



باب: الهجرة، والتابعة الإسلامية (وحق تقرير المصير)

إن من أهم أحكام «الموالاتة»، أو بلفظ أدق: «الولاية»، وهو عين اللفظ المستخدم في آخر سورة الأنفال، ما يتعلق بتابعة دار المهاجرين، وعلاقة دور الإسلام بدور الكفر، وعلاقة «ماعة» المسلمين الأم، في دار المهجرين، بـ(الجماعات) الإسلامية، المنتمية لدور مستقلة، وبالأقليات الإسلامية المقيمة في دار الكفر حاملة لتابعيتها، فهي في حقيقتها أحكام «دستورية» غاية في الأهمية. وإذا كان الناس في زمننا هذا يجهلون الآداب والأحكام الفردية، فهم لتلك الأحكام «الدستورية» أجهل، ومن ثم لها أضيع، وحاجتهم إلى بيانها مفصلة أشد، فالله المستعان، ولا حول ولا قوة إلا بالله! ولقد جمع الله، جل جلاله، وسما مقامه، أحكام التابعة، على نحو معجز، في آيات يسيرة من آخر سورة الأنفال:

* قال الله، جل جلاله، وسما مقامه: (إِنَّ الَّذِينَ آمَنُوا وَهَلَّ رُؤَا وَاهْدُوا بِأَمْوَالِهِمْ وَأَنْفُسِهِمْ فِي سَبِيلِ اللَّهِ وَالَّذِينَ آوَوْا وَنَصَرُوا أُولَئِكَ بَعْضُهُمْ أَوْلِيَاءُ بَعْضٍ؛ وَالَّذِينَ آمَنُوا وَلَمْ يَهَلَّ رُؤَا مَا لَكُمْ مِنْ وَلَايَتِهِمْ مِنْ شَيْءٍ حَتَّى يُهَلَّ رُؤَا، وَإِنْ اسْتَنْصَرُوكُمْ فِي الدِّينِ فَعَلَيْكُمْ النَّصْرُ إِلَّا عَلَى قَوْمٍ بَيْنَكُمْ وَبَيْنَهُمْ مِيثَاقٌ؛ وَاللَّهُ بِمَا تَعْمَلُونَ بَصِيرٌ (72) وَالَّذِينَ كَفَرُوا بَعْضُهُمْ أَوْلِيَاءُ بَعْضٍ إِلَّا تَفْعَلُوهُ تَكُنْ فِتْنَةٌ فِي الْأَرْضِ وَفَسَادٌ كَبِيرٌ (73) وَالَّذِينَ آمَنُوا وَهَلَّ رُؤَا وَاهْدُوا فِي سَبِيلِ اللَّهِ، وَالَّذِينَ آوَوْا وَنَصَرُوا أُولَئِكَ هُمُ الْمُؤْمِنُونَ حَقًّا لَهُمْ مَغْفِرَةٌ وَرِزْقٌ كَرِيمٌ (74) وَالَّذِينَ آمَنُوا مِنْ بَعْدُ وَهَلَّ رُؤَا وَاهْدُوا مَعَكُمْ فَأُولَئِكَ مِنْكُمْ؛ وَأُولُو الْأَرْحَامِ بَعْضُهُمْ أَوْلَى بِبَعْضٍ فِي كِتَابِ اللَّهِ: إِنَّ اللَّهَ بِكُلِّ شَيْءٍ عَلِيمٌ (75))، (الأنفال؛ 8: 72 - 75).

فيا له من كتاب معجز! حقاً لأن اجتمعت الإنس والجن على أن يأتوا بمثل هذا القرآن لا يأتون بمثله، ولو كان بعضهم لبعض ظهيراً!

From among the most significant rulings of “**Al-Muwaalaah**” or more precisely “**Al-Walaayah**” (guardianship) which is the exact wording employed at the end of Surah Al-An’am, is that which relates to the citizenship of Dar al-Muhajirin (The land of the Emigrants), the relationship of the lands of Islam with the lands of disbelief, the relationship of the original or prime “**Jama’ah**” (collective) of Muslims in Dar al-Muhajirin with the Islamic “**Jama’aat**” (collectives) belonging to independent lands and Islamic minorities residing in Dar ul-Kufr (the land of disbelief) and in possession of its citizenship status. These in truth are “**Constitutional**” rulings of the utmost importance. However, if the people in this current time of ours are not even aware of the individual behavioral manners and rulings, then they are even more unaware of these “**Constitutional**” rulings, and are consequently even further detached from them. Because of this the onus to explain them in detail is even greater. In such matters Allah’s help is relied upon and there is no power or might except with Allah!

Allah, glorified be His Majesty, brought together the rulings related to citizenship in a few verses of Surah Al-Anfal:

إِنَّ الَّذِينَ آمَنُوا وَهَاجَرُوا وَجَاهَدُوا بِأَمْوَالِهِمْ وَأَنْفُسِهِمْ فِي سَبِيلِ اللَّهِ وَالَّذِينَ آوَوْا وَنَصَرُوا أُولَئِكَ بَعْضُهُمْ أَوْلِيَاءُ بَعْضٍ؛ وَالَّذِينَ آمَنُوا وَلَمْ يَهَاجَرُوا مَا لَكُمْ مِنْ وَلَايَتِهِمْ مِنْ شَيْءٍ حَتَّى يُهَاجَرُوا، وَإِنْ اسْتَنْصَرُوكُمْ فِي الدِّينِ فَعَلَيْكُمْ النَّصْرُ إِلَّا عَلَى قَوْمٍ بَيْنَكُمْ وَبَيْنَهُمْ مِيثَاقٌ؛ وَاللَّهُ بِمَا تَعْمَلُونَ بَصِيرٌ (72) وَالَّذِينَ كَفَرُوا بَعْضُهُمْ أَوْلِيَاءُ بَعْضٍ إِلَّا تَفْعَلُوهُ تَكُنْ فِتْنَةٌ فِي الْأَرْضِ وَفَسَادٌ كَبِيرٌ (73) وَالَّذِينَ آمَنُوا وَهَاجَرُوا وَجَاهَدُوا فِي سَبِيلِ اللَّهِ، وَالَّذِينَ آوَوْا وَنَصَرُوا أُولَئِكَ هُمُ الْمُؤْمِنُونَ حَقًّا لَهُمْ مَغْفِرَةٌ وَرِزْقٌ كَرِيمٌ (74) وَالَّذِينَ آمَنُوا مِنْ بَعْدِ وَهَاجَرُوا وَجَاهَدُوا مَعَكُمْ فَأُولَئِكَ مِنْكُمْ؛ وَأُولُو الْأَرْحَامِ بَعْضُهُمْ أَوْلَى بِبَعْضٍ فِي كِتَابِ اللَّهِ: إِنَّ اللَّهَ بِكُلِّ شَيْءٍ عَلِيمٌ

Indeed, those who have believed and emigrated and fought with their wealth and lives in the cause of Allah and those who gave shelter and aided, they are allies of one another. But those who believed and did not emigrate, **for you there is no guardianship of them until they emigrate**. And if they seek help from you for the Deen, then you must help, except against a people between yourselves and whom there is a treaty. And Allah is Seeing of what you do. (72) And those who disbelieved are allies of one another. If you do not do so, there will be Fitnah on earth and great corruption. (73) But those who have believed and emigrated and fought in the cause of Allah and those who gave shelter and aided, it is they who are the believers, truly. For them is forgiveness and an honourable provision. (74) And those who believed after [the initial emigration] and emigrated and fought with you, they are of you. But those of [blood] relationship are more entitled [to inheritance] in the decree of Allah. Indeed, Allah is Knowing of all things (Al-Anfal: 72-75).

How amazing is the conciseness of this book! Truly, if all men and Jinn were to come together to produce the like of this Qur’an, they would never produce the like of it! And even if they were all supporters of one other!

❖ **فصل: أحاديث (التَّحَوُّلُ مِنْ دَارِهِمْ إِلَى دَارِ الْمُهَاجِرِينَ)**
 و□ اءت أحاديث [أحاديث (التَّحَوُّلُ مِنْ دَارِهِمْ إِلَى دَارِ الْمُهَاجِرِينَ)]، فى غاية الأهمية، تفسر ذلك،
 وتزيده بياناً:

✽ حديث بُرَيْدَةَ بْنِ الْحَصِيبِ:

✽ وجاء في صحيح مسلم (5/139/4618 - 4619): [حَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ حَدَّثَنَا وَكِيعُ بْنُ الْجَرَّاحِ عَنْ سُفْيَانَ (ح) وَحَدَّثَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ أَخْبَرَنَا يَحْيَى بْنُ آدَمَ حَدَّثَنَا سُفْيَانُ (قَالَ: أَمْلَاهُ عَلَيْنَا إِمْلَاءً)، (ح) وَحَدَّثَنِي عَبْدُ اللَّهِ بْنُ هَاشِمٍ - وَاللَّفْظُ لَهُ - حَدَّثَنِي عَبْدُ الرَّحْمَنِ - يَعْنِي ابْنَ مَهْدِيٍّ - حَدَّثَنَا سُفْيَانُ عَنْ عُلْقَمَةَ بْنِ مَرْثَدٍ عَنْ سُلَيْمَانَ بْنِ بُرَيْدَةَ عَنْ أَبِيهِ قَالَ: كَانَ رَسُولُ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، إِذَا أَمَرَ أَمِيرًا عَلَى جَيْشٍ أَوْ سَرِيَّةٍ أَوْ صَاهٍ فِي خَاصَّتِهِ بِتَقْوَى اللَّهِ وَمَنْ مَعَهُ مِنَ الْمُسْلِمِينَ خَيْرًا ثُمَّ قَالَ: (اغْزُوا بِاسْمِ اللَّهِ فِي سَبِيلِ اللَّهِ قَاتِلُوا مَنْ كَفَرَ بِاللَّهِ اغْزُوا وَلَا تَغْلُوا وَلَا تَعْدُوا وَلَا تَمْتَلُوا وَلَا تَقْتُلُوا وَلِيدًا وَإِذَا لَقِيتَ عَدُوَّكَ مِنَ الْمُشْرِكِينَ: فَادْعُهُمْ إِلَى ثَلَاثِ خِصَالٍ - أَوْ خِلَالٍ - فَأَيُّهُنَّ مَا أَجَابُوكَ فَاقْبَلْ مِنْهُمْ وَكُفَّ عَنْهُمْ ثُمَّ ادْعُهُمْ إِلَى الْإِسْلَامِ فَإِنْ أَجَابُوكَ فَاقْبَلْ مِنْهُمْ وَكُفَّ عَنْهُمْ؛ ثُمَّ ادْعُهُمْ إِلَى التَّحَوُّلِ مِنْ دَارِهِمْ إِلَى دَارِ الْمُهَاجِرِينَ وَأَخْبِرْهُمْ أَنَّهُمْ إِنْ فَعَلُوا ذَلِكَ فَلَهُمْ مَا لِلْمُهَاجِرِينَ وَعَلَيْهِمْ مَا عَلَى الْمُهَاجِرِينَ فَإِنْ أَبَوْا أَنْ يَتَحَوَّلُوا مِنْهَا فَأَخْبِرْهُمْ أَنَّهُمْ يَكُونُونَ كَأَعْرَابِ الْمُسْلِمِينَ يَجْرَى عَلَيْهِمْ حُكْمُ اللَّهِ الَّذِي يَجْرَى عَلَى الْمُؤْمِنِينَ وَلَا يَكُونُ لَهُمْ فِي الْغَنِيمَةِ وَالْفَيْءِ شَيْءٌ إِلَّا أَنْ يُجَاهِدُوا مَعَ الْمُسْلِمِينَ؛ فَإِنْ هُمْ أَبَوْا فَسَلِّهِمُ الْجَزْيَةَ فَإِنْ هُمْ أَجَابُوكَ فَاقْبَلْ مِنْهُمْ وَكُفَّ عَنْهُمْ فَإِنْ هُمْ أَبَوْا فَاسْتَعِزَّ بِاللَّهِ وَقَاتِلْهُمْ. وَإِذَا حَاصَرْتَ أَهْلَ جِصْنٍ فَأَرَادُوكَ أَنْ تَجْعَلَ لَهُمْ ذِمَّةَ اللَّهِ وَذِمَّةَ نَبِيِّهِ فَلَا تَجْعَلْ لَهُمْ ذِمَّةَ اللَّهِ وَلَا ذِمَّةَ نَبِيِّهِ وَلَكِنْ اجْعَلْ لَهُمْ ذِمَّتَكَ وَذِمَّةَ أَصْحَابِكَ فَإِنْ كُنْ أَنْ تُخَفِّرُوا ذِمَّتَكُمْ وَذِمَّةَ أَصْحَابِكُمْ أَهْوَنُ مِنْ أَنْ تُخَفِّرُوا ذِمَّةَ اللَّهِ وَذِمَّةَ رَسُولِهِ. وَإِذَا حَاصَرْتَ أَهْلَ جِصْنٍ فَأَرَادُوكَ أَنْ تُنْزِلَهُمْ عَلَى حُكْمِ اللَّهِ فَلَا تُنْزِلْهُمْ عَلَى حُكْمِ اللَّهِ وَلَكِنْ أَنْزِلْهُمْ عَلَى حُكْمِكَ فَإِنَّكَ لَا تَدْرِي أَتُصِيبُ حُكْمَ اللَّهِ فِيهِمْ أَمْ لَا". قَالَ عَبْدُ الرَّحْمَنِ هَذَا أَوْ نَحْوَهُ. - وَزَادَ إِسْحَاقُ فِي آخِرِ حَدِيثِهِ عَنْ يَحْيَى بْنِ آدَمَ قَالَ: فَذَكَرْتُ هَذَا الْحَدِيثَ لِمُقَاتِلِ بْنِ حَيَّانٍ - قَالَ يَحْيَى: يَعْنِي أَنَّ عُلْقَمَةَ يَقُولُهُ لِابْنِ حَيَّانٍ - فَقَالَ: حَدَّثَنِي مُسْلِمٌ بْنُ هَيْصَمٍ عَنِ النُّعْمَانِ بْنِ مُقَرَّنٍ عَنِ النَّبِيِّ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، - نَحْوَهُ]؛

Section: The Ahadeeth of “Changing their Dar (land) to Dar Al-Muhajirin (The land of the emigrants)”:

The Ahadeeth of “Changing their Dar (land) to Dar Al-Muhajirin (The land of the emigrants)” have come in the most important manner explaining this matter (of citizenship) and adding further to its explanation:

- The Hadith of Buraidah bin Al-Husaib:

- The following was recorded in Sahih Muslim (5/139/4618-4619): [Abu Bakr bin Abi Shaibah related to us: Wakee' bin Al-Jarrah related to us from Sufyan ... (And) Ishaq bin Ibrahim related to us: Yahya bin Aadam informed us: Sufyan related to us: He said: “**He dictated it to us**” ... (And) Abdullah bin Hashim (and the wording here is his) related to me: Abdur Rahman (meaning Ibn Mahdiy) related to me: Sufyan related to us from 'Alqamah bin Marthad, from Sulaiman bin Buraidah, from his father: He said: When the Messenger of Allah ﷺ used to appoint an Ameer (leader) over an army or military expedition he would exhort him in his personal capacity to be conscious and fearful of Allah and to be good to the Muslims who were with him. He then would say: “Go out for battle in the name of Allah and in the way of Allah. Fight those who disbelieve in Allah. Go forth but do not misappropriate the spoils, do not betray, do not mutilate (the dead bodies) and do not kill the children. When you meet your polytheist enemies, invite them to three courses of action. Whichever one of them they respond to, accept it from them and desist from them. So (firstly), invite them

to (accept) Islam. If they respond affirmatively to you, accept it from them and desist from fighting them. **Then invite them to transform (or change) their lands to the land of the Muhajirin and inform them that if they do so, they shall have all the privileges and obligations of the Muhajirin. If they refuse to change, then tell them that they will have the status of Bedouin Muslims and the ruling of Allah which applies over the believers will apply over them, but they will not get any share from the Ghanemah and Fai' (spoils of war and booty) except when they engage in Jihad with the Muslims.** If they refuse to accept Islam, ask them to accept the Jizyah. If they respond affirmatively to you, then accept it from them and desist from them. If they refuse to pay the Jizyah, then seek Allah's help and fight them. And if you lay siege to a fortified people and they want you to grant them protection (Dhimma) in the name of Allah and His Prophet, do not accord to them the protection of Allah or His Prophet. Rather, accord to them your own protection (Dhimma) and the protection of your companions. That is because if you fail in your Dhimma (protection) and the Dhimma of your companions, it is less (i.e., in sin and gravity) than if you fail in the Dhimma (protection) offered in the name of Allah and His Prophet. And if you besiege a fort and they want you to let them surrender upon the judgement of Allah, then do not let them **surrender** upon the judgement of Allah. Rather, do so upon your (own) judgement, as you do not know whether or not you will correctly carry out the ruling of Allah with regard to them". Abdur Rahman said this or similar to this.

(Note: This is repeated often. I changed descend to surrender. The Arabic is "تَنَزَّلُهُمْ". It may be worth checking for a better translation with the Dr Insha'Allah).

- And Ishaq added to the end of his Hadith from Yahya bin Adam: He said: I remembered this Hadith belonging to Muqatil bin Hayyan: Yahya said: Meaning that 'Alqamah said it to Ibn Hayyan: So, he said: Muslim bin Haisam related to me the same as it from **An-Nu'man bin Muqarran** from the Prophet ﷺ].

قلت: لاحظ قول الإمام يحيى بن آدم: (أَمْلَأَهُ عَلَيْنَا إِمْلَاءً)، لتعلم عناية الإمام سفيان الثوري، وهو حافظ عصره، بهذا الحديث خاصة، حيث لم يعتمد على ذاكرته الجبارة، بل أملاه إملاءً من كتابه، وأمره بكتابته. والظاهر أن الرواة فوق سفيان كانوا يتناقلونه مكتوباً، نسخاً أو استملاءً، بكل عناية، كما يظهر من **تطابق الألفاظ** في جميع طرق الحديث!

I say: Notice the statement of Imam Yahya bin Adam: "**He dictated it to us in the form of dictation**", to be aware of the care taken by Imam Sufyan Ath-Thawri, who was the Hafizh (eminent scholar of Hadith) of his age, with this Hadith specifically. That is as he did not rely upon his great memory but rather dictated it in the form of dictation from his book and he commanded him to write it. It is apparent that the narrators above Sufyan (in the chain) transmitted it in written form, through transcription or dictation, with the utmost care, as is apparent from the conformity of the wordings in all the paths of the Hadith!

- وهو في صحيح مسلم (4620/140/5): [وَحَدَّثَنِي حَجَّاجُ بْنُ الشَّاعِرِ حَدَّثَنِي عَبْدُ الصَّمَدِ بْنُ عَبْدِ الْوَارِثِ حَدَّثَنَا شُعْبَةُ حَدَّثَنِي عُلْقَمَةُ بْنُ مَرْثَدٍ أَنَّ سُلَيْمَانَ بْنَ بَرْيَدَةَ حَدَّثَهُ عَنْ أَبِيهِ قَالَ كَانَ رَسُولُ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، - إِذَا بَعَثَ أَمِيرًا أَوْ سَرِيَّةً دَعَاهُ فَأَوْصَاهُ. وَسَأَلَ الْحَدِيثَ بِمَعْنَى حَدِيثِ سُفْيَانَ؛

- وهو في صحيح مسلم للنيسابوري (5/140/4621): [حَدَّثَنَا إِبْرَاهِيمُ حَدَّثَنَا مُحَمَّدُ بْنُ عَبْدِ الْوَهَّابِ الْفَرَّاءُ عَنْ الْحُسَيْنِ بْنِ الْوَلِيدِ عَنْ شُعْبَةَ بِهَذَا]؛

- The Hadith was also recorded in Sahih Muslim (5/140/4620) (with the following path): [Hujjaj bin Ash-Sha'ir related to me: Abdus Samad bin Abdul Warith related to me: Shu'bah related to us: 'Alqamah bin Marthad related to me: That Sulaiman bin Buraidah related to him from his father: He said: When the Messenger of Allah ﷺ dispatched an Ameer or a Sariyah (military expedition), he called him and then exhorted him ... He then quoted the Hadith with the same meaning as the Hadith of Sufyan].

- It was recorded again in Sahih Muslim of An-Naisaburiy (5/140/4621) (with the following path): [Ibrahim related to us: Muhammad bin Abdul Wahhab Al-Farraa' related to us from Al-Husain bin Al-Walid, from Shu'bah: Then the same as the former path of the Hadith].

- وهو في مستخرج أبي عوانة [مشكول (5223/341/7)]، من طرق كثيرة جدا: [حَدَّثَنَا عَلِيُّ بْنُ حَرْبٍ، قَالَ: حَدَّثَنَا الْقَاسِمُ بْنُ يَزِيدَ الْجَرْمِيُّ، قَالَ: حَدَّثَنَا سُفْيَانُ الثَّوْرِيُّ (ح) وَحَدَّثَنَا أَحْمَدُ بْنُ عِصَامٍ الْأَصْبَهَانِيُّ، حَدَّثَنَا أَبُو أَحْمَدَ الزُّبَيْرِيُّ، حَدَّثَنَا سُفْيَانُ الثَّوْرِيُّ، عَنْ عَلْقَمَةَ بْنِ مَرْثَدٍ، عَنْ سُلَيْمَانَ بْنِ بُرَيْدَةَ، عَنْ أَبِيهِ رَضِيَ اللَّهُ عَنْهُ، قَالَ: كَانَ رَسُولُ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، - إِذْ أَمَرَ رَجُلًا عَلَى سَرِيَّةٍ أَوْصَاهُ فِي خَاصَّةِ نَفْسِهِ بِتَقْوَى اللَّهِ وَبِمَنْ مَعَهُ مِنَ الْمُسْلِمِينَ خَيْرًا، ثُمَّ قَالَ: اغْزُوا بِاسْمِ اللَّهِ، وَفِي سَبِيلِ اللَّهِ، فَاتْلُوا مَنْ كَفَرَ بِاللَّهِ، اغْزُوا وَلَا تَعْدُوا، وَلَا تَغْلُوا، وَلَا تُمِثِّلُوا، وَلَا تَقْتُلُوا وَلِيدًا، فَإِذَا لَقِيتَ عَدُوَّكَ مِنَ الْمُشْرِكِينَ، فَادْعُهُمْ إِلَى إِحْدَى ثَلَاثٍ خِلَالٍ، أَوْ خِصَالٍ فَأَيُّنَّهُنَّ مَا أَجَابُوكَ إِلَيْهَا، فَاقْبَلْ مِنْهُمْ وَكُفَّ عَنْهُمْ، ثُمَّ ادْعُهُمْ إِلَى الْإِسْلَامِ، فَإِنْ أَجَابُوكَ فَاقْبَلْ مِنْهُمْ وَكُفَّ عَنْهُمْ، ثُمَّ ادْعُهُمْ إِلَى التَّحَوُّلِ مِنْ دَارِهِمْ إِلَى دَارِ الْمُهَاجِرِينَ، وَأَخْبِرْهُمْ أَنَّهُمْ إِنْ فَعَلُوا أَنْ لَهُمْ مَا لِلْمُهَاجِرِينَ، وَعَلَيْهِمْ مَا عَلَى الْمُهَاجِرِينَ، وَأَنَّهُمْ إِنْ أَبَوْا أَنْ يَتَحَوَّلُوا مِنْ دَارِهِمْ إِلَى دَارِ الْمُهَاجِرِينَ فَأَخْبِرْهُمْ أَنَّهُمْ يَكُونُونَ كَأَعْرَابِ الْمُسْلِمِينَ، يَجْرِي عَلَيْهِمْ حُكْمُ اللَّهِ الَّذِي يَجْرِي عَلَى الْمُؤْمِنِينَ، وَلَا يَكُونُ لَهُمْ فِي الْفَيْءِ، وَلَا فِي الْغَنِيمَةِ شَيْءٌ، إِلَّا أَنْ يُجَاهِدُوا مَعَ الْمُسْلِمِينَ، فَإِنْ هُمْ أَبَوْا أَنْ يَدْخُلُوا فِي الْإِسْلَامِ، فَسَلِّمُوا لَهُمْ إِعْطَاءَ الْجَزْيَةِ، فَإِنْ فَعَلُوا فَاقْبَلْ مِنْهُمْ وَكُفَّ عَنْهُمْ، وَإِنْ هُمْ أَبَوْا فَاسْتَعِزَّ بِاللَّهِ وَقَاتِلْهُمْ، فَإِذَا حَصَرْتَ حَصْنًا، فَأَرَادُوا أَنْ يَجْعَلُوا لَهُمْ ذِمَّةَ اللَّهِ وَذِمَّةَ نَبِيِّكَ، فَلَا تَجْعَلْ لَهُمْ وَلَكِنْ اجْعَلْ لَهُمْ ذِمَّةَكَ وَذِمَّةَ أَبِيكَ، وَذِمَّةَ أَصْحَابِكَ، فَإِنَّكُمْ إِنْ تَخَفَرُوا ذِمَّتَكُمْ وَذِمَّةَ آبَائِكُمْ أَهْوَنُ عَلَيْكُمْ مِنْ أَنْ تَخَفَرُوا ذِمَّةَ اللَّهِ، وَذِمَّةَ رَسُولِهِ، وَإِنْ أَرَادُوا أَنْ يَنْزِلُوا عَلَى حُكْمِ اللَّهِ فَلَا تَفْعَلُوا، فَإِنَّكَ لَا تَدْرِي أَتُصِيبُ حُكْمَ اللَّهِ فِيهِمْ أَمْ لَا، وَلَكِنْ أَنْزِلْهُمْ عَلَى حُكْمِكَ، مَعْنَى حَدِيثِهِمَا وَاحِدًا، قَدَّمَ أَحَدَهُمَا بَعْضَ الْحَرْفِ وَأَخَّرَ بَعْضًا، وَهَذَا لَفْظُ حَدِيثِ عَلِيِّ بْنِ حَرْبٍ.

- أَخْبَرَنَا الْجُرْجَانِيُّ، قَالَ: حَدَّثَنَا عَبْدُ الرَّزَّاقِ، قَالَ: حَدَّثَنَا الثَّوْرِيُّ، عَنْ عَلْقَمَةَ هُوَ ابْنُ مَرْثَدٍ (ح) وَحَدَّثَنَا الدَّبَرِيُّ، عَنْ عَبْدِ الرَّزَّاقِ، عَنْ مَعْمَرٍ، وَالثَّوْرِيِّ (ح) وَحَدَّثَنَا الصَّغَانِيُّ، قَالَ: حَدَّثَنَا عُبَيْدُ اللَّهِ بْنُ مُوسَى، قَالَ: أَنْبَأَ سُفْيَانُ، عَنْ عَلْقَمَةَ بِطُولِهِ.

- وَقَالَ الزُّبَيْرِيُّ أَبُو أَحْمَدَ: حَدَّثَنَا أَحْمَدُ بْنُ عِصَامٍ عَنْهُ، وَالصَّغَانِيُّ، عَنْ عُبَيْدِ اللَّهِ، وَذَكَرَ الْحَدِيثَ بِطُولِهِ، وَقَالَ: قَالَ عَلْقَمَةُ: فَذَكَرْنَاهُ لِمُقَاتِلِ بْنِ حَيَّانَ، قَالَ: أَخْبَرَنِي مُسْلِمُ بْنُ هَيْصَمٍ، عَنِ النُّعْمَانِ بْنِ مُقَرَّرٍ رَضِيَ اللَّهُ عَنْهُ، عَنِ النَّبِيِّ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، - مِثْلَ ذَلِكَ.

- حَدَّثَنَا إِسْحَاقُ بْنُ شَيْبَانَ، قَالَ: حَدَّثَنَا عُبَيْدُ اللَّهِ بْنُ مُوسَى، عَنْ سُفْيَانَ، عَنْ عَلْقَمَةَ بْنِ مَرْثَدٍ، عَنْ ابْنِ بُرَيْدَةَ، عَنْ أَبِيهِ، عَنِ النَّبِيِّ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، - أَنَّهُ كَانَ إِذَا وَجَّهَ جَيْشًا، قَالَ: اغْزُوا بِاسْمِ اللَّهِ

فِي سَبِيلِ اللَّهِ، وَذَكَرَ الْحَدِيثَ، قَالَ عُلْقَمَةُ: فَذَكَرْتُ ذَلِكَ لِمُقَاتِلِ بْنِ حَيَّانَ، فَقَالَ: حَدَّثَنِي مُسْلِمُ بْنُ هَيْصَمٍ، عَنِ النُّعْمَانِ بْنِ مُقَرَّرٍ، عَنِ النَّبِيِّ - ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، بِمِثْلِهِ؛

- It was recorded in the Mustakhraj of Abu 'Awanah (Mashkul edition: 7/341/5223) via a great number of paths: ['Ali bin Harb related to us: He said: Al-Qasim bin Yazid Al-Jarmiy related to us: He said: Sufyan Ath-Thawriy related to us ... (And) Ahmad bin 'Isam Al-Asbahaniy related to us: Abu Ahmad Az-Zubairiy related to us: Sufyan Ath-Thawriy related to us from 'Alqamah bin Marthad, from Sulaiman bin Buraidah, from his father, may Allah be pleased with him: He said: When the Messenger of Allah ﷺ appointed a man over a military expedition, he would exhort him, in his personal capacity, to be conscious and fearful of Allah and to be good to the Muslims who were with him. He then said: "Go out for battle in the name of Allah and in the way of Allah. Fight those who disbelieve in Allah. Go forth in battle but do not betray, do not misappropriate the spoils, do not mutilate (the dead bodies) and do not kill children. When you meet your polytheist enemies, invite them to one of three courses of action. Whichever one of them they respond to accept it from them and desist from them. So (firstly), invite them to (accept) Islam. If they respond affirmatively to you, accept it from them and desist from fighting them. Then invite them to transform (or change) their lands to the land of the Muhajirin and inform them that if they do so, they shall have all the privileges and obligations of the Muhajirin. **If they refuse to change their land to the land of the Muhajirin, then inform them that they will have the status of Bedouin Muslims and the ruling of Allah which applies over the believers will apply over them,** but they will not get any share from the Ghaneemah and Fai' (spoils of war and booty) except when they engage in Jihad with the Muslims. If they refuse to accept Islam, then ask them to give the Jizyah. If they do that, then accept it from them and desist from them. If they refuse, then seek Allah's help and fight them. When you lay siege to a fort and the besieged appeal to you for protection in the name of Allah and His Prophet, do not accord that to them, but accord to them your own (treaty of) protection, the protection of your father and the protection of your companions. That is because if you fail in respect to your protection and the protection of your fathers that is lighter for you than failing in the protection guarantee of Allah and that of His Messenger. And if they want to surrender upon Allah's judgement, then do not do that, as you do not know whether or not you will correctly carry out the ruling of Allah with regard to them, but rather let them surrender upon the basis of your (own) judgement". The meaning of the two Hadith is the same. The only difference is that some wordings were placed before others and vice versa. This is the wording (Lafzh) of the Hadith of 'Ali bin Harb.

- Al-Jurjaniy informed us: He said: Abdur Razzaq related to us: Abdur Razzaq relate to us: He said: Ath-Thawriy related to us from 'Alqamah (He is Ibn Marthad) ... (And) Ad-Dabariy related to us from Abdur Razzaq, from Ma'mar and Ath-Thawriy ... (And) As-Saghaniy related to us: He said: Ubaidullah bin Musa related to us: He said: Sufyan informed from 'Alqamah ... The Hadith in full.

- And Az-Zubairiy Abu Ahmad said: Ahmad bin 'Isam related to us from him and As-Saghaniy from Ubaidullah. And he mentioned the Hadith in full. They both said: 'Alqamah said: So, I mentioned it to Muqatil bin Hayyan: He said: Muslim bin Haisam informed me from An-Nu'man bin Muqarrin, may Allah be pleased with him, from the Prophet ﷺ: The same as it (i.e. the Hadith).

- Ishaq bin Shaiban related to us: He said: Ubaidullah bin Musa related to us from Sufyan, from 'Alqamah bin Marthad, from Ibn Buraidah, from his father, from the Prophet ﷺ: That when he used to direct an army he would say: Go out to fight in the name of Allah in the way of Allah ... And he then mentioned the Hadith. 'Alqamah said: So, I mentioned it to Muqatil bin Hayyan: So, he said: Muslim bin Haisam related it to me

from An-Nu'man bin Muqarrin, may Allah be pleased with him, from the Prophet ﷺ: The same as it (i.e. the Hadith).

- وهو في مستخرج أبي عوانة [مشكول (5224/344/7)]: [حَدَّثَنَا أَبُو أَحْمَدَ مُحَمَّدُ بْنُ عَبْدِ الْوَهَّابِ، قَالَ: حَدَّثَنَا الْحُسَيْنُ بْنُ الْوَلِيدِ، عَنْ شُعْبَةَ، عَنْ عُلْقَمَةَ بْنِ مَرْثَدٍ الْحَضْرَمِيِّ، عَنْ سُلَيْمَانَ بْنِ بُرَيْدَةَ، عَنْ أَبِيهِ، عَنْ رَسُولِ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، أَنَّهُ كَانَ إِذَا بَعَثَ أَمِيرًا عَلَى جَيْشٍ أَوْ سَرِيَّةٍ أَوْصَاهُ فِي خَاصَّةِ نَفْسِهِ بِتَقْوَى اللَّهِ، وَبِمَنْ مَعَهُ مِنَ الْمُسْلِمِينَ خَيْرًا، ثُمَّ يَقُولُ: اغْزُوا بِاسْمِ اللَّهِ فِي سَبِيلِ اللَّهِ، قَاتِلُوا مَنْ كَفَرَ بِاللَّهِ، اغْزُوا لَا تَعْدِرُوا، وَلَا تَغْلُوا، وَلَا تَقْتُلُوا وَلِيدًا، إِذَا لَقِيتَ عَدُوَّكَ مِنَ الْمُشْرِكِينَ، فَأَدْعُهُمْ إِلَى خِصَالِ ثَلَاثٍ، فَأَيُّتَهُنَّ أَجَابُوكَ فَاقْبَلْ مِنْهُمْ وَكُفَّ عَنْهُمْ، وَادْعُهُمْ إِلَى الْإِسْلَامِ، فَإِنْ أَجَابُوكَ فَاقْبَلْ مِنْهُمْ وَكُفَّ عَنْهُمْ، ثُمَّ ادْعُهُمْ إِلَى التَّحَوُّلِ مِنْ دَارِهِمْ إِلَى دُورِ الْمُهَاجِرِينَ، فَإِنْ فَعَلُوا فَأَخْبِرْهُمْ أَنَّ لَهُمْ مَا لِلْمُهَاجِرِينَ، وَعَلَيْهِمْ مَا عَلَى الْمُهَاجِرِينَ، فَإِنْ دَخَلُوا فِي الْإِسْلَامِ، وَاخْتَارُوا أَنْ يُقِيمُوا فِي دَارِهِمْ فَهُمْ كَأَعْرَابِ الْمُسْلِمِينَ، يَجْرِي عَلَيْهِمْ حُكْمُ اللَّهِ كَمَا يَجْرِي عَلَى الْمُسْلِمِينَ، وَلَيْسَ لَهُمْ فِي الْفَيْءِ وَلَا الْغَنِيمَةِ نَصِيبٌ إِلَّا أَنْ يُجَاهِدُوا مَعَ الْمُسْلِمِينَ، فَإِنْ أَبَوْا فَأَعْرَضْ عَنْهُمْ الْجَزْيَةَ، فَإِنْ أَبَوْا فَاسْتَعْنِ بِاللَّهِ ثُمَّ قَاتِلْهُمْ، وَإِذَا لَقِيتَ عَدُوَّكَ مِنَ الْمُشْرِكِينَ فَحَاصِرْهُمْ، فَإِنْ أَرَادُوا أَنْ يَنْزِلُوا عَلَى حُكْمِ اللَّهِ فَلَا تُنْزِلْهُمْ عَلَى حُكْمِ اللَّهِ، فَإِنَّكَ لَا تَدْرِي أَتُصِيبُ فِيهِمْ حُكْمُ اللَّهِ أَمْ لَا، وَلَكِنْ أَنْزِلْهُمْ عَلَى حُكْمِكُمْ، وَإِذَا حَاصَرْتُمْ أَهْلَ حِصْنٍ، فَأَرَادُوا أَنْ تَجْعَلَ لَهُمْ ذِمَّةَ اللَّهِ وَذِمَّةَ رَسُولِهِ، فَلَا تَجْعَلُوا لَهُمْ ذِمَّةَ اللَّهِ تَعَالَى وَلَا ذِمَّةَ رَسُولِهِ، وَلَكِنْ اجْعَلُوا لَهُمْ ذِمَّتَكُمْ وَذِمَّةَ آبَائِكُمْ فَإِنَّكُمْ إِنْ تُخْفِرُوا ذِمَّتَكُمْ وَذِمَّةَ آبَائِكُمْ وَأَصْحَابِكُمْ، أَهْوَنُ عَلَيْكُمْ مِنْ أَنْ تُخْفِرُوا ذِمَّةَ اللَّهِ وَذِمَّةَ رَسُولِهِ.

- حَدَّثَنَا جَعْفَرُ الطَّيَالِسِيُّ، قَالَ: حَدَّثَنَا إِبْرَاهِيمُ بْنُ عَزْرَةَ، قَالَ: حَدَّثَنَا عَبْدُ الصَّمَدِ بْنُ عَبْدِ الْوَارِثِ، قَالَ: حَدَّثَنَا شُعْبَةُ، بِإِسْنَادِهِ وَذَكَرَ الْحَدِيثَ.

- حَدَّثَنَا أَبُو الزُّنْبَاعِ، قَالَ: حَدَّثَنَا يَحْيَى بْنُ بُكَيْرٍ، قَالَ: حَدَّثَنَا اللَّيْثُ (ح) وَحَدَّثَنَا عَلِيُّ بْنُ عُثْمَانَ الثَّقَفِيُّ، قَالَ: حَدَّثَنَا عُثْمَانُ بْنُ صَالِحٍ، قَالَ: حَدَّثَنَا اللَّيْثُ بْنُ سَعْدٍ، قَالَ: حَدَّثَنِي جَرِيرُ بْنُ حَارِثٍ، عَنْ شُعْبَةَ بْنِ الْحَجَّاجِ، بِإِسْنَادِهِ مِثْلَ حَدِيثِ سُفْيَانَ الثَّوْرِيِّ، كَانَ النَّبِيُّ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، - إِذَا أَمَرَ أَمِيرًا عَلَى جَيْشٍ أَوْ سَرِيَّةٍ.

- حَدَّثَنَا أَبُو دَاوُدَ الْحَرَّانِيُّ، وَالصَّغَانِيُّ، وَأَبُو أُمِيَّةَ، قَالُوا: حَدَّثَنَا يَعْلَى بْنُ عُبَيْدٍ، قَالَ: حَدَّثَنَا إِدْرِيسُ الْأَوْدِيُّ، عَنْ عُلْقَمَةَ بْنِ مَرْثَدٍ، عَنْ سُلَيْمَانَ بْنِ بُرَيْدَةَ، عَنْ أَبِيهِ، قَالَ: كَانَ رَسُولُ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، - إِذَا بَعَثَ أَمِيرًا عَلَى قَوْمٍ أَمَرَهُ بِتَقْوَى اللَّهِ فِي خَاصَّةِ نَفْسِهِ وَلِأَصْحَابِهِ عَامَّةً، وَقَالَ: اغْزُوا بِاسْمِ اللَّهِ، فِي سَبِيلِ اللَّهِ، وَقَاتِلُوا مَنْ كَفَرَ بِاللَّهِ: لَا تَغْلُوا، وَلَا تَعْدِرُوا، وَلَا تُمِيتُوا، وَلَا تَقْتُلُوا وَلِيدًا، وَإِذَا لَقِيتَ عَدُوَّكَ مِنَ الْمُشْرِكِينَ فَأَدْعُهُمْ إِلَى إِحْدَى ثَلَاثٍ: إِلَى الْإِسْلَامِ، فَإِنْ دَخَلُوا فِي الْإِسْلَامِ، فَاقْبَلْ مِنْهُمْ وَكُفَّ عَنْهُمْ، وَإِلَى الْهَجْرَةِ فَإِنْ دَخَلُوا فِي الْهَجْرَةِ، وَذَكَرَ الْحَدِيثَ بِطَوْلِهِ.

- حَدَّثَنَا الصَّغَانِيُّ، قَالَ: حَدَّثَنَا عَاصِمُ بْنُ عَلِيٍّ، قَالَ: حَدَّثَنَا الْمَسْعُودِيُّ، عَنْ عُلْقَمَةَ بْنِ مَرْثَدٍ، عَنْ سُلَيْمَانَ بْنِ بُرَيْدَةَ، عَنْ أَبِيهِ، قَالَ: كَانَ النَّبِيُّ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، إِذَا بَعَثَ سَرِيَّةً ثُمَّ ذَكَرَ نَحْوَهُ.

- حَدَّثَنَا يَزِيدُ بْنُ عَبْدِ الصَّمَدِ، قَالَ: حَدَّثَنَا أَبُو أَيُّوبَ، قَالَ: حَدَّثَنَا عَبْدُ الرَّحْمَنِ بْنُ بَشِيرٍ، عَنْ مُحَمَّدِ بْنِ إِسْحَاقَ، قَالَ: حَدَّثَنِي عَمْرُو بْنُ قَيْسٍ الْمَلَائِيُّ، عَنْ عُلْقَمَةَ بْنِ مَرْثَدٍ، عَنْ سُلَيْمَانَ بْنِ بُرَيْدَةَ، عَنْ أَبِيهِ، قَالَ: كَانَ النَّبِيُّ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، - إِذَا بَعَثَ سَرِيَّةً وَذَكَرَ الْحَدِيثَ، بِنَحْوِهِ.

- حَدَّثَنَا يَزِيدُ بْنُ عَبْدِ الصَّمَدِ، قَالَ: حَدَّثَنَا أَبُو أَيُّوبَ، قَالَ: حَدَّثَنَا عَبْدُ الرَّحْمَنِ بْنُ بَشِيرٍ، عَنْ مُحَمَّدِ بْنِ إِسْحَاقَ، قَالَ: حَدَّثَنِي عَمْرُو بْنُ قَيْسٍ الْمَلَائِيُّ، عَنْ عُلْقَمَةَ بْنِ مَرْثَدٍ، عَنْ سُلَيْمَانَ بْنِ بُرَيْدَةَ، عَنْ أَبِيهِ،

قَالَ: كَانَ النَّبِيُّ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، - إِذَا بَعَثَ سَرِيَّةً أَوْ جَيْشًا أَوْصَى أَمِيرَهُمْ فِي خَاصَّةٍ نَفْسِهِ وَبِمَنْ مَعَهُ مِنَ الْمُسْلِمِينَ خَيْرًا، ثُمَّ قَالَ: اغْزُوا بِاسْمِ اللَّهِ، وَفِي سَبِيلِ اللَّهِ، قَاتِلُوا مَنْ كَفَرَ بِاللَّهِ، لَا تَغْلُوا، وَلَا تَعْدُوا، وَلَا تُمَتِّلُوا، وَلَا تَقْتُلُوا وَلِيدًا، ثُمَّ ذَكَرَ الْحَدِيثَ بِطَوْلِهِ إِلَى قَوْلِهِ: لَا تَدْرِي مَا حُكْمُ اللَّهِ فِيهِمْ.

- حَدَّثَنَا فَضْلُكَ أَبُو بَكْرٍ الرَّازِيُّ قَالَ: حَدَّثَنَا سَهْلُ بْنُ عُمَانَ الْعَسْكَرِيُّ، قَالَ: حَدَّثَنَا يَحْيَى بْنُ أَبِي زَائِدَةَ، عَنْ عَمْرِو بْنِ قَيْسٍ الْمُلَائِي، وَسُفْيَانَ، عَنْ عَلْقَمَةَ بْنِ مَرْثَدٍ، عَنْ سُلَيْمَانَ بْنِ بُرَيْدَةَ، عَنْ أَبِيهِ، قَالَ: كَانَ رَسُولُ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، - إِذَا بَعَثَ سَرِيَّةً أَوْ جَيْشًا، قَالَ: لَا تُمَتِّلُوا.

- حَدَّثَنَا مُحَمَّدُ بْنُ أَصْبَغَ بْنِ الْفَرَجِ، قَالَ: حَدَّثَنِي أَبِي، قَالَ: حَدَّثَنَا عَلِيُّ بْنُ عَاسِمٍ، عَنْ أَبَانَ بْنِ تَغْلِبٍ، عَنْ عَلْقَمَةَ بْنِ مَرْثَدٍ، عَنْ ابْنِ بُرَيْدَةَ، عَنْ أَبِيهِ، وَحَدَّثَنَا أَبُو دَاوُدَ الْحَرَانِيُّ، وَالصَّغَانِيُّ، وَأَبُو أُمَيَّةَ، قَالُوا: حَدَّثَنَا يَحْيَى بْنُ عُيَيْدٍ، قَالَ: حَدَّثَنَا إِدْرِيسُ الْأَوْدِيُّ، عَنْ عَلْقَمَةَ بْنِ مَرْثَدٍ، عَنْ ابْنِ بُرَيْدَةَ، عَنْ أَبِيهِ (ح) وَحَدَّثَنَا ابْنُ أَبِي مَسْرَةَ، قَالَ: حَدَّثَنَا الْمُفَرِّئُ، قَالَ: حَدَّثَنَا أَبُو حَنِيفَةَ، عَنْ عَلْقَمَةَ بْنِ مَرْثَدٍ (ح) وَحَدَّثَنَا عَبْدُ اللَّهِ بْنُ مُحَمَّدٍ بْنُ سَعِيدٍ بْنُ عَيْشُونَ الْحَرَانِيُّ، قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ سُلَيْمَانَ الْحَرَانِيُّ الْمَعْرُوفُ بِبُؤْمَةَ، قَالَ: أَخْبَرَنِي أَبِي، عَنْ زَيْدِ بْنِ أَبِي أَنَيْسَةَ، عَنْ عَلْقَمَةَ بْنِ مَرْثَدٍ (ح) وَحَدَّثَنَا أَبُو فَرَوَةَ، قَالَ: حَدَّثَنَا أَبِي، عَنْ أَبِيهِ، عَنْ زَيْدٍ، عَنْ يَحْيَى، قَالَ أَبُو فَرَوَةَ، يَعْنِي أَخَاهُ، عَنْ عَلْقَمَةَ بْنِ مَرْثَدٍ، عَنْ سُلَيْمَانَ بْنِ بُرَيْدَةَ، عَنْ أَبِيهِ، قَالَ: كَانَ رَسُولُ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، - إِذَا بَعَثَ جَيْشًا أَوْ سَرِيَّةً، دَعَا أَمِيرَهُمْ فَأَوْصَاهُ بِتَقْوَى اللَّهِ عَزَّ وَجَلَّ، وَذَكَرَ الْحَدِيثَ، إِلَى هُنَا لَمْ يُخَرِّجَاهُ؛

- The following also came recorded in the Mustakhraj of Abu 'Awanah (7/344/5224): [Abu Ahmad Muhammad bin Abdul Wahhab related to us: He said: Al-Husain bin Al-Walid related to us from Shu'bah, from 'Alqamah bin Marthad Al-Hadramiy, from Sulaiman bin Buraidah, from his father, from the Messenger of Allah ﷺ When the Messenger of Allah ﷺ use to appoint an Ameer (leader) over an army or military expedition he would especially exhort him in respect to himself to be conscious and fearful of Allah and to be good to the Muslims who were with him. He would then say: "Go out for battle in the name of Allah and in the way of Allah. Fight those who disbelieve in Allah. Go forth to fight but do not betray, do not misappropriate the spoils and do not kill a child. When you meet your polytheist enemies, invite them to three courses of action. Whichever one of them they respond to accept it from them and desist from them. So (firstly), invite them to (accept) Islam. If they respond affirmatively to you, accept it from them and desist from fighting them. Then invite them to transform (or change) their lands to the land of the Muhajirin and inform them that if they do so, they shall have all the privileges and obligations of the Muhajirin. If they embrace Islam but choose to remain in their lands, then inform them that they will have the status of Bedouin Muslims and the ruling of Allah will apply to them just as it applies to the Muslims However, they will not get any share from the Fai' and Ghaneemah (spoils of war and booty) unless they participate in the Jihad with the Muslims. If they refuse (i.e. to accept Islam), offer to them the Jizyah. If they refuse (i.e. to be subject to the Jizyah), then seek Allah's help and fight them. When you meet your enemy and they want to surrender upon the basis of the judgement of Allah, then do not let them surrender upon the judgement of Allah, as you do not know whether or not you will correctly carry out the ruling of Allah with regard to them. Rather, let them **surrender** upon your own judgment. And if you lay siege to a fort and they want you to grant the protection (Dhimmah) of Allah and His Prophet for them, then do not accord to them the protection (Dhimmah) of Allah تعالى or the protection (Dhimmah) of His Messenger. Rather, accord to them your own protection (Dhimmah) and the protection of your fathers. That is because if you fail in your guarantee of protection (Dhimmah) and the guarantees of protection of your fathers and companions, that

is lesser (in sin or gravity) than failing in respect to Dhimmah (protection) granted in the name of Allah and His Messenger”.

- Ja'far At-Tayalisiy related to us: He said: Ibrahim bin 'Ar'arah related to us: He said: Abdus Samad bin Abdul Warith related to us: He said: Shu'bah related to us, with its Isnad (chain of transmission) and he mentioned the Hadith.

- Abu Az-Zanbaa' related to us: He said: Yahya bin Bukair related to us: He said: Al-Laith related to us ... (And) 'Ali bin Uthman An-Nufailiy related to us: He said: Uthman bin Salih related to us: He said: Al-Laith bin Sa'd related to us: He said: Jarir bin Hazim related to me from Shu'bah bin Al-Hajjaj, with its Isnad (chain of transmission) the same as the Hadith of Sufyan Ath-Thawriy: When the Prophet ﷺ used to appoint an Ameer (leader) over an army or military expedition ...

- Abu Dawud Al-Harraniy, As-Saghaniy and Abu Umayyah related to us: They said: Ya'la bin Ubaid related to us: He said: Idress Al-Awdiy related to us from 'Alqamah bin Marthad, from Sulaiman bin Buraidah, from his father: He said: When the Messenger of Allah ﷺ dispatched an Ameer over a people, he commanded them to have consciousness and fear of Allah in respect to himself and for his companions in general. And he said: “Go out to fight in the name of Allah in the way of Allah. And fight those who disbelieve in Allah. Do not misappropriate the spoils, do not betray, do not mutilate (the dead bodies) and do not kill a child. And if you meet your polytheist enemy, invite them to one of three (options): To Islam and then if they embrace Islam, accept that from them and desist from them, and to Al-Hijrah (i.e. migration of the land), and if they then accept the Hijrah ... And he mentioned the Hadith in full.

- As-Saghaniy related to us: He said: 'Asim bin 'Ali related to us: He said: A;-Mas'udiy related to us from 'Alqamah bin Marthad, from Sulaiman bin Buraidah, from his father: He said: “When the Prophet ﷺ used to dispatch a military expedition ...” He then mentioned the same as it (i.e. the remainder of the Hadith).

- Yazid bin Abdus Samad related to us: He said: Abu Ayyub related to us: He said: Abdur Rahman bin Bashir related to us from Muhammad bin Ishaq: He said: 'Amr bin Qais Al-Mula'iy related to me from 'Alqamah bin Marthad, from Sulaiman bin Buraidah, from his father: He said: “When the Prophet ﷺ used to dispatch a military expedition ...” He then mentioned the same as it (i.e. the remainder of the Hadith).

- Yazid bin Abdus Samad related to us: He said: Abu Ayyub related to us: He said: Abdur Rahman bin Bashir related to us from Muhammad bin Ishaq: He said: 'Amr bin Qais Al-Mula'iy related to me from 'Alqamah bin Marthad, from Sulaiman bin Buraidah, from his father: He said: “When the Prophet ﷺ used to dispatch a military expedition or an army he would exhort their Ameer (leader/commander) in respect to himself and to be good to the Muslims who were with him. He then would say: “Go out for battle in the name of Allah and in the way of Allah. Fight those who disbelieve in Allah. Go forth but do not misappropriate the spoils, do not betray, do not mutilate (the dead bodies) and do not kill a child ...” He then mentioned the Hadith in its full length until the statement: You do not know the Hukm (ruling/judgement) of Allah in respect to them.

- Fadlak Abu Bakr Ar-Raaziy related to us: He said: Sahl bin Uthman Al-'Askariy related to us: He said: Yahya bin Abi Za'idah related to us from 'Amr bin Qais Al-Mula'iy and Sufyan, from 'Alqamah bin Marthad, from Sulaiman bin Buraidah, from his father: He said: “When the Prophet ﷺ used to dispatch a military expedition or an army, he said: Do not mutilate (i.e. the dead bodies)”.

- Muhammad bin Asbagh bin Al-Faraj related to us: He said: My father related to me: He said: 'Ali bin 'Aabis related to us from Abaan bin Taghlib, from 'Alqamah bin Marthad, from Ibn Buraidah, from his father (And)

Abu Dawud Al-Harraniy, As-Saghaniy and Abu Umayyah related to us: They said: Ya'la bin 'Ubaid related to us: He said: Idrees Al-Awdiy related to us from 'Alqamah bin Marthad, from Ibn Buraidah, from his father (And) Ibn Abi Masarrah related to us: He said: Al-Muqriy related to us: He said: Abu Hanifah related to us from 'Alqamah bin Marthad (And) Abdullah bin Muhammad bin Sa'eed bin 'Aishoun Al-Harraniy related to us: Muhammad bin Sulaiman Al-Harraniy (who is well known as Boumah): He said: My father informed me from Zaid bin Abi Unaisah, from 'Alqamah bin Marthad (And) Abu Farwah related to us: He said: My father related to us from his father, from Zaid, from Yahya: He said: Abu Farwah (meaning his brother), from 'Alqamah bin Marthad, from Sulaiman bin Buraidah, from his father: He said: When the Messenger of Allah ﷺ used to dispatch an army or military expedition, he would call their Ameer and exhort him with the consciousness and fear of Allah 'Azza Wa Jalla ... And he mentioned the Hadith, to here, they both did not record it].

* وقد بوب له أبو عوانة في مستخرجه [مشكول (7/341)]: [(بَابُ السُّنَّةِ فِي تَوْجِيهِ الْبُعْثِ، وما يجب على الإمام أن يتقدم إليهم فيما يجب عليهم في وجوههم، وحظر الغدر في غزوهم، والمثلة وقتل الولائد، ووجوب دعوة المشركين قبل قتالهم إلى ما يجب عليهم، وحظر إنزالهم من حصونهم على حكم الله حذراً على إصابته، وإباحة قبول الجزية من المشركين والكف عنهم، وإنه ليس لمن أسلم وأقام في دار الكفر في الفياء والغنيمة)]؛

- Abu 'Awanah categorized it under the following chapter heading in his Mustakhraj (Mashkul edition 7/341): ["Chapter: The Sunnah in respect to directing the expedition and what is obligatory upon the Imam to provide to them in relation to what is obligatory upon them. This includes: The prohibition of acting treacherously during their expedition, the prohibition of mutilating bodies and killing children, the obligation of inviting the polytheists, prior to engaging them in battle, to that which is obliged upon them, the prohibition of making them descend from their fortresses upon the basis of the Hukm (judgement) of Allah out of fear that it will be wronged (or not fulfilled), the permissibility of accepting the Jizyah from the polytheists and desisting from (fighting) them, and that those who embraced Islam and settled in Dar ul-Kufr (Land of disbelief i.e. non-Islamic land) do not have a right in respect to the Fai' and Ghaneemah (spoils of war and booty)].

قلت: قول أبي عوانة: (وإنه ليس لمن أسلم وأقام في دار الكفر في الفياء والغنيمة) صحيح، ولكنه يكون عادة بإسلام أفراد من حملة تابعة دار الكفر (التي قد تكون دار حرب، أو دار عهد، أو دار موادة وسلم)، واختيارهم عدم الهجرة منها (كأمثال عمير بن وهب في قريش)، ولكن ليست هذه الحالة الأهم المقصودة في الحديث، عندما يسلم عامة أهل دار فتصبح دارهم: (دار إسلام) – ضرورة ولا بد – وإلا لما كان لقوله، عليه وعلى آله الصلاة والسلام: (وَأَنَّهُمْ إِن أَبَوْا أَنْ يَتَحَوَّلُوا مِنْ دَارِهِمْ إِلَى دَارِ الْمُؤْمِنِينَ فَأَخْبِرْهُمْ أَنَّهُمْ يَكُونُونَ كَأَعْرَابِ الْمُسْلِمِينَ، يَجْرِي عَلَيْهِمْ حُكْمُ اللَّهِ الَّذِي يَجْرِي عَلَى الْمُؤْمِنِينَ) أي محصول، ولأصبح لغوا، فارغا من كل معنى، معاذ الله. ولكنهم يبقون في دار

إسلام) مستقلة، ولهم دولة، وتابعة، و(ولاية) مستقلة: وكلتا الحالتين مشمولة بالآيات الأواخر من سورة الأنفال.

I say: Concerning the statement of Abu ‘Awanah: “That those who embraced Islam and settled in Dar ul-Kufr (Land of disbelief i.e. non-Islamic land) do not have a right in respect to the Fai’ and Ghaneemah (spoils of war and booty)”, then this is correct, however, this was usually related to individuals embracing Islam who had citizenship or subject status of Dar ul-Kufr (which could be Dar ul-Harb (land of war), Dar ‘Ahd (a land of covenant), or Dar Muwaada’ah and Silm (a land at peace)), accompanied by their choice to not undertake Hijrah (migration) (like the case of ‘Umair bin Wahb from Quraish). However, this does not reflect the most important case mentioned in the Hadith, where the majority of the people of a Dar (land) embrace Islam and their land consequently inevitably and by necessity becomes a Dar Islam (land of Islam). Otherwise, there would be nothing to be gained from the statement of the Prophet ﷺ, it would become ineffectual and be devoid of meaning, may Allah’s refuge be sought from such a matter. This is when he said: **“If they refuse to change their land to the land of the Muhajirin, then inform them that they will have the status of Bedouin Muslims and the ruling of Allah which applies to the believers will apply to them”**. **Rather, they would remain in “Dar Islam” (A land of Islam), independent, possessing their own state, citizenship and independent authority or guardianship (Walayah): And both of these cases are covered in the latter verses of Surah Al-Anfal.**

* وجاء في السير الصغير للإمام محمد بن الحسن الشيباني [ت خدوري (ص: 1/93)]: [أَبُو سُلَيْمَانَ الْجَوْزْجَانِيُّ عَنْ مُحَمَّدَ بْنِ الْحَسَنِ الشَّيْبَانِيِّ عَنْ أَبِي حَنِيفَةَ عَنْ عَلْقَمَةَ بْنِ مَرْثَدٍ عَنْ عَبْدِ اللَّهِ بْنِ بُرَيْدَةَ عَنْ أَبِيهِ قَالَ كَانَ رَسُولُ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، إِذَا بَعَثَ جَيْشًا أَوْ سَرِيَّةً أَوْصَى صَاحِبَهُمْ بِتَقْوَى اللَّهِ فِي خَاصَّةِ نَفْسِهِ وَأَوْصَى مِنْ مَعَهُ مِنَ الْمُسْلِمِينَ خَيْرًا ثُمَّ قَالَ اغْزُوا بِاسْمِ اللَّهِ وَفِي سَبِيلِ اللَّهِ قَاتِلُوا مَنْ كَفَرَ بِاللَّهِ لَا تَغْلُوا وَلَا تَغْدُرُوا وَلَا تَمْتَلُوا وَلَا تَقْتُلُوا وَلِيدًا وَإِذَا لَقِيتُمْ عَدُوَكُمْ مِنَ الْمُشْرِكِينَ فَادْعُوهُمْ إِلَى الْإِسْلَامِ فَإِنْ أَسْلَمُوا فَاقْبَلُوا مِنْهُمْ وَكَفُوا عَنْهُمْ، **ثُمَّ ادْعُوهُمْ إِلَى التَّحَوُّلِ مِنْ دَارِهِمْ إِلَى دَارِ الْمُهَاجِرِينَ فَإِنْ فَعَلُوا فَاقْبَلُوا مِنْهُمْ وَكَفُوا عَنْهُمْ وَإِلَّا فَأَخْبِرُوهُمْ أَنَّهُمْ كَأَعْرَابِ الْمُسْلِمِينَ يَجْرِي عَلَيْهِمْ حُكْمُ اللَّهِ تَعَالَى الَّذِي يَجْرِي عَلَى الْمُسْلِمِينَ وَلَيْسَ لَهُمْ مِنَ الْفَيْءِ وَلَا فِي الْغَنِيمَةِ نَصِيبٌ**؛ فَإِنْ أَبَوْا ذَلِكَ فَادْعُوهُمْ إِلَى اعْطَاءِ الْجِزْيَةِ فَإِنْ فَعَلُوا ذَلِكَ فَاقْبَلُوا مِنْهُمْ وَكَفُوا عَنْهُمْ وَإِذَا حَاصَرْتُمْ أَهْلَ حَصْنٍ أَوْ مَدِينَةٍ فَأَرَادُوكُمْ عَلَى أَنْ تَنْزِلُوهُمْ عَلَى حُكْمِ اللَّهِ تَعَالَى فَلَا تَنْزِلُوهُمْ فَإِنَّكُمْ لَا تَدْرُونَ مَا حُكْمُ اللَّهِ تَعَالَى وَلَكِنْ أَنْزِلُوهُمْ عَلَى حُكْمِكُمْ ثُمَّ احْكُمُوا فِيهِمْ بِمَا رَأَيْتُمْ وَإِذَا حَاصَرْتُمْ أَهْلَ حَصْنٍ أَوْ مَدِينَةٍ فَأَرَادُوكُمْ عَلَى أَنْ تَعْطُوهُمْ ذِمَّةَ اللَّهِ تَعَالَى وَذِمَّةَ رَسُولِهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، فَلَا تَعْطُوهُمْ ذِمَّةَ اللَّهِ تَعَالَى وَلَا ذِمَّةَ رَسُولِهِ وَلَكِنْ اعْطُوهُمْ ذِمَّتَكُمْ وَذِمَّ ابَائِكُمْ فَإِنَّكُمْ إِنْ تَخَفَرُوا ذِمَّتَكُمْ وَذِمَّ ابَائِكُمْ أَهْوَنَ مِنْ أَنْ تَخَفَرُوا ذِمَّةَ اللَّهِ وَذِمَّةَ رَسُولِهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ]، وهو بعينه في الأصل للشيباني [ط قطر (421/7)]: [كتاب السير في أرض الحرب]: أَبُو سُلَيْمَانَ عَنْ مُحَمَّدَ بْنِ الْحَسَنِ عَنْ أَبِي حَنِيفَةَ عَنْ عَلْقَمَةَ بْنِ مَرْثَدٍ عَنْ عَبْدِ اللَّهِ بْنِ بُرَيْدَةَ عَنْ أَبِيهِ قَالَهُ بِتَمَامِهِ، كَمَا هُوَ فِي السِّرِ الصَّغِيرِ).

- The following came recorded in “As-Siyar As-Saghir” of Imam Muhammad bin Al-Hasan Ash-Shaibaniy (Khudouriy Edition: p1/93): [Abu Sulaiman Al-Jawzjaniy from Muhammad bin Al-Hasan Ash-Shaibaniy, from Abu Hanifah, from ‘Alqamah bin Marthad, from Abdullah bin Buraidah, from his father: He said: When the Messenger of Allah ﷺ dispatched an army or military expedition he would exhort the one responsible over it with the consciousness and fear of Allah in respect to himself and exhorted those of the Muslims with him to be good. He then said: “Go forth in battle in the name of Allah and in the way of Allah. Fight those who have

disbelieved in Allah. Do not misappropriate the spoils, do not betray, do not mutilate (the dead bodies) and do not kill a child. And if you meet your enemy from the polytheists, invite them to Islam. If they then accept Islam accept that from them and desist from them. **Then invite them to change their land (Dar) to Dar ul-Muhajirin (the land of the emigrants). If they do that, then accept it from them and desist from them. However, if they do not, then inform them that they are like the Arab Bedouin Muslims and the ruling of Allah تعالى that applies over the Muslims applies upon them, and they do not have a share in the Fai' or the Ghaneemah (booty and spoils of war).** If they refuse that, then invite them to give the Jizyah. If they do that, accept it from them and desist from them. If you besiege fortified people or a town and they want you to allow them to surrender upon the Hukm (judgement) of Allah تعالى then don't allow them to surrender (i.e. upon that basis), as you are not aware of the Hukm of Allah تعالى. Rather, let them surrender upon your Hukm (judgement). Then judge amongst them as you see (fit). And if you besiege fortified people or a town and they want you to provide them with the Dhimmah (guarantee of protection) of Allah and the Dhimmah of His Messenger ﷺ then don't provide them with the Dhimmah of Allah تعالى or the Dhimmah of His Messenger. Rather, provide them with your own Dhimmah and the protections of your fathers. That is because if you fail in your guarantees of protection (Dhimmah) and the protections of your fathers, that is less (in terms of sin and gravity) than if you fail in the Dhimmah of Allah and the Dhimmah of His Messenger ﷺ. Exactly the same is found in "Al-Asl" of Ash-Shaibaniy (Qatar Edition: 7/421): [Kitab As-Siyar Fee Ard ul-Harb (The Book of Siyar in the Land of War): Abu Sulaiman from Muhammad bin Al-Hasan, from Abu Hanifah, from 'Alqamah bin Marthad, from Abdullah bin Buraidah, from his father: He then said exactly the same as was recorded in "As-Siyar As-Saghir].

* وجاء في اختلاف الحديث للإمام الشافعي (621/8): [أَخْبَرَنَا الثَّقَفَةُ، عَنْ مُحَمَّدِ بْنِ أَبَانَ، عَنْ عَلْقَمَةَ بْنِ مَرْثَدٍ، عَنْ سُلَيْمَانَ بْنِ بُرَيْدَةَ، عَنْ أَبِيهِ، أَنَّ رَسُولَ اللَّهِ كَانَ إِذَا بَعَثَ جَيْشًا أَمَرَ عَلَيْهِمْ أَمِيرًا وَقَالَ: (فَإِذَا لَقِيتَ عَدُوًّا مِنَ الْمُشْرِكِينَ فَادْعُهُمْ إِلَى ثَلَاثِ خِلَالٍ، أَوْ ثَلَاثِ خِصَالٍ، شَكَ عَلْقَمَةُ: ادْعُهُمْ إِلَى الْإِسْلَامِ، فَإِنْ أَجَابُوكَ فَاقْبَلْ مِنْهُمْ وَكُفَّ عَنْهُمْ، وَادْعُهُمْ إِلَى التَّحَوُّلِ مِنْ دَارِهِمْ إِلَى دَارِ الْمُهَاجِرِينَ، وَأَخْبَرَهُمْ إِنْ هُمْ فَعَلُوا أَنَّ لَهُمْ مَا لِلْمُهَاجِرِينَ، وَأَنَّ عَلَيْهِمْ مَا عَلَيْهِمْ، فَإِنْ اخْتَارُوا الْمَقَامَ فِي دَرَاهِمُ فَأَخْبِرْهُمْ أَنَّهُمْ كَأَعْرَابِ الْمُسْلِمِينَ، يَجْرِي عَلَيْهِمْ حُكْمُ اللَّهِ كَمَا يَجْرِي عَلَى الْمُسْلِمِينَ، وَلَيْسَ لَهُمْ فِي الْفَيْءِ شَيْءٌ إِلَّا أَنْ يُجَاهِدُوا مَعَ الْمُسْلِمِينَ، فَإِنْ لَمْ يُجِيبُوكَ إِلَى الْإِسْلَامِ فَادْعُهُمْ إِلَى أَنْ يُعْطُوا الْجَزْيَةَ، فَإِنْ فَعَلُوا فَاقْبَلْ مِنْهُمْ وَدَعُهُمْ، وَإِنْ أَبَوْا فَاسْتَعْنِ بِاللَّهِ وَقَاتِلْهُمْ)]، ثُمَّ قَالَ الشَّافِعِيُّ: (وَلَيْسَتْ وَاحِدَةٌ مِنَ الْآيَتَيْنِ نَاسِخَةٌ لِلْأُخْرَى، وَلَا وَاحِدٌ مِنَ الْحَدِيثَيْنِ نَاسِخٌ لِلْآخَرِ، وَلَا مُخَالِفٌ لَهُ، وَلَكِنْ أَحَدُ الْحَدِيثَيْنِ وَالْآيَتَيْنِ مِنَ الْكَلَامِ الَّذِي مَخْرَجُهُ عَامٌّ يُرَادُّ بِهِ الْخَاصُّ، وَمِنَ الْمُجْمَلِ الَّذِي يَدُلُّ عَلَيْهِ الْمَفْسَرُ، فَأَمَرَ اللَّهُ بِقِتَالِ الْمُشْرِكِينَ حَتَّى يُؤْمِنُوا، وَاللَّهُ تَعَالَى أَعْلَمُ أَمْرَهُ بِقِتَالِ الْمُشْرِكِينَ مِنْ أَهْلِ الْأَوْثَانِ، وَهُمْ أَكْثَرُ مَنْ قَاتَلَ النَّبِيَّ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ. وَكَذَلِكَ حَدِيثُ أَبِي هُرَيْرَةَ عَنِ النَّبِيِّ، وَذِكْرُ أَبِي بَكْرٍ وَعُمَرُ إِيَّاهُمَا عَنِ النَّبِيِّ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، فِي الْمُشْرِكِينَ مِنْ أَهْلِ الْأَوْثَانِ دُونَ أَهْلِ الْكِتَابِ، وَفَرَضَ اللَّهُ قِتَالَ أَهْلِ الْكِتَابِ حَتَّى يُعْطُوا الْجَزْيَةَ عَنْ يَدٍ وَهُمْ صَاغِرُونَ، إِنْ لَمْ يُؤْمِنُوا. وَكَذَلِكَ حَدِيثُ ابْنِ بُرَيْدَةَ فِي أَهْلِ الْكِتَابِ خَاصَّةً، كَمَا كَانَ حَدِيثُ أَبِي هُرَيْرَةَ فِي أَهْلِ الْأَوْثَانِ خَاصَّةً، قَالَ: فَالْفَرَضُ فِي قِتَالِ مَنْ دَانَ وَأَبَاؤُهُ دِينَ أَهْلِ الْأَوْثَانِ مِنَ الْمُشْرِكِينَ أَنْ يُقَاتَلُوا، إِذَا قُدِرَ عَلَيْهِمْ، حَتَّى يُسَلِّمُوا، وَلَا يَجِلُّ أَنْ تُقْبَلَ مِنْهُمْ جَزْيَةٌ بِكِتَابِ اللَّهِ وَسُنَّةِ نَبِيِّهِ، قَالَ: وَالْفَرَضُ فِي أَهْلِ الْكِتَابِ وَمَنْ دَانَ قَبْلَ نَزُولِ الْقُرْآنِ كُلِّهِ دِينَهُمْ أَنْ يُقَاتَلُوا حَتَّى يُعْطُوا الْجَزْيَةَ أَوْ يُسَلِّمُوا، وَسَوَاءٌ كَانُوا عَرَبًا أَوْ عَجَمًا، قَالَ: وَلِلَّهِ كُتُبٌ نَزَلَتْ قَبْلَ نَزُولِ

الْقُرْآنَ، الْمَعْرُوفُ مِنْهَا عِنْدَ الْعَامَّةِ التَّوْرَةَ وَالْإِنْجِيلَ، وَقَدْ أَخْبَرَ اللَّهُ أَنَّهُ أَنْزَلَ غَيْرَهُمَا، فَقَالَ: ﴿أَمْ لَمْ يُنَبَّأْ بِمَا فِي صُحُفِ مُوسَى وَإِبْرَاهِيمَ الَّذِي وَفَّى﴾ [النجم: 37]، وَلَيْسَ تُعْرَفُ تِلَاوَةُ كُتُبِ إِبْرَاهِيمَ، وَذَكَرَ رَبُّورَ دَاوُدَ فَقَالَ: ﴿وَإِنَّهُ لَفِي زُبُرِ الْأَوَّلِينَ﴾ [الشعراء: 196]. قَالَ: الْمَجُوسُ أَهْلُ كِتَابٍ غَيْرِ التَّوْرَةِ وَالْإِنْجِيلِ، وَقَدْ نَسُوا كِتَابَهُمْ وَبَدَّلُوهُ، فَأَذِنَ رَسُولُ اللَّهِ فِي أَخْذِ الْجَزْيَةِ مِنْهُمْ).

- The following was recorded in “Ikhtilaf ul-Hadith” of Imam Ash-Shafi’iy (8/621): [The Thiqah informed us from Muhammad bin Aban, from ‘Alqamah bin Marthad, from Sulaiman bin Buraidah, from his father: That when the Messenger of Allah dispatched an army, he would appoint an Ameer (leader/commander) for it and say: “If you meet an enemy from the polytheists, invite them to three options (Khilaal or Khisaal – ‘Alqamah was unsure which word was used). Invite them to Islam. If they respond affirmatively then accept that from them and desist from them. And invite them to change their land to the land of the Muhajirin and inform them that if they do that they will have the same rights and privileges of the Muhajirin and be bound by the duties that they are bound by. If they choose to remain residing in their land, then inform them that they are like the Arab Bedouin Muslims, the ruling of Allah applies upon them just as it applies upon the Muslims. And they do not have any right in the Fai’ and Ghaneemah (booty and spoils of war) unless they engage in Jihad with the Muslims. If they don’t respond affirmatively in respect to embracing Islam, then invite them to give the Jizyah. If they do that, then accept that from them and leave them be. If, however, they refuse, then seek the help of Allah and fight them]. Ash-Shafi’iy then said: [And one of the two verses does not abrogate the other, and one of the two Hadith does not abrogate the other, and there is nothing contradicting it. However, one of the two Hadith and verses is from the type of speech where its appearance is general (‘Aamm) although the specific (Khaass) is intended, and it is from the Mujmal (general and undetailed) which is indicated to by the Mufassar (that which provides the detail). That is as Allah commanded fighting the polytheists until they believe and Allah تعالى declared His command regarding fighting the Mushrikeen (polytheists) from the people of the Awthan (idols), who represented the majority whom the Prophet ﷺ fought against. Likewise, there is the Hadith of Abu Hurairah from the Prophet and what Abu Bakr and ‘Umar mentioned from the Prophet ﷺ regarding the Mushrikeen (polytheists) from the people of Awthan (idols) and not the Ahl ul-Kitab (people of the book). And Allah made fighting the Ahl ul-Kitab obligatory until they give the Jizyah by their hands (willing) whilst subdued, if they did not believe. In addition, the Hadith of Ibn Buraidah in respect to the Ahl ul-Kitab is specific, just as the Hadith of Abu Hurairah in respect to the people of idols (Awthan) is specific. He said: Therefore, the obligation in respect to fighting those who alongside their forefathers followed the Deen of the people of idols (Ahl ul-Awthan) from the Mushrikeen (polytheists) is for them to be fought against, if mastery is gained over them, until they embrace Islam. And it is not permissible to accept the Jizyah from them in accordance with the Book of Allah and the Sunnah of His Prophet. He said: And the Fard (obligation) in respect to the Ahl ul-Kitab (People of the Book) and those who followed their Deen prior to the revelation of the whole Qur’an, is that they are fought until they give the Jizyah or become Muslim, regardless of whether they were Arabs or non-Arabs. He said: And to Allah belongs books which were revealed prior to the revelation of the Qur’an and the well-known from them amongst the masses are the Tawrah and the Injeel, and Allah has informed that He has revealed other than these two. He said:

أَمْ لَمْ يُنَبَّأْ بِمَا فِي صُحُفِ مُوسَى وَإِبْرَاهِيمَ الَّذِي وَفَّى

Or has he not been informed of what was in the scriptures of Moses (36) And [of] Abraham, who fulfilled [his obligations] (An-Najm: 36-37).

The recital of the books of Ibrahim are unknown and He (also) mentioned the Zabur (scripture) of Dawud, when He said:

وَأِنَّهُ لَفِي زُكْرِ الْأَوَّلِينَ

And indeed, it is [mentioned] in the scriptures (Zubur) of former peoples (Ash-Shu'araa': 196).

He said: Al-Majoos are the Ahl ul-Kitab (People of the Book) other than (people of) the Tawrah and the Injeel, whilst their books have been forgotten and changed (or replaced). So, the Messenger of Allah was permitted to take the Jizyah from them].

- وهو في معرفة السنن والآثار للبيهقي (14/267/5564، بترقيم الشاملة آليا): [وأخبرنا أبو عبد الله، وأبو بكر، وأبو زكريا، قالوا: حدثنا أبو العباس، أخبرنا الربيع، أخبرنا الشافعي، أخبرنا الثقة، فسأقه بتمام سند ومنتته إلى قوله: وإن أبوا فاستعن بالله وقاتلهم)]، ثم قال الإمام البيهقي: (أخرجه مسلم في الصحيح من حديث سفيان الثوري وشعبة، عن علقمة وحديث أبي هريرة في قصة أبي بكر وعمر قد أخرجاه كما مضى)، ثم ذكر البيهقي طرفا مما قاله الشافعي: (حديث ابن بريدة في أهل الكتاب خاصة كما كان حديث أبي هريرة في أهل الأوثان خاصة قال: وليست واحدة من الاثنتين ناسخة للأخرى، ولا واحد من الحديثين ناسخا للآخر ولا مخالفا له، ولكن إحدى الاثنتين وأحد الحديثين من الكلام الذي مخرجه مخرج عام برواية الخاص، ومن المجل التي يدل عليها المفسر، وبسط الكلام في شرحه في رواية أبي عبد الله).

- And it also came recorded in “Ma’rifat As-Sunan Wa I-Aathaar” of Al-Baihaqi (14/267/5564) according to the Shamela digital library program): [And Abu Abdullah, Abu Bakr and Abu Zakariya informed us: They said: Abu I-‘Abbas related to us: Ar-Rabee’ informed us: Ash-Shafi’iy informed us: The Thiqah (reliable transmitter) informed us: He then presented the exact same Sanad (chain) and Matn (textual content) for the statement: “And if they refuse, seek help in Allah and fight them”. Imam Al-Baihaqi then said: [Muslim recorded it in his Sahih from the Hadith of Sufyan Ath-Thawriy and Shu’bah, from ‘Alqamah and the Hadith of Abu Hurairah concerning the story of Abu Bakr and ‘Umar was recorded by them both as was previously mentioned]. Al-Baihaqi then mentioned a part from what Ash-Shafi’iy said: [The Hadith of Ibn Buraidah regarding the Ahl ul-Kitab is Khaassah (specific) just as the Hadith of Abu Hurairah regarding the Ahl ul-Awthan (people of idols) is specific. **He said: Neither of them abrogates the other and neither of the two Hadith abrogates the other and there is nothing that contradicts it. However, one of the two and one of the two Hadith is from the** speech which has come out in a general manner (‘Aam) via a specific report, and from the Mujmal (general/undetailed) which is indicated to by the Mufassar (detailed). He then went on further in his explanation concerning the narration of Abu Abdullah].

(Note: This: “one of the two” etc. doesn’t make much sense but I have translated it to the best of my ability. And Allah is Most knowledgeable)

وأما حديث أبي هريرة الذي ذكر الشافعي، فهو كما ذكره هو قبيل هذا بأسطر:

* فقد جاء في اختلاف الحديث (620/8): [بَابُ الْمُجْمَلِ وَالْمُفَسَّرِ]: حَدَّثَنَا الرَّبِيعُ قَالَ: قَالَ الشَّافِعِيُّ: قَالَ اللَّهُ عَزَّ وَجَلَّ (فَإِذَا انْسَلَخَ الْأَشْهُرُ الْحُرْمُ فَاقْتُلُوا الْمُشْرِكِينَ حَيْثُ وَجَدْتُمُوهُمْ) [التوبة: 5]، وَقَالَ اللَّهُ جَلَّ ثَنَاؤُهُ (وَقَاتِلُوهُمْ حَتَّى لَا تَكُونَ فِتْنَةٌ وَيَكُونَ الدِّينُ كُلُّهُ لِلَّهِ) [الأنفال: 39].
 - أَخْبَرَنَا عَبْدُ الْعَزِيزِ بْنُ مُحَمَّدٍ، عَنْ مُحَمَّدِ بْنِ عَمْرٍو بْنِ عُلْفَمَةَ، عَنْ أَبِي سَلَمَةَ، عَنْ أَبِي هُرَيْرَةَ، أَنَّ النَّبِيَّ قَالَ: (لَا أَرَأَى أَقَاتِلُ النَّاسَ حَتَّى يَقُولُوا: لَا إِلَهَ إِلَّا اللَّهُ، فَإِذَا قَالُوهَا فَقَدْ عَصَمُوا مِنِّي دِمَاءَهُمْ وَأَمْوَالَهُمْ إِلَّا بِحَقِّهَا، وَحَسَابُهُمْ عَلَى اللَّهِ).
 - حَدَّثَنَا الرَّبِيعُ، أَخْبَرَنَا الشَّافِعِيُّ، قَالَ: أَخْبَرَنَا الْيَقْفُ، عَنِ ابْنِ شِهَابٍ، عَنْ عُبَيْدِ اللَّهِ بْنِ عَبْدِ اللَّهِ، عَنْ أَبِي هُرَيْرَةَ، أَنَّ عُمَرَ قَالَ لِأَبِي بَكْرٍ فِيمَنْ مَنَعَ الصَّدَقَةَ: أَلَيْسَ قَدْ قَالَ رَسُولُ اللَّهِ: (لَا أَرَأَى أَقَاتِلُ النَّاسَ حَتَّى يَقُولُوا: لَا إِلَهَ إِلَّا اللَّهُ، فَإِذَا قَالُوهَا فَقَدْ عَصَمُوا مِنِّي دِمَاءَهُمْ وَأَمْوَالَهُمْ إِلَّا بِحَقِّهَا، وَحَسَابُهُمْ عَلَى اللَّهِ؟)، فَقَالَ أَبُو بَكْرٍ: هَذَا مِنْ حَقِّهَا، يَعْني مَنَعَهُمُ الصَّدَقَةَ، وَقَالَ اللَّهُ: (قَاتِلُوا الَّذِينَ لَا يُؤْمِنُونَ بِاللَّهِ وَلَا بِالْيَوْمِ الْآخِرِ وَلَا يُحَرِّمُونَ مَا حَرَّمَ اللَّهُ وَرَسُولُهُ) [التوبة: 29]؛

As for the Hadith of Abu Hurairah mentioned by Ash-Shafi'iy, then it is as he mentioned a few lines prior to the above:

- It came as follows in "Ikhtilaf ul-Hadith" (8/620): [The chapter of Al-Mujmal and Al-Mufassir: Ar-Rabee' related to us: He said: Ash-Shafi'iy said: Allah 'Azza Wa Jalla said:

فَإِذَا انْسَلَخَ الْأَشْهُرُ الْحُرْمُ فَاقْتُلُوا الْمُشْرِكِينَ حَيْثُ وَجَدْتُمُوهُمْ

And when the sacred months have passed, then kill the polytheists wherever you find them (At-Tawbah: 5).

And Allah, Glorified be His Praise, said:

وَقَاتِلُوهُمْ حَتَّى لَا تَكُونَ فِتْنَةٌ وَيَكُونَ الدِّينُ كُلُّهُ لِلَّهِ

And fight them until there is no Fitnah and the Deen, all of it, is for Allah (Al-Anfal: 39).

- Abdul 'Aziz bin Muhammad informed us from Muhammad bin 'Amr bin 'Alqamah, from Abu Salamah, from Abu Hurairah: That the Prophet ﷺ said:

لَا أَرَأَى أَقَاتِلُ النَّاسَ حَتَّى يَقُولُوا لَا إِلَهَ إِلَّا اللَّهُ فَإِذَا قَالُوهَا فَقَدْ عَصَمُوا مِنِّي دِمَاءَهُمْ وَأَمْوَالَهُمْ إِلَّا بِحَقِّهَا وَحَسَابُهُمْ عَلَى اللَّهِ

"I will continue to fight the people until they say that there is no Ilah (deity worthy of worship) except Allah. Then if they say it, they have protected their blood and properties from me, except where it is justified, and their account is left to Allah"

- Ar-Rabee' related to us: Ash-Shafi'iy informed us: He said: The Thiqah informed us, from Ibn Shihab, from Ubaidullah bin Abdullah, from Abu Hurairah: That 'Umar said to Abu Bakr regarding those who withheld the Sadaqah (i.e. Zakah): Did the Messenger of Allah not say: "I will continue to fight the people until they say that there is no Ilah (deity) except Allah. Then if they say it, they have protected their blood and properties

from me, except where it is justified, and their account is left to Allah?” So, Abu Bakr said: “This is from that which is justified”, meaning their withholding of the Sadaqah (i.e. Zakah) and Allah said:

قَاتِلُوا الَّذِينَ لَا يُؤْمِنُونَ بِاللَّهِ وَلَا بِالْيَوْمِ الْآخِرِ وَلَا يُحَرِّمُونَ مَا حَرَّمَ اللَّهُ وَرَسُولُهُ

Fight those who do not believe in Allah or in the Last Day and who do not make prohibited what Allah and His Messenger have prohibited (At-Tawbah: 29)].

قلت: لا يسعني – فيما بيني وبين الله – إلا أن أنبه على فساد مزاعم الشافعي – على تعظيمنا له – في زعمه أن حديث بريدة مخصوص بأهل الكتاب، وهي مكابرة ظاهرة، ورد للفظ النبي، صلوات الله وسلامه عليه وعلى آله – الذي نص صراحة على (عدوك من المشركين)، ومن المحال أن يكون النبي، صلوات الله وسلامه عليه وعلى آله قد عجز عن التمييز بين المشركين وأهل الكتاب، ومن المحال أن يكن قد أخر البيان عن وقت الحاجة إليه: فوقته الملح هو هذا: انطلاق الجيش أو السرية إلى العدو المشرك!

I say: Due to my relationship with Allah I cannot but point out the wrongness of the claims of Ash-Shafi’iy, in spite of our great respect for him, when he claimed that the Hadith of Buraidah has been specified to the Ahl ul-Kitab (People of the Book), reflecting an apparent overreach which is tantamount to rejecting the wording of the Prophet ﷺ which explicitly stated “your enemy from the Mushrikeen (polytheists)”. It is inconceivable that the Prophet ﷺ was unable to distinguish between the Mushrikeen (polytheists) and the Ahl ul-Kitab (People of the Book), just as it is inconceivable that he delayed the explanation from the time of its need as this was the exact time when it was urgently required, when the army or expedition was setting off to engage the Mushrik (polytheist) enemy!

والحق أن لفظة (المشرك)، إذا جاءت بمفردها، تطلق على غير المسلم مطلقاً: لا فرق بين أهل الأوثان، والمجوس، والنصارى، واليهود (ومنهم الصابؤون)، والملحدين، ومنكري البعث، واللا - أدريين، ومن ارتد عن الإسلام. وإذا قيل: أهل الكتاب والمشركون، في مثل قوله، تعالى مجده، وعز جنابه: ﴿لَمْ يَكُنِ الَّذِينَ كَفَرُوا مِنْ أَهْلِ الْكِتَابِ وَالْمُشْرِكِينَ مُنْفَكِينَ حَتَّى تَأْتِيَهُمُ الْبَيِّنَةُ (1)﴾، (البينة؛ 98: 1)، شملت، بجانب أهل الوثن: المجوس والملحدين، ومنكري البعث، واللا - أدريين،.. إلخ. وقد تقتصر على أهل الوثن (ومن في حكمهم مثل الملحدين، ومنكري البعث، واللا - أدريين،... إلخ) في مثل قوله، جل وعز: ﴿إِنَّ الَّذِينَ آمَنُوا وَالَّذِينَ هَادُوا وَالصَّابِئِينَ وَالنَّصَارَى وَالْمَجُوسَ وَالَّذِينَ أَشْرَكُوا إِنَّ اللَّهَ يَفْصِلُ بَيْنَهُمْ يَوْمَ الْقِيَامَةِ إِنَّ اللَّهَ عَلَى كُلِّ شَيْءٍ شَهِيدٌ (17)﴾، (الحج؛ 22: 17).

The truth is that the wording “Mushrik” (Polytheist) in the singular form applies to the non-Muslim without restriction, where there is no difference or distinction between the idolaters, Majoos, Christians, Jews (including the Saabi’oon), atheists, deniers of resurrection, agnostics and apostates from Islam. And when it said: Ahl ul-Kitab (People of the Book) or Mushrikeen (polytheists) like in the statement of Allah تعالى:

لَمْ يَكُنِ الَّذِينَ كَفَرُوا مِنْ أَهْلِ الْكِتَابِ وَالْمُشْرِكِينَ مُنْفَكِّينَ حَتَّى تَأْتِيَهُمُ الْبَيِّنَةُ

Those who disbelieve of the people of the Scripture (Jews and Christians) and of the Mushrikoon (polytheists), were not going to leave (their disbelief) until there came to them clear evidence (Al-Bayyinah: 1).

Then this includes, in addition to the idolaters, the Majoos, atheists, deniers of resurrection and agnostics etc. It could also be restricted to the idolaters (Ahl ul-Wathn or Ahl ul-Awthan) and those who follow their ruling like the atheists, deniers of resurrection and agnostics etc. That is like the statement of Allah 'Azza Wa Jalla:

إِنَّ الَّذِينَ آمَنُوا وَالَّذِينَ هَادُوا وَالصَّابِئِينَ وَالنَّصَارَى وَالْمَجُوسَ وَالَّذِينَ أَشْرَكُوا إِنَّ اللَّهَ يَفْصِلُ بَيْنَهُمْ يَوْمَ الْقِيَامَةِ ۖ إِنَّ اللَّهَ عَلَى كُلِّ شَيْءٍ شَهِيدٌ

Verily, those who believe, and those who are Jews, and the Sabians, and the Christians, and the Magians, and those who worship others besides Allah, truly, Allah will judge between them on the Day of Resurrection. Verily! Allah is Witness over all things (Al-Hajj: 17).

وأفزع من ذلك: الإهمال التام لقوله تعالى: ﴿وَقَاتِلُوا فِي سَبِيلِ اللَّهِ الَّذِينَ يَقَاتِلُونَكُمْ وَلَا تَعْتَدُوا إِنَّ اللَّهَ لَا يُحِبُّ الْمُعْتَدِينَ﴾، (البقرة؛ 2: 190)، فلا يحل القتال إلا لمن بدأ بالعدوان والقتال؛ فظن الشافعي أن ذلك أصبح منسوخا بآيات عموم القتال التي ذكرها. وهذا **خطأ أصولي خطير**، بل هو خطأ مدمر قاتل، لأن العام والمطلق لا ينسخ الخاص والمقيد، حتى ولو جاء متأخرا، وإلا لانهدمت مقاييس العقل، وتناقض القرآن، وبطلت الشريعة. فلا بد من برهان مستقل يوجب القول بالنسخ، ويلجئ إليه إلجاء، بحيث لا يوجد أصلا مخرج معقول آخر: مثال ذلك قوله، جل جلاله، وسما مقامه: ﴿لَيْسَ عَلَى الَّذِينَ آمَنُوا وَعَمِلُوا الصَّالِحَاتِ جُنَاحٌ فِيمَا طَعُمُوا إِذَا مَا اتَّقَوْا وَآمَنُوا وَعَمِلُوا الصَّالِحَاتِ ثُمَّ اتَّقَوْا وَأَحْسَنُوا وَاللَّهُ يُحِبُّ الْمُحْسِنِينَ (93)﴾، (المائدة: 93)، الذي نزل - قطعا - بعد تحريم الخمر، لا يمكن أن يكون - أبد الدهر - ناسخا لتحريم شرب الخمر، أو أكل الميتة والخنزير، التي سبق نزول أحكامها قبل ذلك. وبذلك يظهر الخطأ الفادح، الذي زلت به قدم قدامة بن مظعون، رضي الله عنه، وهو بدري من أهل الجنة قطعا، الذي شرب الخمر متأولا الآية على غير تأويلها.

على أن الآية الخامسة من صدر سورة التوبة - التي يسمونها آية السيف - قد انتزعت من سياقها، لأن صدر السورة يختتم بالحث على قتال هؤلاء مذكرا بأنهم هم الذين بدؤوا بالعدوان: ﴿أَلَا تَقَاتِلُونَ قَوْمًا نَكَثُوا أَيْمَانَهُمْ وَهَمُّوا بِإِخْرَاجِ الرَّسُولِ وَهُمْ بَدَءُوكُمْ أَوَّلَ مَرَّةٍ أَتَخْشَوْنَهُمْ قَالَ اللَّهُ أَحَقُّ أَنْ تَخْشَوْهُ إِنْ كُنْتُمْ مُؤْمِنِينَ﴾، (التوبة؛ 9: 13)، وهذا **فظيع** □ **دأ:** لأنه من جنس اتخاذ القرآن عضي، قطعا وتفاريق، فيضرب بعضه ببعض، وينسب إليه التناقض، ويشكك في وروده من عند الله؛ وقد حذر الله، جل

جلاله، وسما مقامه، من أفاعيل المقتسمين: ﴿وَقُلْ إِنِّي أَنَا النَّذِيرُ الْمُبِينُ﴾ (89) كَمَا أَنْزَلْنَا عَلَى الْمُقْتَسِمِينَ (90) الَّذِينَ عَلُّوا الْقُرْآنَ عِضِينَ (91) فَوَرَبِّكَ لَنَسْأَلَنَّهُمْ أَجْمَعِينَ (92) عَمَّا كَانُوا يَعْمَلُونَ (93) فَاصْدَعْ بِمَا تُؤْمَرُ وَأَعْرِضْ عَنِ الْمُشْرِكِينَ (94)، (الحجر؛ 15: 89، 94). وقد أشبعنا هذا نقاشا وتأصيلا في بحثنا المعنون: ﴿هاد الطلب: سنة متبعة أم بدعة مخترة﴾.

Even worse than that was the complete disregard given to the statement of Allah تعالى:

وَقَاتِلُوا فِي سَبِيلِ اللَّهِ الَّذِينَ يُفَاتِلُونَكُمْ وَلَا تَعْتَدُوا إِنَّ اللَّهَ لَا يُحِبُّ الْمُعْتَدِينَ

And fight in the Way of Allah those who fight you but do not transgress the limits. Truly, Allah does not like the transgressors (Al-Baqarah: 190).

Therefore, it is not Halal (permitted) to fight except the one who has initiated the aggression and fighting. Ash-Shafi'iy thought that had been abrogated by the verses which state the generality of fighting which he mentioned. This represents a serious Usooly error, indeed it is a destructive fatal error because the 'Aamm (general) and the Mutlaq (unrestricted) do not abrogate the Khaass (specific) and the Muqayyad (restricting), even if they came (or were) revealed at a later time. Otherwise, the measures of the mind (or rationality) would be demolished, the Qur'an would be contradictory and the Sharee'ah would become invalidated. As such an independent evidence that obliges the opinion that abrogation has taken place must exist, which is resorted to, in the case where absolutely no other rational way out exists (for its justification). An example of that is the statement of Allah تعالى:

لَيْسَ عَلَى الَّذِينَ آمَنُوا وَعَمِلُوا الصَّالِحَاتِ جُنَاحٌ فِيمَا طَعُمُوا إِذَا مَا اتَّقَوْا وَآمَنُوا وَعَمِلُوا الصَّالِحَاتِ ثُمَّ اتَّقَوْا ثُمَّ اتَّقَوْا
وَأَحْسَنُوا وَاللَّهُ يُحِبُّ الْمُحْسِنِينَ

There is no blame upon those who believe and do righteousness concerning what they have eaten [in the past] if they are Godfearing, believe and do righteous deeds, and are then Godfearing and believe, and then are Godfearing and do good; and Allah loves those who do good (Al-Ma'idah: 93).

Which was definitely revealed after the prohibition of Al-Khamr (alcoholic beverages) and can never possibly abrogate the prohibition of drinking Khamr or the eating of carrion or pig which had been revealed prior to it. In this way the terrible error which Qudamah bin Mazh'oun, may Allah be pleased with him, fell into becomes apparent when he drank alcohol based on his misinterpretation of the verse, despite being from the participants of the battle of Badr and of those definitely assured of Jannah (paradise).

That is as the fifth verse from the beginning part of Surah At-Taubah, which they name the verse of the sword, has been snatched out of its context, in the case where the beginning part of the Surah concludes by urging to fight those whilst mentioning that it was they who had begun and initiated the hostility (or aggression):

أَلَا تَقَاتِلُونَ قَوْمًا نَكَثُوا أَيْمَانَهُمْ وَهُمُوا بِإِخْرَاجِ الرَّسُولِ وَهُمْ بَدَءُوكُمْ أَوَّلَ مَرَّةٍ ۚ أَتَخْشَوْنَهُم ۚ فَاللَّهُ أَحَقُّ أَنْ تَخْشَوْهُ إِن كُنتُمْ مُؤْمِنِينَ

Will you not fight a people who broke their oaths and were resolved to expel the Messenger, and they had begun [the attack upon] you the first time? Do you fear them? But Allah has more right that you should fear Him, if you are [truly] believers (At-Taubah: 13).

This reflects a terrible error because it falls under the category of taking the Qur'an in portions, in pieces and scattered parts, where some of it clashes with other parts, contradiction is attributed to it and doubts are raised in terms of it coming from Allah. And indeed Allah, Glorified be His Majesty, warned about the acts of such separators or dividers, when He تعالى said:

وَقُلْ إِنِّي أَنَا النَّذِيرُ الْمُبِينُ (89) كَمَا أُنْزِلْنَا عَلَى الْمُفْتَسِمِينَ (90) الَّذِينَ جَعَلُوا الْقُرْآنَ عِضِينَ (91) فَوَرِّكَ لَسْنَا لَهُمْ أَجْمَعِينَ (92) عَمَّا كَانُوا يَعْمَلُونَ (93) فَاصْدَعْ بِمَا تُؤْمَرُ وَأَعْرِضْ عَنِ الْمُشْرِكِينَ

And say: "Indeed, I am the clear warner" (89) Just as We had revealed [scriptures] to **the separators** (90) **Who made the Qur'an into portions** (91) So by your Lord, We will surely question them all (92) About what they used to do. (93) Then declare what you are commanded and turn away from the polytheists (Al-Hijr: 89-94).

We have thoroughly dealt with this in our research entitled: "[Jihad At-Talab: A Sunnah that is to be followed or an invented innovation](#)".

وأما قول الإمام الشافعي: (الْمَجُوسُ أَهْلُ كِتَابٍ غَيْرِ التَّوْرَةِ وَالْإِنْجِيلِ، وَقَدْ نَسُوا كِتَابَهُمْ وَبَدَّلُوهُ، فَأَذِنَ رَسُولُ اللَّهِ فِي أَخْذِ الْجِزْيَةِ مِنْهُمْ)، فرجم بالغيب من الناحية التاريخية، وربما صح مثلا هذا أيضا عن بوذا وأتباعه، بل وثنية الهندوسية قد تكون انحرافا عن توحيد قديم يعود لدين إبراهيم، وهكذا: فكل هذا لا ينضبط، ولا تقوم به حجة من الناحية التاريخية. وتعليل جواز أخذ الجزية من المجوس بذلك – على فرض صحة كونهم أهل كتاب دارس - تعليل غير شرعي، وتقويل للنبي، عليه وعلى آله الصلاة والسلام، ما لم يقله: **وهذا أيضا فظيع □ دأ**.

As for the statement of Ash-Shafi'iy: "Al-Majoos are the Ahl ul-Kitab (People of the Book) other than the Tawrah and the Injeel, whilst their books have been forgotten and changed (or replaced). So, the Messenger of Allah was permitted to take the Jizyah from them", then that is a shot in the dark or the unseen from the historical perspective. Perhaps the same can then be stated in respect to Buda and his followers, indeed even the idolatry of the Hindus could be representative of a deviation from an ancient belief in Tawheed (The oneness of Allah) which has its roots in the Deen of Ibrahim, peace be upon him. All of this is unsubstantiated and there is historically no evidence to support it. Providing the interpretation of the permissibility of taking the Jizyah from the Majoos based upon that, upon the supposition of the validity of the opinion that they were from an ancient people of the book, represents a non-Shar'iy interpretation and attributing to the Prophet ﷺ that which he did not say, **which is also a very terrible and grave matter**.

على أن القرآن قد بين هذا بيانا لا خفاء فيه: (يَا أَيُّهَا الَّذِينَ آمَنُوا إِنَّمَا الْمُشْرِكُونَ نَجَسٌ فَلَا يَقْرَبُوا الْمَسْجِدَ الْحَرَامَ بَعْدَ عَامِهِمْ هَذَا وَإِنْ خِفْتُمْ عَيْلَةً فَسَوْفَ يُغْنِيكُمُ اللَّهُ مِنْ فَضْلِهِ إِنْ شَاءَ إِنَّ اللَّهَ عَلِيمٌ حَكِيمٌ) (28) قَاتِلُوا الَّذِينَ لَا يُؤْمِنُونَ بِاللَّهِ وَلَا بِالْيَوْمِ الْآخِرِ وَلَا يُحَرِّمُونَ مَا حَرَّمَ اللَّهُ وَرَسُولُهُ وَلَا يَدِينُونَ دِينَ الْحَقِّ مِنَ الَّذِينَ أُوتُوا الْكِتَابَ حَتَّى يُعْطُوا الْجِزْيَةَ عَنْ يَدٍ وَهُمْ صَاغِرُونَ (29) وَقَالَتِ الْيَهُودُ عَزِيزُ ابْنِ اللَّهِ وَقَالَتِ النَّصَارَى الْمَسِيحُ ابْنُ اللَّهِ ذَلِكَ قَوْلُهُمْ بِأَفْوَاهِهِمْ يُضَاهِئُونَ قَوْلَ الَّذِينَ كَفَرُوا مِنْ قَبْلُ قَاتَلَهُمُ اللَّهُ أَنَّى يُؤْفَكُونَ (30) اتَّخَذُوا أَحْبَارَهُمْ وَرُهْبَانَهُمْ أَرْبَابًا مِنْ دُونِ اللَّهِ وَالْمَسِيحَ ابْنَ مَرْيَمَ وَمَا أُمِرُوا إِلَّا لِيَعْبُدُوا إِلَهًا وَاحِدًا لَا إِلَهَ إِلَّا هُوَ سُبْحَانَهُ عَمَّا يُشْرِكُونَ (31) يُرِيدُونَ أَنْ يُطْفِئُوا نُورَ اللَّهِ بِأَفْوَاهِهِمْ وَيَأْبَى اللَّهُ إِلَّا أَنْ يُتِمَّ نُورَهُ وَلَوْ كَرِهَ الْكَافِرُونَ (32) هُوَ الَّذِي أَرْسَلَ رَسُولَهُ بِالْهُدَى وَدِينِ الْحَقِّ لِيُظْهِرَهُ عَلَى الدِّينِ كُلِّهِ وَلَوْ كَرِهَ الْمُشْرِكُونَ (33) يَا أَيُّهَا الَّذِينَ آمَنُوا إِنَّ كَثِيرًا مِنَ الْأَحْبَارِ وَالرُّهْبَانِ لِيَآكُلُونَ أَمْوَالَ النَّاسِ بِالْبَاطِلِ وَيَصُدُّونَ عَنْ سَبِيلِ اللَّهِ وَالَّذِينَ يَكْنِزُونَ الذَّهَبَ وَالْفِضَّةَ وَلَا يَنْفِقُونَهَا فِي سَبِيلِ اللَّهِ فَبَشِّرْهُمْ بِعَذَابٍ أَلِيمٍ (34) يَوْمَ يُحْمَى عَلَيْهَا فِي نَارِ جَهَنَّمَ فَتُكْوَى بِهَا جِبَاهُهُمْ وَجُنُوبُهُمْ وَظُهُورُهُمْ هَذَا مَا كَنَزْتُمْ لِأَنْفُسِكُمْ فَذُوقُوا مَا كُنْتُمْ تَكْنِزُونَ (35)، (التوبة؛ 9: 28 - 35). فأهل الكتب هم، حصرا، اليهود (كل من دان باليهودية من بني إسرائيل وغيرهم؛ ومنهم الصابئون، كما أصلناه في كتابنا (كتاب التوحيد: أساس الإسلام، وحقيقة التوحيد)، فليراجع)، والنصارى، وهذان الفريقان، قطعا، غير المجوس. بل قد فصل القرآن في موضع آخر: (إِنَّ الَّذِينَ آمَنُوا وَالَّذِينَ هَادُوا وَالصَّابِئِينَ وَالنَّصَارَى وَالْمَجُوسَ وَالَّذِينَ أَشْرَكُوا إِنَّ اللَّهَ يَفْصِلُ بَيْنَهُمْ يَوْمَ الْقِيَامَةِ إِنَّ اللَّهَ عَلَى كُلِّ شَيْءٍ شَهِيدٌ)، (الحج؛ 22: 17).

على أن مصطلح: (أهل الكتاب)، وهو بعينه: (الذين أوتوا الكتاب) مصطلح شرعي قرآني، يرجع فيه لاصطلاح الشارع، وليس للمعنى اللغوي؛ وقد حصره الشارع في هاتين الطائفتين المعلومتين عند نزول القرآن: اليهود والنصارى، فلا معنى - في هذا المجال - للبحث التاريخي عن أي من الملل: هل أصلها كتاب منزل قد اندرس أم لا، قال تعالى: (ثُمَّ آتَيْنَا مُوسَى الْكِتَابَ تَمَامًا عَلَى الَّذِي أَحْسَنَ وَتَفْصِيلًا لِكُلِّ شَيْءٍ وَهُدًى وَرَحْمَةً لَعَلَّهُمْ بِلِقَاءِ رَبِّهِمْ يُؤْمِنُونَ (154) وَهَذَا كِتَابٌ أَنْزَلْنَاهُ مُبَارَكٌ فَاتَّبِعُوهُ وَاتَّقُوا لَعَلَّكُمْ تُرْحَمُونَ (155) أَنْ تَقُولُوا إِنَّمَا أَنْزَلَ الْكِتَابُ عَلَى طَائِفَتَيْنِ مِنْ قَبْلِنَا وَإِنْ كُنَّا عَنْ دِرَاسَتِهِمْ لَغَافِلِينَ (156) أَوْ تَقُولُوا لَوْ أَنَّا أَنْزَلْ عَلَيْنَا الْكِتَابَ لَكُنَّا أَهْدَى مِنْهُمْ فَقَدْ جَاءَكُمْ بَيِّنَةٌ مِنْ رَبِّكُمْ وَهُدًى وَرَحْمَةً فَمَنْ أَظْلَمُ مِمَّنْ كَذَبَ بَيِّنَاتِ اللَّهِ وَصَدَفَ عَنْهَا سَنَجْزِي الَّذِينَ يَصْدِفُونَ عَنْ آيَاتِنَا سُوءَ الْعَذَابِ بِمَا كَانُوا يَصْدِفُونَ (157)، (الأنعام؛ 6: 154 - 157).

وقد كان الإمام أبو بكر أحمد بن علي الرازي الجصاص - الحنفي مذهباً - أسعد حظاً عندما قال خلال مناقشته لحل نكاح الكتابيات في مصنفه العظيم (أحكام القرآن) (493/7): [واختلف في المجوس فقال جل السلف وأكثر الفقهاء: "ليسوا أهل الكتاب". وقال آخرون: "هم أهل الكتاب". والقائلون بذلك شواذ؛ والدليل على أنهم ليسوا أهل الكتاب قوله تعالى: (وَهَذَا كِتَابٌ أَنْزَلْنَاهُ مُبَارَكٌ فَاتَّبِعُوهُ وَاتَّقُوا لَعَلَّكُمْ تُرْحَمُونَ أَنْ تَقُولُوا إِنَّمَا أَنْزَلَ الْكِتَابُ عَلَى طَائِفَتَيْنِ مِنْ قَبْلِنَا) [الأنعام: 155] فأخبر تعالى أن أهل الكتاب طائفتان، فلو كان المجوس أهل الكتاب لكانوا ثلاث طوائف، ألا ترى أن من قال: إنما لي على فلان جبتان، لم يكن له أن يدعي أكثر منه؟ وقول القائل: إنما لقيت اليوم رجلين، ينفي أن يكون قد لقي أكثر منهما؟ فإن قيل: إنما حكى الله ذلك عن المشركين، وجائز أن يكونوا قد غلطوا. قيل له: إن الله لم

يحك هذا القول عن المشركين، ولكنه قطع بذلك عذرهم لئلا يقولوا إنما أنزل الكتاب على طائفتين من قبلنا وإنا كنا عن دراستهم لغافلين؛ فهذا إنما هو قول الله واحتجاج منه على المشركين في قطع عذرهم بالقرآن. وأيضا فإن المجوس لا ينتحلون شيئا من كتب الله المنزلة على أنبيائه، وإنما يقرءون كتاب زرادشت وكان متنبيا كذابا، فليسوا إذا أهل كتاب. ويدل على أنهم ليسوا أهل كتاب حديث يحيى بن سعيد عن جعفر بن محمد عن أبيه قال: قال عمر: ما أدري كيف أصنع بالمجوس **وليسوا أهل كتاب** فقال عبد الرحمن بن عوف: سمعت رسول الله، صلى الله عليه وسلم، يقول: "سنوا بهم سنة أهل الكتاب". فصرح عمر بأنهم ليسوا أهل كتاب، ولم يخالفه عبد الرحمن ولا غيره من الصحابة. وروى عبد الرحمن بن عوف عن النبي، صلى الله عليه وسلم، أنه قال "سنوا بهم سنة أهل الكتاب"؛ فلو كانوا أهل الكتاب لما قال: "سنوا بهم سنة أهل الكتاب"، **ولقال: هم من أهل الكتاب**. وفي حديث آخر أنه أخذ الجزية من مجوس هجر وقال: "سنوا بهم سنة أهل الكتاب". فإن قيل: إن لم يكونوا أهل كتاب فقد جعل النبي، صلى الله عليه وسلم، حكمهم حكم أهل الكتاب بقوله: "سنوا بهم سنة أهل الكتاب". قيل له: إنما قال ذلك في الجزية خاصة، وقد روي ذلك في غير هذا الخبر. وروى سفيان عن قيس بن مسلم عن الحسن بن محمد قال: كتب النبي، صلى الله عليه وسلم، إلى مجوس هجر يدعوهم إلى الإسلام، قال: "فإن أسلمتم فلکم ما لنا وعليکم ما علينا، ومن أبى فعليه الجزية غير أكل ذبائحهم ولا نكاح نسائهم". وقد روي النهي عن صيد المجوس عن علي وعبد الله وجابر بن عبد الله والحسن وسعيد بن المسيب وأبي رافع وعكرمة، وهذا يوجب أن لا يكونوا عندهم أهل كتاب. ويدل على أنهم ليسوا أهل كتاب أن النبي، صلى الله عليه وسلم، كتب إلى صاحب الروم: "يا أهل الكتاب تعالوا إلى كلمة سواء بيننا وبينكم"، وكتب إلى كسرى ولم ينسبه إلى كتاب. وروي في قوله تعالى: ﴿الْمُؤْمِنُونَ وَالْمُؤْمِنَاتُ مِثَالٌ لِّلَّذِينَ آمَنُوا﴾ [الروم: 2] أن المسلمين أحبوا غلبة الروم لأنهم أهل كتاب وأحبت قريش غلبة فارس لأنهم جميعا ليسوا بأهل كتاب، فخاطبهم أبو بكر رضي الله عنه والقصة في ذلك مشهورة. وأما من قال: إنهم كانوا أهل كتاب ثم ذهب منهم بعد ذلك ويجعلهم من أجل ذلك من أهل الكتاب، فإن هذا لا يصح ولا يعلم ثبوته، وإن ثبت أوجب أن لا يكونوا من أهل الكتاب لأن الكتاب قد ذهب منهم وهم الآن غير منتحلين لشيء من كتب الله تعالى،

That is all whilst the Qur'an has made this evident in the clearest of manners:

يَا أَيُّهَا الَّذِينَ آمَنُوا إِنَّمَا الْمُشْرِكُونَ نَجَسٌ فَلَا يَقْرَءُوا الْمَسْجِدَ الْحَرَامَ بَعْدَ عَامِهِمْ هَذَا وَإِنْ حِفْظُكُمْ عَيْنًا فَسَوْفَ يُعَذِّبُكُمُ اللَّهُ مِنْ فَضْلِهِ إِنَّ شَاءَ إِنَّ اللَّهَ عَلِيمٌ حَكِيمٌ (28) قَاتِلُوا الَّذِينَ لَا يُؤْمِنُونَ بِاللَّهِ وَلَا بِالْيَوْمِ الْآخِرِ وَلَا يُحَرِّمُونَ مَا حَرَّمَ اللَّهُ وَرَسُولُهُ وَلَا يَدِينُونَ دِينَ الْحَقِّ مِنَ الَّذِينَ أُوتُوا الْكِتَابَ حَتَّى يُعْطُوا الْجِزْيَةَ عَنْ يَدٍ وَهُمْ صَاغِرُونَ (29) وَقَالَتِ الْيَهُودُ عِزِّيْرُ ابْنُ اللَّهِ وَقَالَتِ النَّصَارَى الْمَسِيحُ ابْنُ اللَّهِ ذَلِكَ قَوْلُهُمْ بِأَفْوَاهِهِمْ يُضَاهِئُونَ قَوْلَ الَّذِينَ كَفَرُوا مِنْ قَبْلُ قَاتَلَهُمُ اللَّهُ أَنَّى يُؤْفَكُونَ (30) اتَّخَذُوا أَحْبَارَهُمْ وَرُهَبَانَهُمْ أَرْبَابًا مِنْ دُونِ اللَّهِ وَالْمَسِيحَ ابْنَ مَرْيَمَ وَمَا أُمِرُوا إِلَّا لِيَعْبُدُوا إِلَهًا وَاحِدًا لَا إِلَهَ إِلَّا هُوَ سُبْحَانَهُ عَمَّا يُشْرِكُونَ (31) يُرِيدُونَ أَنْ يُطْفِئُوا نُورَ اللَّهِ بِأَفْوَاهِهِمْ وَيَأْبَى اللَّهُ إِلَّا أَنْ يُتِمَّ نُورَهُ وَلَوْ كَرِهَ الْكَافِرُونَ (32) هُوَ الَّذِي أَرْسَلَ رَسُولَهُ بِالْهُدَى وَدِينِ الْحَقِّ لِيُظْهِرَهُ عَلَى الدِّينِ كُلِّهِ وَلَوْ كَرِهَ الْمُشْرِكُونَ (33) يَا أَيُّهَا الَّذِينَ آمَنُوا إِنَّ كَثِيرًا مِنَ الْأَحْبَارِ وَالرُّهْبَانِ

لَيَأْكُلُونَ أَمْوَالَ النَّاسِ بِالْبَاطِلِ وَيَصُدُّونَ عَنْ سَبِيلِ اللَّهِ وَالَّذِينَ يَكْنِزُونَ الذَّهَبَ وَالْفِضَّةَ وَلَا يُنْفِقُوهَا فِي سَبِيلِ اللَّهِ فَبَشِّرْهُمْ
بِعَذَابٍ أَلِيمٍ (34) يَوْمَ يُحْمَى عَلَيْهَا فِي نَارِ جَهَنَّمَ فُتْكُوى بِمَا جِبَاهُهُمْ وَجُنُوبُهُمْ وظُهُورُهُمْ هَذَا مَا كَنْزْتُمْ لِأَنْفُسِكُمْ فَذُوقُوا مَا
كُنْتُمْ تَكْنِزُونَ

O you who have believed, indeed the polytheists are impure, so let them not approach al-Masjid al-Haram after this, their [final] year. And if you fear deprivation, Allah will enrich you from His bounty if He wills. Indeed, Allah is Knowing and Wise. (28) Fight those who do not believe in Allah or in the Last Day and who do not consider unlawful what Allah and His Messenger have made unlawful and who do not adopt the religion of truth from those who were given the Scripture - [fight] until they give the Jizyah willingly while they are humbled. (29) **The Jews** say: "Ezra is the son of Allah" and **the Christians** say: "The Messiah is the son of Allah". That is their statement from their mouths; they imitate the saying of those who disbelieved [before them]. May Allah destroy them; how are they deluded? (30) They have taken their scholars and monks as lords besides Allah, and [also] the Messiah, the son of Mary. And they were not commanded except to worship one God; there is no deity except Him. Exalted is He above whatever **they associate with Him**. (31) They want to extinguish the light of Allah with their mouths, but Allah refuses except to perfect His light, although the disbelievers dislike it. (32) It is He who has sent His Messenger with guidance and the Deen of truth to manifest it over all religion, although those who associate others with Allah dislike it. (33) O you who have believed, indeed many of the Rabbis and the monks devour the wealth of people unjustly and avert [them] from the way of Allah. And those who hoard gold and silver and spend it not in the way of Allah - give them tidings of a painful punishment. (34) The Day when it will be heated in the fire of Hell and seared therewith will be their foreheads, their flanks, and their backs, [it will be said], "This is what you hoarded for yourselves, so taste what you used to hoard" (At-Taubah: 28-35).

Consequently, the Ahl ul-Kutub (People of the Books) are exclusively the Jews (all those who followed the religion of Judaism from Bani Isra'eel and others, including the Saabi'oon (Sabeans) as we have previously stated in our book: "Kitab At-Tawhid: The Foundation of Islam and the true reality of Tawhid", which can be referenced) and the Christians. These two groups are definitely not the Majūs (Magians). Indeed, the Qur'an has resolved this issue in another place:

إِنَّ الَّذِينَ آمَنُوا وَالَّذِينَ هَادُوا وَالصَّابِئِينَ وَالنَّصَارَى وَالْمَجُوسَ وَالَّذِينَ أَشْرَكُوا إِنَّ اللَّهَ يَفْصِلُ بَيْنَهُمْ يَوْمَ الْقِيَامَةِ ۖ إِنَّ اللَّهَ عَلَىٰ
كُلِّ شَيْءٍ شَهِيدٌ

Indeed, those who have believed and those who were Jews and the Sabeans and the Christians and the Magians and those who associated with Allah, Allah will judge between them on the Day of Resurrection. Verily, Allah is, over all things, Witness (Al-Hajj: 17).

In addition, the term "Ahl ul-Kitab", which refers exactly to "those who were given the book", is a Quranic Shar'iy terminology where the terminological convention of the Legislator is referred back to and not the linguistic meaning. The Legislator has exclusively restricted it to these two known groups present at the time of the revelation of the Qur'an: The Jews and the Christians. There is therefore no meaning in this area to conduct historical research about any of the religions in respect to whether their origin was a revealed book which has died out or not. Allah تعالى said:

ثُمَّ آتَيْنَا مُوسَى الْكِتَابَ تَمَامًا عَلَى الَّذِي أَحْسَنَ وَتَفْصِيلًا لِكُلِّ شَيْءٍ وَهُدًى وَرَحْمَةً لَّعَالِهِمْ يُلْقَاءُ رَحْمَتَ رَبِّهِمْ يُؤْمِنُونَ (154) وَهَذَا كِتَابٌ أَنْزَلْنَاهُ مُبَارَكٌ فَاتَّبِعُوهُ وَاتَّقُوا لَعَلَّكُمْ تُرْحَمُونَ (155) أَنْ تَقُولُوا إِنَّمَا أَنْزَلَ الْكِتَابُ عَلَى طَائِفَتَيْنِ مِنْ قَبْلِنَا وَإِنْ كُنَّا عَنْ دِرَاسَتِهِمْ لَغَافِلِينَ (156) أَوْ تَقُولُوا لَوْ أَنَّا أُنْزِلَ عَلَيْنَا الْكِتَابُ لَكُنَّا أَهْدَى مِنْهُمْ فَقَدْ جَاءَكُمْ بَيِّنَةٌ مِنْ رَبِّكُمْ وَهُدًى وَرَحْمَةٌ فَمَنْ أَظْلَمُ مِمَّنْ كَذَبَ بَيِّنَاتٍ مِنَ اللَّهِ وَصَدَفَ عَنْهَا سَنَجْزِي الَّذِينَ يَصْدِفُونَ عَنْ آيَاتِنَا سُوءَ الْعَذَابِ بِمَا كَانُوا يَصْدِفُونَ

Then We gave Musa the Book, making complete [Our favour] upon the one who did good and as a detailed explanation of all things and as guidance and mercy that perhaps in [the matter of] the meeting with their Lord they would believe. (154) And this [Qur'an] is a Book We have revealed [which is] blessed, so follow it and fear Allah that you may receive mercy. (155) [We revealed it] lest you say: "The Book was only sent down to two groups before us, but we were of their study unaware". (156) Or lest you say: "If only the Book had been revealed to us, we would have been better guided than they". So, there has [now] come to you clear evidence from your Lord and a guidance and mercy. Then who is more unjust than one who denies the verses of Allah and turns away from them? We will recompense those who turn away from Our verses with the worst of punishment for their having turned away. (Al-An'am: 154-157).

Imam Abu Bakr Ahmad bin 'Ali Ar-Raziy Al-Jassas, of the Hanafi Madh'hab, enjoyed fortune when he said during his discussion of the permissibility of marrying the women from the Ahl ul-Kitab (people of the Book) in his great book "Ahkam ul-Qur'an" (7/493): [And the (case of the) Majūs has been disagreed about. The vast majority of the Salaf (predecessors) and the majority of the Fuqaha' (in general) said: "They are not Ahl ul-Kitab" whilst others said: "They are Ahl ul-Kitab". Those who held that view have diverged from the norm. The evidence that they are not Ahl ul-Kitab is His Qawl تعالى:

وَهَذَا كِتَابٌ أَنْزَلْنَاهُ مُبَارَكٌ فَاتَّبِعُوهُ وَاتَّقُوا لَعَلَّكُمْ تُرْحَمُونَ (155) أَنْ تَقُولُوا إِنَّمَا أَنْزَلَ الْكِتَابُ عَلَى طَائِفَتَيْنِ مِنْ قَبْلِنَا وَإِنْ كُنَّا عَنْ دِرَاسَتِهِمْ لَغَافِلِينَ

Ar-Raziy Al-Jassas

And this [Qur'an] is a Book We have revealed [which is] blessed, so follow it and fear Allah that you may receive mercy. (155) [We revealed it] lest you say: "The Book was only sent down to two groups before us, but we were of their study unaware" (Al-An'am: 155).

So, He تعالى informs that the Ahl ul-Kitab are two groups and had the Majūs been from the Ahl ul-Kitab there would have been three groups. Do you not see that if a man said: "I am owed two garments of clothing by such and such person", that he has no right to claim more than that? And that the statement of the person: "I only met two men today", negates that he met more than these two? And if it is said: "Allah only related that from the (speech of the) Mushrikeen and that it is possible that they were mistaken". Then it is said in reply to the one who said that: Allah did not relate his statement from the Mushrikeen, but rather through that statement He cut off their excuse, so that they cannot say: "The Book was only sent down to two groups before us, but we were of their study unaware". This therefore only reflects the statement of Allah and an evidential argument against the Mushrikeen (polytheists) to cut off their excuse by the Qur'an. In addition, the Majūs do not make a claim to anything from the books of Allah revealed upon his Prophets. Rather, they only read the book of Zoroaster who was a false prophet and liar. They are therefore not from the Ahl ul-Kitab. And the Hadith of Yahya bin Sa'eed from Ja'far bin Muhammad, from his father, is also evidence that they are not from the Ahl ul-Kitab. He said: 'Umar said: "I do not know what I should do in respect to the Majūs as they are not Ahl ul-Kitab". Then Abdur Rahman bin 'Awf said: "I heard the Messenger of Allah ﷺ

saying: “Deal with them in the manner of the Ahl ul-Kitab”. Consequently, ‘Umar explicitly stated that they are not Ahl ul-Kitab and neither Abdur Rahman nor anyone else from among the Sahabah contradicted him. And Abdur Rahman bin ‘Awf related from the Prophet ﷺ that he said: “Deal with them in the manner of the Ahl ul-Kitab”. Had they been from the Ahl ul-Kitab he would not have said: “Deal with them in the manner of the Ahl ul-Kitab” but would rather **have said: “They are from Ahl ul-Kitab”**. And in another Hadith, it is stated that he took the Jizyah from the Majūs of Hijr and said: “Deal with them in the manner of the Ahl ul-Kitab”. If it is said: If they are not Ahl ul-Kitab, then the Prophet ﷺ has made their ruling the same ruling as the Ahl ul-Kitab by his statement: “Deal with them in the manner of the Ahl ul-Kitab”. It would be said to the one who said this: He only said that in relation to the Jizyah specifically and that has been related in other than this report, Sufyan related from Qais bin Muslim, from Al-Hasan bin Muhammad: He said: The Prophet ﷺ wrote to the Majūs of Hijr inviting them to embrace Islam. He said: “If you embrace Islam, then you have what we have (in terms of rights) and due upon you (in terms of duties) is what is due upon us. And whoever refuses, then the Jizyah is obliged upon him, except their slaughtered meat is not eaten and their women are not married”. And the forbiddance of the hunt of the Majūs has been related from ‘Ali, Abdullah, Jabir bin Abdullah, Al-Hasan, Sa’eed bin Al-Musayyib, Abu Rafi’ and ‘Ikrimah, which dictates that they were not considered by them to be Ahl ul-Kitab. Also indicating that they are not Ahl ul-Kitab is that the Prophet ﷺ wrote to the ruler of the Romans: “O People of the Book, come to a word that is similar between us and you”, whilst he wrote to Kisra (Chosroes) but did not attribute him to the people of the book. It was also related in connection to His statement تعالى:

الم * غُلِبَتِ الرُّومُ

Alif, Lam, Meem. (1) The Byzantines have been defeated (Ar-Rūm: 1-2).

That the Muslims wished for the Romans (or Byzantines) to prevail (in their war) as they were from the Ahl ul-Kitab, whilst the Quraish wished that the Persians prevail because they were all not Ahl ul-Kitab. Abu Bakr, may Allah be pleased with him, then made a wager with them and the story of that is famous. As for the one who says: “They were Ahl ul-Kitab (people of the book), which then disappeared from them after that”. And then upon that reasoning he classifies them as Ahl ul-Kitab. Then this is not correct and its being established is unknown. But even if it was established to be the case then it is still obligatory for them not to be considered Ahl ul-kitab because the book has disappeared from them, and they are now not attributing or claiming anything to the books of Allah تعالى.

قلت: ولم يعجبني **الجزم** بكون زارادشت متنبئاً كاذباً، بغير برهان من الله، فالأولى أن يقال: لم تثبت نبوته بيقين. وكذلك الاستشهاد ببعض الروايات المرسلة، التي تحتاج إلى تمحيص، غير أن الإمام أبا حنيفة ربما استشهد ببعض المراسيل، وهذا مذهب معروف له.

على أن آية الجزية لم تأت بصيغة الحصر حتى يقال: إن الجزية لا تؤخذ **إلا** من أهل الكتاب. كما أنها ليست على ظاهرها وإطلاقها، لأن الدخول في الإسلام – قطعاً – يؤدي إلى انتهاء القتال والحرب، وهو المطلب الأول، والمقصد الأسنى، لأن أبا القاسم محمداً، عليه وعلى آله الصلاة والسلام، إنما بعث رحمة وهادياً، ولم يبعث جباراً مسيطراً، ولا ملكاً جابياً.

I say: The decisiveness concerning Zoroaster being a false prophet and liar without having clear proof from Allah did not please me. It would have been more appropriate to have said: His prophethood has not been established by certainty. Similarly, the employment of some Mursal reports, which require further examination did not satisfy me, although Abu Hanifah perhaps used some Mursal narrations as evidence, which is a known Madh'hab (approach) of his.

In any case, the verse related to the Jizyah did not come in the form of limitation (or exclusivity) for it be said: That the Jizyah is not taken **except** from the Ahl ul-Kitab. Just as this is not understood from its apparent meaning and its unrestricted form. That is because entering into Islam, definitely leads to the end of fighting and war, and that is the first requirement and most brilliant of them, as Abu I-Qasim Muhammad ﷺ was only sent as a mercy an guidance, and was not sent as a coercive tyrant or tax collecting king.

* وجاء في التمهيد لما في موطأ مالك من الأسانيد (72/6): [حدثني سعيد بن نصر قال حدثنا قاسم بن أصبغ قال حدثنا ابن وضاح قال حدثنا أبو بكر بن أبي شيبة قال حدثنا وكيع عن سفيان عن علقمة بن مرثد عن سليمان بن بريدة عن أبيه قال كان رسول الله -، صلى الله عليه وسلم، - إذا بعث أميراً على سرية أو جيش أوصاه في خاصة نفسه بتقوى الله ومن معه من المسلمين خيراً ثم قال اغزوا باسم الله وفي سبيل الله تقاتلون من كفر بالله اغزوا ولا تغلوا ولا تغدروا ولا تمثلوا ولا تقتلوا وليداً وإذا لقيت عدوك من المشركين فادعهم إلى إحدى ثلاث خصال أو خلال فأيتها أجابوك إليها فاقبل منهم وكف عنهم أَدْعُهُمْ إِلَى الْإِسْلَامِ فَإِنْ أَجَابُوكَ فَاقْبَلْ مِنْهُمْ ثُمَّ ادْعُهُمْ إِلَى التَّحُولِ مِنْ دَارِهِمْ إِلَى دَارِ الْمُهَاجِرِينَ وَاعْلَمَهُمْ أَنَّهُمْ إِنْ فَعَلُوا فَإِنَّ لَهُمْ مَا لِلْمُهَاجِرِينَ وَعَلَيْهِمْ مَا عَلَى الْمُهَاجِرِينَ فَإِنْ أَبَوْا وَاخْتَارُوا دَارَهُمْ فَاعْلَمَهُمْ أَنَّهُمْ كَأَعْرَابِ الْمُسْلِمِينَ يَجْرِي عَلَيْهِمْ حُكْمُ اللَّهِ كَمَا يَجْرِي عَلَى الْمُؤْمِنِينَ وَلَا يَكُونُ لَهُمْ فِي الْفِيءِ وَالْغَنِيمَةِ نَصِيبٌ إِلَّا أَنْ يَجَاهِدُوا مَعَ الْمُسْلِمِينَ؛ فَإِنْ أَبَوْا فَادْعُهُمْ إِلَى اعْطَاءِ الْجِزْيَةِ؛ فَإِنْ أَجَابُوا فَاقْبَلْ مِنْهُمْ وَكف عنهم فإن أبوا فاستعن بالله وقاتلهم]، ثم قال القرطبي: (إلا أن فيه التحول عن الدار وذلك منسوخ نسخه رسول الله -، صلى الله عليه وسلم، - بقوله لا هجرة بعد الفتح وإنما كان هذا منه -، صلى الله عليه وسلم، - قبل فتح مكة فلما فتح الله عليه مكة قال لهم قد انقطعت الهجرة ولكن جهاد ونية إلى يوم القيامة)!

- The following came reported in "At-Tamhid lima Fee Muwatta' Malik Min Al-Asanid" (6/72): [Sa'eed bin Nasr related to me: He said: Qasim bin Asbagh related to us: He said: Ibn Waddah related to us: He said: Abu Bakr bin Abi Shaibah related to us: He said: Wakee' related to us from Sufyan, from 'Alqamah bin Marthad, from Sulaiman bin Buraidah, from his father: He said: When the Messenger of Allah ﷺ use to dispatch an Ameer (leader) over a military expedition or an army he would exhort him in respect to himself to be conscious and fearful of Allah and to be good to the Muslims who were with him. He then would say: "Go out for battle in the name of Allah and in the way of Allah. Fight those who disbelieve in Allah. Go forth but do not misappropriate the spoils, do not betray, do not mutilate (the dead bodies) and do not kill a child. When you meet your polytheist enemies, invite them to one of three courses of action. Whichever one of them they respond to accept it from them and desist from them. So (firstly), invite them to (accept) Islam. If they respond affirmatively to you, accept it from them. Then invite them to transform (or change) their lands to the land of the Muhajirin and inform them that if they do so, they shall have all the privileges and obligations of the Muhajirin. If they refuse and choose their own land, then tell them that they will have the

status of Bedouin Muslims, the ruling of Allah will apply to them just as it applies upon the believers, and they will not get any share from the Ghaneemah and Fai' (spoils of war and booty) except when they engage in Jihad with the Muslims. If they refuse to accept Islam, ask them to accept the Jizyah. If they respond affirmatively to you, then accept it from them and desist from them. If they refuse to pay the Jizyah, then seek Allah's help and fight them]. Al-Qurtubiy then said: [However, this includes within it the (mention of the) transformation from their Dar (land) whilst that has been abrogated. The Messenger of Allah ﷺ abrogated that by his statement: "There is no Hijrah after Al-Fat'h (i.e. the conquest of Makkah)". That is whilst this (statement) from him ﷺ (i.e. in the above Hadith) was prior to the Fat'h (conquest) of Makkah. Then when Allah opened Makkah to him, he said to them: "The Hijrah has been discontinued, however Jihad and good intention continue until the Day of Judgement" !].

قلت: كلام القرطبي عن نسخ (التحول من الدار) كلام فارغ، يدل على أنه لم يفهم المعنى الصحيح لـ (التحول من دار إلى دار) الذي هو الانتقال من ولاية وتابعة إلى ولاية وتابعة أخرى، وليس هو بالضرورة الانتقال الحسي من مكان إلى مكان. المعنى الصحيح يظهر بشكل قاطع من أحاديث البداوة والأعرابية، وحديث النواس بن سمعان، رضي الله عنه، وستأتي في أواخر هذا البحث.

I say: The speech of Al-Qurtubiy concerning the abrogation of "The transformation (or change) from the land" has no substance, which indicates that he did not understand the correct meaning of the "transformation of a Dar (land) to a Dar (land)" which is the transfer of an authority (Walayah) and subject status (Taabi'iyah) to another authority (Walayah) and subject status (Taabi'iyah), and does not necessarily mean the actual sensed or material movement from one place to another. The correct meaning is evidently clear from the Ahadeeth related to the Arab Bedouins and the Hadith of An-Nawwas bin Sam'an, which will be discussed at the latter part of this study.

قلت: ولا يكاد يخلو من هذا الحديث – حديث بريدة بن الحصيب - كتاب من المعاجم والمسانيد والسنن بطوله بنفس اللفظ، أو باختصار طفيف، فتجده مثلاً في: مصنف عبد الرزاق (9428/218/5)؛ مسند أحمد (23030/136/38)؛ مصنف ابن أبي شيبة (235) (33300/237/12)، مصنف ابن أبي شيبة (235) (33725/361/12)، مصنف ابن أبي شيبة (235) (33726/362/12)؛ سنن الترمذي (1617/87/4)؛ سنن أبي داود (2614/341/2)؛ سنن ابن ماجه (2858/953/2)؛ سنن الدارمي مشكولاً (2498/218/2)؛ المنتقى من السنن المسندة لابن الجارود (ص: 1042/260)؛ صحيح ابن حبان بترتيب ابن بلبان (4739/42/11)؛ السنن الكبرى للنسائي (8765/229/5)، والسنن الكبرى للنسائي (8586/177/5)، ولسنن الكبرى للنسائي (8680/208/5)، السنن الكبرى للنسائي (8782/237/5)؛ شرح معاني الآثار لأحمد الطحاوي (4696/206/3)، شرح معاني الآثار لأحمد الطحاوي (4697/207/3)؛ السنن الصغرى للبيهقي (3817/60/3)، بترقيم الشاملة آلياً؛ السنن الكبرى للبيهقي وفي ذيله الجوهر النقي (18220/15/9)، السنن الكبرى للبيهقي وفي ذيله الجوهر النقي (18407/49/9)، السنن الكبرى للبيهقي وفي ذيله الجوهر النقي (19102/184/9)؛ معرفة

السنن والآثار للبيهقي (5564/267/14، بترقيم الشاملة آليا)، معرفة السنن والآثار للبيهقي (5565/268/14، بترقيم الشاملة آليا)؛ معرفة علوم الحديث للحاكم النيسابوري (ص: 284): [وهذه آداب رسول الله، صلى الله عليه وسلم، في المغازي التي كان يوصى بها أمراء الأجناد]، معرفة علوم الحديث للحاكم (473/20/2)؛ مجموع فيه عشرة أجزاء حديثية (ص: 98/91 - (66))، مجموع فيه عشرة أجزاء حديثية (ص: 99/92 - (67))؛ الأموال لابن زنجويه (94/102/1، بترقيم الشاملة آليا)، الأموال لابن زنجويه (578/126/2، بترقيم الشاملة آليا)؛ الأموال للقاسم بن سلام (51/56/1، بترقيم الشاملة آليا)، الأموال للقاسم بن سلام (448/489/1، بترقيم الشاملة آليا)؛ الإيمان لابن منده (118/149/1، بترقيم الشاملة آليا)؛ فوائد تمام (1074/75/3، بترقيم الشاملة آليا)؛ جمع الجوامع أو الجامع الكبير للسيوطي (ص: 23/4189)؛ وربما غيرها.

I say: Virtually no book from the Hadith collections has failed to record this Hadith of Buraidah bin Al-Husaib, in full length with the same wording or with some slight summarization or shortening. So, for example, you will find it recorded in: The Musannaf of Abdur Razzaq (5/218/9428), Musnad Ahmad (38/136/23030), Musannaf Ibn Abi Shaibah (235) (12/237/33300), Musannaf Ibn Abi Shaibah (235) (12/237/33725), Musannaf Ibn Abi Shaibah (235) (12/237/33726), Sunan At-Tirmidhi (4/87/[1617]), Sunan Abu Dawud (2/341/2614), Sunan Ibn Majah (2/953/2858), Sunan Ad-Daramiy (Mashkul Edition) (2/218/2498), Al-Muntaqa Min As-Sunan Al-Musnidah, Ibn Al-Jarud (p: 260/1042), Sahih Ibn Hibban, by arrangement of Ibn Bilubban (11/42/4739), As-Sunan Al-Kubra, An-Nasa'iy (5/229/[8765]), As-Sunan Al-Kubra, An-Nasa'iy (5/177/[8586]), As-Sunan Al-Kubra, An-Nasa'iy (5/208/[8680]), As-Sunan Al-Kubra, An-Nasa'iy (5/237/[8782]), Sharh Ma'aniy Al-Aathar, Ahmad At-Tahaawiy (3/206/4696), Sharh Ma'aniy Al-Aathar, Ahmad At-Tahaawiy (3/207/4697), As-Sunan As-Sughra, Al-Baihaqi (3/60/3817, Electronic Shamela Programme ordering), As-Sunan Al-Kubra, Al-Baihaqi, Wa Fee Dhailihi Al-Jawhar An-Naqiy (9/15/18220), As-Sunan Al-Kubra, Al-Baihaqi, Wa Fee Dhailihi Al-Jawhar An-Naqiy (9/49/18407), As-Sunan Al-Kubra, Al-Baihaqi, Wa Fee Dhailihi Al-Jawhar An-Naqiy (9/184/19102), Ma'rifat As-Sunan Wa-l-Aathar, Al-Baihaqi (14/267/5564, Electronic Shamela Programme ordering), Ma'rifat As-Sunan Wa-l-Aathar, Al-Baihaqi (14/268/5565, Electronic Shamela Programme ordering), Ma'rifat 'Uloom Al-Hadith, Al-Hakim An-Naisabouriy (p: 284): [(He stated: And this represents the manners of the Messenger of Allah ﷺ in relation to the undertaking of battles (warfare) with which he would exhort the commanders of his armies], Ma'rifat 'Uloom Al-Hadith, Al-Hakim An-Naisabouriy (2/20/473); the collection containing ten parts of his Hadith (p: 91/98 – (66)), the collection containing ten parts of his Hadith (p: 92/99 – (67)), Al-Amwal, ibn Zanjawaih (1/102/94, Electronic Shamela Programme ordering), Al-Amwal, ibn Zanjawaih (2/126/578, Electronic Shamela Programme ordering), Al-Amwal, Al-Qasim bin Salam (1/56/51, Electronic Shamela Programme ordering), Al-Amwal, Al-Qasim bin Salam (1/489/448, Electronic Shamela Programme ordering), Al-Iman, Ibn Mindah (1/149/118, Electronic Shamela Programme ordering), Fawa'id Tamam (3/75/1074, Electronic Shamela Programme ordering), Jam'u ul-Jawaami' Aw Al-Jaami' Al-Kabir, As-Suyoutiy (p: 4189/23) and perhaps it can also be found recorded in other collections besides these.

✽ حديث النعمان بن مقرن:

✽ وجاء في الآثار لأبي يوسف (866/400/2)، الآثار لأبي يوسف (866/400/2)، بترقيم الشاملة آليا: [قال: حدثنا يوسف عن أبيه عن روح بن مسافر، عن مقاتل بن حيان، عن مسلم بن هيصم، عن

النعمان بن المقرن المزني رضي الله عنه، قال: كان رسول الله، صلى الله عليه وسلم، إذا بعث أميرا على جيش أو سرية أوصاه في خاصة نفسه بتقوى الله ومن معه من المسلمين خيرا ثم قال لهم: “اغزوا بسم الله وفي سبيل الله، قاتلوا من كفر بالله، ولا تغلوا، ولا تغدروا، ولا تمثلوا، ولا تقتلوا وليدا، وإذا لقيت عدوك من المشركين فادعهم إلى ثلاث خصال أو ثلاث خلال: ادعهم إلى الإسلام، فإن قبلوا فكفوا عنهم، واقبل منهم، وادعهم إلى التحول من دارهم إلى دار المهاجرين، وأخبرهم أنهم إن فعلوا لهم ما للمهاجرين، وأن عليهم ما على المهاجرين، وإن دخلوا في الإسلام واختاروا دارهم فأخبرهم أنهم كأعراب المسلمين، يجري عليهم حكم الله ما يجري على المسلمين، ولا يكون لهم من الفية والغنيمة شيء إلا أن يجاهدوا معهم، وإن أبوا فادعهم إلى إعطاء الجزية، فإن قبلوا فكف عنهم واقبل منهم ذلك، وإن أبوا فاستعن بالله عليهم وقاتلهم، وإذا حاصرت أهل حصن فأرادوا أن تجعل لهم ذمة الله وذمة رسوله فلا تجعل لهم ذمة الله ولا ذمة رسوله، ولكن اجعل لهم ذمتك وذمة أصحابك؛ فإنك إن تخفرت ذمتك وذمة أصحابك خير لك من أن تخفرت ذمة الله وذمة رسوله، وإذا حاصرت أهل حصن فأرادوا أن ينزلوا على حكم الله فلا تجعل لهم حكم الله، ولكن اجعل لهم حكمك وحكم أصحابك، فإنك لا تدري هل تصيب فيهم حكم الله أم لا؟).

قال مقاتل ([هو بن حيان]): فنظرت فيما فتح من أرض خراسان في عهد عمر وعثمان رضي الله عنهما فلم أجد في شيء منها ذمة الله ولا ذمة رسوله، إلا ذمة الإمام وأصحابه ممن معه من المسلمين].

- The Hadith of Nu'man bin Muqarrin:

- And the following narration came recorded in Al-Aathar of Abu Yusuf (2/400/866) and the Aathar of Abu Yusuf (2/400/866, Electronic Shamela Programme ordering): [He said: Yusuf related to us from his father, from Ruh bin Musafir, from Muqatil bin Hayyan, from Muslim bin Haisam, from An-Nu'man bin Muqarrin Al-Muzaniy, may Allah be pleased with him, he said: When the Messenger of Allah ﷺ dispatched a leader over an army or military expedition, he exhorted him, in respect to himself, with the fear and consciousness of Allah and to be good with those with him from the Muslims. He then said: “Go out for battle in the name of Allah and in the way of Allah. Fight those who disbelieve in Allah but do not misappropriate the spoils, do not betray, do not mutilate (the dead bodies) and do not kill a child. And when you meet your polytheist enemy, invite them to three courses of action (Khisaal or Khilaal): Invite them to Islam. Then, if they accept, refrain from them and accept (it) from them. And invite them to the transformation (or changing) of their Dar (land) to Dar ul-Muhajirin (land of the emigrants). And inform them, if they do that, that they will have the rights of the Muhajirin and the duties of the Muhajirin. And if they enter Islam and choose their land, then inform them that they are like the Arab Muslim Bedouins; the ruling of Allah applies upon them the same as what applies upon the Muslims. And they will not have anything of the Fai' and Ghaneemah (Booty and spoils of war) unless they undertake Jihad alongside them. And if they refuse, then call them to give the Jizyah. If they then accept, desist from them and accept that from them. And if they refuse, then seek the help of Allah against them and fight them. And if you have besieged the people of a fort and they wish for you to afford to them a Dhimmah (contract of protection) of Allah and a Dhimmah of His Messenger, then don't afford a Dhimmah of Allah nor a Dhimmah of His Messenger to them. Rather, afford them your (own) Dhimmah and the Dhimmah (contract of protection) of your companions. That is because if you were to fail in your (own) Dhimmah and the Dhimmah of your companions, that is better for you than failing in the Dhimmah of Allah and the Dhimmah of His Messenger. And if you have besieged the people of a fortress and they want to surrender upon the basis of the Hukm (ruling) of Allah, then don't offer them the Hukm of Allah. Rather, make it based upon your Hukm (judgement) and the Hukm of your companions, as you do not know whether you have undertaken it correctly by the Hukm of Allah or not.

Muqatil said: [He is Ibn Hayyan]. Then, I examined what had been opened (or conquered) from the lands of Khurasan during the rule of 'Umar and Uthman, may Allah be pleased with them, and I did not find anything in terms of the Dhimmah of Allah or the Dhimmah of His Messenger but rather it was only the Dhimmah of the Imam (leader) and his companions from those who were with him from the Muslims].

قلت: أولاً: فهذه طريق مستقلة لحديث النعمان بن مقرن الذي ورد ضمناً في بعض طرق الحديث الرئيس (**حديث بريدة بن الحصيب**). وأبو يوسف هو قاضي القضاة يعقوب بن إبراهيم، الإمام المجتهد العلامة، والمحدث الثقة. صاحب أبا حنيفة سبع عشرة سنة، مات سنة اثنتين وثمانين ومائة.

وثانياً: قول مقاتل بن حيان: (فنزرت فيما فتح من أرض خراسان في عهد عمر وعثمان رضي الله عنهما فلم أجد في شيء منها ذمة الله ولا ذمة رسوله، إلا ذمة الإمام وأصحابه ممن معه من المسلمين) دليل قاطع على أن نسخ الوثائق الخطية لتلك العهود كانت بأيدي أصحابها بعينها حتى بداية القرن الهجري الثاني. والصحيح أنها كانت كذلك حتى عصر التدوين في أوائل القرن الهجري الثالث، وبعد ذلك أيضاً. فما ذكره الأئمة من أمثال الواقدي ويحيى بن آدم من نصوص لبعض تلك المعاهدات إنما هو **نقل** من تلك الصحف، وليس فقط رواية تحتاج لأسانيد. وقد صرح بذلك الإمام يحيى بن آدم في خصوص (معاهدة نجران)، كما هو في بحثنا عنها.

وثالثاً: ليس في الإسناد ما يعيب إلا روح بن مسافر، فهو ليس بالقوي، فيه كلام كثير أكثره غير محرر، وكأن الرجل قد ظلم، والخلاصة أنه: **وسط، يصح حديثه إذا توبع، وهو قد توبع ها هنا متابعه تامة.** ولعلي أدرس روح بن مسافر - بالتفصيل - في فصل ملحق بهذا، إن كان في العمر فسحة.

I say: Firstly: This is an independent path for the Hadith of An-Nu'man bin Muqarrin which came recorded within some of the paths of the main Hadith (**the Hadith of Buraidah bin Al-Husaib**). And Abu Yusuf was the Qadi Al-Qudaa (Chief judge), Ya'qub bin Ibrahim, the 'Alaamah (Great Scholar), Mujtahid and trusted Muhaddith (Scholar of Hadith), the companion of Abu Hanifah for seventeen years, who died in the year 182 AH.

Secondly: Concerning the statement of Muqatil bin Hayyan: "So, I examined what had been opened (or conquered) from the lands of Khurasan during the rule of 'Umar and Uthman, may Allah be pleased with them, and I did not find anything in terms of the Dhimmah of Allah or the Dhimmah of His Messenger but rather it was only the Dhimmah of the Imam (leader) and his companions from those who were with him from the Muslims", it represents a definite evidence that the transcription of the hand-written documents of those periods was undertaken by those who were present themselves during them until the beginning of the second century. And it is correct that it remained like that until the age of recording in the beginning of the third century and after that as well. Therefore, what the A'immah (Great Scholars) mentioned, such as Al-Waqidiy and Yahya bin Aadam, in terms of the texts of some of those treaties (or agreements) was only **transmitted** (or copied over) from those (original) papers and not only a Riwayah (report) that requires chains of transmission. Imam Yahya bin Aadam explicitly stated that in respect specifically to the "Treaty of Najran" as was found in our research concerning it.

And thirdly: There is nothing in the Isnad (chain of transmission) that blemishes it with the exception of Ruh bin Musafir as he is not Qawwi (strong). A lot has been said concerning him, most of which has not been rendered thoroughly and correctly. It is like the man was wronged and the conclusion is that: **He was Wasat, his Hadith are Sahih they are corroborated and in this case, he has been corroborated fully.** I may take Ruh bin Musafir as a subject of detailed study in the appendix of this current study, if I find the opportunity.

ويكفي – في هذه العجالة – ها هنا أني قد سبرت حديثه فوجدت كلام أبي أحمد بن عدي فيه أقرب للاعتدال، حيث قال في الكامل في الضعفاء (4/138): [وهذه الأحاديث التي أُمليتها لروح بن مسافر فيها مشاهير ومنها ما لا يتابع عليه فأما الذي لا يتابع عليه فحديث ورقة بن نوفل وحديث شقيق عن عبد الله كان النبي إذا بان من أصحابه الفاقة وحديث حبيب بن أبي ثابت عن ذكوان والباقي قد شاركه الناس فيه وهن مشاهير ولروح غير ما ذكرت من الحديث حديث صالح وعامة ما ينكر عليه فهو ما ذكرته إذا حدث عنه ثقة فأما إذا حدث عنه ضعيف يكون البلاء منه لا من روح وهو في جملة الضعفاء الذين يكتب حديثهم].

It is sufficient for the purposes of this quickly prepared paper that I have probed his Hadith and consequently found the speech of Ahmad bin 'Adiy concerning it to be the closest to moderation, in the case where he stated in his "Al-Kamil Fee Ad-Du'afaa" (4/138): [These Ahadeeth which I have dictated belonging to Ruh bin Musafir contain Mashahir (well-known narrators) and from them are those which are not corroborated. As for that which is not corroborated, then that includes the Hadith of Waraqah bin Nawfal, the Hadith of Shaiq from Abdullah: "The Prophet, when the poor circumstances of his companions came to light used to ...", and the Hadith of Habib bin Abi Thabit from Dhakwan. As for the rest (of his narrations), then others have shared with him (i.e., in their transmission) and they are well known. Ruh also has Hadith (i.e., related from him) other than what I have mentioned which are Salih (viable/sound). The majority of what he was criticized for are what I mentioned in the case when a Thiqah (trusted/reliable) narrated from him. However, if a Da'eef (weak narrator) related from him, then the tribulation (i.e., problem and defect) would originate from that person and not Ruh who is regarded to be from among the host of weak transmitters whose Hadith are recorded (i.e., and not entirely discarded)].

قلت: وحتى حديث ورقة ربما كان من أوهام الرواة، فإن كثيرا من الطرق تذكر ورقة الأنصاري، وليس ورقة بن نوفل، على أن الرواية كأنها من مرويات الأعمش في التفسير عن عبد الله بن عبد الله، معنعنا من غير تصريح بالسماع، والأعمش لا يؤمن تدليسه في مثل هذه الأحوال، وليس عبد الله بن عبد الله من شيوخ الأعمش المعتبرين، الذين أكثر عنهم جداً – من أمثال أبي صالح ذكوان السمان، وإبراهيم النخعي، وأضرابهم - حتى يرجح جانب الاتصال.

وحديث حبيب بن أبي ثابت عن أبي صالح ذكوان يبدو أن البلاء فيه من حبيب بن أبي ثابت لكثرة تدليسه وإرساله كما يظهر من مناقشة الحديث في علل الدارقطني [العلل الواردة في الأحاديث النبوية (1522/210/8)]: [وَسُئِلَ عَنْ حَدِيثِ يُرْوَى عَنْ أَبِي صَالِحٍ، عَنْ أَبِي هُرَيْرَةَ، عَنِ النَّبِيِّ، صَلَّى اللَّهُ

عليه وسلم: إِذَا أَبَقَ الْعَبْدُ، ثُمَّ أَبَقَ، فَبَيْعُهُ، فَإِذَا زَنَتِ الْأَمَةُ، ثُمَّ زَنَتْ، فَبَيْعُهَا وَلَوْ بِحَبْلٍ مِنْ شَعْرِ. فَقَالَ: يَرْوِيهِ حَبِيبُ بْنُ أَبِي ثَابِتٍ، وَاخْتُلِفَ عَنْهُ: فَرَوَاهُ رَوْحُ بْنُ مُسَافِرٍ عَنْ حَبِيبٍ، عَنْ أَبِي صَالِحٍ، عَنْ أَبِي هُرَيْرَةَ: قِصَّةُ الْعَبْدِ، وَقِصَّةُ الْأَمَةِ جَمِيعًا.

- وَخَالَفَهُ أَبُو بَكْرٍ النَّهْشَلِيُّ فَرَوَاهُ عَنْ حَبِيبٍ مُرْسَلًا.
- وَرَوَاهُ الْأَعْمَشُ، وَالثَّوْرِيُّ، عَنْ حَبِيبٍ، عَنْ أَبِي صَالِحٍ، عَنْ أَبِي هُرَيْرَةَ: قِصَّةُ الْأَمَةِ دُونَ قِصَّةِ الْعَبْدِ.

وَهُوَ الصَّوَابُ]، فتصويب الإمام الدارقطني لرواية الأعمش والثوري، نظرا لقوتهما وتثبتهما وتشددهما مع الشيوخ، لا يرفع الإشكالية: فمن الواضح أن حبيبا كان تارة يسند الكل، وتارة يرسل الكل إذا حدث به التلاميذ المتساهلين مع الشيوخ، من أمثال روح بن مسافر: فالبلاء، إن كان ثمة بلاء أصلا، إنما هو من تدليس حبيب وتساهله، وليس من روح، والله أعلم وأحكم!

I say: Even the Hadith of Waraqah may be from the mistakes of the narrators as many of the paths mention Waraqah Al-Ansariy and not Waraqah bin Nawfal, in the case where the narration appears to be from the reports of Al-Aa'mash in relation to the Tafsir from Abdullah bin Abdullah, in the Mu'an'an form without explicit mention of the direct hearing (As-Samaa') having taken place. That is whilst the perpetration of Tadles by Al-Aa'mash is not assured in such circumstances. In addition, Abdullah bin Abdullah is not one of the considered Shuyukh (teachers) of Al-A'amash who he related a lot from, unlike as Abu Salih Dhakwan As-Samman, Ibrahim An-Nakh'iy and those like them. As such, the preponderance of the linkage in the transmission (between the two) is unsubstantiated.

(Note: My original translation was a literal translation of the Arabic as it came whilst here I have revised it and departed completely from the literal translation to provide a meaning which makes more sense)..

And concerning the Hadith of Habib bin Thabit from Abu Salih Dhakwan, then it appears that the tribulation in it emanates from Habib bin Abi Thabit due to the great deal of Tadles and Irsaal perpetrated by him, as is apparent from the discussion of the Hadith in the "Ilal" of Ad-Daraqutniy: 'Al-'Ilal Al-Waridah Fee Ahadeeth An-Nabawiyah" (8/210/1552): [And he was asked about a Hadith related from Abu Salih from Abu Hurairah, from the Prophet ﷺ "If the slave runs away (from his master), then runs away (again), sell him. And if the female slave fornicated, then fornicated (again), sell her, and even if only for a cord of hair". He said: Habib bin Abi Thabit relates it and it has been differed upon in respect to who related from him: Ruh bin Musafir related it from Habib, from Abu Salih, from Abu Hurairah: The story of the male slave and the story of the female slave together.

- Abu Bakr An-Nahshaliy differed with him relating it from Habib in the Mursal form.

- And Al-A'amash and Ath-Thawriy related it from Habib, from Abu Salih, from Abu Hurairah: The story of the male slave without the story of the female slave, which is correct].

Consequently, the rectification of the narration of Al-A'amash and Ath-Thawriy, undertaken by Imam Ad-Daraqutniy, in view of their strength, reliability and strictness with the Shuyukh, **does not remove the problem**. That is because it is clear that this Habib would on occasion mention the full Isnad (i.e. names of the transmitters) and on other occasions employ Irsaal (i.e. not provide the names of the transmitters), in the case where neglectful (or careless) students would narrate it with the Shuyukh, such as Ruh bin Musafir.

Therefore, the tribulation, if it existed in origin, only originated from the Tadlis of Habib and his neglect and not from Ruh, whilst Allah is most knowledgeable and exact.

✽ حديث عبد الله بن العباس:

* كما جاء في مسند البزار [كاملا من 1 - 14 مفهرسا (5273/210/2)]: [حَدَّثَنَا مُوسَى بْنُ إِسْحَاقَ الْخَطَمِيُّ، قَالَ: حَدَّثَنَا عَبْدُ السَّلَامِ بْنُ عَاصِمٍ، قَالَ: حَدَّثَنَا الصَّبَّاحُ بْنُ مُحَارِبٍ، قَالَ: حَدَّثَنَا سَالِمُ الْمُرَادِيِّ عَنْ عَمْرِو بْنِ هَرَمٍ عَنْ جَابِرِ بْنِ زَيْدٍ، عَنْ ابْنِ عَبَّاسٍ، رَضِيَ اللَّهُ عَنْهُمَا، قَالَ: كَانَ رَسُولُ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، إِذَا أَمَرَ أَمِيرًا عَلَى جَيْشٍ دَعَاهُ فَأَمَرَهُ بِتَقْوَى اللَّهِ وَبِمَنْ مَعَهُ مِنَ الْمُسْلِمِينَ خَيْرًا ثُمَّ قَالَ: اغْزُوا بِاسْمِ اللَّهِ وَفِي سَبِيلِ اللَّهِ قَاتِلُوا مَنْ كَفَرَ بِاللَّهِ لَا تَغْلُوا وَلَا تَغْدُرُوا وَلَا تَمْتَلُوا وَلَا تَقْتُلُوا وَلِيْدًا، وَإِذَا لَقَيْتَ عَدُوَّكَ مِنَ الْمُشْرِكِينَ فَادْعِهِمْ إِلَى إِحْدَى خِصَالِ ثَلَاثٍ: ادْعُوهُمْ إِلَى الْإِسْلَامِ فَإِنْ أَجَابُوا فَاقْبَلْ مِنْهُمْ وَكَفْ عَنْهُمْ؛ ثُمَّ ادْعُوهُمْ إِلَى الْهَجْرَةِ وَأَخْبِرْهُمْ أَنَّ لَهُمْ مَا لِلْمُهَاجِرِينَ وَعَلَيْهِمْ مَا عَلَى الْمُهَاجِرِينَ فَإِنْ أَجَابُوا فَاقْبَلْ مِنْهُمْ وَكَفْ عَنْهُمْ، وَإِنْ هُمْ لَمْ يَفْعَلُوا فَأَخْبِرْهُمْ أَنَّهُمْ كَأَعْرَابِ الْمُسْلِمِينَ لَيْسَ لَهُمْ فِي الْفَيْءِ وَلَا فِي الْغَنِيمَةِ شَيْءٌ وَيَجُوزُ عَلَيْهِمْ حُكْمُ اللَّهِ الَّذِي يَجْرِي عَلَى الْمُسْلِمِينَ، وَإِنْ هُمْ أَرَادُوا أَنْ تَنْزِلَ عَلَيْهِمْ حُكْمُ اللَّهِ فَلَا تَفْعَلْ فَإِنَّكَ لَا تَدْرِي تَصِيبُ فِيهِمْ حُكْمُ اللَّهِ أَمْ لَا وَلَكِنْ أَنْزِلْهُمْ عَلَى حُكْمِكَ ثُمَّ إِنْ أَرَادُوا أَنْ تَعْطِيَهُمْ ذِمَّةَ اللَّهِ فَلَا تَفْعَلْ وَلَكِنْ أَعْطِهِمْ ذِمَّتَكَ وَذِمَّةَ أَصْحَابِكَ فَإِنَّكَ إِنْ تَخَفَرْتَ ذِمَّتَكَ وَذِمَّةَ أَصْحَابِكَ خَيْرٌ مِنْ أَنْ تَخَفَرَ ذِمَّةَ اللَّهِ]، ثُمَّ قَالَ الْبَزَارُ: (وَهَذَا الْحَدِيثُ لَا نَعْلَمُهُ يُرَوَّى عَنْ ابْنِ عَبَّاسٍ بِهَذَا اللَّفْظِ إِلَّا مِنْ هَذَا الْوَجْهِ، وَلَا نَعْلَمُ أَسْنَدَ سَالِمِ الْمُرَادِيِّ عَنْ جَابِرِ بْنِ زَيْدٍ، عَنْ ابْنِ عَبَّاسٍ غَيْرَ هَذَا الْحَدِيثِ).

- The Hadith of Abdullah bin 'Abbas:

- It came recorded as follows in the Musnad of Al-Bazzar [The complete collection indexed from 1-14 (2/210/5273)]: [Musa bin Ishaq Al-Khatamiy related to us: He said: Abdus Salam bin 'Aasim related to us: He said: As-Sabbah bin Muharib related to us: He said: Salim Al-Muradiy related to us from 'Amr bin Haram, from Jabir bin Zaid, from Ibn 'Abbas, may Allah be pleased with him: He said: When the Messenger of Allah ﷺ appointed an Ameer (leader) over an army, he would summon him and command him with the fear and consciousness of Allah and to be good with those accompanying him from the Muslims. He would then say: "Go out for battle in the name of Allah and in the way of Allah. Fight those who disbelieve in Allah but do not misappropriate the spoils, do not betray, do not mutilate (the dead bodies) and do not kill a child. And when you meet your polytheist enemy, invite them to one of three courses of action (Khisaaal): Invite them to Islam. Then, if they accept, refrain from them and accept (it) from them. Then invite them to the Hijrah (migration). And inform them, if they do that, that they will have the rights of the Muhajirin and the duties of the Muhajirin. If they respond affirmatively, then accept that from them and refrain from them. And if they do not, then inform them that they are like the Arab Muslim Bedouins; they will not have anything of the Fai' and Ghaneemah (Booty and spoils of war) and the ruling of Allah that applies upon the Muslims applies upon them. And if they want to surrender upon the basis of the Hukm (ruling) of Allah, then don't do that, as you do not know whether you will get the Hukm of Allah correct with them or not. And if they want you to afford to them the Dhimmah (contract of protection) of Allah, then don't do that. Rather, provide them with your (own) Dhimmah and the Dhimmah (contract of protection) of your companions. That is because if you were to fail in your (own) Dhimmah and the Dhimmah of your companions, that is better than

failing in the Dhimmah of Allah". Al-Bazzar then said: [We do not know this Hadith having been related from Ibn 'Abbas with this wording except from this path. And we are not aware that Salim Al-Muradiy transmitted other than this Hadith from Jabir bin Zaid, from Ibn 'Abbas].

- وهو في مجمع الزوائد ومنبع الفوائد [لنور الدين الهيثمي (9312/465/5)]: [عن ابن عباس قال: كان رسول الله، صلى الله عليه وسلم، إذا أمر أميرا على جيش دعاه فأمره بتقوى الله وبمن معه من المسلمين خيرا ثم قال: اغزوا بسم الله قاتلوا من كفر بالله لا تغلوا ولا تغدروا ولا تمثلوا ولا تقتلوا وليدا وإذا لقيت عدوك من المشركين فادعهم إلى إحدى خصال ثلاث: ادعهم إلى الإسلام فإن أجابوك فاقبل منهم وكف عنهم ثم ادعهم إلى الهجرة إن لهم ما للمهاجرين وعليهم ما على المهاجرين فإن أجابوك فاقبل منهم وكف عنهم وإن هم لم يفعلوا فأخبرهم أنه كأعراب المسلمين ليس لهم في الفبي ولا في الغنيمة شيء ويجوز عليهم حكم الله الذي يجري على المسلمين وإن هم أرادوك أن تنزلهم على حكم الله فلا تفعل فإنك لا تدري تصيب فيهم حكم الله أم لا ولكن أنزلهم على حكمك ثم إن أرادوك أن تعطيههم ذمة الله فلا تفعل ولكن أعطهم ذمتك وذمة أصحابك فإنك إن تخفر ذمتك وذمة أصحابك خير من أن تخفروا ذمة الله]، ثم قال الهيثمي: (رواه البزار وفيه سالم بن عبد الواحد المرادي وثقه ابن حبان وضعفه ابن معين).

قلت: سالم بن عبد الواحد المرادي، أبو العلاء المرادي الكوفي الضرير، ليس به بأس (وإن كان فيه كلام فلتشيعة، فلا يعتد به: ضربنا به عرض الحائط كأى كلام في المعتقد أو المذهب أو الرأي: لأن قبول الرواية والشهادة يتطلب (الصدق والأمانة) و(الضبط والحفظ)، فقط لا غير).

- And it also came recorded in "Majma' Az-Zawa'id Wa Manba' Al-Fawa'id", Nur ud-Deen Al-Haithamiy (5/465/9312): [From Ibn 'Abbas: He said: When the Messenger of Allah ﷺ appointed an Ameer (leader) over an army, he would summon him and command him with the fear and consciousness of Allah and to be good with those accompanying him from the Muslims. He would then say: "Go out for battle in the name of Allah and in the way of Allah. Fight those who disbelieve in Allah but do not misappropriate the spoils, do not betray, do not mutilate (the dead bodies) and do not kill a child. And when you meet your polytheist enemy, invite them to one of three courses of action (Khisaal): Invite them to Islam. Then, if they accept, desist from them and accept (it) from them. Then invite them to the Hijrah (migration) and that they will have the rights of the Muhajirin and the duties of the Muhajirin. If they respond affirmatively, then accept that from them and desist from them. And if they do not do that, then inform them that they are like the Arab Muslim Bedouins; they will not have anything of the Fai' and Ghaneemah (Booty and spoils of war) and the ruling of Allah that applies upon the Muslims applies upon them. And if they want you to allow them to surrender upon the basis of the Hukm (ruling) of Allah, then don't do that, as you do not know whether you will get the Hukm of Allah correct with them or not. And if they want you to provide them with the Dhimmah (contract of protection) of Allah, then don't do that. Rather, provide them with your (own) Dhimmah and the Dhimmah (contract of protection) of your companions. That is because if you were to fail in your (own) Dhimmah and the Dhimmah of your companions, that is better than you failing in respect to the Dhimmah of Allah"]. Al-Haithamiy then said: [Al-Bazzar related it and in it (i.e. its Isnad) is Salim bin Abdul Wahid Al-

Muradiy, whom Ibn Hibban classified to be Thiqah (reliable/trustworthy) and Ibn Ma'een classified as weak (Da'eef)].

I say: Salim bin Abdul Wahid Al-Muradiy, Abu I-'Alaa Al-Muradiy Al-Kufi Ad-Dareer, **Laysa Bihi Ba's (There is no issue or problem with him)**, even if there is some (critical) discussion concerning him, like his Tashayyu' (affiliation to Shi'ah) and consequently not being relied upon, then we discard that completely like any other speech revolving around the Mu'taqid (aspects of belief), Madh'hab or Ra'y (opinion), because the acceptance of the narration and testimony require **As-Sidq (truthfulness) and Al-Amanah (trustworthiness)**, and **Ad-Dabt (accuracy) and Al-Hifzh (good memory)**, and nothing besides these (conditions).

✽ حديث زيد بن أرقم:

* وجاء في مغازي الواقدي (ص: 758)، وفي المحيط البرهاني (352/24): [حَدَّثَنِي ابْنُ أَبِي سَبْرَةَ عَنْ إِسْحَاقَ بْنِ عَبْدِ اللَّهِ بْنِ أَبِي طَلْحَةَ، عَنْ رَافِعِ بْنِ إِسْحَاقَ عَنْ زَيْدِ بْنِ أَرْقَمَ أَنَّ رَسُولَ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، قَالَ: أَوْصِيَكُمْ بِتَقْوَى اللَّهِ وَبِمَنْ مَعَكُمْ مِنَ الْمُسْلِمِينَ خَيْرًا أَوْ قَالَ أُغْرُوا بِسْمِ اللَّهِ فِي سَبِيلِ اللَّهِ فَقَاتِلُوا مَنْ كَفَرَ بِاللَّهِ لَا تَغْدِرُوا وَلَا تَغْلُوا وَلَا تَقْتُلُوا وَلِيدًا، وَإِذَا لَقِيتَ عَدُوَّكَ مِنَ الْمُشْرِكِينَ فَادْعُهُمْ إِلَى إِحْدَى ثَلَاثٍ فَأَيُّهُنَّ مَا أَجَابُوكَ إِلَيْهَا فَأَقْبَلْ مِنْهُمْ وَاكْفُفْ عَنْهُمْ أَدْعُهُمْ إِلَى الدُّخُولِ فِي الْإِسْلَامِ فَإِنْ فَعَلُوا فَأَقْبَلْ مِنْهُمْ وَاكْفُفْ عَنْهُمْ؛ ثُمَّ أَدْعُهُمْ إِلَى التَّحَوُّلِ مِنْ دَارِهِمْ إِلَى دَارِ الْمُهَاجِرِينَ فَإِنْ فَعَلُوا فَأَخْبِرْهُمْ أَنَّ لَهُمْ مَا لِلْمُهَاجِرِينَ وَعَلَيْهِمْ مَا عَلَى الْمُهَاجِرِينَ وَإِنْ دَخَلُوا فِي الْإِسْلَامِ وَاخْتَارُوا دَارَهُمْ فَأَخْبِرْهُمْ أَنَّهُمْ يَكُونُونَ كَأَعْرَابِ الْمُسْلِمِينَ يَجْرِي عَلَيْهِمْ حُكْمُ اللَّهِ وَلَا يَكُونُ لَهُمْ فِي الْفَيْءِ وَلَا فِي الْقِسْمَةِ شَيْءٌ إِلَّا أَنْ يُجَاهِدُوا مَعَ الْمُسْلِمِينَ؛ فَإِنْ أَبَوْا فَادْعُهُمْ إِلَى إِعْطَاءِ الْجَزْيَةِ فَإِنْ فَعَلُوا فَأَقْبَلْ مِنْهُمْ وَاكْفُفْ عَنْهُمْ فَإِنْ أَبَوْا فَاسْتَعِزْ بِاللَّهِ وَقَاتِلْهُمْ وَإِنْ أَنْتَ حَاصِرْتَ أَهْلَ حِصْنٍ أَوْ مَدِينَةٍ فَأَرَادُوكَ أَنْ تَسْتَنْزِلَهُمْ عَلَى حُكْمِ اللَّهِ فَلَا تَسْتَنْزِلَهُمْ عَلَى حُكْمِ اللَّهِ وَلَكِنْ أَنْزِلْهُمْ عَلَى حُكْمِكَ، فَإِنَّكَ لَا تَدْرِي أَتُصِيبُ حُكْمَ اللَّهِ فِيهِمْ أَمْ لَا. وَإِنْ حَاصِرْتَ أَهْلَ حِصْنٍ أَوْ مَدِينَةٍ فَأَرَادُوكَ عَلَى أَنْ تَجْعَلَ لَهُمْ ذِمَّةَ اللَّهِ وَذِمَّةَ رَسُولِهِ فَلَا تَجْعَلَ لَهُمْ ذِمَّةَ اللَّهِ وَلَا ذِمَّةَ رَسُولِهِ وَلَكِنْ اجْعَلْ لَهُمْ ذِمَّتَكَ وَذِمَّةَ أَبِيكَ وَذِمَّةَ أَصْحَابِكَ، فَإِنَّكُمْ إِنْ تَخَفَرُوا ذِمَّتَكُمْ وَذِمَّةَ آبَائِكُمْ خَيْرٌ لَكُمْ مِنْ أَنْ تَخَفَرُوا ذِمَّةَ اللَّهِ وَذِمَّةَ رَسُولِهِ]؛

- The Hadith of Zaid bin Arqam:

- The following came recorded in the "Maghaziyy" of Al-Waqidiy (p: 758) and "Al-Muheet" of Al-Burhaniy (24/352): [Ibn Abi Sabrah related to me from Ishaq bin Abdullah bin Abi Talhah, from Raafi' bin Ishaq, from Zaid bin Arqam: That the Messenger of Allah ﷺ said: "I exhort you with the fear and consciousness (Taqwaa) of Allah and to be good with the Muslims accompanying you". Or he said: "Go forth in conquest in the name of Allah and in the way of Allah. Fight those who have disbelieved in Allah. Do not betray, do not misappropriate the spoils of war and do not kill a child. And if you meet your enemy from the polytheists, invite them to one of three (courses of action): Whichever one they respond affirmatively to accept that from them and desist from (fighting) them. Invite them to enter Islam and if they do that, accept that from them and desist from them. **Then invite them to change (or transform) their land (Dar) to the land of the**

emigrants (Dar ul-Muhajirin). If they do that, then inform them that they will have the rights of the Muhajirin and the duties of the Muhajirin. And if they enter Islam but choose (to remain in) their own land, then inform them that they will be like the Muslim Arab Bedouins where the ruling (Hukm) of Allah will apply upon them, but they will not have any share in the booty or division (of spoils of war), unless they partake in the Jihad alongside the Muslims. Then if they refuse (i.e., Islam), then call them to give the Jizyah. Then if they do that, accept it from them and desist from them. If they then refuse (all of that), then seek the help of Allah and fight against them. And if you have besieged a fortified people or a town and then they want you to let them surrender upon the basis of the Hukm (judgement) of Allah, then don't allow them to surrender upon the basis of the Hukm of Allah. Rather, let them surrender upon your own Hukm (judgement/ruling), as you do not know whether you will get the Hukm of Allah right in respect to them or not. And if you have besieged a fortified people or a town and they want you to provide them with the Dhimmah (protection) of Allah and the Dhimmah of His Messenger, then don't provide for them the Dhimmah of Allah or the Dhimmah of His Messenger. Rather, provide them with your (own) Dhimmah, the Dhimmah of your father and the Dhimmah of your companions. That is because if you were to fail in your Dhimmah and the Dhimmah of your fathers, that would be better for you than failing in respect to the Dhimmah of Allah and His Messenger”].

– وهو – منقولاً بكل دقة وأمانة - في شرح نهج البلاغة [لابن أبي الحديد (100/9)]: [قال الواقدي: فحدثني ابن أبي سبرة، عن إسحاق بن عبد الله بن أبي طلحة، عن رافع بن إسحاق، عن زيد بن أرقم أن رسول الله صلى الله عليه وآله خطبهم فأوصاهم، فقال: أوصيكم بتقوى الله وبمن معكم من المسلمين خيراً، اغزوا باسم الله وفي سبيل الله، قاتلوا من كفر بالله، لا تغدروا ولا تغلوا ولا تقتلوا وليداً، وإذا لقيت عدوك من المشركين فادعهم إلى إحدى ثلاث: فأيتهن أجابوك إليها فاقبل منهم، واكف عنهم، ادعهم إلى الدخول في الإسلام، فإن فعلوا فاقبل واكف. ثم ادعهم إلى التحول من دارهم إلى المهاجرين. فإن فعلوا فأخبرهم أن لهم ما للمهاجرين، وعليهم ما على المهاجرين. وإن دخلوا في الإسلام واختاروا دارهم فأخبرهم أنهم يكونون كأعراب المسلمين، يجري عليهم حكم الله، ولا يكون لهم في الفئ ولا في الغنيمة شيء، إلا أن يجاهدوا مع المسلمين، فإن أبوا فادعهم إلى إعطاء الجزية فإن فعلوا فاقبل منهم واكف عنهم، فإن أبوا فاستعن بالله وقاتلهم، وإن أنت حاصرت أهل حصن أو مدينة فأرادوا أن تستنزلهم على حكم الله فلا تستنزلهم على حكم الله، ولكن أنزلهم على حكمك، فإنك لا تدري أ تصيب حكم الله فيهم أم لا! وإن حاصرت أهل حصن أو مدينة وأرادوا أن تجعل لهم ذمة الله وذمة رسول الله فلا تجعل لهم ذمة الله وذمة رسول الله، ولكن اجعل لهم ذمتك وذمة أبيك وأصحابك، فإنكم إن تخفروا ذممكم وذمم آبائكم خير لكم من أن تخفروا ذمة الله وذمة رسوله].

- And it has also been transmitted with full accuracy and trust in “Sharh Nahj ul-Balaghah”, Ibn Abi Al-Hadid (9/100): [Al-Waqidiy said: Ibn Abi Sabrah related to me from Ishaq bin Abdullah bin Abi Talhah, from Raafi' bin Ishaq, from Zaid bin Arqam: That the Messenger of Allah addressed them and exhorted them: He said: “Go forth in conquest in the name of Allah and in the way of Allah. Fight those who have disbelieved in Allah. Do not betray, do not misappropriate the spoils of war and do not kill a child. And if you meet your enemy from the polytheists, invite them to one of three (courses of action): Whichever one they respond affirmatively to accept that from them and desist from (fighting) them. Invite them to enter Islam and if they do that, accept that from them and desist from them. Then invite them to change (or transform) their land (Dar) to the emigrants (Al-Muhajirin). If they do that, then inform them that they will have the rights of the

Muhajirin and the duties of the Muhajirin. And if they enter Islam but choose (to remain in) their own land, then inform them that they will be like the Muslim Arab Bedouins where the ruling (Hukm) of Allah will apply upon them, but they will not have any share in the booty or of spoils of war, unless they partake in the Jihad alongside the Muslims. Then if they refuse (i.e., Islam), then call them to give the Jizyah. Then if they do that, accept it from them and desist from them. If they then refuse (all of that), then seek the help of Allah and fight against them. And if you have besieged a fortified people or a town and then they want you to let them surrender upon the basis of the Hukm (judgement) of Allah, then don't allow them to surrender upon the Hukm of Allah. Rather, let them surrender upon your own Hukm (judgement/ruling), as you do not know whether you will get the Hukm of Allah right in respect to them or not. And if you have besieged a fortified people or a town and they want you to provide them with the Dhimmah (protection) of Allah and the Dhimmah of His Messenger, then don't provide for them the Dhimmah of Allah or the Dhimmah of His Messenger. Rather, provide them with your (own) Dhimmah, the Dhimmah of your father and the Dhimmah of your companions. That is because if you were to fail in your Dhimmah and the Dhimmah of your fathers, that would be better for you than failing in respect to the Dhimmah of Allah and His Messenger"].

قلت: أولاً: الواقدي، محمد بن عمر الأسلمي الواقدي: **ثقة**، **حجة حافظ** للمغازي والتواريخ، بل لعله أمير المؤمنين في المغازي بعد ابن إسحاق. ولا صحة لكلام أحمد بن حنبل فيه، ولا لما افتراه عليه نفر من السُّنَّديَّة (أهل السنة والحديث)؛ ولا لمتابعة الحافظ لهم بقوله: (متروك، مع سعة علمه). ولنا بحث مستقل بعنوان: (إنصاف الواقدي) سنصدره قريباً، بإذن الله. ومثانة الرجل ووثاقته فرضت نفسها حتى على المستشرقين: فهذا هو أ. د. مارسدن جونز (Marsden Jones) يؤكد صراحة على كونه: **(ثقة)**.

I say: Firstly: Al-Waqidiy, Muhammad bin 'Umar Al-Aslamiy Al-Waqidiy: **Thiqah** (reliable and trustworthy), **Hujjah** and **Hafizh** in respect to the Maghazi and histories. Indeed, it may be said that he was the Ameer ul-Mu'mineen in respect to the Maghazi after Ibn Ishaq. And there is no veracity in the speech of Ahmad bin Hanbal concerning him and not in what has been fabricated against him by a small group of the Sunhadiyah (Ahl us-Sunnah Wa-l-Hadith), nor in the corroboration of Al-Hafizh to them, when he said: "Matruk (discarded) in spite of the breadth of his knowledge". We have an independent study under the heading: "Redressing Al-Waqidiy" which we will publish soon by Allah's permission. The succinctness of the man and his reliability imposed itself even upon the orientalists, where you find Marsden Jones reiterating explicitly the fact of him being: "**Thiqah**".

وثانياً: ابن أبي سبرة، هو: أبو بكر بن عبد الله بن أبي سبرة، كما صرح الواقدي بتمام اسمه في الطبقات الكبرى في مواضع أخرى. وهو من كبار الحفاظ، واسع العلم والرواية، فيه كلام كثير يعود في جملته إلى تساهله في المناولة، والعرض، حتى رمي بالوضع، وكأن الحافظ لم يقتنع ببعض ذلك فقال فيه: (رموه بالوضع، وقال مصعب الزبيري: كان عالماً)، ولا تصح التهمة، وإنما ناوله بعض الخبثاء من المحدثين كتباً، فقرأها، فرووها عنه. وسنتكلم عنه في فصل ملحق من بحثنا: (إنصاف الواقدي).

وأما إسحاق بن عبد الله بن أبي طلحة، وأبو طلحة هو زيد بن سهل الأنصاري النجاري المدني، أبو يحيى (أخو إسماعيل وعبد الله وعمرو ويعقوب)، من الطبقة الرابعة (دون وسطى التابعين)، مات سنة 132 هـ (وقيل بعدها)، فهو **ثقة حجة**، مجمع على وثاقته، من جلة شيوخ الإمام مالك. وكذلك: رافع بن إسحاق الأنصاري المدني، مولى الشفاء، ويقال مولى أبي طلحة، ويقال مولى أبي أيوب؛ **ثقة**، من الطبقة الثالثة (الوسطى من التابعين).

Secondly: Ibn Abi Sabrah: He is: Abu Bakr bin Abdullah bin Abi Sabrah as was stated in full by Al-Waqidiy in “At-Tabaqat Al-Kubra” in other places. He was from the major Huffazh (knowledgeable scholars of Hadith), broad in knowledge and narration. There is a lot of (critical) talk concerning him which in sum returns to his leniency in respect to taking and presenting, to the point that he was accused of fabrication. It is as if Al-Hafizh (Ibn Hajar) was not convinced of some of that and so he said: “They accused of fabrication whilst Mus’ab Az-Zubairiy said: He was an ‘Aalim (knowledgeable scholar)”. The accusation is not valid, but rather some underhanded Muhadditheen gave him some books which he read and then they related them from him. And we will discuss him in a section of the appendix of this research: “Giving justice to Al-Waqidiy”.

As for Ishaq bin Abdullah bin Abi Talhah, in the case where Abu Talhah was Zaid bin Sahl Al-Ansariy An-Najjariy Al-Madaniy, Abu Yahya (the brother of Isma’eel, Abdullah, ‘Amr and Ya’qub), is from the fourth generation or line of transmitters (lower than Al-Wusta (level) of the Taabi’een) and died in the year 132 AH (and it has also been said that he died after that). He is **Thiqah** (reliably trustworthy) **Hujjah** (and) there is a consensus over his reliability from most of the Shuyukh of Imam Malik.

And: Raafi’ bin Ishaq Al-Ansariy Al-Madaniy, the Mawla of Ash-Shifaa’, and it is said that he was the Mawla of Abu Talhah and also the Mawla of Abu Ayyub: He is **Thiqah** from the third generation of transmitters (Al-Wusta from the Taabi’een).

وثالثاً: زيد بن أرقم، صحابي مشهور، وهو كان في حجر عبد الله بن رواحة، وصحبه إلى مؤتة، حيث كتبت لابن رواحة الشهادة، وفاز بالحسنى وزيادة. وقد سمع زيد بن أرقم هذا من النبي، عليه وعلى آله الصلاة والسلام، مشافهة من فم النبي لأذن زيد، عندما أوصى الجيش وودعهم: فهذه الطريق تنتهي بشاهد عيان، حضر وسمع.

Thirdly: Zaid bin Arqam, a famous Sahabi. He was in the Hajr (house or detention???) of Abdullah bin Rawahah and accompanied him to Mu’tah where martyrdom and great success was decreed for Ibn Rawahah. Zaid bin Arqam heard this from the Prophet ﷺ orally from the lips of the Prophet ﷺ to the ears of Zaid, when he exhorted the army and saw it off. Therefore, this path ends with an eyewitness who was present and heard.

(Note: Please check the translation for this with the Dr insha’Allah. في حجر عبد الله بن رواحة.)

ورابعاً: كون هذا قد ورد – في الأرجح – خطاباً لجيش مؤتة، التي كانت في جمادى الأول من العام الثامن للهجرة (أغسطس 629 م)، وهو جيش بعثه النبي، عليه وعلى آله الصلاة والسلام، لقتال الغساسنة الذين قتلوا رسوله. والغساسنة، وإن كانوا أهل كتاب من النصارى، فإن العديد من القبائل

والقرى والدويلات الحليفة لهم – في شمال جزية العرب - كانوا من اليهود، ومن أهل الأوثان، وكان النبي، يريد تفكيك تحالفاتهم، وتمزيق صفوفهم، كما تابع ذلك ببعث سرية عمرو بن العاصي لقبيلة بلي، وهم في الجملة مشركون أهل وثن، ومن حولها، بعد ذلك: وهي التي تسمى (ذات السلاسل). وفعل ذلك بنفسه، عليه وعلى آله الصلاة والسلام، - بنجاح باهر - بعد ذلك بنحو عام في غزوة تبوك. وعلى كل حال فالعبرة بعموم اللفظ، لا بخصوص السبب، لأن لفظ (المشركون)، إذا جاء هكذا مفردا يشمل أهل الأوثان، والمجوس، وأهل الكتاب: فلا حجة للإمام الشافعي في زعمه خصوص ذلك بأهل الكتاب.

Fourthly: In the case where this was most likely presented as a speech to the army of Mu'tah, which was on the 1st of Jumada Al-Uolaa of the 8th year AH (August 629 CE), the army which the Prophet ﷺ dispatched to fight the Ghassanids who had killed his envoy. Even though the Ghassanids were Christians from the Ahl ul-Kitab, a number of tribes, towns and statelets allied to them, in the north of the Arabian Peninsula, were from the Jews and pagans. The Prophet ﷺ wanted to breakup their alliance and tear apart their (unified) ranks. He also followed that up by dispatching the military expeditionary force of 'Amr bin Al-'Aas, after that, to the tribe of Baliy, who were mainly pagan idol worshippers, and to those surrounding the tribe. This was called (the expedition of): "Dhaat As-Salaasil". He ﷺ then undertook that (objective) himself, with brilliant success, approximately one year after that in the Ghazwah of Tabuk. In any case, the precedent lies in the generality of the wording and not the specificity of the cause. That is because when the wording "Mushrikoon" is presented like this by itself, it encompasses the Ahl ul-Awthan (pagans or idol worshippers), the Majus and the Ahl ul-Kitab. As such, Imam Ash-Shafi'y has no evidential argument in respect to his claim that it is specific to the Ahl ul-Kitab.

وخاصاً: يكاد أن يكون من المؤكد أن النبي، عليه وعلى آله الصلاة والسلام، كرره بلفظه في أكثر من مناسبة: فمثلاً بُرَيْدَةُ بْنُ الْحُصَيْنِ، رضي الله عنه، كان فارساً مقدماً، شهد غزوة خيبر، والفتح المكي المجيد، وكان معه اللواء؛ وكان في جيش علي بن أبي طالب، صلوات الله عليه، عندما بعثه النبي، عليه وعلى آله الصلاة والسلام، إلى اليمن على جيش (وخالد على جيش، فإذا اجتمع الجيشان كان علي على الجماعة)، وكان يحمل لواء بعث أسامة بن زيد: فالمناسبات كثيرة لمثل هذه الوصية النبوية الخطيرة. على أن لفظة الرواية: (كَانَ رَسُولُ اللَّهِ، صلى الله عليه وسلم، إِذَا أَمَرَ أَمِيرًا عَلَى جَيْشٍ أَوْ سَرِيَّةٍ)، تشعر بأن هذه الوصية الخطيرة تتكرر بعينها لكل سرية أو جيش، والله أعلم.

Fifthly: It almost certain that the Prophet ﷺ repeated it (this speech) with its same wording on more than one occasion. For example, Buraidah bin Al-Husaib, may Allah be pleased with him, was a courageous cavalryman who was present at the Ghazwah of Khaibar and the glorious conquest of Makkah where he carried the standard. He was also in the army of 'Ali bin Abi Talib, may the blessings of Allah be upon, when the Prophet ﷺ sent him to Yemen in charge of an army, where Khalid was in charge of another army and when both were together 'Ali was in overall command. In addition, he carried the standard of the expedition of Usamah bin Zaid. As can be seen, there were many occasions for this momentous Prophetic exhortation to have been given. In addition, the wording of the narration: "When the Messenger of Allah ﷺ used to appoint an Ameer over an army or military expedition" gives the impression that this very same momentous exhortation was repeated for each military expeditionary force and army, and Allah is All Knowledgeable.

✽ **حديث مرسل خامس عن أبي بكر الصديق، رضوان الله وسلامه عليه:**

✽ وجاء في السنن الكبرى للبيهقي (9/145/18125): [أَخْبَرَنَا أَبُو نَصْرِ عُمَرُ بْنُ عَبْدِ الْعَزِيزِ بْنِ قَتَادَةَ، أَنبَأَ أَبُو الْفَضْلِ مُحَمَّدُ بْنُ عَبْدِ اللَّهِ بْنِ خَمِيرٍ وَيَهُ الْكَرَابِيسِيُّ الْهَرَوِيُّ بِهَا، أَنبَأَ أَحْمَدُ بْنُ نَجْدَةَ، حَدَّثَنَا الْحَسَنُ بْنُ الرَّبِيعِ، حَدَّثَنَا عَبْدُ اللَّهِ بْنُ الْمُبَارَكِ، عَنْ يُونُسَ بْنِ يَزِيدَ، عَنْ ابْنِ شِهَابٍ، عَنْ سَعِيدِ بْنِ الْمُسَيَّبِ، أَنَّ أَبَا بَكْرٍ رَضِيَ اللَّهُ عَنْهُ لَمَّا بَعَثَ الْجُنُودَ نَحْوَ الشَّامِ يَزِيدَ بْنَ أَبِي سُفْيَانَ، وَعَمَرُوهُ بَنَ الْعَاصِ، وَشُرَحْبِيلَ ابْنَ حَسَنَةَ، قَالَ: لَمَّا رَكِبُوا مَشَى أَبُو بَكْرٍ مَعَ أَمْرَاءِ جُنُودِهِ يُودِعُهُمْ حَتَّى بَلَغَ ثَنِيَّةَ الْوَدَاعِ، فَقَالُوا: يَا خَلِيفَةَ رَسُولِ اللَّهِ، أَتَمَشِي وَنَحْنُ رُكْبَانُ؟ فَقَالَ: (إِنِّي أَحْتَسِبُ خُطَايَ هَذِهِ فِي سَبِيلِ اللَّهِ). ثُمَّ جَعَلَ يُوصِيهِمْ، فَقَالَ: "أَوْصِيكُمْ بِتَقْوَى اللَّهِ، اغْرَوْا فِي سَبِيلِ اللَّهِ فَقَاتِلُوا مَنْ كَفَرَ بِاللَّهِ، فَإِنَّ اللَّهَ نَاصِرٌ دِينَهُ، وَلَا تَغْلُوا، وَلَا تَعْدِرُوا، وَلَا تَجْبُوا، وَلَا تُفْسِدُوا فِي الْأَرْضِ، وَلَا تَعْصُوا مَا تُؤْمَرُونَ، فَإِذَا لَقِيتُمُ الْعَدُوَّ مِنَ الْمُشْرِكِينَ إِنْ شَاءَ اللَّهُ فَادْعُوهُمْ إِلَى ثَلَاثِ خِصَالٍ، فَإِنْ هُمْ أَابُوكَ فَأَقْبِلُوا مِنْهُمْ وَكُفُّوا عَنْهُمْ، ادْعُوهُمْ إِلَى الْإِسْلَامِ، فَإِنْ هُمْ أَابُوكَ فَأَقْبِلُوا مِنْهُمْ وَكُفُّوا عَنْهُمْ، ثُمَّ ادْعُوهُمْ إِلَى التَّحَوُّلِ مِنْ دَارِهِمْ إِلَى دَارِ الْمُهَاجِرِينَ، فَإِنْ هُمْ فَعَلُوا فَأَخْبِرُوهُمْ أَنَّ لَهُمْ مِثْلَ مَا لِلْمُهَاجِرِينَ وَعَلَيْهِمْ مَا عَلَى الْمُهَاجِرِينَ، وَإِنْ هُمْ دَخَلُوا فِي الْإِسْلَامِ وَاخْتَارُوا دَارَهُمْ عَلَى دَارِ الْمُهَاجِرِينَ فَأَخْبِرُوهُمْ أَنَّهُمْ كَأَعْرَابِ الْمُسْلِمِينَ، يَجْرِي عَلَيْهِمْ حُكْمُ اللَّهِ الَّذِي فَرَضَ عَلَى الْمُؤْمِنِينَ، وَلَيْسَ لَهُمْ فِي الْقِيَاءِ وَالْغَنَائِمِ شَيْءٌ حَتَّى يَجَاهِدُوا مَعَ الْمُسْلِمِينَ، فَإِنْ هُمْ أَبَوْا أَنْ يَدْخُلُوا فِي الْإِسْلَامِ فَادْعُوهُمْ إِلَى الْجَزْيَةِ، فَإِنْ هُمْ فَعَلُوا فَأَقْبِلُوا مِنْهُمْ وَكُفُّوا عَنْهُمْ، وَإِنْ هُمْ أَبَوْا فَاسْتَعِينُوا بِاللَّهِ عَلَيْهِمْ فَقَاتِلُوهُمْ. إِنْ شَاءَ اللَّهُ، وَلَا تُغْرِقُنَّ نَخْلًا وَلَا تَحْرِقْنَهَا، وَلَا تَعْقِرُوا بَهِيمَةً، وَلَا شَجَرَةً ثَمَرًا، وَلَا تَهْدِمُوا بَيْعَةً، وَلَا تَقْتُلُوا الْوِلْدَانَ وَلَا الشُّيُوخَ وَلَا النِّسَاءَ، وَتَسْجُدُونَ أَقْوَامًا حَبَسُوا أَنْفُسَهُمْ فِي الصَّوَامِعِ فَادْعُوهُمْ وَمَا حَبَسُوا أَنْفُسَهُمْ لَهُ، وَتَسْجُدُونَ آخِرِينَ اتَّخَذَ الشَّيْطَانُ فِي رُءُوسِهِمْ أَفْحَاصًا، فَإِذَا وَجَدْتُمْ أُولَئِكَ فَاضْرِبُوا أَعْنَاقَهُمْ إِنْ شَاءَ اللَّهُ" (!؟).

- **A fifth Mursal Hadith related from Abu Bakr As-Siddeeq, may the pleasure and peace of Allah be upon him:**

- The following was recorded in "As-Sunan Al-Kubra", Al-Baihaqi (9/145/18125): [Abu Nasr 'Umar bin Abdul 'Aziz bin Qatadah informed us: Abu I-Fadl Muhammad bin Abdullah bin Khamirawaih Al-Karabisi Al-Harawiy told (or informed us) of it: Ahmad bin Najdah informed: Al-Hasan bin Ar-Rabee' related to us: Abdullah bin Al-Mubarak related to us from Yunus bin Yazid, from Ibn Shihab, from Sa'eed bin Al-Musayyib: That Abu Bakr, may Allah be pleased with him, (concerning) when he dispatched the soldiers to Ash-Sham (Greater Syria): Yazid bin Abi Sufyan, 'Amr bin Al-'Aas and Shurahbil bin Hasanah: He (the narrator) said: When they rode, Abu Bakr walked with the commanders of his troops to see them off until they reached (the location of) Thaniyat ul-Wadaa'. They then said: "O Khalifah (successor) of the Messenger of Allah, do you walk whilst we are riding?" He said: "I hope that these steps of mine will be counted as being in the path of Allah". He then went on to exhort them, saying: "I exhort you with the fear and consciousness of Allah (Taqwa). Go forth for battle in the way of Allah. Fight those who have disbelieved in Allah for verily Allah will support His Deen. And do not misappropriate the spoils of war, do not betray, be cowardly, cause corruption in the earth and do not disobey what you have been commanded. Then, if you meet your enemy from the polytheists by Allah's permission, invite them to three options. If they respond affirmatively to you, then accept that from them and desist from (fighting) them. Invite them to Islam. If they then respond affirmatively, accept it from them and desist from them. Then call them to change their Dar (land) to Dar ul-Muhajirin (Land of the Emigrants). If they then do that, accept it from them and inform them that they have the same rights of the emigrants and the same duties of the emigrants. And if they chose to enter

Islam but choose their (own) land, then inform them that they are like the Arab Bedouin Muslims, the ruling of Allah will apply upon them which has been made obligatory upon the believers, but they will not have anything from the Fai' and Ghaneemah (the spoils of war and booty), unless they partake in the Jihad alongside the Muslims. Then, if they refuse to enter Islam, call them to the Jizyah. If they do that, then accept it from them and desist from them. If they then refuse (that), seek the help of Allah and fight them, by the permission of Allah. And do not destroy date-palm trees and do not burn them, don't wound a beast (animal) nor damage a fruit bearing tree. Do not destroy a church and do not kill a child, the elderly or women. And you will come across peoples who have confined themselves in the temples, so leave them and what they have confined themselves to. You will also come across others whom the devils have made nests in their heads, so, if you come across those, strike their necks by the permission of Allah"] (!?)

* ولكن جاء بعدها فوراً في السنن الكبرى للبيهقي (18126/145/9): [أَخْبَرَنَا أَبُو عَبْدِ اللَّهِ الْحَافِظُ، وَأَبُو سَعِيدٍ بْنُ أَبِي عَمْرٍو، قَالَا: حَدَّثَنَا أَبُو الْعَبَّاسِ مُحَمَّدُ بْنُ يَعْقُوبَ، قَالَ: سَمِعْتُ عَبْدَ اللَّهِ بْنَ أَحْمَدَ بْنَ حَنْبَلٍ، يَقُولُ: سَمِعْتُ أَبِي يَقُولُ: هَذَا حَدِيثٌ مُنْكَرٌ مَا أَظُنُّ مِنْ هَذَا شَيْئًا، هَذَا كَلَامُ أَهْلِ الشَّامِ، أَنْكَرَهُ أَبِي عَلَى يُونُسَ مِنْ حَدِيثِ الزُّهْرِيِّ، كَأَنَّهُ عِنْدَهُ مِنْ يُونُسَ، عَنْ غَيْرِ الزُّهْرِيِّ]؛
- وهما في تاريخ دمشق لابن عساكر (76/2): [أخبرنا أبو القاسم الشحامي أخبرنا أبو بكر البيهقي،.. فساق الخبرين بعينهما].

- However, immediately after this the following was recorded in "As-Sunan Al-Kubra", Al-Baihaqi (9/145/18126): [Abu Abdullah Al-Hafizh and Abu Sa'eed bin Abi 'Amr both informed us: They said: Abu I-'Abbas Muhammad bin Ya'qub related to us: He said: I heard Abdullah bin Ahmad bin Hanbal saying: I heard my father saying: This Hadith is Munkar (rejected). I do not think there is anything to be gained from this. This is the speech of Ahl ush-Sham (People of Greater Syria). My father rejected it from Yunus via the path of the Hadith of Az-Zuhriy. It is as if he had it (the Hadith) from Yunus from a path other than Az-Zuhriy]

- And the two (reports) are in "Tarikh Dimashq", Ibn 'Asakir (2/76): [Abu I-Qasim Ash-Shahhamiy informed us: Abu Bakr Al-Baihaqi informed us ... He then presented the very same two reports].

قلت: أولاً: استشكل الإمام أحمد له وجاهته، ولكن ليس فيه بيان كيف أقحمت الفقرة المتوسطة (الملونة بالأحمر أعلاه) في كلام أبي بكر؟! على أن الإمام أحمد ليس بمن يعتد برأيه في مرويات التاريخ، والمغازي.

I say: Firstly: As for the objection raised by Imam Ahmad, it has its merit, however, it does not explain how the middle paragraph (which we have highlighted in red) came to appear in the speech of Abu Bakr? Although, (in any case) Imam Ahmad is not from those whose opinion is relied upon in relation to the narrated reports of history and history of the battles (Maghazi).

وثانياً: من المعلوم أن يونس بن يزيد أصله من أيلة (التي تسمى الآن: إيلات أو العقبة)، وقد صحب الزهري اثنتي عشر سنة، أو أكثر. وهو، وإن تكلم بعضهم في حفظه، إلا أنه صاحب كتاب، وكتابه صحيح: وهذه من كتاب، كما يظهر من رواية الإمام عبد الله بن المبارك لهذا. ويونس بن يزيد معدود في أثبت أصحاب الزهري: وقال الإمام عبد الله بن المبارك: (مَا رَأَيْتُ أَحَدًا أَرَوَى عَنِ الزُّهْرِيِّ مِنْ مَعْمَرٍ، إِلَّا مَا كَانَ مِنْ يُونُسَ، فَإِنَّهُ كَتَبَ كُلَّ شَيْءٍ)، والإمام عبد الله بن المبارك قد لقي الرجلين، وعرفهما. وقال الإمام أبو زكريا يحيى بن معين: (أَثْبَتُ النَّاسَ فِي الزُّهْرِيِّ: مَالِكٌ، وَمَعْمَرٌ، وَيُونُسُ، وَعُقَيْلٌ، وَشُعَيْبٌ، وَابْنُ عُيَيْنَةَ). وأما علي بن المديني فيقول: (أَثْبَتُ النَّاسَ فِي الزُّهْرِيِّ: سُفْيَانُ بْنُ عُيَيْنَةَ، وَزِيَادُ بْنُ سَعْدٍ، ثُمَّ مَالِكٌ، وَمَعْمَرٌ، وَيُونُسُ مِنْ كِتَابِهِ). وقال الإمام أحمد بن صالح المصري: (نَحْنُ لَا نُقَدِّمُ عَلَى يُونُسَ فِي الزُّهْرِيِّ أَحَدًا، كَانَ الزُّهْرِيُّ يَنْزِلُ إِذَا قَدِمَ أَيْلَةَ عَلَيْهِ، وَإِذَا سَارَ إِلَى الْمَدِينَةِ، زَامَلَهُ يُونُسُ).

Secondly: It is known that Yunus bin Yazid is originally from Aylah (which is called Eilat or Aqabah today) and that he accompanied Az-Zuhriy for twelve years or more. Even though some have spoken about his memory, he was nevertheless someone who possessed a book (or writing) and his writing is Sahih (authentic). This narration is from his book as is apparent from Imam Abdullah bin Mubarak' narration of it. Yunus bin Yazid is counted to be from among the most reliable of the companions of Az-Zuhriy. Imam Abdullah bin Mubarak said: [I have not seen someone who related more from Az-Zuhriy than Ma'mar, with the exception of what came from Yunus, as he **wrote down** everything]. Imam Abdullah bin Mubarak had met both men and knew them. Imam Abu Zakariya Yahya bin Ma'een said: [The most reliable of people in relation to Az-Zuhriy (are): Malik, Ma'mar, Yunus, 'Uqail, Shu'aib and 'Uyainah]. As for 'Ali bin Al-Madeeni, then he said: [The most reliable of people in respect to Az-Zuhriy (are): Sufyan bin 'Uyainah, Ziyad bin Sa'd, then Malik, Ma'mar and Yunus **from his book**]. And Imam Ahmad bin Salih Al-Misriy said: [We do not advance anyone over Yunus in respect to Az-Zuhriy. Az-Zuhriy would stay with him when he went to Aylah and if he went to Al-Madinah would accompany him].

وعليه فإني أستخير الله وأقول: أن يونس قد استمع الخبر أعلاه من الزهري في جلسة مذاكرة، وليس في مجلس تحديث عام، فلا يستغرب أن يتفرد به يونس. وكان موضوع المذاكرة تشييع أبي بكر، رضي الله عنه، بعودته إلى الشام، ووصيته لهم. وفي منتصف رواية الزهري لكلام أبي بكر، تذكر الزهري - بعد نسيان طويل مستمر، أن سعيداً - أو غيره - حدثه بما كان النبي، عليه وعلى آله الصلاة والسلام، يوصي به قادة الجيوش والسرايا، فخشى أن يتفقت هذا من ذهنه، ففقط كلام أبي بكر (ربما قائلًا: وقد حدثني سعيد أن رسول الله، صلى الله عليه وسلم، كان إذا أمر أميراً على جيش دعاه فأمره بتقوى الله وبمن معه من المسلمين خيراً)، وذكر نص كلام النبي، عليه وعلى آله الصلاة والسلام، الذي سمعه من سعيد. ولما فرغ من كلام النبي، عليه وعلى آله الصلاة والسلام، أكمل نص كلام أبي بكر، كما هو بين من السياق.

ووقوع مثل هذا لا يكاد يخلو منه أحد من البشر، ومن أعجب أمثلته ما ذكره الله، جل جلاله في القرآن: (وَقَالَ لِلَّذِي ظَنَّ أَنَّهُ نَاجٍ مِنْهُمَا ادْكُرْنِي عِنْدَ رَبِّكَ **فَأَنسَاهُ الشَّيْطَانُ** ذِكْرَ رَبِّهِ فَلَبِثَ فِي السَّجْنِ بِضْعَ سِنِينَ) (42)؛... الآيات، إلى قوله: وَقَالَ الَّذِي نَجَا مِنْهُمَا **وَادْكُرْ بَعْدَ أَمَةٍ**: أَنَا أَنْبِئُكُمْ بِتَأْوِيلِهِ فَأَرْسِلُونِ (45)، (يوسف؛ 12: 42، 45).

In any case, whilst seeking the right direction from Allah I say: That Yunus had heard the aforementioned reported narration from Az-Zuhriy in a study session and not a public Hadith lesson, and consequently there is nothing strange about Yunus being alone in respect to relating it. The subject of the study session was Abu Bakr, may Allah be pleased with him, sending off his dispatched military forces to Ash-Sham and his exhortation to them. Then in the middle of the narration of Az-Zuhriy of the speech of Abu Bakr, may Allah be pleased with him, Az-Zuhriy remembered, after having forgotten, that Sa'eed (or someone else) had related to him what the Prophet ﷺ used to exhort the commanders of his armies and military expeditionary forces with. He then feared that this would escape his mind and so interrupted the speech of Abu Bakr (perhaps saying: Sa'eed related to me that: When the Messenger of Allah ﷺ used to appoint a commander over an army, he would summon him and command him with the fear and consciousness (Taqwaa) of Allah and to be good with the Muslims accompanying him). He then mentioned the text of the speech of the Prophet ﷺ which he heard from Sa'eed. Then when he concluded the speech of the Prophet ﷺ, he completed the text of the speech of Abu Bakr, as is evident from the context.

Such an occurrence happens to nearly every person and from the most marvellous examples of it is what Allah تعالى mentioned in the Qur'an:

وَقَالَ لِلَّذِي ظَنَّ أَنَّهُ نَاجٍ مِّنْهُمَا اذْكُرْنِي عِنْدَ رَبِّكَ فَأَنَسَاهُ الشَّيْطَانُ ذِكْرَ رَبِّهِ فَلَبِثَ فِي السِّجْنِ بِضْعَ سِنِينَ ... وَقَالَ الَّذِي نَجَا مِّنْهُمَا وَادَّكَرَ بَعْدَ أُمَّةٍ أَنَا أُنَبِّئُكُمْ بِتَأْوِيلِهِ فَأَرْسِلُونِ

And he said to the one whom he knew would go free: "Mention me before your master". But Satan made him forget the mention [to] his master, and Yusuf remained in prison several years (42) ... But the one who was freed and remembered after a time said: "I will inform you of its interpretation, so send me forth" (45) (Yusuf: 42 and 45).

وهناك احتمال آخر □ ود أقوى: وهو أن أبا بكر اقتبس وصية النبي، عليه وعلى آله الصلاة والسلام، لأمر السرايا والجيوش، بأحرفها، وجعلها جزءاً من وصيته: فبدأ بمقدمة، ثم ساق الوصية النبوية، (وربما قال: وأوصيكم كما كان النبي يوصي بعهده، فيقول: ... إلخ، ولكن الرواة لم يضبطوا ذلك)؛ ثم أضاف أبو بكر بمزيد بيان لما يجب الامتناع منه من الفساد والعدوان، وكيفية التعامل مع الرهبان المعتزلين المسالمين، واصناف معينة معلومة من الرهبان المقاتلين (الذين اتَّخَذَ الشَّيْطَانُ فِي رُءُوسِهِمْ أَفْخَاصًا)؟!.

There is however another possibility which is better and stronger: It is that Abu Bakr took word for word the exhortation employed by the Prophet ﷺ to the commanders of the armies and military expeditions and made it a part of his own exhortation. So, he began with an introduction, then presented the Prophetic exhortation (where perhaps he said: And I exhort you just like the Prophet ﷺ used to exhort his dispatched

expeditions, when he would say: "... etc", however, the narrators did not retain that). Then Abu Bakr added further explanation of what must be refrained from in terms of acts of corruption and aggression, in addition to how to deal with the peaceful secluded monks and particular known categories of fighting monks: "Those whom the devils have made nests in their heads"?!

(Note: Allah is most knowledgeable)

وأيا ما كان الأمر: فهذه إذا طريق أخرى مرسل، بإسناد غاية في الصحة، إلى سعيد بن المسيب: فإن كانت عن أبي بكر، رضوان الله وسلامه عليه، كما هو القوي الراجح، فهذا حديث خامس، بإسناد في غاية القوة، ولكنه مرسل، ومراسيل سعيد بن المسيب صحاح جياذ في الجملة.

Whatever the case may be, this is then **another Mursal path with an Isnad of the utmost level of Sihhah (authenticity) to Sa'eed bin Al-Musayyib**. If it originated from Abu Bakr, may the pleasure and peace of Allah be upon him, which is the strong preponderant view, then this represents **a fifth Hadith**, with an Isnad of the utmost level of strength, albeit Mursal, whilst the Mursal narrations of Sa'eed bin Al-Musayyib are in sum Sahih and Jayyid.

وإن كان عن بريدة بن الحصيب، أو زيد بن أرقم، أو ابن عباس، وكل هؤلاء قد أدركهم سعيد وعاصروهم زمنا طويلا، وإنما فاتته فقط النعمان بن مقرن، فبها ونعمت؛ وزيادة خير وبركة، ومتابعة لبعض الأسانيد آنفة الذكر، تزيدها قوة.

وإن كانت مرسل عن غيرهم من الصحابة، ممن حضر وسمع وشهد، سوى أبي بكر الصديق، خليفة رسول الله، والنعمان بن مقرن، فحديث خامس، بإسناد في غاية القوة، ولكنه مرسل، ومراسيل سعيد بن المسيب صحاح جياذ في الجملة، كما أسلفنا.

وإن كانت مرسل عن النعمان بن مقرن، فمتابعة ثالثة، بإسناد في غاية القوة، ولكنه مرسل، ومراسيل سعيد بن المسيب صحاح جياذ في الجملة، كما أسلفنا.

And if it had been related from Buraidah bin Al-Husaib, Zaid bin Arqam, or Ibn 'Abbas, all of whom Sa'eed had met and lived during the same time of, in the case where he only missed An-Nu'man bin Muqarrin, then this is all well and good, reflecting an additional source of goodness and blessing, corroborating some of the previously mentioned chains of transmission and increasing their strength.

And even if it was a Mursal narration leading back to other than them from the Sahabah, from among those who were present and witnessed, whether that was Abu Bakr, the Khalifah (successor) of the Messenger of Allah ﷺ, or An-Nu'man bin Muqarrin, it represents **a fifth Hadith**, with an isnad (chain of transmission) of the utmost strength, albeit Mursal, in the case where the Mursal narrations of Sa'eed bin Al-Musayyib are as a whole Sahih and Jayyid, as previously stated.

If it was Mursal from An-Nu'man bin Muqarrin, then it is a third corroboration, with an Isnad of the utmost strength, albeit Mursal, in the case where the Mursal narrations of Sa'eed bin Al-Musayyib are as a whole Sahih and Jayyid, as we have previously stated.

✽ حديث مرسل سادس عن أنمة آل لبیت، رضوان الله وسلامه عليهم:

* كما هو في كتاب الكافي للكليني (8/77/235): [علي بن إبراهيم عن هارون بن مسلم عن مسعدة بن صدقة عن أبي عبد الله (عليه السلام) قال إن النبي (صلى الله عليه وآله) كان إذا بعث أميراً له على سرية أمره بتقوى الله عز وجل في خاصته نفسه ثم في أصحابه عامة ثم يقول أغز بسم الله وفي سبيل الله قاتلوا من كفر بالله ولا تغدروا ولا تغلوا وتمثلوا ولا تقتلوا وليداً ولا متبيلاتاً في شاهق ولا تحرقوا النخل ولا تغرقوه بالماء ولا تقطعوا شجرة مثمرة ولا تحرقوا زرعاً لأنكم لا تدرون لعنكم تحتاجون إليه ولا تعفروا من البهائم ممّا؛ يؤكل لحمه إلا ما لا بدّ لكم من أكله وإذا لقيتم عدواً للمسلمين فادعوه إلى إحدى ثلاث فإن هم أجابوكم إليها فاقبلوا منهم وكفوا عنهم ادعوه إلى الإسلام فإن دخلوا فيه فاقبلوه منهم وكفوا عنهم وادعوه إلى الهجرة بعد الإسلام فإن فعلوا فاقبلوا منهم وكفوا عنهم وإن أبوا أن يهاجروا واختاروا ديارهم وأبوا أن يدخلوا في دار الهجرة كانوا بمنزلة أعراب المؤمنين يجري عليهم ما يجري على أعراب المؤمنين ولا يجري لهم في ألفي ء ولا في القسمة شيء إلا أن يهاجروا في سبيل الله فإن أبوا هاتين فادعوه إلى إعطاء الجزية عن يد وهم صاغرون فإن أعطوا الجزية فاقبل منهم وكف عنهم وإن أبوا فاستعين الله عز وجل عليهم وجاهدوهم في الله حق جهاده وإذا حاصرت أهل حصن فأرادوك على أن ينزّلوا على حكم الله عز وجل فلا تنزل لهم ولكن أنزلهم على حكمكم ثم افض فيهم بعد ما شئتم فإنكم إن تركتموهم على حكم الله لم تدروا نصيبوا حكم الله فيهم أم لا وإذا حاصرت أهل حصن فإن أدنوك على أن تنزلهم على ذمة الله وذمة رسوله فلا تنزلهم ولكن أنزلهم على ذمتكم وذمة آبائكم وإخوانكم فإنكم إن تخفروا ذمتكم وذمة آبائكم وإخوانكم كان أيسر عليكم يوم القيامة من أن تخفروا ذمة الله وذمة رسوله (صلى الله عليه وآله)؛

- وهو في تهذيب الأحكام للشيخ الطوسي [(177/13) - (232) 2]: [عنه عن علي بن إبراهيم عن هارون بن مسلم عن مسعدة ابن صدقة عن أبي عبد الله (عليه السلام) قاله بعينه حرفاً حرفاً]؛
- وهو في وسائل الشيعة [(آل البيت) (104/61) - (19986) 3]: [وعنه، عن هارون بن مسلم، عن مسعدة بن صدقة، عن أبي عبد الله (عليه السلام) قاله بعينه حرفاً حرفاً].

- A sixth Mursal Hadith from the Imams of Aali I-Bait, may the pleasure and peace of Allah be upon them:

- It was recorded as follows in "Kitab Al-Kafi" of Al-Kulaini (235/77/8): [‘Ali bin Ibrahim from Harun bin Muslim, from Mas’adah bin Sadaqah, from Abu Abdullah (peace be upon him): He said: When the Prophet ﷺ used to dispatch an Ameer of his over a military expedition, he would command him with the fear and consciousness (Taqwaa) of Allah (‘Azza Wa Jalla) in respect to himself and then in relation to his companions generally. He would then say: “Go forth for battle in the name of Allah and in the way of Allah. Fight those who have disbelieved in Allah, and do not betray, do not misappropriate the spoils of war, do not mutilate, do not kill a child nor a worshipper in a high place, do not burn the date palm trees nor flood them with

water. Do not cut a fruit bearing tree and do not burn crops because you do not know if you may have a need for them. And do not slaughter animals the meat of which is eaten unless it is necessary for you to eat it. And if you encounter an enemy of the Muslims, invite them to one of three choices. If they respond affirmatively to you in respect to them, then accept it from them and desist from (fighting) them. Invite them to Islam. If they enter into it, accept it from them and desist from them. And invite them to transform (or change) to Al-Hijrah after Islam. If they do that, accept it from them and desist from them. And if they refuse to migrate and choose their own lands (i.e. to remain in) and refuse to enter in the Dar ul-Hijrah (land of migration), they would have the standing of the Arab Bedouin believers; what applies to the Bedouin believers applies upon them and they will not have any share in the Fai' (spoils of war) or Qismah (division of spoils/booty) unless they migrate in the way of Allah. And if they refuse these two (options), then call them to give the Jizyah by their hands willing in a state of being subdued. If they give the Jizyah, accept that from them and desist from them. And if they refuse (even that), then seek the help of Allah ('Azza Wa Jalla) against them and make Jihad against them in the way of Allah to your utmost. And if you have besieged a fortified people and they want you to allow them to surrender upon the Hukm (ruling/judgement) of Allah ('Azza Wa Jalla), then don't allow them to surrender (upon that). Rather, allow them to surrender upon your own judgement. Then pass judgement amongst them after that as you wish. That is because if you left them upon the Hukm (judgement) of Allah, you would not know if you have acted correctly in accordance with the judgement of Allah in relation to them or not. And if you have besieged a fortified people and they wish you to allow them to surrender upon the (basis of the) Dhimmah (guarantee of protection) of Allah and the Dhimmah of His Messenger, then don't allow them to surrender (upon that). Rather, allow them to surrender upon your Dhimmah (guarantees of protection) and the Dhimmah of your fathers and brothers. Then if you fail in your Dhimmah (guarantees of protection) and those of your fathers and brothers, that will be easier for you in the Day of Judgement, than if you were to fail in respect to the Dhimmah of Allah and the Dhimmah of His Messenger (ﷺ)].

- And it also came recorded in "Tahdheeb Al-Ahkam", Ash-Sheikh At-Tousiy [13/177 – (232) 2]: [From him from 'Ali bin Ibrahim, from Harun bin Muslim, from Mas'adah ibn Sadaqah, from Abu Abdullah (peace be upon him): He said it exactly the same, word for word].

- And in "Wasaa'il Ash-Shi'ah" [(Aali I-Bait) (61/104) – (19986) 3]: [And from him, from Harun bin Muslim, from Mas'adah bin Sadaqah, from Abu Abdullah (peace be upon him): He said it exactly the same, word for word].

وعليه فإن الخلاصة هي: أن هذا الحديث – حديث بُرَيْدَةَ بْنِ الْحُصَيْنِ - في جوهره، بل وفي معظم جملة وألفاظه، ثابت متواتر، لا محيص من القطع بصدوره هكذا من النبي، عليه وعلى آله الصلاة والسلام: لا يردده إلا مجنون أو كافر، لا سيما مع انسجامه كل الانسجام مع القرآن العظيم.

The conclusion is therefore: That this Hadith, the Hadith of Buraidah bin Al-Husaib, in its essence and indeed in respect to most of its sentences and wordings, is Thabit (firmly established), Mutawatir (definite in its concurrent transmission) and can only be definite that it came like this from the Prophet ﷺ. None apart from the insane or disbeliever would reject it and particularly due to **its complete harmony** with the Qur'an Al-'Azheem.

والحديث بيان تام – بحمد الله - يحسم أهم كبرى القضايا الخلافية حول (القتال):
 - فالقتال يكون لمن كفر بالله (اغزوا باسم الله، في سبيل الله، وقَاتِلُوا مَنْ كَفَرَ بِاللَّهِ)، لا فرق بين كتابي أو مجوسي أو عابد وثن، وكل من كفر بالله ففيه نوع من الشرك، ضرورة ولا بد: فهو مستحق لمسمى: (المشرك)، على كل حال، كما بيناه أعلاه.

The Hadith represents a complete explanation, Al-Hamdu Lillah, settling the most important major issues of disagreement concerning Al-Qitaal (fighting):

- The fighting is undertaken against those who have disbelieved in Allah: “Go out to fight in the name of Allah, in the way of Allah and fight those who have disbelieved in Allah”. There is no difference between the people of the book, the Majus or those who worship idols. Everyone who has disbelieved in Allah has by necessity and inevitably in them a type or category of Shirk (association with Allah). Such a person, in any event, is therefore deserving of being called “Mushrik” (polytheist), as previously explained.

- والقتال لا يكون إلا لمن كان معاديا: (عَدُوٌّكَ مِنَ الْمُشْرِكِينَ): فليس الموادع، الذي لم يبدأ عدوانا قط، عدوا مستحقا للقتال (كأهل الحبشة، وكذلك الترك والهند والصين أيام النبي، عليه وعلى آله الصلاة والسلام)، ولا المعاهد، المقيم على عهده، كقريش أيام صلح الحديبية قبل انتقاضه.

- Al-Qitaal (fighting) does not take place except against the one who is hostile: “Your enemy from the Mushrikeen”. Therefore, the Muwaadi’ (one at peace), who has not at all initiated an act of hostility or aggression, is not an enemy deserving of being fought against: Like the people of Al-Habashah (Abyssinia), Turks, India and China during the time of the Prophet ﷺ. Similarly, the Mu’aahad (one under agreement) who remains upon the terms of the agreement, is not fought, like the Quraish after the treaty of Hudaibiyah prior to their violation of the agreement.

- وكل الكفار والمشركين (لا فرق بين كتابي، أو مجوسي، أو زنديق ثنوي، أو عابد وثن، أو ملحد دهرى) يدعون إلى الإسلام: فإن أجابوا، دعوا لحمل تابعة دار المهاجرين (دولة الخلافة)، وهو الأفضل والأطيب، ولكنه ليس بواجب: فلهم أن يبقوا كيانا مستقلا، له تابعة مستقلة، دارهم دار إسلام وإيمان، تسري عليهم أحكام الله تعالى التي تسري على جميع المؤمنين، ولهم ذمة مالية خاصة، وبيت مال خاص بهم، وملكية عامة لما يقع في أراضيهم من أصناف الملكية العامة (النفط والغاز والمعادن الثمينة... إلخ)، وليس لهم شيء في بيت مال دار المهاجرين، ولا لما يقع في تلك الدار من أصناف الملكية العامة (المياه، النفط والغاز والمعادن الثمينة... إلخ)، إلا إذا كانت لهم مشاركة في قتال أو نحوه، فيكون لهم سهم في الفيء؛ أو شاركوا في شيء من أصناف الملكية العامة تملكا أو استخراجا فيكون لهم نصيب بالمعروف. ومن باب أولى ينطبق هذا – حرفا بحرف – على علاقتهم بكل دار مستقلة من دور الأعراب المسلمين الأخرى.

- All the disbelievers (Kuffar) and polytheists (Mushrikeen), with no difference between the person of the book, Majus, Zindiq Thanawiy, idol worshipper, or atheist, are called to Islam. If they accept, they are then called to carry the subject or citizen status of Dar ul-Muhajirin (The land of the emigrants) (i.e., the Khilafah state), which represents the best and finest (outcome). However, it is not obligatory as they can remain as an independent (state) entity, possessing an independent citizenship, where their Dar (land) is Dar Islam (A land of Islam) and the rulings of Allah تعالى which apply upon all believers apply upon them. They have their own private financial obligation, private Bait ul-Maal (treasury) and public properties located on their territory in terms of the categories of publicly owned properties like oil, gas and valuable minerals etc. They have no right to the Bait ul-Maal (treasury) of the Dar ul-Muhajirin, nor to what is located within that land in terms of public properties like water, oil, gas and valuable minerals etc. That is unless they participate in the fighting or what is similar to that, in which case they would have a share in the Fai' (booty/spoils of war), or share in something related to the categories of publicly owned properties whether that is in terms of possession or extraction, in which case they would have a share in accordance with what is fair and customary. And by greater reason, this applies, word for word, to their relations with every independent land from among the other Muslim Arab (Bedouin) lands.

- (التحول لدار المهاجرين)، الذي هو عين (الانضمام لدولة الخلافة)، وإن كان هو الأفضل المستحب، هو فقط (حق) شرعي لهم، وليس (وإلا شرعياً) عليهم، يمارسونه تصرفاً، أي بالإرادة المنفرة، وليس عقداً لازماً، لا يجوز الانخلاع منه: وهذا هو (حق تقرير المصير)، حرفاً بحرف.

- And "The changing (or transforming) to Dar ul-Muhajirin" which is exactly the same as joining to become part of the Khilafah state, although being better and recommended, is only a Shar'iy "**right**" of theirs and not "**Shar'iy Wajib (obligation)**" upon them. They practise that by their own choice and will and it is not a binding contract which they are not permitted to rescind. This precisely reflects "**the right of self-determination**".

- فإن أبوا: فالجزية، وهذا يعني - في جوهره - بقاء كياناتهم مستقلاً بأحكامهم وشريعتهم: فدارهم (دار كفر) إذا، فيصبحوا أعضاء في تحالف اتحادي (اتحاد كونفيدرالي): فدارهم دار عهد وأمان، وليست (دار حرب) أصلاً (وإيضاح ذلك وتفصيله تجده في بحثنا المعنون: (صحيفة المدينة الدستورية)، وهو منشور بأيدي الناس؛ وكذلك: (معاهدة نجران)، وستنشر قريباً، بإذن الله).

- And if they reject, then Al-Jizyah. This in essence means remaining independent in their entities with their (own) rulings and legislations. Consequently, their Dar (land) is then a "**Dar Kufr**" (Land of disbelief). They then become members of a federal alliance: "Confederation". Their land is therefore one of 'Ahd (covenant/treaty) and Amaan (security) and not "**Dar Harb**" (a land of war) at all. The clarification and details of that can be found in our research entitled "The Constitutional Document of Al-Madinah" which is available, in addition to "Mu'ahadah Najran" (The treaty of Najran) which we will publish soon by Allah's permission.

- وإلا فالقتال: وفي حالة التحصن، أو تعذر الحسم بالقتال: تجوز المفاوضة على صلح، أو أي شروط أخرى.

- Otherwise, it is Al-Qitaal (fighting): And in the case of (being confronted by) fortification or the situation of being unable to decidedly settle the issue by fighting, negotiating for a peace treaty or upon other conditions is permissible.

- ولا يجوز الاستمرار في القتال في حال عرضهم السلم التام بحيث تعود الحال إلى حال المسالمة والموادعة الأصلية الطبيعية (بما في ذلك، ضرورة ولا بد: جلاء القوات الغازية، وإنهاء الاستعمار الاستيطاني برحيل المستوطنين، إن وجد) كما هو حال الكيان الصهيوني الغاصب في فلسطين في زماننا، والمقاصة في الدماء والأموال، وإبطال أي (إكراه في الدين) وما شابه ذلك من لوازم السلم والموادعة الأصلية). وهذا، وإن لم يكن منصوحا عليه صراحة في هذه الأحاديث، إلا أنه فرض بموجب قوله، جل جلاله، وسما مقامه: **(وَإِنْ نَحْنُ لِلْسَّلَامِ فَلَنَنْحَ لَهَا، وَتَوَكَّلْ عَلَى اللَّهِ إِنَّهُ هُوَ السَّمِيعُ الْعَلِيمُ (61) وَإِنْ يُرِيدُوا أَنْ يَخْدَعُوكَ فَإِنَّ حَسْبَكَ اللَّهُ هُوَ الَّذِي آتَاكَ بِنَصْرِهِ وَبِالْمُؤْمِنِينَ (62))**، (الأنفال؛ 8: 61 - 62)، فهذا حكم خاص معلق بقيد، فلا يمكن نسخه بأي عموم أيا ما كان. لا سيما بملاحظة الآيات السابقات، التي تبين أن قبول السلم مأمور به حتى من شرار خلق الله وأخيثهم، حيث قال، جل جلاله، وسما مقامه: **(إِنَّ شَرَّ الدَّوَابِّ عِنْدَ اللَّهِ الَّذِينَ كَفَرُوا فَهُمْ لَا يُؤْمِنُونَ (55) الَّذِينَ عَاهَدَتْ مِنْهُمْ ثُمَّ يَنْفُضُونَ عَهْدَهُمْ فِي كُلِّ مَرَّةٍ وَهُمْ لَا يَتَّقُونَ (56) فَمَا تَنْفَقُهُمْ فِي الْحَرْبِ فَشَرَّدَ بِهِمْ مَنْ خَلَفَهُمْ لَعَلَّهُمْ يَذَّكَّرُونَ (57) وَإِمَّا تَخَافَنَّ مِنْ قَوْمٍ خِيَانَةً فَانْبِذْ إِلَيْهِمْ عَلَى سَوَاءٍ إِنَّ اللَّهَ لَا يُحِبُّ الْخَائِنِينَ (58) وَلَا يُحْسِبَنَّ الَّذِينَ كَفَرُوا سَبَقُوا إِنْهُمْ لَا يُعْجِزُونَ (59) وَأَعِدُوا لَهُمْ مَا اسْتَطَعْتُمْ مِنْ قُوَّةٍ وَمِنْ رِبَاطِ الْخَيْلِ تُرْهِبُونَ بِهِ عَدُوَّ اللَّهِ وَعَدُوَّكُمْ وَآخَرِينَ مِنْ دُونِهِمْ لَا تَعْلَمُونَهُمُ اللَّهُ يَعْلَمُهُمْ وَمَا تُنْفِقُوا مِنْ شَيْءٍ فِي سَبِيلِ اللَّهِ يُوَفَّ إِلَيْكُمْ وَأَنْتُمْ لَا تَظْلَمُونَ (60) وَإِنْ نَحْنُ لِلْسَّلَامِ فَلَنَنْحَ لَهَا وَتَوَكَّلْ عَلَى اللَّهِ إِنَّهُ هُوَ السَّمِيعُ الْعَلِيمُ (61))**، (الأنفال؛ 8: 55 - 61).

- And it is impermissible to continue fighting in the situation of them offering a complete (or full) peace in the case where the situation returns to the original and natural peaceful coexistence. Included within that, by inescapable necessity, is the withdrawal of invading forces, the end of colonisation and settlements with the departure of the settlers, if they exist (like the situation of the usurping Zionist entity of Palestine in our current time). It also means compensation in terms of blood and property, and the cancellation of any "coercion in respect to the Deen", in addition to what is similar to that from the original dictates of peace and accord. Even if this has not been stated explicitly within the text of these Ahadeeth, it is nevertheless obliged by the dictates of His statement, Glorified is His Majesty:

وَإِنْ جَنَحُوا لِلسَّلَامِ فَاجْتَحِ هَا وَتَوَكَّلْ عَلَى اللَّهِ ۚ إِنَّهُ هُوَ السَّمِيعُ الْعَلِيمُ * وَإِنْ يُرِيدُوا أَنْ يَخْدَعُوكَ فَإِنَّ حَسْبَكَ اللَّهُ ۚ هُوَ الَّذِي آتَاكَ بِنَصْرِهِ وَبِالْمُؤْمِنِينَ

And if they incline to peace, then incline to it (also), and rely upon Allah. Verily, He is the All-Hearer, the All-Knower * And if they intend to deceive you, then verily, Allah is All-Sufficient for you. He it is Who has supported you with His Help and with the believers (Al-Anfal: 61-62).

This is a specific ruling (Hukm Khaass) attached to a condition (Qaid) and therefore it is not possible to abrogate it by any generality (or general text) whatever it may be. That is especially the case when observing the prior verses which explain that the acceptance of peace is commanded even from the worst of the creation of Allah and the most despicable. That is where Allah, Glorified is His Majesty, stated:

إِنَّ شَرَّ الدَّوَابِّ عِنْدَ اللَّهِ الَّذِينَ كَفَرُوا فَهُمْ لَا يُؤْمِنُونَ (55) الَّذِينَ عَاهَدْتَ مِنْهُمْ ثُمَّ يَنْقُضُونَ عَهْدَهُمْ فِي كُلِّ مَرَّةٍ وَهُمْ لَا يَتَّقُونَ (56) فَإِذَا تَقَفَّيْتُمْ فِي الْحَرْبِ فَشَرِّدْ بِهِمْ مَنْ خَلَفَهُمْ لَعَلَّهُمْ يَذْكُرُونَ (57) وَإِذَا تَخَافَنَّ مِنْ قَوْمٍ خِيَانَةً فَانْبِذْ إِلَيْهِمْ عَلَى سَوَاءٍ إِنَّ اللَّهَ لَا يُحِبُّ الْخَائِنِينَ (58) وَلَا يَحْسَبَنَّ الَّذِينَ كَفَرُوا سَبَقُوا إِنَّهُمْ لَا يُعْجِزُونَ (59) وَأَعِدُوا لَهُمْ مَا اسْتَطَعْتُمْ مِنْ قُوَّةٍ وَمِنْ رِبَاطِ الْخَيْلِ تُرْهِبُونَ بِهِ عَدُوَّ اللَّهِ وَعَدُوَّكُمْ وَآخَرِينَ مِنْ دُونِهِمْ لَا تَعْلَمُوهُمْ اللَّهُ يَعْلَمُهُمْ وَمَا تُنْفِقُوا مِنْ شَيْءٍ فِي سَبِيلِ اللَّهِ يُوَفَّ إِلَيْكُمْ وَأَنْتُمْ لَا تَظْلُمُونَ (60) وَإِنْ جَنَحُوا لِلسَّلْمِ فَاجْنَحْ لَهَا وَتَوَكَّلْ عَلَى اللَّهِ إِنَّهُ هُوَ السَّمِيعُ الْعَلِيمُ

Indeed, the worst of living creatures in the sight of Allah are those who have disbelieved, and they will not [ever] believe (55) The ones with whom you made a treaty but then they break their pledge every time, and they do not fear Allah (56) So if you gain mastery over them in war, punish them severely in order to disperse those who are behind them, so that they may learn a lesson. (57) If you [have reason to] fear from a people betrayal, throw [their treaty] back to them, [putting you] on equal terms. Indeed, Allah does not like traitors (58) And let not those who disbelieve think they will escape. Indeed, they will not cause failure [to Allah] (59) And prepare against them whatever you are able of power and of steeds of war by which you may terrify the enemy of Allah and your enemy and others besides them whom you do not know [but] whom Allah knows. And whatever you spend in the cause of Allah will be fully repaid to you, and you will not be wronged (60) **And if they incline to peace, then incline to it (also)** and rely upon Allah. Indeed, it is He who is the Hearing, the Knowing (61) (Al-Anfal: 55-61).

– القتال إنما هو في سبيل الله، لإعلاء كلمة الله، وليس لاحتلال البلاد، وتوسيع الممتلكات، أو نهب الثروات، أو استعباد العباد، أو تقاسم الممالك (كما كان هو الحال في غزو الأندلس)، كما كان يفعل طواغيت بني أمية من بني مروان، عليهم لعنة الله والملائكة والناس أجمعين.

- Al-Qital (Fighting) is only that which is (undertaken) in the way of Allah to raise the word of Allah the highest. It is not the occupation of lands, expansion of assets, plundering of resources, enslaving of peoples or the apportioning of kingdoms (like the case was with the invasion of Andalusia) and like what the despots of Bani Umayyah of Bani Marwan did, may the curse of Allah, the angels and all people be upon them.

❖ فصل: من هم «أَعْرَابُ الْمُسْلِمِينَ»:

قوله، عليه وعلى آله الصلاة والسلام: «**كَأَعْرَابِ الْمُسْلِمِينَ**»، قصد به المسلمين الذين بقوا في (دار)، أي: دولة، مستقلة؛ لهم (وَلَا يَتِيهِمْ) المتميزة، ويحملون (تَابِعِيَّتُهُمُ) الخاصة. فهم **لا** يحملون تابعية (دار **المهاجرين**)، التي هي – بعينها – الدولة النبوية الشريفة، الدولة الأم، التي تأسست على (صحيفة المدينة)، وأصبحت بعد ذلك (دولة الخلافة) المتعارف عليها عبر العصور.

و(الأعرابية)، وكذلك (التعرب)، اصطلاح شرعي، نقلت به لفظة (الأعرابية)، وهي في اللغة تعني: (البدواة مع القسوة والجلافة والجفاء) كما هو - عادة - حال الفدادين رعاء الإبل والبقر، وهي حالة مذمومة، وليست هي (البدواة) المجردة، التي هي طراز مباح من العيش. وكثيرا ما يقع الخلط بين (البدواة) و(الأعرابية) من كل أحد تقريبا، بدءا بأهم المؤمنين عائشة، رضوان الله وسلامه عليها، التي صحح لها النبي، عليه وعلى آله الصلاة والسلام، خطأها، إلى أيماننا هذه على تعاقب العصور. وسوف نحرر هذا - بإذن الله، وبفضله ومنته - تحريرا تاما في بحثنا هذا المعنون: (الهجرة، والتابعة الإسلامية (وحق تقرير المصير)).

- **Section: Who are intended by the “Aa’raab ul-Muslimeen”** (Muslim Arab Bedouins):

Concerning the statement of the Messenger ﷺ “**Like the Aa’raab (Arab Bedouins) of the Muslims**”, then he meant by that the Muslims who remained in a “Dar” (land), in other words an independent state where they enjoy their own distinct “**Walayah**” (guardianship and authority) and carry their own “**subject or citizen status**”. They **do not** carry the citizenship of the “**Dar ul-Muhajireen**”, which refers precisely to the Noble Prophetic State, the mother (or original) state, which was founded upon the “Sahifah of Al-Madinah” and thereafter became the Khilafah State and was known as such across the passing of ages.

“**Al-Aa’raabiyah**”, like “**At-Ta’arrub**”, is a Shar’iy terminology, which “**Al-Aa’raabiyah**” was transmitted alongside. In its linguistic meaning it means: “Al-Badaawah (Bedouin life) alongside harshness, callousness and sternness”. This reflects what was the usual condition of the Fadaadeen, the herdsmen of camels and cows, and it is an unpraiseworthy condition. It is not the pure “**Badaawah**” Bedouin or nomadic life which represents a permissible mode of living. Nearly everyone is often confused between the “Badaawah” and the “Aa’raabiyah”, beginning with the mother of believers ‘Aa’ishah, may the pleasure and peace of Allah be upon her, the error of whom the Prophet ﷺ corrected, and this confusion has continued until this current day of ours proceeding across the ages. We will undertake a complete study of this by Allah’s permission in our study entitled: “**Al-Hijrah, the Islamic citizenship – And the right to self-determination**”.

وقوله، عليه وعلى آله الصلاة والسلام: (يَجْرَى عَلَيْهِمْ حُكْمُ اللَّهِ الَّذِي يَجْرَى عَلَى الْمُؤْمِنِينَ وَلَا يَكُونُ لَهُمْ فِي الْغَنِيمَةِ وَالْفَيْءِ شَيْءٌ إِلَّا أَنْ يُجَاهِدُوا مَعَ الْمُسْلِمِينَ)، وفيه مزيد بيان لقوله، تعالى مجده: (... وَالَّذِينَ آمَنُوا وَلَمْ يُهَاجِرُوا مَا لَكُمْ مِنْ وَلَايَتِهِمْ مِنْ شَيْءٍ حَتَّى يُهَاجِرُوا وَإِنْ اسْتَنَّصَرُوكُمْ فِي الدِّينِ فَعَلَيْكُمْ النَّصْرُ إِلَّا عَلَى قَوْمٍ بَيْنَكُمْ وَبَيْنَهُمْ مِيثَاقٌ) يوجب **القطع** بأن كل (دار) من دور (الأعراب) هي يقينا (دار إسلام)، ومن المحال أن تكون (دار كفر)؛ وإن كان بقاؤها دوراً مستقلةً فيه لون من الكراهة، أو خلاف الأولى، كما تشعره الظلال السلبية للفظ (أعراب).

And the statement of the Messenger ﷺ: “the ruling of Allah will apply upon them which applies upon the believers, but they will not have any share from the Fai’ and Ghaneemah (the spoils of war and booty),

unless they partake in the Jihad alongside the Muslims”, contains additional explanation to the statement of Allah تعالى:

وَالَّذِينَ آمَنُوا وَلَمْ يُهَاجِرُوا مَا لَكُمْ مِنْ وَلَايَتِهِمْ مِنْ شَيْءٍ حَتَّى يُهَاجِرُوا، وَإِنْ اسْتَنْصَرُوكُمْ فِي الدِّينِ فَعَلَيْكُمْ النَّصْرُ إِلَّا عَلَى قَوْمٍ بَيْنَكُمْ وَبَيْنَهُمْ مِيثَاقٌ

But those who believed and did not emigrate, for you there is no **guardianship** (or authority) over them until they emigrate. And if they seek help from you for the Deen, then you must help, except against a people between yourselves and whom there is a treaty (Al-Anfal: 72).

This obliges definiteness in terms of asserting with certainty that every “**Dar**” (land) from the lands of the “**Aa’raab**” is a “Dar Islam” (Land of Islam) whilst it is impossible for it to be a “Dar Kufr” (Land of disbelief). That is even if their remaining as independent lands contains a kind of dislike (Karaahiyah) attached to it or can be viewed to be contrary to the preferable situation. This can be sensed from the shades of negativity attached to the worded expression “**Aa’raab**” itself.

وأما قوله، عليه وعلى آله الصلاة والسلام: (ادْعُهُمْ إِلَى التَّحَوُّلِ مِنْ دَارِهِمْ إِلَى دَارِ الْمُهَاجِرِينَ)، هذا (التَّحَوُّلِ) **ليس** المقصود منه (الانتقال) إلى دار المهاجرين، بأنفسهم وأموالهم، واتخاذهم مقر إقامة دائمية لهم، كما قد يتوهم الكثير من الناس – قديما وحديثا – وإنما هو (التحويل)، أي تغيير (الحال)، من تابعة مستقلة إلى (تابعية دار المهاجرين): ف(التحول) منصب على (الدار)، وليس على الشخص، وإلا قال، عليه وعلى آله الصلاة والسلام: (الهجرة من دارهم... إلخ)، أو: (ترك دارهم إلى)، أو (الانتقال من دارهم... إلخ)، وهناك نصوص كثيرة تبين هذا بيانا يقينيا، بما لا يدع مجالا للشك فيه، سنسوقها قريباً، بإذن الله.

As for the statement of the Prophet ﷺ: “**invite them to transform (or change) their land (Dar) to the Dar (land) of the Muhajirin**”, then this “**transformation**” (Tahawwul) does not mean “**moving**” to the land of the Muhajirin (emigrants) by their physical selves and properties and to take the land as a permanent place of residence for them, as many have erroneously thought in the past and recent times. Rather, it means the “**Tahweel**” transformation referring to the change of the “**Haal**” (condition) from having an independent subject status to adopting the “subject status of the land of the emigrants”. The “transformation or change” is therefore connected to the “Daar” (land) and not the persons. Otherwise, he ﷺ would have said: “Al-Hijrah (migration) from their Dar (homeland) etc.” or “to leave their homeland”, or “to move from their homeland etc.”. And there are numerous texts which explain this with by way of **certain explanation that leaves no room for doubt**, which we will present soon by Allah’s permission.

وكان «أَعْرَابُ الْمُسْلِمِينَ»، هؤلاء في زمنه، عليه وعلى آله الصلاة والسلام، من الأعراب البدو الرحل، وأهل الأرياف، لا غير، أمّا الحواضر المعتمدة، غير المدينة النبوية المنورة، فهي مكة وخيبر،

فلم يكن فيها إلا قلة من المسلمين المستضعفين من أهل الأعدار ممن يجوز له الإقامة فيها، أو من كان عزيزاً مجاهراً بدينه، غير مستضعف أو مضطهد، كعمير بن وهب ونعيم بن عبد الله بن النحام، أو بإذن خاص كالعباس بن عبد المطلب، أو عابري سبيل، كما فصلناه في غير هذا المكان، أما سائر أهلها فكفار كانوا حرباً على الله ورسوله، حتى تم فتحها. لذلك نقل الشارع الحكيم ألفاظ: «أعراب» و«التعرب» وغيرها من المشتقات من أصلها اللغوي الذي يرادف إلى حد بعيد ألفاظ: «البدو»، و«البدواة»، و«التبدي»، مع بعض الإيحاءات السلبية التي تشير إلى الجفاء، والقسوة والغلظة والشدّة، إلى هذا المعنى الشرعي: «عدم حمل تابعة دار المهاجرين».

The “**Aa’raab of the Muslims**” during the time of the Prophet ﷺ were from the nomadic Bedouin Arabs, the people of the rural land, and none besides them. As for the urban areas of consideration, then besides Al-Madinah they included Makkah and Khaibar. None resided within it (i.e. Makkah) apart from a small number of weak Muslims from those who had legitimate excuses allowing them to remain residing there, or those who were strong and open with their Deen and were not weak or persecuted, such as ‘Umair bin Wahb and Nu’aim bin Abdullah bin An-Nahham, or who had a special permission to remain like Al-‘Abbas bin Al-Muttalib, or someone who was just passing through, the details of which we have explained in other places. The remainder of the inhabitants were disbelievers and were at war against Allah and His Messenger ﷺ until its conquest. For that reason, Ash-Shaari’ Al-Hakim (The All-Wise Legislator) transferred the wordings: “Aa’raab”, “At-Ta’arrub”, and other words derived from the linguistic origin which is synonymous to a great degree to the wordings: “Al-Badw”, “Al-Badaawah” and At-Tabaddiy” which contain some negative overtones indicating harshness, severity, callousness and sternness, to the Shar’iy meaning of: “**Not carrying the subject status (Taabi’iyah) of Dar ul-Muhajirin (The land of the emigrants)**”.

هذه نقلة هائلة من معنى حسي بدائي ساذج، إلى مفهوم «دستوري» عميق، لا عهد للعرب به، ولا قبل لهم باستيعابه، لذلك أشكل عليهم، وما زال يشكل على كثير من الناس حتى يومنا هذا، رغم أنه هو الواجب استخدامه، لأن العرف الشرعي مقدم على اصطلاح أهل اللغة، بضرورة الشرع، المنبئية على ضرورة الحس والعقل، كما هو مقرر في علم الأصول. والدليل على صحة قولنا هذا هو ما يلي:

This huge change from a sensed, primitive and simple meaning to a deep “**constitutional**” understanding, was beyond the knowledge of the Arabs (in the earlier times) and they were unable to grasp it. For that reason, they found it difficult to understand and has continued to remain difficult for many people until this current day. That is even though it is obligatory to employ it as the Shar’iy ‘Urf (custom) is given precedence over the terminological convention (Istilaah) of the scholars of language (i.e., the linguistic meaning), in accordance with the necessity of the Shar’a which is based upon the necessity of the Hiss (sensation) and the ‘Aql (mind) as has been determined in ‘Ilm ul-Usool. The evidence for the correctness of our view is the following:

* ما جاء في مسند أحمد [ط الرسالة (41/467/25010)]: [حَدَّثَنَا يَحْيَى بْنُ غَيْلَانَ، حَدَّثَنَا الْمُفَضَّلُ، قَالَ: حَدَّثَنِي يَحْيَى بْنُ أَيُّوبَ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ حَرْمَلَةَ الْأَسْلَمِيِّ، عَنْ عَبْدِ اللَّهِ بْنِ نِيَارٍ الْأَسْلَمِيِّ، عَنْ

عُرْوَةَ، عَنْ عَائِشَةَ، أَنَّهَا قَالَتْ: أَهَدْتُ أُمَّ سُبُلَةَ لِرَسُولِ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، لَبَنًا، فَلَمْ تَجِدْهُ، فَقَالَتْ لَهَا: إِنَّ رَسُولَ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، قَدْ نَهَى أَنْ تَأْكَلَ طَعَامُ الْأَعْرَابِ، فَدَخَلَ رَسُولُ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، وَأَبُو بَكْرٍ، فَقَالَ: "مَا هَذَا مَعَكَ يَا أُمَّ سُبُلَةَ؟" قَالَتْ: لَبَنٌ أَهَدَيْتُ لَكَ يَا رَسُولَ اللَّهِ، قَالَ: اسْكُبِي أُمَّ سُبُلَةَ فَسَكَبَتْ، فَقَالَ: نَاولِي أَبَا بَكْرٍ، فَفَعَلَتْ، فَقَالَ: اسْكُبِي أُمَّ سُبُلَةَ، فَنَاولِي عَائِشَةَ فَنَاولَتْهَا، فَشَرِبَتْ، ثُمَّ قَالَ: اسْكُبِي أُمَّ سُبُلَةَ فَسَكَبَتْ، فَنَاولْتُ رَسُولَ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، فَشَرِبَ، قَالَتْ عَائِشَةُ، وَرَسُولُ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، يَشْرَبُ مِنْ لَبَنٍ **أَسْلَمَ: وَأَبْرَدَهَا عَلَى الْكَيْدِ، يَا رَسُولَ اللَّهِ، قَدْ كُنْتُ حُدِّثْتُ أَنَّكَ قَدْ نَهَيْتَ عَنْ طَعَامِ الْأَعْرَابِ؟** فَقَالَ: (يَا عَائِشَةُ، **إِنَّهُمْ لَيَسُوءُوا بِالْأَعْرَابِ**، هُمْ أَهْلُ بَادِيَّتِنَا، وَنَحْنُ أَهْلُ حَاضِرَتِهِمْ، **وَإِذَا دُعُوا أَأَبَوْا، فَلْيَسُوءُوا بِالْأَعْرَابِ**)؛

- What came recorded in the Musnad of Ahmad (Risaalah Edition: 41/467/25010): [Yahya bin Ghailan related to us: Al-Mufaddal related to us: He said: Yahya bin Ayyub related to me from Abdur Rahman bin Harmalah Al-Aslamiy, from Abdullah bin Niyar Al-Aslamiy, from 'Urwah, from 'Aa'ishah: That she said: Umm Sunbalah brought milk as a gift for the Messenger of Allah ﷺ but she could not find him. She then said to her: "The Messenger of Allah ﷺ has forbidden that we eat the food of the Aa'raab". The Messenger of Allah ﷺ and Abu Bakr then entered. He then said: "What do you have with you O Umm Sunbalah?" She said: "Milk, that I have gifted to you O Messenger of Allah". He said: "Pour Umm Sunbalah", so, she poured. And he said: "Give it to Abu Bakr", so, she did. He then said: "Pour Umm Sunbalah and give it to 'Aa'ishah" and so she gave it to her and she drank. He then said: "Pour Umm Sunbalah", so, she poured and gave it to the Messenger of Allah ﷺ who then drank. 'Aa'ishah then said, whilst the Messenger of Allah ﷺ was drinking from the milk of Aslam [statement not understood] "O Messenger of Allah, it has been related to me that you had forbidden the food of the Aa'raab?" He replied: "O 'Aa'ishah, **they are not the Aa'raab**. They are the people of our rural areas whilst we are the people of their urban areas. **And if they are called, they respond affirmatively (to the call), so they are not the Aa'raab**".]

- وهو - بعينه منقولاً بكل دقة وأمانة - في غاية المقصد في زوائد المسند للهيثمي (1/2685): [حَدَّثَنَا يَحْيَى بْنُ أَيُّوبَ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ حَرْمَلَةَ الْأَسْلَمِيِّ، عَنْ عَبْدِ اللَّهِ بْنِ نِيَارٍ الْأَسْلَمِيِّ، عَنْ عُرْوَةَ، عَنْ عَائِشَةَ، أَنَّهَا قَالَتْ: أَهَدْتُ أُمَّ سُبُلَةَ إِلَى رَسُولِ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، لَبَنًا، فَلَمْ تَجِدْهُ، فَقُلْتُ لَهَا: إِنَّ رَسُولَ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، قَدْ نَهَى أَنْ يُؤْكَلَ طَعَامُ الْأَعْرَابِ، فَدَخَلَ رَسُولُ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، وَأَبُو بَكْرٍ، فَقَالَ: "مَا هَذَا مَعَكَ يَا أُمَّ سُبُلَةَ؟" قَالَتْ: لَبَنًا أَهَدَيْتُ لَكَ يَا رَسُولَ اللَّهِ، قَالَ: "اسْكُبِي أُمَّ سُبُلَةَ، فَسَكَبَتْ، فَقَالَ: "نَاولِي أَبَا بَكْرٍ، فَفَعَلْتُ، فَقَالَ: "اسْكُبِي أُمَّ سُبُلَةَ، فَسَكَبْتُ، فَنَاولِي عَائِشَةَ فَنَاولَتْهَا فَشَرِبَتْ، ثُمَّ قَالَ: "اسْكُبِي أُمَّ سُبُلَةَ، فَسَكَبْتُ، فَنَاولْتُهُ رَسُولُ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، فَشَرِبَ، فَقَالَتْ عَائِشَةُ وَرَسُولُ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، يَشْرَبُ مِنْ لَبَنٍ: أَسْلَمَ وَأَبْرَدَهَا عَلَى الْكَيْدِ يَا رَسُولَ اللَّهِ، كُنْتُ حُدِّثْتُ أَنَّكَ قَدْ نَهَيْتَ عَنْ طَعَامِ الْأَعْرَابِ، فَقَالَ: "يَا عَائِشَةُ، **إِنَّهُمْ لَيَسُوءُوا بِالْأَعْرَابِ**، هُمْ أَهْلُ بَادِيَّتِنَا، وَنَحْنُ أَهْلُ حَاضِرَتِهِمْ، **وَإِذَا دُعُوا أَأَبَوْا، فَلْيَسُوءُوا بِالْأَعْرَابِ**؛

- The same has been transmitted with complete precision and trust in "Ghayat ul-Maqsad Fee Zawa'id Al-Musnad" of Al-Haithamiy (1/2685): [Yahya bin Ayyub related to us from Abdur Rahman bin Harmalah Al-Aslamiy, from Abdullah bin Niyar Al-Aslamiy, from 'Urwah, from 'Aa'ishah: That she said: Umm Sunbalah brought milk as a gift for the Messenger of Allah ﷺ but she did not find him. She then said to her: "The Messenger of Allah ﷺ has forbidden that the food of the Aa'raab be eaten". He then said: "What do you

have with you O Umm Sunbalah?" She said: "Milk, that I have gifted to you O Messenger of Allah". He said: "Pour Umm Sunbalah", so, she poured. And he said: "Give it to Abu Bakr", so, she did. He then said: "Pour Umm Sunbalah and give it to 'Aa'ishah" and so she gave it to her and she drank. He then said: "Pour Umm Sunbalah", so, she poured and gave it to the Messenger of Allah ﷺ who then drank. 'Aa'ishah then said whilst the Messenger of Allah ﷺ was drinking from the milk of Aslam [statement not understood]: "O Messenger of Allah, it has been related to me that you had forbidden the food of the Aa'raab?" He replied: "O 'Aa'ishah, **they are not the Aa'raab. They are the people of our rural areas whilst we are the people of their urban areas. And if they are called, they respond affirmatively (to the call), so they are not the Aa'raab**".

- وهو - بعينه - في مجمع الزوائد ومنبع الفوائد [محقق (6733/176/4)]: [وعن عائشة قالت: أهدت أم سنبله لرسول الله، صلى الله عليه وسلم، لبناً فلم تجده؛... فسأقت الحديث إلى: قوله: (يا عائشة إنهم ليسوا بأعراب هم أهل باديتنا ونحن [أهل] حاضرتهم **وَإِذَا دُعُوا** **أَبَوْا فَلَيْسُوا بِأَعْرَابٍ**)، ثم قال الهيثمي: (رواه أحمد وأبو يعلى والبزار وأحمد رجال الصحيح)

- The same has also been record in "Majma' Az-Zawa'id Wa Manba' Al-Fawa'id (Verified edition: 4/176/6733): [From 'Aa'ishah: She said: Umm Sunbalah brought milk as a gift for the Messenger of Allah ﷺ but she did not find him ... The Hadith was then presented until his statement: "O 'Aa'ishah, they are not the Aa'raab. They are the people of our rural areas whilst we are (the people of) their urban areas. **And if they are called, they respond affirmatively (to the call), so they are not Aa'raab**". Then Al-Haithamiy said: [Ahmad, Abu Ya'la and Al-Bazzar related it and the Rijaal (transmitters) of Ahmad are Sahih transmitters].

- وهو في كشف الأستار عن زوائد البزار (2/395/1940 - 1941): [حَدَّثَنَا بَشْرُ بْنُ مُعَاذٍ الْعَقَدِيُّ، حَدَّثَنَا عَبْدُ اللَّهِ بْنُ جَعْفَرٍ، حَدَّثَنَا عَبْدُ الرَّحْمَنِ بْنُ حَرْمَلَةَ، قَالَ: سَمِعْتُ عَبْدَ اللَّهِ بْنَ نِيَارَ الْأَسْلَمِيَّ، يُحَدِّثُ عَنْ عُرْوَةَ، عَنْ عَائِشَةَ قَالَتْ: أَهَدْتُ أُمَّ سُنْبُلَةَ لِرَسُولِ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، لَبَنًا، فَدَخَلْتُ عَلَى بِهِ فَلَمْ تَجِدْهُ، فَقُلْتُ لَهَا: إِنَّ رَسُولَ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، قَدْ نَهَى أَنْ نَأْكُلَ طَعَامَ الْأَعْرَابِ، فَدَخَلَ النَّبِيُّ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، وَأَبُو بَكْرٍ، فَقَالَ النَّبِيُّ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: " أُمَّ سُنْبُلَةَ، مَا هَذَا مَعَكَ؟ قَالَتْ: لَبَنٌ يَا رَسُولَ اللَّهِ أَهْدَيْتُهُ لَكَ، قَالَ: اسْكُبِي أُمَّ سُنْبُلَةَ، نَاولِي أَبَا بَكْرٍ، ثُمَّ قَالَ: اسْكُبِي أُمَّ سُنْبُلَةَ، نَاولِي عَائِشَةَ، ثُمَّ قَالَ: اسْكُبِي أُمَّ سُنْبُلَةَ، فَنَاولَتْهُ النَّبِيَّ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، فَشَرِبَ، قَالَتْ: فَقُلْتُ: يَا بَرَدَهَا عَلَى الْكَبِدِ، يَا رَسُولَ اللَّهِ، قَدْ كُنْتُ نَهَيْتُ عَنْ طَعَامِ الْأَعْرَابِ. قَالَ: (يَا عَائِشَةَ، إِنَّهُمْ لَيْسُوا بِأَعْرَابٍ، هُمْ أَهْلُ بَادِيَتِنَا، وَنَحْنُ أَهْلُ حَاضِرَتِهِمْ، وَإِذَا دُعُوا **أَبَوْا، فَلَيْسُوا بِأَعْرَابٍ**).

- And it came recorded in "Kashf Al-Astaar 'An Zawa'id Al-Bazzar" (2/395/1940-1941): [Bishr bin Mu'adh Al-'Aqadiy related to us: Abdullah bin Ja'far related to us: Abdur Rahman bin Harmalah related to us: He said: I heard Abdullah bin Niyar Al-Aslamiy narrating from 'Urwah, from 'Aa'ishah: She said: Umm Sunbalah had brought milk to gift it to the Messenger of Allah ﷺ. So, she came to me with it as she could not find him. Then I said to her: "Verily, the Messenger of Allah ﷺ has prohibited for us to eat the food of the Aa'raab". The Prophet ﷺ then entered with Abu Bakr. The Prophet ﷺ then said: "Umm Sunbalah, what is that with

you?” She said: “Milk” O Messenger of Allah, I have brought it as a gift for you”. He said: “Pour Umm Sunbalah. Serve it to Abu Bakr”. He then said: “Pour Umm Sunbalah. Serve it to ‘Aa’ishah”. He then said: “Pour Umm Sunbalah”, so, she served it to the Prophet ﷺ who then drank. ‘Aa’ishah then said [statement not understood]: “O Messenger of Allah, you had forbidden the food of the Aa’raab?” He replied: “O ‘Aa’ishah, they are not Aa’raab. They are the people of our rural areas whilst we are the people of their urban areas. And if they are called, they respond affirmatively (to the call), so they are not the Aa’raab”].

- حَدَّثَنَا مُحَمَّدُ بْنُ إِسْحَاقَ، حَدَّثَنَا سَعِيدُ بْنُ عَفِيرٍ، وَهُوَ ابْنُ كَثِيرٍ بْنُ عَفِيرٍ، حَدَّثَنَا سُلَيْمَانُ بْنُ بِلَالٍ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ حَرْمَلَةَ الْأَسْلَمِيِّ، قَالَ: سَمِعْتُ عَبْدَ اللَّهِ بْنَ نِيَّارٍ قُلْتُ: فَذَكَرَ نَحْوَهُ إِلَّا أَنَّهُ قَالَ: يَا عَائِشُ، إِنَّهُمْ لَيْسُوا بِأَعْرَابٍ، وَفِيهِ قَالَتْ عَائِشَةُ: قَدْ كُنْتُ حَدَّثْتُهَا أَنَّكَ قَدْ نَهَيْتَ، ثُمَّ قَالَ الْبَزَّارُ: (قَدْ رَوَاهُ أَيْضًا يَحْيَى بْنُ أَيُّوبَ عَنْ ابْنِ حَرْمَلَةَ).

- [Muhammad bin Ishaq related to us: Sa’eed bin ‘Ufair related to us (He is Ibn Kathir bin ‘Ufair): Sulaiman bin Bilal related to us from Abdur Rahman bin Harmalah Al-Aslamiy: He said: I heard Abdullah bin Niyar: I said: So, he mentioned similar to it (i.e. the Hadith) except that he said (in it): “O ‘Aa’ishah, **they are not Aa’raab**” and ‘Aa’ishah said in it: “I had related to her that you had prohibited]. Al-Bazzar then said: [Yahya bin Ayyub also related it from Ibn Harmalah].

- وهو في الطبقات الكبرى [ط دار صادر (8/294): [أَخْبَرَنَا مُحَمَّدُ بْنُ عُمَرَ، حَدَّثَنِي عَبْدُ اللَّهِ بْنُ جَعْفَرٍ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ حَرْمَلَةَ، عَنْ عَبْدِ اللَّهِ بْنِ نِيَّارٍ، عَنْ عُرْوَةَ بْنِ الزُّبَيْرِ، عَنْ عَائِشَةَ زَوْجِ النَّبِيِّ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، قَالَتْ: لَمَّا قَدِمْنَا الْمَدِينَةَ نَهَانَا رَسُولُ اللَّهِ أَنْ نَقْبَلَ هَدِيَّةً مِنْ أَعْرَابِيٍّ فَجَاءَتْ أُمُّ سُبَيْلَةَ الْأَسْلَمِيَّةُ بِلَبَنٍ فَدَخَلَتْ بِهِ عَلَيْنَا فَأَبَيْنَا أَنْ نَقْبَلَهُ فَخُنْ عَلَى ذَلِكَ إِلَى أَنْ جَاءَ رَسُولُ اللَّهِ مَعَهُ أَبُو بَكْرٍ، فَقَالَ: «مَا هَذَا؟» فَقُلْتُ: يَا رَسُولَ اللَّهِ هَذِهِ أُمُّ سُبَيْلَةَ أَهْدَتْ لَنَا لَبَنًا وَكُنْتُ نَهَيْتُنَا أَنْ نَقْبَلَ مِنْ أَحَدٍ مِنَ الْأَعْرَابِ شَيْئًا، فَقَالَ رَسُولُ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: (خُذُوهَا: **فَإِنْ أَسْلَمَ لَيْسُوا بِأَعْرَابٍ هُمْ أَهْلُ بَادِيَتِنَا وَنَحْنُ أَهْلُ قَارِيَتِهِمْ إِذَا دَعَوْنَاهُمْ لَا أَبُوءَا، وَإِنْ اسْتَنْصَرْنَاهُمْ نَصَرُونَا**، صُبِّي يَا أُمُّ سُبَيْلَةَ، فَصَبَّتُ، فَقَالَ: «نَاوِلِي أَبَا بَكْرٍ». فَشَرِبَ ثُمَّ قَالَ: «صُبِّي» فَصَبَّتُ فَشَرِبَ رَسُولُ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، ثُمَّ قَالَ: «صُبِّي» فَصَبَّتُ فَنَاوَلَهُ عَائِشَةُ فَشَرِبَتْ، فَقَالَتْ عَائِشَةُ: وَابْرَدَهَا عَلَى الْكِيدِ كُنْتُ نَهَيْتُنَا أَنْ نَأْخُذَ مِنْ أَعْرَابِيٍّ هَدِيَّةً، فَقَالَ رَسُولُ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: «إِنْ أَسْلَمَ لَيْسُوا بِأَعْرَابٍ هُمْ أَهْلُ بَادِيَتِنَا وَنَحْنُ أَهْلُ قَارِيَتِهِمْ إِنْ دَعَوْنَاهُمْ أَجَابُوا وَإِنْ اسْتَنْصَرْنَاهُمْ نَصَرُونَا»].

- And it came recorded as follows in “At-Tabaqaat Al-Kubra” (Dar Sadir edition 8/294): [Muhammad bin ‘Umar informed us: Abdullāh bin Ja’far related to me from Abdur Rahman bin Harmalah, from Abdullāh bin Niyar, from ‘Urwah bin Az-Zubair, from ‘Aa’ishah the wife of the Prophet ﷺ She said: When we arrived in Al-Madinah, the Messenger of Allah forbade us from accepting a gift from the Aa’raabiyy. Thereafter, Umm Sunbalah Al-Aslamiyah came with milk. She came to us with it and we refused to accept it. We remained upon that until the Messenger of Allah came with Abu Bakr. He then asked: “What is this?” So, I said: “O Messenger of Allah, this is Umm Sunbalah and she has brought milk as a gift for us, whilst you have previously forbidden that we accept anything from anyone of the Aa’raab”. Then the Messenger of Allah ﷺ

said: "Take it: **For verily Aslam are not Aa'raab. They are the people of our rural areas and we are the people of their urban areas. If we invite them, they respond affirmatively (to the call) and if we seek their support, they support us.** Pour O Umm Sunbalah". So, she poured. He then said: "Serve Abu Bakr" So, he drank. He then said: "Pour", so she poured and the Messenger of Allah ﷺ drank. He then said: "Pour". So, she poured and he served 'Aa'ishah who then drank. 'Aa'ishah said: [statement not understood]: You had forbidden that we take a gift from the Aa'raab". So, the Messenger of Allah ﷺ said: "Verily, Aslam are not Aa'raab. They are the people of our rural areas and we are the people of their urban areas. If we invite them, they respond affirmatively (to the call) and if we seek their support, they provide us with support"]].

- وهو في المستدرک علی الصحیحین للحاکم (4/142/7168): [أَخْبَرَنِي إِسْمَاعِيلُ بْنُ مُحَمَّدٍ بْنِ الْفَضْلِ بْنِ مُحَمَّدٍ الشَّعْرَانِيُّ، حَدَّثَنَا جَدِّي، حَدَّثَنَا إِبْرَاهِيمُ بْنُ حَمَزَةَ، حَدَّثَنَا عَبْدُ الْعَزِيزِ بْنُ حَارِمٍ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ حَزْمَلَةَ، عَنْ عَبْدِ اللَّهِ بْنِ نِيَارٍ الْأَسْلَمِيِّ، عَنْ عُرْوَةَ بْنِ الزُّبَيْرِ، قَالَ: سَمِعْتُ عَائِشَةَ، رَضِيَ اللَّهُ عَنْهَا تَقُولُ: أَهَدْتُ أُمَّ سُبُلَةَ لِرَسُولِ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، لَبَنًا فَدَخَلْتُ عَلَيْهِ بِهِ فَلَمْ تَجِدْهُ فَقُلْتُ لَهَا: إِنَّ رَسُولَ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، نَهَانَا أَنْ نَأْكُلَ طَعَامَ الْأَعْرَابِ، فَدَخَلَ رَسُولُ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، وَأَبُو بَكْرٍ فَقَالَ: «يَا أُمَّ سُبُلَةَ مَا هَذَا مَعَكَ؟» فَقَالَتْ: يَا رَسُولَ اللَّهِ لَبَنٌ أَهْدَيْتُهُ لَكَ. قَالَ: «اسْكُبِي يَا أُمَّ سُبُلَةَ» فَنَآوَلَ أَبَا بَكْرٍ ثُمَّ قَالَ: «اسْكُبِي يَا أُمَّ سُبُلَةَ» فَتَنَآوَلَ رَسُولُ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، فَشَرِبَ قَالَتْ: فَقُلْتُ: يَا بَرْدَهَا عَلَى الْكَبِدِ. قَالَتْ عَائِشَةُ: يَا رَسُولَ اللَّهِ حَدَّثْتُنَا أَنَّكَ نَهَيْتَ عَنْ طَعَامِ الْأَعْرَابِ. فَقَالَ: «يَا عَائِشَةُ إِنَّهُمْ لَيْسُوا بِأَعْرَابٍ هُمْ أَهْلُ بَادِيَّتِنَا وَنَحْنُ أَهْلُ حَاضِرَتِهِمْ **وَإِذَا دُعُوا أَبَوَا فَلْيَسُوا بِأَعْرَابٍ**»]، ثم قال الإمام الحاکم: (هَذَا حَدِيثٌ صَحِيحٌ الْإِسْنَادِ وَلَمْ يُخَرِّجَاهُ)، وقال الذهبي: (صحيح)، وهو كما قالوا، لا سيما بالمتابعات والطرق السابقة واللاحقة.

- It came recorded in "Al-Mustadrak 'Ala -s-Sahihaini", of Al-Hakim (4/142/7168): [Isma'eel bin Muhammad bin Al-Fadl bin Muhammad Ash-Sha'raniy informed me: My grandfather related to me: Ibrahim bin Hamzah related to us: Abdul 'Aziz bin Hazim related to us from Abdur Rahman bin Harmalah, from Abdullah bin Niyar Al-Aslamiy, from 'Urwah bin Az-Zubair: He said: I heard 'Aa'ishah, may Allah be pleased with her, say: Umm Sunbalah brought a gift of milk for the Messenger of Allah ﷺ. She came to me as she could not find him. So, I said to her: "Indeed, the Messenger of Allah ﷺ has forbidden us from eating the food of the Aa'raab". Then the Messenger of Allah ﷺ and Abu Bakr entered and said: "O Umm Sunbalah, what is that with you?" She said: "O Messenger of Allah, milk which I have brought as a gift for you". He said: "Pour O Umm Sunbalah". He then served Abu Bakr and said: "Pour O Umm Sunbalah". The Messenger of Allah ﷺ then took it and drank. She ('Aa'ishah) said: Then I said: "[Statement that I did not understand]". 'Aa'ishah said: "O Messenger of Allah, she related to us that you have forbidden the food of the Aa'raab". So, he said: "O 'Aa'ish(ah), they are not Aa'raab. They are the people of our rural areas and we are the people of their urban areas. **And if they are called, they respond affirmatively, so, they are not from the Aa'raab**". Imam Al-Hakim then said: [This Hadith is Sahih in its Isnad but they (i.e., Al-Bukhari and Muslim) did not record it]. Adh-Dhahabiy said: [Sahih]. And it is as they have stated, especially with its previous and latter corroborations and paths.

- وهو في مسند أبي يعلى (4773/209/8): [حَدَّثَنَا عُقْبَةُ، حَدَّثَنَا يُونُسُ، حَدَّثَنَا مُحَمَّدُ بْنُ إِسْحَاقَ، عَنْ صَالِحِ بْنِ كَيْسَانَ، عَنْ عُرْوَةَ، عَنْ عَائِشَةَ، رَضِيَ اللَّهُ عَنْهَا، قَالَتْ: سَمِعْتُ رَسُولَ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ

وسلم، يَقُولُ: لَا أَقْبَلُ هَدِيَّةً مِنْ أَعْرَابِي فَجَاءَتْهُ أُمُّ سُنْبُلَةَ الْأَسْلَمِيَّةُ بِوَطْبٍ لَبَنٍ أَهْدَتْهُ لَهُ، فَقَالَ: أَفَرَعِي مِنْهُ فِي هَذَا الْقُعْبِ فَأَفْرَعَتْ، فَتَنَاوَلْ، فَشَرِبَ، فَقُلْتُ: أَلَمْ تَقُلْ: لَا أَقْبَلُ هَدِيَّةً مِنْ أَعْرَابِي؟ فَقَالَ: إِنَّ لَأَعْرَابٍ أَسْلَمَ لَيْسُوا بِأَعْرَابٍ، وَلَكِنَّهُمْ أَهْلُ بَادِيَّتِنَا وَنَحْنُ أَهْلُ حَاضِرَتِهِمْ إِنْ دَعَوْنَا أَجَابُونَا، وَإِنْ دَعَوْنَاهُمْ لَا يَجِيبُونَا، وهو في إتحاف الخيرة المهرة (3689/331/4): [وَقَالَ أَبُو يَعْلَى الْمُؤَصِّلِيُّ: حَدَّثَنَا عُقْبَةُ بْنُ مُكْرَمٍ، فَسَاقَهُ بِتَمَامِهِ سَنَدًا وَمَتْنًا]؛

- And it was also recorded in the Musnad of Abu Ya'la (8/209/4773): [‘Uqbah related to us: Yunus related to us: Muhammad bin Ishaq related to us from Salih bin Kaisan, from ‘Urwah, from ‘Aa’ishah, may Allah be pleased with her: She said: I heard the Messenger of Allah ﷺ saying: “I do not accept the gift from an ‘Aa’raabiy”. Then Umm Sunbalah Al-Aslamiyah came to him with a milkskin as a gift for him. So, he said: “Empty some of it in the bowl”. So, she emptied it and took and drank. Then I said: “Did you not say: I do not accept the gift from an ‘Aa’raabiy?” Then he said: “Indeed **Aslam are not Aa’raab, but rather they are the people of our rural areas and we are the people of their urban areas. If they invite us, we respond affirmatively to them, and if we invite them, they respond affirmatively to us**”]. And it is in “It’haaf Al-Khairah Al-Maharah” (4/331/3689): [And Abu Ya’la Al-Mawsaliy said: ‘Uqbah bin Mukram related to us: He then presented it with its (same) full Sanad (chain) and Matn (textual content)].

قلت: جملة (إِنَّ لَأَعْرَابٍ أَسْلَمَ لَيْسُوا بِأَعْرَابٍ) من وهم أو سبق لسان لأحد الرواة، والصحيح: (إِنَّ أَسْلَمَ لَيْسُوا بِأَعْرَابٍ)، وأصح منها، ولعله عين اللفظ النبوي الشريف، هو السؤال الاستنكاري: (أَوَ أَعْرَابٍ أَسْلَمَ يَا عَائِشَةُ؟ إِنَّهُمْ لَيْسُوا بِأَعْرَابٍ)، فهذا هو الأليق بالفصاحة النبوية المعصومة، وسيأتي – مرويا هكذا بأحرفه - فوراً، بإذن الله.

* حيث جاء في المنتقى من كتاب الطبقات لأبي عروبة الحراني (ص: 21): [أَخْبَرَنَا الشَّيْخُ الْعَالِمُ أَبُو عَبْدِ اللَّهِ سُفْيَانُ بْنُ أَبِي الْفَضْلِ بْنُ مُحَمَّدٍ بْنِ أَبِي طَاهِرٍ الْخَرَقِيُّ وَأَخُوهُ أَبُو الْقَاسِمِ عَلِيٌّ، أَنَّ أَبَا الْقَاسِمِ إِبْرَاهِيمَ بْنَ الْحُسَيْنِ بْنِ مُحَمَّدٍ بْنِ الْحُسَيْنِ الرَّوَيْدِسْتِيَّ، وَأَبُو مُحَمَّدٍ إِسْمَاعِيلُ بْنُ عَمَرَ بْنِ مُحَمَّدٍ الْخَرَسَانِيَّ قَالَا: أَنَّ أَبَا الْفَتْحِ مَنْصُورَ بْنَ الْحُسَيْنِ بْنِ عَلِيٍّ بْنِ الْقَاسِمِ، أَنَّ أَبَا بَكْرٍ مُحَمَّدَ بْنَ إِبْرَاهِيمَ بْنِ عَلِيٍّ بْنِ الْمُفَرِّجِ، أَنَّ أَبَا عُرْوَةَ الْحُسَيْنِ بْنَ أَبِي مَعْشَرٍ: حَدَّثَنَا مُحَمَّدُ بْنُ سَلَمَةَ، عَنْ ابْنِ إِسْحَاقَ، عَنْ صَالِحِ بْنِ كَيْسَانَ، عَنْ عُرْوَةَ بْنِ الزُّبَيْرِ، عَنْ عَائِشَةَ، قَالَتْ: دَخَلَتْ أُمُّ سُنْبُلَةَ الْأَسْلَمِيَّةُ عَلَى النَّبِيِّ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، بِوَطْبَيْنِ مِنْ لَبَنٍ تُهْدِيهِمَا لَهُ، فَقَالَ: «مَرَّحَبًا بِأُمِّ سُنْبُلَةَ، مَرَّحَبًا بِأُمِّ سَلَمَةَ [سُنْبُلَةَ]». قَالَتْ: يَا رَسُولَ اللَّهِ، هَذَا لَبَنٌ إِبِلٍ أَهْدَيْتُهُ لَكَ - وَفِي يَدَيَّهَا قُعْبٌ - قَالَ: «صَبِّي فِي هَذَا الْقُعْبِ فِي يَدِكَ». قَالَتْ عَائِشَةُ: قُلْتُ: أَوَلَمْ تَكُنْ قُلْتَ إِنَّكَ لَا تَقْبَلُ هَدِيَّةً مِنْ أَعْرَابِي؟ فَقَالَ: «أَوَ أَعْرَابٍ أَسْلَمَ يَا عَائِشَةُ؟ إِنَّهُمْ لَيْسُوا بِأَعْرَابٍ، وَلَكِنَّهُمْ أَهْلُ بَادِيَّتِنَا وَنَحْنُ حَاضِرَتُهُمْ، إِذَا دَعَوْنَاهُمْ أَجَابُونَا، وَإِذَا دَعَوْنَا أَجَبْنَاهُمْ»].

I say: The sentence stating “**Aslam are not Aa’raab**” is an error or slip of the tongue by one of the narrators. The correct statement is: “**Indeed Aslam are not Aa’raab**”, and even more correct than it and perhaps representing the exact noble Prophetic wording, is the question that contains rebuke: “**And are Aslam Aa’raab O ‘Aa’ishah? Indeed, they are not Aa’raab**”. This is the most appropriate in terms of the infallible

Prophetic eloquence and clarity of speech and we will now immediately present this as it came narrated with this exact wording.

- This is in the case where it came recorded in “Al-Muntaqa min Kitab At-Tabaqaat” of Abu ‘Arubah Al-Harraniy (p: 21): [The Sheikh and ‘Aalim Abu Abdullah Sufyan bin Abi Al-Fadl bin Muhammad bin Abi Tahir Al-Khiraqiy and his brother Abu Al-Qasim ‘Ali informed us: Abu Al-Qasim Ibrahim bin Al-Husain bin Muhammad bin Al-Husain Ar-Rwaidashtiy and Abu Muhammad Isma’eel bin ‘Umar bin Muhammad Al-Khurasaniy informed: They both said: Abu Al-Fat’h Mansur bin Al-Husain bin ‘Ali bin Al-Qasim informed: Abu Bakr Muhammad bin Ibrahim bin ‘Ali bin Al-Muqri’ informed: Abu ‘Aubah Al-Husain bin Abi Ma’shar informed: Muhammad bin Salamah related to us from Ibn Ishaq, from Salih bin Kaisan, from ‘Urwah bin Az-Zubair, from ‘Aa’ishah: She said: Umm Sunbalah Al-Aslamiyah came to the Prophet ﷺ with two milkskins bringing them as a gift for him. So, he said: “Welcome to Umm **Salamah** (Sunbalah)” She said: “O Messenger of Allah this is the milk of a camel that I am gifting to you” and she held a bowl in her hand. He said: “Pour into this bowl in your hand”. ‘Aa’ishah said: I said: “Did you not say previously that you do not accept a gift from an Aa’raabiyy?” Then he said: “**And are Aslam Aa’raab O ‘Aa’ishah? Indeed, they are not Aa’raab.** Rather, they are the people of our rural areas and we are the people of their urban areas. If we invite them, they respond to us and if they invite us, we respond to them”

* وجاء هذا من طريق أخرى تعضد هذه، بل هي أصح، كما في شرح معاني الآثار (167/4): [بَابُ شَهَادَةِ الْبَدَوِيِّ. هَلْ تُقْبَلُ عَلَى الْقُرَوِيِّ]:

6183 - حَدَّثَنَا يُونُسُ، قَالَ: حَدَّثَنَا ابْنُ وَهْبٍ، قَالَ: أَخْبَرَنِي نَافِعٌ وَيزِيدُ وَيَحْيَى بْنُ أَبِي ثَوْبٍ، عَنْ ابْنِ الْهَادِ، عَنْ مُحَمَّدِ بْنِ عَمْرٍو بْنِ عَطَاءٍ، عَنْ عَطَاءِ بْنِ يَسَارٍ عَنْ أَبِي هُرَيْرَةَ، عَنْ رَسُولِ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، قَالَ: «لَا تُقْبَلُ شَهَادَةُ الْبَدَوِيِّ عَلَى الْقُرَوِيِّ».

فَذَهَبَ قَوْمٌ إِلَى أَنَّ شَهَادَةَ أَهْلِ الْبَادِيَةِ، غَيْرُ مَقْبُولَةٍ عَلَى أَهْلِ الْحَضَرِ، وَاحْتَجُّوا فِي ذَلِكَ بِهَذَا الْحَدِيثِ. وَخَالَفَهُمْ فِي ذَلِكَ آخَرُونَ، فَقَالُوا: أَمَّا مَنْ كَانَ مِنْ أَهْلِ الْبَادِيَةِ، مِمَّنْ يُجِيبُ إِذَا دُعِيَ وَفِيهِ أَسْبَابُ الْعَدَالَةِ، مَا فِي أَهْلِ الْعَدَالَةِ مِنْ أَهْلِ الْحَضَرِ، فَشَهَادَتُهُ مَقْبُولَةٌ، وَهُوَ كَأَهْلِ الْحَضَرِ. وَمِمَّنْ كَانَ مِنْهُمْ لَا يُجِيبُ إِذَا دُعِيَ، فَلَا تُقْبَلُ شَهَادَتُهُ. وَقَدْ رُوِيَ عَنْ رَسُولِ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، فِي سَائِرِ ذَلِكَ:

6184 - مَا حَدَّثَنَا ابْنُ أَبِي دَاوُدَ، قَالَ: حَدَّثَنَا الْوُهَيْبِيُّ قَالَ: حَدَّثَنَا ابْنُ إِسْحَاقَ، عَنْ صَالِحِ بْنِ كَيْسَانَ، عَنْ عُرْوَةَ بْنِ الزُّبَيْرِ، عَنْ عَائِشَةَ رَضِيَ اللَّهُ عَنْهَا قَالَتْ: قَدِمَتْ أُمُّ سُنَيْلَةَ الْأَسْلَمِيَّةُ، وَمَعَهَا وَطْبٌ مِنْ لَبَنٍ، تُهْدِيهِ لِرَسُولِ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، فَوَضَعَتْهُ عِنْدِي، وَمَعَهَا قَدَحٌ لَهَا. فَدَخَلَ النَّبِيُّ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، فَقَالَ: «مَرْحَبًا وَسَهْلًا، بِأُمِّ سُنَيْلَةَ»، قَالَتْ: يَا أَبَتِي وَأُمِّي، أَهْدَيْتُ لَكَ وَطْبًا مِنْ لَبَنٍ. قَالَ: «بَارَكَ اللَّهُ عَلَيْكَ، صَبِي لِي فِي هَذَا الْقَدَحِ فَصَبَّتُ لَهُ فِي الْقَدَحِ فَلَمَّا أَخَذَهُ»، قُلْتُ: قَدْ قُلْتُ: «لَا أَقْبَلُ هَدِيَّةً مِنْ أَعْرَابِي». قَالَ: «**إِلَّا أَعْرَابُ أَسْلَمَ يَا عَائِشَةُ!، إِنَّهُمْ لَيْسُوا بِأَعْرَابٍ**: وَلَكِنَّهُمْ أَهْلُ بَادِيَتِنَا، وَنَحْنُ أَهْلُ حَاضِرَتِهِمْ، إِذَا دَعَوْنَاهُمْ أَبَوَاءَ، وَإِذَا دَعَوْنَا بَنَاهُمْ» ثُمَّ شَرِبَ.

6185 - حَدَّثَنَا ابْنُ أَبِي دَاوُدَ، قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ عَبْدِ اللَّهِ بْنِ نُمَيْرٍ، قَالَ: حَدَّثَنَا يُونُسُ بْنُ بُكَيْرٍ، قَالَ: حَدَّثَنَا ابْنُ إِسْحَاقَ، فَذَكَرَ بِإِسْنَادِهِ مِثْلَهُ.

6186 - حَدَّثَنَا الرَّبِيعُ بْنُ سُلَيْمَانَ الْجِزْيِيُّ، قَالَ: حَدَّثَنَا سَعِيدُ بْنُ كَثِيرٍ بْنُ عَفِيرٍ، قَالَ: حَدَّثَنَا سُلَيْمَانُ بْنُ بِلَالٍ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ حَرْمَلَةَ، عَنْ عَبْدِ اللَّهِ بْنِ نِيَارٍ، عَنْ عُرْوَةَ، عَنْ عَائِشَةَ، عَنِ النَّبِيِّ، صَلَّى اللَّهُ

عليه وسلم، يَنْحُوهُ وَزَادَ فِي آخِرِهِ: **(فَلْيَسُوا بِأَعْرَابِ)**. فَأَخْبَرَنِي رَسُولُ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، أَنَّ مَنْ كَانَ مِنْ أَهْلِ الْبَادِيَةِ يُجِيبُ إِذَا دُعِيَ، فَهُوَ كَأَهْلِ الْحَضَرِ وَأَنَّ الْأَعْرَابَ الْمُتَّقَوِّمِينَ، الَّذِينَ لَا تُقْبَلُ هَدَايَاهُمْ، بِخِلَافِ هَؤُلَاءِ، وَهُمْ الَّذِينَ لَا يُجِيبُونَ إِذَا دُعُوا فَمَنْ كَانَ كَذَلِكَ، لَمْ تُقْبَلْ شَهَادَتُهُمْ، وَهُمْ الَّذِينَ عَنْهُمْ رَسُولُ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، فِي حَدِيثِ أَبِي هُرَيْرَةَ الَّذِي ذَكَرْنَا، فِيمَا نَرَى، وَاللَّهُ أَعْلَمُ]، انتهى نص (شرح معاني الآثار)؛

- This came via another path supporting this. Indeed, it is more Sahih, as it came in “Sharh Ma’aaniy Al-Aathaar” (4/167): [Chapter: The Shahadah (testimony) of the Badwi (Bedouin). Is it accepted over the townsperson?”:

6183: Yunus related to us: He said: Ibn Wahb related to us: He said: Nafi’, Yazid and Yahya bin Ayyub informed me from Ibn ul-Haad, from Muhammad bin ‘Amr bin ‘Ataa’, from ‘Ataa’ bin Yasar, from Abu Hurairah, from the Messenger of Allah ﷺ That he said: “The Shahadah (testimony) of the Bedouin is not accepted over the townsperson”.

So, some of the people (i.e., people of knowledge) adopted the opinion that the testimony of the people of the Baadiyah (rural Bedouin areas) is not accepted over the people of the urban areas and they used this Hadith as evidence for that. Others disagreed with them in relation to that and said: As for the one who is from the people of the Baadiyah (rural Bedouin areas), who responds when called and he possesses the conditions of ‘Adaalah (justice) which exist among the people of justice from the people of urban areas, then his testimony is accepted and he is like the people of the urban areas. And as for the one from them who does not respond when called (or invited), his testimony is not accepted. In relation to that the following has been related from the Messenger of Allah ﷺ:

6184: What Ibn Abi Dawud related to us: He said: Al-Wahbi related to us: He said: Ibn Ishaq related to us from Salih bin Kisan, from ‘Urwah bin Az-Zubair, from ‘Aa’ishah, may Allah be pleased with her: She said: Umm Sunbalah Al-Aslamiyah came and she had a skin of milk with her, that she brought as a gift for the Messenger of Allah ﷺ. So, she set it down with me and she also had a bowl with her. Then the Prophet ﷺ entered and said: “Welcome Umm Sunbalah”. She said: “By my father and mother, I have brought you a skin of milk as a gift”. He said: “May the blessings of Allah be upon you. Pour for me in this bowl”. So, she poured for him in the bowl. Then when he took it, I said: “You have previously said: ‘I do not accept the gift from the Aa’rabiyy’. He said: **“[Are] Aslam Aa’raab O ‘Aa’ishah?! They are not Aa’raab:** Rather, they are the people (or inhabitants) of our rural areas and we are the people of their urban areas. **If we invite them, they respond, and if they invite us, we respond to them**”. He then drank.

6185 – Ibn Abi Dawud related to us: He said: Muhammad bin Abdullah bin Numair related to us: He said: Yunus bin Bukair related to us: He said: Ibn Ishaq related to us: He then mentioned the same as it (i.e., the Hadith) with its Isnad.

- 6186: Ar-Rabee’ bin Sulaiman Al-Jeeziy related to us: He said: Sa’eed bin Kathir bin ‘Ufair related to us: He said: Sulaiman bin Bilal related to us from Abdur Rahman bin Harmalah, from Abdullah bin Niyar, from ‘Urwah, from ‘Aa’ishah, from the Prophet ﷺ: That he said the same as it and added at the end of it: “And so, they are not Aa’raab”.

Therefore, the Messenger of Allah ﷺ informed us that whoever is from the people (or inhabitants) of the Baadiyah (rural Bedouin areas) who respond when called are like the inhabitants of the urban areas. And

that the **Mutaqawwim** Aa'raab, whose gifts are not accepted, in contrast to the former, are those who do not respond when they are called. Therefore, whoever is like that, his testimony is not accepted and they are those whom the Messenger of Allah ﷺ meant in the Hadith of Abu Hurairah which we mentioned, according to our view and Allah is most knowledgeable] Here ends the text taken from "Sharh Ma'aaniy Al-Aathaar".

(Note: Mutaqawwim: Something possessing a financial value or worth – please clarify).

– وجاءت طريق الوهبي عن ابن إسحاق أيضا في شعب الإيمان للبيهقي (8982/480/6): [أخبرنا أبو عبد الله الحافظ وأحمد بن الحسن القاضي قالا: حدثنا أبو العباس محمد بن يعقوب قال: حدثنا أبو زرعة الدمشقي قال: حدثنا أحمد بن خالد الوهبي قال: حدثنا محمد بن إسحاق عن صالح بن كيسان عن عروة بن الزبير عن عائشة به].

- The path of Al-Wahbiy from Ibn Ishaq also came recorded in "Shu'ab ul-Iman" of Al-Baihaqi (6/480/8982): [Abu Abdullah Al-Hafizh and Ahmad bin Al-Hasan Al-Qaadiy informed us: They said: Abu I-'Abbas Muhammad bin Ya'qub related to us: He said: Abu Zur'ah Ad-Dimashqi related to us: He said: Ahmad bin Khalid Al-Wahbiy related to us: He said: Muhammad bin Ishaq related it to us from Salh bin Kaisan, from 'Urwah bin Az-Zubair, from 'Aa'ishah].

قلت: أولاً: رحم الله الإمام الطحاوي: خلط شرقا بغرب. فلا علاقة للحديث بموضوع قبول الشهادة، ولا بالعدالة، وليست (الأعرابية) هي (البدواة). ولكن تهمنا روايته، وهو – والله – الثقة المأمون، ولا نبالي بخطأ رأيه، ولا بالفساد الشنيع لبعض آرائه في (العقيدة الطحاوية).
وثانياً: ليس فيه ما يحتاج لنظر إلا عنعن ابن إسحاق، لما زعم من تدليسه، وهو زعم كاذب، وإفك **مفتري**، على أن الطرق الأخرى تثبت سماعه حيث صرح بذلك كما جاء في «ضعفاء العقيلي» أثناء ترجمة (وثيمة بن موسى):

I say: Firstly: May Allah have mercy upon Imam At-Tahawiy: He confused the east with the west. That is because the Hadith has no relationship to the subject of the acceptance of the Shahadah (testimony) nor Al-'Adaalah (trustworthiness), and "Al-'Aaraabiyah" is not "Al-Badaawah". However, despite that, what concerns us here is his narration and he, and Allah is most knowledgeable, is Thiqah and Ma'moon (reliable and trustworthy). We are not concerned about the error of his opinion nor the terrible corruption of some of his opinions in "Al-Aqeedah At-Tahawiyah".

Secondly: There is nothing in this Hadith (in terms of the Isnad) that requires scrutiny with the exception of the 'An'anah of Ibn Ishaq due to what has been claimed concerning his perpetration of Tadlees, **which is a false claim and fabricated falsehood**. That is as the other paths establish his hearing of it in the case where this was explicitly stated in what came mentioned in "Du'afaa' Al-'Uqailiy" during his biography of "Wathimah bin Musa":

* حيث جاء في الضعفاء الكبير للعقيلي (4/332/1940): [وَتِيْمَةُ بَنِي مُوسَى]: أَصْلُهُ فَارِسِيٌّ، سَكَنَ مِصْرَ، صَاحِبُ أَغَالِيْطٍ، وَرِوَايَةٌ عَنْ كُلِّ. وَمِنْ حَدِيثِهِ مَا حَدَّثَنَا عَنْ عُمَارَةَ بِنْتِ وَثِيْمَةَ قَالَ: حَدَّثَنَا أَبِي وَثِيْمَةُ بْنُ مُوسَى قَالَ: حَدَّثَنَا سَلَمَةُ بْنُ الْفَضْلِ قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ إِسْحَاقَ، عَنْ الزُّهْرِيِّ، وَعَنْ صَالِحِ بْنِ كَيْسَانَ، عَنْ عَبْدِ اللَّهِ بْنِ عَبْدِ اللَّهِ بْنِ عُثْبَةَ، وَعُرْوَةَ بْنِ الزُّبَيْرِ، عَنْ عَائِشَةَ، قَالَتْ: جَاءَتْ أُمُّ سُبُلَةَ الْأَشْجَعِيَّةُ [الْأَسْلَمِيَّةُ] بِوِطْبٍ مِنْ لَبَنٍ، وَذَكَرَ الْحَدِيثَ.

- حَدَّثَنَا مُحَمَّدُ بْنُ إِسْمَاعِيلَ قَالَ: حَدَّثَنَا سَلَمَةُ بْنُ شَبِيبٍ قَالَ: حَدَّثَنَا حَفْصٌ؛ وَحَدَّثَنَا مُحَمَّدُ بْنُ مُوسَى قَالَ: حَدَّثَنَا عَمَّارُ بْنُ الْحَسَنِ قَالَ: حَدَّثَنَا سَلَمَةُ بْنُ الْفَضْلِ، جَمِيعًا عَنْ مُحَمَّدِ بْنِ إِسْحَاقَ قَالَ: **حَدَّثَنِي** صَالِحُ بْنُ كَيْسَانَ، عَنْ عُرْوَةَ بْنِ الزُّبَيْرِ، عَنْ عَائِشَةَ، قَالَتْ: أَهَدَتْ أُمُّ سُبُلَةَ إِلَى رَسُولِ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، وَطْبًا مِنْ اللَّبَنِ الْأَيْلِ فَذَكَرَهُ، وَلَمْ يَذْكُرِ الزُّهْرِيُّ، وَلَا عَبْدُ اللَّهِ.

- حَدَّثَنَا الصَّائِغُ قَالَ: حَدَّثَنَا إِسْمَاعِيلُ بْنُ أَبِي أُوَيْسٍ قَالَ: حَدَّثَنَا أَبِي، عَنْ عَبْدِ الرَّحْمَنِ بْنِ حَرْمَلَةَ الْأَسْلَمِيِّ، عَنْ عَبْدِ اللَّهِ بْنِ يَزِيدٍ [نِيَارٍ] الْأَسْلَمِيِّ، عَنْ عُرْوَةَ، عَنْ عَائِشَةَ، عَنِ النَّبِيِّ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، بِهَذَا وَلَيْسَ لِلْحَدِيثِ مِنْ حَدِيثِ الزُّهْرِيِّ أَصْلٌ.

وعليه فالإسناد – من طريق ابن إسحاق – إذا صحيح، غاية في الصحة، تقوم به الحجة القاطعة.

- That is in the case where the following came recorded in “Ad-Du’afaa’ Al-Kabir”, Al-‘Uqailiy (4/332/1940): [“Wathimah bin Musa”: His origin is Persian. He settled in Egypt. He is a person possessing errors and relating from everyone. And from his Hadith is what ‘Umarah bin Wathimah related to us: He said: Abu Wathimah bin Musa related to us: He said: Salamah bin Al-Fadl related to us: He said: Muhammad bin Ishaq related to us from Az-Zuhriy and from Salih bin Kaisan, from Ubaidullah bin Abdullah bin ‘Utba and ‘Urwah bin Az-Zubair, from ‘Aa’ishah: She said: Umm Sunbalah Al-Ashja’iyah (Al-Aslamiyah) came with a skin of milk ... And he mentioned the rest of the Hadith].

- Muhammad bin Isma’eel related to us: He said: Salamah bin Shabib related to us: He said: Hafsa related to us and Muhammad bin Musa related to us: He said ‘Ammar bin Al-Hasan related to us: He said: Salamah bin Al-Fadl related to us; all from Muhammad bin Ishaq: He said: Salih bin Kaisan **related to me** from ‘Urwah bin Az-Zubair, from ‘Aa’ishah: She said: Umm Sunbalah brought a gift to the Messenger of Allah ﷺ of a skin of camel’s milk ... He then mentioned the remainder of the Hadith but did not mention (in the Isnad) Az-Zuhriy or Ubaidullah.

- As-Saa’igh related to us: He said: Isma’eel bin Abi Uwais related to us: He said: My father related to me from Abdur Rahman bin Harmalah Al-Aslamiy, from Abdullah bin Dinar (Niyar) Al-Aslamiy, from ‘Urwah, from ‘Aa’ishah, from the Prophet ﷺ ... He then mentioned this Hadith and the Hadith is not from the Hadith of Az-Zuhriy in origin (or at all)].

Consequently, the Isnad, via the path of Ibn Ishaq, is therefore Sahih, at the highest level of Sihhah (authenticity), and the definite evidential proof (Hujjah) is established by it.

* وكان الإمام القاسم بن سلام أسعد حظاً، وأكثر صواباً، من الإمام الطحاوي، كما هو في الأموال (ص: 539/279): [حَدَّثَنِي سَعِيدُ بْنُ عُفَيْرٍ، قَالَ: حَدَّثَنِي سُلَيْمَانُ بْنُ بِلَالٍ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ حَرْمَلَةَ، قَالَ: سَمِعْتُ عَبْدَ اللَّهِ بْنَ نِيَّارِ الْأَسْلَمِيِّ، يَقُولُ: سَمِعْتُ عُرْوَةَ بْنَ الزُّبَيْرِ، يُحَدِّثُ عَنْ عَائِشَةَ، أَنَّ رَسُولَ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، قَالَ - وَذَكَرْتُ عَائِشَةَ عِنْدَهُ الْأَعْرَابَ - فَقَالَ: يَا عَائِشَةُ لَيْسُوا بِأَعْرَابٍ، هُمْ أَهْلُ بَادِيَتِنَا، وَنَحْنُ أَهْلُ حَاضِرَتِهِمْ، **فَإِذَا دُعُوا أَأَبَوَا، فَلَيْسُوا بِأَعْرَابٍ**.

قَالَ أَبُو عُبَيْدٍ: فَأَرَاهُ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، قَدْ أُوجِبَ لَهُمْ **اسْمُ الْهَجْرَةِ بِالْإِيمَانِ، وَإِنْ كَانُوا فِي مَوَاضِعِهِمْ**، إِلَّا أَنَّ لِأَهْلِ الْحَاضِرِ فَضِيلَتَهُمْ كَمَا أَعْلَمْتُكَ، فَهَذَا مِمَّا يُبَيِّنُ لَكَ أَنَّ لَهُمْ مَعَ الْمُسْلِمِينَ حَقًّا إِذَا اخْتَلَجُوا إِلَى ذَلِكَ، قَلَّ ذَلِكَ الْحَقُّ أَوْ كَثُرَ، إِنَّمَا هُوَ بِقَدْرِ مَا يَرَى الْإِمَامُ، وَمِمَّا يُصَدِّقُ ذَلِكَ وَيُوضِّحُهُ حَدِيثُ النَّبِيِّ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ:

540 - حَدَّثَنَا ابْنُ أَبِي مَرْيَمَ، عَنْ يَحْيَى بْنِ أَيُّوبَ، عَنْ ابْنِ حَرْمَلَةَ، عَنْ مُحَمَّدِ بْنِ إِيَّاسٍ بْنِ سَلَمَةَ بْنِ الْأَكْوَعِ، أَنَّ أَبَاهُ حَدَّثَهُ أَنَّ سَلَمَةَ بْنَ الْأَكْوَعِ قَدِمَ الْمَدِينَةَ، فَلَقِيَهُ بُرَيْدَةُ بْنُ الْحُصَيْبِ، فَقَالَ: ارْتَدَدْتَ يَا سَلَمَةُ عَنْ هِجْرَتِكَ؟ فَقَالَ: مَعَاذَ اللَّهِ، وَاللَّهِ إِنِّي فِي إِذْنٍ مِنْ رَسُولِ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، إِنِّي سَمِعْتُ رَسُولَ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، يَقُولُ: اسْكُنُوا الشُّعْبَابَ. فَقَالُوا: يَا رَسُولَ اللَّهِ، إِنَّا نَخَافُ أَنْ يَضُرَّنَا ذَلِكَ فِي هِجْرَتِنَا فَقَالَ: **(أَنْتُمْ مَهْرُونَ حَيْثُمَا كُنْتُمْ)**. قَالَ أَبُو عُبَيْدٍ: وَمِمَّا يُصَدِّقُ ذَلِكَ وَيُوضِّحُهُ حَدِيثُ النَّبِيِّ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: مَنْ تَرَكَ مَالًا فَلَوْرَتِهِ، وَمَنْ تَرَكَ دَيْنًا فَلِإِيَّاهُ اللَّهُ وَرَسُولُهُ].

- And Imam Al-Qasim bin Salam was more happy in fortune and more correct than Imam At-Tahawiy in what came stated in "Al-Amwaal" (p: 279/539): [Sa'eed bin 'Ufair related to me: He said: Sulaiman bin Bilal related to me from Abdur Rahman bin Harmalah: He said: I heard Abdullah bin Niyar Al-Aslamiy saying: I heard 'Urwah bin Az-Zubair relating from 'Aa'ishah: That the Messenger of Allah ﷺ said (When 'Aa'ishah mentioned the Aa'raab in his presence): "O 'Aa'ishah they are not Aa'raab. They are the people of our rural areas and we are the people of their urban areas. **That is as if they are called (or called), they respond and so they are not Aa'raab**".

Abu 'Ubaid said: So, I see that he ﷺ allocated for them **the name of Al-Hijrah (emigration) with the Iman (belief) and even if they remained in their locations**. Except, the people of the urban areas have their merit as I have made you aware of. This is what makes evident to you that they have a right with the Muslims if they need that, whether that right is small or great in number. It is in accordance with the amount (or level) that the Imam sees (appropriate). This is affirmed and clarified by the Hadith of the Prophet ﷺ:

540 – Ibn Abi Maryam related to us from Yahya bin Ayyub, from Ibn Harmalah, from Muhammad bin Iyas bin Salamah bin Al-Akwa': That his father related to him that Salamah bin Al-Akwa' came to Al-Madinah and was then met by Buraidah bin Al-Husaib who said: "Have you withdrawn from your Hijrah O Salamah?" He replied: "May Allah's refuge be sought, by Allah, I am within the permission of the Messenger of Allah ﷺ. I heard the Messenger of Allah ﷺ saying: "Live (or settle in) in the mountain trails". They (i.e., those present) then said: "O Messenger of Allah, we fear that will harm us in respect to our Hijrah (emigration)". Then he said: **"You are Muhajirun (emigrants) wherever you may be"**. Abu 'Ubaid said: And (also) what affirms and clarifies that is the Hadith of the Prophet ﷺ: "Whoever leaves wealth, then it is for his inheritors and whoever leaves a debt, then it is to Allah and Messenger].

* وجاء نحو هذا، من زاوية أخرى، عن أم سنبله نفسها، رضي الله عنها، في «المعجم الكبير للطبراني» (396/163/25)، وفي معجم الطبراني [مشكولا (20904/50/23)]: [حَدَّثَنَا مُعَاذُ بْنُ الْمُثَنَّى، حَدَّثَنَا عَلِيُّ بْنُ الْمَدِينِيِّ، (ح) وَحَدَّثَنَا مُحَمَّدُ بْنُ عَبْدِ اللَّهِ الْحَضْرَمِيُّ، حَدَّثَنَا أَبُو كُرَيْبٍ قَالَا: حَدَّثَنَا زَيْدُ بْنُ الْحُبَابِ، حَدَّثَنَا عَمْرُو بْنُ قَيْطِيٍّ بْنُ شَدَّادِ بْنِ أَسِيدِ الْمَدَنِيِّ، أَخْبَرَنِي سُلَيْمَانُ، وَزُرْعَةُ، وَمُحَمَّدُ بْنُو الْحُصَيْنِ بْنِ سِنَانَ، (وَقَالَ ابْنُ الْمَدِينِيِّ بْنُ سَوَاءٍ)]، حَدَّثَتْهُمْ أُمُّ سُنْبُلَةَ، قَالَتْ: (أَتَيْتُ رَسُولَ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، بِهَدِيَّةٍ، فَأَبَيْنَ نِسَاءُ النَّبِيِّ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، أَنْ يَأْخُذْنَهَا، وَقُلْنَ: إِنَّا لَا نَأْخُذُ هَدِيَّةً، فَجَاءَ رَسُولُ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، فَقَالَ: خُذُوا هَدِيَّةً أُمِّ سُنْبُلَةَ، فَهِيَ أَهْلُ بَادِيَّتِنَا، وَنَحْنُ أَهْلُ حَضْرَتِهَا، وَأَعْطَاهَا وَادِي كَذَا وَكَذَا، فَاشْتَرَاهُ عَبْدُ اللَّهِ بْنُ حَسَنٍ بْنُ حَسَنٍ بْنُ عَلِيٍّ بْنُ أَبِي طَالِبٍ مِنْهَا، قَالَ: فَأَعْطَاهَا ذُودًا، قَالَ عَمْرُو بْنُ قَيْطِيٍّ: فَرَأَيْتُ بَعْضَهَا. قَالَ أَبُو كُرَيْبٍ: قُلْتُ لَزَيْدِ بْنِ الْحُبَابِ: مَنْ أَعْطَاهَا؟ قَالَ: رَسُولُ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ)].

- Similar to this, from another angle, came recorded from Umm Sunbalah herself, may Allah be pleased with her, in “Al-Mu’jam Al-Kabir” of At-Tabarani (25/163/396) and in the Mashkul version of Al-Mu’jam of At-Tabarani (23/50/20904): [Mu’adh bin Al-Muthanna related to us: ‘Ali bin Al-Madeeniy related to us ... (And) ... Muhammd bin Abdullah Al-Hadramiy related to us: Abu Kuraib related to us: They both said: Zaid bin Al-Hubab related to us: ‘Amr bin Qaizhiy bin Shaddad bin Usaid Al-Madaniy related to us: Sulaiman, Zur’ah and Muhammad, the sons of Al-Husain bin Sinan informed me (And he said Ibn Al-Madeeniy bin Sawa’an [bin Sinan bin Sawa’]): Umm Sunbalah related to them: She said: I brought a gift for the Messenger of Allah ﷺ but the wives of the Prophet refused to take it and said: “We do not take a gift”. Then the Messenger of Allah ﷺ came and said: “Take the gift of Umm Sunbalah as **she is (from) the people (or inhabitants) of our rural areas whilst we are the people of their urban areas**”. And he gave her such and such a valley. Then (later) Abdullah bin Hasan bin Hasan bin ‘Ali bin Abi Talib purchased it from them. He said: He gave her some camels. ‘Amr bin Qaizhiy said: I saw some of them. Abu Kuraib said: I asked Zaid bin Al-Hubab: Who gave them? He said: The Messenger of Allah ﷺ].

- وهو في معرفة الصحابة لأبي نعيم (7945/3508/6): [حَدَّثَنَا سُلَيْمَانُ بْنُ أَحْمَدَ، حَدَّثَنَا مُعَاذُ بْنُ الْمُثَنَّى، قَالَ: حَدَّثَنَا عَلِيُّ بْنُ الْمَدِينِيِّ، حَدَّثَنَا زَيْدُ بْنُ الْحُبَابِ، حَدَّثَنَا عَمْرُو بْنُ قَيْطِيٍّ بْنُ شَدَّادِ بْنِ أَسِيدِ الْمَدَنِيِّ، أَخْبَرَنَا سُلَيْمَانُ، وَزُرْعَةُ، وَمُحَمَّدُ بْنُو الْحُصَيْنِ بْنِ سِنَانَ بْنِ سَوَاءٍ، أَنَّ جَدَّتَهُمْ أُمُّ سُنْبُلَةَ، قَالَتْ: أَتَيْتُ رَسُولَ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، بِهَدِيَّةٍ فَأَبَيْنَ نِسَاءُ النَّبِيِّ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، أَنْ تَأْخُذْنَهَا، وَقُلْنَ: إِنَّا لَا نَأْخُذُ هَدِيَّةً، فَجَاءَ رَسُولُ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، فَقَالَ: (خُذُوا هَدِيَّةً أُمِّ سُنْبُلَةَ، فَهِيَ أَهْلُ بَادِيَّتِنَا، وَنَحْنُ أَهْلُ حَضْرَتِهَا)؛ وَأَعْطَاهَا وَادِي كَذَا وَكَذَا، فَاشْتَرَاهُ عَبْدُ اللَّهِ بْنُ حَسَنٍ بْنُ حَسَنٍ بْنُ عَلِيٍّ بْنُ أَبِي طَالِبٍ، مِنْهُمْ، قَالَ: فَأَعْطَاهَا ذُودًا، قَالَ عَمْرُو بْنُ قَيْطِيٍّ: فَرَأَيْتُ بَعْضَهَا].

- And it was recorded in “Ma’rifat us-Sahabah” of Abu Nu’aim (6/3508/7945): [Sulaiman bin Ahmad related to us: Mu’adh bin Al-Muthanna related to us: He said: ‘Ali bin Al-Madeeniy related to us: Zaid bin Al-Hubab related to us: ‘Amr bin Qaizhiy bin Shaddad bin Usaid Al-Madaniy related to us: Sulaiman, Zur’ah and Muhammad, the sons of Al-Husain bin Sinan bin Sawa’ informed us, that their grandmother Umm Sunbalah said: I brought a gift for the Messenger of Allah ﷺ but the wives of the Prophet refused to take it and said: “We do not take a gift”. Then the Messenger of Allah ﷺ came and said: “Take the gift of Umm Sunbalah as

she is (from) the people (or inhabitants) of our rural areas whilst we are the people of their urban areas”.

And he gave her such and such a valley. Then (later) Abdullah bin Hasan bin Hasan bin ‘Ali bin Abi Talib purchased it from them. He said: He gave her some camels. ‘Amr bin Qaizhiy said: I saw some of them].

وهو في «التاريخ الكبير» باختصار طفيف، كما عدد الحافظ طرق الحديث في خلال ترجمة أم سنبله الأسلمية، رضي الله عنه، في «الإصابة»:

* فقد استوعب الحافظ الطرق، أو كاد، في ترجمة أم سنبله الأسلمية، رضي الله عنها، كما جاء في الإصابة في تمييز الصحابة (12085/412/8): [أم سنبله الأسلمية]: قال ابن مندة: روت عنها عائشة. وقال ابن السكن: حديثها في أهل المدينة، ثم أخرج من رواية أبي أويس، عن عبد الرحمن بن حرمله، عن عبد الله بن نيار الأسلمي، عن عروة - سمعت عائشة تقول: أهدت أم سنبله الأسلمية لرسول الله صلى الله عليه وآله وسلم لبنا، فدخلت عليه فلم تجده، فقلت لها: إن رسول الله صلى الله عليه وآله وسلم قد نهى أن نأكل ما تهديه الأعراب، فدخل رسول الله صلى الله عليه وآله وسلم وأبو بكر، فقال: «يا أم سنبله، ما هذا معك؟» قالت: لبن أهديته إليك. قال: «اسكبي يا أم سنبله»، فنأولته رسول الله صلى الله عليه وآله وسلم فشرب، فقالت عائشة: يا رسول الله، قد كنت حدثتنا أنك نهيت عن طعام الأعراب. فقال: «يا عائشة، ليسوا بأعراب، هم أهل باديتنا، ونحن أهل حاضرتهم، **إذا دعوناهم فابوا فليسوا بأعراب**».

وأخرجه ابن مندة، من رواية سليمان بن بلال، عن عبد الرحمن، وقال في روايته: قال: «اسكبي ونأولي أبا بكر». ثم قال: «اسكبي ونأولي عائشة». ثم قال: «اسكبي ونأوليني». فشرب؛ وقال: رواه محمد بن إسحاق، عن صالح بن كيسان، عن عروة، عن عائشة بمعناه. قلت: ووصل أبو نعيم رواية ابن إسحاق، من طريق محمد بن سلمة الحراني، عنه. وأخرجه ابن سعد عن عبد الله بن جعفر، عن عبد الرحمن بن حرمله مطولا. وأخرجه أحمد، من طريق الفضل بن فضالة، عن يحيى بن أيوب المصري، عن عبد الرحمن بن حرمله بطوله. وأخرج النسائي في كتاب «الكنى»، والطبراني، وأبو عروبة، من طريق عمرو بن قبيط، عن سليمان بن محمد، وزرعة بن حصين بن سياه، عن أم سنبله، حدثتهم أنها أتت رسول الله صلى الله عليه وآله وسلم بهدية، فأبى أزواجه أن يأخذنها، فجاء رسول الله صلى الله عليه وآله وسلم، فقال: «خذوها، فإن أم سنبله من أهل باديتنا، ونحن أهل حاضرتها». زاد الطبراني: وأعطاه وادي كذا وكذا [فاشتراه عبد الله منهم فأعطاهم ذودا. قال عمرو بن قبيط: فرأيت بعضها. وأخرجه ابن مندة من هذا الوجه مختصرا، قالت: أتيت النبي صلى الله عليه وآله وسلم بهدية لبن فقبلها]، انتهى نص (الإصابة).

And it came recorded in “**At-Tareekh Al-Kabir**” with slight summarization and Al-Hafiz enumerated the paths of the Hadith in his biography of Umm Sunbalah Al-Aslamiy, may Allah be pleased with her, in his “**Al-‘Isabah**”:

- Al-Hafiz virtually encompassed all of the paths in the biography of Umm Sunbalah, may Allah be pleased with her, as came mentioned in “Al-‘Isabah Fee Tamyeez As-Sahabah” (8/412/12085): [“Umm Sunbalah Al-Aslamiy”: Ibn Mandah said: ‘Aa’ishah related from her. Ibn As-Sakan said: Her Hadith are concerning the people of Al-Madinah. He then extracted from the narration of Abu Uwais from Abdur Rahman bin Harmalah, from Abdullah bin Niyar Al-Aslamiy, from ‘Urwah: I heard ‘Aa’ishah saying: Umm Sunbalah brought milk as a gift for the Messenger of Allah ﷺ. She came to him (i.e., at his home) but did not find him.

So, I said to her: “The Messenger of Allah ﷺ has forbidden that we eat what the Aa’raab have gifted”. Then the Messenger of Allah ﷺ entered with Abu Bakr, and said: “O Umm Sunbalah, what is that you have with you?” She said: “Milk that I have brought as a gift for you”. He said: “Pour O Umm Sunbalah”. Then the Messenger of Allah ﷺ took it and drank. ‘Aa’ishah then said: “O Messenger of Allah, you had previously said to us that you had forbidden the food of the Aa’raab”. So, he said: “O ‘Aa’ishah, they are not Aa’raab. They are the people of our rural areas whilst we are the people of their urban areas. **If we invite them, they respond, and so they are not Aa’raab**”.

Ibn Mandah extracted it from the narration of Sulaiman bin Bilal, from Abdur Rahman and he said in his narration: He said: “Pour and serve Abu Bakr”. He then said: “Pour and serve ‘Aa’ishah” He then said: “Pour and serve it to me” and then he drank. And he said: Muhammad bin Ishaq related it from Salih bin Kaisan, from ‘Urwah, from ‘Aa’ishah with its same meaning. I say: The narration of Ibn Ishaq reached Abu Nu’aim via the path of Muhammad bin Salamah Al-Harraniy from him. And Ibn Sa’d extracted it from Abdullah bin Ja’far, from Abdur Rahman bin Harmalah in its full length. And Ahmad extracted it via the path of Al-Fadl bin Fadal, from Yahya bin Ayyub Al-Misriy, from Abdur Rahman bin Harmalah in its full length. An-Nasa’iy extracted it in the book “Al-Kuna”, in addition to At-Tabarani and Abu ‘Arubah via the path of ‘Amr bin Qaizhiy, from Sulaiman bin Muhammad and Zur’ah bin Husain bin Siyah, from Umm Sunbalah. She related to them that she went to the Messenger of Allah ﷺ with a gift but his wives refused to take it. Then the Messenger of Allah came and said: “Take it, as Umm Sunbalah is from the people of our rural areas and we are the people of her urban areas”. At-Tabarani added: And he gave her such and such a valley Then (later) Abdullah purchased it from them and gave her some camels. ‘Amr bin Qaizhiy said: I saw some of them. And Ibn Mandah extracted it from this direction in summarised form: She said: I came to the Prophet ﷺ with a gift of milk and he accepted it] Here ends the text from “Al-‘Isabah”.

فهذان طريقان مستقلان إلى شاهدي عيان رويت بهما هذه الحادثة الفريدة: أم سنبله – على الفطرة تروي من زاوية رؤيتها بلغتها البدوية الفطرية العفوية؛ وعائشة تتكلم بلغة الحضرية المتفككة المتسائلة الفاحصة: فمن المحال أن يكون ثمة تواطؤ – عمداً أو خطأً - على اختراع جوهر القصة، أو تركيب عباراتها. وليس في الواقعة ما يستحث الهمم نحو الكذب والاختراع فيه أصلاً. فهذا الحديث، حديث أم سنبله الأسلمية، رضي الله عنها، حديث صحيح، لا شك في صحته، تقوم به الحجة اليقينية القاطعة، وليس فقط بغلبة ظن راجح يقارب اليقين. وفيه البرهان اليقيني القاطع على صحة قولنا: **إن «الأعرابية»**، في عرف الشارع الحكيم، تبارك وتعالى، تعني: **«عدم حمل التابعة الأم، تابعة دار المهاجرين»**، لا غير، وليست هي من **«البدواة»** في صدر ولا ورد، والبدواة أسلوب في العيش مباح، لا بأس به، بل قد يكون لبعض الناس أحسن، ولصحتهم البدنية والنفسية أفضل، والحمد لله رب العالمين.

These then are two independent paths returning to two eyewitnesses through whom this unique incident was related: Umm Sunbalah, upon the Fitrah (i.e., who behaved and spoke in a natural plain manner of the rural people), who related it from **her** point of view with her natural Bedouin (or rural) language, and ‘Aa’ishah who spoke in her enquiring and probing language which she had acquired from her urban living. It is therefore impossible for there to have been collusion, intentionally or unintentionally, upon the invention of the essence of this story or upon the compilation of the wordings employed in it. In addition, there is also

nothing at all from the reality which acts as a motive to lie and invent in relation to it. Consequently, this Hadith, the Hadith of Umm Sunbalah Al-Aslamiah, may Allah be pleased with her, is a Sahih Hadith. There is no doubt in respect to it and it is a definite and certain Hujjah (source of evidential proof), not just based on a preponderance which is likely but rather a preponderance which is close to certainty. It contains the certain and definite clear proof (Burhan) to support our stated opinion:

That “**Al-Aa’raabiyah**” in accordance with the ‘Urf (custom) of the Shaari Al-Hakim (The All-wise Legislator), Glorified be He, the Most High, means: “**Not carrying the Taabi’iyah (subject status) of the mother, the subject status of Dar ul-Muhajirin**”, and that it does not mean other than this. It has absolutely no relationship to “Al-Badaawah” (Bedouin life), in the case where “Al-Badaawah” reflects a permissible style of living, concerning which there is no problem. Indeed, it could be better for some and preferable for their health and mental and emotional disposition, and All praise belongs to Allah.

ويظهر من ذلك أن قبيلة (أسلم) كانت بمثابة دولة، تدير نفسها بنفسها، فلا عجب أن يلتبس أمرها على عائشة، ولكنها ليست كيانا مستقلا، ولا هي دار مستقلة، وليست لها تابعة مستقلة، بل هي عضو – أي ولاية - في دولة المدينة النبوية الاتحادية، وهي عين دار المهاجرين، التي كانت اتحاداً فيدرالياً، كما فصلناه في بحثنا عن (صحيفة المدينة الدستورية)، ثم أصبحت (دولة الخلافة)، المشهورة المعروفة، بعد وفاة النبي، عليه وعلى آله الصلاة والسلام: فليراجع.

It is apparent from that that the tribe of “Aslam” was equivalent to a state, administering itself by itself and as such there is no wonder that its affair was ambiguous to ‘Aa’ishah. However, it was not an independent entity nor independent Dar (land). It did not have an independent Taabi’iyah (subject status) but was rather a member or Wilayah (province) within the federal prophetic state of Al-Madinah which was the very Dar ul-Muhajirin and a federal union (or federation), as we explained in detail in our research paper “The Madinah Constitutional Document (Sahifah)”. This state then became the famous and well-known “Khilafah state (or Caliphate)” after the passing of the Prophet ﷺ.

✽ فصل: البداوة أسلوب في العيش مباح

وسنسوق الآن طائفة من النصوص التي يتأيد بها قولنا أعلاه بأن والبداوة أسلوب في العيش مباح، لا بأس به، بل قد يكون لبعض الناس أحسن، ولصحتهم البدنية والنفسية أفضل. وأنها غير الأعرابية في اصطلاح الشارع الحكيم، الذي نقلها من أصلها اللغوي الذي يكاد يطابق (البداوة)، إلى معنى دستوري عميق هو: (عدم الهجرة)، أو بلفظ أدق: (عدم التحول إلى دار المهاجرين)، الذي لا علاقة له بمكان السكني، أو عدم الاستقرار والتنقل من مكان إلى مكان، وإنما هو (الانتماء، وحمل التابعية)، فقط لا غير: ف(المهاجرين)، بدوياً كان أو حضرياً، ساكناً في المدينة النبوية الشريفة أو غيرها: يحمل (تابعية دار المهاجرين). و(الأعرابي)، بدوياً كان أو حضرياً، مقيماً في المدينة النبوية أو غيرها لا يحمل أصلاً تلك التابعية، (تابعية دار المهاجرين)، بل له (تابعية مستقلة):

- Section: Al-Badaawah is a permissible manner of living

We will now present a collection of texts supporting our aforementioned opinion that Al-Badaawah reflects a permissible style of living, concerning which there is no issue or problem, and indeed, that for some people it is better and preferable for their bodily and emotional health. And that it is not the same as **Al-Aa'raabiyah** found in the terminological convention of the Shaari' Al-Hakim (Wise Legislator) and has been moved away from its linguistic origin which conforms virtually to the meaning of Al-Badaawah, to a **deep constitutional** meaning, which is: **"The absence of Al-Hijrah (migration)"** or in more precise wording: **"The non-transformation to Dar ul-Muhajirin (Land of the emigrants)"**, which has no relationship to the place of residence, the absence of settling down or moving from one place to another. Rather, it is related alone to the matter of **"Affiliation and carrying the subject or citizenship status (At-Taabi'iyah)"** and nothing besides that. That is as the **"Muhajir"** (emigrant), whether a (rural) Bedouin or an urban town dweller, who lives in the noble city of the Prophet ﷺ or outside it, is the one who holds **"The Taabi'iyah (subject or citizenship status) of Dar ul-Muhajirin"**, whilst the Aa'raabi, whether a (rural) Bedouin or urban town dweller, residing in the noble city of the Prophet or in other place, is the one who does not at all hold that Taabi'iyah: **"The Taabi'iyah (subject or citizenship status) of Dar ul-Muhajirin"**, but rather is in possession of or holds a (different) **"independent subject status"**.

*** جاء في مشكل الآثار (290/3): [بَابُ بَيَانِ مُشْكِلِ مَا رُوِيَ عَنْ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ فِي إِطْلَاقِهِ لِأَسْلَمَ أَنْ يَبْدُوا فِي الشَّعَابِ وَالْأَوْدِيَةِ بَعْدَ بَيْعَتِهِمْ إِيَّاهُ قَبْلَ ذَلِكَ عَلَى الْهَجْرَةِ]: -**
 حَدَّثَنَا فَهْدُ بْنُ سُلَيْمَانَ وَعَلِيُّ بْنُ عَبْدِ الرَّحْمَنِ بْنِ الْمُغِيرَةِ قَالَا حَدَّثَنَا سَعِيدُ بْنُ أَبِي مَرْيَمَ قَالَ: حَدَّثَنَا يَحْيَى بْنُ أَيُّوبَ عَنْ ابْنِ حَرْمَلَةَ وَهُوَ عَبْدُ الرَّحْمَنِ قَالَ: حَدَّثَنِي مُحَمَّدُ بْنُ عَبْدِ اللَّهِ بْنِ الْحُصَيْنِ أَنَّهُ سَمِعَ عَبْدَ اللَّهِ بْنَ جَرَّهَدٍ (هَكَذَا قَالَ: فَهْدُ فِي حَدِيثِهِ)، وَقَالَ عَلِيُّ فِي حَدِيثِهِ: إِنَّهُ سَمِعَ عُمَرَ بْنَ عَبْدِ اللَّهِ بْنِ جَرَّهَدٍ ثُمَّ اجْتَمَعَا جَمِيعًا فَقَالَا: يَقُولُ: سَمِعْتُ رَجُلًا يَقُولُ لِحَبِيبِ بْنِ عَبْدِ اللَّهِ: مَنْ بَقِيَ مَعَكَ مِنْ أَصْحَابِ رَسُولِ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، فَقَالَ بَقِيَ أَنَسُ بْنُ مَالِكٍ وَسَلْمَةُ بْنُ الْأَكْوَعِ فَقَالَ رَجُلٌ: أَمَّا سَلْمَةُ فَقَدْ ارْتَدَّ عَنْ هِجْرَتِهِ فَقَالَ جَابِرٌ: لَا تَقُلْ ذَلِكَ فَإِنِّي سَمِعْتُ رَسُولَ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، يَقُولُ: (أَبْدُوا يَا أَسْلَمَ فَقَالُوا: يَا رَسُولَ اللَّهِ إِنَّا نَخَافُ أَنْ نَرْتَدَّ عَنْ هِجْرَتِنَا فَقَالَ: (أَبْدُوا: فَأَنْتُمْ مَهْمَا رُونَ حَيْثُ كُنْتُمْ).

- The following came reported in "Mushkil Al-Aathaar" (3/290): **[The chapter of: Explaining the ambiguity of what was related from the Messenger of Allah ﷺ in relation to his letting (the tribe of) Aslam live as Bedouins in the mountain trails and valleys following their Bai'ah (pledge) to him which had occurred prior to that (i.e., the permission), in relation to the Hijrah]: -**

Fahd bin Sulaiman and 'Ali bin Abdur Rahman bin Al-Mughirah related to us: They said: Sa'eed bin Abi Maryam related to us: He said: Yahya bin Ayyub related to us from Ibn Harmalah (and he is Abdur Rahman): He said: Muhammad bin Abdullah bin Al-Husain related to me that he heard Abdullah bin Jarhad (As stated by Fahd in his Hadith), whilst 'Ali said in his Hadith: That he heard 'Umar bin Abdullah bin Jarhad. Then they (i.e., 'Muhammad bin Abdullah bin Al-Husain and 'Ali) agreed together (in their narrations) and said: He says: I heard a man saying to Jabir bin Abdullah: "Who still remains with you from the companions of the Messenger of Allah ﷺ". He answered: "Anas bin Malik and Salamah bin Al-Akwa' still remain". Then the man said: "As for Salamah, then he withdrew from (or renounced) the Hijrah". Jabir then said: "Don't say that because I heard the Messenger of Allah ﷺ saying: "Go and live a rural Bedouin life". They asked: "O Messenger of Allah, we fear that we would be renouncing our Hijrah?" So, he said: "Go and live the rural Bedouin life, **as you are Muhajirun wherever you are**".

- حَدَّثَنَا فَهْدٌ قَالَ: حَدَّثَنَا ابْنُ أَبِي مَرْيَمَ قَالَ: حَدَّثَنَا يَحْيَى بْنُ أَيُّوبَ عَنْ ابْنِ حَرْمَلَةَ عَنْ مُحَمَّدٍ بْنِ إِبْرَاهِيمَ بْنِ سَلَمَةَ بْنِ الْأَكْوَعِ أَنَّ أَبَاهُ حَدَّثَهُ (أَنَّ سَلَمَةَ بْنَ الْأَكْوَعِ قَدِمَ الْمَدِينَةَ فَلَقِيَهُ بُرَيْدَةُ بْنُ حَصِيبٍ فَقَالَ ارْتَدَدْتَ عَنْ هِجْرَتِكَ يَا سَلَمَةَ فَقَالَ: مَعَاذَ اللَّهِ إِنِّي فِي إِذْنٍ مِنْ رَسُولِ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، إِنِّي سَمِعْتُ رَسُولَ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، يَقُولُ: (أَبْدُوا يَا أَسْلَمُ: انْتَسِمُوا الرِّيَاحَ وَاسْكُنُوا الشَّعَابَ فَقَالُوا إِنَّا نَخَافُ أَنْ يَضُرَّنَا ذَلِكَ فِي هِجْرَتِنَا فَقَالَ رَسُولُ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، أَنْتُمْ مُهَاجِرُونَ حَيْثُ كُنْتُمْ)، انتهى نص (مشكل الآثار).

Fahd related to us: He said: Ibn Abi Maryam related to us: He said: Yahya bin Ayyub related to us from Ibn Harmalah, from Muhammad bin Iyas bin Salamah bin Al-Akwa': That his father related to him: That Salamah bin Al-Akwa' went to Al-Madinah and was met by Buraidah bin Husaib: He then said: "Did you renounce your Hijrah O Salamah?" He replied: "May Allah's refuge be sought (from that). I am in accord with the permission from the Messenger of Allah ﷺ. I heard the Messenger of Allah ﷺ saying: "Go and live a rural Bedouin life O Aslam: Smell the winds and live in the mountain trails". They asked: "We fear that will harm us in respect to our Hijrah". The Messenger of Allah ﷺ then said: "You are Muhajirun wherever you are". Here ends the text of "Mushkil Al-Aathaar".

* وجاء أيضا في مشكل الآثار (291/3): [حَدَّثَنَا إِبْرَاهِيمُ بْنُ أَبِي دَاوُدَ قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ أَبِي بَكْرٍ الْمُقَدَّمِيُّ قَالَ: حَدَّثَنَا أَبُو مَعْشَرٍ الْبَرَاءُ (قَالَ: أَبُو جَعْفَرٍ: أَبُو مَعْشَرٍ يُوسُفُ بْنُ يَزِيدَ الْبَرَاءُ بَرَاءُ الْعَوْدِ)، قَالَ: حَدَّثَنَا عَبْدُ الرَّحْمَنِ بْنُ حَرْمَلَةَ عَنْ مُحَمَّدٍ بْنِ إِبْرَاهِيمَ بْنِ سَلَمَةَ بْنِ الْأَكْوَعِ الْمَدِينَةَ فَلَقِيَهُ بُرَيْدَةُ فَقَالَ يَا سَلَمَةَ ارْتَدَدْتَ عَنْ هِجْرَتِكَ قَالَ: مَعَاذَ اللَّهِ إِنِّي فِي إِذْنٍ مِنْ رَسُولِ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، قَالَ: أَبْدُوا يَا أَسْلَمُ فَاسْكُنُوا الشَّعَابَ قَالُوا: يَا رَسُولَ اللَّهِ إِنَّا نَخَافُ أَنْ يَضُرَّنَا ذَلِكَ فِي هِجْرَتِنَا قَالَ: أَنْتُمْ مُهَاجِرُونَ حَيْثُ مَا كُنْتُمْ). فَقَالَ قَائِلٌ فَفِيمَا رَوَيْتَ خُرُوجَ أَسْلَمَ مِنَ الْإِقَامَةِ بِدَارِ الْهَجْرَةِ إِلَى الدَّارِ الْأَعْرَابِيَّةِ وَهَذَا خِلَافُ مَا رَوَيْتَهُ مِمَّا يُوجِبُهُ مَا رَوَيْتَهُ فِي الْبَابِ الَّذِي قَبْلَ هَذَا الْبَابِ. فَكَانَ جَوَابَنَا لَهُ فِي ذَلِكَ بِتَوْفِيقِ اللَّهِ عَزَّ وَجَلَّ وَعَوْنِهِ أَنَّ الَّذِي رَوَيْنَاهُ فِي الْبَابِ الَّذِي قَبْلَ هَذَا الْبَابِ مِنْ لَعْنِ رَسُولِ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، الْمُؤْتَدَّ الْأَعْرَابِيَّ بَعْدَ هِجْرَتِهِ هُوَ عِنْدَنَا - وَاللَّهُ أَعْلَمُ - عَلَى الْمُؤْتَدِّ كَذَلِكَ ارْتِدَادًا يَخْرُجُ بِهِ مِنَ الْهَجْرَةِ الَّتِي تُوجِبُ عَلَيْهِ الطَّاعَةَ إِلَى الْأَعْرَابِيَّةِ الَّتِي لَا طَّاعَةَ مَعَهَا، وَأَسْلَمُ لَمْ يَكُونُوا كَذَلِكَ بَلْ كَانُوا عَلَى خِلَافِهِ مِمَّا قَدْ بَيَّنَّاهُ عَنْهُمْ رَسُولُ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، فِيمَا رَوَيْتُهُ عَنْهُ عَائِشَةُ رَضِيَ اللَّهُ عَنْهَا. كَمَا حَدَّثَنَا الرَّبِيعُ بْنُ سُلَيْمَانَ الْأَزْدِيُّ قَالَ: حَدَّثَنَا سَعِيدُ بْنُ كَثِيرٍ عَنْ عَفِيرٍ قَالَ: حَدَّثَنَا سُلَيْمَانُ بْنُ بِلَالٍ عَنْ عَبْدِ الرَّحْمَنِ بْنِ حَرْمَلَةَ عَنْ عَبْدِ اللَّهِ بْنِ نِيَارٍ عَنْ عُرْوَةَ عَنْ عَائِشَةَ قَالَتْ (قَدِمْتُ أُمَّ سُبُلَةَ الْأَسْلَمِيَّةَ وَمَعَهَا وَطْبٌ مِنْ لَبَنٍ تُهْدِيهِ لِرَسُولِ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، فَوَضَعَتْهُ عِنْدِي وَمَعَهَا قَدَحٌ لَهَا فَدَخَلَ النَّبِيُّ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، فَقَالَ مَرْحَبًا وَأَهْلًا يَا أُمَّ سُبُلَةَ فَقَالَتْ: يَا أَبَايَ أَنْتَ وَأُمِّي أَهْدَيْتَ لَكَ هَذَا الْوُطْبَ قَالَ: بَارَكَ اللَّهُ عَلَيْكَ صَبِي لِي فِي هَذَا الْقَدَحِ فَصَبَبْتُ لَهُ فِي الْقَدَحِ فَلَمَّا أَخَذَهُ قُلْتُ: قَدْ قُلْتُ لَا أَقْبَلُ هَدِيَّةً مِنْ أَعْرَابِي قَالَ: أَعْرَابُ أَسْلَمَ يَا عَائِشَةُ إِنَّهُمْ لَيْسُوا بِأَعْرَابٍ، وَلَكِنَّهُمْ أَهْلُ بَادِيَّتِنَا وَنَحْنُ أَهْلُ حَاضِرَتِهِمْ إِذَا دَعَوْنَاهُمْ أَجَابُوا، وَإِذَا دَعَوْنَا أَجَبْنَاهُمْ ثُمَّ شَرِبَ). وَكَمَا حَدَّثَنَا ابْنُ أَبِي دَاوُدَ

قَالَ: حَدَّثَنَا أَحْمَدُ بْنُ خَالِدٍ الْوُهَيْيُّ قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ إِسْحَاقَ عَنْ صَالِحِ بْنِ كَيْسَانَ عَنْ عُرْوَةَ بْنِ الزُّبَيْرِ عَنْ عَائِشَةَ ثُمَّ ذَكَرَ مِثْلَهُ. وَكَمَا حَدَّثَنَا ابْنُ أَبِي دَاوُدَ قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ عَبْدِ اللَّهِ بْنِ نُمَيْرٍ قَالَ: حَدَّثَنَا يُونُسُ بْنُ بُكَيْرٍ قَالَ: حَدَّثَنَا ابْنُ إِسْحَاقَ ثُمَّ ذَكَرَ بِإِسْنَادِهِ مِثْلَهُ. قَالَ: أَبُو جَعْفَرٍ وَفِي حَدِيثِ الرَّبِيعِ شَيْءٌ ذَهَبَ عَنَّا ذِكْرُهُ لَيْسَ فِي حَدِيثٍ غَيْرِهِ وَهُوَ فَلْيَسُوا بِالْأَعْرَابِ وَخَتَمَ بِذَلِكَ حَدِيثَهُ قَالَ: أَبُو جَعْفَرٍ فَكَانَ فِيهِمَا رَوَيْنَاهُ مِنْ حَدِيثِ عَائِشَةَ هَذَا إِخْبَارُ رَسُولِ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، عَنْ أَسْلَمَ أَنَّهُمْ، وَإِنْ كَانُوا قَدْ تَبَدَّوْا فَإِنَّهُمْ قَدْ كَانُوا يُجِيبُونَ إِذَا دُعُوا إِلَى مَا يُرِيدُهُ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، كَمَا كَانُوا يُجِيبُونَ إِلَى مِثْلِ ذَلِكَ لَوْ لَمْ يَتَبَدَّوْا، وَأَنَّهُمْ لَمَّا كَانُوا كَذَلِكَ كَانُوا كَهُمْ لَوْ لَمْ يَتَبَدَّوْا. وَكَانَ فِي ذَلِكَ مَا قَدْ دَلَّ أَنَّ التَّبَدِّيَ الْمَذْمُومَ هُوَ التَّبَدِّيَ الَّذِي لَا يُجِيبُ أَهْلُهُ إِذَا دُعُوا، فَأَمَّا التَّبَدِّيَ الَّذِي هُوَ بِخِلَافِ ذَلِكَ فَهُوَ كَالْمَقَامِ بِالْحَضْرَةِ وَقَدْ ذَكَرَ اللَّهُ عَزَّ وَجَلَّ الْأَعْرَابَ فِي كِتَابِهِ فِي مَوْضِعٍ فَذَمَّهُمْ وَأَخْبَرَ أَنَّهُمْ أَشَدُّ كُفْرًا وَنِفَاقًا وَأَجْدَرُ أَنْ لَا يَعْلَمُوا حُدُودَ مَا أَنْزَلَ اللَّهُ عَلَى رَسُولِهِ وَذَكَرَهُمْ فِي مَوْضِعٍ آخَرَ مِنْ كِتَابِهِ فَوَصَفَهُمْ بِالْإِيمَانِ فَقَالَ (وَمِنَ الْأَعْرَابِ مَنْ يُؤْمِنُ بِاللَّهِ وَالْيَوْمِ الْآخِرِ وَيتَّخِذُ مَا يُنْفِقُ قُرْبَاتٍ عِنْدَ اللَّهِ وَصَلَوَاتِ الرَّسُولِ). فَكَانَ الْأَعْرَابُ الْمَذْمُومُونَ فِيهِمَا تَلَوْنَا هُمُ الَّذِينَ يَغِيبُونَ عَنِ رَسُولِ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، حَتَّى لَا يَعْلَمُوا أَحْكَامَ اللَّهِ عَزَّ وَجَلَّ الَّذِي يُنَزِّلُهَا عَلَيْهِ وَلَا فَرَايضَهُ الَّتِي يُجْرِيهَا عَلَى لِسَانِهِ وَكَانَ مَنْ هُوَ خِلَافُهُمْ مِنْهُمْ مَا ذَكَرَهُمْ عَزَّ وَجَلَّ بِهِ مِنَ الْأُمُورِ الَّتِي حَمَدَهُمْ عَلَيْهَا وَأَثْنَى عَلَيْهِمْ بِهَا، فَكَانَ الْأَسْلَمِيُّونَ رِضْوَانُ اللَّهِ عَلَيْهِمْ مِمَّنْ دَخَلُوا فِي ذَلِكَ فَكَانُوا كَمَنْ لَا يُفَارِقُهُ وَاللَّهُ نَسَّأَلُهُ التَّوْفِيقَ]، انتهى نص (مشكل الآثار).

- The following also came recorded in "Mushkil Al-Athaar" (3/291): [Ibrahim bin Abi Dawud related to us: He said: Muhammad bin Abi Bakr Al-Muqaddamiy related to us: He said: Abu Ma'shar Al-Bara' related to us (He said: Abu Ja'far: Abu Ma'shar Yusuf bi Yazid Al-Bara' Bra' Al-'Awd) He said: Abdur Rahman bin Harmalah related to us from Muhammad bin Iyas bin Salamah: He said: My father related to me: He said: [Salamah bin Al-Akwa' came to Al-Madinah and was met by Buraidah bin Husaib: He then said: "O Salamah have you renounced your Hijrah?" He replied: "May Allah's refuge be sought (from that). I am in accord with the permission from the Messenger of Allah ﷺ. I heard the Messenger of Allah ﷺ saying: "Go and live a rural Bedouin life O Aslam and live in the mountain trails". They asked: "We fear that will harm us in respect to our Hijrah". The Messenger of Allah ﷺ then said: "You are Muhajirun wherever you are"]. Someone then said: Therefore, in respect to what you related concerning Aslam exiting from the residence of Dar ul-Hijrah to the Dar (homeland) of the Aa'raabiyah, this is contrary to what you related in respect to what is dictated by what you related in the chapter prior to this chapter (i.e., of Hadith). Our answer to him concerning that, with the Tawfiq of Allah 'Azza Wa Jalla and His help, is: That which we related in the chapter prior to this chapter in terms of the curse of the Messenger of Allah ﷺ upon the Aa'raabiy Murtadd (renouncer) after his Hijrah, it is understood by us, and Allah is most knowledgeable, to apply to the Murtadd (renouncer or apostate). It also represents a renouncing that takes him outside of the Hijrah which made obedience compulsory upon him, taking him to the status of the Aa'raabiyah which has no obedience accompanying it. That is whilst Aslam were not like that. Rather, they were different to it which was made clear by the speech of the Messenger of Allah ﷺ concerning them found in that which was related by 'Aa'ishah, may Allah be pleased with her. This came related as follows: [Ar-Rabee' bin Sulaiman Al-Azdiy related to us: He said: Sa'eed bin Kathir bin 'Ufair related to us: He said: Sulaiman bin Bilal related to us from Abdur Rahman bin Harmalah, from Abdullah bin Niyar, from 'Urwah, from 'Aa'ishah: She said: Umm Sunbalah Al-Aslamiyah came and she had a skin of milk with her, that she brought as a gift for the Messenger of Allah ﷺ. So, she set it down with me and she also had a bowl with her. Then the Prophet ﷺ entered and said: "Welcome Umm Sunbalah". She said: "By my father and mother, I have brought you a skin of milk as a gift". He said: "May the blessings of Allah be upon you. Pour for me in this bowl". So, she poured for him in the bowl. Then when he

took it, I said: “You have previously said: “I do not accept the gift from the Aa’rabiyy”. He said: “[Are] Aslam Aa’raab O ‘Aa’ishah?! They are not Aa’raab: Rather, they are the people (or inhabitants) of our rural areas and we are the people of their urban areas. If we invite them, they respond, and if they invite us, we respond to them”. He then drank]. Ibn Abi Dawud also related to us: He said: Ahmad bin Khalid Al-Wahbiyy related to us: He said: Muhammad bin Ishaq related to us from Salih bin Kaisan, from ‘Urwah bin Az-Zubair, from ‘Aa’ishah: He then mentioned the same as it (i.e., the Hadith). Just as Ibn Abi Dawud related to us: He said: Muhammad bin Abdullah bin Numair related to us: He said: Yunus bin Bukair related to us: He said: Ibn Ishaq related to us: He then mentioned the same as it (i.e., the Hadith) with its Isnad. Abu Ja’far said: And in the Hadith of Ar-Rabee’ there is something, the mention of which we overlooked, which is not present in the Hadith related by other than him, and that is (the statement): “They are not Aa’raab”, and he concluded the Hadith with that. Abu Ja’far said: Therefore, included in what we related in respect to this Hadith of ‘Aa’ishah is that the Messenger of Allah ﷺ informed that Aslam, even if they had adopted the Bedouin life they still responded when they were called for the purposes of what he ﷺ wished just like they would have responded had they not adopted the Bedouin life, and that as long as they were like that, they were just like they would have been had they not adopted the Bedouin lifestyle. That includes what may indicate to the unpraiseworthy Bedouin lifestyle being the type of Bedouin lifestyle where its people do not respond when they are called. As for the Bedouin life which differs from that, then that is the same (in status) as the one residing in the urban area or town. And Allah ‘Azza Wa Jalla mentioned the Aa’raab in His Book within a context, censuring them, informing that they are the strongest in disbelief and hypocrisy, and the most likely not to be aware of the limits of what Allah had revealed upon His Messenger. That is whilst He also mentioned them in another context of His Book and described them as possessing the attribute of Iman (belief), when He stated:

وَمِنَ الْأَعْرَابِ مَنْ يُؤْمِنُ بِاللَّهِ وَالْيَوْمِ الْآخِرِ وَيَتَّخِذُ مَا يُنْفِقُ قُرْبَاتٍ عِنْدَ اللَّهِ وَصَلَواتِ الرَّسُولِ

But among the Bedouins (Aa’raab) are some who believe in Allah and the Last Day and consider what they spend as means of nearness to Allah and of [obtaining] invocations of the Messenger (At-Taubah: 99).

Therefore, the Aa’raab who are dispraised in that which we recite (i.e., the Qur’an) are those who are absent and distanced from the Messenger of Allah ﷺ where they are unaware of the rulings of Allah ‘Azza Wa Jalla which He revealed to him and the obligations that were issued upon his tongue. There were others of them (i.e., Aa’raab) who were different to them, whom Allah ‘Azza Wa Jalla mentioned concerning matters which He praised them and commended them for. The Aslamiyoon (tribe of Aslam), may Allah be pleased with them, were from those who fit that category and they were like those who had not separated themselves from him, and we ask Allah for Tawfiq] Here ends the text of “Mushkil Al-Aathaar”.

قلت: فأنت ترى معاناة الإمام الطحاوي في التفرقة بين (البدواة) و(الأعرابية)، وعجزه عن النظر الدستوري السليم، ولا عجب: فقد فسد نظام الحكم الإسلامي بعد اغتصاب المنافق الكافر/معاوية بن أبي سفيان، عليهما لعنة الله، للسلطة، وانتزاعه على الأمة بالسيف، وإبطاله للشورى: فتوقع الفقهاء على أنفسهم، وانعزل القراء والدارسون في أبراجهم العاجية، وانصرفت همه الفقهاء إلى فقه الشعائر، والطهارة والحيض والنفاس، والمعاملات الفردية كالبيع والشراء!

I say: As such, you can see the struggle of Imam At-Tahawiy in respect to distinguishing between the “Badaawah” and the “Aa’raabiyah” and his inability to attain a sound constitutional view. There is no wonder in that as the Islamic ruling system had been corrupted following the usurpation by the disbelieving hypocrite Mu’awiyah bin Abi Sufyan, may Allah’s curse be upon him, of the authority and stripping it from the Ummah by the sword, in addition to his abolishing of Shura (consultation). As a consequence, the Fuqaha’ stopped addressing these matters, the readers and students isolated themselves in ivory towers and the concern of the jurists turned towards focusing upon the Fiqh of rituals, purification, menstruation, post childbirth bleeding and the transactions of individuals, like selling and buying!

❖ فصل: التفريق بين «هجرة الحاضر»، و«هجرة البادي»

ويزداد ما أسلفنا أعلاه وضوحاً بملاحظة تفريق النبي، عليه وعلى آله الصلاة والسلام، بين (هجرة البادي)، و(هجرة الحاضر):

* كما جاء في الأموال [للقاسم بن سلام (ص: 538/279)]: [حَدَّثَنَا مُحَمَّدُ بْنُ جَعْفَرٍ، حَدَّثَنَا شُعْبَةُ، عَنْ عَمْرِو بْنِ مُرَّةٍ، عَنْ عَبْدِ اللَّهِ بْنِ الْحَارِثِ، عَنْ أَبِي كَثِيرٍ الزُّبَيْدِيِّ زُهَيْرِ بْنِ الْأَقْمَرِ، عَنْ عَبْدِ اللَّهِ بْنِ عَمْرٍو، عَنِ النَّبِيِّ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، قَالَ: (الْهَجْرَةُ هَجْرَتَانِ: هَجْرَةُ الْبَادِي، وَهَجْرَةُ الْحَاضِرِ، فَأَمَّا هَجْرَةُ الْبَادِي فَعَلَيْهِ أَنْ يُجِيبَ إِذَا دُعِيَ وَأَنْ يُطِيعَ إِذَا أُمِرَ، وَأَمَّا هَجْرَةُ الْحَاضِرِ فَهِيَ أَشَدُّهُمَا بَلِيَّةً، وَأَعْظَمُهُمَا أَجْرًا)؛

- Section: The distinction between “Hijrat ul-Haadir” (The Hijrah of the townsperson) and “Hijrat ul-Baadiy” (The Hijrah of the Bedouin)

What we have mentioned above is clarified further through observing the distinction made by the Prophet ﷺ between the “Hijrah of the Baadiy” (rural Bedouin) and the “Hijrah of the Haadir” (urban townsperson):

The following came recorded in Al-Amwal of Al-Qasim bin Salam (p: 279/538): [Muhammad bin Ja’far related to us: Shu’bah related to us from ‘Amr bin Murrah, from Abdullah bin Al-Harith, from Abu Kathir Az-Zubaidiy Zuhair bin Al-Aqmar, from Abdullah bin ‘Amr, from the Prophet ﷺ: He said: “The Hijrah (emigration) is Hijrataan (Two types of Hijrah): The Hijrah of the Baadiy (Bedouin) and the Hijrah of the Haadir (Townsperson). As for Hijrat ul-Baadiy, then it is upon him to respond when called and to obey when commanded. As for Hijrat ul-Haadir, then it is the most severe of the two and the greatest in terms of reward”].

* وهو – بأتم لفظ – في مسند أحمد [مخرجا (6792/398/11)]: [حَدَّثَنَا وَكِيعٌ، قَالَ: حَدَّثَنَا الْمَسْعُودِيُّ، وَيَزِيدٌ، أَخْبَرَنَا الْمَسْعُودِيُّ، عَنْ عَمْرِو بْنِ مُرَّةٍ، عَنْ عَبْدِ اللَّهِ بْنِ الْحَارِثِ الْمُكْتَبِ، عَنْ أَبِي كَثِيرٍ الزُّبَيْدِيِّ، عَنْ عَبْدِ اللَّهِ بْنِ عَمْرٍو، قَالَ: قَالَ رَسُولُ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: «إِيَّاكُمْ وَالشُّحَّ، فَإِنَّهُ أَهْلَكَ مَنْ كَانَ قَبْلَكُمْ، أَمَرَهُمْ بِالظُّلْمِ فَظَلَمُوا، وَأَمَرَهُمْ بِالْقَطِيعَةِ فَقَطَعُوا، وَأَمَرَهُمْ بِالْفُجُورِ فَفَجَرُوا، وَإِيَّاكُمْ وَالظُّلْمَ، فَإِنَّ الظُّلْمَ ظُلُمَاتٌ يَوْمَ الْقِيَامَةِ، وَإِيَّاكُمْ وَالْفُحْشَ، فَإِنَّ اللَّهَ لَا يُحِبُّ الْفُحْشَ وَلَا النَّفَحُشَ». قَالَ: فَقَامَ إِلَيْهِ رَجُلٌ،

فَقَالَ: يَا رَسُولَ اللَّهِ، أَيُّ الْمُسْلِمِينَ أَفْضَلُ؟ قَالَ: «مَنْ سَلِمَ الْمُسْلِمُونَ مِنْ لِسَانِهِ وَيَدِهِ». قَالَ: فَقَامَ هُوَ أَوْ آخَرُ، فَقَالَ: يَا رَسُولَ اللَّهِ، أَيُّ الْجِهَادِ أَفْضَلُ؟ قَالَ: «مَنْ عَقَرَ جَوَادَهُ، وَأَهْرَيْقَ دَمَهُ». قَالَ عَبْدُ اللَّهِ بْنُ أَحْمَدَ: قَالَ أَبِي: وَقَالَ يَزِيدُ بْنُ هَارُونَ، فِي حَدِيثِهِ: ثُمَّ نَادَاهُ هَذَا أَوْ غَيْرُهُ، فَقَالَ: يَا رَسُولَ اللَّهِ، أَيُّ الْهَجْرَةِ أَفْضَلُ؟ قَالَ: (أَنْ تَهْجَرَ مَا كَرِهَ رَبُّكَ، وَهُمَا هَجْرَتَانِ: هَجْرَةُ الْبَادِي، وَهَجْرَةُ الْحَاضِرِ، فَأَمَّا هَجْرَةُ الْبَادِي، فَيُطِيعُ إِذَا أُمِرَ، وَيُجِيبُ إِذَا دُعِيَ، وَأَمَّا هَجْرَةُ الْحَاضِرِ، فَهِيَ أَشَدُّهُمَا بَلِيَّةً، وَأَعْظَمُهُمَا أَجْرًا)؛[وعلق شعيب الأرناؤوط: صحيح، رجاله ثقات رجال الصحيح غير المسعودي! **قلت:** فكان ماذا: المسعودي قرن بيزيد بن هارون، الإمام الثبت الحجة. والزيادة التي تهمنا هاهنا ليزيد بمفرده: فالحديث صحيح، غاية في الصحة.

- It came with a more complete wording in the Musnad of Ahmad (11/398/6792): [Wakee' related to us: Al-Mas'udiy related to us and Yazid: Al-Mas'udiy informed us from 'Amr bin Murrah, from Abdullah bin Al-Harith Al-Muktib, from Abu Kathir Az-Zubaidiy, from Abdullah bin 'Amr: He said: The Messenger of Allah ﷺ said: "Beware of Ash-Shuhh (injustice) as it destroyed those who came before you. It commanded them to oppress and so they oppressed, commanded them to sever ties and so they cut (them), commanded them to commit Fujoor (indecent and immoral acts) and so they committed indecent and immoral acts. And beware of Azh-Zhulm (transgressing against others) as the Zhulm will be darkness on the day of judgement. And beware of Al-Fahsh (obscenity) for verily Allah does not like Al-Fahsh nor the wilful acts of obscenity". He said: Then a man stood facing him and said: "O Messenger of Allah, which Muslims are the best?" He said: "The one whom the Muslims are safe from his tongue and hand". He said: Then he or another stood and said: "O Messenger of Allah, which Jihad is the best?" He said: "The one who's horse is wounded and sheds his blood".

Abdullah bin Ahmad said: My father (i.e., Ahmad bin Hanbal) said: And Yazid bin Harun said in his Hadith: Then he or other than him called to him and said: "O Messenger of Allah, which Hijrah is the best?" He said: "To do Hijrah (abandonment of) that which your Lord hates. And they are two types of Hijrah: The Hijrah of the Baadiy (Bedouin) and the Hijrah of the Haadir (Townsperson). As for the Hijrah of the Baadiy, then it is upon him to respond when called and to obey when commanded. As for the Hijrah of the Haadir, then it is the most severe of the two in terms of trial and the greatest in terms of reward". Shu'aib Al-Arna'ut commented: It is Sahih. Its Rijaal (transmitters) are Thiqaat, Sahih Transmitters, apart from Al-Mas'udiy!

I say: What was he then? Al-Mas'udiy was compared with Yazid bin Harun, the Imam Ath-Thabat Al-Hujjah. Despite that, the addition that concerns us here is what Yazid was alone in relating. The Hadith is therefore Sahih of the highest level of authenticity.

* وهو في سنن النسائي (4176/162/7): [أَخْبَرَنَا أَحْمَدُ بْنُ عَبْدِ اللَّهِ بْنِ الْحَكَمِ قَالَ حَدَّثَنَا مُحَمَّدُ بْنُ جَعْفَرٍ قَالَ حَدَّثَنَا شُعْبَةُ عَنْ عَمْرِو بْنِ مُرَّةَ عَنْ عَبْدِ اللَّهِ بْنِ الْحَارِثِ عَنْ أَبِي كَثِيرٍ عَنْ عَبْدِ اللَّهِ بْنِ عَمْرٍو قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ أَيُّ الْهَجْرَةِ أَفْضَلُ قَالَ: أَنْ تَهْجَرَ مَا كَرِهَ رَبُّكَ عَزَّ وَجَلَّ وَقَالَ رَسُولُ اللَّهِ ﷺ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، الْهَجْرَةُ هَجْرَتَانِ هَجْرَةُ الْحَاضِرِ وَهَجْرَةُ الْبَادِي فَأَمَّا الْبَادِي فَيُجِيبُ إِذَا دُعِيَ وَيُطِيعُ إِذَا أُمِرَ وَأَمَّا الْحَاضِرُ فَهُوَ أَعْظَمُهُمَا بَلِيَّةً وَأَعْظَمُهُمَا أَجْرًا]؛ وهو بعينه – سندنا ومتنا – في السنن الكبرى للإمام النسائي (81/8).

- It also came recorded as follows in the Sunan of An-Nasa'iy (7/162/4176): [Ahmad bin Abdullah bin Al-Hakam informed us: He said: Muhammad bin Ja'far related to us: He said: Shu'bah related to us from 'Amr bin Murrah, from Abdullah bin Al-Harith, from Abu Kathir, from Abdullah bin 'Amr: He said: A man said: "O Messenger of Allah, which Hijrah is the best?" He said: "To do Hijrah (abandonment) of that which your Lord 'Azza Wa Jalla hates". And the Messenger of Allah ﷺ said: "The Hijrah is two types of Hijrah: The Hijrah of the Baadiy (Bedouin) and the Hijrah of the Haadir (Townsperson). As for the Hijrah of the Baadiy, then he responds when called and obeys when commanded. As for the Hijrah of the Haadir, then it is the most severe of the two in terms of trial and the greatest in terms of reward"] It is also recorded exactly the same in its Sanad (chain of transmission) and Matn (textual content) in As-Sunan Al-Kubra of Al-Baihaqi (8/81).

* وهو في اتحاف الخيرة المهرة بزوائد المسانيد العشرة (5/184/[1/5123]): [قال أبو داود الطيالسي: حدثنا شعبة، عن عمرو بن مرة (عن) عبد الله بن الحارث - وكان معلماً - عن أبي كثير الزبيدي، عن عبد الله بن عمرو - رضي الله عنهما - أن رسول الله، صلى الله عليه وسلم، - قال: "إياكم والظلم، فإن الظلم ظلمات يوم القيامة، وإياكم والفحش فإن الله لا يحب الفحش ولا التفحش، وإياكم والشح فإنه أهلك من كان قبلكم؟ أمرهم بالقطيعة فقطعوا أرحامهم، وأمرهم بالفجور ففجروا، وأمرهم بالبخل فبخلوا. فقال رجل: يا رسول الله، أي المسلمين أفضل؟ - أو قال: أيما الإسلام أفضل؟ - قال: أن يسلم المسلمون من لسانك ويدك. قال: يا رسول الله، فأى الهجرة أفضل؟ قال: أن تهجر ما كره ربك. قال: فقال رسول الله، صلى الله عليه وسلم: الهجرة هجرتان: هجرة الحاضر، وهجرة البادي، أما البادي فيجيب إذا دعي، ويطيع إذا أمر، وأما الحاضر فهو أعظمهما بلية وأعظمهما أجراً]؛

- It was reported as follows in "It'haaf Al-Khairah Al-Maharah" (5/184/[5123/1]): [Abu Dawud At-Tayalisiy said: Shu'bah related to us from 'Amr bin Murrah (from) Abdullah bin Al-Harith – And he was a teacher – from Abu Kathir Az-Zubaidiy, from Abdullah bin 'Amr, may Allah be pleased with him: That the Messenger of Allah ﷺ said: "Beware of Azh-Zhulm (transgressing against others) as the Zhulm will be darkness on the day of judgement. And beware of Al-Fahsh (obscenity) for verily Allah does not like Al-Fahsh nor the wilful acts of obscenity (Tafahhush). Beware of Ash-Shuhh (injustice) as it destroyed those who came before you. It commanded them to sever ties of the wombs and so they cut their relations, it commanded them to commit Fujoor (indecent and immoral acts) and so they committed indecent and immoral acts and it commanded them to be miserly and so they were miserly". Then a man asked: "O Messenger of Allah, which Muslims are the best?" or he said: "Which (practise of) Islam is the best?", so, he said: "For the Muslims to be safe from your tongue and your hand". He (the man) then asked: "O Messenger of Allah, which Hijrah is the best?" He said: "To do Hijrah (abandonment of) that which your Lord hates". He (the narrator) said: He then said: "The Hijrah is two types of Hijrah: The Hijrah of the Haadir (Townsperson) and the Hijrah of the Baadiy (Bedouin). As for the Baadiy, then he responds when called and obeys when commanded. As for the Haadir, then it is the greatest of the two in terms of trial and reward"].

* وهو في معجم الطبراني [مشكولا (25/254/1479)]: [حَدَّثَنَا مُحَمَّدُ بْنُ أَبِي زُرْعَةَ، حَدَّثَنَا هِشَامُ بْنُ عَمَّارٍ، حَدَّثَنَا مُحَمَّدُ بْنُ عَيْسَى بْنُ سُمَيْعٍ، حَدَّثَنِي مُعَاوِيَةُ بْنُ سَلَمَةَ النَّصْرِيُّ الْكُوفِيُّ، عَنِ الْمُغِيرَةِ بْنِ

عَنْ عَبْدِ اللَّهِ الْيَشْكُرِيِّ، عَنْ عَبْدِ اللَّهِ بْنِ الْحَارِثِ، عَنْ أَبِي كَثِيرٍ الزُّبَيْدِيِّ، عَنْ عَبْدِ اللَّهِ بْنِ عَمْرٍو، قَالَ: خَطَبَنَا رَسُولُ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، فَقَالَ: "إِيَّاكُمْ وَالظُّلْمَ فَإِنَّ الظُّلْمَ ظُلُمَاتٌ يَوْمَ الْقِيَامَةِ، وَإِيَّاكُمْ وَالْفَحْشَ فَإِنَّ اللَّهَ لَا يُحِبُّ الْفَحْشَ وَلَا النَّفَحْشَ، وَإِيَّاكُمْ وَالشُّحَّ فَإِنَّ الشُّحَّ أَهْلَكَ مَنْ كَانَ قَبْلَكُمْ، أَمَرَهُمْ أَنْ يَقْطَعُوا أَرْحَامَهُمْ فَقَطَّعُوا"، فَقَالَ رَجُلٌ: يَا رَسُولَ اللَّهِ، وَأَيُّ الْجِهَادِ أَفْضَلُ؟، فَقَالَ: "أَنْ يَهْرَاقَ دَمُكَ، وَيُغْفَرَ جَوَادُكَ"، قَالَ: فَأَيُّ الْهَجْرَةِ أَفْضَلُ؟ قَالَ: "أَنْ تَهْجَرَ مَا كَرِهَ رَبُّكَ، وَهُمَا هِجْرَتَانِ: هِجْرَةُ الْحَاضِرِ، وَهِجْرَةُ الْبَادِي، فَأَمَّا هِجْرَةُ الْبَادِي فَإِذَا دُعِيَ أَجَابَ، وَإِذَا أُمِرَ أَطَاعَ، وَأَمَّا هِجْرَةُ الْحَاضِرِ فَأَشَدُّهُمَا بَلِيَّةً، وَأَعْظَمُهُمَا أَجْرًا"، ثُمَّ قَالَ الْإِمَامُ الطَّبْرَانِيُّ: (لَمْ يَزِدْ هَذَا الْحَدِيثَ عَنْ مُعَاوِيَةَ بْنِ سَلَمَةَ النَّصْرِيِّ إِلَّا مُحَمَّدُ بْنُ عِيْسَى بْنُ سَمِيعٍ، تَقَرَّدَ بِهِ: هِشَامُ عَمْرٍو [بن عمار])، وَهُوَ بَعِينُهُ فِي الْمَعْجَمِ الْأَوْسَطِ لِلطَّبْرَانِيِّ (7/27/6750).

- And it came recorded in the Mu'jam of At-Tabarani (Mashkul edition: 25/254/1479): [Muhammad bin Abi Zur'ah related to us: Hisham bin 'Ammar related to us: Muhammad bin 'Isa bin Sumai' related to us: Mu'awiyah bin Salamah An-Nasriy Al-Kufi related to me from Al-Mughirah bin Abdullah Al-Yashkuriy, from Abdullah bin Al-Harith, from Abu Kathir Az-Zubaidiy, from Abdullah bin 'Amr: He said: The Messenger of Allah ﷺ addressed us and said: "Beware of Azh-Zhulm (transgressing against others) as the Zhulm will be darkness on the day of judgement. And beware of Al-Fahsh (obscenity) for verily Allah does not like Al-Fahsh nor the wilful acts of obscenity (Tafahhush). Beware of Ash-Shuhh (injustice) as it destroyed those who came before you. It commanded them to sever ties of the wombs and so they cut their relations". Then a man asked: "O Messenger of Allah, which Jihad is the best?" He said: "Where your blood is shed and your horse is wounded". He then asked: "Which Hijrah is then the best?" He said: "To do Hijrah (abandonment of) that which your Lord hates and they are two types of Hijrah: The Hijrah of the Haadir (Townsperson) and the Hijrah of the Baadiy (Bedouin). As for the Hijrah of the Baadiy, then he responds when called and obeys when commanded. As for the Hijrah of the Haadir, then it is the most severe of the two in terms of trial and the greatest in terms of reward"]. Imam At-Tabarani then said: [None apart from Muhammad bin 'Isa bin Sumai' related this Hadith from Mu'awiyah bin Salamah An-Nasriy. Hisham 'Amr (bin 'Ammar) was alone in relating it]. And the exact narration is related in Al-Mu'jam Al-Awsat of At-Tabarani (7/27/6750).

- وهو في صحيح ابن حبان [مخرجا (4863/205/11)]: [أَخْبَرَنَا عَلِيُّ بْنُ الْحَسَنِ بْنِ سَلَمٍ الْأَصْبَهَانِيُّ، قَالَ: حَدَّثَنَا مُحَمَّدُ بْنُ عِصَامٍ بْنِ يَزِيدَ، قَالَ: حَدَّثَنَا أَبِي قَالَ: حَدَّثَنَا سُفْيَانُ، عَنْ الْأَعْمَشِ، عَنْ عَمْرِو بْنِ مُرَّةَ، عَنْ عَبْدِ اللَّهِ بْنِ الْحَارِثِ، عَنْ أَبِي كَثِيرٍ الزُّبَيْدِيِّ، عَنْ عَبْدِ اللَّهِ بْنِ عَمْرٍو، عَنْ النَّبِيِّ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، قَالَ: «الْهَجْرَةُ هِجْرَتَانِ، فَأَمَّا هِجْرَةُ الْبَادِي يُجِيبُ، إِذَا دُعِيَ وَيُطِيعُ إِذَا أُمِرَ، وَأَمَّا هِجْرَةُ الْحَاضِرِ، فَهِيَ أَشَدُّهُمَا بَلِيَّةً، وَأَعْظَمُهُمَا أَجْرًا»]، وَقَالَ شُعَيْبُ الْأَرْنَؤُوطُ: حَدِيثٌ صَحِيحٌ.

- It is recorded in the Sahih of Ibn Hibban (11/205/4863): [Ali bin Al-Hasan bin Salm Al-Asbahani informed us: He said: Muhammad bin 'Isam bin Yazid related to us: He said: My father related to us: He said: Sufyan related to us from Al-Aa'mash, from 'Amr bin Murrah, from Abdullah bin Al-Harith, from Abu Kathir Az-Zubaidiy, from Abdullah bin 'Amr, from the Prophet ﷺ He said: "The Hijrah is two Hijrahs: As for the Hijrah of the Baadiy (Bedouin), he responds when he is called and obeys when he is commanded. As for the Hijrah of the Haadir (townsperson), then it is the most severe of them both in terms of trial and the greatest of them both in terms of reward"] Shu'aib Al-Arna'ut said: Hadith Sahih.

* وهو في المستدرک علی الصحیحین (26/55/1): [حدثنا علي بن حمشاد العدل حدثنا إسماعيل بن إسحاق القاضي حدثنا سليم بن حرب حدثنا شعبة (ح) وأخبرني أبو عمر ومحمد بن جعفر العدل حدثنا يحيى بن محمد حدثنا عبيد الله بن معاذ حدثنا أبي حدثنا شعبة عن عمرو بن مرة قال: حدثني عبد الله بن الحارث - وأثنى عليه خيرا - عن أبي كثير عن عبد الله بن عمرو قال: خطبنا رسول الله، صلى الله عليه وسلم، فقال: إياكم والظلم فإن الظلم ظلمات يوم القيامة وإياكم الفحش والتفحش وإياكم والشح فإنما هلك من كان قبلكم بالشح أمرهم بالقطيعة فقطعوا وبالبخل فبخلوا وبالفجور ففجروا فقام رجل فقال: يا رسول الله أي الإسلام أفضل؟ قال: أن يسلم المسلمون من لسانك ويدك فقال ذلك الرجل أو غيره: يا رسول الله أي الهجرة أفضل؟ قال: أن تهجر ما كره ربك قال: والهجرة هجرتان: هجرة الحاضر وهجرة البادي فهجرة البادي أن يجيب إذا دعي ويطيع إذا أمر وهجرة الحاضر أعظمهما بلية * وأفضلهما أجرا]، ثم قال الحاكم: (قد خرجا جميعا حديث الشعبي عن عبد الله بن عمرو مختصرا ولم يخرج هذا الحديث وقد اتفقا على عمرو بن مرة وعبد الله بن الحارث النجراني. فأما أبو كثير زهير بن الأقرم الزبيدي فإنه سمع عليا وعبد الله فمن بعدهما من الصحابة. وهذا الحديث بعينه عند الأعمش عن عمرو بن مرة: حدثناه علي بن عيسى حدثنا الحسين بن محمد بن زياد حدثنا عبد الله بن عمر بن أبان حدثنا حسين بن علي عن الفضيل بن عياض عن الأعمش عن عمرو بن مرة عن عبد الله بن الحارث عن زهير بن الأقرم عن عبد الله بن عمرو قال: قال رسول الله، صلى الله عليه وسلم: اتقوا الظلم، فذكر الحديث بطوله).

قلت: وافقه الذهبي على كل ما قال. أبو كثير زهير بن الأقرم الزبيدي، تابعي ثقة.

- And it came reported in "Al-Mustadrak 'Ala s-Sahihaini" (Al-Hakim) (1/55/26): ['Ali bin hamshad Al-'Adl related to us: Isma'eel bin Ishaq Al-Qadiy related to us: Saleem bin Harb related to us: Shu'bah related to us ... (And) ... Abu 'Umar and Muhammad bin Ja'far Al-'Adl informed me: Yahya bin Muhammad related to us: Ubaidullah bin Mu'adh related to us: My father related to us: Shu'bah related to us from 'Amr bin Murrah: He said: Abdullah bin Al-Harith related to me - and he praised him with goodness -, from Abu Kathir, from Abdullah bin 'Amr: He said: The Messenger of Allah ﷺ addressed us and said: "Beware of Azh-Zhulm (transgressing against others) as the Zhulm will be darkness on the day of judgement. And beware of Al-Fahsh (obscenity) for verily Allah does not like Al-Fahsh nor the wilful acts of obscenity (Tafahhush). Beware of Ash-Shuhh (injustice) as it destroyed those who came before you. It commanded them to sever ties of the wombs and so they cut them, to be miserly and so they were miserly and with Fujoor (indecent and immoral acts) and so they committed indecent and immoral acts". Then a man stood and asked: "O Messenger of Allah, which (practise of) Islam is the best?", so, he said: "For the Muslims to be safe from your tongue and your hand. Then that man or another asked: "Which Hijrah is then the best?" He said: "To do Hijrah (abandonment of) that which your Lord hates". He said: "The Hijrah is of two types: The Hijrah of the Haadir (Townsperson) and the Hijrah of the Baadiy (Bedouin). As for the Hijrah of the Baadiy, then he responds when called and obeys when commanded. And the Hijrah of the Haadir is the greater of them both in terms of trial and the best of them both in terms of reward]. Al-Hakim then said: [They both extracted the Hadith of Ash-Sha'biy from Abdullah bin 'Amr in summarised form but did not extract this Hadith. They agreed upon 'Amr bin Murrah and Abdullah bin Al-Harith An-Najraniy. As for Abu Kathir Zuhair bin Al-Aqmar Az-Zubaidiy, then he heard 'Ali, Abdullah and those after them from the Sahabah. And this Hadith itself is related by Al-Aa'mash from 'Amr bin Murrah (as follows): 'Ali bin 'Isa related it to us: Al-Husain bin Muhammad bin Ziyad

related to us: Abdullah bin 'Umar bin Aban related to us: Husain bin 'Ali related to us from Al-Fudail bin 'Iyad, from Al-Aa'mash, from 'Amr bin Murrah, from Abdullah bin Al-Harith, from Zuhair bin Al-Aqmar, from Abdullah bin 'Amr: He said: The Messenger of Allah ﷺ said: "Be on guard from the Zhulm (transgression against others) ... He then mentioned the Hadith in its full length].

I say: Adh-Dhahabiy agreed with him in respect to all that he said. Abu Kathir Zuhair bin Al-Aqmar Az-Zubaidiy is a Thiqah Taabi'iy.

ولعل الأحاديث الكثيرة المشهورة المتضمنة للنهي أن (يبيع حاضر لباد)، مثل حديث أبي الزبير عن جابر قال: قال رسول الله، صلى الله عليه وسلم: (لا يبيع حاضر لباد: دعوا الناس يرزق بعضهم من بعض)، كما تجده في مسند أحمد، إنما هو تساهل في اللفظ، وأصله: مهـ ر لأعرابي: * كما جاء في معجم الطبراني [مشكولا (345/282/24)]: [حَدَّثَنَا أَحْمَدُ، قَالَ: حَدَّثَنَا سَعِيدٌ، عَنْ أَبِي بَكْرٍ بْنِ عَيَّاشٍ، عَنْ عَاصِمٍ، عَنْ أَبِي صَالِحٍ، عَنْ أَبِي هُرَيْرَةَ، قَالَ: قَالَ رَسُولُ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: (لا تَبَاغُضُوا، وَلَا تَحَاسَدُوا، وَلَا تَدَابَرُوا، وَلَا يَسُومُ أَحَدُكُمْ عَلَى سَوْمِ أَخِيهِ، وَلَا يَبِيعُ مُهـ ر لأعرابي، دَعُوا النَّاسَ يَرْزُقُوا اللَّهُ بَعْضُهُمْ مِنْ بَعْضٍ، وَلَا تَشْتَرِطُ امْرَأَةٌ طَلَاقَ أُخْتِهَا)]، ثم قال الإمام الطبراني: (لَمْ يَرْوِ هَذَا الْحَدِيثَ عَنْ عَاصِمٍ، إِلَّا أَبُو بَكْرٍ). أَحْمَدُ هُوَ: أَحْمَدُ بْنُ يَحْيَى الْخُلَوَانِيُّ، أَحْمَدُ بْنُ يَحْيَى بْنِ إِسْحَاقَ، أَبُو جَعْفَرٍ الْبَجَلِيُّ الْحُلَوَانِيُّ، ثُمَّ الْبَغْدَادِيُّ، **ثقة مشهور**.

وسَعِيدُ هُوَ: سَعِيدُ بْنُ سُلَيْمَانَ، أَبُو عُثْمَانَ الضَّبِّيُّ، الْبَزَّازُ، الْوَاسِطِيُّ، ثُمَّ الْبَغْدَادِيُّ، **ثقة حافظ**، من رجال الشيخين والجماعة. وبقيته مشاهير، وفي حفظ عاصم (هو ابن أبي النجود) كلام يسير لا ينزل بحديثه عن الحسن المرتفع. **قلت:** فهذا إسناد جيد، يؤيده:

In addition, it may be that the numerous well-known Ahadeeth which contain the command forbidding the "Haadir (townsperson) selling to the Baadiy (Bedouin)", like the Hadith of Az-Zubair from Jabir: He said: The Messenger of Allah ﷺ said: "**A Haadir** does not sell to **a Baadiy**. Leave the people be so that they be provided by Allah from one another", as found in the Musnad of Ahmad, contain some negligence in the wording, in the case where its original wording is (actually) "**A Muhajir to an Aa'raabiy**":

- That is like what came recorded in the Mu'jam of At-Tabarani (Mashkul edition: 24/282/345): [Ahmad related to us: He said: Sa'eed related to us from Abu Bakr bin 'Ayyash, from 'Asim, from Abu Salih, from Abu Hurairah: He said: The Messenger of Allah ﷺ said: "Do not hold hatred for one other, do not be envious of one other and do not turn away from one other. And none of you should act to out haggle his brother nor should **a Muhajir sell to an Aa'raabiy**. Leave the people be so that they be provided by Allah from one another and a woman should not stipulate as a condition (i.e., in marriage) the divorce of her sister (i.e., that the husband divorces his current wife)]. Imam At-Tabarani then said: [None related this Hadith from 'Asim apart from Abu Bakr].

(Note: I could not understand the divorce of sister to have any other meaning. You can follow this up if you like).

Ahmad here refers to Ahmad bin Yahya Al-Hulwaniy, Ahmad bin Yahya bin Ishaq, Abu Ja'far Al-Bajliy Al-Hulwaniy, then Al-Baghdadiy, who is a well-known Thiqah (reliable and trusted narrator).

Sa'eed is: Sa'duwaih Sa'eed bin Sulaiman, Abu Uthman Ad-Dabbiy, Al-Bazzaz, Al-Wasitiy, then Al-Baghdadiy, (he is) **Thiqah Hafizh**, from the transmitters of the two Sheikhs (i.e., Al-Bukhari and Muslim) and Al-Jama'ah.

And the remainder of the transmitters in this chain are well-known. And concerning the Hifzh (level of retention/memory) of 'Asim (Ibn Abi An-Najud), there is a negligible amount of (critical) speech but his Hadith do not fall below the level of the higher grade of Al-Hasan.

I say: Therefore, this Isnad is Jayyid (good) and is supported by:

ما جاء في إمتاع الأسماع (99/12): [ومن حديث عبد الواحد بن زياد قال: حدثنا صدقة بن أبي سعيد الحنفي عن جميع بن عمير التميمي، قال: سمعت عبد الله بن عمر رضي الله تبارك وتعالى عنهما يقول: كنا على باب رسول الله، صلى الله عليه وسلم، ننتظره فخرج فاتبعناه حتى أتى عقبة من عقاب المدينة، ففقد عليها، [وقال]: يا أيها الناس لا يتلقين أحدكم سوقاً، **ولا يبيع مهراً لأعرابي**، ومن باع محفلة فهو بالخيار ثلاثة أيام، فإن ردها رد معها مثل، أو قال: مثلي لبنها قمحاً. قال: ورجل خلف النبي، صلى الله عليه وسلم، يحاكيه ويلحظه، فقال النبي، صلى الله عليه وسلم: كذلك كن، قال: فرفع إلى أهله فلبط به شهرين، فغشى عليه، ثم أفاق حين أفاق، وهو كما حكى رسول الله، صلى الله عليه وسلم،

قلت: فالحديث إذا صحيح، والحمد لله رب العالمين. والرجل الذي كان يحاكي، استهزاءً، النبي، عليه وعلى آله الصلاة والسلام، هو الوزغ اللعين: الحكم بن أبي العاصي بن أمية (حفيد الزرقاء العاهرة).

- What came recorded in "Imtaa' Al-Asmaa' (12/99): [And from the Hadith of Abdul Wahid bin Ziyad: He said: Sadaqah bin Abi Sa'eed Al-Hanafi related to us from Jamee' bin At-Tamimi: He said: I heard Abdullah bin 'Umar, may Allah Glorified and Exalted be He be pleased with them both, saying: We were at the door of the Messenger of Allah ﷺ waiting for him. He then came out and so, we followed him until he reached one of the mountain tracks of Al-Madinah. He then sat upon that (place) and said: "O people, none of you should meet traders on the way to a market, nor should a Muhajir sell to an Aa'raabiy. And whoever sells a sheep the udders of which are tied up, he has the option of returning it within three days. If he returns it, he does so with its equal". Or he said: "Two equals of its milk in wheat". He (the narrator) said: And a man behind the Prophet ﷺ was imitating and regarding him, then the Prophet ﷺ said: "Be like that". He (the narrator) said: He (i.e., the man) then went to his family, where he fell to the ground for two months and was unconscious. He then regained consciousness at a particular time, and it was just like the Messenger of Allah ﷺ said it would be].

(Note: Please follow this up for clarification).

I say: The Hadith is therefore Sahih and all praise belongs to Allah the Lord of the worlds. And the man who was imitating the Prophet ﷺ in mockery was the cursed coward Al-Hakam bin Abi Al-'Aasiy bin Umayyah (the grandson of Az-Zarqaa' Al-'Aahirah).

❁ فصل: الفرق بين «بيعة الهجرة»، و«بيعة الأعرابية»

* جاء في السير معجم الطبراني [مشكولا (14255/334/15)]: [حدثنا أبو الزُّنْبَاعِ رَوْحُ بْنُ الْفَرْجِ، حَدَّثَنَا سَعِيدُ بْنُ عَفِيرٍ، حَدَّثَنَا ابْنُ لَهْيَعَةَ، عَنْ مَعْرُوفِ بْنِ سُؤَيْدٍ الْوَائِلِيِّ، عَنْ أَبِي عَشَانَةَ، قَالَ: سَمِعْتُ عُقْبَةَ بْنَ عَامِرٍ، يَقُولُ عَلَى الْمِنْبَرِ: قَدِمَ رَسُولُ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، الْمَدِينَةَ وَأَنَا فِي غَنَمٍ أَرْعَاهَا، فَتَرَكْتُهَا ثُمَّ دَهَبْتُ إِلَيْهِ، فَقُلْتُ: تُبَايِعُنِي يَا رَسُولَ اللَّهِ؟ فَقَالَ: "مِمَّنْ أَنْتَ؟" فَأَخْبَرْتُهُ، فَقَالَ: أَيُّمَا أَحَبُّ إِلَيْكَ: **أَبِيَعَةٌ هَجْرَةٌ أَوْ بَيْعَةٌ أَعْرَابِيَّةٌ؟** فَقُلْتُ: بَيْعَةُ هَجْرَةٍ فَبَايَعَنِي. ثُمَّ قَالَ: "مَنْ هَهُنَا مِنْ مَعَدٍّ فَلْيَقُمْ؟" فَقُمْتُ، فَقَالَ: "أَفْعُدْ" ثُمَّ قَالَ: "مَنْ هَهُنَا مِنْ مَعَدٍّ فَلْيَقُمْ؟" فَقُمْتُ، فَقَالَ: "أَفْعُدْ". ثُمَّ قَالَهَا الثَّالِثَةَ، فَقُمْتُ فَقَالَ: "أَفْعُدْ" فَقُلْتُ: مِمَّنْ نَحْنُ يَا رَسُولَ اللَّهِ؟ قَالَ: (أَنْتُمْ مِنْ قُضَاعَةٍ ثُمَّ مَالِكِ بْنِ حُمَيْرٍ)؛ ثُمَّ قَالَ الطبراني: (حدثنا أَحْمَدُ بْنُ رَشْدِينَ الْمَصْرِيُّ، حَدَّثَنَا فَضَالَةُ بْنُ الْفُضَيْلِ بْنِ فَضَالَةَ، حَدَّثَنِي أَبِي، حَدَّثَنَا ابْنُ لَهْيَعَةَ، حَدَّثَنِي مَعْرُوفُ بْنُ سُؤَيْدٍ الْجُدَامِيُّ، عَنْ أَبِي عَشَانَةَ، أَنَّهُ سَمِعَ عُقْبَةَ بْنَ عَامِرٍ يَقُولُ: سَمِعْتُ رَسُولَ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، يَقُولُ: (مَنْ كَانَ هَهُنَا مِنْ مَعَدٍّ فَلْيَقُمْ؟)، ... فَذَكَرَ نَحْوَهُ]؛

- Section: The difference between the “Bai’ah (pledge) of Al-Hijrah” and the “Bai’ah (pledge) of Al-Aa’raabiyah”

- The following came recorded in the Mu'jam of At-Tabarani (Mashkul edition 15/334/14255): [Abu Az-Zinbaa' Rawh bin Al-Faraj related to us: Sa'eed bin 'Afeer related to us: Ibn Lahee'ah related to us from Ma'ruf bin Suwaid Al-Wa'iliy, from Abu 'Ashanah: He said: I heard 'Uqbah bin 'Aamir saying upon the Minbar (pulpit): The Messenger of Allah ﷺ came to Al-Madinah and I was amongst sheep shepherding them. I left them and then went to him and said: "Allow me to give a pledge O Messenger of Allah?" He asked: "Who (i.e., which people) are you from?" So, I informed him and he then asked: "Which do you prefer, **the Bai'ah (pledge) of the Hijrah or the Bai'ah of the Aa'raabiyah**?" So, I said: "The Bai'ah of Hijrah" and so he allowed me to give that pledge. He then asked: "Who here is from Ma'add, let him stand?" So, I stood and he said: "Sit". Then he asked: "Who here is from Ma'add, let him stand?" So, I stood and he said: "Sit". He then asked a third time, so I stood and he said: "Sit". I then asked: Who are we from O Messenger of Allah?" He said: "You are from Qudaa'ah then Malik bin Humair"]. At-Tabarani then said: [Ahmad bin Rishdeen Al-Misriy related to us: Fadalah bin Al-Fudail related to us: My father related to me: Ibn Lahee'ah related to us: Ma'ruf bin Suwaid Al-Judhamiy **related to me**, from Abu 'Ashanah: That he heard 'Uqbah bin 'Aamir saying: I heard the Messenger of Allah ﷺ saying: "Who here is from Ma'add, let him stand? ... he then mentioned the same as it].

- وهو في معرفة الصحابة لأبي نعيم (4/2152/5391)، و(15/256/4836، بترقيم الشاملة آليا): [حَدَّثَنَا سُلَيْمَانُ بْنُ أَحْمَدَ، حَدَّثَنَا أَبُو الزُّبَيْع، حَدَّثَنَا سَعِيدُ بْنُ عَفِيرٍ، حَدَّثَنَا ابْنُ لَهْيَعَةَ، عَنْ مَعْرُوفِ بْنِ سُوَيْدٍ الْوَائِلِيِّ، عَنْ أَبِي عُسَّانَةَ الْمَعَاوِرِيِّ، قَالَ: سَمِعْتُ عُقْبَةَ بْنَ عَامِرٍ، يَقُولُ عَلَى الْمِنْبَرِ: قَدِمَ رَسُولُ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، الْمَدِينَةَ، وَأَنَا فِي غَنَمٍ لِي أَرْعَاهَا، فَتَرَكْتُهَا ثُمَّ ذَهَبْتُ إِلَيْهِ، فَقُلْتُ: تَبَايَعَنِي يَا رَسُولَ اللَّهِ، قَالَ: " مِمَّنْ أَنْتَ؟ "، فَأَخْبَرْتُهُ، فَقَالَ: " أَيُّهَا أَحَبُّ إِلَيْكَ: أَبِيعَهُ هِجْرَةَ، أَوْ بِيعَهُ أَعْرَابِيَّةً؟ "، فَقَالَ: فَقُلْتُ: بِيعَهُ هِجْرَةَ، فَبَايَعَنِي، ثُمَّ قَالَ يَوْمًا رَسُولُ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: " مَنْ هَاهُنَا مِنْ مَعَدِّ

فَلْيَقُمْ "، فَقُمْتُ، فَقَالَ: " اَقْعُدْ "، ثُمَّ قَالَ: " مَنْ هَاهُنَا مِنْ مَعَدٍّ فَلْيَقُمْ "، فَقُمْتُ، فَقَالَ: " اَقْعُدْ "، ثُمَّ قَالَهَا
 الثَّالِثَةَ، فَقُمْتُ، فَقَالَ: " اَقْعُدْ "، فَقُلْتُ: مِمَّنْ نَحْنُ يَا رَسُولَ اللَّهِ؟ فَقَالَ: (أَنْتُمْ مِنْ قُضَاعَةَ بْنِ مَالِكِ بْنِ
 حَمِيرٍ)، ثُمَّ قَالَ أَبُو نَعِيمٍ: (رَوَاهُ الْمُفَضَّلُ بْنُ فَضَالَةَ، وَابْنُ وَهْبٍ، وَجَرِيرُ بْنُ حَازِمٍ، عَنْ ابْنِ لَهْيَعَةَ،
 مِثْلَهُ. وَرَوَاهُ عَنْهُ ابْنُ لَهْيَعَةَ، عَنِ الرَّبِيعِ بْنِ سَبْرَةَ، عَنْ عَمْرِو بْنِ مُرَّةَ الْجُهَنِيِّ، مِثْلَهُ. وَقَالَ بِشْرُ بْنُ
 السَّرِيِّ: عَنْ ابْنِ لَهْيَعَةَ، عَنِ الرَّبِيعِ بْنِ سَبْرَةَ، عَنْ أَبِيهِ، عَنْ عَمْرِو بْنِ مُرَّةَ الْجُهَنِيِّ، وَاسْمُ أَبِي عُشَّانَةَ:
 حَيُّ بْنُ يُؤْمِنَ. وَرَوَى ابْنُ لَهْيَعَةَ، عَنْ أَبِي عُشَّانَةَ عِدَّةَ أَحَادِيثَ)؛

- It also came reported in Ma'rifat us-Sahabah of Abu Nu'aim (4/2152/5391) and (15/256/4836) in the numbering of the Shamela e-program: [Sulaiman bin Ahmad related to us: Abu Az-Zinbaa' related to us: Sa'eed bin 'Ufair related to us: Ibn Lahee'ah related to us from Ma'ruf bin Suwaid Al-Wa'iliy, from Abu 'Ush'shanah Al-Ma'aafiriyy: He said: I heard 'Ubah bin 'Aamir saying upon the minbar (pulpit): The Messenger of Allah ﷺ came to Al-Madinah and I was amongst sheep shepherding them. So, I left them and then went to him and said: "Allow me to give a pledge O Messenger of Allah?" He asked: "Who are you from?" So, I informed him and he then asked: "Which do you prefer, the Bai'ah (pledge) of the Hijrah or the Bai'ah of the Aa'raabiyah?" So, I said: "The Bai'ah of Hijrah" and so he allowed me to give that pledge.. He then asked: "Who here is from Ma'add, let him stand?" So, I stood and he said: "Sit". Then he asked: "Who here is from Ma'add, let him stand?" So, I stood and he said: "Sit". He then asked a third time, so I stood and he said: "Sit". I then asked: Who are we from O Messenger of Allah?" He said: "You are from Qudaa'ah then Malik bin Himyar"] Abu Nu'aim then said: [Al-Mufaddal bin Fadal, Ibn Wahb and Jarir bin Hazim related the same as it from Ibn Lahee'ah. And Ibn Lahee'ah related from him from Ar-Rabee' bin Sabrah, from 'Amr bin Murrah Al-Juhaniy, the same as it. And Bishr bin As-Sariy said: From Ibn Lahee'ah, from Rabee' bin Sabrah, from his father, from 'Amr bin Murrah Al-Juhaniy and the name of Abu 'Ush'shanah is Hayy bin Yu'min. And Ibn Lahee'ah related a number of Ahadeeth from Abu Ush'shanah].

قلت: فيظهر من ذلك أن هذا يرويه القدماء: المفضل بن فضالة، وجرير بن حازم، وفي مقدمتهم الإمام الحافظ الحجة عبد الله بن وهب، وهو المرجع والحجة في ابن لهيعة: فهذا من حديث ابن لهيعة القديم الصحيح. وظهر أيضا خطأ الهيثمي، وتقصيره البشع، عندما قال في مجمع الزوائد ومنبع الفوائد [محقق (240/1)]: [رَوَاهُ الطَّبْرَانِيُّ فِي الْكَبِيرِ، وَفِيهِ ابْنُ لَهْيَعَةَ، وَهُوَ ضَعِيفٌ، وَشَيْخُهُ مَعْرُوفٌ بْنُ سُوَيْدٍ، لَمْ أَرْ مَنْ تَرَجَّمَهُ]: فليس ابن لهيعة ضعيفا، بل هو ثقة صحيح الكتاب، وإنما جاء الخل من متأخري الرواة الذين كانوا يقرؤون عليه – بعد احتراق كتبه – نسخاً ليست معتمدة. ولذلك كان الثقات الأثبات الأتقياء من أمثال قتيبة بن سعيد يذهبون بعد السماع إلى عبد الله بن وهب فيصحون سماعهم على كتبه. وأما سويد بن معروف الوائلي الجذامي **فتنقة** ترجمه البخاري في التاريخ الكبير، وابن حبان في الثقات، وله أخبار لطيفة في تاريخ دمشق لابن عساكر، وصح له الترمذي والنسائي: وحسبك بتصحيح النسائي المتشدد المتعنت، إمام عصره دون منازع.

I say: It appears from the above that this was related by the Qudama': Al-Mufaddal bin Fadal, Jarir bin Hazim and at the head of them Al-Imam Al-Hafiz Al-Hujjah Abdullah bin Wahb, who is the reference point and evidential source in respect to Ibn Lahee'ah. This is therefore from the old Sahih Hadith of Ibn Lahee'ah. The error and horrendous shortcoming of Al-Haithamiy is also apparent when he stated in "Majma' Az-

Zawa'id Wa Manba' Al-Fawa'id" (1/240): [At-Tabarani related it in Al-Kabir and it includes Ibn Lahee'ah, who is Da'eef (weak) and regarding his Sheikh Ma'ruf bin Suwaid, I have not see anyone having provided a biography for him]. That is because Ibn Lahee'ah is not Da'eef (weak) but is rather Thiqah and **Sahih ul-Kitab**. The flaws only arose from the latter narrators who had read non-authenticated manuscripts of his, following the burning of his books. For that reason, the Thiqaat, Athbaat and Atqiyaa' (trusted, reliable and pious), such as Qutaibah bin Sa'eed, after hearing (the narrations), go to Abdullah bin Wahb, to authenticate their hearing of what is in his books. As for Suwaid bin Ma'ruf Al-Wa'iliy Al-Judhamiy, then he is Thiqah (trusted and reliable) and was biographized by Al-Bukhari in his "At-Tarikh Al-Kabir" and by Ibn Hibban in his "Ath-Thiqaat". Just as he has beneficial information recorded about him in "Tarikh Dimashq" of Ibn 'Asakir, and he was authenticated as Sahih by At-Tirmidhi and An-Nasa'iy. The authentication of An-Nasa'iy alone, the Imam of his age without contest, who was extremely strict and stubborn, is sufficient to establish this.

* وجاء في السير مشكل الآثار (287/3): [بَابُ بَيَانِ مُشْكِلِ مَا رُوِيَ عَنْ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ فِي بَيْعَةِ الْمُهَاجِرِ وَفِي بَيْعَةِ الْأَعْرَابِيِّ مَا يَلْزِمُ كُلَّ وَاحِدٍ مِنْهُمَا فِي بَيْعَتِهِ الَّتِي بَايَعَهَا]: حَدَّثَنَا عَلِيُّ بْنُ مَعْبُدٍ قَالَ: حَدَّثَنَا مُوسَى بْنُ إِسْمَاعِيلَ الْمُنْقَرِيُّ قَالَ: حَدَّثَنَا جَرِيرُ بْنُ حَارِمٍ قَالَ: حَدَّثَنَا عَبْدُ اللَّهِ بْنُ لَهَيْعَةَ عَنْ مَعْرُوفِ بْنِ سُوَيْدٍ عَنْ أَبِي عُشَانَةَ عَنْ عُقْبَةَ بْنِ عَامِرٍ رَضِيَ اللَّهُ عَنْهُ قَالَ: بَلَغَنِي قُدُومُ النَّبِيِّ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، الْمَدِينَةَ وَأَنَا فِي غَنِيمَةٍ لِي، فَرَفَضْتُهَا ثُمَّ أَتَيْتُهُ، فَقُلْتُ: جِئْتُ أَبَايُحْيَى فَقَالَ: بَيْعَةُ أَعْرَابِيَّةٍ تُرِيدُ أَوْ بَيْعَةَ هَجْرَةٍ قَالَ: قُلْتُ: بَيْعَةُ هَجْرَةٍ قَالَ: فَبَايَعْتُهُ، وَأَقَمْتُ فَقَالَ رَسُولُ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، يَوْمَئِذٍ هَاهُنَا مِنْ مُعَدٍّ فَلْيَقُمْ فَقَامَ رَجُلٌ وَقُمْتُ مَعَهُمْ فَقَالَ لِي اجْلِسْ مَرَّتَيْنِ أَوْ ثَلَاثًا فَقُلْتُ: يَا رَسُولَ اللَّهِ أَلَسْنَا مِنْ مُعَدٍّ؟ قَالَ: لَا قُلْتُ: فَمِمَّنْ نَحْنُ قَالَ: مِنْ قُضَاعَةَ بْنِ مَالِكٍ بْنِ حَمِيرٍ. قَالَ: أَبُو جَعْفَرٍ فَقَالَ مَا فِي هَذَا الْحَدِيثِ مِنْ قَوْلِ عُقْبَةَ فَبَايَعْتُهُ وَأَقَمْتُ أَيْ: بَدَارِ الْهَجْرَةِ أَنَّ الْبَيْعَةَ مِنَ الْمُهَاجِرِ رَوَاهُ أَبُو عَلِيٍّ الْإِقَامَةَ بَدَارِ الْهَجْرَةِ عِنْدَ رَسُولِ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، لِيَتَصَرَّفَ فِيهَا يَصْرِفُهُ فِيهِ رَسُولُ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، مِنْ أُمُورِ الْإِسْلَامِ، وَأَنَّ الْبَيْعَةَ الْأَعْرَابِيَّةَ بِخِلَافِهَا مِمَّا لَا يُؤْخَذُ بِهَا الْإِقَامَةَ عَلَى أَهْلِهَا عِنْدَهُ. وَدَلَّ عَلَى ذَلِكَ مَا قَدْ حَدَّثَنَا الْمُزَنِيُّ قَالَ: أَخْبَرَنَا الشَّافِعِيُّ قَالَ: حَدَّثَنَا عَبْدُ الْوَهَّابِ بْنُ عَبْدِ الْمَجِيدِ الثَّقَفِيُّ عَنْ أَيُّوبَ السَّخْنِيَّانِيِّ قَالَ: قَالَ أَبُو قِلَابَةَ الْجَرَمِيُّ حَدَّثَنَا مَالِكُ بْنُ الْخَوَرِثِ أَبُو سُلَيْمَانَ قَالَ: (أَتَيْتُ النَّبِيَّ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، فِي نَاسٍ وَنَحْنُ شَبَابَةٌ مُتَقَارِبُونَ فَأَقَمْنَا عِنْدَهُ عَشْرِينَ لَيْلَةً فَكَانَ رَسُولُ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، رَفِيقًا رَجِيمًا فَلَمَّا ظَنَّ أَنَا قَدْ اسْتَهَبْنَا أَهْلَنَا وَاسْتَقْنَا سَأَلَنَا عَنْ مَنْ تَرَكْنَا بَعْدَنَا فَأَخْبَرْنَا فَقَالَ: ارْجِعُوا إِلَى أَهْلِكُمْ فَأَقِيمُوا فِيهِمْ وَعَلِّمُوهُمْ وَأَمْرُوهُمْ وَذَكَرْ أَشْيَاءَ أَحْفَظُهَا أَوْ لَا أَحْفَظُهَا وَصَلُّوا كَمَا رَأَيْتُمُونِي أَصَلِّي فَإِذَا حَضَرَتِ الصَّلَاةُ فَلْيُؤَدِّنْ لَكُمْ أَحَدُكُمْ وَلْيُؤَمِّمْكُمْ أَكْبَرُكُمْ). قَالَ: أَبُو جَعْفَرٍ وَكَانَ الْوَاجِبُ عَلَى الْمُتَبَايِعِينَ عَلَى الْهَجْرَةِ الْإِقَامَةَ بَدَارِ الْهَجْرَةِ فِي حَيَاةِ رَسُولِ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، وَبَعْدَ وَفَاتِهِ حَتَّى يَصْرِفَهُمْ هُوَ فِي حَيَاتِهِ ثُمَّ خُلَفَاؤُهُ رِضْوَانُ اللَّهِ عَلَيْهِمْ مِنْ بَعْدِهِ فِيمَا يَصْرِفُونَهُمْ فِيهِ مِنْ غَرَوْ مِنْ بَقِيَّ عَلَى الْكُفْرِ، وَمِنْ حِفْظِ مَا عَسَى أَنْ يَفْتَتِحُوهُ مِنْ بُلْدَانِ أَهْلِهِ وَكَانَ رُجُوعُهُمْ إِلَى دَارِ أَعْرَابِيَّتِهِمْ حَرَامًا عَلَيْهِمْ؛ لِأَنَّهُمْ يَكُونُونَ بِذَلِكَ مُرْتَدِّينَ عَنِ الْهَجْرَةِ إِلَى الْأَعْرَابِيَّةِ وَمَنْ عَادَ كَذَلِكَ كَانَ مُلْعُونًا عَلَى لِسَانِ رَسُولِ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ. كَمَا قَدْ حَدَّثَنَا بَكَّارُ بْنُ قَتَيْبَةَ قَالَ: حَدَّثَنَا حُسَيْنُ بْنُ حَفْصِ الْأَصْبَهَانِيِّ قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ الْأَعْمَشِ عَنْ عَبْدِ اللَّهِ بْنِ مُرَّةٍ عَنْ الْحَارِثِ بْنِ عَبْدِ اللَّهِ أَنَّ ابْنَ مَسْعُودٍ قَالَ: (أَكَلَ الرَّبَا وَمُوكَلَّهُ وَكَاتِبُهُ وَشَاهِدُهُ إِذَا عَلِمُوا بِهِ وَالْوَاشِمَةُ وَالْمُسْتَوْشِمَةُ لِلْحُسْنِ وَالْأَوِي الصَّدَقَةِ وَالْمُرْتَدُّ أَعْرَابِيًّا بَعْدَ هَجْرَتِهِ مُلْعُونُونَ عَلَى لِسَانِ مُحَمَّدٍ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، إِلَى يَوْمِ الْقِيَامَةِ). وَكَمَا حَدَّثَنَا عَلِيُّ بْنُ شَيْبَةَ قَالَ: حَدَّثَنَا عُبَيْدُ اللَّهِ بْنُ مُوسَى الْعَبْسِيُّ قَالَ: حَدَّثَنَا سُفْيَانُ عَنْ الْأَعْمَشِ ثُمَّ ذَكَرَ بِإِسْنَادِهِ مِثْلَهُ إِلَّا أَنَّهُ قَالَ: (وَشَاهِدَاهُ إِذَا عَلِمَا بِهِ). وَكَمَا حَدَّثَنَا

عَلِيُّ بْنُ شَيْبَةَ حَدَّثَنَا أَبُو نُعَيْمٍ حَدَّثَنَا سُفْيَانُ عَنْ الْأَعْمَشِ ثُمَّ ذَكَرَ بِإِسْنَادِهِ مِثْلَهُ. وَكَمَا حَدَّثَنَا أَحْمَدُ بْنُ شُعَيْبٍ قَالَ: أَنْبَأَ إِسْمَاعِيلُ بْنُ مَسْعُودٍ قَالَ: حَدَّثَنَا خَالِدٌ يَعْنِي: ابْنَ الْحَارِثِ عَنْ شُعْبَةَ عَنْ سُلَيْمَانَ قَالَ: سَمِعْتُ عَبْدَ اللَّهِ بْنَ مَرْةٍ ثُمَّ ذَكَرَ بِإِسْنَادِهِ مِثْلَهُ. وَيَدْخُلُ فِي هَذَا أَيْضًا مَا قَدْ رُوِيَ عَنْ رَسُولِ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، فِي الْأَعْرَابِيِّ الَّذِي بَايَعَهُ فَلَمَّا وَعَكَ بِالْمَدِينَةِ سَأَلَهُ أَنْ يُقِيلَهُ مِنْ بَيْعَتِهِ. كَمَا قَدْ حَدَّثَنَا يُونُسُ بْنُ عَبْدِ الْأَعْلَى قَالَ: أَنْبَأَ ابْنُ وَهْبٍ أَنَّ مَالِكًا أَخْبَرَهُ عَنْ مُحَمَّدِ بْنِ الْمُنْكَدِرِ عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ: (أَنَّ أَعْرَابِيًّا بَايَعَ رَسُولَ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، عَلَى الْإِسْلَامِ فَأَصَابَ الْأَعْرَابِيَّ وَعُكٌّ بِالْمَدِينَةِ فَاتَى النَّبِيَّ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، فَقَالَ يَا رَسُولَ اللَّهِ: أَقْلَنِي بَيْعَتِي فَأَبَى ثُمَّ جَاءَهُ فَقَالَ: أَقْلَنِي بَيْعَتِي فَأَبَى رَسُولُ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، فَخَرَجَ الْأَعْرَابِيُّ فَقَالَ رَسُولُ اللَّهِ: ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، إِنَّمَا الْمَدِينَةُ كَالْكَبِيرِ تَنْفِي خَبْنُهَا وَيَنْصَعُ طَيْبُهَا). قَالَ: أَبُو جَعْفَرٍ وَهِيَ عَلَى الْإِسْلَامِ أَيُّ: عَلَى الْإِسْلَامِ الَّذِي يَكُونُ بَيْعَتُهُ إِيَّاهُ مُهَاجِرًا يَجِبُ عَلَيْهِ بِهِ الْمَقَامُ عِنْدَهُ كَمَا يَجِبُ عَلَى الْمُهَاجِرِينَ مِنَ الْإِقَامَةِ عِنْدَهُ لِيَصْرِفَهُ فِيمَا يَصْرِفُهُ فِيهِ، وَفِيمَا ذَكَرْنَا مَا قَدْ بَانَ بِهِ الْفَرْقُ بَيْنَ بَيْعَةِ الْمُهَاجِرِ وَبَيْنَ بَيْعَةِ الْأَعْرَابِيِّ وَاللَّهُ نَسْأَلُهُ التَّوْفِيقَ]؛

- And it came recorded as follows in “Mushkil Al-Aathaar” (3/287): [Chapter: Making clear the obscurity of what was related from the Messenger of Allah ﷺ concerning the Bai’ah (pledge) of the Muhajir and the Bai’ah of the Aa’raabiy in respect to what each of them is obliged with by the Bai’ah that he pledged: ‘Ali bin Ma’bad related to us: He said: Musa bin Isma’eel Al-Minqariy related to us: He said: Jarir bin Hazim related to us: He said: Abdullah bin Lahee’ah related to us from Ma’ruf bin Suwaid, from Abu ‘Ushanah, from ‘Uqbah bin ‘Aamir, may Allah be pleased with him: He said: The news of the arrival of the Prophet ﷺ in Al-Madinah reached me whilst I was among a herd of sheep. So, I left them and went to him. I said: “I have come to give you the Bai’ah (pledge)”. He asked: “Is it the Bai’ah of Aa’raabiyah that you wish, or the Bai’ah (pledge) of Hijrah”. He said: I said: “The Bai’ah of Hijrah”. He said: So, I gave him the pledge and resided. Then the Messenger of Allah ﷺ asked one day: “Who here was from Ma’add, let him stand?” A man then stood and I stood alongside him. He then said to me: “Sit” two or three times. So, I asked: “O Messenger of Allah, are we not from Ma’add?” He said: “No”. So, I asked: “From whom are we then?” He said: Qudaa’ah bin Malik bin Himyar”.

Abu Ja’far said: **What this Hadith contains in terms of the statement of ‘Uqbah “So, I gave him the pledge and resided” i.e., in Dar ul-Hijrah, indicates that the Bai’ah (pledge) of the Muhajir obliges residing in the Dar (homeland) of the Hijrah (emigration) with the Messenger of Allah , ﷺ to engage in that which the Messenger of Allah ﷺ directs him to undertake from the affairs of Islam. And that the Bai’ah (pledge) of Al-Aa’raabiyah is contrary to that and does not oblige those people who gave it to set up residence with him.**

And this is indicated to by what Al-Muzaniy related to us: Ash-Shafi’iy informed us: He said: Abdul Wahhab bin Abdul Majeed Ath-Thaqafiy related to us from Ayyub As-Sikhtiyaniy: He said: Abu Qilabah Al-Jarmiy said: Malik bin Al-Huwairith Abu Sulaiman related to us: He said: “I went to the Prophet ﷺ among a group and we were young men of similar age. We stayed with him for twenty nights and the Messenger of Allah ﷺ was very kind company. Then, when we desired to return to our people and were missing them, he asked about those whom we had left behind, and so we informed him. He then said: “Return to your people, reside with them, teach them and command them”. And he mentioned matters some of which I remember or some I don’t remember (including): “Pray as you see me pray and if the time of prayer comes then let one of you make the Adhan for you and let the eldest of you lead you in prayer””. And Abu Ja’far said: And it was obligatory upon those who gave the Bai’ah upon Al-Hijrah to reside in the Dar (land) of Al-Hijrah (emigration) during the lifetime of the Messenger of Allah ﷺ and after his passing so that he could direct them with tasks during his life and then (by) his Khulafaa’ (successors) after him, may Allah’s pleasure be upon them, in

respect to what they directed them with, in terms of undertaking war against those who were still upon disbelief or to preserve what they may open (or conquer) of the lands of its people. That is while their return to their Aa'raabiyah land was prohibited to them as they would have reverted from the Hijrah to the Aa'raabiyah. And whoever does that is cursed upon the tongue of the Messenger of Allah ﷺ. In addition, Bakkar bin Qutaibah related to us: He said: Husain bin Hafs Al-Asbahaniy related to us: He said: Sufyan bin Al-Aa'mash related to us from Abdullah bin Murrah, from Al-Harith bin Abdullah: That Ibn Mas'ud said: "The devourer of Riba (usury), its giver and its witness, if they were aware of it, the tattooist, the one getting the tattoo for beautification purposes, the withholder of the Zakah and the one who reverts to being an Aa'raabiy after his Hijrah, are (all) cursed upon the tongue of Muhammad ﷺ, until the Day of Judgement". 'Ali bin Shaibah also related to us: He said: Ubaidullah bin Musa Al-'Absiy related to us: He said: Sufyan related to us from Al-Aa'mash: He then mentioned the same as it alongside its Isnad, except he said: "And its two witnesses if they were aware of it". Just as 'Ali bin Shaibah related to us: Abu Nu'aim related to us: Sufyan related to us from Al-Aa'mash: He then mentioned the same as it with its Isnad. Just as Ahmad bin Shu'aib related to us: He said: Isma'eel bin Mas'ud informed: He said: Khalid, meaning Ibn ul-Harith, related to us from Shu'bah, from Sulaiman: He said: I heard Abdullah bin Murrah: He then mentioned the same as it with its Isnad. Also included within this (area), is what was related from the Messenger of Allah ﷺ in relation to the Aa'raabiy who gave the pledge to him, then when he was unwell in Al-Madinah, he asked him to release him from the Bai'ah (pledge). Just as Yunus bin Abdul Aa'laa related to us: He said: Ibn Wahb informed that Malik informed him from Muhammad bin Al-Munkadir, from Jabir bin Abdullah: "That an Aa'raabiy gave the pledge (Bai'ah) to the Messenger of Allah ﷺ upon Islam. The Aa'raabiy was then afflicted by sickness in Al-Madinah, so, he went to the Prophet ﷺ and said: "O Messenger of Allah: "Release me from my Bai'ah", but he refused. He then came to him (a second time) and said: "Release me from my Bai'ah", but the Messenger of Allah ﷺ refused. The Aa'raabiy then left whereby the Messenger of Allah ﷺ said: "Verily, Al-Madinah is like the bellows of a furnace which expel its impurities and makes what is good in it shine"". Abu Ja'far said: And it was upon Islam, in other words upon the Islam through which he was a Muhajir by the Bai'ah (pledge) given to him, and according to which he is obligated to reside with him just as it was obligatory upon the Muhajirin in terms of residing with him, so that he could direct him in respect to what he directed him to undertake. Therefore, in what we have mentioned above, we have made evident the difference between the Bai'ah of the Muhajir and the Bai'ah of the Aa'raabiy. And with Allah we ask Him for Tawfiq].

قلت: قول الطحاوي: (فَدَلَّ مَا فِي هَذَا الْحَدِيثِ مِنْ قَوْلِ عُقْبَةَ فَبَايَعْتُهُ وَأَقَمْتُ أَيْ: بَدَارَ الْهَجْرَةِ أَنَّ الْبَيْعَةَ مِنَ الْمُهَاجِرِ تَوْقُفٌ عَلَيْهِ الْإِقَامَةُ بَدَارَ الْهَجْرَةِ عِنْدَ رَسُولِ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، لِيَتَصَرَّفَ فِيمَا يَصْرِفُهُ فِيهِ رَسُولُ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، مِنْ أُمُورِ الْإِسْلَامِ، وَأَنَّ الْبَيْعَةَ الْأَعْرَابِيَّةَ بِخِلَافِهَا مِمَّا لَا يُوقِفُ الْإِقَامَةَ عَلَى أَهْلِهَا عِنْدَهُ) يدل على ترسخ المفهوم البدائي الخاطئ للهجرة، الذي يربطها بالإقامة في مكان أو الانتقال من مكان إلى مكان، وقد كرر القرطبي نحو كلام الطحاوي في التمهيد لما في الموطأ من المعاني والأسانيد (12/227). والصحيح أن بيعه المهاجر توجب فقط الطاعة للأمر، والإجابة إذا دعي، والنصرة إذا استنصر: أي توجب (الموالاتة)، و(حمل التابعية)، ولا علاقة لذلك بإقامته وطمعنه.

I say: Concerning the statement of At-Tahawiy: "What this Hadith contains in terms of the statement of 'Uqbah "So, I gave him the pledge and resided" i.e., in Dar ul-Hijrah, indicates that the Bai'ah (pledge) of the Muhajir obliges residing in the Dar (homeland) of the Hijrah (emigration) with the Messenger of Allah ﷺ to engage in that which the Messenger of Allah ﷺ directs him to undertake from the affairs of Islam.

And that the Bai'ah (pledge) of Al-Aa'raabiyah is different to that and does not oblige those people who gave it to set up residence with him", it is indicative of the entrenchment of the basic erroneous understanding of Al-Hijrah being tied to residence in a place or moving from one place to another. Al-Qurtubiy repeated the same speech as At-Tahawiy in "At-Tamhid lima Fee Al-Muwatta' Min Al-Ma'aaniy Wa l-Asanid" (12/227). That is whilst the correct understanding is that the Bai'ah of the Muhajir only obliges obedience to the command, the response when called and support when support and help is requested. In other words, it obliges "**Al-Muwaalah (loyalty)**" and "**The holding (or possession) of the Taabi'iyah (subject status)**", whilst that has no relationship to the person's residence in or departure from a place.

والواقع أن عقبة بن عامر الجهني لم يلتزم بالإقامة في المدينة إقامة دائمية، بل خرج بعد ذلك، ثم عاد مع جمع من أصحابه، ثم خرج معهم، إلى أن انتهى به الحال إلى الرجوع إلى المدينة ملتحقاً بأهل الصفة:

And the reality is that 'Uqbah bin 'Aamir Al-Juhaniy did not stick to residing in Al-Madinah in a permanent manner. Rather, he left after that and then returned with a collective of his companions. They then left with him until the situation ended with the return to Al-Madinah to join with the Ahl us-Suffah:

* كما جاء في السير تاريخ دمشق لابن عساكر (40/495/8162): [أنبأنا أبو طاهر محمد بن الحسين وأبو الحسن علي بن الحسن بن الحسين وأخبرنا أبو طاهر إبراهيم بن الحسن الفقيه عنهما قالاً: أخبرنا أبو عبد الله محمد بن عبد السلام بن سعدان أخبرنا أبو عمر محمد بن موسى بن فضالة حدثني عبد الصمد بن عبد الله حدثنا هشام بن عمار حدثنا يحيى بن حمزة حدثني يزيد بن أبي مریم عن القاسم أبي عبد الرحمن عن عقبة بن عامر قال جئت في اثني عشر راکباً حتى حللنا برسول الله، صلى الله عليه وسلم، فقال أصحابي من يرعى لنا إبلنا وننطلق فنقتبس من نبي الله، صلى الله عليه وسلم، فإذا راح ورحنا أقبسناه ما سمعنا من رسول الله، صلى الله عليه وسلم، ففعلت ذلك أياماً ثم إني فكرت في نفسي فقلت لعلي مغبون يسمع أصحابي ما لم أسمع ويتعلمون ما لم أتعلم من نبي الله، صلى الله عليه وسلم، فحضرت وما سمعت رجلاً يقول قال نبي الله، صلى الله عليه وسلم، من توضعاً وضوءاً كاملاً كان من خطيئته كيوم ولدته أمه فتعجبت لذلك فقال عمر بن الخطاب فكيف لو سمعت الكلام الأول كنت أشد عجباً فقلت اردد علي جعلني الله فداك قال: قال رسول الله، صلى الله عليه وسلم، من مات لا يشارك بالله شيئاً فتح الله له أبواب الجنة يدخل من أيها شاء ولها ثمانية أبواب قال فخرج علينا نبي الله، صلى الله عليه وسلم، فجلست مستقبله فصرف وجهه عني حتى فعل ذلك مراراً فلما كانت الرابعة قلت يا نبي الله بأبي وأمي لم تصرف وجهك عني فأقبل علي فقال أواحد أحب إليك أم اثنا عشر فلما رأيت ذلك رجعت إلى أصحابي؛

- This is in accordance with what came reported in "Tarikh Dimashq" of Ibn 'Asakir (40/495/8162): [Abu Tahir Muhammad bin Al-Husain and Abu Al-Hasan 'Ali bin Al-Hasan bin Al-Husain told and Abu Tahir Ibrahim bin Al-Hasan Al-Faqih informed us from them both: They said: Abu Abdullah Muhammad bin Abdus Salam bin Sa'dan informed us: Abu 'Umar Muhammad bin Musa bin Fadalah informed us: Abdus Samad bin Abdullah related to me: Hisham bin 'Ammar related to us: Yahya bin Hamzah related to us: Yazid bin Abi Maryam related to me from Al-Qasim Abu Abdur Rahman, from 'Uqbah bin 'Aamir: He said: I went among a group of

twelve riders until we came to the Messenger of Allah ﷺ (i.e., reached Al-Madinah). My companions then asked: "Who will take care of our camels for us so that we can set off and attain knowledge from the Prophet of Allah ﷺ, whereby those who went would pass the knowledge of what they heard from the Messenger of Allah ﷺ to the one who stayed behind. And so, I did that for some days and then thought and said to myself: "It is as if I am being cheated. My companions are hearing that which I have not heard and are learning that which I have not learned from the Prophet ﷺ". So, I attended (a gathering) and heard a man saying what I had not previously heard: The Prophet of Allah ﷺ said: "Whoever makes a complete Wudu', his sins will be like the day that his mother gave birth to him". I was amazed at that and then 'Umar bin Al-Khattab said: "And how would it be if you had heard the original speech (i.e., directly), you would have been greater in your amazement". So, I said: "Benefit me, may Allah make me your ransom": He said: "The Messenger of Allah ﷺ said: Whoever dies not associating anything with Allah, Allah will open for him the doors of paradise. He will be able to enter from whichever one he wishes and it has eight doors"". Then the Prophet of Allah ﷺ came out to us and I sat facing him. He then turned his face away from me and continued to do so until he did that numerous times. Then when it was the fourth occurrence I asked: "O Messenger of Allah, by my father and mother, why do you turn your face away from me". He then turned towards me and said: "Is one (i.e., being alone) preferable to you or (being amongst) twelve". Then when I figured out the meaning behind that statement, I returned to my companions"]].

قلت: هذا المجيء مع ذلك الركب من أصحاب عقبة بن عامر كان - قطعاً - بعد إسلامه وبيعته. ويتبين من هذا، ومن مجموع ما سبق أن هذه الهجرة المبنية على بيعه، أو البيعة على الإسلام بيعة تتضمن **(الهجرة)**، وهي التي سماها النبي، عليه وعلى آله الصلاة والسلام: «**بيعة هجرة**»، هي عقد بين طرفين لا يجوز الانخلاع منه إلا باتفاق الطرفين، وليس هو من تصرفات الإرادة المنفردة أصلاً، فلا يجوز الخلط بين هذا وبين **(التحول إلى دار المهاجرين)** المشار إليه في حديث بريدة بن الحصيب، والأحاديث الأخرى في بابه.

I say: This arrival with these riders from the companions of 'Uqbah bin 'Aamir was definitely after his embracing of Islam and his Bai'ah (pledge). It is evident from that and from all that has been mentioned previously that this Hijrah based upon a Bai'ah (pledge) or the Bai'ah upon Islam is a Bai'ah that incorporates the "**Hijrah**", and it is what the Prophet ﷺ called "**Bai'ah Hijrah**". It is a contract between two parties which is not permissible to free oneself from without the agreement of both parties and is not from the acts of individual will in origin. It is therefore not allowed to mix or confuse between this and between the "**transformation to Dar ul-Muhajirin (land of the emigrants)**" which was alluded to in the Hadith of Buraidah bin Al-Husaib and the other Hadith in the same chapter (i.e., subject matter).

وحتى «**بيعة الهجرة**» هذه، التي يصبح من تعاقدها حاملاً لتابعية الدار، ملزماً بالموالاة والنصرة والطاعة، أي **(مواظناً)** بلغة العصر الحديث، حتى هذه لم تكن إجباراً، بل خير النبي، عليه وعلى آله الصلاة والسلام، عقبة بن عامر بينها وبين «**البيعة الأعرابية**» التي تتركه حراً طليقاً، لا طاعة عليه ولا نصرة، أي **(إنبياء)**، بلغة العصر الحديث: فهذا هو **(حق الانتماء وتقرير المصير)**، مرة أخرى، ولكن على المستوى الفردي.

Even this “**Bai’at ul-Hijrah** (the pledge of the Hijrah)” which makes the one who contracts it a holder of the subject status of the land (Taabi’iyah Ad-Dar), compelling him with Al-Muwaalah (loyalty), Nusrah (support) and Taa’ah (obedience), in other words equivalent to a “**citizen**” in the language of the current age ... even this Bai’ah (pledge) was not compulsory but rather the Prophet ﷺ provided a choice to ‘Uqbah bin ‘Aamir between that and “**Al-Bai’ah Al-Aa’raabiyah**” which would leave him free and unconstrained, with no obligation of support or obedience upon him, in other words equivalent to a “**foreigner**” in the language of the current age. This once again is reflective of “**The right of affiliation and self-determination**” however, at an individual level.

ولكن إذا تم اختيار «**بيعة الهجرة**» هذه، وهذا لا يتصور إلا في حق الأفراد (وليس الشخصيات المعنوية كالكتل والجماعات والكيانات والقبائل والدول)، حصل الالتزام، وثبتت في العنق: عظم الإثم في الانخلاع منها إلا بالطريقة الشرعية المعتبرة أو لموجب شرعي بدليله.

However, if this “**Bai’ah Al-Hijrah**” is chosen, a matter which is not conceivable except with individuals (in contrast to incorporeal personalities such as blocs, groups, entities, tribes and states), then compulsory adherence to it comes into effect and it becomes firmly established upon his neck, where the sin for separating from it is great unless it was done by a considered Shar’iy method or due to a Shar’iy dictate attached to its evidence.

وهذا الانخلاع من «**بيعة الهجرة**» جريمة قبيحة مركبة، من كبائر الذنوب، لا شك فيها، لأنها – في المقام الأول – نقض للبيعة، أي: «**نكث للصفقة**»، ثم ترتب عليها: «**فراق للجماعة**»: □ ريمتان في ريمة، كما عبرت عنه معظم الأحاديث النبوية التي تدم (نزع اليد من طاعة)، و(مفارقة الجماعة)، نكتفي منها ها هنا بالحديث التالي:

This separation from the “**Bai’ah Al-Hijrah**” is a compounded heinous crime from among the major sins without doubt. That is because in the first place it represents the breaching of the Bai’ah (pledge), meaning the “**breaking of an agreement/deal**”. Then as a consequence of that, it means the “**departure or separation from the Jama’ah (Muslim/Islamic collective)**”. It is therefore two crimes in one, which most of the Prophetic Ahadeeth which condemn “separating or removing the hand from obedience” and the “separation from the Jama’ah” have expressed. We will suffice here by presenting from them the following Hadith:

* كما جاء في شعب الإيمان للبيهقي (3620/308/3)؛ وفي فضائل الأوقات للبيهقي (ص: 48/163) بأصح الأسانيد: [أَخْبَرَنَا أَبُو الْحَسَنِ عَلِيُّ بْنُ مُحَمَّدٍ الْمُقْرِيُّ، حَدَّثَنَا الْحَسَنُ بْنُ مُحَمَّدٍ بْنِ إِسْحَاقَ، حَدَّثَنَا يُوسُفُ بْنُ يَعْقُوبَ الْقَاضِي، حَدَّثَنَا أَبُو الرَّبِيعِ، حَدَّثَنَا هُشَيْمٌ، حَدَّثَنَا الْعَوَّامُ بْنُ حَوْشَبٍ، حَدَّثَنَا عَبْدُ اللَّهِ بْنُ

السَّائِبِ الْكِنْدِيِّ، عَنْ أَبِي هُرَيْرَةَ، قَالَ: قَالَ رَسُولُ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: (الصَّلَاةُ الْمَكْتُوبَةُ إِلَى الصَّلَاةِ الَّتِي قَبْلَهَا كَفَّارَةٌ مَا بَيْنَهُمَا، وَالْجُمُعَةُ إِلَى الْجُمُعَةِ الَّتِي قَبْلَهَا كَفَّارَةٌ مَا بَيْنَهُمَا، وَالشَّهْرُ إِلَى الشَّهْرِ يَعْنِي شَهْرَ رَمَضَانَ كَفَّارَةٌ مَا بَيْنَهُمَا؛ إِلَّا مِنْ ثَلَاثٍ: الْإِشْرَاكَ بِاللَّهِ، وَتَرْكُ السُّنَّةِ، وَنَكْثُ الصَّفَقَةِ). قَالَ أَبُو هُرَيْرَةَ: فَعَلِمْتُ أَنَّ ذَلِكَ لِأَمْرٍ حَدَثَ، فَقُلْتُ: يَا رَسُولَ اللَّهِ، أَمَا الْإِشْرَاكَ بِاللَّهِ فَقَدْ عَرَفْنَاهُ، فَمَا نَكْثُ الصَّفَقَةِ وَتَرْكُ السُّنَّةِ؟ قَالَ: «أَمَّا نَكْثُ الصَّفَقَةِ فَإِنْ تَبَايَعَ رَجُلًا بِمِمينِكَ ثُمَّ تَخَالَفَ إِلَيْهِ فَنَقَاتِلُهُ بِسَيْفِكَ، وَأَمَّا تَرْكُ السُّنَّةِ فَالْخُرُوجُ مِنَ الْجَمَاعَةِ»؛[وتجدده في مسند إسحاق بن راهويه (435/397/1)، ومسند أحمد مخرجا (7129/30/12)؛ والمستدرک علی الصحیحین للحاکم (7665/288/4)، وقال الحاکم: (هَذَا حَدِيثٌ صَحِيحٌ الْإِسْنَادِ وَلَمْ يُخَرِّجَاهُ)، ووافقه الذهبي، وهو كما قالوا؛ وفي غيرها.

- It was recorded in "Shu'ab ul-Iman" of Al-Baihaqi (3/308/3620) and "Fada'il Al-Awqat" of Al-Baihaqi (p: 163/48), with the most authentic of the chains of transmission: [Abu Al-Hasan 'Ali bin Muhammad Al-Muqri'u informed us: Al-Hasan bin Muhammad bin Ishaq related to us: Yusuf bin Ya'qub Al-Qaadiy related to us: Abu Ar-Rabee' related to us: Hushaim related to us: Al-'Awwam bin Hawshab related to us: Abdullah bin As-Sa'ib Al-Kindiy related to us from Abu Hurairah: He said: The Messenger of Allah ﷺ said: "The prescribed prayer to the prayer proceeding it is a Kaffarah (expiation) for what was between them, and the Jumu'ah to the Jumu'ah that proceeded it is a Kaffarah (expiation) for what was between them, and the month to the month (meaning the month of Ramadan) is a Kaffarah for what was between them, with the exception of three matters: Associating partners with Allah, abandoning the Sunnah and breaking the agreement/deal". Abu Hurairah said: Then I knew that this was due to a matter that had occurred, so I asked: "O Messenger of Allah, as far as associating partners with Allah, then we are aware of that, but what is the breaking of the deal and the abandoning of the Sunnah?" He said: "As for breaking the deal, then that is when you make a pledge or transaction with a man by your oath and then you contravene that and fight him with your sword. And as for the abandoning of the Sunnah, then that is the departure from the Jama'ah"]. The narration can also be found in the Musnad of Ishaq bin Rahuwaih (1/397/435), the Musnad of Ahmad (12/30/7129), and the Mustadrak 'Ala s-Sahihaini of Al-Hakim (4/288/7665). Al-Hakim commented: [This is Hadith is Sahih in its Isnad but they (i.e., Al-Bukhari and Muslim) did not record it]. Adh-Dhahabiy concurred with him and it is as they say and as has been said in other places.

قلت: من الواضح يقينا أن أبا هريرة هو السائل، أو هو أحد السائلين: فهذا سماع مباشر متصل من أبي هريرة، لا واسطة فيه، وليس من مراسيل الصحابة. ولا يمكن أن يكون أبو هريرة قد سمعه إلا في السنة السابعة من الهجرة أو بعدها. وفي معظم طرق الحديث نص على أن النبي، عليه وعلى آله الصلاة والسلام، سكت بعد ذكر الكفارات مدة جعلت أبا هريرة يجزم أن الكلام التالي المبين للاستثناءات إنما هو لحدوث وحي جديد يبين ذلك: فكأن ذلك يدل على أن هذا هو آخر – أو من آخر – ما تلفظ به النبي في هذا الباب، وهي أحاديث كثيرة، تجد معظمها في (فضائل الأوقات للإمام البيهقي)، نكتفي منها الحديث الممتع التالي (وإن كان ليس في موضوعنا، ولكن لتعطير بحثنا هذا بأحاديث سيد ولد آدم الزكية):

I say: It is clear with certainty that Abu Hurairah is the questioner or one of the questioners. This therefore represents a directly connected hearing from Abu Hurairah without an intermediary and it is not from the Mursal narrations of the Sahabah. In addition, Abu Hurairah could not have heard it except in the seventh year of the Hijrah or after that. In most paths of the Hadith, it is stated that the Prophet ﷺ was silent after mentioning the expiations for a period of time which made Abu Hurairah certain that the speech which followed explaining the exceptions was only due to the occurrence of a new revelation explaining that. It is as if that indicates to the fact that this was the last or from the last of what the Prophet ﷺ expressed in this subject area which includes many Ahadeeth, the majority of which can be found in “Fada’il Al-Awqat” by Imam Al-Baihaqi. We will suffice with the following enjoyable Hadith, even if it is not in our current subject area, if only to enrich our study with the Ahadeeth of the pure master son of Adam:

* كما جاء في فضائل الأوقات للبيهقي (ص: 49/165): [أَخْبَرَنَا أَبُو عَبْدِ اللَّهِ الْحَافِظُ، حَدَّثَنَا أَبُو بَكْرِ أَحْمَدُ بْنُ إِسْحَاقَ الْفَقِيه، حَدَّثَنَا مُحَمَّدُ بْنُ أَبِي بَرْ، حَدَّثَنَا مُسْلِمُ بْنُ إِبرَاهِيمَ، حَدَّثَنَا عَمْرُو بْنُ حَمْرَةَ أَبُو أُسَيْدٍ، حَدَّثَنَا أَبُو الرَّبِيعِ، عَنْ أَنَسِ بْنِ مَالِكٍ، قَالَ: لَمَّا أَقْبَلَ شَهْرُ رَمَضَانَ قَالَ رَسُولُ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: «سُبْحَانَ اللَّهِ، مَاذَا تَسْتَقْبِلُونَ؟ مَاذَا يَسْتَقْبِلُكُمْ؟» فَقَالَ عَمْرُو بْنُ الْخَطَّابِ رَضِيَ اللَّهُ عَنْهُ: (بِأَبِي أَنْتَ وَأُمِّي يَا رَسُولَ اللَّهِ، وَحَيٍّ نَزَلَ أَوْ عَدُوٌّ حَضَرَ؟)، قَالَ: «لَا وَلَكِنْ شَهْرُ رَمَضَانَ، يَغْفِرُ اللَّهُ تَعَالَى فِي أَوَّلِ لَيْلَةٍ لِكُلِّ أَهْلِ هَذِهِ الْقِبْلَةِ» قَالَ: وَفِي الْقَوْمِ رَجُلٌ يَهْزُ رَأْسَهُ فَيَقُولُ: (بَخَ بَخَ)، فَقَالَ لَهُ النَّبِيُّ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: «كَأَنَّهُ ضَاقَ صَدْرُكَ بِمَا سَمِعْتَ؟» قَالَ: (لَا وَاللَّهِ لَا يَا رَسُولَ اللَّهِ: وَلَكِنْ ذَكَرْتُ الْمُنَافِقَ؟!)، فَقَالَ النَّبِيُّ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: «الْمُنَافِقُ كَافِرٌ: وَلَيْسَ لِلْكَافِرِ فِي ذَا شَيْءٍ»؛

- The following came reported in “Fada’il Al-Awqat” of Al-Baihaqi (p: 165/49): [Abu Abdullah Al-Hafizh informed us: Abu Bakr Ahmad bin Ishaq Al-Faqih related to us: Muhammad bin Ayyub related to us: Muslim bin Ibrahim related to us: ‘Amr bin Hamzah Abu Usaid related to us: Abu Ar-Rabee’ related to us from Anas bin Malik: He said: When the month of Ramadan approached the Messenger of Allah ﷺ said: “Glorified be Allah, what are you facing? What is facing you?” Then ‘Umar bin Al-Khattab, may Allah be pleased with him, said: “May my father and mother be ransomed for you O Messenger of Allah, is it a divine revelation that has descended or an enemy that has arrived?” He said: “No, but rather it is the month of Ramadan, Allah forgives in the first night **everyone from the people of this Qiblah**”. He said: And among the people present there was a man who shook his head whilst saying: “Bakh Bakh”. So, the Prophet ﷺ said to him: “It is as if your chest has become constrained by what you have heard?” He replied: “No, by Allah O Messenger of Allah, but I remembered the Munafiq (hypocrite)?!” Then the Prophet ﷺ said: “The Munafiq is a Kafir (disbeliever) and the disbeliever has nothing in respect to that”].

قلت: فهذا قديم، قبل الحديث أعلاه، بل لعله عقيب فرض صيام رمضان، ولم يأت بعد بيان المستثنين من هذا الفضل العظيم. وإنما أبان فقط أن المقصود بـ(أهل هذه القبلة) إنما هم أهلها في علم الله، وليس من كان كذلك في الظاهر وفيهم، ومنهم، منافقون: فبين النبي، عليه وعلى آله الصلاة والسلام، بيانا شافيا قاطعا للعدر أن ذلك فقط لأهل القبلة، أي: لأهل الإسلام، **باطنا**، وليس فقط ظاهرا: أي للمؤمنين، لأن المنافق كافر، وليس للكافر من ذلك شيء البتة. ومن باب أولى لا نصيب في هذه الفضيلة لمن

قال قولاً، أو فعل فعلاً، من أقوال وأفعال الكفر والشرك، عياداً بالله تعالى، عالماً واعياً، غير معذور بجهل، أو تأويل، أو إكراه ملجئ، أو غير ذلك من موانع تكفير المعين.

I say: This is therefore old and before the previously mentioned Hadith. Indeed, it may have been shortly after the obligation of the fasting of Ramadan and did not come after the explanation of those who are exempted from attaining this great merit. He rather made clear that the intended meaning of the “people of the Qiblah” are only those who are its people by the knowledge of Allah and not those who were like that in appearance, in the case where there were hypocrites among them and from their numbers. The Prophet ﷺ therefore explained in a clear and definite manner that this was only for the people of the Qiblah, in other words the people of Islam, in terms of what is **concealed** and not only what is apparent i.e., believers. That is because the hypocrite is a disbeliever and the disbeliever doesn’t have any share in that at all. In addition, by greater reason, this favour or merit is not attained by the one who said a statement, or did an act, from the statements and acts of disbelief or Shirk (association of partners with Allah), may Allah’s refuge be sought, whilst he was knowing and aware, and not excused by ignorance, an interpretation, dire compulsion or other than that from the matters which prevent the declaration of disbelief upon a particular person.

وعليه: فهذا الانخلاع من «**بيعة الهجرة**» **ليس** نوعاً من أنواع تلك الجريمة المعبر عنها في الروايات بلفظ: (الأعرابية بعد الهجرة)، أو (التعرب بعد الهجرة)، وهو أيضاً من كبائر الذنوب، بل لعله من أنواع النفاق والكفر المخرج من الملة، ولو في أحوال مخصوصة بشرطها. ولكن هذا يحتاج إلى مزيد بحث وتنقيب في فصل مستقل، وسيأتي – بإذن الله - فوراً.

Therefore, in conclusion, this separation from the “**Bai’ah Al-Hijrah**” is **not** a type of the types of that crime which was spoken about in those narrations by the wording “Al-Aa’raabiyah after the Hijrah” or “At-Ta’arrub after the Hijrah”, which is also from the major sins and may be from the types of hypocrisy and disbelief which takes a person out of the Millah (i.e., the Deen of Islam), albeit in specific circumstances with its conditions. This matter requires more study and probing in an independent section, which will be presented now by Allah’s permission.

❖ فصل: (الأعرابية)، أو (التعرب)، بعد الهجرة من أعمال الكفر

وأما التحول إلى تابعة كفرية حربية، أي: (تابعة دار كفر حربية)، ارتداداً عن (**الهجرة**) الواجبة اللازمة، لا فرق بين هجرة وجبت ببيعة، أعني: «**بيعة الهجرة**»، أو لموجب آخر، كما سيأتي بيانه، بإذن الله: فلا شك أن هذا أوغل في الإثم. بل هو على التحقيق من أعمال الكفر، لقوله، جل جلاله، وتقدست أسماؤه: (إِنَّ الَّذِينَ ارْتَدُّوا عَلَىٰ أَدْبَارِهِمْ مِنْ بَعْدِ مَا تَبَيَّنَ لَهُمُ الْهُدَىٰ الشَّيْطَانُ سَوَّلَ لَهُمْ وَأَمْلَىٰ لَهُمْ (25) ذَلِكَ بِأَنَّهُمْ قَالُوا لِلَّذِينَ كَرَهُوا مَا نَزَّلَ اللَّهُ سَنُطِيعُكُمْ فِي بَعْضِ الْأَمْرِ وَاللَّهُ يَعْلَمُ إِسْرَارَهُمْ (26) فَكَيفَ إِذَا تَوَفَّيْنَاهُمُ الْمَلَائِكَةُ يَضْرِبُونَ وُجُوهَهُمْ وَأَدْبَارَهُمْ (27) ذَلِكَ بِأَنَّهُمْ اتَّبَعُوا مَا أَسْخَطَ اللَّهَ وَكَرَهُوا رِضْوَانَهُ فَأَحْبَطَ أَعْمَالَهُمْ (28))، (محمد؛ 47: 25 – 28)؛ حيث ورد في تفسيرها:

- Section: "Al-Aa'raabiyah" or "At-Ta'arrub" after the Hijrah is from the acts of disbelief:

As for changing to the disbelieving warring subject status (i.e., the subject status of the land of disbelief and war), renouncing the obligatory and compulsory "**Hijrah**", in the case where there is no difference between the Hijrah which is obliged by the Bai'ah (pledge), meaning "**Bai'ah Al-Hijrah**" or made obligatory due to another factor, (the explanation of which will later be presented by Allah's permission) then there is no doubt that whoever does that has fallen deeply into sin. Indeed, it is effectively from the acts of disbelief due to the statement of Allah, Glorified be His Majesty and sanctified be His Names:

إِنَّ الَّذِينَ ارْتَدُّوا عَلَىٰ أَدْبَارِهِمْ مِنْ بَعْدِ مَا تَبَيَّنَ لَهُمُ الْهُدَىٰ الشَّيْطَانُ سَوَّلَ لَهُمْ وَأَمْلَىٰ لَهُمْ (25) ذَلِكَ بِأَنَّهُمْ قَالُوا لِلَّذِينَ كَرِهُوا مَا نَزَّلَ اللَّهُ سَنُطِيعُكُمْ فِي بَعْضِ الْأَمْرِ وَاللَّهُ يَعْلَمُ إِسْرَارَهُمْ (26) فَكَيْفَ إِذَا تَوَفَّتْهُمُ الْمَلَائِكَةُ يَضْرِبُونَ وُجُوهَهُمْ وَأَدْبَارَهُمْ (27) ذَلِكَ بِأَنَّهُمْ اتَّبَعُوا مَا أَصْحَبَ اللَّهُ وَكَرِهُوا رِضْوَانَهُ فَأَحْبَطَ أَعْمَالَهُمْ

Verily, those who reverted back [to disbelief] after guidance had become clear to them, Satan enticed them and prolonged hope for them. (25) That is because they said to those who disliked what Allah sent down, "We will obey you in part of the matter." And Allah knows what they conceal. (26) Then how [will it be] when the angels take them in death, striking their faces and their backs? (27) That is because they followed what angered Allah and disliked [what earns] His pleasure, so He rendered worthless their deeds (Muhammad: 25-28).

In the case where the following came related in respect to its Tafsir:

* ما أخرجه الإمام أبو عبيد القاسم بن سلام في الأموال (ص: 531/277)، [أو في الطبعة الأخرى للأموال - (453/494/1)]، بإسناد متصل صحيح، غاية في الصحة: [حَدَّثَنَا عَبْدُ الرَّحْمَنِ، عَنْ سُفْيَانَ، عَنْ أَبِي إِسْحَاقَ، **قَالَ: سَمِعْتُ** عُبَيْدَ بْنَ عُمَيْرٍ، وَذَكَرَ الْكُبَايِرَ وَقَرَأَ بِهَا قُرْآنًا ثُمَّ ذَكَرَ فِيهَا: **(وَالْتَعَرَّبَ بَعْدَ الْهَجْرَةِ)**، وَقَرَأَ: **(إِنَّ الَّذِينَ ارْتَدُّوا عَلَىٰ أَدْبَارِهِمْ** مِنْ بَعْدِ مَا تَبَيَّنَ) [محمد: 25] - (أَوْ بَيْنَ) - (لَهُمُ الْهُدَى) [محمد: 25] هَكَذَا قَالَ عَبْدُ الرَّحْمَنِ فِي حَدِيثِهِ.

قَالَ أَبُو عُبَيْدٍ: فَإِذَا كَانَ التَّارُكُ لِلْهَجْرَةِ مُرْتَدًّا يَكُونُ حُكْمُهُ فِي الْمِيرَاثِ كَحُكْمِ الْكَافِرِ الَّذِي لَا يَرِثُ الْمُسْلِمَ، وَمِمَّا يَشْهَدُ عَلَىٰ ذَلِكَ حَدِيثُ أُسَامَةَ بْنِ زَيْدٍ فِي قَوْلِهِ: **(وَالَّذِينَ آمَنُوا وَلَمْ يُهَاجِرُوا مَا لَكُمْ مِنْ وَلَايَتِهِمْ مِنْ شَيْءٍ)** [الأنفال: 72]. قَالَ أَبُو عُبَيْدٍ: فَإِذَا كَانَ تَرْكُ الْهَجْرَةِ يَقْطَعُ الْوَلَايَةَ مِمَّنْ هَاجَرَ، وَيَحْرُمُ الْوَارِثَ مِيرَاثَهُ، فَهُوَ مِنَ الْمُشَارَكَةِ فِي الْفَيْءِ أَبْعَدُ، فَكَانَ ذَلِكَ حَتَّى نَسَخَهُ اللَّهُ بِقَوْلِهِ: **(وَأُولُو الْأَرْحَامِ بَعْضُهُمْ أَوْلَىٰ بِبَعْضٍ)** [الأحزاب: 6] فَلَمَّا رَجَعَتِ الْمَوَارِثُ إِلَىٰ مَوَاضِعِهَا عَلِمَ أَنَّ ذَلِكَ لَمْ يَكُنْ إِلَّا بِالْوَلَايَةِ الَّتِي صَارَتْ بَيْنَهُمْ، فَعَادَ الْمُسْلِمُونَ كُلُّهُمْ إِخْوَةً أَوْلِيَاءَ، كَمَا قَالَ اللَّهُ تَبَارَكَ وَتَعَالَى: **(إِنَّمَا الْمُؤْمِنُونَ إِخْوَةٌ)** [الحجرات: 10] وَكَمَا قَالَ: **(وَالْمُؤْمِنُونَ وَالْمُؤْمِنَاتُ بَعْضُهُمْ [ص: 278] أَوْلِيَاءُ بَعْضٍ)** [التوبة: 71] فَاسْتَوَتْ أَحْكَامُهُمْ، وَوَجِبَ لَهُمْ جَمِيعًا مَا وَجِبَ لِلْمُسْلِمِينَ، وَعَلَيْهِمْ مَا عَلَيْهِمْ مِنَ الْأُسُوءَةِ فِي الْفَيْءِ وَغَيْرِهِ، إِلَّا أَنَّ لِأَهْلِ الْحَاضِرَةِ وَذَوِي الْعَنْاءِ عَنِ الْإِسْلَامِ الْفَضْلَ بِقَدْرِ غَنَائِهِمْ وَجَزَائِهِمْ **عَنِ الْإِسْلَامِ**، وَسُنْبِيْنُ ذَلِكَ فِي مَوَاضِعِهِ إِنْ شَاءَ اللَّهُ.

532 - وَمِمَّا يَبَيِّنُ لَكَ أَنَّهُ قَدْ لَحِقَ آخِرُ الْمُسْلِمِينَ بِأَوَّلِهِمْ فِي الْحُكْمِ، وَأَنَّ **الْهَجْرَةَ قَدْ نُسِخَتْ**: قَوْلُ النَّبِيِّ،

صلى الله عليه وسلم، بَعْدَ فَتْحِ مَكَّةَ: لَا هِجْرَةَ بَعْدَ الْفَتْحِ. وَفِي ذَلِكَ أَثَارٌ كَثِيرَةٌ، انتهى النص المنقول من (الأموال)؛

- Imam Abu 'Ubaid Al-Qasim bin Salam recorded in "Al-Amwal" (p: 277/531) or in another edition of "Al-Amwal" (1/494/453) with a Sahih fully connected Isnad of the utmost level of authenticity: [Abdur Rahman related to us from Sufyan, from Abu Ishaq: He said: I heard 'Ubaid bin 'Umair whilst he mentioned the major sins (Kabaa'ir) and recited Qur'an for them. He mentioned among them: "At-Ta'arrub after the Hijrah" and recited:

إِنَّ الَّذِينَ ارْتَدُّوا عَلَىٰ أَدْبَارِهِمْ مِّن بَعْدِ مَا تَبَيَّنَ لَهُمُ الْهُدَىٰ

Verily, those who reverted back [to disbelief] after guidance had become clear to them (Muhammad: 25).

This is what Abdur Rahman said in his Hadith.

Abu 'Ubaid said: Therefore, if the one who leaves the Hijrah is a Murtadd (apostate), his ruling in respect to the inheritance would be like the ruling of the disbeliever who the Muslim does not inherit from. This is supported by the Hadith of Usamah bin Zaid in relation to His statement:

وَالَّذِينَ آمَنُوا وَلَمْ يُهَاجِرُوا مَا لَكُمْ مِّن وَلَايَتِهِم مِّن شَيْءٍ

But those who believed and did not emigrate, for you there is no guardianship (Walaayah) of them until they emigrate (Al-Anfal: 72).

Abu 'Ubaid said: If the leaving or abandonment of the Hijrah cuts the right of Walaayah (guardianship) from the one who emigrated (i.e., made the Hijrah) and the inheritor is prohibited from his inheritance, then his sharing in the Fai' (booty/spoils of war) is more inconceivable. That was until Allah abrogated it by His statement:

وَأُولُو الْأَرْحَامِ بَعْضُهُمْ أَوْلَىٰ بِبَعْضٍ

And those of [blood] relationship are more entitled [to inheritance] ... (Al-Ahzab: 6).

So, when the inheritances were returned to their places, it was known that it was not except by the Walaayah that came to exist between them, where the Muslims returned as a whole to being brothers and Awliyaa', as Allah the Glorified be He and Exalted said:

إِنَّمَا الْمُؤْمِنُونَ إِخْوَةٌ

The believers are but brothers (Al-Hujurat: 10).

And as He said:

وَالْمُؤْمِنُونَ وَالْمُؤْمِنَاتُ بَعْضُهُمْ أَوْلِيَاءُ بَعْضٍ

The believing men and believing women are Awliyyaa' (friends, protectors) of one another (At-Taubah: 71)].

As such, their rulings are the same where what was obligatory for the Muslims was obligatory for all of them and what was upon them (i.e., the Muslims) in terms of the model followed in respect to the Fai' (booty/spoils of war) and other matters was also binding upon them. However, the people of the Hadirah (urban areas) and those who have a sufficiency from Islam do have a merit in accordance with their sufficiency from Islam, which we will explain in its place by Allah's will.

(note: Please follow this up as I don't understand it).

532 – And from that which makes evident that he joined the latter of the Muslims with the first of them in respect to the ruling and that the Hijrah had been abrogated, is the statement of the Prophet ﷺ following the Fat'h (conquest) of Makkah: "There is no Hijrah after the Fat'h (conquest", and there are many reported narrations concerning that] **Here ends of test taken from "Al-Amwal"**.

– وهو في الأموال لابن زنجويه - (585/133/2): [حدثنا حميد: (حدثنا عبيد الله بن موسى، أخبرنا إسرائيل، عن أبي إسحاق، عن عبيد بن عمير، قال: الكبائر سبع، فذكرها وقرأ بها قرآنا، وذكر فيها: والتعرب بعد الهجرة، ثم قرأ (إن الذين ارتدوا على أدبارهم من بعد ما تبين لهم الهدى). حدثنا حميد: قال أبو عبيد: فإذا كان ترك الهجرة يقطع الولاية ممن هاجر، ويحرم الوارث ميراثه، فهم من المشاركة في الفياء أبعد، فكان ذلك حتى نسخه الله بقوله - تعالى - (وأولو الأرحام بعضهم أولى ببعض (2)) فلما رجعت المواريث إلى مواضعها، علم أن ذلك لم يكن إلا بالولاية التي صارت بينهم، فعاد المسلمون كلهم إخوة أولياء كما قال الله: (إنما المؤمنون إخوة (3))، وكما قال: (والمؤمنون والمؤمنات بعضهم أولياء بعض (4))، فاستوت أحكامهم ووجب لهم جميعا ما وجب للمسلمين، وعليهم من الأسوة والفياء وغيره، إلا أن لأهل الحاضرة وذوي الغناء عن الإسلام، الفضل بقدر غنائهم وجزئهم عن الإسلام، وسيأتي ذلك في مواضعه إن شاء الله، ومما يبين ذلك أنه قد لحق آخر المسلمين بأولهم، وأن الهجرة قد نسخت، قول النبي، صلى الله عليه وسلم، بعد فتح مكة «لا هجرة بعد الفتح» وفي ذلك آثار كثيرة]

– وهو في تفسير ابن أبي حاتم، [الأصيل - مخرجا (5204/932/3)]: [حَدَّثَنَا أَبِي، حَدَّثَنَا عُبَيْدُ اللَّهِ بْنُ مُوسَى، أَنَّ أَبَا إِسْرَائِيلَ، عَنْ أَبِي إِسْحَاقَ، عَنْ عُبَيْدِ بْنِ عُمَيْرٍ، قَالَ: سَبْعُ فُذُكْرَ نَحْوُهُ وَزَادَ فِيهِ: التَّعَرُّبُ بَعْدَ الْهَجْرَةِ، ثُمَّ قَرَأَ: (إِنَّ الَّذِينَ ارْتَدُّوا عَلَى أَدْبَارِهِمْ) [محمد: 25]]، انتهى النص المنقول من الأموال لابن زنجويه؛

- The same came reported in "Al-Amwal" of Ibn Zanjawaih (2/133/585): [Humaid narrated to us: Ubaidullah bin Musa related to us: Isra'ee informed us from Ibn Abi Ishaq, from 'Ubaid bin 'Umar: He said: The Kabaa'ir (major sins) are seven. He then mentioned them and recited the Qur'an for them. He mentioned among them: "At-Ta'arrub after the Hijrah" and then recited:

إِنَّ الَّذِينَ ارْتَدُّوا عَلَىٰ أَدْبَارِهِم مِّن بَعْدِ مَا تَبَيَّنَ لَهُمُ الْهُدَىٰ

Verily, those who reverted back [to disbelief] after guidance had become clear to them (Muhammad: 25).

Humaid related to us: Abu 'Ubaid said: If the leaving or abandonment of the Hijrah cuts the right of Walaayah (guardianship) from the one who emigrated (i.e., made the Hijrah) and the inheritor is prohibited from his inheritance, then his sharing in the Fai' (booty/spoils of war) is more inconceivable. That was until Allah abrogated it by His statement:

وَأُولُو الْأَرْحَامِ بَعْضُهُمْ أَوْلَىٰ بِبَعْضٍ

And those of [blood] relationship are more entitled [to inheritance ... (Al-Ahzab: 6).

Therefore, when the inheritances were referred to their places, it was known that it was not except by the Walaayah that came to exist between them, where the Muslims returned as a whole to being brothers and Awliyaa', as Allah the Glorified be He and Exalted said:

إِنَّمَا الْمُؤْمِنُونَ إِخْوَةٌ

The believers are but brothers (Al-Hujurat: 10).

And as He said:

وَالْمُؤْمِنُونَ وَالْمُؤْمِنَاتُ بَعْضُهُمْ أَوْلِيَاءُ بَعْضٍ

The believing men and believing women are Awliyaa' (friends, protectors) of one another (At-Taubah: 71)].

As such, their rulings being the same, what was obligatory for the Muslims was obligatory for all of them and upon them was what was upon them in terms of the 'Uswah, the Fai' (booty/spoils of war) and other matters. With the exception that the people of the Hadirah (urban areas) and those who have a sufficiency from Islam do have a merit in accordance with their sufficiency from Islam, which we will explain in its place by Allah's will. **(note: like above, please follow this up).**

We have concluded with the followin

532 – And from that which makes evident that he joined the latter of the Muslims with the first of them in respect to the ruling and that the Hijrah had been abrogated, is the statement of the Prophet ﷺ following the Fat'h (conquest) of Makkah: "There is no Hijrah after the Fat'h (conquest", and there are many reported narrations concerning that].

- And it was stated in the Tafsir of Abu Hatim (Al-Aseel – 3/932/5204): [My father related to us: Ubaidullah bin Musa related to us, Isra'eel informed, from Abu Ishaq, from 'Ubaid bin 'Umair: He said: (There are) seven ... He then mentioned similar to it and added: At-Ta'arrub after the Hijrah: He then recited:

إِنَّ الَّذِينَ ارْتَدُّوا عَلَىٰ أَدْبَارِهِم

Verily, those who reverted back [to disbelief] (Muhammad: 25)].

Here ends the text taken from “Al-Amwal” of Ibn Zanjawaih.

- وهو في تهذيب الآثار - (1568/307/4): [حدثني محمد بن عبيد المحاربي، قال: حدثنا أبو الأحوص، سلام بن سليم، عن أبي إسحاق، عن عبيد بن عمير، قال: «الكبائر سبع، ليس منهن كبيرة إلا وفيها آية من كتاب الله: الإشرāk بالله منهن، (ومن يشرك بالله فكأنما خر من السماء (1))، و(الذين يأكلون أموال اليتامى ظلماً إنما يأكلون في بطونهم نارا وسيصلون سعيراً (2))، و(الذين يأكلون الربا لا يقومون، إلا كما يقوم الذي يتخبطه الشيطان من المس (3))، و(الذين يرمون المحصنات الغافلات المؤمنات (4))، والفرار من الزحف: (يا أيها الذين آمنوا إذا لقيتم الذين كفروا زحفا فلا تولوهم الأدبار (5)) والتعرب بعد الهجرة: (إن الذين ارتدوا على أدبارهم من بعد ما تبين لهم الهدى (6))، وقتل المؤمن»؛

- And it came recorded in “Tahdheeb Al-Aathaar” (4/307/1568): [Muhammad bin ‘Ubaid Al-Muharibiy related to me: He said: Abu Al-Ahwas, Salam bin Saleem, related to us from Abu Ishaq, from ‘Ubaid bin ‘Umair: He said: The Kabaa’ir (major sins) are seven, there is no major sin among them except there is an Aayah (verse) in the Kitab of Allah concerning it: Associating partners with Allah, included among them (i.e., the verses) are:

1)

وَمَنْ يُشْرِكْ بِاللَّهِ فَكَأَنَّمَا خَرَّ مِنَ السَّمَاءِ

And he who associates with Allah, it is as though he had fallen from the sky (Al-Hajj: 31).

2)

إِنَّ الَّذِينَ يَأْكُلُونَ أَمْوَالَ الْيَتَامَىٰ ظُلْمًا إِنَّمَا يَأْكُلُونَ فِي بُطُونِهِمْ نَارًا ۖ وَسَيَصْلَوْنَ سَعِيرًا

Verily, those who unjustly eat up the property of orphans, they eat up only a fire into their bellies, and they will be burnt in the blazing Fire (An-Nisa’: 10).

3)

الَّذِينَ يَأْكُلُونَ الرِّبَا لَا يَقُومُونَ إِلَّا كَمَا يَقُومُ الَّذِي يَتَخَبَّطُهُ الشَّيْطَانُ مِنَ الْمَسِّ

Those who consume interest cannot stand [on the Day of Resurrection] except as one stands who is being beaten by Satan into insanity (Al-Baqarah: 275).

4)

إِنَّ الَّذِينَ يَزْمُونَ الْمُحْصَنَاتِ الْغَافِلَاتِ الْمُؤْمِنَاتِ

Indeed, those who [falsely] accuse chaste, unaware and believing women (An-Nur: 23).

5) And fleeing from the battle:

يَا أَيُّهَا الَّذِينَ آمَنُوا إِذَا لَقِيتُمُ الَّذِينَ كَفَرُوا زَحَفًا فَلَا تُولُوهُمْ الْأَدْبَارَ

O you who have believed, when you meet those who disbelieve advancing [for battle], do not turn to them your backs [in flight] (Al-Anfal: 15).

6) And At-Ta'arrub after the Hijrah:

إِنَّ الَّذِينَ ارْتَدُّوا عَلَىٰ أَدْبَارِهِمْ مِّن بَعْدِ مَا تَبَيَّنَ لَهُمُ الْهُدَىٰ

Verily, those who reverted back [to disbelief] after guidance had become clear to them (Muhammad: 25).

And the killing of the believer].

- وهو في تفسير الطبري عند تأويل قوله تعالى: (إِنَّ تَجَنَّبُوا كِبَائِرَ مَا تُنْهَوْنَ عَنْهُ نُكَفِّرْ عَنْكُمْ سَيِّئَاتِكُمْ وَنُدْخِلْكُمْ مُدْخَلًا كَرِيمًا (31)) (9180/235/8): [حدثني محمد بن عبيد المحاربي قال، حدثنا أبو الأحوص سلام بن سليم، عن ابن إسحاق، عن عبيد بن عمير قال: الكبائر سبع، ليس منهن كبيرة إلا وفيها آية من كتاب الله: الإشرak بالله منهن: (وَمَنْ يُشْرِكْ بِاللَّهِ فَكَأَنَّمَا خَرَّ مِنَ السَّمَاءِ) [سورة الحج: 31] و(الَّذِينَ يَأْكُلُونَ أَمْوَالَ الْيَتَامَىٰ ظُلْمًا إِنَّمَا يَأْكُلُونَ فِي بُطُونِهِمْ نَارًا) [سورة النساء: 10]، و(الَّذِينَ يَأْكُلُونَ الرِّبَا لَا يَقُومُونَ إِلَّا كَمَا يَقُومُ الَّذِي يَتَخَبَّطُهُ الشَّيْطَانُ مِنَ الْمَسِّ) [سورة البقرة: 275]، و(الَّذِينَ يَزْمُونَ الْمُحْصَنَاتِ الْغَافِلَاتِ الْمُؤْمِنَاتِ) [سورة النور: 23]، والفرار من الزحف: (يَا أَيُّهَا الَّذِينَ آمَنُوا إِذَا لَقِيتُمُ الَّذِينَ كَفَرُوا زَحَفًا فَلَا تُولُوهُمْ الْأَدْبَارَ) [سورة الأنفال: 15]، والتعرب بعد الهجرة: (إِنَّ الَّذِينَ ارْتَدُّوا عَلَىٰ أَدْبَارِهِمْ مِّن بَعْدِ مَا تَبَيَّنَ لَهُمُ الْهُدَىٰ) [سورة محمد: 25]، وقتل النفس.

9181 - حدثنا ابن حميد قال، حدثنا جرير، عن منصور، عن ابن أبي إسحاق، عن عبيد بن عمير الليثي قال: الكبائر سبع: الإشرak بالله: (وَمَنْ يُشْرِكْ بِاللَّهِ فَكَأَنَّمَا خَرَّ مِنَ السَّمَاءِ فَتَخْطَفُهُ الطَّيْرُ أَوْ تَهْوِي بِهِ الرِّيحُ فِي مَكَانٍ سَحِيقٍ)، وقتل النفس: (وَمَنْ يَقْتُلْ مُؤْمِنًا مُتَعَمِّدًا فَجَزَاؤُهُ جَهَنَّمُ) الآية، [سورة النساء: 93]، وأكل الربا: (الَّذِينَ يَأْكُلُونَ الرِّبَا لَا يَقُومُونَ إِلَّا كَمَا يَقُومُ الَّذِي يَتَخَبَّطُهُ الشَّيْطَانُ مِنَ الْمَسِّ) الآية، وأكل أموال اليتامى: (إِنَّ الَّذِينَ يَأْكُلُونَ أَمْوَالَ الْيَتَامَىٰ ظُلْمًا) الآية، وقذف المحصنة: (إِنَّ الَّذِينَ يَزْمُونَ الْمُحْصَنَاتِ الْغَافِلَاتِ الْمُؤْمِنَاتِ) الآية، والفرار من الزحف: (وَمَنْ يُؤْلِهِمْ يَوْمَئِذٍ ذُبْرُهُ إِلَّا مَنْ تَحَرَّفًا لِقِتَالٍ أَوْ مُتَحَيِّرًا إِلَىٰ فِتْنَةٍ) الآية، [سورة الأنفال: 16] والمرتد أعرابيًا بعد هجرته: (إِنَّ الَّذِينَ ارْتَدُّوا عَلَىٰ أَدْبَارِهِمْ مِّن بَعْدِ مَا تَبَيَّنَ لَهُمُ الْهُدَىٰ) الآية، انتهى النص المنقول من (تهذيب الآثار) للإمام الطبري؛

- And the following came stated in the Tafsir of At-Tabari (8/235/9180) during the interpretation of His statement تعالى:

إِنْ تَجْتَنِبُوا كَبَائِرَ مَا تُنْهَوْنَ عَنْهُ نُكَفِّرْ عَنْكُمْ سَيِّئَاتِكُمْ وَنُدْخِلَكُمْ مُدْخَلًا كَرِيمًا

If you avoid the major sins which you are forbidden, We will expiate from you your lesser sins and admit you to a noble entrance [into Paradise] (An-Nisa': 31).

[Muhammad bin 'Ubaid Al-Muharibiy related to me: He said: Abu Al-Ahwas Salam bin Saleem related to us from Ibn Ishaq, from 'Ubaid bin 'Umair: He said: The Kabaa'ir (major sins) are seven, there is no major sin among them except there is an Aayah (verse) in the Kitab of Allah concerning it: Associating partners with Allah, included among them (i.e., the verses) are:

وَمَنْ يُشْرِكْ بِاللَّهِ فَكَأَنَّمَا خَرَّ مِنَ السَّمَاءِ

And he who associates with Allah, it is as though he had fallen from the sky (Al-Hajj: 31).

إِنَّ الَّذِينَ يَأْكُلُونَ أَمْوَالَ الْيَتَامَىٰ ظُلْمًا إِنَّمَا يَأْكُلُونَ فِي بُطُونِهِمْ نَارًا ۖ وَسَيَصْلَوْنَ سَعِيرًا

Verily, those who unjustly eat up the property of orphans, they eat up only a fire into their bellies, and they will be burnt in the blazing Fire (An-Nisa': 10).

الَّذِينَ يَأْكُلُونَ الرِّبَا لَا يَقُومُونَ إِلَّا كَمَا يَقُومُ الَّذِي يَتَخَبَّطُهُ الشَّيْطَانُ مِنَ الْمَسِّ

Those who consume interest cannot stand [on the Day of Resurrection] except as one stands who is being beaten by Satan into insanity (Al-Baqarah: 275).

إِنَّ الَّذِينَ يَرْمُونَ الْمُحْصَنَاتِ الْغَافِلَاتِ الْمُؤْمِنَاتِ

Indeed, those who [falsely] accuse chaste, unaware and believing women (An-Nur: 23).

And fleeing from the battle:

يَا أَيُّهَا الَّذِينَ آمَنُوا إِذَا لَقِيتُمُ الَّذِينَ كَفَرُوا زَحْفًا فَلَا تُوَلُّوهُمْ الْأَذْبَارَ

O you who have believed, when you meet those who disbelieve advancing [for battle], do not turn to them your backs [in flight] (Al-Anfal: 15).

And At-Ta'arrub after the Hijrah:

إِنَّ الَّذِينَ ارْتَدُّوا عَلَىٰ أَدْبَارِهِمْ مِّنْ بَعْدِ مَا تَبَيَّنَ لَهُمُ الْهُدَىٰ

Verily, those who reverted back [to disbelief] after guidance had become clear to them (Muhammad: 25).

And the killing of the Nafs (life).

9181 – Ibn Humaid related to us: he said: Jarir related to us from Mansur, from ~~him~~ (Abu) Ishaq, from ‘Ubaid bin ‘Umair Al-Laithiy: He said: The major sins are seven: Associating partners with Allah:

وَمَنْ يُشْرِكْ بِاللَّهِ فَكَأَنَّمَا خَرَّ مِنَ السَّمَاءِ فَتَخْطَفُهُ الطَّيْرُ أَوْ تَهْوِي بِهِ الرِّيحُ فِي مَكَانٍ سَحِيقٍ

And he who associates with Allah, it is as though he had fallen from the sky and was snatched by the birds or the wind carried him down into a remote place (Al-Hajj: 31).

The killing of the Nafs (life):

وَمَنْ يَقْتُلْ مُؤْمِنًا مُتَعَمِّدًا فَجَزَاؤُهُ جَهَنَّمُ

But whoever kills a believer intentionally, his recompense is Hell (An-Nisa’: 93).

And devouring Riba (usury/interest):

الَّذِينَ يَأْكُلُونَ الرِّبَا لَا يَقُومُونَ إِلَّا كَمَا يَقُومُ الَّذِي يَتَخَبَّطُهُ الشَّيْطَانُ مِنَ الْمَسِّ

Those who consume interest cannot stand [on the Day of Resurrection] except as one stands who is being beaten by Satan into insanity (Al-Baqarah: 275).

Devouring the wealth (or property) of the orphan:

إِنَّ الَّذِينَ يَأْكُلُونَ أَمْوَالَ الْيَتَامَى ظُلْمًا

Verily, those who unjustly eat up the property of orphans ... (An-Nisa’: 10).

Falsely accusing (or slandering the honour and reputation) chaste women:

إِنَّ الَّذِينَ يَرْمُونَ الْمُحْصَنَاتِ الْغَافِلَاتِ الْمُؤْمِنَاتِ

Indeed, those who [falsely] accuse chaste, unaware and believing women ... (An-Nur: 23).

Fleeing from the battle:

وَمَنْ يُؤْخَذْ يَوْمَئِذٍ دُبُرُهُ إِلَّا مُتَحَرِّفًا لِّقِتَالٍ أَوْ مُتَحَيِّرًا إِلَىٰ فِتْنَةٍ

And whoever turns his back to them on such a day, unless swerving [as a strategy] for war or joining [another] company ... (Al-Anfal: 16).

And the Murtadd (renouncer or apostate) as an Aa'raabi after his Hijrah:

إِنَّ الَّذِينَ ارْتَدُّوا عَلَىٰ أَدْبَارِهِمْ مِّن بَعْدِ مَا تَبَيَّنَ لَهُمُ الْهُدَىٰ

Verily, those who reverted back [to disbelief] after guidance had become clear to them (Muhammad: 25)]
Here ends the text taken from "Tahdheeb Al-Aathaar" of Imam At-Tabari .

فَنَقُولُ: ما يهمننا ها هنا تفسير التابعي الكبير، الإمام الثقة الحجة، أبي عاصم عبيد بن عمير الليثي لجملة **(ارْتَدُّوا عَلَىٰ أَدْبَارِهِمْ)** بأنه ترك الهجرة، والانتكاس عنها، بالرغم من عدم ورود لفظ (الهجرة) في السورة بكاملها: من أولها إلى آخرها. فهذا يصعب تصور كونه اجتهادا مبنيًا على رأي مجرد، وليس عن علم بواقعة، أو وقائع، نزلت الآيات أول مرة، وربما السورة بتمامها، لمعالجتها.

We say: What concerns us here is the Tafsir (explanation) of the major Taabi'iy, the Imam Ath-Thiqah Al-Hujjah, Abu 'Aasim 'Ubaid bin 'Umar Al-Laithiy concerning the statement: "**reverted back [to disbelief]**" as meaning the abandonment or leaving of the Hijrah and renouncing it. That is despite the absence of the wording "Al-Hijrah" in the entire Surah, from its beginning to its end. It is difficult to conceive that this was an Ijtihad (exertion of derivation) based purely upon opinion rather than being based on knowledge of a particular incident or incidents for which these verses were initially revealed and perhaps the Surah as a whole, in order to deal with such an incident or occurrence.

وقد استوعبنا أقوال المفسرين في هذه الآية الكريمة ((إِنَّ الَّذِينَ ارْتَدُّوا عَلَىٰ أَدْبَارِهِمْ مِّن بَعْدِ مَا تَبَيَّنَ لَهُمُ الْهُدَىٰ الشَّيْطَانُ سَوَّلَ لَهُمْ وَأَمْلَىٰ لَهُمْ (25) ذَلِكَ بِأَنَّهُمْ قَالُوا لِلَّذِينَ كَرِهُوا مَا نَزَّلَ اللَّهُ سَنُطِيعُكُمْ فِي بَعْضِ الْأَمْرِ وَاللَّهُ يَعْلَمُ إِسْرَارَهُمْ (26) فَكَيْفَ إِذَا تَوَفَّتْهُمُ الْمَلَائِكَةُ يَضْرِبُونَ وُجُوهَهُمْ وَأَدْبَارَهُمْ (27) ذَلِكَ بِأَنَّهُمْ اتَّبَعُوا مَا أَصْحَبَ اللَّهُ وَكَرِهُوا رِضْوَانَهُ فَأَحْبَطَ أَعْمَالَهُمْ (28))، (محمد؛ 47: 25 – 28)) استيعابا تاما، مع نقد وإبطال معظمها. وذكرنا طرفا من الروايات المتعلقة بأسباب النزول الممكنة لها في الفصل المعنون: (من هم **(الَّذِينَ ارْتَدُّوا عَلَىٰ أَدْبَارِهِمْ)؟!)** من الباب المعنون: (فما لكم في المنافقين فئتين) الذي ألحقناه بهذا البحث، وهو في الأصل باب من كتابنا: (الموالات والمعاداة).

We have brought together the statements (or opinions) of the scholars of Tafsir concerning these verses in a thorough manner, alongside criticism and declaring the invalidity of most of them:

إِنَّ الَّذِينَ ارْتَدُّوا عَلَىٰ أَدْبَارِهِمْ مِّن بَعْدِ مَا تَبَيَّنَ لَهُمُ الْهُدَىٰ الشَّيْطَانُ سَوَّلَ لَهُمْ وَأَمْلَىٰ لَهُمْ (25) ذَلِكَ بِأَنَّهُمْ قَالُوا لِلَّذِينَ كَرِهُوا مَا نَزَّلَ اللَّهُ سَنُطِيعُكُمْ فِي بَعْضِ الْأَمْرِ وَاللَّهُ يَعْلَمُ إِسْرَارَهُمْ (26) فَكَيْفَ إِذَا تَوَفَّتْهُمُ الْمَلَائِكَةُ يَضْرِبُونَ وُجُوهَهُمْ وَأَدْبَارَهُمْ (27) ذَلِكَ بِأَنَّهُمْ اتَّبَعُوا مَا أَصْحَبَ اللَّهُ وَكَرِهُوا رِضْوَانَهُ فَأَحْبَطَ أَعْمَالَهُمْ

Verily, those who reverted back [to disbelief] after guidance had become clear to them - Satan enticed them and prolonged hope for them. (25) That is because they said to those who disliked what Allah sent down, "We will obey you in part of the matter." And Allah knows what they conceal. (26) Then how [will it be] when the angels take them in death, striking their faces and their backs? (27) That is because they followed what angered Allah and disliked [what earns] His pleasure, so He rendered worthless their deeds (Muhammad: 28).

And we have mentioned paths of the narrations related to the possible Asbaab An-Nuzool (reasons or causes of revelation) in the section entitled "[Who are those who reverted back \[to disbelief\]?](#)" from the chapter headed "What is [the matter] with you [that you are] two groups concerning the hypocrites" (referring to An-Nisa': 88), which we have attached to this current study and is in origin a chapter in our book "Al-Muwaalah Wa I-Mu'aadah".

وقد خلصنا إلى محصلة مفادها: إن الالتحاق بتابعة كفرية حربية، بعد الانخلاع من التابعة الإسلامية، هو من **أعمال الكفر بذاته، وبمجرد فعله، بشرط** أن تكون (التابعة الإسلامية) التي انخلع منها، إنما كانت قد حصل عليها بهجرة **و□بت عليه** من دار يتعرض فيها للفتنة في دينه، ولم يسقط الوجوب عليه بعجزه وعدم قدرته.

We have concluded with the following: That joining the subject status of a disbelieving and warring state, after rescinding the Islamic subject status is from the [acts of disbelief in itself and by its mere undertaking, with the condition](#) that the "Islamic subject status (Taabi'iyah)" which he rescinded was attained only by a Hijrah that [was obliged upon him](#) from a land in which he was exposed to Fitnah in respect to his Deen, and the obligation had not fallen from him due to his inability or absence of capability.

أما من ولد في الدار، أو كانت هجرته غير واجبة عليه، فلا محل له في هذه الآيات، وإن بعض أولئك أنما أو منافقا كافرا لاعتبارات أخرى بأدلتها، ولكن ليس بهذه الآيات الشريعات. برهان صحة قولنا بهذا الشرط هو قوله، جل جلاله، وسما مقامه: (إِنَّ الَّذِينَ تَوَفَّاهُمُ الْمَلَائِكَةُ ظَالِمِي أَنْفُسِهِمْ قَالُوا فِيمَ كُنْتُمْ قَالُوا كُنَّا مُسْتَضْعَفِينَ فِي الْأَرْضِ قَالُوا أَلَمْ تَكُنْ أَرْضُ اللَّهِ وَاسِعَةً فَتُهَاجِرُوا فِيهَا فَأُولَئِكَ مَأْوَاهُمْ جَهَنَّمُ وَسَاءَتْ مَصِيرًا (97) إِلَّا الْمُسْتَضْعَفِينَ مِنَ الرِّجَالِ وَالنِّسَاءِ وَالْوِلْدَانَ لَا يَسْتَطِيعُونَ حِيلَةً وَلَا يَهْتَدُونَ سَبِيلًا (98) فَأُولَئِكَ عَسَى اللَّهُ أَنْ يَغْفُو عَنْهُمْ وَكَانَ اللَّهُ غَفُورًا (99) وَمَنْ يُهَاجِرْ فِي سَبِيلِ اللَّهِ يَجِدْ فِي الْأَرْضِ مُرَاعِمًا كَثِيرًا وَسَعَةً وَمَنْ يَخْرُجْ مِنْ بَيْتِهِ مُهَاجِرًا إِلَى اللَّهِ وَرَسُولِهِ ثُمَّ يُدْرِكُهُ الْمَوْتُ فَقَدْ وَقَعَ أَجْرُهُ عَلَى اللَّهِ وَكَانَ اللَّهُ غَفُورًا رَحِيمًا (100))، (النساء؛ 4: 97 - 100)؛ وكذلك بشهادة حشد من أحاديث (أعراب المسلمين)، التي أشبعناها درسا في بحثنا هذا: **(الهجرة، والتابعة الإسلامية (وحق تقرير المصير))**؛ وكذلك بإذن النبي، عليه وعلى آله الصلاة والسلام، لعمير بن وهب بالعودة إلى مكة والإقامة فيها، ولعمه العباس بن عبد المطلب، وثناؤه على رهن عبد الله بن النحام الذين أحاطوه بحمايتهم فلم يحتج للهجرة؛ وغير ذلك كثير.

As for the one who was born in the land or his Hijrah was not obligatory, then there is no context for such a person within these verses although some of those may have been sinful, hypocrites and disbelievers due to other considerations based on the evidences establishing that, but not due to these noble verses. The evidential proof for the correctness of our opinion about this condition is His statement, Glorified be His Majesty:

إِنَّ الَّذِينَ تَوَفَّاهُمُ الْمَلَائِكَةُ ظَالِمِي أَنْفُسِهِمْ قَالُوا فِيمَ كُنْتُمْ قَالُوا كُنَّا مُسْتَضْعَفِينَ فِي الْأَرْضِ قَالُوا أَلَمْ تَكُنْ أَرْضُ اللَّهِ وَاسِعَةً فَتُهَاجِرُوا فِيهَا فَأُولَئِكَ مَأْوَاهُمْ جَهَنَّمُ وَسَاءَتْ مَصِيرًا (97) إِلَّا الْمُسْتَضْعَفِينَ مِنَ الرِّجَالِ وَالنِّسَاءِ وَالْوِلْدَانِ لَا يَسْتَطِيعُونَ حِيلَةً وَلَا يَهْتَدُونَ سَبِيلًا (98) فَأُولَئِكَ عَسَى اللَّهُ أَنْ يَعْفُوَ عَنْهُمْ وَكَانَ اللَّهُ عَفُورًا (99) وَمَنْ يُهَاجِرْ فِي سَبِيلِ اللَّهِ يَجِدْ فِي الْأَرْضِ مُرَاعًا كَثِيرًا وَسَعَةً وَمَنْ يُخْرَجْ مِنْ بَيْتِهِ مُهَاجِرًا إِلَى اللَّهِ وَرَسُولِهِ ثُمَّ يُدْرِكُهُ الْمَوْتُ فَقَدْ وَقَعَ أَجْرُهُ عَلَى اللَّهِ وَكَانَ اللَّهُ غَفُورًا رَحِيمًا

Verily, those whom the angels take [in death] while wronging themselves, [the angels] will say, "In what [condition] were you?" They will say, "We were weak and oppressed in the land". The angels will say, "Was not the earth of Allah spacious [enough] for you to emigrate therein?" For those, their refuge is Hell and evil it is as a destination. (97) Except for the weak and oppressed among men, women and children who cannot devise a plan nor are they directed to a way (98) For those it is expected that Allah will pardon them, and Allah is ever Pardoning and Forgiving. (99) And whoever emigrates for the cause of Allah will find on the earth many [alternative] locations and abundance. And whoever leaves his home as an emigrant to Allah and His Messenger and then death overtakes him, his reward has already become incumbent upon Allah. And Allah is ever Forgiving and Merciful (An-Nisa': 97-100).

It is also evidenced by the testimony of a collection of Ahadeeth "Aa'raab ul-Muslimeen" which we have thoroughly studied in this current research paper: "[Al-Hijrah, the Islamic subject status \(and the right to self-determination\)](#)". Just as it is supported by the permission of the Prophet ﷺ granted to 'Umar bin al-Khattab to return to Makkah and reside there and to his uncle Al-'Abbas bin Abdul Muttalib, in addition to the commendation he gave to the party of Abdullah bin An-Nahham who encompassed him with their protection and consequently did not require to undertake the Hijrah, amongst many other supporting evidences (or examples).

وعليه فإن من غلبت عليه شقوته، فتورط في هذا على النحو الذي بيناه **بشرطه**، فهو: **مشارك كافر، بعينه وصفته الشخصية، وبمجرد فعله**، حتى لو لم يجد شيئاً من الكتاب، ولم يسجد لصنم، ولا تمسح بوثن، أو ذبح لنصب؛ وحتى لو قام الليل وصام النهار، إلا من عذر بجهل أو تأويل أو إكراه، أو غير ذلك من موانع التكفير المعروفة.

Therefore, whoever's mischief overtakes him and whoever embroils himself in this manner that we have explained alongside [its condition](#), is a [Mushrik Kafir \(polytheist disbeliever\) in his individual capacity and](#)

personal description, by its mere undertaking, even if he did not deny anything from the Kitab, did not prostrate to an idol, anoint one or make a sacrifice at an altar, and even if he prayed during the night and fasted during the day, with the exception of the one who is pardoned due to ignorance, a misinterpretation (Ta'weel), coercion or other than that from the known preventing factors (Mawaani') of Takfir (being declared a disbeliever).

ولكن لا عذر في الجبن عن القتال، أو مراعاة محبة الوالدين وبرهما، أو الشوق إلى الأوطان، أو تحصيل المكاسب والتجارات، ليس شيء من ذلك عذراً على الإطلاق: (يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَتَّخِذُوا آبَاءَكُمْ وَإِخْوَانَكُمْ أَوْلِيَاءَ إِنِ اسْتَحَبُّوا الْكُفْرَ عَلَى الْإِيمَانِ وَمَنْ يَتَوَلَّهُمْ مِنْكُمْ فَأُولَئِكَ هُمُ الظَّالِمُونَ (23) قُلْ إِن كَانَ آبَاؤُكُمْ وَأَبْنَاؤُكُمْ وَإِخْوَانُكُمْ وَأَزْوَاجُكُمْ وَعَشِيرَتُكُمْ وَأَمْوَالٌ اقْتَرَفْتُمُوهَا وَتِجَارَةٌ تَخْشَوْنَ كَسَادَهَا وَمَسَاكِينُ تَرْضَوْنَهَا أَحَبُّ إِلَيْكُمْ مِنَ اللَّهِ وَرَسُولِهِ وَجِهَادٍ فِي سَبِيلِهِ فَتَرَبَّصُوا حَتَّى يَأْتِيَ اللَّهُ بِأَمْرِهِ وَاللَّهُ لَا يَهْدِي الْقَوْمَ الْفَاسِقِينَ (24))، (التوبة؛ 9: 23، 24).

However, there is no excuse in cowardliness from fighting, or observing love for parents and being dutiful to them, or longing (or love) for the nations, or the attainment of gains and trades, and nothing like that is an excuse at all:

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَتَّخِذُوا آبَاءَكُمْ وَإِخْوَانَكُمْ أَوْلِيَاءَ إِنِ اسْتَحَبُّوا الْكُفْرَ عَلَى الْإِيمَانِ وَمَنْ يَتَوَلَّهُمْ مِنْكُمْ فَأُولَئِكَ هُمُ الظَّالِمُونَ (23) قُلْ إِن كَانَ آبَاؤُكُمْ وَأَبْنَاؤُكُمْ وَإِخْوَانُكُمْ وَأَزْوَاجُكُمْ وَعَشِيرَتُكُمْ وَأَمْوَالٌ اقْتَرَفْتُمُوهَا وَتِجَارَةٌ تَخْشَوْنَ كَسَادَهَا وَمَسَاكِينُ تَرْضَوْنَهَا أَحَبُّ إِلَيْكُمْ مِنَ اللَّهِ وَرَسُولِهِ وَجِهَادٍ فِي سَبِيلِهِ فَتَرَبَّصُوا حَتَّى يَأْتِيَ اللَّهُ بِأَمْرِهِ وَاللَّهُ لَا يَهْدِي الْقَوْمَ الْفَاسِقِينَ

O you who have believed, do not take your fathers or your brothers as allies if they have preferred disbelief over belief. And whoever does so among you, then it is those who are the wrongdoers. (23) Say, [O Muhammad], "If your fathers, your sons, your brothers, your wives, your relatives, wealth which you have obtained, commerce wherein you fear decline, and dwellings with which you are pleased are more beloved to you than Allah and His Messenger and jihad in His cause, then wait until Allah executes His command. And Allah does not guide the defiantly disobedient people" (At-Tawbah: 23-24).

ولا شك أن العلة نفسها موجودة في من انخلع من «**بيعة الهجرة**» ملتحقا بتابعية كفرية حربية: فهذا زاد على (نكث الصفة)، و(فراق الجماعة) جريمة (التعرب بعد الهجرة)، فازداد إثماً، ودخل في الكفر أو زاد فيه إن كان قد دخل فيه من قبل: نعوذ بالله من الخذلان، ومن أحوال أهل دار البوار، ونستجير به من النار.

And there is no doubt that the 'Illah (Shar'iy reasoning) itself is present in the one who removes himself from the "Bai'ah Al-Hijrah" to join the disbelieving warring subject status. This adds to the "Violation of the agreement" and the "separation from the Jama'ah", the crime of "At-Ta'arrub after the Hijrah". So, the sin is increased and he enters into disbelief (Kufr) or increases in it if he had already previously entered into it. We

seek refuge in Allah from betrayal or desertion, from the circumstances of the people of the lands of destruction, and seek His salvation from the fire.

❖ فصل: حقيقة (الهجرة)، وماهيتها الجوهرية

ومن كل ما سبق أعلاه، يتبين على نحو يقيني قاطع: أن (الهجرة)، شرعاً، إنما هي (الانتماء)، و(الموالاتة)، و(حمل التبعية)؛ وقد تنشأ بـ(البيعة). ولا علاقة لها مطلقاً بمكان السكنى والإقامة، ولا بطراز العيش من بدواة أو حضارة؛ وكذلك لا بالانتقال من بلد إلى بلد، إن ظهرت بهذه الصورة أحياناً، بل ربما في معظم الأحيان. وقد جاء هذا مصرحاً به مباشرة، بدون لف ولا دوران، في حديث النواس بن سميان الكلابي، رضي الله عنه:

- Section: The true reality of “Al-Hijrah” and its intrinsic nature

From all that has proceeded above, it is evident in a certain definite manner: That “Al-Hijrah” (emigration) in accordance with the Shar’a (Islamic legal meaning), only refers to the “belonging or affiliation”, “Al-Muwaalah” (loyalty) and “Holding the Taabi’iyah (subject status)”, which could arise by way of the “Bai’ah” (pledge). That is whilst it has absolutely no relationship to the place of housing or residence, nor the style or mode of living, whether Bedouin or urban. Similarly, it has no connection to moving from one land or country and to another, even if it appears in this form sometimes, or indeed in the majority of times. This has been expressed directly without any obscurity in the Hadith of An-Nawwas bin Sim’an Al-Kilabi, may Allah be pleased with him:

* كما هو في صحيح مسلم (4/1980 - 15 - 2553): [حَدَّثَنِي هَارُونُ بْنُ سَعِيدٍ الْأَيْلِيُّ، حَدَّثَنَا عَبْدُ اللَّهِ بْنُ وَهَبٍ، حَدَّثَنِي مُعَاوِيَةُ بْنُ يَحْيَى ابْنُ صَالِحٍ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ جُبَيْرٍ بْنِ نُفَيْرٍ، عَنْ أَبِيهِ، عَنْ نَوَاسِ بْنِ سَمْعَانَ، قَالَ: أَقَمْتُ مَعَ رَسُولِ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، بِالْمَدِينَةِ سَنَةً مَا يَمْنَعُنِي مِنَ الْهَجْرَةِ إِلَّا الْمَسْأَلَةُ، كَانَ أَحَدُنَا إِذَا هَاجَرَ لَمْ يَسْأَلْ رَسُولَ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، عَنْ شَيْءٍ، قَالَ: فَسَأَلْتُهُ عَنْ الْبِرِّ وَالْإِثْمِ، فَقَالَ رَسُولُ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: «الْبِرُّ حُسْنُ الْخُلُقِ، وَالْإِثْمُ مَا حَاكَ فِي نَفْسِكَ، وَكَرِهْتَ أَنْ يَطَّلَعَ عَلَيْهِ النَّاسُ»؛

- As came recorded in Sahih Muslim (4/1980 – 15 – 2553): [Harun bin Sa’eed Al-Ayliy related to me: Abdullah bin Wahb related to us: Mu’awiyah (meaning Ibn Salih) related to me from Abdur Rahman bin Jubair bin Nufair, from his father, from Nawwas bin Sim’an: He said: I stayed residing with the Messenger of Allah ﷺ in Al-Madinah for one year. Nothing prevented me from Al-Hijrah apart from asking questions (i.e., about Islam). When anyone of us migrated, he wouldn’t ask the Messenger of Allah ﷺ about anything. So, I asked him about righteousness and sin. Thereupon the Messenger of Allah ﷺ said: “Righteousness is good behaviour and sin is what rankles in your mind and what you hate for the people to know about”].

ولكن الإمام الطحاوي تخطب – كعادته للأسف الشديد – في فهم هذه فقال ما **يضحك الثكلى**: (وَفِي ذَلِكَ مَا قَدْ دَلَّ أَنَّهُ قَدْ كَانَ يَسْتَحِقُّ الْهَجْرَةَ. وَفِي ذَلِكَ مَا قَدْ دَلَّ أَنَّهُ اخْتَارَ النَّصْرَةَ عَلَى الْهَجْرَةِ، وَكَذَلِكَ نَسَبُهُ جُبَيْرُ بْنُ نُفَيْرٍ فِي هَذَا الْحَدِيثِ) (!؟)، وذلك – مباشرة - بعد ما ساق الحديث في شرح مشكل الآثار (2042/285/5): [كَمَا حَدَّثَنَا فَهْدُ بْنُ سُلَيْمَانَ قَالَ: حَدَّثَنَا عَبْدُ اللَّهِ بْنُ صَالِحٍ قَالَ: حَدَّثَنَا مُعَاوِيَةُ بْنُ صَالِحٍ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ جُبَيْرٍ بْنِ نُفَيْرٍ، عَنْ أَبِيهِ، عَنْ نَوَاسِ بْنِ سَمْعَانَ قَالَ: " أَقَمْتُ مَعَ رَسُولِ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، بِالْمَدِينَةِ سَنَةً مَا يَمْنَعُنِي مِنَ الْهَجْرَةِ إِلَّا الْمَسْأَلَةُ، فَإِنْ أَحَدْنَا كَانَ إِذَا هَاجَرَ لَمْ يَسْأَلْ رَسُولَ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، عَنْ شَيْءٍ "].

However, Imam At-Tahawi, as was his norm unfortunately, stumbled in his understanding of this and said that which could **make the bereaved laugh**: “Included in that is what could indicate that he was deserving of the Hijrah. And included in that is what could indicate that he chose the Nusrah over the Hijrah. This is how Jubair bin Nufair attributed it in this Hadith”) (!?) That came directly after he presented the Hadith in “Sharh Mushkil Al-Aathaar” (5/285/2042): [As Fahd bin Sulaiman related to us: He said: Abdullah bin Salih related to us: He said: Mu’awiyah bin Salih related to us from Abdur Rahman bin Jubair bin Nufair, from his father, from Nawwas bin Sim’an: He said: “I stayed residing with the Messenger of Allah ﷺ in Al-Madinah for one year. Nothing prevented me from Al-Hijrah apart from asking questions (i.e., about Islam). That is because when anyone of us migrated, he didn’t ask the Messenger of Allah ﷺ about anything”].

قلت: ليس عندي أي تعليق إضافي على كلام الإمام الطحاوي المؤسف. وعليه: فتحول قبيلة أو مدينة أو حصن، أو أي جماعة بمثابة دولة مستقلة، ذات سيادة بالمعنى الدولي، لها صفتها الاعتبارية، وشخصيتها المعنوية بعد دخولها الإسلام، وتحول دارها إلى دار إسلام، إلى دار المهاجرين، أو بلفظ آخر: (**دار الهجرة**)، بصفتها المعنوية يعني فقط: التنازل عن الاستقلال، والتحول إلى ولاية في دار المهاجرين الاتحادية. وهذا الانضمام إلى الاتحاد الإسلامي، **تصرف، وليس عقداً**، يتم بالإرادة المنفردة لتلك الجماعة أو الكيان؛ وهو مستحب، وليس واجباً: لذلك يمكن التراجع عنه بنفس الكيفية والإجراءات – عن تشاور ورضا - التي تم بها ابتداءً. وبهذا تتضح الإشكالية التي تمنى أمير المؤمنين عمر بن الخطاب، رضوان الله وسلامه عليه، أنه سأل النبي، عليه وعلى آله الصلاة والسلام، عنها:

I say: I have nothing more to say about the unfortunate speech of Imam At-Tahawi. Therefore, in conclusion: The changing of a tribe, city, fort or any collective which is equivalent to an independent state and possesses sovereignty in accordance with the international meaning, has its own legal status and incorporeal personality after its entry into Islam. That is whilst the changing of its Dar (land) to a Dar of Islam, to the Dar of the Muhajirin, or in other words “**Dar ul-Hijrah**”, with its incorporeal status only means: Conceding independence and changing to become a Wilayah (province) in the federal Dar ul-Muhajirin (land of the emigrants). This joining to the Islamic federation represents a **Tasarruf (right of disposal or action) and not a contract** which is completed by the single will of that collective or entity. It is recommended and not obligatory. As such, it is possible to retract it by the same manner and processes, through consultation and agreement, through which it was initiated. In this way the problematic issues which the Amir ul-Mu’mineen ‘Umar bin Al-Khattab, may the pleasure and peace of Allah be upon him, wished he had asked the Prophet ﷺ about, are clarified:

* كما جاء في مصنف عبد الرزاق الصنعاني (19185/302/10) [أو: مصنف عبد الرزاق الصنعاني ط - أخرى (17350/320/7)]: [أَخْبَرَنَا عَبْدُ الرَّزَّاقِ، عَنْ ابْنِ جُرَيْجٍ، وَابْنِ عُيَيْنَةَ، عَنْ عَمْرِو بْنِ دِينَارٍ، عَنْ مُحَمَّدِ بْنِ طَلْحَةَ بْنِ يَزِيدَ بْنِ رُكَانَةَ، قَالَ: قَالَ عُمَرُ: (لَأَنْ أَكُونَ سَأَلْتُ النَّبِيَّ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، عَنْ ثَلَاثَةٍ أَحَبُّ إِلَيَّ مِنْ حُمْرِ النَّعَمِ: عَنْ الْكَلَالَةِ، وَعَنْ الْخَلِيفَةِ بَعْدَهُ، وَعَنْ قَوْمٍ، قَالُوا: نُقِرُّ بِالزَّكَاةِ فِي أَمْوَالِنَا، وَلَا نُؤَدِّيهِهَا إِلَيْكَ أَجَلُ قِتَالِهِمْ أَمْ لَا)؛ قَالَ: «وَكَانَ أَبُو بَكْرٍ يَرَى الْقِتَالَ»].

- وهو في سنن سعيد بن منصور (2932/384/2) باختصار: [حَدَّثَنَا سَعِيدٌ قَالَ: حَدَّثَنَا سُفْيَانُ، عَنْ عَمْرِو بْنِ دِينَارٍ، عَنْ مُحَمَّدِ بْنِ طَلْحَةَ بْنِ يَزِيدَ بْنِ رُكَانَةَ، قَالَ: قَالَ عُمَرُ بْنُ الْخَطَّابِ: (لَأَنْ أَكُونَ سَأَلْتُ رَسُولَ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، عَنْ قَوْمٍ، قَالُوا: نُقِرُّ بِالزَّكَاةِ فِي أَمْوَالِنَا، وَلَا نُؤَدِّيهِهَا إِلَيْكُمْ، أَحَبُّ إِلَيَّ مِنْ حُمْرِ النَّعَمِ)].

- As it came reported in the Musannaf of Abdur Razzaq As-San'aniy (10/302/19185) or the Musannaf of Abdur Razzaq As-San'aniy, in another edition (7/320/17350): [Abdur Razzaq informed us from Ibn Juraij and Ibn 'Uyainah, from 'Amr bin Dinar, from Muhammad bin Talhah bin Yazid bin Rukanah: He said: 'Umar said: "If only I had asked the Prophet ﷺ about three matters which it would have been more beloved to me than the red camels: About Al-Kalalah, about the Khalifah after him and about a people who say: "We endorse the Zakah upon our wealth (or properties) but we will not give it to you" Is it permissible to fight against them?" He said: "And the view of Abu Bakr was that they are fought"].

- And it came recorded in the Sunan of Sa'eed bin Mansur (2/384/2932) in a more summarised form: [Sa'eed related to us: He said: Sufyan related to us from 'Amr bin Dinar, from Muhammad bin Talhah bin Yazid bin Rukanah: He said: 'Umar bin Al-Khattab said: "If I had asked the Messenger of Allah ﷺ about a people who say: "We endorse the Zakah upon our wealth (or properties) but we will not give it to you", it would have been more beloved to me than the red camels"]].

قلت: هذا إسناد رجاله ثقات مأمونين، إلا أن (حَمَدَ بْنَ طَلْحَةَ بْنَ يَزِيدَ بْنِ رُكَانَةَ) إنما هو من وسطى التابعين (ولادته حوالي سنة 20 هـ)، فلا يمكن أن يكون سمعه من عمر بن الخطاب، رضي الله عنه، مشافهة. إلا أن نظافة المتن، ومشابهته لما روي من طرق أخرى، تشعر أنه عمن سمع، وحفظ، وأدى بأمانة. علاوة على أنه يبين بعض الجوانب التي أهملها الحديث المشهور:

I say: The transmitters of this Isnad are trusted Thikaat, except Muhammad bin Talhah bin Yazid bin Rukanah is from the middle Taabi'een, born approximately in the year 20 AH, and as such it is not possible that he directly heard it from 'Umar bin Al-Khattab, may Allah be pleased with him, by mouth. Despite that, the integrity of the textual content of the Hadith (Matn) and its similarity to what was related via other paths, gives the impression that it came from someone who heard, memorised and fulfilled the trust (i.e., of conveying the Hadith). That is in addition to it explaining some of the aspects which the following well-known Hadith neglected to deal with:

* كما هو - على سبيل المثال - في مسند أحمد [مخرجا (117/270/1)] بأصح أسانيد الدنيا: [حَدَّثَنَا عِصَامُ بْنُ خَالِدٍ، وَأَبُو الْيَمَانِ، قَالَا: أَخْبَرَنَا شُعَيْبُ بْنُ أَبِي حَمْزَةَ، عَنِ الزُّهْرِيِّ، قَالَ: حَدَّثَنَا عُبَيْدُ اللَّهِ بْنُ عَبْدِ اللَّهِ بْنِ عُثْبَةَ بْنِ مَسْعُودٍ أَنَّ أَبَا هُرَيْرَةَ قَالَ: لَمَّا تُوُفِّيَ رَسُولُ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، وَكَانَ أَبُو بَكْرٍ بَعْدَهُ، وَكَفَرَ مَنْ كَفَرَ مِنَ الْعَرَبِ، قَالَ عُمَرُ: يَا أَبَا بَكْرٍ كَيْفَ تُقَاتِلُ النَّاسَ، وَقَدْ قَالَ رَسُولُ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: "أُمِرْتُ أَنْ أُقَاتِلَ النَّاسَ حَتَّى يَقُولُوا: لَا إِلَهَ إِلَّا اللَّهُ، فَمَنْ قَالَ: لَا إِلَهَ إِلَّا اللَّهُ، فَقَدْ عَصَمَ مِنِّْي مَالُهُ وَنَفْسُهُ إِلَّا بِحَقِّهِ، وَجَسَابُهُ عَلَى اللَّهِ تَعَالَى ؟"، قَالَ أَبُو بَكْرٍ: "وَاللَّهِ لَا قَاتِلَنَ، (قَالَ أَبُو الْيَمَانِ: لَا قَاتِلَنَ) مَنْ فَرَّقَ بَيْنَ الصَّلَاةِ وَالزَّكَاةِ، فَإِنَّ الزَّكَاةَ حَقُّ الْمَالِ، وَاللَّهُ لَوْ مَنَعُونِي عَنَّا كَانُوا يُؤَدُّونَهَا إِلَى رَسُولِ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، لَفَاتَلْتُهُمْ عَلَى مَنَعِهَا"، قَالَ عُمَرُ: فَوَاللَّهِ مَا هُوَ إِلَّا أَنْ رَأَيْتُ أَنَّ اللَّهَ عَزَّ وَجَلَّ قَدْ شَرَحَ صَدْرَ أَبِي بَكْرٍ لِلْقِتَالِ، فَعَرَفْتُ أَنَّهُ الْحَقُّ؛

- As it came recorded, in example, in the Musnad of Ahmad (1/270/117) with the most Sahih chains of the Dunya: 'Isam bin Khalid and Abu Al-Yaman related to us: They said: Shu'aib bin Abi Hamzah informed us from Az-Zuhriy: He said: Ubaidullah bin Abdullah bin 'Utbah bin Mas'ud related to us that Abu Hurairah said: When the Messenger of Allah ﷺ passed away, and Abu Bakr was after him, and those from the Arabs who disbelieved (or apostatised) disbelieved (or apostatized), 'Umar said: "O Abu Bakr, how can you fight the people when the Messenger of Allah ﷺ said: "I have been commanded to fight the people until they say: Laa Ilaaha Illallah (There is no deity worthy of worship other than Allah). So, whoever said: Laa Ilaaha Illallah, his wealth and his life is protected from me except when it is its right (i.e., to be taken by the Islamic law), and his account will be with Allah, Exalted be He". Abu Bakr said: "By Allah, I will certainly fight (Abu I-Yaman said: I will certainly kill) whoever separates between the Salah and the Zakah. Verily, the Zakah is a right on property and by Allah, if they were to withhold from me a came string that they used to give to the Messenger of Allah ﷺ, I would fight them for what they withhold" 'Umar said: By Allah, it was not except that I saw that Allah 'Azza Wa Jalla had opened the breast of Abu Bakr to fight, and so, I knew it was the truth"]].

قلت: ورواه عامة الثقات الأثبات من أصحاب الزهري (يَحْيَى بْنُ سَعِيدٍ الْأَنْصَارِيُّ، وَمُحَمَّدُ بْنُ الْوَلِيدِ الزُّبَيْدِيُّ، وَشُعَيْبُ بْنُ أَبِي حَمْزَةَ، وَمُحَمَّدُ بْنُ إِسْحَاقَ، وَيُونُسُ بْنُ يَزِيدَ الْأَيْلِيُّ، عُقَيْلٌ، وَعَبْدُ الرَّحْمَنِ بْنُ خَالِدِ بْنِ مُسَافِرٍ، وَمُحَمَّدُ بْنُ كَثِيرٍ، وَسَلْيَمَانُ بْنُ كَثِيرٍ، وَمُحَمَّدُ بْنُ أَبِي حَفْصَةَ، وَغَيْرُهُمْ) هَذَا، أَوْ نَحْوَهُ مِنْ هَذَا. وَشَدَّ بَعْضُ رِجَالِ الدَّرَجَةِ الثَّانِيَةِ مِنْ أَصْحَابِ الزُّهْرِيِّ عَنْهُ عَرَّةٌ عَنْ عَائِشَةَ؛ أَوْ جَعَلُوهُ عَنْ أَبِي هُرَيْرَةَ عَنْ عُمَرَ، وَكُلَّ ذَلِكَ أَوْهَامٌ لَا تَثْبُتُ. وَقَلْبُهُ عِمْرَانُ الْقَطَانِ فَجَعَلَهُ عَنْ مَعْمَرٍ عَنِ الزُّهْرِيِّ عَنْ أَنَسٍ، وَهُوَ بَاطِلٌ قَطْعًا: فَالْحَدِيثُ حَدِيثُ أَبِي هُرَيْرَةَ، فَقَطُّ لَا غَيْرَ، وَلَا يَخْلُوا مِنْهُ شَيْءٌ مِنَ الصَّحَاحِ، وَالسَّنَنِ، وَالْمَسَانِيدِ، وَالْمَعَاجِمِ، وَغَيْرِهَا.

Isay: And it was related by the majority of Thiqaat and Athbaat (reliable and trusted narrators) from among the companions of Az-Zuhriy: Yahya bin Sa'eed Al-Ansariy, Muhammad bin Al-Waleed Az-Zubaidiy, Shu'aib bin Abi Hamzah, Muhammad bin Ishaq, Yunus bin Yazid Al-Ayliy, 'Uqail, Abdur Rahman bin Khalid bin Musafir, Muhammad bin Kathir, Sulaiman bin Kathir, Muhammad bin Abi Hafsah and others besides them, in this manner or similar to it. Some of the transmitters of a lesser calibre (or lower level) from the companions of Az-Zuhriy went outside of the majority and related it from him from 'Urwah, from 'Aa'ishah, or they made

it from Abu Hurairah from 'Umar, all of which is erroneous and unproven. 'Imran Al-Qattan flipped it and made it related from Ma'mar from Az-Zuhriy, from Anas, and that is definitely invalid (or false). That is because the Hadith is a Hadith of Abu Hurairah and none besides him and none of the Sahih collections (As-Sihhah), the Sunan, Masaneed, Ma'aajim or others have failed to mention it.

قلت: وهذا أيضا من مراسيل الصحابة لأن أبا هريرة لم يكن بالمدينة المشرفة العام الأخير من حياة النبي، عليه وعلى آله الصلاة والسلام، ولا حضر وفاته، ولم يشهد شيئا من خلافة أبي بكر: كان في البحرين، وإنما عاد بعد تولي عمر الخلافة. وكانت علاقته بعمر ليست بذاك: فلا يتصور أن يكون قد سأل عمر، أو أن عمر قد حدثه: فليست هذه الرواية – في حقيقة الأمر – أقوى أو أولى بالتقديم من رواية (حَمْدُ بْنُ طَلْحَةَ بْنِ يَزِيدَ بْنِ رُكَّانَةَ) بالرغم من شهرتها، وانتشارها في الصحاح والسنن.

I say: This is also from the Mursal narrations of the Sahabah because Abu Hurairah was not in Al-madinah during the last year of the life of the Prophet ﷺ, was not present at the time of his death and did not witness anything from the Khilafah of Abu Bakr. He was in Bahrain and only returned after 'Umar assumed the Khilafah. In addition, his relationship with 'Umar was not that strong. It is therefore inconceivable that he asked 'Umar or that 'Umar narrated to him. As such, this narration, in truth, is not stronger or more worthy of being advanced or given priority to over the narration of Muhammad bin Talhah bin Yazid bin Rukanah, in spite of its fame and its being widespread among the Sahih collections and Sunan.

والظاهر من كلام عمر: عن (قَوْمٍ، قَالُوا: نُقَرُّ بِالزَّكَاةِ فِي أَمْوَالِنَا، وَلَا نُؤَدِّيْهَا إِلَيْكَ) أن بعض من قاتلهم أبو بكر كانوا – في حقيقة الأمر – يريدون مغادرة (الاتحاد الإسلامي): وعليه فما كان يجوز قتالهم، كما أصلناه أعلاه، ومن حق عمر أن يبقى شاكا في جواز قتالهم، متمنيا لو كان سأل النبي عن ذلك بعينه. ومن جانب آخر: يحتمل أن يكونوا قد منعوا الزكاة بالقوة المسلحة، وهذا خطأ جسيم، فساغ لأبي بكر قتالهم. ولا أظن أن ما حفظ من مرويات (حروب الردة) يكفي لاستجلاء حقيقة ما وقع تاريخيا: فلعل بعض طلبة العلم يتفرغ لدراسة هذا دراسة مدققة.

It is apparent from the speech of 'Umar concerning "a people who said: We endorse the Zakah upon our wealth (or properties) but we will not give it to you", that some of those whom Abu Bakr fought, were in truth wanting to leave the "Islamic federation" and as previously mentioned it is not permitted to fight them, just as it is the right of 'Umar to remain doubtful concerning the permissibility of fighting them, wishing that he had asked the Prophet ﷺ exactly about that issue. From another angle, it is possible that they were withholding the Zakah by way of military power and force, which is a grave error, thus justifying Abu Bakr fighting them. I myself do not believe that what has been preserved in terms of the narrations related to the "Apostacy wars" is sufficient to clearly determine the reality of what happened in our history. Perhaps some students of knowledge can devote themselves to studying this in a meticulous manner.

وعلى كل حال فليس بمستغرب أن تشكل هذه المسألة الدستورية العميقة على الخليفين، وقد أشكل

عليهما ما هو أيسر منها: ميراث الجد. وكذلك لم يستطع عمر بن الخطاب أن يتغلب على وساوسه بخصوص (الكلالة).

Whatever the case it is not strange for this deep constitutional issue to have been problematic for the two Khalifahs in the case where a much simpler matter had been problematic for them: The inheritance of the grandfather. Furthermore, 'Umar bin Al-Khattab was unable to overcome his whispers in respect to the issue of "Al-Kalalah".

✽ فصل: تلخيص أحكام (التابعية)، بأسلوب البرقيات:

على كل حال فإليك الآن أحكام «التابعية»، تابعية (دار الهجرة) أو (دار المهاجرين)، التي هي (الجماعة الأم)، وهي أيضا المسماة: (دولة الخلافة) بعد وفات النبي، عليه وعلى آله الصلاة والسلام، وكانت قبل ذلك (الدولة النبوية)، التي أسلفنا الإشارة إليها أعلاه، و وعدنا بتفصيل خطوطها العريضة:

- Section: Summarising the rulings of "At-Taabi'iyah" (Subject/citizenship status):

We will now present the rulings of "At-Taabi'iyah" (subject status or citizenship), the Taabi'iyah of "Dar ul-Hijrah" or "Dar ul-Muhajirin", which is the "Jama'at ul-Umm" (The collective of the mother or origin) which is also named the "Dawlat ul-Khilafah" (The Caliphate State) following the passing of the Prophet ﷺ, whilst prior to that it was the "Ad-Dawlah An-Nabawiyah" (the Prophetic State), all of which we have indicated to previously and promised to detail its broad outlines:

(Note: could not find better translation for Jamaa'at ul-Umm)

أولاً: أن المسلمين من أهل (دار الهجرة)، سواء أكانوا من أهلها الأصليين – أي من كان من أهلها عند نشوئها، أو من ولد فيها بعد ذلك – أو ممن لحق بهم من المهاجرين الجدد، بعضهم أولياء بعض، أي أن بينهم جميع علاقات «الولاية» بما في ذلك النصرة وجميع حقوق التابعية وواجباتها. وهذه العلاقات ليست بين أفرادهم فحسب، بل هي كذلك بين كل فرد، وكل جماعة بصفتها جماعة، أي بصفتها دولة، وكيان سياسي (لأن الأصل أن تكون (دار الهجرة) اتحاداً فيديرالياً). ولعلنا نسمي هذا الصنف باختصار: أهل (دار الهجرة)، أو «المهاجرون»، ونسمي من لم يهاجر من المسلمين على وجه الاختصار: «الأعراب».

First: That the Muslims from the people (or inhabitants) of "Dar ul-Hijrah", whether they were from its original inhabitants, referring to those who were present when it came into being or were born there after that, or from those who joined it from the new Muhajirin (emigrants), are Awliya' (Friends, supporters and protectors) to one another. This means that they have amongst them all the relationships of "Al-Walaayah" (guardianship) which includes within it the Nusrah (support) and all of the rights and obligations associated

with the Taabi'iyah (subject status). These relationships are not only between the individuals but in addition they are between every individual and every Jama'ah (collective) in its collective quality or description, meaning its description as being a state and political entity, as the original situation is for the "Dar ul-Hijrah" to be a confederal union. Perhaps we can name this category in summary as: The inhabitants of "Dar ul-Hijrah" or "Al-Muhajirin" whilst we name those who have not migrated (i.e., undertaken the Hijrah) from the Muslims in summary as: "Al-Aa'raab".

ثانياً: أن جميع أنواع «الولاية» والنصرة منقطعة بين أهل (دار الهجرة) وبين من لم يهاجر من المسلمين، إلا النصر في الدين إذا استنصروهم، وبشرط أن لا يكون ذلك على قوم بينهم وبين (دار الهجرة) عقد وميثاق، فالعقد والميثاق أولى بالتقديم على نصره من لا يحمل التبعية، تابعة (دار الهجرة).

Second: All the kinds of "Al-Walaayah" (guardianship) and Nusrah (support) are cut between the people (or inhabitants) of "Dar ul-Hijrah" and those Muslims who did not migrate, with the exception of the Nusrah (support) in relation to the Deen if they seek their help and support, on the condition that it **is not** undertaken against a people who have a contract and treaty (Mithaq) existing between them and the "Dar ul-Hijrah". The contract and treaty have precedence over the provision of Nusrah (support) to those who do not hold the Taabi'iyah (subject status) of the "Dar ul-Hijrah".

وأولوية العقد والميثاق على النصر إنما هي فقط بالنسبة للأجانب، أو (الأعراب)، أي لمن لا يحمل التبعية، وليس له عهد أو ميثاق أو حلف مع المسلمين، ومن في حكمهم. أما حملة التبعية، من المسلمين وغيرهم من (المواطنين)، و«حلفاء» المسلمين، ومن في حكمهم، فنصرتهم في الدين واجبة على كل حال، لأن الاعتداء عليهم بوصفهم مسلمين، أو بوصفهم في ذمة المسلمين، أي حملة للتبعية الإسلامية، أو بلغة العصر الحديث: (مواطنين) في دار المهاجرين؛ أو بوصفهم «حلفاء» المسلمين (كالدول الأعضاء في الاتحاد الكونفيدرالي، ومواطنيهم)، هو اعتداء على الإسلام، وعلى دولة الخلافة الإسلامية، وإعلان للحرب عليهما، وهو من ثم بالضرورة نقض فوري لكل عقد وميثاق، كما حصل من قريش، أو حلفائها من بني بكر بن كنانة، عندما اعتدوا على نفر من خزاعة فقتلوه، فانتقض بذلك صلح الحديبية بذاته، ثم كان الفتح المكي المجيد. ونزيد ذلك توضيحاً فنقول: إن المهاجم أو المعتدي:

The precedence of the contract and treaty over providing support only relates to the foreigners or the "Aa'raab", in other words, to those who do not hold the subject status (Taabi'iyah) and do not have a covenant ('Ahd), treaty (Mithaq) or alliance (Hilf) with the Muslims, in addition to those who fall under their ruling. As for those possessing the subject status, including the Muslims and others from the "citizens", in addition to the "Hulafaa" (allies) of the Muslims and those following their ruling, then providing them with the Nusrah (support) in relation to the Deen is obligatory under all circumstances. That is because hostility against them in their capacity as Muslims, or in their capacity as being in the Dhimmah (protection) of the Muslims, in the case where they hold the Islamic subject status or in common day language are "citizens" in

the Dar ul-Muhajirin, or in their capacity as being “Hulafaa” (allies) of the Muslims, like member states in the confederal union, and their citizens, means an aggression against Islam and against the Islamic Khilafah state, a declaration of war against them both and consequently, by necessity, it means the immediate breaching of any contract or treaty. This is like what occurred from Quraish or their allies from Banu Bakr bin Kinanah, when they aggressed against a group from Khuza’ah and killed them. By that they breached the Sulh (treaty) of Al-Hudaibiyah itself and thereafter the blessed conquest of Makkah took place. We will add to the clarity of that by saying: That the attacker or aggressor:

(أ) - قد يكون حربياً بالفعل، مثل إسرائيل، فليس ثمة ميثاق أصلاً، والنصرة واجبة على كل حال، بغض النظر عن حال المعتدى عليهم، سواء كانوا من حملة تابعة الدولة الإسلامية (كأهل الذمة، أي المواطنين في الدولة الإسلامية من غير المسلمين) أو «حلفاء» المسلمين، أو أعراب المسلمين، أو المسلمين المقيمين في إسرائيل، أو العابرين في أرضها من مسلمة الصين، أو غيرهم من المسلمين.

(a) Could be somebody in an actual state of war, like Israel, in which case there is no treaty existing in the first place and providing support would be obligatory under all circumstances regardless of the status of the one who is being aggressed against. It is the same whether they hold the subject status of the Islamic state as Ahl udh-Dhimmah (i.e., the Non-Muslim citizens of the Islamic state), are “Hulafaa’ (Allies)” of the Muslims, Muslim Aa’raab, Muslims residing in Israel, Muslims of China (for example) passing through their land, or (any) other Muslims.

(ب) - وقد يكون قبل العدوان موادعاً لنا، تاركاً لعداوتنا ابتداءً، غير مانع للدعوة الإسلامية في أرضه، كما كان حال الحبشة والترك على عهد النبي، صلوات الله وسلامه وتبريكاته عليه وعلى آله، عندما قال: «وادعوا الحبشة ما وادعوكم، واتركوا الترك ما تركوكم»؛ وكما هو حال تشيلي، وأروجواي، وناميبيا، وكثير من دول أفريقيا حديثة النشأة، والدول المحايدة كالسويد وسويسرا، ونحوها، في العصر الحاضر. أي إن يكون الحال معه، قبل العدوان، حال موادعة. فتنتهي الموادعة بالعدوان فوراً، وينقلب الموادع السابق إلى حربي بالفعل، وتصبح داره دار حرب فعلية، تتخذ معها جميع إجراءات الحرب. وحقيقة الحال أن ما ثم ميثاق، تجب مراعاته، أصلاً، لذلك تصبح النصرة واجبة، كما هي في حال الحربي سواء بسواء. وذلك كذلك بغض النظر عن حال المعتدى عليهم.

(b) They may have been at peace with us prior to the aggression or act of hostility, not initially taking a hostile position towards us and not preventing the Da’wah (invitation to Islam) in their land, such as the situation was with the Abyssinians and the Turks during the time of the Prophet ﷺ, when he said: “**Make peace with Abyssinians as long as they make peace with you, and leave the Turks alone as long as they leave you alone**”. The same applies to countries like Chile, Uruguay, Namibia and many of the newly formed countries of Africa, in addition to the neutral states such as Sweden and Switzerland, in our current age. This refers to the situation with that country or state prior to the act of hostility being one of peace (Al-Muwaada’ah). The state of peace then immediately comes to an end by the act of hostility or aggression and the prior state of peace becomes an actual state of being at war and its land becomes a land in an actual state of war, where all measures of war are taken with it. The truth of the situation is that there is no Mithaq (treaty) that is obligatory to be observed in origin and as such the Nusrah (support) is obligatory, just like the

case in respect to the one at war, with no difference. That is also regardless of the circumstance of the one being aggressed against.

(ج) - وقد يكون بيننا وبينه ميثاق صحيح منعقد، فينظر:

(c) And there could be a Mithaq (treaty) between us and them which has been contracted in a valid manner. In which case the following is examined:

(1) - إن كان العدوان على حملة التابعية الإسلامية، مسلمين وغير مسلمين، أو على «حليف» للمسلمين من غير حملة التابعية، ومن هو في حكمهم، كما كان حال خزاعة مع النبي، صلوات الله وسلامه وتبريكاته عليه وعلى آله، بعد صلح الحديبية، فيكون ذلك نقضاً للميثاق، وبمثابة إعلان الحرب، وتكون النصره حينئذ واجبة على كل حال.

1) If the aggression or act of hostility was against those holding the Islamic subject status, whether Muslims or non-Muslims, or against an “Ally” of the Muslims who does not have subject status, or those who fall under their ruling, like the situation of the Khuza’ah with the Prophet ﷺ after the treaty of Al-Hudaibiyah, then that would be a breaching of the Mithaq (treaty) and equivalent to a declaration of war. Providing the support and help (Nusrah) would be obligatory at such a time under all circumstances.

(2) - إن كان العدوان على حملة التابعية للدولة المعتدية نفسها، ومن في حكمهم من حلفائها، مع وجود نص صريح يمنع من نصرتهم، أو يقضي بإعادتهم إذا فروا، كما نصت اتفاقية الحديبية بخصوص المسلمين في مكة من قریش، ففي هذه الحالة تكون النصره ممنوعة، ما دام العهد جارياً، ويطبق العهد على من فر منهم خارج سلطان الدولة الكافرة إذا دخل تحت سلطان المسلمين، كما فعل النبي، صلى الله عليه وعلى آله وسلم، بأبي بصير أول الأمر. فإذا استطاع هؤلاء الإفلات والانحياز جانباً فلهم مقاتلة الكفار، كما فعل أبو بصير، ولكن لا ينصرون على الكفار من الدولة المتعاقدة، ولا من أحد من مواطنيها، أو حلفائها، ومن في حكمهم، ولا ينصر الكفار عليهم، ولا بحال من الأحوال. ولنا بحث مستقل متكامل حول قصة أبي بصير، رضي الله عنه، يفصل هذا بجلاء. إلا أننا نسارع فننبه على أن جمعاً من أهل العلم نص على أن جواز مثل هذا النوع من الشروط قد نسخ، فلا يجوز التعاقد على مثله إلى يوم القيامة أبداً: ومع ذلك قد يقع شيء من ذلك في الأحوال الاضطرارية.

2) If the act of hostility was against those holding the subject status of the aggressing state itself and those who follow their ruling in terms of that state’s allies, with the presence of an explicit text forbidding providing support to them, or dictates that they be returned if they flee like what was stipulated in the Al-Hudaibiyah agreement in relation to the Muslims in Makkah from Quraish, then in such a circumstance the Nusrah (support) would be forbidden as long as the covenant remains in place and the covenant would be applied upon those who flee outside of the authority of the disbelieving state if they enter under the

authority of the Muslims, just as the Prophet ﷺ initially did with Abu Baseer. However, if those were able to escape and isolate themselves, they can fight against the disbelievers just as Abu Baseer did, but they are not supported against the disbelievers from the state which has an agreement. Similarly, none of its citizens, allies or those who follow their ruling can provide support or assistance to them, just as **disbelievers are not supported against them under any circumstances**. We have a complete independent study concerning the story of Abu baser, may Allah be pleased with him, detailing this clearly. However, we will quickly move on and draw attention to the fact that a group from the people of knowledge who have stated that the permissibility of these types of conditions has been abrogated and as such, it is not permissible to contract an agreement upon them ever until the day of judgement, although in circumstances of compulsion some of that may take place.

(3) - أما غير الصنفين السابقين كـ(كأعراب المسلمين)، أي حملة تابعة إمارة إسلامية مستقلة وحلفائهم، فلا يتصور أن يكون نص في عقد بين المسلمين والكفار يأذن صراحة بأي إساءة إليهم، أو يحدد لهم معاملة مخصوصة، لأن هذا متصور فقط بالنسبة لحملة تابعة الدولة الكافرة فقط، ومن في حكمهم، من أحلافها. أما من كان من صنف الثالثة، فلا هو يحمل تابعة الدولة الكافرة أو له حكم حملة تابعيتها، ولا هو من حملة تابعة (**دار الهجرة**)، أي دولة الخلافة الإسلامية، أو من في حكمهم من حلفائها. وإن وجد مثل هذا النص فالصحيح أنه فاسد ساقط، لا يجوز التعاقد على مثله، لأنه شرط فضولي من طرف أو أطراف لا حق لها في النيابة عنهم ولا سلطة لها عليهم. وهو من الجانب الإسلامي خيانة وخذلان، تم التآمر والاتفاق عليها سلفاً، وهذا أقبح وأشنع، وإنما استثنينا الحالة المماثلة للحديبية فقط لورود النص، ولعدم قيام البرهان عندنا على النسخ، كما قاله، أي بالنسخ، جمع من الفقهاء. فإذا استحال وجود مثل هذه الشروط الصريحة فلا يبقى إلا عهد عام مع الدولة الكافرة بعدم الاعتداء، أو حسن الجوار أو نحوه.

3) As for other than the two previously mentioned categories, like the “Muslim Aa’raab”, referring to those who hold the subject status of an independent Islamic emirate, then it is not conceivable for there to be a stipulation in an agreement between the Muslims and disbelievers explicitly permitting any bad conduct or insult against them or which defines a specific manner of dealing or treatment for them. That is because this is only conceivable in relation to those holding the subject status of a disbelieving state alone in addition to those which fall under their ruling, in terms of that state’s allies. As for those in this third category, where the person does not hold the subject status of a disbelieving state or he has the same ruling as the one holding its subject status, whilst not holding the subject status of the “**Dar ul-Hijrah**” (i.e., the Khilafah State), or those who fall under its ruling in terms of his allies, then if such a stipulation was found, the correct view is that it is to be considered to be Fasid (corrupt) holding no value. It is not permissible to make an agreement upon something like that as it reflects an intrusive condition from a party or parties which have no right to represent them and no authority over them. From the Islamic perspective, it represents treachery and betrayal concerning which the conspiring and agreement upon it had already occurred, which is even more hideous and despicable. We have only exempted the scenario manifested in Al-Hudaibiyah due to the text that has come related to it and due to the absence of a clear proof in our view regarding its abrogation, as a group of scholars have stated there to be. Therefore, if it is impossible for such explicit conditions to be present, then nothing remains apart from a general covenant (or treaty) with the disbelieving state upon the basis of not engaging in aggression or hostility, practising good neighbourliness or something similar to that.

فإذا وقع عدوان على هذا الصنف الثالث من الدولة الكافرة المعاهدة لنا فالذي يظهر لنا أن العهد لا يصبح بذلك منتقضاً من فوره، ولكن نصرة المسلمين المستغيثين واجبة، وخذلانهم حرام. ولا نرى من ذلك مخرجاً إلا بأن تنذر (**دار الهجرة**)، أي دولة الخلافة الإسلامية، الدولة الكافرة، وتحدد لهم أجلاً معقولاً، إن لم ينص الميثاق نفسه على أجل، وتنذب إليه على سواء، من غير غدر ولا خيانة. ولا شك أن ذلك النبذ، في ذاته، أو التهديد به، نوع من النصرة، بل قد يكون أشد من الحرب الفورية. ولما كان هذا مقدوراً للدولة الإسلامية على كل حال **فيجب المصير إليه**، ويحرم التخاذل عنه، حاشا الأحوال الاضطرارية، كأن تكون الدولة الإسلامية تحت الحصار، أو مشغولة بقتال آخر يستغرق كافة قواتها، وإمكاناتها، ونحوه!

If aggression or hostility occurs against this third category by a disbelieving state that has a treaty with us, then what appears to us is that the covenant (or treaty) does not become invalidated by that immediately, however, providing support to the Muslims who are seeking help and support is obligatory whilst letting them down or abandoning them is prohibited. We see no available option apart from the "**Dar ul-Hijrah**", meaning the Islamic Khilafah state, warning the disbelieving state and determining for them a reasonable deadline (if the text of the treaty does not itself stipulate a deadline), and then repeal the treaty on equal terms, without treachery or betrayal. There is no doubt that such a discarding or withdrawal (from the treaty), or the threat of it, reflects a form of providing support, and that it could be even more effective and hard hitting than engaging immediately in war. When this is within the capability of the Islamic state, it is obligatory for it to proceed towards it, under all circumstances, whilst the failure to undertake it is prohibited, with the exception of the circumstances of compulsion (or when it has no choice), like if the Islamic state was under siege or occupied in fighting another which was taking up all of its forces and capabilities etc.

(4) - أما إذا كان من لم يهاجر من المسلمين، أي «الأعراب» في اصطلاحنا، غير مهجوم عليهم، ولم يُعْزَوْا في عقر دارهم، وكانوا هم البادئين بالقتال فلا يرد أنهم مظلومون في حالة دفاع عن النفس لصد هجوم، فتكون نصرتهم واجبة على كل حال، بل يرد فقط ما يلي:

4) If those from the Muslims who did not migrate, referring to the "**Aa'raab**" in our terminology, are not attacked and are not invaded in their own homeland, but rather they were the initiators of the fighting in the case where they were not being transgressed against in the circumstance of self-defence repelling an attack, then providing support to them would not be obligatory under any circumstances. Indeed, the only possibilities in such a case would be:

(أ) - أن يكونوا هم المعتدين أو ناكثين لعهد أو ميثاق صحيح قد لزمهم، وثبت في ذمتهم. فهؤلاء ظلمة معتدون لا تجوز إعانتهم على الظلم، معاذ الله، وإنما تكون نصرتهم بمنعهم من الظلم والعدوان، كما حررنا في كتابنا المسمى: «الموالاة والمعاداة».

a) That they are the aggressors or breachers of a valid covenant or treaty which they had been bound by and which had been established in their legal responsibility to safeguard. In that case they would be the aggressing transgressors and it is impermissible to assist them in unjust transgression (Zhulm). May Allah's refuge be sought from that. The only way of supporting or helping them would be by preventing them from the unjust transgression and aggression, as we thoroughly explained in our book entitled: "Al-Muwaalah Wa I-Mu'aadah".

(ب) - أن يكون قتالهم مشروعاً، كحال أبي بصير وأمثاله، فهؤلاء لا تجوز نصرتهم على من بيننا وبينهم ميثاق، كما لم ينصر النبي أبا بصير وصحبه على قريش، بسبب الميثاق. **وبالقطع لا تجوز نصره الكفار عليهم**. لأن هؤلاء وإن كانوا في الأصل مظلومين معتدى عليهم، لكنهم انفلتوا، وانحازوا جانباً، وكان بوسعهم إما الدفاع فقط وذلك بالامتناع بالقوة والقتال فقط عند اللزوم إذا هوجموا، أو مهاجمة قوافل قريش ونهبها، كما فعلوا. أما نصرتهم على غير ذي ميثاق فإنها جائزة، وليست واجبة، وذلك متروك لاجتهاد الإمام.

b) That their fighting is legally legitimate like the case of Abu Baseer and those like him. It is not permissible to assist them against those whom a treaty exists between us and them, just like the Prophet ﷺ did not support or assist Abu Baseer and his companions against Quraish, due to the treaty. **And it is definitely not permissible to support the disbelievers against them** because those, even if in origin they were transgressed and aggressed against, nevertheless escaped and isolated themselves, and it was within their ability to either only defend themselves resisting by force and fighting only if required when they were attacked, or by attacking the caravans of Quraish and plundering them, as they did. As for supporting them against the entity that does not have a treaty, then that is permissible and not obligatory. It is left to the Ijtihad (deduction) of the Imam.

وهذا ينطبق كذلك على الكيانات الإسلامية غير الخاضعة لسلطة الإمام (أعراب المسلمين)، أو المنازعة له على الإمامة (الولايات المتمردة)، إذا كانوا في غزو للكفار في عقر دارهم، أي عقر دار الكفار، باجتهاد مشروع، ولكن من غير إذن الإمام: فإن فعلوا ذلك فعلى مسؤوليتهم، وليس لهم أن يلزموا غيرهم من المسلمين بنصرتهم.

This also applies to the Islamic entities which are not under the authority of the Imam (i.e., the Muslim Aa'raab) or the entity which is disputing his leadership (i.e., a rebelling province), if they were undertaking war against the disbelievers in their homeland (i.e., the homeland of the disbelievers), by a legitimate Ijtihad (deduction), albeit without the permission of the Imam. If they were to do that, then it rests upon their responsibility, and they don't have the right to compel other Muslims to support them.

ثالثاً: أن انقطاع الولاية والنصرة ينتهي بالهجرة والالتزام بكافة واجبات التبعية ومن أهمها: مبايعة الإمام، والجهاد، ودفع الزكاة وغيرها من الالتزامات المالية. هذا حكم ثابت مهما تأخرت الهجرة. ويتمتع حملة التبعية الجدد بجميع حقوقها وواجباتها فور حصولهم عليها بدون أي تمييز، أو تفرقة بينهم وبين من سبقهم بحملها: هذا مطلب دستوري جوهري لا بد من تحقيقه وإلا فقدت **(دار الهجرة)**، أي دولة الخلافة الإسلامية، صفتها تلك وانقلبت إلى دار كفر، أو في أحسن الأحوال إلى دار من دور أعراب المسلمين. فلا توجد تابعة من النوع الأول، والنوع الثاني.... وهلم جرا، ولا جنسيات من فئات متعددة، ولا ما هو شر من ذلك: فئات **«بدون»** ولا غير ذلك من **«البدع»** الكفرية التي ابتدعتها أنظمة الكفر والظلم الجاثمة على صدور المسلمين في شتى أقطارهم، كالدول الخليجية، والعربية، وفي مقدمتهم آل سعود، وآل الصباح، الكفرة الفجرة، وغيرها في العصر الحديث.

Third: The absence of the Walaayah (guardianship) and Nusrah (support) comes to an end by the Hijrah and commitment to all the obligations accompanying the subject status (Taabi'iyah), the most significant of which include: Giving the Bai'ah (pledge of allegiance) to the Imam, Al-Jihad, giving the Zakah and other financial commitments. This is a firmly established ruling regardless of how late the Hijrah (emigration) was. Those newly possessing the subject status enjoy all of the rights and obligations as soon as they obtain it without any distinction (or discrimination) or differentiation between them and those who preceded them in respect to holding it. This represents an essential constitutional requirement which must be realised/ Otherwise, the **"Dar ul-Hijrah"** or Islamic Khilafah state would lose that description and turn into a Dar (land) of Kufr (disbelief), or in the best of cases, into a land from among the lands of the Muslim Aa'raab. Consequently, there is no subject status of a first category or second category and so forth, nor are there nationalities from numerous groups, or what is worse than that in terms of **"Disenfranchised"** groups, or any other **"innovation"** of disbelief which the regimes of disbelief and oppression perching over the breasts of the Muslims in many of their regions innovated, like the Gulf and Arab states, at the head of which are the families of Saud and As-Sabah, the wickedly corrupt disbelievers, among others in our current time.

رابعاً: أن الكفار بغض النظر عن أديانهم، وانتماءاتهم، وتابعياتهم، وتعدد دولهم، وأحلافهم، وما قد يكون بين بعضهم البعض من عداوات وحروب، هم كتلة واحدة في مواجهة الإسلام، ولهم ولاية واحدة في نظر الدولة الإسلامية، ومعاملتهم على هذا الأساس الموحد فرض جازم لازم يؤدي التهاون فيه إلى الفتنة في الأرض، والفساد الكبير. فلا يجوز تسمية كيان من كيانات الكفار، أو دولة من دولهم: دولة صديقة، لأن الصديق هو الولي، وليس الكفار أولياء للمؤمنين أبداً.

وهذا حكم عام قاطع مطلق لم يرد ما يخصه أو يقيد به إلا ما ثبت بالسنة المتواترة واجماع الصحابة من أن:

Fourth: As for the disbelievers regardless of their religions, affiliations, subject statuses, the **numerousness** of their states, their alliances and what could exist between some of them with others in terms of hostilities and wars, they are viewed as being one single bloc in confrontation with Islam and they have one single Walaayah (**guardianship**) in the view of the Islamic state. Dealing with them upon this unified basis is a compulsory definite obligation and complacency in it leads to Fitnah (discord) in the earth and major corruption. It is therefore not permissible to call any entity from these entities of the disbelievers or any

state from their states a friendly country, because the friend (Sadeeq) is the Waaliy (friend and protector) and the disbelievers are never the Awliyya' (friends and protectors) of the believers.

(Note: You can try and see if there is a more apt translation of 'ولاية' (walaayah) which is often mentioned in this book.

This is a general absolute definite ruling and there is no text that specifies or restricts it with the exception of what has been established by the Mutawatir (definitely transmitted) Sunnah and the Ijmaa' of the Sahabah, as follows:

(أ) - غير المسلمين الذين يعيشون تحت سلطان الإسلام، ويحملون التبعية الإسلامية، يتمتعون بكل حقوقها وعليهم كل واجباتها إلا ما استثناه الشرع وفق القاعدة الشرعية: **إلهم ما لنا من الأنصاف، وعليهم ما علينا من الانتصاف**]. فلهم من الحقوق على الدولة، وعلى المسلمين، وفي بيت مال المسلمين، ما لا يتمتع به المسلم الذي لا يحمل تبعية (**دار الهجرة**)، لأن العلاقة بين حملة التبعية في الدولة الإسلامية - بغض النظر عن أديانهم - تنظمها أحكام خاصة هي أحكام التبعية السياسية، أي تبعية الدولة الإسلامية.

a) The non-Muslims living under the Islamic authority, holding the Islamic subject status, enjoying all of its rights and obliged with all of its obligations with the exception of what the Shar'a has exempted in accordance with the Shar'iyah principle: **"They have what we have in terms of Insaaf (justice or fairness), and they are obliged with what we are obliged with in terms of Intisaaf (demand for justice)"**. Therefore, they have in terms of rights obliged upon the state, the Muslims and respect to the state treasury (Bait ul-Maal) of the Muslims, that which the Muslims who are not subjects of the **"Dar ul-Hijrah"** don't enjoy. That is because the relationship between the holders of the subject status in the Islamic state, regardless of their religions, is regulated by specific rulings which are the rulings related to the political subject status, i.e., to the subject status of the Islamic state.

(Note: Another translation for Intisaaf can be enquired about here)

(ب) - حلفاء المسلمين، أي حملة تبعية دولة عضو في التحالف الاتحادي الإسلامي (التحاد الكونفيدرالي الإسلامي)، كما هو منصوص عليه في (صحيفة المدينة الدستورية)، وكذلك في (معاهدة نجران).

b) The allies of the Muslims, referring to those holding the subject status of a state which is a member in Islamic federation (The Islamic Confederation), just as what came stated in the text of the "Constitutional Document of Al-Madinah" and also in the "Treaty of Najran".

(ج) - حملة تبعية (دار أمن وسلام)، لا فرق بين (دار موادة)، ما دامت حالة الموادة، أو (دار عهد وميثاق)، ما دامت العهود والمواثيق سارية.

c) The holders of the subject status of “a land of security and peace”, with there being no difference between the “Dar Muwaad’iah” (Land at peace), as long as the peace remains, and the “Dar ‘Ahd and Mithaq” (Land of covenant and treaty), as long as the covenants and treaties remain in force.

وأحكام التبعية والولاية السياسية هي **غير** أحكام الأخوة الدينية الإسلامية العامة التي تثبت بمجرد الإيمان والإسلام، وترتبط بين جميع المؤمنين بغض النظر عن بلادهم، ولغاتهم، بل وأعصارهم: فالمؤمنون في عهد موسى عليه الصلاة والسلام، كانوا، وما زالوا إخوة لنا في الإيمان مع أنهم بداهة لا يحملون تبعية الدولة الإسلامية النبوية في المدينة مثلاً.

The political rulings related to subject status and Walaayah (guardianship) are not the same as the general rulings of Islamic brotherhood on the basis of the Deen which are established by the mere presence of Iman (belief) and Islam, which binds together all of the believers regardless of their lands (or countries), languages and even their times. That is because the believers during the time of Musa (peace be upon him) were and still remain brothers to us in Iman even though they obviously do not hold the subject status of the Islamic state of the Prophet in Al-Madinah, for example.

خامساً: أن المسلم له **الحق المطلق** في الحصول على التبعية فوراً بمجرد هجرته إلى **(دار الهجرة)**، <https://tanzil.net/-19:1> وبيعته لأمرها، والتزامه بكافة الواجبات المترتبة على ذلك وفي مقدمتها الجهاد، فالحق في الهجرة حقه، والقرار قراره، وكذلك حقه في الحصول على التبعية. فالحق حق له، وليس لغيره من المسلمين، ولا للإمام، أو الأمير، فهو يأخذ التبعية أخذاً فورياً، أي لحظة وضعه القدم في **(دار الهجرة)**، مهاجراً إليها، متخذاً لها دار إقامة دائمية، وتقدمه بطلب ذلك، وليس بعد شهر، أو خمس سنين، أو عشر سنين: **فهو يأخذها أخذاً، وهي لا تمنح له منحا!**

Fifth: That the Muslim has the **absolute right** to obtain the subject status immediately by the mere act of his Hijrah (emigration) to the “**Dar ul-Hijrah**”, giving his Bai’ah (pledge of allegiance) to its Ameer (leader) and committing to all the obligations consequential to that; the foremost of which is Al-Jihad. The right of the Hijrah is therefore his right and the decision is his decision, just as his right to attain the subject status. The right is therefore his and does not belong to anyone else from the Muslims nor the Imam or Ameer. He takes the subject status with immediate effect, meaning from the moment that he places his feet in “**Dar ul-Hijrah**” as a Muhajir (emigrant) to it, adopting it as his permanent homeland of residence, and by him coming forth to request it. It’s attainment does not occur after a month, five years or ten: **It is because he takes it by right whilst it is not something that is granted!**

لذلك لا يجوز للدولة الإسلامية (دولة الخلافة)، أي دولة (دار المهاجرين)، وهي بعينها دولة **(دار الهجرة)**، أن تمنع أحداً من المسلمين من الهجرة إليها، كما لا يجوز لها أن تحرم التبعية من استحقاقها

بهجرتة، كما أنها لا تستطيع – بداهة – أن تسقطها عن أحد إطلاقاً، وإنما يسقطها صاحبها بمغادرته **(دار الهجرة)**، وإعلان انخلاءه من تابعيتها فعلاً، أو حكماً (بإقامته إقامة دائمية في دار الكفر، أو بحمله لتابعة كفرية، وما شابه ذلك).

As such it is not permissible for the Islamic state (Khilafah), meaning the state of “Dar ul-Muhajirin” which is also precisely the state of “**Dar ul-Hijrah**”, to prevent any one of the Muslims from undertaking the Hijrah to it. It is also not permissible for it to deprive the subject status of the one who is deserving of it by his Hijrah, just as it obviously cannot at all invalidate it from anyone. Rather, the one who holds it invalidates it by his departure from “**Dar ul-Hijrah**” and by declaring his rescinding of his subject status in actuality or by ruling by his taking up permanent residence in the Dar ul-Kufr (land of disbelief) or by his holding a subject status of disbelief, or something resembling that.

سادساً: السيادة للشرع مطلقاً، والإسلام يعطو ولا يعلى عليه أبداً، والعزة والمنعة لله وللرسول وللمسلمين: لذلك تعطو التابعة الإسلامية على ما سواها. فيحصل عليها كل مولود في أي دار من دور الإسلام، تحت سلطان الإسلام، (وهذا من باب أولى، ضرورة ولا بد، بالنسبة لـ**(دار الهجرة)**، لأن هذا هو تعريفها، وما نشأت إلا لذلك)، بمجرد ولادته، وبغض النظر عن تابعة والديه، أو دينهما، كما يحصل عليها اللقيط مجهول الوالدين، ويحكم بإسلامه، ولا يمكن من حضائته إلا المسلمين. كما يحصل عليها من ولد خارج دار الإسلام إذا كان والداه أو أحدهما حاملاً للتابعة، فالإسلام، وكذلك التابعة الإسلامية، دائماً وأبداً: يعطو ولا يعلى عليه.

Sixth: The Siyadah (sovereignty) belongs to the Shar’a in an absolute manner, Islam surpasses everything and nothing ever surpasses it, and the ‘Izzah (honour and might) and Man’ah (protective force and capability) belong to Allah, the Messenger and the Muslims: It is for this reason that the Islamic subject status surpasses all others. It is obtained by everyone born in any land from the lands of Islam under the authority of Islam (and this by greater reason, is a necessity and inevitably, in relation to the “**Dar ul-Hijrah**”, because this is a reflection of its very definition and it (i.e., Dar ul-Hijrah) did not arise except for that reason). It takes place by the person’s mere birth and regardless of the subject statuses of that person’s parents or their religion. The lost child whose parents are unknown also obtains it, he is judged to be Muslim and only Muslims are permitted to raise the child. It is also obtained by the person who is born outside of Dar ul-Islam (Islamic land) if his parents or one of them holds the subject status. That is because Islam and likewise the Islamic subject status always surpasses and is never surpassed.

سابعاً: لا يجوز للمقيم إقامة دائمية في أي دار من دور الحرب، أو حملة تابعيتها، أن يدخل دار الإسلام إلا بأمان، أي إلا بإذن خاص للدخول (تأشيرة). أما من كانت داره (دار موادة) ما دامت حالة الموادة مستمرة، فيعامل كما يتعاملون معنا، أي: وفق المعاملة بالمثل؛ من كانت داره (دار عهد وميثاق)، ما دام العد سارياً، فيعاملون بموجب نصوص العقد إن وجدت، وإلا في حدود المعاملة المعقولة بالمثل.

أما من كانت داره دار إسلام، ولم يكن داخلاً تحت سلطان الخليفة أصلاً، كـ(الأعراب)، أو كان خارجاً على الخلافة ومتمرداً عليها، أو لم تنضم بلاده بعد لسلطان الخلافة، فإنه يدخل بغير أمان، أي بغير إذن، ما دامت داره الأصلية دار إسلام: وحكمه في الدخول كحكم من كان داخلاً تحت سلطان الخليفة سواء بسواء، من غير أي فرق بينهما، مسلماً كان أو غير مسلم. لأن الأصل التابعية الإسلامية أنها مبنية على (موالاته الله ورسوله والمؤمنين)، وأن الذمة هي (ذمة الله ورسوله والمؤمنين)، والأصل أن تكون دار الإسلام، داراً واحدة، ودولة واحدة، وكيان واحد هو (دار الهجرة)، أي دولة الخلافة الإسلامية.

Seventh: It is not permissible for the one possessing permanent residence in any land from the lands of war, or holder of its subject status, to enter the land of Islam unless it is with an Amaan (security), meaning a special permission to enter (visa).

As for those whose land was a “Dar Muwaada’ah” (Land at peace), then as long as the state of peace is in continuance, they are dealt with just like they deal with us, i.e., in accordance with like for like treatment. As for those whose land is “Dar ‘Ahd Wa Mithaq” (a land with a covenant and treaty), then as long as the covenant is in effect, they are dealt with in accordance with the texts of the contract if it exists, or otherwise within the reasonable limits of like for like treatment.

As for the one whose land is Dar (land of) Islam but he had not entered under the authority of the Khalifah in origin, like the “Aa’raab”, or he was in rebellion against the Khilafah, or his country had yet to join to the authority of the Khilafah, then he enters without an Amaan (security), i.e., without (the requirement of) a (special) permission, as long as his original land is a land of Islam. The person’s ruling in respect to entering is like the ruling of the one who was under the authority of the Khalifah. They are the same and there is no difference between them, whether they are Muslim or non-Muslim. That is because the original basis of the Islamic subject status is that it is based upon the “Muwaalah (loyalty) to Allah, His Messenger and the believers, and the Dhimmah (protection) is the “Dhimmah (protection) of Allah, His Messenger and the believers”. The original situation is for the Dar (land) of Islam to be one land, one state, and one entity which is the “**Dar ul-Hijrah**”, i.e., the Khilafah state.

وقد يستغرب أكثر المسلمين هذه الأحكام لبعدها الشاسع عن واقع المسلمين السيء في هذه الأيام، مع أنها هي وحدها التي كانت المعمول بها – في جوهرها - في العالم الإسلامي قبل حوالي قرن واحد من الزمان حتى أواخر أيام دولة الخلافة العثمانية، على هزالها، وعجزها وبجورها!!

These rulings may surprise most Muslims due to being greatly detached from the bad reality the Muslims are living through these days. That is even though these rulings alone were essentially acted upon within the Islamic world throughout its history and even up until approximately one century ago during the latter days of the Ottoman Khilafah state, despite its frailness and dilapidated state at that time!

نعم: من المقطوع به أن المسلمين أمة دون الناس، والأمة: هي مجموعة من الناس تجمعهم عقيدة واحدة ينبثق عنها نظامها، والأمة الإسلامية تجمعها العقيدة الإسلامية، والعقيدة الإسلامية تنبثق عنها الأحكام الشرعية فالمسلمون أمة واحدة، ذمتها واحدة، وحربها واحدة، وسلمها واحدة. والرابطة التي

تربط المسلمين بعضهم مع بعض هي العقيدة الإسلامية، وبهذه العقيدة تحصل الأخوة الإسلامية، قال تعالى: ﴿إِنَّمَا الْمُؤْمِنُونَ إِخْوَةٌ﴾، وقال رسول الله، صلى الله عليه وعلى آله وسلم: «المسلم أخو المسلم»، فالإسلام هو الذي جعلهم إخوة، بغض النظر عن أقطارهم وأزمانهم: لذلك يحرم التقاتل بينهم حرمة باتة، وإن وقع بين طائفتين وجب على جميع المسلمين من غيرهم الإصلاح بينهم، فإن بغت إحداهما على الأخرى وجبت مقاتلتها حتى تفيء إلى أمر الله.

Yes, it is definitely established that the Muslims are one Ummah to the exclusion of all other people and that the Ummah is a collective of people who are bound together by a single Aqeedah (belief) from which a system (of life) emanates. The Islamic Ummah is bound together by the Islamic Aqeedah and from the Islamic Aqeedah emanates Islamic rulings. The Muslims are therefore one Ummah, its Dhimmah (responsibility) is one, its war is one and its peace is one. The bond which binds the Muslims with each other is the Islamic Aqeedah and via this Aqeedah the Islamic brotherhood occurs: Allah تعالى said:

إِنَّمَا الْمُؤْمِنُونَ إِخْوَةٌ

The believers are but brothers (Al-Hujurat: 10)

And the Messenger of Allah ﷺ said: “**The Muslim is the brother of the Muslim**”. It is therefore Islam which made them brothers regardless of their regions and times. For that reason, fighting between them is prohibited categorically and if it occurred between two factions (of Muslims) it is obligatory upon all other Muslims to bring peace between them, but if one of the factions then transgresses against the other it is obligatory to fight them until they comply with the command of Allah.

أما التبعية الإسلامية فهي الانتماء، وحمل الولاء للدولة والنظام، ويترتب على ذلك في الغالب: اتخاذ **(دار الهجرة)** تحت ظل سلطان الإسلام دار إقامة دائمية. (فالتبعية الإسلامية) تختلف اختلافاً جوهرياً عن (الإخوة الإسلامية). فالرابطة التي تربط الرعية في الدولة هي التبعية، وليس العقيدة الإسلامية. (فالتبعية) هي تربط المسلمين مع غيرهم من الأفراد والأمم التي قررت العيش تحت ظل الإسلام، في ذمة الله، وذمة رسوله، كما كان حال يهود بني عوف في المدينة، الذين نصت «**الصحيفة**» على أنهم: [«**مع** المؤمنين أمة من دون الناس»، فهم ليسوا «**من**» المؤمنين، ولكنهم «**مع**» المؤمنين].

As for the Islamic Taabi'iyah (subject status), then it means the belonging (or affiliation) and having loyalty (Al-Walaa') towards the state and system. In most cases it means adopting “**Dar ul-Hijrah**” under the shade of the authority of Islam as a permanent Dar (homeland) of residence. The “Islamic Taabi'iyah” (subject status) therefore fundamentally differs from the “Islamic brotherhood”. That is because the bond that binds the subjects in the state is the subject status (Taabi'iyah) and not the Islamic Aqeedah. The Taabi'iyah consequently binds the Muslims with others from the individuals and peoples who have decided to live under the shade of Islam, in the Dhimmah (protection) of Allah and Dhimmah of His Messenger, just like the situation was with the Jews of Bani 'Auf in Al-Madinah, whom were mentioned in the text of the “**Sahifah**” (Document of Al-Madinah) in that they were: “**With** the believers an Ummah to the exclusion of all people”. They were therefore not “**from**” the believers but rather “**with**” the believers”.

فمن يحمل التبعية، تابعة (**دار الهجرة**)، يملك جميع الحقوق التي يستحقها، والواجبات التي تجب عليه، ولو كان غير مسلم، ومن لا يحمل التبعية فليس له ما للمسلمين من حملتها، وليس عليه ما عليهم، لأن الذمي قد ضمن له الشرع ذلك، بنص الكتاب والسنة وإجماع الصحابة، ولأن المسلم الذي لا يحمل تابعة (**دار الهجرة**)، حتى ولو كان من (أعراب المسلمين)، ليس له ما للمسلمين من حملة تابعة (**دار الهجرة**)، وليس عليه ما عليهم بدلالة آية الهجرة في آخر سورة الأنفال، ولما ورد في حديث بريدة: «...»، ثم ادعهم إلى التحول من دارهم إلى دار المهاجرين، وأخبرهم أنهم إن فعلوا ذلك فلهم ما للمهاجرين، وعليهم ما على المهاجرين»، فهذا نص يشترط (التحول) ليكون لهم ما لنا، وعليهم ما علينا، أي لتشملهم الأحكام، أي جميع حقوق التبعية.

As such, whoever holds the subject status, the Taabi'iyah of "**Dar ul-Hijrah**", possesses all the rights which he is deserving of and carries all the obligations that have been obligated upon him, even if he was not a Muslim. And whoever does not hold the subject status does not have what the Muslims holding it have and he is not obliged with what is obliged upon them. That is because the Dhimmiy (non-Muslim subject) has been guaranteed that by the Shar'a, by the text of the Kitab, the Sunnah and the Ijmaa' of the Sahabah, and because the Muslim who does not hold the Taabi'iyah (subject status) of the "**Dar ul-Hijrah**", even if he was from the "Muslim Aa'raab", does not have what the Muslims possess (i.e., in terms of rights) and he is not obliged with what they are obligated with as evidenced by the verse related to Al-Hijrah at the end of Surah Al-Anfal and due to what came stated in the Hadith of Buraidah: "**Then invite them to change their land to the land of the Muhajirun and inform them that if they do that they will have what the Muhajirun have (i.e., in terms of rights and privileges) and they will be obligated by that which the Muhajirun are obligated by (i.e., in terms of duties)**". This text stipulates "the changing" as the condition for them to have what we have and for them to be obligated with what is obligated upon us, i.e., for them to be covered by the rulings, meaning all the rights associated with the subject status.

ف(**الولاء**)، على المستوى السياسي والاجتماعي، لهما علاقة جوهرية بنظام التبعية، بل إن الحق أن نظام التبعية، وأحكام الأمان، وأحكام «التأثيرات» كما تسمى في العصر الحديث، ونحو ذلك ما هي إلا تطبيق عملي لبعض أحكام الموالاة والمعاداة. وأما الأخوة الإيمانية، والمودة الروحية والعاطفية فهي ثابتة بكمالها وتامها على كل حال، بغض النظر عن مكان الإقامة، وتابعيات الدول، وتطاول الأزمنة، وتباعد الأقطار!

The “**Walaa**” (loyalty), upon a political and societal level, has an intrinsic relationship to the subject status system. Indeed, it is true that the subject status system, the rulings related to the Amaan (security), the rulings of “**Visas**” as they are called in the current age, and other such matters, reflect nothing more than the practical application of some of the rulings related to Al-Muwaalah (loyalty) and Mu’aadah (animosity). As for the brotherhood based upon Iman, and the spiritual and emotional love and affection, then that is firmly established in its completeness and fullness in all circumstances, regardless of the place of residence, the subject statuses of the states, the lengths of time passed by and the distances between regions.

باب: ﴿فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَةٍ﴾

* قَالَ اللَّهُ، جَل جلاله، وسما مقامه: ﴿فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَةٍ وَاللَّهُ أَرْكَسَهُمْ بِمَا كَسَبُوا: أَتُرِيدُونَ أَنْ تَهْدُوا مَنْ أَضَلَّ اللَّهُ وَمَنْ يُضِلِّ اللَّهُ فَلَنْ تَجِدَ لَهُ سَبِيلًا * وَدُّوا لَوْ تَكْفُرُونَ كَمَا كَفَرُوا فَتَكُونُونَ سَوَاءً فَلَا تَتَّخِذُوا مِنْهُمْ أَوْلِيَاءَ حَتَّى يُهَاجِرُوا فِي سَبِيلِ اللَّهِ فَإِنْ تَوَلَّوْا فَخُذُوهُمْ وَاقْتُلُوهُمْ حَيْثُ وَجَدْتُمُوهُمْ وَلَا تَتَّخِذُوا مِنْهُمْ وَلِيًّا وَلَا نَصِيرًا * إِلَّا الَّذِينَ يَصِلُونَ إِلَى قَوْمٍ بَيْنَكُمْ وَبَيْنَهُمْ مِيثَاقٌ أَوْ جَاءُوكُمْ حَصِرَتْ صُدُورُهُمْ أَنْ يُقَاتِلُوكُمْ أَوْ يُقَاتِلُوا قَوْمَهُمْ وَلَوْ شَاءَ اللَّهُ لَسَلَّطَهُمْ عَلَيْكُمْ فَلَقَاتِلُوكُمْ فَإِنْ اعْتَزَلُوكُمْ فَلَمْ يُقَاتِلُوكُمْ وَالْقُوا إِلَيْكُمُ السَّلَامَ فَمَا جَعَلَ اللَّهُ لَكُمْ عَلَيْهِمْ سَبِيلًا * سَتَجِدُونَ آخَرِينَ يُرِيدُونَ أَنْ يَأْمَنُوكُمْ وَيَأْمَنُوا قَوْمَهُمْ كُلٌّ مَا رَدُّوا إِلَى الْفِتْنَةِ أُرْكَسُوا فِيهَا فَإِنْ لَمْ يَعْتَزِلُوكُمْ وَيُلْقُوا إِلَيْكُمُ السَّلَامَ وَيَكْفُوا أَيْدِيَهُمْ فَخُذُوهُمْ وَاقْتُلُوهُمْ حَيْثُ تَقِفْتُمُوهُمْ وَأُولَئِكَ جَعَلْنَا لَكُمْ عَلَيْهِمْ سُلْطَانًا مُبِينًا﴾، (النساء؛ 4: 88 - 91).

Chapter: “**What is [the matter] with you [that you are] two groups concerning the hypocrites?**”

- Allah (Glorified is His Majesty) said:

فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَةٍ وَاللَّهُ أَرْكَسَهُمْ بِمَا كَسَبُوا أَتُرِيدُونَ أَنْ تَهْدُوا مَنْ أَضَلَّ اللَّهُ وَمَنْ يُضِلِّ اللَّهُ فَلَنْ تَجِدَ لَهُ سَبِيلًا (88) وَدُّوا لَوْ تَكْفُرُونَ كَمَا كَفَرُوا فَتَكُونُونَ سَوَاءً فَلَا تَتَّخِذُوا مِنْهُمْ أَوْلِيَاءَ حَتَّى يُهَاجِرُوا فِي سَبِيلِ اللَّهِ فَإِنْ تَوَلَّوْا فَخُذُوهُمْ وَاقْتُلُوهُمْ حَيْثُ وَجَدْتُمُوهُمْ وَلَا تَتَّخِذُوا مِنْهُمْ وَلِيًّا وَلَا نَصِيرًا (89) إِلَّا الَّذِينَ يَصِلُونَ إِلَى قَوْمٍ بَيْنَكُمْ وَبَيْنَهُمْ مِيثَاقٌ أَوْ جَاءُوكُمْ حَصِرَتْ صُدُورُهُمْ أَنْ يُقَاتِلُوكُمْ أَوْ يُقَاتِلُوا قَوْمَهُمْ وَلَوْ شَاءَ اللَّهُ لَسَلَّطَهُمْ عَلَيْكُمْ فَلَقَاتِلُوكُمْ فَإِنْ اعْتَزَلُوكُمْ فَلَمْ يُقَاتِلُوكُمْ وَالْقُوا إِلَيْكُمُ السَّلَامَ فَمَا جَعَلَ اللَّهُ لَكُمْ عَلَيْهِمْ سَبِيلًا (90) سَتَجِدُونَ آخَرِينَ يُرِيدُونَ أَنْ يَأْمَنُوكُمْ وَيَأْمَنُوا قَوْمَهُمْ كُلٌّ مَا رَدُّوا إِلَى الْفِتْنَةِ أُرْكَسُوا فِيهَا فَإِنْ لَمْ يَعْتَزِلُوكُمْ وَيُلْقُوا إِلَيْكُمُ السَّلَامَ وَيَكْفُوا أَيْدِيَهُمْ فَخُذُوهُمْ وَاقْتُلُوهُمْ حَيْثُ تَقِفْتُمُوهُمْ وَأُولَئِكَ جَعَلْنَا لَكُمْ عَلَيْهِمْ سُلْطَانًا مُبِينًا

What is [the matter] with you [that you are] two groups concerning the hypocrites, while Allah has made them fall back (or return) due to what they earned. Do you wish to guide those whom Allah has sent astray? And he whom Allah sends astray, never will you find for him a way [of guidance]. (88) They wish you would disbelieve as they disbelieved so you would be alike. So, do not take from among them allies until they emigrate for the cause of Allah. But if they turn away, then seize them and kill them wherever you find them and take not from among them any ally or helper. (89) Except for those who take refuge

with a people between yourselves and whom is a treaty or those who come to you, their hearts strained at [the prospect of] fighting you or fighting their own people. And if Allah had willed, He could have given them power over you, and they would have fought you. So, if they remove themselves from you and do not fight you and offer you peace, then Allah has not made for you a cause [for fighting] against them. (90) You will find others who wish to obtain security from you and [to] obtain security from their people. Every time they are returned to [the influence of] disbelief, they fall back into it. So, if they do not withdraw from you or offer you peace or restrain their hands, then seize them and kill them wherever you overtake them. And those, We have made for you against them a clear authorization (An-Nisa': 88-91).

ولعل خير ما يلقي الضوء على معنى هذه الآيات الكريمات معرفة أسباب النزول، وماهية الواقعة التي نزل يعالجها القرآن. ولكننا نسارع إلى التنبيه على أن ما يرد في أسباب نزول أي آية من أي الكتاب العزيز من أحاديث وروايات، إن صحت، إنما يرشد فقط إلى تفصيلات ما ورد في الآية، ويلقي الضوء على معاني جملها فتزداد وضوحاً، ولكنه لا يغير موضوعها، ولا معاني جملها حسب مدلولات اللغة والشرع. ولا يلغي أن العبرة بعموم اللفظ، على ظاهره وعمومه وإطلاقه، لا بخصوص سبب النزول، فليس سبب النزول بمخصص أو مقيد أو مؤول، وإنما يكون التخصيص والتقيد والتأويل، (والتأويل هو: صرف النص عن ظاهره)، من نص آخر، أو ضرورة حس أو عقل، لا غير. كما أنه ليس من المستنكر أن تتعدد الروايات وتتنوع الوقائع في أسباب نزول آية معينة. نعم: لا شك أن الآية أو المجموعة من الآيات تنزل للمرة الأولى في واقعة معينة، فيلقيها النبي، صلى الله عليه وعلى آله وسلم، على عدد تقوم به الحجة من «القراء» المتفرغين لحفظ القرآن، ويمليها فوراً على من حضره من الكتبة، فتكتب – بالرسم المنزل التوقيفي - على ما تيسر من العصب والخاف والجريد والألواح والأدم والرقوق. ثم يتم نقلها بعد ذلك بمدة قصيرة أو طويلة إلى الصحف المعتمدة عند الجلوس لـ«تأليف القرآن». ثم يعرض كل ذلك ويراجع على جبريل في كل رمضان.

Perhaps the best way to shed light upon the meaning of these noble verses is by attaining knowledge of the reasons or causes of its revelation and the reality of the incident which the revelation of the Qur'an came to deal with. However, we will quickly point out that what has come reported concerning the causes of revelation of any verse from the verses of the Glorious Kitab in terms of Ahadeeth and narrations, if authentic, only guides to details of what is found in the verse and sheds light upon the meanings of its sentences, so that they are increased in clarity. It does not however change its subject or the meanings of its sentences (or statements) according to their linguistic and Shar'iy indications. And it does not negate the fact that the emphasis is upon the generality of the wording, upon its apparent, general and unrestricted (or absolute) form, and not upon the specificity of the cause of revelation. The cause (or reason) of revelation is not a specifier, restrictor or interpreter, but rather the specification, restriction and reinterpretation (in the case where reinterpretation here refers to diverting the text from its apparent meaning), only occurs via another text or a necessity of the Hiss (sensation) or 'Aql (mind), and nothing besides these. In addition, it is not objectionable for there to be a plurality of narrations and variety of realities (or occurrences) associated to a particular verse. Yes, there is no doubt that the verse or collection of verses are revealed in the first instance in connection to a particular occurrence or incident, whereby the Prophet ﷺ would recite it upon a number of "Qurraa'" who were devoted to the memorisation of the Qur'an through whom the Hujjah (evidential proof) is established, and that he would dictate it immediately to those recorders who attended him, where they would write employing the revealed Tawfeeqiy script upon what they had available to them

in terms of palm stalks, thin stones, palm branches, tablets, animal hides and parchments. Then after a short period of time or long period it was transmitted to the relied upon papers during the sessions held for the “**compilation of the Qur’an**”, and then all of that was presented to Jibril and revised with him during every Ramadan.

فإذا جاءت رواية موثقة بأن الآية نزلت وكتبت أو أُمليت، علمنا من ذلك أنها النزلة الأولى. كما أن انطباق الآية، أو المجموعة من الآيات، عند نزلها أول مرة على الواقع يكون انطباقاً تاماً لجميع جملها وجزئياتها. فإذا وجدنا مثل هذا الانطباق التام رجحنا أن هذا هو النزول الأول.

Therefore, if an attested narration comes stating that an Ayah (verse) was revealed and written down or dictated, we know from that, that it was its initial revelation. Similarly, the conformity of the verse or collection of verses at the time of its revelation for the first time upon the reality would be a complete conformity for all its sentences (or statements) and partialities (or details). If we find such a complete conformity, we can find it preponderant (or most likely) that this was its initial revelation.

ثم قد تأتي مناسبة أخرى، فتقع واقعة، أو يسأل النبي، صلى الله عليه وعلى آله وسلم، عن أمر، فيحكم فيه النبي، صلى الله عليه وعلى آله وسلم، بحكم معين ويتلو الآية، فيظن بعض من حضره تلك الساعة، ممن لم يكن يحفظها، أنها نزلت لتوها، لا سيما إذا سكت النبي، صلى الله عليه وعلى آله وسلم، ينتظر الوحي، ثم أخذته الشدة المعروفة التي كانت تعتريه غالباً عند نزول الوحي، فيظن من حضره حينئذ أن ما يتلوه بعد انكشاف الشدة، شدة نزول الوحي، قد نزل لتوه، مع أنه نزل قديماً، وإنما جاء الوحي الجديد يرشد إلى تطبيقه على هذه الواقعة أيضاً. وفي الغالب يكون انطباق الآية، أو المجموعة من الآيات، على هذا الواقع الجديد انطباقاً جزئياً لأحد أو بعض جملها، التي حصل بها الاستشهاد. فليس من المستنكر إذاً أن ترد روايات صحاح تذكر وقائع متعددة متباينة سبباً للنزول، كما أسلفنا.

After that there may come another occasion, where an incident occurs or the Prophet ﷺ is questioned about a matter, and then the Prophet ﷺ passes judgement in respect to it with a particular ruling and recites the verse. Some of those in attendance at that time, from those who had not memorised it previously, may think that it was revealed at that instant (for the first time) and especially if the Prophet ﷺ had been silent awaiting the descent of the divinely inspired revelation and was then taken by the known severity which usually overtook him when the divine revelation descended. Due to that some of those present with him at that time believed that what he was reciting after the passing of the severity, the severity of the descent of the revelation, had been revealed at that instant, although it has already been revealed prior to that, whilst the new revelation (Wahy) only came guiding to its application upon this incident or reality as well. In most cases here the conformity of the verse or collection of verses upon this new reality would be a partial conformity for one or some of its sentences (or statements), through which the attestation occurred. It is therefore not objectionable for there to be Sahih narrations which mention a number and variety of incidents as being the reason or cause of revelation, as we have already alluded to.

❖ فصل: معنى الجملة: ﴿وَاللَّهُ أَرْكَسَهُمْ بِمَا كَسَبُوا﴾:

وقبل التوسع في دراسة أسباب النزول، وما ترشد إليه من معاني الآيات الشريفة، نؤكد أن معنى الجملة: ﴿وَاللَّهُ أَرْكَسَهُمْ بِمَا كَسَبُوا﴾، هو: (والله ردهم إلى أحكام أهل الشرك في إباحة دمائهم وسبي ذراريهم)، كما جاء في «تفسير الطبري»، (ج: 5 ص: 192)، حيث اختار الإمام الكبير هذا القول: [يعني جل ثناؤه بقوله فما لكم في المنافقين فئتين فما شأنكم أيها المؤمنون في أهل النفاق فئتين مختلفتين: ﴿وَاللَّهُ أَرْكَسَهُمْ بِمَا كَسَبُوا﴾ يعني بذلك: (والله ردهم إلى أحكام أهل الشرك في إباحة دمائهم وسبي ذراريهم). والإركاس: (الرد)، ومنه قول أمية بن أبي الصلت:

فأركسوا في حميم النار إنهمو * * * كانوا عصاة وقالوا الإفك والزورا

يقال منه أركسهم وركسهم وقد ذكر أنها في قراءة عبد الله وأبي الله ركسهم بغير ألف، انتهى كلام الإمام الطبري.

- Section: The meaning of the statement: “وَاللَّهُ أَرْكَسَهُمْ بِمَا كَسَبُوا”

(While Allah has made them fall back (or return) due to what they earned) (An-Nisa': 88):

Before expanding to study the causes of revelation and what that guides to in terms of the meanings of the noble verses, we reiterate that the meaning of the statement:

وَاللَّهُ أَرْكَسَهُمْ بِمَا كَسَبُوا

And Allah made them fall back (or return) due to what they earned.

Is: “And Allah returned them to the rulings of the people of Shirk (polytheism) in respect to their blood and the taking of their children being permissible” as came stated in the “Tafsir of At-Tabari” (Vol: 5 p: 192). This in the case where the major Imam chose to say: [He intends, may His Praise be magnified, by his statement:

فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِئَتَيْنِ

What is [the matter] with you [that you are] two groups concerning the hypocrites?

So, what is the matter with you O believers differing into two factions concerning the people of hypocrisy?

وَاللَّهُ أَرْكَسَهُمْ بِمَا كَسَبُوا

And Allah made them fall back (or return) due to what they earned.

He intends by that: “And Allah returned them to the rulings of the people of Shirk (polytheism) in respect to their blood and the taking of their children being permissible”. And Al-Irkaas means: “Ar-Radd” (to return) like what came mentioned in the statement of Ummayah bin Abi As-Salt:

فأركسوا في حميم النار إنهمو * * * كانوا عصاة وقالوا الإفك والزورا

So, return to the boiling water of the hell fire and melt *** They were rebelliously disobedient and told lies and falsehoods.

It has also been said from him “Arkasahum” (أركسهم) and “Rakasahum” (ركسهم) and it has been mentioned that in the Qiraa’ah of Abdullah and Ubayy (the verse was read as): “والله ركسهم” without the Alif [ا]. **Here ends the speech of Imam At-Tabari.**

فليس الكلام عن العقوبة الأخروية، أو العقوبة الكونية الدنيوية، وإنما هو فقط عن (العقوبة الشرعية) على جريمتهم بأن يعاملوا بالضبط معاملة أهل الشرك والكفر، كل بحسب ولايته، أي: تابعيته وحلفه. فالصحيح، وهو الأولى أن يقال بالتفصيل: (إن الله ردهم إلى أحكام أهل الكفر كل بحسب داره وولايته **ورايته، أي: تابعيته وحلفه؛ فمن كانت داره دار حرب فحكمه حكم الحربيين في إبادة دمائهم وسبي ذرائعهم، إلا من عصم دمه بمو□ب شرعي، ومن كان من أهل دار العهد فحكمه حكم المعاهد من أهل تلك الدار، وهكذا أبداً).**)

The speech is therefore not about the punishment of the next life or the universal punishment of the life of this world but is only concerning the “**Shar’iyah punishment**” for their crime, which is that they be dealt with in exactly the same way as the people of Shirk and Kufr (polytheism and disbelief), each according with his Walaayah i.e., his subject status and alliance. The correct and most fitting thing to say with detail is therefore: **“That Allah returned them to the Ahkam (rulings) of the people of disbelief (Kufr), each according to his Dar (land), Walaayah and Raayah (banner), i.e., his subject status (Taabi’iyah) and alliance (Hilf). So, whomever his land was a land of war, then his ruling is the ruling of those at war in respect to the permissibility of shedding their blood and taking their offspring as slaves, with the exception of those whose blood has been protected in accordance to a Shar’iy dictate. And whoever was from the people of the land of ‘Ahd (covenant or treaty), then his ruling is the ruling of the one who has a covenant or treaty (Mu’aahad) from the people of that land and so on”.**

* وهذا هو المعنى الوحيد المختار في «تفسير الواحدي»، (ج: 1 ص: 279، وما بعدها: [والمعنى ما لكم مختلفين في هؤلاء المنافقين على فئتين على فرقتين والله أركسهم: ردهم إلى حكم الكفار من الذل والصغار والسبي والقتل، بما كسبوا بما أظهروا من الارتداد بعدما كانوا على النفاق].

- This is the single selected meaning in the “Tafsir of Waahidiy” (Vol: 1 p: 279 onwards): [The meaning of: What is the matter with you differing in respect to those hypocrites in to two factions: [It means]: into two groups. And Allah “Arkasahum” (returned them): (Meaning) **He returned them to the ruling of the disbelievers in terms of lowliness, diminishment, being enslaved and killed**, due to what they earned due to what they manifested in terms of apostacy after they had been upon hypocrisy].

كما نذكر أن بعض المفسرين جعلها للعقوبة الدنيوية والأخروية، فقد جاءت أقوال أخرى عن ابن عباس، وغيره:

We will also mention that some of the scholars of Tafsir designated it to the punishment of the hereafter and life of this world. That is as other statements have come reported from Ibn 'Abbas and others besides him:

*** كما هو في «تفسير الطبري»، (ج: 5 ص: 196): [القول في تأويل قوله عز وجل: ﴿وَاللَّهُ أَرْكَسَهُمْ بِمَا كَسَبُوا﴾، اختلف أهل التأويل في تأويل قوله: ﴿وَاللَّهُ أَرْكَسَهُمْ﴾، فقال بعضهم معناه: (ردهم)، كما قلنا. ذكر من قال ذلك:**

– حدثنا الحسن قال حدثني حجاج عن ابن جريج عن عطاء الخراساني عن ابن عباس والله أركسهم بما كسبوا ردهم؛

وقال آخرون معنى ذلك: (والله أوقعهم) ذكر من قال ذلك:

حدثني المثنى قال حدثني عبد الله قال حدثني معاوية عن علي بن أبي طلحة عن ابن عباس والله أركسهم بما كسبوا يقول أوقعهم؛

وقال آخرون معنى ذلك: (أضلهم وأهلكهم)، ذكر من قال ذلك:

– حدثنا القاسم قال حدثنا الحسين قال حدثنا أبو سفيان عن معمر عن قتادة والله أركسهم قال أهلكهم.
– حدثني المثنى قال حدثنا إسحاق قال حدثنا عبد الرزاق عن معمر عن قتادة والله أركسهم بما كسبوا أهلكهم بما عملوا

– حدثنا محمد بن الحسين قال حدثنا أحمد بن مفضل قال حدثنا أسباط عن السدي والله أركسهم بما كسبوا أهلكهم؛

وقد أتينا على البيان عن معنى ذلك قبل بما أغنى عن إعادته، انتهى كلام الطبري.

- Like what came stated in “Tafsir At-Tabari” (Vol: 5 p: 196): [The opinion in respect to the explanation of His statement ‘Azza Wa Jalla:

وَاللَّهُ أَرْكَسَهُمْ بِمَا كَسَبُوا

And Allah made them fall back (or return) due to what they earned.

The people of Ta’weel (explanation or interpretation) differed in respect to explaining His statement:

وَاللَّهُ أَرْكَسَهُمْ

And Allah made them fall back (or return).

Some of them said its meaning is: **“He returned them” as we have stated (as our opinion). A mention of who said that:**

- Al-Hasan related to us: He said: Hajjaj related to me from Ibn Juraij, from 'Ataa' Al-Khurasaniy, from Ibn 'Abbas (concerning):

وَاللَّهُ أَرْكَسَهُمْ بِمَا كَسَبُوا

And Allah made them fall back (or return) due to what they earned.

(He said it means): He returned them (رَدَّهُمْ).

Others said the meaning of that is: And Allah afflicted them (وَاللَّهُ أَوْقَعَهُمْ). Those who said that include:

Al-Muthanna related to us: He said: Abdullah related to me: He said: Mu'awiyah related to me from 'Ali bin Abi Talhah, from Ibn 'Abbas (concerning):

وَاللَّهُ أَرْكَسَهُمْ بِمَا كَسَبُوا

And Allah made them fall back (or return) due to what they earned.

(He said it means): He afflicted them (أَوْقَعَهُمْ).

Others said the meaning of that is: "He made them go astray (أَضَلَّهُمْ) and destroyed or brought ruin to them (أَهْلَكَهُمْ)". A mention of who said that:

- Al-Qasim related to us: He said: Al-Husain related to us: He said: Abu Sufyan related to us from Ma'mar, from Qatadah (concerning):

وَاللَّهُ أَرْكَسَهُمْ

And Allah made them fall back (or return).

He said (it means): He ruined or destroyed them (أَهْلَكَهُمْ).

- Al-Muthanna related to me: He said: Ishaq related to us: He said: Abdur Razzaq related to us from Ma'mar, from Qatadah (concerning):

وَاللَّهُ أَرْكَسَهُمْ بِمَا كَسَبُوا

And Allah made them fall back (or return) due to what they earned.

(It means): He ruined or destroyed them (أَهْلَكَهُمْ) due to what they did.

- Muhammad bin Al-Husain related to us: He said: Ahmad bin Mufaddal related to us: He said: Asbaat related to us from As-Suddiy (concerning):

وَاللَّهُ أَرْكَسَهُمْ بِمَا كَسَبُوا

And Allah made them fall back (or return) due to what they earned.

(It means): He brought ruin to them (أَهْلَكَهُمْ).

And we have already brought the explanation of the meaning of that rendering no need to repeat it] **The end of the speech of At-Tabari.**

وهذا الذي ذكره المفسرون الآخرون صحيح من باب ما يترتب على الأمور من عواقبها شرعاً أو كوناً، أو بكليهما، أي باللزام العقلي والشرعي، ولكنه ليس المراد الأول والمباشر بلفظة القرآن. لذلك فإننا نؤكد هنا مرة أخرى أن سياق الآيات، مع مجموع أدلة الكتاب والسنة يصح القول الذي اختاره الإمام الطبري، وكذلك الواحدي، على التفصيل الذي أسلفناه، وهو: (إن الله ردهم إلى أحكام أهل الكفر **كل بحسب داره وولايته، أي: تابعيته وحلفه؛ فمن كانت داره دار حرب فحكمه حكم الحربين في إباحة دمائهم وأسرههم وسبي ذراريهم وغنيمة أموالهم، إلا من عصم دمه بمو□ب شرعي، ومن كان من أهل دار العهد فحكمه حكم المعاهد من أهل تلك الدار، وهكذا أبداً).**

What the other scholars of Tafsir mentioned is Sahih (correct) from the perspective of what is consequential to the matters in terms of their Shar'iy or natural consequences, or both of them together i.e., according to the dictates of the mind and Shar'a. However, it does not represent the initial and direct intention of the wording of the Qur'an. For that reason, we reiterate here once again that the context of the verses, alongside a host of evidences from the Kitab and the Sunnah verify the opinion that Imam At-Tabari selected, in addition to Al-Waahidiy, upon the explanation that we have already mentioned. That is: **"That Allah returned them to the Ahkam (rulings) of the people of disbelief (Kufr), each according to his Dar (land), Walaayah and Raayah (banner), i.e., his subject status (Taabi'iyah) and alliance (Hilf). So, whomever his land was a land of war, then his ruling is the ruling of those at war in respect to the permissibility of shedding their blood and taking their offspring as slaves, with the exception of those whose blood has been protected in accordance to a Shar'iy dictate. And whoever was from the people of the land of 'Ahd (covenant or treaty), then his ruling is the ruling of the one who has a covenant or treaty (Mu'aahad) from the people of that land and so on"**.

وهذه المعاملة لا تنتهي إلا بالتوبة الصحيحة، ومن شروطها: نبذ الولاية الكفرية، والدخول في الولاية الإسلامية، ولا يكون ذلك ها هنا مطلقاً إلا بالهجرة إلى دار الإسلام، والهجرة هي: الانخلاع من التبعية الكفرية، وحمل التبعية الإسلامية؛ وليست الانتقال من بلد إلى آخر، أو من بادية لحاضرة، كما أشبعناه تفصيلاً في الباب المعنون: **(الهجرة، والتبعية الإسلامية (وحق تقرير المصير))**:

This treatment does not end except by the correct Taubah (repentance) and its conditions include: Discarding the Walaayah of disbelief and entering the Islamic Walaayah which cannot at all happen here unless it is by undertaking the Hijrah to Dar ul-Islam. The Hijrah is: Rescinding the subject status of disbelief and holding the Islamic subject status, whilst it does not mean moving from one land to another, or from the Baadiyah (rural Bedouin place) to the Haadira (town), as we have thoroughly explained in the chapter titled: **"Al-Hijrah (migration), Islamic Citizenship (and the right of self-determination)"**.

* وكما جاء في «تفسير الطبري»، (ج: 5 ص: 196 وما بعدها): [فلا تتخذوا منهم أولياء حتى يهاجروا في سبيل الله]، يقول: حتى يخرجوا من دار الشرك ويفارقوا أهلها الذين هم بالله مشركون إلى دار الإسلام وأهلها في سبيل الله يعني في ابتغاء دين الله وهو سبيله فيصيروا عند ذلك مثلكم ويكون لهم حينئذ حكمكم كما:

– حدثني محمد بن سعد قال حدثني أبي قال حدثني عمي قال حدثني أبي عن أبيه عن ابن عباس ودوا لو تكفرون كما كفروا فتكونون سواء فلا تتخذوا منهم أولياء حتى يهاجروا يقول حتى يصنعوا كما صنعتم يعني: الهجرة في سبيل الله]، انتهى النص المنقول. مع أنك ترى أن الإمام الطبري ما زال – كالعالية العظمى من القدامى – أسيرا لفكرة (التحول المكاني) كمكون جوهري في مفهوم الهجرة، كما يظهر من قوله: (يخر□وا) من دار الشرك ويفارقوا أهلها الذين هم بالله مشركون إلى دار الإسلام وأهلها)!

- And just as it came stated in “Tafsir At-Tabari” (Vol: 5 p: 196 onwards): [(Concerning His speech تعالى):

فَلَا تَتَّخِذُوا مِنْهُمْ أَوْلِيَاءَ حَتَّى يُهَاجِرُوا فِي سَبِيلِ اللَّهِ

So do not take from among them Awliyaa’ (friends, protectors, allies) until they emigrate for the cause of Allah (An-Nisa’: 89).

He says: Until they leave the Dar (land) of Shirk (polytheism) and separate from its people who associate partners with Allah, and go to the Dar (land) of Islam and its people. In the way (or cause) of Allah, means choosing the Deen of Allah which is His way (or cause). At that time, they become like you and at such a time they will have your ruling. It is like:

- Muhammad bin Sa’d related to me: He said: My father related to me: He said: My uncle related to me: He said: My father related to me from Ibn ‘Abbas:

وَدُّوا لَوْ تَكْفُرُونَ كَمَا كَفَرُوا فَتَكُونُونَ سَوَاءً ۖ فَلَا تَتَّخِذُوا مِنْهُمْ أَوْلِيَاءَ حَتَّى يُهَاجِرُوا فِي سَبِيلِ اللَّهِ

They wish you would disbelieve as they disbelieved so you would be alike. So do not take from among them Awliyaa’ (friends, protectors, allies) until they emigrate for the cause of Allah (An-Nisa’: 89).

He said: Until they do what you have done i.e., the Hijrah in the way (or cause) of Allah] End of the quoted text.

It can be seen that Imam At-Tabari, like the great majority of the early scholars, is still a prisoner to the idea of the “physical moving” as an essential component of the understanding of the Hijrah, which is apparent from his statement: “**They leave** the Dar (land) of Shirk (polytheism) and separate from its people who associate partners with Allah, and go to the Dar (land) of Islam and its people”!

ومع أن الإمام الطبري وفق في الجزئية آنفة الذكر (معنى لفظة: **أركسهم**) كل التوفيق، إلا أنه لم يكن

كذلك عند تحدّثه عن حيثيات كفر هؤلاء المنافقين **فربطه فقط بالجحود**، وهو قول باطل **يقينا**، ثم **تناقض مع هذا**: ولكن هذا يطول جداً، وسننجزه بإذن الله في فصل ملحق بعنوان: **(اضطراب الإمام الطبري في حيثيات كفر هذه الفئة)**.

Even though Imam At-Tabari successfully determined the meaning of the word “Arkasahum” (أَرْكَسَهُمْ) mentioned earlier, he did not do so when he spoke about the circumstances of the disbelief of those hypocrites, in the case where **he tied it only to Juhood (disbelief of denial), which is certainly an invalid opinion, and then went on to contradict this**. However, the discussion of this will be very long and so, we will carry that out, by Allah’s permission, in the supplementary appendix, under the title of: **“The inconsistency of Imam At-Tabari in respect to the circumstances of the Kufr (disbelief) of this group”**.

(Note: Juhood means disbelief but is not exactly the same as Kufr and yet in there does not appear to be a way of differentiating in the translation).

ولعل مما يعتذر به للإمام الطبري أن الروايات الواردة في أسباب النزول كثيراً ما تكون مختصرة اختصاراً مغللاً، أو مروية بالمعنى كما فهمه الراوية في حدود إدراكه وفقهه (وهذا هو **العييب الجسيم** للرواية بالمعنى، ومخالفة الأمر النبوي الشريف: نَضَّرَ اللهُ امرأً سمع منا شيئاً، فبلغه كما سمعه، قُرْبَ مُبْلَغٍ أَوْعَى مِنْ سَامِعٍ). وفي مسألتنا هذه قد يقع الباحث – إذا أسلم عقله للروايات المتضاربة – في حيرة تمنعه من تحديد نقطة الخلاف بين الفريقين من الصحابة، وسكوت النبي، عليه وعلى آله الصلاة والسلام، عن حسم الموضوع انتظاراً للوحي: أهي: (1) - كفر هؤلاء وردتهم؛ أو (2) - إباحة دمائهم وأموالهم. وهذان أمران مختلفان، لا علاقة لأحدهما بالآخر، ولكن من ضرب بهذه الآيات الشريقات، وغيرها من نصوص القرآن اليقينية، وأخبار السيرة والمغازي والسنة المتواترة، عرض الحائط، وصدّق المقولة الخبيثة: (الكفر يهدر الدم، والإسلام والعهد يعصمه)، و(الحد) المكذوب الذي يسمونه (حد الردة)، فسيفى متخبطاً، لا يهتدي سبيلاً.

Perhaps what excuses Imam At-Tabari here is the fact that the narrations related to the causes of revelation are often summarised in a very summarised form or they are related by the meaning that was understood by the narrator according to the limits of his comprehension and understanding (which reflects a **huge defect** in the narration by way of meaning in addition to it being in violation of the Noble Prophetic command:

نَضَّرَ اللهُ امرأً سمع منا شيئاً فبلغه كما سمعه قُرْبَ مُبْلَغٍ أَوْعَى لَهُ مِنْ سَامِعٍ

“May Allah make the person shine who hears something from us and then conveys it just as he heard it. Perhaps the one to whom it is conveyed is more aware of it (i.e., its understanding) than the one who heard it (directly)”.

In this issue of ours, the researcher, if he surrenders his mind to the inconsistent narrations, may well fall into a state of bewilderment which prevents him from determining the point of difference between the two groups of the Sahabah and the silence of the Prophet ﷺ in respect to resolving the subject whilst waiting for the revelation, in terms of whether or not it is: (1) The Kufr (disbelief) of those (who are mentioned) and their apostasy or (2) The permissibility of their blood and property. These are two different matters and there is no relationship between one and the other. However, whoever completely discards these Noble

verses and others the certain texts of the Qur'an, in addition to the reports of the Seerah and Maghaazi (Battles), and then believes the despicable statement that: "Al-Kufr (disbelief) permits the shedding of blood whilst Al-Islam and Al-Ahd (covenant) protects it", in addition to the fabricated "Hadd" (prescribed punishment) which they call "Hadd Ar-Riddah" (the prescribed punishment for apostasy), will continue to wander aimlessly and not be guided in the right direction.

والعصمة من ذلك تكون باتخاذ القرآن إماماً: فسياق الآيات، وقطعها للموالاتة مع بيان كيفية عودتها، وتفصيلها للأحوال الموجبة القتل والقتال، كل ذلك لا يدع مجالاً للشك أن كفر هؤلاء لم يكن موضع جدال يعتد به أصلاً، وبالقطع ليس هو سبب سكوت النبي، عليه وعلى آله الصلاة والسلام، كما سيتضح من بقية هذا البحث، ومن الفصل الملحق بعنوان: (اضطراب الإمام الطبري في حيثيات كفر هذه الفئة).

Protection in this issue (from error) is attained by taking the Qur'an as the Imam. That is because the thread of the verses and their severing of the Muwaalah accompanied by the explanation of the manner of how to restore it, in addition to their detailing the circumstances that oblige killing and fighting, all of that does not leave room for doubt that the Kufr (disbelief) of those was not a matter of dispute (or debate) that was regarded in origin. And it definitely wasn't the reason for the silence of the Prophet ﷺ as will be made clear from the remainder of this study and from the supplemented section entitled: "The inconsistency of Imam At-Tabari in respect to the circumstances of the Kufr (disbelief) of this group".

✽ فصل: تحرير أسباب النزول

والآن فلنعد إلى ما ورد من أسباب النزول بالتفصيل:

✽ السبب الأول للنزول:

* جاء في «تفسير الطبري»، (ج: 5 ص: 193): [وقال آخرون: بل كان اختلافهم في قوم من أهل الشرك كانوا أظهروا الإسلام بمكة وكانوا يعينون المشركين على المسلمين. ذكر من قال ذلك: حدثني محمد بن سعد قال حدثني أبي قال حدثني عمي قال حدثني أبي عن أبيه عن ابن عباس قوله: (فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَةٍ)، وذلك أن قوماً كانوا بمكة قد تكلموا بالإسلام وكانوا يظاهرون المشركين فخرجوا من مكة يطلبون حاجة لهم فقالوا إن لقينا أصحاب محمد، عليه الصلاة والسلام، فليس علينا منهم بأس. وأن المؤمنين لما أخبروا أنهم قد خرجوا من مكة قالت فئة من المؤمنين: (اركبوا إلى الخبَاء فاقتلوهم: فإنهم يظاهرون عليكم عدوكم)، وقالت فئة أخرى من المؤمنين: (سبحان الله، أو كما قالوا، أنقتلون قوماً قد تكلموا بمثل ما تكلمتم به من أجل أنهم لم يهاجروا ويتركوا ديارهم تستحل دماؤهم وأموالهم!)، لذلك فكانوا كذلك ففتن، والرسول، عليه الصلاة والسلام، عندهم لا ينهي واحداً من الفريقين عن شيء، فنزلت: (فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَةٍ وَاللَّهُ أَرَكْسَهُمْ بِمَا كَسَبُوا أَتُرِيدُونَ أَنْ تَهْذُوا مَنْ أَضَلَّ اللَّهُ؟)، الآية.

– حدثنا بشر بن معاذ قال حدثنا يزيد قال حدثنا سعيد عن قتادة: (قوله: (فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَةٍ)، الآية ذكر لنا أنهما كانا رجلين من قريش كانا مع المشركين بمكة وكانا قد تكلموا بالإسلام ولم يهاجرا

إلى النبي، صلى الله عليه وسلم، فلقبهما ناس من أصحاب نبي الله وهما مقبلان إلى مكة فقال بعضهم إن دماءهما وأموالهما حلال وقال بعضهم لا تحل لكم فتشاجروا فيهما فأنزل الله في ذلك فما لكم في المنافقين فئتين والله أركسهم بما كسبوا حتى بلغ ولو شاء الله لسلطهم عليكم فلقاتلوكم).
 - حدثنا القاسم قال حدثنا أبو سفيان عن معمر بن راشد قال بلغني أن ناساً من أهل مكة كتبوا إلى النبي، صلى الله عليه وسلم، أنهم قد أسلموا وكان ذلك منهم كذباً فلحقوهم فاختلف فيهم المسلمون فقالت طائفة دماؤهم حلال وقالت طائفة دماؤهم حرام فأنزل الله فما لكم في المنافقين فئتين والله أركسهم بما كسبوا

- حدثت عن الحسين بن الفرج قال سمعت أبا معاذ يقول أخبرنا عبيد بن سلمان قال سمعت الضحاك يقول في قوله: ﴿فما لكم في المنافقين فئتين﴾ هم ناس تخلفوا عن نبي الله، صلى الله عليه وسلم، وأقاموا بمكة وأعلنوا الإيمان ولم يهاجروا فاختلف فيهم أصحاب رسول الله، صلى الله عليه وسلم، فقتلواهم ناس من أصحاب رسول الله، صلى الله عليه وسلم، وتبرأ من ولايتهم آخرون وقالوا تخلفوا عن رسول الله، صلى الله عليه وسلم، ولم يهاجروا فسامهم الله منافقين وبرأ المؤمنين من ولايتهم وأمرهم أن لا يتولواهم حتى يهاجروا]، انتهى كلام الإمام الطبري.

- Section: Thoroughly examining the Asbaab An-Nuzool (Causes of revelation):

Now let us present in detail what has come reported related to the causes of revelation:

- The first cause for the revelation:

- The following came stated in “Tafsir At-Tabari” (Vol: 5 p: 193): [And others said: Rather, their difference (or disagreement) was concerning **a Qawm (people) from the people of Shirk (polytheism) who gave the appearance of Islam (i.e., being Muslim) in Makkah but were assisting the polytheists against the Muslims.** A mention of who said that:

- Muhammad bin Sa’d related to me: He said: My father related to me: He said: My uncle related to me: He said: My father related to me from Ibn ‘Abbas (who said concerning):

فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِئَتَيْنِ

What is [the matter] with you [that you are] two groups concerning the hypocrites?

That is because there was a Qawm (people) who in Makkah had **spoken with Islam (i.e., that they were Muslims) whilst they were supporting the Mushrikeen (polytheists)**. They then left Makkah seeking (to fulfil) a need of theirs. They said: “If we come across companions of Muhammad ﷺ then we will not have trouble from them”. And when the believers were informed that they had left Makkah, a group from the believers said: “Ride to the scum and then kill them **because they are supporting your enemy against you**”. Another group from the believers said: “Subhanallah (or as they said): Will you kill a people who have said what you have said (i.e., to become Muslim). Because they did not migrate and did not leave their homelands, you are making their blood and properties permissible (to be taken)!”. As such there were two groups, **whilst the Messenger ﷺ was among them and he did not forbid anything of either of the two groups**. Then the following was revealed:

فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَةٍ وَاللَّهُ أَرَكْسَهُمْ بِمَا كَسَبُوا أَتُرِيدُونَ أَنْ تَهْدُوا مَنْ أَضَلَّ اللَّهُ ...

What is [the matter] with you [that you are] two groups concerning the hypocrites, while Allah has made them fall back (or return) due to what they earned. Do you wish to guide those whom Allah has sent astray? ... until the end of the verse (An-Nisa': 88).

- Bishr bin Mu'adh related to us: He said: Yazid related to us: He said: Sa'eed related to us from Qatadah: (Concerning) His Qawl (statement:

فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَةٍ

What is [the matter] with you [that you are] two groups concerning the hypocrites? ... To the end of the verse.

It was mentioned to us that they were two men from Quraish who were with the Mushrikeen (polytheists) in Makkah and they had spoken with Islam (i.e., as Muslims) but they did not migrate to the Prophet ﷺ. They were then met by some people from the companions of the Prophet ﷺ whilst they were both heading towards Makkah. Some of them then said: "Their blood and their properties are Halal (permissible)" whilst others said: "That is not Halal (permissible) for you". They argued concerning them and then Allah revealed in relation to that:

فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَةٍ وَاللَّهُ أَرَكْسَهُمْ بِمَا كَسَبُوا ... (حتى بلغ) ... وَلَوْ شَاءَ اللَّهُ لَسَلَّطَهُمْ عَلَيْكُمْ فَلَقَاتَلُوكُمْ

What is [the matter] with you [that you are] two groups concerning the hypocrites, while Allah has made them fall back (or return) due to what they earned ... (Until he reached) ... And if Allah had willed, He could have given them power over you, and they would have fought you (An-Nisa': 88-90).

- Al-Qasim related to us: He said: Abu Sufyan related to us from Ma'mar bin Rashid: He said: It reached me that some people from the people of Makkah wrote to the Prophet ﷺ stating that they had become Muslim but that was a lie from them. Then, they came across them and the Muslims differed (or disagreed) in respect to them. One grouping said: "Their blood is Halal" and another group said: "Their blood is Haram". Then Allah revealed:

فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَةٍ وَاللَّهُ أَرَكْسَهُمْ بِمَا كَسَبُوا

What is [the matter] with you [that you are] two groups concerning the hypocrites, while Allah has made them fall back (or return) due to what they earned (An-Nisa': 88).

- I related (or it was related) from Al-Husain bin Al-Faraj: He said: I heard Abu Mu'adh saying: 'Ubaid bin Salman informed us: He said: I heard Ad-Dahhak saying in relation to His Qawl (statement):

فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَةٍ وَاللَّهُ أَرَكْسَهُمْ بِمَا كَسَبُوا

What is [the matter] with you [that you are] two groups concerning the hypocrites?

They are some people who stayed back from the Prophet of Allah ﷺ, resided in Makkah and did not migrate. The companions of the Messenger of Allah ﷺ differed in respect to them. So, some people of the companions of the Messenger of Allah ﷺ took them as Awliyaa' (friends and protectors) whilst others disassociated themselves from them in respect to the Walaayah (protection/loyalty) saying: "They stayed

back from the Messenger of Allah ﷺ and did not migrate”. Then Allah named them as hypocrites and the believers dissociated themselves from them and He commanded them to not take them as Awliyaa’ until they migrated] Here ends the speech of Imam At-Tabari.

* وجاء في سبب نزول هاتين الآيتين في «الدر المنثور في التفسير بالمأثور»: [وأخرج ابن جرير وابن أبي حاتم من طريق العوفي عن ابن عباس قال: (إن قوما كانوا بمكة قد تكلموا بالإسلام وكانوا يظاهرون المشركين، فخرجوا من مكة يطلبون حاجة لهم، فقالوا: إن لقينا أصحاب محمد فليس علينا فيهم بأس، وإن المؤمنين لما أخبروا أنهم قد خرجوا من مكة قالت فئة من المؤمنين: (اركبوا إلى الخبثاء فاقتلوهم فإنهم يظاهرون عليكم عدوكم)، وقالت فئة أخرى من المؤمنين: (سبحان الله! تقتلون قوما قد تكلموا بمثل ما تكلمتم به من أجل أنهم لم يهاجروا ويتركوا ديارهم تستحل دماءهم وأموالهم!)، فكانوا كذلك فنتين والرسول عندهم لا ينهي واحداً من الفريقين عن شيء. فنزلت: (فَمَا لَكُمْ فِي الْمُنافِقِينَ فِتْنَيْنِ)، إلى قوله: (حَتَّى يُهَاجِرُوا فِي سَبِيلِ اللَّهِ)، إلى قوله: (حَتَّى يُهَاجِرُوا فِي سَبِيلِ اللَّهِ). يقول: حتى يصنعوا كما صنعتم (فَإِنْ تَوَلَّوْا) قال: عن الهجرة].

- And the following came mentioned in relation to the cause of revelation of these two verses in “Ad-Darr Al-Manthur Fee Tafsir Bil-Ma’tthur”: [And Ibn Jarir and Ibn Abi Hatim recorded via the path of Al-Awfiy from Ibn ‘Abbas: He said: A Qawm (collective of people) were in Makkah and they spoke with Islam (i.e., declared that they were Muslims) whilst they were supporting the polytheists. They then exited from Makkah seeking a need of theirs and said: “If we come across the companions of Muhammad, then we will have no trouble among them”. When they were informed that they had left Makkah a group from the believers said: “Ride to the scum and then kill them **because they are supporting your enemy against you**”. Another group from the believers said: “Subhaanallah! Will you kill a people who have said what you have said (i.e., to become Muslim). Because they did not migrate and did not leave their homelands, you are making their blood and properties permissible (to be taken)!”. As such there were two groups, whilst the Messenger ﷺ was among them and he did not forbid anything of either of the two groups. Then the following was revealed:

فَمَا لَكُمْ فِي الْمُنافِقِينَ فِتْنَيْنِ

What is [the matter] with you [that you are] two groups concerning the hypocrites ...

Until:

حَتَّى يُهَاجِرُوا فِي سَبِيلِ اللَّهِ

... Until they emigrate for the cause of Allah ...

He said (it means): Until they do as you have done:

فَإِنْ تَوَلَّوْا

But if they turn away ...

He said (it means): From the Hijrah].

قلت: وهذا كأنه نص ابن جرير عن ابن عباس، مع ضعف إسنادها، مع إضافات طفيفة من الروايات الأخرى عند ابن أبي حاتم.

I say: This is as if it is the same text reported by Ibn Jarir from Ibn ‘Abbas, despite the weakness of its Isnad (chain of transmission), with some slight additions from the other narrations recorded by Ibn Abi Hatim.

* وجاء أيضاً في سبب نزول هاتين الآيتين في «الدر المنثور في التفسير بالمأثور»: [وأخرج عبد بن حميد وابن جرير وابن المنذر عن قتادة في قوله: ﴿فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَيْن﴾، قال: ذكر لنا أنهما كانا رجلين من قريش، كانا مع المشركين بمكة، وكانا قد تكلمنا بالإسلام ولم يهاجرا إلى النبي، صلى الله عليه وسلم، فلقيهما ناس من أصحاب رسول الله، صلى الله عليه وسلم، وهما مقبلان إلى مكة، فقال بعضهم: إن دماءهما وأموالهما حلال. وقال بعضهم: لا يحل ذلك لكم. فتشاجروا فيهما، فأنزل الله: ﴿فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَيْن﴾، حتى بلغ: ﴿وَلَوْ شَاءَ اللَّهُ لَسَلَّطَهُمْ عَلَيْكُمْ فَلَقَاتَلُوكُمْ﴾.

- The following also came mentioned in relation to the cause of revelation of these two verses in “**Ad-Darr Al-Manthur Fee Tafsir Bil-Ma’tthur**”: [Abd bin Humaid, Ibn Jarir and Ibn ul-Mundir recorded from Qatadah concerning His Qawl (statement):

فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَيْن

What is [the matter] with you [that you are] two groups concerning the hypocrites ...

He said: It was mentioned to us that they were two men from Quraish who were with the Mushrikeen (polytheists) in Makkah and they had spoken with Islam (i.e., as Muslims) but they did not migrate to the Prophet ﷺ. They were then met by some people from the companions of the Messenger of Allah ﷺ whilst they were both heading towards Makkah. Some of them then said: “Their blood and their properties are Halal (permissible)” whilst others said: “That is not Halal (permissible) for you”. They argued concerning them and then Allah revealed in relation to that:

فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَيْنِ وَاللَّهُ أَرْكَسَهُمْ بِمَا كَسَبُوا ... (حتى بلغ) ... وَلَوْ شَاءَ اللَّهُ لَسَلَّطَهُمْ عَلَيْكُمْ فَلَقَاتَلُوكُمْ

What is [the matter] with you [that you are] two groups concerning the hypocrites, while Allah has made them fall back (or return) due to what they earned ... (Until he reached) ... And if Allah had willed, He could have given them power over you, and they would have fought you (An-Nisa’: 88-90)].

* وجاء أيضاً في سبب نزول هاتين الآيتين في (الدر المنثور في التفسير بالمأثور): [وأخرج ابن جرير عن معمر بن راشد قال: بلغني أن ناساً من أهل مكة كتبوا إلى النبي، صلى الله عليه وسلم، أنهم قد أسلموا، أو كان ذلك منهم كذبا، فلقوهم فاختلف فيهم المسلمون فقالت طائفة: دماؤهم حلال. وطائفة قالت: دماؤهم حرام. فأنزل الله: ﴿فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَيْن﴾]

- The following also came mentioned concerning the cause of revelation of these two verses in “**Ad-Darr Al-Manthur Fee Tafsir Bil-Ma’tthur**”: [Ibn Jarir recorded from Ma’mar bin Rashid: He said: It reached me that some people from the people of Makkah wrote to the Prophet ﷺ stating that they had become Muslim or that was a lie from them. Then, they came across them and the Muslims differed (or disagreed) in respect to them. One grouping then said: “Their blood is Halal” and another group said: “Their blood is Haram”. Then Allah revealed:

فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَيْنِ

What is [the matter] with you [that you are] two groups concerning the hypocrites].

* وجاء أيضاً في سبب نزول هاتين الآيتين في (الدر المنثور في التفسير بالمأثور): [وأخرج ابن جرير عن الضحاك في الآية قال: هم ناس تخلفوا عن نبي الله، صلى الله عليه وسلم، وأقاموا بمكة وأعلنوا الإيمان ولم يهاجروا، فاختلف فيهم أصحاب رسول الله، صلى الله عليه وسلم، فتولاهم ناس من أصحاب رسول الله، صلى الله عليه وسلم، وتبرأ من ولايتهم آخرون، وقالوا: تخلفوا عن رسول الله، صلى الله عليه وسلم، ولم يهاجروا فسماهم الله منافقين، وبرأ المؤمنين من ولايتهم، وأمرهم أن لا يتولواهم حتى يهاجروا]. (وهذا قوي).

- The following also came mentioned concerning the cause of revelation of these two verses in “**Ad-Darr Al-Manthur Fee Tafsir Bil-Ma’tthur**”: [Ibn Jarir recorded from Ad-Dahhak concerning the verse: He said: They are some people who stayed back from the Prophet of Allah ﷺ, resided in Makkah, declared their Iman (i.e., belief in Islam) and did not migrate. The companions of the Messenger of Allah ﷺ then differed (or disagreed) in respect to them. So, some people of the companions of the Messenger of Allah ﷺ took them as Awliyaa’ (friends and protectors) whilst others disassociated themselves from them in respect to the Walaayah (protection/loyalty. They said: “They stayed back from the Messenger of Allah ﷺ and did not migrate”. Then Allah named them as hypocrites and the believers dissociated themselves from them in terms of Walaayah (protection/guardianship) and He commanded them to not take them as Awliyaa’ (friends and protectors) until they migrated]. (And this is strong (i.e., its chain of transmission).

* وجاء أيضاً في سبب نزول هاتين الآيتين في «الدر المنثور في التفسير بالمأثور»: [وأخرج عبد بن حميد وابن أبي حاتم عن عكرمة في الآية قال: أخذ ناس من المسلمين أموالاً من المشركين فانطلقوا بها تجاراً إلى اليمامة، فاختلف المسلمون فيهم، فقالت طائفة: لو لقيناهم قتلناهم وأخذنا ما في أيديهم. وقال بعضهم: لا يصلح لكم ذلك، إخوانكم انطلقوا تجاراً. فنزلت هذه الآية: ﴿فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَيْنِ﴾].

- The following also came mentioned concerning the cause of revelation of these two verses in “**Ad-Darr Al-Manthur Fee Tafsir Bil-Ma’tthur**”: [Abd Humaid and Ibn Abi Hatim also recorded from ‘Ikrimah concerning the verse: He said: Some people (or a group) from the Muslims took properties from the polytheists and then set off with them as traders to Al-Yamamah. The Muslims then differed (or disagreed) regarding them. A group (from them) said: “If we had come across them, we would have killed them and taken what they had

in their possession". Others said: "That is not fitting for you. They are your brothers who have set off as traders". Then this verse was revealed:

فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَةٍ

What is [the matter] with you [that you are] two groups concerning the hypocrites].

* وهو بنحوه في (تفسير ابن كثير)، (ج: 1 ص: 534): [وقال العوفي عن ابن عباس نزلت في قوم كانوا قد تكلموا بالإسلام وكانوا يظاهرون المشركين فخرجوا من مكة يطلبون حاجة لهم فقالوا إن لفينا أصحاب محمد فليس علينا منهم بأس وإن المؤمنين لما أخبروا أنهم قد خرجوا من مكة قالت فئة من المؤمنين أركبوا إلى الجبناء فاقتلوهم فإنهم يظاهرون عليكم عدوكم وقالت فئة أخرى من المؤمنين سبحان الله أو كما قالوا أتقتلون قوما قد تكلموا بمثل ما تكلمتم به من أجل أنهم لم يهاجروا ولم يتركوا ديارهم نستحل دماءهم وأموالهم فكانوا كذلك ففتنن والرسول عندهم لا ينهى واحدا من الفريقين عن شيء فنزلت فما لكم في المنافقين فتنن رواه ابن أبي حاتم. وقد روي عن أبي سلمة بن عبد الرحمن وعكرمة ومجاهد والضحاك وغيرهم قريب من هذا].

- Similar to that came recorded in "Tafsir Ibn Kathir" (Vol: 1 p: 534): [And Al-'Awfiy said from Ibn 'Abbas (He said): It was revealed concerning a people (Qawm) who had spoken with Islam whilst they were supporting the Mushrikeen (polytheists). They departed from Makkah for a need of theirs. They said: If we come across the companions of Muhammad we will not have a trouble from them". When the believers were informed that they had left Makkah, a group from the believers said: "Ride to the cowards and kill them as they are supporting your enemy against you". Another group from the believers said: "Subhanallah! (Or as they said) Will you kill a people who have said the same as what you have said (i.e., embraced Islam). Because they did not migrate and did not leave their homelands we make their blood and properties Halal (permissible to take)?" They were like that as two (differing) factions whilst the Messenger among them did not forbid anything of either of the two groups. Then the following was revealed:

فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَةٍ

What is [the matter] with you [that you are] two groups concerning the hypocrites].

Ibn Abi Hatim related it and close to it was related from Abu Salamah bin Abdur Rahman, 'Ikrimah, Mujahid, Ad-Dahhak and others].

* وجاء في «زاد المسير»، (ج: 2 ص: 153 وما بعدها): [قوله تعالى: ﴿فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَةٍ﴾، في سبب نزولها سبعة أقوال:

والثالث: أن قوما كانوا بمكة تكلموا بالإسلام وكانوا **يعاونون** المشركين فخرجوا من مكة لحاجة لهم فقال قوم من المسلمين اخرجوا إليهم فاقتلوهم فإنهم يظاهرون عدوكم وقال قوم كيف نقتلهم وقد تكلموا

بمثل ما تكلمنا به فنزلت هذه الآية رواه عطية عن ابن عباس

.....
والخامس: أن قوما أعلنوا الإيمان بمكة وامتنعوا من الهجرة فاختلف المؤمنون فيهم فنزلت هذه الآية وهذا قول الضحاك
[، انتهى، والسطر المنقوط هكذا: ()، يرمز لكلام طويل، قد يكون عدة أسطر أو فقرات، تم حذفه.

- And in "Zad Al-Maseer" (vol: 2 p: 153 onwards): [Concerning the Qawl of Allah تعالى:

فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَتَيْنِ

What is [the matter] with you [that you are] two groups concerning the hypocrites].

In respect to the cause of its revelation (Sabab An-Nuzool) there are seven statements:

.....
- **The third** (statement): There was a people in Makkah who had spoken with Islam and they were **assisting** the Mushrikeen (polytheists). They then went out from Makkah for a need of theirs. Then a people (or group) from the Muslims said: "Go out to them and kill them because they are supporting your enemy. Another people (or group) then said: "How can we kill them and they have spoken the same as what we have spoken (i.e., in terms of Islam)?" Then this verse was revealed. 'Atiyah related it from Ibn 'Abbas.

.....
- **The fifth** (statement): That a Qawm (groups of people) declared Iman (i.e., belief in Islam) in Makkah but they abstained from making the Hijrah. The believers then differed (or disagreed) in respect to them and then this verse was revealed. This is the statement of Ad-Dahhak] Here ends the quote and the dots signify some long speech which could have been numerous lines or paragraphs which had been omitted (or deleted).

قلت: هذا الصنف من (المنافقين) يتميز عن غيره من الأصناف التي ستأتي فوراً، بإذن الله، بكونهم لم تسبق لهم هجرة مطلقاً: فليسوا هم ممن قطع هجرته، أي: (ارتد عن هجرته)، الذين حكمت **بكفره** آية (الارتداد على الأدبار): (إِنَّ الَّذِينَ ارْتَدُّوا عَلَىٰ أَدْبَارِهِمْ مِن بَعْدِ مَا تَبَيَّنَ لَهُمُ الْهُدَىٰ الشَّيْطَانُ سَوَّلَ لَهُمْ وَأَمْلَىٰ لَهُمْ (25) ذَلِكَ بِأَنَّهُمْ قَالُوا لِلَّذِينَ كَرِهُوا مَا نَزَّلَ اللَّهُ سَنُطِيعُكُمْ فِي بَعْضِ الْأَمْرِ وَاللَّهُ يَعْلَمُ إِسْرَارَهُمْ (26) فَكَيفَ إِذَا تَوَفَّتْهُمُ الْمَلَائِكَةُ يَضْرِبُونَ وُجُوهَهُمْ وَأَدْبَارَهُمْ (27) ذَلِكَ بِأَنَّهُمْ اتَّبَعُوا مَا أَسْخَطَ اللَّهَ وَكَرِهُوا رِضْوَانَهُ فَأَحْبَطَ أَعْمَالَهُمْ (28))، (محمد؛ 47: 25 – 28): فضرب الوجوه والأدبار عند الموت لا يكون – قطعاً – إلا للكفار (ومنهم المنافقون، لأن المنافق كافر).

I say: This category of the "Munafiqin" (hypocrites) are distinguished from the other categories which we will immediately come to by the permission of Allah in that they were not from those who had at all already undertaken the Hijrah (migration). They are therefore not from those who had severed the Hijrah i.e.,

reneged (or apostatised) from their Hijrah, those whom had been judged with their Kufr (disbelief) in the verse of "Turning back":

إِنَّ الَّذِينَ ارْتَدُّوا عَلَىٰ أَدْبَارِهِمْ مِنْ بَعْدِ مَا تَبَيَّنَ لَهُمُ الْهُدَىٰ الشَّيْطَانُ سَوَّلَ لَهُمْ وَأَمْلَىٰ لَهُمْ (25) ذَلِكَ بِأَنَّهُمْ قَالُوا لِلَّذِينَ كَرِهُوا مَا نَزَّلَ اللَّهُ سَنُطِيعُكُمْ فِي بَعْضِ الْأَمْرِ وَاللَّهُ يَعْلَمُ إِسْرَارَهُمْ (26) فَكَيفَ إِذَا تَوَفَّتْهُمُ الْمَلَائِكَةُ يَضْرِبُونَ وُجُوهَهُمْ وَأَدْبَارَهُمْ (27) ذَلِكَ بِأَنَّهُمْ اتَّبَعُوا مَا أَصْحَبَ اللَّهُ وَكَرِهُوا رِضْوَانَهُ فَأَخْبَطَ أَعْمَالَهُمْ

Verily, those who **turned back** [to disbelief] after guidance had become clear to them, Satan enticed them and prolonged hope for them. (25) That is because they said to those who disliked what Allah sent down, "We will obey you in part of the matter." And Allah knows what they conceal. (26) Then how [will it be] when the angels take them in death, striking their faces and their backs? (27) That is because they followed what angered Allah and disliked [what earns] His pleasure, so He rendered worthless their deeds (Muhammad: 25-28).

That is because the striking of the faces and the backs at the time of death definitely does not occur except with the disbelievers which includes the hypocrites because the Munafiq (hypocrite) is a Kafir (disbeliever).

نعم: بالنسبة لهؤلاء قد تضمنت آية (**المستضعفين**): (إِنَّ الَّذِينَ تَوَفَّاهُمُ الْمَلَائِكَةُ ظَالِمِي أَنْفُسِهِمْ قَالُوا فِيمَ كُنْتُمْ قَالُوا كُنَّا مُسْتَضْعَفِينَ فِي الْأَرْضِ قَالُوا أَلَمْ تَكُنْ أَرْضُ اللَّهِ وَاسِعَةً فَتُهَاجِرُوا فِيهَا فَأُولَٰئِكَ مَأْوَاهُمْ جَهَنَّمُ وَسَاءَتْ مَصِيرًا (97) إِلَّا الْمُسْتَضْعَفِينَ مِنَ الرِّجَالِ وَالنِّسَاءِ وَالْوِلْدَانِ لَا يَسْتَطِيعُونَ حِيلَةً وَلَا يَهْتَدُونَ سَبِيلًا (98) فَأُولَٰئِكَ عَسَىٰ اللَّهُ أَنْ يَعْفُوَ عَنْهُمْ وَكَانَ اللَّهُ عَفُوًّا غَفُورًا (99) وَمَنْ يُهَاجِرْ فِي سَبِيلِ اللَّهِ يَجِدْ فِي الْأَرْضِ مُرَآغَمًا كَثِيرًا وَسَعَةً وَمَنْ يَخْرُجْ مِنْ بَيْتِهِ مُهَاجِرًا إِلَى اللَّهِ وَرَسُولِهِ ثُمَّ يُدْرِكُهُ الْمَوْتُ فَقَدْ وَقَعَ أَجْرُهُ عَلَى اللَّهِ وَكَانَ اللَّهُ غَفُورًا رَحِيمًا (100))، (النساء؛ 4: 97 – 100)؛ وعيدا شديدا يشبه ألا يكون إلا لكافر (مَأْوَاهُمْ جَهَنَّمُ)، إلا أنه ليس قطعياً. فمن الممكن جدا أن يقع خلاف بين الصحابة في تكفير هؤلاء، فحسنت الآيات ها هنا ذلك بتسميتهم (**منافيقين**)، وبنسبة الكفر الصريح إليهم: ((فَمَا لَكُمْ فِي **الْمُنَافِقِينَ** فِتْنَتَيْنِ وَاللَّهُ أَرْكَسَهُمْ بِمَا كَسَبُوا: أَتُرِيدُونَ أَنْ تَهْدُوا مَنْ أَضَلَّ اللَّهُ وَمَنْ يُضِلِّ اللَّهُ فَمَا لَنْ تَجِدَ لَهُ سَبِيلًا * وَذُؤَا لَوْ تَكْفُرُونَ كَمَا كَفَرُوا فَتَكُونُونَ سَوَاءً... (الآيات)). ومع ذلك – حتى بالنسبة لهؤلاء – فالخلاف كان منصبا على المولاة والمعاداة، والقتل القتال، وليس على مسميات الكفر والإسلام.

Yes: In relation to these the verse of the "**Mustada'feen**" (weak and oppressed):

إِنَّ الَّذِينَ تَوَفَّاهُمُ الْمَلَائِكَةُ ظَالِمِي أَنْفُسِهِمْ قَالُوا فِيمَ كُنْتُمْ قَالُوا كُنَّا مُسْتَضْعَفِينَ فِي الْأَرْضِ قَالُوا أَلَمْ تَكُنْ أَرْضُ اللَّهِ وَاسِعَةً فَتُهَاجِرُوا فِيهَا فَأُولَٰئِكَ مَأْوَاهُمْ جَهَنَّمُ وَسَاءَتْ مَصِيرًا (97) إِلَّا الْمُسْتَضْعَفِينَ مِنَ الرِّجَالِ وَالنِّسَاءِ وَالْوِلْدَانِ لَا يَسْتَطِيعُونَ حِيلَةً وَلَا يَهْتَدُونَ سَبِيلًا (98) فَأُولَٰئِكَ عَسَىٰ اللَّهُ أَنْ يَعْفُوَ عَنْهُمْ وَكَانَ اللَّهُ عَفُوًّا غَفُورًا (99) وَمَنْ يُهَاجِرْ فِي سَبِيلِ اللَّهِ يَجِدْ

فِي الْأَرْضِ مُرَاعِمًا كَثِيرًا وَسَعَةً وَمَنْ يُخْرِجْ مِنْ بَيْتِهِ مُهَاجِرًا إِلَى اللَّهِ وَرَسُولِهِ ثُمَّ يُدْرِكُهُ الْمَوْتُ فَقَدْ وَقَعَ أَجْرُهُ عَلَى اللَّهِ وَكَانَ اللَّهُ
عَفُورًا رَحِيمًا

Verily! As for those whom the angels take (in death) while they are wronging themselves, they (angels) say (to them): "In what (condition) were you?" They reply: "We were weak and oppressed on earth". They (angels) say: "Was not the earth of Allah spacious enough for you to emigrate therein?" For them **their abode is Hell**, what an evil destination! (97) Except the weak ones among men, women and children who cannot devise a plan, nor are they able to direct their way. (98) For these there is hope that Allah will forgive them, and Allah is Ever Oft Pardoning, Oft-Forgiving. (99) He who emigrates (from his home) in the Cause of Allah, will find on earth many dwelling places and plenty to live by. And whosoever leaves his home as an emigrant unto Allah and His Messenger, and death overtakes him, his reward is then surely incumbent upon Allah. And Allah is Ever Oft-Forgiving, Most Merciful (An-Nisa': 97-100)

contains a severe threat of punishment which resembles that which cannot be except for the disbeliever "**their abode is hell**" although this is not definite (Qat'iy). It was therefore very possible for a disagreement to have arisen amongst the companions in relation to declaring and passing judgement upon the disbelief of those. The verses then decisively resolved that here by naming them "**Munafiqin**" (hypocrites) and by attributing explicit disbelief to them:

فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَةٍ وَاللَّهُ أَرْكَسَهُمْ بِمَا كَسَبُوا أَتُرِيدُونَ أَنْ تَهْدُوا مَنْ أَضَلَّ اللَّهُ وَمَنْ يُضِلِلِ اللَّهُ فَلَنْ تَجِدَ لَهُ سَبِيلًا (88)
وَدُّوا لَوْ تَكْفُرُونَ **كَمَا كَفَرُوا** فَتَكُونُونَ سَوَاءً

What is [the matter] with you [that you are] two groups concerning the hypocrites, while Allah has made them fall back (or return) due to what they earned. Do you wish to guide those whom Allah has sent astray? And he whom Allah sends astray, never will you find for him a way [of guidance]. (88) They wish you would disbelieve **as they disbelieved** so that you will be the same ... until the end of the verses.

And with that, even in relation to those, the disagreement was based upon the matter of Al-Muwaalah (loyalty and being allied) and Al-Mu'aadah (hostility and enmity), killing and fighting, and not upon the basis of the designations of Kufr (disbelief) and Islam (i.e., belief).

❖ السبب الثاني للنزول:

* جاء في «تفسير الطبري»، (ج: 5 ص: 193 وما بعدها): [وقال آخرون: بل نزلت في اختلاف كان بين أصحاب رسول الله، صلى الله عليه وسلم، في قوم كانوا قدموا المدينة من مكة فأظهروا للمسلمين أنهم مسلمون ثم رجعوا إلى مكة وأظهروا لهم الشرك، ذكر من قال ذلك:

- The second cause of revelation:

- The following came stated in "Tafsir At-Tabari" (Vol: 5, p: 193 onwards): [And others said: Rather, it was revealed in relation to a disagreement among the companions of the Messenger of Allah ﷺ concerning a Qawm (collective of people) who had come to Al-Madinah from Makkah and gave the appearance to the

Muslims that they were Muslims. They then returned to Makkah and manifested Shirk (polytheism) to them (i.e., to the people of Makkah). A mentioned of those who said that:

— حدثنا محمد بن عمرو قال حدثنا أبو عاصم عن عيسى عن ابن أبي نجيح عن مجاهد فما لكم في المنافقين فنتين قال: (قوم خرجوا من مكة حتى أتوا المدينة يزعمون أنهم مهاجرون ثم ارتدوا بعد ذلك فاستأذنوا النبي، صلى الله عليه وسلم، إلى مكة ليأتوا ببضائع لهم يتجرون فيها فاختلف فيهم المؤمنون فقائل يقول هم منافقون وقائل يقول هم مؤمنون فبين الله نفاقهم فأمر بقتالهم فجاءوا ببضائعهم يريدون المدينة فلقىهم هلال بن عويمر الأسلمي وبينه وبين النبي، صلى الله عليه وسلم، حلف وهو الذي حصر صدره أن يقاتل المؤمنين أو يقاتل قومه فدفع عنهم بأنهم يؤمنون هلالاً وبينه وبين النبي، صلى الله عليه وسلم، عهد)

— حدثني المثنى قال حدثنا أبو حذيفة قال حدثنا شبل عن ابن أبي نجيح عن مجاهد مثله بنحوه غير أنه قال فبين الله نفاقهم وأمر بقتالهم فلم يقاتلوا يوماً فجاءوا ببضائعهم يريدون هلال بن عويمر الأسلمي وبينه وبين رسول الله، صلى الله عليه وسلم، حلف]، انتهى كلام الإمام الطبري.

- Muhammad bin 'Amr related to us: He said: Abu 'Asim related to us from 'Isa, from Ibn Abi Najeel, from Mujahid: (Concerning):

فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَيْنِ

What is [the matter] with you [that you are] two groups concerning the hypocrites.

He said: A Qawm (collective of people) left Makkah until they arrived in Al-Madinah claiming that they were migrating. They then turned back after that and sought the permission of the Prophet ﷺ to return to Makkah to bring goods of theirs to trade with. The believers disagreed in respect to them. Someone would say that they are hypocrites and another would say that they are believers. Allah made evident their hypocrisy and thus commanded that they be fought against. They then came with their goods heading for Al-Madinah and were met by Hilal bin 'Uwaimir Al-Aslamiy who had an alliance between him and the Prophet ﷺ. And he was someone whose chest was constrained from fighting the believers or for his people to fight. So, he protected them through their being led by Hilal as he had a covenant between him and the Prophet ﷺ.

- Al-Muthanna related to me: He said: Abu Hudhaifah related to us: He said: Shibl related to us from Ibn Abi Najeel, from Mujahid: He said similar to that except he said: "Then Allah made their hypocrisy evident and commanded that they be fought. But they did not fight at that time and then they came with their goods seeking out Hilal bin 'Uwaimir Al-Aslamiy whilst there was an alliance between him and the Messenger of Allah ﷺ]. Here ends the speech of Imam At-Tabari.

* وجاء في سبب نزول هاتين الآيتين في «الدر المنثور في التفسير بالمأثور»: [وأخرج عبد بن حميد وابن جرير وابن المنذر وابن أبي حاتم عن مجاهد في قوله: (فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَيْنِ)، قال: قوم خرجوا من مكة حتى جاؤوا المدينة، يزعمون أنهم مهاجرون ثم ارتدوا بعد ذلك، فاستأذنوا النبي، صلى الله عليه وسلم، إلى مكة ليأتوا ببضائع لهم يتجرون فيها، فاختلف فيهم المؤمنون فقائل يقول:

(هم منافقون). وقائل يقول: (هم مؤمنون)، فبين الله نفاقهم، فأمر بقتلهم، فجاءوا ببضائعهم يريدون هلال بن عويمر الأسلمي وبينه وبين محمد عليه السلام حلف، وهو الذي حصر صدره أن يقاتل المؤمنين أو يقاتل قومه، فدفع عنهم بأنهم يؤمنون هلالا وبينه وبين النبي، صلى الله عليه وسلم، عهد].

- The following also came in relation to the cause of revelation of these two verses in “**Ad-Darr Al-Manthur Fee Tafsir Bil-Ma’tthur**”: [Abd bin Humaid, Ibn Jarir, Ibn ul-Mundhir and Ibn Abi Hatim recorded from Mujahid in respect to His Qawl:

فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَيْنِ

What is [the matter] with you [that you are] two groups concerning the hypocrites.

He said: A Qawm (collective of people) left Makkah until they arrived in Al-Madinah claiming that they were migrating. They then turned back after that and sought the permission of the Prophet ﷺ to return to Makkah to bring goods of theirs to trade with. The believers disagreed in respect to them. Someone would say that they are hypocrites and another would say that they are believers. Allah made evident their hypocrisy and thus commanded that they be fought against. They then came with their goods seeking Hilal bin ‘Uwaimir Al-Aslamiy who had an alliance between him and the Prophet ﷺ. And he was someone whose chest was constrained from fighting the believers or for his people to fight. So, he protected them through their being led by Hilal as he had a covenant between him and the Prophet ﷺ.]

* وجاء في «زاد المسير»، (ج: 2 ص: 153 وما بعدها): [قوله تعالى: (فما لكم في المنافقين فتنين)، في سبب نزولها سبعة أقوال:

والرابع: أن قوما قدموا المدينة فأظهروا الإسلام ثم رجعوا إلى مكة فأظهروا الشرك فنزلت هذه الآية هذا قول الحسن ومجاهد، انتهى، والسطر المنقوط هكذا: ()، يرمز لكلام تم حذفه، لأنه لا علاقة له بالجزئية موضع البحث.

- And it came recorded in “**Zad Al-Maseer**” (Vol: 2 p: 153 onwards): [Concerning His Qawl (statement) تعالى:

فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَيْنِ

What is [the matter] with you [that you are] two groups concerning the hypocrites.

In respect to the cause of its revelation, there are seven statements:

...

The fourth (i.e., of these seven statements): That a Qawm (collective of people) came to Al-Madinah and made their embracing of Islam apparent. They then returned to Makkah and manifested Shirk (polytheism). Then this verse was revealed. This is the statement (Qawl) of Al-Hasan and Mujahid]. The end of the quote and the dots indicate to speech that has been omitted because it has no relationship to the subject of the study.

* وهو في «تفسير مجاهد»، (ج: 1 ص: 168): [أخبرنا عبد الرحمن قال حدثنا إبراهيم قال حدثنا آدم قال حدثنا ورقاء عن ابن أبي نجيح عن مجاهد فما لكم في المنافقين ففتن قال: (هم قوم خرجوا من مكة حتى قدموا المدينة يزعمون أنهم يهاجرون ثم ارتدوا بعد ذلك فاستأذنوا النبي، صلى الله عليه وسلم، إلى مكة ليأتوا ببضائع لهم فاختلف فيهم المؤمنون فقال بعضهم هم منافقون فبين الله عز وجل حالهم وأمر بقتالهم فجاءوا ببضائعهم يريدون هلال بن عويمر الأسلمي وكان بينه وبين النبي، صلى الله عليه وسلم، حلف وفي قوله حصرت صدورهم يقول حصر صدره يقول ضاق صدره أن يقاتل المؤمنين أو يقاتل قومه. فدافع عنهم بأنهم يؤمنون هلالا بينه وبين النبي، صلى الله عليه وسلم، عهد). ثم قال ستجدون آخرين يريدون أن يأمنوكم ويأمنوا قومهم وهم ناس من أهل مكة كانوا يأتون النبي، صلى الله عليه وسلم، فيسلمون رياء ثم يرجعون إلى قومهم ويرتكسون في الأوثان ويريدون بذلك أن يأمنوا ههنا وههنا فأمر النبي، صلى الله عليه وسلم، بقتالهم إن لم يعتزلوا: أخبرنا عبد الرحمن قال حدثنا إبراهيم قال حدثنا آدم قال حدثنا ورقاء عن ابن أبي نجيح عن مجاهد قال اسلم عياش بن أبي ربيعة وهاجر إلى النبي، صلى الله عليه وسلم، فجاءه أبو جهل بن هشام وهو أخوه لأمه ورجل آخر معه فقال إن أمك تناشدك رحمها وحقها أن ترجع إليها وهي أسماء بنت مخزومة فأقبل معهما فربطاه حتى قدما به مكة فكانا يعذبانه فلما رآهما الكفار زادهم ذلك كفرا وافتنانا وقالوا إن أبا جهل ليقدر من محمد، صلى الله عليه وسلم، على ما شاء ويأخذ أصحابه فأسلم ذلك الرجل الذي كان مع أبي جهل فقتله عياش ولا يعلم بإسلامه]

- And it came as follows stated in “Tafsir Mujahid” (Vol: 1 p: 168): [Abdur Rahman informed us: He said: Ibrahim related to us: He said: Aadam related to us: He said: Waraqa’ related to us from Ibn Abi Najeeh, from Mujahid: (Concerning):

فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَةٍ

What is [the matter] with you [that you are] two groups concerning the hypocrites.

He said: “They were a Qawm (people) who left Makkah until they came to Al-Madinah claiming that they were migrating. They then turned back after that seeking permission from the Prophet ﷺ to go to Makkah to bring some goods of theirs to trade with. Then the believers disagreed in respect to them. Some of them said they are hypocrites and then Allah ‘Azza Wa Jalla made their circumstances clear and commanded that they be fought. They then came with their goods seeking Hilal bin ‘Uwaimir Al-Aslamy and he had an alliance between himself and the Prophet ﷺ. Concerning his statement: Their breasts were constrained: He says: His breast was constrained. His chest (or heart) was constrained from fighting the believers or for his people to fight. So, he protected them by saying that they were being led by Hilal who had a covenant between himself and the Prophet ﷺ.” He then said: “You will find others who wanted to secure you and secure their Qawm (people) and they were people from the inhabitants of Makkah who would come to the Prophet ﷺ and

become Muslim out of show and then return to their Qawm and go back to the idols. And they wanted by that to be secure in both places. So, the Prophet ﷺ commanded that they be fought if they did not desist: Abdur Rahman informed us: He said: Ibrahim related to us: He said Aadam related to us: He said: Waraqa' related to us from Ibn Abi Najeeh, from Mujahid: He said: 'Ayyash bin Abi Rabee'ah became Muslim and migrated to the Prophet ﷺ. Abu Jahl bin Hisham, who was his brother by his mother, went to him with another man. He said: "Your mother, her womb and right urge you to return to her" and she was Asma' bint Makhramah. He went with them and then they tied him up until they brought him to Makkah whilst they were torturing him. When the disbelievers saw them both that increased them in disbelief and versatility. They said: Abu Jahl is more capable than Muhammad ﷺ in attaining what he wishes. Then that man who was with Abu Jahl became Muslim but 'Ayyash killed him whilst he did not know that he had become Muslim"].

(Note: Concerning the sentence: "His chest (or heart) was constrained from fighting the believers or for his people to fight." and the following sentence: "So, he protected them by saying that they were being led by Hilal who had a covenant between himself and the Prophet" were unclear to me and can be followed up insha'Allah. This narration is repeated a number of times and any changes will need to be applied to all of them. Also, I have noticed when going through this revision that ﷺ appears after a full stop. I'm pretty sure that I didn't do that and something has changed in the formatting).

قلت:

أولاً: القول المنسوب إلى مجاهد: (ثم ارتدوا بعد ذلك)، يعني عن الهجرة ظاهراً، وليس جهاًراً عن الإسلام فأصبحوا مشركين، وإلا لما اختلف فيهم أحد عنده ذرة من عقل، فكيف بالصحابة ونبى الله الخاتم ساكت لا يعلق!

I say:

First: Concerning the statement of Mujahid "They turned back after that" then that means from the Hijrah in an apparent manner whilst it does not mean that they turned back (or apostatised) from Islam openly and became Mushrikeen. Otherwise, nobody possessing the least amount of intelligence would have disagreed about them, so, how could that have been the case with the companions whilst the Prophet of Allah ﷺ being silent and not commenting!

ثانياً: قول الطبري في مقدمة كلامه آنفاً: **(وأظهروا لهم الشرك)**، عندما قال: **(قوم كانوا قدموا المدينة من مكة فأظهروا للمسلمين أنهم مسلمون ثم رجعوا إلى مكة وأظهروا لهم الشرك)**، **خطأ فادح:** فلو كانوا قد أظهروا الشرك لما اختلف في كفرهم وشركهم، واستحقاقهم معاملة المشركين، أحد عنده ذرة من عقل، فكيف بالصحابة ونبى الله الخاتم ساكت لا يعلق!

Secondly: The statement of At-Tabari at the beginning of his speech “And they manifested Shirk to them” when he said: “a Qawm (collective of people) who had come to Al-Madinah from Makkah and gave the appearance to the Muslims that they were Muslims. They then returned to Makkah and manifested Shirk (polytheism) to them” is a gross error. Had they manifested Shirk then anyone with the least amount of intelligence would not have disagreed concerning their disbelief, Shirk and dealing with them with the treatment of the Mushrikeen (polytheists), so, how could that have been the case with the companions whilst the Prophet of Allah ﷺ remained silent and did not comment!

والجدير بالذكر أن الجزء الأعلى من إسناد «تفسير مجاهد»، وهو: (حدثنا آدم قال حدثنا ورقاء عن ابن أبي نجيح عن مجاهد) صحيح متصل على شرط البخاري، وقد أخرج البخاري حديثاً بهذا الإسناد، إلا أن عبد الرحمن (وهو: عبد الرحمن بن الحسن بن أحمد بن محمد بن عبيد بن عبد الملك، أبو القاسم الأسدي، القاضي، الهمداني) لم يسمع من إبراهيم (وهو: إبراهيم بن الحسين بن ديزيل، الحافظ الهمداني، الشهير بدابة عَفَّان)، ولكنه أخذ الكتاب بواسطة، ثم سرقه - فيما يقال - وادعى السماع فقال: (حدثنا إبراهيم)، والعياذ بالله، فسقط الاحتجاج به كما هو في «تاريخ بغداد»، وأيضاً في «لسان الميزان». ولكن هذا لا يضرها هنا إطلاقاً لأن الإمام الطبري أخرجه بإسناد صحيح مستقل (حدثنا محمد بن عمرو قال حدثنا أبو عاصم عن عيسى عن ابن أبي نجيح عن مجاهد) بنحوه، بل بلفظ يكاد يتطابق مع اللفظ الوارد في «تفسير مجاهد».

It is worth noting that the upper part from the chain of transmission of “Tafsir Mujahid” which was “Adam related to us: He said: Waraqa’ related to us from Ibn Abi Najeel, from Mujahid” is Sahih and Muttasil (continuously connected) upon the conditions of Al-Bukhari and Al-Bukhari recorded a Hadith with this Isnad however Abdur Rahman (who was Abdur Rahman bin Al-Hasan bin Ahmad bin Muhammad bin ‘Ubaid bin Abdul Malik, Abu I-Qasim Al-Asadiy, Al-Qaadiy and Al-Hamdhaniy) did not hear (directly) from Ibrahim (who was Ibrahim bin Al-Husain bin Daizeel, Al-Haafizh Al-Hamdhaniy, and was well known by the title of Daabbah ‘Affan). However, he received the book via an intermediary and then stole it (as has been said) and the claimed that he heard it, where he said “Ibrahim related to us”, and may Allah’s refuge be sought. As such, it null and void to use it as evidential proof as it has come in “Tarikh Baghdad” and also in “Lisan Al-Mizan”. However, that does not at all harm it here because Imam At-Tabari recorded similar to it with an independent Sahih Isnad (chain of transmission): “Muhammad bin ‘Amr related to us: He said: Abu ‘Asim related to us from ‘Isa, from Ibn Abi Najeel, from Mujahid”. Indeed, the wording almost conforms exactly to the wording found in “Tafsir Mujahid”.

❖ السبب الثالث للنزول:

* جاء في «مسند الإمام أحمد بن حنبل»: [حدثنا أسود بن عامر حدثنا حماد بن سلمة عن محمد بن إسحاق عن يزيد بن عبد الله بن قسيط عن أبي سلمة بن عبد الرحمن بن عوف أن قوماً من العرب أتوا رسول الله، صلى الله عليه وسلم، المدينة فأسلموا وأصابهم وباء المدينة حماها فأركسوا فخرجوا من المدينة فاستقبلهم نفر من أصحابه يعني أصحاب النبي، صلى الله عليه وسلم، فقالوا لهم ما لكم رجعتم قالوا أصابنا وباء المدينة فاجتونا المدينة فقالوا أما لكم في رسول الله أسوة فقال بعضهم نافقوا وقال بعضهم لم ينافقوا هم مسلمون فأنزل الله عز وجل: ﴿فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَةٍ وَاللَّهُ أَرْكَسَهُمْ بِمَا

كَسَبُوا)، الآية].

- The third cause of revelation:

- The following came recorded in “**Musnad Imam Ahmad bin Hanbal**”: [Aswad bin ‘Amir related to us: Hammad bin Salamah related to us from Muhammad bin Ishaq, from Yazid bin Abdullah bin Qusait, from Abu Salamah bin Abdur Rahman bin ‘Awf: That a Qawm (collective people) from the Arbas came to the Messenger of Allah ﷺ in Al-Madinah. They then embraced Islam and the epidemic of Al-Madinah afflicted them ... So, they turned back and left Al-Madinah. They were then met by a group of his companions (meaning the companions of the Prophet ﷺ) who said to them: “What is the matter with you that you went back?”. They said: “The epidemic of Al-Madinah afflicted us and so we disliked to stay in Al-Madinah”. They said: “Do you not have in the Messenger of Allah an example?” Some of them then said: “They have become hypocrites” whilst others said: “They have not become hypocrites and are Muslims”.. Then Allah ‘Azza Wa Jalla revealed:

فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَةٍ وَاللَّهُ أَرَزَّهُمْ بِمَا كَسَبُوا ...

What is [the matter] with you [that you are] two groups concerning the hypocrites, while Allah has made them fall back (or return) due to what they earned ... until the end of the verse.

* وجاء في سبب نزول هاتين الآيتين في (الدر المنثور في التفسير بالمأثور): [وأخرج ابن أبي حاتم من وجه آخر عن أبي سلمة بن عبد الرحمن أن نفرا من طوائف العرب هاجروا إلى رسول الله، صلى الله عليه وسلم، فمكثوا معه ما شاء الله أن يمكثوا، ثم ارتكسوا فرجعوا إلى قومهم، فلقوا سرية من أصحاب رسول الله، صلى الله عليه وسلم، فعرفوهم فسألوهم: (ما ردكم)، فاعتلوا لهم، فقال بعض القوم لهم: نافقتهم، فلم يزل بعض ذلك حتى فشا فيهم القول، فنزلت هذه الآية: (فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَةٍ)].

قلت: ولكن هذا مرسل، ولا تقوم الحجة اليقينية بمرسل، مع ما قد يكون في الإسناد، غير هذا من نظر.

- And the following came recorded in “**Ad-Darr Al-Manthur Fee At-Tafsir bi l-Ma’tthur**” concerning the cause of revelation of these verses: [Ibn Abi Hatim recorded from another direction from Abu Salamah bin Abdur Rahman: That a group of people from the Arab factions migrated to the Messenger of Allah ﷺ and they remained with him for the amount of time that Allah wished for them to remain. Then they turned back and returned to their Qawm (people). A small expeditionary unit of the companions of the Messenger of Allah ﷺ then met them, recognised them and asked them: “Why did you go back?” They then apologised but some of them said to them: “You have become hypocrites” and it did not remain long after that until this statement became widespread in relation to them. Then this verse was revealed:

فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَةٍ

What is [the matter] with you [that you are] two groups concerning the hypocrites.

I say: However, this (narration) is Mursal and the certain evidential proof is not established by the Mursal, regardless of what else may be in this Isnad (chain of transmission) requiring attention.

- Similar to this came recorded in “**Zaad Al-Maseer**” (vol: 2 p: 153 onwards): [(Concerning His Qawl (statement) تعالى:

فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَيْنِ

What is [the matter] with you [that you are] two groups concerning the hypocrites.

Concerning the cause of its revelation there are seven statements:

* وجاء نحوه في «زاد المسير»، (ج: 2 ص: 153 وما بعدها): [قوله تعالى: ﴿فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَيْنِ﴾، في سبب نزولها سبعة أقوال: أحدها: (أن قوما أسلموا فأصابهم وباء بالمدينة وحماها فخرجوا فاستقبلتهم نفر من المسلمين فقالوا ما لكم خرجتم قالوا أصابنا وباء بالمدينة واجتوبناها فقالوا أما لكم في رسول الله أسوة فقال بعضهم نافقوا وقال بعضهم لم ينافقوا فنزلت هذه الآية). رواه أبو سلمة بن عبد الرحمن عن أبيه [قلت: لا أدري من أين أتى صاحب «زاد المسير» بهذه: (رواه أبو سلمة بن عبد الرحمن عن أبيه). فالظاهر أنه وهم، وإن ثبتت هذه بالحديث متصل صحيح.

The first of them: “That a Qawm (collective of people) became Muslim and they were afflicted by a pestilence in Al-Madinah. So, they departed and a group from the Muslims met them. They said: “Why have you departed?” They said: “We were afflicted by the pestilence in Al-Madinah and we disliked to remain”. So, they said: “Do you not have in the Messenger of Allah an example (i.e., to follow)?” Some of them then said that they have become hypocrites, whilst others said they have not committed hypocrisy. Then the verse was revealed”. Abu Salamah bin Abdur Rahman related it from his father].

I say: I do not know where the author of “**Zaad Al-Maseer**” came up with this: “Abu Salamah bin Abdur Rahman related it from his father”. It is apparent that this is an erroneous impression but if this was proven the Hadith would then be Muttasil (continuously connected) Sahih.

* وجاء في «تفسير البغوي»، (ج: 1 ص: 459): [وقال بعضهم نزلت في ناس من قريش قدموا المدينة وأسلموا ثم ندموا على ذلك فخرجوا كهيئة المتنزهين حتى تباعدوا من المدينة فكتبوا إلى رسول الله، صلى الله عليه وسلم، إنا على الذي فارقتك عليه من الإيمان ولكن اجتوبنا المدينة واشتقنا إلى أرضنا ثم إنهم خرجوا في تجارة لهم نحو الشام فبلغ ذلك المسلمين فقال بعضهم نخرج إليهم فنقتلهم ونأخذ ما معهم لأنهم رغبوا عن ديننا وقالت طائفة كيف تقتلون قوما على دينكم إن لم يذروا ديارهم وكان هذا بعين النبي، صلى الله عليه وسلم، وهو ساكت لا ينهى واحدا من الفريقين فنزلت هذه الآية]،

انتهى كلام البغوي.

- And it came stated in “Tafsir Al-Baghawiy” (vol: 1 p: 459): [And some of them said that it was revealed concerning a people from Quraish who came to Al-Madinah and embraced Islam. They then regretted that and so departed in the form of the one who is taking an excursion until they were far away from Al-Madinah. They then wrote to the Messenger of Allah ﷺ stating that we are upon that which we departed from you upon in terms of Iman (belief) however we disliked to remain in Al-Madinah and missed our own land. They then set out towards Ash-Shaam (Greater Syria) for trade of theirs and the news of that reached the Muslims. Some of them then said: “Let us go out to them, kill them and take what they have with them because they have shunned our Deen”. Another group said: “How can you kill a people who are upon your Deen if they do not leave their homelands?” And this happened before the eyes of the Prophet ﷺ and he was silent not forbidding anyone from the two groups. Then the verse was revealed] Here ends the speech of Al-Baghawiy.

* وهذا هو السبب الوحيد المنصوص عليه في «تفسير الواحدي»، (ج: 1 ص: 279، وما بعدها: [فما لكم في المنافقين فئتين])، نزلت في قوم قدموا على رسول الله، صلى الله عليه وسلم، المدينة فأقاموا ما شاء الله ثم قالوا إنا اجتوينا المدينة فأذن رسول الله، صلى الله عليه وسلم، لهم أن يخرجوا فلما خرجوا لم يزلوا يرحلون مرحلة، مرحلة حتى لحقوا بالمشركين فاختلف المؤمنون فيهم فقال بعضهم إنهم كفار مرتدون وقال آخرون هم مسلمون حتى نعلم أنهم بدلوا فبين الله كفرهم في هذه الآية والمعنى ما لكم مختلفين في هؤلاء المنافقين على فئتين على فرقتين والله أركسهم ردهم إلى حكم الكفار من الذل والصغار والسبي والقتل بما كسبوا بما أظهروا من الارتداد بعدما كانوا على النفاق].

- This is the only cause stated in “Tafsir Al-Waahidiy” (vol: 1 p: 279 onwards): [(Concerning):

فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِئَتَيْنِ

What is [the matter] with you [that you are] two groups concerning the hypocrites.

It was revealed concerning a people who came to the Messenger of Allah ﷺ in Al-Madinah. They remained for as long wished and then said: “We dislike remaining in Al-Madinah” and so, the Messenger of Allah ﷺ gave them permission to leave. Then when they left, they continued to travel for one stage of travel after another until they met (or joined up) with the Mushrikeen (polytheists). The believers then disagreed in respect to them. Some of them said that they are disbelievers and apostates and others said they are Muslims until we know that they have indeed changed (their Deen). Then Allah made their Kufr (disbelief) evident in this verse. Its meaning is: What is the matter with you that you differ into two groups concerning those hypocrites and Allah has returned them to the ruling of the disbelievers in terms of lowliness, abasement, being taken as slaves (of war) and being killed due to what they showed in terms of apostacy after they had previously been upon hypocrisy].

* وجاء في «تفسير الطبري»، (ج: 5 ص: 193 وما بعدها): [وقال آخرون بل كان اختلافهم في

قوم كانوا بالمدينة أرادوا الخروج عنها نفاقا ذكر من قال ذلك: حدثنا محمد بن الحسين قال حدثنا أحمد بن مفضل قال حدثنا أسباط عن السدي فما لكم في المنافقين فئتين والله أركسهم بما كسبوا قال: كان ناس من المنافقين أرادوا أن يخرجوا من المدينة فقالوا للمؤمنين إنا قد أصابنا أوجاع في المدينة واتخمناها فلعلنا أن نخرج إلى الظهر حتى نتمائل ثم نرجع فإننا كنا أصحاب برية فانطلقوا واختلف فيهم أصحاب النبي، صلى الله عليه وسلم، فقالت طائفة أعداء الله المنافقون وددنا أن رسول الله، صلى الله عليه وسلم، أذن لنا فقاتلناهم وقالت طائفة لا بل إخواننا تخمتهم المدينة فاتخموها فخرجوا إلى الظهر ينتزهون فإذا برئوا رجعوا فقال الله: ﴿فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِئَتَيْنِ وَاللَّهُ أَرْكَسَهُمْ بِمَا كَسَبُوا﴾، انتهى كلام الإمام الطبري. وهو في «الدر المنثور في التفسير بالمأثور»: [وأخرج ابن جرير عن السدي قال: كان ناس من المنافقين أرادوا أن يخرجوا من المدينة، إلخ].

- And the following came stated in “Tafsir At-Tabari” (vol: 5 p: 193 onwards): [And others said: **Rather, there differing was regarding a Qawm (collective of people) who were in Al-Madinah who wanted to leave it out of hypocrisy.** He mentioned those who said that: Muhammad bin Al-Husain related to us: He said: Ahmad bin Mufaddal related to us: He said: Asbaat related to us from As-Suddiy: (Concerning):

فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِئَتَيْنِ وَاللَّهُ أَرْكَسَهُمْ بِمَا كَسَبُوا

What is [the matter] with you [that you are] two groups concerning the hypocrites, while Allah has made them fall back (or return) due to what they earned.

He said: They were a people from the hypocrites who wanted to leave Al-Madinah. So, they said to the believers: “We have been afflicted by ailments in Al-Madinah and are suffering. So, perhaps we can exit to Azh-Zuhr so that we can recover and thereafter return. That is as we had previously been people of the open land”. They then set off and the companions of the Prophet ﷺ differed concerning them. A group said: “They are enemies of Allah and hypocrites and we wished that the Messenger of Allah ﷺ gave us permission to fight them”. Another group said: “No, rather they are our brothers who were suffering in Al-Madinah, where they were afflicted by maladies and left to Azh-Zuhr to relax freely. Then when they have recovered, they will return”. Then Allah said:

فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِئَتَيْنِ وَاللَّهُ أَرْكَسَهُمْ بِمَا كَسَبُوا

What is [the matter] with you [that you are] two groups concerning the hypocrites, while Allah has made them fall back (or return) due to what they earned].

Here ends the speech of Imam At-Tabari. And it also came reported in “Ad-Darr ul-Manthur Fee Tafsir bil Ma’tthur”: [And Ibn Jarir recorded from As-Suddiy: He said: They were a people from the hypocrites who wanted to leave Al-Madinah etc.].

قلت: ورواية السدي هذه لا يعتضد به حديث أبي سلمة بن عبد الرحمن بن عوف لأن السدي من طبقة تلاميذه (أي تلاميذ أبي سلمة بن عبد الرحمن بن عوف) فيجوز أن يكون أخذه منه بواسطة أو بدون واسطة، ويجوز أن يكون من طريق مستقلة تصلح للاعتضاد. ومثل هذه الاحتمالات لا تصحح بها

الروايات، وبالله التوفيق.

I say: The Hadith of Abu Salamah bin Abdur Rahman is not reinforced by this narration of As-Suddiy because As-Suddiy is from the level (or generation) of his students (i.e., the students of Abu Salamah bin Abdur Rahman bin 'Awf). It is therefore permissible (or conceivable) that he took it from him via an intermediary or without an intermediary, just as it is permitted (or conceivable) for it to have been an independent path which is suitable for reinforcement. The narrations however are not verified by these types of possibilities and to Allah belongs the Tawfiq.

❖ السبب الرابع للنزول:

* وجاء في «الجامع الصحيح المختصر للإمام البخاري» بإسناد متصل في غاية الصحة: [حدثنا أبو الوليد حدثنا شعبة عن عدي بن ثابت سمعت عبد الله بن يزيد يحدث عن زيد بن ثابت رضي الله تعالى عنه قال: لما خرج النبي، صلى الله عليه وسلم، إلى أحد رجوع ناس ممن خرج معه وكان أصحاب النبي، صلى الله عليه وسلم، فرقتين فرقة تقول: (نقاتلهم) وفرقة تقول: (لا نقاتلهم)؛ فنزلت: ﴿فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَةٍ وَاللَّهُ أَرْكَسَهُمْ بِمَا كَسَبُوا﴾. وقال: «إنها طيبة تنفي الذنوب كما تنفي النار خبث الفضة»]، وأخرجه الإمام البخاري أيضاً عن عدد آخر من شيوخه، وكذلك الإمام مسلم في «صحيح مسلم» من عدة طرق، وهو في «سنن الترمذي»، و«مسند الإمام أحمد بن حنبل» من عدة طرق، وفي «السنن الكبرى للإمام النسائي»، وكذلك «سنن البيهقي الكبرى». وهو أيضاً في «المعجم الكبير»، وفي «المنتخب من مسند عبد بن حميد»، وغيرها. وبوب له الإمام البخاري في «الجامع الصحيح المختصر»: [باب: ﴿فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَةٍ وَاللَّهُ أَرْكَسَهُمْ بِمَا كَسَبُوا﴾، قال بن عباس بددهم؛ (فئة)، جماعة].

- The fourth cause of revelation:

- The following came recorded in “**Al-Jami’ As-Sahih Al-Mukhtasar of Imam Al-Bukhari**” with a Muttasil Isnad (uninterrupted chain of transmission) of the highest level of authenticity: [Abu Al-Walid related to us: Shu’bah related to us from ‘Adiy bin Thabit: I heard Abdullah bin Yazid relating from Zaid bin Thabit, may Allah تعالى be pleased with him: He said: When the Prophet ﷺ went out to Uhud some of the people who went out alongside him returned. The companions of the Prophet ﷺ were split into two groups. A group saying: “We should fight against them” and a group saying: “We shouldn’t fight them”. Then it was revealed:

فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَةٍ وَاللَّهُ أَرْكَسَهُمْ بِمَا كَسَبُوا

What is [the matter] with you [that you are] two groups concerning the hypocrites, while Allah has made them fall back (or return) due to what they earned].

And he (i.e., the Prophet ﷺ) said: “Taibah (i.e., Al-Madinah) expels the sins just like the fire expels the impurities of the iron”. Imam Al-Bukhari also recorded it from another number of his Shuyukh (teachers), in addition to Imam Muslim in “**Sahih Muslim**” via a number of paths, in “**Sunan At-Tirmidhi**”, “**Musnad Imam Ahmad bin Hanbal**” via numerous paths, “**As-Sunan Al-Kubra of Imam An-Nasa’iy**” and in “**Sunan Al-Kubra of Al-Baihaqi**”. It was also recorded in “**Al-Mu’jam Al-Kabir**” and in “**Al-Muntakhib Min Musnad Abd bin**

Humaid” amongst other compilations. Imam Al-Bukhari categorised it in his “Al-Jami’ Sahih Al-Mukhtasar” as: [The chapter: “What is [the matter] with you [that you are] two groups concerning the hypocrites, while Allah has made them fall back (or return) due to what they earned”. Ibn ‘Abbas said: **Baddahum** (بَدَّهُمْ): Fi’ah (فِئَة) (means): Jama’ah (group)].

(Note: I have no good no translation for the meaning of Baddahum (بَدَّهُمْ))

* ولكن جاء في «المعجم الكبير»: [حدثنا عبد الله بن أحمد بن حنبل حدثنا إبراهيم بن أبي الليث حدثنا الأشجعي عن سفيان عن جابر عن عدي بن ثابت عن عبد الله بن يزيد عن زيد بن ثابت فما لكم في المنافقين فنتين قال كان المنافقون وأصحاب النبي، صلى الله عليه وسلم، في بيت فقالت طائفة لوددنا أنهم برزوا لنا فقاتلناهم وكرهت طائفة ذلك حتى علت أصواتهم فخرج رسول الله، صلى الله عليه وسلم، فقال لزيد: «اكتبها: (فما لكم في المنافقين فنتين والله أركسهم بما كسبوا)»].
قلت: هذه سياق غريب لنفس القصة، وكذلك هذه الزيادة: [فقال لزيد: «اكتبها: (فما لكم في المنافقين فنتين والله أركسهم بما كسبوا)»] تفردت بها هذه الطريق، ولكن جابر (وهو الجعفي) ضعيف لا تقوم به حجة.

- However, the following came recorded in “**Al-Mu’jam Al-Kabir**”: [Abdullah bin Ahmad bin Hanbal related to us: Ibrahim bin Abi Al-Laith related to us: Al-Ashja’iy related to us from Sufyan, from Jaber, from ‘Adiy bin Thabit, from Abdullah bin Yazid, from Zaid bin Thabit (concerning):

فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَيْنِ

What is [the matter] with you [that you are] two groups concerning the hypocrites.

He said: The hypocrites and the companions of the Prophet ﷺ were in a house. A group then said: “We wished that they would have shown themselves to us so that we would have fought them” and another group disliked that to the point that their voices became raised. The Messenger of Allah ﷺ then went out and said to Zaid: “Record this in writing”:

فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَيْنِ وَاللَّهُ أَرْكَسَهُمْ بِمَا كَسَبُوا

What is [the matter] with you [that you are] two groups concerning the hypocrites, while Allah has made them fall back (or return) due to what they earned].

I say: This form is strange for this same story just as the addition is: Then he said to Zaid: “Record this in writing”:

فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَيْنِ وَاللَّهُ أَرْكَسَهُمْ بِمَا كَسَبُوا

What is [the matter] with you [that you are] two groups concerning the hypocrites, while Allah has made them fall back (or return) due to what they earned.

This path is alone in narrating it. However, Jabir (who is Al-Ja'fiy) is weak and evidential proof is not established through him.

* وجاء في «تفسير الطبري»، (ج: 5 ص: 192 وما بعدها): [واختلف أهل التأويل في الذين نزلت فيهم هذه الآية فقال بعضهم نزلت في اختلاف أصحاب رسول الله، صلى الله عليه وسلم، في الذين تخلفوا عن رسول الله، صلى الله عليه وسلم، يوم أحد وانصرفوا إلى المدينة وقالوا لرسول الله عليه الصلاة والسلام ولأصحابه لو نعلم قتالا لاتبعناكم، ذكر من قال ذلك:

- And the following came recorded in “Tafsir At-Tabari” (vol: 5 p: 192 onwards): [And the people (scholars) of Ta'weel (Tafsir) differed about who this verse was revealed concerning Some of them said that it was revealed about the disagreement of the companions of the Messenger of Allah ﷺ concerning those who stayed back from the Messenger of Allah ﷺ on the day of Uhud and left to return to Al-Madinah. They said (after) to the Messenger of Allah ﷺ and his companions: “Had we known that there was to be fighting we would have followed you”. A mention of those who stated that:

– حدثني الفضل بن زياد الواسطي قال حدثنا أبو داود عن شعبة عن عدي بن ثابت قال سمعت عبد الله بن يزيد الأنصاري يحدث عن زيد بن ثابت أن النبي، صلى الله عليه وسلم، لما خرج إلى أحد رجعت طائفة ممن كان معه فكان أصحاب النبي، صلى الله عليه وسلم، فيهم فرقتين فرقة تقول نقتلهم وفرقة تقول لا فنزلت هذه الآية فما لكم في المنافقين فئتين والله أركسهم بما كسبوا أتريدون أن تهدوا الآية فقال رسول الله، صلى الله عليه وسلم، في المدينة أنها طيبة وإنها تنفي خبثها كما تنفي النار خبث الفضة؛

- Al-Fadl bin Ziyad Al-Wasity related to me: He said: Abu Dawud related to us from Shu'bah, from 'Adiy bin Thabit: He said: I heard Abdullah bin Yazid Al-Ansari relating from Zaid bin Thabit: That when the Prophet ﷺ departed to Uhud a faction of those who set off alongside him returned (i.e., to Al-Madinah) The companions of the Prophet ﷺ were then divided into two groups concerning them. A group said: “Let us kill them” whilst a group said: “No”. Then, the verse was revealed:

فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِئَتَيْنِ وَاللَّهُ أَرْكَسَهُمْ بِمَا كَسَبُوا أَتُرِيدُونَ أَنْ تَهْدُوا مَنْ أَضَلَّ اللَّهُ ...

What is [the matter] with you [that you are] two groups concerning the hypocrites, while Allah has made them fall back (or return) due to what they earned. Do you wish to guide those whom Allah has sent astray? ... until the end of the verse (An-Nisa': 88).

The Messenger of Allah ﷺ then said about Al-Madinah: “Verily, it is Taibah and verily it expels its impurities just like the fire expels the impurities of iron”.

– حدثنا أبو كريب قال حدثنا أبو أسامة قال حدثنا شعبة عن عدي بن ثابت عن عبد الله بن يزيد عن زيد بن ثابت قال خرج رسول الله، صلى الله عليه وسلم، فذكر نحوه؛
 – حدثني زريق بن السخت قال حدثنا شبابة عن عدي بن ثابت عن عبد الله بن يزيد عن زيد بن ثابت قال ذكروا المنافقين عند النبي، صلى الله عليه وسلم، فقال فريق نقتلهم وقال فريق لا نقتلهم فأنزل الله تبارك وتعالى فما لكم في المنافقين فئتين إلى آخر الآية]، انتهى كلام الإمام الطبري.

- Abu Kuraib related to us: He said: Abu Usamah related to us: He said: Shu'bah related to us from 'Adiy bin Thabit, from Abdullah bin Yazid, from Zaid bin Thabit: He said: "The Messenger of Allah ﷺ went out (i.e., from Al-Madinah) ... He then mentioned similar to the aforementioned narration.

- Zuraiq bin As-Sakhat related to me: He said: Shababah related to us from 'Adiy bin Thabit, from Abdullah bin Yazid, from Zaid bin Thabit: He said: They mentioned the hypocrites in the presence of the Prophet ﷺ. A group said: "We should kill them" and another group said: "We should not kill them". Then Allah, Glorified and Elevated be He, revealed:

فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِئَتَيْنِ ...

What is [the matter] with you [that you are] two groups concerning the hypocrites ... until the end of the verse].

Here ends the speech of Imam At-Tabari.

* وهو في «تفسير ابن كثير»، (ج: 1 ص: 533): [قال الإمام أحمد: حدثنا بهز حدثنا شعبة قال عدي بن ثابت أخبرني عبد الله بن يزيد عن زيد بن ثابت أن رسول الله، صلى الله عليه وسلم، خرج إلى أحد فرجع ناس خرجوا معه فكان أصحاب رسول الله، صلى الله عليه وسلم، فيهم فرقتين تقول نقتلهم وفرقة تقول لا هم المؤمنون فأنزل الله فما لكم في المنافقين فئتين فقال رسول الله، صلى الله عليه وسلم، إنها طيبة وإنها تنفي الخبث كما ينفي النار خبث الفضة أخرجاه في الصحيحين من حديث شعبة. وقد ذكر محمد بن إسحاق بن يسار في وقعة أحد أن عبد الله بن أبي ابن سلول رجع يومئذ بثلاث الجيش، رجع بثلاث مئة، وبقي النبي، صلى الله عليه وسلم، في سبع مئة].

- The following came in "Tafsir Ibn Kathir" (vol: 1 p: 533): [Imam Ahmad said: Bahz related to us: Shu'bah related to us: 'Adiy bin Thabit said: Abdullah bin Yazid informed me from Zaid bin Thabit: That the Messenger of Allah ﷺ went out to Uhud. Then a group of people who went out alongside him returned. The companions of the Messenger of Allah ﷺ were then divided into two groups concerning them. (A group said) "We should kill them" and a group said: "No, they are believers". Then Allah revealed:

فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِئَتَيْنِ

What is [the matter] with you [that you are] two groups concerning the hypocrites.

Then the Messenger of Allah ﷺ said: "Verily, it (i.e., Al-Madinah) is Taibah and verily it expels its impurities just like the fire expels the impurities of iron". As recorded in the two Sahihs from the Hadith of Shu'bah. And Muhammad bin Ishaq bin Yasar mentioned in relation to the battle of Uhud that Abdullah bin Ubayy bin Salul returned on that day (i.e., to Al-Madinah without fighting) with a third of the army. Three hundred returned and the Prophet ﷺ remained with seven hundred].

* وجاء في سبب نزول هاتين الآيتين في «الدر المنثور في التفسير بالمأثور»: [أخرج الطيالسي وابن أبي شيبة وأحمد وعبد بن حميد والبخاري ومسلم والترمذي والنسائي وابن جرير وابن المنذر وابن أبي حاتم والطبراني والبيهقي في الدلائل عن زيد بن ثابت أن رسول الله، صلى الله عليه وسلم، " خرج إلى أحد فرجع ناس خرجوا معه، فكان أصحاب رسول الله، صلى الله عليه وسلم، فيهم فرقتين: فرقة تقول: نقتلهم. وفرقة تقول: لا. فأنزل الله: ﴿فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَةٍ﴾ الآية كلها. فقال رسول الله، صلى الله عليه وسلم: «إنها طيبة، وإنها تنفي الخبث كما تنفي النار خبث الفضة»]

- The following came recorded in "Ad-Darr ul-Manthur Fee At-Tafsir Bi I-Ma'thur" concerning the cause of revelation of these two verses: [At-Tayalisiy, Ibn Abi Shaibah, Ahmad, 'Abd bin Humaid, Al-Bukhari, Muslim, At-Tirmidhi, An-Nasa'i, Ibn Jarir, Ibn ul-Mundhir, Ibn Abi Hatim, At-Tabarani and Al-Baihaqi in "Ad-Dala'il" recorded from Zaid bin Thabit: That the Messenger of Allah ﷺ went out to Uhud. Then a group of people who went out alongside him returned. The companions of the Messenger of Allah ﷺ were then divided into two groups concerning them. (A group said) "We should kill them" and a group said: "No". Then Allah revealed:

فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَةٍ ...

What is [the matter] with you [that you are] two groups concerning the hypocrites .. until the end of the verse.

Then the Messenger of Allah ﷺ said: "Verily, it (i.e., Al-Madinah) is Taibah and verily it expels its impurities just like the fire expels the impurities of iron".

* وجاء في «زاد المسير»، (ج: 2 ص: 153 وما بعدها): [قوله تعالى: ﴿فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَةٍ﴾، في سبب نزولها سبعة أقوال:

.....

والثاني: أن رسول الله، صلى الله عليه وسلم، لما خرج إلى أحد رجع ناس ممن خرج معه فافترق فيهم أصحاب رسول الله ففرقة تقول نقتلهم وفرقة تقول لا نقتلهم فنزلت هذه الآية هذا في الصحيحين من قول زيد بن ثابت، انتهى، والسطر المنقوط هكذا: ()، يرمز لكلام تم حذفه.

- And the following came stated in "Zaad Al-Maseer" (vol: 2 p: 153 onwards): [(Concerning) His Qawl تعالى:

فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَةٍ

What is [the matter] with you [that you are] two groups concerning the hypocrites.

There are seven opinions in respect to the cause of its revelation:

.....

And the second: That when the Messenger of Allah ﷺ went out to Uhud some people who went out alongside him returned. The companions of the Messenger of Allah ﷺ then split into groups concerning them. A group said: "We should kill them" and a group said: "We should not kill them". Then this verse was revealed. This is in the Sahihaini (i.e., Al-Bukhari and Muslim) from the statement of Zaid bin Thabit] (End).

The line with dots alludes to a paragraph that was omitted.

❖ السبب الخامس للنزول:

* وجاء في «تفسير الطبري»، (ج: 5 ص: 193 وما بعدها): [وقال آخرون: بل نزلت هذه الآية في اختلاف أصحاب رسول الله، صلى الله عليه وسلم، في أمر أهل الإفك. ذكر من قال ذلك: حدثني يونس قال أخبرنا ابن وهب قال: قال ابن زيد في قوله فما لكم في المنافقين ففتنن والله أركسهم بما كسبوا حتى بلغ فلا تتخذوا منهم أولياء حتى يهاجروا في سبيل الله قال هذا في شأن ابن أبي حين تكلم في عائشة بما تكلم فقال سعد بن معاذ فإني أبرأ إلى الله وإلى رسوله منه يريد عبد الله بن أبي ابن سلول].

- The fifth cause of revelation:

- The following came stated in "Tafsir At-Tabari" (vol: 5 p: 193 onwards): [And others said: Rather, this verse was revealed in connection with the disagreement of the companions of the Messenger of Allah ﷺ in relation to **the matter of the Ahl ul-Ifk** (the people of slander). Among those who stated that: Yunus related to me: He said: Ibn Wahab informed us: He said: Ibn Zaid said in relation to His Qawl (statement):

فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَةٍ وَاللَّهُ أَرْكَسَهُمْ بِمَا كَسَبُوا أَتُرِيدُونَ أَنْ تَهْدُوا مَنْ أَضَلَّ اللَّهُ وَمَنْ يُضِلِّ اللَّهُ فَمَا لَهُ سَبِيلًا (88)
وَدُّوا لَوْ تَكْفُرُونَ كَمَا كَفَرُوا فَتَكُونُونَ سَوَاءً فَلَا تَتَّخِذُوا مِنْهُمْ أَوْلِيَاءَ حَتَّى يُهَاجِرُوا فِي سَبِيلِ اللَّهِ

What is [the matter] with you [that you are] two groups concerning the hypocrites, while Allah has made them fall back (or return) due to what they earned. Do you wish to guide those whom Allah has sent astray? And he whom Allah sends astray, never will you find for him a way [of guidance]. (88) They wish you would disbelieve as they disbelieved so you would be alike. So, do not take from among them allies until they emigrate for the cause of Allah. (An-Nisa': 88-89).

He said: This is in relation to Ibn Abi when he spoke about 'Aa'ishah with that which he spoke about Then Sa'd bin Mu'adh said: "I disassociate myself from him to Allah and His Messenger". Here he is referring to Abdullah bin Ubayy bin Salul].

* وجاء في سبب نزول هاتين الآيتين في «الدر المنثور في التفسير بالمأثور»: [وأخرج سعيد بن

منصور وابن المنذر وابن أبي حاتم من طريق عبد العزيز بن محمد عن زيد بن أسلم عن ابن سعد بن معاذ الأنصاري أن هذه الآية أنزلت فينا: ﴿فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَيْنِ﴾، خطب رسول الله، صلى الله عليه وسلم، الناس فقال: “من لي بمن يؤذيني ويجمع لي في بيته من يؤذيني»، فقام سعد بن معاذ فقال: (إن كان منا يا رسول الله قتلناه، وإن كان من إخواننا الخزرج أمرتنا فأطعناك) فقام سعد بن عبادة فقال: (ما بك يا ابن معاذ طاعة رسول الله، صلى الله عليه وسلم، ولكن عرفت ما هو منك). فقام أسيد بن حضير فقال: (إنك يا ابن عبادة منافق تحب المنافقين)، فقام محمد بن مسلمة فقال: (اسكتوا أيها الناس، فإن فينا رسول الله، صلى الله عليه وسلم، وهو يأمرنا فننفذ لأمره)، فأنزل الله: ﴿فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَيْنِ﴾، الآية[؛

- The following came recorded in “Ad-Darr ul-Manthur Fee At-Tafsir Bi I-Ma’thur” concerning the cause of revelation of these two verses: [And Sa’eed bin Mansur, Ibn ul-Mundhir and Ibn Abi Hatim recorded via the path of Abdul ‘Aziz bin Muhammad from Zaid bin Aslama, from Ibn Sa’d bin Mu’adh Al-Ansari: That this verse was revealed concerning us:

فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَيْنِ

What is [the matter] with you [that you are] two groups concerning the hypocrites.

The Messenger of Allah ﷺ addressed the people and said: “Who is with me against the one who brings harm to me and will gather for me in his house the one who has brought harm to me?” Sa’d bin Mu’adh stood and said: “If he is from us O Messenger of Allah, we will kill him and if he was from our brothers of the Khazraj, then if you command, us we will obey”. Sa’d bin ‘Ubadah then stood and said: “What is the matter with you O Ibn Mu’adh, obedience of the Messenger of Allah ﷺ, although I (or you) know that he is not from among you (i.e., the Aws)”. Usaid bin Hudair then stood and said: “Indeed O Ibn ‘Ubadah you are a hypocrite who loves the hypocrites”. Muhammad bin Maslamah then arose and said: “Be quiet O people, for verily the Messenger of Allah ﷺ is among us and it is he who commands us and then we implement his command”. It was then revealed:

(Note: Please follow up the meaning of this please: “ ما بك يا ابن معاذ طاعة رسول الله، صلى الله عليه وسلم، ولكن عرفت ما هو منك

“What is the matter with you O Ibn Mu’adh, obedience of the Messenger of Allah ﷺ, although I (or you) know that he is not from among you (i.e., the Aws)”

... فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَيْنِ

What is [the matter] with you [that you are] two groups concerning the hypocrites ... until the end of the verse].

- وأصله في تفسير ابن أبي حاتم، [الأصيل - مخرجا (5740/1023/3)]: [حَدَّثَنَا عَلِيُّ بْنُ الْحُسَيْنِ، حَدَّثَنَا أَبُو هَارُونَ الْخَزَّازُ، حَدَّثَنَا يَحْيَى بْنُ أَبِي الْخَصِيبِ، حَدَّثَنَا عَبْدُ الْعَزِيزِ بْنُ مُحَمَّدٍ، عَنْ زَيْدِ بْنِ أَسْلَمَ، عَنْ ابْنِ سَعْدِ بْنِ مُعَاذٍ الْأَنْصَارِيِّ، أَنَّ هَذِهِ الْآيَةَ، أَنْزَلَتْ فِيْنَا: ﴿فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَيْنِ وَاللَّهُ

أَرْكَسَهُمْ بِمَا كَسَبُوا) [النساء: 88] فَخَطَبَ رَسُولُ اللَّهِ، صلى الله عليه وسلم، وَقَالَ: «مَنْ لِي بِمَنْ يُؤْذِينِي وَيَجْمَعُ فِي بَيْتِهِ مَنْ يُؤْذِينِي» فَقَامَ سَعْدُ بْنُ مُعَاذٍ فَقَالَ: إِنْ كَانَ مِنَّا قَتَلْنَاهُ يَا رَسُولَ اللَّهِ، وَإِنْ كَانَ مِنْ إِخْوَانِنَا مِنَ الْخَزْرَجِ أَمَرْتَنَا فَأَطَعْنَاكَ، فَقَامَ سَعْدُ بْنُ عُبادَةَ فَقَالَ: مَا بِكَ طَاعَةً رَسُولِ اللَّهِ يَا ابْنَ مُعَاذٍ، وَلَكِنْ عَرَفْتُ مَا هُوَ مِنْكَ، فَقَامَ أُسَيْدُ بْنُ حُضَيْرٍ فَقَالَ: يَا ابْنَ عُبادَةَ إِنَّكَ مُنَافِقٌ تُحِبُّ الْمُنَافِقِينَ، فَقَامَ مُحَمَّدُ بْنُ مَسْلَمَةَ فَقَالَ: اسْكُنُوا أَيُّهَا النَّاسُ فَإِنَّ فِيْنَا رَسُولَ اللَّهِ فَهُوَ يَأْمُرُ فَيَنْفَعُ لَأَمْرِهِ، فَأَنْزَلَ اللَّهُ تَعَالَى: (فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَةً)، (النساء؛ 4: 88).

- It is originally found in the Tafsir of Ibn Abi Hatim (Al-Aseel – 3/1023/5740): [‘Ali bin Al-Husain related to us: Abu Harun Al-Khazzaz related to us: Yahya bin Abi Al-Khaseeb related to us: Abdul ‘Aziz bin Muhammad related to us from Zaid bin Aslama, from Ibn Sa’d bin Mu’adh Al-Ansari: That this verse was revealed concerning us:

فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَةً

What is [the matter] with you [that you are] two groups concerning the hypocrites (An-Nisa’: 88).

The Messenger of Allah ﷺ addressed the people and said: “Who is with me against the one who brings harm to me and will gather for me in his house the one who has brought harm to me?” Sa’d bin Mu’adh stood and said: “If he is from us O Messenger of Allah, we will kill him and if he was from our brothers of the Khazraj, then if you command us, we will obey”. Sa’d bin ‘Ubadah then stood and said: “What is the matter with you O Ibn Mu’adh, obedience to the Messenger of Allah ﷺ although I know that he is not from you” Usaid bin Hudair then stood and said: “Indeed O Ibn ‘Ubadah you are a hypocrite who loves the hypocrites”. Muhammad bin Maslamah then arose and said: “Be quiet O people, for verily the Messenger of Allah ﷺ is among us and it is he who commands us and then his command is implemented”. Allah تعالى then revealed:

(Note: Same as previous note).

فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَةً ...

What is [the matter] with you [that you are] two groups concerning the hypocrites ... until the end of the verse] (An-Nisa’: 88)].

* وجاء في «زاد المسير»، (ج: 2 ص: 153 وما بعدها): [قوله تعالى: (فما لكم في المنافقين فتنين)، في سبب نزولها سبعة أقوال:

.....

والسابع: أنها نزلت في شأن ابن أبي سلول تكلم في عائشة بما تكلم وهذا قول ابن زيد، انتهى، والسطر المنقوط هكذا: ()، يرمز لكلام تم حذفه.

- And it came as follows in “Zaad Al-Maseer” (vol: 2 p: 153 onwards): [(Concerning) His Qawl تعالى:

فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَةٍ

What is [the matter] with you [that you are] two groups concerning the hypocrites.

There are seven opinions in respect to the cause of its revelation:

.....

The seventh: That it was revealed concerning Ibn Ubayy Salul who spoke about 'Aa'ishah with what he said. And this is the opinion of Ibn Zaid] (End) **The dotted line alludes to speech that was omitted.**

✽ تحرير سبب النزول أول مرة:

وأقرب أسباب النزول المروية لأن يكون هو **سبب نزول الآية أول الأمر** هو (السبب الأول)، لا سيما في النص المنسوب لابن عباس، رضي الله عنهما: [وذلك أن قوما كانوا بمكة قد **تكلموا بالإسلام** وكانوا **يظاهرون المشركين** فخرجوا من مكة يطلبون حاجة لهم فقالوا إن لقينا أصحاب محمد، عليه الصلاة والسلام، فليس علينا منهم بأس. وأن المؤمنين لما أخبروا أنهم قد خرجوا من مكة قالت فئة من المؤمنين: (اركبوا إلى الخيباء فاقتلوهم فإنهم يظاهرون عليكم عدوكم)، وقالت فئة أخرى من المؤمنين: (سبحان الله، أو كما قالوا، أقتلوا قوما قد تكلموا بمثل ما تكلمتم به من أجل أنهم لم يهاجروا ويتركوا ديارهم تستحل دماءهم وأموالهم!)، لذلك فكانوا كذلك ففتن، والرسول، عليه الصلاة والسلام، عندهم لا ينهي واحدا من الفريقين عن شيء فنزلت: (فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَةٍ وَاللَّهُ أَرْكَسَهُمْ بِمَا كَسَبُوا أَتُرِيدُونَ أَنْ تَهْدُوا مَنْ أَضَلَّ اللَّهُ) الآية]، انتهى الكلام المنسوب لابن عباس، رضي الله عنهما.

- Correctly identifying the initial cause of revelation:

The closest of the causes of revelation to have been **the initial cause of revelation of the verse** is the “first cause” and especially the text attributed to Ibn ‘Abbas, may Allah be pleased with him: That is because there was a Qawm (people) who in Makkah had **professed Islam (i.e., that they were Muslims) whilst they were (still) supporting the Mushrikeen (polytheists).** They then left Makkah seeking (to fulfil) a need of theirs. They said: “If we come across companions of Muhammad ﷺ then we will not have trouble from them”. And when the believers were informed that they had left Makkah, a group from the believers said: “Ride to the scum and then kill them because they are supporting your enemy against you”. Another group from the believers said: “Subhaanallah (or as they said): Will you kill a people who have said what you have said (i.e., to become Muslim). Because they did not migrate and did not leave their homelands, you are making their blood and properties permissible (to be taken)!”. As such there were two groups, **whilst the Messenger ﷺ was among them and he did not forbid anything of either of the two groups.** Then the following was revealed:

فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَةٍ وَاللَّهُ أَرْكَسَهُمْ بِمَا كَسَبُوا أَتُرِيدُونَ أَنْ تَهْدُوا مَنْ أَضَلَّ اللَّهُ ...

What is [the matter] with you [that you are] two groups concerning the hypocrites, while Allah has made them fall back (or return) due to what they earned. Do you wish to guide those whom Allah has sent astray? ... until the end of the verse (An-Nisa': 88).

This ends the speech attributed to Ibn ‘Abbas, may Allah be pleased with him.

ولا يختلف كلام قتادة، كما هو في «تفسير الطبري»، عن كلام ابن عباس كثيراً. قال قتادة: (أنهما كانا رجلين من قريش، كانا مع المشركين بمكة، وكانا قد تكلمنا بالإسلام ولم يهاجرا إلى النبي، صلى الله عليه وسلم، فلقيهما ناس من أصحاب نبي الله وهما مقلان إلى مكة فقال بعضهم إن دمائهما وأموالهما حلال وقال بعضهم لا تحل لكم فتشاجروا فيهما فأنزل الله في ذلك.. إلخ)، إلا أنه لم ينص صراحة على (مظاهرة المشركين ودعمهم).

In addition, the speech of Qatadah as stated in “Tafsir At-Tabari” did not differ much from the speech of Ibn ‘Abbas. Qatadah said: “They were two men from Quraish who were with the Mushrikeen (polytheists) in Makkah and they had spoken with Islam (i.e., as Muslims) but they did not migrate to the Prophet ﷺ. They were then met by some people from the companions of the Messenger of Allah ﷺ whilst they were both heading towards Makkah. Some of them then said: “Their blood and their properties are Halal (permissible)” whilst others said: “That is not Halal (permissible) for you”. They argued concerning them and then Allah revealed in relation to that ... etc.” However, it did not explicitly state that they “**Supported the Mushrikeen and aided them**”.

ومن الواضح أن كلام الضحاك في نفس الواقعة والموضوع، إلا أنه مختصر، وهو كذلك ما ذكره معمر بن راشد بلاغاً، إلا أنه اختصره اختصاراً مخلصاً.

It is clear that the speech of Ad-Dahhak was about the same incident and subject matter, except it was summarised. It is also what Ma’mar bin Rashid mentioned as a Balaagh (conveyance), although he summarised it greatly.

ولكن (السبب الثاني) لا يبعد كثيراً عن هذا (السبب الأول) فهو يطابق معه في الجوانب الجوهرية المذكورة أعلاه، وإن كان قد جاء أوسع منه وأوضح في تفاصيل جزئية كثيرة. لذلك فإن القوي الراجح أنها واقعة واحدة، أو وقائع مترامنة، وسبب نزول واحد، كان المنافقون فيه خليطاً ممن (تخلف عن الهجرة، فلم يهاجر أصلاً)، وممن (هاجر ثم انتكس، وارتد عن هجرته)، لا سيما أنه من المستبعد أن يتشاجر الصحابة مرة ثانية في شأن فئة يتطابق واقعها مع فئة سابقة بيّن الله حالها والحكم فيها قبل ذلك أبلغ بيان.

However, the “second cause” is not very far from the “first cause” as it concurs with it in the essential matters mentioned above, even if it came in a broader manner and clearer in many partial details. The strong and preponderant view is therefore that they are referring to one incident or incidents which were occurring in the same time frame, whilst the cause of revelation is one. The hypocrites in it were a mix including those who “stayed back from the Hijrah and did not migrate in origin” in addition to those who “migrated and then rescinded and turned back on their Hijrah”. That is especially as it is unlikely for the Sahabah to have argued on a second occasion in respect to a group whose reality conforms to a prior group the condition of whom Allah had already made evident and passed judgment upon in the clearest manner.

ولكن لا بد من إيضاح وتعقيب على قول الإمام مجاهد بن جبر: [قوم خرجوا من مكة حتى أتوا المدينة يزعمون أنهم مهاجرون ثم ارتدوا بعد ذلك فاستأذنوا النبي، صلى الله عليه وسلم، إلى مكة ليأتوا ببضائع لهم يتجرون فيها فاختلف فيهم المؤمنون فقائل يقول: (هم منافقون!)، وقائل يقول: (هم مؤمنون!)، فبين الله نفاقهم، فأمر بقتالهم؛ فجاءوا ببضائعهم يريدون المدينة فلقيهم هلال بن عويمر الأسلمي وبينه وبين النبي، صلى الله عليه وسلم، حلف وهو الذي حصر صدره أن يقاتل المؤمنين أو يقاتل قومه فدفع عنهم بأنهم يؤمنون هلالاً وبينه وبين النبي، صلى الله عليه وسلم، عهد].

It is however necessary to comment upon the statement of Imam Mujahid bin Jabr: [A Qawm (collective of people left Makkah until they arrived in Al-Madinah claiming that they were migrating. They then turned back after that and sought the permission of the Prophet ﷺ to return to Makkah to bring goods of theirs to trade with. The believers disagreed in respect to them. Someone would say that they are hypocrites and another would say that they are believers. Allah made evident their hypocrisy and thus commanded that they be fought against. They then came with their goods heading for Al-Madinah and were met by Hilal bin 'Uwaimir Al-Aslamy who had an alliance between him and the Prophet ﷺ. And he was someone whose chest was constrained from fighting the believers or for his people to fight. So, he protected them upon the basis that they were following Hilal who had a covenant between him and the Prophet ﷺ].

*** - * التعقيب الأول:** قوله: (ثم ارتدوا بعد ذلك) يعني عن هجرتهم، وقد ورد مثل هذا في غير حديث حيث استخدام لفظ (الردة) في حق من قطع هجرته، فيقال: (ارتد أعرابياً بعد الهجرة)، كما هو مفصّل في مواضعه، ولا يعقل أن تكون تلك ردة تقليدية صريحة معلنة عن الإسلام، وإلا لما اختلف فيهم أحد عنده ذرة من عقل، فكيف بجمع من الصحابة، ولما سماهم القرآن (منافقين)!

- **The first comment:** Concerning his statement: “Then they turned back after that”. This means from their Hijrah. Similar to this has come stated in more than one Hadith where the wording “Ar-Riddah” (الرَّدَّة) was employed in respect to the one who severed his Hijrah, in the case where it would be said: “He returned back (إِلَازًا) to being an ‘Aaraabiy after the Hijrah (migration)” as has been detailed previously in its contexts. It is inconceivable for that to refer to the traditional Riddah (apostacy) from Islam which is explicit and openly declared. Otherwise, nobody possessing the least amount of intelligence would have disagreed about them, so, how could that have been the case with a collective from the Sahabah. In addition, the Qur’an would not have named them “Munafiqeen” (hypocrites)!

*** - * التعقيب الثاني:** مجاهد من أوساط التابعين فهو بالقطع لم يحضر أو يشهد، وإنما يعتمد على ما بلغه من أخبار. فقول مجاهد: (فقائل يقول: (هم منافقون!)، وقائل يقول: (هم مؤمنون!)) إنما هو عبارته هو عما بلغه من مشيخته، ولا نعلم مدى حفظهم، ولا جودة فهمهم، إن كانوا قد رووا شيئاً بالمعنى؛ وقد يكون اختصاراً مخلاً لكلام وجدل كثير.

- **The second comment:** Mujahid is from the Awsaat of the Taabi’een (2nd, 3rd generation) and therefore he definitely was not in attendance and did not witness. Rather, he depended upon what was conveyed to him in terms of reports. Consequently, the statement of Mujahid: “Someone would say that they are hypocrites and another would say that they are believers” only reflects his own wording concerning that which was

conveyed to him by his teachers. That is whilst we do not know the extent of their memorisation and quality of their understanding, in the case where they have related something by meaning. It could also just reflect a major summarisation of what a lot of speech and debate had taken place upon.

* - * **التعقيب الثالث:** قول مجاهد: (فبين الله نفاقهم، فأمر بقتالهم) فاسد دا، لا سيما أنه جعل القتال مترتباً على النفاق. وهذا باطل قطعاً لأنه:
أولاً: يناقض سياق الآيات، وربطها القتال بالهجرة، والموالاة، والمعاداة، والمسالمة واعتزال القتال... إلخ.
وثانياً: يتناقض مع معاملة النبي، عليه وعلى آله الصلاة والسلام، للمنافين في المدينة، ومن حولها من الأعراب، وهم من أخبت شرار المنافقين الذين مردوا على النفاق، وقد حاول بعضه اغتيال النبي، عليه وعلى آله الصلاة والسلام، يوم عقبة تبوك.

- **The third comment:** Concerning the statement of Mujahid: “Allah then made evident their hypocrisy and thus commanded that they be fought against”, it is very Fasid (wrong), especially as it makes fighting the consequence of Nifaq (hypocrisy) (i.e., that the Nifaq dictated the fighting). This is definitely invalid because:

Firstly: It contradicts the context of the verses and their connecting the fighting with the Hijrah, Al-Muwaalah (loyalty), Mu’aadah (hostility/animosity), the making of peace (or conciliation) and withdrawing from fighting ... etc.

Secondly: It contradicts the manner in which the Prophet ﷺ dealt with the hypocrites in Al-Madinah and the Aa’raab (Bedouins) surrounding it, whilst they were from the most devious and worst hypocrites who had rebelled with hypocrisy. Some of them even attempted to assassinate the Prophet ﷺ at the incident of ‘Aqabah on the return from the expedition of Tabuk.

فلا عجب ألا نجد ذكراً لـ **(مظاهرة المشركين)** في كلام مجاهد، على العكس من النص عليها، أعني: **(مظاهرة المشركين)**، في كلام ابن عباس، العبقرى ترجمان القرآن. فالفقه المحرف، الذي روج له طواغيت بني أمية لقتل خصومهم، والذي كان هو السائد أيام مجاهد، كان قد تورط في المقولة الخبيثة: (الكفر يهدر الدم، والإسلام والعهد يعصمه)، وكذلك في اعتماد مشروعية (الحد) المكذوب الذي يسمونه (حد الردة)، فأصبح القوم يقرؤون القرآن بأعين مغلقة، كأن (عَلَى قُلُوبِ أَقْفَالِهَا): فإلعبارة الصحيحة كانت ينبغي أن تكون هكذا: (فأكد الله كفرهم ونفاقهم، وبين من يقاتل ومن لا يجوز قتاله)!

There is therefore no surprise that we don’t find a mention of “supporting the Mushrikeen” in the speech of Mujahid, which is in contrast to what was stated of “supporting the Mushrikeen” in the speech of Ibn ‘Abbas, the genius translator of the Qur’an. Consequently, the distorted Fiqh which was promoted by the tyrants of Bani Umayyah to kill their opponents and which was prevalent in the time of Mujahid, contrived the loathsome statement: “The Kufr (disbelief) makes the blood of no value (i.e. Halal to be spilt), whilst Islam and ‘Al-‘Ahd (covenant) protects it”, in addition to the adoption of the legal legitimacy of the fabricated “Hadd” (prescribed punishment) which they call “Hadd Ar-Riddah” (the prescribed penalty of apostasy) The people began to read the Qur’an with shut eyes, as if:

عَلَى قُلُوبٍ أَفْقَاهَا

Upon the hearts are their locks (Muhammad: 24).

That is whilst the correct statement should have been like this: “And so, Allah confirmed their disbelief (Kufr) and their hypocrisy (Nifaq) and explained who is fought against and whom it is not permissible to fight against!”.

*** - * التعقيب الرابع:** أن مجاهدًا زادنا فائدة بذكر المانع الذي منع من قتل بعض هؤلاء، مع كونهم مستحقين لمعاملة العدو الكافر الحربي من القتل وغنيمة المال، ألا وهو أنهم كانوا (يؤمنون هلالاً وبينه وبين النبي، صلى الله عليه وسلم، عهد)، فهم إذاً من: (الَّذِينَ يَصِلُونَ إِلَى قَوْمٍ بَيْنَكُمْ وَبَيْنَهُمْ مِيثَاقٌ).

- **The fourth comment:** Mujahid provided us with an extra benefit by mentioning the preventive factor (Maani') that prevented the killing of some of those in spite of them being deserving of receiving the treatment of the disbelieving warring enemy in terms of being killed and taking the property as booty. It was that they were: “Being led by Hilal whilst he had an ‘Ahd (covenant) in place between him and the Prophet ﷺ”. They therefore fell under the category of:

الَّذِينَ يَصِلُونَ إِلَى قَوْمٍ بَيْنَكُمْ وَبَيْنَهُمْ مِيثَاقٌ

Those who take refuge with a people between yourselves and whom is a treaty (An-Nisa': 90).

ونسارع فنقول: إن هؤلاء المنافقين، من الصنف الأول الذين لم تسبق لهم هجرة، ليسوا من أهل الثقة ((إِلَّا أَنْ تَتَّقُوا مِنْهُمْ تُقَاةً))، لأن أهل (الثقة)، وإن كانوا يحملون التابعية الكفرية الحربية، أو ما هو في حكمها من إقامة دائمية في دار الحرب، أو تمتع بجوار أو لجوء أو حماية من السلطان الكافر في دار الحرب، إلا أنهم غير مظاهرين للمشركين. وذلك لأن (المولاة) المأذون بها في قوله، تعالى مجده: ((لَا يَتَّخِذِ الْمُؤْمِنُونَ الْكَافِرِينَ أَوْلِيَاءَ مِنْ دُونِ الْمُؤْمِنِينَ وَمَنْ يَفْعَلْ ذَلِكَ فَلَيْسَ مِنَ اللَّهِ فِي شَيْءٍ إِلَّا أَنْ تَتَّقُوا مِنْهُمْ تُقَاةً وَيُحَذِّرُكُمُ اللَّهُ نَفْسَهُ وَإِلَى اللَّهِ الْمَصِيرُ (28))، (آل عمران؛ 3: 28)، تقتصر حصراً على حمل التابعية، وما هو في حكمها، مقابل الحصول على الحماية وعدم الإكراه في الدين، على شعار: (لا أقاتلكم، ولا تقاتلوني، ولا أضركم ولا تضروني)، فقط لا غير، فلا يجوز البتة تجاوز ذلك إلى نصرتهم وإعانتهم على المسلمين بتجسس أو قتال مطلقاً: فهذا نفاق وكفر صريح؛ أو الانضمام لجيوشهم وقواتهم المسلحة أصلاً؛ أو الكينونة تحت رايتهم، وبين صفوفهم، حال المواجهة والاشتباك، فلا يتمايزون بحيث تختلط الشعارات، وتلتبس الحال على الناظر إليهم، أي: (تَرَايَا نَارَاهُمَا) كما جاء في الحديث الشريف: (أَنَا بَرِيءٌ مِنْ كُلِّ مُسْلِمٍ مُقِيمٍ بَيْنَ أَظْهُرِ الْمُشْرِكِينَ، قَالُوا: يَا رَسُولَ اللَّهِ، وَلِمَ؟ قَالَ: (لَا تَرَايَا نَارَاهُمَا))، وذلك حين بَعَثَ رَسُولُ اللَّهِ، صلى الله عليه وعلى آله وسلم، سَرِيَّةً إِلَى خَنْعَمٍ، فَأَعْتَصَمَ نَاسٌ مِنْهُمْ بِالسُّجُودِ [وفي بعض الروايات: بالصلاة]، فَأَسْرَعَ فِيهِمُ الْقَتْلُ، فَبَلَغَ ذَلِكَ النَّبِيَّ، صلى الله عليه وعلى آله وسلم، فَأَمَرَ لَهُمْ بِنَصْفِ الْعُقُلِ، وَقَالَ، عَلَيْهِ وَعَلَى آلِهِ وَالصَّلَاةُ وَالسَّلَامُ.

We will move on quickly now and say: Those Munafiqeen (hypocrites), from the first category, who had not previously undertaken the Hijrah (emigration), are not from the people of “At-Tuqaah” (those with whom caution and prudence is employed):

إِلَّا أَنْ تَتَّقُوا مِنْهُمْ تُقَاةً

... Except when taking precaution against them in prudence (Aali ‘Imran: 28)

That is because the people of “**At-Tuqaah**” (those with whom caution and prudence is employed), even if they possess the disbelieving warring subject status, or what falls under its ruling in terms of permanent residence in the Dar ul-Harb (land at war), or enjoy refuge, asylum or protection from the disbelieving authority in Dar ul-Harb (land at war), nevertheless are not supporting or assisting the Mushrikeen (polytheists). That is because “**Al-Muwaalah**” (the loyalty or ally making) that is declared in His Qawl تعالى:

لَا يَتَّخِذِ الْمُؤْمِنُونَ الْكَافِرِينَ أَوْلِيَاءَ مِنْ دُونِ الْمُؤْمِنِينَ وَمَنْ يَفْعَلْ ذَلِكَ فَلَيْسَ مِنَ اللَّهِ فِي شَيْءٍ إِلَّا أَنْ تَتَّقُوا مِنْهُمْ تُقَاةً ۗ
وَيُحَذِّرُكُمُ اللَّهُ نَفْسَهُ ۗ وَإِلَى اللَّهِ الْمَصِيرُ

Let not believers take disbelievers as allies rather than believers. And whoever [of you] does that has nothing with Allah, except when taking precaution against them in prudence. And Allah warns you of Himself, and to Allah is the [final] destination (Aali ‘Imran: 28)

is restricted exclusively to the one who holds the subject status (Taabi’iyah) and what falls under its ruling, in exchange for attaining protection and not being coerced in respect to the Deen, under the banner alone of: “I will not fight you and you will not fight me, and I will not harm you and you will not harm me”, in the case where it is not at all permissible to overstep that by providing support and assistance to them against the Muslims by spying or fighting, as that would be explicit Nifaq (hypocrisy) and Kufr (disbelief), or by joining their armies and armed forces, or unit under their banner and among their ranks in the circumstance of confrontation or engagement in fighting, so that they are not distinguished from another where their banners are mixed and the situation is ambiguous for the one regarding them, in other words “**Their fires are not distinguished from another**” as came stated in the Noble Hadith:

أَنَا بَرِيءٌ مِنْ كُلِّ مُسْلِمٍ مُقِيمٍ بَيْنَ أَطْهَرِ الْمُشْرِكِينَ» قَالُوا: يَا رَسُولَ اللَّهِ لِمَ؟ قَالَ: «لَا تَتَرَاءَى نَارَاهُمَا

I am not responsible for any Muslim residing among the Mushrikeen (polytheists). They asked: “Why, O Messenger of Allah?” He said: “**Their fires are not distinguished from another**”.

That was when the Messenger of Allah ﷺ dispatched a small military expedition to Khath’am. Some people from them sought to protect themselves by making Sujood (prostration) (and in some narrations: By performing the prayer) but they were hastily killed.. The news of that was conveyed to the Prophet ﷺ and he commanded that half the blood money be paid. He ﷺ then said it (i.e., I am not responsible for any Muslim residing among the Mushrikeen (polytheists)).

فهذه النصوص تحتوي إذاً جميع العناصر الجوهرية التي عالجتها الآيات الكريمات:
(1)– فهي تتكلم عن قوم (تلفظوا بالشهادتين، وأظهروا الإسلام) وإلا لاستحال أن يتصور وقوع

خلاف بين الصحابة حول كفرهم، ولما جاز أصلاً أن يطلق لقب (المنافقين) عليهم، فهم كما قال ابن عباس: (كانوا أظهروا الإسلام بمكة)، أو كما قال مجاهد: (خرجوا من مكة حتى أتوا المدينة يزعمون أنهم مهاجرون)؛

1) It talks about a Qawm (collective of people) who “Spoke the two testimonies of belief (Shahadataini)”, otherwise it would be inconceivable for the Sahabah to fall into dispute about their disbelief and it would not have been permissible in origin to ascribe to them the title of “Munafiqeen” (hypocrites). They were therefore like Ibn ‘Abbas said: **“They manifested (or displayed) Islam in Makkah”** or like Mujahid said: **“They went out from Makkah until they came to Al-Madinah claiming that they were Muhajireen (emigrants)”**.

(2) - لأنها نهت نهياً جازماً عن توليهم حتى يهاجروا، فهم قطعاً - عند وقوع التنازع في أمرهم - ليسوا من أهل (دار الهجرة)، أي دولة المدينة النبوية الشريفة، التي هي (دار الإسلام) المركزية، أو أي (دار إسلام) أخرى، عند نشوب النزاع حولهم، ونزول الآيات في موضوعهم، لأنهم:

2) That they forbade decisively that they be taken as Awliya’ (allies) until they undertake the Hijrah (migration). Therefore, they were definitely, at the time of the occurrence of the dispute concerning them, not from the inhabitants of **“Dar ul-Hijrah”**, meaning the Noble Prophetic state of Al-Madinah, which was the central **“Dar ul-Islam”** (Land of Islam), or of any other Dar (land) of Islam when the dispute erupted concerning them and the verses were revealed. That is because:

(أ) - إما كما قال ابن عباس: (قوم من أهل الشرك كانوا أظهروا الإسلام بمكة، (يعني: وبقوا مقيمين فيها) وكانوا يعينون المشركين على المسلمين)، فإن (تولوا)، أي أعرضوا عن الهجرة فلم يهاجروا: فحرم توليهم، وجاز أو وجب قتلهم: (فَلَا تَتَّخِذُوا مِنْهُمْ أَوْلِيَاءَ حَتَّى يُهَاجِرُوا فِي سَبِيلِ اللَّهِ فَإِنْ تَوَلَّوْا فَخُذُوهُمْ وَأَقْتُلُوهُمْ حَيْثُ وَجَدْتُمُوهُمْ وَلَا تَتَّخِذُوا مِنْهُمْ وَلِيًّا وَلَا نَصِيرًا). كما أن الآيات حسمت موضوع نفاقهم وكفرهم، إن كان في ذلك ظل من شك، أو لزن من شبهة.

A) Either, it was as Ibn ‘Abbas said: “A Qawm from the people of Shirk who **manifested Islam** in Makkah (meaning: that they remained as residents in it) and they were assisting the Mushrikeen against the Muslims”. Then if they “turn back” (تَوَلَّوْا meaning to turn away from undertaking the Hijrah, then they have not migrated (لَمْ يُهَاجِرُوا) and consequently it is prohibited to take them as allies and it permissible or obligatory to kill them:

فَلَا تَتَّخِذُوا مِنْهُمْ أَوْلِيَاءَ حَتَّى يُهَاجِرُوا فِي سَبِيلِ اللَّهِ فَإِنْ تَوَلَّوْا فَخُذُوهُمْ وَأَقْتُلُوهُمْ حَيْثُ وَجَدْتُمُوهُمْ وَلَا تَتَّخِذُوا مِنْهُمْ وَلِيًّا وَلَا نَصِيرًا

So, do not take from among them allies until they emigrate for the cause of Allah. But if they turn away, then seize them and kill them wherever you find them and take not from among them any ally or helper
(An-Nisa’: 89).

Just as the verses has resolved the issue of their Nifaq (hypocrisy) and their Kufr (disbelief), if there was any shade of doubt or slimmer of uncertainty in respect to that.

(ب) - وإما أن يكونوا - أو يكون بعضهم - قد هاجر أول الأمر، ثم ارتدوا عن هجرتهم، وبقوا متلفظين للشهادتين، مدعين الإسلام كما زعم مجاهد. وهذا الصنف قد حسم أمره، وتقرر كفره، بآية (الارتداد على الأدبار): (إِنَّ الَّذِينَ ارْتَدُّوا عَلَىٰ أَدْبَارِهِمْ مِنْ بَعْدِ مَا تَبَيَّنَ لَهُمُ الْهُدَىٰ الشَّيْطَانُ سَوَّلَ لَهُمْ وَأَمْلَىٰ لَهُمْ (25) ذَلِكَ بِأَنَّهُمْ قَالُوا لِلَّذِينَ كَرِهُوا مَا نَزَّلَ اللَّهُ سَنُطِيعُكُمْ فِي بَعْضِ الْأَمْرِ وَاللَّهُ يَعْلَمُ إِسْرَارَهُمْ (26) فَكَيفَ إِذَا تَوَفَّتْهُمُ الْمَلَائِكَةُ يَضْرِبُونَ وُجُوهَهُمْ وَأَدْبَارَهُمْ (27) ذَلِكَ بِأَنَّهُمْ اتَّبَعُوا مَا أَسْخَطَ اللَّهُ وَكَرِهُوا رِضْوَانَهُ فَأَحْبَطَ أَعْمَالَهُمْ (28))، (محمد؛ 47: 25 - 28)، التي سبقت في النزول قديماً عند ما فرض القتال. وهذا السبق هو القوي الراجح، بل لعله المقطوع به؛

b) Or, that they or some of them had initially migrated and then turned back from their Hijrah whilst still pronouncing the testimonies of belief (Shahadataini) and claiming to be Muslims as Mujahid claimed. The matter of this category has been resolved and its disbelief has been affirmed by the verse of "Reverting back (to disbelief)":

إِنَّ الَّذِينَ ارْتَدُّوا عَلَىٰ أَدْبَارِهِمْ مِنْ بَعْدِ مَا تَبَيَّنَ لَهُمُ الْهُدَىٰ الشَّيْطَانُ سَوَّلَ لَهُمْ وَأَمْلَىٰ لَهُمْ (25) ذَلِكَ بِأَنَّهُمْ قَالُوا لِلَّذِينَ كَرِهُوا مَا نَزَّلَ اللَّهُ سَنُطِيعُكُمْ فِي بَعْضِ الْأَمْرِ وَاللَّهُ يَعْلَمُ إِسْرَارَهُمْ (26) فَكَيفَ إِذَا تَوَفَّتْهُمُ الْمَلَائِكَةُ يَضْرِبُونَ وُجُوهَهُمْ وَأَدْبَارَهُمْ (27) ذَلِكَ بِأَنَّهُمْ اتَّبَعُوا مَا أَسْخَطَ اللَّهُ وَكَرِهُوا رِضْوَانَهُ فَأَحْبَطَ أَعْمَالَهُمْ

Indeed, those who **reverted back** [to disbelief] after guidance had become clear to them - Satan enticed them and prolonged hope for them. (25) That is because they said to those who disliked what Allah sent down, "We will obey you in part of the matter." And Allah knows what they conceal. (26) Then how [will it be] when the angels take them in death, striking their faces and their backs? (27) That is because they followed what angered Allah and disliked [what earns] His pleasure, so He rendered worthless their deeds (Muhammad: 25-28).

This was revealed earlier when the Qital (fighting) was made obligatory and this is a strong preponderant precedent, indeed it may reach the level of being definite.

(3) - ولأنها استتنت من الأمر بالقتل من كان معتزلاً للقتال، مسالماً تمام المسالمة، غير متلبس بمعونة الكفار الحربيين: (فَإِنْ اعْتَزَلُواكُمْ فَلَمْ يُقَاتِلُوكُمْ وَأَلْفُوا إِلَيْكُمْ السَّلَامَ فَمَا جَعَلَ اللَّهُ لَكُمْ عَلَيْهِمْ سَبِيلًا)، فلا بد أن يكون المقصودون متلبسين بجريمة (**إعانة**) الكفار في حربهم للمسلمين، فهم إذاً كما قال ابن عباس: (وكانوا **يعينون** المشركين على المسلمين)؛

3) And because the texts excluded from the matter killing the one who had withdrawn from the fighting, was completely at peace and not involved in assisting the warring disbelievers:

فَإِنْ اعْتَزَلُواكُمْ فَلَمْ يُقَاتِلُوكُمْ وَأَلْفُوا إِلَيْكُمْ السَّلَامَ فَمَا جَعَلَ اللَّهُ لَكُمْ عَلَيْهِمْ سَبِيلًا

So, if they remove themselves from you and do not fight you and offer you peace, then Allah has not made for you a cause [for fighting] against them (An-Nisa': 90).

It is therefore necessary for those who are intended to be involved in the crime of "**Assisting**" the disbelievers in the war against the Muslims. They would then be as Ibn 'Abbas said: "**And they were assisting the Mushrikeen against the Muslims**".

فهذا إذا هو، والله أعلم، سبب النزول الحقيقي، أي نزول الآيات الكريمات أول مرة. وبهذا القول قال أيضاً الإمام أبو جعفر محمد بن جرير الطبري في «تفسير الطبري»، (ج: 5 ص: 195)، وإن كان قد أجمل، فلم يفصل: [وأولى هذه الأقوال بالصواب في ذلك قول من قال نزلت هذه الآية في اختلاف أصحاب رسول الله، صلى الله عليه وسلم، في قوم كانوا ارتدوا عن الإسلام بعد إسلامهم من أهل مكة وإنما قلنا ذلك أولى بالصواب لأن اختلاف أهل ذلك إنما هو على قولين التأويل في أحدهما أنهم قوم كانوا من أهل مكة على ما قد ذكرنا الرواية عنهم والآخر أنهم قوم كانوا من أهل المدينة وفي قول الله تعالى ذكره: ﴿فَلَا تَتَّخِذُوا مِنْهُمْ أَوْلِيَاءَ حَتَّىٰ يَهَاجِرُوا﴾، **أوضح الدليل** على أنهم كانوا من غير أهل المدينة لأن الهجرة كانت على عهد رسول الله، صلى الله عليه وسلم، إلى داره ومدينته من سائر أرض الكفر فأما من كان بالمدينة في دار الهجرة مقيماً من المنافقين وأهل الشرك فلم يكن عليه فرض هجرة لأنه في دار الهجرة كان وطنه ومقامه]، **انتهى كلام الإمام الطبري.**

This then, and Allah is most knowledgeable, is the true cause of revelation, meaning the initial cause connected to the revelation of the verses. This was also the opinion of Imam Abu Ja'far Muhammad bin Jarir At-Tabari in "Tafsir At-Tabari" (vol: 5 p: 195), even if he was general and did not go into details: [The most correct of these opinions in respect to that is the opinion of those who said that this verse was revealed in relation to the disagreement of the companions of the Messenger of Allah ﷺ concerning a Qawm (collective of people) from the inhabitants of Makkah who had apostatised from Islam after previously professing Islam. We have only said that this is the most correct opinion because the difference of opinion among the experts concerning that was only upon two opinions. The interpretation according to one of them was that they were a people who were from the people of Makkah based upon the narration that we mentioned from them, and the other opinion is that they were a people who were from the inhabitants of Al-Madinah. In the Qawl of Allah تعالى:

فَلَا تَتَّخِذُوا مِنْهُمْ أَوْلِيَاءَ حَتَّىٰ يَهَاجِرُوا

So, do not take from among them allies until they emigrate.

we find the **clearest evidence** that they were not from the inhabitants (or residents) of Al-Madinah because the Hijrah (migration) during the time of the Messenger of Allah ﷺ was to his Dar (land) and his Madinah (city) from all other lands of disbelief. As for the one who was residing in Al-Madinah in Dar ul-Hijrah from the Munafiqeen (hypocrites) and people of Shirk (polytheism), then the obligation of Al-Hijrah was not obliged upon him because the Dar ul-Hijrah was (already) his nation and place of residence] **The end of the speech of Imam At-Tabari.**

ولنا على كلام الإمام الطبري بعض التعليق. فمن الواضح أنه دمج صنفى المنافقين آنفى الذكر (الممتنعين عن الهجرة، والمرتدين عنها) وجعلهم صنفاً واحداً بعبارة غامضة (ارتدوا عن الإسلام بعد إسلامهم من أهل مكة): فها هي ورطة (الإرjaa) مرة أخرى، وسنعالجها في فصلها المستقل، بإذن الله.

We would like to comment here upon the speech of At-Tabari. It is clear that he blended together the two categories of the hypocrites mentioned above “Those who refrained from the Hijrah and those who reneged (or apostatised) from it” and made them one category employing an obscure statement “They apostatised from Islam after (professing) their Islam, from the inhabitants of Makkah”. This once again reflects the predicament of “Al-Irjaa” which we will deal with in its own independent section by Allah’s permission.

ولعلنا الآن نتفرغ لمناقشة بقية أسباب النزول المزعومة: فأما (السبب الثالث)، إن ثبت وقوعه، فهو في قصة أخرى، وقعت بعد تلك، وهي قصة [قوم من العرب أتوا رسول الله، صلى الله عليه وسلم، المدينة فأسلموا، وأصابهم وباء المدينة (حماها)، فأركسوا، فخرجوا من المدينة فاستقبلهم نفر من أصحابه (يعنى أصحاب النبي، صلى الله عليه وسلم) فقالوا لهم: (ما لكم رجعتُم!)، قالوا: (أصابنا وباء المدينة، فاجتوينا المدينة)، فقالوا: (أما لكم في رسول الله أسوة!)، فقال بعضهم: (نافقوا!)، وقال بعضهم: (لم ينافقوا، هم مسلمون)؛ فأنزل الله عز وجل: ﴿فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَيْنِ وَاللَّهُ أَرْكَسَهُمْ بِمَا كَسَبُوا﴾. فحال هؤلاء يختلف عن الحالة السابقة، التي هي سبب النزول الحقيقي الأول، على نحو بين، فلا عجب أن يختلف حولهم الصحابة مرة أخرى، بالرغم من نزول الآيات في موضوع الواقعة الأولى، لا سيما أنهم اعتذروا لخروجهم بالمرض، فنزلت الآيات، أو الآية الأولى، مرة أخرى للتنبيه على انطباق الحكم بالنفاق والكفر عليهم أيضاً، فليس المرض عذراً.

We will now focus our attention to discuss the remainder of the claimed causes of revelation: As for the “**third cause**”, if its occurrence is confirmed, then it relates to another story (or incident) which occurred after the other incident. It is the story of “A Qawm (people) from the Arabs who came to the Messenger of Allah ﷺ in Al-Madinah and became Muslim. They were then afflicted by sickness in Al-Madinah, so, they turned back and exited from Al-Madinah.. They were then met by a group from his companions (meaning the companions of the Prophet ﷺ) who said to them: “What is the matter with you that you have turned back?” They said: “We were afflicted by the sickness of Al-Madinah and so we disliked to remain in Al-Madinah” They said: “Don’t you have the best example to follow in the Messenger of Allah!?” Then some of them said: “They have become hypocrites” and other said: “They have not become hypocrites, they are Muslims”. Then Allah ‘Aza Wa Jalla revealed:

﴿فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَيْنِ وَاللَّهُ أَرْكَسَهُمْ بِمَا كَسَبُوا﴾

What is [the matter] with you [that you are] two groups concerning the hypocrites, while Allah has made them fall back (or return) due to what they earned (An-Nisa’: 88)].

Consequently, the circumstance of these clearly differs from the previous case which is the true initial cause of revelation. There is therefore no surprise that the companions differed one again in respect to them

despite the prior revelation of the verses regarding the subject of the first incident. That is especially as they excused themselves for leaving due to sickness. Then the verses were revealed, or only the first verse, once again to bring attention to the application of the ruling of hypocrisy and disbelief upon them as well, as sickness is not a legitimate excuse.

فإن صح هذا فالحكم ها هنا أشد: لأنه يترتب عليه كفر من غادر دار الهجرة، أي من نبذ التبعية الإسلامية، بغض النظر عن دخوله في ولاية حربية أو حملته تابعة حربية من عدمه. وبغض النظر عن مظاهر الكفار على المؤمنين من عدمه، وعلى هذا، أي على فرضية ثبوت هذه القصة، يكون هذا النوع من (الارتداد أعرابياً بعد الهجرة) بذاته مجرداً، ليس من الكبائر الموبقة فحسب، بل هو من أعمال الكفر، يكفر فاعله، ويخرج من الإسلام بمجرد فعله، إلا من عذر بعذر حقيقي، كإكراه ملجئ، ونحوه من موانع تكفير المعين المعروفة. ولكننا لا نقول بذلك احتياطاً وتخوفاً من مغبة التكفير، من غير برهان قاطع. ولا نقطع بعدم صحته لكي لا نفتح باب نفاق كفر مهلك: بل نبقي القرار معلقاً!

If this is authentic (or correct) then the Hukm (ruling) here is more severe: That is because its consequence is the disbelief of the one who leaves Dar ul-Hijrah, i.e., the one who discards the Islamic subject status (Taabi'iyah), regardless of whether or not he has entered into the disbelieving Walaayah (guardianship) or has taken the subject status of the warring land. And regardless of whether or not he has supported the disbelievers against the believers. Therefore, assuming the authenticity of this incident, this would reflect a type of "the apostacy (Irtidad) of the Aaraabi after the Hijrah", which by itself alone is not only from the destructive major sins, but rather is from the acts of Kufr (disbelief) which make its performer a disbeliever and removes him from the folds of Islam by its mere undertaking, with the exception of the one who is excused by a real (legitimate) excuse, like the dire compulsion and what is similar to that in terms of those known factors that prevent the pronouncement of disbelief upon a specific individual. However, we do not adopt that opinion due to applying caution and fearing the consequence related to the pronouncement of disbelief without a definite proof (Burhan). We do not however state decisively that it is not correct so that we don't open the ruinous door of hypocrisy and disbelief. Rather, we leave the matter undecided!

أما (السبب الرابع للنزول) فقد جاء بأصح الأسانيد وأقواها وهو المخرج في «الصحيحين»، وهو كذلك في «سنن الترمذي»، و«مسند الإمام أحمد بن حنبل» من عدة طرق، وفي «السنن الكبرى للإمام النسائي»، وكذلك «سنن البيهقي الكبرى». وهو أيضاً في «المعجم الكبير»، وفي «المنتخب من مسند عبد بن حميد»، وكذلك في عامة التفاسير، مثل «تفسير الطبري»، وغيرها، فلا بد من القول بثبوته.

As for the "fourth cause of revelation", then it came with the most authentic and strongest chains of transmission. It has been recorded in the "Sahihaini" (Al-Bukhari and Muslim), "Sunan At-Tirmidhi", "Musnad Ahmad bin Hanbal" via numerous paths, "As-Sunan Al-Kubra of An-Nasa'i" and "As-Sunan Al-Kubra of Al-Baihaqi". It was also recorded in "Al-Mu'jam Al-Kabir", "Al-Muntakhib Min Musnad 'Abd bin

Humaid", just as it came stated in most of the books of Tafsir like "Tafsir At-Tabari", among others. There is therefore no doubt in stating that it is authentically established.

فهذا نزول آخر في حق هؤلاء الذين انسحبوا قبل القتال، وخذلوا المسلمين بانسحابهم. هذا الانسحاب قبيل المعركة، وخذلان المسلمين بذلك، هو نوع من **(مظاهرة المشركين)** ولو باتخاذ «موقف سلبي» أو «قرار سلبي»، ولم يكن بأفعال وأقوال فعلية إيجابية. وهو من أعمال الكفر، يكفر فاعله، ويخرج من الإسلام بمجرد فعله، إلا من عذر بعذر حقيقي، كإكراه ملجئ، ونحوه من موانع تكفير المعين المعروفة. ولا يجوز أن يستغرب تنازع الصحابة في شأن هؤلاء، وسكوت النبي، صلى الله عليه وعلى آله وسلم، على ذلك حتي نزل الوحي مرة أخرى مؤكداً انطباقها على هؤلاء أيضاً، بالرغم من زول الآيات قبل ذلك في واقعة سابقة، أو وقائع أخرى، كما سبق مناقشته. نعم: لا يجوز أن يستغرب ذلك لأن واقع هذه الحالة مخالف مخالفة بينة للحادثة أو الحادثتين السابق ذكرها ومناقشتها:

(1) لأن مرتكبي تلك الجريمة الشنعاء من أهل (دار الإسلام)، وهم مازالوا تحت الراية الإسلامية، ولم يفارقوا في الظاهر دار الإسلام والهجرة؛

(2) ولأن الانسحاب قبيل القتال موقف سلبي، فيه شيء من (التولي يوم الزحف)، وليس هو من **(مظاهرة المشركين)** الفعالة الإيجابية البينة الظاهرة.

This represents another descent of revelation in relation to those who withdrew (from battle) prior to the fighting and let down (or betrayed) the Muslims by their withdrawal. This withdrawal prior to the battle, and letting the Muslims down by that, is a type of "**supporting the Mushrikeen**" and even if it was by adopting "a passive stance" or "passive decision" and not due to actual proactive actions or statements. It is from the acts of disbelief, whereby the doer is pronounced a disbeliever and exists from the folds of Islam by its mere undertaking, with the exception of the one who is excused by a real (legitimate) excuse, like the dire compulsion and what is similar to that in terms of those known factors that prevent the pronouncement of disbelief upon a specific individual. There should be no surprise concerning the Sahabah disputing about them or concerning the silence of the Prophet ﷺ upon that until the (same) divine revelation descended again, affirming the application of those verses upon them as well. That is despite the descent of the verses prior to that in connection to an earlier incident or other incidents, as has previously been discussed. Indeed, there should be no surprise about that because the reality of this case is clearly different to the prior incident or two incidents which we have previously mentioned and discussed:

1) Because the perpetrators of that heinous crimes were from the inhabitants (or residents) of "Dar ul-Islam" and they were still under the Islamic banner and did not openly separate from Dar ul-Islam and the Hijrah.

2) And because the withdrawal prior to the fighting is a passive stance which has some resemblance to "turning back when the army advances" (التَّوَلَّى يَوْمَ الرَّحْفِ) and does not fall under the description of actually, clearly and evidentially proactively "**supporting the Mushrikeen**".

ولا يعترض على هذا القول أن فاعلي ذلك من المنافقين لم يتم قتالهم أو قتلهم. والحق أنهم لم يتم قتالهم أو قتلهم إلا لأنهم لم ينقلبوا حربيين، بل مازالوا من أهل الدار، دار الإسلام والهجرة، وأهل الدار من

المنافقين لا يقاتلون ولا يقتلون، وإن كانوا في الآخرة كفاراً، بل من أخبث الكفار، ومن أهل الدرك الأسفل من النار.

This opinion is not opposed by the fact that the perpetrators of that from the hypocrites were not fought against or killed. The truth is that they were not fought or killed for any reason other than that they did not turn into people at war but rather remained residents of the Dar, Dar ul-Islam and Al-Hijrah. The hypocrite inhabitants of the Dar are not fought or killed, even if they are ultimately disbelievers, indeed even if they are the most wicked of the disbelievers and the destined inhabitants of the lowest depths of the hellfire.

أما (السبب الخامس) فهو غريب لعدم تطابقه واقعه مع أي زنية في الآية، وليست أسانيده بذاك فيحتمل أن يكون من أوهام الرواة، ومن المحال أن يكون هو سبب النزول الأول. ومع ذلك فمن المحتمل أن الآية تليت على سعد بن عباد، رضي الله عنه، عتاباً له إذ أخذته الحمية القبلية فدافع عن عبد الله بن أبي بن سلول، مع أنه يعلم جيداً أن الرجل منافق مشهور، لا يشك عاقل في نفاقه وكفره.

As for the “sixth cause”, then it is strange **due to the non-conformity of its reality to any detail of the verse**. Its chains of transmission are not that strong. Consequently, it could possibly be from the errors of the narrators and it is impossible for it to be the initial cause of revelation. Despite that, it is possible that the verse was recited to Sa’d bin ‘Ubadah, may Allah be pleased with him, as a form of rebuke to him in the case that he was taken by the tribal fervour and defended Abdullah bin Abi bin Salul, whilst he knew well that the man was a well-known hypocrite, in the case where no rational person would have any doubt concerning his hypocrisy and disbelief.

❖ فصل: أسباب عصمة دماء بعض هؤلاء المنافقين

سبق بيان مفصل لمن ينطبق عليهم حكم الكفر الحقيقي، أي الكفر المناقض للإسلام كل المناقضة، الناقل عن الملة الإسلامية لمن كان من أهلها قبل ذلك، أي لمن صح له عقد الإسلام قبل ذلك، وهم:

- (1) حملة التابعة الكفرية الحربية، المتلبسين بمظاهرة أو إعانة فعلية لأهلها على المسلمين؛
- (2) من نبذ التابعة الإسلامية، وغادر دار الإسلام، وحمل تابعة كفرية حربية؛
- (3) من خذل المسلمين فانسحب من جيش المسلمين قبل القتال؛

والأصل في الصنفين الأولين أنهم من أهل النفاق الكفري، وأنهم يعاملون معاملة الكفار الحربيين من إهدار دمائهم، وإباحة أموالهم، في جميع الأزمنة والأمكنة، في الحل، وفي الحرم إن باشروا القتال، وسلوا السيوف، وعلى جميع الأحوال: (فَخَذُواْهُمْ وَأَقْتَلُوْهُمْ حَيْثُ وَجَدْتُمُوهُمْ)، وليس فقط في ميدان المعركة، أو عند تقابل الصفوف، والتحام الجموع، أو في حالة المواجهة المسلحة، إلا من عصم بسبب موجب:

- Section: The reasons for the protection of the blood of some of those hypocrites

The explanation of the one upon whom the Hukm (judgement) of true Kufr (disbelief) is pronounced has preceded, referring here to the disbelief that is completely inconsistent with Islam and takes the person,

who was previously validly established to be a Muslim, outside of the folds of the Islamic Millah (i.e., Deen). They include:

- 1) Those who hold the disbelieving warring Taabi'iyah (subject status) and are actively involved in supporting and assisting their people against the Muslims.
- 2) Whoever gives up or rescinds the Islamic Taabi'iyah (subject status) and leaves Dar ul-Islam and then holds the disbelieving warring subject status.
- 3) Whoever lets down (or betrays) the Muslims and withdraws from the Muslim army before the commencement of fighting.

The origin in respect to the first two types is that they are from the people of disbelieving hypocrisy and that they are dealt with according to the treatment afforded to the warring disbelievers in terms of their blood and properties being permissible, in all times and places including those which are Halal (in origin) and the Haram (i.e., like in Makkah and the prohibited months), if they initiate the fighting and brandish their weapons, under all circumstances:

فَحْدُوهُمْ وَاقْتُلُوهُمْ حَيْثُ وَجَدْتُمُوهُمْ

... Then seize them and kill them wherever you find them (An-Nisa': 89).

This is not only in the field of battle, when the ranks meet and clash, or in the case of armed confrontation. That is with the exception of the one who is protected due to a reason dictating that:

*** - * سبب العصمة الأول:** وصول هؤلاء القوم المنافقين، محل البحث والنظر ها هنا، إلى قوم آخرين من أهل العهود والمواثيق بالدخول فيهم بحيث يصير كأنه منهم، ويرضى بأن تسري عليه أحكامهم، خصوصاً الالتزام بشروط عهودهم ومواثيقهم مع المسلمين. ولا فرق ها هنا بين:

(أ) الدخول الكلي الدائم، غير المؤقت، فيهم، مثلاً: بحمل تابعيتهم، أو التعاقد علي حلف أبدي دائم معهم؛

(ب) أو الدخول الجزئي غير المؤقت بالاستمتاع بالإقامة الدائمة في بلادهم وتحت سلطانهم؛

(ج) أو الدخول الجزئي غير المؤقت بالاستمتاع بالجوار والحماية (اللجوء السياسي) في بلادهم؛

(د) أو الدخول الجزئي المؤقت بالإقامة المؤقتة في بلادهم، أو العبور فيها بأمان، أو نحو ذلك، (تأشيرة الزيارة والترانزيت ونحوها في هذا العصر):

The first cause of protection ('Ismah): That a Qawm (people) of hypocrites, who are under examination and review here, reach another Qawm (collective of people) who possess covenants and treaties to enter among them, in the case where the person comes to be as if he is one of them and accepts for their rulings to be applied upon him, which specifically includes compliance with the conditions of their covenants and treaties with the Muslims. There is no difference here between:

- a) The full permanent non-temporary entry among them. For example: Holding their subject status (Taabi'iyah) or convening a permanent alliance with them.

b) Or the partial non-temporary entry enjoying permanent residency in their land or country and under their authority.

c) Or the partial non-temporary entry enjoying protection “political asylum” in their lands.

or granting passage through ,d) Or the partial temporary entry granting temporary residency in their lands or what is like that in terms of visiting and transit visas or what is ,the lands via the provision of security .equivalent to that in our current age

* فقد جاء في «تفسير ابن كثير»، (ج: 1 ص: 534، وما بعدها): [وقد روى ابن أبي حاتم: حدثنا أبي حدثنا أبو سلمة حدثنا حماد بن سلمة عن علي بن زيد بن جدعان عن الحسن أن سراقه بن مالك المدلجي حدثهم قال لما ظهر النبي، صلى الله عليه وسلم، على أهل بدر وأحد وأسلم من حولهم قال سراقه بلغني أنه يريد أن يبعث خالد بن الوليد إلى قومي بني مدلج فأتيته فقلت أنشدك النعمة فقالوا مه فقال النبي، صلى الله عليه وسلم، دعوه ما تريد قال بلغني أنك تريد أن تبعث إلى قومي وأنا أريد أن توادعهم فإن أسلم قومك أسلموا ودخلوا في الإسلام وإن لم يسلموا لم تخش قلوب قومك عليهم فأخذ رسول الله، صلى الله عليه وسلم، بيد خالد بن الوليد فقال اذهب معه فافعل ما يريد فصالحهم خالد على أن لا يعينوا على رسول الله، صلى الله عليه وسلم، وإن أسلمت قريش أسلموا فأنزل الله: ﴿وَدُّوا لَوْ تَكْفُرُونَ كَمَا كَفَرُوا فَتَكُونُونَ سَوَاءً فَلَا تَتَّخِذُوا مِنْهُمْ أَوْلِيَاءَ﴾. ورواه ابن مردويه من طريق حماد بن سلمة وقال فأنزل الله: ﴿إِلَّا الَّذِينَ يَصِلُونَ إِلَى قَوْمِ بَيْنَكُمْ وَبَيْنَهُمْ مِيثَاقٌ﴾، فكان من وصل إليهم كان معهم على عهدهم، وهذا أنسب لسياق الكلام. وفي صحيح البخاري 2731 في قصة صلح الحديبية فكان من أحب أن يدخل في صلح قريش وعهدهم ومن أحب أن يدخل في صلح محمد، صلى الله عليه وسلم، وأصحابه وعهدهم]، انتهى كلام ابن كثير.

- The following came stated in “Tafsir Ibn Kathir” (vol: 1 p: 534 onwards): [Ibn Abi Hatim related: My father related to me: Abu Salamah related to us: Hammad bin Salamah related to us from ‘Ali bin Zaid bin Jud’an, from Al-Hasan: That Suraqah bin Malik Al-Mudlijy related to them: He said: When the Prophet ﷺ prevailed over the people of Badr and Uhud and those surrounding (or neighbouring) them embraced Islam. Suraqah said: The news reached me that he wanted to send Khalid bin Al-Walid to my people Bani Mudlij. So, I went to him and said: “I implore you for a favour”. They (i.e., those present) said: “What is this?”. The Prophet ﷺ then said: “Leave him me, what do you want?” He said: “The news has reached me that you want to send Khalid bin Al-Walid to my people and I want you to make peace with them. Then, if your people (referring to Quraish) embrace Islam, they would become Muslim and enter into Islam. And if they don’t become Muslim, you would not have hardened the hearts of your people (i.e., Quraish) against them”. The Messenger of Allah ﷺ then took hold of the hand of Khalid bin Al-Walid and said: “Go with him and do as he wants”. So, Khalid made peace with them upon the condition that they do not assist (anyone) against the Messenger of Allah ﷺ, and that if Quraish embrace Islam, they would (also) embrace Islam. Then Allah revealed:

وَدُّوا لَوْ تَكْفُرُونَ كَمَا كَفَرُوا فَتَكُونُونَ سَوَاءً فَلَا تَتَّخِذُوا مِنْهُمْ أَوْلِيَاءَ

They wish you would disbelieve as they disbelieved so you would be alike. So do not take from among them allies (An-Nisa’: 89).

And Ibn Mardawaih related it from the path of Hammad bin Salamah and he said: Then Allah revealed:

إِلَّا الَّذِينَ يَصِلُونَ إِلَى قَوْمٍ بَيْنَكُمْ وَبَيْنَهُمْ مِيثَاقٌ

Except for those who take refuge with a people between yourselves and whom is a treaty (An-Nisa': 90).

And consequently, whoever reached them was (considered to be) with them upon their 'Ahd (treaty or covenant) and this is most appropriate for the context of the speech. And it also came recorded in Sahih Al-Bukhari concerning the incident of the Sulh (peace truce) of Al-Hudaibiyah as (it was stated within it) that whoever wished to enter the truce and treaty alongside Quraish, could do so, and whoever wished to enter the truce alongside Muhammad ﷺ and his companions and their treaty, could do so]. Here ends the speech of Ibn Kathir.

* وجاء في «تفسير الطبري»، (ج: 5 ص: 196 وما بعدها) بيان لبعض ذلك، إذ قال الإمام الطبري: [القول في تأويل قوله تعالى: ﴿إِلَّا الَّذِينَ يَصِلُونَ إِلَى قَوْمٍ بَيْنَكُمْ وَبَيْنَهُمْ مِيثَاقٌ أَوْ جَاءُوكُمْ حَصِرَتْ صُدُورُهُمْ أَنْ يُقَاتِلُوكُمْ أَوْ يَقَاتِلُوكُمْ فَلَاقَتْهُمْ عَلَيْهِمْ لِسُلْطَتِ اللَّهِ لَوْ شَاءَ اللَّهُ لَسَلَّطَهُمْ عَلَيْكُمْ فَلَقَاتِلُوكُمْ فَلَمَّ اعْتَزَلُوكُمْ فَلَمْ يُقَاتِلُوكُمْ فَلَاقَتْهُمْ عَلَيْهِمْ سَبِيلًا﴾، يعني جل ثناؤه بقوله: ﴿إِلَّا الَّذِينَ يَصِلُونَ إِلَى قَوْمٍ بَيْنَكُمْ وَبَيْنَهُمْ مِيثَاقٌ﴾، فإن تولى هؤلاء المنافقون الذين اختلفتم فيهم عن الإيمان بالله ورسوله وأبوا الهجرة فلم يهاجروا في سبيل الله فخذوهم واقتلوهم حيث وجدتموهم سوى من وصل منهم إلى قوم بينكم وبينهم مودة وعهد وميثاق فدخلوا فيهم وصاروا منهم ورضوا بحكمهم فإن لمن وصل إليهم فدخل فيهم من أهل الشرك راضيا بحكمهم في حق دمائهم بدخوله فيهم أن لا تسبى نساؤهم وذرايرهم ولا تغنم أموالهم كما:

- And elaboration upon some of that came mentioned in “Tafsir At-Tabari” (vol: 5 p: 196 onwards) in the case where Imam At-Tabari stated: [The opinion in respect to the Ta’weel (interpretation) of His Qawl تعالى:

إِلَّا الَّذِينَ يَصِلُونَ إِلَى قَوْمٍ بَيْنَكُمْ وَبَيْنَهُمْ مِيثَاقٌ أَوْ جَاءُوكُمْ حَصِرَتْ صُدُورُهُمْ أَنْ يُقَاتِلُوكُمْ أَوْ يُقَاتِلُوكُمْ فَلَاقَتْهُمْ عَلَيْهِمْ لِسُلْطَتِ اللَّهِ لَوْ شَاءَ اللَّهُ لَسَلَّطَهُمْ عَلَيْكُمْ فَلَقَاتِلُوكُمْ فَلَمَّ اعْتَزَلُوكُمْ فَلَمْ يُقَاتِلُوكُمْ فَلَاقَتْهُمْ عَلَيْهِمْ سَبِيلًا فَمَا جَعَلَ اللَّهُ لَكُمْ عَلَيْهِمْ سَبِيلًا

Except for those who take refuge with a people between yourselves and whom is a treaty or those who come to you, their hearts strained at [the prospect of] fighting you or fighting their own people. And if Allah had willed, He could have given them power over you, and they would have fought you. So if they remove themselves from you and do not fight you and offer you peace, then Allah has not made for you a way (or cause) [for fighting] against them (An-Nisa': 90).

Allah Majestic be His praise means by His Qawl:

إِلَّا الَّذِينَ يَصِلُونَ إِلَى قَوْمٍ بَيْنَكُمْ وَبَيْنَهُمْ مِيثَاقٌ

Except for those who take refuge with a people between yourselves and whom is a treaty (An-Nisa': 90).

If those hypocrites who you disagreed about turned away from Iman (belief) in Allah and His Messenger, and refused to undertake the Hijrah (migration) and consequently did not migrate in the way of Allah, “then seize them and kill them wherever you overtake them” (An-Nisa’: 91), with the exception of those from them who joined a Qawm (collective of people) who have a peace treaty (Muwada’ah), covenant (‘Ahd) or Mithaq (agreement) between them and you (i.e., the Muslims of Dar ul-Islam)), in the case where they joined them, became a part of them and accepted their Hukm (rule or judgement). That is as it is the right of those who reached and joined them from the people of Shirk and accepted their Hukm (rule or judgement) in respect to the non-spilling of their blood as a consequence of his joining them, for their women and children not to be taken as slaves and for their properties not to be taken as booty. That is because:

– حدثنا محمد بن الحسين قال حدثنا أحمد بن مفضل قال حدثنا أسباط عن السدي إلا الذين يصلون إلى قوم بينكم وبينهم ميثاق يقول إذا أظهروا كفرهم فاقتلوهم حيث وجدتموهم فإن أحد منهم دخل في قوم بينكم وبينهم ميثاق فأجروا عليه مثل ما تجرون على أهل الذمة. حدثني يونس عن ابن وهب قال: قال ابن زيد في قوله إلا الذين يصلون إلى قوم بينكم وبينهم ميثاق يصلون إلى هؤلاء الذين بينكم وبينهم ميثاق من القوم لهم من الأمان مثل ما لهؤلاء. حدثنا القاسم قال حدثنا الحسين قال حدثني حجاج عن ابن جريج عن عكرمة قوله إلا الذين يصلون إلى قوم بينكم وبينهم ميثاق قال نزلت في هلال بن عويمر الأسلمي وسراقة بن مالك بن جعشم وخزيمة بن عامر بن عبد مناف]، انتهى نص الطبري.

- Muhammad bin Al-Husain narrated to us: He said: Ahmad bin Al-Mufaddal related to us: He said: Asbaat related to us from As-Suddiy (concerning):

إِلَّا الَّذِينَ يَصِلُونَ إِلَى قَوْمٍ بَيْنَكُمْ وَبَيْنَهُمْ مِيثَاقٌ

Except for those who take refuge with a people between yourselves and whom is a treaty (An-Nisa’: 90).

He said: If they manifest their disbelief, then kill them wherever you find them. But if one of them enters among a Qawm (collective of people) who have a treaty between them and you, then apply to him the same as you apply upon the Ahl udh-Dhimmah (non-Muslim subjects of Dar ul-Islam).

Yunus related to me from Ibn Wahb: He said: Ibn Zaid said concerning His Qawl:

إِلَّا الَّذِينَ يَصِلُونَ إِلَى قَوْمٍ بَيْنَكُمْ وَبَيْنَهُمْ مِيثَاقٌ

Except for those who take refuge with a people between yourselves and whom is a treaty (An-Nisa’: 90).

They arrive to a Qawm who have a treaty between them and you and then they share (or enjoy) the same Amaan (security) that they have.

Al-Qasim related to us: He said: Al-Husain related to us: He said: Hajjaj related to me from Ibn Juraij, from ‘Ikrimah: (Concerning) His Qawl:

إِلَّا الَّذِينَ يَصِلُونَ إِلَى قَوْمٍ بَيْنَكُمْ وَبَيْنَهُمْ مِيثَاقٌ

... Those who take refuge with a people between yourselves and whom is a treaty (An-Nisa': 90).

He said: It was revealed concerning Hilal bin 'Uwaimir Al-Aslamiy, Suraqah bin Malik bin Ju'shum and Khuzaimah bin 'Aamir bin 'Abd Manaf] **The end of the text of At-Tabari.**

وقد رد الإمام الطبري رداً بليغاً على من زعم أن جملة: (الذين يصلون إلى قوم بينكم وبينهم ميثاق)، تعني: (الذين يتصلون في أنسابهم لقوم بينكم وبينهم ميثاق) فقال: [وقد زعم بعض أهل العربية أن معنى قوله إلا الذين يصلون إلى قوم إلا الذين يتصلون في أنسابهم لقوم بينكم وبينهم ميثاق من قولهم اتصل الرجل بمعنى انتمى وانتسب كما قال الأعشى في صفة امرأة انتسبت إلى قوم:

إذا اتصلت قالت أبكر بن وائل * * * * وبكر سبتها والأنوف رواغم

يعني بقوله اتصلت انتسبت ولا وجه لهذا التأويل في هذا الموضع لأن الانتساب إلى قوم من أهل الموادة أو العهد لو كان يوجب للمنتسبين إليهم ما لهم إذا لم يكن لهم من العهد والأمان ما لهم لما كان رسول الله، صلى الله عليه وسلم، ليقاقل قريشا وهم أنسباء السابقين الأولين ولأهل الإيمان من الحق بإيمانهم أكثر مما لأهل العهد بعهدهم وفي قتال رسول الله، صلى الله عليه وسلم، مشركي قريش بتركها الدخول فيما دخل فيه أهل الإيمان منهم مع قرب أنسابهم من أنساب المؤمنين منهم الدليل الواضح أن انتساب من لا عهد له إلى ذي العهد منهم لم يكن موجبا له من العهد ما لذي العهد من انتسابه فإن ظن ذو غفلة أن قتال النبي، صلى الله عليه وسلم، من قاتل من أنسباء المؤمنين من مشركي قريش إنما كان بعد ما نسخ قوله إلا الذين يصلون إلى قوم بينكم وبينهم ميثاق فإن أهل التأويل أجمعوا على أن ذلك نسخ ببراءة، نزلت بعد فتح مكة ودخول قريش في الإسلام، انتهى كلام الإمام الطبري، كما هو في «تفسير الطبري»، (ج: 5 ص: 196 وما بعدها).

In addition, Imam At-Tabari responded eloquently to those who claimed that the statement:

الَّذِينَ يَصِلُونَ إِلَى قَوْمٍ بَيْنَكُمْ وَبَيْنَهُمْ مِيثَاقٌ

... Those who take refuge with a people between yourselves and whom is a treaty (An-Nisa': 90).

Means: "Those who are connected in their lineages to a Qawm who have an existing treaty between you and them". So, he said: [And some of the people of the Arabic language have claimed that the meaning of His Qawl:

إِلَّا الَّذِينَ يَصِلُونَ إِلَى قَوْمٍ

Except for those who take refuge with a people

Is: "Except those who are connected in their lineages to a people who have a treaty existing between you and them" based on their opinion that "Ittasala Ar-Rajul" (اتَّصَلَ الرَّجُلُ) means being affiliated to and being connected by lineage to, just like Al-Aa'sha said (in his poetry) in relation to a woman who was connected by lineage to a Qawm (people):

إذا اتصلت قالت أبكر بن وائل * * * * وبكر سبتها والأنوف رواغم

In the case where “Ittasalat” (اتصلت) (connected) means “Intasabat” (انتسبت) (i.e., to be related or affiliated by lineage). However, there is no evidential point for this interpretation in this context. Had the Intisaab (affiliation by relation/lineage) to a Qawm who possess a peace treaty or covenant (with the Muslims) dictated that those tied by lineage or relation to them would enjoy the same rights as them even if they did not possess the same covenant and security that they did, the Messenger of Allah ﷺ would not have fought Quraish in the case where they were connected by lineage and relations to the first and foremost (of the Muslims who migrated). In addition, the people of Iman (belief) have greater right due to their Iman than the people of the covenant (‘Ahd) have due to their covenant. Also, the Messenger of Allah ﷺ fighting the polytheists of Quraish due to them not entering into what the people of Iman from among them entered into, in spite of the closeness of their lineages to the lineages of the believers from them (i.e., Quraish), is clear evidence that the affiliation by relation of the one who has no covenant to the one who has a covenant from them does not dictate that he enjoys the rights of the covenant which the one possessing the covenant enjoys, just because of his affiliation by relation. Consequently, if a careless person thinks that the Prophet’s ﷺ against the polytheist relations of the believers only occurred after the abrogation of His Qawl:

إِلَّا الَّذِينَ يَصِلُونَ إِلَى قَوْمٍ بَيْنَكُمْ وَبَيْنَهُمْ مِيثَاقٌ

Except for those who take refuge with a people between yourselves and whom is a treaty (An-Nisa’: 90).

Then the people of Ta’weel (i.e., Tafsir) have agreed by consensus that this was abrogated by Al-Bara’ah (i.e., the first verses of Surah Tawbah) which was revealed after the Fat’h (conquest) of Makkah and the Quraish entering into Islam] **The end of the speech of At-Tabari** as came stated in “**Tafsir At-Tabari**” (vol: 1 p: 495 onwards).

* وجاء في «فتح القدير»، (ج: 1 ص: 495، وما بعدها): [وقيل الاتصال هنا هو اتصال النسب والمعنى إلا الذين ينتسبون إلى قوم بينكم وبينهم ميثاق قاله أبو عبيدة، وقد أنكر ذلك أهل العلم عليه لأن النسب لا يمنع من القتال بالإجماع فقد كان بين المسلمين وبين المشركين أنساب ولم يمنع ذلك من القتال].

- And the following came stated in “**Fat’h ul-Qadeer**” (vol: 1 p: 495 onwards): [And it has been said here that the Ittisaal (connection) here means the connection of lineage and that the meaning (of the verse) is: “Except those who are affiliated by lineage to a people (Qawm) between yourselves and whom there is a treaty”. Abu Ubaidah stated this whilst the people of knowledge (Ahl ul-‘Ilm) have rejected that as the lineage does not prevent being fought against by Ijma’ (consensus). There were relations between the Muslims and the Mushrikeen (polytheists) and that did not prevent the fighting].

ولنا على كلام الإمام الطبري أنف الذكر استدراك واحد وهو: أن القول بنسخ هذه الآيات محل بحثنا ليس إجماعاً من الأمة أو جميع مفسريها، بل منهم من لا يقول بنسخها أصلاً، وهو الحق. وإنما قصد الإمام الطبري أن القائلين بالنسخ كلهم أجمعوا على أن النسخ كان بسورة (براءة)، وهي إنما نزلت بعد فتح مكة، وإسلام قريش، فلا معنى إذاً لتفسير: (الذين يصلون إلى قوم بينكم وبينهم ميثاق) بالجملة: (الذين يتصلون في أنسابهم لقوم بينكم وبينهم ميثاق).

We have a single rectification to make here upon the above mentioned speech of Imam At-Tabari, which is: That the stated opinion concerning the abrogation of these verses which are the subject of our study is not an Ijma' (consensus) of the Ummah or all of its scholars of Tafsir. Rather, from among them are those who say that it has not been abrogated at all in origin and that is the truth. The intention of Imam At-Tabari was only that those who stated that abrogation had taken place, had all agreed by consensus that the abrogation had occurred with Surah "Bara'ah" (At-Taubah) which was revealed after Fat'h (the conquest of) Makkah and Quraish embracing Islam. As such there is no relevance to the Tafsir (explanation) of:

إِلَّا الَّذِينَ يَصِلُونَ إِلَى قَوْمٍ بَيْنَكُمْ وَبَيْنَهُمْ مِيثَاقٌ

Except for those who take refuge with a people between yourselves and whom is a treaty (An-Nisa': 90).

With the meaning of: "Except those who are connected in their relations (or lineage) to a people between yourselves and whom is a treaty".

* وجاءت تنبيهات لطيفة في «تفسير البغوي»، (ج: 1 ص: 460): [قوله تعالى فإن تولوا أعرضوا عن التوحيد والهجرة فخذوهم أسارى ومنه يقال للأسير أخذوا واقتلوهم حيث وجدتموهم في الحل والحرم ولا تتخذوا منهم ولدا ولا نصيراً. ثم استثنى طائفة منهم فقال: ﴿إِلَّا الَّذِينَ يَصِلُونَ إِلَى قَوْمٍ﴾، وهذا الاستثناء يراد به إلى القتل لا إلى الموالاة لأن الموالاة الكفار والمنافقين لا تجوز بحال. ومعنى يصلون أي ينتسبون إليهم ويتصلون بهم ويدخلون فيهم بالحلف والجوار وقال ابن عباس رضي الله عنهما يريدون ويلجأون إلى قوم بينكم وبينهم ميثاق أي عهد وهم الأسلميون وذلك أن رسول الله، صلى الله عليه وسلم، وادع هلال بن عويمر الأسلمي قبل خروجه إلى مكة على أن لا يعينه ولا يعين عليه ومن وصل إلى هلال من قومه وغيرهم ولجأ إليه فلهم من الجوار مثل ما لهلال وقال الضحاك عن ابن عباس أراد بالقوم الذين بينكم وبينهم ميثاق بني بكر بن زيد بن مناة كانوا في الصلح والهدنة وقال مقاتل هم خزاعة، ثم قال الإمام البغوي بعد قليل: [نهى الله سبحانه عن قتال هؤلاء المرتدين إذا اتصلوا بأهل عهد للمسلمين: لأن من انضم إلى قوم ذوي عهد فله حكمهم في حق الدماء].

- Some nice points came stated in "Tafsir Al-Baghawi" (vol: 1 p: 460): [Concerning His Qawl "If they turn away": (It means) They turn away from Tawhid and the Hijrah. "Then seize them": (It means) Take them as captives and concerning this it has been said that the "Aseer" (captive) is the "Akheedh" (one who is taken/seized). "And kill them wherever you find them": (It means) In the Hall (permitted places or times) and in the Haram (prohibited places like the Haram and times). "And take not from among them any ally or helper". He then excluded a group of them and said:

إِلَّا الَّذِينَ يَصِلُونَ إِلَى قَوْمٍ

Except for those who take refuge with a people

And this exception returns to the matter of killing and not the issue of Al-Muwaalaah (taking as allies) because taking the disbelievers and hypocrites as allies is not permissible under any circumstances. And the meaning of "Yasiloona" (يَصِلُونَ) is that they affiliate to them, connect (or join) with them and enter among them by alliance (Hilf) or protection (Jiwar). And Ibn 'Abbas, may Allah be pleased with him and his father, said: "They seek refuge with a people between yourselves and whom there is a Mithaq (agreement/treaty),

meaning an 'Ahd (covenant). And they were Al-Aslamiyoon. That was as the Messenger of Allah ﷺ made a peace agreement with Hilal bin 'Uwaimir Al-Aslamiy before he left Makkah upon the basis that he does not assist him or assist against him and that whoever reaches Hilal from his Qawm (people) or other than them and seeks refuge with him, then they have the same Jiwar (protection) as Hilal has". And Ad-Dahhak said from Ibn 'Abbas: "He intended by the Qawm between yourselves and whom is a Mithaq, (the Qawm of) Bani Bakr bin Zaid bin Manat who were in the (status of) Sulh (peace) and Hudnah (truce)". Muqatil said: "It refers to Khuza'ah". Then Imam Al-Baghawiy stated a little after that: [Allah سبحانه forbade fighting those Murtaddeen (apostates) if they reached a people who had a covenant with the Muslims: **Because whoever joins a Qawm possessing an 'Ahd (covenant or treaty), then he shares their Hukm (ruling) in respect to his blood being spared**].

*** - سبب العصمة الثاني:** مجيء هؤلاء القوم المنافقين، محل البحث والنظر هنا، إلينا مصرحين ومعلنين بأنهم لا يريدون مشاركة قومهم (وقومهم بالضرورة كفار حربيون) في قتال المسلمين، ولا مشاركة المسلمين في قتال قومهم، وأنهم ممتنعون منعاً باتاً عن قتال المسلمين، وأنهم مسالمون تمام السلم، معتزلون اعتزالاً تاماً عن القتال: لا يقاتلون المسلمين، ولا ينصرون قومهم بقول أو عمل، ولا يشاركون في قتال قومهم بلسان أو مال أو يد. ولا يشترط أن يكون مجيؤهم حسيماً، بل قد يأتي بذلك رسول من قبلهم، أو كتابة خطية معتمدة، أو بيان أو تصريح إعلامي شفوي من جهة مأذونة معتبرة.

The second cause of protection ('Ismah): That those people of the hypocrites, who are the subject of our study and examination here, come to us expressing and declaring that they do not wish to participate with their Qawm (people) (in the case where their Qawm are necessarily disbelievers at war) in fighting against the Muslims, that they are completely peaceful and completely withdrawn and separated from fighting: That they will not fight the Muslims, not support their Qawm by a word or act and will not participate with their people in the fighting by tongue, wealth or hand. It is not stipulated as a condition that they physically come to us but rather this could take place by them sending a messenger, writing an official letter, or by making a media statement through an official known news or media outlet.

وهذا ينطبق، من باب أولى، على المسالمين من المنافقين من أهل الدار، دار الإسلام، كما كان حال عبد الله بن أبي بن سلول وصحبه بالرغم من خذلانهم للنبي وأصحابه، بانسحابهم من القتال يوم أحد، ونزول الآيات (لعلها نزلت فيه ثانية) فيهم.

And this applies by greater reason to those peaceful hypocrites who are inhabitants of the Dar (land), Dar ul-Islam, just like the case was in relation to Abdullah bin Ubayy bin Salul and his companions, despite their letting down (or betrayal) of the Prophet ﷺ and his companions due to their withdrawal from the fighting on the day of the battle of Uhud and the revelation of the verses in connection to them (which perhaps was revealed a second time in relation to this incident).

*** ولكن جاء في «تفسير الطبري»، (ج: 5 ص: 198 وما بعدها): [القول في تأويل قوله تعالى: (أو جاءوكم حصرت صدورهم أن يقاتلوكم أو يقاتلوا قومهم)، يعني جل ثناؤه بقوله: (أو جاءوكم حصرت**

صدورهم أن يقاتلوكم أو يقاتلوا قومهم)، فإن تولوا فخذوهم واقتلوهم حيث وجدتموهم إلا الذين يصلون إلى قوم بينكم وبينهم ميثاق أو إلا الذين جاءوكم منهم قد حصرت صدورهم عن أن يقاتلوكم أو يقاتلوا قومهم **فدخلوا فيكم**. ويعني بقوله حصرت صدورهم ضاقت صدورهم عن أن يقاتلوكم أو أن يقاتلوا قومهم والعرب تقول لكل من ضاقت نفسه عن شيء من فعل أو كلام قد حصر ومنه الحصر في القراءة وبنحو الذي قلنا في ذلك قال أهل التأويل ذكر من قال ذلك:

- However, the following came stated in “Tafsir At-Tabari” (vol: 5 p: 198 onwards): [The opinion in relation to the interpretation of His Qawl تعالى:

أَوْ جَاءُوكُمْ حَصِرَتْ صُدُورُهُمْ أَنْ يُقَاتِلُوكُمْ أَوْ يُقَاتِلُوا قَوْمَهُمْ

... Or those who come to you, their hearts strained at [the prospect of] fighting you or fighting their own people (An-Nisa': 90).

He, Exalted is His Praise, means by His Qawl:

أَوْ جَاءُوكُمْ حَصِرَتْ صُدُورُهُمْ أَنْ يُقَاتِلُوكُمْ أَوْ يُقَاتِلُوا قَوْمَهُمْ

... Or those who come to you whose hearts were strained at [the prospect of] fighting you or fighting their own people (An-Nisa': 90).

But if they turn away, then seize them and kill them wherever you find them except for those who take refuge with a people between yourselves and whom there is a treaty or those who come to you whose hearts are strained at [the prospect of] fighting you or fighting their own people **whereby they entered amongst them**. The meaning of His Qawl of their hearts being strained is that their hearts were uneasy (ضاقت) about fighting you or for their people to fight. And the Arabs say in respect to anyone whose self is constrained or at unease from doing or saying something that he has Hasara (حَصَرَ). An example of that is the Hasr in the Qiraa'ah (reading/recital). Similar to what we have stated in this regard has been stated by the Ahl ut-Taweel (people of interpretation/Tafsir). Those who stated that include:

حدثنا محمد بن الحسين قال حدثنا أحمد بن مفضل قال حدثنا أسباط عن السدي أو جاءوكم حصرت صدورهم يقول رجعوا **فدخلوا فيكم** حصرت صدورهم يقول ضاقت صدورهم أن يقاتلوكم أو يقاتلوا قومهم وفي قوله أو جاءوكم حصرت صدورهم أن يقاتلوكم أو يقاتلوا قومهم متروك ترك ذكره لدلالة الكلام عليه وذلك أن معناه أو جاءوكم قد حصرت صدورهم فترك ذكر (قد) لأن من شأن العرب فعل مثل ذلك تقول أتاني فلان ذهب عقله بمعنى قد ذهب عقله ومسموع منهم أصبحت نظرت إلى ذات التناير بمعنى قد نظرت ولإضمار قد مع الماضي جاز وضع الماضي من الأفعال في موضع الحال لأن قد إذا دخلت معه أدنته من الحال وأشبه الأسماء وعلى هذه القراءة أعني حصرت قرأ القراء في جميع الأمصار وبها يقرأ لإجماع الحجة عليها وقد ذكر عن الحسن البصري أنه كان يقرأ ذلك أو جاءوكم حصرت صدورهم نصبا وهي صحيحة في العربية فصيحة غير أنه غير جائز القراءة بها عندي لشذوذها وخروجها عن قراءة قراء الإسلام، انتهى نص الطبري.

Muhammad bin Al-Husain related to us: He said: Ahmad bin Al-Mufaddal related to us: He said: Asbat related to us from As-Suddiy (concerning):

أَوْ جَاءُوكُمْ حَصِرَتْ صُدُورُهُمْ

... Or those who come to you whose hearts were strained (or constrained and in unease)

He said: They returned and **then entered amongst them**. Concerning: حَصِرَتْ صُدُورُهُمْ (their hearts were strained or constrained), he said: Their hearts were uneasy (ضَاقَتْ) to fight you or to fight their people. And concerning His Qawl:

أَوْ جَاءُوكُمْ حَصِرَتْ صُدُورُهُمْ أَنْ يُقَاتِلُوكُمْ أَوْ يُقَاتِلُوا قَوْمَهُمْ

... Or those who come to you whose hearts were strained at [the prospect of] fighting you or fighting their own people (An-Nisa': 90).

There is an omission which is left out due to the indication of the speech upon it and that is because its meaning is: "أَوْ جَاءُوكُمْ فَقَدْ حَصِرَتْ صُدُورُهُمْ" (i.e., with the addition of Qad (قَدْ)) where the mention of Qad (قَدْ) was omitted. That is because it was from the norm of the Arabs to do that: They say (for instance): "أتاني فلان ذهب عقله" (So and so came to me, his mind had gone) which means: "قد ذهب عقله" (His mind had (already) gone) ...

(Some speech has been omitted here from the translation due to its complexity which can be revised in the Arabic version) End of the text of At-Tabari.

قلت: قول الإمام الطبري: **(فدخلوا فيكم)** لا معنى له، وهو خطأ محض، لأنهم لو دخلوا فينا، فهم إذاً تائبون، قد راجعوا الإسلام، فأصبحوا مسلمين مؤمنين، وهم من ثم مهاجرون عادوا إلى الولاية الإسلامية، وانقطعت ولايتهم بقومهم الأصليين، فكيف يتصور من قوم مؤمنين مهاجرين أن تضيق صدورهم أن يقاتلوا قومهم الكفار الحربيين المعتدين!

I say: The statement of At-Tabari: **"They entered among them"** holds no meaning and reflects a blatant error. That is because had they entered among us, they would have been repenting and returning to the folds of Islam, thus becoming Muslims and believers. They would consequently be Muhajirin (emigrants) who had returned to the Islamic loyalty (Walaayah) and severed their Walaayah (loyalty) to their original people (Qawm). How then is it conceivable for the hearts of a people of believers and Muhajirin to be strained or uneasy about fighting their people who were disbelievers, in a war status (with the Muslims) and aggressors?!

وهذا الصنف من المؤمنين التائبين المهاجرين قد سبق ذكرهم والفراغ منهم في الآيات السابقة، إذ قال تعالى: ﴿فَلَا تَتَّخِذُوا مِنْهُمْ أَوْلِيَاءَ حَتَّىٰ يُهَاجِرُوا فِي سَبِيلِ اللَّهِ﴾، فلا معنى لذكرهم ها هنا أصلاً. والكلام ها هنا إنما هو في أولئك المنافقين الذين تولوا عن الهجرة، وبقوا ظاهراً على الإسلام، وإن كانوا في الحقيقة، كما يعلمها الله، على الكفر، والكلام هنا حصراً عن عصمة الدم والمال، أما الإسلام والكفر فقد مضي علاجها، والكلام عنها، وفرغ منها.

And this category of the repenting believing Muhajirin have previously been mentioned and thoroughly dealt with in relation to the previous verses. That is when Allah تعالى said:

فَلَا تَتَّخِذُوا مِنْهُمْ أَوْلِيَاءَ حَتَّى يُهَاجِرُوا فِي سَبِيلِ اللَّهِ

So do not take from among them Awliyaa' (friends, protectors, allies) until they emigrate for the cause of Allah (An-Nisa': 89).

There is therefore no meaning to mentioning them here in origin. This speech here only revolves around those hypocrites who turn back from the Hijrah and remain apparently upon Islam, even if in truth they were, as Allah knows, upon disbelief. The speech here is restricted to the matter of the protection of the blood and property. As for the matter of Islam and Kufr (disbelief), then that has already been treated, discussed and thoroughly dealt with.

وقد كان الإمام ابن كثير أقل توفيقاً في هذه الجزئية عندما زعم أن لفظة (جاؤوكم) تعني مجيئهم إلى (المصاف)، أي إلى صفوف القتال، وضرب لذلك مثل العباس عندما خرج مكرها إلى بدر: * كما جاء في «تفسير ابن كثير»، (ج: 1 ص: 534، وما بعدها): [وقوله أو جاؤوكم حصرت صدورهم الآية هؤلاء قوم آخرون من المستثنين من الأمر بقتالهم وهم الذين يجيئون إلى المصاف وهم حصرت صدورهم أي ضيقة صدورهم مبغضين أن يقاتلوكم ولا يهون عليهم أيضا أن يقاتلوا قومهم معكم بل هم لا لكم ولا عليكم ولو شاء الله لسلطهم عليكم فلقاتلوكم أي من لطفه بكم أن كفهم عنكم فإن اعتزلوكم فلم يقاتلوكم وألقوا إليكم السلم أي المسالمة فما جعل الله لكم عليهم سبيلا أي فليس لكم أن تقاتلوهم ما دامت حالهم كذلك وهؤلاء كالجماعة الذين خرجوا يوم بدر من بني هاشم مع المشركين فحضرُوا القتال وهم كارهون كالعباس ونحوه ولهذا نهى النبي، صلى الله عليه وسلم، يومئذ عن قتل العباس وأمر بأسره].

And Ibn Kathir had less Tawfiq (success) in this aspect when he claimed that the wording “جاؤوكم” (they came to you) means their coming or arrival to the ranks or rows of fighting. He brought as an example of that Al-‘Abbas when he was coerced to go out to Badr for battle:

- As it came stated in “Tafsir Ibn Kathir” (vol: 1 p: 534 onwards): [And concerning His Qawl:

أَوْ جَاءُوكُمُ حَصِرَتْ صُدُورُهُمْ

Or those who came to you whose hearts were strained (or constrained and in unease) ...

These are another people from those who are exempted from the command to fight them. They are those who came to the ranks whilst their hearts were constrained, referring to the unease of their hearts in aversion to fighting against you (i.e., the Muslims), just as it is not easy for them to fight their people with you (i.e., the Muslims). Indeed, they were neither for you nor against you.

وَلَوْ شَاءَ اللَّهُ لَسَلَّطَهُمْ عَلَيْكُمْ فَلَقَاتَلُوكُمْ

And if Allah had willed, He could have given them power over you, and they would have fought you.

This means that it was from His kindness with you that he kept them back from you.

فَإِنْ اَعْتَزَلُوكُمْ فَلَمْ يُفَاتِلُوكُمْ وَأَلْقَوْا إِلَيْكُمُ السَّلَامَ

So, if they remove themselves from you and do not fight you and offer you peace,

Meaning that they return to being peaceful.

فَمَا جَعَلَ اللَّهُ لَكُمْ عَلَيْهِمْ سَبِيلًا

then Allah has not made for you a way (or cause) [for fighting] against them.

Meaning that you do not have the right to fight them as long as their circumstances are like that. They are like the group from Bani Hashim who went out with the Mushrikeen on the Day of Badr. They attended the fighting whilst it was against their wishes to do so. They included the likes of Al-'Abbas and others like him. That is why the Prophet ﷺ forbade the killing of Al-'Abbas on that day and commanded that he be taken as a captive].

ولما كان سبب العصمة الثاني يحتمل أن يتطرق إليه مراوغة أو خداع، لذلك حذر الله المؤمنين من بعض أفراد هذا الصنف، فقال: (سَتَجِدُونَ آخَرِينَ يُرِيدُونَ أَنْ يَأْمَنُوكُمْ وَيَأْمَنُوا قَوْمَهُمْ كُلًّا مَا رُدُّوا إِلَى الْفِتْنَةِ أُرْكِسُوا فِيهَا فَإِنْ لَمْ يَعْتَزِلُوكُمْ وَيُلْقُوا إِلَيْكُمُ السَّلَامَ وَيَكْفُوا أَيْدِيَهُمْ فَخُذُوهُمْ وَأَقْتُلُوهُمْ حَيْثُ تَقِفْتُمُوهُمْ وَأُولَئِكُمْ جَعَلْنَا لَكُمْ عَلَيْهِمْ سُلْطَانًا مُبِينًا)، وهذا التلاعب يكون عادة بإظهار المسالمة وحسن النية، مع الاستمرار في نصرة قومهم من الكفار الحربيين بمال أو لسان أو يد أو تجسس، فبين وجوب التعامل الصارم الحازم معهم بعدم الاكتفاء بادعائهم أنهم حصرت صدورهم، أو أنهم محبون للسلم، كارهون للحرب، بل بالإصرار على امتناعهم امتناعاً باتاً مطلقاً عن قتال المسلمين، والتزامهم بتمام السلم، واعتزالهم اعتزالاً تاماً عن القتال: لا يقاتلون المسلمين، ولا ينصرون قومهم بقول أو عمل، ولا يشاركون في قتال قومهم بلسان أو مال أو يد أو تجسس.

ومع وضوح هذا ومناسبته التامة للسياق، وموافقته للواقع التاريخي، فقد اضطرب فيه الإمام الطبري، رحمه الله، اضطراباً عظيماً، ولعله معذور في ذلك لاضطراب المفسرين السابقين:

As the second cause for protection is open to the possibility of the occurrence of trickery and deception, Allah warned the believers from some individuals of this category, when He said:

سَتَجِدُونَ آخَرِينَ يُرِيدُونَ أَنْ يَأْمَنُوكُمْ وَيَأْمَنُوا قَوْمَهُمْ كُلًّا مَا رُدُّوا إِلَى الْفِتْنَةِ أُرْكِسُوا فِيهَا ۚ فَإِنْ لَمْ يَعْتَزِلُوكُمْ وَيُلْقُوا إِلَيْكُمُ السَّلَامَ وَيَكْفُوا أَيْدِيَهُمْ فَخُذُوهُمْ وَأَقْتُلُوهُمْ حَيْثُ تَقِفْتُمُوهُمْ ۚ وَأُولَئِكُمْ جَعَلْنَا لَكُمْ عَلَيْهِمْ سُلْطَانًا مُبِينًا

You will find others who wish to obtain security from you and [to] obtain security from their people. Every time they are returned to [the influence of] disbelief, they fall back into it. So, if they do not withdraw from you or offer you peace or restrain their hands, then seize them and kill them wherever you overtake them.

And those, We have made for you against them a clear authorization (An-Nisa': 91).

This trickery or manipulation usually occurs by displaying peacefulness and good intentions, whilst at the same time continuing to support their disbelieving warring people by their wealth, tongues, hands or by spying. And so, it made clear the obligation of dealing with them in a stern and resolute manner by not sufficing with their claims that their hearts are restrained or that they love peace and hate war. Rather, it is by insisting that they completely refrain in an absolute manner from fighting the Muslims, that they abide completely to peace and withdraw completely from the fighting, whereby: They do not fight against the Muslims, they do not support their people by a word or act, and do not participate in the fighting of their people by their tongues, wealth, hands or spying.

Despite the clarity of this, its complete compatibility with the context and its conformity to the historical reality, Imam At-Tabari, may Allah's mercy be upon him, nevertheless floundered in this in a major manner although perhaps he is excused in respect to that due to the floundering of the scholars of Tafsir who proceeded him:

* كما جاء في «تفسير الطبري»، (ج: 5 ص: 201 وما بعدها): [القول في تأويل قوله تعالى: (سَتَجِدُونَ آخَرِينَ يُرِيدُونَ أَنْ يَأْمَنُوكُمْ وَيَأْمَنُوا قَوْمَهُمْ كُلًّا مَا رُدُّوا إِلَى الْفِتْنَةِ أُرْكِسُوا فِيهَا فَإِنْ لَمْ يَعْتَزِلُوكُمْ وَيُلْقُوا إِلَيْكُمُ السَّلَامَ وَيَكْفُوا أَيْدِيَهُمْ فَخَذَوْهُمْ وَأَقْتُلُوهُمْ حَيْثُ ثَقِفْتُمُوهُمْ وَأُولَئِكَ جَعَلْنَا لَكُمْ عَلَيْهِمْ سُلْطَانًا مُبِينًا)، وهؤلاء فريق آخر من المنافقين كانوا يظهرون الإسلام لرسول الله، صلى الله عليه وسلم، وأصحابه ليأمنوا به عندهم من القتل والسبأ وأخذ الأموال وهم كفار يعلم ذلك منهم قومهم إذا لقوهم كانوا معهم، وعبدوا ما يبعده الله من دون الله، ليأمنوهم على أنفسهم وأموالهم ونسائهم وذرياتهم يقول الله كلما ردوا إلى الفتنة أركسوا فيها يعني كلما دعاهم إلى الشرك بالله ارتدوا فصاروا مشركين مثلهم واختلف أهل التأويل في الذين عنوا بهذه الآية فقال بعضهم هم ناس كانوا من أهل مكة أسلموا على ما وصفهم الله به من التقية وهم كفار ليأمنوا على أنفسهم وأموالهم وذرياتهم ونسائهم يقول الله كلما ردوا إلى الفتنة أركسوا فيها يعني كلما دعاهم إلى الشرك بالله ارتدوا فصاروا مشركين مثلهم ليأمنوا عند هؤلاء وهؤلاء ذكر من قال ذلك:

- The following came stated in “Tafsir At-Tabari” (vol: 5 p 201 onwards): [The opinion in relation to the interpretation of His Qawl تعالى:

سَتَجِدُونَ آخَرِينَ يُرِيدُونَ أَنْ يَأْمَنُوكُمْ وَيَأْمَنُوا قَوْمَهُمْ كُلًّا مَا رُدُّوا إِلَى الْفِتْنَةِ أُرْكِسُوا فِيهَا، فَإِنْ لَمْ يَعْتَزِلُوكُمْ وَيُلْقُوا إِلَيْكُمُ السَّلَامَ وَيَكْفُوا أَيْدِيَهُمْ فَخَذَوْهُمْ وَأَقْتُلُوهُمْ حَيْثُ ثَقِفْتُمُوهُمْ، وَأُولَئِكَ جَعَلْنَا لَكُمْ عَلَيْهِمْ سُلْطَانًا مُبِينًا

You will find others who wish to obtain security from you and [to] obtain security from their people. Every time they are returned to [the influence of] disbelief, they fall back into it. So, if they do not withdraw from you or offer you peace or restrain their hands, then seize them and kill them wherever you overtake them. And those, We have made for you against them a clear authorization (An-Nisa': 91).

Those (referred to) are another group from the hypocrites who were manifesting Islam to the Messenger of Allah ﷺ and his companions, to obtain security for themselves from being killed, taken as slaves and their wealth (or properties) being seized, whilst they were with them. That is whilst they were disbelievers and their people knew that about them. When they met them, they were with them and worshipped what they worshipped besides Allah, to obtain security for themselves, properties, women and children. Allah says:

كُلَّ مَا رُدُّوا إِلَى الْفِتْنَةِ أُرْكَسُوا فِيهَا

Every time they are returned to [the influence of] disbelief, they fall back into it.

Which means that whenever they are invited to Shirk (association of partners) with Allah they apostatised and become Mushrikoon (polytheists) like them. And the scholars of Ta'weel (interpretation and Tafsir) differed in respect to those who were intended by this verse. Some of them said that they were people from the inhabitants of Makkah who became Muslim by what Allah described them with in terms of Taqiya (lying) whilst they were (in fact) disbelievers but did that to obtain security for themselves, their properties, children and women. Allah says:

كُلَّ مَا رُدُّوا إِلَى الْفِتْنَةِ أُرْكَسُوا فِيهَا

Every time they are returned to [the influence of] disbelief, they fall back into it.

Which means: Every time (or whenever) they were invited to Shirk (association of partners) with Allah they apostatised and become Mushrikoon (polytheists) like them in order to secure themselves with both parties. Those who stated that include:

حدثني محمد بن عمرو قال حدثنا أبو عاصم عن عيسى عن ابن أبي نجيح عن مجاهد يريدون أن يأمنوكم ويأمنوا قومهم قال ناس كانوا يأتون النبي، صلى الله عليه وسلم، فيسلمون رياء ثم يرجعون إلى قريش فيرتكسون في الأوثان يبتغون بذلك أن يأمنوا ههنا وههنا فأمر بقتالهم إن لم يعتزلوا ويصلحوا:

Muhammad bin 'Amr related to me: He said: Abu 'Aasim related to us from 'Isa, from Ibn Abi Najeel, from Mujahid: (Concerning):

يُرِيدُونَ أَنْ يُأْمِنُوكُمْ وَيَأْمِنُوا قَوْمَهُمْ

They wish to obtain security from you and [to] obtain security from their people.

He said: They were a people who would come to the Prophet ﷺ and embrace Islam out of show. They would then return to Quriash and fall back to the idols wishing to achieve by that security here and there (i.e., in both places). And so, He commanded that they be fought against unless they withdraw and rectify themselves (or make peace).

حدثني المثنى قال حدثنا أبو حذيفة قال حدثنا شبل عن ابن أبي نجيح عن مجاهد مثله؛ حدثني محمد بن سعد قال حدثني أبي قال حدثني عمي قال حدثني أبي عن أبيه عن ابن عباس ستجدون آخرين يريدون أن يأمنوكم ويأمنوا قومهم كلما ردوا إلى الفتنة أركسوا فيها يقول كلما أرادوا أن يخرجوا من فتنة أركسوا فيها وذلك أن الرجل كان يوجد قد تكلم بالإسلام فيقرب إلى العود والجحر وإلى العقرب والخنفساء فيقول المشركون لذلك المتكلم بالإسلام قل هذا ربي للخنفساء والعقرب. وقال آخرون: بل هم قوم من أهل الشرك كانوا طلبوا الأمان من رسول الله، صلى الله عليه وسلم،

ليأمنوا عنده وعند أصحابه وعند المشركين ذكر من قال ذلك:

Al-Muthanna related to me: He said: Abu Hudhaifah related to us: He said: Shibl related to us from Ibn Abi Najeeh, from Mujahid the same as it.

Muhammad bin Sa'd 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):

سَتَجِدُونَ آخَرِينَ يُرِيدُونَ أَنْ يَأْمَنُوكُمْ وَيَأْمَنُوا قَوْمَهُمْ كُلًّا مَا رُدُّوا إِلَى الْفِتْنَةِ أُرْكَسُوا فِيهَا

You will find others who wish to obtain security from you and [to] obtain security from their people. Every time they are returned to [the influence of] disbelief, they fall back into it ... (An-Nisa': 91).

It relates to a man who professed Islam (i.e., that he was a Muslim) but would approach the twig, stone, scorpion and beetles (for worship). The Mushrikoon (polytheists) would then say to that person who professed Islam: "Say this is my Lord to the beetles and the scorpions". **Others said: Rather, it refers to a Qawm (collective of people) who from the people of polytheism (Shirk) who sought security from the Messenger of Allah, to be secure amongst him and his companions and also among the polytheists (at the same time). Those who mentioned that include:**

حدثنا بشر بن معاذ قال حدثنا يزيد قال حدثنا سعيد عن قتادة قوله ستجدون آخرين يريدون أن يأمنوكم ويأمنوا قومهم، قال حي كانوا بتهامة قالوا يا نبي الله لا نقاتلك ولا نقاتل قومنا وأرداوا أن يأمنوا نبي الله ويأمنوا قومهم فأبى الله ذلك عليهم فقال كلما ردوا إلى الفتنة أركسوا فيها يقول كلما عرض لهم بلاء هلكوا فيه.

Bishr bin Mu'adh related to us: He said: Yazid related to us: He said: Sa'eed related to us from Qatadah (concerning) His Qawl:

سَتَجِدُونَ آخَرِينَ يُرِيدُونَ أَنْ يَأْمَنُوكُمْ وَيَأْمَنُوا قَوْمَهُمْ كُلًّا مَا رُدُّوا إِلَى الْفِتْنَةِ أُرْكَسُوا فِيهَا

You will find others who wish to obtain security from you and [to] obtain security from their people. Every time they are returned to [the influence of] disbelief, they fall back into it ... (An-Nisa': 91).

He said: Whenever a trial was presented to them, they perished (or fell into ruin) in it.

وقال آخرون نزلت هذه الآية في نعيم بن مسعود الأشجعي ذكر من قال ذلك:

حدثنا محمد بن الحسين قال حدثنا أحمد بن مفضل قال حدثنا أسباط عن السدي قال ثم ذكر نعيم بن مسعود الأشجعي وكان يأمن في المسلمين والمشركين ينقل الحديث بين النبي، صلى الله عليه وسلم، فقال ستجدون آخرين يريدون أن يأمنوكم ويأمنوا قومهم كلما ردوا إلى الفتنة يقول إلى الشرك وأما تأويل قوله كلما ردوا إلى الفتنة أركسوا فيها فإنه كما حدثني المثني قال حدثنا إسحاق قال حدثنا ابن أبي جعفر عن أبيه عن الربيع عن أبي العالية في قوله كلما ردوا إلى الفتنة أركسوا فيها قال كلما ابتلوا

بها عموا فيها حدثنا بشر بن معاذ قال حدثنا يزيد قال حدثنا سعيد عن قتادة كلما عرض لهم بلاء هلكوا فيه.

And others said: This verse was revealed concerning Nu'aim bin Mas'ud Al-Ashja'iy. Those who mentioned that include:

Muhammad bin Al-Husain related to us: He said: Ahmad bin Al-Mufaddal related to us: He said: Asbat related to us from As-Suddiy: He said: Then he mentioned Nu'aim bin Mas'ud Al-Ashja'iy. He would attain security among the Muslims and polytheists transmitting the speech of the Prophet ﷺ. Then, he said:

سَتَجِدُونَ آخَرِينَ يُرِيدُونَ أَنْ يَأْمَنُوكُمْ وَيَأْمَنُوا قَوْمَهُمْ كُلًّا مَا رُدُّوا إِلَى الْفِتْنَةِ

You will find others who wish to obtain security from you and [to] obtain security from their people. Every time they are returned to [the influence of] disbelief...

He said (this means): To Shirk. And as for the interpretation of His Qawl:

كُلًّا مَا رُدُّوا إِلَى الْفِتْنَةِ أُرْكَسُوا فِيهَا

Every time they are returned to [the influence of] disbelief, they fall back into it ...

Then it as was related to me by Al-Muthanna: He said: Ishaq related to me: He said: Ibn Abi Ja'far related to me from his father, from Ar-Rabee', from Abu Al-Aaliyah concerning His Qawl:

كُلًّا مَا رُدُّوا إِلَى الْفِتْنَةِ أُرْكَسُوا فِيهَا

Every time they are returned to [the influence of] disbelief, they fall back into it ...

He said: Every time (or whenever) they were put on trial by it, they delved further into it. Bishr bin Mu'adh related to us: He said: Yazid related to us: He said: Sa'eed related to us from Qatadah (who said): Whenever they were exposed to a trial, they perished (or became ruined) in it.

والقول في ذلك ما قد بينت قبل: وذلك أن الفتنة في كلام العرب الاختبار والإركاس الرجوع فتأويل الكلام كلما ردوا إلى الاختبار ليرجعوا إلى الكفر والشرك رجعوا إليه. القول في تأويل قوله تعالى فإن لم يعتزلوكم ويلقوا إليكم السلم ويكفوا أيديهم فخذوهم واقتلوهم حيث ثقتموهم وأولئك جعلنا لكم عليهم سلطانا مبينا يعني بذلك جل ثناؤه فإن لم يعتزلوكم أيها المؤمنون هؤلاء الذين يريدون أن يأمنوكم ويأمنوا قومهم وهي كلما دعوا إلى الشرك أجابوا إليه ويلقوا إليكم السلم ولم يستسلموا إليكم فيعطوكم المقاد ويصالحوكم:

And the opinion concerning that is what I have explained previously: That is because the Fitnah in the speech of the Arabs means the test (Al-Ikhtibaar) and the Irkaas means to return. Therefore, the interpretation of the speech is: Whenever they returned to being tested in respect to returning to Kufr and Shirk, they would return to it.

And the opinion in respect to the interpretation of His Qawl:

فَإِنْ لَمْ يَعْزِلُوا عَنْكُمُ السَّلَامَ وَيَكْفُوا أَيْدِيَهُمْ فَخُذُوهُمْ وَأَقْتُلُوهُمْ حَيْثُ تَقِفْتُمُوهُمْ وَأُولَئِكَ جَعَلْنَا لَكُمْ عَلَيْهِمْ سُلْطَانًا مُبِينًا

So, if they do not withdraw from you or offer you peace or restrain their hands, then seize them and kill them wherever you overtake them. And those, We have made for you against them a clear authorization (An-Nisa': 91).

Then He, Glorified be His praise, means by that: If they don't withdraw from you O believers, refers to those who want to attain security with you and for their people, but then every time they are invited to Shirk they respond to it, do not offer you peace or surrender to you where they give you the standing of leadership and make peace with you:

كما حدثني المثنى قال حدثنا إسحاق قال حدثنا ابن أبي جعفر عن أبيه عن الربيع فإن لم يعتزلوكم ويلقوا إليكم السلم قال الصلح ويكفوا أيديهم يقول ويكفوا أيديهم عن قتالكم فخذوهم واقتلوهم حيث تفتتوهم يقول جل ثناؤه فإن لم يفعلوا فخذوهم أين أصبتموهم من الأرض ولقيتموهم فيها فاقتلوهم فإن دماءهم لكم حينئذ حلال وأولئك جعلنا لكم عليهم سلطانا مبينا يقول جل ثناؤه وهؤلاء الذين يريدون أن يأمنوكم ويأمنوا قومهم وهم على ما هم عليه من الكفر إن لم يعتزلوكم ويلقوا إليكم السلم ويكفوا أيديهم جعلنا لكم حجة في قتلهم أينما لقيتموهم بمقامهم على كفرهم وتركهم هجرة دار الشرك مبينا يعني أنها تبين عن استحقاقهم ذلك منكم وإصابتكم الحق في قتلهم وذلك قوله سلطانا مبينا والسلطان هو الحجة كما حدثني المثنى قال حدثنا قبيصة قال حدثنا سفيان عن رجل عن عكرمة قال ما كان في القرآن من سلطان فهو حجة حدثنا محمد بن الحسين قال حدثنا أحمد بن مفضل قال حدثنا أسباط عن السدي قوله سلطانا مبينا أما السلطان المبين فهو الحجة، انتهى كلام الإمام الطبري، سامحه الله.

It is as Al-Muthanna related to me: He said: Ishaq related to us: He said: Ibn Abi Ja'far related to us from his father, from Ar-Rabee':

فَإِنْ لَمْ يَعْزِلُوا عَنْكُمُ السَّلَامَ وَيَكْفُوا أَيْدِيَهُمْ فَخُذُوهُمْ وَأَقْتُلُوهُمْ حَيْثُ تَقِفْتُمُوهُمْ

So, if they do not withdraw from you or offer you peace or restrain their hands, then seize them and kill them wherever you overtake them (An-Nisa': 91).

He, Glorified be His Praise, says (or intends by that): If they don't do that, then take them wherever you can strike them in the land and wherever you confront them within it. So, kill them as their blood at that time (on in those circumstances) would be Halal for you.

وَأُولَئِكَ جَعَلْنَا لَكُمْ عَلَيْهِمْ سُلْطَانًا مُبِينًا

And those, We have made for you against them a clear authorization (An-Nisa': 91).

He, Glorified be His Praise, says (or means by that): Those who want to attain security with you and to attain security for their people, whilst they are what they are upon in terms of disbelief, if they do not withdraw

from you, do not offer you peace and restrain their hands, We have established for you a proof (or legitimising argument) to fight them wherever you meet them, due to their standing upon disbelief and their abandoning of making Hijrah from the Dar (land) of Shirk. Mubeenan (مُبِينًا) means that their deserving that has been made evident and clear and that you have attained the right to kill them. That came in His Qawl: "سُلْطَانًا مُبِينًا" (Sultan Mubeen – Clear authority/authorisation) in the case where the Sultan (سُلْطَانٌ) is the Hujjah (legitimizing argument). That is like what Al-Muthanna related to us: He said: Qubaidah related to us: He said: Sufyan related to us from a man, from 'Ikrimah: He said: What is in the Qur'an in terms of Sultan, then that means Hujjah. Muhammad bin Al-Husain related to us: He said: Ahmad bin Mufaddal related to us: He said: Asbat related to us from As-Suddiy: (Concerning) His Qawl: "سُلْطَانًا مُبِينًا" (Sultan Mubeen – Clear authority/authorisation), then as for the Sultan Al-Mubeen, then it is the Hujjah]. **Here ends the speech of Imam At-Tabari, may Allah forgive him (or overlook his errors).**

وظاهر من تفسيره المختار أنه لم يستطع الإفلات من نزعه (الإرهابية) فلم يتصور أن تكون فتنة هؤلاء المنافقين، التي عادوا إلى الارتكاس فيها، هي نصره قومهم الكفار الحربيين، ولو خفية، على المسلمين، فأصر أنها: (كانوا معهم، وعبدوا ما يبعده من دون الله) مع أنه لو كان الأمر كذلك: (1) لما اختلف في كفرهم الصحابة بحضرة خاتمة أنبياء الله، عليه وعلى آله صلوات وتسليمات من الله، وهو ساكت لا يعلق، ينتظر نزول الوحي. ولا يجوز أن يقال عن هؤلاء أنهم (كانوا معهم، وعبدوا ما يبعده من دون الله) سرّاً بحيث لا يعلمه الناس، إذ لو كان الأمر كذلك لما عاتب الله الصحابة على عدم علمهم بغيب لا يعلمه إلا هو؛ (2) ولما قال الله: ﴿فَإِنْ لَمْ يَعْزِلُوا عَنْكُمُ وَإِلَيْكُمْ السَّلَامُ وَيَكْفُرُوا أَيْدِيَهُمْ: فَخَذُّوهُمْ وَأَقْتُلُوهُمْ حَيْثُ تَقِفْتُمُوهُمْ وَأُولَئِكُمْ جَعَلْنَا لَكُمْ عَلَيْهِمْ سُلْطَانًا مُبِينًا﴾، فلم يذكر عبادة وثن، ولا شعيرة كفر، وإنما حصر الموضوع في مناصرة وإعانة الكفار الحربيين في أعمال القتال والمحاربة للمسلمين، فقط لا غير.

It is apparent from his selected explanation (Tafsir) that he was unable to escape from his "Irja'iy" tendency as he is unable to envisage the Fitnah of those hypocrites, which they returned to fall back into, to be in support of the warring disbelieving Qawm (people), even if concealed, against the Muslims. So, he insisted that it (i.e., the Fitnah) was as follows: "(That) they were with them and **worshipped what they worshipped besides Allah**". However, had the matter been like that:

1) The Sahabah in the presence of the seal of Allah's Prophets ﷺ, would not have differed in respect to their disbelief, whilst he remained silent without commenting, awaiting the descent of the Wahi (divine revelation). It is not permissible (or conceivable) for it to be said about them that they "were with them and **worshipped what they worshipped besides Allah**" in secret where the people were unaware of it. Had the matter been like that, then Allah why would Allah censure the Sahabah for their not knowing the Ghaib (unseen) which none but Him have knowledge of.

2) And why did Allah say:

فَإِنْ لَمْ يَعْزِلُوا عَنْكُمُ وَإِلَيْكُمْ السَّلَامُ وَيَكْفُرُوا أَيْدِيَهُمْ فَخَذُّوهُمْ وَأَقْتُلُوهُمْ حَيْثُ تَقِفْتُمُوهُمْ وَأُولَئِكُمْ جَعَلْنَا لَكُمْ عَلَيْهِمْ سُلْطَانًا مُبِينًا

So, if they do not withdraw from you or offer you peace or restrain their hands, then seize them and kill them wherever you overtake them. And those, We have made for you against them a clear authorization (An-Nisa': 91).

And yet he did not mention the worshipping of idols or partaking in the rituals of disbelief. Rather, He restricted the subject matter to providing support and assistance to the warring disbelievers in the actions of fighting and warfare against the Muslims, and nothing besides that.

ولم يكن الإمام ابن كثير أحسن حالاً في التعامل مع هذا الصنف، وبقي أيضاً متورطاً في مشكلة (الإرهاب):

* كما جاء في «تفسير ابن كثير»، (ج: 1 ص: 534، وما بعدها): [وقوله ستجدون آخرين يريدون أن يأمنوكم ويأمنوا قومهم الآية هؤلاء في الصورة الظاهرة كمن تقدمهم ولكن نية هؤلاء غير نية أولئك فإن هؤلاء قوم منافقون يظهرون للنبي، صلى الله عليه وسلم، ولأصحابه الإسلام ليأمنوا بذلك عندهم على دمائهم وأموالهم وذرائعهم ويصانعون الكفار في الباطن فيعبدون معهم ما يعبدون ليأمنوا بذلك عندهم وهم في الباطن مع أولئك كما قال تعالى وإذا خلوا إلى شياطينهم قالوا إنا معكم الآية وقال ههنا كلما ردوا إلى الفتنة أركسوا فيها أي انهمكوا فيها وقال السدي الفتنة ههنا الشرك وحكى ابن جرير عن مجاهد أنها نزلت في قوم من أهل مكة كانوا يأتون النبي، صلى الله عليه وسلم، فيسلمون رياء ثم يرجعون إلى قريش فيرتكسون في الأوثان يبتغون بذلك أن يأمنوا ههنا وههنا فأمر بقتلهم إن لم يعتزلوا ويصلحوا ولهذا قال تعالى: (فإن لم يعتزلوكم وليقوا إليكم السلم)، المهادنة والصلح ويكفوا أيديهم أي عن القتال فخذوهم أسراء واقتلوهم حيث تقفتموهم أي أين لقيتموهم وأولائكم جعلنا لكم عليهم سلطاناً مبيناً أي بينا واضحاً].

Ibn Kathir was not much better in respect to dealing with this category and remained entangled in the problem of “Al-Irjaa”:

- The following came stated in “Tafsir Ibn Kathir” (vol: 1 p: 534 onwards): [

Concerning His Qawl:

... سَتَجِدُونَ آخَرِينَ يُرِيدُونَ أَنْ يَأْمَنُوكُمْ وَيَأْمَنُوا قَوْمَهُمْ

You will find others who wish to obtain security from you and [to] obtain security from their people ... until the end of the verse.

These on the surface appear to be like those who preceded them. However, the intention of these is not the same as the intention of those. That is because these are a collective (Qawm) of hypocrites who gave the appearance of being Muslims to the Prophet ﷺ and his companions, so that they could attain security with the Muslims for their blood, property and children (or families) through that. That is whilst they were cooperating with the idolators in secret and worshipping what they worship, so that they could also attain security with them and secretly being on the side of those. It is just as Allah تعالى said:

... وَإِذَا خَلَوْا إِلَىٰ شَيَاطِينِهِمْ قَالُوا إِنَّا مَعَكُمْ

But when they are alone with their Shayatin (devils - polytheists, hypocrites, etc.), they say: Truly, we are with you ... to the end of the verse (Al-Baqarah: 14).

And He said here:

كُلَّ مَا رُدُّوا إِلَى الْفِتْنَةِ أُرْكَسُوا فِيهَا

Every time they are returned to [the influence of] disbelief, they fall back into it ...

Which means: They became engrossed or wholeheartedly dedicated to it. And As-Suddiy said: The Fitnah here means the Shirk (associating partners with Allah). And Ibn Jarir related from Mujahid that it was revealed in connection to a Qawm (collective of people) from the inhabitants of Makkah who used to come to the Prophet ﷺ, become Muslim out of show and then return to Quraish and **consequently fall back (or fully digress) into the idols (or idol worship)** seeking to achieve security for themselves in both places by doing that. And so, He commanded that they be killed if they don't withdraw and resort to peace. For this reason, Allah تعالى said:

فَإِنْ لَّمْ يَعْزِلُوا عَنْكُم وَيُقِيمُوا إِلَيْكُمُ السَّلَامَ

So, if they do not withdraw from you or offer you peace.

Which means: To make a truce and peace. And:

وَيَكْفُوا أَيْدِيَهُمْ

Restrain their hands.

Means: To restrain from fighting:

فَخُذُوهُمْ

Then seize them.

Means: As prisoners or captives (of war).

وَأَقْتُلُوهُمْ حَيْثُ ثَقِفْتُمُوهُمْ

And kill them wherever you overtake them.

Means: Wherever you meet or come across them.

وَأُولَئِكَ جَعَلْنَا لَكُمْ عَلَيْهِمْ سُلْطَانًا مُبِينًا

And those, We have made for you against them a clear authorization.

Means: (An) Evident and clear (authorisation)].

❖ فصل: هل هذه الآيات منسوخة!

ومع أننا قد فرغنا من مجمل القضايا التي تهمنا في هذه المقام، إلا أنه من غير المناسب ترك الآيات الكريمات من غير تعليق على مزاعم الإمام الطبري، وغيره، أنها منسوخة بآيات السيف في سورة (براءة):

* كما جاء في «تفسير الطبري»، (ج: 5 ص: 200 وما بعدها): [ثم نسخ الله جميع حكم هذه الآية والتي بعدها بقوله تعالى ذكره: ﴿فَإِذَا انْسَلَخَ الْأَشْهُرُ الْحُرُمُ فَاقْتُلُوا الْمُشْرِكِينَ حَيْثُ وَجَدْتُمُوهُمْ﴾، إلى قوله: ﴿فَخَلُّوا سَبِيلَهُمْ إِنَّ اللَّهَ غَفُورٌ رَحِيمٌ﴾. ذكر من قال في ذلك مثل الذي قلنا:

- Section: Are these verses abrogated?!

Although we have dealt with most of the issues which primarily concern us here, it is not suitable to leave these Noble verses without commenting upon the claims of Imam At-Tabari that they have been abrogated by the verses of the Saif (sword) in Surah Bara'ah (At-Taubah):

- The following came stated in “Tafsir At-Tabari” (vol: 5, p: 200 onwards): [Then Allah abrogated the entire ruling of this verse and the one that followed it by His Qawl تعالى:

فَإِذَا انْسَلَخَ الْأَشْهُرُ الْحُرُمُ فَاقْتُلُوا الْمُشْرِكِينَ حَيْثُ وَجَدْتُمُوهُمْ

And when the sacred months have passed, then kill the polytheists wherever you find them (At-Taubah: 5).

Until His statement:

فَخَلُّوا سَبِيلَهُمْ إِنَّ اللَّهَ غَفُورٌ رَحِيمٌ

... then let them [go] on their way. Indeed, Allah is Forgiving and Merciful (At-Taubah: 5).

A mention of those who stated the same as us:

حدثنا ابن حميد قال حدثنا يحيى بن واضح عن الحسين عن يزيد عن عكرمة والحسن قالا: قال: ﴿فَإِنْ تَوَلَّوْا فَخُذُوهُمْ وَاقْتُلُوهُمْ حَيْثُ وَجَدْتُمُوهُمْ وَلَا تَتَّخِذُوا مِنْهُمْ وَلِيًّا وَلَا نَصِيرًا﴾ * إلا الذين يصلون إلى قوم بينكم وبينهم ميثاق، إلى قوله: ﴿وَأُولَئِكَ جَعَلْنَا لَكُمْ عَلَيْهِمْ سُلْطَانًا مَبِينًا﴾. وقال في الممتحنة: ﴿لَا يَنْهَاكُمُ اللَّهُ عَنِ الَّذِينَ لَمْ يُقَاتِلُوكُمْ فِي الدِّينِ وَلَمْ يُخْرِجُوكُمْ مِنْ دِيَارِكُمْ أَنْ تَبَرُّوهُمْ وَتُقْسِطُوا إِلَيْهِمْ إِنَّ اللَّهَ يُحِبُّ الْمُقْسِطِينَ﴾، وقال فيها: ﴿إِنَّمَا يَنْهَاكُمُ اللَّهُ عَنِ الَّذِينَ قَاتَلُوكُمْ فِي الدِّينِ وَأَخْرَجُوكُمْ مِنْ دِيَارِكُمْ إِلَى فُؤَادِكُمْ﴾، فنسخ هؤلاء الآيات الأربعة في شأن المشركين فقال: ﴿براءة من الله ورسوله إلى الذين عاهدتم من المشركين﴾ * فسيحوا في الأرض أربعة أشهر واعلموا أنكم غير معجزي الله وأن الله مخزي الكافرين، فجعل لهم أربعة أشهر يسيحون في الأرض وأبطل ما كان قبل ذلك. وقال في التي تليها: ﴿فَإِذَا انْسَلَخَ الْأَشْهُرُ الْحُرُمُ فَاقْتُلُوا الْمُشْرِكِينَ حَيْثُ وَجَدْتُمُوهُمْ وَخُذُوهُمْ وَاحْصِرُوهُمْ وَاقْعُدُوا لَهُمْ كُلَّ مَرْصَدٍ﴾، ثم نسخ واستثنى فقال: ﴿فَإِنْ تَابُوا وَأَقَامُوا الصَّلَاةَ وَآتَوُا الزَّكَاةَ﴾، إلى قوله: ﴿ثُمَّ أَبْلَغَهُ مَأْمَنَهُ﴾.

Ibn Humaid related to us: He said: Yahya bin Wadih related to us from Al-Husain, from Yazid, from 'Ikrimah and Al-Hasan: They (both) said: He said:

فَإِنْ تَوَلَّوْا فَحُذُّوهُمْ وَاقْتُلُوهُمْ حَيْثُ وَجَدْتُمُوهُمْ وَلَا تَتَّخِذُوا مِنْهُمْ وَلِيًّا وَلَا نَصِيرًا (89) إِلَّا الَّذِينَ يَصِلُونَ إِلَى قَوْمٍ بَيْنَكُمْ وَبَيْنَهُمْ مِيثَاقٌ

But if they turn away, then seize them and kill them wherever you find them and take not from among them any ally or helper. (89) Except for those who take refuge with a people between yourselves and whom is a treaty (An-Nisa': 89-90).

Until His Qawl:

وَأُولَئِكَ جَعَلْنَا لَكُمْ عَلَيْهِمْ سُلْطَانًا مُبِينًا

And those, We have made for you against them a clear authorization (An-Nisa': 91).

And He said in (Surah) Al-Mumtahinah:

لَا يَنْهَاكُمُ اللَّهُ عَنِ الَّذِينَ لَمْ يُقَاتِلُوكُمْ فِي الدِّينِ وَلَمْ يُخْرِجُوكُمْ مِّنْ دِيَارِكُمْ أَن تَبَرُّوهُمْ وَتُقْسِطُوا إِلَيْهِمْ ۚ إِنَّ اللَّهَ يُحِبُّ الْمُقْسِطِينَ

Allah does not forbid you concerning those who have not fought you because of the Deen and have not expelled you from your homes, from being kind and acting justly towards them. Verily, Allah loves those who act justly (Al-Mumtahinah: 8).

And He also said in it (i.e., the Surah):

إِنَّمَا يَنْهَاكُمُ اللَّهُ عَنِ الَّذِينَ قَاتَلُوكُمْ فِي الدِّينِ وَأَخْرَجُوكُم مِّنْ دِيَارِكُمْ وَظَاهَرُوا عَلَىٰ إِخْرَاجِكُمْ أَن تَوَلَّوْهُمْ ۚ وَمَن يَتَوَلَّهُمْ فَأُولَٰئِكَ هُمُ الظَّالِمُونَ

Allah only forbids you from taking those who fought against you on account of the Deen, and have driven you out of your homes, and helped to drive you out, as allies (or friends). And whosoever does befriend them, then such are the Zhalimun (wrong-doers) (Al-Mumtahinah: 9).

These four verses were then abrogated in relation to the Mushrikeen (polytheists) when He said:

بَرَاءَةٌ مِّنَ اللَّهِ وَرَسُولِهِ إِلَى الَّذِينَ عَاهَدْتُمْ مِنَ الْمُشْرِكِينَ (1) فَسِيحُوا فِي الْأَرْضِ أَرْبَعَةَ أَشْهُرٍ وَاعْلَمُوا أَنَّكُمْ غَيْرُ مُعْجِزِي اللَّهِ ۚ وَأَنَّ اللَّهَ مُخْزِي الْكَافِرِينَ

[This is a declaration of] disassociation, from Allah and His Messenger, to those with whom you had made a treaty among the polytheists. (1) So travel freely, [O disbelievers], throughout the land [during] four months but know that you cannot cause failure to Allah and that Allah will disgrace the disbelievers (At-Taubah: 1-2).

And so, He provided them with four months to travel freely upon the land and invalidated (or nullified) what existed prior to that. He then said following it:

فَإِذَا انْسَلَخَ الْأَشْهُرُ الْحُرُمُ فَاقْتُلُوا الْمُشْرِكِينَ حَيْثُ وَجَدْتُمُوهُمْ وَخُذُوهُمْ وَاحْصُرُوهُمْ وَاقْعُدُوا لَهُمْ كُلَّ مَرْصَدٍ

And when the sacred months have passed, then kill the polytheists wherever you find them and capture them and besiege them and sit in wait for them at every place of ambush (At-Taubah: 5).

He then abrogated and made an exemption, saying:

فَإِنْ تَابُوا وَأَقَامُوا الصَّلَاةَ وَآتَوُا الزَّكَاةَ

But if they should repent, establish prayer, and give Zakah ... (At-Taubah: 5).

Until His statement:

ثُمَّ أُنْزِلَتْهُ مَأْمَنَهُ

Then deliver him to his place of safety (At-Taubah: 6).

حدثنا الحسن بن يحيى قال أخبرنا عبد الرزاق قال أخبرنا معمر عن قتادة في قوله: ﴿فَإِنْ اعْتَزَلُواكُمْ﴾، قال نسختها: ﴿فاقتلوا المشركين حيث وجدتموهم﴾. حدثني المثنى قال حدثنا الحجاج بن المنهال قال حدثنا همام بن يحيى قال سمعت قتادة يقول في قوله: ﴿إِلَّا الَّذِينَ يَصِلُونَ إِلَى قَوْمٍ بَيْنَكُمْ وَبَيْنَهُمْ مِيثَاقٌ﴾، إلى قوله: ﴿فَمَا جَعَلَ اللَّهُ لَكُمْ عَلَيْهِمْ سَبِيلًا﴾، ثم نسخ ذلك بعد في براءة وأمر نبيه، صلى الله عليه وسلم، أن يقاتل المشركين بقوله: ﴿فاقتلوا المشركين حيث وجدتموهم وخذوهم واحصروهم واقعدوا لهم كل مرصد﴾. حدثني يونس قال أخبرنا ابن وهب قال: قال ابن زيد في قوله: ﴿إِلَّا الَّذِينَ يَصِلُونَ إِلَى قَوْمٍ بَيْنَكُمْ وَبَيْنَهُمْ مِيثَاقٌ﴾، الآية، قال نسخ هذا كله أجمع: نسخه الجهاد ضرب لهم أجل أربعة أشهر إما أن يسلموا وإما أن يكون الجهاد، ... إلخ، انتهى كلام الطبري.

Al-Hasan bin Yahya related to us: He said: Abdur Razzaq informed us: He said: Ma'mar informed us from Qatadah concerning His Qawl:

فَإِنْ اعْتَزَلُوكُمُ

But, if they withdraw from you (An-Nisa': 90).

He said: It has been abrogated by:

فَاقْتُلُوا الْمُشْرِكِينَ حَيْثُ وَجَدْتُمُوهُمْ

Then kill the polytheists wherever you find them (At-Taubah: 5).

Al-Muthanna related to me: He said: Hajjaj bin Al-Minhal related to us: He said: Hammam bin Yahya related to us: He said: I heard Qatadah saying in relation to His Qawl:

إِلَّا الَّذِينَ يَصِلُونَ إِلَى قَوْمٍ بَيْنَكُمْ وَبَيْنَهُمْ مِيثَاقٌ

Except for those who take refuge with a people between yourselves and whom is a treaty ...

Until His Qawl:

فَمَا جَعَلَ اللَّهُ لَكُمْ عَلَيْهِمْ سَبِيلًا

... then Allah has not made for you a cause [for fighting] against them (An-Nisa': 90).

He then abrogated that after in Bara'ah (i.e., Surah At-Taubah) and commanded His Prophet ﷺ to fight the Mushrikeen by His Qawl:

فَاقْتُلُوا الْمُشْرِكِينَ حَيْثُ وَجَدْتُمُوهُمْ وَخُذُوهُمْ وَأَحْصُرُوهُمْ وَأَقْعُدُوا لَهُمْ كُلَّ مَرْصَدٍ

Then kill the polytheists wherever you find them and capture them and besiege them and sit in wait for them at every place of ambush (At-Taubah: 5).

Yunus related to me: He said: Ibn Wahb informed us: He said: Ibn Zaid in relation to His Qawl:

”إِلَّا الَّذِينَ يَصِلُونَ إِلَى قَوْمٍ بَيْنَكُمْ وَبَيْنَهُمْ مِيثَاقٌ

Except for those who take refuge with a people between yourselves and whom is a treaty ... until the end of the verse.

He said: All of this has been abrogated altogether: Al-Jihad abrogated it. They were given a time limit of four months after which either they embrace Islam or it will be Jihad (against them) ... etc.] **End of the speech of At-Tabari.**

* وجاء في «الناسخ والمنسوخ لابن حزم»، (ج: 1 ص: 35) باختصار: [الآية الثالثة والعشرون والرابعة والعشرون قوله تعالى فما لكم في المنافقين فئتين 88 النساء 4 وقوله فقاتل في سبيل الله لا تكلف إلا نفسك 84 النساء نسخهما آية السيف فتكون مع هاتين أربعاً وعشرين آية].

- And the following came stated in “An-Naasikh Wa l-Mansookh” (The Abrogating and Abrogated) of Ibn Hazm (vol: 1 p: 35) in summary: [The 23rd and 24th verse His Qawl:

فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِئَتَيْنِ

What is [the matter] with you [that you are] two groups concerning the hypocrites?

(Verse) 88 of An-Nisa' 4 and His Qawl:

فَقَاتِلْ فِي سَبِيلِ اللَّهِ لَا تُكَلَّفُ إِلَّا نَفْسُكَ

Then fight (O Muhammad SAW) in the Cause of Allah, you are not tasked (held responsible) except for yourself.

(Verse) 84 An-Nisa' 4, have both been abrogated by the verse of As-Saif (the sword) and consequently, with these two, it will total twenty-four verses].

فأقول: هذه كله باطل، قطعاً وبقينا، نسفناه نسفاً، وفصلنا الكلام عنه في بحثنا عما يسمونه (جهاد الطلب)، المعنون: **(جهاد الطلب - سنة متبعة أم بدعة مخترعة)** تفصيلاً تاماً: فليراجع، وكذلك في البحث حول **(بطلان حد الردة)** الذي سنصدره قريباً، بإذن الله!

I say: All of this is Batil (false/invalid), definitely and certainly. We have completely obliterated it and spoken in complete detail about it in the study we undertook concerning what they call "Jihad At-Talab" entitled: **"Jihad At-Talab – A Sunnah that is followed or a Bid'ah that had been invented?"** and so this study can be referred to. It has also been covered in our study **"Butlaan (falsity/invalidity) of Hadd Ar-Riddah"** which we will publish soon by Allah's permission!

*** فصل ملحق: اضطراب الإمام الطبري في حيثيات كفر هذه الفئة**

أسلفنا – أعلاه - أن الإمام الطبري قد أبدع ووفق، كل التوفيق، في الجزئية المتعلقة بمعنى لفظة: (أركسهم)، إلا أنه لم يكن كذلك عند تحدّثه عن حيثيات كفر هؤلاء المنافقين **فربطه فقط بالجحود، ثم تناقض مع هذا:**

* كما جاء في «تفسير الطبري»، (ج: 5 ص: 196 وما بعدها): [القول في تأويل قوله تعالى: ﴿وَدُّوا لَوْ تُكْفِرُونَ كَمَا كَفَرُوا فَتَكُونُونَ سَوَاءً﴾ فَلَا تَتَّخِذُوا مِنْهُمْ أَوْلِيَاءَ حَتَّىٰ يَهَاجِرُوا فِي سَبِيلِ اللَّهِ فَإِن تَوَلَّوْا فَخُذُوهُمْ وَاقْتُلُوهُمْ حَيْثُ وَجَدْتُمُوهُمْ وَلَا تَتَّخِذُوا مِنْهُمْ وَلِيًّا وَلَا نَصِيرًا﴾، يعني جل ثناؤه بقوله: ﴿وَدُّوا لَوْ تُكْفِرُونَ كَمَا كَفَرُوا﴾، تمنى هؤلاء المنافقون الذين أنتم أيها المؤمنون فيهم ففتان أن تكفروا **فَتَجِدُوا وَحْدَانِيَةً رَبِّكُمْ وَتَصْدِيقَ نَبِيِّكُمْ مُحَمَّدٍ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ،** كما كفروا يقول: كما جحدوا هم ذلك فتكونون سواء يقول فتكونون كفاراً مثلهم وتستونون أنتم وهم في الشرك بالله]

- Supplemental section: The inconsistency of Imam At-Tabari in relation to the circumstances of the Kufr (disbelief) of this group

We have previously mentioned that Imam At-Tabari excelled and succeeded well in the aspect related to the meaning of the wording: **"Arkasahum"** (أركسهم) however, that was not the case when he spoke about the circumstances of the Kufr (disbelief) of those hypocrites **as he linked it only to Al-Juhood (denial or non-acknowledgment of the truth) and then contradicted that:**

- The following was stated in **"Tafsir At-Tabari"** (vol: 5 p: 196 onwards): [The opinion in respect to His Qawl تعالى:

وَدُّوا لَوْ تُكْفِرُونَ كَمَا كَفَرُوا فَتَكُونُونَ سَوَاءً فَلَا تَتَّخِذُوا مِنْهُمْ أَوْلِيَاءَ حَتَّىٰ يَهَاجِرُوا فِي سَبِيلِ اللَّهِ فَإِن تَوَلَّوْا فَخُذُوهُمْ وَاقْتُلُوهُمْ حَيْثُ وَجَدْتُمُوهُمْ وَلَا تَتَّخِذُوا مِنْهُمْ وَلِيًّا وَلَا نَصِيرًا

They wish you would disbelieve as they disbelieved so you would be alike. So do not take from among them allies until they emigrate for the cause of Allah. But if they turn away, then seize them and kill them wherever you find them and take not from among them any ally or helper (An-Nisa': 89).

He Glorified be His Praise means by His Qawl:

وَدُّوا لَوْ تَكْفُرُونَ كَمَا كَفَرُوا

They wish you would disbelieve as they disbelieved.

Those hypocrites whom you O believers are divided into two groups concerning them wish that you disbelieve, **whereby you deny the oneness of your Rabb (Lord) and your belief in your Prophet Muhammad** ﷺ just as they have disbelieved. He says: Just as they have denied that and then you will be the same. He says: Then you will be disbelievers just like them and you and them will be equal in respect to associating (Shirk) with Allah].

* وجاء بعد ذلك بقليل في «تفسير الطبري»، (ج: 5 ص: 196 وما بعدها): [القول في تأويل قوله: (فَإِنْ تَوَلَّوْا فَخُذُوهُمْ وَاقْتُلُوهُمْ حَيْثُ وَجَدْتُمُوهُمْ وَلَا تَتَّخِذُوا مِنْهُمْ وَلِيًّا وَلَا نَصِيرًا)، يعني بذلك جل ثناؤه فإن أدبر هؤلاء المنافقون عن الإقرار بالله ورسوله وتولوا عن الهجرة من دار الشرك إلى دار الإسلام ومن الكفر إلى الإسلام فخذوهم أيها المؤمنون واقتلوهم حيث وجدتموهم من بلادهم وغير بلادهم أين أصبتموهم من أرض الله ولا تتخذوا منهم وليا يقول: ولا تتخذوا منهم خليلا يواليكم على أموركم ولا ناصرا ينصركم على أعدائكم فإنهم كفار لا يألونكم خبالا ودوا ما عنتم. وهذا الخبر من الله جل ثناؤه إبانة عن صحة نفاق الذين اختلف المؤمنون في أمرهم، وتحذير لمن دافع عنهم عن المدافعة عنهم وبنحو الذي قلنا في ذلك قال أهل التأويل ذكر من قال ذلك:

- Shortly after that, the following came stated in “Tafsir At-Tabari” (vol: 5 p: 196 onwards): [The opinion in respect to the interpretation of His Qawl:

فَإِنْ تَوَلَّوْا فَخُذُوهُمْ وَاقْتُلُوهُمْ حَيْثُ وَجَدْتُمُوهُمْ وَلَا تَتَّخِذُوا مِنْهُمْ وَلِيًّا وَلَا نَصِيرًا

But if they turn away, then seize them and kill them wherever you find them and take not from among them any ally or helper (An-Nisa': 89).

He, Glorified be His Praise, means my that: If those hypocrites turn their backs to affirming Allah and His Messenger and abandon the Hijrah from Dar Ash-Shirk (the land of disbelief and polytheism) to Dar ul-Islam (the land of Islam) and abandon leaving disbelief to embracing Islam, then seize them O believers and kill them wherever you find them in their lands and outside their lands, wherever you can strike them from the land of Allah. “And do not take a Waliy (ally, protector) from them”. He means: Do not take them as a Khaleel (close friend) who is close to you in your affairs, nor as a Naasir (helper) who helps or supports you against your enemies. That is because they are disbelievers:

لَا يَأْلُونَكُمْ خَبَالًا وَدُّوا مَا عَنِتُّمْ

As they will not spare you [any] ruin. They wish to cause you harm (Aali 'Imran: 118).

And this information from Allah, Glorified be His Praise, is **a clear declaration of the hypocrisy of those whom the believers differed about** and a warning to those who defended them. And similar to what we have stated was also stated by the people of Ta'weel (i.e., Tafsir and interpretation). Those stating that included:

– حدثني محمد بن سعد قال حدثني أبي قال حدثني عمي قال حدثني أبي عن أبيه عن ابن عباس: (فإن تولوا فخذوهم واقتلوهم)، فإن تولوا عن الهجرة فخذوهم واقتلوهم؛
– حدثنا محمد بن الحسين قال حدثنا أحمد بن مفضل قال حدثنا أسباط عن السدي: (فإن تولوا فخذوهم واقتلوهم حيث وجدتموهم)، يقول إذا أظهروا كفرهم فاقتلوهم حيث وجدتموهم، انتهى نص الطبري.

- Muhammad bin Sa'd related to me: He said: My father related to me: He said: My uncle related to me: He said: My father related to me from his father, from Ibn 'Abbas:

فَإِنْ تَوَلَّوْا فَخُذُوهُمْ وَاقْتُلُوهُمْ

But if they turn away, then seize them and kill them (An-Nisa': 89).

(It means): If they turn away from the Hijrah, then seize them and kill them.

- Muhammad bin Al-Husain related to us: He said: Ahmad bin Mufaddal related to us: He said: Asbat related to us from As-Suddiy:

فَإِنْ تَوَلَّوْا فَخُذُوهُمْ وَاقْتُلُوهُمْ حَيْثُ وَجَدْتُمُوهُمْ

But if they turn away, then seize them and kill them wherever you find them (An-Nisa': 89).

He means: If they display or manifest their disbelief, then kill them wherever you find them]. The end of the text of At-Tabari.

فأقول: من حقنا أن نسأل: أين وجد الإمام الطبري في نص الآيات الكريمات، أو في نصوص الشرع الأخرى، أو في ضرورات الحس والعقل، ما يدل على أن سبب كفر هؤلاء هو (الجدود بوحداية الله) أو (عدم الإقرار بالله ورسوله)! وهل تمكن من شق صدورهم، والتفتيش عن قلوبهم!

I say, it is our right to question: Where did Imam At-Tabari find within the text of the Noble verses, the other texts of the Shar'a or the necessities of the Hiss (sensation) and the 'Aql (mind), that which indicates to the reason for the disbelief of those being "Their denial of the oneness of Allah" or "Their non acceptance or affirmation of Allah and His Messenger"?! Was he able to split open their breasts and inspect their hearts?!

وكيف يمكن أن يكون هذا هو سبب الحكم عليهم بالكفر الحقيقي في نفس الأمر، الذي يقر به الإمام الطبري، حيث يقول: **(وهذا الخبر من الله ﷻ لثناؤه إبانة عن صحة نفاق الذين اختلف المؤمنون في أمرهم)**، والصحابة مختلفون فيهم، ثم ينزل القرآن موبخاً لهم، والنبي، عليه وعلى آله الصلاة والسلام، ساكت لا يبيت في شأنهم منتظراً الوحي!

And how can this be the real reason for passing the judgement of disbelief upon them in the matter which Imam At-Tabari determined, when he said: **“And this information from Allah, Glorified be His Praise, is a clarification of the hypocrisy of those whom the believers differed about”** whilst the Sahabah differed in respect to them and then the revelation of the Qur’an came reprimanding them, whilst the Prophet ﷺ was silent not providing his opinion concerning them and awaiting the divine revelation!

بل الواجب أن نقطع هاهنا أن سبب الحكم بكفرهم هو (أفعالهم الظاهرة من حيث هي)، كما جاء تفصيله وبيانه آنفاً، بفضل الله، بغض النظر عن التصديق، أو ترك الإقرار، أو الجحود، أو حتى الأحوال القلبية. والظاهر أن الإمام أبا جعفر محمد بن جرير الطبري كان متورطاً في نوع من (الإرjaa) بجعله الكفر مقصوراً على الجحود فحسب، كما هو أيضاً ظاهر من مناقشته لآيات الحكم: (ومن لم يحكم بما أنزل الله فأولئك هم الكافرون)... إلخ، كما هو مفصل ومناقش في موضعه، خصوصاً في كتابنا: **(كتاب التوحيد: أساس الإسلام، وحقيقة التوحيد)**.

Indeed, it is obligatory for us to establish definitely here that the reason for the ruling of their disbelief was “Their apparent actions in terms of what they were” as was detailed and explained above, by the favour of Allah, regardless of their Tasdeeq (attested belief), non-affirmation or denial (Juhood), or even the conditions of the heart. It is apparent that Imam Abu Ja’far Muhammad bin Jarir At-Tabari was entangled in a kind of “Irjaa” which makes the Kufr (disbelief) restricted to denial (Al-Juhood) alone, which is also apparent from his discussion of the verses related to the issue of the ruling, like for example:

وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنزَلَ اللَّهُ فَأُولَئِكَ هُمُ الْكَافِرُونَ

And whoever does not judge (or rule) by what Allah has revealed, then it is those who are the disbelievers (Al-Ma'idah: 44).

Just as this has been detailed and discussed in its contexts and particularly in our book: **“Kitab At-Tawhid: The basis of Islam and the true reality of At-Tawhid”**.

✽ فصل: من هم (الَّذِينَ ارْتَدُّوا عَلَى أَدْبَارِهِمْ)؟! ✽

أسلفنا – قريباً – أن الواجب هو القطع بأن ((الأفعال الظاهرة من حيث هي)) هي سبب الحكم بالكفر، والردة عن الإسلام، في حق المنافقين المذكورين في قوله، تعالى مجده: (فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَةٍ وَاللَّهُ أَرْكَسَهُمْ بِمَا كَسَبُوا: أَتُرِيدُونَ أَنْ تَهْدُوا مَنْ أَضَلَّ اللَّهُ وَمَنْ يُضِلِّ اللَّهُ فَمَا لَهُ سَبِيلًا * وَدُّوا لَوْ تَكْفُرُونَ كَمَا كَفَرُوا فَتَكُونُونَ سَوَاءً فَلَا تَتَّخِذُوا مِنْهُمْ أَوْلِيَاءَ حَتَّى يُهَاجِرُوا فِي سَبِيلِ اللَّهِ فَإِنْ تَوَلَّوْا فَخُذُوهُمْ وَاقْتُلُوهُمْ حَيْثُ وَجَدْتُمُوهُمْ وَلَا تَتَّخِذُوا مِنْهُمْ وَلِيًّا وَلَا نَصِيرًا * إِلَّا الَّذِينَ يَصِلُونَ إِلَى قَوْمٍ بَيْنَكُمْ وَبَيْنَهُمْ مِيثَاقٌ أَوْ جَاءَكُمْ حَصْرَتٌ صُدُّوا عَنْهُمْ أَنْ يَقَاتِلُوهُمْ أَوْ يُقَاتِلُوا قَوْمَهُمْ وَلَوْ شَاءَ اللَّهُ لَسَلَّطَهُمْ عَلَيْكُمْ فَلَقَاتِلُوكُمْ فَإِنْ اعْتَرَلُوكُمْ فَلَمْ يُقَاتِلُوكُمْ وَالْقُوا إِلَيْكُمُ السَّلَامَ فَمَا جَعَلَ اللَّهُ لَكُمْ عَلَيْهِمْ سَبِيلًا * سَتَجِدُونَ آخَرِينَ يُرِيدُونَ أَنْ يَأْمَنُوكُمْ وَيَأْمَنُوا قَوْمَهُمْ كُلٌّ مَا رَدُّوا إِلَى الْفِتْنَةِ أُرْكِسُوا فِيهَا فَإِنْ لَمْ يَعْتَزِلُوكُمْ وَيُلْقُوا إِلَيْكُمُ السَّلَامَ وَيَكْفُرُوا أَيْدِيَهُمْ فَخُذُوهُمْ وَاقْتُلُوهُمْ حَيْثُ تَقِفْتُمُوهُمْ وَأُولَئِكَ جَعَلْنَا لَكُمْ عَلَيْهِمْ سُلْطَانًا مُبِينًا)، (النساء؛ 4: 88 -

(91). وهذا أيضا ما توجهه نصوص القرآن الأخرى، التي جاءت في وقائع ومناسبات مشابهة: * فمن ذلك قول الله، جل جلاله، وسما مقامه: ﴿إِنَّ الَّذِينَ ارْتَدُّوا عَلَىٰ أَدْبَارِهِمْ مِنْ بَعْدِ مَا تَبَيَّنَ لَهُمُ الْهُدَىٰ الشَّيْطَانُ سَوَّلَ لَهُمْ وَأَمْلَىٰ لَهُمْ (25) ذَلِكَ بِأَنَّهُمْ قَالُوا لِلَّذِينَ كَرَهُوا مَا نَزَّلَ اللَّهُ سَنُطِيعُكُمْ فِي بَعْضِ الْأَمْرِ وَاللَّهُ يَعْلَمُ إِسْرَارَهُمْ (26) فَكَيْفَ إِذَا تَوَفَّيْنَاهُمُ الْمَلَائِكَةُ يَضْرِبُونَ وُجُوهَهُمْ وَأَدْبَارَهُمْ (27) ذَلِكَ بِأَنَّهُمْ اتَّبَعُوا مَا أَسْخَطَ اللَّهَ وَكَرَهُوا رِضْوَانَهُ فَأَحْبَطَ أَعْمَالَهُمْ (28)﴾، (محمد؛ 47: 25 – 28)؛ حيث ورد في تفسيرها:

Section: Who are:

الَّذِينَ ارْتَدُّوا عَلَىٰ أَدْبَارِهِمْ

Those who have reverted back to disbelief?

We have just mentioned that it is obligatory to establish that “The apparent actions in terms of what they were” are the reason or cause for the ruling of disbelief (Kufr) and apostasy from Islam, in respect to the hypocrites mentioned in His Qawl تعالى:

فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَةٍ وَاللَّهُ أَرْكَسَهُمْ بِمَا كَسَبُوا أَتُرِيدُونَ أَنْ تَهْدُوا مَنْ أَضَلَّ اللَّهُ وَمَنْ يُضِلِلِ اللَّهُ فَلَنْ تَجِدَ لَهُ سَبِيلًا (88) وَدُّوا لَوْ تَكْفُرُونَ كَمَا كَفَرُوا فَتَكُونُونَ سَوَاءً فَلَا تَتَّخِذُوا مِنْهُمْ أَوْلِيَاءَ حَتَّىٰ يُهَاجِرُوا فِي سَبِيلِ اللَّهِ فَإِنْ تَوَلَّوْا فَحُذِّهُمُ وَإِقْتُلُوهُمْ حَيْثُ وَجَدْتُمُوهُمْ وَلَا تَتَّخِذُوا مِنْهُمْ وَلِيًّا وَلَا نَصِيرًا (89) إِلَّا الَّذِينَ يَصِلُونَ إِلَىٰ قَوْمٍ بَيْنَكُمْ وَبَيْنَهُم مِيثَاقٌ أَوْ جَاءُوكُمْ حَصِرَتْ صُدُورُهُمْ أَنْ يَقَاتِلُوكُمْ أَوْ يِقَاتِلُوكُمْ فَلَوْ شَاءَ اللَّهُ لَسَلَّطَهُمْ عَلَيْكُمْ فَلَقَاتِلُوكُمْ فَإِنْ اعْتَزَلُوكُمْ فَلَمْ يِقَاتِلُوكُمْ وَأَلْقُوا إِلَيْكُمُ السَّلَمَ فَمَا جَعَلَ اللَّهُ لَكُمْ عَلَيْهِمْ سَبِيلًا (90) سَتَجِدُونَ آخَرِينَ يُرِيدُونَ أَنْ يَأْمَنُوكُمْ وَيَأْمَنُوا قَوْمَهُمْ كُلًّا مَا رُدُّوا إِلَىٰ الْفِتْنَةِ أُرْكَسُوا فِيهَا فَإِنْ لَمْ يَعْتَزِلُوكُمْ وَيُلْقُوا إِلَيْكُمُ السَّلَمَ وَيَكْفُوا أَيْدِيَهُمْ فَحُذِّهُمُ وَإِقْتُلُوهُمْ حَيْثُ ثَقِفْتُمُوهُمْ وَأُولَئِكَ جَعَلْنَا لَكُمْ عَلَيْهِمْ سُلْطَانًا مُبِينًا

What is [the matter] with you [that you are] two groups concerning the hypocrites, while Allah has made them fall back (or return) due to what they earned. Do you wish to guide those whom Allah has sent astray? And he whom Allah sends astray, never will you find for him a way [of guidance]. (88) They wish you would disbelieve as they disbelieved so you would be alike. So, do not take from among them allies until they emigrate for the cause of Allah. But if they turn away, then seize them and kill them wherever you find them and take not from among them any ally or helper. (89) Except for those who take refuge with a people between yourselves and whom is a treaty or those who come to you, their hearts strained at [the prospect of] fighting you or fighting their own people. And if Allah had willed, He could have given them power over you, and they would have fought you. So, if they remove themselves from you and do not fight you and offer you peace, then Allah has not made for you a cause [for fighting] against them. (90) You will find others who wish to obtain security from you and [to] obtain security from their people. Every time they are returned to [the influence of] disbelief, they fall back into it. So, if they do not withdraw from you or offer you peace or restrain their hands, then seize them and kill them wherever you overtake them. And those, We have made for you against them a clear authorization (An-Nisa': 88-91).

This is also what other verses of the Qur'an oblige which have come in similar incidents and occasions:

- Included in that is the Qawl of Allah, Glorified be His Majesty, and Lofty is His Position:

إِنَّ الَّذِينَ ارْتَدُّوا عَلَىٰ أَدْبَارِهِمْ مِنْ بَعْدِ مَا تَبَيَّنَ لَهُمُ الْهُدَىٰ الشَّيْطَانُ سَوَّلَ لَهُمْ وَأَمْلَىٰ لَهُمْ (25) ذَلِكَ بِأَنَّهُمْ قَالُوا لِلَّذِينَ كَرِهُوا مَا نَزَّلَ اللَّهُ سَنُطِيعُكُمْ فِي بَعْضِ الْأَمْرِ وَاللَّهُ يَعْلَمُ إِسْرَارَهُمْ (26) فَكَيْفَ إِذَا تَوَفَّتْهُمُ الْمَلَائِكَةُ يَضْرِبُونَ وُجُوهَهُمْ وَأَدْبَارَهُمْ (27) ذَلِكَ بِأَنَّهُمْ اتَّبَعُوا مَا أَصْحَبَ اللَّهُ وَكَرِهُوا رِضْوَانَهُ فَأَخْبَطَ أَعْمَالَهُمْ

Verily, those who have turned back (have apostatised) as disbelievers after the guidance has been manifested to them, Shaitan (Satan) has beautified for them (their false hopes), and (Allah) prolonged their term (age). (25) This is because they said to those who hate what Allah has sent down: "We will obey you in part of the matter," but Allah knows their secrets. (26) Then how (will it be) when the angels will take their souls at death, smiting their faces and their backs? (27) That is because they followed that which angered Allah and hated that which pleased Him. So, He made their deeds fruitless (Muhammad: 25-28).

In the case where the following has come mentioned in the Tafsir of these verse:

* ما أخرجه الإمام أبو عبيد القاسم بن سلام في الأموال (ص: 531/277)، [أو في الطبعة الأخرى للأموال - (1/453/494)]، بإسناد متصل صحيح، غاية في الصحة: [حَدَّثَنَا عَبْدُ الرَّحْمَنِ، عَنْ سُفْيَانَ، عَنْ أَبِي إِسْحَاقَ، **قَالَ: سَمِعْتُ** عُبَيْدَ بْنَ عُمَيْرٍ، وَذَكَرَ الْكُبَايْرَ وَقَرَأَ بِهَا قُرْآنًا ثُمَّ ذَكَرَ فِيهَا: **(وَالْتَّعَرَّبَ بَعْدَ الْهَجْرَةِ)**، وَقَرَأَ: **(إِنَّ الَّذِينَ ارْتَدُّوا عَلَىٰ أَدْبَارِهِمْ مِنْ بَعْدِ مَا تَبَيَّنَ)** [محمد: 25] - (أَوْ بَيَّنَ) - (لَهُمُ الْهُدَىٰ) [محمد: 25] هَكَذَا قَالَ عَبْدُ الرَّحْمَنِ فِي حَدِيثِهِ.

- What Imam Abu 'Ubaid Al-Qasim bin Salam recorded in his Al-Amwaal (p: 277/531) of in a different edition of Al-Amwaal (1/494/453) with a Sahih Muttasil Isnad of the highest level of Sihhah (authenticity): [Abdur Rahman related to us from Sufyan, from Abu Ishaq: **He said: I heard** 'Ubaid bin 'Umair whilst he was mentioning the Kabaa'ir (major sins) and reciting the Qur'an concerning them. He then mentioned among that: **"And At-Ta'arrub after the Hijrah"** and recited:

إِنَّ الَّذِينَ ارْتَدُّوا عَلَىٰ أَدْبَارِهِمْ مِنْ بَعْدِ مَا تَبَيَّنَ لَهُمُ الْهُدَىٰ

Verily, those who have **turned back (have apostatised) as disbelievers** after the guidance has been manifested to them (Muhammad: 25). And Abdur Rahman said the same in his Hadith.

قَالَ أَبُو عُبَيْدٍ: فَإِذَا كَانَ التَّارِكُ لِلْهَجْرَةِ مُرْتَدًّا يَكُونُ حُكْمُهُ فِي الْمِيرَاثِ كَحُكْمِ الْكَافِرِ الَّذِي لَا يَرِثُ الْمُسْلِمَ، وَمِمَّا يَشْهَدُ عَلَىٰ ذَلِكَ حَدِيثُ أُسَامَةَ بْنِ زَيْدٍ فِي قَوْلِهِ: **(وَالَّذِينَ آمَنُوا وَلَمْ يُهَاجِرُوا مَا لَكُمْ مِنْ وَلَايَتِهِمْ مِنْ شَيْءٍ)** [الأنفال: 72]. قَالَ أَبُو عُبَيْدٍ: فَإِذَا كَانَ تَرْكُ الْهَجْرَةِ يَقْطَعُ الْوَلَايَةَ مِمَّنْ هَاجَرَ، وَيَحْرُمُ الْوَارِثَ مِيرَاثَهُ، فَهُوَ مِنَ الْمُشَارَكَةِ فِي الْفَيْءِ أَبْعَدُ، فَكَانَ ذَلِكَ حَتَّى نَسَخَهُ اللَّهُ بِقَوْلِهِ: **(وَأُولُو الْأَرْحَامِ بَعْضُهُمْ أَوْلَىٰ بِبَعْضٍ)** [الأحزاب: 6] فَلَمَّا رَجَعَتِ الْمَوَارِثُ إِلَى مَوَاضِعِهَا عَلِمَ أَنَّ ذَلِكَ لَمْ يَكُنْ إِلَّا بِالْوَلَايَةِ الَّتِي صَارَتْ بَيْنَهُمْ، فَعَادَ الْمُسْلِمُونَ كُلُّهُمْ إِخْوَةً أَوْلِيَاءَ، كَمَا قَالَ اللَّهُ تَبَارَكَ وَتَعَالَى: **(إِنَّمَا الْمُؤْمِنُونَ إِخْوَةٌ)** [الحجرات: 10] وَكَمَا قَالَ: **(وَالْمُؤْمِنُونَ وَالْمُؤْمِنَاتُ بَعْضُهُمْ [ص: 278] أَوْلِيَاءُ بَعْضٍ)** [التوبة: 71] فَاسْتَوَتْ أَحْكَامُهُمْ، وَوَجِبَ لَهُمْ جَمِيعًا مَا وَجِبَ لِلْمُسْلِمِينَ، وَعَلَيْهِمْ مَا عَلَيْهِمْ مِنَ الْأُسُوءَةِ فِي الْفَيْءِ وَغَيْرِهِ، إِلَّا أَنَّ لِأَهْلِ الْحَاضِرَةِ وَذَوِي الْغَنَاءِ عَنِ الْإِسْلَامِ الْفَضْلَ بِقَدْرِ غَنَائِهِمْ وَجَزَائِهِمْ

عَنِ الْإِسْلَامِ، وَسُنْبِيْنُ ذَلِكَ فِي مَوَاضِعِهِ إِنْ شَاءَ اللَّهُ.

532 - وَمِمَّا يُبَيِّنُ لَكَ أَنَّهُ قَدْ لَحِقَ آخِرُ الْمُسْلِمِينَ بِأَوَّلِهِمْ فِي الْحُكْمِ، وَأَنَّ الْهَجْرَةَ قَدْ نُسِخَتْ: قَوْلُ النَّبِيِّ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، بَعْدَ فَتْحِ مَكَّةَ: لَا هَجْرَةَ بَعْدَ الْفَتْحِ. وَفِي ذَلِكَ أَثَارٌ كَثِيرَةٌ، انتهى النص المنقول من (الأموال)؛

Abu 'Ubaid said: Therefore, if the one who leaves the Hijrah is a Murtadd (apostate), his ruling in respect to the inheritance would be like the ruling of the disbeliever who does not inherit the Muslim. This is supported by the Hadith of Usamah bin Zaid in relation to His statement:

وَالَّذِينَ آمَنُوا وَلَمْ يُهَاجِرُوا مَا لَكُمْ مِنْ وَلَايَتِهِمْ مِنْ شَيْءٍ

But those who believed and did not emigrate, for you there is no guardianship (Walaayah) of them until they emigrate (Al-Anfal: 72).

Abu 'Ubaid said: If the leaving or abandonment of the Hijrah cuts the right of Walaayah (guardianship) from the one who emigrated (i.e., made the Hijrah) and the inheritor is prohibited from his inheritance, then his sharing in the Fai' (booty/spoils of war) is more inconceivable. That was until Allah abrogated it by His statement:

وَأُولُو الْأَرْحَامِ بَعْضُهُمْ أَوْلَىٰ بِبَعْضٍ

And those of [blood] relationship are more entitled [to inheritance] ... (Al-Ahzab: 6).

So, when the inheritances were returned to their places, it was known that it was not except by the Wilayah that came to exist between them, where the Muslims returned as a whole to being brothers and Awliyaa', as Allah the Glorified be He and Exalted said:

إِنَّمَا الْمُؤْمِنُونَ إِخْوَةٌ

The believers are but brothers (Al-Hujurat: 10).

And as He said:

وَالْمُؤْمِنُونَ وَالْمُؤْمِنَاتُ بَعْضُهُمْ أَوْلِيَاءُ بَعْضٍ

The believing men and believing women are Awliyaa' (friends, protectors) of one another (At-Taubah: 71)].

As such, their rulings are the same where what was obligatory for the Muslims was obligatory for all of them and what was upon them (i.e., the Muslims) in terms of the model followed in respect to the Fai' (booty/spoils of war) and other matters was also binding upon them. However, the people of the Hadrarah (urban areas) and those who have a sufficiency from Islam do have a merit in accordance with their sufficiency from Islam, which we will explain in its place by Allah's will.

(Note: Please follow this part about sufficiency up, it came up earlier as well)

532 – And from that which makes evident to you that he joined the latter of the Muslims with the first of them in respect to the ruling and that the Hijrah had been abrogated, is the statement of the Prophet ﷺ following the Fat’h (conquest) of Makkah: “There is no Hijrah after the Fat’h (conquest”, and there are many reported narrations concerning that] Here ends of test taken from “Al-Amwal”.

– وهو في الأموال لابن زنجويه - (585/133/2): [حدثنا حميد: (حدثنا عبيد الله بن موسى، أخبرنا إسرائيل، عن أبي إسحاق، عن عبيد بن عمير، قال: الكبائر سبع، فذكرها وقرأ بها قرأنا، وذكر فيها: والتعرب بعد الهجرة، ثم قرأ (إن الذين ارتدوا على أدبارهم من بعد ما تبين لهم الهدى). حدثنا حميد: قال أبو عبيد: فإذا كان ترك الهجرة يقطع الولاية ممن هاجر، ويحرم الوارث ميراثه، فهم من المشاركة في الفياء أبعد، فكان ذلك حتى نسخ الله بقوله - تعالى - (وأولو الأرحام بعضهم أولى ببعض (2)) فلما رجعت المواريث إلى مواضعها، علم أن ذلك لم يكن إلا بالولاية التي صارت بينهم، فعاد المسلمون كلهم إخوة أولياء كما قال الله: (إنما المؤمنون إخوة (3))، وكما قال: (والمؤمنون والمؤمنات بعضهم أولياء بعض (4))، فاستوت أحكامهم ووجب لهم جميعا ما وجب للمسلمين، وعليهم من الأسوة والفياء وغيره، إلا أن لأهل الحاضرة وذوي الغناء عن الإسلام، الفضل بقدر غنائهم وجزئهم عن الإسلام، وسيأتي ذلك في مواضعه إن شاء الله، ومما يبين ذلك أنه قد لحق آخر المسلمين بأولهم، وأن الهجرة قد نسخت، قول النبي، صلى الله عليه وسلم، بعد فتح مكة «لا هجرة بعد الفتح» وفي ذلك آثار كثيرة]؛

-It was also recorded in “Al-Amwal” of Ibn Zanjawaih (2/133/585): [Humaid narrated to us: Ubaidullah bin Musa related to us: Isra’eel informed us from Ibn Abi Ishaq, from ‘Ubaid bin ‘Umair: He said: The Kabaa’ir (major sins) are seven. He then mentioned them and recited the Qur’an for them. He mentioned among them: “At-Ta’arrub after the Hijrah” and then recited:

إِنَّ الَّذِينَ ارْتَدُّوا عَلَىٰ أَدْبَارِهِمْ مِّن بَعْدِ مَا تَبَيَّنَ لَهُمُ الْهُدَىٰ

Verily, those who turned back [to disbelief] after guidance had become clear to them (Muhammad: 25).

Humaid related to us: Abu ‘Ubaid said: If the leaving or abandonment of the Hijrah cuts the right of Walaayah (guardianship) from the one who emigrated (i.e., made the Hijrah) and the inheritor is prohibited from his inheritance, then his sharing in the Fai’ (booty/spoils of war) is more inconceivable. That was until Allah abrogated it by His statement:

وَأُولُو الْأَرْحَامِ بَعْضُهُمْ أَوْلَىٰ بِبَعْضٍ

And those of [blood] relationship are more entitled [to inheritance ... (Al-Ahzab: 6).

So, when the inheritances were returned to their places, it was known that it was not except by the Wilayah that came to exist between them, where the Muslims returned as a whole to being brothers and Awliyaa’, as Allah the Glorified be He and Exalted said:

إِنَّمَا الْمُؤْمِنُونَ إِخْوَةٌ

The believers are but brothers (Al-Hujurat: 10).

And as He said:

وَالْمُؤْمِنُونَ وَالْمُؤْمِنَاتُ بَعْضُهُمْ أَوْلِيَاءُ بَعْضٍ

The believing men and believing women are Awliyaa' (friends, protectors) of one another (At-Taubah: 71)].

As such, their rulings are the same where what was obligatory for the Muslims was obligatory for all of them and what was upon them (i.e., the Muslims) in terms of the model followed in respect to the Fai' (booty/spoils of war) and other matters was also binding upon them. However, the people of the Hadiyah (urban areas) and those who have a sufficiency from Islam do have a merit in accordance with their sufficiency from Islam, which we will explain in its place by Allah's will.

532 – And from that which makes evident that he joined the latter of the Muslims with the first of them in respect to the ruling and that the Hijrah had been abrogated, is the statement of the Prophet ﷺ following the Fat'h (conquest) of Makkah: "There is no Hijrah after the Fat'h (conquest)", and there are many reported narrations concerning that].

(Note: Same issue as above related to sufficiency)

– وهو في تفسير ابن أبي حاتم، [الأصيل - مخرجا (5204/932/3)]: [حَدَّثَنَا أَبِي، حَدَّثَنَا عُبَيْدُ اللَّهِ بْنُ مُوسَى، أَنَّ أَبَا إِسْرَائِيلَ، عَنْ أَبِي إِسْحَاقَ، عَنْ عُبَيْدِ بْنِ عُمَيْرٍ، قَالَ: سَبْعٌ. فَذَكَرَ نَحْوَهُ وَزَادَ فِيهِ: التَّعَرُّبُ بَعْدَ الْهَجْرَةِ، ثُمَّ قَرَأَ: ﴿إِنَّ الَّذِينَ ارْتَدُّوا عَلَى أَدْبَارِهِمْ﴾ [محمد: 25]؛

- And it was stated in the Tafsir of Abu Hatim (Al-Aseel – 3/932/5204): [My father related to us: Ubaidullah bin Musa related to us, Isra'eel informed, from Abu Ishaq, from 'Ubaid bin 'Umair: He said: (There are) seven ... He then mentioned similar to it and added: At-Ta'arrub after the Hijrah: He then recited:

إِنَّ الَّذِينَ ارْتَدُّوا عَلَى أَدْبَارِهِمْ

Verily, those who turned back [to disbelief] (Muhammad: 25)].

– وهو في تهذيب الآثار - (1568/307/4): [حدثني محمد بن عبيد المحاربي، قال: حدثنا أبو الأحوص، سلام بن سليم، عن أبي إسحاق، عن عبيد بن عمير، قال: «الكبائر سبع، ليس منهن كبيرة إلا وفيها آية من كتاب الله: الإشراف بالله منهن، (ومن يشرك بالله فكأنما خر من السماء (1))، و(الذين يأكلون أموال اليتامى ظلما إنما يأكلون في بطونهم نارا وسيصلون سعيرا (2))، و(الذين يأكلون الربا لا يقومون، إلا كما يقوم الذي يتخبطه الشيطان من المس (3))، و(الذين يرمون المحصنات الغافلات المؤمنات (4))، والفرار من الزحف: (يا أيها الذين آمنوا إذا لقيتم الذين كفروا زحفا فلا تولوهم الأدبار (5)) والتعرب بعد الهجرة: (إن الذين ارتدوا على أدبارهم من بعد ما تبين لهم الهدى (6))، وقتل المؤمن»؛

- And it came recorded in "Tahdheeb Al-Aathaar" (4/307/1568): [Muhammad bin 'Ubaid Al-Muharibi related to me: He said: Abu Al-Ahwas, Salam bin Saleem, related to us from Abu Ishaq, from 'Ubaid bin 'Umair: He said: The Kabaa'ir (major sins) are seven, there is no major sin among them except there is an

Aayah (verse) in the Kitab of Allah concerning it: Associating partners with Allah, included among them (i.e., the verses) are:

1)

وَمَنْ يُشْرِكْ بِاللَّهِ فَكَأَنَّمَا خَرَّ مِنَ السَّمَاءِ

And he who associates with Allah, it is as though he had fallen from the sky (Al-Hajj: 31).

2)

إِنَّ الَّذِينَ يَأْكُلُونَ أَمْوَالَ الْيَتَامَىٰ ظُلْمًا إِنَّمَا يَأْكُلُونَ فِي بُطُونِهِمْ نَارًا ۖ وَسَيَصْلَوْنَ سَعِيرًا

Verily, those who unjustly eat up the property of orphans, they eat up only a fire into their bellies, and they will be burnt in the blazing Fire (An-Nisa': 10).

3)

الَّذِينَ يَأْكُلُونَ الرِّبَا لَا يَقُومُونَ إِلَّا كَمَا يَقُومُ الَّذِي يَتَخَبَّطُهُ الشَّيْطَانُ مِنَ الْمَسِّ

Those who consume interest cannot stand [on the Day of Resurrection] except as one stands who is being beaten by Satan into insanity (Al-Baqarah: 275).

4)

إِنَّ الَّذِينَ يَزْمُونَ الْمُحْصَنَاتِ الْغَافِلَاتِ الْمُؤْمِنَاتِ

Indeed, those who [falsely] accuse chaste, unaware and believing women (An-Nur: 23).

5) And fleeing from the battle:

يَا أَيُّهَا الَّذِينَ آمَنُوا إِذَا لَقِيتُمُ الَّذِينَ كَفَرُوا زَحَفًا فَلَا تُولُوهُمْ الْأَدْبَارَ

O you who have believed, when you meet those who disbelieve advancing [for battle], do not turn to them your backs [in flight] (Al-Anfal: 15).

6) And At-Ta'arrub after the Hijrah:

إِنَّ الَّذِينَ ارْتَدُّوا عَلَىٰ أَدْبَارِهِم مِّن بَعْدِ مَا تَبَيَّنَ لَهُمُ الْهُدَىٰ

Verily, those who turned back [to disbelief] after guidance had become clear to them (Muhammad: 25).

And the killing of the believer].

- وهو في تفسير الطبري عند تأويل قوله تعالى: (إِنَّ تَجَنَّبُوا كِبَائِرَ مَا تُنْهَوْنَ عَنْهُ نُكَفِّرْ عَنْكُمْ سَيِّئَاتِكُمْ وَنُدْخِلْكُمْ مُدْخَلًا كَرِيمًا (31)) (9180/235/8): [حدثني محمد بن عبيد المحاربي قال، حدثنا أبو الأحوص سلام بن سليم، عن ابن أبي إسحاق، عن عبيد بن عمير قال: الكبائر سبع، ليس منهن كبيرة إلا وفيها آية من كتاب الله: الإشرak بالله منهن: (وَمَنْ يُشْرِكْ بِاللَّهِ فَكَأَنَّمَا خَرَّ مِنَ السَّمَاءِ) [سورة

الحج: 31] و(الَّذِينَ يَأْكُلُونَ أَمْوَالَ الْيَتَامَى ظُلْمًا إِنَّمَا يَأْكُلُونَ فِي بُطُونِهِمْ نَارًا) [سورة النساء: 10]،
 و(الَّذِينَ يَأْكُلُونَ الرِّبَا لَا يَقُومُونَ إِلَّا كَمَا يَقُومُ الَّذِي يَتَخَبَّطُهُ الشَّيْطَانُ مِنَ الْمَسِّ) [سورة البقرة: 275]،
 و(الَّذِينَ يَرْمُونَ الْمُحْصَنَاتِ الْغَافِلَاتِ الْمُؤْمِنَاتِ) [سورة النور: 23]، والفرار من الزحف: (يَا أَيُّهَا
 الَّذِينَ آمَنُوا إِذَا لَقِيتُمُ الَّذِينَ كَفَرُوا زَحَفًا فَلَا تُولُوهُمْ الْأَدْبَارَ) [سورة الأنفال: 15]، والتعرب بعد الهجرة:
 (إِنَّ الَّذِينَ ارْتَدُّوا عَلَى أَدْبَارِهِمْ مِنْ بَعْدِ مَا تَبَيَّنَ لَهُمُ الْهُدَى) [سورة محمد: 25]، وقتل النفس.

- And the following came stated in the Tafsir of At-Tabari (8/235/9180) in the interpretation of His statement
 تعالى:

إِنْ جَحْتَبُوا كَبَائِرَ مَا تُنْهَوْنَ عَنْهُ نُكَفِّرْ عَنْكُمْ سَيِّئَاتِكُمْ وَنُدْخِلَكُمْ مُدْخَلًا كَرِيمًا

If you avoid the major sins which you are forbidden, We will expiate from you your lesser sins and admit you
 to a noble entrance [into Paradise] (An-Nisa': 31).

[Muhammad bin 'Ubaid Al-Muharibiy related to me: He said: Abu Al-Ahwas Salam bin Saleem related to us
 from Ibn Ishaq, from 'Ubaid bin 'Umair: He said: The Kabaa'ir (major sins) are seven, there is no major sin
 among them except there is an Aayah (verse) in the Kitab of Allah concerning it: Associating partners with
 Allah, included among them (i.e., the verses) are:

وَمَنْ يُشْرِكْ بِاللَّهِ فَكَأَنَّمَا خَرَّ مِنَ السَّمَاءِ

And he who associates with Allah, it is as though he had fallen from the sky (Al-Hajj: 31).

إِنَّ الَّذِينَ يَأْكُلُونَ أَمْوَالَ الْيَتَامَى ظُلْمًا إِنَّمَا يَأْكُلُونَ فِي بُطُونِهِمْ نَارًا وَسَيَصْلُونَ سَعِيرًا

Verily, those who unjustly eat up the property of orphans, they eat up only a fire into their bellies, and they
 will be burnt in the blazing Fire (An-Nisa': 10).

الَّذِينَ يَأْكُلُونَ الرِّبَا لَا يَقُومُونَ إِلَّا كَمَا يَقُومُ الَّذِي يَتَخَبَّطُهُ الشَّيْطَانُ مِنَ الْمَسِّ

Those who consume interest cannot stand [on the Day of Resurrection] except as one stands who is being
 beaten by Satan into insanity (Al-Baqarah: 275).

إِنَّ الَّذِينَ يَرْمُونَ الْمُحْصَنَاتِ الْغَافِلَاتِ الْمُؤْمِنَاتِ

Indeed, those who [falsely] accuse chaste, unaware and believing women (An-Nur: 23).

And fleeing from the battle:

يَا أَيُّهَا الَّذِينَ آمَنُوا إِذَا لَقِيتُمُ الَّذِينَ كَفَرُوا زَحَفًا فَلَا تُولُوهُمْ الْأَدْبَارَ

O you who have believed, when you meet those who disbelieve advancing [for battle], do not turn to them
 your backs [in flight] (Al-Anfal: 15).

And At-Ta'arrub after the Hijrah:

إِنَّ الَّذِينَ ارْتَدُّوا عَلَىٰ أَدْبَارِهِم مِّن بَعْدِ مَا تَبَيَّنَ لَهُمُ الْهُدَىٰ

Verily, those who turned back [to disbelief] after guidance had become clear to them (Muhammad: 25).

And the killing of the Nafs (life).

9181 - حدثنا ابن حميد قال، حدثنا جرير، عن منصور، عن ابن [أبي] إسحاق، عن عبيد بن عمير الليثي قال: الكبائر سبع: الإشراف بالله: (وَمَنْ يُشْرِكْ بِاللَّهِ فَكَأَنَّمَا خَرَّ مِنَ السَّمَاءِ فَتَخْطَفُهُ الطَّيْرُ أَوْ تَهْوِي بِهِ الرِّيحُ فِي مَكَانٍ سَحِيقٍ)، وقتل النفس: (وَمَنْ يَقْتُلْ مُؤْمِنًا مُّتَعَمِّدًا فَجَزَاؤُهُ جَهَنَّمُ) الآية، [سورة النساء: 93]، وأكل الربا: (الَّذِينَ يَأْكُلُونَ الرِّبَا لَا يَقُومُونَ إِلَّا كَمَا يَقُومُ الَّذِي يَتَخَبَّطُهُ الشَّيْطَانُ مِنَ الْمَسِّ) الآية، وأكل أموال اليتامى: (إِنَّ الَّذِينَ يَأْكُلُونَ أَمْوَالَ الْيَتَامَى ظُلْمًا) الآية، وقذف المحصنة: (إِنَّ الَّذِينَ يَزْمُونَ الْمُحْصَنَاتِ الْغَافِلَاتِ الْمُؤْمِنَاتِ) الآية، والفرار من الزحف: (وَمَنْ يُؤْلِهِمْ يَوْمَ ذُبْرَهُ إِلَّا مُتَحَرِّفًا لِّقِتَالٍ أَوْ مُتَحَيِّرًا إِلَىٰ فِتْنَةٍ) الآية، [سورة الأنفال: 16] والمرتد أعرابياً بعد هجرته: (إِنَّ الَّذِينَ ارْتَدُّوا عَلَىٰ أَدْبَارِهِم مِّن بَعْدِ مَا تَبَيَّنَ لَهُمُ الْهُدَىٰ) الآية].

9181 – Ibn Humaid related to us: he said: Jarir related to us from Mansur, from ~~Abu~~ (Abu) Ishaq, from ‘Ubaid bin ‘Umar Al-Laithiy: He said: The major sins are seven: Associating partners with Allah:

وَمَنْ يُشْرِكْ بِاللَّهِ فَكَأَنَّمَا خَرَّ مِنَ السَّمَاءِ فَتَخْطَفُهُ الطَّيْرُ أَوْ تَهْوِي بِهِ الرِّيحُ فِي مَكَانٍ سَحِيقٍ

And he who associates with Allah, it is as though he had fallen from the sky and was snatched by the birds or the wind carried him down into a remote place (Al-Hajj: 31).

The killing of the Nafs (life):

وَمَنْ يَقْتُلْ مُؤْمِنًا مُّتَعَمِّدًا فَجَزَاؤُهُ جَهَنَّمُ

But whoever kills a believer intentionally, his recompense is Hell (An-Nisa': 93).

And devouring Riba (usury/interest):

الَّذِينَ يَأْكُلُونَ الرِّبَا لَا يَقُومُونَ إِلَّا كَمَا يَقُومُ الَّذِي يَتَخَبَّطُهُ الشَّيْطَانُ مِنَ الْمَسِّ

Those who consume interest cannot stand [on the Day of Resurrection] except as one stands who is being beaten by Satan into insanity (Al-Baqarah: 275).

Devouring the wealth (or property) of the orphan:

إِنَّ الَّذِينَ يَأْكُلُونَ أَمْوَالَ الْيَتَامَى ظُلْمًا

Verily, those who unjustly eat up the property of orphans ... (An-Nisa': 10).

Falsely accusing (or slandering the honour and reputation) chaste women:

إِنَّ الَّذِينَ يَزْمُونَ الْمُحْصَنَاتِ الْغَافِلَاتِ الْمُؤْمِنَاتِ

Indeed, those who [falsely] accuse chaste, unaware and believing women ... (An-Nur: 23).

Fleeing from the battle:

وَمَنْ يُؤْهِمْ يَوْمَئِذٍ دُبُرَهُ إِلَّا مُتَحَرِّفًا لِّقِتَالٍ أَوْ مُتَحَيِّرًا إِلَىٰ فِئَةٍ

And whoever turns his back to them on such a day, unless swerving [as a strategy] for war or joining [another] company ... (Al-Anfal: 16).

And the Murtadd (renouncer or apostate) as an Aa'raabi after his Hijrah:

إِنَّ الَّذِينَ ارْتَدُّوا عَلَىٰ أَدْبَارِهِمْ مِّن بَعْدِ مَا تَبَيَّنَ لَهُمُ الْهُدَىٰ

Verily, those who turned back [to disbelief] after guidance had become clear to them (Muhammad: 25)].

فنقول: ما يهمنا هنا تفسير التابعي الكبير، الإمام الثقة الحجة، أبي عاصم عبيد بن عمير الليثي لجملة (**ارْتَدُّوا عَلَىٰ أَدْبَارِهِمْ**) بأنه ترك الهجرة، والانتكاس عنها، بالرغم من عدم ورود لفظ (الهجرة) في السورة بكاملها: من أولها إلى آخرها. فهذا يصعب تصور كونه اجتهادا مبنيًا على رأي مجرد، وليس عن علم بواقعة، أو وقائع، نزلت الآيات أول مرة، وربما السورة بتمامها، لمعالجتها.

We say: What concerns us here is the Tafsir (explanation) of the major Taabi'iy, the Imam Ath-Thiqah Al-Hujjah, Abu 'Aasim 'Ubaid bin 'Umair Al-Laithiy concerning the statement: "**reverted back [to disbelief]**" as meaning the abandonment or leaving of the Hijrah and renouncing it. That is despite the absence of the wording "Al-Hijrah" in the entire Surah, from its beginning to its end. It is difficult to conceive that this was an Ijtihad (exertion of derivation) based purely upon opinion rather than being based on knowledge of a particular incident or incidents for which these verses were initially revealed and perhaps the Surah as a whole, in order to deal with such an incident or occurrence.

وأسارع بالقول: إن تسميته تلك الكبيرة المهلكة (**تعريباً**)، اصطلاح شرعي، نقلت به (**الأعرابية**)، وهي في اللغة تعني: (البداوة مع القسوة والجلافة والجفاء) كما هو - عادة - حال الفدادين رعاء الإبل والبقر، وهي حالة مذمومة، وليست هي (**البداوة**) المجردة، التي هي طراز مباح من العيش. وكثيراً ما يقع الخلط بين (**البداوة**) و(**الأعرابية**) من كل أحد تقريباً، بدءاً بأهم المؤمنين عائشة، رضوان الله وسلامه عليها، التي صحح لها النبي، عليه وعلى آله الصلاة والسلام، خطأها، إلى أيامنا هذه على تعاقب العصور. وقد حررنا هذا في بحثنا المعنون: (**الهجرة، والتابعية الإسلامية (وحق تقرير المصير)**)، تحريراً تاماً، بفضل الله ومنته، فليراجع. وسيتبين بذلك أيضاً خطأ الإمام أبي عبيد القاسم بن سلام في العديد من مقولاته في النص المنقول أنف الذكر، خصوصاً في الخطأ الفادح في قوله: (**أَنَّ الْهَجْرَةَ قَدْ نُسِخَتْ**)، عياذاً بالله.

I will move on quickly now to say: His naming that major destructive sin as being “Ta’arrub” represents a Shar’iy terminology (Istilaah) which “Al-Aa’raabiyah” was transmitted alongside. In its linguistic meaning it means: “Al-Badaawah (Bedouin life) alongside harshness, callousness and sternness”. This reflects what was the usual condition of the Fadaadeen, the herdsmen of camels and cows, and it is an unpraiseworthy condition. It is not the pure “Badaawah” Bedouin or nomadic life which represents a permissible mode of living. Nearly everyone has often been confused between the “Badaawah” and the “Aa’raabiyah”, beginning with the mother of believers ‘Aa’ishah, may the pleasure and peace of Allah be upon her, whose error the Prophet ﷺ corrected, and continuing throughout the ages until our current day. And we have thoroughly dealt with this by Allah’s favour and grace in our study entitled: “Al-Hijrah, the Islamic subject status – And the right to self-determination” which can be referred to. Through that the error of Imam Abu ‘Ubaid Al-Qasim bin Salam will also become evident in respect to a number of his statements related to the transmitted text mentioned above, especially in the blatant error in his statement: “Indeed, the Hijrah has been abrogated” and may Allah’s refuge be sought.

✽ **فرع: استطراد:** لا ينبغي أن يظن أن الكبيرة الموبقة ((التَّعَرُّبُ بَعْدَ الْهَجْرَةِ)) إنما ثبت وجودها فقط بهذا الأثر آنف الذكر عن عبيد بن عمير، فنحن لا نقبل في مثل هذه الأمور الخطيرة خبر واحد فرد، مهما بلغت درجته من الصحة، بل لا بد من طرق أخرى مستقلة تعضده، كما أمر الله ورسوله في الشهادة، أو بنقل التواتر. وحقيقة الحال ها هنا أن الأمر كذلك كما يظهر من الروايات التالية:

- Branch: In continuation: It should not be thought that the existence of the destructive major sin “At-Ta’arrub after the Hijrah” was only established by the aforementioned narrated report from ‘Ubaid bin ‘Umair. That is because we do not accept in grave matters such as this the Khabar Ahad (singly related report) of an individual regardless of what grade he has reached in terms of authenticity. Rather, it is necessary for there to be other independent reports which support it, just as Allah and His Messenger ﷺ have commanded us in relation to the acceptance of testimony, or that it be transmitted by Tawatur (definite concurrent reports). The truth of the situation here is that this matter is like that (in terms of having supporting evidence) as will become apparent from the following narrations:

✽ حيث جاء هذا عن إمام الهدى أبي الحسن علي بن أبي طالب، صلوات الله عليه، كما نجده في تفسير الطبري [جامع البيان ط هجر (6/643)]: [حَدَّثَنِي تَمِيمُ بْنُ الْمُثَنِّصِرِ، قَالَ: حَدَّثَنَا يَزِيدُ، قَالَ: أَخْبَرَنَا مُحَمَّدُ بْنُ إِسْحَاقَ، عَنْ مُحَمَّدِ بْنِ سَهْلٍ بْنِ أَبِي حَنْمَةَ، عَنْ أَبِيهِ، قَالَ: إِنِّي لَفِي هَذَا الْمَسْجِدِ مَسْجِدَ الْكُوفَةِ، وَعَلَيَّ رَضِيَ اللَّهُ عَنْهُ يَخْطُبُ النَّاسَ عَلَى الْمُنْبَرِ، فَقَالَ: يَا أَيُّهَا النَّاسُ: إِنَّ الْكَبَائِرَ سَبْعٌ، فَأَصَاخَ النَّاسُ، فَأَعَادَهَا ثَلَاثَ مَرَّاتٍ، ثُمَّ قَالَ: أَلَا تَسْأَلُونِي عَنْهَا؟ قَالُوا: يَا أَمِيرَ الْمُؤْمِنِينَ مَا هِيَ؟ قَالَ: الْإِشْرَافُ بِاللَّهِ، وَقَتْلُ النَّفْسِ الَّتِي حَرَّمَ اللَّهُ، وَقَذْفُ الْمُحْصَنَةِ، وَأَكْلُ مَالِ الْيَتِيمِ، وَأَكْلُ الرَّبَا، وَالْفِرَارُ يَوْمَ الزَّحْفِ، وَالتَّعَرُّبُ بَعْدَ الْهَجْرَةِ. فَقُلْتُ لِأَبِي: يَا أَبَتِ النَّعْرُبُ بَعْدَ الْهَجْرَةِ، كَيْفَ لَحِقَ هَاهُنَا؟ فَقَالَ: يَا بُنَيَّ، وَمَا أَعْظَمُ مِنْ أَنْ يَهَاجِرَ الرَّجُلُ، حَتَّى إِذَا وَقَعَ سَهْمُهُ فِي الْفَيْءِ، وَوَقَعَ عَلَيْهِ الْجِهَادُ، خَلَعَ ذَلِكَ مِنْ عُنُقِهِ فَرَجَعَ أَعْرَابِيًّا كَمَا كَانَ؛

- In the case where this came narrated from the Imam of guidance Abu I-Hasan ‘Ali bin Abi Talib, may the Salawaat of Allah be upon him, as we find recorded in the Tafsir of At-Tabari (Jaami’ Al-Bayan - Hijr edition 6/643): [Tamim bin Al-Muntasir related to me: He said: Yazid related to us: He said: Muhammad bin Ishaq informed us from Muhammad bin Sahl bin Abi Hathmah, from his father: He said: I was in this Masjid, the

Masjid of Al-Kufa, and ‘Ali, may Allah be pleased with him, was addressing the people (in a speech) upon the Minbar (pulpit): He said: “O People: The Kabaa’ir (major sins) are seven” So, the people remained quiet. He then repeated that three times and then said: “Will you not ask me about them?” They said: “O Amir ul-Mu’mineen, what are they?” He said: Associating partners (Shirk) with Allah, killing the Nafs (life) which Allah has prohibited, slandering the chaste woman (Muhsanah), devouring the wealth or property (Maal) of the orphan, devouring Riba (usury), fleeing on the day of battle, and **At-Ta’arrub after the Hijrah**. I then asked my father: “At-Ta’arrub after the Hijrah, how did this become included here (i.e., among the major sins)?” He said: “O son, and what is a greater matter (in terms of gravity and sin) than that of the man who migrates and continues until he has his share in the booty and **Jihad was made compulsory upon him**. Then after that he rescinds that (i.e., the Hijrah) and returns as an Aa’raabi like he had been prior to that].

- وهو في التاريخ الكبير للبخاري [بحواشي المطبوع (306/107/1)]: [مُحَمَّدُ بْنُ سَهْلٍ بْنُ أَبِي حَتْمَةَ الْأَنْصَارِيِّ الْحَارِثِيِّ الْأَوْسِيِّ]. قَالَ اللَّيْثُ عَنْ يَزِيدَ بْنِ أَبِي حَبِيبٍ عَنْ أَبِي عَفِيرٍ الْأَنْصَارِيِّ عَنْ مُحَمَّدٍ عَنْ مَحِيصَةَ بْنِ مَسْعُودٍ؛ وَقَالَ لَنَا إِسْحَاقُ عَنْ عَبْدِ سَمْعٍ ابْنِ إِسْحَاقَ عَنْ مُحَمَّدٍ بْنِ سَهْلٍ بْنِ أَبِي حَتْمَةَ سَمِعَ أَبَاهُ سَمْعَ عَلِيًّا: الْكَبَائِرُ سَبْعٌ، وَقَالَ الْوَلِيدُ بْنُ كَثِيرٍ حَدَّثَنِي مُحَمَّدُ بْنُ سَهْلٍ بْنُ أَبِي حَتْمَةَ، مِثْلَهُ؛ وَقَالَ لِي إِسْمَاعِيلُ حَدَّثَنَا مُحَمَّدُ بْنُ طَلْحَةَ التَّيْمِيُّ عَنْ مُحَمَّدٍ بْنِ سَهْلٍ بْنِ أَبِي حَتْمَةَ قَالَ الْهَرِيرُ بْنُ عَبْدِ الرَّحْمَنِ، مَرَّسَلٌ فِي الْخَنْدَقِ؛

- And the following came recorded in At-Tarikh Al-Kabir of Al-Bukhari (With printed commentary 1/107/306): [“Muhammad bin Sahl bin Abi Hathmah Al-Ansari Al-Harithiy Al-Awsiy”. Al-Laith said it from Yazid bin Abi Habib, from Abu ‘Ufair Al-Ansari, from Muhammad, from Muhayyisah bin Mas’ud. And Ishaq said to us from ‘Abdah who heard Ibn Ishaq from Muhammad bin Sahl bin Abi Hathmah, he heard his father, he heard ‘Ali (saying): “The Kabaa’ir (major sins) are seven”. And Al-Walid bin Kathir said: Muhammad bin Sahl bin Abi Hathmah related the same as it to me. And Islam’eel said to me: Muhammad bin Talhah At-Taimiy related to us from Muhammad bin Sahl bin Abi Hathmah: Al-Harir bin Abdur Rahman said: Mursal in relation to Al-Khandaq]

- وهو في علل الحديث لابن أبي حاتم (1649/575/4): [وَسَأَلْتُ أَبِي وَأَبَا زُرْعَةَ عَنْ حَدِيثِ رَوَاهُ ابْنُ لَهْيَعَةَ، عَنْ يَزِيدَ بْنِ أَبِي حَبِيبٍ، عَنْ مُحَمَّدٍ بْنِ سَهْلٍ بْنِ أَبِي حَتْمَةَ، عَنْ أَبِيهِ؛ سَمِعْتُ النَّبِيَّ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، يَقُولُ: الْكَبَائِرُ سَبْعٌ...؟ قَالَا جَمِيعًا: هَذَا خَطَأٌ؛ رَوَاهُ اللَّيْثُ، عَنْ يَزِيدَ بْنِ أَبِي حَبِيبٍ: أَنَّ أَبَا عَفِيرٍ الْأَنْصَارِيَّ - يَعْنِي: عُمَيْرٌ، مِنْ بَنِي حَارِثَةَ - أَخْبَرَهُ [عَنْ مُحَمَّدٍ بْنِ سَهْلٍ بْنِ أَبِي حَتْمَةَ] عَنْ أَبِيهِ سَهْلٍ بْنِ أَبِي حَتْمَةَ، عَنْ عَلِيٍّ، قَوْلُهُ: الْكَبَائِرُ سَبْعٌ... وَهُوَ الصَّحِيحُ].

- And it is recorded in “Ilal Al-Hadith” of Ibn Abi Hatim (4/575/1649): [And I asked my father and Abu Zur’ah concerning a Hadith related by Ibn Lahee’ah from Yazid bin Abi Habib, from Muhammad bin Sahl bin Abi Hathmah, from his father: I heard the Prophet ﷺ saying: “The Kabaa’r (major sins) are seven ...”? They answered together: “This is an error: Al-Laith related it from Yazid bin Abi Habib: That Abu ‘Ufair Al-Ansari - meaning: ‘Umair, of Bani Harithah – He informed him (from Muhammad bin Sahl bin Abi Hathmah) from his father Sahjl bin Abi Hathmah, from ‘Ali: His statement: “Al-Kabaa’ir (major sins) are seven ... And it (i.e., the Hadith) is Sahih].

قلت:

أولاً: محمد بن سهل بن أبي حثمة، **ثقة**، بلا شك ولا ريب، بذكر البخاري له في التاريخ الكبير، وتوثيق ابن حبان له في الثقات؛ وبرواية محمد بن إسحاق، والوليد بن كثير، والحجاج بن أرطاة، وحسبك بهم، وآخرين منهم: أبو عفير الأنصاري، وابن أخيه محمد بن يحيى بن سهل بن أبي حثمة الأنصاري؛ وربما يزيد بن أبي حبيب.

I say:

Firstly: Muhammad bin Sahl bin Abi Hathmah is **Thiqah** (reliable trusted narrator), without question or doubt, due to Al-Bukhari mentioning him in At-Tarikh Al-Kabir, the Tawtheeq of Ibn Hibban of him in his Ath-Thiqaat and by the narrating of Muhammad bin Ishaq, Al-Walid bin Kathir and Al-Hujjaj bin Artat who are sufficient, in addition to others including: Abu 'Ufair Al-Ansari, his nephew Muhammad bin Yahya bin Sahl bin Abi Hathmah Al-Ansari and perhaps Yazid bin Abi Habib.

ثانياً: ما بين المعكوفتين [(عَنْ مُحَمَّدِ بْنِ سَهْلٍ بْنِ أَبِي حَثْمَةَ)] ليس في نسخة الشاملة ل علل الحديث لابن أبي حاتم، ولكن لا بد منه. والظاهر أن هذا سقط قديم في الإسناد، أغتر به أبو أحمد الحاكم فقال: (أبو عفير محمد بن سهل بن أبي حثمة) (!)، كما هو في تاريخ مدينة دمشق (159/53): [أخبرنا أبو جعفر بن أبي علي في كتابه، أنبأنا أبو بكر الصقار، أنبأنا أحمد بن علي بن منجويه، أنبأنا أبو أحمد الحاكم قال: أبو عفير محمد بن سهل بن أبي حثمة - واسم أبي حثمة عبد الله - بن ساعدة بن عامر ابن عمرو بن مجدعة بن حارثة بن الحارث بن الخزرج بن عمرو بن مالك بن أوس الأنصاري المدني، سمع أباه، وأبا عبد الله رافع بن خديج الأوسي، روى عنه ابن أخيه محمد بن يحيى بن سهل بن أبي حثمة الأنصاري]: **فسيحان من لا تأخذه سنة ولا نوم.**

Secondly: The part in brackets: (from Muhammad bin Sahl bin Abi Hathmah) was not in the Shamela version of "Ilal Al-Hadith" of Ibn Abi Hatim, however it is necessary for it to be there. It appears that this is an old omission in the Isnad which Abu Ahmad Al-Hakim was misled by and thus said: "Abu 'Ufair Muhammad bin Sahl bin Abi Hathma!! as came stated in "Tarikh Madinah Dimashq" (53/159): [Abu Ja'far bin Abi 'Ali informed us in his book: Abu Bakr As-Saffar informed us: Ahmad bin 'Ali bin Manjuwaih informed us: Abu Ahmad Al-Hakim informed us: He said: Abu 'Ufair Muhammad bin Sahl bin Abi Hathmah (and the name of Abu Hathmah was Abdullah) bin Sa'idah bin 'Aamir bin 'Amr bin Mijda'ah bin Harithah bin Al-Harith bin Al-Khazraj bin 'Amr bin Malik bin Aws Al-Ansari Al-Madeeniy: He heard (i.e., received Hadith from) his father and Abu Abdullah Raafi' bin Khudaij Al-Awsiy. His nephew (son of his brother) Muhammad bin Yahya bin Sahl bin Abi Hathmah related from him]. Glorified be Allah who is not taken by slumber or sleep.

ثالثاً: تظهر معاناة القوم في التفريق بين البداوة و(الأعرابية) باصطلاحها الشرعي من سؤال محمد بن سهل بن أبي حثمة لأبيه. ومع أن أباه كان أحسن فهما بكثير حين قال: (يَا بُنَيَّ، وَمَا أَعْظَمُ مِنْ أَنْ يُهَاجَرَ الرَّجُلُ، حَتَّى إِذَا وَقَعَ سَهْمُهُ فِي الْفَيْءِ، **وَوَقَّابَ عَلَيْهِ الْجِهَادُ**، خَلَعَ ذَلِكَ مِنْ عُنُقِهِ فَرَجَعَ أَعْرَابِيًّا كَمَا كَانَ)، ولكنه لم يعط (الأعرابية) تمام حقها الاصطلاحي.

Thirdly: The people's suffering in respect to being able to differentiate between the "Badaawah" and the "Aa'raabiyah" according to its Shar'iy terminological meaning is evident from the question posed by Muhammad bin Sahl bin Abi Hathmah to his father. Although his father's understanding was revealed to be much better when he stated: "O son, and what is a greater matter than a man who migrates and then when

he has his share in the booty and **Jihad is made compulsory upon him**, he then separates that from his neck and returns as an Aa'raabiy as he was prior to that", he still nevertheless did not provide the full right to the terminological meaning of "Al-Aa'raabiyah".

فثبت ذكر **(التَّعَرُّبُ بَعْدَ الْهَجْرَةِ)** بين الكبار عن علي بن أبي طالب، رضوان الله وسلامه عليه، لا ينبغي أن تكون فيه شبهة لا سيما مع الشواهد الآتية:

Consequently, the establishment of the mention of "**At-Ta'arrub after the Hijrah**" among the Kibaar (major scholars) from 'Ali bin Abi Talib, may Allah be pleased with him, should not have any doubt concerning it and especially when taking into account the following supporting evidence:

* حيث جاء في تفسير ابن أبي حاتم (ج3/ص933/ح5212): [من جعل نكث البيعة وفراق الجماعة من الكبائر]: حدثنا أحمد بن سنان حدثنا أبو أحمد يعني الزبيري حدثنا علي بن صالح عن عثمان بن المغيرة عن مالك بن جوين عن علي قال: الكبائر الشرك بالله، وقتل النفس، واكل مال اليتيم، وقذف المحصنة، والفرار من الزحف، و**التَّعَرُّبُ بَعْدَ الْهَجْرَةِ**، والسحر، وعقوق الوالدين، واكل الربا، وفراق الجماعة، ونكث الصفة؛

- In the case where the following came stated in the Tafsir of Ibn Abi Hatim (3/933/5212): [“(Concerning) the one who made the violation of the Bai’ah (pledge) and the separation of the Jama’ah from the Kabaa’ir (major sins)”: Ahmad bin Sinan related to us: Abu Ahmad (meaning Az-Zubairiy) related to us: ‘Ali bin Salih related to us from Uthman bin Al-Mughirah, from Malik bin Juwain, from ‘Ali: He said: The Kabaa’ir (major sins) are: The Shirk with Allah, the killing of the Nafs (life), devouring the wealth (or property) of the orphan, false accusation against a chaste woman, fleeing from the battle, **At-Ta’arrub after the Hijrah**, magic, disobedience to the parents, devouring Riba (usury or interest), separating from the Jama’ah (Islamic collective) and violating the Safqah (agreement/pledge)].

- وهو في موسوعة أقوال الإمام أحمد بن حنبل في رجال الحديث وعلله (3/213/2233): [مالك بن الجوين الحضرمي، ويقال: مالك بن الجون، أبو الحجاج الأسلمي، وهو خال سلمة بن كهيل.
• قال عبد الله بن أحمد: حدثني أبي. قال: حدثنا أبو أحمد الزبيري، قال: حدثنا علي بن صالح، عن عثمان بن المغيرة، عن مالك بن جوين، عن علي. «العلل» (5395).
• وقال عبد الله: حدثني أبي. قال: حدثنا أسود بن عامر، قال: حدثنا شريك، عن عثمان، عن مالك بن الجون، هو خال سلمة بن كهيل، يعني مالك بن جون، قال: كنت عند علي في الرحبة، فسأله رجل عن الربا والسرقه، من الكبائر؟ فقال: الكبائر: الإشراف بالله، وقتل النفس، وعقوق الوالدين، وقذف المحصنة، والفرار من الزحف، والتعرب بعد الهجرة. «العلل» (5396).ط.]

- And the following came stated in “Mawsoo’ah Aqwaal Al-Imam Ahmad bin Hanbal Fee Rijal Al-Hadith Wa ‘Ilalihi” (3/213/2233): [Malik bin Al-Juwain Al-Hadramiy: And it is said: (His name was) Malik bin Al-Jawn, Abu Al-Hajjaj Al-Aslamiy and he was the Khaal (maternal uncle) of Salamah bin Kuhail.

- Abdullah bin Ahmad said: My father related to me: He said: Abu Ahmad Az-Zubairiy related to us: He said: ‘Ali bin Salih related to us from Uthman bin Al-Mughirah, from Malik bin Juwain, from ‘Ali. “Al-‘Ilal” (5395).

- And Abdullah said: My father related to me: He said: Aswad bin 'Aamir related to us: He said: Shareek related to us from Uthman, from Malik bin Al-Jawn, who was the Khaal (maternal uncle) of Salamah bin Kuhail, meaning Malik bin Jawn: He said: I was with 'Ali at Ar-Rahbah (i.e., in Al-Kufa) and a man asked him about Ar-Riba and As-Saraqah (theft), if they are from the Kabaa'ir (major sins)? He then said: "The Kabaa'ir are: Associating partners with Allah, killing the Nafs (life), disobeying the parents, falsely accusing the Muhsanah (chaste woman), fleeing from the battle and At-Ta'arrub after the Hijrah". "Al-'Ilal" (5396)].

قلت: فهذا في مناسبة أخرى جواباً لسؤال، فعدد علي بن أبي طالب أكثر من سبعة بما يناسب المقام. أما الخبر الأول فكان في مقام التعليم، فاكتمى أبو الحسن، صلوات الله عليه، يسيع منها، مراعاة لقدرة السامعين على الحفظ والاستيعاب، كما هي سنة النبي، عليه وعلى آله الصلاة والسلام.

I say: This therefore came on another occasion as an answer to a question and 'Ali enumerated more than seven in accordance with what was appropriate to the situation. As for the first report, then it was in the situation of teaching and so Abu Al-Hasan, may the Salawaat of Allah be upon him, sufficed with a simple form of presentation taking into consideration the capability of those hearing to memorise and absorb, in accordance with the Sunnah (practise) of the Prophet ﷺ.

* وشاهد آخر كما هو في المتفق والمفترق (1/214/(72)): [أخبرني عبيد الله بن أبي الفتح الفارسي قال حدثنا أبو الحسن علي بن عمر الحافظ قال حدثنا الحسن بن أحمد بن سعيد الرهاوي قال حدثنا عبد الله بن الزبير بن محمد الرهاوي قال حدثنا أبو إسحاق إبراهيم بن يزيد المكتب قال حدثنا أبو قتادة الحراني قال: **حدثنا** سفيان الثوري عن زيد بن علي بن الحسين عن أبيه عن الحسين بن علي عن علي أن النبي صلى الله عليه وعلى آله وسلم قال: (ستة لعنهم الله ولعنهم وكل نبي مجاب: الزائد في كتاب الله، والمكذب بقدر الله، والراغب عن سنتي إلى البدعة، والمستحل من عترتي ما حرم الله، والمتسلط على أمتي بالجبروت ليعز من أذل الله ويذل من أعز الله، **والمرتد أعرابياً بعد هجرته**). قال أبو الحسن: هذا حديث غريب من حديث الثوري عن زيد ابن علي بن الحسين تفرد به أبو قتادة الحراني عنه وما كتبناه إلا من هذا الوجه؛

- Another supporting evidence came in "Al-Muttafiq Wa l-Muftariq" (1/214/(72)): [Ubaidullah bin Abi Al-Fat'h Al-Farisiy informed me: He said: Abu Al-Hasan 'Ali bin 'Umar Al-Hafizh related to us: He said: Al-Hasan bin Ahmad bin Sa'eed Ar-Rahaawiy related to us: He said: Abdullah bin Az-Zubair bin Muhammad Ar-Rahaawiy related to us: He said: Abu Ishaq Ibrahim bin Yazid Al-Muktib related to us: He said: Abu Qatadah Al-Harraniy related to us: He said: Sufyan Ath-Thawriy **related to us** from Zaid bin 'Ali bin Al-Husain, from his father, from Al-Husain bin 'Ali, from 'Ali: That the Prophet ﷺ said: "There are six whom Allah has cursed and I have cursed, and every Prophet is answered (i.e., his supplication): The one who adds to the Kitab of Allah, the one who belies the Qadr of Allah, the one who desires to leave my Sunnah to follow the Bid'ah (innovation), the one who deems permissible perpetrating against my family that which Allah has prohibited, the one who seizes authority over my Ummah by force, to give honour to the one whom Allah has made lowly and to make low the one whom Allah has made honoured, and **the one who apostatises as an Aa'raabiyy after his Hijrah**". Abu Al-Hasan said: This is a Ghareeb Hadith from the Hadith of Ath-Thawriy from Zaid bin 'Ali bin Al-Husain whom Abu Qatadah Al-Harraniy was alone in relating from and we have not recorded (or written) it except from this angle (or basis)].

قلت: لم يزد الإمام أبو الحسن علي بن عمر الدارقطني، إمام عصره دون منازع، على (الاستغراب)، فلم يجعله منكراً، ولا مكذوباً. ولا لوم على الإمام الدارقطني في هذا لكثرة الكلام في أبي قتادة عبد الله بن واقد الحراني، ولتفرده بذلك عن سفيان الثوري. وأما التفرد فليس بمستغرب لأن الثوري كان أحفظ أهل عصره على الإطلاق، لا يقاربه إلا محمد بن إسحاق وهشيم. ولعله أكثر منهما شيوخاً: فلا عجب أن لا يستحضر بعض محفوظاته من النوادر – كهذه – إلا في الأحايين النادرة، فلا يرويها عنه إلا رجل واحد. وهناك مثال آخر، ألا وهو تفرد روح بن الصلاح برواية حديث: (بحق نبيك والأنبياء من قبل) عن الثوري. وأما الكلام في أبي قتادة الحراني فالأرجح عندي أنه لتدليسه (وربما كثر ذلك منه عندما شاخ وقل حفظه):

I say: Here Imam Abu Al-Hasan 'Ali bin 'Umar Ad-Daraqutniy, who was the Imam of his age without contest, did not add upon his assessment of the Hadith being Ghareeb. So, he did not make it Munkar or Makdhoob. There is no blame upon Imam Ad-Daraqutniy in this regard due to the large amount of speech concerning Abu Qatadah Abdullah Waaqid Al-Harraaniy and due to his being alone in relating that from Sufyan Ath-Thawriy.

As for the Tafarrud (being alone in transmission) then this is not something that is deemed to be Ghareeb (strange) because Ath-Thawriy was absolutely the most knowledgeable person of his age in terms of memorisation and none apart from Muhammad bin Ishaq and Husaim were close to him in that regard, whilst it is likely that he had more teachers than them both. It is therefore no wonder that some of what he preserved from the rarer matters, such as this, did not come to the fore except on these rare occasions and consequently no one apart from a single man related it from him. There is another example and that is the Tafarrud (being alone in transmission) of Rawh bin As-Salah in respect to relating the following Hadith alone from Ath-Thawriy.:

بِحَقِّ نَبِيِّكَ وَالْأَنْبِيَاءِ مِنْ قَبْلِ

“By the Haqq (right) of your Prophet and the Prophets who came before”.

As for the speech concerning Abu Qatadah Al-Harraniy, then it is preponderant in my view that this was due to his Tadlees (and perhaps that occurred a lot from him when he became older and his memory diminished):

* حيث جاء بيان ذلك في موسوعة أقوال الإمام أحمد بن حنبل في رجال الحديث وعلله (1463/297/2): [عبد الله بن واقد، أبو قتادة الحراني، أصله من خراسان].
 • قال عبد الله بن أحمد: سمعتُ أبي وذكر أبا قتادة الحراني. فقال: ما كان به بأس، رجل صالح، يشبه أهل النسك والخير، إلا أنه كان ربما أخطأ، قيل له: إن قوماً يتكلمون فيه؟ قال: لم يكن به بأس. قلت: إنهم يقولون: إنه لم يكن يفصل بين سفيان، ويحيى بن أبي أنيسة؟ فقال: باطل، كان ذكياً.
 قال أبي: ما كان في أبي قتادة شيء أكرهه، إلا أنه كان يلبس الثوب فلا يغسله حتى يتقطع. «العلل» (216 و 1065).

- The explanation of that came mentioned in “Mawsoo’ah Aqwaal Al-Imam Ahmad bin Hanbal Fee Rijal Al-Hadith Wa ‘Ilalihi” (2/297/1463): [“Abdullah bin Waaqid, Abu Qatadah Al-Harraniy, his origin is from Al-Khurasan”]:

- Abdullah bin Ahmad said: I heard my father and he mentioned Abu Qatadah Al-Harraniy. He said: “There was no issue or problem (Ba’s) with him, a Salih (righteous) man, like the people of An-Nusuk (piety) and Al-Khair (goodness), although perhaps he used to make errors”. It was then said to him: “There are a Qawm (i.e., some people) who speak about him?” He replied: ““There was no issue or problem (Ba’s) with him” I said: They say: “That he did not separate between Sufyan and Yahya bin Abi Unaisah?” He replied: “That is Batil (false), he was intelligent (Dhakiy)”. My father said: “There was nothing in Abu Qatadah that I disliked except that he used to wear the Thawb and not wash it until it broke apart”. “Al-‘Ilal” (216 and 1065).

• وقال عبد الله: قلت لأبي: كان يعقوب بن إسماعيل بن صبيح ذكر أن أبا قتادة الحراني كان يكذب، فعظم ذلك عنده جداً. قال: هؤلاء - يعني أهل حران - يحملون عليه، كان أبو قتادة يتحرى الصدق، وربما رأيت يشك في الشيء، وأثنى عليه، وذكره بخير. قلت له: إنهم زعموا، أعني يعقوب وغيره، أنه دفع إليهم كتاب مسعر لأبي نعيم، أو غيره، فقرأ عليهم حتى بلغ موضعاً في الكتاب، فيه: شك أبو نعيم، أو غير أبي نعيم، فرمى بالكتاب. قال: لقد رأيت وهو يشبه أصحاب الحديث، أو يشبه الناس، وأنكر هذا ودفعه. ثم قال: لعله كبر واختلط الشيخ، وقت ما رأيناه، كان يشبه الناس، ما علمته، كان يتحرى الصدق. ثم قال: خرج أبو قتادة إلى الأوزاعي، فلما صار في بعض الطريق، لقيه قوم قد رجعوا من عند الأوزاعي. فقال لهم أبو قتادة: أسماع أم عرض؟ فقالوا له: لتعلمن، أظن مسكيناً أو غيره الذي قال لأبي قتادة هذا. قال أبي: كان إذا حدثنا يقول في رجل قال لرجل حتى ذكر الزاي من شدة ورعه، تقول حين ذكر الزاي. وقال أبي: أظن أبا قتادة كان يدلس، والله اعلم. «العلل» (1533).

- Abdullah said: I said to my father: “Ya’qub bin Isma’eel bin Subaih mentioned that Abu Qatadah Al-Harraniy use to lie” which agitated him greatly and he said: “Those (referring to the people of Harran) used to attack (or be critical of) him. Abu Qatadah was characterised by Sidq (truthfulness)”. And perhaps I saw him doubting in something. And he praised him and mentioned him with goodness (i.e., good words). I said to him: “They claim (meaning Ya’qub and others) that he presented the book Mi’sar of Abu Nu’aim or someone else to them. He then read to them until he reached a part in the book which contained in it: Abu Nu’aim, or someone else Abu Nu’aim doubted ... And then he cast the book aside”. He said: “I saw him and he resembled the Ashaab (people/scholars) of the Hadith or resembled the people” and he denied this and defended him. He then said: “Perhaps when he got older the Sheikh was confused (over some matters). It has been some time since we saw him. He used to resemble the people. What I knew of him he used to be characterised by As-Sidq (truthfulness)”. He then said: Abu Qatadah set off to Al-Awza’iy. When he had travelled some of the route some people who were returning from Al-Awza’iy met him. Abu Qatadah then asked them: “Was it hearing or presenting?” They replied to him: “You will come to know”. I think it was a Miskeen (an unfortunate person) or other than him who said this to Abu Qatadah. My father said: When he used to relate to us, he would say in respect to a Rajul (man/transmitter): “He said to a man” until he mentioned Ar-Raaziyy due to his great level of god fearing, you would say when he mentioned Ar-Raaziyy. And my father said: I think that Abu Qatadah used to perpetrate Tadlees and Allah is most knowledgeable. “Al-‘Ilal” (1533).

(Note: I have tried to translate this but it appears very jumbled and is very difficult, especially the last bit. Please follow this up).

- وقال أبو داود: سمعت أحمد سمي أبا قتادة الحراني. فقال: عبد الله بن واقد. «سؤالاته» (101).
- وقال أبو داود: سمعت أحمد يحدث، عن أبي قتادة الحراني غير مرة. «سؤالاته» (320).
- وقال جعفر بن أبان: سمعت أحمد بن حنبل، رحمه الله. يقول: أبو جعفر بن نفيل يحدث، عن أبي قتادة. قلت: سألته أبو عبد الرحمن الحبلي، عن حديث أبي قتادة. فقلت: أي شيء يصنع بهذا. فسمع عبد الله. فقال: دعه فإن القوم أعرف بأهل بلده، وأبو جعفر أهل أن يقتدى به. «المجروحون لابن حبان» 35/2.

- And Abu Dawud said: I heard Ahmad naming Abu Qatadah Al-Harraniy. He said: Abdullah bin Waaqid "Su'aalaatuhu" (101).

- And Abu Dawud said: I heard Ahmad relating from Abu Qatadah Al-Harraniy on more than one occasion "Su'aalaatuhu" (320).

- Ja'far bin Abaan said: I heard Ahmad bin Hanbal, may Allah have mercy upon him, saying: Abu Ja'far bin Nufail relates from Abu Qatadah. I said: Abu Abdur Rahman Al-Habliy asked him about the Hadith of Abu Qatadah. So, I said: What is he doing with this? Abdullah heard and said: Leave him because the people are mor knowledge of the people of their own country and Abu Ja'far is worthy of being followed "Al-Majroohoon of Ibn Hibban" (2/35).

- وقال أبو الحسن الميموني، عن أحمد بن حنبل: ثقة، إلا أنه كان ربما أخطأ، وكان من أهل الخير، يشبه النساك، وكان له حركة وذكاء. «تهذيب الكمال» 16/(3638).
- وقال الأجري: سئل أبو داود عن أبي قتادة الحراني؟ فقال: أهل حران يضعفونه، وأحمد حدثنا عنه. ثم قال: إنما كان يؤتى من لسانه "سؤالات الأجري" 5/الورقة 28. • • •، النتهى النص المنقول؛

- And Abu Al-Hasan Al-Maimouniy said from Ahmad bin Hanbal: (He is) Thiqah (reliable/trusted) except perhaps he made errors and he was from the people of Al-Khair (good) and resembled the pious people or ascetics, and he had vitality and intelligence "Tahdheeb Al-Kamaal" (16/3638).

- Al-Aajurriy said: Abu Dawud was asked about Abu Qatadah Al-Harraniy? So, he said: The Ahl (residents) of Harran classified him as being Da'eef (weak) whilst Ahmad related to us from him. He then said: It (i.e., the criticism) was only provided due to his tongue (i.e., what he said). "Su'aalaat Al-Aajurriy" 5/28...] **Here ends the quoted text.**

قلت: فمحصل هذا – عند القراءة بين السطور – أن كلام بعض الحرانيين فيه ربما كان لشدة لسانه عليهم بخصوص السماع أو العرض، أو الزهد والنسك (إنما كان يؤتى من لسانه). لذلك فإني أستخير الله وأقول بصحة هذه الرواية، لا سيما أن أبا قتادة صرح فيها بالسماع من الثوري، والله أعلم وأحكم.

I say: The conclusion, reached by reading between the lines, is that the speech of some of the Harraniy people concerning him was perhaps due to the severity of his tongue against them in respect to the hearing and presentation or the asceticism and piety “It (i.e., the criticism) was only provided due to his tongue”. As such, I seek Allah’s direction and say that this narration is Sahih and especially as Abu Qatadah explicitly stated that he heard (directly) from Ath-Thawriy, and Allah is Most Knowledgeable and Precise in Judgement.

فثبت هذا عن علي بن أبي طالب، رضوان الله وسلامه عليه لا ينبغي أن تكون فيه أدنى شبهة. ولم ينفرد به أبو الحسن، وهو الذي يقوم مقام التواتر في الرواية والبلاغ، فتقوم به الحجة القاطعة بمفرده لكونه – في البلاغ عن الله ورسوله – بمنزلة هارون من موسى، ولأنه بعث – بمفرده – بسورة براءة إلى موسم الحج في السنة التاسعة بوحي وأمر مباشر من الله، جل جلاله.

Therefore, there should not be the least of doubt concerning this being confirmed from ‘Ali bin Abi Talib, may Allah be pleased with him. And Abu Al-Hasan was not alone in relating it whilst he is of the standing of Tawaatur (the definite concurrent reports) when it comes to the Riwaayah (narration) and Balaagh (conveyance). As such, the definite proof is established by him by himself (i.e., alone) due to his being in relation to the conveyance from Allah and His Messenger, of the standing of Harun with Musa, because he was sent by himself with Surah Baraa’ah to the Hajj in the 9th year via the Wahiy (divinely inspired revelation) and direct command from Allah, Jalla Jalaalahu.

* وجاء عن عبد الله بن مسعود كما هو في مسند أحمد [ط الرسالة (4090/168/7)]: [حَدَّثَنَا يَحْيَى بْنُ سَعِيدٍ، وَوَكَيْعٌ، قَالَا: حَدَّثَنَا الْأَعْمَشُ، (الْمَعْنَى، عَنْ الْأَعْمَشِ) قَالَ: حَدَّثَنِي عَبْدُ اللَّهِ بْنُ مَرْثَةَ، عَنِ الْحَارِثِ بْنِ عَبْدِ اللَّهِ، قَالَ: قَالَ عَبْدُ اللَّهِ: (أَكَلَ الرَّبَا، وَمُوكِلُهُ، وَشَاهِدَاهُ، وَكَاتِبُهُ، إِذَا عَلِمُوا بِهِ، وَالْوَاشِمَةُ، وَالْمُسْتَوْشِمَةُ لِلْحُسْنِ، وَلَاوِي الصَّدَقَةِ، وَالْمُرْتَدُّ أَعْرَابِيًّا بَعْدَ هِجْرَتِهِ، مَلْعُونُونَ عَلَى لِسَانِ مُحَمَّدٍ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، يَوْمَ الْقِيَامَةِ)؛

- The following related from Abdullah bin Mas’ud came recorded in the Musnad of Ahmad (Ar-Risaalah edition: 7/168/4090): [Yahya bin Sa’eed and Wakee’ related to us: They said: Al-Aa’mash related to us (The meaning is ‘An (from) Al-Aa’mash): He said: Abdullah bin Murrah related to me from Al-Harith bin Abdullah: He said: “The devourer (taker) of Riba (usury/interest) and the one who pays it, the one who tattoos and the one who gets the tattoo for adornment, the one who withholds Sadaqah (Zakah) and **the apostate as an Aa’raabi after the Hijrah**, are cursed upon the tongue of Muhammad ﷺ until the Day of Judgement].

- وهو في مسند أحمد [ط الرسالة (3881/425/6)]: [حَدَّثَنَا عَبْدُ الرَّزَّاقِ، أَخْبَرَنَا سُفْيَانُ، عَنِ الْأَعْمَشِ، عَنْ عَبْدِ اللَّهِ بْنِ مَرْثَةَ، بَنُو أَحْرَفِهِ. ثُمَّ قَالَ ((الْأَعْمَشُ)): فَذَكَرْتُ ذَلِكَ لِإِبْرَاهِيمَ، فَقَالَ: حَدَّثَنِي عَلْقَمَةُ، قَالَ: قَالَ عَبْدُ اللَّهِ: (أَكَلَ الرَّبَا، وَمُوكِلُهُ سَوَاءٌ)].

- And the following also came recorded in the Musnad of Ahmad (Ar-Risaalah edition: 6/425/3881): [Abdur Razzaq related to us: Sufyan informed us from Al-Aa’mash, from Abdullah bin Murrah: He then mentioned the same as above narration. He (Al-Aa’mash) then said: So, I mentioned that to Ibrahim and he said:

'Alqamah related to me: He said: Abdullah said: "The devourer (or taker) of Riba and the one who pays it are equal (or the same)".]

هكذا رواه الأئمة يحيى بن سعيد القطان، ووكيع بن الجراح، وسفيان الثوري، وعبد الله بن نمير وغيرهم، كلهم عن الأعمش، كما تجده في مصنف ابن أبي شيبة (21998/447/4)؛ مسند أبي يعلى الموصلي (5241/157/9)؛ صحيح ابن حبان - محققا (3252/44/8)؛ شرح مشكل الآثار (1726/429/4)؛ المسند للشاشي (854/280/2)؛ المسند للشاشي (855/280/2)؛ المسند للشاشي (857/280/2)؛ شعب الإيمان (5119/357/7). ورواه معمر فزاد فيه بعد (وَلَاوِي الصَّدَقَةِ): (وَالْمُتَعَدِّي فِيهَا، وَمُذْمِنُ الْخَمْرِ) كما هو في مصنف عبد الرزاق الصنعاني (5100/144/3)، والظاهر أنه وهم. وكذلك أبو معاوية محمد بن خازم الضرير في مسند أبي داود الطيالسي (401/317/1)، فزاد: (وَالْمُسْتَحِلُّ، وَالْمُسْتَحِلُّ لَهُ)، وهذا فيما يظهر وهم أيضاً.

This is what was related by the A'immah (major scholars) Yahya bin Sa'eed Al-Qattan, Wakee' bin Al-Jarrah, Sufyan Ath-Thawriy, Abdullah bin Numair and others. All of them related from Al-Aa'mash as can be found in the Musannaf of Ibn Abi Shaibah (4/447/21998), the Musnad of Abu Ya'la Al-Mousiliy (9/157/5241), Sahih Ibn Hibban (Muhaqqaq version: 8/44/3252), Sharh Mushkil Al-Aathaar (4/429/1726), Al-Musnad of Ash-Shaashiy (2/280/854), Al-Musnad of Ash-Shaashiy (2/280/855), Al-Musnad of Ash-Shaashiy (2/280/857) and Shu'ab Al-Iman (7/357/5119). Ma'mar related it and added after "and the one who withholds the Sadaqaah" the addition of "and the violator in respect to it and the one addicted to Khamr (alcohol)". It also came recorded in the Musannaf of Abdur Razzaq As-San'aniy (3/144/5100) whilst it is apparently a Wahm (error or erroneous impression). It was similarly related by Abu Mu'awiyah Muhammad bin Khazim Ad-Dareer in the Musnad of Abu Dawud At-Tayalisiy (1/317/401) and he added "The one who makes it permissible and that which is sought to be made permissible" and this is also apparently a Wahm (error or an erroneous impression).

قلت: وهذا إسناده صحيح لأن الحارث بن عبد الله الأعور **ثقة مأمون**، وكان هو المقدم في أصحاب عبد الله بن مسعود، فيقال: الحارث للأعور، وعبيدة السلماني؛ ثم علقمة، يليه مسروق فشريح القاضي. كان من جلة أصحاب علي بن أبي طالب وأكابرهم، وقد قاتل معه في صفين حيث قطعت رجله. وتكذيب الشعبي له إنما هو بمعنى التخطئة في الرأي والمعتقد، وليس في الإخبار والرواية، على لسان أهل الحجاز في مثل قول عبادة بن الصامت: (كذب أبو محمد) في حديث (الوتر) المشهور. وهو - أي الشعبي - قد روى عنه، وهو لا يروي إلا عن ثقة. وما قيل من روايته لمناكير لا صحة له لأنها روايات مدلسة لأبي إسحاق السبيعي، أو من كتاب لا ينسند. والحق أن معظم الكلام فيه لصلايته في تشيعه: فحري بمثل ذلك أن يضرب به عرض الحائط.

I say: This Isnad is Sahih because Al-Harith bin Abdullah Al-Aa'war is **Thiqah Ma'moon** (Trustworthy and reliable) and he was at the forefront of the companions of Abdullah bin Mas'ud. It was said: Al-Harith Al-Aa'war and Ubaidah bin As-Salmانيy, then 'Alqamah, followed after by Masruq and the Shuraih Al-Qadiy. He was from the main group of companions of 'Ali bin Abi Talib and from their prominent ones. He fought alongside him at Siffeen where his leg was severed. The denial of Ash-Sha'biy directed to him was only from the angle of stating his error in respect to opinion and belief and not in relation to reported traditions and the narration. That was upon the tongues of the people of Al-Hijaz like the statement of Ubadah bin As-Samit: "Abu Muhammad lied) in relation to the famous Hadith of "Al-Witr". And he, meaning Ash-Sha'biy,

did relate from him whilst he did not relate from anyone who was not Thiqah (trusted and reliable). And what has been said concerning his narration of Munkar narrations has no veracity to it because they were Mudlis narrations of Abu Ishaq As-Sabee'iy or from a book that was not corroborated in its chains of transmission. The truth is that most of the (critical) speech concerning him was due to his connection to Shi'ism, whilst criticism of this kind only deserves to be completely disregarded.

* وجاء عن أبي هريرة كما أخرجه البخاري في الأدب المفرد (ج1/ص202/ح578) بإسناد حسن: [حَدَّثَنَا مُوسَى بْنُ إِسْمَاعِيلَ قَالَ: حَدَّثَنَا أَبُو عَوَانَةَ، عَنْ عُمَرَ بْنِ أَبِي سَلَمَةَ، عَنْ أَبِيهِ، عَنْ أَبِي هُرَيْرَةَ قَالَ: الْكَبَائِرُ سَبْعٌ، أُولَهُنَّ: الْإِشْرَاكُ بِاللَّهِ، وَقَتْلُ النَّفْسِ، وَرَمْيُ الْمُحْصَنَاتِ، وَالْأَعْرَابِيَّةُ بَعْدَ الْهَجْرَةِ]؛

- And the following was related from Abu Hurairah and recorded by Al-Bukhari in his Adab Al-Mufrad (1/202/578) with a Hasan Isnad: [Musa bin Isma'eel related to us: He said: Abu 'Awanah related to us from 'Umar bin Abi Salamah, from his father, from Abu Hurairah: He said: The Kabaa'ir (major sins) are seven, the first of them is: Al-Ishraak (associating partners) with Allah, the killing of the Nafs (life), making defaming accusations against the honour of the chaste women and Al-Aa'raabiyah after the Hijrah].

قلت: في هذا كفاية، وفوق الكفاية، مع أنه ورد غير ذلك مما قد يصلح شاهدا، ولكن بأسانيد لا تطمئن لها النفس، فمن ذلك، على سبيل المثال، لا الحصر:

I say: What we have presented is sufficient, indeed beyond that, even though other than this has also been related which could be suitable as supportive evidence, however with chains of transmission which do not provide reassurance. This includes for example but is not limited to:

* ما أخرجه الطبراني في معجمه الأوسط (ج6/ص32/ح5709): [حَدَّثَنَا مُحَمَّدُ بْنُ عَبْدِ اللَّهِ الْحَضْرَمِيُّ قَالَ: حَدَّثَنَا أَبُو بِلَالٍ الْأَشْعَرِيُّ قَالَ: حَدَّثَنَا عَبْدُ السَّلَامِ بْنُ حَرْبٍ، عَنْ إِسْحَاقَ بْنِ عَبْدِ اللَّهِ بْنِ أَبِي فَرْوَةَ، عَنْ سَلَمَةَ [ص: 33] بْنِ أَبِي سَلَمَةَ بْنِ عَبْدِ الرَّحْمَنِ، عَنْ أَبِيهِ، عَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ قَالَ: قَالَ رَسُولُ اللَّهِ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: «الْكَبَائِرُ سَبْعٌ: الْإِشْرَاكُ بِاللَّهِ، وَقَتْلُ النَّفْسِ الَّتِي حَرَّمَ اللَّهُ إِلَّا بِالْحَقِّ، وَقَذْفُ الْمُحْصَنَةِ، وَالْفِرَارُ مِنَ الرَّحْفِ، وَأَكْلُ الرِّبَا، وَأَكْلُ مَالِ الْيَتِيمِ، وَالرُّجُوعُ إِلَى الْأَعْرَابِيَّةِ بَعْدَ الْهَجْرَةِ»]، وقال الإمام الطبراني: (لَا يُرَوَّى هَذَا الْحَدِيثُ عَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ إِلَّا بِهَذَا الْإِسْنَادِ، تَفَرَّدَ بِهِ أَبُو بِلَالٍ)؛ وجاء في مجمع الزوائد ومنبع الفوائد (390/104/1): [...] رَوَاهُ الطَّبْرَانِيُّ فِي الْأَوْسَطِ، وَفِيهِ أَبُو بِلَالٍ الْأَشْعَرِيُّ، وَهُوَ ضَعِيفٌ]؛ قلت: لعل البلاء – إن وجد – إنما هو من إسحاق بن عبد الله بن أبي فَرْوَةَ، لأن الجمهور على إساءة القول فيه، وعلى تركه: والله أعلم وأحكم.

- What At-Tabarani recorded in his Mu'jam Al-Awsat (6/32/5709): [Muhammad bin Abdullah Al-Hadrami related to us: He said: Abu Bilal Al-Ash'ariy related to us: He said: Abdus Salam bin Harb related to us from Ishaq bin Abdullah bin Abi Farwah, from Salamah (p: 33) bin Abi Salamah bin Abdur Rahman, from his father, from Abu Sa'eed Al-Khudri: He said: The Messenger of Allah ﷺ said: "The Kabaa'ir (major sins) are seven: Al-Ishraaak (associating partners) with Allah, killing the Nafs (life) which Allah has prohibited except by right, making defaming accusations against the honour of the chaste woman, fleeing from the battle, devouring Riba (usury), devouring the wealth or property of the orphan and returning to Al-Aa'raabiyah after the Hijrah"]. And Imam At-Tabarani said: "This Hadith was not related from Abu Sa'eed Al-Khudriy except by this chain of transmission (Isnad) and Abu Bilal was alone in it (i.e., its relation)". And the following came stated

in “Majma’ Al-Zawa’id Wa Manba’ Al-Fawa’id” (1/104/390): [... At-Tabarani related it in Al-Awsat and it has in it (i.e., the chain) Abu Bilal Al-Ash’ariy and he is Da’eef (weak)]. I say: It may be that the affliction here, if there is even one, only originates from Ishaq bin Abdullah bin Abi Farwah, because the Jumhoor (majority) have a negative view of him and that he should be discarded (i.e., his narrations not taken), and Allah is most knowledgeable and most correct in judgment.

❖ فصل: نقد أقوال المفسرين حول (الَّذِينَ ارْتَدُّوا عَلَىٰ أَدْبَارِهِمْ)؟!!

ولعلنا الآن نستعرض بعض أقول المفسرين في تفسير الآيات الكريمات، لعل المسألة تتبلور تبلوراً تاماً:

- Section: Critiquing the views of the scholars of Tafsir concerning:

إِنَّ الَّذِينَ ارْتَدُّوا عَلَىٰ أَدْبَارِهِمْ

Verily, those who have turned back (have apostatised) as disbelievers?!

We will now present some of the views of the scholars of Tafsir concerning these noble verses so that the issue can become crystal clear:

* جاء في تفسير جامع البيان في تأويل القرآن للطبري (180/22): [وقوله: (إِنَّ الَّذِينَ ارْتَدُّوا عَلَىٰ أَدْبَارِهِمْ مِنْ بَعْدِ مَا تَبَيَّنَ لَهُمُ الْهُدَىٰ): يقول الله عز وجل إن الذين رجعوا القهقري على أعقابهم **كفاراً** بالله من بعد ما تبين لهم الحق وقصد السبيل، فعرفوا واضح الحجة، ثم آثروا الضلال على الهدى عنادا لأمر الله تعالى ذكره من بعد العلم. كما حدثنا بشر، قال: حدثنا يزيد، قال: حدثنا سعيد، عن قتادة، قوله: (إِنَّ الَّذِينَ ارْتَدُّوا عَلَىٰ أَدْبَارِهِمْ مِنْ بَعْدِ مَا تَبَيَّنَ لَهُمُ الْهُدَىٰ) هم أعداء الله أهل الكتاب، يعرفون بعث محمد نبي الله، صلى الله عليه وسلم، وأصحابه عندهم، ثم يكفرون به. حدثنا ابن عبد الأعلى، قال: حدثنا ابن ثور، عن معمر، عن قتادة: (مَنْ بَعْدَ مَا تَبَيَّنَ لَهُمُ الْهُدَىٰ) إنهم يجدونه مكتوباً عندهم.

The following came in Tafsir Jami’ Al-Bayan Fee Ta’weel Al-Qur’an of At-Tabari (22/180): [And (Concerning) His Qawl:

إِنَّ الَّذِينَ ارْتَدُّوا عَلَىٰ أَدْبَارِهِمْ مَنْ بَعْدَ مَا تَبَيَّنَ لَهُمُ الْهُدَىٰ

Verily, those who turned back [to disbelief] after guidance had become clear to them (Muhammad: 25).

Allah ‘Azza Wa Jalla is saying that those who returned backward upon their heels are Kuffar (disbelievers) in Allah after the truth and correct path had become evident to them. That is in the case where they were aware of the clear evidential proof and then preferred misguidance over guidance in opposition to the command of Allah, Glorified be His mention, after having attained knowledge.

It is like what Bishr related to us: He said: Yazid related to us: He said: Sa'eed related to us from Qatadah (concerning) His Qawl:

إِنَّ الَّذِينَ ارْتَدُّوا عَلَىٰ أَدْبَارِهِمْ مِّن بَعْدِ مَا تَبَيَّنَ لَهُمُ الْهُدَىٰ

Verily, those who turned back [to disbelief] after guidance had become clear to them (Muhammad: 25).

They (i.e., those being referred to) are the enemies of Allah, the people of the book, who acknowledged the sending of Muhammad as the Prophet of Allah ﷺ while his companions were among them, and then they disbelieved in him.

Ibn Abdul Aa'laa related to us: he said: Ibn Thawr related to us from Ma'mar, from Qatadah (concerning):

مِّن بَعْدِ مَا تَبَيَّنَ لَهُمُ الْهُدَىٰ

... after guidance had become clear to them (Muhammad: 25).

They find it written (i.e., recorded) among them.

وقال آخرون: عنى بذلك أهل النفاق. ذكر من قال ذلك:
خُذْتُ عَنْ الْحُسَيْنِ، قَالَ: سَمِعْتُ أَبَا مُعَاذٍ يَقُولُ: أَخْبَرَنَا عُبَيْدٌ، قَالَ: سَمِعْتُ الضَّحَّاكَ يَقُولُ فِي قَوْلِهِ:
(إِنَّ الَّذِينَ ارْتَدُّوا عَلَىٰ أَدْبَارِهِمْ) ... إِلَى قَوْلِهِ: (فَأَحْبَطَ أَعْمَالَهُمْ) هُمْ أَهْلُ النِّفَاقِ.
خُذْتُ مِنْ مُحَمَّدِ بْنِ سَعْدٍ، قَالَ: حَدَّثَنِي أَبِي، قَالَ: ثَنَى عَمِّي، قَالَ: حَدَّثَنِي أَبِي، عَنْ أَبِيهِ، عَنْ ابْنِ عَبَّاسٍ،
قَوْلَهُ: (إِنَّ الَّذِينَ ارْتَدُّوا عَلَىٰ أَدْبَارِهِمْ) ... إِلَى (إِسْرَارِهِمْ) هُمْ أَهْلُ النِّفَاقِ.
وَهَذِهِ الصِّفَةُ بِصِفَةِ أَهْلِ النِّفَاقِ عِنْدَنَا، أَشْبَهَ مِنْهَا بِصِفَةِ أَهْلِ الْكِتَابِ، وَذَلِكَ أَنَّ اللَّهَ عَزَّ وَجَلَّ أَخْبَرَ أَنَّ
رَدَّتْهُمْ كَانَتْ بِقِيلِهِمْ: (لِلَّذِينَ كَرِهُوا مَا نَزَلَ اللَّهُ سَنُطِيعُكُمْ فِي بَعْضِ الْأَمْرِ)، وَلَوْ كَانَتْ مِنْ صِفَةِ أَهْلِ
الْكِتَابِ، لَكَانَ فِي وَصْفِهِمْ بِتَكْذِيبِ مُحَمَّدٍ، صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، الْكَفَايَةُ مِنَ الْخَبَرِ عَنْهُمْ بِأَنَّهُمْ إِنَّمَا ارْتَدُّوا
مِنْ أَجْلِ قِيلِهِمْ مَا قَالُوا].

And others said: He (i.e., Allah ﷻ) intended the people of Nifaq (hypocrisy) by that (statement). Those who said that include:

I was related to from Al-Husain: He said: I heard Abu Mu'adh saying: 'Ubaid informed us: He said: I heard Ad-Dahhak saying in relation to His Qawl:

إِنَّ الَّذِينَ ارْتَدُّوا عَلَىٰ أَدْبَارِهِمْ

Verily, those who have turned back (have apostatised) as disbelievers (Muhammad: 25).

Until His Qawl:

فَأَحْبَطَ أَعْمَالَهُمْ

So, He made their deeds fruitless (Muhammad: 28).

It refers to the people of Nifaq (hypocrisy).

Muhammad bin Sa'd related to me: He said: My father related to me: He said: My uncle related to me: He said: My father related to me from his father, from Ibn 'Abbas (concerning) His Qawl:

إِنَّ الَّذِينَ ارْتَدُّوا عَلَىٰ أَدْبَارِهِمْ

Verily, those who have turned back (have apostatised) as disbelievers (Muhammad: 25).

Until:

إِسْرَارَهُمْ

... their secrets (Muhammad: 26).

They are the people of Nifaq (hypocrisy).

This description resembles the characteristic description of the people of hypocrisy more than the characteristic description of the people of the book in our view. That is because Allah 'Azza Wa Jalla informed that their apostacy (or turning back into disbelief) was due to them saying:

لِلَّذِينَ كَرَهُوا مَا نَزَلَ اللَّهُ سَنُطِيعُكُمْ فِي بَعْضِ الْأَمْرِ

... To those who hate what Allah has sent down: "We will obey you in part of the matter" (Muhammad: 26).

If this had been from the characteristic description of the people of the book, then the disbelief in the Muhammad ﷺ would have been in their description. It is sufficient in respect to what has been informed concerning them is that they only apostatised due to the statement that they said].

فأقول: لم يستحضر الإمام الطبري ما ساقه هو نفسه عن عبيد بن عمير في تفسير آية (**الكابائر**): (إِنَّ تَجَنَّبُوا كِبَائِرَ مَا تُنْهَوْنَ عَنْهُ نُكَفِّرْ عَنْكُمْ سَيِّئَاتِكُمْ وَنُدْخِلَكُمْ مُدْخَلًا كَرِيمًا (31))، كما ذكرنا أعلاه: فسبحان من لا تأخذه سنة ولا نوم، وقد أحاط بكل شيء علماً. ومع ذلك فقد رجح أن هذه صفة أهل النفاق، حيث قال: [وهذه الصفة بصفة أهل النفاق عندنا، أشبه منها بصفة أهل الكتاب، وذلك أن الله عز وجل أخبر أن **ردتهم** كانت بقليلهم: (لِلَّذِينَ كَرَهُوا مَا نَزَلَ اللَّهُ سَنُطِيعُكُمْ فِي بَعْضِ الْأَمْرِ)]. ولكنه لم يبين ما هي الأمور التي أطاعوا – أو أبدوا الاستعداد للطاعة - فيها لأولئك الذين (كَرَهُوا مَا نَزَلَ اللَّهُ) فأنتهى الأمر إلى **كفرهم وردتهم**. هذا أمر مهم خطير، لا يجوز أن يبقى بغير بيان: فلو أطاع إنسان والديه المشركين، الذين يكرهان ما أنزل الله، في القيام على رعاية حديقتهن، برا بهن، وحسناً للصحة لهن في الدنيا، لكان محسناً؛ وهذا لا يختلف فيه اثنان من أهل الإسلام.

I say in response: Here, Imam At-Tabari did not recall what he himself presented from 'Ubaid bin 'Umar in respect to the Tafsir of the verse "Al-Kabaa'ir":

إِنْ جَحْتَبُوا كَبَائِرَ مَا تُنْهَوْنَ عَنْهُ نُكَفِّرْ عَنْكُمْ سَيِّئَاتِكُمْ وَنُدْخِلَكُمْ مُدْخَلَ كَرِيمٍ

If you avoid the great sins which you are forbidden to do, We shall remit from you your (small) sins, and admit you to a Noble Entrance (i.e. Paradise) (An-Nisa': 31).

As we mentioned previously: And so, Glorified be the One who is not overtaken by slumber or sleep and whose knowledge encompasses everything. Despite that, he outweighed as being preponderant that this was the characteristic description of the people of hypocrisy, when he said: [This description resembles the characteristic description of the people of hypocrisy more than the characteristic description of the people of the book in our view. That is because Allah 'Azza Wa Jalla informed that **their Riddah** (apostacy or turning back into disbelief) was due to them saying:

لِلَّذِينَ كَرَهُوا مَا نَزَّلَ اللَّهُ سَئِطِيعُكُمْ فِي بَعْضِ الْأَمْرِ

... To those who hate what Allah has sent down: "We will obey you in **part of the** matter" (Muhammad: 26)].

However, he did not make clear those matters concerning which they obeyed or showed their readiness or willingness to obey:

كَرَهُوا مَا نَزَّلَ اللَّهُ

Who hate what Allah has sent down.

Which led to the matter ending with **their Kufr (disbelief) and Riddah (apostacy)**. That is as this is a weighty and serious matter which is not permitted to be left without providing an explanation: For example, if a person obeyed his polytheist parents, who hate that which Allah has revealed, in terms of taking care of their garden in kindness to them and to providing them with good companionship in the life of this world, he would have acted righteously, and no one from the people of Islam disagree about that.

وعلى كل حال، وبغض النظر عن ماهية هؤلاء (المرتدين على أدبارهم القهقري)، فلا شك عند الطبري نفسه في كفرهم، كما هو الواجب أن يقطع به، ولا محيص عنه، لقوله، جل وعز: (فَكَيْفَ إِذَا تَوَفَّتْهُمُ الْمَلَائِكَةُ يَضْرِبُونَ وُجُوهَهُمْ وَأَدْبَارَهُمْ (27))، (ف)ضرب الوجوه والأدبار عند الموت)، عياذا بالله، هذا لا يكون إلا لأهل الكفر.

In any case and regardless of the true reality of those "apostates who turned back regressively", there is no doubt in the view of At-Tabari himself concerning their disbelief just as it is obligatory to decisively and inevitably ascertain due to His Qawl 'Azza Wa Jalla:

فَكَيْفَ إِذَا تَوَفَّتْهُمُ الْمَلَائِكَةُ يَضْرِبُونَ وُجُوهَهُمْ وَأَدْبَارَهُمْ

Then how [will it be] when the angels take them in death, striking their faces and their backs? (Muhammad: 27).

That is as the striking of the faces and backs at the time of death, may Allah's refuge be sought, does not occur except with the people of disbelief.

* وجاء في تفسير النكت والعيون للماوردي (302/5): [أفلا يتدبرون القرآن أم على قلوب أقفالها إن الذين ارتدوا على أدبارهم من بعد ما تبين لهم الهدى الشيطان سول لهم وأملى لهم ذلك بأنهم قالوا للذين كرهوا ما نزل الله سنطيعكم في بعض الأمر والله يعلم إسرارهم فكيف إذا توفتهم الملائكة يضربون وجوههم وأدبارهم ذلك بأنهم اتبعوا ما أسخط الله وكرهوا رضوانه فأحبط أعمالهم]. قوله عز وجل: ﴿إِنَّ الَّذِينَ ارْتَدُّوا عَلَىٰ أَدْبَارِهِم مِّن بَعْدِ مَا تَبَيَّنَ لَهُمُ الْهُدَىٰ﴾، فيهم قولان: أحدهما: أنهم اليهود كفروا بمحمد، صلى الله عليه وسلم، من بعدما علموا في التوراة أنه نبي، قاله قتادة وابن جريج. الثاني: المنافقون قعدوا عن القتال من بعدما علموه في القرآن، قاله السدي؛

- And the following came in the Tafsir “An-Nukat Wa l-‘Uyoon” of Al-Maawardi (5:302): [(concerning):

أَفَلَا يَتَدَبَّرُونَ الْقُرْآنَ أَمْ عَلَىٰ قُلُوبٍ أَقْفَالُهَا (24) إِنَّ الَّذِينَ ارْتَدُّوا عَلَىٰ أَدْبَارِهِم مِّن بَعْدِ مَا تَبَيَّنَ لَهُمُ الْهُدَىٰ الشَّيْطَانُ سَوَّلَ لَهُمْ وَأَمْلَىٰ لَهُمْ (25) ذَلِكَ بِأَنَّهُمْ قَالُوا لِلَّذِينَ كَرِهُوا مَا نَزَّلَ اللَّهُ سَنُطِيعُكُمْ فِي بَعْضِ الْأَمْرِ وَاللَّهُ يَعْلَمُ إِسْرَارَهُمْ (26) فَكَيْفَ إِذَا تَوَفَّتْهُمُ الْمَلَائِكَةُ يَضْرِبُونَ وُجُوهَهُمْ وَأَدْبَارَهُمْ (27) ذَلِكَ بِأَنَّهُمْ اتَّبَعُوا مَا أَصْحَطَ اللَّهُ وَكَرِهُوا رِضْوَانَهُ فَأَحْبَطَ أَعْمَالَهُمْ

Then do they not reflect upon the Qur'an, or are there locks upon [their] hearts? (24) Indeed, those who reverted back [to disbelief] after guidance had become clear to them, Satan enticed them and prolonged hope for them (25) That is because they said to those who disliked what Allah sent down, “We will obey you in part of the matter”. And Allah knows what they conceal (26) Then how [will it be] when the angels take them in death, striking their faces and their backs? (27) That is because they followed what angered Allah and disliked [what earns] His pleasure, so He rendered worthless their deeds (Muhammad 24-28).

Concerning His Qawl:

إِنَّ الَّذِينَ ارْتَدُّوا عَلَىٰ أَدْبَارِهِم مِّن بَعْدِ مَا تَبَيَّنَ لَهُمُ الْهُدَىٰ

Indeed, those who reverted back [to disbelief] after guidance had become clear to them (Muhammad: 25).

There are two opinions (concerning its explanation):

The first: That it is referring to the Jews who disbelieved in Muhammad ﷺ after they knew from the Tawrah that he was a Prophet. This was stated by Qatadah and Ibn Juraij.

The second: That it is referring to the Munafiqin (hypocrites) who sat back (or refrained) from fighting after they knew it in the Qur'an. As-Suddiy stated this].

قلت: أما القول الأول ففاسد جداً لأن اليهود إنما كفروا – بدوافعهم الذاتية - بغيا وحسداً أن يأتي نبي من غيرهم (من الأميين البهائم في نظرهم). عصبية بغیضة وعنصرية ملعونة، كما هو معلوم بضرورة القرآن والتاريخ، وليس طاعة للمشرکین الذين كرهوا ما أنزل الله: فصار قوله، تعالى ذكره: ﴿ذَلِكَ بِأَنَّهُمْ قَالُوا لِلَّذِينَ كَرِهُوا مَا نَزَّلَ اللَّهُ سَنُطِيعُكُمْ فِي بَعْضِ الْأَمْرِ وَاللَّهُ يَعْلَمُ إِسْرَارَهُمْ﴾ (26)، (محمد؛ 47: 26)، لغواً، يل كذباً صريحاً: حاشا لله، ثم حاشا لله. هذه جناية جريمة انتزاع جمل القرآن من سياقها: وهذا من (تحريف الكلم عن مواضعه)؛ وجريمة (جعل القرآن عصين)، أي: تمزيق القرآن إلى أجزاء وتفريق!

I say: As for the **first opinion**, then it is very wrong because the Jews only disbelieved for their own motives due to rage and envy that a Prophet came from other than them “from the illiterate beasts in their view). It reflected a hateful ‘Asabiyah (tribalism) and cursed prejudice as is known by necessity from the Qur’an and history. It was not due to obedience to the Mushrikeen who hated what Allah had revealed. It would transform His Qawl, Glorified be His mention:

ذَلِكَ بِأَنَّهُمْ قَالُوا لِلَّذِينَ كَرَهُوا مَا نَزَّلَ اللَّهُ سَنُطِيعُكُمْ فِي بَعْضِ الْأَمْرِ وَاللَّهُ يَعْلَمُ إِسْرَارَهُمْ

That is because they said to those who disliked what Allah sent down, “We will obey you in part of the matter”. And Allah knows what they conceal (or their secrets) (Muhammad: 26).

Into ineffectual speech or indeed a blatant lie: Allah forbid (that this be attributed to Him), again Allah forbid! This reflects the crime of stripping the statements of the Qur’an from their framing and it falls under the category of “distorting the speech from its context” and the crime of “making the Qur’an into **portions** (**عَصِينَ**)” (ref to 15: 91) i.e., splitting the Qur’an into parts and separate divisions (where verses are disconnected from each other)!

وأما **القول الثاني** فمعقول من حيث المبدأ، ولكنه ناقص: كيف يقعدون عن القتال وهم في دار الهجرة يتعرضون للمساءلة والتوبيخ إذا استنفر الناس ولم ينفروا؟! هذا يتطلب مغادرة الدار أولاً تهرباً من القتال – وربما غيره من التكليف – الإزمة لأهل الدار.

As for the **second opinion**, then in principle it is acceptable although it is deficient. How could they sit back or refrain from fighting whilst they are in Dar ul-Hijrah (the homeland of migration) where they would be exposed to be questioned and rebuked if the people went out en mass to battle whilst they did not!? This would require first departing from the Dar (land) to flee from the fighting, and perhaps other obligations, which are compulsory for the inhabitants of the Dar.

* وجاءت أقاويل أخرى في تفسير الكشاف (4/329): [فإن قلت: من هؤلاء؟ قلت: اليهود كفروا بمحمد، صلى الله عليه وسلم، من بعد ما تبين لهم الهدى، وهو نعتة في التوراة. وقيل: هم المنافقون. الذين قالوا لليهود، والذين كرهوا ما نزل الله: المنافقون. وقيل عكسه، وأنه قول المنافقين لقريظة والنضير: لنن أخرجتم لنخرجن معكم.

وقيل: (بَعْضُ الْأَمْرِ): التكذيب برسول الله، صلى الله عليه وسلم، أو بلا إله إلا الله، أو ترك القتال معه.

وقيل: هو قول أحد الفريقين للمشركين: سنطيعكم في التظافر على عداوة رسول الله، صلى الله عليه وسلم، والقعود عن الجهاد معه. ومعنى: (فِي بَعْضِ الْأَمْرِ) في بعض ما تأمرون به. أو في بعض الأمر الذي يهمكم)؛

- Other opinions have been stated in Tafsir Al-Kashshaf (4/329): [If it is said: Who are those (i.e., being referred to)? I say: The Jews who disbelieved in Muhammad ﷺ after the guidance had become evident to them, whilst his description was in the Tawrah. And it has been said: They are the Munafiqoon (hypocrites). Those who said that it refers to the Jews. And those “who disliked what Allah revealed” (كَرَهُوا مَا نَزَّلَ اللَّهُ): They

are the Munafiqoon (hypocrites). And the opposite has been stated. And that it refers to the statement of the hypocrites to Quraizhah and An-Nadeer: "If you were to go out (i.e., for battle against the Muslims), we would go out alongside you".

And it has been said: "part of the matter" (بَعْضُ الْأَمْرِ): Means the denial or disbelief in the Messenger of Allah ﷺ or in Laa Ilaaha Illallah (There is no deity other than Allah) or leaving the engagement in fighting alongside it.

And it is said: It was the statement of one of the two parties to the Mushrikeen: We will obey you in alliance against the hostility of the Messenger of Allah ﷺ and **refraining from partaking in Jihad alongside it**. And the meaning of: "in part of the matter" (فِي بَعْضِ الْأَمْرِ) means: In some or part of what you are commanding or in some of the matter that concerns you].

فَنَقُولُ: القول الأول: (اليهود كفروا بمحمد، صلى الله عليه وسلم، من بعد ما تبين لهم الهدى، وهو نعتة في التوراة) فاسد جدا وقد بينا فساده آنفا.

We say: The first opinion: "The Jews who disbelieved in Muhammad ﷺ after the guidance had become evident to them, whilst his description was in the Tawrah" represents a very unsound (Faasid) opinion and we have previously described its wrongness (Fasaad).

وأما القول الثاني: (وقيل: هم المنافقون). فلا يعقل له معنى إلا إذا ضم إليه تفسير مناسب لجملة (بعض الأمر). والتفسير الوحيد المناسب هو (ترك القتال معه)، وذلك لأن ترك القتال والمشاركة فيه أفعال تتصور فيها الطاعة؛ أما التكذيب والتصديق فلا يتصور فيها طاعة، ولكن فقط متابعة أو موافقة. فإن كان كذلك: فهذا هو – في جوهره – قول الماوردي الثاني، وقد سبقت مناقشته.

As for the second opinion: "And it is said: They are the Munafiqoon (hypocrites)". Then no meaning for this can be conceived unless an appropriate explanation is included for the statement: "part of the matter" (بَعْضُ الْأَمْرِ). And the only fitting explanation is "leaving the fighting alongside him". That is because leaving the fighting and participating in it are actions in which obedience can be conceived. As for disbelieving or believing, then obedience is not conceivable in respect to them, but rather only following or agreement. If the case is like that: Then this, in essence, is the same as the second opinion of Al-Maawardi which we discussed earlier.

والقول الثالث: (الذين قالوا اليهود، والذين كرهوا ما نزل الله: المنافقون): فكلام لا يعقل، لأن ارتداد اليهود وتركهم ما جاء في التوراة إنما هو بدوافعهم العنصرية الذاتية، وهو سابق لعلافتهم بالمنافقين – إن وجدت – وهذا فاسد جداً، كما أسلفنا. وإدخال المنافقين فيه لا يزيده إلا فساداً. على أن (الذين كرهوا ما نزل الله) قد سبق في السورة البيان الجلي أنهم المشركون (وخاصة من أهل مكة).

And the third opinion: "Those who "said" (قَالُوا) are the Jews and those "who disliked what Allah revealed" (كَرَهُوا مَا نَزَّلَ اللَّهُ): Then this speech is inconceivable because the apostasy of the Jews and their abandonment of what came in the Tawrah was only because of their own prejudiced motives and it was prior to their relationship with the hypocrites (if such a relationship existed), and this is a very Faasid (wrong/corrupt) view as we previously mentioned. Including the hypocrites in this equation does nothing apart from increasing its Fasaad (corruption/wrongness). That is because the Surah

has made clear that “those who disliked what Allah sent down” (كَرَهُوا مَا نَزَّلَ اللَّهُ) were the hypocrites (and specifically those from the inhabitants of Makkah).

والقول الرابع: (وقيل عكسه، وأنه قول المنافقين لقريظة والنضير: لئن أخرجتم لنخرجن معكم)، وهذا سخيّف جداً لأن قولهم (لئن أخرجتم لنخرجن معكم) إنما هو وعد – كاذب بالنصرة، ولم تأمر النضير أو قريظة بشيء أطاعه المنافقون أصلاً، بل المنافقين هم الأمرون بالصمود والثبات. علاوة على أن السورة إنما أنزلت بتمامها قبل يوم بدر، ولم تكن ثمة مواجهة مع النضير أو قريظة بعد.

And the fourth opinion: “And the opposite has been stated and that it refers to the statement of the hypocrites to Quraizhah and An-Nadeer: “If you were to go out (i.e., for battle against the Muslims), we would go out alongside you”: This is very ridiculous because their statement: “If you were to go out (i.e., for battle against the Muslims), we would go out alongside you” was only a deceptive promise to provide support and there was nothing at all that An-Nadeer or Quraizhah commanded for the hypocrites to obey them in. Indeed, it was the hypocrites who were providing the commands to stay firm and hold fast in perseverance. Not to mention that the Surah was revealed in full before the day of Badr and a confrontation with An-Nadeer and Quraizhah had not yet occurred.

وأما القول الأخير: (وقيل: هو قول أحد الفريقين للمشركين: سنطيعكم في التظاهر على عداوة رسول الله، صلى الله عليه وسلم، والقيود عن الجهاد معه) فلا معنى له هكذا لأن اليهود لا يمكن أن يكونوا هم القائمين، كما أسلفنا مراراً. والطاعة في (التظاهر على عداوة رسول الله، صلى الله عليه وسلم) قد تناسب اليهود، ولكنها لا تنسجم مع حال المنافقين. فبقي فقط: (قول أحد الفريقين [المنافقين] للمشركين: سنطيعكم في التظاهر على عداوة رسول الله، صلى الله عليه وسلم، والقيود عن الجهاد معه)، فهذا هو القول الثاني بعد تحريره وضبطه، وهو قول الماوردي الثاني، الذي سبقت مناقشته باستفاضة.

As for the last opinion: “It was the statement of one of the two parties to the Mushrikeen: We will obey you in alliance against the hostility of the Messenger of Allah ﷺ and in refraining from partaking in Jihad alongside him”: Then this also holds no meaning in this form as it was not possible for the Jews to have been the ones saying this as we have previously repeatedly mentioned. And obedience in respect to “allying against the hostility of the Messenger of Allah ﷺ” could be fitting for the Jews but does not fit with the circumstantial reality of the hypocrites. Consequently, all that remains after omitting these statements is: “It was the statement of one of the two parties [The hypocrites] to the Mushrikeen: We will obey you in allying against the hostility of the Messenger of Allah ﷺ and refraining from partaking in Jihad alongside him”. This is the same as the second opinion after rendering it correctly and it is the second opinion of Al-Maawardi which we discussed thoroughly earlier.

فالإخلاصة: أن القول الوحيد المعقول هو قول عبيد بن عمير أنه في قوم من المهاجرين قطعوا هجرتهم، تهرباً من الجهاد الذي أصبح الآن فرضاً (بالنص القطعي في سورة البقرة)، ولكن ذلك لم يكن بدافع من ذواتهم، وإنما طاعة لبعض المشركين (الذين كرهوا ما أنزل الله) في هذا الأمر المخصوص، وكان التفاوض على ذلك يتم سراً بتبادل الرسائل والرسائل ((وَاللَّهُ يَعْلَمُ إِسْرَارَهُمْ)).

In conclusion: The only conceivable opinion is the opinion of ‘Ubaid bin ‘Umar which states that it concerns a Qawm (group of people) from the Muhajireen who severed their Hijrah fleeing from the Jihad which had become obligatory upon them then in accordance with the definite text in Surah Al-Baqarah. However, that was not self-motivated but rather in obedience to some of the Mushrikeen “who disliked what Allah revealed” (كَرَهُوا مَا نَزَّلَ اللَّهُ) specifically in this matter. The negotiations over that took place secretly via the exchange of messages and envoys: “And Allah is aware of their secrets” (وَاللَّهُ يَعْلَمُ إِسْرَارَهُمْ).

مثال ذلك: أبوان مشركان يتصلان بابنهما المهاجر سرا، أو رجل مشرك يتواصل مع صديق حميم من المهاجرين سرا؛ يقولون: (((ها هو القتال قد فرض عليكم، ونحن نحبك، ونشفق عليك، ولا نريد قتلك أو قتالك: فارجع إلينا معززا مكرما، نعيد لك كل ما أخذ من مالك، ولا تتعرض لأذى في دينك، ولا نمنعك من صلاتك، ولا نلزمك بالخروج معنا: فقط اعتزل جانبا، لا نريد منك أكثر من ذلك)))، أو كلاما نحو هذا، أو من باب هذا. فإذا ضعف المهاجر، وقبل بهذا، انقطعت هجرته (أي: سقطت تابعيته لدار الهجرة)، ورجع (أي: ارتد القهقري) إلى تابعيته لدار الشرك الحربية، التي كان يحمل تابعيتها قبل انخلاءه منها بهجرته.

An example of that is as follows: Two Mushrik (polytheist) parents make contact with their Muhajir (emigrant) son secretly, or a Mushrik man communicates with a close friend from the emigrants secretly: And they say: “Here is the Jihad which has been made obligatory upon you, whilst we love you and are concerned about you. We do not want to kill or fight against you: So, return to us with the status of honour and dignity. We will restore to you your property and you will not be subject to any harm in respect to your Deen. We will not prevent you from your prayer and we will not make you go out with us (i.e., in battle). Just withdraw to the side lines and we do not want anything more from you than that” or say something resembling that. Then, if the Muhajir (emigrant) is weak and accepts that, his Hijrah is severed (i.e., the Taabi’iyah (subject status) to the Dar ul-Hijrah becomes null and void) and returns (i.e., he goes back or apostatises) to his subject status or citizenship of the Dar of Shirk (polytheism/disbelief) which is at war, which he held prior to his abandonment of it by his undertaking of the Hijrah (emigration).

ولا يستشكل على هذا عدم ورود روايات في هذا الخصوص، لأن الظاهر أن هذه – فيما يبدو – قد تداخلت في أذهان الرواة، واندرجت في الروايات التي وردت في تفسير قوله، تعالى مجده: (فَمَا لَكُمْ فِي الْمُنافِقِينَ فِتْنَيْنِ وَاللَّهُ أَرْكَسَهُمْ بِمَا كَسَبُوا: ... الآيات؛ إلى قوله: (وَأُولَئِكَ جَعَلْنَا لَكُمْ عَلَيْهِمْ سُلْطَانًا مُبِينًا)، (النساء؛ 4: 88 - 91). فمثلا:

The absence of narrations having come specifically dealing with this does not pose a problem because it is apparent that these, as it seems, have become interposed in the minds of the narrators and have been incorporated in the narrations which have mentioned in relation to the Tafsir (explanation) of His Qawl, elevated high is His Glory:

فَمَا لَكُمْ فِي الْمُنافِقِينَ فِتْنَيْنِ وَاللَّهُ أَرْكَسَهُمْ بِمَا كَسَبُوا: ... الآيات؛ إلى قوله: (وَأُولَئِكَ جَعَلْنَا لَكُمْ عَلَيْهِمْ سُلْطَانًا مُبِينًا)

What is [the matter] with you [that you are] two groups concerning the hypocrites, while Allah has made them fall back (or return) due to what they earned ... Until ... And those, We have made for you against them a clear authorization (An-Nisa': 88-91).

For example:

* جاء في «تفسير البغوي»، (ج: 1 ص: 459): [وقال بعضهم نزلت فيناس من قريش قدموا المدينة وأسلموا ثم ندموا على ذلك فخرجوا كهيئة المتنزهين حتى تباعدوا من المدينة فكتبوا إلى رسول الله، صلى الله عليه وسلم، إنا على الذي فارقتك عليه من الإيمان ولكن اجتوينا المدينة واشتقنا إلى أرضنا. ثم إنهم خرجوا في تجارة لهم نحو الشام فبلغ ذلك المسلمين فقال بعضهم نخرج إليهم فنقتلهم ونأخذ ما معهم لأنهم رغبوا عن ديننا وقالت طائفة كيف تقتلون قوما على دينكم إن لم يذروا ديارهم وكان هذا بعين النبي، صلى الله عليه وسلم، وهو ساكت لا ينهى واحدا من الفريقين فنزلت هذه الآية].

- The following came stated in “Tafsir Al-Baghawiy” (vol: 1 p:459): [And some of them said that it was revealed concerning a people from Quraish who came to Al-Madinah and embraced Islam. They then regretted that and so departed in the form of the one who is taking an excursion until they were far away from Al-Madinah. They then wrote to the Messenger of Allah ﷺ stating that we are upon that which we departed from you upon in terms of Iman (belief) however we disliked to remain in Al-Madinah and missed our own land. They then went out for trade of theirs towards Ash-Shaam (Greater Syria) and the news of that reached the Muslims. Some of them then said: “Let us go out to them, kill them and take what they have with them because they have shunned our Deen”. Another group said: “How can you kill a people who are upon your Deen if they do not leave their homelands?” And this happened before the eyes of the Prophet ﷺ and he was silent not forbidding anyone from the two groups. Then the verse was revealed].

وقد بينا أعلاه أن هذا لا يمكن أن يكون – بمفرده - هو سبب النزول الابتدائي لقوله، تعالى مجده: ﴿فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَةٍ وَاللَّهُ أَرْكَسَهُمْ بِمَا كَسَبُوا: ... الْآيَاتِ؛ إِلَى قَوْلِهِ: ﴿وَأُولَئِكَ جَعَلْنَا لَكُمْ عَلَيْهِمْ سُلْطَانًا مُبِينًا﴾، (النساء؛ 4: 88 - 91). فالجزء الأول من القصة: (ناس من قريش قدموا المدينة وأسلموا ثم ندموا على ذلك فخرجوا كهيئة المتنزهين حتى تباعدوا من المدينة فكتبوا إلى رسول الله، صلى الله عليه وسلم، إنا على الذي فارقتك عليه من الإيمان ولكن اجتوينا المدينة واشتقنا إلى أرضنا)، يكاد أن يتطابق مع وصفنا لحال ﴿الَّذِينَ ارْتَدُّوا عَلَى أَدْبَارِهِمْ﴾، (محمد؛ 47: 25) حيث تكتم القوم على سبب خروجهم الحقيقي، ودلسوا على النبي، عليه وعلى آله الصلاة والسلام، عندما قالوا: (إنا على الذي فارقتك عليه من الإيمان، ولكن اجتوينا المدينة واشتقنا إلى أرضنا)، وليس هروبا من قتال أهلهم وأحببتهم، فكشف الله لنبيه أسرارهم: ﴿بِأَنَّهُمْ قَالُوا لِلَّذِينَ كَرَهُوا مَا نَزَّلَ اللَّهُ سَنُطِيعُكُمْ فِي بَعْضِ الْأَمْرِ وَاللَّهُ يَعْلَمُ إِسْرَارَهُمْ﴾ (محمد؛ 47: 26).

We have previously explained that this could not possibly have been, by itself, the initial cause of revelation for His Qawl, elevated high is His Glory:

فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَةٍ وَاللَّهُ أَرْكَسَهُمْ بِمَا كَسَبُوا: ... الْآيَاتِ؛ إِلَى قَوْلِهِ: ﴿وَأُولَئِكَ جَعَلْنَا لَكُمْ عَلَيْهِمْ سُلْطَانًا مُبِينًا﴾

What is [the matter] with you [that you are] two groups concerning the hypocrites, while Allah has made them fall back (or return) due to what they earned ... Until ... And those, We have made for you against them a clear authorization (An-Nisa': 88-91).

That is because the first part of the story: "a people from Quraish who came to Al-Madinah and embraced Islam. They then regretted that and so departed in the form of the one who is taking an excursion until they were far away from Al-Madinah. They then wrote to the Messenger of Allah ﷺ stating that we are upon that which we departed from you upon in terms of Iman (belief) however we disliked to remain in Al-Madinah and missed our own land" virtually conforms with our description of the case:

الَّذِينَ ارْتَدُّوا عَلَىٰ أَدْبَارِهِمْ

Those who reverted back [to disbelief] (Muhammad: 25).

That is in the case where the people concealed the real reason for their departure and attempted to manipulate the Prophet ﷺ when they said: "we are upon that which we departed from you upon in terms of Iman (belief) however we disliked to remain in Al-Madinah and missed our own land" and not because they were fleeing from fighting their people and those whom they loved. Then Allah revealed their secrets and what they concealed to His Prophet ﷺ:

ذَٰلِكَ بِأَنَّهُمْ قَالُوا لِلَّذِينَ كَرِهُوا مَا نَزَّلَ اللَّهُ سَنُطِيعُكُمْ فِي بَعْضِ الْأَمْرِ وَاللَّهُ يَعْلَمُ إِسْرَارَهُمْ

That is because they said to those who disliked what Allah sent down, "We will obey you in part of the matter." And Allah knows what their secrets (or what they have concealed) (Muhammad: 26).

ولا إشكال في باقي القصة: (ثم إنهم خرجوا في تجارة لهم نحو الشام فبلغ ذلك المسلمين فقال بعضهم نخرج إليهم فنقتلهم ونأخذ ما معهم لأنهم رغبوا عن ديننا وقالت طائفة كيف تقتلون قوما على دينكم إن لم يذروا ديارهم وكان هذا بعين النبي، صلى الله عليه وسلم، وهو ساكت لا ينهي واحدا من الفريقين فنزلت هذه الآية). لا إشكال لأنهم كانوا معتزلين لا يقتلون. فسكوت النبي، عليه وعلى آله الصلاة والسلام، ليس لعدم وضوح كفرهم، فذلك قد حسمته الآيات من سورة محمد: فهم منافقون، قد كفروا بارتدادهم عن الهجرة، بالرغم من اعتقادهم الإسلام، وظنهم في أنفسهم أنهم مؤمنون. ولكن لأنهم كانوا قد كفوا أيديهم، ولم يقاتلوا قط، بالرغم من كونهم يحملون تابعة حربية، فأصبح وضعهم مشكلاً: فنزل الوحي مرة ثانية مذكراً بالآيات من سورة النساء: (فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَةٍ وَاللَّهُ أَرَكْسَهُمْ بِمَا كَسَبُوا: أَتُرِيدُونَ أَنْ تَهْدُوا مَنْ أَضَلَّ اللَّهُ وَمَنْ يُضِلِلِ اللَّهُ فَلَنْ تَجِدَ لَهُ سَبِيلًا * وَذُؤا لَوْ تَكْفُرُونَ كَمَا كَفَرُوا فَتَكُونُوا سَوَاءً فَلَا تَتَّخِذُوا مِنْهُمْ أَوْلِيَاءَ حَتَّىٰ يُهَاجِرُوا فِي سَبِيلِ اللَّهِ فَإِنْ تَوَلَّوْا فَخُذُوهُمْ وَاقْتُلُوهُمْ حَيْثُ وَجَدْتُمُوهُمْ وَلَا تَتَّخِذُوا مِنْهُمْ وَلِيًّا وَلَا نَصِيرًا * إِلَّا الَّذِينَ يَصِلُونَ إِلَىٰ قَوْمٍ بَيْنَكُمْ وَبَيْنَهُمْ مِيثَاقٌ أَوْ جَاءُوكُمْ حَصِرَتْ صُدُورُهُمْ أَنْ يُقَاتِلُوكُمْ أَوْ يُقَاتِلُوا قَوْمَهُمْ وَلَوْ شَاءَ اللَّهُ لَسَلَّطَهُمْ عَلَيْكُمْ فَلَقَاتِلُوكُمْ فَإِنْ اعْتَزَلُوكُمْ فَلَمْ يُقَاتِلُوكُمْ وَأَلْقَوْا إِلَيْكُمُ السَّلَامَ فَمَا جَعَلَ اللَّهُ لَكُمْ عَلَيْهِمْ سَبِيلًا * سَتَجِدُونَ آخَرِينَ يُرِيدُونَ أَنْ يَأْمَنُوكُمْ وَيَأْمَنُوا قَوْمَهُمْ كُلٌّ مَا رَدُّوا إِلَىٰ الْفِتْنَةِ أُرْكِسُوا فِيهَا فَإِنْ لَمْ يَعْتَزِلُوكُمْ وَيُلْقُوا إِلَيْكُمُ السَّلَامَ وَيَكْفُوا أَيْدِيَهُمْ فَخُذُوهُمْ وَاقْتُلُوهُمْ حَيْثُ تَقِفْتُمُوهُمْ وَأُولَئِكَ جَعَلْنَا لَكُمْ عَلَيْهِمْ سُلْطَانًا مُبِينًا)، (النساء؛ 4: 88 - 91)).

There is nothing problematic in the remainder of the story: "They then went out for trade of theirs towards Ash-Shaam (Greater Syria) and the news of that reached the Muslims. Some of them then said: "Let us go out to them, kill them and take what they have with them because they have shunned our Deen". Another group said: "How can you kill a people who are upon your Deen if they do not leave their homelands?" And this happened before the eyes of the Prophet ﷺ and he was silent not forbidding anyone from the two groups. Then the verse was revealed". There is nothing problematic because they withdrawn and not engaged in fighting. As such, the silence of the Prophet ﷺ was not due to the lack of clarity of their disbelief which was resolved decisively in the verses of Surah Muhammad. They were hypocrites who had disbelieved due to their turning back or revoking of their Hijrah, despite their belief in Islam and their own belief that they were believers. However, because they held back their hands (or refrained) and did not fight at all, despite holding the subject status (Taabi'iyah) of the warring nation, their situation became ambiguous. Because of that the revelation descended a second time bringing a reminder of the verses of Surah An-Nisa':

فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَةٍ وَاللَّهُ أَرْكَسَهُمْ بِمَا كَسَبُوا أَتُرِيدُونَ أَنْ تَهْدُوا مَنْ أَضَلَّ اللَّهُ وَمَنْ يُضِلِلِ اللَّهُ فَلَنْ تَجِدَ لَهُ سَبِيلًا (88)
وَدُّوا لَوْ تَكْفُرُونَ كَمَا كَفَرُوا فَتَكُونُونَ سَوَاءً فَلَا تَتَّخِذُوا مِنْهُمْ أَوْلِيَاءَ حَتَّى يُهَاجِرُوا فِي سَبِيلِ اللَّهِ فَإِنْ تَوَلَّوْا فَحُذِّوهُمْ وَاقْتُلُوهُمْ
حَيْثُ وَجَدْتُمُوهُمْ وَلَا تَتَّخِذُوا مِنْهُمْ وَلِيًّا وَلَا نَصِيرًا (89) إِلَّا الَّذِينَ يَصِلُونَ إِلَى قَوْمٍ بَيْنَكُمْ وَبَيْنَهُمْ مِيثَاقٌ أَوْ جَاءُوكُمْ
حَصِرَتْ صُدُورُهُمْ أَنْ يَقَاتِلُوكُمْ أَوْ يِقَاتِلُوا قَوْمَهُمْ وَلَوْ شَاءَ اللَّهُ لَسَلَّطَهُمْ عَلَيْكُمْ فَلَقَاتِلُوكُمْ فَإِنْ اعْتَزَلُوكُمْ فَلَمْ يِقَاتِلُوكُمْ وَأَلْقُوا
إِلَيْكُمْ السَّلَامَ فَمَا جَعَلَ اللَّهُ لَكُمْ عَلَيْهِمْ سَبِيلًا (90) سَتَجِدُونَ آخَرِينَ يُرِيدُونَ أَنْ يَأْمَنُوكُمْ وَيَأْمَنُوا قَوْمَهُمْ كُلٌّ مَا رَدُّوا إِلَى
الْفِتْنَةِ أُرْكَسُوا فِيهَا فَإِنْ لَمْ يَعْتَزِلُوكُمْ وَيُلْقُوا إِلَيْكُمْ السَّلَامَ وَيَكْفُفُوا أَيْدِيَهُمْ فَحُذِّوهُمْ وَاقْتُلُوهُمْ حَيْثُ تَقِفْتُمُوهُمْ وَأُولَئِكَ جَعَلْنَا
لَكُمْ عَلَيْهِمْ سُلْطَانًا مُبِينًا

What is [the matter] with you [that you are] two groups concerning the hypocrites, while Allah has made them fall back (or return) due to what they earned. Do you wish to guide those whom Allah has sent astray? And he whom Allah sends astray, never will you find for him a way [of guidance]. (88) They wish you would disbelieve as they disbelieved so you would be alike. So, do not take from among them allies until they emigrate for the cause of Allah. But if they turn away, then seize them and kill them wherever you find them and take not from among them any ally or helper. (89) Except for those who take refuge with a people between yourselves and whom is a treaty or those who come to you, their hearts strained at [the prospect of] fighting you or fighting their own people. And if Allah had willed, He could have given them power over you, and they would have fought you. So, if they remove themselves from you and do not fight you and offer you peace, then Allah has not made for you a cause [for fighting] against them. (90) You will find others who wish to obtain security from you and [to] obtain security from their people. Every time they are returned to [the influence of] disbelief, they fall back into it. So, if they do not withdraw from you or offer you peace or restrain their hands, then seize them and kill them wherever you overtake them. And those, We have made for you against them a clear authorization (An-Nisa': 88-91).

ولم تذكر رواية البغوي كيف تم حسم الأمر، ولكن الأمر واضح: فهو لاء، وإن لم يكونوا - بالضرورة - ممن (جاءوكم حصرت صدورهم أن يقاتلكم أو يقاتلوا قومهم) بكل دقائقها، إلا أنهم ممن: (لو شاء الله لسلطهم عليكم فلقاتلوكم: فإن اعتزلوكم فلم يقاتلوكم وألقوا إليكم السلام فما على الله لكم عليهم سبيلاً): فالقتل والقتال، وغنيمة الأموال، إنما هو لمن لم يعتزل، ولم يكف يده، ولم يلق السلام. ولا علاقة لهذا بالكفر والإيمان. **وهذا أيضا برهان آخر** على بطلان المقولة الخبيثة ملعونة: (الكفر يحل

الدم، والإسلام يعصمه)، وبطلان حد الردة المزعوم!

The report of Al-Baghawiy does not mention how the matter was resolved, however the matter is clear: And if they were not necessarily from those:

جَاءُوكُمْ حَصِرَتْ صُدُورُهُمْ أَنْ يُقَاتِلُوكُمْ أَوْ يُقَاتِلُوا قَوْمَهُمْ

Who come to you, their hearts strained at [the prospect of] fighting you or fighting their own people (An-Nisa': 90).

In accordance will all its details, they are nevertheless from those who:

لَوْ شَاءَ اللَّهُ لَسَلَّطَهُمْ عَلَيْكُمْ فَلَقَاتِلُوكُمْ ۚ فَإِنْ اعْتَزَلُوكُمْ فَلَمْ يُقَاتِلُوكُمْ وَأَلْقَوْا إِلَيْكُمُ السَّلَامَ فَمَا جَعَلَ اللَّهُ لَكُمْ عَلَيْهِمْ سَبِيلًا

And if Allah had willed, He could have given them power over you, and they would have fought you. So, if they remove themselves from you and do not fight you and offer you peace, then Allah has not made for you a cause [for fighting] against them (An-Nisa': 90).

Consequently, the killing, fighting and seizing of property is only for those who did not withdraw, did not refrain and did not offer peace. And this has no relationship with Kufr (disbelief) and Iman (belief). **This is also another evidential proof** establishing the falseness or invalidity of the cursed devious statement: "The Kufr (disbelief) makes the blood Halal and Islam protects it" in addition to falsifying the supposed Hadd Ar-Riddah (prescribed punishment for apostacy).

* ومثال آخر، جاء في «تفسير الطبري»، (ج: 5 ص: 193 وما بعدها): [وقال آخرون بل كان اختلافهم في قوم كانوا بالمدينة أرادوا الخروج عنها نفاقاً ذكر من قال ذلك: حدثنا محمد بن الحسين قال حدثنا أحمد بن مفضل قال حدثنا أسباط عن السدي فما لكم في المنافقين فئتين والله أركسهم بما كسبوا قال: كان ناس من المنافقين أرادوا أن يخرجوا من المدينة فقالوا للمؤمنين إنا قد أصابنا أوجاع في المدينة واتخمتها فلعلنا أن نخرج إلى الظهر حتى ننمائل ثم نرجع فإننا كنا أصحاب برية فانطلقوا واختلف فيهم أصحاب النبي، صلى الله عليه وسلم، فقالت طائفة أعداء الله المنافقون وددنا أن رسول الله، صلى الله عليه وسلم، أذن لنا فقاتلناهم وقالت طائفة لا بل إخواننا تخمتهم المدينة فاتخمتوها فخرجوا إلى الظهر يتنزهون فإذا برئوا رجعوا فقال الله: (فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِئَتَيْنِ وَاللَّهُ أَرْكَسَهُمْ بِمَا كَسَبُوا)»، انتهى كلام الإمام الطبري. وهو في «الدر المنثور في التفسير بالمأثور»: [وأخرج ابن جرير عن السدي قال: كان ناس من المنافقين أرادوا أن يخرجوا من المدينة، إلخ].

- Another example came stated in "Tafsir At-Tabari" (5/193 onwards): [- And the following came stated in "Tafsir At-Tabari" (vol: 5 p: 193 onwards): [And others said: **Rather, their differing was regarding a Qawm (collective of people) who were in Al-Madinah who wanted to leave it out of hypocrisy.** He mentioned those who said that: Muhammad bin Al-Husain related to us: He said: Ahmad bin Mufaddal related to us: He said: Asbaat related to us from As-Suddiy: (Concerning):

فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِئَتَيْنِ وَاللَّهُ أَرْكَسَهُمْ بِمَا كَسَبُوا

What is [the matter] with you [that you are] two groups concerning the hypocrites, while Allah has made them fall back (or return) due to what they earned.

He said: They were a people from the hypocrites who wanted to leave Al-Madinah. So, they said to the believers: "We have been afflicted by ailments in Al-Madinah and are suffering. So, perhaps we can exit to Azh-Zuhr so that we can recover and thereafter return. That is as we had previously been people of the open land". They then set off and the companions of the Prophet ﷺ differed concerning them. A group said: "They are enemies of Allah and hypocrites and we wished that the Messenger of Allah ﷺ gave us permission to fight them". Another group said: "No, rather they are our brothers who were suffering in Al-Madinah, where they were afflicted by maladies and left to Azh-Zuhr to relax freely. Then when they have recovered, they will return". Then Allah said:

فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَيْنِ وَاللَّهُ أَرْكَسَهُمْ بِمَا كَسَبُوا

What is [the matter] with you [that you are] two groups concerning the hypocrites, while Allah has made them fall back (or return) due to what they earned[.]

Here ends the speech of Imam At-Tabari. And it also came reported in "Ad-Darr ul-Manthur Fee Tafsir bil Ma'thur": [And Ibn Jarir recorded from As-Suddiy: He said: They were a people from the hypocrites who wanted to leave Al-Madinah etc.].

* ومثال ثالث هو المنصوص عليه في «تفسير الواحدي»، (ج: 1 ص: 279، وما بعدها: [(فما لكم في المنافقين فتنين)]، نزلت في قوم قدموا على رسول الله، صلى الله عليه وسلم، المدينة فأقاموا ما شاء الله ثم قالوا إنا اجتوينا المدينة فأذن رسول الله، صلى الله عليه وسلم، لهم أن يخرجوا فلما خرجوا لم يزالوا يرحلون مرحلة، مرحلة حتى لحقوا بالمشركين فاختلف المؤمنون فيهم فقال بعضهم إنهم كفار مرتدون وقال آخرون هم مسلمون حتى نعلم أنهم بدلوا فبين الله كفرهم في هذه الآية والمعنى ما لكم مختلفين في هؤلاء المنافقين على فتنين على فرقتين والله أركسهم ردهم إلى حكم الكفار من الذل والصغار والسبي والقتل بما كسبوا بما أظهروا من الارتداد بعدما كانوا على النفاق].

- And a third example was stated in "Tafsir Al-Wahidiy" (vol:1 p:279 onwards): [(Concerning):

فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَيْنِ

What is [the matter] with you [that you are] two groups concerning the hypocrites.

It was revealed concerning a people who came to the Messenger of Allah ﷺ in Al-Madinah. They remained for as long wished and then said: "We dislike remaining in Al-Madinah" and so, the Messenger of Allah ﷺ gave them permission to leave. Then when they left, they continued to travel for one stage of travel after another until they met (or joined up) with the Mushrikeen (polytheists). The believers then disagreed in respect to them. Some of them said that they are disbelievers and apostates and others said they are Muslims until we know that they have indeed changed (their Deen). Then Allah made their Kufr (disbelief) evident in this verse. Its meaning is: What is the matter with you that you differ into two groups concerning those hypocrites and Allah has returned them to the ruling of the disbelievers in terms of lowliness,

abasement, being taken as slaves (of war) and being killed due to what they showed in terms of apostacy after they had previously been upon hypocrisy].

قلت: فلعل هذين المثالين الأخيرين يصفان نفس الواقعة – أو الوقائع – إلا أن الرواة لم يحفظوا كل التفاصيل، كما وردت في المثال الأول عند البغوي. والمناقشة – من حيث الجوهر – كسابقتها، ولذلك فلن نطيل بتكرارها.

I say: It may be that the last two examples are describing the same occurrence (or occurrences) except the narrators did not preserve all the details which were mentioned in the first example recorded by Al-Baghawiy. The discussion, in its essence, is like the one prior to it and as such there is no need to repeat it.

والمحصلة: إن الالتحاق بتابعة كفرية حربية، بعد الانخلاع من التابعة الإسلامية، هو من **أعمال الكفر بذاته، وبمجرد فعله، بشرط** أن تكون (التابعة الإسلامية) التي انخلع منها، إنما كانت قد حصل عليها بهجرة قد **وبت عليه** من دار يتعرض فيها للفتنة في دينه، ولم يسقط الوجوب عليه بعجزه وعدم قدرته. أما من ولد في الدار، أو كانت هجرته غير واجبة عليه، فلا محل له في هذه الآيات، وإن بعض أولئك أثم أو منافقا لا اعتبارات أخرى بأدلتها، ولكن ليس بهذه الآيات الشريفات. برهان صحة قولنا بهذا **الشرط** هو قوله، جل جلاله، وسما مقامه: (إِنَّ الَّذِينَ تَوَفَّاهُمُ الْمَلَائِكَةُ ظَالِمِي أَنْفُسِهِمْ قَالُوا فِيمَ كُنْتُمْ قَالُوا كُنَّا مُسْتَضْعَفِينَ فِي الْأَرْضِ قَالُوا أَلَمْ تَكُنْ أَرْضُ اللَّهِ وَاسِعَةً فَتُهَاجِرُوا فِيهَا فَأُولَئِكَ مَأْوَاهُمْ جَهَنَّمُ وَسَاءَتْ مَصِيرًا (97) إِلَّا الْمُسْتَضْعَفِينَ مِنَ الرِّجَالِ وَالنِّسَاءِ وَالْوِلْدَانِ لَا يَسْتَطِيعُونَ حِيلَةً وَلَا يَهْتَدُونَ سَبِيلًا (98) فَأُولَئِكَ عَسَى اللَّهُ أَنْ يَعْفُوَ عَنْهُمْ وَكَانَ اللَّهُ غَفُورًا (99) وَمَنْ يُهَاجِرْ فِي سَبِيلِ اللَّهِ يَجِدْ فِي الْأَرْضِ مُرَاجِمًا كَثِيرًا وَسَعَةً وَمَنْ يَخْرُجْ مِنْ بَيْتِهِ مُهَاجِرًا إِلَى اللَّهِ وَرَسُولِهِ ثُمَّ يُدْرِكْهُ الْمَوْتُ فَقَدْ وَقَعَ أَجْرُهُ عَلَى اللَّهِ وَكَانَ اللَّهُ غَفُورًا رَحِيمًا (100))، (النساء؛ 4: 97 – 100)؛ وكذلك بشهادة حشد من أحاديث (أعراب المسلمين)، التي أشبعناها درسا في بحثنا: **(الهجرة، والتابعة الإسلامية (وحق تقرير المصير))**؛ وكذلك بإذن النبي، عليه وعلى آله الصلاة والسلام، لعمير بن وهب بالعودة إلى مكة والإقامة فيها، ولعمه العباس بن عبد المطلب، وثنائه على رهط عبد الله بن النحام الذين أحاطوه بحمايتهم فلم يحتاج للهجرة؛ وغير ذلك كثير.

The conclusion: Joining with the disbelieving Taabi'iyah (subject status) of those people or nations at war, after rescinding the Islamic subject status, **is from the acts of Kufr (disbelief) in itself by its mere undertaking, on the condition** that the Islamic Tabi'iyah which was rescinded was only acquired by the undertaking of Hijrah (emigration) that **was obligatory upon the person** from a land in which he was subject to Fitnah in respect to his Deen and where the obligation was not lifted from him due to his inability or incapability. As for the one who was born in the Dar (i.e., land of Hijrah) or his Hijrah was not obligatory upon him, then these verses do not apply to him, even if some who do that are sinful or hypocrites due to other considerations based on their own evidences for that, but not due to these Noble verses here. The clear proof for the correctness of our opinion with this **condition** is His Qawl, Glorified be His Majesty, and Lofty is His Standing:

إِنَّ الَّذِينَ تَوَفَّاهُمُ الْمَلَائِكَةُ ظَالِمِي أَنْفُسِهِمْ قَالُوا فِيمَ كُنْتُمْ قَالُوا كُنَّا مُسْتَضْعَفِينَ فِي الْأَرْضِ قَالُوا أَلَمْ تَكُنْ أَرْضُ اللَّهِ وَاسِعَةً فَتُهَاجِرُوا فِيهَا فَأُولَئِكَ مَأْوَاهُمْ جَهَنَّمُ وَسَاءَتْ مَصِيرًا (97) إِلَّا الْمُسْتَضْعَفِينَ مِنَ الرِّجَالِ وَالنِّسَاءِ وَالْوِلْدَانِ لَا يَسْتَطِيعُونَ حِيلَةً وَلَا يَهْتَدُونَ سَبِيلًا (98) فَأُولَئِكَ عَسَى اللَّهُ أَنْ يَعْفُو عَنْهُمْ وَكَانَ اللَّهُ عَفُوًّا غَفُورًا (99) وَمَنْ يُهَاجِرْ فِي سَبِيلِ اللَّهِ يَجِدْ فِي الْأَرْضِ مُرَاجِمًا كَثِيرًا وَسَعَةً وَمَنْ يَخْرُجْ مِنْ بَيْتِهِ مُهَاجِرًا إِلَى اللَّهِ وَرَسُولِهِ ثُمَّ يُدْرِكُهُ الْمَوْتُ فَقَدْ وَقَعَ أَجْرُهُ عَلَى اللَّهِ وَكَانَ اللَّهُ غَفُورًا رَحِيمًا

Verily, those whom the angels take [in death] while wronging themselves - [the angels] will say: "In what [condition] were you?" They will say: "We were weak and oppressed in the land". The angels will say: "Was not the earth of Allah spacious [enough] for you to emigrate therein?" For those, their refuge is Hell and evil it is as a destination. (97) Except for the weak and oppressed among men, women and children who cannot devise a plan nor are they directed to a way. (98) For those it is expected that Allah will pardon them, and Allah is ever Pardoning and Forgiving. (99) And whoever emigrates for the cause of Allah will find on the earth many [alternative] locations and abundance. And whoever leaves his home as an emigrant to Allah and His Messenger and then death overtakes him, his reward has already become incumbent upon Allah. And Allah is ever Forgiving and Merciful (An-Nisa': 97-100).

It is also established by the testimony of the collection of Ahadeeth related to "Aa'raab Al-Muslimeen" which we have already thoroughly dealt with in our study: "**Al-Hijrah and the Islamic Taabi'iyah (subject status) and the right of self-determination**". Just as it is established by the permission of the Prophet ﷺ to 'Umar bin al-Wahb to return to Makkah and to reside there and to his uncle Al-'Abbas, in addition to the group of Abdullah bin An-Nahham whom they encompassed with their protection and were therefore not in need of the Hijrah. There are also many other supportive evidences besides these.

وعليه فإن من غلبت عليه شقوته، فتورط في هذا على النحو الذي بينا **بشرطه**، فهو: **مشارك كافر**، **بعينه وصفته الشخصية**، حتى لو لم يشك أو يحدد شيئاً من الكتاب، ولم يسجد لصنم، ولا تمسح بوثن، أو ذبح لنصب؛ وحتى لو قام الليل وصام النهار، إلا من عذر بجهل أو تأويل أو إكراه، أو غير ذلك من موانع التكفير المعروفة، ولكن لا عذر في الجبن عن القتال، أو مراعاة محبة الوالدين وبرهما، أو الشوق إلى الأوطان، أو تحصيل المكاسب والتجارات، ليس شيء من ذلك عذراً: ﴿يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَتَّخِذُوا آبَاءَكُمْ وَإِخْوَانَكُمْ أَوْلِيَاءَ إِنِ اسْتَحَبُّوا الْكُفْرَ عَلَى الْإِيمَانِ وَمَنْ يَتَوَلَّهُمْ مِنْكُمْ فَأُولَئِكَ هُمُ الظَّالِمُونَ (23) قُلْ إِنْ كَانَ آبَاؤُكُمْ وَأَبْنَاؤُكُمْ وَإِخْوَانُكُمْ وَأَزْوَاجُكُمْ وَعَشِيرَتُكُمْ وَأَمْوَالٌ اقْتَرَفْتُمُوهَا وَتِجَارَةٌ تَخْشَوْنَ كَسَادَهَا وَمَسَاكِينُ تُرَضُّونَهَا أَحَبَّ إِلَيْكُمْ مِنَ اللَّهِ وَرَسُولِهِ وَجِهَادٍ فِي سَبِيلِهِ فَتَرَبَّصُوا حَتَّى يَأْتِيَ اللَّهُ بِأَمْرِهِ وَاللَّهُ لَا يَهْدِي الْقَوْمَ الْفَاسِقِينَ (24)﴾، (التوبة؛ 9: 23، 24).

Therefore, whoever's mischief overtakes him and whoever embroils himself in this manner that we have explained alongside its condition, is a Mushrik Kafir (polytheist disbeliever) in his individual capacity and personal description, by its mere undertaking, even if he did not deny anything from the Kitab, did not prostrate to an idol, anoint one or make a sacrifice at an altar, and even if he prayed during the night and fasted during the day, with the exception of the one who is pardoned due to ignorance, a misinterpretation (Ta'weel), coercion or other than that from the known preventing factors (Mawaani') of Takfir (being declared a disbeliever). However, there is no excuse in respect to cowardice from fighting, observing love for

the parents and affording them kind obedient treatment, the longing for the home nation or the attainment of gains and trades. Nothing from that is an excuse:

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَتَّخِذُوا آبَاءَكُمْ وَإِخْوَانَكُمْ أَوْلِيَاءَ إِنِ اسْتَحَبُّوا الْكُفْرَ عَلَى الْإِيمَانِ وَمَنْ يَتَوَلَّهُمْ مِنْكُمْ فَأُولَئِكَ هُمُ الظَّالِمُونَ (23) قُلْ إِن كَانَ آبَاؤُكُمْ وَأَبْنَاؤُكُمْ وَإِخْوَانُكُمْ وَأَزْوَاجُكُمْ وَعَشِيرَتُكُمْ وَأَمْوَالٌ اقْتَرَفْتُمُوهَا وَتِجَارَةٌ تَخْشَوْنَ كَسَادَهَا وَمَسَاكِنُ تَرْضَوْنَهَا أَحَبَّ إِلَيْكُمْ مِنَ اللَّهِ وَرَسُولِهِ وَجِهَادٍ فِي سَبِيلِهِ فَتَرَبَّصُوا حَتَّى يَأْتِيَ اللَّهُ بِأَمْرِهِ وَاللَّهُ لَا يَهْدِي الْقَوْمَ الْفَاسِقِينَ

O you who have believed, do not take your fathers or your brothers as allies if they have preferred disbelief over belief. And whoever does so among you, then it is those who are the wrongdoers. (23) Say, [O Muhammad]: "If your fathers, your sons, your brothers, your wives, your relatives, wealth which you have obtained, commerce wherein you fear decline, and dwellings with which you are pleased are more beloved to you than Allah and His Messenger and jihad in His cause, then wait until Allah executes His command. And Allah does not guide the defiantly disobedient people" (At-Taubah: 23-34).

*** فصل: من هو الذي كان (يُشَاقِقِ الرَّسُولَ مِنْ بَعْدِ مَا تَبَيَّنَ لَهُ الْهُدَى وَيَتَّبِعْ غَيْرَ سَبِيلِ الْمُؤْمِنِينَ)؟! ***
 ويزداد ما سلف توكيداً بالدراسة المدققة المتأنية:
*** لقوله، جل جلاله، وتعالى مجده: (وَمَنْ يُشَاقِقِ الرَّسُولَ مِنْ بَعْدِ مَا تَبَيَّنَ لَهُ الْهُدَى وَيَتَّبِعْ غَيْرَ سَبِيلِ الْمُؤْمِنِينَ نُوَلِّهِ مَا تَوَلَّى وَنُصْلِهِ جَهَنَّمَ وَسَاءَتْ مَصِيرًا (115))، (النساء؛ 4: 115).**

قيل أن الإمام الشافعي طوّل دليل من القرآن على قوله الشاذ بحجية إجماع أهل العصر على مسألة، فأورد - بعد مراجعة القرآن مرارا - هذه الآية. وأذكر أن ابن تيمية أيد قوله بمناقشة سوفسطائية لهذه الآية. ولا يحضرني الآن أين كان ذلك، ولعله في مجموع الفتاوى.

- Section: Who is it referring to in the verse:

وَمَنْ يُشَاقِقِ الرَّسُولَ مِنْ بَعْدِ مَا تَبَيَّنَ لَهُ الْهُدَى وَيَتَّبِعْ غَيْرَ سَبِيلِ الْمُؤْمِنِينَ

And whoever opposes the Messenger after guidance has become clear to him and follows other than the way of the believers?! (An-Nisa': 115).

What has preceded is further corroborated by a thorough and deliberate study of:

- His Qawl تعالى:

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

And whoever opposes the Messenger after guidance has become clear to him and follows other than the way of the believers, We shall keep him in the path he has chosen and burn him in Hell, and evil it is as a destination (An-Nisa': 115).

It has been said that Imam Ash-Shafi'iy was asked for a Daleel (evidence) from the Qur'an to support his irregular opinion related to the evidential proof of the Ijma' (consensus) of the people of the age upon a Shar'iy issue. So, after revising the Qur'an many times over, he presented this verse. And I recall that Ibn

Taymiyah supported his opinion with a sophistic discussion of this verse. I do not recall right now where that was but perhaps it can be found in Majmoo' Al-Fatawa.

فأقول: كلا الرجلين - على فضلها وذكائهما الخارق - زلت بهما القدم، بل قصمت ظهورهما، بسبب المرضين القديمين: (اتخاذ القرآن عضيّن)، (وتحريف الكلم عن مواضعه)، ومن أقبح صورته نزع الآيات من سياقها المبين لمعانيها. فالآية لم تنزل في سورة مستقلة، وإنما هي في سورة النساء، تعقيباً على قصة طعمة بن أبيرق، وهو رجل من منافقة الأنصار - كان قد سرق متاعاً، أو جحد وديعة كانت عنده - محاولاً إلصاق التهمة برجل يهودي بريء، ففضحه الله جل جلاله، إلى آخر الأبد.

I say: Both men, in spite of their merit and extraordinary intelligence, slipped up here, indeed they both fell into a disaster, and that was due to two old diseases: "Taking the Qur'an in parts or portions" (عَضِينَ) and "distorting (or taking) the speech out of its context". From the most hideous of its forms is stripping the verses from their clear context of its meanings. That is because the verse was not revealed in an independent Surah but rather within in Surah An-Nisa', in connection to the story of Tu'mah bin Ubairiq who was a man from the hypocrites of the Ansar. He had stolen some commodities or refused to hand over something deposited in his trust, whilst attempting to lay the blame upon an innocent Jewish man, so, Allah, Glorified be His Majesty, exposed him forever.

وإليك السياق كاملاً، استبين الحجة، وتوضح المحجة: فبعد أن فرغ من أحكام القتال والجهاد وصلاة الخوف: (وَلَا تَهِنُوا فِي ابْتِغَاءِ الْقَوْمِ إِنْ تَكُونُوا تَأْلُمُونَ فَإِنَّهُمْ يَأْلُمُونَ كَمَا تَأْلُمُونَ وَتَرْجُونَ مِنَ اللَّهِ مَا لَا يَرْجُونَ وَكَانَ اللَّهُ عَلِيماً حَكِيماً (104))، (النساء؛ 4: 104)، ثم شرع في موضوع جريمة المنافق الكافر طعمة بن أبيرق:

The following is the complete context to make clear the proof and elucidate the correct understanding:

After finishing from the rulings related to fighting, Jihad and the prayer of Al-Khawf (fear i.e., from the attack of an enemy):

وَلَا تَهِنُوا فِي ابْتِغَاءِ الْقَوْمِ إِنْ تَكُونُوا تَأْلُمُونَ فَإِنَّهُمْ يَأْلُمُونَ كَمَا تَأْلُمُونَ وَتَرْجُونَ مِنَ اللَّهِ مَا لَا يَرْجُونَ ۚ وَكَانَ اللَّهُ عَلِيماً حَكِيماً

And don't be weak in the pursuit of the enemy; if you are suffering (hardships) then surely, they (too) are suffering (hardships) as you are suffering, but you have a hope from Allah (for the reward, i.e. Paradise) that for which they hope not, and Allah is Ever All-Knowing, All-Wise (An-Nisa': 104).

It then began the subject of the crime of the disbeliever hypocrite Tu'mah bin Ubairiq:

* حيث قال، تقدست أسماؤه: (إِنَّا أَنْزَلْنَا إِلَيْكَ الْكِتَابَ بِالْحَقِّ لِتَحْكُمَ بَيْنَ النَّاسِ بِمَا أَرَاكَ اللَّهُ وَلَا تَكُنْ لِلْخَائِنِينَ خَصِيماً (105) وَاسْتَغْفِرِ اللَّهَ إِنَّ اللَّهَ كَانَ غَفُوراً رَحِيماً (106) وَلَا تُجَادِلْ عَنِ الَّذِينَ يَخْتَانُونَ أَنْفُسَهُمْ إِنَّ اللَّهَ لَا يُحِبُّ مَنْ كَانَ خَوَّاتاً أَثِيماً (107) يَسْتَخْفُونَ مِنَ النَّاسِ وَلَا يَسْتَخْفُونَ مِنَ اللَّهِ وَهُوَ مَعَهُمْ

إِذْ يُبَيِّنُونَ مَا لَا يَرْضَى مِنَ الْقَوْلِ وَكَانَ اللَّهُ بِمَا يَعْمَلُونَ مُحِيطًا (108) هَا أَنْتُمْ هَؤُلَاءِ جَادَلْتُمْ عَنْهُمْ فِي الْحَيَاةِ الدُّنْيَا فَمَنْ يُجَادِلُ اللَّهَ عَنْهُمْ يَوْمَ الْقِيَامَةِ أَمْ مَنْ يَكُونُ عَلَيْهِمْ وَكِيلًا (109) وَمَنْ يَعْمَلْ سُوءًا أَوْ يَظْلِمْ نَفْسَهُ ثُمَّ يَسْتَغْفِرِ اللَّهَ يَجِدِ اللَّهَ غَفُورًا رَحِيمًا (110) وَمَنْ يَكْسِبْ إِثْمًا فَإِنَّمَا يَكْسِبُهُ عَلَى نَفْسِهِ وَكَانَ اللَّهُ عَلِيمًا حَكِيمًا (111) وَمَنْ يَكْسِبْ خَطِيئَةً أَوْ إِثْمًا ثُمَّ يَرْمِ بِهِ بَرِيئًا فَقَدِ احْتَمَلَ بُهْتَانًا وَإِثْمًا مُبِينًا (112) وَلَوْلَا فَضْلُ اللَّهِ عَلَيْكَ وَرَحْمَتُهُ لَهَمَّتْ طَائِفَةٌ مِنْهُمْ أَنْ يُضِلُّوكَ وَمَا يُضِلُّونَ إِلَّا أَنْفُسَهُمْ وَمَا يَضُرُّونَكَ مِنْ شَيْءٍ وَأَنْزَلَ اللَّهُ عَلَيْكَ الْكِتَابَ وَالْحِكْمَةَ وَعَلَّمَكَ مَا لَمْ تَكُنْ تَعْلَمُ وَكَانَ فَضْلُ اللَّهِ عَلَيْكَ عَظِيمًا (113) لَا خَيْرَ فِي كَثِيرٍ مِنْ نَجْوَاهُمْ إِلَّا مَنْ أَمَرَ بِصَدَقَةٍ أَوْ مَعْرُوفٍ أَوْ إِصْلَاحٍ بَيْنَ النَّاسِ وَمَنْ يَفْعَلْ ذَلِكَ ابْتِغَاءَ مَرْضَاتِ اللَّهِ فَسَوْفَ نُؤْتِيهِ أَجْرًا عَظِيمًا (114) وَمَنْ يُشَاقِقِ الرَّسُولَ مِنْ بَعْدِ مَا تَبَيَّنَ لَهُ الْهُدَى وَيَتَّبِعْ غَيْرَ سَبِيلِ الْمُؤْمِنِينَ نُوَلِّهِ مَا تَوَلَّى وَنُصْلِهِ جَهَنَّمَ وَسَاءَتْ مَصِيرًا (115)، (النساء؛ 4: 105 - 115).

- Where He, Sacred are His Names, said:

إِنَّا أَنْزَلْنَا إِلَيْكَ الْكِتَابَ بِالْحَقِّ لِتَحْكُمَ بَيْنَ النَّاسِ بِمَا أَرَاكَ اللَّهُ وَلَا تَكُنْ لِلْخَائِنِينَ خَصِيمًا (105) وَاسْتَغْفِرِ اللَّهَ إِنَّ اللَّهَ كَانَ غَفُورًا رَحِيمًا (106) وَلَا تُجَادِلْ عَنِ الَّذِينَ يَخْتَانُونَ أَنْفُسَهُمْ إِنَّ اللَّهَ لَا يُحِبُّ مَنْ كَانَ خَوَّانًا أَثِيمًا (107) يَسْتَحْفُونَ مِنَ النَّاسِ وَلَا يَسْتَحْفُونَ مِنَ اللَّهِ وَهُوَ مَعَهُمْ إِذْ يُبَيِّنُونَ مَا لَا يَرْضَى مِنَ الْقَوْلِ وَكَانَ اللَّهُ بِمَا يَعْمَلُونَ مُحِيطًا (108) هَا أَنْتُمْ هَؤُلَاءِ جَادَلْتُمْ عَنْهُمْ فِي الْحَيَاةِ الدُّنْيَا فَمَنْ يُجَادِلُ اللَّهَ عَنْهُمْ يَوْمَ الْقِيَامَةِ أَمْ مَنْ يَكُونُ عَلَيْهِمْ وَكِيلًا (109) وَمَنْ يَعْمَلْ سُوءًا أَوْ يَظْلِمْ نَفْسَهُ ثُمَّ يَسْتَغْفِرِ اللَّهَ يَجِدِ اللَّهَ غَفُورًا رَحِيمًا (110) وَمَنْ يَكْسِبْ إِثْمًا فَإِنَّمَا يَكْسِبُهُ عَلَى نَفْسِهِ وَكَانَ اللَّهُ عَلِيمًا حَكِيمًا (111) وَمَنْ يَكْسِبْ خَطِيئَةً أَوْ إِثْمًا ثُمَّ يَرْمِ بِهِ بَرِيئًا فَقَدِ احْتَمَلَ بُهْتَانًا وَإِثْمًا مُبِينًا (112) وَلَوْلَا فَضْلُ اللَّهِ عَلَيْكَ وَرَحْمَتُهُ لَهَمَّتْ طَائِفَةٌ مِنْهُمْ أَنْ يُضِلُّوكَ وَمَا يُضِلُّونَ إِلَّا أَنْفُسَهُمْ وَمَا يَضُرُّونَكَ مِنْ شَيْءٍ وَأَنْزَلَ اللَّهُ عَلَيْكَ الْكِتَابَ وَالْحِكْمَةَ وَعَلَّمَكَ مَا لَمْ تَكُنْ تَعْلَمُ وَكَانَ فَضْلُ اللَّهِ عَلَيْكَ عَظِيمًا (113) لَا خَيْرَ فِي كَثِيرٍ مِنْ نَجْوَاهُمْ إِلَّا مَنْ أَمَرَ بِصَدَقَةٍ أَوْ مَعْرُوفٍ أَوْ إِصْلَاحٍ بَيْنَ النَّاسِ وَمَنْ يَفْعَلْ ذَلِكَ ابْتِغَاءَ مَرْضَاتِ اللَّهِ فَسَوْفَ نُؤْتِيهِ أَجْرًا عَظِيمًا (114) وَمَنْ يُشَاقِقِ الرَّسُولَ مِنْ بَعْدِ مَا تَبَيَّنَ لَهُ الْهُدَى وَيَتَّبِعْ غَيْرَ سَبِيلِ الْمُؤْمِنِينَ نُوَلِّهِ مَا تَوَلَّى وَنُصْلِهِ جَهَنَّمَ وَسَاءَتْ مَصِيرًا

Verily, We have revealed to you, [O Muhammad], the Book in truth so you may judge between the people by that which Allah has shown you. And do not be an advocate for the deceitful. (105) And seek forgiveness of Allah. Indeed, Allah is ever Forgiving and Merciful. (106) And do not argue on behalf of those who deceive themselves. Indeed, Allah loves not one who is a habitually sinful deceiver. (107) They conceal [their evil intentions and deeds] from the people, but they cannot conceal [them] from Allah, and He is with them [in His knowledge] when they spend the night in such as He does not accept of speech. And ever is Allah, of what they do, encompassing. (108) Here you are; those who argue on their behalf in [this] worldly life, but who will argue with Allah for them on the Day of Resurrection, or who will [then] be their representative? (109) And whoever does a wrong or wrongs himself but then seeks forgiveness of Allah will find Allah Forgiving and Merciful. (110) And whoever commits a sin only earns it against himself. And Allah is ever Knowing and Wise. (111) But whoever earns an offense or a sin and then blames it on an innocent [person] has taken upon himself a slander and manifest sin. (112) And if it was not for the favour of Allah upon you, [O Muhammad], and His mercy, a group of them would have determined to mislead you. But they do not mislead except themselves, and they will not harm you at all. And Allah has revealed to you the Book and wisdom and has taught you that which you did not know. And ever has the favour of Allah upon you been

great. (113) No good is there in much of their private conversation, except for those who enjoin charity or that which is right or conciliation between people. And whoever does that seeking means to the approval of Allah, then We are going to give him a great reward. (114) And whoever opposes the Messenger after guidance has become clear to him and follows other than the way of the believers, We shall keep him in the path he has chosen and burn him in Hell, and evil it is as a destination (An-Nisa': 105-115).

وقد فصلنا الكلام عن القصة وملابساتها في كتابنا: (كتب التوحيد: أساس الإسلام، وحقيقة التوحيد)، في الباب الثاني، فليراجع. وخالصة القصة الثابتة في جوهرها ثبوتنا يقينياً أن المجرم الخائن طعمة بن أبيرق، خوفاً من تطبيق الحد عليه، وخوفاً من الفضيحة، فرَّ إلى قريش، وهي دار حرب آنذاك. فاتباعه غير سبيل المؤمنين هو فراره إلى الكفار الحربيين، وتوليهم (أي: حمله تابعيتهم، مشاركاً في سلمهم وحربهم). فحكم الله أن المؤمن لا يجوز أن يفعل ذلك أصلاً. نعم: قد يفر المؤمن الفاسق إلى رؤوس الجبال، أو أعماق الغابات خوفاً من العقوبة الشرعية، فيزداد إثماً بفراره، لكنه لا يخرج بالكلية من إسلامه. بل قد يفر بعض الناس من الفضيحة بقتل أنفسهم انتحاراً، فيتحمل إثماً إضافياً، لكنه لا يخرج من الإسلام، وترجى له النجاة بحسنات مرجحة، أو بشفاعت سيدنا محمد، عليه وعلى آله الصلاة والسلام، و/أو شفاعت من يأذن الله لهم بالشفاعة؛ أو بالمشيئة الإلهية المقدسة السامية.

We have previously spoken in detail about the story and its circumstances in our book: "Kitab At-Tawhid: The Basis of Islam and the true reality of Tawhid" in the second chapter and it can be referred to there. The essence of the story is established and certain in that the treacherous criminal Tu'mah bin Ubairiq, due to fear of the Hadd (prescribed punishment) being implemented upon him and the fear of exposure, fled to Quraish which was a Dar Harb (land at war) at that time. Therefore, his following other than the path of the believers was due to his fleeing to the disbelievers who were at war (with the Muslims) and taking them as allies (i.e., holding their subject status and sharing in their peace and war). Therefore, the ruling of Allah is that it is impermissible for a believer to do that in origin. Yes, a rebelliously disobedient Muslim could flee to the peaks of mountains or the depths of the forests due to the fear of the imposition of Shar'iyah punishment and increase his sin by fleeing, however, he would not have exited completely from his Islam. Indeed, some people may even wish to flee from something that would expose them by killing themselves by the act of suicide and carry extra sin, however, he would not exit from Islam, whereby salvation could still be hoped for due to his good deeds outweighing his bad or due to the intercession of our master Muhammad ﷺ or the intercession of those whom Allah has granted permission to intercede on their behalf, or just due to the lofty sacred divine will.

ومن اتبع غير سبيل المؤمنين بهذه الكيفية، حكم الله له بحكم التبعية التي اختارها لنفسه: فطعمة بن أبيرق أصبح حربياً مهدور الدم والمال كقريش وأحلافها، ولو بقي حياً حتى صلح الحديبية، لكان داخل في الصلح كأبي قرشي، ولو جاء المدينة أثناء الصلح لما تعرض له أحد. ومهما كانت حاله في الدنيا فيما يتعلق بالحرب والسلام، فحاله من ناحية الدين مقطوع بها: فهو كافر من ملة الكافرين: فهو في شق، والرسول في شق، أي: أنه مشاقق للرسول.

The one who follows other than the path of the believers in this manner, Allah has passed judgement upon him in accordance with the subject status that he has chosen for himself. Tu'man bin Ubairiq became a Harbiy (someone at war) whose blood is permissible to shed and property permissible to be seized just like the Quraish and its allies. Had he lived until the treaty of Hudaibiyah, he would have been included within the treaty like the rest of Quraish and had he arrived in Al-Madinah during the treaty, none would have

opposed him. Regardless of his condition in the life of this world in terms of what is related to war and peace, his condition from the perspective of the Deen is definite and that is: **He is a disbeliever from the host of disbelievers**. Consequently, he is on one side and the Messenger ﷺ is on another side i.e., he is in opposition to the Messenger ﷺ (as stated in the verse).

فمعنى الآية على الإسهاب غير الفصيح: (ومن يتبع غير سبيل المؤمنين - بانخلاعه من التبعية الإسلامية، وحمله التبعية الكفرية الحربية - (نوله ما تولى): أي: نجعل له أحكام الولاية التي اختارها لنفسه، فله كل أحكام أهلها. وهو بهذا - (مِنْ بَعْدِ مَا تَبَيَّنَ لَهُ الْهُدَى) - كافر حربي مشاقيق لله ورسوله، و(مَنْ يُشَاقِقِ الرَّسُولَ، مِنْ بَعْدِ مَا تَبَيَّنَ لَهُ الْهُدَى): (نُصِّلِهِ جَهَنَّمَ وَسَاءَتْ مَصِيرًا).

Therefore, the meaning of the verse in summarised form is as follows: The one who” follows other than the path or way of the believers” by giving up the Islamic subject status and holding a disbelieving warring subject status: “We shall keep him in the path he has chosen”: i.e., We will apply to him the rulings of the Wilayah (guardianship) that he has chosen for himself and as such all the rulings of its people apply to him. And by this he is: “after guidance has become clear to him” a Kafir Harbi (disbeliever in the state of war) in opposition to Allah and His Messenger. And: “whoever opposes the Messenger after guidance has become clear to him”: “We will burn him in Hell, and evil it is as a destination”.

والحق أن هذه الأحكام، أو معظمها، قد تم النص عليها فيما سبق من نفس السورة، سورة النساء، حيث قال، جل ثناؤه، وتقدست أسماؤه: (فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَةٍ وَاللَّهُ أَرْكَسَهُمْ بِمَا كَسَبُوا أَتُرِيدُونَ أَنْ تَهْدُوا مَنْ أَضَلَّ اللَّهُ وَمَنْ يُضِلِّ اللَّهُ فَمَا لَهُ سَبِيلًا) (88) وَدُّوا لَوْ تَكْفُرُونَ كَمَا كَفَرُوا فَتَكُونُونَ سَوَاءً فَلَا تَتَّخِذُوا مِنْهُمْ أَوْلِيَاءَ حَتَّى يُهَاجِرُوا فِي سَبِيلِ اللَّهِ فَإِنْ تَوَلَّوْا فَحُذَوْهُمْ وَاقْتُلُوهُمْ حَيْثُ وَجَدْتُمُوهُمْ وَلَا تَتَّخِذُوا مِنْهُمْ وَلِيًّا وَلَا نَصِيرًا (89) إِلَّا الَّذِينَ يَصِلُونَ إِلَى قَوْمٍ بَيْنَكُمْ وَبَيْنَهُمْ مِيثَاقٌ أَوْ جَاءُوكُمْ حَصِرَتْ صُدُورُهُمْ أَنْ يَقَاتِلُوكُمْ أَوْ يَفَاتِلُوكُمْ وَلَوْ شَاءَ اللَّهُ لَسَلَّطَهُمْ عَلَيْكُمْ فَلَقَاتِلُوكُمْ فَإِنْ اعْتَزَلُوكُمْ فَلَمْ يَفَاتِلُوكُمْ وَآَلَفُوا إِلَيْكُمْ السَّلَامَ فَمَا جَعَلَ اللَّهُ لَكُمْ عَلَيْهِمْ سَبِيلًا (90) سَتَجِدُونَ آخَرِينَ يُرِيدُونَ أَنْ يَأْمَنُوكُمْ وَيَأْمَنُوا قَوْمَهُمْ كُلٌّ مَا رَدُّوا إِلَى الْفِتْنَةِ أُرْكَسُوا فِيهَا فَإِنْ لَمْ يَعْتَزِلُوكُمْ وَيُلْقُوا إِلَيْكُمْ السَّلَامَ وَيَكْفُوا أَيْدِيَهُمْ فَحُذَوْهُمْ وَاقْتُلُوهُمْ حَيْثُ تَقِفْتُمُوهُمْ وَأُولَئِكَ جَعَلْنَا لَكُمْ عَلَيْهِمْ سُلْطَانًا مُبِينًا (91)، (النساء؛ 4: 88 - 91)؛ كما هو مفصل أعلاه، فليراجع.

The truth is that these rulings or most of them were already stated earlier in the same Surah, Surah An-Nisa', where Allah, Glorified is His Praise, and Sacred are His names:

فَمَا لَكُمْ فِي الْمُنَافِقِينَ فِتْنَةٍ وَاللَّهُ أَرْكَسَهُمْ بِمَا كَسَبُوا أَتُرِيدُونَ أَنْ تَهْدُوا مَنْ أَضَلَّ اللَّهُ وَمَنْ يُضِلِّ اللَّهُ فَمَا لَهُ سَبِيلًا (88) وَدُّوا لَوْ تَكْفُرُونَ كَمَا كَفَرُوا فَتَكُونُونَ سَوَاءً فَلَا تَتَّخِذُوا مِنْهُمْ أَوْلِيَاءَ حَتَّى يُهَاجِرُوا فِي سَبِيلِ اللَّهِ فَإِنْ تَوَلَّوْا فَحُذَوْهُمْ وَاقْتُلُوهُمْ حَيْثُ وَجَدْتُمُوهُمْ وَلَا تَتَّخِذُوا مِنْهُمْ وَلِيًّا وَلَا نَصِيرًا (89) إِلَّا الَّذِينَ يَصِلُونَ إِلَى قَوْمٍ بَيْنَكُمْ وَبَيْنَهُمْ مِيثَاقٌ أَوْ جَاءُوكُمْ حَصِرَتْ صُدُورُهُمْ أَنْ يَقَاتِلُوكُمْ أَوْ يَفَاتِلُوكُمْ وَلَوْ شَاءَ اللَّهُ لَسَلَّطَهُمْ عَلَيْكُمْ فَلَقَاتِلُوكُمْ فَإِنْ اعْتَزَلُوكُمْ فَلَمْ يَفَاتِلُوكُمْ وَآَلَفُوا إِلَيْكُمْ السَّلَامَ فَمَا جَعَلَ اللَّهُ لَكُمْ عَلَيْهِمْ سَبِيلًا (90) سَتَجِدُونَ آخَرِينَ يُرِيدُونَ أَنْ يَأْمَنُوكُمْ وَيَأْمَنُوا قَوْمَهُمْ كُلٌّ مَا رَدُّوا إِلَى

الْفِتْنَةِ أُرْكِسُوا فِيهَا فَإِنْ لَمْ يَعْزِلُوكُمْ وَيُلْقُوا إِلَيْكُمْ السَّلَامَ وَيَكْفُوا أَيْدِيَهُمْ فَخُذُوهُمْ وَأَقْتُلُوهُمْ حَيْثُ تَقِفْتُمُوهُمْ وَأُولَئِكَ جَعَلْنَا لَكُمْ عَلَيْهِمْ سُلْطَانًا مُبِينًا

What is [the matter] with you [that you are] two groups concerning the hypocrites, while Allah has made them fall back (or return) due to what they earned. Do you wish to guide those whom Allah has sent astray? And he whom Allah sends astray, never will you find for him a way [of guidance]. (88) They wish you would disbelieve as they disbelieved so you would be alike. So, do not take from among them allies until they emigrate for the cause of Allah. But if they turn away, then seize them and kill them wherever you find them and take not from among them any ally or helper. (89) Except for those who take refuge with a people between yourselves and whom is a treaty or those who come to you, their hearts strained at [the prospect of] fighting you or fighting their own people. And if Allah had willed, He could have given them power over you, and they would have fought you. So, if they remove themselves from you and do not fight you and offer you peace, then Allah has not made for you a cause [for fighting] against them. (90) You will find others who wish to obtain security from you and [to] obtain security from their people. Every time they are returned to [the influence of] disbelief, they fall back into it. So, if they do not withdraw from you or offer you peace or restrain their hands, then seize them and kill them wherever you overtake them. And those, We have made for you against them a clear authorization (An-Nisa': 88-91).

This has been discussed earlier in detail and can be referred back to.

ولكن حسن إعادة ذكر الحكم وتأكيده هاهنا دفعا لأي شبهة قد تنقح في بعض الأذهان الكليلة أن الفرار من الحدود المؤلمة، أو الفضيحة المخزية، قد يكون عذراً للإبقاء إلى الشرك: كلا: فليس هذا - على شدته - عذراً، تماماً كما أن شظف العيش في المدينة، ووخيم وبائها، أو الحنين إلى الأقارب والأوطان، أو خشية الدوائر ما كان قط عذراً للنفاق بشتى صنوفه، ومن أقبحها: الانخلاع من التبعية الإسلامية، وحمل التبعية الكفرية الحربية!

However, returning to mention the ruling here and reemphasising it acts as a deterrent for any doubt which could impair some of the feeble minds which may think that fleeing from the painful prescribed punishments (Hudood) or from the disgracing exposure, is a legitimate excuse to escape to Shirk (polytheism). Of course, this is not the case. Despite its severity this is not an excuse, just as the difficulty or discomfort of life in Al-Madinah, the danger of its illnesses, missing ones relatives and original homelands, and the fear of misfortunes are not an excuse for hypocrisy in its various forms, the most heinous of which is: Rescinding or giving up the Islamic Taabi'iyah (subject status) and taking in its place the subject status of a disbelieving state in a state of war (with the Muslims)!

وأما بخصوص الإمامين الشافعي وابن تيمية، فالصحيح أنهما ليسا معذورين أصلاً لأن لفظة: (نوله ما تولى)، ما كان يجوز أن تهمل بالكلية، كما فعلاه كلاهما: فحتى لو كانت الآية سورة مستقلة لما ساغ قولهما: فالآية لا علاقة لها بالإجماع مطلقاً!

As for the two Imams, Ash-Shafi'iy and Ibn Taymiyah, then the correct view is that they are not excused in origin because the worded statement:

نُؤَلِّهِ مَا تَوَلَّى

“We shall keep him in the path he has chosen”

Is not permitted to be completely discarded or ignored as both of them have done. Even if the verse had been an independent Surah, there opinion would have no justification as the verse has no relationship to the issue of Ijma' (consensus) at all!

والمحصلة من هذا المبحث الفرعي، ولما سبق في هذا الباب: أن (الإباق إلى الشرك) بالانخلاع من التبعية الإسلامية، والالتحاق بتبعية كفرية حربية هو من **أعمال الكفر بذاته**. كما أنه يوجب لفاعله أحكام التبعية التي اتخذها: فيصبح حربياً مهدور الدم والمال إن كان محارباً فعلاً أو حكماً، أو مهانداً، أو مسالماً كافاً يده: كل ذلك حسب تابعيته، وموقفه من القتال مباشرة أو اعتزالاً. وليس الخوف من الحدود المؤلمة، أو الفضيحة المخزية، عذراً في (الإباق إلى الشرك).

The conclusion of this branch area of research and in line with what has preceded in this category is: That “Fleeing to Shirk (polytheism) by rescinding or giving up the Islamic Taabi’iyah (subject-status) and joining a disbelieving warring subject status is from the acts of disbelief in itself. In addition, it obliges the rulings associated with the subject-status upon the one who does it: So he becomes a Harbiy (someone in the state of war) whose blood is permissible to shed and his property is permissible to seize. If he was at war actually (Fi’lan) or in ruling (Hukman), or in a state of truce (Muhaadin) or peaceful and refraining his hand: All of that is determined according to his Taabi’iyah (subject status) and his position in relation to the fighting, wherever he is involved or withdrawn. That is whilst the fear of painful prescribed punishments or shameful exposure is not a (legitimate) excuse for “Fleeing to Shirk”.

والحمد لله الذي تتم بنعمته الصالحات؛
والصلاة والسلام والتبريكات التامة الكاملة على نبينا وإمامنا وحبیب قلوبنا وشفیعنا محمد، وعلى
الطیبین الطاهرین من آله، والمخلصین المجاہدین من صحبه.



الإصدار الأول – رواق، مرارا، في لندن، آخرها:
الأربعاء: الثالث والعشرين من ربيع أول 1444 هـ،
الموافق: 19 أكتوبر – تشرين أول 2022 م

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And All Praise belongs to He who perfected the righteous acts by His favour and blessing.
And perfect and complete peace blessings and peace be upon our Prophet, Imam, love of our hearts and
our intercessor Muhammad and upon the pure from his household and the sincere and Mujahideen from
His companions.

The first edition was completed in London and revised several times. The last edition was issued on:
Wednesday, the 23rd of Rabee' ul-Awwal 1444 AH
Corresponding to: The 19th of October 2022.

<https://linktr.ee/Tajdeed>

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