

# On The Issue Of Takfeer

*Caution  
against holding a Muslim to be a disbeliever  
due to his sins and ignorance*

From the book "Al-'Udhr bil-Jahl"

by

**Shaikh Ahmad Fareed**

Adapted by Abu Muntasir ibn Mohar 'Ali

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## PREFACE

Shaikh Ahmed Fareed, the esteemed scholar from Egypt had written a book called "Al-'udhr bil-jahl" or "The Excuse of Ignorance". This book has now been adapted by the grace of Allaah for the benefit of the English speaking public. During my visit to Egypt in the early part of this year I had the fortune to meet Shaikh Ahmad Fareed in Alexandria *alhumdulillaah*. During breakfast at his house he not only permitted his work to be used by the **Jam'iah** solely for *da'wah* but kindly declined to accept any monetary gains that may come from the production and distribution of translated material arising from his works. This reflects his sincerity for Islaam and concern for its teachings to spread and echoes the sentiment of his colleague and teacher Shaikh Muhammad ibn Isma'eel al-Muqaddam (may Allaah safeguard them).

Based on an original translation by Dawood Burbank for the Jam'iat Ihyaa` Minhaaj al-Sunnah, the book presents concise but clear information on the issue of judging a Muslim to be an unbeliever or the practice of *takfeer*. It teaches the understanding that should prevail and the great care one must take before rushing to condemn someone to be outside the fold of Islaam.

Many Muslims nowadays and in particular the youth, show unwise haste in pronouncing *takfeer*. There are a number of obvious inter-related reasons for this. Frustration with open sinfulness of many and the horrors of the Muslims' political situation are but two of these rationales that ensnare the sincere and enthusiastic people. Add to that the gross prevalence of ignorance, multifaceted confusion, lack of forthcoming sound knowledge from individuals held in esteem, and we have the perfect ingredients for a disastrous state of affairs. Immaturity in the Deen, group rivalries, inability to correctly accommodate differences amongst scholars and genuine varied interpretations, shallow cultivation of the qualities of faith and lack of attention to the matters of the heart are some of the main

reasons why so many are quick to display bad manners in general and put themselves in the judgement seat and start pronouncing *takfeer*.

True humility springs from faith where one is honest before Allaah with regards to the extent of his knowledge and education in Islaam. *Takfeer* is indeed a very grave business and carries a lot of responsibility. It is not to be indulged in by the likes of untrained half-educated ill-mannered individuals.

This book is for the students of knowledge who wish to exercise wisdom and sound conduct while gaining understanding, experience and insight. It is not a book which explains away the issue or disprove the necessity of *takfeer* where needed. Rather a sincere reading of this book will encourage the reader to relegate the task of *takfeer* to those who are qualified for this duty.

The job of the *da'ee* (invitor to the Faith) is to call the unbelievers to the worship of Allaah alone and advise the Muslims, making the truth distinct upon clear evidence. A *da'ee* who has yet much to learn, and who is not yet skilled in the tools of a scholar, and who has many basic daily requirements to improve upon, should be patient and be contented to leave what belongs to the realm of scholars to them.

May Allaah accept this small contribution from us, give us its full benefit and protect everyone from any evils of it, ameen. I ask Allaah to guide all the Muslims and to show us the errors of our ways so that we can better perform for His sake and come ever nearer to Him upon the way of the final Messenger to mankind Muhammad (sallallaahu 'alaihi wa sallam). Indeed all praise belongs to Allaah and there is none worthy of worship except Allaah the Most High.

Abu Muntasir ibn Mohar 'Ali

President of Jam'iat Ihyaa' Minhaaj al-Sunnah

# 1. The Danger Of Rushing To Perform Takfeer

The Messenger (sallallaahu 'alaihi wa sallam) said: "He who says to his brother 'O Disbeliever', then it returns upon one of them."<sup>1</sup> He also said: "And he who accuses a believer of *Kufr* (disbelief) then it is like killing him."<sup>2</sup>

An-Nawawee said, "They differ as regards interpretation of this "returning", so it is said, "*Kufr* returns upon him if he is making that lawful", and this is far from the context of the narration, and it is said, "it is taken to refer to the *Khawaarij*", since they declare believers to be *Kaafiroon* (disbelievers)."<sup>3</sup>

Al-Haafidh (Ibn Hajr) says, "And what is correct is that the *hadeeth* (narration from the Messenger (sallallaahu 'alaihi wa sallam)) was said as a warning against a Muslim saying that to his brother. It is said, "What returns upon him is his speaking ill of his brother and the sin of declaring him a *kaafir* (disbeliever)", and this is reasonable. It is also said, "It is to be feared that this will lead him into *kufir*", just as it is said, "sins leads towards *kufir*". Thus it is feared that if he continues in that and persists in it then he will have a bad end. I prefer from these sayings that it refers to the one who says it to someone from whom nothing is known except Islaam and there is no justification or reason for him to claim that he is a *kaafir*. So in such a case he becomes a *kaafir* himself because of that, and this will be explained. So the meaning of the *hadeeth* is that his judgement of *takfeer* (making someone a *kaafir*) returns upon himself, so what is meant is *takfeer* not *kufir*. So it is as if he passed judgement of *kufir* upon himself since he passed this judgement on one who is like him."<sup>4</sup>

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<sup>1</sup> Reported by al-Bukhaaree, Muslim, Maalik, at-Tirmidhee and Abu Daawood.

<sup>2</sup> Reported by al-Bukhaaree.

<sup>3</sup> Abbreviated from An-Nawawee's "sharh" (explanation) of Saheeh Muslim (2/50)

<sup>4</sup> Abbreviated from "Fathul Baaree" (10/466)



Ash-Shawkaanee said, "Judging that a Muslim has left Islaam and entered into *Kufr* is something that is not fitting for a Muslim who believes in Allaah and the Last Day except with a proof (*Burhaan*) which is clearer than the daytime sun, since it is established in the authentic *hadeeth* reported by a group of Companions that he who says to his brother "O *Kaafir!*" Then it returns back to one of them." In another wording, "Whoever addresses a man with *Kufr*, or says "Enemy of Allaah" and he is not that, then it returns back upon him."<sup>1</sup>

So in these *ahadeeth* (plural of *hadeeth*) and others similar to them, there is the severest reprimand and the greatest warning against hurrying to perform *takfeer*. Allaah, The Mighty and Majestic says:

"..and such as open their breasts to disbelief..<sup>2</sup>

So what has to be the case is that the heart embraces *kufr* and is at peace with it, and the soul is satisfied with it. So the appearance of wicked beliefs only is not to be taken into account here, especially if one is ignorant of the fact that they are contrary to Islaam.

Likewise account will not be taken of the appearance of an action of *kufr* for the one who did not intend to leave Islaam by it and enter into *kufr*; and likewise account will not be taken of a word spoken by a Muslim which is a saying of *kufr*, when he does not believe what it means."<sup>3</sup>

So where do they stand those who hasten to perform *takfeer* of the Muslims in relation to the saying of the Messenger (sallallaahu alaihi wa sallam): "Abusing a Muslim is open sin and killing him is *kufr*"<sup>1</sup> And in relation to his saying: "The Muslim is the Brother

<sup>1</sup> Hadeeth reported by Muslim (2/49 - Book of Eemaan).

<sup>2</sup> Soorat-un-Nahl (16) Aayah 106.

<sup>3</sup> Taken from "As-Sailul-Jarraar"(4/578) and adapted.

<sup>1</sup> Reported by al-Bukhaaree and Muslim.

of a Muslim, he does not oppress or forsake him."<sup>2</sup> Also in relation to his saying: "All of the Muslim to the Muslim is inviolable; his blood, his wealth and his honour."<sup>3</sup> ?

Al-Qurtubee says in his *tafseer* (exegesis/explanation) of Sooratul Hujuraat: "...and His (Allah) saying: "lest your deeds be rendered fruitless while you perceive it not"<sup>4</sup>, does not mean that a person becomes a *kaafir* without knowing since just as a person does not become a believer except through choosing *eemaan* (faith) over *kufir*, then likewise a believer does not become a *kaafir* without intending *kufir* and choosing it, and there is consensus (*ijma'*) regarding this."<sup>5</sup>

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<sup>2</sup> Reported by Muslim.

<sup>3</sup> Reported by Muslim, Abu Daawood and at-Tirmidhee.

<sup>4</sup> Sooratul-Hujuraat (49) Aayah 2.

<sup>5</sup> Tafseer of al-Qurtubee (7/6128).

## 2. Censure Of Ignorance

It should be known that our saying "ignorance is an excuse" does not mean that we encourage and call to ignorance, nor that ignorance has any merits, nor that we are satisfied and pleased with it. Rather it is as one of the *Salaf* (Pious Predecessor) said: "Allaah has not been disobeyed with any sin worse than ignorance." Ignorance is the reason for sin and it incites sin and leads to it. Ibn al-Qayyim says, "Yoosuf the eminently truthful and upright said: "Unless you turn away their plot from me, I will feel inclined towards them and be one of the ignorant ones (*jaahileen*)."<sup>1</sup> (The word '*Jaahil*' (ignorant) being used to mean): those who do that which you have forbidden."

Allaah says:

**"Allah accepts only the repentance of those who do evil in ignorance and foolishness and repent soon afterwards"**<sup>2</sup>

Qataadah said: "The companions of Allaah's Messenger (sallallaahu 'alaihi wa sallam) agreed that everything by which Allaah is disobeyed is ignorance."

Others said. "The companions agreed that anyone who disobeys Allaah is an ignorant one (*Jaahil*)."

'Alee (radhiAllaahu 'anhu) said, "It is enough honour for knowledge that he who is not able leaves it and one becomes happy if he is labelled with it, and it is enough of a censure for ignorance that its people disassociate themselves from it."<sup>3</sup>

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<sup>1</sup> Soorah Yoosuf (12) Aayah 33.

<sup>2</sup> Sooratun-Nisa' (4) Aayah 17.

<sup>3</sup> This section is taken from "Madaarijus-Saalikeen" (1/470) and see "Dhammul-Jahl" of Ibn Rusulaan.

Someone said, "There is in ignorance a death for its people before death, and their bodies before burial are graves, and their souls are in grief on account of their bodies, and there is no resurrection for them (from death) until the Resurrection."

The cure for ignorance is to question and to learn, as the Messenger (sallallaahu 'alaihi wa sallam) said, "**Indeed the cure for ignorance is to ask.**"<sup>1</sup> So he made ignorance a disease and declared asking to be its cure. And Ibn al-Qayyim said in his "Ash-Shaafiyatul-Kaafiyah", "Ignorance is a fatal malady and its cure is in two things in agreement: A text from the Qur`aan or from the *Sunnah*, and a physician possessing knowledge of the *Deen*."

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<sup>1</sup> Reported by Ahmed, Abu Daawood and Ibn Maajah. (*Hasan*).

### 3. Not Everyone Who Is Excused Through Ignorance Is Free From Sin

The fact that a certain person is excused due to ignorance does not mean that he is free from sin. There are some people who are excused through ignorance and are not sinful and are not punished and do not leave the fold of Islaam upon committing an action of *kufir* or holding a belief of *kufir* ignorantly. And there are other people who are excused due to ignorance, meaning that he does not become a *kaafir* and is not punished for that particular action, however, he is punished for failing in the duty of acquiring obligatory knowledge - just as 'Uthmaan excused the Abyssinian women who committed fornication not knowing that it was forbidden, and 'Umar excused those companions who drank wine based on their interpretation of the *Aayah* (a statement in the Qur`aan): **"On those who believe and do righteous good deeds, there is no sin for what they ate,"**<sup>1</sup>

So the rulings in this life and the Hereafter apply when the message is conveyed and warning given.

Allaah says: **"And We never punish until We have sent a Messenger (to give warning)."**<sup>2</sup>

Allah, the Mighty and Exalted, also says: **"Say (O Muhammad): "Allah is Witness between me and you: this Qur`aan has been revealed to me that I may therewith warn you and whomsoever it may reach."**<sup>3</sup>

Ibn Hazm said: "He (Allaah) says, **"And We never punish until We have sent a Messenger (to give warning)"**, therefore it is

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<sup>1</sup> Sooratul-Ma'idah (5) Aayah 93.

<sup>2</sup> Sooratul-Isra' (17) Aayah 15.

<sup>3</sup> Sooratul-An'am (6) Aayah 19.

established that there is no punishment upon a *kaafir* until the warning of the Messenger (sallallaahu 'alaihi wa sallam) reaches him."<sup>1</sup>

Ash-Shanqeetee said: "Allaah, the Mighty and Majestic, does not punish anyone from His creation in this world or the Hereafter until He sends to them a messenger to warn them."<sup>2</sup>

Shaikh 'Abdur-Rahmaan 'Abdul-Khaaliq said: "And the well known *Sharee'ah* (Islaamic Law) principle is that a person is taken to account only after having received knowledge. He (Allaah) says: "And Allah will never lead a people astray after He has guided them until He makes clear to them as to what they should avoid. Verily, Allaah is the All-Knower of everything"<sup>3</sup> That is, the Muslim is not counted as being misguided and stray unless he knows the truth and then turns obstinately away from it."<sup>4</sup>

This part is connected to and explained by the following chapter.

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<sup>1</sup> "Al-Ihkaam fee Usoolil Ahkaam" (p 895).

<sup>2</sup> "Adwaa-ul-Bayaan" (3/429).

<sup>3</sup> Sooratut-Tauba (9) Aayah 115.

<sup>4</sup> "Al-Haddul Faasil Bainal-Kufr wal-Eeman" (p. 70- 73)

## 4. The Textual Ruling Is Not Established About A Person Until The Truth Reaches Him

*Shaikhul-Islam* Ibn Taimiyyah said: "Is the textual ruling established upon a person before it reaches him? There are three sayings in this regard in the *madhab* (methodology of jurisprudence) of (*imaam*) Ahmed and others: It is said: "It is established", and it is said: "It is not established", and it is said: "An initial firm text is established upon him, but not an abrogating one". And what seems more correct is that none of that is established until the truth reaches him, due to Allaah's saying: "that I may therewith warn you and whomsoever it may reach"<sup>1</sup> and His saying: "And We never punish until We have sent a Messenger (to give warning)"<sup>2</sup> and His saying: "In order that mankind should have no plea against Allah after the Messengers"<sup>3</sup>

This occurs a number of times in the Qur`aan, and He, the One free from defects, explains that He does not punish anyone until that which the Messenger (sallallaahu `alaihi wa sallam) came with reaches him. He who knows that Muhammad (sallallaahu `alaihi wa sallam) is the Messenger of Allaah and believes that, but does not know much of what he came with; then Allaah will not punish him about that which did not reach him. Just as He does not punish him for not believing before the truth reaches him, then likewise that He does not punish him for (leaving) some of its conditions until that reaches him is more fitting.

This is the well reported *Sunnah* (way of the Messenger (sallallaahu `alaihi wa sallam)) of Allaah's Messenger.

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<sup>1</sup> Sooratul-An`am (6) Aayah 19.

<sup>2</sup> Sooratul-Isra' (17) Aayah 15.

<sup>3</sup> Sooratu-Nisa' (4) Aayah 165.

1) Just as it is reported in the *saheeh* (authentic) *hadeeth* that some of the Companions thought that His saying: **"Until the white thread of dawn appears to you distinct from the black thread"**<sup>1</sup>, meant a white rope and a black rope, so he tied cords upon his foot and ate until he could distinguish between them - so Allaah's Messenger (sallallaahu 'alaihi wa sallam) explained that what was meant was the whiteness of day and the blackness of night, and he did not order them to repeat (the fast).

2) Likewise when 'Umar ibn al-Khattaab (radhiAllaahu 'anhu) and 'Ammmaar (radhiAllaahu 'anhu) both became *junoob* (condition needing a compulsory bath) and 'Umar (radhiAllaahu 'anhu) did not pray until he reached water, whereas 'Ammmaar (radhiAllaahu 'anhu) thought that the earth had to reach the parts of his body which are washed in *wudoo`* (ablution), so he rolled around just as an animal does - and he (the Messenger) did not order either of them to repeat the prayer, but rather to make *tayammum* (dry ablution with soil or dust) in future.

3) Likewise the woman who had continual bleeding and said: I have continual heavy bleeding which prevents me from prayer and fasting - so he (Muhammad (sallallaahu 'alaihi wa sallam)) ordered her to pray during the period of continual bleeding and did not order her to make up for the prayers she had missed.

4) When speech was forbidden in prayer, Mu'aawiyah ibn al-Hakam as-Sulamee (radhiAllaahu 'anhu) spoke in prayer after the forbiddance, being ignorant of it so he (Muhammad (sallallaahu 'alaihi wa sallam)) said: **'This prayer of ours - nothing from the speech of humans'**, and he did not order him to repeat the prayer.

5) When he (the Messenger) made *Hijrah* to al-Madeenah the prayer was increased for the resident, but those who were far from him - such as those in Makkah and Abyssinia - used to

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<sup>1</sup> Sooratul-Baqarah (2) Aayah 187.



pray two *rak'aat* and he did not order them to repeat their prayers.

6) When the month of Ramadhaan was made obligatory in the second year of the *Hijrah* - this news did not reach the people who were in Abyssinia who were Muslims - so the month passed them by, but he (the Messenger) did not order them to make up the fast."<sup>1</sup>

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<sup>1</sup> "Majmoo' ul-Fataawaa" (22/41-42).

## 5. The Excuse Of Ignorance And That Which Is Known From The 'Deen' Necessarily. [*al- ma'loom minad-Deen bid-duroorah*]

That which is known from the *Deen* necessarily is that which is known to the scholar and the unlettered alike - and it is something relative which will vary according to the time, place and the people - so that which is known from the *Deen* by necessity in the times when the light of the *Sharee'ah* is uppermost and there are many scholars who act on their knowledge and propagate Allaah's *Deen* and establish Allaah's proof upon creation - is different to that which is known from the *Deen* necessarily in times when the light of the *Sharee'ah* is eclipsed and the scholars are wicked and hide the *Deen* from the people, and the people of truth are few and their voice does not reach all the people.

So he who denies something (known) from the *Deen* necessarily commits *kufr* which takes him outside the fold of Islaam as has been explained by the scholars.

An-Nawawee said: "And he who denies something known from the *Deen* of Islaam necessarily - is judged to be a *Murtad* (Apostate) and a *kaafir*, and likewise one who declared fornication, wine or murder or other forbidden things whose forbiddance is necessarily known to be lawful."<sup>1</sup>

Al-Khattaabee said: "And this is the case with regard to everyone who denies something upon which the *Ummah* (nation of Muslims) is agreed - if knowledge of it is widespread".<sup>2</sup>

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<sup>1</sup> "Sharh Saheeh Muslim" (1/100)

<sup>2</sup> *ibid.*

Ibn Abil 'Izz said: "And there is no doubt about the *takfeer* of one who rejects the ruling of the Book (Qur`aan), but he who interprets a ruling of the Book according to a doubt which is in his mind, then what is correct is explained to him, in order that he may return to it".<sup>1</sup>

So the reason why the excuse of ignorance is not applicable in matters which are known from the *Deen* necessarily is that they are indeed known. If there existed a person who was ignorant of the matters known from the *Deen* necessarily in a certain time or place - then the scholars likewise excuse him due to his ignorance.

But the scholars state clearly the *kufir* of one who wilfully rejects, refuses or denies anything known from the *Deen* necessarily as has been shown by the texts quoted from them, and none of them said: "If he is ignorant...". So if this matter is understood then it will no longer be surprising when we find that the *shuyookh* and Scholars in Saudi Arabia do not excuse one ignorant of Tawheed, since the knowledge of Tawheed is abundant and widespread there, and the proof has been established upon its people through the *da'wah* of Shaikhul-Islaam (Muhammad ibn 'Abdul-Wahhaab) and the scholars who continued the *da'wah* after him. But how are we in our lands, where many of the scholars have hidden the *Deen* from the people and have made *shirk* (associating partners with Allaah) alluring to them and have presented it to them in such a way in which they have been led to the greatest blasphemy - so to Allaah we complain and His aid we seek, and His help we implore, and there is no might nor movement except with Allaah, the Most High, the Most Great.

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<sup>1</sup> "Sharhut-Tahaawiyyah": 223.

## 6. The Reality Of *Eemaan* And *Kufr*

*Al-Haafidh* (Ibn Hajr) said: "*Eemaan* in the language means attesting to the truth of and in the *Sharee'ah*; it means attesting to the truth of the Messenger (sallallaahu 'alaihi wa sallam) in what he brought from his Lord - and this much is agreed upon. Then there is difference - is anything else a condition on top of that such as stating this *eemaan* upon the tongue, as well as it being in the heart, since attesting is an action of the heart - or action upon what he attests by doing what is ordered and leaving what is forbidden...

So the *Salaf* say: 'It is belief of the heart, and the statement of the tongue, and action of the body parts' - and what they mean by that is actions are a condition of its completion, and from them comes their saying that it (*eemaan*) increases and decreases, as will follow.

The *Murji'ah* say: 'It is affirmation and statement only.'

The *Karraamiyah* say: 'It is statement only.'

The *Mu'tazilah* say: 'It is action, statement and affirmation' - but the difference between them and the *Salaf* is that they (the *Mu'tazilah*) make actions a condition for correctness of *eemaan*, whereas the *Salaf* make it condition for its completeness...

As for the second point - then the *Salaf* hold that *eemaan* increases and decreases, whereas most of the people of *Kalaam* (scholasticism) reject that saying (by holding the opinion) that if it is liable to decrease then it is doubt.

Ash-shaikh Muheeyuddeen an-Nawawee said: "And what is correct is that affirmation increases and decreases according to contemplation and clarity of proofs. Therefore the *eemaan* of as-

Siddeeq (Abu Bakr (radhiAllaahu 'anhu)) was stronger than the *eemaan* of others such that no doubt or uncertainty could come near it. This is supported by the fact that everyone knows that what is in the heart varies so that at some times he has greater certainty and sincerity and reliance in Allaah than at other times - and likewise affirmation and understanding are according to the appearance and amount of clear proofs."

Al-Laalikaa'ee reports in his "Kitaab-us-Sunnah" with his *isnaad* (chain of narrators) from al-Bukhaaree who said: "I met more than a thousand of the people of knowledge from the different lands and did not see a single one of them disagree that *eemaan* is saying and action, and increases and decreases".<sup>1</sup>

The Messenger (sallallaahu 'alaihi wa sallam) said: "*Eemaan* comprises seventy - odd branches, the highest of them is saying '*la ilaaha illallaah*' (none has the right to be worshipped but Allaah) and the lowest is removing something harmful from the road."<sup>2</sup>

Ibn al-Qayyim said: "Since *eemaan* is a root having many branches and each of its branches is called *eemaan*, so prayer is from *eemaan*, and likewise *Zakaat*, *Hajj*, Fasting and inner actions such as modesty, placing reliance, fear of Allaah and turning to Him - until the lowest branch which is removing harmful things from the road - and it is one of the branches of *eemaan*. From those branches are some which if they pass away then *eemaan* pass away with it - such as the *shahaadah*, and from them are some which if they are left then *eemaan* does not pass away - and between them the branches differ - some of them being similar to the *shahaadah* and nearer to it, and others being similar to removing harmful objects from the road and nearer to it. Likewise *kufr* has a root and has branches - so just as the

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<sup>1</sup> Taken from "Fathul-Baaree" (1/46- 47) and abbreviated.

<sup>2</sup> Al-Bukhaaree (1/51) with the wording 'sixty- odd', and in the narration of Muslim there occurs with uncertainty 'sixty or seventy odd', and the three authors of 'Sunan' report it without doubt 'seventy odd' and this is a further report of Muslim.

branches of *eemaan* are *eemaan*, then the branches of *kufr* are *kufr* - and modesty is a branch of *eemaan* and immodesty is a branch of *kufr*, and prayer, *zakaat*, *Hajj* and fasting are branches of *eemaan* and leaving them is from the branches of *kufr*, and judging by that which Allaah revealed is a branch of *eemaan*, and judging by other than that which Allaah revealed is a branch of *kufr*, and all sins are branches of *kufr* just as acts of obedience are branches of *eemaan*.<sup>1</sup>

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<sup>1</sup> "Kitaabus-Salaat" of Ibn al-Qayyim.

## 7. Outward / Apparent *Eemaan* Does Not Necessarily Mean *Eemaan* is Present Inwardly

The fact that we affirm a person's *Islaam* or judge him according to his apparent *eemaan* does not mean that we judge that he will enter paradise and that he is inwardly free from *shirk*. A person is judged to be a Muslim in order for rulings to operate in this world - so he inherits from his Muslim father, and marries a Muslim, and is buried in a Muslim graveyard - whereas inwardly he could be a *kaafir*, but we are not ordered to split open the peoples' hearts.

*Shaikhul-Islaam* (Ibn Taimiyyah) said: "Apparent *eemaan*, upon which rests the religion applied in this world, does not necessarily mean *eemaan* is present on the inside, and the *munaafiqoon* (hypocrites) who said that: 'We believe in Allah and the last Day' while in fact they believe not<sup>1</sup> - then outwardly they appeared as believers - praying with the Muslims, marrying them and inheriting from them just like the *munaafiqoon* in the time of Allaah's Messenger (sallallaahu 'alaihi wa sallam) - and the Messenger (sallallaahu 'alaihi wa sallam) did not give to them the same judgement as the *kaafiroon* who were open in their *kufr* - neither in marriage nor inheritance etc., rather 'Abdullaah Ibn Ubayy who was the most famous of the *munaafiqoon* died and his son 'Abdullaah - who was one of the best of the believers inherited from him,...

Their blood and wealth was not to be shed - and though it was lawful to take from the *kaafiroon* it was not lawful in their case. Whereas those who did make themselves appear to be believers but rather displayed their *kufr* and not *eemaan* - then he (the Messenger) said: 'I have been ordered to fight the people until they bear witness that none has the right to be worshipped

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<sup>1</sup> Sooratul-Baqarah (2) Aayah 9.

**but Allaah and that I am Allah's Messenger - so if they say it, then their blood and wealth becomes safe from me - except due to its right - and their accounting is with Allaah.' "1**

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<sup>1</sup> "Kitaabul-Eemaan", quoted from "Mahaasinut-Ta'weel" (5/1316- 1317) and the hadeeth is *Mutawaatir* as as-Suyooti says in "al-Jaami' us-Sagheer" and is reported by al-Bukhaaree with additional wording, and by Muslim, Abu Daawood and at-Tirmidhee.



## 8. A Man Having Combined In Him Both *Kufr* And *Eemaan*.

Ibn al-Qayyim said: "A person may have in him both *kufr* and *eemaan*, and *shirk* and *Tawheed*, and *taqwa* (reverential fear) and sin, and hypocrisy and *eemaan* - this is one of the greatest principles of *Ahlu-Sunnah* - and this is disagreed with by the people of innovation such as the Khawarij, the Mu'tazilah and the Qadariyyah. The question of the coming out of those who committed major sins from the Fire - and not residing therein forever is built upon this principle - and it is shown by the Qur'aan, the *Sunnah*, the *Fitrah* (natural disposition) and *Ijma'* (consensus) of the *Sahaabah* (companions of the Messenger (sallallaahu 'alaihi wa sallam)).

Allaah says: 'And most of them believe not in Allaah except that they attribute partners'<sup>1</sup>. So Allaah affirmed *eemaan* for them along with *shirk* and He says: "The desert Arabs say 'We believe.' Say (O Muhammad), 'You have no faith; but you (only) say, 'We have submitted our wills to Allah,' for not yet has faith entered your hearts. But if you obey Allah and His Messenger, He will not belittle any of your deeds: for Allah is Oft-Forgiving, Most Merciful.'"<sup>2</sup>

So He affirmed *Islaam* and obedience to Allaah and His Messenger (sallallaahu 'alaihi wa sallam) whilst negating their *eemaan* - and what is meant is unrestricted and full *eemaan* which deserves the unreserved term as occurs in: 'Only those are the believers who have believed in Allah and His Messenger, and afterward doubt not, but strive with their wealth and their lives for the cause of Allah. Those! They are the truthful.'<sup>3</sup>

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<sup>1</sup> Soorah Yusuf (12) Aayah 106.

<sup>2</sup> Sooratul-Hujuraat (49) Aayah 14.

<sup>3</sup> Sooratul-Hujuraat (49) Aayah 15.

But in the more correct of the two sayings, they were not *munaafiqoon*, rather they were Muslims due to their obedience to Allaah and His Messenger (sallallaahu 'alaihi wa sallam), but were not believers even if they had some *eemaan* which took them away from being *kaafiroon*.<sup>11</sup>

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<sup>11</sup> "Kitaabus-Salaat", p25.

## 9. *Kufr* Is Of Two Types - *Kufr* Of Belief (*Kufrul-I'tiqaad*) & *Kufr* Of Action (*Kufrul-'Amal*) - Or Greater *Kufr* (*Kufr Akbar*) & Lesser *Kufr* (*Kufr Asghar*).

Al-Qaasimee says in his *tafseer*: "When there occurs in a *hadeeth*: 'He who does such and such has committed *shirk* or *kuf*r' - then what is not meant is the *kuf*r which takes the person out of the *Deen*, nor the greater *shirk* which takes a person outside Islaam and causes the rulings of apostasy to apply - and we seek Allaah's refuge - and al-Bukhaaree said: 'Chapter: *Kuf*r towards the spouse, and *kuf*r less than *kuf*r.'"<sup>1</sup>

Ibn al-Qayyim said: "And this distinction is the saying of the *Sahaabah* who were the most knowledgeable of the *Ummah* (nation) about Allah's Book and about Islaam and *kuf*r and their essentials - and these matters are not to be taken except from them. Whereas the later people did not have understanding of the meaning of this and so split into two groups: A group who expel people from the *Deen* due to commission of major sins and judge them to be eternally in Hell-Fire, and a group who declare them to be Believers having complete and perfect *eemaan*; so one has gone to one extreme and the other to the other extreme. And Allaah guided *Ahlu*-*Sunnah* to the correct saying and the middle way - which is amongst all the sayings just as Islaam is amongst the religions. So what we have here is *kuf*r less than *kuf*r, and *Nifaaq* (hypocrisy) less than *Nifaaq*, and *shirk* less than *shirk*, and *Fusooq* less than *Fusooq*, and *dhulum* (oppression) less than *dhulum*."<sup>2</sup>

Abu Bakr ibn al-'Arabee said: "What the author (al-Bukhaaree) intended by his saying (Chapter: *Kuf*r towards the spouse and

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<sup>1</sup> "Mahaasinut-Ta'weel" (5 / 1307).

<sup>2</sup> "Kitaabus-Salaat" p26.

*kufr* less than *kufr*) was to explain that just as actions of obedience are called *eemaan* - then likewise actions of disobedience are called *kufr* - but when they are referred to as *kufr* it does not mean the *kufr* which takes a person outside Islaam. (He said) And the *kufr* towards the spouse is particularised from the rest of the sins due to a certain point and it is his (Muhammad (sallallaahu 'alaihi wa sallam)) saying: **'If I ordered anyone to prostrate to anyone else then I would have ordered the woman to prostrate to her husband.'**<sup>1</sup> So the right of the husband upon the wife is joined to the right of Allaah - therefore it is labelled as *kufr* but it is *kufr* which does not take a person outside the *Deen*."<sup>2</sup>

Also from the proofs that the *Sharee'ah* terms greater sins as being *kufr* in order to warn against them and keep people away from them - but not meaning that it takes a person outside Islaam is his (Muhammad (sallallaahu 'alaihi wa sallam)) saying: **"Abusing a Muslim is wickedness and killing him is *kufr*."**<sup>3</sup>

And his (Muhammad (sallallaahu 'alaihi wa sallam)) saying: **"Do not after me turn back as *kaafiroon* - some of you striking the necks of others."**<sup>4</sup>

The *Sahaabah* did not use the like of these texts in order to declare each other as *kaafiroon* when the *fitnah* (trial) and the fighting occurred - and regarding his (Muhammad (sallallaahu 'alaihi wa sallam)) saying: **"The covenant that is between us and them is the prayer - so he who abandons it has committed *kufr*"** - and the preferred saying from the saying of the scholars and what is the saying of the majority is that one who leaves prayer out of laziness does not become a *kaafir* - and like his (Muhammad (sallallaahu 'alaihi wa sallam)) saying: **"He who swears by other than Allaah has committed *kufr* or *shirk*."** - And it is known that what is

<sup>1</sup> Reported by Ibn Maajah, Ibn Hibbaan (*Saheeh*).

<sup>2</sup> "Fathul-Baaree" (1/83).

<sup>3</sup> Reported by al-Bukhaaree and Muslim.

<sup>4</sup> *Ibid*.

meant is lesser *kufr* which does not take a person out of the *Deen*  
- Like minor *Riyaa* (ostentation) and Allaah knows best.

## 10. The Splitting Of The *Deen* Into Principles And Minor Issues Has No Basis

Shaikhul-Islaam Ibn Taimiyyah says: "As regards differentiating and calling some matters principles and calling others minor issues - then this differentiation has no basis - not from the *Sahaabah*, not from those who followed them in righteousness and not from the scholars of the muslims - but rather it is taken from the Mu'tazilah and their like from the people of innovation and those scholars who mention it in their books took it from them - and it is a self contradictory differentiation - since it is to be said to the one who makes the differentiation - which are the principles about which error causes a person to become a *kaafir*? And what is the distinction between them and the minor matters? So if he says: The principles are the matters of belief and the minor matters are those concerning actions - then it is said to him: Then the people have disagreed whether Muhammad saw his Lord or not, and whether 'Uthmaan or 'Alee is better, and with regard to many of the meanings of the Qur'aan and the authenticity of some *ahadeeth* - which are matters of belief and action - and none is declared a *kaafir* due to any of that by agreement. And the obligation of the prayer, *Zakaat*, fasting and *Hajj*, and the forbiddance of fornication and wine are questions of action - and the one who denies them is a *kaafir* by agreement. And if it said that: The principles are those matters which are definite (i.e. *mutawaatir*), and whether something is *mutawaatir* or not is a relative thing since something may be definite to a certain person due to the definite proof such as one who heard it from Allaah's Messenger (sallallaahu 'alaihi wa sallam) and was sure of its meaning - whereas to another man it does not even reach the level of doubt, let alone certainty, because the text did not reach him - or because he does not think it is authentic, or because he does not comprehend what it is indicating."<sup>1</sup>

<sup>1</sup> "Majmoo'ul Fataawaa" (23 / 346 - 347)

## 11. The Distinctions Between An Action Being *Kufr* And The Doer Of The Action Being A *Kaafir*

*Shaikhul-Islam* said: "A certain saying may be *kufr* and so it is declared unrestrictedly that the doer is a *kaafir* and it is said: He who says this then he is a *kaafir*. But a particular person who said that is not judged to be a *kaafir* until the proof - whose denier is a *kaafir* - is established against him - and this is like the textual threat; since Allah says:

**'Verily, those who unjustly eat up the property of orphans, they eat up only a fire into their bellies, and they will be burnt in the blazing Fire!'**<sup>1</sup>

So this and its like from the textual threats are true, but we do not bear witness that a person in particular - will receive that which is threatened, so we do not bear witness that any person in particular from the people of the *Qiblah* will enter the Fire, since that threat may not be carried upon him due to the absence of one of its conditions or the presence of something to prevent it - since perhaps its forbiddance never reached him, and perhaps he will repent from it, or perhaps he has great good deeds sufficient to wipe it out, or perhaps trials befall him which expiate for it, or perhaps an acceptable intercessor will intercede on his behalf (on the Day Of Resurrection). And likewise those sayings whose speaker is a *kaafir* - perhaps the texts which convey the truth did not reach him, or perhaps they reached him - but he did not regard them as authentic or did not understand them, or perhaps he had a doubt for which Allah will excuse him - so if a believer strives to arrive at the truth but makes a mistake then Allaah forgives his mistake whatever - whether in matters of belief or action - this is the position of the

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<sup>1</sup> Sooratun-Nisa' (4) Aayah 10.

Companions of the Messenger (sallallaahu 'alaihi wa sallam) and the great majority of the scholars of Islaam."<sup>1</sup>

Al-Qaasimee says, quoting *Shaikhul-Islaam*: "What is meant is the position of the scholars is built upon this distinction between the position of action (i.e. it being an action of *kufri*) and the person in particular (who does the action) - indeed there is no difference reported in this from *Imaam* Ahmed, nor from the rest of the scholars of Islaam such as Maalik, Abu Haneefah and ash-Shaafi'ee that they do not declare the Murji'ah as disbelievers - those who say that *eemaan* is saying without action, and their texts are replete with the fact that the Khawaarij and Qadariyyah and others are not declared to be *kaafiroon*."<sup>2</sup>

"And *Imaam* ash-Shaafi'ee when he spoke with Hafs al-Fard, one of the heads of the Mu'attilah (deniers of Allaah's attributes), with regard to the question of the creation or otherwise of the Qur'aan, *Imaam* ash-Shaafi'ee said to him: 'You have disbelieved in Allah the Most Great' - declaring him to have done *kufri* - but he did not judge him to be an apostate through that - and if he held him to be an apostate and *kaafir* he would have hastened to have him executed. And *fatwaa* (religious verdict) was given that callers to innovation such as Gheelaan al-Qadaree, al-Ja'd ibn Dirham and Jahm ibn Safwaan the leader of the Jahmiyyah and others are to be executed. The people prayed over them and they were buried with Muslims and their execution was like that of the brigand in order to put and end to the harm they caused, not due to apostasy, and if they were *kaafiroon* the muslims would have treated them as such."<sup>3</sup>

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<sup>1</sup> "Majmoo'ul-Fataawa" ( 3 / 345 ).

<sup>2</sup> "Mahaasinut-Ta'weel" ( 5 / 1313 ).

<sup>3</sup> *ibid* ( 5 / 1314 ).



## 12. How A Person Becomes A Muslim

A person becomes Muslim by saying the two *Shahaadahs* (testifications) - and *Ijma'* has been reported about that - then after that prayer, *Zakaat* and the rest of the demands of the *Sharee'ah* are sought from him - and he is punished for leaving any of them as demanded by the *Sharee'ah* - and some people of our time make it a condition for his *Islaam* to be established that we ascertain that he has fulfilled the conditions necessary for the correctness of the *shahaadah* - which are mentioned by the scholars, i.e. knowledge, love, submission and certainty etc., and this is ignorance and going to excesses - since most of the conditions are actions of the heart not the limbs and there is no way of checking them. And then the rulings in this life are dependant upon that which is apparent - and only Allaah knows what is hidden. Some scholars likewise make prayer and *Zakaat* a necessary condition to the *shahaadah* for the acceptance of a person's *Islaam* - and this saying is a *bid'ah* (innovation in the *Deen*) due to the *Ijma'* of the *Salaf* which is opposed to it. And the proofs of this from the Book and the *Sunnah* are too many to enumerate - from them is Allaah's saying:

**"But if they repent, offer prayers perfectly and give *Zakaat*, then they are your brethren in religion."**<sup>1</sup>

And he (Muhammad) said: "I have been ordered to fight the people until they bear witness that none has the right to be worshipped but Allaah and that Muhammad is the Messenger of Allaah - so if they say that then their blood and wealth are safe from me except with its right - and their accounting is with Allaah."<sup>2</sup>

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<sup>1</sup> Sooratut-Tauba (9) Aayah 11.

<sup>2</sup> Reported by al-Bukhaaree with additional wording, Muslim..

Usaamah Ibn Zaid (radhiAllaahu 'anhu) said: "Allaah's Messenger (sallallaahu 'alaihi wa sallam) sent us on a military expedition and we came upon al-Haraqaat of Juhainah and found a man who said '*La ilaaha illallaah*' but I killed him, but then I felt uneasy about that so I mentioned it to the Messenger so Allaah's Messenger (sallallaahu 'alaihi wa sallam) said: '**Did he say *la illaaha illallaah* and you killed him?**'. I said: 'O Messenger of Allaah he only said it because he was afraid of the sword'. He said: '**Did you open up his heart to see if he said it or not?**' And he kept repeating it until I wished that I had accepted Islaam that day."<sup>1</sup>

And from Abu Hurairah (radhiAllaahu 'anhu) who said: "Allaah's Messenger (sallallaahu 'alaihi wa sallam) said to his uncle (Abu Taalib): '**Say *Laa ilaaha illallaah* and I will bear witness in your favour because of it on the Day Of Resurrection.**' He said: 'If it were not for the fact that Quraish would say he said it because of fear of death then I would have pleased you by agreeing to it,' so Allaah sent down: '**Verily! You (O Muhammad) guide not whom you like, but Allaah guides whom He wills.**'"<sup>2</sup>

And likewise Islaam is affirmed for the person who was born to Muslim parents, or who is looked after by the Muslims since he was small until he reaches puberty and this is due to the saying of Allaah's Messenger (sallallaahu 'alaihi wa sallam): "**Every child is born upon the Fitrah, then his parents make him a Jew or a Christian or a Magian**"<sup>3</sup> - And he did not say '...or make him a Muslim' because the Fitrah is Islaam as Allaah says: "**Allaah's Fitrah (i.e. Allaah's Islaamic Monotheism), with which he has created mankind. No change let there be in *Khalq-illaah* (i.e. the religion of Allaah - Islaam), that is the straight religion, but most men know not.**"<sup>4</sup>

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<sup>1</sup> Reported by al-Bukhaaree and Muslim.

<sup>2</sup> Sooratul-Qasas (28) Aayah 56.

<sup>3</sup> Reported by Muslim.

<sup>4</sup> Sooratur-Room (30) Aayah 30.

He who becomes Muslim, then his blood, wealth and honour become inviolable as Allah's Messenger (sallallaahu 'alaihi wa sallam) said: **"All of the Muslim is inviolable - his blood, his wealth and his honour."**

It is not permissible for anyone to declare him a *kaafir* and to expel him from Islaam due to an action or belief of *kufir* whilst he is ignorant of that until the *Sharee'ah* proof is established against him.

The description of this proof is as said by Ibn Hazm: "To convey it to him to the extent that there remains nothing with him to oppose it."

*Shaikhul-Islaam* said: "Until the proof whose denier becomes *kaafir* is established against him from one who knows the *Sharee'ah* ruling - a Sultaan or an Ameer who is obeyed."

Ash-Shaikh Sulaimaan Ibn Sahmaan said: "What appears to me - and Allaah knows best - is that the proof is not established except by one who is able to establish it - as regards to one who is not able to establish it such as one who is ignorant and does not know the rulings of the *Deen*, nor what the scholars have mentioned about that - then as far as we know the proof is not established through him - and Allaah knows best."<sup>1</sup>

It is a condition that the proof is from the Book and the *Sunnah*, and that it is clear containing no ambiguity and dispels every doubt which the person has. And some matters do not require a scholar, for example one who errs about an *Aayah* of the Qur`aan - then it is enough to show him the *Mus'haf* (text of the Qur`aan in a book form) and if he obstinately rejects after that then he is a *kaafir*.

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<sup>1</sup> "Minhaaj Ahlul-Haqq wal Ittibaa".

### 13. The Ruling For Abusing The *Deen*, Or Allaah, Or The Messenger

*Shaikhul-Islaam* said: "The one who abuses (the Messenger), if he is a Muslim - then he becomes a *kaafir* and is killed - about which there is no disagreement - and this is the position of the Four Imaams and others - and as has preceded some such as Ishaq Ibn Raahawaih and others have declared that there is *Ijma'* about that."<sup>1</sup>

He also said about one who abused the Messenger (sallallaahu 'alaihi wa sallam): "So anyone who abuses him or speaks ill of him - from those who declare him to be a Messenger - then that is a proof of his wicked belief and his *kufir* - indeed it is a proof of his taking him as a joke and a mockery, so if a proof has appeared about his inner state then no notice is taken of the outer appearance since we know that inwardly he is different."<sup>2</sup>

Ash-Shaikh 'Alee Al-Malikee says: "So if anyone speaks against the pure *Sharee'ah* and the rulings which Allaah has laid down for his servants upon the tongue of His Messenger (sallallaahu 'alaihi wa sallam) then he is a definite *kaafir* - if he declares that openly he is an apostate (*Murtad*) and either he repents or he is killed, and if he seeks to hide that then he is a hypocritical heretic (*Zindeeq*) who is killed even if he repents. If however he speaks against a person and his state and his practising the *Deen* - then this is abusing a Muslim - and its punishment is as the judge sees fit and whether this will be different to the first case will be determined by confession and examination of the circumstances, and some of them make the same as the first case with regard to its ruling. And as is known the Great Qur'aan is from the *Deen* and abusing it is *kufir*."<sup>3</sup>

<sup>1</sup> "As-Saarimul-Maslool 'alaa Shaatimin-Rasool"

<sup>2</sup> "As-Saarimul-Maslool 'alaa Shaatimin-Rasool"

<sup>3</sup> "Fathul-'Alee al-Maalik fil Fatwaa 'alaa Madhhabil Imaam Maalik" (2/ 347)

And the committee of scholars of Saudi Arabia answered the question: 'What is the ruling for the one who abuses the *Deen* if he is ignorant - does he have the excuse of ignorance or not in this case?'

The reply was: "Abusing Allaah or His words or anything from Him is *Kufr* - and likewise abusing the Messenger (sallallaahu 'alaihi wa sallam) or his *Sunnah* or anything from it, or abusing the *Deen* of a person - if his *Deen* is Islaam - so if he is ignorant of that then the ruling must be explained to him - and if he does not give up his abusing then he is a *kaafir* and an apostate, outside Islaam - he either repents or is executed as Allaah says: 'Say: Was it Allaah, and His Aayaat and His Messenger that you were mocking?' Make no excuse; you have disbelieved after you had believed"<sup>1,2</sup>

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<sup>1</sup> Sooratut-Tauba (9) Aayat 65 - 66.

<sup>2</sup> Fatwaa no. 5213, dated 15/1/1403 H.

## 14. The Ruling Concerning Taking Allaah - The Mighty And Majestic - Or His Messenger Or Anything From The *Sharee'ah* In Jest.

Allaah - The Mighty and Majestic - says: "If you ask them (about this), they declare: 'We were only talking idly and joking'. Say: 'Was it Allaah, and His *Ayaat* and His Messenger that you were mocking?' Make no excuse; you have disbelieved after you had believed'. If We pardon some of you, We will punish others amongst you because they were *Mujrimoon* (disbelievers, polytheists, sinners, criminals etc.)"<sup>1</sup>

Ibn Katheer says in his *Tafseer*: "Abu Ma'shar al-Madaneer said: from Muhammad ibn Ka'b al-Qurazee and others: 'They said: A man of the *Munafiqoon* said: 'I do not see anyone more greedy in filling his stomach, nor more untruthful in speech, nor more cowardly in battle than our reciters.' So that was conveyed to Allah's Messenger (sallallaahu 'alaihi wa sallam) who was riding his camel. So he said: 'We were only jesting, playing and speaking as riders speak to shorten the journey', so he said: 'Was it Allah and His *Aayaat* and His Messenger that you were mocking?'<sup>2</sup> and the man's legs were dragging on the stones and Allah's Messenger (sallallaahu 'alaihi wa sallam) did not look at him - and he was hanging onto the tail end of the camel of Allaah's Messenger (sallallaahu 'alaihi wa sallam)."<sup>3</sup>

*Shaikhul-Islam* Muhammad Ibn 'Abdul-Wahhaab said: "So He informed that they had disbelieved after having believed even though they said that they uttered the words of *kufir* without believing in them - but rather out of play and jest - and He explained that mocking the signs of Allaah is *kufir* - and this will occur from one whose heart is pleased with that saying and if

<sup>1</sup> Sooratut-Tauba (9) Aayat 65 - 66.

<sup>2</sup> Sooratut-Tauba (9) Aayah 65.

<sup>3</sup> "Tafseer Ibn Katheer" (2 / 367).

there were *eemaan* in his heart then it would have stopped him from saying that."<sup>1</sup>

The committee for *Fataawah* (of the scholars of Saudi Arabia) was asked: 'What is the ruling regarding one who makes fun of recommended actions such as the *siwaak* (tooth cleansing stick), wearing shortened clothes and sitting in order to drink?' So they answered: "Anyone who makes fun of recommended actions such as the *siwaak*, wearing the shirt up to half up the shins and placing one hand upon the other in prayer - and such actions as are established in the *Sunnah* - then it must be explained to such a person that these actions are from the *Sharee'ah* and that it is proven from the *Sunnah* of Allaah's Messenger (sallallaahu 'alaihi wa sallam) - and if he persists in mocking the authentic *Sunnah* then he becomes a *kaafir* because of that - since by that he is defaming Allaah's Messenger (sallallaahu 'alaihi wa sallam) and that is major *kufur*."<sup>2</sup>

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<sup>1</sup> "Fathul-Majeed" p 436.

<sup>2</sup> Fatwaa no. 5213, dated 15/1/1403 H.

## 15. Ruling For The One Who Abandons Prayer

Shaikh Al-Albaanee says: "As is known the scholars disagree about the one who abandons prayer whilst believing in its being prescribed - So the majority hold that he does not become a *kaafir* because of that but a *faasiq* (sinner), and Ahmed holds that such a one is a *kaafir* and is killed because of apostasy - not as a prescribed punishment. It is established from the Companions that they had not used to regard the abandonment of anything as *kufir* - except for prayer - which is reported by at-Tirmidhee and al-Haakim - and I hold that the saying of the majority is correct and that what is reported from the Companions is not a clear statement that what they meant by '*kufir*' was the *kufir* which cause a person to remain forever in the Fire and whom Allaah will not forgive and how can that be when Hudhaifah ibn al-Yamaan (radhiAllaahu 'anhu) - one of the foremost of the Companions - replied to Silah ibn Zafr who was about to understand the matter in the same way as Ahmed, so he said: '*Laa ilaaha illallaah*' will not benefit them if they do not know what is prayer,' so Hudhaifah (radhiAllaahu 'anhu) replied after turning away from him: 'O Silah it will save them from the Fire' three times. So this is a clear statement from Hudhaifah (radhiAllaahu 'anhu) that the one who abandons Prayer - and likewise the other pillars of Islaam - is not a *kaafir*, rather he is a Muslim who will be saved from remaining eternally in the Fire.' "

Then he quotes as-Sakhaawee, after mentioning the *hadeeth* about the *kufir* of one who abandons Prayer, who say: "But all of this is taken at face value with regard to one who abandons it whilst denying its obligation after having grown up amongst the Muslims - since in that case he will be a *kaafir* and an apostate by *ijma'* of the muslims - so he either returns to Islaam or is killed - but as for the one who abandons it without valid excuse but out of laziness whilst still believing in its obligation - then what is correct and is clearly stated by the majority is that



he is not a *kaafir*, and that he - as is also correct - after failing to pray a Prayer in its essential time - such as leaving the Dhuhr until the sun sets, or the Maghrib until the sun rises - then his repentance is sought, just as the repentance of the apostate is sought - then if he does not repent he is executed, then he is washed, prayed over and buried in a Muslim graveyard - and the rest of the rulings applicable to Muslims apply to him and the application of the term *kufr* to him is explained to be due to the fact that he shares with the *kaafir* in some rulings - with regard to action, this explanation is in order to harmonise between these texts and the texts such as what is authentic from him (Muhammad) that he said: 'There are five prayers which Allah prescribed... if He wishes He punishes him and if He wishes He punishes him' and he also said: 'He who dies knowing that none has the right to be worshipped but Allaah enters paradise' etc. Therefore the Muslims have not ceased to give inheritance to and to inherit from those who abandon prayer. And if he were a *kaafir* then he would not be forgiven and would not inherit or be inherited from."<sup>1</sup>

Then he quoted Shaikh Sulaimaan ibn 'Abdullaah who said: "And because that is the *ijma'* of the Muslims, because we do not know of any time when a person who abandoned prayer was not washed and prayed over, nor whose inheritance was prevented - even though those who abandon prayer are many - whereas if he were a *kaafir* then these rulings would not apply - and as for the preceding *ahadeeth* then they are to be taken as a severe warning and as describing their condition as being similar to the *kaafiroon* - not that it is to be taken literally - such as his (Muhammad) saying: 'Abusing a Muslim is open sin and fighting him is *kufr*' and: 'He who swears by other than Allaah has committed *shirk*' etc. Al-Muwaffiq said: 'And this is the most correct of the two sayings.'<sup>2</sup>

<sup>1</sup> "Al-Fataawaa Al-Hadeethiyah" (2 / 84) from "Silsilatus-Saheehah" (1/115-116).

<sup>2</sup> "Haashiyatul-Mughni" (1/95-96) quoted in "Silsilatus-Saheehah" (1/117).

Then he said: "And there is a fine point here which I have rarely seen pointed out or noticed so it is essential to point it out and explain it, so I say: That the one who abandons prayer out of laziness is judged a Muslim as long there is nothing to reveal the secrets of his heart or indicate that and he dies before repentance is sought from him - as is the case these days - but if he is given the choice between death and between repentance and returning to regular prayer, but he chooses death then in this case he dies a *kaafir*. *Shaikhul-Islaam* said: 'And when a man refuses to pray even if he is to be killed then he will not be inwardly agreeing to the obligation of prayer nor one who establishes it - and he is a *kaafir* by agreement of the Muslims as is shown by the many reports from the Companions that such a one is a *kaafir* - and is shown by the authentic texts.' <sup>1,2</sup>

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<sup>1,2</sup> Abbreviated from "as-Saheehah" (1/117) & the saying of *Shaikhul-Islaam* is quoted from "Majmoo'ul-Fataawaa" (2/48) and we have satisfied ourselves with quoting Shaikh al-Albaanee says since he takes the way of harmonizing the texts - both those severely warning the one who abandons prayer and those *ahadeeth* showing the excellence of the *shahaadah* - and harmonization is essential if it is possible - and that is the saying of the majority of the scholars - and he mentioned some of their sayings and proofs and what is fitting here out of respect for Allaah and His Messenger - is that we apply the term *kufir* to abandonment of prayer - just as the Messenger applied it, but believing it is not the *kufir* which takes a person outside Islaam and destines a person to dwell eternally in the Fire - We seek Allaah's refuge from the condition of the people of perdition. And an-Nawawee brings a chapter heading in his *Sharh* of Saheeh Muslim: 'Chapter: The Application Of the Word *Kufir* to One Who Abandons Prayer.' (2/71) and he did not head the chapter containing the *ahadeeth* clearly stating '*kufir*' as 'The *Kufir* of One Who Abandons Prayer'.

## 16. The Qur`aanic Proofs That Ignorance Is An Excuse

[1] He (Allaah) says:

"And We never punish until We have sent a Messenger (to give warning)."<sup>1</sup>

Ibn Katheer said: "It is a statement of His (The Most High) justice and that He does not punish anyone until the proof is established against him by the sending of a Messenger (sallallaahu 'alaihi wa sallam) to him."<sup>2</sup>

Al-Aloosee said: "Meaning: And that is not correct and that is not done by us, rather it is impossible for that to occur in our way established upon extreme wisdom - or - that it did not occur in our previous judgements and what we determined that we should punish anyone with any type of punishment in this life or the hereafter - for doing anything or leaving anything, whether a question of belief or action until we send a messenger to him to guide him to the truth and away from misguidance, and to establish the proof and lay down the prescribed way."<sup>3</sup>

Shaikh ash-Shanqeetee (Muhammad al-Ameen...) said: "And the clear meaning of this noble *Aayah* is that Allah does not punish any of His creation until He sends a messenger to them to warn and admonish - and then they disobey that messenger and persist in *kufir* and sin after the warning. And some of them claim that the punishment negated in this *Aayah* is just the worldly punishment and the reply to that is from two aspects:

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<sup>1</sup> Soorat-Issaa (17) Aayah 15.

<sup>2</sup> "Tafseer Al-Qur'aanil-'Azeem" (3/28).

<sup>3</sup> "Roohul-Ma'aanee" (15/36).

(i) That it is opposed to the apparent textual meaning of the Qur`aan which unrestrictedly negates punishment - so that is wider in meaning than merely referring to worldly punishment, and taking the meaning of an *Aayah* of the Qur`aan to be other than what is apparent is not permissible unless dictated by a proof which shows that.

(ii) That the Qur`aan shows in many *Aayaat* that the punishment denied includes punishment in the Hereafter - such as His saying: 'Every time a group is cast therein, its keeper will ask: 'Did no Warner come to you?' They will say: 'Yes, indeed.'<sup>1</sup>

This is proof that all the crowds of the people of the Fire are not punished except after a messenger has been sent to warn - So Allaah is praised for His complete justice, since He - the Mighty and Majestic does not punish anyone until there remains no excuse with the person - by sending messengers in this World - and if a single person were to be punished without a warning then this wisdom for which Allaah is praised would not be as it is - and the person would have the excuse which Allah sent the messengers to remove."<sup>2</sup>

[2] He - the Most High - says:

"And if We had destroyed them with a torment before this (i.e. the Messenger Muhammad (sallallaahu `alaihi wa sallam) and the Qur`aan), they would surely have said: 'Our Lord! If only You had sent us a messenger, we should certainly have followed Your *Aayaat* before we were humiliated and disgraced.'<sup>3</sup>

His saying: "..before this.." meaning: before the sending of Muhammad and the sending down of the Qur`aan. "..they would surely have said.." that is: On the Day of Judgement (they would say): would that You had sent a messenger to us - before

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<sup>1</sup> Sooratul-Mulk (67) Aayah 8-9.

<sup>2</sup> "Adwaa-ul-Bayaan" (3/429-430).

<sup>3</sup> Soorah Taa-Haa (20) Aayah 134.

we were debased with worldly punishment and disgraced to being made to enter the Fire in the Hereafter.

[3] He - the Most High - says:

"Messengers as bearers of good as well as warning in order that mankind should have no plea against Allaah after the Messengers."<sup>1</sup>

Ibn Katheer said: "That is that He sent down His Books and sent His messengers with good news and warning, and an explanation of what He loves and is pleased with and what He hates and rejects so that no excuse remains - (then he quotes the previous *Aayah*) and likewise His saying: 'And if We had destroyed them with a torment before this (i.e. the Messenger Muhammad (sallallaahu 'alaihi wa sallam) and the Qur`aan), they would surely have said: 'Our Lord! If only You had sent us a messenger, we should certainly have followed Your *Aayaat* before we were humiliated and disgraced'

Allaah's Messenger (sallallaahu 'alaihi wa sallam) said: 'There is no one having more sense of shame than Allaah - therefore He forbade shameful actions - what is apparent and is hidden therefrom, and there is none to whom praise is beloved than Allaah - the Mighty and Majestic - and therefore He praised Himself, and there is none to whom excuse is more beloved than Allaah - therefore He sent the messengers bringers of good news and warning', and in another wording: 'and therefore He sent His messengers and sent down His Books.'<sup>2</sup>

[4] His - the Most High - saying:

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<sup>1</sup> Sooratun-Nisa (4) Aayah 165.

<sup>2</sup> Tafseer Ibn Katheer (1/588) and the *hadeeth* is reported by al-Bukhaaree (13/338) and Muslim (10/132).

**"Every time a group is cast therein, its keeper will ask: 'Did no Warner come to you?' They will say: 'Yes indeed; a Warner did come to us, but we belied him and said: 'Allah never sent down anything' ".<sup>1</sup>**

Ash-Shanqeetee said: "This *Aayah* shows that Allaah - the Most High - does not punish anyone in the Fire until He warns him in the world."<sup>2</sup> And as is well known His - the Mighty and Majestic - saying "...a group.." covers all the groups who enter the fire.

[5] His - the Most High - saying:

**"This Qur`aan has been revealed to me that I may therewith warn you and whomsoever it may reach."<sup>3</sup>**

*Shaikhul-Islam* Ibn Taimiyyah said: "And the order is not established on a person except after it reaches him due to His - the Most High - saying:

(i) **"that I may therewith warn you whomsoever it may reach."<sup>4</sup>**

(ii) **"And We never punish until We have sent a messenger (to give warning)."<sup>5</sup>**

and,

(iii) **"Messengers as bearers of good as well as warning in order that mankind should have no plea against Allaah after the messengers."<sup>6</sup>**

and similar to this is frequently found in the Qur`aan - He - the One free of all defects - does not punish anyone until he receives the message brought by the Messenger, and Allaah does not punish him for that which did not reach him - so if He does not

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<sup>1</sup> Sooratul-Mulk (67) Aayah 8-9.

<sup>2</sup> "Adwaa-ul-Bayaan" (8/396).

<sup>3</sup> Sooratul-An'am (6) Aayah 19.

<sup>4</sup> Ibid.

<sup>5</sup> Sooratul-Israa (17) Aayah 15.

<sup>6</sup> Sooratun-Nisa (4) Aayah 165.

punish for failing to have *eemaan* until the proof is established - then He will not punish him for leaving some *Sharee'ah* obligations until the proof is established against him."<sup>1</sup>

[6] His saying:

"And Allaah will never lead a people astray after He has guided them until He makes clear to them as to what they should avoid. Verily, Allaah is the All-Knower of everything."<sup>2</sup>

Ibn Katheer said: "He says informing about His Noble Self and His Just Judgement that He does not misguide a people after the message has reached them until the proof is established against them, as He says: 'And as for Thamud, We showed and made clear to them the Path of Truth.'<sup>3</sup>"<sup>4</sup>

[7] His saying:

"And if (We had) not (sent you to the people of Makkah) - in case a calamity should seize them for (the deeds) that their hands have sent forth, they should have said: 'Our Lord! Why did You not send us a messenger? We should then have followed Your *Aayaat* and should have been among the believers.'<sup>5</sup>

Al-Aloosee said: "And the *Aayah* is a proof that the saying of one to whom no messenger was sent - if he were to be punished: 'O my Lord - if only You had sent a messenger to me' - is an acceptable plea - and if it were not then it would not be a reason for sending the messengers."<sup>6</sup>

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<sup>1</sup> "Al-Fataawaa" (2/41-42).

<sup>2</sup> Sooratut-Tauba (9) Aayah 115.

<sup>3</sup> Soorah Fussilat (41) Aayah 17.

<sup>4</sup> Tafseer of Ibn Katheer (2/395).

<sup>5</sup> Sooratul-Qasas (28) Aayah 47.

<sup>6</sup> "Roohul-Ma'aanee" (20/91).

[8] His saying:

"And this is a blessed Book (the Qur`aan) which We have sent down, so follow it and fear Allaah (i.e. do not disobey His Orders), that you may receive mercy (i.e. saved from the torment of Hell). Lest you should say: 'The Book was only sent down to two sects before us (the Jews and the Christians), and for our part, we were in fact unaware of what they studied.' Or lest you should say: 'If only the Book had been sent to us, we would surely have been better guided than they (Jews and Christians).'

' So now has come unto you a clear proof (the Qur`aan) from your Lord, and a guidance and a mercy. Who then does more wrong than the one who rejects the *Aayaat* of Allaah and turns away therefrom? We shall requite those who turn away from Our *Aayaat* with an evil torment, because of their turning away (from them)."<sup>1</sup>

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<sup>1</sup> Sooratul-An'am (6) Aayah 155-157.



## 17. Proofs From The *Sunnah* That Ignorance Is An Excuse

[1] Narrated Ribī' bin Hirash: 'Uqba said to Hudhaifa (radhiAllaahu 'anhu): "Won't you narrate to us what you heard from Allaah's Messenger (sallallaahu 'alaihi wa sallam)?" Hudhaifah (radhiAllaahu 'anhu) said: "I heard him saying, 'Death approached a man and when he had no hope of surviving, he said to his family, 'When I die, gather me much wood and build a fire (to burn me). When the fire has eaten my flesh and reached my bones, take my bones grind them and scatter the resulting powder in the sea on a hot (or windy) day.' (That was done.) But Allaah collected his particles and asked (him), 'Why did you do so?' He replied, 'For fear of You.' So Allaah forgave him."<sup>1</sup>

*Shaikhul-Islam* Ibn Taimiyyah says: "So this man thought that Allaah would not be able to take hold of him if he did this; he thought that He would not be able to resurrect him - and both denying the power of Allaah the Most High and denying the resurrection of the bodies, even if they are dispersed - are *kufir*. But he along with his belief in Allaah and His Orders and out of fear of Him; being ignorant of that and astray and mistaken in that thought (asked for what was done to him but) Allaah forgave him. The *hadeeth* clearly shows that he hoped that Allaah would not resurrect him if he did that - and that is at the very least doubting the Resurrection which is *Kufr* if the proof of the Messenger (sallallaahu 'alaihi wa sallam) is established against the one who denies it - and he would then be judged a *Kaafir* - and would clearly show his lack of belief in Allaah. Those who explain away his saying 'If Allaah takes hold of me' to mean: 'If Allaah deals with me harshly' then this is incorrect and a twisting of the words, because he ordered that he be burnt and dispersed in order to avoid being assembled and resurrected...

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<sup>1</sup> Reported by al-Bukhaaree; translation (4/455).

and if he affirmed Allaah's power over him then he would not have done that as it would have been pointless."<sup>1</sup> Ibn Hazm said: "So this person was ignorant until death that Allaah the Mighty and Majestic was able to gather his ashes and resurrect him, and yet Allaah forgave him due to his belief in Him and his fear of Him and his ignorance. Some of those who twist words say that it means: 'If Allaah is severe against me', - just as Allaah says: **'But when He tries him, by straitening his means of life.'**<sup>2</sup> This is a baseless explanation since then the meaning would be: 'If Allaah is severe against me then He will certainly be severe', and also if this were the case then there would be no point in his ordering that he be burnt and his ashes be scattered - and there is no doubt that he ordered that in order to escape Allaah's punishment."<sup>3</sup>

[2] Muhammad bin Qais said (to the people): Should I not narrate to you (a *hadeeth* of the Messenger) on my authority and on the authority of my mother? We thought that he meant the mother who had given him birth. He (Muhammad bin Qais) then reported that it was A'isha (radhiAllaahu 'anha) who had narrated this : Should I not narrate to you about myself and about the Messenger of Allah (sallallaahu 'alaihi wa sallam) ? We said : Yes. She said: When it was my turn for Allah's Messenger (sallallaahu 'alaihi wa sallam) to spend the night with me, he turned his side, put on his mantle and took off his shoes and placed them near his feet, and spread the corner of his shawl on his bed and then lay down till he thought that I had gone to sleep. He took hold of his mantle slowly and put on the shoes slowly, and opened the door and went out and then closed it lightly. I covered my head, put on my veil and tightened my waist wrapper, and then went out following his steps till he reached Baqi. He stood there and he stood for a long time. He then lifted his hands three times, and then returned and I also returned. He hastened his steps and I

<sup>1</sup> "Al-Fataawaa" (11/409).

<sup>2</sup> Sooratul-Fajr (89) Aayah 16.

<sup>3</sup> "Al-Fisal Fil Milal Wan Nahl" (3/252).

also hastened my steps. He ran and I too ran. He came (to the house) and I also came (to the house). I, however, preceded him and I entered (the house), and as I lay down in the bed, he (the Messenger) entered (the house), and said: **Why is it, O A'isha, that you are out of breath?** I said: There is nothing. He said: **Tell me or the Subtle and the Aware would inform me.** I said: Messenger of Allaah, may my father and mother be ransom for you, and then I told him (the whole story). He said: **Was it the darkness (of your shadow) that I saw in front of me?** I said: Yes. He struck me on the chest which caused me pain, and then said: **Did you think that Allaah and His Messenger would deal unjustly with you?** She said: Will Allaah know whatever the people conceal? He said: **Yes. Gabriel came to me when you saw me. He called me and he concealed it from you. I responded to his call, but I too concealed it from you (for he did not come to you), as you were not fully dressed. I thought that you had gone to sleep, and I did not like to awaken you, fearing that you may be frightened.** He (Gabriel) said: **Your Lord has commanded you to go to the inhabitants of Baqi' (to those lying in the graves) and beg pardon for them.** I said: Messenger of Allaah, how should I pray for them (How should I beg forgiveness for them)? He said: **Say, Peace be upon the inhabitants of this city (graveyard) from among the Believers and the Muslims, and may Allaah have mercy on those who have gone ahead of us, and those who come later on, and we shall, God willing, join you.**<sup>1</sup>

*Shaikhul-Islam* Ibn Taimiyyah said: "So this is A'isha (radhiAllaahu 'anha) - the Mother of the Believers asking the Messenger (sallallaahu 'alaihi wa sallam): Does Allaah know everything which the people conceal? So the Messenger (sallallaahu 'alaihi wa sallam) answered her 'Yes' - which shows that she did not know that - and she was definitely not a *kaafir* due to her not knowing that Allaah knows everything which the people conceal - and that affirming that after the proof is established is one of the principles of *eemaan* -

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<sup>1</sup> Saheeh Muslim : (2/461).

and denying His knowing everything is like denying his having power over everything."<sup>1</sup>

[3] Abu Hurairah (radhiAllaahu 'anhu) said: The people asked: Messenger of Allah! shall we see our Lord, the Exalted, on the Day of Resurrection? He replied: **Do you feel any trouble in seeing the sun at noon when it is not in the cloud?** They said: No. He asked: **Do you feel any trouble in seeing the moon on the night when it is full and not in the cloud?** They replied: No. He said: **By Him in Whose hand my soul is, you will not feel any trouble in seeing Him except as much as you feel in seeing any of them.**<sup>2</sup>

So this *hadeeth* shows that they were ignorant of the belief that Allaah will be seen until they asked Allaah's Messenger (sallallaahu 'alaihi wa sallam) - so did Allaah's Messenger (sallallaahu 'alaihi wa sallam) inform them that they were *kaafiroon* because of that and that they had to renew their Islaam or did he excuse them and teach them the truth? And the matters relating to *Tawheed* are many and diverse. Some of them are known by people in general, some are known by students of knowledge and some are known only by specialising scholars. So how can this matter be decided and where is the dividing line beyond which ignorance of those matters makes a person a *kaafir*? And is it the case that a person does not become a believer until he learns all of these matters, and why then is a person judged a Muslim simply by his saying the *shahaadah*?

[4] Abu Waaqid al-Laithee (radhiAllaahu 'anhu) said: We went out along with Allaah's Messenger (sallallaahu 'alaihi wa sallam) to Hunain - and we had recently left *kufir* - and the *Mushrikoon* (those who associate partners with Allaah) had a lotus tree which they used to devote themselves to and upon which they hung their arms - and it was called '*Dhaatu Anwaat*' so we passed by a lotus-tree and

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<sup>1</sup> "Majmoo'al Fataawaa" (11/409).

<sup>2</sup> Abu Daawood : (3/1324).

said: 'O Messenger of Allaah make for us a 'Dhaatu Anwaat' just as they have a 'Dhaatu Anwaat', so Allaah's messenger (sallallaahu 'alaihi wa sallam) said: "Allaah is greater! These are the ways, you have said- by the One in whose Hand is my soul- just as the sons of Israa'eel said to Moosa: ' fashion for us a god like unto the gods they have." He said: "Surely you are a people without knowledge' "<sup>1</sup> You will certainly follow the ways of those who came before you"<sup>2</sup>

The *hadeeth* clearly shows that some of the companions, who had become Muslim at the conquest of Makkah and who had not yet learnt all the matters relating to *Tawheed*, asked the Messenger (sallallaahu 'alaihi wa sallam) for a tree to devote themselves to and to hang their weapons upon and to seek blessings from it just as the *Mushrikoon* did. So did the Messenger (sallallaahu 'alaihi wa sallam) declare them all to be *Kaafiroon* and inform them that they had left Islaam and that it was obligatory upon them to repent and return to the *Deen* again? Or did he carry out the punishment of apostasy upon them as would be demanded by those who do not excuse one ignorant of the affairs of *Tawheed*? Or did he excuse them due to their ignorance and inform them that what they were asking for was *Kufr* and was similar to what the sons of Israa'eel asked Moosa ('alaihi-salaam) for, and so declared their saying to be *Kufr* but did not declare them to be *Kaafiroon*. So look - may Allaah have mercy upon you - and see which of the two is better guided and a more correct path and all praise is for Allaah who guided us to the *Sunnah* of the Messenger (sallallaahu 'alaihi wa sallam) and to the way of those whom Allaah ordered us to follow.

[5] Rib'ee ibn Khiraash reports from Hudhaifah ibn al-Yamaan (radhiAllaahu 'anhu) - from the Messenger (sallallaahu 'alaihi wa sallam): "Islaam will fade away just as the dye of a garment fades away until it is not known what is Fasting, nor Prayer, nor Sacrifice, nor

<sup>1</sup> Sooratul-A'raaf (7) Aayah 138.

<sup>2</sup> Saheeh : Ahmad (5/28) and at-Tirmidhee (9/27-28).

charity and the Book of Allaah - the Mighty and Majestic - will be taken up in a single night so that not a single *Aayah* from it remains, and there will remain groups of people - the old men and women [from them] will say: 'We found fathers upon this saying: '*Laa ilaaha illallaah*' so we say it.'"

Silah ibn Zifr said to Hudhaifah (radhiAllaahu 'anhu): "How will '*Laa ilaaha illallaah*' benefit them whilst they do not know what is Prayer, nor Fasting, nor Sacrifice, nor charity?" So Hudhaifah (radhiAllaahu 'anhu) turned away from him, so he repeated it three times and Hudhaifah (radhiAllaahu 'anhu) still turned away - then on the third he turned to him and said: "It will save them from the Fire, it will save them from the Fire, it will save them from the Fire."<sup>1</sup>

The *hadeeth* is clear proof that ignorance is an excuse when knowledge is taken away, ignorance becomes widespread and the people do not know anything of Islaam except the word of *Tawheed*, and they do not know what is Prayer, Fasting or Charity, not to mention the rest of the pillars of the *Deen*. This is used as a proof that the one who abandons Prayer is not a *Kaafir* as long as he does not make that lawful due to his saying: "it will save them from the Fire," even though they do not know what is Prayer.<sup>2</sup>

[6] 'Abdullaah ibn Abee Awfaa said: When Mu'aadh (radhiAllaahu 'anhu) came from Shaam (Syria) he prostrated before the Messenger (sallallaahu 'alaihi wa sallam), so he said: "What is this O Mu'aadh?" He replied: 'I came to Shaam and found them prostrating to their bishops and patriarchs, so I wished to do that before you', so Allaah's Messenger (sallallaahu 'alaihi wa sallam) said: "If I were to order anyone to prostrate to anyone other than Allaah I would have ordered the woman to prostrate to her husband. By the One in whose Hand is the soul of

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<sup>1</sup> Saheeh : Ibn Maajah (4049) and al-Haakim (4/473)

<sup>2</sup> See Shaikh al-Albaanee's (May Allaah protect him and grant him a long life) note in "Silsilatul-Ahadeethus-Saheehah" (1/115) as it is a fine note.

Muhammad, a woman does not fulfil the rights of her Lord until she fulfils the rights of her husband, even if he were to ask her for her self whilst she were upon the saddle of a camel she should not prevent him."<sup>1</sup>

The *hadeeth* contains a clear proof that one who prostrates to other than Allaah ignorant of the fact that prostration (*sijdah*) is worship which is for Allaah alone does not become a *Kaafir* through that, and other actions of *kufir* are to be treated likewise.

Ash-Shawkaanee said: "One who prostrates to other than Allaah out of ignorance does not become a *Kaafir*."<sup>3</sup>

[7] Narrated Ar-Rabi (radhiAllaahu 'anha), the daughter of Mua'wwidh bin Afra: After the consummation of my marriage, the Messenger (sallallaahu 'alaihi wa sallam) came and sat on my bed as far from me as you are sitting now, and our little girls started beating the tambourines and reciting elegiac verses mourning my father who had been killed in the Battle of Badr. One of them said, "Among us is a Messenger who knows what will happen tomorrow." On that the Messenger (sallallaahu 'alaihi wa sallam) said, "Leave this (saying) and keep on saying the verses which you had been saying before."<sup>2</sup>

So did the Messenger (sallallaahu 'alaihi wa sallam) declare those who claimed that he knew the Unseen, were *Kaafiroon* whilst it is obligatory to believe that Allaah the Mighty and Majestic alone knows the Unseen? Rather he excused them due to their ignorance and said to them: "No one knows what the next day holds except Allaah"<sup>3</sup>

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<sup>1</sup> Saheeh : Ibn Maajah (1853), Ibn Hibbaan (1390)

<sup>2</sup> Al-Bukhaaree (Trans. 4/58).

<sup>3</sup> This addition is reported by Ibn Maajah (1897).

[8] Ibn 'Abbaas (radhiAllaahu 'anhumaa) reported that a man came to Allaah's Messenger (sallallaahu 'alaihi wa sallam) and said: "Just as Allaah and you have willed." So he said: **"Have you made me a partner with Allaah?! Just as Allaah alone has willed."**<sup>1</sup>

So this man equated Allaah's will and that of his Messenger and this is *Kufr* as he said: **"Have you made me a partner with Allaah?! Just as Allaah alone has willed."** And even so the Messenger (sallallaahu 'alaihi wa sallam) did not declare him to be a *kaafir*.

All of these proofs from the pure *Sunnah* are proofs for the excuse of ignorance in matters of *Tawheed* and there are also proofs to show that ignorance is an excuse in matters of *Halaal* (what is allowed) and *Haraam* (what is forbidden) :-

(1) The man who came to the Messenger (sallallaahu 'alaihi wa sallam) and confessed four times that he had fornicated, so the Messenger (sallallaahu 'alaihi wa sallam) asked him: **"Do you know what fornication is?"** he said: "I unlawfully did with her what a man lawfully does with his wife."<sup>2</sup>

This shows that the statutory punishment was binding after the possibility of the man's ignorance of fornication and its forbiddance was removed, but the one who is ignorant of its prohibition is excused due to his ignorance.

Ibn al-Qayyim said: "The punishment is not binding upon the one ignorant of its prohibition since he asked him about the ruling of fornication and he said : **"I unlawfully did with her what a man lawfully does with his wife."**<sup>3</sup>

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<sup>1</sup> *Saheeh*: Ibn Maajah (2117), al-Bukhaaree in "Al-Adabul-Mufrad" (783) and Ahmad (1/214).

<sup>2</sup> al-Bukhaaree and Muslim.

<sup>3</sup> "Zaadul-Ma'aad" (5/33).



It is reported from 'Uthmaan (radhiAllaahu 'anhu) that he excused a foreign slave-girl who fornicated and claimed ignorance of the prohibition of fornication, and it is similarly reported from 'Umar (radhiAllaahu 'anhu) that he excused a man in Shaam and did not inflict the punishment when he claimed ignorance of the prohibition of fornication.

(2) Al-Bukhaaree reports that two men raised their voices in the mosque of the Messenger (sallallaahu 'alaihi wa sallam) so 'Umar (radhiAllaahu 'anhu) said to them: 'Where are you from?' They said: 'From at-Taa'if.' He said: 'If you were from this town I would have punished you for raising your voices in the mosque of Allaah's Messenger.'

Ibn Hajr said: "And it shows that the ignorant have an excuse if it is something that can possibly remain hidden."

(3) Narrated Al-Mughira (radhiAllaahu 'anhu): Sa'd bin 'Ubada (radhiAllaahu 'anhu) said, "If I saw a man with my wife, I would strike him (behead him) with the blade of my sword." This news reached Allaah's Messenger (sallallaahu 'alaihi wa sallam) who then said, "You people are astonished at Sa'd's *ghira* (sense of honour). By Allaah, I have more *ghira* than he, and Allaah has more *ghira* than I, and because of Allaah's *ghira*, he has made unlawful shameful deeds and sins (illegal sexual intercourse etc.) done in open and in secret. And there is none who likes that the people should repent to Him and beg His pardon than Allaah, and for this reason He sent the warners and the givers of good news. And there is none who likes to be praised more than Allaah does, and for this reason, Allaah promised to grant Paradise (to the doers of good)."

'Abdul Maalik said, "No person has more *ghira* than Allaah."<sup>1</sup>

An-Nawawee said: "There is no one to whom excuses are more beloved than Allaah the Most High, so the 'excuse' here means

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<sup>1</sup> al-Bukhaaree transl. 9/378.

to give excuse and to warn before sending punishment just as He the Most perfect and Most High says: "And We never punish until We have sent a Messenger (to give warning)."<sup>1,2</sup>

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<sup>1</sup> Sooratul-Israa (17) Aayah 15.

<sup>2</sup> Sharh Saheeh Muslim : 10/132.

## 18. Sayings Of The Scholars Affirming The Excuse Of Ignorance

[1] *Imaam* Ash-Shaafi'ee (rahimahullaah) said:

“Allaah has names and attributes which no one is allowed to refuse, and he who disagrees after the proof has been established then he is a *kaafir*, but before the proof is established then he has the excuse of ignorance, since knowledge of that cannot be reached by the intellect or sight or thought, so we affirm there attributes and deny any likeness just as He has desired it for Himself.”<sup>1</sup>

[2] *Shaikh* Ibn al-'Arabee (rahimahullaah) said:

“ Just as the acts of obedience are called *eemaan* then likewise sins are called *kufir*, but when they are described with the term *kufir* then what is not intended is the *kufir* which takes a person out of the religion. Thus the ignorant one and the one who commits a mistake from this *Ummah*, even if he does an action of *kufir* or *shirk* then such a one will not be a *mushrik* or a *kaafir*, because he is excused due to the ignorance or mistake. (This is so) until the proof whose denier is a *kaafir* is clearly explained in such a way as to leave no doubt, and he denies what is necessarily known from the *Deen* of Islaam. (For example) such (matter about which) there is definite *Ijma'*, or something known by all the Muslims without having to think it over and consider, as will be explained if Allaah the Most High wills, and no one disagrees with that except the people of innovation.”<sup>2</sup>

[3] *Imaam* At-Tahaawi (rahimahullaah) says:

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<sup>1</sup> “Fathul-Baaree” 13/407.

<sup>2</sup> “Mahaasinut-Ta'weel” (5/1307) reporting it from Qaadee Abu Bakr in his “Sharh”

"And we do not declare anyone from the people of the Qiblah to be a *kaafir* due to a sin as long as he does not legalise it. And we do not say that *eemaan* is not damaged by sins which a person commits, and we hope for the righteous Believers that He will pardon them and enter them into Paradise by His Mercy, and we do not feel safe regarding them and we do not definitely bear witness that they are people of Paradise, and we seek forgiveness, for the wrongdoers from them and we fear for them and we do not despair of them, and feeling secure and despairing take a person out of Islaam, and the way of truth is between the two for the people of the Qiblah."

[4] Al-Haafidh Adh-Dhahabee (rahimahullaah) said:

"And know that as for many of their major sins except for a few of them, then a large part of the *Ummah* are ignorant of their prohibition, and have not heard the warning against it or the threat of punishment. So here distinction should be made and the scholar should not deal with the person ignorant of that. Rather he should treat him with compassion and teach him from that which Allaah taught him, especially if he has only recently left his *Jaahiliyyah* (ignorance of Islaam) having grown up in the distinct lands of the *kaafiroon* and having been taken prisoner and brought to the lands of Islaam - he being a Turk or a Georgian and a *mushrik* and a non-Arab, and then a Turkish *Ameer* (commander) buys him who himself has no knowledge or understanding - and so with effort he pronounces the *shahaadah*, and then if he learns enough to understand the meaning of the *shahaadah* after a number of days and nights then how good. Then he may or may not start to pray, and after a while he may learn the *Faatihah* (opening chapter of the Qur`aan) if his teacher has something of the *Deen*, but if his teacher is like himself then how can this poor person come to know the laws of Islaam and the major sins and to avoid them and the obligatory actions and to carry them out?

So if such a one comes to know the most severe of the major sins and avoids them, and the pillars from the obligatory actions and believes that then he is a fortunate one, and that is rare. So a servant should praise Allaah for granting him success, and if it is said: but he is [accountable for] falling short in not asking about that which is obligatory upon him. Then the reply is: that it never enters his mind and he never realises that it is obligatory upon him to question the one who is teaching him, and he whom Allaah does not grant light, and so no one becomes sinful except after knowing and after the proof is established upon him, and Allaah is Gracious and forgiving towards them, He the Most High says: **And We never punish until We have sent a Messenger (to give warning).**<sup>1</sup>

The noble Companions were in Abyssinia whilst the obligations and prohibitions were being sent down upon the Messenger (sallallaahu 'alaihi wa sallam) (which they were unaware of) but they were excused due to their ignorance until the text reached them, and it is the same for one who does not know; he has the excuse of ignorance until he hears the text, and Allaah knows best."<sup>2</sup>

[5] Imaam ibn Hazm al-Andalusee (rahimahullaah) said:

“It is established that no one is to be declared a *kaafir* until the order of the Messenger (sallallaahu 'alaihi wa sallam) reaches him, so if that reaches him and he does not believe in it then he is a *kaafir*. But if he believes it and then believes whatever Allaah willed he would believe in from matters of belief, or judgements, or whatever actions Allaah willed him to do, without anything from the Messenger (sallallaahu 'alaihi wa sallam) reaching him to contradict what he believes, or says, or does, then there is no punishment upon him at all unless it reaches him. But if it reaches him and he knows its authenticity then if he contradicts it due to *ijtihaad* (process of Islaamic reasoning) and contradicts the truth as it is

<sup>1</sup> Soorah Bane'e Israa' eel (17) Aayah 15.

<sup>2</sup> “Kitaabul-Kabaa'ir” of Adh-Dhahabee.

not clear to him, then he is mistaken in that, (for which he is) excused and has a single reward - as the Messenger (sallallaahu 'alaihi wa sallam) said: **When the judge strives to reach the truth and is correct then he has two rewards, and if he is mistaken then he has a single reward.**

Everyone who believes something, or speaks or acts then he is judging in that matter, so if he in his actions obstinately opposes the truth believing other than what he does, then he is a sinful Believer. And if he opposes it obstinately with his heart or his words then he is a *mushrik*, a *kaafir*, the same whether that it is in beliefs or words due to the texts which we have quoted, and this is the saying of Ishaaq ibn Raahawaih and it is our saying and success lies with Allaah."<sup>1</sup>

[6] Ibn Rushd (rahimahullaah) said:

"And judgement of *kufr* is not to be passed on anyone except for three reasons: two of them being agreed upon and the third is something about which they differ. As for the two about which they agree then the first is: that he himself admits to disbelief in Allaah the Most High, and secondly: that he says a saying which the texts state and there is *ijma'* stating that does not emanate except from a *kaafir*, even if that is not in *kufr* in essence. For example making lawful drinking of wine, theft, leaving obligatory duties, murder, fornication, worshipping idols, making fun of the Messengers, abolishing *Sooraat* (chapters) of the Qur`aan etc. then that becomes a proof of *kufr* even if it itself is not *kufr*. And joined to these is abandoning of Prayers according to those of *Ahlu-Sunnah* who declare him to be a *kaafir*, and there is no proof for this except the apparent wording of *Aathaar* (traditions from the *Salaf*) which have more than one possible meaning.

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<sup>1</sup> "Al-Fasul-fil-Milal wal-Ahwaa wan-Nahl" 4/24-25.

And the third about which they differ: that he says a saying which it is not possible for the one saying it, if he believes it is to be adhered to, to know and believe in Allaah, even if he claims to know Allaah the Most High and affirm belief in Him. Due to this reason those who declare the innovators to be *kaafiroon* do so due to what their saying implies. And this is the saying of Maalik about the ‘*Utaibiyyah*’ “There is no *Aayah* harsher upon the people of Innovation than this *Aayah*: “On the Day (i.e. the Day of Resurrection) when some faces will become white and some faces will become black (to them will be said): Did you reject Faith after accepting it? Then taste the torment (in Hell) for rejecting Faith.”<sup>1</sup> But as for declaring a particular person to be a *kaafir* on a believer, then that is not correct since he may hide inwardly other than that which he displays outwardly except due to a text from the Messenger (sallallaahu ‘alaihi wa sallam) OR he clearly displays a belief which causes him to be a *kaafir*.”<sup>2</sup>

[7] *Shaikhul-Islam* Ibn Taimiyyah (rahimahullaah) said: “I am one of those most severe in forbidding that a person in particular should be declared to be a *kaafir*, *faasiq* or sinner until it is known that the proof of the Messenger (sallallaahu ‘alaihi wa sallam) has been established upon him the like of which one who denies it is a *kaafir* sometimes, a *faasiq* at others and sinful at others. And I affirm that Allaah has forgiven the mistakes of this *Ummah*, and this covers both matters of belief and saying and of actions.”<sup>3</sup> And he (rahimahullaah) said, “If a man prostrates to another man thinking that that is from the *Deen* then he does not become a *kaafir* until that is clearly explained to him.”

[8] Ibn Al-Qayyim (rahimahullaah) said:

“The second principle: That punishment is applicable due to two reasons:

<sup>1</sup> Soorah Aal ‘Imraan (3) Aayah 106.

<sup>2</sup> “Fathul ‘Alee ul Maalik” 2/346.

<sup>3</sup> “Al-Fataawaa” 3/229.

(I) Turning away from the proof, not accepting and acting upon it and what it demands,

(ii) Obstinate refusing it after it has been presented - and leaving what it demands.

So the first is *kufur* of turning away (*I'raad*) and the second is *kufur* of obstinate rejection (*'Inaad*). As for the *kufur* of ignorance when the proof has not been established and of one who has not been able to reach the truth, then Allaah has denied punishment for such a one until the proof brought by the Messenger (sallallaahu 'alaihi wa sallam) (is established).

[9] Shaikh Muhammad Ibn 'Abdul Wahhaab (rahimahullaah) said:

"When we do not declare a person who worships the idol upon the grave of 'Abdul-Qaadir and the idol which is upon the grave of Ahmed al-Badawee and their like to be an unbeliever, due to their ignorance and the lack of anyone to make them understand, then how can we declare to be unbelievers those who do not attribute anything in worship along with Allaah but do not make *hijrah* to us and they do not declare us as unbelievers, nor fight us. How free is Allaah of all imperfections, this is a grave slander."<sup>1</sup>

[10] *Imaam* Al-Qurtubee (rahimahullaah) said:

"So just as the *kaafir* does not become a believer except by choosing *eemaan* over *Kufr*, then likewise a Believer does not become a *kaafir* through something by which he did not intend *kufur*, nor choose it. There is *ijma'* upon this."<sup>2</sup>

[11] *Imaam* Ash-Shawkaanee (rahimahullaah) said:

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<sup>1</sup> "Siyaanatul-Insaan min Wasaawisish" of Shaikh Dahlaan (p.449).

<sup>2</sup> "Tafseerul-Qurtubee" (7/6128).



"No account is to be taken of outbursts of wicked beliefs - especially if they are due to ignorance of the fact that they are contrary to Islaam. No account is to be taken of the commission of an act of *kufir* which was not done by the person with the intention of leaving Islaam for the religion of *kufir*, nor is account to be taken of a word indicating *kufir* which was said by a Muslim if he does not believe its meaning."<sup>1</sup>

He also said: "Whoever prostates to other than Allaah out of ignorance - then he does not become an Unbeliever."<sup>2</sup>

[12] Shaikh 'Abdul-Qaadir 'Awdah (rahimahullaah) said:

"A precondition for the crime of Apostasy (*ar-Riddah*) to be established is that the one guilty of a saying or action of *kufir* did it intentionally, knowing it to be an saying or action of *kufir*. But as for the one who does an action which amounts to *kufir*, but he does not know the meaning of it, or he says a word of *kufir* not knowing the meaning of it, then he does not become a unbeliever."<sup>3</sup>

[13] *Imaam* Ash-Shaatibee (rahimahullaah) said:

"So from this is that one is not taken to account before warning is given, this is shown by what He, the Most High, informs about Himself Saying: **"And We never punish until We have sent a Messenger (to give warning)"**<sup>4</sup>

So His established way with regard to His creation is that He does not seize them for their transgressions until after the sending of the Messengers. Then when the proof is established upon them: **"Verily, We have prepared for the Zaalimoon**

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<sup>1</sup> "As-Saylul-Jarraar" (4/578).

<sup>2</sup> "Naylul-Awtaar" (6/210).

<sup>3</sup> "At-Tashree'ul-Janaaiee" (2/419).

<sup>4</sup> Sooratul-Israa (17) Aayah 15.

(polytheists and wrongdoer etc.), a Fire whose walls will be surrounding them"<sup>1</sup>."2

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<sup>1</sup> Sooratul-Kahf (18) Aayah 29.

<sup>2</sup> "Al-Muwaafiqaat" (3/377).

## 19. The Reply To The Arguments Of The Disputants

This section is divided into two parts:

1. A reply to the arguments of the author of the book "al-Jawaabul-Mufeed fee Kufr Jaahilit-Tawheed"
2. A reply to some other writings and doubts which have been or may be raised:

[1] **The First Part: A reply to the arguments of "al-Jawaabul-Mufeed".**

The disputant (the author of "al-Jawaabul-Mufeed") uses as evidence for his view that there is no excuse for the one who is ignorant of *Tawheed*:

### ***The First Evidence: The Aayah about the Covenant***

It is Allaah, the Mighty and Majestic's saying in Sooratul-A'raaf:

And (remember) when your Lord brought forth from the children of Adam, from their loins, their seed (or from Adam's loin his offspring descendants) and made them testify as to themselves (saying): "Am I not your Lord?" They said: "Yes! We testify," lest you should say on the Day of Resurrection: "Verily, we have been unaware of this." Or lest you should say: "It was only our fathers afortime who took others as partners in worship along with Allaah, and we were (merely their) descendants after them; will You then destroy us because of the deeds of men who practised *al-Batil* (i.e.

## polytheism and committing crimes and sins, invoking and worshipping others besides Allaah)?”<sup>1</sup>

So the disputant holds that this Noble *Aayah* explains that the previous Covenant is sufficient to establish the proof, and that merely through this Covenant it was possible for the people to be rightly guided in the affairs of *Tawheed* - its finer points and major matters. But this saying of his would mean that there was no benefit in and no need for the sending of the Messengers, and that it would have been possible for this *Ummah* to have been guided without its Messenger - the adversary also gives the impression by what he quotes from the scholars that his view is shared by them also. However, he truncates their words and quotes only what he thinks agrees with him, after misinterpreting it. Then he leaves the rest of their words which refute his saying. So he reports from the book “Ar-Rooh” of Ibnul-Qayyim, his saying: “Since this *Aayah* of al-A’raaf is found in this Makkan *Soorah*, the Covenant and the general calling to witness is mentioned for all people who agreed to His Lordship; *Tawheed* and the futility of *shirk*. So it was a covenant and calling to witness by which the proof is established upon them, and the excuse is cut off, and they deserve destruction due to their opposition.”

But he cuts off his (Ibnul-Qayyim) words which are a completion and explanation of what he (Ibnul-Qayyim) believes with regard to this question: “ So they must remember and be aware of this, and this is what He made their innate nature, that they affirm His Lordship, and that He is their Lord and their Creator, and that they are supported and created by Him. Then He sent His Messengers to remind them of what was held in their innate natures and their minds, and to make them aware of His rights upon them, and of His orders and prohibitions, His promises and warnings.”<sup>2</sup>

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<sup>1</sup> Sooratul-A’raaf (7) Aayaat 172-173.

<sup>2</sup> “Ar-Rooh” (pp 248-249).

He also feigns ignorance of Ibnul-Qayyim's saying in "Tareequl- Hijrataan": "But as for *kufr* due to ignorance, when the proof has not been established and they are unable to know it, then this is that for which Allaah has denied punishment until the proof brought by the Messengers is established."<sup>1</sup>

So this is an indication of trickery, deception and lack of sincerity for Allaah the Mighty and Majestic, His Messenger (sallallaahu 'alaihi wa sallam) and the Muslims. And know that disagreement between the scholars and about this *Aayah* is only with regard to Allaah the Most High's Saying:

**... and made them testify as to themselves (saying): "Am I not your Lord?" They said: "Yes! We testify,"**<sup>2</sup>

so a group of the scholars hold that their witnessing was a witnessing by their state of being and that they were brought out into this world witnessing to Allaah the Mighty and Majestic's Lordship by their innate natures, whereas a group hold that their witnessing was verbal. But they all agree that despite it they had need for the Messengers informing of it making it something certain.

Ash-Shanqeete said: "And the latter (i.e. that the witnessing was done verbally) is proven by the Book and the *Sunnah*. As for the proof in the Qur'aan, then it is that the first saying would mean that the clear proofs which Allaah established for them such as the creation of the heavens and the earth and all the amazing creations of Allaah within them, which prove that He is the Lord and the only One to be worshipped, and the innate nature which He gave them is sufficient to establish the proof against them even if no Warner came to them. However, many *Aayaat* of the Qur'aan clearly state that Allaah the Most

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<sup>1</sup> "Tareequl-Hijrataan" (pp. 412).

<sup>2</sup> Sooratul-A'raaf (7) *Aayaat* 172-173.

High does not punish anyone until He has established the proof against them through the warning of the Messengers. So this is a proof that the proofs which were set up for them and their innate natures are not enough. So from this is the Saying of Allaah the Most High:

**“And We never punish until We have sent a Messenger (to give warning)”<sup>1</sup>**

So He said here (that He would not punish) until He sent a Messenger, and He did not mention ‘until We create intellect and set up proofs and place it in peoples innate natures’. Also from this is the Saying of Allaah the Most High:

**“Messengers as bearers of good news as well as of warning in order that mankind should have no plea against Allaah after the Messengers. And Allaah is Ever All-Powerful, All Wise.”<sup>2</sup>**

So He clearly stated that what established the proof upon the people and cut off their excuse was the warning of the Messengers, not the setting up of visible proofs and their creation upon their innate nature. Then this excuse which the Messengers were sent to cut off is explained by Him in Soorah Taa Haa, by His Saying:

**“And if We had destroyed them with a torment before this (i.e. the Messenger Muhammad (sallallaahu ‘alaihi wa sallam) and the Qur`aan), they would surely have said: “Our Lord! If only You had sent us a messenger, we should certainly have followed Your *Aayaat* (proofs, evidences, verses, lessons, signs, revelations, etc.), before we were humiliated and disgraced””<sup>3</sup>**

And He indicated it in (al-Qasas) by His Saying:

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<sup>1</sup> Soratul-Israa (17) Aayah 15.

<sup>2</sup> Sooratun-Nisaa (4) Aayah 165.

<sup>3</sup> Soorah Taa Haa (20)Aayah 134.

**“And if (We had) not (sent you to the people of Makkah) - in case a calamity should seize them for (the deeds) that their hands have sent forth, they should have said: “Our Lord! Why did You not send us a Messenger? We should then have followed Your *Aayaat* and should have been among the believers.””<sup>1</sup>**

And from this is that He the Most High clearly states that the excuse of all the people of the Fire was cut off in this world by the warning of the Messengers, and the evident proofs which were set up were not held to be sufficient. As He the Most High says:

**“It almost bursts with fury. Every time a group is cast therein, its keeper will ask: “Did no warner come to you?” They will say: Yes indeed; a warner did come to us, but we belied him and said: Allaah never sent down anything (of revelation), you are only in great error.”<sup>2</sup>**

and His Saying:

**“And those who disbelieved will be driven to Hell in groups, till, when they reach it, the gates thereof will be opened (suddenly like a prison at the arrival of the prisoners). And its keepers will say, “Did not the Messengers come to you from yourselves, - reciting to you the verses of your Lord, and warning you of the Meeting of this Day of yours?” They will say: Yes, but the word of Torment has been justified against the disbelievers!”<sup>3</sup>**

As is known the wording '*kullamaa*' (whenever) in His Saying: “Every time a group is cast therein” is a general, all-

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<sup>1</sup> Sooratul-Qasas (28) Aayah 47.

<sup>2</sup> Sooratul-Mulk (67) Aayaat 8-9

<sup>3</sup> Sooratuz-Zumar (39) Aayah 71.

encompassing word and the word '*alladheena*' (those who) is also a general, all-encompassing word covering everything to which it is connected.

As for the *Sunnah* then many *ahadeeth* show that Allaah took out the offspring of Aadam in the form of small ants and took the Covenant from them as has been mentioned, and some of these are *Saheeh* (authentic) as al-Qurtubee said in *tafseer* of this *Aayah*: Abu 'Umar, meaning Ibn 'Abdul-Barr, said: "However the meaning of this *hadeeth* is authentic from the Messenger (sallallaahu 'alaihi wa sallam) through many reliable chains of narration from the *hadeeth* of 'Umar ibn al-Khattaab and Abdullaah ibn Mas'ood, 'Alee ibn Abi Taalib and Abu Hurairah, and others.. (radhiAllaahu 'anhum)"<sup>1</sup>

So in conclusion: The scholars differ about the witness given by the offspring of Aadam - was it a witness shown by their state of being, or was it a verbal witness ? But they do not differ about their need for the Messengers and that the proof is established by the sending of the Messengers. So Allaah the Mighty and Majestic did not declare that He would not punish until He created their innate nature upon *Tawheed*, or until He took the Covenant from them, rather He the Mighty and Majestic said:

**"And We never punish until We have sent a Messenger (to give warning)"<sup>2</sup>**

And He the Most High said:

**"Messengers as bearers of good news as well as of warning in order that mankind should have no plea against Allaah after the Messengers. And Allaah is Ever All-Powerful, All Wise"<sup>3</sup>**

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<sup>1</sup> "Adwaa-ul-Bayaan" (2/301-302).

<sup>2</sup> Sooratul-Israa (17) Aayah 15.

<sup>3</sup> Sooratun-Nisaa (4) Aayah 165.



## **The Second Evidence: The disputant here quotes three ahadeeth:**

1. What Muslim reports from A'ishah (radhiAllaahu 'anha) who said: I said: "O Messenger of Allaah, in *Jaahiliyyah* Ibn Jud'aan used to cultivate ties of relationship and feed the poor, so will that benefit him? He replied: It will not benefit him, he never said on a single day 'O my Lord forgive me my sin on the Day Of Judgement.'"<sup>1</sup>

2. What Ahmed reports about the arrival of the deputation from Banul-Muntafiq to Allaah's Messenger (sallallaahu 'alaihi wa sallam) in which there is mentioned: "So I said: O Messenger of Allaah, is there any good for anyone in the past who did some good in *jaahiliyyah*? So a man from Quraish said: 'By Allaah, your father al-Muntafiq is in the Fire.' He said: It was then as if there was something hot between the skin and flesh of my face due to what he had said about my forefather in front of the people, so I wanted to say: 'And your father, O Messenger of Allaah?' Then something more befitting appeared, so I said: 'O Messenger of Allaah, and your people?' He said: 'And my people. By the eternity of Allaah whenever you come to the grave of an 'Aamiree, or a Quraishie, or a Dawsee then say: 'Muhammad sends me to say to you to say: Receive news that will distress you, you will be dragged upon your face and stomach in the Fire.' He said: So I said: 'O Messenger of Allaah why will that be done to them when they did only actions of which they could, and they thought that they were doing good? He replied: 'That is because Allaah has raised at the end of every seven nations a Messenger, so whoever disobeyed his Messenger

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<sup>1</sup> Reported by Muslim (transl. 1/139 /no.416) and Ahmed (6/93). Al-Qaadee 'Iyaad said: "And *ijma'* is established that the actions of the unbelievers will not benefit them, and that they will not be rewarded with bliss nor with a lightening of their punishment. However some of them will receive more severe punishment than others according to their crimes." (an-Nawawee's Sharh of Saheeh Muslim (1/87)).

was one of the people of misguidance, and whoever obeyed his Messenger was one of the rightly guided'.<sup>1</sup>

3. What Muslim reports in his 'Saheeh' from Anas (radhiAllaahu 'anhu) - that a man said: "O Messenger of Allaah, where is my father?" He said: "In the Fire." He said: So when the man went off he called him and said: "Indeed my father and your father are in the Fire."<sup>2</sup>

### The Reply

These three ahadeeth are all about the unbelievers, who are originally unbelievers - and it is not permissible to draw analogy between the Muslim who falls into an act of *kufir* due to ignorance of its ruling - and one who is an unbeliever for whom Islaam was never established. This is a futile analogy, and then it is at most an analogy and not a case of clear texts which are directly relevant to our discussion - so it is futile to seek to use this here due to the clear and directly relevant texts which we have previously quoted.

*Shaikhul-Islaam* said: "And as for one whose *eemaan* is definitely established - then that cannot be taken away from him due to doubt, indeed it does not pass away from him unless the proof is established upon him and the doubt removed."<sup>3</sup>

Then it concerns only the ruling for those who died before the sending of the Messenger, or those people whom the call of the messengers did not reach - those who are called the *Ahlul-Fatrah*.

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<sup>1</sup> Reported by Ahmed (4/14) and Ibn Abee 'Aasim in 'as-Sunnah' (no.524) in abridged form, and he narrates it in longer form (no.636). Shaikh Al-Albaanee says: 'Its chain of narration is weak.' It is likewise declared weak by 'Abdul-Qaadir al- Arnaoot in their checking of "Zaadul-Ma'aad" (3/677).

<sup>2</sup> Reported by Muslim (transl. 1/136/no.398).

<sup>3</sup> "Majmoo'ul-Fataawaa" (15/500).

## The Ruling About *Ahlul-Fatrah*

The *Ahlul-Fatrah* are those whom the call of the messengers did not reach.

Ash-Shanqeetee said: "What is apparent is that what is correct about this question - which is: Do the *mushrikoon* have an excuse due to their being people whom the call of the messengers did not reach or not - is that they have excuse due to it in this world, and that Allaah will test them on the Day of Resurrection with a Fire which He will order them to enter. So whoever enters it will enter into Paradise, and they are those who would have affirmed the truth of the messengers had they come to them in this world, but those who refuse to enter the Fire, then they will be punished in it, and they are those who would reject the messengers if they had come to them in this world, since Allaah knows what the people would have done had the messengers come to them.

Then we say that this is correct in this regard because of two things:

1. What is established from Allaah's Messenger (sallallaahu 'alaihi wa sallam) and it is a text directly relevant to the matter about which there is disagreement - So there is no room for disagreement to continue along with it."<sup>1</sup>

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<sup>1</sup> And from the proofs that the people of *al-fatrah* will be tested is the saying of Muhammad: "Four will make a plea on the Day of Resurrection: A deaf man who could not hear, an insane man, a senile man and those who died in a time when there was no Messenger. So as for the deaf man, he will say: 'O my Lord, Islaam came and I did not hear anything.' As for the insane, he will say: 'Islaam came whilst the children threw dung at me.' As for the senile, he will say: 'Islaam came and I could not comprehend anything.' As for the one who died in a time when there was no Messenger, he will say: 'O my Lord your Messenger did not come to me.' So their agreement will be taken that they will obey Him, then He will send a Messenger to them ordering them to enter the Fire. (He said:) By Him in Whose Hand is my soul, if they would enter it, it would be cool and safe for them." Reported by Ahmed and at-Tabraani and Ibn Hibbaan and declared *saheeh* by Shaikh al-Albaanee in "as-Saheeh" (no.1434).

*Al-Haafidh* Ibn Katheer said in *tafseer* of the *Aayah* which we are discussing, after quoting many *ahadeeth* to show that they have excuse due to the call of the messengers not reaching them, and that they will be tested on the Day of Resurrection. (He did this) as a reply to Ibn 'Abdul-Barr who declared the *hadeeth* about their excuse and their testing weak since the Hereafter is a place of rewards and not actions, and by testing them by requiring them to enter the Fire would be a test which they are unable to bear, and that is not possible. He (Ibn Katheer) said: "And the reply to what he said is that with regard to these *ahadeeth*, then some of them are *saheeh*, some are acceptable (*hasan*) and some are weak, but arise to the level of *hasan* or *saheeh* due to their supports - since if a number of *ahadeeth* are reported about the same thing, and are connected and support one another in this regard, then they are sufficient as a proof to one who examines them. Then as regards his saying that the Hereafter is a place of rewards, then there is no doubt that it is a place of rewards, but that does not negate the possibility of testing before entry into Paradise or the Fire, as Abul-Hasan al-Ash'aree reports that the position of the *Ahlu-Sunnah wal-Jamaa'ah* is that children will be tested, and Allaah the Most High says:

**(Remember) the Day when the Shin shall be laid bare (i.e. the Day of Resurrection) and they shall be called to prostrate (to Allaah), but they (hypocrites) shall not be able to do so.<sup>1</sup>**

and it is affirmed in the two *saheehs* and elsewhere that the believers will prostrate to Allaah on the Day Of Resurrection, and the hypocrite will not be able to do that - but his backbone will be stiff like a single bone and when he tries to prostrate he will fall over backwards... [until he said]: and this saying gathers together all the evidences, and it is what is clearly stated in the *ahadeeth* which have preceded which support and witness to each other.

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<sup>1</sup> Sooratul-Qalam (68) Aayah 42.

This saying is what Shaikh Abul Hasan 'Alee Ibn Ismaa'eel al-Ash'aree reports as the saying of *Ahlu-Sunnah wal-Jamaa'ah*. It is also what is supported by *al-Haafidh* Abu Bakr al-Baihaqee in "Kitaabul-I'tiqaad" and by other verifying scholars, preservers and those who scrutinise narrations."

Here ends the quote from what Ibn Katheer said, and it clearly shows what we have said.

The Second Matter: That it is obligatory that we harmonise between narrations whenever that is possible, by agreement, since acting upon the two proofs has precedence over rejection of one of them. There is no way to harmonise the texts except through the saying that there is excuse due to ignorance and that there is testing. With this all the texts are harmonised and knowledge is with Allaah, the Most High.<sup>1</sup>

Then the reply to what the disputant quoted as evidence from the three *ahadeeth* that were just mentioned is what the scholar of this century and its reviver (*mujaddid*) 'Allaamah al-Albaanee says in the points of benefit to be derived from hadeeth no. 159 of his "Saheeh": "The people of *Jaahiliyyah* who died before the sending of the Messenger (sallallaahu 'alaihi wa sallam) will be punished for their *Shirk* and *Kufr*. So this shows that they are not from *Ahlul-Fatrah* who were not reached by the call of a Messenger (sallallaahu 'alaihi wa sallam), as opposed to what some late comers think, since if they were of them they would not deserve punishment as Allaah, the Most High, says:

**"And We never punish until We have sent a Messenger (to give warning)"<sup>2</sup>**

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<sup>1</sup>Abridged from "Adwaa-ul-Bayaan" (3/438-439) and for a more detailed explanation refer to "Daf' Eehaamil-Idtiraab 'an Aayaatil-Kitaab" (pp.178-186).

<sup>2</sup> Sooratul-Israa (17) Aayah 15.

An-Nawawee says in explanation of the *hadeeth* of Muslim: 'That a man said: O Messenger Of Allaah where is my father? He said: **In the Fire.**' - the *hadeeth*. An-Nawawee said (1/14 of the Indian edn.): 'It shows that he who dies upon *kufr* is in the Fire and that ties of relationship will not benefit him, and it shows that those who died in the time when there was no messenger, upon the worship of idols which the Arabs were upon then he is from the people of the Fire. But this is not an example of their being punished before the call reached them, since the call of Ibraaheem and other messengers - may Allaah's praises and peace be upon them - had reached these people.'<sup>1</sup>

### **The Third Evidence:**

What Ahmad reports from 'Imraan ibn al-Husayn (radhiAllaahu 'anhu) that the Messenger (sallallaahu 'alaihi wa sallam) saw a man with a brass ring upon his arm, so he said: 'What is this?' He said: 'It is due to weakness/pain.' He said: 'Pull it off, since it will only increase you in weakness, and if you died with it upon you then you would never prosper.'<sup>2</sup>

But this *hadeeth* is weak and cannot be used as a proof as I have explained in the checking by the permission of Allaah, and even if it were authentic then it would be a proof for us since the Messenger of Allaah (sallallaahu 'alaihi wa sallam) did not begin by declaring him to be an unbeliever. Rather he excused him due to his (the man's) ignorance and explained to him that it was *kufr*, and that if he persisted in it after the proof had been established through the words of the Messenger (sallallaahu 'alaihi wa sallam) then he would

<sup>1</sup> "Silsilaatul-Ahadeethus-Saheeh" (1/71,no.159).

<sup>2</sup> Reported by Ahmad (4/445) and the wording is his and Ibn Maajah (3531) without his saying: 'And if you died..', and Al-Haakim (4/216) who declared it *Saheeh*. Al-Albaanee said: "It is *da'eef* (weak) and has two weaknesses: 1.The '*an'annah*' of al-Mubaarak who is Ibn Fadaalah and he was a *mudallis*. 2.It is disconnected between al-Hasan and 'Imraan ibn Husayn since he did not hear from him, as was declared by Ibnul-Madeenee, Abu Haatim and Ibn Ma'een - Abridged from "As-Silsilaatul-Da'cefah" (no.1029) and it occurs in "Da'eef Ibn Maajah" (no.772).

never prosper. And what proof can be greater than that established by him? It is similar to the *hadeeth* of Abu Waaqid al-Laythee (radhiAllaahu 'anhu) and others which are proofs for the excuse of ignorance. However, we only use as a proof that which is *saheeh* or *hasan*, and *AhluS-Sunnah* - and all praise and thanks are for Allaah - are the ones who are favoured in this world with the *Sunnah* of the Messenger (sallallaahu 'alaihi wa sallam) just as they will be the ones favoured with the company of the Messenger (sallallaahu 'alaihi wa sallam) on the day when all people will be called along with their leader.

As regards his seeking to use as a proof what Ahmad reports in "Az-Zuhd" by way of Taariq ibn Shihaab (radhiAllaahu 'anhu): that Allaah's Messenger (sallallaahu 'alaihi wa sallam) said: "A man entered Paradise due to some flies and a man entered Hellfire due to some flies." They said: "How was that O Messenger of Allaah?" He said: "Two men passed by a people who had an idol which they would not let anyone pass without sacrificing to it. So they said to one of them: 'Offer sacrifice.' So he said: 'I do not have anything with me to sacrifice.' They said: 'Offer sacrifice even if it is some flies.' So he offered sacrifice, so they let him pass and he therefore entered the Fire. They said to the other man: 'Offer sacrifice.' So he replied: 'I will not offer any sacrifice to anything besides Allaah - the Mighty and Majestic.' So they beheaded him and he therefore entered Paradise."<sup>1</sup>

But what is correct as mentioned in the checking is that it is *mawqoof* (saying of a Companion) and not *marfoo'* (saying of the Messenger). Then if the *hadeeth* were authentic as such then it would not be a proof in the question of excuse to ignorance - rather it pertains to the question of excuse to coercion, and the *Sharee'ah* proofs show that the excuse due to coercion is

<sup>1</sup> Reported by Ahmad in "Az-Zuhd" (no.15,16) and Abu Nu'aim in "Al-Hilyah" in *mawqoof* form - as the saying of Salmaan alone with *saheeh* chain of narration. It is not authentic as the saying of the Messenger - and refer to "An-Nahjus-Sadeed fee Takhreej Ahadeethil-'Azeezil-Hameed" (p.24) by Jaasim al-Faheed.

something particular to this *Ummah*, and that there was no such concession for the previous nations.

### The Question Of Excuse Due To Coercion

Ash-Shanqeetee said in *tafseer* of the Saying of Allaah - the Mighty and Majestic:

**“For if they come to know of you, they will stone you (to death or abuse and harm you) or turn you back to their religion, and in that case you will never be successful.”<sup>1</sup>**

“Some of the scholars hold that this noble *Aayah* shows that the excuse due to coercion is something particular to this *Ummah* since His Saying about the companions of the Cave,

**“For if they come to know of you, they will stone you (to death or abuse and harm you) or turn you back to their religion”<sup>2</sup>**

clearly shows coercion and the lack of willing compliance, yet along with this He Said of them,

**“and in that case you will never be successful”<sup>3</sup>**

so this shows that coercion was not an excuse. This is also witnessed to by the *hadeeth* of Taariq ibn Shihaab (radhiAllaahu ‘anhu) about the one who entered the Fire because of some flies which he sacrificed due to being forced under the threat of death - since his companion who refused even to sacrifice some flies was indeed killed by them. It is also shown by what is to be understood from the saying of the Messenger (sallallaahu ‘alaihi wa sallam): **‘Allaah has overlooked for me the mistakes, acts due to**

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<sup>1</sup> Sooratul-Kahf (18) Aayah 20.

<sup>2</sup> Sooratul-Kahf (18) Aayah 20.

<sup>3</sup> Sooratul-Kahf (18) Aayah 20.



forgetfulness and actions done due to coercion of my *Ummah*.<sup>1</sup>

So what is to be understood from his saying: 'He overlooked for me... of my *Ummah*,' is that this was not done for the previous nations. Then this *hadeeth* even though it was declared weak by Imaam Ahmad and Ibn Abee Haatim, yet the earlier and later scholars have accepted it, and it has witnesses in the Sublime Qur'aan and the authentic *Sunnah*. But as for this *Ummah*, then Allaah the Most High has clearly stated that they are excused in cases of coercion, in His Saying:

**"Whoever disbelieved in Allaah after his belief, except him who is forced thereto and whose heart is at rest with faith - but such as open their breasts to disbelief, - on them is wrath from Allaah, and theirs will be a great torment."**<sup>2</sup><sup>3</sup>

*As For The Fourth And Fifth Evidences Of The Disputant:*

Then it is the words of al-Quraafee and the author of "Ma'aarijul- Qubool" - and perhaps it has not reached the disputant that words of the scholars are not a proof in the *Sharee'ah* - and that is something for which proof is to be sought, not to be used as a proof in itself. So we will not exert ourselves in replying to this when we have by the grace of Allaah the Most High explained a sufficient number of proofs for people of learning, not to mention seekers after truth, with regard to this question.

Note:

The author of "Al-Jawaabul-Mufeed" seeks to justify his position, in which he contradicts the reliable scholars, with

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<sup>1</sup> Reported by Ibn Maajah (no.2043) and Al-Haakim (2/198) who declared it saheeh to the standard of both Bukhaaree and Muslim - and agreed by Adh-Dhahabee. Al-Albaanee declared it saheeh in 'al-Irwaa.' (no.82) and it was declared *hasan* by An-Nawawee in his "Forty Hadeeth".

<sup>2</sup> Sooratun-Nahl (16) Aayah 106.

<sup>3</sup> "Adwaa-ul-Bayaan" (4/72-73).

what he calls in his book 'That which is clear and evident'. But they are without a doubt 'clear and evident examples of deception' since he twists the words of Ibn Hazm, Ibn Taimiyyah, Siddeeq Hasan Khan and al-Qaasimee and seeks to give them meanings which they do not carry and give the impression to the reader that they are in agreement with him, to the point that he then says that there is *ijma'* of the scholars upon what he holds. He says: "We do not know any disagreement about this matter from a single one of the scholars."<sup>1</sup> But a lack of knowledge is not a proof, and we have shown the words of the scholars in the previous pages, and some of them quote the opposite as *ijma'*.

Then along with this he is one of the two people for whom there is no third: either he does not understand the words of the scholars, and is unable to quote correctly from them - and about such a person it is to be said:

"So abandon authorship since you are not from its people, but rather use the ink to blacken your face."

or he is one who understands the words of the scholars but resorts to deception and misguidance. Then this is treachery against the *Ummah* and a lie against the scholars, and if these scholars were with us they would say: You have lied, this is not what we explained to the *Ummah*.

Then if it were not for the fear of wearying the readers and because I do not wish to write at great length, I would have followed up the book word by word in order to explain to our brothers, the Muslims, the fraud and deception of its authors against the *Ummah* in order to give currency to his vile views, and to gain acceptance of the people for his thoughts by declaring most of the *Ummah* of Muhammad to be unbelievers without any clear proof, but Allaah the Most High will judge

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<sup>1</sup> "Al-Jawaabul-Mufeed" (p.115).

him with His Justice and may He shower further blessings upon us and our brothers.

## [2] The Second Part

One of the worst things which I have come across from the disputants with regard to this matter is this unattributed, miserable treatise, filled with displays of violations of correct manners with regard to Allaah, the Mighty and Majestic, His Messenger (sallallaahu 'alaihi wa sallam) and the scholars of the Muslims. It is the book called: '*Shirk and the lack of excuse for the one ignorant of it.*' It is unattributed since it is not attributed to any author and one of the blessings of knowledge is that each saying is attributed to the one who said it. It is miserable since it does not begin with the praise of Allaah, nor with mention of His name.

Time is more precious than to be spent on following up everything in this treatise, so I will suffice with mentioning some general observations upon it so that it will become clear to our brothers that it is deprived of correctness and devoid of scholarly research.

**Firstly.** The title of it '*Shirk and the lack of excuse for the one ignorant of it.*' Then his restricting himself to the word *shirk* does not show whether it is in praise or censure of *shirk*, and what should have been said is *Dhammush-Shirk* (A Censure Of *Shirk*) just as Ibnul-Jawzee entitled his work "*Dhammul-Hawaa*" (A Censure Of false Desires). One of our brothers wrote "*Dhammul-Jahl*" (A Censure Of Ignorance), so that he makes his intention clear, or he could have called it "*At-Tawheed*" as *Shaikhul- Islaam* entitled his blessed book. The meaning would be correct for what he intended if he then added '*...and the lack of excuse for the one ignorant of it.*' I have drawn attention to this fine point to show that the book is indeed miserable and deprived of correctness right from its very first word.

**Secondly.** The book, as I have mentioned, does not begin with the praise of Allaah or with mention of His name, and this is also a sign of its being deprived of blessing since every important matter not begun with praise is cut off and deprived of blessing, and every address not containing the testification is like an arm from which the hand has been amputated, and we seek Allaah's refuge from being deprived of His blessings.

**Thirdly.** He calls those *Aayaat* and *ahadeeth* which the great majority of the scholars use as proof that there is excuse due to ignorance 'worthless trivialities' and this is a very serious matter. His actual words were: "We will not accept that the like of this light is opposed by some worthless trivialities."<sup>1</sup> So this is an evil violation of correct manners with regard to Allaah, the Mighty and Majestic, His Messenger (sallallaahu 'alaihi wa sallam) and likewise the majority of the scholars - since the disputant knows that the question of excuse due to ignorance is one about which there are *Aayaat* and *ahadeeth* used by those who declare there to be an excuse.

**Fourthly.** He contradicts himself and is ignorant of that which must be known necessarily from the religion of Islaam. This is with regard to the fact that when the unbeliever is correctly judged to be such then it is obligatory that we believe that he is from the people of the Fire if he dies upon that, and Allaah, the Mighty and Majestic, will not forgive him, and will not accept from him the whole earth full of gold as a ransom even if he could give it in the Hereafter. As Allaah, the Mighty and majestic, Says:

**"Verily, Allaah forgives not that partners should be set up with him in worship, but He forgives except that (anything else) to whom He pleases, and whoever sets up partners with Allaah in worship, he has indeed invented a tremendous sin"<sup>2</sup>**

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<sup>1</sup> "Ash-Shirk" (p.5).

<sup>2</sup> Sooratun-Nisaa (4) Aayah 48.

And He, the Mighty and Majestic, Says:

“Verily, whosoever sets up partners in worship with Allaah, then Allaah has forbidden Paradise for him, and the Fire will be his abode. And for the *zaalimoon* (polytheists and wrongdoers) there are no helpers.”<sup>1</sup>

And He, the Mighty and Majestic, Says:

“Verily, those who disbelieved, and die while they are disbelievers, the (whole) earth full of gold will not be accepted from anyone of them even if they offered it as a ransom. For them is a painful torment and they will have no helpers.”<sup>2</sup>

So these noble *Aayaat* and many others show that the *mushrik* is destined for the Fire and will remain forever in it and that the intercession of those who intercede will not benefit him. So is it then permissible for us to judge that he is a *kaafir*, but that in the Hereafter Allaah may forgive him? But this is what the author says, his words being: “But we do not speak about the matter of punishment, rather we are saying that the proof is established against them and their *kufir* is affirmed by their breaking *Tawheed*. As for whether Allaah, the Most Perfect and the Most High, pardoning them through His grace on the Day Of Resurrection, then if that occurs, then it is one of those things particular to Him, the Most Perfect, but which do not affect the rulings applying in this world.”<sup>3</sup>

Even more strange is his amazement at these words which it cannot be imagined that even people of innovation have spoken before him, so he adds: “So remember this well since it is an

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<sup>1</sup> Sooratul-Maa'idah (5) Aayah 72.

<sup>2</sup> Soorah Aali'Imraan (3) Aayah 91.

<sup>3</sup> “Ash-Shirk” (pp.5-6).

area where the opponents blunder.”<sup>1</sup> He repeats this more than once with different wordings, showing that he is not speaking of one guilty of lesser *kufir* which is those sins which are described as *kufir* as a warning, but he is referring to one who has committed major *kufir*, and then he repeats that he may be excused by Allaah, the Mighty and Majestic. He says: “I return again to the mentioning and drawing attention to the point that the long disagreement which has preceded, and concerning which we have shown what is correct, and praise and thanks are for Allaah, but this is a question regarding punishment of the ignorant *mushrikoon* on the Day of Resurrection, or their being excused for their ignorance. This is opposed to the principle matter under discussion in this treatise, which is the attachment of the attribute of *kufir* and its ruling to everyone who breaks *Tawheed* and takes on *shirk*, whether he is ignorant or knowing, blindly following or acting deliberately - all of that is the same.”<sup>2</sup>

**Fifthly.** Whereas the author of “al-Jawaabul-Mufeed” employed the tactic of quoting only parts of what the scholars said in order to give the impression that the scholars were actually saying the opposite of what they meant, and by misrepresentation - then the author of this book totally ignores what the scholars have to say, and instead explains the Speech of Allaah, the Mighty and Majestic, and the words of His Messenger (sallallaahu ‘alaih wa sallam), with his own opinions and desires. He sometimes mentions the name of a *tafseer*, saying: “Refer to such and such a *tafseer*”, but without quoting the scholars directly with their own words or showing the page reference where their words are to be found. Even this is something which he does rarely, and if you look at the footnotes of the treatise you will find them devoid of scholarly checking or responsibility.

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<sup>1</sup> “Ash-Shirk” (p.6).

<sup>2</sup> “Ash-Shirk” (p.29)

**Sixthly.** The author deliberately mentions some of the scholars in his book to give the impression that they agree with his views, such as *Shaikhul-Islaam* Ibn Taimiyyah, Ibnul-Qayyim, Ibn Hazm and ash-Shanqeetee. We have already shown the position of these scholars in this regard, and have quoted their sayings and their words, mentioning the references for these quotes in the footnotes and this is essential for scholarly responsibility.

**Seventhly.** The author has the audacity to attack the scholars of the *Sunnah* in this age and to accuse them, and attacks upon the scholars of the *Sunnah* is a sign of the people of innovation. He says, may Allaah deal with him with His Justice: "And al-Albaanee attempted to flee from conflicting with the *hadeeth* which he claimed to be authentic."<sup>1</sup> He likewise says about the scholar of this age and its shaikh and who has reached the level of *ijtihad* in *hadeeth* checking, and whom the scholars of this time have born witness in favour of that he is in his time like Ibn Hajr was in his, and that he is the *mujaddid* (renewer) for *hadeeth* in this century, and his works testify to and prove this, the author of the miserable treatise says: "This misinterpretation, along with its extreme strangeness and obscurity and the self contradiction of al-Albaanee in explaining the *hadeeth* afterwards..."<sup>2</sup>

But the excellence of the people of the excellence is recognised only by the people of excellence, and even more astonishing than this is his saying, may Allaah deal with him with His Justice: "Then if you wonder then wonder at the strangeness of what is mentioned by Shaikh Ibn Baaz, who is from the people of Hijaz, when he claims that the scholars have differed concerning one who commits *shirk*. He himself calls it the same *shirk* as that of Abu Jahl and his like. He says: 'The scholars about the one who commits it, does he immediately become a

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<sup>1</sup> "Ash-Shirk" (p.44)

<sup>2</sup> "Ash-Shirk" (p.45)

*kaafir*, or are we to wait until the proof is established upon him and the matter is explained to him, they have two sayings: The first is that of those who say that he is a *kaafir* who has committed major *kufir* since the proofs against such *shirk* are not hidden. The second saying is that they are people who are ignorant and are lead astray by evil scholars.’ (So he (the author of “Ash- Shirk”) adds): *SubhaanAllaah*, what is this saying that has been innovated by the thoughts of men at the end of time and where is the proof for it from the Book and the *Sunnah*.”<sup>1</sup>

So despite the fact that shaikh Ibn Baaz quotes the different views of the scholars about this matter, and does not state here what he himself holds, still he attacks him with these words. It is as if he is just as foolish with regard to all the scholars since the shaikh was reporting what the scholars held, in addition to his evil lack of manners with regard to shaikh Ibn Baaz, (hafidhahullaah).

‘And how many people criticise a correct saying- and the only problem is their faulty comprehension.’

**Eighthly.** The author by his behaviour is showing that he claims to have reached the level of *ijtihaad*, since he himself looks into the Book and the *Sunnah* and extracts rulings, and speaks ill of the scholars who hold a view different to his own. So if this level is not his, then he is guilty of the grave sin of speaking about Allaah without knowledge. Allaah, the Most High Says:

**“Say (O Muhammad): (But) the things that my Lord has forbidden are *Al-Fawaahish* (great evil sins, every kinds of unlawful sexual intercourse etc.) whether committed openly or secretly, sins (of all kinds), unrighteous oppression, joining partners (in worship) with Allaah for which He has given no authority, and saying things about Allaah of which you have no knowledge”<sup>2</sup>**

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<sup>1</sup> “Ash-Shirk” (pp. 107-108).

<sup>2</sup> Sooratul-A’raaf (7) Aayah 33.



And Allaah, the Most High, Says:

**“But those who reject Our Aayaat (proofs, evidences, verses, lessons, signs, revelations, etc.) and treat them with arrogance, they are the dwellers of the (Hell) Fire, they will abide therein forever”<sup>1</sup>**

So he explains most of the *Aayaat* and *ahadeeth* according to his own desires and opinion - having no predecessors for what he says. So where does he stand with regard to the saying of Abu Bakr as-Siddeeq: “What earth will hold me and what sky will cover me if I say about the Book of Allaah something which I have no knowledge of?” And whoever speaks about the Qur`aan from his own opinion, reaching what is correct, then he is still guilty of error.

So the person should know his own station, so if he is a person for whom it is permissible to follow the saying of another (*taqleed*), such as the totally ignorant, then he may follow a scholar whose knowledge and piety he feels assured of. If he is of the level of a follower of evidence, such as the students of knowledge, then it is not permissible for him to extract rulings from the Book and the *Sunnah*, since he has not acquired the direct tools required for this. So he is to follow any scholar which he holds to be in agreement with the proof. If he is a *mujtahid* then it is his right to perform *ijtihaad* and to extract rulings. So where is the author of that treatise with regard to these categories? We ask Allaah to guide us and him to the correct way and that He shows us the truth to be truth and guides us to follow it, and shows us the falsehood to be falsehood, and guides us to avoid it.

**Ninthly.** He audaciously assaults the *Sunnah* of the Messenger (sallallaahu `alaihi wa sallam) and claims that reports which the scholars have

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<sup>1</sup> Sooratul-Israa (17) Aayah 36.

affirmed to be authentic are fabrications, invented and having no basis. So he says about the *hadeeth* of Hudhaifah (radhiAllaahu 'anhu) regarding the obliteration of Islaam at the end of time which has been declared authentic by four of the *Imaams* of *hadeeth*: "I declare with certainty that this (saying) that they attribute to the Messenger is an invented fabrication, having no authentic basis, and it never came out from the mouth of Allaah's Messenger."<sup>1</sup> And we have already quoted the sources and the checking of this *hadeeth* which he claims is fabricated and has no basis, so it can be referred to.<sup>2</sup>

**END**

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<sup>1</sup> "Ash-Shirk" (p.42)

<sup>2</sup> Section 18, the fifth *hadeeth*.

## Our Objectives

- 1) A return to the sublime Qur'aan and the *Sunnah* of the Messenger (sallallaahu 'alaihi wa sallam) and to comprehend them both according to the understanding of *as-Salaf us-Saalih* (the Pious Predecessors), may Allaah be pleased with them all, acting upon the saying of our Lord, the Majestic:

**If anyone contends with the Messenger, even after the Guidance has been plainly conveyed to him and follows a path other than that of the Believers, We shall leave him in the path he has chosen and land him in Hell. What an evil refuge!**<sup>1</sup>

And His, the One free from all imperfections, saying:

**So if they believe as you believe, they are indeed on the right path.**<sup>2</sup>

- 2) To purify everything related to the life of the Muslim from *Shirk* (associating partners with Allaah) in its various forms and to warn them against the wicked innovations (*Bid'ah*) in the Creed (*'Aqeedah*) and acts of worship (*'Ibaadah*) and false ideas introduced from outside and to cleanse the *Sunnah* of the weak and fabricated narrations which have tarnished the pure nature of Islaam and have been a cause of prevention of the progress of the Muslims, in realisation of the responsibility due to knowledge and due to the saying of the noble Messenger (sallallaahu 'alaihi wa sallam):

*"This knowledge will be carried by the trustworthy ones of every generation, they will expel from it the alterations made by those going*

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<sup>1</sup> Sooratun-Nisaa (4):115

<sup>2</sup> Sooratul-Baqarah (2):137

beyond bound and the false claims of the liars and the false interpretations of the ignorant.”<sup>1</sup>

And in obedience to the order of Allaah, the Mighty and Majestic:

**Help you one another in righteousness and piety but help you not one another in sin and enmity.**<sup>2</sup>

3) To educate and cultivate the Muslims upon their true *Deen* and calling them to act according its rules and to cultivate in themselves its morality and manners, which will ensure Allaah’s pleasure and result in their welfare and honor, being in agreement with the Qur’aanic description of the group who are saved from ruin:

**(Join together) in the mutual teaching of Truth and of patience and constancy.**<sup>3</sup>

**On the contrary (He would say), “Be you people of wisdom and knowledge for you have taught the Book and you have studied it earnestly.”**<sup>4</sup>

4) To revive true Islamic thought in the light of the Book and the *Sunnah* and upon the way of *as-Salaf us-Saalih* of this *Ummah* and to remove the stagnated blind following of *madhhabs* (schools of thought) and blind adherence to parties, which has overcome the minds of many Muslims and distracted them from clear and pure Islamic brotherhood, as demanded by the order of Allaah, the Majestic and Most High:

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<sup>1</sup> Saheeh. Reported by Ibn ‘Adiyy, Ibn ‘Asaakir, Abu Nua’im and al-Khateeb

<sup>2</sup> Sooratul-Maa’idah (5):2

<sup>3</sup> Sooratul-‘Asr (103):3

<sup>4</sup> Soorah Aal-‘Imraan (3):79

**Hold fast all together by the rope of Allaah and be not divided amongst yourselves.<sup>1</sup>**

And the saying of the Messenger (sallallaahu 'alaihi wa sallam):

*"Be worshippers of Allaah and brothers!"<sup>2</sup>*

5) To provide practical Islamic solutions for the present day problems and to strive for returning to a true Islamic way of life upon the way of the Messenger (sallallaahu 'alaihi wa sallam) and to bring about a society guided by the Revelation and for the Laws of Allaah to be applied upon the earth, beginning this process with correction (*tasfiyah*) and education and cultivation (*tarbiyah*), as Allaah, the Most High says:

**Instruct them in Scripture and Wisdom and purify them.<sup>3</sup>**

Whilst remembering the saying of our Lord, the One free of all imperfections, to His Messenger (sallallaahu 'alaihi wa sallam):

**Whether We show you (in this life) some part of what we promise them or We take your soul (to Our Mercy before that), (in any case) it is to Us that they shall return.<sup>4</sup>**

And realising the *Sharee'ah* principle: "He who seeks to hasten to bring something about before its appointed time is punished by being deprived of its achievement."

6) To cordially invite those who have not yet been blessed with the true knowledge and Guidance of Islaam which is the perfect final revealed Message of Allaah to his creation, so

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<sup>1</sup> Soorah Aal-'Imraan (3):103

<sup>2</sup> Reported by al-Bukhaaree and Muslim.

<sup>3</sup> Sooratul-Baqarah (2):129

<sup>4</sup> *Sooratul-Ghaafir (40):77*

that they may realise the peace and contentment of this life and the eternal bliss of the Hereafter.

This is our call and we call upon all Muslims to assist us in shouldering this responsibility which will awaken and uplift them and to spread the perpetual message of Islaam to all corners of the earth, in sincere brotherhood and love, having full confidence in Allaah's aid and that He will indeed establish and grant authority to His righteous servants:

**But honour belongs to Allaah and His Messenger and to the Believers.<sup>1</sup>**

**It is He who has sent His Messenger with the Guidance and the Religion of Truth. That He makes it prevail over all religion, even through though the pagans may detest (it).<sup>2</sup>**

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<sup>1</sup> Sooratul-Munafiqoon (63):8

<sup>2</sup> Sooratus-Saff (61):9

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