but his children are not enslaved, instead, they are forced to remain Muslims. As for selling the mothers of their children, those who were taken care of from the money of Muslim treasury, I do not see any problem with that, although their children cannot be enslaved. As for what is available now of the money that they took from the Muslims, they took it to their Lord because it was taken without anything, because who ever took it claimed to be Muslims, so what they took is not in the same ruling with what was taken by the Unbelievers by

origin. As for what the Muslims took from them, they will not take anything from it. They should return it, but nothing is returned to them, because what remained with them is more than what was taken from them and in reality it does not belong to them. Infact, the unjust one is more desiring of bearing the brunt of everything. As for the one, you found enslaved or claims that he is free, the ruling depends upon his words, until there is clear evidence that he is a slave, and if he confesses to be a slave, but later claims to have said that out of fear, then he is to be considered free.

Also in the Book called **Madkhal** on the Ruling of Apostates, it is mentioned: “that the land of the apostates differs from that of the enemies of Islam in four things. One of them is that you do make peace with them on residing in their town. They are not given a peace treaty for the money they ran with during their apostasy. The third is that their men cannot be enslaved and their women are not taken captives. The fourth is that the victorious do not possess their property because it is not permissible to fight them.

It also differs from the land of Islam in four aspects: one of them is that it is not permissible to fight them whether they are coming or running like the Idol worshipers. The second is the illegality of shedding their blood or taking them captives. The third is that their property should not be taken and shared as war booty. The fourth is that marriage with them can hold. This is enough for an answer.

O Allah show us truth as truth and inspire us to follow it, and show us falsehood as falsehood and inspire us to shun it.

CHAPTER EIGHT

Ruling On Fighting Those Who Fight Islam And Those Muslims Living With Them Voluntarily, And The Legal Differences Between Fighting Them And Fighting The Transgressing Party

I say and my success is in the hands of Allah that fighting the enemies and those Muslims who live with them voluntarily is obligatory on the Leader of the believers as well as on the congregation of Muslims if they are not compelled by circumstances to do so; and it is possible.

Ibnu Juziy said in **Alqawanin** – the Laws that fighting them is jihad, and whoever resides with them his blood can be shed, and whoever is killed by them is a Martyr. Sheikh Khalil said in **Al-Mukhtasar** that the enemy blocks the road to prevent movement, or takes the property of a Muslim or anyone else in a way that is difficult to bring relief. Ashibrikhati said in **Sharhil-Mukhtasari**; in his words, “or take the property”, with a long “Hamzah” and “Kasrah” on “Kha,” means that the enemy is the subject while the taker is an adjective qualifying it. It also exempts someone who enters a house or a shop and fights in order to take property, or the one who gives drink to a drunk person, or one who deceives a child in order to take his property or any other person. Al-Kharashi said in his explanation of this book in his words, the same as above.

Muhammad bin Abdul-Kareem said in his answers which he gave to Askia on the enemies of Islam, that it is obligatory to fight them, and there is no problem on you, for those Muslims living with them because they are wronging themselves by living there. Therefore, since you had no previous knowledge of their property and they stayed there with the unbelievers until the situation deteriorated into war, there is no blame on you if you take their property. However, whereby you have information on Muslims property before war, you are expected to keep away from it and return it to the owners. Their case is helped if they are not staying with them voluntarily or they were changing the status quo through preaching and other efforts. But whoever was living with them voluntarily or helping them in their corruption, then kill them and take their property, without accepting repentance from them, if Allah gives you victory over them.

Abul Qasimu Albarzili mentioned in his book that the Sultan conquered a group of Bedouins most of them under protection of the Muslims, so Ibnu Arafat gave the divine verdict that their property was held using the vote of the majority until they confirmed their case. He justified his action by saying that

they were disobeying by living in large numbers with the enemies of Islam and mingling with them. They were not to be given the immunity unless they proved their excuse of being compelled to stay in the land of the enemy because they could not get out for lack of means; they feared that such attempt might be disastrous to them, their family, and property.

As for the difference between fighting them and fighting the transgressing party, Ibnul Ahajj said in the **Madkhal** that fighting the transgressing party is different from fighting the Idol worshipers in thirteen aspects. One of them is that they are fought with the intention to deter them not kill them.

Second: they are fought when they fight back, but when they run away, they should not be pursued and fought. Third: wounded persons among them are to be spared. Fourth: their captives are not to be killed. Five: their women are also not (to be) taken captives. Sixth: their offspring are not (to be) taken captives. Seven: their property is not (to be) taken as booty. Eight: they are not (to be) given a pact for living in their land. Nine: they are not (to be) given peace treaty on the property they fight with in their innovation. Ten: the help of the Idol worshipers is not (to be) sought to fight. Eleven: they are not (to be) threatened. Twelve: their houses are not (to be) burnt. Thirteen: their trees are not to be cut.

Then he said: to fight the enemies is like fighting the transgressing party in all circumstances except in five things.

The first of them is that they are fought (when they confront) coming or running (trying to escape). Second: it can be depended on war to kill them. Third: it is permissible to imprison their captives. Four: they must give assurance of whatever they destroy, be it human life or property during the war and that is not permissible in the transgressing party after the end of the war. Five: whatever they took in the form of tax and alms is like what they took by force with no right. This is enough as an answer.

O Allah! Show us the truth as truth and inspire us to follow it, and show us falsehood as falsehood and inspire us to shun it.

CHAPTER NINE

Ruling on Repelling the Enemy

I depend upon Allah for success, that to repel the enemy in this case is obligatory on every one with the capability, including women and slaves. It is also obligatory on those near them to help them if possible. He said, in the Book of **Risala** that no one should fight without the permission of his parents except if all of a sudden the enemy attacks the city. In that case, there is no need to ask permission from parents.

Sheikh Al Khalil said in **al-Mukhtasr** that “It is incumbent on all to defend an enemy attack including women.” He said also in **Alfawakih Addaawinat** explaining the message in Al-Mukhtasr that it is a responsibility on a slave or on whoever lives near them if they are incapacitated. Meaning that it is obligatory in a state of Jihad on all those who are capable, including women and slaves and it is forbidden to run away if the people of the city or whoever is in their ruling, reaches half or twelve thousand, but if not, then it is allowed to run. Hassan Al-Maliki said in **Tahqiqil-Mabani** (Confirming the Foundation) that it is incumbent on whoever is around them to help them, and if there is no one among those around them, then it is incumbent on all Muslims. This is enough as an answer.

O Allah! Show us the truth as truth and inspire us to follow it, and show us falsehood as falsehood, and inspire us to shun it.

CHAPTER TEN

Buying a Fulani From The Land for Slavery

I am depending upon Allah for my success. It is not permissible in most cases to sell or buy Fulani as slaves as said by Sheikh Ahmad Baba in the book **Al-Kahf wal Bayani Li-Aswnaafi Majhib Sudan**-Manifestation and Categorization of those Brought from Sudan. Because in most cases their tribes i.e.; Fulani, there is Islam, except what we came to know about a group behind Jinni which is said to be of unbelievers and we do not know if by origin or by apostasy. The ruling is that the Fulanis of our Black nation Land who were brought to us, it is not permissible to buy them for slavery except after confirming that they are unbelievers by origin, because in most cases there is Islam in their tribes as mentioned earlier on. This is enough as an answer.

O Allah! Show us the truth as truth and inspire us to follow it, and show us falsehood as falsehood, and inspire us to shun it.

CHAPTER ELEVEN

Ruling on Buying from Those Lands in which Islam is Rampant

I am depending upon Allah for success. Territories are of three categories:

The first is the lands where Islam amongst its people has not been confirmed. The second is the lands where Islam amongst the people has been confirmed. The third is the lands which we do not know if their ruling is Islam or unbelief because we do not know what is their origin or obtains in their land.

It is permissible to fight them and enslave those in the first category, by consensus. Ahmad Baba said in the book: *Manifestation and Categorization of those brought from Sudan* that: There is no problem on you if you enslave them without asking (for justification). However, in the case of the second category it is not permissible to buy them and enslave them except after confirming that they are unbelievers. This is the verdict (Fatwa) given by the scholars of Andalus like ibn 'Utab and others. Likewise, the rulers agree with Ahmad Baba as in the above mentioned book.

As for the third category, the Jurist and the Memorizer, Mahliful Balbali said that whoever wants to give peace to himself, let him not buy except one who mentions his territory and checks if it is a Muslim or unbelief land. Also, the Jurist and Memorizer Abu Ishaq said: "that to abstain from enslaving those brought from lands we do not know if they are Muslims or Unbelievers is as a result of piety." This is enough for an answer.

O Allah! Show us the truth as truth and inspire us to follow it, and show us falsehood as falsehood, and inspire us to shun it.

CHAPTER TWELVE

The Limit of Lawful, Unlawful and the Ambiguous

I am depending upon Allah for success. Indeed, the lawful is whatever we ignore its source. Ahmad Azzaruf said in **Miftahu Sadad Sharhu Irshadi Salik** (The key of the Truth Explained: Guiding the Disciple) that the lawful is whatever is concerning that which there is no demand of rights from Allah or from His servants, and in the most correct form it is whatever we ignore its source. Forbidden is whatever is confirmed to be the property of someone else, as said by Al-Gazali in the way of the worshippers. Ambiguity is whatever has not been confirmed as either lawful or forbidden, as said by Ahmad Azzaruf in **Miftahu Sadad fi Sharh Irshadi Salik**.

This is enough.

O Allah! Show us the truth as truth and inspire us to follow it, and show us falsehood as falsehood, and inspire us to shun it.

Al-Barzaliy said concerning some of them. He then said that “I was told to make remark” and he said: to that, that of the unbelievers. Ibn Rashdi also made the same comment.

CHAPTER THIRTEEN

Rulings on How to Relate with the Oppressors

I am depending upon Allah for success. Relating with the oppressors is in categories: Ibnu Jizi Alkalbi said that this is divided into two. One of them is like the case of dealing with the forbidden by oneself, such as usurpation, stealing and the likes. It is not permissible to buy it or sell if it is a commodity, or eat it if it is food, or wear it if it is cloth. It is neither permissible to accept gifts from any of the above, or borrow; whoever does so is also an usurper.

The second: is the case where the forbidden has gone away from his hands, remaining the responsibility of it, there are three situations in this. The first: when most of his money is forbidden, it is forbidden to deal with him; detestable according to Ibnul Qasims, and forbidden according to Asbag. The second: when all his money is unlawful; if there is no lawful in it, it is forbidden to deal with him. The third: when the money is Lawful, except that it is from forbidden but what accrued from it overweighs his responsibility. They differed in dealing with him as in allowing and disallowing. They allowed it if in exchange for some payment but disallowed gift. This is enough as an answer.

O Allah! Show us the truth as truth and inspire us to follow it, and show us falsehood as falsehood, and inspire us to shun it.

CHAPTER FOURTEEN

Ruling on Going to the Children of the World Among the Oppressors (evil doers) and Others with the Hope of Getting some Benefits for the Muslims as well as Avoiding Harm

I am depending on Allah for my success. The frequency of going to the children of the oppressors for the above mentioned purpose is not allowed. It is mentioned in **al-Madkhl** that it is very important to be very cautious of frequenting any among those, even if apparently he seems not so, because a scholar must be very cautious. He is not to be found at their gates and he has no excuse in doing so. This is even if he fears something from him, or hopes to get some benefits for the Muslims as well as avoid some harm.

In the first case only if he fears of a possible near punishment. In the second case, he commits a delicate act for the fear of something that may or may not take place. As for getting benefits for the Muslims, he should stop going to their gates and turn to Allah in supplication.

The great theologian, Alwahab Asha'arani said in **Waqi'ul Anwar**-Reality of Light- that Sufiyan Athawry said that "My brother, beware of the affluent. Do not come close to them in anything, and do not mingle with them. People will tell you that you will intercede and get back the rights of the oppressed that is from Shaitan." The reciters took that as a medium to draw near them and get worldly benefits from them. AbdulAzeez said: If you say people, some are weak and cheated in the hands of rulers, but by your visit to the rulers and getting familiar with them, you would be of benefit to weak people or those cheated, and gain reward in worship as said by the Prophet (saw). You should intercede and be rewarded. Please be careful! It may be an idea from Devil, which may cause a chastisement unto you by your mingling with oppressors, and could cause a disgrace to the people of religion in any town, because sitting with oppressors for conversation is a big sin and hypocrisy. It is like fighting Allah and His Messenger (saw). Let me say that if your intercession would not cause any harm to your religion, and you would not be harmed in anyway, it could be permissible, as it was said by many Islamic scholars.

Here we have come to the end of the book: Important Issues in the 1217, Zul-Qa'dah, 13th, on Tuesday, Zuhri time, after spending thirteen nights on it.

All praise is due to Allah the Lord of the Universe, May His peace and blessings be upon the master of the messengers, his family and companions abundantly.

تنبيه الطلبة

على أن الله تعالى معروف بالفطرة

Awakening the students:

That Allah is known through Instinct

By

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Translator

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Prof. A.B. Yahya

Awakening the students

In the Name of Allah, the Beneficient, the Merciful.

May Allah's peace and blessings be upon our Master, Muhammad (saw) his family and companions abundantly till the end of time.

The poor servant of Allah, the one desperate for His mercy, Othman bin Muhammad bin Uthman bin Salih bin Muhammad, popularly known as Ibn Fuudiy (May Allah have mercy on him), *Ameen*, said:

Praise is to Allah, the Lord of the universe. May the best of peace and prayer be upon our Master, Muhammad, his family and his companions. May He also be pleased with the followers of their footsteps, the practicing scholars, the four Imams of *ijithad* (Jurists) and their imitators (those who affiliate themselves to the Imams) till the day of judgement. *Ameen*.

This is the book titled: "**Awakening the Students: That Allah is known Through Instinct**". My brethren, Allah has explained in His book that He can be known by the natural inclination of the instinct in many verses among which are:

﴿فَلَا تَجْعَلُوا لِلّٰهِ أُنْدَادًا وَأَنْتُمْ تَعْلَمُونَ﴾ البقرة: ٢٢

"Do not make rivals for Allah while you know." Qur'an 2:22

﴿وَلَيْن سَأَلْتَهُمْ مَنْ خَلَقَهُمْ لَيَقُولُنَّ اللّٰهُ فَأَنَّى يُؤْفَكُونَ﴾ الزخرف: ٨٧

"And if you ask them who created them they will certainly say Allah; how then they turned away?" Qur'an 43:87

﴿وَلَيْن سَأَلْتَهُمْ مَنْ خَلَقَ السَّمَوَاتِ وَالْأَرْضَ لَيَقُولُنَّ خَلَقَهُنَّ الْعَزِيزُ الْعَلِيمُ﴾ الزخرف: ٩

"And if you ask them who created the Heavens and the Earth, they will surely say: "The All-Mighty, All-Knowing created them".

Qur'an 43:7

﴿وَلَيْن سَأَلْتَهُمْ مَنْ خَلَقَ السَّمَوَاتِ وَالْأَرْضَ وَسَخَّرَ الشَّمْسَ وَالْقَمَرَ لَيَقُولُنَّ لِلّٰهِ الْعَنْكَبُوت: ٦١

"And if you ask them who created the heavens and the earth, and subjected the sun and the moon they will surely say: Allah; how then are they turned away?" Qur'an 29:61

﴿وَلَيْن سَأَلْتَهُمْ مَنْ نَزَّلَ مِنَ السَّمَاءِ مَاءً فَأَحْيَا بِهِ الْأَرْضَ مِنْ بَعْدِ مَوْتِهَا لَيَقُولُنَّ اللّٰهُ فَلِی الْحَمْدُ لِلّٰهِ﴾

العنكبوت: ٦٣

Awakening the students

“And if you ask them who sends down from the sky water (rain) with which He gives life to the earth after its death, they will surely say Allah; say unto them then, praise be to Allah.” Qur’an 29:63

﴿قُلْ لِمَنِ الْأَرْضُ وَمَنْ فِيهَا إِنْ كُنْتُمْ تَعْلَمُونَ﴾ (٨٤) سَيَقُولُونَ لِلَّهِ ﴿المؤمنون: ٨٤ - ٨٥﴾

“Say: To whom belongs the earth and whatever is in it if you know, they will surely say to you to Allah.” Qur’an 23:84

﴿قُلْ مَنْ رَبُّ السَّمَوَاتِ السَّبْعِ وَرَبُّ الْعَرْشِ الْعَظِيمِ﴾ (٨٦) سَيَقُولُونَ لِلَّهِ ﴿المؤمنون: ٨٦ - ٨٧﴾

“Say: Who is the Lord of the seven firmaments (heavens) and the Lord of the mighty throne, they will surely say: Allah.” Qur’an 23:86-87

﴿قُلْ مَنْ يُبْرِئُ مَلَائِكَتُكَ كُلِّ شَيْءٍ وَهُوَ يُجِيبُ وَلَا يُجَاوِزُ عَلَيْهِ إِنْ كُنْتُمْ تَعْلَمُونَ﴾ (٨٨) سَيَقُولُونَ لِلَّهِ ﴿المؤمنون: ٨٨ - ٨٩﴾

٨٩ - ٨٨

“Say: on Whose hands is the dominion of everything and He gives protection, but protection is never given to Him if you know, they will say Allah.” Qur’an 23:88-89

And many other verses.

The Prophet (ﷺ) also clarified in his *Sunnah* that Allah is known by instinct. In his (saw) saying as reported by Bukhari and Muslim that:

كُلُّ مَوْلُودٍ يُوَلَّدُ عَلَى الْفِطْرَةِ

“Everyone is born with the natural disposition of instinct.”

Shihabu Deen Ahmad Ibn Hajar Al-Asqlani said concerning the words of Allah that:

﴿فَأَقِمْ وَجْهَكَ لِلدِّينِ حَنِيفًا فِطْرَتَ اللَّهِ الَّتِي فَطَرَ النَّاسَ عَلَيْهَا﴾ (الروم: ٣٠)

“Be firm and steadfast in the religion as a monotheist that is the natural predisposition upon which Allah created mankind.” Qur’an 30:30

And on the Hadith that:

كُلُّ مَوْلُودٍ يُوَلَّدُ عَلَى الْفِطْرَةِ

“Everyone is born with the natural disposition of instinct.”

“There is a consensus among the followers of the *Sunnah* (Ahlus *Sunnah*), may Allah be pleased with them, on the soundness of the creed of laymen

Awakening the students

through instinct. Abdulwahaab Asha'arani said in the book “**Qawa'id Al-Kashfiyah**” (Foundation of Inspiration) that “I heard our Sheikh, Sheikhul Islam Zakariya (May Allah have mercy on him), saying:

'The creed of the laymen is sound by consensus of all followers of the Shari'ah. They are Muslims despite the fact that they (the laymen) did not read books of rhetorics (Ilmul Kalam). Allah made them see the true creed through the natural instinct in them (and) by learning from a practicing father or by inspiration, and their knowledge of Allah as well as not attributing to Him what does not befit Him, is based on all that has been said on this issue in the Qur'an.' ”

Waliyullah Ibn Abi Jamrah said in the book **Bahjatu Nufus Sharh Al-Bukhari** (The Ecstasy of the Souls in the Explanation of Bukhari) that: “There is a consensus among the companions and the predecessors on the soundness of the faith of laymen”. Prophet Muhammad (ﷺ) said:

“We are an illiterate Ummah (nation), we do not read nor write”⁽¹⁾

Abu Mansur said that: “There is a consensus among the companions on the fact that the laymen are believers, knowing their Lord, and they will be in Paradise based on some reports and the consensus.”

A fact mentioned by Ahmed ibn Zakaria in the book **Muhsal Al-Maqasid**(Achieving the Goals) that, Abu Mansur reported the consensus of the people of the right path in a write-up saying that laymen among Muslims are believers with full knowledge of their Lord. It was also reported that they are inmates of Paradise. This is agreed upon by the people of Sunnah.

(1) The correct wording of the *Hadith* is “We are an unlettered nation, we do not write or calculate”. It was mentioned in connection with the sighting of the moon and the beginning of the lunar month, and it indicates that there is no need to resort to astronomical calculations in order to know when the month begins. We should rely on visual sighting of the moon when it is new, then we will know that the month has begun.

The *hadith* was quoted to explain that we should rely on sighting of the moon and not on calculations. It did not come to urge the *ummah* to remain ignorant and not to learn arithmetic and all other useful sciences as some Muslims now think. Scholars *Shaykul Islam* Ibn Taimiyyah in his *Majmu' al-Fataawa*, (25/164-175) has a lengthy discussion on the *Hadith* explaining all these.

The full wording of the *Hadith* is, “We are an unlettered nation, we do not write or calculate. The month is such-and-such or such-and-such – meaning sometimes it is twenty-nine and sometimes it is thirty.” Reported by al-Bukhaari (1814) and Muslim (1080)

Awakening the students

The Ustaz, Abu Zur'ah Ahmed Ibn Sheikh Abdur-Rahman Al-Iraqi wrote in his book titled: **Al-Gaith Al-Hamie Sharh Jamie Al-Jawami** (The Ultimate Relief in the Explanation of Compilation of Collections) mentioned that Ustaz Abu Mansur said that “Our companions have a consensus on the fact that the laymen are believers, knowing Allah and that they are inmates of paradise based on reports and the consensus therein”. He, however, cautioned that “Amongst them are those who say that there is need for an intellectual outlook on the issue of (their) creed (the laymen)”. They have gotten enough of it because their instinct is programmed to unify the Creator, know that He is everlasting,” and that all existing created things are ephemeral, even where they cannot articulate such with the oratory (skill) and expertise of the rhetoric *Ilmul Kalam*, which is just an added advantage and not an essential.

Moreover, Sheikh Imam Abu Bakr Ahmed Ibn Faruk in his book **Annizwami Alqawami** (The Perfect Order) said: “Know that the laymen with the level of knowledge they have about Allah are all believers knowing Allah, and they will dwell in paradise.” Then he said, after some words that his father, the Sheikh (Allah's mercy be on him), has noted that: “when a layman or an illiterate is presented with these technical issues of rhetoric (*Ilmul Kalam*) and he rejects or ignores them, thinking he does not believe in them, he is not going to be judged for what he says, because what he does not understand is the presentation of the rhetorical (*Ilmul Kalam*) speaker. He, therefore, rejected it, but deep in his heart he believes in the unchangeable truth contained in the presentation he cannot decipher.”

On the other hand, the Al-Mutazilat (a school of thought) said that for one to be knowledgeable about Allah, he must become conversant with these intricate issues of the science of rhetorics (*Ilmul Kalam*), with their technicality and methods of presentation of evidences and proofs. Therefore, he said, this is farfetched and too demanding because its implication is that all laymen will be counted outside the sphere of faith, contradicting the stand of religious people of all times.

As you know and we have mentioned, our school of thought holds that it is enough for the laymen in his present state of habitual, cultural and naïve way of taking religion, to be considered knowledgeable about Allah. Allah said:

﴿وَمَنْ يُؤْمِنْ بِاللَّهِ يَهْدِ اللَّهُ قَلْبَهُ﴾ التَّغَابُن: ١١

“Whoever believes in Allah, (He) guides his heart.” Qur’an 64:11

Awakening the students

And Allah has guided their hearts to know Him, may He be glorified. This is the explanation believed by the people of truth on this, as it should be known to you. Here ends his abridged comment.

It is established also that the Knower of Allah, Abdul Wahab Asha'arani said in **Addur Al-Manthurat Bayan Zubd Al-ulum Al-Mash Hurat** (Scattered Pearls in the Explanation of the Crop of Popular Knowledge) that Allah may He be glorified, is known by all His creation, and none among them ignores Him. He, Allah is All Encompassing and His creation is incapable of being fully acquainted with Him, but He made Himself known to each creature in a special exclusive form with no one sharing the other's way of knowing Allah.

That is the reason why every creature knows its creator, provider of sustenance, giver of life and death, but not all are capable of expressing their knowledge about Allah if asked how do they Know Him? This is because the ways of knowing Him differ. Some, for example, know Him through taste, and taste can hardly be expressed accurately in words or signs, and the ways of knowing Allah are just as many as the quantity of creatures.

He also mentions in the book **Al-Qawa'id Al-Kashfiyat** (Foundation of Inspiration) that Ibn 'Al-Arabi, the author of **Al-Futuhāt Al-Makkiyat** (Makkan Conquests) said in it that Allah created the soul complete, mature and aware of monotheism as well as of the fact that He (Allah) is the only creator. This is the natural disposition of instinct upon which Allah molded humankind and it is indicated in the Hadith that:

كُلُّ مَوْلُودٍ يُوَلَّدُ عَلَى الْفِطْرَةِ فَأَبَوَاهُ يَهُودَانَهُ أَوْ نَصْرَانَانَهُ أَوْ يَمَجْسَانَهُ.

“Everyone is born with the natural disposition of instinct, except that his parents make him a Jew, a Christian or a Madjus. (i.e magian)”⁽²⁾

Know this for it is precious.

He, Abdul-Wahab Asha'arani also said in his book **Annaswaihu Wal Waswaya** (Counsel and Advices) that “O my brethren, Allah did not give you Knowledge for you to know Him with it, because He is indeed Known without knowledge by all that glorify Him (like mountains, animals, thunder...etc). He gave you knowledge for you to use it in the universe just like water for irrigation, food for nutrition and marriage for procreation. Therefore He opens for you the Knowledge of the Wisdom of cause and effect for you to use it to ease the issues of your worldly and religious life.”

(2) Reported by al-Bukhari and Muslim from Abu Hurayrah

Awakening the students

Now you may ask: if it is possible to know Allah through the inbuilt natural instinct and that of Islam, so what is the benefit of proofs and evidences in the universe? I say: The answer is that its benefit is to provide ways of proving and confirming the faith, and silence whoever would want to argue with regards to our faith. Ustaz Abu 'Amr Uthman bn Abdillah Arra'iniy said in his book **Sharh Assalaladjiyat** (Explanation of **Assualadjiyat**) that, indeed, Allah the Most High is Known by the natural instinct, and the proofs and evidences in the universe are meant to provide ways of confirming what is already known.

The Knower of Allah, Abdul Wahab Ash'arani explained in his **al-Qauwa'id Al Kashfiyat** (Foundation of Inspiration), that the scholars of Islam did not write books on creed in order to reassure themselves of the knowledge about Allah. They only did that as a way of convincing their opponents and those who argued and denied the existence of a Deity. Their intention is to explain His attributes or some of these, and (to explain) the divine message, especially that of the Prophet Muhammad (ﷺ); or to undermine the position of those who denied the fact that the universe was a creation, there is resurrection after death and the like of these issues that can only come from those who deny the messengers and the divine books. So the Muslim scholars were asked to provide them with proofs beyond reasonable doubt so as to make them see the truth and return to it by believing in whatever came with the Prophets from their God, and that is all.

In addition, Waliyullah Ibn Abi Hamzah, condemned in **Bahjatun Nufus Sharh Albukhari** (Ecstasy of the Souls in the Explanation of Bukhari) that the people of **Bid'a** (innovation), especially those who are considered as non-believers, Muslims who have not read rhetoric (Ilmul Kalam) books. He expressed that if someone says that our predecessors have spoken on this knowledge, the answer is that they did not have this rotten creed, which crept into the hearts of our contemporaries. There was not this kind of total restriction (in knowledge) that we see nowadays.

In the past, they only spoke on issues after having acquired enough of the knowledge of the Shari'ah, and learnt all that was incumbent on belief concerning Allah; be it creed, words or deeds from the Qur'an and the Sunnah. Therefore, their reading and dealing with rhetoric (Ilmul Kalam) books did not harm them because they used them for those who had gone out of the religion in order to bring them back to the sphere of Monotheism.

With this, we have come to the end of the book “Awakening the Students: that Allah is known through Instinct. The book was completed in the year 1117 in

Awakening the students

the month of Zul-Qi'dah 11, on Sunday, Zuhr time of siesta. May Allah accept this effort from us. Ameen

Praise be to Allah who guided us onto this because this would not have been possible, if not for His guidance. May His peace and blessings be upon the best of this creation, Muhammad, his family and those who followed his footsteps in excellence till the day of judgement.

This book was completed by the grace and help of Allah. May His peace and blessing be upon His Messenger.

تنزيه ربنا القادر على ما يحيط في

النفوس

Glorifying

ALLAH

By

Sheikh Othman Bn Fodiyo

Translator

Yasir Islam Nabingo

Editor

Prof. A.B. Yahya

In the name of Allah the Beneficent, the Merciful.

May Allah's peace and blessing be upon our Master Muhammad (saw), his family and companions. The poor, devoted servant, who is deperate for the mercy of his Lord, Uthman Bin Muhammad bin Uthman, popularly known as Ibn Fodiyo, may Allah shower him with His mercy. Amen, said:

This book is titled: **Glorifying Allah from All that is Imaginable in the Human Soul**. I am depending upon Allah for success.

It is enough on this what Ali bn Abi Talib (ra) said when a Jew asked him saying: “when did Your Lord start to exist?” and Ali (ra) said: “He existed before the existence. He existed without (beyond) description. He existed and He does not have precedent, neither does He have end. Everything else ends in Him; He is the end of all ends” and the Jew became Muslim.

It is enough also on this what Hassan (ra) said when Nafi'e bn al Azraf asked him to describe his Lord, the Eminent and Majestic and he responded “I describe my God with what He described Himself with. He is not to be perceived by the senses; and is beyond logic. Close without touch. He is One and cannot be divided. He is known through signs and His attributes are complete and perfect. There is no God except Allah, the Great, the Eminent.”

It was also narrated by Abdul Rauf in his book **Kawakibu Durriyyah**(Shinning Stars), that it is also enough what Sheikh Abdul Qadir Jilani said: “Our Lord is Allah. He is close in His eminence and High in His closeness, creator of the creations from nothing by His power. He predicts everything by His wisdom and He is aware and encompasses everything. There is no God but Him. Those who attribute equals to Him are liars, likewise those who attribute rivals to him, or counterparts and namesakes.

“Glory be to Him by the sum quantity of His creation, the ornament of His throne, the extent of His pleasure and the quantity of ink required to write His words, the extent of His knowledge, the Knower of the unknown and of the apparent, the Beneficent, the Merciful, the Holy King, the Mighty and Wise, Unique One, the Singular the Absolute. He never begot and was never begotten, and there is no one like Him.

There is nothing like Him and he is all-Hearing, Seeing. He has no similar nor rival. He has no Helper nor supporter. He has no partner, no rival. He has neither opponent nor adviser. He is not a body that can be touched nor is He a mass to be felt physically. He has no beginning nor end. He was not

Glorifying our Lord

assembled, so He does not disintegrate. He is all-Powerful, Subduer, Wise, Capable, (Merciful) Affectionate, Forgiver, He overlooks, He creates with no precedent, He is Singular, Worshipped, Living, Never dies, Eternal and Infinit with no end, His kingdom is perpetual, He is forever powerful, Self-standing, never sleeps, Mighty and Invincible, to Him belong the most beautiful names and the Most Eminent attributes and the highest examples, He is not illustrated by imagination and is not perceived through analogy. The intellect cannot describe Him. Intelligence cannot reach Him and He is not compared with people. He is above being compared with what He created or to be related (added) to what He invented and created from zero.

“He counts the breath of His creatures, He takes care of the soul and judges everyone on the basis of what they earned. He counted and took the statistics of His creatures; and all of them will come to Him on the day of judgement, individually.

“He feeds but is not fed. He gives sustenance but He is not given sustenance. He takes whatever He destined from its recipient and no one helps Him to administer His kingdom. He is Alive with a life. He does not earn and He is without precedent. His knowledge has no beginning. His power is Limitless. He holds and releases. He gets pleased and angry. He forgives and shows mercy. Nothing is like Him and He is all-hearing, all-seeing”.

It was narrated by Abu Muhammad Abdur-Rahim al Hannafi in his book, **al-Manhaja**, a summary of **al-Bahjah** that it is also enough on this what Ali (ra) said: “Allah, the Eminent Truth is beyond whatever the creatures have conceived through their intellect, knowledge and science.” It was narrated by Abdur Rauf in the previously mentioned book: **Al Kawakib al Duriyya**.

This is the end of the book: Glorifying Allah, by His help and grace. (Alhamdu-lillah) Praise be to Allah who favoured us with faith and Islam and guided us through our Master Muhammad (saw) to Him from Allah the best peace and benedictions. May Allah have mercy on the Ummah of Muhammad (saw).

نصيحة أهل الزمان

*Advice To
Contemporaries*

By
Sheikh Othman Bn Fodiyo

Translator
Abubakar Buba Luwa

Editor
Prof. Suleiman Musa

CONTENTS

In The Name of Allah	401
Introduction	403
Chepter One: Piety, Sunna And Devotion	406
Chepter Two: Rejecting Others Because Schols Differ	410
Chepter Three: Issues on which Scholars Differ on Their Rule	414
Chepter Four: Issues on Which Scholars are of Consensus on Their Being Obligatory	423
Chepter Five: Issues on which Scholars are of Consensus on their Being Forbidden :	425
Chepter Six: Plinths of Justice as Obligated on All Muslim Leaders	428
Chepter Seven: The Affairs of Imam Mahdi as the Last of Caliphs	430
Conclusion	441

In the name of Allah, the Beneficent, the Merciful.

Blessing and complete peace of Allah be upon our leader, Muhammad (saw) and upon his household and companions.

The poor servant, one in dire need of his lord's mercy, Uthman bin Muhammad bin Uthman, known as Bin Foduye – may Allah cover him with His mercy, amen. This servant says: Praise be to Allah, who has bestowed the blessings of faith and Islam on us and has guided us by means of our leader and guardian, Muhammad (saw). The best blessing and purest peace of Allah, the Exalted, be upon him!

This is the book of “**Advice to Contemporaries**”, written by the poor servant, Uthman. I have written it as advice to the people of Sudan and to anyone among Arab and non-Arab brothers of all towns. By Allah's Will it will be causes to have the benefit of pleasure of the book. May Allah make us dwell forever in Paradise in the pleasure of the Beneficent (i.e. Allah) the reward of it.

My objective in writing this book, by the grace of Allah, the Exalted, is to call people to the fear of Allah, the Lord of Recompense, and to revive the Sunna (tradition) of the chosen Prophet (i.e. Muhammad (saw) that was sent from among the people of Adnan (i.e. the Arabs of that origin) and to assure love in terms of maintenance of good relations among brothers, even though intentions are seldom free from weaknesses and fault. It is a book of equity, such that it may not incline to the way of negligence, which is (the evil act of) simplifying sinful deeds and innovations, nor does it incline to extremism, which is to deny a matter of dispute the way a forbidden act is denied (i.e. rejected or condemned). Whoever considers the book an equitable (impartial) perspective would be sure of that. In it, I did not mention any word without ascribing it to its source or mentioning the book from which I have quoted it, because that is nearer to the peace of mind.

The book comprises of an introduction, seven sections, and a conclusion. The first section involves calling people to piety, following Sunna and keeping to the righteous path. The second involves warning people against rejecting other people over issues concerning the rule of which scholars differ, especially when they would reject people for committing prohibited acts. The third involves mentioning such issues that have occurred in this age on which

scholars are of consensus on their being obligatory, so the people of the age should give gratitude for that. The fifth involves such issues that occur in this age on which scholars are of consensus on their being forbidden, so that people of the age should beware of them. The sixth involves mentioning the bases of justice, which is obliged on all Muslim leaders. The seventh involves mentioning the affairs of Imam Mahdi, who is the last of caliphs.

INTRODUCTION

I say – guidance is from Allah. It is important that you should know, my brothers, that it is of bad manners of relating with Allah, the Exalted, to find fault with the age (i.e.; the time in which one exist), and no benefit comes from that except one's being exhausted in his heart and tongue. In **al-Muhadarat** (- a book, literally "Lectures"), the author mentioned how poets and other people of every age had blamed their age, and their pointing (to the idea) that the best of people had gone by, and that the earth (i.e. the world) had changed. Hassan al – Yussy said: "It follows from this that the world still remains like that, and that people are the same people since they were created. What is most complete (i.e. better) for a person is to yield, rather, to accept his time. That way, he will succeed with good manners in relating with Allah, the Exalted, the All-wise, the All-aware who is the Lord of the first and last generations. He will also succeed with gratitude and praise to Allah, as well as the peace of his heart (i.e. mind) and freedom from burning desire and aspiration, and the peace of mind for the people of his age, as well as maintaining their rights, having faith in the goodness of good people, having benefit from them, seeing the beauty of time, overlooking (people's) faults and other things."

Indeed, Allah gave the Prophet's companions the best age, so they would remember such kinds of evil as worshipping idols and committing detestable acts, which they had done in the past periods, in order that they praise Allah, the Exalted, and thank Him. It is required of every believer to consider the goodness that Allah, the Exalted, has given him in his age in terms of religion and the world, and the current and past evils from which Allah, the Exalted, has freed him, so he should praise Allah for that. Then Hassan al-Yousy said: "I have personally written poems regarding this meaning, and I have said (the following) to refute the unguarded poems that have been mentioned:

We praise Allah. Our time is the time of light
(Emanating) from the ages of time before it

Besides the time of the Prophet, blessing of Allah be upon him
And (his) companions and the three (agesof) guidance

Our religion is free from innovations and blindness
And we have lived in the best of times;

Whoever is especially given goodness
by Allah Dwells in it, past or present.

Let me say: We also praise Allah, the Exalted, for the good things He has given us in our age in terms of religion and the world, and for the present, past and evils that He has delivered us from. I have said (some) poems in this regard:

We praise Allah, Our time is the time of light
The time of removal of darkness from creatures

We praise Allah. Our time is the time of revival
Of the path of the leader of all Messengers (of Allah)

We praise Allah. Our time is the time of victory
The time for the defeat of all infidels

We praise Allah. Our time is the time of honor
The time of happiness for all Muslims

The cause of aid, leader of the learned scholars.

Hassan Al-Yusy also said in **Al-Muhadarat** “Note: The Rule of Finding Deficiency in Age (i.e. Time) and the People of the Age, and of Insulting Them, (The Rule of this Case) in Accordance with Religious Views Primarily and Secondarily.

Concerning age, of which it is also called “era,” the tradition of past and present poets and others has been to complain about it and to associate it with harm and injustice. There could be among them a person who believes in that apparently. He is (on that account) a polytheist. He may not believe in that because he has faith in the Oneness (of Allah). Rather, he mentions that negligently, following the method of those before him in expression or as a metaphor in terms of comparison for what occurs in the era (or time), such as accidents and happenings. However, the actual doer is Allah. Therefore, there is no meaning for complaining against it (i.e. the time/age), or for insulting it, or for finding deficiency in it. That is indeed employing bad names in relations with Allah in two ways.

First is that He is the one with the command of everything. It is for this reason that it has come in the (prophetic) tradition that “do not insult time, for Allah is (the Lord of) time,” i.e. Allah the Exalted, is the doer of what you see. Second is that a believer is obliged to believe that whatever action he sees at any time is applicable to that time as occurring in accordance with (divine) wisdom whether or not it corresponds with (people's) nature. Whoever believes in the contrary is ignorant of Allah, the Exalted, ignorant of His wisdom and power. If a person with authority were to govern a town, he

would only control it with wisdom and goodness, except what is beyond his knowledge and control. Allah, the Glorious and the Exalted, is All-wise, Omnipotent over His servants, Triumphant over His affairs. No occurrence goes beyond His power, and not (even) the like of an atom escapes his knowledge.”

Then Hassan Al-Yusy said: “Concerning blaming the people of the age, there is no doubt that it is allowed (i.e. lawful), because prohibition does not apply to voidness since there is no specification.” In the book of **Risalatul Quds** (literally, the Message of Holiness), Muhyiddeen Ibn al – Arabi did come up to that because the proof was present regarding the Sufists (religious mystics) of his time. He gave an answer that was similar to that, proving it with the case of Aisha, may Allah be pleased with her, who blamed the people of her time and men of religion of other times; but what is better is to desist from that, because of what we have already established, and because there is almost no benefit from that other than a person's exhaustion of his heart and tongue.

Yes! It is beneficial and helpful to mention with proof such reprehensible (i.e. bad) things that occurred from them with the intention of being careful, and with equity, as Abul Abbas did in (the book) **an-Nusah al-Anfa'a** (literally, the Most Beneficial Advice) and in **Umdatul Murid** (literally, the Disciple's Pillar). However, that is difficult, requiring the establishment of tangible facts and insight into knowledge and full experience. This is because “only few issues are real by which blame or praise is made from all sides, and most issues are a matter of addition and consideration, differing with the difference of persons, purposes, ages (i.e. eras) and places. You should understand that.” This is the end of his word, and with its end, this introduction comes to an end. It is now time for us to begin explaining the sections of the book.

CHAPTER ONE

Piety, Sunna and Devotion

I say – guidance is from Allah. You should know, my brothers, that it is with the fear of Allah, the Exalted, that He has instructed the first and last (i.e. succeeding) generations. He, the Exalted, said:

“We did instruct those that were given the Book before you and We have instructed you to fear Allah.”

He, the Exalted, also said: “O you who believe! Fear Allah, and let every soul consider what it offers for Tomorrow (i.e. the Hereafter).

“Fear Allah, for Allah is assuredly well acquainted with what you do.”

It was related in **Shu'abul Iman** (a book, literally meaning The Branches of Faith), written by Abu Muhammad Abdul – Jalil, through Abu Sa'eed Al-Khudri- may Allah be pleased with him – who said that “A man came to the Prophet of Allah (saw) and said: ‘O the Prophet of Allah, instruct me. He said:

“Keep to the fear of Allah. It is the center of every good.”

Abdul - Jalil said: “People have said a lot in defining the fear of Allah. The reality about it, by the grace of Allah, is that the fear of Allah (or piety) is to free (one's) word from impurities (i.e. obscenities) and to purify the body from sins.” You could say that piety is being cautious and careful of falling into contraventions (i.e. doing acts that break Allah's law). In the example we will give you, the pious person will be clear as distinguished from other persons.

That (example) is that we assume two men were born in Islam pure and clean. Then they both proceeded with their purity and cleanliness to a point that they came over contravening and prohibited things. Now, the first (i.e. one of them) remained in his first condition of piety and freedom from acts of sin by staying away from them. The second, however, fell into the prohibited things and did (all) bad things. The one that remained in his first state of purity and freedom from sins is the pious person. The one that fell into prohibited things is the perverse (i.e. corrupt) person. (However), a person that withdraws from sins is the repentant person. He is called a repentant person, not a pious person except concerning such sins as he stays away from in the future. A person is called pious concerning every sin he leaves and stays away from. If he does some and does not do other sins, he has a share of piety in accordance with the ones he does not do. Freedom and caution from doing sins is (what is called) piety. This is the end.

All sins are of two kinds: first of them are sins that religion mentions as sins (i.e. acts of disobedience). The second is to abandon doing the things that religion mentions as worship (i.e. acts of obedience to Allah). This is because no disobedience is greater (i.e. worse) than abandoning prayer, Zakat (i.e. giving forth alms) and abandoning an act of worship that a servant (i.e. a person) has been instructed to do. All sins are narrowed down to these two. Whoever stays away from committing sins and does not abandon acts of worship has indeed feared Allah.

Concerning the revival of the Sunnah of the chosen Prophet (i.e. the tradition of Prophet Muhammad (saw)), you should know, my brothers, that Allah, the Exalted, has instructed us to take what the messenger (saw) has brought to us, whether it is of obligatory, recommendable or complementary things, and to leave what he has instructed us not to do, whether it is of forbidden or reprehensible things. Allah, the Exalted, said:

“What the messenger (saw) has brought to you, take it! What he has forbidden you from, desist.”

The Messenger of Allah (saw) said:

“I strongly instruct you to keep to the Book of Allah and the tradition of His Messenger (saw)”

– narrated by Malik in (his book) **Al-Muwatta** (literally, the Path to Tread). The Messenger (saw) also said: “Keep to my tradition (i.e.; way) and the way of the rightly guided caliphs. Hold fast onto them” –narrated by Tirmidhi.

Umar bin Abdul – Aziz - May Allah have mercy on him – said: “The Messenger of Allah (saw), as well as those charged with authority after him, did set ways. Taking those ways is belief in the Book of Allah, working in the obedience of Allah and strength in the religion of Allah. No one has the right to change or alter those ways, or to consider the opinion of whoever opposes them. Whoever seeks guidance by the ways will be guided. Whoever aids himself with them will be aided, but whoever opposes them and follows not the path of those who believe, Allah will cause him to have what he has followed and let him burn in hell. That is an evil return!”

Concerning the observance of devoutness in oneself particularly, you should know, my brothers that devoutness is to be safe in religion and personality. Narrating in the authentic book of Bukhari, Nu'uman bin Basher said: “I heard the Messenger of Allah (saw) say: ***The lawful thing is clear, and the prohibited thing is clear, but between them are confusing issues not known***

by many people. Whoever avoids the confusing things is indeed safe in his religion and personality.”

Abu Muhammad Abdul-Jalil said in **Shu'abul Imam** that “Scholars differ in defining **Shubha** (literally Confusing Things). Some group (of scholars) says **Shubha** is what is hidden from its basis itself, such that it is not known whether it is prohibited or lawful. (Another) group says it is anything concerning which there is dispute (i.e. difference of opinion), such that some people say it is lawful and other people say it is forbidden. (Another) group says most of Shubha is lawful. However, the reality in defining it, by Allah's grace, is that anything that has not been manifest and it has not been decided with certitude, whether is lawful or prohibited, that thing is Shubha because the Prophet (saw) said:

“The lawful thing is clear, and the prohibited thing is clear, but between them are confusing things.”

(Here), Shubha has attained a third place between what is lawful and what is prohibited. This is the end.

Muhammad bin Yusuf Al-Mawaq said in **Sunnatul Muhtadeen** (literally, The ways of the Rightly Guided) that “Ibn Rushd said: ‘Malik encouraged Zayad to specifically take for himself the strictest of the rules of religion that have been pronounced by interpretative judgment.’” Abu Hamid said: “It is important in devoutness for the jurist consult (Mufti) and the emulator to avoid areas of dispute (i.e. difference of the opinions of scholars). It is of the assured devoutness to flee from dispute in the consensus (of scholars).” Muhyiddeen An-Nawawy said: “The men of knowledge agree on the encouragement to get out of dispute.”

Abu Mus'ab said that “Malik used to prolong bowing and prostration in his regular task of worship, and when he stood up for prayer, he would be like a dry wood, such that nothing moves (i.e. shakes) from him.” When he was befallen by what befell him, it was said to him: “You should take this easy!” He said: that it is not right for anyone to do a deed for (the sake of) Allah without making it good. Allah, the Exalted, said: “...in order that He put you to trial as to who among you is best in (his) deed.” Then Al-Mawaq said that “Consider this act of Malik, of holding to seriousness in religion and the consensus of scholars, which involves avoiding areas of dispute, forbearance with Allah, and preferring what is harder and best for the soul.” (What is best) is such an act that he would not find anything better than it if death came to him un-announced, and he would not want to meet Allah except on that (act),

as said by Suhnoon and others. It is the truth concerning which there is no doubt.

Whoever casts blame on what is below this position and says it is of idle talk or innovation in terms of this position, then I would say with the same implication, but casting blame generally, without additional (words like) “especially” and “perhaps”, does not fall into this position. That, therefore, is an evidence against him, and it is the path of the weak-minded concerning the words of scholars. However, it is of the affair of scholars of knowledge about Allah and the rules of Allah to take people to ease and amplitude. Ru'aim, who was one of the greatest scholars, knowledgeable in recitation and jurisprudence, said: “It is of the wisdom of the wise scholar to give amplitude (i.e. openness) in rules to his brothers, and to make it strict on himself in the rules. Giving amplitude is (itself) following knowledge, and making it strict on oneself which is of the wisdom (or rule) of devoutness (i.e. piety)”.

CHAPTER TWO

Rejecting Others Because Schols Differ

I say – guidance is from Allah – that you should know, my brothers, that it is a difficult or even impossible thing to find a justification for rejecting people. Sheikh Izzuddeen Ibn Abdul – Salam explained that “Rejection is connected with such an act that has consensus on its being obliged or forbidden”. Therefore, no rejection should be made of a person that leaves an act that (scholars) differ (in opinion) about its being obliged or does something that there is difference (of the opinions of scholars) in its being forbidden, where he emulates (i.e. follows) some scholars in that regard. (He should not be rejected) except if he follows him on such an issue where he (i.e. the scholar) has deficiency in his rule. If he (i.e. the emulator) is ignorant, he should not be rejected (i.e. castigated), but there is no blame in guiding him to what is more righteous. He is not rejected because he has not done any forbidden thing. It is not obliged on him to follow (or emulate) the person that pronounces that (the act) is forbidden or obligatory. This is the end.

In the book: **Takhlisul Ikhwan** (literally, Salvation to Brothers), it is written that “There is no blame in guiding the layman (i.e. ordinary person) to what is more precautionary in his religion, and there is no blame in debating with an interpretative scholar so he should come back to the prominent evidence. The difference of (the opinion of) scholars is mercy.” Based on this, it is not allowed to make rejection except of a person about whom is known that the deed he is being stopped from is one that scholars are of consensus on its prohibition, and that the deed he is being instructed to do is one that scholars are of consensus on its obligation. What we mean by not allowing rejection is to reject as though he had done a prohibited thing. If he made the rejection as a reprehension for guidance or he instructed him advisory and for guidance, that would be (mere) admonition and goodness.

Ibnul Hindi, may Allah have mercy on him, said “Do not object to anyone that passes judgment concerning any issue of jurisprudence except if you know that his rule is contrary to Al-Mudawwana (literally, the Record - a well known book in the Maliki School of Jurisprudence) and others.”

In the book, **At-Taqyid** (literally, Setting the Bounds), it is written that “whoever follows a school of jurisprudence has the right to choose the word of any of the scholars of the school that he wishes because he follows (just one)

school.” In the commentary on the Forty Traditions of An-Nawawi, Shibilisaid: “Only a person that has knowledge of what he instructs or forbids should instruct and forbid. If it involves manifest things like prayer, fasting, adultery/fornication, drinking liquor and similar things, then all people have knowledge of them. However, if it is of detailed actions and words and the things that are connected with interpretative judgment, then ordinary men (i.e. laymen) should have no involvement therein, nor should they reprehend (others) on its account. That is for the scholars.” Then he said after some statements that “But if he encourages him in terms of advice to get out of dispute, it will be good and lovable (i.e. acceptable) for him to do that gently because scholars agree on the encouragement to get out of dispute.”

In the book **A-Durar** (literally, The Pearls), it is written that “whoever makes it strict, Allah will make it strict on him. The purpose of Allah, the Exalted, concerning this Umma (i.e. Islamic Community or Nation) is to have difference occur in order to have ease. That is the reason Allah sent down a book in Arabic to them. The language of Arabs (i.e. Arabic) is vast, entailing different meanings.” This the end.

Muhammad bin Yusuf Al-Mawwaq said in **Sunnaul Muhtadeen** that Iyad said: “What scholars differ concerning its lawfulness and prohibition is not pronounced as forbidden. He said at the beginning of the book **Al-Ikmal** (literally, the Completion) that: “it is not right for the person that enjoins what is right and forbids evil to compel people on his interpretative judgment and school (or way of jurisprudence). He should only change from them such a deed that scholars are of consensus on its being an innovation (i.e. extraneous and contrary to religion) and its being reprehensible.” Muhyiddeen an-Nawawi adds to the word of Iyad by saying: “No rejection (i.e. reprehension) should be made for matters of dispute. The Mufti (jurist-consult) or the judge has no right to object to whoever opposes him as long as he does not oppose (i.e. act contrary to) the text of the Qur'an or Sunna or the consensus of scholars.”

Sheikh Shuyukh Ibn Lubb said: “If people's deed is based on the word of some scholars, it is not right to object such a deed, especially if the dispute (of scholars) involves what is reprehensible. That objection is great ignorance, and the person that objects to such a deed does not have guidance onto the clear path of the school. He is also not aware of the scholar's method and evidence, nor is he aware of the differences of the opinion of scholars in the basis thereof. He has also not given the right understanding and consideration of the issues, so he thinks that there is no knowledge or understanding besides his own knowledge and understanding.

Therefore, he belittles ordinary people and takes the elite (i.e. the knowledgeable) as ignorant. He sees that he is the only one on the right path. This is the end.

In his book, **Tamheed** (literally, Laying the Bases), Abu Omar said: “Don't you see that the Companions of the Prophet differed in opinion though they were good examples. Yet none of them blamed his colleague or got resentment of him in his soul.” Abu Omar reported by the chain of narration to Al-Thaury that: “if you see a person doing a deed in which scholars have difference (of opinion) while you see another deed (as preferable), you should not forbid him (from doing it).”

Indeed, Al-Mahdi instructed Malik to collect (the teachings of) his School of Jurisprudence in a book by which people should be compelled, but Malik said: “The companions of the Messenger of Allah (saw) had spread in towns and the people of every area took (their religious ways) from those that reached them, so leave people with what they do!” Sheikh Abu Ishaq Al-Shatiby said: “What is better for me, concerning any problem that scholars of a school of jurisprudence have two words about, such that people work in accordance with one of them even if it is the less prominent one in terms of consideration, what is better for me is not to object to them, and that they should be taken as having emulated (or followed) it in the first era (i.e. in the past) and that it had been applied to action. (This is because) if they were taken not in accordance with that, it would be confusing to the ordinary people and an opening of the door of dispute.”

Ibn Arafat said that “Ibn Hazm said: Scholars are of consensus that the person who seeks for simplicities is perverse (i.e. morally corrupt) and should be rejected based on the pronouncement of the scholar of certified knowledge and righteousness, Izzuddeen Ibn Abdul-Salam.” He did say: “it is not obliged on the ordinary person who has followed a scholar on an issue to follow him in the remaining issues of difference. The right from the time of the Muhammad (saw), his companions to the manifestation of the schools of jurisprudence, people have asked questions concerning the things that different scholars offer to them, without objection from anyone. (It is the same) whether he follows simplicities or great things in that regard because whoever (scholar, for example) makes the right person (influenced by his teachings) to be only one person cannot specify who that (right) person is. Whoever says every interpretative scholar is right should have no objection; therefore, of anyone that follows what is right (from that interpretative scholar).

Al-Qawafi said that “Scholars are of consensus that whoever becomes Muslim has the right to follow any scholar he wishes without constraint.” The Prophet's companions were of consensus that if someone had asked Abubakr (ra) and Omar (ra) for pronouncement and followed them, he would have the right to ask Abu Huraira (ra), Mu'az bin Jabal and others for pronouncement, without any objection. Whoever claims that these two consensus have been abrogated must bring the evidence. Al-Qawafi also said: “Whoever does something that is believed to be prohibited should be rejected for violating the prohibition. However, if it is believed that it is lawful (and he does it), he should not be rejected.” This is the end.

Let me say that rejection for doing a prohibited act is not done except when a person acts contrary to what is obvious in the Qur'an or Sunna or the consensus of scholars. Abdul-wahab Al-Sha'arany said in the introduction of his book, **Lawaqihul Anwar fi Tabaqatil Akhyar** (literally, The Breeze of Light in the Ranks of the Righteous) that: “The path of people is strengthened by the Qur'an and Sunna, which is manifest in the behaviour and manners of Prophets and the righteous. It is not blameworthy except if it is contrary to what is obvious in the Qur'an, Sunna and the consensus of scholars”. If it is not contrary, then the extent of the word is that it is an understanding given to a Muslim person, so whoever wants should work with it, and whoever does not want should leave it. Actions are like understanding in that regard. What remains of the section of rejection is bad thoughts about people and driving them to do things in order to be seen of men (i.e. not for the sake of Allah). That is not allowed in the religion. This is the end.

CHAPTER THREE

Issues on which Scholars Differ on Their Rule

I say – guidance is from Allah. You should know, my brothers, that one of the examples of the things that has occurred in this age and which scholars differ in opinion concerning their rules is calling infidels to Islam before fighting (them). Ibn Jazzy said in the book **Al-Qawaneen** (literally, the Rules) that “The call before battle is specifically meant for those whom the call to Islam has not reached, so they should be called to it first. If they accept (it), they should not be touched, but if they refuse, then the payment of tribute (Jizya) should be put forward to them. If they refuse (to pay tribute), they should be fought. Those whom the call to Islam has already reached are not called (to Islam again).”

It is said in the book **al-Zaharat al-Wardiyya** (literally, the Flowery Glow) that “the scholars of the school of jurisprudence differ in opinion as to whether call precedes battle. Some of them say that the school pronounces three words: obligation, absence of obligation, and obligation on a person whose home (or country) is distant. Some of them add a fourth point, which is that if Muslim troops are many and have security, (then there should be call before battle). If not, there shouldn't”. Al-lakhamy said that “There is agreement (of scholars) that it is obliged (to call before battle) in terms of a person that the call (to Islam) has not reached.” This is the end.

Let me say: On this basis that, we do not reject as a prohibited act the deed of a person that fights the infidels of this town (or country) before the call, because they are among those that the call (to Islam) has reached, (and) because that is of the issues in which scholars differ in their rule.

Among the examples of things that have occurred in this age and which scholars differ in opinion concerning their rules is enslaving those that renounce their religion whether they are of those who clearly renounce the religion of Islam or say openly that they have exited the religion of Islam and have entered another religion, that of unbelief; or among those that claim to be Muslims but whom we have ruled (i.e. pronounced) as being infidels, because a deed that only comes from an infidel has come from them, like the rulers of these black (i.e. non-Arab) towns of ours.

In the book **Al-Mukhatsar**, it is said that “Any group that renounce their religion and rebel, they should be treated as those who renounce their religion.” Al-Shbarkhity said in this place, explaining the meaning of that:

“The big (among them) are required to repent; the small are compelled; (their) wealth is kept as an endowment; families are not taken as captives. It was what Omar, may Allah be pleased with him, and a group of scholars and leading predecessors except a few, did.” However, Asbag said they should be treated as rebellious infidels: They, together with their children and wives are taken as slaves. By the Lord of my life, it was a matter in which Omar (ra) differed (in opinion) from Abubakr (ra) concerning the people of Renunciation among Arabs, such that Abubakr (ra) made (i.e. considered) them breachers of trust (or pact). Therefore, he killed the big (among them) and took the women and children as captives, so they and their wealth were distributed as spoils. It was what Abubakr al-Siddeeq, may Allah be pleased with him, did. This is the end.

Let me say that on this basis, we do not reject as a prohibited act the deed of a person that takes them; their children and wives as slaves, even though the prominent way is that it is not allowed to do that. This is because it is of the matters that scholars differ in their rules, even though not doing that is better because it is of the path of piety.

Among the examples of the things that have occurred in this age and which scholars differ in opinion concerning their rules is taking (or confiscating) the wealth of Muslims who reside in the hostile land. In **Al-Zaharat Al-Wardiyya**, Al-Ajhoory was asked about a group of Muslims that reside with an infidel king. Later, a Muslim leader fought against them and took spoils from them. Then they came and identified their wealth. Do they have the right to take their wealth or not? He answered by saying: “The wealth of Muslims who reside in the hostile land is an endowment, so it will be of the collective wealth of the Treasury.” Then he said: “I have been told that Asbag pronounced that, (too), because the owner has no control of it. Rather, the control of it belongs to the infidels. That was also the pronouncement of Ibn Rushd.” This is the end.

In the book **al-Mi'iyar** (literally, The Standard), Ash-hab and Suhnoon said that their wealth is not lawful because of the general nature of the Prophet's word (saw): “The wealth of a Muslim person is not (taken) lawfully except with his heartily acceptance.”

It is said in another place of the book that “succeeding scholars differ in opinion concerning the lawfulness of (taking) their wealth, basing it on the fact that the rule of the wealth is the rule of the homeland (i.e. friendly land or hostile land), or (whether) to respect the wealth because of the honour of Islam. The first (opinion) is the right one. This is end.

Let me say again that we do not reject as a prohibited act the deed of a person that takes and eats their wealth even though, what is pious is to leave that, because it is of the matters that scholars differ in their rule.

Among the examples of the things that have occurred in this age and which scholars differ in opinion concerning their rules is what is mentioned in the book, **al-Mi'iyar** that: "scholars differ in possessing dishes made of gold and silver not in order to use them." This is the end.

In the book of **al-Mukhatsar**, it is written that "there are two words concerning an ornament that is overlain, coated or poured over (by gold) and loop items and the dish of jewel." This is the end.

Let me say that we do not reject as a prohibited act the deed of a person that acquires what has been mentioned, not for use, even though what is pious is to leave that because it is of the matters that scholars differ in their rule.

Among the examples of the things that have occurred in this age and which scholars differ in opinion, concerning their rules is wearing silk in battle, i.e. a cloth, most of which is silk. In the commentary on **al-Mukhatsar**, where the author says: "He sins, but it is valid if he wears silk," Abdul-Baqi said: "that means it is forbidden to wear it because of scratch or in a battle, based on the prominent word, because it is the pronouncement of Ibn Qasim and what he reported from Malik, as opposed to Ibn Habib in the first, and Ibn Majishoon in the second, who gives his evidence by the fact that it shows pride and frightening (of the enemy) at war, and that it protects against arrows and other things during battle, where there is no weapon (i.e. where the Muslim fighter has no other weapon). Some group of the Prophet's companions and those that succeeded them also allowed it in battle." This is the end.

Let me say that based on this, we do not reject as a prohibited act the deed of a person who wears silk in battle, even though what is prominent is that it is not allowed, because it is of the matters that scholars differ in their rule.

Among the examples of the things that have occurred in this age and which scholars differ in opinion, concerning their rules is tying bells on the necks of animals, the bells being big ones. In the book of **Jami'i**, written by Ibn Ishaq, it is said: "It is reprehensible to tie bells and strings on the necks of animals". This is the end.

Let me say: His word is obvious that: "it is not allowed to tie strings on animals, or to tie bells on them because that has been forbidden in Prophetic tradition. The bells meant here are big ones, as opposed to small ones." This is the end.

Let me say: What is obvious from his word is that it is prohibited, but in the book **al-Irshad** (literally, Giving Guidance), in the section of what has been said concerning bell and similar things in the book of Bukhari, Al-Qastalani, said: The prohibition is (just) for probity (i.e. serving as deterrent)." This is end.

Let me say that, we do not reject as prohibited the deed of a person that ties them on the necks of animals, even though what is prominent is that it is not allowed in big bells, because it is of the matters that scholars differ in their rule.

Among the examples of the things that have occurred in this age and which scholars differ in opinion, concerning their rules is using the instruments of amusement (i.e. pastime/fun). In the book **Ta'arif al-fi'a bi-ajwibatil as'ila al-mi'a** (literally, Acquainting the Group with Answers to the Hundred Questions), Jalaluddeen Abdul-Rahman Al-Sayooty said: "What is prominent in the four schools of jurisprudence is prohibiting the instruments of fun. Some groups, among whom are the Superficiality Scholars (Zahiriyya), allow it." Then he said: "What is chosen in this issue is the path of the realists, among whom are Sheikh Izzuddeen Abdul-Salam, that it is allowed for the Sufists (religious mystics) and forbidden for others." Then he recited a poem in that regard, saying: We do not allow an instrument that is heard for any person, besides the men of the situation, leaders of the beloved ones.

Abul Hassan al-Maliki said in **Tahaqiqu'l Mabany** (literally, Establishing the Structures) about the author's word: "and listening to any instruments of fun like lute and pipe (i.e. clarinet / flute)," - he said: "It is reported that Malik allowed listening (to them)." Then he said: "But Ahmad al-Zaruq said: The goodness of the knowledgeable and the ordinary person is to stay away from it absolutely. The same applies to the Sufis except for a clear reason or an overwhelming condition." This is the end.

In the book **Sunanul Muhtadin**, Muhammad bin Yusuf al-Mawwaq said: "Ibn al-Arabi said in his book **al-Arida** (literally, the Wide Space) that, song is not prohibited because the Prophet (saw) heard (i.e. listened) to it. If anyone adds to what existed during the time of the Prophet (saw), such as striking mandolin and others, then he will fall into the word of Abubakr (ra), where he said: "The clarinet of Satan in the house of The Messenger of ALLAH (saw)!" That, however, does not have effect in prohibiting it because those are all instruments associated with the hearts of the weak-minded, so religion allows that.

Al-Maziry said: “If a song involves string instruments like lute, mandolin and (any other) stringed instrument, then that is not allowed. The same applies to clarinet (pipe). The obvious word of some scholars is that it is included among the forbidden (i.e. prohibited) things, even though Ibn Abdul-Hakam made listening to lute absolutely reprehensible, (owing to the fact that) liquor was forbidden, and playing strings used to accompany drinking liquor for the most part. It incites the soul towards drinking liquor to the extent that a person became like having been overturned on that.”

In the book **Tahqeequl Mabany**, where the author says: “and listening to any instruments of amusement and song,” Abul Hassan al-Maliki said: “al-Fakihany said: “I do not know of an obvious verse in the book of Allah, nor an authentic, obvious tradition in the Sunna that prohibits what the author has mentioned. They (i.e. the evidences used) are just phenomena (i.e. superficialities) and generalizations to which resort is made. They are not decisive evidences. In the same way our colleagues have phenomena by which they give evidence of prohibition, others also have phenomena by which they give evidence of permissibility.

Poems involving melody had been heard among the righteous predecessors and great men. Of those who pronounced that it is allowed among the righteous predecessors was Malik bin Anas, may Allah have mercy on him, and the people of Hijaz (i.e. the scholars) are of consensus that it is allowed, and traditions and a lot of evidences have been reported in that regard. Al-Ghazaly also brought an overflowing sea (of evidences) in that regard, and he brought what those who had pronounced that it was prohibited had used as evidences, and he gave answers to that; answers (i.e. responses) that none who hears them would be in doubt that they were certainly the right answers. It is mentioned in **al-Hawy** (literally, the Collection), as well as in **al-Zawajir** (-literally, Deterrent Words) written by al-Haitamy, that the instruments of fun are of three categories: they are either prohibited as in lute, mandolin and clarinet (pipe), or reprehensible as in cymbal (castanet) and reed where they involve song – otherwise they are not reprehensible, or allowed as in trumpets of warning, drums of war and drums of marriage. This is the end.

In **Kashful Ghumma an Jami'il Umma** (literally, Removing Vagueness From The Entire Community), written by Abdul-Wahab al-Sha'arany, it is mentioned in the advantage of women's beating of the tambourine for the arrival of an absent person and other purposes that “Buraida – may Allah be pleased with him – said: The Messenger of Allah (saw) went forth in one of his battles. When he returned, a black girl came (to him and said: “Messenger of Allah, I had made a vow that if Allah brought you back safe, I would beat

the tambourine before you (i.e. in your presence) and sing.” Then the Prophet (saw) said: “If you had vowed, you should beat, but if you had not (vowed), then you shouldn't,” so she began to beat, and Abubakr (ra) came in while she was beating (the tambourine). Then Uthman (ra) came in while she was beating. Then Umar (ra) came in, so she threw the tambourine beneath her bottom and sat on it. Abdul-Wahab al-Sha'arani -may Allah be pleased with him – said in (his) remark (or footnote) of this book that has been mentioned and in this place that: “all the things that Allah, the Exalted, has forbidden of the instruments of fun and similar things have come only in order to block the door (i.e. the way or pretext) of making causes and the legal means of earning worthless. Therefore, anyone that such things do not make idle (i.e. inactive) in his interests, or anyone to whom such things are a profession by which he seeks sustenance from Allah, the issue concerning them is simple (in his case). Indeed, scholars have spoken at length in that regard. Some of them forbid (such instruments) absolutely, and some of them allowed them absolutely. Some of them give details concerning the issue. This is the end.

Let me say: There is no disputing the fact that the instruments are nothing in religion. Rather, the people among the elite (i.e. knowledgeable) who use them do so for some religious purpose. On that basis, we do not reject as a prohibited act the deed of a person that uses them, relying on the works of those that have allowed them, because they are matters that scholars differ in their rules.

Among the examples of the things that have occurred in this age and which scholars differ in opinion is the conduct and attire of foreigners. It is mentioned in the commentary on **al-Manhaj al-Muntakhab** (literally, the Chosen Path) by Ahmad bin Ali bin Abdul-Rahman Al-Manjoury that “when Omar (ra) came to Sham (i.e. Syria), he found that Mu'awiyya bin Abi Sufyan had adopted seclusion and had taken expensive rides (i.e. horses) and great, grand clothes, and he had taken the path of kings, so he asked him about that, and he (i.e. Mu'awiyya) said to him: “I am in a land in which we are in need of this.” Then he (i.e. Omar (ra)) said to him: “I neither instruct nor forbid you!” What it means is that you are more aware of your condition as to whether you need this, so it will be good, or you do not need it, so it will not be good. That (incident) from Omar (ra) and others shows that the conditions of leaders and men of authority differ with the difference of cities, ages (eras), centuries (i.e. generations) and situations. For that reason, they need to renew (i.e. adopt) adornments and policies that had not existed before.

In some cases, it could even be obligatory (for them to do so). This is the end.

In **Tarikhul Khulafa** (literally, History of the Caliphs) by Abdul-Rahamn Al-Sayouty, it is written that “Mu'awiyya was the first to take castrated (i.e. emasculated) males specifically for his service.” Muhammad bin Yusuf Al-Mawwaq also said in **Sunanul Muhtadeen** that “people that I trust among scholars have mentioned that not everything foreigners have done is forbidden to wear except if religious law forbids it and basic rules show that it should be abandoned. What is meant by the foreigners that we have been forbidden from copying is following the Chosroeses (i.e. the Kisras/Persian rulers) of that era in their conduct. The prohibition is specifically for what they use to do contrary to the dictates of our religion. Concerning what they did in accordance with what is recommendable or obligatory or allowed in our religion, we should not abandon that (just) because they had done it because religion does not forbid (us) from copying a person that does what Allah has allowed. The Prophet (saw) did dig trenches around Madina in similitude with foreigners (i.e. the way they used to do).”

Then after some talk, (he said): “People that I trust among predecessor scholars mentioned that the Messenger of Allah (saw) had forbidden Arabs from copying foreigners, but it did not come (as reported or narrated) that he had instructed a delegation of foreigners who came to him to move from their attire to the attire of Arabs. This is the meaning of Ibn Rushd's pronouncement concerning the men of garrison where he said: “because it is their attire by which they are known, and they are those that protect religion”. He said: “Allah has created creatures (i.e. people) and made them distant in towns (or countries), and He has made them differ in attires. Therefore, it is not obliged on anyone of them to leave his attire to another attire. Veiling up is of the men of garrison. It is their attire. Therefore, it is praise-worthy for them to keep to it, and it is reprehensible for them to separate from it.” He said: “There is no blame on any of them that prays veiling his face as opposed to others besides them.” This is the end.

Then al-Mawwaq said: “It is right for the devout (i.e. pious) person to be devout in himself, and it is permissible for him to cause people to do devoutness as he does. Devoutness is a merit. It is not an obligation by which he could perhaps point to them by his own condition, lest he should cause disturbance to them in their religion and confusion in their hearts. They might not even be left (alone), so they cause their hearts to have hatred of that. Scholars have mentioned that a person who does an absolutely lawful thing thinking that it is a confusing issue, that such person's heart hardens (i.e. becomes morally corrupt) and becomes unjust on that account. In the same way, if he does a forbidden thing believing that it is lawful, his heart does not

harden (on that account) and he is not punished for it, and (if the forbidden thing were adultery), the child is deemed his. If he does an absolutely lawful thing believing it is forbidden, he is obliged to fix that violation. This is the end.

Let me say: It is of the conduct of foreigners to honour kings and great people by (various) kinds of addresses which the Islamic law (or religion) has not come with. In accordance with what is in **Sunanul Muhtadin**, written by al-Mawwaq, Shihabuddeen said: “Two kinds of honouring (i.e. respecting) people are allowed. First is what religion has brought, such as spreading the greeting of peace. Second, is what is not found in (religious) texts, nor was it present among the righteous predecessors because the reasons (or causes) for its application had not been present at that time, but it occurs newly in our age. Therefore, it becomes necessary to do it because of the new nature of its causes, such as the (various) kinds of addresses for kings and people of high rank among great people and standing up for veneration (i.e. respect). This and other similar things are all of normal issues that had not been present among the righteous predecessors, but which we do today. That is allowed.” Then al-Mawwaq said: “These things would have been reprehensible, not prohibited if there weren't these new causes. However, when these causes become new, leaving them becomes as necessitating the boycott that is forbidden (in Islam), and when there is contradiction between what is reprehensible and what is forbidden, the case of prohibition is settled even if what is reprehensible will take place. Values are distributed into the five rules of Shari'a.” This is the end.

Waliyullah Ibn Abu Hamza said in **Bahjatun-Nufus** (literally, the Pleasure of Souls), explaining the five rules of clothing, involving what is forbidden, what is reprehensible, what is commendable and what is allowed (i.e. permissible), he said: “An example of what is forbidden is wearing of silk by men. An example of what is reprehensible is the kind of copying of foreigners that has been disallowed, such as (wearing) turbans that do not have a remaining part or a part tied beneath the jaws because those were the turbans of the people of Lot.” In his book **Al-Ma'una** (literally, Help), Al-Qadi Abu Muhammad Abdul-Wahab, may Allah, the Exalted, have mercy on him, said: “Among reprehensible things is what is contrary to the attire of Arabs and resembles the attire of foreigners, such as wearing a turban without part of it beneath the jaws.” The author of al-Jawahir said: “in **al-Mukhatsar**, Ibn Wahab reported from Malik, may Allah be pleased with him, that he was asked about a man who wore the turban with nothing beneath his jaws, and he

(i.e. Malik) deemed it reprehensible, saying it was of the deed of the Copts”. This is the end.

Let me say that some scholars of late (i.e. succeeding scholars) have said that it is not reprehensible to wear turbans with nothing beneath the jaws or between the shoulders (i.e. at his back), and that it is allowed as found in the book **Ihya'u-Sunna**. In **Sunanul Muhtadin**, written by Al-Mawwaq, Al-Sayyid Mufti Tunus Al-Barzaly reports by saying he came to Sheikh Al-Waliyy Al-Arif Billah Al-Dakkali, and he was our mentor, and he used to eat from the work of his right hand (i.e. his rightful earning), he used to eat peasant kind of food. (He said: I came to him and found that) he detested (i.e. reprehended) a number of things including wearing a turban with nothing beneath the jaws like the scholars of today wear.” This is the end.

Al-Mawwaq also said in **Sunanul Muhtadeen** that “I used to inquire into (the act) of wearing Radnadeen, as a cloth that protects against cold with people of research, then that was disliked of me. There was, of the good kinds of Radnadeen, a Roman clothing concerning which the idea of copying foreigners was shrinking in terms of its advantage, because it was a clothing of moderation for me, which was useful and protective against cold.” Then Al-Mawwaq said: “Some scholars that I trust have mentioned that it is not all what foreigners do (i.e. make) that is forbidden to wear except what religion forbids. It was authentically reported that the Messenger of Allah (saw) had worn a Roman jubbah (i.e. Long Roman attire) with tight sleeves.” Ibn Al-Araby said in his book **Masalik** that “It was Syrian, but Syria at that time belonged to the Romans. In that is (an evidence) that it is allowed to wear tight clothes. It is praiseworthy to do so in battles, involving tucking up (i.e. girding oneself for a task) and emulating the Messenger of Allah (saw). There is also no blame to wear it at home.” This is the end of his text. Then Al-Mawwaq said: “Ibn Omar (ra) has a pronouncement like this in (the book) **Al-Istizkar**.” This is the end.

Let me say that Ibn Al-Hajj said in **al-Madkhal** (literally, the Introduction) that “Predecessor scholars differ (in pronouncement) concerning an act that is neither opposed nor established by the sunna (prophetic tradition) as to whether it is reprehensible as pronounced by Malik, or not reprehensible as pronounced by Shafi'i relying on the tradition “What I have left for you is a permissible surplus.”

Let me say that we do not reject as a prohibited act the deed of a person who adopts the conducts of foreigners or wears their attire where the Sunna neither opposes nor establishes it.

CHAPTER FOUR

Issues on Which Scholars are of Consensus on Their Being Obligatory

I say-guidance is from Allah. You should know, my brothers, that scholars are of consensus that it is obligatory to instruct what is right, which is of the things that have occurred in this age, and that it is obligatory by the consensus of scholars to forbid evil, which is of the things that have occurred in this age. By the consensus of scholars, it is also obligatory to migrate from the infidel land, which is of the things that have occurred in this age, and it is obligatory, by the consensus of scholars, to appoint the leader of the faithful, which is of the things that have occurred in this age. By the consensus of scholars, it is also obligatory to take (i.e. to beget or possess) weapons, which is of the things that have occurred in this age.

It is also obligatory, by the consensus of scholars, (for people) to defend themselves, families and wealth, which is of the things that have occurred in this age. By the consensus of scholars, it is obligatory to undertake jihad (i.e. fight in the cause of Allah), which is of the things that have occurred in this age. By the consensus of scholars, it is obligatory for the leader of the faithful to appoint governors in towns, which is of the things that have occurred in this age. It is also obligatory, by the consensus of scholars, to appoint judges, which is of the things that have occurred in this age, and by consensus, they are obliged to carry out (i.e. enforce) the rules of religion, which is of the things that have occurred in this age. These are, ten aspects for which, the people of the age must show gratitude to Allah. They are of the greatest blessings of Allah, the Exalted, after faith, and all of them have occurred in this age.

I also make it known to you, my brothers, that, based on the consensus of scholars, the rule of a country (or town) is (depicted by) the rule of its leader. If he is Muslim, then it is a Muslim country. If he is an infidel, then the country is an infidel country (or town) from which migration must be made. By the consensus of scholars, it is basically obligatory to fight against an infidel king (or ruler) that does not proclaim that there is no deity but Allah, and to seize the Sultanate from him. By the consensus of scholars, it is also obligatory to fight against an infidel king (or ruler) who proclaims that there is no deity but Allah (only) because it is the custom of the town, but who has never claimed to be a Muslim.

By the consensus of scholars, it is obligatory to seize the Sultanate from him. By the consensus of scholars, it is also obligatory to fight against a king (or

ruler) that renounces his religion, one who exits the religion of Islam to the religion of unbelief, and it is obligatory, by consensus, to seize the sultanate from him. By the consensus of scholars, it is also obligatory to fight against a king (or ruler) that renegades (Islam) by not exiting the religion of Islam, but rather by mixing the deeds of Islam with the deed of unbelief as the Hausa kings (monarchs or rulers) mostly do, and it is obligatory, by consensus, to seize the sultanate from him. By the consensus of scholars, it is also obligatory to fight against negligent Muslims who do not come under the allegiance of the leader of the faithful. (That is) when they are called to allegiance and they refuse. (They should be fought) until they come under the allegiance.

CHAPTER FIVE

Issues on which Scholars are of Consensus **on their Being Forbidden**

I say – guidance being from Allah and that you should know, my brothers, that, based on the consensus of scholars, it is forbidden to reside in the hostile land, which is of the things that have occurred in this age. By consensus, it is also forbidden not to come (i.e.; to refuse to come) under the allegiance of the leader of the faithful and his representatives, which is of the things that have occurred in this age. By consensus, it is forbidden to fight against Muslims who have lived in Muslim land, which is of the things that occur in this age. It is also forbidden, by consensus, to spend their wealth unjustly, which is of the things that occur in this age.

By consensus, it is forbidden to free people among Muslims whether they (i.e. the Muslims that have been described as free) are in the Muslim land or the infidel (i.e. hostile) land, which is of the things that occur in this age. By consensus, it is also forbidden to fight the infidels of covenant (i.e. with whom Muslims have a pact of safety), which is of the things that occur in this age. By consensus, it is also forbidden to spend their wealth unjustly, which is of the things that occur in this age. By consensus, it is also forbidden to enslave them, which is of the things that occur in this age. By consensus, it is also forbidden to declare Muslims as infidels because of acts of innovation, which is of the things that occur in this age. By consensus, it is also forbidden to declare Muslims as infidels because of (doing) sinful acts, which is of the things that occur in this age.

I have indeed instructed you, my brothers, to repent. Our Lord has assuredly called us to it, saying:

“O you who believe, repent purely onto Allah,” and:

“Turn you all onto Allah in repentance, O you who believe!”

I warn you, my brothers, from treachery. Our Lord has forbidden us from it, saying:

“O you who believe, be not treacherous to Allah and the Messenger thereby being treacherous to your trusts while you are aware

I also warn you, my brothers, from violating people's privacy and being occupied (or preoccupied) with their faults because whoever nitpicks the

privacy of his brother will have Allah nitpick his own privacy even if (he were to be) in the interior of his house. The believer finds excuse (for his brother), and the hypocrite finds faults. It is mentioned in Al-Muwatta'a that "Do not look into people's faults as though you were lords, but look into your faults as assuredly being servants."

You are obliged to observe (i.e. to maintain) the brotherhood of Islam, to keep in touch amongst yourselves and to put right the things that are between (or among) you. Allah, the Exalted, said:

Believers are but brethren, so make reconciliation between your (disputing) brothers, and fear Allah!"

He, the Exalted, also said:

"Fear Allah and make righteous what is between you."

It was related in the authentic book of Muslim through Abu Huraira, may Allah be pleased with him that he said: "The Messenger of Allah Muhammad (saw) said:

"Do not hate each other! Do not sever relations with each other! Do not turn your back on each other!"

It is also found in the authentic book of Bukhari that the Prophet (saw) said:

"None of you believes until he loves for his brother what he loves for himself."

Sheikh Abu Muhammad Abdul-Jalil, may Allah be pleased with him, said in **Shu'abil Iman** that "Of those to be loved because of Allah are all remaining believers. You should love them for the faith and Islam that appear from them in (the cause of) Allah, and you should love for your brother what you love for yourself."

Allah, the Exalted, said: "Believers are but brethren" therefore, if sinning, contravention, injustice and other (similar) things are found among them, you should detest that from them and you should only hate them for that. You should love that they repent as you would for yourself, and you should pray (or supplicate) for them. You should, as well, only love them for the faith and obedience (to Allah, i.e. worship) that appear from them. As you would love to have your faults covered, you should in the same way love their faults covered. You should not like to have obscenity (or evil) spread among those who believe. You should supplicate that their group become righteous, repent and have mercy. These are all righteous deeds by which envy and grudge are

expelled. This must happen either in this world or in the Hereafter, such that you will not enter paradise except in the form of love in (the path of) Allah.

Allah, the Exalted, said: “And we pull out the rancour that is in their bosoms, making them brothers facing each other, (lying each) on (his) beds.” Of the best of deeds is to have one's heart free (i.e. without any rancour or grudge) for people. It is by such (conduct) that the righteous became great. May Allah accept our repentance and the repentance of all male and female sinners! May He have mercy on us and all Muslims in this world, in death and in the Hereafter, Amen! This is the end.

CHAPTER SIX

Plinths of Justice as Obligated on All Muslim Leaders

I say – guidance being from Allah. My brothers, you should know that the pedestal of Justice are ten (in number) as pronounced by Al-Ghazali in some of his publications (i.e. his books).

First is that you, the leader, should know the worth of leadership and its risk. Leadership is a blessing, such that whoever establishes it in the right way gets an endless satisfaction, one beyond which there is no (other form of) satisfaction. Conversely, whoever falls short of upholding its right way, gets an endless wretchedness, one beyond which there is no (other form of) wretchedness except disbelief in Allah, the Exalted.

The second basis is that you, the leader, should have interest in the scholars of religion, being desirous to listening to their admonition (or advice), and that you should warn (or deter) bad scholars who have the for this world.

The third basis is that you, the leader, should not be convinced by taking your hands off injustice. This is in order to give moral lessons to your boys, colleagues, employees, and representatives. You should not accept injustice from them.

The fourth basis is that, in most cases, the governor (or person with authority) becomes arrogant. It is from the arrogance that hatred against him takes place, which calls for (i.e.; leads to) revenge (or retribution). Therefore, it is right for you, the leader, to incline to the path of pardon (or tolerance) in all affairs and to get used to kindness and forgiveness.

The fifth basis is that you, the leader, should assume that you are actually one among the (people as) subjects, and that the leader is someone else. Therefore, you should not accept for anyone among Muslims what you would not accept for yourself.

The sixth basis is that you, the leader, should not despise (i.e. belittle) coming to the aid of people in need and their standing at your door. Beware of this risk. Whenever Muslims have some need of you, do not be preoccupied with supplementary deeds of worship because settling the needs of Muslims is better than supplementary deeds of worship.

The seventh basis is that you, the leader, should not get yourself used to acts of the soul's desire, such as wearing superior (i.e. exquisite or expensive) clothes

and eating sumptuous meals. Rather, you should use self-contentment in everything. There is no justice without self-contentment.

The eighth basis is that whenever it is possible for you, the leader, to do things leniently and gently, you should not do them harshly and violently.

The ninth basis is that you should be busy remembering the dreadful conditions of the intercession (i.e. life in the grave or the time spent there) and its degrees, as well as remembering the dreadful conditions of the Hereafter and its degrees.

The tenth basis is that you, the leader, should be busy remembering the Messenger of Allah (saw). Assuredly, Allah, the Exalted, has made some of the deeds (or actions) of man (man in the generic sense) a cause of his wretchedness and some (of his deeds) a cause of his satisfaction.

However, man is not capable of knowing that on his own independently. By the judgment of His favour and mercy, Allah, the Exalted, created His Angels and sent them to (some) people for whom He had immemorially assigned satisfaction. They are the Prophets, blessings of Allah be upon them. Therefore, He sent them to creatures (i.e. to people) to make the path of satisfaction and (the path of) wretchedness manifest to them, so people should have no evidence against Allah. He also sent our Prophet, Muhammad (saw) in the end. He made him a giver of good tidings (to believers) and a Warner (to disbelievers), and He got his Prophethood to the degree of completeness, such that no place or space remained for addition therein. It is this reason that He (Allah) made him the last and end of prophets, peace be upon them. This is the end.

These have been the bases of justice that al-Ghazali mentioned in some of his books. Every leader is required to understand and use them.

CHAPTER SEVEN

The Affairs of Imam Mahdi as the Last of Caliph

I say - guidance being from Allah. You should know, my brothers, that the appearance (i.e. coming forth) of Imam Mahdi – may Allah, the Exalted be pleased with him – is an issue that has been decisively settled (i.e. there is no dispute in it) because traditions have recurred in that regard. It has also been decisively settled that he is Noble because traditions have recurred in that regard. It has also been decisively settled that he is of the offspring (i.e. descendants) of Fatima, the Prophet's daughter (saw) because traditions have recurred in that regard.

Al-Qurtuby said in **at-Tazkira** (literally, the Reminding) that “Traditions reported from the Prophet (saw) have mentioned the coming forth of Mahdi from his offspring, from the descendants of his daughter, Fatima (ra).” Then Abul Hassan Muhammad bin Al-Hussain bin Ibrahim bin Asim Al-Sajzy said, “Traditions have recurred and overflowed with multiplicity of narrators from al-Mustapha (i.e. the Prophet, saw) about the coming of Mahdi and that he is of his household”. This is the end.

Let me say that, He (i.e. Imam Mahdi) is among those who must be followed because he is among the rightly guided Caliphs. He is the last of them. In Sunan Ibn Majah, in the section of following the way of the rightly guided Caliphs, it is reported through al-Irbad bin Sariya – may Allah be pleased with him – that he said: “The Messenger of Allah (saw) said:

“Keep to the fear of Allah, and to listening and obedience (to your leader) even if he were to be an Abyssinian slave. You will see serious dispute after me”. Therefore, you should keep to my way and the way of the rightly guided successors (i.e. caliphs)” –

They are twelve caliphs and this Muhammad Mahdi is the last of them. He is the one meant whenever (the word) Mahdi is used absolutely. In **Tarikhul Khulafa** (literally, History of the Caliphs), written by Abdul-Rahman al-Sayouty, there is this tradition: “This Umma (Islamic community/nation) will not perish until twelve caliphs have risen from it, all of whom work with guidance and the religion of truth.” Abdul-Rahman al-Sayouty said, after he had brought this tradition in the book that has been mentioned, he said: “Already found among the twelve are the four caliphs (i.e. Abubakar, Omar, Othman and Ali) and Al-Hassan, Mu'awiyya, Ibnul Zubair and Omar bin Abdul-Aziz. These are eight, and Al-Muhtadi – Billah of the Abbasis is joined

with them because he was one of them, just as Omar bin Abdulaziz was one of Bani Umayya. Al-Zahir-Billah is also joined with them because of the (establishment of) justice that Allah had given him. Two of them remain awaited, one of whom is Mahdi.

Let me say: I hope to be the first of the two and the promised Mahdi to be the last of the two. He is destined to live long in accordance, with what Abdul-Wahab bin Ahmad bin Ali al-Sha'arany has written in the book **al-Yawaqeeet wal-jawahir Fi Bayani Aqa'idil Akabir** (literally: Rubies and Pearls in Explaining the Tenets of the Faith of Great Men), and the book **Lawaqihul Anwar Fi Tabaqatul Akhyar**, and the book **al-Minan** (literally, Favours). He said in the book **al-Yawaqeeet** that: "Mahdi, may Allah be pleased with him, is of the children of Imam Askari. He was born, peace be upon him, the night of mid – Sha'aban, the year 255 (A.H.). He remains until he meets with Jesus the son of Mary, peace be upon him." Then he said: "I was told this by Sheikh Al-Iraqi about Imam Mahdi when he had met with him!" Then he said: "Agreeing with him in that regard was Sheikhuna Sayyidi Ali al-Khawwas."

Then he said: The expression of Sheikh Muhyiddeen in section 316 of the book **al-Futuh** (literally, Victories) is this: "You should know that there is certainly no stopping the coming forth of Mahdi, peace be upon him, but he will not come forth until the earth is full of transgression and injustice. He will make it full of equity and justice. If only a day were to remain of this world, Allah, the Exalted, would lengthen (i.e. prolong) that day until this Caliph takes authority. He is from the descendants of the Messenger of Allah (saw), of the descendants of Fatima, may Allah be pleased with her. His grandfather is al-Hussain, the son of Ali bin Abu Talib, may Allah be pleased with him. His father is Al-Hassan al-Askari bin Imam Ali an-Naqiy (pronounced with "n" in Arabic) bin Muhammad Al-Taqiy (-pronounced with 't' in Arabic) bin Imam Musa Al-Radha bin Imam Musa Al-Kadhim bin Imam Zainul Abideen Ali bin Al-Hussain bin Imam Ali bin Abu Talib, may Allah be pleased with him. – ("bin" meaning "son of")."

Then he said: "His time has already come to you; his moment has given shade to you, and he has appeared. (He appeared) in the fourth century (or generation) that followed the past three centuries (or generations): the century of the Messenger of Allah (saw), which was the century of (his) companions, too. Then the one that followed it, then the one that followed the second. Then the acts of lust (or the soul's desires) occurred and spread, and bloodshed occurred, so he (i.e. Mahdi) disappeared until the promised time will come to pass." This is the end.

This is the result of what Abdul-Wahab al-Sha'arany brought in his book **al-Yawaqit Wal-jawahir Fi Bayani Aqa'idil Akabir**. In explaining about Hassan al-Iraqi, may Allah, the Exalted, have mercy on him, he said in **Lawaqihul Anwar Fi tabaqalit Akhyar** that "Among them was Sheikh al-Arif Billah Sayyid Hassan al-Iraqi. I frequented his place together with Sheikh Abul – Abbas al-Kharishi. He said: I want to relate a story to you from the beginning of my affair (s) to this, my time as though you had been together with me from childhood!" I said to him: "Yes!" he said: "I was a youth in Damascus and I was a craftsman. While we were gathered sometime on a Friday for pastime, play and liquor, an inspiration came to me from Allah, so I said not for this (act) I had been created! Therefore, I left what they were engaged in and fled (i.e. ran away) from them. They followed me from behind but did not meet me.

"Then I entered the Mosque of Bani Umayya and found someone sitting on a chair, talking about the affair of Mahdi, peace be upon him, so I took interest in meeting him. I turned out not to make any prostration without asking Allah, the Exalted, to cause me (to) meet with him. In an instance at night, after the sunset (supplementary) prayers, a person suddenly sat behind me and touched my shoulder. He said: Allah, the Exalted, has answered your prayer, O my son! What's your quest? I am Mahdi." Then I said to him: "Would you go home with me?" He said: "Yes," so he went with me. Then he said: "Get a place cleared for me to stay in it alone," and I got a place cleared for him. He stayed in my place for seven days with their nights, and he taught me Remembrance. He said: "I will teach you my regular acts of worship in order that you perpetuate it by the grace (or will) of Allah, the Exalted. You should fast a day and not fast (the next day). You should pray five hundred units (i.e. rak'at) every night." I was a beardless youth of handsome appearance, so he would say: "Never sit down except behind me," and I would do (as required). His turban was like the turban of foreigners, and he wore a jubbah (i.e. long attire) made of the hair of camels. After seven days, he said to me: "O Hassan (literally: "you of handsome look), what has happened between us had never happened between me before, so perpetuate my regular acts of worship until you grow old (or infirm/weak), for you will assuredly live long." This is the end.

Let me say: "It has been mentioned that he – may Allah be pleased with him – was born in the year 255 (A.H). On that basis, his age now (i.e. at the time of writing of this book) is 971 years. I am connected with him in terms of the chain of ascription of tutors because among my tutors was Abul Amana Jibril bin Omar, and his tutor was Muhammad bin Salim al-Hafnawy, and his tutor

was al-Badiry, and his tutor was al-Arif-billah al-Hassan al-Iraqi, and his tutor was Imam Mahdi who has been mentioned. O Allah! Make us destined to meet him and to have a good meeting with him, such that will take place physically as You have made us destined to meet him intangibly, such as takes place by the chain of ascription.

(Let us have that, O Allah) by the glory of his grandfather (i.e. the Prophet, saw), who said: “Seek for means by my glory, for my glory (i.e. honour) is great in the sight of Allah.”

Concerning specifying a time as to such an hour or day or year for his coming forth, none but Allah knows it, because scholars – may Allah, the Exalted, be pleased with them – have said that they have not (found) related/narrated any tradition of the Prophet (saw) in specifying the time for the occurrence of the hour (of Judgment), nor in specifying the time (for the occurrence) or its (great) signs. Al-Qurtubi said in **Al-Tazkira**: “That is like the time of the occurrence of the hour, such that no one knows which year or month it will be. It will be on Friday, yes! But which Friday? No one but Allah, the Exalted, who has no partner (or associate) knows that specific day. The same applies to specifying the time for the signs that will occur. None knows it but Allah.” This is the end.

Let me say: If you understand what has been mentioned, you will know that the time for the coming forth of Mahdi is not specifically known even though we could establish it close to his appearance because the heralds of that would have been apparent. There have been a lot of claims of Mahdism among people. We ask Allah for refuge (i.e. to protect us) against claiming it for ourselves and others before it appears.

In his book **Muhadarat**, where he mentioned the claim of Ibn Taumart that he was Mahdi, Sayyidi al-Hassan bin Mas'ud said: “Knowledgeable scholars have rejected that from him and his followers, and they have pronounced them as straying.” There is no doubt that they have gone astray in that regard, in the (understanding) of anyone that recognizes the presence of Mahdi at the end of time.

Then he said: al-Jalal al-Sayouty thereafter wrote his book, known as **al-Urf al-Wurdi Fi Akhbar al-Mahdi** and (his book) **al-Kashf Fi Mujawati Hazihil Umma al-'Alf** (literally, the Usual Devotion in the Story of Mahdi, and Discovering this Umma Beyond a Thousand, respectively), and he detailed (his) word in that regard with every sufficiency, (saying) that Mahdi comes in the end, such that he will be at the end of time, to the time of the coming forth of Dajjal (i.e. the False Messiah/Anti-Christ) and of the coming

down of Jesus, the Son of Mary, peace be upon him, and that he (i.e. Mahdi) is not ibn Taumart, nor is he the like of him among all those who have claimed that to our time. This is the end.

Let me say: Praise be to Allah! I have come across these two books and have seen in them what is sufficient to say that Mahdi comes in the end, to the time of the appearance of Dujjal and of the coming down of Jesus, peace be upon him, as pronounced by al-Hassan al-Yusy – may Allah be pleased with him – in his book *Muhadarat*: “Right from the creation of this world, there was never the beginning of a hundred years except that some event took place thereby. Therefore, when it is the beginning of a hundred years, Dujjal will appear, but Jesus, peace be upon him, will appear to kill him – (in other words, such events takes place at the beginning of a century).

Ali bin Husamuddeen, popularly known as al-Muttaqi, said in the introduction of his book **al-Burhan Fi Alama-til Mahdi Akhiraz Zaman** (literally, the Evidence of the Signs of Mahdi At the End of Time) that “It is known amongst the people of truth that many scholars – may Allah be pleased with them all– have addressed the claim of Mahdism. They (i.e. the scholars) were men of great standing in the path (of religion) and lofty honours. The people, the elite and the laymen, all agreed to the merit, credit and the authenticity of the path of these scholars. However, their description was contrary to the Prophetic traditions and the record of the companions of the Prophet Muhammad (saw) and of their successors that have been reported concerning the affair of Mahdi – may Allah be pleased with all of them.

“Therefore, this issue must have some course, but only a person who knows the conditions of the men of nearness (i.e.; devoted people) and their words, which should explain this claim from them - only a person who knows that, will know the meaning. Many people of a group in India believe that a noble person that was born in India, whose name is al-Sayyid Muhammad bin Khan al-Jawanqoory – may Allah have mercy on him. On reaching about forty years old - they believed that he is the promised Mahdi , (as) that will appear at the end of time. His descriptions are, however, contrary to the Prophetic traditions and the record of the Prophet's companions and of those that followed them, which have been reported concerning the affair of the promised Mahdi (as).

“There are many issues in their belief: First is that they are not conversant with the differences between a Prophet and a devoted servant. It is known that, amongst the differences between a Prophet and a Devoted Servant is in, as has been mentioned (by scholars) is that a Prophet is infallibly guided, and the devoted servant is not like that. Rather, he is guarded. That is to say, it is

possible for a devoted servant to commit errors and lapses, but he does not persist in them. The second reason, this group of people believe that he may be the awaited Mahdi (as) is that they have not been taught scientific rules (or rather, the rules of knowledge) and are not versatile in prophetic traditions. I was in the quest of ascertaining the belief of this group at the beginning of my investigations and I accompanied the group for a long period, but nothing became certain to me concerning this issue.

“I travelled to India and discussed (i.e. exchanged views) with its scholars on this issue. Yet, nothing about this issue became certain to me until Allah, the Exalted, destined that I travelled to the two Sacred and Noble Precincts (i.e. the two Holy Mosques), and I was preoccupied, for ten years, with the knowledge (or science) of prophetic tradition and inquiry about the scholars that were ascertaining this issue. Then Allah made me come across the uncertainty of the word of this group.

“All praise and glory belong to Him. He is All-aware of those who are guided. It is also sufficient as a proof for the confusion in the belief of this group that they have killed scholars. The trait of theirs shows the absence of evidence for their belief in their inability to establish their creed. This trait alone is enough to comprehend the wrong direction of their path. This is even more so when the Qur'an and Sunna are replete with (evidences of) the weakness of their belief and the negation of their objective. We ask Allah to protect us from perversion, straying, and transgression!”

Al-Muttaqi also said in the book that has been mentioned, in chapter thirteen, on the pronouncements of Arab scholars among the people of the noble Mecca, concerning the promised Mahdi at the end of time - he said in this form of question: “O Allah, show us the truth as true and give us the grace to follow it, and show us falsehood as false and give us the grace of staying away from it. What is your pronouncement concerning the leading scholars, leaders in religion and guides of Muslims – may Allah strengthen you with the Holy spirit – (what is your pronouncement about these people) in a group that believes a person in India who died in the year 910 (A.H) in a foreign land called Firra - that this person is assuredly the promised Mahdi at the end of time and whoever denies (or rejects) this dead Mahdi is an unbeliever (i.e. an infidel)? What, also, is the rule concerning anyone that denies the promised Mahdi? Pronounce to us, may Allah be pleased with you! This question for pronouncement was in the year 952 (A.H.).

The erudite scholar, Ahmad bin Hajar, may Allah broaden his life – pronounced thus: “Praise be to Allah, Lord of the Worlds. Blessing and peace

of Allah be upon our Leader, Muhammad, and upon his household and companions. O Allah, grant us guidance concerning the matter of truth wherein there is dispute (or difference), by Your leave, and (grant us) guidance to what is right. The belief of this group is ugly. It is manifest ignorance, hideous innovation, and horrible straying. First, because it is contrary to manifest, and recurrent traditions that he (i.e. Mahdi) is of the household of the Prophet (saw) and that he will rule (i.e. own or control) the earth, east and west, making it filled with justice, such as has never been heard of for a long time. It is reported that he will appear with Jesus (saw) and will help him (Jesus, as) fight Dajjal (i.e. Anti-Christ) in the land of Palestine, near Jerusalem. The Mahdi (as) will lead this Umma (i.e. Islamic community/nation), and that Jesus, the son of Mary, will pray behind him (i.e.; led by Mahdi in prayer). That, he will slay Sufyani, and that his troops (i.e. Sufyani's troops) that he will send to (fight) Mahdi will be caused to sink down at a desert land between Mecca and Madina, such that none among them will escape but two.

There are many other signs, for which I have specifically written a book. I have called **al-Qaul al-Mukhtasar Fi alama-til Mahdil Muntadzar** (literally, the Brief Word on the Signs of the Awaited Mahdi), and I have mentioned about one hundred signs by which he is distinguished from other persons - signs that have been reported from the Prophet (saw) and from his companions and their successors. I collected them (i.e. the signs) from the books of authoritative scholars despite their abundance and the multiplicity of the traditions thereof, their ways (of narration) and the number of records and prominent wonders they include.

All of this shows that the people of this group who believe that the dead person is actually the promised and awaited Mahdi are astray. It also proves their falsehood and rules that they are ignorant of the esteemed Sunna (i.e. Prophetic tradition). It also shows their stubbornness and rejection of what the Sunna has brought, since he is dead, and no least confusion is found that will lead a sane person that the Sunna has reached into believing such a thing regarding the dead person. Second is because it leads to declaring as infidels leading scholars who have mentioned clearly in their books that rejection should be made of that dead person as being Mahdi (i.e. it must be said he is not Mahdi). Moreover, this could give way to leading the Umma (i.e. Islamic community/nation) astray.

Whoever declares a Muslim as an infidel because of religion is (himself) an infidel whose neck should be struck if he does not repent and renew his Islam. Whoever declares the Prophet's companions as infidels or causes the Umma to

stray is an infidel. These people are atheists who have strayed and openly proclaimed these disbelieving aspects. They become infidels, renouncers and renegades. The (Muslim) leader – may Allah strengthen the symbols of religion by the sword of his justice and annihilate infidel and corrupt groups by the truth of his resolve and his aid to the religion brought by Muhammad, - is obliged to apply the rule that we have mentioned on this group (in accordance with) their ugly deeds that we have explained. The Muslim leaders are obliged to make all forms of punishment tough on them until they return to the truth and recognize it.

The third, which springs from the previous (explanation), is that if their rejection of Sunna is made principally, then it is unbelief, and it rules against them should be as being infidels and renouncers. Therefore, they should be killed as already mentioned. If it is clear, their attitude is not because they reject Sunna, but rather stubbornness resistance against Muslim leaders, (who are the implementors of rules, the lamps of guidance and the stars that illuminate) darkness, then it implies that they should be punished as deterrent. It should be a serious punishment. They should be humiliated in accordance with what the judge finds appropriate to the gravity of their crime. The ugliness of their way and the corruption of their belief makes them deserve punishment involving detention, beating, slapping and such as would deter them from these ugly deeds. To restrain them from those shameful deeds and bring them back to the truth (even if) it were to their dislike, as well as make them return to believing in what religion has brought, (all) in order to deter them against their unbelief should be the ultimate goal of their punishment. Allah, the Glorious and Exalted, is the Lord of Guidance and Success, and to Him do we show humbleness in order that He grants us the ranks of following and believing the truth, and that He grants us attributes of knowledge and certitude.

Certainly, He is Bounteous, Kind, Clement, and Merciful. This was said and written by one in need of the forgiveness and kindness of his Lord; one who has sought asylum in the House and Precinct of his Lord; one who is Ahmad bin Hajar al-Shafi'i- may Allah grant him forgiveness, together with his tutors and parents as he praises Allah or sends blessings and the greeting of peace to His Prophet, Muhammad (saw), his household and companions; (and) as he proclaims Hasbala (the words: Allah is Sufficient for us and blessed He is as a Guardian) and Hauqala (the words: No ability or strength except with Allah), and as he subjects his affair to Allah and surrenders to him.

Al-Hanafi pronounced thus: "Praise be to Allah. Our Lord, grant us mercy from Yourself and make guidance ready for us in our affair. There is no basis

or certitude to the belief of the people of this group, who have been mentioned, about whom these ugly issues and reprehensibly horrible conditions have been told. It is a void (i.e. false) belief. It is obligatory to uproot them and to deter them most sternly, because their belief is contrary to what authentic texts and obvious (facts of) Sunna have brought. The texts and facts, have been reported recurrently and are many with the multiplicity of their narrators (attesting to the truth) that Mahdi – may Allah be pleased with him – who has been promised to appear at the end of time will appear with our leader (i.e. the Prophet) Jesus – the best blessing and peace be upon him, and that he will help him (i.e. Mahdi will help Jesus) to kill Dajjal (Anti-Christ); and that there will be certain signs before his appearance.

Among those signs is Sufyan, as well as the eclipse of the Moon in the month of Ramadan. It has also been reported that the (lunar) eclipse will be twice in the middle of Ramadan contrary to the usual (i.e. the known or normal) thing in astronomical calculation. These have all not occurred.

Therefore, the absence of the appearance of any of these mentioned signs shows the invalidity of their belief and the error of their purpose. They are not allowed to declare any Muslim as an infidel. If they declare the people that oppose them as infidels; if they declare such people as unbelievers (i.e. infidels) because they oppose their erroneous (or void) belief, they (themselves) become unbelievers (i.e. infidels). Whoever believes that a Muslim for insisting on what has been established from the traditions of the Prophet (saw) is an infidel has believed that the religion of Islam is unbelief. This (in itself) makes such a person an unbeliever (i.e. infidel), and (the appropriate) rules should be applied against him, involving the respite to repent or be killed. Allah is the helper of anyone that aids the truth and stands to uproot the people of injustice. This was pronounced and written by one in need of the mercy of Allah, Ahmad Abus-Suror bin al – Dhiya al-Hanafi, may Allah give him a treat of his unseen kindness, as he praises Allah, sending blessings and the greeting of peace (to the Prophet (saw)), and subjecting his affair (to Allah) and putting his trust (in Him).

Al-Maliki also pronounced thus: “Praise be to Allah alone as Allah Wills! No power except with Allah. The belief of the people of this group that the dead man is the Mahdi that was promised to appear at the end of time is invalid (i.e. void and wrong). There are authentic traditions that show the description of Mahdi, the description of his coming forth (or appearance) and the temptations (or troubles) that will precede it. These include, such as the appearance of Sufyan; the sinking of the troops that will go forth to fight in the desert land; solar eclipse in the middle of the month of Ramadan, lunar eclipse at its

beginning, and other temptations. (It is also invalid) because of the traditions which show Mahdi as present in that land and that Dajjal (Anti – Christ / False Messiah) will appear in his days, and (many) other things. These things have not been found concerning the dead man that has been mentioned. Therefore, it becomes obvious that their belief in him as being Mahdi is invalid and has no basis.

Concerning their belief that whoever rejects his being Mahdi is an infidel on that account, then if they make clear the belief that all Muslims who oppose their belief are infidels and that they exit Islam and become infidels on that account, then they (themselves) become infidels as a result of this invalid belief. They should be given respite to repent. If they repent, (they will be free), but if they do not, they should be killed. We ask Allah (to grant us) freedom from deviation and straying. We ask him for steadfastness on Islam in all conditions, by the glory of the leader of all the Messengers (of Allah), blessing and peace of Allah be upon him, and upon his household and all his companions. This was pronounced and written by Muhammad bin Muhammad al-Khattab al-Maliki, may Allah grant him forgiveness and (grant same) to his parents, tutors and all muslims, amen!

Al-Hambaly also pronounced thus: Praise be to Allah. O Allah, guide us by Your will to understanding the matter about the truth wherein (people) differ. There is no doubt concerning (the fact that their belief is) invalid because of (their) obduracy. As reported by trustworthy men from narrators of Prophetic traditions that the Prophet (saw) informed about the appearance (or coming forth) of Mahdi at the end of time. He (saw) mentioned the heralds of his appearance, features of his person, and things that will happen in his time. The greatest event which is not possible for anyone to claim that it has occurred is the coming down of Jesus – blessings of Allah be upon our Prophet (saw) and upon him – in his time and his meeting with him, praying behind him, and the coming forth of Dajjal and his being slain (killed). These are events that must occur have not and the man has missed them by being dead.

We seek refuge from Allah (i.e. we ask Him to protect us) against betrayal (of the trust of faith) and against Satan's design. Concerning this group's declaring as an infidel anyone among Muslims that opposes them for being contrary to the truth in their belief and the group's declaring that such Muslims exit Islam by that, this makes them (i.e. the people of the group) renouncers of Islam. May Allah protect us! Whoever, though, rejects the promised Mahdi (as) is an infidel as informed by the Prophet (saw). If this straying group openly declares that the followers of Islam are infidels, in such a way that causes exit from

religion, then either the Imam (Muslim leader) or anyone among Muslim governors that represent him -may Allah strengthen religion with them - should apply the rules of renouncers of religion on them. They should be respite of three days to repent. If they repent, (they will be free), but if they do not, their necks should be struck with the sword in order that people like them among innovators be deterred. May Allah relieve Muslims from all of them. Allah is best aware of what is right, and to Him is (our) return and resort.

This was pronounced and written by one in need of (the mercy of) Allah, the Supreme, Yahya bin Muhammad al-Hambali, may Allah grant him (His) favour, as he praises Allah, sending blessings and the greeting of peace (to the Prophets), and proclaiming Hauqala (already explained), Hasbala (already explained), seeking forgiveness and putting his trust in Allah.

CONCLUSION

The Ills of Words, Actions and Conditions, and their Remedies

Sheikh Ibn Al – Arabi said in **al-Futuh al-Makiyya** (literally, the Meccan Openings) that “The ills of souls are three diseases: disease in words, disease in actions and disease in conditions. The disease of matters of belief is the disease (that is associated with) minds, and we have already mentioned it. Now, let us mention the diseases of words. Among them is keeping to the true word. It is of the greatest ills (in terms of people who cannot do it), and its remedy is to know the places (or areas) that one ought to apply it. (For example), gossip is a reality, but it has been forbidden. Calumny is a reality, but it has been forbidden. What a man does with his wife in bed when he gets across to her and later speaks about that is a reality, but this word (that he later speaks about his wife) is of the major sins.

Advising someone truly in public is a reality, but it is embarrassing and only occurs from the ignorant because the essence of a lawful advice is to attain the benefit (for which it is intended) and to establish love (i.e. concern). Therefore, if it takes place in public, it may not be accepted. If he had advised him in isolation, such that he showed him his own fault concerning the same issue, he would have personally thanked him and loved it, and he would have prayed (i.e. supplicated) for him and invested (i.e. entertained) goodness for him. Therefore, it is not every reality that is instructed or deemed good religiously or customarily.

Among the diseases of words is to ask about peoples (secret or personal) conditions and what they do, and (to seek to know) why such a person has come and why such a person has left, and to ask about whatever is not of one's concern, and a person's inquiry into what his family (or wife) does in his absence. The remedy of all this is found in the word about the Prophet (saw), that “he never came to his family from a journey at night, so that he would not take them unawares”. He (saw) always sought for permission (to enter his wives' rooms), all that was to respect their privacy. He (saw) should not know everything that his family had been doing. Moreover, it is not everything that a person knows that he would want to make known to others, even if it is a good thing.

Therefore, if the inquirer insists to know it, he will hurt the person that he asks, such that he will make him say what he does not want to say, and if he does not say it, it will leave a trace of rancour (or hatred) in the inquirer's soul

(or heart), such that he (i.e. the inquirer) will say: If I had any significance in his place, he would not have hidden what I had asked him from me. Such inquisitiveness reduces the sincerity of the love that he has had for him in his soul (i.e. heart). This is all of the intrusive talk, and its remedy is that such a person considers the word of the Prophet (saw): “It is of the goodness of a person's Islam to leave what does not concern him.”

Among the diseases of words is to remind (someone) of a favor done to him and when a person speaks to his colleagues about the goodness he has done, such as saying: “I did this” in the absence of the person (for whom he had done it). It is harmful to remind of a favor because if it gets to the person, it will hurt him, and it will nullify the reward of the blessing because Allah. The Exalted, had nullified that deed by His word: “Do not make your charities void by reminding of a favor and by hurt.” There is no hurt worse than reminding (someone) of a favor (done to him). The reminder certainly hurts himself. Its remedy is that he should see that he has given him nothing from what is in his possession but what belongs to him in the knowledge of Allah, and that it had (only) been a trust in his hand (or possession) and did not (actually) belong to him, but he did not know its owner.

When he brought it forth to give it (to that person) it was in accordance with what Allah destined concerning the same issue, that was when he knew the owner of that trust. Therefore, he should thank Allah for giving it forth. Whoever gives something with this view will not have reminding of a favor valid in his case.

Among the diseases of words is that when a man does goodness (or kindness) to one of his sons (or children) for some reason in his heart and does not do that kindness to some of them-(kindness being giving him something, for example), someone then says to him: “Why haven't you done like that to the other son?” This is of the intrusive talk, and it breeds hatred in the son's (or child's) heart for his father. Such (a word) only comes from the ignorant person who is too intrusive. It is a Satanic word, and it has no remedy after it has occurred. However, before it occurs, its remedy is that such a person considers the word of the Prophet (saw): “It is of the goodness of a person's Islam to leave what does not concern him.”

Among the diseases of words is that a person should say: “I say the truth and I don't care whether or not it hurts the listeners,” without taking into account (the bad effects of) intrusive word and the areas thereof. Then he says: “I told so-person the truth that it hurt him to hear,” and he vindicates himself but offends others, forgetting the word of Allah, the Exalted, which is the remedy

of this illness: “No goodness is in most of their discourse except such as instructs charity”. This (charity or its instruction) has a special place, which is to instruct him secretly, not openly (i.e. not in public). Publicity is an ill that he might not know, such that (it could make him) give it not for the sake of Allah. Then Allah said: “or in what is right,” and the right word is made in its places that Allah, the Exalted, has determined and it is hoped (or expected) that the benefit in terms of the listener is realized. This is the meaning of Allah's word: “or in what is right.” Whoever does not do it that way is ignorant even if he claims to be knowledgeable.

Then Allah said: “or in reconciling between people”. It is known that the purpose meant by Allah is to have affection and mutual love and he should work towards that. If the word is not put in its place, it will lead to severance, distance and turning away (from each other). Then, after all these, Allah said, concerning the first person (i.e. the person in question here): “whoever does that for the sake of Allah's pleasure”, and that occurs only to a person that knows what pleases Allah. However, what pleases Allah is not known except by means of what He has ordained in His Book and spoken by His Messenger (saw). Therefore, when he intends to say something, he should consider if what he says in that place pleases Allah in all respects. If he finds such a respect, he should do it. If it is not acceptable and does not please Allah, then (he should not do it) because it (i.e. the instruction) is not subject to partition or division. These are the areas of error. The remedy thereof is what we have said, involving religious knowledge of what pleases Allah.

Among the diseases of words is to change (direct blame of) an evil deed towards a specific person, such as a leader or other persons, without making it general. Its remedy is to know the yardstick in that regard, such that he should not change it (with such a focus) except if he (i.e. the offender) is a person that particularly thinks (a lawful deed) is forbidden, or his deed is of what is deemed evil by the consensus of scholars. This is the yardstick. There are a lot of branches for words.

Concerning the diseases of actions (or deeds), that is when your performance of the act of worship like prayer is better in public than your performance of it in secret. The Prophet (saw) said: “The similitude of this is that it is a disdain by which he seeks to belittle his Lord, the Glorious and Exalted.” This is one of the most difficult of psychological diseases (or rather, the diseases of the soul), and its remedy is “does he not know that Allah does see?” and Allah's word: “He knows what you do in secret and what you do in public,” and (the Prophet's word): “Allah deserves more (than) that you be shy of.” It is also the diseases of deeds to leave a (righteous) deed because of people. That is (part

of) doing to be seen of men, and its remedy is: “Allah created you and that which you do.”

Concerning the diseases of conditions, that is when a person accompanies righteous people in order to be famous of being among them while he remains with his caprice (or his soul's desire) in his soul. When they (i.e. the righteous) attend a Hearing (a proper noon for an overt act of worship in the Sufis circle), such a person could have passion for a girl or a boy while the people are unaware of that. Thus, he will because, of his personal interest develop some characteristic mannerism of passionate ecstasy and will be overcome by his passion, which is in his soul (or heart) for that person, so he will cry out and sigh, saying “Allah! Allah!” or “He (is Allah)! He (is Allah)!” He will be demonstrating, as the men of God would do in order for the group to think that it is a divine situation. In reality, he has real passion and condition. All other behaviours, were meant to elicit the attention and interest for the person for which it was intended and not for Allah, (swt). The remedy is: “whoever tramples on his soul (i.e. by marring it with impurities and evil deeds) has indeed gone wrong”.

Among the diseases of conditions is when a person wears the contrary of what is in his soul. “The remedy is to wear what is in his soul, such as is lawful for him to wear.” Then Ibn al-Araby said: “This is the sum of the issue. However, the branches of words, deeds and conditions are many. One should beware of falsehood in that regard. He should keep to the truth in all of that. He should not show people what he does not show Allah in places where doing so is right.”

This is the end of the book *Advice to Contemporaries* which has come to an end by the help of Allah, the all-Clement, the all-Bounteous. (It ends) at the time of Asr (i.e. Afternoon) prayer, on Sunday, the nineteenth of Rabi'ul Awwal (the third month of the Islamic calendar), (i.e. 1226 A.H.). We began writing it on Thursday, the second of the above mentioned month.

Praise be to Allah who has guided us to this. We would not have been guided if Allah had not guided us. The best blessings and most complete peace be upon our leader, Muhammad (saw), and upon his household and all his companions. May Allah, the Exalted, be pleased with scholars that succeeded them in (righteous) leadership, working scholars, the four interpretative scholars and those who followed them until the Day of Judgement.

مدة الدنيا

**Life Span
Of The
World**

By

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In the Name of Allah, the Beneficent, the Merciful

May Allah's peace and blessings be upon our Master, Muhammad (saw), his family and companions abundantly and infinity.

The poor servant of Allah, desperate of the mercy of his Lord, Uthman bin Muhammad bin Uthman, popularly known as Ibn Foduye (May Allah cover him with His mercy), Ameen, said: Praise be to Allah and may His peace and blessings be upon Muhammad (saw), the master of the Messengers (saw), his family and all his companions.

This book is titled: **Life Span of the World**. My intention in this book is to clarify five things:

First: To explain what has been mentioned by Sheikh Muhyiddeen bin Al-Arabi in his book **Alfutuhaat Al-Makkiyah** (Makkan Conquests) on the Life Span of the world.

Second: To clarify what was written by Abu Abdillah Muhammad bin Ahmad Al-Qurtubi in **Al -Tazkirat-** (The Reminder) from the statements of astrologers on the life span of the world.

Third: To explain what was noted by Attilmisaani in his foot notes on **Ashifaa** (Healing), and **Alkazruni** in his book of Sirah as well as Algazauaini in **Ajaibil Makhlufat**-Wonders of (creation)-and Al-Ajhuri in his Maarij-Ascentions-. I intend to shed light on the differences in the reports about the birth of the Prophet Muhammad (saw) and Adam (a.s).

Fourth: To explain what Abdur-Rahman Assuyuti wrote in the book **Alkashf** (Discovery) about the age of this nation (Muslim Ummah). He said that it will be above a thousand years, and that the life span of this world will be seven thousand years, and that the Prophet (saw) was sent at the end of the sixth thousand years, and that the power of this Ummah will not exceed five hundred years after this millennium.

Fifth: To Explain the non-specification of the time of the day of judgement as well as the time of its signs and clarify that its knowledge is exclusive to Allah as He declared in His book which the Prophet (saw) also declared in his Sunnah.

Sheikh Muhyiddeen bin Al'Arabi (ra) wrote in the seventh chapter in The Makkah Conquests on the life span of the world that the reader should “know that mankind is the last specie existing from the big universe as well as the last

category among the begotten beings.” He also said: “Allah completed the creation of begotten beings like the inanimates, plants and animals 71,000 years after He had finished the creation of the natural universe. He (swt) then created the world 50,000 years after the creation of the natural universe and created the Hereafter i.e.; the paradise and the Hell fire 9,000 years after the creation of the world. This is why it’s called “Al-Akhirah: - the last, because of its lateness in creation and the gap between them; and the world was called “Al-Ula” –The first because it was created before Al-Akhirah. It has more time in existence.

Muhyiddeen said: Allah created the clay of Adam 17,000 years after the creation of the world, and 8,000 years after the creation of the Hereafter, which has no end with extension. He said also in chapter 11 (eleven) that, “it also reached us that it was found written with the first pen on the pyramids” that they constructed, while the Eagle was in the sign of Lion, and now it is in the sign of Capricorn. Therefore, if you calculate the time, what is in between them, you would then know the history of their life.”

Abdulwahab Assha'rani said in the **Alkibrit Al-Ahmar** – The Red Matches, which is excerpts from his book, **Lawaqihil Aqudsiyah Anwaar**-Polination of Holy Light, also a summary from **Alfutuhah Al-Makkiyah** of Ibn Al-Arabi that: it is a known fact that the Eagle does not mutate from one sign of the zodiac to another except after 3000 years has lapsed, i.e a distance of 30,000 years. Then Sheikh Abdulkareem Al-Jaili said: “Today, it has mutated to Aquarius, having crossed around ten zodiac signs, and that is not possible except after 300,000 years”.

Then Abdulwahab Asha'arani said: “I said and it will come in chapter 390, the statement of the Sheikh, and we have mentioned in the history of the rhetorician that the history of the pyramids of Egypt was built while the Eagle was in the sign of Lion. So today, for us in Capricorn, we have to calculate between that time to know the history of the pyramids but he did not know who built them nor did he know their age, although they were certainly built by human beings. Now, if this is the (amazing) case about the pyramids, so what would you say, my brother, about the age of the world? Allah knows best.

I say: His word on the history of the pyramids of Egypt as mentioned in the dictionary is in dual form as well as plural, saying the two pyramids are the first buildings in Egypt. Prophet Idris (as) built them in order to protect the ancient sciences and knowledge from the flood or they were built by Sinar bn Al-Musalsal, or the first generations when they knew about the flood through

astrology; and in them there is all: magic, medicine and mysterious secrets. He also said that there are many (other) small pyramids.

The eagle mentioned above are two planets Attair and Alwaqi as it is also in the dictionary. As for the explanation of what was mentioned by Abdullah Muhammad bin Ahmed Al-Qurtubi (ra) in the **Attikrah** from the sayings of astrologers on the life span of the world, is that he commented on it, and the saying of the Prophet:

(أطولهم)

“The longest period of them.”

i.e.; those who will be in fire,

(مكثا من يمكث فيها مثل الدنيا منذ خلقت إلى يوم أفيت)

“Staying, is that of those who will stay in it a period of time equivalent of the world from its creation to its end.”

And that is 7,000 years. Then he said there is disagreement on the end of this universe and the life span of the world. Amongst the astrologers, some of them say the age of the world is 7,000 years and the number of moving stars, for each one, 1000 years. Others said 12,000 years the number of the Zodiac signs, for each one star is 1000 years while others said 360,000 years is the number of the degrees of the celestial space i.e, a thousand years for each degree.

As for the explanation of what was mentioned by Al-Tilmisani in his footnotes on “The Healing,” Sa'ad bn Muhammad bn Mas'ud Alkazruni said in his **Sirah**, and Algazuwaini (ra) wrote in the book **Wonders of the Creation** as well as Al-Ajhuri (ra) in his **Ascention** is that Attilmisani said in his footnotes on The Healing, that the Prophet Muhammad (saw) was born in the year 4463 i.e counting from the time Adam descended from Paradise. (culled from Maqasid Ta'areef) Targets of Identification.” As for what is said by Muhammad bn Mas'ud Alkazruni in his Sirah, it is the explanation on the gap between the birth of the Prophet Muhammad (saw) and (the descent) of Adam which has been a case of disagreement. However, according to the report of Al-Waqidi, it is 4,000 years and 600 years, while others, still, say it is 6,000 years and 113 years. Further, in the report of Abi Sualih from Ibn Abbas, 5,000 years and 500 years.

Then he said that he read in the books of Tafsir that between Adam (as) and Nuh (as) is 1,000 years, while others say 2,000 years. From Nuh (as) to

Ibraheem (as) to Musa (as) is 1000 years. From Musa (as) to Isa (as) 2000 years and from Isa (as) to our Prophet Muhammad (saw) 560 years or 600 years. May Allah's peace be upon them all and Allah is the one who guides to the truth.

This is all what Alkazruni mentioned in his Sirah. And what was mentioned by Algazawini in the Wonders of Creation is his statement that: "Allah sends a Prophet every one thousand years. In the first one thousand, He sent Adam (as); in the second, Nuh (as); in the third, Ibraheem (as); in the fourth, Musa (as); in the fifth, Sulaiman (as), in the sixth, Isa (as) and in the seventh, Muhammad (saw). May Allah's peace be upon all of them; with Muhammad (saw) He closed the door of Prophethood and ended the thousands of the world. (Culled from **Maqasid Attaarif**).

As for Al-Ajhuri in his Ascention, he mentioned that the historians made mention of the fact that Abdullah bn Munabbah, reported in the book **Alfaruk** The Criterion that Adam (as) lived 1000 years and between his death and the flood 1000; years, and he died in the year 42; and between the flood and the death of Nuh (as) 350 years; between Nuh (as) and Ibraheem (as) 1040 years; between Ibraheem (as) and Musa (as) 900 years; between Musa (as) and Dawud (as) 500 years; between Dawud (as) and Isa (as) 1200 years; between Isa (as) and Mohammad (saw) 720 years; giving a total of 7800 years between Adam (as) and Mohammad (saw) according to Al-Magrizi.

These dates which, we mentioned alongside these names are a subject of disagreement between scholars and nations in a way that makes it almost impossible to know the truth. But with research to confirm the information, we found no source to authenticate its correctness from our dependable references. What we just mentioned is the closest to the sources. (From **Maqasid Atta'areef**).

I say: whoever reads the book, **Tareekh Ma Baina Al-Ambiya**-History in between the Prophets by Abdul Baasit bn Khalil Al-Hanafi and other history books will know for sure that this (contentious) issue is beyond confirmation and regularization. Similarly, Abdur Rahman Assuyudi (ra) in the book **Al-Kashf** Discovery-said this Ummah will live for thousands of years and that the age of the world is 7,000 and that Prophet Muhammad (saw) was sent in the last sixth thousand years, and that the age of this Ummah will not pass 1500 years, in contrast to the opposing view held by Ibn Al'Arabi in **Al-futuh** **Al-Makkiyat**.

Also, look at the disagreement between the reports concerning the birth of the Prophet Muhammad (saw) and that of the descent of Adam (as) as we saw.

Assuyudi knows that every aspect in which scholars differ is not an issue that can be proved beyond reasonable doubt, instead, it is an issue where (diverse) opinions are possible for the lack of a decisive evidence from the Legislator, because, indeed if that was the case there would not be any difference among them, except to agree. So, what we believe is that Assuyudi knew about the differing views and he also knew the lack of a decisive proof, but he was so sure about his saying because he did not find any reliable evidence from the Legislator (swt) to depend upon. In his view, except what he mentioned in the aforementioned book in which he said the hadiths he based his opinion upon and we did narrate such hadiths in our book, “Alerting the Ummah on the Fact that the Signs of the Hour are Close by”, for any interested person to check.

Likewise, the hadith we made mention of from time to time in our researches about the fact that the time for the appearance of the Mahdi is here. All that was based on his sayings which, were based on conjecture, because when we conducted research in order to authenticate, we did not find decisive (incontrovertible) evidences to substantiate the issue. Moreover, we have seen what Al Ajhuri said on the references and these dates that we mentioned alongside the names. There is disagreement between scholars and nations to the point of being impossible to regularize the issue or confirm the information, and when we tried to authenticate we did not find any basis or solid proof upon which to depend to judge (conclude) the (veracity) soundness of the views from the authentic sources.

In addition to this, Abdulwahab Al-Shaarani declared in his book, **Annasaaihu Wal Wasuaya** – (Counsel and Advices), that he does not know the ruling of the Shari'ah on the age of this world beyond reasonable doubt. No one denies the fact that the Hour is very much close, having in mind that what has elapsed from the signs of its termination is more than what remains for sure and decisively. This is considering the fact that the indices of its bigger signs have appeared and became manifest. Abdulwahab Asha'arani said in the aforementioned book that the manifestation of the issue of the Hereafter is close considering the manifestation of the indices of its bigger signs, and out of the ten signs, only one is yet to appear, according to dependable information by the poor (Sheikh). Then he said: “as a matter of fact, Prophetic hadiths on the closeness of the Hour are many and if not for the fear of being lengthy, I would have brought those Hadiths which are in line with Allah's word

﴿فَقَدْ جَاءَ أَشْرَاطُهَا﴾ محمد: ١٨

“And indeed its signs have come.” Qur'an 47:18

After His words;

﴿أَقْرَبَتِ السَّاعَةُ﴾ القمر: ١

“The Hour has drawn close.” Qur’an 54:1

As for the explanation of the lack of specification of the time of the Hour as well as the time of its signs and the clarification that this knowledge is exclusive to Allah, is that He Himself declared it in His Book and the Prophet (saw) did the same in his Sunnah. Allah said:

﴿يَسْأَلُونَكَ عَنِ السَّاعَةِ أَيَّانَ مُرْسَاهَا ۖ قُلْ إِنَّمَا أَدْرِكُهُ الْقَدَرُ ۖ إِنَّمَا يُسْأَلُكَ النَّاسُ عَنِ السَّاعَةِ ۖ قُلْ إِنَّمَا عِلْمُهَا عِنْدَ اللَّهِ ۚ وَمَا يُدْرِيكَ لَعَلَّ السَّاعَةُ تَكُونُ قَرِيبًا﴾ النازعات: ٤٢ - ٤٤

“They ask you about the Hour, when shall it take place? What business have you got by mentioning it?” Qur’an 79:42-44

To your Lord is its end. He also said:

﴿يَسْأَلُكَ النَّاسُ عَنِ السَّاعَةِ ۖ قُلْ إِنَّمَا عِلْمُهَا عِنْدَ اللَّهِ ۚ وَمَا يُدْرِيكَ لَعَلَّ السَّاعَةُ تَكُونُ قَرِيبًا﴾ الأحزاب: ٦٣

‘People ask about the Hour, say certainly its knowledge is with Allah, and what will make you know that maybe the Hour is close.” Qur’an 33:63

﴿وَمَا يُدْرِيكَ لَعَلَّ السَّاعَةَ قَرِيبٌ﴾ الشورى: ١٧

“How will you know if may be the Hour is close?” Qur’an 42:17

﴿إِلَيْهِ يُرْدُ عِلْمُ السَّاعَةِ﴾ فصلت: ٤٧

“He has the knowledge of the hour.” Qur’an 41:47

To Him returned the knowledge of the Hour;

﴿إِنَّ اللَّهَ عِنْدَهُ عِلْمُ السَّاعَةِ﴾ لقمان: ٣٤

“Indeed Allah has the knowledge of the Hour.” Qur’an 31:34

﴿وَيَقُولُونَ مَتَىٰ هَذَا الْوَعْدُ إِن كُنتُمْ صَادِقِينَ ۖ قُلْ إِنَّمَا أَعْلَمُهُ عِنْدَ اللَّهِ ۚ إِنَّمَا أَنَا نَذِيرٌ مُّبِينٌ﴾ الملك: ٢٥ -

٢٦

“And they say when will this promise be if you are truthful? Say, exclusively the knowledge is with Allah, and I am not but a clear warner.” Qur’an 67:25-

26

In these and many other verses, He, Allah (swt) clarified that the knowledge of the Hour is with Him!

This is what is in the hadith of Jibril (as) reported by Bukhari and Muslim:

(ما المسئول عنها بأعلم من السائل)

“The one being asked does not know much about it more than the one asking.”

It was also reported by Asha'abi that he said that Jibril (as) met Isa (as) and Isa asked: “When is the Hour?” Jibril made a sound falling in his wings then he said:

(ما المسئول عنها بأعلم من السائل ثقلت في السماوات والأرض لا تأتيكم إلا بغتة)

“The one being asked does not know much about it, more than the one asking. It is heavy, hovering in the heavens and earth and (it) will come as a surprise.”

There are more other Hadiths that clarify that the Hour’s specific time and its knowledge is exclusive to Allah.

In addition, Abdullah Muhammad bin Ahmad Al-qurtubi said in **Attazkirat**-The Reminder-that: “if it is said that the Prophet (saw) was asked about the Hour and he replied, saying:

(ما المسئول عنها بأعلم من السائل)

“The one being asked does not know much about it more than the one asking.”

Indicating that he had no knowledge of it, but it was also reported that he said:

(بعثت أنا والساعة كهاتين)

“I was sent while between me and the Hour is like these two (fingers).”

Indicating that he had knowledge of it. So how do we reconcile between the two hadith? The answer is that the Qur'an has spoken the truth ;

﴿قُلْ إِنَّمَا عِلْمُهُ عِنْدَ رَبِّي﴾ الأعراف: ١٨٧

“Say, exclusively its knowledge is with my Lord.” Qur'an 7:187

Which means that neither he nor others knew about it. While the Hadith:

(بعثت أنا والساعة كهاتين)

“I was sent while between me and the Hour is like these two (fingers).”

This is an indication that he is the last Prophet (saw), after him there will be no other Prophet but the Hour as the pointing finger follows the middle one. There is no finger in between them, and this does not indicate that he had knowledge of the hour which is very much close, because its signs have taken place one after the other; and become manifest.

﴿فَقَدْ جَاءَ أَشْرَاطُهَا﴾ محمد: ١٨

“And indeed its signs have come.” Qur'an 47:18

Despite the fact that it is close, the scholars said that they have not seen any Hadith specifying the time of its occurrence, nor specifying the time of its signs. Therefore, what is expected from us to know is that all things predicted by the Prophet (saw) will take place, but to specify the time we need decisive proofs, and in case of the Hour, no one knows when it will take place, except Allah, who has no partners. And Allah knows best.

In the book Al-Mawahib Alladuniyya-Attainable Gifts-and Alminah Al-Muhammadiyah Muhammadan Gifts-Shihabuddeen, Ahmad Alqastalani, while explaining the meaning of

﴿وَيَسْأَلُونَكَ عَنِ الرُّوحِ قُلِ الرُّوحُ مِنْ أَمْرِ رَبِّي﴾ الإسراء: ٨٥

“They ask you about the soul; say the soul is my Lord's business.”

Qur'an 17:85

Said: some said that there is nothing in the verse indicating that Allah did not acquaint His Prophet (saw) with the reality of the soul; on the contrary, it is possible that He acquainted him but did not give him the permission to acquaint others. They also said the same thing about the knowledge of the Hour and Allah knows best.

Here we come to the end of the book: **“Life Span of the World”**. Praise be to Allah, Lord of the universe, and may His peace and blessings be upon Prophet Muhammad (saw), the Master of the messengers, his family and companions.

O Allah! Forgive my parents and all the Muslims. Ameen. O Allah! Do not make this the last of my works.

نصائح الأمة المحمدية

لبيان حكم الفرق الشيطانية التي
ظهرت في بلادنا السودانية هذه
وأينما ظهرت في البلاد

*Words of Advice to the Muslim
Community*

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CONTENTS

In The Name of Allah	459
FIRST GROUP: Unbelief Deniers.....	462
SECOND GROUP: Declaring Unbelief on Matters Of Faith	467
THIRD GROUP : Pronouncers of Unbelief Because of Sinful Acts	476
FOURTH GROUP: Tradition Followers	488

In the Name of Allah, the Beneficent, the Merciful

Blessings and complete peace of Allah be upon our Leader, Muhammad (saw), and upon his household and companions.

The poor servant, one that is needy of his Lord's mercy, Othman bin Muhammad bin Othman, known as Bin Fodiyo – may Allah cover him with His mercy, amen – says: Praise be to Allah, Lord of the Worlds. The best blessings and most complete peace be upon our Leader, Muhammad (saw), and upon his household and companions altogether. May Allah also be pleased with Succeeding Leaders, working scholars, the four interpretative scholars and those who follow them till the Day of Judgment.

This is book titled: **Words of Advice to the Muslim Community**, which explains the rule of understanding the satanic groups that have appeared in these our towns of non-Arabs. Be aware that wherever such groups appear, their character will be the same as that of these groups. Therefore, I say – guidance is from Allah – that the Satanic Groups that have appeared in these our towns of non-Arabs are four:

1. First is the group that basically denies unbelief in our towns of non-Arabs.
2. Second is the group that pronounces unbelief on issues of faith.
3. Third is the group that pronounce unbelief for sins
4. Fourth is the group that follows blameworthy traditions.

I hereby inform you, my brothers, before I begin to explain the character and conditions of these Satanic groups, that my purpose, in the explanation thereof is to spread (i.e. give) advice to the people (i.e. Ummah/Islamic Community) of Muhammad (saw), even though intentions are often not free from faults and deficiency. It is not my intention, by way of explanation, to violate (or expose) people's secret or to be preoccupied with their flaws. Allah takes charge in helping anyone whose purpose is to give advice to the Ummah of our Leader, Muhammad (saw).

Anyone whose purpose is to violate people's secret and to be preoccupied with their faults, Allah is Sufficient (in handling him) and He will be the One to question him, because whoever intrude into the privacy of his brother, Allah

Words of Advice...

will also intrudes into his privacy, until he is embarrassed, even if he were in the interior of his house. The believer is a person who finds excuses (for people), but the hypocrite intrudes on (people's) faults. It is said in the Prophetic tradition that:

والله في عون العبد ما كان العبد في عون أخيه

“Allah is in the aid of a servant so long as the servant is in the aid of his brother.”

In the book **Al-Muwatta'** (-literally, The Path to Tread), it is narrated that:

لا تنظروا في عيوب الناس كأنكم أرباب وانظروا في ذنوبكم كأنكم عبيد

“Do not look into people's faults as though you were Lords, but look into your (own) sins as though you were slaves.”

This is the end.

In the book **Uyooobun-Nafs** (-literally The Flaws of the Soul), Al-Salmy, the author, said that: “Of the soul’s flaws is that one pre-occupies itself with people's faults and that it is blind concerning its (own) faults.”

Muhammad bin Abdullah bin Shazan said that: “I heard Ibn Zadan say: “I saw a group of people that had faults but kept quiet concerning the faults of (other) people, so Allah covers their faults (for them) and those faults vanished. I also saw some people who had no faults but who were pre-occupied with people's faults, so they later turned out to have faults.”

Beware and beware and beware, my brothers, of being pre-occupied with people's faults and of having bad thoughts about any Muslim. I have assuredly not written this book for you to be pre-occupied with their faults. Rather, it is to give advice to you. However, if you see anyone among these Satanic Groups, you should do justice to him in a way of leniency and mercy. If he accepts and repents, (that will be fine), but if he does not, then you should be concerned about yourself. If you have known that it is a great risk and a big sin to violate people's secrets and (be) pre-occupied with their faults, then you should know, as well, that there is no room for using one's mind (independently) in terms of declaring (people as) unbelievers. (In other words, religious rules must be followed in that regard).

Al-Qadi Iyad said in the book **Al-Shifa** (-literally, The Healing) that: “You should know that realizing (or applying) this section, i.e.; the section of declaring (a person as) an unbeliever and removing any confusion in that regard has religious law as its source. The mind has no independence in

Words of Advice...

judgement in that regard.” If you understand all this, you should know, too, that we do not decisively pronounce that a person is an unbeliever except with a text of the Qur'an or a text of Hadith (Prophetic tradition) that is recurrent (in narration), or the consensus (of Islamic scholars) that such a deed only comes from an unbeliever. Now is the time to start explaining the rule for these Satanic groups with the help of (Allah), the Deity, the King. It is from Him that I take direction, guidance, help and care. He is, indeed, Near and Answering (to prayers).

FIRST GROUP

Unbelief Deniers

The first group is the group that basically deny unbelief in these our towns of non-Arabs. They say, there is basically no unbeliever in these our towns of non-Arabs. These words of theirs is certainly wrong (or false), and its being wrong cannot be hidden from anyone that has the least consideration. This is because there is such a person that has not basically entered (or embraced) Islam in these towns. He (i.e.; such a person) is an unbeliever based on the consensus of the Islamic Community. Allah, the Exalted, said:

﴿إِنَّ الدِّينَ عِنْدَ اللَّهِ الْإِسْلَامُ﴾ آل عمران: ١٩

“Verily, religion in the sight of Allah is Islam.” Qur’an 3:19

Allah, the Exalted, said:

﴿وَمَنْ يَبْتَغِ غَيْرَ الْإِسْلَامِ دِينًا فَلَنْ يُقْبَلَ مِنْهُ وَهُوَ فِي الْآخِرَةِ مِنَ الْخَاسِرِينَ﴾ آل عمران: ٨٥

“Whoever finds other than Islam as a religion, it will never be accepted from him, and he will be among losers in the Hereafter.” Qur’an 3:85

In these towns, too, there is such a person that rears stones and trees, which are (their) idols that are mentioned in the word of Allah, the Exalted;

﴿وَمَا ذُبِحَ عَلَى النُّصُبِ﴾ المائدة: ٣

“And things sacrificed to idols.” Qur’an 5:3

(They do that) by sacrificing (or slaughtering) at their shrines or by pouring paste (or dough) thereon. This (person) is also an unbeliever based on the consensus of the Islamic Community. Allah, the Exalted, said:

﴿إِنَّهُ مَنْ يُشْرِكْ بِاللَّهِ فَقَدْ حَرَّمَ اللَّهُ عَلَيْهِ الْجَنَّةَ وَمَأْوَاهُ النَّارُ وَمَا لِلظَّالِمِينَ مِنْ أَنْصَارٍ﴾ المائدة: ٧٢

“Whoever associates (partners) with Allah, then Allah assuredly forbids him from Paradise, and his abode shall be the Fire (of Hell); and the wrongdoers shall have no helpers.” Qur’an 5:72

In the poem of **Al-Jaza'iriyya**, it is said:

Like them is every polytheist even if they ascribe Religion to themselves. It is not less than unbelief.

Words of Advice...

It is unbelief to revere trees and stones by pouring paste on them. The same applies to revering them by sacrificing in their places as mentioned clearly by Abdul-Karim in (his) answers to the questions by Askiya.

There are many kinds of polytheists in (these) towns. Al-Qadi Iyad enumerated them in **Al-Shifa**, saying that: “The Sabaeans, the Christians, the Magians and those who ascribe partners (to Allah)” by worshipping idols, Angels, and Satans, or (by worshipping) the stars, or the sun, or fire, or anyone (or thing) besides Allah, involving the polytheists of Arabs, the people of India, China, Sudan and others, who do not refer to any book.”

Let me say: Consider the word of Al-Qadi on Sudan (i.e.; non-Arab land) in order to know that there are polytheists in Sudan. In these towns, also, is such a person that denies what is essentially known in religion, like the resurrection of the dead. This person is also an infidel (i.e.; an unbeliever) based on the consensus of the Islamic Community. Allah, the Exalted, said:

﴿قَالَ الْكَافِرُونَ هَذَا شَيْءٌ عَجِيبٌ ۚ أَوَذَا مِتْنَا وَكُنَّا تُرَابًا ذَلِكَ رَجْعٌ بَعِيدٌ ۖ ق: ٢ - ٣﴾

“So the unbelievers say, “This is a strange thing! What, when we are dead and became dust? That is a far returning!” Qur’an 50:2-3

It is written in **Al-Kaukab Al-Sati’i** (-literally, The Shining Star) that: “He, who rejects what is by consensus agreed to as essentially known in religion, is not Muslim”.

It is also mentioned in **Ida’atud-Dajna** (-literally, Illuminating Darkness) that: “He who rejects what is essentially known, goes with his unbelief and his deceit ends!”

There is also such a person as makes mockery of the religion of Allah in this town. This person is also an unbeliever based on the consensus of the Islamic Community if, by his mockery, he means to humiliate and deny (the religion). Allah the Exalted said:

﴿قُلْ أَلِلَّهِ وَأَيِّنُّهُ. وَرَسُولِهِ. كُنْتُمْ تَسْتَهْزِمُونَ ﴿٦٥﴾ لَا تَعْتَذِرُوا فَعْدَ كُفْرَتُمْ بَعْدَ إِيمَانِكُمْ إِنَّ نَعْفَ عَنْ طَائِفَةٍ
وَمِنْكُمْ نَعَدْتُ طَائِفَةً بِأَنَّهُمْ كَانُوا مُجْرِمِينَ ﴿٦٦﴾﴾ التوبة: ٦٥ - ٦٦

“Say: Is it with Allah, His signs and His Messenger that you make mockery? Give no excuse, for you have disbelieved after you have had faith.” Qur’an 9:65-66

The same applies if he does not intend humiliation and denial, but rather, he means, by his mockery, to just make people laugh. (He disbelieves in doing

Words of Advice...

so) based on the authentic and approved rule by which pronouncement is made, as highlighted by Abdul-Aziz Al-Andaloosy. An example of that, as pronounced by Shihab-Al-Deen Ahmad bin Hajar Al-Haitamy, is when he dresses like scholars or preachers or (religious) teachers in a humiliating form, in the presence of a group of people (to make) them laugh in order to belittle (the scholars), or when he says: “A dish of porridge is better than knowledge in order to belittle (the scholars).”

In the commentary on **Al-Umda** (-literally, The Pillar), written by Al-Nasafy, Mahmood bin Ahmad Al-Qawny said that: “If he were to pronounce the word of unbelief willingly, but not believing in it, he would become an unbeliever because he was pleased while doing it.” He would be an unbeliever even if he did not agree with the rule thereof, like a person that makes mockery of the rule. He is an unbeliever even if he does not agree with the rule.” He will not be given an excuse for ignorance in terms of disbelieving. This is the pronouncement of the generality of scholars as opposed to a few. It is written in **Bad'ul Amal** (-literally the Beginning of Hopes) that: “The word of unbelief without faith in it, said willingly, renounces religion unmindfully.”

There is also such a person that insults Allah, the Exalted, in this town. This (person) is also an unbeliever based on the consensus of the Islamic Community. Allah, the Exalted, said:

﴿إِنَّ الَّذِينَ يُؤْذُونَ اللَّهَ وَرَسُولَهُ لَعَنَهُمُ اللَّهُ فِي الدُّنْيَا وَالْآخِرَةِ وَأَعَدَّ لَهُمْ عَذَابًا مُهِينًا﴾ الأحزاب: ٥٧

“Those who hurt Allah and His Messenger, Allah has cursed them in this world and the Hereafter, and He has prepared for them a humiliating chastisement.” Qur'an 33:57

Al-Qadi Iyad said in **Al-Shifa** that: “There is no controversy in killing anyone that insults Allah, the Exalted, and that the curse (mentioned in the verse) is only deserved by a person who is an unbeliever, and the rule of an unbeliever is that he should be slain (killed).” He also said in another place that: “There is no controversy that anyone among Muslims who insults Allah, the Exalted is an unbeliever whose blood (i.e.; killing) is lawful.”

Let me say: These people that have been mentioned are, indeed, unbelievers based on the consensus of the Islamic Community. This was clearly pronounced by Al-Qadi Iyad in **Al-Shifa** and by a lot of Sunni scholars in their books. All these (unbelieving people) are found in these non-Arab towns and are necessarily known. Therefore, if what we have mentioned that there are unbelievers found in Sudan (i.e.; non-Arab lands), -if that has been established with these decisive evidences, then everyone with the least consideration

Words of Advice...

knows the falsity of the word of this first group that there is basically no unbeliever in these our non-Arab towns. Everyone with the least consideration also knows that this is a disbelieving group because whoever does not take these people that we have mentioned as unbelievers becomes an unbeliever based on the consensus of the Islamic Community.

In **Al-Shifa**, Al-Qadi Iyad clearly pronounced that there is consensus on the fact that whoever does not take every Christian and Jew as an unbeliever becomes an unbeliever. “Whoever renounces the religion of Islam is an unbeliever, and whoever hesitates or doubts in taking them as unbelievers becomes an unbeliever.”

He also said in another place therein: “We take as an unbeliever whoever does not take as an unbeliever anyone who takes any religion other than Islam as his religion or hesitates concerning them, or doubts therein, or validates their way, even if he shows Islam (i.e.; that he is Muslim) together with that.”

As to the confusion of this first group, which has led them to this, their word, it is that these people who have been mentioned recognize (the existence of) Allah, the Exalted! Do these straying and foolish people not know that when unbelief appears in word or action, it rules out Islam secretly and openly? Do these ignorant, straying, and foolish people not know that Abu Jahl and others like him who were contemporaries of the Prophet (saw) had recognized Allah, the Exalted, yet they were in spite of that, unbelievers? Allah, the Exalted, said:

﴿وَلَيْنَ سَأَلْتَهُم مَّنْ خَلَقَ السَّمَوَاتِ وَالْأَرْضَ لَيَقُولُنَّ ۖ اللَّهُ ۚ الزمر: ٣٨﴾

“If you asked them: Who created the heaven and earth? –they would say: Allah.” Qur’an 39:38

If you ask them: who created them they will say: Allah!

If they say that Abu Jahl and people like him, who were contemporaries of the Prophet (saw) recognized Allah, the Exalted, but did not say “there was no deity but Allah and Muhammad (saw) was the Messenger of Allah,”; but these people say it, we say (in response) that even though these people say “there is no deity but Allah and Muhammad is the Messenger of Allah”, they do not become Muslim on that account. They (only) say it by way of custom and tradition while they remain on their obvious unbelief. An unbeliever becomes Muslim by saying “there is no deity but Allah and Muhammad (saw) is the Messenger of Allah” only if he says it with the intention of exiting unbelief and entering Islam.

Words of Advice...

In the book, written by, Abdul-Aziz Al-Andaloosy, (it is mentioned that) the Jews of Baghdad say, “there is no deity but Allah and Muhammad (saw) is the Messenger of Allah.” They did not become Muslim on that account because, they say it by way of custom and tradition. They remain on their obvious unbelief, as opposed to the Jews of Egypt who do not say it except when they exit unbelief and enter Islam. This is the end of explaining the rule of the first among these Satanic groups with the help and good aid of Allah.

Therefore, you should believe that they are unbelievers generally, not in a way of specification (i.e.; without specifying a person). If you hear anyone that absolutely says the word of this group unmindfully, you should alert him to the implication of his word. If he (still) keeps to it, then you should know that he is an unbeliever by specification (i.e.; you can specify him as an unbeliever). This (method of specification) is in order, for you not to disbelieve (by being erroneous therein). However, I warn you against having bad thoughts about any, Muslim concerning whom nothing, neither word nor action, has appeared to you as indicating his unbelief.

O Allah, guide us among those You have guided. Grant us safety among those You have granted safety, and protect us from the evil (i.e.; disaster) of what You have decreed, for You decree and You are not decreed upon. Blessed and Exalted You are, O Lord of Majesty and Honor!

SECOND GROUP

Declaring Unbelief on Matters Of Faith

The second group is the group that pronounces unbelief in matters of faith. They are those who have never believed that others are faithful (i.e.; believers) and who do not judge anyone as being faithful until (he) has learnt the matters of faith from their evidences, as well as the things that are used in debate with an opponent, and such things as memorization, count and the ability to express all of that. These are used in resolving confusing aspects in the way of theologians.

The path of these people is certainly wrong as can be understood by anyone with the least consideration. What establishes the mistakes of their path is that the Messenger of Allah (saw) did not do that during his time, nor did (Abubakar) Al-Siddeeq – may Allah be pleased with him – did it concerning the Renouncers during his Caliphate. Similarly, Omar – may Allah be pleased with him – did not do that during his Caliphate concerning the Zidd and Anbat, when he conquered the greater part of Iraq, despite the meanness of their minds and the bluntness of their understanding (at that time).

None of the companions of the Prophet (saw) did that, too. The same applies to anyone that has represented them to this our day. If what they claim were real (or true), they would have been busy with one of two things: Either with turning away from accepting their Islam or by assigning a clever speaker, one who has insight into evidences and who knows the way of argument, to teach them the art of speech.

Thereafter, they could judge them as having faith. But their refusal, as well as the refusal of anyone that has stood in their place to this our day, -their refusal to do that makes it obvious that what they have held onto is wrong, because it is contrary to the action of the Messenger of Allah (saw), his great companions and others among honorable scholars. What I have mentioned as the proof for refuting their way has also been explained by the knowledgeable, erudite, ascertaining and verifying scholar, Mahmood bin Ahmad Al-Qawanawy, in the commentary on **Al-Umda**, written by Al-Nasafy. Look it up because it is obvious, since whoever acknowledges, it will have the rules of Islam applied on him based on the agreement, rather than consensus of scholars as long as it

Words of Advice...

does not appear that he disbelieves by word or action. This is because Allah, the Exalted, said:

﴿وَلَا تَقُولُوا لِمَن آتَىٰ إِلَيْكُمُ السَّلَامُ كُنتُمْ مُؤْمِنًا﴾ النساء: ٩٤

“And do not say to him that gives you the greeting of peace: You are not Muslim.” Qur’an 4:94

And because the Prophet (saw) said, as in an authentic Hadith as recorded in the book, Sahih Bukhari that:

من صلى صلاتنا واستقبل قبلتنا وأكل ذبيحتنا فذلك المسلم الذي له ذمة الله وذمة رسوله فلا تخفروا الله في ذمته

“Whoever prays as we do, faces our Prayer Direction and eats our sacrifice (or what we slaughter) is a Muslim who has the covenant of Allah and the covenant of His Messenger (saw), so do not breach the trust of Allah in His covenant!”

It is mentioned in **Al-Mukhtasar** (-literally, The Summary), by Al-Khalil, that “Renunciation (or Apostasy) is a Muslim becoming an unbeliever by an obvious word, or a word that implies it, or an action that contains it.” In explaining the meaning, Al-Kharashy said: “The author turns away from saying 'a believer becoming an unbeliever' to 'a Muslim becoming an unbeliever,' even though unbelief is placed against belief. The consideration here is limited to the rules that relate to this world, such as observed by judges, and because man has no ability of knowing the faith (as an internal activity of the heart or mind) of people.

Rather, they know the Islam of each other. It is for this reason that the need arises to talk about the issues by which a Muslim becoming an unbeliever is known. Therefore, he (i.e. Al-Khalil) said “by an obvious word, or a word that implies it, or an action that contains it.” By Allah's will, the explanation of these three issues will come under explaining the rule of the third group in the word of this very Al-Kharashy. If what we have said is established, that whoever acknowledges it would have the rules of Islam applied on him, so long as no word or action appears, showing that he is an unbeliever in accordance with these decisive evidences, then anyone with the least consideration knows the invalidity of the way of this second group, too.

Whoever has the least consideration also knows that this second group is a disbelieving group even before they have reached the condition (or stage) in which they think that they are believers. That is (the stage of) learning all matters of belief, their evidences, things used for argument with an opponent,

Words of Advice...

or what is used to resolve confusing aspects in the way theologians do, involving word, count, ability of expression and all that. This is because they had thought that they were unbelievers, and whoever thinks that he is an unbeliever becomes an unbeliever based on the consensus of scholars. In **Al-Muhassal** (literally, The Result), it is said that “Al-Qadi Ibn Rushd had judged concerning the masses that whoever takes them as unbelievers disbelieves in this place!”

Al-Manjoury said in the commentary on **Al-Muhassal**, where he explains the meaning of this poem: “His word: ‘Al-Qadi Ibn Rushd had judged concerning the masses...’ was said by Ibn Rushd when he answered a question, that some theologians said it was mandatory for the knowledgeable and ignorant persons to read (or study) the schools of the theologians of the Ash'ari Doctrine. That they should begin with that before learning such things as ablution, prayer and other obligatory acts of worship by which one keeps (i.e.; establishes or maintains) his religion and that they took as an unbeliever anyone who opposed that.”

He said: “Nothing is unbelief but believing in what they have held to (i.e. taken as a way or doctrine) in that regard because, if they do not pray, do not fast and do not perform Pilgrimage (Hajj) until they have known Allah, the Exalted, in those obscure and distant ways, then they might not get to know Him in those obscure ways until after a long period, or their understanding might bounce away from that completely, so they will exit religion and get out of the generality of Muslims.” This is the end.

Let me say: These obscure ways are only reached by the exceptionally few. Indeed, Al-Ghazaly wrote a book at the end of his affair (i.e.; close to his death), which he named **Iljamul Awam-an-Ilmil Kalam** (-literally, Restraining the Masses from Theology), and he mentioned that people are all laymen in this art (of theology) whether they are jurists or others, except the exceptionally few, such as are seldom allowed to appear by time. If you said: We have known that anyone among this group is an unbeliever even before he has reached a condition in which he thinks he is a believer, and the explanation to that has been given! Then what is the rule of a person that reaches that condition (or stage) and thinks (or believes) that he is certainly a believer, but he takes Muslims as unbelievers? What also is the reality of taking people as unbelievers? – If you said so, I would say: The answer is that declaring people as unbelievers takes place by an indicative expression like, 'You are an unbeliever (or an infidel),' or by a vocative expression like 'O You unbeliever!' or by believing that he bears unbelief, (-all these are) pronounced by Abdul-Aziz Al-Andaloosy. Concerning the rule of the person among them who

Words of Advice...

reaches the stage in which they (all) believe that they are believers, so he believes that he is a believer but declares Muslims as unbelievers, Bukhari, Muslim, Abu Dawood, Tirmizi, Ibn Hibban, Tabarany, Baihaqi, Dailami Al-Khara'ity and Ibn Najjar have narrated the tradition:

إذا كفر الرجل أخاه فقد باء به أحدهما

“If a person declares his (Muslim) brother as an unbeliever, then one of them has borne it.”

As explained by Shihabuddeen bin Ahmad bin Hajar Al-Haitamy.

Sheikh Taqiyyuddeen said: “This is a great warning to a person that declares anyone among Muslims as an unbeliever while he is not so.” Al-Ustaz Abu Ishaq said: “I will declare as an unbeliever anyone that declares me as an unbeliever.” Sheikh Taqiyyuddeen said: “The reason for this word might be vague to some people, who would understand it not as it correctly should! The way it should be appropriately understood is that the tradition has pointed out what is suggestive of the fact that whoever calls a person an unbeliever, while he is not so, the unbelief goes back to him. This speaker was (just) saying that the tradition shows that unbelief occurs to one of the two people: either the one that declares the other as an unbeliever or he that is so declared. Therefore, if somebody declares me as an unbeliever, then unbelief falls on one of us, and since I am certain that I am not an unbeliever, then unbelief goes back to him. Abdul-Aziz Al-Andaloosy said: “The meaning of the word of Al-Ustaz is that it makes no difference whether the tradition is interpreted or not. Ibn Daqeeqil-eid also agrees with that.

Al-Nawawy expressed it in **Al-Rauda** (-literally, The Meadow) by saying: “Al-Mutawalli said: If he says to a Muslim, 'O you unbeliever,' without any explanation (i.e.; if he says that bluntly), he (i.e.; the sayer) becomes an unbeliever because he has named (or called) Islam unbelief.” Abdul-Aziz Al-Andaloosy said: Al-Mutawalli preceded him in that, and a group (or a number) of their great colleagues, among whom are Al-Haleemy and Sheikh Nasr Al-Maqdasy agreed with him on that. This is the end.

In the commentary on **Al-Mawaqif** (-literally, Positions), the author brought a question regarding the Prophet's word (saw) “Then one of them goes with it.” He answered by saying that the tradition is Individual (i.e. Unilateral in narration). The Islamic Community agrees that it is (an act of) unbelief to reject a Unilateral tradition.

Words of Advice...

In **Al-Fawa'id Al-Istifa'iyya** (-literally, The Benefits of Being Chosen), which is the commentary on **Al-Qasida Al-Jaza'iriyya** (literally, The Jaza'iri Poems), Abdul-Mu'u'ty bin Salim said, where the composer had said:

This is it! There is difference (of opinion) in the path of the Men of Truth Concerning them: Whether they are unbelievers or perverse, but

Say:

The difference is not absolute , (because) some (scholars)
Decisively say he goes with unbelief unequivocally!

He said that: "It is appropriate to give details by saying some of them (believe) that he certainly goes with unbelief (i.e.; he becomes an unbeliever) – the word "ba-a" being pronounced with a long vowel (in Arabic) – because he unequivocally and unavoidably declares followers of Sunnah (-Prophetic tradition) as unbelievers. Whoever pronounces that the Men of Truth are unbelievers becomes an unbeliever." Then he said after some talk: "There is such a person who does not deserve to be judged as an unbeliever. Rather, he is perverse. That person is the one that has not declared any of the followers of Sunna as an unbeliever."

In the commentary on **Al-Qasida Al-Jaza'iriyya** by Sheikh Al-Sanusi, in explaining the meaning of these two poems and relating the word of Al-Amady in explaining the rule of these innovative groups, it is said: They are perverse, and it is said they are unbelievers. However, detail was reported from Al-Ustaz between the innovative person who declares the followers of Sunnah as unbelievers, - this person is an unbeliever, and an innovative person that does not take (the followers of Sunnah as unbelievers. This person is (only) perverse (not an unbeliever).

Detail was also reported between a person that calls people to his innovation, - he is an unbeliever, as opposed to a person that does not call (them to his innovation). This person is perverse. It is also pronounced that restraint must be made in terms of (the presence of) unbelief and its absence!" Then Sheikh Al-Sanusi said after some talk that: "The source of the controversy is that a person who says a word, believing in the word based on his claim (or assumption) that it is complete and that the word has a consequence, which is unbelief, involving deficiency or rejection or similar things (associated with that word), - the source of the controversy is whether or not the sayer of such a word should be taken as resolute, or whether differentiation should be made between what is embodied (as a meaning, i.e.; what is implied), what is obvious, and what is hidden (i.e.; ambiguous). However, the most manifest (or

Words of Advice...

prominent) word is restraint, because it is the safest (thing to do), except if there is a decisive text or a consensus on the unbelief of a person, then it should be applied.”

Let me say: It has been mentioned that Abdul-Aziz Al-Andaloosy said: “the meaning of that word of Al-Ustaz is to take as an unbeliever whoever declares a Muslim as an unbeliever.” For him, there is no difference whether (or not) he construes an interpretation for that, and Ibn Daqeeqil-eid agrees with that. This is as opposed to Al-Mutawally and Al-Halimy and Sheikh Nasr Al-Maqdasy, for they do not take him as an unbeliever if he has an interpretation for that. It is the right pronouncement as said by Al-Qadi Iyyad in **Al-Shifa**, concerning all other people among the Isolationists (-otherwise known as the Rationalists), the Resemblists and other scholars who construe interpretation (in that regard), where he (i.e. Al-Qadi Iyyad) said: “As to the person that establishes a description but rejects the attribute, such as saying he is knowledgeable but has no knowledge' or 'he speaks but has no speech' and all other attributes in the doctrine of the Isolationists (Mu'utazila), - whoever speaks in such a way that his word leads and drives him to a (disbelieving) consequences, he becomes an unbeliever, because if he rejects the attribute of knowledge, then the description of being knowledgeable is negated since no one is described as knowledgeable except a person that has knowledge.” For him, it is as though they had obviously said what their word leads to.

The same applies to all other groups who construe interpretation among the Resemblists (i.e.; Mushabbihah), the Fatists (i.e.; Qadariyya) and others. However, scholars who do not hold them accountable for the consequence of their word and do not make them responsible for the implication of their way (or opinion), - such scholars do not see them as unbelievers, saying: “if they are asked concerning that, they say: We do not say he is not knowledgeable and we are free from the word of consequence which you have charged us with, and we believe, as you do, that it is unbelief (to do that). We even say that our word does not go down to that, based on what is fundamental to us.”

On these two bases, people differ (in opinion) about declaring those who construe interpretation as unbelievers. If you understand this, the cause of people's difference (in that regard) becomes clear to you, and what is right is not to take them as unbelievers, and to avoid sealing them up as losers (i.e.; people must not describe them as losers), and to apply the rules of Islam on them in their Law of Equality (i.e.; in matters relating to crimes of killing and injury), in their inheritance, marriage, and blood money, and to perform funeral prayer for them and to bury them in Muslim cemeteries, as well as other transactions that they do.

Words of Advice...

However, they should be treated strictly by a painful discipline, strong deterrence and isolation until they refrain from their (acts of) innovation. These (methods) had been the way of the first (Muslim) generation concerning them. People of the Fatists, the Secessionist (Khawarij) and the Isolationists did emerge from the time of the Prophet's companions and the Successors after them, and they (i.e.; the people mentioned) said these words, yet they (i.e.; the Prophet's companions and the Successors) did not remove any of their graves, nor did they cut off inheritance from any of them. Rather, they deserted them, disciplined them by beating, banishing and killing – depending on their conditions – because they were perverse, straying, sinning and had been people of major sins according to the pronouncement of Scholars of Certitude, among followers of Sunna (i.e.; Sunni scholars), who do not pronounce that such people are unbelievers, as opposed to those who see that (they are unbelievers). Allah is the One that guides to what is right!

Al-Qadi Abubakar – may Allah be pleased with him – said: “concerning sensitive issues like those of promise, warning, vision, creatures, the creation of deeds, the remaining (or existence) of non-essential things, generation (or procreation) and similar things, it is more apparent (as a pronouncement) not to make those who construe interpretation in that regard as unbelievers, because ignorance about any of those things does not amount to ignorance about Allah, the Exalted, nor are Muslims of consensus in taking anyone who is ignorant about anything as an unbeliever.”

It is mentioned in **Durarul Qala'id** (-literally, The Pearls of Necklaces) that “whoever among us acts contrary to the truth is innovative, and we do not take him as an unbeliever so long as the construed interpretation remains!”

Let me say: If you understand all this, you will know that this group, whose rule we are explaining, is a disbelieving group based on the consensus (of scholars) before it reaches a condition where it thinks of itself as believing. That condition has already been explained, because before they (i.e.; the people of the group) reached that condition, they had thought of themselves as unbelievers, and whoever thinks of himself as an unbeliever is an unbeliever based on the consensus (of scholars).

You will also know that, based on the right pronouncement, they are not taken as unbelievers if they reach the condition in which they think of themselves as believers even if they take a Muslim as an unbeliever by construing interpretation. It was mentioned before in the word of Al-Qadi in **Al-Shifa** that the right pronouncement is to avoid taking those among the men of innovation who construe interpretation as unbelievers, but it will be appropriate for two

Words of Advice...

people to dispute concerning the disbelief a person that plunges into ignorance to the extent of saying: “No one except me remains on the truth today!” It is as (the information) that has reached us, that one of the people of this group swears by Allah, sitting on hide (-animal skin) and saying: “I swear by Allah, the sky today covers no other person that is stationed on the truth but the person that is on this hide, meaning himself!”

Therefore, (we say) to Allah we certainly belong, and to Him we shall certainly return. We ask Allah for protection against committing ignorance by ignorance, because that person has said a word by which he seeks to lead the Islamic Community astray, though the Islamic Community is guarded (by Allah) against being in agreement on straying, as pronounced by the consensus (of scholars), because the Prophet (saw) said:

لا تجتمع أمتي على ضلالة

“My Umma will not agree on straying.”

And it is a recurrent tradition.

Al-Qadi Iyad said in **Al-Shifa**: “In the same way, whoever says a word by which he seeks to lead the Islamic Community astray is decisively pronounced as an unbeliever.” Let me state that the same applies to anyone that is doubtful about taking such a person as an unbeliever, as explained by Shihabuddeen Ahmed bn Hajar Al-Haitamy. However, the confusion of this second group, which has led them to declaring the generality of Muslims as unbelievers and not to judge them as having faith is what they have found in the book(s) of theology that whoever believes in so and so is an unbeliever, and that whoever is ignorant of so and so is an unbeliever.

Therefore, they have had bad thoughts about the tenets of the faith of the generality of Muslims. They themselves have become unbelievers before they have reached the condition in which they should see themselves as believers. This has already been explained. They have also taken the generality of Muslims as unbelievers because (in their own opinion) they (i.e.; the generality of Muslims) have not reached that position. They also take as an unbeliever anyone who does not take the generality of Muslims as unbelievers, because they think whoever does not take them as unbelievers has denied (or belied/rejected) what is in the books of the scholars of Sunna. Do these ignorant, straying, and foolish people not know that not taking a person as an unbeliever only makes a person an unbeliever if he does not take a person whose word and action make him an obvious unbeliever? Do these ignorant, straying and foolish people not know that the unbelief that is found

Words of Advice...

(explained) in the books of theology, whether it is such on which scholars are of consensus or such concerning which they differ, is only understood collectively, not specifically (i.e.; not by specifying a person and pointing to him as an unbeliever)? Do these ignorant, straying, and foolish people not know that the rule of unbelief that is found in the books of theology is only the one that is between a servant and his Lord, not between a servant and fellow servants? Sheikh Al-Sanusi said in **Al-Umda**, in the commentary on **Al-Kubra** that “Our discussion is only about what is between a servant and his Lord, and about what saves him from staying with other unbelievers in Hell forever.” Then he said after some comments: “But concerning this world, its rules are built according to what is obvious.”

In the commentary on **Al-Wusta** (-literally, The Even Path), the author said: “In terms of oneself, man (or a person) is better aware about himself, so he shouldn't ask any other person about it.” Then he said after some talk: “and in terms of man's consideration of another person, his part is ignorance about the condition of another person's conscience, and not (having the ability) to decisively assert anything of his right (i.e.; about that person's right) in terms of what is involved in that same issue, except if the Prophet (saw) has borne witness to anyone concerning something, then it should be decisively judged for him regarding the same issue, because Allah, the Exalted, as well as His Messenger (saw), are better aware. Despite this, it is not ours to have bad thoughts about the faith of anyone among Muslims, whether he is a layman or any other person.”

Then he said after some word: “Well, except if what is hidden in a person's conscience, such as an evil (or bad) intention appears (obviously) on his tongue. Then what is obliged at that time is to apply leniency in educating him and in helping to cure his disease with what Allah makes possible. Help is sought from Allah.” This is the end of explaining the rule of the second among these Satanic Groups by the praise of Allah and His good help.

O Allah, guide us among those you have guided! Give us safety among those You have given safety! Protect us from the evil of what You have decreed, for You decree and it is not decreed upon You! Blessed You are our lord, and Exalted! O Lord of Majesty and Honor!

THIRD GROUP

Pronouncers of Unbelief Because of Sinful Acts

The third group is characterised by pronouncing unbelief because of sinful acts. They are those who consider Muslims as unbelievers because of doing major sins, such as women's abandoning of the veil and their mixing with men, as well as turning down the right of an orphan and marrying beyond four wives. The way of these people is also decisively wrong even though these deeds are forbidden by the consensus (of Islamic scholars). (Their way is wrong) because the consensus of the followers of Sunna is that no Muslim becomes an unbeliever because of sins. That is the way of the Secessionists (Khawarij) and the Isolationists (Mu'tazila, otherwise known as the Rationalists).

It is mentioned in **Al-Umda**, written by Al-Nasafi, that: "in the opinion of the Secessionists, whoever does a minor or a major sin is an unbeliever who will stay in Hell forever". In the opinion of the Isolationists, however, if the sin is major, such a person exits faith but does not get into unbelief. If it is minor and the person stays away from major sins, then it is not allowed (to say) he will be punished for it. If he does major sins, then it is not allowed (to say) he will be forgiven of them!"

In the commentary on **Al-Umda** by the erudite, certitude and investigative scholar, Mahmoud bin Ahmad Al-Qawanaw, where explanation is given to this issue, it is said: "That means in the opinion of the Isolationists (Mu'tazila), if the sin is major, then the perpetrator is called a perverse person, not an unbeliever. The unbeliever exits faith because of his unbelief but does not get into disbelief. Therefore, (in their opinion), he has a position between the two positions!"

In **Al-Umda**, written by Al-Nasafi, it is also discussed in another place that: "The perpetrator of a major sin does not exit faith because (his) belief still remains." In the commentary on it, also, by Mahmood bin Al-Qawanaw, who has been mentioned said: "That means a perpetrator of a major sin deliberately (i.e.; intentionally) but one who does not take it as lawful and does not (do it) in order to belittle the One that has forbidden it. (Such a person) does not exit faith because (his) belief, which is the pillar of faith, remains. One does not exit faith except from the door through which he has entered it!"

Words of Advice...

It is also mentioned in another place of **Al-Umda**, written by Al-Nasafi, that: “it is not allowed to take the people of Qibla (i.e.; the Prayer Direction, hence Muslims) as unbelievers because of sin.” In the commentary thereon by Mahmood Al-Qawanawy that has been mentioned, it is also said as an explanation of the meaning of this statement that “by the people of Qibla, he meant anyone that believed in the Prophet (saw) concerning the law (or religion) that he came with, not just facing the Qibla.”

Let me say that this is because anyone whose unbelief becomes clear in word or action is not counted as the people of Qibla even if he prays towards it. In the book of **Risala** (-literally, The Message) written by Abu Muhammad, it is mentioned that no one of the people of Qibla becomes an unbeliever because of sin. In **Al-Kifaya** (-literally, Sufficiency), the commentary of which was made by Abul Hassan Al-Shazily, where he explained the meaning of this word, it is said: It means (the people of) Islam, as pronounced by Wahb. It is also the way (or opinion) of all followers of Sunna, past and present, as opposed to the Secessionists, who have said that every major sin nullifies (righteous) deeds, and that the perpetrator (of such a sin) has a position between two positions, such that he is neither called a believer nor an unbeliever. Rather, it is said that he is perverse. For them, this is based on how the mind (or reason) sees it (as either) good or bad.

It is said in **Al-Kawkab Al-Sati'i** written by Abdulrahman Al-Sayooty:

We do not see taking the people of Qibla as unbelievers
Nor separation, that is to say from scholar!

Let me say: This all depends on the Prophet's word (saw):

كفوا من أهل لا إله إلا الله لا تكفروهم بذنوب فمن كفر أهل لا إله إلا الله فهو إلى الكفر أقرب

“Refrain (from hurting) the people of ‘There is no deity but Allah.’ Do not take them as unbelievers because of sin. Whoever takes the people of ‘there is no deity but Allah’ as unbelievers becomes closer to unbelief himself!”

– Narrated by Tabarany as explained by Shihabudden Ahmad bin Hajar Al-Haitamy.

If what we have mentioned is established that sins do not make a person an unbeliever based on the consensus of the followers of Sunna, then anyone with the least consideration knows that this group is innovative because they (i.e.; the people of the group) have followed the avoidable of this third group, too. Anyone that has the least consideration also knows that this group is innovative. They (i.e.; the people of the group) have followed the way of the

Words of Advice...

Innovative Secessionists, but we do not take them as unbelievers, because what is right is to avoid taking those who construe interpretation as unbelievers as already mentioned in the word of Al-Qadi Iyad in **Al-Shifa**. He mentioned the Secessionists as being among them there.

It is mentioned in **Al-Fiqhul Akbar** (-literally, The Grand Jurisprudence) that Abu Hanifa – may Allah be pleased with him-was asked about the Arbiter Secessionists, so he said: “They are the dirtiest Secessionists.” Then it was said to him: “Shall we take them as unbelievers?” He said: “No, but we should fight them for what the Leaders of Righteousness, such as Ali bin Abu Talib and Omar bin Abdul-Aziz – may Allah be pleased with them – had fought them.” As to the confusion of the Secessionists, the Isolationists, which makes them take others as unbelievers because of sins, it is mentioned in the books (written) by scholars of Sunna (i.e.; Sunni scholars), in their sermons and the explanation of Prophetic traditions.

Concerning the confusion of this third group, which makes them take others as unbelievers because of sins in these, our non-Arab towns, it is what they had heard from the dexterous, erudite scholar of scholars, knowledgeable in jurisprudence, the investigative scholar of certitude, one that is single in his age and unique in his time, Jibril bin Omar –may Allah be pleased with him – of taking the people of the non-Arab towns as unbelievers because of marrying beyond four wives, and because of abandoning veil by women and their mixing with men, as well as seizing them with tribalism, and turning down the right of the orphan, and other sins for which unbelief has been used absolutely. There is no doubt that these acts (or deeds) are prohibited based on the consensus of scholars.

However, it is not right, based on the consensus of the followers of Sunna, to use unbelief for those deeds absolutely. If the scholar meant taking those who disbelieved among them as unbelievers, then (it was because) they had not been unbelievers just for doing those sins. Rather, they became unbelievers for doing another thing, and it is what has already been mentioned, involving the deeds of unbelief in the explanation of the rule of the first group. If he meant taking the Muslims among them as unbelievers, then his word is not right, too, because a Muslim does not become an unbeliever because of sin (as pronounced by) the consensus of the followers of Sunna.

However, the scholar – may Allah be pleased with him – did write a prosaic book for the people of the non-Arab land because of this matter. In it, he deemed them unbelievers because of these sins that have been mentioned as well as other sins. He made his reason for taking them as unbelievers in that

Words of Advice...

prose to be the fact that, by doing those sins, they implicitly take them as lawful because of their persistence with the sins. However, none of the scholars of Sunna has (ever) mentioned that persistence with sins is a deed that implies unbelief. What is known of scholars in their exemplifying of the deed that implies (or contains) unbelief, is flinging the Qur'an and the books of Prophetic traditions in impurity (e.g.; stool), as well as fastening of the girdle and similar things, such as none but a person that exits faith will be audacious (or bold) to do!

It is mentioned in **Al-Mukhtasar** (-literally, The Summary), written by Al-Khalil, that “Renunciation means a Muslim becoming an unbeliever by an obvious word or a word that implies it or an action that includes it, such as flinging the Qur'an in impurity, and fastening of the girdle, and sorcery (magic).” Explaining the meaning of this, Al-Kharashy said: “An example of the obvious word is as saying that Uzair (i.e.; Ezra) is the son of God. An example of the word that implies unbelief is to reject what is essentially known in religion. An example of the action that includes unbelief is to wear the girdle and things like that. His word, “such as flinging the Qur'an in impurity and fastening of the girdle” is an example of the action that includes unbelief. Similarly, to fling the Qur'an or any book of the Prophetic tradition in impurity or burns it in order to belittle it. There is no problem in burning it if it is (of) weak (traditions) or of concocted ones!

However, there is an observation concerning the word of Al-Zannaty (in this regard), hence nothing but discipline is applied for flinging a book of jurisprudence in impurity. A verse or an alphabet of the Qur'an is like the (whole) Qur'an (in this regard). What is meant by impurity (here) is anything that is detested even if it is pure, such as onions. It is not only (the actual) impurity (itself, such as faeces) that is specifically meant. In the same way, a person renounces his religion if he fastens the girdle on the middle of his body because this is an action that includes unbelief. The word “az-zunnar” (-meaning girdle) is pronounced (in Arabic) with the vowel /u/ on the “zayun” alphabet. Likewise is doing anything that is specific to the attire of unbelievers. However, (to apply unbelief on a person in this regard), that must include going to the church or doing similar things. It is also limited to where he does it in the land of Islam (i.e.; not in the hostile land).

In explaining his word “and sorcery (magic)”, it is said that this involves the word that implies it and the action that contains it. However, the prominent position is that it is unbelief to learn sorcery even if one does not work with it. Malik pronounced this. Ibn Abdul-Salam said: “Some succeeding scholars have taken the word of Asbag as the right word, as reported by Al-Tartooshy

Words of Advice...

from the preceding colleagues. The word of Malik that it is unbelief to learn and teach it, is found confusing.”

Ibn Al-Araby defined sorcery by saying: 'It is some talk put together by which others are revered besides Allah, the Exalted, and the determination of things and events is ascribed to it.' That was how he said it in **Al-Tawdeeh** (-literally, Clarification). This is the end.

Let me say: What is known of the word of scholars, as we have explained, is to give examples of the action that includes unbelief as flinging the Qur'an and books of Prophetic tradition in impurity, as well as fastening of the girdle and sorcery. However, persistence with sins as pronounced by Sheikh Jibril – may Allah be pleased with him – who also wrote a book for the inhabitants of the non-Arab land concerning this issue, -a poetic book in which he also considered them as unbelievers because of the sins that have been mentioned. Most of them forbid what (Allah) has made lawful and make lawful what Allah has forbidden!

What is surprising about him in that poetic book is that he took them as unbelievers, first, because they forbade what Allah has made lawful, and they made lawful what He has forbidden and he thereafter showed that their unbelief was just because of those sins. He divided their sins in that poetic book into two parts. First, is a sin that does not take a construed interpretation based on his claim, and he claimed that there was consensus that whoever perpetrated such a sin was an unbeliever, so he made them unbelievers just because of committing the sins. Second is such a sin that takes a construed interpretation, and the perpetrator of such a sin does not become an unbeliever except if he regards it as lawful. This is of the most surprising things! How could he claim consensus on what none of the scholars of Sunna has said. This is his poem:

Praise be to Allah who has bestowed upon
His servants the best of whom he has sent

Muhammad- blessings of Allah be upon him
And (his) household, (his) companions and
those that follow him

So long as dawn pierces out of darkness
And the religion of Allah remains with rules

Thereafter, you should know that this is an insight
For people in the non-Arab land, nay, a reminding

Words of Advice...

You only see such among them as claims
Islam with his wide mouth

Taking cover with fasting and praying
Against being vilified (i.e.; slandered) with
the ugliest of obscenities

But, he is truly an obvious unbeliever
Because he forbids and makes lawful (against the rule of Allah)

Always intruding and continuing in
A belief that is opposed by the fulfilling majority

He is blind against Prophetic tradition and the Qur'an
And all that is said by men of sound reason

Being pleased with the rule of Ignorance which
Allah did remove by placing religion

Such (people) are of confused thoughts and little knowledge
They judge their Islam with dream (i.e.; illusion)

Between them and the people of the east
Is an exposed difference to the people of truth
That gets evidence from what is obvious

Such as is understood about them by a person of insight
Understood with experience and experiment

By deeds that are apparent to eyes
Deeds not done but by such a person

Whose unbelief is said to follow by consensus
Whoever does such a deed is an unbeliever, a renunciator
Such is unbelief, clear and transgressing

Such is abandoning religion and nudity (i.e.; nakedness)
Made by women, and mixing (with men) –That's how it goes!

And turning down an orphan, and marrying beyond
Four women, - that's his contention!

And taking women by tribalism
Following the people of (the Age of) Ignorance
Such is altering the rules

Without a construed interpretation from scholars
Such (also) is emulating (their) fathers

Words of Advice...

In Ignorance without any difference!
As to whatever it is taken by a construed interpretation

Whoever does it, his religion is safely disjointed
Such as adultery/fornication and drinking liquor

Killing of a soul and selling a free person
Where it includes belief that these are forbidden

Differentiate between our people by this (yardstick), you the attentive one
Persistent blessing and peace be upon
Muhammad (saw), the Chosen Prophet

And his household and honorable companions
So long as the rule of Allah abides in Islam!

This is the end of Sheikh's (i.e.; the scholar's) poem in taking the inhabitants of the non-Arab land as unbelievers because of the sins that are not taken (or absorbed) by construed interpretation as he claimed.

Indeed, some brothers brought this book to us, so we wrote an explanation of the life of Sheikh – may Allah, the Exalted, be pleased with him. We explained what was confusing in his word with what was appropriate, in accordance with the way of the followers of Sunna. This was our effort up to where he divided sins into two: What is not absorbed by a construed interpretation and what is absorbed by it, as he had claimed. We said in the explanation that “the obvious position that is offered by the word of Sheikh – may Allah, the Exalted, be pleased with him, is that whoever does any of the sins that are mentioned in the end (of the poem) is a disobedient person, even if he does not see them as lawful. On the other hand, whoever does any of the sins that are mentioned earlier is an unbeliever. He is one who renounces the religion of Islam based on the consensus (of scholars), even if he does not see the sins as lawful, and that in whatever circumstance religion is abandoned, or rules are altered, or fathers are emulated in ignorance, that is an unbelief based on the consensus (of scholars).

However, this is something I do not know, and I have not come across (any) difference between these sins and the ones that are mentioned in the end. It is for this reason that I have limited the pronouncement of unbelief because of these sins to (the case in which a person deems them) lawful! Perhaps, Sheikh – may Allah be pleased with him, had seen a way that we do not know because he was an overflowing sea (of knowledge, i.e.; he was erudite). My proof in limiting the pronouncement of unbelief on account of those sins with the case of deeming them as lawful is what is known in the way of the followers of

Words of Advice...

Sunna, which is the fact that no one becomes an unbeliever for any of the obscenities (or sins) that he mentioned other than for associating partners with Allah, concerning the Qur'an and Sunna (i.e.; Prophetic tradition) except by deeming them (i.e.; the sins) lawful after knowledge (that they are forbidden acts). Despite the fact that deeming sins lawful is an unbelief, it does not apply absolutely.

Sa'aduddeen Al-Taftazany had said in the commentary on **Aqidatun-Nasafi**, where he said: "It is unbelief to deem a sin as lawful". He explained that: "If he believes that what is forbidden is lawful, and it is such that is forbidden because of its nature and it has been established (as being so) by a decisive (i.e.; irrefutable) evidence, he becomes an unbeliever.

"Otherwise, he does not become an unbeliever, such as if the action is forbidden for another thing or by a hypothetical (i.e.; presumptive) evidence. Some scholars do not differentiate between what is forbidden for its nature (or itself) and what is forbidden for another thing. Such scholars have said that whoever makes what is forbidden and is known as forbidden in the religion of Prophet Muhammad (saw), - whoever makes such a thing lawful, like marrying unmarriageable persons from one's blood relations, or drinking liquor, or eating a dead animal or swine (pig/pork) without any necessity, that person is an unbeliever. If he does these (or any of) things without deeming them lawful, he is a perverse person."

My proof in limiting what Sheikh – may Allah be pleased with him – had made absolute (i.e.; general) in his word, "such is abandoning religion" and what he had made absolute in his word, "such is altering the rules" and what he had made absolute in his word, "such (also) as emulating (their) fathers in Ignorance," – my proof in that regard is also what is known in the way of the followers of Sunna. The fact that perversion does not remove faith, nor does innovation, as pronounced by Abdul-Rahman Al-Sayooty in **Al-Niqaya** (- literally, Purity) as we have mentioned, and Bukhari explained it in his Authentic Book, saying in the section of Sins of the Age of Ignorance, such that the perpetrator is not an unbeliever except for polytheism (i.e.; ascribing partners to Allah), because Allah, the Exalted, said:

﴿إِنَّ اللَّهَ لَا يَغْفِرُ أَنْ يُشْرَكَ بِهِ وَيَغْفِرُ مَا دُونَ ذَلِكَ لِمَنْ يَشَاءُ﴾ النساء: ٤٨

"Verily, Allah forgives not that partners be associated with Him, but He forgives what is less than that for such as He will." Qur'an 4:48

– As in the verse, and because the Prophet (saw) said:

إنك امرء فيك جاهلية

“You are a person in whom is Ignorance (to one of his companions).”

However, you should know that my word in all this is not in order to oppose Sheikh – may Allah be pleased with him. Rather, I have mentioned what my knowledge has reached in that regard, because it is not lawful for anyone to go beyond the authentic knowledge that he has come across by manifest means in order to go into what he has no knowledge about. (The Qur'an says):

﴿وَلَا تَقْفُ مَا لَيْسَ لَكَ بِهِ عِلْمٌ﴾ الإسراء: ٣٦

“Do not follow what you have no knowledge about.” Qur'an 17:36

Al-Sayooty said: “The mercy of Allah be upon whoever gets to what he has heard and stops before what he has not known.” This is the end of our word concerning that commentary (or explanation)

My brother, Sheikh Abdullah mentioned that, when he took that prosaic book that has been mentioned to him and said: “Perhaps, you take the inhabitants of the non-Arab land as unbelievers because of these sins in order to serve as a way of strictness and toughness (to them), not in a way of truly deeming them unbelievers.” He answered him by saying “Yes! They would not be known with those sins if that was not done!” This was an acknowledgement by Sheikh - may Allah, the Exalted be pleased with him – that he took them as unbelievers on account of those sins as a way of strictness and toughness. The end result is that the Sheikh's word is contradictory.

Sometimes, he gave the evidence for taking the inhabitants of non-Arab land as unbelievers because of the sins as being the fact that they implicitly deemed them lawful, as in his prosaic book, which has been mentioned. He has been explained as wrong, and sometimes he gave the evidence for taking them as unbelievers as being the fact that they perpetrate deeds, which are not borne by a construed interpretation, as in his poetic book, which we have explained, and that has also been explained as wrong. Sometimes, he acknowledged that he had taken them as unbelievers as a way of strictness and toughness.

However, what we believe is that Sheikh – may Allah, the Exalted be pleased with him – knew that no one becomes an unbeliever on account of sins because this is not a hidden matter. Rather, it is obvious to people like us (and) much more (obvious) to people like him, but he – may Allah, the Exalted, be pleased with him, was attentive to have found that people were ignorant of their blame-worthy traditions (i.e.; they were engaged in such traditions

Words of Advice...

unaware of the consequences). This disturbed his mind (or thought), and he began to look for what would awaken them, and he would say something sometimes, then he would withdraw from that and say another thing!

Nothing must have made Sheikh - may Allah, the Exalted, be pleased with him –do that except his abundant compassion for this Muslim Community. What he points out to you is that the Sheikh – may Allah, the Exalted, be pleased with him – did not take the inhabitants of the non-Arab land as unbelievers on account of these sins but as a way of strictness and toughness, not in terms of truly deeming them unbelievers. What points this out to you is how he related with them in terms of marriage, eating their sacrifice (i.e.; animals they slaughtered) and other relations, because if he had truly deemed them unbelievers, he would have refrained from relating with them in that regard.

I warn and warn and warn you, my brothers, against having bad thoughts in that regard about this blessed scholar. Permit no illusion about all what I have mentioned as an exception to his word. Do not think that I had objected to him in a way of blaming (or scolding him) – may Allah protect us from that! Allah, the Glorious and Exalted, knows what is in my heart of reverence and respect to the scholar.

Why wouldn't I love a person that Allah has ordained should be loved in His Book, the tradition of His Prophet (saw) and the consensus of His believing (or faithful) servants? Nothing has made me object, to his word but offering counsel (i.e.; advice/admonition) to Muslims in explaining what the truth is! I swear and swear and swear by Allah that I wouldn't know if we would have been guided to the path of Sunna and of leaving these blame-worthy traditions, if it were not because of this blessed scholar. The destruction of blame-worthy traditions in these our non-Arab towns began with his hands (i.e.; he started the job), but the completion of that (job of destroying such traditions) is by our hands (i.e.; we seek to complete it). Abdul-Rahman Al-Sayooty said in **Itmamud-diraya** (-literally, Completing Awareness): “such is the work of a scholar that deduces rules: He (starts) by little and gets much, and small then he gets big!”

Let me say: The blessings of Allah be upon the person who said:

Of what pained me is that I was asleep

Depicting the coldness of sleep with respiration

Until a pigeon cried (i.e.; sang) on a (tree) branch in the jungle

And its cry resonated good melody

If I had cried profusely before its cry

Words of Advice...

In good fortune would I have healed (my) soul before regretting!
But it cried before me, so my cry was agitated

By its cry, so I said excellence belongs to
the predecessor!

This blessed scholar was an overflowing sea (of knowledge), and whoever has
revived Sunna and destroyed blame-worthy traditions in these non-Arab towns
is one of his waves. For this reason, I have said (this) poem:

If what is said about me is said in good thought
Then I am a wave of the waves of (the scholar) Jibril!

I also have a poem in a foreign tongue (i.e.; in my local language, not in
Arabic) for his praise. May Allah accept (our) gratitude for the scholar's
existence. The blessing of Allah also be upon my brother, Abdullah for
praising the blessed scholar in his "Jimun-alphabet" rhymed poem, where he
said:

Keep away from you the person that counts what prevented sleep
From the Night Traveller, and do not travel as the nascent lad would do!

Put on the garment of resolve (stationed) on the camels thereof
With the provision of perseverance, seeking resort in the deserts

With vigil, setting out at nightfall together with seclusion
Repent until you have removed the tree of trouble

By visiting him that visited Taiba (i.e.; Madina) after he had
Visited Mecca amidst delegations (or groups) of pilgrims

Him that has captivated my heart, so it got dazzled by his love
And it dwelt in his place, neither a captive nor one that should depart

That is the forenoon sun that rose in the west and inclined
To the east, shining amidst (the clans of) Quraish and Khazraj

That is versatile and erudite in his knowledge
Compassionate and lenient to the sick

Well-voiced, (with) a smiling face, simple and lenient
To Muslims, but belittling to the infidels

A tree, such that when the piercing wind comes across it
It never departs from it because there is no adulteration

Whoever comes to him complaining of difficulties returns
There from with a well-open, crystallized heart

Words of Advice...

Soon would such a person fetch a palatable glass (of knowledge)
That is purer and sweeter than the glasses of Sa'amaj

He is a moon, worthy for our scholars to see
A neck of the sea of knowledge somehow forgotten

He is a purpose I visit, such that we stop at his place and drink to satisfaction
From the persistently flowing sea of the knowledge of Sheik (i.e.; this scholar)

The scholar of scholars, unique in (his) glory time
Crowned with knowledge above anyone that vies

(He is) Jibril, one with whom Allah has caused dignity
To our religion of rectitude, - a scholar that is steadfast in his way

He came (at a time) when the straying party was in a lowland
And religion was in an abyss as a thing that had been violated

So he removed the black (i.e.; evil) infidels, putting them away from
Their traditions, and he gave it a cloak of a peridot like garment

In publicizing the religion of Allah, he feared no scorner nor any stammering
scolder

He had (righteous) cubs (i.e.; brave people) representing him

And such a cub at probing time is like a (brave) Khazraji (fighter)!

Let me say: Compared to the position of this blessed scholar, we are as a lame
person compared with a robust person, and as people possessing a hornet with
the melody of Psalms!

Beware and beware and beware, my brothers, of having bad thoughts about
this blessed scholar.

You must also beware of having bad thoughts about his people (i.e.;
followers). If you see anyone that is thrown into illusion (or confusion) by the
word of Sheikh, such that he applies unbelief on Muslims on account of sins,
you should remind him with what I have reminded you, and you should
prevent him from that by way of advice. This is the end of explaining the rule
of the third group of these Satanic Groups by the praise of Allah and His good
help.

“O Allah! Guide us among those whom You have guided! Give us safety
among those You have given safety! Protect us from the evil (i.e.; the disaster)
of what You have decreed, for You decree and it is not decreed upon You!
Blessed You are, our Lord, and Exalted! O Lord of Majesty and Honor!”

FOURTH GROUP

Tradition Followers

The fourth group is defined as a group notorious for following blame-worthy traditions. They are those who do not repent from (i.e.; they do not refrain from) the traditions on which they have found their fathers, their leaders and their scholars. The way of these people is also certainly wrong because (Islamic) scholars are of the consensus that tradition should not be followed unless it agrees with religion. Of those blame-worthy traditions is to do the ablution substitute (i.e.; Tayammum) without a legally (or religiously) acceptable necessity, such as the absence of water or (because of) the inability to use it.

The prayer of whoever does that is invalid (as pronounced) by the consensus (of Islamic scholars). He is also not counted as being among those who pray, even if people have the illusion. Rather, all what is seen of him concerning the form of prayer should not be taken into account and should not be called a prayer because of the absence of the condition for (the validity of) the prayer, which is purity. This is because what is legally absent is like what is physically (or tangibly) absent. Moreover, based on the (pronouncement by the) consensus (of scholars), the prayer that he performs is unlawful, to the extent that some scholars have said that it is a renunciation of religion to perform prayer without purity. Most scholars (i.e.; the majority) are of the pronouncement that it is an act of sinning for a person to perform prayer without ablution.

It is mentioned in **Al-Kharashy Al-Kabir** in the inquiry (i.e.; section) about ablution, that “ablution is divided into four categories. It is obligatory (to make ablution) for every worship in which purity is a condition (for its validity), such as Tawaf (i.e.; going round the Ka'aba) and prayer, whether such a prayer is obligatory or supplementary, whether it is an individual or a collective responsibility, as well as recital prostration. Whoever does any of such things without purity has sinned as pronounced by the agreement (of jurists), or rather by the consensus of scholars as reported by Al-Nawawy.” Then he said: “Al-Sa'ad Al-Taftazany outlined in the commentary on **Al-Aqa'id** that it is renouncing religion to perform prayer without purity.”

Let me say: It has been mentioned that, in that regard, the majority of scholars pronounce that it is an act of sinning. Of those blame-worthy traditions is to enter other people's houses without asking for permission. It is forbidden (to do that, by the consensus of scholars because it is obligatory to ask for

Words of Advice...

permission, as pronounced by the consensus of scholars. Allah, the Exalted, said:

﴿يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَدْخُلُوا بُيُوتًا غَيْرَ بُيُوتِكُمْ حَتَّى تَسْأَلُوا وَتُسَلِّمُوا عَلَى أَهْلِهَا﴾ النور: ٢٧

“O you who believe, do not enter houses other than your houses until you ask leave and greet the people thereof in peace.” Qur’an 22:27

It was narrated in the Authentic Book of Bukhari through Sahl bin Sa'ad, who said: “A man peeped into one of the rooms of the Messenger of Allah (saw) while the Prophet (saw) was holding a comb with which he was rubbing his hair, so the Prophet (saw) said to him:

لو أعلم أنك تنظر لطعنت به عينك إنما جعل الاستيذان من أجل البصر

“If I knew that you were looking, I would pierce your eye with it!”

It is ordained that permission should be sought just because of the sight (i.e.; because of what the eyes see)!”

In **Al-Risala**, it is mentioned that it is obligatory to ask for permission, such that you must not enter a house in which (there) is someone until you ask for permission three times. If permission is given to you, (then you can enter). If not, you must depart.” In **Al-Kifaya**, written by Abul Hassan Al-Shazily, and explaining the meaning of this word, where Sheikh said it was obligatory, he said: “The obligation is as the one for all obligatory deeds because Allah, the Exalted, said:

﴿وَإِذَا بَلَغَ الْأَطْفَالُ مِنْكُمُ الْحُلُمَ فَلْيَسْتَأْذِنُوا كَمَا اسْتَأْذَنَ الَّذِينَ مِنْ قَبْلِهِمْ﴾ النور: ٥٩

“When your children reach puberty, let them ask leave, as those before them asked leave.” Qur’an 24:59

The consensus of scholars is that it is obligatory and that whoever abandons it disobeys Allah and His Messenger.

Of those blame-worthy traditions is a woman's refusal to wear the veil in the presence of her husband's brother (i.e.; her brother-in-law), or her uncle's son (i.e.; a male cousin), or her maternal uncle's son (i.e.; a male cousin from her mother's side), or her sister's husband (i.e.; her brother-in-law) or her husband's friend. These are all forbidden by the consensus of scholars. Allah, the Exalted, said:

﴿وَلَا يُبْدِينَ زِينَتَهُنَّ إِلَّا لِبُعُولَتِهِنَّ﴾ النور: ٣١

“And they must not reveal their adornment except to their husbands...” Qur'an 24:31

....to the end of the verse.

The people that have been mentioned (concerning the refusal to wear the veil) are not among those exempted (in this verse), as pronounced by the consensus of scholars. In **Al-Madkhal**, the author said: “Some women only wear the veil in the presence of a great person. They are not basically shy of the abased person, (or) of a relative and of youth (or young boys). This contravenes the Glorious Book of Allah, where He, the Sanctified and Exalted, said:

﴿قُلْ لِلْمُؤْمِنِينَ يَغُضُّوا مِنْ أَبْصَارِهِمْ وَيَحْفَظُوا فُرُوجَهُمْ ذَلِكَ أَزْكَى لَكُمْ إِنَّ اللَّهَ خَبِيرٌ بِمَا يَصْنَعُونَ﴾ (٣٠) وَقُلْ لِلْمُؤْمِنَاتِ يَغْضُضْنَ مِنْ أَبْصَارِهِنَّ وَيَحْفَظْنَ فُرُوجَهُنَّ ﴿النور: ٣٠ - ٣١﴾

“Say to the believers, that they lower their gaze and guard their private parts. That is purer for them. Allah is aware of the things they do. And say to the believing women, that they lower their gaze and guard their private parts...” Qur'an 24:30-31

.....to the end of the verse.

Therefore, Satan has thrown them into (doing) what is forbidden by this explicit text (or verse of the Qur'an). May Allah protect us from his disaster by His Grace!

It is surprising to see a man that finds people who go around (i.e.; make intrusion into) his wife in trade and discourse, but would not have them prevented (or forbidden) from that, as if they (i.e.; people like that person) have not heard of this noble verse. It is through this (act) that the accursed Satan has intruded into many people, causing them to get into (doing) what is forbidden because they think well about the wife. Even if we assume such a thought to be right and that it reaches (the point of) certitude, it would (still) be forbidden because it is unlawful for a woman to appear (unveiled), except to her husband and unmarried person in her relatives.

Then he said: “Moreover, their persistence with that, (even) without the occurrence of a major sin is more grievous and harmful, and it is more beloved by Satan than a major sin, because repentance is usually made from the major sin. As to the minor sin, they trivialize it by persistence with it. We ask Allah for protection against that.” An example thereof is that if an uncle's son (i.e.; a

Words of Advice...

cousin), as well as persons like him, such as a male or a female neighbor and people that have seen each other, - if such a person does a major sin, he may not persist, and Satan will show him the beauty in leaving it in order for him to have a lot of violations therewith because of their appearance to each other (i.e.; their mixing with each other) in mutual discourse, jokes and seclusions, and, for them, there will be no difference between a husband and another person except in the place (i.e.; in terms) of sexual intercourse.

Of those blame-worthy traditions is a man's seclusion with a woman, both of them being distant from each other (-distant being a term for a man that is legally allowed to marry a woman and vice versa, but who is not yet married to her and vice versa, hence such a relationship is still forbidden between them). They may even go on a journey together, while she is not accompanied by any person other than both of them. She is not accompanied by a husband or an unmarriageable person in her relatives. Such an act (of seclusion) is forbidden by the consensus of scholars. In **Al-Risala**, the author said: "A man must not seclude with a woman that is not an unmarriageable relative of his!"

Of those blame-worthy traditions is a marriage reception, (i.e.; feast) that involves evil deeds like women attending it luridly adorned, dancing and mixing with men. These are all forbidden by the consensus of scholars. It is mentioned in the commentary on **Al-Mufida** that: "there is no doubt of that being ugly and forbidden". We ask Allah for protection against straying and betrayal! You would see a man – may Allah protect us against sins - with lack of the sense of honor. You would see that the first thing that (such a man) would use to open and establish his marriage is that great evil, which will not be accepted by anyone that has a seed (i.e.; a bit) of the Muslim sense of honor, nor can it be accepted by anyone that has a bit of religion. Such a man would bring the worthless (of people, i.e.; morally speaking) and honor them, and the women and relatives of that abased, ill-fated husband would adorn themselves most greatly, and they would meet with those worthless people that have been mentioned, such that people and women from every corner meet together.

Then he said: "There is no doubt that a marriage that is of this nature is ill-fated, having neither blessing nor goodness. Woe to such a husband and to whoever helps him on that! (Woe to them) even if it were by a flame of fire!"

Then he said after that: "Let no one answer, i.e.; let no one that they call, answer them when they call him to the feast." In **Al-Madkhal**, the author said: "He should mention to the person they have sent to him that nothing prevents him (from attending) but the fact that such (an event in that form) is not

Words of Advice...

religiously allowed because it is not allowed to attend the place of evil.” Then he said after some talk: “But do not think that this is a rejection (or reprehension) of marriage reception! On the contrary, it is a Prophetic practice that must be done according to religious law.”

Let me say: Their naming ceremony sacrifice also contains (or involves) evil deeds. It is mentioned in **Al-Madkhal** that “when this blessing, i.e.; the blessing of childbirth appears (i.e.; takes place), women shout thrilling sounds of joy, raising their voices to the highest volume”. “Other activities includes (their) waxing proud with abundant food, as well as the meeting (or mixing) of the sons of this world (i.e.; those who are worldly-minded) and their denying (of food) to the poor people that have a pressing need, despite their interest in, and their request for (the food)”. It is also mentioned that Malik – may Allah have mercy on him – was asked about people gathering for the naming ceremony (or sacrifice) and he reprehended (i.e.; detested/resented) that, and he said that what was appropriate was that they should eat from the sacrificed animal, feed (others) and send gifts to neighbors.

Let me say: “Consider how Malik – may Allah have mercy on him – reprehended people gathering for the naming ceremony and sacrifice despite its being free of all (kinds of) sin! Why wouldn't their gathering be reprehended (i.e.; rejected) when it involves actions that are forbidden (as pronounced) by the consensus of scholars, -actions like men mixing with women and other things of blame-worthy traditions.

Of those blame-worthy traditions is men sit at home and women going to markets, mixing with men. This is forbidden by the consensus of scholars. It is also a copying of foreigners, and religion has forbidden that they be copied. It is said in **Al-Madkhal** that: “it is required of him, if his family (or wife) has any need of buying a cloth or jewel or other things, - (it is required of him) to take charge of that himself. This is if he has the capacity (i.e.; if he is entitled or qualified) to do that or to assign someone on his behest. He must not allow them (i.e.; his wives) to go out absolutely. Such (an action) will lead to a manifest evil, which most women do openly when they sit with seeds men, artisans, and others. They (i.e.; the women) certainly have dialog with them. They smile to them and do other things that occur between them. That could be a cause of the occurrence of a major obscenity!”

Then he said in explanation that: “Whoever adopts this attribute has a similarity between him and the women of foreigners (-foreigners, meaning infidels) because their women (or wives) sell and buy, sit in shops (to trade)

Words of Advice...

while the men are at home. Religion (i.e.; Islam) has forbidden that they be emulated (or copied).”

If you ask: is it allowed for a young woman to go to the market for selling and buying if she is veiled and no seclusion or any (other) thing that is detested by religion occurs?, I would say: That is allowed, but it is when no one is found to represent her, such as a husband or an unmarriageable relative or a wandering woman (e.g.; a maid) as mentioned in **Al-Madkhal**.

Of those blame-worthy traditions is for women to go out to people in the town (i.e.; their going out itinerantly) to sell anklets and bracelets, as well as clothes, ornaments, cotton and other things that women need. It is mentioned in **Al-Madkhal** that “there is a condition for this person, i.e.; to the seller. He must not do what some itinerant traders do in this age, such as selling (the items) to the women (only) after he has entered a place where no one passing the street sees him, then the women come out (to that corner) to buy from him. This is forbidden to him if the woman is alone because his action amounts to seclusion with a distant woman (-distance, as a term, already explained), and it is forbidden even if both of them do not have the purpose of seclusion. Concerning his entering the house (of a woman), he is forbidden from that even if she gives him permission. If he is a person under her care and it becomes necessary for him (to sell to her), certain that nothing evil will happen. He should lower his gaze when he sells to a woman, such that he should only look at the place of his feet or at his item. All the things that have been mentioned concerning itinerant traders necessarily applies on others who sell to women.”

Then he also said that: “He should guard himself against doing anything that people have innovated in this age. An example of it is that a person who sells linen comes, and he sometimes secludes with a woman, which is forbidden as already mentioned. Sometimes, she and other women come and gather around him, and because of their gathering, they discuss things that are forbidden by the noble religion (of Islam)”.

Many of them actually go to him without the veil. Some of them may even wear thin clothes, such as described (i.e.; show their bodies) or are transparent or are both descriptive and transparent. A woman might also wear a short cloth without anything on top, and even do any other thing that is known as being of their traditions in the present time.

Other blame-worthy traditions is what they do, involving the lack of sharing inheritance in accordance with the Qur'an. They do not share inheritance as ordained by Allah, the Sanctified and Exalted! Rather, if there is a big person among the heirs, he takes control of all the deceased's wealth and says: “This

Words of Advice...

is the wealth of my brothers, and I represent a father to them”, and no one objects to him in that regard, and when he, (too), dies, the strongest person (among the heirs) takes control of his wealth. This is also forbidden by the consensus of scholars.

Some of them do not give inheritance to the wife or any other woman. This is also forbidden by the consensus of scholars. In a questions asked by Askiya about these blame-worthy traditions in terms of inheritance, Abdul-Karim had given the answer according to our ruling that they are forbidden by the consensus of scholars.

The action blame-worthy traditions are what they have made as conduct of respect to their great ones. When they greet (them), they bow down. This is also forbidden by the consensus of scholars. In some cases it reaches an extent that it could be truly as the bowing that a servant does to his Lord (Allah) in prayer. It is mentioned in **Al-Madkhal** that Tirmizi reported from Anas, who said: I heard a man say to the Messenger of Allah, “Messenger of Allah, should a man among us who meets his brother or friend bend (i.e.; bow) to him?” He said: “No!” - as mentioned in the tradition.

In **Tahqeequl Mabany** (- literally, Establishing the Structures), Abul Hassan Al-Maliki said: “What is obvious from this tradition is that it is absolutely forbidden to bend the head (in greeting). However, some scholars have pronounced that it is allowed if the action could not be truly described as being (like) the bowing (in prayer).”

Similar blame-worthy traditions are what they do by just mentioning the means of hope and guides to mercy, in order to turn people away from the councils of preaching. In **Al-Ihya**, the author said: “The incurable disease is the one that lacks a doctor, and the doctors (in this religious regard) are scholars. People have serious disease in these periods, such that they have been unable to cure. The destructive disease is the love of this world. This disease has defeated them and they have not been able to warn people against it because of shame that it would be said to them: “What is the matter with you that you instruct on how to cure (a disease) but forget yourselves?” If only they did not cheat; if only they refused to do injustice, or they made things right, and they did not corrupt them! If only they kept quiet and did not speak because if they spoke, they would not mention the signs that a person had attained the causes of hope and the signs of mercy. This would (just) be a hearing that was simplistic to (people's) nature, so the people would turn away from the councils of preaching, having drawn the benefit of more boldness in (doing the acts of) sinning.”

Words of Advice...

Shihabuddeen Ahmad bin Hajar Al-Haitamy said that: “Some commentators of the Qur'an have said that it is not lawful to make Allah's mercy easy to acquire in the midst of fools because they will take it as a way of perpetrating forbidden things and leaving the things that are obliged (on them).”

Let me say that: blame-worthy traditions are many and innumerable, and what we have mentioned contains what is sufficient for highlighting what has not been mentioned of such traditions. Ahmad Al-Zarooq mentioned in **Umdatul Mureed Al-Sadiq** (-literally, The Pillar of the Honest Student) that three things negate (i.e.; prevent or forbid) following whatever contravenes the Sunna of the Prophet (saw) (i.e.; his tradition or practice). First of them is the integrity of faith in such a way that it leads to the establishment of the honor of the Prophet (saw) in what he instructs a person to do and what he forbids him from doing, and to persevere in religion. Allah, the Exalted said:

﴿وَمَا آتَاكُمُ الرَّسُولُ فَخُذُوهُ وَمَا نَهَاكُمْ عَنْهُ فَانْتَهُوا﴾ الحشر: ٧

“Take what the Messenger (saw) has given you, and desist from what he has forbidden you!” Qur'an 59:7

He also said:

﴿فَلْيَحْذَرِ الَّذِينَ يُخَالِفُونَ عَنْ أَمْرِهِ أَنْ تُصِيبَهُمْ فِتْنَةٌ أَوْ يُصِيبَهُمْ عَذَابٌ أَلِيمٌ﴾ النور: ٦٣

“Let those who contravene his instruction beware, lest a disaster should befall them, or a painful chastisement.” Qur'an 24:63

He also said:

﴿قُلْ هَذِهِ سَبِيلِي أَدْعُو إِلَى اللَّهِ عَلَى بَصِيرَةٍ أَنَا وَمَنِ اتَّبَعَنِي﴾ يوسف: ١٠٨

“Say: This is my path, calling to Allah upon awareness, I and whoever follows me!” Qur'an 12:108

Therefore, it becomes clear that awareness in religion is one of its bases, and that whoever takes issues by his own opinion and in blindness does not follow the Prophet (saw). The second is investigating the rules of Allah in terms of his person, involving his (i.e.; the person's) motion and rest (i.e.; his activities at all times) and what occurs to him when he arrives and departs (i.e.; everywhere he goes). However, that is not validly possible except by observing his (own) conditions, such that he should not do anything except with knowledge and (i.e.; or) by emulating a person that can be validly emulated. The third is to know about the conditions of the way he takes or wants to enter (or take).

Words of Advice...

If what we have mentioned is established, based on the consensus of scholars, tradition is not followed unless it agrees with religion. If that has been established with these decisive evidences, then whoever has the least consideration knows the annulled ways of this fourth group, and whoever has the least consideration also knows that, if this group does not take those sins as lawful, it is perverse. However, whoever among the group takes them as lawful, knowing that they are forbidden by the consensus of scholars, such a person is an unbeliever, as pronounced by the consensus of scholars. The same applies to anyone who belittles those sins by doing them as though he were doing lawful things, as mentioned in the commentary on **Durarul Qala'id**, but that deed has some details:

If he applies the rule of the things that are permissible to those forbidden things in order to humiliate Allah's prohibition of the deeds and to belittle Allah's instruction, then he is an unbeliever. If he applies the rule of permissible things on them because of his persistence (in them) on account of being defeated by the desire of (his) soul, not because he humiliates Allah's prohibition or belittles His instruction, rather he reverses the Lord's side, and he fears (Him) but only persists (with the sins), then he is perverse. He is not an unbeliever because a Muslim does not become an unbeliever because of sin as we have mentioned.

The unbeliever perpetrates what is forbidden by humiliating the basis of religion and by not basically caring about it. The perverse person perpetrates it not as a humiliation of the basis of religion, but rather, he perpetrates it in a way that is informative of his little concern about religion, not basically because the concern is not there. The detail of the meaning that we have mentioned has exposed such a person that may be confused by (the word of) Shihabuddeen Ahmad bin Hajar Al-Haitamy. It was because of the absence of such a detail that people who had been in illusion were confused concerning the word of Sheikh Jibril –may Allah, the Exalted, be pleased with him –such as using the word of unbelief absolutely for a person that persists with sins and never repents from them. Indeed, Abdul-Wahab Al-Sha'arany spoke the truth when he said in his book, **Minan** (-literally, Blessings) that “it is erroneous to generalize in the place of detail (i.e.; it is wrong to generalize where detail is needed).” It is said in **Durarul Qala'id** that: Whoever does a major sin or persists with a minor sin is perverse in sin, deserving (that description)!

On the confusion of this fourth group insisting that they had found their fathers (i.e.; parents), leaders and scholars on those blame-worthy traditions. Do these ignorant, foolish, and straying people not know that it was following fathers

Words of Advice...

and leaders without evidence that prevented the unbelievers from following the Messengers (of Allah)? Allah, the Exalted, said:

﴿وَكَذَلِكَ مَا أَرْسَلْنَا مِنْ قَبْلِكَ فِي قَرْيَةٍ مِنْ نَذِيرٍ إِلَّا قَالَ مُتْرَفُوهَا إِنَّا وَجَدْنَا آبَاءَنَا عَلَىٰ أُمَّةٍ وَإِنَّا عَلَىٰ آثَرِهِمْ مُقْتَدُونَ﴾
الزخرف: ٢٣

“Even so We did not send any Warner into any city before you except that its men of affluence said: we indeed found our fathers upon a tradition, and we are following upon their traces!” Qur’an 43:23

Allah, the Exalted, also said:

﴿وَإِذَا فَعَلُوا فَحْشَةً قَالُوا وَجَدْنَا عَلَيْهَا آبَاءَنَا وَاللَّهُ أَمَرَنَا بِهَا قُلْ إِنَّمَا أَنَا بَشَرٌ مِثْلُكُمْ لَا يُؤْمِرُ بِالْفَحْشَاءِ أُنْقُلُونَ عَلَى اللَّهِ مَا لَا تَعْلَمُونَ﴾
الأعراف: ٢٨

“And when they have done an obscenity, they say: “we found our fathers upon it, and it is Allah that has instructed us to do it.” Say: “Allah does assuredly not instruct obscenity. Do you say what you don't know against Allah?” Qur’an 7:28

Do these ignorant, straying, and foolish people not know that it was following leaders and big people without evidence that destroyed the unbelievers, such that they regretted when regret was of no avail? Allah, the Exalted said, relating what they would say in Hell:

﴿وَقَالُوا رَبَّنَا إِنَّا أَطَعْنَا سَادَتَنَا وَكُبَرَاءَنَا فَأَضَلُّونَا السَّبِيلَ﴾
الأحزاب: ٦٧

“Our Lord, we had obeyed our leaders and big ones, so they caused us to stray from the (right) path.” Qur’an 33:67

Do these ignorant, straying, and foolish people not know that the deed of anyone among leaders is not an evidence against Sunna (i.e.; the Prophetic practice/tradition)? Ahmad Al-Zarooq said in **Umdatul Mureed Al-Sadiq** that “the Sunna is an evidence above all people (or tradition), and no one's work among people is an evidence over the Sunna, because the Sunna is infallibly guarded against error and the owner of Sunna (i.e.; the Prophet -saw) was infallibly guarded.” Infallibility has (never) been established for other people (besides Prophets), except when they specifically have a consensus. If they all have a consensus, then their consensus contains (i.e.; represents) a religious evidence. Then he said that: “We weigh whatever comes from scholars on (the scale of) the Qur'an and Sunna. We accept what they both accept, and we leave what they both do not accept. That is if the scholars are of the sort that

Words of Advice...

are emulated (or copied/followed). We leave what they both do not accept, not because we reject or oppose it, but because we do not understand the way by which it could be referred to the bases of religion as we have understood the other one which we have accepted”.

It is mentioned in **Al-Madkhal**, in explaining the manners of a scholar, that “it is required of him not to pass by a council of knowledge (i.e.; not to hold or make a council of knowledge) but that (in so doing) encourages towards Sunna and instructs that people stay away from innovation (i.e.; the contrary). It was on this basis that the councils of predecessor scholars were conducted. There is no doubt that such a requirement is obliged today on anyone that speaks about an issue, more so on a person that speaks about a lot of issues that involve the innovations and evil deeds of our time, because such innovations and evil deeds have become as though they were the rites of religion. Indeed, as part of the things that were obliged on us. People encourage innovations and evil deeds by following the traces of wrong, forgetful or negligent proof of some people of late. A person among such people gives a refutable evidence, and when someone comes (trying) to change what we have perpetrated of those issues, we hate him and say we have only entertained good thoughts about the person with the refutable evidence. He has (been a person) of respect in our hearts, and that he is pious, and that such person has (also) pronounced that it is lawful, but if the person that (seeks to) change (the evil) that we do not know or we do not have faith in him, then what he never expects will be applied against him. This is all ignorance.”

The said after that: “But he, i.e.; the scholar (or knowledgeable person) should first begin by changing himself. Thereafter, he should (seek to) change others.” He also said that: “Changing what he has been instructed to change does not rest on him”. Rather, he is (only) obliged to speak about that in words, such that he should mention the rule in that regard. If the perpetrator listens to him and desists, then the purpose is fulfilled. If he refuses, then he (i.e.; the scholar) has established his excuse with Allah and has done what he is obliged to do. He has (in so doing) been free from being tied to it, because it has been reported that, on the Day of Judgment, a man (i.e.; a person) will be tied to a man (i.e.; a person) he does not know, so he will say to him: 'What is the matter with you? I have never seen you!' He will say: 'No! You saw me someday doing evil but did not make me to change it!' This is dangerous, and seldom would a person be free from it, but one will be saved from it by (just) speaking (about the deed as an evil that must be stopped). There is no difficulty or fear in speaking about it, but people only leave it while they see it (i.e.; while they see the evil) because their souls have become familiarized

Words of Advice...

with the worthless (i.e.; abased) traditions upon which are their fathers, and that was what destroyed the nations that have passed.

It is also mentioned in **Al-Madkhal**, that it is necessary for him, i.e.; the scholar, or rather a person whom it is obliged on him –as pronounced by Al-Imam Al-Tartooshy, may Allah have mercy on him- not to look at the traditions that we have adopted (i.e.; used) in our explanation as having been done by the people who preceded us. Some of them might have been negligent, or wrong, or forgetful, and if such a person had done what was forbidden, then it is obliged on the scholar to explain that to people and (to tell them) that it is not part of religion, and people should not emulate (or copy) it.

In **Al-Madkhal**, the author mentioned that one among scholars had reservations concerning that. He (i.e.; the author of **Al-Madkhal**) said: “This meaning concerning why this leader (i.e.; scholar), may Allah have mercy on him, had reservations is what has, today, corrupted a lot of the conditions of the people of this time. Today, you will find someone doing an innovation and forbidden thing, and if you instruct him not to do it or you guide him towards leaving it, he gives a proof to the effect that it is not a reprehensible (or bad) thing because he had seen his Sheikh (i.e.; tutor/scholar) and a person he believes, doing it.

Therefore, he says: “How could it be reprehensible or innovative when my so-so-leader had done it?” He uses the action of his predecessor and those that succeeded the predecessor, as well as of his tutors as an evidence for the permissibility of that innovation (Bid'a). Therefore, for him, the action of his tutors has become an evidence for what we have established the affairs of religion when such tutors are not infallible (not beyond mistake), nor are they of those people for whom the owner of infallibility (i.e.; the Prophet, saw) had borne witness of goodness. This is an issue on which the Islamic Community is of consensus of its being certainly rejected, because if that had been allowed, flaw would have occurred in religion on that account since whoever deems something good and does it, and whoever hates something and leaves it would be emulated. There would have been a deficiency –may Allah forbid! If that had been so, nothing of the affairs of the religion of Muhammad (saw) (i.e.; Islam) would have remained with us today.

Praise be to Allah, for He has infallibly protected the religion against alteration, and whoever brings anything that contravenes what the Righteous Predecessors of this Islamic Community had done is rejected and defeated by (the proof of) their deed and what is reported from them. It was this, I mean following (or emulating) bishops and rabbis without any evidence that guided

Words of Advice...

them (Christians, Jews, Magians) to that. It was blind followership that had destroyed the law (or religion) of Jesus, peace be upon him.” Then he said: “Allah has infallibly guarded His Islamic Community. Therefore, every vigilance must be made concerning this disease, which is a deadly venom that people are unmindful about. Only a few people are free from this venom except such a person who takes all the actions and words of scholars and weighs them with the actions (and words) of the Righteous Predecessors if he is among those who have knowledge. Otherwise, he should ask the scholars that are worthy of being followed. As to observing the deeds of scholars for a purpose other than this, it is not allowed because it means pre-occupation with people's faults, and it is forbidden.

He also said in **Al-Madkhal**, in the section that explains the manners of the student that “it is required of him to not keep himself away from visiting devoted and righteous people by who’s seeing Allah gives life to dead hearts and opens hard chests (or bosoms). They (i.e.; such devoted and righteous people) stand at the gate of the All-Generous and Ever Bounteous Lord. He does not frustrate those who sit with them since they are Allah's open gate to His servants.”

Then he said: “He should beware of visiting a person that does not revive the Sunna (i.e.; Prophetic practice) or has no concern about religion. You will find one of such people not knowing the Sunna. Rather, he only follows his tutor, and if you say to him: “The Sunna is to do this and that,” he says to you. “my tutor had done this, and this is the way of my tutor”. He uses that to oppose the obvious Sunna. Yes! Some of them have even been heard (saying) what is unbelief, such as the word of some of them that the tradition of the Messenger of Allah (saw) is only meant to serve as a source of blessing, and that tutors are the ones that should be emulated (or followed)! May Allah protect us (from that)”.

He also said in **Al-Madkhal**, in the section that explains the manners of both the scholar and the student that, “each of them is an example (or guide) for those who copy them in their houses. They should be conscious of their actions and words, because whatever a member of their family commits will usually become a proof in religion (for many people). Therefore, it is obliged on each of them to guard the action of his family (or wife) as he guards his own action.”

Let me say that, what people of this age mostly do today is to follow (the soul's) desire and to abandon the obvious knowledge. Al-Ghazaly said in **Al-Ihya**: “Indeed, Ibn Mas'ood, may Allah be pleased with him, spoke the truth

Words of Advice...

when he said: 'Today, you are in an age in which the soul's desire follows knowledge. A time will come (to pass) upon them, when knowledge will follow the soul's desire!' Hisham bin Urwa used to say: "Do not ask them today about what they have innovated because they have already prepared an answer to that, but ask them about Sunna, for they assuredly do not know it." This is the end.

Some of them use the prevalent word in the towns, which is 'the tradition of a town is like Sunna,' – they use this as an evidence of following the blame-worthy traditions. Do these ignorant, straying and foolish people not know that tradition is not followed if it is contrary to Sunna, as pronounced by the consensus of scholars? A brother mentioned to me that he heard one of them say: "Forbidding evil in the town of evil is itself evil, (and that) it is for this reason that they do not forbid themselves from every evil." May Allah, the Exalted, protect us! This is of the manners of Jews, as Allah said in His Glorious Book:

﴿كَانُوا لَا يَتَنَاهَوْنَ عَنْ مُنْكَرٍ فَعَلُوهُ لَبِئْسَ مَا كَانُوا يَفْعَلُونَ﴾ المائدة: ٧٩

"They did not forbid each other from evil, which they did. Evil was what they were doing!" Qur'an 5:79

Do these ignorant, straying, and unwise people not know that it is of the pillars of religion to enjoin what is right and forbid what is evil, because if it weren't for them both, religion would have completely vanished? Sheikh Al-Sanoosy said in the commentary on **Al-Wusta** that: "what is meant by 'what is good' is the thing that is obliged, and by 'what is evil' is the thing that is forbidden. There is no doubt that enjoining what is right and forbidding evil in terms of what has been mentioned about them are obligatory. The evidence of their being obligatory is the Qur'an, as well as the Sunna and the consensus of scholars. As to the Qur'an, Allah, the Exalted, said:

﴿يَبْنِيْ اَقْرِبَ الصَّالٰةَ وَاْمُرْ بِالْمَعْرُوْفِ وَاَنْهَ عَنِ الْمُنْكَرِ﴾ لقمان: ١٧

"Enjoin what is right and forbid evil." Qur'an 31:17

As to the Sunna, the Prophet (saw) said:

لتأمرن بالمعروف ولتنهون عن المنكر أوليسلطن الله عليكم أشراركم ثم يدعوا خياركم فلا يستجاب لهم

"You should enjoin what is right and forbid evil, lest Allah should make your evil ones have power over you, then your righteous ones should pray and it would not be answered for them."

Words of Advice...

He (saw) also said:

من رأى منكم منكرا فليغيره بيده فإن لم يستطع فبلسانه وإن لم يستطع فبقلمه وذلك أضعف الإيمان

“Whoever among you sees an evil should change it with his hand. If he is not able, then with his tongue, and if he is not able, then with his heart, and that is the weakest faith!”

As to consensus, it is that Muslims in the first era and thereafter had admonished themselves with that.”

He then also said that: “to the extent that they said, i.e. the scholar needs to enjoin what is good and forbid what is evil even when he (the scholar) thought he can be killed (for saying it)”. He then said (asking) that which of the two (conditions) is the best in this situation. Is it to (make effort) and change the (bad) occurrence (among people) in the society or to remain silent?

The first condition (which is to talk and make effort to change situation) is the way of Malik and Ibn Majah and also that of Sa’eed Ibn Jubair, may Allah the exalt be pleased with them.

He further said that: “Enjoining what is right and forbidding evil are not particularly obliged on leaders (only). Muslims in the first era and thereafter had enjoined the leaders themselves to do what was right and forbidden them from doing what was evil without anyone objecting to that. They are also not dependent upon any permission. Therefore, it is known that such a duty is not specific to leaders. Rather, it is allowed for individuals of the subjects, (and it is done) by word and action”.

However, if the issue reached to carrying out a fight or brandishing weapons, it must be connected to the Sultan (i.e.; leader) in order to avoid disaster. That is what is mentioned by Imamul Haramain (-literally, the Leader of the Two Holy Mosques) – may Allah, the Exalted, have mercy on him and be pleased with him.

He also said: “If the ordinary and the learned persons are equal in the understanding of a religious rule, then the ordinary and non-ordinary persons have the right to enjoin what is good and forbid what is evil (in that regard). However, if the person that understands such an issue specifically does so because of (his ability to make) interpretative judgment, then the ordinary (or lay) person has no right to enjoin or forbid (in that regard). Rather, the issue should be subjected (or referred) to those that have the ability to make interpretative judgment.” He went on to say that: “The obligation to enjoin what is right and to forbid evil is not specific to a person that is pious and does

Words of Advice...

not perpetrate such a deed. Rather, whoever sees an evil, which he himself does the same is obliged to forbid it because his abandoning evil and his forbidding others from doing it are two distinguished obligations. It is not allowed that a person who leaves one of them should leave the other (i.e.; that a person who does not do one of them should not do the other).” This is the end of the word of Sheikh Al-Sanoosy in the commentary on **Al-Wusta**.

Let me say: What most people of this age do, when they hear a person enjoining what is right and forbidding evil, is to say he is strict, and that religion is easy. (Some of them) will even provide the evidence to that with an authentic tradition (of the Prophet) whose purpose they do not know. The tradition is the one reported by Bukhari in his Authentic Book, (where the Prophet (saw) said:

“Indeed, religion is easy, and no one will ever make religion difficult but that it will defeat him. Therefore, you should take the bearing, make things near, have glad tidings and help yourselves by engagement in the morning and the evening and some of the late hours of night.”

Do these ignorant, straying and uninformed people not know that this ease that has been instructed in this tradition, as well as in other traditions, only comes in terms of supplementary (i.e.; voluntary) deeds. It does not come in terms of the obligatory deeds that Muslims are by consensus of their being obligatory, nor does it come in terms of the forbidden things that Muslims are by consensus on their being forbidden? It is mentioned in **Al-Ihya** that “Malik bin Anas said: People in the past did not use to ask about this issue as people ask today. Scholars did not also use to say 'it is forbidden' or 'it is lawful.' I met them saying 'it is reprehensible' and 'it is praise-worthy.' That means they used to look into the slightest parts of what was reprehensible and what was praise-worthy. As to what was forbidden, staying away from it was (very) obvious.”

He also said in **Al-Ihya**, where he mentioned the signs of the scholars that desire (goodness in) the Hereafter that: “One of them is that he should be on a serious guard against innovative issues. Even if the majority agree, he should not be deceived by people's unanimity (or rush) on what has been innovated after the Prophet's Companions. He should be interested in investigating the conditions of the Prophet's companions, their history (or way), their deeds and the things in which they had put most of their interest.” Then he said: “You should certainly know that the most knowledgeable of the people of (any) age and the nearest of them to the truth are those of them that are most emulating to the Prophet's (saw) companions and are most aware of the way of the Righteous Predecessors. It is from them that religion should be taken (i.e.;

Words of Advice...

learned).” This is the end of Al-Ghazaly's word in **Al-Ihya**. With its end comes the end of explaining the fourth of these Satanic groups, by the praise of Allah and His good help.

O Allah, guide us among those You have guided! Give us safety among those You have given safety! Protect us from the evil (i.e.; the disaster) of what You have decreed, for You decree and it is not decreed upon You! Blessed You are, our Lord, and Exalted! O Lord of Majesty And Honor!

Here ends the book “Words of Advice to the Muslim Community,” in order to explain the Satanic groups that have appeared in these our non-Arab land. With the help of Allah, their rules have become manifest, and wherever such groups appear in a town, their rule should be the same as the rule of these ones. The way of opposing these Satanic groups is following the Sunna of Muhammad (saw) itself (i.e.; following the Prophetic tradition itself).

The way of opposing the first group is to take as an unbeliever anyone that religion judges as being an unbeliever, and that is the person that has not entered Islam (i.e.; has not been a Muslim) or has entered it but his disbelief (later) appears because of (his disbelieving) word or action. The second group is opposed by not taking a Muslim as an unbeliever because of the matters of belief (i.e.; the tenets of belief) so long as he has not made his unbelief obvious by (his) word or action. The third group is opposed by not taking people as unbelievers because of sins. The fourth group is opposed by refusing to follow blame-worthy traditions.

It has been mentioned at the beginning of this book that my purpose of explaining the rule of these Satanic groups is to give abundant advice (or admonition) to the people (i.e.; the followers) of our Leader, Muhammad (saw) even though intentions are seldom free from flaws and deficiency. It is not my purpose of explaining it to violate people's secrets and to be pre-occupied with their faults. Beware and beware, my brothers of being pre-occupied with people's faults and of having bad thoughts about any Muslim. I have assuredly not written this book for you to be pre-occupied with their faults. It is rather to give you advice. If you see anyone who is among these Satanic groups, you should advice him by way of leniency and mercy. If he accepts it, then he repents (in so doing). If he does not accept it, then you should be concerned about yourselves. Whoever learns any sort of knowledge in order to rule against people by way of subjugation and harshness will not have peace, and peace will not be with him! Whoever learns (any sort of) knowledge for himself and in order to give judgment to people by way of leniency and mercy will have peace, and peace will be with him!

Words of Advice...

I inform you, my brothers, that I do not deserve to write (a book), but that I have (only) had a dip out of the seas (of the knowledge) of scholars. I have walked along their steps, and I have been able to say (something) with the help of Allah, the Exalted. In all that I have explained, I do not have a word, but I have taken the steps of the scholars of Sunna – may Allah be pleased with them –in all that, in order to explain what they have said to you. I have not brought any word to you without ascribing it to its writer, and if you want, I would make you come across every book from which I have quoted.

I ask Allah, the All-Great, with the language of humility and fear, and with the expression of humbleness and submission to give what I have written the Sight of (His) Pleasure. I request that whoever comes across this book, should ask Allah, the Exalted, (to grant us) freedom from all the dreads of the Intercession (i.e.; the grave) and of the Day of Judgment, and that I meet (the Prophet) Muhammad (saw) and his companions in a state of pleasure and honor. I also request that he ask Allah, the Exalted, to grant that to all the followers of Sunna. Praise be to Allah, Lord of the World. The best blessings and most complete peace be upon our Leader, Muhammad, and upon his household and all his companions. May Allah, the Exalted, be pleased with Succeeding Leaders, working scholars, the four interpretative scholars, and those who followed them until the Day of recompense. Praise be to Allah, Lord of the Worlds. Blessing be upon the Honorable (Noble) Prophet! This is the end, and praise be to Allah, Lord of the Worlds.

كفاية المتقين

ENOUGH FOR THE GUIDED

By

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CONTENTS

In the name of Allah	511
Chapter One: Messengers	515
Conclusion	517

In the name of Allah, the Beneficent, the Merciful

May the peace and blessings of Allah (swt) be upon our Master, Muhammad, his Family, and his companions. The poor, devoted servant seeking the Mercy of his Lord, Uthman bn Muhammad bn Uthman Fodiyo, from the Fulani tribe, of Maliki school of thought and Ash'ari creed said:

“All praise is due to Allah (swt) who favoured us with faith, Islam and guided us through our master Muhammad (saw).

This book is titled: **Enough for the Guided** and I say, asking Allah (swt) to re-affirm me that: the world is a creation with a beginning that has the characteristics of creatures with movement, characteristics of a creation are also another creation. The evidence of it being a creation from the Qur'an is the word of Allah (swt);

﴿اللَّهُ خَلَقَ كُلَّ شَيْءٍ﴾ الزمر: ٦٢

“Allah (swt) is the Creator of everything.” Q 39:62

Because all creatures have beginning;Allah (swt), the Eminent exists and the evidence of His existence by the intellect is the fact that He created the world and its inhabitants from a non-existent state to existence because a non-existence does not perform any action. As for the proof of his existence from the Qur'an,He said:

﴿أَفَى اللَّهِ شَكٌّ فَاطِرِ السَّمَوَاتِ وَالْأَرْضِ﴾ إبراهيم: ١٠

***“Can there be a doubt aboutAllah (swt), the Creator of heavens and earth.”
Q 14:10***

Allah (swt) the Eternal, through the intellect, is His capability to bring creatures into existence, because an incapable does not create. As for the proof of his eternity, from the Qur'an, He (swt) said

﴿هُوَ الْأَوَّلُ﴾ الحديد: ٣

“He is the first (nothing is before him).” Q 57:3

Allah (swt) has No End, He is Eternal, and the proof of such intellectually is that His eternity has been established and that being the case it is impossible for Him to cease to exist. As for the proof of His eternity from the Qur'an,He said:

﴿كُلُّ مَنْ عَلَيْهَا فَانٍ ﴿٥٦﴾ وَبَقِيَ وَجْهُ رَبِّكَ ذُو الْجَلَالِ وَالْإِكْرَامِ﴾ الرحمن: ٢٦ - ٢٧

“Everything on it (earth) will perish and the face of your Lord, full of Majesty and Honor will remain forever.” Q 55:26:27

Allah (swt) is different from the creatures and the proof of such intellectually is His capability to create because whoever is similar to the creatures cannot create them. As for the proof of Allah (swt) being different from His creatures, from the Qur'an, He said:

﴿لَيْسَ كَمِثْلِهِ شَيْءٌ﴾ الشورى: ١١

“There's nothing like Him.” Q 42:11

Allah (swt) is intrinsically Independent, Self- Sufficient, and was not created and the proof of His being Self-Sufficient in the intellect is the necessity of Him being characterized by Might, Will, Knowledge and Life because an attribute cannot be characterized with such.

The proof of His being independent from the need of a creator intellectually is the fact that His Eternity has been established (and being such) He does not need a creator. The proof of His Self-Sufficiency and exemption from creation are in the Qur'an. He (swt) said:

﴿يَا أَيُّهَا النَّاسُ أَنْتُمُ الْفُقَرَاءُ إِلَى اللَّهِ وَاللَّهُ هُوَ الْغَنِيُّ الْحَمِيدُ﴾ فاطر: ١٥

“O Mankind! O mankind it is you who stand in need of Allah (swt), But Allah (swt) is Rich/free of all needs) worthy of all praise.” Q 35:15

Allah (swt) is One and the proof of His Unity intellectually is the fact that he created all creations and if there was second to Him, there would be controversy between both.

The proof of His Unity in the Qur'an Hesaid:

﴿قُلْ هُوَ اللَّهُ أَحَدٌ﴾ الإخلاص: ١

“Say (O Muhammad), (saw) He is Allah (swt) the one.” Q 112:1

Allah (swt) is Capable and Complete and the proof of His Might intellectually is the fact that He created creatures out of nothing, because an incapable cannot create them. As for the proof of His might in the Qur'an,He (swt) said:

﴿فَعَالٌ لِّمَا يُرِيدُ﴾ هود: ١٠٧

“Indeed, Allah (swt) is Capable over all things.” Q 11:107

Allah (swt) has Will and the proof of that intellectually is the existence of different types of creatures, and the proof of His will in the Qur'an, He (swt) said:

﴿إِنَّ اللَّهَ عَلَىٰ كُلِّ شَيْءٍ قَدِيرٌ﴾ البقرة: ٢٠

“Certainly, Allah has power over all things.” Q 2:20

Allah (swt) is knowledgeable and the intellectual proof for that is His ability to perfect things. As for the proof of such in the Qur'an, He (swt) said:

﴿إِنَّ اللَّهَ بِكُلِّ شَيْءٍ عَلِيمٌ﴾ العنكبوت: ٦٢

“Indeed Allah (swt) is All-knowing.” Q 29:20

Allah (swt) is Alive: and the intellectual proof of such is the necessity of His being characterized by power, will and knowledge, because the dead cannot possess such characteristics. As for the proofs of His life in the Qur'an are He (swt) said:

﴿هُوَ الْحَيُّ لَا إِلَهَ إِلَّا هُوَ﴾ غافر: ٦٥

“He is the ever Living (non has the right to be worshipped but He), there's is no god but Him.” Q 40:65

Allah (swt) hears, sees, and talks, the intellectual proof of all that is the necessity of Him being complete, because if He was not complete He would be incomplete being characterized with the opposite of the above mentioned characteristics and the proof of His seeing, hearing and talking in the Qur'an, He (swt) said;

﴿أَسْمَعُ وَأَرَىٰ﴾ طه: ٤٦

“I hear and I see.” Q20:46

And He (swt) said;

﴿وَكَلَّمَ اللَّهُ مُوسَىٰ تَكْلِيمًا﴾ النساء: ١٦٤

“Allah (swt) spoke to Musa in words.” Q 4:164

Allah (swt)'s deeds are at will (actions and in actions) and the proof of that, intellectually, is that supposing His acts were an obligation or an impossibility, everything would be turned upside down. Indeed, if it was an obligation for Him to do something or not to do it intellectually, the possible would become impossible for Him, and that is not conceivable. As for the proof of His actions, being by Will in the Qur'an, He (swt) said:

﴿وَرَبُّكَ يَخْلُقُ مَا يَشَاءُ وَيَخْتَارُ﴾ القصص: ٦٨

“Your Lord creates whatever He wishes and chooses.” Q 28:68

CHAPTER ONE: MESSENGERS

The Messengers (May peace be upon them) are truthful in all they transmitted and the intellectual proof of that is the fact that Allah (swt) backed them up with miracles. As for the proof of that in the Qur'an, He (swt) said:

﴿وَصَدَقَ الْمُرْسَلُونَ﴾ يس: ٥٢

“The Messengers said the truth.” Q 36:52

The Messengers (as) are trustworthy and the evidence of their trustworthiness intellectually is the fact that Allah (swt) commanded us to emulate them as role models in their words and actions. As for the proof of their trustworthiness in the Qur'an, He (swt) said:

﴿إِنِّي لَكُمْ رَسُولٌ أَمِينٌ﴾ الشعراء: ١٠٧

“Indeed, I am to you a trustworthy Messenger.” Q 26:107

The Messengers transmitted what they were commanded by Allah (swt) to transmit to the creations and the proof of that intellectually is their trustworthiness. As for the proof of that in the Qur'an, He (swt) said:

﴿الَّذِينَ يُلْقُونَ رِسَالَتِي أَلَّهِ وَيَخْشَوْنَهُ وَلَا يَخْشَوْنَ أَحَدًا إِلَّا اللَّهَ﴾ الأحزاب: ٣٩

“Those who transmit the messages of (their Lord) Allah (swt), fear Him and do not fear anyone else apart from Allah (swt).” Qur'an 33:39

The Messengers (as) are prone and susceptible to all human experiences and the proof of that intellectually is the fact that they experienced them. As for the proof of that in the Qur'an, He (swt) said:

﴿وَلَقَدْ أَرْسَلْنَا رُسُلًا مِنْ قَبْلِكَ وَجَعَلْنَا لَهُمْ أَزْوَاجًا وَذُرِّيَّةً﴾ الرعد: ٣٨

“We have sent Messengers before You (O Muhammad (saw) and we made spouses for them as well as offspring.” Q 13:38

And He (swt) also said;

﴿وَمَا أَرْسَلْنَا قَبْلَكَ مِنَ الْمُرْسَلِينَ إِلَّا إِنَّهُمْ لَيَأْكُلُونَ الطَّعَامَ وَيَمْشُونَ فِي الْأَسْوَاقِ﴾ الفرقان: ٢٠

“...and we never sent Messengers before You without them eating food and moving in the markets (i.e to all human beings).” Q 25:20

After understanding all these then you should know that all the Messengers brought the truth and all they informed about is true from the punishment in the grave and its torments; the day of judgement and its torments; the 'Sirat', the scale and metaphysical issues as well as the Paradise and Hell which are all creations (of the Creator).

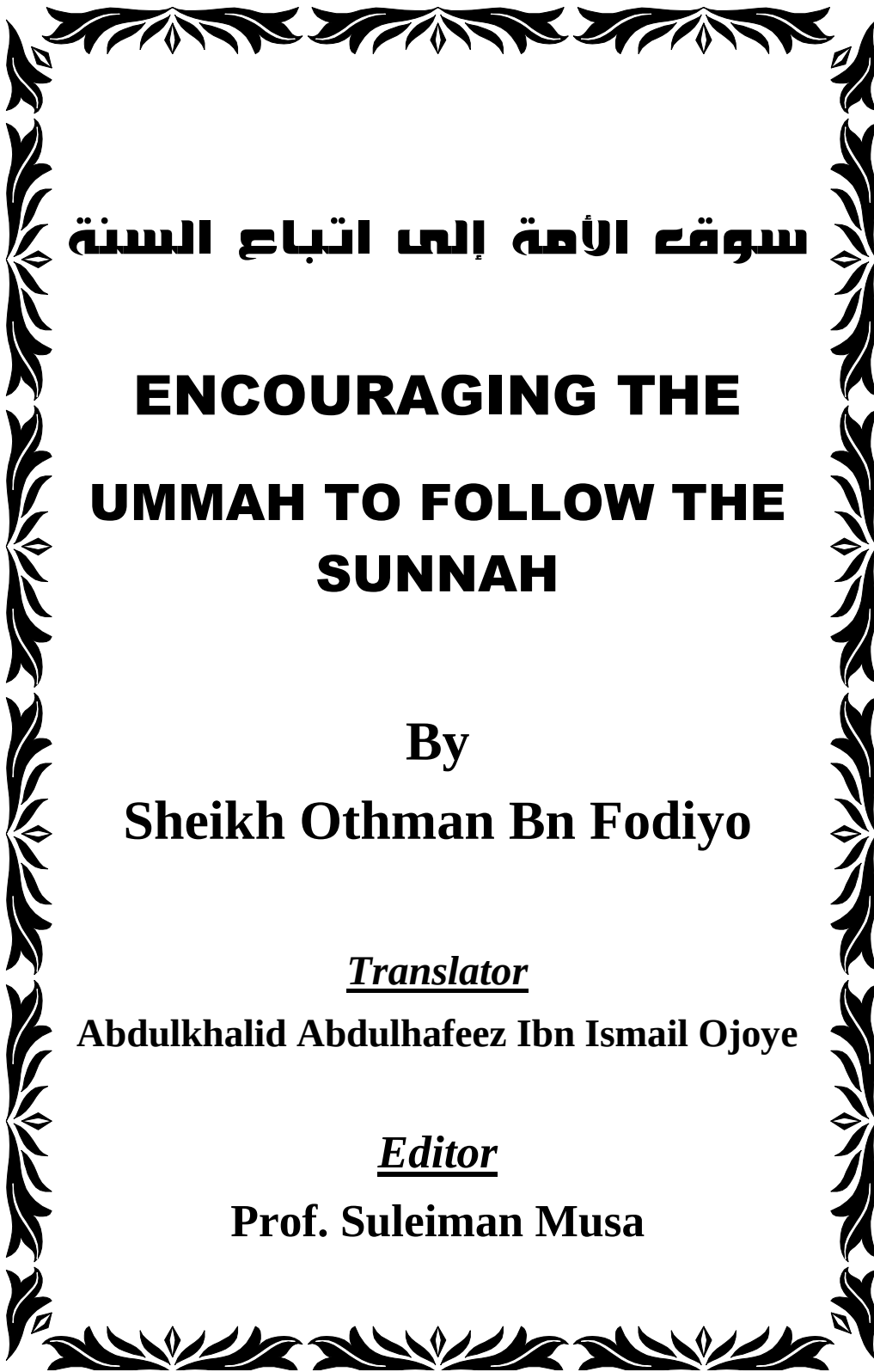
That the Believers will see Allah (swt) and talk to Him and the issues that have been elaborated upon in the Qur'an and Sunnah. The intellectual proof for all of the above is that all of the above is possible. As for the proof of that, Allah (swt) informed that it will take place.

CONCLUSION

It is not befitting for a man to be seen except while doing something good for his/her Hereafter or earning a living for his livelihood. He should also leave what does not concern him, stop where he does not understand and when in the company with a scholar he should treat him respectfully and silently listen when he is talking.

Praise be to Allah (swt) who guided us to this and we were never to be guided if not for his guidance. O Allah (swt), send your benedictions to Muhammad (saw) and the predecessors; send your benedictions to Muhammad (saw) in the generations to come; send your benedictions to Muhammad (saw) among the messengers and send your benedictions to Muhammad (saw) His Family, companions, children, Wives, offspring, Household, in-laws, Ansars, sect, those who love Him, to His Umma and us all with them, O the most Merciful of mercifuls.

(Alhamdu lillahi), praise be to the Lord of the universe and may Allah (swt)'s peace be upon the holy Prophet (saw), his family and companions.



سوق الأمة إلى اتباع السنة

**ENCOURAGING THE
UMMAH TO FOLLOW THE
SUNNAH**

**By
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CONTENTS

In The Name of Allah	529
Chapter One : IMAN	531
Narrations Regarding The Pillars Of Islam.	532
Narration Regarding the Foundations of Iman That Assures A Slave Safety From Eternal Dwelling In The Fire And Assurance of Entering The Paradise.	532
Narration Regarding Articles of Faith	533
Narration Regarding Increase In Faith And Its Decrease	533
Narration Regarding Ihsan (Goodness).....	534
Chapter Two : PURIFICATION.....	535
Narrations Regarding (Purification; Being Half of Faith)	535
Narrations Regarding Facing The Qibla While Answering The Call of Nature And The Recommended Remembrance (Dhikr) And Preventing Oneself From Its Stains (filth)	535
Narrations Regarding Istijmar (using Stones For Purification)	536
Narration Regarding Water Purification	536
Narration Regarding The Prohibition of Purifying Oneself From Filth With The Right Hand.....	536
Narration Regarding What Necessitates Ghusl (Ritual Bath).....	537
Narration Regarding Description of Ghusl	537
Narration Regarding What Necessitates (Wudu) Ablution.....	538
Narration Regarding Description of Wudu.....	538
Narration Regarding Perfecting the Ablution	538
Narration Regarding Wiping Over the Socks	539
MENSTRUATION	539
Narration Regarding Profuse Menstruation	539
Narration Regarding Menstruation as a Deterrent From Praying And Fasting.....	539

Narrations Regarding Excusing A Menstruating Woman From Prayers And Establishing Making Up Fasting.....	540
Narration Regarding Signs Of Purification (for Menstruation) Through Seeing Dryness And Whiteness	540
Narrations Regarding How A Menstruating Woman Becomes Pure	541
Narrations Regarding False Menstruation	541
SAND PURIFICATION	542
Narration Regarding Making The Earth A Masjid	542
Narrations Regarding Making Tayamum In The Absence Of Water Even When In The State Of Junub (Impurity).....	542
Narration Regarding The Description Of Tayamum	543
Chapter Three : (SALAT) PRAYERS.....	544
Narration Regarding the Obligation of Salat (Prayer)	544
Narrations Regarding That The Five (5) Obligatory Prayers Expiates Sins.....	544
Narrations Regarding Covering Private Parts while in Prayers or Not (in Prayer).....	544
Narrations Regarding The One Who Prays In One Loin Of Cloth Should Make It Extends (cover) His Two Sides.....	545
Narration Regarding Wrapping Ones Body With A Garment That One Cannot Raise Its Ends	545
Narration Regarding How Many Prayers A Woman Can Make In A Garment.....	545
Narrations Regarding Facing The Qiblah	545
Narrations Regarding One That Builds A Mosque	546
Narrations Regarding The Person Who Is Frequent To The Mosque	546
Narrations Regarding Giving Consideration To The Footsteps To The Mosques	546
Narrations Regarding Cooling (resting) Down By Zuhr (the Afternoon/Midday Prayer).....	546

Narrations Regarding The Adhan (call To Prayer) And Iqamah (start Of Prayer).....	547
Narration Regarding The Wording (statement) Of The Caller To Prayer (while Calling To Prayers).....	547
Narration Regarding the Supplication (dua) After One Had Listened To the Call To Prayers.....	548
Narration Regarding Walking In Tranquility To The Mosque	548
Narrations Regarding Starting (eating) Served Food At The Time Of Entering The Prayer	549
Narrations Regarding 'Tahiyyatul Masjid.....	549
Narration Regarding Straightening Of The Rows	549
Narration Regarding The Choice Of An Imam And That The People Of Knowledge And Character Are More Worthy For It.	550
Narrations Regarding When The Imam Prays With People, He Should Make The Prayer Light	550
Narration Regarding The Prohibition Upon The One Following The Imam To Imitate Him In What He Does And Says	551
Narrations Regarding Description of the Prayer.....	551
Narrations Regarding The Sinfulness Of Passing (walking) Before The One In Prayer	553
Narration Regarding Making Up For Missed Prayers	553
Narrations Regarding Forgetfulness In Prayers	553
Narrations Regarding Prostrating While Reciting The Qur'an	554
Narrations Regarding The Two Raka'ah Of Fajr	554
Narrations Regarding (salatu Duha)	554
Narration Regarding making Four Supererogatory Rakaahs before Dhuhur	554
Narration Regarding Making Two Rakaahs Before And After Zuhr, After Maghrib After Isha And Before Subhi Prayers	554
Narration Regarding Night Praying	555
Narration Regarding Witr	555

Narration Regarding Making the Religion Easy.....	555
Narration Regarding The Most Beloved Religious Practice To Allah	555
Narration Regarding the Travelers Prayer	556
Narration Regarding Combining Two Prayers While On Journey	556
Narration Regarding Leaving Out Supererogatory Prayers And After The (Compulsory) Prayers.....	556
Narration Regarding Performing The Supererogatory Prayers While On Journey Other Than Obligatory Ones	556
Chapter Four : JUMMA'AH (THE FRIDAY PRAYER)	557
Narration Regarding Obligation of Performing the Friday Prayer	557
Narrations Regarding Time for the Friday Prayer	557
Narration Regarding the Bath on Friday.....	557
Narration Regarding the Friday Sermon.....	557
Narration Regarding the Sitting between the Two Sermons.....	558
Narration Regarding Keeping Silent As The Imam Delivers The Sermon On Friday.....	558
Narration Regarding The Use Of Oil And Scent On Friday.....	558
Narration Regarding Taking Different Routes When Returning From The Eid Prayer	559
Narration Regarding Starting With The Prayer On The Eid Of Slaughtering	559
Narration Regarding Making The Takbir On The Day Of Mina After Every Prayer.....	559
Narration Regarding The Prayer For Rain (Istisqa).....	559
Narration Regarding the Prayer for Eclipse of the Sun	560
Narration Regarding Manner of Offering The Prayer For An Eclipse	560
Narration Regarding Prayer For Lunar Eclipse	561
Chapter Five : THE FUNERAL PRAYER.....	562
Narration Regarding Instructing The Person That Shows Signs Of Death To Proclaim The Kalimatus Shahadah	562

Narration Regarding Bathing The Dead In Odd Number Of Times.....	562
Narration Regarding Using White Shroud (For the Dead)	562
Narration Regarding Hastening The Carriage Of The Dead (to The Grave).	563
Narration Regarding Rows In The Funeral Prayer	563
Narration Regarding Piling Sand Over) The Grave.....	563
Narration Regarding Condoling The People Of The Dead.....	563
Chapter Six : ALMS GIVING	564
Narration Regarding Obligation Of Giving The Compulsory Charity	564
Narration Regarding The Limit Of Nisab For Grains And Fruit Measurement.....	564
Narration Regarding The Measurement Of The Nisab For The Camels, Cattle And Sheep	564
Narration Regarding Joining The Property Of Different People Or Splitting Joint Property For Fear Of (paying None, Or Receiving Less Zakat.	565
Narration Regarding Zakatul Fitr.....	565
Chapter Seven : FASTING	566
Narration Regarding The Obligation Of Fasting When The Crescent Is Sighted And Stopping The Fast When The Crescent Is Sighted	566
Narration Regarding Fasting On The Day Of Doubt.....	566
Narration Regarding Fasting In Ramadan	566
Narration Regarding Hastening To Break The Fast.....	566
Narration Regarding Delaying The Sahur	566
Narration Regarding Increasing Ones Generosity and Goodness In Ramadan.	567
Narration Regarding Searching For The Night Power.....	567
Narration Regarding Itikaf	567
Narration Regarding That The One Performing Itikaf Does Not Enter The House Except In Need	567

Chapter Eight : HAJJ (PILGRIMAGE).....	568
Narration Regarding The Obligation Of Hajj	568
Narration Regarding The Virtue Of Performing Hajj Al-Mabrur (Acceptable).....	568
Narration Regarding The Miqats (Point Of Start)	568
Narration Regarding The Talbiyah	568
Narration Regarding What One Performing Hajj Wears Among Clothes	569
Narrations Regarding Entering Makkah From The High Valley And Leaving It From The Low Valley	569
Narration Regarding Kissing The Black Stone.....	569
Narration Regarding Saying Takbir At The Black Pillar.....	569
Narration Regarding Circumambulation And The Stone	569
Narration Regarding Offering Two Rakats For Circumambulation Behind The Station of Ibrahim.....	570
Narration Regarding Making Circumambulation While In Wudu	570
Narration Regarding Drinking The Water of Zamzam.....	570
Narration Regarding Walking Between Safa and Marwa.....	570
Narration Regarding Offering Salatul Asri In Mina On The Day Of Tarwiyah	570
Narration Regarding Combining Two Salat (Prayer) At Arafat	570
Narration Regarding Standing On Arafat	571
Narration Regarding Standing On Arafat On A Beast And A Prohibition of Fasting For A Pilgrim	571
Narration Regarding Throwing of Pebbles	571
Narration Regarding Throwing Pebbles Seven Times.....	571
Narration Regarding Saying Takbir For Every Throw	571
Narration Regarding Slaughtering At The Slaughter House of The Prophet (saw)	571
Narration Regarding Shaving Off and Reducing The Hair.....	572

Narration Regarding The Farewell Circumambulation	572
Narration Regarding What Is To Be Said While Returning From Hajj.....	572
Chapter Nine : JIHAD	573
Narrations Regarding Obligation of Jihad	573
Narration Regarding the Virtue Of Jihad.....	573
Narration Regarding The Different Status Of Mujahidun on The Path Of Allah	574
Narration Regarding The One That Fights on The Path Of Allah	574
Narration Regarding the Virtue Of Preparing The Arsenal (Horses).....	574
Narration Regarding Weapon	574
Narration Regarding Archery	575
Narration On Making Display Of Warfare And Such Like It With War Equipment Like Swords And Shields.	576
Narration On Spear	576
Narration On Using Shields Or Protecting Oneself With The Other Persons' Shield.....	576
Narration Regarding The Sword And Hanging it On The Neck.....	576
Narration On Knives	577
Narration On War Coat	577
Narrations on the Banners (flagged During War).....	577
Narrations On The Virtues Of Making Advanced Guards	577
Narration Regarding That Of The Prophet (saw) Didn't Fight In The Early Afternoon, He Delays It To Sunset	578
Narration On Supplication Made Over The Disbelievers During War For Defeat And Earthquake	578
Narration Regarding That Warfare Is Strategy	579
Narration Regarding The Prohibition Of Killing Women And Children	579
Narration Regarding Stealing From The Booty	579
Narration Regarding That The Booty Is For Those That Took Part (in The Battle)	579

Encouraging Ummah...

Narration Regarding A Fifth of the Booty	580
Narrations Regarding The Levy Upon The Disbelievers (al Jizyah).....	580

In the name of Allah, the most Gracious, the most Merciful

May Allah's peace, blessings, and mercy be upon our leader, Muhammad (saw), all members of his household and all his companions.

The slave, indigent, and the neediest of his Lord's (Allah's) mercy, Uthman ibn Muhammad Ibn Uthman, known as Uthman Bin Fodiyo, may Allah enshroud him with His mercy. Amin.

All praise is to Allah who has raised the pillar of Sunnah and elevated its minaret, debased innovation and extinguished its light, set up the affairs as they truly are and made its secret manifest, blocked the path to falsehood and wiped out its traces. May peace and blessings be upon Muhammad (saw), the one who had clarified the approach to how things should be and reinforced its boundaries, commanded the following of Sunnah and obligated its preference over other ways (of life). May peace and blessings be upon his household, his companions, the entirety of the Tabi'een (Student of companions) and the scholars.

In this book titled: **Encouraging the Ummah to Follow the Sunnah**, I intend to enliven the Sunnah of the Prophet (saw). I have limited my work on it to explain the determination of the prophetic statement explaining matters that have been made concise in the Hadith of Jibril(as) on Islam, Iman (Faith) and Ihsan (Goodness) which (all the three matters) constitute the entirety of the religion when Ibadat (Worship) are put in focus (proper perspective). I shall not increase on the Hadith (of Ibadat) except Hadiths on jihad which is the protector of the religion. I shall only cite in this book, Hadiths of the two Sahih books, Bukhari and Muslim.

This is due to its acceptance by the Ummah. However, the narration of Bukhari are more than the narration of Muslim. Even if they agree in meaning, the narration of Bukhari is more authentic than the narration of Muslim, as explained and agreed by the generality of scholars.

To me, the narration of Bukhari is to be considered, Samma'a (direct transmission by listening) while the narration of Muslim is to be considered Ijaza (narration permitted to be transmitted but not directly heard). So I ask Allah, the mighty lord of the mighty throne to make it (the book) a sincere act (exercise) done for His sake (to seek His noble face), make it an evidence for

us and not against us, and to show us His blessings on the day we will stand before him and stay in the grave.

Also, anyone that reads it should benefit from it as well as the one that studies, write and encourage its study. So I request from every person that comes across it (the book) and benefited from it to assist me with prayers that, May Allah benefit me by it in this world and the Hereafter. So I say, with Allah, is my success.

Know! O my brother! That all good is in following the Sunnah and all evil (act) is in innovation. The prophet (saw) had severally encouraged us to follow his traditions or practices and has (in the same light) encouraged us to shun innovated issues in numerous hadiths. This is his statement:

إن أحسن الحديث كتاب الله، وخير الهدي هدى محمد صلى الله عليه، وشر الأمور محدثاتها، وكل محدثة بدعة، وكل بدعة ضلالة، والضلالة وصاحبها في النار

“Verily the best speech is the book of Allah and the best guidance is the guidance of Muhammad (saw), and the most evil of affairs are newly innovated ones. For every such innovation is an act of misguidance. And every misguidance is in the hell.”

Narrated by Jabir in Muslim.

Also, his statement, as contained in Sahih Bukhari and Muslim from A'isha (ra) that:

من أحدث في أمرنا هذا ما ليس منه فهو رد

“Whoever innovates into our affair, such that is not from it, is rejected.”

In the narration of Muslim:

من عمل عملا ليس عليه أمرنا فهو رد

“Whoever does an act that has not been licensed by us is rejected.”

CHAPTER ONE

Iman

Narrations regarding the ruling of a slave's acceptance of Islam and faith in the present life.

In Sahih Bukhari, from bn Umar (ra), the Messenger of Allah (saw) said:

أمرت أن أقاتل الناس حتى يشهدوا أن لا إله إلا الله وأن محمداً رسول الله، ويقيموا الصلاة، ويؤتوا الزكاة. فإذا فعلوا ذلك عصموا مني دماءهم، وأموالهم، إلا بحق الإسلام، وحسابهم على الله

“I have been commanded to fight with the people until they testify that there is no deity worthy of worship except Allah and that Muhammad (saw) is the messenger of Allah; establish the prayers and pay the compulsory charity. If they fulfill that, their blood and wealth is then safe with me except with the right of Islam and their reckoning lies with Allah.”

From Anas bin Malik (ra), the Messenger of Allah (saw) said that:

من صلى صلاتنا، واستقبل قبلتنا، وأكل ذبيحتنا، فذلك المسلم الذي له ذمة الله وذمة رسوله، فلا تحقروا الله في ذمته

“Whoever prays the likes of our prayer, and faces our Qiblah (direction of worship) and eat from our slaughtering, that is the Muslim upon whom is Allah's and the Messenger's protection. So do not treat the one under Allah's protection with contempt.”

Also from Anas bn Malik (ra), the Messenger of Allah (saw) said:

أمرت أن أقاتل الناس حتى يقولوا "لا إله إلا الله"، فإذا قالوها وصلوا صلاتنا، واستقبلوا قبلتنا، وذبحوا ذبيحتنا، فقد حرمت علينا دماؤهم، وأموالهم إلا بحقها

“I have been commanded to fight the people until they say there is no deity worthy of worship except Allah. When they say it, and pray the likes of our prayers, face our Qiblah (direction of worship) and slaughter the likes of our slaughtering, such is whose blood and wealth has been sanctified on us. Except by its (Islam's) right.”

In Sahih Muslim by Abu Sa'eed Al Khudri (ra), the messenger of Allah (saw) said that:

إني لم أؤمر أن أنقب عن قلوب الناس ولا أشق بطونهم

“I have not been commanded to pierce into the people's heart nor open their bellies.”

Narrations Regarding The Pillars Of Islam.

In Sahih Bukhari from Ibn Umar (ra): “I heard the Messenger of Allah (saw) saying that:

بني الإسلام على خمس: شهادة أن لا إله إلا الله، وأن محمدا رسول الله، وإقام الصلاة، وإيتاء الزكاة، والحج، وصوم رمضان

“Islam has been built upon five pillars: testification that there is no deity worthy of worship except Allah and that Muhammad (saw) is the messenger of Allah, to establish the prayers, pay the zakat, perform pilgrimage (to Makkah), fast in Ramadan.”

Narration Regarding the Foundations of Iman That Assures A Slave Safety From Eternal Dwelling In The Fire And Assurance of Entering The Paradise.

In Sahih Bukhari from 'Atbaan ibn Malik (ra), the Messenger of Allah said:

إن الله قد حرم على النار (أي نار الخلود) من قال "لا إله إلا الله"، يتغنى بذلك وجه الله

“Allah has forbidden upon the fire (from eternal dwelling), the one that says that there is no deity worthy of worship except Allah, seeking Allah's pleasure.”

Anas ibn Malik (ra) said that the Prophet (saw) said to Mu'adh while Mu'adh was riding upon a beast with him: “O Mu'adh ibn Jabir!” He answered: “at your service, O messenger of Allah” three times. He (saw) said:

ما من أحد يشهد أن لا إله إلا الله وأن محمدا رسول الله صادقا من قلبه إلا حرمه الله على النار

“No one will testify that there is no deity worthy of worship except Allah and Muhammad (saw) is the messenger of Allah, truly from his heart, except that Allah will prohibit him from (eternal dwelling) in the fire.”

Also he (saw) said to Mu'adh:

من لقي الله لا يشرك به شيئا دخل الجنة

“Whoever meets Allah without associating partners with Him whatsoever, will enter paradise.”

From Abu Huraira (ra) he said “O messenger of Allah! Who will become the happiest people with regards to your intercession on the day of resurrection?” The Messenger of Allah (saw) said:

لقد ظننت يا أبا هريرة أن لا يسألني من هذا الحديث أحد أولى منك، لما رأيت من حرصك على الحديث؛ أسعد الناس يشفّاعتي يوم القيامة: من قال "لا إله إلا الله" خالصا من قلبه أو نفسه

“I have thought that no one will ask me about this except you, for I have seen your interest in my statements. The happiest people with regards to my intercession on the day of resurrection are those who say La'ilaha illallah, sincerely from their soul or heart.”

Narration Regarding Articles of Faith

In Sahih Muslim from Umar bin Khattab (ra), the Messenger of Allah (saw) said:

أن تؤمن بالله، وملائكته، وكتبه، ورسوله، واليوم الآخر، وتؤمن بالقدر خيره، وشره

“When Jibril asked about faith: “it is to believe in Allah, His Angels, His books, his Messengers and the Last Day. And to believe in Predestination; either good or evil.”

Narration Regarding Increase In Faith And Its Decrease

In Sahih Bukhari, from Anas (ra) the Prophet (saw) said:

يخرج من النار من قال "لا إله إلا الله"، وفي قلبه وزن شعيرة من خير. ويخرج من النار من قال "لا إله إلا الله"، وفي قلبه وزن ذرة من خير

“Whosoever testifies that there is no deity worthy of worship except Allah, and in his heart, is a barley size of goodness will come out of the fire and whosoever testifies that there is no deity worthy of worship but Allah and in his heart is a sorghum size of goodness will come out of the fire.”

In another narration, also from Anas (ra), the Prophet (saw) mentioned faith instead of goodness.

Narration Regarding Ihsan (Goodness)

In Sahih Bukhari and Muslim, from Umar bin Kattab (ra), that Jibril (as) said to the Prophet (saw): “then inform me on Ihsan (goodness)”. He (saw) said:

أَنْ تَعْبُدَ اللَّهَ كَأَنَّكَ تَرَاهُ، فَإِنْ لَمْ تَكُنْ تَرَاهُ فَإِنَّهُ يَرَاكَ

“It is the worship of Allah as though you see Him and even though you do not see Him, (you know) that He sees you.”

This is an explanation of the real state of Islam, Iman and Ihsan from the Legislator (saw). There can be no better explanation after his (saw). It has been mentioned earlier that these three issues constitute the entirety of the religion, when ibaadah is put into focus (proper perspective). The evidence for this is in his statement (saw) to his companions,

فَإِنَّهُ جِبْرِيلُ أَتَاكُمْ لِيُعَلِّمَكُمْ دِينَكُمْ

“That was Jibril, he came to teach you your religion”

After he had asked him about its roots and branches as contained in the narrations of Muslim. In the narration of Bukhari:

إِنَّ هَذَا جِبْرِيلُ جَاءَ لِيُعَلِّمَ النَّاسَ دِينَهُمْ

“And verily that was Jibril, has come to teach you your religion.”

The religion has come to us with an arrangement containing its deeds. We shall render the arrangements as given by scholars of sunnah (May Allah be pleased with them all).

CHAPTER TWO

Purification

Narrations Regarding (Purification; Being Half of Faith)

From Abu Malik Al-Harith Ibn Asim Al-Ash'ari (ra), narrated: The messenger of Allah (saw) said:

الطهور شطر الإيمان

“Purification is path of faith.” Sahih Muslim.

Narrations Regarding Facing The Qibla While Answering The Call of Nature And The Recommended Remembrance (Dhikr) And Preventing Oneself From Its Stains (filth)

From Abu Ayub Al-Ansari (ra), the Messenger of Allah (saw) said:

إذا أتى أحدكم الغائط فلا يستقبل القبلة ولا يولها ظهره

“Whenever one of you enters the toilet, he should not face the Qibla nor turn back to it.”

Sahih Bukhari.

From Anas bin Malik (ra) “Whenever the Prophet (saw) is about to enter the toilet, he says:

اللهم إني أعوذ بك من الخبث والخبائث

“O Allah, I seek refuge with Allah from the Khabath (the male devil) and the Khaba’ith (the female devil).”

From Ibn Abbas (ra), he said:

“The Prophet (saw) passed by two graves and said:

إنهما ليعذبان، وما يعذبا في كبير، أما أحدهما فكان لا يستنثر من البول

“They (both) the inhabitants are being punished, they are not punished for what is generally considered major (sin). As for the first one, he does not prevent himself from (the flash of) urine.”

In another narration:

لا يستبرأ، وأما الآخر فكان يمشي بالنميمة

“He does not protect (himself), as for the other he used to go about with calumnies.”

Sahih Bukhari.

Narrations Regarding Istijmar (using Stones For Purification)

In Sahih Bukhari, from Abu Hurairah (ra), said: “I accompanied the Prophet (saw), and he had set out to answer the call of nature and used not to turn about, so I went closer to him then he (saw)said

أبغني أحجارا استنفض بها

“Seek for stones, so I may clean myself with them.” (That is purifying with them).

From Abu Hurairah (ra) that he (saw) said:

من استجمر فليوتر

“Whosoever uses stone (for purification) should use odd (number of stones).”

Narration Regarding Water Purification

In Sahih Bukhari, from Anas bin Malik (ra) he said: “Whenever the prophet (saw) entered the toilet, I and one other child carry a container of water to purify himself and a staff.”

Narration Regarding The Prohibition of Purifying Oneself From Filth With The Right Hand

In Sahih Bukhari, from Abdullahi Ibn Abi Qattadah (ra), from his father, from the Prophet (saw) who said:

إذا بال أحدكم فلا يأخذن ذكره بيمينه ولا يستنج بيمينه

“Whenever any of you urinates, he should never grab his penis with the right hand nor should he clean himself with it.”

Narration Regarding What Necessitates Ghusl (Ritual Bath)

In Sahih Bukhari from Ummu Salma (the mother of believers) (ra), said: “Ummu Salma, the wife of Abu Talha came to the Prophet (saw) and said: “O messenger of Allah! Allah is not shy (for saying) the truth. Is it upon a woman to take the ritual bath if she becomes wet from dreams?” The messenger of Allah (saw) said: “

نعم إذا رأت الماء

“Verily, whenever she sees the liquid.”

Also in Sahih Bukhari, from Abu Hurairah (ra), the Prophet (saw) said:

إذا جلس بين شعبها الأربع، ثم جهدها فقد وجب الغسل

“If he sits between her forelimbs and penetrates her then the ritual baths becomes compulsory.”

In another narration contained in Muslim, from Mutarraf:

وإن لم ينزل

“Even if he does not disseminate.”

Narration Regarding Description of Ghusl

In Sahih Bukhari, from A'isha (ra), who said that the Prophet (saw) used to start with his right side whenever he takes the bath after sexual relation. “Then he makes his ablution as he does for the prayer, then he dips his hand into the water and passes water into his hair (till it reaches its base). Then he pours water over his head three times with his hands. Then he pours water over his body.”

Also from A'isha (ra): “whenever the Prophet (saw), takes the bath for sexual intercourse, he demands for the hilab or for other scents.”

Then he starts to rub it over the right side of his head, then the left side.

Also from A'isha (ra), she said “whenever any of us becomes junub (impure from sexual relation) we scoop water over our heads and start washing from the right side, then the left side.”

Narration Regarding What Necessitates (Wudu) Ablution

In Sahih Bukhari, from Abu Huraira (ra), the messenger of Allah (saw) said:

لا تقبل صلاة من أحدث حتى يتوضأ

“Allah does not accept the prayer of the one that has passed gas until he makes ablution”.

In Sahih Muslim, from Umar bn Khattab (ra),

لا تقبل صلاة بغير طهور

“Prayers are not accepted except with purification.”

Narration Regarding Description of Wudu

In Sahih Bukhari, from Amr Ibn Hassan (ra), that he asked Abdullahi bin Zaid about the description of the Prophet's (saw) ablution. He then requested for a container of water and leather, performed the like of the Prophet's ablution. He poured water from the container into his hands and washed it three times, then he dipped his hand into the container then gargled, blew out water from his nose and mouth three times. Then he dipped his hand into the water and washed his face three times, then he dipped his hands and wash his arms up to the elbows, trice. Then he diped his hands and wiped over his head, moving his hands back and forth once, then he washed his legs up to the ankles.

From the hadith of Usman Said that he (saw) washed his arms to the elbows three times.

Narration Regarding Perfecting the Ablution

In Sahih Bukhari, from Abu Huraira (ra) who said: “perfect the ablution, verily Abu Al-Qasim (saw) said

(ويل للأعقاب من النار).

“Woe unto the ankles from fire.”

Narration Regarding Wiping Over the Socks

From Sa'ad bn Abi Waqas (ra),

“The Prophet (saw) wiped over the socks.”

MENSTRUATION

Narration Regarding Profuse Menstruation

In Sahih Bukhari, Ataa said “Menstruation lasts from one day to fifteen days.”

Narration Regarding Menstruation as a Deterrent From Praying And Fasting

In Sahih Bukhari, from Abu Sa'ed Al-kudri (ra) that the Prophet (saw) said regarding women:

ما رأيت من ناقصات عقل ودين أذهب للب الرجل الحازم من إحداكن

“I have never seen such a deficient in reasoning and religion, able to take away the reasoning of a determined man as much as you (women).”

They (the women) said: “what is the deficiency in our religion and reasoning?” He (saw) said:

أليس شهادة المرأة مثل نصف شهادة الرجل؟

“Is it not that the witnessing of a woman is like half of the witnessing of a man?”

They said “yes, it is.” He said (saw)

فذلك من نقصان عقلها

“Then that is regarding to the deficiency in your reasoning.”

He said (saw);

أليس إذا حاضت لم تصل، ولم تصم؟

“Is it not that when she menstruates, she is prevented from praying and fasting?”

They said “yes it is”.He said (saw);

فذلك من نقصان دينها

“Then that is with regards to the deficiency in your religious practices.”

**Narrations Regarding Excusing A Menstruating Woman From Prayers
And Establishing Making Up Fasting**

In Sahih Muslim, from Mu'aadhah Ladawiyah (ra) who said: “I asked Aisha (ra) why is the menstruating woman to make up the fasting and not the prayers?” She said: “Are you from the Hururi (the Khawarij)?” I said: “I am not from the Haruri (the Khawarij), I am just asking”. She said (ra) “we used to be affected by that (menstruating), thus we were commanded to make up for the fast and not the prayers.”

In the narration of Bukhari “we used to menstruate (during the time of the Prophet (saw) and he does not command us to make it (salat) up.”

Narration Regarding Sleeping With the Menstruating Woman While She Is Clothed.

In Sahih Bukhari, from Umm Salma (ra) who said: “I menstruated when I was with the Prophet (saw) while under a single woolen sheet.” So I sneaked from it and put on the cloth in which I menstruated, then the messenger of Allah (saw) asked me

“Have you got 'Nifas' (menses).” I replied “yes.” So he called me and we entered into the same woolen sheet.”

**Narration Regarding Signs Of Purification (for Menstruation) Through
Seeing Dryness And Whiteness**

In Sahih Bukhari: “the women used to send cotton containing yellow marks (from menstruation) to Aisha (ra), she says: “do not be in a hurry until you see the cotton white.”She intends by this purification from menstruation. It reached the daughter of Zaid ibn Thabit (ra), that some women used to expect

in the middle of the night to get purified, then she said: “the women (of the companions) used not to do that” so she blamed them.

Narrations Regarding How A Menstruating Woman Becomes Pure

From Aisha (ra), a woman asked the Prophet (saw) how she should perform the bath after menstruation. So he commanded her on how to take the bath. He said;

خذى فرصة من مسك فتطهري بها

“Take a piece of cloth scented with musk and purify yourself with it.”

She said: “how do I purify myself with it?” He replied

تطهري بها

“Purify yourself with it.”

She responded: “how”? He said “Subhanallah! Purify yourself with it” She said: “how” he said “Subhanallah! Purify yourself with it,” so I pulled her and said to her “Trace and wipe the blood stain with it” (Sahih bukhari).

In Sahih Muslim, “Purify yourself and perfect the purification, then pour over your head and scrub it severely until you reach the scalp. Then pour water over your entire body and then use the piece of scented cloth.

Narrations Regarding False Menstruation

In Sahih Bukhari, from Aisha (ra), she said that Fatimah the daughter of Abu Ubaish (ra) said to the messenger of Allah (saw): “O Messenger of Allah! I do not become pure, should I leave praying?” He (saw) said

لا إنما ذلك عرق وليس بالحیضة. فإذا أقبلت الحيضة فاتركي الصلاة، فإذا ذهب قدرها، فاغسلي عنك الدم وصلي

“Don’t! It is only a bleeding vein but not menstruation. When the time of menstruation approaches, leave prayer, when its time elapses, wash the blood off you and start praying.”

SAND PURIFICATION

Narration Regarding Making The Earth A Masjid

In Sahih Bukhari, from Jabir ibn Abdullahi (ra) who said that the Prophet (saw):

جعلت لي الأرض مسجداً وطهوراً، فأبما رجل من أمتي أدركته الصلاة فليصل

“The earth has been made a masjid for me and a purifier. Whichever of you from my Ummah that approach the time of salat, should pray.”

In Muslim,

وجعلت تربتها لنا طهوراً إذا لم نجد ماء

“It’s sand has been made for us as a purifier if we do not find water.”

Narrations Regarding Making Tayamum In The Absence Of Water Even When In The State Of Junub (Impurity)

In Sahih Bukhari, from Imran ibn Hussain (ra) that the messenger of Allah (saw) saw a man standing aside who refused to pray with the general people. He (saw) said;

يا فلان ما يمنعك أن تصلي في القوم؟

“O you! What has prevented you from praying with people?”

He responded “O messenger of Allah! I became junub and I can’t find water,”so he said:

عليك بالصعيد فإنه يكفيك

“Use the sand, for it suffices you.”

Narrations Regarding Performing Tayamun for the One That Fear Illness for Himself Even If He Is Junub.

In Sahih Bukhari, from Amr ibn Anas (ra), he said: “that he became sexually impure on a cold night and performed tayamum then recited:

﴿وَلَا تَقْتُلُوا أَنْفُسَكُمْ إِنَّ اللَّهَ كَانَ بِكُمْ رَحِيمًا﴾ النساء: ٢٩

“And do not kill yourself; verily Allah is Merciful over you.” (Q4:29)

This was mentioned to the Prophet (saw) and he never despised him.

Narration Regarding The Description Of Tayamum

In Sahih Bukhari, from Ammar that he said to Umar (ra) “I immersed myself in it (in the sand), then I went to the messenger of Allah (saw) and informed him. He (saw) said;

يكفيك الوجه، والكفان

“(Wiping) the face and the hands are sufficient.”

In another narration, it was mentioned that he (saw) hit the earth and wiped his face and hands with it.

In another narration in Muslim;

(إنما كان يكفيك بأن تفعل بيديك هكذا ثم ضرب بيديه الأرض ضربة واحدة)

“Verily it suffices you just to do like this.”

Then he hit (touched) his hands on the floor once. Then washed with his left hands.

CHAPTER THREE

Salat (Prayers)

Narration Regarding the Obligation of Salat (Prayer)

From Aisha (ra), the mother of the believers: “Allah previously made the prayers, at the time of its prescription to be all two raka'ahs, upon the resident or one on a journey. The prayer for the one on a journey was later made two raka'ah and increased for the resident” (Sahih Bukhari).

Narrations Regarding That The Five (5) Obligatory Prayers Expiates Sins

From Abu Hurairah, who said he heard the messenger of Allah saying:

أرأيتم لو أن نهرا بباب أحدكم، يغتسل فيه كل يوم خمسا ما تقول ذلك يبقى من درنه شيئا؟

“Do you imagine, if there were to exist a river flowing along the door of any of you, such that he washes himself in it five times every day, what is it of filth (dirt) that will be left on him?”

They said: “None will be left on him of filth (dirt).” He (saw) said:

فذلك مثل الصلوات الخمس، يمحو الله به الخطايا

“Then, this is the similitude of the five obligatory prayers, Allah expiates sins by them.”

Sahih Bukhari.

Narrations Regarding Covering Private Parts while in Prayers or Not (in Prayer)

From Abu Huraira who said that the messenger of Allah ordered that: “none should circumambulate the Kaaba naked. Thus, if one is proscribed from the Kaaba in nudity, then it is more emphasized during salat (prayers).”

Narrations Regarding The One Who Prays In One Loin Of Cloth Should Make It Extends (cover) His Two Sides.

From Abdullahi: “I testify that I heard the messenger of Allah saying:

من صلى فى ثوب واحد فليخالف بين طرفيه

“Whosoever of you prays in one robe should make it extend to his two sides.”

Narration Regarding Wrapping Ones Body With A Garment That One Cannot Raise Its Ends

Abu Sa'eed Alkhudri narrated that the messenger of Allah (saw) forbade ishtimal-as-samma' (covering one's body with a garment so that one cannot raise its end or take ones hand out of it) he also forbade Al-ihtiba'i (sitting on buttocks with knees close to abdomen and feet apart with the hands cycling the knees while wrapping oneself with a garment not covering the private parts.

Narration Regarding How Many Prayers A Woman Can Make In A Garment.

From Aisha, the women used to pray the Fijr (early morning prayers) with the messenger of Allah (saw) in their dhimma, wrapping them up. Thereafter, they return home without any of them being noticed.” SahihBukhari.

Narrations Regarding Facing The Qiblah

From Abu Hurairah, the Prophet (saw) said:

استقبل القبلة فكبر

“Face the Qiblah and say Allahu Akbar.”

Sahih Bukhari

Narrations Regarding One That Builds A Mosque

From Uthman Ibn Affan, I heard the prophet (saw) saying:

من بنى مسجدا يبتغى به وجه الله بنى الله له مثله فى الجنة

“Whosoever builds a mosque for the sake of Allah, Allah shall build the like of it for him in the paradise.”

Sahih Bukhari

Narrations Regarding The Person Who Is Frequent To The Mosque

From Abu Huraira (ra) said the messenger of Allah said:

من غدا إلى المسجد وراح أعد الله نزله من الجنة، كلما غدا أو راح

“Whosoever goes to the mosque and returns, Allah will prefer his abode in the paradise as he goes back and forth.”

Sahih Bukhari.

Narrations Regarding Giving Consideration To The Footsteps To The Mosques

From Anas, the Banu Salma wanted to turn their houses and make it closer to the dwelling of the prophet (saw) so the prophet detested that they (Banu Salma) should part with their houses. He said (saw):

ألا تحسبوا آثاركم؟

“Don’t you give consideration to your steps (to the mosques)?”

Sahih Bukhari.

Narrations Regarding Cooling (resting) Down By Zuhr (the Afternoon/Midday Prayer)

From Abu Sa'eed; the messenger of Allah said:

أبردوا بالظهر فإن شدة الحر من فيح جهنم

“Cool (rest) yourselves at dhuhur, for the intense heat is from the perspiration of the hell.”

Sahih bukhari.

Narrations Regarding The Adhan (call To Prayer) And Iqamah (start Of Prayer)

From Anas who said: “bilal was ordered to double (the wordings) in Adhan and single (the wordings) for the Iqamah.” Sahih Bukhari.

Narration Regarding The Wordings (statement) Of The Caller To Prayer (while Calling To Prayers)

From Abu Sa'eed Alkhuduri (ra): the messenger of Allah said:

إذا سمعتم المؤذن فقولوا مثل ما يقول المؤذن

“Whenever any of you hears the caller to prayer, he should say (repeat) the like of what he says.”

Sahih Bukhari.

From Umar (ra): the messenger of Allah said:

إذا قال المؤذن "الله أكبر"، قال أحدكم "الله أكبر"، ثم قال "أشهد أن لا إله إلا الله"، قال "أشهد أن لا إله إلا الله"، ثم قال "أشهد أن محمداً رسول الله"، قال "أشهد أن محمداً رسول الله"، ثم قال "حي على الصلاة"، قال "لا حول ولا قوة إلا بالله"، ثم قال "حي على الفلاح" قال "لا حول ولا قوة إلا بالله"، ثم قال "الله أكبر" قال "الله أكبر" ثم قال "الله أكبر" ثم قال "لا إله إلا الله"، فقال لا إله إلا الله؛ خالصاً من قلبه، دخل الجنة

“When the caller to the prayers say: “Allah Akbar!!!” he should say “Allahu Akbar”. Then (when he says) “Ash hadu an laa ilaha illa Allah!!!” (there is no deity worthy of worship but Allah), he says “ash hadu an laailaha ilal la (there is no deity to worship but Allah). When he (the caller to prayers) say “Ash hadu anna muhammadan rasullul Allah!!! (I testify that Muhammad is the messenger of Allah) he should say:” Ash hadu anna Muhammadan rasulillah....”

Then when he says: “hayya alal ssallah!!!” “hurry to the prayer”, he should say: “la haula wala quwwata illa billahi “(No might nor power except with Allah). Then (when he says) hurry to success” he should say: “no might nor power

except with Allah”, if he says Allahu Akbar”, he (should) say “Allahu Akbar”, then (if he says) “laa ilaha ilal Allah, he should say “laa ilaha illal Allah.”

Sincerely from his heart, will enter the paradise

Sahih Muslim.

Narration Regarding the Supplication (dua) After One Had Listened To the Call To Prayers.

From Jabir ibn Abdullah the messenger of Allah said:

من قال حين يسمع النداء: اللهم رب هذه الدعوة التامة، والصلاة القائمة، آت محمدا الوسيلة، والفضيلة، والدرجة الرفيعة، وابعته مقاما محمودا الذي وعدته، حلت له شفاعتي يوم القيامة

“Whoever says when he has heard the call to prayer: “O Allah! Lord of this perfect call and established prayer, grant Muhammad (saw) the intercession and favour, and raise him to the honoured station You have promised him (saw)” my intercession will benefit him on the day of resurrection.”

Sahih Bukhari.

From Sa'eed ibn Abi Waqas, the Prophet (saw) said:

من قال حين يسمع المؤذن: “أشهد أن لا إله إلا الله، وحده لا شريك له، وأشهد أن محمد عبده، ورسوله، رضيت بالله ربا، وبالإسلام دينا وبمحمد صلى الله عليه وسلم رسولا، غفر له ذنبه

“Having heard the call to prayers: “I bear witness that there is no deity worthy of worship but Allah alone without any partner and I bear witness that Muhammad (saw) is his slave and messenger, I am pleased with Allah as my lord, Islam as my religion and with Muhammad (saw) as the messenger of (Allah to us), his sins shall be forgiven.”

Sahih Muslim.

Narration Regarding Walking In Tranquility To The Mosque

From Abu Hurairah; The Prophet (saw) said:

إذا سمعتم الإقامة فامشوا إلى الصلاة، وعليكم بالسكينة، والوقار، ولا تسرعوا، فما أدركتم فصلوا، وما فاتكم فأتموا

Encouraging Ummah...

“Whenever you hear the Iqamah (start of prayer), walk gently to the prayer, and do not walk hurriedly. Whatever (of the prayer) you catch up with, you should pray and whatever you miss, you should complete.”

Sahih Bukhari.

Narrations Regarding Starting (eating) Served Food At The Time Of Entering The Prayer

From Aisha (ra)

إذا وُضع العشاء، أقيمت الصلاة، فابدءوا بالعشاء

“When the meal is served and the prayer is established; begin with the meal.”

Sahih Bukhari.

Also from ibn Umar (ra) the prophet said:

إذا كان أحدكم على الطعام، فلا يعجل حتى يقضى حاجته منه، وإن أقيمت الصلاة

“When one of you is on his food (eating) he should not hasten over (finishing) the food even should the prayers be established.”

Sahih Bukhari.

Narrations Regarding 'Tahiyyatul Masjid

From Abu Qatadah Assulaymi, (ra) the messenger of Allah said:

إذا دخل أحدكم المسجد فليركع ركعتين قبل أن يجلس

“Whenever one of you enters the mosque, he should perform two rak'ahs before sitting.”

Sahih Bukhari.

Narration Regarding Straightening Of The Rows

From Anas (ra) the Prophet (saw) said:

سوا صفوفكم، فإن تسوية الصفوف من إقامة الصلاة

“Straighten your rows. Verily, straightening of the rows is among the establishment of the prayer.”

Sahih Bukhari.

Also in it (i.e Sahih Bukhari) from Nu'man ibn Basheer (ra) the messenger of Allah (saw) said:

لتسون صفوفكم أو ليخالفن الله بين وجوهكم

“You had better straighten your rows, else Allah might cause discord amongst you.”

Narration Regarding The Choice Of An Imam And That The People Of Knowledge And Character Are More Worthy For It.

From Abu Musa (ra), the prophet (saw) became ill, then it became severe.

مروا أبا بكر فليصل بالناس

“Tell Abubakar to lead the people in prayer.”

Sahih Bukhari.

Malik ibn Huwaris (ra) said that the Prophet said to them when they came to him and they stayed twenty nights or thereabout:

لو رجعتم إلى بلادكم فعلمتموهم ومروهم فليصلوا صلاة كذا في حين كذا، وصلاة كذا في حين كذا، وإذا حضرت الصلاة فليؤذن لكم أحدكم، وليؤمكم أكبركم

“If you return back to your people and you teach them (the religion), order them to perform such prayer at such time. And when (the time of) salat approaches, one of you should make the call to prayers and the most elderly should lead you (in the prayer).”

Sahih Bukhari.

Narrations Regarding When The Imam Prays With People, He Should Make The Prayer Light

From Abu Huraira (ra): “the messenger of Allah said (saw):

إذا صلى أحدكم بالناس فليخفف، فإن فيهم الضعيف، والسقيم، وذو الحاجة، والكبير، وإذا صلى أحدكم لنفسه فليطول ما شاء

“Whenever one of you leads the people in prayer, he should make it light. For within the people are the weak, the ill, one with need and the old. And whenever any of you prays by himself should prolong it as he wishes.”

Sahih Bukhari.

Also in Sahih Bukhari from Anas (ra): “the prophet used to make the Salat light but he perfects it.”

Narration Regarding The Prohibition Upon The One Following The Imam To Imitate Him In What He Does And Says

From Aisha (ra), the prophet said:

إنما جعل لإمام ليؤتم به، فإذا ركع فاركعوا، وإذا رفع فارفعوا، وإذا قال سمع الله لمن حمده فقولوا: ربنا ولك الحمد

“The Imam is there to be followed, so when he utters the takbeer, say the Takbeer (after him); when he bows (you should) bow, when he rises (from bowing) rise. When he says “Allah hears the ones that praise him”, say “O our lord, Yours is the praise.”

Sahih Bukhari.

Also, in Bukhari from Abu Huraira (ra): The prophet (saw) said:

أما يخشى أحدكم إذا رفع رأسه قبل الإمام أن يجعل الله رأسه رأس حمار، أو يجعل الله صورته صورة حمار

“Don’t any of you fear that when he raises his head before the Imam that Allah may turn his head to that of the donkey?”

Also in it, from Barra (ra) “who said the messenger of Allah used to say: “Allah hears the one that praises Him” and none of us bends his back until the prophet had (touched the ground) in prostration. Afterwards, we prostrate.”

Narrations Regarding Description of the Prayer

From Malik Ibn Huwarith (ra) that the messenger of Allah (saw) said

صلوا كما رأيتموني أصلي

“Pray as you have seen me pray!”

Sahih Bukhari.

Also in it, from Abu Humayd as-Saedi: “I am the most preserving of the prophet's prayer. I saw him while he made the Takbeer. He placed his hands at the level of his shoulder and when he makes Ruku, he takes firm hold of his knees and levels his back; when he raises his head, he stands straight until all parts of the body takes its position. When he prostrates, he places hands (Palms) outstretched (fingers) unfolded. And he makes the toes face the Qiblah. When he sits in the last (Rakah) he brings his left leg forward and sits on his buttocks.”

Also, in it, from Abu Hurairah (ra): “the (prophet) (saw) said to a man who was not perfecting the pillars of the prayer and (the man) is Khalid ibn Rafi:”

إذا قمت إلى الصلاة فكبر، ثم اقرأ ما تيسر معك من القرآن، ثم اركع حتى تطمئن راكعاً، ثم ارفع حتى تعتدل قائماً، ثم اسجد حتى تطمئن ساجداً، ثم ارفع حتى تطمئن جالساً، ثم اسجد حتى تطمئن ساجداً، ثم افعل ذلك في صلاتك كلها

“When you stand to pray, say the Takbeer, then recite what is easy for you from the Qur'an. Then Rukoo until you are at ease (settled) in Rukoo; then rise until you (stand) upright. Then prostrate until you are at ease (settled) in the prostration. Then rise until you are at ease in the sitting position. Then prostrate until you are at ease in the prostration, then do these in all your prayers.”

Also in it, from Ibn Abbas (ra) the prophet said;

أمرنا أن نسجد على سبعة أعظم، ولا نكف ثوباً، ولا شعراً

“We have been ordered to prostrate on seven limbs, and not to wrap tightly our clothes and our hairs.”

Also in it, from Abdullah Ibn Malik Ibn Buhainah (ra) that: “whenever the prophet prayed, he spreads out his hands (from the body) until the whiteness of his armpit is revealed.” Also in it from Anas ibn Malik the prophet (saw) said,

اعتدلوا في السجود ولا ينبسط أحدكم ذرعية انبساط الكلب

“Be upright in your prostration and none of you should spread out his arm (on the ground) the way dogs do.”

Narrations Regarding The Sinfulness Of Passing (walking) Before The One In Prayer

In Sahih Bukhari from Abu Jahm the messenger of Allah said:

لو يعلم المار بين يدي المصلي ماذا عليه لكان أن يقعد أربعين خيرا له من أن يمر بين يديه

“If the one who had passed in front of the one in prayer were to know what is on him (of sin), it would have rather been better for him to wait for forty than passing before him.”

Abu Nadri said “I don't know if he said forty days, forty months or forty years.

Narration Regarding Making Up For Missed Prayers

In Sahih Bukhari from Anas Ibn Malik (ra) from the Prophet (saw):

من نسي صلاة فليصل إذا ذكرها، لا كفارة لها إلا ذلك

“Whoever forgets to pray, should perform it when he remembers. There is no other expiation for it (the prayer), except that (the making up).”

﴿وَأَقِمِ الصَّلَاةَ لِذِكْرِي﴾ طه: ١٤

“[And establish the prayer for my remembrance.” (Q 20:13)

Narrations Regarding Forgetfulness In Prayers

In Sahih Bukhari from Abdallah ibn Buhainah: “the prophet led us a prayer of two raka'ah from one of the prayers. Then he stood and did not sit (where he was supposed to sit). The people stood after him. When he completed the prayer and we expected his tasleem, he prostrated twice while maintaining his sitting position. Then he made the tasleem.”

Also in it, from Abu Huraira: The Prophet (saw) said;

الظهر ركعتين

“The midday prayer is two rakaah.”

It was said unto him “you have just prayed two rakah,” so He made (another) two rakahs, made taslim and made two prostrations.”

Narrations Regarding Prostrating While Reciting The Qur'an

In Sahih Bukhari, from Ibn Umar (ra) “the prophet (saw) “will recite (a place of) prostration while we were with him, he will prostrate and we will prostrate after him in a crowded manner such that a man will have difficulty getting a place to put his head for prostration.”

Narrations Regarding The Two Raka'ah Of Fajr

In Sahih Muslim, from Aisha (ra) who said: “The prophet used to pray two Rakaah for Fajr. He will make them light, such that I wonder if he recited the mother of the Qur'an (meaning Suratul Fatiha) in them both.”

Narrations Regarding (salatu Duha)

In Sahih Muslim, Mu'adha Al-Adawiyyat said she asked Aisha how many Rakaahs the prophet prayed for salatu Duha she said “four rakaahs and he increases if he so wish.”

In Sahih Bukhari and Muslim, in the hadith of Ummu Hani said that “He the Prophet (saw) prayed Duha with eight rakaahs.

Narration Regarding making Four Supererogatory Rakaahs before Dhuhur

In Sahih Bukhari, from Aisha (rah) who said the Prophet (saw) never leaves making four rakaahs before dhuhur.”

Narration Regarding Making Two Rakaahs Before And After Zuhr, After Maghrib After Isha And Before Subhi Prayers

In Sahih Bukhari, from Ibn Umar: “I was able to preserve ten rakaahs from the Prophet (saw): two before dhuhur, two after it, two after Maghrib in his house, two after isha in his house and two before subh.”

NOTE

I (the author) have never come across the narration about four rakaah (before Asr) in Sahih Bukhari and Muslim. An Nasa'i narrated it from the hadith of Ali (ra).

Narration Regarding Night Praying

In Sahih Bukhari from Ibn Abbas, the prophet used to perform thirteen (13) rakah (i.e in the night). Also in it from Aisha (ra) who said: “the prophet used to perform thirteen rakaahs at night. From it, is the witr and the (two) rakaahs of Fajr.”

Narration Regarding Witr

In Sahih Bukhari, from Ibn Umar (ra) who said “the prophet (saw) prays in the night in twos and makes the Witr with one rakaah.”

Also in it, the “Prophet (saw) makes his last prayer in the night Witr (single).”

Narration Regarding Making the Religion Easy

In Sahih Bukhari from Abu Hurairah (ra) the prophet said:

إن الدين يسر، ولن يشاد الدين أحد إلا غلبه، فسددوا، وقاربوا، وأبشروا، واستعينوا بالغدوة، والروحة، وشيء من الدلجة

“Verily, the religion (Islam) is easy; no one makes the religion hard (on himself) except that it overcomes him. So be moderate, try to attain perfection and receive the good tidings that you will be rewarded and gain strength by worshipping in the night.”

Narration Regarding The Most Beloved Religious Practice To Allah

In Sahih Bukhari, from Aisha (ra) who said “that the prophet entered upon her while there was a woman with her, he said “who is she ?” she said “she is so and so, and told him about her (excessive) praying. He (saw) said:

مه! عليكم بما تطيقون، فوالله لا يمل الله حتى تملوا

“Shun that! Do what you are capable of. By Allah! Allah does not get tired of giving reward but surely you will get tired and the best deed in the sight of Allah is that which is done regularly.”

Narration Regarding the Travelers Prayer

In Sahih Bukhari from Anas Ibn Malik: (ra) “we set forth with the prophet from Madina to Makkah, so he made the prayers two-two until we returned to Medina.”

Narration Regarding Combining Two Prayers While On Journey

In Sahih Bukhari, from ibn Abbas: “The messenger of Allah (saw) combine Maghrib and Ishai.”

Narration Regarding Leaving Out Supererogatory Prayers And After The (Compulsory) Prayers

In Sahih Bukhari from Ibn Umar (ra), “I accompanied the messenger of Allah (on several journeys) but never see him making the supererogatory prayers. “

Narration Regarding Performing The Supererogatory Prayers While On Journey Other Than Obligatory Ones

In Sahih Bukhari, “the prophet made the two (supererogatory) rakaahs of Fajr while travelling. Muslim reported the same in the hadith of Abu Qatadah. Contained in it is that he (saw) prayed two rakaahs before Subhi, then prayed Subhi and all these (took place) on the journey.”

Also in it, from Umm Hani who said that: “the messenger of Allah made ablution in her house on the day of the conquest of Makka. And he prayed eight (8) rakaah. I have never seen him made his prayer light as that notwithstanding, he was perfect in his rukoo and sujud (prostration).”

Also in Sahih Bukhari, from ibn Umar (ra) the “messenger of Allah will make his non-compulsory prayers on his beast towards whatever direction it faces. He will perform the Witr on it. However, he does not make the obligatory prayers on it.”

CHAPTER FOUR

Jumma'ah (The Friday Prayer)

Narration Regarding Obligation of Performing the Friday Prayer

In Sahih Bukhari from Abu Hurairah that he heard the messenger of Allah (saw) saying:

نحن الآخرون السابقون يوم القيامة، بيد أنهم أوتوا الكتاب من قبلنا، ثم هذا يومهم الذى فرض الله عليهم، فاختلفوا فيه، فهدانا الله له، فالتاس لنا فيه تبع، اليهود غدا، والنصارى بعد غد

“We are the latter, but the foremost on the day of judgement despite their being given the book before us. This is their day which Allah has decreed for them (in honor). Then they differed over it, and Allah guided us to it. The people trail us regarding the day. Tomorrow for the Jews and the day after tomorrow for the Christians.”

Narrations Regarding Time for the Friday Prayer

Sahih Buhari from Anas Ibn Malik (ra) said: “the messenger of Allah will pray the Friday prayer when the sun had tilted away from the sky center (horizon).”

Narration Regarding the Bath on Friday

In Sahih Bukhari, from Ibn Umar (ra) said that the messenger of Allah (saw) said:

إذا جاء أحدكم الجمعة فليغتسل

“If any of you will go to the Friday prayer, let him take bath.”

Narration Regarding the Friday Sermon

In Sahih Bukhari from Ibn Umar (ra): “the prophet used to make the sermon standing, then he sits” then he stands as you do (practice) now.

Narration Regarding the Sitting between the Two Sermons

In Sahih Bukhari, from Ibn Umar: “the prophet usually makes two sermons and sits in between.”

Narration Regarding Keeping Silent As The Imam Delivers The Sermon On Friday

In Sahih Bukhari from Saman, the prophet (saw) said;

ينصت إذا تكلم الإمام

“Silence is to be maintained as the Imam speaks.”

Narration Regarding The Use Of Oil And Scent On Friday

In Sahih Bukhari from Al Farisi, the messenger of Allah (saw) said,

من اغتسل يوم الجمعة، وتطهر بما استطاع من طهر، ثم أدهن من طيب، ثم راح، فلم يفرق بين اثنين، فصلى ما كتب له، ثم إذا خرج الإمام، أنصت غفر له ما بينه وبين الجمعة الأخرى

“Whoever made the bath on Friday, purifies himself as much as possible, then applies oil scent, then sets out, he does not separate between two (persons sitting in the mosque), then prays (some number or Raka'ats) as convenient for him, whenever the Imam comes out he keeps silent, Allah will forgive him what is between the Friday and the other Friday.”

Narration Regarding Friday Prayer (while) In A State Of Fear

In Sahih Bukhari, from Abdullah Ibn Umar (ra) who said, he accompanied the messenger of Allah (saw) in war, before Najd. “So we approached the enemies and formed rows (for prayer). The messenger of Allah (saw) stood to lead us in prayer and a band of Muslims stood with him (to pray). The other band faced the enemies. The messenger of Allah (saw) made a raka'at with them, made two prostrations, then they (the first band) departed (the messenger of Allah) for the position of those that had not prayed. Then the second band came (forward) and the messenger of Allah (saw) made a raka'at with them and prostrated twice and said the taslim. Everyone stood up (from behind him). Then he made a raka'at alone and made prostration twice.”

Narration Regarding Taking Different Routes When Returning From The Eid Prayer

Jabir said: “the Prophet used to change the routes (when going and returning) on the day of Eid.” (Sahih Bukhari).

Narration Regarding Starting With The Prayer On The Eid Of Slaughtering

Baraa said: I heard the messenger of Allah making the sermon and he (saw) said:

إن أول ما نبداً من يومنا هذا أن نصلي، ثم نرجع فننحر، فمن فعل ذلك فقد أصاب سنتنا

“The first things we should do on this day of ours is to pray and then return and slaughter (our sacrifices). So anyone who had done so has acted according to our tradition (shaah).”

(Sahih Bukhari).

Narration Regarding Making The Takbir On The Day Of Mina After Every Prayer

Ibn Umar (ra) used to say “the Takbir on the days in Mina after each prayer and on his bed, in his tent, while sitting and while walking in all the days. Maimuna used to make takbeer on the day of slaughter. The women used to say takbeer from behind Abaan Ibn Usman, Umar Ibn Abdul Azeez on the days of Tashreek in the mosque with other men.”

Narration Regarding The Prayer For Rain (Istisqa)

Abbad Ibn Tameem's Uncle said: “the prophet went out to offer the Istisqa prayer, faced the Qibla and offered two raka'ah.”

Also, his uncle said that some companions informed him that the Prophet (saw) went out “to invoke (Allah) for rain with some people. He supplicated standing, then turned towards the Qiblah and turned his cloak (inwards) and they were given rain.”

Also, the uncle said: “He (saw) offered two rakah, raising his voice in them.” (Sahih Bukhari).

Narration Regarding the Prayer for Eclipse of the Sun

Abu Bakr (ra) narrated: “we were with the Prophet when the sun eclipsed. The prophet stood up, dragging his cloak until he entered the mosque. He led us in two – raka’ah prayer till the sun had cleared.”

Narration Regarding Manner of Offering The Prayer For An Eclipse

From Aisha: In the life time of the messenger of Allah (saw), the sun eclipsed, so he led the people in prayer and stood up and performed a long standing (qiyam), then bowed for a long while. He stood up again and performed a long qiyam, but this time the period of standing was shorter than the first. Then he prostrated and made his prostration long. He did the same in the second rakah as he did in the first and finished the prayer, by then the sun had cleared. He delivered the sermon and after praying and glorifying Allah he said:

إن الشمس والقمر آيتان من آيات الله، لا ينخسفان لموت أحد، ولا لحياته. فإذا رأيتم ذلك فادعوا الله تعالى، وكبروا، وصلوا، وتصدقوا، ثم قال: يا أمة محمد ووالله ما من أحد أغير من الله، من أن يزني عبده أو تزني أمته؛ يا أمة محمد، والله لو تعلمون ما أعلم لضحكتم قليلا ولبكيتم كثيرا

“The sun and the moon are two signs from other signs of Allah. They do not eclipse on the death or life of any one. So (know) when you see the death or life of any one. So when you see the eclipse remember Allah and says Takbir, pray and give alms.” The prophet then said “O nation of Muhammad! By “Allah! There is no one who has more self respect than Allah, as He has forbidden that his slaves, male or female commit adultery. O nation of Muhammad (saw) you would laugh little and weep much.”

Narration Regarding Prayer For Lunar Eclipse

Abu Bakrah (ra) narrated that: the messenger of Allah (saw) said:

إن الشمس والقمر آيتان من آيات الله، وإنهما لا ينخسفان لموت، أحد ولا لحياته. وإذا كان ذلك فصلوا، وادعوا،
حتى ينكشف ما بكم

“The sun and the moon are two signs amongst the signs of Allah, they do not eclipse because of the death or life of anyone. So when you witness that, pray and invoke (Allah) until the eclipse is over.”

CHAPTER FIVE

The Funeral Prayer

Narration Regarding Instructing The Person That Shows Signs Of Death To Proclaim The Kalimatus Shahadah

Abu Hurairah (ra) said: the prophet said:

لَقِنُوا مُوتَاكُمْ لَا إِلَهَ إِلَّا اللَّهُ

“Instruct your dyeing person to say there is none worthy of worship but Allah!”

Sahih Muslim

Narration Regarding Bathing The Dead In Odd Number Of Times

From Ummu Atiyya (ra): the prophet came to us and we were giving a bath to his (dead) daughter and he said:

اغسلنها ثلاثا، أو خمسا، أو أكثر من ذلك، بماء، وسدر، واجعلن في الأخيرة كافورا أو شيئا من كافور، فإذا فرغتن فنادنني

“Wash her three times or more times with water and sitr and sprinkle camphor on her at the end. And when you finish, notify me.”

So when we finished, we informed him and he gave us his waist sheet and told us to shroud her in it.

Narration Regarding Using White Shroud (For the Dead)

Aisha (ra) said that the messenger of Allah (saw) was shrouded in three Yemenite white piece of cloth of cotton.

Narration Regarding Hastening The Carriage Of The Dead (to The Grave).

Abu Hurairah narrated that the prophet said:

أسرعوا بالجنائز، فإن تك صالحة فخير تقدمونه، وإن تك سوى ذلك، فشر تضعونه في رقابكم

“Hurry up the dead! If he were to be righteous, then it is goodness you are sending him forward to. But if he were to be other than that, then it is evil you are placing upon your shoulders.”

Sahih Bukhari.

Narration Regarding Rows In The Funeral Prayer

Ata said he heard Jabir Ibn Abdullah saying that the prophet (saw) said:

قد توفى اليوم رجل صالح من الحبش، فهلهم فصلوا عليه

“A righteous man had died in Ethiopia today. So hurry up! Then they prayed over him.”

He (Jabir) said: we made rows and the Prophet (saw) prayed while we were in rows.” Abu Zubair narrated from Jabir that he said: “I was on the second row.” (Sahih Bukhari).

Narration Regarding Piling Sand Over) The Grave

Narrated Abubakar Ibn Ayash, from Sufyan Attimar informed him that: “he saw the grave of the Prophet (saw) humped.”

Narration Regarding Condoling The People Of The Dead

Usamah Ibn Zaid (ra) narrated that: “one of the daughters of the Prophet (saw) sent a message that one of her child had passed away, requesting that the Prophet (saw) come to them. The Prophet (saw) sent a message back to her saying “salam” He said:

إن الله ما أخذ، وله ما أعطى، وكل عند باجل مسمى، فلتصبر ولتحتسب

“Verily for Allah is what He took away, for Him is what He grants. Everything had been timed. So be patient and hope for reward.”

CHAPTER SIX

Alms Giving

Narration Regarding Obligation Of Giving The Compulsory Charity

Ibn Abbas (ra) narrated that the Prophet (saw) sent Ma'adh (ra) to Yemen, then said:

ادعهم إلى شهادة أن لا إله إلا الله، وأنى رسول الله، فإن هم أطاعوا لذلك فعلمهم أن الله قد افترض عليهم خمس صلوات، في كل يوم وليلة، فإن هم أطاعوا لذلك فأعلمهم أن الله قد افترض عليهم صدقة في أموالهم، تؤخذ من أغنيائهم وترد إلى فقرائهم

“Call them to testify that there is no deity worthy of worship but Allah and that I am the messenger of Allah. If they obey you regarding that, then teach them that (what) Allah has made obligatory on them alms giving from their wealth. It is taken from their rich and given to their indigent.”(Sahih Bukhari).

Narration Regarding The Limit Of Nisab For Grains And Fruit Measurement

Abu Sa'eed Alkhudri narrated that the messenger of Allah said:

وليس فيما دون خمسة أوسق صدقة

“Charity is not obligatory upon what is lesser than five (5) awsaq.” (Sahih Bukhari).

Narration Regarding The Measurement Of The Nisab For The Camels, Cattle And Sheep

Thamamah Ibn Abdullah Ibn Anas narrated that Anas (ra) informed him that: “Abu Bakr (ra) wrote him a treatise when he sent him to Bahrain: “In the name of Allah , the Beneficent, The Merciful. These are the orders for compulsory charity (zakat) which Allah's messenger (saw) had made obligatory for every Muslim, and which Allah had ordered his prophet (saw) to observe. Whomsoever amongst the Muslims is asked to pay zakat accordingly, he should pay it. And whosoever is asked more than that (what is specified in this script) he should not pay it; for twenty four camels or less, sheep are to be paid as zakat; for every five camels, one sheep is to be paid, and if there are between twenty-five to thirty-five camels, one Bint Makhad is to be paid; if

they are between thirty-six to forty-five (camels), one Bint Labun is to be paid, and if they are between forty-six to sixty (camel), one Hiqqa is to be paid, and if the number is between sixty-one to seventy five (camels), one Jidh'a is to be paid, and if the number is between seventy-six to ninety (camels), two Bint Labuns are to be paid, and if they are from ninety-one to one-hundred and twenty (camels), two Hiqqas are to be paid, and if they are one-hundred and twenty (camels), for every forty (over one hundred and twenty) one Bint Labun is to be paid, and for every fifty camels (over one-hundred-and-twenty) one Hiqqa is to be paid, and whoever has got only four camel, has to pay nothing as zakat, but if the owner of these four camels wants to give something, he can. If the numbers of camels increase to five, the owner is to pay on sheep as zakat. As regards the zakat for the (flock) of sheep, if they are between forty and one-hundred-and twenty sheep, one sheep is to be paid, and if they are between one-hundred-and twenty to two-hundred (sheep), two sheep are to be paid and if they are between two-hundred to three hundred (sheep), three sheep are to be paid, and for over three hundred sheep, for every extra hundred sheep, one sheep is to be paid as zakat. And if somebody has got less than forty sheep, no zakkat is required, but if he wants to give, he can.

I (the author) have not come across the measurement of zakat for cattle in Sahih Bukhari and Muslim. Al Qastalaani said in his explanation of Sahih Bukhari that the author (i.e Imam Bukhari) did not mention anything regarding the measurement of nisab for the cattle because none of the narrations met his condition for inclusion in his book. The narrator in Tirmidhi then mentioned as considered good (by Tirmidhi) and declared authentic by Al-Hakim, from Mu'adth: "the prophet sent me to Yemen and ordered that a grown up cow be collected for over forty cattle. And in every thirty cattle a Tabee is paid."

**Narration Regarding Joining The Property Of Different People Or
Splitting Joint Property For Fear Of (paying None, Or Receiving Less
Zakat.**

In the writing of Abubakar mentioned earlier, "Neither the property of different people may be taken together, nor the joint property may be split for fear of (paying more or receiving less) zakat.

Narration Regarding Zakatul Fitr

Ibn Umar (ra) said: "the messenger of Allah (saw) made zakatul fitr compulsory using a measurement of date or a measure of barley upon the slave and the free, male and female, old and young from among the Muslims. And ordered that it should be rendered before going out for prayer." Sahih Bukhari.

CHAPTER SEVEN

Fasting

Narration Regarding The Obligation Of Fasting When The Crescent Is Sighted And Stopping The Fast When The Crescent Is Sighted

Abu Hurairah (ra) said that the Prophet (saw) said:

صوموا لرؤية الهلال، وأفطروا لرؤيته، فإن غم عليكم فأكملوا عدة شعبان ثلاثين

“Fast when you sight the crescent and stop fasting when you sight it. If it becomes beclouded then complete the counting of Shabban and start.”

Narration Regarding Fasting On The Day Of Doubt

Umar (ra) narrated: “Whosoever fast on the day of doubt has indeed disobeyed the father of Qasim (the Prophet) (saw).”

Narration Regarding Fasting In Ramadan

Abu Hurairah (ra) narrated that the messenger of Allah (saw) said:

من قام رمضان إيماناً واحتساباً غفر له ما تقدم من ذنبه

“Whoever fast in Ramadan with faith and hope for reward shall be forgiven his preceding sins.”

Sahih Bukhari.

Narration Regarding Hastening To Break The Fast

Sahl Ibn Sa'd (ra) narrated that the Messenger of Allah (saw) said:

لا يزال الناس بخير ما عجلوا الفطر

“The people shall continue to be upon goodness as long as they hasten in the breaking of fast.”

Narration Regarding Delaying The Sahur

Sahl Ibn Sa'd (ra) said: “I used to take my Sahur with my family, so I hurried up to meet the Sujud with the messenger of Allah (saw).” (Sahih Bukhari).

Also from Anas from Zaid Ibn Thabit: “we had the Sahur with the Prophet (saw) then we stand to say the prayer” I said “How much time is between the Adhan and Sahur?” He said

"قدر خمسين آية"

"The time it takes to recite fifty verses."

Narration Regarding Increasing Ones Generosity and Goodness In Ramadan.

The Prophet (saw) used to be the most generous person. "He becomes more generous in Ramadan when Jibril (as) meets with him. Jibril (as) used to meet him every night in Ramadan (and) used to recite the Quran to him, so when Jibril (as) meet with him, he becomes the most generous, far more than the blowing wind."

Narration Regarding Searching For The Night Power

Aisha (ra) said that the messenger of Allah (saw) said:

تحرروا ليلة القدر في الوتر من العشر الأواخر من رمضان

"Search for the night of power in the odd days of the last ten days of Ramadan."

Sahih Bukhari.

Narration Regarding Itikaf

Aisha (ra) narrated that "The messenger of Allah (saw) used to perform Itikaf in the last ten days of Ramadan until Allah took his soul. Then his wives performed it after him."

Narration Regarding That The One Performing Itikaf Does Not Enter The House Except In Need

Aisha (ra) said "though, the messenger of Allah (saw) will perform the itikaf but will enter his head into the house from the mosque so I combed it. He does not enter the house except based on need." Sahih Bukhari.

CHAPTER EIGHT

Hajj (Pilgrimage)

Narration Regarding The Obligation Of Hajj

Abdullahi Ibn Abba (ra) narrated that a woman from Khath'am said "O messenger of Allah! It is about the obligation of Allah upon his slave in Hajj. My father has become very old, he cannot support himself on the ride, can I make the hajj on his behalf"? So he said: "yes" and that was in the Farewell pilgrimage."

Sahih Bukhari.

Narration Regarding The Virtue Of Performing Hajj Al-Mabrur (Acceptable)

Abu Hurairah (ra) said I heard the messenger of Allah (saw) say:

من حج لله فلم يرفث ولم يفسق رجع كيوم ولدته أمه

"Whosoever performs the pilgrimage for Allah's sake, not being insulting nor harmful, will return (from hajj clear of sin) like the day his mother gave birth to him."

Narration Regarding The Miqats (Point Of Start)

Ibn Abbas (ra) narrated that "the Prophet (saw) fixed Dhul Hulaifah as the Miqat for the people of Madinah and Al-Juhfah for the people of Yemen and Qarnul Manazil for the Najd. These Miqats were established for people living there and the people that came through them, from those who are not from them, but intends to perform the Hajj and Umrah and whoever lives within these places should assume Ihram from his dwelling place and similarly the people of Mecca can assume Ihram from Makkah."

Narration Regarding The Talbiyah

Abdullahi ibn Umar (ra) narrated that the Talbiyah of the messenger of Allah (saw) is: ***"Labaika, Allahuma Labaika, Labaika la sharika laka Laibaika, ina-l-amda wani mata-laka wal mulk, la sharikalaka."***

I answer O Allah, I answer I answer without associating partner with You. I answer, verily the praise and favors belong to You also the dominion, there is no partner unto You. Sahih Bukhari.

Narration Regarding What One Performing Hajj Wears Among Clothes

Ibn Umar (ra) said: “the Messenger of Allah (saw) was asked what the one performing Hajj is to put on of cloth. He said

لا يلبس القميص، ولا العمامة، ولا السراويلات، ولا البرانس، ولا ثوبا مسه زعفران، ولا ورس، وإن لم يجد نعلين
فليلبس الخفين، وليقطعهما من أسفل من الكعبين

“He is not to put on a shirt, a turban nor trouser nor a head cloak nor a cloth with scent nor a leather sock except if he finds not shoes to wear. He should put on leather socks and he should cut them from where it covers the ankles.”

Narrations Regarding Entering Makkah From The High Valley And Leaving It From The Low Valley

Ibn Umar (ra) said “the messenger of Allah (saw) used to enter from the high valley and leaves from the low valley.”

Narration Regarding Kissing The Black Stone

Abbas Ibn Rabi'ah (ra) narrated that Umar (ra) came to the black stone and kissed it, then he said: “I know that you are an ordinary stone, you do not harm nor benefit. If it were not that I saw the messenger of Allah kissed you, I wouldn't have kissed you.” *Sahih Bukhari*.

Narration Regarding Saying Takbir At The Black Pillar

Ibn Umar (ra) narrated that the Prophet (saw) “circumambulated the house while upon a donkey. Whenever he comes to the pillar, he points to it and makes the Takbir.” *Sahih Bukhari*.

Narration Regarding Circumambulation And The Stone

Ibn Umar (ra) said: “I saw the messenger of Allah (saw), approaching Makkah and kissed the black stone corner first while doing Tawaf and did Ramal in the first three rounds of the seven rounds (of Tawaf).”

Narration Regarding Offering Two Rakats For Circumambulation Behind The Station of Ibrahim

Ibn Umar (ra) said “the Prophet (saw) came and circumambulated the house seven times, and offered two Rakats behind the station”. *Sahih Bukhari*.

Narration Regarding Making Circumambulation While In Wudu

Urwah ibnal Zubair (ra) said: “Aisha informed me that the Prophet (saw) performed the Hajj, and the first thing he started with is ablution then he circumambulated the house.” (*Sahih Bukhari*).

Narration Regarding Drinking The Water of Zamzam

Ibn Abbas (ra) said I fetched the Zamzam for the messenger of Allah (saw), so he drank while standing. (*Sahih Bukhari*).

Narration Regarding Walking Between Safa and Marwa

Ibn Umar (ra) said: “the messenger of Allah approached (Makkah) then circumambulated the house seven times, prayed two raka'ats behind the station, and went between Safa and Marwa seven times.”

Narration Regarding Offering Salat Asri In Mina On The Day Of Tarwiyah

Abdul Azeez Ibn Rafee said: “I asked Anas ibn Malik (ra) “inform me of a thing you learnt from the messenger of Allah (saw) regarding where he offered Zuhri and Asri on the day of Tarwiyah,” he said “At Mina.”

Also, Ubaidullah Ibn Abdullahi Ibn Umar (ra) narrated from his father saying: “the messenger of Allah (saw) performed two Rakat in Mina, Abubakar (ra), Umar (ra) and Uthman (ra) also did in their time.” (*Sahih Bukhari*).

Narration Regarding Combining Two Salat (Prayer) At Arafat

Ibn Shihab narrated that Salim informed him that Al-Hajaaj Ibn Yussuf, in the year he overthrew Ibn Zubair (ra) asked Abdullahi: “how do you do on the Day of Arafat?” Salim said: “if you wish that I inform you of the sunnah, then it is to make the Salat at the mid day, on the day of Arafat.”

Abdullahi Ibn Umar (ra) said: “He is truthful, verily; they used to combine Zuhri and Asr, according to Sunnah.” So I said to Salim: “Did the messenger of Allah do that?” Salim said “do they not follow with regards to that Sunnah?”

Narration Regarding Standing On Arafat

Zubair Ibn Mut'am said: "I lost a donkey and went in search of it and so I saw the Prophet (saw) standing on Arafat."

Narration Regarding Standing On Arafat On A Beast And A Prohibition of Fasting For A Pilgrim

Umu fadl bint al-Harith narrated that people that differed about the fasting of the prophet on the day of Arafat. Some say "he is fasting." Some say "he is not fasting", so a bowl of milk was sent to him while standing on Arafat on his beast, so he drank it."

Narration Regarding Throwing of Pebbles

Jabir narrated that "the messenger of Allah (saw) threw pebbles on the Day of sacrifice and threw pebbles after the day of sacrifice at sunset."

Narration Regarding Throwing Pebbles Seven Times

Abdul Rahman Yasid (ra) narrated from Abdullahi (ra) that he approached the huge rock and the House (of Allah) was on his left side and Mina on the right side and he threw pebbles seven times. He said: "that was how the one upon whom Suratul Baqarah throws pebbles."

Narration Regarding Saying Takbir For Every Throw

Abdul Rahman Ibn Yasis (ra) narrated that he was with Ibn Mas'ud (ra) when he threw the pebbles at the Aqabah. He went down the middle of the valley. And when he came near the tree (which was near the jamrah) he stood opposite to it, and throw seven small pebbles and said, "Allahu Akbar" on throwing every pebble. Then he said: "by Him, except whom none has the right to be worshipped, here (at this place) stood the one on whom Suratul Baqarah was revealed (ie Allah's messenger)."

Narration Regarding Slaughtering At The Slaughter House of The Prophet (saw)

Nafi narrated that the prophet (saw) used to slaughter at the slaughter house. Ubaidullahi said "it is the slaughter house of the messenger of Allah (saw) at Mina."

Narration Regarding Shaving Off and Reducing The Hair

Nafi' narrated that Abdullahi Ibn Umar (ra) said; "The Prophet (saw) shaved, and some group of the companions while others reduce their hair."

Narration Regarding The Farewell Circumambulation

Ibn Abbas (ra) said: "The people were ordered to make their last event be at the House (Kabbah). In the narration of Muslim: "be circumambulating the house."

Narration Regarding What Is To Be Said While Returning From Hajj.

Abdullahi Ibn Umar (ra) narrated that the messenger of Allah (saw) used to, when he returns from Mecca, Hajj or Umrah, make Takbir at every major places on the land three times then say;

لا إله إلا الله، وحده لا شريك له، له الملك، وله الحمد، وهو على كل شيء قدير، آيئون، تائبون، عابدون، ساجدون
لربنا، حامدون، صدق الله وعده، ونصر عبده، وهزم الأحزاب وحده

"No deity worthy of worship except Allah. Him alone without any partner. The dominion and praise belongs to him and he is capable of all things, returning, repentant in servitude and in prostration to our Lord and thankful (to His). Allah has confirmed His promise helped His slave and destroys the confederates alone."

CHAPTER NINE

Jihad

Narrations Regarding Obligation of Jihad

Ibn Abbas narrated that the Prophet (saw) said on the day of conquest (of Makkah):

لا هجرة بعد الفتح ولكن جهاد ونية وإذا استنفرتم فانفروا

“There is no more migration after the conquest, however there is jihad and intention and when you are told to set out, then set out.”

Narration Regarding the Virtue Of Jihad

Abu Hurairah (ra) narrated that a man came to the messenger of Allah (saw) and said: “Direct me to a deed that is of equal proportion to Jihad.” He (saw) said

لا أجده

“I do not find.”

Also, Abu Sa'eed (ra) said: “someone said O messenger of Allah! Which deed is most virtuous? Then the Messenger of Allah (saw) said:

مؤمن يجاهد في سبيل الله بنفسه وماله

“It is that a believer should make Jihad on the path of Allah with his self and wealth.”

They said “then what?” he said,

مؤمن في شعب من الشعاب يتقى الله، ويدع الناس من شره

“It is that a believer in a country side should fear Allah and save people of his evil.”

Also Anas Ibn Malik (ra) narrated from the Prophet (saw) that

لغدوة في سبيل الله أو روحة خير من الدنيا وما فيها

“To set forth and return on the path of Allah is better than the world and what it contains.”

(Sahih Bukhari).

Narration Regarding The Different Status Of Mujahidun on The Path Of Allah

Abu Hurairah (ra) said the messenger of Allah (saw)

إن في الجنة مائة درجة، أعدها الله للمجاهدين في سبيل الله، ما بين الدرجتين كما بين السماء والأرض

“Said “there are one hundred levels in the paradise. Allah has preserved them for the Mujahidun on the path of Allah. What is between two levels is the distance of what is between the heaven and the earth.”

Sahih Bukhari.

Narration Regarding The One That Fights on The Path Of Allah

Abu Musa Al-Ashariy (ra) said: “A man came to the Prophet (saw) and said: “what about a man who fights for the sake of booty, fame and to be seen? Who amongst them is on the path of Allah?” He (saw) said;

قاتل لتكون كلمة الله هي العليا فهو في سبيل الله

“Whoever fights to make the word of Allah prevail is on the path of Allah.”

(Sahih Bukhari).

Narration Regarding the Virtue Of Preparing The Arsenals (Horses)

Abdullahi ibn Umar (ra) said “the messenger of Allah (saw) arranged for horses that had been made lean to take place between Al-Hafya and Thaniyatul-Wada and the horse which had not been made lean from Al-Thaniyat to the mosque of Banu Zuraiq.” I enquired: “and what is the distance between them (ie Thaniya and the mosque of Banu Zuraiq?” He said “it is one mile or thereabout.”

Narration Regarding Weapon

Umar (ra) said: “of what Allah made lawful for the messenger of Allah is the wealth of the people of Nadr about which the Muslims never prepared horses nor camels. He used to spend on his family, on their annual need and reserve the remaining for weapons and shield in preparation to go out in the path of Allah.” Sahih Bukhari.

Also, Amir Ibn Al-Harith (ra) said: “the Prophet (saw) did not leave anything behind except his weapon, a white donkey and a land he has given as charity.” Sahih Bukahri.

Narration Regarding Archery

Salmah Ibn Al-Akwa said “the Prophet (saw) passed by and said

ارموا بنى إسماعيل، فإن أباكم كان راميا

“Learn archery, O Banu Ismail! For verily your fathers were archers.”

And I was with a tribe and the other tribe withheld their hand, so the messenger of Allah (saw) said to them

ما لكم لا ترمون

“Why don't you shoot?”

They said “how can we shoot with you amidst them?” so the Prophet (saw) said;

ارموا فأنا معكم كلكم

“Shoot for I am with you all.”

Also, Hamza ibn Asee (ra) narrated from his father saying that the messenger of Allah (saw) said: “on the day of Badr, at the time we align ourselves to fight Quraish and they align themselves:

إذا أكتبوكم فعليكم ببيل

“When they came close to you, then you are to use the arrows.”

Also, Ali said: “I have never seen the Prophet (saw) made ransom for any one besides Sa'ad. I heard him (saw) saying:

ارم فداك أبى وأمى

“I have shot on behalf of you as a ransom by my father and mother.”

Sahih Bukhari.

Narration On Making Display Of Warfare And Such Like It With War Equipment Like Swords And Shields.

Abu Hurairah (ra) said: “During the display of the black Ethiopians in front of the prophet (saw) with their war equipment, Umar (ra) entered and picked some pebbles and started to throw at them. So he said:

دعهم يا عمر

“Leave them O Umar!”

Also Aisha (ra) reported that it was the Day of Eid when the blacks were playing with spears and swords.”

Sahih Bukhari.

Narration On Spear

Ibn Umar (ra) narrated that the Prophet (saw) said:

جعل رزقي تحت ظل رمحي وجعل، الذلة والصغار على من خالف أمري

“My provision has been made under the shade of my spear. And disgrace and humiliation have been placed upon the one that diction has been placed upon the one that disobeys me.”

Sahih Bukhari.

Narration On Using Shields Or Protecting Oneself With The Other Persons’ Shield

Anas ibn Malik (ra) narrated that Abu Talha used to protect himself with the prophet using a single shield. Abu Talha used to be a strong, experienced archer; whenever Abu Talha shoots, the prophet will peep to see his targets.”

Narration Regarding The Sword And Hanging it On The Neck

Anas (ra) said “the Prophet (saw) used to be the best of people and the most brave of them. One day, the people of Madina were scared by a sound, so they came out in the direction of the sound. They found the Prophet (saw) from its direction. He (saw) had gone to check out what happened. He was upon the ride of Abu Talha (ra). His (saw) body was exposed and he had a sword hanging on his neck and he was saying

لم تراموا

“Don't be scared!”

Sahih Bukhari.

Narration On Knives

Jafar ibn Umayyah (ra) narrated from his father who said: “I saw the Prophet (saw) eating from a meat, cutting it (with a knife) then he ordered for prayer and never made ablution”. Sahih Bukhari.

In another narration from Azzuhri: “So he dropped the knife.”

Narration On War Coat

Ibn Abbas (ra) said “the Prophet (saw) said while he was in Quba (meaning the day of Badr):

اللهم أنشدك عهدك ووعدك، اللهم إن شئت لم تعبد بعد اليوم

“O Allah, I beg You for Your promise and covenant. O Allah if You so wish, You will never be worshipped again, after this day.”

So, Abubakar grabbed him by his hand and said: “it is enough, O messenger of Allah! You have been persistent in your demand from your Lord.” The Prophet (saw) said;

سيهزم الجمع ويولون الدبر

“They shall be destroyed and shall be turned on their back (fleeing).”

Sahih Bukhari.

Also, Aisha (ra) said: “the messenger of Allah (saw) passed away while his war coat was with a Jew as collateral for thirty measures of Barley” Sahih Bukhari.

Narrations on the Banners (flagged During War)

Tha'lab Ibn Malik al Quradhi (ra) reported that when Qais Ibn Sa'dal Al Ansari (ra) who used to be the custodian of the banner of the messenger of Allah (saw) intended to make pilgrimage he combed his hair.”

Narrations On The Virtues Of Making Advanced Guards

Jabir (ra) said the messenger of Allah (saw) said:

من يأتي بخبر القوم؟

“Who will bring me an information regarding the enemies (the confederate)?”

Zubair responded saying “I.” Then the prophet (saw) said,

إن لكل نبي حواري، وإن حواري الزبير

“To every prophet there is a disciple and my disciple is Zubair.”

Sahih Bukhari.

Narration On Merit for Preparing For War Or Staying Behind For A Good Reason

Zaid Ibn Khuwailid (ra) reported that the messenger of Allah (saw) said:

من جهز غازيًا في سبيل الله فقد غزا، ومن خلف غازيًا في سبيل الله بخير فقد غزا

“Whoever makes a preparation to go to war on the path of Allah has indeed fought and whoever stays behind on the path of Allah for a good reason has indeed fought.”

Sahih Bukhari.

Narration Regarding That Of The Prophet (saw) Didn't Fight In The Early Afternoon, He Delays It To Sunset

Salim Nadr, the slave of Umar Ibn Ubaidullah, who used to be his scribe said: “Abdullah Ibn Awfa wrote to him so I read that the messenger of Allah (saw) used to wait in the days he met with the enemies until the sun had tilted away from the horizon.” *Sahih Bukhari.*

Narrations On Patience When Meeting the Enemies

Sali Abu Nadr narrated that Abdullahi ibn abu Awfa wrote and I read in it that the messenger of Allah (saw) said:

إذا لقيتموهم فاصبروا

“When you meet with them then be patient”*Sahih Bukhari.*

Narration On Supplication Made Over The Disbelievers During War For Defeat And Earthquake

Abdullahi ibn Awf (ra) said: “The messenger of Allah (saw) made invocations against the disbelievers on the day of the confederates.”

اللهم اهزمهم وزلزلهم

“O Allah! Defeat them and cause the earthquake below them.”

Sahih Bukhari.

Narration Regarding That Warfare Is Strategy

Jabir Ibn Abdullah (ra) said that the Prophet (saw) said:

الحرب خدعة

“Warfare is based on strategy.”

Sahih Bukhari.

Narration Regarding The Prohibition Of Killing Women And Children

Ibn Umar (ra) said: “A woman was found killed in one of the battles fought by the prophet (saw). So the messenger of Allah prohibited that women and children be killed.” *Sahih Bukhari.*

Narration Regarding Stealing From The Booty

Abu Hurairah (ra) said the “messenger of Allah (saw) stood among us, mentioning the matter of stealing from the booty. He emphasized and magnified the issue.” *Sahih Bukhari.*

Also Abdullahi ibn Umar (ra) said: “The Prophet (saw) was missing a man known as Karkarah. He had died, then the messenger of Allah said;

هو في النار

“He is in the hell fire.”

So they went in search of him and found (him) to have stolen a cloak.” *Sahih Bukhari.*

Narration Regarding That The Booty Is For Those That Took Part (in The Battle)

Zaid ibn Aslam (ra) narrated from his father that Umar (ra) said: “If not for the latter Muslim, every land I opened would have been shared among its people as the messenger of Allah did for Khaibar.” *Sahih Bukhari.*

Also, Abu Musa narrated that: “no one that missed out in the opening of Khaibar was given of it except the people on the ship with Ja'far and his companions; they were also given a share.” *Sahih Bukhari*

Narration Regarding A Fifth of the Booty

Ibn Abbas (ra) said: The entourage of Abdul Qais (ra) came and said “O messenger of Allah (saw) we are from a region of Rabiah between we and you are the disbelievers of Mudar. We cannot reach you except in the sanctified months, so order us with affairs that we can hold onto and command the people after us with. He (saw) said:

آمركم بأربع وأنهاكم عن أربع: الإيمان بالله، شهادة أن لا إله إلا الله، وعقد بيده وإقام الصلاة، وإيتاء الزكاة، وصيام رمضان، وأن تؤدوا لله خمس ما غنمتم

“I command you four things and prohibit you four things. I command you to have faith in Allah testifying that there is no deity worthy of worship except Allah. So he clenched his hand saying: “and the establishment of salat, giving of alms, fasting in Ramadan and rendering a fifth of the booty.”

Sahih Bukhari.

Narrations Regarding The Levy Upon The Disbelievers (al Jizyah)

Abdur Rahman Ibn Awf narrated that “the messenger of Allah (saw) collected Al Jizyah from the migrating fire worshippers.” *Sahih Bukhari.*

Also Amr ibn Awf al-Ansary (ra) narrated that the messenger of Allah sent Ubaidatu ibn al Jarah (ra) to Bahrain to collect Al Jizyah. *Sahih Bukhari.*

Salih Ibn Sa'ad As'sa'idiy (ra) narrated that the messenger of Allah (saw) said

رباط يوم في سبيل الله خير من الدنيا وما فيها

“A vigil of a day on the path of Allah is better than this world and what it contains.”

Sahih Bukhari.

This ends the book Steering the Umma Towards Following the Sunnah.

All praise is to Allah, the one that has guided us to this. We wouldn't have been guided if Allah had not guided us. May the best of blessings and perfect peace be upon our leader, Muhammad (saw), all members of his household and all his companions. O Allah! Have mercy on all the followers of Muhammad (saw). All encompassing mercy (Amin). And with Allah lies success. Ameen.

