

From the series entitled :
ENJOINING WHAT IS RIGHT AND FORBIDING WHAT IS WRONG
(2)

Ruling By
Man-made Law
Is It Minor or Major Kufr?
Explaining the Words of Ibn Abbas t.

Edited by:
Ibn Umar

Author:
Abu Hamza Al-Masri

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A WORD FROM THE EDITOR

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ
الحمد لله و الصلاة و السلام على رسول الله

In light of the recent struggles in the Muslim world and the continuing struggle to enjoin the good and to forbid the evil, confusion has resulted among Muslims as to the permissibility of doing this great pillar of Islam. In recent years Muslims have been told to remain silent in regards to enjoining the right and forbidding the evil because they could cause more evil than good. Muslims have also been told that those who do attempt to enjoin the right and forbid the wrong, and question the ruler as well are Khawaarij. Both of these issues this book attempts to address in a firm and well thought out manner.

Together with all the evidences, as well as quotes from the great scholars, the reader will find, Insha'allah, the difference between one who is a Khawaarij and one who is attempting to halt oppression in the cause of Allah. After digesting the bulk of this humble work, those who read it hopefully will be able to understand with great clarity why enjoining the right and forbidding the wrong is such a central theme in Islam.

May Allah guide us and make it easy for us to fulfill this great commandment, and guard us against the evil of the transgressors, outward and inward,

If there have been any mistakes in this booklet, they are from ourselves and Shaitan. We ask that you contact us with the corrections and comments that can be added to the second addition of this work, at phone number 0171 354 8374, or 0958 406333 fax: 0181 748 6893 e-mail: editor@supportersofshariah.org

Or write to us: BCM HAMZA LONDON WC1N 3XX Insha`allah.

All the good in this work comes from Allah and may He reward us and those who are sincere. Amin

إبن عمر
Ibn Umar

An Advice from the Author

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ
الحمد لله و الصلاة و السلام على رسول الله
يارب أعن على رضاك

Dear brothers and sisters in Islam, السلام عليكم My advice to you is to be neutral and to remember what Allah has said in the Qur'an when he asked us to observe the truth, that he did not link it to any Sheikh or any person other than the Prophet . Allah said, **“Bring your evidence if you are truthful.”** He never said, “Bring your Sheikhs or anything else if you are truthful.” Unfortunately, we have seen many of the Sheikhs and the knowledge seekers abused by their fellow brothers and sisters, if the kind of truth they are delivering is against the interest of tyrant regimes and the scholars that work full time for them.

They are willing to listen only to a certain type of truth and it must come from a certain type of people! This is classed as a deviation in belief, from Ahl us-Sunna in general and the ways of the Sahaba in particular.

Others, before they even know about the truth, they would like to see your opinion about certain Sheikhs or idols in their hearts. If you criticise or disagree with any of their Sheikhs in a major or minor issue, then they treat you and call you as a deviant. Such action is a bid`a in Islam. It is unanimous by the Sahaba and Ahlus-Sunna walJama`ah that it is Haraam and it could reach Shirk if you evaluate the belief of someone based on his opinion of a person (other than those who mentioned in the Quran and Sunna).

In other words, you are not to come to someone and begin to check their aqeedah by asking things like, “What do you think of Ibn Taymiyyah (RH)? What do you think of Sheikh?” Such things can lead to one of the issues today in our century, shirk in knowledge. This is when the people, they seek knowledge and they learn it, but they evaluate their knowledge and judge other people’s knowledge based on their Sheikh and his knowledge. This is a very dangerous thing to do and live by.

So although we respect the ancient scholars, there is a difference between respect and worship. Allah Y has made it a fact of life for everybody to make mistakes, believers and scholars, so we could in the process learn, integrate the truth and apply it. And if we exaggerate in that, we could easily fall into the verse where Allah SWT says:

(اتخذوا أحيارهم ورهبانهم أرباباً من دون الله ...)

(They take their priests and their rabbis to be their lords beside of Allah...) Q. 9:31

So I advise my brothers to be linked to the truth not to the Sheikh, and to transfer the respect for the scholars to action, and I thank the brothers for editing, distributing and financing such a little work available. We also believe that to save people’s time, we make such researches small and concise to help the people in understanding important issues, that way we can all benefit and work for the truth productively.

As-salaam `Alaikum wa Rahmatullahi wa Barakatuhu.

Your Brother:
Abu Hamza al Masri

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ
الحمد لله والصلاة والسلام على رسول الله.

All praise belongs to Allah Y, we praise Him and seek His help; we ask for His forgiveness and seek His refuge against the evil of our souls and of our deeds. Whoever is guided by HimY, none can misguide him, whereas he whom Allah leads astray can never find any guide. We bear witness that there is no god except Allah, the One and the Only God, Who has no partners, and that Muhammadp (upon whom be peace and blessings of Allah) is His servant and messenger. The best words are Allah's and the best guidance is Mohammed's p (peace be upon him). The worst evil is innovation in religion; every innovation is an error, and every error will end up in the hell-fire.

[يا أيها الذين آمنوا اتقوا الله وقولوا قولاً سديداً~ يصلح لكم أعمالكم ويغفر لكم ذنوبكم ومن يطع الله ورسوله فقد فاز فوزاً عظيماً

“ O ye who believe! Fear Allah, and make your utterance straightforward.

That He may make your conduct whole and sound and forgive you your sins: He that obeys Allah and His Messenger has already attained the great victory “

(Al-Ahzab Ayat 70 & 71)

[يا أيها الذين آمنوا اتقوا الله وكونوا مع الصادقين ~ ما كان لأهل المدينة ومن حولهم من الأعراب أن يتخلفوا عن رسول الله ولا يرغبوا بأنفسهم عن نفسه ذلك بأنهم لا يصيبهم ظمأ ولا نصب ولا مخمصة في سبيل الله ولا يطنون موطئاً يغيظ الكفار ولا ينالون من عدو نيلاً إلا كتب لهم به عمل صالح إن الله لا يضيع أجر المحسنين]

“O ye who believe! Fear Allah and be with those who are truthful. It was not fitting for the people of Madinah and the Bedouin Arabs of the neighbourhood, to stay behind Allah's Messenger, nor to prefer their own lives to his: because nothing could they suffer or do, but was reckoned to their credit as a deed of righteousness,- whether they suffered thirst, or fatigue, or hunger, in the Cause of Allah, or trod paths to raise the ire of the Unbelievers, or gain any gain from an enemy: For Allah suffereth not the reward to be lost of those who do good.”

(At-Taubah Ayat 119 & 120)

ANSWERING THE WORD OF IBN ABBAS'S KUFR^{1[1]} DUNA KUFR^{2[2]}

This is not just a research about Haakimiyya^{3[3]}, but this is only to be added to our research about Haakimiyya. And if you would like anymore about the topic of Tawhid al-Haakimiyya, please see our book *Allah's Governance on Earth*, in which this topic is a part of it.

This is also not a paper to defend the Mujahideen, the victorious party that are trying to implement the Shari`a, or to distinguish between the Khawaarij and the Mujahideen. For this information, please refer to the book, *The Khawaarij and Jihad*.

This is only a simple manifestation to show the sincere brothers and sisters how evidence can be twisted and taken out of context, then used against Ahl us-Sunna walJama`ah, as Allah SWT says, they veil the truth with falsehood.

The main reason for writing this is that nowadays the word of Ibn Abbas τ is being used by evil and ignorant people to dismantle the Shari`a, and help to replace it with man-made laws. Meanwhile those who are objecting about this evil are being called Khawarij and disobedient to the rulers.

However, It is wrong to deny the word of Ibn `Abbasτ, as many sincere brothers are trying to do, by pushing the word of Ibn `Abbas out of the way or to try to challenge its authenticity. Truly, its words are authentic, but it is only being used out of context. The way of Ahl us-Sunna walJama`ah is to welcome any evidence and to put together to integrate the truth.

We hope that in this small research, the words of Ibn `Abbas are put in their proper context and that those who read it and use it will give it to others to benefit Muslims sincerely seeking the truth. May Allah SWT help those who are defending the words of Ibn `Abbas and striving to preserve the correct understanding of the statement of Ibn `Abbas and may Allah SWT guide those who have been led astray by the evil twisters of these words, who seek to replace the Shari`a with the laws of men.

^{1[1]} Kufr means disbelieve in God. Kufr could be major or minor and it has many forms.

^{2[2]} This verse “Kufr Duna Kufr” was said by Ibn Abbas τ. It describes an action happened in his time as an act of disbelieve but not enough to be the major disbelieve or apostasy from Islam.

^{3[3]} Believing that Allah SWT is the supreme Ruler and applying His rules and His legislation strictly.

THE LITERAL MEANING OF THE WORD OF IBN `ABBAS AND WHEN IT WAS SAID

The issue put before us is, ‘What exactly is the word of Ibn `Abbas?’ To understand this, we need to understand the time that it was said in. The era was when the dispute between Mu`awiya and `Ali ibn Abi Taalib had arisen and dissenters from `Ali’s camp had classified `Ali, his representative Abu Musa al Ash`ari, Mu`awiya and Mu`awiya’s representative `Amr ibn ul `As as kuffar. The evidence quoted by the dissenters, later to be known as the Khawaarij, was that in Surat ulMa`ida, ayah 44, in which Allah SWT says,

و من لم يحكم بما أنزل الله فأولئك هم الكافرون

“And whoever does not judge by what Allah revealed, then they are Kafirun.”

Because of this, the four above-mentioned sahaba were classed as kuffar because the Khawaarij believed that the Shari`a had not been applied, thus those who failed to apply it were kuffar. In response to this and in defense of `Ali ibn Abi Taalib, Ibn `Abbas made the statement that what occurred was *kufir duna kufir*^{4[4]} and that the four members mentioned were indeed still Muslim, and that the Khawaarij’s understanding of the verse was not correct. Ibn `Abbas could not have known that from this simple statement, that the evil tyrants and their supporters would use this as an excuse to hinder those who are attempting to enjoin the right and forbid the evil by removing the helpers of the Shaitan and demolishing their thrones **indefinitely**. This misunderstanding of the statement of Ibn `Abbas will be corrected and its context will be put forward and made manifest for those who have been confused, disoriented and completely led away from the work of striving in the path of Allah against the wicked in this era. From this we now proceed to the evidence of our short treatise.

^{4[4]} A lesser form of kufir that does not render the committer of that sin a kafir.

THE DIFFERENCE BETWEEN HUKM SHAR`II, FATWA AND JUDGEMENT

الفارق بين الحكم الشرعي والفتوى والقضاء

In delicate situations such as these, we must be sure about what we are talking about. To clarify any situation, we must know what is Hukm Shar`ii, fatwa and judgement. Only after comprehending these can we put the matter in front of us in perspective.

Our first matter to be explained is Hukm Shar`ii. Hukm Shar`ii is what Allah SWT said about a certain situation that was given judgement on in His Shari`a. With regard to the fatwa, it is applying the rule of Allah SWT about a certain situation for a particular incident which matches the context of that rule. For instance, we can not use the rule that fluids, which are toxic, are Haraam when we talk about water, vinegar or things like this because these are Halaal substances. The fatwa is only correct if the Hukm Shar`ii is correct and the reality is correct.

The judgement goes a bit further than this. The judgement is making sure the Hukm Shar`ii is correct, the reality that surrounds it is sound and correct and that the judgement actually happened and took place.

It then becomes compulsory to act it (the judgement) out. This is what the work of a judge is. Once he is sure that the Hukm Shar`ii is correct and the reality around it is correct, he endorses the reality and makes sure the judgement takes place. The fatwa goes one step ahead of Hukm Shar`ii and the judgement goes one step ahead of the fatwa, which is application.

The reason for the introduction to the words of the Sahabi Ibn `Abbas, is that Ibn `Abbas τ had the words of the Qur'an memorised. He then had the reality around him, and he used his senses to issue his famous words '*a kufr of a lesser kufr,*' which is unfortunately used and abused out of its context in a totally different environment, situation and a different purpose as well.

To focus more on the word '*kufr of a lesser kufr,*' we have to understand the actual word that was said and narrated by different scholars of tafsir and hadith. It was actually said, "*It is actually not the kufr, which you think it is.*" And from this it shows that this word was said in the context of a conversation. That conversation took place between him and the Khawaarij of his time.

So his verdict was given according to what they had in mind. This is specifically for them and their time. We can understand from this verse that he still called it a kufr and he did not change the word, make it allowable, or say it was okay, but he still called it a kufr. He also took in mind the reality of the time, and what was happening with regard to the leaders of his time.

So he was answering the doubts of these people according to their situation, i.e. he used the Hukm Shar`ii ("and who ever does not rule by what Allah sent down, then they are Kafiru"), but the reality did not match that kind of kufr.

Now focusing more on the reality of his time, we must also keep in mind the following:

1. That the leader these people are calling kafir is granted paradise by the Prophet ρ i.e. `Ali τ.
2. Mu`awiya τ, who was given important jobs by the khalifas and was writing down the revelation of the Qur'an from the Prophet ρ..
3. Both parties had enmity amongst themselves and at the same time they have more knowledge than the ignorant people of their time, the Khawaarij, they didn't even call one another with that title.
4. That the shari`a was 100% intact and applied.

SO, if any rule by other than Allah Y took place, it is down to the individual that did it, out of his ignorance or corruption, which is what matters most. So these are the realities that are behind the words of Ibn `Abbas τ, that it was a fatwa for his time. Now, Ibn Abbas τ himself made another statement in a general situation with regard to those not ruling by Allah’s law. The statement is as follows,

عن حسن ابن أبي الربيع الجرجاني قال أخبرنا عبد الرزاق عن معمر عن ابن طاووس عن أبيه قال سئل ابن عباس عن قوله تعالى و من [5]حدثنا
لم يحكم بما أنزل الله فأولئك هم
الكافرون قال : كفى به كفره

It is narrated from Hasan ibn Abi ar-Rabi`a alJurjaani^{6[6]} saying, “We heard it from `Abdur-Razzaaq from Mu`ammar from Ibn Tawus from his father who said, ‘Ibn `Abbas was asked regarding the statement of Allah, ‘Whoever does not rule by what Allah has sent down, then they are Kafirun.’^{7[7]} He (Ibn `Abbas) said, ‘It is enough kufr.’”^{8[8]}

When Ibn `Abbas τ made the statement that ‘it is enough kufr,’ this cannot be taken to mean a small kufr. When he says enough, it can only be taken as a big kufr. The reason why this is such an important issue goes directly to the rules of Tafsir on Qur’anic ayat. It is composed of six points that are to be elaborated on below,

1. Ahl us-Sunna walJama`ah, all the schools of thought and the fuqaha’a (the Islamic jurists) have consensus (ijma`) that the saying of one sahabi or some sahaba is not sufficient enough to eliminate a general verse from the Qur’an. This rule is called (la yaslaah mukhasis lilqur’an لا يصلح مخصصا للقرآن), meaning that an ayah that is general in the Qur’an can not be made specific by a Sahabi unless an ijma`a, an opposing ayah from the Qur’an, a hadith or any other evidence exists.

This rule does not mean that Ibn `Abbas’s ruling, kufr duna kufr, was wrong regarding the case and the fatwa of the time. No, this is not the case. But it means he and the Sahaaba understood this (the fatwa) from the reality of the time, which did not contradict the Qur’an or the Sunna.

2. For the protection of the Qur’an, we should take into account the ijma`a of Ahl us-Sunna walJama`ah on the methodology regarding Tafsir. The rule is that the explanation of the ayat of the Qur’an must be from its outward meaning, unless there is other evidence that we can use apparent meanings. This happened in very rare instances. Scholars of Tafsir have said, “***If this rule is not preserved, then the door for bid`a is wide open for the people of Baatin^{9[9]} to take the meanings of the Qur’an from its apparent meanings and give totally different presentation than what Ahl us-Sunnah agreed upon.***”

It is also important to understand that we should not play with the words or apparent meanings of words in the ayat. If there is another meaning, there must be independent evidence to substantiate it. For example, Ibn `Abbas τ understood that verse 44 of Surat ulMa`ida meant the kind of kufr which he called a kufr, but he did not change the word kufr. But he knew that there is other hadith from the Prophet ρ which said,

^{5[5]} The narrator is Muhammad ibn Khalaf ibn Hayyan, known as Waki`a, the author of the work, Akhbar ulQadaa. Ibn Hajar al`Asqalani, AlKhatibi and Ibn Kathir have said of Waki`a, “He is trustworthy.”

^{6[6]} His name is Ibn Yahya ibn Ja`j. He is also trustworthy and truthful. The rest of the narration is all trustworthy and of the highest narration.

^{7[7]} Surat ulMa`ida, ayah 44

^{8[8]} Akhbar ulQadaa, V. 1 pages 40-45 by Imaam Waki`a

^{9[9]} The Baatini people are those who say that the outward meaning of the verses in the Qur’an are not obvious, but there is a more secret, hidden meaning. Those who do this are the Sufiyya, the Shi`a and the Baatiniyya.

حَدَّثَنَا مُحَمَّدُ بْنُ إِسْمَاعِيلَ حَدَّثَنِي الْحَسَنُ بْنُ بِشْرِ حَدَّثَنَا شَرِيكَ عَنْ الْأَعْمَشِ عَنْ سَعْدِ بْنِ عُبَيْدَةَ عَنْ ابْنِ بُرَيْدَةَ عَنْ أَبِيهِ أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ الْفُضَاءُ ثَلَاثَةٌ قَاضِيَانِ فِي النَّارِ وَقَاضٍ فِي الْجَنَّةِ رَجُلٌ قَضَى بِغَيْرِ الْحَقِّ فَعَلِمَ ذَلِكَ فَدَاكَ فِي النَّارِ وَقَاضٍ لَا يَعْلَمُ فَأَهْلَكَ حُفُوقَ النَّاسِ فَهُوَ فِي النَّارِ وَقَاضٍ قَضَى بِالْحَقِّ فَذَلِكَ فِي الْجَنَّةِ

“There are three kinds of judges, two are in the fire and one in Jannah: The one in Jannah is the one who knew the truth and he judged by it. The one who judged amongst people in his ignorancy then he is in the fire, and the man who knew the truth, but he deviated from his judgement, then he is in the fire”^{10|10|}

That was independent evidence to keep Ibn `Abbas τ from making takfir on participants from both `Ali and Mu`awiya’s camp. This is so because the hadith of the judges applied more to that time than the ayah being used by the Khawaarij. We can then see that the Khawaarij had an objection to certain people, whereas the Mujahideen are against those replacing the Shari`a with man made laws.

3. The ayah Ibn `Abbas spoke about is not talking about people replacing the Shari`a as Kuffar, but it is actually speaking about those who just fail to use the revelation for judgement or ruling, which is a major kufr, but less of a kufr than those who change or modify any of the Shari`a.

4. Another point is that Ibn `Abbas τ differed with the Sahaba in many issues, such as, at first he didn’t think Nikah alMut`a (temporary marriage for enjoyment) was Haraam, but considered it Halaal until `Ali ibn Abi Talib τ said to him, “*You are a lost man.*” Ibn Zubair τ also gave him words, “*If you keep saying it is halal, I will stone you to death.*” Ibn `Abbas τ was also known to have given the ruling that Riba an-Nasi’a (interest collected over a period of time) was Halaal, but simultaneous Riba is Haraam altogether. He also once gave a ruling that the `Eid sacrifice was wajib (compulsory), when most of the Sahaba ruled that it is recommended. Then if any person looks, they can see Ibn `Abbas differed with Sahaba in many other issues. Why don’t the blind followers of the issue of kufr duna kufr also blind follow his other specified rulings?

5. The Ancient Mufasssirin (scholars of Tafsir) such as Ibn Kathir, Ibn Taymiyyah and Ibn Qayyim al Jawziyya (RHM) as well as the modern scholars of tafsir, such as Ahmad Shaakir, Muhammad ibn Ibrahim and Muhammad Shaakir (RHM) narrated the saying of Ibn `Abbas τ, and they knew the context and reality of his time.

Why did they then differ from him in this issue and call some rulers of their time Kuffar because of replacing the Shari`a?

These scholars would not narrate Ibn `Abbas’s opinion and then differ unless they knew the statement and context. So why were those scholars not called Khawaarij but Mujahideen?

Ibn `Abbas τ, when he differed with some Sahaba with regard to the sacrifice of the lamb, he quoted ayat from the Qur’an and statements from the Prophet ρ. The other Sahaba ψ said, “*Abu Bakr and `Umar never said it or called it wajib (compulsory).*” He then said his famous statement, “***I told you Allah SWT and the Messenger r said, but you are saying Abu Bakr and `Umar said. Aren’t you afraid that the heavens will drop on your head.***”

Would he (Ibn `Abbas τ) then be happy now, to accept his name being used against decisive ayat in the Qur’an?

6. We should also try to understand Ibn `Abbas’s other statement, “***It is not like the kufr in Allah or the Angels.***” But this version of his means that it can be a major kufr, but not directly in Allah SWT and His angels, because associating with Allah Y makes one a kafir but their kufr is less than those who deny Allah SWT or His angels altogether.

It could still be taken as a major kufr if it touches the right of Allah Y, such as legislation, loyalty or love. If it touches the right of people however, it is minor.

In conclusion, the words of Ibn `Abbas τ can not be used for the tyrants who replace the Shari`a. For them, the **verse of the sword** should be used, as Allah says,

^{10|10|} Narrated by: The four and Al Hakim, on the authority of Ibn Umar τ

فإذا انسلخ الأشهر الحرم فاقتلوا المشركين حيث وجدتموهم وخذوهم و أحصروهم و أقعدوا لهم كل مرصد فان تابوا وأقاموا الصلوة و أتوا
الركوة فخلوا سبيلهم

“...Kill the Mushriks wherever you find them, take hold of them, encircle them and lie in wait to ambush them on each and every path. Then if they repent, establish prayers and give zakah, then leave their way free.”^{11[11]}

And also the verse narrated in Imam Ahmad Musnad, on the authority of Jabar Ibn Abdullah τ,
أمرنا رسول الله ﷺ أن نضرب بهذا (وأشار إلى السيف) من خرج عن هذا (وأشار إلى المصحف)

“Rasullullah ﷺ ordered us to hit with this (and he pointed to his sword) whoever goes out of that” (and he pointed to the Qur’an)^{12[12]}

That means exactly what Ahl us-Sunna walJama`ah have said in regards to those ruling by other than what Allah sent down, changing the Shari`a or legislate something, this is the big kufr (kufr alAkbar). If they fail to apply it **SOME** instances, that could be taken as a kufr of a lesser kufr (kufr al Asghar).

This is because the way of Ahl us-Sunna walJama`ah is to use all the verses available before judgement, while the bid`ii people only use the verses that suit them. **Supporting this fact, no one will ever find a statement from Ibn `Abbas or anybody with regard to legislation (tashrii`) saying it is ‘a shirk of a lesser shirk’**, as Allah Y said in the Qur’an,

أم لهم شركاء شرعوا لهم من الدين ما لم يأذن به الله ولو لا كلمة الفصل لقضى بينهم وإن الظالمين لهم عذاب اليم

“Or do they have partners for them legislating a religion that Allah did not give permission for. Had it not been for the word of decision and decree, the matter between them would have been judged. And truly for the oppressors is a torturous punishment.”^{13[13]}

We are very surprised that those calling themselves “Salafis,” who use the word ‘kufr duna kufr’ from Ibn `Abbas τ, that they don’t use the other saying condemning ruling by other than what Allah SWT sent down.

7 To endorse what Ibn `Abbas τ has said as well, Ibn Mas`ud τ has said, mentioned in the tafsir of Ibn Kathir regarding this ayah, when he was asked what is reshwa (a bribe), he said, “It is is a suht (ill-gotten wealth).” They then said, “No, we mean in judgement and ruling.” He said,

”ذاك الكفر”

“This is the very kufr.”^{14[14]}

This is in Tafsir Ibn Kathir as well as in Akhbar alQadaa. **Why didn’t Ibn Kathir (RH) comment about this ayah and he only left the comments of the Sahaba and those other than himself?** The reality which people don’t focus on is that Ibn Kathir (RH) is a knowledgeable faqih and most important was the reality of their existing time, then they put their conclusion^{15[15]}.

^{11[11]} Surat ut-Tawba, ayah 5

^{12[12]} Also Imam Ibn Taymiyyah narrated the same hadith in his book Majmore Al-Fatawa Volume 35

^{13[13]} Surat ush-Shura, ayah 21

^{14[14]} See Tafsir Ibn Kathir Surah Al-Ma`ida 44. Also Akbar Alqadah vol. 1 pages 40-45.

^{15[15]} There are tens of quotations from big scholars regarding the Kufr and apostasy of those who fail to rule by the Shari`a. We did not include them as this topic is only discussing the word of IBN ABBAS τ. However, all these quotations are in the tapes ‘Allah Governance On Earth’ which is currently being edited.

This is exactly what Imam Ibn Kathir (RH) has done. The Imam doesn't just start from Surah Ma'ida, ayat 44, 45 and 47, but he begins the subject of ruling and judgements start from ayah number 40 and finishing on ayah number 50. Those ten ayat are as follows,

ألم تعلم أن الله له ملك السماوات والأرض يعذب من يشاء ويغفر من يشاء والله على كل شيء قدير

“Know you not that to Allah (alone) belongs the dominion of the heavens and the earth? He punishes whom He wills and He forgives whom He wills; and Allah hath power over all things.”

يا أيها الرسول لا يحزنك الذين يسارعون في الكفر من الذين قالوا آمنا بأفواههم ولم تؤمن قلوبهم ومن الذين هادوا سماعون للكذب سماعون لقوم آخرين لم يأتوك يحرفون الكلم من بعد مواضعه يقولون إن أوتيتم هذا فخذوه وإن لم تؤتوه فاحذروا ومن يرد الله فتنته فلن تملك له من الله شيئا أولئك الذين لم يرد الله أن يطهر قلوبهم لهم في الدنيا خزي ولهم في الآخرة عذاب عظيم

“O Messenger! Let not those grieve you who race each other into unbelief; (whether it be) among those who say, ‘We believe’ with their lips but whose hearts have no faith; or it be among the Jews men who will listen to any lie and will listen even to others who have never so much as come to you. They change the words from their (right) times and places; they say, ‘If you are given this take it, but if not beware.’ If Allah intends anyone’s trial, you have no authority in the least for him against Allah. For such it is not Allah’s will to purify their hearts. For them there is disgrace in this world and in the Hereafter a heavy punishment.”

سماعون للكذب أكالون للسحت فإن جاءوك فاحكم بينهم أو أعرض عنهم وإن تعرض عنهم فلن يضربوك شيئا وإن حكمت فاحكم بينهم بالقسط إن الله يحب المقسطين

“(They are fond of) listening to falsehood of devouring anything forbidden. If they do come to you either judge between them or decline to interfere. If you decline they cannot hurt thee in the least. If you judge, then judge in equity between them; for Allah loves those who judge in equity.”

و كيف يحكمونك و عندهم التوراة فيها حكم الله ثم يتولون من بعد ذلك و ما أولئك بالمؤمنين

“How is it they come to you for decision when they have the Torah before them? Therein is the (plain) command of Allah; yet even after that they would turn away. For they are not people of faith.”

إننا أنزلنا التوراة فيها هدى و نور يحكم بها النبيون الذين اسلموا للذين هادوا و الريبانيون و الأحبار بما استحفظوا من كتاب الله و كانوا عليه شهداء فلا تحشوا الناس و اخشون و لا تشتروا بآياتي ثمنا قليلا و من لم يحكم بما أنزل الله فأولئك هم الكافرون

“It was We who revealed the Torah; therein was guidance and light. By its standard have been judged the Jews by the Prophet who were in submission by the Rabbis and the doctors of Law. For to them was entrusted the protection of Allah’s Book and they were witnesses thereto. Therefore fear not men but fear Me, and sell not My Signs for a miserable price. If any do fail to judge by what Allah hath revealed they are unbelievers.”

و كتبنا عليهم فيها أن النفس بالنفس و العين بالعين و الأنف بالأنف و الأذن بالأذن و السن بالسن و الجروح قصاص فمن تصدق به فهو كفارة له و من لم يحكم بما أنزل الله فأولئك هم الظالمون

“We ordained therein for them, ‘Life for life eye for eye nose for nose ear for ear tooth for tooth and wounds equal for equal.’ But if anyone remits the retaliation by way of charity it is an act of atonement for himself. And if any fail to judge by what Allah hath revealed they are oppressors.”

وقفينا على آثارهم بعيسى ابن مريم مصدقا لما بين يديه من التوراة و أتيناها الإنجيل فيه هدى و نور و مصدقا لما بين يديه من التوراة و هدى و موعظة للمتقين

“And in their footsteps We sent Jesus the son of Mary confirming the law that had come before him. We sent him the Gospel; therein was guidance and light and confirmation of the law that had come before him, a guidance and an admonition to those who fear Allah.”

و ليحكم أهل الإنجيل بما أنزل الله فيه ومن لم يحكم بما أنزل الله فأولئك هم الفاسقون

“Let the people of the Gospel Judge by what Allah hath revealed therein. If any do fail to judge by what Allah hath revealed they are rebellious sinners.”

و أنزلنا إليكم الكتاب بالحق مصدقا لما بين يديه من الكتاب و مهيمنا عليه فاحكم بينهم بما أنزل الله و لا تتبع أهواءهم عما جاءك من الحق لكل جعلنا منكم شرعة و منهاجا و لو شاء الله لجعلكم أمة واحدة و لكن ليبلوكم في ما أتاكم فاستبقوا الخيرات إلى الله مرجعكم جميعا فينبئكم بما كنتم فيه تختلفون

“To you We sent the Book in truth confirming the Book that came before it and guarding it in safety; so judge between them by what Allah has revealed and follow not their vain desires diverging from the truth that has come to you. To each among you have We prescribed a Law and an Open Way. If Allah had so willed He would have made you a single people but (His plan is) to test you in what He has given you, so strive as in a race in all virtues. The goal of you all is to Allah; it is He that will show you the truth of the matters in which you dispute.”

وأن احكم بينهم بما أنزل الله و لا تتبع أهوائهم و أحذرهم أن يفتنوك عن بعض ما أنزل الله إليك فإن تولوا فاعلم أنما يريد الله أن يصيبهم ببعض ذنوبهم و إن كثيراً من الناس لفاسقون

“And this (He commands): ‘Judge thou between them by what Allah has revealed and follow not their vain desires but beware of them lest they beguile you from any of that (teaching) which Allah has sent down to you.’ And if they turn away be assured that for some of their crimes it is Allah's purpose to punish them. And truly most men are rebellious.”

أ فحكم الجاهلية ييغون و من أحسن من الله حكماً لقوم يوقنون

“Do they then seek after a judgment of (the Days of) Ignorance? But who for a people whose faith is assured can give better judgment than Allah?”

Only then does Ibn Kathir (RH) insert his opinion according to the reality of his time, which was the existence of the Mongols, who are ruling by the book of Genghis Khan. These circumstances are occurring in our time now. And what he, as well as Ahmad Shaakir (RH) has said is well known. Usually the faqih, before he reaches his verdict and gives his ruling on a matter, he puts all the relevant ayat and hadith regarding the ayah. Next come the statements and rulings of the Sahaba ψ, then the opinion of other scholars as well. Finally, at the end of the subject he gives his verdict after all the evidence has been presented.

Ibn Kathir’s ruling is most serious indeed. We are able to appreciate its importance in every single facet. Let us read the words of the great Sheikh,

“And as for the royal policies, which the Tartars were ruled by, which were taken from their king, Genghis Khan, who laid down for them Al Yaasiq, which is a book made up of laws which he took from different shari`as. It is from Judaism, Christianity, the Islamic religion and others. Also it contains many laws which he took from his sheer thinking and desire. Thus, it became within his sons a followed law to which they have been giving precedence over ruling by the Book of Allah and the Sunnah of His Messenger r. Whoever

does this is a kafir who must be fought until he returns to the rule of Allah and His Messenger. So no one other than He should neither rule in few nor many matters."^{16[16]}

Also add what Ibn Kathir said in his book *alBidaaya wan-Nihaaya*,

"Thus whoever left the wise Shari`a sent upon Muhammad ibn `Abdullah, the Seal of the Prophets and makes judgements to other than it from the abrogated shari`as has become a kafir. So how is it for the one who makes judgment to al Yaasiq and makes it superior over it (the Islamic Shari`a)? Whoever did that, then he has already become a kafir by consensus (ijma`) of the Muslims."^{17[17]}

In this section, of great utility are the words of the Imam of the Scholars of hadith in this and the last century, al `Allamah Sheikh Ahmad Muhammad Shaakir (RH). The great Qadi of Egypt had this to say,

"Is it then lawful with this in the Shari`a of Allah that he judge the Muslims in their lands by the legislation of pagan, atheistic Europe? On the contrary, the legislation comes from false and fabricated opinions. They change it and replace it according to their whims.

No, its inventor is unconcerned or remote from the Shari`a or its violation. The Muslims have not been tested by this, as far as we know of in their time, except in that time, the time of the Tartars. And it was a wicked time, a period of great oppression and darkness.

Thus in these clearly invented laws, as clear as the sun, it is clear kufr, no doubt about it. There is no persuasion and there is no excuse for any one who is affiliated to Islam, being whoever it may, in acting on it, submission to it or establishing it."^{18[18]}

Of use in this place as well is the words of Al `Allamah Muhammad ibn Ibrahim (RH), the paternal cousin of Muhammad ibn `Abdul Wahhab (RH) and previous Mufti of the Arabian Peninsula. He had this to say of the replacement of the Shari`a,

"As far as the saying, kufr duna kufr, it is when the judge makes judgement to other than Allah with firm conviction that it is disobedience. He believes that the judgement of Allah is the truth, but he left from it in one matter. As far as whoever made laws in succession and makes others submit to it, then it is kufr, even if they said, 'We sinned and the judgement of the Revealed Law is more just.' This is still kufr that removes from the religion."^{19[19]}

The Sheikh expounded on this further in another place, regarding the replacement of the Shari`a,

"And it (the major kufr of replacing the Shari`a) is more enormous, more universal, more distinct and more clear in its stubborn opposition to the Shari`a."^{20[20]} And stubbornness and arrogance to his judgements, being lax to Allah and His Messenger, making resemblance to the Shari`a courts, arranging, setting up, preparing, establishing a foundation, making applications and usage, shaping, forming and organising, of a mixture of various things and themes in the process of modification (of the Shari`a), making judgement, making it compulsory, and making judgements by turning to authorities.

^{16[16]} Tafsir Ibn Kathir, V. 2, page 63-67

^{17[17]} Ibn Kathir's *AlBidaaya wan-Nihaaya*, V. 13, p. 101

^{18[18]} *Hukm ulJaahiliyyah*, page 28-29 also in *Omdah Tafaseer Ayah 50 sura Alma`ida*.

^{19[19]} *Fatawa of Muhammad ibn Ibrahim Aal ash-Sheikh*, V. 12, page 280

^{20[20]} The stubbornness being shown, is to Allah Y, for the Shari`a comes from Him alone. Thus, if one is stubborn to the Shari`a that has been sent by the Lord of the Worlds, then he is in complete rebellion specifically to Allah SWT.

Then just as the Shari`a courts turn to authorities, all of them (the authorities) returning to the Book of Allah and the Sunna of His Messenger (SAW), then what the authorities turn to of it (the false Shari`a) are concocted and trumped up laws from various Shari`as, several different law systems, such as French law, American law, British law and other laws and from different schools of thought, some attributing bid`a and other things to the Shari`a.

Then these courts are now in most of the urban centres of Islam,^{21[21]} prepared, perfect and complete, the doors have been opened and people are swarming to them one after another, their rulers judging between them by what is in direct opposition and contradiction to the judgement of the Sunna and the Book, from the judgements of that law (the false Shari`a) and coercing them to it and establishing it over the Shari`a (the true Shari`a of Allah) and imposing and making it incumbent on them. Then which kufr is over and above (more amplified and clearer) this kufr? And which opposition to the Shahada that Muhammad is the Messenger of Allah is after this opposition and violation.^{22[22] 23[23]}”

8- Not only have the scholars have called the people who are not ruling by Shari`a Kafirs but also their scholars who are supporting their regimes. Allah SWT says,

” إن الذين يكتُمون ما أنزلنا من الكتاب ويشترون به ثمناً قليلاً أولئك ما يأكلون في بطونهم إلا النار ولا يكلمهم الله يوم القيامة ولا يزكّيهم ولهم عذاب أليم ”

“Those who conceal Allah’s revelations in the Book, and purchase for them a miserable profit – they swallow into themselves nothing but fire; Allah will not address them on the Day of Resurrection, nor purify them: and for them there is a painful punishment”^{24[24]}

Sheikhul Islam Ibn Taymiyyah (RH) said

ومتى ترك العالم ما علمه من كتاب الله واتبع الحاكم الذي يحكم بغير ما أنزل الله فهو كافر مرتد يستحق العقوبة في الدنيا والآخرة

“A scholar who abandons what has learnt from the Qur’an and the Sunnah and follows a ruler who does not rule in accordance with the teaching of Allah SWT and His Messenger r is an apostate and a disbeliever who deserves punishment in this world and in the hereafter”^{25[25]}

9- 9- Ibn `Abbas τ died in his eighties. Ibn Abbas τ was in the time of al Hajjaj ibn Yusuf ath-Thaqafi, so we can elaborate on that easily. If Al Hajjaj was in our time now, it would not be wise at all to rebel against him, because that man was a Muslim applying the Shari`a in full. He was waging jihad against the Mushriks and bringing a lot of wealth and benefit to the Ummah, but his biggest sin was to kill people, Muslims and none Muslims, for his own power, not his own fabricated Shari`a. The issue today is the rulers who are killing people for their own fabricated Shari`a.

^{21[21]} This speech was written in 1380 AH (1960 CE), when these courts had first reared their evil heads. But now, in 1420 AH (1999 CE), these courts are in all the Muslim lands.

^{22[22]} Tahkim alQawanin, p. 7

^{23[23]} We need to also understand the urgency that the Sheikh (RH) wrote this message with. This speech, originally from a speech made on television in 1380 AH (1960 CE), was made as a warning of things to come. It has been largely ignored in our era, which is reason why it is so vital to revive its message. The style of Arabic it was written in was of such high quality, that it was indeed hard to translate, as well as the poetic style it has in its original Arabic form. With this, and the wealth of information present in its simple eight pages, it stands not just as a set of Fatawa, but as a wasiyya (a last will and testament) of the Sheikh, as this was his last book before his death in 1389 AH (1969 CE) at the age of 78. Here we are shown the final position of one of the greatest scholars of this era against the onslaught of Taghut systems.

^{24[24]} Surah Al-Baqarah: 174

^{25[25]} Volume 35 page 373 Al-Fatawa, Ibn Taymiyyah

10-10- Ibn Abbas τ gave strong advice to AlHussain not to fight Bani Ummaya from `Iraq. His advice to AlHussain was that if he wanted to rebel against Bani Ummaya, then he should do so from Yemen, not from `Iraq, as narrated in many books of history. Yet he did not tell AlHussain he would be Khawaarij if he went against Bani Ummaya or alHajjaj.

Now another point must be discussed. We discussed before the difference between Fatwa, Hukm Shar`ii and Judgement. **We must distinguish between ruling and judging.**

Ruling is more comprehensive than judging, as judging is only a part of ruling. This is why if a judge is not judging by Allah's Shari`a, then the question for him to be a Muslim or a Kafir goes to the other components of ruling. Ruling is legislating, judging and executing the orders.

If the legislation is still for Allah Y, and the judging by other than the Shari`a is only occasional, then it is a kufr of a lesser kufr. That also goes the same for executing. If the legislation is intact, then the execution of not Shari`a laws is kufr duna kufr. But if the legislation has been changed, then it is big kufr. **Ibn Abbas τ was asked about judging, which was not about ruling,** as this was not in the minds of the Khawaarij at the time.

11-11- Ibn `Abbas τ, in his time, was talking about an incident that was not repeated, but done only once. Yet in our case, we are talking about someone's insistence on judging by other than Allah's Shari`a, making laws to protect the one replacing the Shari`a, and laws to punish those attempting to correct the evil rulers!

This is why the scholars of the time of the Sahaba said it was not an issue, because no one had it in their mind that some one would actually tamper with the Shari`a itself.

12-12- Most of the man made laws are direct nullification for al Wala walBaraa, which is a point of Tawhid. As it is, respect the person who obeys that law and class him as a good, innocent citizen, even if he is an adulterer, kafir, or a drunkard or even a pagan. As long as he does not contradict the man made laws, then he is still a citizen in good standing, which believers enjoining good and evil is classed as a criminal, wrongdoer, fanatics, terrorists and in some cases is executed. So how is it that the word of Ibn Abbas τ can be used to protect such people in principle.

THE KAFIR, ZAALIM OR FAASIQ JUDGE

In light of all this controversy, it is absolutely imperative that we know what type of rulers we are dealing with with regards to judgement. Only then can we render the correct points and act accordingly. The difference that must be now made is between a **kafir**, **zaalim** or **faasiq** judge.

1. The example of a **kafir** judge is a judge that has an adulterer in front of him, with all evidence proven against him. The judge, instead of implementing the consequences of the crime, instead gives him other than the sentence for the crime. But if confronted with an ayat from the Qur'an or an authentic hadith, the judge goes and protects himself with other than the law of Islam. He says of the punishment for the crime of adultery, "For this type of crime, we usually put people in prison or give them a fine." This shows nonobservance of the rights of Allah Y. That is a full blown kafir judge.

2. The **zaalim** (oppressor) judge regarding the same crime or sin of adultery will not deny the Shari`a, nor will he accept to be a judge under other than the shari`a. But he will not give the sentence for some particular people because of his relationship with them, their status in society, or maybe a bribe given to him. The zaalim judge will not deny the Shari`a in that particular case.

3. The **faasiq** (rebellious sinner) judge regarding the same case is that he is ruling according to the Shari`a, but on some occasions, for his own benefit or out of fear, he will play with the evidence to invalidate it, so that he may escape from applying it. For the same crime we are talking about, let us say there are four witnesses against the adulterer. The judge would try to make excuses, perhaps saying that one of them could not see properly, the other one was caught eating in Ramadan, then he prevents the third one from giving his witness. This judge however, will not challenge the legislation of Allah Y. And this situation only happens occasionally.

This is a simple manifestation of these three judges.

What we need to understand is that there is a big fisq as well as a big zulm that can take some one out of Islam completely and render them a kafir. Allah says,

و إذ قلنا للملائكة اسجدوا لآدم فسجدوا إلا إبليس كان من الجن ففسق عن أمر ربه
أفتتخذونه وذريته أولياء من دوني وهم لكم عدو بئس للظالمين بدلاً

"And when we said to the angels, 'Prostrate to Adam,' they all prostrated except Iblis, and he was from the Jinn. Then he was rebellious to the order of his Lord. Is it then that you take him and his progeny as friends and protectors beside Me and they are to you an enemy. Then the exchange is for the Zaalimin (oppressors)."^{26[26]}

The **fisq** (rebellious sin) that Shaitan did in this ayah was clearly the **fisq** that takes one out of the religion. Thus, Iblis from this ayah, had become a kafir for refusing to obey the order of Allah Y..

And Allah SWT further says,

يا بني لا تتشرك بالله إن الشرك لظلم عظيم

"O my little son! Do not associate anything with Allah. Truly, SHIRK is an immense oppression (zulm)."^{27[27]}

It is again shown in this ayah that SHIRK is a major **zulm** (oppression). Thus this is the type of **zulm** that can take one out of the religion.

^{26[26]} Surat ulKahf, ayah 50

^{27[27]} Surah Luqman, ayah 13

When can a Believer disobey the Khalifah

It is not the way of Ahlu Sunnah wal Jammah to disobey or go against the Khalifah unless it is an absolute necessary. There are also many hadith, which says, do not disobey the Khalifah, even if he flays you and confiscates your property

"... قَالَ إِنْ كَانَ لِلَّهِ خَلِيفَةٌ فِي الْأَرْضِ فَضْرَبَ ظَهْرَكَ وَأَخَذَ مَالَكَ فَأَطِعْهُ وَإِلَّا فَمُتْ وَأَنْتَ عَاضٌ بِجِدْلِ شَجَرَةٍ ..."

“If there was a Khalifah on earth, even if he flays you and confiscate your property then obey him even if you have to die biting the root of a tree.”^{28[28]}

However, these hadiths must be seen in context. For instance this hadith is only in reference to you being flayed, not the religion. And if they confiscate your property, not the property of the Muslims. Do not revolt against the Khalifah for your own private matters, but for the matters of Halal or Haram.

If the Khalifah oppresses you personally or a tribe of you, then do not go against him, but be patient. But if the rights of Allah SWT are violated, then you are to fight the apostate Khalifah, if he is one.

Even if you have no power, you are to stand against him, as Allah SWT praised the people of the trench, even though they had no power. And they all stood until they were killed. And this hadith is in Sahih Muslim. This hadith should not be used out of context to let go the right of Allah SWT or what he entrusted us with, i.e. the Shari`a. Yet we see people doing the opposite with regards to Allah’s religion.

These are the people who are flashing the hadith in our faces these days! And **by the way where is the Khalifah?!!**

We also need to elaborate on how many Imams of Ahl us-Sunna walJama`ah have rebelled against tyrant ruler and no one ever called them Khawaarij. It was also not known that these rulers were kuffar either. We will now present you with examples of those Imams who went out against the rulers and in some cases fought against them,

1- An-Nafs az-Zakiyya, whose name was Muhammad ibn Abdullah ibn Hassan ibn Hassan ibn Ali ibn Ali Taalib, died in 145 AH. He went out of the Abbasid Khalifate, but Khalifa alMansur had him killed. Imaam Maalik said his Bai`a was correct.

2- Mu`awiya ibn Abu Sufyan, 6 months and two days after Hasan ibn `Ali was given bai`a as the khalifa, came out against him in dispute. This was due to the unresolved bloodshed that had resulted in the death of Mu`awiya’s cousin, the third khalifa of Islam, `Uthman ibn `Affan.

3- Perhaps the most famous example in Islamic history above all, is that of alHussain, who went out of Yazid ibn Mu`awiya and was killed in the battle of Karbala. No one once said Hussain was Khawaarij.

4- Abdullah ibn Az-Zubair, the son of Az-Zubair ibn al `Awwaam, went out of Bani Ummayya and was given bai`a as the amir of Madina as well as against the existing Khalifa. He was killed and hung for three days.

5- At the time of the Khalifa Hadi (170 H), Imam Abu `Abdullah Hussain ibn Ali ibn Hassan ibn Hassan ibn Hassan ibn Ali ibn Abi Taalib, who died in 167 AH, went out against the Khalifa in Makkah and the Hijaz. His revolution ended when he was killed and left to be eaten by the scavenging animals and birds.^{29[29]}

6- Imam AbulHasan Musa Kaazim ibn Jaafir as-Saadiq ibn Muhammad alBaaqir, who died 183 AH, revolted against the Khalifa Harun ar-Rashid, was arrested and put in jail until he died.^{30[30]}

^{28[28]} Narrated by Abu Dawod and Ahmed on the Authority of Huzifa Ibn Yaman τ.

^{29[29]} Tarikh at-Tabari, V. 6, page 410

7- Imam Muhammad ibn Jaafar as-Saadiq, who revolted in the Hijaaz and Makkah, went out against Ma`mun.

8- Imam `Ali ar-Rida ibn Musa Kaazim ibn Jaafir as-Saadiq ibn Muhammad ibn alQaasim revolted in the time of the Khalifa Mu`tasim. He was captured and defeated.

10- Ibrahim ibn Musa Kaazim ibn Jaafar as-Saadiq revolted against the rulership and killed many people in Yemen.

11- Perhaps the most famous example of going out of a ruler in recent times is the case of Sheikh ulIslam Muhammad ibn `Abdul Wahhab (RH) [1116-1206 AH (1704-1792 AD)], who went out against the `Uthmani Khalifate in his struggle to rid to Peninsula of grave worship and so forth.

None of the historians or scholars of Ahl us-Sunna have referred to neither these Imams as Khawaarij, nor the rulers of their time as kuffar either. What then of the Mujahideen? They are seeing such a clear kufr from everywhere, in which we have so much support for in the Book and Sunna to rebel against them, that the evidences are too numerous and too famous to elaborate on in this short treatise. These kinds of rulers aren't even legitimate rulers.

Conclusion

So it is proven that anyone who fails to rule by Allah's Shari`a are kuffar, not merely those who replace the Shari`a. It is actually a kufr just to fail to rule by it. But those who actually introduce their own shari`a, they are doing a kufr above a kufr (major kufr stacked on top of major kufr). And those impose their own shari`a upon people by the sword, they are doing a kufr above a kufr above a kufr. And those who are calling all of these kufr allowable, they are doing the most kufr of all and they have distorted the religion of Allah Y completely, for they called to what is kufr and labeled it allowable.

It is then very clear that these people who are killing Muslims because of their own Shari`a, they are a kind of Khawaarij. The only difference between them and the Khawaarij before is that the Khawaarij before were doing the bid`a to protect the Shari`a but they hurt and killed Muslims in the process. But the new Khawaarij are killing Muslims and so forth to destroy the Shri'a.

The Khawaarij were known to be pious and zealous in their worship, but these Khawaarij rulers today hardly do any worship. The modern Khawaarij today fit the general category of Khawaarij precisely because they kill Muslims and leave alone the pagans as narrated in Bukhari and Muslim.

However, dear brothers, imagine if you knew all of these evidences and then attend a gathering where Ibn `Abbas's words have been abused.

TYPICAL ABUSE OF THE WORD OF IBN `ABBAS t

In practice we have sadly seen how young sincere brothers are being misled by blind following a Sheikh who is using the word of Ibn Abbas τ to drive people to respect and keep silent about these evil rulers. Meanwhile inciting them against their brothers who are trying to do their duty against these rulers.

This was seen when the word of Ibn `Abbas τ, was used at one of the lectures made by Salim alHilaali in Luton, London in 1996 in which he, in a lie, quoted that there is nothing called a big kufr in regard to Tawhid alHaakimiyya. He claimed that the word of Ibn `Abbas (in regards to kufr duna kufr) was ijma` and that there was no major kufr in ruling. When the brothers attempted to correct him on this point, he resorted to crude and insulting ways of giving evidence and did not want to listen. He then ordered everyone to be quiet and said that he will give Sheikh Abu Hamza a time and a date for a debate and also a Mubahala^{31[31]}. He then went on in his lecture, twisting and distorting the words of the Sahaba. By that time, the audience had had their fill and could not take it any longer. Abu Usaamah, a clown in Brixton and the translator for the Sheikh's vulgar festivities, said, "*We promised to make a time and a date, and you can call him a liar if he doesn't do it.*" Sheikh Abu Hamza and his colleagues then made their most sincere efforts to contact the two to arrange a meeting to redress their grievances.

Abu Hamza and his colleagues even taped the whole episode and their continuous and indeed dizzying escapades in calling about to contact them. All this had to be done in order to prod and push them to fulfill their promise. But instead, the dynamic duo of Brixton (Hilaali and Usaamah) carried on with their lectures, putting bodyguards outside and not allowing anyone to talk to their so-called Sheikh.

Sheikh Abu Hamza and company then had no choice but to distribute the tape of the incident at Luton as well as their phone calls to them.^{32[32]}

^{31[31]} Mubahala: a supplication or invocation made to Allah (SWT) by two parties, in which both invoCE the wrath of Allah (SWT) on the one who is lying.

^{32[32]} The cassette is called *Questions without Answers by Lying Hilaali*

Appeal

Now we appeal for every good, sincere Muslim that if they can not fight and remove those leaders and their armies from power, they should atleast not hinder the path of others to do it. And even if groups like the Khawaarij are fighting these groups, they should also leave these two bid`ii people to fight one another. They should then prepare to defend themselves against both of them, not to take sides.

The reason why is that the Khawaarij who worship Allah SWT are the enemies of Islam, and our leaders who are Khawaarij and do not worship Allah Y are the enemies of Allah SWT and we have to struggle to fight both. We are never to be used by any of them if possible.

We also appeal to Muslims all over the world to support the Shari'a and not to allow the sayings of the Sahaba or Sheikhs to be twisted or used against the purity and the practicality of Shari'a. At the end of the day we are all going to be asked by Allah SWT what did you do to implement My Law and order in your environment, and why did we not join forces with those who are trying to do their obligations.

May Allah SWT guide us all to the straight path, and give us the strength to remain on it. Amin.

Peace and tranquility be upon the Prophet ρ.

We thank Allah Y for making this booklet possible and we beg His mercy and forgiveness for all the sincere brothers and sisters.

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