
**An in-depth investigation into their articles on *Kufr*,
Eemaan and *Takfeer* and 'RULING BY OTHER
THAN WHAT ALLAAH REVEALED'.**

PART 1: Issues related to Khaalid Al-Anbaree and his book "*Al-Hukm bi'Ghayr ma-Anzaal'Allaah wa-Usool at-Takfeer*," and the subsequent posting of his series of articles entitled "The Anbaree Papers" by www.salafipublications.com

Sunday, September 24, 2000

Rule: "It was from the known rules from the '*Ulaama* that they used to say, 'Bring evidence and then believe. Do not believe and then bring the evidence."

-- From the cassette "*Fitnaat at-Takfeer li'Shaykh Al-Albaanee*" with commentary of *Shaykh* Ibn 'Uthaymeen, Side A

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

All Praise is due to Allaah. We praise Him, and seek His help and ask for His forgiveness. We seek refuge in Allaah from the evil in our souls and from our sinful deeds. Whomever Allaah guides, none can mislead. And whomever Allaah misguides, none can guide. I bear witness that there is no one worthy of worship except Allaah. He is One, having no partner. And I bear witness that Muhammad is His servant and Messenger.

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

O you who believe! Fear Allâh (by doing all that He has ordered and by abstaining from all that He has forbidden) as He should be feared. [Obey Him, be thankful to Him, and remember Him always], and die not except in a state of Islâm (as Muslims) with complete submission to Allâh. (Al'i-Imraan, 102)

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

O mankind! Be dutiful to your Lord, Who created you from a single person (Adam), and from him (Adam) He created his wife [Hawwa (Eve)], and from them both He created many men and women and fear Allâh through Whom you demand your mutual (rights), and (do not cut the relations of) the wombs (kinship). Surely, Allâh is ever an All-Watcher over you. (An-Nisaa', 1)

يَا أَيُّهَا الَّذِينَ آمَنُوا اتَّقُوا اللَّهَ وَقُولُوا قَوْلًا سَدِيدًا

O you who believe! Keep your duty to Allâh and fear Him, and speak (always) the truth. He will direct you to do righteous good deeds and will forgive you your sins. And whosoever obeys Allâh and His Messenger he has indeed achieved a great achievement (i.e. he will be saved from the Hell-fire and made to enter Paradise). (Al-Ahzab, 70)

To proceed:

Verily, the truest speech is the Book of Allaah. And the best guidance is the guidance of Muhammad **صلى الله عليه و سلم**. The worst of affairs are the newly invented matters. Every newly invented matter is a *Bid'ah* and every *Bid'ah* is a misguidance and every misguidance is in the Hell-Fire.

Introduction:

This document is being written after many attempts to correct and advise the author of many of the articles at www.salafipublications.com. And although my correspondence has been limited to one individual at that site, most of what I am using here will address all of its authors and those who delight in the reading their material.

History:

In early July, 2000 I came across an article on the front page of this site called "The Anbaree Papers: Part 4," in which the author ¹ wrote: "And we also ask these people [the

¹ The author was Khalid Al-Anbaree who wrote the book '*Al-Hukm bi'Ghayr ma-Anzaal'Allaah wa-Usool at-Takfeer*' (i.e. The Ruling by Other Than What Allaah Revealed and the Principles of Declaring Someone a Disbeliever) This book was recently banned in Saudi Arabia based upon the *Fatwaa* (i.e. legal verdict) of the *Lajnaa Al-Da'imaah li'l-Bu'hooth wal-Iftaa'* (i.e. The Permanent Committee for Research and Legal Verdicts) which read as follows:

***Al-Bayaan* (i.e. The Declaration) from *Lajnaa Al-Da'imaah li'l-Bu'hooth wal-Iftaa'* concerning the book entitled "*Al-Hukm bi'Ghayr ma-Anzaal'Allaah wa-Usool At-Takfeer*", by its author Khaalid Al-Anbaree:**

Fatwaa #21,154 1420 H, 10th Month, 24th Day.

All praise is due to Allaah and may the mercy and blessings of Allaah be upon our Prophet Muhammad and his family and his companions.

And to proceed:

The Permanent Committee for Projects and Legal Verdicts has reviewed the book entitled "*Al-Hukm bi'Ghayr ma-Anzaal'Allaah wa-Usool At-Takfeer*" by its author Khalid Al-Anbaree and after studying the book, it has come clear that it is full of broken trusts concerning knowledge in what he narrated from the '*Ulaama* of *Ahl us-Sunnah wal-Jamaa'ah* in twisting the evidence away from that which they indicate in the Arabic language and the aims of the *Sharee'ah* and from that is what follows:

1. Changing the meanings of the evidences in the *Sharee'ah* and playing with some of the texts, which have been narrated from the people of knowledge by excluding or changing things in a way that they would be understood other than their original meaning.
2. Explaining some of the statements of the people of knowledge with that which does not comply with their intentions.
3. Lying upon the people of knowledge. From that, him attributing to the '*Alaamah Shaykh* Muhammad Ibraheem Ahl'a-Shaykh, that which he did not say.
4. His claim that there is *Ijmaa'* from *Ahl us-Sunnah* that the one who does not rule by what Allaah revealed in *Tashree' Al-'Aam* (i.e. general legislation) except with the making it *Halaal* with the heart; that this is not *Kufr*, just like the rest of the disobediences, which are less than *Kufr*, and this is a lie upon *Ahl us-Sunnah*; its basis being either *Jahl* or evil intention. We ask Allaah to keep us free from this.

reckless newcomers], are the vast majority of *Ahl us-Sunnah* also *Murji'yah*² in their view – since all of them in their entirety – do not perform *Takfeer* (i.e. declare them disbelievers) of the one who abandons the prayer – in fact even the one who abandons the four pillars – out of laziness and neglect. And this is the correct and established position in the *madhhab* (i.e. school of thought) of *Imaam Ahmad*, as has been reported from numerous authorities.”

I found it astonishing that Al-Anbaree would say this due to the overwhelming quotations that I had come across which stated exactly the opposite and which confirmed that *Imaam Ahmad* was, in fact, the most extreme of the '*Ulamaa* from his era who said that whoever abandoned the *Salaat* was a *Kaafir*, outside the realm of *Islaam*.³ I began my first email

And based upon what has preceded, the Committee sees that it is *Haram* to publish the aforementioned book or to distribute and sell it. And we remind the author to make *Taubah* to Allaah, *ta'ala* and to return to the people of knowledge, whose knowledge is trusted, so he will learn from them what they will make clear to him, his error. We ask Allaah for all of us for guidance and steadfastness upon *Islaam* and the *Sunnah*. May Allaah send prayers (of blessings) upon our Messenger Muhammad and his family and his companions.

The Permanent Committee for Projects and Legal Verdicts:

Member: Abdullah Ibn Abdur-Rahmaan Al-Ghudyaan

Member: Bakr Ibn Abdullah Abu Zayd

Member: Saalih bin Al-Fawzaan Al-Fawzaan

President: Abdul-'Azeez Ibn Abdullah bin Muhammad Ahl'a-Shaykh

² We will explain this word and the groups to which the title belongs shortly, *Inshaa'Allaah*.

³ In the eventual 42 page response which I wrote to this brother, I wrote the following:

According to *Shaykh Al-Islaam*, Ibn Taymiyah, may Allaah be merciful to him, there are actually six opinions attributed to *Imaam Ahmad*, only one of which says that abandoning *Salaat* isn't *Kufr*. He said, "And from Ahmad about that (i.e. the abandonment of the four pillars, *Salaat*, *Zakaat*, *Siyaam*, *Hajj*) there are differences (of opinion). One of the narrations is that he disbelieves by leaving any one of them. And this is the opinion of Abee Bakr and a group of the companions of Malik, such as Ibn Habeeb. And the second narration is that he does not disbelieve unless he abandons the *Salaat* or the *Zakaat* only. The third narration is that he does not disbelieve except if he abandons the *Salaat* and the *Zakaat* and he fights for that (i.e. he rebels with force from paying the *Zakaat*). The fourth narration is that he does not disbelieve except by abandoning the *Salaat*. And the fifth narration is that he does not disbelieve by abandoning any of them." (*Al-Fataawa*", Vol. 7/302)

And he said, "And also, there is a narration from him that the person disbelieves by leaving the *Siyaam* and the *Hajj* if he says that he will never make *Hajj*." (*Al-Fataawa*", Vol. 7/259) So the one who claims that the most established view of *Imaam Ahmad* personally, or even that of his *Madhaab*, that abandoning the *Salaat* out of laziness isn't *Kufr*, then it is upon that person to bring some evidence to substantiate his claim. In fact this is very doubtful based upon the following:

Al-Lalaakaa'ee said, "*Imaam Ahmad* said, 'Whoever abandons the *Salaat* has disbelieved and there is nothing other than that which, if it is abandoned, is *Kufr* besides the *Salaat*. And whoever abandons it is a *Kaafir* and Allaah has made killing him *Halaal*.'" (*Sharh Usool 'Atiqaad Ahl us-Sunnah wal-Jamaa'ah*" Vol. 1/179) And Al-Ajuree'ee said, "Ibn Mukhalid said that Abu Dawood narrated that he heard *Imaam Ahmad* say, 'If someone says, 'I am not going to pray, then he is a *Kaafir*.'" (*Ash-Sharee'ah*", Pg. 141)

to the one who had translated and posted this article asking him about this statement of Al-Anbaree and he responded and this was how our correspondence began.

The emails continued back and forth and several issues were raised including who is to be labelled with the description of the *Murji'yah* and what exactly was *Irjaa'*,⁴ the ruling on

And "Ibn Hazm said, 'It has come from 'Umar, Abdur-Rahman Ibn 'Auf, Mu'adh Ibn Jabal, Abu Hurayrah and other companions that anyone who skips one obligatory *Salaah* until its time has finished becomes a *Mortad* (apostate). We find no difference of opinion among them on this point.'" (This was mentioned by al-Mundhree in '*Targheeb wa Tarheeb*.'.) Then he comments, "A group of *Sahabah* and those who came after them believed that an intentional decision to skip one *Salaah* until its time is completely finished makes one a *Kaafir*. The people of this opinion include 'Umar Ibn Al-Khattab, Abdullah Ibn Masood, Abdullah Ibn Abbas, Mu'adh Ibn Jabal, Jabir Ibn Abdullah and Abu Ad-Dardaa'. Among the non-companions who shared this view were Ibn Hanbal, Ishaq Ibn Rahwaih, Abdullah Ibn Al-Mubaraak, An-Nakha'ee, Al-Haakim Ibn 'Utaybah, Abu Ayyub As-Sakhtiyanee, Abu Dawood At-Tayalisee, Abu Bakr Ibn Abee Shaybah, Zuhayr Ibn Harb, and others.'" ("*Saheeh at-Targheeb wa Tarheeb*", Pg. 235)

⁴ I wrote the following in my aforementioned response. I am including it here as an introduction to the subject of the *Murji'yah* and *Irjaa'* and it should be noted that when the individual wrote back, after reviewing my response, he said that he did not disagree with this section in my response:

The following is a description of the *Murji'yah*; their origin and their division into their respective categories and a refutation of their concepts:

Irjaa' is a *Fikr* (i.e. concept) that *Eemaan* is a constant entity which is either present or not present in the heart. This concept is slightly different depending on which *Madhaab* of *Irjaa'* a particular group of *Bid'ah* subscribe to. They say that *Eemaan* either exists or is non-existent and it can only exist in the heart, and it is witnessed upon the tongue only; it neither increases nor decreases and actions are not part of it. A group called the *Karameeyah* was known to consider the one who merely says the *Shahaadah* upon the tongue have the *Eemaan* of Abu Bakr and 'Umar without adding any actions to this *Shahaadah*. And some of them say that *Eemaan* is simply *Tasdeeq* (certain belief) in the heart or *Ilm* (knowledge).

Abu Na'eem narrated from Sufyaan Ath-Thawree that he said, "The *Murji'yah* differed from us in three matters: We say that *Eemaan* is sayings and actions and they say that *Eemaan* is sayings without actions. We say that it increases and decreases and they say that it does not increase and that it does not decrease. We say that we are *Mu'minoon* (only with) approval (i.e. by saying *Inshaa'Allaah*) and they say that we are (guaranteed) *Mu'minoon* in the eyes of Allaah." ("*Yilyaat Al-'Awliyah*", Vol. 7/29)

Linguistic Definition: "*Murji'yah*" linguistically comes from "*Al-Irjaa'*", which means to delay, put off, postpone or to exclude. ("*Al-Qamuus Al-Mu'heet*", Pg. 1660)

For example, Allaah said:

They said: "Put him off (*'Arjih*) and his brother (for a while), and send callers to the cities; (*Surat Ash-Shu'araa'*, 36)

"And also from "*Al-Rajaa'*"", which means hope, which is the opposite of despair." ("*Al-Qamuus Al-Mu'heet*", Pg. 1660)

For example, Allaah said:

...all these hope (*Yarjuuna*) for Allâh's Mercy. (*Surat al-Baqarah*, 218)

Shara'ee Definition: "Murji'yah" according to *Sharee'ah* covers two groups: *Imaam* Ibn U'yaana said, "Murji'yah" is:

1. A group who left the matter of 'Alee and 'Uthmaan (i.e. those who did not take any opinion in the matter) and those people are no longer present.
2. As far as the *Murji'yah* today, they are those who say, 'Eemaan is sayings without actions.'" ("Tah'theeb Al-Athaar At-Tabaree", Vol. 2/659)

The *Murji'yah* are two groups and the second group is divided into four categories:

1. The original *Murji'yah*: And these were the people in the time of 'Alee and 'Uthmaan leading into the *Fitnah* between 'Alee and Mu'awiyah. They left the issue and did not support one against the other and refused to hold any opinion about the matter. And because the term *Irjaa'* literally means to "put off", they were labelled with this term because they "put off" the issue and did not take a side and refused to hold any opinions about the issue.

Abu Ja'faar At-Tabaree said, "From the correct opinion about the source for the name *Murji'yah* was that *Irjaa'* is to put off something. So the one who puts off the matter of 'Alee and 'Uthmaan to their Lord and leaves their *Wilaaya* and the *Bara'aa* from them, delaying their matter, then he is *Murji'ee*. And the one who puts off the actions and obediences from *Eemaan*, then he is *Murji'yah* while this is the most common use of the word when discussing the different groups. The term *Murji'yah* is most commonly used to refer to the people who say that *Eemaan* is sayings without actions. And about the ones whose *Madhaab* is that, the outward worships are not from *Eemaan* and that the *Eemaan* is only *Tasdeeq* with statements (i.e. the *Shahadatayn*) without actions to verify it." ("Tah'theeb Al-Athaar At-Tabaree", Vol. 2/661)

The first person to have this original form of *Irjaa'* with respect to the issue of 'Alee and 'Uthmaan, was Al-Hasaan bin Muhammad bin Hanafeeyah. Ibn Sa'd said about him, "And he was the first to speak with *Irjaa'*." ("Tah'theeb Al-Tah'theeb", Vol. 2/320) And Ibn Hajr said (in the same book, same page), "From Ayyub, 'I am free from *Irjaa'*. The first one to speak with it was a man from the people of *Madinah* called Al-Hasaan bin Muhammad."

However, Al-Hasaan bin Muhammad bin Hanafeeyah, may Allaah be merciful to him, was free from the later form of *Irjaa'* – the type which separates actions from *Eemaan*.

So this type of *Irjaa'* did not play any role in the *Takfeer* because the matter was not based upon a *Fikr* of *Eemaan* and *Kufr*.

2. *Murji'yaat Al-Fuqahaa*: And these were the likes of Abu Haneefah An-Nu'maan and they say that actions are not part of *Eemaan*. They were called "*Fuqahaa*" because they were *Ulamaa'* with this *Fikr* and not common people and this is not to be misunderstood that their mistakes were only a matter of *Fiqh*. Indeed, these misunderstandings are directly from *Aqeedah* in the most important area after *Tawheed*; *Eemaan* and *Kufr*.

So they separated actions from *Eemaan* and said that actions are not *Eemaan* but rather they are evidence for the *Eemaan* in the heart. And this is the only real distinction between them and the *Ghulaat Al-Murji'yah* (fifth category). And this group is still common today among the ignorant Muslims who have not spent any real effort in learning what is *Eemaan* and *Kufr* so we will discuss their concepts in a somewhat of a detailed explanation and refutation, *Inshaa'Allaah*. And because they have some similarities to the fifth category, some the following is a refutation of both the fifth category and the second:

They also said that *Eemaan* is a statement upon the tongue and *Tasdeeq* in the heart but they separated actions from *Eemaan*. But this was also a mistake because, according to *Ahl us-Sunnah wal-Jamaa'ah*, *Eemaan* is actions of the body (i.e. from the tongue; like the *Shahadatayn* and statements of *Thikr* etc. and from the limbs like the *Salaat* and *Siyaam* etc.) and actions of the heart (i.e. *Tasdeeq*, *Ya'qeen* etc.). So the

actions upon the limbs are not merely evidence for the *Eemaan* in the heart, but they actually are the *Eemaan*.

And the evidence for this is His, *ta'alaah's* saying:

And Allâh would never make (*Eemaan'akum*) your faith (prayers) to be lost (i.e. your prayers offered towards Jerusalem). (Surat al-Baqarah, 143)

So the *Salaat* was labelled as *Eemaan* and in the *Hadeeth* of the Prophet **صلى الله عليه وسلم** to the delegation of Abdul-Qais, he said, "Do you know what is *Eemaan* in Allaah alone?" They said, "Allaah and His Messenger know best." He said, 'Bearing witness to *La Illaha Il-Allaah* and *Muhammadar Rasool-Allaah* and establishing the *Salaat* and paying the *Zakaat* and fasting *Ramadaan* and giving one-fifth of the spoils of war (to Allaah and His Messenger **صلى الله عليه وسلم**)." (Agreed upon)

And 'Umar Ibn 'Abdul-Azeez wrote to the Muslims in the new Muslim settlements, "Verily, the *Eemaan* is obligations and laws and punishments and things from the *Sunnah*. So whoever completes them, completes *Eemaan* and whoever does not complete them, does not complete *Eemaan*. So if I live, I will make them clear to you until you act upon them and if I die, then do not be eager for being your companion." ("*Saheeh al-Bukhaaree*")

In fact Ibn Abee Al-'Izz Al-Hanafee, himself had some mistakes in this same area. And this was evident in his discussion of the differences between *Ahl us-Sunnah* and Abu Haneefah. "The difference between Abee Haneefah and the rest of the *Imaams* of *Ahl us-Sunnah* is only superficial. Because the actions on the limbs is mandatory for the belief in the heart. A person who is guilty of a *Kabaa'ir* is not excluded from the fold of *Eemaan*, but is subject to the will of Allaah. If he wills he will punish him and if he wants, he will forgive him. This is only a verbal dispute, which does not cause wrong belief." ("*Sharh Aqeedah Al-Tahaaweeyah*", Pg. 374)

But this is a mistake because from the *Kabaa'ir*, are those actions which do nullify *Eemaan* and from them are some which only decrease it. And it would have been better to say, "A person who commits the *Kabaa'ir*, which is less than *Kufr Al-Akbaar*, is not excluded from the fold of *Eemaan*..." And this is like the *Hadeeth* narrated by Abu Hurayrah from the Prophet **صلى الله عليه وسلم**, "Avoid seven *Kabaa'ir*.' They (the people) asked, 'O Messenger of Allaah, what are they?' He said, 'To make *Shirk* with Allaah, to practice *Sih'ir* (sorcery), to kill the life which Allaah has forbidden except for a just cause (according to Islaamic law), to consume *Riba*, consume the property of an orphan; to turn one's back to the enemy and fleeing from the battlefield at the time of fighting and to accuse chaste women who never even think of anything touching chastity and are good believers." (Agreed upon.) And it is widely known that *Shirk* and *Sih'ir* are both actions upon the limbs, which nullify *Eemaan*.

This misconception of the *Murji'yaat Al-Fuqahaa* necessarily manifested itself in the area of *Takfeer*. Remember how they said that actions are not *Eemaan*, rather they are evidence for the *Eemaan* in the heart. So if they saw an individual performing an act of *Kufr*, without an excuse, then they would say that this was evidence for the existence of *Kufr* in the heart. And recall how they said that *Eemaan* is only *Tasdeeq* upon in the heart, which is witnessed upon the tongue. So to them, *Kufr* could only be the opposite of *Tasdeeq*, which is *Juhood*. And based upon that, it meant that an act of *Kufr* on the limbs could only be evidence for the *Juhood* in the heart. So they would make *Takfeer* based upon actions but their mistakes were two:

1. They thought that the *Kufr* on the outside would indicate that the *Eemaan* on the inside was non-existent. And this was wrong because, if there is *Eemaan* in the heart, the *Kufr* on the outside actually nullifies the *Eemaan* on the inside.
2. They thought that the *Kufr* on the outside necessarily meant that the *Kufr* on the inside was from *Juhood*.

But this is also a mistake, because the heart can contain many forms of *Kufr* other than *Juhood* and *Istih'laal* (and *Istih'laal* is really a type of *Juhood* so it is the same thing). For instance, the heart might contain *Kibr* and *Istiqbaal* (pride and arrogance) and yet this *Kibr* might actually be what leads to his *Juhood* upon the limbs. And this works the other way as well. A person might have *Juhood* in his heart but the actions of *Kufr*, which result from this, might not necessarily fall into the category of *Juhood*.

Consider a person who purposely throws the *Mus'haaf* into the toilet. This is obviously an act of *Kufr*. But the person who did this may not reject the *Qur'aan* itself. He might know that it is truly the Book of *Allaah* and he might even have *Tasdeeq* of this fact, in his heart. However, he also had *Kibr* in his heart and this *Kibr* wouldn't allow him to submit to the words of his Lord in that *Mus'haaf* and so he threw it into the toilet. This act is still *Kufr* and *Ahl us-Sunnah* would still make *Takfeer* to that individual after verifying that the necessary conditions are present for the *Takfeer* of this individual and that he does not possess any of the preventions of the *Takfeer*.

So if the *Murji'yaat Al-Fuqahaa* saw any actions of *Kufr*, they would say that this was evidence for *Juhood* in the heart. And this was a mistake because there are some actions, which do not fall into the category of *Juhood* or *Istih'laal* yet they do nullify all the *Eemaan* in the heart. A person might be joking and say words of *Kufr* upon the tongue but he hasn't rejected *Islaam* upon his tongue and he hasn't made the *Haraam* to be *Halaal*. Rather, he has committed the *Kufr* of *Istizaa'* (mocking).

And the evidence is His, *ta'ala*'s saying:

If you ask them (about this), they declare: "We were only talking idly and joking." Say: "Was it at Allâh, and His Ayât (proofs, evidences, verses, lessons, signs, revelations, etc.) and His Messenger (صلى الله عليه وسلم) that you were mocking?" Make no excuse; you have disbelieved after you had believed. (Surat at-Tauba, 65-66)

And He said:

They swear by Allâh that they said nothing (bad), but really they said the word of disbelief, and they disbelieved after accepting Islâm... (Surat at-Tauba, 74)

And this *Kufr* upon their tongues nullified the *Eemaan* in their hearts without them rejecting it in their hearts. They did not reject it by their tongues nor did they reject it in their hearts. Because if they had rejection in their hearts, then this would mean that they were *Munafiqeen* and this would have meant that the mocking was only evidence for their *Nifaaq*. But this is not the case. These people were Muslims who had *Eemaan* and the *Eemaan* was nullified due to mocking upon their tongues. Because if they never had any *Eemaan* in their hearts, Allaah would not have said, "...you have disbelieved after you had believed," and "...and they disbelieved after accepting Islâm..."

And this is like what Ibn Taymiyah said: "He صلى الله عليه وسلم was ordered to say to them that they disbelieved after their *Eemaan*. And the saying of those who declare about these verses, 'They disbelieved after their *Eemaan* with their tongues while the *Kufr* already existed in their hearts,' is not correct because the *Eemaan* upon the tongue while *Kufr* is present in the heart is *Kufr* (already). So (these people) claim that it is not to be said, "You have disbelieved after your *Eemaan*", because (according to these people), they never stopped being *Kuffar* in the first place. And even if they mean, "You've demonstrated *Kufr* after you demonstrated *Eemaan*," (this is also incorrect) because they did not demonstrate anything to anyone except to their own people (i.e. they said their statements to each other). And they were always (demonstrating) the same thing among their people. But (this is not correct either because) when they committed *Nifaaq*, they were worried that a *Surah* might be sent down revealing what was in their hearts from *Nifaaq* and their uttering mocking statements. So the wording (of the verses) does not indicate that they were always *Munafiqeen*." ("Al-Fataawa", Vol. 7/272)

3. *Murji'yaat al-Jah'meeyah*: This group falls into two divisions:

1. The group who said that *Eemaan* was only *Tasdeeq* (belief) in the heart. So they separated actions and statements from *Eemaan*. So even a person who refused to declare the *Shahaadah* and who committed all kinds of acts of *Kufr*, could not be made *Takfeer* to, according to this concept, as long as the person claimed to have *Tasdeeq* in the heart.
2. The group who said that *Eemaan* was only *Ilm* (knowledge) in the heart. So they separated actions, statements and *Tasdeeq* from *Eemaan*. So even a person who refused to declare the *Shahaadah*, committed all kinds of acts of *Kufr*, and did not claim to have *Tasdeeq* in his heart, could not be made *Takfeer* to as long as the person claimed to have knowledge of Allaah.

And many from both of these groups said that the *Shahaadah* was a condition for a person to be considered a *Mu'min* in this life but that in the Hereafter he would be a *Mu'min* as long as he had *Tasdeeq* or *Ilm* of Allaah in his heart.

Among the innovations of Jah'm bin Safwaan was the *Irjaa'* which was much more extreme than the *Murji'yaat Al-Fuqahaa*. Because he not only said that actions are excluded from *Eemaan*, he also added that *Eemaan* was *Ilm* (knowledge). Jah'm bin Safwaan. His concept was the most extreme *Madhaab* of *Irjaa'* because he considered knowledge to be equal to *Eemaan*. And this *Bid'ah* is actually *Kufr* and not just a mistake based upon a misunderstanding. This is because everyone who has knowledge of Allaah would be a *Mu'min* with full *Eemaan* and this would include the Jews about whom, Allaah said:

Say (O Muhammad صلى الله عليه وسلم): "What thing is the most great in witness?" Say: "Allâh (the Most Great!) is Witness between me and you; this Qur'ân has been revealed to me that I may therewith warn you and whomsoever it may reach. Can you verily bear witness that besides Allâh there are other *alihâ* (gods)?" Say "I bear no (such) witness!" Say: "But in truth He (Allâh) is the only one *Ilâh* (God). And truly I am innocent of what you join in worship with Him." Those to whom We have given the Scripture (Jews and Christians) recognize him (i.e. Muhammad صلى الله عليه وسلم as a Messenger of Allâh, and they also know that there is no *Ilah* (God) but Allâh and Islâm is Allâh's Religion), as they recognize their own sons. Those who destroy themselves will not believe. (Surat An'aam, 19-20)

And likewise only a person who was ignorant of Allaah could be made *Takfeer* to. And his concept of *Irjaa'* has been refuted by the *Ulamaa'* from *Ahl us-Sunnah* frequently.

Ibn Abee Al-'Izz Al-Hanafee said, "Actually, even Iblees would be a total *Mu'min* according to Jah'm's opinion. He did not claim ignorance of Allaah. He had this knowledge of Him and said: "O my Lord! Give me then respite till the Day they (the dead) will be resurrected." And: "O my Lord! Because you misled me..." And: "By Your Might, then I will surely mislead them all." According to Jah'm, *Kufr* is ignorance of Allaah; however, no one is more ignorant of Allaah than him because he reduces Allaah to a Being as such and strips Him of all His attributes. There can be no greater ignorance than this. He is therefore, a *Kaafir* according to his own testimony!" ("Sharh Aqeedah at-Tahaaweeyah", Vol. 2/462)

Ibn Taymiyah said, "And here, there are fundamentals, which the people have disagreed upon. From these: "Can the heart either disbelieve or believe with no traces (of this *Eemaan* or *Kufr*) being shown upon the tongue or the limbs but only be shown when (the person) does not fear (to demonstrate his *Kufr* or *Eemaan*)?" The thing that the *Salaaf* and the *Imaams* and the majority of the people are upon is that there must be something shown upon the body (i.e. either words/actions of *Kufr* or words/actions of *Eemaan*.) So whoever says that he believes in the Messenger and loves him and glorifies him in his heart but does not speak (the words) of *Islaam* and does not perform anything from it's *Wajibaat* (obligations) without fear – then this person is not a *Mu'min* on the inside – rather, he is nothing but a *Kaafir*. And Jah'm and those who agreed with him, believed that he would be a *Mu'min* on the inside because, (to them) – if the heart knows (something) and believes it (to be true) – this is *Eemaan*. And (to them) it deserves rewards on the Day of Judgment without any sayings or actions (of *Eemaan*) upon their outward appearance. And this

the one who abandons the *Salaat*, the ruling on the one who 'Rules by Other Than What Allaah Revealed' and some other issues related to *Eemaan* and *Kufr* and *Takfeer*.

The tone of these emails were pleasant and the truth of the matter is that the individual whom I was writing to, for the most part, was well mannered and maintained the proper *Islaamic* etiquette while differing. I put together a forty-two-page response to the points

(idea) is absolute falsehood according to the *Sharee'ah* and the intellect and from the *Salaaf* like Wakeeayah and (*Imaam*) Ahmad and others who used to make *Takfeer* to the ones who say this. And the Prophet صلى الله عليه وسلم has said, 'There is a piece of flesh in the body if it becomes good (reformed) the whole body becomes good but if it gets spoiled the whole body gets spoilt and that is the heart.' (Bukhaaree) So he made clear that the righteousness of the heart makes it compulsory for the righteousness of the body. So if the body is not righteous, this indicates that the heart is not righteous. And the heart of a *Mu'min* is righteous so this makes it known that whoever speaks the words of *Eemaan* but does not act upon them, then his heart is not a believing one. And that is because the body is a follower of the heart. So nothing can occur in the heart except that its result is shown upon the body, even if that is from any method of the methods (that it may be shown)." ("Al-Fataawa", Vol. 14/120-121)

4. *Al-Karameeyah*: And they were named after their founder Ibn Karaam (died 255 H.) They say that *Eemaan* is upon the tongue only and they separated both actions and *Tasdeeq* from the definition of *Eemaan*.

Of course, this is ridiculous and there is too much evidence from the texts of the *Sharee'ah* to bother refuting it here as no one nowadays really says this anymore.

About them, *Shaykh al-Islaam* said, "...and the second saying (after mentioning the types of *Irjaa'* in his time) is the saying that it (i.e. *Eemaan*) is only a statement upon the tongue. And this is not known about anyone besides the *Karameeyah*." ("Al-Fataawa", Vol. 7/195)

And this manifested itself by saying that *Takfeer* could only be made to the people who did not declare the *Shahaadah*, even if that person said it without *Tasdeeq* in his heart and did not follow that statement with even a single action upon the limbs.

5. *Ghulaat Al-Murji'yah*: These are the majority of the *Murji'yah* and they are the ones who said that *Eemaan* is *Tasdeeq* and affirmation upon the tongue. And along with the *Fikr* or the *Murji'yaat Al-Fuqahaa*, they have the most influence upon the *Aqaa'id* (beliefs) of the Muslims today. In fact, they only differ from the *Murji'yaat Al-Fuqahaa'* in that they did not even see actions of *Eemaan* to be evidence for *Eemaan* in the heart. And because of this, they did not see actions of *Kufr* to be evidence for *Kufr* in the heart. So with respect to *Takfeer*, they are different than the *Fuqahaa'* because they wouldn't even consider the acts of *Kufr* to mean anything unless they were accompanied with statements of *Juhood*. And this meant that the person could not leave *Islaam* unless he said statements of *Istih'laal* or *Juhood* or ended his *Tasdeeq* in the heart. And because this *Tasdeeq* can not be seen, this would mean that the person would have to verbally confirm it upon his tongue.

And the most extreme of the *Ghulaat Al-Murji'yah* even said that as long as a person was upon *Tawheed* in his heart, they wouldn't even enter the Fire for any act of disobedience because they considered actions to not even have any consequence in the Hereafter. So not only did these extreme *Ghulaat Al-Murji'yah* separate actions from *Eemaan*, they also separated actions from punishments in the Hereafter also.

Ibn Taymiyah said, "And it has been said about some of the *Ghulaat Al-Murji'yah* that no one from the people of *Tawheed* would enter the Fire. But I do not know of any specific person who said this for me to report it from him. And there are some people who narrate this from Muqatil bin Sulayman but the apparent thing is that this was a mistake about him." ("Menhaaj As-Sunnah", Vol. 5/286)

he had raised, to which he replied saying that he intended to offer his own refutation against my work. This refutation might be still being prepared; however, as of yet it has not surfaced.

At one point during our correspondence, before my response, the brother said, "...before the likes of *Imaam* Al-Albaanee were slandered with the accusation of *Irjaa'* by the political activists..." So I decided to quote some statements of *Shaykh* Al-Albaanee, may Allaah be merciful to him, which demonstrated some of his *Irjaa'* concepts. And I emphasise here that I did not initiate this topic, rather I only addressed this issue in response to his statement, which seemed to cast blame and an accusation of slander against anyone who believed *Shaykh* Al-Albaanee to have any *Irjaa'* in his teachings. Furthermore, I said in the beginning of this section in my response very respectful words regarding *Shaykh* Al-Albaanee.⁵ And then I proceeded to quote the following from his cassette; '*Kufr Kufraan*'⁶ (i.e. The *Kufr* is Two *Kufrs*). And I would like to remind the reader here that I am not including this portion of what I originally wrote for the purpose of harming *Shaykh* Al-Albaanee's status or attacking his honour. And let it be known that I have benefited greatly from the *Shaykh's* teachings in many other areas. I am including this section to reference it and to add to it latter, as I intend to revisit this topic in an upcoming section to demonstrate some further issues with www.salafipublications.com.

The excerpt I quoted was the following:

Questioner: "Concerning the *Ijmaa'* that Ibn Katheer mentioned in "*Al-Bidaaya Wa-Nihaaya*," that whoever rules with "*Al-Yasaaq*" (i.e. the book put together by the Tartars who added their own *Hukm* to the *Sharee'ah* as well as some of the laws of the People of the Book) that he is a *Kaafir* by *Ijmaa'* of the *Muslimeen*, and also O our *Shaykh*, just like

⁵ I said the following:

He was the *Amir Al-Mu'mineen* in *Hadeeth* as was Ibn Hajr Al-Asqalaanee in his era. He spent his years calling to *Islaam* and the revival of the *Menhaaj* of the *Salaaf*. He excelled in the *Fiqh* and *Takhreej* of the *Sunnah* and due to his effort, by the permission of Allaah, we have a complete collection of authentic *Sunnah* from the well-known collections, which were not authenticated before his time. And like all *Ulamaa'* he was correct in some of his rulings and incorrect in others. His *Fiqh* contains much benefit for the students of knowledge and there are mistakes as well, which have been refuted and corrected by his contemporaries. As for the accusation of *Irjaa'*; some of what has been said are merely attacks without basis and some of what has been said is true. And this is similar to the criticisms of Ibn Hajr (and his influence by the *Ashaa'ira*), *Imaam* An-Nawaawee (in his influence by the *Ashaa'ira* and use of the reporting of *Ijmaa'*), Ibn Hazm (in his *Fiqh* of the *Thaahir'eeyah*), and Ibn Kuzaymah and Ibn Hibbaan (in their weakness in *Hadeeth* criticism). So these *Ulamaa'* from the past have been criticized and their mistakes have been exposed in order to aid the people who study knowledge. We all still gain enormous benefit from studying their words and books; however, they are not used as references in every matter in which they made mistakes. For example, the reporting of *Ijmaa'* from *Imaam* An-Nawaawee is disregarded. The "*Saheeh*" of Ibn Hibbaan and Ibn Kuzaamah is not considered. And the words of Ibn Hajr regarding the Names and Attributes of Allaah and the *Usuul al-Fiqh* of Ibn Hazm are not studied. So we say that the *Shaykh*, may Allaah be merciful to him, is in this same category. And what a noble position it is to be among the *Ulamaa'* such as those just mentioned, may Allaah be merciful to them all.

⁶ Recorded by "*Tasjilaat Bayt Al-Maqdis*" in Amman Jordan in 1996

Muhammad bin Abdul-Wahhab says, "The *Tawagheet* (plural of *Taghuut*) are five..." and from them, "...The unjust ruler that changes the laws of Allaah..." and he mentioned the one who rules by other than what Allaah revealed. And like we know that disbelief in the *Taghuut* is the second pillar of *Tawheed*, because Allaah *az'awajaal* said, "**Whoever disbelieves in the *Taghuut* and believes in Allaah, then he has grasped the firm hand-hold...**" (Surat *Al-Baqarah*, 256) ...so the disbelief in the *Taghuut* is the second pillar from the pillars of *Eemaan*. So if we say that the *Ijmaa'* has been narrated about the *Kufr* of the one who changes the laws of Allaah, *az'awajaal*, then I must establish this *Aqeedah* and establish the *Islaamic* state – as we have heard from you – inside my heart. So I must not believe this in my heart, especially when the *Ulamaa'* of the *Muslimmeen* ... more than one '*Alaam* ... have narrated the *Ijmaa'* of the *Kufr* of the ruler who changes (the *Hukm*) and from them was Mah'mood Shaakir and 'Umar Al-Ashqaar and about six *Ulamaa'* have narrated the *Ijmaa'* on this point."

Answer from the *Shaykh*: "You...may Allaah bless you...have you paid attention previously and just now during this sitting, that the *Kufr* is an action of the heart and not an action of the body? Did you pay attention to this or not?!"

Questioner: "We do not agree with this."

Answer from the *Shaykh*: "This is where the problems arise. What is the *Kufr*? What does 'disbelieved' mean linguistically and in the terminology of the *Sharee'ah*?"

Questioner: "The *Kufr* in the language means the rejection but in the terminology of the *Sharee'ah*, the *Ulamaa'* have broken it down into *Kufr Al-'Atiqaadee* and *Kufr Al-'Amilee* or *Kufr Akbaar* and *Kufr Asgaar*. And the *Kufr Al-Akbaar*, they said, is what takes you outside the *Milla*. So the *Kufr Al-Asgaar*..."⁷

⁷ At this point I added my own comments:

This is a mistake. This would mean that a person could never be made *Takfeer* to based upon an action of the limbs. But it is not likely what the questioner intended. Either he meant to say, "...the '*Ulamaa* have broken it down into *Kufr Al-'Atiqaadee* and *Kufr Al-'Amilee* and from these two categories; *Kufr Al-'Atiqaadee* is *Kufr Al-Akbaar* and *Kufr Al-'Amilee* can be either *Kufr Al-Akbaar* or *Kufr Al-Asgaar*," or maybe he simply misspoke. And it is clear that he did not intend these comments as they appear because of what follows. Also, the linguistic meaning of "*Kufr*" is not rejection. The linguistic meaning is to cover something or to bury it or to conceal it. And based on the word's linguistic meaning, everyone who covers something does *Kufr* to it. And because of this, a farmer is called a *Kaafir* because he buries his seeds bellow the soil. Allaah said:

...as the likeness of vegetation after rain, thereof the growth is pleasing to the tiller (*Kuffarah*); afterwards it dries up and you see it turning yellow; then it becomes straw. (Surat *al-Hadid*, 20)

Al-Azharee said, "His virtues are His signs which indicate His *Tawheed* and the virtues that the *Kaafir* has concealed are His apparent signs which have come so that we may determine that the Creator is one with no partner and also His sending of the Messengers with signs which are miracles and the Books which descended and the clear evidences that are a virtue from Him. So whoever doesn't believe in them and rejects them; he has disbelieved in the virtue of Allaah. In other words, he has covered it and veiled it from himself." (Look to "*Lisaan Al-Araab*")

Answer from the Shaykh: “It doesn’t matter...may Allaah bless you...we do not want lectures right now! We want understanding – *س وا ج* (Q & A). Just now you said that there is *Kufr ‘Amilee* and *Kufr ‘Atiqaadee*. Do you mean what you say? Fine. The *Kufr ‘Amilee*...does the one who commits it disbelieve?”

Questioner: “Yes, if it takes you out of the *Milla*...if it is *Kufr Akbaar* because the *Kufr ‘Amilee* – from it is *Kufr Akbaar* and *Kufr Asgaar*.”⁸

Answer from the Shaykh: “*Ya Akhee*...may Allaah bless you. I just said a word. We do not want to give lectures. Right now we want to understand a word and what it encompasses. We agree that there is *Kufr ‘Amilee* and *Kufr ‘Atiqaadee*. So I asked you, does the *Kufr ‘Amilee* take the one who commits it outside the *Milla*? The answer: Either you say yes or you say no. Then there is no problem with explanations if the matter requires it.”⁹

Questioner: “Here, an explanation is required.”

Answer from the Shaykh: “Say: Is the *Kufr ‘Amilee* equal to *Ridah* (apostasy) or not?!”

Questioner: “I will not answer except with an explanation.”¹⁰

Answer from the Shaykh: “*Subhaan-Allaah!* Is *Kufr Al-‘Atiqaadee* equal to the *Kufr* of *Ridah*?!”

Questioner: “Yes.”

Answer from the Shaykh: “Fine. Why did you not seek to explain that?”

Questioner: “Because this is agreed upon. But the *Kufr ‘Amilee* is an issue of difference between the *Murji’yah* and *Ahl us-Sunnah*.”

Answer from the Shaykh: “Fine. *Kufr Al-‘Amilee*...does it have a tie with the *Kufr Al-‘Atiqaadee*, which you have said is *Ridah*, or does not?”

⁸ Here I added the following comments:

This is the correct *Madhaab* and it is the *Aqeedah* of *Ahl us-Sunnah wal-Jamaa’ah*.

⁹ Here I said the following:

Do you see how the influence of *Irjaa’* has entered these words, *Akhee*? Read further and it becomes more obvious.

¹⁰ Here I said the following:

This was the right thing to say here. Because, either he has to say that all forms of *Kufr* of the limbs nullify all the *Eemaan* in the heart or none of them do. And both of these statements would be incorrect.

Questioner: “Yes.”¹¹

Answer from the Shaykh: Then return to *Kufr 'Atiqaadee*...may Allaah bless you. The *Kufr 'Amilee*, as it appears to me...and do not be angry with me because I am trying to make this saying light...has not been made clear to you the difference between *Kufr 'Atiqaadee* and *Kufr 'Amilee*, so that it would be clear to you the fruits of the differences between *Kufr Al-'Atiqaadee* and the *Kufr Al-'Amilee*? The *Kufr Al-'Amilee* is an action that is committed by a Muslim, which is from the actions of the *Kuffar*. But this action, which is committed by the Muslim is like those actions, which are committed by the *Kuffar* from one point of view...the point of view that it is an action. But it is different from another point of view because that action is committed by the *Kaafir* while believing *Kufr 'Atiqaadee*. But this Muslim...and here the fruits will be clarified between the difference of the two *Kufr*...this Muslim – if he commits *Kufr Al-'Amilee* and adds to that *Kufr 'Atiqaadee*, like *the Kufr of the Kaafir*...then it is *Kufr Ridah* with no difference in that.¹² But if nothing has been committed from him to indicate that the *Kufr Al-'Amilee* has been accompanied with *Kufr 'Atiqaadee*, then here, it is not *Kufr 'Atiqaadee* because the *Kufr 'Atiqaadee* differs with *Kufr 'Amilee* because it is *Kufr* of the heart. But the *Kufr 'Amilee* is not *Kufr* of the heart, it is only *Kufr* in actions.¹³ Take, for example,

¹¹ Here I said the following:

Now I ask you, *Akhee*, to focus upon the next statements of the *Shaykh* and recall our discussion on the *Usool* of *Kufr* and *Eemaan* of the *Murji'yah* and how these *Usool* affected the rules of *Takfeer* for them.

¹² Here I said:

This is wrong and this is *Irjaa'* and not the *Aqeedah* of *Ahl us-Sunnah wal-Jamaa'ah*. What this basically implies, is that a person who prostrates to an idol – even when it has been confirmed that this person knew he was prostrating to an idol and that he knew this form of worship is only to be directed towards Allaah, has not disbelieved by this action because this was only *Kufr 'Amilee*. And by extension, *Takfeer* could not be made to him until he could confirm that this act of *Kufr 'Amilee* had been joined with *Kufr 'Atiqaadee* in the heart. And no one from *Ahl us-Sunnah* has ever said such a thing.

¹³ Here I said:

And the *Kufr* in actions indicates that the *Eemaan*, which was in the heart, has been nullified. It does not provide a direct indication of what form of *Kufr* exists in the heart (i.e. *Istih'laal*, *Kibr*, *Kur'h* etc.), but it does indicate that the heart was completely devoid of any *Eemaan*. This is because the Prophet **صلى الله عليه وسلم** has said, ‘There is a piece of flesh in the body if it becomes good (reformed) the whole body becomes good but if it gets spoilt the whole body gets spoilt and that is the heart.’ (Bukhaaree) So it isn't possible for a heart to have *Eemaan* while the body knowingly commits actions of *Kufr Al-Akbaar*.

And also what proves the link of the *Kufr Al-Akbaar* upon the limbs indicating that all the *Eemaan* in the heart is nullified, is his **صلى الله عليه وسلم**'s saying, “Verily, if a slave makes a mistake, (and according to another narration) ...if he commits a sin, a black dot is placed on his heart. So if he struggles and makes *Istaghfaar* and makes *Tauba*, his heart is cleared. But if he returns (to that sin), it is increased until his heart is enveloped (with blackness) and it is the covering that Allaah mentioned: **Nay! But on their hearts is the Rân (covering of sins and evil deeds) which they used to earn.**” (“*Saheeh Sunan at-Tirmidhi*”, #2654) So if the sins cover the heart until it is completely covered, then what about the unforced *Kufr Al-Akbaar* of the person who was not ignorant of the impermissibility of his act? And the rules for actions of *Kufr* are the same as those of statements of *Kufr* because a person only has two sides; an inside

the *Saheeh Hadeeth*, which is agreed upon and that is, his **صلى الله عليه وسلم**'s saying, 'Swearing at a Muslim is *Fusuuq* and fighting him is *Kufr*.' A Muslim fighting against his fellow Muslim is *Kufr*. Now I ask you, a Muslim fighting a Muslim; has he disbelieved by this fighting?"

Questioner: "He does not disbelieve because this is *Kufr Al-Asgaar*."

Answer from the Shaykh: *Ya Akhee*, may Allaah bless you. The best of words are those, which are short and precise! Fine. This is *Kufr*. So you call it *Kufr Al-Asgaar* and I call it

and an outside. And as far as acts and statements of *Kufr Al-Akbaar*, both of them are issued from the outside and they both indicate the *Kufr* of the inside.

And *Shaykh Al-Islam*, Ibn Taymiyah, may Allaah be merciful to him said, "The root of *Eemaan* and *Nifaaq* begins in the heart and what is demonstrated from statements and actions is a branch from it and an evidence for it. So if something from that is demonstrated from a man then that judgment is placed upon him. So when the Most Glorified informed (us) that the ones who accused the Prophet **صلى الله عليه وسلم** (of not distributing the *Zakaat* equally) and those who harmed him from the *Munafiqeen*, this was established that this was an evidence for their *Nifaaq* and a branch from it. And it is known that when a branch of something and its evidence appears, then its origin is the (same) thing that was demonstrated (i.e. If we see *Kufr* in the branches, then *Kufr* is in the roots). So it affirms that whenever this is found, then the one in whom it was found, is a *Munafiq*. (This), whether or not he was a *Munafiq* before this statement or if the *Nifaaq* began with that statement." ("As-Saraam al-Masluul 'ala-Shatim Ar-Rasul", Pg.34)

And finally, the one who performs these acts of *Kufr Al-Akbaar* without being forced and without the excuse of ignorance is certainly a *Kaafir* on the inside as well and the proof is in His, *ta'ala*'s saying:

Whoever disbelieved in Allâh after his belief, except him who is forced thereto and whose heart is at rest with (Eemaan) Faith but such as open their breasts to disbelief, on them is wrath from Allâh, and theirs will be a great torment. (Surah an-Nahl, 106)

And about this *Ayaah*, Ibn Taymiyah said, "He made everyone who speaks words of *Kufr* to be under the threat of punishment of the *Kuffar* except those who are compelled while their hearts are at rest with *Eemaan*. So if it is said, 'But the Most High said: ...but such as open their breasts to disbelief...' It is said to them (in answer), 'And this is said in compliance to its (i.e. the *Ayaah*'s) beginning because anyone who disbelieves without being compelled, has opened his breast to *Kufr*. And if it weren't like that, then the nullification of its beginning would have come at its end. And if the meaning of 'whoever disbelieved', was the one who opened his breast to *Kufr* – that would be without compulsion – then He would not have only made an exception to the one who was compelled, rather it would have been obligatory to make an exception for the one who is compelled and the one who is not compelled – if he says the words of *Kufr*, willingly then he has opened his breast to it and that is *Kufr*." ("Al-Fataawa", Vol. 7/220)

And *Shaykh Muhammad Ibn Abdul-Wahhab* said, in his explanation of this *Ayaah*, "So Allaah did not excuse anyone from them except the one who is compelled while his heart is at rest with *Eemaan*. But anyone besides these who commit *Kufr* after their *Eemaan*, whether he did it out of fear or willingly in order to please someone, or due to an extreme pressure from within him or for his family or his people or his wealth or he did it out of joking or other than that, from the things, which aren't (covered in the definition) from compulsion. And the *Ayaah* indicates this in two ways: Firstly, His statement: ...**except him who is forced thereto...** So Allaah did not make an exception except for he who is compelled. And the second was His, the Most High's statement: **That is because they loved and preferred the life of this world over that of the Hereafter.** So He made clear that this *Kufr* and this punishment was not because of belief or ignorance or hate for the *Deen* or love of *Kufr*, rather its cause was only a factor from the factors of the (love of this) life. So it had an affect upon his *Deen*." ("Majmoo'at at-Tawheed", Pg. 88-89)

*Kufr 'Amilee.*¹⁴ So what is the difference between you and me? Now we see this is *Kufr 'Amilee*. Why? Because it is an action from the actions of the *Kuffar* and because the *Kuffar*, by their nature, as it has been proven, will always and forever fight amongst themselves and the Prophet **صلى الله عليه وسلم** pointed this out and this re-enforces our position against you (i.e. the questioner) and your *Ta'weel* (interpretation) that this *Kufr* is *Kufr Al-Asgaar*. Also, what helps us provide the *Tafseer* that it (the issue of Muslims fighting one another) is *Kufr Al-'Amilee*, is his **صلى الله عليه وسلم** saying, in the Final *Hajj*, as it has come in '*Saheeh Al-Bukhaaree*', in the *Hadeeth* of Jareer bin Abdullah Al-Bajadee, 'The Messenger of Allaah **صلى الله عليه وسلم** said to him, 'Assemble the people for me.' So he **صلى الله عليه وسلم** addressed the people and said, 'Do not turn into *Kuffar* after me striking each other's necks.' The word 'striking each other's necks'...there is no doubt that this is an action and it is the *Tafseer* of his **صلى الله عليه وسلم** saying earlier – 'Do not turn into *Kuffar* after me striking each other's necks.' – how? By 'striking each other's necks'. So this is *Kufr 'Amilee*. 'Swearing at a Muslim is *Fusuuq* and fighting him is *Kufr*.' So it does not take him outside the *Milla* but if the fighting of a Muslim against his Muslim brother is accompanied by him making his blood *Halaal* in his heart, while being certain that he is a

¹⁴ Here I said:

So the *Shaykh* has confirmed here that he considers all actions of *Kufr* to all be *Kufr Al-Asgaar* except when they are accompanied with *Kufr Al-'Atiqaadee*. And he has confirmed that he only considers the *Kufr* in the heart to be what takes one outside the *Milla* of *Islaam*. But we have proven that anyone who performs acts of *Kufr* willingly, while not being excused due to ignorance, has *Kufr Al-'Atiqaadee* by necessity. But the truth is that the *Kufr* upon the limbs is what nullifies the *Eemaan* in the heart and not the other way around. Remember *Shaykh Al-Islaam's Tafseer* of the following *Ayaah*:

They swear by Allâh that they said nothing (bad), but really they said the word of disbelief, and they disbelieved after accepting Islâm... (Surat at-Tauba, 74)

"He **صلى الله عليه وسلم** was ordered to say to them that they disbelieved after their *Eemaan*. And the saying of those who declare about these verses, 'They disbelieved after their *Eemaan* with their tongues while the *Kufr* already existed in their hearts,' is not correct because the *Eemaan* upon the tongue while *Kufr* is present in the heart is *Kufr* (already). So (these people) claim that it is not to be said, "You have disbelieved after your *Eemaan*", because (according to these people), they never stopped being *Kuffar* in the first place. And even if they mean, "You've demonstrated *Kufr* after you demonstrated *Eemaan*," (this is also incorrect) because they did not demonstrate anything to anyone except to their own people (i.e. they said their statements to each other). And they were always (demonstrating) the same thing among their people. But (this is not correct either because) when they committed *Nifaaq*, they were worried that a *Surah* might be sent down revealing what was in their hearts from *Nifaaq* and their uttering mocking statements. So the wording (of the verses) does not indicate that they were always *Munafiqeen*." ("*Al-Fataawa*", Vol. 7/272) And he said elsewhere, "Whoever swears at Allaah and His Messenger out of mocking while not being forced and whoever says words of *Kufr* out of mocking while not being forced and whoever makes fun of Allaah and his signs and His Messenger, then he is a *Kaafir* on his inside and his outside. And those who say, 'The one like this (description) may be a believer in Allaah on the inside while is only a *Kaafir* in his outside,' – then surely he has uttered a saying of evil mischief in the *Deen*!" ("*Al-Fataawa*", Vol. 7/557) So this means that *Shaykh Naasir*, may Allaah be merciful to him, had the wrong understanding of *Eemaan* and *Kufr* and it was based on *Irjaa'* because it is a separation between actions and *Eemaan* and this lead to an incorrect concept of *Takfeer* and what it requires.

Muslim...at this point, the *Kufr 'Amilee* becomes *Kufr 'Atiqaadee*.¹⁵ “You use as evidence the *Ijmaa'*, which has been narrated by people from the past and people from this era. You must have read the *Tafseer* of the *Imaams* for the likes of His, *tabaaraka wa ta'ala*'s saying: **And whosoever does not judge by what Allâh has revealed, such are the *Kâfirûn***. I mean that the *Ayaah* was revealed for the Jews who would force each other to ask the Messenger because they were two groups. So they would send one of them to ask Muhammad and if he answered favourably to them, they accepted it otherwise, they rejected it. And from the famous well-known leaders of the *Mufasireen*, Ibn Jareer At-Tabaree said in his *Tafseer* of this *Ayaah*, ...**such are the *Kâfirûn*** ‘because they do not believe in the *Hukm* of the Messenger of Allaah **صلى الله عليه وسلم** in their hearts because they originally disbelieved in the Messenger of Allaah **صلى الله عليه وسلم** unless he judges in their favour. At this time, they accept the *Hukm* because it is in their favour but if it is not in their favour, they reject it with their hearts and by changing it. And because of that, he...I mean Ibn Jareer and Ibn Katheer...approved that it is not allowed to apply this *Ayaah* upon a Muslim *Fajar/Fasiq* who believes in what Allaah *az'awajaal* revealed but rules either according to himself or according to other than himself or other than him with other than the *Hukm* of Allaah *az'awajaal* in His Book or His Prophet **صلى الله عليه وسلم** in his *Sunnah*¹⁶ ... it is not allowed to

¹⁵ I said:

These kinds of statements are those that I first mentioned in my first emails, which is the heart of *Irjaa'*. Let's summarize the *Shaykh's* points here. He has said that this *Kufr* of fighting a Muslim is only *Kufr* when it is accompanied with him making his blood *Halaal*. This is true but not for the reasons the *Shaykh* is using. According to *Ahl us-Sunnah*, it is only *Kufr* if he makes his blood *Halaal* because this act is only at the level of *Kufr Al-Asgaar*. But the *Shaykh* has stated that the reason why this act of *Kufr* does not nullify his *Eemaan* is the fact that it occurred on the limbs. But the truth is that this act of *Kufr* does not nullify his *Eemaan* because it isn't *Kufr Al-Akbaar*. In other words it is only a sin. And we know that sins decrease the *Eemaan* but they do not nullify it completely. So the *Shaykh* has put the condition of making this *Halaal*, which is what the *Murji'yah* make as conditions as well. In this case he is correct but he applies this condition to all acts of *Kufr*, even if they are in reality, *Kufr Al-Akbaar*. And this is his error. And this is an example of his *Irjaa'*. And the *Shaykh* has confirmed that only *Kufr Al-'Atiqaadee* can be *Akbaar*. But this means that the *Shaykh*, may Allaah be merciful to him, did not consider any actions to be able to nullify *Eemaan* on their own without being accompanied with belief which initiated it. Isn't this the *Irjaa'* that we pointed out in the beginning? Isn't this a level of separating actions from *Eemaan*? What this means is that all actions of *Kufr*, no matter what level they are, are only sins. Isn't that what the *Murji'yah* say?

¹⁶ Here I said:

This is not true. Ibn Jareer At-Tabaree said:

“He *ta'ala* says, whoever conceals the *Hukm* of Allaah, which He revealed in His Book and made it a law between the slaves – so he hides it and rules with other than it like the *Hukm* of the Jews concerning the married fornicators with whipping of the guilty and blackening their faces and concealing the *Hukm* of stoning and like their judging upon some of their murdered with full blood-money and some with half of their blood-money. And concerning the noble people, they would have *Qisaas* but the commoner would only get the blood money. But Allaah made all of them equal in the *Tauraat*: ...**such are the *Kâfirûn***. They are the ones who concealed the truth, which was upon them to uncover and make clear. And they hid it from the people and they showed something different to the people and they judged according to that (changed *Hukm*) because of a bribe they took from them.” (“*Tafseer Al-Tabaree*” Vol. 4/592)

So there is no mention of their hearts or their original disbelief in the Prophet **صلى الله عليه وسلم** and there is a confirmation from *Imaam* At-Tabaree that this *Ayaah* came down for them changing the *Hukm* of what Allaah revealed in the *Tauraat* with that of the *Hukm* which they used for their noble people and they judged according to that based upon a bribe of the people. And this bribe is like what Ibn Masood said in the following *Athar*:

“I was informed by Yaquub bin Ibraheem who said, ‘I was informed by Hushaym who said, ‘I was informed by Abdul-Malik bin Abee Sulayman from Salamah bin Qu’hayl from Alqamah and Masrooq that they asked Ibn Masood about bribery and he said, ‘It is from the unlawful trade.’ So he (Qu’hayl) said, ‘And in the *Hukm*?’ He (Ibn Masood) said, ‘That is the *Kufr*!’ And then he recited: **And whosoever does not judge by what Allâh has revealed, such are the Kâfirûn.**” (same section as the above from *Tafseer* Al-Tabaree) And Abdullah As-Saad said in his cassettes entitled “*Sharh Nawaqith Al-Islam*”, ‘This *Sanaad* is *Saheeh*.’ And *Shaykh* Sulayman Al-‘Ulwaan agreed with him.

So the act of taking bribes is only from the unlawful trade but the act of taking bribes with respect to the *Hukm* is *Kufr*. And this is the difference between the slaves who conduct themselves by other than what Allaah revealed in their own personal lives and those rulers who rule by other than what was revealed in the lives of the people. The first is a sin and the second is *Kufr*, even though they are both actions. However, the level of the sin in these actions is not equal because the first only decreases the *Eemaan* and the second one nullifies it from its origin. And this confirms that the *Ayaah* is indicating *Kufr* from the action itself and not from the heart.

And then Ibn Jareer quotes all of the narrations from the *Sahabah* and *Tabi’een* and *Tabi’Tabi’een* regarding the reason of the revelation of this *Ayaah*. And finally he said, “And the first of these sayings is the one I believe to be correct; the saying that these *Ayaat* came down for the *Kuffar* of *Ahl-Kitaab* because of the *Ayaat* which preceded them and which follows them are revealed for them. And they were the ones specified therein. So if a person says, ‘Verily, Allaah *ta’ala* generalized this issue to include anyone who does not rule according to what Allaah revealed. So how can you make it specific?’ It should be said (in reply), ‘Allaah *ta’ala* made this general for a people who were – concerning the *Hukm* of Allaah, which he revealed in his Book – rejecting it.’ So He informed us about them that they – due to their leaving Allaah’s *Hukm* in the way that they did – were *Kuffar*. And like that is the saying concerning anyone who does not rule by what Allaah revealed, rejecting it. He is a disbeliever in Allaah.” (Vol. 4/597)

The point here is that these people actually disbelieved by their replacement of this law and this was *Juhood* (rejection) but it was upon the outside. So Ibn Jareer’s word ‘rejecting it’ here does not mean in the inside, rather it means on the outside. And this is clear from his words, “So He informed us about them that they – due to their leaving Allaah’s *Hukm* in the way that they did – were *Kuffar*.” And this type of rejection upon the outside is like His, *ta’alaa*’s saying:

And they rejected (wa’jahaaduu bi’haa) them (those Ayât) wrongfully and arrogantly, though their own selves were convinced thereof [i.e. those (Ayât) are from Allâh, and Mûsa (Moses) is the Messenger of Allâh in truth, but they disliked to obey Mûsa (Moses), and hated to believe in his Message of Monotheism]. So see what was the end of the Mufsidûn (disbelievers, disobedient to Allâh, evil-doers, liars.).

So this *Juhood* was upon the outside and this is like the *Juhood* of the *Haakim* who replaces the *Hukm* that Allaah revealed in his Book just as the Jews did and just as Ibn Jareer has confirmed. Of course this act of *Kufr* is governed by the aforementioned rule of *Takfeer*. And even though this act of *Kufr* – from the *Thaahir* – is *Juhood*, the *Takfeer* cannot be made to him until all of the defences of *Takfeer* (such as the *Uthur* of *Jahl* due to *Ijtihaad*, *Ta’weel* etc.) have been eliminated and the conditions have been established (such as the *Hujaa*’ has been made to him etc.) But if these defences of *Takfeer* are eliminated and the conditions are established, this *Haakim* will be declared a *Kaafir/Mortad* and all of this will come from his act of *Kufr* upon the outside.

And Ibn Katheer said, "Ibn Jareer said, with his *Sanaad* from Alqamah and Masrooq that they asked Ibn Masood about bribery and he said, 'It is from the unlawful trade.' So he (Qu'hayl) said, 'And in the *Hukm*?' He (Ibn Masood) said, 'That is the *Kufr*!' And then he recited: **And whosoever does not judge by what Allâh has revealed, such are the Kâfirûn.**" (same Hadeeth narrated above) And As-Sudee said, 'He (i.e. Allaah) says (paraphrasing), "Whoever does not rule by what I have revealed and he leaves it purposely and or becomes unjust with knowledge, then he is from the *Kaafireen*.' And from Ibn Abbas who said, 'Whoever rejects what Allaah has revealed, then he is a *Kaafir* and whoever accepts it, then he is a *Thaalim/Faasiq*.' – Narrated by Ibn Jareer. Then he (Ibn Jareer) demonstrates that the meaning is *Ahl-Kitaab* and or anyone else who rejects what Allaah revealed in his Book. And from Ibn Tawoos from his father, who said, 'Ibn Abbas was asked about His saying: **And whosoever does not judge by what Allâh has revealed, such are the Kâfirûn.**' He (Ibn Abbas) said, 'In it there is *Kufr*.' And Ibn Tawoos said, 'And it is not like the one who disbelieves in Allaah and His Angels and His Books and His Messengers.' And Ath-Thawree said from Ibn Juraaj from 'Autah that he said, '*Kufr dun Kufr, Thulm dun Thulm, and Fisq dun Fisq*.' And from Tawoos who said, 'It is not the *Kufr* that takes you outside the *Milla*.' And from him (Tawoos) from Ibn Abbas who said, 'It is not the *Kufr* you are taking it to, it is not the *Kufr* that removes one from the *Milla*, it is *Kufr dun Kufr*.'" ("At-Tafseer" Vol. 2/63-64)

So where is the mention of their hearts or their original disbelief in the Prophet **صلى الله عليه وسلم**? And where are the words of Ibn Katheer saying that you can't apply this *Ayaah* to the Muslim ruler who rules by other than what Allaah revealed? But if we are to bring the words of Ibn Katheer in this subject, we would bring the following:

"Allaah *subhana'huu*, rejects those who refused Allaah's *Sharee'ah*; the laws that are good for the Muslims; the laws that forbid what is evil. Allaah rejects those who follow laws of personal desires and who adopt laws of *Kufr* such as the laws enforced by the Tartars who were under the control of Gengiz Khan, their king. These laws were a mixture of Judaism, Christianity and laws chosen by their king that suited his desires. Should we prefer these laws to the *Sharee'ah* of Allaah and His Prophet **صلى الله عليه وسلم**? Whoever adopts laws other than Allaah's is a *Kaafir* and the Muslims must declare war on him until the laws of Allaah are adopted; the laws prescribed by Allaah and His Prophet **صلى الله عليه وسلم**." ("At-Tafseer" Vol.2/67)

And commenting on this *Ayaah*:

(And) if you differ in anything amongst yourselves, refer it to Allâh and His Messenger (صلى الله عليه وسلم), if you believe in Allâh and in the Last Day. (Nisaa', ayah 59)

Ibn Katheer said, "Mujahid and others from among of the *Salaaf* (predecessors) said that the phrase '**...Allaah and His Messenger...**' in this *Ayaah*, means the Book of Allaah and the Sunnah of His Messenger. This is an order from Allaah that all matters that the people disagree on, including the fundamentals of *Deen*, must be referred back to the Book (Qur'aan) and the Sunnah. Allaah said, "**If you differ in anything amongst yourselves refer it to Allaah...**" So whoever is judged upon from the Book and the *Sunnah*; if he witnesses for this judgement, that it is right, then he is upon the truth, and what comes beyond the truth except *Dhalaal* (misguidance)? For this reason, Allaah said, '**if you believe in Allaah and the Last Day.**' In other words 'consult the Book and the Sunnah when you disagree on issues and judge by them in the disputes between the people if you (claim to) believe in Allaah and the last day.' This indicates that whoever doesn't judge by the Book and the Sunnah and refer back to them in their times of disagreement, then they disbelieve in Allaah and the Last Day.'" ("At-Tafseer" Vol. 1/519)

And, "Whoever rules according to the '*Yasaaq*' (i.e. the book invented by the Tartars with which they governed) is a *Kaafir* by *Ijmaa'*" ("Al-Bidaaya Wa-Nihaaya" Vol. 13/119)

So *Inshaa'Allaah*, both Imaam Ibn Jareer and Ibn Katheer are cleared from *Irjaa'* and their actual opinions are clear with no doubt.

apply this *Ayaah* upon the *Muslimeen* because they are different than the *Mushriqeen* because they believe in what Allaah has revealed, however, their *Eemaan* in what Allaah revealed was not accompanied by actions while these *Kuffar* rejected what Allaah revealed in their hearts. And because of this, the *Ulamaa'* of the *Muslimeen*, in the *Tafseer* of this *Ayaah*, which is used by many of the people who hold onto the unrestricted *Takfeer* and from it is your saying that *Kufr 'Amilee* could be *Kufr* which takes you outside the *Milla* and you did not see that it is impossible for the *Kufr 'Amilee* to take you outside the *Milla* unless the *Kufr* has become an action of the heart of the *Kaafir*. It is *Waajib* to differentiate between the *Kufr 'Amilee* and the *Kufr 'Atiqaadee*. We do not find in the *Sharee'ah* any text, which clearly indicates that the one who believes in what Allaah revealed, is a *Kaafir*. The one for example, who takes *Riba*...what is his *Hukm*? Is he a *Kaafir/Mortad* from the *Deen*? You are going to say, 'No.' Isn't this true?"

Questioner: "Yes."

(...end of excerpt...)

And I concluded my response with some brief words concerning the 'Ruling by Other Than What Allaah Revealed' with proof from the *Qur'aan* and the *Tafseer* of the people of knowledge which proved that the ruler who replaces the laws of the *Sharee'ah* with his own fabricated laws, has performed the *Kufr Al-Akbaar*, which removes one outside the realm of *Islaam*. And I emphasized that this *Kufr* comes from his action and it is not necessary to investigate his heart to see if he makes his ruling *Halaal* or not or to determine if he rejects Allaah's *Sharee'ah* in his heart or not.

As I mentioned earlier, the one whom I sent this article to, said that he would reply with his own response, which would refute my "many grave errors", and until now, I still have not seen it.¹⁷ However, in the email correspondence, which came after my response, I came to notice that this individual seemed more interested in defending *Shaykh Al-Albaanee's* reputation and attacking those who oppose him in the issues of *Eemaan* and *Kufr*, than he was in proving the correctness of the *Shaykh's* opinions about *Takfeer* etc. He also seemed more interested in attacking the authors whom I had quoted in my section on 'Ruling by Other Than What Allaah Revealed', than he was in disproving what they had said concerning the topic itself. I found this very interesting, although odd and I came to notice later, that this is quite a common strategy among these people and their readers.¹⁸ Since then, www.salafipublications.com has posted several articles related to *Eemaan* and *Kufr* and 'Ruling by Other Than What Allaah Revealed'.

¹⁷ I am not saying that this individual will not send it; only that he has not done so yet.

¹⁸ It is very common that this site will throw personal attacks against the scholars whom they oppose in certain issues, yet very seldom to they use any *Ayaat* from the *Qur'aan* or *Saheeh* statements from the Prophet, peace be upon him, to refute the opinions and statements of these scholars. Rather, what they commonly do, is find some mistakes from those whom they oppose and then use these statements to discredit everything that these scholars have said. Or, they will quote some of the people of knowledge who have criticized them in some unrelated issue and then use these criticisms to attack them and to cause their readers to dislike that particular scholar and disregard all he has ever said, thus they can avoid having to

And there have been three booklets ¹⁹ :

1. **An Explanation of the Deception of the Qutubiyyah: The Creed of Imaam Al-Albaanee on Takfeer and Apostasy**
2. **Readings in Elementary Qutubism: A General Introduction to the Fundamental Precepts of the Qutubi Ideology**
3. **The Halabee Papers: Part 1: Replying to Abu Ruhayyim**

So I do not claim that all these articles and booklets were a direct result of what I wrote, but I do believe that some of what has appeared on their site has in some ways been intended to address the issues, which I raised in my project. And verily, Allaah, *ta'ala* knows best. In the upcoming section, we will be addressing many of the points raised by the authors of www.salafipublications.com and those of the books and individuals they have quoted from, *Inshaa'Allaah*. ²⁰

A Declaration of Sincerity

In undertaking a project of this type, there are inherent risks, which one should be aware of. There is a risk of personalities clashing within the issues and this leads to vengeful, spiteful rhetoric, which we want to avoid. We are not intending this project to be used to bash any of the individuals at www.salafipublications.com, rather we are attempting to advise and refute them for the sake of protecting the English speaking Muslims from falling into this trap of *Shaytaan* and to clarify the truth concerning *Eemaan*, *Kufr*, *Takfeer* and the topic of 'Ruling by Other Than Allaah Revealed'. Also, in the course of this project I will attempt to point out many of the correct things which www.salafipublications.com has written on the subject of *Eemaan* and *Kufr* etc. And in

disprove his statements because this would require knowledge. And this is very similar to how non-Muslim, secular politicians struggle against their opponents. When they are unable to defeat them within the context of the actual issues themselves, we see that they find some scandal, which will tarnish their opposition, thus lulling the masses into focusing upon the mistakes of an individual, rather than evaluate and weigh his opinions and statements. And how ironic it is that www.salafipublications.com will cast blame and revile those whom they call "biased partisans" while they are practising the very partisanship, which they claim to detest. And we say that this is a trap from the *Shaytaan*, may Allaah destroy him, and it leads to the kind of statements we've come to expect from this group which are full of spite, hatred, revilement and blind following. And may Allaah protect us all from that.

¹⁹ ...as of the date of this document.

²⁰ In some cases we will be refuting the authors whom they quote from and this should be viewed as a refutation of www.salafipublications.com as well as the individual whom they've quoted and supported. This is because these people do not quote certain individuals unless their statements are in support of what they are attempting to propagate and this is very clear when one examines their articles. And in many cases it is quite amusing when www.salafipublications.com demonstrates their lack of understanding, concerning the issues, and mistakenly quote words of the scholars who are actually disproving the point that these people are trying to substantiate. And we will point out some of these instances shortly, *Inshaa'Allaah*.

doing so, I hope to avoid the trap that these people seem to have fallen into where they only focus on the mistakes of individuals²¹, while never mentioning the truth of any of their statements. In some cases, we will attempt to bring evidence from the *Qur'aan* and the *Sunnah* for the truth of their words in order to substantiate them, thus freeing ourselves from this trap and to be just concerning their words.

Also, during this refutation, there is a risk of ruthless and insulting words being directed towards the authors of these articles and books. This can sometimes result from the natural emotional reaction, which the statements of these people will undoubtedly inspire.²² In some instances, our tone *will* take on a degree of severity in order to highlight our points but we wish to free ourselves from cruelty and insensitivity and this tone should not be interpreted as intentional malice. Rather, the very nature of a project of this type is to refute the statements and expose the mistakes and clarify the matters. And in doing so, a level of sternness, and harshness might be employed. But while reading, please keep in mind that this technique is only intended to emphasize the issues and never to harm the honour of these people. And we ask Allaah to temper our speech with justice, decisiveness, accuracy and sensitivity. And the goal of this project is not to call to any particular personalities. It is intended to arrive at the truth and we seek Allaah's aid in that.

²¹ And here I should also add, "...or what they perceive as mistakes..." as there are many times they will quote some words of an individual whom they despise and then attempt to draw a conclusion from these words and apply a general meaning to them where the one whom they are quoting is referring to something specific. And again; how ironic it is that www.salafipublications.com casts such a huge amount of blame against those who do this while they are, in fact, doing the exact same thing. And to Allaah is the refuge.

²² *Inshaa'Allaah*, we will quote some of the statements of www.salafipublications.com which will demonstrate their own insulting nature and bitter, vicious, contemptuous and hateful statements, whether they are focused towards individuals or invented categories of people whom they lump together and ascribe foolish and ridiculous names.

Part 1: Issues related to Khaalid Al-Anbaree and his book “*Al-Hukm bi’Ghayr ma-Anzaal’Allaah wa-Usool at-Takfeer*,” and the subsequent posting of his series of articles entitled “The Anbaree Papers” by www.salafipublications.com

After the aforementioned *Fatwaa* from the *Lajnaa’ Ad-Da’imaah* ²³ and several criticisms and refutations of the book and its author, Khaalid Al-Anbaree wrote to the *Lajnaa’* requesting that they provide proof of their allegations and he authored several follow-up treatises defending the position that he took in the book. His position, as was that of *Shaykh* Naasir Ad-Deen Al-Albaanee, may Allaah be merciful to him, ‘Alee Al-Halabee ²⁴ and several others of this type, is that ‘Ruling by Other Than What Allaah Revealed’ is only *Kufr Al-Akbaar* when the ruler believes that his actions are *Halaal* (i.e. *Istih’laal*) or when he rejects, in his heart, what Allaah revealed (i.e. *Juhood*) or that his own *Hukm* is better for the slaves etc. And these people, including Khaalid Al-Anbaree, even extend this opinion to the ruler who replaces the laws of the *Sharee’ah* with his own fabricated laws and to the one who makes general legislation, which oppose the laws of the *Sharee’ah*. And may Allaah protect us from such foolishness and negligence.

This section is intended to address the issues of Khaalid Al-Anbaree and his book; however we will make comments, which will also extend to other issues along the way. Most of what we will use in this section comes from the series of articles called “The Anbaree Papers”, which were translated and posted by www.salafipublications.com.

The author of “The Anbaree Papers: Part 1” said, in his introduction concerning the *Fatwaa* which banned Al-Anbaree’s book:

“Further, one of the signatories was not involved in making the judgement since he was ill at the time, confined to his house, and relegated the issue to the remainder of the signatories - as has reached us from numerous reliable authorities.”

And by this reference, we assume that they are referring to Saalih Al-Fawzaan who was rumoured to be in disagreement with the Committee’s *Fatwaa*. To this we quote the following text transcribed from the Real Audio phone call, which has circulated the Internet:

Questioner: “O *Shaykh*, I love you for the sake of Allaah and this is my question, hoping that your heart will accept from us: It is said about you that you do not agree with the *Bayaan* of the Committee of Senior ‘*Ulaama* upon the book ‘*Al-Hukm bi’Ghayr*

²³ Mentioned in footnote number 1 of this project

²⁴ We will address the issues related to ‘Alee Al-Halabee shortly, *Inshaa’Allaah*.

ma'Anzaal-Allaah.' It is also said, 'Why did this *Bayaan* come out now while the book has been published for now about two years?' It is also said that this *Bayaan* encourages the people of *Takfeer*. We hope for an answer which will make this clear because this matter has an affect upon us."

Answer from *Shaykh* Saalih bin Saalih Al-Fawzaan: "As far as my signature, I have signed this *Bayaan* and my signature is present upon it and I read it and I agree with it and I signed it. And concerning why this *Bayaan* has come out recently, the book was not presented to us except in these days and we answer what has been presented to us. And as far as what has been said about this encouraging the *Takfeeri'een*, this isn't upon us. It is only upon us to make the truth clear. The book contains errors in it, which we made clear and we highlighted them. And it is not upon us what so-and-so says and so-and-so does not say. This is what is *Waajib* upon us."²⁵

So this was the same '*Alaam* who www.salafipublications.com delighted in quoting in order to refute the concept of *Tawheed Al-Haakimiyyah* as a fourth and separate category of *Tawheed*.²⁶ And they have taken great pains to emphasize the explanation of his words in his book "*Kitaab Al-Tawheed*" in order to attempt to show that his words were not intended to be referring to specific rulers in the Gulf States.²⁷ And yet, we see that he and the other members of the Lajna' ad-Da'imaah, whom www.salafipublications.com love to quote when their statements support their opinions, have not reversed their *Fatwaa* and have not recanted from their position regarding Khaalid Al-Anbaree, even after Al-Anbaree sent his treatises to them."²⁸

²⁵ So we see that the *Shaykh* was in total agreement with the declaration of each and every word the *Fatwaa* came with. And this is clear from his words, "The book contains errors in it, which we made clear and we highlighted them." So if he did not agree with all the points of the *Fatwaa*, he would not say "...we highlighted them."

²⁶ We say that this form of *Tawheed* is unnecessary as a separate, fourth category as all of it's aspects fall into the other three categories of *Tawheed*. So we say that ruling by what Allaah revealed is necessary for the existence of *Tawheed al-Uluhiyyah* as this is a manifestation of *Tawheed*, which is directed from the slaves towards their Lord. And we say that ruling by what Allaah revealed is a necessary for the existence of *Tawheed al-Rububiyyah* because ruling generally by anything other than that would imply the denial of the Lordship of Allaah in His Legislation towards His slaves. And we say that it is a necessary component for the existence of *Tawheed Al-Asmaa' wa-Sifaat* because of how many of Allaah's Names and Attributes describe His Omnipotence in Governance. So this issue does not really require a separate category of *Tawheed* in order to prove that 'Ruling by Other Than What Allaah Revealed' is *Kufr Al-Akbaar*. However, we do not revile those who use *Al-Haakimiyyah* as a fourth category of *Tawheed* in order to emphasise its importance. This is because someone might just as easily say that *Tawheed Al-Asmaa' wa-Sifaat* is unnecessary since it can be covered in both *Tawheed Al-Uluhiyyah* and *Tawheed Al-Rububiyyah*. And Allaah knows best.

²⁷ *Inshaa'Allaah*, we will review this article in an upcoming section as well.

²⁸ And how pathetic it is that the *Fataawa* and books and cassettes from these same scholars are used when it benefits and supports the position of www.salafipublications.com and that this website stands behind the statements from these scholars to the point where they attack individuals with their words, and yet the instant that this Committee issues a *Fatwaa* against the book which expounds some of www.salafipublications.com's opinions in a particular issue, they abruptly throw their support into reverse.

You will soon see these biased partisans, accusing the Salafis of ascribing the ideas of the Khawarij to the Permanent Committee for Research and Verdicts. However, as al-Hafiz Ibn Hajr cannot be accused of Ash'arism simply because some of his statements are used by the Ash'aris as proof, likewise the case of Ibn al-Jawzee, he cannot be associated with the Jahmiyyah simply because his works are used by the Jahmees to assault Ahl us-Sunnah. Similarly, the Salafis free the Permanent Committee from being Khawarij, despite the fact that their verdict is being used by the Khawarij of the Era to justify their vain desires. How can they be so when they are free of performing takfir on account of sins such as singing, drinking and the likes – unlike the mentors of the biased partisans, about whom Imaam al-Albani stated, "**the Khawarij of the Era**" and whose evil is, "**the evil of ignorance, misguidance and scum**" in his view?!

The point that we would like to make here is that Ibn Hajr *did*, in fact, say statements of *Ta'weel* concerning the Attributes of Allaah and it is not simply that his statements were used by the *Ashaa'ira* afterwards. The statements of *Ta'weel* of Ibn Hajr are just as established as the fact that his words were later used by the *Ashaa'ira*. In fact, the *Ashaa'ira* would never have used his statements to support their positions if he had not made *Ta'weel*. So we cannot deny that Ibn Hajr had mistakes in this area but neither can we say that he was from the *Ashaa'ira* either, because he did not adhere to their *Usool* concerning His Names and Attributes. Rather, we take the middle course with respect to this issue. So we say that Ibn Hajr had some mistakes in the area of the Names and Attributes of Allaah and that he made *Ta'weel* and that these are the concepts of the *Ashaa'ira*.

So this is the truth concerning Ibn Hajr. And if this is the truth concerning him, then what does this imply about www.salafipublications.com in their view of the Permanent Committee? This would mean that their *Fatwaa* against Khaalid Al-Anbaree was from the mistaken concepts of the *Khawarij*. As they said, "Similarly, the Salafis free the Permanent Committee from being Khawarij, despite the fact that their verdict is being used by the Khawarij of the Era to justify their vain desires." So this implies that they are not holding the Permanent Committee to be among the *Khawarij* but this also means be necessity that this *Fatwaa* is from the mistakes of the *Khawarij* just as we have explained about Ibn Hajr and his statements about the Names and Attributes of Allaah. And what makes this even more certain, is the following statement of the author: "How can they be so when they are free of performing takfir on account of sins such as singing, drinking and the likes..." So this shows that they free the Permanent Committee from the *Usool* of the *Khawarij* but they have not freed them from the mistaken ideas of the *Khawarij*. And this is quite an accusation indeed.

So Khaalid Al-Anbaree said:

However, those who do Takfir of the Rulers that judge by secular law in an absolute manner, without any investigation or clarification, use the words of the Shaikh and Allaamah,

Muhammad Bin Ibrahim – may Allah have mercy upon him – found in his treatise 'Tahkim ul-Qawanin' (Judging by Secular Law).²⁹

This is a common exaggeration which the likes of www.salafipublications.com and Khaalid Al-Anbaree allege against those who hold the 'Ruling by Other Than What Allaah Revealed' to be *Kufr Al-Akbaar*. The truth of the matter and what *Ahl us-Sunnah wal-Jamaa'ah* are upon, is that even the one who is guilty of performing an action, holding a belief or speaking a statement of *Kufr Al-Akbaar*, cannot be made *Takfeer* to until all of his excuses are eliminated and all of the conditions of *Takfeer* are present. So we say that whoever 'Rules by Other Than What Allaah Reveals' is a *Kaafir*. But this is a general label and we do not apply this label to every individual specific ruler until we establish all the conditions of his *Takfeer* and eliminate all of what would defend him from this *Takfeer*.³⁰

And what we find completely dumbfounding is that www.salafipublications.com has posted a booklet on the subject of *Takfeer* called, "**The Excuse of Ignorance and**

²⁹ The Anbari Papers: Part 1: Enquiry to the Permanent Committee About Its Verdict (Article ID: MNJ050009)

³⁰ Ibn Taymiyah, may Allaah be merciful to him said, "The truth of the matter regarding this, is that a statement may be *Kufr*. So it is said, 'Whoever says this (thing) is a *Kaafir*.'" However, an individual who says this thing is not immediately called a *Kaafir* until the clarification – the kind of which will render a person a *Kaafir* if he denies it, has been established upon him...'

'And the sayings, which – whoever says them, disbelieves; it may be that that man did not possess the texts, which are required to understand the truth (or maybe they) did not reach him or he might have them but he did not consider them acceptable * or he may not have understood them correctly or he may have misunderstandings that Allaah will excuse. So whoever, from the *Mu'mineen*, is a *Mujtaahid* [a jurist capable of using the texts to derive a ruling or – if there are no texts, he is qualified to exercise his *Ijtihaad* (deductive reasoning)], but makes an error, then surely Allaah will forgive his error, whoever he may be. (This applies) whether it is in matters of belief or matters of deeds. **This is what the *Sahabah* of the Messenger of Allaah صلى الله عليه وسلم and the majority of the leaders of Islaam are upon.** And they do not divide matters into matters of *Usool* (foundations) – that he who negates it (automatically) disbelieves or into *Faruu'* (branches) – that he who negates it never disbelieves...'

'And the general curse does not always implicate the cursing of the specific individual (because) that (person may) have something that prevents the curse from applying to him. And like that, are the general *Takfeer* and the general threats of punishment. Based on this, the general threat of punishment in the *Book* and the *Sunnah*, is made subject to the precondition of the establishment of conditions and the elimination of all the defences (of that individual)...'

'...And I used to make it clear to them that it has been narrated to them from the *Salaaf* and the *Imaams* that making *Takfeer* to one who says such-and-such is also correct, but it is compulsory to differentiate between the general and the specific (by declaring), 'Whoever does this, then he is such-and-such!' And this is the same way the *Salaaf* did it when they would say, 'Whoever says such-and-such, then he is such-and-such.' The specific individual will prevent the general threats of punishment from applying to him through his *Tauba* or rewards which cancel it (i.e. the general threats) or the trials, which befall him that might cancel it or the intercession that is accepted (by Allaah).'" – From "*Majmoo' Al-Fataawa*", Vol. 3/230; Vol. 10/329; Vol. 23/41

Takfir”³¹ and in this book is a section entitled, “PART TWELVE: The Distinction Between An Action’s Being *Kufr* And The Doer Of The Action’s Being A *Kaafir*.” And under this section is an explanation of this exact rule.

So in one article, www.salafipublications.com attempts to demonstrate how the people who say that the rulers who ‘Rule by Other Than What Allaah Revealed’ are *Kuffar* are doing so in an unrestricted, and absolute manner without any investigation or clarification and in another article, they have explained how such statements are not unrestricted and absolute. And this is one out of many demonstrations of how these people do not really grasp the issues in which they have taken such strict positions.

And also, Khaalid Al-Anbaree has this same kind of ignorance about the issues wherein he states one thing as a rule in order to establish his position and then he gives an example later of how he has completely missed the point of the previous rule he established.

For example:³²

Khaalid Al-Anbaree said, “And it would have been simpler for us to relax ourselves from making rules for this project if the people in our time would just consider what happened in the time of the Prophet considering that Al-Najashree was the king of his people and he used to rule them with other than what Allaah revealed upon His Messenger. Yet the Messenger did not judge upon him with *Ridah* and leaving the *Milla*. Because if the *Hukm bi’Ghayr ma’Anzaal-Allaah* was *Kufr Akbaar*, which removes one from the *Milla* totally, without *Juhood* or *Istih’laal*, then the Prophet and the *Sahabah* would not have prayed the funeral prayer upon him.”³³

And earlier in the book he explained the rule entitled: Chapter Title: “The Muslim does not disbelieve by a saying or an action or belief until the *Hujjah* (i.e. clarifying argument) is made upon him and the misunderstanding is removed.”³⁴

So Khaalid Al-Anbaree said that Al-Najashree did not rule his people by what Allaah revealed³⁵ and that if this was an action of *Kufr Al-Akbaar* on its own, then the Prophet,

³¹ Article ID: MNJ090002

³² These quotations are from “*Al-Hukm bi’Ghayr ma-Anzaal’Allaah wa Usool At-Takfeer fi’Dhow Al-Kitaabee wa Sunnah wal Salaaf Al-Ummah*” – published by ‘*Maktabaat ‘Ilm*’ in Jeddah 1415 (Second Edition published in 1417/6/9) We have this book and have reviewed it briefly and found it full of what the *Lajnaa’ ad-Da’imaah* has alleged. And we seek the refuge in Allaah from its foolishness.

³³ Pg. 62

³⁴ Pg. 17

³⁵ Firstly, Al-Anbaree did not even bother to prove that Al-Najashree did not rule his people by what Allaah revealed. Rather, he quoted Ibn Taymiyah as saying that Al-Najashree did not establish the five daily prayers. And we know that Al-Najashree ruled Abyssinia and how difficult it was for news to be spread in that time over such a great distance. So the knowledge of the five daily prayers having become *Waaajib*

صلى الله عليه وسلم, and the *Sahabah*, would not have prayed the funeral prayer upon him, obviously because this would have made him a *Kaafir*. So we ask, "What about the earlier rule?" How can he expect the *Prophet* and the *Sahabah* to judge Al-Najashee with *Ridah* and leaving the *Milla* without the *Hujjah* being made to him?! And because we have no knowledge of the *Hujjah* being made to him, we would have no knowledge of his *Kufr* and if only Khaalid Al-Anbaree would have adhered to his own rules, then maybe he would have seen that the ruler who replaces the laws of the *Sharee'ah* with his own fabricated laws and legislates in the lives of the Muslims with laws which oppose *Islaam*, is a *Kaafir*.

So these are some examples of how Khaalid Al-Anbaree has not really understood the issues of *Kufr* and *Eemaan* and *Takfeer* just as we've seen www.salafipublications.com have not either.

Latter in The Anbaree Papers: Part 1, Khaalid Al-Anbaree said:

Was it because that I claimed in my book – as asserted in the fatwaa of the Committee - a consensus, *ijmaa*, that there is no *Takfir* for the one who rules by other than what Allah has revealed – with general legislation, *tashri'an aamman*, except when he declares it lawful with his heart [i.e. as a matter of belief] (*istihlaal qalbi*)?

ONE: I implore you by Allaah the Most High and Most Great that you find such a consensus in my book?! Bring to me even a single letter from it!! That which is to be found in my book on page 81 in large black writing with a very long title is:

A Great Issue: Affirmation of the Consensus of the Salaf and the Khalaf of Ahl us-Sunnah and Others About the Absence of Disbelief of the One Who Ruled by Other Than What Allaah Revealed Without Wilful Denial, Juhood, or Claiming its Lawfulness, Istihlaal³⁶

Yet, in The Anbaree Papers: Part 2, the author shows how he makes no distinction between the ruling in one particular instance and the ruling in general legislation. So if Al-Anbaree holds these two forms of ruling to be equal and says that both of these actions cannot cause the ruler to leave *Islaam* without *Istih'laal* or *Juhood*, then this title which includes the phrase, "...the One Who Ruled by Other Than What Allaah Revealed..." must refer to both forms of 'Ruling by Other Than What Allaah Revealed' and thus, the Committee was correct in their allegation that Al-Anbaree claimed a consensus which included general legislation. And if www.salafipublications.com had the understanding of the issues it was posting in article after article, they would have seen this and been aware of this.

Next, in The Anbaree Papers: Part 1, the author says:

upon the Muslims must not have reached him, as many of the laws of *Islaam* must not have. So Al-Anbaree should fear Allaah regarding speaking about issues about which he has no certain knowledge.

³⁶ Article ID: MNJ050009

THREE: Certainly, those who oppose me, the ones who perform Takfir of the rulers who judge by secular laws, absolutely and unrestrictedly, without any further investigation or clarification, also claim a consensus, ijmaa, concerning Takfir of the Rulers without any sound, knowledge-based support. I expounded upon this in my book. Yet no one has given a verdict to forbid the publishing of their books?!³⁷

So here we see the same foolish exaggeration of www.salafipublications.com and the likes of Khaalid Al-Anbaree who has lumped all those who oppose him to be "...the ones who perform Takfir of the rulers who judge by secular laws, absolutely and unrestrictedly, without any further investigation or clarification..." And again, we say that this act is *Kufr*, which expels one from the realm of *Islaam*, and yet we still say that all of the conditions of *Takfeer* must be present and all the defences of *Takfeer* must be eliminated before this ruling of *Kufr* is applied upon any individual particular ruler. So we are free from this kind of extremeness that these people accuse us of and if they were to accuse this to anyone, then let them accuse this to 'Alaamah Shaykh Bin Baaz who gave a *Fatwaa* about this exact issue in the second question from the *Fatwaa* no. 4400:

Questioner: "There are those who say, 'Whoever accepts the message of Muhammad **صلى الله عليه وسلم**, and faces the *Qiblah* in his *Salaat* then even if he prostrates to his *Shaykh*, he does not disbelieve and he is not to be called a *Mushrik*.' Even they say that Muhammad Ibn Abdul-Wahhab – the one who said about the *Mushrikeen* that they are eternally in the Fire if they do not make *Taubah* – that he made a mistake. And they say, 'The *Mushrikeen* in this *Ummah* will be punished and then taken out to the *Jannah*,' and they said, 'The *Ummah* of Muhammad **صلى الله عليه وسلم**, will have none of its (members) eternally in the Fire.'

Answer from the Committee: "Anyone who believes in the message of our Prophet Muhammad **صلى الله عليه وسلم**, and the rest of what he came with from the *Sharee'ah*; if he prostrates after that, to anything other than Allaah – be it a *Walee* (i.e. guardian) or someone in a grave or a *Shaykh* of a path – then he is a *Kaafir/Mortaad* from *Islaam* and a *Mushrik* with Allaah, even if he declares the *Shahadatayn* while he is in *Sujood*. (This is) because he came with something that nullified his declaration (and that) was his *Sujood* to other than Allaah. However, he could be excused because of his *Jahl* so the punishment would not fall upon him until it (i.e. its impermissibility) has been made known to him and the *Hujjah* is made upon him. And he is to be given three days excusing him so he can return to himself in hopes that he might repent. Then if he stays upon his prostration to other than Allaah, after it has been made known to him, he is to be killed for his *Ridah* because of the saying of the Prophet **صلى الله عليه وسلم**, 'Whoever changes his *Deen*, then kill him.' – Narrated by *Imaam* Al-Bukhaaree in his *Saheeh* by Ibn Abbas, may Allaah be pleased with them. **So the making clear and making the *Hujjah* is to excuse him before the punishment and put upon him and not in order for him to be called a *Kaafir* with what was committed by him be it prostrating to other than Allaah or him vowing or slaughtering a lamb for other than Allaah etc.** And the Book and the *Sunnah* have indicated that the one who dies upon *Shirk* is not forgiven and remains in the Fire eternally because of His, *ta'ala's*

³⁷ From the same article

saying: **Verily Allaah does not forgive that you set up partners with Him but he forgives less than that to whomever He wills.** (*Nisaa'*, 45, 116) And His saying: It was not for the *Musrikeen* to maintain the Mosques of Allaah if they bear witness to themselves with *Kufr*. Those are the ones whose actions are nullified and they are in the Fire eternally. (*At-Taubah*, 17) And from Allaah is the help and may Allaah bless and bestow peace upon our Prophet Muhammad and his family and his companions.

Al-Lajnaa ad-Da'imaah lil-Bu'hooth wal-Iftaa'

President: Abdul-'Azeez bin Abdullah bin Baaz

Vice President: Abdur-Razaq Afeefee

Member: Abdullah bin Qa'ood ³⁸

So what we understand from this *Fatwaa* is that the one who performs acts of *Kufr Al-Akbaar* can be made *Takfeer* to immediately without the *Hujjah* being established upon him and that the *Hujjah* is only necessary in order to apply the punishment and this an extremism, which we do not agree with because the *Qur'aan* and the *Sunnah* indicate other than that. ³⁹ However, this is a mistake from *Shaykh* Bin Baaz, may Allaah be merciful to him, which www.salafipublications.com would likely never mention because there is a risk that this would discredit him in the issue of *Takfeer*, and they would never do this to those who support their opinions of 'Ruling by Other Than What Allaah Revealed'.

And the second part of Al-Anbaree's statement here, "...also claim a consensus, ijmaa, concerning Takfir of the Rulers without any sound, knowledge-based support. I expounded upon this in my book."

Let us examine the *Ijmaa'* of 'Ruling by Other Than What Allaah Revealed' in the sense of replacing the laws of the *Sharee'ah* with the fabricated laws.

³⁸ Vol.1/334-335

³⁹ Waqith al-Laythee said, "We went out with the Prophet of Allaah **صلى الله عليه وسلم** on a campaign to *Hunayn*, while we had recently left *Kufr*. And we had become Muslims on the Day of *Fat'h* (conquest of) *al-Makkah*.) It was the practice of the disbelievers to hang their arms and armour on a tree called *Thaat-Anwaat* (i.e. because they believed that it held powers to make their weapons stronger.) He said, "So we past by a (similar) tree and we said, 'O Messenger of Allaah. Make for us *Thaat-Anwaat*, as they have *Thaat-Anwaat*.' The Prophet said, '*Allaahu Akbaar!* You have now spoken exactly as the Children of Israel said to Musa: **Make for us an *ilâhan* (a god) as they have *âliha* (gods).**" Verily you are an ignorant people and you follow the ways of the people who came before you." -- Narrated by Tirmidhi and Ibn Abi Asim in, "*Al-Sunnah*" and *Shaykh* Al-Albanee authenticated it during his verification

So this was *Kufr* and the Prophet, peace be upon him, did not differentiate between this statement of *Kufr* and that of the Children of Israel, yet he neither made *Takfeer* to them neither did he punish them with the punishment of apostasy. Rather he explained to them that this is a statement of *Kufr* and related it to the statement of the Children of Israel to emphasize it. And this was because the *Hujjah* was not made to them prior to this statement of theirs, due to their recently being out of *Kufr*. And the *Sunnah* is filled with examples such as this, which indicates that the *Hujjah* is to prevent the *Takfeer* as well as the punishment.

Ibn Taymiyah said, "And it is known by necessity in the *Deen* of the Muslims **and by the agreement of all the Muslims** that whoever follows a *Sharee'ah* other than the *Sharee'ah* of Muhammad then he is a *Kaafir* and it is like the *Kufr* of the one who believes in some of the Book and disbelieves in some of the Book. Like He, *ta'ala* said:

إِنَّ الَّذِينَ يَكْفُرُونَ بِاللَّهِ وَرَسُولِهِ وَيُرِيدُونَ أَنْ يُفَرِّقُوا بَيْنَ اللَّهِ وَرَسُولِهِ وَيَقُولُونَ نُؤْمِنُ بِبَعْضِ وَنَكْفُرُ
بِبَعْضٍ وَيُرِيدُونَ أَنْ يَتَّخِذُوا بَيْنَ ذَلِكَ سَبِيلًا. أُولَئِكَ هُمُ الْكَافِرُونَ حَقًّا وَأَعْتَدْنَا لِلْكَافِرِينَ عَذَابًا مُهِينًا

"Verily, those who disbelieve in Allâh and His Messengers and wish to make distinction between Allâh and His Messengers (by believing in Allâh and disbelieving in His Messengers) saying, "We believe in some but reject others," and wish to adopt a way in between. They are in truth disbelievers. And We have prepared for the disbelievers a humiliating torment." (*Nisaa'*, 150-151) ⁴⁰

And Ibn Katheer said, "So whoever leaves the clear *Sharee'ah*, which was revealed to Muhammad Ibn Abdullah, the Seal of the Prophets, and takes the *Hukm* to other than it from the laws of *Kufr* which are abrogated, he has disbelieved. So what about the one who takes the *Hukm* to the '*Yasaaq*' and puts it before it?! **Whoever does that,** ⁴¹ **he has disbelieved by the *Ijmaa'* of the Muslims.** Allaah *ta'ala* said:

أَفَحُكْمَ الْجَاهِلِيَّةِ يَبْغُونَ

"Is it the *Hukm* of *Jahiliyyah* that they seek?"

and:

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

"But no, by your Lord, they can have no Faith, until they make you (O Muhammad صلى الله عليه وسلم) judge in all disputes between them, and find in themselves no resistance against your decisions, and accept (them) with full submission." ⁴²

And 'Umar Al-Ashqaar said, "And from this explanation it becomes clear to us that there are two types of people who have fallen into *Kufr* about which there is no doubt. The first, the ones who legislate that which Allaah did not reveal, and those are the ones who fabricate the laws that oppose the legislation of Allaah they implicate it upon the people **and the *Ijmaa'* is upon their *Kufr* without doubt.**" ⁴³

⁴⁰ "Al-Fataawa", Vol. 28/524

⁴¹ And from the most ridiculous things that Al-Anbaree tried to claim was that this *Ijmaa'* that *Al-Hafidh* Ibn Katheer mentions, was only that the *Tartars* were disbelievers. But the text from the above words clearly do not support Al-Anbaree's twisting. His words, "**Whoever does that...** can only be referring to what preceded them: "...and takes the *Hukm* to other than it from the laws of *Kufr* which are abrogated..." and this is a clear *Ijmaa'* from Ibn Katheer which leaves no doubt about the ruling of the rulers who substitute their own fabricated laws and replace the clear unambiguous laws of Allaah's *Sharee'ah*.

⁴² "Al-Bidaayah wa Nihaayah", Vol. 13/119

⁴³ "Al-Sharee'ah Al-Eelaheeyah", Pg. 179

And Mah'moud Shaakir said, in his commentary of *Imaam At-Tabaree's Tafseer*, "So their question wasn't the 'Eebadeeyah's question to Abee Majliz about the *Tafseer* of this *Ayaah* – about that which the *Mub'tadah* of our time agree with concerning the judgement in money and blood with a law that opposes the *Sharee'ah* of the people of *Islaam* and not concerning implicating a law upon the people of *Islaam* and forcing them to take the judgement to other than the rule of Allaah in His Book and upon the tongue of His Prophet **صلى الله عليه وسلم**. So this action is turning away from the *Hukm* of Allaah and from His *Deen* and putting the laws of the *Kuffar* above the law of Allaah, *subhaanahuu wa-ta'ala* and this is *Kufr*. **No one from the people of the *Qiblah* with their differences, doubts the *Kufr* of the one who says or calls to this.**"⁴⁴

So these are examples of were the '*Ulamaa* from the past and present have narrated the *Ijmaa'* concerning the *Kufr* of the one who 'Rules by Other Than What Allaah Revealed.' And this was what we were able to find in our small effort and in the short amount of preperation that we have conducted. So imagine what the '*Ulamaa* might find to disprove Al-Anbaree's foolish claim! And how disappointing is that for www.salafipublications.com and their faithful readers.

And trully, the entire bulk of "The Anbaree Papers: Part 1" is basically the complaint of and angy man who spends more time complaining about the fact that the Perminant Committee has not banned other people's books and have chosen to ban his specifically.

Take the following quotations for example:

1. "Yet we have never heard any of the people of knowledge, without any exception, forbidding the publishing of his *Rihlah*, despite his lie against Shaikh ul-Islam in a matter which is far serious than this matter of mine."
2. "How then can the publishing, distributing and selling of this book be declared unlawful?!"
3. "Yet no one, in those times, or in the current times, has ever given a verdict that it is forbidden to circulate their books and that buying and selling them is banned."
4. "Yet no one has given a verdict to forbid the publishing of their books?!"
5. "But we did not hear the respected Committee make their circulation unlawful."
6. "...as I have established in my book whose publishing, selling and distribution has been made unlawful!!"
7. "...that led you to turn me into a criminal and make my book unlawful?!"
8. "Yet I did not hear any statement issued from the respected Committee which forbade the publishing of these books..."

So we see here that Al-Anbaree spends most of his time bickering about his claim that his book had been unfairly picked on. And rather than focusing on the issue of 'Ruling by Other Than What Allaah Revealed', he choses to complain to the Committee about other books which haven't been banned by them. And how elementray is that?

⁴⁴ "*Tafseer At-Tabaree*" Vol. 10/348

And also, Al-Anbaree as well as www.salafipublications.com has made much of the fact that his book was prefaced with the positive eonium of Saalih bin Ghaanim as-Sadlaan and he takes great pains to mention the most glowing part that *Shaykh* As-Sadlaan gave to this book.

We have the introduction to “*Ar-Rudd ala’ Al-Anbaree*” from Muhammad Ibn Abdullah Hasaam from *Shaykh* Ibn Ghunaymaan to quote. And it is interesting that www.salafipublications.com were so eager to spend their effort making *Tafseer* of his words concerning the subject of *Al-Haakimiyyah* as a separate and fourth category of *Tawheed* and they were so pleased when they were able to demonstrate that his words indicated a disapproval of *Tawheed Al-Haakimiyyah*. Yet, this was the same one who opposed Al-Anbaree and gave the following eonium to the main book, which opposed Al-Anbaree:

Al Hamdu’lilaah ar-Rabil-‘Alimeen and may Allaah grant peace and blessings upon His Servant and Messenger, our Prophet Muhammad and his family and *Sahabah* all together.

To proceed:

The brother, Muhammad Ibn Abdullah Hasaam recited upon me what he wrote, concerning his *Rudd* on Al-Anbaree in his book “*Al-Hukm bi’Ghayr ma’Anzaal-Allaah wa-Usool At-Takfeer*”, **so I have seen that he was precisely upon the truth and he relied in his refutation, upon clear evidences.** Just as he aided his refutation with the sayings of the people of knowledge and he made clear with that, the mistake of the one whom this refutation is against. **And the side of the truth in many of the matters, his (i.e. Al-Anbaree’s) turning away from the truth in many of the matters and even in the *Adaab* of the treatise from calling the one who contradicts him to be from the *Khawaarij* and his claiming that *Ahl us-Sunnah* and other than them upon that the one who rules by other than what Allaah revealed, without *Juhood* or *Istih’laal*, has not committed *Kufr*!** And then he bases upon this claim, the forbiddance of opposing that (i.e. supposed *Ijmaa’*) and this means that whoever opposes the *Shara’* with fabricated laws and he says, ‘I do not make this *Halaal* and I do not reject the *Shara’*,’ then this is only the committing of a *Kabaa’ir*! So what does he say about His, *ta’ala*’s saying:

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

“But no, by your Lord, they can have no Faith, until they make you (O Muhammad SAW) judge in all disputes between them, and find in themselves no resistance against your decisions, and accept (them) with full submission.”

and His, *ta’ala*’s saying:

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

“Have you seen those (hypocrites) who claim that they believe in that which has been sent down to you, and that which was sent down before you, and they wish to go for judgement (in their disputes) to the *Tâghût* (false judges, etc.) while they have been ordered to reject them. But *Shaitân* (Satan) wishes to lead them far astray.”

And the point is that, **what Muhammad Ibn Abdullah has written is good and it is the correct thing from what I see and Allaah is the source of goodness.”**

--Dictated by Abdullah Ibn Muhammad Al-Ghunaymaan 16/2 – 1419 H.

And we see in “The Anbaree Papers: Part 2” that www.salafipublications.com and their hero, Al-Anbaree engage in some more laughable exaggerations like what we find in the beginning paragraph to his article. Al-Anbaree says:

Since the statements of the people of knowledge – regardless of the status they may have reached – are not immune from errors and mistakes and can also be contested and subject to refutation, it is therefore obligatory upon me to explain my view concerning the manner in which many people have understood the statement of the Permanent Committee, no. 21154, dated 24/10/1420H, which maintains absolute and unrestricted takfir of the one who rules by other than what Allaah has revealed in general legislation, at-tashri’ al-aamm.

So www.salafipublications.com and Al-Anbaree see that this *Fatwaa* somehow automatically makes *Takfeer* to every single specific, individual ruler who ‘Rules by Other Than What Allaah Revealed’ in general legislation. We have translated and posted the entire *Fatwaa* in the first footnote of this project and nowhere does the Permanent Committee make *Takfeer* to anyone! What they *did* say was the following:

4. His claim that there is *Ijmaa’* from *Ahl us-Sunnah* that the one who does not rule by what Allaah revealed in *Tashree’ Al-‘Aam* (i.e. general legislation) except with the making it *Halaal* with the heart; that this is not *Kufr*, just like the rest of the disobediences, which are less than *Kufr*, and this is a lie upon *Ahl us-Sunnah*; its basis being either *Jahl* or evil intention. We ask Allaah to keep us free from this.

And we say with full confidence and clear conscience that only a person, who is completely ignorant of the principals and rules of *Takfeer*, could somehow interpret these words as meaning “...absolute and unrestricted *Takfeer*”!

What these correct and well-founded words of the Permanent Committee mean is that the act of ‘Ruling by Other Than What Allaah Revealed’ in general legislation is an act of *Kufr Al-Akbaar*, which removes one from the realm of *Islaam*. And as we’ve stated before, the declaring of a particular belief, saying or action as *Kufr Al-Akbaar*, is not the same as declaring every single, specific individual, who committed them to be a *Kaafir*. (Review footnote #30 for clarification) And we say that in this type of ridiculous claim of Al-Anbaree and www.salafipublications.com, there can only be one of two possibilities:

- A. Either they are both deliberately being over-dramatic in order to deceive the readers, rile up their emotions and gain support for their own deviant and crooked and inconsistent methodology. ⁴⁵
- B. They are both truly ignorant and oblivious and unqualified to speak about the subject of *Takfeer*, let alone admonish people in the subject! ⁴⁶

And after that, Al-Anbaree even goes further in his exaggeration and extremism when we says that, "...if the Committee holds this view, the disbelief of the one who ruled by other than what Allaah revealed in general legislation - with this meaning - without declaring that to be lawful as a matter of belief, then it is obligatory upon the Committee to free itself in front of Allaah from that. Since, it necessitates some very great calamities, such as, for example:

ONE: Takfir of every single ruler without exception, and the various confrontations, tribulations and calamities between societies and governments that follow on from that."

Hear, we remind the reader of Al-Anbaree's own chapter heading entitled: "The Muslim does not disbelieve by a saying or an action or belief until the *Hujjah* is made upon him and the misunderstanding is removed." ⁴⁷

So again, Al-Anbaree has explained this rule correctly but does not apply it. He sees that certain actions, beliefs or statements can be *Kufr Al-Akbaar*, yet this cannot be applied to a specific Muslim who has not had the *Hujjah* applied to him. However, he explains that the Committee's assertion that 'Ruling by Other Than What Allaah Revealed' in general legislation is *Kufr Al-Akbaar*, automatically means that they have declared each and every specific individual ruler as a *Kaafir* "without exception", and this is far from the truth and it is a very petty and juvenile accusation which even violates the correct rules of *Takfeer* that Al-Anbaree himself narrated! ⁴⁸

Next, Al-Anbaree says:

⁴⁵ And we give more weight to this possibility because this rule should have been known clearly by them due to their own translation and posting of *Shaykh* Ibn 'Uthaymeen's very words on the subject! And this is very clear in their article entitled "Shaikh Ibn Uthaymeen on Takfir of an Individual" (Article no. MNJ090001) in which the *Shaykh* clearly explained this rule in full saying, "Hence, there is a difference between that which is associated with a description and that which is associated with an individual. When a person utters a statement of disbelief or commits an act of kufr, then we do not declare him to be a disbeliever until we look at what motivated him to do that." So how likely is it that they could have been unaware of this rule and its interpretation while they have it clearly posted on the very same website as this article?! And we seek Allaah's protection and aid against the exaggerations and twisting and deception of the people of desires.

⁴⁶ And although we have lent our support to the former possibility, there is no doubt that these people are indeed very ignorant of the subject of *Takfeer*; both in general matters and specifically when dealing with the issue of those who 'Rule by Other Than What Allaah Revealed'.

⁴⁷ Pg. 17 of his book

⁴⁸ And examples of www.salafipublicatinos.com and Al-Anbaree's exaggerations are so frequent on their website, that an entire project could be written to refute and expose them alone! So we will leave these few examples as sufficient proof of their deception and move on to other matters as we have undoubtedly made our point in this regard, *Inshaa'Allaah*.

TWO: Takfir of many of the jurists, fuqaha, who make *ijtihad* based upon their desires and then legislate that which is in opposition to the rulings of Allaah the Most High. And especially since most of them depend upon *Istihsan* (i.e. considering something to be good or beneficial without a basis from the *Sharee'ah*). And the statement of Imaam ash-Shafi'ee is well known, "Whoever resorted to *Istihsan* [in *ijtihad*] has legislated [into the religion]." In fact, ash-Shafi'ee described it, in his *Risalah* (507), "Certainly, *Istihsan* is merely doing what is agreeable (i.e. satisfying to oneself)."

So Khaalid Al-Anbaree has made the jurists, who have made rulings based on *Ijtihad* due to their desires, to be equal to the *Haakim* (i.e. the Ruler) who abolishes the clear laws of the *Sharee'ah* in his country and replaces them with his own invented laws and forces them on the people and orders that his subjects enforce these laws upon the masses and makes his fabricated laws to be the reference by which the people settle their disputes!

So we would ask the reader, "Can these two things be equal?" Let us consider this scenario. Imagine that there is a jurist in a particular country who makes a ruling out of *Ijtihad*, which suits his desires. The very fact that this ruling was based upon *Ijtihad* necessitates that there could not have been a clear ruling in that particular matter. Because if there was a clear ruling in the *Sharee'ah* regarding this matter, then *Ijtihad* could not be employed in this case. This would be like if a jurist tried to issue a *Fatwaa* which makes the consumption of alcohol or pork to be permissible. Would anyone say that this ruling derived out of *Ijtihad*? Of course, this is would be rejected as *Ijtihad* because of the existence of clear unambiguous texts which forbid these things. And the same would be the case of taking *Riba*, committing murder or fornication or any of the other major sins, which the *Sharee'ah* of *Islaam* has clearly forbidden.⁴⁹ And the statement of the 'Ulamaa of *Islaam* is sufficient in this case: "There is no *Ijtihad* where there is a text." And if there were no clear text indicating the correct ruling from the *Sharee'ah* in this case, then we cannot say that this jurist replaced the law of *Islaam* with his own fabricated law. Thus, the comparison, which Al-Anbaree makes, falls apart in its very premise.

However, if the *Haakim* comes with laws which oppose the *Islaamic* laws and he forces them on the people while being unaware that these laws actually do oppose the *Islaamic Sharee'ah*, then he would likely not have any grounds for *Takfeer* to be made to him. This is because this *Haakim* was ignorant that these laws he came with oppose *Islaam*. And it is *Saheeh* from the Prophet **صلى الله عليه وسلم** that he said, "If the *Haakim*⁵⁰ makes the right decision he receive two rewards and if he makes a mistake, then he receives on reward."⁵¹ And also, "Verily, Allaah the Most High, has removed from my

⁴⁹ Of course we differentiate between making these things permissible in a general sense and making them permissible in the case of compulsion or necessity etc.

⁵⁰ And here the word *Haakim* is used as a general term which includes the rulers, jurists and *Mujtahideen* because the generality of the ruling of this *Hadeeth* is applied to all those who make "decisions" and the commentary from the 'Ulamaa have come clear regarding this.

⁵¹ Agreed upon (i.e. narrated by both *Imaam* Muslims and *Imaam* Al-Bukhaaree)

Ummah their accidents, their forgetfulness and what they are forced to do.”⁵² However, if this same *Haakim* came with these laws due to ignorance but the jurists in his land knew the falseness of these laws and were aware that they opposed *Islaam* and still they supported and approved of these laws due to their desires, while being completely aware of the fact that they contradicted the clear laws of the *Sharee’ah*, then these jurists would have committed *Kufr Al-Akbaar* and this would not be *Ijtihaad*. And the words of *Shaykh Al-Islaam* Ibn Taymiyah have come very clear on this matter:

“And whenever the *‘Alaam* leaves what he knows from the Book of Allaah and the *Sunnah* of His Messenger and he follows the *Hukm* of the *Haakim*, which opposes the *Hukm* of Allaah and His Messenger, then he is a *Mortaad/Kaafir* deserving of punishment in this life and in the Hereafter. He, *ta’ala* said:

المص. كِتَابٌ أَنْزَلَ إِلَيْكَ فَلَا يَكُنْ فِي صَدْرِكَ حَرَجٌ مِنْهُ لِئَنْذَرَ بِهٖ وَذَكَرَى لِلْمُؤْمِنِينَ. اتَّبِعُوا مَا أَنْزَلَ إِلَيْكُمْ مِنْ رَبِّكُمْ وَلَا تَتَّبِعُوا مِنْ دُونِهِ أَوْلِيَاءَ قَلِيلًا مَّا تَذَكَّرُونَ. وَكَمْ مِنْ قَرْيَةٍ أَهْلَكْنَاهَا فَجَاءَهَا بَأْسُنَا بَيِّنَاتٍ أَوْ هُمْ قَانِلُونَ. فَمَا كَانَ دَعْوَاهُمْ إِذْ جَاءَهُمْ بَأْسُنَا إِلَّا أَنْ قَالُوا إِنَّا كُنَّا ظَالِمِينَ

Alif-Lâm-Mîm-Sâd. (This is the) Book (the Qur’ân) sent down unto you (O Muhammad *SAW*), so let not your breast be narrow therefrom, that you warn thereby, and a reminder unto the believers. [Say (O Muhammad *SAW*) to these idolaters (pagan Arabs) of your folk:] Follow what has been sent down unto you from your Lord (the Qur’ân and Prophet Muhammad’s *Sunnah*), and follow not any *Auliyâ’* (protectors and helpers, etc. who order you to associate partners in worship with Allâh), besides Him (Allâh). Little do you remember! And a great number of towns (their population) We destroyed (for their crimes). Our torment came upon them (suddenly) by night or while they were sleeping for their afternoon rest. No cry did they utter when Our Torment came upon them but this: "Verily, we were *Zâlimûn* (polytheists and wrong-doers, etc.). (*Araaf*, 1-5)

‘Even if he is beaten and imprisoned and tortured with all different types of torture in order that he would leave what he knew from the *Sharee’ah* of Allaah and His Messenger, which is *Wajib* to follow and then to follow the *Hukm* of other than him; then he is still deserving of the punishment of Allaah. Instead, it is for him to be patient even if he is tortured for Allaah because this is the *Sunnah* of Allaah with respect to the Prophets and their followers. Allaah *ta’ala* said:

الم. أَحْسِبَ النَّاسُ أَنْ يَتْرَكُوا أَنْ يَقُولُوا ءَامَنَّا وَهُمْ لَا يُفْتَنُونَ. وَلَقَدْ فَتَنَّا الَّذِينَ مِنْ قَبْلِهِمْ فَلَيَعْلَمَنَّ اللَّهُ الَّذِينَ صَدَقُوا وَلَيَعْلَمَنَّ الْكَاذِبِينَ

Alif-Lâm-Mîm. Do people think that they will be left alone because they say: "We believe," and will not be tested. And We indeed tested those who were before them. And Allâh will certainly make (it) known (the truth of) those who are true, and will

⁵² Narrated by Ahmed, Ibn Majah, Tabarani and Al-Haakim; “*Saheeh Jami’ as-Sugheer*”, #1731

certainly make (it) known (the falsehood of) those who are liars, (although Allâh knows all that before putting them to test). (Anakbut, 1-3) ⁵³

Next Al-Anbaree said:

THREE: Takfir of the blind-followers of the schools of thought in Fiqh. This is because the blind-follower does not judge by the judgement of the Book and the Sunnah, but he judges with the ruling of the Scholar that he follows. The 'Allaamah Siddiq Hasan Khan makes this clear in Fath ul-Bayan (3/31) where he states:

"This verse, '**And whosoever does not judge by what Allâh has revealed, such are the Kâfirûn.** [Ma'idah 5:44]', even though it was revealed concerning the Jews, is not specific to them alone, since its application is based upon the generality of its wording, not the specific instance of its revelation. The word 'man' (whosoever) is used as a condition, hence it is generally applicable (to everyone). This noble verse, therefore, applies to everyone who does not rule by what Allaah has revealed – and that is the Book and the Sunnah. The blind-follower does not claim that he rules by what Allaah has revealed. Rather, he affirms that he rules by the saying of such and such scholar! But he himself does not know that that ruling by which judges, is it from the mere opinion of the Scholar, or is it from amongst the matters for which he has extracted evidence [from the Book and the Sunnah]. Further, he does not know whether the Scholar is correct in his reasoning by way of his evidences or whether he has erred?? Or whether he has used very strong evidence or one that lacks credibility??"

So here Al-Anbaree makes the *Haakim* who 'Rules by Other Than What Allaah Revealed' and replaces the clear laws of the *Sharee'ah* with his own fabricated laws, to be equal with the blind followers of the schools of thought. And we say to this that this is probably the most ridiculous thing that he has mentioned up to this point. And his statement, "This is because the blind-follower does not judge by the judgement of the Book and the Sunnah, but he judges with the ruling of the Scholar that he follows," is quite a stretch because the blind follower is not replacing the laws of *Islaam* with the fabricated laws of his own invention. Rather, he is judging by what the scholars of *Islaam* have deduced from the principals of *Fiqh*, which they interpreted from the *Qur'aan* and the *Sunnah*, and judging them with that. And this is very different to the *Haakim* who judges his people by the laws of France or by the laws of Britain or America and replaces the clear laws of the *Islaamic Sharee'ah* with these laws developed by *Kuffar* who hate *Islaam*! And in bringing the words of *Al-Shaykh* Siddeeq Khaan, Al-Anbaree contradicts himself within the text of his own point. Look to the saying of the *Shaykh* where he says, "The blind-follower does not claim that he rules by what Allaah has revealed. Rather, he affirms that he rules by the saying of such and such scholar! **But he himself does not know that that ruling by which judges, is it from the mere opinion of the Scholar, or is it from amongst the matters for which he has extracted evidence [from the Book and the Sunnah].**"

⁵³ "Al-Fataawa", Vol. 35/373

So the *Shaykh* has confirmed that the blind follower, in his example, is unaware that these opinions of the scholars might, in fact, be contradicting the laws of *Islam*. And as we've stated before, ignorance is a defence from the *Takfeer*. And nowhere does the *Shaykh* in his above text say that this blind following is *Kufr Al-Akbaar*, rather he has merely included this category under the threat of punishment of the aforementioned *Ayaah*. And many are the statements of the scholars in which they apply the threat of punishment under specific *Ayaahs* to include other issues in which that specific judgment does not fall upon them. However, as we've stated previously, if this blind follower was shown clearly how a particular ruling from a particular scholar was in direct contradiction with the *Hukm* of Allaah in a certain matter, and yet this blind follower chose to follow that ruling and continued to judge the masses of the people according to that, while being completely aware that this opposed the clear *Sharee'ah* of Allaah, then we would say that this ruling of *Kufr Al-Akbaar* would apply in this case. And this is the difference between the two examples, however much Al-Anbaree and www.salafipublications.com detest it! And we seek refuge in Allaah from twisting statements and deceiving.

And *Shaykh Al-Islam* said, in his explanation of the different types of legislation, "And the second (i.e. type), *Ash-Shara' Al-Mu'awil* (i.e. the explained legislation) and it is the opinions of the *Mujtahideen/Ulaama* like the *Meth'haab* of Malik and the likes of it. **And it is allowed to follow this and it is not *Wajib* and it is not *Haram* and it is not allowed for anyone to hold it upon the general people** (i.e. in their private lives). **And it is not for anyone to forbid it to the general people.**"⁵⁴ So we see no confirmation from *Shaykh Al-Islam* that ruling according to a particular school of thought is *Kufr Al-Akbaar*, rather he has stated that it can be taken or left.

So what we say is that if this blind follower is unaware of the correctness or incorrectness of a particular school of thought, and yet he sticks to these rulings and judges the people according to them while not striving his utmost to attain the truth, then he is guilty of laziness and heedlessness and is under the threat of punishment for not attempting to learn the true *Hukm* of Allaah in that matter and for taking a position where he would make judgements in the lives of people when he was not qualified to do so. As the Prophet **صلى الله عليه وسلم** said, "The judges are three; one in the Paradise and two in the Fire. He (i.e. the successful one) is a man who learns the truth and judges according to it and a man who knows the truth and ignores it in his judgments – and he is in the Fire – and a man who judges among the people with ignorance, then he is in the Fire."⁵⁵ And if he is aware of the incorrectness of the ruling of a particular school of thought and he is aware that it is impermissible to rule according to that incorrect ruling and yet he remains upon it in pride and continues to rule the people in general by that opposing *Hukm*, then he has replaced the *Hukm* of Allaah with that which he knows to be in contradiction to the *Sharee'ah* and has committed an act of *Kufr Al-Akbaar*, which removes one from the realm of *Islam*. As 'Allamah Muhammad Ibn Ibraheem ahl'a *Shaykh* said, "If he roots himself in the mire of heedlessness, he is blameworthy. The (thing which is) *Wajib*, is to

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55 *Saheeh*; narrated by Abu Dawood and Ibn Majah

ask the people of knowledge, but if he knows that it is contradictory to the sayings of the Messenger **صلى الله عليه وسلم** and (claims) that he is not sinful then this is *Shirk Akbaar*, like the fabricated laws that have been adopted in the courts, they are from this type.”⁵⁶

Next, Al-Anbaree said:

FOUR: Takfir of the Innovators without any exception. For they have legislated into the religion that for which Allaah has not granted permission, deeming it correct by the disposition of their tongues and their statements. This is because the innovator has "...placed himself in the position similar to the legislator ... and by legislating has made himself resemble and equal to the legislator" as has been stated by ash-Shaatibee in 'al-I'tisam' (1/50).

So Al-Anbaree makes the rulers who have replaced the laws of *Islaam* and abolished the clear laws from the *Sharee'ah* and forced the people to obey them rather than Allaah to be equal to the innovators and claims that if we say that the first one is a *Kaafir*, then we must say that the innovator is also a *Kaafir* by necessity. Do these words seem like they have come from one who is knowledgeable of the *Deen* of Allaah and what is *Kufr Al-Akbaar* and how *Takfeer* is performed? Surely not. Although we do agree with the above words about the innovator legislating in the *Deen* what Allaah did not allow. What Al-Anbaree has quoted from Ash-Shaatibee is quite correct and we also say this, however we differentiate between this type of legislation and the type wherein the laws of *Islaam* themselves are actually replaced. Take for example the innovator who begins to call to certain actions, which are *Bid'ah*. Can we say that this individual has replaced any of the laws of *Islaam*? Can we say that he has abolished the *Hukm* of Allaah in the land and enforced his own *Hukm*? Can we say that this one has forced the obedience of a nation to himself and made his own opinions and desires to be a reference for the people to settle their disputes? Of course not. Yet we do confirm that the innovator has legislated in the *Deen* what Allaah did not give him permission for. As Ibn Taymiyah said, "His *ta'ala's* saying:

أَمْ لَهُمْ شُرَكَاءُ شَرَعُوا لَهُمْ مِنَ الدِّينِ مَا لَمْ يَأْذَنْ بِهِ اللَّهُ وَلَوْ لَا كَلِمَةُ الْفَصْلِ لَفُضِيَ بَيْنَهُمْ وَإِنَّ الظَّالِمِينَ لَهُمْ عَذَابٌ أَلِيمٌ

Or have they partners with Allâh (false gods), who have instituted for them a religion, which Allâh has not allowed. And had it not been for a decisive Word (gone forth already), the matter would have been judged between them. And verily, for the Zâlimûn (polytheists and wrong-doers), there is a painful torment. (Ash-Shura, 21)

'Whoever identifies something specific which is used to become closer to Allaah, or makes it *Waajib* with his sayings or actions, while Allaah did not legislate it, then he has legislated in the *Deen*, that which Allaah did not give permission for. And whoever

⁵⁶ "Fataawa Al-Imaam Muhammad bin Ibraheem Ahl'a-Shaykh", Vol. 12/280

follows him in that, then he has taken him as a partner with Allaah who has legislated for him in the *Deen* that which Allaah did not give permission for.”⁵⁷

Nevertheless, the '*Usl* (i.e. basis) of the matter of the innovator is that his act is from the *Kabaa'ir* for his legislation and this is different than the case of the *Haakim* who replaces the laws of the *Sharee'ah* and replaces them with his own fabricated laws is at the level of *Kufr Al-Akbaar*.

And Muhammad Al-'Ameen Ash-Shanqeetee said, “Associating with Allaah in His *Hukm* is like associating with Him in his worship and there is no difference between them at all, so the one who follows an institution other than the institution of Allaah, or other than that which Allaah legislated and a law which opposes the legislation of Allaah from that which has been fabricated by human beings, turning away from the light of the heavens that Allaah revealed upon His Messenger. Whoever does this and whoever worships an idol or prostrates to a statue; there is no difference between them at all from any point of view. They are both one thing and they are both *Mushriks* with Allaah. This one associated with Allaah in His *Hukm* and they are both the same.”⁵⁸

If Allaah had affirmed the negation of *Eemaan* for the act *Bid'ah*, then Al-Anbaree's point would be valid; however, Allaah has said the following with regards to those who use any other system than His, *ta'ala* for judgement:

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

But no, by your Lord, they can have no Faith, until they make you (O Muhammad SAW) judge in all disputes between them, and find in themselves no resistance against your decisions, and accept (them) with full submission. (An-Nisaa', 65)

And

وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنزَلَ اللَّهُ فَأُولَٰئِكَ هُمُ الْكَافِرُونَ

And whosoever does not judge by what Allâh has revealed, such are the *Kâfirûn* (Al-Ma'idah, 44)⁵⁹

But what do we have to indicate that the one, who practices *Bid'ah*, has nullified his *Eemaan*?

⁵⁷ “*Iqtidaat As-Siraat Al-Mustaqeem*”, Pg. 267 – published by “*Al-Medanee*” And this is an example of what we mentioned earlier where a particular issue is included under the heading of a particular verse because it applies in one sense and yet the general *Hukm* in that *Ayaah* (i.e. *Shirk Al-Akbaar*) is not held upon that particular matter. So we say that this verse indicates that those who commit and call to *Bid'ah* have legislated in the *Deen* but we do not say that the '*Usl* (i.e. basis) of *Bid'ah* is *Shirk Al-Akbaar*.

⁵⁸ From the cassettes of the *Shaykh* in his *Tafseer* of *Surat At-Tauba* at Allaah *ta'ala*'s saying:

اتَّخَذُوا أَحْبَارَهُمْ وَرُهْبَانَهُمْ أَرْبَابًا مِنْ دُونِ اللَّهِ

They (Jews and Christians) took their rabbis and their monks to be their lords besides Allâh ...

⁵⁹ This *Ayaah* has many misconceptions which will be clarified shortly, *Inshaa'Allaah*.

The Prophet **صلى الله عليه وسلم** said, “The worst of affairs are the *Bid’ah* and every *Bid’ah* is a misguidance.”⁶⁰

And in another narration, “...And every misguidance is in the Fire.”⁶¹

And also from A’ishah, may Allaah be pleased with her, that the Prophet **صلى الله عليه وسلم** said, “Whoever comes with something which does not comply with our affair will have it rejected.”⁶²

And like this are many of the strong condemnations of *Bid’ah* in any of its forms. And this is certainly a serious matter and *Bid’ah* certainly leads to *Nifaaq* and *Kufr*⁶³ but we do not see this act being described in the *Sharee’ah* as *Kufr*, which causes one to leave the realm of *Islaam* and we do not call this act, in and of itself, *Kufr Al-Akbaar*. But we do call ‘Ruling by Other Than What Allaah Revealed’ *Kufr Al-Akbaar* in the sense that *Haakim* has replaced the clear laws of the *Islaamic Sharee’ah* with his own fabricated laws. And this is the difference between the two.

And in the remainder of his article, Al-Anbaree attempts to show how there are many things, which are the right of Allaah alone just as legislating is His right alone. And he tries to make *Qayaas* between many of those things, which are not *Kufr Al-Akbaar* such as the image-maker and the one who lowers his garment in pride etc. and the one who ‘Rules by Other Than What Allaah Revealed’. Yet this *Qayaas* is *Baatil* (i.e. falsehood) because Allaah, *aza-wa’jaal* has affirmed the negation of *Eemaan* for those who compete with Him in His Legislation while He, *ta’ala* did not negate the *Eemaan* from those who attempt to resemble His unique characteristics in these other matters. So the two things cannot be equal no matter how much www.salafipublications.com and Al-Anbaree try to make them so.

In “The Anbari Papers: Part 3” www.salafipublications.com and Al-Anbaree brings the several *Fataawa* from *Shaykh* Ibn Baaz, may Allaah be merciful to him, as well as some others which state that ‘Ruling by Other Than What Allaah Revealed’ is only *Kufr* if the ruler considers his ruling to be *Halaal* or superior or equal to the *Sharee’ah* of *Islaam* etc. And we see that there is very little evidence in these *Fataawa* to support the correctness of their verdicts. For the most part, there are simply the words of a noble *Shaykh*; however, they do not really contain evidence from the *Qur’aan* or the *Sunnah* or even the Arabic language. And so we say about these *Fataawa* and the opinion of *Shaykh* Ibn Baaz, may Allaah be merciful to him, the very same thing that he responded with, when

⁶⁰ Narrated by *Imaam* Muslim in his *Saheeh* from a longer narration on the authority of Jabir, may Allaah be pleased with him.

⁶¹ Narrated by Nisaa’ee

⁶² Bukhaaree

⁶³ As *Shaykh Al-Islaam* explained in “*Iqtidaat As-Siraat Al-Mustaqeem*”

questioned about the *Fataawa* of *Shaykh* Muhammad Ibn Ibraheem, ahl'a-Shaykh, may Allaah be pleased with him. *Shaykh* Ibn Baaz said:

Muhammad bin Ibrahim is not infallible (ma'soom), he is but a scholar from amongst the scholars, he is sometimes correct and sometimes in error and he is not a Prophet nor a Messenger. Likewise, Shaikh ul-Islaam Ibn Taymiyyah, Ibn al-Qayyim, Ibn Kathir and other scholars. All of them are sometimes correct and they sometimes err. But only what conforms to the truth is taken from their statements and as for what opposes the truth, then it is rejected from the one who said it."

And we have quoted this statement from the noble *Shaykh* from the very same article, "The Anbaree Papers: Part 3".⁶⁴ So what we see from these words of the noble *Shaykh*, may Allaah be merciful with him, is that the evidence from the *Qur'aan* and the *Sunnah* is what should be adhered to and not the various *Fataawa* from the 'Ulaama. And this is because every single person after the Messenger of Allaah is capable of making mistakes and should not be blindly followed without strong evidence from the texts of the *Sharee'ah*. So we should investigate what little evidence the *Shaykh* Ibn Baaz used to derive his verdict in this matter before accepting it wholesale. And in doing so, we will be following his very advise which we have quoted above.

The first *Fatwaa*, which Al-Anbaree narrated from *Shaykh* Ibn Baaz, said:

"...So he (i.e. Al-Albaanee) replied to it with a word of truth, and has arrived at the truth in it, and has travelled upon the path of the believers by it and has made manifestly clear - may Allaah grant him success - that it is not permissible for anyone amongst the people to declare the one who judged by other than what Allaah has revealed - a disbeliever - merely on account of an action, **without his knowledge that this person declared such an act to be permissible with his heart (istihalla dhaalik biqalbihi)**. And he used evidence for that what has come from Ibn Abbaas (ra) and others from among the Salaf."

And the verse, which *Shaykh* Ibn Baaz was referring to, was:

وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنزَلَ اللَّهُ فَأُولَئِكَ هُمُ الْكَافِرُونَ

And whosoever does not judge by what Allâh has revealed, such are the *Kâfirûn*
(*Al-Ma'idah*, 44)

A discussion about the *Tafseer* of this *Ayaah* and the statements of Ibn Abbaas and other than him from the *Salaaf*, may Allaah be pleased to them all.

The main narration from Ibn Abbaas, which is used by those who usually conclude that this *Ayaah* indicates *Kufr Al-Asgaar*, is the following, which can be found in many of the books of *Tafseer* and *Hadeeth* in reference to this *Ayaah*:

Narrated by Al-Haakim, from the path of Hishaam bin Hujaayr and Tawoos who said, "Ibn Abbas, may Allaah be pleased with him, said, "It is not the *Kufr* you are taking it to.

⁶⁴ Article no. MNJ050011

It is not *Kufr*, which takes one outside the *Milla* (i.e. the realm of Islaam). **“And whosoever does not judge by what Allâh has revealed, such are the *Kâfirûn*.”** It is *Kufr* *dun* *Kufr* (i.e. *Kufr* less than *Kufr*).”⁶⁵

Also, it was narrated by Ibn Abee Hatim as mentioned by Ibn Katheer, from the path of Hishaam bin Hujaayr from Tawoos from Ibn Abbas about Allaah’s saying: **“And whosoever does not judge by what Allâh has revealed, such are the *Kâfirûn*.”** He (i.e. Ibn Abbaas said, “It is not the *Kufr* you are taking it to.”⁶⁶

And the truth of the matter is that Hishaam bin Hujaayr has been declared *Dha’eef* by Ahmad and Yahya bin Ma’een and others.⁶⁷ And Ibn Adee mentioned him among the *Dha’eef* narrators.⁶⁸ And Al-‘Uqaalee said about him⁶⁹ as well as Abu Haatim, “His *Hadeeth* should be written (i.e. indicating that they did not accept from Hishaam bin Hujaayr unless his *Hadeeth* were recorded elsewhere.)⁷⁰

So clearly these two narrations cannot be used as evidence due to their obvious weakness.⁷¹ And they cannot give this *Ayaah* a meaning, which would indicate that the *Kufr* mentioned is anything less than the clear *Kufr Al-Akbaar*.

⁶⁵ “*Mustaadraq Al-Haakim*”, Vol. 2/313 Al-Haakim said, “This is a *Hadeeth* whose chain is *Saheeh*.” And also, *Shaykh* Naasir Ad-Deen Al-Albaanee approved of this narration. However, as the reader will soon see, it is quite weak indeed.

⁶⁶ “*At-Tafseer*”, Vol.2/62

⁶⁷ Look to “*Tah’theeb At-Tah’theeb*”, Vol. 6/25

⁶⁸ Look to “*Al-Kamaal fi’Dha’afaa Ar-Rijaaal*”, Vol. 7/2569

⁶⁹ “*Al-Da’aafaa Al-Kabeer*”, Vol. 4/238

⁷⁰ “*Tah’theeb At-Tah’theeb*”, Vol. 6/25

⁷¹ Some might ask, “Then why did Al-Haakim say it was *Saheeh* and why did Adh-Thahaabee agree with him and why did *Shaykh* Al-Albaanee, may Allaah be pleased with him, classify it as, “...*Saheeh* upon the conditions of ‘the two *Shaykhs*’ (i.e. Bukhaaree and Muslim)?” The reason – and Allaah knows best – is that Hishaam Ibn Hujaayr *was* actually narrated from by Bukhaaree and Muslim. However, he was replaced in their chains by another person in what *Imaam* Muslim narrated through him as well as *Imaam* Al-Bukhaaree. For example, we find Hishaam in only one narration from Al-Bukhaaree in the *Hadeeth* of the Prophet Sulaymaan Ibn Dawood **صلى الله عليه وسلم**, “This night I will go with ninety-nine women...” which is in the Book of Expiation of Oaths. (#6,720) This narration of the *Hadeeth* includes Hishaam but we find that he was replaced in another narration of this same *Hadeeth* by Abdullah bin Tawoos in the Book of Marriage. (#5,224) And likewise with *Imaam* Muslim; he only has two *Ahadeeth*, which contain him in their *Sanaad* and he does not narrate them except that another man has replaced Hishaam in a different narration of the same *Hadeeth*. The first narration was the exact same *Sanaad* and phrasing as what has come from Hishaam in the *Hadeeth* of the Prophet Sulaymaan **صلى الله عليه وسلم** (#1,654) and we see that Hishaam is replaced in the very next narration by Abdullah Ibn Tawoos just as he was in the alternate narration by *Imaam* Al-Bukhaaree. (same *Hadeeth* number as per *Imaam* Muslim’s format) And the second narration with Hishaam was what has reached us from Ibn Abbaas who said, “Mu’wawiyah said to me, ‘Did you know that I cut (the hair) from the head of the Messenger of Allaah **صلى الله عليه وسلم** at *Al-Marwah* with scissors?’ So I said to him, ‘This is an argumnet in our favour...’ (#1,246) And again, Hishaam is replaced in this *Sanaad* by Al-Hasaan bin Muslim in the

Also, Ibn Jareer narrated from the path of 'Alee bin Abee Talha from Ibn Abbas who said, "Whoever rejects what Allaah revealed has disbelieved and whoever approves of it but does not rule by it, then he is a *Dhaalim/Fasiq*." ⁷²

And this is another narration from Ibn Abbaas, which is used to show that the *Kufr* in the aforementioned *Ayaah* is *Kufr Al-Asgaar*. And it is also one of the reasons why they say that the ruler who does not make his 'Ruling by Other Than What Allaah Revealed' to be *Halaal* and who does not reject what Allaah revealed clearly upon his tongue, does not disbelieve.

However, again, this narration is *Dha'eef* because it is *Munqaatee* (i.e. cut off). And this is because 'Alee bin Abee Talha did not hear from Ibn Abbas as it has been mentioned in "*Tah'theeb At-Tah'theeb*". ⁷³

Also, Ibn Jareer reported, "Narrated to me, Hunaad and narrated to me, Ibnu Wakee'ah who said, 'Narrated to me, my father from Sufyaan from Mu'amr Ibnu Rashaad from Ibn Tawoos from his father from Ibn Abbas, "**And whosoever does not judge by what Allâh has revealed, such are the *Kâfirûn*.**" In it there is *Kufr* but not *Kufr* in His Angels and His Books and His Messengers." ⁷⁴

This narration's *Sanaad* (i.e. chain) is *Saheeh*. Its men are from the Six Books ⁷⁵ except for Hunaad and Ibnu Wakee'ah. As for Hunaad, he is Al-Siree the *Hafidh*, the *Imaam*, and the group (i.e. the six main collectors) narrated from him – all except for Bukhaaree. ⁷⁶ And as for Ibnu Wakee'ah, he is Sufyaan bin Wakee'ah bin Al-Jaraah. *Al-Hafidh* Ibn

narration which follows it (same *Hadeeth* number as per *Imaam* Muslim's format) And for a greater discussion on this matter, look to the words of *Shaykh* Al-Haarawee in "*Khulaasit Al-Qaawl Al-Muf'him 'ala Taraajim Rijaal Al-Imaam Muslim*." So it is apparent that *Shaykh* Al-Albaanee and Al-Haakim saw the name of Hishaam in these chains but did not consider him *Dha'eef* because they saw that both Muslim and Al-Bukhaaree narrated from him. Yet this is not a certain method of ascertaining whether the narrators are all *Saheeh* as it is clear that Al-Bukhaaree and Muslim only narrated from Hishaam in those cases where they found other evidence to support what came through him. (And it is known that Al-Haakim would sometimes even call his *Hadeeth*, "*Saheeh* upon the conditions of 'the two *Shaykhs*,'" by merely checking if the names of those men were narrated from by the two *Shaykhs*, without investigating whether the men whom he is narrating from, even met one another.) And this fact is sufficient to demonstrate that the two *Shaykhs* considered him *Dha'eef*. And what makes this even clearer is that Ibn Hajr is known to defend the narrators which Al-Bukhaaree narrated from who have been criticized by other scholars of *Hadeeth* throughout "*Fat'h Al-Baree*" and he brings evidence to strengthen their *Tawtheeq* (i.e. reliability) however, we do not find him defending Hishaam at all and this is further evidence of his weakness.

⁷² "*Tafseer Ibn Jareer*", Vol. 10/355; *Hadeeth* #12,063

⁷³ Vol. 4/213-214

⁷⁴ "*Tafseer Ibn Jareer*", Vol.10/355; *Hadeeth* #12,053

⁷⁵ i.e. Bukhaaree, Muslim, Abu Dawood, Nisaa'ee, Tirmidhee, and Ibn Majaah

⁷⁶ Look to "*Tahthkiraat Al-Hufadh*", Vol. 2/507

Hajr said about him, "He was a truthful person except that he was tested through his scrolls (i.e. his transcribed chains of *Hadeeth*). So he had entered upon them, what was not from his *Hadeeth* (i.e. mistakes and errors). So they were not accepted and his *Hadeeth* fell."⁷⁷

And this is not too important here because Hunaad takes his place in the same narration here as well.⁷⁸ And here we will pause in our commentary to bring some more from Ibn Abbaas and will return to this narration, *Inshaa'Allaah*.

Wakee'ah said "Narrated to me by Al-Hasan bin Abee Ar-Rabee' Ar-Jarjaanee who said, 'I was informed by Abdur-Razaaq from Mu'amr from Ibn Tawoos from his father who said, 'Ibn Abbas was asked about His saying: "**And whosoever does not judge by what Allâh has revealed, such are the *Kâfirûn*.**" He said, 'This is sufficient for his *Kufr*.'⁷⁹

This is a *Saheeh Sanaad* to Ibn Abbas, may Allaah be pleased with him. Its men are all man of the *Saheeh* (i.e. in Bukhaaree and Muslim), except for the *Shaykh* of Wakee'ah, Al-Hasan bin Abee Ar-Jarjaanee and he is Ibn Al-Ja'ad Al-Abdee. Ibn Abee Hatim said, 'I heard from him with my father and he is a truthful person.' And Ibn Hibban mentioned him in "*Ath-Thuqaat*"⁸⁰ and *Al-Hafidh* Ibn Hajr said, "He is truthful."⁸¹

And with the same *Sanaad* as Wakee'ah, Ibn Jareer has reported this narration but with the additional wording, "...And not like the one who disbelieves in Allaah and His Angels and His Books."⁸²

So what is clear from the above is that Ibn Abbaas held the meaning of the *Ayaah*:

وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنزَلَ اللَّهُ فَأُولَئِكَ هُمُ الْكَافِرُونَ

"And whosoever does not judge by what Allâh has revealed, such are the *Kâfirûn*."

⁷⁷ "*At-Taqreeb*", Vol. 1/312

⁷⁸ This narration from Ibn Jareer actually contains two chains:

The first:

Ibn Abbaas - Tawoos - Ibn Tawoos - Mu'amr Ibnu Rashaad - Sufyaan - Wakee'ah - Hunaad - Ibn Jareer
(And this one is *Saheeh*)

The second:

Ibn Abbaas - Tawoos - Ibn Tawoos - Mu'amr Ibnu Rashaad - Sufyaan - Wakee'ah - Ibnu Wakee'ah - Ibn Jareer
(And this one is *Dha'eef* due to Wakee'ah)

⁷⁹ "*Akhbaar Al-Qudhaat*", Vol. 1/41

⁸⁰ Look to "*Tah'theeb At-Tah'theeb*", Vol. 1/515

⁸¹ "*Al-Taqreeb*", Vol. 1/505,

⁸² "*Tafseer Ibn Jareer*", Vol.10/355; *Hadeeth* #12,055

...to be *Kufr Al-Akbaar*, and this is clear from his saying, "This is sufficient for his *Kufr*." And what is apparent is that these additional statements, which appear to lower the level of *Kufr* in the above *Ayaah* to *Kufr Al-Asgaar*, are in fact from other than Ibn Abbaas.

For example:

1. From Ataa' Ibn Abee Rabah about the three verses, "*Kufr dun Kufr, Fisq dun Fisq, Thulm less than Thulm.*"⁸³
2. And from Sa'eed Al-Makkee from Tawoos about the verse, "It is not the *Kufr* that removes one from the realm (i.e. of *Islaam*)."⁸⁴
3. And Ibn Jareer narrated from Ibn Abbas with a *Saheeh Sanaad*, "Narrated to us Al-Hasaan bin Yahya who said, 'We were informed by Abdur-Razaq who said, 'We were informed by Mu'amaar from Ibn Tawoos from his father who said, 'Ibn Abbas was asked about His, *ta'alaah's* saying: **"And whosoever does not judge by what Allâh has revealed, such are the *Kâfirûn*."** He said, 'In it (i.e. the *Ayaah*) is *Kufr*.' Ibn Tawoos said, 'And it is not like the one who disbelieves in Allaah and his Angels and His Books and His Messengers.'⁸⁵

So we can see in this last narration that Ibn Abbaas held the meaning of the *Ayaah* upon *Kufr* with his saying, "In it is *Kufr*." And there is nothing else from him to indicate that the *Kufr* he mentioned was anything less than *Kufr Al-Akbaar*. And then Ibn Tawoos added his comments to indicate that the *Kufr* was only *Kufr Al-Asgaar*.

So we return to the earlier narration in which Ibn Abbaas is reported to say, "In it there is *Kufr* but not *Kufr* in His Angels and His Books and His Messengers." And since we do not see this additional phrase from Ibn Abbaas in the narration of Wakee'ah, in which Ibn Abbaas was authentically reported to say, "This is sufficient for his *Kufr*," then it is evident that this additional phrase came from other than Ibn Abbaas, just as the narration in which Ibn Abbaas said, "In it there is *Kufr*," and Ibn Tawoos added, "And it is not like the one who disbelieves in Allaah and his Angels and His Books and His Messengers." This is one possibility and it seems likely when we examine all the narrations from Ibn Abbaas in their entirety. And it is not uncommon that a narrator will sometimes mistakenly attribute a statement to the one who spoke the *Hadeeth* but in fact this statement actually came from another person in the chain or narration.

Or there is another possibility. It might mean that this statement was actually from Ibn Abbaas as it appears but was intended to show that the *Kufr* of the one who 'Rules by Other Than What Allaah Revealed' is less severe than the *Kufr* of the one who disbelieves in Allaah and His Angels and His Books and His Messengers. Just as the *Kufr* of the one who curses at Allaah is not equal to the one who disbelieves in one of the

⁸³ "*Tafseer Ibn Jareer*", Vol.10/355; *Hadeeth* #12048-12051

⁸⁴ "*Tafseer Ibn Jareer*", Vol.10/355; *Hadeeth* #12052

⁸⁵ Also narrated by Ibn Katheer in "*At-Tafseer*" Vol. 2/63-64

Prophets sent by Allaah. And it is known from common sense that the *Kufr* of Abu Taalib is far less severe than the *Kufr* of Pharaoh, may Allaah curse him, who said:

فَكَذَّبَ وَعَصَى. ثُمَّ أَدْبَرَ يَسْعَى. فَحَشَرَ فَنَادَى. فَقَالَ أَنَا رَبُّكُمُ الْأَعْلَى

“But [Fir'aun (Pharaoh)] belied and disobeyed; Then he turned his back, striving hard (against Allâh). Then he gathered his people and cried aloud, saying: ‘I am your lord, most high.’”(An-Nazi’aat, 21-24)

And Allaah, *ta’ala* said:

النَّارُ يُعْرَضُونَ عَلَيْهَا غُدُوًّا وَعَشِيًّا وَيَوْمَ تَقُومُ السَّاعَةُ أَدْخِلُوا آلَ فِرْعَوْنَ أَشَدَّ الْعَذَابِ

“The Fire; they are exposed to it, morning and afternoon, and on the Day when the Hour will be established (it will be said to the angels): ‘Cause Fir'aun's (Pharaoh) people to enter the severest torment!’” (*Ghafir*, 46)

And Abbas bin ‘Abdul-Muttalib said, “O Messenger of Allaah, did you benefit Abu Taalib with anything as he used to protect and take care of you, and used to become angry on your behalf?” The Prophet said, ‘Yes, he is in a shallow place of Fire. But for me he would have been in the lowest part of the Fire.’”⁸⁶

So the *Kufr* of Abu Taalib is *Kufr Al-Akbaar* and he had no *Eemaan* because he refused to utter the *Shahadatayn* (i.e. the two testimonies) and the *Kufr* of Pharaoh was *Kufr Al-Akbaar* because of his refusal to submit to the Prophet who was sent to him and his claim to be Allaah etc. However, even though the *Kufr* of both of them is *Al-Akbaar*, and both of them will remain in the Hell-Fire eternally, the severity of *Kufr* of Pharaoh is not equal to that of Abu Taalib. And it is possible that, even if the additional statement attributed in the aforementioned narration from Ibn Abbaas was truly from him, his words quite possibly could take this meaning.

And regarding the statements of Ibn Abbaas in this matter, *Shaykh* Sulaymaan Al-‘Ulwaan, may Allaah preserve him said, “What has reached us from Ibn Abbaas from his saying, “*Kufr dun Kufr*” is not reliable. It is narrated by Al-Haakim in his “*Mustaadraq*” (Vol. 2/313) by the way of Hishaam bin Hujaayr on the authority of Tawoos who heard it from Ibn Abbaas. However, Hishaam is declared *Dha’eef* by Yahya bin Ma’een and *Imaam* Ahmad bin Hanbal. On the other hand it is narrated to us from Abdur-Razaaq in his *Tafseer* on the authority of Mu’aamr who heard from Ibn Tawoos that his father said he asked Ibn Abbaas about Allaah’s saying, “**And whosoever does not judge by what Allâh has revealed, such are the Kâfirûn...**” Ibn Abbas said it was *Kufr* and this is what is preserved from Ibn Abbaas. Showing that there is no doubt about this *Ayaah*, and proving that what is meant by this disbelief is *Kufr Al-Akbaar*. So how can some claim *Islaam* when they put aside and substitute the *Sharee’ah*, and make alliances with the Jews and Christians and imitate them?! **As for what is narrated by Ibn Jareer in his Tafseer on the authority of Ibn Abbaas who said, ‘...It is not like the one who disbelieves in Allaah and the last day...’; what is meant here does not mean that**

⁸⁶ Narrated by Bukhaaree

'Ruling by Other Than What Allaah Revealed' is *Kufr dun Kufr*. Whoever says it does mean this, then it is upon him to bring his proof and evidence to substantiate his allegation. It is clear from Ibn Abbaas' words that *Kufr Al-Akbaar* is of different classifications, and some forms are more severe than others. For example, the *Kufr* of the one who doesn't believe in Allaah and the Last Day, is more extreme than the *Haakim* who doesn't rule by what Allaah revealed. It is clear that the *Kufr* of the *Haakim* who 'Rules by Other Than What Allaah Revealed' is less severe than the one who doesn't even believe in Allaah and the Last Day. Still, we cannot say that this *Haakim* remains a Muslim and that his ruling is simply *Kufr Al-Asgaar*. We say he has left the religion because of his putting aside and removal of the *Sharee'ah*, and according to Ibn Katheer, there is *Ijmaa'* about this. See "*Al-Bidaayah Wa-Nihaayah*" (Vol. 13/119)."⁸⁷

And what makes it even clearer that Ibn Abbaas, may Allaah be pleased with him, held the meaning of the aforementioned *Ayaah* upon *Kufr Al-Akbaar*, is the fact that he narrated the following: "...By Allaah they were revealed with regards to these two (Jewish tribes), and it was these two that Allaah, *aza-wa'jaal* meant (in these verses)."⁸⁸

So if these *Ayaat* in *Surat Al-Ma'idah* were revealed for the Jews, who obviously disbelieved in *Islaam*, then Ibn Abbaas would not have held these *Ayaat* upon *Kufr Al-Asgaar* because it is clear that they were *Kuffar* and no one disputes this. So obviously Ibn Abbaas would hold these *Ayaat* upon the meaning, which expels one outside the realm of *Islaam*, because of the *Kufr* of the Jews. So if we are to find authentic instances in which Ibn Abbaas held these *Ayaat* upon *Kufr Al-Asgaar*, then we must determine whom he was holding their meaning upon less than *Al-Akbaar*. And it must be understood that these instances would not be the '*Usl*' of the meaning of these *Ayaat*, rather Ibn Abbaas and others would be referring to a specific group whom he did not hold as disbelievers.

When we look to the following narrations, this group becomes clear:

Ibn Jareer narrates in his *Tafseer*, "When the group of *Ibaadheeyah* came to Abee Majliz and said to him, 'Allaah says, **"And whosoever does not judge by what Allâh has revealed, such are the *Kâfirûn*...**', '*...Thalimoon*' and '*...Fasiqoon*'. Abu Majliz replied, 'They (i.e. the leaders) do what they do and they know that it is a sin.'" And in another narration: 'Imraan bin Hadeer said a group of people from the *Banee Umru bin Sadus* came to Abu Majliz and said, 'Do you see the saying of Allaah, **"And whosoever does not judge by what Allâh has revealed, such are the *Kâfirûn*...**' is this the truth?' He replied, 'Yes.' They said, **"And whosoever does not judge by what Allâh has revealed, such are the *Thalimoon*...**' is this the truth?' He replied, 'Yes.' They said,

⁸⁷ "*At-Tibyaan Sharh' Nawaaqith Al-Islaam*" by Muhammad Ibn 'Abdul-Wahhab; explanation and footnotes by Sulaymaan Ibn Naasir Ibn Abdullah Al-'Ulwaan, Pg. 38

⁸⁸ Narrated by Ahmad and others; and *Shaykh* Naasir Ad-Deen Al-Albaanee, may Allaah be merciful to him called it "*Hasaan*" in "*Silsitaat As-Saheeha*", Vol. 6. #2,552 and brings strong evidence to support this classification as www.salafipublications.com have posted in their article entitled, "Concerning Those Who Do Not Rule by what Allaah SWT has Revealed" (Article no. MNJ050002)

“And whosoever does not judge by what Allâh has revealed, such are the Fasiqoon...” is this the truth?” He replied, ‘Yes.’ So they said, ‘O Abu Majliz, do these (rulers) rule by what Allaah revealed?’ He replied, ‘This is the religion that they hold to and they call to, so if they leave anything from it; they know that they have fallen into sin.’ They said, ‘No, by Allaah, but you are afraid and worried.’ He said, ‘You are more deserving of this (description) than I am! I do not see this (i.e. that these *Ayaat* apply to them), but you do; yet you do not forbid (them from) it. But these verses were revealed with regards to the Jews and Christians and the People of *Shirk*.”⁸⁹

So here we see that the *Ibadheeyah*⁹⁰ were attempting to hold these *Ayaat* upon the rulers in the time of Abu Majliz and cause him to make *Takfeer* to them. So we must analyze who these rulers were and what form of ‘Ruling by Other Than What Allaah Revealed’ these rulers committed.

And we see from the era of Abu Majliz as recorded in the books of *Islaamic* history, that these rulers were *Banee Umaayah* and that they never replaced the *Sharee’ah* with their own fabricated laws. And we see that they were guilty of ruling in specific instances according to their desires and they were guilty of changing the method of selecting the *Khaleefah* from a competent committee of scholars to that of an inherited title, passed from father to son as in a kingship.

‘Abdul-‘Azeez Ibn Muhammad Ibn ‘Alee Al-‘Abdul-Lateef said, “For these (narrations) we must be reminded here that there are people who hold the statements of Ibn Abbas as well as others that have passed, upon a meaning, which cannot be held. So they taint the understanding and the meaning from it and for this reason it is incumbent upon us to make this clear: The outward apparent meaning of the *Ayaah* in Allaah’s saying, **“And whosoever does not judge by what Allâh has revealed, such are the *Kâfirûn*...”** and those that follow it [**‘...*Thalimuun*’ (5/45) and ‘...*Fasiquun*’ (5/47)**] proves that the meaning that comes from it is *Kufr Al-Akbaar*, *Fisq Al-Akbaar* and *Thulm Al-Akbaar*. What reinforces this is that the ‘*Kufr*’ here has come attached to a *Ķ (Lam)*. And there is a difference between the *Kufr* attached to the *Ķ (Lam)* and the *Kufr* without the *Ķ (Lam)*. Also what makes this clear (that the *Kufr* is *Kufr al-Akbaar*) is the reason they (the *Ayaat*) were revealed; from the point that they were revealed for the Jews just as it has been made clear. (See “*Majmoo’ Al-Ree’whaayat fi’Sabab New’zul Tilk Al-Ayaat in Tafseer*” Ibn Jareer Vol. 6/140-148) Then those like Ibn Abbaas and others made the meanings general for other than the *Kuffar* and said, ‘*Kufr dun Kufr*’ even though the *Ayaat* are directed to the *Kuffar* as it has come from another *Sanaad* from Baraa’ Ibn Azib, may Allaah be pleased with him, who said, ‘They (these *Ayaat*) are for all the *Kuffar*.’ **As for what Abu Majliz said to the *Ibaadheeyah* - and they are the *Khawaaraj* in belief and they say, ‘The perpetrator of a *Kabaa’ir* (major sin) is a *Kaafir* from his**

⁸⁹ “*Tafseer Ibn Jareer*”, Vol.10/354; *Hadeeth* #12,025 and 12,026 and *Shaykh* Naasir Ad-Deen Al-Albaanee has called this *Isnaad*, “*Saheeh*” in “*Silsitaat As-Saheeha*”, Vol. 6. #2,552 (same article as previously quoted from).

⁹⁰ The *Ibadheeyah* were a sect from the original *Khaawarij* and were named after Abdullah Ibn Ibaad Al-Muree At-Tameemee, who broke away from the *Azarqeeyah* who were named after Nafi’ Ibn Al-Azraaq, and he was one of the original *Khawaaraj*. – Look to “*The Encyclopedia of Islaam*”, Vol./143-144

ungratefulness and *Nifaaq*,’ with disagreements between them and they are many sects. As for what he (i.e. Abu Majliz) told them; it was his response to their attempt to force him to declare *Takfeer* to their leaders because they were in the army of the *Sultaan* and because they (i.e the rulers) did some of what Allaah ordered them not to do. We have to understand from the words of Abu Majliz and Ibn Abbas on their appearance. So we should not be like the *Khawaaaraj*; the ones who made everything that isn’t in accordance with Allaah’s *Hukm* to be *Kufr Al-Akbaar* and at the same time we should not be like the opposite group (the *Murji’yah*) who made the changing and replacing of the *Sharee’ah* to be *Kufr al-Asgaar*. **Obviously, Ibn Abbas and Abu Majliz weren’t referring to those who are too proud and to remain upon the *Sharee’ah* or who erased it; taking instead, the laws of *Jahiliyyah* because there is no one from the preceding centuries who has done that.** And the words concerning the sin of ‘*Kufr dun Kufr*’ revolves around one matter or one specific instance in the ruling by other than Allaah’s *Hukm* out of desire with the belief that it is *Haraam* and sinful to do so, however it (i.e. *Kufr dun Kufr*) is not the general rule. This is an apparent matter which is made clear by the words of Ibn Taymiyah who said, “...but the one who is following he *Hukm* of Allaah and His Messenger both inwardly and outwardly but he disobeys it and follows his desires, then he is at the level of those like him; the level of the sinners.” (“*Menhaaj As-Sunnah*” Vol. 5/131)⁹¹

And Mah’mood Shaakir said, “Surely the people of doubt and *Fitnah* have caused problems with their words in our time from what has been increasing in making excuses for the people in authority who leave the *Hukm* that Allaah revealed and for those who judge in the blood, property and money (of Muslims) by other than the *Sharee’ah* that Allaah sent down in His Book. They have taken the laws of *Kufr* in the countries of *Islaam*. So these people (the troublemakers) remain upon the two narrations (from Abu Majliz) and try to use them as proof that those who judge in the money, property and blood, by other than what Allaah revealed, aren’t guilty of *Kufr al-Akbaar* and (they also use the narrations to prove that) the one who opposes the *Sharee’ah* of Allaah; whether he opposes it or is pleased with (that opposition) isn’t a *Kaafir*.”

And later he said, “...and their (the *Ibaadheeyah*’s) question wasn’t about what the innovators of our time argue with. They were asking about the act of the judges in blood, money and property who went away from the *Sharee’ah* occasionally (based upon their occasional whims or desires) not about those who bring about a new legislation of laws upon the people of *Islaam* and ruling with the *Hukm* of other than what Allaah sent down in His Book or upon the tongue of His Messenger **صلى الله عليه وسلم**. This action is turning away from *Hukm* of Allaah, being displeased with His *Deen* and being influenced by the laws of the people of *Kufr* instead of the laws of Allaah. This is (the type of) *Kufr* that there is no doubt about from the people of the *Qiblah* in declaring *Takfir* upon the one who says it, does it or calls to it.”

⁹¹ “*Nawaaqith Al-Eemaan Al-Qauliyyah Wal-Amiliyyah*”, Pg. 316

(Mah'mood Shaakir continues...) **“If they (those who try to use these narrations) claim that the matter being referred to in the narration of Abu Majliz did in fact mean the replacement of Allaah’s *Sharee’ah*, (then this is false too because) it never happened in the history of *Islaam* that the *Haakim* brought a new *Hukm*, made it part of legislation and forced it upon the judges – this is one point.** Another point is, if the *Haakim* rules in a specific instance not in accordance with the *Hukm* of Allaah in that matter, due to his ignorance then this is a judgement made in ignorance (and he isn’t held accountable for this mistake). Or if he ruled in that matter out of his desires or whims this would be a sin that repentance could cancel or Allaah’s forgiveness may cancel it.”⁹²

And also, what makes it even clearer that these rulers did not leave *Islaam* and did not replace the *Sharee’ah* with their own fabricated laws was the *Saheeh* statement from the Prophet **صلى الله عليه وسلم** who said, “The first one who will change something from my *Sunnah* will be a man from *Banee Umaayah*.”⁹³ And *Shaykh* Al-Albaanee, may Allaah be merciful to him, commented saying, “Most likely the meaning is changing the way in which the *Khaleefah* is chosen and making it a (form of) inheritance (i.e. from father to son)...”⁹⁴ And there is no indication of *Banee Umaayah* doing anything, which is *Kufr Al-Akbaar* in this *Hadeeth*.

So after all that has passed it becomes clear that the people whom the *Ibaadheeyah* were attempting to make *Takfeer* with these *Ayaat*, were not ‘Ruling by Other Than What Allaah Revealed’ in the sense that they abolished the *Islaamic Sharee’ah* and brought their own fabricated laws and forced them unto the people. This is very far from the truth; however, what is affirmed from what has passed, is that they used to rule in particular instances according to their desires but as a whole, the system of governing in their era was the complete *Islaamic Sharee’ah* and they did not replace any of it with their own laws and they did not engage in *Tashree’ Al-‘Aam*, which legislates opposing laws to those of the *Sharee’ah*. And they continued to rule the people by the *Hukm* of Allaah in general with the exception of those rare instances and they left the *Hukm* of Allaah in specific cases in which they were overtaken by their desires, such as in their passing the *Khaleefaah* from father to son and they new they were guilty and admitted to their sin. And in light of this, Abu Majliz’ words must be understood: “This is the religion that they hold to and they call to, so if they leave anything from it; they know that they have fallen into sin.” And, “They (i.e. the leaders) do what they do and they know that it is a sin.”

And also what makes this clear are some statements from other than Ibn Abbaas in the *Tafseer* of this *Ayah* (*Ma’idah*, 44):

We find in the same section we’ve been quoting from, in Ibn Jareer’s *Tafseer*: “I was informed by Yaquub bin Ibraheem who said, ‘I was informed by Hushaym who said, ‘I

⁹² “*Umdaat At-Tafseer Ibn Katheer bi’Ahmad Shaakir*”, Vol. 4/156-157

⁹³ “*Silsilaat As-Saheeha*”, #1,749

⁹⁴ same as above reference

was informed by 'Abdul-Maalik bin Abee Sulaymaan from Salaamah bin Qu'haayl from Alqaamah and Masrooq that they asked Ibn Masood about bribery and he said, 'It is from the unlawful trade.' So he (i.e. Qu'haayl) said, 'And in the *Hukm*?' He (i.e. Ibn Masood) said, 'That is the *Kufr*!' And then he recited: '**And whosoever does not judge by what Allâh has revealed, such are the Kâfirûn.**'⁹⁵

So we see that Ibn Masood held the meaning of the *Ayaah* upon *Kufr Al-Akbaar*. And also from him as narrated from At-Tabaraane with a *Saheeh Sanaad* from Ibn Masood that he said, "The bribery in the *Hukm* is *Kufr* and between the people it is unlawful."⁹⁶

And this is a good distinction in which Abdullaah Ibn Masood makes where he said, "The bribery in the *Hukm* is *Kufr* and between the people it is unlawful." And this is similar to the ruling upon the one who 'Rules by Other Than What Allaah Revealed' as opposed to the one who conducts his own life by other than what Allaah revealed. Because when the *Haakim* replaces the clear laws of the *Islaamic Sharee'ah* with his own fabricated laws, and governs his people according to these and engages in *Tashree' Al-'Aam* (i.e. general legislation) with the laws which oppose the *Hukm* of Allaah, he has committed *Kufr Al-Akbaar*, which causes one to leave the realm of *Islaam*. And in this sense we hold the meaning of the *Ayaah* upon its '*Usl* (i.e. basis), which is *Kufr Al-Akbaar*. But if this same *Haakim* ruled by what Allaah revealed and governs his people by the *Hukm* of Allaah generally and yet he does not act accordingly with these very laws in his own personal life, he has not committed *Kufr Al-Akbaar*, and he has not left the realm of *Islaam*.⁹⁷ And when we reflect about the time in which Ibn Masood's words would have been spoken and the time in which Ibn Abbaas and his students such as Tawoos and other than him, it becomes apparent that Ibn Abbaas lived in the latter years in which the *Khawaarij* were very prevalent and under the governorship of *Banee Umaayah*.⁹⁸

⁹⁵ And Abdullah As-Saad said in his cassettes entitled "*Sharh' Nawaqith Al-Islaam*", "This *Sanaad* is *Saheeh*." And *Shaykh* Sulayman Al-'Ulwaan agreed with him.

⁹⁶ Ibn Hajr Al-Makee mentioned it in his book "*Az-Zawaajir*", Vol. 2/189

⁹⁷ Unless this disobedience reaches *Kufr Al-Akbaar* itself, such as abandoning the prayer or practising sorcery or any other actions of clear *Kufr Al-Akbaar* etc.

⁹⁸ Ibn Massod, may Allaah be pleased with him, died in the year 32 H. (which corresponds to 652 Gregorian) whereas Ibn Abbaas, may Allaah be pleased with him died in 68 H. (which corresponds to 687 Gregorian). So we see that there were 36 years between the two. And since the Battle of the Plains of *Sifeen*, in which the *Khawaarij* broke away from the army of 'Alee, did not take place until 657 (Gregorian – Look to "*Itmaam Al-Wafaa*"", Pg. 211-212), it is quite logical that Ibn Abbaas and his students and Abu Majliz and other than them, were faced with the *Khawaarij* who did not differentiate between the ruler who himself commits a sin and a ruler who replaces the *Sharee'ah* with his own fabricated laws (which *Banee Umaayah* did not do). And thus, when these members of the *Khawaarij* surfaced, much latter than the death of Ibn Masood, it stands to reason that these statements might come from the *Salaaf*. But as we have established, they are not intended to define the '*Usl* of the level of *Kufr* in the *Ayaah*, rather they are to a refutation against the *Khawaarij* who attempted to make *Takfeer* of *Banee Umaayah* as we have proven.

So what is clear from what has passed in the *Tafseer* of this *Ayaah* is that their meaning is *Kufr Al-Akbaar*; however, if it is held upon the rulers who do not 'Rule by Other Than What Allaah Revealed' in the sense that they do not replaced the laws of *Islaam* and they do not engage in *Tashree' Al-'Aam* with legislation that opposes the *Hukm* of Allaah, then we say the same as some of what has been narrated: "*Kufr dun Kufr, Fisq dun Fisq, Thulm less than Thulm,*" and, "It is not the *Kufr* that removes one from the realm (i.e. of *Islaam*)," etc.

And also, what indicates the meaning of the '*Usl* of this *Ayaah* is upon *Kufr Al-Akbaar*, is its linguistic meaning in the Arabic language:

وَمَنْ لَمْ يَحْكَمْ بِمَا أَنْزَلَ اللَّهُ فَأُولَئِكَ هُمُ الْكَافِرُونَ

"And whosoever does not judge by what Allâh has revealed, such are the *Kâfirûn*."

What we see in this *Ayaah* is that Allaah prefaced the word: *كافِرُونَ Kâfirûn* with the two letters: أ ('*Alif*) and ل ('*Lam*) which makes the word: *الْكَافِرُونَ (the Kâfirûn)*. And it is known from the rules of the Arabic language that the word *Kufr* may have two meanings to it; either *Kufr Al-Akbaar* or *Kufr Al-Asgaar*. But when this word *Kufr* is attached with the '*Alif* and the '*Lam*, it takes on the meaning of "The *Kufr*", which can only take the meaning of *Kufr Al-Akbaar*.

As Ibn Taymiyah said, "There is a difference between *Al-Kufr*, which comes attached with '*Alif Lam*, as in the Prophet's saying, 'There is nothing between the slave and *Al-Kufr* or *Al-Shirk*, except abandoning the *Salaat*,' and between *Kufr* which is not attached with *Alif Lam*." ⁹⁹

And also from a language point of view is the phrasing of the sentence itself. Allaah has said that these people are, "...**the *Kâfirûn***," so how can they not be disbelievers if Allaah has called them "...**the *Kâfirûn***"? And this is different than some of the *Ahadeeth* in which the word "*Kufr*" can sometimes be used as *Kufr Al-Asgaar*, because the word used here is "...**the *Kâfirûn***" and so the word Allaah used is not describing the act, He is describing the people themselves for committing the act. And this is the distinction here.

And as '*Allaamah* Muhammad Ibn Ibraheem ahl'a-Shaykh said, "It is impossible for Allaah to call someone a *Kaafir* for 'Ruling by Other Than What Allaah Revealed' and then for them not to be a *Kaafir*." ¹⁰⁰

There is one point to be aware of and that is that a judge who rules in a particular instance by other than what Allaah revealed, as the judges of *Banee Umaayah* were guilty of, could linguistically fall under the *Ayaah*: "**And whosoever does not judge by what Allâh has revealed, such are the *Kâfirûn***." And this is because the word "*Al-Hukm*"

⁹⁹ Look to "*Iqtidaat As-Siraat Al-Mustaqem*", Pg. 69

¹⁰⁰ "*Takheem al-Qaw'aneen*", Pg. 15

(i.e. ruling) can also take the meaning of the word “*Al-Qadha*” (i.e. verdict) ¹⁰¹ and in this sense – the purely linguistic sense – the judge who rules in particular instance by other than what Allaah revealed, would be in this same category. And this was the sense that the *Khawarij* tried to hold the *Ayaah* upon the rulers of *Banee Umaayah*, as we have made clear. But we do not understand this *Ayaah* strictly from the point of view of language and we do not include all of what the *Ayaah* can imply based upon the rules of language alone; rather we look to the reason for which it was revealed. And it is quite clear from what has passed that the *Ayaah* is only held upon its ‘*Usl* of *Kufr Al-Akbaar* in the case where the laws from the *Sharee’ah* itself have been replaced or changed, and although the case of a judge who ‘Rules by Other Than What Allaah Revealed’ in a particular instance due to his desires or whims etc., is from the greatest of sins, we do not hold this equal with the *Haakim* who replaces and abolishes the entire *Sharee’ah* or even specific laws from Allaah’s *Hukm*. And this is re-enforced by the reason the *Ayaat* came down in the first place:

Ibn Jareer At-Tabaree said, “He *ta’ala* says, **whoever conceals the *Hukm* of Allaah, which He revealed in His Book and made it a law between the slaves – so he hides it and rules with other than it** like the *Hukm* of the Jews concerning the married fornicators with whipping of the guilty and blackening their faces and concealing the *Hukm* of stoning and like their judging upon some of their murdered with full blood-money and some with half of their blood-money. And concerning the noble people, they would have *Qisaas* but the commoner would only get the blood money. But Allaah made all of them equal in the *Tauraat*: ...***such are the Kâfirûn***. They are the ones who concealed the truth, which was upon them to uncover and make clear. **And they hid it from the people and they showed something different to the people and they judged according to that (i.e. the changed *Hukm*) because of a bribe they took from them.**”¹⁰²

So the *Ayaah* was revealed for these Jews who had replaced Allaah’s *Hukm* with their own fabricated *Hukm*. And they ruled with that *Hukm* generally for the commoner and this ruling was not in specific instances and this is the reason why we make the distinction in this matter.

Another point is that if we say that these *Ayaat* were indeed revealed for the Jews, as stated by Ibn Abbaas, then can we hold them upon on the Muslims as well? And the answer is obvious.

Although Ibn Jareer narrated several reports from the *Salaaf*, which indicate that these *Ayaat* were revealed for the Jews, this does not mean that they are only held upon the Jews and this is from the basic principals of *Tafseer*.

¹⁰¹ Look to “*Al-Qamoos Al-Mu’heet*”, Vol. 4/98

¹⁰² “*Tafseer At-Tabaree*”, Vol. 4/592

As Ibn Taymiyah said, “Even if these *Ayaat* ¹⁰³ came down for certain circumstances, their meanings and rulings are general as are most of the *Ayaat* that were revealed for specific reasons. There is no difference of opinion among the people on this issue that we know of. **They (i.e. the *Ayaat*) are general for all the people whose situations are the same as those whom the *Ayaat* were revealed for.** If the wording (of the *Ayaat*) is general, it is all right to mention that they were revealed for such and such people about such and such event; **however, their meanings and rulings are not to be limited to these people and events only. And what the majority of what the people are (agreed) upon, is that it is *Waajib* (obligatory) to take the rulings of these *Ayaat* in a general sense unless there is clear evidence which proves that their rulings are limited specifically to those they were revealed about.” ¹⁰⁴**

And this is clear based upon the following report: “Someone said to Huthayfah Ibn Al-Yamaan, may Allaah be pleased with him, that the *Ayaat* “**And whosoever does not judge by what Allâh has revealed, such are the *Kâfirûn*,** “*...Thalimoon*” and “*...Fasiqoon*” applied to the Children of Israel only, that is, if one of the Jews ‘Ruled by Other Than What Allaah Revealed’, he would be a *Kaafir*, *Thaalim* and *Faasiq* but that this would not apply to a Muslim. Huthayfah (sarcastically) replied, ‘What good brethren the Children of Israel are to you. All of what is bitter is for them and all that is sweet is for you. By Allaah, you shall follow their way step by step and shall be dealt with like them!’ ¹⁰⁵

And Ibn Katheer narrated the same from Baraa’ Ibn ‘Aazib and Huthayfah Ibn Al-Yamaan and Ibn Abbas from Abee Majliz and Abee Rajaa’ Al-Ataw’ree and Ikramah and Ubaydah Ibn Abdullaah and Al-Hasaan Al-Basree and others who said, “They came down for *Ahl’al-Kitaab*.” And Al-Hasan al-Basree added, “**...and it is obligatory (to apply the verses meaning) upon us (as well).**” And from Sufyaan Ath-Thawree from Mansoor from Ibraheem who said, “**These *Ayaat* came down for *Banee Israel* and they are chosen for our *Ummah*.**” And the opinion chosen by the *Shaykh* of *Mufasireen* (i.e. Interpreters of the *Qur’aan*), Ibn Jareer at-Tabaaree, is that these verses were intended for *Ahl’al-Kitaab* and anyone else who rejects the *Hukm* that Allaah sent down in His Book.” ¹⁰⁶

¹⁰³ And here “...these *Ayaat*...” was not referring to these specific *Ayaat* in *Surat Al-Ma’idah*, however the rule he brings is applicable for the entire *Qur’aan* and the *Ayaat* which include condemnation for any matter.

¹⁰⁴ “*As-Saraam al-Maslool ‘ala Shaatim Ar-Rasool*”, Pg. 33

¹⁰⁵ Al-Haakim narrated it in “*Al-Mustaadraq*”, Vol. 2/342 who said, “It is *Saheeh* according to the conditions of the two *Shaykhs* (i.e. Bukhaaree and Muslim) but they did not narrate it.” And Adh-Dhahabee said in “*Al-Taalkhees*”, “It is upon the conditions of Bukhaaree and Muslim.” And *Shaykh* Suylamaan Al-‘Ulwaan agreed with that.

¹⁰⁶ Look to “*At-Tafseer*” Vol. 2/63-64 And the saying of Ibn Jareer here, “...and anyone else who rejects the *Hukm* that Allaah sent down in His Book,” does not mean that this rejection must come from a belief in the heart in order to be *Kufr Al-Akbaar*, as the leaders of *Irjaa’* in our time have alleged. What is clear from the words of Ibn Jareer, may Allaah be merciful to him, is that the form of ‘Ruling by Other Than What Allaah Revealed’ which the Jews committed – where they replaced the *Hukm* of Allaah regarding the

And although there are some authentic reports from the *Salaaf*, which indicate that they only held these *Ayaat* upon the Jews, the truth of the matter is that they are general, and the *Ayaat* themselves do not specify the Jews as applying to them only so we do not accept this just as Huthayfah Ibn Al-Yamaan, may Allaah be pleased with him, did not.

Ibn Al-Qayyam said, "...And some of them explained it as being for *Ahl'al-Kitaab* and this was the saying of Qatadah and Dhahaak and others and it is far off (from the truth) and it opposes the generality of the phrasing so it is not to be taken."¹⁰⁷

Also, the word Allaah used in the *Ayaah*: مَنْ *'Menn'* (i.e. whoever) is the most general form of word, which – according to the rules of the *Qur'aan* – includes everyone who meets the conditional clause in the sentence.

Ibn Taymiyah said, "And the word, *'Menn'* (i.e. whoever) is the most general type of terminology especially when it is used as a condition or enquiry, like His *ta'ala*'s saying:

فَمَنْ يَعْمَلْ مِثْقَالَ ذَرَّةٍ خَيْرًا يَرَهُ

stoning of the married adulterer with their own fabricated law of whipping and blackening their faces and also the execution of the murderer with their own fabricated law in which, only the commoner would be executed etc. -- is the rejection of the "...*Hukm* that Allaah sent down in His Book." And if anyone has any doubts that a person can commit *Juhood* (i.e. rejection) – which is a known form of *Kufr Al-Akbaar* – then let him look to the words of Allaah, *ta'ala*:

وَجَدُوا بِهَا وَاسْتَيْقَنَتْهَا أَنفُسُهُمْ ظُلْمًا وَعُلُوًّا فَانظُرْ كَيْفَ كَانَ عَاقِبَةُ الْمُفْسِدِينَ

And they rejected (*wa'jahaaduu bi'haa*) them (those *Ayat*) wrongfully and arrogantly, though their own selves were convinced thereof [i.e. those (*Ayat*) are from Allâh, and Mûsa (Moses) is the Messenger of Allâh in truth, but they disliked to obey Mûsa (Moses), and hated to believe in his Message of Monotheism]. So see what was the end of the *Mufsidûn* (disbelievers, disobedient to Allâh, evil-doers, liars.) (*Naml*, 14)

So we see that the *Juhood* (i.e. rejection), which takes on outside the realm of *Islaam* with the *Kufr Al-Akbaar*, can come from ones actions. And this is because Pharaoh and his subjects new the truth of Musa's Prophethood *صلى الله عليه وسلم* and that he came with the truth from his Lord. However, his rejection came from his actions and not from his beliefs. And this is clearly the meaning of the words of Ibn Jareer here. And we do not have any evidence that the Jews replaced the *Hukm* of Allaah due to any rejection of it in their hearts. In fact Allaah said:

Those to whom We have given the Scripture (Jews and Christians) recognize him (i.e. Muhammad *صلى الله عليه وسلم* as a Messenger of Allâh, and they also know that there is no *Ilah* (God) but Allâh and Islâm is Allâh's Religion), as they recognize their own sons. Those who destroy themselves will not believe. And all we know is that they replaced his *Hukm* with their own fabricated laws and that this is *Kufr Al-Akbaar*. And when Allaah made *Takfeer* to "...whosoever does not judge by what Allâh has revealed..." he did not mention the *Kufr* coming from their beliefs, rather He, *ta'ala* called them, "...the *Kâfirûn*," for the action and tied this to the condition of failing to 'Rule by Other Than What Allaah Revealed,' and not for ruling by other than what Allaah revealed while rejecting it in their hearts.

¹⁰⁷ "Madaarij As-Saalikeen", Vol. 1/365

So **whosoever** does good equal to the weight of an atom (or a small ant), shall see it. (*Zalzalah*, 7) and His saying:

أَفَمَنْ كَانَ عَلَىٰ بَيِّنَةٍ مِنْ رَبِّهِ كَمَنْ زُيِّنَ لَهُ سُوءُ عَمَلِهِ وَاتَّبَعُوا أَهْوَاءَهُمْ

Is he **whosoever** is on a clear proof from his Lord, like those for **whoever** their evil deeds that they do are beautified for them, while they follow their own lusts (evil desires)? (*Muhammad*, 14)¹⁰⁸

So this is the explanation of the *Ayaah* and the statements of Ibn Abbaas and other than him from the *Salaaf*, which *Shaykh* Ibn Baaz, may Allaah be merciful to him, used to base his *Fataawa*, which Al-Anbaree and www.salafipublications.com throw around devoid of any strong evidence and research on their part. And although we respect the noble *Shaykh* Ibn Baaz and benefit from his *Fataawa* and respect his opinions, we must nevertheless follow the evidence from the texts of the *Sharee'ah* as opposed to blindly following the verdicts of the 'Ulaama. And this was the *Shaykh's* very advise to us which we have quoted earlier. And we have followed this precisely in this section.

Furthermore, there are other words from the noble *Shaykh* Ibn Baaz which agree with what we have brought forth in this section. Take for example, the following:

“There is no *Eemaan* for the one who believes the laws of the people and their opinions are superior to the *Hukm* of Allaah and His Messenger or that they are equal to it or that they resemble it or who leaves it or replaces it with fabricated laws and institutions invented by people, even if he believes that the laws of Allaah are more encompassing and more just.”¹⁰⁹

So with these words, we see that *Shaykh* Ibn Baaz, may Allaah be merciful to him, considered the action of replacing the *Sharee'ah* of Allaah with the fabricated laws and ruling with them to be equal with the belief that the laws of the people are superior to the *Hukm* of Allaah and His Messenger. And what makes this even clearer are his words, “There is no *Eemaan*...” because he has prefaced all of what he has listed with the same phrase, thus leaving no doubt that he held each and every category he has listed to be equal in the total negation of the *Eemaan*.

And how ironic it is that Khaalid Al-Anbaree and www.salafipublications.com always brings the “other words” of Muhammad Ibn Ibraheem Ahl'ash-Shaykh, in his *Fataawa*, in order to imply that he changed his opinion in the matter of 'Ruling by Other Than What Allaah Revealed' and yet they have neglected to mention the “other words” of *Shaykh* Ibn Baaz that we have been able to find, which is widely available in published form and on the Internet.¹¹⁰ So their deception is clear and their motivation does not need

¹⁰⁸ “*Al-Fataawa*”, Vol. 15/82 and look to Vol. 24/246

¹⁰⁹ Look to “*Risalaat Wujoob Tah'keem Sharee'at Allaah*” Pg. 39, which follows the “*Risalaat Tah'keem Al-Qawaneen*” Published by “*Daar Al-Muslim*”

¹¹⁰ See <http://www.ibnbaz.org.sa/display.asp?f=th00001> (which is hosted at www.ibnbaz.org.sa at this location as of the date of this project.)

investigation. They are people who follow their desires and not the evidence. And even when it comes to blindly following the *Fataawa* of the ‘*Ulamaa*, they only select what supports their ideas and they are the first ones to disregard the advice that *Shaykh* Ibn Baaz has offered on their own web site, which we have quoted.

And what would www.salafipublications.com and their avid readers say about this statement and others like them, which are available from *Shaykh* Ibn Baaz? Would they call him a *Khaarajee*? Or would they call him a *Qutoobee*? Or perhaps they would call them a *Surooree* as they have about the others who hold that the ‘Ruling by Other Than What Allaah Revealed’ to be *Kufr Al-Akbaar*. And even if we concede that *Shaykh* Ibn Baaz, in his latter years did, in fact, change his opinion in this subject to what we can see in his *Fataawa*, this does not invalidate our point. And this is because they would have to say that at one point, *Shaykh* Ibn Baaz did hold that ‘Ruling by Other Than What Allaah Revealed’ is an action of *Kufr Al-Akbaar*, which did not require the accompaniment of a belief in the heart, in order to be *Kufr Al-Akbaar*. And we would ask them, “Then do you say that *Shaykh* Ibn Baaz was a *Takfeeree* in his earlier years?” And an answer would certainly be interesting.

And so we say that the assorted *Fataawa*, which Al-Anbaree quotes in his article, “The Anbaree Papers: Part 3” that www.salafipublications.com have vehemently swallowed up and referenced on their web site are free to leave if the evidence from the texts of the *Sharee’ah* indicate other than what their verdicts state. And we encourage the reader to review any of these *Fataawa*, which Al-Anbaree and www.salafipublications.com have listed here and see if there is any proof from the *Islaamic* texts, which indicate that ‘Ruling by Other Than What Allaah Revealed’ is only *Kufr Al-Akbaar* when the *Haakim* considers his ruling to be better than or superior to the *Hukm* of Allaah or that he considers his ruling to be permissible in his heart. And the reader will find nothing except for a few references to statements from Tawoos and Ibn Abbaas etc. which we have already explained in this section.

And all of what we have written thus far in this section is in reference to this one *Ayaah*. And we have not yet even touched upon the other evidence, which show how the ‘Ruling by Other Than What Allaah Revealed’ is *Kufr Al-Akbaar*’.

In “The Anbaree Papers: Part 4” Khaalid Al-Anbaree and www.salafipublications.com continue to demonstrate their ignorance in the very basis of what *Irjaa’* is and what the *Murji’yah* are upon in the matter of *Kufr* and *Ridah* (i.e. apostasy).

So Al-Anbaree said:

A group of newcomers had arisen to whom the true reality of Imaan – in the view of the Salaf and Ahl us-Sunnah became obscure [with the] understanding of the Ahl ul-Bid’ah amongst the Khawarij, Mu’tazilah and the Murji’ah. Hence, they reviled their opponents, those who do not hold the view that the one who abandons prayer out of laziness and neglect is not a disbeliever and also those who do not believe in the absolute and unrestricted takfir of the one

who does not rule by what Allaah has revealed without further clarification and investigation. They went to extremes in their evil and accused the [notable] Shaikhs of the Muslim body, such as the Shaikh, Faqih, Muhaddith, 'Allaamah, the Imaam, Muhammad Naasir ud-Din al-Albani with the scandalous *Irjaa*. This gave clear evidence of their [outright] flippancy, lack of manners, and fear [of Allaah].

So Al-Anbaree holds that this group who alleges that *Shaykh* Al-Albaanee, may Allaah be merciful to him, had *Irjaa* is a "group of newcomers" which have become obscure to "the true reality of *Eemaan* – in the view of the *Salaaf* and *Ahl us-Sunnah*". And he has linked this idea to those who believe that the one who abandons the prayer "out of laziness and neglect" and who 'Rules by Other Than What Allaah Revealed' are disbelievers. And he has accused this opinion of *Shaykh* Al-Albaanee, may Allaah be merciful to him, as "scandalous" and "flippancy and lack of manners and fear (of Allaah)".

So let us deal with these ridiculous claims one by one.

The issue of *Irjaa*' in the teachings of *Shaykh* Muhammad Naasir Ad-Deen Al-Albaanee:

Here we wish to pause and emphasise, yet again, that we are not bringing up the issue of *Shaykh* Al-Albaanee's *Irjaa* to attack him or belittle him in the least. And we even hesitate to bring this matter to the forefront because, unlike Khaalid Al-Anbaree, 'Alee Al-Halabee and their likes, *Shaykh* Al-Albaanee has done much more for the *Ummah* than to only be merely recognised for his mistakes in *Eemaan* and *Kufr*.¹¹¹ And so we are only mentioning it here because the likes of Khaalid Al-Anbaree and www.salafipublications.com often curse and attack and revile those who have dared to utter that the *Shaykh*, may Allaah be merciful to him, had mistakes in the area of *Eemaan* and *Kufr*. And if it weren't for the fact that *Shaykh* Al-Albaanee has many followers who have clung to his particular teachings in this matter, then we would not even mention it. And certainly if *Shaykh* Al-Albaanee hadn't separated the actions from *Kufr* (which is the same as separating actions from *Eemaan*), then the likes of www.salafipublications.com would have found some other personality to follow in this issue, in order to fulfil their desires.

The quotations from *Shaykh* Al-Albaanee, which we have related in the introduction of this project, is sufficient to demonstrate his separation of actions from *Kufr*, and the quotation is not ambiguous or unclear and it is certainly long enough so that no one could claim that we have taken the *Shaykh*'s words out of context. But to clarify the matter further, we have come across a cassette recording, during our research for this project,

¹¹¹ So we differ from www.salafipublications.com in our treatment of the scholars who have committed errors. And unlike them and their avid readers, we do not only mention the mistakes of others in order to besmirch the honour of the scholars whom we oppose in certain matters with the spirit of attacking and revilement and in the hopes that the people abandon them. Rather, our approach is to honour the scholars and highlight their positive characteristics. And in this spirit, we are only discussing *Shaykh* Al-Albaanee's *Irjaa* due to Khaalid Al-Anbaree's remarks as well of those from the likes of www.salafipublications.com who have almost focussed on nothing except his teachings in *Eemaan* and *Kufr*.

from a published tape and we will narrate a conversation between Khaalid Al-Anbaree and *Shaykh* Al-Albaanee, in which *Shaykh* Al-Albaanee demonstrated his *Irjaa'* quite clearly to Khaalid Al-Anbaree and wherein, the two of them even became in an argument of sorts on the subject of *Eemaan*, and what it necessitates. In the course of this excerpt, we will add our own footnotes to the text of their speech but we call Allaah as our witness that we fully to transcribe and translate this text accurately and fluidly so that no one can claim that we are misrepresenting or twisting the words of either of them.

The cassette tape we are narrating from is: “*At-Tah’reer li’Usool At-Takfeer*” – produced by “*Tasjilaat Eelaaf Al-Islaameeyah lil’Intaaj wa-Tawzee’*”, dated *Al-Ramadh*aan 1416 H., which is equivalent to February 10, 1996.

Khaalid Al-Anbaree: Our *Shaykh*, what is the place of actions in *Eemaan*? And are they a condition for its completeness or a condition its existence? I hope for clarity on this matter. May Allaah bless you.

Shaykh Al-Albaanee: What we have understood from the evidences of the Book and the *Sunnah* and from the sayings of the *Imaams* from the *Sahabah* and the *Tabi’een* and the *Imaams* who have witnessed them is that whatever exceeds the actions of the heart and passes it to what has to do with the actions of the body, then it is a condition of the completeness and not a condition for its existence (of *Eemaan*).¹¹²

So this means that the *Shaykh*, may Allaah be merciful to him, did not consider any actions to be from the conditions for the existence of *Eemaan*. Rather, he considered “actions of the body to be a condition for its completeness.” And this means that he did would consider a person to be a Muslim, even if he abandoned all the actions as long as all the conditions of *Eemaan* in the heart were present.

And latter in the cassette:

Khaalid Al-Anbaree: Will the *Kufr* be in the heart exclusively or would it be in the heart and upon the tongue and in the actions? In other words, will the *Kufr* only be in (the form of) beliefs or would the *Kufr* be in (the form of) the beliefs and sayings, and actions? Inform me with knowledge.

Shaykh Al-Albaanee: It is – from what I understand in this matter – that the ‘*Usl*’ (i.e. basis) is the *Kufr* of the heart but there are statements and actions which might come from a person, which would inform us of what has occurred in the his heart from *Kufr*. But we do not see that it is necessary for his disbelieving in his heart and his disbelieving in some

¹¹² From the first question on side A of cassette no. 1

In order to understand why this statement is incorrect we must understand the phrases “completeness of *Eemaan*” and “existence of *Eemaan*”. When the ‘*Ulaama*’ use these two phrases, they mean by “completeness of *Eemaan*” those things which help to fulfil the *Eemaan* and make it more complete. These things which help complete *Eemaan* do not cause all the *Eemaan* to be nullified if they are not present. Thus, they are different from those things, which are a condition for the “existence of *Eemaan*” because this second category means that if they are not present, then all the *Eemaan* is nullified and the individual becomes a *Kaafir*.

of his actions, to accompany one another. This is because they might be together and they might be separate. We mean like the *Munaafiq*. It is not correct that he has disbelieved in his heart and his actions, because in his actions he is a Muslim and with this, the *Qur'aan* has been clear concerning the Bedouins. So what is apparent to me is that it is necessary to bring together or to investigate whether the *Kufr* is in the heart or the actions but it is not a condition for the actions to accompany the *Kufr* of the heart because the '*Usl* of the *Kufr* is in the heart. ¹¹³

So this is the extent of how *Shaykh Al-Albaanee*, may Allaah be merciful to him, related the actions to the *Kufr* of the heart. He viewed them merely as evidence for the *Kufr* on the inside. In other words, according to him, the actions themselves are not *Kufr*, which expels one from the realm of *Islaam*, rather they are merely evidence for the possible existence of *Kufr* in the heart. And it is precisely this kind of separating of actions from *Eemaan*, which the *Murjiyaat Al-Fuqahaa* used to possess.

Latter in the cassette Al-Anbaree begins to read some words of *Imaam Ibn Al-Qayyim*, may Allaah be merciful to him, and then *Shaykh Al-Albaanee* says:

Shaykh Al-Albaanee: Sorry. The words of Ibn Al-Qayyim – in reality we must pause at them momentarily because you know that there is *Eemaan* and *Tasdeeq* ¹¹⁴ and *Ma'arifah*. ¹¹⁵ And you know as well, that the *Ma'arifah* and the *Kufr* can be present together but (the question is) can the *Kufr* and *Eemaan* be present together at one time? And I mean here by "*Al-Eemaan*" that which is the '*Usl* that the *Hadeeth* came speaking about concerning the Fire and the people who are punished according to what they deserve because of their being far away from the *Deen* through their actions. When the intercession comes and it takes out whoever had in their heart, an atom's weight of *Eemaan* in his heart. ¹¹⁶ This weight of *Eemaan*, can *Kufr* be joined with it?

Khaalid Al-Anbaree: The *Eemaan*, which is intended in this *Hadeeth*, is the true *Eemaan*, even if it is an atom. So if the *Eemaan* – or I mean the *Tasdeeq* – if it is accompanied by hatred of Allaah and *Istikbaar* from the command of Allaah, *aza'wajaal*, then verily this *Istikbaar* negates the *Eemaan* and erases it from the heart and for

¹¹³ From side B of cassette no. 1

¹¹⁴ *Tasdeeq*: The resulting belief in some matter based upon the knowledge of its truthfulness.

¹¹⁵ *Maarifah*: The knowledge of something.

¹¹⁶ Likely referring to what was narrated by Abu Sayyid Al-Khudree from the Messenger of Allaah صلى الله عليه وسلم, that he said, "The Lord – Glorified and High, will say to the believers, after they have been taken out of the Fire; those who are known to be from the people of *Eemaan*: Take out whoever has the weight of one *Dinaar* of *Eemaan*. Then whoever has in their heart, the weight of one-half of a *Dinaar*." – until He says: "...Whoever has in his heart (the *Eemaan*), of the weight of an atom." Abu Sayyid said, "Whoever does not believe in this must read the verse: إِنَّ اللَّهَ لَا يَظْلِمُ مِثْقَالَ ذَرَّةٍ وَإِنْ تَكَ حَسَنَةً يُّضَاعِفْهَا وَيُؤْتِ مِنْ لَدُنْهُ أَجْرًا عَظِيمًا Surely! Allāh wrongs not even of the weight of an atom (or a small ant), but if there is any good (done), He doubles it, and gives from Him a great reward." – "*Silsilaat As-Saheeha*", #2,250

that, the *Murji'yah* have limited the *Kufr* to *Tak'theeb* ¹¹⁷ of the heart and they went astray, as reported by *Shaykh Al-Islaam* that (they used to say), "...everyone who the Legislator (i.e. Allaah) made *Takfeer* to, then He only made *Takfeer* to them due to the elimination of the *Tasdeeq* of the Lord, *tabaaraku wa-ta'ala*. And it is known that the *Tak'theeb* in the heart; there is no path to knowing it and uncovering it and for this we see that we cannot establish the *Kufr* of any individual as Ibnu Wazeer said, '...except with a specific text for a specific individual.' And the *Salaaf* have made *Takfeer* to those who have said this statement. Like Iblees, the Outcast, is a *Kaafir* in the texts of the *Qur'aan* and was not a *Mukaathib* (i.e. one with *Tak'theeb*), rather he was stubborn towards Allaah with conceit. And Iblees, without doubt, in his heart there is *Tasdeeq* yet with that, he disbelieved according to the Great Book (i.e. the *Qur'aan*). And like that also, is Pharaoh and his people. As our Lord said: **And they rejected them (those *Ayat*) wrongfully and arrogantly, though their ownselves were convinced thereof.** ¹¹⁸ And He also said: **And (remember) when Mûsa (Moses) said to his people: "O my people! Why do you hurt me while you know certainly that I am the Messenger of Allâh to you?"** ¹¹⁹ So the harm of the people towards Musa while they knew that he was a Messenger of Allaah, by the text of the Great Book, this harm and what...

Shaykh Al-Albaanee: (Interrupting) Here, there is no *Tasdeeq*. Concerning Pharaoh there is no *Tasdeeq*. Concerning Pharaoh and the *Ayaah*, we do not find *Tasdeeq* in them. So where do we get the *Tasdeeq*?

Khaalid Al-Anbaree: "And they rejected them..." This was for Pharaoh and his people.

Shaykh Al-Albaanee: What did Musa say to him?

Khaalid Al-Anbaree: "And (remember) when Mûsa (Moses) said to his people: 'O my people! Why do you hurt me while you know certainly that I am the Messenger of Allâh to you?'"

Shaykh Al-Albaanee: "...while you know certainly that..." Here, there is no *Tasdeeq*. There is no attribution by Musa to Pharaoh that he is a *Musaadiq* (i.e. one who possesses *Tasdeeq*) because it is not hidden to you that *Ta'alim* ¹²⁰; it has the same meaning as if we

¹¹⁷ *Tak'theeb*: The inner unacceptance of the truth in the heart only. And what Al-Anbaree has said here it the truth. The *Murji'yah* limit *Kufr* to be *Tak'theeb* and this was because *Tak'theeb* is the polar opposite to *Tasdeeq*. So if we are to say that *Tasdeeq* is *Eemaan*, as *Shaykh Al-Albaanee* has said here, and we limit *Eemaan* to this pillar, then we must also say that *Kufr* is *Tak'theeb* and we must limit *Kufr* to *Tak'theeb* as well. And this is the precise school of thought of the *Murji'yah*. So for Al-Anbaree to witness this from *Shaykh Al-Albaanee*, may Allaah be merciful to him, and then not see that he had *Irjaa'*, then he truly is even more ignorant than we first expected.

¹¹⁸ *Surat An-Naml*, 14

¹¹⁹ *Surat As-Saff*, 5

¹²⁰ *Ta'alim*: Knowing something.

say, “*Taarif*,”¹²¹ as Allaah *aza’wa-jaal*, said concerning the Jews: **They recognise (*Taarif*) him (i.e. Muhammad SAW as a Messenger of Allâh, and they also know that there is no *Ilah* (God) but Allâh and Islâm is Allâh's Religion), as they recognise (*Taarifunah*) their own sons.** But with this *Maarifah*, did they have *Eemaan*? I assume that the answer is no?

Khaalid Al-Anbaree: No.

Shaykh Al-Albaanee: Ok. This *Ma’arifah* which was used in the phrasing of the address of Musa, alayhee Sallaam, to Pharaoh, “...you know (*Ta’alimoon*)...” So *Ta’alimoon* is at the same weight as “**They recognise (*Taarifoon*)...**” both in its sound and in its meaning. This does not mean that they were *Musadiqeen*, in other words that they were *Mu’mineen*...

Khaalid Al-Anbaree: (Interrupting) O our *Shaykh*, may Allaah bless you. His *ta’ala’s* saying: “...you know (*Ta’alimoon*)...” This is the knowledge. This does not indicate that they were internally *Musadiqeen* (to the fact that) he was a Messenger except that they did not come with the rest of the pillars of *Eemaan* such as submission and obedience...

Shaykh Al-Albaanee: (Interrupting) We should not have to repeat words. Did the Jews used to believe in the Messenger?

Khaalid Al-Anbaree: They used to have *Tasdeeq* concerning him.

Shaykh Al-Albaanee: Pardon me. Tell me, did they use to believe?

Khaalid Al-Anbaree: No.

Shaykh Al-Albaanee: Did they used to know?

Khaalid Al-Anbaree: Yes.

Shaykh Al-Albaanee: Ok. So then there is now a difference clearly between us about that there is a difference between *Al-Eemaan* and *Al-Ma’arifah*. So everyone who is a *Mu’min*; then he knows but not everyone who knows would be a *Mu’min*. Up until this point is everything clear?

Khaalid Al-Anbaree: Yes.

Shaykh Al-Albaanee: Very good. Now we will raise one of these two words. And we will put in its place another word. And it is “*Al-Eemaan*”. In my opinion, it can be replaced with “*At-Tasdeeq*”, unlike “*Al-Ma’arifah*”. So we do not differentiate between the one who is a *Musaadiq* concerning the Messenger and between the one who is a *Mu’min* who is a Messenger. Is there a difference from what you know?

¹²¹ *Taarif*: From *Al-Maarifah*; to be aware of something.

Khaalid Al-Anbaree: Yes, there is a difference.

Shaykh Al-Albaanee: This is what I need to know.

Khaalid Al-Anbaree: My saying, "...*Musaadiq* concerning the Messenger..." means that he has a pillar from the pillars of *Eemaan*. And that is *Tasdeeq* concerning the Messenger. Because perhaps he has *Tasdeeq* in his heart but he does not confess it upon his tongue.

Shaykh Al-Albaanee: From where do we take this (idea) from?

Khaalid Al-Anbaree: Ok. Leave this (explanation) then *Shaykh*. Perhaps he believes in his heart while he mocks the *Ayaat* of Allaah and His Messengers. So this making fun of the *Ayaat* of Allaah and His Messengers means that he does not have in his heart, respect and love for Allaah and His Messengers. Would we not make *Takfeer* to him?

Shaykh Al-Albaanee: Of course. Of course we would make *Takfeer* to him...

Khaalid Al-Anbaree: By him leaving this pillar?

Shaykh Al-Albaanee: We are not disagreeing with you on this point...may Allaah bless you. There are actions, which show what is in the heart. There are actions which emerge from an individual which show what is in the heart from *Kufr* and *Tughi'aan*¹²² From that is *Isti'zaah*¹²³ but right now our research is that we understand from your words that

¹²² *Tughi'aan*: Leaving the limits set by Allaah to the point where the person is calling people to worship him. It is from this word that the word *Taghuut* is derived. *Shaykh Al-Islam*, Ibn Taymiyah said, "The meaning of '*Taghuut*' comes from the one who performs *Tughi'aan* and this means going outside the established borders (i.e. exceeding his limits) and it is *Thulm* (wrong doing) and rebellion. So the one who is worshiped instead of Allaah and he doesn't hate it, then he is a *Taghuut*. And for this reason the Prophet صلى الله عليه وسلم called the idols *Tawagheet* (plural of *Taghut*) in the *Saheeh Hadeeth* in which he said, '*Tawagheet* will follow the people who worship the *Tawagheet*.' The person who is obeyed in disobedience of Allaah or the person who is obeyed in following other than the guidance of the *Deen* of truth; in either case, if what he orders mankind is in opposition to Allaah's orders, then he is a *Taghuut*. For this reason, we call the people who rule by other than what Allaah revealed, a '*Taghuut*.' And Pharaoh and the people of '*Aad*, were *Tughaat* (plural past tense)." [- "*Al-Fataawa*", Vol. 28/200] and Ibn Al-Qayyim, his student said, "The term '*Taghuut*' refers to all things in which the slave (i.e. man) exceeds his limits whether it takes the form of someone who is worshiped or obeyed. So a *Taghuut* means all people who rule by other than what Allaah rules or His Messenger. This would also apply in the case that the people worship him besides Allaah or they follow him without sight from Allaah or they obey him when they aren't sure if they are obeying Allaah. So these are the *Tawagheet* of the world and if you look at them and see the condition of the people with them, you will see that most of them have switched from worshipping Allaah to worshipping the *Taghuut*. From ruling by what Allaah and His Messenger ruled, to the ruling of the *Taghuut*. And from obeying Him and His Messenger to obeying the *Taghuut* and following him." [- "*Alaam al-Mawqi'een*", Pg. 50]

¹²³ *Isti'zaah*: mocking; whether it is *Islam* itself, or Allaah or His Messenger etc.

And here, *Shaykh Al-Albaanee*, may Allaah be merciful to him has demonstrated his *Irjaa'* clearly to *Khaalid Al-Anbaree*. He has limited the *Kufr* of actions to be evidence for the *Kufr*, which may exist in the heart. But according to *Ahl us-Sunnah*, *Isti'zaah* itself is *Kufr*. Just as we say that an action of obedience,

itself, is *Eemaan*, we also say that an act of *Kufr* is *Kufr* itself. And from one point of view it is correct to say that actions of *Kufr* indicate that there is *Kufr* in the heart, but it is also true that these actions of *Kufr* nullify the *Eemaan* in the heart. And this is the point that the *Shaykh* has missed. So when we see a person performing an action of clear *Kufr Al-Akbaar*, then we do not say that his action is evidence that *Kufr* already existed in his heart. Just as we do not say, when we see a person performing an act of worship, that his action is evidence that *Eemaan* exists in his heart. Rather, we say that the act itself is *Eemaan* and in the case of actions of *Kufr*, we say that the act itself is *Kufr*, which nullifies all the *Eemaan* in the heart. And this is especially true for the case of *Isti'zaah*. As Allaah said:

وَلَئِنْ سَأَلْتَهُمْ لَيَقُولُنَّ إِنَّمَا كُنَّا نَخُوضُ وَنَلْعَبُ قُلْ أَبِاللَّهِ وَآيَاتِهِ وَرَسُولِهِ كُنْتُمْ تَسْتَهْزِئُونَ لَوْ تَعْتَدُوا قَدْ كَفَرْتُمْ بَعْدَ
إِيمَانِكُمْ إِنْ نَعْفُ عَنْ طَائِفَةٍ مِنْكُمْ نُعَذِّبُ طَائِفَةَ بَأْتَهُمْ كَانُوا مُجْرِمِينَ

If you ask them (about this), they declare: "We were only talking idly and joking." Say: "Was it at Allâh, and His *Ayât* (proofs, evidences, verses, lessons, signs, revelations, etc.) and His Messenger (صلى الله عليه وسلم) that you were mocking?" Make no excuse; you have disbelieved after you had believed. If We pardon some of you, We will punish others amongst you because they were *Mujrimûn* (disbelievers, polytheists, sinners, criminals, etc.). – *Surat at-Tauba*, 65-66

So the *Isti'zaah* is not merely evidence for the *Kufr* in the heart as the *Shaykh* has said. It is, in fact, an action of *Kufr*, which nullifies the *Eemaan* in the heart. And what makes this clear is that Allaah has said: ...you have disbelieved after you had believed. And this means that the *Kufr* came after the *Eemaan* and the *Eemaan* was nullified by the *Isti'zaah*.

Ibn Taymiyah said, "He صلى الله عليه وسلم was ordered to say to them that they disbelieved after their *Eemaan*. And the saying of those who declare about these verses, "They disbelieved after their *Eemaan* with their tongues while the *Kufr* already existed in their hearts," is not correct because the *Eemaan* upon the tongue while *Kufr* is present in the heart is *Kufr* (already). So (these people) claim that it is not to be said, "You have disbelieved after your *Eemaan*", because (according to these people), they never stopped being *Kaafirs* in the first place. And even if they mean, "You've demonstrated *Kufr* after you demonstrated *Eemaan*," (this is also incorrect) because they did not demonstrate anything to anyone except to their own people (i.e. they said their statements to each other). And they were always (demonstrating) the same thing among their people. But (this is not correct either because) when they committed *Nifaaq*, they were worried that a *Surah* might be sent down revealing what was in their hearts from *Nifaaq* and their uttering mocking statements. So the wording (of the verses) does not indicate that they were always *Munafiqeen*. – "Al-Fataawa", Vol. 7/272 (Published by "Mu'asasaat ar-Risalaah li'Tiba'aa wa-Nahr" Beirut, Lebanon, Syria St. 1398 H., which is equivalent to 1977 Gregorian.)

And in his refutation of the *Murji'yah*, Ibn Hazm, may Allaah be merciful to him said, "But as far as the one who swears at Allaah, *ta'ala*, there is not on the face of the Earth a Muslim who disagrees that it is *Kufr* on its own except the *Jah'meeyah* and the *Ashar'eeyah* – and they are two groups who are not even considered – who clearly state that swearing at Allaah, *ta'ala* and uttering *Kufr* is not *Kufr*. And some of them say it is evidence that he believes *Kufr*, not that he is certainly a *Kaafir* due to his swearing at Allaah, *ta'ala*." – "Al-Fasil fi Al-Milal wal-Ah'wahee wa-Na'hi", Vol. 13/498

And in his explanation for the cause of this error, he – may Allaah be merciful to him – said, "And their (i.e. the *Murji'yah*) 'Usl (i.e. basis) is a corrupt 'Usl, which contradicts the *Ijmaa'* of the *Muslimeen*. And it is that they say, "Al-Eemaan is the *Tasdeeq* in the heart only, even if he utters *Kufr*." – "Al-Fasil fi Al-Milal wal-Ah'wahee wa-Na'hi", Vol. 13/498

And then he goes on to say, "Then it is to be said to them, 'Then swearing at Allaah, *ta'ala* is not *Kufr* according to you. So where do you get that it is evidence for *Kufr*?' So if they say, 'Because it has been judged upon he who utters it as *Kufr*.' Then it should be said to them, 'It is judged upon him due to his saying and not from something hidden, which not one could know except Allaah, *ta'ala*. Because verily, it has been judged upon him with *Kufr* through his saying alone. So his saying is the *Kufr* and He, *ta'ala* has informed us concerning a people who state upon their mouths that which is not in their

there is a difference between *Al-Eemaan* and *Tasdeeq*. So it is like they say in other than this topic, that there is generality and specification.

Khaalid Al-Anbaree: Yes.

Shaykh Al-Albaanee: Everyone who is a *Mu'min*, then he is a *Musaadiq* just as I said previously that everyone who is a *Mu'min*, then he is 'Aaraf.¹²⁴ Now it is as if you are bringing the word *Tasdeeq* to replace *Ma'aifah*. Do you want to say that – (pause) – and I hope I am wrong here in what I have understood – that not everyone who is a *Mu'min* at one point in time – and I put this limitation so that we do not lean towards the saying which opposes this – that indicates he has disbelieved and this will come latter on. But I am saying that I understand from your words that the one who is a *Mu'min* at any point in time, then he certainly is a *Musaadiq* and 'Aaraf undoubtedly. But not everyone who is a *Musaadiq* at any point in time is a *Mu'min*. This was what I understood from you. In other words, whoever is *Musaadiq* at any one point in time, then he is not a *Mu'min* like we say concerning the one who is 'Aaraf about the truthfulness of the Messenger at any one point in time isn't (necessarily) a *Mu'min* because *Al-Ma'arifah* is not always accompanied by *Eemaan*. However *Eemaan* is always accompanied with *Al-Ma'arifah*.

Khaalid Al-Anbaree: Yes.

Shaykh Al-Albaanee: But now I am in great doubt concerning the differentiation between *Eemaan* and *Tasdeeq*. And now I want about the *Ayaah* in which there is "Musaadiqeen". Does it mean a meaning other than *Eemaan*? This is how I have understood it from you.

Khaalid Al-Anbaree: I mean with my saying, "At-Tasdeeq," that it is a pillar from the pillars of *Eemaan*. I want to be brief...

Shaykh Al-Albaanee: (Interrupting) Pardon me. I asked a question.

Khaalid Al-Anbaree: Yes.

hearts, even with that, they are *Kuffar*. Such as the Jews who knew the truthfulness of the Prophethood of Muhammad صلى الله عليه وسلم just as they knew their own sons and even with this (i.e. knowledge), they were disbelievers in Allaah, *ta'ala* completely, which we are certain of because they uttered the saying of *Kufr*.

And he said, "And they did not disagree that within it – in other words, the Book of Allaah – there is the labeling of *Kufr* and the certain judgement of *Kufr* upon these who say known statements like His *ta'ala*'s saying: **Surely, in disbelief are they who say that Allāh is the Messiah, son of Maryam (Mary).** (*Al-Ma'idah*, 17) And His, *ta'ala*'s saying: **...but really they said the word of disbelief, and they disbelieved after accepting Islām.** (*At-Tauba*, 74) So it is true that *Kufr* can be in words (themselves)." – "Al-Fasil fi Al-Milal wal-Ah'wahee wa-Na'hi", Vol. 13/499

¹²⁴ 'Aaraf: To be knowledgeable about some matter. This word can interchange with 'Alaam.

Shaykh Al-Albaanee: I asked a question... The *Ayaah*: ...and giving glad tidings (*Musaadiq*) of a Messenger to come after me, whose name shall be Ahmed.¹²⁵ Is it in the meaning of other than *Eemaan*?

Khaalid Al-Anbaree: No.

Shaykh Al-Albaanee: This is the problem. From where do we get for the definition of *Tasdeeq* that includes *Eemaan* in some parts while the *Ayaah* is clear? This also, I see that this deserves consideration and to be investigated because that has been embedded inside me from past information is that there is no difference between *Tasdeeq* and *Eemaan*. But the differentiation is between *Al-Ma'arifah* and *Al-Eemaan*. And our question is: "Is the differentiation between *Ma'aifah* and *Eemaan* or is the differentiation between *Ma'arifah* and *Tasdeeq*?" *At-Tasdeeq* and *Al-Eemaan*, from what I understand is one thing. In other words, two words which can interchange and which both indicate what has taken place in the heart from *Eemaan* in Allaah and His Messengers. But as far as *Al-Ma'aifah*, it is not like that.

Khaalid Al-Anbaree: I see that this is a difference in phrasing (only) but you are with me, without doubt, in that *At-Tasdeeq* is a pillar from the pillars of *Eemaan* and that a man might be a *Musaadiq* and he disbelieves and he might be described with the word "*Al-Kufr*" if he comes with an action from the actions of *Kufr* such as mocking Allaah and His Messengers. Are you with me, O *Shaykh*...may Allaah bless you?

Shaykh Al-Albaanee: But I am saying when the *Mu'min* disbelieves with the *Kufr* which removes him from the *Milla*, has he remained a *Mu'min*?!

Khaalid Al-Anbaree: No.

Shaykh Al-Albaanee: Ok, when the *Musaadiq* disbelieves with the *Kufr*, which takes him outside the *Milla*, has he remained a *Musaadiq*? According to what I have understood, you will say, "Of course".

Khaalid Al-Anbaree: Yes.

Shaykh Al-Albaanee: This differentiation – I want a clarification for it.

Khaalid Al-Anbaree: I said, O *Shaykh*, may Allaah protect you...Ibless...was he *Musaadiq* or not?

Shaykh Al-Albaanee: He disbelieved! He was a *Musaadiq* and a *Mu'min*...

Khaalid Al-Anbaree: (Interrupting) But was he a *Musaadiq* or not?

Shaykh Al-Albaanee: This is an argument for us! He disbelieved. The one who was a *Musaadiq* and he was, in my opinion, a *Mu'min*. But according to you...according to

¹²⁵ *Surat As-Saff*, 6

your differentiating between the two matters (i.e. *Tasdeeq* and *Eemaan*) you join two opposites. At the time when you differentiate between *At-Tasdeeq* and *Eemaan*... Leave this differentiation for now. Before the *Kufr* of Iblees, was he a *Mu'min* or not?

Khaalid Al-Anbaree: Yes.

Shaykh Al-Albaanee: Ok. And when he disbelieved, did he remain a *Mu'min*?

Khaalid Al-Anbaree: A *Kaafir*.

Shaykh Al-Albaanee: Answer, may Allaah bless you, the question so that the Q & A will be clear...

Khaalid Al-Anbaree: (Interrupting) He was not a *Mu'min*...

Shaykh Al-Albaanee: May Allaah bless you. This is it. Ok, before he disbelieved, was he a *Musaadiq*?

Khaalid Al-Anbaree: And after he disbelieved, he remained a *Musaadiq*. (Long pause.) I have answered plus extra.

Shaykh Al-Albaanee: What is the evidence?

Khaalid Al-Anbaree: The evidence is that he saw the truth with his own eyes...

Shaykh Al-Albaanee: (Interrupting) What is the evidence from the *Qur'aan* and the *Sunnah* and the sayings of the *Imaams*, that the *Tasdeeq* can be separate from *Eemaan*; that it can join with *Eemaan* and can be separated from it? Just like we have said concerning *Al-Ma'arifah* precisely. Right now, our example is Iblees, the outcast. With the agreement of everyone, he was a *Mu'min*. Then he disbelieved from his making *Inkaar* of the *Hukm* of Allaah, *aza'wa-jaal*. Like his saying: **Shall I prostrate to one whom You created from clay?** ¹²⁶ Disbelieved – meaning that he did not remain a *Mu'min*. But I also say that he did not remain a *Musaadiq* because if he was a *Musaadiq* and remained a *Musaadiq*, he would have prostrated. So in summary, so that we do not waste time – and *Subhaan-Allaah*, time passes quickly – I hope that you look again into this point because it is precise from one point. And from another point, I do not know, within the boundaries of what I have leaned – **but over all those endowed with knowledge is Al-'Aleem (i.e. the All-Knowing (Allâh))** ¹²⁷ – that the '*Ulaama* (ever) differentiated between *Al-Eemaan* and *Tasdeeq*. And the texts which pass us – and we could forget them – and we have mentioned one of them earlier and it interchanges with *Eemaan* completely: **...and giving glad tidings (*Musaadiq*) of a Messenger to come after me, whose name shall be Ahmed.** In other words, a *Mu'min*. So if you want to

¹²⁶ *Surat Al-Israa'*, 61

¹²⁷ *Surat Yusuf*, 76

say, “No. *Musaadiq* does not mean *Mu'min*,” then you are in need of texts from the *Kitaab* and the *Sunnah* or at least, texts from the sayings of the *Imaams* of the *Salaaf*; those whom we take as our leaders. So I hope that you will look into this point again because we...as you know that the end does not justify the means. Meaning that, if we wanted from our position, to refute the *Murji'yah* and we are mistaken in our differentiating between *At-Tasdeeq* and *Eemaan*, it would not be except that we destroyed our homes with our own hands (i.e. we tried to rectify matters and wound up making them worse). So I hope that you will look into this point again and to collect what you are able to from the *Kitaab* and the *Saheeh Sunnah* and then from the sayings of the *Imaams*, concerning the differentiation between *At-Tasdeeq* and *Eemaan* so that, at least, I will be able to learn what was hidden to me. Now...¹²⁸

¹²⁸ At this point we must jump in here and mention some points. By now it should be completely clear to the reader that Khaalid Al-Anbaree was totally unable to explain his position and refute the *Shaykh*, may Allaah be merciful to him, and this should be a clear demonstration of his lack of understanding and scholarship. He was asked for evidence that Pharaoh and his people had *Tasdeeq* while at the same time they disbelieved, but was not able to provide it. He was asked to bring statements from the people of knowledge where they differentiated between *At-Tasdeeq* and *Al-Eemaan* and he was unable to explain them. He was asked to show how a person could have *Tasdeeq* and yet nullify the *Eemaan* and remain a *Musaadiq* and he was unable to do so. Instead, he chose to claim that the difference between his point and *Shaykh* Al-Albaanee's position was only a matter of phrasing. And after all he heard from *Shaykh* Al-Albaanee, he was unable to (or chose not to) see that *Shaykh* Al-Albaanee was clearly upon the school of thought of the *Murji'yah*; those who equate *Eemaan* with *Tasdeeq*, those who held that *Kufr* in actions was only evidence for *Kufr* in the heart and not actual *Kufr*, and those who limited *Kufr* to be the opposite of *Tasdeeq*, which is *Tak'theeb* of the heart. So what is clear from what has passed is that Khaalid Al-Anbaree had taken the position of *Ahl us-Sunnah* because of some things which he had read from Ibn Taymiyah and Ibn Al-Qayyim, but he did not really understand the concepts which they had narrated because when he was faced with clear *Irjaa'*, he was unable to refute it with evidence nor was he able to even recognise that this was *Irjaa'*. And if this wasn't Khaalid Al-Anbaree, who was a twister of narrations and a liar upon the '*Ulaama* – we would almost feel sorry for his pathetic display in the presence of *Shaykh* Al-Albaanee. And at this point, we will do the job, which the uninformed and unqualified Khaalid Al-Anbaree was unable to do.

Concerning Pharaoh and his people, Allaah said:

وَجَدُّوا بِهَا وَاسْتَيْقَنَتْهَا أَنفُسُهُمْ ظُلْمًا وَعُلُوًّا فَانظُرْ كَيْفَ كَانَ عَاقِبَةُ الْمُفْسِدِينَ

And they rejected (*wa'jahaaduu bi'haa*) them (those Ayât) wrongfully and arrogantly, (*wastaiqanat'ha*) though their own selves were convinced thereof [i.e. those (Ayât) are from Allâh, and Mûsa (Moses) is the Messenger of Allâh in truth, but they disliked to obey Mûsa (Moses), and hated to believe in his Message of Monotheism]. So see what was the end of the Mufsidûn (disbelievers, disobedient to Allâh, evil-doers, liars.). (*An-Naml*, 14)

So the word "*wastaiqanat'ha*" was used here which is the past tense for the possessive derivative of the word "*Yaqeen*", which means "certainty". So Allaah has confirmed that these people had *Yaqeen* of the truthfulness of what Musa had come with. And this *Yaqeen* can not exist without *Tasdeeq* being present as a prerequisite. And this is clear from common sense that a person could not possess any level of certainty concerning a thing which he did not even believe in, in the first place. So this *Ayaah* is clear that Pharaoh and his people had *Tasdeeq* and that they even had *Yaqeen* and yet Allaah negated the description of *Eemaan* from them and made *Takfeer* to them, while they possessed this *Tasdeeq* and *Yaqeen*. And this also means that their *Kufr* was not due to *Tak'theeb* because, if they possessed *Tasdeeq*, then *Tak'theeb* could not be present as each one negates the presence of the other, according to *Ahl us-Sunnah*.

Also, the statement of Allaah:

قَدْ نَعْلَمُ إِنَّهُ لَيَحْزَنُكَ الَّذِي يَقُولُونَ فَإِنَّهُمْ لَا يَكْتُوبُونَكَ وَلَكِنَّ الظَّالِمِينَ بآيَاتِ اللَّهِ يَجْحَدُونَ

We know indeed the grief which their words cause you (O Muhammad SAW): (*laa yu'kathibuunaka*) it is not you that they deny, but it is the Verses (the Qur'ân) of Allâh that the *Zâlimûn* (polytheists and wrong-doers) deny. (*An'am*, 33)

So here, Allaah *ta'ala*, has informed us that these people did not disbelieve with *Tak'theeb*, which is the negator of *Tasdeeq*; rather they disbelieved with their rejection of his *Ayaat*. And this rejection came from their refusal to submit and obey those *Ayaat*. So it is clear that they also possessed *Tasdeeq* and yet Allaah made *Takfeer* to them.

And as for the statements of the '*Ulaama* who differentiated between *Tasdeeq* and *Eemaan*, there are many to narrate indeed.

In his refutation of the *Murji'yah*, *Shaykh Al-Islam*, Ibn Taymiyah, may Allaah be merciful with him, said, "**Al-Eemaan in not interchangeable with *Tasdeeq* in its definition** because everyone who brings information concerning something from the apparent or the hidden; we say about him in the language, '*Sadaqt* (i.e. you have told the truth),' as we might say, '*Kathabt* (i.e. you have lied).' So whoever says, 'The sky is above us,' it is said to him, '*Sadaqt*' in the same way it is said, '*Kathabt*' (when he tells a lie). But the word '*Eemaan*'; it is not used except in the cases where someone has brought information which is hidden. It is not found in the (correct) phrasing that the one who has brought information about an apearant thing such as if he were to say, 'The son has risen and set,' that he would be told, '*Amaanahuu* (i.e. we believed him).' But we would say, '*Sadaqnahuu* (i.e. he has spoken the truth)' because '*Al-Eemaan*' is derived from '*Al-Amn*.' So it (i.e. *Eemaan*) is only to be used in that, which the informer is to be trusted in, such as in the hidden matters. And for this (reason) we do not see ever in the Noble Qur'aan or other than it, the phrase, '*Amaana laahuu* (i.e. we have believed him) except in this form (i.e. except in the form where it is concerning a hidden matter)." – "*Kitaab Al-Eemaan*", Pg. 276 or look to "*Al-Eemaan Al-Awsaat*" from his *Fataawa*, Vol. 7/71

And he, may Allaah be merciful to him, said, "**The word '*Al-Eemaan*' in the language is not an antonym for '*At-Tak'theeb*' as it is for the word '*At-Tasdeeq*'.** This is because, it is known in the language that every informer might be told, '*Sadaqt* (i.e. you have told the truth)' or '*Kathabt* (i.e. you have lied).' And it is said, '*Sadaqnahuu*' or, '*Kathabnahuu*'. But it is not said to every informer, '*Amaana laahuu*,' or, '*Kathabnahuu*,' and it is not said, 'You are a *Mu'min* towards him, or, '...a *Mukaathib* towards him.' Rather, the known thing, which opposes *Eemaan* is the word, '*Al-Kufr*.' It is said, 'He is a *Mu'min*,' or '...a *Kaafir*,' and *Al-Kufr* is not limited to *Tak'theeb*. Rather, if he said, 'I know that you are truthful, but I will not follow you and instead I will take you as my enemy and hate you and oppose you and will not comply with you,' then his *Kufr* would have been greater. **So when we see that the *Kufr*, which opposes *Eemaan* is not only *Tak'theeb*, it becomes known that the *Eemaan* is not only *Tasdeeq*.**" – "*Kitaab Al-Eemaan*", Pg. 277. Also, look to the meaning of *Eemaan* in the Arabic language in "*Lisaan Al-Araab*", Vol. 3/21-27 and "*Qamoos Al-Muh'ee'*", Vol. 4/197 and "*Mukh'taar As-See'hah*", Pg. 26 and "*An-Neehaayah*" Vol. 1/69 from Ibn Al-'Atheer, and "*As-See'hah*" from Al-Juhureeh and "*Al-Mukhtaar min Kunooz as-Sunnah*", Pg. 57 from Dr. Muhammad Abdullah Dur'aaz

And he said, "**And the *Kufr* of Iblees and Pharaoh and the Jews; its '*Usl* was not because of the non-existence of *Tasdeeq* and knowledge.** This is because no one had informed Iblees with any news. Rather, Allaah ordered him to prostrate to Adaam but he refused and became proud and he was from the *Kaafireen*. So his *Kufr* was out of refusal and pride and that, which comes as a result of it and not because of *Tak'theeb*. And also like this was Pharaoh and his people. They rejected it while their own selves were certain of it, due to wrongdoing and conceit. And Musa said to him: **And you have known that no one brought that down except the Lord of the Heavens and the Earth.** So what must be said here is one of two matters: (*The first is what the *Murji'yah* say): Either it is to be said that *Al-Istikbaar* and *Al-Eebaa'* (i.e. refusal to comply) and *Al-Hasaad* (i.e. envy) and things like that, from which *Kufr* would be directly associated with the non-existence of knowledge and *Tasdeeq*, which is *Eemaan* (according to them).

Otherwise, whoever has full knowledge and *Tasdeeq*; then it would be a must for him to submit and to obey if he is able to. Just as having full intention makes it a must for him to attain his goal if he is able to. So it is known that if the goal is not achieved when the presence of ability exists, that there was no real intention in the heart (behind it). And likewise, if we do not see the result of *Tasdeeq* and knowledge from the love in the heart and its obedience, this would indicate (according to their thinking) that what exists in the heart is not *Tasdeeq* and it is not knowledge. Rather, there is misunderstanding and doubt. **And this is exactly like the groups have stated and it is the 'Usl of the saying of Jahm and As-Salaahee and Al-'Ashaaree in what is famous from him and most of his companions such as the judge, Abee Bakr and those who followed him from the ones who consider the apparent and hidden actions from the product of Eemaan and not it (i.e. Eemaan) itself. And they considered from those things, that Eemaan is non-existent when they are non-existent to be from the pre-requisites of Tasdeeq, which they do not consider possible for Tasdeeq to be present internally while Kufr exists, ever.**" – "Al-Eemaan Al-Awsaat" from "Majmoo'a Al-Fataawa", Vol. 7/534-535

When we first came across these words of *Shaykh Al-Islam*, during our research for this project, we wanted to be certain about the entire meaning of what Ibn Taymiyah intended with his words. So we telephoned *Shaykh Sulaymaan Al-'Ulwaan* to have him go over the text of the words and he asked us what page number we were quoting from and read it along with us and gave an explanation which went as follows:

"In these words, Ibn Taymiyah, may Allaah be merciful to him, refutes the *Ghulaat Al-Murji'yah* and *Jahmee'yah*; those who say that the *Kufr Al-'Amilee* can not exist without *Tak'theeb* or *Al-Eebaa'* or *Al-Istikbaar* or *Al-'Atiqaad*. So the *Shaykh*, may Allaah be merciful to him, makes clear that (the one who) leaves what the Messenger صلى الله عليه وسلم came with, disbelieves due to this *Kufr*, even if he is *Musaadiq*. With lots of evidence and from it was the *Kufr* of Abee Taalib, because he was a *Musaadiq*; however his *Kufr* was due to his adherence to his people and not because of the absence of *Tasdeeq*. And like that, he (i.e. Ibn Taymiyah) said that the *Kufr* of Iblees was not due to the absence of *Tasdeeq* and knowledge because Iblees was knowledgeable with the evidence of His, *ta'als*'s saying: **[Iblīs (Satan)] said: "By Your Might, then I will surely mislead them all."** (Saad, 82) And with the evidence of his *Tasdeeq* that he said: **"Give me then respite till the Day the (dead) are resurrected."** (Saad, 79) and this indicates that he was *Musaadiq*. And he was from the angels from before, according to an opinion of a group of the 'Ulaama and according to another saying; that he was from the Jinn but from the close Jinn (to Allaah): **...except Iblīs (Satan). He was one of the jinns; he disobeyed the Command of his Lord. (Al-Kahf, 50)** He (i.e. Ibn Taymiyah) says, 'This is because no one had informed Iblees with any news. Rather, Allaah ordered him to prostrate to Adaam but he refused and became proud...' meaning that his *Kufr* was due to his avoidance of obedience and *Istikbaar* and not due to the absence of *Tasdeeq* or knowledge as the people of *Irjaa'* and the *Jahmee'yah* and others claim; those who do not make *Takfeer* because of the abandonment of all the actions. The *Shaykh* wanted to make it clear that abandoning the *Jinns al-'Amal* (i.e. the category of actions) is *Kufr* the the evidence of His, *ta'ala*'s saying: **And they rejected (wa'jahaaduu bi'haa) them... – in other words, 'Pharaoh and his people' – ...wrongfully and arrogantly, (wastaiqanat'ha) though their own selves were convinced thereof...** So here, the *Yaqeen* was not sufficient (...words unclear...) So it is a must that he acts – meaning that he completes the *Waajibaat* (i.e. obligatory duties) and leaves the nullifications (of *Islam*). So if he is a *Musaadiq* in that Allaah is the reality, and that the Messenger صلى الله عليه وسلم is a reality and yet he still did not follow him (i.e. the Prophet): **Say (O Muhammad صلى الله عليه وسلم to mankind): "If you (really) love Allāh then follow me, Allāh will love you..." (Ahl'i Imraan, 31)** For instance, if he does not pray or fast or pay the *Zakaat* or make *Hajj*, then he is leaving the *Jinns al-'Amal* (i.e. category of actions) and this one is a *Kaafir*. Or if he does not rule with the legislation of Allaah, so that he rules with the fabricated laws, this one is a *Kaafir*. Even if he says that the Messenger is the truth and that Allaah is *Al-Khaalaq* (i.e. The Creator) and *Al-Raazaaq* (i.e. The Sustainer) and *Al-Mudhaabir* (i.e. the Controller of all Affairs), but this is (only) *Tawheed Al-Ruboobiyyah*. Or if he believes that Allaah is the only One whom it is *Waajib* to single out for worship and yet this one only believes and it is not sufficient, just like if a man said or if a man worships an idol and says, 'I know that Allaah is the one who brings benefit or harm,' and yet he continues to worship that idol, then this one is a *Kaafir*. And even if he says, 'I do not believe about this thing (i.e. the idol), such-and-such.' The action on its own is *Kufr*. That is why Ibn Taymiyah, may Allaah be merciful to him,

says concerning His, *ta'ala's* saying: **And you have known that no one brought that down except the Lord of the Heavens and the Earth.** He said, 'So what must be said here is one of two matters: (*The first is what the *Murji'yah* say): Either it is to be said that *Al-Istikbaar* and *Al-Eebaa'* (i.e. refusal to comply) and *Al-Hasaad* (i.e. envy) and things like that, from which *Kufr* would be directly associated with the non-existence of knowledge and *Tasdeeq*, which is *Eemaan* (according to them). Otherwise, whoever has full knowledge and *Tasdeeq*; then it would be a must for him to submit and to obey if he is able to. Just as having full intention makes it a must for him to attain his goal if he is able to. So it is known that if the goal is not achieved when the presence of ability exists, that there was no real intention in the heart (behind it). And likewise, if we do not see the result of *Tasdeeq* and knowledge from the love in the heart and its obedience, this would indicate that what exists in the heart is not *Tasdeeq* and it is not knowledge.' In other words, true *Tasdeeq* – because of the true *Tasdeeq*; the results of it are the actions of the body. So the true *Mu'min* who believes that there is Heaven and Hell; (ordinarily) it is a necessity for him to act, however his desires might overtake him. As Allaah *jaala-wa'ala* said, concerning the *Kuffar*: **That is because they loved the life of this world over that of the Hereafter.** So Allaah, *aza'wa-jaal*, informed the reason for the *Kufr* was their preferring the life of this world over that of the Hereafter. And this might happen with weak *Tasdeeq* or with a deficiency in knowledge. But tying this in with the (complete) absence of *Tasdeeq* and knowledge; it is like Ibn Taymiyah has said, "...it is the '*Usl* of the saying of *Jahm* and *As-Salaah* and *Al-'Ashaaree* in what is famous from him and most of his companions such as the judge, *Abee Bakr* and those who followed him from the ones who consider the apparent and hidden actions from the product of *Eemaan* and not it (i.e. *Eemaan*) itself."

*And what is quite interesting is that during my correspondance with that individual from www.salafipublications.com, he said, "But as for what you have stated above, then, Allaah knows best, but that meaning seems alien to the well known definitions of Imaan amongst the *Murji'ah*. What we understand to be *Irjaa* is what is reported in the statements of the *Salaf* and those of *Shaykh ul-Islam* in his *Kitab ul-Imaan*." Yet all I have narrated from *Shaykh Al-Islam*, Ibn Taymiyah, may Allaah be merciful to him, in his refutation of the *Murji'yah*, has been from "*Kitaab Al-Eemaan*", whether the separate extracted book or what is found in "*Kitaab Al-Eemaan Al-Awsaa'*" from his *Fataawa*. So this clearly demonstrates how www.salafipublications.com does not even know the reality of what Ibn Taymiyah has mentioned in the very book they insisted that I use to define *Irjaa'*. Also, www.salafipublications.com has quoted the following statement from *Shaykh Al-Albaanee*, may Allaah be merciful to him in each edition of "The *Anbaree Papers*":

And *Shaikh ul-Islam* Ibn Taymiyyah has explained the perspective from which faith, Imaan, consists of actions, and that it increases and decreases - [his discussion] needing no further elaboration - in his book '*al-Imaan*'. So the one who requires more detail can refer back to it. I say: This is what I used to write for more than twenty years, affirming the madhhab of the *Salaf* and the *aqidah* of *Ahl us-Sunnah* - and all praise is due to Allaah - in the issues pertaining to Imaan, and then there come - in the present times - reckless ignoramuses, who are but young newcomers accusing us of *Irjaa*!! To Allaah is the complaint of the evil that they are upon, of ignorance, misguidance and scum..." –*Imaam* al-Albani, Casette: *Fitnat ul-Asr*, second side of first tape.

And yet, even in the face of such harsh words of *Shaykh Al-Albaanee*, may Allaah be merciful to him, what we have presented from *Shaykh Al-Islam's* "*Kitaab Al-Eemaan*" clearly demonstrated that what the *Shaykh* was upon in the matters of *Eemaan* and *Kufr* was in fact the very *Irjaa'* that Ibn Taymiyah refuted in this very book, which *Shaykh Al-Albaanee* mentioned above.

And at this point, we shall narrate some of the statements of the well-known personalities of *Irjaa'* from the past and we urge the reader to examine them and compare them to what they have read in the conversation between *Khaalid Al-Anbaree* and *Shaykh Al-Albaanee*, may Allaah be merciful to him.

Ibn Hazm, may Allaah be merciful to him, said, "But as far as the *Ashar'eeyah*, they have said, 'Verily, the one who shows *Islam* (externally); his swearing at Allaah, *ta'ala* and His Messenger, with the worst profanity and utters his disbelief in them upon his tongue not due to *Tuq'iah* (i.e. fear of death or torture etc.) and not merely through narration (i.e. reporting the words of another) and his confirming that he believes in that – nothing from that is *Kufr* (itself). But then when they feared the attack of the people of

Khaalid Al-Anbaree: (Interrupting) I still see that the difference is in the phrasing and recite upon you the saying of Allaah: **Those to whom We have given the Scripture (Jews and Christians) recognise him (i.e. Muhammad SAW as a Messenger of Allâh, and they also know that there is no Ilah (God) but Allâh and Islâm is Allâh's**

Islaam against them, they said, 'Rather, it is evidence that there is *Kufr* in his heart.' – "*Al-Fasil fi Al-Milal wal-Ah'wahee wa-Na'hi*", Vol. 5/75

So this was the *Irjaa'* of the *Ashar'eeyah* and this is further explained by the words of Abul-Hasaan Al-'Ashaaree himself who said, "So if a questioner says to us, 'What is *Eemaan* in Allaah *ta'ala*, according to you?' It is said to him, 'It is *Tasdeeq* in Allaah and for that, the people of the language which the *Qur'aan* was revealed in, have made *Ijmaa'*.' So when the *Eemaan* according to the language, which the *Qur'aan* was revealed in, is *Tasdeeq*, He *ta'ala* said: **...but you will never believe us even when we speak the truth." (Yusuf, 17)** In other words, '...a *Musaadiq* in us...' And they all said that so-and-so believes in us. And they all said that so-and-so believes in the punishment of the grave and the intercession. And they mean that he has *Tasdeeq* in them, **so it is necessary that *Eemaan* would be what *Eemaan* is, according to language and that is *At-Tasdeeq*."** – "*Al-Lamaa'*", Pg. 123 from Abul-Hasaan Al-'Ashaaree. Also, look to a similarly worded statement in "*At-Tamheed*", Pg. 346-347 by Al-Baghdadee who was a known *Murji'ee*.

And Abul-Mu'een Al-Nasaafee said, "***Eemaan* in the language is another word for *At-Tasdeeq*. So anyone who has had *Tasdeeq* in other than him is called –according to language, '...a *Mu'min* in him,' and, '...a *Mu'min* towards him.'** Allaah, *ta'ala* said – informing about the brothers of Yusuf, may the mercy and blessings of Allaah be upon them: **...but you will never believe us even when we speak the truth." (Yusuf, 17)** In other words, '...a *Musaadiq* towards us.' Then this matter in the language – and it is the *Tasdeeq* in the heart – it is the actualisation of *Eemaan*, which is *Wajib* upon the slave and it is the right of Allaah, *ta'ala*. And that is that he has *Tasdeeq* in the Messenger **صلى الله عليه وسلم** in what he has come with from Allaah, *ta'ala*. So whoever has this *Tasdeeq*, then he is a *Mu'min* concerning what is between him and Allaah, *ta'ala*. And the affirmation (i.e. the *Shahadatayn*) is an affirmation, which is needed for the creation to recognise him (as a Muslim) and implement upon him, the laws of *Islaam*. This is what was narrated from Abee Haneefah, may Allaah be merciful to him, and to that (same opinion) went the *Shaykh* Abul-Mansoor Al-Matureedee, may Allaah be merciful to him, and it is the most authentic of the two narrations from Abee Hasaan Al-'Ashaaree." – "*At-Tamheed*", Pg. 99-100

And this is a lie upon *Imaam* Abee Haneefah because he did not merely consider the declaration of the *Shahadah* to be necessary for the slave to be "recognised" as a Muslim. Rather, he considered it to be a condition for the *Eemaan* because he believed that actions of the body were evidence for the *Eemaan* on the inside and if there was no evidence upon the outside, then there would be no *Eemaan*. And this was one of the principals of the *Murji'yaat Al-Fuqahaa*, which we have explained in the introduction. However, Al-Nasaafee has attempted to attribute Abee Haneefah to the *Ghulaaat Al-Murji'yah* and the *Matureedeeyah* as he, himself was from them.

And he was Abul-Mu'een Maymoon bin Muhammad bin Mak'hool An-Nasaafee. "And he was from the most well-known individuals from the school of thought of Al-Matureedee himself." – Look to "*Seer 'Alaam An-Nubalaa'*", Vol. 7/341 and "*Hadee'yaat Al-'Aarifeen*", Vol.2/487

Religion), as they recognise their own sons. So our Lord, *tabaaraku wa-ta'ala*, made *Takfeer* to them while they were 'Aarifeen concerning the truthfulness of the Messenger صلى الله عليه وسلم. And here are some words from Ibn Al-Qayyim who said, "Whoever thinks about the *Qur'aan* and the *Sunnah* and the lives of the Prophets in their nations and their *Da'wah* to them and what happened to them with them, he will totally see the mistake of *Ahl-Kallaam* – and from them were the *Murji'yah* in what they have said and they would know that the general *Kufr* of the nations was with *Yaqeen* and knowledge and with *Ma'arifah* of the truthfulness of their Prophets." The words of Ibn Al-Qayyim have concluded, may Allaah be merciful to him.

Shaykh Al-Albaanee: This is what I said earlier...and you agreed with me...

Khaalid Al-Anbaree: (Interrupting) That is why I'm saying that the difference is (only) in phrasing...

Shaykh Al-Albaanee: ...that the *Ma'aifah* could join with *Eemaan* and it might not.

Khaalid Al-Anbaree: Ok. I say, O *Shaykh*, may Allaah bless you...If I back away from the word of *Tasdeeq* and I said, "Verily, Iblees after he did not obey the order of our Lord, *tabaaraku wa-ta'ala*, Allaah, *aza'wa-jaal* made *Takfeer* to him. And he knew after his *Kufr* that Allaah was true and that what he was ordered with was a must ... (unclear) ...from him. And he knew the truthfulness of Allaah, *aza'wa-jaal* and the truth of what he was ordered to do. So we will leave the word of *Tasdeeq* and exchange it with *Ma'arifah*. And we will also say the people of Musa – when they disbelieved in him – they used to *Yaa'limuun* and *Ya'arifuun* (i.e. know and know) that he was truly the Messenger of Allaah. And even with that, our Lord, *tabaaraku wa-ta'ala*, made *Takfeer* to them. So the *Kufr* is not specified to the *Tak'theeb* in the heart. So what is your opinion concerning this saying?

Shaykh Al-Albaanee: (Inaudible) ...I said *Al-Ma'arifah* does not necessitate *Eemaan* and right now you have not added to that. It is the same whether it was when you brought the example of Iblees or with Pharaoh. We are in agreement that *Eemaan* joins *Ma'arifah* and not the opposite but *Al-Ma'aifah* does not (necessarily) join *Eemaan*.

Khaalid Al-Anbaree: Yes.

Shaykh Al-Albaanee: So we are in agreement in that.

Khaalid Al-Anbaree: That is why I am saying that the difference is (only) in the phrasing...

Shaykh Al-Albaanee: (Interrupting) Excuse me...

Khaalid Al-Anbaree: Oh, yes.

Shaykh Al-Albaanee: The difference is in the phrasing in this point but concerning what you are saying that *Tasdeeq* is other than *Eemaan* and you make *Tasdeeq* as if it were interchangeable with *Al-Ma'arifah* – here there is an actual difference, not a difference in phrasing.

End of excerpt.

So Al-Anbaree saw with his own eyes the clear *Irjaa'* during his interview with *Shaykh Al-Albaanee*, may Allaah be merciful to him and yet he is now claiming that the label of *Irjaa'* with the *Shaykh Al-Albaanee* is a “lie” and a “scandalous *Irjaa'*.” And this either means that he was ignorant of what *Irjaa'* is and what necessitates its label or he is just a liar who has attempted to make himself the champion who would defend *Shaykh Al-Albaanee* from accusations of people who he claims are “liars”.¹²⁹ And thus, Khaalid Al-

¹²⁹ Concerning the recent addition of www.salafipublicatoins.com and their quotation of *Shaykh Muhammad Ibn Saalih Al-Uthaymeen* in which he was asked:

Question: “The questioner asks that some people say that *Shaykh Al-Albaanee* – may Allaah be merciful to him – his position on the issues of *Eemaan* is that of the *Murji'yah*. What is your view on this?”

Answer: The *Shaykh* paused for a while, remaining silent and then replied, “...I say, just as one who has preceded has said, ‘*Al-Albaanee* is a scholar, a *Muhaddith*, a jurist – even if he is greater in being a *Muhaddith* than a jurist – and I do not know of any of his statements which indicate *Irjaa'*, ever. However, it is those who want to perform *Takfeer* of people, they are the ones who accuse him and those like him of being *Murji'yah*, and this action of theirs is by way of ascribing evil names [to him]. I testify for *Shaykh Al-Albaanee* – may Allaah be merciful to him – with uprightness, a sound creed, and good intention...” (Look to Article ID: MSC060001 on www.salafipublications.com)

So the crucial portion of this text is in its middle: “...and I do not know of any of his statements which indicate *Irjaa'*...” And so *Shaykh Ibn Al-Uthaymeen* has not heard any of the statements of *Irjaa'* from *Shaykh Al-Albaanee* and this clarifies his next statement, “However, it is those who want to perform *Takfeer* of people, they are the ones who accuse him and those like him of being *Murji'yah*, and this action of theirs is by way of ascribing evil names (to him). I testify for *Shaykh Al-Albaanee* – may Allaah be merciful to him – with uprightness, a sound creed, and good intention...” And since we have no knowledge of *Shaykh Ibn Al-Uthaymeen* seeing the types of statements from *Shaykh Al-Albaanee*, which we have narrated previously, then it is understandable that *Shaykh Ibn Al-Uthaymeen* would say this because it is well-known that *Shaykh Al-Albaanee* has always been attacked by his opponents such as the *Hizb At-Tah'reer* and the *Ikhwaan Al-Muslimeen* and the various *Soofee* orders etc. And it is also true that these same groups have labelled the Noble *Shaykh* with evil names. But we must clarify two things here:

1. We are not labelling *Shaykh Al-Albaanee* with the label of *Murji'ee*, rather we have said that his statements are the statements of *Irjaa'* or that these statements are the sayings of the *Murji'yah*. And this is an important distinction. Just as we do not label everyone who says a statement of *Kufr* as a *Kaafir* or everyone who performs an act of *Bid'ah* to be a *Mub'tada*. And the principles and rules which govern how to determine if a particular individual is outside *Ahl us-Sunnah* are quite extensive and encompassing and it is not our intention to discuss this here.
2. Also, it is true that the *Khawaarij* have indeed labelled *Shaykh Al-Albaanee* with the label of *Murji'ee* because of his negligence in making *Takfeer*, which highlighted their own extremist *Menhej* and the falsehood of their *Ifraat* (i.e. going too far) in the matters of *Eemaan*, *Kufr* and *Takfeer*. And this opposition led them to attack the Noble *Shaykh* with insulting labels without taking into account the principles of *Ahl us-Sunnah*. And indeed all it takes to make the *Khawaarij* call an individual a “*Murji'ee*” is for that person to say, “We don't automatically call a person a *Kaafir* for performing

Anbaaree and www.salafipublications.com have both exposed their deceit and ignorance and partisanship. And we seek refuge in Allaah from that.

And throughout the remainder of “The Anbaree Papers: Part 4”, Khaalid Al-Anbaree continues to twist the words of the scholars and brings statements which appear to clear the label of *Irjaa'* from anyone as long as they say that *Eemaan* increases and decreases, thus attempting to prove that as long as a person holds that *Eemaan* increases and decreases, then that person could not possibly hold any beliefs of the *Murji'yah*. And our

major sins.” And may Allaah protect the *Ummah* from this extremism and foolishness. And with this explanation, we must understand the statement of Ibn Al-'Uthaymeen: “However, it is those who want to perform *Takfeer* of people, they are the ones who accuse him and those like him of being *Murji'yah*, and this action of theirs is by way of ascribing evil names (to him).”

And concerning the second narration from *Shaykh* Ibn Al-'Uthaymeen in which he has said, “Whoever accused *Shaykh* Al-Albaanee of *Irjaa'* has erred. Either he is one who does not know Al-Albaanee or he is one who does not know *Irjaa'*. Al-Albaanee is a man from *Ahl us-Sunnah* – may Allaah have mercy upon him – a defender of it, and an *Imaam* in *Hadeeth*. We do not know of anyone who has surpassed him in our time. However, some people – and we ask Allaah's pardon – have jealousy in their hearts. For when (one of them) sees that a person has been met with acceptance (by the people), he begins to find fault with him on account of something, just like the hypocrites, those who used to defame those believers who would give freely in charity – and those (i.e. hypocrites) who would find nothing but the striving of (the believers). So they would defame the one who would give charity in abundance, and also the poor person who would give charity! We know the man from his books, may Allaah be merciful to him, and I know him from sitting with him on occasions. He is *Salafee* in '*Aqeedah*, of sound *Menhej*. However some people desire to perform *Takfeer* of the servants of Allaah on account of something that Allaah did not perform *Takfeer* of them. Then they claim that whoever opposes them in this *Takfeer* is a *Murji'ee* – a lie, slander, and mighty fabrication.” (Article ID : MSC060005)

So again, it is clear that the words of *Shaykh* Ibn 'Uthaymeen are directed towards the *Khawaarij*; those who make *Takfeer* for major sins and these words are also directed to those who have labelled *Shaykh* Al-Albaanee as a *Murji'ee* because out of jealousy and contempt and not due to the principles of *Ahl us-Sunnah* and this is very clear from the words: “However some people desire to perform *Takfeer* of the servants of Allaah on account of something that Allaah did not perform *Takfeer* of them. Then they claim that whoever opposes them in this *Takfeer* is a *Murji'ee*.” So those who “...desire to perform *Takfeer* of the servants of Allaah on account of something that Allaah did not perform *Takfeer* of them...” are the *Khawaarij* and those who “...claim that whoever opposes them in this *Takfeer* is a *Murji'ee*...” are the various deviated groups such as the *Khawaarij* and other than them who have attacked *Shaykh* Al-Albaanee unjustly and have taken the just and honest criticisms of *Shaykh* Al-Albaanee from the scholars of *Ahl us-Sunnah* and used these criticisms to attack and revile him and label him as a *Murji'ee* without investigation and not in the interest of preserving the '*Aqeedah* of *Ahl us-Sunnah*, but rather to blemish his reputation as a great scholar while appearing to act as the defenders of *Al-Islam* and its creed. (And in this regard, we see the same type of behaviour from www.salafipublications.com themselves. In fact they are both two partners in this deception on opposite sides of the same coin. And may Allaah protect us from that!) And it is clear from the two quotations which www.salafipublications.com have narrated from *Shaykh* Ibn Al-'Uthaymeen are directed to those groups of extremism and *Ifraat* in matters of *Takfeer* and those who have labelled him as *Murji'ee* and we have not done either of these two things in this project. Rather, we have defined *Irjaa'* (in the beginning) linguistically and in the context of the *Sharee'ah* and we have also aided our explanations with the statements of the *Salaaf* and the '*Ulamaa* of *Ahl us-Sunnah* and we have brought the explanations and refutations against *Irjaa'* from the '*Ulamaa* and these statements from them are not ambiguous or unclear and free from twisting just as the quotations from *Shaykh* Al-Albaanee himself are not twisted or otherwise perverted from their context, *Inshaa'Allaah*.

response to these statements brought by Khaalid Al-Anbaree and www.salafipublications.com is that although it is true that this was the general belief of the *Murji'yah*, *Irjaa'* can not be limited to this alone. And just as the *Jahmee'yah* are generally known to hold that the *Qur'aan* is a creation of Allaah and not His actual words, this does not mean that the beliefs of the *Jahmee'yah* can be limited to this one aspect of what the *Jahmee'yah* believed. And just as we might find examples of where the scholars have cleared the general label of the general masses by verifying that they are free from the pillars of that particular group, these statements can not be used as the whole definitive description of all the different beliefs of a particular group.

Again, we look to www.salafipublications.com for proof, which stands against them. We find in Article ID: NDV070002 the following: "Alee bin al-Madeenee - the teacher of *Imaam* Bukhaaree - said: "When someone says so and so is an anthropomorphist (mushabbih) we come to know he is a *Jahmee*." [Sharh Usool ul-I'tiqaad (no.306)] However, we also read in Article ID: AQD070018, "*Imaam* Ahmad said: "Whoever says that his speech of the *Qur'aan* is created, meaning the *Qur'aan* [is created], then he's a *Jahmee*."

So here are two descriptions of what indicates a *Jahmee* which are separate and distinct and this is because there is much more to the *Jahmee'yah* than their views about the *Qur'aan* being the creation of Allaah rather than His actual Speech. And we have already explained the *Irjaa'* of the *Jahmee'yah* in our earlier discussion in this project.

So even though, Khaalid Al-Anbaree narrates statements such as, "*Imaam* Al-Barbaharee said: **Whoever says, 'Eemaan is speech and action, it increases and decreases' has left *Irjaa'*, all of it, both its beginning and its end**". ("Sharh us-Sunnah", Pg.132) This does not limit the definition of *Irjaa'* to this one pillar of their beliefs, although it is generally understood to be the essence of their deviation. Rather, this is a general ascription of this main concept to the masses of the *Murji'yah*. And as we have established in our earlier description of the *Murji'yah* and their categories and descriptions, one aspect of *Irjaa'* is to separate actions from *Eemaan*. And there is no difference between separating actions from *Eemaan* and separating actions from *Kufr*.

In "The Anbaree Papers: Part 5", Khaalid Al-Anbaree continues to bicker to the Permanent Committee about the *Fataawa* of *Shaykh* Ibn Baaz, may Allaah be merciful to him, and reminds them of their own *Fataawa*, which concurred with it. And then he adds statements of the *Salaaf* about the *Ayaah*:

وَمَنْ لَمْ يَحْكَمْ بِمَا أَنْزَلَ اللَّهُ فَأُولَئِكَ هُمُ الْكَافِرُونَ

"And whosoever does not judge by what Allâh has revealed, such are the *Kâfirûn*."

...which indicate that this *Ayaah* is not to be held upon the rulers unless it is accompanied by wilful denial. And we have already addressed this issue on Pg. 45-62 of this project so refer to that for a refresher if necessary. But then Al-Anbaree says:

"The purpose of this research is [to show] that the people of disbelief, kufr, and wilful denial, 'inad, are intended by these verses. And that even though the wording used is general, nevertheless, the Muslims are

excluded from them. This is because abandoning ruling [by other than what Allaah has revealed] accompanied with belief in its basis, *asl*, is something that is not considered *Shirk*. And the Most High stated: **Verily! Allâh forgives not (the sin of) setting up partners in worship with Him, but He forgives the sins of whom he pleases which are less than that.** [Nisaa 4:116] Abandoning ruling [by what Allaah has revealed] is not *Shirk*, **by unanimous agreement, ittifaq**, hence it is permissible that it can be forgiven. But since disbelief, *kufr*, cannot be forgiven, then it follows that abandoning ruling [by what Allaah has revealed] is not *kufr* [that expels from the religion]."

And with this narration from *Imaam* Al-Qurtabee, Al-Anbaree attempts to demonstrate that a ruler who engages in *Tashree' Al-'Aam* (i.e. General Legislation) is not guilty of *Shirk*. However, this is not what Al-Qurtabee said. Al-Qurtabee refers only to the absence of applying the *Hukm*. He has not mentioned anything about the ruler who replaces the *Kufr* of Allaah with his own fabricated *Sharee'ah*.

However, the ruler who rules by other than what Allaah revealed, in the sense that he replaces the clear *Islaamic Sharee'ah* with the laws of his own desires; this is certainly *Shirk*. In fact it is the clearest form of *Shirk* with respect to the act of ruling by other than what Allaah revealed itself.

Allaah, the Most High said:

اتَّخَذُوا أَحْبَارَهُمْ وَرُهْبَانَهُمْ أَرْبَابًا مِنْ دُونِ اللَّهِ

They (Jews and Christians) took their rabbis and their monks to be their lords besides Allâh (by obeying them in things, which they made lawful or unlawful according to their own desires without being ordered by Allâh) ¹³⁰

Muhammad Al-'Ameen Ash-Shanqeetee said in his *Tafseer* of the above *Ayaah*, "And since the legislation and all of the laws, whether they are from the *Sharee'ah* or *Qadr* laws, they are from the specific characteristics of *Ruboobiyyah*, like the aforementioned *Ayaat* indicate. **Based upon that, anyone who follows a legislation other than the legislation of Allaah; then he has taken that legislator as a Lord and has associated him with Allaah.**" ¹³¹

And we see that *Imaam* Ash-Shanqeetee did not differentiate between the ruler who himself, replaces the *Sharee'ah* with his own fabricated laws and the one who obeys the ruler who legislated these laws. And this is made clear from other statements of his, may Allaah be merciful to him:

For example: "As for the legislative institutions, which contradict the legislation of the Creator of the Heavens and the Earth; then judging with these is *Kufr* in the Creator of the Heavens and the Earth. Such as saying that the preference of the males over the females in the inheritance is unjust and that it should be that they are equal in inheritance and like the saying that polygamy is *Thulm* and that divorce is *Thulm* against the women and that stoning and cutting off the hand and things like this are barbaric acts which should not be carried out against the people and things like that. **So ruling by institutions such as**

¹³⁰ *Surat at-Tauba*, 31

¹³¹ "Adhwaa Al-Bayaan," Vol. 7/169

these upon individuals and the society and their wealth and their property and minds and Deen is Kufr in the Creator of the Heavens and the Earth and it is a rebellion against the law of the Heavens, which was given by the Creator of all the creation and He, subhanahu wa-ta'ala, is more knowledgeable of the benefits towards His creation than to have another legislator along with Him! 'And do they have partners who have legislated in the Deen what Allaah did not give permission for?'¹³²

And so it becomes clear from the words of *Imaam* Ash-Shanqeetee, may Allaah be merciful to him, in which he said, "...He, *subhanahu wa-ta'ala*, is more knowledgeable of the benefits towards His creation than to have another legislator along with Him," that this *Shirk* and *Kufr* fall upon the ruler himself and not only upon those who have taken him as a partner with Allaah, the Most High. And this is because he has included the "legislator" along in the description of the *Ayaah*, which follows these words, and not merely those who take the *Hukm* to him.

About this same *Ayaah*, (i.e. from *Surat At-Tauba*) *Shaykh* Abdur-Rahmaan bin Hasaan ahl'a-Shaykh said, "So it is made clear with this, that the *Ayaah* proves that whoever obeys other than Allaah and His Messenger and turns away from taking from the Book and the *Sunnah*, concerning making *Halaal* what Allaah made *Haraam* or making *Haraam* what Allaah made *Halaal* or obeys him in the disobedience of Allaah and follows him in what Allaah did not give permission for, **then he has taken him with a lord and something worshipped and made him a partner with Allaah** and that contradicts the *Tawheed*, which is the *Deen* of Allaah that the words of *Ikhlaas: La Illaaha il-Allaah*, have indicated. (This is) because the *Ilaah* is the thing, which is worshipped, and Allaah, *ta'ala* labelled their obedience as worship towards them and called them lords. Like He, *ta'ala* said: '**And He does not order you to take the angels and the Prophets as lords...**' In other words, '...as partners with Allaah in His worship...' – '**Does He order you to do Kufr after you were Muslims? And this is the Shirk because anything which is worshipped is a Lord and all things, which are obeyed or followed concerning other than what Allaah or His Messenger have legislated, then he has been taken by the obedient one or the follower as a Lord and a thing to be worshipped.** Like He, *ta'ala* said in *Surah An'am*: '**And if you obeyed them, then you are Mushrikeen.**' And this is the meaning of this *Ayaah* and like this *Ayaah* in meaning is His, *ta'ala*'s saying: '**And do they have partners who have legislated in the Deen what Allaah did not give permission for?'** And Allaah knows best."¹³³

And again we see that the words of the grandsons of *Shaykh Al-Islam*, Muhammad Ibn Abdul-Wahhab, may Allaah be merciful to him, are not limited to the ones who obey those who rule by other than Allaah revealed. And this is made clear from the writings and letters collected and compiled from the '*Ulaama of Najd*:'

¹³² "*Adhwaa Al-Bayaan*", Vol. 4/85

¹³³ "*Fat'h Al-Majeed*", Pg. 110-111 Published by "*Daar Al-Fikr*"

“Abdul-Lateef bin Abdur-Rahmaan bin Hasaan bin Muhammad bin Abdul-Wahaab was asked concerning what the Bedouins judge with according to the customs of their fathers and grandfathers. ‘Do we label them with *Kufr* after it is made clear to them (that this is not permissible and when they continue)?’ **So he answered, ‘Whoever takes the judgement to other than the book of Allaah and the *Sunnah* of His Messenger صلى الله عليه وسلم after it is made clear to him (that this is not permissible), then he is a *Kaafir*.** He, *ta’ala* said: ‘And whosoever does not judge by what Allâh has revealed, such are the *Kâfirân*.’ ‘Do they seek other than the religion of Allâh?’ ‘Have you seen those (hypocrites) who claim that they believe in that which has been sent down to you, and that which was sent down before you, and they wish to go for judgement (in their disputes) to the *Tâghût* (false judges, etc.) while they have been ordered to reject them. But *Shaitân* (Satan) wishes to lead them far astray.’ And the *Ayaat* with this meaning are many.”¹³⁴

And so it is made clear from the context of the question that the *Shaykh*, may Allaah be merciful to him, held this *Kufr* upon the Bedouins who were the rulers in this case and not just upon the people who chose to take the *Hukm* to them.

And concerning the statement of Allaah, the Most High:

إِنَّ هَذَا الْقُرْآنَ يَهْدِي لِلَّتِي هِيَ أَقْوَمُ وَيُبَشِّرُ الْمُؤْمِنِينَ الَّذِينَ يَعْمَلُونَ الصَّالِحَاتِ أَنَّ لَهُمْ أَجْرًا كَبِيرًا
Verily, this Qur’ân guides to that which is most just and right and gives glad tidings to the believers (in the Oneness of Allâh and His Messenger, Muhammad صلى الله عليه وسلم, etc.). who work deeds of righteousness, that they shall have a great reward (Paradise).¹³⁵

Muhammad Al-‘Ameen Ash-Shanqeetee said, “And from the guidance of this *Qur’aan* to the ones who are more worthy its making clear that whoever follows a legislation other than the legislation of the Master of the Children of Adam, Muhammad Ibn Abdullah صلى الله عليه وسلم, then his following of that opposing legislation is a clear *Kufr*, which takes one outside the *Milla* of *Islaam*. And when the *Kuffar* said to the Prophet صلى الله عليه وسلم, ‘When the sheep dies, who kills it?’ So he said to them, ‘Allaah killed it.’ So they said, ‘What you have slaughtered by your hand is *Halaal* but what Allaah slaughtered by His Hand, you say it is *Haraam*.’ So then you are better than Allaah?!’ Allaah sent down concerning them His saying: ‘Do not eat from that which Allaah’s Name has not been uttered upon it and that is *Fisq* and verily, the *Shaya’teen* revealed to their *Auliyah* to argue with you and if you obey them, you would be *Mushrikun*.’ And when there was no letter ف (i.e. ‘Fa’) in His saying, ‘...you would be *Mushrikun*,’ this indicates that there is an unmentioned oath. (And here the *Shaykh* proved this rule by bringing verses of Arabic poetry, which we have not bothered to translate here.) And it is an oath by Allaah, *jallaa-wa’ala*, that whoever follows the

¹³⁴ “*Dur’ur As-Saneeyah fi’Al-Ajweebah An-Najdeeyah*”, Vol. 8/231 Published by “*Dar Al-Iftaa’ bil’Saudeeyah*” 1385 H

¹³⁵ *Surat Al-Israa’*, 9

Shaytaan in making *Halaal*, the dead meet, **then he is a *Mushrik* and this is a *Shirk*, which takes one outside the *Milla* with the *Ijmaa'* of the *Muslimdeen*.** And Allaah will address the one who commits this on the Day of Judgement with His saying: **'Did I not take an oath from you O Children of Adam, to not worship the *Shaytaan*? Verily, to you he is a clear enemy.'** (This is) because obeying him in his legislation, which opposes the revelation is worshipping him. He *ta'ala* said: **'Verily, they only make *Du'a* to other than him to females. And they only make *Du'a* to the *Shaytaan*.'** In other words, '...they do not worship anything but the *Shaytaan* and that comes from them following the legislation. And He said, **'And like that was make to appear good to many of the *Mushrikeen* to kill their children by their partners – till the end of the *Ayaah*.'** **So He called them partners because they obeyed them in the disobedience of Allaah *ta'ala*.** And He said about His *Khaleel* (i.e. Ibraheem **صلى الله عليه وسلم**): **'O my father, do not worship the *Shaytaan* – until end of *Ayaah*.'** In other words, '...by obeying him in *Kufr* and disobedience. And when 'Adee bin Hatim asked the Prophet **صلى الله عليه وسلم** about His *ta'ala*'s saying: **'They took their priests and Rabbis as lords beside Allaah – the end of the *Ayaah*,'** he made clear to them that the meaning of this was that they obeyed them in the making *Haraam* what Allaah made *Halaal* and making *Halaal* what Allaah made *Haraam* and the *Ayaat* like this are many. And the strange thing which some of the people judge by other than the legislation of Allaah and then claim *Islaam* like He, *ta'ala* said: **'Have you seen those (hypocrites) who claim that they believe in that which has been sent down to you, and that which was sent down before you, and they wish to go for judgement (in their disputes) to the *Tâghût* (false judges, etc.) while they have been ordered to reject them. But *Shaitân* (Satan) wishes to lead them far astray.'** And He said: **'And whosoever does not judge by what Allâh has revealed, such are the *Kâfirûn*.'** And He said, **'Shall I seek a judge other than Allâh while it is He Who has sent down unto you the Book (The Qur'ân), explained in detail." Those unto whom We gave the Scripture [the Taurât (Torah) and the Injeel (Gospel)] know that it is revealed from your Lord in truth. So be not you of those who doubt.'**¹³⁶

And if we were to include the *Tafseer* from the people of knowledge regarding Allaah, the Most High's statement:

أَمْ لَهُمْ شُرَكَاءُ شَرَعُوا لَهُمْ مِنَ الدِّينِ مَا لَمْ يَأْذَنْ بِهِ اللَّهُ وَلَوْ لَا كَلِمَةُ الْفَصْلِ لَفُضِيَ بَيْنَهُمْ وَإِنَّ الظَّالِمِينَ لَهُمْ عَذَابٌ أَلِيمٌ

Or have they partners with Allâh (false gods), who have instituted for them a religion, which Allâh has not allowed. And had it not been for a decisive Word (gone forth already), the matter would have been judged between them. And verily, for the *Zâlimûn* (polytheists and wrong-doers), there is a painful torment.¹³⁷

¹³⁶ "Adhwaa Al-Bayaan", Vol. 3/439-441

¹³⁷ Surat Ash-Shura, 21

...then this would most likely take up several pages of similar quotations, which all refer to the *Shirk* of legislating laws in opposition which takes one outside the *Milla* of *Islaam*.¹³⁸

And Muhammad Ibn Saalih Al-'Uthaymeen said, in answering a question about the description about ruling by other than what Allaah revealed: "*Al-Hukm bi'Ghayr ma'Anzaal-Allaah* is of two types: The first type is when the *Hukm* of Allaah is removed and replaced with another *Taghuutee Hukm*, so that the *Hukm* of the *Sharee'ah* is eliminated between the people and he puts in its place another *Hukm* from the fabrication of the humans and they remove the laws of the *Sharee'ah* concerning the *Mu'amilah* (i.e. the general actions between people) and they put in its place fabricated laws and this, without doubt, is *Istib'daal* (i.e. replacement) of the *Sharee'ah* of Allaah *subhaanahu wa-ta'ala*, with other than it. **And this is Kufr which removes one from the Milla because this person put himself at the level of the Creator because he Shara'a (legislated) for the slaves of Allaah that which Allaah ta'ala did not give permission for and that is Shirk in His, ta'ala's saying: "Or have they partners with Allâh (false gods), who have instituted for them a religion, which Allâh has not allowed?" (Ash-Shu'ara, 21)**¹³⁹

And there is no ambiguity in the words of Ibn 'Uthaymeen here as he has clearly referred to the ruler and not the masses who take the *Hukm* to him. And again, it was the act of legislating, which caused this *Shirk* and *Kufr* to fall upon the ruler in this case and not his wilful denial or his mere refraining from applying the *Hukm* as we have proven elsewhere.

Muhammad bin Ibraheem ahl'a-Shaykh said, "The *Ibaadah* of obedience is of different types: If he admits that he is disobedient and sinful and following his desires; then this is like the rest of the sins which does not reach *Kufr*. But if he does not know then this requires an explanation. If he roots himself in the mire of heedlessness, he is blameworthy. **The (thing which is) *Waajib*, is to ask the people of knowledge, but if he knows that it is contradictory to the sayings of the Messenger صلى الله عليه وسلم and that he is not sinful then this is *Shirk Akbaar*, like the fabricated laws that have been adopted in the courts, they are from this type. They make them at the**

¹³⁸ Refer to the lengthy *Tafseer* in "*Adhwaah Al-Bayaan*", Vol. 4/82-85 from Muhammad Al-'Ameen Ash-Shanqeetee, in which he said, "And with these Heavenly texts that we have mentioned, it becomes quite clear that the ones who follow the fabricated laws, which the *Shaytaan* has legislated upon the tongues of his '*Auliya* and which oppose that which Allaah, *jala-wa'ala* has legislated upon the tongues of His Messengers, peace be upon them, that no one doubts their *Kufr* and their *Shirk* except him who Allaah has removed his sight and has blinded them to the light of the revelation as they are!" And how blind the authors of www.salafipublications.com are as well as their hero Khaalid Al-Anbaree who have attempted to conceal the most prevalent form of *Shirk* with respect to obedience and we seek refuge in Allaah from such filth, misguidance, delusion and ignorance.

¹³⁹ Look to the series of cassettes from the *Shaykh* entitled, "*Fiqh Al-'Eebaadaat*", #60 And much controversy has emerged from some of the available statements which have been narrated from *Shaykh* Ibn Al-'Uthaymeen and it is our intention to discuss this issue in a separate project, *Insha'Allaah*. However, we feel that these words are clear and unambiguous and have narrated them here to illustrate a point concerning the *Shirk* of replacing the laws of the *Sharee'ah*.

level of the Messenger and it is written in the documents that the right is for so and so. And the laws that have come from France are put at the level of the Messenger of Allaah, so if this is how it is, if it has come from the *'Ulaama*, then what about what has come from the *Shaytaan* and America and France?! And if it is in the *Hukm* then that is even greater! There is no *Hukm* except that which the Messenger **صلى الله عليه و سلم** has come with. **So whoever takes someone to obey with Allaah than he has made *Shirk* in the *Risaala* and the *Uloohiyyah* and of these two things, either one on their own is *Kufr*, as opposed to one matter because that is not like the deafening and the sealed because this one is *Mortaad* and he is more severe in the *Kufr* than the Jew or the Christian.**"¹⁴⁰

And again, the words of *Shaykh* Muhammad bin Ibraheem, may Allaah be merciful to him are clearly addressing the ruler himself and yet again, we see that it is the act of legislating which has caused this *Shirk* and *Kufr* to fall upon him.

So look, O reader, at the statements of the people of knowledge and *Tafseer* regarding the *Shirk* of the one who replaces the clear *Sharee'ah* of Allaah, the Most High with his own fabricated laws! And consider the deception and twisting and heedlessness and negligence of people such as Khaalid Al-Anbaree and the authors of www.salafipublications.com and their avid readers. Is there any ceasing to their misguidance and causing others to stray?! Indeed, they are as relentless in their dereliction as they are in their haste to revile those who oppose them!

Next, Khaalid Al-Anbaree goes on to say:

Another example is their distortion of the meaning of the saying of [Allaah] the Most High, **"But no, by your Lord, they can have no Faith, until they make you (O Muhammad) judge in all disputes between them..."** [4:65]. Ahl us-Sunnah have mentioned that the meaning of "they can have no Faith (laa yu'minoon) is that they cannot be perfecting their Faith (yastakmiloon al-Imaan). As for the Khawarij, then they are the ones who have taken this verse upon its apparent meaning and who claimed the absolute negation of Imaan. For this reason Shaikh ul-Islaam Ibn Taymiyyah – may Allaah have mercy upon him – stated in Minhaj us-Sunnah (5/131), "This is one of the verses that the Khawarij use as evidence to justify takfir of the rulers (wullaat ul-umoor) who do not rule by what Allaah has revealed", meaning, those who do it without wilful rejection, juhood.

So he again twists the words of *Shaykh Al-Islaam* to comply with what he has alleged, and that is that this *Ayaah* is not to be held on its outward meaning. And the fact that he attempted to use *Shaykh Al-Islaam* Ibn Taymiyah, may Allaah be merciful to him was an unfortunate choice on his part.

Consider the words of Ibn Taymiyah in "*Saraam Al-Maslool 'ala-Shatim Ar-Rasool*":

"Allaah swears by Himself that the people do not believe until they use Muhammad **صلى الله عليه و سلم** as the judge between their disagreements and they must have no objections to his judgement, instead they must surrender to his judgement both outwardly and inwardly. And He said before that, **'Have you seen those (hypocrites) who claim**

¹⁴⁰ "*Fataawa Al-Imaam Muhammad bin Ibraheem Ahl'a-Shaykh*", Vol. 12/280

that they believe in that which has been sent down to you, and that which was sent down before you, and they wish to go for judgement (in their disputes) to the *Tâghût* (false judges, etc.) while they have been ordered to reject them. But *Shaitân* (Satan) wishes to lead them far astray. And when it is said to them: “Come to what Allâh has sent down and to the Messenger (Muhammad **صلى الله عليه وسلم**),” you (Muhammad **صلى الله عليه وسلم**) see the hypocrites turn away from you (Muhammad **صلى الله عليه وسلم**) with aversion.’ (*Nisaa’*, 60-61) **So Allaah made it clear that, whoever is called to judge by the Book of Allaah and his Prophet’s Sunnah, and then he prevents the Prophets judgement; then he is a hypocrite (Munafiq).** And Allaah said, ‘They (hypocrites) say: “We have believed in Allâh and in the Messenger (Muhammad **صلى الله عليه وسلم**), and we obey,” then a party of them turn away thereafter, such are not believers. And when they are called to Allâh (i.e. His Words, the Qur’ân) and His Messenger (**صلى الله عليه وسلم**), to judge between them, lo! a party of them refuse (to come) and turn away. But if the right is with them, they come to him willingly with submission. Is there a disease in their hearts? Or do they doubt or fear lest Allâh and His Messenger (**صلى الله عليه وسلم**) should wrong them in judgement. Nay, it is they themselves who are the *Zâlimûn* (polytheists, hypocrites and wrong-doers, etc.).’ (*Nur*, 47-51) **So Allaah made clear whoever turns away from the acceptance of the Messenger’s judgement, then he is from the Munafiqeen.** He is not a Believer because the Believer is the one who says, ‘We listened and obey.’ **So this Nifaaq removes all Eemaan by turning away from the judgement of His Messenger and desiring the judgement of someone else** and this even applies when his rejection comes from his overwhelming desires.”¹⁴¹

Ibn Al-Qayyim, may Allaah be merciful to him, said about this *Ayaah*, **“The Most Glorified swore by His Holy Self a strong oath with the negation at it’s beginning (i.e. But no, by your Lord...) of the Eemaan of the creation, until they make His Messenger the judge of everything that is between them.** (This judgement is for) the most general issues and the most specific ones, the laws of the *Sharee’ah*, the *Ma’ad* and all the descriptions etc. (Furthermore), **Eemaan can not be established inside them even if they do use him as their judge,** until they not reluctant – which would be if they has a constricted chest (i.e. if they had any dissatisfaction in their hearts about his **صلى الله عليه وسلم** judgement). Furthermore, their hearts must remain open to his judgement and they must accept it with complete acceptance and (even then,) the *Eemaan* will not be established until they add to their acceptance, pleasure and they surrender to his judgement without questioning it and without going against it or turning away from it.”¹⁴²

Shaykh Muhammad bin Ibraheem ahl’a-Shaykh said, “Verily, from the clear *Kufr Al-Akbaar* is implicating the cursed laws at the level of what the Trustworthy Spirit (i.e. Jibreel **صلى الله عليه وسلم**) came down with upon the heat of Muhammad **صلى الله عليه وسلم** so that he would be from the warners in the clear Arabic speech to be a judgement

¹⁴¹ Pg. 37-38

¹⁴² “*At-Tibyaan fi-Aq’saam al-Qur’aan*”, Pg. 270

between all the created beings and for it to be returned to when the disputers disagree because it opposes Allaah *aza'wajaal's* saying: **'(And) if you differ in anything amongst yourselves, refer it to Allâh and His Messenger (صلى الله عليه وسلم), if you believe in Allâh and in the Last Day.'** And Allaah *subhaanahu wa ta'ala* has negated the Eemaan from the one who does not take the judgement of what occurs between them to the Prophet صلى الله عليه وسلم. He has done this as a full negation by repeating the statements of negation and with an oath, he *ta'ala* said: **'But no, by your Lord, they can have no Faith, until they make you (O Muhammad صلى الله عليه وسلم) judge in all disputes between them...'** And it was not sufficient for Him, *ta'ala* for them to take the judgement to the Messenger صلى الله عليه وسلم until they added to that, the not having any discomfort in themselves. He added that with His saying: **'...and find in themselves no resistance against your decisions, and accept (them) with full submission.'** *Al-Haraaj* (i.e. resistance) means constriction. Rather, it is a must that their hearts must be open to that and for them not to have any anxiety or discomfort. And He, *ta'ala* did not find that sufficient for these two matters until they add to that, the submission to it. And that is total submission and it is total obedience to his صلى الله عليه وسلم *Hukm* to the extent that they sever all ties with their *Naffs* and they submit to the true *Hukm* with total submission and for this, he emphasised it with his saying: *'Tasleemah,'* which shows that it is not enough to submit but it must be a total submission."¹⁴³

And Ahmad Shaakir, may Allaah be merciful to him, said in his interpretation of, **'But no, by your Lord, they can have no Faith, until they make you (O Muhammad صلى الله عليه وسلم) judge in all disputes between them...'**:

“So look, O Muslims, in all of the *Islaamic* countries or the ones which claim to be *Islaamic*, in all the parts of the Earth, to what your enemies from the missionaries and colonists have done to you! They have put upon the *Muslimdeen*, laws of misguidance, which destroy the etiquettes and the *Deen*. European law, which are idols, which were never based upon any *Sharee'ah* or *Deen*, rather they were based upon rules that were made by the *Kaafir* who refused to believe in the Messenger of their era, 'Eesa, *alayhee'Sallaam*. And he remained upon his paganism with what he had from *Fisq* and *Fujuur* (i.e. oppression). This person was *Justinyaan*, the father of the laws and the one who established the basis – so they claim – and an important man from Egypt who – due to *Thulm* – attributes himself to *Islaam*, and who did not feel too ashamed to translate the laws of that *Faasiq/Pagan* and he called it 'The Code of *Justinyaan*,' insulting “The code of Malik,” one of the encyclopaedias of *Islaamic Fiqh*, which was based upon the Book and the *Sunnah*, and which is attributed to the *Imaam* of *Dar Al-Hijrah* (i.e. *Madinah*)! So look at the level of absurdity and shamefulness and recklessness of that man!

“These laws, which the enemies of *Islaam* imposed upon the Muslims due to enmity; **in reality it is another religion that they made it a *Deen* for the Muslims in replacement of their pure *Deen* because they made it *Waajib* upon them to follow it and obey it.** And they put into the hearts, love and adoration for it to the point where you see upon the tongues and the pens, words like, 'The holiness of the judgements,' or 'The holiness of the courts,' or 'The holiness of the laws,' and words like these, which they refuse to

¹⁴³ Extracted from the *Risaala* “*Tah'keem Al-Qawa'neen*”

describe the *Islaamic Sharee'ah* or the opinions of the *Fuqahaa* of *Islaam* with! Instead, they describe it with words such as, 'Reactionism,' or 'Stagnant,' or 'Priesthood,' or 'the *Sharee'ah* of the Jungle,' or other than that from the evils that you see in the newspapers or the magazines or modern books, which are written by the followers of those pagans.

"Then they started to label these (fabricated) laws and the studies of those (fabricated) laws with the word, '*Al-Fiqh*,' and '*Al-Faqee*,' and '*At-Tashree*,' and '*Al-Mushaara*,' and other words that the '*Ulaama* of *Islaam* used to describe the *Sharee'ah* and its '*Ulaama*. Then they go (even) further and to the degree where they compare the *Deen* of *Islaam* and its *Sharee'ah* with their modern *Deen* – until he said – **and this modern *Deen* became the basis which the *Muslimeen* take their *Hukm* to and they judge with it, in most of the *Islaamic* countries whether it is in something that complies with the laws of the *Sharee'ah* or contradicts it.** And all of this is *Baatil* and rebellion because whatever complied with it coincidentally and not out of due to following it and not out of obedience to the command of Allaah or the command to His Messenger. So whatever complies and whatever contradicts; both are stuck in the mud of misguidance and it leads the one who follows it to the Fire and it is not allowed for a Muslim to be submissive to it or be pleased with it. And we will add to this meaning under the words of *Al-Hafidh* Ibn Katheer under the *Tafseer* of the fiftieth *Ayaah* of *Surat Al-Ma'idah*, *inshaa'Allaah*." ¹⁴⁴

So look, O reader to the words of Ahmad Shaakir, may Allaah be merciful to him, in which he said, "...in reality it is another religion that they made it a *Deen* for the Muslims in replacement of their pure *Deen* because they made it *Wajib* upon them to follow it and obey it." And look to his saying, "...and this modern *Deen* became the basis which the *Muslimeen* take their *Hukm* to and they judge with it, in most of the *Islaamic* countries whether it is in something that complies with the laws of the *Sharee'ah* or contradicts it." So it becomes clear how this *Tafseer* of the above *Ayaah* indicates a clear nullification of *Eemaan* mentioned in, "But no, by your Lord, they can have no Faith..." because he has made the "...modern *Deen*..." the "...basis which the *Muslimeen* take their *Hukm* to..." just as he has said, "...in reality it is another religion that they made it a *Deen* for the Muslims..." And this shows how he holds the enemies of Allaah, who originally brought the fabricated laws into the *Islaamic* world to be at the same level as those who continued to rule them with these laws after the

¹⁴⁴ "Umdaat At-Tafseer Mukhtasir Tafseer Ibn Katheer of Ahmad Shaakir", Vol. 3/214-215 The words being referred to are:

أَفَحُكْمَ الْجَاهِلِيَّةِ يَبْتَغُونَ

"Is it the *Hukm* of *Jahiliyyah* that they seek?"

"Allaah, *ta'ala* makes *Inkaar* (i.e. vehemently objects to) those who turns away from Allaah's *Sharee'ah*; the laws that are good for the Muslims; the laws that forbid what is evil. Allaah rejects those who follow laws of personal desires and who adopt laws of *Kufr* such as the laws enforced by the Tartars who were under the control of Gengiz Khan, their King. These laws were a mixture of Judaism, Christianity and laws chosen by their King which suited his desires. Should we prefer these laws over the *Sharee'ah* of Allaah and His Prophet *صلى الله عليه وسلم*?! Whoever does this is a *Kafir* and killing him is *Wajib*!" ("Tafseer Ibn Katheer", Vol. 2/67)

occupation of their lands. He considered these fabricated laws a different *Deen*, whether the colonists or those who inherited the rule after independence were enforcing them.

And if we look to the words of Ahmad Shaakir elsewhere, his opinion in this issue is not hidden. Bellow the *Tafseer* of Ibn Katheer, may Allaah be merciful to him, Ahmad Shaakir said:

أَفْحَمَ الْجَاهِلِيَّةَ يَبْعُونَ

“Is it the *Hukm of Jahiliyyah* that they seek?”

“I say: Is it allowed in the legislation of Allaah for the Muslim to rule in their countries with a legislation, which is taken from the legislation of paganistic/atheistic Europe? Rather a legislation that enters into it, desires and opinions which are *Baatil*, they change it whenever they want and he who makes it does not care if his legislation complies with *Islaam* or opposes it.

“Verily, the *Muslimmeen* were not tested with this ever in their history as far as we know, except for in the time of the Tartars and it was from the worst eras of *Thulm* and darkness and even with that, they did not submit to it. Rather, *Islaam* defeated the Tartars and they entered them under their *Sharee’ah* and the effects of what they did were erased by the steadfastness of the *Muslimmeen* upon their *Deen* and their *Sharee’ah* and because their evil, wrongful *Hukm* was from the side of the ones who ruled at that time, no one from the *Ummah* of *Islaam*, which were ruled by it, entered under it and they did not study it and they did not teach it to their children. So look how fast its effects were erased.

“So did you not see this strong description given by *Hafidh* Ibn Katheer in the eighth century to that invented law, which was made by the enemy of *Islaam*, Genghis Khan? Do you not see that he was describing the condition of the *Muslimmeen* at this time in the fourteenth century?! Except, there is one difference, which we pointed out earlier and that is that it was only in the level of *Huh’kaam* (i.e. the rulers), so the time came quickly and erased the effects of what they did to the *Ummah* of *Islaam*.

“And now, the *Muslimmeen* are in a worse condition and more *Thulm* and darkness than them because most of the *Ummah* of *Islaam* enters under the laws, which oppose the *Sharee’ah* that are the most resembling thing to the ‘*Yasaaq*’ which was made by a *Kaafir*, whose *Kufr* was clear. These laws are made by people who attribute themselves to *Islaam* and then the children of *Islaam*, learn them and then the fathers and sons boast about it. And then they make it a source, which they return to in their matters to the people of this ‘*Modern Yasaaq*’. And they hate anyone who opposes them in that and they label the ones that call them to hold onto their *Deen* and their *Sharee’ah* ‘Reactionists’ and ‘being still’ and ‘old fashioned’ and other than that and other insulting words like these!

“They even got their hands into what was left from the *Hukm* of the *Islaamic* legislation and they wanted to change it to their new ‘*Yasaaq*’ sometimes through gentle means and sometimes from plotting and trickery and with whoever owns (due to bribery) the *Sultaan*

sometimes. And they clearly say without shame that they are working to separate the state from the *Deen*!

“Or is it allowed for a Muslim to be judged by the ‘Modern *Yasaaq*’ and to act upon it and to turn away from the clear *Sharee’ah* of Allaah? I do not think that a Muslim who knows his *Deen* and believes in it generally and specifically and believes that this *Qur’aan* has been sent down by Allaah to His Messenger as a clear Book, which falsehood will not approach it from behind or from in front, and that His obedience and the obedience of the Messenger who came with it, is *Waajib* without any disagreement in every condition. I do think that he can do anything except that he will say without any doubt or (pause for) consideration that this type of judgement in this condition is *Baatil* from its basis and can not be made right or allowed.

“The matter in these fabricated laws is clear with the clearness of the sun. It is clear *Kufr* and there is nothing hidden about it and there is no excuse for anyone who attributes themselves to *Islaam*, whoever they may be, to act according to it or to submit to it or to approve of it. So each person should beware and every person is responsible for himself. So the ‘*Ulaama* should make the truth clear and tell what they have been ordered to tell without concealing anything.”¹⁴⁵

So look to the *Tafseer* of the people of knowledge. Among them; Ibn Taymiyah, Ibn Al-Qayyim, Muhammad bin Ibraheem and Ahmad Shaakir – may Allaah be merciful to them all. Can these words be understood to mean anything except the clear nullification for the Eemaan in its entirety? And all this was in reference to the ruler who rules by other than what Allaah revealed, in the sense that he replaces the *Hukm* of Allaah with his own fabricated *Hukm*. So what is left for the likes of Khaalid Al-Anbaree and www.salafipublications.com and their avid readers? Will they cease in their bias and blind partisanship or are the days approaching when they will call even these noble ‘*Ulaama* by such filthy insulting names as *Khawaarij*, *Surooree*, *Qutubee* or *Takfeeree*?!

And what about the statements which we have quoted earlier; such as those from Ibn ‘Uthaymeen, Ash-Shanqeetee, Abdur-Rahmaan bin Hasaan ahl’a-Shaykh and his son, Abdul-Lateef?! Are these names soon to be mentioned on the list of prominent extremists or political activists?! Have the authors of www.salafipublications.com no shame or fear of Allaah?!

Next, the reckless Khaalid Al-Anbaree reports the words of Ibn Taymiyah:

Shaikh ul-Islaam Ibn Taymiyyah said in *Minhaj us-Sunnah* (5/130): "So when they know that it is not permissible to rule by other than what Allaah has revealed, and did not adhere to this, but rather declared it lawful (*istahalloo*) for themselves to rule with that which is in opposition to what Allaah has revealed, then they are disbelievers. And if not, then they are ignorant people. And ruling by what Allaah has revealed is obligatory..."

And again, Khaalid Al-Anbaree has used the words of Ibn Taymiyah here to imply that this *Kufr* only falls on the ruler when he considers this ruling to be permissible. And this

¹⁴⁵ “*Umdaat At-Tafseer Mukhtasir Tafseer Ibn Katheer of Ahmad Shaakir*”, Vol. 4/173-174

is because he was unable to find a statement of *Shaykh Al-Islaam*, wherein he said something like, "A ruler can *only* become a *Kaafir* for ruling by other than what Allaah revealed when he considers it permissible." But we agree with Ibn Taymiyah, may Allaah be merciful to him and we too say, "When the ruler, who rules by other than what Allaah revealed, holds his ruling to be permissible, he is a *Kaafir*." But this statement of ours does not mean that the ruler is not a *Kaafir* for legislating fabricated laws. This statement of ours can only verify the judgement of the issue which it confirms. It can not be used to imply that unless the exact criterion in the statement exists fully, the judgement of the individual is incomplete.

For example, if we were to say, "If the ruler abandons his *Salaat*, rules by other than what Allaah revealed while legislating fabricated laws, swears at Allaah and His Messenger, mocks the *Deen* and prostrates to graves, he is a *Kaafir*." This does not mean that all of these descriptions must all be present in one individual before we will call him a *Kaafir*. Indeed, each one of these things is *Kufr* on its own.

Also, it is unclear from these words of Ibn Taymiyah whether he is referring to the ruler who rules in particular cases by his desires or to the *Haakim* who legislates fabricated laws from his own invention and governs the people by them.

And why did Khaalid Al-Anbaree not assemble a collection of the available statements regarding the ruling by other than what Allaah revealed which have been recorded by *Shaykh Al-Islaam* in order to reveal his complete and *Mutawaatir* (i.e. often narrated) opinion concerning the ruler who legislates fabricated laws and governs the masses with them?

For example:

"And it is known by necessity in the *Deen* of the Muslims and by the agreement of all the Muslims that whoever follows a *Sharee'ah* other than the *Sharee'ah* of Muhammad then he is a *Kaafir* and it is like the *Kufr* of the one who believes in some of the Book and disbelieves in some of the Book. Like He, *ta'ala* said: 'Verily, those who disbelieve in Allâh and His Messengers and wish to make distinction between Allâh and His Messengers (by believing in Allâh and disbelieving in His Messengers) saying, "We believe in some but reject others.' (Nisaa', 150-151)"¹⁴⁶

Or, "Whoever changes the *Sharee'ah* of the Prophets and brings a new *Sharee'ah* then his *Sharee'ah* is *Baatil* and it is not allowed to follow it. Like He *ta'ala* said: '**Or have they partners with Allâh (false gods), who have instituted for them a religion, which Allâh has not allowed.**' And due to this, the Jews and the Christians disbelieved because they adhered to an abrogated *Sharee'ah*."¹⁴⁷

¹⁴⁶ "Al-Fataawa", Vol. 28/524

¹⁴⁷ "Al-Fataawa", Vol. 35/365

Also, "...like the one who said, 'This *Taraut* has been changed and it is not allowed to act upon what is in it. And whoever acts upon its laws today, which are changed and abrogated, then he is a *Kaafir*.' So these words and words, which resemble them, are true and there is nothing upon the one who says them."¹⁴⁸

And he said, "And the *Sharee'ah*, which has been revealed by Allaah, *ta'ala*; and that is the Book and the *Sunnah*, which Allaah sent to His Messenger with and this *Sharee'ah*; it is not for anyone of the creation to leave it and no one leaves it except the *Kaafir*."¹⁴⁹

"And it is known that whoever removes an order or a forbiddance, which Allaah sent His Messenger with, then he is a *Kaafir* with the agreement of the Muslims and the Jews and the Christians."¹⁵⁰

Or, "And whenever the '*Alaam* leaves what he knows from the Book of Allaah and the *Sunnah* of His Messenger and he follows the *Hukm* of the *Haakim*, which opposes the *Hukm* of Allaah and His Messenger, then he is a *Mortaad/Kaafir* deserving of punishment in this life and in the Hereafter. He, *ta'ala* said: *Alif-Lâm-Mîm-Sâd*. (This is the) Book (the Qur'ân) sent down unto you (O Muhammad صلى الله عليه وسلم), so let not your breast be narrow therefrom, that you warn thereby, and a reminder unto the believers. [Say (O Muhammad صلى الله عليه وسلم) to these idolaters (pagan Arabs) of your folk:] Follow what has been sent down unto you from your Lord (the Qur'ân and Prophet Muhammad's *Sunnah*), and follow not any *Auliyâ'* (protectors and helpers, etc. who order you to associate partners in worship with Allâh), besides Him (Allâh). Little do you remember! And a great number of towns (their population) We destroyed (for their crimes). Our torment came upon them (suddenly) by night or while they were sleeping for their afternoon rest. No cry did they utter when Our Torment came upon them but this: "Verily, we were *Zâlimûn* (polytheists and wrong-doers, etc.). (*Araaf*, 1-5) Even if he is beaten and imprisoned and tortured with all different types of torture in order that he would leave what he knew from the *Sharee'ah* of Allaah and His Messenger, which is *Waajib* to follow and then to follow the *Hukm* of other than him; then he is still deserving of the punishment of Allaah. Instead, it is for him to be patient even if he is tortured for Allaah because this is the *Sunnah* of Allaah with respect to the Prophets and their followers. Allaah *ta'ala* said: *Alif-Lâm-Mîm*. Do people think that they will be left alone because they say: "We believe," and will not be tested. And We indeed tested those who were before them. And Allâh will certainly make (it) known (the truth of) those who are true, and will certainly make (it) known (the falsehood of) those who are liars, (although Allâh knows all that before putting them to test). (*Anakbut*, 1-3)¹⁵¹

However, what Khaalid Al-Anbaree chose to narrate from *Shaykh Al-Islaam* was the following:

¹⁴⁸ "Al-Fataawa", Vol. 35/200

¹⁴⁹ "Al-Fataawa", Vol. 11/262

¹⁵⁰ "Al-Fataawa", Vol. 8/106

¹⁵¹ "Al-Fataawa", Vol. 35/373

"And when a person declares to be lawful what is unanimously agreed to be unlawful, or declares unlawful what is unanimously agreed to be lawful or (the one) who replaced the Sharee'ah (baddala ash-Shar') - that [from it] which is agreed upon - he is a kaafir, an apostate by agreement of the jurists."

And then he declares that, although this narration from Ibn Taymiyah has been often used as evidence of the *Kufr* of the one who replaces the *Sharee'ah* laws with the fabricated laws, its true meaning is clarified by what follows it:

"And the third: Shar' al-Mubaddal (the replaced law) - and this is lying against Allaah and against His Messenger or upon the people with a false testimony and its likes, and clear oppression. So whoever says: 'Indeed, this is from the Shar' of Allaah (i.e. a particular ruling a law), then he has disbelieved - there being no doubt or dispute in this - such as the one who says: 'That consuming blood and the dead animal is lawful.'"

Thus, Al-Anbaree has attempted to demonstrate that the understanding of "replacement of the laws of the *Sharee'ah*" only applies when the ruler declares these laws to have come from Allaah, Himself. And he claims that this is what is meant by *Shara' Al-Mubaddal* (i.e. replaced law) and he adds to this understanding the statement of Ibn Al-'Arabee:

Ibn al-'Arabi states in Ahkam ul-Qur'an (2/624), "If he rules with [the laws that originated with himself] holding that they are from Allaah, then that is tabdil of the [rule of Allah] and necessitates kufr."

But this statement of Ibn Al-'Arabee is the only one of its kind which clearly states this definition of Khaalid Al-Anbaree's concept of *Shara' Al-Mubaddal*. As for Ibn Taymiyah, may Allaah be merciful to him, then let's examine its entire text:

"And the *Shara'* in the customs of the people is used upon three different meanings:

"Firstly, *Ash-Shara' Al-Munazil* (i.e. the revealed legislation) and it is what the Messenger صلى الله عليه وسلم came with and is following this is *Waajib*. And whoever contradicts it, it is *Waajib* to punish him.

"And the second, *Ash-Shara' Al-Mu'awil* (i.e. the explained legislation) and it is the opinions of the *Mujtahideen/Ulaama* like the *Meth'haab* of Malik and the likes of it. And it is allowed to follow this and it is not *Waajib* and it is not *Haraam* and it is not allowed for anyone to hold it upon the general people. And it is not for anyone to forbid it to the general people.

"Thirdly, *Ash-Shara' Al-Mubaddal* (i.e. the replaced legislation) and it is the lying on Allaah and His Messenger or upon the people with false witness and the likes of that. And (this is) the clear *Thulm*. So whoever says, 'This is from the legislation of Allaah,' then he has disbelieved without disagreement. Like the one who says, 'The blood is *Halaal*,' and 'The dead (meat) is *Halaal*,' even if he says, 'This is my *Meth'haab* and the likes of that. Or whoever replaces a law which there is *Ijmaa'* upon, then he is a *Kaafir/Mortaad* with the *Ijmaa'* of the *Fuqahaa*. And about this came His saying, according to one of the two sayings: **And whosoever does not judge by what Allâh has**

revealed, such are the *Kâfirûn* --, meaning that he makes the *Hukm bi'Ghayr ma'Anzaal-Allaah, Halaal.*"¹⁵²

And again, this statement does not limit the *Shara' Al-Mubaddal* to the cases where the ruler declares these laws to be from Allaah. In fact, upon close examination of this statement of *Shaykh Al-Islaam*, we see that he has broken down the *Shara'Al-Mubaddal* into two categories. The first is the one who declares the fabricated laws to be from Allaah and the second is the one who actually replaces the laws of the *Sharee'ah* with his own fabricated laws. This is indicated by his saying, "So whoever says, 'This is from the legislation of Allaah,' then he has disbelieved without disagreement." And the second category is the actual replacement of the *Sharee'ah* laws. And this is indicated by his words, "Or whoever replaces a law which there is *Ijmaa'* upon, then he is a *Kaafir/Mortaad* with the *Ijmaa'* of the *Fuqahaa*." And it is known by reason and intellect that the first category can be done by anyone; whether the ruler or the ruled. Anyone who says that such-and-such fabricated law is from Allaah is a *Kaafir* whether he is the ruler or not. And this is clear to any capable-minded person. However, the second category; the replacing of the laws themselves can only be done by the ruler. And in this case, it is the actual replacement, which causes the *Kufr*, which has been made clear from our previous quotations.

And regarding the last part of this narration from *Shaykh Al-Islaam*, may Allaah be merciful to him: And about this came His saying, according to on of the two sayings: **And whosoever does not judge by what Allâh has revealed, such are the *Kâfirûn* --,** meaning that he makes the *Hukm bi'Ghayr ma'Anzaal-Allaah, Halaal.*" The translator of "The Anbaree Papers: Part 5" has concluded:

So takfir is made dependent upon Istihlaal (i.e. declaring something to be permissible). So what clearer evidence is there of fooling and toying with the textual statements of the Scholars than this? (Trans.)

And this conclusion is further evidence for the deception and partisanship, which is typical from www.salafipublications.com and it is nothing new. Did not the translator read what he, himself translated: "...according to on of the two sayings..."? So how can the translator derive this point and make the *Takfeer* conditional upon the ruler declaring his fabricated laws to be *Halaal* when Ibn Taymiyah himself has confirmed that this is only one of two sayings concerning the matter?! At best, this narration from him is ambiguous and can not be used as an authoritative text upon which to affirm Ibn Taymiyah's opinion in this issue. And it is precisely this type of twisting and shopping for acceptable phrasings, which the likes of Khaalid Al-Anbaree and www.salafipublications.com are guilty of. And it is interesting that all of what we have presented from *Shaykh Al-Islaam* in this section was mysteriously avoided and these two specific texts, which could be twisted to support the opinion of the author, were included instead. But this is typical from those who follow the *Mutashaabih'* (i.e. not entirely clear) as opposed to the *Muh'kaam* (i.e. clear in meaning) in order to substantiate their own desires. As Allaah, the Most High said about those who interpret His *Ayaat* by their

¹⁵² "Al-Fataawa", Vol. 3/267

desires: **So as for those in whose hearts there is a deviation (from the truth) they follow that which is not entirely clear thereof, seeking *Al-Fitnah*... (Ahl'i-Imraan, 7)**

And although Khaalid Al-Anbaree has attempted to demonstrate that *Shaykh Al-Islam* did not differentiate between the ruler who rules in particular instances by other than what Allaah revealed, he has failed to grasp the import of the following quotation:

“If it’s from *Deen* but he judges without knowledge, then he is from the people of the Fire (i.e. for judging in a matter in which they were not qualified to). And if he is knowledgeable but judges with that which contradicts the truth that he knows, then he is from the people of the Fire. And if he judges without justice and without knowledge, then he is more deserving to be of the people of the Fire. And this is if he judges in a specific instance for an individual. **But if he judges a *Hukm ‘Aam* (i.e. general judgement) in the *Deen* of the Muslims; so he makes the *Haaq* to be *Baatil* and the *Baatil* to be *Haaq* and the *Sunnah* to be *Bid’ah* and *Bid’ah* to be *Sunnah* and the *Mar’oof* to be *Munkaar* and the *Munkaar* to be *Mar’oof* and he forbids what Allaah and His Messenger ordered and he orders that Allaah and His Messenger forbids, then this is a different category (i.e. literally, ‘...this is a different colour). The Lord of the Worlds, *Illah* of the Messengers, Master of the Day of Judgement will judge him.**”¹⁵³

So this shows that Ibn Taymiyah did, in fact, differentiate between *Tashree’ Al-‘Aam* and made it separate from the ruling in one instance. And although he, may Allaah be merciful to him, did not specifically make *Takfeer* to this second category of ruling by other than what Allaah revealed, he has clearly done so in the other texts which have passed.

And how amusing it is that this entire section from “The Anbaree Papers: Part 5” was intended in its subject and title, to demonstrate how those who have opposed Al-Anbaree have incompletely narrated or otherwise twisted the words of Ibn Taymiyah to support them in opposition to him. And yet in the very section from this misguided individual, we have seen how he, himself, has done exactly what he has accused his opponents of doing. But this is nothing new from Khaalid Al-Anbaree as we have seen it over and over from his previous work.

Al-Anbaree said on Pg.79 of his wretched book, “*Shaykh Al-Islam*, Ibn Taymiyah also considered the *Hukm bi’Ghayr ma’Anzaal-Allaah* out of desire and disobedience, without *Juhood* or *Istih’laal* to be from disobediences which, the one who commits it, does not disbelieve. So he said, ‘But concerning the sins that do not have a specific *Haad* or expiation for like the one who kisses boys or strange women or he embraces, without intercourse or eats that which is not allowed for him or bears false witness or takes a bribe in his judgement or rules by other than what Allaah revealed or transgresses upon those whom he is responsible for, or he demonstrates from himself and attribute from

¹⁵³ “*Majmoo’ Al-Fataawa*”, Vol. 35/388

Jahiliyyah, or calls to those characteristics, and other things from the forbidden things.”¹⁵⁴

So he used this to show that Ibn Taymiyah opinion was that Ruling by Other than what Allaah revealed is *Kufr Al-Asgaar*. This is the way that Al-Anbaree narrated it incompletely. So he cut off the *Mubt'aba* (i.e. the subject) from its *Khaabr* (i.e. its predicate). And if he had completed it, it would have clarified the meaning of who was meant by 'the one who rules by other than what Allaah revealed' and that its meaning is a *Qadhee* (i.e. judge) like *Shaykh Al-Islaam* said after that:

“So those people are to punished *Taazirun* (i.e. a punishment applied from the judge which does not have a specific text for) and to teach them a lesson according to the amount that the *Walee* (i.e. governor) sees fit and depending upon the amount of his sin among the people.” So who could be the one who would be punished according to what '...the *Walee* sees fit...'? And it is also known by common sense that the *Qadhee* does not have any power to change any laws, rather he only acts upon them and implicates them. So it is clear that this description from *Shaykh Al-Islaam* refers to the *Qadhee* who rules in specific circumstances and not the *Haakim* who has the ability to fabricate laws and legislate them upon the people. And thus, the deception and incomplete narration and twisting of the words of Ibn Taymiyah have been revealed against Khaalid Al-Anbaree himself.

A brief collection of the people of knowledge concerning the *Haakim* who engages in *Tashree' Al-'Aam* and Ruling by Other Than What Allaah Revealed.

1. Muhammad Al-'Ameen Ash-Shanqeetee:

“Associating with Allaah in His *Hukm* is like associating with Him in his worship and there is no difference between them at all, so the one who follows an institution other than the institution of Allaah, or other than that which Allaah legislated and a law which opposes the legislation of Allaah from that which has been fabricated by human beings, turning away from the light of the heavens that Allaah revealed upon His Messenger. **Whoever does this and whoever worships an idol or prostrates to a statue; there is no difference between them at all from any point of view. They are both one thing and they are both *Mushriks* with Allaah. This one associated with Allaah in His *Hukm* and they are both the same.**”¹⁵⁵

“...As for the legislative institutions, which contradict the legislations of the Creator of the Heavens and the Earth, then judging with these is *Kufr* in the Creator of the Heavens and the Earth. Such as saying that the preference of the males over the females in the inheritance is unjust and that is should be that they are

¹⁵⁴ “*Majmoo' Al-Fataawa*”, Vol. 28/343

¹⁵⁵ From the cassettes of the *Shaykh* in his *Tafseer of Surat At-Tauba* at Allaah *ta'ala*'s saying:

أَتَّخَذُوا أَحْبَابَهُمْ وَرَهْبَاتَهُمْ أَرْبَابًا مِنْ دُونِ اللَّهِ ...

They (Jews and Christians) took their rabbis and their monks to be their lords besides Allâh ...

equal in inheritance and like the saying that polygamy is *Thulm* and that divorce is *Thulm* against the women and that stoning and cutting off the hand and things like this are barbaric acts which should not be carried out against the people and things like that. **So ruling by institutions such as these upon individuals and the society and their wealth and their property and minds and Deen is *Kufr* in the Creator of the Heavens and the Earth** and it is a rebellion against the law of the Heavens, which was given by the Creator of all the creation and He, *subhanahu wa-ta'ala* is more knowledgeable of the benefits towards His creation than to have another legislator along with Him! **'Or have they partners with Allāh (false gods), who have instituted for them a religion, which Allāh has not allowed?'**¹⁵⁶

2. 'Umar Al-Ashqaar:

“And from this explanation it becomes clear to us that there are two types of people who have fallen into *Kufr* about which there is no doubt. The first, **the ones who legislate that which Allaah did not reveal, and those are the ones who fabricate the laws that oppose the legislation of Allaah they implicate it upon the people and the *Ijmaa'* is upon their *Kufr* without doubt.**”¹⁵⁷

3. Mah'moud Shaakir:

“So their question wasn't the '*Eebadeeyah's* question to Abee Majliz about the *Tafseer* of this *Ayaah* – about that which the *Mub'tadah* of our time agree with concerning the judgement in money and blood with a law that opposes the *Sharee'ah* of the people of *Islaam* and not concerning implicating a law upon the people of *Islaam* and forcing them to take the judgement to other than the rule of Allaah in His Book and upon the tongue of His Prophet *صلى الله عليه وسلم*. **So this action is turning away from the *Hukm* of Allaah and from His *Deen* and putting the laws of the *Kuffar* above the law of Allaah, *subhaanahu wa-ta'ala* and this is *Kufr*.** No one from the people of the *Qiblah* with their difference, doubts the *Kufr* of the one who says or calls to this.”¹⁵⁸

4. *Imaam* Muhammad bin Ibraheem Ahl'a-Shaykh:

“As far as the one who it was said about him, '*Kufr dun Kufr*,' this is if he rules with other than what Allaah revealed, while he believes that he is disobedient and that the *Hukm* of Allaah is the truth. This is concerning when it comes from him once or like that. **But as far as the one who puts laws in an order and to be followed, then this is *Kufr* even if they say that we made a mistake and the *Hukm* of the *Shara'* is more just, so there is a difference between the one who approves and implicates**

¹⁵⁶ “*Adhwaa Al-Bayaan*”, Vol. 4/82-85

¹⁵⁷ “*Al-Sharee'ah Al-Eelaheeyah*”, Pg. 179

¹⁵⁸ From his commentary of At-Tabaree (“*Tafseer At-Tabaree*” Vol. 10/348)

and make it as a text to return to. They make it a thing to return to an this is *Kufr* that takes one outside the *Milla*.”¹⁵⁹

“The *Ibaadah* of obedience is of different types: If he admits that he is disobedient and sinful and following his desires; then this is like the rest of the sins which does not reach *Kufr*. But if he does not know then this requires an explanation. If he roots himself in the mire of heedlessness, he is blameworthy. **The (thing which is) *Wajib*, is to ask the people of knowledge, but if he knows that it is contradictory to the sayings of the Messenger صلى الله عليه وسلم and that he is not sinful then this is *Shirk Akbaar*, like the fabricated laws that have been adopted in the courts, they are from this type.** They make them at the level of the Messenger and it is written in the documents that the right is for so and so. And the laws that have come from France are put at the level of the Messenger of Allaah, so if this is how it is, if it has come from the ‘*Ulaama*, then what about what has come from the *Shaytaan* and America and France?! And if it is in the *Hukm* then that is greater, there is no *Hukm* except that which the Messenger صلى الله عليه وسلم has come with. **So whoever takes someone to obey with Allaah than he has made *Shirk* in the *Risaala* and the *Uloohiyyah* and of these two things, either one on their own is *Kufr*, as opposed to one matter because that is not like the deafening and the sealed because this one is *Mortaad* and he is more severe in the *Kufr* than the Jew or the Christian.**”¹⁶⁰

“So maybe you will ask: What if the one who rules with the laws says, ‘I believe these laws are *Baatil*?’ **There is no effect. Rather, this is removing the *Sharee’ah* just like if one said, ‘I worship these idols and believe that it is *Baatil*.’**”¹⁶¹

“Verily, from the clear *Kufr Al-Akbaar* is implicating the cursed laws at the level of what the Trustworthy Spirit (i.e. *Jibreel صلى الله عليه وسلم*) came down with upon the heat of Muhammad صلى الله عليه وسلم so that he would be from the warners in the clear Arabic speech to be a judgement between all the created beings and for it to be returned to when the disputers disagree because it opposes Allaah *aza’wajaal*’s saying: ‘(And) if you differ in anything amongst yourselves, refer it to Allâh and His Messenger (صلى الله عليه وسلم), if you believe in Allâh and in the Last Day.’ And Allaah *subhaanahu wa ta’ala* has negated the *Eemaan* from the one who does not take the judgement of what occurs between them to the Prophet صلى الله عليه وسلم. He has done this as a full negation by repeating the statements of negation and with an oath, he *ta’ala* said: ‘**But no, by your Lord, they can have no Faith, until they make you (O Muhammad صلى الله عليه وسلم) judge in all disputes between them...**’ And it was not sufficient for Him, *ta’ala* for them to take the judgement to the Messenger صلى الله عليه وسلم until they added to that, the not having any discomfort in themselves. He added that with His saying: ‘**...and find in themselves no resistance against your decisions, and accept (them) with full submission.**’ *Al-Haraaj* (i.e. resistance) means constriction. Rather, it is a must that their hearts must be open to

¹⁵⁹ “*Fataawa Al-Imaam Muhammad bin Ibraheem Ahl’a-Shaykh*”, Vol. 12/280

¹⁶⁰ “*Fataawa Al-Imaam Muhammad bin Ibraheem Ahl’a-Shaykh*”, Vol. 12/280

¹⁶¹ “*Fataawa Al-Imaam Muhammad bin Ibraheem Ahl’a-Shaykh*”, Vol. 6/189

that and for them not to have any anxiety or discomfort. And He, *ta'ala* did not find that sufficient for these two matters until they add to that, the submission to it. And that is total submission and it is total obedience to his *صلى الله عليه وسلم* *Hukm* to the extent that they sever all ties with their *Naffs* and they submit to the true *Hukm* with total submission and for this, he emphasised it with his saying: '*Tasleemah*,' which shows that it is not enough to submit but it must be a total submission.'

And then the *Shaykh* mentions the five categories of when Ruling by other than what Allaah revealed is *Kufr Al-Akbaar*. And finally:

“...The fifth, and it is the greatest and the most encompassing and the clearest opposition of the *Sharee'ah* and stubbornness in the face of its laws and insulting to Allaah and His Messenger and opposing the courts of the *Sharee'ah* on their roots and branches and their types and their appearances and judgements and implementations the references and their applications. So just like the courts of the *Sharee'ah* there are references, all of them returning back to the Book of Allaah and the *Sunnah* of His Messenger *صلى الله عليه وسلم* like that, these courts have references, which are laws that are assembled from many legislations and laws like the laws like the laws of France and America and England and other laws and from the *Metha'haab* of some of the innovators who claim to be under the *Sharee'ah*. And these courts are now fully operational in the settlements of *Islaam*, people entering them one after another, their rulers judge upon them with what opposes the *Sunnah* and the Book with the rules of that law and they impose that on them and approve it for them. **So what *Kufr* is there beyond this *Kufr* and what nullification of the *Shahadah* of *Muhammadar Rasool-Allaah* is there beyond this nullification?!** And mentioning the evidences for all of what has been mentioned is already known. So O you people of intelligence and O you people of intellect, how can you be pleased with these laws of people who are equal to you being forced upon you and the thoughts of people who are equal to you or even less than you and from whom, mistakes are possible to emerge? And even their mistakes are greater than their successes by far. Rather, there is nothing correct in their *Hukm* except that which has been taken from the *Hukm* of Allaah and His Messenger – that which no mistake can come close to and no falsehood can approach it from in front of it or behind it, the lowering of the *Hakeem Al-Hameed* (i.e. The Most Knowledgeable, The Praiseworthy) and the submission of the people to the *Hukm* of their Lord is submission to the One who created them for them to worship Him. **So just as the creation does not prostrate to other than Allaah and does not worship except Him, likewise it is *Waajib* for them not to submit or obey except the *Hukm* of *Al-Hakeem, Al-'Aleem, Al-Hameed, Al-Ra'oof, Ar-Raheem* and not the *Hukm* of the wrong-doers and the ignorants who have been destroyed by doubts and desires and misunderstandings and about whom, unawareness and darkness and hard-heartedness has enveloped their hearts. So it is *Waajib* upon the people of intelligence to steer themselves and away from this because of what it contains from enslaving themselves and them being judged by desires and mistakes and on top of that, it is *Kufr* by the text of His, *ta'ala*'s saying: 'And whosoever does not judge by what Allâh has revealed, such are the *Kâfirûn*.'”¹⁶²**

¹⁶² “*Tah'keem Al-Qawa'neen*”

5. And Abdullah bin Muhammad Al-Ghunaymaan:

When asked, “The one who leaves the *Hukm* by what Allaah revealed; if he makes the general judgements with the fabricated laws, does he disbelieve? And is there a difference between that and the one who judges with the *Sharee’ah* but then he opposes the *Sharee’ah* in some of the matters due to desire or bribery or other than that?” So he answered, “**Yes, it is *Waajib* to differentiate between them. There is a difference between the one who throws away the *Hukm* of Allaah, *jala-wa’ala* and replaces it with the judgements with the laws and the judgement of mankind. This is *Kufr*, which takes one outside the *Milla* of *Islaam*.** But the one who is *Multazim* (i.e. religiously committed) upon the *Deen* of *Islaam* except that he is disobedient and a *Thaalim* by following his desires in some of the *Ah’kaam* and goes after a benefit from the *Dunyaah*, while accepting that he is *Thaalim* with this, then this is not *Kufr*, which takes you out of the *Milla*. **And whoever sees the *Hukm* with the laws to be equal to the *Hukm* of the *Shara’* and makes it *Halaal*, then he also disbelieves with the *Kufr* that takes one outside the *Milla*, even if it is in one instance.** ¹⁶³

6. Abdur-Razaaq Af-Feefee:

In his letter concerning the different conditions of those who do not rule by what Allaah revealed, “The first: Whoever does not try his utmost in that and he does not ask the people of knowledge and worships Allaah without perception or his rules between the people in this matter, then he is a sinner and astray. He deserves punishment if he does not repent and Allaah does not cover him from His mercy. Allaah *ta’ala* said: **‘And do not stand upon that which you have no knowledge in. Verily, the hearing and eyesight and the intellect: all of those will be asked about.’**

“The second: And like that is the one who knows the truth and is pleased with the *Hukm* of Allaah but he is overtaken by his desires occasionally. So he acts upon them by himself or he judges between the people in some of the matters with that which opposes what he has learned from the *Sharee’ah* of desire or bribery, for example. Then he is sinful but not a *Kaafir* with the *Kufr* which removes one from *Islaam*, as long as he accepts that he has done wrong and does not insult the *Shara’* of Allaah and does not have a negative opinion of the *Shara’* of Allaah. But he hates what has come from himself and he sees that all the goodness and benefit is in acting according to the *Hukm* of Allaah, *ta’ala*. It is narrated by Al-Haakim from Buraydhah, may Allaah be merciful to him, from the Prophet صلى الله عليه وسلم that he said, ‘Two judges are in the Fire and one is in the *Jannah*. A judge who knows the truth and judges with it, then he is in the *Jannah* and a judge who knows the truth but he does wrong intentionally or judges without knowledge. Then they are both in the Fire.’

¹⁶³ “*Mujaalit Al-Mishkaat*”, Vol. 4/247

“Thirdly: The one who is attributed to *Islaam* and knows its laws and then fabricates for the people, laws and makes them an institution for them to conduct themselves by and to take their judgements to and he knows that it opposes the laws of *Islaam*. Then he is a *Kaafir* out of the *Milla* of *Islaam*.

“And like that is the *Hukm* concerning the one who orders a committee or committees to be formed for that and the one orders the people to take their judgements to these institutions or laws or makes them take the judgements to them, while he knows that they oppose the *Sharee’ah* of *Islaam*. And like that is the one who judges with it and implicates it upon the matters and the one who obeys them in these judgements out of his own choice, while he knows that it opposes *Islaam*. So all of these are partners in their turning away from the *Hukm* of Allaah.

“But some of them forbade legislations that they oppose the legislations of *Islaam* with and nullify it, while having knowing this. And some of them, by ordering its implication or holding the *Ummah* to act upon it or putting this *Hukm* between the people or enforcing the *Hukm* according to it.

“And some of them, by obeying the *Walee* and being pleased with what they have legislated for them from that which Allaah did not give permission for and He did not reveal.

“So all of them have followed their desires without guidance from Allaah and Iblees told the truth to them about his opinion and they followed him. And they were all partners in their deviation, their atheism and *Kufr* and *Tughi’an* so they will not be benefited by their knowledge of the *Shara’* of Allaah and their beliefs of what it contains, while they turn away from it and their replacing of His laws with a legislation from themselves and implicating it and taking the judgement to it, just as Iblees is not benefited by his knowledge of the truth and his belief in it, while he turns away from it and does not surrender to it and follow it.”¹⁶⁴

10. Ibn Qassim:

“Like the ones who rule with the laws of *Jahiliyyah* and the international laws, rather even one who rules by other than what Allaah revealed, **whether he rules with the laws or with something which has been invented that is not from the *Shara’* or affirmed in the *Hukm*, then he is a *Taghuut* from the greatest *Tawagheet*.**”¹⁶⁵

11. Hamd bin ‘Ateeq An-Najdee:

While explaining the different nullifications of *Islaam* and then he mentioned: “And the Fourteenth Matter is Taking the *Hukm* to Other than the Book of Allaah and His Messenger **صلى الله عليه وسلم**.” And then he mentions the *Fatwaa* of Ibn Katheer under the *Ayaah*: “**Is it the *Hukm* of *Jahileeyah* which they seek?**”, which we have

¹⁶⁴ “*Shubu’haat Howl As-Sunnah Wa-Risalaat Al-Hukm bi’Ghayr ma’Anzaal-Allaah*”, Pg. 63-65

¹⁶⁵ From his commentary on “*Usool ath-Thalathah*”, Pg. 96

narrated earlier. Then he said, “And like this is what the general people of the Bedouins and those like them fell into with regards to taking the *Hukm* to the customs of their forefathers and that which their ancestors established from the accused customs, which they label ‘The *Sharee’ah* of *Reefawah*’ they put it before the Book of Allaah and the *Sunnah* of His Messenger. **So whoever does that; then he is a *Kaafir* and it is *Waajib* to fight him until he returns to the *Hukm* of Allaah and His Messenger.**”¹⁶⁶

12. Abdullah bin Humayd:

“**And whoever makes a general legislation (*Tashree’ Al-‘Aam*) and implicates it upon the people which opposes the *Hukm* of Allaah, then this one leaves the *Milla* as a *Kaafir*.**”¹⁶⁷

13. Muhammad Hamad Al-Faqeeh:

He said after quoting the words of Ibn Katheer in the *Tafseer* of His, *ta’ala’s* saying: **Is it the *Hukm* of *Jahiliyyah* that they seek?**’ he said:

“And like or (even) worse than this are the ones who take the words of the *Kuffar* as laws, which they judge with in matters concerning blood and wealth and they put that before that which they know and that is has been made clear to them from the Book of Allaah and the *Sunnah* of His Messenger **صلى الله عليه وسلم**. **So he, without a doubt, is a *Mortad* if he continues upon that and does not return to the *Hukm* of what Allaah revealed and he will not be benefited by any name which he labels himself with and neither by any outward action that he does from *Salaat* or *Siyaam* or anything else!**”¹⁶⁸

So again, we find an aplethora of clear statements wherein is an explanation regarding *Tashree’ Al-‘Aam* and ruling by other than what Allaah revealed which was somehow missing from the quotations from Khaalid Al-Anbaree and his blind followers at www.salafipublications.com. So when will the likes of these shallow child-like ignoramous repent unto Allaah for their deception and injustice regarding the statements of the ‘*Ulaama* and the students of knowledge?!

As for “The Anbaree Papers: Part 6”, this is not a translation of the writings of Khaalid Al-Anbaree. Rather it is his responses to specific questions from other individuals. And the vast majority of the points raised therein have already been addressed throughout this project already. So we have refrained from entering into repetition and redundancy and have excluded this section from our refutation here.

¹⁶⁶ “*Majmoo’at At-Tawheed*”, Pg. 412

¹⁶⁷ Extracted from the Book, “*A’hameeyaath Al-Jihaad*” by ‘Alee bin Nafee’ Al-‘Ilyaanee Pg. 196

¹⁶⁸ “From the *Hamish* (i.e. commentary) of “*Fat’h Al-Majeed*”, Pg. 406

Therefore, we will close with the *Fatwaa* of Hamoud bin 'Aqlaa'ah Al-Shu'aybee which gives a harsh and scathing inditment of the misguided Khaalid Al-Anbaree and makes clear his deception, and incomplte narration and explains several misconceptions which have been caused by his book and the spreading of his concepts by the likes of www.salafipublications.com and its authors and avid readers:

The Refutation Against the Lies of Al-Anbaree and the Clarification of the *Fasaad* of he Basis of his *Meth'haab* in *Al-Irjaa'*'¹⁶⁹

Written by the *Shaykh* Hamoud bin 'Aqlaa'ah Al-Shu'aybee 1421 H.

Praise be to Allaah Lord of the Worlds, and the reward is for the *Mutaqeen*, and there is no enmity except against the *Thaalimeen*, and I bear witness that there is no one worthy of worship except Allaah, alone and he has no partner, the God of the first and the last and I bear witness that Muhammad is His slave and His Messenger. May Allaah send blessings upon him and his family and his companions collectively, and to proceed:

I have looked at all of the sayings of Khaalid Al-Anbaree and it has become clear to me by my reading of these sayings and some of his books that he is a *Murji'ee* from the pure *Murji'yah*; the ones that are under the school of thought of Jahm bin Safwaan in *Irjaa'*.

That is the school of thought which – from it's *Usool* – is that no one disbelieves accept with rejection (*Juhood*) or *Istih'laal*, but as far as the one who knows Allaah and approves of Him, then he does not disbelieve and he does not leave the *Milla*. And this going astray has spread in this era, and this spreading wasn't due to anything accept for him and the likes off him, so they have went astray and made people go astray.

And Khaalid Al-Anbaree has lied upon the 'Ulaama of the *Ummah* and it's *Imaams*, the ones who see the *Kufr* of the one who rules with the fabricated laws. From those *Imaams* is our *Shaykh*; the *Shaykh*, the *Imaam*, the *Mujaahid* Muhammad bin Ibraheem Ahl'a-Shaykh, may Allaah be merciful to him. And Al-Anbaree has lied and changed and acted with the words of our *Shaykh* and lied upon him in many instances as it will become clear shortly. And he wanted to trick the people into thinking that the *Shaykh* sees that the ruling with fabricated laws needs explanation, and that he doesn't disbelieve unless he rejects and believes and makes that *Halaal* only, but if he rules with the fabricated laws without this then he isn't a *Kaafir*. And far as his lies they are as follows:

The first lie: Al-Anbaree mentioned in his book (i.e. *Al-Hukm bi'Ghayr ma-Anzaal'Allaah wa-Usool at-Takfeer*) on page 131 from the *Risaala* of the *Shaykh* Muhammad bin Ibraheem "*Risalaat Tahkeem Al-Qawaneen*", he said, "Verily in this *Risaala* there is what indicates a clear indication that there is *Tafseel*." And he means by *Tafseel* what Al-Anbaree goes on to say – which is that the ruling with fabricated laws; the one who does this does not disbelieve accept with *Juhood* or *Istih'laal*. And the text

¹⁶⁹ And this was the title of the *Shaykh's Fatwaa* itself. We have not given this *Fatwaa* any other title than the one it was written with.

that he narrated was as follows: “So look how Allaah *ta’ala* recorded upon the rulers with other than what Allaah revealed the *Kufr* and the *Thulm* and the *Fusooq* and from that which is not possible is that Allaah calls the ruler with other than what Allaah revealed a *Kaafir* and then he not be a *Kaafir*, rather he is a total *Kaafir*, either *Kufr ‘Amilee* or *Kufr ‘Atiqaadee*. And what has come from Ibn Abbaas in the *Tafseer* of this *Ayaah* from the narration of Tawoos and others indicates that the ruler with that which Allaah did not reveal is a *Kaafir*; either *Kufr ‘Atiqaadee* – that you out of the *Milla*, or *Kufr ‘Amilee* – that does not take you out of the *Milla*.” And what he narrated is finished letter for letter. However, he left what the *Shaykh* narrated and wrote after this, concerning the fabricated laws as the *Shaykh* said, “As far as the first; (which is) that the ruler with that which Allaah did not reveal, rejects the right of Allaah and his Messenger’s *Hukm*. The second; that the ruler by other than what Allaah revealed does not actually reject the fact that the *Hukm* of Allaah and His Messenger is the truth yet he believes that the *Hukm* of other than the Messenger is superior to his (i.e. the Prophet’s *صلى الله عليه وسلم*) *Hukm* and more encompassing. The third, that he does not believe that it is superior to the *Hukm* of Allaah and His Messenger yet he believes that his (own) *Hukm* is equal to it. The fourth; that he does not believe that his *Hukm* of the one who rules by other than what Allaah revealed is equal to the *Hukm* of Allaah and His Messenger – and certainly not better than the *Hukm* of Allaah and His Messenger, yet he believes that it is permissible to rule with that which opposes the *Hukm* of Allaah and His Messenger. The fifth; and it is the greatest and the most encompassing and the clearest opposition of the *Sharee’ah* and stubbornness in the face of its laws and insulting to Allaah and His Messenger and opposing the courts of the *Sharee’ah* on their roots and branches and their types and their appearances and judgements and implementations the references and their applications. So just like the courts of the *Sharee’ah* there are references, all of them returning back to the Book of Allaah and the *Sunnah* of His Messenger *صلى الله عليه وسلم* like that, these courts have references, which are laws that are assembled from many legislations and laws like the laws like the laws of France and America and England and other laws and from the *Metha’haab* of some of the innovators who claim to be under the *Sharee’ah*. – until he said – So what *Kufr* is there beyond this *Kufr* and what nullification of the *Shahadah* of *Muhammadar Rasool-Allaah* is there beyond this nullification?!

So look at Al-Anbaree! He wants, with his aforementioned quotation, to reveal to you that the *Shaykh* does not make *Takfeer* concerning the fabricated laws. Even though here, he says concerning them, “So what *Kufr* is there beyond this *Kufr*,” meaning the ruling with the fabricated laws.

The second lie: Al-Anbaree mentions in his sayings in the first statement, he said, “I have found other words of the *Shaykh* (i.e. Muhammad bin Ibraheem) in his *Fataawa* Vol. 1/80. He (i.e. Muhammad bin Ibraheem) says words more clear than to need clarification dated 9/1/1385 five years after the publication of the “*Risaala Tah’keem Al-Qawaneen*”. And soon we will quote the words of *Al-Shaykh* Muhammad, but the point is that here he intended to convince the reader that the *Shaykh* turned back from his *Fatwaa* concerning the fabricated laws and for this, he mentioned the date after it by five years so the letter abrogates the first saying, while he mentioned the same saying, “...and I do not say that he changed his opinion...” Yet, after that by about a few lines, he says that the *Shaykh*

changed his mind so that he can mislead (the reader) and make it seem like he did actually change his mind. So he claims that he does not say that he (i.e. Muhammad bin Ibraheem) changed his mind and then he lies upon the *Shaykh* Muhammad that he (did actually) change his mind.¹⁷⁰

The third lie: that when he quoted him as having changed his mind, as he assumes from the *Fatwaa* of *Shaykh* Muhammad Vol. 1/80, Al-Anbaree said that the text of him changing his mind is, “And like that is the manifestation of the meaning ‘Muhammad is the Messenger of Allaah’ from ruling with his *Sharee’ah* exclusively and discarding what opposes it from laws and conditions and other things which Allaah did not reveal and that the one who rules with it or takes the judgement to it, believing that it right and believing that it is permissible then he is a *Kaafir* with the *Kufr* which removes one from the *Milla*. And if he does that without believing that and that it is permissible, then he is a *Kaafir* with the *Kufr Al-‘Amilee*, which does not remove one from the *Milla*.” Al-Anbaree said, “So this clear explanation from the *Shaykh Al-‘Allaamah* Muhammad bin Ibraheem, may Allaah be merciful to him, is what I have based my book upon and I faced (i.e. opposed) the ones who make *Takfeer* to the *Haakim* unconditionally.” And this lie is responded to with answers:

How is it that the *Shaykh* would change his mind and it was unknown and not spread among his students and among the people? And if there was a change in his opinion, it would have not have been hidden from the *Shaykh* Muhammad Abdur-Rahmaan Al-Qassim, the compiler of the *Fataawa* of *Shaykh* Muhammad bin Ibraheem and his books. As well, he even mentioned the “*Risaala Tah’keem Al-Qawaneen*” in the latter editions of the (published) *Fataawa*. Even his student, the one who collected the *Fataawa*, narrated the approval of *Shaykh* Muhammad in Vol. 12/284. *Shaykh* Muhammad said, “...And the laws are *Kufr*, which takes one outside the *Milla* believing that they are *Hakima* (i.e. applicable) and some of them see it greater.” Then he said, “As for the one who puts laws in order and to be submitted to, then this is *Kufr* even if they say, ‘We have made a mistake. And the *Hukm* of the *Shara’* is more just,’ because there is a difference between the one who approves and the implication and the reference. They made it a reference and this is *Kufr*, which take one outside the *Milla*.” And Al-Qassim also narrated under the chapter heading “Ruling with the Laws is from the *Kufr Al-Akbaar*”, and then proceeds to quote from the same “*Risaala Tah’keem Al-Qawaneen*”.

¹⁷⁰ And the point of *Shaykh* Hamoud here is that Al-Anbaree first claims that he is not trying to convince his reader that *Shaykh* Muhammad bin Ibraheem changed his opinion but then he immediately mentions that he has found some “other words” – which is intended to mean “words with opposite meaning” – which were written by the *Shaykh* five years after the publication of the “*Risaala Tah’keem Al-Qawaneen*”. And he then attempts to use these “other words” to give strength to his own opinion, which is that the ruler who legislates and rules with fabricated laws that oppose the *Sharee’ah* does not disbelieve unless he considers that permissible or he rejects the laws of the *Sharee’ah*. And so his statement, “...and I do not say that he changed his opinion...” is in fact abrogated by the fact that he brings words which he attempts to interpret as being in agreement with his own opinion and then punctuates that by mentioning that these words were written five years after the *Shaykh’s* earlier words which do not comply with the opinion of Al-Anbaree. And so he is, by implication, claiming that Muhammad bin Ibraheem did, in fact, change his mind to the opinion that Khaalid Al-Anbaree holds and because of this, we are not sure which is the bigger lie: his lie that *Shaykh* Muhammad bin Ibraheem changed his opinion or his lie that he wasn’t trying to claim that the *Shaykh* changed his mind!

So if there were any change of opinion, he would have made that clear or he would have omitted this *Risaala* and certainly would not have included it in the volumes who succeeded the volume which has been claimed to contain a change of opinion. And how would the *Shaykh* change his opinion from a general *Fatwaa*, which became clear and widespread to that which would be contained in a specific letter written to a specific group?! It would have been more likely that he would change his opinion in a general letter because the text – wherein Al-Anbaree claims to contain a change of opinion – is within a specific letter of response which he wrote to the central committee of 'Ulaama in Deli wherein he praises the committee and its aims to bring about a benefit. And we see that the "*Risaala Tah'keem Al-Qawaneen*" has been published multiple times and if there were a change of opinion, then its publishing would not have been repeated. The *Shaykh* Abdullah Ibn Jibreen, may Allaah preserve him, is from the students of the *Shaykh* and he objected to the those who claimed that *Al-Shaykh* Muhammad bin Ibraheem changed his opinion like it is (written) in his commentary upon the words of Al-Anbaree and they are in the first saying of Al-Anbaree. And also, *Al-Lajnaa Ad-Da'imah li'l-Bu'hooth Al-'Ilmeeyah wal-Iftaa'*; have declared about the book of Al-Anbaree "*Al-Hukm bi'Ghayr ma-Anzaal'Allaah wa-Usool at-Takfeer*," "Lying upon the people of knowledge. From that, him attributing to the '*Alaamah Shaykh* Muhammad Ibraheem Ahl'a-Shaykh, that which he did not say."

We will now return to the text, which Al-Anbaree claimed contains a change of opinion and we will mention how it relates and its full text and it is in the *Fataawa* of *Shaykh* Muhammad Vol. 1/78. And it is a letter of reply sent to the General Secretary for the Central Committee of 'Ulaama (in) Deli. The committee decided to call upon the *Islaamic* committees and determine the opinions of its members concerning the laws, which are implemented for the sake of benefit in the *Deen* and the society, which are suitable for the *Islaamic* education and etiquettes while planing to raise general laws for the Muslims in India. So they asked *Al-Shaykh* Muhammad questions concerning *Fiqh* so that they might benefit from his opinion concerning them (i.e. those issues). So he answered their *Fiqh* related questions but firstly, he made an introduction before proceeding with the answers: "I would like to like to begin with a small introduction. From the things which please us and please every Muslim with *Ghirah*¹⁷¹ about his *Deen* is that we find committees whose goal is to correct the conditions and to hold onto the basis of the *Deen* and its noble teachings. And also to wage war against everything, which opposes the *Islaamic Sharee'ah* from innovations and heresies and lies. And also, (to wage ware against) what is even more important than that, concerning what the atheists and *Zanadiqa*¹⁷² and Orientalists and others who attempt to enter into the beliefs

¹⁷¹ *Ghirah*: Emotions related to the rights of the person and the *Deen* (i.e. becoming enraged when *Islaam* is disrespected)

¹⁷² *Zanadiqah*: plural of *Zandiqa*, which is a *Munaafiq* whose *Kufr* is seen and yet claims to be upon *Islaam*) Abu Idrees narrated, "People from the *Zandiqa* who had apostated were brought to 'Alee. He asked them (about their *Kufr*) and they denied it so it was made clear to them (that they truly were upon *Kufr*). He (i.e. Abu Idrees) said, "So he killed them without giving them time to repent (and return to *Islaam*). He (i.e. Abu Idrees) said, "A man who was a Christian and became a Muslim but latter apostated, was brought before him (i.e. 'Alee) and he asked that man (about his apostasy) and that man admitted to what he had done. Then ('Alee) asked him to repent and it was said to him (i.e. 'Alee), "Why did you ask him to repent but you didn't ask the others to repent?" He said, "This one admitted what he had done but

of some of the Muslims by giving them doubts in the basis of their *Deen* and causing them to go astray from the *Sunnah* of their Prophet and his *Sharee'ah* and ruling with the fabricated laws, which oppose the *Islaamic Sharee'ah*. And more importantly, knowing the basis of the *Tawheed*, which Allaah sent His Messenger with and implicating it through knowledge and action and waging war against that which opposes it from *Shirk Al-Akbaar*, which takes you outside the *Milla* or from the types of *Shirk Al-Asgaar*. And like that is the manifestation of the meaning 'Muhammad is the Messenger of Allaah' from ruling with his *Sharee'ah* exclusively and discarding what opposes it from laws and conditions and other things which Allaah did not reveal and that the one who rules with it or takes the judgement to it, believing that it right and believing that it is permissible then he is a *Kaafir* with the *Kufr* which removes one from the *Milla*. And if he does that without believing that and that it is permissible, then he is a *Kaafir* with the *Kufr Al-Amilee*, which does not remove one from the *Milla*." – completed word for word.

So *Al-Shaykh* Muhammad spoke twice about the laws. In the first instance, he said, "...the laws..." and he added to that, "...the fabricated..." and he considered the fabricated laws from the handiwork of the atheists and *Zanadiqah* and Orientalists, who have entered them upon the Muslims. So he encouraged the committee to wage war against it out of defence of the Muslims and he mentioned the fabricated laws here, under the category of the manifestation of '*Uloohiyyah* and the meaning of '*La Illaaha il-Allaah*.' As for the second instance where he mentioned the laws, is was under the category of the manifestation of '*Muhammad Ar-Rasool Allaah*.' And the point of concern here is that he did not add the word "fabricated". Rather, he only added to it other things such as "...laws and conditions and other things which Allaah did not reveal..." So he meant by "...the laws and conditions...", innovations that the innovator adds, which nullifies the manifestation of the following of the Messenger. And he added to these laws and these conditions an explanation because it is from the category of Bid'ah. So he mentioned the laws twice; once in the meanings of the manifestation of the meaning of '*La illaaha il-Allaah*' and once in the meaning of the manifestation of the meaning of '*Muhammad Ar-Rasool Allaah*.' For this, they are two manifestations so their meanings are different. Otherwise, it would have been redundant. Also, in the first, he added to it, "...the fabricated..." and the second is isolated. He only added to it the "...conditions and other things which Allaah did not reveal..." and in this, there was a need of an explanation. In any matter, this is an explanation based upon the positive assumption of the *Shaykh* Muhammad and also based upon his *Fatwaa* concerning the fabricated laws and the fact that we let his words explain one another. This is more fitting than having his words contradict one another and claiming the change of opinion and contradiction and difference.

those others did not admit it and they even denied (their *Kufr*) until it was proven to them. So this is why I did not give them time to repent.' And according to another narration, "Do you know why I asked the Christian to repent? I asked him to repent because he (openly) showed his religion but the *Zandiqah* – those, who required it to be proven to them, rejected (the charge). So I killed them because they denied it until it was proven to them." – Narrated by Ibn Taymiyah in "*As-Saraam al-Mashluul 'ala Shatim ar-Rasool*", Pg. 360

His lying upon our *Shaykh* Muhammad Al-'Ameen Ash-Shanqeetee, may Allaah be merciful to him:

Al-Anbaree quoted in his book "*Al-Hukm bi'Ghayr ma-Anzaal'Allaah wa-Usool at-Takfeer*," on Pg. 70-71 and attempted to dupe (his reader) that *Al-Shaykh* Shanqeetee does not see the fabricated laws as *Kufr* as he narrates the words of our *Shaykh* Ash-Shanqeetee. And he is from the '*Ulaama* that Al-Anbaree claims do not make *Takfeer* concerning the fabricated laws except with *Juhood* and this quotation which he mentions from Ash-Shanqeetee: "And know that the reason for this part of the project is that *Al-Kufr* and *Al-Thulm* and *Al-Fisq*; all of these have been used in the *Shara'* sometimes intending sins and other times, the *Kufr* which removes one from the *Milla*. **'And whosoever does not judge by what Allâh has revealed, such are the *Kâfirûn*,**' opposing the Messengers and abandoning the laws of Allaah, then his *Thulm* and his *Fisq* does not take him outside the *Milla*." However, here he does not even mention the fabricated laws and Al-Anbaree omitted the words of our *Shaykh* Ash-Shanqeetee, which are clear concerning the fabricated laws as he said in his *Tafseer* of *Surat Al-Kahf*, about the *Ayaah*: **'And He makes none to share in His *Hukm*.**' So he said, "And with these Heavenly texts that we have mentioned, it becomes quite clear that the ones who follow the fabricated laws, which the *Shaytaan* has legislated upon the tongues of his '*Auliya* and which oppose that Allaah, *jala-wa'ala* has legislated upon the tongues of His Messengers (pbu them) that no one doubts their *Kufr* and their *Shirk* except him who Allaah has removed his sight and has blinded them to the light of the revelation as they are!" And then Ash-Shanqeetee says immediately, "Take note: Know that it is *Waajib* to differentiate between the invented institutions, which are *Kufr* in the Creator of the Heavens and Earth to judge according to them and between the institutions, which aren't." Then he said, "As for the legislative institutions, which contradict the legislations of the Creator of the Heavens and the Earth, then judging with these is *Kufr* in the Creator of the Heavens and the Earth." Then he mentioned some of their laws concerning inheritance and marriage and *Hudood* and how they oppose the *Shara'*. Then he says, "So ruling by institutions such as these upon individuals and the society and their wealth and their property and minds and *Deen* is *Kufr* in the Creator of the Heavens and the Earth..." So how could he (i.e. Al-Anbaree) omit these clear words concerning the fabricated laws for other than them?!

His lie upon the *Imaam* Ibn Katheer, may Allaah be merciful to him:

As he quotes from him texts, which he uses to deceive (his reader) to show that he (i.e. Ibn Katheer) is among those who do not make *Takfeer* concerning the fabricated laws as he quotes from him on Pg. 69 among those who, he claims, do not make *Takfeer* concerning these laws. Even though Ibn Katheer has clear words concerning the *Yasaaq* of the Tartars stating that it is a collection of fabricated laws and he made *Takfeer* with that – even going as far as narrating an *Ijmaa'* upon this (matter) as he said, may Allaah be merciful to him, in his *Tafseer* of the *Ayaah*: **'Is it the *Hukm* of *Jahiliyyah* that they seek?'** (*Surat Al-Ma'idah*) He said, "Allaah, *ta'ala* makes *Inkaar* (i.e. vehemently objects to) those who turns away from Allaah's *Sharee'ah*; the laws that are good for the Muslims; the laws that forbid what is evil. Allaah rejects those who follow laws of

personal desires and who adopt laws of *Kufr* such as the laws enforced by the Tartars who were under the control of Gengiz Khan, their King. These laws were a mixture of Judaism, Christianity and laws chosen by their King which suited his desires. Should we prefer these laws over the *Sharee'ah* of Allaah and His Prophet **صلى الله عليه وسلم**?! Whoever does this is a *Kaafir* and killing him is *Waajib!*”

And Ibn Katheer said in “*Al-Bidaayah wa Nihaayah*”, Vol. 13/118-119, “So whoever leaves the clear *Sharee'ah*, which was revealed to Muhammad ibn Abdullah, the Seal of the Prophets, and takes the *Hukm* to other than it from the laws of *Kufr* which are abrogated, he has disbelieved. So what about the one who takes the *Hukm* to the ‘*Yasaaq*’ and puts it before it?! Whoever does that, he has disbelieved by the *Ijmaa*’ of the Muslims!”

The other matter is how Al-Anbaree quotes the words of ‘*Ulaama* who did not see the era in which the ruling with fabricated laws were introduced, rather they died before it. So he quotes their words (trying to) mislead and demonstrate that they (i.e. those whom he quotes) were upon his *Meth'haab* in that no one disbelieves with the ruling of the laws unless he makes *Juhood* or makes that *Halaal*.

And this era, which came upon the Muslims – that is the ruling with the fabricated laws, did not occur except in the era of the Tartars during the time of Ibn Taymiyah and Ibn Katheer. So he avoids quoting the words of these two *Imaams*, which (clearly) show the *Kufr* of those who take the *Hukm* to the “*Yasaaq*”. And instead, in his aforementioned book, on page 138, he mentions that the *Takfeer* of Ibn Katheer and Ibn Taymiyah towards the Tartars, was due to them possessing other nullifications besides the “*Yasaaq*” even though the words of Ibn Katheer are clear that the ruling concerning them based upon the “*Yasaaq*”. Then this era fell (upon the Muslims) again and that was the era of ruling with the (fabricated) laws of the West during the military colonisation period of the *Islaamic* world when they brought their courts of law. So the ‘*Ulaama* who lived during this era spoke about it such as *Shaykh* Ahmad Shaakir as he said during his verification of “*Tafseer Ibn Katheer*” of the *Ayaah*: ‘**Is it the *Hukm* of *Jahiliyyah* that the seek?**’ He said, “The matter in these fabricated laws is clear with the clearness of the sun. It is clear *Kufr* and there is nothing hidden about it and there is no excuse for anyone who attributes themselves to *Islaam*, whoever they may be, to act according to it or to submit to it or to approve of it.”

And also, *Al-Shaykh* Mah'moud Shaakir, whom Al-Anbaree attempted to – in his book on page 131 – deceive (the reader) into thinking that he does not make *Takfeer* for the fabricated laws except to the one who rejects (the *Sharee'ah* laws).

Shaykh Mah'moud Shaakir said – and his brother Muhammad Shaakir narrated his words from him in “*Tafseer Ibnu Katheer*”, Mah'moud Shaakir said, “...and their (the *Ibaadheeyah's*) question wasn't about what the innovators of our time argue with. They were asking about the act of the judges in blood, money and property who went away from the *Sharee'ah* occasionally (based upon their occasional whims or desires) not about those who bring about a new legislation of laws upon the people of *Islaam* and

ruling with the *Hukm* of other than what Allaah sent down in His Book or upon the tongue of His Messenger **صلى الله عليه وسلم**. This action is turning away from *Hukm* of Allaah, being displeased with His *Deen* and being influenced by the laws of the people of *Kufr* instead of the laws of Allaah. This is (the type of) *Kufr* that there is no doubt about from the people of the *Qiblah* in declaring *Takfeer* upon the one who says it, does it or calls to it.” And like our *Shaykh* Muhammad bin Ibraheem , when he ruled concerning the fabricated laws and like out *Shaykh* Muhammad Ash-Shanqetee – all of them as well as others from those who lived during the eras of the fabricated laws – it is more deserving that he (i.e. Al-Anbaree) would take from their words concerning the laws. But instead, he brings other words concerning these laws to make one assume that they are upon his *Meth’haab* and his belief that the one who rules with these laws, does not disbelieve except with making it *Halaal* or with the rejection (of the *Sharee’ah* laws), therefore it would only be a major sin. Al-Anbaree even goes further than that to claim that there is *Ijmaa’* that then one who rules by other than what Allaah revealed with the laws in *Tashree’ Al-‘Aam* does not disbelieve except for the one who makes it *Halaal*, knowing that Al-Anbaree does not differentiate between the ruling by other than what Allaah revealed due to desire (i.e. in particular instances) or with the fabricated laws (in general); both of them being the same according to him. And if he narrated the *Ijmaa’*, then he means all of them and he does not differentiate.

But as for the ‘*Ulaama* of *Islaam*, they have differentiated. And if they mention the ruling by other than what Allaah revealed, here they differentiate concerning the one who does it due to desire but if they speak about the fabricated laws, they do not differentiate between the one who makes it *Halaal* and the rejecter or the one who does it due to desire, just as the approval (of this concept) has passed of Muhammad bin Ibraheem. As he said, “As for the one who puts laws in order and to be submitted to, then this is *Kufr* even if they say, ‘We have made a mistake. And the *Hukm* of the *Shara’* is more just,’ because there is a difference between the one who approves and the implication and the reference. They made it a reference and this is *Kufr*, which take one outside the *Milla*.” And like that, is what we have narrated from Ibn Katheer that he made *Takfeer* from them (i.e. the tartars) taking the *Hukm* (to the *Taghoot*) so refer to his saying. And like him, is our *Shaykh* Ash-Shanqetee and the two sons of Shaakir and other than them. All of them did not differentiate concerning the fabricated laws.

This is what we have been able to put together as a refutation against him, quickly and busily and we ask Allaah to guide all towards what he loves and is pleased with and to let Al-Anbaree and the likes of him, from the *Murjiyaat Al-‘Asr* (i.e. the *Murji’yah* of our era). To return to the *Meth’haab* of the *Salaaf* of the *Ummah*. Verily, He is able to do all things. And may Allaah bless our Prophet Muhammad and his family and his companions altogether.

Recited by Hamoud bin ‘Aqlaa’ah Al-Shu’aybee

The teacher formerly in the faculty of the *Sharee’ah* and *Usool Ad-Deen* in the *Islaamic* University Muhammad bin Saud, the branch of Al-Qaseem

20/04/1421 H.

Closing comments:

So we will conclude this project at here and will finalise our position by addressing some issues, which might have entered the mind of the reader during its reading.

Concerning the issue of *Shaykh* Naasir ad-Deen Al-Albaanee, the reader might wonder why we spent so much time quoting and refuting his points in an article which was intended to address a book and series of articles of Khaalid Al-Anbaree. The reason is because of those individuals such as Khaalid Al-Anbaree and other than him who throw his name around and mention how his opinion on the issue of ruling by other than what Allaah revealed, is the same as that of Al-Albaanee, may Allaah be merciful to him. So they hide behind the name of this well-known scholar and imply by association that if we are to hold them as misguided, then this would mean that we are saying the same thing about this scholar (i.e. Al-Albaanee). And for this precise reason we have chosen to address the subject of *Irjaa'* in the teachings of Al-Albaanee in order to illustrate the weakness of this defence which have been employed by Al-Anbaree and other than him. And if it weren't for the constant uttering of the name of the noble *Shaykh* Naasir, may Allaah be merciful to him, then we would not have even raised the issue ourselves. We also chose to quote from the cassette that we came across because it clearly demonstrated Khaalid Al-Anbaree seeing and hearing the *Irjaa'* with his own ears and eyes in the presence of *Shaykh* Naasir and then his claim that this was a scandalous lie. So we have seen clearly who is the liar and who is deluded in this regard and this all came about from the challenges of Al-Anbaree himself so he has no one to blame for this other than himself.

Concerning the sources, which we have quoted from, most of these texts have been quoted from their original locations wherein we collected and searched the indexes of the books for the topics we wished to address and this was a lengthy process indeed. And it was for this very reason, along with the translation and word processing that this project took so long to complete. And some of this material is to be found in the compilations of texts of the '*Ulaama* in the writings of other scholars. But in any case, we have ensured that all references are fully traceable to their original sources for the reader's verification of context and translation. And we encourage the reader who is able, to go to these sources and verify our work.

As for the format, then the reason for our imitation of www.salafipublications.com in their design of the front cover, bolding relevant text and extensive footnotes, then this is nothing less than our wink of recognition to the authors of www.salafipublications.com and the outline in which they chose to spread their corrupt concepts. And we could think of nothing more fitting than to use this identical format to refute, advise and correct them.

Regarding the issue of www.salafipublications.com and what is to be said about them. The truth is that they are, for the most part, upon the truth concerning the various topics of difference in the *Ummah*. However, the issue with them concerning ruling by other than what Allaah has revealed, has become one of the few matters in which they have

strayed from the pure teachings of the *Qur'aan* and the *Sunnah*. And because what they have been taught about this issue has become part and parcel of what they perceive *Salafeeyah* to be, they have instilled in themselves that their position concerning this topic is what defined them as *Salafees* and what divides them from what they perceive as the astray sects. And for this reason, they have invented labels and categories for those who oppose them in this issue. Just look at number of different names, which they have used to revile their opponents: “*Qutubee*”, “*Surooree*”, “*Takfeeree*”, “*Kharaajee*”, “*Political Activist*”, and “*Extremists*”. And this has become a common method from these people in order to discredit the people who differ with them in this issue. And it is precisely this perception that they have of a necessity to attack and revile those who hold the ruler by other than what Allaah revealed, in the sense that he replaces the laws of the *Islaamic Sharee'ah* with the fabricated laws, to be a *Kaafir* – that causes them to set these people in their sights and immediately label him with one of these names. This way, they can maintain the integrity of what they consider *Salafeeyah* and at the same time feel confident that those who they have reviled would not be able to refute them as they hide themselves in the shade of the *Fataawa* of the honourable *Shaykh Abdul-'Azeez Ibn Baaz*, may Allaah be merciful to him, and other than him. So when the *Fatwaa* of the *Lajnaa ad-Da'imah* comes with a swift indictment of the author of one of their most cherished books, and the tables are turned slightly out of their favour, it has left them feeling particularly vulnerable and therefore, they pour on a campaign of support for this author and his concepts and his books in order to feel secure in the cloak of *Salafeeyah* which, according to them, necessitates that the one who rules with fabricated laws is not a *Kaafir* unless he rejects or considers his ruling *Halaal* .

And now that the built-up castles of their own design have begun to crumble with the *Fatwaa* against *Khaalid Al-Anbaree* and the two against 'Alee *Hasaan Al-Halabee*, we see them scurrying about in their confusion and doubts and perhaps this is why we were able to find so much evidence against them from their own articles on their own web site. In any case, we would like to extend the invitation to our brothers at www.salafipublications.com to the truth concerning the issue of ruling by other than what Allaah revealed, *Eemaan* and *Kufr* and *Takfeer*. And we invite them to the correct understanding of the texts of the *Qur'aan* and *Sunnah* which we have complimented with the words of the likes of *Ibn Taymiyah*, *Ibn Katheer*, *Ibn Hazm*, *Ibn Al-Qayyim*, *Muhammad bin Ibraheem*, *Ash-Shanqeetee*, *Ahmad Shaakir* and other than them, may Allaah be merciful to them all.

But we caution you that if you insist upon this doomed course that you have set yourselves upon, then we will oppose and refute you with every method available. And if we fall short in this task, then others will come and replace us in this undertaking because the Messenger of Allaah **صلى الله عليه وسلم** said, “A group from my *Ummah* will continue to fight upon the truth and remain victorious until the Day of Judgement.”¹⁷³

And Allaah, *ta'ala* said:

¹⁷³ Narrated by *Bukhaaree* and *Muslims* in their “*Saheehs*” and by others with multiple wordings; the above being the phrasing of *Muslim*.

وَلْتَكُنْ مِنْكُمْ أُمَّةٌ يَدْعُونَ إِلَى الْخَيْرِ وَيَأْمُرُونَ بِالْمَعْرُوفِ وَيَنْهَوْنَ عَنِ
الْمُنْكَرِ وَأُولَئِكَ هُمُ الْمُفْلِحُونَ

Let there arise out of you a group of people inviting to all that is good (Islâm), enjoining *Al-Ma'rûf* (i.e. Islâmic Monotheism and all that Islâm orders one to do) and forbidding *Al-Munkar* (polytheism and disbelief and all that Islâm has forbidden). And it is they who are the successful. ¹⁷⁴

And if what has been presented herein is correct and good, then it is from Allaah alone, the Sustainer, the Self-Subsisting. And whatever mistakes exist herein, then verily they are from myself and the *Shaytaan*, the rejected, the accursed. And I close with the words: “*Al-Hamdu li’llaah ar-Rabil-‘Alameen.*”

Your brother,
Abu Huthayfah Yousef Al-Canadee
Dhul-Qa’dah, 9/1421

¹⁷⁴ *Surat Ahl’i-Imraan*, 104