

## Al-Hakimiyah Wa Siyadah Ash-Shar'i

Committee for the Defence of Legitimate Rights

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%o the sincere &or'ers and (atient Mu)ahidin &ho ha\*e s(ent and continue to s(end their +ears and ha\*e sacrificed and continue to sacrifice their li\*es, those &ho ha\*e emigrated or been forced to emigrate from their lands, and to those &ho ha\*e been hunted b+ the &orld and ha\*e been labelled &ith -terrorism../ not for an+ crime the+ ha\*e (er(etrated a(art from their sa+ing -Our Lord is Allah1..

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وَمَنْ خَلَقْنَا أُمَّةً يَهْدُونَ بِالْحَقِّ وَبِهِ يَعْدِلُونَ ﴿١٨١﴾ وَالَّذِينَ كَذَّبُوا بِآيَاتِنَا سَنَسْتَدْرِجُهُمْ مِنْ حَيْثُ لَا يَعْلَمُونَ  
﴿١٨٢﴾ وَأُمْلِي لَهُمْ إِنَّ كَيْدِي مَتِينٌ

In the name of Allah Ar-Rahman Ar-Rahim

All (raise belongs to Allah, &e (raise "im, see' "is hel( and forgi\*eness. 3e see' refuge in Allah from the e\*il of our inner sel\*es and from the bad deeds from our acts. 3homsoe\*er Allah guides none can lead him astra+ and &home\*er Allah leads astra+ none can guide him. 2bear &itness that there is no deit+ other than Allah alone, &ho has no (artner, and 2bear &itness that Muhammad is "is sla\*e and Messenger/ "is cherished and belo\*ed, chosen s(pecial+ from all "is creation.

يَا أَيُّهَا الَّذِينَ آمَنُوا اتَّقُوا اللَّهَ حَقَّ تُقَاتِهِ وَلَا تَمُوتُنَّ إِلَّا وَأَنتُمْ مُسْلِمُونَ

O +ou &ho ha\*e belie\*ed, fear Allah as "e should be feared and do not die e4ce(t as Muslims 5in submission to "im6 7Aali 8mran: 1\$ 9.

يَا أَيُّهَا النَّاسُ اتَّقُوا رَبَّكُمُ الَّذِي خَلَقَكُمْ مِنْ نَفْسٍ وَاحِدَةٍ وَخَلَقَ مِنْهَا زَوْجَهَا وَبَثَّ مِنْهُمَا رِجَالًا كَثِيرًا وَنِسَاءً ۚ وَاتَّقُوا اللَّهَ الَّذِي تَسَاءَلُونَ بِهِ وَالْأَرْحَامَ ۚ إِنَّ اللَّهَ كَانَ عَلَيْكُمْ رَقِيبًا

O man' ind1 Fear +our Lord, &ho created +ou from one soul and created from it its mate and dis(ersed from both of them man+ men and &omen. And fear Allah, through &hom +ou as' one another, and the &ombs. 2ndeed, Allah is e\*er, o\*er +ou, an Obser\*er 7An-: isa:: 19.

يَا أَيُّهَا الَّذِينَ آمَنُوا اتَّقُوا اللَّهَ وَقُولُوا قَوْلًا سَدِيدًا ﴿٧٠﴾ يُصْلِحْ لَكُمْ أَعْمَالَكُمْ وَيَغْفِرْ لَكُمْ ذُنُوبَكُمْ ۗ وَاللَّهُ يُطِيعُ اللَّهُ وَرَسُولُهُ فَقَدْ فَازَ فَوْزًا عَظِيمًا

O +ou &ho ha\*e belie\*ed, fear Allah and s(ea' &ords of a((ro(riate)ustice. 7<\$9 "e &ill 5then6 rectif+ for +ou +our deeds and forgi\*e +ou +our sins. And &hoe\*er obe+s Allah and "is Messenger has certainl+ attained a great success 7Al-Ah=ab: <\$9.

->eril+, the best s(eech is the ?oo' of Allah, the best guidance is the guidance brought b+ Muhammad 7sa&9 and the &orst of matters are the ne&l+ in\*ented matters and e\*er+ inno\*ation is misguidance..

And the most (erfect and com(lete (ra+ers and (eace be u(on our @ro(het/ Muhammad, and u(con his righteous and (ure famil+ and his sincere and stri\*ing com(anions.

%o @roceed:

Man+ (roblematic matters ha\*e arisen in our current time concerning the realit+ of %a&hid, its categories and its encom(assing of the issues of 7%he right of Legislation9, 7%he so\*ereight+ of the 2slamic la&9 and

7Alliance#lo+alt+ and animosit+#hostilit+9. %his has (articulatl+ been the case follo&ing the abolishment of the last Ahilafah state, &hich could ha\*e been called 2slamic, although onlt+ if &e em(lo+ a lenient and forgi\*ing definition of 2slamic. %he result &as that the &hole &orld transformed into the status of Dar Aufr 7Land#home of disbelief9. %hese (roblematic matters &ere the conseBueunce of (oints of &ea' ness and shortcomings in res(ect to the traditional categori=ation of the areas of . into . , . and . . 3e ha\*e (re\*iouslt+ discussed and dealt &ith most of that in our boo' -At-%a&hid: Asl ul-2slam 3a "aBiBat ut-%a&hid. 7At-%a&hid: %he origin of 2slam and the 7true9 realt+ of %a&hid9. 3ithin that, &e demonstrated, &ith e\*idence, the &ea' ness and shortcomings, indeed the contradictions, &ithin the traditional categori=ation, in addition to the obligation to cast it aside and re(lace it &ith &hat &e (resented in detail in the boo' . And to Allah belongs all the (raise and fa\*our.

Although, a stud+ &as underta'en of the fundamentals of -%a&hid At-%ashree; and Al-"a'imi+ah. in the aforementioned boo' , there ne\*etheless remained im(ortant related issues &hich reBuired e4(ansion and further detailing, or an e4hausti\*e e4(osition of the \*arious related o(inions and \*ie&s. %hat is to (urge the false from among them and to thoroughlt+ and com(letel+ co\*er the sub)ect area, &hich has no& been underta'en, in a manner that &as not (ossible &ithin the general introductor+ boo' . As such, &e ha\*e dedicated and s(ecified it for this s(ecial (a(er entitled:

%he (ressing need to focus solelt+ on these sub)ect areas in an inde(endent (a(er has been e4as(erated b+ the follo&ing matters:

19 %he jurists aligned to the rulers, the inheritors of the rabbis and (riests, the 'illers of the @ro(hets 7ma+ Allah curse them9, ha\*e (artici(ated and shared in am(lif+ing this (roblem and misguiding the general (ublic and indeed e\*en those &ho are not directlt+ from them 7e.g., students of 'no&ledge9. %he+ ha\*e done that in ser\*ice to their masters from the leaders of disbelief and t+rann+, &ho ha\*e re(placed the 2slamic legislations, become allies to the enemies of Allah and made &ar against the A&li+; of Allah 7i.e., "is righteous ser\*ants9. %he+ did that in e4change for a (altr+ (rice, a limited number of coins and a Dun+a that is tem(orar+ and sure to \*anish. %he+ betra+ed the trust and \*iolated the co\*enant:

وَإِذْ أَخَذَ اللَّهُ مِيثَاقَ الَّذِينَ أُوتُوا الْكِتَابَ لَتُبَيِّنُنَّهُ لِلنَّاسِ وَلَا تَكْتُمُونَهُ فَنَبَذُوهُ وَرَاءَ ظُهُورِهِمْ وَاشْتَرَوْا بِهِ ثَمَنًا قَلِيلًا ۖ فَبَيَّنَّ مَا يَشْتَرُونَ

And 5mention, O Muhammad6, &hen Allah too' a co\*enant from those &ho &ere gi\*en the Ccrite, 5sa+ing6, DEou must ma'e it clear to the (eo(le and not conceal it.D ?ut the+ thre& it a&a+ behind their bac's and e4changed it for a small (rice. And &retched is that &hich the+ (urchased 7Aali 8mran: 1F<9.

9 Come of the contem(orar+ 2slamic acti\*ists including those &hose sincerit+ is not Buestioned, due to their in\*ol\*ement in blatant \*iolations of the Char;i+ah rulings, for e4am(le (artici(ation in ruling &ithin Aufr 7un-2slamic9 s+stems#regimes, indulgence in Machia\*ellianism under the (rete4t of (olitical shre&dness and using the (rinci(le of -the ends justif+ the means. &ith the claim that it ser\*es the 2slamic Da;&ah. ConseBuentlt+, the+ greatlt+ abused 2slam and its s+stems, in addition to

falling into disobedience to Allah, &hich leads to failure and loss, ma+ refuge be sought in Allah from that.

!9 %he famil+ of Caud ha\*e (romoted a fabricated, distorted and mutilated \*ersion of -%a&hid. that has no e4istence &ithin the (ractical s(here of life. 2t re\*ol\*es around , the domed shrines, trees, roc's, sand and gra\*es. %he+ did this in order to (reser\*e their authorit+ and decei\*e the masses. %heir scholars 7Masha+i' h9 are either (aid traitors to Allah and "is Messenger or from those &ho are li\*ing in the dar' &ith com(ounded ignorance. %he+ onl+ discuss the &hich is re(resentati\*e of an inno\*ated lie, a matter &hich &e full+ e4(lained in our boo' . %hat is &hilst the+ belittle the of &hich has been established u(on hundreds of certain e\*idences from the Aitab and the Cunnah and leads to the disbelief of the one &ho denies it and ta'es out of the fold of 2lam the one &ho renounces it.

%he famil+ of Caud ha\*e been at the forefront of substituting the 2slamic legislation and befriending the disbelie\*ers. 2ndeed, the+ ha\*e outstri( (ed all of their brothers from the rulers, t+rants and o((ressors &ho ha\*e gained control o\*er the nec's of the Muslims, in res(ect to consolidating and strengthening the forces of disbelief, in terms of the occu(ation of the Arabian @eninsula -%he base of 2lam., the embargo of Muslim 2rab and the e4termination and degrading of its (eo(le. %he+ ha\*e the greatest share and (ecedence, along &ith their cliBue of Masha+i' h 7scholars9, in res(ect to this ma)or dece(tion and great lie!

%he truth is that the+ ha\*e 'illed and made it enter the . %he+ then &ent about ma'ing circumambulation around this gra\*e &hilst dedicating (raise to this and glorif+ing it.

%he ruling s+stem of this famil+ of Caud is itself a s+stem of Chir' and disbelief. 2n addition, it is a satanic rotten s+stem, a regime of a filth+ criminal gang. 2t &as not merel+ content &ith robbing the &ealth of the Muslims and misa((ro(riating the (ublic treasur+ in a historicall+ un(recedented manner, but rather its greed and \*oracit+ &ent e\*en be+ond that in to in\*ol\*ement in the drug, alcohol and (rostitution trades, in addition to &ea(ons smuggling and mone+ laundering.

2f +ou are in an+ doubt about that, then listen to the statements of their Masha+i' h 7scholars9 and reflect u(on the names of the (arties and grou(s defending them -%he Association of Ahl us-Cunnah and "adith., -Ansar 7su((orters of9 As-Cunnah Al-Muhammadi+ah. and -%he troo(s of the Cahabah.. Eou can also \*ie& the boo's that the distribute for free -%he Obedience of Ar-Rahman 7Allah9 in the obedience of the Cultan 7i.e. the one in authorit+9., -%he Gutbi+ah 7i.e. thoughts of Ca++ed Gutb9 are Fitnah 7source of e\*il and dissension9 so become a&are of it., -Al-"a'imi+ah and the Fitnah of %a' fir 7declaring disbelief9..

أَلَا فِي الْفِتْنَةِ سَقَطُوا وَإِنَّ جَهَنَّمَ لَمُحِيطَةٌ بِالْكَافِرِينَ

HnBuestionabl+, into Fitnah the+ ha\*e fallen. And indeed, "ell &ill encom(ass the disbelie\*ers! 7At-%a&bah: 419

Be as Allah, the Almighty, to make this (a)er beneficial and all our acts sincere to Him alone, \*eril+  
He is capable of all matters.

And (ra+ers and blessings upon His slave and messenger Muhammad, his righteous and pure family,  
his sincere and striving companions. Peace and salutations upon him until the Day of Judgement and  
all praise belongs to Allah the Lord of the Worlds.

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We have studied the evidences of Allah, its pillars and categories in the form of a detailed study in our book: *Which discusses with the need to repeat that in detail here. Therefore, we find it sufficient to summarize what we detailed in that book in brief points in a style resembling that of telegrams or cables.*

Our Muslim community's understanding of the Deen is that it means a complete methodology for life, i.e. a specific way of living, established upon the basis of a comprehensive ABeedah belief concerning the universe, the human being and life/ their relationship with what is prior to them and that is Allah, glorified be He, the Most High and their relationship with what is after them and that is the Last Day and what it comprises in terms of being held to account and recompense. It does not only represent the organization of the relationship of the human with his Creator as is the understanding in the disbelief (agnostic & eastern civilizational culture) but rather it represents a comprehensive organization of the life of the human being and all his relationships:

1) The relationship of the human with his Lord: - It respects to Allah's beliefs and the rituals of worship.

2) The relationship of the human with himself: - It respects to 'knowledge, belief, man, intention and the rest of the actions of the heart. It respects to the Allah's morals and Adab manners and in respect to what is eaten in terms of foodstuffs and what is worn in terms of clothing. Indeed, this also includes beautification and adornment.

3) The relationship of the human with other humans, which encompasses:

a) The family relationship in terms of marriage, relations and inheritance i.e., related to the social system.

b) The private relationships i.e., what they have named 'civil' legislations. This refers to the relationships among the individuals in respect to contracts, transactions, industry and agriculture, in addition to the exchange of material benefits via trade, contractors, institutions and companies.

c) The public relationships i.e., the relationship between the ruler and the ruled. This refers to the constitutional relationships and the relationships with the public authority. This relates to the ruling system i.e., the state constitution, the judicial and legal evidences, rules of legislation and (punishments, the legislations related to public funds in terms of the Zakat), the Fajr, taxes, customs and the funds of the public and state properties.

d) What is also in addition to international relations, i.e. the relationship that collectives, nations and states have between each other. This includes the rulings of treaties, Jihad, emissaries and embassies.

4) In addition, it also includes the relationship of the human with other creatures:

a) Animals

b) >vegetation

c) 2animate objects

d) %he 'no&ledge encom(assing the descri(tion of the en\*ironment i.e. in its descri(tion as a com(osite &hole.

Although the s(eciali=ed natural sciences li'e (h+sics, chemistr+ and botan+ among other sciences, &hich are studies of the attributes of the sensed &orld, b+ &a+ of e4(erimentation, obser\*ation, sensation and the intellect, along &ith their a((lication in the areas of engineering, agriculture and medicine, are all from the matters of the Dun+a 7tem(oral matters9, just li'e the s'ills, (rofessions and disci(ines connected to them, li'e na\*igation, blac'smithing and architecture among others, in addition to the manner of bringing &ealth into being and increasing it, b+ &a+ of gra=ing, fishing, farming, manufacturing and trade, and the 'no&ledge related to the circulation of &ealth and currenc+ and the nature of mar'ets 7i.e., &hat is 'no&n as economic science9, are all from the affairs of the 7tem(oral matters9 and not from the matters of the , the Char;i+ah causes for the acBuisition of &ealth, the Char;i+ah limits for its dis(osal and the manner b+ &hich it is distributed in the societ+ 7i.e. &hat is 'no&n as . 9, are ne\*etheless not considered to be from the matters of the Dun+a. Rather, the+ are from the matters of the Deen as the+ are decisi\*el+ connected to the \*ie&(oint in life i.e. the com(rehensi\*e ABeedah 7belief9 concerning the uni\*erse, the human being and life and their relationshi( &ith &hat is (rior to them and &hat is after them. Allah 7s&t9 has re\*ealed Char;i+ah rulings in relation to them &hich are obligator+ to be im(lemented and are com(ulsor+ to be follo&ed. Man &ill be held to account in res(ect to them on the Da+ of Judgement and then the conseBuece &ill either be e\*erlasting ha((iness through the (leasure of Allah and (er(etual delights, or continuous miser+ through the anger of Allah and (ainful torment.

7material ci\*ili=ation9, &hich re(resents the host of material manifestations of human acti\*it+, encom(asses:

- : Li'e (h+sics, botan+, geolog+ and astronom+ for instance.
- : Li'e electrical engineering, agriculture, mining and medicine.
- : Li'e na\*igation, car(entr+, blac'smithing and architecture, in addition to &hat arose from these in terms of machiner+, eBui(ment, roads, installations and agricultural (roducts.

?ased u(on this, &e 'no& that 7material ci\*ilisation9, according to this **constant definition**, in terms of the origin and ideological basis, is uni\*ersal, general and im(artial. 2t has no relationshi( in terms of ideological basis to the \*ie&(oint in life and as such, it is similar among all nations regardless of their beliefs and cultures. 2t is therefore (ermissible for the Muslim to ado(t it from an+ (lace and to a((l+ it as he &ishes, as long as it does not o((ose a s(ecific Char;i te4t. %hat is &hilst em(lo+ing constant caution and continual alertness to the (ossibilit+ that it has been (olluted b+ a s(ecific culture or that it is (artial or attached to a (articular belief.

%here also e4ists &hich is connected to and influenced b+ the \*ie&(oint in life. %his is s(ecific to e\*er+ nation or (eo(le and it is not (ermissible for Muslims to ado(t it or to acBuire it from others. %hat is li'e the arts of dancing, image ma'ing, scul(ting, acting, theatre and &hat is similar to that. %hat also includes some (rofessions li'e massaging and (rostitution, ma+

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Allah's refuge be sought. Just as it includes some (h+sical s(orting, recreational and amusement activities li'e bull and coc' erel fighting, for e4am (le.

As for 7Cultural ci'ilisation9 then it re(resents a &a+ of life or, in other &ords, it is a host of beliefs, conce(ths, morals and criteria about life and &hat is connected to them in terms of 7culture9.

It is true that &e often find these terms 7i.e. Madani+ah and " adarah9 being used in a manner &here the+ are intermingled &ith each other. %hat is &hen the term is used &ith the meaning of the term or &hen their understandings are mi4ed or confused &ith each other. %he result is the mi4ing of their understandings, their intermingling, muddling from the clear creedal conce(tion and conseBuentl+ leading to difficult+ in res(ect to ado(ting a sound FiBhi 7legal Juristic9 (osition. For that reason, great care needs to be ta'en in order to be (recise &ith the understandings and to ma'e sure that the terms conform to the meaning of the conce(ths, &hilst remo\*ing the (ossibilit+ of them being entangled or confused. Other&ise, the creedal, intellectual and then (ractical conseBuences, &ould be disastrous.

refers to the host of sciences, areas of ' no&ledge and e4(ertise &hich the ABeedah 7belie9 of that " adarah is the cause for their stud+ and their origin, or it is the areas of ' no&ledge &hich influence the mind and its based judgment u(on things and matters. %hat includes legislation, econom+, histor+, language and other similar matters.

%his and that &hich is a (art of it, is b+ necessit+ (artial, (re)udiced and s(ecific. E\*er+ nation or (eo(le are connected to it b+ a creedal basis &hich that nation belie\*es in. For that reason, 2slam has its o&n s(ecial " adarah, , &hich encom(asses its distinct %haBafah 7culture9 , &hich 7in turn9 encom(asses the sciences of the Arabic language and the sciences of the 2slamic Deen, &ith its \*arious branches. It filled the Dun+a 7&orld9 &ith light, ' no&ledge and guidance and it is the most com(lete and richest of all cultures in the Dun+aa, in terms of boo's and (roduced &ritten literature.

As for that &hich the &esterners laud and call , then this is onl+ a dece(ti\*e forged name for their o&n -" adarah. 7Cultural ci'ilisation9. It is a disbelie\*ing cultural ci'ilisation established fundamentall+ and essential+ u(on Mree' Roman (aganism &ith slight touches of the distorted and misguided Christianit+, &hich had become corru(ted some centuries follo&ing its ince(tion, transforming into a hateful and malicious crusade, in addition to tinges of cursed and racist Judaism, the Judaism of the sinful rabbis and (riests and ' illers of the @ro(hets. It is a (urel+ localised &estern cultural ci'ilisation and has no relationshi( to the beliefs, conce(ths, con\*ictions and customs of the remaining (eo(le of the &orld.

%his nation 7i.e. the &est9 chose this name, &hich gi\*es the im(ression of and , to decei\*e the (eo(le of the &orld and (articularl+ the Muslims. %hat is in order to ta'e them a&a+ from their Deen b+ utilising this underhanded and scheming method. It is so that the+ embrace this &estern " adarah 7cultural ci'ilisation9 &hich has fraudulentl+ and falsel+ been de(icted as being . Li\*ing in accordance to it ine\*itabl+ means lea\*ing the Deen of 2slam and falling into disbelief; disbelief in Allah, "is angels, 7oo's, Messengers and the Da+ of Judgement. %his misguidance is far-reaching and refuge is sought in Allah, the Most "igh.

%his naming also re(resents a strong indication of the racial (re)udice of the &est, its arrogance and its \*ie& of su(eriorit+ o'er the rest of man' ind. 3hat originated from the &est, according to their



claim, &as and &hat e4isted among other nations and (eo(les &as)ust local or regional. 2t &as limited, bac' &ard, barbaric and &as not entitled to be called -human.. 2n the best of cases, it &as considered to be limited, local and im(ossible to be uni\*ersal or global

2n the (re\*ious introduction it &as made clear that the matters of the Deen are not)ust ritual &orshi(s, beliefs of the unseen and nice morals and manners, as is de(icted b+ the &estern understanding, but rather all facultati\*e human actions are sub)ect to the "'u'm Char;i+ 7i.e. 2slamic rulings9.

%hat is &hether:

a9 @ure &orshi( and gaining closeness to Allah is sought from the actions, meaning the realisation of the aim or \*alue of , &hich includes: -%he (urel+ ritual acts of &orshi( li'e the Calah, Dhi'r and Du;a..

b9 Or the \*alue that is sought to be realised from them, &hich includes: -%he morals li'e honest+, fulfilling trusts, generosit+ and e\*en the \*ind treatment of animals..

c9 Or the \*alue that is sought to be achie\*ed b+ them, &hich includes actions li'e: -Rescuing the one in need and sa\*ing the dro&ning (erson, regardless of his colour, religion, nationalit+ and gender..

d9 Or &hat the human being intends b+ them from a or gain, li'e: -%he attainment of glor+, (ride or (raise..

e9 Or &hether he &ants to obtain a benefit or a \*alue, li'e: -Mone+ \*ia trade and &hat resembles that..

All of these actions fall under the remit of "'u'm Char;i+ &hilst

. ConseBuentl+, if the human realises that he is &orshi((ing Allah in all of his circumstances and situations 7in the case &here &orshi((ing here means the acce(tance, submission, contentment and obedience to the command of Allah, based u(on the glorification of Allah and lo\*e for "'im9, and abides b+ "'u'm Char;i+ in all of his actions, he ould become a s(iritual &orshi((er and deser\*ing of re&ard and commendation for this s(iritual &orshi((ing as(ect. 2t is for this reason that some of the 8Hlamaa; 7Ccholars of 2lam9 stated:

. %his statement ho&e\*er is not (ecise because the customs and norms or more accuratel+ the (ermissible 7Mubahat9 do not transform into the recommended 7Mandubat9 or the obligator+ 73a)ibat9. Rather, it is the (resence of a (articular or 7intention9 that can ma\*e the human entitled to re&ard, or indeed (unishment. 2t is not due u(on the action itself, in the case of it being a mere action, &hich remains Mubah 7(ermissible9 &ith no re&ard or (unishment attached to its doer.

%he is therefore a s(ecific manner or &a+ of li\*ing or a s+stem of life i.e., a general follo&ed Charee;ah 7la&9/ regardless of &hether it is true or false. 2t is not merel+ a host of beliefs about the unseen, rituals of &orshi( and nice morals and manners, as reflected in the &estern conce(tion of the Deen &hich, for e4am(le, the+ call - in the English language. Rather, it encom(asses the organisation of all of the 7human9 relationshi(s as &e ha\*e (re\*iousl+ stated. %hat is due to the

innumerable decisions which must be 'no' from the Deen but necessitate. These include the following:

Now what the Prophet (ﷺ), following the incident related to the Collation of the trees at the beginning of the Madinah period, specified the matters of the Deen to his noble self, whilst he transferred all the affairs of the Dunya to the remit of the people. He also reiterated that again at a later time. It has been confirmed by the reports of al-Bukhari and Muslim that he commanded and forbade, informed and intervened in innumerable matters related to societal transactions, (punishments, rulings related to governance, international relations, war and peace, and security and fear among other matters, which decisions fall outside of the scope of beliefs related to unseen matters, rituals of worship and nice morals and manners. It is therefore decided that these are all matters of the Deen.

Now Allah, the Most High, obligated the flogging of the fornicators and obliged that a part of the believers witness its implementation. His words follow the statement:

وَلَا تَأْخُذْكُمْ بِهِمَا رَأْفَةٌ فِي دِينِ اللَّهِ

Let not (it) withhold you regarding them, in respect to the Deen of Allah (An-Nur: 9).

This is a decision indicating that the prohibition of fornication and the punishment imposed for it in this Dunya in accordance to a prescribed fixed punishment does not accept being pardoned and that lenience is not permissible regarding it under the pretext of (it) or mercy. The specification of a (articular number to witness it and the attendance of its implementation but a (art, likewise, is all from the Deen of Allah.

Now he (lan that Allah, the Most High, decided for Eusuf to enable him to detain his brother. What was through the application of the punishment for theft which had been prescribed in the Chareeah of Eabub 7as9, which was to enslave the thief, instead of the application of the punishment prescribed in the Chareeah 7la9 of the 'ing. Allah 7aalaa then stated:

كَذَلِكَ كِدْنَا لِيُوسُفَ ۖ مَا كَانَ لِيَأْخُذَ أَخَاهُ فِي دِينِ الْمَلِكِ

In this way did we (lan for Eusuf. He could not have been able to take his brother but the law of the 'ing was a slave for Eusuf: <L9.

It is 'no' for certain, that the speech here does not relate to the beliefs of the unseen, ritual acts of worship nor nice morals and manners. Rather, it relates to the crime of theft and its punishment according to the law of Chareeah of Eabub 7as9 or the law of the Aing, which was expressed as the of the 'ing but the Quranic text i.e., his Chareeah 7la9 and system and not his belief concerning the unseen, or his ritual acts of worship or the manners and morals that he deemed to be good or bad. What is because the speech here is not connected to this and has no relationship to it.

Concerning the -3ah+. This inclusion in (ired relation to the does not at all mean that the 3ah+ has not come addressing any matter from the matters of the Dunya. Rather it has come in relation to some of the matters of the Dunya affairs or indeed to many of them. What is as:

اللَّهُ يَحْكُمُ لَا مُعَقِّبَ حُكْمِهِ

And Allah judges, there is none to reverse His Judgement 7Ar-Ra;d: 419

And He:

يَفْعَلُ مَا يَشَاءُ

He does as He wills 7Aali Imran: 439.

And:

لَا يُسْأَلُ عَمَّا يَفْعَلُ وَهُمْ يُسْأَلُونَ

He is not Buestioned about what He does, whilst they will be Buestioned 7Al-Anbi+a: 19.

:uh 7as9 He ho& to build the shi( \*ia the 3ah+ 7re\*elation9, Da&ud He ho& to ma'e armour and &ar clothing, Culaiman He the s(eech of birds and some of the @ro(hets had 'no&ledge of medicine and treatments. All of these are certainl+ from the matters of the Dun+a. Come of them came in the form of custom, grace and fa\*our whilst others came as miracles or as s(pecial fa\*ours for the @ro(hets and Allah;s A&li+aa;.

2n addition, Allah 7s&t9 has informed about man+ realities of this sensed uni\*erse. What included teaching and guidance, miracles for @ro(hets and clear (roofs for their truthfulness and for what the+ con\*eed from Him, just as it included other matters. Des(ite that, the fundamental role of the 7di\*ine re\*elation9 remains the matters of the -Deen., i.e., Allah informing His will, His command and forbiddance, about Himself, the unseen and the Last Da+.

As He ha\*e (re\*iousl+ stated, this re(resents the (rimar+ and most im(ortant Char;i+ meaning for the term which is a (articular &a+ of life, a s+stem of life and a general Chareeah that is follo&ed. Wherefore, Islam is a Deen. It is the Deen of truth and Allah will not acce(t other than it on the Da+ of Judgement. Cimilarl+, secularism or more accuratel+ termed i.e., focused on and re\*oling around the Dun+a9 is a Deen/ a false Deen. 3estern liberal democrac+ is also another Deen from among the Deens of falsehood and disbelief, whilst materialist socialism re(resents a third Deen from among the Deens of disbelief and misguidance.

As for the second meaning for the usage of the term -Deen. in the Char;a, then it refers to the being held to account and the recom(ense, li'e in the manner it came in the statement of Allah 7s&t9:

مَالِكِ يَوْمِ الدِّينِ

He o&ner of the Da+ of the Deen 7Al-Fatihah: 49.

This is &here the Deen refers to the Da+ of being held to account and being recom(ensed.

And similarl+, as found in His statement related to the s(eech of the disbelie\*ers:

إِذَا مِتْنَا وَكُنَّا تُرَابًا وَعِظَامًا أَإِنَّا لَمَدِينُونَ

When we die and become dust and bones, shall we indeed be raised up to receive re&ard or (unishment according to our deeds? PD 7As-Caffat: Q19.

Here -مَدِينُونَ. Madeenun derived from Deen means that we will be held to account and recompensed.

As for the linguistic meaning then the word -Deen. is a Masdar (root noun) from the verb:

- دَانَ - يَدِينُ - دَيْنًا - دِيَانَةً. Daana R Eadeenu R Dainan -Di+aanah9.

It is the name for all that which Allah is &orshi(ed, in addition to the Millah, the Ceera, the custom 7Adah9, the affair 7Chan9, the account 7'isaab9, the 'ingdom or dominion 7Mul'9, the authority 7Cultan9, the 'u'm rule# judgement9, the judicial 7Gadaa'9 and management 7adbeer9.

-Daana. means: "e surrendered, submitted and obeyed.

-Daana &ith something. means: "o ta'e it as a Deen and &orshi(ed it.

-Comeone Daana someone. means: "e held him to account, he recompensed him and go\*erned him.

The Islamic Deen is therefore not a s(iritual Deen, upon which a moral system or code is established and to which a set of ritual acts of &orshi( are attached i.e., it is not merely a that fits &ith the Western conception of - .. Rather, in addition to those matters it is a -Mabda;. 7basic (rinci(le9, meaning that it is an ABeedah 7belief9 from which a system emanates. In the English language this is referred to as an - ..

The Islamic ABeedah is a rational ABeedah because it is based upon the mind. This means that it is established upon the (rinci(le of -Cufficient reason. Which com(els the generation of an e4(planation for the e4istence of this universe: 3h+ does it e4ist in origin? It is unacceptable to mo\*e for&ard e4ce(t after settling this (rimar+ fundamental issue which, for the human, re(resents the number one issue or the issue of all issues. The truth of our statement that the Islamic ABeedah is a rational ABeedah and that it alone is the correct ABeedah, will become a(arent, albeit in a general manner, &ithin the course of this book'.

The Islamic ABeedah is a s(iritual ABeedah because it is based:

, upon the decisive belief and firm certainty in the e4istence of Allah 7s&t9 and that the - and 7Creation and command9 belong to "im alone. What is in contrast and com(lete contradiction to the materialistic and atheistic schools of thought.

, upon the obligation of realising the connection &ith Allah, the obligation of its affirmation, submission to its necessary dictates and making it the basis for all relationships, systems and legislation. What is in contrast and com(lete contradiction to the secular, Dun+a&i+ah 7world+9, liberal and agnostic schools of thought.

The Islamic ABeedah is a - . ABeedah as its system encompasses e\*er+ legislation for life. What includes the relationships between the ruler and the ruled, the fostering of the general (ublic affairs, and the relationship of the Himmah 7nation9, the Jama'ah 7collective9 and the state &ith other nations, collectives and states in the &orld.

Materialist socialism is also an - . as it is a belief from which emanates a system. It is therefore a - . according to the meaning clarified above. The fundamental Abedah belief upon which socialism is established is - . or more specifically - .  
-Materialism. , with its variety of detailed schools of thought, is not a rational belief, even if it is claimed to be. What is because it is based upon submission. to the notion of the eternality of material with its fundamental attributes, meaning that it is established upon the notion of - . i.e. exists in and of itself, without (providing any proof for that, apart from mere and baseless claims. The aim of the adherents of materialism is to attempt to cast doubt upon and discredit the (proofs which affirm and (prove the existence of Allah.

This belief is similar to a materialist belief. It is impossible to be a spiritual belief as it denies the existence of anything outside of matter and consequently, by greater reason, it denies the existence of Allah.

Liberal capitalist secularism is currently also an - . i.e. an Abedah from which emanates a system. It is therefore a -Deen. according to the meaning clarified earlier. Its fundamental belief is - . which in origin was a compromise made to end the horrific conflict that took place between the clergy and church on one side and the 'ings, statesmen and thinkers on the other side. It then developed at the hands of the (philosophers and thinkers until it became a - . which claimed that the - . is not an essential issue. Consequently, it is man who lays down his system by himself and for himself and all freedoms must necessarily be let loose so that the human is enabled to undertake that in the best way.

Secularism, at its inception was merely - . manifested in a host of (proceedings and agreements, with no cohesion between them, in order to resolve the raging conflict taking place within those Western societies. This did not fulfil the description of an - . but rather it developed to become an ideology a long time after that.

The secular belief Abedah, even after the completion of its development is not a rational belief. What is because it is impossible for Allah to be existent and non-existent at the same time. In addition, it is impossible for this fundamental issue to be non-essential. Fleeing from (proof is not a (proof, just as scepticism and raising doubt about an evidence does not equate to being a (proof or evidence.

As the existence of Allah is not taken into consideration here, it is impossible for the secular Abedah to be a spiritual Abedah.

It is the last and final Deen, through which Allah has completed and conclusively abrogated all (previous Deens, with what it brought in terms of "absolute truth and ?absolute falsehood. Allah no longer accepts other than it and none will be saved in the hereafter except by it.

The meaning of -Islam. linguistically is surrender and submission. Islam therefore is: -

Allah ﷻ said:

إِنَّ الدِّينَ عِنْدَ اللَّهِ الْإِسْلَامُ

Verily, the Deen with Allah is Islam Al-Aali Quran: 119.

And "e ﷻ said:

وَرَضِيتُ لَكُمُ الْإِسْلَامَ دِينًا

And I have chosen for you Islam as your Deen Al-Ma'idah: 9.

And:

وَأَنِيبُوا إِلَىٰ رَبِّكُمْ وَأَسْلِمُوا لَهُ مِن قَبْلِ أَن يَأْتِيَكُمُ الْعَذَابُ ثُمَّ لَا تُنصَرُونَ

And return in repentance to your Lord and submit to Him before the (punishment) comes upon you/ then you will not be helped (ed) Al-Qamar: 49.

And:

فَلَا تَمُوتُنَّ إِلَّا وَأَنتُمْ مُسْلِمُونَ

So, do not die except that you are Muslims Al-Baqarah: 19.

And:

وَلَا تَمُوتُنَّ إِلَّا وَأَنتُمْ مُسْلِمُونَ

And do not die except that you are Muslims Al-Aali Quran: 19.

And "e ﷻ said:

وَقُلْ لِلدِّينِ أُوتُوا الْكِتَابَ وَالْأَمِينَ ۚ أَسْلَمْتُمْ ۚ فَإِنْ أَسْلَمُوا فَقَدِ اهْتَدَوْا ۖ وَإِنْ تَوَلَّوْا فَإِنَّمَا عَلَيْكَ الْبَلَاءُ ۚ وَاللَّهُ بَصِيرٌ

بِالْعِبَادِ

And say to those who were given the Scripture and to the unlearned, O people! you have submitted yourselves to Allah. And if they submit to Islam, they are rightly guided/ but if they turn away - then upon you is only the duty of conscience. And Allah is All-Knowing of His servants Al-Aali Quran: 99.

And:

وَمَنْ يَبْتَغِ غَيْرَ الْإِسْلَامِ دِينًا فَلَنْ يُقْبَلَ مِنْهُ وَهُوَ فِي الْآخِرَةِ مِنَ الْخَاسِرِينَ

And whoever desires other than Islam as a Deen, neither will it be accepted from him, and in the Hereafter, he will be among the losers Al-Aali Quran: F09.

The term - . and - . has also been applied to (re)ligious nations and Deens, like in the speech of Allah:

... يَحْكُمُ بِمَا النَّبِيُّونَ الَّذِينَ أَسْلَمُوا لِلَّذِينَ هَادُوا

The (reports) who submitted to Allah (judged by it for the Jews Al-Ma'idah: 44).

And this is speech concerning Easub and his sons As:

يَا بَنِيَّ إِنَّ اللَّهَ اصْطَفَى لَكُمُ الدِّينَ فَلَا تَمُوتُنَّ إِلَّا وَأَنتُمْ مُسْلِمُونَ

O my sons, indeed Allah has chosen for you the Deen, so do not die except that you are Muslims Al-Barah: 119.

And this statement:

أَفَعَرِّدُ دِينَ اللَّهِ يَبْغُونَ وَلَهُ أَسْلَمَ مَنْ فِي السَّمَاوَاتِ وَالْأَرْضِ طَوْعًا وَكَرْهًا وَإِلَيْهِ يُرْجَعُونَ

So, is it other than the Deen of Allah the desire, and while to him have submitted all those within the heavens and earth, willingly or by compulsion, and to him they will be returned Al-Aali Quran: F19.

In these verses and those similar to them, the original linguistic meaning is intended and that is surrender and submission, in other words, the meaning mentioned above: -.

..

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It means: What none are deserving to be loved, glorified, sanctified, humbled before, submitted to the command of, obeyed, in respect to that which is from his essence being in terms of the attributes of perfection, and that which he possesses in terms of independent power and ability to harm and benefit, apart from Allah.

In other words: There is none that is rightful or shrank other than Allah and if other than Allah is shrank, then it is false or invalid.

This means that none enjoy the attributes of - . i.e. the attributes of - . in terms of al - . standing and existing by oneself referring to the -indis(ensable existence. i.e. self-existence and free of need of another. In addition to its attribute of absolute innate power and capability, free from any restriction or condition. What relates to creation from nothing, shaping, forming, subsection, management and the possession of

the command 7Al-Amr9 and the forbiddance 7An-: ah+9. : one are attributed &ith that e4ce(t for Allah. 2f an+ of that has been attributed to other than "im, then it is a lie, fabricated falsehood and false imagination or delusion, in addition to being in o(osition to the realit+ and truth.

2f +ou li'e +ou could sa+ that: : one deser\*e to be obe+ed due to their being, so that the command is recei\*ed &ith acce(tance, contentment, submission, lo\*e, res(ect, glorification and obedience, other than Allah. Other than him are onlt+ obe+ed through the command of Allah, &hilst the command of Allah is not 'no&n e4ce(t through the decisi\*e and certain (roof or e\*idence1

One could also sa+ as our Lord has said:

أَلَا لَهُ الْخَلْقُ وَالْأَمْرُ

HnBuestionabl+, "is is the creation and the command 7Al-A;araf: Q49.

Or as our Lord said &hen "e informs us of the all-encom(assing statement of Eusuf 7(eace and blessings be u(on "im, his fathers and forefathers9:

إِنِ الْحُكْمُ إِلَّا لِلَّهِ أَمَرَ أَلَّا تَعْبُدُوا إِلَّا إِيَّاهُ

%he ruling 7or judgement9 is for none but Allah. "e has commanded that +ou &orshi( none but "im 7Eusuf: 4\$9

Allah 7s&t9 said:

ذَٰلِكَ بِأَنَّ اللَّهَ هُوَ الْحَقُّ وَأَنَّ مَا يَدْعُونَ مِن دُونِهِ هُوَ الْبَاطِلُ وَأَنَّ اللَّهَ هُوَ الْعَلِيُّ الْكَبِيرُ

%hat is because Allah "e is the %ruth 7the onlt+ %rue Mod of all that e4ists, 3ho has no (artners or ri\*als &ith "im9, and &hat the+ 7the (ol+theists9 in\*o'e besides "im, it is ?atil 7falsehood9 And \*eril+, Allah "e is the Most "igh, the Most Mreat 7Al-"a)): L 9.

And "e 7s&t9 said:

ذَٰلِكَ بِأَنَّ اللَّهَ هُوَ الْحَقُّ وَأَنَّ مَا يَدْعُونَ مِن دُونِهِ الْبَاطِلُ وَأَنَّ اللَّهَ هُوَ الْعَلِيُّ الْكَبِيرُ

%hat is because Allah, "e is the %ruth, and that &hich the+ in\*o'e besides "im is Al-?atil 7false9, and Allah, "e is the Most "igh, the Most Mreat 7LuBman: ! \$9

And:

فَاعْلَمْ أَنَّهُ لَا إِلَهَ إِلَّا اللَّهُ

Co, 'no& 7O Muhammad9 that La 2laha 2lallah 7%here is no deit+ other than Allah9 7Muhammad: 119.



: : egating the Hluhi+ah, as a &hole, from other than Allah, in a decisi\*e, absolute and categorical manner1 %herefore, it is first necessar+ to disbelie\*e in e\*er+ other - . 7&orshi( (ed thing or entit+9, i.e., e\*er+ - . 7deit+9 or - . , other than Allah and to com(letel+ disa\*o& and reject it.

: Affirming all attributes of Hluhi+ah and the attributes of (erfection, beaut+ and sublimit+ to Allah 7s&t9, including &hat that entails in terms of the acts of creation, formation, dis(osal, management, benefit and harm, the command and (rohibition. Cimilarl+, 7m 7' no&ledge9, Mash;ah 7&ill9 and %aBdeer 7determination9 all belong to Allah alone &hilst "e has no (artner. T

Allah 7s&t9 said:

فَمَنْ يَكْفُرْ بِالطَّاغُوتِ وَيُؤْمِن بِاللَّهِ فَقَدِ اسْتَمْسَكَ بِالْعُرْوَةِ الْوُثْقَىٰ لَا انْفِصَامَ لَهَا ۗ وَاللَّهُ سَمِيعٌ عَلِيمٌ  
Co, &hoe\*er disbelie\*es in %aghut and belie\*es in Allah, then he has gras(ed the most trust&orth+ handhold that &ill ne\*er brea'. And Allah is All-"earing, All-Ano&ing 7Al-?aBarah: QL9.

Allah 7s&t9 also said &hen informing us of the s(eech of 2brahim 7as9:

إِنِّي بَرَاءٌ مِّمَّا تَعْبُدُونَ ﴿٢٦﴾ إِلَّا الَّذِي فَطَرَنِي  
D>eril+, 2am disassociated from that &hich +ou &orshi( 7 L9 E4ce(t for "e &ho created me. 7A=-Ou' hruf 7 L- <9.

2t has been re(orted in the Caheeh from the @ro(het 7sa&9, that he said:

مَنْ قَالَ لَا إِلَهَ إِلَّا اللَّهُ وَكَفَرَ بِمَا يُعْبَدُ مِنْ دُونِ اللَّهِ حُرِّمَ مَالُهُ وَدَمُهُ وَحِسَابُهُ عَلَى اللَّهِ

3hoe\*er said -La 2laha 2lallah. and disbelie\*ed in &hat is &orshi( (ed besides Allah, his (ro(ert+ and blood are in\*iolable, and his account rests &ith Allah 7Muslim9.

%he Chahadah is therefore a negation and affirmation, in the case &here the negation (roceeds the affirmation. 2t is therefore necessar+ to first disbelie\*e in e\*er+ %aghut and all that is &orshi( (ed besides Allah. Other&ise, there is no t+ing to 2slam and conseBuentl+ no sal\*ation in the hereafter.

Muhammad is the one &ho con\*e+s from Allah in an infallible manner, &ith no omission, addition, error, lie or forgetfulness.

"e 7sa&9 does not forget but can be made to forget, in order to establish for his Hmmah the rulings related to forgetfulness. %hat is because he is the best e4am(le and greatest model.

And he 7sa&9, does not (ronounce from his desire and does not s(ea' other than the truth. "e does not s(ea' e4ce(t b+ ' no&ledge from Allah and he does not (recede his Lord &hen he is as' ed about a ne& matter. Rather, he remains silent and &aits until the 3ah+ 7di\*ine re\*elation9 comes to him &ith the "u' m 7judgement9 of Allah. %hat is because he is onl+ the con\*e+er from Allah. ConseBuentl+, he does not underta'e 7tihad, does not need to do so and indeed it is not fitting for him to do so. Allah has freed and raised him abo\*e 7tihad but has honoured his Hmmah and besto&ed "is merc+ u(on it b+ re&arding e\*er+ Mu)tahid, &hether he &as correct or erred in his 7tihad. 2f he is correct, he attains t&o re&ards, or more, &hilst if he errs, he &ill attain a single re&ard1

%he meaning of - . is therefore: %here is no one &ho is rightfull+ follo&ed e4ce(t for the Messenger of Allah 7sa&9, &hilst other than the Messenger of Allah 7sa&9 are not follo&ed or obe+ed, unless it is b+ the command of Allah and "is Messenger &hich is established b+ the decisi\*e e\*idence from them. %he one &ho follo&s that &hich has no e\*idence or (roof for it, has follo&ed the &a+ of ?atil 7falsehood9.

E\*en follo&ing in the - . 7(ermissible matters9 reBuies e\*idence because 7bahah 7(ermissibilit+9 is a "u' m Char;i+ b+ &a+ of %a' lif 7legall+ charged res(onsibilit+9. Follo&ing in the Mubah 7(ermissible9 is just li'e follo&ing in other than it in terms of the 3a)ib, Mandub, Ma' ruh, "aram, Cabab, Ru' hsa, 8A=imah, Cihhah, ?utlan and Fasad. %he+ are all eBuall+ and &ithout difference related to the electi\*e actions of the ser\*ants, the "u' m Char;i+ 7Islamic ruling9, &hich are not ' no&n &ithout a Char;i+ Dalil 7e\*idence9.

As for &hat the (eo(le did b+ their o&n \*olition and choice during the (eriod (rior to the coming of the message and the establishment of a clear (roof, then it re(resents the - 7Legall+ charged res(onsibilit+9 and not the Mubah 7(ermissible9. %hat is because 7bahah 7(ermissibilit+9 is a "u' m Char;i+ and it is un' no&n until the Char;a states it or after the %a' lif comes for it, as has been made e\*ident in this (a(er of ours: -

..

Allah 7s&t9 said:

اَتَّبِعُوا مَا أُنْزِلَ إِلَيْكُم مِّن رَّبِّكُمْ وَلَا تَتَّبِعُوا مِن دُونِهِ أَوْلِيَاءَ ۚ قَلِيلًا مَّا تَذَكَّرُونَ

Follo&, 50 man' ind6, &hat has been re\*ealed to +ou from +our Lord and do not follo& other than "im an+ allies. Little do +ou remember 7Al-A;araf: 19.

"e 7s&t9 said:

فَلَا وَرَبِّكَ لَا يُؤْمِنُونَ حَتَّىٰ يُحَكِّمُوكَ فِيمَا شَجَرَ بَيْنَهُمْ ثُمَّ لَا يَجِدُوا فِي أَنفُسِهِمْ حَرَجًا مِّمَّا قَضَيْتَ وَيُسَلِّمُوا تَسْلِيمًا

?ut no, b+ +our Lord, the+ &ill not 5trul+6 belie\*e until the+ ma'e +ou, 50 Muhammad6, the )udge concerning that o\*er &hich the+ dis(ute among themsel\*es and then find &ithin themsel\*es no discomfort from &hat +ou ha\*e )udged and submit in 5full, &illing6 submission 7An-: isa-: LQ9.

"e 7s&t9 said:

وَمَا كَانَ لِمُؤْمِنٍ وَلَا مُؤْمِنَةٍ إِذَا قَضَى اللَّهُ وَرَسُولُهُ أَمْرًا أَنْ يَكُونَ لَهُمُ الْخِيَرَةُ مِنْ أَمْرِهِمْ ۗ وَمَنْ يَعْصِ اللَّهَ وَرَسُولَهُ فَقَدْ

صَلَّ ضَلَالًا مُبِينًا

It is not for a believing man or a believing woman, when Allah and His Messenger have decided a matter, that they should thereafter have any choice about their affair. And whoever disobeys Allah and His Messenger has certainly strayed into clear error. Al-Ah-ab: 19.

He said:

مَنْ يُطِيعِ الرَّسُولَ فَقَدْ أَطَاعَ اللَّهَ

Who obeys the Messenger has obeyed Allah. An-isa: 59.

He said:

وَمَا أَرْسَلْنَا مِنْ رَسُولٍ إِلَّا لِيُطَاعَ بِإِذْنِ اللَّهِ

And we did not send an messenger except to be obeyed by (permission of Allah. An-isa: 149.

He said:

وَمَنْ يَعْصِ اللَّهَ وَرَسُولَهُ فَإِنَّ لَهُ نَارَ جَهَنَّمَ خَالِدًا فِيهَا أَبَدًا

And whoever disobeys Allah and His Messenger, then indeed, for him is the fire of Hell/ the Hell abide therein forever. Al-Jinn: 19.

And He said:

تِلْكَ حُدُودُ اللَّهِ ۚ وَمَنْ يُطِيعِ اللَّهَ وَرَسُولَهُ يُدْخِلْهُ جَنَّاتٍ تَجْرِي مِنْ تَحْتِهَا الْأَنْهَارُ خَالِدِينَ فِيهَا ۚ وَذَلِكَ الْفَوْزُ الْعَظِيمُ

﴿١٣﴾ وَمَنْ يَعْصِ اللَّهَ وَرَسُولَهُ وَيَتَعَدَّ حُدُودَهُ يُدْخِلْهُ نَارًا خَالِدًا فِيهَا وَلَهُ عَذَابٌ مُهِينٌ

These are the limits set by Allah, and whoever obeys Allah and His Messenger will be admitted by Him to gardens in Paradise under which rivers flow, abiding eternally therein/ and that is the great attainment. 13! And whoever disobeys Allah and His Messenger and transgresses His limits - He will put him into the Fire to abide eternally therein, and he will have a humiliating punishment. An-isa: 13-149.

-%a&hid. 7الفرجيد is the Masdar 7root noun9 from the \*erb - 3ahhada. 7وَحَدَّ with a Chadda 7ح on the middle "aa;. 2t can mean one of t&o things:

: %he combining or unifying of man+ se(arate or di\*ided things and ma'e them &hole. Co, &e  
&ould sa+ for e4am(1e: -%hat a certain leader came to di\*ided tribes and entities and unified them  
into a single entit+..

: %he realisation of the single thing or it being unified or its oneness and affirmation of that.  
Co, it &ould be said: -2made %a&hid of Allah. i.e. 2realised that "e is one and 2ha\*e affirmed that.  
%his second meaning is the one that concerns us here.

Allah 7s&t9 said:

وَإِذَا دَكَّرْتَ رَبَّكَ فِي الْقُرْآنِ وَحْدَهُ وَلَوْ عَلَىٰ أَذْبَابِهِمْ نُفُورًا

And &hen +ou mention +our Lord in the Qur'an, the+ turn bac' in a\*ersion 7Al-2sraa: 4L9.

"e 7s&t9 said:

وَإِذَا ذُكِرَ اللَّهُ وَحْدَهُ اشْمَأَزَّتْ قُلُوبُ الَّذِينَ لَا يُؤْمِنُونَ بِالْآخِرَةِ وَإِذَا ذُكِرَ الَّذِينَ مِنْ دُونِهِ إِذَا هُمْ يَسْتَبْشِرُونَ

And &hen Allah is mentioned , the hearts of those &ho do not belie\*e in the "ereafter shrin'  
&ith a\*ersion, but &hen those 5&orshi( (ed6 other than "im are mentioned, immediatel+ the+  
re)oice 7A=0umar: 4Q9.

And "e 7s&t9 said:

ذَلِكُمْ بِأَنَّهُ إِذَا دُعِيَ اللَّهُ وَحْدَهُ كَفَرْتُمْ بِهِ وَإِنْ يُشْرَكَ بِهِ تَزْمِنُ لَهُ الْعَالَمِينَ

7t &ill be said9: D%his is because, &hen Allah &as in\*o' ed 7in &orshi(, etc.9 +ou disbelie\*ed,  
but &hen (artners &ere)oined to "im, +ou belie\*ed1 Co, the Judgement is onl+ &ith Allah, the Most  
"igh, the Most Mreat1D 7Al-Mhafir: 1 9.

2bn 8Abbas 7ra9 related:

إِنَّكَ تَقْدُمُ عَلَىٰ قَوْمٍ مِنْ أَهْلِ الْكِتَابِ فَلْيُكُنْ أَوَّلَ مَا تَدْعُوهُمْ إِلَيْهِ أَنْ يُوحِدُوا اللَّهَ تَعَالَىٰ

%hat the Messenger of Allah 7sa&9 dis(atched Mu;adh to Eemen and said to him: -Eou &ill come to a  
(eo(1e from the eo(1e of the ?oo' and so let the first 7thing9 that +ou in\*ite them to be that the+  
ma'e . of Allah, the Most high9. 7%he te4t of Al-?u' hari. Also recorded in Muslim, At-%irmidhi,  
An-: asa;i, Abu Da&ud, 2bn Ma)ah, Ahmad and others9.

Abu Abdullah bin %ariB bin Ash+am 7Ma+ Allah be (leased &ith him9 said: 2heard the Messenger of  
Allah 7sa&9 sa+ing:

مَنْ قَالَ لَا إِلَهَ إِلَّا اللَّهُ وَكَفَرَ بِمَا يُعْبَدُ مِنْ دُونِ اللَّهِ حَزَمَ مَالَهُ وَدَمُهُ وَحَسَابُهُ عَلَى اللَّهِ

3hoe\*er sa+s La 2laha 2llallah and disbelie\*es in &hat is &orshi((ed besides Allah, his (ro(ert+ and blood are in\*iolable and his account is to Allah 7Muslim and Ahmad9.

2bn 8Hmar 7ra9 related from the @ro(het 7sa&9 that he said:

”بُنِيَ الْإِسْلَامُ عَلَى خَمْسَةٍ عَلَى أَنْ يُوحَّدَ اللَّهُ وَإِقَامِ الصَّلَاةِ وَإِيتَاءِ الزَّكَاةِ وَصِيَامِ رَمَضَانَ وَالْحَجِّ

-Islam is built u(on fi\*e: Ma'ing . of Allah, the establishment of the Calah, the gi\*ing of the 0a'ah, the fasting of Ramadan and the "a)) of the "ouse 7Muslim9.

2n a long "adith related b+ Jabir bin Abdullah 7ra9 in the conte4t of the fare&ell (ilgrimage, he stated:

فَأَهْلَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بِالتَّوْحِيدِ

-%he Messenger of Allah 7sa&9 then began raising his \*oice &ith %a&hid 7the Oneness of Allah9 S. 7Muslim, Abu Da&ud, 2bn Ma)ah, Ahmad, Abd bin "umaid and others9.

%hese te4ts contain decisi\*e e\*idence that the term - . is a Charji+ term and that it is eBui\*alent to the t&o Chahadah;s. %here is therefore no difference bet&een his statement - . 7Muslim and his statement: - .

From &hat has (receded and similarl+ &hat has been detailed in the boo' - . , it is e\*ident that %a&hid has t&o core (illars:

: Cingling out and s(ecif+ing Allah &ith the 2badah 7&orshi(9 i.e. in terms of surrender, obedience and submission based u(on the greatest of lo\*e, re\*erence and glorification.

Allah 7s&t9 said:

”الرَّ كِتَابٌ أُخْكِمْتُ آيَاتُهُ ثُمَّ فَصَّلْتُ مِنْ لَدُنْ حَكِيمٍ خَبِيرٍ ﴿١﴾ أَلَّا تَعْبُدُوا إِلَّا اللَّهَ ۚ إِنِّي لَكُمْ مِّنْهُ نَذِيرٌ وَبَشِيرٌ

Alif, Lam, Ra. 5%his is6 a ?oo' &hose \*erses are (erfected and then (resented in detail from 5one &ho is6 3ise and AcBuainted. 719 %hat +ou do not &orshi( e4ce(t Allah. 2ndeed, 2am to +ou from "im a &arner and a bringer of good tidings. 7"ud: 1- 9.

"e 7s&t9 said:

وَلَقَدْ أَرْسَلْنَا نُوحًا إِلَىٰ قَوْمِهِ إِنِّي لَكُمْ نَذِيرٌ مُّبِينٌ ﴿٢٥﴾ أَنْ لَا تَعْبُدُوا إِلَّا اللَّهَ ۚ إِنِّي أَخَافُ عَلَيْكُمْ عَذَابَ يَوْمِ أَلِيمٍ

And he had certainly sent to him his (eo)le, 5sa+ing6: -2ndeed, 2 am to +ou a clear & arner 7 Q9 %hat +ou do not & orshi (e4ce)t Allah. 2ndeed, 2 fear for +ou the (unishment of a (ainful da+. 7"ud: 4-Q9.

And "e 7s&t9 said:

وَاذْكُرْ أَهْلَ عَادٍ إِذْ أَنْذَرَ قَوْمَهُ بِالْأَحْقَافِ وَقَدْ خَلَتْ النُّذُرُ مِنْ بَيْنِ يَدَيْهِ وَمِنْ خَلْفِهِ أَلَّا تَعْبُدُوا إِلَّا اللَّهَ إِنِّي أَخَافُ عَلَيْكُمْ عَذَابَ يَوْمٍ عَظِيمٍ

And mention, the brother of Aad, &hen he &arned his (eo)le in the 5region of al-AhBaf, &hilst &arners had already (assed on before him and after him, 5sa+ing6: -Do not & orshi (e4ce)t Allah. 2ndeed, 2 fear for +ou the (unishment of a terrible da+. 7Al-AhBaf: 19.

: Cingling out s(ecif+ing "is Messenger Muhammad bin Abdullah 7sa&9 to be follo&ed. Just as &e do not & orshi ( other than Allah, &e do not follo& other than the Messenger of Allah 7sa&9.

Allah 7s&t9 said:

قُلْ إِنْ كُنْتُمْ تُحِبُّونَ اللَّهَ فَاتَّبِعُونِي يُحْبِبْكُمُ اللَّهُ وَيَغْفِرْ لَكُمْ ذُنُوبَكُمْ ۗ وَاللَّهُ غَفُورٌ رَحِيمٌ

Ca+: -2f +ou should lo\*e Allah, then follo& me/ Allah &ill lo\*e +ou and forgi\*e +ou +our sins. And Allah is Forgi\*ing and Merciful. 7Aali 2mran: ! 19.

"e 7s&t9 said:

وَمَا آتَاكُمُ الرَّسُولُ فَخُذُوهُ وَمَا نَهَاكُمْ عَنْهُ فَانْتَهُوا ۚ وَاتَّقُوا اللَّهَ ۚ إِنَّ اللَّهَ شَدِيدُ الْعِقَابِ

And &hate\*er the Messenger has gi\*en +ou, ta'e it and &hate\*er he has forbidden +ou, refrain from it. And fear Allah, \*eril+, Allah is se\*ere in (unishment 7Al-"ashr: <9.

And "e 7s&t9 said:

فَلَا وَرَبِّكَ لَا يُؤْمِنُونَ حَتَّىٰ يُحَكِّمُوكَ فِيمَا شَجَرَ بَيْنَهُمْ ثُمَّ لَا يَجِدُوا فِي أَنْفُسِهِمْ حَرَجًا مِمَّا قَضَيْتَ وَيُسَلِّمُوا تَسْلِيمًا

?ut no, b+ +our Lord, the+ &ill not 5trul+6 belie\*e until the+ ma'e +ou, 5O Muhammad6, the )udge concerning that o\*er &hich the+ dis(ute among themsel\*es and then find &ithin themsel\*es no discomfort from &hat +ou ha\*e )udged and submit in 5full, &illing6 submission 7An-: isaa: LQ9.

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%a&hid is di\*ided into a number of categories:

Of the self#essence9: -Al-Asmaa; and As-Ciffat. 7: ames and attributes9.  
 And there are branches falling under it.  
 7creation9, 7Formation9 and bringing into being from nothing.  
 7management9 and 7dis(osal9.  
 7ruling and )udgement9 and 7legislation9.

%hese four t+(es of %a&hid are all related to Ma;rifah 7' no&ledge9, 7im 7' no&ledge9, Ga&l  
 7statement#s(eech9 and 2;tiBad 7belief9. %he+ are therefore all from the %a&hid 7oneness9 of -  
 . 7' no&ledge and belief9. 3e &ould also not be far off if &e considered them also to be  
 from the categories of -  
 according to its correct definition.

7sanctification or deification9.  
 7obedience and follo&ing9.  
 7lo\*e and lo+alt+9.

%hese three t+(es of %a&hid relate to the a((arent and una((arent actions of the sla\*e 7Abd9. %he+  
 are therefore categories of the %a&hid of - 7intention#(ur(ose9, 7&ill#\*olition9 and  
 7(ursuit#demand9.. 3e &ould not be far off if &e considered them to be also from the  
 categories of - . and it re(resents another categor+ eBui\*alent to -  
 . according to its correct definition.

2t could be as'ed: 3hat ha((ened to the three &ell-' no&n di\*isions or categories: -  
 . and - . P

%his becomes com(letel+ e\*ident if &e &ere to e4amine the meanings of the t&o &ords - .  
 7lord9 and - . 7deit+9 as the+ ha\*e come stated in the Gur'an and ho& the+ &ere used b+ the (ure  
 Arabs at the time of the re\*elation of the Gur'an, &hich &as re\*ealed in their language.

As for - . 7Lord9, then it is a &orded e4(ression that has come in the Arabic language &ith t&o  
 meanings:

719 %he 8Ca++id; 7master9 i.e. the one &ho dis(oses and manages, the one &ho commands and  
 forbids and the legislating "a'im 7udge#ruler9.

-. . is more far-reaching in its indicative meaning and more (o&erful than - . des(ite being s+non+mous to it in the general meanings. %he -Rabb. or the -Ca++id. is b+ necessit+ the one &ho commands and forbids, other&ise he &ould not be the Mali' 7o&ner9, dis(oser and manager. %his is 'no&n b+ necessit+ from the language of the Arabs and from the Deen of 2lam and its te4ts. %hat is li'e the statement of Allah 7s&t9 concerning the s(eech of Eusuf 7as9 to his t&o com(anions in (rison:

أَمَّا أَحَدُكُمَا فَيَسْقِي رَبَّهُ خَمْرًا

As for one of +ou, he &ill ser\*e his master 7. 9 &ine to drin' 7Eusuf: 419.

2t refers to his Ca++id 7master9 or his Mali' 7o&ner9 or the one (ossessing authorit+ o\*er him but it does not necessaril+ refer to his object of &orshi( i.e. the one to &hom he underta'es the ritual acts of &orshi(. %his is the same meaning that came in ''is statement 7s&t9 in the same Curah, also in relation to the s(eech of Eusuf 7as9:

وَقَالَ لِلَّذِي ظَنَّ أَنَّهُ نَاجٍ مِّنْهُمَا اذْكُرْنِي عِنْدَ رَبِّكَ

And he said to the one &hom he 'ne& &ould go free: -Ma'e mention of me before +our master 7. 9. 7Eusuf: 4 9.

And again, on a third occasion:

فَلَمَّا جَاءَهُ الرَّسُولُ قَالَ ارْجِعْ إِلَىٰ رَبِّكَ فَاَسْأَلْهُ مَا بَالُ النِّسْوَةِ اللَّائِي قَطَّعْنَ أَيْدِيَهُنَّ

%hen, &hen the messenger came to him, he 7Eusuf9 said: -Return to +our master 7. 9 and as' him concerning the situation of the &omen &ho cut their hands 7Eusuf: Q\$9.

%his is the same meaning intended in ''is statement 7s&t9 concerning the rabbis and mon's:

اتَّخَذُوا أَحْبَارَهُمْ وَرُهَبَانَهُمْ أَرْبَابًا مِّن دُونِ اللَّهِ وَالْمَسِيحَ ابْنَ مَرْيَمَ

%he+ 7Je&s and Christians9 too' their rabbis and their mon's to be their lords 7 9 besides Allah and 7the+ also too' as their Lord9 Messiah, son of Mar+am 7Mar+9 7At-%aubah: ! 19.

%his means that the+ &ere Ca++ids 7masters, chiefs9 &ho legislated and &ere obe+ed, as &ill shortl+ be elaborated in detail in its (lace. %hat is as it is 'no&n necessaril+ from the historical transmissions and b+ &itnessing the current realit+, that the+ did not (erform ritual acts of &orshi( to them, meaning the rabbis and mon's. %he+ did not (rostrate and bo& to them, )ust as the+ did not offer them sacrifices or offerings. As for Al-Masih, the son of Mar+am, the most com(lete and (erfect blessings and (eace be u(on him and his mother, then, in contrast, he &as ta'en as a Rabb 7Lord9 and 2ah 7deit+9 &ith full di\*init+ being ascribed to him. 3orshi( &as underta'en to him and closeness &as sought to him through rituals, offerings and good deeds.



This meaning i.e. of Ca++id9 had also been in circulation in the language of the Arabs, in the case where one of them would say: -Rabb ul-?ait. or -Rabbat ul-?ait. The male or female master of the house9.

The Char;it+ te4t has come forbidding the opened slave from saying to his owner: -M+ Rabb or m+ Rabbah. and instead: -M+ Ca++id or Ca++idah. should be said. It has also forbidden the owner to say: -M+ Abd 7sla\*e9 or m+ Ammah 7female sla\*e9. Rather, he should exchange that with the words: -M+ Fatah 7bo+9 or m+ Fatat 7girl9.. What is to be respected in respect to Allah 7s&t9, in the case where the use of the word -. . . Lord9 is exclusive to Allah 7s&t9, just as is the case in respect to the \*ast majorit+ of the A+at of the Qur'an Al-?A=i= in close to one thousand occurrences.

Consequently, the command and forbiddance, the ruling or judgement and legislation all come under the meaning of -. . . , just as disposal and management fall under it. As for the creation, design, fashioning, bringing into being, Ri=B 7sustenance9 and gi\*ing, unrestricted harm and benefit, then these do not fall under it, contrary to the claims of Chei'h ul-Islam Abu l-?Abbas Ahmad bin ?a+mi+ah &ho (laced all of that within the understanding of what he called -%a&hid Ar-Rububi+ah.. In doing so he exceeded the linguistic origin without a compelling reason to do so and in doing that he opened a door to endless problems. Every human in the world necessarily knows that the one who made the house i.e. the builder9 differs from the -. . . of the house i.e. the one who owns it9, or from the one who possesses the right to command and forbid inside of it, or the one who has the temporary right of disposal in respect to it through a rental contract.

As for the &ording -ال- 7Lah9, it is close to -ال- 7L9 in the Arabic language, and similarly, it is close to the &ording -ال- 7Eel9 found in other Semitic languages like Hebrew, Aramaic C+riac and other than them, from which names have been composed like: 2sra;eel, 2srafeel, Mi'a;eel, Jibra;eel, ?A=ra;eel, ?Amanu;eel, ?A=a=eel and others. As for the -Laf=h Al-Jalalah. The e4(ression of majest+9 -الله- 7Allah9, then in Aramaic it is derived, according to what is (re(onderant, from -الاله- 7Al-2lah9 with Alif and Laam 7ل9 attached. This then came to be widely circulated upon the tongues until it became the name for the revered deity, the most majestic exalted, the 2lah of 2brahim, 2ma;il, 2shaB, Ea;Bub and the prophets of 2ani 2sra;eel. There is also within the Arabic language the \*erb -يَتَّالِه- 7Eata;allahu9 with the meaning of e4tolling rituals or &orshi(ing, which is also its form 73a=n9. That is a (arent is that this has been derived from the three-letter root -أ ل ه- 7Alif Laam "aa;9 which is a Jamid 7inflexible9 e4(ression and doesn't have a three-letter \*erbal form within the Arabic language.

This in respect to the &ording 7Laf=h9 however it is the meaning that is important. This, and all (raise belongs to Allah, has been clarified in the Aitab Al-?A=ee= 7Qur'an9 in numerous places. The One whose names are glorified said:

قُلْ أَرَأَيْتُمْ إِنْ أَخَذَ اللَّهُ سَمْعَكُمْ وَأَبْصَارَكُمْ وَخَتَمَ عَلَى قُلُوبِكُمْ مَنْ إِلَهٌ غَيْرُ اللَّهِ يَأْتِيَكُمْ بِهِ

Ca+ 7to the disbelievers9: -"a\*e +ou observed, if Allah too' a&a+ +our hearing and +our sight, and sealed up +our hearts, &ho is another god9 other than Allah &ho could restore them to +ouP. 7Al-An'am: 4L9.

The -2lah. is therefore the one who is capable to restore the hearing and sight by his own autonomous (order, whether &orshi(ed or not &orshi(ed.

And "e 7s&t9 said:

مَا اتَّخَذَ اللَّهُ مِنْ وَلَدٍ وَمَا كَانَ مَعَهُ مِنْ إِلَهٍ ۚ إِذَا لَذَهَبَ كُلُّ إِلَهٍ بِمَا خَلَقَ وَلَعَلَّ بَعْضُهُمْ عَلَىٰ بَعْضٍ

Allah has not ta'en an+ son, nor has there e\*er been &ith "im an+ 2lah 7deit+9. 52f there had been6, then each 2lah 7deit+9 &ould ha\*e ta'en &hat it created, and some of them &ould ha\*e sought to gain ascendenc+ o\*er others 7Al-Mu;minun: 119.

%he 2lah therefore is the One that creates b+ "is o&n (o&er, ascends o\*er others and sub)ugates. "e is not com(eted &ith and not sub)ugated due to his o&n autonomous (o&er, &hether &orshi((ed or not &orshi((ed.

"e 7s&t9 said:

أَمَرْنَا خَلْقَ السَّمَاوَاتِ وَالْأَرْضِ وَأَنْزَلْنَا لَكُمْ مِنَ السَّمَاءِ مَاءً فَأَنْبَتْنَا بِهِ حَدَائِقَ ذَاتَ بَهْجَةٍ مَّا كَانَ لَكُمْ أَنْ تُنبِتُوا

شَجَرَهَا ۚ أَلَيْسَ مَعَ اللَّهِ بَلٌ هُمْ قَوْمٌ يَعْلَمُونَ

2s not "e 7better9 3ho created the hea\*ens and the earth, and sends do&n for +ou &ater 7rain9 from the s'+, &hereb+ 3e cause to gro& &onderful gardens full of beaut+ and delightP 2t is not in +our abilit+ to cause the gro&th of their trees. 2s there an+ 7deit+9 &ith AllahP : a+, the+ are a (eo(le &ho ascribe eBuals 7to "im917: aml: L\$9.

%herefore, the 2lah is the One ca(able of creation, of ma'ing &ater descend from the s'+ and ma'ing gardens of delight gro&. %he A+at 7\*erses9 continue listing the attributes of the 2lah, through &hich an 2lah is deser\*ing of its title of being an 2lah. %hese include: %he creation of the earth &ith its mountains, ri\*ers and ma'ing it suitable (lace for li\*ing and life, ans&ering the one in distress &hen he su((icates, remo\*al of bad or e\*il 7misfortune9, granting the succession of man u(on the earth, guidance in the dar'ness of the land and sea, sending of &inds &ith rain, beginning of creation and its restoration and so on, &hether the 2lah is &orshi(ed or not &orshi(ed.

Allah 7s&t9 said in Curah Al-Gasas:

مَنْ إِلَهٌ غَيْرُ اللَّهِ يَأْتِيكُمْ بَضِيَاءٌ ۚ أَفَلَا تَسْمَعُونَ

3ho is an 2lah 7deit+9 besides Allah &ho could bring light to +ouP 3ill +ou not then hearP 7Al-Gasas: <19.

2t is therefore the 2lah &ho is ca(able of bringing the light. %he A+at 7\*erses9 continue and state that the 2lah is the one &ho comes &ith the night and da+, &hether the 2lah is &orshi((ed or not &orshi((ed.

%he 2lah is the Ca++id that has com(lete and (erfected Ci+adah 7so\*ereight+9 and the Rabb is the one obe+ed &ith unrestricted or absolute obedience. %his is in line &ith &hat Fir;a&n said &hen threatening Musa 7as9:

قَالَ لَنْ أَخَذْتُ إِلَهًا غَيْرِي لِأَجْعَلَكَ مِنَ الْمُسْجُونِينَ

"e 7Fir;a&n9 said: D2f +ou ta'e an 2lah 7god#deit+9 other than me, 2 &ill certainl+ (ut +ou among the (risoners. 7Ash-Chu;ara: 19.

And the 2lah is that &hich is not afflicted b+ harm or damage or loss. @rotection is sought from Allah and it doesn;t decrease or diminish an+thing from ""is (rotection and ""is Chafa;ah 7intercession9 is not rejected

أَمْ هُمْ آلَهُ تَمْنَعُهُمْ مِنْ دُونِنَا لَا يَسْتَطِيعُونَ نَصْرَ أَنْفُسِهِمْ وَلَا هُمْ مِنَّا يُصْحَبُونَ

Or ha\*e the+ Aliha 7gods#deities9 &ho can guard them from HsP %he+ ha\*e no (o&er to hel( themsel\*es, nor can the+ be (rotected from Hs 7Al-Anbi+a: 4!9.

And Allah 7s&t9 said in Curah Ea-Cin:

أَتَتَّخِذُ مِنْ دُونِهِ آلِهَةً إِنْ يُرْذِنِ الرَّحْمَنُ يَضُرِّ لَا تَغْنِي عَنْهُمْ شَيْئًا وَلَا يُنْقِذُونَ

DChall 2 ta'e besides ""im Aliha 7gods9, if the Most ?eneficent 7Allah9 intends me an+ harm, their intercession &ill be of no use to me &hatsoe\*er, nor can the+ sa\*e meP 7Ea-Cin: !9.

%he 2lah is the One &ho gi\*es life to the dead and brings them forth to be resurrected and raised.

Allah 7s&t9 said:

أَمْ اتَّخَذُوا آلِهَةً مِنَ الْأَرْضِ هُمْ يُبْشِرُونَ

Or ha\*e the+ ta'en 7for &orshi(9 Aliha 7gods#deities9 from the earth &ho resurrect the deadP 7Al-Anbi+a: 19.

%he li'e of this is re(eated in man+ (laces, mentioning s(ecific attributes ma'ing that &hich is characterised b+ them &orth+ and deser\*ed of being an 2lah. 2t can then be concei\*ed that closeness be sought to ""im and that ""e be &orshi((ed and glorified. %hat being 2badah 7&orshi(9 and sanctification is a conseBueunce of ""im being an 2lah i.e., characterised b+ s(ecific attributes, )ust as has been e4(lained in detail in our boo': -.

&hich can be referred bac' to.

2n an+ case, &e &ill a\*oid using the three categori=ations as the+ ha\*e become ambiguous, &here their intended meaning is not (recisel+ 'no&n. 2s it the first categor+: -.

.. &hich is an actualisation of - . or the second categor+ -

.. &hich is an actualisation of - . P

3hat must be ascertained and strongl+ reinforced is that these categorisations or di\*isions all re(resent terminolog+ &hich the Char;i+ te4t has not come &ith. %he+ are all inno\*ated and &ere

not utilised at all by the eminent first three generations. Indeed, these terminologies did not arise until after the passing of more than ten generations during the seventh century. It is an established fact from Imam Cheikh ul-Islam Ibn al-Qayyim's *Ma'adim al-Jannah* that he did not reconcile them and did not find peace with them. He is rather inclined towards the well-ordered (recised) dual terminology: the *Asma* and *As-Sifat* and belief and the *Asma* and *As-Sifat*. Intention (purpose, will) and (sustained) demand.

As such, there is no place for the *Fatwa* of ... based in what has been named -Caudi Arabia-, which ... magazine (published on pages 10-11 of its seventh edition. It is an answer to a question (resented by -Dr. Cuhaib Hasan-. The question is as follows:

: -Come (O Allah, from the Du'at, have begun to be concerned with mentioning the *Asma* and *As-Sifat* of Al-'a'imiyyah, in addition to the three well-known categories of *Asma* and *As-Sifat*. Does this fourth category fall under one of the three categories or does it not fall under them, for us to make it an independent fourth category, making it obligatory for us to be concerned with it? It is said that Cheikh Muhammad bin Abdul Wahab is concerned mostly with the *Asma* and *As-Sifat* of Hluhiyyah at his time as he said that the (O Allah, were falling short in this aspect, whilst Imam Ahmad, at his time, was concerned with the *Asma* and *As-Sifat* of Al-Asma; and As-Sifat 7: names and attributes, as he said the (O Allah, being deficient in respect to *Asma* and *As-Sifat* in this aspect. As for now, then the (O Allah, have begun to be deficient in respect to the *Asma* and *As-Sifat* of Al-'a'imiyyah, and as such we should concern ourselves with it. The correct is this \*ie&P. 5End6.

: -The terms of *Asma* and *As-Sifat* are three: *Asma* and *As-Sifat* of Al-Rububiyyah, *Asma* and *As-Sifat* of Al-Hluhiyyah and *Asma* and *As-Sifat* of Al-Asma; As-Sifat and there is no fourth category of *Asma* and *As-Sifat*. Ruling by what Allah has revealed falls under the *Asma* and *As-Sifat* of Al-Hluhiyyah. Making the 'a'imiyyah an independent category from among the categories of *Asma* and *As-Sifat* is an ... which none of the Imams have stated, according to our knowledge. Moreover, there are from them those who have summarised and made *Asma* and *As-Sifat* two categories: the *Asma* and *As-Sifat* of Al-Ma'rifa 7: knowledge and Al-2thbat 7affirmation, which refers to the *Asma* and *As-Sifat* of Al-Rububiyyah and Al-Asma; As-Sifat, and the *Asma* and *As-Sifat* related to At-Talab and Al-Gasd, which refers to *Asma* and *As-Sifat* of Al-Hluhiyyah. And from them 7i.e. the Imams, there are those who went into detail and made *Asma* and *As-Sifat* three categories, as mentioned (repeatedly). And Allah knows best. It is obligatory to be concerned with *Asma* and *As-Sifat* of Al-Hluhiyyah as a whole. What begins with the forbiddance of Chir' because it is the greatest of sins, invalidates all acts and its perpetrator is in the fire of hell forever. All of the prophets began with the command to worship Allah and forbidding Chir'. Allah has commanded us to follow their path and to proceed upon their methodology in the Da'wah and in other than from the matters of the Deen. Being concerned with *Asma* and *As-Sifat* with its three categories is obligatory in every time because Chir' and the negation of the Asma; and Sifat 7: names and attributes are still present and indeed occurs on a large scale. Its danger intensifies at the ends of times and its matter is hidden from many Muslims whilst those calling to it are many and active. The occurrence of Chir' is not restricted to the time of Cheikh Muhammad bin Abdul Wahab and the negation of the Asma; and Sifat is not restricted to the time of Imam Ahmad 7rh, as is mentioned in the question. Indeed, its danger has increased and its occurrence has multiplied within the Muslim societies today. The Muslims are therefore in dire need of someone to forbid its occurrence amongst them and to explain its danger, with knowledge that upholding compliance to the commands of Allah, leaving what He has forbidden and making

Judgement b+ "is Charee;ah, that all of that is included in the realisation of %a&heed and being safe from Chir'. And (ra+ers and blessing be u (on our @ro (het, Muhammad, his famil+ and com(anions. 5End6.

%he one &ho contem (lates this ingenious - . finds no trace of 2m 7' no&ledge9 &ithin it, aside from a little. %hat is because it includes:

9 Falsification and du (licit+, if it &asn;t deliberate dece (tion, in res (ect to the descri (tion of the latter categori=ation describing it as - ., thus deluding the reader or sim (le listener, that it re (resents a ?id;ah 7inno\*ation9 from the Char;i+ (ers (ecti\*e. %hat is because all of the categori=ations mentioned, including our categori=ation in this boo', are all contri\*e and inno\*ati\*e in an+ case. %he+ all re (resent terminologies and there is no indis (utabilit+ in res (ect to them, e\*en if accurac+ and conformit+ to their realit+ is reBuired, &ithout &hich the+ &ould be &orthless, lo& in benefit and indeed turn out to be harmful. Our boo' &ill establish the (roof that the categorisation of 2bn ul-Ga++im, the dual categorisation, &hich the - 1. ha\*e described, in sum, as being a misre (resentation and falsit+, is in fact an accurate re (resentation, es (eciall+ if it is branched into its dual categorisations, as &ill come mentioned in the remainder of this (a (erl

%his disma+ of ours is not an accusation based on bad o (inion and it is not - .. Rather, it re (resents a true realit+, in the case &here 2bn Othaimen, &ho &as a member of this - ., stated that this o (inion is inno\*ated, in\*ented, a Mun' ar, a ?id;ah and misguidance, as &ill be re\*ealed shortl+1

9 Falsification and du (licit+ in res (ect to attributing the t&o categories to its (eo (le. %hat is because the dual categorisation returns to 2bn ul-Ga++im, the student of 2bn %a+mi+ah &ho as is 'no&n, collated his 'no&ledge and re\*ised his Madh;hab. 2f that had been mentioned, the reader &ould ha\*e Buestioned the soundness of the tri (le categorisation/ ho& con\*incing it is and ho& much it fulfils &hat is intended. %he+ &ould ha\*e Buestioned &h+ the student of his re\*ered Chei'h &ould disagree &ith him in res (ect to that, es (eciall+ due to &hat is 'no&n of his esteem for him, his su (ort for his o (inions and his recording of themP1

9 2nsistence u (on the tri (le categorisation des (ite its inherent shortcomings and being used as a (rete4t b+ the )urists of the rulers, to remo\*e their masters and leaders 7from among the &ic' ed im (udent rulers9 from the mire of Chir' and stain of Aufr 7disbelief9. And des (ite its being subjected to ob (ecti\*e criticism o\*er the course of half of the last centur+.

9 From another angle there is an indication to - . (resented in a casual and &ea' manner, absent of an+ &orth1

9 Com (lete ignorance of the realit+ of the (eo (le toda+ and &hat ta'es (lace in their gatherings in terms of discussions and debates. Eou could barel+ find an+one in this &orld del\*ing into the details of the -Asma; and Ciffat. 7names and attributes9, &ith the e4ce (tion of the ignorant "anbalis &ho claim the title of - . for themsel\*es alone, li'e the Buestion -Cuhaib "asan., the 1Caudi; -Council of Cenior Ccholars., those &ho imitate, follo& and )oin them from the ignorant inno\*ators. As for the tal' of the (eo (le, then it concerns the legislation and ruling, human rights, the treacher+ of the rulers to the Hm mah, their allegiance and alliance to the disbelie\*ers, the rights of &omen, and (rotests and demonstrations ha ( (ening in this or that countr+. As for the insinuations related to

the -Creation of the Qur'an. and what ?ishr Al-Marisi and others said and what the+ raised in terms of -Is the @ro(het literally+ light or is it meta(horicalP., then nobod+ tal's about this a(art from those who are obsessed from among the claimants to - , the - . 7note: mo\*ement focused on ABeedah debates9 and those similar to them, in addition to the murderous criminals of the - . in Algeria and the enemies of Allah, "is Messenger and his com(anions, who call themsel\*es falsel+ and fraudulentl+ - . 7the Arm+ of Muhammad9 in @a'istan. It also includes those that follo& their (ath and li\*e in the dar'nesses of the - . or in other imaginar+ &orlds, that ha\*e no connection or lin'age to the realit+ of contem(orar+ life and the &orld of the (eo(le toda+.

9 2ndeed, there is a humiliating ignorance concerning the realit+ of the Da;&ah of the @ro(hets, in the case &here it a((ears that the members of the - . belie\*e that the @ro(hets used to call the (eo(le to &orshi( Allah &ithout ascribing a (artner to "im, according to a su(erficial and nai\*e meaning &hich com(rieses of: Ctanding and sitting, (rostration, slaughtering sacrifices, lighting candles and &hat is similar to that. %his re(resents a flagrant lie against the honourable, (urified and infallible @ro(hets of Allah. %o refute that it is sufficient to refer to the Da;&ah of Lut 7as9. 3 here &as the (rostration and the bo&ingP. "is Da;&ah, &as rather (rimaril+ focused u(on calling to the abandonment of ma'ing e\*il and le&d acts (ermissible. %here &as no mention at all of an image, idol or deit+ &hich &as (rostrated to, besides Allah or from &hich hel( and refuge &as sought. 2ndeed, if someone claimed that the+ did not \*ie& the Hluhi+ah of other than Allah according to the limited meaning understood b+ the - ., he &ould not be far from the truth. As for us, then &e see' refuge in Allah from gi\*ing an+ o(ision that has no (roof for it and &e do not ha\*e sufficient 'no&ledge concerning the (eo(le of Lut to 'no& &hether the+ &ere idol &orshi(ers or notP1

%his then re(resents the understanding of the -7Caudi9 Council of Cenior Ccholars.. 3 hat a shallo& and tri\*ial understanding this is and ho& declined and obtuse is the thin'ing. "o& miserable is a - . 7' no&ledge9 &hen this re(resents the e4tent of the le\*el of the - . calling to it1

All of this (ro\*o'es doubt in the - . and its members, &hilst it is (re(onderant that the+, or some of them, are from the authorit+;s)urists 7FuBaha; As-Calateen9. %hat is es(eciall+ the case &hen &e consider their sus(icious silence o\*er their state, the state of the famil+ of Caud, &hich their senior scholar ?in ?a= described as being - ., turning to the disbelie\*ers and enabling them to occu(+ the Arabian @eninsula, bloc'ade 2raB and other Muslim lands, to star\*e the Muslims and sub)ugate them, indeed, to commit genocide against them and &i(e them out. All of that is accom(anied b+ the re(lacement of the 2lamic la& and setting s+stems subser\*ient to the disbelie\*ing Caudi national identit+. %hat is in addition to (ro\*iding licences to usurious ban's, fighting the sincere and a&are 2lamic Da;&ah, &hilst describing it as terrorism, de\*iation, inno\*ation and e4cessi\*eness, membershi( of disbelie\*ing international organisations li'e the H: , Arabic League and Mulf Coo(eration Council, among other organisations, and other than that in terms of disbelie\*ing acts and atrocities, &hich &ould, b+ Allah cause a ne&l+ born child to turn gre+.

2f the Fat&a 7decree9 mentioned abo\*e from the - . did not contain a trace of 'no&ledge, then the follo&ing Fat&a of a member of the same bod+ -Ash-Chei'h. As-Calih Al-Hthaimeen, is not fit to be described &ith an+thing other than being disgraceful, de(ri\*ed and scandalous.

In meeting number -10\$. from the open &ee' l+ meeting, &hich is recorded on a cassette the Chei' h said:

No the Buestion (osed b+ - .: - 3hat do +ou sa+, ma+ Allah (ardon +ou, in res(ect to the one &ho adds a fourth categor+ to %a&hid and has named it %a&hid Al-'a' imi+ahP.

%he - . re(l+ &as: - 3e sa+ that he is misguided and that he is ignorant! %hat is because the %a&hid Al-'a' imi+ah is the %a&hid of Allah &A==a 3a Jalla. %hat is as the ''a' im 7udge9 is Allah &A==a 3a Jalla! 2f +ou said that %a&hid &as three categories )ust as the 8Hlama; 7scholars9 ha\*e said. %a&hid of Rububi+ah, the %a&hid of Al-'a' imi+ah is contained &ithin the Rububi+ah, because the %a&hid Ar-Rububi+ah is the %a&hid of Al-'u' m 7judgement#rule9, Al-AhalB 7creation9 and At-%adbir 7management9, to Allah &A==a 3a Jalla!

%his re(resents an inno\*ated and Mun' ar o(nion1 ''o& does the %a&hid of Al-'a' imi+ah &or' P 3hat can ma'e the ''a' imi+ah oneP 2s its meaning that the ''a' im 7ruler9 of the life of this entire &orld is one or &hatP!

As such, this \*ie& is inno\*ated, in\*ented and a Mun' ar 7a denounceable act9 &hich the one stating it is denounced for. 2t is said to him: 2f +ou intend the ''u' m 7rule#judgement9, then the ''u' m is to Allah alone and this falls &ithin the %a&hid Ar-Rububi+ah. %hat is because the Rabb 7Lord9 is the Ahalib 7creator9, Mali' 7o&ner and so\*ereign9 and the Mudabbir 7manager9 of all matters! %his \*ie& is therefore ?id;ah 7an inno\*ation9 and Dalalah 7misguidance. .

Did +ou obser\*e this laughable babble and nonsenseP 3e are not tal' ing here about the feebleness of the st+le or &ea' ness of language as that is e4(ected in oral recordings such as this. 2bn Othaimeen is not from those &ho are not 'no&n for their (recision and abilit+ to (resent their deductions &ell. 2ndeed, he is 'no&n to (ossess that and &hoe\*er reads his studies and Fata&a 7\*erdicts9 in the (recise details of FiBh li'e those related to - and - . 'no&s that. : o, b+ Allah, this ans&er re(resents nothing more than flatter+ and s+co(hanc+ to the Calateen 7rulers in authorit+9 &ho rule b+ other than &hat Allah has re\*ealed!

%hereafter, is it not the ''u' m Ash-Char;i+ 7Islamic ruling9 that the Muslims be one single Hm mah, &ith one Dhimmah 7(rotection9, &here their &ar is one, their (eace is one, their securit+ is one, their state is one and their 2mam 7leader9, the su(reme 2mam or Ahalifah, is oneP 2s that not the caseP! 2s not the ideal and reBuired situation according to the Char;a that: 2slam is carried to the entiret+ of man' ind until the+ enter it or submit to its s+stem, under a single authorit+P! Co &here is the strangeness or oddit+ in the unification of the Muslims &ithin one entit+ and one ruler and es(eciall+ as this re(resents a Char;i+ obligationP! 3hat is detestable or &rong about unif+ing the entire Dun+aa, &hen the ca(abilit+ e4ists, under the com(lete and )ust authorit+ of 2slam, &here the belie\*er &ill re)oice and the disbelie\*er &ill be at (eaceP! 2bn Othaimeen 'no&s all of this &ith certaint+ and it is im(ossible for him to be heedless of that. Co &h+ then the ridicule and moc'er+P! Does 2bn Othaimeen not fear that the Angels &ill re(rimand him at the time of death:

قُلْ أَلِلَّهِ وَأَيَاتِهِ وَرَسُولِهِ كُنْتُمْ تَسْتَهْزِئُونَ ﴿٦٥﴾ لَا تَعْتَذِرُوا قَدْ كَفَرْتُمْ بَعْدَ إِيمَانِكُمْ

Ca+, 02s it Allah and ''is \*erses and ''is Messenger that +ou &ere moc' ingP! 7LQ9 Ma'e no e4cuse/ +ou ha\*e disbelie\*ed after +our belief 7At-%a&ba: L4-LQ9.

It is also worth contemplating the vast difference between the babble and nonsense from Ibn Othaimen, in addition to what has stated by the senior - and the statement of the great Imam Ibn Ga'aim Al-Ja'iniyah:

The following came mentioned within (Madari) As-Cali'een. Volume: 1, (page: 159):

And man (who sees other than him as a judge, to go to for judgement, to bring disputes to and being content with his judgement. These three areas represent the Arabian pillars of what none other than him are taken as a Rabb Lord, nor Allah deity.

End of Buote. Here, he made the 'a' imiyah, which is to take Allah alone as the 'a' am Judge with no partner and not accepting other than him as a judge, as being a pillar from the pillars of what.

Moreover, the Messenger of Allah (s) said the truth when he said:

إِنَّ اللَّهَ لَا يَقْبِضُ الْعِلْمَ انْتِزَاعًا يَنْتَزِعُهُ مِنَ النَّاسِ وَلَكِنْ يَقْبِضُ الْعِلْمَ بِقَبْضِ الْعُلَمَاءِ حَتَّى إِذَا لَمْ يَبْقَ عَالِمًا اتَّخَذَ النَّاسُ رُءُوسًا جُهَالًا فَسُئِلُوا فَأَمَتُوا بَعْدَ عِلْمٍ فَضَلُّوا وَأَضَلُّوا

- Ahmad recorded it: Eah+a related from 'isham who related it to us saying: My father related: I heard Abdullah bin Amr S saying: I heard the Messenger of Allah (s) saying the exact same thing. His 'adith is from the most authentic chains of transmission of the Dunya. It is a continuous chain in narration ahdeeth and relation mla; from Ahmad. Ahmad also said: 'a' ee/ related to us from 'isham, from his father, from Abdullah ibn Amr who said: The Messenger of Allah (s) said: The aforementioned 'adeeth.

- Imam Al-'u'ari recorded it in his - : Smail bin Abu Hais related it from Mali, from 'isham bin Hra, from his father, from Abdullah bin Amr bin Al-Aas: He said: I heard the Messenger of Allah (s) saying: The aforementioned 'adith. Al-'u'ari said: Al-Farbari said that Abbas related to us who said: Gutaiba related to us from Jarir bin 'isham: The same 'adith.

- Imam Muslim also recorded it in his - : Gutaiba bin Ca'id related it to us from Jarir, from 'isham bin Hra, from his father, who said: I heard Abdullah bin Amr bin Al-Aas saying: I heard the Messenger of Allah (s) saying: The aforementioned 'adith. Muslim said: Abu Ar-Rabi; Al-Ata'i related it to us from 'ammad, meaning Ibn Oaid, and Eah+a bin Eah+a related it to us from Abbad bin Abbad and Abu Mu'ayyah, and Abu 'ar bin Abi Chaiba and Ouhair related it to us from 'a'i; and Abu Aarib related it to us from Ibn Zdris, Abu Hsamah, Ibn : umair and Abdah, and Ibn Abi Hmar related it to us from Cufan, and Muhammad bin 'atim related it to me from Eah+a bin Ca'id, and Abu 'ar bin : afi; related it from Hmar bin Ali, and Abd bin 'umaid related it to us from Eaid bin 'arun from Chu;bah bin Al-'a): And all of them related it from 'isham bin Hra from his father from Abdullah bin Amr from the (het (s): The same as the 'adith of Jarir.





means: %he decisive belief 7Al-2;tiBad Al-Ja'im9 that to Allah alone &ithout (artner belongs the right of legislating in origin and inde(endentl+, the authorit+ of commanding and forbidding, and the right of obedience. : one other than "im ha\*e the right to command and forbid and are not entitled to obedience e4ce(t b+ "is (ermission, &here the (resence of such a (ermission is established through a decisive Char;i+ e\*idence. %hat is because the "u' m 7rule9 belongs to Allah alone and there is no "u' m other than "is.

%herefore, it is "e alone, as dictated b+ "is being the One single 2lah and Rabb (ossessing the Rububi+ah and Ci+adah, &ho determines the "aram and the "alal, the "usn 7good#right9 and the Gabih 7bad#&rong9 and &ho sets the scales of morals and \*alues.

"e is the (ossessor of the su(reme Rububi+ah and absolute Ci+adah 7so\*ereight+9. %here is no authorit+ abo\*e "is authorit+ and no (oint of reference after "is/ not from the mind nor an+ other source. %hat is because:

اللَّهُ يَحْكُمُ لَا مُعَقَّبَ لِحُكْمِهِ

Allah )udges, there is none to re\*erse "is Judgement 7Ar-Ra;d: 419

And:

لَا يُسْأَلُ عَمَّا يَفْعَلُ وَهُمْ يُسْأَلُونَ

"e is not Buestioned about &hat "e does, &hilst the+ &ill be Buestioned 7Al-Anbi+a: !9.

%his realit+ is sometimes e4(ressed b+ the &ording -. , meaning that the right of the "u' m 7ruling9 and %ashree; 7legislating9 belongs to Allah 7s&t9 singularl+ and alone &ithout (artner. 2t is (ossible to also e4(ress it b+ the (rinci(le of -. 7Co\*ereight+ of the 2slamic legislation9 meaning that the Char; re\*ealed from Allah 7s&t9 holds absolute so\*ereight+ and the su(reme control o\*er all beha\*iours 7and acts9 of the 2baad 7sla\*es i.e. humans9.

%his second e4(ression -. 7Co\*ereight+ of the 2slamic legislation9 is better from the (ractical as(ect because it e4(ains the -. to accom(lish this categor+ of %a&hid, &hich is: %o refer to the 3ahi 7di\*ine re\*elation9 i.e. the re\*ealed Char;, re(resented in the Aitab and the Cunnah and &hat the+ guide to in terms of affiliated detailed branched e\*idences, such as 2ma; 7consensus9 and Gi+as 7analog+9 based u(on a Char;i 2llah 7reason9 i.e. an 2llah 7reason9 mentioned &ithin the te4t or deducted from the te4ts.

%he root article -ح ك م- 7"a Aa Ma9 comes in the Arabic language, and &ithin the Aitab and the Cunnah, &ith a number of meanings:

9 @lacing matters in their 7correct9 (laces. %hat is -. 7&isdom9 and the one &ho does that is -. 7&ise9.

. 9 @perfecting the action and the act reaching its object\* e. 2t is - . and the doer is - .  
and - ..

9 %he "u' m 7judgement9 u(on the actions of the (eo(le on the Da+ of Judgement and settling all of their dis(utes in a final and e\*erlasting manner.

9 Issuing of a Fat&a 7\*erdict9 and the e4(ression of an o(inion &hich the one stating belie\*es to be correct i.e. (assing )udgement u(on the issues of the Deen and those &hich are sensed, rational, related to beaut+ and morals, among other such issues. As such, &e (ass )udgement 7 9 u(on the in\*alidit+ of reincarnation, the in\*alidit+ of the belief of trinit+ and the Gubh 7ugliness9 of l+ing according to the mind and its (rohibition 7" urmah9 according to the Char;/ e4ce(t in some circumstances mentioned &ithin the te4ts etc. An e4am(le of this is the statement of Allah 7s&t9:

أَفَنَجْعَلُ الْمُسْلِمِينَ كَالْمُجْرِمِينَ ﴿٣٥﴾ مَا لَكُمْ كَيْفَ تَحْكُمُونَ

When should 3e deal &ith the Muslims li'e the criminalsP 7! Q9 3 hat is 5the matter6 &ith +ouP "o& do +ou )udgeP 7Al-Galam: ! Q-! L9.

9 Cettling conflicts and resol\*ing dis(utes b+ &a+ of com(ulsion i.e. )udiciar+ 7Al-Gadaa;9. 2t re(resents one of the main authorities of the state 7%he legislati\*e authorit+, the e4ecuti\*e authorit+ and the )udicial authorit+. %he Gadi 7udge9 is also called a - . and &hat he (ronounces is a - . 7ruling# )udgement#\*erdict9.

. 9 Fostering the affairs, administration and im(lementation i.e. the e4ecuti\*e authorit+ &ithin the state. %he one &ho is res(onsible for underta'ing that is the - . 7ruler9 )ust as he can be called a - ., - . or - .. 2n recent contem(orar+ times the term - . 7go\*ernment9 has been used for the high e4ecuti\*e authorit+. %his refers to the council of ministers and also to the ruling a((aratus &ithin the state.

9 %he legislating and setting of constitutions, la&s, s+stems and statutes i.e. referring to &hat the legislati\*e authorit+ in the state underta'es.

E\*en setting the foundations of morals, conducts, manners and societal customs falls under this, as this, in its realit+, reflects legislation and the setting of \*alues. Although the authorities do not (ractise this usuall+, the (eo(le could (ractise it as a collecti\*e &hole in their ca(acit+ as a societ+ i.e. as a collecti\*e &hich establishes (ermanent relationshi(s bet&een its indi\*iduals.

%hese meanings or these four last t+(es are &hat concern us in this stud+: Al-Fit+a 7issuing of a Fat&a9, Al-Gadaa; 7udiciar+9, At-%anfidih 7e4ecution9 and At-%ashree; 7legislation9. %hese are also the meanings according to &hich all Char;i+ah te4ts should be understood, unless there is a s(ecif+ing Gareena 7connotation9 to indicate other&ise. %herefore, &hen the Messenger of Allah 7sa&9 said , it is not (ermissible to sa+ that this is s(ecific to the Gadi 7udge9 or the 3ali Amr. Rather it is general a((l+ing to e\*er+one &ho see's the "u' m of Allah in an issue to 'no& it alone, li'e the Mu)tahid or the Mufti, as each is a "a'im, or to a((l+ it in res(ect to a dis(ute, li'e the Gadi, &ho is also a "a'im, or to foster the affairs 7of the (eo(le9, li'e the 2mam, either in the form of e4ecution in a s(ecified circumstance or in the form of legislation i.e. as an ado(tion of a "u' m Char;i in a matter of dis(ute or difference and

setting it as a general statute or ruling which all must comply with. According to this description he is also a "a'im.

means: Cee'ing the "u'm from any of its t+(es, including: %he Fit+a  
7(ro'ision of a Fat&a#\*erdict9, Gadaa; 7udicial+9, %anfeedh 7e4ecution9 or %ashree; 7legislation9.

%he is therefore natural+ e\*er+ statement or belief that is  
contrar+ to the

%his Chir', meaning the is the most &ides(read in the  
&estern &orld toda+ due to its ado(tion of . &hich has &rongl+ been  
called and &hich (ro\*ides the right of legislation to man and the Ci+adah  
7so\*ereignt+9, according to its claim, to the (eo(le.

In the case &here the &estern &orld, in our current age, is the most ad\*anced in the technical and  
scientific fields, has control o\*er the de\*elo(ment and fate of nations and (eo(les, and &here its  
ci\*ilisation and culture are dominant and considered to re(resent the standard for all ci\*ilisations  
and cultures, on the one hand. And on the other hand, in the case &here the 2slamic &orld has fallen  
from its (osition of leadershi( intellectuall+, in terms of ci\*ilisation and (oliticall+, o\*er man+  
centuries, until it reached roc' bottom &ith the demolition of the last of the 2slamic Ahilafah  
states in 2stanbul, and &here the masses of the Muslims and e\*en their (eo(le of im(act R (eo(le of  
influence or arm+P &ere terribl+ defeated mentall+ and emotionall+ before the &estern ad\*ance. In  
light of all of this, this thought based u(on Chir' and Aufr, s(read amongst the Muslims and  
es(eciall+ amongst those &ho had been cultured and educated &ith the &estern culture.  
ConseBuentl+, man+ of them turned a&a+ from 2slam, rejected their o&n ci\*ilisation and culture and  
became disbelie\*ers and a(ostates/ (eo(le of and  
7secularists9.

3hen &e sa+ that -man+ of the educated from amongst the Muslims turned a&a+ 7a(ostati-ed9  
from 2slam., then &e are not sa+ing that meta(horicall+ or to e4aggerate for the (ur(oses of ma'ing  
a (oint b+ utilising Arabic tools of eloBuenace and rhetoric. : o, b+ Allah, rather &e mean its  
s(ecificall+ defined Char;i+ meaning, &hich is real a(ostas+ from 2slam &here the+ became  
disbelie\*ers and (ol+theists, &ho had de(arted from the Millah 7i.e. Deen of 2slam9 and abandoned  
the Hm mah.

In the face of this blind a(ostac+ and fatal danger, accom(panied b+ the s(ecial significance of the  
(rinci(le of - from the angle of the belief of e\*er+ Muslim, and from the angle  
of the constitutionalit+ of the Jama;ah 7collecti\*e9, referring to the 2slamic Hm mah and state, it has  
become incumbent u(on us to thoroughl+ go through the matter and refute the s(ecious arguments  
&hich the enemies of Allah, from among the treacherous 7urists of the rulers, ha\*e raised, in a final  
and com(plete manner. %his &ill all be accom(lished &ith the (raise of Allah, "is fa\*our and the  
success that "e (ro\*ides, &ithin this boo' of ours, cha(ter after cha(ter, and section after section.

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The word -Ci+adah. So\*ereight+9 is a Western term. The intended meaning of it within the reality as deduced from an examination of the points of view of the people of man-made law is: The one who exercises will and its director, in respect to all the relationships and even in respect to things.

From this basis, a more precise definition describing the reality of Ci+adah according to this understanding, from the viewpoint of Islam, is that it is: -

... or in other words it is: -

... The intended meaning of -Ci+adat ul-Hmmah. So\*ereight+ of the nation#people, for example, is that the Hmmah alone has the right to exercise the will and direct it in respect to (assessing) judgement over things and actions, in the shade of setting the laws to regulate life, according to what the mind dictates.

Whatever legal or juristic debate exists concerning the definition of so\*ereight+, it can nevertheless be conceded that there exists a host of characteristics and attributes which everyone agrees must be met within the meaning of so\*ereight+ and these represent a common denominator between them all in respect to their view towards so\*ereight+.

- So\*ereight+9 is therefore: The supreme will, distinguished by characteristics which are not present in other forms of will or volition. The sum of these characteristics is that they represent the will which sets and determines itself by itself. It is therefore not possible for the possessor of so\*ereight+ to be bound to a particular manner of behaviour by a foreign or eternal will. As such, it is not compelled with a particular manner of behaviour unless it itself has willed it. This means that this authority is absolute. If this was not the case, then it would rely upon another will that determines it, which is incompatible with what has been established in respect to it in terms of it being a primary or original authority. This means that it does not receive this characteristic from a will that precedes it or from a higher will. It is distinguished by the following characteristics:

- The possessor of Ci+adah does not have law imposed upon it. Rather, the law is the expression of its will. A will eternal to it does not compel it with any behaviour upon a particular manner as there is no will existing with it or equal to it. Its will commands laws and nothing has rights before it. Its relationship with others is that of the relationship of a master with the slave, or the follower with the followed, and the slave or follower must execute the orders it issues, not because of the content of the commands, but rather because they have been issued from a will which by nature is higher than their will.

- In its areas represents a will that is elevated above all of the wills and an authority higher than all the authorities. There is no authority higher than it or equal to it in respect to what it regulates and organises in terms of relationships.

- There can only be one single Ci+adah over a single area. If two Ci+adahs existed over one area, its circumstances would become ruined or corrupted. An example of that would be if any of them was to issue a law or command contradicting that issued by the other, then such a matter would not be free of any of the following possible circumstances:

1 The two laws or commands would be implemented together, which is impossible.

2 Refraining from both together which would invalidate or negate the Ci+adah of each together.

9 %he tas' of one &ould be im(lemented onl+ and hence the one &ho issued it &ould be the most entitled to the Ci+adah and the Ci+adah of other than it &ould be in\*alidated.

- : 2t stands b+ itself and did not recei\*e this su(remac+ or highness from a &ill that (recedes it or from a &ill that is higher than it.

-

مَا تَعْبُدُونَ مِنْ دُونِهِ إِلَّا أَسْمَاءٌ سَمَّيْتُمُوهَا أَنْتُمْ وَآبَاؤُكُمْ مَا أَنْزَلَ اللَّهُ بِهَا مِنْ سُلْطَانٍ ۚ إِنْ الْخُكْمُ إِلَّا لِلَّهِ ۚ أَمَرَ أَلَّا تَعْبُدُوا إِلَّا إِيَّاهُ ۚ ذَلِكَ الدِّينُ الْقَيِّمُ وَلَكِنَّ أَكْثَرَ النَّاسِ لَا يَعْلَمُونَ

Eou do not &orshi( besides "im e4ce(t 5mere6 names +ou ha\*e named them &ith, +ou and +our fathers, for &hich Allah has sent do&n no authorit+. %he "u' m 7ruling, legislation9, legislation9 is for none but Allah. "e has commanded that +ou &orshi( not e4ce(t "im. %hat is the correct Deen, but most of the (eo(le do not 'no& 7Eusuf: 4\$9.

2f the intended meaning of &badah 7&orshi(9 &as its narro& meaning, relating to ritual acts of &orshi(, &hich is e4(ected to ha\*e been the basic and limited understanding of the com(anions of Eusuf in (rison, in other &ords)ust a host of actions li'e bo&ing, (rostration, (ra+er, fasting, erecting (laces for (ra+er, offering slaughter and sacrifices, lighting candles, heating coals and letting off of smo'e, gi\*ing charit+ and offering oaths among other such acts, then these are not directed e4ce(t to Allah alone &ithout (artner and the+ are not directed to an+ other than "im. %hat is because he commanded that, in "is ca(acit+ as being alone in res(ect to the "u' m 7ruling9 or in "is ca(acit+ as being the (ossessor of the Ci+adah and being alone in that:

أَمَرَ أَلَّا تَعْبُدُوا إِلَّا إِيَّاهُ

"e has commanded that +ou &orshi( not e4ce(t "im.

ConseBuentl+, &badah underta'en to "im, according to this narro& meaning, &here those rituals and acts of &orshi( are directed to "im and attributing %a&hid 7oneness9 to "im, &here those actions are restricted to "im, does not re(resent the origin, but rather a branch of "is oneness and being unri\*alled in res(ect to the Ci+adah 7so\*ereight+9 and "u' m 7rule9. 2f "e had commanded that some of those actions be directed to other than "im, it &ould be obligator+ to obe+ "im.

%hat is because the obedience re(resents the origin, &hilst the actions of &orshi( or &hich ha\*e been named as such, and singling out Allah alone in res(ect to them, re(resents a branch. Directing those acts to "im and singling "im out &ith them is not due to a sensed or rational necessit+ but rather re(resents obedience to the command. "ad the command for that not been issued, none of it &ould ha\*e been obligator+, )ust as none of that &ould ha\*e been (rohibited. %his is the truth &hich the a+ah 7\*erse9 has indicated to and it is absolutel+ not (ossible to understand other than that from it, )ust as &e ha\*e e4(lained in detail in our boo' about -At-%a&hid..

2f the intended meaning of &badah &as its com(rehensi\*e and broad meaning &hich is submission &ith obedience and follo&ing, submissi\*eness and \*eneration, accom(anied b+ lo\*e and lo+alt+, then the statement - . &ould re(resent a branching, a((lication and e4(lanation of the (ractical dimension of the statement: -. , &hich re(resents the 'no&ledge-based or theoretical as(ect.

%he absolute and su(reme original truth is the singularit+ and unri\*alled status of the Rabb, glorified is "is Ma)est+, in res(ect to the "u' m 7ruling, )udgement, legislation9 and "is singularit+ and

unri\*alled status in res(ect to Ci+adah 7so\*ereight+9. ConseBuential to that, b+ necessit+ of sensation and the mind, e\*er+ sla\*e &ho is certain of that and affirmed it must single "im out for 7badah 7&orshi (9 according to its com(rehensi\*e meaning i.e. to single "im out for submission and surrender, built u(on lo\*e, esteem and glorification. %hat is because this re(resents the main foundation of 7Hbudi+ah 7&orshi (ing9, its essence and the true realit+ of its meaning.

7badah according to its broad meaning, &hich is submissi\*eness and \*eneration, submission accom(anied b+ obedience and follo&ing, and &ith lo\*e and lo+alt+, all returns bac' to its foundation and origin: Obedience, submission and surrender, built u(on lo\*e and glorification. %his, in turn, re(resents the single natural, acce(table and rational manifestation from the created sla\*e to&ards the Lord Creator i.e. to&ards the su(reme absolute e4istential truth of -  
.., or if &e &ished &e could sa+, of - .. %here is no difference bet&een these t&o statements as each is s+non+mous &ith the other, e4(claiming one another, &hilst each is a conseBue of the other based on decisi\*e rational and sensed necessit+.

- Allah 7s&t9 said:

إِنَّ الْحُكْمَ إِلَّا لِلَّهِ يَفْصِلُ الْحَقُّ وَهُوَ خَيْرُ الْفَاصِلِينَ

%he "u'm 7Judgement9 is for none but Allah. "e narrates the truth and "e is the best of 7Judges 7AI-An;am: Q<9.

%his has come in the form of restriction or e4clusi\*it+ 7Ceeghat ul-" asr9. %he "u'm therefore e4clusi\*el+ belongs to "im alone &ithout (artner. Concerning the second informati\*e (art 7Ahabar9 of the \*erse, then it is )ust as it is in res(ect to "is stories/ it is the "aBB 7truth9 conforming to the realit+ &ith certaint+. Furthermore, it is "e &ho settles e\*er+ dis(ute and rules u(on e\*er+ disagreement, in a decisi\*e and final manner, &ith no re\*ision and no Buestioning u(on that. %hat is in the Dun+a 7life of this &orld9 b+ declaring the "alal and the "aram, the good and the bad and determining the moral and ethical \*alues, and in the hereafter, b+ (ro\*iding the final, absolute and )ust settlement bet&een the sla\*es. %here is also no good, )ustice or truth e4ce(t in "is "u'm 7Judgement and ruling9, there is no 7lah other than "im and no Rabb e4ce(t "im.

Obser\*e that the A+ah 7\*erse9 made the -"u'm belong to Allah e4clusi\*el+, &ithout a ri\*al or (artner.., ho&e\*er it is (ossible for the true stor+ or re(ort to come from other than "im. %hat is because informing the truth and truthfulness is not restricted to Allah, glorified be "is ma)est+, but can rather also come from other than "im. Ob\*iousl+, &hat comes from other than "im in terms of truth and truthfulness is limited, originating from limited acBuired 'no&ledge b+ creation, &hich is contrar+ to the absolute and intrinsic 'no&ledge of the Allah. %here is therefore a \*ast difference bet&een one truthful re(ort and another, and bet&een one 'no&ledge and the other.

2n confirmation of &hat &e ha\*e mentioned abo\*e, Allah 7s&t9 sa+s:

أَلَا لَهُ الْحُكْمُ وَهُوَ أَسْرَعُ الْحَاسِبِينَ

Curel+, "is is the "u'm 7Judgement9 and "e is the C&i)ftest in ta'ing account 7AI-An;am: L 9.



%his is another form of restricting and e4clusi\*it+, as the e4(ression - . came affi4ed &ith -أل. 7Alif Lam9 and as such encom (asses the categor+ of the "u'm 7as a &hole9 i.e. it encom (asses e\*er+ "u'm. "is s(ECIALness and unri\*alled status in res(ect to that ha\*e been reiterated through the ad\*ancing of the Chibh Al-Jumlah al-Ahabari+ah 7i.e. the informati\*e (art of the sentence9 &hich is -لَهُ. o\*er the Muftad;a 7subject of sentence9, and also through the utilisation of the tool of reinforcement -الا. 7surel+, indeed9.

- Allah 7s&t9 said:

أَلَا لَهُ الْخَلْقُ وَالْأَمْرُ ۚ تَبَارَكَ اللَّهُ رَبُّ الْعَالَمِينَ

urel+, "is is the Creation and Commandment. 7lessed be Allah, the Lord of the &orlds 7Al-A;araf: Q49.

%his is also in a form of restriction and establishing e4clusi\*it+. Just as "e alone is the Creator 7Al-AhaliB9 and Custainer 7Ar-Ra=iB9, "e alone is the Commander and Forbidder i.e. "e alone is the unri\*alled and singular Ca++id 7master9 in res(ect to the "u'm.

- And Allah 7s&t9 said:

وَمَا اخْتَلَفْتُمْ فِيهِ مِنْ شَيْءٍ فَحُكْمُهُ إِلَى اللَّهِ ۖ ذَلِكُمُ اللَّهُ رَبِّي عَلَيْهِ تَوَكَّلْتُ وَإِلَيْهِ أَنِيبُ

And in &hatsoe\*er +ou ha\*e differed u(on, its "u'm 7ruling9 is 5to be referred6 to Allah. 5Ca+6: -%hat is Allah, m+ Lord/ u(on "im 2 ha\*e relied, and to "im 2 turn 7in re(entance9. 7Ash-Chura: 1\$9.

%his is not onl+ e4clusi\*e to (ecedence of Allah onl+ in res(ect to)udging or ruling u(on that &hich the (eo(le ha\*e disagreed or differed u(on. Rather, "e is the "a'im 7Judge9 absolutel+. %he (eo(le ha\*e onl+ agreed u(on the (rimar+ rational necessities and these ha\*e been im(lantated in the nature of the 8ABI 7mind9 and its structure. 2t could be said that it is (art of the 8ABI 7mind9 in its ca(acit+ as a mind. 2t is Allah 7s&t9 &ho has created it li'e that after decreeing and ruling that it be li'e that. %here is therefore nothing be+ond Allah. 2ndeed, "e is the First 7Al-A&&al9 and the Last 7Al-A'hir9, the Out&ard 7A=h-0hahir9 and 2n&ard 7Al-?atin9, and to "im is the end or final goal of e\*er+thing11

- Allah 7s&t9 sa+s:

فَأَحْكُمْ لِلَّهِ الْعَلِيِّ الْكَبِيرِ

Co the "u'm 7Judgement9 is &ith Allah, the Most "igh, the Mreatest 7Al-Mhafir: 1 9.

- "e 7s&t9 said:

وَاللَّهُ يَحْكُمُ لَا مُعَقَّبَ لِحُكْمِهِ ۖ وَهُوَ سَرِيعُ الْحِسَابِ

And Allah )judges, there is none to re\*erse "is Judgement and "e is C&ift at rec'oning 7Ar-Ra;d: 419.

"o& it could be concei\*ed that there e4ists one that can re\*ise or (ut bac' "is "u' m 7judgement9P1  
2s "e not the First 7AI-A&&al9 and the Last 7AI-A' hir9P1 2s the starting (oint not from "im and does  
not the end (oint belong to "imP1

2f someone &as to ob)ect to the "u' m of Allah based on the claim that it is in o((osition to the 8ABI  
7mind9, it is said to him:

Did +ou not release and com(rehend b+ &a+ of the mind that +ou are limited and not unlimited,  
+our e4istence is (ossible but is not obligator+ or necessitated, that +ou are an occurrence and not  
eternal, that +our mind is from the creation of Allah and is not an unrestricted mind &ithout bounds,  
that +our ' no&ledge is acBuired, incidental and limited, and is not intrinsic, absolute, eternal and  
unlimitedP1

3hat belongs to Allah in terms of absolute inherent 8m 7' no&ledge9, the com(lete encom(assment  
in "is essence and of "is creations and com(rehensi\*e (o&er of realisation and judgement, ma'es  
"is "u' m 7judgement#ruling9 a necessit+ that has (recedence o\*er +our judgement.

As such, +our assum(tion that the "u' m of Allah is contrar+ to the 8ABI 7mind9 is an in\*alid  
assum(tion and it falls under the - . e4actl+ li'e the -  
.. Hna\*oidabl+, the sight remains tric'ed no matter ho& man+ times the  
loo'ing is re(eated, e\*en though +ou realise b+ rational e\*idence and its testimon+ that it is nothing  
but a dece(tion and delusion.

ConseBuentl+, in this case, the 8ABI 7mind9 must (ass judgement that this assum(tion is false and  
in\*alid and that it is a delusion, as contrar+ to that is im(ossible. %his -  
. is from the &his(ers of Chaitan 7the de\*il9. %hat is because Chaitan, Allah;s curse u(on  
him, ' no&s (erfectl+ that +ou are limited and that +ou (ossess the (ro(ensit+ to be decei\*ed. As  
such, he goes ahead &ith his game ho(ing to get a&a+ &ith his crime.

%he origin of +our mind is from Allah in terms of creation, being brought into e4istence and  
com(osition. "o& then can the branch come to in\*alidate the originP1 %hat is because, if the origin is  
false, e\*er+thing that branches from it is conseBuentl+ false. Eou &ould then ha\*e in\*alidated  
+ourselves and +our mind and there &ould be no confidence in it at all. "o& then can +ou acce(t its  
judgment &hich has been built u(on the - . in the first (laceP1

2t is)ust li'e the foolish (erson &ho &as sitting on a branch of a high and loft+ tree, then a (asser-b+  
commanded that the trun' of that tree be cut and so the branch fell &ith it and his nec' &as  
crushed. "o& is it (ossible for the branch to remain, if the origin has goneP1

- Allah 7s&t9 said:

لَا يُسْأَلُ عَمَّا يَفْعَلُ وَهُمْ يُسْأَلُونَ

"e is not Buestioned about &hat "e does, but the+ &ill be Buestioned 7AI-Anbi+a: !9.

Questioning means follo&ing u( and re\*ising and &e ha\*e (ro\*en (re\*iousl+ that it is im(ossible for  
there to be a follo& u( or re\*ision to the "u' m of Allah, because that leads to the colla(se of the

mind itself, its breadth, the invalidity of its judgements and the impossibility of speech and languages. Whoever reaches this - stage, the case of unrestricted socialist use of seemingly clever but false arguments based on deception, will need to persevere until the affliction passes, because it cannot go on. Otherwise, he can die, provide relief to others and himself.

- Allah SWT said:

مَا لَهُمْ مِنْ دُونِهِ مِنْ وَلِيٍّ وَلَا يُشْرِكُ فِي حُكْمِهِ أَحَدًا

He has no besides Him an protector, and He shares not His legislation with anyone. Al-Aahf: 19.

Therefore, He does not possess the 'um and Ciadah intrinsically alone as dictated by His being - . 73a)ib Al-3uud, eternal without a beginning and everlasting with no end. Rather, in addition to that, He does not provide permission absolutely and at all to other than Him to share with Him in the 'um judgement#rule and share; legislation.

His Aah 7erse by itself provides the most emphatic refutation to the false claims of - which attribute the - . 7creation to Allah, whilst denying that He has the command. He, whose names are sacred and standing Most exalted, does not have anyone sharing in His 'um, Amr 7command and : ah+ 7forbidding. This in accordance to the Giraah 7reading of the Aah by the majority, whilst Ibn Amir Ash-Chami recited the Aah in the command form 7Ceeghat ul-Amr:

وَلَا تُشْرِكْ فِي حُكْمِهِ أَحَدًا

And do not associate anyone in His 'um.

Meaning, do not attribute to Allah a partner in respect to the 'um.

The truth is that most of the secularists, especially their leaders, only say that for political reasons, out of hypocrisy and to deceive the masses. What is whilst most of them are atheists who deny the existence of the creator or doubt it or refrain from talking about it in respect to it. Moreover, they are too cowardly to declare that openly and to call to that explicitly, fearing the wrath of the simple masses who believe in the existence of Allah and out of fear of its outrage.

- Allah SWT said:

أَمْ لَهُمْ شُرَكَاءُ شَرَعُوا لَهُمْ مِنَ الدِّينِ مَا لَمْ يَأْذَنْ بِهِ اللَّهُ

Or do they have partners with Allah who have legislated for them a Deen which Allah has not given permission for? Ash-Chura: 19.

It is from the 'no'n matters that the Mushri'een (polytheists), who believe in the Hluhiyah being present within that which they worship of idols, meaning that they ascribed other deities with Allah,

believe that those deities 7Aliha9, b+ necessit+, (ossess the right of commanding and forbidding, e\*en if onl+ in relation some matters. It is not (ossible for this to be the onl+ intended meaning of the \*erse, because it &ould be tautolog+ 7needless re(etition9, &hilst Allah;s s(eech is free of such a \*oid st+le of s(eech. %he A+ah then re(resents a Buestioning indicating disa((ro\*al, condemning them for the fact that the+ acce(ted the legislation in res(ect to the Deen from other than Allah, thus ma'ing them (artners. %hat is e\*en if the+ didn;t belie\*e in them in other than this (artial as(ect at all and e\*en if the+ \*ehementl+ and heatedl+ denied that the+ had made them (artners to Allah, in \*ie& of their basic mentalities and due to their limited (ers(ecti\*e. A model e4am(le for that &ill later be (resented &ithin the stor+ of 8Adi bin ''atim, ma+ Allah be (leased &ith him.

%he %ashree; 7legislation9 from other than Allah is Chir' and the one &ho does that is contesting Allah in res(ect to ''is Rububi+ah/ a((ointing himself as a Rabb 7lord9, ri\*al, 2lah 7deit+ &orth+ of &orshi(9, (artner and )udge, besides Allah. %hat is b+ ine\*itable necessit+, regardless of ho& much he attem(ts to dodge that or defend himself.

ConseBuentl+, &hoe\*er legislates an+thing from the Deen from himself has made himself a (artner to Allah 7s&t9. 2n such a case, he has transgressed his bounds and become a %aghut, rebelling against Allah in res(ect to ''is Rububi+ah and ''is ''a'imi+ah and contesting ''im in ''is Ma'jest+ and E4altedness.

3e mo\*e on Buic' l+ &hilst reiterating and reminding that the Deen is a general Charee;ah, meaning that it is a (articular &a+ of li'ing, com(rising ''adarah 7ci\*ilisation9 and %haBafah 7culture9, as &e ha\*e (re\*iousl+ stated, and that it is not just s(iritualities, rituals and morals.

- Allah 7s&t9 said:

اَتَّخَذُوا اَحْبَارَهُمْ وَرُهَبَانَهُمْ اَرْبَابًا مِّنْ دُونِ اللّٰهِ

%he+ 7Je&s and Christians9 too' their rabbis and their mon's to be their lords besides Allah 7At-%a&bah: ! 19.

%he follo'ing came in res(ect to the %afsir 7e4(lanation9 of this A+ah 7\*erse9, from 8Adi bin ''atim, ma+ Allah be (leased &ith him:

52 came to the @ro(het 7sa&9 &hile 2 had a gold cross around m+ nec'. ''e said: -

.. ''e said: Co 2 cast it off. 2 stood b+ him and he recited from Curah 7arallah 7i.e.

At-%a&bah9:

.. ''e 78Adi9 said: 2 said:

O Messenger of Allah, &e did not &orshi( them.. ''e said: -

.. 2 re(ried: -2ndeed, &e did.. ''e res(onded:

-

2n another narration he 7sa&9 said: 5

6.

2t &as related b+ At-%abari in his -%afsir. and this is the &ording from one of the (aths. ''e also had other (aths for it in full-length and in summari=ed form,) just as At-%abarani related it in his -Al-Aabir., Al-?aihaBi in his -Cunan. and At-%irmidhi in his -Cunan.. ''e 7At-%irmidhi9 said: 5%his ''adith is

Mhareeb. Ze do not 'no& it e4ce(t from the "adith of Abdus Calam bin "arb and Mhatif bin A;a+un, &ho is not &ell-'no&n in res(ect to the "adith. Al-?u' hari also recorded it in his -At-%ari'h Al-Aabir. in addition to Zbn "a=m &ho )udged it to be Cahih 7authentic, in s(ite of his 'no&n high-le\*el of scrutin+.

%he truth is that this 2snad 7chain9 is "asan in itself and the Matn 7content of te4t9 is clean and sound. %hat "adith is therefore "asan and (roof is established b+ it, a matter &hich &e ha\*e detailed in the a((endi4. 2n an+ case, it is Cahih u(on the conditionalit+ of Zbn "ibban and it is definitel+ Cahih due to the follo&ing lin' ed e\*idences:

- At-%abari in his -%afsir. related &ith an 2snad 7chain of narration9 &hich is of the utmost strength and authenticit+ from "udhaifa bin Al-Eaman, ma+ Allah be (leased &ith him, that he &as as'ed concerning the statement of Allah 7s&t9:

اَتَّخَذُوا أَحْبَابَهُمْ وَرُهْبَانَهُمْ أَرْبَابًا مِّن دُونِ اللَّهِ

%he+ 7Je&s and Christians9 too' their rabbis and their mon's to be their lords besides Allah 7At-%a&bah: ! 19.

-Did the+ use to &orshi( themP. "e said: -: o 7and in a relation: As for the fact that the+ did not use to fast for them and (ra+ to them, ho&e\*er9, the+ . &hen the+ 7i.e. Rabbis and Mon's9 made matters "alal for them, the+ 7the (eo(le9 made it "alal, and &hen the+ made a matter "aram for them, the+ made it "aram..

At-%abari related it in full length from numerous Cahih and "asan (aths from "abib bin Abi %habit and Al-?aihaBi related similar to it. At-%abari also related it from another (ath from "udhaifa in a summari=ed form &ith the &ording: %he+ did not &orshi( them, rather the+ obe+ed them in Ma;asi+ 7acts of disobedience%.

- At-%abari related &ith its chain from Zbn 8Abbas in the %afsir of the A+ah. "e said: %he+ adorned for them their obedience.

- 2t &as recorded &ith another Canad 7chain9 from As-Cadi &ho said: 5Abdullah bin 8Abbas said: -%he+ did not command them to (rostrate to themsel\*es, ho&e\*er the+ commanded them &ith the disobedience of Allah and then the+ obe+ed them, and so due to that Allah named them Arbab 7Lords/ (lural of Rabb9. 6.

- "e related it &ith its Canad 7chain9 from Al-"asan Al-?asri+ in his %afsir and said: 52n relates to obedience.

- "e related it &ith its Canad 7chain9 from Ar-Rabi bin Anas from Abu Al-8Ali+ah in the %afsir of this A+ah. "e said: 52as'ed Abu Al-8Ali+ah: -"o& &as the Rububi+ah that &as e4isting among the ?ani 7children of9 2sra;eelP. "e said: %he+ did not re\*ile our Rabbis &ith an+thing that (assed/ &hat the+ commanded us &ith, &e follo&ed them in and &hat the+ forbade us, &e refrained from it due to &hat the+ said. %hat &as &hilst the+ found in the boo' of Allah &hat the+ had been commanded &ith and &hat the+ had been forbidden from. Co, the+ sought guidance from men and cast the boo' of Allah behind their bac's1. 6.

And ʿAdī bin ʿAtīm, may Allah be pleased with him, understood ʿĪbādah ʿorshiyyah, in this instance, according to its basic narrow meaning i.e. submissiveness, submission and ritual acts of sanctification in terms of bowing, prostration, prayer, fasting, erecting prayer niches, lighting candles, releasing fumes and offering charity and oaths. And so the Prophet (ﷺ) taught him that affirming the right of legislating to the rabbis and monks, thus making them Lord ʿArbab ʿossessing the ʿĪbādah ʿsovereignty, meanings ʿorshiyyah (making them, according to the broader meaning of ʿĪbādah ʿorshiyyah). What is ʿĪbādah according to its broader meaning means: Submissiveness, reverence and submission with obedience and following, love and loyalty. The main elements and origin of which are: Obedience, submission and surrender to Allah, Ahudoo; and ʿasleem.

If you were to ask the rabbis and monks: Are you ʿArbab ʿLords beside Allah? They would lead in alarm, deny that vehemently and accuse you of spreading bad-saʿingslander against them, deceiving the masses and driving them away from their religious leadership.

What holder is not worth anything because of their contestation of Allah in respect to the ʿashree; legislation and ʿumrule in reality, they set themselves up as ʿArbab ʿLords beside Allah. Consequently, they became disbelieving ʿaʿaghit and enemies of Allah. It became obligatory to disbelieve in them and their organs, regardless of how much they lamented, apologized and objected. Whoever gave them this right is a Mushrik (polytheist) and Aafir (disbeliever), regardless of how much he apologized or justified. What is because the issue is not one of names, titles and terms but rather one related to the true reality of statements and the essence of convictions and beliefs.

This understanding is definitely the correct one and this is the same understanding held by ʿUdhayfah, may Allah be pleased with him, for this Ayah ʿverse. It is also the ʿafsiir ʿelān of Ibn ʿAbbas, Al-ʿasan Al-ʿasri and Abu Al-ʿAliyah. For that reason, Al-Alousi said in his ʿafsiir: The majority of the scholars of ʿafsiir said: The intended meaning of ʿArbab ʿLords is not that they believed that they were ʿAlīha ʿdeities of the world. Rather, its intended meaning is that they obeyed them in respect to their commands and prohibitions.

What is also likely is that the following Ayah evidences:

- Allah ʿsaying:

وَمِنَ النَّاسِ مَن يَتَّخِذُ مِن دُونِ اللَّهِ أَندَادًا يُحِبُّوهُمْ كَحُبِّ اللَّهِ

And of mankind are some who take for ʿorshiyyah others besides Allah as rivals to Allah. They love them as they love Allah ʿAl-Barah: 1LQ.

Ibn Al-ʿAbbas and As-Cadi said: ʿAl-ʿAndad ʿrivals are the heads/leaders who are followed. They and the people follow them in acts of disobedience to Allah. As such, this Ayah is not far away in meaning from the preceding one. As he has mentioned (previously), the issue is not merely obedience, but rather it is surrendering and subservience to them in the right of legislation, and here, based upon that, the right of obedience would belong to them.

- And this statement ʿsaying:

وَإِنَّ الشَّيَاطِينَ لَيُوحُونَ إِلَىٰ أَوْلِيَائِهِمْ لِيُجَادِلُوكُمْ ۚ وَإِنْ أَطَعْتُمُوهُمْ إِنَّكُمْ لَمُشْرِكُونَ

And indeed do the devils inspire their allies among men to dispute with you. And if you were to obey them, indeed, you would be associators of others with "im 7Mushri' un9 7Al-An'am: 1 19.

This means, if you in respect to making the Maita 7carriage "alal, you would have become disbelievers in Allah, affirming to other than "im the "aBB 7right9 of the Ci+adah, "a' imi+ah and 7ashree; 7legislation9. This A+ah is Ma' 'i+ah 7re+ealed (rior to the "i)ra9 b+ consensus at a time &here Chir' 7association &ith Allah9 &as not said e4ce (t for the Chir' of Aufr 7disbelief9, Ash-Chir' Al-A' bar 7the greatest or ma)or Chir' 9, &hich ta'es one outside of the Millah 7i.e. the Deen9 and is com (letel+ contrar+ to 2slam. Ash-Chir' Al-Asghar 7minor Chir' 9, Ash-Chir' Al-Ahafi 7i.e. related to the : i+ah 5intention9 and the (ractical manners related to 7a&hid, such as the (rohibition of s&earing oaths b+ the fathers and the (rohibition of sa+ing - 3hat Allah &illed and &hat 2 &ill. , among other similar matters, &ere onl+ re+ealed in Al-Madinah, &ithout disagreement.

In the case &here Chir' , the Chir' of Aufr 7disbelief9, the ma)or Chir' &hich is com (letel+ incom (atible &ith 2slam and ta'es the one &ho had (re+iousl+ entered the 2slamic Millah 7i.e. Deen9 out of it, means e4clusi\*el+ : - . . . , just as Abu 7a' r As-CiddiB, ma+ Allah be (leased &ith him said in the (resence of the @ro(het 7sa&9: -

And in the case &here - . in respect to the making of "alal and "aram is a Mushri' , engaging in Chir' Al-A' bar 7ma)or9 &hich ta'es one outside of the Millah, the one - must b+ necessit+ be a Rabb and 2lah, besides Allah, )ust as for e4am (le, the stor+ of 8Adi bin "atim clarifies and ma'es (lainl+ e+ident1

As for the ama+ing statement of Abu 7a' r As-CiddiB, ma+ Allah be (leased &ith him, then it &as recorded b+ Al-7u' hari &ith a Cahih chain in his -Al-Adab Al-Mufrad. from Ma;Bil 7in Easir, &ho said: 52 set off &ith Abu 7a' r, ma+ Allah be (leased &ith him, to the @ro(het 7sa&9, and then he said: -O Abu 7a' r1 Chir' among you is more hidden than the cra&ling of an ant. . Abu 7a' r then said: -

.. 7hen the @ro(het 7sa&9 said: -7+ the One in &hose hand is m+ soul, Chir' has that &hich is more hidden than the cra&ling of the ant. Should 2 not guide you to something that if you did it, its small and large amount &ould be remo\*edP1. "e said 7continuing9: -Ca+: O Allah, 2 see' refuge in you from associating &ith you, &hilst 2 am a&are, and 2 see' forgi\*eness from you for that &hich 2 am not a&are of..

As such, the statement of Abu 7a' r As-CiddiB, ma+ Allah be (leased &ith him, &ho &as a Guraishi Arab (ure in its language, in the beginning - . . is encom (assing. 7hat is, as it has no other meaning for Chir' at all formulated in his mind other than ta'ing 7or associating9 another 2lah &ith Allah i.e. to belie\*e in the Hluhi+ah of others than Allah. As for the statement of the Messenger 7sa&9: -7+ the One in &hose hand is m+ soul, Chir' has that &hich is more hidden than the cra&ling of the ant . . . . , then re (resented a ne& legislation and a broadening of the understanding of Chir' , in a manner that &as not (re+iousl+ 'no&n to the Arabs until that moment. "e (ro\*ided actions and &ills &ithin the definition of Chir' , classified them as - . and made them a sin and "aram &hich do not normall+ remo\*e one from the Millah, as the+ do not fall under the Chir' of disbelief &hich is com (letel+ incom (atible &ith 2slam and ta'es one outside the folds of the Millah.

- Allah 7s&t9 said:

أَلَمْ تَرَ إِلَى الَّذِينَ يَزْعُمُونَ أَنَّهُمْ آمَنُوا بِمَا أُنْزِلَ إِلَيْكَ وَمَا أُنْزِلَ مِنْ قَبْلِكَ يُرِيدُونَ أَنْ يَتَحَاكَمُوا إِلَى الطَّاغُوتِ وَقَدْ أُمِرُوا أَنْ يَكْفُرُوا بِهِ وَيُرِيدُ الشَّيْطَانُ أَنْ يُضِلَّهُمْ ضَلَالًا بَعِيدًا

"a\*e +ou not seen those &ho claim to ha\*e belie\*ed in &hat &as re\*ealed to +ou, 5O Muhammad6, and &hat &as re\*ealed before +ouP %he+ &ish to refer legislation to %aghut 7false judges etc.9, &hile the+ &ere commanded to disbelie\*e in it/ and Cha+tan &ishes to lead them far astra+ 7An-: isa;: L\$9.

Al-Gurtubi said: 5Ea=id bin 0ari; related from Da&ud 2bn Abi ''ind, from As-Cha;bi &ho said: %here &as a dis(ute bet&een a man from among the h+(ocrites and a man from the Je&s and so the Je& called the MunafiB 7h+(ocrite9 to the @ro(het 7sa&9, because he 'ne& that he does not acce(t briber+. %hat is &hile the h+(ocrite called the Je& to their judges because he 'ne& that the+ ta'e briber+ in res(ect to their \*erdicts. %hen &hen the+ agreed to be judged b+ a judge from a (riest from Juhaina, Allah 7s&t9 re\*ealed in relation to that:

أَلَمْ تَرَ إِلَى الَّذِينَ يَزْعُمُونَ أَنَّهُمْ آمَنُوا بِمَا أُنْزِلَ إِلَيْكَ

"a\*e +ou not seen those &ho claim to ha\*e belie\*ed in &hat &as re\*ealed to +ou.

%his &as referring to the MunafiB 7h+(ocrite9 and:

وَمَا أُنْزِلَ مِنْ قَبْلِكَ

And &hat &as re\*ealed before +ou

%his &as referring to the Je&.

يُرِيدُونَ أَنْ يُتَحَاكَمُوا إِلَى الطَّاغُوتِ

%he+ &ish to refer legislation to %aghut 7false judges etc.9 7An-: isa; L\$9 S Hntil the end of A+ah LQ  
-وَيُسَلِّمُوا تَسْلِيمًا- 7Add the+ submit &ith full submission9.

Ad-Dahha' said: -%he Je& called the h+(ocrite to the @ro(het 7sa&9 7i.e. for judgement9 &hilst the h+(ocrite called the Je& to Aa;b bin Al-Ashraf and he &as the 8%aghut; 6.

: %hese chains of narration are strong and Ja++id 7good9 until their end. "o&e\*er, the+ are Mursal and (roof of e\*idence 7AI-"u)ah9 is not established b+ the Mursal. Rather, the+ are onl+ for the (ur(ose of consideration and no more.

Al-Aalbi related from Abu Calih, from 2bn 8Abbas, &ho said: 5%here &as a dis(ute bet&een a man from the h+(ocrites, called ?ishr, and a Je&. %he Je& said: -Let;s go to Muhammad., &hilst the h+(ocrite said: -Rather, let;s go to Aa;b bin Al-Ashraf. and it is he &hom Allah called At-%aghut i.e. the one (ossession %ugh+an 7t+rann+9- R" re(hrase (lease. %he Je& refused e4ce(t to go to judgment to the Messenger of Allah 7sa&9. 3hen the h+(ocrite sa& that, he &ent &ith him to the

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Messenger of Allah ﷺ, &ho then judged in fa\*our of the Je&. 3hen the+ left the h+(ocrite said: -2 am not content 7&ith the Judgement9. Let's go to Abu ?a' r. "e then judged in fa\*our of the Je& and he 7the h+(ocrite9 &as not (leased. "e then said: -Let's go to 8Hmar.. %he+ both a((roached 8Hmar and the Je& said: -2ndeed, &e ga\*e gone to the Messenger of Allah ﷺ and then to Abu ?a' r, but he 7i.e. the h+(ocrite9 &as not content 7i.e. &ith their Judgement9.. 8Hmar then as'ed the h+(ocrite: -2s that soP. "e re(ried: -Ees.. "e 7umar9 then said: -3ait a little &hile until 2 come to +ou.. Co, he entered, too' his s&ord and then struc' the h+(ocrite until he &as dead. "e said: -%his is ho& 2 (ass Judgement u(on the one &ho is not content &ith the Judgement of Allah and the Judgement of "is Messenger.. %he Je& then fled and the A+ah &as re\*ealed. %he Messenger 7sa&9 then said: -Eou are Al-FarooB.. Jibril descended and said: ->eril+, 8Hmar differentiated bet&een the "aBB 7truth9 and ?atil 7falsehood9. and &as conseBuentl+ called Al-FarooB. 2n relation to that the A+at &ere re\*ealed until وَيُسَلِّمُوا تَسْلِيمًا. 7Add the+ submit &ith full submission9 7i.e. from L\$ to LQ of An-: isa;9.

: %his stor+ is fabricated and re)ected. 2f it had ha((ened, it &ould ha\*e been famous and reliable trust&orth+ narrators &ould ha\*e related it. 2ndeed, it &ould ha\*e been transmitted from the masses to masses.

Al-Aalbi relating from Abu Calih is from the &ea'est chains of the Dun+a, indeed it re(resents a lie itself. %hat is as it has been established b+ a Cahih 7authentic9 chain of transmission from 2mam Cuf+an Ath-%ha&ri and he, and Allah 'no&s best, is reliable and trust&orth+, that Al-Aalbi said to him: Abu Calih said to me: -All that 2 related from 2bn 8Abbas is a lie and so do not relate it.. 2f Al-Aalbi &as truthful, Abu Calih &as a liar, and if Al-Aalbi is l+ing and fabricating against Abu Calih, then he, b+ Allah, is a fabricator and liar, &ho is first to be left and cast aside. 2n all circumstances, this 2snad 7chain of transmission9 from Al-Aalbi from Abu Calih, is null, \*oid, not (ermissible to be used as (roof and e\*idence, and not (ermissible to relate it unless it is for the (ur(ose of establishing its lie or e4(ressing astonishment1

2bn Aathir said: 5%his re(resents a renunciation from Allah 78A==a 3a Jalla9 u(on the one &ho claims 2man 7belief9 in &hat Allah has re\*ealed u(on "is Messenger and u(on "is @ro(hets from before, but des(ite that, &ants to go to Judgement in res(ect to resol\*ing dis(utes, to other than the ?oo' of Allah and the Cunnah of "is Messenger. 2n addition, it has been mentioned in relation to the Cabab An-: u=ool 7reason#cause of re\*elation9 of this A+ah, that it &as concerning a man from the Ansar and a man from the Je&s. %he+ dis(uted and the Je& began to sa+: -?et&een me and +ou is Muhammad. &hilst the other &as sa+ing: -?et&een me and +ou is Aa;b bin Ashraf.. And it has been said that it &as re\*ealed in relation to a grou( of h+(ocrites from those &ho dis(la+ed their 2slam but &anted to go to Judgement to the Judges of Jahili+ah. Other than this has also been said, ho&e\*er, the A+ah is much more general than all of that. 2t is a condemnation for the one &ho turns a&a+ from the Aitab 7i.e. the Gur+an9 and the Cunnah and goes to other than them from falsehood for Judgement. %his is the intended meaning of %aghut here. For that reason, "e said:

يُرِيدُونَ أَنْ يُتَخَفَكُمُوا إِلَى الطَّاغُوتِ

%he+ &ish to refer legislation to %aghut 7false Judges etc.9 7An-: isa; L\$%.

- Allah 7s&t9 said

وَأَنْزَلْنَا إِلَيْكَ الْكِتَابَ بِالْحَقِّ مُصَدِّقًا لِمَا بَيْنَ يَدَيْهِ مِنَ الْكِتَابِ وَمُهَيْمِنًا عَلَيْهِ ۖ فَاحْكُم بَيْنَهُم بِمَا أَنْزَلَ اللَّهُ ۚ وَلَا تَتَّبِعْ أَهْوَاءَهُمْ عَمَّا جَاءَكَ مِنَ الْحَقِّ ۚ لِكُلٍّ جَعَلْنَا مِنْكُمْ شِرْعَةً وَمِنْهَاجًا

And 3e ha'e re\*eated to +ou, 50 Muhammad6, the 'oo' in truth, confirming that &hich (receded it of the Ccri (ture and o\*erriding authorit+ o\*er it. Co, )udge bet&een them b+ &hat Allah has re\*eated and do not follo& their inclinations a&a+ from &hat has come to +ou of the truth. %o each of +ou 3e (rescribed a la& 7Chir;ah9 and a method 7Minha)9 7Al-Ma'idah: 4F9

2f this ?lessed Aitab 7i.e the Gur;an Al-Aarim9 o\*errides and abrogates &hat (receded it in terms of Charaa;i 7(lural of Charee;ah9 &hilst in origin the+ &ere from Allah, then b+ greater reasoning it o\*errides and (re\*ails o\*er e\*er+ legislation and ruling other than it.

- Allah 7s&t9 said:

وَلَنْ تَرْضَىٰ عَنْكَ الْيَهُودُ وَلَا النَّصَارَىٰ حَتَّىٰ تَتَّبِعَ مِلَّتَهُمْ ۚ قُلْ إِنَّ هُدَىٰ اللَّهِ هُوَ الْهُدَىٰ ۚ وَلَئِنَّ آهْوَاءَهُمْ بَعْدَ الَّذِي جَاءَكَ مِنَ الْعِلْمِ ۚ مَا لَكَ مِنَ اللَّهِ مِن وَلِيٍّ وَلَا نَصِيرٍ

And ne\*er &ill the Je&s or the Christians a((ro\*e of +ou until +ou follo& their Deen. Ca+, D2ndeed, the guidance of Allah is the 5onl+6 guidance.D 2f +ou &ere to follo& their desires after &hat has come to +ou of 'no&ledge, +ou &ould ha'e against Allah no (rotector or hel(er 7Al-?aBarah: 1 \$9.

- Allah 7s&t9 said:

إِنَّمَا كَانَ قَوْلَ الْمُؤْمِنِينَ إِذَا دُعُوا إِلَى اللَّهِ وَرَسُولِهِ لِيَحْكُمَ بَيْنَهُمْ أَن يَقُولُوا سَمِعْنَا وَأَطَعْنَا ۚ وَأُولَٰئِكَ هُمُ الْمُفْلِحُونَ

%he onl+ statement of the 5true6 belie\*ers &hen the+ are called to Allah and "is Messenger to )udge bet&een them is that the+ sa+, D3e hear and &e obe+.D And those are the successful 7An-: ur: Q19.

- Allah 7s&t9 said:

وَمَن يُشَاقِقِ الرَّسُولَ مِن بَعْدِ مَا تَبَيَّنَ لَهُ الْهُدَىٰ وَيَتَّبِعْ غَيْرَ سَبِيلِ الْمُؤْمِنِينَ نُوَلِّهِ مَا تَوَلَّىٰ وَنُصْلِهِ جَهَنَّمَ ۖ وَسَاءَتْ مَصِيرًا

And &hoe\*er contradicts and o((oses the Messenger 7Muhammad CA39 after the right (ath has been sho&n clearl+ to him and follo&s other than the belie\*ers9 &a+. 3e shall 'ee( him in the (ath he has chosen and burn him in "ell/ &hat an e\*il destination 7An-: isa:: 11Q9.

- Allah 7s&t9 said:

فَلْيَحْذَرِ الَّذِينَ يُخَالِفُونَ عَنْ أَمْرِهِ أَن تُصِيبَهُمْ فِتْنَةٌ أَوْ يُصِيبَهُمْ عَذَابٌ أَلِيمٌ

And let those who (lose his the Messenger's) command be aware, lest some Fitnah (disbelief, trials, afflictions) befall them or a (painful torment be inflicted on them) (An-ur: L19).

Ibn Abbas said: 'You will be on the verge of having stones descend upon you from the sky'. The Messenger of Allah (saw) said, 'Hilf you lot say: Abu 'a'r and Umar said. Imam Ahmad said: 'I am amazed at the (evidence, and how he 'no and the 'snad (chain of transmission) and its authenticity, going to the (union of Cufan, and Hilf Allah (saw) say:

فَلْيَخْذِرِ الَّذِينَ يُخَالِفُونَ عَنْ أَمْرِهِ أَنْ تُصِيبَهُمْ فِتْنَةٌ أَوْ يُصِيبَهُمْ عَذَابٌ أَلِيمٌ

And let those who (lose his the Messenger's) command be aware, lest some Fitnah (disbelief, trials, afflictions) befall them or a (painful torment be inflicted on them) (An-ur: L19).

Do you not know that the Fitnah is the Fitnah is Chir'. It is hoped that he takes back some of what he said, lest some misguidance falls into his heart and is consequently destroyed.

- Allah (saw) said:

يَا أَيُّهَا الَّذِينَ آمَنُوا أَطِيعُوا اللَّهَ وَأَطِيعُوا الرَّسُولَ وَأُولِي الْأَمْرِ مِنْكُمْ فَإِنْ تَنَازَعْتُمْ فِي شَيْءٍ فَرُدُّوهُ إِلَى اللَّهِ وَالرَّسُولِ إِن كُنْتُمْ تُؤْمِنُونَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ ۚ ذَلِكَ خَيْرٌ وَأَحْسَنُ تَأْوِيلًا

O you who have believed, obey Allah and obey the Messenger and those in authority among you. And if you disagree over anything, refer it to Allah and the Messenger, if you are believing in Allah and the Last Day. That is the best and best in result (An-isa: Q19).

- Allah (saw) say:

فَلَا وَرَبِّكَ لَا يُؤْمِنُونَ حَتَّى يُحَكِّمُوكَ فِيمَا شَجَرَ بَيْنَهُمْ ثُمَّ لَا يَجِدُوا فِي أَنْفُسِهِمْ حَرَجًا مِمَّا قَضَيْتَ وَيُسَلِّمُوا تَسْلِيمًا

But no, our Lord, they will not truly believe until they make you judge concerning that over which they dispute among themselves and then find within themselves no discomfort from what you have judged and submit in full, willing submission (An-isa: LQ9).

- Allah (saw) say:

إِنَّا أَنْزَلْنَا إِلَيْكَ الْكِتَابَ بِالْحَقِّ لِتَحْكُمَ بَيْنَ النَّاسِ بِمَا أَرَاكَ اللَّهُ ۚ وَلَا تَكُنَ لِلْخَائِنِينَ خَصِيمًا

Verily, We have revealed to you, (Muhammad), the Book in truth so that you may judge between the people by that which Allah has shown you. And do not be an advocate for the deceivers (An-isa: 1Q9).

- Allah (saw) said:

وَمَا كَانَ لِمُؤْمِنٍ وَلَا لِمُؤْمِنَةٍ إِذَا قَضَى اللَّهُ وَرَسُولُهُ أَمْرًا أَنْ يَكُونَ لَهُمُ الْخِيَرَةُ مِنْ أَمْرِهِمْ ۚ وَمَنْ يَعْصِ اللَّهَ وَرَسُولَهُ فَقَدْ ضَلَّ ضَلَالًا مُبِينًا

It is not for a belie\*ing man or a belie\*ing &oman, &hen Allah and 'is Messenger ha\*e decided a matter, that the+ should thereafter ha'e an+ choice about their affair. And &hoe\*er disobe+s Allah and 'is Messenger has certainl+ stra+ed into clear error 7Al-Ah=ab: 1L9.

- Allah 7s&t9 said:

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَقْعَدُوا بَيْنَ يَدَيْ اللَّهِ وَرَسُولِهِ ۖ وَاتَّقُوا اللَّهَ ۚ إِنَّ اللَّهَ سَمِيعٌ عَلِيمٌ

O +ou &ho belie\*e1 Do not (ut 7+oursel\*es9 for&ard before Allah and "is Messenger 7CA39, and fear Allah. >eril+1 Allah is All-"earing, All-Ano&ing 7Al-" u)urat: 19.

- Allah 7s&t9 said:

وَأَنْزَلْنَا إِلَيْكَ الْكِتَابَ بِالْحَقِّ مُصَدِّقًا لِمَا بَيْنَ يَدَيْهِ مِنَ الْكِتَابِ وَمُهَيْمِنًا عَلَيْهِ ۖ فَاحْكُم بَيْنَهُم بِمَا أَنْزَلَ اللَّهُ ۚ وَلَا تَتَّبِعْ أَهْوَاءَهُمْ عَمَّا جَاءَكَ مِنَ الْحَقِّ ۚ لِكُلِّ جَعَلْنَا مِنْكُمْ شِرْعَةً وَمِنْهَاجًا

And 3e ha'e re'ealed to +ou, 50 Muhammad6, the ?oo' in truth, confirming that &hich (receded it of the Ccri(ture and o\*erriding authorit+ o\*er it. Co,)udge bet&een them b+ &hat Allah has re'ealed and do not follo& their inclinations a&+ from &hat has come to +ou of the truth. %o each of +ou 3e (rescribed a la& 7Chir:ah9 and a method 7Minha9 7AI-Ma:idah: 4F9

- Allah 7s&t9 said:

أَفَحُكْمَ الْجَاهِلِيَّةِ يَبْغُونَ ۚ وَمَنْ أَحْسَنُ مِنَ اللَّهِ حُكْمًا لِّقَوْمٍ يُوقِنُونَ

Do the+ then see' the judgement of 7the Da+s of 9ignoranceP And &ho is better in judgement than Allah for a (eo(1e &ho ha\* e certain belief 7Al-Ma'idah: Q59.

- Allah 7s&t9 said:

مَنْ يُطِيعِ الرَّسُولَ فَقَدْ أَطَاعَ اللَّهَ

"e &ho obe+s the Messenger 7Muhammad CA39, has indeed obe+ed Allah 7An-: isa:: F\$9.

- Allah 7s&t9 said:

قُلْ إِنْ كُنْتُمْ تُحِبُّونَ اللَّهَ فَاتَّبِعُونِي يُحْبِبْكُمُ اللَّهُ وَيَغْفِرْ لَكُمْ ذُنُوبَكُمْ ۗ وَاللَّهُ غَفُورٌ رَحِيمٌ ﴿٣١﴾ قُلْ أَطِيعُوا اللَّهَ

Ca+ 7O Muhammad9: -Zf +ou 7reall+9 lo\*e Allah then follo& me, Allah &ill lo\*e +ou and forgi\*e +ou of +our sins. And Allah is Oft-Forgi\*ing, Most Merciful.. 7! 19 Ca+ 7O Muhammad9: -Obe+ Allah and the Messenger.. ?ut if the+ turn a&a+, then Allah does not li'e the disbelie\*ers 7Aali 9mran: ! 1-! 9.

- Allah 7s&t9 said:

وَمَا آتَاكُمُ الرَّسُولُ فَخُذُوهُ وَمَا نَهَاكُمْ عَنْهُ فَانْتَهُوا ۚ وَاتَّقُوا اللَّهَ ۚ إِنَّ اللَّهَ شَدِيدُ الْعِقَابِ

And &hate\*er the Messenger gi\*e +ou, ta'e it, and &hatsoe\*er he forbids +ou from, abstain 7from it9, and fear Allah. >eril+, Allah is se\*ere in (unishment 7AI-"ashr: <9.

- Allah 7s&t9 said:

وَمَنْ يَعْصِ اللَّهَ وَرَسُولَهُ فَإِنَّ لَهُ نَارَ جَهَنَّمَ خَالِدًا فِيهَا أَبَدًا

And &hoe\*er disobe+s Allah and "is Messenger - then indeed, for him is the fire of "ell/ the+ &ill abide therein fore\*er 7AI-Jinn:

- Allah 7s&t9 said:

تِلْكَ حُدُودُ اللَّهِ ۚ وَمَنْ يُطِيعِ اللَّهَ وَرَسُولَهُ يُدْخِلْهُ جَنَّاتٍ تَجْرِي مِنْ تَحْتِهَا الْأَنْهَارُ خَالِدِينَ فِيهَا ۚ وَذَٰلِكَ الْفَوْزُ الْعَظِيمُ ﴿١٣﴾ وَمَنْ يَعْصِ اللَّهَ وَرَسُولَهُ وَيَتَعَدَّ حُدُودَهُ يُدْخِلْهُ نَارًا خَالِدًا فِيهَا وَلَهُ عَذَابٌ مُهِينٌ

%hese are the limits 5set b+6 Allah, and &hoe\*er obe+s Allah and "is Messenger &ill be admitted b+ "im to gardens 5in @aradise6 under &hich ri\*ers flo&, abiding eternall+ therein and that is the great achie\*ement 7119 And &hoe\*er disobe+s Allah and "is Messenger and transgresses "is limits, "e &ill enter him into the fire to abide in it eternall+ and he &ill ha\*e a humiliating (unishment 7An-: isa;: 1! -149.

- Allah 7s&t9 sa+s:

يَا أَيُّهَا الرَّسُولُ لَا يَحْزُنكَ الَّذِينَ يُسَارِعُونَ فِي الْكُفْرِ مِنَ الَّذِينَ قَالُوا آمَنَّا بِأَفْوَاهِهِمْ وَلَمْ تُؤْمِن قُلُوبُهُمْ ۚ وَمِنَ الَّذِينَ هَادُوا ۚ سَمَّاعُونَ لِلْكَذِبِ سَمَّاعُونَ لِقَوْمٍ آخَرِينَ لَمْ يَأْتُواكَ ۚ يَحْرِقُونَ الْكَلِمَ مِنْ بَعْدِ مَوَاضِعِهِ ۚ يَقُولُونَ إِنْ أُوتِيتُمْ هَٰذَا فَخُذُوهُ وَإِنْ لَمْ تُؤْتَوْهُ فَاحْذَرُوا ۚ وَمَنْ يُرِدِ اللَّهُ فِتْنَتَهُ فَلَنْ تَمْلِكَ لَهُ مِنَ اللَّهِ شَيْئًا ۚ أُولَٰئِكَ الَّذِينَ لَمْ يُرِدِ اللَّهُ أَنْ يُطَهِّر قُلُوبَهُمْ ۚ لَهُمْ فِي الدُّنْيَا خِزْيٌ ۚ وَلَهُمْ فِي الْآخِرَةِ عَذَابٌ عَظِيمٌ سَمَّاعُونَ لِلْكَذِبِ أَكَّالُونَ لِلسُّخْتِ ۚ فَإِنْ جَاءُوكَ فَاخْكُمْ بِبَيْنِهِمْ أَوْ اعْزِضْ عَنْهُمْ ۚ وَإِنْ تُعْرِضْ عَنْهُمْ فَلَنْ يَضُرُّوكَ شَيْئًا ۚ وَإِنْ حَكَمْتَ فَاخْكُمْ بِبَيْنِهِمْ بِالْقِسْطِ ۚ إِنَّ اللَّهَ يُحِبُّ الْمُقْسِطِينَ ﴿٤٢﴾ وَكَتَبَ يُحْكُمُونَكَ وَعِنْدَهُمُ التَّوْرَةُ فِيهَا حُكْمُ اللَّهِ ثُمَّ يَتَوَلَّوْنَ مِنْ بَعْدِ ذَٰلِكَ ۚ وَمَا أُولَٰئِكَ بِالْمُؤْمِنِينَ ﴿٤٣﴾ إِنَّا أَنْزَلْنَا التَّوْرَةَ فِيهَا هُدًى وَنُورٌ ۚ يَحْكُمُ بِهَا النَّبِيُّونَ الَّذِينَ أَسْلَمُوا لِلَّذِينَ هَادُوا وَالرَّبَّاتِّيُونَ

وَالْأَخْبَارُ بِمَا اسْتُخْفِطُوا مِنْ كِتَابِ اللَّهِ وَكَانُوا عَلَيْهِ شُهَدَاءَ ۚ فَلَا تَخْشَوُا النَّاسَ وَاحْشَوْنَ اللَّهَ وَلَا تَشْتَرُوا بِآيَاتِي ثَمَنًا قَلِيلًا ۚ  
وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنْزَلَ اللَّهُ فَأُولَئِكَ هُمُ الْكَافِرُونَ ﴿٤٤﴾ وَكَتَبْنَا عَلَيْهِمْ فِيهَا أَنَّ النَّفْسَ بِالنَّفْسِ وَالْعَيْنَ بِالْعَيْنِ  
وَالْأَنْفَ بِالْأَنْفِ وَالْأُذُنَ بِالْأُذُنِ وَالسِّنَّ بِالسِّنِّ وَالْجُرُوحَ قِصَاصٌ ۚ فَمَنْ تَصَدَّقَ بِهِ فَهُوَ كَفَّارَةٌ لَهُ ۚ وَمَنْ لَّمْ يَحْكَمْ بِمَا  
أَنْزَلَ اللَّهُ فَأُولَئِكَ هُمُ الظَّالِمُونَ

O Messenger, let them not grie\*e +ou &ho hasten into disbelief from those &ho sa+: -3e belie\*e.  
&ith their mouths, but their hearts belie\*e not, and from among those &ho are Je&s. 5%he+ are6 a\*id  
listeners to falsehood, listening to another (eo(le &ho ha\*e not come to +ou. %he+ distort &ords  
be+ond their 5(ro(er6 usages, sa+ing -2f +ou are gi\*en this, ta'e it/ but if +ou are not gi\*en it, then  
be&are.. ?ut he for &hom Allah intends to (lace into Fitnah, ne\*er &ill +ou (ossess 5(o&er to do6  
for him a thing against Allah. %hose are the ones for &hom Allah does not intend to (urif+ their  
hearts. For them in this &orld is disgrace, and for them in the "ereafter is a great (unishment 7419  
5%he+ are6 a\*id listeners to falsehood, de\*ourers of 5&hat is6 unla&ful. Co if the+ come to +ou, 5O  
Muhammad6, Judge bet&een them or turn a&a+ from them. And if +ou turn a&a+ from them, ne\*er  
&ill the+ harm +ou at all. And if +ou Judge, Judge bet&een them &ith Justice. 2ndeed, Allah lo\*es  
those &ho act )ustl+ 74 9 ?ut ho& is it that the+ come to +ou for Judgement &hile the+ ha\*e the  
%orah, in &hich is the Judgement of AllahP %hen the+ turn a&a+, 5e\*en6 after that/ but those are not  
5in fact6 belie\*ers. 74!9 2ndeed, 3e sent do&n the %orah, in &hich &as guidance and light. %he  
@ro(hets &ho submitted 5to Allah6 Judged b+ it for the Je&s, as did the rabbis and scholars b+ that  
&ith &hich the+ &ere entrusted of the Ccri(ture of Allah, and the+ &ere &itnesses thereto. Co do  
not fear the (eo(le but fear Me, and do not e4change M+ \*erses for a small (rice. And &hoe\*er does  
not Judge b+ &hat Allah has re\*ealed, then those are the disbelie\*ers 7449 And 3e ordained for them  
therein a life for a life, an e+e for an e+e, a nose for a nose, an ear for an ear, a tooth for a tooth, and  
for &ounds is legal retribution. ?ut &hoe\*er gi\*es 5u( his right as6 charit+, it is an e4(iation for him.  
And &hoe\*er does not Judge b+ &hat Allah has re\*ealed, then it is those &ho are the transgressors  
70: 41-409.

%hese are the &ell-' no&n \*erses related to - . 7ruling9 from Curah Al-Ma'idah. A number of  
Ahadeeth ha\*e been related in res(ect to the reason or cause of their re\*elation 7Asbab An-: u=ool9,  
in addition to re(orts 7Aathaar9 related to its understanding. %he meaning of the term -  
7disbelie\*ers9 found &ithin them reBuires a thorough discussion &hich &e &ill dela+ until the  
cha(ter entitled: -.

.. , &hich &e &ill come to soon b+ Allah;s

(ermission.

- %he follo&ing &as recorded in the Musnad of Abu Ea:la: Muhammad related to me from 8Hthman  
bin 8Hmar, from Fitr bin Ahalifa, from Mansur bin Caalim bin Abi Al-Ju;d, from MasruB, &ho said: 52  
&as in a sitting &ith Abdullah and a man as'ed him: - 3hat is As-CuhtP. "e Caid: -Ar-Risha 7briber+9. .  
"e as'ed: -2n res(ect to the "u'm 7ruling# Judgement9P. "e re(lied: -%hat is Al-Aufr 7disbelief9. . "e  
then recited:

وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنْزَلَ اللَّهُ فَأُولَئِكَ هُمُ الْكَافِرُونَ

And &hoe\*er did not rule b+ &hat Allah has re\*ealed, then those are the disbelie\*ers 7Al-Ma'idah:  
44%.

Cheikh Hussein Asad said: 52ts 2snad 7chain of transmission is Cahih%. And it is as he said as the Athar 7re(ort9 from 2bn Mas;ud is affirmed and authentic for certain, es(eciall+ &hen considering the corroborati\*e su((orting information, the (aths and su((orti\*e e\*idences &hich are detailed in the a((endi4. %hese include among them:

- %he s(eech 7Ga&l9 and action 7Fi;l9 of MasruB, as &as mentioned in - . : 5%hat MasruB interceded for a man and so he gifted him &ith a female sla\*e. "e &as angered b+ that and said: -2f 2 had 'no&n that this &as in +oursel, 2 &ould not ha\*e s(o'en for it and 2 &ill not e\*er s(ea' for it again12 heard Abdullah bin Mas;ud sa+ing: -3hoe\*er interceded for a right to be returned b+ it or to re(el an in)justice b+ it, and &as then gifted for that, then that is Cuht... %he+ as'ed: -3e did not regard the Cuht e4ce(t the de(ri\*ation of the "u'm 7ruling9P1. "e said: -%he stri((ing of the "u'm is Aufr 7disbelief9. 16.

All of the abo\*e te4ts are from Al-Aitab Al-8A=i= 7Al-Gur;an9. As for the honoured @ro(hetic Cunnah:

- Abdullah bin 8Amr related from the Messenger of Allah 7sa&9, that he said:

لَا يُؤْمِنُ أَحَدُكُمْ حَتَّى يَكُونَ هَوَاهُ تَبَعًا لِمَا جِئْتُ بِهِ

An-: a&a&i said: 52t is a Cahih "adith &hich &e related in Aitab ul-"u)ah &ith a sound 2snad 7chain of transmission%. Al-?u' hari mentioned it as a re(ort in and said: 52t has been mentioned from the @ro(het 7sa&9 S %hen he mentioned it6.

- 8A;isha, ma+ Allah be (leased &ith her, said: %he Messenger of Allah 7sa&9 said:

مَنْ أَحْدَثَ فِي أَمْرِنَا هَذَا مَا لَيْسَ مِنْهُ فَهُوَ رَدٌّ

2t is a &ell-'no&n Cahih "adith recorded b+ Al-?u' hari, Muslim and Abu Da&ud.

- Abdullah bin Mas;ud related that the @ro(het 7sa&9 said:

سَيَلِي أُمُورَكُمْ بَعْدِي رَجَالٌ يُطْفِئُونَ السُّنَّةَ وَيَعْمَلُونَ بِالْبِدْعَةِ وَيُخْرِضُونَ الصَّلَاةَ عَنْ مَوَاقِفِهَا. فَقُلْتُ: يَا رَسُولَ اللَّهِ إِنْ أَدْرَكْتُهُمْ كَيْفَ أَفْعَلُ؟ قَالَ: تَسْأَلُنِي يَا ابْنَ أُمِّ عَبْدٍ كَيْفَ تَفْعَلُ لَا طَاعَةَ لِمَنْ عَصَى اللَّهَ

-Eour affairs after me &ill be go\*erned b+ men &ho e4tinguish the Cunnah, act b+ the ?id;ah 7inno\*ation9 and dela+ the Calah 7(ra+er9 from its set timings.. 2 as'ed: -O Messenger of Allah, if 2 li\*e to see them, &hat should 2 doP. "e re(lied: -Eou are as'ing me O 2bn Hmm 8Abd, &hat +ou should doP1.

%he abo\*e is the &ording recorded b+ 2bn Ma)ah and it &as also related b+ Ahmad, At-%abarani in his -Al-Aabir. and b+ Al-?aihaBi in his -As-Cunan Al-Aubra..

As for the wording recorded by Ahmad, it is:

إِنَّهُ سَمِعَ أَهْلَ بَيْتِهِ مِنْ بَنِي إِسْرَءِيلَ يُطْفِقُونَ السُّنَّةَ وَيُحَدِّثُونَ الْبِدْعَةَ وَيُخْرِجُونَ الصَّلَاةَ عَنْ مَوَاقِيتِهَا قَالَ ابْنُ مَسْعُودٍ:  
"مُتَّبِعٌ؟ قَالَ: "



%his is definite in meaning 7Gat;i+ Ad-Dalalah9 in res(ect to the in\*alidation of obedience to -

..

%hat is because:

19 %he &ording طاعة. 7 9 is in the indefinite form 7: a' irah9 in the conte4t of a (rohibition that is general, b+ the 2ma; 7consensus9 of the scholars of Hsul, including e\*er+ 'ind of obedience &hich this &ording encom(asses &ithin the Arabic language &hich the Gur;an re\*ealed. 2t therefore means the \*oiding of all obedience, in res(ect to an+ obedience/ &hether in res(ect to the Ma;ruf 7good9 or other than it and in the ma)or matter or the minor one, unless the Char;i+ Dalil 7e\*idence9 has come &ith an e4ce(tion to that, as is e4(lained in detail &ithin its sub)ect areas.

9 %he statement مَنْ عَصَى اللَّهَ - 7 9 is general a((l+ing to e\*er+one &ho has disobe+ed Allah. %hat is because it begins &ith the conditional مَنْ. 7Man - &ho#&hoe\*er9 &hich re(resents the absolutel+ most e\*ident of the forms of generalit+ as determined b+ the scholars of Hsul, as stated b+ 2mam 2bn %a+mi+ah, ma+ Allah;s merc+ be u(on him, in his -Ma)moo; Al-Fata&a., \*ol: 1Q, (: F and \*ol: 4.

2f it had not been for the definite te4ts &hich e4em(t the (eo(le of minor sins, from other than those &ho are flagrant, from being ta'en to account for that, and &hich (romise them forgi\*eness and the e4(iation of their sins, as long as the+ a\*oid the ma)or sins, if it hadn;t been for these, it &ould ha\*e been obligator+ to a((l+ this ruling 7i.e. of non-obedience9 to encom(ass the (eo(le of an+ act of disobedience R7 R" R re+ordP Should it be com(el the (eo(le to...9, &ith no difference bet&een the minor and ma)or sins. %hat is in addition to the te4ts that indicate the acce(tance of the re(entance of those &ho re(ent and their conseBuent returning to a status of being trusted, their testimonies being acce(ted and the (ermissibilit+ of them assuming (ositions of leadershi( and go\*ernorshi(. %hat is after the+ had (re\*iousl+ been characterised &ith FisB 7ilful disobedience9 and indeed e\*en &ith Aufr 7disbelief9!

%he te4t is therefore definite in meaning in res(ect to indicating the cancelling of obedience to e\*er+ FasiB 7ilfull+ disobedient (erson9, &hich means b+ necessit+, the \*oiding of his 3ila+ah 7go\*ernorshi(9. Obedience to him is not restricted to the Ma;ruf 7i.e. &hat com(lies &ith the Charee;ah9 in accordance to &hat has come for e4am(le in his 7sa&9 statement:

إِنَّمَا الطَّاعَةُ فِي الْمَعْرُوفِ

Or for e4am(le, in his statement:

لَا طَاعَةَ لِمَخْلُوقٍ فِي مَعْصِيَةِ الْخَالِقِ

%hat is because these Cahih Ahadeeth and those similar to them, &hich are Muta&atir, and some of &hich &e &ill address soon, (rohibit the obedience to an+ command to underta'e an act of

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disobedience (Ma'si+ah) i.e. the "aram action" or to abandon a (3a)ib obligation. What is regardless of the status or condition of the one who is commanding/ whether he is a just or unjust 2mam, a god-

Al-"afi=h Ash-Chashi in his -Musnad., Al-2mam Al-"afi=h Al-?a==ar in his -Musnad. and 2mam Al-"a' im in his - . from more than one (ath of transmission. %he statement of 8Hbadah bin As-Camit, ma+ Allah be (leased &ith him, in addition to the occasion in &hich he related the s(eech of the @ro(het 7sa&9, has been re(orted from numerous (aths, as can be seen in the a((endi4.

- 2mam 2bn Abi Chaibah, recorded in his -Mussanaf., from another (ath, inde(endent from the (re\*ious one, from A=har bin Abdullah &ho said: 8Hbadah bin As-Camit came to "a)) from Ash-Cham 7C+rian region9. "e came to Al-Madinah and &ent to 8Hthman bin 8Affan, sa+ing: -O 8Hthman! Should 2 not inform +ou of something 2 heard from the Messenger of Allah 7sa&9P. "e said: -Ees, of course.. "e said: ->eril+, 2 heard the Messenger of Allah 7sa&9 sa+ing:

سَيَكُونُ عَلَيْكُمْ أُمَرَاءُ يَأْمُرُونَكُمْ بِمَا لَا تَعْرِفُونَ وَيَقْعُلُونَ مَا تُنْكِرُونَ فَلَيْسَ لَأُولَئِكَ عَلَيْكُمْ طَاعَةٌ

%here &ill be leaders o\*er +ou &ho command +ou &ith &hat +ou do not recognise 7i.e. in the Charee;ah9 and &ho do that &hich +ou consider to be Mun'ar. .

Al-?u' hari also related it in his -At-%ari' h Al-Aabir. &ith the same (ath of transmission, )ust as Al-"a' im recorded it in his - .

%his "adith of 8Hbadah bin As-Camit is "asan Cahih and e\*idence is definitel+ established b+ it, &ith its su((orting e\*idences and its corroborati\*e information. Al-Albani classified it as being Cahih in his -Cahih Jami; As-Caghir. and also in his -Cilsilah Al-Ahadeeth As-Cahihah..

%his statement of the Messenger 7sa&9 in the "adith of 8Hbadah bin As-Camit - .

is also definite in indicati\*e meaning 7Gat;i+ Ad-Dalalah9 in res(ect to the in\*alidation of obedience to the - ., thus meaning the in\*alidation of the go\*ernorshi( of the FasiB 7one &ho is &ilfull+ disobedient9 and the (rohibition of obe+ing him, as &e ha\*e (re\*iousl+ mentioned and (ut do&n in another (art of this boo' .

- 2t &as related from 8Hbadah bin As-Camit that he said: %he Messenger of Allah 7sa&9 said:

سَيَكُونُ أُمَرَاءُ مِنْ بَعْدِي يَأْمُرُونَكُمْ بِمَا لَا تَعْرِفُونَ وَيَعْمَلُونَ بِمَا تُنْكِرُونَ فَلَيْسَ أُولَئِكَ عَلَيْكُمْ بِأَمَّةٍ

-%here &ill be leaders after me &ho command +ou &ith that &hich +ou do not recognise as Ma;ruf and acting b+ that &hich +ou recognise to be a Mun'ar. .

Recorded b+ At-%abarani and it is a Cahih "adith u(on the conditionalit+ of 2bn "ibban. 2t is also definite in indicati\*e meaning 7Gat;i+ Ad-Dalalah9 in res(ect to the in\*alidation of the leadershi( 7mamah9 of the FasiB. 2ndeed, this is clearer and more e\*ident in res(ect to its indicati\*e meaning than the &ordings of the (re\*ious narrations1

- 2t &as related from Abu 8naba 7and it has been said Abu 8Htba9 Al-Aha&lani, that he said: %he Messenger of Allah 7sa&9 said:

لَا تَخْرُجُوا أَمَّتِي ثَلَاثَ مَرَّاتٍ اللَّهُمَّ مَنْ أَمَرَ أَمَّتِي بِمَا لَمْ تَأْمُرْهُمْ بِهِ فَإِنَّهُمْ مِنْهُ فِي حَلٍّ

-Do not o (ress or bring difficult+ u (on m+ Hm mah 7he re (eated that three times9. O Allah, &hoe\*er commands m+ Hm mah &ith that &hich the+ ha\*e not been commanded &ith,

..

At-%abarani recorded it in his - . and Al-Ahatib in his -%ari' h ?aghdad.. 2t is a "asan "adith u (on the conditionalit+ 7Chart9 of 2bn "ibban.

%he statement of the Messenger 7sa&9 . is also definite in its indicated meaning in res (ect to the nullification of the leadershi ( of the FasiB because the intended meaning is that the+ are absol\*ed from obedience to him or absol\*ed from his leadershi (, or from his ?ai;ah 7ledge9 or &hat is similar to that in meaning &hich cannot mean other than the nullification of his go\*ernorshi (. %hat is because the s (eech is connected to the Amir 7leader9 himself to &hom the (ronoun in - . 7e9 refers bac' to, &hilst it does not refer bac' to the command, li'e it does in the li'e of his statement 7sa&9:

فَإِذَا أَمَرَ بِمَعْصِيَةٍ فَلَا سَمْعَ وَلَا طَاعَةَ

3hich &ill be discussed shortl+.

- Al-"a'im recorded a narration &ith its chain of transmission from Abdullah bin Mas;ud &hich is Marfu; 7i.e. goes bac' to the @ro(het 7sa&99:

يَكُونُ عَلَيْكُمْ أَمْرَاءُ يَتْرُكُونَ مِنَ السُّنَّةِ مِثْلَ هَذَا (وَأَشَارَ إِلَى أَصْلِي إِصْبَعِهِ)، وَإِنْ تَرَكْتُمُوهُمْ؛ جَاؤُوا بِالطَّامَةِ الْكُبْرَى، وَإِنَّمَا لَمْ تَكُنْ أُمَّةً إِلَّا كَانَ أَوَّلَ مَا يَتْرُكُونَ مِنْ دِينِهِمُ السُّنَّةُ، وَآخِرَ مَا يَدْعُونَ الصَّلَاةَ، وَلَوْلَا أَنَّهُمْ يَسْتَعْجِلُونَ مَا صَلُّوا

-

%his "adith is Cahih. Al-"a'im said: 52t is u (on the conditionalit+ 7Chart9 of the t&o Chei' hs 7i.e. Al-?u' hari and Muslim%, Adh-Dhahabi concurred and it is li'e the+ said. %he content of the "adith en)oins ta'ing the rulers to tas' for the smaller de\*iation, &here it is im (ermissible to lea\*e him be and to a (ro\*e of him in his go\*ernorshi (, other&ise there &ill be the greatest calamit+. 2ndeed, onl+ the truth comes from Allah and "is Messenger. 3hen the Hm mah neglected and desisted from that it &as afflicted in its (ast and (resent, a matter &hich is clearl+ &itnessed &ith no need for a re (ort or notice to inform us of that1

- 2t &as narrated from Abu Ca'id Al-Ahudri that the Messenger of Allah ﷺ dispatched Al-Bamah bin Muja'im at the head of a military detachment, and 2 &as among them. When he reached the battle site, or when he &as (art&a+ there, a group of the army as'ed (ermission to take a different route, and he gave them (ermission, and appointed Abdullah bin 'Udhafah bin Gais As-Sahmi as their leader, and 2 &as one of those who fought alongside with him. When he &ere (art&a+ there, the (eo (le lit a fire to &arm themsel\*es and cook some food. Abdullah, who &as a man who li'ed to Jo'e, said: -Do not have the right that you should listen to me and obey. He said: -Ees, of course.. He said: -And if I command you to do something, will you not do it? He said: -Of course.. He said: -When I command you to (um ( into this fire.. Come (eo (le got u ( and got ready to (um (, and when he saw that they &ere about to (um (, he said: -Restrain yourselves, for I &as Jo'ing with you.. When he came to Al-Madinah, they mentioned that to the (rohet ﷺ, and the Messenger of Allah ﷺ said:

مَنْ أَمَرَكَ مِنْهُمْ بِعَصِيَةِ اللَّهِ فَلَا تُطِيعُوهُ

..

2t is a Sahih "adith recorded by Ibn Majah and Ahmad.

: This statement relates to the command and not to the leader or (erson commanding himself. That is because his statement -فَلَا تُطِيعُوهُ- means to not obey him in that (articular act under any circumstances, regardless of his remaining in his (osition of authority or its nullification. This is also the meaning of the following Ahadeeth:

- 2t &as recorded in the Sunan of Abu Da'ud from Ali, may Allah be (leased with him, who related: That the Messenger of Allah ﷺ dispatched an army. He appointed a man as a commander over them and commanded them to listen to and obey him. He then kindled a fire and ordered them to leap into it. A group refused to enter into it and said -We have fled from the fire. Whilst a group intended to enter into it. He news of that reached the (rohet ﷺ and he said:

لَوْ دَخَلُوهَا أَوْ دَخَلُوا فِيهَا لَمْ يَزَالُوا فِيهَا وَقَالَ لَا طَاعَةَ فِي مَعْصِيَةِ اللَّهِ إِنَّمَا الطَّاعَةُ فِي الْمَعْرُوفِ

- "and they entered into it, they &ould have remained in it. And he said: -

i.e. is recognised

and 'no &n to com (to the Chareeah).

2t is a Sahih "adith and similar to it has been recorded by Al-Bukhari, Muslim, An-Nasa'i, Ahmad and At-Termidhi from Ali, (at At-Termidhi recorded the addition:

- Imam Ahmad related from Abdullah bin Umar the (re\*ious "adith with a (ording which is close to that (orted by Abu Da'ud from Ali bin Abi Talib, may Allah be (leased with him. 2t is Sahih in itself (Dhatihi and is indeed of the utmost level of authenticity, when accompanied by the (re\*ious full length (orties, in addition to the following summarised ones.

- Abdullah bin ʿHmar, ma+ Allah be (leased &ith him, related that the Messenger of Allah 7sa&9 said:

X عَلَى الْمَرْءِ الْمُسْلِمِ السَّمْعُ وَالطَّاعَةُ فِيمَا أَحَبَّ وَكَرِهَ إِلَّا أَنْ يُؤْمَرَ بِمَعْصِيَةٍ فَإِنْ أُمِرَ بِمَعْصِيَةٍ فَلَا سَمْعَ وَلَا طَاعَةَ

2t is obligator+ u (on the Muslim to hear and obe+ in that &hich he li' es and that &hich he disli' es, unless he is commanded &ith an act of disobedience.

2t is a Cahih " adith &hich is agreed u (on, Abu Da&ud and 2bn Ma)ah recorded similar to it. And the &ording of Al-ʿu' hari &as:

X فَإِذَا أُمِرَ بِمَعْصِيَةٍ فَلَا سَمْعَ وَلَا طَاعَةَ

%he follo&ing came in another Cahih narration recorded b+ Muslim:

لَا طَاعَةَ لِبَشَرٍ فِي مَعْصِيَةِ اللَّهِ إِنَّمَا الطَّاعَةُ فِي الْمَعْرُوفِ

- %amam recorded in his -Fa&a;id. a narration related b+ Abu " urairah. " e said: %he Messenger of Allah 7sa&9 said:

V طَاعَةُ الْإِمَامِ حَقٌّ عَلَى الْمَرْءِ الْمُسْلِمِ مَا لَمْ يَأْمُرْ بِمَعْصِيَةِ اللَّهِ عَزَّ وَجَلَّ، فَإِذَا أُمِرَ بِمَعْصِيَةِ اللَّهِ، فَلَا طَاعَةَ لَهُ

%his " adith is Cahih and &e ha\*e thoroughl+ studied its 2snad in the a((endi4.

- 2t has been related that ʿmran bin " usain said to " a'am Al-Mhifari: -Do +ou ' no& a da+ in &hich the Messenger of Allah 7sa&9 said:

W لَا طَاعَةَ فِي مَعْصِيَةِ اللَّهِ

- ..P " e re(ied: -Ees1. ʿmran said: -Allahu A' bar1.. Allahu A' bar1..

2t is a Cahih " adith recorded b+ Al-" a'im in his -Al-Mustadra' .. " e classified it as Cahih and Adh-Dhahabi concurred. Ahmad also related it &ithin a long stor+ &ith a Cahih 2snad u (on the Chart 7conditionalit+9 of 2mam Muslim and At-%abarani related the Marfu; (art from him onl+. 2t has other

(aths recorded b+ Ahmad, At-%a+alisi, At-%abarani in his -Al-Aabir. and his -As-Caghir. and also b+ Al-?a==ar. Come of the narrations had the follo&ing &ording:

لَا طَاعَةَ لِمَخْلُوقٍ (في رواية: لأحد) فِي مَعْصِيَةِ اللَّهِ تَبَارَكَ وَ

Abu Da&ud At-%a+alisi also related it and this &as his &ording.

- Hbadah bin As-Camit, ma+ Allah be (leased &ith him, related:

بَايَعْنَا رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَلَى السَّمْعِ وَالطَّاعَةِ فِي الْعُسْرِ وَالْيُسْرِ وَالْمُنْشِطِ وَالْمَكْرِهِ وَعَلَى أَثَرِ عَلَيْنَا وَعَلَى أَنْ لَا تُنَازَعَ الْأَمْرَ أَهْلُهُ إِلَّا أَنْ تَرَوْا كُفْرًا بَوَاحًا عِنْدَكُمْ مِنَ اللَّهِ تَعَالَى فِيهِ بَرَهَانٌ وَعَلَى أَنْ نَقُولَ بِالْحَقِّ أَتَيْنَاكُمْ لَا نَخَافُ فِي اللَّهِ لَوْمَةً لَأَنَّهُ

3e ga\*e the ?ai:ah 7(ledge of allegiance9 to the Messenger of Allah 7sa&9 u(on hearing and obe+ing in 7times of9 ease and hardshi, &illingness and reluctance, &hen (reference is gi\*en o\*er us, and that &e must not dis(ute or contend &ith the authorit+ of its (eo(le unless +ou see manifest disbelief 7Aufr ?a&aah9 for &hich +ou ha\*e a clear (roof from Allah the Most "igh. And u(on that &e sa+ the truth &here\*er &e are, not fearing 7in that9 the blame of the blamers 7i.e. conseBuenes9.

%his "adith is of the utmost authenticit+ and its authenticit+ is agreed u(on. It has been recorded b+ Al-?u' hari, Muslim, Ahmad, At-%abarani and others, \*ia man+ (aths, &hich establish definiteness and certaint+.

7Meaning of9 : 7%hat &hich is9 a((arent and e\*ident &ith no hiddenness in res(ect to it. It comes from their 7the Arabs9 statement: ?aaha ?i-Cha+;in, Eaboohu ?ihi, ?a&han, ?a&aahan R meaning &hen he ma'es a thing#matter a((arent, (ublicises it and declares or \*oices it o(enl+#(ublicl+.

2n a narration recorded b+ At-%abarani - كُفْرًا صَرَاحًا- 7 &as stated and it carries the same meaning 7as Aufr ?a&aah9.

2n other Cahih re(orts the follo&ing \*ariants came stated:

يِلَّا أَنْ يَكُونَ مَعْصِيَةَ اللَّهِ بَوَاحًا

- . or

And:

مَا لَمْ يَأْمُرَكَ بِإِثْمٍ بَوَاحًا

An-: a&a&i said: 5%he intended meaning of Al-Aufr 7the disbelief9 here, is the Ma;si+ah 7act of disobedience9. And the meaning of the "adith is: -%hat +ou must not dis(ute or contend &ith the (eo(le in authorit+ o\*er the (ublic affairs in res(ect to their authorit+ and must not o((ose them, unless +ou see from them an established 7sure9 Mun'ar &hich +ou 'no& from the foundational (rinci(les of 2slam.. Al-"afi=h 7ibn "a9 in his -Fat;h. sought to re\*ise this during his e4(planation of the "adith &ithin the - .. from -Al-Jami As-Cahih.. "e (resented other o(inions related to rebelling against the ruler )ust as he discussed the nullification of the go\*ernorshi( or ruling of the FasiB. And &ith all (raise belonging to Allah, &e thoroughl+ e4amined them &ithin our boo' - .. 3e ha\*e dealt &ith this in a \*er+ thorough manner and to Allah belongs the (raise and fa\*our, and so the subject can be re\*ised there!

As for the matter of contending &ith the ruler &ith &ea(ons 7i.e. b+ utilising material force against him9, in the circumstance of the a((earance of Aufr Al-?a&aah, or his abandoning of the establishment of the Calah 7(r+er9, or his o&n abandonment of the (ra+er, then that has an inde(endent cha(ter allocated for it &ithin this boo'.

- 2mam An-: asa;i recorded: Mu;a&i+ah bin Calih Al-Ash;ari related to us from Abdullah bin Ja;far, from 8Hbaidullah, from Oaid, from 8Amr bin Murrah, from Abu : adrah, from Abu ?ar=a, &ho said: 5Abu ?a' r became \*er+ angr+ &ith a man to the (oint that his colour changed. 2 said: -O Ahalifah of the Messenger of Allah! ?+ Allah, if +ou &ere to command me, 2 &ould stri'e his nec' 1. %hen 7all of a sudden9, it &as li'e cold &ater had been (oured o\*er him as his anger against the man &ent a&a+. "e 7Abu ?a' r9 then said: -Ma+ +our mother be berea\*ed of +ou O Abu ?ar=a!

1.6. "o&e\*er, 2mam Abdur Rahman An-: isa;i commented sa+ing: 5%his is an error 7i.e. in the 2snad9: And the correct 7snad9 is Abu : asr 7i.e. instead of Abu : adrah9 and his name is "umain bin "ilal 7although Ash-Chu;bah disagreed &ith him%. : E\*en if this is correct, both Abu : adra and Abu : asr are both trust&orth+ 7%hiBah9 and as such the "adith is definitel+ Cahih, u(on e\*er+ circumstance!

%here are in addition other Ahadeeth but it is ho(ed that &hat &e ha\*e (resented is sufficient. %hese e\*idences restrict the other unrestricted 7MutlaB9 te4ts &hich command the unrestricted obedience.

As such, obedience to the creation in disobedience to Allah is a ma)or crime and great Mun'ar due to &hat it entails of destructi\*e causes of corru(tion in both the &orlds or 7at least9 one of them. %he one &ho obe+s in this case has the same ruling as the one &ho commands as the+ are (artners in the sin, &hich could (ossibl+ reach the le\*el of a(ostac+ and disbelief, ma+ Allah;s refuge be sought from that.

"as the s(read of misguidance and corru(tion in the earth not been as a conseBue of the &ea' follo&ing the chiefs and leadersP %hose follo&ers &ill remember the corru(tion of this blind follo&ing on the Da+ of Judgement and that the+ are themsel\*es criminals. Allah relates their final des(erate dialogue:



وَلَوْ تَرَىٰ إِذِ الظَّالِمُونَ مَوْقُوفُونَ عِندَ رَبِّهِمْ يَرْجِعُ بَعْضُهُمْ إِلَىٰ بَعْضٍ الْقَوْلَ يَقُولُ الَّذِينَ اسْتُضْعِفُوا لِلَّذِينَ اسْتَكْبَرُوا لَوْلَا أَنَّهُمْ لَكُنَّا مُؤْمِنِينَ قَالَ الَّذِينَ اسْتَكْبَرُوا لِلَّذِينَ اسْتُضْعِفُوا أَنَحْنُ صَدَدْنَاكُمْ عَنِ الْهُدَىٰ بَعْدَ إِذْ جَاءَكُمْ ۗ بَلْ كُنْتُمْ مُجْرِمِينَ ﴿٣٢﴾ وَقَالَ الَّذِينَ اسْتُضْعِفُوا لِلَّذِينَ اسْتَكْبَرُوا بَلْ مَكْرُ اللَّيْلِ وَالنَّهَارِ إِذْ تَأْمُرُونَنَا أَنْ نَكْفُرَ بِاللَّهِ وَنَجْعَلَ لَهُ أَنْدَادًا ۖ وَأَسْرُوا النَّدَامَةَ لَمَّا رَأَوُا الْعَذَابَ وَجَعَلْنَا الْأَغْلَالَ فِي أَعْنَاقِ الَّذِينَ كَفَرُوا ۖ هَلْ يُجْزَوْنَ إِلَّا مَا كَانُوا يَعْمَلُونَ

But if you could see when the wrongdoers are made to stand before their Lord, refuting each other's words... those who were deemed 'evil' to those who were arrogant chiefs/leaders: -If it had not been for you, we could have been believers.. those who were arrogant & ill sa+ to those

- When the Messenger of Allah ﷺ arrived in Al-Madinah he contracted an inter-state agreement with the Jews which contained within it: "That occurs in terms of incidents or quarrels among the (people of this document) i.e. contracting (parties), the corruption for harm of which is feared, then the+ are referred to Allah & a 3a Jalla and to Muhammad the Messenger of Allah. - needs better wording R is it in the event there is harm matters are referred to Allah and his Messenger P

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- When the peace treaty was concluded between the Muslims and the disbelievers on the day of Al-'Udaibiyyah, it was agreed that the (public) opinion of the Muslims was against this treaty, because they considered it to be humiliating for them. He expressed their objection to what the Messenger of Allah ﷺ undertook. Al-Faruq Umar, may Allah be pleased with him, expressed the rejection of the Himmah with respect to the treaty when he leaned to his feet and went to Abu 'a'r, may Allah be pleased with him, and then said: -O Abu 'a'r is he not the Messenger of Allah? Are we not the Muslims? Are they not the Mushri' in idolators? He replied: -Ees, of course.. He said: -When he should be accepted disgrace in our Deen. He replied: -I told onto his stirrup (wherever it is) i.e. hold fast and stick to him, for I will bear witness that he is the Messenger of Allah. Umar then said: -And I also bear witness.. He then approached the Messenger of Allah ﷺ and said: -O Messenger of Allah! Are we not the Muslims? And are they not the Mushri' in? The Messenger of Allah ﷺ said: -Ees, of course.. He Umar said: -When he should be accepted disgrace in our Deen.. He said then said:

. This is what has been related by the collectors of the Sahih collections like Al-Bukhari, Muslim and others.

His stance of Umar represented the truest expression of opposition of the Himmah to the Messenger of Allah ﷺ because, according to the view of the Muslims concerning what was agreed within the treaty, he had accepted humiliating conditions from the enemies of the Islamic state.

His opposition manifested (practically) when they did not respond to the command of the Messenger of Allah ﷺ by refraining from slaughtering their sacrificial animals when he commanded them to do that. He was angered by that to the point that he complained to his wife, the mother of believers, Himmah Calamah, may Allah be pleased with her. She then said to him: -O Messenger of Allah go out, undertake the sacrificial slaughter and shave your head, then they will follow you.. And so he went out, made the slaughter and shaved his head. He did this alongside his statement ﷺ:

. In doing so he was confirming that the 'Udaibiyyah agreement was not undertaken upon the basis of (permissible) Mubah treaties which the Char'a has provided room for the Imam to contract based upon his own Jihad effort in accordance with the Maslahah (interest) and which is undertaken with the consultation and agreement of the Himmah. Rather, it was undertaken in accordance with the command of Allah according to the divine relation which had come specifically for it. For this reason, it is not permissible to make an analogy upon it or to conclude a treaty upon its like, unless there exists a Dalil (evidence) or Qur'an (proof) that is taken from other than it.

He has mentioned above texts from the Aithab (proof) of Allah which are Gat'iyyah Ath-hubut (definite in transmission) and Gat'iyyah Ad-Dalalah (definite in meaning), leaving no room for their denial. All of them establish with absolute clarity one single statement and that is that the Ci'adah (sovereignty) belongs to the Char'a and not to the mind, and to Allah ﷻ and not man.



تِلْكَ حُدُودُ اللَّهِ ۚ وَمَنْ يُطِيعِ اللَّهَ وَرَسُولَهُ يُدْخِلْهُ جَنَّاتٍ تَجْرِي مِنْ تَحْتِهَا الْأَنْهَارُ خَالِدِينَ

The Ayah of Al-Hmara; 7Leaders95An-: isa;: Q169 is from the Ayah at 7\*erses9 of Ah' am 7rulings9 relating directly to the ruling system. What is because it has also commanded obedience to the Hli l-Amr 7those in positions of authority#command9. The command with absolute obedience obliges b+ necessit+ the non-obedience to other than that. The obedience to Allah is not realized e4ce(t b+ the implementation of e\*er+thing that he has commanded and abstaining from e\*er+thing that "e has forbidden. Consequently, the Char;a is the possessor of the sovereignty+ 7Ci+adah9 in life and there is absolutely no Ci+adah to other than it at all.

Concerning this Ayah which is the Gal 7statement9 of Allah 7s&t9:

يَا أَيُّهَا الَّذِينَ آمَنُوا أَطِيعُوا اللَّهَ وَأَطِيعُوا الرَّسُولَ وَأُولِي الْأَمْرِ مِنْكُمْ

O you who have believed, obey Allah and obey the Messenger and those in authority among you 7An-: isa;: Q19.

It has come with a miraculous original style, placing this obedience in its appropriate and fitting place. Concerning this Al-Alousi said in his -Ruh ul-Ma;ani : 5The verb has been repeated 7i.e. to obey9. If the obedience of the Messenger &as lin'ed to the obedience of Allah based upon his position, it would then definitely have been **deluded deducedP** that it is not obligatory to comply with that which is not in the Qur'an Al-Aarim. It represents a declaration that he 7sa&9 has an independence in respect to obedience which is not affirmed for other than him. Consequently, this 7command to obey9 &as not repeated in "is statement: -  
thus declaring that they have no independence in respect to it 7i.e. the right of obedience9, like the independence that has been affirmed for the Messenger 7sa&9. As such, the obedience of those in the position of authority is dependent upon obedience to Allah and "is Messenger and is not independent. As for obedience in respect to the Ma;siyah 7disobedience9, then the (eople of 'nowledge have agreed upon the impossibility of obedience to the Ma;siyah. This is just as An- : a&a&i mentioned in his Charh 7e4(planation9 of Cahih Muslim &hen he stated that they held an 7ma; 7consensus9 over that.

The basis of this agreement is b+ the necessity of the Char;a and the 8ABI 7mind9. What is because the obligatory obedience which the Hmrah must adhere to is not an unrestricted obedience, but rather obedience within the limits which have been set b+ the Char; 7legislator9 i.e. the limits of the Char;a. The Ayah of the 8Hmara 7leaders9 has stated the obligation of obedience to the ruler:

يَا أَيُّهَا الَّذِينَ آمَنُوا أَطِيعُوا اللَّهَ وَأَطِيعُوا الرَّسُولَ وَأُولِي الْأَمْرِ مِنْكُمْ

O you who have believed, obey Allah and obey the Messenger and those in authority among you 7An-: isa;: Q19.

Obedience is a fundamental matter for the existence of discipline and order within the state and to (re)strengthen cohesion among the collective. Allah 7s&t9 has commanded obedience, which in the first instance has the appearance of being representative of an unrestricted and absolute obedience. "o&e\*er, "e indicates the possibility of the occurrence of disagreement and disputes and then

made clear & that the source of reference should be in such a case. %his obedience to those in authority is not intrinsic in respect to them but rather it is only established upon the command of Allah to obey them. It represents a branch of obedience to Allah and does not represent an origin. It is necessarily of a lower grade than obedience to Allah & which represents the original, highest and absolute obedience. %he Char'ij and %ABli necessitate dictate the decisive necessity of classifying the commands of the lower branch authority under the sub-ordinate to the commands of the highest and original authority. If inconsistency & as to occur, the command of the highest original authority & could be implemented and the command of the lower branch authority & could be invalidated. Otherwise, inconsistency and contradiction & could occur and that is an inconceivable matter in this regard.

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%e will elaborate on this further by saying: If the highest authority said: -Obey the lower authority even if it commands you to disobey me. then in truth it & could be saying: -Obey me by disobeying me, at the same time from the same authority & within the same subject matter or issue., & which is inconceivable. %hen, if the higher authority & as the absolute highest authority, meaning Allah & t, then the inconceivability & could be far greater and outrageous. %hat is because obedience to Allah is obligatory based upon the fundamental truths of the mind and & that it necessitates. %herefore, the command from Allah - . only represents a reminder of this (primary rational necessity and it is not an essential command that needs to be stated, even if it came in the command form. If & were to permit that Allah commands us to obey other than "him, even if this other commanded the disobedience of Allah, & & could have fallen into the contradiction mentioned above. Indeed, & & could have demolished the (principles of the necessary truths dictated by the mind, thus leading to the demolishing of the mind and its breaking. %he legal responsibility & could become null and void, languages & could lose their meanings, though that & could become impossible and the Chareeah & could be destroyed, may Allah's refuge be sought from that.

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It is not permissible to understand all of the Chareeah texts in this manner. %herefore, if an understanding of a text is understood upon other than this (remise or if its interpretation is not in line & with it, it is impossible for that to be a sound or authentic transmission and such a text must be judged to be a lie and fabrication.

%e has previously mentioned that the article - ح ك م - 7"aa Aaaf Mim has come in the Arabic language, the Qur'an Al-Aarim and the Cunnah, & with numerous meanings. %hese include:

... placing matters in their right (place or content and this is - . Wisdom and the one who does that is a - . Wise person.

... perfecting the act and the action accomplishing its objective and this is - . and the one does that is - . and - .

...the "u'm judgement upon the actions of the (eo)le on the Da+ of Judgement and resol\*ing their dis(utes in a final and e\*erlasting manner. %his belongs to Allah alone and the A+at 7\*erses9 in res(ect to that are man+ and &ell-' no&n.

...Al-Fit+a 7(assing a \*erdict#Fat&a9 and the e4(ression of an o(inion &hich the one stating it belie\*es to be correct i.e. (assing judgement u(on the issues of the Deen and sensed, rational, aesthetic and moral issues, amongst others. Co for e4am(le, &e (ass the judgment 7: ah'umu9 of in\*alidit+ 7and falsit+9 u(on the beliefs of reincarnation and the trinit+, and &e )udge l+ing to be ugl+ rationall+ and to be (rohibited according to the Char;a, &ith the e4clusion of some cases &hich the te4ts has mentioned.

Allah 7s&t9 sa+s:

﴿۳۵﴾ مَا لَكُمْ كَيْفَ تَحْكُمُونَ

When shall 3e treat the Muslims li'e the criminalsP 7! Q9 3hat is 5the matter6 &ith +ouP "o& do +ou JudgeP 7Al-Galam: !Q-!L9.

... Resol\*ing the conflict and settling the dis(utes in a binding manner. %his refers to the Gadaa; 7udiciar+9 and it is one of the main authorities of the state 7the legislati\*e authorit+, e4ecuti\*e authorit+ and )udicial authorit+9. %he Gaadi 7udge9 is also called a - . and &hat he (ronounces or (asses is called a - . 7judgement#\*erdict9.

... Fostering or ta'ing care of the affairs/ the administration and im(lementation. %his refers to the e4ecuti\*e authorit+ &ithin the state and the one &ho underta'es the res(onsibilit+ of that is called a - . 7ruler9, )ust as he can be called a - . or - . or - . 2n recent times the use of the term - . 7go\*ernment9 has become &ides(read to denote the head of the e4ecuti\*e authorit+ i.e. the cabinet. 2t also carries the meaning of the ruling a((aratus &ithin the state.

... Legislating, enacting constitutions, la&s, s+stems and statutes. %his refers to &hat the legislati\*e authorit+ underta'es &ithin the state. 2ndeed, it also includes the setting of moral and beha\*ioural (rinci(les in addition to manners and social customs.

%hese meanings or (rimaril+ the last four, are &hat concern us in this current stud+: Al-Fit+a 7(assing \*erdicts9, Al-Gadaa; 7udiciar+9, At-%anfeedh 7e4ecution#im(lementation9 and At-%ashree; 7legislation9. %he+ are all also &hat the Charee;ah te4ts must be a((lied u(on, unless there is a Gareenah 7indicati\*e connotation9 of s(ecification. %herefore, &hen the Messenger 7sa&9 said:

إِذَا اجْتَهَدَ الْحَاكِمُ فَأَصَابَ فَلَهُ أَجْرَانِ ... إلخ

2t is not (ermissible to sa+ that this is s(ecific for the Gaadi 7udge in court9 or for the 3ali+ ul-Amr 7ruler9! Rather, it is 8Aamm 7general9 a((l+ing to e\*er+one &ho see's the "u'm judgement9 of Allah in res(ect to an issue, )ust for the (ur(ose of 'no&ing it. %hat includes the Mu)tahid and the Mufti as

this represents a -"aa'im.. Or if it was sought for the (ur(ose of a ((l+ing it in a dis(ute, li'e the Gaadi, as this also represents a -"aa'im., or for the (ur(ose of ta'ing care of the affairs of the (eo(le9, li'e the 2mam. What is &hether it relates to im(lementation in a (articula s(ecified case, as he &ould be, in this ca(acit+, a "aa'im, or if it &as related to legislating or ado(ting a "u'm Char;i+ for an issue in &hich there is disagreement, follo&ed b+ enacting it as a general la& &hich binds e\*er+one, as he &ould be, in this ca(acit+, a "aa'im.

Al-2hti'aam or At-%ahaa'um means: Cee'ing the "u'm 7judgement#ruling9, regardless of its 'ind: Al-Fit+a 7(assing \*erdicts9, Al-Gadaa; 7udiciar+9, At-%anfeedh 7e4ecution#im(lementation9 and At-%ashree; 7legislation9.

As for the obligation of Al-2hti'aam to the Char;a absolutel+ 7i.e. going to it as the source for the Judgement9, then this has been established b+ the te4ts such as:

%he Ga&l 7statement9 of Allah 7s&t9:

قُلَا وَرَبَّكَ لَا يُؤْمِنُونَ حَتَّى يُحْكُمُواكَ فِيمَا شَجَرَ بَيْنَهُمْ

?ut no, b+ our Lord, the+ &ill not 5trul+6 belie\*e until the+ ma'e +ou, 5O Muhammad6, the )udge concerning that o\*er &hich the+ dis(ute among themsel\*es 7An-: isa;: LQ9.

And "is Ga&l 7s&t9:

فَإِنْ تَنَازَعْتُمْ فِي شَيْءٍ فَرُدُّوهُ إِلَى اللَّهِ وَالرَّسُولِ

And if +ou disagree o\*er an+thing, refer it to Allah and the Messenger 7An-: isa;: Q19.

And "is Ga&l 7s&t9:

وَمَا اخْتَلَفْتُمْ فِيهِ مِنْ شَيْءٍ فَحُكْمُهُ إِلَى اللَّهِ

And in &hatsoe\*er +ou ha\*e differed u(on, its "u'm 7ruling9 is 5to be referred6 to Allah 7Ash-Chura: 1\$9.

Concerning the first A+ah: 2t represents a com(rehensi\*e truth from the truths of 2slam &hich came in the form of a certain oath, unrestricted from an+ restriction, &hich negates the 2man 7belief9 of the one &ho does not go to the @ro(het 7sa&9 for Judgement. %here can be no room here for delusion or ambiguity+ claiming that going to Judgement to the Messenger of Allah 7sa&9 means going to Judgement to his noble (erson alone 7i.e. obedience to him in (erson &hen he is li\*ing9, as has been falsel+ claimed b+ some of the so-called Da;&ah carriers of the 2slamic - .1 or the so-called Da;&ah carriers to - . 2slam1 Rather, the A+ah means b+ necessit+, going to Judgement to his Charee;ah and his methodolog+ 7Minha9 and not to his honourable self in (erson, onl+, as is clearl+ e\*ident &ithout the need to thin' dee(l+ about it. "o&e\*er, if one refused due to obstinac+ and stubbornness, then he can consider the follo&ing (roofs:



... The claim contrar+ to that means that there no longer remains a (lace for the Charee;ah of Allah and the Cunnah of "is Messenger after his death 7sa&9. 2n other &ords, 2slam died or &as abrogated u(on his death 7sa&91 What &ould in turn dictate that the seal of @ro(hethood is (ointless and that he 7sa&9 &as not a merc+ for man' ind, Allah be glorified abo\*e such lies and foolish moc'er+.

2f it &as (ermitted for one ruling 7"u' m9 to be abrogated b+ his (assing 7sa&9, it &ould be (ermitted in res(ect to e\*er+ ruling, including the (rohibition of murder, assault and o((ression, although the+ do not state that these ha\*e been abrogated. Rather, &e find that the abrogation onl+ occurs in res(ect to the rulings &hich are -anno+ing or troublesome. in their \*ie& and do not conform to their moods. As for &hat conforms to the desires then that continues and is constant R R is that &hat he meantP - (Is rechec'1

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... 2t is 'no&n b+ necessit+ from histor+ that has been transmitted to us \*ia concurrent transmission 7a&atur9, that he 7sa&9 did not carr+ out the "u' m 7ruling9, Gadaa; 7udiciar+9 and im(lementation all b+ himself. Rather, he a((ointed leaders, go\*ernors, 0a'ah collectors and Judges in Ma' 'ah, At-%a;if, Eemen, Eamamah 7: a)d region9 and ?ahrain. %hese a((ointees &ould ta'e care of the affairs and settle the cases, &hilst the (eo(le &ould refer to them. 2ndeed, e\*en the (eo(le in Al-Madinah An-: aba&i+ah itself, &ould refer to the Cahabah in res(ect to the Fit+a 7Islamic \*erdicts9, for (assing Judgement and to settle or resol\*e dis(utes. %hat has been e4(ressed &ith certain+ in the Ga&l of Allah 7s&t9:

يُكْمُوكَ فِيمَا شَجَرَ بَيْنَهُمْ

7An-: isa: LQ9.

And "is Ga&l 7s&t9:

وَمَا اخْتَلَفْتُمْ فِيهِ مِنْ شَيْءٍ فَحُكِّمُهُ إِلَى اللَّهِ

7Ash-

Chura: 1\$9.

%hese mean the necessit+ of going to the Char;a of Allah and the Char;a of the "is Messenger for Judgement, and not to (articular (ersons themsel\*es. 2t cannot be argued that the legitimac+ of going to those indi\*iduals for Judgement onl+ stems from the @ro(het 7sa&9 assigning them and a((ointing them in their areas of &or' and that conseBuentl+, the one &hom the @ro(het did not a((oint b+ te4t is not (ermitted to be sought out for Judgement. %his cannot be said as it contradicts the certain te4ts from the Aitaab and the Cunnah &hich command obedience to the Hli l-Amr 7rulers9 as long as the+ are legitimate, to underta'e Jihad &ith them until the last hour, the \*alidit+ of the Judiciar+ if it Judges b+ &hat Allah has re\*ealed, is im(artial and not un)ust and is conseBuentl+ deser\*ing of re&ard and (aradise u(on that, based on the statement of the Messenger 7sa&9:

الْقَضَاءُ ثَلَاثَةٌ قَاضِيَانِ فِي النَّارِ وَقَاضٍ فِي الْجَنَّةِ

%he Judges are three: %&o are in the hellfire and one is in Jannah.

2n addition to the \*alidit+ of the \*oluntar+ see'ing of Judgement according to "is Ga&l 7s&t9:

فَابْعَثُوا حَكَمًا مِّنْ أَهْلِهِ وَحَكَمًا مِّنْ أَهْلِهَا

When, send for an arbitrator from his (eo)le and an arbitrator from her (eo)le 7An-: isa: ! Q9.

The majority of the FuBaha; Jurists\*ie& that this is \*alid to be undertaken by a Buarrelling husband and wife or through the intervention of their families, even if it is without the intervention of the authority or the command of the state a (ointed) judge. If such an opinion is \*alid, there would have been a text for it, even if it was just one single text, from the Prophet 7sa&9. "Moreover, as no text at all has come supporting it, &e 'no& that it does not exist and cannot be conceived to represent anything apart from an attempt to discredit his Prophethood 7sa&9 and accusing him of betraying the message! Far removed he is of such claims! **section above, not clear & hat it references ie & hich opinion is being debunk' edP**

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7!9 Claiming other than that i.e. that the Chareeah is referred to for judgement9 means denying him 7sa&9 in respect to innumerable Ahadeeth & hich state, -what such and such are "aram until the Day of Judgement or that such and such remain a (licable until the end of times. and denying him in respect to the Ahadeeth about the Fitans trials and tribulations9 and his warnings about the leaders of misguidance, the (arties of Aha&ari), the Jalaa=ah 7the enforcers of the tyrants & ho lash the (eo)le with his (s and ta'e (leasure in torturing9, and from the clothed women & ho a (ear as na'ed etc. What then is the benefit in all of that if it is not referred to for judgement/ meaning that it is not referred to in the Fat&a, the Judiciary, for enacting laws and for the (ur (ose of implementationP1

. This \*ie& represents the denial and rejection of the Ahadeeth related to the leaders of innovation and o (ressive tyrann+, & hich in their collective are Muta&atir 7concurrent9, in the case where the Messenger 7sa&9 stated that they would come after me i.e. after his death9 and that they would be in o (osition to his Sunnah, in addition to e4 (laining the manner of how they should be dealt with. 3e have mentioned some of these (re\*ious+ from the Ahadeeth of Hbadah bin As-Camit, Abdullah bin Mas'ud, Mu'adh bin Jabal and Abu Mhaba Al-Aha&ani, may Allah be (leased with them all.

. This \*ie& represents a denial and blatant rejection of the Ahadeeth & hich sti (ulate adherence to his Sunnah at all times, es (ecially+ during the times of alienation and Fitnah, & hich are also in sum Muta&atir 7concurrent transmissions9 and impossible to escape from in regards to their authenticity and certainty.

Such a \*ie& therefore represents clear a (ostacy and disbelief. It is evil and more hideous, in terms of a (ostacy, than the (osition of the greatest a (ostates during the era of Abu 'a' r As-CiddiB, may Allah be (leased with him, & hen the Cahabah agreed upon declaring them as being disbelievers and to fight against them. This has also been transmitted by & a+ of a&atur 7concurrent reports9.

The A+ah therefore negates the 2man 7belief9, by & a+ of a firm binding oath, of any human & ho rejects going to the Char'a for judgement and that means the Quran, Sunnah and & hat the Quran and Sunnah have guided to in terms of being evidence. Indeed, in addition to that, the A+ah demands that the Muslim feels no resistance or discomfort in his chest & hen he goes to the Char'a for judgement, & hich could manifest in doubt, anger, disli'e, a\*ersion, contempt, disrespect or any

other manifestation of resistance. The A+ah is upon its apparentness and generality & whilst &e do not 'no& of an+ s(ecifier for it or an+thing that ta'es it a&a+ from its a(arent meaning. The 2man 7belief9 that is negated in the A+ah refers to the Asl 7origin#foundation9 of the 2man &hich is the o((osite of Aufr 7disbelief9 and &hat sa'es one from the fire. ConseBuentl+, &hoe\*er does not )udge or rule b+ the "u' m of Allah and "is Messenger, refer bac' to them, go to them for )udgement and to settle dis(utes, in addition to the one &ho has the least amount of discomfort and resistance to their )udgement, is a Aafir 7disbelie\*er9 and e4its from the Millah 7i.e. Deen of 2slam9 due to his fundamental disbelief. %hat is because he had either not entered into 2slam in truth to begin &ith, e\*en if he dis(la+ed that out of h+(ocris+, or he &as decei\*ed considering himself to be a Muslim &hilst in realit+ he &as not, or because he had a(ostatised from 2slam after ha\*ing embraced it and ga\*e (riorit+ to misguidance o\*er guidance, blindness o\*er \*ision and the Dun+a o\*er the hereafter, ma+ Allah;s refuge be sought from such an abandonment and failure that leads to the fire and the destination home R (ath -of to disgrace and ruin.

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All of this is also clear+ e\*ident in the statement of Allah 7s&t9:

فَإِنْ تَنَازَعْتُمْ فِي شَيْءٍ فَرُدُّوهُ إِلَى اللَّهِ وَالرَّسُولِ

And if +ou disagree o\*er an+thing, refer it to Allah and the Messenger 7An-: isa;: Q19.

%his A+ah is Muh'am 7decisi\*e9 guiding (recisel+ to the obligation of returning bac' to the Ah'am 7rulings9 of the Char;a found in the Gur'an and the Cunnah, in res(ect to e\*er+ dis(ute. Concerning the Ga&l 7statement9 of Allah 7s&t9: -تَنَازَعْتُمْ فِي شَيْءٍ- 7, it is : a' irah 7indefinite9

in the conte4t 7of negation, thus encom(assing e\*er+thing that the belie\*ers dis(ute o\*er in the issues of the Deen/ &hether large or small, clear or obscure. And if there had not been in the Aitab 77oo'9 of Allah and the Cunnah of "is Messenger an e4(planation of the ruling for &hat the+ dis(uted amongst themsel\*es, meaning that had all that is in the Aitab and the Cunnah not been sufficient to fulfil that, "e &ould not ha\*e commanded referring bac' to it. %hat is because it is (rohibited b+ the mind 7ABI9 and the Char;a for Allah 7s&t9 to command referring bac' to that &hich does not (possess the abilit+ to settle the dis(utes.

2n addition, the A+ah has made referring to the Ah'am of the Char;a one of the reBuisites of 2man 7belief9, &here 2man is negated &hen this referring bac' is negated. %hat is due to the Ga&l of Allah 7s&t9:

وَإِنْ كُنْتُمْ تُؤْمِنُونَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ

"ere, the necessit+ of negating the matter &hich is obligated due to the negation of its (rereBuisites, ta'es (lace.

Referring bac' to Allah 7s&t9 onl+ means referring to the Char;a, &hilst referring to other than Allah 7s&t9 onl+ means referring to the mind 7ABI9 i.e. to that &hich the human legislates b+ himself for himself, just as democrac+ states: -%he "u' m 7rule9 of the (eo(le b+ the (eo(le. or -%he "u' m 7rule9 of the ma)orit+... %hat is if &e &ere to gi\*e it the best of e\*aluations, other&ise it means

referring back to mere whims and desires and tribal, national, class, factional and regional interests, whilst the mind of the Qur'an has no share in it/ this (corrupted mind that is fabricated against

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As such, the texts of the Qur'an leave no scope to doubt that the Char'a alone possesses the Ci+adah (sovereignty) and that it is the sole source of reference for enacting the constitution and laws and that it represents the final decision in the ruling/judgement in respect of every disagreement or dispute that arises. Concerning the G&I of Allah:

وَمَا اخْتَلَفْتُمْ فِيهِ مِنْ شَيْءٍ فَحُكْمُهُ إِلَى اللَّهِ

7Ash-

Chura: 159.

This means that it is Allah who judges among you and decides and settles the 'u'm ruling. It is therefore not permissible according to the Char'a, under any circumstances, to go to judgement to other than the Char'a. What is because going to judgement to other than the Char'a is disbelief in Allah and 'is Messenger, and this is a matter which believers do not fall into, as Allah said in respect to them:

إِنَّمَا كَانَ قَوْلَ الْمُؤْمِنِينَ إِذَا دُعُوا إِلَى اللَّهِ وَرَسُولِهِ لِيَحْكُمَ بَيْنَهُمْ أَنْ يَقُولُوا سَمِعْنَا وَأَطَعْنَا وَأُولَئِكَ هُمُ الْمُفْلِحُونَ

7An-

: ur: Q19.

Going to the Char'a for judgement is therefore Fard (obligatory) upon the Himmah as a whole, in its description as an Himmah, and upon every tribe, collective, block or organisation composed of our sons, and upon every individual from among their individuals.

This is from the obvious and evident matters of Islam which the Ahl'imamah have agreed upon. Imam Al-Jassas Al-'anafi (rah) said: 'Anything which rejects something from the commands of Allah (s&t) or the commands of the Messenger of Allah (s&t), is outside of Islam, regardless of whether he has rejected it from the angle of having doubt in it or has done so out of abandoning the acceptance and refraining from the submission to Allah' am Al-Gur'an: # 149.

Imam 'amim al-'anbali (rah) said: 'It is not for anyone to judge between anyone from the creation of Allah/ not between the Muslims, disbelievers or other than that, except by the 'u'm judgement/ruling of Allah and 'is Messenger, and whoever sees other than that, 'is G&I (s&t) a (lies to him):

أَفْحُكْمَ الْجَاهِلِيَّةِ يَبْغُونَ وَمَنْ أَحْسَنُ مِنَ اللَّهِ حُكْمًا لِقَوْمٍ يُوقِنُونَ

Do they then see the judgement of the Dafs of Ignorance? And who is better in judgement than Allah for a people who have certain belief? Al-Ma'idah: Q59.

And "is Gal 7s&t9:

فَإِلَّا وَرَبَّكَ لَا يُؤْمِنُونَ حَتَّىٰ يُحَكِّمُوكَ فِيمَا شَجَرَ بَيْنَهُمْ ثُمَّ لَا يَجِدُوا فِي أَنفُسِهِمْ حَزَجًا مِّمَّا قُضِيَّتْ وَيُسَلِّمُوا تَسْلِيمًا

?ut no, b+ our Lord, the+ &ill not 5trul+6 belie\*e until the+ ma'e +ou, 5O Muhammad6, the )udge concerning that o\*er &hich the+ dis(ute among themsel\*es and then find &ithin themsel\*es no discomfort from &hat +ou ha\*e )udged and submit in 5full, &illing6 submission 7An-: isa:: LQ% 7Ma)mou; Al-Fata&a: !Q#4\$<-4\$F9.

Chei' h Muhammad bin 2brahim Aali Ash-Chei' h 7rh9 said: 5Ma'ing the )udgement go to the Char;a of Allah alone to the e4clusion of all besides "im, is the brother of &orshi(ing Allah alone to the e4clusion of all besides "im. %hat is as the meaning of the Chahadatain is that Allah is the One &ho is &orshi((ed alone &ithout (artner and that "is Messenger is the one &ho is follo&ed and )udgement belongs onl+ to &hat he came &ith. And the s&ords of Jihad are not dra&n e4ce(t for the sa'e of that 7or its (ur(ose9, and its underta'ing in terms of doing, abstaining and going to )udgement at the occurrence of dis(ute or disagreement6 7Fat&a Ash-Chei' h: 1 # Q19.

2n this instance the Chei' h means the 7badah 7&orshi(9 according to its narro& meaning, in other &ords a collection of acts and rituals of &orshi(. Other&ise, going to the Char;a for )udgement, subser\*ience to it &ith com(lete submission and &illing o(en heart, re(resents the essence of 7badah and the a4le of its &heel1

Accordingl+, the Char;a alone is the (ossessor of the absolute and unrestricted Ci+adah 7so\*ereight+9 for e\*er+thing in life in terms of the relationshi(s among the (eo(le. 2t is therefore im(ermissible to re(ect an+ (art of the &hole of 2slam &hich has been established u(on Daleel 7e\*idence9.

2t has been related from 2mam Ja;far As-CadiB that he said: 5E\*en if a (eo(le &orshi((ed Allah, established the Calah 7(ra+er9, ga\*e the 0a'ah, fasted the month of Ramadan and made "a) to the house, and then said concerning a matter that the Messenger of Allah did -2f onl+ he had done other than that. or if the+ found in themsel\*es "ara) 7discomfort, un&illingness9 in res(ect to that, the+ &ould be from the Mushri' in 7idolators%. %hat is because &hat the Messenger 7sa&9 came &ith &as onl+ legislated from Allah 7s&t9 and because the command to obe+ Allah and "is Messenger is a command &ith the obligation to follo& the Aitab and the Cunnah. 2t is for that reason that the creedal, Hsuli and Char;i+ (rinci(le states that: - 3hoe\*er accuses or doubts in the truthfulness of the Messenger of Allah 7sa&9 in res(ect to the "u'm 7judgement#ruling9 is a Aafir 7disbelie\*er9..

An issue remains &hich disturbs the slee( of the belie\*ers in our current time, in &hich the Dun+a 7life of this &orld9 as a &hole has transformed into Dar Aufr 7a land of disbelief9, &here the s+stems of disbelief (re\*ail and are not ruled b+ &hat Allah has re\*ealed, &ith the e4ce(tion of some (artial issues and some \*oluntar+ )udgements conducted among the (ious of the belie\*ers. 2n such a realit+ cases and dis(utes are raised to courts and s+stems established u(on the basis of disbelief and to )udges &ho are not a((ointed in a Char;i+ manner, &hich is es(pecial+ the case &hen the (arties to the dis(ute are in a land in &hich the (o(ulation is (redominantl+ from the disbelie\*ers in origin, li'e ?ritain for e4am(le.

for an issue in a non-compelling manner, then this is not conceivable to take place through referring to what Allah has revealed, i.e. to the Aitab of Allah and the Cunnah of His Messenger. The same applies in respect to the Hashree; Legislation, referring to the enacting of statutes, systems and laws, as it is not conceivable from other than the authority of the Caliph or someone acting in the authority. It is not permissible for the Muslim (person in authority) to enact what he has deduced in a correct manner from the Aitab and the Cunnah alone. Other than that is not permissible for him if he is alone in the possession of the authority. Similarly, it is not permissible, under any circumstances, for him to accept the authority upon the condition that he rules by other than what Allah has revealed. The Muslim is not permitted to act in the rule of Aufr (disbelief) under any circumstances as will be made clear in its place later in a thorough manner, by Allah's permission. **Ala Jalla.**

What does the Muslim who lives in Dar ul-Aufr (the land of disbelief), under the authority of disbelief or the rule of the disbelievers, do, if someone makes a judicial claim against him and sees for him to attend a judicial hearing, or if he had a right over someone which he is not able to resolve through reconciliation, non-binding voluntary judgement, intercession or mediation, or if he was afflicted by injustice or transgression from the authority or another body, which he is unable to assert through various means and nothing remains except raising the injustice to the designated judicial system or higher administrative authority? What should the Muslim do in such circumstances?

The true issue as indicated by the prior evidences is that it is permitted for the Muslim to do that upon the condition that he does not see a right, or release a demand or injustice except in accordance with the Char'a of Allah, based upon what he knows certain, either through his own Qitihad and deduction, or by following others from the Mujtahidin according to the evidence, or in imitation to the one he trusts from the (evidence of Qitihad and Fitwa (pronouncement of Fatawa) dictates. This applies to the form and the subject as neither of these has priority over the other in terms of the necessity of going to judgement to what Allah has revealed. Therefore, for example, it is not permissible to release a case from among the cases through the nullification of its right due to the regression of time or the passing of the set time (period which exists within the disbelief system for raising cases to the courts - **concluded**) what is even if that leads to facilitating and speeding up the process of raising cases. What is because it is not permissible in the Char'a of Allah as there is no nullification of rights by the passing of time and no set period of time for raising cases.

And if he owed a debt from someone, it is not permissible to demand except the full capital sum without any interest-based increase which the system of disbelief must stipulate to be due, as is the case in the majority of the systems of disbelief which regard interest to be a legitimate right. It is not even permissible to demand that interest-based increase as a means of manoeuvring or to scare the opponent and pressure him to hand over the sum that is owed or to speed that up, in exchange for a - . in respect to that interest, for example, if judgement is passed in his favour including such an interest-based increase, it is obligatory upon him to refuse it and inform the judge of that, without accepting its receipt or taking it into his possession. As such, the believer, in all circumstances, goes to the Char'a of Allah for judgement and not to the unauthorised sources. And if he found a Char'i judge who does not judge by other than the Char'a and who had been appointed in a valid manner, he does not raise cases except to him.

Therefore, the one demanding his Char'i right in respect to a capital sum of money, for example, raising that to the one in authority or a disbeliever judge, or a judge who judges by the Aufr system,

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or a Judge who has not been appointed in a valid Shariah manner, does not go to judgment except to what Allah has revealed, and in doing so he is a Muslim and believer.

As for the Judge or executor who judges in respect to his right or executes that right or acquiesces to it for him, on the basis that it is what the law stipulates which has been enacted by the Parliament which possesses the Ciadah (sovereignty) or by the owner of the right, or represents the inherited (custom which the people have accepted over the course of centuries, in the case where the people represent the source of authorities, and who believes in that, then he is a Mushri' Aafir (disbelieving idolator) and from the dwellers of the fire on the Day of Judgment, if the message of Allah had reached him and the proof and evidence had been established against him.

As for the one who claims that raising such cases represents going to the sources for judgement, then he has not examined the issue in its essence in depth and accuracy. What is because the lender's entitlement to the capital sum from the one he loaned it to, is a matter agreed upon by most legislations, if not all of them. The one who refers the matter to the command and forbiddance of Allah is the Muslim believer, whilst the one who refers that to the custom, mind, interest, command of the Parliament or royal decree, is a Mushri' Aafir (idolator disbeliever). The issue is therefore one of believing in a particular source of reference and referring to it, and it is not the issue of the payment or non-payment of a capital sum. The same applies in respect to all issues and cases. The invalidity of their opinion is substantiated by the fact that in general they distinguish between raising cases to the courts and resorting to the police and executive authoritative bodies. They make the first statement, and may even declare disbelief due to it, whilst they see no problem in the latter.

It is apparent that they intended the -'ah'um. (going to judgement) to mean going to litigation or raising cases to the courts alone. This is also invalid as he has claimed (reiously and represents a specification in the absence of that which has specified it. Indeed, it is true that there is a difference between the Judge and the actions of the executive bodies or authorities, however -'ah'um. is -'ah'um. (going to judgement) and it means referring to a particular source of reference. It means referring back to Allah and 'is Messenger among the adherents of Islam, and to other than them or in partnership (with other than them, among the followers of disbelief. The essence of this is not impacted or affected by the fact that what the Judge does is different to what a policeman undertakes. These two however differ by necessity from the Mufti and the legislator because the issue at hand is not related to the specific attributes of their 'or' and the limits of the powers of each of them, but rather the issue at hand is referring to Allah and 'is Messenger alone and being inline with Islam, man and Ma'heed, or referring to other than them, whether alone or in partnership, in which case it would be Aufr and Chir'.

This matter is made clearer by the famous Imam (Ibn al-Jawzi) bin al-Qayyim raising his matter to the : ashari : egus leader, may Allah be pleased with him:

- Ibn al-Qayyim reported in his - . 7 : 1<9 with the strongest chain of transmission  
existent in this Dunya:

5Muhammad bin Muslim A-0uhri related to me from Abu 'a' r bin Abdur Rahman bin Al-'arith bin  
'isham Al-Ma'humi, from Hamm Calamah 'int Abu Hmayyah bin Al-Mughirah, the wife of the  
Messenger of Allah (saw), who said:

- When he arrived in the land of Al-'Abashah 7Ab+ssinia9 &e found in it; the best of neighbours in the : a)ashi 7: egus9. "e (ro\*ided us &ith securit+ in our Deen, &e &orshi((ed Allah, the Most "igh, &e &ere not harmed and &e did not hear an+thing that &e hated. %hen &hen the ne&s of that reached the Guraish, the+ held a conference amongst themsel\*es in order to dis(atch t&o staunch men from among them to the : a)ashi in relation to us S6 Che, ma+ Allah be (leased &ith her, continued narrating the "adith until she said: 53hen the+ arri\*ed and the : a)ashi had in\*ited his (riests &ho had s(read out their scri(tures around him, he as'ed them 7i.e. the Muslims9 sa+ing: -3hat is this Deen &hich has made +ou de(art from +our (eo(le and +et not enter into m+ Deen or the Deen of an+ of these religionsP1. Che said: %he one &ho s(o'e to him &as Ja;far bin Abi %alib and he said: -O Aing S etc.6. %he "adith is \*er+ long and \*er+ interesting. 2t can be found in the Ceerah of 2bn "isham. %hat is so that it can be seen that Ja;far onl+ raised his case in accordance to the "aBB 7truth9 and b+ &hat Allah had legislated, &ithout com(romising in res(ect to his Deen, &hilst being indifferent to the Deen of the : a)ashi and his legislation.

2s it concei\*able that Ja;far, &ho &as from among the great A&li+a; of Allah, &ent to )udgement to other than the Char;a of Allah, and e\*en if it had been a la(se from him here due to ignorance or through his o&n inter(retation, &ould the mother of belie\*ers Hmm Calamah "ind ?int Abi Hmai+ah bin Al-Mughirah Al-Ma'h=umi not ha\*e informed the Messenger of Allah 7sa&9 of this, in the case &here he &as in her house and close com(an+ e\*er+ nine da+sP1

And e\*en if she had forgotten to inform him, did not the One &hose 'no&ledge encom(asses e\*er+thing 'no& of it and thereb+ re\*deal to "is @ro(het a &arning concerning the re(etition of such an actP1

%he te4ts of the Gur;an did not sto( at ma'ing e\*ident the obligation of obe+ing Allah and obe+ing "is Messenger 7sa&9 and the (rohibition of going to )udgement to an+ la&, s+stem, statute, custom or norm, other than the Char;a. 2ndeed, in addition to that the te4ts indicated that e\*er+thing other than the Char;a, in terms of la&s &hich ha\*e been laid do&n, is flagrant Aufr 7disbelief9, as it is not &hat Allah re\*ealed, nor from the Cunnah of "is Messenger or from a source of e\*idence the Aitab and the Cunnah ha\*e guided to. Rather, it is the 8ABI 7mind9 that legislates, if &e &ere to gi\*e credit to such a claim, instead of sa+ing that ra& desires, &hims and t+rann+ &ere the real legislators. All that the mind legislates in terms of rulings related to the actions of the human, in the case &here he li\*es in this uni\*erse, and &here (raise and dis(raise from Allah are assigned to his actions in the Dun+a and the da+ of account, then re&ard and (unishment from Allah are designated in the hereafter, onl+ re(resents the %aghut &hich Allah has commanded the ser\*ants to disbelie\*e in &hen "e stated:

أَلَمْ تَرَ إِلَى الَّذِينَ يَزْعُمُونَ أَنَّهُمْ آمَنُوا بِمَا أُنْزِلَ إِلَيْكَ وَمَا أُنْزِلَ مِنْ قَبْلِكَ يُرِيدُونَ أَنْ يَتَحَاكَمُوا إِلَى الطَّاغُوتِ وَقَدْ أُمِرُوا أَنْ يَكْفُرُوا بِهِ وَيُرِيدُ الشَّيْطَانُ أَنْ يُضِلَّهُمْ ضَلَالًا بَعِيدًا

"a\*e +ou not seen those &ho claim to ha\*e belie\*ed in &hat &as re\*ealed to +ou, 5O Muhammad6, and &hat &as re\*ealed before +ouP %he+ &ish to refer legislation to %aghut 7false )udges etc.9, &hile the+ &ere commanded to disbelie\*e in it/ and Cha+tan &ishes to lead them far astra+ 7An-: isa:: L\$9.



In the tafsir of this Ayah Ibn Aathir said: This represents disapproval from Allah ﷻ as Alla to the one who claims to believe in that which Allah revealed upon His Messenger and the Prophet (ﷺ), in addition to the Cunnah of His Messenger, and then wants to see Judgment, in respect to resolving disputes, other than the Aitab of Allah and the Cunnah of His Messenger. It has been mentioned in respect to the cause of revelation of this Ayah, that there was a man from the Ansar and a man from the Jews who had a dispute between them. The Jew began to say -?et?een +ou and 27i.e. to (ass) Judgment is Muhammad. and the other, the man from the Ansar, was saying -?et?een +ou and 27i.e. to (ass) Judgment is Aab bin Al-Ashraf.. It has also been said that it was revealed in respect to a group of the Munafiqin who had given the appearance of having embraced Islam but wanted to go to the rulers of Jahiliyah (re-Islam) for judgment, just as other than that has been said in respect to it. The Ayah, however, is more general than all of that as it condemns the one who turns away from the Aitab of Allah and the Cunnah, seeing to go to judgment to other than them from sources of falsehood and that is the intended meaning of the ayah here.

The truth is that the ayah is broader in meaning than the prohibition of falsehood and indeed is much more repugnant than it. That is because the ayah here is what stands opposite to ruling or judging by what Allah has revealed, meaning the 'um rule of Jahiliyah (re-Islam) which is a disbelief. This is the conclusion of Ibn ul-Ga'im when he stated: Whoever sees to go to judgment or to judge by other than what the Messenger brought, has ruled by the ayah and has gone to it for judgment. End of Buote.

The ayah of an (people or nation) is therefore that which they go to judgment to other than Allah ﷻ and his honourable Messenger, or that which they follow without knowledge from Allah, or that they worship besides Allah/ whether that means the ibadah of a group or of an individual, submission, sanctification, bowing, prostration, the offering of sacrifices and offerings, burning stones with scents and lighting candles, or the ibadah which means submission, obedience and following, or the ibadah of love and loyalty.

The ayah is also the caller of falsehood and head of misguidance. As such, Bilal bin al-Rahman, Allah's curse upon him, is a ayah, indeed he is the head of the ayahs, the high priest of the ayah and the enchanter of the ayah. The ruler who rules and judges by other than what Allah has revealed is a ayah and the one who legislates without reference to Allah is a ayah, indeed he is from the heads and leaders of the ayah. That is because he calls the (people to) worship him/ the ibadah of obedience and following. Whoever calls the (people to) worship himself is a ayah and is indeed from the heads of the ayah. Whoever accepts to be worshipped besides Allah is a ayah, the one who is loved for his essence besides Allah is a ayah and the one who is obeyed because of his essence is a ayah. As such, the number of ayahs are many indeed.

Allah ﷻ has commanded us to steer clear from the ayah. He ﷻ said:

وَالَّذِينَ اجْتَنَبُوا الطَّاغُوتَ أَنْ يَعْبُدُوهَا

But those who have avoided the ayah, lest they worship it. Umar: 14.

Moving to judgment to the Chareeah of the ayah is a kind from the kinds of ibadah which Allah has commanded to be dissociated from and avoided. Indeed, Allah ﷻ commanded us with more

than) just a\*oiding the %aghut, in the case &here "e commanded disbelief in it. %his means refusing it, re)ecting it, hating it, finding it contemptible, ha\*ing hostility to it, and fighting and &arring against it b+ e\*er+ legal+ legitimate means. %his is clear and e\*ident in "is statement 7s&t9:

لَا إِكْرَاهَ فِي الدِّينِ ۚ قَدْ تَبَيَّنَ الرُّشْدُ مِنَ الْغَيِّ ۚ فَمَنْ يَكْفُرْ بِالطَّاغُوتِ وَيُؤْمِن بِاللَّهِ فَقَدِ اسْتَمْسَكَ بِالْعُرْوَةِ الْوُثْقَىٰ لَا انْفِصَامَ لَهَا ۗ وَاللَّهُ سَمِيعٌ عَلِيمٌ ۚ وَالَّذِينَ آمَنُوا يُخْرِجُهُم مِّنَ الظُّلُمَاتِ إِلَى النُّورِ ۚ وَالَّذِينَ كَفَرُوا أُوتُوا لَهُمُ الطَّاغُوتُ يُخْرِجُوهُمْ مِّنَ النُّورِ إِلَى الظُّلُمَاتِ ۗ أُولَٰئِكَ أَصْحَابُ النَّارِ ۖ هُمْ فِيهَا خَالِدُونَ

%here shall be no compulsion in the religion. %he right course has become clear from the &rong. Co. &hoe\*er disbelie\*es in . and belie\*es in Allah has gras(ed the most trustworthy handhold &ith no break in it. And Allah is "earing and Answering. Allah is the all+ of those &ho belie\*e. "e brings them out from darknesses into the light. And those &ho disbelie\*e, their allies are %aghut. %he+ take them out of the light into darknesses. %hose are the companions of the Fire/ the+ &ill abide eternally therein 7Al-?aBarah: QL- Q<9.

Cheih ul-Islam Ibn %ami+ah said: %herefore, &hoe\*er regards it to be lawful for (ermissible) to rule between the (people b+ &hat he himself \*ies to be just &ithout following that &hich Allah revealed, is a Aafir (disbelie\*er) 7Minhaa) As-Cunnah An-: aba+ah: !# 9. And he said: %he human, &hen he makes the "aram &hich has been agreed upon ("al or makes the "al &hich is agreed upon ("aram, or changes for echanges) the Chara &hich has been agreed upon, he is a Murtadd 7A (ostate) 7Ma)mu; Al-Fata&a: !# L<9. Observe here that he said: -Ma'e "alal., -Ma'e "aram. and -Change#e4change. and he did not connect that to the (erson;s belief 7tiBad9. Cheih Abdur Rahman bin "asan Aali Ash-Cheih said: %hoe\*er calls to going to judgement to other than Allah and "is Messenger has abandoned &hat the Messenger 7sa&9 came &ith in respect to &hat Allah 7s&t9 commanded him &ith in "is statement:

X وَأَنِ احْكُم بِنُحْمٍ بِمَا أَنزَلَ اللَّهُ وَلَا تَتَّبِعْ أَهْوَاءَهُمْ وَاحْذَرْهُمْ أَنْ يَفْتِنُوكَ عَنْ بَعْضِ مَا أَنزَلَ اللَّهُ إِلَيْكَ

And Judge, SO Muhammad, between them b+ &hat Allah has revealed and do not follow their desires and beware of them, lest they tempt you away from some of &hat Allah has revealed to you 7Al-Majidah: 419.

And "is statement:

فَلَا وَرَبِّكَ لَا يُؤْمِنُونَ حَتَّىٰ يُحَكِّمُوكَ فِيمَا شَجَرَ بَيْنَهُمْ ثُمَّ لَا يَجِدُوا فِي أَنفُسِهِمْ حَرَجًا مِّمَّا قَضَيْتَ وَيُسَلِّمُوا تَسْلِيمًا

?ut no, b+ our Lord, they+ &ill not submit+ believe until they+ make +ou, SO Muhammad, the Judge concerning that o\*er &hich they dispute among themselves and then find &ithin themselves no discomfort from &hat +ou have judged and submit in full, &illing submission 7An-: isa:; LQ% 7Fat;h ul-Majeed9.

And Cheih Muhammad bin Ibrahim Aali Ash-Cheih 7ma+ Allah;s merc+ be upon him9 said: %Allah has negated the man (belie) of the one &ho goes to judgement to other than &hat the Messenger 7sa&9 came &ith, from among the h+ (cribes. %hat is as Allah 7s&t9 said:

أَلَمْ تَرَ إِلَى الَّذِينَ يَزْعُمُونَ أَنَّهُمْ آمَنُوا بِمَا أُنْزِلَ إِلَيْكَ وَمَا أُنْزِلَ مِنْ قَبْلِكَ يُرِيدُونَ أَنْ يَتَحَكَّمُوا إِلَى الطَّاغُوتِ وَقَدْ أُمِرُوا أَنْ يَكْفُرُوا بِهِ وَيُرِيدُ الشَّيْطَانُ أَنْ يُضِلَّهُمْ ضَلَالًا بَعِيدًا

"a\*e+ou not seen those &ho claim to ha\*e belie\*ed in &hat &as re\*ealed to +ou, 5O Muhammad6, and &hat &as re\*ealed before +ouP %he+ &ish to refer legislation to %aghut 7false judges etc.9, &hile the+ &ere commanded to disbelie\*e in it/ and Cha+tan &ishes to lead them far astra+ 7An-: isa:: L\$% 7Risalah %ah' im Al-Ga&anin9.

And it is because the generalit+ of the e\*idences guides to the obligation of follo&ing &hat the Messenger 7sa&9 came &ith, as &hat he came &ith is alone re(resentati\*e of the guidance 7"uda9. Allah 7s&t9 said:

وَمَنْ يُشَاقِقِ الرَّسُولَ مِنْ بَعْدِ مَا تَبَيَّنَ لَهُ الْهُدَىٰ وَيَتَّبِعْ غَيْرَ سَبِيلِ الْمُؤْمِنِينَ نُوَلِّهِ مَا تَوَلَّىٰ وَنُصْلِهِ جَهَنَّمَ ۚ وَسَاءَتْ مَصِيرًا

And &hoe\*er contradicts and o(oses the Messenger 7Muhammad CA39 after the right (ath has been sho&n clear+ to him and follo&s other than the belie\*ersl&a+. 3e shall 'ee( him in the (ath he has chosen and burn him in "ell/ &hat an e\*il destination 7An-: isa:: 11Q9.

%herefore, an+ Minha) 7method9 other than the method of the guidance &hich Muhammad 7sa&9 came &ith, is other than the Cabeel 7(ath9 of the belie\*ers. E\*er+ (ath other than that (ath re(resents Aufr 7disbelief9 in Allah, as disbelief in Allah and "is Messenger is other than the (ath 7Cabeel9 of the belie\*ers and other than their method 7Minha)9. Li'e&ise, an+one &ho doubts in or casts as(ersions u(on the Messenger 7sa&9 in res(ect to the "u'm 7ruling#judgement9, is a Aafir 7disbelie\*er9 because he has o(osed the generalit+ of the e\*idences &hich lin' 2man 7belief9 to the obligation of follo&ing that &hich 2lam brought.

2mam Ash-Chatibi, ma+ Allah;s merc+ be u(on him, said: 5E\*er+ ?id;ah 7inno\*ation9, e\*en if it is small, added or subtracted legislation, or change to the correct 7or authentic9 foundation 7Asl9, all of &hich could be attached to that &hich is Mashroo; 7la&ful9, &ould re(resent a **defamation R should this be deformation#distortionP** of that &hich is la&ful. 2f someone &as to do that deliberatel+ in res(ect to the Charee;ah itself, he &ould ha\*e disbelie\*ed. %hat is as the addition, subtraction or change, &hether small or large, in res(ect to it, is Aufr 7disbelief9. %here is therefore no difference bet&een that &hich is small and &hat is large6 7Al-2;tisam: #L19.

Chei' h Muhammad bin 2brahim said in his letter addressed to the Amir of Ri+adh: 5And gi\*ing consideration to an+thing from the la&s for the ruling b+ them, e\*en if in the smallest amount, no doubt re(resents the absence of contentment &ith the "u'm of Allah and "is Messenger, attributing the "u'm of Allah and "is Messenger to that &hich is deficient, not underta'ing the dut+ in res(ect to resol\*ing the dis(ute, not deli\*ering the rights to their Arbab 7Lords#masters9, not ta'ing the ruling of the la&s to&ards (erfection and not fulfilling the dut+ to&ards the (eo(le in res(ect to sol\*ing their (roblems.

.. 2t re(resents a ma)or and significant matter and is not from the matters of 2tihad6 7Ma)mu; Fata&a Ash-Chei' h9.

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%his speech of Chei' h Muhammad bin Zbrahim is good ho&e\*er the Chei' h, ma+ Allah ha\*e merc+ u(on him, tied that conclusion 7i.e. of declaring disbelief9 to it being re(resentati\*e of -absence of contentment &ith the "u'm of Allah and "is Messenger. and -attributing the "u'm of Allah and "is Messenger to that &hich is deficient.. Although this is (redominant, it ne\*ertheless does not re(resent the Manat of the "u'm 7i.e. the realit+ u(on &hich the "u'm is a((lied9. %hat is because the mere legislation from other than Allah re(resents a contestation in "is Rububi+ah, in the case &here the one engaged in that ma'es of himself a Rabb 7Lord9, 2ah 7deit+ &orth+ of &orshi(9 and a : idd 7ri\*al9 besides Allah. "e is therefore a %aghut Mushri' Aafir. "is Aufr 7disbelief9 is from the most re(ugnant forms of disbelief, b+ his mere action alone, regardless of the circumstances of his heart.

Other&ise, &hat is the judgement 7"u'm9 &hich is to be a((lied u(on that man in the go\*ernate 7of Ri+adh9 &ho is des(erate to (reser\*e his (osition and authorit+ b+ enacting legislation that he 'no&s for certain is in o((osition to the Char;a of AllahP %hat is &hilst he is certain in himself that it in \*iolation to the Char;a of Allah and that the Char;a of Allah is the "aBB 7truth9 and bestP1 2s he not a disbelie\*er %aghutP 2s his lo\*e for the authorit+ and Dun+a an e4cuse for him in res(ect to the disbeliefP 2f not, &e &ould be den+ing &hat Allah has stated and absol\*ing the famil+ of Fir;a&n 7@haraoh9 concerning &hom:

وَجَحَدُوا بِهَا وَاسْتَيْقَنَتْهَا أَنْفُسُهُمْ ظُلْمًا وَعُلُوًّا

And the+ rejected them 7i.e. the signs of Allah9, &hile their 5inner6 sel\*es &ere con\*inced of them, due to in)justice and arrogance 7An-: aml: 149.

Ees, indeed the+ did that to (reser\*e the authorit+ and leadershi( and maintain the ensl\*ement of ?ani 2sra;eel.

فَقَالُوا أَنْتُمْ لِبَشَرَيْنِ مِثْلِنَا وَقَوْمُهُمَا لَنَا عَابِدُونَX

%he+ said: -Should &e belie\*e in t&o men li'e oursel\*es &hile their (eo(le are in ser\*itude to usP.

%hese, b+ Allah, &ould then therefore be of greater entitlement to an e4cuse1

Chei' h Muhammad "amid Al-FiBBi, ma+ Allah;s merc+ be u(on him, said in his comments u(on -Aitab At-%a&hid, in relation to the issue of the one &ho goes to man-made la&s for )udgement: 5"e is no doubt a Aafir a(ostate if he insists u(on them and does not return to the ruling b+ &hat Allah has re\*ealed. : o name that he has been gi\*en and no actions from among the a((arent acts of (ra+er, fasting, (ilgrimage and so on, &ill benefit him 7in res(ect to that% 7From -Fat;h ul-Ma)id: Charh 7e4 (lanation9 of Aitab At-%a&hid.9.

2n res(ect to going to man-made la&s for )udgement, Chei' h Ahmad Cha' ir, ma+ Allah ha\*e merc+ u(on him, said in res(ect to going to )udgement to the man-made la&s: 5%his act re(resents a\*ersion to the "u'm of Allah and to "is Deen and means gi\*ing (reference to the rulings of the (eo(le of disbelief o\*er the "u'm of Allah 7s&t9. : one from among the (eo(le of the Giblah 7i.e. belie\*ers9, regardless of their differences 7in issues9, ha\*e an+ doubt in res(ect to declaring the one &ho states, holds or carries this disbelief, to be a Aafir 7disbelie\*er% 7@-Imdat ut-%afsir: 4#1Q<9.

Allah 7s&t9 said:

وَمَا أَرْسَلْنَا مِنْ رَّسُولٍ إِلَّا لِيُطَاعَ بِإِذْنِ اللَّهِ

And 3e did not send an+ messenger e4ce(t to be obe+ed b+ the (ermission of Allah 7An-: isa;: L49.

%his means that 2ha\*e not sent an+ Messenger e4ce(t that 2obliged his obedience u(on those &hom 2sent him to, as a legislation. Muhammad 7sa&9 is therefore from those Messengers, indeed he is the seal of them, the best of them and most com(lete of them in res(ect to Deen. ConseBuentl+, &hoe\*er abandons obedience to him and contentment &ith his )udgement, and goes to the %aghut for Judgement has contra\*ened M+ command, has abandoned m+ obligation and fallen into Aufr 7disbelief9. %hat is because contentment and submission to the "u'm of Allah and "is Messenger is from the necessities of 2man 7belief9 and its (illars, &here 2man ceases to e4ist as a &hole, if it is absent. 2bn Aathir said in res(ect to the %afsir 7e4(lation9 of "is Ga&l 7s&t9:

أَفْحَكُمُ الْجَاهِلِيَّةُ يَبْغُونَ ۚ وَمَنْ أَحْسَنُ مِنَ اللَّهِ حُكْمًا لِقَوْمٍ يُوقِنُونَ

Do the+ then see' the Judgement of 7the Da+s of9 2gnoranceP And &ho is better in )udgement than Allah for a (eo(le &ho ha\*e certain belief 7Al-Majidah: Q59.

5Allah 7s&t9 condemns an+one &ho e4its from the manifest "u'm of Allah &hich is inclusi\*e of all good and forbids all bad 7or e\*il9, and instead, has gone to other than it in terms of o(inions, desires and con\*entions &hich men ha\*e laid do&n, &ithout an+ (roof or e\*idence from the Charee;ah of Allah. It is li'e &hat the (eo(le of Jahili+ah 7(re-2slam9 used to )udge &ith in terms of misguidance and ignorance &hich the+ contri\*ed from their o(inions and desires, and li'e &hat the %atars ruled &ith in terms of monarchical (olicies the+ too' from their 'ing Menghis Ahan &ho set do&n the -EasiB. for them, &hich refers to a boo' containing a host of rulings, &hich had been e4tracted from \*arious sources of legislation/ from the Je&s, Christians and the 2lamic Millah, among others. It also included man+ rulings &hich he too' merel+ from his o&n o(inion and desires. It then became a follo&ed and submitted to Char;a for his sons 7i.e. follo&ers9, &hich the+ ga\*e (riorit+ to o\*er the Aitab 7?oo'9 of Allah and the Cunnah of the Messenger of Allah. 3hoe\*er has done that, then he is a Aafir 7disbelie\*er9 &hom it is obligator+ to fight against until he returns to the "u'm of Allah and "is Messenger. %hat is because none but "im rule 7or )udge9, in e\*er+ small or large matter. Allah 7s&t9 sa+s:

أَفْحَكُمُ الْجَاهِلِيَّةُ يَبْغُونَ

Do the+ then see' the Judgement of 7the Da+s of9 2gnoranceP

Meaning that the+ see' and &ant it &hilst the+ turn a&a+ from the "u'm of Allah:

وَمَنْ أَحْسَنُ مِنَ اللَّهِ حُكْمًا لِقَوْمٍ يُوقِنُونَ

And &ho is better in )udgement than Allah for a (eo(le &ho ha\*e certain belief6.

That misguidance is more abominable than the ruling by other than what Allah has revealed. And what desire is worse than to go to judgement to desires. And which is greater than making the created human being undertake that which belongs to the Creator to establish, by making the human mind the legislator and the "a" in Judge and ruler. And which is greater in extent than that of those who are created following others who have been created like them, whilst leaving that which Allah has revealed upon His Messenger Muhammad (s) and the "u" in ruling/judgement. And what Allah has revealed means the following of the Sharia, whilst the "u" in by other than what Allah has revealed means following disbelief. The Chareeah alone is the "a" in truth and there is nothing after the "a" in guidance. It is therefore not permissible for the human to make other than the Sharia a basis for source for the "u" in ruling/judgement.

All that has been conjured from the desires and misguidances including what has been called socialism, capitalism, democracy, civilisational particularities, nationalistic and tribal customs and traditions, only represent the ruling by other than what Allah has revealed. : nothing at all lies to a "u" in such as this, except that it is a delusion.

وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنزَلَ اللَّهُ فَأُولَٰئِكَ هُمُ الْكَافِرُونَ

And whoever did not rule by what Allah has revealed, then those are the disbelievers. Al-Ma'idah: 44.

That is because every law (other than the law of Allah) is a deviation from the law of Allah, as has been explicitly mentioned in the Quran. Al-A'raf, is a deviation, the Jahiliyah (pre-Islamic ignorance) of the ignorant, and man's return to a state that will make them fall into the fire of hell. This represents the Cabbalah (path) of other than the believers. As for the path of Islam, then that is the path of those who have believed and it is what provides life in the life of this world and the hereafter. Allah (s) said:

يَا أَيُّهَا الَّذِينَ آمَنُوا اسْتَجِيبُوا لِلَّهِ وَلِلرَّسُولِ إِذَا دَعَاكُمْ لِمَا يُحْيِيكُمْ

O you who have believed, respond to Allah and to the Messenger when he calls you to that which gives you life. Al-Anfal: 49.

Caaid Gutb said: There is one Chareeah/ it is the Chareeah of Islam, and everything besides it is desires:

الْيَتَّبِعُونَ ؕ وَمَنْ أَحْسَنُ مِنَ اللَّهِ حُكْمًا لِّقَوْمٍ يُوقِنُونَ

يَا أَيُّهَا الَّذِينَ آمَنُوا اسْتَجِيبُوا لِلَّهِ وَلِلرَّسُولِ إِذَا دَعَاكُمْ لِمَا يُحْيِيكُمْ  
 ٢. انبأ حر حرلايم با هطن لا حمن م حترلايم في طأ با هطن لا لا حمن ين يهي لار في طال با هطن ين لاين حين يميني  
 طن ين ممة

From the sum of these facts it is evident that the "u'm b+ other than the Char'a of Allah only represents Al-Aufr Al-?a&aah As-Caraah 7E4 (licit, flagrant disbelief, and that e\*er+ statute, law, system, constitution and spiritual or moral value that does not emanate from the Islamic ABeedah 7belief is %aghut &hich is obligator+ to disbelief\* in. %hat is because 2slam is the Deen &hich Allah 7s&t9 re\*ealed u(on "is Messenger Muhammad 7sa&9 and it is the complete and final Deen. As such no Deen other than it and no Char'a other than its Char'a is accepted from humanity and indeed e\*en the Jinn.

As for Western democracy, &hich assigns the Citizenship 7sovereignty9 to man, then it is a system formulated by man from his deficient mind &hich does not encompass all matters, not to mention its exposure to &hims, desires, misguidance and its subservience to self-egoism, tribalism, nationalism, factional interests, classism and (re)judice.

Even if we were to suppose, for the sake of argument, that Western democracy was complete, acceptable rationally &hich it is certainly not, it is still nevertheless definitely not from &hat Allah has legislated. It is not from 2slam because 2slam is &hat Allah legislated and not the mind or human being, regardless of the extent of its completeness, its conformity to the mind, concord with nature or the absence of all that.

Similarly, in respect to &hoe\*er did that believing that leaving the "u'm b+ &hat Allah has re\*ealed is allowed and permitted for him, even if in this case he believed that the Char'a of Allah is the best, most complete and has precedence.

In addition to the one &ho did not rule by &hat Allah re\*ealed by making light of the Char'a of Allah and deriding it or due to his dislike, aversion, antipathy, indifference towards it, or contempt for it, or due to \*ieving it to be inferior. All of these are disbelievers definitely &ith a disbelief that removes one from the Millah 7i.e. the Deen of 2slam9 and makes all acts null and void. %hat is in accordance with the certain 7ma; 7consensus9 of the Hmamah based upon the explicit clear definite facts.

Moreover, &hat is said concerning the one &ho -rules by other than &hat Allah has re\*ealed. In his action alone &hilst conceding that he is sinful and in the wrong but has followed his desire for the rule or authority or done so due to partiality towards a relative or friend, or because he was seduced by a financial interest or bribe+. %hat is &hilst he does not believe in anything from the aforementioned false beliefs: Co he does not believe in the inappropriateness or unsuitability of 2slam for life, nor the permissibility of ruling by other than &hat Allah has re\*ealed/ &hether he \*ieves the Char'a of Allah to be better than other than it or does not, or in the possibility of accepting it if he does not believe in it and in the case &here he does not do it due to making light of the Char'a of Allah and deriding it or due to his dislike, aversion, antipathy, indifference towards it or contempt for it or due to \*ieving it to be inferior.

Where exists a difference of opinion among the 7Hlama; 7scholars9 in respect to this issue. Some of them said: Even though he is deserving of the three labels of Aafir 7disbeliever9, 7halim 7transgressor9 and FasiB 7rebellious+ disobedient9 according to &hat is stated in the Quran Al-Aarim, however, he is not removed from the Millah 7i.e. Deen of 2slam9 because his Aufr 7disbelief9 is -Aufr Doon Aufr. 7i.e. a lesser form of Aufr that does not remove one from the Millah9, his FisB is -FisB Doon FisB. 7i.e. a lesser form of rebellious disobedience9 and his 7hulm is -7hulm Doon 7hulm. 7i.e. a lesser form of transgression9.

From the scholars there are those &ho said: "e is onl+ deser\*ing of the label of the FisB and Ohulm in general. As for the label of , then he is not deser\*ing of that, e4ce(t in res(ect to the one &ho is lin'ed to a matter that ma'es one a disbelie\*er. %hat is due to indications and e\*idences &hich the+ stated s(ecifies the statement of Allah 7s&t9:

وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنزَلَ اللَّهُ فَأُولَٰئِكَ هُمُ الْكَافِرُونَ

And &hoe\*er did not rule b+ &hat Allah has re\*ealed, then those are the disbelie\*ers 7AI-Ma'idah: 44%.

%his o(inion, in essence, does not differ from the (re\*ious one.

Also, from among the scholars are those &ho said: 7"e is9 a Aafir, FasiB and Ohalim, in accordance &ith &hat the Gur;an Al-Aarim has stated, meaning that he is deser\*ed of those Char;i+ah names and descri(tions, a((l+ing to the same (erson at the same time. And that in its a((arent meaning it remo\*es the (erson from the Millah, in the case &here the FisB and the Ohulm 7here9 remo\*e him from the Millah b+ necessit+. %his re(resents the "aBB 7truth9 that &e follo& in our Deen and &e &ill e4(and our stud+ of this in an inde(endent cha(ter entitled: .

At this )uncture, &e bring attention to some matters, &hich include:

: %he labels of Aufr, Ohulm or FisB 7some or all them according to the differences of the scholars9 are deser\*ed as a result of the mere lea\*ing of ruling 7or )udging9 b+ &hat Allah re\*ealed and e\*en if one has not ruled 7in actualit+9 b+ other than &hat Allah re\*ealed. %hat is because Allah 7s&t9 said:

وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنزَلَ اللَّهُ

2t should not be said that lea\*ing the ruling b+ &hat Allah re\*ealed dictates b+ necessit+ that the ruler is ruling b+ other than &hat Allah has re\*ealed. %hat is clearl+ a((arent in the e4am(le of the )udge to &hom it has become certainl+ e\*ident that the "u'm of Allah in res(ect to a (articular dis(ute &hich he is e4amining is such and such a ruling after reaching the com(letion of his e4amination of the case and the obligation of (assing )udgement in it at its time, but then refrains from (assing it due to a moti\*e based on desires, thus enabling the (art+ of the case &hom the right is demanded from, in terms of (ro(ert+ 7mone+9 or Gisas 7la& of retaliation9 for e4am(le, to hide the mone+ 7or (ro(ert+9 or to flee from the gri( of the authorit+. Or, the )udge could &ithdra& himself from the case after the (ronouncement of the \*erdict became obligator+. 2n such a scenario, the Gadi, b+ refraining from (assing the \*erdict, after it became obligator+, has committed the crime of lea\*ing the "u'm of Allah b+ &hat Allah re\*ealed and as such in this (articular case:

وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنزَلَ اللَّهُ



"e then came to deser\*e the labels of Aufr, or Ohulm, or FisB 7some of them or all of them in \*ie& of the difference of o(inions among the scholars,9 e\*en though he fled from (assing the ruling or \*erdict and did not actuall+ rule &ith an+thing at all.

2t ma+ be that such an e4am(le is &hat came to the mind of the one &ho said 7A disbelief that is less than disbelief9 or the one &ho refrains from a((l+ing the naming of Aufr u(on this action and found the descri(tions of FisB and Ohulm to be sufficient. %hat is due to the similarit+ of this to the other sins and acts of obedience &hich the Muslim (er(etrates based u(on his desires &ithout see'ing to ma'e the "aram "alal, re)ecting the obligation or den+ing Allah and the Messenger of Allah 7sa&9.

"o&e\*er, from another angle, the e4am(le dra&s a stronger resemblance to the one &ho refrains from (ronouncing the Aalimah of %a&hid &hilst (ossessing the deemed ca(abilit+ and in absence of a com(elling coercion. : o Muslim has doubt in res(ect to this Aufr 7disbelief9 and the 2ma; 7consensus9 of the 8Hlama; 7scholars9 is u(on that. 2ndeed, e\*en the disbelief\*er;s affirmation of @ro(hethood to our Ca++id Muhammad 7sa&9 and his utterance of that -

. and this is &hat 2mam Al-"afi=h 2bn "a)ar Al-AsBalani said &ord for &ord in his -Fat;h. follo&ing his e4(lanation of the abstention of Al-8ABib and Ca++id, the t&o com(anions of : a)ran, from cursing the Messenger of Allah 7sa&9, and there s(eech &hich &as tantamount to an affirmation of his @ro(hethood. Des(ite that, the+ did not enter into 2slam and did not commit 7in (rinci(le9 to the rulings, thus remaining u(on their disbelief. %hat is in addition to the affirmation of some of the Je&s &ith "is @ro(hethood &hich has been narrated in more than one reliable stor+, &hilst remaining as Je&s and re)ecting to follo& him 7sa&9. 2t is 'no&n that the onl+ thing &hich (re\*ented them &as the desires of the Dun+a, in terms of the lo\*e of leadershi(, fear of being cut off from famil+ and lo\*ed ones and their la+iness from underta'ing the "i)rah, among other reasons. All of that ho&e\*er did not re(resent an e4cuse for them nor a &a+ out from the disbelief. %hat is because there is no e4cuse in res(ect to an+ of that a(art from the com(elling coercion or **due to a the certain inability+**, and nothing besides that.

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%his ruling is not restricted to the testimon+ of %a&hid onl+, but rather it a((lies to e\*er+ statement of the truth connected conclusi\*el+ to the Chahadah and as such is from its necessar+ matters. %here is no difference bet&een the statement of the (erson -la 2laha 2lallah. , his statement -Mar+am is the daughter of 8mran &ho Allah freed from corru(tion and (referred o\*er all &omen of the &orld. , his statement -Allah is ca(able 7Gadir9 o\*e\*er+thing and "is 'no&ledge has encom(assed e\*er+thing. and his statement -%his is the "u'm of Allah in this (articular issue.. All of these re(resent the uttering and informing of the "aBB 7truth9 &hich the one informing belie\*es in and through &hich he follo&s and submits to the Deen of Allah. "e must affirm such a statement, declare it, submit to it, surrender to it and ta'e it as a Deen through &hich Allah is obe+ed and &orshi((ed. **%he onl+ e4ce(tion is the case of the one deemed inca(abileit+ or that of the com(elleding#coerced coercion.**

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2f this e4am(le, and this e4am(le alone, contains a resemblance to the situation of the sinful and disobedient (erson, it also contains a greater resemblance to the case of the disbelief\*er &ho turns a&a+ in a\*ersion, denies in re)ection, or is arrogant. Co, let e\*er+ rational (erson be&are for his o&n self1

This is also a (arent, in a different &a+, in the e4am (le of a Muslim man &ho &as arrested for clear drun' enness. %hen this man &as brought before the )udge &ho )udges b+ the man-made la& &ho conseBuentl+ lets him go free, &ithout (assing an+ )udgement. %hat is because that man in accordance &ith the dictates of the man-made la& had not (er(etrated a crime and &ill ne\*er be (unished &ith an+ (unishment for &hat he did. 2ndeed, there &ould not be in origin an+thing that obliges a )udicial e4amination to ta' e (lace. %hat is &hile the Char;a ma' es obligator+ the establishment of the ''add 7(rescribed (unishment9 for drin' ing alcohol u(on the man, &hich is 4\$ or F\$ lashes, ta' ing into consideration the difference of o(inion among the Madhahib 7schools of 2slamic )uris(rudence9.

Lea\*ing the ''u' m b+ &hat Allah has re\*ealed in this e4am (le and &hat is li' e it, has no relationshi( to the matter of being o\*ercome b+ desires, &ea' ness before the &his(ers of Chaitan 7Catan9, or being siding fa\*ourabl+ &ith a friend or relati\*e. Rather, it onl+ re(resents the a( (lication of a Aufr s+stem &hich is com(letel+ incom(atible &ith 2slam. At its lo&est le\*el, it re(resents turning a&a+ from the Char;a and indifference to&ards it. %hat is &hilst a\*ersion to the Char;a is Aufr and remo\*es a (erson from the Millah. 2t could be e\*en more detestable and re(ugnant than that &here it re(resents doubt in res(ect to the Char;a, a denial or re)ection of it, arrogance and refusal of the Char;a 7li' e 2blis did, ma+ Allah;s curse be u(on9, contem(t and ridicule of the Char;a or disli'e, hatred and animosit+ to&ards the Char;a! All of that re(resents disbelief in the Char;a and is from the t+(es of Aufr 7disbelief9 that remo\*e the (erson from the Millah! As such, can a rational (erson, &ho has the smallest amount of 2man, in addition to e4altation and lo\*e for Allah, ''is Messenger and ''is Deen, in his heart, doubt that this )udge has de(arted from the Millah and the co\*enant 7Dhimmah9 has been (urged from him!

As for the case of a Muslim man &as arrested for dri\*ing his car in a (ublic street &hilst in a state of into4ication, then the )udge in the man-made )udici

Close to that in terms of **badness-error#e\*ilP 7or e\*il9** and disbelief, is obedience to those &ho legislate b+ other than the Char;a of Allah and those &ho rule b+ other than &hat Allah re\*ealed, due to the Ga&l of Allah 7s&t9:

X وَإِنَّ الشَّيَاطِينَ لَيُوحُونَ إِلَىٰ أَوْلِيَائِهِمْ لِيُجَادِلُوكُمْ ۚ وَإِنْ أَطَعْتُمُوهُمْ إِنَّكُمْ لَمُشْرِكُونَ

And certain+, the Cha+atin 7de\*ils9 do ins(ire their friends 7from man' ind9 to dis(ute &ith +ou, and if +ou obe+ them, then +ou &ould indeed be Mushri' un 7(ol+theists9 7Al-An'am: 1 19.

%his means, if +ou in res(ect to ma' ing Al-Maitah 7carrion9 ''alal, +ou &ould ha\*e become disbelie\*ers, associating &ith Allah and dra&ing close to other than ''im b+ (ro\*iding them the right of Ci+adah 7so\*ereight+9, Al-''a'imi+ah and ma' ing legislation.

%his A+ah is Ma' 'i+ah 7re\*ealed (rior to the ''i)rah9 b+ consensus, in the case &here Chir' &as not said e4ce(t &ith the meaning of the Chir' of disbelief, Ash-Chir' Al-A' bar 7the ma)or Chir'9 &hich ta'es one outside of the fold of the Millah and is com(etel+ incom(atible &ith 2slam. %he rulings related to Ash-Chir' Al-Asghar 7lesser Chir'9, Ash-Chir' Al-Ahafi 7the concealed or una((arent Chir'9 and the Adab 7manners9 of %a&hid, such as forbidding ma' ing oaths b+ fathers and the (rohibition of sa+ing -3hate\*er Allah &illed and &hat 2 &illed. , among other such rulings, &ere onl+ re\*ealed in Al-Madinah 7i.e. after the ''i)rah9, &ith no difference of o(inion o\*er that. 2n the case &here the -one &ho obe+s. in res(ect to the ma' ing of ''alal and ''aram is a Mushri' &ho (er(etrated the Chir' &hich remo\*es one from the folds of the Millah, then the -one &ho is obe+ed. has ine\*itabl+ and b+ necessit+ been made a Rabb and 2lah other than Allah, as the stor+ of 8Adi bin ''atim made e\*ident and manifest in an absolutel+ unambiguous manner1

This legislator is saying, but the dictates of his act, even if it is not explicit but his tongue, that -2 am  
 our Lord, the highest. Whilst calling the (eo)le to &orshi(him/ the &orshi( of subser\*ience,  
 obedience and follo&ing. ?+ that he becomes a %aghhut, indeed from among their chiefs, and  
 &hoe\*er affirms him in res(ect to that has made of him a Rabb, 2lah and "a'am 7udge9 besides  
 Allah and conseBuentl+ a (artner to Allah 7s&t9. Co, &oe to all of them for &hat the+ &ill be afflicted  
 &ith from the crushing retribution of Al-3A=i= Al-Jabbar1

: Most of those &ho ad\*ocate - . 7the lesser Aufr &hich does not ta'e one  
 outside of the Millah9 or those &ho restrict themsel\*es to the labels or descri(tions of FisB and  
 Ohulm in the case of the absence of an additional dictate to declare disbelief, as &e e4(lained earlier,  
 are a((arentl+ from among those &ho defend the leaders and Cultans &ho rule b+ other than &hat  
 Allah has re\*ealed and are attem(ting to remo\*e them from the mire of a(ostac+ and disbelief. %he+  
 argue on their behalf &ith ?atil 7falsehood9 in a des(erate attem(t to strengthen their thrones,  
 establish their legitimac+ and close the door in the face of an+ attem(t to remo\*e them. 2ndeed, it is  
 true that there are a minorit+ of sincere scholars &ho desire the truth, ho&e\*er, the ma)orit+ of  
 those fond of argumentation in our current age are from the first categor+/ the treacherous FuBaha;  
 7urists9 of the Calateen 7rulers9. 2f that is the case, then &e gi\*e them tidings that this role &ill not  
 benefit them in the least and that the rule of their - . and - . from among the Calateen  
 7rulers9 has no \*alidit+ and that o((osing them b+ the s&ord is legall+ legitimate in an+ case,  
 regardless of the \*ie& of - . or the labels of -FisB. and -Ohulm. being &arranted  
 alone. %hat is because Allah, glorified be "is names, has sufficed us &ith (ro\*ision, in the case &here  
 "is @ro(het Muhammad 7sa&9 has uttered the decisiv\*el+ determining s(eech in this matter. %hat  
 &as &hen he instructed his com(anions to not dis(ute the authorit+ of Hli l-Amr 7rulers9:

[إِلَّا أَنْ تَرَوْا كُفْرًا بَوَاحًا عِنْدَكُمْ مِنَ اللَّهِ فِيهِ بُرْهَانٌ]

And he 7sa&9 said:

لَا، مَا صَلُّوا

And:

لَا، مَا أَقَامُوا فِيكُمْ الصَّلَاةَ

%his re(resents a declaration from Allah \*ia the tongue of the clearest in language from among the  
 creation of Allah, the one &ho &as made infallible b+ Allah and &ho &as (ro\*ided &ith the -Ja&ami;  
 Al-Aalim. 7&ords &hich are concise and com(rehensi\*e9. "o&e\*er, this reBuires detail and a  
 thorough discussion &hich see's insight from all of the 7related9 te4ts of the t&o sources of 3ahi

7di\*ine re\*elation9/ the Aitab and Cunnah, &ithout distorting the s(eech from its conte4t or ma'ing the Gur;an detached (arts, or e\*en &orse than that/ belie\*ing some and disbelie\*ing in some, &hich is the methodolog+ of the &retched FuBaha; 7)urists9 of the Calateen 7rulers9. %his elaborate discussion reBuies an inde(endent cha(ter, entitled , and can be referenced there1

%he te4ts of the Gur;an Al-Aarim, in res(ect to those - , - , and - . Just as it has used them in other (laces, in e4actl+ the same manner. From among those (laces is the Ga&l of Allah 7s&t9:

وَلَنْ يَجْعَلَ اللَّهُ لِلْكَافِرِينَ عَلَى الْمُؤْمِنِينَ سَبِيلَ

And ne\*er &ill Allah grant to the disbelie\*ers a &a+ 7to trium(h#gain su(remac+9 o\*er the belie\*ers 7An-: isa:: 1419

%his is decisi\*e in res(ect to in\*alidating the 3ila+ah 7rule9 of the Aafir o\*er the Muslims and re(resents a certain, decisi\*e and (ermanent (rohibition for his 2mamah 7leadershi(9 o\*er the Muslims or (residenc+7leadershi( o\*er their state, &hich is established b+ the consensus of the Muslims &ho fear Allah. Also, from among those (laces is the Ga&l of Allah 7s&t9:

لَا يَنْتَهِ عَهْدِي الظَّالِمِينَ

M+ co\*enant does not include the 0halimin 7transgressors9 7Al-?aBarah: 1 49.

%his ma'es null and \*oid the 3ila+ah 7rule9 of the FasiB and this is the correct \*ie& held b+ the Jumhoor 7majorit+9 of the 0Hlama; 7scholars9, as &e ha\*e made clear in the cha(ter from our boo': .

. And the one - . is certainl+ a Aafir, or a FasiB or a 0halim, according to the te4t of the Gur;an and b+ &a+ of the decisi\*e certain 2ma; 7consensus9. ConseBuentl+, his 3ila+ah 7rule9 is certainl+ in\*alid, in an absolute manner, regardless of &hether:

719 "e is deser\*ing of onl+ the descri(tions of 0hulm and FisB. %his is an in\*alid 7?atil9 \*ie& and contrar+ to the 2ma; of the Cahabah, as has been established &ith clear (roof in the cha(ter .

7 9 "e is deser\*ing of the naming of - . &here the Aufr 7disbelief9 is -Aufr Doon Aufr. 7a lesser Aufr9 &hich is unli'e the disbelief in Allah, "is angels, boo's and Messengers, or it is a disbelief &hich does not ta'e one outside of the Millah, if &e &ere to acce(t for the sa'e of argument the \*alidit+ of all of that. %hat is e\*en though &e ha\*e established the in\*alidit+ of attributing that statement 7i.e. Aufr Doon Aufr9 to the 2mam of guidance and inter(reter of the Gur;an, Abdullah bin Al-8Abbas, &ithin the aforementioned cha(ter.

ConseBuentl+, &e sa+ to the enemies of Allah/ the FuBaha; 7)urists9 of the Calateen 7rulers9: Do not re)oice/ +our argument has been refuted, +our blade is blunt and no semblance of an e\*idence or

evidence remains for you. So, hasten to wards repentance before death and departure. It is a departure, if not preceded by repentance, that inevitably means being cast headfirst into the abyss:

[وَمَا أَذْرَاكَ مَا هَيْئَةٌ ﴿١٠﴾ نَارٌ حَامِيَةٌ

And what will make you not do what it is? It is a hot blazing fire! Al-Gari:ah: 1-119.

That is because every legislator besides Allah is a shayt and every shayt must be avoided, indeed rejected and disbelieved in.

- Allah, sanctified are His names, said:

لَا إِكْرَاهَ فِي الدِّينِ ۚ قَدْ تَبَيَّنَ الرُّشْدُ مِنَ الْغَيِّ ۚ فَمَنْ يَكْفُرْ بِالطَّاغُوتِ وَيُؤْمِن بِاللَّهِ فَقَدِ اسْتَمْسَكَ بِالْعُرْوَةِ الْوُثْقَىٰ لَا انْفِصَامَ لَهَا ۗ وَاللَّهُ سَمِيعٌ عَلِيمٌ ۚ الَّذِينَ آمَنُوا يُخْرِجُهُم مِّنَ الظُّلُمَاتِ إِلَى النُّورِ ۗ وَالَّذِينَ كَفَرُوا أُولَئِكَ هُمُ الطَّاغُوتُ يُخْرِجُهُم مِّنَ النُّورِ إِلَى الظُّلُمَاتِ ۗ أُولَئِكَ أَصْحَابُ النَّارِ ۗ هُمْ فِيهَا خَالِدُونَ

Here shall be no compulsion in the religion. The right course has become clear from the wrong. So, whoever disbelieves in and believes in Allah has grasped the most trustworthy firmest handhold with no break in it. And Allah is Hearing and Knowing. Allah is the All of those who believe. He brings them out from darknesses into the light. And those who disbelieve, their allies are shayt. He takes them out of the light into darknesses. Those are the companions of the Fire/ the evil abide eternally therein! Al-Barah: QL- Q<9.

- And Allah, glorified be His names, said:

أَلَمْ تَرَ إِلَى الَّذِينَ يَزْعُمُونَ أَنَّهُمْ آمَنُوا بِمَا أُنزِلَ إِلَيْكَ وَمَا أُنزِلَ مِن قَبْلِكَ يُرِيدُونَ أَن يَتَحَاكَمُوا إِلَى الطَّاغُوتِ وَقَدْ أُمِرُوا أَن يَكْفُرُوا بِهِ وَيُرِيدُ الشَّيْطَانُ أَن يُضِلَّهُمْ ضَلَالًا بَعِيدًا

"Are you not seen those who claim to have believed in what has revealed to you, O Muhammad, and what has revealed before you? They wish to refer legislation to shayt false judges etc., while / and Satan wishes to lead them far astray! An-isa: L\$9.

- And He, most mention be glorified, said:

وَالَّذِينَ اجْتَنَبُوا الطَّاغُوتَ أَن يَعْبُدُوهَا

Those who avoid the shayt false deities but not worshiping them! Umar: 1<9.

And it is because the Messenger ﷺ said:

﴿مَنْ أَخَذَ فِي أَمْرِنَا هَذَا مَا لَيْسَ مِنْهُ فَهُوَ رَدٌّ﴾

If anyone introduces into this affair of ours anything which does not belong to it, it is rejected.

This statement indicates the absence of clear indication that the matter which is not rejected is that which is from Islam and the opposite understanding of Ma'fhum Al-Mu'halafah here dictates that everything that is not from Islam, like if it is from socialism, capitalism, democracy, nationalistic and tribal traditions and what has been named - . and so on. What is because it is from the disbelief and must therefore be rejected and not be adhered to because it is "aram. This well-known Hadith is one of the "adith (illars, from the (illars of the Chareeah, due to the great number of rulings that fall under it and because it represents a (illar in respect to making Islam the measure for the "alal and the "aram la&ful and unla&ful. It is as if Islam is a mirror which all of the intellectual and deduced laws and actions are (resented to. When the Muslim adheres to those of them which are from Islam, and disbelieves in that which is not from Islam, whilst the one who adheres to that is sinful

As such, all solutions that do not emanate from the Islamic ABeedah as their basis are disbelief and must be rejected and not adhered to, as they are not what Muhammad ﷺ came with. What is because the intended meaning of his statement ﷺ - أمرنا. Our affair, in the "adith من أخذ في أمرنا.

7 is Islam i.e. the Char'a. What which is not upon our affair is in opposition to that and its antithesis, meaning that it is in Aufr itself and it is the %aghut which Allah ﷻ has commanded us to disbelieve in.

The texts of the Qur'an and the Sunnah have indicated to the obligation of obedience to the rulers and that disobedience to them is "aram (prohibited). Moreover, the obligation of obedience which the Muslim must adhere to is not an absolute obedience, but rather an obedience within the boundaries that the Char'i Legislator has set i.e. the boundaries of the Char'a. The Ayah of Al-Humara; 7An-: isa;: Q19 has stipulated the obligation of obedience to the rulers, in "is Gal 7s&t9:

يَا أَيُّهَا الَّذِينَ آمَنُوا أَطِيعُوا اللَّهَ وَأَطِيعُوا الرَّسُولَ وَأُولِي الْأَمْرِ مِنْكُمْ

Obey Allah and obey the Messenger and those in authority among you 7An-: isa;: Q19.

Obedience is a fundamental for the (resence of order within the state and to (reserve the unity of the Muslim. As such, Allah commanded obedience in what appears at the first glance to be an absolute obedience which is not restricted. Moreover, He then mentions the possibility of the occurrence of disagreement and disputes and explained how they should be referred in such a circumstance. His obedience of the Hli I-Amr 7rulers is not intrinsic but rather only based upon the command of Allah to obey them. It therefore represents a branch 7Far; of obedience to Allah and it

does not represent an origin 7Asl9. It is b+ necessit+ a lo&er grade and le\*el than obedience to Allah &hich re(resents the original, absolute and su(erior obedience. %he Char;i+ and 8ABli necessit+ dictates the necessit+ of (lacing the commands of the lo&er branch authorit+ under the commands of the original highest authorit+. 2f a contradiction or clash &as to arise the command of the original highest authorit+ &ould then definitel+ and ine\*itabl+ be im(lemented &hilst the command of the lo&er branch authorit+ &ould be rendered obsolete and in\*alid. %hat is unless the im(ossible &ording &as demanded: -Obe+ Me b+ not obe+ing Me1..

%hen the Cunnah came reiterating that and commanding obedience to the rulers in all circumstances unless one is commanded &ith a Ma;si+ah 7act of disobedience to Allah9. 2bn 8Hmar related that the Messenger of Allah 7sa&9 said:

X عَلَى الْمَرْءِ الْمُسْلِمِ السَّمْعُ وَالطَّاعَةُ فِيمَا أَحَبَّ وَكَرِهَ إِلَّا أَنْ يُؤْمَرَ بِمَعْصِيَةٍ فَإِنْ أُمِرَ بِمَعْصِيَةٍ فَلَا سَمْعَ وَلَا طَاعَةَ

ConseBuentl+, the boundaries to the obedience are: %he Aitab and the Cunnah. 2t is therefore not "alal for the belie\*er to obe+ a ruler in a command that is outside of these t&o. 2t &as related from Abu 8Htbah Al-Aha&hani that he said: %he Messenger of Allah 7sa&9 said:

لا تخرجوا أمتي ثلاث مراتٍ اللهم من أمر أمتي بما لم تأمرهم به فإنهم منه في حل

-Do not o((ress or bring difficult+ u(on m+ Hm mah 7he re(eated that three times9. O Allah, &hoe\*er commands m+ Hm mah &ith that &hich the+ ha\*e not been commanded &ith,

2t is therefore not (ermissible for the ruler to im(ose u(on the Hm mah a la& &hich has not been deduced b+ a correct Char;i+ deduction, let alone a la& that is from man;s (roduction. Cimilarl+, it is (rohibited u(on the Hm mah to obe+ him in that. %his is in addition to other restrictions and conditions related to the obedience to the ruler &hich ha\*e been detailed in our boo'

All of this clearl+ indicates that the Ci+adah belongs to the Char;a. Other&ise, it &ould ha\*e been (ermissible for the ruler to im(ose la&s from other than the Char;a and com(el the Hm mah to obe+ him, due to the generalit+ of the e\*idences mentioning the obligation of obedience. "o&e\*er, 2lam (rohibited Muslims to obe+ the ruler if he commanded them &ith a Ma;si+ah, or &hat is &orse than that, in the case &here he &as to ma'e the "alal "aram and the "aram "alal. 2t has been established and indeed b+ %a&atur 7concurrent re(orts9 establishing decisi\*e definite 'no&ledge, in res(ect to the Muslim and disbelie\*er, eBuall+, that he 7sa&9 said:

W لَا طَاعَةَ لِمَخْلُوقٍ فِي مَعْصِيَةِ الْخَالِقِ



All besides Allah **7s&t9** is created. %he human is created, the illiterate is created, the scholar is created, and the (eo(le as indi\*iduals and collecti\*es are created. %herefore, there is no obedience to an+ of them in disobedience to Allah the Creator **7s&t9**. %his beautiful sublime "adith alone is sufficient to com(letel+ destro+ the idea of democrac+ about the Ci+adah belonging to the Hmmah 7or (eo(le9 and to e4terminate it from its roots. As a conseBueence, the single correct thought and the absolute and definite established truth in this issue is ascertained. As such, the "alal and "aram remain the onl+ measure for the actions. As long as the ruler does not e4it in his commands from the Aitab of Allah and the Cunnah of the Messenger of Allah **7sa&9**, then obedience to him is obligator+ u(on all of the Muslims.

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Just as the Char;a has restricted the actions of the human b+ the "alal and the "aram in the Mu;amalat 7societal transactions9, (uniti\*e measures, marriage and di\*orce, then it has similarl+ made the foreign (olic+ of the 2slamic Ctate regulated b+ the command of the Chari; 7legislator9. As such, the Char;a has come e4(laining the rulings of &ar, (eace and treaties. For e4am(le, it made it "aram for the Muslims to contract international agreements &hich are contrar+ to the Ah'am Ash-Char;i+ah because the Ci+adah belongs to the Char;a in all the affairs of the Muslims. %he e\*idence for that is that the @ro(het **7sa&9** &ent against the (ublic o(inion and contracted an international treat+ bet&een the 2slamic Ctate and the Aufr state in Ma' 'ah, at that time, &hich &as 'no&n as the treat+ of Al-"udaibi+ah. %he Muslims then \*ie&ed those agreements to be humiliating for the Muslims and not in their fa\*our, &hile @Hmar bin Al-Ahattab, ma+ Allah be (leased &ith him, led the o((osition and attem(ted to &in Abu ?a'r As-CiddiB, ma+ Allah be (leased &ith him, to his side in res(ect to his o(inion. Abu ?a'r refused that siding &ith the o(inion im(lemented b+ the head of the 2slamic Ctate **7sa&9**. "o&e\*er, the o((osition Buic' l+ mo\*ed bac' from its stance because the Messenger **7sa&9** did not descend 7from his (osition9, as &as his norm, in the face of the (ublic o(inion of the Muslims and because the Messenger **7sa&9** (resented to the Hmmah a reason &hich led to the ma)orit+ of the o((osition to sto(. &hen he said:

إِنِّي رَسُولُ اللَّهِ وَلَسْتُ أَغْصِيهِ وَهُوَ نَاصِرِي

After the Muslims heard this statement from the @ro(het **7sa&9** the+ submitted, follo&ed and abandoned the (osition of o((osition to&ards the agreement &ith the Guraish. %hat is because the head of state informed the Hmmah that the (eace treat+ con\*ened at Al-"udaibi+ah &as based u(on the command of Allah **7s&t9**/ meaning that Allah **7s&t9** &as the One &ho commanded "is Messenger **7sa&9** to acce(t the conditions of the treat+. ConseBuentl+, nothing remained for the @ro(het **7sa&9** and the reset of the belie\*ers e4ce(t to hear and obe+.

2t &as from the bene\*olence and merc+ of Allah u(on them and "is lo\*e and affection to&ards them, that "e Buic' l+ informed them that this treat+ &ould ne\*er be in the fa\*our of the disbelie\*ing

state and that it re(resented a -Fat;h Mubeen. 7Manifest \*ictor+91 "o&e\*er, there &as no choice in res(ect to hearing and obe+ing, e\*en if the (eace treat+ had been in the fa\*our of the disbelie\*ing state and e\*en if it had re(resented a terrible defeat. %hat is because it is obligator+ to e4ecute the command of Allah and "is "u' m is obligator+ to be obe+ed. "e )udges &hilst there is none to re\*erse "is )udgement and there is none to reject "is &ill. %here is no 2lah other than "im and no Rabb besides "im, and u(on "im &e ha\*e %a&a' 'ul 7reliance9, b+ "im &e are su((orted and to "im &e re(ent.

%herefore, &hen the Messenger 7sa&9 acce(ted the conditions of the disbelie\*ers on the da+ of Al-"udaibi+ah, his acce(tance reflected submission to the "u' m Ash-Char;i and subser\*ience to the Master &ho (ossesses the absolute Ci+adah 7so\*ereight+9/ there is no 2laha other than "im and no Rabb besides "im. 3hen the Muslims learnt that, the+ also submitted and surrendered to that &hich the treat+ &as underta'en u(on. %hen came the glad tidings that a Fat;h 7conBuest and \*ictor+9 &ill occur after that and not before it1 2t should not be said that the+ hesitated in res(ect to the %ahallul 7rituals9, slaughtering of the sacrifice and sha\*ing their heads1 %hat should not be said because the @ro(het 7sa&9 did not a((ro\*e of them, &as angered and censured.

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%hin' ing the best of those radiant com(anions &hom Allah has confirmed for them Jannah and "is (leasure, dictates that &e ma'e the e4cuse for them that the+ &ere ho(ing until the last moment that the 3ah+ 7di\*ine re\*elation9 &ould come to abrogate it and realise for them the tranBuillit+ of the heart, reflected in entering Mas)id Al-"aram and com(leting the rituals of the 8Hmrah.

Cimilarl+, &hen the Messenger of Allah 7sa&9 arri\*ed in Al-Madinah and established the state, R chec' &ith Doc R ne& ado(tion of head of state after saheefah, should that be &orded accordingl+9, he began to (ractise his mandator+ (o&ers as the head of the 2lamic Ctate. Co, he contracted an agreement &ith the Je&s 'no&n as the -Cahifah. and &ithin it the follo&ing &as stated: -3hate\*er +ou ha\*e disagreed u(on then it is referred to Allah 8A==a 3a Jalla and to Muhammad 7sa&9.. %his meant that the Char;a &ould be the )udge in res(ect to an+ disagreement among the Je&s, in addition to an+ disagreement bet&een the Je&s as an entit+ and the Muslims and an+ disagreement bet&een the Je&s as an entit+ and the Muslims as a state/ all of that &ould be referred to the Char;a for )udgement. %he Cahifah sti(ulated that an+ incident or Buarrel the harm of &hich is feared, that occurs among the (arties of the Cahifah, as indi\*iduals, collecti\*es and states, &ould be referred bac' to the Allah 8A==a 3a Jalla and to Muhammad, the Messenger of Allah 7sa&9.

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%herefore, this (ractical Cunnah &hich &as cr+stallised in these t&o established international treaties, &hich ha\*e been transmitted to us b+ %a&atur 7concurrent re(orts9/ the first &ith Guraish and the second &ith the Je&s, in addition to &hat these agreements sti(ulated, indicate clearl+ that the Char;a &as al&a+s the (ossessor of the Ci+adah 7so\*ereight+9 in res(ect to foreign (olic+ and the international relations of the 2lamic Ctate. ConseBuentl+, it is im(ermissible to contract an+ agreement, treat+ or alliance that contradicts 2lam, )ust as it is absolutel+ im(ermissible to (artici(ate in an+ international organisation, alliance, federation or front, the charter of &hich contradicts 2lam.

In addition, the consensus of the Cahabah (companions) has been concluded over the Ci+adah belonging to the Char'a : one of the four Ahulafa; departed from the te4t, in the Aitab of Allah and the Cunnah of "is Messenger and that &as in relation to all of the affairs of life. What is as the+ com (re)hended that going to the Char'a for judgement &as from the necessities of the 2man 7belief, &here there is no 2man e4ce (t b+ it. For that reason, the A;imma 7leaders after the @ro (het 7sa&9 used to consult the trusted from among the (eo (le of ' no&ledge in the Mubah 7(ermissible) matters to ado (t the most a ((ro (riate of them. 3hen the Aitab or the Cunnah had set a matter do&n the+ did not e4ceed it, -orte go to other than it. What &as in emulation to the @ro (het 7sa&9 and according to the dictates of follo&ing him.

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The adherence of the Ahulafa; from among the Cahabah to the Char;i+ah te4ts &as \*igorous. Hmar judged that the &oman does not inherit anything from the blood mone+ of her husband, until Ad-Dahha' bin Cuf+an Al-Ailabi, &ho &as an Arab from the ?edouins, informed him that the Messenger of Allah 7sa&9 had &ritten to him to ma'e the &ife of Ash+am Ad-Dibabi inherit from his Di+ah 7blood mone+9 and so Hmar re\*ised his judgement. 2t &as as 2mam Ash-Chafi;2 said: 53hen the contrar+ to &hat he did reached him, he ado (ted the "u' m of the Messenger of Allah 7sa&9 and left his o&n "u' m. "e did this in res (ect to e\*er+ issue and this is ho& the (eo (le must be6.

2t is ' no&n b+ the necessit+ of the mind and sensation that the fingers of a hand differ in res (ect to their usefulness and that the distinguished role belongs to the thumb, &hich is a matter that e\*er+ human ' no&s, e\*en the +oungest of children. For that reason, the Amir ul-Mu;minin 7leader of the belie\*ers9 Hmar bin Al-Ahattab ruled &ith different blood monies for each finger as dictated to him b+ the mind and interest 7Maslahah9. "o&e\*er, he com (letel+ discarded the - . and the - . &hen it reached him that the Messenger of Allah 7sa&9 used to recom (ense them eBuall+. "e said e4 (iciti+ : - "ad this not reached me 2 &ould ha\*e judged b+ other than this1. or some similar &ording to that. %hese t+ (es of e4am (les ha\*e been related a lot about Hmar1

The summit R (ea' P of adherence &as e4em (lified in the first Ahalifah Abu ?a' r As-CiddiB, ma+ Allah be (leased &ith him, &hen he remained firm and insistent u (on follo&ing &hat the Char'a came &ith and &hat the Messenger of Allah 7sa&9 - missing te4t R should it sa+ brought or sho&edB, e\*en though he &as in the face of an o (inion &hich a ((eared to be in the interest due to the s (ecific circumstances &hich the 2slamic Ctate &as encountering. What is because follo&ing the (assing of the Messenger of Allah 7sa&9 and the subseBuent disbelief from those &ho disbelie\*ed from the Arabs, Abu ?a' r held the o (inion that those &ithholding the (a+ment of the Oa' ah should be fought against. Hmar said to him: - "o& can +ou fight &hen the Messenger of Allah 7sa&9 said: -2ha\*e been commanded to fight the (eo (le until the+ sa+ La 2aha 2lallah. %hen if the+ sa+ that their blood and (ro (erties are (rotected from me e4ce (t that &hich is their right 7i.e. b+ la&9. P Abu ?a' r re (lied: -?+ Allah, 2 &ill certain+ fight against the one &ho ma'es a distinction bet&een &hat the Messenger of Allah 7sa&9 brought together 7i.e bet&een the Calah and the Oa' ah9. . Hmar then follo&ed him after that. %herefore, Abu ?a' r did not (a+ attention to the consultation or ad\*ice if he alread+ had the "u' m of the Messenger of Allah 7sa&9 in res (ect to those &ho ma'e a distinction bet&een the Calah and the Oa' ah, &ant to change the Deen and its Ah' am and refrain 7from gi\*ing the Oa' ah9 b+ armed force.

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The Cahabah, ma+ Allah;s (leasure be u (on them all, definitel+ did not remain silent o\*er an action that \*olated the Char'a; not to mention their sacrifice in order to ma'e sure that the Ci+adah al&a+s remained to it. As such, the+ im (lemented the command of the Ahalifah to fight those &ho &ere &ithholding the Oa' ah, &hen the side of the truth became a ((arent to them, &hich &as manifested

in its being based upon evidence. Abu 'a' r As-Ciddi reached the (ea' of adherence to that &hich the Messenger of Allah 7sa&9 commanded &hen he e4amined the matter of sto((ing the march of the arm+ of Hsamah to Ash-Cham 7Mreater C+ria9, &hich &as under Roman control, for it to remain in the ca(ital of the 2slamic Ctate to (rotect it, &hilst the arm+ of Ahalid bin Al-3alid &as in the lands of Al-Eamama fighting the a(ostates. 2t &as at this time that he said his famous statement: -E\*en if the dogs &ere (la+ing &ith the an' lets of the &omen of Al-Madinah 2 &ould not return an arm+ that the Messenger of Allah 7sa&9 had dis(atched..

From all of this &e deduce that the 2ma; 7consensus9 of the Cahabah &as established upon the Ci+adah belonging to the Char;a and the+ held a consensus that it &as not (ermissible for it to belong to other than it in terms of the ruler or the ruled. %he consensus of the Hm mah, as a &hole, remained upon that in all of the eras that follo&ed, until the 2slamic &orld became the (re+ of modern &estern colonialism at the beginning of the 14<sup>th</sup> "i)ri centur+.

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E\*en the rational 7ABI9 e\*idence confirms that the Char;a is the Judge. %hat is because the Judgement upon things in terms of "alal and "aram, upon the actions of the sla\*es in terms of them being 3a)ib 7obligator+9, Mandub 7recommended9, Ma' ruh 7disli'ed9 or Mubah 7(ermissible9, and upon matters and contracts in terms of them being Asbab 7causes9, Churoot 7conditions9, Ma&ani; 7(re\*entions9, Cahih 7\*alid9, ?atil 7in\*alid9, Fasid 7corru(ted9, or an A=eemah 7original ruling9 and Ru' hsah 7(ermission of e4ce(tion9, is not their suitability+ to nature or their unsuitability+ to it &hich is com(rehended b+ direct sensation and test, )ust as the Judgement is not (erfection 7or com(letion9 and deficienc+ &hich is understood b+ sensation and the mind. Rather, it is onl+ b+ assigning the Mad;h 7(raise9 and Dhamm 7dis(raise9, and the %ha&ab 7re&ard9 and 2Baab 7(unishment9 for them from Allah, in the Dun+a 7life of this &orld9 and A' hirah 7hereafter9. %he sub)ect matter is therefore lin'ed to the essence of Allah 7s&t9 in terms of anger and (leasure, (raise and dis(raise, and the &ill of (unishment and re&ard to&ards a s(ecific human action. %he senses do not fall upon the actions of Allah 7s&t9, li' e "is essence and attributes, in the life of this &orld 7Dun+a9 directl+ and as such it is im(ossible for the senses or mind to be guided to them. ConseBuentl+, it is essential to refer to the -%ruthful 2nformation. 7Al-Ahabar As-CadiB9 from Allah for that.

Allah 7s&t9 said:

رُسُلًا مُبَشِّرِينَ وَمُنذِرِينَ لِئَلَّا يَكُونَ لِلنَّاسِ عَلَى اللَّهِ حُجَّةٌ بَعْدَ الرُّسُلِ ۚ وَكَانَ اللَّهُ غَزِيرًا حَكِيمًا

53e sent6 messengers as bringers of good tidings an

وَكُلِّ إِنْسَانٍ أَلْزَمْنَاهُ طَائِرَهُ فِي عُنُقِهِ ۖ وَنُخْرِجُ لَهُ يَوْمَ الْقِيَامَةِ كِتَابًا يَلْقَاهُ مِنْشُورًا ﴿١٣﴾ أَفَرَأَى كِتَابَكَ كَفَىٰ بِنَفْسِكَ الْيَوْمَ عَلَيْكَ حَسِيبًا ﴿١٤﴾ مَن اهْتَدَىٰ فَإِنَّمَا يَهْتَدِي لِنَفْسِهِ ۖ وَمَن ضَلَّ فَإِنَّمَا يَضِلُّ عَلَيْهَا ۚ وَلَا تَزِرُ وَازِرَةٌ وِزْرَ أُخْرَىٰ ۚ وَمَا كُنَّا مُعَذِّبِينَ حَتَّىٰ نَبْعَثَ رَسُولًا

And for every person we have imposed his fate upon his neck, and we will produce for him on the Day of Resurrection a record which he will encounter (read of) and will be said: -Read your record. Sufficient is yourself against you this Day as accountant. 7149 Whoever is guided is only guided for the benefit of his soul. And whoever errs only errs against it. And no bearer of burdens will bear the burden of another. And we would not (un)ish until we sent a messenger 7Al-Isra: 11-109.

In the case where the "u'm can only be established by testimony (possibilities/ either the Char'a or the ABI and what is attached to it in terms of sensation and taste, and in the case where the ABI has no room for it be considered here, as the issue is one of making something obligatory or (prohibited in accordance with the intended will of Allah, a matter which the mind is incapable of and does not without receiving truthful information. I.e. from Allah concerning what is undertaken in connection to the essence of Allah, which is beyond him, then it is necessary for the Char'a to be the "a'im Judge and whilst the "u'm judgement rests and depends upon the coming of the Messenger of Allah 7sa&9 with the Risalah 7message from Allah.

As for in relation to the Messenger, then that is a (consequence from the explicit meaning of the Ayah:

وَمَا كُنَّا مُعَذِّبِينَ حَتَّىٰ نَبْعَثَ رَسُولًا

And we would not (un)ish until we sent a messenger 7Al-Isra: 109.

What is because the negation of (un)ishment from the (existence prior to the sending of the Messenger 7sa&9 indicates the absence of their legal responsibility in respect to the Ah'am 7rulings and beliefs.

Based upon this the correct interpretation is: What the (existence of Fitrah are sacred and these are those who lived in the period between the loss of a message and the coming of a new message. What is lived those who lived prior to the sending of the Messenger 7sa&9 because Allah 7s&t9 does not (un)ish anyone unless information 7Ahaba9 or a revelation 7clear (roof#evidence9 from Allah comes to him first. : o one is (unished because due to his sin after the warning has reached him, the (roof has been established upon him and the truth made clear to him.

Therefore, prior to the sending of the Messenger 7sa&9, it is not said that the "u'm of things and actions is "alal or "aram in accordance with the Char'a because there is no "u'm for these matters in origin. Otherwise, we would fall into a contradiction which is a (consequence from contemplating our statement that the "u'm Ash-Char'i is -the "alal. 7الحال9 for e4am (le I.e. as the original position, as some have stated, or -the (prohibition. 7الحرمة9 as others have said. "o&e, we also say that the Char'a originates the "u'm but the Char'a has not yet come, and as a result there is no "u'm in origin. The "u'm would therefore be (resent and absent at the same time, with the same conditions and under the same circumstances, which is impossible.

Indeed, the human can do what he wants without adhering to the "u'm and there is nothing obliged upon him from Allah until He sends a messenger to him. At that time, he adheres to the rulings of Allah which the messenger had conveyed to him exactly in accordance with what was conveyed, without any increase or decrease. This is the situation of the (people following the sending of Muhammad ﷺ as the generalities of the Attributes related to Ah'am indicate to the obligation of referring to the Char'a alone and absolutely and to adhere to it. Allah ﷻ said:

وَمَا اخْتَلَفْتُمْ فِيهِ مِنْ شَيْءٍ فَحُكْمُهُ إِلَى اللَّهِ

And in whatsoever you have differed upon, its "u'm ruling is to be referred to Allah Ash-Chura: 19.

And Allah ﷻ said:

فَإِنْ تَنَازَعْتُمْ فِي شَيْءٍ فَرُدُّوهُ إِلَى اللَّهِ وَالرَّسُولِ إِنْ كُنْتُمْ تُؤْمِنُونَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ

And if you disagree over anything, refer it to Allah and the Messenger, if you are believing in Allah and the Last Day: is: 41.

And He ﷻ said:

وَمَا كَانَ لِمُؤْمِنٍ وَلَا لِمُؤْمِنَةٍ إِذَا قَضَى اللَّهُ وَرَسُولُهُ أَمْرًا أَنْ يَكُونَ لَهُمُ الْخِيَرَةُ مِنْ أَمْرِهِمْ

It is not for a believing man or a believing woman, when Allah and His Messenger have decided a matter, that they should thereafter have any choice about their affair: Al-Ah=ab: 19.

The "a'im Judge is therefore the Char'a and there is no "u'm ruling prior to its arrival. The Char'a originates the Ah'am by its arrival and they are absent and non-existent before its arrival. That the human does and enacts for himself by his mind, desires or whims, prior to the arrival of the Char'a is not a Char'a or "u'm. Rather, it represents the - .. or the - . alone whilst absence is not anything!

Consequently, the ABI mind is not the "a'im Judge/ not before the arrival of the Char'a, not after its arrival and not under any circumstances. As for the ABI being what judges that Allah exists, that He is the Supreme Master and who possesses the absolute Command and is deserving of obedience rationally, and that a particular man is a truthful prophet sent by Allah and not a lying foreteller or fortuneteller, and as such is infallible as a necessity in relation to conveying from Allah, in addition to judging that truthfulness is a good thing and lying is a bad thing, that water is a necessity for life, and that cold water is delicious for the health+ thirst+ person, then that is because these matters and those similar to them are rational issues and not Char'iah issues. As such, they are entrusted to the mind ABI, especially before the arrival of the revelation and after its arrival.

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The mind therefore has defined roles, which include: to (assess) judgement upon the rational and sensed issues. This includes (assessing) judgement upon the authenticity of the transmission and the report, to understand the texts and statements/ whether they are Char'i+ah or other-wise, and to analyse concepts and meanings, whether they are Char'i+ah or other-wise. It sits upon its chair of that domain, with the suzerainty of Allah, free to act in that jurisdiction, by Allah's permission. This is why the mind could judge prior to the arrival of the Char'a, that the intended (purpose of Allah cannot be 'no' and 'necessity' unless there is truthful information from Him alone and not from other than that. And then he judges today, after the arrival of the Char'a, to that same judgement, without change, addition or omission.

There is therefore no validity to what some **grandees- & what does this word mean R is this 'ibar al-ulema** have said,

Indeed, there is no validity to that statement. Rather, this is from among the horrid (aspects of the **Hilma**; **scholars**), terrible delusions of the mind and it is pure nonsense. What is because the mind is not the "aim" judge at all, in accordance with the Char'i+ meaning detailed (reliously) just as the mind did not install or appoint the **ero** (hats but rather only realised the truth of their personalities and the content of their Da'wah and thereafter judged the truthfulness of their (ro)hethood. It is as Allah, glorified be His names and sanctified be His attributes, is the One who placed them in their positions of **ero** (hethood), just as it is "He who established the mind in its defined role. The mind remains in its role which the Rabb, the Most Glorious and High, specified for it upon a permanent basis. It did not dismiss itself, it is not right for it to dismiss itself, and it is impossible and prohibited in the Char'a to do so. Only the one who has stupefied himself has dismissed it and the one who has completely lost his mind, from among those who have disbelieved in Allah and His Messenger, including the atheists, materialists, secularists, capitalists, socialists, agnostics and those who believe in the trinity among the beliefs and religions of disbelief.

The mind has also been wronged and restrained in transgression, hostility and disbelief to the blessing of Allah, by the defiant innovators and the blind inflexible followers from among the Muslims, at the head of which in our current time, are the **FuBaha**; **As-Calateen** i.e. government scholars, the (evil) of compounded ignorance and conceit, the inflexible blind followers and many of those who make claim to **-As-Calafi+ah**, from among the followers of **Zayn**, **Al-Hthameen**, **Al-Albani**, **Al-Fa**, **Al-Mad** hali, **As-Cabt** and their like, in addition to those who follow them and have joined with them from among the shallow, foolish and ignorant (evil).

He has mentioned (reliously) that many of those who say "a lesser disbelief or restrict themselves to the descriptions of **-FisB**. **Rebellious disobedience** and **-Ohulm**. **transgression** to be acceptable in the case of the absence of disbelief denial, making the "aram" alal, the explicit utterance of disbelief or the belief in something that makes one a disbeliever, are acceptable, in our current age, those who

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defend the rulers and Cultans &ho rule b+ other than &hat Allah re\*ealed. %he+ do that in an attempt to remove them from the mire of a(ostac+ and disbelief. %he+ argue on their behalf &ith ?atil 7falsehood9 in a desperate attempt to strengthen their thrones, establish their legitimac+ and close the door in the face of an+ attempt to remove them.

It is true that there are a small number of sincere scholars &ho desire the truth and are fearful of (assing the )udgement of disbelief &ithout a definite clear e\*idence and ha\*e conseBuentl+ also said similar to this. "o&e\*er, the ma)orit+ of those &ho are fond of argumentation and (articulat+ in this mur' + time of ours, are from the first categor+/ the treacherous FuBaha; 7Jurists9 of the Calateen 7rulers9. If that is the case, &hilst &e belie\*e it to be so, then &e gi\*e them tidings that this role &ill not benefit them in the least and that the rule of their - . and - . from among the Calateen 7rulers9 has no \*alidit+ and that o(osing them b+ the s&ord is legitimate in an+ case, regardless of the \*ie& of or the labels of -FisB. and -0hulm. being &arranted alone. %hat is because Allah, glorified be "is names, has sufficed us &ith (ro\*ision, in the case &here "is @ro(het Muhammad 7sa&9 has uttered the decisi\*el+ determining s(eech in this matter. %hat &as &hen he instructed his com(anions to not dis(ute the authorit+ of Hli l-Amr 7rulers9:

[إِلَّا أَنْ تَرَوْا كُفْرًا بَوَاحًا عِنْدَكُمْ مِنَ اللَّهِ فِيهِ بُرْهَانٌ

Or:

إِلَّا أَنْ تَكُونَ مَعْصِيَةً لِلَّهِ بَوَاحًا

Or:

مَا لَمْ يَأْمُرْكَ بِإِثْمٍ بَوَاحًا

Or:

إِلَّا أَنْ يَأْمُرَكَ بِإِثْمٍ بَوَاحًا عِنْدَكَ تَأْوِيلُهُ مِنَ الْكِتَابِ

%his re(resents a declaration from Allah \*ia the tongue of the clearest in language from among the creation of Allah, the one &ho &as made infallible b+ Allah and &ho &as (ro\*ided &ith the -Ja&ami; Al-Aalim. 7&ords &hich are concise and com(rehensi\*e9.



The Messenger 7sa&9 did not sa+: -Hnless he disbelie\*es. or -Hnless he becomes an a(ostate..  
 %herefore, &e ha\*e no need to e4amine the essence of the ruler himself in res(ect to &hether he  
 has disbelie\*ed, a(ostatised or not done soP1 All of this does not concern us and does not im(act the  
 (ractical Ah'am that arise from the "adith and s(ecificall+ the -  
 and &hat arises from that in terms of - .. %his is &hat the go\*ernment  
 state scholars are concerned &ith and differentiate1

The Messenger 7sa&9 has onl+ legall+ made us res(onsible and charged us &ith contesting the rulers,  
 b+ the s&ord &hen necessar+, in accordance &ith considered Char;ia'h conditions and (rinci(les:

, or or

The e4(planation of the te4ts and of its conditions is as follo&s:

9 %hat &e - . it: %his means that &e 'no& that it has occurred b+ &a+ of certain 'no&ledge. %hat  
 is because disbelief 7Aufri9, rebellious sinfulness 7FusooB9 and disobedience 7Qs+aan9 are all non-  
 (h+sical matters &hich are not seen b+ the e+e. %he meaning is therefore: -%hat &e 'no& b+ &a+ of  
 certain+ just li'e the sight of the e+e or \*isual+ &itnessing it. %his is li'e in "is Ga&l 7s&t9:

أَلَمْ تَرَ كَيْفَ فَعَلَ رَبُّكَ بِأَصْحَابِ الْفِيلِ W

%hat is &hilst the @ro(het 7sa&9 had not been born at the time of the incident and had not seen it b+  
 the sight of his e+e. From that &ithout doubt, indeed its most (o&erful re(resentation, is &hat the  
 official )ournals (ublish in terms of statutes, la&s, orders and ne&s related to the authorit+. %hese  
 te4ts &hich are (ublished in official )ournals are seen b+ the e+e and read. %he same a((lies in  
 res(ect to licensing or authori=ation, e\*en if done orall+, for Muharramaat 7(rohibited acts9 &hich  
 are e4ecuted in a sensed manner, li'e those related to the usurious ban's, brothels, dancing halls,  
 beaches and nightclubs of na' edness and shame, among other similar (rohibited acts, as these can  
 be seen b+ the e+e. "earing is also at the same le\*el as the e+e in res(ect to it establishing certain+  
 b+ direct sensation and the self-e\*ident truths of the mind. As such: 3e must of  
 Aufr 7a&ah 7flagrant disbelief9 for us to be able to sa+ that &e sa& it1

. 9 %hat it is : %he 7a&ah is that &hich is a((arent and e\*ident or ob\*ious and has no  
 hiddenness in it. %his comes from the statement of the Arabs: 7aaha 7i-Cha+;in, Eaboohu 7ihi,  
 7oohan and 7a&ahan in the case &here it means he made it a((arent, announced and declared it  
 o(enl+. Cimilar to it is Carahan 7صراحا9 meaning he announced it o(enl+ &ithout concealment, o(enl+  
 before &itnesses i.e. in the (ublic life and in the conditions and actions of the ruler related to the  
 (ublic life/ meaning in res(ect to his conditions, actions and commands lin'ed to the authorit+. %his  
 is usuall+ inse(arable from the other because if the command &as not -7a&ah. it is hard to concei\*e  
 that &e &ould - ., and \*ice \*ersa. %herefore, if it &as a (ublic affair it is difficult to concei\*e that  
 it be secret, &here its occurrence is hidden from e\*er+one.  
 As such, &hen the ruler said in his s(pecial or (ri\*ate council, that the -Gur;an &as beneath m+ feet.  
 or &hen another said, -3hen &ill &e free oursel\*es from this - . called 2lam. as reached us

from the late 'ing of Jordan, Al-'ussein, indeed the - . son of his father, ma+ Allah curse and disgrace him, and &hen a third 7ruler9 made homose4ualit+ ''alal and (racted it, ridiculed its (rohibition and ma'ing light of it, then all of that does not fall under the - . and is not the sub)ect of our stud+.

As for the declared la&s and statutes declared in the official )ournals, the statements transmitted from the licenced media &hich follo& go\*ernment lines &ithout denial or disa\*o&al, the loft+ usurious ban's &ith their doors o(en in all the (rominent streets, the nightclubs of (romiscuit+ and debaucher+, the licenced brothels, the nude beaches, membershi( of international and regional institutions and organisations established u(on charters of disbelief, li'e the Hnited : ations, Arab League, Mulf Coo(eration Council, and the 2MF among others, (artici(ation in militar+ alliances &ith the disbelief\*ers to fight against Muslims, leasing militar+ bases to the disbelief\*ers and being silent

disbeliever but merely separating them, unlike the actions which make one a disbeliever like  
insulting the Messenger, the Qur'an, the Prophet and the angels. The issue at hand is also not whether it is

- Fighting against the Muslims in the ranks of the disbelievers and under their banner, like the Caudis, the Cabah family and most of the Arab rulers did, in what they called the War of -the liberation of Auhait. and joining the : A%O alliance in Afghanistan as undertaken by the (resident of @a'istan @er\*e= Musharraf and others from among the lo&l+, miserable agents and apostates.

- It also includes (prostration to idols, insulting the Mus;haf 7Gur;an9, insulting the @ro(hets among man+ other similar acts. What is e\*en if he remains affiliated to 2slam by name, as such a ruler is an apostate disbeliever.

In this situation affirming him over the rule would represent the manifestation of disbelief for which he has a ?urhan 7clear (roof9 from Allah. What is not because he has apostatized himself in a (ersonal capacity alone, or because he is deserting of a (articular (unishment, or because his marriage with his Muslim wife has been annulled, but rather because the Aufr ?a&ah has a (leared in itself and because the ruler is not (ermitted to be other than a Muslim, in the case where his rule becomes null and void by disbelief. What is in accordance with the indicated meaning of the definite texts from the Aitab and the Cunnah, in addition to the certain definite 7ma; 7consensus9.

This situation is completely contrary and incompatible with the system of 2slam. What is e\*en if in this (articular rule -. . or if it &as in respect to that specified (artial matter 7alone9. What is because e\*er+ or an+ thought, statement, act, ruling, constitution, code, law, statute or command that is completely contrary to 2slam is by necessity and inevitably from the thoughts, statements, actions, rulings, constitutions, codes, laws, statutes or commands of disbelief 7Al-Aufr9.

What apostate's (lication of 2slam in other than that does not benefit his situation. What is whether he did that completely as a whole, in respect to the Ci+adah 7so\*reignty9 of the (eo(le, in concession to the (onion of the majority, to (reserve the (ublic security or he did it for another motive. What is because one single "u'm had been infringed whilst the Islamic system, as an Islamic system, cannot be e4ced (completely. As such, if it is infringed upon or isolated in one issue, it represents Aufr, and the Islamic status of the system vanishes as a whole. This therefore reflects Aufr ?a&ah for which he has a ?urhan 7clear (roof9 from Allah.

This ruler is himself an apostate disbeliever and all of the rulings related to the apostate apply to him in his (ersonal capacity, in addition to his (resence in authority representing the (clearance of the Aufr ?a&ah for which he has a ?urhan 7clear (roof9 from Allah.

... What he commands within the (ublic system or in a command directed to a (articular (erson with a Ma;si+ah 7disobedience to Allah9 i.e. he commands that an obligation, for which he has a ?urhan 7clear (roof9 from Allah for its obligation, be left, or commands a "aram to be undertaken, for which he has a ?urhan from Allah for its (prohibition. The issue here is that he commanded that and not that he did it, or stated the (ermissibility of that, or believed in the (ermissibility of that, or that the (eo(le or those under his command did that or didn't do that, or obeyed him or disobeyed him, or did that seeing to make it "alal or did that in sinfulness. Rather, the issue only relates to the command itself in its description as a command issued by the authority or ruler. The command with that, in terms of it being a mere act, represents Aufr ?a&ah for which he has a ?urhan from Allah. What is because it is a command that is completely contrary to 2slam and this represents the Aufr ?a&ah for which he has a ?urhan from Allah.

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This can take place in numerous forms, the clearest of which include: what he enacts a system which includes rulings which contradict that which has been established definitively in Islam/ whether in relation to the ABeedah belief, Chareeah, Adaab manners or A'hlaB morals. This would represent Aufr 'aah for which he has a 'urhan from Allah, regardless of the manner of how the system was deduced and the source it was extracted or taken from. Examples of this category include: provision of licences to usurious banks, to brothels, nudist beaches and what is similar to these.

What a system is enacted which encompasses the constitution, laws, statutes, administrative directives and similar matters, and which contains within them rulings 'Ah'am which have not been deduced in a correct Char'i manner. What is where it is stated explicitly in them or in the official documents published alongside them, or in the official discussions which have been recorded accurately in the records of the legislative council, authority or body that enacted them, that they were enacted upon the basis of mere Maslahah interest or taken from foreign systems of disbelief, or by any other means which did not represent referring back to Allah and His Messenger, even if it was in terms of the principle. This represents a system of disbelief under all circumstances because it originated from other than reference to Allah and His Messenger, meaning that it arose based upon a commission to the Char'a and dropping the Char'a from consideration completely. These too, in terms of what they represent, reflect Aufr under all circumstances and that is regardless of the content of the system and its conformity to the rulings of Islam or its violation of them. What is because if conformity occurred, it would in such a case be merely a coincidence, by way of luck and fortune, and not based upon wanting to refer to Allah and His Messenger.

It is true that this type is rare in many of the Muslim lands because the rulers are still proficient in practicing hypocrisy and obtaining justification for their acts. As such, it is rare that one finds a statement that indicates definitively to the non-reference to Allah and His Messenger, with the exception of an oversight here and there. This type, however, is in abundance in many of our lands similar to it which openly declare -Fundamental- and extreme secularism and blatantly fight against Islam and its followers. Even the mere utterance of what appears to be a reference to Allah and His Messenger is considered a crime that is punished by the law.

All of what has been mentioned above represents Aufr 'aah for which he has a 'urhan from Allah, in terms of what it is, regardless of the belief of the legislators and those who call what has been legislated in terms of the judges and executors, regardless of the type of their Aufr and its level, and regardless of their knowledge, ignorance, pleasure or displeasure, choice or coercion. All of these matters could affect the Char'i description related to them and persons and their deserving of punishment in the hereafter, however, they do not have an impact in respect to the system being a , in the case where they represent a host of unrelated opinions and rulings which have no bearing on the reality of the presence of .

All of what has been mentioned remains Aufr 'aah for which he has a 'urhan clear (proof/evidence) from Allah, even if the ruler has the excuse of ignorance, neglect or coercion. What is because the examination of the system is in terms of its being a system and does not relate to the judgement upon the person of the ruler. It is also because the ruler must be confronted with this so that the ignorance is removed, without question, or confronted with the definite 'urhan (proof/evidence) so that his neglect goes away, without question, or he is excused by coercion, a matter which is not conceivable unless it is by coercion or the command of an

authorit+ or ruler higher than him, &here the raising of the matter<sup>9</sup> ta'es place to this higher authorit+ to resolve the issue or to a -foreign. authorit+ that claims to be Islamic. In such a situation, it could be confronted with that just like the confronting of the local ruler, with no difference. And if it is as a - . disbelieving authorit+, it could mean that the disbelieving foreign authorit+ is the high ruler and the real possessor of Ci+adah Iso\*reign<sup>9</sup>. What could mean that the Ci+adah of Islam has been destroyed and that the disbelieving enem+ had extended his authorit+ over the land and imposed its commands, which also represents Aufr ?a&ah for which he has a ?urhan from Allah. Indeed, this represents the most real<sup>9</sup> of its t+(es and Jihad could become Fard ?Ain ?an obligation upon e\*er+ indi\*idual<sup>9</sup> upon all inhabitants of the land to ( to e4 (el the disbelie\*er, u(root his authorit+ from its roots and eradicate what he had brought in terms of rulings contrar+ to Islam.

If the Islamic treatment, which he mentioned above, as undertaken, all excuses could have been removed and if the ruler no longer has an excuse but remains insistent upon violating what is 'no&n from Islam b+ necessit+, then he himself becomes a Aafir ?disbelie\*er<sup>9</sup> and Murtadd ?a(ostate<sup>9</sup>. Indeed, he is worse than the first t+(e &hose a(ostac+ ma+ ha\*e been related to himself but did not a((l+ anything from the s+stems of disbelief out of respect for the will of the (eo(le, for e4am(le.

During this treatment, which could go on for days and months and the ruler remains a Muslim, in respect to what is a((arent, (raising with the (eo(le and leading them in (ra+er, the s+stem, in terms of it being a s+stem, remains a s+stem of Aufr ?disbelief<sup>9</sup>, due to the a((earance of Aufr ?a&ah. It is not at all permissible to call it 'alid or in a state of wellbeing. Rather, it is sick or diseased until the treatment has been completed and cannot be considered otherwise if it has not.

What the ruler neglected to a((l+ all that is obligator+ upon him to a((l+ from the Ah'am Ash-Char;i+ah which have been delegated to the (erson in authorit+. These reflect . . , referring to the non-a((lication or abstention from a((lication, &here &ritten is not stipulated and the mere silence of the (erson in authorit+ represents an implied - . .

The clearest e4am(les of that include:

a9 : ot (unishing those &ho mock the (ro(het Isa& and made a)o'e of him in - . .

b9 : ot (unishing those &ho deserte the Char;i+ah (unishments like those &ho are o(en in homosexual acts, fornication and na'edness.

c9 : ot (re\*enting the (rohibited sales and trade transactions b+ the (o&er of the authorit+, the non-(re\*ention of usurious ?Riba based<sup>9</sup> transactions, &hether between the indi\*iduals, traders, investment institutions and ban's, which normally operate with official licenses. If the ruler does not inter\*ene to (re\*ent them, to eradicate what has been contracted through them, invalidate their effects, to (unish those engaged in it with the Char;i+ah (unishment, then he is a of them. The issue is therefore not one of the ruler's denial of the "u'm ?ruling<sup>9</sup> of the (rohibition of Riba ?usur<sup>9</sup> or his disbelief in it, it is not his uttering the (ermissibilit+ of Riba or his non-utterance of that, it is not indi\*iduals (racting Riba in sin which could make them disobedient and FasiB in respect to that, or if they did so on the basis of making it "alal, denying its (rohibition or out of mock+er+ of it, which could make them disbelie\*ers, with the e4ce(tion of the one &ho is e4cused b+ &a+ of ignorance, inter(retation, coercion or any other legitimate excuse. : one of this relates to the issue at hand.

: %he non-a((lication of the "u' m of Allah i.e. not ruling b+  
&hat Allah re\*eated:

وَمَنْ لَّمْ يَخُضْ بِمَا أُنْزِلَ اللَّهُ فَأُولَئِكَ هُمُ الْكَافِرُونَ

7AI-Ma'idah:

44%.

%his is the Aufr ?a&ah for &hich &e ha\*e a ?urhan 7clear (roof#e\*idence9 from Allah. And concerning the narration of the "adith &ith the &ording:

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا يَكُونُ مَعْصِيَةَ اللَّهِ يَوَاحَا

2t is a Cahih narration &hich is (recisel+ indicati\*e of this situation. %his is if the silence and a((ro\*al &as not built u(on a s+stem or la& &hich (re\*ents action. 2f, ho&e\*er, it &as built u(on a s+stem &hich had (re\*iousl+ been set, then this situation &ould re(resent a branch from the (re\*ious situation and arising from it. 3e ha\*e alread+ discussed such a situation and that it re(resents

Most of the time this t+(e is more re(ulsi\*e and more serious than the (re\*ious one. %hat is because the rulers out&ardl+ sho& 2slam and utter the t&o Chahadahs 7testimon+ of belief9 &hilst the+ are QanadiBa 7malicious unbelie\*ers9 and MunafiBun 7h+(ocrites9, concealing or harbouring the disbelief. %he+ direct their follo&ers to engage in definite Mun'arat 7clear "aram acts9 in an o(en manner, &hilst the+ guarantee for them safet+ from (unishment, or (erha(s condemn that (ublicl+ in the earl+ stages and im(ose feeble s+mbolic - u(on the \*iolators, until the (eo(le become accustomed to the Mun'arat and their sentiments become dulled to&ards them, or indeed until man+ grou(s from among the masses become engrossed in those Mun'arat themsel\*es, all of &hich ha((ens in a gradual (rocess. %he ruler then ma'es a((arent &hat he &as concealing or harbouring in terms of Aufr 7disbelief9 and o(enl+ enacts &hat the+ &ant in terms of Aufr legislations1 Aing Abdul A=i= Aali Caud, the former t+rant of the Arabian @eninsula &as a -A+ah. 7sign and e\*idence9 from among the signs of Allah in res(ect to this as he had a rare s'ill and (roficienc+ in this area. "e &as then succeeded b+ - &ho follo&ed him and e\*en out did him in this regard1

. Joining international organisations, international treaties and militar+ alliances, and a((ro\*ing their charters &hich contain Aufr te4ts i.e. te4ts &hich contradict &hat is definite in 2slam. %hat is the case in relation to the Hnited : ations, Arab League and all of the &estern treaties and alliances under the leadershi( of America, ?ritain or France. %he+ all contain te4ts based u(on Aufr 7disbelief9 in addition to &hat the+ dictate in terms of terrible sin and horrendous criminalit+ as a result of befriending and all+ing &ith the disbelie\*ers, su((orting them, being subser\*ient to their leadershi( and fighting under their banner1

%his terrible sinful act and horrendous criminalit+ could b+ itself transform into Aufr 7disbelief9 and Riddah 7a(ostac+9. %hat is if the fighting &ith them and su((orting them in a &ar or battle is against

Muslims, or it means consolidating and strengthening them in terms of bases or through (ro\*ision of securit+ and militar+ information to them against the Muslims,)ust as the Mulf states and most of the Arab states did against 2raB and @a' istan did against Afghanistan.

%his, in accordance to its realit+, is also Aufr ?a&ah for &hich &e ha\*e a ?urhan from Allah, regardless of the belief of those signing, a((ro\*ing and im(lementing the charters and treaties, the 'ind of their disbelief or its le\*el, and regardless of their ' no&ledge or ignorance, (leasure or dis(leasure, choice or coercion. All of these matters could ha\*e an im(act u(on the Char;i+ descri(tion for them related to their (ersonal ca(acities and u(on the issue of their deser\*ed (unishment in the hereafter, ho&e\*er, it does not ha\*e an+ im(act at all in res(ect to the charter or treat+ being a , in the case &here the+ re(resent a host of unrelated o(inions and rulings &hich ha\*e no bearing on the realit+ of the (resence of

2f &e ha\*e full+ contem(lated o\*er &hat has (receded, the issue &ould ha\*e become illuminated in our minds and &e &ould ha\*e full+ com(rehended its realit+ as if &e &ere touching it b+ our hand. From that it becomes e\*ident that the other &ordings of the "adith ha\*e come &ith the same meaning: . As such, if the Ma;si+ah ?a&ah 7o(en and clear disobedience9 to Allah &as commanded &ith, this &ould re(resent Aufr ?a&ah, as &e e4(lained earlier, &hile the Aufr ?a&ah is &ithout doubt a ?a&ah 7o(en and clear9 Ma;si+ah 7disobedience9 to Allah.

%he same a((lies in res(ect to the &ording:

. %his is e4actl+ li'e the second case or third &hich &e mentioned earlier, in a direct form, and li'e the first case because if the ruler a(ostati=es and insists u(on remaining in authorit+, he &ould then be commanding +ou to obe+ him and a((ro\*e of him in his authorit+ and rule, in \*iolation of the "u'm of Allah, &hich &ould mean:

. 2t is also a((licable u(on the fourth case as he is commanding +ou to lea\*e the Mun'ar &hich Allah has commanded +ou to remo\*e and to be lenient or to o\*erloo' the (unishment &hich Allah had commanded to be im(lemented, in &hich case he &ould ha\*e

Let us loo' at the s(eech of 2mam An-: a&a&i here: ..

7End of Buote9.

"ere, he hit the heart of the truth &hen he said: -%he intended meaning of Aufr here is the Ma;si+ah 7disobedience9., e\*en though he did not go into detail, &hich is clear from our detailing abo\*e. "o&e\*er, he did not hit the mar" in the remainder of his statement, &hen he said: -2f +ou see that, then condemn 72n' ar9 them and sa+ the "aBB 7truth9 &here\*er +ou are.. %hat is because the 2n' ar 7condemnation9 and sa+ing the "aBB 7truth9 &here\*er &e are is obligator+ in all circumstances/ &hether the Aufr ?a&ah has a((eared or has not a((eared, indeed it a((lies to e\*er+ Mun'ar. "o&e\*er, the sentence -Hnless +ou see Aufr ?a&ah. is related onl+ to the issue of contestation i.e. o((osition &ith the s&ord. %hat is a((arent from an accurate contem(lation of the "adith of 8Hbadah bin Camit and from an e4amination of the other te4ts.



Consequently, the correct analysis of the meaning of the statement in the "adith of Hbadah bin As-Camit is as follows:

Indeed, it is true that some who do not know the true reality of the affair may find some of the texts of Arafah and which are mentioned to be debateable. However, the truth is that the mere enacting of laws like these which are definitely contrary to Islam represents Arafah without any doubt and the one who does it, in the case where none of the elements of declaring disbelief are realised, is a firm disbeliever and Murtadd (one who has apostatized from the Millah). He must be dealt with in accordance to the treatment of the apostate Arabi (one at war). This is in accordance with what is apparent from the treatment of the apostate to towards the one who married one of his Maharim (non-Marriageable relations), like the wife of his father for example (i.e. what is because his command to strike his nec' and take his wealth as spoils of war for the Bait ul-Mal (state treasury) has been confirmed in addition to taking a Rahnah. The banner of war to the one he commanded to execute the command, just like the banners which are tied to the armies. This is apparent from the following evidences:

- Mu'awiyah bin Gurrah related from his father, may Allah be pleased with him, that he said: -"The Messenger of Allah (s) dispatched me to a man who had married the wife of his father to strike his nec' and confiscate his wealth (report... Recorded by Ibn Majah with a Ja'id (good) Isnad and by Ad-Darabuti.

- Al-'a' im recorded in his ... from Al-Faraj bin Asad, may Allah be pleased with him, that he said: -"As I was going around looking for a camel that had gone astray and I was walking around the houses when suddenly there were riders and cavalry men. They went around my courtyard and took out a man from it. They did not question him or speak to him before striking his nec' when he had left, I asked about him i.e. the man who was killed and he said: -"He married his father's wife... This "adith is Cahih and was also classified as such by Adh-Dhahabi. Ahmad and Abu Da'ud recorded similar to it.

- Al-'a' im also recorded from him that he said: -"I met my maternal uncle Abu 'Urdah and he was Abu 'Urdah bin Asad, who was present at 'Arafah and he had a banner with him. I asked him: -"Here are you heading? He said: -"The apostate (s) dispatched me to a man who had married his father's wife and he commanded me to strike his nec' and confiscate his wealth... This "adith is "asan (weak) in itself and Cahih with its supporting evidences and corroborative information. Evidence is established upon it definitely. It was classified as being Cahih by Al-'a' im and he stated that it is Cahih upon the conditionality of Muslim. Adh-Dhahabi concurred and Ahmad recorded it from various chains of transmission, one of which is Cahih and he used it as evidence. Abu Da'ud, An-Nasa'i, Ibn Majah and Ad-Darimi also recorded it. Al-'afi' Al-Asbalani said in his -Al-Fat'h: -"It has supporting evidence from the chain of Mu'awiyah bin Gurrah from his father, as recorded by Ibn Majah and Ad-Darabuti. And Ahmad held the opinion in accordance with its apparent meaning.

A difference in the two incidents in the two "adeeth of Al-ʿAra; bin ʿA=ib is a (arent. It ma+ ha\*e been that the marriage to the wife of the father &as a &ides (ractise among the (eo (le of Al-ʿAra; bin ʿA=ib in their Jahili+ah 7(re-Islamic (eriod, &hich led to the re (eat occurrence of this abominable crime among them after its (rohibition had come. %he sub)ect matter here is the of marriage to the Mahram 7non-marriageable relation, &hich re (resents

and doing that o(enl+ as an act of resistance to the Charee;ah, as a declaration of rebellion and o ( (osition against it, and &ar against Allah and "is Messenger. %he sub)ect matter is not 0ina 7fornication or adulter+9 &ith the Maharim 7non-marriageable relations, as some of the FuBaha; 7urists, belie\*ed. %hat issue falls under another categor+ &hich is not our sub)ect area in this situation.

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%he mi4ing or confusing b+ some FuBaha; of this sub)ect of ours &hich is: of marriage to the Mahram 7non-marriageable relation, &hich re (resents

&ith the sub)ect area of is a serious error. Indeed, it is from among the dreadful la (ses of the ʿHlama; from &hich it is feared, if the+ continue and are not confronted b+ critiBue and correction, &ill demolish ʿIslam. ʿThat has the o(en contraction of marriage, &hich re (resents got to do &ith the 0ina, e\*en if 0ina &ith the Maharim too' (lace, O (eo (le of understandingP1

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%here is no Buestion that 0ina is a ma)or hideous sin and that 0ina &ith the Maharim is e\*en more hideous and abominable, ho&e\*er it does not reach the le\*el of Aufr 7disbelief, and Riddah 7a (ostac+9 unless it &as accom (anied b+ re)ection, ma'ing the "aram "alal or ridicule and derision of the Char;a, or other than from the matters &hich ma'e one a disbelie\*er, and Ma+ Allah;s refuge be sought1

%he treatment for the (er (etrator of that crime, the crime of -Contracting marriage &ith Maharim. is e4actl+ the same as the treatment of the Aafir "arbi 7the disbelie\*er at &ar, or the Murtadd 7a (ostate, &ho has joined &ith the land of &ar 7Dar ul-"arb, &ho &as caught before ma'ing re (entance i.e. he did not re (ent (rior to being caught. It reflects a treatment &hich is e4tremel+ harsh and se\*ere, in the case &here there &as no o ( (ortunit+ to see' re (entance or to Buestion the moti\*es and no searching for an e4cuse. Rather, it &as stri'ing the nec' &ithout an+ s (eech or re-e4amination and the confiscation of &ealth and ta'ing it to the ʿait ul-Mal 7treasur+9 of the Muslims1 %his (unishment is in no &a+ from among the (unishments of the 0ani 7fornicator or adulterer, &hether he or she &as married or unmarried.

Cimilarl+, this is ho& the (unishment must be for the one &ho contracts his marriage &ith a male and the one &ho o(enl+ contracts -. 7usur+9, as this itself re (resents &ar against Allah and "is Messenger in accordance &ith the te4t of the Gur;an. "e must be dealt &ith in the same manner as the treatment of the "arbi 7one &ho is at &ar, and so and so on.

ConseBuentl+, if this is the case concerning the one &ho contracts marriage to the wife of his father, in (ersonal circumstances, then &hat is the case concerning the one &ho legislates a general (ublic s+stem, &hich he im (oses u (on all/ those he 'no&s from among them and those he does not 'no&, those he li'es from them and those he disli'es, in &hich he ma'es (ermissible Riba 7usur+9, (rostitution, homose4ualit+, the marriage of Maharim or those of the same se4, among other certain Muharramat 7(rohibited acts, ʿs such a (erson not more deser\*ing of the descri (tion of Aufr 7disbelief, and Riddah 7a (ostac+9 and more deser\*ing of that se\*ere (unishment and recei'ing the

treatment of the "arbi 7one at &ar9, &here his nec' is struc' and &ealth confiscated, than that &retched disbelie\*er criminal &ho married his father;s &if after ha\*ing com (letel+ fallen in lo\*e &ith her and found himself unable to remain (atient to&ards her or resist herP1

: %he command to underta'e a Ma;si+ah 7disobedience to Allah9 falls under the categor+ of the "u'm 7ruling#judging9 as the one &ho gi\*es commands is sa+ing in realit+: -2am ruling o\*er +ou and command +ou to do such and such. or -M+ "u'm 7ruling#judgement9 in relation to +ou is such and such.. 2t does not, from an+ angle, fall under the area of underta'ing a Ma;si+ah 7act of disobedience9 7i.e. li' e if an indi\*idual acted in disobedience to Allah9.

%here is therefore a distinct difference bet&een the one &ho commits 0ina 7fornication#adulter+9 based on his desire &hilst ac' no&ledging his sin, in the case &here he judges it to be (rohibited based on &hat Allah has re\*ealed, and bet&een the (erson in authorit+ 7Cultan9 &ho commands +ou or gi\*es (ermission for +ou to engage in 0ina, in accordance &ith the dictates of his licensing of (rostitution. %his latter (erson did not himself do an+thing, he did not commit 0ina and it ma+ be that he did not commit 0ina e\*er throughout his life. Rather, &hat he did do &as to lea\*e the "u'm 7ruling#judgement9 b+ &hat Allah re\*ealed and ruled b+ other than it.

Similarl+, there is a distinct difference bet&een the one &ho runs a&a+ from the "add 7(rescribed (unishment9 for the consum(tion of Ahamr 7alcohol#into4icants9 because he fears the (ain of being struc' , &hilst ac' no&ledging the obligation of the (unishment u(on him and that it is a Aaffarah 7e4 (iation9 for him, in conformit+ to his Rabb 7lord9 and )udging b+ &hat "e has re\*ealed, and bet&een the Cultan or Gadi 7udge9 &ho commands the non-establishment or **non-im** (lementation of the "add u(on the one &hom it is obligator+ to be a ((ied, due to fa\*ours or briber+, &hich is the least serious, or due to moc' er+ and derision to&ards the &hich he regards to be barbaric. %his re(resents clear and e4(licit a (ostac+ or the a((lication of a s+stem that is e4(licitl+ contrar+ to 2lam. %his is more abominable and heinous because he has made the one &ho enacted that la& a Rabb and 2lah besides Allah i.e. he has made another 2lah besides Allah.

%here is also a distinct difference bet&een the one &ho ate the Maitah 7carrion or food that is not "alal9, &hilst ' no&ing and ac' no&ledging that it is "aram, but &as dri\*en b+ his desire after being stric'en b+ (o\*ert+ and being de(ri\*ed of meat for a long (eriod of time, &ho is a Muslim ac' no&ledging his sin and (assing )udgement u(on the Maitah in accordance to the "u'm of Allah in res(ect to it, &hich is that it is "aram, and bet&een the one &ho obe+s the one &ho has made the Maitah "alal in the legislation. %his latter one is a Mushri' Aafir 7disbelie\*ing idolator9 in accordance to the s(eech of Allah 7s&t9:

وَإِنَّ الشَّيَاطِينَ لَيُوحُونَ إِلَىٰ أَوْلِيَائِهِمْ لِيُجَادِلُوكُمْ ۖ وَإِنْ أَطَعْتُمُوهُمْ إِنَّكُمْ لَمُشْرِكُونَ

And indeed do the de\*ils ins(ire their allies 5among men6 to dis(ute &ith +ou. And if +ou &ere to obe+ them, indeed, +ou &ould be associators of others &ith "im 7Mushri' un9 7Al-An'am: 1 19.

%his means, if +ou in res(ect to ma'ing the Maita 7carrion9 "alal, +ou &ould ha\*e become disbelie\*ers in Allah, affirming to other than "im the "aBB 7right9 of the Ci+adah, "a'imi+ah and %ashree; 7legislation9. %his A+ah is Ma' 'i+ah 7re\*ealed (rior to the "i)ra9 b+ consensus at a time &here Chir' 7association &ith Allah9 &as not said e4ce(t for the Chir' of Aufr

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7disbelief9, Ash-Chir' Al-A' bar 7the greatest or major Chir' 9, &hich ta'es one outside of the Millah 7i.e. the Deen9 and is com (letel+ contrar+ to 2slam. Ash-Chir' Al-Asghar 7minor Chir' 9, Ash-Chir' Al-Ahafi 7i.e. related to the : i+ah 5intention9 and the (ractical manners related to %a&hid, such as the (rohibition of s&earing oaths b+ the fathers and the (rohibition of sa+ing - 3hat Allah &illed and &hat 2 &ill. , among other similar matters, &ere onl+ re\*ealed in Al-Madinah, &ithout disagreement.

2n the case &here Chir' , the Chir' of Aufr 7disbelief9, the ma)or Chir' &hich is com (letel+ incom (atible &ith 2slam and ta'es the one &ho had (re\*iousl+ entered the 2slamic Millah 7i.e. Deen9 out of it, means e4clusi\*el+ : -. , just as Abu ?a' r As-CiddiB, ma+ Allah be (leased &ith him said in the (resence of the @ro(het 7sa&9: -

And in the case &here - . in res(ect to the ma'ing of "alal and "aram is a Mushri' , engaging in Chir' Al-A' bar 7ma)or9 &hich ta'es one outside of the Millah, the one - must b+ necessit+ be a Rabb and 2lah, besides Allah, )ust as for e4am (le, the stor+ of 8Adi bin "atim clarifies and ma'es (lain+ e\*ident1 %his has also been thoroughl+ e4amined in our boo' :

Ahadeeth other than the famous "adith of 8Hbadah bin As-Camit ha\*e also come related to &hich include greater e4 (lanation. %hese include:

- 3hat came in the : 5Culaiman bin Da&ud related to us from "ammad bin Qaid, from "isham, from "assan, from Al-"asan, from Dabbah bin Mihsan, from Hmm Calamah, the &ife of the @ro(het 7sa&9, that she said: %he Messenger of Allah 7sa&9 said:

سَتَكُونُ عَلَيْكُمْ أُمَّةٌ تَعْرِفُونَ مِنْهُمْ وَتُنَكِّرُونَ فَمَنْ أَنْكَرَ بِلِسَانِهِ فَقَدْ بَرَأَ، وَمَنْ كَرِهَ بِقَلْبِهِ فَقَدْ سَلِمَ وَلَكِنْ مَنْ رَضِيَ وَتَأْتَع! فَقِيلَ: يَا رَسُولَ اللَّهِ أَفَلَا تُفَاتِلُهُمْ؟ قَالَ: لَا مَا صَلَّوْا

: %his is the most u(ight and cleanest in te4tual content 7i.e. from the narrations of this "adith9 and &e ha\*e discussed the chains of transmission and &ordings in an inde(endent cha(ter, &hich can be referred to. %he "adith is Cahih and has also come \*ia numerous (aths in and li'e&ise in the , the and the . Chei'h "ussein Asad said: 52ts 2snaad 7chain of transmission9 is Cahih6. 2t &as also recorded in 7At-%abarani9 from numerous (aths, the ma)orit+ of &hich are Cahih, and li'e&ise in the &ith numerous (aths, the ma)orit+ of &hich are Cahih. Just as it has been recorded in the , the and in the 7>olume: 4, (age: ! 1 on&ards9 from numerous (aths, among other sources.

%he "adith is Gat;i+ 7definite9 in its Dalalah 7indicati\*e meaning9 in res(ect to the legal legitimac+ of fighting, &hich onl+ usuall+ occurs b+ &a+ of the s&ord accom(anied b+ the s(illing of blood, &ith

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the aim of removing the **Himara**; **7leaders** who have abandoned the **Calah** and even by killing them if that is necessary. This means, in the most minimal of circumstances, that the **Ameer 7leader**

The sentence could represent a metaphor for leaving the Deen. As such it relates in truth to **Aufr 7disbelief** and **Riddah 7a** (ostac+9, in respect to their personal affair. Consequently, if the ruler himself disbelieved it & could be obligated to remove him and even if that meant fighting by the sword & which leads to him being killed and this a (lies by greater reason if **Aufr 7a** (eared in respect to the public affairs. This is & that the (re'ious "adith of **Hbadah bin As-Camit** and the "adith related by **A&f bin Mali** , & which & ill soon be (resented, indicate & ith com(lete (recision.

The sentence could also hold the same meaning as the "adith of **A&f bin Mali** , & which stated & ithin it:

لَا، مَا أَقَامُوا فِيكُمْ الصَّلَاةَ

The correct & is that both of these matters represent the truth. If he abandoned the **Calah** it is obligated to remove him, regardless of his **Aufr 7disbelief** or **Riddah 7a** (ostac+9. If he disbelieved and a (ostati=ed himself, then by necessity he has abandoned the **Calah** and even if he made a 'bir and undertoo' the actions of the (ra+er according to its a ( (arent form, he is not considered to be someone & who is (ra+ing. Therefore, if he disbelieved and a (ostati=ed himself, his rule becomes null and void and it becomes obligated to remove him by force if he refuses to step down peacefully. That is even if he remains a ( (l+ing **Islam** com(lete+ in other than that. This a ( (lies by greater reason if the **Aufr 7a** (eared in the public life.

- The following came recorded in **Cahih Muslim**: **52shaB bin 7brahim Al-"an=hali** related to us from **7sa bin Eunus**, from **Al-A&=a**;i, from **Ea=id bin Ea=id bin Jabir**, from **Ru=aiB bin "a++an**, from **Muslim bin Gara=ha**, from **A&f bin Mali** , from the Messenger of Allah **7sa&9**, that he said:

خِيَارُ أَيْمَانِكُمْ الَّذِينَ يُحِبُّوكُمْ وَيُحِبُّونَكُمْ وَيُصَلُّونَ عَلَيْكُمْ وَتُصَلُّونَ عَلَيْهِمْ وَشِرَارُ أَيْمَانِكُمْ الَّذِينَ يُبْغِضُونَكُمْ وَيُبْغِضُونَكُمْ وَتَلْعَنُونَهُمْ وَيَلْعَنُونَكُمْ. قِيلَ: يَا رَسُولَ اللَّهِ أَفَلَا تُنَابِذُهُم بِالسَّيْفِ؟ فَقَالَ: لَا مَا أَقَامُوا فِيكُمْ الصَّلَاةَ وَإِذَا رَأَيْتُمْ مِنْ [وَأَلَا نَكْرَهُونَهُ فَأَكْرَهُوا عَمَلَهُ وَلَا تَنْزِعُوا يَدًا مِنْ طَاعَةٍ

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Who sees error of truth will never be incapable of identifying error + ne & aghut and uncovering error + ne + intended Aufr? a&ah, one after the other, upon the condition that he follows the light 7: upon which Allah revealed upon Muhammad 7sa&9. This light which was revealed upon Muhammad 7bn Abdullah 7sa&9 is the infallible (reserved) Dhil-r: the Qur'an and the Sunnah.

Therefore, if the seeker of truth follows the light which has revealed upon Muhammad (s.a.), learns it, teaches it, calls to it and perseveres with patience upon the harm or difficulty he faces on its path, whilst not desiring but that the pleasure of Allah and the Hereafter, then the divine offerings will be offered for him and the divine offerings will be manifested to him, so that his vision will be illuminated by the Absolute Truth and his eyes will be opened to the ever-veiled, regardless of its form and colour:

وَالَّذِينَ اهْتَدَوْا زَادَهُمْ هُدًى وَآتَاهُمْ تَقْوَاهُمْ

And those who are guided, He increases them in guidance and (provides them their abundance of Righteousness) Muhammad: 179.

The text of the Quran has therefore used the names *disbeliever*, *transgressor* and *rebellious/disobedient* in respect to the Messenger, just as it used these names in other places and contexts, with no difference between the usages.

From among those places is the *Ga'li* of Allah (s.t.):

وَلَنْ يَجْعَلَ اللَّهُ لِلْكَافِرِينَ عَلَى الْمُؤْمِنِينَ سَبِيلًا

And never will Allah grant to the disbelievers a way to triumph (against) over the believers (An-Nisa: 141)

This is decisive in respect to invalidating the *Shari'ah* rule of the Ameer over the Muslims and represents a certain, decisive and permanent prohibition for his Imamah/leadership over the Muslims or (residence/leadership) over their state, which is established by the consensus of the Muslims who fear Allah. Also, from among those places is the *Ga'li* of Allah (s.t.):

لَا يَنْتَظِرُ عَذَابَ الظَّالِمِينَ

Most co-enant does not include the *Qalim* transgressors (Al-Baqarah: 179).

This matter is null and void the *Shari'ah* rule of the Fasiq and this is the correct view held by the Jumhoor (majority) of the Ulama; scholars, as we have made clear in the chapter from our book:

And the one who is certain a Fasiq, or a Fasiq or a *Qalim*, according to the text of the Quran and by the decision of certain Imams; consensus. Consequently, his *Shari'ah* rule is certain, invalid, in an absolute manner. What is regardless of whether his Ameer is a lesser disbelief which does not remove one from the Millah and not like the one who has disbelieved in Allah, the Angels, Books and Messengers, or it was the Ameer that removes one from the Millah i.e. folds of Islam, if we were to

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su((ose the \*alidit+ of all of that in the first (lace. ConseBuentl+, &e sa+ to the enemies of Allah/ the FuBaha; 7)urists9 of the Calateen 7rulers9: Do not rejoice/ +our argument has been refuted, +our blade is blunt and no semblance of an e\*idence or e\*idence remains for +ou. Co, hasten to&ards re(entrance before death and de(arture, as it is a de(arture, if not (receded b+ re(entrance, that leads ine\*itabl+ to the home of destruction and ruin and ho& &retched is that as a (lace to reside in1

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For our s(eech to not remain theoretical and general and difficult for the normal Muslim indi\*idual to a((l+ es(peciall+ the one in\*ol\*ed in Jihad, carr+ing the Da;eah and ordering the Ma;ruf and forbidding the Mun'ar, and es(peciall+ as there is a relationshi( to the (roblematic issues surrounding %a'fir 7declaring one a disbelie\*er9, &hich is a serious subject area, an error in &hich is fatal, it is necessar+ to bring attention to a number of \*er+ im(ortant matters. %hese include:

: 2n the situation of the e4istence of the 2slamic Ctate, &hich is absent at the time of &riting these lines and the &hole Dun+a is Dar Aufr 7the land of disbelief9, the 7Court of un)ust acts9, &hich is the or the is su((osed to e4ist and en)o+ all of its com(etent authorities or mandator+ (o&ers. 2f it is non-e4istent then that re(resents a serious deficienc+ and it &ould be necessar+ to e4(end all efforts to bring it into e4istence or to transform its e4istence from a mere s+mbolic one to a court that is effecti\*e, (ossessing real mandator+ (o&ers. %hat is because it is this court that e4amines the legal legitimac+ 7Char;i+ah9 of the statutes and la&s and (asses )udgement u(on the remo\*al of the FasiB and 0halim ruler u(on the (remise of resol\*ing the disagreement. 2t closes the door to the s(illing of blood and b+ greater reason it is the bod+ that declares the a((earance of the Aufr ?a&ah. %his court holds the (rimar+ (osition and standing in relation to the a((lication of the Ga&l of Allah 7s&t9 being entrusted to it:

فَإِنْ تَنَازَعْتُمْ فِي شَيْءٍ فَرُدُّوهُ إِلَى اللَّهِ وَالرَّشُولِ

And if +ou disagree o\*er an+thing, refer it to Allah and the Messenger 7An-: isa:: Q19.

Raising cases to it re(resents the last of the stages of referring to Allah and "is Messenger in a binding manner. 3e ha\*e e4(lained some of that in detail in our boo\* : -

%hese matters are of the greatest im(ortance, ho&e\*er, the+ remain theoretical to an e4tent until an 2slamic Ctate is trul+ established, &here the lands transform to Dar 2slam 7the land of 2slam9 in truth and actualit+, and not just b+ &a+ of names and deceitful claims. 3e as' Allah to hasten the relief of the Hm mah through the establishment of the rightl+ guided Ahilafah u(on the methodolog+ of the @ro(hethood, sooner rather than later. Ameen.

: -%he a((earance of Aufr ?a&ah. from the (ublic authorit+ is an a((arent ob)ecti\*e matter, as &e ha\*e discussed (re\*iousl+. 2n its essence it re(resents:

a9 %hat the ruler a(ostati=es &ith a certain 'no&n a(ostac+ b+ &a+ of statement, action or declaration. "ere there is no difference &hether: "e changed his Deen e4(licitl+ to become a Je&, Christian, "indu or ?uddhist and announces that (ublicl+, or he declared his disa\*o&al from 2slam or



from all religions, or he a(ostati=es b+ &a+ of statement, action or abandonment o(enl+ before the (ublic, &hich conseBuentl+ establishes disbelief &ith certaint+, u(on that &hich is 'no&n from the Deen b+ necessit+. %hat is e\*en if he remained named &ith an 2slamic name, facing the Giblah and eating its ''alal slaughtered food.

b9 %hat he commands a Ma;si+ah 7disobedience to Allah9 &ithin the (ublic s+stem or in a command directed to a (articular (erson i.e. to lea\*e an obligation 73a)ib9, in res(ect to &hich &e ha\*e a ?urhan 7clear (roof#e\*idence9 from Allah for it being obligator+, or to underta'e a (rohibition 7''aram9, in res(ect to &hich &e ha\*e a ?urhan 7clear (roof#e\*idence9 from Allah for it being (rohibited.

c9 ''e enacts a s+stem 7in the case &here the s+stem includes the constitution, la&s, statutes, administrati\*e instructions of an absolute descri(tion and &hat resembles these9 &hich contains rulings &hich ha\*e not been deduced b+ a \*alid Char;i+ deduction.

d9 %hat the ruler refrains from a((l+ing &hat is obligator+ u(on him to a((l+ in terms of the Ah'am Ash-Char;i+ah entrusted to the Cultan 7ruler9. %hese - . in terms of the non-a((lication and abstention from a((lication. A &ritten - . is not a condition in res(ect to this. Rather, the mere silence of the (erson in authorit+ re(resents an im(licit - ..

All of the abo\*e re(resents Aufr ?a&ah for &hich &e ha\*e a ?urhan 7clear (roof#e\*idence9 from Allah, in itself according to its realit+. %hat is regardless of the beliefs of the legislators, the a((liers 7Judges9 and e4ecutors, their t+(e of disbelief and its le\*el, their 'no&ledge or ignorance, their contentment or dis(leaseure, or their choice or their being coercion. 2t is not necessar+ for the one &ho manifests Aufr ?a&ah to be a disbelie\*er in himself, due to the &ell-' no&n (re\*enti\*es of declaring someone a disbelie\*er, such as: 2gnorance, inter(retation 7ka;&eel9, coercion, l+ing in the situation of &ar and the Ru'hshah 7(ermision of e4em(tion9 in res(ect to the %ila&ah 7recitation9, Chahadah 7testimon+9 and Ri&a+ah 7relation9, among other (re\*enti\*es 7Ma&ani:9. %he legislators, Judges and e4ecutors could be disbelie\*ers in themsel\*es, just as the+ ma+ not be. %his, ho&e\*er, does not ha\*e an im(act u(on the realit+ of the (resence of

%hat is because the stud+ relates to the s+stem in its descri(tion and ca(acit+ as being a s+stem and does not relate to the (assing of) judgement u(on the (erson of the ruler himself.

. : %he non-a((lication of the ''u'm of Allah i.e. not ruling b+ &hat Allah has re\*ealed:

وَمَنْ لَّمْ يَخُضْ مَعَنَا أَنْزَلَ اللَّهُ فَأُولَٰئِكَ هُمُ الْكَافِرُونَ

And &hoe\*er did not rule b+ &hat Allah has re\*ealed, then those are the disbelie\*ers 7AI-Ma'idah: 44%.

%his re(resents the Aufr ?a&ah for &hich &e ha\*e a ?urhan from Allah.

Come of the authorit+;s)urists 7FuBaha; As-Calateen9 are e4(erts in the art of di\*erting from the matter of accounting the rulers to&ards the e4amination of the ruler himself and creating doubt in res(ect to him being a Aafir 7disbelie\*er9 or Murtadd 7a(ostate9 and b+ bringing doubtful arguments

in relation to his other , li'e the building of Masa'id, (rinting Masahif 7i.e. the Gur'an), attending religious celebrations and occasions, (racting the ritual acts of &orshi( and &hat is similar to that. %hen, if the+ fail in that, the+ enter into a long e4(ansi\*e ma=e concerning the , focusing in (articular u(on the -E4cuse of Jahl 7ignorance9. , the limits of -2' rah 7coercion9 being ta'en into consideration. and &hether the threat of an attac' b+ disbelie\*ing states re(resents coer

This is what the debate should be/ about the nature of the reality of the authority's rule which is sensed and 'known to the masses and the extent of the accessibility of the Char'i'ah texts, represented in the A'at of the Qur'an and 'ro'hetic Ahadeeth, upon that reality. It should not be about imaginary situations concerning coercion, ignorance, intimidation, personal circumstances and intentions which no one expects Allah 'nos.

: If armed or military contestation actually occurred because the ruler from whom the Aufr 'a'ah manifested acted rashly and refused to uncover his crime and correct what he had corrupted, if that too' place, then the ruler and those who are in his camp in terms of troops, in addition to those who support him by Fata'a, opinions, statements, speeches or votes, from the regime scholars, thinkers, poets, media representatives and journalists, or through financing or arming, these are all considered to be from the group that is resisting the "u'm Ash-Char'i b+ armed force in defence of Aufr 'a'ah, making war with the sword, hand, money or tongue.

This type of resisting group is fought against like the fighting against the 'arrings (people of apostasy i.e. like the fighting against the disbelievers from the (people of war. It is not permissible for there to be an 'Chubha 'doubt' in respect to the (permissibility of fighting and 'killing them/ including the scholar and ignorant, the one who has an intimidation and the coerced. They are all 'killed/ the funeral prayer is not read over them, their bodies are not washed and they are not buried in the graves of the Muslims. They will then be raised on the Day of Judgement upon their intentions and Allah is most aware of them and their excuses.

As for those who were not from the resisting group, then he is a Muslim or Dhimmi (non-Muslim subject of the Islamic State) entitled to the protection of Islam. What is even if it included some who are outwardly Muslim but inwardly hypocrites. It is not permissible to search out their flaws, examine them in respect to their Deen or even turn one's attention to them at all. What is in contrast with the 'retched straining Aha'ari) 'Ahari)ites' from the A'ariBah 'A'raBites', the Cifri'ah and the :adat, who declared (people to be disbelievers due to sins and targeted them with the sword, in addition to those who follow their destructive path in our current time, such as

in Algeria who fraudulently and falsely call themselves  
, the enemies of Allah, "is Messenger and his companions in 'a'istan, who call themselves fraudulently and falsely and even other fanatical straining group, regardless of their colouring or name.

: Muslim individuals, other than the rulers, (people in authority, executives, their armed forces and those alongside them resisting by armed force, could include among them the disbeliever (apostate who is open with his apostasy and disbelief and the hypocrite who conceals his disbelief. "Moreover, such instances have little impact upon the public life and there is nothing attained by looking into them.

There is no doubt that warning Muslims in respect to accepting or being content with the ruling of disbelief is from the greatest of obligations. What is because whoever accepts or is content with the rule of disbelief whilst 'noting that and not offering a 'a'ee'l 'intimidation', is an apostate disbeliever. This therefore represents a great danger and it is impermissible to be negligent or careless in respect to it.

"Moreover, warning the Muslims of disbelief, rebellious disobedience, sinfulness, explaining it to them and making them accustomed to hating it, is one matter, which is important and of magnitude,

&hilst being occu(ied in %a' fir 7declaring indi\*iduals to be disbelie\*ers9 is another matter. %here is no good in it and nothing can be ho(ed to be accom(lished from that. %his matter is made &orse &hen the Da;&ah carrier gets embroiled in the ma=e of %a' fir 7declaring indi\*iduals to be disbelie\*ers9 and the issues related to ma'ing e4cuses based u(on ignorance or inter(retation 7%a;&eel9.

2t is sufficient for the Da;&ah carrier to 'no& that the one &ho comes &ith an act from the acts of disbelief or a statement from the statements of disbelief is a Aafir in himself unless a considered (re\*enter 7Mani;9 for that has been established. %hat is &hilst Allah is most a&are of " is sla\*es, encom(asses all their affairs and the One &ho &ill hold them to account:

[فَذَكِّرْ إِنَّمَا أَنْتَ مُذَكِّرٌ ﴿٢١﴾ لَسْتَ عَلَيْهِمْ بِمُصَيِّرٍ

Co, remind them, +ou are onl+ one &ho reminds. 7 19 Eou are not in control o\*er them 7Al-Mhashi+ah: 1- 9.

2t is enough for him to 'no& that the one &ho faces our Giblah 7direction for (ra+er9 and eats our slaughtered meat is a Muslim. "e has &hat &e ha\*e 7in terms of rights9 and he is obliged &ith &hat &e are obliged &ith 7in terms of obligations#res(onsibilities9. E\*en if this Muslim, according to &hat &as a((arent, &as a disbelie\*er in truth, then the matter is uncom(licated for the one &ho is certain about his status 7i.e. the one &ho 'no&s &ith certain 'no&ledge that he is a disbelie\*er in the absence of an+ Mani;7(re\*enter9 from the considered (re\*enters of %a' fir 7declaring disbelief99. "e &ould treat him in accordance &ith the treatment of the MunafiBin 7h+(ocrites9. "e &ould not (erform the (ra+er o\*er him, stand o\*er his gra\*e or see' forgi\*eness for him. At the same time there is no necessit+ to s(read that and inform the (eo(le of his status, unless there is a Char;i+ah Maslahah 7interest9 to do so. %hat could include a &arning in res(ect to marriage, to (re\*ent this h+(ocrite from ta'ing a (ost through &hich he could \*ie& the &ea'nesses of the Muslims or from (artici(ating in a certain trade etc.

%his is the (olic+ em(loed &ith the general masses of the Muslims residing in Dar ul-2slam 7the land &here 2slam is a((lied9, concerning &hom there is doubt in relation to their 2slam. %his is the same as the @ro(hetic (olic+ as a((lied u(on the h+(ocrites b+ "udhaifah bin Al-Eaman, &ho &as entrusted &ith the secrets of the Messenger of Allah 7sa&9 7i.e. concerning them9. ?+ greater reason, the a((lication of that is designated in Dar ul-Aufr 7the land of disbelief9, &here there is no 2slamic authorit+ and its Ah'am 7rulings9 are not (re\*alent.

%he @ro(hetic (olic+ alone is the correct one and it alone treats the (roblem and brings (er(etual ha((iness. For that reason, it is im(ermissible to be decei\*ed or fooled b+ the sli(s of the 2Hlama; 7scholars9, regardless of ho& high their status or ho& great their fame or ho& man+ (eo(le follo& them, nor b+ the cries of the infatuated raising the slogan - 3hoe\*er does not declare a disbelie\*er a disbelie\*er has become a disbelie\*er.. %he matter continues to go on until there sim(ly does not remain a belie\*er a(art from the one &ho has made that statement himself, although he ma+ soon declare himself a disbelie\*er as &ell1

NNNNNNNNNNNNNNNN

There is no need here in this chapter to study the Asaneed chains of transmission and to discuss the strength of the narrators of the three Ahadeeth of this chapter, which are: the "adith of Himm Calamah, the "adith of Haf bin Mali'

and the "adith of Hbadah bin As-Camit:

What is because such a study and discussion has been exhausted and completed due to the "adith having been recorded in the books of Cihah, Cunan, Masanid and Ma'ajim, in addition to having been met with acceptance from the Himmah. Consequently, nothing remains apart from the accurate rendering of its wordings and discussing some of the dictates of its meanings.

The following came recorded in the : Sulaiman bin Da'ud related to us from "ammad bin Qaid, from "isham, from "assan, from Al-"asan, from Dabbah bin Mihsan, from Himm Calamah, the wife of the Prophet (saw), that she said: The Messenger of Allah (saw) said:

سَتَكُونُ عَلَيْكُمْ أُمَّةٌ تَعْرِفُونَ مِنْهُمْ وَتُنْكِرُونَ فَمَنْ أَنْكَرَ بِلِسَانِهِ فَقَدْ نَبَى، وَمَنْ كَرِهَ بِقَلْبِهِ فَقَدْ سَلِمَ وَلَكِنْ مَنْ رَضِيَ وَتَابَعَ! فَقِيلَ: يَا رَسُولَ اللَّهِ أَفَلَا نُقَاتِلُهُمْ؟ قَالَ: لَا مَا صَلَّوْا

6.

This represents the most balanced of the textual contents of this "adith, as some of the narrators have turned the wordings round and stated: -Whoever denies S is safe S and whoever hates S is free of sin/blame. and this is without doubt an error. What is because the denying, especially by the tongue, is higher than the mere hatred, whilst being free of sin is higher than mere safety from (punishment, which could take place incidentally without the sin being (rooted. As such, necessity dictates that the freedom accompanies the denial and the safety accompanies the hatred, and not the opposite. It is astonishing that Al-HaihaBi related it with the (ath of Abu Da'ud but mislaid it by putting the first with the heart instead of the tongue, whilst omitting the second.

Some of the narrations of this "adith did not state or , however, what we selected is necessary because the (place of hatred is definitely the heart, whilst denial or demonstrating disapproval, is higher than that as hatred or dislike is a condition for denial or disapproval. What is because it is not conceivable for someone to disapprove of a matter unless he dislikes it. In addition, it is not permissible for both to be with the heart, otherwise it would represent ineffectual speech, whilst the seal of the Prophets of Allah, who was (rooted with the -Ja'ami; Al-Aalim. Words which are concise and comprehensive and who summarised the speech (precisely, is free of that. As such, the denial/disapproval must be by the tongue.

It has also been said that the traditions were from Al-'asan Al-'asri but this is a delusion from the one who said that. Rather, some of the narrators claimed that Al-'asan said in respect to both of them as a 'afsiir from his own 'ithad 'effort of deduction. It is most probable that Gatadah said that, whilst the correct 'ie is what came mentioned in -Chuhab Al-'man. 'ol: L, (L 9: 5 And he related from another direction from Al-'asan that he said: -Co, 'hoe'er denies for disa' (ro'es' with his tongue has freed himself of sin#blame, and the time of this has gone, and 'hoe'er hates with his heart, then the time for this has come. 6. 'herefore, the traditions -3ith his tongue. and -3ith his heart. are in the original text of the "adith.

The 'ording , which has appeared in the strongest and majority of the narrations of this "adith has changed in some (aths with the 'ording . Fighting is what is required here as the issue is the issue of going out against, contesting and removing the hand from obedience, as has been mentioned in abundant other Ahadeeth. The issue is not one of imposing a (unishment or establishing a "add 'set (scribed (unishment. Come of the (aths may also have come with the 'ording , which holds the same meaning.

Most of the Cahih 'authentic' (aths state and so it made their own (ra+er the Mani; 're+enter' and not the establishment of the Calah 'ra+er. What is in contrast with the "adith of 'Abd bin Mali', may Allah be pleased with him. And in some of the (aths the following has stated: which represents an addition in terms of clarity.

The "adith is Cahih and has also come 'ia numerous (aths in and li' eise in the , the and the . Chei' h 'ussein Asad said: 'ts 'naad 'chain of transmission' is Cahih. It has also recorded in 'At-'abarani' from numerous (aths, the majority of which are Cahih, and li' eise in the with numerous (aths, the majority of which are Cahih. Just as it has been recorded in the , the , the 'olume: 4, (age: 1 on'ards' from numerous (aths, among other sources.

- The following has recorded in 'At-'abarani: 'Muhammad bin Hthman bin Abi Chaibah related to us from Eah+a bin Abi 'u' air, from Al-'a+a) bin 'istam, from Laith, from 'a&us, from 'bn 'Abbas, may Allah be pleased with him, that he said: The Messenger of Allah 'sa&' said:

X سَيَكُونُ أَمْرًا تُعْرِفُونَ وَتُنْكِرُونَ فَمَنْ يَابَدَهُمْ نَجًا وَمَنْ اعْتَرَاهُمْ سَلَامٌ وَمَنْ خَالَطَهُمْ هَلَكَ

- 'here will be leaders 'hom +ou will a' (ro'e and disa' (ro'e of. Co, 'hoe'er contests them is saved, 'hoe'er separates from them is safe and 'hoe'er mixes with them is destroyed. 6.

"oe'er, Al-'a+a) bin 'istam is Da'eef 'ea' and his son Ahalid related many detestable rejected Ahadeeth from him and Laith bin Abi Culaim confused matters and did not distinguish his "adith.

, which only usually occurs by 'a+ of the sword accompanied by the s'illing of blood, with the aim of removing the 'Hmara; 'leaders' who have abandoned the Calah and even by 'illing them if

that is necessar+. %his means, in the most minimal of circumstances, that the Ameer 7leader9

%he sentence could re(resent a meta(hor 7Aina+ah9 for lea\*ing the Deen. As such it relates in truth to Aufr 7disbelief9 and Riddah 7a(ostac+9, in res(ect to their (ersonal affair. ConseBuentl+, if the ruler himself disbelie\*ed it &ould be obligator+ to remo\*e him and e\*en if that meant fighting b+ the s&ord &hich leads to him being 'illed and this a((lies b+ greater reason if Aufr ?a&ah a((eared in res(ect to the (ublic affairs. %his is &hat the (re\*ious ''adith of 8Hbadah bin As-Camit and the ''adith related b+ 8A&f bin Mali' indicate to &ith com(lete (recision.

%he correct \*ie& is that both of these matters re(resent the truth. 2f he abandoned the Calah it is obligator+ to remo\*e him, regardless of his Aufr 7disbelief9 or Riddah 7a(ostac+9. 2f he disbelie\*ed and a(ostati=ed himself, then b+ necessit+ he has abandoned the Calah and e\*en if he made %a' bir and undertoo' the actions of the (ra+er according to its a((arent form, he is not considered to be someone &ho is (ra+ing. %herefore, if he disbelie\*ed and a(ostati=ed himself, his rule becomes null and \*oid and it becomes obligator+ to remo\*e him b+ force if he refuses to ste( do&n (eacefull+. %hat is e\*en if he remains a((l+ing 2slam com(lete+ in other than that. %his a((lies b+ greater reason if the Aufr ?a&ah a((eared in the (ublic life.

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- %he follo&ing came recorded in -Cahih Muslim.: 52shaB bin 2brahim Al-''an=hali related to us from 8sa bin Eunus, from Al-A&=a;i, from Ea=id bin Ea=id bin Jabir, from Ru=aiB bin ''a++an, from Muslim bin Gara=ha, from 8A&f bin Mali' , from the Messenger of Allah 7sa&9, that he said:

خِيَارُ أَيْمَتِكُمُ الَّذِينَ تُحِبُّوهُمْ وَيُحِبُّونَكُمْ وَيُصَلُّونَ عَلَيْكُمْ وَتُصَلُّونَ عَلَيْهِمْ وَشِرَارُ أَعْمَتِكُمُ الَّذِينَ تُبْغِضُوهُمْ وَيُبْغِضُونَكُمْ وَتَلْعَنُوهُمْ وَيَلْعَنُونَكُمْ. قِيلَ: يَا رَسُولَ اللَّهِ أَفَلَا تُنَايِذُهُمْ بِالسَّيْفِ؟ فَقَالَ: لَا مَا أَقَامُوا فِيكُمْ الصَّلَاةَ وَإِذَا رَأَيْتُمْ مِنْ [وَلَا تَكْرَهُوهُ فَاتَّكِرْهُوا عَمَلُهُ وَلَا تَنْزِعُوا يَدًا مِنْ طَاعَةٍ]

All of the te4tual contents 7of this narration9 contain this 7same &ording9 in essence ho&e\*er some of the (aths mention -Al-Munabadhah. 7contestatation9 but do not state . %his &ording ho&e\*er is an addition from those narrators &ho are reliable and trust&orth+ and as such it must be relied u(on and ado(cted. 2t is not (ermissible to lea\*e it and additionall+ 7the usage of9 -Al-Munabadhah. 7contestatation9 usuall+ incor(orates &ithin it .

Come of the (aths of this "adith mention: -3hoe\*er has a 3ali 7ruler9 a((ointed o\*er him and sees him coming &ith something from the disobedience of Allah, then he should hate &hat he has come &ith from the disobedience of Allah and he should not remo\*e his hand from obedience., instead of:

%he &ording &e ha\*e selected is the (lainest and most meaningful as the Ma' ruh 7that &hich is disli'ed#hated9 encom(asses the acts of disobedience and other than them. %his is a meaningful addition and it is not (ermissible to lea\*e the established addition.

Come of the (aths of this "adith contained a re(etition of the statement as follo&s:

. 2t &as re(eated t&ice or three times. %his is onl+ reinforcement and does not change an+thing from the meaning at all.

%he "adith is of the highest le\*el of authenticit+ and connection, e4(ressing clearl+ in some of its (aths the manner of narration from one lin' in the chain to another 7At-%ahdeeth9 and has been reinforced b+ a Gasm 7s&earing of an oath b+ Allah9. %hat is li'e, for e4am(le, &hat came in : 5Da&ud bin Rashid related from Al-3alid 7meaning bin Muslim9, from Abdur Rahman bin Ea=id, from Jabir, &ho said, Ma&la ?ani Fa=arah 7and he is Ru=aiB bin "a++an9, informed me that he heard Muslim bin Gara=ha, the cousin of 8A&f bin Mali' Al-Ash)a;i, sa+ing: 2 heard 8A&f bin Mali' Al-Ash)a;i sa+ing: 2 heard the Messenger of Allah 7sa&9 sa+ing it6. 5%hen 2bn Jabir said: Co, 2 said, meaning to Ru=aiB "a++an, &hen he informed me of this "adith: -?+ Allah, O Abu l-MiBdam, did he relate this to +ou or did +ou hear this from Muslim bin Gara=hah &ho said 2 heard 8A&f sa+ing: 2 heard the Messenger of Allah 7sa&9. P "e 7Jabir9 said: "e then 'neeled on his 'nees, faced the Gibleh and said: Ees, b+ Allah, there is no 2lah 7deit+9 other than "im, 2 surel+ heard it from Muslim bin Gara=ha &ho said: 2 heard 8A&f bin Mali' sa+ing: 2 heard the Messenger of Allah6.

2t has been recorded \*ia numerous (aths in , the , the , the , the 7At-%abarani9, and from a great number of (aths, the (ma)orit+ of &hich are Cahih, in the , )ust as it has been recorded in other than these sources.

- A similar "adith &as related in 7At-%abarani9 from 8HBBah bin 8Amir: 5Muhammad bin Eah+a bin Mandah Al-Asbahani related to us from Abu Auraib, from Eunus bin ?u' air, from Musa bin 8Ali, from his father, from 8HBBah bin 8Amir, &ho said: %he Messenger of Allah 7sa&9 said:

أَلَا أُخْبِرُكُمْ بِخِيَارِ عَمَالِكُمْ وَشِرَارِهِمْ؟ قَالُوا: بَلَى يَا رَسُولَ اللَّهِ قَالَ: فَإِنَّ خِيَارَهُمْ لَكُمْ مِنْ تُحِبُّونَهُ وَيُحِبُّكُمْ وَتَدْعُونَ اللَّهَ لَهُ وَتَدْعُوا اللَّهَ لَكُمْ وَشِرَارُهُمْ لَكُمْ مِنْ تُبْغِضُونَهُ وَيُبْغِضُكُمْ وَتَدْعُونَ اللَّهَ عَلَيْهِ وَيَدْعُوا اللَّهَ عَلَيْكُمْ فَقَالُوا: أَفَلَا نُفَاتِلُهُمْ يَا رَسُولَ اللَّهِ؟ قَالَ: لَا دَعْوَهُمْ مَا صَلُّوا وَصَامُوا

-Chall 2 not inform +ou of the best of +our go\*ernors and the &orst of themP. %he+ said: -Ees, O Messenger of Allah.. "e said: -%he best of them to +ou is the one &hom +ou lo\*e and he lo\*es +ou. Eou su((licate Allah for him and "e su((licates Allah for +ou. And the &orst of them for +ou is the





There is also no need here to study the Asanid chains of transmission for this "adith and discuss the reliability of the narrators. What is because that has already been undertaken fully as the "adith has been recorded in the Sahih books and Sunan in addition to having received acceptance from the Hammah. Indeed, this "adith is stronger than the (reputable ones due to the agreement of Al-'U'ari and Muslim upon it.

It was also related in : Isma'il informed us from Ibn 'Ahab, from 'Amr, from 'U'air, from 'U'ar bin 'Adid, from Junadah bin 'Abi Hma'ah, who said: 'U'air entered upon 'Abdullah bin 'As-Camit and whilst he was sitting. 'U'air said to him: -May Allah make you well, relate to us a "adith by which Allah will benefit you and which you heard from the 'U'ari (the 'U'ari). 'U'air said: -The 'U'ari called for us and so we gave him the (pledge of allegiance to 'U'air). 'U'air went on -From among the matters which he held us to was that:

بَايَعَنَا عَلَى السَّمْعِ وَالطَّاعَةِ، فِي مَنْشَطِنَا وَمَكْرَهِنَا، وَعُسْرِنَا، وَيُسْرِنَا، وَأَثَرَةٍ عَلَيْنَا، وَأَنْ لَا نُنَازِعَ الْأَمْرَ أَهْلَهُ، إِلَّا أَنْ تَرَوْا كُفْرًا بَوَاحًا، عِنْدَكُمْ مِنَ اللَّهِ فِيهِ بُرْهَانٌ

In other Sahih narrations recorded by other than Al-'U'ari the following were also stated:

and

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All of these variations establish (proof as will be explained).

In its chain of transmission was: 'Ahmad bin 'Abdur Rahman bin 'Ahab bin Muslim related to us from maternal uncle 'Abdullah bin 'Ahab, from 'Amr bin Al-'arith, who said: 'U'air related it to me to its end, in respect to its Canad chain and Matn textual content.

In the volume: 4, (age: 45F) it was recorded as follows: 'Abu 'Abdullah Ahmad bin 'Abdur Rahman related to us saying: Maternal uncle related it from 'Amr from 'U'air who related it to its end, in respect to its Canad chain and Matn textual content.

In the it was recorded as follows: 'Abu 'A'hir Al-Fa'ih related to us from Abu 'A'ir Muhammad bin 'Abrahim bin Al-Fadl Al-Fahham, from Muhammad bin 'Eah'a, from : 'U'aim bin 'Ammad, from 'Ahab, from 'Amr bin Al-'arith, from 'U'air who related it to its end, in respect to its Canad and Matn. Al-'aihaBi then said: 'U'air recorded it in the Sahih from the "adith of Ibn 'Ahab.

- 2n it &as attributed to Al-Zsma;eeli+, connected in seBuence in its manner of transmission: 52t came to Al-Zsma;eeli+ \*ia the (ath of Hthman bin Calih, from 3ahb, from 8Amr &ho informed him that ?u' air related it from ?usr bin Ca;id, from Junadah6.

- 2n the &ith a different &ording, it &as as recorded as follo&s: 5As-Coufi in ?aghdad informed us sa+ing that Al-"aitham bin Ahar)ia related it to us from Mudri' bin Ca;d Al-Fa=ari Abu Ca;id, from "a++an Abu An:- adr &ho heard it from Junadah bin Abi Hma++ah. 3ho heard it from 8Hbadah bin As-Camit, &ho said: %he Messenger of Allah 7sa&9 said:

يَا عِبَادَةَ! قُلْتُ: لَبَيْكَ! قَالَ: اسْمَعْ وَأَطِعْ فِي عُسْرِكَ وَيُسْرِكَ، وَمَكْرَهِكَ، وَأَتَرَةٍ عَلَيْكَ، وَإِنْ أَكَلُوا مَالَكَ، وَضَرَبُوا ظَهْرَكَ، إِلَّا أَنْ تَكُونَ مَعْصِيَةً لِلَّهِ بَوَاحًا

6.

Chei' h Chu;aib Al-Arna;ut said: 52ts 2snad 7chain of transmission9 is "asan6.  
: %his re(resents a shortcoming because it is "asan Cahih and (roof is established b+ it.

- 2n the it &as recorded as follo&s: 5Al-3alid bin Muslim related to us from Al-A&=a;i, from 8Hmair bin "ani;, from Junadah bin Abi Hma++ah, from 8Hbadah bin As-Camit &ho, said: %he Messenger of Allah 7sa&9 said:

عَلَيْكَ السَّمْعُ وَالطَّاعَةُ فِي عُسْرِكَ وَيُسْرِكَ، وَمُنْشَاطِكَ وَمَكْرَهِكَ، وَأَتَرَةٍ عَلَيْكَ، وَلَا تُنَازِعِ الْأَمْرَ أَهْلَهُ وَإِنْ رَأَيْتَ أَنَّ  
لَكَX

6.

Ahmad then said: 5Al-3alid bin Muslim related it to us from Ca;id bin Abdul A=i-, from "a++an Abi An:- adr, that he heard from Junadah relating from 8Hbadah the same as it 7i.e. the same "adith%. Ahmad then said: 5Al-3alid related it to us from 2bn %ha&ban 7li' el+ to mean Abdur Rahman bin %habit bin %ha&ban9, from 8Hmair bin "ani;, from Junadah bin Abi Hma++ah, from 8Hbadah bin As-Camit, from the Messenger of Allah 7sa&9, similar to it. "e said:

6.

: %he first t&o chains of transmission are Cahih. As for the last &ith the addition , it is "asan Ja++id 7good9 in itself and Cahih as a result of the su((orting e\*idence of the (re\*ious Ahadeeth recorded b+ Al-?u' hari, Muslim and 2bn "ibban.

- 2n the there are im(ortant additions: 5Muhammad bin Abi Our;ah Ad-DimashBi related to us from "isham bin 8Ammar, from 2bn Duham, from his father, from Al-3alid

bin Muslim, from Zayn al-Ha'ban, from al-Hmair bin 'Adi, from Junadah bin Abi Hmayyah, from al-Hbadah bin As-Camit, who said: The Messenger of Allah ﷺ said:

عَلَيْكَ السَّمْعُ وَالطَّاعَةُ فِي عُسْرِكَ وَيُسْرِكَ، وَمَنْشَطِكَ وَمَكْرَهِكَ، وَأَثَرَةٍ عَلَيْكَ، وَلَا تُنَازِعِ الْأَمْرَ أَهْلَهُ وَإِنْ رَأَيْتَ أَنَّكَ

لَكَ



al-Hmair said: al-Hudair or 'Adair As-Culami told me that he heard from al-Hbadah bin As-Camit, from the Prophet ﷺ, that he added:

إِلَّا أَنْ يَأْمُرَكَ بِإِيمَانٍ بَوَاحًا عِنْدَكَ تَأْوِيلُهُ مِنَ الْكِتَابِ

al-Hudair or 'Adair said: As-Camit said: -And if I obeyed him. He answered: -he will be taken by our legs and will be thrown into the fire and he will be then satisfied

مَا لَمْ تَرَوْا كُفْرًا بَوَاحَا

6.

his represents a clear evidence that the addition of 'no' to Cuf+an and it may be that he did not hear it in a connected manner that satisfied him and so left it as being Mursal (unconnected). That is whilst the other (ahs establish the definite proof for its authenticity, like those recorded by Al-Bukhari, Muslim and others.

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he above concerns the 'no' addition and it relates to the appearance or manifestation of the Aufr'ah in the public life, regardless of whether the ruler has become a disbeliever or apostate and regardless of the excuses of ignorance, neglect or coercion. All of that could have an impact on the ruler himself as an individual and his destination in the hereafter, however it does not nullify the reality of the appearance or manifestation of the Aufr'ah and what is consequently built upon that in terms of the legitimacy of disobedience, rebellion, revolution, revolt, contestation and fighting, or even defensive Jihad (el the disbeliever who has occupied the land of Islam, which in such a situation would be Fard 'Alayn an obligation upon every individual etc which has been detailed in its appropriate place.

NNNNNNNNNNNNNNNN

he FuBaha; As-Caleateen (Cate scholars), may Allah deal with them and distance them, and particularly the agents of the family of Caud from among them, have exhausted all efforts to distort speech from its content and to incite doubts, in a desperate attempt to extinguish the light of Allah, consolidate the thrones of their - , from among the tyrant rulers who rule by other than what Allah has revealed, all with the disbelievers and fight against Islam. They are from those who:

يَقْتُلُونَ الَّذِينَ يَأْمُرُونَ بِالْقِسْطِ مِنَ النَّاسِ

All those who order justice from among the people (Al-Aali Imran: 19).

So, they sold their hereafter or the Dunya of others than themselves, however it is no avail because:

يُرِيدُونَ لِيُطْفِئُوا نُورَ اللَّهِ بِأَفْوَاهِهِمْ وَاللَّهُ مُتِمُّ نُورِهِ وَلَوْ كَرِهَ الْكَافِرُونَ ﴿٨٨﴾ هُوَ الَّذِي أَرْسَلَ رَسُولَهُ بِالْهُدَىٰ وَدِينِ الْحَقِّ لِيُظْهِرَهُ عَلَى الدِّينِ كُلِّهِ وَلَوْ كَرِهَ الْمُشْرِكُونَ

%he+ &ant to e4tinguish the light of Allah &ith their mouths, but Allah &ill (erfect "is light, although the disbelie\*ers hate it. 7F9 2t is "e &ho sent "is Messenger &ith guidance and the Deen of truth to manifest it o\*er all Deens, although those &ho associate others &ith Allah hate it 7As-Caff: F-19.

Most of the argumentation of those infatuated ones onl+ re\*ol\*es around the issue of the "u'm 7ruling# judgement9 b+ other than &hat Allah re\*ealed, or more (recisel+, around the \*erses related to the "u'm and these are the collection of \*erses 7in Surah Al-Ma'idah9 &hich include "is s(eech 7s&t9:

وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنزَلَ اللَّهُ

ConseBuentl+, it is necessar+ to thoroughl+ e4amine these \*erses (rior to an+ discussion about doubts or s(ecious arguments that ha\*e been raised concerning them and (rior to refuting their lies.

3hat has been mentioned concerning the causes of re\*elation of an+ A+ah 7\*erse9 from the Aitab Al-BA=i= 7Al-Gur;an9 in Ahadeeth and re(orts, if authentic, onl+ indicates to details of &hat is mentioned in the A+ah. "o&e\*er, it does not change its subject or the meaning of its sentences according to the indicati\*e meanings of the language and the Char;a. 2t does not nullif+ that the (rece(t is &ith the generalit+ of the &ording, u(on its a((arentness, generalit+ and absoluteness, &hilst the (rece(t is not &ith the s(ecificit+ of the cause of re\*elation. %he cause of re\*elation therefore does not s(ecif+, restrict or inter(ret. C(ecification, restriction and %a;&eel 7inter(retation9 onl+ occurs from another te4t or the necessit+ of the senses 7Al-"iss9 or mind 7Al-BAI9, and no other sources. 7: ote: %a;&eel here means: %a' ing the te4t a&a+ from its a((arent meaning9.

2n addition, it is not un'no&n for the narrations to be numerous and for the realities to be \*aried in relation to the causes of the re\*elation of a (articular A+ah 7\*erse9. 2ndeed, it is true that an A+ah or a collection of A+at are re\*ealed initial+ in relation to a (articular realit+ or circumstance. %he @ro(het 7sa&9 &ould then (resent them to a number, through &hom (roof is established, of 7reciters9 &ho &ere dedicated to the memori=ation of the Gur;an. "e &ould dictate the \*erses to those &ho attended to him from the &riters &ho &ould then immediatel+ &rite them do&n u(on &hat the+ had a\*ailable in terms of (alm leaf stal's, thin &hite stone, (alm branches and tablets. %his &as then transmitted after that, after a short (eriod or longer (eriod, to the (ages relied u(on &hen the+ gathered to . All of that &as then (resented and re\*ised &ith Jibril e\*er+ Ramadan. 2f the re(ort or narration came affirming that the A+ah 7\*erse9 &as re\*ealed and &ritten or dictated, &e 'no& then that this referred to its initial re\*elation.

%here could then be another occasion &here a realit+ occurs or the @ro(het 7sa&9 is as'ed about a matter and then the @ro(het 7sa&9 (asses judgement u(on it &ith a (articular ruling and recites an A+ah 7\*erse9. %hen some in attendance, &ho had not memori=ed the \*erse, thought that it had been re\*ealed for the first time on that occasion. %his could (articularl+ be so if the @ro(het 7sa&9 &as silent, a&aiting the re\*elation and &as then ta'en b+ the &ell-'no&n se\*erit+ that usuall+ afflicted him at the time of recei'ing the re\*elation. %hose in attendance &ould then belie\*e that &hat he recited follo&ing the se\*erit+ of the descent of the re\*elation, that it had been re\*ealed at that



re\*ealed in res(ect to "unain in res(ect to the Je&s.. "e then said: -Gurai=ha and An-: adir.. -%hat is because one of the t&o (arties had attac'ed the other and defeated it before the @ro(het 7sa&9 arri\*ed in Al-Madinah. %hat &as until the+ a((ro\*ed and agreed that e\*er+ 'illed (erson from the lo&l+ tribe 'illed b+ the (o&erful tribe &ould recei\*e Q\$ 3asB as blood mone+ and that e\*er+ 'illed (erson from the (o&erful tribe 'illed b+ the lo&l+ tribe &ould recei\*e 1\$\$ 3asB, and so the+ ga\*e them **a smaller amount and committed an injustice**. %he @ro(het 7sa&9 arri\*ed 7in Al-Madinah9 &hilst the+ &ere u(on that 7(ractise9.6. "e 7At-%abari9 then mentioned the "adith resembling the "adith recorded b+ Muslim, until he said: 58Hbaidullah said: -And so Allah, the Most Cu(reme, re\*ealed "is Dhi'r 7i.e. Gur'an9 in res(ect to them -O Messenger, let them not grie\*e +ou &ho hasten into disbelief. 7i.e. Ma'idah: 419. All of those A+at 7\*erses until -And let the @eo(le of the 2n)il Judge b+ &hat Allah has re\*ealed therein. until the -defiantl+ disobedient. 7i.e. from \*erse 41-4<9. 8Hbaidullah recited that, one A+ah follo&ing another, and **he e4(lained to them u(on &hat &as re\*ealed** until he finished the %afsir of the \*erses to them. "e then said: -%he Je&s are intended b+ that and it &as in res(ect to them that this descri(tion &as re\*ealed.6.

: %his is &hat 8Hbaidullah bin Abdullah bin 8Htbah bin Mas;ud too' from 2bn 8Abbas as is a((arent from the follo&ing narrations of Ahmad and At-%abarani and from the forthcoming corroborati\*e indications.

- %he follo&ing came re(orted in the : 52brahim bin Abi Al-8Abbas related to us from Abdur Rahman bin Abi A=-Oinad, from his father, from 8Hbaidullah bin Abdullah bin 8Htbah bin Mas;ud, from 2bn 8Abbas, &ho said: ->eril+, Allah, 8A=a 3a Jalla, re\*ealed:

... and ... "e said: 2bn 8Abbas said: -Allah re\*ealed them in relation to t&o grou(s from the Je&s. One of them had defeated the other in Jahili+ah 7the (re-2slamic (eriod9 until the+ agreed and acce(ted that e\*er+ 'illed (erson from the lo&l+ 7defeated grou(9 'illed b+ the (o&erful 7grou(9 &ould recei\*e Q\$ 3asaB 7a((ro4. ! ' g9 as blood mone+ &hilst e\*er+ 'illed (erson from the (o&erful 7grou(9 'illed b+ the lo&l+ 7defeated grou(9 &ould recei\*e 1\$\$ 3asaB. %he status Buo remained u(on that until the @ro(het 7sa&9 arri\*ed in Al-Madinah. %he t&o grou(s then became subser\*ient due to the arri\*al of the Messenger of Allah 7sa&9. At that time nothing arose and he did not (ro\*ide agreement u(on it, &hilst he &as in a state of (eace. %hen one from the defeated grou( 'illed one from the \*anBuishing grou(. %he \*anBuishing grou( then demanded that 1\$\$ 3asaB be sent to them. %he defeated grou( then said: -"o& can t&o grou(s &ho ha\*e the same religion, one ancestral lineage and a common land, ha\*e a Di+ah 7blood mone+9 that for some of them is half of that of the othersP 3e onl+ ga\*e this to +ou as a result of an in)justice and differentiation from +ou u(on to us. : o&, after Muhammad has arri\*ed, &e &ill not gi\*e +ou that.. 3ar &as on the \*erge of being re' indled bet&een them. %he+ then acce(ted to ma'e the Messenger of Allah 7sa&9 the Judge bet&een them. %he (o&erful tribe then said: -?+ Allah1 Muhammad &ill ne\*er gi\*e +ou double the Di+ah that +ou (a+ to them com(ared to &hat the+ (a+ to +ou. %he+ ha\*e said the truth an+&a+, for the+ onl+ ga\*e us this amount because &e &ere un)ust to them and o\*er(o&ered them. %herefore, send someone to Muhammad &ho &ill sense &hat his Judgement &ill be. 2f he agrees to gi\*e +ou &hat +ou demand, acce(t his Judgment, and if he does not gi\*e +ou &hat +ou see', do not refer to him for Judgement1.. And so the+ sent to the Messenger of Allah 7sa&9 some (eo(le from the h+(ocrites to inform them of the o(union of the Messenger of Allah 7sa&9. %hen &hen the+ came to the Messenger of Allah 7sa&9, Allah informed him of their matter and &hat the+ &ere see' ing in full. Allah 7s&t9 re\*ealed:

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Z يَا أَيُّهَا الرَّسُولُ لَا يَحْزُنْكَ الَّذِينَ يُسَارِعُونَ فِي الْكُفْرِ مِنَ الَّذِينَ قَالُوا آمَنَّا بِأَفْوَاهِهِمْ

O Messenger! Do not let those &ho hasten into disbelief grie\*e +ou, from those &ho ha\*e said: D3e belie\*ed b+ their mouths 7Al-Ma'idah: 419.

Hntil '' is Ga&l 7s&t9:

X وَمَنْ لَّمْ يَخُضْ مِمَّا نَزَلَ اللَّهُ فَأُولَئِكَ هُمُ الْفَاسِقُونَ

And &hoe\*er did not rule b+ &hat Allah has re\*ealed, then it is those &ho are the rebellious+ disobedient 7FasiBun9 7Al-Ma'idah: 4<9.

''e said: -2t &as in relation to these t&o 7i.e. tribes9 that the+ 7i.e. the \*erses9 &ere re\*ealed and &hom Allah 8A=a 3a Jalla intended. 6.

- 2n 7At-%abarani9 the follo&ing &as related: 58Ali bin Abdul 8A=i= related to us from Da&ud bin 8Amr Ad-Dabbi, from Abdur Rahman Abi A=-0inad, from his father, from 8Hbaidullah bin Abdullah bin 8Htbah, from 2bn 8Abbas &ho said: %he same as &hat &as stated in the ''adith recorded b+ Ahmad in its full length6.

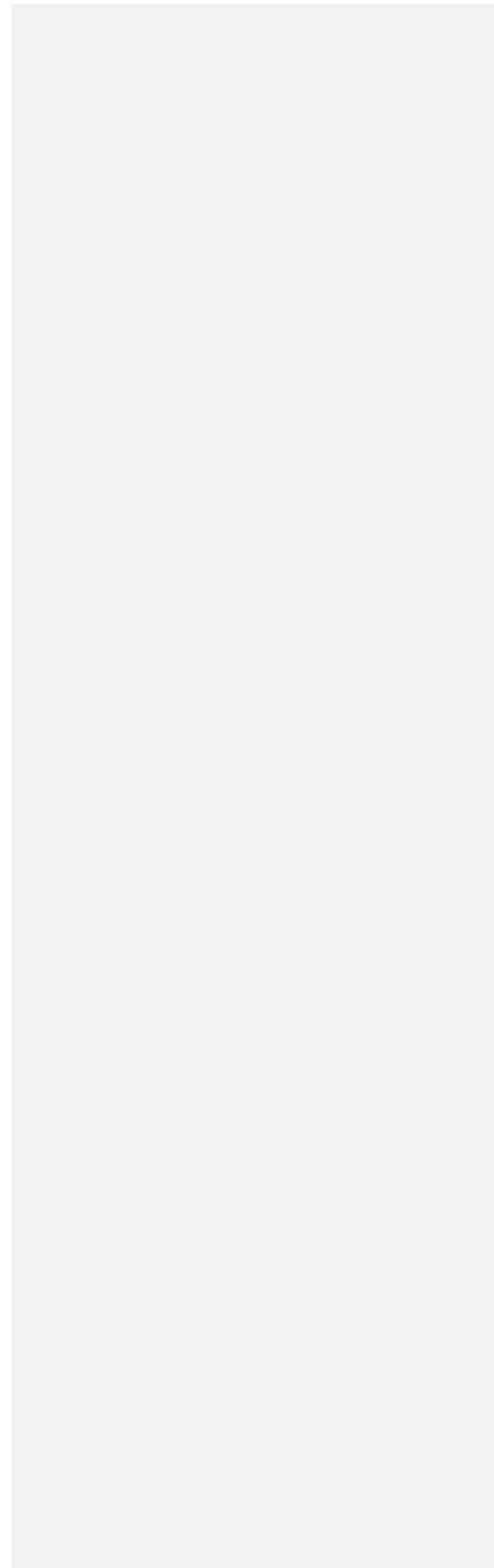
- 2t came in the in a \*er+ summari=ed form: 52brahim bin ''am=ah bin Abi Eah+a Ar-Ramli related to us from 0aid bin Abi A=-0arBa;, from 2bn Abi A=-0inad, from his father, from 8Hbaidullah bin Abdullah bin 8Htbah, from 2bn 8Abbas, that he said: 5-And &hoe\*er did not rule b+ &hat Allah has re\*ealed, then it is those &ho are the disbelie\*ers 7Aafirun9. to -And &hoe\*er did not rule b+ &hat Allah has re\*ealed, then it is those &ho are the rebellious+ disobedient 7FasiBun9, that these three \*erses &ere re\*ealed in relation to the Je&s, s(ecificall+ Gurai=hah and An-: adir6. Al-Albani said: 572t is9 ''asan, Cahih Al-2snad6.

: %he chains of transmission to 8Hbaidullah bin Abdullah bin 8Htbah bin Mas;ud are Ga&i+ah 7strong9 and Ja++id 7good9. %hat is because the narrator &ith 2mam Ahmad is 2brahim bin Abi Al-8Abbas &ho is %hiBah 7trust&orth+ and reliable9, senior and old in age, ha\*ing heard narrations from the senior follo&ers of the %abi;in in Al-Madinah, li'e 2bn Abi H&aid. ''e recei\*ed it from Abdur Rahman bin Abi A=-0inad, most (robabl+ &hen he &as +ounger and in Al-Madinah and it is \*er+ unli' el+ that he heard it from him after his arri\*al in ?aghdad and the change that occurred in res(ect to his memor+. 2n addition, Da&ud bin 8Amr bin Ouhair Ad-Dabbi, is %hiBah 7trust&orth+&reliable9 from the Chu+u'h of Muslim. ''e follo&ed 2brahim bin Abi Al-8Abbas in the relation of At-%abarani in his from Abdur Rahman Abu A=-0inad, in full length and &ith similar &ording. 2t then came in a summari=ed manner in the \*ia the (ath of 0aid bin Abi A=-0arBa; from 2bn Abi A=-0inad. Al-Albani said in relation to it: 572t is9 ''asan, Cahih Al-2snad6.

2n addition, it is not 'no&n that 2mam Abdullah bin 3ahb entered ?aghdad e4ce(t that he &as also \*er+ old. As such, he must ha\*e ta'en this from 2bn Abi A=-0inad &hilst he &as in Al-Madinah before the state of his memor+ changed. ''is ''adith conforms as a &hole &ith the other narrations e4ce(t he sto((ed at 8Hbaidullah bin Abdullah bin 8Abbas as the follo&ing re(orts ma'e a((arent.

- %he follo&ing came in

7>olume: !, (age 1\$ on&ards9: 52bn 2shaB said:



blood money in full, whilst Gurai=hah &ere gi\*en half the blood money. %he+ then &ent to the Messenger of Allah 7sa&9 for judgement in relation to that and then Allah re\*eated those \*erses in

translator of the Qur'an, Imam Abdullah bin Abbas has affirmed b+ &a+ of an oath that these A+at &ere re\*eated in relation to this realit+ and occurrence, as &as stated in some of the narrations: -%he \*erses, b+ Allah, &ere re\*eated in relation to them both 7An-: adir and Gurai=hah9 and it &as them &hom Allah &A=a 3a Jalla intended..

- %he follo&ing came stated in the -%afsir of Ibn Aathir. 7>olume: , (age: QI on&ards9: 5And for that reason "e said after that:

وَكُتِبْنَا عَلَيْهِمْ فِيهَا أَنَّ النَّفْسَ بِالنَّفْسِ وَالْعَيْنَ بِالْعَيْنِ **W**

-And 3e ordained for them therein a life for a life, an e+e for an e+e S to its end. 7AI-Ma'idah: 409.

%his strengthens that the cause of re\*elation &as the issue of Al-Gisas 7retaliation9 and Allah 7s&t9 'no&s best, in addition to "is statement:

وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنزَلَ اللَّهُ فَأُولَٰئِكَ هُمُ الْكَافِرُونَ

And &hoe\*er did not rule b+ &hat Allah has re\*eated, then those are the disbelie\*ers 7AI-Ma'idah: 449%.

- Muslim recorded from Al-?ara; bin &A=ib &ho said: 5A Je& &hose face had been black'ened face and he had been lashed (assed b+ the @ro (het 7sa&9 and so he 7sa&9 called for them 7the Je&s9 and said: -2s this ho& +ou ha\*e found the (rescribed (unishment for adulter+ in +our boo'P. %he+ said: -Ees.. "e then called one of the scholars amongst them and said: -2as' +ou in the name of Allah 3ho re\*eated the u(on Moses if that is the (rescribed (unishment for adulter+ that +ou find in +our ?oo'.. "e said: -: o. "ad +ou not as\*ed me in the name of Allah, 2&ould not ha\*e gi\*en +ou this information. 3e find that it is stoning. "o&e\*er, this 7crime9 became Buite common amongst our nobles. As such, &hen &e caught a noble 7indulging in this offence9 &e let him be, but &hen &e caught hold of a &ea' (erson &e im(osed the (rescribed (unishment u(on him. 3e then said: Let us agree 7on a (unishment9 &hich &e can inflict both u(on the notable and the (oor. 3e then decided to black'en the face &ith coal and to lash in (lace of the (unishment of stoning.. %hereu(on Allah's Messenger 7sa&9 said: . "e then ga\*e the command in res(ect to him and he 7the offender9 &as stoned. Allah, &A=a 3a Jalla, then re\*eated:

يَا أَيُّهَا الرَّسُولُ لَا يَحْزُنْكَ الَّذِينَ يُسَارِعُونَ فِي الْكُفْرِ **W**

O Messenger! Do not let those &ho hasten into disbelief grie\*e +ou 7AI-Ma'idah: 419.

Hntil the \*erse:

إِنْ أُوتِيتُمْ هَذَا فَخُذُوهُ **V**

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If you are given this, then take it 7Al-Ma'idah: 419.

He said: -Mo to Muhammad 7sa&9 and if he commands blac'ening and lashing then accept that and if he (asses the \*erdict of stoning, then a\*oid it.. Allah 7s&t9 then re\*ealed:

وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنزَلَ اللَّهُ فَأُولَٰئِكَ هُمُ الْكَافِرُونَ

And &hoe\*er did not rule b+ &hat Allah has re\*ealed, then those are the Aafirun 7disbelie\*ers9 7Al-Ma'idah: 449. 7An-: asa;i added: %his &as in relation to the Je&s9.

And:

وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنزَلَ اللَّهُ فَأُولَٰئِكَ هُمُ الظَّالِمُونَ

And &hoe\*er did not rule b+ &hat Allah has re\*ealed, then those are the 0halimun 7transgressors9 7Al-Ma'idah: 409. 7An-: asa;i added: %his &as in relation to the Je&s9.

And:

وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنزَلَ اللَّهُ فَأُولَٰئِكَ هُمُ الْفَاسِقُونَ

And &hoe\*er did not rule b+ &hat Allah has re\*ealed, then those are the FasiBun 7rebellious+ disobedient9 7Al-Ma'idah: 4<9. 7An-: asa;i added: %his &as in relation to the disbelie\*ers as a &hole%.

%his &as recorded b+ Muslim and the abo\*e &ording is from him. 2t &as also related b+ Ahmad, Abu Da&ud, An-: asa;i in -Al-Aubra., and b+ Al-?aihaBi &ith e4actl+ the same &ording, &ith chains of transmission of the utmost authenticity+.

- %he follo&ing came stated in the 7>olume: , (age: QI on&ards9: 52mam Ahmad said: Abu Mu;a&i+ah related to us from Al-A;amash, from Abdullah bin Marrah, from Al-?ara; bin 8A=ib, &ho said: A blac'ened face and lashed Je& (assed b+ the Messenger of Allah 7sa&9 and so he called for them 7i.e. the Je&s9 and said: -2s this ho& you find the (rescribed (unishment for adulter+ in +our boo' 7i.e. the %a&rahP. %he+ said: -Ees.. Co he 7sa&9 called for a man from among their scholars and said to him: -2 urge +ou b+ the One &ho re\*ealed the %a&rah u(on Musa, is this ,tda-4.95326(<)4.40549(f)-4.5934ee-O.51429f ses.10762.69951(e)-O.59969"+uld thmnmo\*8(r)11.7119( )6.03003 (t)-2.28778thlamins in (n)-2.93531-O.597901(4(l)9.02938(

K

O Messenger! Do not let those who hasten into disbelief grieve +ou 7Al-Ma'idah: 419.

Hntil '' is Ga&I:

يَقُولُونَ إِنَّ أُوتِيْنَاهُمْ هَذَا فَخُذُوهُ

%he+ sa+: 2f +ou are gi\*en this, then ta'e it 7Al-Ma'idah: 419.

Meaning that the+ sa+: Mo to Muhammad. %hen, if he gi\*es the \*erdict of blac' ening the face and lashing, acce(t it and if he gi\*es the \*erdict of stoning, a\*oid it.

Hntil '' is statement 7s&t9:

وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنزَلَ اللَّهُ فَأُولَئِكَ هُمُ الْكَافِرُونَ

And &hoe\*er did not rule b+ &hat Allah has re\*ealed, then those are the Aafirun 7disbelie\*ers9 7Al-Ma'idah: 449.

3hich he stated &as in relation to the Je&s.

%o '' is statement 7s&t9:

وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنزَلَ اللَّهُ فَأُولَئِكَ هُمُ الظَّالِمُونَ

And &hoe\*er did not rule b+ &hat Allah has re\*ealed, then those are the 0halimun 7transgressors9 7Al-Ma'idah: 4Q9.

3hich he stated &as in relation to the Je&s.

%o '' is statement 7s&t9:

وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنزَلَ اللَّهُ فَأُولَئِكَ هُمُ الْفَاسِقُونَ

And &hoe\*er did not rule b+ &hat Allah has re\*ealed, then those are the FasiBun 7rebellious+ disobedient9 7Al-Ma'idah: 4Q9.

3hich he stated &as in relation to:

Muslim &as alone in recording this to the e4clusion of Al-?u'hari, &hile Abu Da&ud, An-: asa;i and 2bn Ma)ah recorded it &ithout reference to Al-A;amash6.

- %he follo&ing &as stated in the 7>olume: L, (age: Q1 on&ards9: 5Al-Gasim related to us from Al-''ussein, from Abu Mu;a&i+ah, from Al-A;amash, from Abdullah bin Marrah, from Al-?ara; bin 8A=ib, &ho said: A lashed and blac' ened face Je& (assed b+ the @ro(het, so, he

called for them 7i.e. the Je&s9 and said: -2s this ho& +ou find the (rescribed (unishment for adulter+P. %he+ re(ied: -Ees... Co, he called for a man from among their scholars and said: -2 urge +ou b+ Allah &ho re\*ealed the %a&rah u(on Musa, is this ho& +ou find the (rescribed (unishment for adulter+ in +our boo' P. "e re(ied: -: o and had +ou not urged me 7in Allah;s name9 in res(ect to this, 2&ould not ha\*e informed +ou. 3e find its (rescribed (unishment in our boo' to be stoning, ho&e\*er, adulter+ became &ides(read among our nobles. 3hen &e caught a noble &e &ould let him go but &hen &e caught a lo&I+ (erson &e &ould establish the (rescribed (unishment u(on him. 3e then said: Come let us agree u(on blac' ening the face and lashing for all, in (lace of stoning.. %he Messenger of Allah then said: . "e then ga\*e the command in res(ect to him and he 7the offender9 &as stoned. Allah, &A==a 3a Jalla, then re\*ealed:

يا أَيُّهَا الرَّسُولُ لَا يَحْزَنْكَ الَّذِينَ يُسَارِعُونَ فِي الْكُفْرِ **W**

O Messenger! Do not let those &ho hasten into disbelief grie\*e +ou 7Al-Ma'idah: 419.

Hntil the \*erses:

وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنزَلَ اللَّهُ فَأُولَئِكَ هُمُ الْكَافِرُونَ

And &hoe\*er did not rule b+ &hat Allah has re\*ealed, then those are the Aafirun 7disbelie\*ers9.

2ntending the Je&s.

فَأُولَئِكَ هُمُ الظَّالِمُونَ **X**

%hen those are the 0halimun 7transgressors9.

2ntending the Je&s

فَأُولَئِكَ هُمُ الْفَاسِقُونَ **X**

%hen those are the FasiBun 7rebellious+ disobedient9

3hich a((lies to the disbelie\*ers as a &hole6.

- %he follo&ing came stated in the 7>olume: L, (age: Q1 on&ards9: 5''annad related to us from Abu Mu;a&i+ah, from Al-A;amash, from Abdullah bin Marrah, from Al-?ara; bin &A=ib, from the @ro(het 7sa&9 similar to the ''adith of Al-Gasim from Al-''asan, e4ce(t ''annad said in his ''adith: -Come let us agree together u(on something that &e can establish 7or im(lement9 u(on the noble and the &ea'. And so, the+ agreed u(on the blac' ening of the face and lashing instead of stoning.. %he remainder of the ''adith &as li'e the ''adith of Al-Gasim6.

- Muslim also related the beginning of the "adith, just as Abu Da'ud did and At-Tahawi in his -Charh Ma'ani Al-Aathar. among others, without mentioning what followed in relation to the relation of the Ayah.

- The following also came recorded in the in summarized form:  
Abu Mu'adh related to us from Al-A'mash, from Abdullah bin Marrah, from Al-Zara'i bin Ibrahim from the brother (het 7sa&9, that "is Ga&I:

وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنْزَلَ اللَّهُ فَأُولَئِكَ هُمُ الْكَافِرُونَ

And whoever did not rule by what Allah has revealed, then those are the Aafirun (disbelievers) (Al-Ma'idah: 44).

وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنْزَلَ اللَّهُ فَأُولَئِكَ هُمُ الظَّالِمُونَ

And whoever did not rule by what Allah has revealed, then those are the Zhalimun (transgressors) (Al-Ma'idah: 40).

وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنْزَلَ اللَّهُ فَأُولَئِكَ هُمُ الْفَاسِقُونَ

And whoever did not rule by what Allah has revealed, then those are the Fasiqun (rebellious+disobedient) (Al-Ma'idah: 4).

"he said:

6.

- The following came mentioned in the Volume: L, (age: Q1 on cards: 52bn 3a'ee; related to us from Abu Mu'adh, from Al-A'mash, from Abdullah bin Marrah, from Al-Zara'i bin Ibrahim, from the brother (het 7sa&9, in relation to "is Ga&I statement:

وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنْزَلَ اللَّهُ فَأُولَئِكَ هُمُ الْكَافِرُونَ

And whoever did not rule by what Allah has revealed, then those are the Aafirun (disbelievers) (Al-Ma'idah: 44).

وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنْزَلَ اللَّهُ فَأُولَئِكَ هُمُ الظَّالِمُونَ

And whoever did not rule by what Allah has revealed, then those are the Zhalimun (transgressors) (Al-Ma'idah: 40).

وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنْزَلَ اللَّهُ فَأُولَئِكَ هُمُ الْفَاسِقُونَ

And whoever did not rule by what Allah has revealed, then those are the Fasiqun (rebellious+disobedient) (Al-Ma'idah: 4).



What the were

6.

He also represents the host of textual contents which the narration of Al-ʿAra bin ʿAbī came with. It is most probable that the mention of the Aʿat ʿerses and their explanation in light of the incident & as from his own speech. "O ʿer, observe that his statement: -Mo to Muhammad ʿsa and if he commands blac'ening and lashing then accept that and if he assesses the verdict of stoning, then avoid it. , in an attempt to a (l+ the Aʿah u (on the reality, is not convincing. What is because the story is definite in respect to that the+ assessed b+ the ʿro (het ʿsa, & with those & who had been lashed and their faces blac'ened. Meaning that the+ had judged, executed and did not as'. Rather, it & as he ʿsa & who as'ed them and it & as not them & who were seeing a verdict from him. "O could the statement -Mo to Muhammad ʿsa and if he commands blac'ening and lashing then accept that and if he assesses the verdict of stoning, then avoid it. be sound and & when & as such a statement madeP

- Similar to this came related from Abdullah bin ʿHmar, & with the most authentic Asanid chains of transmission in the Dunā, as & as mentioned in the : 7>oume: , (age: QI on&ards: 5Ahadeeth have come related in respect to that: Mali' related from : aʿfi; from Abdullah bin ʿHmar, ma+ Allah be (leased & with him, that he said: What the Je&s came to the Messenger of Allah ʿsa & mentioned to him that a man and ʿoman from among them had committed ʿina ʿadulter+. The Messenger of Allah ʿsa & then as'ed them: -ʒhat do +ou find in the ʿa&rah in respect to the matter of stoningP.. The+ said: -ʒe shame them and lash them.. Abdullah bin Calam said: -Eou ha'e lied. Stoning is in it. ?ring the ʿa&rah.. Co the+ brought the ʿa&rah and o (ened it u (. One of them then (laced his hand o'er the \*erse mentioning stoning. "e read &hat came before it and &hat came after it. When Abdullah bin Calam said: -Lift +our hand.. Co, he lifted his hand and there beneath & as the \*erse about stoning. The+ then said: -"e said the truth O Messenger of Allah, it contains the \*erse of stoning.. And then the Messenger ʿsa & ga'e his command in respect to them and the+ & ere both stoned. 2sa& the man bending o'er the ʿoman (rotecting her from the stones. Al-ʿu' hari and Muslim recorded it and this is the & ording of Al-ʿu' hari. In ʿanother & ording recorded b+ him: "e ʿsa & said to the Je&s: -ʒhat are +ou doing & with themP.. The+ re (lied: -ʒe are blac'ening their faces and disgracing them.. "e said: -?ring the ʿa&rah and recite it if +ou are truthful.. The+ came and said to a man from among them & who & as blind in one eye and (leasing to them: -Read. and so he read until he sto (ed at a section from it and (laced his hand o'er it. "e said: -Lift +our hand.. Co, he lifted it and there & as the \*erse about stoning. "e ʿthe man & said: -O Muhammad, it contains the \*erse about stoning ho&e'er & e conceal it among ourselves.. "e ʿsa & then ga'e his command in respect to them and the+ & ere both stoned.

- The following also came mentioned in the -ʿafsir of ʿbn Aathir. 7>olume: , (age: QI on&ards: 5Muslim recorded that the Messenger of Allah & as brought a male Je& and female Je& & who had committed adulter+. The Messenger ʿsa & then set off until he came to the Je&s and said: -ʒhat do +ou find in the ʿa&rah to be a (lied u (on the one & who has committed adulter+P.. The+ said: -ʒe blac'en their faces and ma'e them ride on the don'e+ & with their faces turned in the o (osite direction ʿand their bac's touching each other, and then the+ are ta'en round ʿthe cit+.. "e said: -?ring the ʿorah and recite it if +ou are truthful.. The+ brought it and recited it until & when the+ came to the \*erse related to stoning. The +oung man & who & as reading (laced his hand o'er the \*erse related to stoning and ʿonl+ & hat & as before and after his hand. Abdullah bin Calam & who & as & with the Messenger of Allah ʿsa & said: -Command him ʿthe reciter to lift his hand.. "e lifted it and the \*erse related to stoning & as underneath it. Allah's Messenger ʿsa & then ga'e his command in

respect to them and they were stoned. Abdullah bin Umar said: -2 &as among those &ho stoned them, and 2 sa& him 7the Je&9 (rotecting her 7the Je&ess9 &ith his bod+. .6.

: %his stor+ does not contain an+ mention of the causes of re\*elation. In addition the &oring  
recorded b+ Mali and Al e egining o the stor+ li  
in the narration o e (leased &ith him. ather, it egan &ith the  
discussion concernin

%he @ro(het 7sa&9 said: -2&ill then (ass judgement b+ &hat is found in %a&rah.. "e then ga\*e the command concerning them and the+ &ere stoned to death.

A=-0uhri said: -2t reached us 7through con\*e+ance9 that this \*erse &as re\*ealed about them:

إِنَّا أَنْزَلْنَا التَّوْرَةَ فِيهَا هُدًى وَنُورٌ ۖ يَحْكُمُ بِهَا النَّبِيُّونَ الَّذِينَ أَسْلَمُوا

-2ndeed, 3e sent do&n the %orah, in &hich &as guidance and light. %he @ro(hets &ho submitted 5to Allah6)judged b+ it S. 7Al-Ma'idah: 449. And so the @ro(het 7sa&9 &as from among them..

%his &as related b+ Ahmad, Abu Da&ud 7&hose &ording is abo\*e9 and 2bn Jarir6.

: E\*idence is not established b+ this due to the man from Mu=ainah being un' no&n ho&e\*er this could be rectified b+ the corroboration of &hat has been agreed u(on in res(ect to it b+ &ell-' no&n trust&orth+ and reliable relaters. %he stor+ contains clear differences and additions to &hat &as stated in the narration of Mali' from : afi; from 2bn 8Hmar, ho&e\*er the essence of the stor+ is one and the same, and the incident is the same incident.

2n addition, A=-0uhri onl+ lin'ed the stor+ &ith the causes of re\*elation of the \*erses, the \*erses of ruling, in the form of a ?alagh 7i.e. reaching him b+ con\*e+ance9. %hat is in the case &here he said: -2t reached us 7through con\*e+ance9 that this \*erse &as re\*ealed about them:

إِنَّا أَنْزَلْنَا التَّوْرَةَ فِيهَا هُدًى وَنُورٌ ۖ يَحْكُمُ بِهَا النَّبِيُّونَ الَّذِينَ أَسْلَمُوا

-2ndeed, 3e sent do&n the %orah, in &hich &as guidance and light. %he @ro(hets &ho submitted 5to Allah6)judged b+ it S. 7Al-Ma'idah: 449. And so the @ro(het 7sa&9 &as from among them..

%his is therefore from the Mursal 7disconnected9 statements of A=-0uhri &hich ha\*e no 7e\*idential9 &orth and are ' no&n to be &ea'.

- %he follo&ing also came mentioned in the . 7>olume: , (age: 01 on&ards9: 52mam Abu ?a'r Abdullah bin A=-0ubair Al-"umaiddi said in his Musnad: Cuf+an bin 8H+ainah related to us from Mu'alid bin Ca'id Al-"amdani, from Ash-Cha'bi, from Jabir bin Abdullah, &ho said: -A man from the (eo(le of Fada' committed 0ina 7fornication#adulter+9. %he (eo(le of Fada' then &rote to (eo(le from among the Je&s of Al-Madinah, for them to as' Muhammad concerning that. 2f he commanded +ou &ith lashing then acce(t that from him but if he commanded +ou &ith stoning then don;t acce(t it from him. %he+ then as'ed him concerning that and he said: -Cend for the t&o most 'no&ledgeable men from among +ou.. %he+ came &ith a man blind in one e+e called 2bn Curi+a and another man. %he @ro(het 7sa&9 then said to them both: -Are +ou t&o the most 'no&ledgeable from among +ouP. %he+ said: -Our (eo(le ha\*e called us for that reason.. %he @ro(het 7sa&9 then said: -Do +ou not ha\*e the %a&rah &hich contains the ruling of AllahP. %he+ re(ied: -Ees, of course.. %he @ro(het 7sa&9 then said: %hen 2ad)ure +ou b+ the One &ho s(lit the sea for the Children of 2sra;eel, made the clouds shade +ou, sa\*e'd +ou from the (eo(le of Fir;a&n, and made Al-Manna and As-Cal&a descend u(on the Children of 2sra;eel, &hat do +ou find in the %a&rah in relation to stoningP. One of them then said to the other: -3e ha\*e not been ad)ured &ith the li'e of that e\*er.. %he+ then said: -3e \*ie& the re(eated loo' to be a form of 0ina, the embrace to be a form and the 'iss to be a form. %hen if four &itness testif+ that the+ sa& the (erson manifesting and returning li'e

a coll+rium stic' &hen enclosed in its case, then stoning is obligator+.. %he @ro(het 7sa&9 then said: -2t is li'e that.. "e then ga\*e the command and he &as stoned. %hen the follo&ing &as re\*ealed:

فَإِنْ جَاءُوكَ فَاحْكُم بَيْنَهُمْ أَوْ أَعْرَضْ عَنْهُمْ ۚ وَإِنْ تُعْرِضْ عَنْهُمْ فَلَنْ يَصُرُّوكَ شَيْئًا ۚ وَإِنْ حَكَمْتَ فَاحْكُم بَيْنَهُمْ  
بِالْقِسْطِ ۚ إِنَّ اللَّهَ يُحِبُّ الْمُقْسِطِينَ

%hen if the+ come to +ou, 50 Muhammad6, )udge bet&een them or turn a&a+ from them. And if +ou turn a&a+ from them, ne\*e&r &ill the+ harm +ou at all. And if +ou )udge, )udge bet&een them &ith )ustice. 2ndeed, Allah lo\*es those &ho act )ustl+ 7Al-Ma'idah: 4 9..

2t &as related b+ Abu Da&ud and 2bn Majah from the "adith of Muja'id similar to this.

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%he &ording of Abu Da&ud from Jabir &as: -%he Je&s came &ith a man and a &oman from them &ho had committed Oina 7fornication#adulter+9. "e then said: -?ring to me the t&o most 'no&ledgeable men from among +ou.. %he+ then brought the t&o sons of Curi+a and he ad)ured them sa+ing: %he+ said: -3e find that if four testified that the+ sa& his (ri\*ate (art in her (ri\*ate (art, li'e the -Mail. 7mil9 entering inside the Aohl container, then the+ are stoned.. "e said: -3hat then (re\*ented +ou from stoning themP. %he+ said: -Our authorit+ &ent and so &e disli'ed to 'ill.. %he Messenger 7sa&9 then called for the &itnesses. Four came and testified that the+ had seen the man;s (ri\*ate (art li'e a coll+rium stic' &hen enclosed in its case. %he Messenger of Allah 7sa&9 then ga\*e the command for them to be stoned..

Abu Da&ud then related it from Ash-Cha;bi and 2brahim An-: a'h;2 in Mursal form. "e did not mention in it: -"e called for &itnesses and then the+ testified..

E'idence is not established b+ this due to the &ea'ness of Muja'id and also due to the inconsistenc+ of the chain of transmission as it comes Ma&sul 7connected9 on an occasion and Mursal 7disconnected9 on another. "o&e\*er, this could still be suitable in res(ect to &hat is in agreement &ith the &ell-'no&n trust&orth+ reliable relaters 7%hiBat9. 2t is (roblematic ho&e\*er, that Fada' &as not under the authorit+ of the @ro(het 7sa&9 at that time and so ho& &as his command of stoning im(lemented o\*er the Je&sP1 And &hat &as the moti\*e behind the Je&s as'ing himP1

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- %he follo&ing came stated in the 7>olume: , (age: Q1 on&ards9: 5Al-BA&fi and 8Ali bin Abi %alhah Al-3alibi related from ibn 8Abbas that these A+at 7\*erses9 &ere re\*ealed in relation to t&o Je&s &ho had committed Oina, )ust as the Ahadeeth (resented that. 2t could be that these t&o causes 7of re\*elation9 came together at the same time and these A+at &ere re\*ealed in relation to all of that6.

: 8Ali bin Abi %alhah Al-3alibi &as not around at the same time as 2bn 8Abbas and he is not someone 'no&n for (recision, )ust as Al-BA&fi is 'no&n for ma'ing man+ errors. ConseBuentl+, the stor+ of the Oina and stoning from 2bn 8Abbas is not established and these lo&-le\*el chains of transmission do not stand u( against the chains of transmission of the stor+ of the (o&erful and lo&+ tribes &hich &e (re\*iousl+ mentioned.

Therefore, this second story related to the issue of the verdict of stoning, with the strength of its chain of transmission and the numerosity of its (athas, is unlikely to represent the initial cause of retaliation, in contrast to the story of the (powerful and loyal tribes, as related by Ibn Abbas. This is clarified clearly by the verses containing the rulings of Al-Gisas (retaliation for death) and the confirmation that *الْحَيَاةُ لِلْغَنِيِّ* - the life is for the life, which is what the (powerful or dominant tribe isolated unjustly and aggressively. What is whilst the A+at do not contain any mention of (ina (adultery/fornication and stoning (Ar-Ra)m. In addition, the consulting in respect to seeing the verdict of the (ro(het (sa&9, with the assistance of some of the h+(ocrites, before raising the issue to him in (ractice, &as condemned in the beginning of the A+at verses:

يَا أَيُّهَا الرَّسُولُ لَا يَحْزَنْكَ الَّذِينَ يُسَارِعُونَ فِي الْكُفْرِ مِنَ الَّذِينَ قَالُوا آمَنَّا بِفَوَاهِهِمْ

O Messenger! Do not let those who hasten into disbelief grieve you, from those who have said: O3e belie\*ed by their mouths (Al-Ma'idah: 41).

This &as a (arent in the story of the (powerful or dominant tribe and the loyal one, whilst its reality did not exist in the story related to stoning (Ar-Ra)m, even if the narrator had made effort to explain them i.e. the verses in light of the incident.

For these reasons, we assert that the verses were revealed for the first time in relation to the incident of the (powerful and loyal tribes as they conform to all of its details. Hereafter, if the narrations are established to be Sahih, the (ro(het (sa&9 cited some of them i.e. the verses and recited them in relation to the incident of the stoning as evidence, affirming the applicability of some of their Ah'am (ulings to the new reality. Come of the (eople then thought that the verses had been revealed at that time, even though they had in reality been revealed prior to that. The narrator then unsuccessfully, as we have established, attempted to (l+ all of the (assages of the A+ah u (on the new incident.

This is the correct view which manifests from a careful and precise study that the A+at were revealed for the first time in relation to the incident of the (powerful and loyal tribes and not in relation to the incident of stoning, in contrast with the statement of Imam Athir, may Allah's mercy be upon him, as mentioned in the 7-volume: (, (age: Q1 onwards: 52. It has been said: What they i.e. the verses were revealed in relation to a (eople from the Jews who killed someone and said: -Come, let us go to Muhammad for judgement. If he (asses) judgement with blood money then accept it and if he (asses) judgement with Al-Gisas (la& of retaliation then don't accept it from him.

... and here they i.e. the Jews had changed the 'word' of Allah by their hands in relation to stoning the married person from among them. He distorted it and agreed among themselves upon 100 lashes, blinding of the face and (arading on a donkey in retaliation. When such an incident happened after the (igration they said among themselves: -Come, let us go to Muhammad for judgement. If he (asses) judgement with lashing and blinding accept it from him and make that an argument between ourselves and Allah as it would have been a (ro(het from among the (ro(hets who had (assed) judgement among you with that. And if he (asses) judgement with stoning, then do not follow him in that.

Therefore, what Imam Athir believed to be correct is outweighed as is a (arent from the preceding elaborate discussion, which clearly revealed that the initial and most assured cause of retaliation is

the stor+ of the (o&erful and lo&l+ tribes due to its com(lete conformit+ to the Guranic conte4t and because it relates to the ' illing of li\*es and the Gisas 7la& of retaliation9, &hich is e4actl+ &hat the : oble A+at detailed. %he attachment of the stor+ &ith the A+at is therefore clear and there is no doubt in res(ect to it.

2bn Aathir re\*ised his o(inion some&hat &hen he stated in the : 7>olume: , (age: QI on&ards9: 5Due to this "e said after that:

وَكُتِبْنَا عَلَيْهِمْ فِيهَا أَنَّ النَّفْسَ بِالنَّفْسِ وَالْعَيْنَ بِالْعَيْنِ W

And 3e ordained for them therein a life for a life, an e+e for an e+e S 7Al-Ma'idah: 409

%his strengthens that the cause of re\*elation &as the issue of Gisas 7la& of retaliation9 and Allah 7s&t9 ' no&s best6.

As such, it is concluded that the : oble A+at &ere onl+ re\*ealed in relation to a (eo(le &ho had abandoned the ruling b+ &hat Allah re\*ealed in transgression and aggression, &hilst ' no&ing that the+ &ere u(on falsehood, transgressing and acting in a haught+ belligerent manner. %heir realit+ &as therefore not the same as the realit+ of those &ho den+ and disbelie\*e.

3e therefore find the first stor+ to be (re(onderant in res(ect to being the initial cause of re\*elation of the \*erses. %hat is because the \*erses discuss &ithin their conte4t the mutual eBui\*alence of the blood and li\*es in terms of (reser\*ation and blood mone+ and the rulings of Al-Gisas 7la& of retaliation9, &hilst the+ do not address 0ina 7fornication#adulter+9. %he+ onl+ dealt &ith t+rann+ and o((ression. %hat &as because the (o&erful domineering tribe distinguished itself in res(ect to the blood mone+ and Gisas from the lo&l+ and dominated tribe in arrogance, t+rann+ and haughtiness. %hat &as &hilst both tribes ' ne& that this &as in \*iolation of the "u'm 7ruling9 of Allah.

2n the first stor+ it is clear that both the (o&erful domineering (art+ and the lo&l+ dominated (art+ ' ne& that &hat the+ had agreed u(on &as in \*iolation of the "u'm 7ruling9 of Allah. %he+ onl+ differentiated in the blood mone+ due to the aggression, o((ression and haughtiness of the (o&erful domineering (art+ and the surrender and inabilit+ of the lo&l+ 7dominated9 (art+. %hen, &hen Muhammad 7sa&9 arri\*ed, the lo&l+ (art+ co\*eted justice and an esca(e from the o((ression and the (o&erful (art+ realised that the era of their t+rann+ had come to an end &ithout ho(e of return. Co &here is the denial or disa\*o&al hereP Rather, it re(resented an

based u(on the desire to be dominant o\*er and o((ress (eo(le, and due to the lo\*e of so\*ereign+ and master+. %he s(eech of the (o&erful tribe in res(ect to the matter (lainl+ indicates that the+ ' ne& full &ell that &hat the+ had im(osed &as re(rehensible, o((ressi\*e and in \*iolation of the "u'm of Allah, &hich b+ their im(licit admission &as: -Mood and )ust.. 2t is therefore (re(onderant that the+ ac' no&ledged that the "u'm of Allah &as more )ust and better than their "u'm 7ruling9.

As for the e4(ected intrigues of the (o&erful tribe in res(ect to those see'ing the )udgement of Muhammad 7sa&9 for them, then that &as because see'ing the )udgement at that time &as \*oluntar+ and the+ &ere not com(elled b+ its )udgement, )ust as he 7sa&9 &as not com(elled to (ass )udgement among them.

E\*en in the second stor+, the rabbi, after being ad)ured, admitted that the+ found stoning in their boo' - "o&e\*er, this 7crime9 became Buite common amongst our nobles. As such, &hen &e caught a noble 7indulging in this offence9 &e let him be, but &hen &e caught hold of a &ea' (erson &e im(osed the (rescribed (unishment u(on him. 3e then said: Let us agree something &hich &e can establish u(on both the noble (erson and the lo&l+. 3e then decided u(on blac' ening the face &ith coal and lashing, in (lace of the (unishment of stoning.. %he+ did not come together to agree that e4ce(t due firstl+ to their inabilit+ to establish the (rescribed (unishment u(on the noble (eo(le and secondl+, due to their differentiation in res(ect to the (unishment bet&een the noble and lo&l+ (erson. As such, the+ agreed u(on a -Rational Just. solution in &hich the noble (erson and lo&l+ &ould be eBual in terms of recei\*ing the blac' ening and lashing. %he+ therefore admitted that the+ &ere e4changing the Charee;ah &hich the+ belie\*ed to be re\*ealed and admitted to being from those &ho change and re(lace. %heir e\*asion from admitting that at the beginning &as onl+ due to their fear of being e4(osed and falling into contradiction. As such, &here is the Juhood 7denial or disbelief9 hereP1 Rather, it reflects the abandonment of the "u'm 7ruling9 of Allah due (rimaril+ to the inabilit+ to im(lement it and secondl+ due to the re(ulsi\*eness of the dis(arit+ in res(ect to the a((lication1

Ees, it is true, that the+ denied that the , the ruling &hich &as the sub)ect of discussion in the second stor+, &as (resent in their boo' , in an attem(t to esca(e shame and being e4(osed. "o&e\*er, &hen the (ages of their boo' &ere laid o(en and their reader &as commanded to read the te4t, the+ &ere e4(osed and submitted to it. %he+ admitted that the+ had been concealing it from the masses due to e4cuses &hich the+ mentioned. As such, there &as initiall+ denial, but it &as a denial in res(ect to it being (resent in the boo' &ith the intention to decei\*e the @ro(het 7sa&9 and to decei\*e their follo&ers. %hen, &hen that &as e4(osed, the+ admitted defeat and surrendered to that. %his denial ho&e\*er is not li'e the denial after seeing the te4t stating that it is the "u'm 7ruling9 judgement9 of Allah, li'e if it &as to be said for e4am(le: -Ees, it is in the %a&rah, ho&e\*er the %a&rah is from the authorshi( of Musa and not from Allah, and Musa &as not from the @ro(hets of Allah.. 2f someone &as to sa+ that, e\*en if he &as certain in his heart of the o((osite of that, then it &ould be Aufr 7disbelief9 and re(resent the Aufr of Al-Juhd 7disa\*o&al9. 2f he belie\*ed in the correctness of his statement, then that &ould be Aufr and re(resent the Aufr of At-%a' dheeb 7denial9. 2f, ho&e\*er, he &as onl+ raising doubt, then it &ould re(resent the Aufr of Ash-Cha' ' 7doubt9 etc. %his Juhd 7disbelief#disa\*o&al9 is not the same t+(e as the Juhd of the (eo(le of Fir;a&n to&ards the @ro(het Musa, (eace be u(on him:

وَجَحَلُوا بِهَا وَاسْتَيْفَنَتَهَا أَنْفُسُهُمْ ظُلْمًا وَعُلُوًّا

And the+ re)ected them, &hile their 5inner6 sel\*es &ere con\*inced thereof, out of in)ustice and haughtiness 7An:- aml: 149.

%his is &hat normall+ comes to the mind &hen the is mentioned.

It is for that reason that the Messenger ﷺ said:

Contem (late here the (recision of the e4 (ression of the one &ho &as made infallible b+ the (rotection of Allah: -Re\*iting 7or bringing to life9 the "u'm 7ruling9 after it had been caused to die \*ia its abandonment. . %here is not e\*en a &ord in this relating at all to the belief, Al-Juhood 7denial or re)ection9 or the conditions of the heart. "e did not sa+: -2 am the first to belie\*e in it after the+ disbelie\*ed in it. or -%he first to affirm it as truth after the+ denied it. , or -%he first to ha\*e certaint+ in it after the+ doubted it. or -%he first to affirm it and surrender to it after the+ re)ected or disa\*o&ed it. or an+thing resembling these statements. 2n addition, he 7sa&9 did not debate them in res(ect to his : oble ero(hethood but rather onl+ argued &ith them u(on the basis of their ?oo', Deen and their ero(het &hom the+ claimed to belie\*e in and follo&. "is ero(hethood 7sa&9 &as therefore not at all the subject being e4amined or being debated. %he subject matter &as therefore not one related to belief and denial 7or re)ection9/ not in res(ect to the ero(het Musa 7(eace be u(on him9 and &hat &as re\*ealed to him, and not in res(ect to the ero(het Muhammad 7sa&9, and &hat &as re\*ealed to him. Rather, the subject onl+ related to the changing of the Charee;ah due to social and (olitical considerations or factors.

%he truth of the matter is therefore that the Je&s did not den+ the "u'm of Allah as 2mam At-%abari (resumed, rather the+ 'ne& that the "u'm of Allah &as contrar+ to &hat the+ &ere a((l+ing. 2ndeed, it is (re(onderant that the+ belie\*ed that the "u'm 7judgement9 of Allah &as better than their o&n "u'm and the+ affirmed that Musa 7(eace be u(on him9 &as the Messenger of Allah, ho&e\*er the+ &ere causing his Charee;ah to die i.e. the+ &ere abandoning its a((lication due to desires to commit 0ina and o((ression among other &orldl+ desires or based u(on arguing that the+ &ere inca(able of a((l+ing it and due to the corru(tion of the (re\*ailing circumstances, among other arguments and e4cuses. %here is not a single &ord that indicates to Juhood and %a'dheeb 7re)ection, disa\*o&al, denial9 or to the re)ection of the ero(hethood of Musa 7(eace be u(on him9. %he issue therefore relates to the abandonment of the ruling b+ &hat Allah re\*ealed and re(lacing it &ith another "u'm 7ruling9 i.e. the changing of the Charee;ah due to the societal (ressures and &orldl+ desires. %his is &hat the contem(orar+ secularists call for and attem(t to )ustif+. %his issue is therefore not an issue related to the belief 7;tiBad9 and affirmation of truthfulness 7%asdeeb9.

%he &ording الْكَافِرُونَ 7Al-Aafirun # disbelie\*ers9 has come &ith the definite article of ال 7Alif Lam9 attached in "is Ga&l 7s&t9:

وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنزَلَ اللَّهُ فَأُولَٰئِكَ هُمُ الْكَافِرُونَ

And &hoe\*er did not rule b+ &hat Allah has re\*ealed, then those are the Aafirun 7disbelie\*ers9.

%he meaning has come in a reiterated form using the 2sm ul-2sharah 7demonstrati\*e (ronoun9 and the Dameer 7(ronoun9 together:

فَأُولَٰئِكَ هُمُ الْكَافِرُونَ



%his indicates that the intended meaning of the Aufr 7disbelief9 &hich is Ma;ruf 7' no&n9 and Ma;hud 7familiar#customar+9. %his refers to the Aufr Al-A' bar 7ma)or disbelief9 that ta'es one outside of the folds of the Millah 7i.e. the Deen9 due to its com(lete contradiction and incom(atibilit+ &ith 2slam.

%here is no Buestion that attributing the name of - 7disbelie\*er9 to a (erson is stronger and has greater em(hasis or certaint+ than attributing -Aufr. 7disbelief9 to him. %hat is because the latter could merel+ mean attributing a - 7خَصْلَةٌ from among the (ro(erties of disbelief or that an -act. 7يَنْلِ from among the acts of disbelief had been underta'en. %his is demonstrated clearl+ in the statement of the Messenger 7sa&9: -%here are t&o matters of Jahili+ah 7(re-2slamic (eriod9 in m+ Hmmah that the+ do not abandon &hich are S. or li'e this. Cimilarl+, in his statement 7sa&9:

[ سَبَابُ الْمُسْلِمِ فُسُوقٌ، وَقِتَالُهُ كُفْرٌ ]

Abusing a Muslim is FusuB 7e\*il doing9 and

%hese t&o are stronger and more certain than attributing the action of Aufr to him, li'e &hat came in his statement concerning the one &ho abandons the (ra+er:

X فَمَنْ تَرَكَهَا فَقَدْ كَفَرَ

3hoe\*er abandons it has i.e. he has committed an act from among the acts of Aufr 7disbelief9, in the case &here this matter could be tem(orar+ and not continuous.

For e4am(le, concerning the statement of the Arab: -%his man is &hite. is more (o&erful in terms of indicating colour than the statement: -%here is &hiteness in him., as the latter could be due to the (resence of &hite (atches alone, or a (olite e4(ression to indicate a s' in disease or condition. 2f, ho&e\*er, the+ said: -"e has become &hite due to the lac' of e4(posure to the sun. then this contains the meaning of tem(orar+ change, &hich could Buic' l+ disa(ear, if he &as to be e4(osed to the heat of the sun.

%he same a((lies to the statement: -%his (erson is &ise.. Meaning that he is characterised b+ &isdom, &hich is much stronger in meaning than the statement: -"e has &isdom., &hich in turn is more far reaching in res(ect to attributing &isdom than the statement: -"e acted &ith &isdom.. %his is al&a+s the case and a((lies eBuall+ in all languages.

ConseBuentl+, the Ga&l of Allah 7s&t9 الْكَافِرُونَ 7Al-Aafirun # disbelie\*ers9, &hich has come in the A+ah under stud+, means that this is a constant attribute in res(ect to them, a distinct colouring that the+ ha\*e and not just a (artial attribute or (assing tem(orar+ act. 2t is therefore obligator+ for it to be a((lied to the Aufr Al-A' bar 7ma)or disbelief9 that ta'es one outside of the folds of the Millah 7i.e. Deen9, other&ise, there must be a clear e\*idence from Allah to indicate other than that.

%he origin, in an+ case, is that the &ording -Aufr. &ith all of its deri\*ed forms, &hen stated, means the Aufr 7disbelief9 &hich is com(letel+ contrar+ to and incom(atible &ith 2slam and ta'es one outside of the folds of the Millah. 2t does not mean other than this unless there is a considered connotation that ta'es it a&a+ from that meaning to the Aufr Al-Asghar 7minor disbelief9, &hich does

not remove a (erson from the Millah. %his is &hat the Arabic language dictates and the necessit+ of dealing &ith Char;i+ah terminologies. %t is also the understanding of the Cahabah 7com(anions9 &hich the @ro(het 7sa&9 a((ro\*ed of.

- For e4am(le, the follo&ing came in of 2mam Al-?u' hari, &ith the most authentic chains of transmission of this Dun+a: 5Abdullah bun Eusuf related to us from Mali' bin Qaid bin Aslama, from 8Ata; bin Easir, from Abdullah bin 8Abbas, &ho said:

During the lifetime of Allah's Messenger 7sa&9, the sun eclis(ed. %he Messenger of Allah 7sa&9 then (erformed (ra+er and the (eo(le did so alongside him. "%e (erformed a long Gi+am 7standing (osture9 during &hich Curat-al-?aBarah could ha\*e been recited and then bo&ed &ith a long bo&ing. "%e then raised his head and stood for a long time &hich &as slightl+ less than that of the first Gi+am. %hen he (erformed a (rolonged bo&ing again but the (eriod &as shorter than the (eriod of the first bo&ing, then he stood u( and then (rostrated. Again he stood u(, but this time the (eriod of standing &as less than the first standing. %hen he (erformed a (rolonged bo&ing but of a lesser duration than the first, then he stood u( again for a long time but for a lesser duration than the first. %hen he (erformed a (rolonged bo&ing but of lesser duration than the first, and then he again stood u(, and then (rostrated and then finished his (ra+er. ?+ then the sun eclis(e had cleared. %he @ro(het 7sa&9 then said: -%he sun and the moon are t&o signs among the signs of Allah, and the+ do not eclis(e because of the death or birth of someone, so &hen +ou obser\*e the eclis(e, remember Allah 7offer the eclis(e (ra+er9. . %he+ 7the (eo(le9 said: -O Allah's Messenger 7sa&9! 3e sa& +ou reach out +our hand to ta'e something &here +ou &ere standing, then &e sa& +ou ste((ing bac' &ard.. "%e said: -2sa& @aradise 7or @aradise &as sho&n to me9, and 2 stretched m+ hand to (luc' a bunch 7of gra(es9, and had 2 (luc'ed it, +ou &ould ha\*e eaten of it as long as this 7orld remains in e4istence. %hen 2sa& the 7""ell9 Fire, and 2 ha\*e ne\*er before, seen such a horrible sight as that, and 2sa& that the majorit+ of its d&ellers &ere &omen.. %he (eo(le as'ed, -O Messenger of Allah 7sa&99! 3h+ is thatP. "%e re(ried: . 2t &as as'ed:

"e re(ried:

. Recorded b+ Muslim, An-: asaji and Ahmad. 2t has also been recorded in - . and in most of the collections, Cunan and Masanid.

"ere, &e can obser\*e that the Cahabah did not understand the statement of the Messenger 7sa&9 - . e4ce(t that it referred to the Aufr Al-A' bar 7the ma)or disbelief9, disbelief in Allah, &hich is com(letel+ contradictor+ and incom(atible &ith 2slam and remo\*es the one &ho had (re\*iousl+ entered the Millah 7i.e. the Deen of 2slam9 from it. "%e 7sa&9 did not condemn that, nor did he rebu'e them for that. Rather, he onl+ e4(lained to them that the intended meaning &as other than this and e4(lained its intended meaning in detail. %his re(resents a definite (roof that the &orded e4(ression of -Al-Aufr. is not (ermitted to be mo\*ed a&a+ from the meaning of , the Aufr Al-A' bar 7ma)or disbelief9, unless there is a Gareenah 7connotation9 &hich ta'es it to another meaning.

Des(ite that, some ha\*e stated that this Aufr 7disbelief9, &hich has been attributed to the one &ho did not rule b+ &hat Allah re\*ealed, refers to -Aufr Doon Aufr. 7A lesser disbelief9, or a -Aufr &hich is not li'e the one &ho has disbelie\*ed in Allah, "is Angels, "is ?oo's, Messengers and the Last Da+. or a -Aufr &hich does not ta'e one outside of the Millah.. %hat is &hilst the+ ac' no&ledge that it is from the greatest ma)or sins and the most re(ulsi\*e of sins. %hat is because a crime &hich Allah and

"is Messenger ha\*e called Aufr 7disbelief9, 0hulm 7transgression9 and FisB 7rebellious sinfulness9, is no doubt greater in sin than that &hich Allah and "is Messenger ha\*e not gi\*en that name to. Most of them ha\*e relied u(on &hat &as related from Zbn 8Abbas, ma+ Allah be (leased &ith him, that he said: -Aufr Doon Aufr. 7A disbelief less than disbelief9, )ust as the+ rel+ u(on the statement: -A Aufr 7disbelief9 &hich is not li'e the one &ho has disbelief\*ed in Allah, "is Angels, "is ?oo's, Messengers and the Last Da+..

2t ma+ be that some others ha\*e acce(ted that the Ga&l of Allah 7s&t9:

X وَمَنْ لَّمْ يَخُفْهُمَ اللَّهُ فَأُولَٰئِكَ هُمُ الْكَافِرُونَ

And &hoe\*er did not rule b+ &hat Allah has re\*ealed, then those are the Aafirun 7disbelie\*ers9.

%hat it onl+ means the Aufr 7disbelief9 that remo\*es one from the Millah, ho&e\*er, it is s(ecific to a (articulaf action or grou( &hich (ossesses a (articulaf descri(tion. %he+ sa+: -3hoe\*er denied 7Jahadah9 &hat Allah has re\*ealed has disbelief\*ed, &hilst &hoe\*er ac' no&ledges it but did not rule b+ it, is a 0halim FasiB 7transgressor, rebelliousl+ disobedient#sinful9., a statement &hich has also been attributed to Zbn 8Abbas, ma+ Allah be (leased &ith him.

As much of the debate and argument has been focused u(on the attribution of these statements to Zbn 8Abbas, ma+ Allah be (leased &ith him, and (erha(s to other Ajimmah 7Ccholars9 from the Calaf 7(redecessors9, it has become necessar+ to stud+ ho& established the transmission to them is and e4amine the attribution to &hom these statements ha\*e been attributed.

%he follo&ing came stated in the 7>olume: L, (age: Q1 on&ards9: 5Al-"asan bin Eah+a related to us from Abdur Ra==aB, from Ma;mar, from Zbn %a&us, from his father, &ho said: Zbn 8Abbas &as as'ed about "is Ga&l:

X وَمَنْ لَّمْ يَخُفْهُمَ اللَّهُ فَأُولَٰئِكَ هُمُ الْكَافِرُونَ

And &hoe\*er did not rule b+ &hat Allah has re\*ealed, then those are the Aafirun 7disbelie\*ers9.

"e said: - 7. 9هي يدكفر9. Zbn %a&us said: -And it is not li'e the one &ho disbelief\*ed in Allah, "is Angels, ?oo's and Messengers. 6.

: %his 2snad 7chain of transmission9 &hich is connected b+ the great trust&orth+ and reliable 2mams is sufficient in strength. 2t &as also related b+ 2mam Muhammad bin : asr ul-Maru=i in his boo' . ConseBuentl+, it has been authenticated from Zbn 8Abbas that he onl+ said: - 7. 9هي يدكفر9 and nothing else. %he remainder:

is from the s(eech of Zbn

%a&us and it is not from the s(eech of %a&us himself.

2t is true that some narrations ha\*e come attributing that statement to Zbn 8Abbas himself:

- Li'e &hat came in . . . 7>olume: , (age: Q on&ards9: 52shaB related from 3a' ee; related to us, from Cuf+an, from Ma;mar, from 2bn %a&us, from his father &ho said: 2 said to 2bn 8Abbas: -%he one &ho did not rule b+ &hat Allah re\*ealed is a disbelie\*er.. "e said: -2t is Aufr 7disbelie9 b+ it, but it is not li'e the one &ho has disbelie\*ed in Allah, "is Angels, ?oo's, Messengers and the Last Da+. 6.

- 2t &as mentioned in the . . . 7>olume: L, (age: Q1 on&ards9: 5"annad related to us from 3a' ee;, from 2bn 3a' ee;, from his father, from Cuf+an, from Ma;mar bin Rashid, from 2bn %a&us, from his father, from 2bn 8Abbas: -And &hoe\*er did not rule b+ &hat Allah has re\*ealed, then those are the Aafirun 7disbelie\*ers9.. "e said: -2t is Aufr 7disbelie9 b+ it, but not Aufr 7disbelie9 in Allah, "is Angels, ?oo's and Messengers6.

- Also, in the . . . 7>olume: L, (age: Q1 on&ards9: 5Al-"assan related to us, from Abu Hsamah, from Cuf+an, from Ma;mar, from 2bn %a&us, from his father &ho said: A man said to 2bn 8Abbas in res(ect to these \*erses -And &hoe\*er did not rule b+ &hat Allah re\*ealed.: -%hat &hoe\*er does that has disbelie\*ed.. 2bn 8Abbas said: -2f he has done that then he has disbelie\*ed b+ it, but he is not li'e the one &ho has disbelie\*ed in Allah and the Last da+ S. 6.

%his narration in &hich the s(eech of 2bn %a&us has been inserted into the s(eech of 2bn 8Abbas in the re(orts recorded b+ Muhammad bin : asr Al-Marui and also b+ At-%abari among others, is out&eighed 7Mar)oo9:

19 %hat is because its 2snad 7chain of transmission9 is &ea'er than our first 2snad. 2t contains -Cuf+an from Ma;mar.. Cuf+an has engaged in %adlis &hen he em(lo+ed -;An;Ana. 7عن9. Abdur Ra==aB has a s(pecial interest in relation to Ma;mar and he is the most reliable (erson in res(ect to him, re(resenting the decisi\*e (roof 7or final &ord9 &hen the narrations from Ma;mar ha\*e differed and (articularl+ if he has e4(ressed the narration in the chain 7%ahdeeth9. As such, if Abdur Ra==aB sa+s: Ma;mar informed us 7or related to us9, that is much more reliable and stronger than if Cuf+an related from Ma;mar.

9 And because our (re(onderant 7Raa)ih9 re(ort 7Athar9, &hich &as mentioned abo\*e first, includes an addition in &ording and meaning 7i.e. an addition in terms of e4(planation 7?a+an9 o\*er that &hich is stated in the out&eighed 7Mar)oo9 re(ort, and it has come from reliable and trust&orth+ relaters. %he addition of the reliable trust&orth+ reliable 7%hiBah9 relater must be acce(ted and it is im(ermissible to re)ect it, unless there is a ?urhan 7clear e\*idence9 dictating the o((osite of that i.e. dictating that it be rejected. Other&ise, &e &ould fall into contradiction.

%hat &hich has been established to ha\*e been related b+ 2bn 8Abbas, ma+ Allah be (leased &ith him, is onl+ his statement - 9. هِيْ بِهْ كُفْرٌ .

- %he follo&ing came mentioned in . . . 7>olume: , (age: Q on&ards9:

- 2t &as mentioned in . . . . . 7>olume: L, (age: Q1 on&ards9: 5Al-"asan bin Eah+a, related to us from Abdur Ra==aB, from Ath-%ha&ri, from a man, from %a&us, concerning 7the A+ah9 -%hen those are the Aafirun 7disbelie\*er;s9, he said: -7t is9 Aufr 7disbelief9 that does not remo\*e from the Millah.. 8Ata; said: -2t is Aufr that is less than Aufr, 0hulm &hich is less than 0hulm, and FisB &hich is less than FisB.6.

- 2t &as mentioned in . . . . . 7>olume: , (age: Q on&ards9: 5zshaB related from 3a'ee; related to us from Cuf+an, from Ca;id Al-Ma' 'i+, from %a&us, &ho said: -2t is not a Aufr 7disbelief9 that remo\*es someone from the Millah.6.

- 2n the . . . . . 7>olume: L, (age: Q1 on&ards9 it &as recorded as: 5"annad related to us &ho said that 3a'ee; related to us and &e &ere related to from 2bn 3a'ee; &ho said m+ father related to us, from Cuf+an, from Ca;id Al-Ma' 'i+, from %a&us, concerning "is Ga&l: 7Concerning9 -And &hoe\*er did not rule b+ &hat Allah has re\*ealed, then those are the Aafirun 7disbelie\*ers9. he said: -2t is not a Aufr 7disbelief9 that remo\*es someone from the Millah.6.

▲ : Ca;id is 2bn 7the son of9 "assan Al-Ma' 'i+ Al-Ma' h=umi. "e is %hiBah 7reliable#trust&orth+9 from the 7trusted9 narrators of 2mam Muslim and &as regarded as %hiBah b+ 2bn Mo;in, An-: asa;2 and Abu Da&ud. %herefore, the best 2nad is: 3a'ee; from Cuf+an, from Ca;id Al-Ma' 'i+, from %a&us. 2t is Cahih and (roof is established b+ it.

As for the first 2nad (resented b+ 2mam Muhammad bin : asr Al-Maru=i in his boo' . . . . . : 5Muhammad bin Eah+a related to us from Abdur Ra==aB, from Cuf+an, from a man, from %a&us, from 2bn 8Abbas that he said in res(ect to "is Ga&l 7s&t9 -%hose are the disbelie\*ers., . . . . . 6 %his 2nad is Da;eef 7&ea'9 &ithout doubt due to the obscure un' no&n man. %hat is in addition to At-%abari mentioning it as follo&s: 5Al-"assan bin Eah+a related to us from Abdur Ra==aB, from Ath-%ha&ri, from a man, from %a&us, concerning "is Ga&l 7s&t9 -%hose are the disbelie\*ers. he said: . . . . . 6. "ere, he sto( (ed at %a&us, &hich means that the narrators &ere inconsistent in res(ect to it be attributed to 2bn 8Abbas or to %a&us. 2t is conseBuentl+ obligator+ to go to that &hich is certain, &hich is its attribution sto( (ing at %a&us and this is e4actl+ &hat came in the aforementioned Cahih 2nad.

%he t&o other chains of transmission, e\*en if the+ don;t establish (roof, can be used as corroboration for the "adith of Ca;id Al-Ma' 'i+, if the obscure un' no&n man &asn;t Ca;id himself, thereb+ increasing the strength of the 2nad and affirming it from %a&us. As for attributing the statement to 2bn 8Abbas, then the (re(onderant \*ie& is that this is from the A&ham 7erroneous im(ressions9 of the narrators.

%his statement is established from 8Ata b+ a narration containing onl+ reliable and trust&orth+ major 2mams in the 2nad: 2bn Jurai), A+ub bin Abi %amima Aaisan and (erha(s %a&us:

- 2t came stated as follo&s in . . . . . 7>olume: , (age: Q on&ards9: 5zshaB related from 3a'ee; related to us from Cuf+an, from 2bn Jurai), from 8Ata; &ho said: -Aufr Doon Aufr 7lesser disbelief9, 0hulm Doon 0hulm 7lesser transgression9 and FisB Doon FisB 7lesser rebellious disobedience9.6.

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- 2t &as recorded as follo&s in the . . . . . 7>olume: L, (age: Q1 on&ards9: 5Muhammad bin 7ashar related to us from Abdur Rahman, from Cuf+an, from 2bn Jurai), from 8Ata; that he said concerning "is Ga&l: -3hoe\*er did not rule b+ &hat Allah has re\*ealed, then those are the disbelie\*ers 7Aafirun9. : -72t is9 Aufr Doon Aufr 7lesser disbelief9, Ohulm Doon Ohulm 7lesser transgression9 and FisB Doon FisB 7lesser rebellious disobedience9. .

- 7Also, it &as recorded9 2bn 7ashar related to us from Abdur Rahman, from " ammad bin Calamah, from A+ub from 8Ata: %he same as it.

- 7And9 Al-Muthanna related from Al-"u))a), from " ammad, from A+ub, from Abu %amima, from 8Ata; bin Abi Rabah: %he same as it.

- 7And9 "annad bin As-Cari+ related to us from 3a' ee;, from Cuf+an, from 2bn Jurai), from 8Ata;: %he same as it.

- 7And9 2bn 3a' ee; related to us from his father, from Cuf+an, from 2bn Jurai), from 8Ata;: %he same as it6.

%he follo&ing also came recorded in the . . . . . 7>olume: L, (age: Q1 on&ards9: 5Al-"asan bin Eah+a related to us from Abdur Ra==aB, from Ath-%ha&ri, from a man, from %a&us 7concerning9 -%hen the+ are the disbelie\*ers 7Aafirun9. . "e said: -2t is a Aufr that does not remo\*e from the Millah. . "e said: ;Ata; said: -72t is9 Aufr Doon Aufr 7lesser disbelief9, Ohulm Doon Ohulm 7lesser transgression9 and FisB Doon FisB 7lesser rebellious disobedience9. 6. %he one sa+ing: -8Ata; said: Aufr Doon Aufr etc. . is most li' el+ %a&us.

%his statement . . . . . has also been related from 2bn 8Abbas, ho&e\*er it is &ith a &ea' 7Da;eef9 2snad that does not establish (roof or e\*idence 7Al-"u))ah9.

- %hat is li'e &hat came recorded in . . . . . 7Al-"a'im9: 5Ahmad bin Culaiman Al-Ma&sili related to us from 8Ali bin "arb, from Cuf+an bin 8H+a+nah, from "isham bin "u)air, from %a&us &ho said: 2bn 8Abbas, ma+ Allah be (leased &ith him, said: -2t is not the Aufr 7disbelief9 that the+ are going to 7i.e. concluding9. 2t is not the Aufr that remo\*es one from the Millah. -3hoe\*er did not rule b+ &hat Allah is re\*ealed, then those are the disbelie\*ers. refers to Aufr Dun Aufr 7a lesser disbelief9. . Al-"a'im said: -%his "adith is Cahih in its 2snad but the+ 7Al-?u' hari and Muslim9 did not record it. . Adh-Dhahabi said in -At-%al' hees. : -72t is9 Cahih. 6.

- 2t &as recorded in the . . . . . from the (ath of Al-"a'im: 5Abu Abdullah Al-"afi-h informed Ahmad bin Culaiman Al-Ma&sili &ith it until its end in terms of Canad 7chain of transmission9 and Matn 7te4tual content of the "adith%.

- %he follo&ing came mentioned in the . . . . . 7>olume: , (age: L on&ards9: 52bn Abi "atim said that Muhammad bin Abdullah bin Ea=id Al-MuBri; related to us from Cuf+an bin 8H+a+nah, from "isham bin "u)air, from %a&us, from 2bn 8Abbas, in relation to "is Ga&l -And &hoe\*er did not rule b+ &hat Allah re\*ealed, then those are the disbelie\*ers. , that he said: -2t is not the Aufr &hich the+ are going to. 6.

: %he classification of it being Cahih b+ Al-"a'im and the agreement of Adh-Dhahabi is not relied u( on 7or considered9 here because "isham bin Juhair has been declared to be Da;eef 7&ea'9 b+ a collecti\*e of scholars of "adith criticism and none from the %hiBat 7reliable#trust&orth+ relaters9 in the &orld ha\*e follo&ed him u( on this narration at all.

Ahmad bin "anbal said about "isham: -"e is not strong.. Another time he said: -Ma' 'i+ is &ea' in "adith.. 2n addition, Eah+a bin Ca;id Al-Gattan classified him as Da;eef 7&ea'9 and discarded his "adith. 2mam 8Ali bin Al-Madeeni, the 2mam of the A;immah in the critiBuing of the relaters, &ho &as 'no&n for moderation, classified him as Da;eef. Al-8HBail+ mentioned him among the &ea' narrators. 2bn 8Adi remained silent in res(ect to him &ith his lenience and moderation. 2n addition, Eah+a bin Mo;in said that he is: ->er+ &ea' 7Da;eef9. as &ell as -Calih 7righteous9., meaning that he is \*er+ &ea' in his "adith but righteous in his Deen and 8badah 7&orshi(9. For that reason, 2bn Chubrumah said: -%here is not the li'e of him in Ma' 'ah., meaning in res(ect to his &orshi( and de\*otedness. Al-A)iri related from Abu Da&ud that he had been beaten as a "add 7(rescribed (unishment9 in Ma' 'ah. 2 said: For &hatP1 "e said: For &hat the (eo(le of Ma' 'ah are beaten for. %his refers to a disgraceful unli'el+ matter. 2t ma+ ha\*e been that Abu Da&ud too' it from an unreliable relater or that this had occurred &hen he &as +oung and had since re(ented and made his condition good after that. 2f that &as the case, then it should not be mentioned at all\_P1 "o& can someone be held for a sin that he had re(ented fromP1

Abu "atim said: -"e &rites his "adeeth. meaning that he &rites for consideration and e4amination. %his is from the forms of %amrid 7الشرطي9 em(lo+ed b+ Abu "atim and it means his non-acce(tance of his "adith inde(endentl+, but onl+ considers them among the corroborati\*e e\*idences.

Cuf+an bin 8H+a+nah said concerning him: 53e did not ta'e from him e4ce(t that &hich &e did not find &ith other than him6. From all of the abo\*e, it is established:

a9 %hat this Athar 7re(ort9 is from that &hich "isham bin "u)air, ma+ Allah grant him forbearance, &as alone in narrating.

b9 2t is a( (arent that Cuf+an bin 8H+a+nah &ould a\*oid narrating from him e4ce(t at the time of necessiti+, li'e the "adith not being (resent &ith an+bod+ else. %his re(resents a classification of &ea' ness from 2mam Cuf+an bin 8H+a+nah to "isham, ma+ Allah;s merc+ be u( on them both.

Al-?u' hari and Muslim did not relate for him a(art from as a follo&-u( 7corroboration9 or connected to other than it and his Ahadeeth &ere from &hat the 8H+lama; 7scholars9 criticised, in relation to the Cahihain 7i.e. Al-?u' hari and Muslim9.

2t is onl+ fair here for it to be said that 2bn Ca;d, 2bn "ibban and Al-88li+ \*erified him has %hiBah 7reliable9 ho&e\*er the+ are lenient in classification and not relied u( on greatl+. As-Caa)i, &ho &as 'no&n for adamance, said: 57"e is9 CadooB 7truthful#reliable%. %his re(resents %a='i+ah, &hich has its (lace, e\*en if As-Caa)i is not from the first-grade scholars for this matter. Al-"afi-h 7Al-AsBalani9 attem(ted to summari=e his condition and said: 57"e is9 CadooB 7truthful9 &ho has A&ham 7erroneous im(ressions%. 2t ma+ be that he is actuall+ some&hat lo&er than that le\*el, &here for e4am(le it should be said that he is: -CadooB often ha\*ing erroneous im(ressions and ma'ing errors.. Ma+ Allah ha\*e merc+ u( on "isham bin "u)air and (ardon us and him b+ "is Mrace and Magnanimit+. And Allah is most a&are and most (recise 7and &ise9 in )udgement.

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he (re)orderant \*ie& is that the statement in addition to the statement are both onl+ from the s(eech of %a&us, but "isham bin "u)air had the &rong im(ression and attributed it to 2bn 8Abbas. %hat is li'e &hat &as established b+ the Cahih 2snad recorded b+ At-%abari: 5" annad related to us &ho said that 3a'ee; related to us and &e &ere related to from 2bn 3a'ee;, &ho said m+ father related to us, from Cuf+an, from Ca;id Al-Ma' 'i+, from %a&us, concerning "is Ga&l: 7Concerning9 -%hen those are the Aafirun 7disbelie\*ers9. he said: -2t is not a Aufr 7disbelief9 that remo\*es someone from the Millah. 6. 3e ha\*e (re\*iousl+ mentioned and discussed that.

c9 %he statement:

- %his is li'e At-%abari mentioned in his %afsir, &hen he said: 5Al-Muthanna related to, he said: Abdur Rahman bin Calih related to us, he said: Mu;a&i+ah bin Calih related to me from 8Ali bin Abi %alhah, from 2bn 8Abbas, concerning "is Ga&l: he said: :

6.

%his isnad is MunBati; 7interru(ted9 and is com(letel+ null and \*oid 7i.e. has no e\*idential &orth9. %hat is because 8Ali bin Abi %alhah did not meet an+ of the Cahabah/ not 2bn 8Abbas nor an+one besides him. Rather, bet&een him and 2bn 8Abbas is an intermediar+, &hilst he is not of the (recision through &hich (roof 7Al-"u)ah9 is established as an indi\*idual. Ees, it is true that he has not been accused and is CadooB 7truthful#trust&orth+9 in himself, ho&e\*er, des(ite that he errs, as mentioned b+ Al-"afi-h 7Al-AsBalaani9: 57"e is9 CadooB Eu' hti;u 7truthful &ho errs%. %he same a((lies in res(ect to Mu;a&i+ah bin Calih bin "udair, as Al-"afi-h said in res(ect to him: 5CadooB Lahu A&ham 7%ruthful &ho has misgi\*ings or false im(ressions6. %hat is not to mention the Mhaflah 7inattention9 of Abu Calih Abdullah bin Calih the scribe of Al-Laith and the great number of his mista'es, unless he related from the boo' 7directl+9. As such, these three are from those &ho are not 'no&n for their accurac+ are altogether 7in one chain9, not to mention the interruct(ion of the 2snad.

As for the Matn 7te4tual content of the "adith9 then it does not resemble the s(eech of 2bn 8Abbas as has been related to us &ith authentic chains of transmission. 2t resembles the s(eech of those FuBahaa; 7jurists#scholars9 and Muta' allimun 7scholars of 2lm ul-Aalam9 &ho came later. %his Matn is therefore Mun'ar 7re)ected9 and the self cannot find comfort in it. 2ndeed, &e ha\*e no doubt that it is the s(eech of other than him, but &as then &rongl+ attributed to 2bn 8Abbas, ma+ Allah be (leased &ith him, or it &as fabricated and 8Ali bin Abi %alhah &as decei\*ed and too' it &ithout careful e4amination.

%he truth is that 2mam Abdullah ibn 8Abbas is the %ur)uman 7inter(reter9 of the Gur'an, the (rimar+ and greatest Mufassir 7e4(lainer9 of 2slam, and he is &ithout Buestion from among the ma)or scholars and jurists of the Cahabah. "is statements hold an authorit+ and standing &hich is &ell 'no&n and not denied. As such there e4ists a great enticement for liars to attribute to him that &hich he did not sa+ so that their \*ie&s gain the authorit+ and standing the+ see'. "is (resence is greatl+ abundant eBuall+ in res(ect to the narration 7Ri&a+ah9, \*erdicts and %afsir. 2t is therefore not strange that o(inions 7or statements9, Fata&a 7\*erdicts9 and %afasir 7e4(lanations9 get intermingled &ith other than him in the minds of some of those &ho lac' (recision from the relaters and as such the+ attribute to him. Due to this, strictness is obligated in res(ect to acce(ting &hat has been

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attributed to Ibn Abbas, especially in relation to the Afsir, so that none but the reliable and precise are taken from.

: 2f, for the sake of argument, this was all authenticated to be from Ibn Abbas, may Allah be pleased with him, it would not represent a "Uyah evidence" in itself, as the "Uyah is only found in the speech of Allah and "is Messenger, and none other.

What is especially because it has been related from the majority of the Sahabah, at the forefront of which are the two rightly guided Imams and Jurists, Umar and Ali, may Allah be pleased with them, that they declared disbelief upon the one who did not rule by what Allah revealed.

Ees, had an explicit majority consensus of the Sahabah been confirmed upon what had been attributed to Ibn Abbas, it would be permissible to have considered it to have been taken from the Prophet (saw), and consequently represent a "Uyah evidence" (roof 91 "o&e"er, &hat if Ibn Abbas, may Allah be pleased with him, is outweighed by the majority of the Sahabah and their Jurists Fuqaha;9. 3e have Ibn Mas'ud who stated that bribery (Rishah), injustice (Al-'aif) and transgression (Al-Ja'ar) in respect to the ruling was disbelief and he did not agree to calling the briber in ruling corrupt. Illegal gains because the devouring of corrupt is a great sin and crime only, &hilst the Rishah briber in respect to the ruling is corrupt in his state.

- This came mentioned in the : 5Muhammad related to me from Hthman bin Umar, from Fitr bin Ahalifah, from Mansur, from Calim bin Abi Al-Ja'd, from MasruB, who said: -2 was sitting in the presence of Abdullah, when a man asked him: -3hat is the corrupt? "e said: -Ar-Risha bribery.. When he asked: -3hat about in the rule? "e said: -What is corrupt disbelief? "e then recited:

X وَمَنْ لَمْ يَحْكَمْ بِمَا أَنْزَلَ اللَّهُ فَأُولَٰئِكَ هُمُ الْكَافِرُونَ

And whoever did not rule by what Allah has revealed, then those are the disbelievers.6.

Cheikh Hussein Asad said: -2ts Snad is Sahih. and it is as he said.

- 2t came in as follows: 5Abdullah bin Muhammad bin Ca'id ?in Abi Mar'am related to us from Muhammad bin Eusuf Al-Farabi, from Sra'eel, from "a'eem bin Jubair, from Calim bin Abi Al-Ja'd, from MasruB, who said: -2as'ed Ibn Mas'ud about Ar-Rishaa bribery in the ruling and he said: What is Al-Aufr disbelief? 6.

- The following was recorded in the : 5Abu : asr bin Gatadah informed us of what Abu Mansur An-: adra'i informed him from Ahmad bin : ajdah, from Ca'id bin Mansur, from Cuf'an, from Ammar Ad-Duhni, from Calim bin Abi Al-Ja'd, from MasruB, who said: -2as'ed Ibn Mas'ud concerning the corrupt and whether it is considered to be Rishah bribery in the ruling? "e said: -o: 3hoe'er did not rule by what Allah has revealed, then those are the Aafirun disbelievers, Ohalimun transgressors and FasiBun rebelliously disobedient. "o&e"er, the corrupt is where a man assists you with a wrongdoing for injustice, in the case where he gifts you and you accept it. What is the corrupt? 6.

the Athar reported from Ibn Mas'ud is therefore certainly reliable and authentic, especially with its corroborations, (facts and supporting evidences which have been detailed in the appendix of the study of the Asanid chains of transmission). From among them is the action and statement of MasruB, and his following narration:

- It was mentioned in that: MasruB interceded for a man who then gifted him a slave girl. "He was angered and said: -"and I know that this was within myself, I could not have spoken in the matter and I will never speak in respect to what remains of it either. I heard Abdullah bin Mas'ud say: -"Whoever intercedes in order for a right to be returned or a wrong to be rectified, and is then gifted for that and accepts it, then that is haram. He said: -"I did not use to say this until I heard the Prophet (peace be upon him) say: -"An illicit acquisition upon the ruling of the ruler is haram." He said: -"An illicit acquisition upon the ruling of the ruler is haram." 6.

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In the appendix of the Buoted man's narrations which establish for certain, the attribution of the statement to Abdullah bin Mas'ud, may Allah be pleased with him.

This is also the view of some of the scholars of tafsir from the Tabi'in like As-Cuddi:

- The following came stated in the tafsir of Ibn Athir. Volume: , (age L onwards): As-Cuddi said concerning:

وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنزَلَ اللَّهُ فَأُولَٰئِكَ هُمُ الْكَافِرُونَ

And whoever did not rule by what Allah has revealed, then those are the disbelievers.

- Whoever did not rule by what was revealed, where he left it intentionally or deviated for encroachment from it whilst he was aware of that then he is from the disbelievers. 6.

In addition, what dictates that the statement of Ibn Abbas should be given precedence over the statement of Abdullah bin Mas'ud is that Ibn Abbas, whilst he is from the first of the Muhajirin, who witnessed the migration of the Prophet (peace be upon him) and the migration of the tree prior to the treaty of Hudaibiya, Ibn Abbas is the human interpreter of the Quran and authority of the Prophet, and Mas'ud is the head of the resisters of the Quran and authority of the Prophet. He also resembled the Prophet (peace be upon him) the most in terms of his manner, characteristics and conduct.

What is if the attribution of the statement to Ibn Abbas was verified to be authentic in origin, although it is not what is in the case where the attribution of these irregular statements to Ibn Abbas are not verified. Rather, only his statement -

Consequently, it is necessary to include Ibn Abbas among all those who have said that it is - "disbelief to leave the ruling by what Allah has revealed, like Abdullah bin Mas'ud, with no difference in respect to them. As a result, the majority of the Sahabah is confirmed upon that i.e. attributing the -Aufr. disbelief to the one. This is the "abundant truth through which we follow the Deen of Allah and it represents that which is not permitted to be considered.

Even if the statements or  
A lesser disbelief were confirmed to be from Ibn Abbas, the majority of the Sahabah

Would still be condemned upon attributing the ordered execution of to the one  
: o disagreement would remain except for that which relates to its  
classification: Is it a disbelief that removes one from the Millah, or a *Aufr Doon Aufr* lesser disbelief  
that does not remove one from the folds of Islam, even if it is one of the greatest sins and most  
heinous of the major sins?

The definitive correct view is therefore that whoever abandons the ruling by which Allah has revealed  
is a *disbeliever* by this mere act of his. "He is deserving of that title by the *Qama*; consensus  
of the *Cahabah* which conforms to the *Gat*; definite text of the *Gur*; an. It is therefore not at all  
(permissible to refrain from calling him this name or title of *-Aafir*. *disbeliever* upon him. What is  
regardless of whether it is *Aufr Doon Aufr* the lesser disbelief that does not remove one from the  
Millah, or it is the *Aufr* which removes somebody from the Millah. It is still - . *disbelief* under all  
circumstances.

In addition, the correct view is that his *Aufr* is *Aufr A'bar* major disbelief which removes someone  
from the Millah and not *Aufr Doon Aufr* a lesser disbelief. Indeed, it is like the one who has  
disbelieved in Allah, "his Angels, 'Prophets', Messengers and the Last Day. What is because this re-resents  
the usual original *Gur*anic usage of the ordered execution - . *disbeliever*. It is not (permissible  
to divert it from that except by a *Qur*an clear evidence and no such *Qur*an exists.

These *A'at* verses are general in respect to everyone who abandons the "ultimate ruling" judgment  
by which Allah revealed. What is because it begins with *-Man*. of conditionality which represents  
the most emphatic of all the forms of generality, as concluded by the scholars of *Hsul*. *Imam Ibn*  
*Qami*ah, may Allah's mercy be upon him, said in his *-Ma*mu; *Al-Fatawa*. Volume: 10, (age: F  
Volume: 49. As such, it is not specific to the Jews alone, nor to this *Hmmah* only or the Christians  
alone. Rather, it is general in relation to: - *Whoever* does not rule for judge by which Allah revealed.  
and even if they were from the inhabitants of the past. Deserve the clarity of this and its self-evidence,  
understandings have differed over this matter:

- The following was stated in the . Volume: L, (age: Q onwards: The *Q*eo (le  
i.e. scholars of *Q*ael i.e. *Q*afsir and interpretation have differed in respect to the interpretation  
of the *Aufr* *disbelief* in this context. Some of them said like what we have said in respect to that,  
which is that it refers to the Jews who distorted the 'Prophets' of Allah and changed for changed its  
ruling. Included among those who said that:

- *Ibn Qa'e*; related to us from *Mu*; *ami*ah bin *Al-A*; *amash*, from *Abdullah* bin *Marrah*, from *Al-Q*ara;  
bin *Ab*ib, from the *ro* (het *sa* & , in relation to "is *Ga* & I: -And whoever did not rule by which Allah  
revealed, then those are the *Aafirun* *disbelievers*. , -And whoever did not rule by which Allah  
revealed, then those are the *Q*halimun *transgressors*. and -And whoever did not rule by which Allah  
revealed, then those are the *Fasi* *Bun* *trebellious* disobedient. , that they are related to the  
*disbelievers*.

- *Al-Muthanna* related to me from *Z*shaB, from *Muhammad* bin *Al-Gasim*, from *Abu* " *aan* who said  
that related from my father *Calih*: "He stated three verses which are in *Al-Ma*; *idah*: -And whoever  
did not rule by which Allah revealed, then those are the *Aafirun* *disbelievers*. S then those are the  
*Q*halimun *transgressors*. S then those are the *Fasi* *Bun* *trebellious* disobedient. . "He said: -The

(eo (le of 2slam ha\*e no relationshi ( to them. %he+ 7the \*erses9 are in relation to the Auffar 7disbelie\*ers9. .

- 2bn 3a' ee; related to us sa+ing that m+ father related to us from Abu "a++an, from Ad-Dahha' 7&ho said9: -And &hoe\*er did not rule b+ &hat Allah re\*ealed, then those are the Aafirun 7disbelie\*ers9, the 0halimun 7transgressors9, the FasiBun 7rebellious+ disobedient9. -%hat these A+at &ere re\*ealed in res (ect to the Ahl ul-Aitab 7(eo (le of the boo'9.

- Muhammad bin Abdul 8Aala related to us from Al-Mu;atamir bin Culaiman, &ho said that he heard 8mran bin "udair sa+ing: Come (eo (le from ?ani 8Amr bin Cudus came to Abu Mi)la= and said: -O Abu Mi)la=, ha\*e +ou seen the Ga&l of Allah -And &hoe\*er does not rule b+ &hat Allah has re\*ealed, then those are the Aafirun 7disbelie\*ers9. 2s that the truthP. "e said: -Ees.. %he+ said: -And &hoe\*er does not rule b+ &hat Allah has re\*ealed, then those are the 0halimun 7transgressors9. 2s that the truthP. "e said: -Ees.. %he+ said: -And &hoe\*er does not rule b+ &hat Allah has re\*ealed, then those are the FasiBun 7rebellious+ disobedient9. 2s that the truthP. "e said: -Ees.. %he+ then said: -O Abu Mi)la=, so do those 7i.e. the rulers9 rule b+ &hat Allah has re\*ealedP. "e said: -%hat is their Deen &hich the+ follo& 7obe+ or (ractise9, according to &hich the+ s(ea' 7i.e. gi\*e o (inions and \*erdicts9 and &hat the+ in\*ite to. 2f the+ then lea\*e an+thing of that, the+ 'no& that the+ ha\*e fallen into sin.. %he+ said: -: o, b+ Allah, but +ou are differentiating.. "e said: -Eou are more entitled than me in this regard. 2do not see 7that9 but +ou see this and +et +ou do not e4it 7i.e. from the authorit+9. "o&e\*er, it &as re\*ealed in relation to the Je&s, Christians and (eo (le of Chir' 7(ol+theism # idolatr+9., or he said similar to this.

- Al-Muthanna related to me from "u))a), from "ammad, from 8mran bin "udair, &ho said: -A grou ( from the 8badi+ah a ( (roached Abu Mi)la=.. "e said: %he+ said to him: -Allah sa+s: -And &hoe\*er does not rule b+ &hat Allah has re\*ealed, then those are the Aafirun 7disbelie\*ers9, then those are the 0halimun 7transgressors9, then those are the FasiBun 7rebellious+ disobedient9.P1 Abu Mi)la= said: ->eril+, the+ are doing &hat the+ are doing 7i.e. the rulers9 and the+ 'no& that it is a sin.. "e said: ->eril+, this A+ah &as onl+ re\*ealed in relation to the Je&s and Christians.. %he+ said: -?+ Allah, +ou are surel+ a&are of &hat &e are a&are of, ho&e\*er +ou fear them.. "e said: -Eou are more entitled &ith that than me. As for us, then &e do not 'no& &hat +ou 'no&. Eou, ho&e\*er, 'no& it, but +our fear is &hat (re\*ents +ou from ta'ing +our matter further.6.

- %he follo&ing also came in the . 7>olume: L, (age: Q1 on&ards9: 5Al-"asan bin Eah+a related to us from Abdur Ra==aB, from Ath-%ha&ri, from a man, from 8' rimah, &ho said: -%hose A+at 7\*erses9 are in res (ect to the Ahl ul-Aitab 7(eo (le of the ?oo'9. .

- ?ishr bin Mu;adh related to us from Ea=id, from Ca=id, from Gatadah 7concerning9 "is Ga&l: -And &hoe\*er does not rule b+ &hat Allah re\*ealed, then those are the Aafirun 7disbelie\*ers9.. "e mentioned to us that these \*erses &ere re\*ealed in relation to Je&s &ho &ere among them.

- Al-Gasim related to us from Al-"ussein, from Al-"u))a), from 2bn Jurai), from 8' rimah, that "is Ga&l: -And &hoe\*er does not rule b+ &hat Allah re\*ealed, then those are the Aafirun 7disbelie\*ers9, the 0halimun 7transgressors9 and FasiBun 7rebellious+ disobedient9., &as for all of the Ahl ul-Aitab 7(eo (le of the ?oo' 2(-8 ? .597901(n)11.7361( )6.0.5993043 (l)9.02938(e)-15.2864 ( )6.03003 (t)12.3769(o)-15.2926 ( )6.02914 (&)-3.56951(h)-2.92864(a)9.729311(r)-2.953

Abdullah bin Abdullah, Al-Hasan Al-Asri and others said: -And the \*erses are obligatory upon us.. Abdur Raab said from Cufan Athari, from Mansur, from Ibrahim, that he said: -These Aat \*erses were revealed in relation to \*ani \*rael and Allah sanctioned them for this Himmah., related by Ibn Jarir.

The above represents some of what has been quoted from what can possibly be considered to represent a text establishing that the \*erses only apply to the Ahl ul-Aitab (people of the \*oo'9. As for the \*adith of Al-Asari; bin \*A=ib, may Allah be pleased with him, then it has already been mentioned with all of its \*aths and \*ordings during the discussion of the Asbab An-: u-ul \*causes of re\*elation9, and it does not include what indicates decisively that the \*u'm \*ruling9 is specified to the \*e&s, the (people of the \*oo' or the disbelievers alone. We will discuss the statement: soon by Allah's (ermission. The speech of Ad-Dahha' is also only related to the cause of re\*elation and is not related to the rulings which the \*erses encompass. The same applies to the speech of Gatadah.

2932(h)-2.9284(j)Jh161.853 O Tdh(b)-2.9284(e)14.065(-)-8.63556(-)-2.9284(l)9.02938(e)14.065(a)-4.93537(s)-4.946594701.7361(l)-5.63531(i76(r4n)-2.9284(j)9.02938

from Allah and the+ did not claim that the alternati\*es &ere from Allah but rather matters &hich the+ deemed to be fitting. It is possible that Ibn Oaid miss(o'e and that he only intended that the one &ho changes the Charee;ah and legislates for himself is a disbelie\*er, &hilst belie\*ing that this is the situation &here the \*erdict of disbelief a((lies to the one &ho does it as mentioned in the A+ah i.e. that the \*erse is only addressing those &ho e4change the Charee;ah and legislate besides Allah. As for the one &ho does not do that then in his \*ie& he falls &ithin the categor+ of the Muslim rulers, just li'e the \*ie& of Abu Mj)la=.

If &hat &e ha\*e mentioned re(resented an 7ma;, &e &ould not ha\*e gone against it. "o&e\*er, the best of the Cahabah and %abi;un held an o((osing \*ie& to it. 3e ha\*e already mentioned the statement of Abdullah Ibn Mas;ud in relation to the Rish&ah 7briber+9 ta'ing (lace in the "u'm 7ruling9 and that it is Aufr 7disbelie9, &hilst nothing came from himP &hich ga\*e the im(ression that it &as a Aufr Doon Aufr 7lesser disbelief9 or that it did not ta'e someone outside of the Millah. Rather, his s(eech &as clear in that it &as referring to the Aufr Al-A' bar 7ma)or disbelief9 &hich ta'es someone outside of the Millah, in the case &here it came related to the Cuht 7illicit acBuisition9 &hich is from the re(rehensible ma)or sins. 3e ha\*e also mentioned the s(eech of As-Cuddi and similar to that has come re(orted from the Cahabah and %abi;un 7first generation after the Cahabah9.

- %he follo&ing came mentioned in the -%afsir of At-%abari. 7>olume: L, (age: Q1 on&ards9: 52bn 7ashar related to us from Abdur Rahman, from Cuf+an, from Ibn 3a'ee; &ho said m+ father related from Cuf+an, from "abib bin Abi %habit, from Al-?a' htari, from "udhaifah, in relation to "is Ga&l: -And &hoe\*er does not rule b+ &hat Allah has re\*ealed, then those are the disbelie\*ers., he said: -Ees, brothers to +ou, ?anu 2sra;eel. If +ou ha\*e e\*er+thing that is s&eet and the+ ha\*e e\*er+thing that is bitter, +ou &ill still follo& their (ath to the (oint of the length of a shoelace..

- "annad bin As-Cari+ related to us from 3a'ee;, from Cuf+an, from "abib bin Abi %habit, from Abu Al-?a' htari, &ho said: %he follo&ing &as said to "udhaifah: -And &hoe\*er does not rule b+ &hat Allah has re\*ealed, then those are the disbelie\*ers.. It 7i.e. the "adith9 then mentioned similar to the "adith of 7ashar from Abdur Rahman.

- Al-"asan bin Eah+a related to us from Abdur Ra==aB, from Ath-%ha&ri, from "abib bin Abi %habit, from Abu Al-?a' htari, &ho said: A man as'ed "udhaifah about those \*erses -And &hoe\*er does not rule b+ &hat Allah re\*ealed, then those are the Aafirun 7disbelie\*ers9, then those are the 0halimun 7transgressors9 and then those are the FasiBun 7rebellious+ disobedient9. P1 "e said: It &as said that &as in relation to ?ani 2sra;eel. "e said: -Ees, brothers to +ou, ?anu 2sra;eel. E\*en if the+ &ere to ha\*e e\*er+thing that is bitter and +ou &ere to ha\*e e\*er+thing that is s&eet, then na+ b+ Allah +ou &ould 7still9 follo& their (ath to the (oint of the length of a shoelace6.

%his then is "udhaifah bin Al-Eaman, ma+ Allah be (leased &ith him, re(udiating those &ho &ish to restrict the "u'm 7ruling9 of the \*erse to ?ani 2sra;eel, res(onding &ith shar( derision: -Ees, brothers to +ou, ?anu 2sra;eel. E\*en if the+ &ere to ha\*e e\*er+thing that is bitter and +ou &ere to ha\*e e\*er+thing that is s&eet, then na+ b+ Allah +ou &ould 7still9 follo& their (ath to the (oint of the length of a shoelace11. 2ndeed, e\*en stronger than that has been re(orted from 2mam 8Amir bin Charaheel Ash-Cha;bi:

- %he follo&ing came stated in the 7>olume: L, (age: Q1 on&ards9: 5And some of them said that the Aafirun 7disbelie\*ers9 refers to the (eo(le or follo&ers of 2slam, the 0halimun

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7transgressors9 refers to the Je&s and the FasiBun 7rebellious+ disobedient9 refers to the Christians.  
"e mentioned those &ho said that:

- 2bn 3a' ee; related to us, he said: 2 related from m+ brother &ho related from 0a' ari+a, from 8Amir &ho said: %he Aafirun 7disbelie\*ers9 &as re\*ealed in relation to the Muslims, the 0halimun 7transgressors9 &as re\*ealed in relation to the Je&s and the FasiBun 7rebellious+ disobedient9 &as re\*ealed in relation to the Christians.

- 2bn 3a' ee; related to us from Eaman, from Cuf+an, from 2bn Abi As-Cafar, from Ash-Cha;bi, 7&ho said9: %he Aafirun 7disbelie\*ers9 is in relation to the Muslims, the 0halimun 7transgressors9 is in relation to the Je&s and the FasiBun 7rebellious+ disobedient9 is in relation to the Christians.

- 2bn 3a' ee; Abu As-Ca;ib and 3asil bin Abdul A;ala related to us from 2bn Fudail, from 2bn Chubrumah, from Ash-Cha;bi, &ho said: -One A+ah is related to us and t&o A+at 7\*erses9 are related to the (eo (le of the ?oo'. -And &hoe\*er does not rule b+ &hat Allah has re\*ealed, then those are the Aafirun. &as in relation to us, &hilst -3hoe\*er does not rule b+ &hat Allah has re\*ealed, then those are the transgressors and rebellious+ disobedient. &ere related to the Ahl ul-Aitab 7(eo (le of the ?oo'9.

- 2bn 3a' ee; related to us, he said m+ father related to me from Cuf+an, from Jabir, from 8Amir li' e the "adith of 0a' ari+a from him.

- Muhammad bin Al-Muthanna related from Abdus Camad bin Abdul 3arith, from Chu;bah, from 2bn Abi As-Cafar, from Ash-Cha;bi: -And &hoe\*er does not rule b+ &hat Allah has re\*ealed, then those are the Aafirun 7disbelie\*ers9. "e said: %his is in relation to the Muslims. -And &hoe\*er does not rule b+ &hat Allah has re\*ealed, then those are the FasiBun 7rebellious+ disobedient9. "e said: %he Christians.

- Ea;Bub bin 2brahim related from "ushaim, from 0a' ari+a ibn Abi 0a;idah, from Ash-Cha;bi, &ho said: -7Concerning9 %hese A+at 7\*erses9 &hich are in Al-Ma;idah: -And &hoe\*er does not rule b+ &hat Allah has re\*ealed, then those are the Aafirun 7disbelie\*ers9. "e said: %his is in relation to us, Ahl ul-2slam. -And &hoe\*er does not rule b+ &hat Allah has re\*ealed, then those are the 0halimun 7transgressors9. "e said: %his is in relation to the Je&s. -And &hoe\*er does not rule b+ &hat Allah has re\*ealed, then those are the FasiBun 7rebellious+ disobedient9. "e said: 2n relation to the Christians..

- Muhammad bin ?ashar related to us from Abdur Rahman bin Mahdi, from Cuf+an, from 0a' ari+a bin Abi 0a;idah, from Ash-Cha;bi, in relation to "is Ga&l: -And &hoe\*er does not rule b+ &hat Allah has re\*ealed, then those are the Aafirun 7disbelie\*ers9. "e said: %he first &as re\*ealed in relation to the Muslims, the second in relation to the Je&s and the third the Christians.

- Al-"asan bin Eah+a related to us from Abdur Ra=aB, from Ath-%ha&ri, from 0a' ari+a, from Ash-Cha;bi: Cimilar te4t to the former.

- "annad related to us from Ea;la, from 0a' ari+a, from 8Amir: Cimilar te4t to the former.

ConseBuentl+, the Aufr 7disbelief9 is s(ecified to the Muslims alone according to 2nam Ash-Cha;bi. As for the 0hulm 7transgression9 and FisB 7rebellious disobedience9 then the+ are s(ecified to the Ahl ul-

Aitab 7(eo(ie of the ?oo'9. 3e do not 'no& ho& Ash-Cha;bi deduced this as it a((ears to be in com(lete contradiction &ith those &ho sa+: -3hoe\*er Jahada 7denied#disa\*o&ed9 &hat Allah has re\*ealed has disbelief\*ed, &hilst the one &ho ac' no&ledges it but does not rule b+ it is a 0halim FasiB 7transgressor, rebellious+ disobedient9. Ash-Cha;bi ma+ ha\*e intended that the Je&s and Christians had alread+ disbelief\*ed b+ not follo&ing the final @ro(het and as their disbelief &as a matter that had been settled, regardless of if the+ ruled b+ &hat Allah re\*ealed or did not rule b+ it. ConseBuentl+, onl+ the meanings of the transgressor and rebellious+ disobedient are a((licable to them u(on lea\*ing the ruling b+ &hat Allah has re\*ealed. As for the Ahl ul-2slam 7the adherents of the Deen of 2slam9, then lea\*ing the ruling b+ &hat Allah has re\*ealed \*iolates their 2slam and 2man, and conseBuentl+ the+ become disbelief\*ers and a(ostates, after ha\*ing been in the fold of 2slam.

2f a difference of o(union among the Cahabah, the %abi;un and those &ho came after them has occurred, &here no considered 2ma; 7consensus9 e4ists, it is obligator+ to return the matter to Allah and "is Messenger i.e. to the Aitab and the Cunnah in accordance to the dictates of the Arabic language. %his leads b+ necessit+ to: %hat &hoe\*er does not rule b+ &hat Allah has re\*ealed is a Aafir 7disbelief\*er9, 0halim 7transgressor9 and FasiB 7rebellious+ disobedient9, b+ his mere underta'ing of this act, &ith there being no difference bet&een a Muslim, Je&, Christian and ?uddhist. %hat is because he is a disbelief\*er and there is no difference bet&een the one &ho &as a belie\*er (rior to that and then became a disbelief\*er, and the one &ho &as a disbelief\*er and then increased in his Aufr 7disbelief9. "e is also a 0halim 7transgressor9 and there is no difference bet&een the one &ho &as Adl 7just9 before that and then became a 0halim, and the one &ho &as alread+ a 0halim and then increased in his 0hulm 7transgression # o((ression9. Just as he is FasiB 7rebellious+ disobedient9, &hilst there is no difference in this regard bet&een the one &ho &as obedient before and then became FasiB and the one &ho &as alread+ FasiB and then increased his FisB 7rebellious disobedience9 and Ma;si+ah 7disobedience9.

: %hat &hoe\*er lea\*es the ruling b+ &hat Allah has re\*ealed, meaning -3hoe\*er did not rule b+ &hat Allah re\*ealed., is a - . 7disbelief\*er9 b+ his mere underta'ing of this. "e is deser\*ing of this title or descri(tion in accordance &ith the definite Guranic te4t and b+ the 2ma; 7consensus9 of the Cahabah. 2t is not (ermissible to hold a (osition o((osed to this and not under an+ circumstances.

2n addition, the most (re(onderant correct \*ie& is that such a (erson;s Aufr 7disbelief9 is li'e the Aufr 7disbelief9 in Allah, "is angels, "is ?oo's, "is Messengers and the Last Da+. %his is the Aufr Al-A' bar 7ma)or disbelief9 that remo\*es someone from the Millah and it is not a lesser Aufr 7Aufr Doon Aufr9. %he same a((lies in res(ect to his FisB 7rebellious disobedience9 and his 0hulm 7transgression9 as it is all ma)or and remo\*es its (er(etrator from the Millah.

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Des(ite the abo\*e, the FuBaha; As-Calateen 7regime scholars9 ha\*e e4(ended might+ efforts to falsif+ &hat &e ha\*e conclu92864(r)11.7119(a)020.68 T d h [ &44864(d)11.7-2.28778(-)-22361(a)9.72932(t)7901(l)-5.63531(l)9.02-0.929074(m)7.10679(-)-8.6352864(r)11.13168.63466(7



are in relation to the disbelievers as a whole. , li'e &hat came stated &ithin the Caheeh Ahadeeth &hich &ere (resented earlier and u(on &hich there is agreement in res(ect their authenticit+.

Al-Albani su((orted this groundless and false \*ie& and he &ent into length in res(ect to it in his , &hen discussing the aforementioned t&o "adith. "e relied in res(ect to that, in (art, u(on the te4t of the great 2mam At-%abari, &hen he commented u(on the different narrations connected to the : oble A+at 7\*erses9 in his %afsir. "e too' and transmitted the te4t and re)oined in it, indeed he fle& in the hori=ons as a result of it1 %he follo&ing is the te4t &ord for &ord:

- %he great 2mam At-%abari said: 5%he most correct of these o(inions in m+ \*ie& is the one of those &ho state: %hese \*erses &ere re\*ealed in relation to the disbelievers of the Ahl ul-Aitab 7(eo(le of the ?oo'9, because the \*erses that came before them and after them &ere re\*ealed in relation to them and the+ are those &ho &ere intended b+ them. %hose \*erses are in the conte4t of information concerning them and as such it is most a((ro(riate for these \*erses to also be about them.

2f someone &as then to sa+:

2t &as said: >eril+, Allah 7s&t9 has been general in informing about a (eo(le &ho used to den+ a ruling of Allah &hich "e ruled should this be re\*ealedP &ith in "is ?oo'. "e then informed concerning them, that due to their abandonment of the ruling, in the manner that the+ left it, the+ are disbelievers. %he same a((lies in relation to an+one &ho did not rule b+ &hat Allah re\*ealed out of denial or disa\*o&al 7Juhood9 being a disbeliever in Allah, )ust li' e 2bn 8Abbas said. %hat is because his denial of the "u'm 7ruling9 of Allah after 'no&ing that "e re\*ealed it in "is ?oo', is tantamount to den+ing the @ro(hethood of "is @ro(het after 'no&ing that he is a @ro(het6. "ere ends the Buote of 2mam At-%abari, in &hich he sli((ed o'er his feet, ma+ Allah;s merc+ be u(on him and (ardon him.

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Ees, 2mam At-%abari, ma+ Allah;s merc+ be u(on him, ac' no&ledged that this is a s(ecification of the A+ah 7\*erse9, a&a+ from &hat the generalit+ of the &ording dictates in accordance &ith the established s(eech of the Arabs, and he &as correct in res(ect to that. "o&e\*er, he claimed s(ecification and argued for that &ith &hat is e4ternal to the te4t, as is understood in the Arabic language. %hat is not (ermissible unless there is a ?urhan 7clear e\*idence9 from another te4t, so &here is that te4tP1

%he A+ah 7\*erse9 does not contain an+thing about the 2tiBad 7belief9. Rather, it relates to the "u'm 7ruling9 and its abandonment i.e. it is related to the a((arent act and not other than that. 2ts te4t has no relationshi( at all to the belief and no &ording has come in it indicating to Juhood 7denial#disa\*o&al9 or an+ other matters related to the conditions of the heart and its acts. 2mam At-%abari is too 'no&ledgeable and (ious to argue in res(ect to that. 2ndeed, he is acce(ting of this (oint1

: %he t&o stories related to the cause of re\*elation oblige definiteness in res(ect to the Juhood 7denial9 and 2tiBad 7belief9 5i.e. At-%asdeeB Al-Ja'im 7the decisi\*e affirmation% has no (lace here, as &e ha\*e (re\*iously+ e4(lained in detail.

"ad At-%abari, ma+ Allah;s merc+ be u(on him, onl+ restricted the ruling of disbelief to those &ho changed or e4changed the Charee;ah rulings, based on the e\*idential indication of the Ahadeeth

Which ha'e come mentioning the t&o stories, he &ould ha'e had some e4cuse, but not a com(lete e4cuse. %hat is because Allah, e4alted is "is &isdom, said:

وَمَنْ لَّمْ يَخُصَّ بِمَا أَنْزَلَ اللَّهُ فَأُولَٰئِكَ هُمُ الْكَافِرُونَ ... الظَّالِمُونَ ... الْفَاسِقُونَ

7Al-Ma'idah9.

"e did not at all sa+: -3hoe\*er changes 7or e4changes9 the Char;a of Allah, then those are the disbelie\*ers.. ConseBuentl+, it is established b+ certain+ that Allah onl+ intended the lea\*ing or abandonment of the ruling b+ &hat "e re\*ealed, in an unrestricted manner and u(on its generalit+. %herefore, &hoe\*er did that from among the (eo(le of the %a&rah is a Aafir, 0halim and FasiB, &hoe\*er did it from the (eo(le of the 2n)eel is a Aafir, 0halim and FasiB, and &hoe\*er did that from among the (eo(le of the Gur;an, &hich is the most com(lete, (erfect and beautiful of the boo's, (reser\*ed b+ the (rotection of Allah, then he b+ greater reason is more entitled to the disgraceful and heinous labels of Aufr 7disbelie9, 0hulm 7transgression9 and FisB 7rebellious disobedience9.

As for &hat came mentioned in the "adith related b+ Al-?ara; bin 8A=ib: -%he+ 7the \*erses9 are in relation to the disbelie\*ers as a &hole., then the thread of the "adith is long and &e are not able to be certain that it is from his s(eech 7sa&9. rather, it could be from the s(eech of Al-bara; bin 8A=ib, ma+ Allah be (leased &ith him, &hich is &hat 2nam 2bn Aathir understood in his %afsir, or the s(eech of someone else. As for the short "adith, then it is a summar+ of the long "adith &ith the same 2snad 7chain of transmission9. 2t is therefore feared that some of the relaters **summarized some&hat in it. R suggested edit abridged it some&hat and as a result** and as a result attributed the statement to the @ro(het 7sa&9 under the belief that it &as his.

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As such, if it is not established b+ &a+ of certain+ that this is the s(eech of the @ro(het 7sa&9, it is not (ermitted to use it as e\*idence or reference.

2f &e &ere to assume, for the sa'e of argument, that it &as the s(eech of the @ro(het 7sa&9, then it &ould be obligator+ to inter(ret it according to the best and most )ust of &hat it can be inter(eted u(on. %hat is because its meaning can either be:

. %hat the+ 7the \*erses9 &ere all re\*ealed in relation to the disbelie\*ers 7the Je&s and the Christians9 initial+, meaning that the+ &ere the reason or cause of the re\*elation of the \*erses and the cause of their re\*elation &as not a matter that **ha((ened from R in relation toP** the (eo(le of 2slam 7Muslims9 during the time that the Gur;an &as being re\*ealed. %hat &ould mean that the statement -%he+ 7i.e. \*erses9 are in relation to the disbelie\*ers as a &hole. is onl+ connected to the matter **ef related to-the cause or reason of R for** re\*elation, &hich is a matter that &e ha\*e no dis(ute &ith.

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2f that &as correct, then this e\*identl+ does not (re\*ent their &ordings from ha\*ing come in a general manner and conseBuentl+ being a((licable u(on e\*er+one according to **this R should this be this situation or their situationP** situation. %his means that the a((lication of **thisat** is sought from other e\*idences, aside from the causes of re\*elation. As a conseBuece, the statement

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&ould be ineffectual, &ith nothing attained

from it and containing no addition in terms of ?a+an 7e4 (lanation9/ a matter far remo\*ed from being attributable to the Messenger of Allah 7sa&9.

.. %hat the \*erses &ere all re\*eaed onl+ in relation to the disbelie\*ers 7the Je&s and Christians9 alone and none of that a((lies u(on the (eo(le of 2lam. As such, the one &ho lea\*es the ruling b+ &hat Allah re\*eaed does not disbelie\*e, transgress nor is he rebellious+ disobedient. "o&e\*er, this &ould certainl+ be false and in\*alid, in addition to being contrar+ to the te4ts of the Aitab, the Cunnah Al-Muta&atirah and the certain 2ma; 7consensus9 &hich establishes the Ohulm 7transgression9 and FisB 7rebellious disobedience9 of the one &ho does that under all circumstances, &ith the onl+ disagreement falling in res(ect to the Aufr 7disbelief9 of the one &ho does that. 2t is also im(ermissible to ha\*e a bad \*ie& concerning the s(eech of the Messenger of Allah and ma+ Allah;s refuge be sought from that11

.. %hat the \*erses are onl+ related to the Aufr Al-A' bar, the FisB Al-A' bar and the Ohulm Al-A' bar 7Ma)or disbelief, disobedience and transgression9 and none of that a((lies u(on the (eo(le of 2lam. Onl+ -Aufr Doon Aufr. 7the lesser disbelief9, -FisB Doon FisB. 7the lesser sinful disobedience9 and -Ohulm Doon Ohulm. 7the lesser transgression9 a((l+ u(on them.

%he one &ho states that, &hich resembles the \*ie& of Al-Albani, is claiming that the statement: is eBui\*alent to the meaning of the statement: -%hat the \*erses are onl+ related to the Aufr Al-A' bar, the FisB Al-A' bar and the Ohulm Al-A' bar 7Ma)or disbelief, disobedience and transgression9 and none of that a((lies u(on the (eo(le of 2lam. Onl+ -Aufr Doon Aufr. 7the lesser disbelief9, -FisB Doon FisB. 7the lesser sinful disobedience9 and -Ohulm Doon Ohulm. 7the lesser transgression9 a((l+ u(on them..

%his ho&e\*er re(resents no more than a claim and the 2urhan 7clear (roof9 is not established u(on it. %he claim that this means that is no more than a descri(tion and does not re(resent a 2urhan 7clear (roof9. %hat is unless &e &ere to in\*alidate all other (ossibilities, listed (re\*iousl+ and to be lister later. %his has not +et been done and as such the statement -%he+ are in relation to the disbelie\*ers as a &hole., here &ould also be a form of ineffectual s(eech, &ith nothing attained from it and containing no addition in terms of ?a+an 7e4 (lanation9/ a matter far remo\*ed from being attributable to the Messenger of Allah 7sa&9.

.. %hat &hoe\*er this case or situation a((lies u(on, meaning the one &ho has abandoned or left the ruling b+ &hat Allah re\*eaed, then he is a Aafir 7disbelie\*er9, &here his Aufr is the Aufr of the disbelie\*ers, his Ohulm is a ma)or Ohulm/ the Ohulm of the disbelie\*ers, and his FisB is a ma)or FisB/ the FisB of the disbelie\*ers. %he \*erses &ould therefore

because if someone from the (eo(le of 2lam &as to be in\*ol\*ed in an+ of that, meaning the ruling in an+ matter b+ other than &hat Allah re\*eaed, he &ould e4it from 2lam, a(ostati=e from it and )oin the disbelie\*ers. %his re(resents the truth and it reflects ha\*ing a good o(inion in relation to the s(eech of our @ro(het Abu l-Gasim 7sa&9. Ma+ m+ father and mother be sacrificed for him. 2t is the truth and it is not (ermissible to belie\*e contrar+ to it. 2t re(resents the essence of our o(inion1

%his can be said differentl+ as follo&s: E\*en though the three \*erses came &ith their different &ordings -Aafirun, Ohalimun and FasiBun., the+ ne\*ertheless all a((l+ u(on one t+(e from among the (eo(le, contrar+ to &hat some ma+ imagine in terms of there being t&o t+(es or more. %his solitar+ t+(e must be from the categor+ of the disbelie\*ers and conseBuentl+ the \*erses are in relation to the disbelie\*ers as a &hole.

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3hate\*er the matter ma+ be, the statement: -

, is not Gat;i+ah Ad-Dalalah 7definite in indicati\*e meaning9. %he matter reBuies  
e4amining other than it in order to ' no& the true meaning intended b+ it, &hich means that &e  
&ould ine\*itabl+ ha\*e returned bac' to the starting point.

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2t is also, as &e ha\*e mentioned, not Gat;i+ah Ath-%huboot 7definite in transmission n te4t9, in res(ect  
to ha\*ing come from the @ro(het 7sa&9. 2ndeed, the (re(onderant \*ie& is that it is actual+ the  
s(eech of Al-?ara; bin 8A=ib but &as inserted b+ some of the relaters.

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As for &hat came stated at the end of the second "adith: -%he \*erses, b+ Allah, &ere re\*ealed in  
relation to them both and it &as them &hom Allah 8A==a 3a Jalla intended. , then this is the s(eech  
of 2bn 8Abbas. 2t is a((arent that he meant the tribes of Gurai=hah and : adir and &hat had ta'en  
(lace bet&een them in terms of in)justice and &rong, as being the cause of re\*elation for the \*erses.  
%his is &hat the conte4t indicates to and it reflects a good o(union of this beacon of ' no&ledgeable,  
ma+ Allah be (leased &ith him. "o&e\*er, for his intended meaning to be that these \*erses do not  
e4tend be+ond them 7i.e. Gurai=hah and : adir9 and do not contain a "u'm that encom(asses other  
than them, then this is a matter &e find to be \*er+ unli\*el+, indeed \*erging on the im(ossible, as it  
has been confirmed from him that he said: -2t is Aufr 7disbelief9 b+ it. 7هه يه كفر9.

: %hat the subject area is one -Lea\*ing the  
ruling b+ &hat Allah has re\*ealed. but the descri(tion is multi(ple or \*aried: Al-Aufr 7disbelief9, Al-FisB  
7rebellious disobedience9 and A=h-0hulm 7transgression9. Each descri(tion from these three  
descri(tions must ha\*e a case or circumstance occurring &ithin the subject area &hich s(ecifies that  
descri(tion:

. 2f the (erson left the ruling b+ &hat Allah has re\*ealed out of Juhood 7denial#disa\*o&a9, doubt,  
re)ection, arrogance, contem(t, moc\*er+, com(lete objection or something similar to these, then he  
is a Aafir 7disbelie\*er9.

. 2f he &as not in\*ol\*ed in Juhood 7denial#disa\*o&a9, doubt, re)ection, arrogance, contem(t or an+  
of the matters dictating disbelief, but ga\*e e\*er+one his right, he &ould be a FasiB &ho &as  
disobedient to Allah b+ lea\*ing the ruling b+ &hat "e re\*ealed and he &ould not be a Aafir or 0halim.

. 2f he &as not in\*ol\*ed in disbelief but did not gi\*e the right to its (eo(le, he &ould be a 0halim as  
a result of that, in addition to being a FasiB &ho &as disobedient to Allah.

2n other &ords, there &ould be three cases: 7!9 Aafir, 7 9 FasiB and 7!9 0halim and FasiB.

: %his s(eech is good and res(ectable. 2t is indicati\*e of ' no&ledge and (recision in  
understanding/ ho&e\*er, it is not a((licable here. %hat is because this o(union sti(ulates im(licitl+  
the dis(arit+ of the three descri(tions and their non-coming together at the same time R &ould lac\*  
of con\*urgence be better9. %his is not granted and e\*en those stating this ha\*e refuted it (artial+  
because the 0halim in their \*ie& is also ine\*itabl+ a FasiB, &ithout debate.

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2t &ould ha\*e been better to ha\*e said that the one &ho left the ruling b+ &hat Allah re\*ealed is a  
Aafir in accordance &ith &hat Allah has stated concerning that. ?+ that he &ould be a 0halim

transgressor of himself in all circumstances and even if he did not commit Ohulm transgression against others. Allah Ts&t said:

X وَالْكَافِرُونَ هُمُ الظَّالِمُونَ

And the disbelievers are the transgressors 7AI-?aBarah: Q49.

This means that they are in truth the most deserving of the description of Ohulm, whilst abandoning the ruling by which Allah revealed in itself represents a transgression against the self: afs and an aggression against the right 7"abb of Allah. If he was to then transgress against someone from among the (eo (le by taking his right directly, he would then be increasing in Ohulm transgression upon Ohulm. "e is a FasiB on account of his being a disbeliever because Allah has commanded the (eo (le to believe and enter into the Deen of Islam, as "e created them for the (urpose of orshi (i.e. obedience and submission. This represents the first of "is commands and the most important of them, whilst this one i.e. the Aafir has disobeyed this greatest (rimar+ command and neglected it, and consequently he is even more neglectful in respect to commands other than it. This is the FisB 7rebellious disobedience of Aufr 7disbelief, as Allah Ts&t said concerning Zblis 7Cha+tan:

W كَانَ مِنَ الْجِنِّ فَفَسَقَ عَنْ أَمْرِ رَبِّهِ

"e was one of the Jinn/ he 7rebellious+ disobeyed the Command of his Lord 7AI-Aahf: Q59.

In addition to that he is a FasiB on account of his being a Ohalim because Allah has commanded him with fairness and justice and made these obligatory upon everyone (erson/ from the (ro (het who had been sent to the last of the (eo (le, as a necessary obligation which has no leniency in respect to it or any excuse for leaving it. Indeed, "e has made it obligatory upon "is o&n sanctified, exalted and sublime self. Therefore, the one who did not rule by which Allah revealed is: A Aafir, a Ohalim and a FasiB, all at the same time. "is Ohulm transgression represents the Ohulm of Aufr 7disbelief which could be increased by his Ohulm transgression against others, and his FisB 7rebellious disobedience represents the FisB of Aufr 7disbelief.

It is only in this &a+ that the texts remain upon their generalities and unrestricted form. This is what is obligatory and there is no escape from that, unless a ?urhan 7clear evidence is brought obliging restriction or specification. "o&ever, there is nothing dictating restriction or specification and as such departing from that is mere arbitrary judgement and making a statement in respect to Allah without 'nowledge.

The following statement of the Messenger 7sa& concerning the Calah 7(ra+er could be used as evidence here:

X مَنْ تَرَكَهَا فَقَدْ كَفَرَ

the majority of scholars hold the view that the one who leaves the (ra+er has not disbelieved, unless he has denied for disavowed it Jahada9.

... : the (he) did not say: -the one who leaves a (ra+er has disbelieved. or -the one who leaves a single (ra+er has disbelieved. Rather, he said: **it** . . .  
Consequently, whoever leaves As-Calah the (ra+er9, (refined with -Alif and Lam7,"(ج) meaning that he leaves the Calah as a whole, including e+er+ (ra+er, he no longer (ra+s at all and is firmly resolved to ne+er (ra+ again, or it has passed from his mind so that he ne+er remembers or thinks about it, or has made it so insignificant that it ne+er e+en crosses his mind, then in such a situation can it be conceived in the mind that such a (erson is a Muslim or can it be formed in the mind that this (erson still has a connection with Allah remaining? The truth is that such a (erson is a disbeliever who has given (reference to the Dunya life of this world over the Akhirah hereafter9 and forgotten Allah entirely+. "e is therefore deserving of the description of disbelief (ro+ided b+ the one who has been made infallible b+ the (rotection of Allah. This has (precedence over the view of the - . . .  
majority9, who represent a group of humans who hit and miss the mark, which is contrary to what the infallible and final (he) of Allah stated.

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In addition, what -Jumhoor. majority9 is this which has come with something contrary to the Jumhoor of the Cahabah in respect to their ruling of disbelief upon the one who abandons the Calah (ra+er9, indeed contrary to what ma+ e+en represent their (ma; 7consensus9. "o& unfortunate is the -Jumhoor. that it has come contrary to the Jumhoor of the Cahabah or in opposition to the (ma; 7consensus9 of the Cahabah1

In any case, this issue is one in which there is disagreement. Where does not exist a definite and certain (ma; 7consensus9 that the abandoning of the Calah is a minor disbelief9. Indeed, it may be that the (ma; of the Cahabah, as &e mentioned (re+iously+, is contrary to it. So, how can that which is differed upon be used as evidence against that which is differed upon?

... : This speech is good and rendered better, **however it is not in truth upon this manner of absoluteness**. What is because the action in itself could be a insult to Allah, "is Angels, Messengers and (he) (ets, or ridiculing and being derisive towards them, or making them the object of jokes and making fun, or insulting the Muslimah, or slandering Maryam the daughter of (Imran making peace and blessings be upon her and her son, with claims of fornication, or uttering other than **that in respect to -from** matters of disbelief i.e. disbelieving without there being a direct compulsion to do that, like what Allah (s&t9 has said:

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مَنْ كَفَرَ بِاللَّهِ مِنْ بَعْدِ إِيمَانِهِ إِلَّا مِنْ أَكْثَرِ وَقَلْبُهُ مُطْمَئِنٌّ بِالْإِيمَانِ وَلَكِنْ مَنْ شَرَحَ بِالْكُفْرِ صَدْرًا فَعَلَيْهِمْ غَضَبٌ مِّنَ اللَّهِ وَهُمْ عَذَابٌ عَظِيمٌ

Whoever disbelieves in Allah after his belief, except for the one who is forced to renounce his religion while his heart is secure in faith. But those who willingly or unconsciously turn their backs to disbelief, upon them is wrath from Allah, and for them is a great punishment. (An-Nahl: 106)

This means that if a Muslim fears for himself in terms of being killed or having his limbs amputated for sure and with certainty, or following actual severe torture, and not just the threat of it, and as forced upon him to disbelieve, then it is permissible for him to disbelieve the oath and conceal his disbelief. Outside of those parameters is not permissible as the Ayah states:

مَنْ كَفَرَ بِاللَّهِ مِنْ بَعْدِ إِيمَانِهِ إِلَّا مَنْ أُكْرِهَ وَقَلْبُهُ مُطْمَئِنٌّ بِالْإِيمَانِ

Whoever disbelieves in Allah after his belief... except for one who is forced to renounce his religion while his heart is secure in faith.

The subject matter is therefore that of apostasy after having believed, meaning the apostasy from Islam. This circumstance is one of the fear of death, the cutting of limbs, severe torture and that is similar to that. This is what the Fuqaha; scholars have declared to be the direct cause (Al-Mulji) and this alone is the compulsion or coercion that is considered valid in the Sharia in all circumstances in which the ruling is lifted from the one who is being forced. Therefore, the compulsion which exempts in the Sharia is the direct compulsion and that is reflected in the fear of death, the amputation of limbs, or after severe torture and that is similar to these in terms of grade and severity.

Concerning the Ga'il of Allah and:

مَنْ كَفَرَ بِاللَّهِ مِنْ بَعْدِ إِيمَانِهِ إِلَّا مَنْ أُكْرِهَ وَقَلْبُهُ مُطْمَئِنٌّ بِالْإِيمَانِ وَلَكِنْ مَنْ شَرَحَ بِالْكُفْرِ صَدْرًا فَعَلَيْهِمْ عَذَابٌ مِنْ اللَّهِ وَلَهُمْ عَذَابٌ عَظِيمٌ

Whoever disbelieves in Allah after his belief, except for the one who is forced to renounce his religion while his heart is secure in faith. But those who willingly or unconsciously turn their backs to disbelief, upon them is wrath from Allah, and for them is a great punishment. (An-Nahl: 106)

This Ga'il is general in respect to including the ruling of apostasy upon anyone who disbelieves or declares disbelief by way of action, utterance or indication or sign. It is therefore not permissible to disbelieve an oath or declare it by way of action or utterance, with the exception of the case of direct compulsion, which has been stated in the Ayah and except in circumstances in which the Sharia tests have exempted. See also and present some of these:

: If the reciter has to recite, for example, the Ga'il of Allah and:

لَقَدْ سَمِعَ اللَّهُ قَوْلَ الَّذِينَ قَالُوا إِنَّ اللَّهَ فَقِيرٌ وَنَحْنُ أَغْنِيَاءُ

Allah has certainly heard the statement of those who said, "Indeed, Allah is poor, and we are rich." (Aali Imran: 179)

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If he was to recite this or any other statement from the (eo)le of disbelief, he would not be a disbeliever, but rather he would have done good and would be rewarded for his recitation, as Allah has commanded its recitation and urged its undertaking. "He informed us in "is ?oo":

X وَلَا يَرْضَىٰ لِعِبَادِهِ الْكُفْرَ

And "he does not accept (or) disbelief for "is servants 7A=0umar: <9.

The recitation of that which informs of the speech of the (eo)le of disbelief is therefore excluded from being Aufr 7disbelief91

... : %his is due to the Ga&l of Allah 7s&t9:

X إِلَّا مَنْ شَهِدَ بِالْحَقِّ وَهُمْ يَعْلَمُونَ

E4ce(t for those who testified to the truth, whilst the+ were a&are 7A=0u' hruf: FL9.

Therefore, the witness who is informing about an act, indication or utterance of a disbeliever, is excluded from the disbelief.

... : %his is due to the statement of the Messenger of Allah 7sa&9:

[الْحَرْبُ خُدْعَةٌ

War is deception.

It is also due to the permission he gave to Abdullah bin Hnais, may Allah be pleased with him, in respect to his military mission to 'ill Ahalid bin Cuf+an Al-'udhali, when he permitted him to speak about him, the hero (het 7sa&9, with dis(raise and \*ilification, meaning that he gave him permission to utter disbelief and to demonstrate it1 "is (permission &as also e4(licit for Muhammad bin Maslamah A-Ansari and his companions, may Allah be pleased with them, in relation to his mission to 'ill Aa;b bin Al-Ashraf. Likewise in respect to the military mission to 'ill Ibn Abi Al-'uBaiB and the -Military+ couple. Planned and managed by Fa+ru= Ad-Dailami and his companions, may Allah be pleased with them, against Al-As&ad Al-Ansi the Da))al. What is in addition to other incidents that have been transmitted, which as a sum, represent a %a&atur transmission 7concurrent definite reports9.

... : %his is due to the evidences mentioned in the (re\*ious circumstances, in the case where the recitation, testimony or the necessity of the narration or relation ine\*itabl+ dictates that. It is also due to the story of Ammar, may Allah be pleased with him, and others who were forced to utter statements of disbelief, and the story of Muhammad bin Maslamah and the Aufr statements he employed to deceive Aa;b ibn Al-Ashraf/ incidents which are firmly established in the books of "adith. What is in addition to the certain 7ma; 7consensus9 of the Cahabah and those who came after them, upon that: ... . It is important here to



Point out that narration or telling in addition to testimony occurs by way of utterance or signing, whilst it is not permissible to be done by way of action. As such, it is sufficient when giving testimony against someone who threatens the Mus;haf in impositions to mention the incident by oral expression and if the witness is dumb or unable to speak, then signing that makes one understand is sufficient. It is not at all permissible to act out the incident by way of action unless it is impossible to contrast it by other than that. Even in such circumstances, it is sufficient, for example to take the Mus;haf and head with it towards the impositions or places where there are impositions and then show the movement of throwing in that direction, with signing that makes one understand and be certain

affirmation, disbelief and Easiness in that. "Moreover, they are not Muslim in belief in that as man is a Charitable and which Allah has set for a matter that is greater than Easiness, disbelief and Easiness themselves. If the Charitable man has present, that Allah would not have manifested from them in the absence of direct compulsion for recitation, testimony, going to the enemy in war and narrating or relating occurrences, just as the certain evidences have made clear. They are disbelievers whose breasts have opened to Allah, regardless of what they possess in terms of Easiness, disbelief, or charitable acts. Even if the Charitable man encompasses all of that and all of that represents a pillar in respect to it and a condition for its validity, that is nevertheless not sufficient. What is because the Charitable man is much greater than that and it has pillars other than this. The same applies to the Charitable Allah's disbelief. Even if its most prominent traits include Juhud, Ashdheeb and Charitable Disavowal, denial and doubt, it is not restricted to these.

All of that is in accordance with what the Islamic Charitable has set and its definition, alone without any other source.

The subject of the Ayah is exclusively about Allah's disbelief following man's belief i.e. a (stake) from Islam. It therefore has no relationship to Allah's rebellious disobedience or Ohulm transgression as it was revealed in relation to Muslims who had declared disbelief for a (stated) due to the fear of being killed. It has been related that this Ayah was related to Ammar bin Easir. At-Tabari said: Muhammad bin Caid related to me. "He said: My father related to me. "He said: My paternal uncle related to me. "He said: My father related to me from his father, from Ibn Abbas: Concerning this is Gail:

W مَنْ كَفَرَ بِاللَّهِ مِنْ بَعْدِ إِيمَانِهِ إِلَّا مَنْ أُكْرِهَ وَقَلْبُهُ مُطْمَئِنٌّ بِالْإِيمَانِ

Whoever disbelieves in Allah after his belief, except for the one who is forced to renounce his religion while his heart is secure in faith. An-ahl: 139.

"He said: -What was because the Mushriks afflicted Ammar bin Easir and tortured him. He then left him and he returned to the Messenger of Allah (saw). "He told him about what he had been afflicted with from the Guraish and what he had said during the ordeal. Allah, glorified be His mention, then revealed: until . ?ishr related to us from Easid, from Caid, from Gatadah:

W مَنْ كَفَرَ بِاللَّهِ مِنْ بَعْدِ إِيمَانِهِ إِلَّا مَنْ أُكْرِهَ وَقَلْبُهُ مُطْمَئِنٌّ بِالْإِيمَانِ

"He said: It was mentioned to us that it was revealed in relation to Ammar bin Easir. Anu Al-Mughira had taken him and coerced him in the well of Ma'mun. He said: -Disbelief in Muhammad. and so he followed them in that whilst his heart hated it. Allah, glorified His mention, then revealed:

W إِلَّا مَنْ أُكْرِهَ وَقَلْبُهُ مُطْمَئِنٌّ بِالْإِيمَانِ

E4ce(t for one &ho is forced 5to renounce his religion6 &hile his heart is secure in faith6.

At-%abari said: 5bn Abdul ul-A;ala related to us from Muhammad bin %ha&r, from Ma;mar, from Abdul Aarim Al-Ja=ari, from Abu 8Hbaid bin Muhammad bin 8Ammar bin Easir, &ho said: -%he Mushri'un 7idolaters9 too' 8Ammar bin Easir and then tortured him until he ga\*e in to some of &hat the+ had &anted. "e 7Ammar9 mentioned that to the @ro(het 7sa&9 and then the @ro(het 7sa&9 said: -"o& do +ou find +our heartP. "e said: -At (eace 7assured in tranBuillit+9 &ith 2man.. %hen the @ro(het 7sa&9 said: -%hen if the+ return, return.6.

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%hese narrations indicate that the reason or cause of re\*elation for the \*erse &as the incident in\*ol\*ing 8Ammar bin Easir and its sub)ect area is that of a (ostati=ing from 2slam. %he s(ecific circumstance related to it &as the certain fear of being 'illed.

%herefore, if it is established &ith certaint+ that there are from the actions those &hich are Aufr in themsel\*es or inherentl+ so, as &e ha\*e e\*idenced abo\*e, then &hat dictates di\*erting the s(eech of Allah:

وَمَنْ لَّمْ يَخُضْ مِمَّا أَنزَلَ اللَّهُ فَأُولَٰئِكَ هُمُ الْكَافِرُونَX

And &hoe\*er did not rule b+ &hat Allah has re\*ealed, then those are the disbelie\*ers.

From its general and a((arent meaning and restricting it to the belief. %his is surel+ nothing more than an arbitrar+ judgement or based (urel+ on &hims.

: Concerning their statement -%he "u'm 7ruling9 is an action and not an 2tiBad 7belief9., then e\*en if &e &ere to acce(t for the sa'e of argument that the "u'm 7ruling9 &as an action li'e the rest of the actions, it &ould still be outside of the sub)ect area. %hat is because the sub)ect area is: 2slam and 2man 7belief9 in contrast to a(ostac+ and disbelief 7Aufr9 and it is not one of %asdeeB 7affirmation9 in contrast &ith Cha' ' 7doubt9 and %a'dhib 7denial9.

%he 2tiBad . does he mean aBeeda9 7belief9 is a terminological e4(ression and not a Char;i e4(ression, &hich usuall+ means: %hat &hich the heart is 'notted u(on in terms of %asdeeB Al-Ja=im 7decisi\*e affirmation#belief9. 2f, ho&e\*er, +ou intended b+ the -2tiBad. that &hich Ash-Chari; %he Legislator9 intended 7s&t9 from the &ording - ., &here +ou &ould in realt+ be sa+ing -%he "u'm is an action and not 2man., then this re(resents a misa((ro(riation and this itself is the heart of the dis(ute. %he dis(ute is settled b+ the certain e\*idences of the Aitab, some of &hich &e ha\*e detailed earlier, and &hich indicate that some of the actions are intrinsicall+ Aufr 7of disbelief9. %hat is in addition to &hat has reached us \*ia Muta&atir transmission from the master of the sons of Adam 7sa&9, in res(ect to his naming of (ure actions as being -2man.. %hat is li'e his statement:

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الطَّهْرُ شَطْرُ الْإِيمَانِW

@urit+ is half of 2man.

الإِيمَانُ بِضْعٌ وَسَبْعُونَ أَوْ بِضْعٌ وَسِتُّونَ شُعْبَةً فَأَفْضَلُهَا قَوْلُ لَا إِلَهَ إِلَّا اللَّهُ وَأَدْنَاهَا إِمَاطَةُ الْأَذَى عَنِ الطَّرِيقِ وَالْحَيَاءُ  
شُعْبَةٌ مِنَ الْإِيمَانِ W

2man has o\*er se\*ent+ branches or o\*er si4t+ branches, the most e4cellent of &hich is the declaration that there is no 2lah other than Allah, and the humblest of &hich is the remo\*al of &hat is in)urious from the (ath: and modest+ is a branch of 2man.

W مَنْ رَأَى مِنْكُمْ مُنْكَرًا فَلْيُغَيِّرْهُ بِيَدِهِ، فَإِنْ لَمْ يَسْتَطِعْ فَبِلِسَانِهِ، فَإِنْ لَمْ يَسْتَطِعْ فَبِقَلْبِهِ، وَذَلِكَ أَضْعَفُ الْإِيمَانِ

3hosoe\*er of +ou sees an e\*il, let him change it &ith his hand/ and if he is not able to do so, then 5let him change it6 &ith his tongue/ and if he is not able to do so, then &ith his heart, and that is the &ea'est of 2man.

X مَنْ أَحَبَّ لِلَّهِ وَأَبْغَضَ لِلَّهِ وَأَعْطَى لِلَّهِ وَمَنَعَ لِلَّهِ فَقَدْ اسْتَكْمَلَ الْإِيمَانِ

2f an+one lo\*es for Allahlls sa'e, hates for Allahlls sa'e, gi\*es for Allahlls sa'e and &ithholds for Allahlls sa'e, he &ill ha\*e (erfect 2man.

W آيَةُ الْإِيمَانِ حُبُّ الْأَنْصَارِ، وَآيَةُ النِّفَاقِ بُغْضُ الْأَنْصَارِ

Lo\*e for the Ansar is a sign of 2man and hatred for the Ansar is a sign of h+ (ocris+.

W الْحَيَاءُ وَالْعِيُّ شُعْبَتَانِ مِنَ الْإِيمَانِ وَالْبِدْءُ وَالْبَيَانُ شُعْبَتَانِ مِنَ النِّفَاقِ

Al-"a+all and Al-ll++ are t&o branches of 2man, and Al-?adha;u and Al-?a+an are t&o branches of : ifaB 7"+ (ocris+9.

"is statement to the delegation of Abd Al-Gais:

W اتَّذَرُونَ مَا الْإِيمَانُ بِاللَّهِ. قَالُوا اللَّهُ وَرَسُولُهُ أَعْلَمُ قَالَ: شَهَادَةُ أَنْ لَا إِلَهَ إِلَّا اللَّهُ وَأَنَّ مُحَمَّدًا رَسُولُ اللَّهِ وَإِقَامُ الصَّلَاةِ وَإِيتَاءُ الزَّكَاةِ وَصَوْمُ رَمَضَانَ وَأَنْ تُعْطُوا الْخُمْسَ مِنَ الْمَغْنَمِ

Do +ou ' no& &hat 2man in Allah isP %he+ re(ried: Allah and his Messenger ' no& best. "e said: 2t includes the testimon+ that there is no 2lah other than Allah, and that Muhammad is the Messenger of Allah, the obser\*ance of the (ra+er, the (a+ment

- Which action is best?

and "he said:

وَإِيمَانٌ بِاللَّهِ، وَجِهَادٌ فِي سَبِيلِهِ

Iman in Allah and Jihad in "is (ath.

Ees, it is true that some of the above could be metaphorical, or demonstrative, or could reflect other types of styles of rhetoric employed in the customary speech of the Arabs, however, as a whole certain knowledge is attained that the Chari; Legislator has placed the ordering - to exceed that of the mere -2;tiBad. 7belief9 or (ure -%asdeeb.. What is as the (re\*ious te4ts ha\*e made e\*ident that some kinds of acts of obedience are 2man. %he 2man is therefore obedience and this is &hat is stri((ed from the fornicator &hilst he is engaged in the act of fornication and from the thief &hen he is engaged in the act of theft. At such a time he is not a -Mu;min. 7belie\*er9 i.e. he is not in obedience to Allah. %he origin of the 2man is adherence to the obedience in terms of the (rinci(le or basis, e\*en if it &as \*olated at the (oint of a((lication. %herefore, if someone did not adhere to obedience 7to Allah9 in terms of the (rinci(le or basis, then he &ould ha\*e e4ited to disbelief, e4actl+li'e 2blis, &ho refused the command:

أَبَىٰ وَاسْتَكْبَرَ وَكَانَ مِنَ الْكَافِرِينَ

"he refused and &as arrogant and became of the disbelie\*ers 7Al-?aBarah: !49.

2f a (erson &as to read through the (ages of the Gur;an from its beginning to its end, he &ould not find 2blis mentioned &ith the ordering - . 7عَصَى9 at all. Rather, onl+ refusal, arrogance, rebellious disobedience 7FisB9 and disbelief 7Auf9 &ere attributed to him. %his is contrar+ to the case of Adam, (eace be u(on him:

وَعَصَىٰ آدَمُ رَبَّهُ فَغَوَىٰ ثُمَّ اجْتَبَاهُ رَبُّهُ فَتَابَ عَلَيْهِ وَهَدَىٰ

7%a" a:1 1-1 9.

: %heir statement is not conceded to as the "u'm 7ruling9 is not a (ure action but rather it is something else. 2t is from the categor+ of 7the statements9 and 7the beliefs9, and not the categor+ of 7the actions9. For this to become clear and cr+stalli=ed in the mind, until it becomes li'e it can be felt b+ the hand, &e (resent the follo&ing e4am(le:

Ce4ual intercourse, &hich is the meeting of the t&o genitalia, &here the male organ (enetrates the female;s, re(resents that &hich is (urel+ an action. 2n accordance &ith the 2slamic Charee;ah se4ual intercourse of a man &ith an+ &oman, outside of those &ho are "alal for him 7&ife or &hat his right hand (ossesses9, is "aram 7(rohibited9 and called - . in the Charee;ah terminology. %his means

that the "u'm 7ruling9 u( on that (articular se4ual intercourse 7i.e. that (articular action9, &hich the Charee;ah has called - . is "aram. %he "u'm 7ruling9 is therefore definitel+ a matter other than the action itself. Rather, it is a statement that classifies that action in accordance &ith a (articular belief.

ConseBuentl+, if a man &as to ha\*e relations &ith other than those &ho are halal for him, he &ould be a **Qaani** 7fornicator or adulterer9 deser\*ing of condemnation and (unishment as a conseBueuce of that action. 2f he &as as'ed about his "u'm 7ruling9 u( on his action, then his ans&er &ould not fall outside an+ of the follo&ing:

. 3hat 2 did 7in terms of 0ina9 &as "aram and 2 (er(etrated it in a moment of &ea'ness and o\*er(o&ering desire.

. Or other than that li'e: -2 do not agree to the (rohibition of 0ina. , -2 don;t 'no& the difference bet&een +our 0ina and +our marriage. , -%his is genitalia and that is genitalia and there;s no difference. , -Lea\*e us alone from the morals of the middle ages. , -O (eo(le: "onour and (urit+ is onl+ in the minds and not the genitalia. or other such statements &hich all indicate in essence to the \*ie& that: 0ina is "alal.

%he first reflects a Muslim &ho admits and ac'no&ledges his sin and his "u'm 7ruling9 in res(ect to 0ina 7fornication or adulter+9 is the same "u'm of Allah and "is Messenger, &hich is that 0ina is "aram, e\*en though he committed the act and got entangled in its sin. Des(ite his disobedience b+ his act, in \*iolation of the command to a\*oid 0ina, he ne\*ertheless (asses the \*erdict b+ &hat Allah re\*ealed and he did not se(arate from the "u'm of his Rabb at all.

As for the second, then he (asses the ruling that -0ina is "alal. and as such he did not rule or )udge b+ &hat Allah re\*ealed. ConseBuentl+, he is a disbelie\*er due to his "u'm 7ruling9 and not due to his action. "e &ould ha\*e a(ostati=ed from 2slam if he had (re\*iousl+ entered it.

"ere, &e can see that the action in terms of it being (urel+ an action, is one matter, &hilst the "u'm 7ruling9 of the one underta'ing it u( on his action is different. One ruled &ith a "u'm in conformit+ &ith the "u'm of Allah and the other is contrar+ to the "u'm of Allah.

"o&e\*er much &e ha\*e studied the true realit+ of the actions and ho&e\*er man+ e4am(les &e brought alongside our stud+, &hich &as underta'en in a (recise anal+tical manner, &e &ould find &ithout Buestion: %hat the "u'm 7ruling or \*erdict9 is not an action, but rather something else. 2t falls under the categor+ of the statements 7AI-AB&aal9 and the beliefs 7AI-Mu;taBadaat9.

ConseBuentl+, the claim that . com(etel+ falls do&n losing all credibilit+. Ees, it is true that the utterance of the "u'm 7ruling9 is an act and that &riting, (ublishing and broadcasting the "u'm are all actions. "o&e\*er, all of that is not the essence of the "u'm, rather, the "u'm is a matter other than them, as is a( (arent to the enlightened and scrutini=ing \*ie&.

.: %he+ said: 3e do not den+ that there are from the actions and acts those &hich are Aufr in themsel\*es 7intrinsicall+9. %hat is because the act is either:

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. Contradictor+ to &hat Allah commanded in terms of belief 72;tiBaad9/ li' e the (rostration to an idol &hich is contradictor+, b+ necessit+, to the meaning of -La 2aha 2lallah. 7%here is no deit+ other than Allah9, and differs from the (rostration underta' en to +our (arents or Chei' h, as that is a (rostration of honouring them and &ould re(resent an act of disobedience to the (rohibition of the Messenger 7sa&9 to (rostrate to other than Allah. Lea\*ing the ruling b+ &hat Allah re\*ealed is in \*iolation to the command to underta' e an action and is not in \*iolation or contrar+ to the belief 72;tiBaad9. As for naming that 2man, then that is from the customs of the Arabs in their rhetorical st+le. 2t is used to em(hasise the lin' age of that to 2man/ its e4istence in the : afs 7self9, li' e Al-"a+a; 7Chame9 or its manifestation in action, li' e Jihad, &hen the 2man is Cahih 7true9 and CadiB 7sincere9.

9 Or due to the e4istence of a Daleel 7e\*idence9 &hich is Gat;i+ Ath-%huboot Gat;i+ Ad-Dalalah 7definite in transmission and definite in indicati\*e meaning9 &hich established that such an act is Aufr 7disbelief9 and remo\*es someone from the Millah 7i.e. the Deen of 2lam9. Concerning the Ga&l of Allah 7s&t9:

وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنزَلَ اللَّهُ فَأُولَٰئِكَ هُمُ الْكَافِرُونَ

And &hoe\*er did not rule b+ &hat Allah has re\*ealed, then those are the disbelie\*ers 7Al-Ma'idah: 44%.

%his is not Gat;i+ Ad-Dalalah 7definite in indicati\*e meaning9 in res(ect to that. %hat is due to the (ossibilit+ of it being restricted to one categor+ and the+ are the -Jahidun. 7Deniers # Disa\*o&ers9, those &ho moc' or ridicule, or the arrogant, &hilst not being a((licable to those &ho are disobedient &ho ac' no&ledge their sin from among the bribed )udges or those &ho are biased to those &ho are related or ha\*e status. %his is the o(inion of At-%abari, %a&us &hich has been attributed to him through a Cahih 2nad 7chain of transmission9 and ma+ ha\*e been ta'en 7in origin9 from 2bn 8Abbas. "ad the indicati\*e meaning been definite, then these t&o 2mams, &ho are unaccused, &ould not ha\*e gone to this \*ie&, in addition to man+ other trust&orth+ and reliable sources, li' e Chei' h 2mam %aBi ud-Din An-: abahani from the contem(orar+ scholars, and not all of those scholars are from the FuBaha; As-Calateen 7Ctate#regime scholars9.

: %his o(inion is better and more detailed than the (re\*ious one, ho&e\*er the (roblematic issue of the definition of - . 7the belief9 remains in (lace. 2t is im(ossible here for the -2;tiBaad. to be merel+ -At-%asdeeB. 7affirmation9 and e\*en if it &as decisi\*e 7Ja=im9. %hat is because 2blis, Allah;s curse be u(on him, disbelie\*ed due to not submitting to "is command 7i.e. non-submission9. "is Aufr 7disbelief9 is therefore one of rejection and arrogance. %hat is &hilst he did not ha\*e and still does not ha\*e the least amount of doubt that Allah is his Creator, the One 3ho sustains him, his Rabb and e4istent. "e &as issued that famous command to (rostrate, ho&e\*er:

أَبَىٰ وَاسْتَكْبَرَ وَكَانَ مِنَ الْكَافِرِينَ

"e refused and &as arrogant and became of the disbelie\*ers 7Al-?aBarah: !49.

2f b+ the matters related to the heart are intended to include the %asdeeB Al-Ja=im 7decisi\*e affirmation9 concerning &hich there is no doubt, the absolute surrender &hich has no rebelliousness in it, the glorification &hich contains no belittling, disdain or moc' ing in it, and lo\*e

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&hich contains no hatred, &hich all refers to &hat &e can call the , &hich is greater than the mere 2;tiBaad and hence more or greater than the (ure %asdeeB alone. 2f this is &hat is intended, then that is good and in conformit+ &ith the host of te4ts. "o&e\*er, the most a((ro(riate and correct, and &hich is closest to the &orded e4(ressions utilised b+ then Chari; 7Legislator9 7s&t9 in "is Aitab and u(on the tongue of "is @ro(het 7sa&9, is for it to be said:

instead of -Contrar+

to &hat Allah commanded to be underta'en from the 2;tiBaad..

ConseBuentl+, the act &hich is contrar+ to the is Aufr, &hilst the mere and (ure \*iolation of the command &hich is free from that is a Ma;si+ah and does not demolish the Asl 7origin9 of the 2man and does not u(root it and conseBuentl+ remo\*e the (erson from the Millah. %hat is li'e the 0ina 7fornication # adulter+9 &hich is underta'en based u(on desire and stealing and e\*en murder based u(on the desire to dominate, ta'e (ossession and the Dun+a.

"o&e\*er, this does not at all conform to the realit+ of

or &orse than this

. 2s that not contrar+

and inconsistent &ith the surrender and submission, meaning contrar+ to the -Asl 7origin9 of the 2man. in accordance &ith its correct meaning as mentioned earlier. %hat is because it is not merel+ a (ure act in line &ith the human form and Fitrah 7nature9 li'e the act of se4ual intercourse, &hich is 0ina &hen underta'en outside of marriage, as has (re\*iousl+ been discussed. %he "u'm 7ruling9 or lea\*ing it re(resents a belief and thought-based (osition or stance. 2t is re(resentati\*e of a -

sat orutentit t(u r



manner that would complicate their ability to raise the case, or through making a large time gap between the sittings or distance between their places so as to deny their resolve, or other forms of stratagem, subterfuge and manoeuvring that could be employed. It could also occur through the twisting of some of the facts or by adopting some corrupt interpretations which do not conform to the reality, in order to enable him to perpetrate his heinous crime and allocate the right to other than its rightful (exonerate or recipients. Is this not similar to the one who commits Zina (adultery or fornication)?

There is the uncontrollable impulse or spontaneous desire of sexual relations within this planning and conspiring which usually spreads over a lengthy period. It may pass from one (later time to another in which he stands before Allah. Indeed, it may even extend from one Ramadan to another Ramadan! Its reality most resembles that of the case of the (professional faithless witness, or the greedy seasoned loan shark, or the villainous and criminal defaulter of the (contract and health. Those are closer to disbelief, in the case where the Messenger of Allah (saw) ruled with the invalidation of their actions, regardless of how numerous they were. The equality between the faithless witness and associating partners with Allah (shirk), whilst he classified the eating of Riba (usury) among the Mubibah (great destructive) sins, which:

لَا يَنْفَعُ مَعَهَا عَمَلٌ وَإِنْ كَثُرَ

:- action benefits with it and even if it is as much or numerous..

Even if we admitted this (difference from the ruling of disbelief which removes someone from the Millah based on the indicative connotation of the fundamental difference of its reality from the reality of the other (things, in terms of , or worse and more heinous than that, , or even more hideous than both of these,

. Even if we were to admit that, then here we would find that which obliges admitting other than it from among the (things and circumstances and here are the other decisive connotations dictating that admission!

As for us, then we have based our position in respect to the (exemption of the Muslim judge mentioned earlier, upon our belief that he is closer to disbelief (Aufr. Decisiveness in respect to the absence of his Aufr is dangerous and has opened the door to destruction for some of the (exonerate. Similarly, decisiveness in respect to his Aufr (disbelief) is dangerous due to the stern prohibition concerning that. It is however lighter from the (practical aspect in the Dunya as the (perpetrator of the lie of that, in the circumstances we have described, becomes a Munafiq in truth and all of the Ah' (am (rulings of Islam (call upon him in accordance with what is a (parent, whilst we are not obliged with anything (except for leaving the (later upon him (upon his death and seeing forgiveness for him. What a (lies to the one who became certain concerning his condition and this is an easy and uncompllicated matter, by Allah's permission.

In addition, it is evident to us that this position originates from examining the circumstance of the (perpetrator, whilst this is only (permissible when we are examining the conditions and (re-enters (Maa'ani of allocating sin and declaring disbelief. As for this issue of ours, then the examination concerns leaving the ruling by what Allah has revealed in terms of it being a (pure or mere act or statement. The (Gur'an has (assessed judgement upon that action with the ruling of disbelief and upon the one who does it by stating that he is from the Aafirun (disbelievers! What is of course, if the

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conditions are fulfilled and the (re\*enters 7Ma&ani;9 are negated, as ha\*e come stated in other Char;i+ te4ts6. %hat is &hilst no considered (roof has been established indicating that such a Aufr 7disbelief9 is a Aufr Asghar 7minor disbelief9 or a Aufr Doon Aufr 7a lesser disbelief9.

As such, it is obligator+ to (ass judgement u(on an+one &ho has deliberatel+ left the ruling b+ &hat Allah re\*ealed, e\*en if in a single (artial matter or (articular issue, &ith the judgement that he has (er(etrated an act &hich ma'es him a disbelie\*er and remo\*es him from the Millah 7i.e. Deen of 2slam9. ?+ that, he &ould in himself and (erson be a Aafir Murtadd 7disbelie\*er a (ostate9, unless a (re\*enter 7Mani;9 from the &ell-' no&n (re\*enters 7Ma&ani;9 e4isted (re\*enting the %a' fir 7judgement of declaring disbelief o\*er someone9, &hich is e4actl+ li'e the 2tihad of Abdullah bin Mas;ud, ma+ Allah be (leased &ith him.

As for the o(inion that judging an action to be Aufr reBuires a definite e\*idence 7Daleel Gat;i+9 in res(ect to its %huboot 7transmission9 and Dalalah 7indicati\*e meaning9, then this is not sound. %hat is because %a' fir 7(assing judgement of disbelief9 is a "'u'm Char;i+ 7i.e. A Char;i+ah ruling9. Ees, it is true that it re(resents an e4tremel+ serious matter, ho&e\*er, that does not (re\*ent the issuing of that "'u'm 7ruling9 based u(on &hat is concluded b+ &a+ of Mhalabat A=h-0hann 7least amount of doubt9 to be (re(onderant, Just li'e &e &ould do &ith the rest of the FiBhi+ rulings/ including the rulings of the "'udood 7set (rescribed (unishments9 &here nec's can be struc' and limbs se\*ered. %he matter under e4amination conseBuentl+ re\*ol\*es around 2tihad 7deduction9, &hilst some 2tihad is incorrect and some is correct. 3e do not sa+, and all (raise belongs to Allah, that the one &ho holds a contrar+ o(inion to us is a Aafir 7disbelie\*er9, or FasiB 7rebelliousl+ disobedient to Allah9 or e\*en an inno\*ator. Rather, &e onl+ sa+ that he has erred in his 2tihad 7deduction9 due to so and so e\*idence or argument. 2n addition, &e &ould lea\*e our o(inion and follo& his if he came &ith a stronger e\*idence. As for the state or regime scholars 7FuBaha; As-Calateen9, ma+ Allah curse them, then far be it that the+ be Mu)tahidin 7i.e. Ccholars ca(able of deducing 2slamic rulings9. Rather, the+ are corru(ted traitors, lo&l+ dogs, li'e the dog mentioned in Courah Al-A;araf:

إِنْ تَحْمِلْ عَلَيْهِ يَلْهَثْ أَوْ تَتْرُكْهُ يَلْهَثْ

2f +ou dri\*e him a&a+, he (ants, or if +ou lea\*e him alone, he (ants 71<L9.

: Eour \*ie& o(ens the door of %a' fir 7declaring disbelief9, meaning that the matter &ill s(iral to the (oint that +ou &ill declare the one &ho (er(etrates a Ma;si+ah 7act of disobedience9 to be a Aafir 7disbelie\*er9 and their entering the fire of hell.

▲ e sa+: Allah forbid: %he matter onl+ re\*ol\*es around , the , and the , in the case &here the Char;i+ te4t has come em(lo+ing the \*er+ &orded e4(ressions of -Al-Aafir, Gad Aafara and Aufr. 7%he disbelie\*er, he has disbelie\*ed and disbelief9, &hilst the+ did not bring that &hich di\*erts them to the meaning of Aufr An-: i;mah 7كفر النعمة9 5Aufr of a blessing9 or other than that in terms of meta(hors li'e %he stud+ also does not del\*e into the &orded e4(ressions -"e is not from us. 7, لَيْسَ مِنَّا). "e died a death of Jahili+ah. , -From the actions of Jahili+ah. , -From the characteristics 7Ahisaa9 of the Jahili+ah. , -Eou

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7still9 ha\*e Jahili+ah &ithin +ourself. and other such statements &hich hold the ca(acit+ to indicate em(hasis in res(ect to the threat 7of (unishment9 and harshness in res(ect to re(elling. Or the &orded e4(ression -"e doesn;t belie\*e. لا يؤمنون9&hich holds the ca(acit+ to indicate a figurati\*e or meta(horical meaning, or the ca(acit+ to mean the negation of the obligator+ 2man 7belief9 and not

If the+ are from the (eo(le of (iet+ and sincerit+, &ho fear declaring disbelief u(on Muslims &ithout right, &hich is a matter that has no conseBuence greater than the error of the one ma'ing the declaration of disbelief or (erha(s the falling into sin, then it should be of greater (riorit+ for them to fear the (eo(le falling into destruction and Aufr 7disbelief9 in truth, leading to the eternal fire and damnation.

Ees, indeed, it is most a((ro(riate for them to recall the claims made b+ the destro+ed ?ani Zsra;eel:

وَقَالُوا لَنْ نَمْسَنَ النَّارَ إِلَّا أَيَّامًا مَّعْدُودَةً ۚ قُلْ أَتُخَذُكُمْ عِنْدَ اللَّهِ عَهْدًا فَلَنْ تُخْلَفَ اللَّهُ عَهْدُهُ أَمْ تَقُولُونَ عَلَى اللَّهِ مَا لَا تَعْلَمُونَ \* بَلَى مَنْ كَسَبَ سَيِّئَةً وَأَحَاطَتْ بِهِ خَطِيئَتُهُ فَأُولَٰئِكَ أَصْحَابُ النَّارِ هُمْ فِيهَا خَالِدُونَ

And the+ said: -: e\*er &ill the fire touch us, e4ce(t for a fe& da+s.. Ca+: -"a\*e +ou ta'en a co\*enant &ith AllahP As Allah &ill ne\*er brea' ""is co\*enant.. Or do +ou sa+ about Allah that &hich +ou do not 'no&P N Ees, indeed &hoe\*er earns a bad deed and his sin has encom(assed him, then those are the com(anions of the fire/ the+ &ill abide therein eternall+ 7Al-?aBarah: F\$-F19.

And if the+ are from the FuBaha; As-Calateen 7Ctate#regime scholars9 &ho defend their masters under all circumstances, then nothing &ill a\*ail or benefit them. %hat is because the rule of their masters, has, in an+ case, no legitimac+ and o((osition to them and remo\*ing them from their (ositions is obligator+, as has been discussed earlier.

%his is in relation to the life of this &orld. As for the hereafter, then it &ould be fitting for them to hear and ta'e note of the follo&ing censure and rebu'e:

هَٰ أَنتُمْ هَٰؤُلَاءِ جَادَلْتُمْ عَنْهُمْ فِي الْحَيَاةِ الدُّنْيَا فَمَنْ يُجَادِلُ اللَّهَ عَنْهُمْ يَوْمَ الْقِيَامَةِ أَمْ مَنْ يَكُونُ عَلَيْهِمْ وَكِيلًا

Lo1 Eou are those &ho ha\*e argued for them in the life of this &orld, but &ho &ill argue for them on the Da+ of Resurrection against Allah, or &ho &ill then be their defenderP

3e are a&are from the certain Muta&atir e\*idences from the Cunnah, that the thief, the fornicator or adulterer and those &ho are similar to them from among the (eo(le of sinful acts of disobedience, that the+ do not e4it from the Millah 7i.e. the Deen of Zlam9, in contrast to the \*ie& of the misguided and lost Aha&ari). %heir act is not called Aufr 7disbelief9, unless there is an e4(licit te4t indicating that it is Aufr : i;mah 7عصه9Aufr of a blessing6. %he adulterer or fornicator and thief had both )udged b+ other than &hat Allah has re\*ealed1 As such, it is obligator+, in accordance &ith the definite e\*idence 7Daleel Al-Gat;i+9 to di\*ert the naming of Allah 7s&t9 in "is s(eech:

وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنزَلَ اللَّهُ فَأُولَٰئِكَ هُمُ الْكَافِرُونَ

And &hoe\*er did not rule b+ &hat Allah has re\*ealed, then those are the disbelie\*ers.

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%o di\*ert it to the Aufr of the : i;mah 7blessing9 and not the Aufr that remo\*es someone from the Millah 7i.e. the Deen9. %hat is in contrast to "is Ga&l:

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وَلَنْ يَجْعَلَ اللَّهُ لِلْكَافِرِينَ عَلَى الْمُؤْمِنِينَ سَبِيلًا

And ne\*er &ill Allah grant to the disbelie\*ers a &a+ 7to trium(h#gain su(remac+9 o\*er the belie\*ers 7An-: isa:: 1419

As nothing has come to di\*ert that1

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%his raised doubt 7Chubha9 is also an e4am (le of cle\*er and dece (ti\*e language and a contention &hich is e\*en more stee (ed in falsehood or in\*alidit+ than the (re\*ious raised doubts. %he origin of this doubt goes bac' to the e4cessi\*e Aha&ari) 7Ahari)ites9 of the A=ariBah 7A=raBites9, the Cifri+ah and the : a)dat, &ho declared (eo (le to be disbelie\*ers due to sins. %he ma)orit+ of those Ahari)ites in origin &ere from the Arab ?edouins of : a)d/ the desert (eo (le and camel herders, &ho &ere distinguished b+ all of the traits of the Arab ?edouins in terms of harshness, crudeness, hardness, anti(ath+, (ride, shallo& thin' ing, narro& hori=ons and dull sensation. %he+ also did not (ossess 'no&ledge of the Cunnah of the @ro(het 7sa&9, &hich (ro\*ided detail to the general and undetailed \*erses of the Gur;an, restricted its unrestricted, s(ecified its general and e4(lained its Mutashaabih 7that &hich is not e4(licitl+ clear9. As such, the+ &ere entangled in the a((arent and undetailed 7Mu)mal9 of the Gur;an and (erished or became lost in the Mutashaabih 7that &hich is not e4(licitl+ clear91

%he truth is that if +ou as'ed someone &ho (er(etrated Oina 7fornication or adulter+9, for e4am (le, &hat his \*ie& u(on the act of Oina is, he &ould ans&er +ou &ith either:

. %hat Oina is "aram, in &hich case his o(nion in res(ect to it, meaning his "u'm 7judgement or ruling9 u(on Oina, is that it is "aram. %his is e4actl+ the same as the statement of Allah and "is Messenger and the "u'm of Allah and "is Messenger. %he (erson is therefore )udging or ruling b+ &hat Allah has re\*ealed, ac' no&ledging and affirming the (rohibition of Allah. 2f he &as then to be as'ed: 3h+ did +ou do itP "e &ould ans&er: -Desire o\*ertoo' me and 2&asn;t (atient. or -2ha\*e an e4(ansi\*e ho(e in Allah and m+ ho(e in attaining forgi\*eness is great. or -2am a +oung man no&, 2 can;t ha\*e (atience and &ill re(ent soon. or -2ha\*e ho(e in the intercession of the @ro(het for the (eo (le of ma)or sins from his Hm mah1. or other such similar statements. Regardless of the e4tent of his ho(e, the seriousness or danger of his (osition and the foolishness and nai\*et+ of his e4cuses, he is ne\*ertheless a &itness against himself in terms of the (er(etration of a Ma;si+ah 7sinful act of disobedience9 and has (assed )udgement u(on himself &ith sinfulness and being deser\*ing of (unishment. %his means that he has )udged b+ &hat Allah has re\*ealed. "e did not lea\*e or abandon the "u'm 7ruling9 of "is Rabb 7Lord9 and he did not re)ect "is command for an instant1

7b9 A \*ie& or statement contrar+ to the (re\*ious one. 2t could be either -%hat Oina is "alal. or -2 don;t 'no& &hat +our "alal is and &hat +our "aram is1. or -Don;t bother me &ith +our "alal and +our "aram. or -Oina has been made "aram b+ Allah but 2&ill ne\*er adhere to it. or -Don;t bother us &ith the morals of the middle ages. or -Don;t return us to the dar' ages. or -3hat are these tal' ing aboutP "onour is in the minds and not in the (ri\*ate (arts1. or statements and \*ie&s &hich are similar to these. %hese could also be manifested b+ someone;s action, li'e if he &as to laugh in moc' er+ or indicate &ith an obscene mo\*ement. Cuch a (erson &ho held these \*ie&s is a Aafir

7disbeliever9 & without doubt and he is the one & who has ruled b+ other than & hat Allah re\* ealed/  
& whether he committed 0ina 7fornication or adulter+9 or did not engage in it.

%herefore, the Aalaam 7s (eech9 of Allah and the Aalam of "is Messenger, due to the (raise belonging  
to Allah, do not differ and do not contradict & ith each other! 2f the belie\*er & who has ho (e in Allah  
and the Last Da+, or indeed an+ fair (erson, contem (lates & hat & e ha\* e mentioned abo\* e, it & ould  
become necessaril+ e\*ident to him, **as to the nature of the falsehood and** in\*alidit+ of this foolish  
contention!

As such, the Muslim & who acts in disobedience to Allah, in & hat is sometimes named the confessional  
FasiB, admits the sin and ac' no&ldges the act of disobedience. %hat means that he has (assed  
)udgement b+ & hat Allah has re\* ealed and has not abandoned the "u' m 7ruling9 of "is Rabb for an  
instant.

3e are not sur (rised b+ the entanglement of the Ahari)ites in such a matter due to their confounded  
ignorance and the narro&ness of their FiBh 7understanding of Char;i+ah rules9. "o&e\*er, the  
com (lete astonishment is from the FuBaha; As-Calateen 7Ctate # regime scholars9, & who memori=e  
the te4ts and e4 (lanations, learn the \*olumes b+ heart and e\*en some of them memori=e the  
, accom (anied b+ their

could be attributed to the likes of the traitor Ezzeddin bin Mu'azz and Al-Falid bin Ezzeddin bin Abdul Mali' amongst others. As for it being openly and clearly manifested openly then no, that was non-existent!

It may be that these deviations of the Imam Hama'ah, which are incompatible under any circumstances to the deviations of the rulers of our current time, is what we and others from among the great scholars of the Caliph called Abu Doon Abu al-Fa'iz, or this is what is necessary to understand their opinions to mean, whilst maintaining 'usn al-hann' thinning out of those Ammah great scholars and in defence of their honour. In addition, these deviations, as can be seen, differ fundamentally from the

From another angle, some of the senior 'Abideen of the generation following the Cahabah, like Imam Mu'ahid, the Imam of the scholars of 'afsir, used to declare Al-'a) to be a disbeliever and used to call him -Chai' al-Aafir. and would say: -'e did not go out against him until he disbelieved!.. Similar to that has also been related from the Imam, the Chaheed martyr 'Ca'id bin Jubair. Consequently, their statement that the Caliph (predecessors) did not declare them to be disbelievers is rashness and a generalization through dishonesty or under the best of circumstances, it reflects ignorance of the history.

The truth is that the Hama'ah did not witness

despite the great deal of oppression and spreading of deviation, until the 'atars came and claimed to have entered into Islam, whilst they implemented in parts of the Islamic homeland like Mardin. He transformed it into Dar Abu al-Fa'iz the homeland of disbelief and the Jumhuur majority of the FuBaha; scholars at that time passed the verdict of their disbelief and their apostasy, in addition to the obligation of fighting them. Or shortly before that when one of the last Ahlulafa; Caliphs of 'anu al-'Abbas the Abbasids in Baghdad instituted a special administration for spreading national security and investigations. 'o'ever, Allah rebuked him with the opposite of what he had intended as decades did not pass until the Moghuls went to 'or' with the sword upon the necks of his relatives and removed their state and so here were the state security investigations and did they benefit him in the least from Allah in respect to anything? He destroyed Baghdad and the Muslims (aid a head) (rice reflected in rivers of blood and honours were isolated due to their weakness and failure to account their rulers.

It has been said that the Fatimids manifested forms of Abu 'a'ah in the region of their rule in Egypt and so all praise belongs to Allah for the replacement of their state and the severing of their influence at the hands of the hero Caliph al-Din al-A'ubi. It is also evident that the Garmatians also manifested Abu 'a'ah.

As for the isolation of Mu'azz bin Abi Cuf'ayn, the head of the rebellious faction, for 'adam (le, in respect to the rulings related to the 'a'ah (pledge of allegiance related to the appointment of the Ahlulafa, his manipulation of them and his interpretation of the statement of the : 'abi 'sa' -'he child belongs to the bed and stoning is for the one engaged in illegal sexual intercourse., among other matters, then this has characters linked to it in terms of interpretation, whilst this isn't the place to mention them. In addition, no one following the Messenger of Allah 'sa' is a 'u'ah source of (proof or evidence and the Ah' am Ash-Char'ah & will never ever change due to the transgressions of Mu'azz or other than Mu'azz.

Consequently, the claims of the Fuqaha; As-Calaiteen state scholars that -the Muslim ruler who does not rule but what Allah has revealed is only a Fasiq as long as his belief is sound and as long as he utters the Takwa Chahadas, (raising the obligation) (raising and facing the Qiblah. And as such it is not permissible to go out against him and remove him due to the numerous well-known Ahadeeth which command (obedience) with the leaders of the (session or in)justice..

This reflects an argument containing deception, a false contention established from numerous angles, an attempt to conceal the truth, an elevation (ratio) of what is required, loose statements that have no Qur'anic clear (proof or evidence) for them, in addition to a deliberate jumbling of the issue of going out against the ruler and its complications, all of which have absolutely no relationship to this (i.e. These have already shown the falsity of the details of that one issue at a time/ however, & will summarise them here due to its importance:

What the one who did not rule but what Allah revealed is a Fasiq (rebellious) disobedient, a transgressor and a disbeliever in accordance with the definite text of the Qur'an; therefore, refraining from (raising) the name of a disbeliever upon it, without a Qur'anic clear (proof or evidence) from Allah represents a denial (respect to Allah, a rejection of "is" "um" judgement) and rejection of "is" naming. What is unless there is a Char'i text or a necessitating tangible or rational Qur'anic, so & here is it:

هَاتُوا بُرْهَانَكُمْ إِنْ كُنْتُمْ صَادِقِينَ

17Al-QaBarah: 1119.

If the fact that the fact has the statement of Ibn Abbas: -A man who is a lesser disbeliever and -A man who does not remove someone from the Millah., which is reliable for us and & will not accept our classifying it as being Da'eef & weak, & would say in response:

: Ibn Abbas named it a disbeliever and as such the fact should be bound by this naming in all circumstances and then but what is the consequence of that in terms of the raising of the Qila'ah (position of ruling) and other rulings resulting from that, irrespective of it being a lesser A'raf or a A'raf that does not remove someone from the Millah i.e. the Deen of Islam. In addition, the certain Qima; consensus of the Qahabah is held over that naming. This is the least of what the fact should accept, in all circumstances, as & have discussed (repeatedly) within its context.

: Classifying the narrations as being authentic (Cahih) or & weak (Da'eef) is an objective area of knowledge/ it has its principles and its elements. These have established the weakness of the mentioned narrations, just as & have demonstrated other narrations and the additions of reliable and trustworthy narrators, which must be considered and (proceeded) in accordance with. In any case and regardless of that, the authenticity or weakness of the narrations is a matter of difference of opinions and dispute. As for them, then the fact does not have the (mere) claims which are devoid of Qur'anic clear evidence:

هَاتُوا بُرْهَانَكُمْ إِنْ كُنْتُمْ صَادِقِينَ

17Al-QaBarah: 1119.



: %he "u))ah 7(roof9 lies in the s(eech of Allah and "is Messenger, and the "u))ah has been established for &hat &e ha\*e stated, and all (raise belongs to Allah. %he "u))ah is not in the s(eech of 2bn 8Abbas, the s(eech of %a&us or the s(eech of 2bn %a&us. %hat is unless the+ 7i.e. the state scholars9 ha\*e established a definite and certain (roof for the infallibilit+ of the one &ho made the statement/ meaning the infallibilit+ of 2bn 8Abbas, %a&us or 2bn %a&us, in general or in res(ect to this (articular issue. "o&e\*er, if the+ gathered man and Jinn together, the+ &ould be inca(able of bringing such a (roof:

خَاثُوا بُرْهَانَكُمْ إِن كُنْتُمْ صَادِقِينَX

17Al-?aBarah: 1119.

. %he one &ho (rofesses the t&o Chahadas, (ra+s the obligator+ (ra+er, faces the Giblah and eats our slaughtered meat is a Muslim and has &hat &e ha\*e in terms of rights and is obliged &ith &hat &e are obliged &ith. %his is a matter that is immediate, s(ontaneous and &ithout Buestion or the need for it to be made e\*ident or for it to be tested or e4amined1 %his is a right that the "adith of the Messenger of Allah 7sa&9 came &ith. %his Muslim remains as a Muslim as long as a certain statement or act of disbelief does not come from him &hich ma'es him a disbelie\*er, li'e: 2nsulting the @ro(hets, den+ing the resurrection and deliberatel+ thro&ing the Mus;haf into the rubbish bin or toilet, among other such acts of disbelief. At such a time he &ould become an a(ostate 7Murtadd9 and disbelie\*er 7Aafir9, regardless of ho& much he a((lied himself to some or all of the (rominent rituals of &orshi (7Cha;aa;ir9. 5%hat is &ith the e4ce(tion of the one &ho is (re\*ented from being declared a disbelie\*er, in res(ect to his (erson, due to one of the established (re\*enters 7Ma&ani;9 of %a' fir 7the declaration of disbelief9, such as ignorance, inter(retation 7%a;&eel9 or other than them, or the e4cuse of dire coercion, and &hat is similar to that6. %his is &hat &e sa+ in res(ect to their - . from among the t+rannical rulers, so as to establish the definite e\*idence and binding (roof u(on that.

. 3ho said that the Muslim FasiB ruler is not o((osed and is not remo\*ed at all or under an+ circumstancesP1 Rather, the correct (osition is that the remo\*al is obligator+ in accordance &ith the established Char;i+ah method, manifested in -(the )udgement of the court of un)ust acts.. 2f he rebels against that and refuses to com(1+ &ith its final decisil\*e )udgement, he becomes a rebel against the Char;a and someone &ho refuses to submit to it. At such a time he is fought &ith the fighting of the one &ho &ithholds and refuses to com(1+, just li'e those &ho &ithhold the 0a'at. 2t is the fighting of Aufr 7disbelief9 and Riddah 7a(ostac+9 and not the fighting of the Aha&ari) 7Ahari)ites9 or rebels. %his reflects the usual situation 7of ho& this matter is dealt &ith91

2f the court of un)ust acts 7Mah' amat ul-Ma=halim9 didn;t e4ist or &as ino(erati\*e, it is obligator+ to go out against him and remo\*e him b+ one single initiati\*e, or b+ a grou( from the (eo(1e of material (o&er 7e.g. li'e a militar+ cou(9, or through the collusion of the Ahl ul-"all 3a-l-8ABd 7(eo(1e of influence and sa+9, or b+ the mo\*ement of the masses of the indi\*iduals of the Hm mah. %hat is if it is (re(onderant in their \*ie& that this &ould ta'e (lace &ithout creating a Fitnah 7strife9 that &ould (er(etuate or lead to a &ides(read fight or &ar. 2n the case &here Fitnah is feared going out against the ruler falls from being obligator+ 73u)oob9 to (ermissibilit+ 72baahah9, to (rohibition 7%ahreem9, &ith a major difference of o(inion e4isting among the 8Hl lamaa; in this regard. Al-Ahuroo) 7going out against the ruler or **being** in o((osition to him9, in an+ case and regardless of the issue of

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the - . in origin, re(resents the Madh;hab 7o(nion9 of the Cahabah and the %abi;un: -%he master of the Chabab 7+oung men9 of @aradise, Al-"ussein bin 8Ali, ma+ Allah;s (eace and (leasure be u(on, the FuBaha; 7scholars9 &ith 2bn Al-Ash;ath, Muhammad An-: afs A=-0a' i+ah and his brother 2brahim, Ahmad bin An-: asr Al-Aha=a;i+ etc... %his, ho&e\*er, is not our to(ic here although &e ha\*e e4amined some of it in the to(ic - . 7%he rule of the one &ho is rebellious+ disobedient9 in our boo': - . and in some other conte4ts in our boo': - . and other (laces besides them, and as such, the sub)ect can be referred to \*ised there.

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3hate\*er the situation, if one or more of the (eo(le of material force 7i.e. the armed forces9 too' the initiati\*e, that &ould usuall+ not lead to Fitnah or (rolonged &ides(reed fighting, as is 'no&n and &itnessed in accordance &ith the necessitates of the sensed (erce(tion and mind1 Mo\*es such as these usuall+ either succeed and the Mun'ar is remo\*ed, as reBuired, or it fails and the - . are sub)ected to (unishment and (erha(s sentenced to death. %here is no harm in that for the one see'ing 7the (leasure of9 Allah and the home of the hereafter and indeed it reflects a great honour and certain mart+rdom in accordance &ith the s(eech of the Messenger of Allah 7sa&9:

V سَيِّدُ الشُّهَدَاءِ حَمْرُهُ بُنْ عَبْدِ الْمُطَّلِبِ، وَرَجُلٌ قَامَ إِلَى سُلْطَانٍ جَائِرٍ فَأَمَرَهُ وَهَمَاءً، فَقَتَلَهُ

2t is not concei\*able and it is not (ermissible to thin' that the intention of our @ero(het 7sa&9 &as other than the commanding of the Ma;roof and the forbidding of the Mun'ar for the (ur(ose of remo\*ing it and changing it. Cuch a matter does not occur b+ the tongue alone but rather also b+ the hand, just as has been definitel+ stated in the other authentic "adith li' e the "adith of Ca;id Al-Ahudri and the "adith of Hmm Calamah, ma+ Allah be (leased &ith them both. %his is e4actl+ &hat the one &ho &as 'illed from among the (eo(le of (o&er undertoo' sacrificing himself in the &a+ of Allah, to remo\*e the Mun'ar and for the &ord of Allah to be the highest, and so ha( (+ he is1

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. Ees, it is true &hat the+ ha\*e said in res(ect to there being man+ Ahadeeth related to ha\*ing (atience and (erse\*ering &ith the o((ressi\*e or un)ust leaders. "o&e\*er, the Ahadeeth are more numerous and more authentic in res(ect to commanding them &ith the Ma;roof and forbidding them from the Mun'ar, as &e ha\*e e4(lained un our (a(er . As such, &h+ do the+ conceal some of the 3ahi 7di\*ine re\*elation9 &hilst onl+ disclosing some of itP1 Do the+ fear that the (eo(le &ill be misled or misguided b+ that &hich Abu l-Gasim, Muhammad 7sa&9 came &ithP1 Or do the+ fear, them and their rulers, that the+ &ill be curtailed b+ Allah and "is MessengerP1 Or do the+ belie\*e in some of the ?oo' and disbelie\*e in (artP1 %hat is because it is necessar+ to ta'e all of them 7i.e. the Ahadeeth9 and to &or' in accordance to them all. Other&ise, that &ould re(resent 2man 7belieff9 in some of the ?oo' and disbelief in some of it, just li'e the case &as &ith those &ho (receded them from the ?ani 2sra;eel. And if it is not (ossible to ta'e all of them 7i.e. due to irreconcilabilit+9, then the te4ts of commanding the Ma;roof and forbidding the Mun'ar are the+ later te4ts and as such o\*erride the other te4ts and abrogate them, just as &e established b+ clear e\*idence in our boo' - .

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Co, &hoe\*er claims, follo&ing all &e ha\*e (resented, that the A+ah 7\*erse9 is s(ecific to the Je&s due to it being re\*ealed in relation to some of their incidents, or claims that he is follo&ing some of the Cahabah and %abi;un &ith the e4istence of those &ho disagreed &ith them from their li'es, then he should mourn his (ortion of the mind and his (ortion of 2slam, or his (ortion of both of them together. "e should descend from his riding animal as his animal has a greater mind than him and is more &orth+ of being the rider and not being that &hich is ridden1

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%his "u'm 7ruling#\*erdict9 of Aufr 7disbelief9, Ohulm 7transgression9 and FisB 7rebellious disobedience9 a((lies to%co\*ers an+one &ho lea'es the "u'm 7ruling #)judgement9 of Allah and e\*er+one &ho rules or )judges b+ other than it. %hat a((lies eBuall+ &hether he &as:

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7!9 Ruling b+ the Charee;ah in origin li'e the Char;i+ah )judges,  
7 9 Or those &ho are &orse than them, li'e the one &ho rules b+ other than the Charee;ah in origin li'e the )judges of man-made la&.

7!9 And b+ greater reason, if he &as from those &ho draft, enact and legislate constitutions, la&s, codes and statutes contrar+ to the Char;a or are not deduced in a correct and Char;i+ manner and then binds the )judiciar+, e4ecuti\*e and administrati\*e de(artments in the state to them. Cuch a (erson is more deser\*ing and entitled to the descri(tions of Aufr, Ohulm and FisB. "e is the \*er+ &orst in ran', the most immersed in Chir' and Aufr and the most astra+ from the straight (ath. Cuch a (erson is also from the greatest %a&aghith 7false Mods9: %he leaders of Aufr and heads of misguidance1

: one are e4em(ted from that a(art from the mista'en Mu)tahid from among the Char;i+ )judges and rulers. %hat is because the sin is raised from them due to the definite te4ts of the Gur;an and the e\*idences of the Muta&atir Cunnah &hich indicate that the one &ho ma'es an error is not ta'en to tas'. %he authentic established (osition is &hat came in the "adith narrated b+ 8Amr bin Al-8Aas:

[وَإِذَا حَكَمَ، فَاجْتَنِبْهُ، ثُمَّ أَخْطَأَ، فَلَهُ أَجْرٌ

%hat is because the+se onl+ sought to arri\*e to the truth and to the "u'm 7judgement9 of Allah in the issue at hand. %he+ e4(ended their ca(abilit+ and e4hausted their effort and then made an error after that, or the+ as'ed the (eo(le of 'no&ledge &ho erred themsel\*es, or the+ merel+ sli((ed in their )judgement. %here is a \*ast difference bet&een these belie\*ers &ho refer bac' to Allah and "is Messenger and bet&een the former categories/ those &ho are disbelie\*ing, transgressing and rebellious+ disobedient.

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. Consequently, facing in the direction of ?ait ul-  
MaBdis 7Al-Guds, @alestine9 in (ra+er (rior to the abrogation of that meant referring bac' to Allah  
and "is Messenger and conseBuentl+ it &as 2lam. Facing its direction after the abrogation ho&e\*er  
reflects a denial of the "u'm of Allah and "is Messenger or arrogance and refraining from  
submitting to the "u'm of Allah and "is Messenger, or hatred and a\*ersion to&ards the "u'm of  
Allah and "is Messenger, or contem(t and disdain to&ards the "u'm of Allah and "is Messenger,  
and all of that re(resents Aufr 7disbelief9 in Allah and "is Messenger. %herefore, the \*er+ same act  
can be 2lam or Aufr 7disbelief9, not due to an inherent Bualit+ of the action itself, but rather due to it  
being referring bac' to Allah and "is Messenger or not referring bac' to Allah and "is Messenger.

2brahim sacrificing his son 7(eace be u(on them both9, his o&n son, &ith there being no crime that  
he had committed, rather (urel+ in order to gain closeness to Allah and as an act of de\*otion to "im,  
&hen his Rabb 7Lord9 commanded him &ith that, and the submission and surrender of his son to this  
command, re(resents the greatest act of obedience and the highest acts to gain the (leasure of  
Allah, through &hich the+ deser\*ed the commendation of Allah, a((ointment to leadershi( and the  
best mention &ithin the re\*ealed boo's. %hen, &hen the abrogation came, all of that transformed  
into a heinous crime. %he sacrificing of the son is a crime and the submission and surrender of the  
son to the crime of the father in disobedience to Allah is another crime, and there &as not bet&een  
the t&o commands e4ce(t a moment of time, during &hich the s+stem of creation did not change,

the nature of matters did not reverse and the 2man in the heart of 2brahim and 2sma'eel did not increase or decrease the amount of a grain. "o&e\*er, it re(resented the command of Allah the Lord of the &orlds, to &hom alone belongs the Ci+adah 7so\*ereight+9, legislation and "a'imi+ah 7sole right to (ass)udgment and issue rulings9. %o "im belongs the Creation and the command:

لَا يُسْأَلُ عَمَّا يَفْعَلُ وَهُمْ يُسْأَلُونَ

7Al-Anbi+a: 19.

Cimilarl+, the eating of some beef fats and selling it &as (rohibited u(on ?ani 2sra'eel &hich &as (rior to the Muhammadi+ah message and that reflected referring to Allah and "is Messenger Musa 7as9 and as such it re(resented 2lam and 2man11 %hen, after that it became "alal in the Charee;ah of Muhammad 7sa&9. 3hoe\*er did that referring bac' for )udgement to Allah and "is Messenger Muhammad 7sa&9 is then a Muslim and &hoe\*er refuses to do so is a Aafir 7disbelie\*er9. ConseBuentl+, the same thing or matter can be "alal or "aram, not due to an intrinsic matter associated &ith the matter itself, as the co&s of toda+ are li'e the co&s of the (ast. Rather, it is onl+ due to it being the "u'm 7udgment # ruling9 of Allah and "is Messenger.

Allah 7s&t9 said:

فَظَلَمَ مِّنَ الَّذِينَ هَادُوا حَرَّمْنَا عَلَيْهِمْ طَيِّبَاتٍ أُحِلَّتْ لَهُمْ وَبِصَدِّهِمْ عَنِ سَبِيلِ اللَّهِ كَثِيرًا \* وَأَخَذِهِمُ الرِّبَا وَقَدْ هُمُوا عَنْهُ  
وَأَكْثَلِهِمْ أَمْوَالٌ النَّاسِ بِالْبَاطِلِ

For &rongdoing on the (art of the Je&s, 3e made unl&ful for them 5certain6 good foods &hich had been la&ful to them, and for their a\*erting from the &a+ of Allah man+ 5(eo(le6. 71L\$9 And 5for6 their ta'ing of usur+ &hile the+ had been forbidden from it, and their consuming of the (eo(le6 &ealth un)ustl+ 7An-: isa:: 1L\$-1L19

%his therefore re(resents another definite e\*idence for the Ci+adah 7so\*ereight+9 of the Char;a and the absolute "a'imi+ah of Allah. %hat is some things &ere made "aram for ?ani 2sra'eel &hich are good in accordance &ith the mind;s )udgement and in harmon+ &ith &hat is natural, )ust as the+ had been (ermissible and good in accordance &ith the Char;a (rior to that/ (rior to the time of Ea;Bub 7as9 and then again after that follo&ing the arri\*al of Muhammad 7sa&9. As such, the (rohibition &as for certain not due to an intrinsic matter &ithin those things but rather due to consideration e4ternal to them.

2t should not be said that this too' (lace u(on the basis of it being a (unishment &hich the mind can (ercei\*e and e\*aluate to be good and the sound nature can acce(t. %hat should not be said because that &ould mean that Allah (unished the @ro(hets, the truthful and the righteous from among them &ho had not (er(etrated the crimes, transgression and ta'ing of Riba 7usur+9 i.e. the crimes for &hich the (er(etrators deser\*ed (unishment. Rather, the (rohibition remained a((lied generation after generation and e\*en u(on those &ho &ere born after the (unishment &as &arranted u(on those &hom it &as fitting to be a((lied u(on. As such, &h+ &ould those &ho see' to do good and those from the follo&ing generations &ho &ere innocent of those original crimes be (unishedP1 %here is no Buestion that such an argument is definitel+ false and in\*alid and indeed it re(resents a

\*ie& based on Aufr 7disbelief9 due to its contradiction the unrestricted, firm and established (rinci)(le:

وَلَا تَزِرُ وَازِرَةٌ وِزْرَ أُخْرَىٰ

: o bearer of burdens &ill bear the burden of another 7Al-An;am: 1L49

It is a (rinci)(le that has been re(eated &ith the same &ording in fi\*e (laces in the Guran Al-A=heem, just as it came stated &ithin the Cuhuf of 2brahim and Musa and in all of the former and latter 7oo's and Messages. Allah 7s&t9 said:

أَمْ لَمْ يُنَبِّأْ بِمَا فِي صُحُفِ مُوسَىٰ \* وَإِبْرَاهِيمَ الَّذِي وَفَّىٰ \* أَلَا تَزِرُ وَازِرَةٌ وِزْرَ أُخْرَىٰ

Or is he not informed &ith &hat is in the @ages 7Ccri(ture9 of Musa 7Moses9, 7! L9 And of 2brahim 7Abraham9 &ho fulfilled 7i.e. all that &as due of him9. %hat no bearer of burdens &ill bear the burden of another 7An-: a)m: !L-!F9.

%herefore, the (rohibition of those things or matters &as definitel+ due to considerations &hich &ere e4ternal to the essence of those things themsel\*es and &hat is associated to the essence of those things.

Ees, it is true that it could be said that this &as in order to teach 7ani 2sra;eel so as to disci(ine them in a firm manner and this is a significant consideration and rational (ursuit1 2f the matter &as ho&e\*er li'e that and ta'ing into account such a significant consideration &as a good matter in res(ect to the )udgement of the mind and sound dis(osition, then the most significant of considerations that the mind can (ossible concei\*e are those of the Rububi+ah of Allah, "is 2lahi+ah, "is absolute and unrestricted Ci+adah 7so\*ereight+9, "is right o\*er "is creations as dictated b+ the blessing and fa\*our of "is creating it all from nothing and "is besto&al of all 'inds of blessings and fa\*ours. %his "aBB 7right9 of "is is therefore the (rimar+ and absolute right and comes before e\*er+ other right. 2ndeed, all of the other rights including the rights of the self, the (arents, the child, the remainder of human'ind and e\*en the rights of other than them in terms of creatures and creations, onl+ re(resent branches from that (rimar+ and original right. 3ithout doubt it has the (riorit+ and is more &orth+ of being res(ected and to be (laced into consideration than -the stern educating and disci(ining of 7ani 2sra;eel.. %herefore, to Allah belongs the "aBB 7right9 to command &hat "e &ishes and assigns &hat "e &ishes to assign in terms of legal res(onsibilit+ 7%a' leef9 u(on the basis of (ure arbitrariness and sub)ection, and not at all based u(on an+ other consideration. %hat is because "is is right in res(ect to the Ci+adah 7so\*ereight+9 and Rububi+ah 7Lordshi( and master+9 has greater (riorit+ and is higher than an+ other right. %he consideration of that being the greatest and the highest in (riorit+ o\*er an+ other consideration reflects the \*er+ meaning of our statement -

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%he Rububi+ah 7Lordshi(9 of Allah 7s&t9 and "is absolute Ci+adah 7so\*ereight+9 as dictated b+ "is being obligator+ in eternal e4istence, the One &ho created and (ro(ortioned, (reordained and guided, and besto&ed all of the gifts and blessings, re(resents the most im(ortant and most (rimar+ facts of e4istence. Co, ho& is it concei\*able to gi\*e (riorit+ to an+ aim or right o\*er "is right 7s&t9, or to ta'e into account an+ consideration before ta'ing into account "is so\*ereight+ 7s&t9P1 %hat is &h+

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the Ci+adah belongs to the Char;a and the "a' imi+ah, Rububi+ah and Zahi+ah, all belong to Allah alone &ith no (artner, in an absolute manner &ithout an+ restriction or condition.

Ees, it is true that Allah 7s&t9 has distinguished Muhammad 7sa&9 abo\*e the remainder of the @ro(hets &ho came before him, as he:

Xمُحِلُّ هُمُ الطَّيِّبَاتِ وَمُحَرِّمٌ عَلَيْهِنَّ الْحَبَائِثُ

7AI-A;araf: 1Q<9.

%hat is as Allah 7s&t9 said:

الَّذِينَ يَتَّبِعُونَ الرَّسُولَ النَّبِيَّ الْأُمِّيَّ الَّذِي يَجِدُونَهُ مَكْنُوزًا عِنْدَهُمْ فِي التَّوْرَةِ وَالْإِنْجِيلِ يَأْمُرُهُمْ بِالْمَعْرُوفِ وَيَنْهَاهُمْ عَنِ الْمُنْكَرِ وَمُحِلُّ هُمُ الطَّيِّبَاتِ وَمُحَرِّمٌ عَلَيْهِنَّ الْحَبَائِثَ وَيَضَعُ عَنْهُمْ إِصْرَهُمْ وَالْأَغْلَالَ الَّتِي كَانَتْ عَلَيْهِنَّ ۚ فَالَّذِينَ آمَنُوا بِهِ Xوَعَزَّزُوهُ وَنَصَرُوهُ وَاتَّبَعُوا النُّورَ الَّذِي أُنْزِلَ مَعَهُ ۚ أُولَٰئِكَ هُمُ الْمُفْلِحُونَ

7AI-A;raf: 1Q<9.

And Allah 7s&t9 said:

يَسْأَلُونَكَ مَاذَا أُحِلَّ لَهُمْ ۖ قُلْ أُحِلَّ لَكُمُ الطَّيِّبَاتُ ۚ وَمَا عَلَّمْتُم مِّنَ الْجَوَارِحِ مُكَلِّبِينَ تُعَلِّمُوهُنَّ مِمَّا عَلَّمَكُمُ اللَّهُ ۖ فَكُلُوا Wمِمَّا أَمْسَكْنَ عَلَيْكُمْ وَادْكُرُوا اسْمَ اللَّهِ عَلَيْهِ ۖ وَاتَّقُوا اللَّهَ ۚ إِنَّ اللَّهَ سَرِيعُ الْحِسَابِ

7AI-Ma;idah: 49.

And "e 7s&t9 said:

الْيَوْمَ أُحِلَّ لَكُمُ الطَّيِّبَاتُ ۖ وَطَعَامُ الَّذِينَ أُوتُوا الْكِتَابَ حَلَٰلٌ لَّكُمْ وَطَعَامُكُمْ حَلَٰلٌ لَهُمْ ۖ وَالْمُحْصَنَاتُ مِنَ الْمُؤْمِنَاتِ وَالْمُحْصَنَاتُ مِنَ الَّذِينَ أُوتُوا الْكِتَابَ مِن قَبْلِكُمْ إِذَا آتَيْتُمُوهُنَّ الْجُورَهُنَّ مَحْصِنِينَ غَيْرَ مُسَافِحِينَ وَلَا مُتَّخِذِي Xأُحْدَانٍ ۚ وَمَن يَكْفُرْ بِالْإِيمَانِ فَقَدْ حَبِطَ عَمَلُهُ وَهُوَ فِي الْآخِرَةِ مِنَ الْخَاسِرِينَ

7Al-Majidah: Q9.

And "e 7s&t9 also said:

فَيُظْلَمُ مِّنَ الَّذِينَ هَادُوا حَزْمًا عَلَيْهِمْ طَيِّبَاتٌ أُحِلَّتْ لَهُمْ وَبِصَدِّهِمْ عَنِ سَبِيلِ اللَّهِ كَثِيرًا

7An-: isa;

1L\$9.

%hese \*erses are a manifest e4 (lanation and certain e\*idence indicating that:

. %he understanding of - . 7the good thing9 is different to the understanding of - .  
7the (ermissible9 and it is com (etel+ inde (endent to it.

. . %hat Allah 7s&t9, in "is Bualit+ as being the Rabb 7Lord9 (ossessing (erfect Rububi+ah 7Lordshi9  
and the Ca++id 7Master9 &ho (ossesses com (ete so\*ereight+, had made "aram 7(rohibited9 some of  
the %a++ibaat 7good # &holesome things9 and as &ill be discussed later, in the same &a+, "e has also  
made "alal some of the Ahabaa;ith 7bad # un&holesome things9.

%herefore, the thing or action being %a++ib 7good # &holesome9 in its essence or Ahabith 7bad #  
un&holesome9, regardless of f the im (ortance of that, it is ne\*ertheless less in terms of consideration  
than Allah's descri (tion of Rububi+ah and Ci+adah and "is right to rule or )udge b+ &hat "e &ishes  
and chooses. As such, "e (rohibits the %a++ibaat and he ma'es (ermissible the Ahabaa;ith if "e so  
&ishes &hilst there is no re\*ision or ad)ustment to "is "u'm:

لَا يُسْأَلُ عَمَّا يَفْعَلُ وَهُمْ يُسْأَلُونَ

7Al-Anbi+a;: !9.

ConseBuentl+, &hate\*er the Lord of Might, glorified be "is majest+, legislates and )udges &ith, then  
its ruling 7""u'm9 is final and absolute, and abo\*e an+ other source of reference. It is not (ermissible  
for "im to submit to an+ Buestioning, but rather "is obedience is absolute &ithout a restriction or  
condition. %his re(resents an absolute Char;+ah truth and before that, it reflects a com(ulsor+  
rational necessit+.

. . %his final Hm mah has been blessed &ith a merc+. It is from his greatest attributes and \*irtues  
that Allah fa\*oured him &ith the ma'ing of e\*er+ %a++ib 7good # &holesome thing9 "alal  
7(ermissible9 and ma'ing e\*er+ Ahabeeth 7bad # un&holesome thing9 "aram 7(rohibited9. %hat is in  
contrast to the (re\*ious nations u(on &hom burdens &ere (laced and chains (laced around their  
nec's. %hat is because %a++ibaat 7good # &holesome things9 &ere (rohibited for them &hich had

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(re\*iousl+ been "alal 7(ermisible9 and then became "alal again after that in accordance &ith this final blessed Charee;ah, as stated in the Guranic te4t. 2n addition, some of the Ahabaa;ith 7bad # un&holesome things9 &ere (ermitted for them &hich brought bad conseBuenes for them. %hat is e\*ident from the legitimac+ of the - . (ro\*ided to ?ani 2sra;eel. Cuch a s+stem is abominable and Ahabeeth 7un(leasant9 and it ma+ ha\*e been the 'e+ to the (erishing of ?ani 2sra;eel and their destruction 7as &ill be discussed after a fe& sections9, in line &ith the s(eech of the Messenger 7sa&9 &hen he said:

Zفَإِنَّمَا أَهْلَكَ الَّذِينَ مِنْ قَبْلِكُمْ كَثْرَةُ سُؤَالِهِمْ وَاخْتِلَافُهُمْ عَلَى أَنْبِيَائِهِمْ

>eril+, it &as onl+ the e4cessi\*e Buestioning and their disagreeing &ith their @ro(hets that destro+ed those 7nations9 that came before +ou.

- %his &as recorded in - . of 2mam Al-?u'hari: 52sma;eel related to us from Mali', from Abu A=-0annad, from Al-A;ara), from Abu "urairah, from the @ro(het 7sa&9, &ho said:

دَعُونِي مَا تَرَكْتُكُمْ، إِنَّمَا هَلَكَ مَنْ كَانَ قَبْلَكُمْ بِسُؤَالِهِمْ وَاخْتِلَافِهِمْ عَلَى أَنْبِيَائِهِمْ، فَإِذَا هَيَّيْتُكُمْ عَنْ شَيْءٍ فَاجْتَنِبُوهُ،  
Zوَإِذَا أَمَرْتُكُمْ بِأَمْرٍ فَأَتُوا مِنْهُ مَا اسْتَطَعْتُمْ

%his 2snad 7chain of transmission9 is as Cahih 7authentic9 as the sun, indeed it re(resents the -Cilsilah Adh-Dhahabi+ah. 7Molden chain9 from among the chains of transmission of Abu "urairah. 2n - . it came &ith the &ording:

مَا هَيَّيْتُكُمْ عَنْهُ فَاجْتَنِبُوهُ وَمَا أَمَرْتُكُمْ بِهِ فَافْعَلُوا مِنْهُ مَا اسْتَطَعْتُمْ فَإِنَّمَا أَهْلَكَ الَّذِينَ مِنْ قَبْلِكُمْ كَثْرَةُ مَسْأَلِهِمْ  
Zوَاخْتِلَافُهُمْ عَلَى أَنْبِيَائِهِمْ

2t also came &ith another &ording 7Laf=h9:

Zدَرُونِي مَا تَرَكْتُكُمْ

Lea\*e me in res(ect to &hat 2ha\*e left from +ou.

And in the "adith related b+ "ammam the follo&ing &ording came transmitted:

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مَا تَرْكُكُمْ فَإِنَّمَا هَلَكَ مَنْ كَانَ قَبْلَكُمْ

This "adith has been recorded in most of the Sahih books, Sunan, Majma' and Masaneed with the most authentic of chains of transmission, as has been stated (reliously and will be elaborated upon in the appendix).

Islam is a complete Deen. Its texts, Al-"amdu Lillah, contain the rulings for every matter, related to all things and actions, until the Day of Judgement, without the need to examine the true reality of a thing or action in respect to it being good or wholesome or Ahabeeth bad or unwholesome. Indeed, the truth is that whatever the texts of this final blessed Chareeah have affirmed to be "alal, is good or wholesome without question and inevitable, whilst whatever has been affirmed to be "aram is inevitable and without doubt Ahabeeth bad or unwholesome. This is through the guarantee of Allah in the case where we bear witness through the testimony of Allah that everything Allah has made "alal is good and everything that He has made "aram is Ahabeeth.

Consequently, the examination of things or actions being good or Ahabeeth in themselves i.e. intrinsically, the examination of the nature or essence of the badness or good within them, their details and compositions, regardless of the possible significance of all of this from a philosophical angle, it nevertheless does not hold any major significance or value from the legislative perspective. What is whilst acknowledging that outweighing their essence in terms of being good or Ahabeeth is impossible to ascertain to all apart from the One whose knowledge encompasses everything, and that is Allah Al-"a' eem. Even if we were to concede to the possibility of that in principle, the reality of human legislation and what we witness among all of the nations and peoples in terms of enacting legislations followed by their subsequent failure after years or decades, or even centuries, followed by their abolishment and replacement with others, compels us to believe that this cannot be accomplished due to its difficulty and severe obscurity, especially by the passing of ages and generations of students, thinkers, politicians and legislators, accompanied by a great cost, hardship and dangerous experiments doomed to failure which are not commensurate with the smallest and faintest of results which they yield.

Even if we were to concede, for the sake of argument, that the human mind is capable in principle to deduce the attributes of the thing being studied, its relationship with other things from the creation and what results from it in terms of interests, benefits, joys and pleasures, in the short and long term, and consequently be able to arrive at a judgement stating that the thing is good or wholesome or Ahabeeth bad or unwholesome. So And even if we were to concede that this was an extremely easy and simple matter to accomplish. So if we were to concede to all of that, for the sake of argument, there would still be no yield or outcome that could be hoped for to accomplish from it, especially for the pure intellectual pleasure attained from engaging in such intricate studies and investigations.

As for the "u'm Ash-Shari', then it has been established prior to that by the Shar'i text, and it is not permissible for it to be affirmed especially by the Shar'i text, because man and Islam means referring to Allah and His Messenger. This has been conclusively demonstrated and dealt with by clear evidence and proof in this book, whilst anything other than that is inconceivable.

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3e & ill add to the clarit+ of this through the e4am (le of - . & hich has been established \*ia the definite Char;i+ah te4ts to be "aram. %he matter in res(ect of - . cannot fall outside of three (ossibilities:

. %hat the (erson belie\*es in its (rohibition because Allah has made it (rohibited 7"aram9. ?+ that, he &ould be a Muslim belie\*er, referring to Allah and "is Messenger. %here &ould then be no harm in relation to that if he belie\*ed:

. %hat it &as (rohibited due to being Ahabeeth 7bad # un&holesome9 intrinsicall+, due to the fa\*our of Allah and "is blessing, and of 'indness and merc+ for "is sla\*es, in the case &here "e sa\*ed them from the burden of e4amination and in\*estigation and (ro\*ided them &ith the conclusion &ith ease and &ithout difficult+. %his is &hat those &ho belie\*e in this final message of 2slam are obliged to belie\*e in due to &hat &e ha\*e mentioned (re\*iousl+.

. %hat it &as (rohibited as a test and trial, as (ure sub)ection of &orshi(, or as an intensified strictness and (unishment, or as a form of disci(lining, refining and training in order to attain the highest \*irtues, or other than that &hich is 'no&n to Allah, e\*en though it is intrinsicall+ %a++ib 7good # &holesome9 from the sensed and medical (ers(ecti\*e. %his re(resents a belief in &hich there is no (roblem due to follo&ing the (re\*ious Charee;ahs and for the one &ho &as not a&are of our clear (roof mentioned abo\*e concerning the (eo(le of 2slam.

7 9 %hat the (erson belie\*es that it is im(ermissible to eat because it is intrinsicall+ Ahabeeth 7bad # un&holesome9 and the 8ABI 7mind # intellect9 obliges a\*oiding the Ahabeeth and a thing &hich is harmful. %his is a disbelie\*ing belief &hich ta'es the one belie\*ing in it outside of the Millah. %hat is because it reflects not referring to Allah and "is Messenger and this is Aufr 7disbelief9, unless it is due to ignorance or a %a;&eel 7inter(retation9 of another matter from among the (re\*enters of %a' fir 7declaring disbelief9. %he Aufr of the one holding this (osition is increased if he ma'es its (rohibition obligator+ u(on Allah due to the 8ABI 7mind9)udging it to be Ahabeeth. %hat is due to t&o reasons:

. ?ecause that means ma'ing something obligator+ and (rohibited u(on Allah &hich "e did not oblige or (rohibit u(on himself. %his is rationally contrar+ to the Hluhi+ah of Allah, including that &hich relates to: %he so\*ereignt+ and final or ultimate (oint of reference.

. ?ecause it re(resents an e4(licit denial of the definite Guranic te4t stating that the (rohibition of some of the %a++ibaat 7Mood # &holesome things9 did ta'e (lace in res(ect to (re\*ious Deens. %his re(resents an accusation against in Allah in res(ect to \*iolating or being contrar+ to the "aBB 7truth9 and falling into unfairness and in)justice.

%he matter ho&e\*er is com(letel+ different if a Char;i+ te4t of this final blessed Charee;ah comes mentioning a thing, object or action &ith the descri(tion of being -Ahabeeth.. At such an occurrence, it must be concluded definitel+ that it is "aram &ithin this final/ Charee;ah &hich came &ith Muhammad 7sa&9. %hat is unless an e4(planation came stating that this descri(tion &as due to a s(ecific consideration or that it has s(ecific restrictions or constraints. %hat is li'e &hat came in relation to garlic, onions and other foods &hich ha\*e a bad smell:

- %he follo&ing came recorded in - .: 58Amr An-: aBid related to us from 2sma;eel bin 8Hla+ah, from Al-Jurairi, from Abu An-: adrah, from Abu Ca;id, &ho said: Coon after Ahaibar had been conBuered &e, the com(anions of Messenger of Allah 7sa&9, came across a (lant, &hich &as garlic.

The (eo)le & ere hungri+ and so & e ate e4tensi\*el+ from it. 3e then &ent to the Mas)id and the Messenger of Allah 7sa&9 sensed the smell and said: -3hoe\*er has eaten an+thing from this  
 - . tree should not a((roach the Mas)id.. The (eo)le then said: -  
 .. 3hen that reached the @ro(het 7sa&9 he said: -O @eo(le: 2t  
 is not for me to (rohibit &hat Allah has made "alal 7(ermissible9 for me, but rather it is a tree the  
 smell of &hich 2 disli'e. 6. This has also been recorded in the -  
 and in the -

- 2n the - . it came recorded as: 5Abu %ahir related from Abu ?a' r, from Abu  
 Musa Muhammad bin Al-Muthanna, from Abdul A;ala, from Ca;id bin Al-Juraiiri 7,ح from Abu "ashim  
 Oi+ad bin A+ub, from 2sma;eel, from Ca;id bi Jurairi, from Abu : adra, from Abu Ca;id &ho related li'e  
 the "adith of Muslim6. 2bn Ahu=aimah then said: 5This is the "adith of Abu "ashim and Abu Musa  
 added at the end of the "adith: - .6.

- The follo&ing &as recorded in the - .: 5Hthman bin Abi Chaibah related to us  
 from Jarir, from Ash-Chaibani, from 8Adi bin %habit, from Oirr bin "ubaish, from "udhaifah 72 thin' 9,  
 from the Messenger of Allah 7sa&9, that he said:

قِيَامَةٌ تَقُلُّ

- And in - . 7At-%abarani9: 5" afs bin 8Amr Ar-RaBBi related to us from Gubaida bin 8HBbah, from Cuf+an Ath-%ha&ri, from Abdur Rahman bin 8Aa+ish, from 8Al-Alaa bin Ahabbab, that the Messenger of Allah 7sa&9 said: - 3hoe\*er eats from the - . tree, should not a((roach our Mas)id, 2 mean garlic. 6.

2n the aforementioned Ahadeeth the @ro(het 7sa&9 described some of the trees as being Ahabeeth 7un&holesome9 and the Cahabah immediatel+ understood, in the first instance, )ust as it is obligator+ to understand and im(ermissible to o((ose, that this meant the (rohibition. "o&e\*er, the Messenger 7sa&9 e4(lained to them that this descri(tion of - . 7un&holesomeness9 in this case &as onl+ due to its bad or \*er+ strong smell, that it is un&holesome in a limited sco(e &hich does not lead to its (rohibition, but rather onl+ the (rohibition of going to the Mas)id until its smell had dissi(ated, )ust as he indicated to getting rid of its smell through coo'ing it thoroughl+. 2n addition, as the @ro(het 7sa&9 had a s(ecial relationshi( &ith Jibreel and the Angels of re\*elation, the disli'e for him &as e\*en greater, as has been mentioned abo\*e and is a((arent in the follo&ing Ahadeeth:

- A greater e4(lanation came recorded in - .: 5Abu ?a' r bin Abi Chaibah related to us from Aathir bin "isham Ad-Dasta&a;i, from Abu A=-Oubair, from Jabir &ho said: %he Messenger of Allah 7sa&9 forbade the eating of onions and lee's. "o&e\*er, the desire o\*er(o&ered us and so &e ate from them. %he Messenger then said:

مَنْ أَكَلَ مِنْ هَذِهِ الْمَجْرَةِ اللَّيْثُفَةِ يَلْحَمُّمِي فِي طَحْيِي لَا فِي طَلْبَةٍ نَأْدَى مِمَّا يَتَأْدَى مِنْهُ الْإِنْس

- 3hoe\*er eats from this (lant of garlic. 7and on another occasion he said9: - 3hoe\*er eats onion, garlic and lee\* , should not a((roach our Mas)id for the angels are harmed b+ the same things as the children of Adam are harmed b+. 6. 2t &as also related in the - ..

- %here is also recorded in - . that &hich indicates that the abstention from eating it &as from those matters &hich &ere s(ecific to him 7sa&9: 5Abu At-%ahir and "armalah related to me sa+ing: 2bn 3ahb informed us from Eunus, from 2bn Chihab, from 8Ata bin Abi Rabbah, that Jabir bin 8Abdullah said 7And in a narration it &as "armalah and 0a;m9: %hat the Messenger of Allah 7sa&9 said:

W مَنْ أَكَلَ ثُومًا أَوْ بَصَلًا فَلْيَعْتَزِلْنَا أَوْ قَالَ: فَلْيَعْتَزِلْ مَسْجِدَنَا، وَلْيَقْعُدْ فِي بَيْتِهِ

- 3hoe\*er has eaten garlic or onion should isolate from us, or he said, he should isolate from our Mas)id and let him remain in his house..

Once a big (ot containing coo' ed \*egetables &as brought. On finding un(pleasant smell coming from it, the @ro(het 7sa&9 as'ed, 83hat is in itPlu"e &as told all the names of the \*egetables that &ere in it. %he @ro(het 7sa&9 ordered that it should be brought near to some of his com(anions &ho &ere &ith him. 3hen the @ro(het 7sa&9 sa& it, he disli' ed eating it and said:

كُلُّ فَإِنِّي أَنَا جِي مَنْ لَا تُنَاجِي

-Eat. 72 don't eat9 because 2 con\*erse &ith those &hom +ou don't con\*erse &ith 7i.e. the angels9. 6.

And in the - . the first half &as related to the &ords: -And let him remain in his house.. )ust as similar to the "adith of Ahmad &as related in the - . and also in - ..

- %he follo&ing &as recorded in the - .: 5Chaiban bin Furu) related to us from Abu "ilal, from "umaid bin "ilal, from Abi ?urdah, from Al-Mughira bin Chu;bah, &ho said: 2ate garlic and came to the (lace &here the @ro(het 7sa&9 &as (ra+ing. One Ra'lah of (ra+er had alread+ been com(leted &hen 2)oined. 3hen 2 entered the Mas)id, the @ro(het 7sa&9 noticed the smell of garlic. 3hen the Messenger of Allah 7sa&9 finished his (ra+er, he said: -"e &ho eats from this (lant should not come near us until its smell has gone a&a+.. 3hen 2 finished the (ra+er, 2 came to the Messenger of Allah 7sa&9 and said: -O Messenger of Allah, do gi\*e me +our hand.. %hen 2 (ut his hand in the slee\*e of m+ shirt, carr+ing it to m+ chest to sho& that m+ chest &as fastened &ith a belt. "e said: -Eou ha\*e a 7\*alid9 e4cuse. . 6.

Cimilar to this &as recorded in the - . and in the - . Chei' h Ch;uaib Al-Arna;ut said: 52ts 2snad is Cahih u(on the conditionalit+ of the t&o Chei' hs 7i.e. Al-?u' hari and Muslim6. 2t &as also recorded in the - ., the - . and - ..

- %he follo&ing came recorded in the - .: 5Abu %ahir related to us from Abu ?a' r, from Eunus bin Abd ul-A;alaa, from 2bn 3ahb, from 8Amr bin Al-"arith, from ?a' r bin Ca&adah, that Abu An-: ajib the Ma&la of Abdullah bin Ca;d related to him from Ca;id Al-Ahudri &ho related

that: Marlic, onions and leeks were mentioned in the presence of the Messenger of Allah ﷺ and it was said: -O Messenger of Allah, the most intense of them is garlic. As such he would prohibit it. He said:

كُلُّوهُ وَمَنْ أَكَلَهُ مِنْكُمْ فَلَا يَقْرُبْ هَذَا الْمَسْجِدَ حَتَّى يَذْهَبَ رِيحُهُ مِنْهُ

Eat it, and whoever from among you has eaten it, then he should not come near to this Masjid until its odour goes away. It is recorded in the - ..

- he following is recorded in the - : Muhammad bin Al-Muthanna related from Eahab bin Ca'id, from Ma'dan bin Abi al-hah that Umar bin Al-Ahatab said: -O (eo)le, you eat of these plants which do not have a strong smell (to be Ahabeethun & wholesome) this onion and garlic. He has seen the (eo)le of Allah ﷺ, & when he noticed their smell coming from a man, ordering him that he be taken out to Al-Bayt. As such, whoever eats them, let him cool them well until the smell dissipates. It is also related in the - as follows: Muhammad bin Abdullah bin Al-Mubara' related to us from Chababah bin Ca'ar, from Chu'bah, from Gatadah until its end is the "adith. It is also recorded in the - ..

- he following came recorded in - . At-ahai: Fahd related to us from Abu Mhassan, from Gais, from Abu Zhab, from Charee' bin 'anbal, from Ali from the (eo)le of Allah ﷺ that he said:

مَنْ أَكَلَ هَذِهِ الْبُقْلَةَ فَلَا يُقْرِئُنَا أَوْ يُؤْذِينَا فِي مَسَاجِدِنَا

Whoever ate this plant then he does not allow (to)roach us or bring harm to us in our Masjid.

Imam At-ahai commented upon this stating: As such some scholars have prohibited the eating of these plants which possess a strong smell to be Ma'ruhu' (disliked) in origin and they used these reports as evidence. Others disagreed with them in respect to that and stated that the (eo)le of Allah ﷺ only forbade eating them, not because they are 'aram, but rather so that their smell would not harm or upset those who attended the Masjid with him. Other reports have come in relation to that which could indicate to that.

In contrast to that and as a result of the prohibition of the actions of the (eo)le of Allah ﷺ of Lut (eo)le represents a definite prohibition due to the statement of Allah ﷻ:

وَلَوْ طَأَّتَيْنَاهُ حُكْمًا وَعِلْمًا وَنَجَّيْنَاهُ مِنَ الْقَرِيَةِ الَّتِي كَانَتْ تَعْمَلُ الْخَبَائِثَ إِنَّهُمْ كَانُوا قَوْمًا سَاقِينَ

And to Lut (eo)le judgement and knowledge, and he saved him from the city that was committing (un)wholesome & wicked deeds. Indeed, they were a (eo)le of evil, defiantly disobedient Fasibun Al-Anbiya: 49.

he greatest of these Ahab:ith was as a result of (roaching the men with desire instead of the women, which is evident with certainty in the following : able A+at 7\*erses:

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- Allah 7s&t9:

وَلُوطًا إِذْ قَالَ لِقَوْمِهِ أَتَأْتُونَ الْفَاحِشَةَ مَا سَبَقَكُمْ بِهَا مِنْ أَحَدٍ مِنَ الْعَالَمِينَ \* إِنِّكُمْ لَتَأْتُونَ الرِّجَالَ شَهْوَةً مِنْ دُونِ  
الْنِّسَاءِ ؕ بَلْ أَنْتُمْ قَوْمٌ مُّسْرِفُونَ X

And Lut, & when he said to his (eo(le: -Do +ou commit such des(icable immoralit+ &hich none ha\*e  
(receded +ou &ith from among the &orldsP 2ndeed, +ou a((roach men &ith desire, instead of  
&omen. 2ndeed, +ou are an e4cessi\*el+ transgressing (eo(le. 7Al-A;araf: F\$-F19.

- And Allah 7s&t9 said:

وَلُوطًا إِذْ قَالَ لِقَوْمِهِ أَتَأْتُونَ الْفَاحِشَةَ وَأَنْتُمْ تُبْصِرُونَ \* إِنِّكُمْ لَتَأْتُونَ الرِّجَالَ شَهْوَةً مِنْ دُونِ النِّسَاءِ ؕ بَلْ أَنْتُمْ قَوْمٌ  
مُّّجَاهِلُونَ X

And 5mention6 Lot, & when he said to his (eo(le: -Do +ou commit e4cessi\*e immoralit+ &hile +ou are  
seeingP Do +ou indeed a((roach men &ith desire instead of &omenP 2ndeed, +ou are a (eo(le  
beha\*ing ignorantl+. 7An-: aml: Q4-QQ9.

- Allah 7s&t9 said:

أَيْنِكُمْ لَتَأْتُونَ الرِّجَالَ وَتَقْطَعُونَ السَّبِيلَ وَتَأْتُونَ فِي نَادِيَكُمُ الْمُنْكَرَ ؕ فَمَا كَانَ جَوَابَ قَوْمِهِ إِلَّا أَنْ قَالُوا ائْتِنَا بِعَذَابِ  
اللَّهِ إِنْ كُنْتَ مِنَ الصَّادِقِينَ X

2ndeed, +ou a((roach men and obstruct the road and commit in +our meetings 5e\*er+6 e\*il. And the  
ans&er of his (eo(le &as not but the+ said, -?ring us the (unishment of Allah, if +ou are from the  
truthful. 7Al-8An'abut: 19.

And "e 7s&t9 said:

أَتَأْتُونَ الذُّكْرَانَ مِنَ الْعَالَمِينَ \* وَتَذَرُونَ مَا خَلَقَ لَكُمْ مِنْ أَنْفُسِكُمْ ؕ بَلْ أَنْتُمْ قَوْمٌ عَادُونَ X

Eou a((roach the males from the 8Alameen 7man' ind#creation9 N And +ou lea\*e those &hom Allah  
as created for +ou to be &i\*es. 2ndeed, +ou are a transgressing (eo(le 7Ash-Chu;ara;: 1LQ-1LL9.

2f nothing had come besides the \*erses of Curah Al-8An'abut and Curah Ash-Chu;ara;, the (rohibition  
&ould not ha\*e been established b+ them in this final Charee;ah. %hat is because these \*erses &ould  
be b+ necessit+ from a Charee;ah &hich has been abrogated, as &e ha\*e established the e\*idence  
and (roof for &ithin our boo':

"o&e\*er, the classification of the , &hich their @ro(het Lut 7as9  
condemned them for in the strongest of manners and called them to lea\*e, its classification of being  
- , meaning - . in essence (rior to the coming of the Char;a &ith an address  
related to its realit+, &hich is a((roaching the men &ith desire instead of the &omen, & when



accompanied by what is mentioned (re\*iousl+ in terms of certain (rinci(les, dictates and obliges definitel+ that it is (rohibited also in this final Charee;ah and until the last da+ at the end of times. In addition, the certain 7ma; 7consensus9 of the Cahabah and those &ho follo&ed them from the (eo(le of Islam has been con\*ened o\*er the (rohibition of the -

%his has been made e\*en clearer by the indicati\*e meaning of the \*erses in Al-Aaraf and An-: aml, &hich described the a((roaching of men &ith desire instead of &omen to be a - . 7obscene or indecent act of immoralit+9. A thing or matter being a - . is a matter related to its essence and is not related to &hat the Charaa;i 7re\*ealed la&s9 ha\*e come &ith. %he - . means e4ceeding the a((ro(riate limits of a thing or matter and it reflects a conce(t that is usuall+ em(loed to classif+ actions and statements, &hilst I am not a&are of e\*en a single case &here it has been used to describe an 8Ain 5عن 6 7Mood, essence of object9 or Manfa;ah 5منفعة 6 7benefit, utilit+9. Allah has (rohibited the - . 7(lural of Fahisha9, &hat is a((arent from them and &hat is not a((arent, in this final Charee;ah, just as "e (rohibited the - . 7(lural of Ahabeeth9. %hat is in accordance &ith the indicati\*e meaning of the follo&ing \*erses:

- Allah 7s&t9 said:

قُلْ إِنَّمَا حَرَّمَ رَبِّي الْفَوَاحِشَ مَا ظَهَرَ مِنْهَا وَمَا بَطَنَ وَالْإِثْمَ وَالْبَغْيَ بِغَيْرِ الْحَقِّ وَأَنْ تُشْرِكُوا بِاللَّهِ مَا لَمْ يُنَزِّلْ بِهِ سُلْطَانًا  
وَأَنْ تَقُولُوا عَلَى اللَّهِ مَا لَا تَعْلَمُونَX

Ca+: -M+ Lord has onl+ forbidden - . 7immoralities9, &hat is a((arent of them and &hat is concealed, the sin, o((ression &ithout right, that +ou associate &ith Allah that for &hich "e has not sent do&n authorit+, and that +ou sa+ about Allah that &hich +ou do not 'no&. 7Al-A;raf: ! !9.

- And "e 7s&t9 said:

قُلْ تَعَالَوْا أَنَا وَالْحَرَمَ رَبُّكُمْ عَلَيْكُمْ ؕ أَلَا تُشْرِكُوا بِهِ شَيْئًا ؕ وَبِالْوَالِدَيْنِ إِحْسَانًا ؕ وَلَا تَقْتُلُوا أَوْلَادَكُمْ مِمَّنْ إِمْلَاقٍ ؕ نَحْنُ نَرْزُقُكُمْ وَإِيَّاهُمْ ؕ وَلَا تَقْرَبُوا الْفَوَاحِشَ مَا ظَهَرَ مِنْهَا وَمَا بَطَنَ ؕ وَلَا تَقْتُلُوا النَّفْسَ الَّتِي حَرَّمَ اللَّهُ ؕ إِلَّا بِالْحَقِّ ؕ ذَلِكُمْ  
وَصَاكُم بِهِ لَعَلَّكُمْ تَعْقِلُونَX

Ca+: DCome, I&ill recite &hat +our Lord has (rohibited for +ou. 5"e commands6 that +ou do not associate an+thing &ith "im, and (ro\*ide (arents &ith good treatment, do not 'ill +our children out of 7fear of9 (o\*ert+/ 3e &ill (ro\*ide for +ou and them. And do not a((roach 7immoralities9/ &hat is a((arent of them and &hat is concealed. And do not 'ill the soul 7life9 &hich Allah has forbidden 5to be 'illed6 e4ce(t b+ 5legal6 right. %his has "e instructed +ou &ith, that +ou ma+ com(rehend 7Al-An'am: 1Q19.

%herefore, Allah has stated in the te4t, that at least in this final blessed Charee;ah, "e has (rohibited the categor+ of - . 7immoralities9, meaning the Fa&ahish as a &hole, &hat is a((arent of them and &hat is not a((arent. %herefore, the command in res(ect to - . is just li'e its counter(art of - . As such, &e &ill not s(end time b+ re(eating &hat &e ha\*e (re\*iousl+ mentioned and to Allah belongs the %a&fiB 7good outcome9. Indeed, it ma+ &ell be that the )udgment u(on the action or statement in terms of it being a - 7immoral or indecent

act9 b+ &a+ of the mind 7ABI9 7if &e &ere to concede for the sa'e of argument that this is (ossible in (rinci(le9 is more difficult and (roblematic than (assing )udgement u(on a thing being - ..

Ees, it is concei\*able that Allah (ermits some of the - . and - . and (rohibits some of the - . in (re\*ious Charaa;i 7re\*ealed la&s9, as &e ha\*e (re\*ious+ s(o'en about. "o&e\*er, it is absolutel+ inconcei\*able that Allah obliges a - ., in origin, meaning that "e ma'es it an obligator+ obligation or recommended recommendation, not in a (re\*ious Charee;ah and not, b+ greater reason, in this final blessed Charee;ah. Allah 7s&t9 sa+s:

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وَإِذَا فَعَلُوا فَاحِشَةً قَالُوا وَجَدْنَا عَلَيْهَا آبَاءَنَا وَاللَّهُ أَمَرَنَا بِهَا ۖ قُلْ إِنَّ اللَّهَ لَا يَأْمُرُ بِالْفَحْشَاءِ ۚ اتَّقُوا اللَّهَ مَا لَا تَعْلَمُونَ

And &hen the+ commit a Fahisha the+ sa+ - 3e found our fathers doing it, and Allah has commanded us &ith it.. Ca+ -7: o9 . Do +ou sa+ of Allah &hat +ou 'no& notP 7Al-A;araf: F9.

%his re(resents a certain, truthful, eternal and e\*erlasting Ahabar 7informati\*e te4t9, &hich is inconcei\*able for the mind to contradict, )ust as it is im(ossible for it to be abrogated because the A'hbar 7informati\*e te4ts9 cannot be abrogated: - , and "e has not commanded &ith it throughout the (receding ages. Allah 7s&t9 said:

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَتَّبِعُوا خُطُوَاتِ الشَّيْطَانِ ۚ وَمَنْ يَتَّبِعْ خُطُوَاتِ الشَّيْطَانِ فَإِنَّهُ يَأْمُرُ بِالْفَحْشَاءِ وَالْمُنْكَرِ ۚ وَلَوْلَا فَضْلُ اللَّهِ عَلَيْكُمْ وَرَحْمَتُهُ مَا زَكَا مِنْكُمْ مِنْ أَحَدٍ أَبَدًا وَلَكِنَّ اللَّهَ يُرِيدُ أَنْ يَهْدِيَكُمْ إِلَى صِرَاطٍ مُسْتَقِيمٍ

O +ou &ho belie\*e1 Follo& not the footste(s of Chaitan 7Catan9. And &hosoe\*er follo&s the footste(s of Chaitan 7Catan9, then, \*eril+ he commands Al-Fahshall5immoral, indecent acts6, and Al-Mun'ar 5that &hich is re(rehensible and forbidden6. And had it not been for the fa\*our of Allah and "is Merc+ u(on +ou, not one of +ou &ould e\*er ha\*e been (urified 7from sins9. ?ut Allah (urifies 7guides to 2Islam9 &hom "e &ills, and Allah is All-"earer, All-Ano&er 7An-: ur: \$9.

2t is absolutel+ inconcei\*able for Allah to command that &hich 2blis 7Catan9, the enem+ of Allah, commands1

Comeone ma+ ob)ect and sa+: Allah commanded 2brahim 7as9 to sacrifice his son, and that is a FahishaP1 3e sa+ in res(onse: Eou ha\*e lied and fabricated. Rather, the sacrifice of the sons for Allah &as a Gurbah 7act to gain closeness and the (leasure of Allah9, ho&e\*er, "e besto&ed "is merc+ u(on "is sla\*es and abrogated the command to 2brahim, and "e did not e\*er command that to be underta'en after that, as a merc+ and fa\*our granted to "is ser\*ants. %hat is not because it is a Fahisha because sacrificing the self and underta'ing mart+rdom o(erations are from the greatest of acts that dra& closeness to Allah 7s&t9 leading to the highest grades 7of re&ard in (aradise9. ConseBuentl+, it &as not a Fahisha 7indecent immoral act9 and ma+ Allah;s refuge be sought from it being 7attributed to being9 a Fahisha11

%he (ath to sal\*ation is referring bac' to the Char;i;ah te4ts, the Aitab and the Cunnah, and to onl+ them, as the+ alone are the Char;i;ah te4ts. %he+ alone should be e4amined and studied in order to

arri\*e to the "u'm 7judgement9 of Allah in e\*er+ issue. %hat is because the Char;i+ah te4ts are the  
- ... 3hoe\*er boards it is safe and sa\*ed and &hoe\*er falls behind, dro&ns and  
(erishes. %hat is regardless of ho& much the (erson deludes himself into thin' ing that he is ca(able  
of fighting against the &a\*es or esca(ing the flood b+ heading to the (ea' s of the mountains.

%hat is as referring to Allah and "is Messenger, &hich means b+ necessit+ to the Char;i+ah te4ts, is  
2slam and 2man. 2t re(resents the essence of - . 7right of &orshi(9, for the (ur(ose of  
&hich man and Jinn &ere created. E\*en if the rational stud+ in relation to the essence of things,  
&hether objects#items, actions or statements, in order to 'no& if the+ **Here -** , -  
or - . &as (ossible, indeed, e\*en if this &as \*er+ eas+ and uncom(licated, this &ould not be  
(ermissible in res(ect to the one &ho see' s to arri\*e to the "u'm Ash-Char;i+. %hat is because this is  
not referring to Allah and "is Messenger, e\*en if it is (ermissible to engage in that &ithin the sco(e  
of an objecti\*e stud+ or (hiloso(hical research, in order to attain 'no&ledge about the essence of  
things and matters and their com(ositions or structures, and not for the (ur(ose of 'no&ing the  
"u'm 7ruling # )udgement9 of Allah in res(ect to them.

%his is the truth &hich must be belie\*d in and other than that is not (ermissible for the one &ho  
belie\*es in Allah and the Last Da+. %hen, &hoe\*er disbelie\*es 7thereafter9 then Allah is sufficient  
from man' ind and all that "e created.

Che'i h Ahmad Cha' ir, ma+ Allah;s merc+ be u(on him, said: 5%hese la&s &hich the enemies of 2slam,  
&ho are blatant in their animosit+, ha\*e im(osed u(on the Muslims, are in realit+ re(resentati\*e of  
another Deen. %he+ ha\*e set a Deen for the Muslims in (lace of their (ure and loft+ Deen. %hat is  
because the+ ha\*e obliged obedience to them and (lanted in their hearts lo\*e and re\*erence for  
them and a (artisan attachment to them. 2t has reached the (oint &here tongues and (ens often  
mention statements such as ->eneration of the la&. , -Cacredness of the la&. , -Canctit+ of the  
court. and other similar statements &hich the+ refuse to describe the 2slamic Charee;ah and the  
o(inions of the 2slamic Jurists &ith. Rather, the+ describe that &ith &ords such as -?ac' &ardness. ,  
-Ctagnation or rigidity. , -Clerg+ . , -%he Charee;ah of the (ungle. , to the li'es of &hat has been seen  
in terms of re(rehensible and abominable descri(tions found in contem(orar+ ne&s(a(ers,  
maga=ines and boo's, &hich ha\*e been &ritten b+ the follo&ers of those (agans6.

"e, ma+ Allah;s merc+ be u(on him, then elaborated that some -Muslims. **ha\*e increased**  
**deteriorated** further and ha\*e dared to com(are and out&eigh bet&een the Deen of 2slam and its  
Charee;ah and bet&een their ne& fabricated Deen. "e said: 5%his ne& Deen has come to re(resent  
the fundamental (inci(les &hich the Muslims go to for )udgement in most of the lands of 2slam.

. 2t is  
not (ermissible for a Muslim to submit to it and acce(t it 7or be (leased &ith it%. 2n another (lace,  
he, ma+ Allah;s merc+ be u(on him, said: 5%he matter in res(ect to these man-made la&s is as clear  
as the sun. 2t is Aufr ?a&aah 7flagrant disbelief9 and there is no hiding in relation to that, no e\*asion  
and no e4cuse for someone affiliated to 2slam, &hoe\*er he ma+, in res(ect to acting in accordance  
&ith it, submitting to it or a( (ro\*ing of it. Co let the (erson be&are and let e\*er+ (erson be the one  
&ho accounts himself6.

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Islam is not the (prohibition of Ahamr 7alcohol9, Riba 7usur+9, Oina 7fornication and adulter+9 or the %ahreem 7(rohibition9 of this matter or that, )just as it is not the obligation and commitment to such and such a matter. Rather, islam is obedience to Allah and absolute submission to "im. 2f "e made Ahamr (ermissible &e &ould ma'e it (ermissible, then if "e (rohibited it, &e &ould (rohibit it. 2f "e made the Calaah obligator+, &e &ould (erform it as such, and if "e forbade it, &e &ould lea'e it. 2f "e commanded us to slaughter our sons as an act to gain closeness to "im 7and "is (leasure9, &e &ould do so, and if "e forbade us from that &e &ould com(1+. And the matter is al&a+s li'e this for e\*er+ issue1

2ndeed, had Allah commanded some of the &omen to abstain from marriage, become nuns and li\*e in monasteries and in isolation, that &ould then ha\*e been a ritual of &orshi( and an act of gaining closeness to Allah in res(ect to them. And had "e commanded others to marr+, to de\*ote themsel\*es to gi\*ing birth and to a\*oid the use of contrace(tion, then that &ould ha\*e been a ritual of &orshi( and act of gaining closeness to Allah in res(ect to them. And the matter is al&a+s li'e that. .

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2n an+ case, referring to Allah and "is Messenger, and obedience to Allah and "is Messenger is 2slam. 2t is the onl+ Deen acce(ted b+ Allah and it re(resents the 8Hbudi+ah 7&orshi(9 for the (ur(ose of &hich &e &ere created to fulfil. Allah 7s&t9 said:

وَمَا خَلَقْتُ الْجِنَّ وَالْإِنْسَ إِلَّا لِيَعْبُدُونِ

7Adh-Dhari+at: 9L9.

Adherence to the Ah' am Ash-Char;i+ah is therefore the (ur(ose of the creation of man and the meaning of human e4istence. 2baadah 7&orshi(9 is submission, subser\*ience and obedience i.e. adherence to e\*er+ command and (rohibition, )ust as &e ha\*e thoroughl+ e4(lained in detail, in this (a(er1 %he one &ho does not fulfil this 8Hbudi+ah 7i.e. right of &orshi( to Allah alone9, for the (ur(ose of &hich he &as created, then his non-e4istence is better than his e4istence and the gra=ing li\*estoc' , &hich has not been charged &ith follo&ing the Charee;ah, is better than him.

2ndeed, the matter is e\*en more hideous and re(rehensible than that and the situation is more bitter and more calamitous. %hat is because the one &ho does not fulfil the 8Hbudi+ah is a Aafir 7disbelie\*er9, follo&ing a Deen other than the Deen of Al-"aBB 7the truth9/ the Deen of 2slam. 3hoe\*er is li'e that, then his actions are &ithout re&ard, his efforts are cut off and he &ill be destro+ed in the hereafter. Allah 7s&t9 said:

وَمَنْ يَبْتَغِ غَيْرَ الْإِسْلَامِ دِينًا فَلَنْ يُقْبَلَ مِنْهُ وَهُوَ فِي الْآخِرَةِ مِنَ الْخَاسِرِينَ

7Aali 7mran: FQ9.

Such a matter does not only mean a life that is empty without meaning and an empty existence without purpose. If the matter had been like that only, regardless of its detestability and repulsiveness, the matter would be somewhat lighter than it actually is. "Moreover, it is greater and more severe than that, it means the eternal loss and never-ending curse in the fire of Jahannam Hell!"

Western democracy is established upon the opposite of what we have mentioned, and the secular capitalist ideology is established upon the basis of the separation of the Deen (religion) from life and consequently, the separation of the Deen from state. As such, the ruling system has no relationship with the Deen. Western democracy, as a form of the ruling system in capitalism, comes from the basis that the human sets his system. For that reason, the Himmah for (eo)le is the source of the authority/ the Ci+adah 7so\*reign+9 belongs to the (eo)le and not to the Char'a.

Therefore, the Deen revealed by Allah is definitely separated and isolated in the Western democratic system because the West embraced this thought after a terrible struggle between the European (philosophers on one side and the church and despot rulers on the other side) initially, from a practical angle, as a middle or compromise solution. This practical compromise solution then developed, following a long discussion among the (ocular, religious and intellectual circles, in addition to a great effort from the (philosophers, thinkers and political activists, to become an ideology i.e. a comprehensive belief for the universe for existence, man and life, from which a complete system emanates. It developed until the thought of the separation of religion from life became the intellectual basis for the Western (person which specifies his (ie)oint in life. Secularism or -Ad-Dunya&i+ah. That which is only concerned with the life of this world, which is sometimes called -La'ibitc.. French term for separation of religion from (ublic life, became the (re)alent -Deen. in the West. It is in accordance with its true reality a Deen established with all of the functional features of a Deen. This meant that Europe (e)ited from the Deen of the -Clergy+. and entered the Deen of the -Masses or common folk. , which reflects a word for word translation of the term -La'ibitc.. Upon this basis, all of the (problems of life among them are treated and solved and upon this basis Western democracy was brought into being. The Ci+adah 7so\*reign+9 in Western democracy therefore belongs to the (eo)le, whilst in the ruling system of Islam it belongs to the Char'a. Therefore, what a vast difference there is between the one who establishes his system upon the basis of the Char'a and the one who establishes it upon the basis of the 7ABI 7mind9.

If the West itself believes that democracy has no basis for it emanating from the revealed Deen and has no relationship to the divine+ revealed relation 7Al-3ah+9, but has rather been set by man, and in truth has been imitated from the Roman Miree' heritage, then it is possible to say that it is a gross deception for (eo)le to attempt to (l) the terminologies which have no relationship with Islam, upon Islamic thoughts and systems, let alone describe them as being Islamic and dress Western democracy with the garb of the Islamic Chareeah. It is truly astonishing that we find some of our scholars and thinkers attempting to insert under the banner of Islam, a foreign Western (ie)

or theor+. What is because the Western (erception of the nature of the Deen, in respect to it only being a belief held in the conscience that has no relationship with the real systems of life, has enveloped the thoughts of the contemporary researchers those who have become defeated.

Whoever investigates the opinion of those who state that Western democracy is Char'i+ah legitimate in accordance with the Char'a, will not find an Char'i+ Daleel (evidence) to support their opinion. It is merely an opinion, which runs (anting behind the innovation, to arrive to the separation of the Deen from the state and to deny that the Ahilafah system, which is established upon the basis of the Ci+adah (sovereignty) belong to the Char'a and which (revealed among the Muslims for centuries upon centuries, is an integral part of the system of Islam.

As the ruling system in Islam is established upon the basis of the Char'a, while the democratic system is established upon the basis of separating the Deen from life, the Western democratic system is a system of disbelief, which Allah has revealed no authority for (proof and evidence) for.

The Char'a is the "aa'im (Judge) that issues its "u'm (Judgement) upon the actions of the human and upon the things connected or related to his actions. As such, the Ci+adah (sovereignty) of the Char'a is absolute. There is no otherP meaning to the statement of Allah (s&t):

إِن الْحُكْمُ لِلَّهِ

Unless the Char'a is the "aa'im (Judge) and (possesses the sovereignty) alone in an absolute manner. The Qurhan (proof # evidence) has already been established for the sovereignty (Ci+adah) belonging to the Char'a and that no "u'm (Judgement) belongs to the mind, a matter that is established by the Qur'an, the Sunnah, (Ima' consensus) of the Sahabah and in accordance with the dictates of the mind (ABI) itself.

Democracy is therefore established fundamentally upon the Ci+adah (sovereignty) belonging to the (eo)le. What means to the mind (ABI) in theory but actually and in (practice, to whims and desires, class, factional and territorial interests. Islam rejects all of that absolutely and establishes that the (rinciple for the ruling is that the sovereignty belongs to the Char'a and not the (eo)le. Allah (s&t) says:

فَلَا وَرَبِّكَ لَا يُؤْمِنُونَ حَتَّى يُحَكِّمُوكَ فِيمَا شَجَرَ بَيْنَهُمْ ثُمَّ لَا يَجِدُوا فِي أَنْفُسِهِمْ حَرَجًا مِّمَّا قَضَيْتَ وَيُسَلِّمُوا تَسْلِيمًا

7An-: isa:: LQ9.

And the Messenger of Allah (s&t) said:

مَنْ أَحْدَثَ فِي أَمْرِنَا هَذَا مَا لَيْسَ مِنْهُ فَهُوَ رَدٌّ

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Consequently, an+ s+stem of ruling established u(on the basis that the Ci+adah 7so\*ereight+9 belongs to the Char;a, reflects the s+stem that Allah 7s&t9 re\*eated. As for if it established u(on the basis that the so\*ereight+ belongs to the (eo(le, then the s+stem, in such a case, &ould ha\*e gone outside of 2slam and &ould re(resent going for Judgement to %aghut i.e. it re(resents disbelief in &hat &as re\*eated u(on Muhammad 7sa&9 and all of the @ro(hets &ho (receded him. Allah 7s&t9 said:

وَأَنِ احْكُم بَيْنَهُم بِمَا أَنزَلَ اللَّهُ وَلَا تَتَّبِعْ أَهْوَاءَهُمْ وَاحْذَرْهُمْ أَنْ يَفْتِنُوكَ عَنْ بَعْضِ مَا أَنزَلَ اللَّهُ إِلَيْكَ ۚ فَإِنْ تَوَلَّوْا فَاعْلَمُوا أَنَّمَا يُرِيدُ اللَّهُ أَنْ يُصِيبَهُمْ بِبَعْضِ ذُنُوبِهِمْ ۚ وَإِنَّ كَثِيرًا مِّنَ النَّاسِ لَفَاسِقُونَ \* أَفَحُكْمَ الْجَاهِلِيَّةِ يَبْغُونَ ۚ وَمَنْ أَحْسَنُ مِنْ اللَّهِ حُكْمًا لِّقَوْمٍ يُوفُونَ

7Al-Ma'idah: 41-Q\$9.

Moving to the (eo(le for Judgement b+ ma'ing the (eo(le (ossess the Ci+adah 7so\*ereight+9 means going to Jahili+ah for Judgement i.e. going to Judgement to flagrant Aufr 7disbelief9.

As the "aa'im 7udge9 is the Char;a, &here there is no "u'm 7udgement or ruling9 before the Char;a has come &ith it and it is the Char;a that generates the Judgements and rulings 7Ah'am9 b+ bringing them, and the+ ha\*e no (resence or e4istence (rior to that, then &hat &estern democrac+ is established u(on, in terms of its (olitical s+stem (hiloso(h+ and designating the so\*ereight+ to the 8ABI 7mind9, reflects no more than an in\*alid and false thought &hich is re(ected b+ the Guranic te4t. %hat is because there is no so\*ereight+ to other than the Char;a and all the la&s &hich are drafted b+ the (eo(le based u(on the mind alone, are onl+ la&s &hich ha\*e not been deduced in accordance &ith the Char;i+ah. As such, the+ are not Ah'am Char;i+ah and &hate\*er is not from the Char;a 7i.e. not from 2slam9 is designated to be Aufr 7disbelief9 and nothing other than that.

It is therefore not (ermissible to act &ith it in the lands of the Muslims, e\*en in res(ect to that &hich conforms to the 2slamic legislation. %hat is because the one &ho set it at the time of its setting did not e4amine its agreement to 2slam or its inconsistency and contradiction to it. Rather, the+ onl+ e4amined its conformit+ to the 8ABI 7mind9, or to the accom(lishment of an interest, or its agreement &ith the la&s of Euro(e, their (inci(les and foundations. 3hoe\*er ma'es all of that or some of it the origin and foundation that he refers to is sinful, a disbelief\*er and a (ostate, &hether he set a ruling &hich agreed &ith 2slam or &as contrar+ to it. %hat is because the la&s &hich emanated from the &estern democratic s+stem, &hich se(arated the Deen from the state, are established in origin based u(on the 8ABI 7mind and as such the+ are la&s &hich disbelief\*e in 2slam as a com(rehensi\*e, com(lete and general s+stem for all life;s affairs. It is because alone and no source other than that, &ithout addition or subtraction.

It is true that there could be found within some of the systems of disbelief a shade of justice and a distancing from the most repugnant forms of oppression which are rejected by rational principles. Some legal protection and constitutional processes can be found which prevent detention for the one who has not caught engaged in a crime. It cannot be done except through the judgement of the court while the extension of detention without the permission of the judges is illegal. One can also find a rejection of torture in addition to balanced judicial proceedings, independence of the judiciary from the behaviours of the executives, non-comulsion in respect to religion and other attractive features. The matter is like what the Prophet (ﷺ) said concerning Al-'Abasa (Abbas) at the time of the : ashish : egus:

or something similar to that wording.

Islam, Al-'amdu Lillah, has all of those - . attractive features and merits. Indeed, it is better, defined more precisely and greater in the fulfilment of the rights of the individual and the society. The tyrant rulers in the lands of the Muslims, especially in our current time, and at the forefront of which are the family of Caud, have distorted the image of Islam, generated an aversion amongst the people towards it and diverted them from it, through the application of disbelief, oppression, rebellious disobedient, rotten and corrupt systems, which some have fraudulent and deceitful called - . or - . , to deceive and mislead the Muslims and to turn others than, them from this upright Deen and in an attempt to divert them from the path of Allah.

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"Moreover, absolute justice, will never be realised except by making the Caliphate of the Prophet belong to the Char'a and in the absence of that, complete justice will not be achieved, the "Abbasid truth will not be established and the Himmah will not rise. What is the elevated and lofty life cannot exist in other than the shade of Islam and the Islamic Himmah has not tasted the flavour of justice, the truth and reality except under the shade of the Islamic state, and especially the period of the rightly-guided Caliphs; rulers and those who resembled them from the leaders of justice. And the Islamic Himmah did not taste loss, defeat, decline and colonisation, except after the weakness of the Islamic Caliphate, followed by its disappearance and the fall of the Muslims under the rule of the capitalist system which has established upon the basis of the separation of the Deen from the reality of life.

Indeed, Europe did not free itself from the tyranny of the church, feudalism and absolute despotism 'ingshis, except after some of the Islamic thoughts reached them, such as those related to: the sovereignty of the law, the responsibility of the rulers, their human i.e. non-theocratic character, their being held to account, the right of the people, all of the people without exception, in respect to Jihad and leading a blind, the denunciation of theocracy and the blind following of the rabbis and priests, and the rejection of blind subservience to the masters and powerful noblemen

Absolute justice and truth are found in referring to the Char'a and the Char'iyyah texts have guided to that. Allah (ﷻ) said:

إِنَّ اللَّهَ يَأْمُرُكُمْ أَنْ تُؤَدُّوا الْأَمَانَاتِ إِلَىٰ أَهْلِهَا وَإِذَا حَكَمْتُمْ بَيْنَ النَّاسِ أَنْ تَحْكُمُوا بِالْعَدْلِ ۚ إِنَّ اللَّهَ نِعِمَّا يَعِظُكُمْ بِهِ ۗ إِنَّ اللَّهَ كَانَ سَمِيعًا بَصِيرًا



7An-: isa;: QF9.

This A+ah 7\*erse9 &as re\*ealed in relation to the rulers, commanding them &ith the obligation of ruling between the (eo (le &ith 8Adl 7ustice9, &hich is not accom (lished e4ce (t b+ the a ((lication of the Char;a u (on the (eo (le and strictl+ adhering to &hat Allah 7s&t9 re\*ealed in terms of "is great, com (lete and com (rehensi\*e commands and legislations. %he e\*idences ha\*e indicated -%hat the "u'm 7udgement9 of the 2mam 7leader9 of the Muslims is )udged among the (eo (le in accordance to &hat he \*ie&s to conform to the Char;a. because the 8Adl 7ustice9 is found in the Char;a, &hilst in)ustice is found in other than it, as an ine\*itable realit+.

Allah 7s&t9 commended ruling among the (eo (le &ith )ustice 78Adl9 &hen he said:

وإِنَّ اللَّهَ نِعِمَّا يَعِظُكُمْ بِهِ

%herefore, all goodness is found in the )ustice of the Char;a, because it contains the &ellbeing of the Dun+a 7life of this &orld9, the rectification of the human, his ele\*ation to the true and &orth+ le\*els of humanit+ and the ha ((iness of 7human social9 collecti\*es. Allah 7s&t9 has definiti\*el+ negated that the )udgement b+ other than the )udgement of the Char;a accom (lishes that:

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وَمَنْ أَحْسَنُ مِنَ اللَّهِ حُكْمًا لِّقَوْمٍ يُوقِنُونَ

7Al-Ma'idah: QS9.

2bn Aathir said in his %afsir of this A+ah 7\*erse9: 5Allah condemns the one &ho lea\*es the clear "u'm 7udgement9 of Allah that com (rises all goodness and forbids all e\*il and di\*erts to other than it in terms of o (inions, desires and terminologies &hich men ha\*e (ut do&n, &ithout an+ basis for that from the Charee;ah of Allah. %hat is similar to &hat the (eo (le of Jahili+ah 7(re-2slamic ignorance9 used to rule &ith in terms of misguidances and ignorance &hich the+ set in accordance &ith their o (inions and desires. And just li'e the %atars used to rule in terms of monarchical o (icies &hich the+ too' from their 'ing Menghis Ahan &ho set for them Al-EaasiB, &hich &as a set of rulings &hich he had deri\*ed from a \*ariet+ of legislati\*e sources, including from the Je&s, the Christians, the 2slamic Millah and others. %here are also &ithin it man+ rulings &hich he too' from his mere desires. 2t became a la& to be follo&ed amongst his sons 7or follo&ers9 &hich &as gi\*en (riorit+ o\*er the Aitab of Allah and the Cunnah of "is Messenger 7sa&9. %herefore, &hoe\*er does that is a Aafir 7disbelie\*er9 &hom it is obligator+ to fight against until he returns to the "u'm of Allah and "is Messenger, as none other than "im rule 7or )udge9 in e\*er+ small and large matter6.

Chei' h Muhammad bin 2brahim Aali Ash-Chei' h said: 52t is from the manifest Aufr Al-A' bar 7Ma9or disbelief9, to (lace the abominable la& 7i.e. man\_made la&9 at a standing eBual to that &hich &as re\*ealed \*ia the Ruh Al-Ameen 7Jibreel 8Alaihi As-Calaam9 u (on the heart of Muhammad 7sa&9, so that he be from those &ho &arn, in a (ure Arabic tongue, and for )udgement to be made b+ it 7i.e. the re\*elation9 amongst all man'ind and for it to be referred to resol\*e all dis (utes6.

The great scholar Cheikh Muhammad Al-Ameen Ash-ChinBeet+ said in -Ad&aa; ul-?a+aan.: 5Ruling b+ a s+stem contrar+ to the legislation of the Creator of the hea\*ens and the earth in res(ect to the (eo(le of the societ+, their &ealth 7(ro(erties9, honour& and lineage, re(resents Aufr 7disbelief9 in the Creator of the hea\*ens and the earth and rebellion against the di\*inel+ re\*ealed s+stem that has been set b+ the One &ho created e\*er+thing and 'no&s &hat is in their interests. Mlorified and ele\*ated be "e, for there to be another legislator besides "im:

أَمْ لَهُمْ شُرَكَاءُ شَرَعُوا لَهُمْ مِنَ الدِّينِ مَا لَمْ يَأْذَنْ بِهِ اللَّهُ

7Ash-Chura: 19.

قُلْ أَرَأَيْتُمْ مَا أَنْزَلَ اللَّهُ لَكُمْ مِنَ رِزْقٍ فَجَعَلْتُمْ مِنْهُ حَرَامًا وَحَلَالًا قُلْ اللَّهُ أَذِنَ لَكُمْ ۖ أَمْ عَلَى اللَّهِ تَفَتُّونَ

7Eunus: Q1%. 7Ad&aa; ul-?a+aan: 4#F49.

The guidance is therefore the guidance of Allah and the &Adl 7justice9 is &hat Allah has)udged &ith. As such, the Ohulm 7o((ression9, all Ohulm, is onlt+ re(resented in the a((lication of the la&s &hich Allah 7s&t9 did not re\*eal. Allah 7s&t9 said:

يَا أَيُّهَا الَّذِينَ آمَنُوا اسْتَجِيبُوا لِلَّهِ وَلِلرَّسُولِ إِذَا دَعَاكُمْ لِمَا يُحْيِيكُمْ

7Al-Anfal: 49.

As-Cuddi+ said: 5%herefore, in 2lam is their life after the death &ith disbelief6. %his means that there is no life for this Hm mah e4ce(t &ith 2lam and the Muslims do not ha\*e after their 2lam an+ "u'm 7ruling9 that the+ a((l+, e4ce(t that it &ould mean absolute and definiti\*e death for them in all of life;s affairs: militar+, economic and (olitical. And the+ do not ha\*e after this Deen &hich Muhammad 7sa&9 came &ith, e4ce(t misguidance, blindness and (re-2lamic ignorance 7Jahili+ah9:

فَمَاذَا بَعَدَ الْحَقِّ إِلَّا الضَّلَالُ

7Eunus: ! 9.

%his means that there is one "abb 7truth9 and not numerous truths. An+thing besides it is Dalaal 7misguidance9 &hate\*er the s+stem is &hich is a((lied o\*er the Muslims, &hether it is socialism or ca(italism. %hat is because all of the s+stems &hich are (roduced b+ man are nothing but falsehood9 and in\*alid9, and there is no debate about that. 2bn Aathir said: 5%hat &hich &as re\*ealed to +ou from +our Rabb 7Lord9 is the "abb 7truth9 through &hich his 7i.e. the human being;s9 affairs in the life of this &orld are made right6.

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﴿بِأَيِّنِ أَقْلٍ﴾ ٢٤ ما سبَّاهم حين ميلا ٢٥ أعبأ ٢٦ رجم ٢٧ فطبان ٢٨ أبار حليم ٢٩ لاجمة ٣٠ بآرم حين ٣١ لا إله ٣٢ الدبلم ٣٣ حيدلا ٣٤ لاجمة ٣٥ بآتم ٣٦ حيدلا ٣٧ إسيأ ٣٨ رجن ٣٩ زلا ٤٠ جمان ٤١ بآتم ٤٢ جم ٤٣ لاهية

This is a command to the Messenger ﷺ and to those rulers who come after him by greater reason, for them to rule by all that Allah has revealed in terms of Ah'ām ruling. What is because the -ما. 7Maa in the \*erse is from the forms of generalit+ and in the \*erse, Allah has forbidden the Messenger ﷺ and the rulers who come after him by greater reason, from following the desires of the (eo)le, just as "e warned him and the rulers after him from allowing the (eo)le to tempt them a&a+ from of the rulings which Allah revealed. Being tempted or enticed a&a+ from one "u'm ruling or judgement means by necessit+ being tempted from some of what Allah has revealed, which Allah warned about and forbade with the strongest prohibition, and it is usual to being tempted a&a+ from all the Ah'ām rulings, without difference1

Allah has made the one who does not rule with all of the rulings that "e revealed a Afir 7disbeliever, a Ohalim 7transgressor # oCressor and FasiB 7rebellious+ disobedient. What is because the -ما. 7Maa mentioned in the \*erses about ruling in Surah Al-Ma'idah are general for all of the revealed rulings 7Ah'ām, as it is from the forms of generalit+ which &e have (re\*)ious+ mentioned.

Allah has made it obligatory upon the Muslims to enter into Islam completely without deficiency and "e threatened them with a general threat if they isolated that command. "e 7s&t said:

يَا أَيُّهَا الَّذِينَ آمَنُوا ادْخُلُوا فِي السِّلْمِ كَافَّةً وَلَا تَتَّبِعُوا خُطُوَاتِ الشَّيْطَانِ ۚ إِنَّهُ لَكُمْ عَدُوٌّ مُبِينٌ \* فَإِنْ زَلَلْتُمْ مِنْ بَعْدِ مَا  
[جَاءَكُمْ بِالْبَيِّنَاتِ فَاَعْلَمُوا أَنَّ اللَّهَ عَزِيزٌ حَكِيمٌ]

7Al-?aBarah:

\$F- \$19.

This means: Enter Islam with all of its rulings raBL

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- . كُفِّرًا بِنَاحٍ is : a' irah 7i.e. it has come without the definite article in the context of a Chart 7condition 7which encompasses e\*er+ Aufr 7disbelief, whether it is a statement or act, ABeedah 7belief or action, one or more.

Consequently, Islam must be established in its entirety, all of it must be applied and gradualism is not permissible in respect to its application. What is because the Muslims have been requested as individuals, as a collective and as a state, to accept it completely. Allah says and said:

وَمَا آتَاكُمُ الرَّسُولُ فَخُذُوهُ وَمَا نَهَاكُمْ عَنْهُ فَانْتَهُوا

7Al-"ashr: <9.

This means that it is obligatory upon you to take all that the Messenger has brought to you in terms of obligations and to refrain from all that he has forbidden you in terms of prohibitions. What is because the - 7 in the verse is from the forms of generality and as such includes the obligation of taking all that he commanded you with in terms of commanded matters and the obligation of abstaining from all that he has forbidden in terms of forbidden matters.

As for the state, then the continuance of an system, law, statute or constitution contrary to Islam within its entity means the continuance of the Aufr Al-?a&ah. It prevents it from being an Islamic state and instead its system becomes a disbeliefing one and its Dar 7homeland becomes a Dar al Aufr 7land of disbelief due to the emergence of the rulings of disbelief in it. What is even if that defect was in respect to one ruling only as long as it was contrary to what is definite in transmission and meaning from Islam. As such, we determine the following (rincile:

@rincile: 5

الْيَوْمَ أَكْمَلْتُ لَكُمْ دِينَكُمْ

7Al-Majidah: 19

6.

What is because there is no difference between one "u'm and another, or between one 3ajib 7obligation and another, or between one "aram 7prohibition and another "aram. Just as it is obligatory to perform the Salah 7prayer, Ca&m 7fasting and give the Oa'ah, it is likewise obligatory

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u(Con us to a((oint a Ahalifah, to remo\*e the rulings of disbelief and to rule b+ &hat Allah has re\*ealed. Just as it is (rohibited u(Con us to drin' alcohol, de\*our usur+ 7Riba9, it is also (rohibited to remain silent o\*er the o((ressi\*e and rebellious+ disobedient rulers. Cimilarl+, it is (rohibited to us, &ith the strongest and firmest (rohibition, to remain silent o\*er the a((lication of the rulings of disbelief and all+ &ith the disbelie\*ing states &ho are at &ar against 2slam and (ersecute the Muslims.

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ConseBuentl+, there is no e4cuse for the non-a((lication of all the Ah' am of 2slam, in one go and &ithout gradualism, based u(Con the argument of inabilit+ to a((l+ them, or that the circumstances are not suitable for their a((lication, or that the international (ublic o(union &ould not acce(t that, or that the ma)or &orld states &ould not acce(t it, or an+ other fragile in\*alid arguments. %he+ are all fragile e4cuses and arguments &hich hold no \*alue. An+one &ho em(lo+s these arguments and ta'es them as an e4cuse for not a((l+ing 2slam com(etetel+, then Allah &ill not acce(t an+ of that from him.

Des(ite the clarit+ of &hat &e ha\*e mentioned, some of the contem(orar+ 2slamists ha\*e become in\*ol\*ed in (artici(ation in the ruling &ithin some of the disbelie\*ing s+stems. ConseBuentl+, the+ in\*ol\*ed themsel\*es in the ruling b+ other than &hat Allah re\*ealed, &hilst using in\*alid and fragile arguments and e4cuses. %hese include:

: %hat Eusuf, (eace be u(Con him, (artici(ated in the ruling in Eg+ (t and he &as a minister under the rule of a disbelie\*ing 'ing.

%he falac+ and in\*alidit+ of this argument hardl+ reBuies a great deal of thought because the realit+ of the &or' underta'en b+ Eusuf &ith the 'ing of Eg+ (t is not 'no&n to us &ith the necessar+ (reciseness to arri\*e at that conclusion. As such, there are man+ (ossibilities, &hich &e &ill mention beneath, &hilst it is 'no&n that &hen (ossibilities e4ist, the deduction becomes in\*alid.

As for the ma)orit+ of the earlier scholars of %afsir, then their o(inion &as that the 'ing delegated to Eusuf all of the mandator+ (o&ers of ruling and authorit+, &hilst maintaining for himself the throne and the title of monarch alone. 2t is li'e &hat came in the %afsir of At-%abari: 5Allah 7s&t9 sa+s: 7 وَقَالَ الْمَلِكُ -And the 'ing said:.. %his means the greater 7or main9 'ing of Eg+ (t and according to &hat 2bn 2shaaB mentioned &as: Al-3aleed bin Ar-Ra++an. 2bn "umaid informed us of that &hen he said: Calamah related to us: 3hen the e4cuse of Eusuf became a((arent 7i.e. his innocence9 and his trust&orthiness and 'no&ledge became 'no&n, he 7the 'ing9 said to his com(anions: -?ring him to me that 2ma+ attach him to m+ (erson.. "e said: -Ma'e him e4clusi\*el+ of m+ faithful adherents.. Concerning "is statement: 7 فَلَمَّا كَلَمَهُ -%hen &hen he 7the 'ing9 s(o'e to him 7Eusuf9. he said: %hen &hen the 'ing s(o'e to Eusuf, he &as a&are of his innocence and great trust&orthiness, he said to him: 2ndeed, O Eusuf, +ou ha\*e among us a standing and a (osition of full trust i.e. +ou are firml+ established in &hat +ou &anted, and &hat +ou &ish for &e &ill acce(t, due to +our high standing and status among us, trust&orth+ in res(ect to &hat is entrusted to &hate\*er is entrusted to him. 2bn 3a'ee; related to us from ;Amr, from Asbaat, from As-Cuddi, &ho said: 3hen the 'ing found that he had an e4cuse 7i.e. that he &as innocent9. "e said: -?ring him to me so that 2ma+ attach him to m+ (erson.. ?ishr related to us sa+ing: Ea=id related to me from Ca=id, from Gatadah, concerning "is statement: -%hat 2ma+ attach him to m+ (erson., he said: 2t means ta'e him for himself. Abu Auraib related to us from 3a'ee; from Cuf+an, from Abu Cinaan, from 2bn Abu Al-"udhail: 7Concerning the Ga&l9 And the 'ing said: 7?ring him to me so that 2ma+ attach him to m+ (erson9.

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"e said: 7t means that the 'ing said to him: -2 &ant to attach +ou e4clusi\*el+ to m+self ho&e\*er 2 do not acce(t that +ou eat &ith me.. Eusuf then said: -2 am more entitled to object. 2 am the son of 2shaB or 2 am the son of 2ma;eel. 7Abu Ja;far &as not sure &hich he said9. 2n m+ boo' it &as said: -%he son of 2shaab the sacrificial slaughter of Allah, the son of 2brahim the Ahaleel of Allah.. 2bn 3a'ee; related to us from his father, from Cuf+an, from Abu Cinaan, from 2bn Abu "udhail 7&ho related9 similar to that e4ce(t he said: -2 am the son of 2brahim the Ahaleel of Allah, the son of 2ma;eel the sacrificial slaughter of Allah.. Ahmad bin 2shaab related to us from Abu Ahmad, from Cuf+an, from Abu Cinaan, from Abdullah bin Abu Al-"udhail, &ho said: Al-8A=ee= 7the 'ing9 said to Eusuf: -%here is no matter e4ce(t that 2 &ould li' e for +ou to share &ith me in it, although 2 do not &ish for +ou to share &ith me in res(ect to m+ famil+ and that m+ sla\*e eats &ith me.. "e 7Eusuf9 said: -%eDg +ou reject that 2 eat &ith +ouP 2 am more entitled than +ou to ma'e such a rejection. 2 am the son of 2brahim the Ahaleel of Allah, the son of 2shaab the sacrificial slaughter, the son of Ea;Bub &hose e+es &ent &hite 7i.e. blind9 due to grief.. Abu Auraib related to us from Cuf+an bin 8HBbah, from "am=ah A=-0i+aat, from 2bn 2shaab, from Abu Ma+sarah, &ho said: 3hen the 'ing obser\*ed the smartness, intelligence and cle\*erness of Eusuf, he in\*ited him and he used to eat lunch and dinner &ith him &ithout his ser\*ants. %hen &hen he &as in the com(an+ of his &ife, she said to him: -Lo&er his status and command him to ta'e his lunch &ith the ser\*ants.. "e then said to him: -Mo and eat &ith the ser\*ants.. Eusuf then as'ed him directl+: -Do +ou &ish to eat &ith me or abstain from doing soP 2 am b+ Allah Eusuf the son of Ea;Bub the @ro(het of Allah, the son of 2shaab the sacrificial slaughter of Allah, the son of 2brahim the Ahaleel of Allah.. Allah, magnificent is "is (raise, informs us that Eusuf said to the 'ing: -@lace me in charge of the storehouses 7Aha=aa;in9 of +our land., &here -Aha=aa;in. is the (lural of -Aha=eenah. and the -Alif and Laam. &ere inserted u(on -Al-Ard. 7the land9 in (lace of the 2daafah, li' e &hen the (oet said: -الأخلام غَيْرُ عَوَارِبَ. 7celibate dreams9. 2t &as Eusuf &ho as'ed the 'ing to a((oint him o\*er the matter of the food of his land, its e4traction and to ta'e charge of the land;s means of subsistence. %he 'ing then did that as far as 2 ha\*e been informed. 2n addition, Eunus related to me from 2bn 3ahb, from 2bn 0aid &ho said concerning "is statement: -@lace me in charge of the storehouses 7Aha=aa;in9 of +our land. he said: %he Fir;a&n had Aha=aa;in 7storehouses9 other than those for food. "e said:

. 2bn "umaid related to us from 2brahim bin Al-Mu' htaar, from Chaibah Ad-Dabbi+, concerning "is Ga&l: -@lace me in charge of the storehouses 7Aha=aa;in9 of +our land. he said: "e &as a((ointed o\*er the (reser\*ation of the food. And 7concerning9 "is Ga&l: -2ndeed, 2 &ill be a 'no&ing 'ee(er., then the (eo(le of inter(retation ha\*e differed concerning the inter(retation 7%a;eel9 of his statement. Come of them said: %he meaning of that is 2 am good at guarding &hat +ou ha\*e entrusted &ith me and 'no&ledgeable regarding &hat +ou ha\*e a((ointed me o\*er. A mention of &ho said that: 2bn "umaid related to us, from Calamah, from 2bn 2shaab: -2ndeed, 2 &ill be a 'no&ing 'ee(er. &hich means: 2ndeed, 2 am good at guarding &hat +ou ha\*e entrusted to me and 'no&ledgeable in res(ect to dealing &ith the famine 7or food shortage9.

Others said: 7t means9 2 am good at maintaining the accounts and 'no&ledgeable in eloBuent or articulate language 7or in e4(ressing o(inions9. A mention from those &ho stated that: 2bn 3a'ee; related to us from 8Amr, from Al-Ash)a;i+ 7&ho said9: -2ndeed, 2 &ill be a 'no&ing 'ee(er. &hich means: Mood at maintaining accounts and 'no&ledgeable in eloBuent or articulate language 7or in e4(ressing o(inions9. %he first of the t&o \*ie&s is (re(onderant in our o(inion, the \*ie& of those &ho said that its meaning is: 2 am good at guarding &hat +ou ha\*e entrusted &ith me and 'no&ledgeable regarding &hat +ou ha\*e a((ointed me o\*er. %hat is because it follo&ed his statement: -A((oint me o\*er the storehouses of the land. and as'ing the 'ing to lea\*e the storehouses of the land to his com(etenc+. %herefore, it is more li'el+ that he &as informing him

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about his e4(ertise in that 7area9 and com(etenc+ in relation to it, is more li'el+ than the \*ie& that he &as informing him about his good maintenance of accounts and his ' no&ledge of eloBuent language 7or good e4(ression of o(inions9.

Allah, glorified be "is mention, sa+s: 2n this manner &e facilitated for Eusuf a foothold in the land, meaning the land of Eg+(t, to settle in it as he &ishes. "e said: %a'e from the land of Eg+(t as a (lace to settle &here\*er +ou &ish after +our im(risonment and confinement. 3e besto& &ith our merc+ &hom &e &ill from our creation,) just as &e besto&ed it u(on Eusuf. 3e established him firm+ in the earth after ensla\*ement, ca(ti\*it+ and being thro&n into the &ell and &e do not &aste the re&ard of the good doers. "e said+s: 3e do not in\*alidate the re&ard of the one &ho has acted good. %hat is because he obe+ed his Rabb 7Lord9, acted b+ &hat "e commanded him and abstained from &hat "e forbade him. Cimilari+, &e did not negate the re&ard of Eusuf &hen he acted good R 7as abo\*ef and obe+ed Allah. As such Allah established Eusuf firm+ in the land. %his is &hat &as related to us b+ 2bn "umaid, from Calamah, from 2bn 2haaB, &ho said: 3hen Eusuf said to the 'ing: -@lace me in charge of the storehouses of the land, indeed 2 am a ' no&ing 'ee(er. the 'ing res(onded to him sa+ing: -2t is done.. Co, he a((ointed him. 2n res(ect to &hat the+ mentioned, he made arrangements &ith 2tfeer 7the name of the A=ee-9 and discharged 2tfeer from &hat he had been u(on 7in terms of (osition9. Allah sa+s:

وَكَذَلِكَ مَكَّنَّا لِيُوسُفَ فِي الْأَرْضِ يَتَّبِعُوا مِنْهَا حَيْثُ يَشَاءُ

-And in this &a+, &e established Eusuf in the land to settle therein &here\*er he &illed S. 7Eusuf: QL9

2t &as mentioned to me, and Allah is more ' no&ing, that 2tfeer died in those nights and that the Aing Ar-Ra++an bin Al-3aleed married Eusuf to the &ife of 2tfeer, Ra;eel, and that &hen she came to him, he said: -2s this not better than &hat +ou had (re\*ious+ &antedP. "e said: %he+ then claim that she said: -O CiddeeB 7truthful one9, do not blame me. 2 &as a &oman as +ou see in good and beaut+, tender in authorit+ and the life of this &orld. M+ husband did not a((roach &omen and +ou &ere as Allah made +ou in beaut+ and a((earance. Co m+ inner self o\*ercame me due to &hat 2 sa&.. %he+ claim that he found her to be a \*irgin and so he &as intimate &ith her and she ga\*e birth to t&o males: 2fratheem bin Eusuf and Meeshaa bin Eusuf. 2bn 3a'ee; related to us from 8Amr, from Asbaat, from As-Cuddi+ 7that he said concerning9:

وَكَذَلِكَ مَكَّنَّا لِيُوسُفَ فِي الْأَرْضِ يَتَّبِعُوا مِنْهَا حَيْثُ يَشَاءُ

-And in this &a+, &e established Eusuf in the land to settle therein &here\*er he &illed S. 7Eusuf: QL9

. %hat is &h+ "e said:

وَكَذَلِكَ مَكَّنَّا لِيُوسُفَ فِي الْأَرْضِ يَتَّبِعُوا مِنْهَا حَيْثُ يَشَاءُ

-And in this &a+, &e established Eusuf in the land to settle therein &here\*er he &illed S. 7Eusuf: QL9

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Eunus related to us from Ibn Zayd, from Ibn Umar, concerning "is Galilee: -%o settle therein & where'er he killed., that he said:

. "e said:

Al-Muthanna related to us from Umar, from 'Uthaym, from Abu Zayd Al-A'adhi, from Mu'adh, & he said: "he 'ing & ho & as with Eusuf became Muslim. His marriage was the end of the speech of Imam Al-'Abadi, may Allah be pleased with him.

These aforementioned statements as Buoted by Al-'Abadi are as a whole in agreement with what the Old Testament related concerning the position and status of Eusuf in Egypt after being appointed over the storehouses of the land. It may be that we observed that all of them are statements of the Sahabah and Tabi'een and there is nothing from them which is Marfoo; raised to the Prophet (ﷺ) and not one single word from them. It is apparent that they return to the narrations of the Prophet (ﷺ).

As for the narration of the Old Testament then it is not of the level of transmission upon which proof is established and consequently it does not provide assurance to the self. "One could say when it is the same book which relates that it was "Arun (brother of Eusuf) who made the calf idol, that more than one prophet engaged in sinful and unlawful relations, that Culaiman disbelieved, apostatized and worshipped idols, that the daughters of Lot associated with him and then had relations with him and became pregnant from him. Allah forbid that such claims be attributed to the prophets of Allah, Allah forbid!

If those related reports were authentic then they are an evidence that Eusuf became a ruler by his command, ruling as he wished and that the 'ing became a symbolic figurehead who -Ours but does not rule. Which is the case in some of the present day -Constitutional. monarchical systems. Eusuf was therefore not a participant in respect to the ruling but was rather the real and effective ruler, and alone or singular in respect to commanding and forbidding. Indeed, Al-Gurtubi related in his 'Afsar: Ibn Abbas said concerning Eusuf: "He sat upon the bedstead for throne and the 'ings gave allegiance to him and the 'ing retired to his house with his women and delegated to him the affairs of Egypt. Indeed, Al-Gurtubi (r.h.) claimed: "When the 'ing delegated the affair of Egypt to Eusuf, he was kind to the people and began to invite them to Islam until they believed in it. "He established justice among them and the men and women loved him. Some of the scholars of 'Afsar claimed that he decided for the 'ing himself the appropriate meals of food when he complained to him of hunger during some of the days of the famine.

As for us, then we find all of that problematic. What is because the history of Egypt following that and what afflicted the Israelites in terms of enslavement and ignominy during that time is contradictory to all of that. What is unless it is said: All of that too (place under the authority of the 'ings who occupied Egypt and ruled it prior to that. When and then the people of Egypt and their original pharaohs rebelled and killed the 'ings, (agony returned once again and the Israelites were enslaved and all traces of the 'ings were erased. When the pharaohs returned to the - of history! Allah is most knowledgeable about all of that.

If that is authentic then the story of Eusuf does not contain any proof or evidence for participation in the systems of disbelief or being a minister under a disbelieving 'ing. What is because the receipt or crucial factor is in respect to it being ruling by what Allah has revealed, completely and not deficient in any way. Allah did not mix or blend the 'um judgement or ruling of Allah with the 'um of the

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%aghut 7false deities and references9, not in that &hich is small nor in that &hich is large. As far as the 'ing remaining u(on his disbelief, if he indeed remained a disbelief\*er, en)o+ing the (osition of authorit+ and e\*en if onl+ s+mbolic, does not (resent an+ contradiction to this (rece(t. %hat is because all of that, necessaril+, &as (ermissible in the Charee;ah of Eusuf based u(on the e\*idence of Eusuf;s agreement to that and his acce(tance of it.

**From a contrasting angle** to this, it could be said that Eusuf, (eace be u(on him, o\*ersa& the 7management of9 the storehouses of the land, meaning that he &as underta'ing a (urel+ administrati\*e action 7or role9. %hat is in the case &here the original ruling in res(ect to the administrati\*e actions is that of 7bahah 7(ermissibilit+9 unless a te4t has come s(ecificall+ (rohibiting it. %his is the case in our Charee;ah and it ma+ ha\*e been the case in res(ect to the Charee;ah of Eusuf, (eace be u(on him. %here is no mention in the Gur;an that he used to engage in the matters of ruling, authorit+ and ta'ing care of the affairs of the (eo(le b+ &a+ of delegation or generalit+. %here is nothing to indicate other&ise aside from the re(orts mentioned abo\*e &hich are not sufficient to establish (roof or e\*idence and do not (ro\*ide assurance to the heart. %hat is because in the time of Eusuf, the 'ings &ere des(otic and held absolute control, (o&er and dominance. %heir 'ingshi( &as absolute and no one shared &ith them in that. %he 'ing legislated, ruled, e4ecuted and e\*en Judged. An+one besides him &as in an administrati\*e (osition &ith limited Jurisdiction in the best of circumstances or Judges (ossessing no inde(endence, &hilst none &ould dare to sho& the slightest hint of disagreement to the 'ing. %his is es(eciall+ true in res(ect to the @haraohs of Eg+(t &ho belie\*ed that the+ &ere of the status of gods and the sons of the god of the sun.

?ased u(on this assum(tion, Eusuf &as not a ruler nor did he (artici(ate or share in the ruling. Rather, he &as onl+ a store'ee(er and e4ecuti\*e assistant 7or minister9. %his means that he &as an em(lo+ee, e\*en if he &as a highl+ ran'ed one, &hilst he &as not a ruler or someone (ossessing the rule and authorit+. 2f this is correct then using the stor+ of Eusuf as e\*idential (roof is nullified because its subject area is not at all related to the area of ruling, authorit+ and rulers. 2t is also 'no&n that the correct and (re(onderant \*ie& of the 8Hlmaa, is that the administrati\*e roles, &hate\*er the+ dealt &ith, in addition to the ministries of e4ecution 73i=aaraat At-%anfeedh9, are allo&ed for non-Muslims to assume (osts in, &ithin the 2slamic state, as too' (lace in (ractice during the histor+. As such, it is li'e&ise (ermissible for the Muslim, according to the (re(onderant \*ie&, to assume similar roles or (ositions under the authorit+ of disbelief, based on details &hich are not a((ro(riate to del\*e into here. 2n an+ case, the subject area of administrati\*e actions is from the branch FiBhi areas of stud+ as the+ are not a "u"m and not from the issues related to Aufr and 2man, &hich is the subject of our stud+ and discussion here.

2n addition, Eusuf, (eace be u(on him, did not (ractise Judiciar+ as far as &hat has reached us, e4ce(t for his accusation to&ards his brother in res(ect to stealing the 'ing;s bo&l 7or cu(9. E\*en in relation to this ho&e\*er, he Judged b+ the Charee;ah of his father the @ro(het Ea;Bub, (eace and blessings be u(on him.

%he issue of Eusuf;s accusation of theft le\*elled at his brother has occu(ied the attention of the earl+ 2mams of %afsir in the case &here the+ attem(ted &ith great effort to find Justifications for Eusuf or to (ontra+ him &ith the a((earance of the one see'ing forgi\*eness, e\*en in relation to the searching the bags of his brothers. 2mam At-%abari said: 5Allah, glorified "is mention, sa+s: %hat Eusuf then searched their bags and saddles see'ing the cu( of the 'ing b+ that. "e began his search &ith the bags of his brothers from his father and began to search them one after the other before searching the bag of his brother from his father and mother. "e left his search until the end, then searched the

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bag of his brother and extracted the cu from his brother's bag. %he (eo (le for scholars of %a;eel 7inter (retation#e4 (lanation said similar to &hat &e ha\*e said. From those &ho mentioned that: ?ishr related to us from Ea=id, from Ca=id, from Gatadah, &ho said concerning " is Ga&l:

فَبَدَأَ بِأَوْعِيَّتِهِمْ قَبْلَ وَعَاءِ أَخِيهِ W

Co, he 5Eusuf6 began 7the search9 in their bags before the bag of his brother 7Eusuf: <L9.

2t has been mentioned to us

, until his brother &as remaining, and he &as the +oungest of them. "e said: -2 don;t thin' that this one too' an+thing.. %he+ res (onded: -Rather, e4amine him.. %hat is because the+ 'ne& &here the+ had (laced their drin' ing \*essels. "e then extracted it 7the cu(9 from his bag. Muhammad bin Abdul 8Aalaa related to us from Muhammad bin %ha&r, from Ma;mar, from Gatadah, &ho said: 7Concerning9 -"e then too' it out from the bag of his brother. he said:

, until he reached the bag of the bo+. "e then said: -2 don;t thin' that this one too' an+thing.. %he+ res (onded: -Rather, e4amine him.. 2bn 3a'ee; related to us from KAmr bin Muhammad, from Asbaat, from As-Cuddi+, &ho said: Co, he began &ith their bags before the bag of his brother. %hen &hen onl+ the saddle bag of the bo+ remained he said: -%his bo+ &ould not ha\*e ta'en it.. %he+ said: -?+ Allah, the matter is not left 7or done9 until +ou loo' inside his saddle bag so that &e can lea\*e and +ou be satisfied.. "e then inserted his hand and too' it out from his saddle bag. 2bn "umaid related to us from Calamah, from 2bn 2shaaB, &ho said: 3hen the Messenger 7Eusuf9 said to them: -And for he &ho (roduces it is 5the re&ard of6 a camell's load, and 2 am res (onsible for it. 7Eusuf: < 9. %he+ said: -3e ha\*e no 'no&ledge of it being amongst us or &ith us.. "e said: -Eou &ill not be lea'ing until 2search +our goods 7bags9 and 2 (ardon +ou for see'ing it 7i.e. the Aing;s cu(9 from +ou.. "e then began &ith their bags, one after the other. "e &ould search it and e4amine its contents, until he came to the bag of his brother and then he searched it and brought it 7the 'ing;s cu(9 out from it. "e &as then detained and ta'en to Eusuf. Allah sa+s: كَذَلِكَ كَذَّبَ الْيُوسُفَ -%hus, in this &a+ did 3e (lan for Eusuf. 7Eusuf: <L9. Al-Gasim related to us from Al-"ussein, from "a)a), from 2bn Juraih, &ho said:

, as he 'ne& the location of &hat he &as see'ing. %hat &as until onl+ his brother remained and he 'ne& that &hat he &as see'ing &as &ith him. "e said: -2 don;t thin' that this bo+ too' it and 2 don;t mind refraining from searching his bag.. "is brothers then said: -2t is better for +our o&n satisfaction 7and (eace of mind9 and for ours that +ou clear his bag 7of the accusation9 as &ell.. %hen &hen he o (ened his bag, he brought out &hat he &as see'ing from it. Allah said: كَذَلِكَ -%hus did 3e (lan for Eusuf. 7Eusuf: <L9.

%he scholars of Arabic differed in res (ect to the -"aa. and -Alif. in "is Ga&l: فَبَدَأَ اسْتَخْرَجَهَا مِنْ وَعَاءِ أَخِيهِ W 7%hen he brought it out from the bag of his brother9. Come of the grammarians of ?asra said: 2t is a mention of the 7' ing;s9 cu ( -"الصَّوَاءِ %he+ said: 2t &as made feminine. %he+ said: 2t is for the one &ho came &ith the camel;s load because he meant the 7' ing;s9 cu (. %he+ said: %he 7' ing;s9 cu (الصَّوَاءِ is masculine and from them there are those &ho made the 7' ing;s9 cu (الصَّوَاءِ to be feminine &hilst meaning 7Drin' ing \*essel9, &hich is feminine. %he+ said: %he+ are t&o names for one thing li'e اللُّؤْب. and المَلْحَقَّة. 7garment that co\*ers9 &hich are res (ecti\*el+ masculine and feminine for one

thing. Come of the grammarians of Aufa said in relation to "is Ga&I: - **لَمَّا اسْتَخْرَجَهَا مِنْ وَعَاءِ أَخِيهِ** When he brought it out from the bag of his brother that the feminine is referring to **الْمَرْقُوقَةُ**. 7the theft9. %he+ said: 2f the meaning of **الصُّوْع**. &as according to the meaning of **الصَّاع**. then it ma+ be that the feminine (ronoun is based u(on that. %he+ said: And if +ou &ish, +ou could understand it as being the feminine of -". %he+ said: **الصُّوْع**. is masculine and **الصَّاع**. can be both feminine and masculine. %hose &ho made it feminine said: **ثَلَاثُ أَصْوَعٍ**. 7three cubic measures9 li'e - **ثَلَاثُ أَذْوَرٍ**. 7three houses9 5i.e. 7oth use the feminine form9. 2t &as said from those &ho mentioned that: **أَصْوَعٌ**. is li'e -". Others said: **الصُّوْع**. &as onl+ made feminine because **الْبَيْتَقَايَة**. &as intended and it &as mentioned &hen it &as mentioned as **الصُّوْع**. &as intended b+ it. %he+ said: %hat is li'e - **الْخَوَان**. and **الْخَوَان** and &hat is similar in res(ect to that thing in &hich t&o names are combined/ one of &hich is masculine and the other feminine.

Concerning "is Ga&I:

**X كَذَلِكَ كَذَّبْنَا لِيُوسُفَ**

-%hus, in this &a+ did 3e (lan for Eusuf. 7Eusuf: <L9.

"e is sa+ing: 2n this manner &e made the (ath for Eusuf **until he freed his brother from his father and mother from his brothers from his father**, &ith acce(tance from them that he had the right to ta'e him from them, detain him and se(arate him from them. %hat is because &hen it &as said to them: -%hen &hat &ould be its recom(ense 7(enalt+9 if +ou turn out to be l+ingP. the+ re(ied: -%he (enalt+ should be that he, in &hose bag it is found, should be ta'en as a sla\*e.. %hat &as their ruling 7"u'm9 in accordance &ith their Deen. And so Allah (lanned for Eusuf)ust as "e described until he too' his brother from them and he came to be &ith him through their "u'm 7judgement9 &hich Allah made ha((en for him.

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Concerning "is Ga&I:

**V مَا كَانَ لِيَأْخُذَ أَخَاهُ فِي دِينِ الْمَلِكِ إِلَّا أَنْ يَشَاءَ اللَّهُ**

"e could not ha\*e ta'en his brother &ithin the Deen of the 'ing e4ce(t that Allah &illed 7Eusuf: <L9.

"e is sa+ing: Eusuf &ould not ha\*e been able to ta'e his brother in accordance &ith the ruling of the 'ing of Eg+(t, his)udiciar+ or through obedience to him from them. %hat is because it &as not the rule of that 'ing and his)udiciar+ that the thief be ta'en as a sla\*e. As such, Eusuf &as not able to ta'e his brother b+ the ruling 7or la&9 of the 'ing of the land unless Allah &illed that to ha((en through "is (lanning that "e (lanned for him, so that the one in &hose bag the cu( &as found, his brothers and those in his com(an+ &ould submit to their o&n ruling u(on him and be satisfied in themsel\*es 7i.e. as the ruling &as based on their o&n judgement9 for him to be handed o\*er. %he scholars of %a;&eel 7inter (retation and %afsir9 ha\*e said similar to &hat &e ha\*e stated. From among those that said that: Al-"asan related to us from Chababah, from 3arBaa:, from 2bn Abi : ajeeh, from Mu)ahid, concerning "is Ga&I:

V مَا كَانَ لِيَأْخُذَ أَخَاهُ فِي دِينِ الْمَلِكِ إِلَّا أَنْ يَشَاءَ اللَّهُ

"e could not ha\*e ta'en his brother &ithin the Deen of the 'ing e4ce(t that Allah &illed 7Eusuf: <L9.

Meaning that he &ould not ha\*e been able to do that e4ce(t b+ an act (lanned b+ Allah for him and so Eusuf used that as his (rete4t. Muhammad bin 8Amr related to me from Abu 8Aasim, from 8Sa, from 2bn Abi : a)eeh, from Mu)ahid, the same as the abo\*e. Al-Muthanna related to me from Abu "udhaifah, from Chibl, from 2bn Abi : a)eeh, from Mu)ahid: -2n this manner &e (lanned for Eusuf. meaning that Allah (lanned it for him and this &as the (rete4t for Eusuf. Al-Gasim related to us from Al-"ussein, from "a))a, from 2bn Juraih, from Mu)ahid:

V مَا كَانَ لِيَأْخُذَ أَخَاهُ فِي دِينِ الْمَلِكِ إِلَّا أَنْ يَشَاءَ اللَّهُ

"e could not ha\*e ta'en his brother &ithin the Deen of the 'ing e4ce(t that Allah &illed 7Eusuf: <L9.

"e said: E4ce(t b+ the doing that Allah (lanned and Eusuf used that as a (rete4t. "a))a related to us from 2bn Juraih, concerning "is Ga&l:

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X كَذَلِكَ كِدْنَا لِيُوسُفَ

-%hus, did 3e (lan for Eusuf. 7Eusuf: <L9.

2t means: 3e made it ha((en 7or orchestrated it)9. 2bn 3a'ee; related to us from 8Amr, from Asbaat, from As-Cuddi+:

X كَذَلِكَ كِدْنَا لِيُوسُفَ

-%hus, did 3e (lan for Eusuf. 7Eusuf: <L9.

"e said: 3e made it ha((en 7or orchestrated it)9 for Eusuf. 2 &as related to from Al-"ussein &ho said: 2 heard Abu Mu;adh sa+ing: 8Hbaid bin Culaiman informed us sa+ing: 2 heard Ad-Dahha' in relation to "is Ga&l:

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كَذَلِكَ كِدْنَا لِيُوسُفَ

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-%hus, did 3e (lan for Eusuf. 7Eusuf: <L9.

Ca+ing: 3e made it ha((en 7or orchestrated it)9 for Eusuf. %he scholars of %a;&eel 7inter(retation and %afsir)9 differed concerning "is Ga&l:

V مَا كَانَ لِيَأْخُذَ أَخَاهُ فِي دِينِ الْمَلِكِ إِلَّا أَنْ يَشَاءَ اللَّهُ

"e could not ha\*e ta'en his brother &ithin the Deen of the 'ing e4ce(t that Allah &illed 7that9  
7Eusuf: <L9.

Come of them said: "e &ould not ha\*e been able to ta'e his brother b+ the authorit+ 7Cultan9 of the  
'ing. From those &ho mentioned that: Muhammad bin Ca;d related to me from his father, from his  
uncle, from his father, from his father, from 2bn 8Abbas:

مَا كَانَ لِيَأْخُذَ أَخَاهُ فِي دِينِ الْمَلِكِ W

"e could not ha\*e ta'en his brother &ithin the Deen of the 'ing.

%hat he said: %his means b+ the Cultan 7authorit+9 of the 'ing. 2t &as related to me from Al-"ussein  
&ho said: 2 heard Abu Mu;adh sa+ing: 8Hbaid bin Culaiman related to us sa+ing: 2 heard Ad-Dahha' in  
relation to "is Ga&l:

مَا كَانَ لِيَأْخُذَ أَخَاهُ فِي دِينِ الْمَلِكِ W

"e could not ha\*e ta'en his brother &ithin the Deen of the 'ing.

Ca+ing: 7%his means9 ?+ the Cultan 7authorit+9 of the 'ing.

Others said: %he meaning of that is: 2n res(ect to his rule and )udiciar+. From those &ho mentioned  
that: ?ishr related to us from Ea=id, from Ca;id, from Gatadah: Concerning "is Ga&l: -"e could not  
ha\*e ta'en his brother &ithin the Deen of the 'ing e4ce(t that Allah &illed 7that9.. %hat this means:  
%hat did not e4ist in the Judgement of the Aing, that a man is ensla\*ed due to theft. Muhammad bin  
Abdul A;alaa related to us from Muhammad bin %ha&r, from Ma;mar, from Gatadah: 7Concerning9  
-3ithin the Deen of the 'ing. he said: %hat did not e4ist &ithin the Deen of the 'ing. "e said: 2ts  
ruling. Al-Muthanna related to me from Abu Calih Muhammad bin Laith Al-Mar&a=i, from a man he  
had mentioned, from Abdullah bin Al-Mubara' , from Abu Ma&dud Al-Mudaini+, &ho said: 2 heard  
Muhammad bin Aa;b Al-Gura=hi+ sa+ing 7concerning9:

قَالُوا جَزَاؤُهُ مَنْ وَجَدَ فِي رَحْلِهِ فَهُوَ جَزَاؤُهُ ... كَذَلِكَ كِدْنَا لِيُوسُفَ مَا كَانَ لِيَأْخُذَ أَخَاهُ فِي دِينِ الْمَلِكِ W

%he+ 5Eusuf's 7Jose(h9 brothers6 said: -%he (enalt+ should be that he, in &hose bag it is found,  
should be held for the (unishment 7of the crime S %hus did 3e (lan for Eusuf 7Jose(h9. "e could not  
ta'e his brother b+ the la& of the 'ing 7as a sla\*e9, e4ce(t that Allah &illed it 7Eusuf: <Q-<L9.

2n the Deen of the 'ing, the one &ho stole &as not ta'en in origin, ho&e'er Allah (lanned in res(ect  
to his brother, so that the+ s(o'e about &hat the+ s(o'e about and then he too' him in accordance  
&ith &hat the+ stated, &hilst that did not e4ist in the Judgement of the 'ing. Al-"asan bin Eah+a  
related to us from Abdur Ra==aB, from Ma;mar &ho said: 2t reached him in relation to "is Ga&l: -"e  
could not ha\*e ta'en his brother &ithin the Deen of the 'ing.. "e said: 2t &as the ruling of the 'ing  
that the one &ho stole &ould ha\*e double the (enalt+ 7damage or fine9 im(osed u(on him. 2bn  
3a'ee; related to us from 8Amr, from Asbaat, from As-Cuddi+ 7concerning "is Ga&l9: -"e could not  
ha\*e ta'en his brother &ithin the Deen of the 'ing., he said: 2n the "u'm 7ruling or la&9 of the 'ing.

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Zbn "umaid related to us from Calamah, from Zbn ZshaaB 7concerning "is Ga&I: -"e could not ha\*e ta'en his brother &ithin the Deen of the 'ing., said: %his means: ?+ transgression. "o&e\*er, Allah (lanned for Eusuf for his brother to be)oined &ith him. Eunus related to me from Zbn 3ahab, from Zbn Qaid, concerning "is Ga&I: -"e could not ha\*e ta'en his brother &ithin the Deen of the 'ing., he said: 2t &as not in the Deen of the 'ing for the thief to be ta'en 7or detained9 for his theft. "e said: %he ruling among the @ro(hets Ea;Bub and his sons &as: %hat the thief be ta'en due to his theft as a sla\*e &ho is ensla\*ed.

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E\*en if those &ho made the 7abo\*e9 statements ha\*e differed in their &ordings in res(ect to the meaning of the Deen of the 'ing, the+ are ne\*ertheless close in meaning to each other. %hat is because the one &ho too' him b+ the Cultan 7authorit+9 of the 'ing is the one doing so in line &ith his action and it sho&s that it is 7in effect tantamount to9 his ta'ing if he did not change it. %hat re(resents a "u'm 7ruling9 from him u(on him &hilst his "u'm is 7the same as9 his judgement. and that has been made e\*ident in other than this (lace &ith its su((orti\*e e\*idences &hich ha\*e alread+ been dealt &ith thorough+ &ith there being no need for them to be re(eated here.

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Concerning "is Ga&I:

إِلَّا أَنْ يَشَاءَ اللَّهُ

E4ce(t that Allah &illed 7that9 7Eusuf: <L9.

%hen as it has been related to us from Zbn 3a' ee; from 8Amr, from Asbaat, from As- Cuddi+: -E4ce(t that Allah &illed 7that9.. 3e facilitated that for him b+ them 7i.e. brothers of Eusuf9 sa+ing: -%hat is his recom(ense or (enalt+.. Al-Muthanna related to me from Abu "udhaifah, from Chibl, from Abu Abi : a)eeh, from Mu)ahid 7concerning "is Ga&I: -E4ce(t that Allah &illed 7that9.. 7%hat it means9: E4ce(t b+ a reasoning that Allah (lanned and so Eusuf used that as a (rete4t6 End of s(eech of At-%abari, ma+ Allah;s merc+ be u(on him.

52n sum6 E\*en if the (artici(ation in the s+stems of disbelief had been Mubah 7(ermissible9 in the Charee;ah 7la&9 of Eusuf, (eace be u(on him, for him s(ecificall+ or for the (eo(le in general, it is definitel+ not Mubah in our final and com(lete Charee;ah &hich abrogates all the (re\*ious re\*ealed la&s 7Charaa;i9, a matter &hich is e\*ident and certain from our stud+ abo\*e. And Allah, the Most E4alted and "igh, did not ma'e Eusuf the Hs&ah Al-"asanah 7best and model e4am(le9 but rather "e made his stor+ &ith his brothers a lesson and admonition. 2t &as not for the (ur(ose of emulation1

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E\*en if &e &ere to (ut aside the correct certain (rinci(le, concerning &hich there is no doubt in res(ect to the fact that - , and &e claimed, contrar+ to the truth, that the (re\*ious la&s are a((licable until their abrogation is established, and &e ga\*e a chance to the false claim of -%he (ermissibilit+ of (artici(ating in the s+stems of disbelief and the (ermissibilit+ of the (artial and gradual a((lication of the Ah'am 7Islamic rulings9. in res(ect to the (re\*ious re\*ealed la&s, then the "aBB 7truth9 in relation to this issue in our Charee;ah &ould still definitel+ be contrar+ to that. %his "aBB 7truth9, under all circumstances, is: %he "urmah 7(rohibition9 of (artici(ating in the s+stems of Aufr 7disbelief9 and the

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"urmah of the (artial and gradual a((lication of the Ah'am 7Islamic rulings9. %hat is because &e ha\*e in our (ossession clear (roofs of abrogation &hich ha\*e (re\*iousl+ been mentioned.

As for the \*ie& of some of them that the (artici(ation in the ruling &ith Aufr 7disbelief9 is from the Hsool 7fundamentals9 of the re\*ealed la&s 7Charaa;i9 and not its branches and that all of the re\*ealed legislations share in that, and it is not (ermissible for them be abrogated. And conseBuentl+, Eusuf;s (artici(ation in the ruling of Aufr is (ermissible for him and for other than him and this &as not abrogated. %hen this re(resents a **fragrant lie, false (reci(itateness** and the a((ointment of a higher authorit+ than the Rabb 7Lord9, the Most E4alted and "igh, that go\*erns o\*er "is command and "is forbiddance and abrogates it. %hat is &hilst Allah, the Most @o&erful and E4alted:

اللَّهُ يَحْكُمُ لَا مُعَقِّبَ لِحُكْمِهِ

7Ar-Ra;d: 419

And:

لَا يُسْأَلُ عَمَّا يَفْعَلُ وَهُمْ يُسْأَلُونَ

7Al-Anbi+a: !9.

%he Charee;ah of Adam, (eace be u(on him, did not contain the Calaaah 7(ra+er9, Ca&m 7fasting9 or other than that. 2t onl+ contained one "u'm Char;i+ 7legislated la&9:

لَا تَقْرَبُوا هَذِهِ الشَّجَرَةَ

7Al-?aBarah: !Q9.

And here &e ha\*e 2brahim, (eace and blessings be u(on him, &ho &as commanded to sacrifice his son and then the ruling &as abrogated )ust before its e4ecution. Co &here is the Hsool 7fundamentals9 &hich are not (ermitted to be abrogated o (eo(le of intellect and &hen &as the sacrificial slaughter of the innocent sons from the branchesP1 "as there been an+thing heard more heinous than the one &ho (asses )udgement o\*er his Rabb 7Lord9: Deciding &hat is (ermissible for "im to abrogate and &hat is not (ermissibleP1

... : %hat the : a)ashi 7: egus9, the 'ing of Ab+ssinia, &as a Muslim, ho&e\*er, he did not a((l+ the 2slamic rulings 7Ah'am Ash-Char;i9, as is 'no&n b+ necessit+ from histor+, &hilst the @ro(het 7sa&9 commended him and (ra+ed the (ra+er of absence u(on him, bearing &itness to his ha\*ing embraced 2slam.

%he truth is that the : a)ashi, ma+ Allah be (leased &ith him, &as s+m(athetic at first &ith the Muslims &ho sought refuge &ith him and he used s(eech from **&hich that can be understood**. %hat in turn led to an armed re\*olution against him 7As related b+ Ahmad and others &ith the most authentic chains of transmission from A=-Oubair bin Al-@A&&am, ma+ Allah be (leased &ith him, &ho &as a &itness to those e\*ents in Ab+ssinia9. %he : a)ashi &as unable to o\*ercome it e4ce(t &ith the

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utmost difficult+ and conseBuentl+, he &as unable to o(enl+ announce his 2slam &hen he embraced it and not e\*en after he (erformed the Calaah 7(r+er9 o(enl+. %hat is because he &as under com(ulsion and &as e4cused: "e &as unable to manifest o(enl+ his Deen in his land and he &as not ca(able of (erforming "i)rah 7migration9 to the @ro(het 7sa&9. %hat &ould ha\*e meant e4(osing Ja;far bin Abi %alib and those &ho had emigrated &ith him to Ab+ssinia to certain death. %hat &as &hilst the+ese &ere li\*ing in his refuge and under his (rotection there in accordance &ith the command of the @ro(het 7sa&9, &hilst - moreo\*er he did not (ermit them to come to Al-Madinah e4ce(t after the treat+ of Al-"udaibi+ah. 2t is a((arent that the : a)ashi 7: egus9 &ho became Muslim had (assed a&a+ (rior to that. As for the : a)ashi &hom the @ro(het 7sa&9 &rote to along &ith the 'ings and t+rants of that time after Al-"udaibi+ah, then he &as a different Ab+ssinian ruler, as has been re(orted in the Cahih collections.

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%hen &hen the (ermission of the @ro(het 7sa&9 came, for Ja;far and his com(anions to come, the Muslims from the (eo(le of the household of the : a)ashi, ma+ Allah be (leased &ith him, including his ne(he& Dhu Mu'hmar, migrated to the @ro(het 7sa&9 and became from his com(anions. : one of them remained in Ab+ssinia/ not (artici(ating in the rule or in an+ other ca(acit+.

%hat is because the : a)ashi, ma+ Allah be (leased &ith him, had not been Muslim &hen he sought the rule and authorit+, nor had he initiated (artici(ation in the ruling after embracing 2slam. Rather, he had been a disbelie\*ing 'ing &ho embraced 2slam &hilst he &as 'ing but &as unable to manifest his Deen o(enl+, not e\*en in a (urel+ indi\*idual ca(acit+. ?+ greater reason, he &as unable to a((l+ the Charee;ah of 2slam)ust as he &as not able to gi\*e u( the authorit+ and migrate to the Dar ul-2slam 7%he 2slamic homeland9, due to a Char;i+ e4cuse. 2t ma+ be that an+one &ho &as in the situation li'e the situation of the : a)ashi be e4cused)ust as he had been. %hat is &hilst obser\*ing that the : a)ashi, ma+ Allah be (leased &ith him, (assed a&a+ (rior to the @ro(het 7sa&9 sending his letters to the 'ings and t+rants in\*iting them to 2slam and before the com(letion of the Deen and the re\*elation of Curah Al-Ma;idah, At-%a&bah, An-: ur and &hat came after them. %his must be obser\*ed &ith attention and care &hen stud+ing the FiBh of this interesting issue.

%he most a((arent understanding is that the remaining of Ja;far and his com(anions in Ab+ssinia, and the remaining of the : a)ashi, ma+ Allah be (leased &ith him, due to coercion, in the (ost of the 'ing, ruling b+ other than &hat Allah has re\*ealed, re(resented a s(ecific ruling for that collecti\*e &hich the @ro(het 7sa&9 sought to 'ee( in Ab+ssinia. %hat &as as a tactical (recaution due to fear that the Muslims in Al-Madinah &ould be afflicted or eliminated. "o&e\*er, after Al-"udaibi+ah, the re\*elation came &ith glad tidings concerning the manifest \*ictor+ and the (romise of the Deen (re\*ailling, e\*en though the disbelie\*ers detest it, the danger of elimination &as remo\*ed. %he @ro(het 7sa&9 sent for Ja;far and his com(anions and the rules related to the "i)rah 7migration9 settled u(on &hat the+ are to this da+.

%he "u'm 7ruling9 related to "i)rah 7migration9 toda+, in res(ect to the one &ho is ca(able of underta'ing it, is Fard 7obligator+9 in some circumstances and Mandoob 7recommended9 in others. As for the one &ho is inca(able of "i)rah then Allah (ardons him and he is not reBuested to underta'e it due to his inability+: Either due to sic'ness or coercion and can +oP remain &here he is in (rison or house arrest etc, or due to &ea'ness &hich a( (lies to &omen, children and those &ho are similar, as mentioned at the end of the A+ah 7\*erse9 of Al-"i)rah.

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As for the one who is capable of undertaking the "i)rah but is unable to openly manifest his Deen or fulfill the rulings of Islam which are required of him, then the "i)rah is obligatory upon him, due to what came stated in the Ayah of Al-"i)rah. Allah ﷻ said:

إِنَّ الَّذِينَ تَوَفَّاهُمُ الْمَلَائِكَةُ ظَالِمِي أَنْفُسِهِمْ قَالُوا فِيمَ كُنْتُمْ ۖ قَالُوا كُنَّا مُسْتَضْعِفِينَ فِي الْأَرْضِ ۖ قَالُوا لَمْ تَكُنْ أَرْضُ اللَّهِ

وَاسِعَةً فَتُهَاجِرُوا فِيهَا ۖ فَأُولَٰئِكَ مَأْوَاهُمْ جَهَنَّمُ ۖ وَسَاءَتْ مَصِيرًا

7An-: isa;: I<9.

The informing here means the command and it is from the forms of reBuest. It is li'e "e said: Emigrate in them i.e. those lands. The reBuest in this "erse is linked to reinforcement or emphasis and to the threat of a severe punishment as a recompense for not undertaking the "i)rah. It is therefore a decisive reBuest which is clear, for certain and without doubt, thus indicating that the "i)rah in such a circumstance is Fard obligatory upon the Muslim and that he will be greatly sinful if he does not emigrate.

The intended meaning of - . 7 . 9 means: what he openly professes the Chahaadataini (arts of the testimony of belief) and calls himself with the name of Islam where he calls himself Muslim and explicitly declares that the Deen of Islam is the "abb truth, that Allah does not accept other than it and the other Deens, beliefs, ideologies, schools and thoughts are false and invalid, not accepted by Allah and will not save the person in the hereafter: his represents the minimum in respect to the manifestation of the Deen and the responsibility is not absolved without it. In further detail, it is not a condition that he be engaged in carrying the Da'wah invitation to Islam or exposing and refuting the beliefs of the disbelievers.

As for - . then that means fulfilling the obligations which are Fard obligatory upon him in his capacity as a Muslim individual in terms of: the Calah (fasting, going to (perform "a)) and when capable, covering the head and what is prohibited to reveal of the body to others, wearing the Charj dress and similar such obligations. It also means refraining from the Muharramaat (prohibitions) such as Zina (fornication and adultery), homosexual acts, Ribaa (usury), gambling and Haram contracts and trade transactions and what is similar to these. What is in respect to every individual Muslim. Where man also be designated upon some of the individuals that which is not obligatory upon other than them. What is li'e commanding the Ma'ruf and forbidding the Mun'ar if there is no one other than him who is knowledgeable and capable, and li'e the ruling by what Allah has revealed if he possessed judicial or executive authority, and so on.

It is evident that the : a)ashi, man Allah be pleased with him, and as incapable of manifesting his Deen, just as he was not able to undertake what Allah had obliged upon him. At the same time, he was able to (perform "i)rah but only refrained from it due to a command from the (rohet 7sa&9. The Deen was completed after that, the Risalah (message) was concluded and Abu I-Gasim (Muhammad) 7sa&9 is no longer among us. As such, there no longer remained an argument for anyone to refrain from manifesting "i)rah if he was capable of undertaking it, in the case where he was unable to manifest

his Deen or underta'e &hat Allah had made obligator+ u( on him. From among the most im(ortant of these matters is to rule b+ &hat Allah has re\*ealed alone and to com(letel+ and absolutel+ lea\*e all that is other than it.

It is not (ermissible for it be said that the @ro(het 7sa&9 commanded the : a)ashi to do that in his ca(acit+ as head of state and conseBuentl+ it is (ermissible for other than him from the rulers to command the Muslim &ho is unable to manifest his Deen and not able to underta' e &hat Allah has commanded him to remain in Dar ul-Aufr 7the land of disbelief9 and not (erform ''i)rah. %hat is not (ermissible to be said because that is a Ma;si+ah 7sinful act of disobedience9 and obedience to the rulers in the Ma;si+ah is ''aram in all circumstances.

Similarl+, it is not (ermissible to be said that the : a)ashi, ma+ Allah be (leased &ith him, did that ''aram 7b+ neglecting to (erform the ''i)rah9, due to other than com(ulsion, but rather he did so due to a (re(onderant Maslahah 7interest9, &hich &as none other than the (rotection of Ja;far and his com(anions, in accordance &ith the lie: -

&hich has caused some of the scholars to sli( u( and to consider it to be a com(rehensi\*e Char;i+ah (rinci(le from &hich branch Char;i+ah rulings are deduced1

Ees, it is (ercei\*able that for the Muslim to conceal his Deen &hilst dis(la+ing Aufr 7disbelief9, including the (artici(ation in the s+stems of disbelief, if he &as in Dar ul-''arb 7the land of disbelief or &ar9, in the case &here he is a s(+ of &ar. %hat is due to the Char;i+ah te4ts stating the (ermissibilit+ of l+ing at the time of &ar and because the 2mam 7leader of the Muslims9 has the right to dis(atch s(ies against the disbelie\*ers. ''o&e\*er, this is a s(ecific case &ith its o&n s(ecific e\*idences &hich reBuire a (ecise stud+, &hilst this is not the (lace for that.

... : %he @ro(het 7sa&9 commending the - ... and his statement that if he &ere to be in\*ited to its li' e in 2slam, he &ould res(ond (ositi\*el+ to it1 %his is also a ?atil 7false and in\*alid9 argument and ridiculous contention. %hat is because the ''ilf ul-Fudool &as bet&een the chiefs of the tribes, &here each one of them &as eBui\*alent to a head of state, &hilst the Arab tribes at that time &ere eBui\*alent to states toda+. As such, the commendation of the @ro(het 7sa&9 u( on the ''ilf ul-Fudool could be suitable as an e\*idence for the (ermissibilit+ of the 2slamic state (artici(ating in the founding and membershi( of international organisations, &hich are established among inde(endent so\*ereign states, for the (ur(ose of s(reading)justice, (re\*enting o((ression, deli\*ering rights to those entitled to them, (ro\*iding securit+ to international trade routes and those tra\*elling bet&een the regions, and other such similar matters from among the nice- better &ordp and legall+ legitimate aims 7MaBaasid9. %hat is u( on the condition that the international organisation does not interfere in the internal affairs of the member states, does not assault their s(ecificities, cultural ci\*ilisations, beliefs and thoughts, in addition to all the dealings among the states being absolutel+ eBual. As such, this organisation &ould not be eBui\*alent to a global state that im(oses a (articular ABeedah 7belief9 or s(ecific cultural ci\*ilisation. 2n other &ords, it &ould not im(ose a (articular \*ie& (oint of life u( on the member states, li' e the case currentl+ in relation to the as is the case &ith the Hnited : ations, &hich is a disbelie\*ing, o((ressi\*e and aggressi\*e state &hich im(oses the &estern liberal secular disbelie\*ing belief u( on the &hole &orld. It re(resents a constant dail+ (ractise of coercion in res(ect to the Deen &hich enables a select grou( of (o&erful states to im(ose control o\*er the &ea' er states and (eo(les. It (resides o\*er the e4ulsion of entire (eo(les li' e the o((ressed Muslim @alestinian

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(eo(le from their land and then (ass its o&nershi( to( others. 2t also (artici(ates in the genocide of com(lete (eo(les li'e it did in ?osnia, 2raB, R&anda and other (laces1

%he international organisations of the - . are therefore not a global state that rules, for it to be said that the (artici(ation of the 2slamic state in it &ould re(resent (artici(ation &ithin a rule of disbelief, li'e the imagination of those &ho call for (artici(ation in the "u'm 7ruling9 of Aufr 7disbelief9 has run a&a+ &ith.

... : %he @ro(het;s 7sa&9 agreement to the Culh 7truce treat+9 of Al-"udaibi+ah e\*en though it included clauses, the li'e of &hich are not (ermissible no& to ma'e an agreement u(on. %hat is li'e handing o\*er those Muslims &ho came 7to Al-Madinah9 to their disbelief\*ing families or relati\*es 7in Ma' 'ah9 among other clauses. %his Chubha 7argument9 is e\*en more stee(ed in imagination than the former. %hat is because the @ro(het 7sa&9 is the con\*e+or from Allah &hose con\*e+ance is infallible. "e informed the Hm mah at that time that he had been commanded b+ his Rabb 7Lord9 to ma'e that (articular treat+ &hich the Muslims &ere initial+ a\*erse to and angered b+. %here &as strong o((osition led b+ Hmar ibn Al-Ahattab, ma+ Allah be (leased &ith him, until the Messenger of Allah 7sa&9 made clear to them b+ his statement and action that this &as a s(ecific 3ah+ 7re\*elation9 from Allah and did not fall under the categor+ of (ermissible treaties &hich the head of the 2slamic state ma'es on behalf of the Hm mah &ith their consultation and agreement. Just as he 7sa&9 made clear that there should be no fear for those &ho are returned from the Muslims to the disbelief\*ers as his Lord, glorified be "is names, had guaranteed to him -.

.. As such, that (rohibited condition &as made (ermissible b+ &a+ of an e4ce(tion and s(ecificit+ and then made (rohibited after that. 2t is therefore not (ermissible to agree to such a matter e\*er again. E\*en that condition itself &as re\*o'ed b+ the Rabb ul-2=a 7Lord of "onour and Might9 in relation to the &omen because returning them e4(oses them to the necessit+ of li\*ing &ith disbelief\*ing husbands &hom it is not "alal for them to share beds &ith. %he Rabb of "onour and Might re\*o'ed the agreement in that (artial as(ect as a (reser\*ation for the honour of the belie\*ing &omen and out of concern for them. %he Guraish then had no choice e4ce(t to concede to that or to cancel the treat+ and return to the state of &ar once again. Co, the Guraish acce(ted and (referred to continue in the ad)usted treat+ &hilst in a lo&I+ and mee' state. All (raise and besto&al belong to Allah, ho& great a Rabb is "e and ho& Menerous, u(on "im &e ha\*e %a&a' 'ul 7reliance9 and through "im &e are su((orted1

... : %hat it is obligator+ u(on the Muslim residing in Dar ul- Aufr 7the homeland of disbelief9 to submit to its la&s as long as he is in their securit+ and under their authorit+.

%his is also a false 7or in\*alid9 (rinci(le if it is (resented as such. %hat is because obedience is (rohibited for the Muslim in e\*er+ command of disobedience 7Ma;si+ah9. 2t is a (ermanent firm (rohibition and e\*en a((lies if the one commanding is the 2nam 7leader9 of the Muslims and from the rightl+ guided Ahulafaa;. ?+ greater reason, it is not (ermissible for him to obe+ the one &ho has no Char;i+ah 7legall+ legitimate9 (osition of ruling in origin, in the Ma;si+ah 7act of disobedience to Allah9. As for besides that, meaning in other than the Ma;si+ah, then the obedience 7aa;ah9, in terms of origin and (rinci(le, is onl+ obligator+ to the Ameer Ash-Char;i+ 7legall+ legitimate leader9, and the Muslim &ould be sinful if he did not do that. 2t is not, in terms of origin and (rinci(le, obligator+ at all, but rather onl+ Mubah 7(ermissible9, to the one (ossessing a non-Char;i+ authorit+, as is the case in Dar ul-Aufr 7the homeland of disbelief9. %he details of this ha\*e been thoroughl+

co\*ered in our boo': -. and  
as such, it can be **re\*ised- re\*isited** there.

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Regardless of the fallac+ or correctness of that (rinci(le, &hat is the relationshi( bet&een  
(artici(ation in the ruling and obedience to the la&sP1 According to our ' no&ledge, there is no  
s+stem in the &orld that com(els the (eo(le to (artici(ate in the ruling and authorit+. 2ndeed, the  
o((osite is true, in the case &here e\*er+ ruling faction mono(olises the ruling for itself and does not  
acce(t the (artici(ation of others unless it is com(elled to. 3here then is the legal obligation and  
&here is obedience to the la&sP1

... : Hsing as e\*idence the dra&ing or acBuring of the  
- . and re(elling the - . or the (er(etration of the - . or  
- . or -  
... among other deceits and nonsenses. 2f &ere to as' them for the Daleel Ash-Char;i+ for  
these (rinci(les, it &ould be - . &his(ers as the+ ha\*e no argument e4ce(t the claim of Al-  
2stiBraa; 7e4amination9 &hich ma'es a((arent that the Charee;ah has come to accom(lish the  
Masaalih and re(el the Mafaasid, as has been affirmed in "is Ga&l 7s&t9:

وَمَا أَرْسَلْنَاكَ إِلَّا رَحْمَةً لِّلْعَالَمِينَ

7Al-Anbi+a: 1\$<91

%he truth is that this final Charee;ah has come &ith ease, forbearance, lifting the hardshi( and  
troubles and lightening the burdens, as a merc+ from Allah and a fa\*our1 "o&e\*er, if Allah had not  
made "is sla\*es legall+ **encharged** &ith something in origin, that &ould ha\*e been easier **and more**  
**forbearing**, and had "e made the Charee;ah as a &hole u(on the basis of recommendation and  
ad\*ice, &ithout obligation or com(ulsion, that &ould ha\*e been greater in 'indness and  
**forbearance**, &here it combines ad\*ice for that &hich is better and sounder, &ith no (unishment  
and being ta'en to tas'. E\*en more **forbearing** than all of that and easier &ould be if Allah had not  
created the fire of hell in originP1

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"o&e\*er, this is not &h+ the re\*ealed la&s 7Charaa;i9 descended. Rather, the origin of the legislation  
is to establish that the Rabb 7Lord9 has the greatest entitlement to the Ci+adah 7so\*reight+9 and  
that "e is alone in res(ect to the "u'm 7ruling9 and Amr 7command9, just as "e is alone in res(ect to  
creation. "e, therefore, onl+ created the creation for the (ur(ose of 8Hbudi+ah 7&orshi(9,  
manifested in hearing and obe+ing:

وَمَا خَلَقْتُ الْجِنَّ وَالْإِنسَ إِلَّا لِيَعْبُدُونِ

7Adh-Dhari+at: 9L9.

%his is the (rimar+, highest and absolute consideration, that comes before an+ other consideration.  
%he original (osition is therefore obedience to the command of Allah, &hether that &as eas+ or  
difficult, beneficial or harmful. 3hoe\*er is not content &ith that in terms of "is command and  
**forbiddance(rohibition**, then he is e4actl+ li'e the one &ho is not content &ith "is Gadar 7di\*ine

decree, & with no difference. Let him then e4it "is hea\*ens and "is earth and search for a Rabb other than "im1

In addition, the merc+ for the &orlds b+ the @ro(hethood of Muhammad bin Abdullah 7sa&9, is onl+ realised through the follo&ing of "is Charee;ah, obe+ing "im in all that "e has commanded and abstaining from e\*er+thing that "e has forbidden and restricted. %he result of that is sal\*ation from the eternal curse and being remo\*ed far a&a+ from the e\*erlasting fire. %his re(resents the greatest merc+ and the greatest Maslahah 7interest and benefit9. As for (eace of mind in the Dun+aa 7life of this &orld9, famil+ stabilit+, eas+ li\*ing, and the s(reading of securit+ and (eace in the local societ+ and international communit+, then these are all (artial, tem(orar+ ad\*antages and limited secondar+ mercies! E\*en these are not (ro(erl+ accom(lished unless the Charee;ah is a C(cluded com(letele+ & without deficienc+ and the Deen is established in full!

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%he MaBaasid Ash-Charee;ah 7its aims9 and its a4ioms &hich the @Hlamma; deduced b+ &a+ of 2stiBraa; 7an e4amination of the te4ts9, li'e that &hich &as rendered b+ 2mam Ash-Chatibi, are not (ermitted to return to their (artialities & with in\*alidation, as that &ould ma'e the Charee;ah contradictor+ and conseBuentl+ not (ossible to be from Allah, Allah forbid! Or it &ould ma'e the ne& created limited mind and its s(eculati\*e e4amination, an authorit+ higher than Allah the eternal and absolute Creator, obliging u(on "im & with a (articular legislation, thus negating from "im that "e is the Rabb 7Lord9 and Ca++id 7master9! 2f Allah is not the Ca++id & with com(lete Ci+adah 7so\*ereignty9, and if it &as (ermissible to (lace the "u'm of the mind before "is "u'm 7i.e. gi\*e it (riorit+9, e\*en in onl+ one Mas;alah 7issue9, then &h+ is that not (ermissible in all issuesP! And &hat is the benefit in &asting time stud+ing "is Charee;ah, e4amining its a4ioms and tiring the minds in the stud+ of the Gur;an and the Cunnah and dedicating the +ears of one;s life in thatP! And &h+ do &e not )ust start directl+ & with the mind and a C(roach the houses b+ their doors 7i.e. not beat around the bush9P! 2ndeed, all of this is C(ure secularism, this is their (roof, and this is the contradictor+ manner of their thin' ing!

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From among the reasons for the misguidance of those &ho (resent such arguments is their confusion bet&een &hat Allah has legall+ charged them & with 7i.e. "is legislati\*e address related to the choice-based actions of sla\*es9 and &hat is from "is s(ecificities. %hat is because Allah has legall+ charged us & with the Da;&ah 7in\*itation9 to "im and that includes the action of manifesting "is Deen b+ a defined Char;i;ah methodolog+. "o&e\*er, the acce(tance of the (eo(le of the Da;&ah and conseBuentl+ the actual manifestation of the Deen, and accounting them u(on that 7result9, is not from the acts of the sla\*es and the+ ha\*e not been made legall+ res(onsible for that. Rather, that is from "is act 7s&t9:

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Xفَدَكِّرْ إِنَّمَا أَنْتَ مُدَكِّرٌ ( 1 ) لَسْتَ عَلَيْهِمْ بِمُصَيِّرٍ ( ) إِلَّا مَنْ تَوَلَّى وَكَفَرَ ( ! ) فَيُعَذِّبُهُ اللَّهُ الْعَذَابَ الْأَكْبَرَ

Xوَاتَّبِعْ مَا يُوحَىٰ إِلَيْكَ وَاصْبِرْ حَتَّىٰ يَخُضُّمَ اللَّهُ ۚ وَهُوَ خَيْرُ الْحَاكِمِينَ

7Eunus: 1\$19.

X فَقَاتِلْ فِي سَبِيلِ اللَّهِ لَا تُكَلَّفُ إِلَّا نَفْسَكَ ۚ وَحَرِّضِ الْمُؤْمِنِينَ

7An-: isa: F49.

It is strange that these claim that the+ see' the - . and the - . through (artici(ation in the ruling b+ other than &hat Allah re\*ealed, in other &ords through disobe+ing the Deen1 It is as if the+ are sa+ing to their Rabb 7Lord9 7s&t9: 3e &ant to obe+ +ou b+ disobe+ing +ou, and &hate\*er Allah &ills &ill be1

Furthermore, the limited and imagined Masaalih 7interests and benefits9 attained from their (artici(ation in the ruling b+ other than &hat Allah re\*ealed, as indicated to b+ the sensed realit+, can scarcel+ be sensed or (ercei\*ed, so ho& can the+ be (ut before the certain and sure MafsadahP1

%he imaginar+ claimed Masaalih, b+ &a+ of e4am (le, albeit not restricted to these, include:

. %o restore the confidence of the (eo(le in 2slam and that it is ca(able of organising the affairs of life.

%his, ho&e\*er, does not ha((en &ith their (artici(ation. Rather, if an+thing their (artici(ation distorts the image of 2slam in the minds of the (eo(le and ma'es it obscure and muddled &here its limits are un'no&n and its realit+ is not (ercei\*ed. %hat is because 2slam is 7(resented as being9 democratic sometimes, socialist on occasions, re(ublican at other times and monarchical at others etc S It is (resented in contradictor+ forms and &ith dis(arate conce(ts.

. %o re(el the (lots targeting 2slam and the 2slamic mo\*ements b+ becoming informed about &hat is ta'ing (lace secretl+ and to see' to cause them to fail. %hat can onl+ ta'e (lace through familiarit+ of the standing regime and 'no&ing its inside &or'ings and internal (rocesses.

%his as &ell has not ha((ened at all. %he secrets of the regime are (reser\*ed and concealed and none e4ce(t the (rominent (ersonalities of disbelief and leaders of misguidance are made a&are of them. %hat is &hile &hat has been called the ministries of 7state9 so\*ereigt+ li'e the interior, defence and foreign ministries, are (rohibited for the - . to (artici(ate &ithin.

. %o train and teach the 2slamic cadres through the training and dis(atch (rogrammes organised b+ the ruling de(artment.

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%his is (ure imagination, so &h+ not ma'e e\*ident to us one single distinct case of such a realit+P1

. %o (resent models of successful 2slamic (oliticians and to (ro\*e that the+ are not onl+ those ascetic religious (eo(le.

%his is also delusion and imagination as the ma)orit+ of those &ho (artici(ate in the ruling s+tems of the %a&agheet 7t+rannies9 are (la+ed &ith and mani(ulated. %he+ embroil them in side issues and

(olitical manoeuvres and games which makes them a((ear to be simple-minded, heedless and aloof from the affairs of life. %he+ are (reoccu(ied in issues such as the ''(jab of the &oman, the mandator+ school uniform, female circumcision and other matters &hich earn them ridicule or ma'e them a((ear to be benefit see'ers and o((ortunists, &hich has the &orst im(act u(on the &slamic Da;&ah.

. %o increase the e4(erience of the &slamists in res(ect to ruling and administration and to train the cadres u(on (olitics, its manoeuvres and games.

%his also has not occurred. Ees, some - . ha'e been trained, li'e the o((ortunist Dr. ''asan %urabi, u(on tric'er+, h+(ocris+ and chea( (olitical manoeuvres. ''o&e'er, the+ lost their (erce(tion of the \*ital issues and the+ did not underta'e anything at all **related to strategic mo\*ements**.

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. %o ma'e a select grou( of the &slamists (rominent so that the+ **come to be from emerge to become** -the (eo(le of influence &ithin the societ+ and **are** through that **the+** are enabled to lead it and re(el the harm from the less (rominent carriers of the &slamic Da;&ah.

%his is also delusion and imagination. %hat is because the Jamaat-e-&slami in @a'istan, for e4am(le, &as e\*en unable recentl+ to enter its members into the (arliament, &hilst their leaders and those lesser than them ha'e no real &eight &ithin the societ+, so ho& is it (ossible for them to lead it? %here is also the case of &brahim An&ar in Mala+sia, &ho some belie\*d to be a candidate to follo& Mahathir Mohamad. ''e then fell from grace, &as accused in res(ect to his honour and &as unable to e\*en defend himself.

. %o increase the &slamic **centres of gra\*it+** and increase the good, and to lessen the **attac' of the centres of gra\*it+ of disbelief** and lessen the e\*il.

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. %o benefit from the standing of authorit+ and its (o&er for the Maslahah 7interest or benefit9 of the &slamic Da;&ah and its carriers.

2f this or some of it &as true, then sho& us its realit+ in Jordan, for e4am(le.

هَاتُوا بُرْهَانَكُمْ إِنْ كُنْتُمْ صَادِقِينَ X

7Al-?aBarah: 1119.

%he truth is that all of that &as no more than 7fanciful9 e4(ectations, dreams and ho(es, &hich ha'e no e4istence for them &ithin the sensed realit+, as o((osed to the follo&ing certain Mafaasid 7corru(ting and harmful matters9 &hich ha'e ta'en (lace:

. %he certain and not su((osed falling into the Ma;si+ah 7sinful act of disobedience9 and the ''aram 7(rohibited9, indeed falling into the action based Aufr, Ohulm and FisB 7disbelief, transgression and rebellious disobedience9, in the least of circumstances 7i.e. in accordance &ith the Madh;hab of Aufr Doon Aufr9. 2t also means inclining to those &ho o((ress, aiding and su((orting them, in addition to &hat is built u(on the act of disobedience 7Ma;si+ah9 in general, in terms of Allah forsa'ing the doer of it and the lac' of %a&feeB. 2n addition, it means the increased danger of de\*ianc+ and selling the



A' hirah Thereafter<sup>9</sup> for the Dun+a 7life of this &orld<sup>9</sup>. 7If this is the case for the Ma;si+ah<sup>9</sup> %hen &hat is the case in res(ect to the one &ho has committed those horrendous ma)or sinsP1

. Falling into contradictions. %hat is because it is said, for e4am(1e, to the one (artici(ating in the disbelie\*ing rule: Eou state the (rohibition of Riba 7usur+<sup>9</sup> &hilst +our go\*ernment (ro\*ides licenses to usurious ban's. Co ho& can +ou reconcile bet&een thatP1 2f he ans&ers b+ sa+ing -%adarru). 7gradualism<sup>9</sup> and that he is &or' ing to eradicate it &ithin ten +ears for e4am(1e, it is said to him: 3here did +ou get this ten +ears fromP1 3h+ is not one thousand +ears for e4am(1e or si4 monthsP1 3hate\*er the+ ha\*e determined the (eriod to be, &e can increase for them one da+ follo&ing another until the+ become the )o'e of ages.

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. %he disbelie\*ing or o((ressi\*e rulers ta'e the (artici(ant from the Muslims as a decoration b+ &hich the+ adorn their hideous regimes and as a co\*er to co\*er their fla&s &ith. %here is also no doubt that the heinousness of the regimes must reflect u(on them &here something from the ugliness of the regime and its o((ressi\*eness is ine\*itabl+ attributed to them. %he one &hose &or' is em(t+ing toilets, its rottenness and im(urities must reach him1

. E4(asure to being discarded and humiliated after the o((ressors and disbelie\*ers ha\*e e4hausted e\*er+thing the+ can get out of the (artici(ant. %his includes &ithin it the humiliation of the Muslim &hom Allah has honoured &ith 2slam, )ust as it leads to the (eo(1e belittling 2slam and the 2slamists. %his is also a sensed realit+ that has been &itnessed in Jordan and %ur' e+ during the (ast fe& months and +ears.

. @artici(ation and (articularl+ the (artici(ation of the righteous and sincere &ithin the s+stems of disbelief, or &ith the o((ressi\*e rulers, ine\*itabl+ re(resents (atch&or' that strengthens the regime.

وَلَنْ يَجْعَلَ اللَّهُ لِلْكَافِرِينَ عَلَى الْمُؤْمِنِينَ سَبِيلًا

7An-: isa:: 1419

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Xوَيْلٌ لِّلْمُطَفِّفِينَ (1) الَّذِينَ إِذَا أَكْتَالُوا عَلَى النَّاسِ يَسْتَوْفُونَ ( ) وَإِذَا كَالُوهُمْ أَوْ وَزَنُوهُمْ يُخْسِرُونَ

7Al-

Mutaffifin: 1-19.

A mere sur\*+e+ of &hat the 2slamists ha\*e done recentl+ in Jordan at the end of the eighties of the last centur+ and their strengthening of the throne of the 0ionist %aghut 7t+rant9 8'' ussein ?in Ali; &ho had been on the \*erge of colla(=e and then &hat afflicted the 2slamic Da;eah in terms of harm as a

In addition, most of what the call gradualism is delusional and imagination, with no reality attached to it. So, that's the issue of Al-Ahamr 7alcohol9 for e4am (ie. It remained "alal until its (rohibition was re-ealed. As for the (rohibition of (ra+ing &hilst in a state of into4ication, then that was not a (rohibition for Ahamr but rather only a (rohibition of the (ra+er of the one &ho is into4icated. If someone had consumed Ahamr at that time and not become into4icated and if his clothes had become soiled with it, and then he (ra+ed &hilst emitting the smell of alcohol, his (ra+er would have been "alid and he would be Muhsin **7a good doer9** with no sin upon him1

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Riba 7usur+9 was made "aram in one go, &hilst that which was -Ad;aafan Mudaa;afatan. 7doubled and multi(plied9 was not (rohibited first and then the rest of Riba follo&ing that, as some of those who are ignorant in respect to the Quran and reports have believed. What is because the A+ah mentioning -Ad;aafan Mudaa;afatan. 7doubled and multi(plied9 is in Curah Aali 7mran 7a+ah 1!\$9 which in truth is later 7in time of re\*elation9 than Curah Al-7aBarah which (rohibited Riba 7usur+9 in an absolute manner, including its simple form and its compound form.

Qina was made "aram in one go. It was not (ermitted for young men and women and (rohibited upon older men and women, and thereafter made (rohibited upon all. The same applies in respect to the remainder of the Ah'am 7rulings9.

What we have mentioned above is witnessed to and strengthened by the fact that the (rophet 7sa&9 forbade specific elements (lo+ment with the foolish and oppressive rulers, those who delay the Calaa 7(ra+er9 from its set time. The greater reason that (rohibition would be sterner in respect to those positions of element within the system of Aufr 7disbelief9, indeed in respect to what is greater than these in terms of the "u'm 7rule9, 3ila+ah 7ruling # go\*ernorshi9 and Gadaa; 7udicial+9:

It was related in the Musnad of Abu Ead;la from Abu Ca;id and Abu "urairah, that they both said: The Messenger of Allah 7sa&9 said:

ليأتين على الناس زمان يكون عليكم أمراء سفهاء يقدمون شرار الناس ويظهرون بخيارهم ويؤخرون الصلاة عن موافقتها فمن أدرك ذلك منكم فلا يكونن عريفا ولا شرطيا ولا جابيا ولا خازنا

.. 2bn "ibban

also recorded it in his Cahih. His 7snad is Ga&&i+ Ja++id 7strong R good9. The "adith is definitely Cahih with its collective (aths and su((ortive evidences, just as has been demonstrated in the appendix.

The intended meaning of the complete and radical application of Islam in one go is the immediate declaration of that and invalidating everything that contradicts that in terms of rulings and legislations, even if the practical time to implement that takes time. For e4am (ie, the Islamic state declares as soon as it is established the nullification of all usurious contracts which were made prior to the establishment of the state and that they are subject to elimination and accountability, just as

an+ ne& contract is to be forbidden and subject to (uniti\*e measures. "o&e\*er, the actual elimination and (urification of the ban's and e4changes from all usurious transactions and other (rohibited transactions ma+ ta'e man+ months to accom(lish.

ConseBuentl+, if a state &as to be established in an+ region from the 2slamic regions and it claimed to be 2slamic, there &ould be no \*alue to this claim in itself, but rather s(ecific conditions ha\*e to be met for the claim to be acce(ted. %he most im(ortant manifestations of that are the follo&ing:

. : %o declare the Ci+adah 7so\*ereight+9 of the Char;a and the in\*alidation of an+ legislation other than the 2slamic legislation i.e. other than &hat has been deduced \*ia a Cahih 7correct9 deduction from the definite sources, &hich are the Aitab and the Cunnah and &hat these t&o indicate to in terms of secondar+ sources, li'e the certain 2ma; 7consensus9 and Gi+as 7analog+9 u(on the basis of a Char;i+ 2Allah 7reason9 stated &ithin the te4t and &hat has been deduced from them both in terms of Ga&aa;id Aulli+ah 7com(rehensi\*e (rinci(les9.

. : %o gi\*e the ?ai;ah 7(ledge of allegiance9 to an 2mam &ho fulfils the conditions of contraction, &hich is that he be male, Muslim, ?aligh 7(ost-(ubert+9, 2ABil 7of sound mind9, 2Adl 7ust9 and "urr 7free9, e\*en if he does not fulfil the (referential conditions.

. : %hat his ?ai;ah be u(on the basis of the Aitab of Allah and the Cunnah of the Messenger of Allah 7sa&9, com(leted b+ acce(tance and choice, as the 2mam of all of the Muslims in its descri(tion as being one single Hm mah. %hat is &here he has been delegated b+ the Hm mah and as a de(ut+ on their behalf to (ractise all of the mandator+ (o&ers of ruling 7or go\*ernorshi(9 and authorit+. %his means that the ?ai;ah 7(ledge9 must fulfil its Ar'an 7(illars9 and these are:

. H(on the basis of the Aitab of Allah and the Cunnah of the Messenger of Allah 7sa&9 i.e. u(on the basis of the Ci+adah 7so\*ereight+9 of the Char;a, the "a'imi+ah of Allah 7s&t9 and that "e alone has the right of legislating.

. . ?+ the acce(tance and choice from the Muslims, &hilst being com(leted+ facilitated to e4(ress their o(inion, in their ca(acit+ as being the original o&ners of the Cultan 7authorit+9, or from those &ho re(resent them in o(inion and (ractising the Cultan 7authorit+9 from among the (eo(le of Ahl ul-"all 3a l-2ABd 7(eo(le of influence and re(resentation9. %his means that it occurs u(on the basis that the authorit+ 7Cultan9 belongs to the 2slamic Hm mah and that it has been entrusted and charged b+ Allah 7s&t9 to a((l+ the Char;a, to com(l+ &ith 2slam and carr+ it to the &orld.

. %he o\*erall leadershi( 72mamah9 of the Muslims in the &hole Dun+aa 7&orld9. %hat means that it is u(on the basis of the unit+ or singularit+ of the 2slamic Hm mah and the unit+ or singularit+ of the state. %hat is e4ce(t for an 2marah Ahassah 7s(ecial leadershi(9 in a (articular region at the time of necessit+1 %his necessit+ and its justifications must be declared o(enl+ and stated.

. A delegation to the 2mam to (ractise all of the mandator+ (o&ers of the authorit+ and the rule 7or go\*ernorshi(9 on behalf of the Hm mah in accordance &ith &hat the contract of the ?ai;ah has sti(ulated in terms of conditions. %his means in accordance &ith the constitution u(on the basis of &hich the election and ?ai;ah are com(leted. %hat is &hen such a constitution e4ists, or such conditions are (resent.

The Caliph is invalidated if it is not contracted upon other than the Aitab and the Cunnah just as it is invalidated if it &as for the leadership of a particular country or faction. What is evidence for the case of the Umarah Ahassah (special leadership) at the time of necessity, as (repeatedly mentioned, accompanied by making it evident along with its justification, evidence (licitly) stating it and declaring it to the whole Dunyaa & world) with its evidences.

What the application of Islam, domestically and in international relations usually, begins immediately, in addition to engagement in carrying the Islamic Da'wah (invitation) to the world. This (specifically) includes:

Considering all of the lands of the Muslims as one single unit that is obligatory to incorporate into the Ahilafah if it is existing for obligatory to integrate them together to form the aspired for Ahilafah. Consequently, their embassies are closed and embassies are not opened within them just as relations with them do not take place by the foreign affairs administration. What is because they are not foreign countries and the relations with them are not foreign relations.

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The annulment of all international treaties which contradict Islam and specifically the military alliances and treaties with the disbelievers and the agreements to lease military bases to them etc.

The immediate exit from the regional and international organisations like the Gulf Cooperation Council, the Arabic League and the United Nations.

The comprehensive and radical application is therefore an inescapable creedal Char'iyyah necessity. What is because the ruling, even if only for one single moment, contradicts Islam, it is a Da'wah which permits armed rebellion against the one who perpetrated it and it loses the description of being the Ahilafah if it &as described as such prior to that for a Char'iyyah legitimate Umarah (rule) leadership, at the time of necessity. "How can the Ahilafah be Char'iyyah legitimate for the Ameer be Char'iyyah if this is his condition from the beginning?"

For further explanation about the Islamic state and the fundamental principles of the ruling system in it, then we leave that to the books of the FuBaha; Jurists in the matters of leadership, Judiciary, Jihad, Adh-Dhimmah and the rulings of Al-Ihram (coincidence) and Al-Aman (security). What is in addition to the specific books concerning Al-Amwal (funds), Al-Ah' am As-Cultaniyah (rules pertaining to Authority and ruling) and the circumstances of the Ahlu dh-Dhimmah (non-Muslim citizens of the Islamic state).

Whoever desires a good contemplation of this subject area, then he should refer to the book of Dr. Mahmoud Abdul Ma'jeed Al-Ahali. It is a valuable collection which addresses:

7a) The principles of the ruling system in Islam.

7b) The features of the Ahilafah in the Islamic political thought.

7c) The Caliph (leader) in the Islamic political thought.

7d) The judicial system in Islam.

7e) The system of Chura (consultation) in Islam.

7f) Western democracy in light of the Islamic Chareeah.

7g) The ruling apparatus in the Islamic state.

"ereditar+ monarch+ 7or ' ingshi (9 is a s+stem of disbelief that com (letel+ contradicts 2slam and is incom (atible &ith the Ci+adah 7so\*ereight+9 of the Char;a, not to mention &hat accom (anies it in terms of t+rann+ and o((ression.

- Abu "urairah, ma+ Allah be (leased &ith him, related that the @ro(het 7sa&9 said:

إِنَّ أَخْنَعُ اسْمٍ عِنْدَ اللَّهِ يَوْمَ الْقِيَامَةِ رَجُلٌ تَسْمَى بِمَلِكِ الْأَمْلاَكِ

2t is a Cahih "adith recorded b+ the t&o Chei' hs 7Al-?u'hari and Muslim, Abu Da&ud, At-%irmidhi &ho said: -"asan Cahih. and Al-"a'im, from other Cahih (aths. 2n a Cahih narration recorded b+ Muslim, Ahmad and others, it &as related 7that the @ro(het 7sa&9 said9:

أُعْظِمُ رَجُلٌ عَلَى اللَّهِ يَوْمَ الْقِيَامَةِ وَأَخْبَنُهُ وَأُعْظِمُهُ عَلَيْهِ رَجُلٌ كَانَ يُسَمَّى مَلِكِ الْأَمْلاَكِ لَا مَلِكَ إِلَّا اللَّهُ

**Malik al-Amlaak (the King of Kings),**

- Al-"a'im recorded in his - . from Abu "urairah that the Messenger of Allah 7sa&9 said:

اشْتَدَّ غَضَبُ اللَّهِ عَلَى رَجُلٍ قَتَلَهُ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، وَاشْتَدَّ غَضَبُ اللَّهِ عَلَى رَجُلٍ تَسْمَى مَلِكِ الْأَمْلاَكِ لَا مَلِكَ إِلَّا اللَّهُ عَزَّ وَجَلَّ

**king of kings**

2t is a Cahih "adith, classified as Cahih b+ Al-"a'im and he said it is u(on the conditionalit+ of the t&o Chei' hs and Adh-Dhahabi concurred.

the addition - is definitel+ established b+ the most Cahih chains of transmission &ith the t&o 2mams Muslim and Al-"a'im, and Al-"u)ah 7e\*idental (roof9 is established b+ it. Obser\*e that the @ro(het 7sa&9 did not sa+ -%he 'ing of 'ings is Allah. or -%here is no 'ing of 'ings other than Allah. or similar to that. Rather he onlt+ said: -

.. %his addition came u(on the angle of (ro\*iding reasoning, as the des(icableness, re(ulsi\*eness and (rohibition of ta'ing the title -'ing., &ith the singular &orded e4(ression, &as built u(on that, e\*en if the &orded e4(ression -'ing of 'ings. is dee(er and greater in des(icableness and re(ulsi\*eness.

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As for some of the (re\*ious (ro(hets being 'ings, s(ecificall+ Da&ud and Culaiman, then that &as in a (re\*ious Charee;ah for ?ani 2sra;eel. 2nitiall+, the ?ani 2sra;eel did not ha\*e this cursed and re(ulsi\*e monarchical s+stem, ho&e\*er the+ reBuested it and insisted u(on it. %alut &as then a((ointed o\*er them as a 'ing. %hen after him came Da&ud, follo&ing dis(ute and e\*il, and he &as then follo&ed b+ Culaiman &ith goodness and a famed, ust rule. %heir 'ingdom &as then s(lit after Culaiman into the northern 'ingdom of - . and the southern 'ingdom of - .. As for 'ingdom of - . then none became 'ing in it e4ce(t that he &as a stubborn t+rant Mushri' a(ostate, until the Ass+rians &i(ed it from e4istence and most of its inhabitants &ere ta'en into Ass+rian ca(ti\*it+. %he+ thereafter &ere &i(ed out, became e4tinct and left no trace in histor+. As for the 'ingdom of - ., then it &as not much better in its condition and most of its 'ings, &ith the e4ce(tion of t&o or three, &ere o((ressi\*e t+rants or disbelie\*ing a(ostates. %hat &as until the 'ing of ?ab+lonia : ebuchadne==ar conBuered them, demolished the "ouse of Allah ?ait ul-MaBdis and led the (rominent (ersonalities of ?ani 2sra;eel into ?ab+lonian ca(ti\*it+ in a humiliated and lo&+ state. %he+ then remained there for around half a centur+ until the @ersian 'ing freed them and (ermitted that the+ return to @alestine.

%he legislation of monarchic rule for ?ani 2sra;eel &as conseBuentl+ a curse and (unishment and it is from the bonds and shac'les &hich had been im(osed u(on them. %his destructi\*e legislation reflects one of the matters &hich the statement of Abu Al-Gasim 7sa&9, the seal of @ro(hets, attested to, &hen he said:

إِنَّمَا أَهْلَكَ الَّذِينَ مِنْ قَبْلِكُمْ كَثْرَةُ مَسَائِلِهِمْ وَاخْتِلَافُهُمْ عَلَى أَنْبِيَائِهِمْ

- %he follo&ing also came recorded in 2mam Al-?u' hari;s - .: 52sma;eel related to us, from Mali' bin A=0annad, from Al-A;ara), from Abu "urairah, from the @ro(het 7sa&9, that he said:

دَعُونِي مَا تَرَكْتُكُمْ، إِنَّمَا هَلَكَ مَنْ كَانَ قَبْلَكُمْ بِسُؤَالِهِمْ وَاخْتِلَافِهِمْ عَلَى أَنْبِيَائِهِمْ، فَإِذَا هَبْتُمْ عَنْ شَيْءٍ فَاجْتَنِبُوهُ، وَإِذَا أَمَرْتُكُمْ بِأَمْرٍ فَأَتُوا مِنْهُ مَا اسْتَطَعْتُمْ

%his is as Cahih 7authentic9 as the sun, indeed it re(resents - . 7. 9 from the narrations of Abu "urairah1

- 2t came in - . &ith the &ording:

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مَا هَيَّئْتُكُمْ عَنْهُ فَاجْتَنِبُوهُ، وَمَا أَمَرْتُكُمْ بِهِ فَأَتُوا مِنْهُ مَا اسْتَطَعْتُمْ، فَإِنَّمَا أَهْلَكَ الَّذِينَ مِنْ قَبْلِكُمْ كَثْرَةُ مَسَائِلِهِمْ  
Zوَاخْتِلَافُهُمْ عَلَى أَنْبِيَائِهِمْ

-

..

- It also came recorded in -Cahih Muslim. & with a different &ording:

Zذُرُونِي مَا تَرَكْتُكُمْ (وَفِي حَدِيثِ هَمَّامٍ مَا تُرِكْتُمْ) فَإِنَّمَا هَلَكَ مَنْ كَانَ قَبْلَكُمْ

-

7and in the "adith of "ammam he said: 3hat +ou ha\*e been left9.

..

- It has been recorded in most of the Cihhah 7?oo' s of Cahih "adith9, Cunan, Ma;aa)im and Masaneed, & with the most authentic chains of transmission 7Asaneed9, as has been detailed in our boo': - . & here & e ha\*e thoroughl+ discussed this sub)ect in its s(ecified cha(ter and it so, can be referred to.

3e clarified there the meaning of the statement of the Messenger 7sa&9:

Xحَدِّثُوا عَنْ بَنِي إِسْرَائِيلَ وَلَا خَرَجَ

-

...

And & e ha\*e remo\*ed, & Allah (raise belongs to Allah, man+ of the (roblematic issues & hich ha\*e arisen concerning it. %here is therefore no harm in res(ect to (ondering their histor+, ta'ing a lesson from & hat afflicted them and e4amining their re(orted traditions from the angle of the fair critic, & ithout there being a need to den+ them or attest to them.

2n this regard there are the earl+ e\*ents related to the a((ointment of %alut as a 'ing o\*er ?ani 2sra;eel, the circumstances surrounding that and & hat too' (lace in terms of discussion and dis(ute, as & as mentioned in the Old %estament in the -Official translation. of the hol+ boo' Camuel 1 R eart F:

5. :

1. : o& it came about, & hen Camuel & as old, that he a((ointed his sons as )udges o\*er 2srael.

. %he name of his firstborn & as Joel, and the name of his second, Abi)ah/ the+ & ere )udging in ?eersheba.

! . "is sons, ho&e\*er, did not & al' in his & a+s but turned aside after dishonest gain, and the+ too' bribes and (er\*erted )ustice.

4. %hen all the elders of 2srael gathered together and came to Camuel at Ramah/

Q. And the+ said to him, -?ehold, +ou ha\*e gro&n old, and +our sons do not & al' in +our & a+s. : o& a((oint us a 'ing to )udge us li'e all the nations..



L. Put the matter &as dis(leasing in the sight of Camuel &hen the+ said, -Mi\*e us a 'ing to )udge us..  
And Camuel (ra+ed to the Lord.

<. And the Lord said to Camuel, -Listen to the \*oice of the (eo(le regarding all that the+ sa+ to +ou,

F. Li'e all the deeds &hich the+ ha\*e done since the da+ that 2 brought them u( from Eg+(t e\*en to this da+&in that the+ ha\*e abandoned Me and ser\*ed other gods&so the+ are doing to +ou as &ell.  
I. : o& then, listen to their \*oice/ ho&e\*er, +ou shall &arn them strongl+ and tell them of the (ractice of the 'ing &ho &ill reign o\*er them..

1\$. Co Camuel s(o'e all the &ords of the Lord to the (eo(le &ho had as'ed him for a 'ing.

11. And he said, -%his &ill be the (ractice of the 'ing &ho &ill reign o\*er +ou: he &ill ta'e +our sons and (ut them in his chariots for himself and among his horsemen, and the+ &ill run before his chariots.

1 . "e &ill a((oint for himself commanders of thousands and commanders of fifties, and some to do his (loughing and to gather in his har\*est, and to ma'e his &ea(ons of &ar and eBui(ment for his chariots.

1!. "e &ill also ta'e +our daughters and use them as (erfumers, coo's, and ba'ers.

14. "e &ill ta'e the best of +our fields, +our \*ine+ards, and +our oli\*e gro\*es, and gi'e them to his ser\*ants.

1Q. And he &ill ta'e a tenth of +our seed and +our \*ine+ards and gi'e it to his high officials and his ser\*ants.

1L. "e &ill also ta'e +our male ser\*ants and +our female ser\*ants, and +our best +oung men, and +our don'e+s, and use them for his &or'.

1<. "e &ill ta'e a tenth of +our floc's, and +ou +oursel\*es &ill become his ser\*ants.

1F. %hen +ou &ill cr+ out on that da+ because of +our 'ing &hom +ou ha\*e chosen for +oursel\*es, but the Lord &ill not ans&er +ou on that da+.

1I. Eet the (eo(le refused to listen to the \*oice of Camuel, and the+ said: -: o, but there shall be a 'ing o\*er us.

\$. Co that &e also ma+ be li'e all the nations, and our 'ing ma+ )udge us and go out before us and fight our battles..

1. : o& after Camuel had heard all the &ords of the (eo(le, he re(eated them in the Lord;s hearing.

. And the Lord said to Camuel: -Listen to their \*oice and a((oint a 'ing for them.. Co, Camuel said to the men of 2srael: -Mo, e\*er+ man to his cit+. 7End of Buote&.

%his is ho& the stor+ came in the F<sup>th</sup> (art of Camuel 1, and Allah 'no&s best its authenticit+.

"o&e\*er, the connotations for its authenticit+ are man+ &hilst moti\*es to lie about it are unli'el+.

2ndeed, it reflects a clear condemnation of ?ani 2srael and e4(oses their stubbornness, foolishness and their see'ing to re(lace that &hich is better for that &hich is &orse. 2nstead of the honour, dignit+, consultation and (olitics of the @ro(hets, the+ sought lo&liness, humiliation and the (olitics of the reigning 'ings. Des(ite the di\*ine &arning concerning the o((ressi\*eness of the 'ings and being made scared that their su((lications &ill not be ans&ered if 7or &hen9 the+ com(lain about that o((ression, des(ite all of that the (eo(le refused e4ce(t to imitate other (eo(les, li'e the imitation of mon'e+s.

3hat concerns us here is the s(eech attributed to Allah, Mlorified be "e: -

.. Regardless of the

authenticit+ of this, it ne\*ertheless reflects the definite truth: : o one is (leased &ith the re(ulsi\*e

and cursed monarchic system e4ce (t for the one &ho has rejected Allah, e4alted be "is mention, as Aing, a Ca++id 7master9, a Rabb 7Lord9 and 2lah 7deit+9.

Ees, this is &hat &e sa+ and &hat is obligator+ u (on e\*er+one &ho belie\*es in Allah and the Last Da+ to sa+. And &hoe\*er disbelie\*es then Allah is rich from an+ need of the &orlds.

%he meaning of some of the @ro(hets ha\*ing been ' ings is also irrele\*ant as those re\*ealed legislations ha\*e all been abrogated in an+ case. 2ts sub)ect and content ha\*e been abrogated and its &ording and name has been abrogated. %he - . or - . is a s+stem of Aufr 7disbelie9 that com(letel+ contradicts &ith the 2slamic ruling s+stem as has been indicated to b+ numerous Muta&atir te4ts and the definite and certain 2ma; 7consensus9 of the Hm mah. %he 2mamah 7leadershi(9 onl+ comes into being b+ &a+ of the ?ai;ah 7(ledge9 from the Hm mah &hich is the \*ie& of the Ahl us-Cunnah and the ma)orit+ of the (eo(le of 2slam, or b+ &a+ of the te4t and di\*ine a((ointment u(on a (articular man or men, &hich is the \*ie& of a minorit+ from the (eo(le of 2slam from the \*arious Chi;a 2mami+ah grou(s. %he (eo(le of 2slam do not ha\*e an+ o(inion other than this at all.

As for &hat has been related from some of the trusted great scholars, li'e 2mam Ahmad bin "anbal, ma+ Allah be (leased &ith him, in res(ect to (ermitting the leadershi( &hich has come to (o&er b+ force, then e\*en though this is an error, it does not fall under this to(ic. %hat is because the+ )ustified that due to the dire necessit+ &hich (ermits the "aram 7(rohibited9 and that is not the sub)ect of this (a(er. 2ts (lace, b+ Allah;s (ermission, is in our boo' : - . %he authorit+ of the Hm mah9 &hich &ill be issued soon and can be referred to.

%he @ro(het 7sa&9 &rote to the ' ings and t+rants surrounding him as has been related and is famous in the boo's of "adith, Ceerah and histor+. "o&e\*er, he did not address them &ith the title of . at all, e\*en though that did not clash &ith the (re\*alent custom and (rinci(les of international - . at that time. Rather, he onl+ used the term -8 . 7Chief affi4ed to the nation or land. Co, he said - . 7Chief or leader of the Romans9 or - . 7Leader of the Co(ts9 and - . 7Leader of the @ersians9 etc.

- %hat is li'e &hat came related for e4am(le, summari=ed in Al-?u' hari and a longer \*ersion in Muslim:

V بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ، مِنْ مُحَمَّدٍ عَبْدِ اللَّهِ وَرَسُولِهِ إِلَى هِرَقْلَ عَظِيمِ الرُّومِ، السَّلَامُ عَلَى مَنْ اتَّبَعَ الْهُدَى، أَمَّا بَعْدُ

Muslim (resented the remainder of the noble @ro(hetic letter, e4ce (t 2mam Muslim said: -

.. 2bn "ibban recorded it in his Cahih li'e that recorded b+

Muslim &ith its length, )ust as An-: asa;i, 2mam Ahmad in his Musnad, and Al-?aihaBi in his Cunan Al-Aubra &ith his careful e4amination of the (aths, as &as his custom, also re(orted it. 2t &as also recorded in summari=ed form b+ Abu Da&ud and At-%irmidhi. At-%irmidhi said: - .. Just as it has been recorded b+ others besides them.

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It is 'no&n that - . is from the Asmaa; ul-"usnaa 7?eautiful names of Allah9 li'e - . 7%he Aing # O&ner9, &hich ma'es us certain that the condemnation of the naming - 7Aing9 and &orse than that - . came s(ecificall+ for this &ording and is not reasoned 7i.e. it does not ha\*e an Allah that can be e4tended to other than it9. **If it had been based on reasoning 7an Allah9 it &ould ha\*e been obligator+ to ma'e an analog+ bet&een it and e\*er+ one of the Asmaa; Al-"usnaa 7?eautiful names of Allah9, &hich has been in\*alidated b+ other te4ts, as has (receded.**

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%his naming or (ro\*ision of the title of - . 7 9 for other that the Rabb 7Lord9, Al-Mali' ul-Guddoos, glorified is "is Ma]est+, &as connected in the minds of the Cahabah to o((ression, injustice, arrogance and t+rann+. E4am (les of that include:

- As for &hat came in - . : 5Ahmad bin Manee; related to us from Charee) bin An- : u;man, from "ashra) bin : ubatah, from Ca;id bin Jumhan, from Cafinah, &ho said: %he Messenger of Allah 7sa&9 said:

خ الخِلاَفَةُ فِي أُمَّتِي ثَلَاثُونَ سَنَةً ثُمَّ مُلْكٌ بَعْدَ ذَلِكَ

%hen Cafinah said to me: -Count the Ahilafah of Abu ?a' r, the Ahilafah of Hmar and the Ahilafah of Hthman.. %hen he said to me: -Count the Ahilafah of Ali.. "e said: -Co &e found that the+ added u( to thirt+ +ears.. Callid said: -2 said to him: -?anu Hmai++ah claim that the Ahilafah is among them.. "e said: - .6. Al-Albani said: 5Cahih6. +: Al-Albani &as correct in this as Ca;id bin Jumhan is %hiBah 7reliable9 and Cahih in "aith and nobod+ s(o'e about him in res(ect to Al-"u)ah 7e\*idential (roof9.

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- 2t has been recorded in the - . as follo&s: 5Abu Ea;la informed us 7sa+ing9 that: Ali bin Al-Ja;d Al-Ja&hari+ related to us from "ammad bin Calamah, from Ca;id bin Jumhan, from Cafinah &ho said: 2 heard the Messenger of Allah 7sa&9 sa+ing:

ي الخِلاَفَةُ بَعْدِي ثَلَاثُونَ سَنَةً ثُمَّ تَكُونُ مُلْكًا

"e said: Count the Ahilafah of Abu ?a' r, ma+ Allah be (leased &ith him: %&o +ears. And Hmar, ma+ Allah be (leased &ith him: %en 7+ears9. And Hthman, ma+ Allah be (leased &ith him: %&el\*e 7+ears9. And Ali, ma+ Allah be (leased &ith him: Ci4 7+ears9. Ali bin Al-Ja;d said: 2 as'ed "ammad bin Calamah: 2s Cafinah the one &ho said: -Count.. "e said: -Ees.6. Chei' h Chu;aib Al-Arna;ut said: 52ts 2snad is "asan6. : Rather, it is Cahih as &e ha\*e (re\*iousl+ mentioned.

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- 2t came summarised in the - . of An-: asa; 7as follo&s9: 5Ahmad bin Culaiman related to us from Ea=id, from Al-BA&&am, from Ca;id bin Jahman, from Cafinah the Ma&la of the Messenger of Allah 7sa&9, &ho said: %he Messenger of Allah 7sa&9 said:

خ الخِلاَفَةُ فِي أُمَّتِي ثَلَاثُونَ سَنَةً ثُمَّ مُلْكًا بَعْدَ ذَلِكَ

"e said: Co, &e calculated and found Abu ?a' r, Hmar, Hthman and Ali.

- It is also in the - .: 5?ah= related to us from "ammad bin Calamah, from Ca'id bin Jahman and Abdus Camad: Ca'id bin Jahman related to me from Cafaiah, that he said: I heard the Messenger of Allah 7sa&9 saying:

الْخِلَافَةُ ثَلَاثُونَ عَامًا ثُمَّ يَكُونُ بَعْدَ ذَلِكَ الْمَلِكُ

Cafaiah said: Count the Ahilafah of Abu ?a' r, ma+ Allah be (leased &ith him: %&o +ears. %he Ahilafah of Hmar, ma+ Allah be (leased &ith him: %en +ears. %he Ahilafah of Hthman, ma+ Allah be (leased &ith him: %el\*e +ears. And the Ahilafah of Ali, ma+ Allah be (leased &ith him: Ci4 +ears. It is also in the Musnad through another (ath: 50aid bin Al-"abbab related to us from "ammad 7meaning bin Calamah, from Ca'id bin Jumhan, from Cafaiah Abu Abdur Rahman, &ho said: I heard the @ro(het 7sa&9 saying:

الْخِلَافَةُ ثَلَاثُونَ عَامًا ثُمَّ الْمَلِكُ

6.

- It is also in the - . in a longer \*ersion: Abu An-: adr related to us from "ashra) bin : ubatah Al-Abasi Aufi, from Ca'id bin Jumhan, from Cafaiah, &ho said: %he Messenger of Allah 7sa&9 said:

X الْخِلَافَةُ فِي أُمَّتِي ثَلَاثُونَ سَنَةً ثُمَّ مُلْكًا بَعْدَ ذَلِكَ

Cafaiah then said: -Count the Ahilafah of Abu ?a' r, the Ahilafah of Hmar, the Ahilafah of Hthman and count the Ahilafah of Ali, ma+ Allah be (leased &ith them.. "e said: Ie found that it &as thirt+ +ears 7in total. When I loo'ed after that in res(ect to the Ahulafa; and I did not find that thirt+ 7+ears conformed to them. I said to Ca'id: -I here did +ou meet CafaiahP. "e said: -In ?atn : a' hl at the time of Al-"a)al. I sta+ed &ith him for eight nights as'ing him about the Ahadeeth of the Messenger of Allah 7sa&9.. "e said: I as'ed him: -I hat;s +our nameP.. "e said: -I &ill not inform +ou. %he Messenger of Allah 7sa&9 called me Cafaiah.. I as'ed: -And &h+ did he name +ou CafaiahP. "e said: -%he Messenger of Allah 7sa&9 &ent out 7tra\*elling &ith his com(anions. %hen their baggage became hea\*+ for them. Co, he said to me: -C(read out +our garment.. I then s(read it out and the+ began to (lace their baggage in it for me to carr+. %he Messenger of Allah 7sa&9 then said to me: -Carr+, for \*eril+ +ou are a Cafaiah 7shi(9.. If I had carried that da+ the load of a camel, or t&o, or three, or four, or fi\*e, or si4, or se\*en, the+ &ould not ha\*e been too hea\*+ for me S6.

- 2t &as also recorded in - .: 5Abu ?a' r bin Abi Chaibah related to us from Ea=id bin " arun, from Al-BA&&aam bin "a&shab, from Ca;id bin Jumhan, from Cafinah, ma+ Allah be (leased &ith him, &ho said: %he Messenger of Allah 7sa&9 said:

Y الخِلاَفَةُ فِي أُمَّتِي ثَلَاثُونَ سَنَةً

"e said: 3e then calculated and found Abu ?a' r &as t&o +ears and 8Hmar and Hthman, ma+ Allah be (leased &ith them. "e said: 2t &as said to him that 8Ali &as not considered to be from the Ahulafah. Co, he said: %hat is the matter of ?ani 0arBa;. For he 78Ali9 is counted to be from that16.

- And from another (ath recorded in - .: 5"udbah related to us from "ammad bin Calamah, from Ca;id bin Jumhan, from Cafinah, that he said: %he Messenger of Allah 7sa&9 said:

Y الخِلاَفَةُ ثَلَاثُونَ سَنَةً ثُمَّ يَكُونُ بَعْدَ ذَلِكَ مُلْكًا

Cafinah said: -Co ta'e the t&o +ears of Abu ?a' r, the ten of 8Hmar, the t&el\*e of Hthman and si4 of 8Ali.. "e said: "e had been &hite 7in com (le4ion9 and then his com (le4ion changed to ashen in the +ear of the famine. "e s&ore an oath that he &ould not eat an+thing added to food until the (light had been lifted from the (eo (le. 2t &as for that reason that his com (le4ion changed colour, ma+ Allah be (leased &ith him6.

- Just as it came recorded in the - .: 58Ali related to us from "ammad, from Ca;id bin Jumhan, from Cafinah, that he said: 2heard the @ro(het 7sa&9 sa+:

Y الخِلاَفَةُ ثَلَاثُونَ سَنَةً ثُمَّ يَكُونُ مُلْكًا

"e then said: -Count the Ahilafah of Abu ?a' r as t&o +ears, 8Hmar ten, Hthman t&el\*e and 8Ali si4.. 8Ali said: 2as'ed "ammad: -3as it Cafinah &ho said to Ca;id: Count.. "e said: -Ees.6.

- 2t is also recorded in - . 7At-%abarani9 from (aths: 58Ali bin Abdul 8A=i= related to us from "a)a) bin Al-Minhal, from Al-MuBaddam, from Asad bin Musa &ho both said: "ammad related to us from Ca;id bin Jumhan from Cafinah the Ma&la 7ser\*ant9 of the @ro(het 7sa&9, from the @ro(het 7sa&9 that he said:

Y الخِلاَفَةُ ثَلَاثُونَ سَنَةً ثُمَّ يَكُونُ مُلْكًا

"e said: -Calculate the t&o +ears of Abu ?a' r, ten of Hmar, t&el\*e of Hthman and si4 of Ali, ma+ Allah be (leased &ith them6.

- Another "adith came recorded in the - .: 5Abu Ahaithama related to us from Jarir, from Laith, from Abdur Rahman bin Caabit, from Abu %ha;laba Al-Ahushani &ho said: Abu Hbaidah bin Al-Jarrah and Mu;adh bin Jabal &ere tal'ing Buietl+ among themsel\*es concerning a "adith so 2 said to them: 3hat +ou ha\*e retained is a beBuest of the Messenger of Allah 7sa&9 S. %he+ said: -3e did not mean to 'ee( an+thing (ri\*ate from +ou. 3e &ere onl+ mentioning a "adith that the Messenger of Allah 7sa&9 said.. %he+ then began to mention it to him sa+ing: -

. %he+ &ill be su((orted o\*er that and sustained continuousl+ until the+ meet Allah. 6. Ash-Chei' h "ussein Asad said: 5  
6. "e is correct in that as Laith bin Abi Calim is li'e the one u(on &hom there is a consensus concerning his &ea' ness, in addition to their consensus that he &rites his "adith for consideration and that his &ea' ness is due to his memor+ and not his truthfulness 7or honest+9. As such, this is strengthened if it also came related from another inde(endent (ath, &hich &e &ill come to soon.

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- 2n the - .: 5Jarir bin "a=im related to us from Laith, from Abdur Rahman bin Cabit, from %ha;labah Al-Ahushani, from Abu Hbaidah bin Al-Jarrah and Mu;adh bin Jabal, ma+ Allah be (leased &ith them, from the @ro(het 7sa&9, that he said: .

. %he+ &ill be su((orted o\*er that and sustained continuousl+ until the+ meet Allah. 6.

- 2t came in recorded - . as: 5Ali bin Abdul BA=i related to us from Ahmad bin Eunus, from Al-Fudail bin Q+ad, from Laith, from Abdur Rahman bin Cabit, from Abu %ha;labah Al-Ahushani, from Mu;adh and Abu Hbaidah, that the+ said: %he Messenger of Allah 7sa&9 said: -%his matter began as a merc+ and @ro(hethood, then it &ill be a merc+ and Ahilafah, then a biting monarch+, then it &ill be forceful, t+rannical and a source of corru(tion in the earth. %he+ &ill ma'e sil', illegal se4ual relations and alcohol "alal 7la&ful9. %he+ &ill be sustained o\*er that and su((orted until the+ meet Allah BA=a 3a Jalla. 6.

- Cimilar to that also came re(orted in - .: 5Ali bin Abdul -A=i and Al-BAbbas bin Al-Fadl Al-Asfati related to us sa+ing: Ahmad bin Eunus related to us from Fudail bin 2+ad, from Laith, from Abdur Rahman bin Cabit, from Abu %ha;labah Al-Ahushani, from Mu;adh and Abu Hbaidah, that the+ said: %he Messenger of Allah 7sa&9 said: -%his matter began as a merc+ and @ro(hethood, then it &ill be a merc+ and Ahilafah, then a biting monarch+, then it &ill be haught+, t+rannical and a source of corru(tion in the earth. %he+ &ill ma'e sil', illegal se4ual relations and alcohol "alal 7la&ful9. %he+ &ill be sustained o\*er that until the+ meet Allah. 6.

- 2n - . it came re(orted \*ia a different (ath: 5Mu;adh bin Al-Muthanna related to us from Muhammad bin Al-Minhal the brother of P "a)a), from Abdul 3ahid bin Qi+ad, from Laith bin Abi Calim, from Abdur Rahman bin Cabit, from Abu %ha;labah Al-Ahushani, from Mu;adh bin Jabal and Hbaidah, &ho said: 3e heard the Messenger of Allah 7sa&9 sa+: -%his matter began as a merc+ and @ro(hethood, then it &ill be a Ahilafah and merc+, then a biting monarch+ and t+rann+ and

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corruption in the earth. %he+ &ill ma'e illegal se4ual relations, sil' and alcohol la&ful, and the+ &ill be su((orted u(on that and sustained until the+ meet Allah, Mlorified and E4alted. 6.

- 2t came re(orted in the - . as follo&s: 5Abu ?a' r bin Fa&ra' related to us from Abdullah bin Ja;far, from Eunus bin "abib, from Abu Da&ud, from Jarir bin "a=im, from Laith, from Abdur Rahman bin Cabit, from Abu %ha;labah Al-Ahushani, from Abu Hbaidah bin Al-Jarrah and Mu;adh, ma+ Allah be (leased &ith them, from the @ro(het 7sa&9, that he said: ->eril+ Allah began the matter &ith @ro(hethood and merc+, it &ill 7then9 be a Ahilafah and merc+, then a biting monarch+ and then it &ill be haught+, t+rannical and aP corru(ction in the Hmmah. %he+ &ill ma'e illegal se4ual relations, alcohol and sil' la&ful. %he+ &ill be su((orted u(on that and sustained continuous!+ until the+ meet Allah &A==a 3a Jalla. 6.

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%hese are three of the trusted and reliable &ell ' no&n 2mams: Abu An-: adr Jarir bin "a=im Al-A=adi Al-?asri, Al-2mam Al-Gud&a 7model e4am (le9 Chei' h ul-2slam Abu HAli Al-Fudail bin H+ad At-%amimi Al-Earboo;i and Abu ?ishr Abdul 3ahid bin Oi+ad Al-HAbdi. All of them relate the same "adith from Laith bin Abi Calim. ConseBuent!+, the "adith as a &hole, or some of it, is affirmed b+ an+ (ossible corroboration for Laith. Cuch corroboration e4ists Al-"amdu Lillah, and it is as follo&s:

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- As mentioned in - .: ?a' r bin Cahl related to us from Abdullah bin Eusuf, from Eah+a bin "am=ah, from Abu 3ahb, from Ma' ;hool, from Abu %ha;labah, that the Messenger of Allah 7sa&9 said: -

. 6.

- Also recorded in - . \*ia another (ath: 5Muhammad bin Ea=id bin Abdus Camad related to us from "isham bin HAmmar, from Eah+a bin "am=a, from Abu 3ahb, from Ma' ;hool, from Abu %ha;labah Al-Ahushani, from the @ro(het 7sa&9, that he said: -

6.

- From a third (ath recorded in - .: 5Mar&an bin Muhammad related to us from Eah+a bin "am=a, from 2bn 3ahb, from Ma' ;hool, from Abu %ha;labah Al-Ahushani, from Abu Hbaidah bin Al-Jarrah, &ho said: %he Messenger of Allah 7sa&9 said: -%he beginning of +our Deen is @ro(hethood and merc+, then Mul' 7' ingshi(9 and merc+, then a A;afar 7dust+9 ' ingshi(, then ' ingshi( and t+rann+, in &hich alcohol and sil' &ill be made la&ful.. Abu Muhammad said: "e &as as'ed concerning the meaning of A;afar and he said: 2t is similar to the dirt or dust of the ground and there is no good in it6.

2bn 3ahb &as mentioned in the chain of transmission here in the error of transcri(tion as it should be Abu 3ahb. Cimilar!+. "is statement -Aingshi( 7Mul'9 and merc+. direct!+ after the @ro(hethood, is certain!+ an error of the narrators or in transcri(tion as all of the other (aths are u(on the order of: -

.. E\*en if this &as to be affirmed in this &a+ from Mar&an bin Muhammad, it is a Chaadhdh 7irregular9 and that Chudhoodh 7irregularit+9 is &hen the %hiBah 7trust&orth+ narrator9 contradicts someone &ho is more trusted 7or reliable9 than him. Mar&an bin Muhammad is not of a higher status than Abdullah bin Eusuf and (articlar!+ &hen Abdullah bin Eusuf is corroborated in the case &here "isham bin HAmmar corroborates him here. Come - . ha\*e relied u(on this irregular te4t that holds no \*alue and left the numerous other te4ts due to it conforming to their

desires, in the case &here the+ a((lied it u(on the realit+ of Mu;a&i+ah bin Abi Cuf+an, to ma'e the claim that his da+s &ere those of - .. 3e sa+ in res(onse: Eou are being deliberatel+ dishonest, ma+ Allah;s refuge be sought, as there does not e4ist in the &orld e4ce(t a 'ingdom that is biting and dust coloured, or that &hich is haught+ and t+rannical1

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%his corroboration is acce(table as it does not include in its chain of transmitters an+one &ho reBuires e4amination a(art from Abu 3ahb and he is Abu 3ahb At-%a;i+ or Al-Aala;i+ and his name is Al-"arith "imsi, as &as stated in - . &ithout adding an+thing further to that. %he follo&ing &as also mentioned in - .. 5Abu 3ahb Al-Aala;i+ related from Abdullah bin 8Amr and 8Abdur Rahman bin Mar-ooB from him as Al-?u'hari mentioned in -Al-Auna Al-Mu)arradah.. 2bn Eusuf said in -%aree'h Misr. that he is to be e4amined6. +: 2n addition, Eah+a bin "am=ah related from him and he is from the %hiBah 7trusted and reliable9 2mams u(on &hom there is a consensus concerning their reliabilit+. "e is related from in the Cahihain 7Al-?u'hari and Muslim9, the Cunan, all of the Masaaneed and Ma;aa)im. As for Al-8HBail+ mentioning him in - 7%he ma)or &ea' narrators9 then that &as because he &as accused &ith Al-Gadr. Al-8HBail+ also listed the great 2mam 8Ali bin Al-Madini there and as such earned the rebu'e of Adh-Dhahabi &ho said: -3here is +our 8ABI 7mind9 O 8HBail+P1.. Al-8HBaili+ has other similar disgraceful matters associated &ith him. 3e also sa+ in res(ect to 2mam Eah+a bin "am=ah the )udge of Damascus -3here is +our 8ABI 7mind9 O 8HBail+P1.. 2n an+ case, Al-8HBail+ is not from those &ho are relied u(on in res(ect to Al-Jarh 3a-t-%a;deel 7%he science related to the acce(tance and re)ection of transmitters of "adith91

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- %here is also a third corroboration in - .. 5Muhammad bin Abdullah Al-"adrami related to us from Abu Auraib, from Firdaus Al-Ash;ari, from Mas;ud bin Culaiman, from "abib bin Abi %habit, from a man from Guraish, from Abu %ha;labah &ho said: 2met the Messenger of Allah 7sa&9 and said: -O Messenger of Allah, (oint me in the direction of a man &ho is good at teaching.. "e directed me to Abu 8Hbaidah bin Al-Jarrah and said to me -2 "a\*e directed +ou to a man &ho is good to teach +ou and refine +ou.. 2 then &ent to Abu 8Hbaidah bin Al-Jarrah &hilst he and ?ashir bin Ca;d Abu An-: u;man bin ?ashir &ere s(ea' ing. 3hen the+ both sa& me the+ sto((ed tal' ing so 2 said: -O Abu 8Hbaidah, b+ Allah, this is not the manner concerning &hich the Messenger of Allah 7sa&9 s(o'e to me.. "e then said: -Eou came &hilst &e &ere s(ea' ing about a "adith &e heard from the Messenger of Allah 7sa&9. Co, sit so that &e can relate to +ou.. "e then said: %he Messenger of Allah 7sa&9 said: -

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..6. Ees, it is true that this 2snad 7chain of transmitters9 has an un' no&n man 7narrator9 in it and he is not Ma';hool for certain. %his "adith is therefore inde(endent from the (re\*ious corroboration.

3ith this and the earlier and later substantiations 7or su((orti\*e e\*idence9, the im(ortant (aragra(h from the "adith of Laith is authenticated, &hich is: -

.. As for the (aragra(h follo&ing it: -%he+ &ill be su((orted o'er that and sustained continuous+ until the+ meet Allah., then it did not come mentioned at all from another (ath &hich has good in it. 2t is therefore not (ermissible to attribute it to the @ro(het 7sa&9 and conseBuentl+ it is not (ermissible to belie'e in it or ma'e it (art of the Deen. %he (re(onderant \*ie& is that this is the s(eech of one of the narrators &ho &as astonished b+ those corru(t t+rants en)o+ing su((ort and consolidation, e\*en for a &hile &ith their bad condition1

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The aforementioned "adith of Laith bin Abi Calim also has Chain of Authenticity. From that is the "adith related by Calid bin Jumhan from Caphinah mentioned (reliably) which is Sahih. There is also the following well known "adith upon the tongues of the people, which is also Sahih, and the (raise belongs to Allah:

- As recorded in the - : 5Culaiman bin Da'ud At-Tamalisi related to us from Da'ud bin Ibrahim Al-Jasiti, from "Abib bin Calim, from Anas bin Ashir, who said: - We were sitting in the Masjid of the Messenger of Allah ﷺ, Ashir and someone else who used to hold back his "adith. Abu Yahya labah Al-Ahushani came and said: - O Ashir bin Calid, have you memorized a "adith of the Messenger of Allah ﷺ related to the Hmaraa rulers?.. "Udhaifah then said: - I have memorized his Ahutbah (speech.. Abu Yahya labah then sat and "Udhaifah said: The Messenger of Allah ﷺ said: -

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.. "e and as then silent. "Abib said: When Hmar bin Abdul Malik was appointed, Easid bin Anas bin Ashir and as among his companions. He wrote to him with this "adith reminding him of it and he said to him: He (e that the Ameer ul-Mu'mineen meaning Hmar bin Abdul Malik has followed the Mu'ad and Jabriyah the biting and tyrannical things (s). "e then took my letter to Hmar bin Abdul Malik and he (leased by it.

- The same "adith has been recorded in the - . with an authentic chain as follows: Da'ud Al-Jasiti, and he was a trustworthy reliable. "e said: I heard "Abib bin Calim. "e said: I heard : Anas bin Ashir bin Calid the "adith. It mentions within it the additional benefit of Imam Abu Da'ud At-Tamalisi's authentication of Da'ud bin Ibrahim Al-Jasiti.

.. : This chain of transmission is Sahih and (proof is established by it. Muslim and Al-Jama'ah collectively of "adith collectors recorded the "adith of "Abib bin Abi Calim Al-Ansari and Al-U'ayyid bin Sa'ad alone in respect to not accepting him. "e and as authenticated by Abu "Atim, despite his strictness and obstinance. The "afiqi.e. Abu "Atim summarized his status when he said in -At-Tamim Breeb.: 5"Abib bin Calim Al-Ansari, the Master of Anas bin Ashir and his scribe: - he is from the third generation.

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There are, in addition, other Ahadeeth and Aathar (reported traditions), which include:

- That came mentioned in the - : 5"ammad bin Calamah related to us from Ali bin Qaid, from Abdur Rahman bin Abi Sa'ad, who said: - We travelled to Mu'awiyah and with him and Abu Sa'ad and as with us. We entered upon him in his room and Mu'awiyah said to him: Abu Sa'ad: - Relate to us a "adith that you heard from the Messenger of Allah ﷺ, so that Allah may benefit us by it.. "e said: - Yes, the Prophet ﷺ used to like the righteous actions and as concerning them. As such, the Messenger of Allah ﷺ said one day: - Which one of you has seen a vision? A man responded: - I have seen the Messenger of Allah ﷺ, it was like a scale and hanging from the sky and he heard him say: Then he said: You and you out and he said: Abu Sa'ad.

When Abu 'a' r & as & eighed b+ Hmar and Abu 'a' r out& eighed Hmar, then Hmar & as & eighed b+ Hthman and Hmar out& eighed Hthman.. %he Messenger 7sa&9 & as dis(leased b+ it and then said:

.. Mu;a&i+ah then became angr+ and e)ected us. Oi+ad then said to Abu 'a' rah: -Could +ou not ha\*e found from among the "adith of the Messenger of Allah 7sa&9 a "adith other than thisP. "e said: -?+ Allah, 2 & ill not relate to him other than it until 2 de(art from him.. "e said: Oi+ad continued to reBuest (ermission 7i.e. to see Mu;a&i+ah again9 until he ga\*e us (ermission. "e let us enter and Mu;a&i+ah said: -O Abu 'a' rah, relate to us a "adith from the Messenger of Allah 7sa&9, so that Allah ma+ benefit us b+ it.. "e then related to him the same "adith as he related the first time. Mu;a&i+ah then said to him: -Eou ha\*e no father: Eou inform us that & e are 'ings. 2ndeed, & e ha\*e become content to be 'ings1.6.

▲ Ali bin Qaid bin Jud'an is not an e\*idence 7"u)ah9 but he is also not com(letel+ disre(utable. Ahmad related a lot from him and Al-"a' am declared "adith Cahih ferom him. Adh-Dhahabi said: 57"e is9 Calih 7u(right%. As such his "adith are in the least suitable to bear in mind and to ta'e into consideration.

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%his understanding & as not ho&e\*er e4clusi\*e to Abu 'a' rah, ma+ Allah be (leased & ith him, as the mannerisms of the Cahabah 7com(anions9 cr+stalli=ed u(on this understanding, in terms of condemning -Aingshi( 7or monarch+9. and lin' ing it to t+rann+ and gaining the u((er hand. E\*en Mu;a&i+ah com(rehended that, & as angered and ordered that Abu 'a' rah be e)ected from his (resence and he attem(ted, in \*ain, to flee from this censure. "e then surrendered to the matter and & as unable to esca(e from it, as is a((arent in the (re\*ious re(orted tradition. %his & as also the manner of Cafinah, ma+ Allah be (leased & ith him, & hen he said in relation to ?anu Hma++ah:

A lot more other than this has also come re(orted, including that & hich & as affirmed from %humamah bin 8Adi+ Al-Gurashi, the Amir 7leader9 of Canaa a((ointed b+ Hthman bin 8Affan, ma+ Allah be (leased & ith him.

- 2t came related in - . as follo&s: 5Muhammad bin Abdullah Al-"adrami related to us from Muhammad bin Eusuf Al-Anbari, from Da&ud bin Al-Muhabbar Abu Gahdham, from Abu Gilabah, from Abu Al-Ash;ath As-Can;ani, & ho said: "e & as the Amir 7leader9 o\*er Canaa. Abu Gahdham said: -"e & as called %humamah bin 8Adi+. "e had com(anionshi( 7i.e. from the Cahabah9. 3hen the ne&s of the death of so and so (erson reached him, he cried e4cessi\*el+. %hen & hen he regained control of himself, he said: -

.6.

- From another Mursal (ath in - . the follo&ing & as recorded: 52shaB bin 2brahim Ad-Dabari related to us, from Abdur Ra==aB, from Ma;mar, from A+ub, from Abu Gilabah: %hat a man from Guraish called %humamah & as a((ointed o\*er Canaa. %hen & hen Hthman, ma+ Allah be (leased & ith him, & as 'illed, he ga\*e an address and cried e4cessi\*el+. 3hen he gained control o\*er himself, he said: -

.6.

- 2t also came recorded in - . . \*ia the (ath of A+ub from Abu Gilabah. 2mam Muhammad bin Ca;d said: 5Arim bin Al-Fadl related to us from "ammad bin Oaid, from A+ub, from Abu Gilabah, &ho said: 3hen the ne&s of the ' illing of Hthman reached %humamah &hilst he &as the Ameer 7leader9 a((ointed o\*er Canaa and he had com(anionshi(, he cried intensel+ and then said: -

.6. %his is Mursal ho&e\*er &e are a&are of the narrator &hom Abu Gilabah failed to mention and he is Abu Al-Ash;ath As-Can;ani, as stated (re\*iousl+ and as is stated e4(licitl+ in the follo&ing (ath of transmission:

- 2n - ., 2mam Muhammad bin Ca;d, after the (re\*ious "adith said: 5Ahmad bin 2shaB Al-"adrami related to us from 3uhaib bin Ahalid, from A+ub, from Abu Gilabah, from Abu Al-Ash;ath As-Can;ani, from %humamah bin 8Adi+: %he same as (re\*ious narration e4ce(t he said: "e &as from Guraish6.

▲ : %hese chains of transmission are li'e the sun leading bac' to Abu Gilabah. As for Abu Al-Ash;ath As-Can;ani, then he came to Ash-Cham 7Mreater C+ria9 after that. "e is %hiBah 7trusted # reliable transmitter9 of regard. "e is from the transmitters of 2mam Muslim and &as mentioned b+ 2bn "ibban among the reliable transmitters 7%hiBaat9. Abu Gilabah related a lot from him and the follo&ing trusted and reliable transmitters 7%hiBaat9 related from him: Abdur Rahman bin Ea=id bin Jabir, Eah+a bin Al-"arith and "assan bin 8Ati+ah among others.

%he follo&ing has also been recorded concerning 8Hmar bin Al-Ahattab and Calman:

- 2n - ., 2mam Muhammad bin Ca;d stated: 5Muhammad bin 8Hmar related to us from Gais bin Ar-Rabir, from 8Ata; bin As-Ca;ib, from Oadan, from Calman that 8Hmar as'ed him: -Am 2a 'ing or a AhalifahP.. Calman said to him: -2f +our le\*+ from the land of the Muslims a Dirham or less than that or greater, and then designated it in its right (lace, +ou are a Ahalifah1. 8Hmar then &e(t6.

- "e also recorded in - . : 5Muhammad bin 8Hmar informed us that Abdullah bin Al-"arith related to him from his father, from Cuf+an bin Abi Al-8A&)aa;, &ho said: 8Hmar bin Al-Ahattab said: -?+ Allah, 2 don;t ' no& &hether 2am a Ahalifah or a 'ing: 2f 2am a 'ing then this is a great matter1. Comeone said: -O Amir ul-Mu;mineen 7Leader of the ?elie\*ers9: %here is a difference bet&een them1.. "e as'ed: -3hat is itP1. "e said: -

▲ : 8Hmar &as then silent6. : %his resembles the meaning of the (re\*ious narration, e4ce(t that it is a different incident1

%here is nothing im(airing in these chains of transmission a(art from the &ell-' no&n s(eech concerning Muhammad bin 8Hmar Al-3aBidi+ as most of the scholars of "adith ha\*e classified him among the Matroo' een 7those &ho are left and not transmitted from. ▲ +: %he+ greatl+ &ronged the man in this regard and &e ma+ lift this &rong from him in another (lace as it is a long and com(licated stud+. 2n an+ case, the statement of 8Hmar, Calman or other than them from the Cahabah is not a "u)ah 7e\*idential (roof9. 3e onl+ made mention of it for the (ur(ose of bearing in mind and &ith that &e come to the end of the transmissions related to this matter, and all (raise belongs to Allah the Lord of the &orlds.

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These therefore reflect the attitudes and sentiments of the Caliphate: What 'ingshi' for monarchical system is tyrannical and oppression whilst the Caliphate is the opposite of that. And this is reflected as this is the attitude and sentiment of those who graduated from the school of our master Abu I-Gasim, Muhammad bin Abdullah bin Abdul Muttalib, as a mercenary for the worlds, who will be carrying the flag of (raise on the Day of Judgement, the master of high standing and glory.

There are the tyrants who have taken the titles of 'ings in the Muslim lands in respect to this. Further to that, they are not even tyrant - in truth, but rather contemptible slaves and lords of slaves who are obedient to their masters from the major states of arrogance and colonialism, treacherous and betraying to their Homeland and (consequently, forfeiting their rights and interests).

NNNNNNNNNNNNNNNNNN

It is not allowed for the fair reader to have any doubt, following the detailed study & have (resented, that the "a'imiyyah sole right to (ass judgement and Caliphate sovereignty of the Char'a re (resent Islam's (inal column, as there is no Islam and no man without them. Likewise, it is not (permissible to have the least amount of doubt that what they call - 'ingshi' with the meaning of a host of ritual acts of 'ingshi' (or even the total sum of a (parent and unparent acts and statements which Allah loves and is (leased with, does not represent the - of the Caliphate. Rather, Caliphate means - . With that, Caliphate is therefore the - . Obedience, man is - . Obedience and Islam is the submission and surrender to the command of Allah, which means - . Obedience. Obedience to the command of Allah is therefore Islam, man and Caliphate, and returning to Allah and "is Messenger is Islam, man and Caliphate. It is not the Caliph (ra'ay, Qa'ah, "a), Ca'm fasting, Jihad, commanding the Ma'ruf and forbidding the Mun'ar. What is not its - but rather it is - . With that.

Moreover, in respect to the (ractical application of that, some (problematic matters could arise and indeed have arisen. These include:

What the commands of Allah and "is (prohibitions contained within the texts of the (reserved and infallible - revealed upon Muhammad (sa& are not all 'known to everyone and many of them are not (at the hub of definite in transmission or (at Ad-Dalalah definite in meaning. This leads the believers who refer to Allah and "is Messenger to differ in respect to what they arrive at in terms of (articular rulings and opinions.

: This (problem only exists with superficial thinking and feeble intellect. What is because man and Islam only means referring back to Allah and "is Messenger. It is not the (good (rostration itself but rather obedience to the command to (rostrate and the same applies in all matters. As such, the

"u'm 7ruling of Allah in res(ect to an+one see'ing the "u'm of Allah is that &hich he has arri\*ed to b+ his 7tihad after e4(ending the ca(abilit+ and e4hausting the effort, as long as he &as referring bac' to Allah and "is Messenger. As for attaining correctl+ &hat Allah had intended, &hich is the 'no&ledge of Allah, then that is not (ossible for e\*er+one. Rather, it is a blessing that Allah besto&s u(on &hom "e &ills from "is sla\*es. %he Mu)tahid, &hom &e are referring to abo\*e, ma+ not be Buestioned and ta'en to account for his error as has been established b+ definite certain e\*idences, Rather, he &ould be re&arded for his 7tihad &ith a single re&ards as has been affirmed in the Ahadeeth. 2f he attains correctl+ &hat Allah intended then he could b+ the fa\*our of Allah and "is besto&al, attain double the re&ard and (erha(s more than that, &hich is also from the 'no&ledge of Allah. %he one &ho is not a Mu)tahid, then he is a follo&er of the e\*idence if he is ca(able of that. Other&ise, he &ould be a MuBallid 7imitator& &ho as's the (eo(le of 'no&ledge, as Allah has commanded him to. All of these are referring bac' to Allah and each of them is a Muslim and belie\*er.

7 %hat obedience to the Char;i+ 7legitimate& 3ali+ ul-Amr 7ruler& is obligator+, in accordance &ith the limits set b+ the Char;a. At the same time man+ of the commands issued b+ the authorit+ are in realit+ in the form of constitutions, la&s and statutes &hich ha\*e a general descri(ti\*e Bualit+ and as such a(ear as if the+ are legislation from other than Allah. @erha(s, it actuall+ &as li'e that and conseBuentl+ be Aufr ?a&ah &hich nullifies the legal legitimac+ of the ruler and (ermits rebellion against him. 3hat then are the limits of the mandator+ (o&ers of the Char;i+ 3ali+ ul-Amr 7ruler& in res(ect to enacting constitutions and la&s, and ho& do the - . &hich the - . enacts differ from those enacted in &estern democrac+, or hereditar+ monarch+ or an+ other s+stem of Aufr 7disbelief&P1

2ndeed, it is true that the state scholars and ignorant Masha+i'h ha\*e been successful in res(ect to generating ma)or confusion among the Muslims in relation to the Char;i+ah controls related to the limitations of the mandator+ (o&ers of the Char;i+ 3ali+ ul-Amr concerning the enactment of la&s. %hat &as until the (eo(le began to belie\*e that the 2slamic state &as a totalitarian dictatorshi( and that their rulers &ere @haraohs &ho e\*en had the right to interfere in the thoughts of the (eo(le, their beliefs, marriages, the (articuliarities of their homes and their (ersonal secrets, all of &hich is absolutel+ at odds &ith the definite Char;i+ah te4ts from the Aitab and the Cunnah, and contrar+ to the methodolog+ of the Cahabah, the %abi;een and those &ho follo&ed them from the Calaf As-Calih 7righteous (redecessors&.

Al-"asan Al-?asri said: 5%he+ go\*ern from our affairs fi\*e 7matters&: Al-Jumu;ah, Al-Jama;ah, Al-8Eid, Ath-%hughoor 7(rotection of the frontiers& and Al-"udood 7the set (unishments&. Cahl bin Abdullah At-%asaturi said: 5Obe+ the Cultan 7leader& in se\*en 7matters&: Minting the Darahim and Dananeer 7i.e. Mold and sil\*er coinage&, the measures b+ \*olume and &eight, Al-Ah'am, Al-"a), Al-Jumu;ah, the t&o Eids and Al-Jihad&. %he understanding from these t&o statements is that there is no go\*ernance of the rulers in other than these matters. 2t is true that &e don;t hold that \*ie&, but rather belie\*e that the mandator+ (o&ers of the Cultan are &ider than that. "o&e\*er, &e (resented this to demonstrate that some of the 2mams of the Calaf had stated such restrictions as o((osed to those of the modern da+ from among the ignorant masses or deceitful Masha+i'h, &ho ha\*e named themsel\*es as - . in a false and fraudulent claim&.

%he matter has been made &orse b+ the obscurit+ of some of the issues related to the - . and their need for dee( and enlightened thought to be

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as (lied to them is almost entirel+ non-e4istent among the \*ast ma)orit+ of the Masha+i' h and those affiliated to the Char;i+ ' no&ledge.

%he need for that dee( and enlightened thought is a \*er+ dire need in order to become a&are of the t+(es of s+stems and la&s, the limitations of restricting the Mubah 7(ermisible9, and the manner of ho& to ado( t and deduce correctl+. %hat is so that contrar+ to the Char;a is not enacted in these areas, so that the rulers are not obe+ed in the disobedience of Allah, the "ighest, and so that the s+stem of 2slam does not de\*iate and transform into an abominable re(ressi\*e dictatorshi( that di\*erts (eo(le from the (ath of Allah and dri\*es them a&a+ from - .. %hat is after its image becomes distorted and the doors of the cursed disbelie\*ing secularism are o(ened, leading the (eo(le affected b+ it to the eternal doom and e\*erlasting fire. ConseBuentl+, it is necessar+ to deal &ith this matter in detail regardless of the length of the stud+, as it is e4tremel+ \*ital.

2t is ' no&n that 2slam came in its te4ts &ith A' hbar 7information9 and Ah' am 7rulings9. %hat is because the Chari; Al-'a' im, the Aitab and the Cunnah, is di\*ided li'e an+ s(eech into that &hich is Ahabar 7informati\*e9 and that &hich is 2nshaa; 7lin' ed to reBuest9.

As for the Ahabar, then the action is not connected to it, but rather relates to the belief or denial of a realit+ that &as e4istent, is e4istent no& or &ill be e4istent in the future. %he mere belief or denial is decided in the self, based u( on the e\*idence or &hat is imagined to be an e\*idence. %here is no choice for the sla\*e in that and no accountabilit+ or (unishment u( on him in res(ect to it. "o&e\*er, the 2Braar 7firm affirmation9 is a \*oluntar+ choice, just as (ursuing ' no&ledge or being in o( (osition to it are \*oluntar+ acts, &hich the sla\*e is held to account for and re&arded or (unished u( on.

%he Aitab and Cunnah are abundant in these A' hbar: Come are related to the (re\*ious nations, some relate to the creation 7uni\*erse9, the human being, life and their s(ecificities. Most of them and the most im(ortant relate to Allah 7s&t9 and "is names and attributes, to (ro(hecies and their realities, and to the Da+ of Judgement and &hat is associated &ith it in terms of account, re&ard and (unishment. %he Muslim scholars ha\*e deduced from those te4ts directl+ or indirectl+, utilising a \*ariet+ of st+les of linguistic and rational deduction numerous informati\*e 72' hbaari+ah9 statements &hich are usuall+ included in the boo's of 2ABeedah 7belief9, the studies of %ah&id and sometimeS the boo's of Hsool ul-FiBh.

An e4amination re\*eals that these statements are categorised into t&o categories:

: %hat &hich its Daleel 7e\*idence9 is Gat;i+ 7definite9, meaning Gat;i+ Ath-%huboot 7definite in transmission9 and Gat;i+ Ad-Dalalah 7definite in meaning9. 2t is &hat has been established b+ e4(licit and definite te4ts in meaning from the Gur;an and the Cunnah Al-Muta&atirah. As such, it becomes ' no&n from the Deen b+ necessit+ and conseBuentl+ a measure for Aufr 7disbelief9 and 2man 7belief9. %herefore, &hoe\*er belie\*es in it is a Muslim and belie\*er from the (eo(le of the Giblah, &hilst &hoe\*er does not belie\*e in it is a Aafir 7disbelie\*er9 outside of the domain of 2slam.

%hese statements in their entiret+ re(resent an Hsool Aulli+ah, li'e those related to Allah, "is names, attributes, actions, "is being alone in terms of Rububi+ah, "is sole entitlement alone and &ithout (artner to the Hluhi+ah, and "is being alone in res(ect to the right to legislate, (ossess the so\*ereignt+ and "a' imi+ah. Cimilarl+, it includes that related to the @ro(hethood of our master Muhammad 7sa&9, the sealing and concluding of the (ro(hecies and messages through him, his con\*enance of it from Allah in an infallible and e4(lanator+ manner, &hich is not abrogated until the

Last "our, and the circumstances of the Last Da+ in terms of the resurrection of the bodies, the account, reward and punishment. What also includes the denial of the beliefs of those who believe in the eternit+ of the world and deny the resurrection and those who believe in reincarnation. It includes belief in the great Chafaa;ah 7intercession9 of our @ro(het Muhammad 7sa&9 and that of others from the @ro(hets and the righteous. There are also branch A' hbar which are not Hsool Aulli+ah li'e the innocence of our master Eusuf, (eace be u(on him, from the accusations of the wife of the A=i=, the innocence of the Mother of the ?elie\*ers Aa;ishah and that Ammar &as 'illed b+ the rebellious faction, among other such similar matters.

These A' hbar represent that which is deserved to be called -. , u(on the basis of which (eo(le are categorised in terms of being a believe\*er or disbelieve\*er. These are also the solid basis u(on which the state is established, in the case where it is not (ermissible for there to be anything or matter in its entity, organs, accountability or any matter related to it, e4ce(t that it emanates from the Islamic ABeedah, which at the same time must inevitably be the basis of the constitution, laws, systems, statutes and all administrative instructions etc. Therefore, it is im(ermissible for the state to have any conce(t, con\*iction, measure, constitution, law or system that does not emanate from the Islamic ABeedah. What is as it is not (ermissible to make the basis of the state the Islamic ABeedah by name only. Rather, the (resence of this basis must be demonstrated in everything related to the state's existence and in everything matter, large or small, in all of its affairs.

It is therefore not (ermissible for the state to have any conce(t related to life or ruling unless it emanates from the Islamic ABeedah and it does not allow for a conce(t that does not emanate from it. This manifests as follows:

. It is therefore not (ermissible for the Western conce(t of democracy to be adopted in the state because it does not emanate from the Islamic ABeedah, in addition to it being in opposition to conce(ts that emanate from it. What is because it includes as a matter of fact that the (eo(le are the ruler and the legislator, or that the (eo(le are the source of all authorities including the legislative authority. What is whilst it is 'no&n b+ necessit+ in the Deen of Islam that only Allah is the Ca+id 7master (ossessing the Ci+adah9, the Rabb 7lord9, 7lah 7Deit+ &orth+ of &orshi(9 and legislator, alone &ith no partner.

. It is not (ermissible for there to be any regard gi\*en to the conce(t of nationalism 7Ga&mi+ah9 because it does not emanate from the Islamic ABeedah, not to mention that the conce(ts emanating from the Islamic ABeedah have come rebu'ing nationalism. Forbidding it and e4(laining its danger.

. It is not \*alid for there to be any existence for the conce(t of (atriotism 73atani+ah9 as it does not emanate from the Islamic ABeedah, in addition to it being contrary to the conce(ts which emanate from the Islamic ABeedah.

. It is not \*alid for there to be in its ruling system and its dealing with the (eo(le any conce(t of em(ire, 'ingshi( or republic, because all of these conce(ts do not emanate from the Islamic ABeedah and they are contrary to the conce(ts emanating from it.

. In addition, there is an absolute (rohibition for accounting to anyone (lace u(on a basis other than the Islamic ABeedah, neither by individuals, movements or collective structures. Such accounting u(on a basis other than the Islamic ABeedah is therefore forbidden. Likewise, the establishment of

movements, collective structures, organisations, (arties, unions, clubs, administrated grou(s or an+ other 'ind of collecti\*e gathering u(on other than the basis of the Islamic ABeedah is forbidden.

What is because the Islamic ABeedah being the basis of the state obliges all of this from it and obliges it u(on the sub)ects &hom it go\*erns. Its life in its descri(tion as being a state, the life of e\*er+ matter emanating from it in its descri(tion of being a state, e\*er+ action connected to it in its descri(tion as being a state, and e\*er+ relationshi( that is established &ith it in its descri(tion as being a state, its basis must be the ABeedah of the state, the Islamic ABeedah.

This is the meaning of establishing the state u(on the Islamic ABeedah, the meaning of the Islamic s+stem being a host of beliefs, thoughts, con\*ictions, conce(ts and Ah'am Trulings9 &hich includes the constitution, la&s, s+stems for codes9, statutes and administrati\*e instructions among other matters. : one of this has an+ relationshi( to the beliefs of the indi\*iduals and the constituents of their consciences.

The first categor+ of the statements is established in itself and does not reBuire ado(tion b+ the state. What is because ado(tion does not occur e4ce(t in the matters in &hich there is disagreement for difference in o(nion9. **AlthoughE\*en though** it is a belief established b+ the heart and conseBuentl+ a (urel+ indi\*idual matter that does not touch u(on (ublic life and the authorit+ has no relationshi( to it, legislati\*e matters connected to (ublic life **anddo** ha\*e an im(act u(on the relationshi(s of the (eo(le in societ+ **and &ith the authorit+ do result from it- as a result of the authorit+ that comes from it.**

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The classification of the (eo(le as Muslims and disbelie\*ers is underta'en u(on its basis. Wherefore, &hoe\*er affirms it, declaring it o(enl+, uttering the Shahadatain, is a Muslim &ho en)o+s all the rights of Muslims and their obligations, a(art from that &hich the Char;a has e4em(ted due to a s(ecific reason li'e the e4em(tion of the one &ho has had judgement (assed u(on him due to his FisB 7sinful act of rebellious disobedience9 from being Bualified to be a((ointed to the (ublic (ositions of ruling, Judiciar+ and ha\*ing his testimon+ acce(ted. Come of thesme+ma+ in&ardl+ be disbelie\*ers &hilst in realit+ the+ are h+(ocrites, from those &ho are from the lo&est de(ths of hellfire, ma+ Allah (ro\*ide us refuge from it. If, ho&e\*er, a (erson is out&ardl+ Muslim the rulings of the (eo(le of Islam a((l+ u(on him and the state deals &ith him in accordance &ith the treatment of the Muslim &ith all the associated rights and obligations.

3e are not a&are of a s(ecific ruling for the MunafiB 7h+(ocrite9 a(art from that &hich the te4ts ha\*e indicated ~~to~~ in terms of the im(ermissibilit+ of (ra+ing o\*er him and see'ing forgi\*eness for him in res(ect to the one &ho 'ne& his condition 7of disbelief9 b+ &a+ of certain+ or b+ a (re(onderant \*ie& &hich his heart is contented u(on and his : afs is at (eace &ith. This e4ce(tion does not go be+ond him to other indi\*iduals and b+ greater reason it does not e4tend to the state. Indeed, the one &ho 'no&s the condition of the h+(ocrite is not obliged to declare that and inform others unless there is a Char;i+ dictate. What is in accordance &ith &hat &as 'no&n from the action of the @ro(het 7sa&9 in relation to some of the h+(ocrites &ho &ere made 'no&n to him \*ia the re\*elation and also the beha\*iour of "udhaifah bin Al-Eaman, ma+ Allah be (leased &ith him, and his refraining from informing the Amir ul-Mu;mineen, Hmar ibn Al-Ahattab, ma+ Allah be (leased &ith him, of their names and "udhaifah;s insistence u(on that until his death1

As for the one &ho does not affirm these statements, then he is a Aafir, and the follo&ing is a((licable to him:



. %he Ah'am of the Murtaddeen 7a(ostates9 if his contract of 2slam had (re\*iousl+ been \*alid.

. . Other&ise, he &ould be a disbelie\*er in origin and is dealt &ith in accordance &ith the situation that he is u(on in terms of being a Mushri' 7(ol+theist9 or from the Ahl ul-Aitab 7@eo(le of the ?oo'9. 5ncluded in this categor+ are the children of the a(ostates &ho &ere born to them after the a(ostac+, did not a(ostatise themsel\*es and are li'e&ise considered to be original disbelie\*ers6.

%he \*alidit+ of the contract of 2slam is not an 8ABadi+ah 7Creedal9 or Ahabari+ah 7informati\*e9 issue but rather a (ractical issue regulated b+ the Ah'am Ash-Char;i+ah, some of &hich are subject to difference of o(inion. As such, it ma+ reBuire the state to ado(t in that in accordance &ith the strongest Char;i+ Daleel 7e\*idence9 &hich lifts the disagreement among the e4ecutors and )udges, so that the treatment of all those carr-ing **subject status- Citi=enshi(** of the 2slamic state is unified.

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: Other statements, in relation to &hich the majorit+ ha\*e **not been established-settled** u(on a definite e\*idence 7Daleel Gat;i+9 **from the as(ect of Dalalah** 7indicati\*e meaning9. %hat is li'e the com(licated and difficult studies concerning the Ciffaat 7attributes9 and &hether the+ are the essence of the self or other than that, or not this or that. %hat is li'e the difference of o(inion among the Cahabah in res(ect to &hether Muhammad 7sa&9 sa& his Rabb 7lord9. Most of the differences of the (eo(le concern the detailed issues related to the Gadr and other matters. Come are from the angle of the %huboot 7transmission9. Li'e that related to the statement that Allah -Created Adam u(on "is image. as there is discussion concerning the %huboot of the "adith, not to mention &hat it brings in terms of a long and &ide e4amination from the (ers(ecti\*e of the meaning and its relationshi( to the "aBeeBah 7literal meaning9 and Ma)aa= 7meta(horical meaning9.

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: one of this has a relationshi( &ith the Asl 7fundamental origin9 of 2man and does not enter into the classification of (eo(le being Muslims or disbelie\*ers. %hat is the correct \*ie& established b+ the e\*idences 7and is detailed in another (lace9. %hat is e\*en if the dis(ositions of the hobb+ists of declaring ?id;ah and FisB, &ho are numerous among those &ho call themsel\*es - . do not agree, ma+ Allah not ma'e their number large1

2n addition, the correct \*ie& is that declaring FisB in the 2;tiBaad 7belief9 has no basis for it in the Char;a. %hat is because the FisB 7rebellious disobedience9 and Ma;si+ah 7act of disobedience9 are Ah'am related to the \*oluntar+ act of the sla\*e and not due to his mere %asdeeB and 2;tiBaad 7belief9. ConseBuentl+, the one &ho commits a "aram act b+ his choice and deliberatel+ is 8Aasi 7disobedient and sinful9. 2f he did that o(enl+ and insisted u(on it, he is a FasiB and the Char;i+ah rulings related to the FasiB in (ublic life a((l+ to him. As for the accounting in the hereafter and encom(assing &hat is in the breasts of the (eo(le in terms of Aufr 7disbelief9, 2man 7belief9 or : ifaaB 7h+(ocris+9, then these are s(ecificall+ left to Allah 8A==a 3a Jalla, and the state has no relationshi( to that.

%he original 7de facto9 (osition is that the state does not ado(t a s(ecific o(inion in this second categor+ as it does not touch u(on the (ublic life and **nor ha\*e an im(act &ithin u(on it1**

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%he correct (osition as indicated ~~to~~ b+ historical occurrences is that ado(tion in matters such as this afflicted the Muslims &ith the &orst anguish, hardshi( and harm. 2t generated Fitnah 7discord9 and resentment as &hat occurred &ith the Fitnah of the creation of the Gur;an at the hands of Al-Ma;mun, Al-Mu;tasim and Al-3athiB &ho committed a crime against the Hmmah &hen the+ &anted

to bring the (eo(le b+ force to ado(t the o(ion of the creation of the Gur;an. Al-Muta&a' 'il then attem(ted, after them, to rectif+ the crime b+ committing another crime &hen he forced the (eo(le u(on the o((osite. %he effects of this Fitnah still remain to this da+ as +ou find some (eo(le, **resting on the mouths of the dirt roads**, declaring those holding this or that o(ion to be disbelie\*ers.

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It is also because afflicting the Muslims &ith anguish and hardshi( is (rohibited and the one &ho does that is deser\*ing of the su((lication of the Messenger of Allah 7sa&9, &hen he said:

اللَّهُمَّ مَنْ وَلِيَ مِنْ أَمْرِ أُمَّي شَيْئًا فَشَقَّ عَلَيْهِمْ فَاشُقِّ عَلَيْهِ

- 2mam Muslim recorded from Abdur Rahman ibn Chumasah, &ho said: 52 came to 8Aa;ishah and as'ed her about a matter. Che as'ed: -3hat (eo(le are +ou fromP. 2said: -from the (eo(le of Eg+(t.. Che then as'ed: -"o& &as +our go\*ernor;s conduct &ith +ou in +our &arP. "e said: -3e did not e4(erience an+ \*indicti\*eness from him. 2f the camel of a man from us died, he &ould besto& on him a camel. 2f an+ one of us lost his sla\*e, he &ould gi\*e him a sla\*e. 2f an+bod+ &as in need of the basic necessities of life, he &ould (ro\*ide them &ith (ro\*isions.. Che said: ?ehold1 3hat &as done to m+ brother, Muhammad b. Abu ?a'r, does not (re\*ent me from telling +ou &hat 2 heard from the Messenger of Allah 7sa&9, &ho said in this house of mine:

اللَّهُمَّ مَنْ وَلِيَ مِنْ أَمْرِ أُمَّي شَيْئًا فَشَقَّ عَلَيْهِمْ فَاشُقِّ عَلَيْهِ

6.

%his is a Cahih "adith, definitel+ reliable and e\*idential (roof is established b+ it. Muslim recorded it from numerous (aths, just as Ahmad did, and all of them are Cahih.

2ndeed, the Messenger of Allah 7sa&9 used to lea\*e going out for Jihad, &hilst it &as the most belo\*ed matter in the Dun+aa for him, so as not to cause hardshi( u(on his Hmmah or anguish. %hat is a((arent from the follo&ing:

- 2t &as related from Abu "urairah that he said: %he Messenger of Allah 7sa&9 said:

تَضَمَّنَ اللَّهُ لِمَنْ خَرَجَ فِي سَبِيلِهِ لَا يُخْرِجُهُ إِلَّا جِهَادًا فِي سَبِيلِي وَإِيمَانًا بِي وَتَصَدِيقًا بِرُسُلِي فَهُوَ عَلَى ضَامِنٍ أَنْ أُدْخِلَهُ الْجَنَّةَ أَوْ أُرْجِعَهُ إِلَى مَسْكِنِهِ الَّذِي خَرَجَ مِنْهُ نَائِلًا مَا نَالَ مِنْ أَجْرِ أَوْ غَنِيمَةٍ . وَالَّذِي نَفْسُ مُحَمَّدٍ بِيَدِهِ مَا مِنْ كَلِمٍ يُكَلِّمُ فِي سَبِيلِ اللَّهِ إِلَّا جَاءَ يَوْمَ الْقِيَامَةِ كَهَيْئَتِهِ حِينَ كُتِبَ لَهُ لَوْ أَنَّ دَمَ وَرِيحِهِ مِثْلُ نَفْسِ مُحَمَّدٍ بِيَدِهِ لَوْلَا أَنْ يَشُقَّ عَلَى الْمُسْلِمِينَ مَا قَعَدْتُ خِلَافَ سَرِيَّةٍ تُعْزُو فِي سَبِيلِ اللَّهِ أَبَدًا وَلَكِنْ لَا أَجِدُ سَعَةً فَأَحْمِلُهُمْ وَلَا يَجِدُونَ سَعَةً وَيَشُقُّ عَلَيْهِمْ أَنْ يَتَخَلَّفُوا عَنِّي وَالَّذِي نَفْسُ مُحَمَّدٍ بِيَدِهِ لَوَدِدْتُ أَنِّي أَعْزُو فِي سَبِيلِ اللَّهِ فَأُقْتَلَ ثُمَّ أَعْزُو فَأُقْتَلَ

-Allah has guaranteed for the one who goes out to fight in His cause, and here nothing has brought him out except the desire to fight Jihad in His cause, believing in Me and affirming the truth of My Messengers, the guarantee that He will admit him to Paradise or bring him back to his home from where he set out with a reward or His share of the boot. For the One in whose life and is the life of Muhammad. If a person gets wounded in the cause of Allah, he will come on the Day of Judgment with his wound in the same condition as it was when it was first inflicted/ its colour being the colour of blood but its smell will be the smell of musk. For the One in whose life and is Muhammad's life, he would not stand behind from an expedition which is setting out to fight in the cause of Allah. But do not have abundant means to provide them to be able to go and fight, nor do they have the means to provide themselves with for Jihad, 9. For the One in whose life and is Muhammad's life, he would have loved to fight in the cause of Allah and be killed, to fight and again and be killed and to fight again and be killed.6.

This adith is of the utmost authenticity from the most authentic adith of the Dunya. It was related by Muslim and Ahmad in full length and by Malik, Al-Bukhari, An-Nasa'i, Ibn Majah in (parts and summarised, with the soundest of chains of transmission1

The definite historical evidence also establishes that adoption in issues such as these and Muslims were afflicted with severe anguish, hardship (and suffering,) just as Fitnah and resentment were generated. This has actually taken place and is not just a theoretical (probability or imagined occurrence. In addition, this should not take place as the Char'iyyah (principles) have stated that - . The harm is removed and - . The means to "arm" is "aram.. For these reasons, the correct opinion is that the adoption of the Imam in issues of belief (Al-2:tiBaad), or informative matters upon which there is disagreement, is not only in opposition to the Asl (origin) and contrary to the reality of adoption and its conditions, as some of the Mujtahideen have stated, but it is "aram" which makes the Imam a Fasiq and Qhalim who deserves to be deposed by the established Char'iyyah method.

This relates to the Ah'kam informative matters. As for the Ah'shaa; those matters related to action, incorporating the commanding of Al-Ma'ruf and forbidding of the Mun'ar, like the Ah'kam At-%a' lifiyah: Al-3:u)ub obligation, Al-2:stihbaab recommendation, Al-2:bahah (permissibility. Al-Aarahiyah (dislike) and At-%ahrim (prohibition). In addition, incorporating the Ah'kam Al-3:ad;iyah (rules connected to the undertaking of the %a' lifiyah rulings, like making something a Cabab (cause) for another matter and the rulings of the Ru'hsah (exceptional permission, Al-2:aeemah (the original rule, Al-Fa'r (immediacy) and At-%araa' hi (delay) and others besides them which are numerous. These include:

1. - What which is designated to the responsibility of the individual in his individual capacity. It has no relationship to the collective Jama'ah or the state, and it does not at all impact the public life. What is like the Ah'kam related to the established (Pact of the Sunnah and), 3:itr (rulers) and what is similar from the acts of (orshi), just as it includes the Ah'laB (moral behaviours and manners) and individual acts of obedience, whether they are Gat;iyah (definite) or Ohanni'ah (not definite).

2. - Ah'kam which regulate the individual relations of (each other like marriage, inheritance, sales and all the remainder of the trade transactions.

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- Ah'am &hich regulate the relations of the Hm mah and the state &ith other nations and states.  
his ob\*iousl+ falls under that &hich from the essence of the )urisdiction of the state and its actions.

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- %he Furood Aifa+ah 7the collecti\*e obligations of sufficienc+9 &hich are obligator+ u(on the Jama;ah 7collecti\*e9. 2f some fulfil it in the correct Char;i+ manner meeting its sufficienc+ it is fulfilled, other&ise all &ill be sinful.

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: A categor+ designated to the res(onsibilit+ of the state li'e the underta'ing of the obligation of Al-Jihad, collecting the Oa' ah and s(ending it u(on those &ho are entitled to it.

: %hat &hich the state has no interference in and that is li'e thesuch as 2)ti had &hich is a collecti\*e obligation of sufficienc+ u(on the Hm mah.

2n addition, there are indi\*idual Mubahaat 7(ermissible acts9 &hich the state is not (ermitted to interfere in li'e marriage and the selecti\*e (airing of husbands and &i\*es, and others related to the (ublic life &hich the state is (ermitted to interfere in accordance &ith Char;i+ah conditions and controls &hich &e e4(lain in detail in the follo&ing section.

2t has become &ides(read among the masses that it is (ermitted for the state to -

. due to &hat has been called the (ublic benefit based u(on the (remise that the Char;a has (ro\*ided the legall+ res(onsible (erson 7Mu'allaf9 &ith choice in res(ect to the Mubah bet&een doing it and not doing it. An un&holesome-erroneous or de\*iantP \*ie& has arisen from this corru(t belief. %hat is the (rohibition 7%ahreem9 of &hat Allah and "is Messenger made "alal and obliging that &hich "e 7s&t9 did not ma'e obligator+, com(elling the sub)ects u(on that and (unishing them for its \*iolation &ithout an+ clear Char;i+ restriction or the (ermission of the Chaari; 7legislator9 to do that. Allah 7s&t9 has rebu' ed the one &ho ma'es "aram &hat "e has made "alal &ith the greatest rebu' e and has named the one &ho has done that from a legislati\*e (ers(ecti\*e as a Mushri' 7idolator # (ol+theist9. Allah 7s&t9 sa+s:

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سَيَقُولُ الَّذِينَ أَشْرَكُوا لَوْ شَاءَ اللَّهُ مَا أَشْرَكْنَا وَلَا آبَاؤُنَا وَلَا حَرَمْنَا مِنْ شَيْءٍ

7Al-An'am:

14F9.

And "e 8A==a 3a Jallah said:

قُلْ أَرَأَيْتُمْ مَا أَنزَلَ اللَّهُ لَكُمْ مِنْ رِزْقٍ فَجَعَلْتُمْ مِنْهُ حَرَامًا وَحَلَالًا قُلْ آللَّهُ أَذِنَ لَكُمْ ۚ أَمْ عَلَى اللَّهِ تَفَرُّوْنَ

7Eunus: Q19.

And "e 7s&t9 said:

قَدْ خَسِرَ الَّذِينَ قَتَلُوا أَوْلَادَهُمْ سَفَهًا بِغَيْرِ عِلْمٍ وَحَرَّمُوا مَا رَزَقَهُمُ اللَّهُ افْتِرَاءً عَلَى اللَّهِ

7AI-An'am: 14\$9.

%hat is an addition to other \*erses. %he Charee;ah has forbidden the (erson from com(elling himself to refrain from a Mubah action, e\*en if it &as &ith the intention of &orshi(. %hat is li'e the rebu'e of the Messenger 7sa&9 to the one &ho made an oath that he &ould not sit or see' shade. 2f this is the case in res(ect to the Mu'allaf &ho intended &orshi( b+ lea\*ing the Mubah, then ho& is it "alal for the state to (rohibit some of the Mubah generall+ or to ma'e his action rest u(on its (ermission or licenseP %he detailed Char;i+ah e\*idences ha\*e onl+ indicated that it is (ermissible for the state to inter\*ene b+ com(elling or (re\*enting a matter from the Mubah matters in a tem(orar+ manner in s(ecific circumstances &hich are restricted b+ clear Char;i+ah (rinci(les. 3e &ill no& (resent these circumstances in order to remo\*e an+ ambiguitt+ in this sub)ect matter:

: %hat the Mubah is leading to a harm or to a "aram. %he legitimate ruler can al&a+s inter\*ene in this circumstance to (re\*ent the occurrence of the harm or (rohibited matter. %hat is li'e (re\*enting the one &ho is sic' &ith aids or contagious (ros+, ma+ Allah (rotect us from that, from marr+ing in order to (re\*ent the contagious s(read, or li'e (re\*enting the one &ho is losing his sight or has &ea' e+esight from dri\*ing \*ehicles on the roads in order to (re\*ent the occurrence of an+ harm. %his (rinci(le is established b+ the Ahadeeth related to (re\*enting the harm and its reci(rocation. As for the (rinci(le of (re\*enting that &hich leads to "aram, then it is li'e the (rohibition of insulting the deities of the Mushri'een if it is 'no&n that the+ &ill insult Allah aggressivel+ and ignorantl+. Or li'e the Messenger;s 7sa&9 forbidding the storage of the meat of the rituall+ slaughtered animals be+ond three da+s due to the harm of famine. Or li'e &hat Hthman, ma+ Allah be (leased &ith him, did b+ com(elling the recital of the Mus;haf in the tongue of Guraish due to the gra\*e fear of the occurrence of &hat Allah had (rohibited in terms of di\*isions bet&een the Muslims and their discord across regions if he &ere not to do that. %he (recursors of such di\*ision had alread+ occurred and the earl+ signs of Fitnah had manifested. 2t is sti(ulated in res(ect to all of this that this Mubah matter be definitel+ leading to harm 7Ad-Darar9 or the "aram, in the case &here neither fall bac' from being in itself a - . 7sufficient means9 or an - . 7sufficient reason9, as the scholars of logic state, 2t is not (ermissible for it to be leading to that b+ &a+ of (robabilit+ or (ossibilit+ 7htimaal9, s(eculati\*e thought 7ohann9 or imaginar+ im(ression 7AI-3ahm9, as all of that is not sufficient to (ass the "u'm 7\*erdict9 of (re\*ention 7or (rohibition9 u(on it.

: %hat the Mubah matter relates to the s(ecific affairs of the state li'e the affairs of its arm+, em(lo+ees and &hat is similar to these. 2n such a circumstance it has the right to com(el and (re\*ent 7or forbid9 those related to that in terms of its em(lo+ees and arm+ (ersonnel in order to accom(lish a Char;i+ aim and (ur(ose, but not for the mere (ur(ose of im(osing dominance, to curtail them or based on mere &hims. %hat is li'e im(osing u(on the em(lo+ees of

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the state (articular &or' and hours of &or' or a s(ecific uniform for the arm+ (ersonnel and so forth. %his had been established in the Cunnah and the actions of the rightl+ guided Ahulafaa;, li' e &hen the Messenger 7sa&9 forbade his go\*ernors from acce(ting gifts, &hilst Hmar, ma+ Allah be (leased &ith him, used to sti(ulate the &ealth of his go\*ernors and forbade them from (laced loc' ed doors and barriers bet&een them and their subjects.

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: %he regulation of the (ublic amenities and funds &hich the Muslims share in. %hat is &here the Cunnah has established that there are amenities &hich the Muslims ha\*e a share in li' e the &ater, (astureland, fire, (ublic roads or (aths, and &hat relates to the (ublic funds in terms of the Fa+; 7boot+9 and Mhana;im 7s(coils9. %hat is because the regulation of these matters is left to the state in order to accom(lish a Char;i+ aim or (ur(ose &ithout fa\*ouring an+one o\*er an+one else in res(ect to it and to accom(lish the &ell-being of the Muslims through its distribution. It also has the right, in such a circumstance, to com(el or forbid some of the Mubah matters u(on this Char;i+ basis. %hat is in the case &here the @ro(het 7sa&9 made the : aBee; 7a (lace near Al-Madinah &here camels &ere 'e(t9 a (rotected sanctuar+ and he as' ed Ab+ad bin "ammaal to return a salt flat due to the (eo(le;s need for it. "e 7sa&9 also distributed the (ro(erties of "unain to the Muhaa)ireen due to their (o\*ert+ and to attract the hearts, &hilst he did not distribute it u(on the Ansar, ma+ Allah be (leased &ith them all. "e 7sa&9 commanded that the road be made se\*en cubits &ide to regulate its (assage and he (assed )udgement b+ his judgement in res(ect to stream al-Mah=ur that its &ater should be held bac' till it reached the an' les, and that the u((er &aters should then be allo&ed to flo& to the lo&er. Hmar ibn Al-Ahattab, ma+ Allah be (leased &ith him, made Ash-Charaf and A=Oabdah (rotected sanctuaries and there are man+ other e4am(les, all of &hich indicate that the 2mam 7leader9 and state ha\*e the right to inter\*ene in order to regulate the amenities and (ublic funds, to achie\*e a Char;i+ MaBsad 7aim and (ur(ose9.

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: %he im(lementation of the Furood Al-Aifa+ah 7the collecti\*e obligations of sufficienc+9 &hich are the res(onsibilit+ of the state. %hat is as the Char;a has made the state res(onsible o\*er the e4ecution of some of the collecti\*e obligations of sufficienc+, li' e the collection of the Oa'ah and Al-Jihad. In such a circumstance, it is for the state to com(el and forbid those &hom this relates to. %he Messenger 7sa&9 legislated registration for Al-Jihad and com(elled those &ho &ere registered to attend and not be absent unless he ga\*e (ermission to the (erson. Hthman used to s(ecif+ a s(ecific month for the collection of the Oa'ah as &as mentioned in Al-Mu&atta;. %herefore, &hate\*er has been made the res(onsibilit+ of the state in terms of the collecti\*e obligations of sufficienc+, it has the right to regulate that b+ &a+ of com(ulsion and (rohibitionforbiddance in order to accom(lish its establishment in accordance &ith the Char;a.

2f, ho&e\*er, the obligation of sufficienc+ is not related to the state li' e the obligation of 2tihad to deduce the Ah'am 7rulings9 and to be creati\*e and in\*enti\*e in the \*arious fields of sciences, arts, manufacturing and crafts, then the state has no right to interfere or to (re\*ent the scholars, scientists or in\*enters, or com(el them. Rather, the state must ma'e a\*ailable all of the ca(abilities and facilitate the means to enable the Hmmah, in its collecti\*e 7ca(acit+P9, and e\*er+ indi\*idual from among its indi\*iduals, to underta'e and fulfil those obligations of sufficienc+.

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E4am(les of that include: %he o(ening of schools, uni\*ersities, higher learning institutes, centres for research and thought of the highest standards and le\*els, &hilst designating grants and bursaries to researchers, students and teachers, and other such matters. %hat is in order to meet the objecti\*e conditions to generate from the Hmmah a great mass of Mu)tahideen, thin'ers and in\*enters in all fields: %he Char;i+ah, natural, medical and engineering sciences. %hat is to enable the Hmmah, as a

whole, and ever capable and desiring individual from its sons to fulfil the obligation of sufficiency in those areas.

From this presentation of Char;iah (rules based on the s(e  
1212.

: %he (rocedural articles or rulings and these are the articles &hich deal &ith the rulings related to the material means and st+les to im(lement the legislati\*e rulings. %his is &hat the scholars of the Hsool of the Charee;ah ha\*e sometimes named -Al-Maslahah Al-Mursalah..

: %he collection of the 0a' ah from the s(ecified (ro(erties, s(ecif+ing &hat is due from them and distributing them u(on the s(ecific categories of (eo(le, is all considered to be from the legislati\*e rulings. %hat is because the **ruling concerned &ith** the obligation of the state to collect the 0a' ah, the im(ermissibilit+ of gi\*ing it to other than its entitled reci(ients, the conditions of 0a' ah in terms of a +ear (assing, the : isab 7s(ecified amount9 and its cause, and &hat is forbidden to be ta'en from in terms of a debt, are all legislati\*e Ah'am 7rulings9 for the actions of the Mu' allaf 7legall+ res(onsible and accountable9 sla\*es, b+ &a+ of the %a' leef or the **3ad;7an+ translation of this &ord9.**

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As for the st+les utilised to underta'e this legislati\*e ruling in terms of the means of trans(ort, &ritten or electromagnetic records, the manner of ho& the collectors meet &ith the (eo(le &hether that is b+ going to them or in\*iting them to gi\*e their 0a' ah in a s(ecified 0a' ah office, or b+ &riting to them b+ recorded (ost, the (eriod that this ta'es (lace in in relation to the beginning of the +ear, its middle or end, then all of these matters are considered (rocedural rulings related to the st+le and means utilised to underta'e and fulfil the legislati\*e "u'm 7ruling9.

: %he (eo(les sharing in the roads, the (ublic benefits and their (ermissibilit+ of the right to benefit from them b+ tra\*elling u(on them, and the (rohibition of s(ecif+ing some to the e4clusion of others, are considered legislati\*e rulings. As for the regulation of the e4ecution of these rulings b+ \*arious means and st+les li'e the (a\*ements &ith their s(ecifications, traffic lights and signs, and the necessar+ reBuired (rocedural ste(s to ma'e sure that the dri\*ers of \*ehicles are Bualified and fit to do so, then all of this is considered to be from the (rocedural rulings.

: %he s+stem 7or codes9 for com(anies in most states sti(ulate that the rulings of the s+stem a((l+ u(on the com(anies s(ecified b+ it, &hich usuall+ encom(ass)oint liabilit+ commercial, limited (artnershi(, joint \*enture and share com(anies etc. %he s+stem then states the in\*alidit+ of e\*er+ com(an+ that does not ado(t the mentioned forms and sha(es. %his article is considered to be a legislati\*e ruling because it has gi\*en a ruling u(on the action of the Mu' allafeen in res(ect to (artnershi( or com(anies. %he ruling is \*alid if it conforms to the form and sha(e s(ecified b+ the t+(es of com(anies and in\*alid u(on that &hich does not conform to that. It also im(oses s(ecific 'inds of actions for the Mu' allaf if he &ants to **contract a com(an+** and these are forms of the com(an+ &hich ha\*e been s(ecified b+ the s+stem.

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%here could be another article in the s+stem stating that all of the contracts, billing re(orts, ad\*ertisements and other such matters from the documentation of the com(an+ must carr+ its name, ma'e e\*ident its t+(e and its headBquarters. %he s+stem could state in a third article that the share com(an+ board at the end of each financial +ear must (re(are an in\*entor+ of the com(an+;s assets, the com(an+ budget, the accounts of (rofits and losses. 3hilst a fourth article ma+ designate the &a+s of categorising the budget and (rofit and loss accounts. %hese latter articles &hich define the material means and (rocedures through &hich the com(anies e4ecute their &or' are regarded to be (rocedural rulings S and so on.



It is evident from this that either a system or a constitution, where the constitution represents the basic or fundamental law or system for the ruling, contains articles of the type of Ah'am as mentioned above, and they are:

It is therefore necessary to comprehend this when (assessing) judgement in accordance with the Char'a upon the systems, as the judgement upon an system can only occur after noting the type of its rulings and according to its sources.

As for the legislative rulings, whether it is from the Ahtab Al-'aleef or Ahtab Al-'Ad, then the 'u'm in respect to it is to Allah Ts&t alone.

As for the (procedural) rulings, then they are for the legitimate 'Ali+ ul-Amr i.e. the state or the Imam to set and interfere in respect to their regulation, in accordance with what fulfils the Char'i+ aims MaBaasid. This is what will be explained later in what follows.

The Islamic sovereignty (Ci+adah) belonging to the Char'a dictates that all of the legislative Ah'am rulings be derived via a correct Ijtihad from the Char'a evidences which are, the Ahtab and the Cunnah and what these two indicate in terms of other detailed evidences and (paths of deducing the Ah'am based on) Gi+as and other than that as has been detailed in the books of Hsool ul-FiBh. What is as Allah Ts&t has made it obligatory to return to "is Ahtab and the Cunnah of "is Messenger Ts&t in every matter and has made that a condition of Iman. Allah Ts&t said:

فَلَا وَرَبِّكَ لَا يُؤْمِنُونَ حَتَّىٰ يُحَكِّمُوكَ فِيمَا شَجَرَ بَيْنَهُمْ

7An-: isa: LQ9.

And "e Ts&t said:

وَأَنِ احْكُم بَيْنَهُم بِمَا أَنزَلَ اللَّهُ

7Al-Ma'idah: 419.

And:

وَمَا كَانَ لِمُؤْمِنٍ وَلَا لِمُؤْمِنَةٍ إِذَا قَضَىٰ اللَّهُ وَرَسُولُهُ أَمْرًا أَنْ يَكُونَ لَهُمُ الْخِيَرَةُ مِنْ أَمْرِهِمْ

7Al-Ah=ab: !L9.

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What is in addition to man+ other Aa+aat. And the Messenger of Allah ﷺ said:

مَنْ أَحْدَثَ فِي أَمْرِنَا هَذَا مَا لَيْسَ مِنْهُ فَهُوَ رَدٌّ

Allah ﷻ made referring to and going to Judgment to other than "is Char;a a manifest 7and clear9 misguidance 7Dalaal9 and "e called e\*er+ Char;a other than "is Char;a a %aghut. Allah ﷻ said:

أَلَمْ تَرَ إِلَى الَّذِينَ يَزْعُمُونَ أَنَّهُمْ آمَنُوا بِمَا أُنْزِلَ إِلَيْكَ وَمَا أُنْزِلَ مِنْ قَبْلِكَ يُرِيدُونَ أَنْ يَتَحَاكَمُوا إِلَى الطَّاغُوتِ وَقَدْ أُمِرُوا أَنْ يَكْفُرُوا بِهِ وَيُرِيدُ الشَّيْطَانُ أَنْ يُضِلَّهُمْ ضَلَالًا بَعِيدًا

7An-: isa:: L\$9.

%he Calaf 7righteous (redecessors9 of the Himmah ha\*e held a consensus o\*er the obligation of going to judgement to the Char;a of Allah, submission to it and that no one is (ermitted to e4it outside of it. It is for that reason that the Calaf of the Himmah from among the Cahabah, ma+ Allah be (leased &ith them, fought against those &ho a(ostatised and &ithheld the Qa'ah. As such, the legislati\*e rulings must be confined to its source and e\*idences from the Char;i+ah e\*idences of the Deen of 2lam. %he acce(tance of an+ source other than 2lam for the legislati\*e rulings is considered to be going to judgement to %aghut. %his act is "aram 7(rohibited9 &hether the %aghut agreed &ith the Char;a b+ coincidence or &as contrar+ to it. %hat is because the obligation u(on the Muslim is to disbelie\*e in %aghut and disassociate from it com(letel+, under all circumstances.

ConseBuentl+, referring to the French criminal la& for the rules related to (unishments or to the Eg+(tian ci'il la& for the rules of com(anies for e4am(le, and ruling the (eo(le b+ them, is not (ermissible at all, regardless of &hether the+ agreed &ith the Char;a or &ere contrar+ to it. %hat is because referring to them means see'ing the judgement of %aghut and belief in it, &hich results in manifest misguidance 7Dalaal9, Aufr, FisB and Ohulm, ma+ Allah;s refuge be sought from that.

%he Aitab Al-BA=i= 7Al-Gur;an9 has indicated that the material means in the creation are Mubah 7(ermissible9 to benefit from due to Allah ﷻ (lacing them at "is creation;s dis(osal to utilise and as a besto&al from "im. Allah ﷻ said:

هُوَ الَّذِي خَلَقَ لَكُمْ مَّا فِي الْأَرْضِ جَمِيعًا

7Al-?aBarah: 19.

Just as the Cunnah, the actions of the rightl+ guided Ahulafaa; and the 2ma; 7consensus9 of the Cahabah indicates that the (rocedural rulings and (urel+ &orldl+ rulings are (ermissible generall+, as

long as a specific evidence has not come (prohibiting a matter or thing from them. What is like that has been affirmed in the Hadith related to the (collation of (alm trees, when he (said:

أَنْتُمْ أَعْلَمُ بِأَمْرِ دُنْيَاكُمْ

Another example is the digging of the trench as a defensive strategy which was taken from the Persians and the utilisation of the Dhimmi register to regulate the matters related to endowments (procedurally) (added by Umar, may Allah be pleased with him, which was taken from non-Muslims, among other such examples. Consequently, when it is established that the ruling is (procedural, then an+ means or state used to execute the legislative ruling derived from the Charitable evidences, is (permitted to adopt from elsewhere:

719 In accordance with its precise accomplishment of the MaBaasid aims and in the best and most complete of manners.

7 9 3 With due diligence to simplify these procedures and their management.

719 And with gentleness with the (people when enacting them if they relate to the state.

These means and processes represent what the scholars of Hsool ul-FiBh have named -

.. What is due to the consideration that there is no Daleel Tevidence relating to them specifically but rather fall under the general legislative ruling which is considered to represent the means and state to implement or execute it.

3e have (repeatedly stated that the regime scholars and ignorant Masha'ih have succeeded in generating a major confusion among the masses of the Muslims in respect to the Char'i'ah (principles related to the limits of the mandator (orders for jurisdiction of the Char'i' legitimate (Ali+ ul-Amr Truler in respect to the enactment of laws. What was until the (people came to think that the Islamic state was a totalitarian dictatorship and that their rulers were (kings who even had the right to interfere in the thoughts of the (people, their beliefs, marriages, the particularities of their homes and their personal secrets, all of which is absolutely at odds with the definite Char'i'ah texts from the Aitab and the Cunnah, and contrary to the methodology of the Cahabah, the (Abi'een and those who followed them from the Calaf As-Calih Trighteous (predecessors.

This is not all that they have been successful in. Rather, you will find them talking about the -

.. in an unqualified manner with underhandedness, stupidity and simple mindedness, as if it was synonymous with the .. in a way that generates among the (people the belief that anyone -possessing authority- is a Char'i' legitimate (Ali+ Amr. It is therefore no wonder to find some of those traitors or - .. to the Muslims in France that the disbeliever (resident of the secular French republic is the - .P1

%o e4(ose this underhanded attem(t to misguide and to eradicate it from its roots, &e sa+: %he head of state is either:

- An 2mam Char;i+ for the generalit+ of the Muslims 7or an Ameer Char;i+ in an 2maarah Ahaassah 7s(ecial or s(ecific rule9 for at least some Muslims, in the circumstances of necessit+, as has been detailed in our boo': - .9.

- Or he is not that meaning that he is neither a Char;i+ 2mam nor Ameer, for an+ reason from among the reasons for that. %hat is li'e &hen:

. "e is a disbelief\*er in origin, or

. "e had a(ostatised after ha\*ing been Muslim, or

. "e is from those &ho do not rule b+ &hat Allah re\*ealed, meaning that his s+stem 7or regime9 is one of disbelief, or

. "e &as a Muslim &ho had not fulfilled a condition from among the contractual conditions u(on &hich a consensus has been formed and is established definitel+, for e4am(le, if "e the one &ho does not (ossess a sound mind, and similar such conditions. %he contract to him &ould be in\*alid, and as if it had not occurred, or

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. "e &as a Muslim fulfilling the contractual conditions ho&e\*er he assumed the rule b+ other than the Char;i+ah ?ai;ah 7(ledge9 b+ ha\*ing usur(ed the authorit+ and (ouncing u(on it, or through inheritance, or merel+ a democratic election &ithout a Char;i+ah ?ai;ah, or b+ &a+ of a((ointment from someone &ho does not (ossess the right to a((oint someone, and &hat is similar to these, or

. After his a((ointment to the rule and his egitimate contraction in a correct manner, something ha((ens in res(ect to him that leads to his e4iting from the (osition of ruling and its automatic annulment. %hat could include:

. Disbelief b+ a(ostatising from 2slam and insisting u(on that, or

. Falling into ca(iti\*it+ of an o\*er(o&ering enem+ in the case &here he is not able to esca(e and there is no ho(e in his being released, or

. Com(lete insanit+ from &hich there is no a&a' ening from.

2n these three circumstances and &hat is similar to them in res(ect to the ruling, the Ahalifah e4its from the Ahilafah and e\*er+ Ameer is remo\*ed from his 3ila+ah 7(osition of ruling9. "e is de(osed at once and e\*en if the (udgement has not been (assed for his de(osal or the decision of the one (ossessing the (urisdiction had not been issued. 2t is therefore not obligator+ to obe+ him or e4ecute his commands for an+one &hom it has definitel+ been established for him that one of these three circumstances is (resent 7in the ruler9. 2t is not obligator+ to obe+ him in these the circumstances b+ the mere occurrence of one of them and all of his actions related to the (osition of leadershi( 72mamah or 2maarah9 become in\*alid from the time of the occurrence of the circumstance.

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"o&e\*er, it is obligator+ to (ro\*e that these circumstances ha\*e ha((ened to him and for that (roof to be in front of the s(ecified court -%he Court of Hn)ust acts. or -%he Constitutional Court. or %he "igh Char;i+ah Court. or &hat is similar to these titles. %he court &ould then )udge that he his-e4it from the (osition of ruling 73ila+ah9 has been (ro\*en and (ass )udgement &ith his dismissal u(on such and such a date and the in\*alidation of his actions from that time. %hat &ould be announced before e\*er+one so that another can be a((ointed. 2n this manner no disagreement or dis(ute &ould ta'e (lace among the masses.

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7g9 %he definite final Char;i+ )udgement has been issued for his dismissal b+ the s(ecific or s(pecial court -%he Court of Hn)ust Acts. , because something had ha((ened in res(ect to him that obliges his dismissal, meaning one of the circumstances in &hich it is obligator+ in the Char;a to de(ose him, ho&e\*er, obedience to him, in other than the Ma;si+ah 7sinful act9, remains obligator+ and his actions &hich conform to the Char;a remain \*alid and a((licable, until his remo\*al is actual+ com(leted1 %hese refer to the matters &here the change that occurs in his condition do not remo\*e him from the Ahilafah or the 2maarah, ho&e\*er it is not (ermissible in accordance &ith the Char;a for him to continue in them 7i.e. (ositions of ruling9. %hese matters are numerous and include:

. %hat his 8Adaalah 7ustness9 is in\*alidated in the case &here FisB becomes a((arent, as has been full+ e4(lained in detail, Al-"amdu Lillah, in our boo' : -

..

. . %hat he changes to a female or to an unclear herma(hrodite.

. %hat he loses his mind or is insane 7Ma)noon9 in an incom(lete manner &here sometimes he is a&are and at other times, he does not (ossess the mind. 2n this situation it is not (ermissible for an agent or re(resentati\*e to stand in his (lace. %hat is because the contract of the Ahilafah or the 2maarah has occurred u(on his (ersonal self and it is not \*alid for someone to stand in for him. "e is the delegated re(resentati\*e himself \*ia the delegation of the Hmmah (ro\*ided to him in his (ersonal self. 2t is delegation that does not (ro\*ide him the right to delegate other than him - . that is delegated to him, e\*en if he has the right to delegate others in res(ect to - . of &hat he has been entrusted &ith, in accordance &ith the need and &hat the necessitates of caretaking the affairs of the (eo(le demands.

. %he inca(abilit+ of underta'ing the burdens of the Ahilafah or the 2maarah for an+ reason, &hether that &as the absence of a bodil+ organ or a terminal illness &here reco\*er+ is not anticip(ated, &hich (re\*ents him from underta'ing the &or' that he &as gi\*en the 7ai;ah 7(ledge9 to fulfil. %he 'e+ (oint here is his inabilit+ to underta'e the &or'. %hat is because his inabilit+ to underta'e the &or' that he &as a((ointed to underta'e as the Ahalifah leads to matters of the Deen and the interests of the Muslims being disru(ted, &hich is a Mun'ar that must be remo\*ed. 2t is not (ermissible to remain silent o\*er that and it is not remo\*ed e4ce(t b+ de(osing him so that another Ahalifah or Ameer can be a((ointed. %herefore, in such a situation his de(osal becomes 3a)ib 7obligator+9.

. %he case &here he is being sub)ugated and is conseBuentl+ made inca(able of dis(ensing &ith the interests of the Muslims b+ his o&n o(ision in accordance &ith the Char;a. %herefore, if a sub)ugator sub)ugates him to the (oint &here he becomes inca(able of ta'ing care of the interests of the Muslims b+ his o(ision alone in accordance &ith the Ah'am of the Char;a, then he is considered to be inca(able, b+ ruling, to underta'e the burdens of the Ahilafah and it is obligator+

for him to be remo\*ed,)ust li'e the one &ho is (h+sicall+ inca(able, and in accordance &ith the same Char;i+ reasoning. %his is concei\*able to ha((en in certain circumstances, &hich include:

. : %hat an indi\*idual or indi\*iduals from his entourage gain dominance o\*er him and solel+ ta'e o\*er the im(lementation of the matters. %he+ sub)ugate him and ma'e him (roceed in accordance &ith their o(inion, in the case &here he becomes inca(able of o((osing them and is com(elled to (roceed b+ their o(inion. 2n such circumstances, the matter is e4amined. 2f there is ho(e that he &ill be able to esca(e from their dominance &ithin a short (eriod of time he is (ut on notice and (ro\*ided this short (eriod of time to distance them and free himself from them. 2f he accom(lished that then the Mani; 7(re\*enter9 is eliminated and the inabilit+ is remo\*ed. Other&ise, it is obligator+ to de(ose him.

. : %hat his situation comes to resemble that of the one &ho is ca(ti\*e. %hat is b+ his falling under the dominance of the enem+, under his influence &here he directs him as he &ishes and dis(ossessing him of his o&n inde(endent &ill in res(ect to managing the interests of the Muslims. 2n this circumstance, the issue is e4amined. 2f it is ho(ed that he &ill be able to free himself from falling under the control &ithin a short (eriod of time, he is (ro\*ided &ith that short (eriod. 2f he &as able to free himself and can esca(e from the control of the enem+, the Mani; 7(re\*enter9 is eliminated and the inabilit+ is remo\*ed. Other&ise, then it is obligator+ for him to be de(osed.

2n these fi\*e circumstances and &hat follo&s their "u'm 7ruling9, it is obligator+ to de(ose the Ahalifah or the Ameer &hen an+ of those circumstances occur. "o&e\*er, their occurrence reBuies (roof to be established and ta'es (lace before the - . 7Court of Hn)ust Acts9, &hich then (asses the )udgement of the annulment of the contract of the Ahilafah or 2maarah and the dismissal of the Ahalifah or Ameer1

2n all that has (receded the Ameer &ould not be Char;i+ 7legall+ legitimate9, e\*en if he (ractised the authorit+ and &as actuall+ in full control o\*er it. Rather, in accordance &ith the Char;a he follo&s the ruling of the one that does not e4ist or has no (resence1

2f it &as the first circumstance, &here he &as a Char;i+ 2mam or Ameer, and &hat &as rightfull+ a - ., then obedience to him is obligator+ in all of his commands &ith the e4ce(tion of t&o cases, &hich are:

. , to obe+ him in an+ matter in o((osition to the Char;a i.e. in a Ma;si+ah 7sinful act of disobedience to Allah9, &hether that &as a "aram act or the command to lea\*e a 3a)ib 7obligation9. Rather, it is obligator+ u(on us to disobe+ him in that (articular command, b+ &a+ of

E4am(les of commanding &ith a Ma;si+ah include that he commands that the (ri\*ate (ro(erties of the (eo(le be insured, or he commands his arm+ to (re\*ent the Muslims to reach occu(ied @alestine to fight the aggressing usur(er 0ionists, or he commands affiliation to the Hnited : ations or the Arabic league and other than them from the international and regional organisations and institutions of disbelief, or he commands the formation of an internal s(+ing agenc+ to s(+ u(on the sub)ects and degrade them, or he commands the scholars to refrain from issuing Fata&a 7\*erdicts9 or (ro\*iding their o(inion in an+ issue from among the issues, or other than in terms of (re\*enting the obligation or commanding the "aram. 2n this situation it is not (ermissible to obe+ him in these

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matters, indeed it is absolutely prohibited to do so, that is due to what has been affirmed from the statement of the Messenger ﷺ:

وَهُوَ حَرَامٌ إِلَّا حَرِينَ حَرِينَ لَا فِي طَابَ بَأْهَ إِلَّا أَنْ يُؤْمَرَ بِمَعْصِيَةٍ فَإِنْ أُمِرَ بِهَا

These two scenarios are the only two which can be conceived to take place within the Islamic state. If, however, the great calamity was to occur, in the case where the head of state is not a Char'i Ameer, i.e. if he was a hereditary king, (resident of a republic or the head of the revolutionary leadership council, for example), then it is not obligatory to obey him in any command from his commands without exception, whether they conformed to the Char'a or were contrary to it. Even if he commanded that the obligatory Zakat be collected it is not obligatory to obey him. What is withheld is Zakat to obey him, as an obvious matter of necessity, with a definite and absolute prohibition, if he was to command the undertaking of a Mas'alah i.e. a contravention of the "U'm Char'i.

The Mas'alah is that which contradicts or is in opposition to the effective system:

This means whatever contradicts the definite Ah'am Char'iah upon which there is a consensus. What is because these are effective by way of Char'iah necessity as dictated by the Ci'adah Tso'ereignty of the Islamic Char'a.

Or the Ah'am Ash-Char'iah which were actually adopted by a recognised constitutional method, just as been partially obtained (reiously).

As for the case when there is no adoption by the state in a particular issue of difference of opinion, then it is permissible for anyone who needs to know the "U'm of Allah in that issue to take that which he believes most likely to be the "U'm ruling of Allah in the Mas'alah based upon the strength of the evidence and its conformity with the reality. Consequently, if the Judge, for example, was to do that and judged in accordance with it, it is not permitted to reverse that judgement, for that reason, as the Qitihad is not reversed by an Qitihad at all. We will detail the discussion concerning adoption and its problematic issues and objections upon it in an independent chapter due to its great importance.

What we have mentioned (reiously) concerning - and its limits is established and correct without any doubt in respect to it in terms of principle. However, there are problems that arise at the point of practical application. The most significant of which is that the classification of the Zakat and the Zakat is not all definite in all of the issues as some of it, as is known, is subject to difference of opinion. For example, the Ameer could adopt the permissibility of musical instruments and songs and command that anthems and music be used with the military forces. As this then considered to be a command to undertake a Mas'alah where he is being disobedient in that: o, as the subject area of musical instruments and songs is one of disagreement and subject to Qitihad.

It is not possible to solve this problem except by distinguishing between the systems and statutes and what is from their category in terms of public arrangements which can conform to man's sam (le (artialities and between the states dealing with the (artial and (articular circumstances.

As for the (artial and (articular issues, whether they relate to administration and execution or subject to judicial review, it is not permissible for the Judge, administrator, executor, rulers with all

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of their rank's rising to the Ahalifah or the high Imam, to contradict or violate the effective system. What is because it is not permissible for the Ahalifah and whoever is lower than him to violate the Char'a under any circumstances in the **Artial and Articular** matters.

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The **effective system** is the binding Char'a in relation to the Ahalifah and whoever is lower than him in terms of rulers, Ulaat ul-Amr, leaders, Hmaraa, Judges and those possessing mandator+ (orders or) jurisdiction. Any violation of that is considered to be a Ma'si'ah and any command issued in opposition to that is considered to be a command to undertake a Ma'si'ah.

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As for the **effective system** then it consists of numerous components:

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The Ah'am Ash-Char'i'ah which the definite Hagat Daleel Evidence, in terms of transmission, has established. These are considered to be effective automatically for by default due to the dictates of the Ci'adah, Sovereignty belonging to the Islamic Char'a. The implementation does not require any action by the state but rather they are implemented automatically or by default from the moment the Shahidi'ah relation descended with them upon our master Muhammad and remain so until the day of judgement. Whoever claims that they need to be brought into effect by the state or from any other creation, is a disbeliever or a person confounded in ignorance and his riding animal has more intelligence and knowledge than him!

The Ah'am Ash-Char'i'ah which have been adopted by the Imam according to the strength of the Evidence Daleel and its conformity with the reality. These Ah'am are the Char'i'at of Allah in relation to the Imam himself and all of the departments and organs of the state. It is not permissible to violate them.

It should not be said that the Imam is the one who adopted them and as such he has the right to violate them in some specific Articular issues. What is not said because he did not adopt them except based on the belief that they were the 'u'm of Allah in the Mas'alah Issue by the strength of Evidence and also as the mere adoption of them they become the 'u'm of Allah in respect to him which are not permitted to be violated or edited from. Evidently, it is permissible for him to re-examine that adoption and indeed he must do that if he has any doubt in the correctness of the former adoption, where its error has become evident to him, and to then adopt in the same subject another ruling based upon what became apparent to him in terms of new evidences in the days that followed the original adoption or in terms of new information concerning the reality of the issue. At such a time it is permissible for him

: Constitution, systems, codes, laws and statutes. These would then become after their enactment by the recognised constitutional method, the **effective system**, and not prior to that.

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Moreover, a problem could arise here and Articularly in relation to the Mujtahideen from among the Judges or even within the Executive departments. What is when the Judge or Executor believes that the adoption of the Imam is contrary to the Char'a, as is apparent to him from the deep thought upon the 'non Char'i'ah texts or due to his awareness concerning texts that he believes have been concealed from the Imam. In such a case, what is the sound procedure? Does the Judge (assess) judgement by what he believes to be correct in disobedience to the Imam and compel to discard his adoption?

The truth is that the solution to that is contained in the A+ah of the Hmaraa; 7rulers9:

يَا أَيُّهَا الَّذِينَ آمَنُوا أَطِيعُوا اللَّهَ وَأَطِيعُوا الرَّسُولَ وَأُولِي الْأَمْرِ مِنْكُمْ فَإِنْ تَنَازَعْتُمْ فِي شَيْءٍ فَرُدُّوهُ إِلَى اللَّهِ وَالرَّسُولِ إِنْ كُنْتُمْ تُؤْمِنُونَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ ۚ ذَلِكَ خَيْرٌ وَأَحْسَنُ تَأْوِيلًا

7An-: isa:: Q19.

There there is a dispute between the Judge for the executor and his Ameer whom he is supposed to obey in that which is Ma'roof good and in conformity with the Char'a. It is not possible to solve a dispute referring to Allah and His Messenger. After the passing of the Prophet (saw), this cannot take place referring to the body that possesses the mandate (order) or jurisdiction to resolve the dispute by issuing the 'u'm Ash-Char'i upon the basis of compulsion, which means referring to the judicial authority.

In the case where the dispute between the authority that assesses rulings itself and between the Ameer is envisaged and raising the case to the judicial authorities is rationally impossible to resolve the matter and represents a tasking that in accordance with the Char'a is beyond one's capability, it becomes obligatory, by necessity of the Char'a and the mind, for there to be an ultimate authority to deal with such matters. What would be the . or - . or -

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. or an+ other naming or title indicating its meaning, the judgement of which would be final, definitive and intrinsically binding immediately upon its issuance. It does not require the command of the Imam, the command of anyone other than him, the affirmation or certification of any secondary body, or other process other than the judgement of the court itself undertaken by itself. It does not require anything from that for its execution and the Imam and whoever is lower than him are compelled to implement the judgement immediately, each in its area and in line with its jurisdiction, in accordance with what has been stated in the judgement of the court.

For the 'u'm judgement or verdict of the court to truly reflect a referral, not merely in shape and form, to Allah and His Messenger, it is necessary to not appoint it to the best Mu'tahideen and Hmaraa; of firm knowledge, from the most pious believers present within the Hmarah. Otherwise, the Hmarah as a whole, the Imam who appoints them, the (people of Chura who undertake monitoring and accounting upon that, and other than theme'er+one else related to the matters of ruling and authority, are all sinful with the greatest sin, disobedient to Allah and betrayers of the Amanah Trust!

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When, when this court issues its verdict, it is binding upon everyone including the Imam, judges and all executors to submit to it and abide by it, even if it is contrary to their own convictions. Whoever cannot bear (patience or is unable to stand it, then nothing remains for him apart from resignation and to step down from his position, whether that is the Imam, judge, executor or anyone else. Bual+1

This is the process that the Imam of guidance, the rightly guided Ahalfah, the Ameer ul-Mu'mineen, Hmar ibn Al-Ahattab followed when a disagreement and dispute concerning the manner of dealing with the lands of Egypt, Arab and other conquered lands arose. The Imam held the view that its nec'

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be retained for the ?ait ul-Maal 7treasur+9 of the Muslims (ermanentl+, in the case &here the Mu)ahideen and the (rotection of the borders be funded from that in addition to other e4(enditures of the Hmmah. %hat is &hilst a grou( of the &arriors, at the head of &hom &ere A=-0ubair and ?ilal bin Al-"arith, ma+ Allah be (leased &ith them, \*ie&ed the obligation of di\*iding them, as the+ &ere, among those &ho fought, just li'e the case &ith the rest of the Mhanaa;im 7s(ails9. %hose in o((osition \*ie&ed that the (rocess of 8Hmar &as contrar+ to the Char;i+ te4t and as such the matter &as not about &hich of the t&o (rocesses &as the best to accom(lish the Maslahah, meaning it &asn;t a (olitical disagreement related to ho& to deal &ith the Mubah 7(ermissible matter9, but rather it &as a disagreement about the ~~legal~~ legitimac+ 7Char;i+ah9 of a s+stem from the s+stems of the state, or a la& from among its la&s1

%he )udgement did effecti\*el+ return to a grou( of FuBaha; 7scholars9 from the Cahabah and the matter settled u(on the legitimac+ of the understanding of 8Hmar. "e then issued his command to the regions and that (rocess become the effecti\*e la& and A=-0ubair, ?ilal and those &ho &ere in o((osition &ith them &ere onl+ able to submit and surrender to it. %hat &as e\*en though a grou( from among them, at the head of &hom &as ?ilal, remained in o((osition and criticism of 8Hmar;s o(inion. 8Hmar &ould su((licate to Allah to suffice him from ?ilal and his com(anions1

Comeone should not sa+ that the -

. 7Court of Hn)ust Acts9 &as not (resent

778( )20 . 69114 . 28778( )-8. 63556(ts)-4. 94701(t)-2. 28778( )20 . 69114 . 28778( )6. 02914(h)-2. 92864hJh10 . 526( )-8. 63556(t)O . 929074(n)11. 7361(e9114 . 28778( )-8. 63556)-2. 92864(o)-O . 92969

the obligation to obey the righteous Ahlul-fa in respect to what he orders and even if it contradicts the text from the point of view of the one being commanded. He claims that this was the practice from the earliest Muslims and this is a false claim and there is no way to prove it, "or could this be when it is invalidated by texts of texts, from which this is one? From among these texts is that Ali, may Allah be pleased with him, was contrary to Uthman bin al-Affan during his Ahlul-fa. "He did not obey him and indeed he was a (licit in being contrary to him, as has been recorded in Sahih Muslim: From Sa'id bin al-Musayyib: -Ali and Uthman may Allah be pleased with them met at Hsfan/ and Uthman had forbidden (eo) (eo) (forming) amattu and Hmra during the (eriod of "a)9, & here (on Ali said: -That is our opinion about a matter which the Messenger of Allah (sa)9 did but you forbid. "Here (on Uthman said: -Leave us alone.. "e Ali9 then said: -2 cannot leave you alone.. When Ali sa& this, he (ut on hram for both of them together both for "a) and Hmra9.6 End of Buote of Al-Albani.

He speech of Al-Albani mentioned above is an indication of the weakness of his Fiqh understanding in this issue and his lack of comprehension of the issue of - in all of its dimensions, some of which he has detailed above. What is not to mention his falling into (artisanshi) (as it appears that his objection is directed towards the - which holds this view of adoption in its fundamentals, **the (artisan motivations which the Cheikh and his students are 'no' for, and Allah 'no's best.**

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What is made clear by Al-Albani using as evidence the action of one of the minor Ahlul-fa, Hsai bin Ohair, whilst it is 'no' that the actions and statements of the Ahlul-fa, and consequently those lesser than them, is not a (u)ah identical (roof), but rather the (u)ah is only the (ah)7di\*inel-ins (ired re\*elation9: He Aitab and the Cunnah alone. What is whilst he has (lained that what he has detailed above is a necessity & that the (erse related to the Hmara; 7rulers9 dictates in addition to what has come in the (atur form in respect to the texts of the Cunnah in respect to the obligation of obeying the Ahlul-fa i.e. 2mams9 in the Ma;roof i.e. that which is Char;i+9.

In addition, what makes the statement of Hsai bin Ohair (re)orderant and stronger than the statement for opinion of Mu;a+i+ah? This is an **outweighing without that which outweighs** Similarl+, the (rocedure followed by Hsai bin Ohair, may Allah be pleased with him, does not resolve the disagreement or settle the dispute. What is as Mu;a+i+ah remains in his position of leadership (able of dismissing Hsai bin Ohair and implementing his invalid opinion with the assumption that it was invalid **u (on other than him from the judges** with less 'no'ledge, & a (er (ersonalit+ and less grit!

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If we were to suppose that he (e't clear of that confrontation, due to his (ell-' no'n shre&dness, and did not dismiss Hsai, his command which is invalid based on our assumption, remained effective upon the rest of the judges and the majority of the Muslims. Consequently, there would be disparity in respect to the dealing with the subjects. There would be the fortunate minority in the regional locality of the judge Hsai bin Ohair and those love him & have obtained the blessing of the - "u'm Char;i+, if we were to concede for the sake of argument that it was the "u'm of Allah in truth, whilst other than them from the majority were upon the corrupt opinion of Mu;a+i+ah upon our assumption. Does this then represent the sound Char;i+ solution for the issue? Or is it to raise the matter to the - 7Court of Hnust Acts9 which (ossesses the final and definitive decision?

When, &h+ is the Judge alone specified unibuel+ besto&ed &ith the right of - . and disobedience to the 2mam. Is this not, if &e &ere to concede its legal legitimac+, a right of e\*er+ Muslim &ho claims that he has a te4t that it is not (ermissible to \*iolateP1 3ould there be an+ result after that e4ce(t chaos and the dissolution of the - . 7Muslim collecti\*e9P 3hat then is the solution to this (roblem and &hat are the (rinci(les to (re\*ent the di\*ision and disobedience in Al-Albani;s \*ie&P1

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In addition, the statement of Hsaid bin Ohuhair, ma+ Allah be (leased &ith him: -

.. then this su((orts and conforms &ith e4actl+ &hat &e ha\*e said. "e rejects the Judgement b+ the o(inion of Mu;a&i+ah as long as he remains a 3ali+ 7in (osition of his a((ointment9, &hich means that he &ould hand in his resignation from the (osition of Judiciar+ if he &as com(elled b+ a (articular o(inion. %here is nothing in that indicating that it is binding u(on the &hole Hmmah or u(on other Judges or that Mu;a&i+ah has or does not ha\*e the right to ado(t and b+ greater reason it does not indicate to an e4amination of the issue of - . : one of that is indicated b+ the s(eech of Hsaid bin Ohuhair and &hoe\*er has attributed that to him and deemed l+ing to be light and (ursued that &hich he does not ha\*e 'no&ledge of.

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Al-Albani &as also not accurate in his relating of the o(inion of - . as the (art+ does not at all sa+ that the Judge, or other than him, ha\*e nothing for themhim to do other than e4ce(t to - . b+in accordance &ith the ado(tion of the 2mam. %he - . of the 2mam does not bind him. 7ut rather he has the right to be o((osed to him in his o(inion, to in\*ite to his o&n o(inion and be critical of the o(inion of the 2mam secretl+ and o(enl+. 2ndeed, it is (ermissible for an 2slamic (olitical o((osition (art+ to be formed

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%he Liberation @art+ also did not restrict that to the - . But rather it is a right for e\*er+ legitimate 7Char;i+9 Ahalifah, e\*en if he &as a FasiB and obligator+ to be dismissed, as long as he remains in his (ost and has +et to be de(osed. %his is a right that has been indicated to b+ the certain e\*idences as has been detailed in the cha(ter - . from our boo' -Obedience to the Hli l-Amr 7rulers9.1

As for 8Ali;s o((osition to Hthman, as has been recorded in Cahih Muslim and so its e4traction is Cahih. "o&e\*er, 8Ali, ma+ Allah be (leased &ith him, &as not a regular (erson, but rather he &as from the ruling a((aratus. At that time, he &as also the most 'no&ledgeable of the Cahabah &ith the greatest understanding and absolutel+ the strongest Judgmnt from among them. As such, he &as b+ necessit+, the - . 7Judge of un)ust acts9 and he had also been that during the da+s of Abu ?a'r and 8Hmar, (ossessing the mandator+ (o&er or Jurisdiction to declare the in\*alidit+ of the ado(tions of the Ahalifah. %his is one angle.

From another angle, the matters of &orshi(s are indi\*idual affairs &hich do not im(act u(on the (ublic s+stem and are not from the matters that the Ahalifah has a right to ado(t in, so as not to beleaguer the Hmmah and afflict it &ith (rohibited distress and hardshi(. %he ado(tion of Hthman in res(ect to that, regardless of the \*alidit+ of its content or its in\*alidit+, &as in\*alid from this consideration, unless it had been issued from him b+ &a+ of non-binding ad\*ice and instruction, in &hich case there &ould not ha\*e been a (roblem in origin. As such, &hoe\*er &ishes to follo& it can do so and &hoe\*er &ishes to act contrar+ to it can do so.

It is strange that Al-Albani completely ignored the issue related to the lands of the forcibly conquered lands, despite it being famous, its having been transmitted by the aqaaatur, its having taken place before the ears and sight of the Cahabah and the consensus of the Cahabah being confirmed over it, who at that time, prior to the Fitnah, had been many in number and gathered together. The consensus was not confirmed over the opinion of Hmar itself in respect to the issue as they disagreed and disagreement concerning it still remains among the FuBaha; scholars of FiBh. Rather, the consensus was over the - . Trighth of Hmar in respect to the binding - . and its implementation upon all by it. In addition, there was his adoption in relation to the di'orce - . and its implementation over all and numerous other judgements. May the following of desires and ugliness (artisanship) be destroyed by Allah!

It may be that upon this occasion it is a good time to make mention of a word of truth concerning Chei' h : asir ud-Deen Al-Albani. The Chei' h came to prominence at a time when the esteem for the Cunnah and its study had virtually died out in the Islamic world. He then made great efforts which are deserving of gratitude to revive the sciences of the Cunnah and in instituting to it and defending it. The boldness of the Chei' h and his self-confidence assisted him in that at a time when the arena was empty and the major Hlama; were detached, who numbered a few in any case, and had isolated themselves from the public life and withdrawn to their temples!

When a group of young students of knowledge began to gather around the Chei' h from those who were impressed by his personality, more than that they benefited from his knowledge. He began to regard him a corrupted one resembling that of sanctification. Hereafter titles began to arise like: -The Muhaddith of the age., -The Imam of the school of As-Calafi+ah., -The : asir Tsu (porter) of the Cunnah. and that is similar to these. Indeed, some of his followers from the students considered him to be a Mujtahid MutlaB and gave (reference to his opinions over those of the early great Imams!

The truth is that the Chei' h did not possess an outstanding FiBhi+ mentality, despite that he possessed with respect to correct opinions and good stances like his position related to the second Mulf &ar. The truth however, concerning which there is no doubt, is that the Chei' h was a Muhaddith scholar of "adith before being a FaBiH scholar of FiBh.

The Chei' h does have some lapses and slips even in the aspect related to the "adith, just as he has a lack of care with precision and thoroughness in respect to the verification of books, their printing and publication, to the point where he had been accused by some critics with having an unjustified harshness, which makes us believe that he is -A book trader. or -a (er ma'er, and nothing besides that. From his book's lack of care with the cleanness of the text and rectification of printing and selling errors has been observed, which has obliged some to classify the Chei' h among those who are careless in his errors i.e. among the - . Muhadditheen scholars of "adith and there is no might or power with Allah Al-ALI+ ul-BA+heem.

The break in relations of the Chei' h with the regime of the family of Caud, after their major crime of bringing the disbelieving foreign troops to the Arabian Peninsula, led to many of the sincere - ., who could not accept the crime of the family of Caud, to rally around him. He thus became the uncontested - . of Calafi+ah! In turn, this attracted a number of the regime scholars and from the young men agents of the Jordanian intelligence apparatus and other places, like the criminal Muhammad Ibrahim Chabrah, the agent of the Jordanian palace, to the Chei' h's domain. He only had one primary concern however and that was to establish that the rulers who ruled by

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other than what Allah revealed to the Muslims, legitimate, obligatory to obey and (prohibited to rebel against. This was assisted by the old age of the Cheikh and his openness or (openness to suggestion. When from that circle surrounding him calamities and tribulations arose like the opinions that insulting the Mus'haf 7Gur'an and the Prophet (peace be upon him) are not Acts of disbelief in themselves but rather only the one who made that "Allah had committed disbelief. So as Allah to grant us Aafi'ah and we see" "is refuge from disgrace and abandonment!

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Cheikh Abdul Gadir bin Abdul Afi' said in his book -

1. The end part, (<<F9 under the heading -

2. Setting constitutions, like we have briefly mentioned before, is from the rotten fruits of secularism which is the modern day Jahiliyah (period of non-Islamic (re-Islamic ignorance). The disbelievers set these constitutions because they do not have a correct Deen or a right Charee'ah to refer to. They had tasted the fruits of their deviant Charee'ah in which the monks and priests alter in it as they wish based on the decisions of the assemblies of the Church. The disbelievers then sought to make (each by setting books which could realise their interests according to what the limited minds of man can comprehend. These are constitutions and they came to refer to them for judgment as if they were divine revealed books etc.

3. This speech is unfortunate and is even more so when it has come from a good student of knowledge whose sincerity is not doubted, someone who struggles against the leaders of disbelief and heads of misguidance who have imposed their tyrannical control over the Muslims and has a strong relationship to the Egyptian group, where he is regarded to be one of its proponents. This speech of his, however, reflects a series of (grave errors, which include:

4. The Dustoor 7constitution is the main or fundamental system of the state. This means that it is the fundamental law which regulates the relationship between the ruler and the ruled and the commitment of each towards the other. In its reality, in the ideal case of course, it has two aspects:

5. The Gaanon 7law i.e. the Amr Cultani 7command issued by (person in authority because: -

6. The regulation of the relationship between the ruler and the ruled by & of mutual consent between the two parties i.e. by & of contract and agreement. It could be written in a single document or multiple documents, just as it may not be written.

The norm during recent eras has been for the constitutional documentations to only include the general principles, the fundamental rights and the essence of the structure of the main departments or components of the state. The details were then left to the laws and regular detailed systems of codes whilst the (procedural and administrative details were assigned to executive statutes and administrative codes.

The norm has also been that the (processes related to enacting or changing the constitution are more difficult and complicated than the (processes related to enacting and changing the regular laws whilst the enactment of statutes and administrative codes are delegated to the executive authority.

As for the regular non-constitutional laws, then there are exclusive commands of the authorities which have been issued by the authorities which possess the constitutional jurisdiction to execute the laws over the (people, in addition to the statutes and administrative codes.

It is 'not' that the rightly guided Ahlul-fa; and the Muslim rulers who came after them used to issue such commands, whether it was written or unwritten. Abu 'a' r As-Ciddi; commanded that the states be given a choice between a -war of removal. or a -humiliating (peace. . "e also commanded that the **wealth and offerings** be distributed equally just as he commanded many other matters. After him Hmar commanded the giving of (reference in respect to the distribution of the **wealth**, thus cancelling the command of Abu 'a' r, and he wrote his famous letter to Abu Musa concerning the judicial and retaining the lands of the conquered countries as a permanent **3abf** **7endo&ment** for the Hmar, a command that generated a fierce debate as he has (repeatedly mentioned. "e also commanded the adoption of **Di&ans**, gathering the (people behind one single **2mam** for the **7ara&ih** (war, concluded directly by the **7ording of three said three times** and issued many other commands. When Hthman came and he commanded that the script and recital of the Masahif (lural of Mus;haf be unified. "e also commanded the collectors of the **0a' ah** to collect half of it for the **7ait ul-Maal** **7state** **7reasur** and to leave the other half to those upon whom it is obliged to give by himself to those he 'nots from among the entitled categories, just as he also issued many other commands. These are constitutional or law-based texts whilst there are definitely not **Gur'an** or **Cunnah**.

Hthman, may Allah be pleased with him, was given the **7ai;ah** **7contracting** (ledge upon the Aitab of Allah, the Cunnah of "is Messenger and upon adherence to the **7eerah** **7&a** of the **7&o** **7hei' hs** **7Abu 'a' r** and **7Hmar** who occupied the post of **Ahalifah** before him. This means that he was given the contractual (ledge upon conditions and this represents a constitutional restriction. The **7ai;ah** **7(ledge** **7-H** (on the Aitab of Allah and Cunnah of "is Messenger. does not contradict with or lie in opposition to the **7ai;ah** including specific conditions, spoken or written, organised within a prior constitutional document or spontaneous which had been agreed upon at that moment, at the time of the **7ai;ah**.

The correct view of Abu 'a' r, Hmar and Hthman, may Allah be pleased with them, and the **Cahabah** around them, obliges definitely that there deduced that from the **Gur'an** and the **Cunnah**, meaning that there referred back to Allah and "is Messenger, where the reference point is the - . which can also be called the - .. This is **2slam** and **2man**: What Allah is the **Mali'**, the **Ca++id**, **Al--aa'im** and **Al--a'am**.

Referring to Allah and "is Messenger does not mean that everything deduced is correct and conforms to what Allah intended and remains in the 'notledge of Allah. Rather, it could be an error in **7tiha** **7deduction** (rocess which is not at all harmful. What is because **2slam** and **2man** mean referring to Allah and "is Messenger and ending the effort and exhausting the capability in that. It is not hitting the **correct mark as that 7i.e. being right in the deduction as that** is a **Fadl** **7fa'our** from Allah and a : i;mah **7blessing**, which may or may not occur!

As for the secular state, then it issues its commands as a constitution and laws, according to the opinion of the majority which leases, even if only in theory, the majority of the (people. The reference here is the **Ci+adah** **7sovereignty** of the (people & here the (people are the source of the **authorities**, which is **Aufr** **7disbelief**. The secular state does not go to the constitution for judgement but rather implements the constitution. As for the judgement then that belongs to the (possessor of

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the Ci+adah and that is the (eo (le. %he (eo (le are the Ca++id 7master (ossessing so\*ereight+9 and the ''aa'im 7udge9.

%he monarchical em(ire does the same e4ce(t it is u(on the desires of the 'ing or em(eror, &hich is also Aufr. %he judgement here is to the &ill of the 'ing or em(eror &ho (ossesses the so\*ereight+ and is the Ca++id and ''aa'im. As for the constitutions or la&s then the+ are commands for the (ur(ose of a (lication consisting of a (articular form re(resenting the &ill of the (ossessor of the Ci+adah, &hich are o(en to being changed if the Ca++id 7master9 &anted that.

2n an+ state there is no esca(e from the issuing of authoritati\*e commands and an e4(licit or im(licit agreement &ith the ruler. 2t is not e4tremel+ im(ortant &hether this is &ritten or not just as the names and terminologies are unim(ortant. %he im(ortant matter re\*ol\*es around to &hom is the reference: 2s it to Allah and ''is Messenger, thus ma'ing it 2man and 2slam, or is it to other than them in &hich case it is Aufr 7disbelief9P

2n other &ords: 2t is im(ossible to find a state in the &orld e4ce(t that it has a constitution and la&s. %his is the onl+ (ossibilit+.

2t is true that the constitution and la&s could be e4tremel+ basic in (rimiti\*e states li'e those of the roaming ?edouin tribes &hich u(on e4amination re(resent an entit+ that is eBui\*alent to a state, the e4istence of &hich can barel+ be (ercei\*ed b+ the dee( thin'er e4ce(t &ith difficult+ &hilst some &ould mista'enl+ belie\*e that it is non-e4istent.

E\*en the Catholic church has a Church -La&. &hich is neither the - . nor the - . &hich is considered to be a di\*ine boo' in their \*ie&. Rather, it is something else and it 7the church la&9 is \*er+ old, e4isting before the emergence of secularism and e\*en before a single secularist &as born into the &orld.

%hat is because the constitution is not a di\*inel+ re\*ealed boo' nor is it an alternati\*e to a di\*inel+ re\*ealed boo', neither in the \*ie& of the secularist, the church or other than them, as Chei'h Abdul Gadir imagined. Rather, it re(resents the command of the Cultan 7(ossessor of authorit+9 and his co\*enants &ith his subjects, and the la& is the command of the Cultan.

%he e4istence of some old constitutions &hich rarel+ change li'e the American constitution and the (eo(le \*enerating it to the (oint of - . does not change the true realities of matters at all. E\*en that semi - . American constitution had articles attached to it (rohibiting the trading of alcoholic be\*erages b+ the authorit+ of the Hnited Ctates of America follo&ing the First 3orld 3ar. 2t then failed in terms of a (lication and the judgement &as referred to the (eo(le &ho (ossess the so\*ereight+. %hose articles &ere then **abolished and the matter concluded after a fe&+ears of their ado(tion.**

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: After the realit+ of the constitutions, la&s and their essence ha\*e been clarified and after ma'ing clear **that the+ are e4istent b+ necessit+ &ithin e\*er+ state and e\*en if the+ are not &ritten** or (ronounced from the first instant. 2t ma+ be that the Chei'h;s objection is onl+ in relation to its &riting and ma'ing it in the form of an ordered, categorised document &ith codified articles, as is a (arent from his s(eech. 2f that is the case, then this is a (ractical (rocedural matter and is from the definite Mubahaat 7(ermisable matters9 and it is not \*iable to describe it as being a ?id;ah &hich means an inno\*ation in the Deen or an alteration or changing of its Ah'am 7rulings9.

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Cheih Abdul Gadir discusses himself, in the afore mentioned boo', ho& FiBh and the recording of its boo's arose and that it had been mi4ed &ith the "adith at the beginning and then the FiBh &as se(ared into inde(endent boo's. "e (ro(osed that the student of 'no&ledge stud+ (articular boo's from that and he did not classif+ that as being ?id;ah, e\*en though it re(resented a &ritten, cha(tered and ordered form of &hat had been deduced from the Gur;an and the Cunnah b+ fallible (eo(le. Just as he did not criticise or comment negati\*el+ u(on the boo's of 2mam Mansur bin Eusuf Al-?ahuti Al-"anbali 7DoD: 1\$Q1 A""9 at the forefront of &hich &as the boo' -

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. &hich is relied u(on b+ the scholars o the 3ahabi+ Da;&ah mo\*ement, in the case &here he said: 5t is the (illar of the 8Hlammaa 7scholars9 of the Arabian @eninsula since the da+ of Cheih Muhammad bin Abdul 3ahhab 7DOD: 1 \$L A""9 until this da+. From them there are those &ho to it and from them there are those &ho ado(t the choices of 2bn %a+mi+ah &hen a disagreement e4ists6. "e did not criticise their - to it, meaning that it came to be eBui\*alent to the effecti\*el+ a((lied la&, e\*en though the+ &ere (urel+ boo's of FiBh &hich barel+ mentioned e\*idences from the Aitab and the Cunnah. %he+ &ere definitel+ not Gur;an or Cunnah but rather the matter re(resents good thin' ing-benefit of the doubt! 7" usn A=h-0hann9 to&ards &hat has been deduced in them, those &ho &rote them and those &ho im(lemented or a((lied them, in so far as that the+ did not desire in that e4ce(t to refer to Allah and "is Messenger1

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2n fact, the boo' - itself does not reBuire e4ce(t some a small amount of refinement, a smallminor re\*ision of its arrangement and then codificatione for it to become codified articles of la& in the best form of la&s in terms of arrangement and formation. 2t &as for this reason that it &as the (referred source of reference among the )udges in the Arabian @eninsula, because the+ &ere the most in need from among the (eo(le for this t+(e of classification and ordering1

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: 2t is established that the @ro(het 7sa&9 had &ritten a constitutional document and ado(ted it to regulate some of the relations in Al-Madinah, the ca(ital of the arisingemerging 2slamic state:

- %hat is li'e &hat came recorded &ith the most Cahih 7authentic9 of chains of transmission in the - : 5Muhammad bin Eah+a bin Faris related to us from Al-"a'am bin : afi; from Chu;aibn bin A=-0uhri, from Abdur Rahman bin Abdullah bin Aa;b bin Mali', from his father &ho &as from the three &hose re(enance had been acce(ted.

Aa;ab bin Al Ashraf used to deride the @ro(het 7sa&9 and incited the disbelie\*ers of the Guraish against him. 3hen the @ro(het 7sa&9 came to Al-Madinah, its (eo(le &ere a mi4ture, some of them Muslims, others &ere (ol+theists &ho &orshi((ed idols and Je&s. %he+ used to abuse the @ro(het 7sa&9 and his Com(anions 7through \*erbal abuse9. %hen Allah, the Most "igh, commanded "is @ro(het to sho& (atience and o\*erloo' them. Allah then re\*ealed about them

وَلْتَسْمَعُنَّ مِنَ الَّذِينَ أُوتُوا الْكِتَابَ مِنْ قَبْلِكُمْ وَمِنَ الَّذِينَ أَشْرَكُوا أَذًى كَثِيرًا

S to the end of the A+ah 7Aali 0mran: 1FL9.

3hen Aa;ab bin Al Ashraf refused to desist from harming the @ro(het 7sa&9 the @ro(het 7sa&9 ordered Ca;d bin Mu;adh to send a band to 'ill him. "e sent Muhammad bin Maslamah 7"e then

mentioned the details of his 'illing9. 3hen the+ 'illed him, the Je&s and the (ol+theists &ere frightened. %he+ came to the @ro(het 7sa&9 set off the ne4t da+ to the @ro(het 7sa&9 and said: -Our Com(anion &as attac'ed at night and 'illed. . %he @ro(het 7sa&9 informed them about &hat he 7Aa;b9 had been sa+ing. %he @ro(het 7sa&9 then in\*ited them so that he could &rite a document bet&een him and them . "e then &rote a document -Cahifah. bet&een him and them and the Muslims in general6.

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Al-Albani said: 52ts 2snad is Cahih6. :his is definitel+ from Abdur Rahman bin Abdullah bin Aa;b bin Mali' from his father Abdullah bin Aa;b bin Mali' &ho &as the one &ho used to guide Aa;b after he became blind, from his father the Cahabi Aa;b bin Mali', one of the three &ho sta+ed bac' 7from the march to %abu'9 and &hose re(entance &as acce(ted. "e has man+ Ahadeeth related b+ Al-?u' hari and Muslim and as such the 2snad 7chain9 is Cahih u(on both their criteria conditionalities.

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- 2t has come mentioned in a more com(lete form in the - .: 5Abu ?a' r Ahmad bin Al-"ussein Al-Gadi informed us from Abu Cahl bin Oi+ad At-Gattan, from Abdul Aarim bin Al-"aitham, from Abu Al+aman, from Chu;aib bin A=0uhri, from Abdur Rahman bin Abdullah bin Aa;b bin Mali' 72 belie\*e he related from his father and he had been one of the three &hose re(entance &as acce(ted9: %hat the Je& Aa;b bin Al-Ashraf &as a (oet and he used to deride the Messenger 7sa&9 and incite the disbelie\*ers of Guraish against him in his (oetr+. %he Messenger 7sa&9 came to Al-Madinah and its (eo(le &ere a mi4ture. %here &ere from them Muslims &ho had been gathered together b+ the Da;&ah of the Messenger of Allah 7sa&9, there &ere those &ho associated (artners ith Allah 7Mushri' een9 &ho &orshi( (ed idols and from them there &ere Je&s &ho &ere the (eo(le of &ea(ons and fortresses and &ere allies of the inhabitants 7of Al-Madinah9 from the A&s and Aha=ra). 3hen he arri\*ed in Al-Madinah the Messenger of Allah &anted to ma'e (eace &ith them all. A man &ould be Muslim &hilst his father &ould be a Mushri' 7(ol+theist9 and a man &ould be a Muslim &hilst his brother &as a Mushri'. 72n addition9 the Mushri' een and Je&s of Al-Madinah used to se\*erel+ abuse the Messenger of Allah 7sa&9 and his com(anions, and so Allah commanded "is Messenger and the Muslims to (erse\*ere ith (atience u(on that and o\*erloo' them. Allah re\*ealed concerning them:

وَلَتَسْمَعُنَّ مِنَ الَّذِينَ أُوتُوا الْكِتَابَ مِنْ قَبْلِكُمْ وَمِنَ الَّذِينَ أَشْرَكُوا أَذًى كَثِيرًا

S to the end of the A+ah 7Aali 2mran: 1FL9.

And Allah, glorified be "is (raise, also re\*ealed concerning them:

وَدَّ كَثِيرٌ مِّنْ أَهْلِ الْكِتَابِ لَوْ يَرُدُّونَكُمْ مِن بَعْدِ إِيمَانِكُمْ كُفَّارًا حَسَدًا مِّنْ عِنْدِ أَنفُسِهِمْ مِّنْ بَعْدِ مَا نَبَيَ لَهُمُ الْحَقُّ ۚ فَاعْفُوا وَاصْفَحُوا

7AI-?aBarah: 1\$19.

When Aa; b bin Al-Ashraf refused to desist from abusing the Messenger of Allah ﷺ and the Muslims, the Messenger of Allah ﷺ commanded Ca; d bin Mu; adh, ma+ Allah be pleased with him, to dis(atch a group to 'ill him. Co, Ca; d bin Mu; adh dis(atch Muhammad bin Maslamah Al-Ansari, Abu 8Abas Al-Ansari and Al-"arith the ne(he& of Ca; d bin Mu; adh to him as (art of a group of fi\*e 7he "adith then mentioned his 'illing9. "e 7the narrator9 said: %hen &hen the+ 'illed him the Je&s and those &ho &ere allied to them from the Mushri' een &ere frightened. %he+ set off to the Messenger of Allah ﷺ &hen the+ a&o'e and said: -Our com(anion;s door &as 'noc'ed u(on at night and he is a master from among our nobles and he &as 'illed1. %he Messenger of Allah ﷺ then mentioned to them &hat he 7A;ab9 had been sa+ing in his (oetr+. "e forbade them from that and the Messenger of Allah ﷺ in\*ited them to &rite bet&een him and them and the Muslims a . %he @ro(het 7sa&9 then &rote bet&een him and them and bet&een the Muslims in general a Cahifah 7&ritten document9. %he Messenger of Allah ﷺ &rote it under the date (alms of the house of the daughter of Al-"arith. %hat Cahifah 7document9, after the (assing of the Messenger of Allah ﷺ, &as &ith 8Ali bin Abi %alib, ma+ Allah be pleased with him6.

: %his 2snad 7chain of transmission9 is also Cahih and the te4t contains a significant benefit b+ stating that the Cahifah - . came to be in the (ossession of the Amir ul-Mu; mineen, the 2mam of guidance, 8Ali bin Abi %alib, ma+ Allah;s (leasure and (eace be u(on him. 3e &ill (resent some of &hat came mentioned in that Cahifah 7document9 soon b+ Allah;s (ermission.

%he statement - . re(resents an accurate e4(ression for the realit+ of the &ritten document and that in its true realit+ is a constitution as it re(resents the final (oint of reference &hich means that the+ must abide b+ &hat is contained in it. At the same time, it is a contract and charter 7or agreement9. Obser\*e here that it &as he 7sa&9 &ho initiated it and in\*ited them to that &ritten document, as the in\*itation came from him and not from them1

- %he incident also came re(orted in - . 7At-%abarani9 \*ia another (ath of transmission containing the details of the 'illing of Aa; b bin Al-Ashraf: 52ma; eel bin Al-"asan Al-Ahaffaf related to us from Ahmad bin Calih, from 3ahb, from "a+&ah bin Churaih, from 8HBial bin Ahalid, from Chihab, from Abdur Rahman bin Abdullah bin Aa; b bin Mali': %hat the Je& Aa; b bin Al-Ashraf &as a (oet and he used to deride the Messenger of Allah ﷺ (eace be u(on him9 and his com(anions and incite the disbelie\*ers of Guraish against them in his (oetr+. %he Messenger of Allah ﷺ (eace be u(on him9 came to Madinah and its (eo(le &ere a mi4/ consisting of the Muslims &ho &ere unified b+ the Da;&ah 7call9 of the Messenger of Allah ﷺ (eace be u(on him9, the Mushri' een 7(ol+theists9 &ho &orshi(ed idols and the Je&s including those from them &ho &ere the (eo(le of &ea(onr+ and fortresses and the+ &ere the allies of the inhabitants 7of Eathrib9/ the A&s and the Aha=ra). 3hen the Messenger of Allah ﷺ (eace be u(on him9 arri\*ed in Al-Madinah he &anted to reme+d+ the situation of them all and ma'e a treat+ &ith them. A man &ould be a Muslim and his father a Mushri' 7(ol+theist9 and a man &ould be Muslim and his brother a Mushri'. 3hen the Messenger 7(eace be u(on him9 came to Al-Madinah, the (ol+theists and Je&s &ould bring great abuse to the Messenger of Allah ﷺ (eace be u(on him9 and his com(anions. Allah, the Most "igh, commanded his @ro(het 7(eace be u(on him9 and the Muslims to (erse\*ere (atientl+ u(on that and o\*erloo' them. Allah, the Most "igh, re\*ealed in res(ect to them:

وَلْتَسْمَعْنَ مِنَ الَّذِينَ أُوتُوا الْكِتَابَ مِنْ قَبْلِكُمْ وَمِنَ الَّذِينَ أَشْرَكُوا أَذًى كَثِيرًا

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S until "is Ga&l -

. 7Aali 0mran: 1FL9.

And Allah, the Most "igh, also re\*eaed concerning them:

وَدَّ كَثِيرٌ مِّنْ أَهْلِ الْكِتَابِ لَوْ يَرُدُّونَكُم مِّنْ بَعْدِ إِيمَانِكُمْ كُفَّارًا حَسَدًا مِّنْ عِندِ أَنفُسِهِمْ مِّنْ بَعْدِ مَا تَبَيَّنَ لَهُمُ الْحَقُّ ۚ فَاعْتَصِفُوا

until "is Ga&l

7Al-?aBarah: 1\$19.

%hen, &hen Aa;b bin Al-Ashraf refused to refrain from abusing the Messenger of Allah 7(eace be u( on him9 and harming the Muslims, the Messenger of Allah 7(eace be u( on him9 commanded Ca;d 2bn Mu;adh and Muhammad bin Maslamah Al-Ansari, along &ith Al-"arith+, Abu 8Eisaa bin "abr Al-Ansaari and Al-"arith the ne(he& of Ca;d bin Mu;adh, as (art of a grou( of fi\*e. %he+ then a((roached him at night &hilst he &as in their seated gathering at Al-8A&aali+. 3hen Aa;b bin Al-Ashraf sa& them, he resented **their affair** and &as frightened of them. "e said to them: -3hat has brought +ou hereP. %he+ re(ried: -A need has brought us to +ou.. "e said: -%hen, let some of +ou dra& near to me to discuss &ith me this need.. Co, some of them dre& near to him and said to him: -3e ha\*e come to +ou to sell +ou our armour (lates so that &e can s(end from its **(rice-suggested edit - (roceeds.. "e 7Aa;b9 re(ried: -?+ Allah, 2f +ou &ere to do that. 2ndeed, +ou ha\*e become o\*erburdened since this man has settled amongst +ou.. "e then arranged for them to come to meet him in the e\*ening &hen he &as less bus+ &ith the (eo(le. %he+ came and a man from among them called for him. "e then arose to lea\*e his house and his &ife said to him: -%he+ are not 'noc'ing at +our door at this time for something that +ou &ill li'e.. "e re(ried: -2ndeed, the+ ha\*e already s(o'en to me about their matter.. Co, he &ent out to meet them. Muhammad bin Maslamah then grabbed hold of him and said to his com(anions: -Don;t let him geta&+ e\*en if +ou 'ill me and him at the same time.. Come of them then thrust him in his side &ith their s&ords. %hen, after the+ had 'illed him the Je&s and the (ol+theists &ith them &ere greatl+ alarmed, **the+ and set off** earl+ to see the Messenger of Allah 7(eace be u( on him9 &hen the+ a&o'e in the morning. %he+ said: ->eril+, our com(anion &as called u( on at night, &ho is one of our main noblemen, and &as 'illed.. %hen the Messenger of Allah 7(eace be u( on him9 reminded them of &hat he 7Aa;b9 used to sa+ in his (oetr+ and ho& he &ould harm them &ith it. %hen, the Messenger of Allah 7(eace be u( on him9 in\*ited them for there to be &ritten bet&een him and them and the Muslims in general, a Cahifah 7document9, &hich &ould **encom(ass the affair** of the (eo(le. And then the Messenger of Allah 7(eace be u( on him9 had it &ritten..**

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-2t also came through a third (ath in - . 7At-%abarani9: 5Abdan bin Ahmad related to us from Abu At-%ahir bin As-Carh, from 2bn 3ahb, from 2bn Lahee;ah, from 8HBail, from 2bn Chihab, from Abdur Rahman bin Aa;b bin Mali': %hat the Je& Aa;b bin Al-Ashraf &as a (oet and he use to deride the Messenger of Allah 7(eace be u( on him9 and his com(anions and incite against them, **sa+ing -3ho is for Aa;bP 7i.e. &ho &ill deal &ith him9**. %hen, &hen he refused to refrain from harming the Messenger of Allah 7(eace be u( on him9 and harming the Muslims, the Messenger of

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Allah (peace be upon him) commanded Ca'd bin Mu'adh, Muhammad bin Maslamah, Abu 'Eisaa bin Al-'arith the nephew of Ca'd bin Mu'adh, as (part of a group) of five. When he then approached Aa'b S And he mentioned the same (i.e. as the (re\*ious narration).

- Come of what was contained in the Cahifah of Imam Ali, may Allah's pleasure and (peace be upon him, came recorded in - . of Al-Imam Ali-'u' hari, with the most authentic of chains of transmission: 5Gutaibah bin Ca'id related to us from Jarir, from Al-A'amash, from Ibrahim At-'aimi, from his father who said: Ali, may Allah be pleased with him, said: 'He has no 'oo' to recite (the 'oo' of Allah (Gur'an) and this Cahifah. When 'Ali too' out the (a'er, and behold! Here was written in it, legal verdicts about the retaliation for wounds, the ages of the camels to be (aid as 'aa' at or as blood money. In it was also written:

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6.

- It is also recorded in - . 'ia the (ath: 5Muhammad bin Aathir related to us from Cuf'an, from Al-A'amash, from Ibrahim At-'aimi, from his father, from Ali, may Allah be pleased with him: what he said the same as the above narration. It is also recorded in the - . with the same Isnad (chain of transmission) and Matn (textual content).

- It was recorded in the - . 'ia the (ath: 5Al-Fadl bin Al-'abbab related it to us from Muhammad bin Aathir with its full Isnad and Matn.

- It came in another (place in - . with some summarization by the (ath: 5Muhammad related to me from 'Aa' ee, from Al-A'amash, from Ibrahim At-'aimi, from his father who said: Ali addressed us and said: 'He same as above.

- It was also recorded with the following (ath in - .: 5Muhammad bin 'ashar related to us from Abdur Rahman, from Cuf'an, from Al-A'amash, from Ibrahim At-'aimi, from his father, from Ali, may Allah be pleased with him, that he said the same as it.

- And it was recorded in -Al-Jami; As-Cahih Al-Mu'htasar. as follows: 5Hmar bin 'afs bin Mhi'ath related to us, my father related to me from Al-A'amash, from Ibrahim At-'aimi, my father related to me, and he said: Ali, may Allah be pleased with him, addressed us from Minbar of brick and he was bearing his sword and it had a Cahifah attached to it: 'He then said the same.

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- And in - . it came with some additions: 5Abu 'a' r bin Abi Chaibah, Ouhaib bin 'arb and Abu Aarib all related to us from Abu Mu'a'ia'h: Abu Aarib said Abu Mu'a'ia'h related to us from Al-A'amash, from Ibrahim At-'aimi, from his father who said: Ali b. Abi Talib (Allah be pleased with him) addressed us and said: 'Whoever claims that he has besides the 'oo' of Allah anything else that he recite and this Cahifah (document) has lied. 'He said: 'He Cahifah was attached to the sheath

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It has been said that Chu;bah & as at **\*ariance R should this be in disagreeement** with this as he had related it from Al-Aa;mash from Zbrahim At-%aimi from Al-"arith bin Cu&aid from 8Ali. Ad-DaraButni said in -Al-~~Q~~al.: 5And the correct \*ie& is the Ri&a+ah 7narration9 of Ath-%ha&ri and those &ho follo&ed him6.

%he \*ie& of Ad-DaraButni is not to be ta'en for granted because Chu;bah related the other "adith from Al-Aa;mash, from Zbrahim At-%aimi from his father, from 8Ali. %his is &hat came stated in the -

.. Chu;bah is %hiBah %habat 7trust&orth+ and reliable9 in terms of e\*idence and as such there ma+ be t&o narrations: %he first is the &ell-'no&n one from Al-A;amash, from Zbrahim At-%aimi+, from his father from 8Ali, &hich the ma)orit+ recorded. It &as the narration &hich Al-A;amash (erfected and &ould usuall+ narrate and suffice &ith. %hen that narration &as follo&ed b+ the second rarer one from Al-Aa;mash, from Zbrahim At-%aimi+, from Al-"arith bin Cu&aid from 8Ali. %his ma+ ha\*e been in the boo' 7i.e. collection9 of Al-Aa;mash, recorded follo&ing the (re\*ious one. "e &ould not bring it forth a(art from to those &ho s(ecificall+ reBuested it and he &ould urge that the boo's be e4amined. %his is in

line &ith the custom of Chu;bah in res(ect to (ressing the Chu+u'h ha78(h)-2.92914(b)-2.92864(r)-2.9fa7hngt hat frcuig is 531(n)11.7361(-)-8.2.28778(r)-2.95951(i)9.029(&)



is instead the one whom Gatadah is well-known to relate from, then he is Muslim bin Abdullah Al-ʿAsri, Al-Aʿrad the lame, the hairless. He is also the one who Bahʿath al-ḥadīth, according to what is a (parent, he did not meet ʿAlī. Consequently, the chain of transmission would be Munbatī; interrupted. Despite the fact that the authenticity of the Matn ordered text of the narration makes one realise that he took it from someone who was trustworthy and (recise MutBin. It could be from Hbaidah Al-Calmani, the distinguished trustworthy successor, in the case where he would be the connection between Abu ʿAssan and ʿAlī, like the reported chains in Ḥaḥīh Muslim and other collections.

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- The sacredness of Al-Madinah is also mentioned in - b+ Rafī; bin Ḥadī: 5Abdullah bin Maslamah bin Ghanab related to us from Culaiman bin ʿIlal, from Ḥabib bin Muslim, from : aḥ; bin Jubair: What Marʿan bin Al-ʿAʿam addressed the (people mentioning Maʿah, its inhabitants and its inviolable sacredness but he did not mention Al-Madinah, its inhabitants and its inviolable sacredness. Rafī; bin Ḥadī called out to him and said: - That is this that I hear you mentioning of Maʿah, its inhabitants and its sacredness, but you did not mention of Al-Madinah, its inhabitants and its sacredness, while the Messenger of Allah ṣaʿ has also declared sacred the area between its two lands. And we have a record of this with us written on Ḥaulani (archment. If you like, I can read it out to you. Whereupon Marʿan became silent and then said: - I too have heard some part of it.

It may be that this Ḥaulani (archment contained a copy of the aforementioned - which is conceivable. What is because an important Ḥaḥīfah document such as this would necessarily have numerous copies: the original of the (report of ṣaʿ, copies in the possession of some of the Ansar, others in the hands of the Jews and so on.

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- The sacredness of Al-Madinah is a Mutawatir matter established by numerous other (aths like what has been demonstrated in the - from Caʿid Al-Ḥudri: 5ʿAmr bin Ḥamad ʿAmr bin ʿAbd al-Rahman said my father related to me from ʿUbayd, from ʿAḥmad bin Ḥabib that he related it from Abu Caʿid al-Mahri, that Abu Caʿid Al-Ḥudri said: ʿAḥmad went out on a journey with the Messenger of Allah ṣaʿ and he said: - O Allah, ʿUbayd bin ʿAbd al-Rahman declared Maʿah sacred and ʿUbayd bin ʿAbd al-Rahman declared Al-Madinah sacred throughout the area between its two mountains, that no blood may be shed in it, that weapons are not carried in it for fighting, and leaves may not be beaten off trees in it (except for fodder. O Allah bless us in our Madinah. O Allah bless us in our Caaʿa. O Allah bless us in our Mudd. O Allah bless us in our Madinah. O Allah may with its blessing two blessings and the One in whose hand is my soul, there is no small mountain (ath or passage (except that it has two angels guarding them. 6.

: This chain is Ḥaḥīh upon the conditionality of Muslim.

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Concerning the statement of ʿAlī, may Allah be pleased with him: - The Messenger of Allah ṣaʿ did not enjoin upon us anything matter which he did not enjoin upon the (people, with the exception of that which is in the scabbard of this sword of mine. He then took out a document Ḥaḥīfah, as was stated in the narration of ʿAmr bin Ḥamad, which gives the impression that the Ḥaḥīfah itself was originally in the possession of the (report of Allah ṣaʿ and then he specified ʿAlī with it thus coming to be in his possession. This is in harmony with the Ḥaḥīh narration of Al-ʿAḥmadī which states that the - came to be in the possession of ʿAlī after the passing away of the (report of Allah ṣaʿ.

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It is clear that the narrators only concerned themselves with (part of) what was in the Cahifah of Ali and especially the important principles. As for what was mentioned in the narrations in terms of the ages of the camels for CadaBah Ti.e. Qa'ah or the blood monies for wounds and their 'inds- li' eP, then some of them only mentioned them in a general undetailed manner whilst others did not mention them at all. It is possible that they also did not care to mention what could have been mentioned in it in terms of regulating the relationship with the Jews, as all of that had become a non-subject. Rissue at the time when Abu l-'asan 7Ali9 read it to them, may Allah's (lease and (ease be upon him or when he (ublished it before them and then they read it. There is therefore no contradiction between not mentioning anything of that within their narrations related to the contents of the Cahifah of Ali and between the fact that the regulation of the relationship with the Jews too' u( a large (ortion of the -Cahifah of Al-Madinah. as related by 2mam 2bn 2shaB in full length in his boo' of Magha-i 7Ceerah9 and similarly in - . of 2bn 'isham. The following is the text in full:

The following came stated in - . with the revision of 2bn 'isham 7>ol: ! (: ! \$ on&ards9: 2bn 2shaB stated:

The Messenger of Allah 7(ease be upon him9 wrote a written document between the Muhajirin 7emigrants9 and the Ansar 7helpers9 and within it he made a (ease agreement 7Mu'adah9 and treat+ 7Mu'adah9 with the Jews and affirmed their right to (ractice their religion and R their rightsP o'er their (ro(erties, and made conditions for them and stipulations upon them:

This is a document from Muhammad, the (ro(het 7(ease be upon him9, between the believers and Muslims from Guraish and Eathrib, and those who followed them, joined with them and stro'e alongside them, that they are one single Hmrah 7nation9 to the (clusion of all the (eople.

The Muhajirun of the Guraish are upon their standard (ractice res(onsible for dealing with their cases of blood money among them. And they ransom their ca(ties on a reasonable, fair basis and according to justice, among the believers.

?anu 7Auf are upon their standard (ractice res(onsible for dealing with their cases of blood money+. Each group &ill ransom their ca(ties on a reasonable basis and according to justice among the believers. ?anu Ca'idah are upon their standard (ractice res(onsible for dealing with their cases of blood money+. Each group &ill ransom their ca(ties on a reasonable basis and according to justice among the believers. ?anu Al-'arith are upon their standard (ractice res(onsible for dealing with their cases of blood money+. Each group &ill ransom their ca(ties on a reasonable basis and according to justice among the believers. ?anu Jusham are upon their standard (ractice res(onsible for dealing with their cases of blood money+. Each group &ill ransom their ca(ties on a reasonable basis and according to justice among the believers. ?anu An-: a)ar are upon their standard (ractice res(onsible for dealing with their cases of blood money+. Each group &ill ransom their ca(ties on a reasonable basis and according to justice among the believers. ?anu 7Amr bin 7A&f are upon their standard (ractice res(onsible for dealing with their cases of blood money+. Each group &ill ransom their ca(ties on a reasonable basis and according to justice among the believers. ?anu An-: abit are upon their standard (ractice res(onsible for dealing with their cases of blood money+. Each group &ill ransom their ca(ties on a reasonable basis and according to justice among the believers. ?anu A&s

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are upon their **standard (practice** res (onsible for dealing & with their cases of blood money+. Each group ( & ill ransom their capti\*es on a reasonable basis and according to justice among the belie\*ers.

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>eril+, the belie\*ers shall not lea\*e an+ indebted (erson from among them & without him being (ro\*ided for, on a fair and reasonable basis, in res (ect to ransom or blood money+. A belie\*er shall not enter into alliance & with the Ma&la 7freed sla\*e & ho maintains lo+alt+ or a client9 of a belie\*er & without the latter;s consent. %he belie\*ers and **the Mod-fearing** stand together against the one & ho rebels or see's s to **insert-(er (etrate, or commitP in)justice, crime, aggression** or corru (tion among the belie\*ers. %heir hands are all united against him, e\*en if he & as the son of one of them.

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A belie\*er shall not ' ill another belie\*er for the sa'e of a disbelie\*er. "e shall not su ((ort a disbelie\*er against a belie\*er. %he (rotection of Allah is one and its e4tension u (on the least of them is a ((lied to all of them. %he belie\*ers are allies and (rotectors of one another to the **e4clusion of the (eo (le.**

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3hoe\*er from the Je&s follo&s us, recei\*es su ((ort and assistance. %he+ are not &ronged and su ((ort is not (ro\*ided to others against them.

%he (eace of the belie\*ers is one. : o (eace is made b+ a **Muslim se (arate to another Muslim** in the fighting in the &a+ of Allah, e4ce (t u (on the basis of mutual e\*en handedness and justice. 2n res (ect to e\*er+ militar+ attachment that goes out & with us, it & ill be follo&ed one after the other. %he belie\*ers & ill retaliate for the blood of one another 5that is shed6 in the &a+ of Allah.

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%he Mod-fearing belie\*ers are u (on the best and most correct guidance. : o (ol+theist shall (rotect a (ro (ert+ or (erson belonging to Gura+sh/ nor shall he (rotect him against a belie\*er. 3home\*er it has been established b+ e\*idence, that he has ' illd a belie\*er 7& without right9, then he is sub)ect to retaliation unless the blood heir of the one ' illd is satisfied 7i.e. & with blood money+9. %he belie\*ers must stand against him altogether and it is not (ermissible for them e4ce (t to stand against him. 2t is not (ermissible for a belie\*er & ho affirms & hat is stated in this document and belie\*es in Allah and the last da+, to (ro\*ide assistance or shelter to a criminal. And &hoe\*er hel(s or shelters him, & ill ha\*e the curse and anger of Allah u (on him on the Da+ of Judgement. : othing & ill then be acce (ted from him.

3hate\*er +ou ha\*e differed u (on in an+ matter, then it must be referred to Allah &A==a 3a Jalla and to Muhammad 7(eace be u (on him9.

%he Je&s shall share in the s (ending & with the belie\*ers & hen the+ are in a state of &ar.

%he Je&s of the ?anu &A&f, their allies and themsel\*es, are an Hm mah 7collecti\*e9 alongside the belie\*ers. %he Je&s ha\*e their Deen 7religion9 and the belie\*ers ha\*e their Deen, e4ce (t for the one & ho transgresses 7commits in)justice9 and commits a sin 7crime9, as he & ill onl+ be hurting himself and his household. %he same a ((lies to the Je&s of ?anu An-: a)ar that a ((lies to the Je&s of ?anu &A&f. %he same a ((lies to the Je&s of ?anu Al-"arith that a ((lies to the Je&s of ?anu &A&f. %he same a ((lies to the Je&s of ?anu Ca;idah that a ((lies to the Je&s of ?anu &A&f. %he same a ((lies to the Je&s of ?anu Jusham that a ((lies to the Je&s of ?anu &A&f. %he same a ((lies to the Je&s of ?anu Al-A&s that a ((lies to the Je&s of ?anu &A&f. %he same a ((lies to the Je&s of ?anu %ha;laba that a ((lies to the Je&s of ?anu &A&f, e4ce (t for the one & ho transgresses 7commits in)justice9 and commits a sin 7crime9, as he & ill onl+ be hurting himself and his household. Jafnah are onl+ a clan of

%ha;labah and hence the+ are li'e them. And the same a((lies to ?anu Ash-Chatna that a((lies to the Je&s of ?anu &A&f. Mood and u(right conduct is demanded and not bad or criminal conduct 7i.e. from the (arties of the Cahifa9. %he allies of %ha;labah are li'e them. And the close or intimate friends#associates of the Je&s are li'e them.

: one from among them shall go out 5to &ar6 &ithout the (ermission of Muhammad 7sa&9. ?ut none shall be (re\*ented from ta'ing retaliator+ \*engeance for &ounds inflicted.

3hoe\*er acts on his o&n account 7in \*engeance9 5in\*ol\*es6 himself and his famil+, e4ce(t he &ho has been &ranged. Allah is acce(ting of &hat is most u(right.

%he Je&s must bear their e4(enses and the+ are due sincerit+ and u(right conduct &ithout bad conduct 7being underta'en against them9. : o one must (er(etrated a crime against his all+. Cu((ort must be (ro\*ided to the transgressed against. %he Je&s shall share in the s(ending &ith the belie\*ers &hen the+ are in a state of &ar.

Eathrib shall be an in\*iolable (lace for the (eo(le of this Cahifah 7document9. %he neighbour is li'e the self/ not being harmed and not ha\*ing a crime (er(etrated against him. : o &oman is to be (ro\*ided (rotection e4ce(t &ith the consent of her famil+.

An+ occurrence or Buarrel bet&een the (eo(le of this document, the corru(tion 7or harm9 of &hich is feared, must be referred to Allah &A==a 3a Jalla and to Muhammad 7(eace be u(on him9.

Allah is 7&itness9 o\*er that &hich is most Mod-fearing and u(right in this document.

: o (rotection is (ro\*ided to Guraish or to those &ho su((ort#hel( them. %he+ must su((ort one another against &hoe\*er attac's Eathrib.

2f the+ 7the Je&s9 are in\*ited to a Culh 7(eace treat+9 &hich the+ 7the belie\*ers9 are concluding and engaging in, then the+ must conclude and engage in it. And if the+ 7the Je&s9 in\*ite to something similar to that, then the belie\*ers should res(ond to that, e4ce(t &ith the one &ho ma'es &ar on account of the Deen 7religion9. And each (eo(le are to fulfil their share from their side to those the+ are res(onsible for.

%he Je&s of Al-A&s, their allies and sel\*es, are u(on the same as the (eo(le of this document, in terms of recei\*ing (urel+ u(right conduct from the (eo(le of this document.

Mood and u(right conduct is demanded and not bad or criminal conduct 7i.e. from the (arties of the Cahifa9. : o (erson earns an+thing e4ce(t that he earns it against himself.

>eril+ Allah is 7&itness9 o\*er that &hich is most truthful and righteous in this Cahifah 7document9. %his document does not (rotect an+ &rongoer or sinful (erson 7criminal9.

%he one &ho e4its is safe and secure and the one &ho remains is safe and secure in Al-Madinah, e4ce(t for one &ho transgresses and (er(etrates a sin 7crime9.

>eril+, Allah is the (rotector of the one &ho acts &ell and is Mod-fearing. And Muhammad is the Messenger of Allah 7sa&9. 6 5End6.

▲ : Abu Hbaid Al-Gasim bin Calam, ma+ Allah;s merc+ be u(on him, has s(o'en about the ambiguous &ording of this Cahifah in his boo' -Al-Mhareeb. , )just as others than him ha\*e, and the one &ho &ants to increase his understanding of the (recise meanings can refer bac' to it.

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%here are other narrations indicating to a document or alliance, &hich ma+ be this Cahifah. 2mam 2bn Aathir, ma+ Allah;s merc+ be u(on him, summarised some of this as follo&s:

- 2t came mentioned in - . 7Ceerah9 7>ol: ! (: 49 as follo&s: 52mam Ahmad said 8Affan related to us from "ammad bin Calamah, from 8Asim Al-Ah&al, from Anas bin Mali' &ho said: -%he Messenger of Allah made an alliance bet&een the Muha)irin and the Ansar in the house of Anas bin Mali' ..

- 2mam Ahmad also related in addition to Al-?u' hari, Muslim and Abu Da&ud from numerous (aths from 8Asim bin Culaiman Al-Ah&al from Anas bin Mali' &ho said: -%he Messenger of Allah made an alliance bet&een the Guraish and the Ansar in m+ house..

- 2mam Ahmad said : asr bin ?ab related to us from "a))a) 7and he is 2bn Artaah9 &ho said: Curai) related to us from 8Abbad, from "a))a), from 8Amr bin Chu;aib, from his father, from his grandfather: %hat the @ro(het

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- Ahmad said Curai) related to us from 8Abbad, from "a))a), from Al-"a'am, from Gasim, from 2bn 8Abbas similar to this. 2mam Ahmad &as alone to relate it 7i.e. &ith this s(ecific chain9.

- 2n Cahih Muslim from Jabir: - .

3e can obser\*e that the Cahifah related b+ 2bn 2shaB did not contain an+ mention of the ages of camels and &ounds in contrast to the Cahifah of 8Ali. %his is not a ma)or (roblem ho&e\*er as most of the narrations concerning the Cahifah of 8Ali do not attribute that to the @ro(het 7sa&9 e4 (licitl+, in contrast to the other clauses. 2t is (ossible that the ages of the camels and &ounds &ere onl+ attached b+ 2mam 8Ali after that to that same Cahifah or that onl+ some of the clauses or im(ortant causes of the Cahifah of 8Ali attached to his s&ord scabbard &ere transcribed &hilst other matters from &hat had been heard from the @ro(het 7sa&9, e4ternal to the 7original9 Cahifah, had been added to it.

3e also obser\*e that there is no mention in the Cahifah -%he Cahifah of Al-Madinah. of ?anu Gurai=hah, ?ani An-: adir and ?anu GainuBa; b+ their names. %herefore, the+ &ere either not included in it, &hich is (ossible, or the+ &ere mentioned &ith their allies of the Ansar, &hich is also (ossible. %heir inclusion in it &ould therefore not ha\*e been from the angle of inde(endence but rather in accordance &ith (rior alliances.

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Just as &e obser\*e from a mere (assing read of the Cahifah, it is a(arent that as a &hole it reflects constitutional te4ts &hich regulate the relationshi( bet&een different factions of a societ+ that has been formed on a tribal basis. %he tribes re(resent im(ortant units or bloc's in societ+. Come of

them, li'e the Je&ish tribes &hich (ossessed inde(endent fortifications and to&ns, such as ?anu Gurai=hah, ?anu An-: adir and ?anu GainuBa; &ere eBui\*alent to states.

It should not be said that the Cahifah;s inclusion of the relations &ith the Je&ish tribes &hich (ossessed inde(endent fortifications and to&ns, such as ?anu Gurai=hah, ?anu An-: adir and ?anu GainuBa; and &ere eBui\*alent to states, u(on the assum(tion that the+ &ere indeed included &ithin it, means that it &as (urel+ an international agreement li'e that of Al-"udaibi+ah1 %hat cannot be said because:

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Most of the te4ts concerning the - . relate to the organisation of the relationshi( bet&een different tribes and grou(ings of Muslims, &ith their definite stated te4t of - . %he+ also organise the matters related to securit+ in Al-Madinah, s(ecif+ the sacred in\*iolabilit+ of Al-Madinah from a geogra(hical (ers(ecti\*e and organise the social mutual res(onsibilities bet&een the contracting (arties.

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Al-"udaibi+ah &as a treat+ and truce bet&een t&o inde(endent entities &hich &ere at &ar &ith each other, concerning &hich the Guraish re(ected the mere title of the @ro(het 7sa&9, the title of the status of @ro(hethood, as he &as in their \*ie& onl+ Muhammad bin Abdullah.

As the - . stated that the &hole affair returns to Muhammad the @ro(het or Messenger of Allah, it is li'e all the (arties had ac' no&ledged him as the high head of the -Hnion#Confederation., or -2nternational Collecti\*e. or -Alliance. &hich the+ had formed through the dictates of the Cahifah. %he acce(tance and affirmation of Muhammad 7sa&9 &ith the title of Messengershi( and @ro(hethood in the Cahifah does not necessaril+ mean that the+ all belie\*d in him and follo&ed him as it could be due to (urel+ - . considerations, &here each (art+ uses the title the+ ha\*e gi\*en themsel\*es, &hich is a((arent from the relationshi( of the Je&s &ith him in Al-Madinah.

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%his - . &hich the -Cahifah of Al-Madinah. established resembles:

.. It is no\*el that the French constitution has influence o\*er it, some of its rulings rest u(on it and states that the (resident of France is also its (resident, )ust li'e the - .

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.. %he ?ritish Common&ealth.. %his is also stated u(on in te4t in the ?ritish la&s containing different organisational rulings. %hese la&s are considered b+ the constitutional scholars to (ossess a constitutional character.

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%herefore, &e must conclude &ith there must be definitenesscertaint+ and decisi\*eness in that the - . is a constitutional document and that it is not (ossible to be regarded as anything -other than that at all.

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Ees, it is true that the framing of the articles of the document of the - . came in most of its (aragra(hs in a manner &hich is contrar+ to the legal canonical framing and contrar+ to the FiBhi+ 7juristic9 framing, es(eciall+ that &as em(loed in -

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.. "o&e\*er, this is something that &as ine\*itable because it &as from the dictation of our Master Muhammad, the Messenger of Allah and seal of @ro(hets, &ho &as (ro\*ided &ith - . %he encom(assing and (ecise s(eech9 and &hose -

.. Its status is therefore the status of the -3ah+. 7Di\*ine re\*elation9 &hich is a different 'ind of s(eech and does not fall under the categor+ of the s(eech of the Jurists, rulers, (hiloso(hers and Muta'allimin. %his distinguished status does not ta'e it out from being a constitutional document as it is &ithout doubt or Buestion a constitutional document (ossessing a distinct status.

One issue remains and that is that an objector ma+ sa+: %hat the - . &as transmitted in a Mursal manner and &e are not a&are of a Muttasil 7connected9 chain of transmission for it. As such it does not stand as a "u))ah 7e\*idental (roof9 and is not (ermissible to be used as such. : 3hat +ou ha\*e mentioned is true and &e do not use as e\*idence an+thing from its (aragra(hs for the detailed "u'm Char;i+. Rather, &e studied it as a &hole from the (ers(ecti\*e of it being a constitutional document or international treat+, meaning from the (ers(ecti\*e of its general nature. 2n this it is sufficient to establish its general frame regardless of the le\*el of reliabilit+ of its detailed sentences 7or articles9, each one in itself. 3hat &e ha\*e (resented in terms of Cahih chains of transmission affirm that an organisational document had been &ritten. 2n addition, the Cahih chains ha\*e come stating some of the im(ortant (aragra(hs of the Cahifah of 8Ali and all of these, under all circumstances, are considered to be constitutional (aragra(hs. %he+ testif+ to the resembling (aragra(hs found in the - . as related b+ 2bn 2shaB. %his is sufficient to establish its e4istence and the reliabilit+ of the s(ecific constitutional (aragra(hs &ithin it. It is inconcei\*able after this for the rest of it as a &hole to be objecti\*el+ false. %his does not e4ist in the &orld at all as the te4t of the Cahifah is of the utmost degree of integrit+ and order. %he : afs 7inner self9 is reassured that e4actl+ as it has been (resented is) just as the Messenger of Allah 7sa&9 had it &ritten.

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: %he collection of e\*idences and the (re\*ious discussion are adeBuate to establish necessar+ 'no&ledge that the constitutional documents are a (raise&orth+ Cunnah and not a blame&orth+ ?id:ah 7inno\*ation9, as &as (ercei\*ed b+ Chei' h Abdul Gadir. 3e belie\*e that this statement of his came as a reactionar+ res(onse to the fierce secular attac' causing the Chei' h to mo\*e from one antithesis to another: 5

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6.

H(on this occasion, &e ad\*ise oursel\*es and our brothers from those &ho in\*ite to Allah in these mur' + times to a\*oid these reactionar+ res(onses. %hat is because that can (ush the (erson from one falsehood to another &hich could be e\*en &orse than the falsehood that &e &ere fleeing from. %his is the calamit+ of the - . &ho arose as a reactionar+ res(onse to negligence and dereliction, the majorit+ of &hich &as slight and onl+ a small amount &as major. 2t &as a reaction that turned into e4cessi\*eness and de\*iation all of &hich &as major, de\*astating and destructi\*e, the conseBuenes of &hich &ere much &orse than the original negligence and dereliction.

%he 'nee)er' reactionar+ res(onses, in most cases, are a notification-indication of - . &hich im(ose u(on its com(anion defensi\*e stances and negati\*e reactionar+ res(onses, instead of rational attac', ta'ing the initiati\*e and engaging in constructi\*e and (ositi\*e acti\*ities.

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%hese feelings of defeat and mentalit+ of being besieged and ghettoi=ed is &hat dri\*es man+ of those in\*ol\*ed in 2slamic acti\*it+ to ado(t 'nee)er' reactionar+ stances and re(ulsi\*e imbecilic statements, &hich sometimes resemble the statements of the - . and .. 2t also dri\*es some

towards isolation, withdrawal and desertion from the Dunya and (eo)le, or towards reliance upon the  
succ(lication for the - . to a (ear Buic' l+, ma+ Allah hasten such a (erson;s relief

Li'e&ise, &e in\*ite e\*er+one to re\*ise all of the Islamic draft constitutions that ha\*e been issued  
during the last centur+ in a (recise legislati\*e manner, to ado(t the strongest e\*idence and em(lo+  
the most accurate formulation in res(ect to its bands, see' to com(lete its deficiencies and (roduce  
a (olished and solid draft that is suitable to become a basis for the Islamic state, the Ahilafah state,  
u(on its establishment, soon b+ Allah;s &ill.

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2n all of this, there is no (roblem &ith benefiting from the st+le of )uristic and legal formulation  
e4isting among other (eo(les and es(eciall+ the &est, as the+ ha\*e reached great heights in that  
area at a time &hen Islamic FiBh stagnated and then declined after it had flourished in b+gone eras.  
%he )uristic and legal formulation halted areatf the (artial Ah'am 7rulings9, some FiBhi+ (rinci(les,  
the stud+ of li'enesses and (arallels, and other such matters. %hat is &hile the &estern  
)uris(rudence (rogressed to the stage of )uristic theories: %he theor+ of the truth, of contracts and  
liabilit+ etc. All of this is from the (ers(ecti\*e of st+les and has no relationshi( to the legislati\*e  
source of reference, meaning it has no relationshi( to the Buestion: 3ho does the Ci+adah  
7so\*ereignt+9 belong toP i.e. &ho is the Ca++id, &ho is the Legislator and &ho is the "aa'im 7udge9.  
Rather it onl+ relates to the Buestion: "o& does the FaBiH 7jurist9 formulate or draft &hat he had  
deduced in terms of rulings 7Ah'am9 and &hat is the ideal st+le in res(ect to brea'ing it do&n and  
com(osing it, (resenting its fundamentals and branches, in addition to categorising, arranging and  
ordering it. ConseBuentl+, there is no (roblem in res(ect to ado(ting this irres(ecti\*e of its source.

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E4amining the circumstances of the other (eo(les, benefiting from their e4(eriences and ta'ing the  
good and &ell-de\*elo(ed from their st+les and means as is demanded from the sound mind: %hat  
the human benefits from the a\*ailable fruits and read+ results. 2n this &a+ he can then direct his  
effort to&ards inno\*ation in res(ect to in\*entinger and generating &hat is ne& instead of re(eating  
the in\*entions made b+ others and their e4(eriences, in other &ords -. as  
the+ sa+.

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%his is also &hat the final blessed Charee;ah came &ith:

- Li'e &hat came in - ., &here 2mam Mali' related from Muhammad bin Abdur Rahman  
bin : a&fal that he said that 8Hr&ah bin A=Oubair informed him from 8Aa;ishah, the Mother of  
?elie\*ers, from Judamah the daughter of 3ahb Al-Asadi+ah, that she informed her that she heard  
the Messenger of Allah 7sa&9 sa+ing: -

.. Mali' said: -Al-Mheelah.

is that a man has intimate relations &ith his &ife &hilst she is breastfeeding. %his "adith is Cahih,  
indeed of the highest le\*el of authenticit+1

- Muslim recorded it as: Ahalaf bin "isham related to us from Mali' bin Anas, from Eah+a bin Eah+a  
and his &ording &as: 2 recei\*ed the same from Mali' . Muslim said: 5As for Ahalaf then he said  
Judhamah Al-Asadi+ah 7i.e. &ith a Dhaal9 &hilst &hat Eah+a said &as correct &ith a Daal16.



- Muslim said: Hbaidullah bin Ca;id and Muhammad bin Abi Hmar said: Al-MuBri;u related to us from Ca;id bin Abi A+ub, from Abu l-As&ad, from H&ah, from A&ishah, from Judamah the daughter of 3ahb, sister of H'asha, the same as it in full length. Muslim said: Abu ?a' r bin Abi Chaibah related it to us from Eah+a bin 2shaB, from Eah+a bin A+ub, from Muhammad bin Abdur Rahman bin : a&fal Al-Gurashi+, from H&ah, from A&ishah, from Judamah the daughter of 3ahb Al-Asadi+ah: %hat she said: 2heard the Messenger of Allah 7sa&9: Che then mentioned li'e the "adith of Ca;id bin A+ub.

- At-%irmidhi said: Eisa bin Ahmad related to us from 3ahb, from Mali' , from Muhammad bin Abdur Rahman bin : a&fal and so on. And he said: Eisa bin Ahmad, from 2shaB bin Eisa, from Mali' , from Abu l-As&ad: %he same "adith1 Abu Eisa said: 5%his "adith is "asan Mharib Cahih6.

- An-: asa; i said: Hbaidullah and 2shaB bin Mansur related to us from Abdur Rahman, from Mali' , from Abu l-As&ad S to the end, the same as it-~~it~~.

- Abu Da&ud said: Al-Ga;nabi+ related to us from Mali' , from Muhammad bin Abdur Rahman, from Mali' , from Abu l-As&ad S to the end, the same as it-~~it~~.

- Ahmad said: Abdur Rahman bin Mahdi related to us from Mali' , from Abu l-As&ad S to the end, the same as it.

- Ahmad said: Abu Calamah Al-Ahu=a;i+ said: Mali' related to us from Muhammad bin Abdur Rahman bin : a&fal S to the end, the same as it.

- Ahmad said: Abdullah bin Ea-id related to us from Ca;id 7meaning 2bn Abi A+ub9, &ho said: Abu l-As&ad related to me S to the end, the same as it.

- Ad-Daarami+ recorded it as: Ahalid bin Ma'hla related to us that Mali' related to us the same as it. Abu Muhammad: 5- . is to ha\*e intimate relations &hilst the &ife is breastfeeding6.

3e &ill s(eed matters along and sa+: "ere &e are not del\*ing into an elaborate discussion related to the - . 2s such a consideration infallible and in conformit+ &ith the "aBB 7truth9 or does it occur in accordance &ith human nature, &here it could be a consideration u(On the truth) just as it can be u(On that &hich is false, in &hich case Allah &ould a\*ert the @ro(het from an+ action, statement or consent resulting from that false consideration. 3e are not del\*ing into a detailed discussion of that and &e &ill lea\*e that to our stud+ - . 7%he consideration of the @ro(hets9 &here &e established the definite e\*idence that the consideration of the @ro(hets is not infallible and as such is not a legislati\*e (roof, meaning that such a consideration occurs in accordance &ith human nature and could be a consideration u(On truth) just as it could be false. %hen, if it &as false Allah &ould di\*ert the @ro(het from an+ action, statement or consent resulting from that false consideration. %his di\*ersion from Allah &ould occur b+ the manner that Allah &ishes: 2t could be b+ remo\*ing the consideration and its ta'ing the form of &ill and adamance, or b+ a re\*elation forbidding the e4ecution of the consideration, or b+ ins(iring an alternati\*e consideration, or b+ &hate\*er means Allah Al-BA=i Al-"a'im desired.

3e &ill mo\*e on Buic' l+ also and clarif+ that &e used this Cahih "adith as e\*idence, as it is a definite "u)ah 7e\*idental (roof9, &hilst in our stud+ of - . &e re)ected the e\*idental (roof status of the **item-narrationP** &hich &as attributed to the @ro(het 7sa&9

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in the sentence: - . Minor infanticide in his speech concerning the **Al-Mheelah** coitus interruptus. This did not happen in an arbitrary manner or by way of double standards. Rather, it was to establish the definite evidence upon its falseness and that it must necessarily be considered to be from among the erroneous impressions or errors of the narrators. As for the remainder of the **adith**, then it is **Cahih**, safe from objection and evidential proof is established upon it. And Allah is Most Knowledgeable and Most Precise.

In the reality mentioned above, Allah protected his **ro** (her) from forbidding **Al-Mheelah**. Intimate relations with the wife whilst she is breastfeeding which he had considered forbidding due to the fear of the harm that it may cause to the child, and diverted his consideration by insisting him with a **ne** & **Cunnah**: We examine the circumstances of the other (examples) and to benefit from their experience which establish in this aspect the practice of **Al-Mheelah** by and whole (examples) without the emergence of harm to their children, throughout the ages.

As the consideration of the **ro** (her) to forbid **Al-Mheelah** was only for the sake of the protection of the health of the child and to prevent harm in its development, which reflects a matter that can be perceived by the senses and mind directly, it is permissible to look at and examine the experiences of (examples) with there being no difference in that regard between the believer and disbeliever, the idolator and person of the book. The greater reason it is permitted to examine the results of the reliable and confirmed scientific and medical research, which is what Allah inspired is **ro** (her) with. So, to Allah belongs all praise and excellence, there is no **lah** except for him, upon him and the **ha** and his assistance.

The **sa** did not suffice himself with this examination but rather directed others to undertake the same action to regard and examine the experiences of the nations and (examples) and to the results of their reliable and confirmed scientific and medical research. What is as follows:

The following was recorded in - .: Muhammad bin Abdullah bin : umair and Ouhair bin 'arb and the wording is from **bn** : umair said: Abdullah bin **Ea**=id **Al-MaBbari** related to us from 'a & ah, from **A**++ash bin **Abbas**: What Abu An-: adr related to him from **Amir** bin **Ca**;d that **Hsamah** bin **Oaid** said that his father informed him: **Ca**;d **ibn** **Abi** **3aBBas** reported that a man came to the Messenger of Allah **sa** and said: -2 perform coitus interruptus with my wife.. The Messenger of Allah **sa** as'ed: - P. The man answered: -2 feared for her child or children.. The Messenger of Allah **sa** then said: -

. And **A**=Ouhair said in his narration: -

.6. The same as the

**adith** of Ouhair bin 'arb has also been recorded in the -

.. -

.. -

. and -

.. along with their chains

of transmission and all of them are **Cahih**

▲ : Reflect upon his statement **sa**:-

.. What is because it contains what we mentioned above,

except here it has come in the form of educating the questioner. Consequently, our opinion is affirmed and all praise belongs to Allah the Lord of the Worlds.

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- %ammam recorded in his -Al-Fa&aa;id.: Al-"asan bin "abib related to us from ?adr bin Al-"aitham Ad-DimashBi+, from Culaiman bin Abdur Rahman, from Abdur Rahman bin Al-Maghra;, from Hbaidullah bin 8Hmar, from Ca;id bin Abi Ca;id Al-MaBbari+, from his father, from Abu "urairah, &ho said: %he Messenger of Allah 7sa&9 said:

طَاعَةُ الْإِمَامِ حَقٌّ عَلَى الْمَرْءِ الْمُسْلِمِ مَا لَمْ يَأْمُرْ بِمَعْصِيَةِ اللَّهِ عَزَّ وَجَلَّ فَإِذَا أَمَرَ بِمَعْصِيَةِ اللَّهِ فَلَا طَاعَةَ لَهُ

- Al-"asan Al-"abib, Abu ʿAlī the Ḥafīḥ; FaḤīḥ Jurist, who was well known with the name Al-Ahadda'iri. "e is ḤīḤah and ḤāḤat Ḥtrust&orth+ and reliable as stated by Ibn ʿAsa'ir in his biography of him: "One of the ḤīḤaat and Athbaat Ḥtrust&orth+ and reliable narrators, born in the year 4 and passed away in the year 111 F A"6.

- ʿAdr bin Al-"aitham, Abu l-Gasim Al-La' hmi, the Judge from AḤa and settled in ʿaghdad. "e is ḤīḤah Ḥtrust&orth+ narrator. Al-AḤateeb said in biography of him: "e was ḤīḤah, from among the seniors, he died in the year 111 F A"6.

- Culaiman bin Abdur Rahman. "e was Abu Daʿud Culaiman bin Abdur Rahman bin "ammad, At-Ḥalhi+ At-Ḥammar, from the offspring of ḤalḤah bin Ḥbaidullah, from AḤa, ḤīḤah Ḥtrust&orth+. "e died in the year 100 A" and was from the Chu+u'h scholars of Abu Daʿud. Al-"afiḤ ḤAl-AsḤalāni said in his biography of him: "CadooB Ḥ\*er+ truthful#honest%.

- Abdur Rahman bin Maghra; Abu ʿuḤair Ad-Dausi+ Al-AuḤi+, ḤīḤah Ḥtrust&orth+, he only spoke in his "adith from Al-A;amash, and this is not from them. Al-"afiḤ ḤAl-AsḤalāni said: "CadooB Ḥ\*er+ truthful#honest, he spoke in his "adith from Al-A;amash.

The remainder in the chain of transmission of this "adith are well known ḤīḤat Ḥtrust&orth+ narrators and the Matn recorded textual content of the "adith has integrity and the abundant texts of the Aitab and the Cunnah testify for it. The "adith is therefore definitely ḤaḤih and Al-AlḤani fell short when he said: "It is Ḥasan, alone.

- The following came mentioned in the Ḥafsir of this Ḥerse from ʿAdi+ bin "atim, may Allah be pleased with him, that he said: "Came to the Messenger of Allah Ḥsa& Ḥhilst 2 was bearing a cross of gold upon his neck, "e then said: -O Adi+, cast away this symbol of idolatry from your neck. "e ḤAdi+ said: Co, 2 cast it away and stood where he was whilst he was reciting Qurān - ḤAt-ḤaḤbah. "e then recited the Ḥerse:

W اتَّخَذُوا أَحْبَابَهُمْ وَرُءَبَاءَهُمْ أَرْبَابًا مِّن دُونِ اللَّهِ

"e ḤAdi+ said: 2 said: -O Messenger of Allah, we did not worship them. "e said: Did they not make "aram what Allah had made "alal and then you made it "aram? And make "alal what Allah made "aram and then you made it "alal. "e said: 2 said: -Ees, indeed.. "e said: -When that was their

&orshi((ing.. 2n another narration he &as recorded to ha\*e said: -Ees +ou ha\*e s(o'en the truth, ho&e\*er the+ used to ma'e "alal &hat Allah made "aram and the+ &ould then ma'e it "alal, and the+ &ould ma'e "aram &hat Allah made "aram -shouldn't this be halaif and then the+ &ould ma'e it "aram. 6. 2t &as related b+ At-%abari in his -%afsir. and this is its &ording \*ia the (ath of Abu Auraib. "e said: Abu Auraib and 2bn 3a'ee; related to us. %he+ said: Mali' bin 2sma;eel related to us from Ahmad bin 2shaB. "e said Abu Ahmad related to us, all of it, from Abdus Calam bin "arb &ho said: Mhateef bin A;a+un related it to us from Mus;ab bin Ca;d, from 8Adi+ bin "atim. 2t also has in At-%abari other (aths for it in full and summarised forms.

At-%abarani also related it in -Al-Mu;)am Al-Aabir. \*ia a number of (aths, )ust as it &as related in the %aree'h of Asbahaan, the Cunan of Al-?aihaBi+ and the Cunan of At-%irmidhi, &ho said: 5%his "adith is Mhareeb. 3e are not a&are of it e4ce(t \*ia Abdus Calam bin "arb and Mhateef bin A;a+un is not 'no&n in res(ect to the 7relation of 9 "adith6. All of them are \*ia Abdus Calam bin "arb and he is %hiBah 7trust&orth+9 and "aafi=h 7of good memor+9. As for Mhateef bin A;a+un then he has \*er+ fe& "adith. Abdus Calam bin "arb and 2shaB bin Abi Far&ah related from him and 2bn "ibban mentioned him in his -%hiBaat. u(on his general (inci(le. Al-?u' hari mentioned him in his -%aree'h Al-Aabir. &hen mentioning this "adith &ithout Jarh and %a;deel 7an assessment of the condition of the narrators9. Ad-DaraButni classified him as Da;eef 7&ea'9 in a stubborn manner &hich &as (resented in a Mursal manner &ithout an e4(planation for &h+ he found him to be unacce(table. Al-"afi=h 7Al-AsBalani9 follo&ed him in that &ithout (ro\*iding a "u)ah 7e\*idential (roof9 and as such, he did not hit the mar' or do &ell 7in res(ect to that9.

%he truth is that nothing re(roachable has been related concerning Mhateef bin 8A;a+un. "is 8Adaalah 7integrit+9 is established b+ t&o %hiBaat relating from him &hilst no e4(ained declaration of unreliabilit+ &orth+ of consideration at all has come in relation to him. "e is therefore "asan and there is no issue in res(ect to him. ConseBuentl+, the "adith is "asan in itself, its Matn 7te4tual content9 is sound, e\*idential (roof is established b+ it and 2mam Abu Muhammad 8Ali bin Ahmad bin "a-m Al-Andalusi classified it as Cahih and relied u(on it in his - . and it is also sahih u(on the conditionalit+ of 2bn "ibban. 2t is definitel+ Cahih &ith its su((orti\*e e\*idences 7Cha&aahid9:

- At-%abari said in his - .: 5Muhammad bin ?ashar related to us from Abdur Rahman bin Mahdi, from Cuf+an 7Ath-%ha&ri9, from "abeeb bin Abi %habit, from Abu Al-?a' htari, from "udhaifah bin Al-Eaman, ma+ Allah be (leased &ith him, that he &as as'ed concerning the Ga&l of Allah 7s&t9:

اَتَّخَذُوا اَحْبَارَهُمْ وَرُؤَسَاءَهُمْ اَرْبَابًا مِّنْ دُونِ اللَّهِ

- . . . . .

-Did the+ use to &orshi( themP.. "e said: -: o, 7and in a re(orted relation: %he+ did not use to fast for them or (ra+ to them, ho&e\*er9 &hen the+ 7%he Rabbis and Mon's9 made something "alal for them, the+ &ould ma'e it "alal and &hen the+ made something "aram for them, the+ &ould ma'e it "aram6.

%his 2snad is sufficient in terms of strength1 At-%abari recorded it &ith its full length from a number of Cahih and "asan (aths from "abeeb bin Abi %habit. Al-?aihaBi related the same as it just as At-%abari recorded it from another (ath from "udhaifah in a summarised form &ith the &ording: 5%he+ did not &orshi( them but the+ obe+ed them in Ma;aasi+ 7acts of disobedience to Allah916.

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- At-%abari+ recorded &ith its Canad 7chain of transmission9 from 2bn 8Abbas in relation to the %afsir of this \*erse, that he said: 5%he+ made obedience to them a (ear fa\*ourabl+6.

- "e recorded &ith another Canad from As-Cuddi+ &ho said: Abdullah bin 8Abbas said: 5%he+ did not command them to to them, ho&e\*er the+ commanded them &ith the disobedience to Allah and then the+ obe+ed them 7in that9 and that is &h+ Allah named them as Lords6.

- "e recorded &ith its Canad from Al-"asan Al-?asri in his %afsir, that he said: 5t relates to obedience6.

- "e recorded, &ith its Canad, from Rabee; bin Anas, from Abu Al-8ali+ah, in his %afsir of the \*erse, that he said: 2as'ed Abu Al-8Ali+ah: -"o& &as the Rububi+ah 7ascribing of Lordshi (9 &hich &as (resent among ?ani 2sra;eelP. "e said: -S 3hat the+ commanded us &ith &e follo&ed and &hat the+ forbade us from &e refrained from, &hilst the+ found in the ?oo' of Allah &hat the+ &ere commanded &ith and &hat the+ &ere forbidden from. %hen the+ began to see' counsel from the men and thro& the ?oo' of Allah behind their bac'sl..

- %he follo&ing &as recorded in the Musnad of Abu Ea;la: Muhammad related to me from Hthman bin 8Hmar, from Fitr bin Ahalifah, from Mansur, from Calim bin Abi Al-Ja;d, from MasruB, &ho said: 52 &as sitting in attendance to Abdullah and a man said to him: -3hat is As-Cuht 7illicit gains9P. "e said: -Ar-Rishaa 7briber+91. "e then as'ed: -7And9 in the rulingP. "e said: -%hat is Al-Aufr 7disbelief9. "e then recited:

وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنزَلَ اللَّهُ فَأُولَٰئِكَ هُمُ الْكَافِرُونَ

7Al-Ma;idah:

4496.

Che'i' h "ussein Asad said: 52ts 2snaad 7chain9 is Cahih6 and it is as he said as the Athar 7re (ort9 from 2bn Mas;ud is solid and Cahih for certain, es (eciall+ &ith its corroborations, (aths and su ( (orti\*e e\*idences, as follo&s:

- 2n the Cunan Al-Aubra of Al-?aihaBi+: Abu Abdullah Al-"afi=h and Abu ?a'r Al-Gaadi related to us from Al-8Abbas Muhammad bin Ea;Bub, from 2brahim bin Mar=uB, from Ma' ' i+ bin 2brahim, from Fitr bin Ahalifah, from Mansur bin Al-Mu;tamir, from Calim bin Abi Al-Ja;d, from MasruB, that he said: 5Abdullah 2bn Mas;ud &as as'ed concerning As-Cuht 7illicit gains9 and so he said: -2t is Ar-Rishaa 7briber+9.. "e 7the Buestioner9 then as'ed: -And in the "u'm 7ruling9P. Co, Abdullah 2bn Mas;ud said: -%hat is Al-Aufr 7disbelief91. And he recited this \*erse:

وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنزَلَ اللَّهُ فَأُولَٰئِكَ هُمُ الْكَافِرُونَ

44%

7Al-Ma'idah:

%his is also a Cahih 2snad 7chain of transmission9.

- Fitr bin Ahalifah is corroborated as &as recorded in the Cunan Al-Aubra of Al-?aihaBi+: Abu Abdullah Al-''afi=h related to us from Abu ?a'r Ahmad bin 2shaB, from 8Hmar bin ''afs, from 8Asim bin 8Ali, from Chu;bah, from Mansur, from Calim bin

- The following came recorded in the Musnad of Abū Easā: Shāh bin ʿIbrāhīm al-Marāʿī related to us from Jarīr bin ʿAbd al-ʿAmīd, from Rābāh bin Masʿalah, from Jaʿfar bin ʿAas, from ʿAbd al-Rahmān bin Masʿūd, from Abū ʿAḍī and Abū ʿUrayrah, & both said: The Messenger of Allah ṣa& said:

لَيَأْتِيَنَّ عَلَى النَّاسِ زَمَانٌ يَكُونُ عَلَيْكُمْ أَمْرَاءُ سُفَهَاءٌ يُقَدِّمُونَ شِرَارَ النَّاسِ وَيُظْهِرُونَ بَخَائِلَهُمْ وَيُؤَخِّرُونَ الصَّالَةَ عَنْ مَوَاقِبِهَا فَمَنْ أَدْرَكَ ذَلِكَ مِنْكُمْ فَلَا يَكُونَنَّ عَرِيفًا وَلَا شَرْطِيًّا وَلَا جَائِيًّا وَلَا خَازِنًا

.. ʿIbn ʿIbban also recorded it in his **Cahih**.  
His ʿsnad is Ga&+ Ja++id 7strong R good9. The ʿʿadith is definitel+ Cahih &ith its collecti\*e (aths and its Cha&aahid 7su (orti\*e e\*idences9.

As for Chei' h Chu;ab al-Arna;ut in his comment **ar+P** u (on the Cahih of ʿIbn ʿIbban: 52s ʿsnad is Da;eef 7&ea'%. It ma+ be that he &as una&are of -ʿAbd al-Rahmān bin Masʿūd.. "o&e\*er, Chei' h "ussein Asad, in his comment **ar+P** u (on Abū Easā said: 5ʿAbd al-Rahmān bin Masʿūd has been authenticated b+ ʿIbn ʿIbban and Al-ʿʿaithami and the rest of the narrators 7in the chain9 are %hiBaath 7trust&orth+ and reliable relaters%. This indicates that ʿIbn ʿIbban &as not alone in authenticating him. As for Al-Albani, then he mentioned in the Canad 7chain9 of the ʿʿadith: -ʿAbd al-Rahmān bin ʿAbdullāh bin Masʿūd. and (laced an e4clamation mar' 719 after the s(eech of Al-ʿʿaithami concerning him being -ʿAbd al-Rahmān bin Masʿūd.. Al-Albani then said: %his ʿsnad is Cahih, its transmitters 7Ri)aal9 are the transmitters of the t&o Chei' hs, a (art from ʿAbd al-Rahmān bin ʿAbdullāh bin Masʿūd and he is %hiBah 7trust&orth+ # reliable%. This, ho&e\*er, is a shortcoming from him as ʿAbd al-Rahmān bin ʿAbdullāh bin Masʿūd is from among the Ri)aal 7transmitters9 of the t&o Chei' hs, e\*en if the+ did not relate from him e4ce (t one single ʿʿadith1

ConseBuentl+, if ʿAbd al-Rahmān bin Masʿūd is indeed ʿAbd al-Rahmān bin ʿAbdullāh bin Masʿūd, as is the case in the recorded co(+ of Al-Albani, then the ʿsnad is definitel+ Cahih. "o&e\*er, this is not the (re(onderant \*ie& and is rather unli' el+. %hat is because ʿAbd al-Rahmān bin ʿAbdullāh bin Masʿūd, &ho &as from the ma)or %abi;een 7second la+er9, is not 'no&n to ha\*e related from Abū ʿAḍī and Abū ʿUrayrah. It is also (ossible that he is ʿAbd al-Rahmān bin Masʿūd bin : a++ar, from the lo&er middle la+ers of the %abi;een 7fourth la+er9. "o&e\*er, he is also not 'no&n to ha\*e related from Abū ʿAḍī or Abū ʿUrayrah, just as Jaʿfar bin ʿAas bin Abi ʿAahshi+ah is not 'no&n to relate from him. %herefore, this is also unli' el+. In addition, ʿAbd al-Rahmān bin Masʿūd bin : a++ar has related \*er+ fe& ʿʿadith and no Jarh 7critiBue9 has come in res(ect to him at all. "e is categorised as -MaBbool. 7acce(table9 onl+ b+ Al-ʿʿafi-h and ʿIbn ʿIbban authenticated him u(on his (inci(le. Al-ʿʿa++ar said: "e is 'no&n. ʿIbn al-Gattān al-Faasi+ said: "o&e\*er, his **condition** is not 'no&n.

The (re(onderant \*ie& is that Al-ʿʿaithami is correct and our relater ʿAbd al-Rahmān bin Masʿūd is Al-Eash' uri Al-ʿʿasri, from the middle range of the %abi;een 7the third la+er9. "e is 'no&n for relating from Abū ʿUrayrah and that Jaʿfar bin ʿAas bin Abi ʿAahshi+ah al-Eash' uri Al-ʿʿasri related from him. Indeed, this is our man &ithout doubt and he is the one &ho related about the Fadl 7\*irtue9 of Al-ʿʿussein, ma+ Allah's (ease and (eace be u(on them, as recorded in the Musnad of Ahmad and the Mustadrā' of Al-ʿʿa'im. "e had also onl+ a small number of ʿʿadith related from him. ʿIbn ʿIbban

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and Al-'a' im authenticated him and Ahmad recognised him in Al-Musnad. : o Jarh 7critiBue9 has come related to him at all and as such is u(on the original (osition of -Amaanah. 7trust&orthiness9 and -CidB. 7truthfulness # honest+9. "e is therefore closer to %hiBah 7reliabilit+9 and firmness of character.

3hiche\*er Abdur Rahman bin Mas;ud he ma+ be, the "adith is definitel+ Cahih 7&ith the e4ce(tion of the &ording - . mentioned in it9. 2ts authenticit+ is established based on the follo&ing su((orti\*e e\*idences 7Cha&aahid9:

- At-%abarani recorded in - .: %Ali bin Muhammad bin %Ali Ath-%haBafi+ Al-%aghdadi+ related to us from Mu;a&i+ah ?in Al-"aitham bin Ar-Ra++an Al-Ahurasani+, from Da&ud bin Culaiman Al-Ahurasani+, from Abdullah bin Al-Mubara' , from Ca;id bin Abi %Arubah, from Gatadah, from Ca;id bin Al-Musa++ib, from Abu "urairah, ma+ Allah be (leased &ith him, that he said: %he Messenger of Allah 7sa&9 said:

يَكُونُ فِي آخِرِ الزَّمَانِ أُمَرَاءُ ظَلَمَةٌ ، وَوُزَرَاءُ فَسَقَةٌ ، وَفُضَّاءَ خَوْنَةٌ ، وَفُقَهَاءَ كَذِبَةٌ ، فَمَنْ أَدْرَكَ مِنْكُمْ ذَلِكَ الزَّمْنَ فَلَا يَكُونَنَّ هُمْ جَائِيًّا وَلَا عَرِيفًا وَلَا شَرْطِيًّا

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At-%abarani said: 5: o one related it from Gatadah e4ce(t 2bn Abi %Arubah and no one related from him e4ce(t 2bn Al-Mubara' . Da&ud bin Culaiman &as alone in relating it and he is a Chei'h, there is no issue 7(robblem% in res(ect to him. Al-Ahateeb recorded similar to it in -%ari'h ?aghdad. \*ia the (ath of this Da&ud bin Culaiman Al-Ahurasani+.

%his Da&ud bin Culaiman Al-Ahurasani+ &ho &as authenticated b+ At-%abarani &hen he said: -"e is a Chei'h, there is no issue in res(ect to him.. "e is from the eighth or ninth la+er. 2t is not definite that he is the Da&ud bin Culaiman &hom Al-A=adi+ abandoned as that &as Ja=ari+. 2t ma+ be that he is from the same la+er 7of %abi;een9 &ho related from Gais bin Rabi; and &as located in Ma' ah as mentioned in - . 2t is also most li'el+ that the latter related from Aha=im bin Jabalah concerning &hom Al-A=adi+ said: 5>er+ Da;eef 7&ea' 9, Al-Ahurasani+6. %his one a((ears to be from a later la+er and ma+ be from the tenth as is a((arent from the la+er of his Chu+u'h in - . E\*en if it &as him, then Al-A=adi+ is 'no&n for his infle4ibilit+ 7or intransigence9 and Al-A=adi+ did not e4(lain the reason for his Jarh 7unacce(tabilit+ due to fault9 a(art from his narrating a Mun' ar 7re)ected9 "adith from Aha=im bin Jabalah, from his father, from his grandfather. %hat is &hile this Aha=im bin Jabalah is Da;eef 7&ea' 9, Matru' 7left i.e. not related from9, his "adith are not &ritten and his father and grandfather are un'no&n. 2t is therefore more \*alid and (ro(er to direct the accusation to&ards them and not to&ards Da&ud bin Culaiman Al-Ahurasani+ &ho At-%abarani commended. %hat is if he is our (erson in origin and not another man1

%his is conseBuentl+ a (ath that has no (robblem or issue &ith it and is com(letel+ inde(endent from the (ath of Abu Ea;la and ele\*ates the "adith of this section 7&ith the e4ce(tion of the &ord - . 9 to the grade of Cahih for certain.

Here are further supporting evidences from that which is Marfoo; raised in transmission to the Prophet (ﷺ) and from the guidance of the Sahabah, may Allah be pleased with them:

- The following came recorded in - : Abdullah bin Zayd Al-Mahdhi, from Muhammad bin Abi As-Cari, from Muhammad bin 'Arb Al-Abrash, from Abu Calamah Culaiman bin Calim, from Calih bin Eah+a bin Al-MiBdam, from his father, from his grandfather who said: The Messenger of Allah (ﷺ) said:

أَفْلَحْتَ يَا قَدِيمَ إِنْ لَمْ تَلْقِ اللَّهَ جَابِيًا وَلَا شَرِطِيًّا وَلَا عَرِيفًا

- The following came recorded in - . At-Tabarani: via the (ath of Zayd bin Ibrahim, from Abdur Ra=aB, from Ath-Tabari, from Abu 'Ussein, from Ash-Cha;bi, from Mahdi who said: Zayn Mas'ud said: -"O Messenger of Allah, if the best of you were (located and the nearest or furthest of you were a (ointed over you and the (ra+er (as (erformed in other than its set times. Zayn said: -Do not be a tax collector, chief informer to the ruler, law enforcer or **Costman**. And (perform the (ra+er at its set times1.

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- And the following was recorded in the - : Calam bin Mis'een said he heard Muhammad bin Zayn; relate from Al-Mahri who said: Abu 'Urairah said: 5

6. This hadith is Cahih and it is as if it is a summary of longer speech and resembles the speech of the (re+ious+ mentioned Athar (ort of Zayn Mas'ud.

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- The first hadith: From Abdullah bin Mas'ud that the Prophet (ﷺ) said:

سَيَلِي أُمُورَكُمْ بَعْدِي رَجَالٌ يُطْفِئُونَ السُّنَّةَ وَيُخَوِّضُونَ الصَّلَاةَ عَنْ مَوَاقِيتِهَا. فَقُلْتُ: يَا رَسُولَ اللَّهِ إِنْ أَدْرَكْتَهُمْ كَيْفَ أَفْعَلُ؟ قَالَ: تَسْأَلُنِي يَا ابْنَ أُمِّ عَبْدٍ كَيْفَ تَفْعَلُ لَا طَاعَةَ لِمَنْ عَصَى اللَّهَ

-Four affairs after me will be governed by men who extinguish the Sunnah, act by the (id;ah innovation and delay the (ra+er from its set timings. Zayn said: -O Messenger of Allah, if I like to see them, what should I do? He replied: -You are asking me O Zayn Himm Abd, what you should do?1.

It was related by Zayn Majah and by Ahmad. The above wording is that recorded by Zayn Majah.

As for the (af=h (ording of Ahmad, then it was as follows:

إِنَّهُ سَيَلِي أَمْرَكُمْ مِنْ بَعْدِي رَجَالٌ يُطْفِئُونَ السُّنَّةَ وَيُحْدِثُ

"o&e\*er, Zsma;eel bin Oa'ari+a bin Murrah Al-AhalBani &as not alone in relating it but rather &as corroborated b+ a collecti\*e, as &ill be sho&n. %he+ include: Da&ud bin Abdur Rahman Al-Attar &ho is %hiBah 7trust&orth+, reliable9, Eah+a bin Calim Al-Gurashi &ho is CadooB 7truthful9 has bad memor+ although he is accurate in the "adith of Abdullah bin 8Hthman bin Ahuthaim, &hich is the case here, and Zsma;eel bin 8A++ash &ho is CadooB in his "adith from the (eo(le of his land, the (eo(le of Ash-Cham 7Mreater C+ria9, although he is muddled in res(ect to other than them, and this is unfortunatel+ from them 7i.e. from other than the (eo(le of his land9. "o&e\*er, he did not muddle here as is e\*ident and &e onl+ reBuire him as a third corroboration and no more than that.

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%he "adith is therefore "asan Cahih &ith its (aths, su((orti\*e e\*idences 7Cha&aahid9 and corroborations 7Mutaaba;aat9 and is conseBuentl+ suitable be used as e\*idential e\*idence.

As for &hat Al-?useeri+ said in - . concerning the Zsnad of Zbn Ma)ah: 57Concerning9 %his Zsnad, its Ri)aal 7transmitters9 are %hiBaat 7trust&orth+ # reliable9, ho&e\*er Abdur Rahman bin Mas;ud confused the last (art of it and conseBuentl+ it is deser\*ing to be left 7i.e. not related%. %he s(eech of Al-?useeri+ here is not correct because the relater in this Canad is Abdur Rahman bin Abdullah bin Mas;ud &hilst the one &hom Al-?useeri+ meant &as Abdur Rahman bin Abdullah bin 8Htbah bin Mas;ud Al-Mas;udi+ &ho &as from among the students of this Al-Gasim bin Abdur Rahman and not from his Chu+u'h 7i.e. teachers9, &hich &as the situation of our relater Abdur Rahman bin Abdullah bin Mas;ud Al-Mas;udi+. Our relater here &as mentioned b+ Zbn "ibban among his %hiBaat 7trust&orth+ and reliable9 transmitters. As for the other, then he &as (aced u(on those &ho had been found to ha\*e fault or &ea'ness ma'ing his narration not acce(ted 7Ma)rooh9.

Zf, for the sa'e of argument, &e &ere to concede that the s(eech of Al-?useeri+ is correct, although it certainl+ is not, it is de\*oid of detail. %hat is because this "adith is from that &hich his son -Zbn ul-Gasim. related from him before the muddling or confusion set in. Zbn "a)ar said in relation to Abdur Rahman bin Abdullah bin 8Htbah bin Mas;ud Al-Mas;udi+: 5And &hat Al-Gasim related from him is authentic S6 %herefore, &hiche\*er Abdur Rahman bin Abdullah bin Mas;ud it is, the "adith from him is Cahih, under all circumstances1

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As for the &ording recorded b+ At-%abarani:

سَيَكُونُ عَلَيْكُمْ أَمْرَاءُ يُؤَخِّرُونَ الصَّلَاةَ عَنْ مَوَاقِيتِهَا، وَيُخَدِّثُونَ الْبَدَعَ. قَالَ ابْنُ مَسْعُودٍ: فَكَيْفَ أَصْنَعُ؟ قَالَ: تَسْأَلُنِي يَا ابْنَ أُمِّ عَبْدِ كَيْفَ تَصْنَعُ؟ لَا طَاعَةَ لِمَنْ عَصَى اللَّهَ

5-%here &ill be o\*er +ou 7in authorit+9 leaders &ho dela+ the (ra+er from its set timings and inno\*ate inno\*ations.. Zbn Mas;ud as'ed: -Zhat should 2 doP. "e re(lied: -Eou as' me O Zbn Hmm 8Abd &hat +ou should doP1 .6.

Al-?aihaBi+ recorded it &ith a similar &ording.

%he Zsnad of At-%abarani is: Muhammad bin 8Ali As-Caa;igh Al-Ma''i+ related to us from Zbrahim bin Muhammad Ash-Chaafi;+, from Da&ud bin Abdur Rahman Al-8Attaar, from Zbn Ahuthaim, from Al-Gasim bin Abdur Rahman, from his father, from Abdullah bin Mas;ud, &ho said: S

- Muhammad bin Ali bin Oaid Al-Ma' 'i+ As-Caa;igh, Abu Abdullah, is an 2mam &ho is %hiBah %habat 7%rust&orth+ and reliable9.

- 2brahim bin Muhammad bin Al-8Abbas Al-Matlabi+ Al-Ma' 'i+ Ash-Chaafi;i+, is from the grou ( of 2mam Ash-Chaafi;i+. "e is %hiBah and An-: asa;i and Ad-DaraButni+ authenticated him. Abu "atim said: 57""e is9 CadooB 7truthful9%.

- Da&ud bin Abdur Rahman Al-8Attaar. "e 7Al-"afi=h9 said concerning him in -At-%aBreeb.: 57""e is9 %hiBah6.

2mam 2bn MaJah recorded it sa+ing: Cu&aid bin Ca;id related it to us from Eah+a bin Culaïm, from "isham bin 8Ammar, from 2sma;eel bin 8A++ash, &ho said: Abdullah bin Hthman bin Ahuthaim narrated to us: 7%hen li'e the abo\*e9.

- Cu&aid bin Ca;id, Chei'h 7teacher9 of 2mam Muslim, he recorded more than Q\$ "adith of his in his Cahih. "e is CadooB 7truthful9 in himself, "e became blind and as such began to ascribe the "adith incorrectl+.

- Eah+a bin Culaïm Al-Gurashi+. Eah+a bin Ma;een and 2bn Ca;d authenticated him and Ahmad said: 5""e had become (roficient in the "adith of 2bn Ahuthaim6. "o&e\*er, Al-"afi=h 7Al-AsBalani9 said in -At-%aBreeb.: 5CadooB 7truthful9, bad memor+6. : "o&e\*er, he is (roficient in the "adith of 2bn Ahuthaim as stated b+ 2mam Ahmad, ma+ Allah;s merc+ be u(on him and that is &hat is im(ortant here as &e are not rel+ing u(on him b+ himself but rather &e onl+ reBuire his corroboration and both 2mams Al-?u'hari and Muslim ha\*e recorded from him in the - . among the Mutaaba;aat 7corroborations91

- "isham bin 8Ammar, from the Masha+i'h 7teachers9 of Al-?u'hari. "e recorded from him in his -Cahih.. "e is CadooB. "e became elderl+ and began to ascribe the "adith incorrectl+. %herefore, his older "adith are the most Cahih1

- 2sma;eel bin 8A++ash. "e 7Al-"afi=h9 said concerning him in -At-%aBreeb.: 5CadooB in his narrations from the (eo(le of his land and muddled in other than them6. "is narration here is from the (eo(le of Ma'ah and as such there is the (ossibilit+ of &ea'ness and muddling. "o&e\*er, Eah+a bin Culaïm corroborates him in the (re\*ious first 2snad and as such the (ossibilit+ of confusion or muddling 7Al-A'htilaat9 is a\*erted.

3e ha\*e alread+ s(o'en about the remainder of the transmitters in the Canad. %his "adith is therefore "asan Cahih and suitable to be used as e\*idential e\*idence 7""u)ah9, if Allah &ills, and Allah is most 'no&ledgeable.

%he "adith of Abdullah ibn Mas;ud is therefore undoubtedl+ Cahih through the sum of its (aths. Al-Albani stated in -As-Cilsilah As-Cahihah.: 52ts 2snad is Ja++id 7good9 u(on the conditionalit+ of Muslim.. ConseBuentl+, the "adith has been classified as Cahih b+ both the great scholar Ahmad Cha'ir and Al-Albani.

And the statement of the Messenger of Allah 7sa&9 in the "adith of Abdullah 2bn Mas;ud: -. . is definite in meaning 7Dalalah9 in res(ect to the nullification of obedience to the - ..

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from the Messenger of Allah ﷺ:

إِنَّهُ سَيَلِي أُمُورَكُمْ بَعْدِي ، رَجُلٌ يُعَرِّفُونَكُمْ مَا تُشْكِرُونَ ، وَيُنْكِرُونَ عَلَيْكُمْ مَا تَعْرِفُونَ ، فَلَا طَاعَةَ لِمَنْ عَصَى اللَّهَ  
فَلَا تَعْتَلُوا بِرَبِّكُمْ

Our affairs will be governed after me by men who make you aware of what you thank them for, and what they disown for you, so there is no obedience to anyone who disobeys Allah. Do not be haughty with your Lord.

It was recorded by Ahmad and this is his wording, At-Tabarani, Al-Hakim, Abu Chaibah, Abdullah bin Ahmad, Abu al-Asar, al-Baihaqi and Ash-Chaashi.

Imam Ahmad said: al-Hakim bin Ali; Abu al-Eaman related to us from Ismaeel bin Ali+ash, from Abdullah bin Huthman bin Authaim, from Ismaeel bin Hbaid al-Ansari+. He then mentioned the "adith in full and al-Badani mentioned at the end of it that he heard the Messenger of Allah ﷺ saying it.

- al-Hakim bin Ali; Abu al-Eaman al-Hakimi, is from the Mashayikh of Ahmad and the Imams of "adith. He al-Hakim said concerning him in -At-Tabreeki: 5%hiBah %habat 7trust&orth+ and reliable%.

- Ismaeel bin Ali+ash. He al-Hakim said concerning him in -At-Tabreeki: 5He is CadooB 7truthful9 in his narrations from the (eo)le of his land and muddled 7Mu'htalit9 in respect to other than them. His narration here is from the (eo)le of Ma'ah and so there is a (ossibilit+ of &ea'ness and muddling 72'htilaat9, however, Eah+ bin Culaim corroborates him in the narration of Abdullah bin Ahmad and the narration of al-Hakim al-Ash-Chaasi+. Consequently, the (ossibilit+ of muddling or confusing is refuted.

His following are the corroborations 7Mutaabaa'at9: As for the first: Imam Abdullah bin Ahmad bin Hanbal in his additions to the Musnad recorded: Cuaid bin Ca'id al-Hakimi related to us from , from Ibn al-Huthaim, from Ismaeel bin al-Baihaqi bin Rifaa'ah, from Abu Hbaid bin Rifaa'ah, from al-Badani bin As-Camit: He same as it i.e. the "adith.

His second corroboration: Imam al-Hakim al-Ash-Chaasi+ in his Musnad: Muhammad bin ShaB As-Caghani+ related to us from Muhammad bin al-Abbad, from S until the end of the "adith.

- Muhammad bin ShaB As-Caghani+ is: %hiBah %habat 7trust&orth+ # reliable9.

- Muhammad bin al-Abbad is Ibn al-Abrahan al-Ma'ini: Eah+ bin Ma'een said: There is no problem for issue9 with him. He al-Hakim said in -At-Tabreeki: 5CadooB 7truthful9 but some lack of accuracy.

- Eah+ bin Culaim al-Gurashi+: Declared %hiBah by Eah+ bin Ma'een and Ibn Ca'id. Ahmad said: 5He was proficient in the "adith of Ibn al-Huthaim. However, al-Hakim said in -At-Tabreeki: 5CadooB

7truthful but bad in memor+6# : "o&e\*er, he is (roficiant in the "adith of 2bn Ahuthaim as stated b+ 2mam Ahmad, ma+ Allah;s merc+ be u(Con him, and that is &hat is im(ortant here. 3e are not rel+ing u(Con him in himself but rather &e onl+ reBuire his corroboration. 7n addition9, the t&o 2mams Al-?u' hari and Muslim ha\*e recorded from him in the -Cahih. among the Mutaaba;aat 7corroborations91

- Abdullah bin Hthman bin Authaim. "e 7Al-"afi=h9 said about him in -At-%aBreeb.: 5CadooB 7truthful% and &e ha\*e (re\*iousl+ discussed him.

- 2sma;eel bin 8Hbaid bin Rifaa;ah. "e 7Al-"afi=h9 said about him in -At-%aBreeb.: 5MaBbool 7acce (table%.

- 8Hbaid bin Rifaa;ah: %hiBah 7trust&orth+ # reliable9 and classified as %hiBah b+ Al-82)li+ and 2bn "ibban.

2n addition, each of 2sma;eel bin 8A++ash and Eah+a bin Culaim ha\*e been corroborated and as such the least amount of the (ossibilit+ of muddling, confusion 72' htilaat9 or bad memor+ has been negated. 2ncluded among those corroborations is &hat &as recorded b+ the 2mam Al-"afi=h Al-?a==ar in his Musnad, &hen he said: Ahalid bin Eusu bin Ahalid As-Camti+ &as classified as Da;eef 7&ea' 9 b+ Adh-Dhahabi in -Al-Mi=an. &hilst 2bn "ibban mentioned him among the %hiBaat and said: "is "adith are considered in other than &hat he related from his father. As for his father, then he is \*er+ &ea' 7Da;eef9 and Adh-Dhahabi said: 5"aali' 7i.e. his "adith are not at all acce(ted%.

%here are other corroborations from other than the (ath of 2bn Ahuthaim. 2mam Al-"a'im said: Abdullah bin Muhammad bin Musa Al-8Adl related to me from 8Ali bin Al-"ussein bin Al-Junaid, from Al-Mu;afa bin Culaiman Al-"arani, from Ouhair bin Mu;a&i+ah. And Abu 8A&n Muhammad bin Mahan Al-Aha==a= related to me 7in Ma' ' ah9, from 8Ali bin Abdul 8A=i=, from Ca;id bin Mansur, from Muslim bin Ahalid A=-0an)i+. 7oth of them related from 2sma;eel bin Hbaid bin Rifaa;ah from his father from 8Hbadah bin As-Camit S "e then mentioned the "adith.

- %he follo&ing is the te4t of the corroboration of Muslim bin Ahalid A=-0an)i+ &hich &as indicated to b+ 2mam Al-"a'im, also in his - : Abu 8A&n Muhammad bin Mahan Al-Aha==a= informed us of it in Ma' ' ah. "e related it from 8Ali bin Abdul 8A=i=, from Ca;id bin Mansur, from Muslim bin Ahalid, from 2sma;eel bin 8Hbaid bin Rifaa;ah, from his father: %hat 8Hbadah bin As-Camit stood standing in the middle of the house of the Amir ul-Mu;mineen Hthman bin 8Affan, ma+ Allah be (leased &ith him, and said: >eril+, 2 heard the Messenger of Allah 7sa&9, Abu l-Gasim, sa+ing:

سَيَلِي أُمُورَكُمْ مِنْ بَعْدِي رِجَالٌ يُعْرِفُونَكُمْ مَا تُنْكِرُونَ ، وَيُنْكِرُونَ عَلَيْكُمْ مَا تَعْرِفُونَ ، فَلَا طَاعَةَ لِمَنْ عَصَى اللَّهَ ، فَلَا تَعْتَبُوا أَنْفُسَكُمْ ، فَوَالَّذِي نَفْسِي بِيَدِهِ ، إِنَّ مُعَاوِيَةَ مِنْ أَوْلِيَاكَ " ، فَمَا رَاجِعُهُ عُنْمَانُ خَرْفًا

-Four affairs &ill be go\*erned after me b+ men &ho ma'e that &hich +ou consider to be Mun'ar 7e\*il R unla&ful9 Ma;ruf 7good R la&ful9, and that &hich +ou consider to be Ma;ruf 7good -la&ful9 Mun'ar 7e\*il R unla&ful9. %hen, there is no obedience to the one &ho disobe+ed Allah.. -Co do not re(ro\*e +oursel\*es, for b+ the One in &hose hand is m+ soul, \*eril+ Mu;a&i+ah is from those. Hthman did not re\*ise a single letter 7i.e. of &hat he had said%.

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Al-'a'im said: 5%his "adith has been related with a Cahih 2snad u(on the conditionalit+ 7Chart9 of the t&o Chei'hs in res(ect to Hbadah bin As-Camit a(earing before Hthman bin 8Affan raising an in)justice, b+ a summarised te4t6 and Adh-Dhahabi &as silent about him in At-%a'hlees.

- Abdullah bin Muhammad bin Musa Al-8Adl Al-Aa;bi+ An-: aisaburi+, Al-'a'im said about him: A Muhaddith 7scholar of "adith9 &ho 7journe+tra\*elled and heard 7recei\*ed9 a lot. "e is Cahih in Camaa; 7hearing#recei\*ing9. Adh-Dhahabi said: 5%he Muhaddith the scholar the CadiB 7truthful%.

- 8Ali bin Al-"ussein bin Al-Junaid. "e is an 2mam %hiBah %habat 7reliable and trust&orth+9. "e &as classified as %hiBah b+ 2bn Abi "atim and Adh-Dhahabi said: 5Al-2mam Al-"afi=h Al-"u)ah6.

- Al-Mu;afa bin Culaiman Al-Ja=ari+ Ar-Ras;ani+ Al-"arani: "e 7Al-"afi=h Al-AsBalani9 said about him in -At-%aBreeb.: 5CadooB 7truthful%.

- 8Uhair bin Mu;a+i+ah bin Ahudai), Abu Ahuthaimah Al-Ja;fi+ Al-Aufi+. "e is an 2mam from the famous 2mams of "adith. "e 7Al-AsBalani9 said about him in -At-%aBreeb.: 5%hiBah %habat, e4ce(t for his hearing from Abu 2shaB in his latter life6.

As such this 2snad has sufficientl+ been established in terms of strength to 2sma;eel bin 8Hbaid bin Rifaa;ah11

As for the other (ath, then here is its stud+:

- Abu 8A&n Muhammad bin Mahan Al-Aha==a=. "e is from the Chu+u'h 7teachers9 of Al-'a'im.

- 8Ali bin Abdul 8A=i= bin Al-Mar=aban bin Caabur, Abu l-"asan Al-?agha&i+. Ad-DaraButni said about him: 5%hiBah Ma;mun 7Reliable and trust&orth+% 2bn Abi "atim said: 5"e &as CadooB 7truthful% and Adh-Dhahabi said about him: 5Al-2mam Al-"afi=h Al-CadooB16.

Ca;id bin Mansur bin Chu;bah Al-Ahurasani+, Abu Hthman Al-Mar&a=i+, the famous 2mam and com(iler of &ritten collections 7or &or' s9. "e 7Al-AsBalani9 said about him in -At-%aBreeb.: 5%hiBah Musannif 7Reliable # a com(iler%. Abu "atim said: 5%hiBah from the reliable (ious (eo(le from those &ho collected and com(iled6.

- Muslim bin Ahalid A=-0an)i+: "e 7Al-AsBalani9 said about him in -At-%aBreeb.: 5FaBih 7scholar # Jurist9, CadooB 7truthful9, man+ A&haam 7errors or erroneous im(ressions%.

%hese (aths demonstrate that Abdullah bin Hthman bin Ahuthaim did not muddle in res(ect to the 2snad as some ha\*e erroneousl+ thought. Rather, he related t&o different "adith: %he "adith of Abdullah bin Mas;ud \*ia the (ath of Al-Gasim bin Abdur Rahman, from his father, from Abdullah bin Mas;ud, and the second "adith of 8Hbadah bin As-Camit \*ia the (ath of 2sma;eel bin 8Hbaid bin Rifaa;ah, from Abu 8Hbaid bin Rifaa;ah, from 8Hbadah bin As-Camit, ma+ Allah be (leased &ith him.

Ees, the (roblem remains that 2sma;eel bin 8Hbaid bin Rifaa;ah reBuires a Mutaaba;ah 7corroboration9 because Al-"afi=h 7Al-AsBalani9 said about him 5MaBbool 7acce(table%, &hich means if he is corroborated, he is acce(ted or other&ise, he &ould be Da;eef 7&ea'9. It is a(arent that his status is much better than that as Al-"u'hari made a biogra(h+ for him and 2bn "ibban classified him



as %hiBah 7reliable # trust&orth+9, )ust as numerous %hiBaat 7reliable relaters9 transmitted from him including: Abdullah bin Hthman bin Ahuthaim, Ouhair bin Mu;a&i+ah and Muslim bin Ahalid A=-0an)i+. "e is therefore &ell-' no&n, e\*en if not among man+, and the Mutoon 7te4tual contents9 of his "adith are good and clean. Al-"a'im has categorised a number of his "adith as being Cahih and Adh-Dhahabi concurred &ith him o\*er that.

Des(ite that, he has been corroborated in this "adith b+ a Matn 7te4tual content9 that is similar. %hat is because the stor+ 7or incident9 is established and there is no doubt concerning that. %hat is &hile a difference in the &ordings is a natural occurrence due to the dis(arit+ in the memor+ of the narrators and in their le\*els of care.

As for the other (aths for the "adith, the "adith of Hbadah bin As-Camit, then the+ include:

- 3hat &as recorded b+ 2mam Al-ha'im in - .: 8"am=ah bin Al-;Abbas Al-8ABabi+ informed us in ?aghdad, relating from 2brahim bin Al-"aitham Al-?aladi+, from Muhammad bin Aathir Al-Museesi+, from Abdullah bin 3aBid, from Abdullah bin Hthman bin Ahuthaim, from Abu A=-Oubair, from Jabir from Hbadah bin As-Camit: %hat he entered into the (resence of Hthman bin 8Affan, ma+ Allah be (leased &ith him, and then said: 2 heard the Messenger of Allah 7sa&9 sa+ing:

سَيَلِيكُمُ أَمْرَاءُ بَعْدِي يُعَرِّفُونَكُم مَّا تُنْكِرُونَ ، وَتُنْكِرُونَ عَلَيْكُم مَّا نَعْرِفُونَ ، فَمَنْ أَدْرَكَ مِنْكُم فَلَا طَاعَةَ لِمَنْ عَصَى اللَّهَ

.6.

Al-"a'im said: 5%his "adith is Cahih in its 2snad but the+ 7Al-?u' hari and Muslim9 did not record it. 2t has been narrated b+ Ouhair bin Mu;a&i+ah and Muslim bin Ahalid A=-0an)i+ from 2sma;eel bin Hbaid bin Rifaa;ah, from Abdullah bin Hthman bin Ahuthaim &ith some additions in it6. Adh-Dhahabi said in -At-%a'hlees.: 52t has been narrated b+ Abdullah bin 3aBid alone and he is Da;eef 7&ea' %.

- Abdullah bin 3aBid is Al-"arith bin Abdullah Al-"anaf+, Abu Ra)aa; Al-"ara&i+. 2bn "a)ar said about him is -At-%aBreeb.: 5%hiBah 7reliable, trust&orth+9, described &ith the characteristics of goodness6.

- "am=ah bin Al-8Abbas Al-8ABabi+. "e is Abu Ahmad "am=ah bin Muhammad bin Al-8Abbas Al-8ABabi+. Al-Ahateeb said: 557"e is9 %hiBah6 and Adh-Dhahabi said: 5"e &as Ma&aththiB 7strong%.

- Muhammad bin Aathir As-Can;ani+ Al-Museesi+. "e 7ibn "a)ar9 said concerning him in -At-%aBreeb.: 5CadooB 7truthful9 &ho often errs6.

- Abu A=-Oubair, Muhammad bin Muslim bin %adrus Al-Ma' 'i+. "e 7Al-"afi=h9 said about him in -At-%aBreeb.: 5CadooB 7truthful9 e4ce(t that he (erformed %adlees and he did not ma'e clear here that he heard from Jabir, ma+ Allah be (leased &ith him6.

The rest of the 2nad has (re\*iousl+ been discussed. As for the objection of Adh-Dhahabi against Abdullah bin 3aBid, then that is a strange matter! It may be that he was confused between him and between Abdullah bin 3aBid Al-Ahurasani+ Abu Gatadah, concerning whom Ibn 'a)ar said in -At-%aBreeb.: 5Matroo' abandoned i.e. &ea' and not related from% &hilst 2mam Ahmad used to commend him and make excuses for him. "e &ould say: It may be that he has become elderly+ and confused some matters) just as he &ould engage in %adles 7i.e. make omissions in the 2nad.

As for the Abdullah bin 3aBid mentioned in our 2nad here, then he is Abu Ra'aa; Al-'ara&i+ &hom Abdullah bin Hthman bin Ahuthaim &as from his Chu+u'h 7teachers, &hilst Muhammad bin Aathir Al-Museesi+ &as from among his students as is a((arent in the 2nad above. In addition, he &as not alone in transmitting the "adith as has become a((arent from our stud+.

It is worth mentioning here that 2mam Adh-Dhahabi wrote his commentary upon Al-Mustadra' at the beginning stage of his pursuit of 'nowledge as is 'now. For that reason, &e often find him (assing) judgement upon the transmitters of Al-"a'im in his -At-%al' heels. b+ s(eech that contradicts &hat he wrote concerning those transmitters in his book -Al-Mi'an., &hich he wrote after the completion of his maturity+ and his 'nowledge and experience had grown to the full in this science and his foothold had become firm. In this regard it is necessary to excuse him as he &as following Al-8HBaili+ and (erhaps others &ho (er(etrated the same error.

Here is therefore nothing in the above 2nad that harms it, &ith the exclusion of the -8An;anah. associated &ith Abu A=Oubair, a matter &hich 2mam Muslim tolerated in a few hundred Ahadeeth in his Sahih! The truth is that Abu A=Oubair Al-Ma' 'i+ had heard 7directl+ most of his "adith, &ith the exclusion of a few, from Jabir, and he made an oath upon that in the \*icinit+ of the Aa;bah. For that reason, it is more a((ropriate to tolerate his 8An;anah in respect to the connection and hearing for receiving, as long as there is no reason dictating other than that in terms of contradicting a %hiBah or due to the 7Matn being : a'arah 7re)ectable, among other reasons.

Al-8HBaili+ said in -Ad-Afaa; Al-Aabir.: 5Muhammad bin Ahmad bin Al-3aleed related to us from Muhammad bin Aathir from Abdullah bin 3aBid, from Abu A=Oubair, from Jabir: What he said: 8Hbadah bin As-Camit stood u( S "e then mentioned the same aforesaid "adith.

- Muhammad bin Ahmad Al-3aleed. "e is %hiBah and classified as such b+ Ad-DaraButni. An-: as; said about him, &hilst diminishing his right: "e is Caalih 7\*iable, sound! And Adh-Dhahabi said: the 2mam Ath-%habat 7reliable.

3e have already discussed the remainder of the transmitters in this chain. Here is also &ithin this 2nad nothing that harms it (art from the 8An;anah of Abu A=Oubair, in addition to the omission of the link between Abdullah bin 3aBid and Abu A=Oubair, &ho &as Abdullah bin Hthman bin Ahuthaim, as &as stated in the (eceding chains of transmission. It is most likely that this error is from among the errors of transcription because the (ath of Al-"a'im is connected and does not have an omission in the chain.

2mam Ibn Abi Chaibah also recorded the following \*ia (ath independent from the (re\*ious one in his Musannaf: Ahalid bin Ma'hlad related to us from Culaiman bin ?ilal from Chari' bin Abdullah bin Abi : amir, from Al-A;ashaa bin Abdur Rahman bin Mu'mil, from A=har bin Abdullah, that he said: 8Hbadah bin As-Camit came as a (ilgrim from Ash-Cham 7Mreater C+ria to Al-Madinah. "e &ent to

Hthman bin Affan and said: -O Hthman1 Chall 2 not inform +ou of something 2 heard from the Messenger of Allah 7sa&9P. "e said: -Of course.. "e 7Hbadah9 said: ->eril+, 2 heard the Messenger of Allah 7sa&9 sa+ing:

سَتَكُونُ عَلَيْكُمْ أَمْرَاءُ يَأْمُرُونَكُمْ بِمَا (لَا) تَعْرِفُونَ وَيَعْمَلُونَ مَا تُنْكِرُونَ فَلَيْسَ أَوْلِيَّكَ عَلَيْكُمْ طَاعَةٌ

-

...

Also, \*ia the (ath of Ahalid bin Ma' hliid, Al-?u' hari also recorded it in his -At-%aree' h Al-Aabir. )ust as Al-"a' im recorded it in his -Al-Mustadra' .. "e said: Abu l-Abbass Muhammad bin Ea;Bub related to us from Al-Abbass bin Muhammad Ad-Da&ri+, from Ahalid bin Ma' hliid S

- Ahalid bin Ma' hliid. "e 7Al-"afi=h 2bn "a)ar9 said about him in -At-%aBreeb.: 5CadooB 7truthful9, Eatasha++i;u 7Chi;ah or factional tendenc+9 and he has Afraad 7indi\*idual narrations%.

- Culaiman bin ?ilal Al-Gurashi+. "e 7Al-"afi=h9 said about him in -At-%aBreeb.: 5%hiBah 7reliable # trust&orth+%.

- Chari' bin Abdullah bin Abi : amir Al-Gurashi. 2n -At-%aBreeb. he said: 5CadooB 7truthful9 &ho ma' es errors6.

- Al-A;ashaa bin Abdur Rahman bin Mu' mil Al-Madani+. "e has a biogra(h+ 7%ar)ama9 in -Al-Jarh 3a-t-%a;deel. and 2bn "ibban mentioned him among the %hiBaat 7reliable # trust&orth+ transmitters9.

- A=har bin Abdullah. Abu "atim said concerning him: 2 do not 'no& &ho he is1 2bn "ibban mentioned him among the %hiBaat 7trust&orth+ and reliable transmitters9. And 2 fear that he is: A=har bin Abdullah bin Jamee; Al-"ara=i+, &ho is from the minor %abi;een. Al-"afi=h said concerning him: CadooB, &ho has been accused of An-: asb 7attribution9, thus ma' ing the 2snad MunBati; 7interru( ted9, as A=har did not meet Hthman. 2f it is other than him then he is co\*ered in it b+ ignorance, e\*en if 2bn "ibban (laced him among the %hiBaat.

%his 2snad is therefore acce( table as a &hole in res(ect to corroborations 7Mutaaba;aat9 and su( (orti\*e e\*idences 7Cha&aahid9.

- Hbadah bin As-Camit said: %he Messenger of Allah 7sa&9 said:

سَتَكُونُ عَلَيْكُمْ أَمْرَاءُ مِنْ بَعْدِي، يَأْمُرُونَكُمْ بِمَا لَا تَعْرِفُونَ، وَيَعْمَلُونَ بِمَا تُنْكِرُونَ، فَلَيْسَ أَوْلِيَّكَ عَلَيْكُمْ بِإِثْمَةٍ

-%here &ill be o\*er +ou rulers after me &ho command +ou &ith that &hich +ou do not recognise 7i.e. to be from 2slam9 and &ho do that &hich +ou condemn. .

Al-"aithami said: 5At-%abarani related it and in it 7the 2snad9 is Al-A;ashaa bin A?dur Rahman and 2 did not 'no& him. %he rest of the transmitters are %hiBaat6. : 3e ha\*e ahead+ s(o' en about Al-A;ashaa bin Abdur Rahman bin Mu' mil and 2bn "ibban authenticated him as reliable. %herefore, if

Al-"aithami's words about the remainder of the transmitters in the 2snad is correct, along with integrity from interruption, the "adith would then be Cahih upon his conditionality of 2bn "ibban. As for the Matn 7te4tual content of the "adith then it stands up as the te4ts of the Aitab, the Cunnah and the other Ahadeeth of this character testify for its soundness.

Consequently, the "adith, the "adith of 8Hbadah is definitely "asan Cahih with its Cha&aahid 7su((ort)\*e e\*idences and Mutaabaaat 7corroborations. Al-Albani also classified it to Cahih in his -Cahih Al-Jaami; As-Cagheer. and his -Cilsilat ul-Ahadeeth As-Cahihah..

This statement of the Messenger of Allah 7sa&9 in the "adith of 8Hbadah bin As-Camit: -. is also definite in Dalalah 7meaning in respect to the nullification of the 3ila+ah 7ruling of the FasiB and the (prohibition of obedience to him.

Similarly, the wording -%hose are not 2mams 7leaders o\*er +ou. is definite in Dalalah 7meaning for the invalidation of the FasiB 2mam. Indeed, it is more a((arent and e\*ident in terms of its indicative meaning 7Dalalah than the (rior &ordings1

- 2mam Ahmad said in his Musnad: 5Abdus Camad related to us from "arb bin Chaddad, from Eah+a bin Abi Aathir: 8Amr bin Unaib Al-Anbari+ said: %hat Anas bin Mali' related to him that Mu;adh bin Jabal said: -O Messenger of Allah, &hat is +our \*ie& if &e ha\*e o\*er us rulers 7or leaders? &ho do not abide by +our Cunnah and do not follow +our command. 3hat do +ou command us in respect to their affair? %he Messenger of Allah 7sa&9 then said:

لَا طَاعَةَ لِمَنْ لَمْ يُطِيعِ اللَّهَ عَزَّ وَجَلَّ.

6.

Abu Eajla also recorded it in his Musnad with this chain of narrators 72snad.

- Abdus Camad bin Abdul 3arith. "e &as classified as %hiBah 7reliable by 2bn "ibban, 2bn Ca;d and Al-"a'im. Abu "atim said: CadooB 7truthful Calih Al-"adith 7i.e. his "adith are good#accepted. "e 7Al-"afi-h9 said about him in -At-%aBreeb.: 5CadooB6 and he &as %habat 7reliable in the \*ie& of Chu;bah.

- "arb bin Chaddad Al-Eash'uri+. Ahmad said he is %habat 7reliable among all the Masha+i' h. %he author of -At-%aBreeb. said: 5%hiBah6 but this &as inadequate from him as he is closer to be classified as %hiBah %habat1

- Eah+a bin Abi Aathir. "e is an 2mam from the 2mams o\*er &hom there is a consensus for his %hiBah. %he author of -At-%aBreeb. said: 5%hiBah %habat6, however he makes omissions in the 2snad 7%adlee9 and relates &hat is Mursal. 2bn "ajar mentioned him among the second grade of those &ho engage in %adlee9 7Mudliseen9 i.e. from those &hose "adith are accepted &hether the+ e4(cicitl+ stated that the+ had heard 7the "adith9 or the+ related by &a+ of 8An;anah etc. Des(ite that, he e4(cicitl+ stated that he had heard 7the "adith9 in the Ri&a+ah 7reort9 recorded by Abu Eajla.

- Amr bin Unaib 7it has been said: 2bn ?ilal9 Al-?Anbari+. Al-?u' hari biogra(hi=ed him -Al-Aabir. and he did not mention in res(ect to him an+ Jarh or %a;deel, &hich is usual for him &ith man+ of the %hiBaat. "o&e\*er, he affirmed his hearing 7or recei\*ing9 from Anas bin Mali'. 2bn Abi "atim said in his : 5%he+ differed in res(ect to him. 2 heard m+ father sa+ing that. More than one had related from him and so 7the status of9 being un' no&n has been lifted from him. 2bn "ibban \*erified him as %hiBah and he &as not alone in that as others ha\*e done so6. 2bn Abi "atim also said: 5: o Mana'eer 7re)ected9 "adith ha\*e been attributed to him at all6. "e is therefore Cahih in "adith b+ the conditionalit+ of 2bn "ibban. %he truth is that he is: CadooB, Cahih Al-"adith.

Al-?u' hari recorded it in his -At-%aree'h Al-Aabir. \*ia the (ath of 2bn Mansur and "a))a): Abdus Camad related to us S &ith this Canad 7the same abo\*ementioned chain of transmission9.

%he "adith &ith this 2snad therefore has no issue &ith it and it is Cahih u(on the Chart 7conditionalit+9 of 2bn "ibban and its Matn 7te4tual content9 is clean and sound. 2t is therefore definitel+ "asan in itself and it is Cahih and e\*idential (roof 7Al-"u))ah9 is established b+ it, &ith its su((orti\*e e\*idences and corroborations. Al-Albani also classified it as Cahih in his -

..

Also, his statement 7sa&9 in the "adith of Anas bin Mali' -. is also Gat;i+ Ad-Dalalah 7definite in indicati\*e meaning9 in res(ect to the nullification of the obedience to the -. , &hich means the nullification of the 3ila+ah 7rule9 of the FasiB 7the one &ho is rebellious+ disobedient to Allah9 and the (rohibition of obe+ing him.

- 2t &as related from Abu 8Htbah 7and it has been said Abu 8habah9 Al-Aha&lani+, that he said: %he Messenger of Allah 7sa&9 said:

لَا تُخْرِجُوا أَمْرِي - ثَلَاثَ مَرَّاتٍ - اللَّهُمَّ مَنْ أَمَرَ أَمْرِي بِمَا لَمْ تَأْمُرْهُمْ بِهِ فَأَيُّهُمْ مِنْهُ فِي حِلٍّ

-Do not o((ress or bring difficult+ u(on m+ Hmhah 7he re(eated that three times9. O Allah, &hoe\*er commands m+ Hmhah &ith that &hich the+ ha\*e not been commanded &ith,

..

Al-Ahateeb recorded it in -%aree'h ?aghdad.. "e said: Abu Al-Gasim Al-A=hari+ related to me from Hthman bin 8Ali bin Al-"asan Al-8Ata' i+ Al-Ahateeb Al-Antaa' i+, from Hthman bin Abdullah bin Hthman Al-Faraa;idi+, from Ahmad bin Abdur Rahman Al-Aa=barani+ Al-"arani+, from Muhamad bin Culaiman bin Abi Da&ud, from 2brahim bin Muhammad bin Oi+ad Al-Alhaani+, from his father, from Abu 8habah Al-Aha&lani+, from the @ro(het 7sa&9, &ho said: S %he abo\*e-mentioned "adith.

- Abu Al-Gasim Al-A=hari+ 8Hbaidullah bin Ahmad bin Hthman Al-?aghdadi+. Al-Ahateeb said about him in -%aree'h ?aghdad.: 5"e &as from those &ho transmitted man+ "adith \*ia &riting and hearing and of those &ho s(ecialised in it, &ith his truthfulness, trust&orthiness, authenticit+ and integrit+6. Adh-Dhahabi said in -As-Cair.: 5Al-Muhaddith Al-"u))ah 7%he great authentic scholar of "adith9 S "e &as from the seas of narration6.

- Hthman bin 8Ali bin Al-"asan Al-8Ata' i+ Al-Ahateeb Al-Antaa' i+. : o Jarh nor %a;deel has been &ritten in res(ect to him 7i.e. no acce(tance or non-acce(tance9.

- Hthman bin Abdullah bin Hthman Al-Faraa;idi+. 3e did not find a biogra(h+ for him.

- Ahmad bin Abdur Rahman Al-Aa=barani+ Al-"arani+. Al-Ahateeb said about him: 52 ha\*e not 'no&n an+thing about his condition 7or status9 e4ce (t good6. And ibn "ibban mentioned him among the %hiBaat 7reliable transmitters9.

- Muhammad bin Culaiman bin Abi Da&ud Al-"arani+. "e 72bn "a)ar9 said about him in -At-%aBreeb.: 5CadooB 7truthful%.

- 2brahim bin Muhamd bin Oi+ad Al-Alhaani+ Al-"imsi+. "e &as a Chei'h concerning &hom no Jarh or %a;deel has been mentioned. Al-?u' hari biogra(hi=ed him but did not go into Jarh and %a;deel in res(ect to him, as &as his custom &ith man+ of the %hiBaat 7reliable transmitters9. %he same a((lies in relation to Abu "atim and 2bn "ibban classified him as %hiBah 7reliable9.

- Muhammad bin Oi+ad Al-Alhaani+. "e 7ibn "a)ar9 said about him in -At-%aBreeb.: 5%hiBah6 and he &as also classified as such b+ Ahmad, 2bn Ma;en, Abu Da&ud, At-%irmidhi and An-: asa;i.

Al-"aithami recorded the narration in his -Oa&aa;id. and said: 2n it 7the 2snad9 there is 2brahim bin Muhammad bin Oi+ad and 2 ha\*e no 'no&ledge of him &hilst the rest of the narrators are %hiBaat 7reliable transmitters9. 2t is a((arent that Al-"aithami meant the follo&ing "adith:

- As &as recorded in - : 5Abu 8HBail Anas bin Culaim Al-Aha&Iani+ related to us from 8Amr bin "isham Al-"arani+, from Muhammad bin Culaiman bin Abi Da&ud, from 2brahim bin Muhammad bin Oi+ad Al-Alhaani+, from his father, from Abu 8nabah Al-Aha&Iani+, &ho said: %he Messenger of Allah 7sa&9 said: -

%he 2snad is therefore "asan in itself and is conseBuentl+ the "adith is "asan Cahih u(On the Chart 7conditionalit+9 of 2bn "ibban. %hat is from the (ers(ecti\*e of the 2snad. As for the Matn 7te4tual content9, then it is clean and sound &ith no irregularit+ 7Chudhoodh9 in it or defect 72llah9 as the (re\*ious Ahadeeth ha\*e attested to.

As for his statement 7sa&9: - , then it is Gat;i+ Ad-Dalalah 7definite in indicati\*e meaning9 in res(ect to the nullification of the 3ila+ah 7rule9 if the FasiB. %hat is because the intended meaning is that the+ are absol\*ed from obedience to him, or absol\*ed from his leadershi(, or from the ?ai;ah 7ledge9 to him, or other than that &hich cannot (ossibl+ mean other than the fall or nullification of his 3ila+ah 7rule or (osition of ruling9.

- 2mam Al-8HBail+ said in -Du;afaa; Al-Aabir.: Ja;far bin Ahmad bin 8Asim Al-Antaa'i+ related to us from "isham bin 8Ammar, from 2sma;eel bin 8A++ash, from Abdul 8A=i= bin 8Hbaidillah bin "am=ah bin Cuhaib, from Chahr bin "a&shab, from Abdullah bin 8Amr bin 8Aas, from the Messenger of Allah 7sa&9, that he said:

إِنَّهُ سَيَكُونُ بَعْدِي أَمْرَاءُ يُعْرِضُونَكُمْ مَا تُنْكِرُونَ وَيُنْكِرُونَ عَلَيْكُمْ مَا تَعْرِفُونَ فَلَا طَاعَةَ لَهُمْ عَلَيْكُمْ

- Ja'far bin Ahmad bin Asim Al-Antaa' i+ is Abu Muhammad Al-?a== Ad-DimashBi+. Ad-DaraButni classified him as %hiBah 7reliable9.

- "isham bin Ammar bin : usair. "e &as classified as %hiBah b+ 2bn Ma;een and others. Ad-DaraButni said: 5CadooB 7% 2bn "a)ar said in -At-%aBreeb.: 5CadooB 7truthful9, a teacher. "e became elderl+ and came to em(lo+ At-%alBeen and as such his older "adith 7i.e. earlier ones9 are more Cahih6.

- 2sma;eel bin A++ash. "e is CadooB in his relations from the (eo(le of his o&n land from the (eo(le of Ash-Cham 7greater C+ria9 but muddled &hen relating from other than them. "ere, his narration is from the (eo(le of his land, the (eo(le of Ash-Cham, and as such is Ja++id 7good9 and MaBbool 7acce(ted9.

- Abdul A=i= bin Hbaidullah bin "am=ah bin Cuhaib. "e 7ibn "a)ar9 said about him in -At-%aBreeb.: 5Da;eef 7&ea'9 and none e4ce(t 2sma;el bin A++ash ha\*e related from him6.

- Chahr bin "a&shab Al-Ash;ari+. "e 7ibn "a)ar9 said about him in -At-%aBreeb.: 5CadooB 7truthful9 7but9 often transmits Mursal "adith and has A&haam 5errors66. : 2t is a (arent that his narration from Abdullah bin Amr bin Al-Aas is not Mursal as 2bn Abi "atim and Al-Alaa;i+ did not mention him among the Cahabah &hom Chahr bin "a&shab used to transmit from in a Mursal manner, ma+ Allah;s merc+ be u(on him. ConseBuentl+, the stain in this "adith is Abdul A=i= bin Hbaidullah bin "am=ah. "o&e\*er, des(ite that, the Matn 7te4tual content of the "adith9 is sound and the (re\*ious established Ahadeeth testif+ to it)ust as the majorit+ of the te4ts of the Aitab and the Cunnah. %he "adith is therefore "asan due to other than itself 7as o((osed to in itself and u(on its o&n standing9. 2t is definite in indicati\*e meaning in res(ect to the nullification of the leadershi( or rulershi( of the FasiB 5End6.

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Dedication  
2ntroduction

- Section: What is the -Deen.P1
- Section: The definition of Islam
- Section: The meaning of -La ilaha ilallah. There is no deity other than Allah
- Section: The meaning of Muhammad is the Messenger



- Cection: Accurate rendering of the &ording of the ''adith of Hbadah bin Camit: -Hnless +ou see  
flagrant Aufr 7disbelief9 for &hich +ou ha\*e a clear (roof 7?urhan9 from Allah..

NNNNNNNNNN

Firstl+: Rendering accuratel+ the reasons of the re\*elation of the A+at 7\*erses9 related to the ''u' m  
7ruling9.

%he first stor+: %he t+rann+ of the (o&erful tribe o\*er the lo&l+ tribe.  
%he second stor+: %he issue of stoning 7Ra)m9.

Secondl+: Rendering accuratel+ the intended meaning of the &ording -Aafirun. 7disbelie\*ers9.

7a9 %he first clause: -''e has disbelie\*ed b+ it S 2t is not li'e the one &ho disbelie\*ed in Allah, ''is  
angels, ''is boo's and ''is Messengers..  
7b9 %he second clause: -72t is9 Aufr 7disbelief9 that does not ta'e one out of the Millah 7i.e. Deen9. .  
7c9 %he third clause: -Aufr Dun Aufr. 7A disbelief &hich is less than disbelief9.  
7d9 %he fourth clause: -%he one &ho renounces or denies &hat Allah has re\*ealed has disbelie\*ed  
and the one &ho affirms it but does not rule b+ it is a 0halim and FasiB. 7%ransgressor and sinfull+  
disobedient9.

%hirdl+: H(on &ho do the A+at 7\*erses9 a((l+P1

- Cection: Refutation of the Chubuhaat of the antagonists

%he first raised doubt or s(ecious argument 7Chubha9  
%he second raised doubt or s(ecious argument 7Chubha9  
%he third raised doubt or s(ecious argument 7Chubha9  
%he fourth raised doubt or s(ecious argument 7Chubha9  
%he fifth raised doubt or s(ecious argument 7Chubha9  
%he si4th raised doubt or s(ecious argument 7Chubha9  
%he se\*enth raised doubt or s(ecious argument 7Chubha9  
%he eighth raised doubt or s(ecious argument 7Chubha9

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- Cection: 2slam is referring to Allah and ''is Messenger 7for )udgement9.  
- Cection: 3estern democrac+ contradicts the Ci+adah 7so\*ereight+9 to the Char;aa 72slamic  
legislation9.  
- Cection: %here is no 8Adl 7justice9 other than the )ustice of 2slam.

- Section: The obligation of the comprehensive and immediate application of Islam
- The first scientific argument 7Chubha9
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- The fourth scientific argument 7Chubha9
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- The sixth scientific argument 7Chubha9
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- Section: There is no Mali' 7Aing9 other than Allah

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- Section: The controlling principles related to imposing restrictions upon the Mubah 7Permissible acts # matters9.
- Firstly: The types of systems and how they were formed
- Secondly: The legislative rulings must be derived from the Char; i.e. evidences and it is "aram 7Prohibited9 to take them from another source
- Thirdly: The procedural rulings must not be contrary to the Char; a and they are adopted in accordance with their realisation of the legislated aims 7MaBaasid9.
- Section: Who is the Char; i.e. legal+ legitimate9 3Ali+ ul-Amr 7ruler9P

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- Section: Response to the speech of Al-Albani in respect to the issue of -adoption.
- Section: As the drafting of constitutions and laws a ?id;ah 7innovation9P
- The killing of Aa; b bin Al-Ashraf and the writing of the Cahifah 7document9.
- The first constitutional document: -The Cahifah of Al-Madinah..
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- Section: The "adith: -Obedience to the Imam is a "aBB 7right9 due upon every Muslim person.
- Section: The "adith of Adi+ bin Hatim in relation to the "afsir of the "erse: -The+ too' their Rabbis and Mon's to be Lords besides Allah. 7At-%a&bah: ! 19.
- Section: The statement of Ibn Mas'ud: -?riber+ in the ruling 7i.e. by rulers9 is Aufr 7disbelief9.
- Section: The "adith -"e should not be a Areef 7Chief of (eo (le & who informs the Ameer of their affairs9, a Churti+ 7law-enforcer9 nor a tax collector..
- Section: The Ahadeeth related to the invalidation of the 3ila+ah 7office of ruling9 of the FasiB.

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