

قُبُولُ الْإِسْلَامِ الظَّاهِرِ وَعَدَمُ إِعْتِبَارِ الْإِحْتِمَالَاتِ وَالظُّنُونِ

Accepting the outwardly Islām and not
looking into possibilities and assumptions

Introduction

In the Name of Allāh the most Merciful the most Beneficent.

As it is well-known for those who have read the text's shared by Al-Aqeedah, then in the book shared with the name "This is our religion" and the articles about Al-Islām Al-Hukmī (An-Nas, Ad-Dalaalah and At-Tab'iyyah) the opinion of not accepting the saying of *La ilāha illa Allāh*, the prayer or other outwardly signs of Islām as evidence for giving a person the judgment of Islām outwardly in dunyā – and that is applying the judgments for a Muslim upon him, such as inheriting from him, marriage, praying behind him etc. – has been described as an acceptable opinion based upon quotes by the scholars. From the conclusions given at the end of the articles the following quotes can be found:

*"Therefor saying 'La ilāha illa Allāh' or 'I am a Muslim' can never be taken as an evidence for Islām due to the **high likelihood and possibility** that they intend that the religion which they are upon now – which includes major shirk – is Islām."*

And:

"The second thing which can be concluded is that whenever something is common between the Muslims and the kuffār – and there through this common feature between the two parties arises a doubt if the person performing it is a Muslim or a kāfir – then it is a valid opinion no longer to accept this appearance or act of worship as a sign of Islām since it is no longer something which is specific for the Muslim muwahhid."

And many other things that points to the fact, that the one giving the *hukm* of Islām to another person, must be convinced that the person has the right '*aqīdah* before giving the *hukm* of Islām.

But after *nasīha* from well-wishing brothers and a further look into the subject, I found that the conclusions that has been made contradicts the clear evidences from the Qurān, the *Sunnah* and the understanding of the *salaf*.

There is no doubt that the person who has shown *shirk* or *kufr*, either in speech or in deeds, such as him invoking others than Allāh, voting in democratic elections, claiming the *mushrik* is excused in ignorance and therefor he is still a Muslim until the *hujjah* has been established, or other things that are from *nawāqid al-Islām*, then he is *kāfir*. Regarding this person, then there is no problem that if he should come to us claiming Islām, that we demand from him that he comes into Islām by rejecting the *kufr* he previously has been on. But as for the one whom we don't know any *kufr* or *shirk* from, then the *Shar'* (Islāmic Law) has obliged us to judge him solely upon the apparent which he shows without looking at his inner reality.

By deviating from this principle I have fallen into “*at-takfir bil-‘umūm*” (making general *takfir*) which is a *bid’ah* in Islām. Furthermore a condition which is not in the book of Allāh, nor in the Sunnah of His Messenger (*sallAllāhu alayhi wa sallam*) has been invented when giving the *hukm* of Islām to a person. And that is that the unknown person who claims to be a Muslim must bring proof for the reality of his claim before it is accepted.

Since I am the one who has published these text, I am also the one who is responsible for admitting my mistake, publicly disassociating myself from it and taking back whatever I have said of mistakes (since the mistake has been public), and then describing the truth solely based upon the Qurān and *Sunnah* and the understanding of the *salaf*.

But before doing that I would like to point out the mistakes that I have recognized that I have made in this process in order for the attentive heart to take heed whether or not he has fallen into the same mistakes with regards to finding the truth in a *masalah* which is presented to him.

The first mistake is, that I adopted the described belief regarding *al-Islām al-hukmī* without paying attention to the *madhhab* of the *salaf* in this issue. Rather all argumentation must be based upon the Qurān, the *Sunnah* and the understanding of the *salaf*. The *salaf* are the safe return when it comes to the correct understanding of the religion and the evidences. Al-Awzā’ī – *rahimahullāh* – said:

اصْبِرْ نَفْسَكَ عَلَى السُّنَّةِ وَقِفْ حَيْثُ وَقَفَ الْقَوْمُ وَقُلْ بِمَا قَالُوا ، وَكُفَّ عَمَّا كَفُّوا عَنْهُ وَاسْأَلْكَ سَبِيلَ سَلْفِكَ الصَّالِحِ فَإِنَّهُ يَسْعَاكَ مَا وَسِعَهُمْ

“And have patience upon the Sunnah. And stop where the people stopped. And say what they said, and withhold from what they withheld from. And walk upon the path of your righteous salaf. Because what was enough for them is verily (also) enough for you.”

(Hilah Al-Awliyā – Hadīth number 8257)

I furthermore studied the books of the people of *bida’* when looking into the issue. The book “This is our religion” – which is the first book which I read that argued for this opinion – is written by ‘Abdul-Hakam Al-Qahtānī who claims that whoever does not declare *takfir* upon all the populations of today he is *kāfir* in *aslud-dīn*, which is clear extremism and a huge mistake. So this is the result of studying the book of the people of *bida’*; that their dirt inevitable will hit you in one way or the other, when you look in their books or listen to their speech. May Allāh have mercy upon the *salaf* who warned us against this. ‘Abdullāh ibn Imām Ahmad – *rahimahumullāh* – narrated in his “Sunnah”:

وَقَالَ ابْنُ طَاوُسٍ لِابْنِ لَهُ وَتَكَلَّمَ رَجُلٌ مِنْ أَهْلِ الْبِدْعِ: «يَا بُنَيَّ أَذْجَلُ أَصْبَعَيْكَ فِي أذُنَيْكَ حَتَّى لَا تَسْمَعَ مَا يَقُولُ»، ثُمَّ قَالَ: «اشْدُدْ اشْدُدْ»،

“And Ibn Tāwūs said to one of his sons while a man from the people of bida’ was speaking: ‘O my son. Put your two fingers in your ears so you cannot hear what he is saying.’ Then he said: ‘Squeeze, squeeze.’”

The second mistake is, that first I believed and then I investigated, instead of investigating first and then believing. There is no doubt that the one who puts his mind on a certain belief and then looks for evidences and arguments to back up his beliefs will be blinded and limited in his search. While the one who investigates and then believes will be open-minded and studying the issue without any restrictions or preferences and his heart will set upon what it finds closest to the truth.

And there in my blindness I misinterpreted the texts, and when reading the quotes of the scholars who would say:

If he is from the Jews, then he has to...

And if he is from the Christian, then he has to...

And if he is from the ones who rejects this and this, then he has to...

If the kāfir prays in dār al-harb then...

I would not recognize that all these quotes are regarding a person whose religious situation is known, while we are speaking about the unknown person. Of course the one who publicly says: ‘I believe democracy is allowed and a way for the Muslims today to have a voice in society’, while he says *Lā ilāha illa Allāh* and prays and claims to be a Muslim, then naturally there is an argument for demanding that he disassociates himself from his previous beliefs, before judging him as a Muslim. But when no *shirk* and no *kufr* has been seen or heard from a person, then the situation is different.

The third mistake is, that I did not establish the clear border between *Al-Islām al-hukmī* (the outwardly judgement of Islām in *dunyā*) and *Al-Islām al-haqīqī* (the reality of Islām which saves a person from hell-fire in the *ākhirah*). Because verily – as it will be made clear in this text – have the evidences made a clear border and difference between *Islām al-hukmī* and *Islām al-haqīqī*. *Islām al-hukmī* is that which makes a person’s blood and wealth forbidden in *dunyā*, and the rest of the outwardly judgements of a Muslim is applied upon him while he in fact may be a *munāfiq* which will be in the lowest pit of hell-fire. *Islām al-haqīqī* on the other hand, is the reality of *Tawhīd* which only Allāh knows regarding a person. Does he have *ikhlas* (sincerity) in his saying of *Lā ilāha illa Allāh*, does he have *sidq* (truthfulness), *‘ilm* (knowledge), *qabūl* (acceptance), *inqiyād* (submission), *mahabbah* (love) and *yaqīn* (full

certainty). We can never know for sure because these are internal deeds of a person. So when we say: 'Did he understand Tawhīd?' or 'Does he know the meaning of *Lā ilāha illa Allāh*?' or 'Did he reject *tāghūt*' or 'Is he sincere in his Tawhīd?', or 'He only said it because his friends did', then we are searching to see what is in his heart and his inner self, while all these issues are from the reality of Islām and has nothing to do with *Islām al-hukmī*.

The only way to declare with certainty that a person did not understand Tawhīd or that he is not acting upon it or that he has only said the *shahādah* without fulfilling its meaning is if he shows from himself a *nāqid* (nullifier) which breaks his testimony of *Lā ilāha illa Allāh*, such as:

- If he publicly commits the major *shirk*.
- If he refuses to declare *takfīr* upon a person who commits major *shirk*, whether the person is theoretical or an actual person. Excusing the *mushrik* in ignorance by claiming he is a Muslim until the argument is established upon him falls under this point.
- If he defends or argues for the validity of the way of those who commits major *shirk*. Such as saying choosing the way of democracy to achieve *Sharī'ah* is acceptable.
- If he criticizes the people of Tawhīd for their *takfīr* upon the *mushrikūn* and claims this is from the extremism.
- If he defends or argues for any *tāghūt* in his *tughyān* (transgression).

And other things that outwardly shows that his uttering of *Lā ilāha illa Allāh* is without 'ilm, *yaqīn*, *sidq*, *qabūl*, *inqiyād*, *ikhhlās* and *mahabbah*.

But until he shows this from himself, then declaring *takfīr* upon the one who says *Lā ilāha illa Allāh Muhammadu RasulAllāh* and performs the outwardly rituals of Islām, is merely based upon possibilities and assumptions which is strictly forbidden in this issue as it will become clear in the rest of this text.

I ask Allāh to accept my retraction, to remove the burden of what I previously has said from me and to guide me to what He is pleased with and what He loves. Because verily Allāh knows while we do not know, and Allāh legislate while we do not legislate and Allāh is the Forgiver of all sins. *Allāhumma āmīn*.

Abū Hājar

Chapter: The difference between *Al-Islām al-hukmī* and *Al-Islām al-haqīqī*

Allāh The Exalted said:

قَالَتِ الْأَعْرَابُ آمَنَّا ۗ قُلْ لَمْ تُؤْمِنُوا وَلَكِنْ قُولُوا أَسْلَمْنَا وَلَمَّا يَدْخُلِ الْإِيمَانُ فِي قُلُوبِكُمْ

"The Bedouins said: 'We have believed.' Say (to them O Muhammad): 'You have not believed, but instead say: We have submitted ourselves (to Islām).' Because the belief has not yet entered your hearts." (Al-Hujurāt 49:14)

Ibn Kathīr – *rahimahullāh* – says in his *tafsīr* of the verse:

يَقُولُ تَعَالَى مُنْكَرًا عَلَى الْأَعْرَابِ الَّذِينَ أَوَّلَ مَا دَخَلُوا فِي الْإِسْلَامِ ادَّعَوْا لِأَنْفُسِهِمْ مَقَامَ الْإِيمَانِ ، وَلَمْ يَتِمَّ كُنْ الْإِيمَانُ فِي قُلُوبِهِمْ بَعْدُ (: قَالَتِ الْأَعْرَابُ آمَنَّا ۗ قُلْ لَمْ تُؤْمِنُوا وَلَكِنْ قُولُوا أَسْلَمْنَا وَلَمَّا يَدْخُلِ الْإِيمَانُ فِي قُلُوبِكُمْ) . وَقَدْ اسْتَفِيدَ مِنْ هَذِهِ الْآيَةِ الْكَرِيمَةِ : أَنَّ الْإِيمَانَ أَخْصُ مِنَ الْإِسْلَامِ كَمَا هُوَ مَذْهَبُ أَهْلِ السُّنَّةِ وَالْجَمَاعَةِ ، وَيَدُلُّ عَلَيْهِ حَدِيثُ جِبْرِيلَ ، عَلَيْهِ السَّلَامُ ، حِينَ سَأَلَ عَنِ الْإِسْلَامِ ، ثُمَّ عَنِ الْإِيمَانِ ، ثُمَّ عَنِ الْإِحْسَانِ ، فَتَرَقَّى مِنَ الْأَعْمِ إِلَى الْأَخْصِ ، ثُمَّ لِلْأَخْصِ مِنْهُ .

"Allāh – the Exalted – says while rejecting the Bedouins who in the beginning of them entering into Islām then claimed the level of imān for themselves, but the imān was not established in their hearts yet. "The Bedouins said: 'We have believed.' Say (to them O Muhammad): 'You have not believed, but instead say: We have submitted ourselves (to Islām).' Because the belief has not yet entered your hearts." And verily can it be benefitted from this Noble Verse: that imān is more specific than Islām, just as it is in the madhhab of Ahlu-Sunnah wal-Jamā'ah. And the hadīth of Jibrīl (alayhi as-salām) proves this, when he asked about Islām, then about imān and then about ihsān. So he went from the general to that which is more specific, and then to that which is (even) more specific than that.

قَالَ الْإِمَامُ أَحْمَدُ : حَدَّثَنَا عَبْدُ الرَّزَّاقِ ، أَحْبَبْنَا مَعْمَرٌ ، عَنِ الزُّهْرِيِّ ، عَنْ عَامِرِ بْنِ سَعْدِ بْنِ أَبِي وَقَّاصٍ ، عَنْ أَبِيهِ قَالَ : أَعْطَى رَسُولُ اللَّهِ - صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ - رِجَالًا وَمَنْ يُعْطِ رِجَالًا مِنْهُمْ شَيْئًا ، فَقَالَ سَعْدٌ : يَا رَسُولَ اللَّهِ ، أَعْطَيْتَ فُلَانًا وَفُلَانًا وَمَنْ تُعْطِ فُلَانًا شَيْئًا ، وَهُوَ مُؤْمِنٌ ؟ فَقَالَ النَّبِيُّ - صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ - : " أَوْ مُسْلِمٌ " حَتَّى أَعَادَهَا سَعْدٌ ثَلَاثًا ، وَالنَّبِيُّ - صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ - يَقُولُ : " أَوْ مُسْلِمٌ " ثُمَّ قَالَ النَّبِيُّ - صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ - : " إِنِّي لَأُعْطِي رِجَالًا وَأَدْعُ مَنْ هُوَ أَحَبُّ إِلَيَّ مِنْهُمْ فَلَمْ أُعْطِهِ شَيْئًا ؛ مَخَافَةَ أَنْ يُكْتَبُوا فِي النَّارِ عَلَى وُجُوهِهِمْ . " أَخْرَجَاهُ فِي الصَّحِيحَيْنِ مِنْ حَدِيثِ الزُّهْرِيِّ ، بِهِ . فَقَدْ فَرَّقَ النَّبِيُّ - صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ - بَيْنَ الْمُسْلِمِ وَالْمُؤْمِنِ ، فَدَلَّ عَلَى أَنَّ الْإِيمَانَ أَخْصُ مِنَ الْإِسْلَامِ .

Imām Ahmad said: 'Abdur-Razzāq narrated to us (and said): Ma'mar informed us, from Az-Zuhrī, from 'Āmir ibn Sa'd ibn Abū Waqqās, from his father who said: "The Messenger of Allāh (sallAllāhu alayhi wa sallam) gave (some ghanīmah) to some men while he didn't give

anything to one man among them. So Sa'd said: 'O Messenger of Allāh. You gave this and this person, but you did not give this person anything, and he is a Mumin (believer).' So the Prophet (sallAllāhu alayhi wa sallam) said: 'Or (he is) a Muslim?' Until Sa'd repeated it three times, and the Prophet (sallAllāhu alayhi wa sallam) would say: 'Or (he is) a Muslim?' Then the Prophet (sallAllāhu alayhi wa sallam) said: 'I verily give some men while I leave those who are more beloved to me among them and I don't give them anything, out of fear that they will be thrown on their faces in the fire.'" They (i.e. Al-Bukhārī and Muslim) narrated it in the two Sahīh, from the hadīth of Az-Zuhrī.

So the Prophet (sallAllāhu alayhi wa sallam) made a difference between the Muslim and the Mumin. So this proves that Iman is more specific than Islām."

(Tafsīr Ibn Kathīr – Surah Al-Hujurāt)

'Ubayd-Allāh ibn 'Adī ibn Al-Khiyār narrated:

بَيْنَا رَسُولُ اللَّهِ - صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ - جَالِسٌ بَيْنَ ظَهْرَانِي أَصْحَابِي ، إِذْ جَاءَهُ رَجُلٌ فَسَأَرَهُ ، فَلَمْ يَدْرِ مَا سَأَرَهُ بِهِ حَتَّى جَهَرَ رَسُولُ اللَّهِ - صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ - فَإِذَا هُوَ يَسْتَأْذِنُ فِي قَتْلِ رَجُلٍ مِنَ الْمُنَافِقِينَ ، فَقَالَ رَسُولُ اللَّهِ - صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ - حِينَ جَهَرَ : " أَلَيْسَ يَشْهَدُ أَنْ لَا إِلَهَ إِلَّا اللَّهُ وَأَنَّ مُحَمَّدًا رَسُولُ اللَّهِ ؟ فَقَالَ الرَّجُلُ : بَلَى وَلَا شَهَادَةَ لَهُ . قَالَ : أَلَيْسَ يُصَلِّي ؟ قَالَ : بَلَى وَلَا صَلَاةَ لَهُ ، فَقَالَ رَسُولُ اللَّهِ - صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ - " أَوْلَيْكَ الَّذِينَ هَانِي اللَّهُ عَنْهُمْ . "

"While the Messenger of Allāh (sallAllāhu alayhi wa sallam) was sitting amongst his companions a man came to him and informed him about a secret. And it was not known what he said to him in secret until the Messenger of Allāh (sallAllāhu alayhi wa sallam) spoke out loud, and he (i.e. the man) was asking for permission to kill a man from the hypocrites. So the Messenger of Allāh (sallAllāhu alayhi wa sallam) said when he spoke out loud: 'Does he not bear witness to Lā ilāha illa Allāh and that Muhammad is Allāh's Messenger?' So the man said: 'Yes, but he has no shahādah (i.e. it is not valid).' He said: 'Does he not pray?' He said: 'Yes, but he has no prayer (i.e. it is not valid).' So the Messenger of Allāh (sallAllāhu alayhi wa sallam) said: 'These are the ones whom Allāh has prohibited me from.'"

(Mālik's Mutawatta, Musnad Imām Ahmad)

Ibn 'Abd Al-Barr – rahimahullāh – said in his explanation of this hadīth:

وَفِي قَوْلِ رَسُولِ اللَّهِ - صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ - " : - أَوْلَيْكَ الَّذِينَ هَانِي اللَّهُ عَنْهُمْ " رَدٌّ لِقَوْلِ الْقَائِلِ لَهُ : بَلَى وَلَا صَلَاةَ ، بَلَى وَلَا شَهَادَةَ لَهُ ؛ لِأَنَّ رَسُولَ اللَّهِ - صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ - قَدْ أُثْبِتَ لَهُ الشَّهَادَةُ وَالصَّلَاةَ ، ثُمَّ أَحْبَرَ أَنَّ اللَّهَ - عَزَّ وَجَلَّ - هَاهُ عَنِ قَتْلِ مَنْ هَدِيهِ صِفْتُهُ ، وَأَنَّهُ

لَا يُكَلِّفُ أَكْثَرَ مِنْ أَنْ يُبَيِّنَ ظَاهِرًا وَيُصَلِّيَ ظَاهِرًا ، وَحَسَابُهُ عَلَى اللَّهِ ، فَإِنْ كَانَ ذَلِكَ صَادِقًا مِنْ قَلْبِهِ يَبْتَغِي بِهِ وَجْهَ اللَّهِ دَخَلَ الْجَنَّةَ ، وَمَنْ خَادَعَ بِمَا فَهُوَ مُتَافِقٌ فِي الدَّرَكِ الْأَسْفَلِ مِنَ النَّارِ ، وَلَا يَجُوزُ قَتْلُهُ مَعَ إِظْهَارِهِ الشَّهَادَةَ

"And in the saying of the Messenger of Allāh (sallAllāhu alayhi wa sallam): 'These are the ones whom Allāh has prohibited me from.' There is an answer to those who say to him: 'Yes but he has no prayer' (and) 'Yes, but he has no shahādah', because the Messenger of Allāh (sallAllāhu alayhi wa sallam) verily established both the shahādah and the prayer for him. Then he informed that Allāh – 'azza wa jalla – prohibited him from killing those who are with this description, and that he is not responsible for more than him acknowledging (the religion) outwardly and prayer outwardly, and (then) his account is with Allāh. Then if he is truthful in his heart, and he seeks the Face of Allāh then he will enter paradise. And whoever betrays with these two things then he is a munāfiq in the lowest dark pit in the fire. And it is not allowed to kill him while he is expressing the shahādah."

(Al-Istidhkār Al-Jāmi' Li Madhāhib Fuqahā Al-Amsār)

Sufyān Ath-Thawrī – rahimahullāh – said:

النَّاسُ مُسْلِمُونَ ، مُؤْمِنُونَ فِي أَحْكَامِهِمْ وَمَوَارِيثِهِمْ وَالصَّلَاةِ عَلَيْهِمْ ، وَالصَّلَاةِ خَلْفَهُمْ ، لَا يُحَاسَبُ الْأَحْيَاءُ ، وَلَا يُفْضَى عَلَى الْأَمْوَاتِ ، فَتَسْمَعُ بِالشَّدِيدِ ، فَتَخْشَاهُ ، وَتَسْمَعُ بِاللَّيِّنِ فَتَرْجُوهُ ، وَتَكِلُ عِلْمَ مَا لَا نَعْلَمُ إِلَى اللَّهِ تَبَارَكَ وَتَعَالَى . "

"The people are Muslims, believers in their judgments, their inheritance, the prayer upon them and the prayer behind them. The living are not held accountable and the dead are not judged. So we hear about the severe, then we fear it. And we hear about the softness, then we wish for it. And we leave the knowledge about what we do not know to Allāh the Blessed and Exalted."

(Al-Ibānah Al-Kubrā by Ibn Battah 2/872)

Al-Fudayl ibn 'Iyyad – rahimahullāh – said:

سَمِعْتُ سُفْيَانَ الثَّوْرِيَّ يَقُولُ: مَنْ صَلَّى إِلَى هَذِهِ الْقِبْلَةِ فَهُوَ عِنْدَنَا مُؤْمِنٌ وَالنَّاسُ عِنْدَنَا مُؤْمِنُونَ بِالْإِقْرَارِ وَالْمَوَارِيثِ وَالْمُنَاحِحِ وَالْحُدُودِ وَالذَّبَائِحِ وَالتُّسْلُكِ وَهُمْ ذُنُوبٌ وَخَطَايَا اللَّهُ حَسِيبُهُمْ إِنْ شَاءَ عَذَّبَهُمْ وَإِنْ شَاءَ عَفَرَ لَهُمْ، وَلَا نَدْرِي مَا هُمْ عِنْدَ اللَّهِ عَزَّ وَجَلَّ،

"I heard Sufyān Ath-Thawrī say: 'Whoever prays towards this qiblah then for us he is a believer. And the people for us are believers through acknowledgement (of faith), inheritance, marriage, punishments, slaughtering and sacrifices. And they have sins and mistakes. Allah is their Reckoner, if He wants He punishes them and if He wants He forgives them. And we do not know what they are (i.e. in hukm) for Allah.'"

(As-Sunnah by 'Abdullāh ibn Imām Ahmad)

Abū Al-Qāsim Al-Lālakāī – rahimahullāh – said:

أَنَا الْحَسَنُ بْنُ عُثْمَانَ ، أَنَا أَحْمَدُ ، قَالَ : نَا بَشْرُ بْنُ مُوسَى ، قَالَ : نَا مُعَاوِيَةُ ، قَالَ : نَا أَبُو إِسْحَاقَ ، قَالَ : " سَأَلْتُ الْأَوْزَاعِيَّ ، قُلْتُ : أَرَى أَنْ يَشْهَدَ الرَّجُلُ عَلَى نَفْسِهِ أَنَّهُ مُؤْمِنٌ ؟ قَالَ : وَمَنْ يَقُولُ هَذَا ؟ قُلْتُ : وَكَيْفَ يَقُولُ ؟ قَالَ : يَقُولُ أَرْجُو ، وَلَكِنَّهُمْ الْمُسْلِمُونَ نَحْلُ مُنَاكَحْتُهُمْ وَذَبَائِحُهُمْ ، وَتَجْرِي عَلَيْهِمُ الْخُدُودَ ، وَهُمْ فِي الْأَسْمِ عِنْدَنَا مُسْلِمُونَ ، وَلَا نَدْرِي مَا يَصْنَعُ اللَّهُ بِهِمْ ، وَلَا أَشْهَدُ عَلَى أَحَدٍ بَعْدَ رَسُولِ اللَّهِ - صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ - بِالنَّجَاةِ .

"Al-Hasan ibn 'Uthman narrated to us from Ahmad: From Bishr ibn Mūsā who said: Mu'āwiyah narrated to us and said: Abū Ishāq narrated to us and said: I asked Al-Awzā'ī and said: 'Do you see that a man should bear witness for himself that he is a Mumin (believer)?' He said: 'And who says this?' I said: 'Then how should he say?' He said: 'He should say I wish (to be a believer). Instead they are Muslims with whom it is permissible to marry and eat their slaughter, and the punishments are applied upon them, and they with us are Muslims by name, but we do not know what Allāh will do with them, and I do not testify for anyone after the Messenger of Allāh (sallAllāhu alayhi wa sallam) with salvation (from the fire)."

(Sharh Usūl Al-I'tiqād Ahl As-Sunnah Wa Al-Jamā'ah 5/1054)

Ibn Taymiyyah – rahimahullāh – said:

قبول الإسلام الظاهر يجري على صاحبه أحكام الإسلام الظاهرة: مثل عصمة الدم، والمال، والمناكحة، والمورثة، ونحو ذلك. وهذا يكفي فيه مجرد الإقرار الظاهر، وإن لم يعلم ما في باطن الإنسان. كما قال صلى الله عليه وسلم: «إذا قالوها عصموا مني دماءهم وأموالهم إلا بحقها، وحسابهم على الله.» «وقال: «إني لم أؤمر أن أنقب عن قلوب الناس ولا أن أشق بطونهم.»

ولهذا يقاتل الكافر حتى يسلم أو يعطي الجزية، فيكون مكرهاً على أحد الأمرين. ومن قال: لا تؤخذ الجزية من وثني قال: إنه يقاتل حتى يسلم. وأما الإيمان الباطن الذي ينجي من عذاب الله في الآخرة، فلا يكفي فيه مجرد الإقرار الظاهر، بل قد يكون الرجل مع إسلامه الظاهر منافقاً، وقد كان على عهد رسول الله صلى الله عليه وسلم منافقون، وقد ذكرهم الله تعالى في القرآن في غير هذا موضع، وميز سبحانه بين المؤمنين والمنافقين في غير موضع.

"(By) accepting the outwardly Islām the outwardly judgments of Islām are applied upon the person such as the protection of the blood, then wealth, marriage, inheritance and similar to this. And regarding this then the mere outwardly acknowledgment is enough even if it is not known what is in the inner of a person (i.e. his real beliefs). Just like he (sallAllāhu alayhi wa sallam) said: 'Then if they say it, then they have protected their blood and wealth from me, except by its right. And their account is with Allāh.' And he said: 'I have verily not been ordered to pierce open the hearts of people, nor that I split open their bellies.'

And due to this the kāfir is fought until he becomes a Muslim or he pays the jizyah. So he is forced to do one of the two things. And whoever said: 'The jizyah is not taken from an idol-worshipper.' He said: 'He is fought until he becomes a Muslim.' But regarding the inner īmān which saves a person from the punishment of Allāh in the āakhirah, then there mere outwardly acknowledgement is not enough. Rather a man may be a munāfiq while showing Islām outwardly. And verily in the time of the Messenger (sallAllāhu alayhi wa sallam) there were munāfiqūn. And verily did Allāh mentioned them more than one place in the Qurān, and He – the Praised – distinguished between believers and the munāfiqūn more than one place."

(Dar At-Ta'ārud Al-'Aql wa An-Naql 7/434-435)

Chapter: People are solely judged based upon the *dhāhir* (apparent/outwardly)

The Messenger of Allāh (sallAllāhu alayhi wa sallam) said:

أُمِرْتُ أَنْ أَقَاتِلَ النَّاسَ حَتَّى يَقُولُوا لَا إِلَهَ إِلَّا اللَّهُ ، فَإِذَا قَالُواهَا عَصَمُوا مِنِّي دِمَاءَهُمْ وَأَمْوَالَهُمْ ، إِلَّا بِحَقِّهَا ، وَحَسَابُهُمْ عَلَى اللَّهِ عَزَّ وَجَلَّ

“I have been ordered to fight the people until they say Lā ilāha illa Allāh. So if they say it then they have protected their blood and wealth from me, except by its right, and their account is with Allāh.”

(Sahīh Al-Bukhārī, Sahīh Muslim and others)

And in another version:

أُمِرْتُ أَنْ أَقَاتِلَ النَّاسَ حَتَّى يَشْهَدُوا أَنَّ لَا إِلَهَ إِلَّا اللَّهُ ، وَأَنَّ مُحَمَّدًا رَسُولُ اللَّهِ ، وَيُقِيمُوا الصَّلَاةَ ، وَيُؤْتُوا الزَّكَاةَ ، فَإِذَا فَعَلُوا ذَلِكَ ، عَصَمُوا مِنِّي دِمَاءَهُمْ وَأَمْوَالَهُمْ ، إِلَّا بِحَقِّ الْإِسْلَامِ ، وَحَسَابُهُمْ عَلَى اللَّهِ تَعَالَى

“I have ordered to fight the people until they testify to Lā ilāha illa Allāh and that Muhammad is the Messenger of Allāh, and they establish the prayer and they pay the zakāt. Then if they do this then they have protected their blood and wealth from me, except by the right of Islām, and their account is with Allāh the Exalted.”

Ibn Rajab – *rahimahullāh* – said in in the explanation of this *hadīth*:

وَمِنَ الْمَعْلُومِ بِالضَّرُورَةِ أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ كَانَ يَقْبَلُ مِنْ كُلِّ مَنْ جَاءَهُ يُرِيدُ الدُّخُولَ فِي الْإِسْلَامِ الشَّهَادَتَيْنِ فَقَطْ، وَيَعْصِمُ دَمَهُ بِذَلِكَ، وَيَجْعَلُهُ مُسْلِمًا، فَقَدْ «أُنْكَرَ عَلَى أُسَامَةَ بْنِ زَيْدٍ قَتْلَهُ لِمَنْ قَالَ: لَا إِلَهَ إِلَّا اللَّهُ لَمَّا رَفَعَ عَلَيْهِ السَّيْفَ، وَاشْتَدَّ نَكِيرُهُ عَلَيْهِ»

“And what is known by necessity is, that the Prophet (sallAllāhu alayhi wa sallam) used to accept from everyone who came to him who wanted to enter into Islām, only the two testimonies. And by that he would protect his blood and consider him as a Muslim. Because he verily rejected for Usāmah bin Zayd that he killed the one who said: Lā ilāha illa Allāh, when he lifted the sword against him. And he was severe in his rejection towards him.”

(Jāmi’ Al-‘Ulūm wa Al-Hikam 1/228)

And he – *rahimahullāh* – also said:

وَهَذَا الَّذِي قَرَرْنَاهُ يَطْهَرُ الْجَمْعَ بَيْنَ أَلْفَاظِ أَحَادِيثِ هَذَا الْبَابِ، وَيَتَبَيَّنُ أَنَّ كُلَّهَا حَقٌّ، فَإِنَّ كَلِمَتِي الشَّهَادَتَيْنِ بِمُجَرَّدِهِمَا تَعْصِمُ مَنْ أَتَى بِهِمَا، وَيَصِيرُ بِذَلِكَ مُسْلِمًا، فَإِذَا دَخَلَ فِي الْإِسْلَامِ، فَإِنَّ أَقَامَ الصَّلَاةَ، وَآتَى الزَّكَاةَ، وَقَامَ بِشَرَائِعِ الْإِسْلَامِ، فَلَهُ مَا لِلْمُسْلِمِينَ، وَعَلَيْهِ مَا عَلَيْهِمْ، وَإِنْ أَخْلَى بِشَيْءٍ مِنْ هَذِهِ الْأَرْكَانِ، فَإِنْ كَانُوا جَمَاعَةً هُمْ مَنَعَةٌ فُوتُوا.

“And that which we have established shows the gathering of the words of the ahādīth on this subject, and it clarifies that they are all truth. Because verily the two testimonies alone protects the one who comes with them and he becomes a Muslim by that. So when he enters Islām, then if he prays and pays the zakāt and establishes the rituals of Islām, then he will have what the Muslims have (of rights), and upon him is what is upon them (of obligations). Then if he leaves out any of these pillars (then he is killed), and if they have a jamā’ah who refuses, then they are fought.”

(Jāmi’ Al-’Ulūm wa Al-Hikam 1/230)

And he – *rahimahullāh* – also said:

وَبِئْسَ صَاحِبٌ مُّسْلِمٍ " عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ أَنَّ «النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ دَعَا عَلِيًّا يَوْمَ خَيْبَرَ، فَأَعْطَاهُ الرَّايَةَ وَقَالَ: امشِ وَلَا تَلْتَفِتْ حَتَّى يَفْتَحَ اللَّهُ عَلَيْكَ فَسَارَ عَلِيٌّ شَيْئًا، ثُمَّ وَقَفَ، فَصَرَخَ: يَا رَسُولَ اللَّهِ، عَلَى مَاذَا أُقَاتِلُ النَّاسَ؟ فَقَالَ: قَاتِلُهُمْ عَلَى أَنْ يَشْهَدُوا أَنْ لَا إِلَهَ إِلَّا اللَّهُ، وَأَنَّ مُحَمَّدًا رَسُولُ اللَّهِ، فَإِذَا فَعَلُوا ذَلِكَ، فَقَدْ عَصَمُوا مِنْكَ دِمَاءَهُمْ وَأَمْوَالَهُمْ إِلَّا بِحَقِّهَا، وَحَسَابُهُمْ عَلَى اللَّهِ عَزَّ وَجَلَّ» فَجَعَلَ يُجَرِّدُ الْإِجَابَةَ إِلَى الشَّهَادَتَيْنِ عِصْمَةً لِلنَّفُوسِ وَالْأَمْوَالِ إِلَّا بِحَقِّهَا، وَمَنْ حَقَّقَهَا الْإِمْتِنَاعَ مِنَ الصَّلَاةِ وَالرَّكَاةِ بَعْدَ الدُّخُولِ فِي الْإِسْلَامِ كَمَا فَهَمَهُ الصَّحَابَةُ رَضِيَ اللَّهُ عَنْهُمْ.

“And in Sahīh Muslim, from Abū Hurayrah (radiAllāhu ‘anhu) that the Prophet (sallAllāhu alayhi wa sallam) called ‘Ali on the day of Khaybar, then he gave him the flag and said to him: ‘Go, and do not turn until Allāh will give you victory.’ So ‘Alī went a bit then he stopped and said with a loud voice: ‘O Messenger of Allāh. Upon what should I fight the people?’ So he said: ‘Fight them in order for them to bear witness to Lā ilāha illa Allāh and that Muhammad is the Messenger of Allāh. Then if they do that then they have protected their blood and wealth from you, except by its right, and their account is with Allāh.’ So he made the mere answer towards the two testimonies (i.e. testifying to them) a protection of the lives and wealth except by its right. And from its right is the refusal of the prayer and the zakāt after entering into Islām, just as the Sahābah (radiAllāhu ‘anhum) understood.”

(Jāmi’ Al-’Ulūm wa Al-Hikam 1/230)

And the Prophet (sallAllāhu alayhi wa sallam) said:

مَنْ صَلَّى صَلَاتِنَا وَاسْتَقْبَلَ قِبْلَتَنَا وَأَكَلَ ذَبِيحَتَنَا فَذَلِكَ الْمُسْلِمُ الَّذِي لَهُ ذِمَّةُ اللَّهِ وَذِمَّةُ رَسُولِهِ فَلَا تُخْفَرُوا اللَّهَ فِي ذِمَّتِهِ

“Whoever prays our prayer, faces our qiblah and eats from what we have slaughtered, then this is the Muslim who has the protection of Allāh and the protection of His Messenger. So do not betray Allāh in His protection (by violating it).”

(Sahīh Al-Bukhari)

And in the explanation of the *hadīth* it is mentioned:

وَفِيهِ أَنَّ أُمُورَ النَّاسِ مَحْمُولَةٌ عَلَى الظَّاهِرِ ، فَمَنْ أَظْهَرَ شِعَارَ الدِّينِ أُجْرِيَتْ عَلَيْهِ أَحْكَامُ أَهْلِهِ مَا لَمْ يَظْهَرْ مِنْهُ جِلَافٌ ذَلِكَ .

“And in it (i.e. the hadith) there is that the affairs of the people are attributed to the outwardly. So whoever shows the signs of the religion, then the judgments of its people are applied upon him, as long as he does not show what contradicts this.”

(Fath Al-Barī Sharh Sahīh Al-Bukhārī)

‘Umar ibn Al-Khattāb – radiAllāhu ‘anhu – said:

إِنَّ أَنَاسًا كَانُوا يُؤْخَذُونَ بِالْوَحْيِ فِي عَهْدِ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَإِنَّ الْوَحْيَ قَدْ انْقَطَعَ وَإِنَّمَا نَأْخُذُكُمْ الْآنَ بِمَا ظَهَرَ لَنَا مِنْ أَعْمَالِكُمْ فَمَنْ أَظْهَرَ لَنَا خَيْرًا أَمِنَاهُ وَقَرَّبْنَاهُ وَلَيْسَ إِلَيْنَا مِنْ سَرِيرَتِهِ شَيْءٌ اللَّهُ يُحَاسِبُهُ فِي سَرِيرَتِهِ وَمَنْ أَظْهَرَ لَنَا سُوءًا لَمْ نَأْمَنْهُ وَلَمْ نُصَدِّقْهُ وَإِنْ قَالَ إِنَّ سَرِيرَتَهُ حَسَنَةٌ

“Verily the people were judged according to the revelation in the time of the Messenger of Allāh (sallAllāhu alayhi wa sallam), and verily has the revelation stopped. And verily do we (now) judge you now from what appears to us from your deeds. So whoever shows us good we consider trustworthy and we bring him close and as for his inner self then we have nothing to do with that, Allāh will hold him accountable for his inner self. And whoever shows us evilness then we don’t trust him, and we don’t believe him even if he says that his inner self is good.”

(Sahīh Al-Bukhari)

Abū Ishāq Al-Fazārī, a companion of Al-Awzā’ī – rahimahumullāh – narrates that Ibn Abū Unaysah said:

سَأَلْتُ حَمَّادًا :عَنِ الصَّغَارِ وَالْكِبَارِ مِنَ السَّبْيِ يُصِيبُهُمُ الْمُسْلِمُونَ ، أَيْبَاعٌ أَحَدٌ مِنْهُمْ مِنْ أَهْلِ الدِّمَّةِ . قَالَ : أَمَّا الصَّغِيرُ فَلَا ، وَأَمَّا الْكَبِيرُ فَإِنْ أَبِي أَنْ يُسَلِّمَ فَلَا بَأْسَ " وَسَأَلْتُ هِشَامًا عَنْ ذَلِكَ ، فَقَالَ : أَمَّا الصَّغِيرُ فَلَا ، وَأَمَّا الْكَبِيرُ فَإِنْ أَبِي أَنْ يُسَلِّمَ فَلَا بَأْسَ ، وَسَأَلْتُ الْأَوْزَاعِيَّ :عَنِ السَّبْيِ مِنَ الرُّومِ وَالصَّقَالِيَةِ يُصَابُونَ صَغَارًا أَوْ كِبَارًا ، فَقَالَ : مَنْ أُصِيبَ مِنَ سَبْيِ الرُّومِ صَغِيرًا فَلَا يَبِغُهُ مِنْ أَهْلِ الدِّمَّةِ . وَمَنْ أُصِيبَ مِنْ عِبِيدِهِمْ قَدْ بَلَغَ ، وَعَرَفْتَ أَنَّكَ إِنْ أَمَرْتَهُ بِالْإِسْلَامِ أَسَلَّمَ فَمَرَهُ بِالْإِسْلَامِ ، وَلَا تَبِغُهُ مِنْهُمْ . وَمَنْ أُصِيبَ مِنْ عِبِيدِهِمْ قَدْ بَلَغَ ، وَلَا يُسَلِّمُ إِنْ أَمَرْتَهُ ، لَمْ يَلْزَمَكَ أَنْ تَدْعُوهُ إِلَى الْإِسْلَامِ ، وَبِغُهُ مِنْهُمْ إِنْ شِئْتَ . وَمَنْ أُصِيبَ مِنَ الصَّقَالِيَةِ ، أَوْ الْحَبَشِ ، أَوْ التُّرْكِ ، أَوْ أَهْلِ الْأَذْيَانِ ، أَوْ غَيْرِهِمْ مَنْ لَيْسَ لَهُ دِينَ يَعْرفُهُ ، وَلَا يُفْصَحُ ، وَإِنَّمَا دِينُهُ مَا دَعَوْتَهُ إِلَيْكَ أَجَابَكَ إِلَيْهِ فَهُوَ مُسْلِمٌ ، فَإِذَا مَلَكَتَهُ فَلَا تَبِغُهُ مِنْهُمْ ، وَمَنْ أُصِيبَ مِنَ الْكِبَارِ فَادْعُهُ إِلَى الْإِسْلَامِ ، وَعَلِمْتَهُ ، فَإِنْ أَبِي فَبِغُهُ إِنْ شِئْتَ مِنْهُمْ وَإِسْلَامُهُ أَنْ يَقُولَ : لَا إِلَهَ إِلَّا اللَّهُ . قُلْتُ : فَإِنْ قَالَهَا بِلِسَانِهِ ، وَلَمْ يَعْرفْ ذَلِكَ بِقَلْبِهِ ؟ قَالَ : إِذَا قَالَهَا فَهُوَ مُسْلِمٌ ، ثُمَّ تُعَلِّمُهُ بَعْدُ . "

"I asked Hammād regarding the minors and the adults who are taken as captives by the Muslims, should any of them be sold to the people of dhimmah¹? He said: 'Regarding the minors, then no. But as for the adult, then if he refuses to become a Muslim, then there is nothing wrong with that (i.e. selling him).' And I asked Hishām regarding this, so he said: 'Regarding the minor, then no. But as for the adult, then if he refuses to become a Muslim, then there is nothing wrong with that.' And I asked Al-Awzā'ī regarding those who are taken as prisoners from the Romans and the Saqālibah², whether they are minors or adults. So he said: 'Whoever of them are taken as captives of the Romans of minors then do not sell him to the people of dhimmah. And whoever is taken of their slaves who is an adult, and you know that if you ordered him to become a Muslim then he will do that, then order him to (accept) Islām. And do not sell him to them. And whoever is taken from their slaves who is an adult, and he will not accept Islām if you ordered him, then it is not necessary for you to call him to Islām. And sell him to them if you want. And whoever is taken from the Saqābilah, or Al-Habash (Ethiopians) or the Turks, or from the people of other religions, or other than these from those who have a religion which he does not know, and he does not know to speak properly, then verily his religion is that which you invite him towards you, then if he accepts then he is Muslim. Then if you own him, then do not sell him to them. And whoever is taken from the adults then invite him towards Islām and teach him, then if he refuses you can sell him to them. And his Islām is that he says: Lā ilāha illa Allāh.' I said: 'What if he says it with his tongue and he doesn't know this in his heart?' He said: 'If he says it then he is Muslim, then you can teach him afterwards.'"

(As-Sayr by Abū Ishāq Al-Fazārī)

Ash-Shāfi'ī – rahimahullāh – said in "Al-Umm" when speaking about the sincerity of a *taubah*:

هَلْ هِيَ إِلَّا أَنْ هَذَا بَمَا لَا يَعْلَمُهُ إِلَّا اللَّهُ عَزَّ وَجَلَّ وَأَنَّ حُكْمَ اللَّهِ تَعَالَى فِي الدُّنْيَا قَبُولُ ظَاهِرِ الْأَدْمِيَّةِ وَأَنَّهُ تَوَلَّى سَرَائِرَهُمْ وَمَنْ يَجْعَلْ لِنَبِيِّ مُرْسَلٍ وَلَا لِأَحَدٍ مِنْ خَلْقِهِ أَنْ يَحْكُمَ إِلَّا عَلَى الظَّاهِرِ وَتَوَلَّى دُونَهُمُ السَّرَائِرَ لِإِنْفِرَادِهِ بِعِلْمِهَا وَهَكَذَا الْحُجَّةُ عَلَى مَنْ قَالَ هَذَا الْقَوْلَ . وَأَخْبَرَ اللَّهُ عَزَّ وَجَلَّ عَنْ قَوْمٍ مِنَ الْأَعْرَابِ فَقَالَ { قَالَتِ الْأَعْرَابُ آمَنَّا قُلْ لَمْ تُؤْمِنُوا وَلَكِنْ قُولُوا أَسْلَمْنَا وَلَمَّا يَدْخُلِ الْإِيمَانُ فِي قُلُوبِكُمْ } فَأَعْلَمَ أَنَّهُ لَمْ يَدْخُلِ الْإِيمَانُ فِي قُلُوبِهِمْ وَأَنَّهُمْ أَظْهَرُوهُ وَحَقَّنَ بِهِ دِمَاءَهُمْ قَالَ مُجَاهِدٌ فِي قَوْلِهِ " أَسْلَمْنَا " ، قَالَ أَسْلَمْنَا مَخَافَةَ الْقَتْلِ وَالسَّبَاءِ

"That is nothing except from that which only Allāh – 'azza wa jalla – knows. And that the judgment of Allāh – the Exalted – in *dunyā* is accepting the *dhāhir* (apparent) of the people and that He took responsibility for their inner selves. And He did not allow for a sent prophet nor for anyone else from the creation that they should judge except according to the apparent, and He besides them took the

¹ Non-Muslims who are under the protection of the Muslims.

² A generation of people who used to live west of Bulgaria and now they have spread to many parts of eastern Europe. Now they are called Slavic people.

responsibility for the inner selves due to Him being the only One who has knowledge about that. And like this is the argument against those who has this opinion (i.e. does not accept the apparent *tawbah* or doubts regarding its correctness). And Allāh – ‘azza wa jalla – informed about a people from the Bedouins when He said:

قَالَتِ الْأَعْرَابُ آمَنَّا قُلْ لَمْ تُؤْمِنُوا وَلَكِنْ قُولُوا أَسْلَمْنَا وَلَمَّا يَدْخُلِ الْإِيمَانُ فِي قُلُوبِكُمْ

“The beduins said: ‘We have believed.’ Say (to them O Muhammad): ‘You have not believed, but instead say: We have submitted ourselves (to Islām).’ Because the belief has not yet entered your hearts.” (Al-Hujurāt 49:14)

So Allāh informed that the *īmān* had not yet entered into their hearts, but they showed it outwardly and by that He withheld their blood (from being spilled). Mujāhid said regarding His words: ‘We have submitted ourselves’. He said: ‘We have submitted ourselves out of fear of being killed and taken as captives’.

(قَالَ الشَّافِعِيُّ) وَأَخْبَرَ اللَّهُ جَلَّ تَنَاوُهُ عَنِ الْمُنَافِقِينَ فِي عَدَدِ آيٍ مِنْ كِتَابِهِ بِإِظْهَارِ الْإِيمَانِ وَالِاسْتِسْرَارِ بِالشِّرْكِ وَأَخْبَرَنَا بِأَنَّ قَدْ جَزَاهُمْ بِعِلْمِهِ عَنْهُمْ بِالذَّرِكِ الْأَسْفَلِ مِنَ النَّارِ فَقَالَ { إِنَّ الْمُنَافِقِينَ فِي الذَّرِكِ الْأَسْفَلِ مِنَ النَّارِ وَلَنْ تَجِدَ لَهُمْ نَصِيرًا } فَأَعْلَمَ أَنَّ حُكْمَهُمْ فِي الْأَخِرَةِ النَّارُ بِعِلْمِهِ أَسْرَارَهُمْ وَأَنَّ حُكْمَهُ عَلَيْهِمْ فِي الدُّنْيَا إِنْ أَظْهَرُوا الْإِيمَانَ جُنَّةً لَهُمْ ، وَأَخْبَرَ عَنْ طَائِفَةٍ غَيْرِهِمْ فَقَالَ { وَإِذْ يَقُولُ الْمُنَافِقُونَ وَالَّذِينَ فِي قُلُوبِهِمْ مَرَضٌ مَا وَعَدَنَا اللَّهُ وَرَسُولُهُ إِلَّا غُرُورًا }

(Ash-Shāfi’ī said) And Allāh – uplifted is His praise – informed about the *munāfiqūn* in many verses in His Book, that they would should *īmān* outwardly and hide shirk in their inner selves. And He informed that He through His knowledge regarding them recompensed them with the lowest pit of the fire. So he said:

إِنَّ الْمُنَافِقِينَ فِي الذَّرِكِ الْأَسْفَلِ مِنَ النَّارِ وَلَنْ تَجِدَ لَهُمْ نَصِيرًا

“Verily the hypocrites will be in the lowest depth of the fire, and you will never find a helper for them.” (An-Nisā 4:145)

So he informed that their judgment in the *ākhirah* is the fire due to His knowledge regarding their inner selves, and that His judgment upon them in *dunyā* if they outwardly show *īmān* then it is a cover for them. And He informed regarding a group other than them, when he said:

وَإِذْ يَقُولُ الْمُنَافِقُونَ وَالَّذِينَ فِي قُلُوبِهِمْ مَرَضٌ مَا وَعَدَنَا اللَّهُ وَرَسُولُهُ إِلَّا غُرُورًا

“And when the hypocrites and those in whose hearts is a disease said: ‘Allāh and His Messenger promised us nothing but delusions.’ (Al-Ahzāb 33:12)

وَهَذِهِ حِكَايَةٌ عَنْهُمْ وَعَنْ الطَّائِفَةِ مَعَهُمْ مَعَ مَا حَكَى مِنْ كُفْرِ الْمُنَافِقِينَ مُنْفَرِدًا وَحَكَى مِنْ أَنَّ الْإِيمَانَ لَمْ يَدْخُلْ قُلُوبَ مَنْ حَكَى مِنَ الْأَعْرَابِ وَكُلٌّ مِنْ حَمَنَ دَمَهُ فِي الدُّنْيَا بِمَا أَظْهَرَ بِمَا يَعْلَمُ جَلَّ ثَنَاؤُهُ خِلَافَهُ مِنْ شِرْكِهِمْ لِأَنَّهُ أَبَانَ أَنَّهُ لَمْ يُؤَلِّ الْحُكْمَ عَلَى السَّرَائِرِ غَيْرَهُ وَأَنَّ قَدْ وَلى نَبِيَّهُ الْحُكْمَ عَلَى الظَّاهِرِ وَعَاشَرَهُمُ النَّبِيُّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ وَلَمْ يَقْتُلْ مِنْهُمْ أَحَدًا وَلَمْ يَحْبِسْهُ وَلَمْ يُعَاقِبْهُ وَلَمْ يَمْتَعَهُ سَهْمَهُ فِي الْإِسْلَامِ إِذَا حَضَرَ الْقِتَالَ وَلَا مُنَاكِحَةَ الْمُؤْمِنِينَ وَمُؤَارَثَتَهُمْ وَالصَّلَاةَ عَلَى مَوْتَاهُمْ وَجَمِيعَ حُكْمِ الْإِسْلَامِ وَهَؤُلَاءِ مِنَ الْمُنَافِقِينَ وَالَّذِينَ فِي قُلُوبِهِمْ مَرَضٌ وَالْأَعْرَابِ لَا يَدِينُونَ دِينًا يُظْهِرُ بَلْ يُظْهِرُونَ الْإِسْلَامَ وَيَسْتَحْفُونَ بِالشِّرْكِ وَالتَّعْطِيلِ قَالَ اللهُ عَزَّ وَجَلَّ { يَسْتَحْفُونَ مِنَ النَّاسِ وَلَا يَسْتَحْفُونَ مِنَ اللهِ وَهُوَ مَعَهُمْ إِذْ يُبَيِّنُونَ مَا لَا يَرْضَى مِنَ الْقَوْلِ }

And this is a narration about them and about a group with them, along with what is narrated with this regarding the kufr of the munāfiqūn, and what was narrated about that the īmān had not entered the hearts of those Bedouins whom it was narrated about, and (also about) everyone whose blood was withheld (from being spilled) in dunyā due to what he showed outwardly, along with what He – uplifted is His praise – knows of contradictions of their shirk. Because He clarified that He did not make anyone but Himself responsible for the judgment upon the inner selves, and that He verily made His Prophet responsible for judging based upon the dhāhir (apparent), and the Prophet (sallAllāhu alayhi wa sallam) lived with them, he didn't kill any of them, he didn't imprison them, he didn't punish them and he did not prevent them from their portion of Islām when it came to fighting, nor (for them to) marry the believers or inherit from them, or praying upon their dead and all of the judgements in Islām. (All of this) while these people are from the munāfiqūn and those in whose hearts is disease and the Bedouins who did not adopt a religion which is shown outwardly, rather they showed Islām while they hide shirk and ta'til. Allāh – 'azza wa jalla – said:

يَسْتَحْفُونَ مِنَ النَّاسِ وَلَا يَسْتَحْفُونَ مِنَ اللهِ وَهُوَ مَعَهُمْ إِذْ يُبَيِّنُونَ مَا لَا يَرْضَى مِنَ الْقَوْلِ

“They can hide from the people, but they cannot hide from Allāh, for He is with them, when they plot by night in words that He does not approve.” (An-Nisā 4:108)

فَإِنْ قَالَ قَائِلٌ فَلَعَلَّ مَنْ سَمِعَتْ لَمْ يُظْهِرْ شِرْكًَا سَمِعَهُ مِنْهُ أَدْمِيٌّ وَإِنَّمَا أَحْبَرَ اللهُ أَسْرَارَهُمْ فَقَدْ سَمِعَ مِنْ عَدَدٍ مِنْهُمْ الشِّرْكَ وَشَهِدَ بِهِ عِنْدَ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ فَمِنْهُمْ مَنْ جَحَدَهُ وَشَهِدَ شَهَادَةَ الْحَقِّ فَتَرَكَهُ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ بِمَا أَظْهَرَ وَلَمْ يَقْفُهِ عَلَى أَنْ يَقُولَ أَقْرَّ وَمِنْهُمْ مَنْ أَقْرَّ بِمَا شَهِدَ بِهِ عَلَيْهِ وَقَالَ ثُبَّتْ إِلَى اللهِ وَشَهِدَ شَهَادَةَ الْحَقِّ فَتَرَكَهُ رَسُولُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ بِمَا أَظْهَرَ.

So if someone would say: Those whom you have mentioned who did not show shirk which was heard from him by a person and verily did Allāh inform about their inner selves, then (on the other hand) shirk was verily heard from several of them and it was testified to in front of the Prophet (sallAllāhu alayhi wa sallam). Then some of them rejected (ever to having committed shirk) and testified the testimony of haqq and so the Messenger of Allāh (sallAllāhu alayhi wa sallam) left him alone due to

what he showed outwardly, and he did not demand from him that he should acknowledge (that he had committed shirk). And some of them acknowledged what was testified to against him and said: 'I have repented to Allāh', and he testified the testimony of haqq, so the Messenger of Allāh (sallAllāhu alayhi wa sallam) left him due what he showed outwardly."

(Al-Umm 6/178-179)

And he – rahimahullāh – also said:

وَقَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ { أُمِرْتُ أَنْ أَقَاتِلَ النَّاسَ حَتَّى يَقُولُوا لَا إِلَهَ إِلَّا اللَّهُ فَإِذَا قَالُوهَا عَصَمُوا مِنِّي دِمَاءَهُمْ وَأَمْوَالَهُمْ إِلَّا بِحَقِّهَا وَحِسَابُهُمْ عَلَى اللَّهِ } فَأَعْلَمَ أَنَّ حُكْمَهُمْ فِي الظَّاهِرِ أَنْ تُنْتَع دِمَاؤُهُمْ بِإِظْهَارِ الْإِيمَانِ وَحِسَابُهُمْ فِي الْمَغِيبِ عَلَى اللَّهِ وَقَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ { إِنَّ اللَّهَ عَزَّ وَجَلَّ تَوَلَّى مِنْكُمْ السَّرَائِرَ وَدَرَأَ عَنْكُمْ بِالْبَيِّنَاتِ فَتَوَبُوا إِلَى اللَّهِ وَاسْتَتَرُوا بِسِتْرِ اللَّهِ فَإِنَّهُ مَنْ يُبْدِ لَنَا صَفْحَتَهُ نُقِمَ عَلَيْهِ كِتَابَ اللَّهِ عَزَّ وَجَلَّ }

“And the Messenger of Allāh (sallAllāhu alayhi wa sallam) said: ‘I have been ordered to fight the people until they say Lā ilāha illa Allāh. So if they say it then they have protected their blood and wealth from me, except by its right, and their account is with Allāh.’ So he informed that their judgments outwardly is that their blood is prohibited due to showing imān outwardly and their account in what is unseen is upon Allāh. The Messenger of Allāh (sallAllāhu alayhi wa sallam) said: ‘Verily Allāh –‘azza wa jalla – took the responsibility for you of the secrets and He drove that away from you with clear proofs. So repent to Allāh and cover yourselves with the cover of Allāh. Because verily whoever from whom we see his pages (i.e. his hidden deeds) then we will establish the Book of Allāh –‘azza wa jalla – upon him.’

وَقَالَ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ { إِنَّمَا أَنَا بَشَرٌ مِثْلُكُمْ وَإِن كُنْتُمْ تَحْتَصِمُونَ إِلَيَّ فَلَعَلَّ بَعْضَكُمْ أَنْ يَكُونَ الْخَنَ بِحُجَّتِهِ مِنْ بَعْضٍ فَأَقْضِي لَهُ عَلَى نَحْوِ مَا أَسْمَعُ مِنْهُ فَمَنْ قَضَيْتَ لَهُ بِشَيْءٍ مِنْ حَقِّ أَخِيهِ فَلَا يَأْخُذْهُ فَإِنَّمَا أَقْطَعُ لَهُ قِطْعَةً مِنَ النَّارِ } فَأَعْلَمَ أَنَّ حُكْمَهُ كُلَّهُ عَلَى الظَّاهِرِ وَأَنَّهُ لَا يَجِلُّ مَا حَرَّمَ اللَّهُ وَحُكْمُ اللَّهِ عَلَى الْبَاطِنِ لِأَنَّ اللَّهَ عَزَّ وَجَلَّ تَوَلَّى الْبَاطِنَ وَقَالَ عُمَرُ بْنُ الْخَطَّابِ لِرَجُلٍ أَظْهَرَ الْإِسْلَامَ كَانَ يَعْرِفُ مِنْهُ خِلَافَهُ إِلَيَّ لِأَحْسَبُكَ مُتَعَوِّدًا فَقَالَ أَمَا فِي الْإِسْلَامِ مَا أَعَادَنِي؟ فَقَالَ أَجَلٌ إِنَّ فِي الْإِسْلَامِ مَا أَعَادَ مَنْ اسْتَعَادَ بِهِ

And he (sallAllāhu alayhi wa sallam) said: ‘Verily I am a human just like you. And verily do you bring your disputes to me. Then maybe some of you are better in argumentation than others and so I judge in favor of him based upon what I hear from him. So whoever I judge for him some of the rights of his brother then he should verily not take it, because verily am I cutting out for him a piece of the fire.’ So he informed that his judgment all of it is based upon the apparent and that whatever Allāh has forbidden then this is not allowed, and that the judgment of Allāh is upon the inwardly because Allāh – ‘azza wa jalla – has taken responsibility for the inwardly. And ‘Umar ibn Al-Khattāb said to a man who showed Islām outwardly while he used to

know the opposite of that from him: 'I verily consider you (to show Islām only) to protect yourself.' So he said: 'Regarding Islām then what is it that protects me?' So he said: 'Yes. Verily in Islām there is what protects for whoever seeks protection by it.'"

(Al-Umm 6/180)

And he – *rahimahullāh* – also said:

وَبَيَّنَ عَلَى لِسَانِهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ مِثْلَ مَا أَنْزَلَ فِي كِتَابِهِ مِنْ أَنَّ إِظْهَارَ الْقَوْلِ بِالْإِيمَانِ جُنَّةٌ مِنَ الْقَتْلِ ، أَقَرَّ مَنْ شَهِدَ عَلَيْهِ بِالْإِيمَانِ بَعْدَ الْكُفْرِ أَوْ لَمْ يُعَرِّ إِذَا أَظْهَرَ الْإِيمَانَ فِإِظْهَارُهُ مَانِعٌ مِنَ الْقَتْلِ ، وَبَيَّنَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، إِذَا حَقَّنَ اللَّهُ تَعَالَى دِمَاءً مَنْ أَظْهَرَ الْإِيمَانَ بَعْدَ الْكُفْرِ أَنَّ لَهُمْ حُكْمَ الْمُسْلِمِينَ مِنَ الْمَوَارِيثِ وَالْمَنَآكِحِ ، وَغَيْرِ ذَلِكَ مِنْ أَحْكَامِ الْمُسْلِمِينَ ، فَكَانَ بَيِّنًا فِي حُكْمِ اللَّهِ عَزَّ وَجَلَّ فِي الْمُنَافِقِينَ ، ثُمَّ حُكْمِ رَسُولِهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ ، أَنْ لَيْسَ لِأَحَدٍ أَنْ يَحْكُمَ عَلَى أَحَدٍ بِخِلَافِ مَا أَظْهَرَ مِنْ نَفْسِهِ ، وَأَنَّ اللَّهَ عَزَّ وَجَلَّ إِذَا جَعَلَ لِلْعِبَادِ الْحُكْمَ عَلَى مَا أَظْهَرَ ، لِأَنَّ أَحَدًا مِنْهُمْ لَا يَعْلَمُ مَا غَابَ إِلَّا مَا عَلِمَهُ اللَّهُ عَزَّ وَجَلَّ ، فَوَجِبَ عَلَى مَنْ عَقَلَ عَنِ اللَّهِ أَنْ يَجْعَلَ الظُّنُونَ كُلَّهَا فِي الْأَحْكَامِ مُعْطَلَةً ، فَلَا يَحْكُمُ عَلَى أَحَدٍ بِظَنٍّ ، وَهَكَذَا دَلَالَةُ سُنَنِ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ حَيْثُ كَانَتْ لَا تَخْتَلِفُ

“And He clarified upon his (sallAllāhu alayhi wa sallam) tongue, the same as what He revealed in His Book regarding the fact that the one who outwardly utters the words of imān then this is a protection from being killed. No matter if the one who testifies to imān after kufr acknowledges (that he has committed kufr) or he does not acknowledge, as long as he shows imān outwardly then showing it is a prevention from being killed. And the Messenger of Allāh (sallAllāhu alayhi wa sallam) clarified that when Allāh – the Exalted – withheld the blood of the one who shows imān outwardly after his kufr, then (this means that) they have the judgment of the Muslims regarding inheritance and marriage and other than this of the judgment of the Muslims. And this was clear in the judgment of Allāh – ‘azza wa jalla – regarding the munāfiqūn, and after that the judgment of the Messenger of Allāh (sallAllāhu alayhi wa sallam); that it is not for anyone to judge anybody with something else than what he has shown by himself, and that Allāh – ‘azza wa jalla – verily decided for the slaves that they should judge according to the apparent. Because there is no-one among them who knows the hidden except that which Allāh – ‘azza wa jalla – knows. So it is obligatory upon the one who wants to perform what Allāh has obliged upon him to make all assumptions regarding the judgments invalid. So he should not judge upon anyone based upon assumption. And likewise is what the Sunnah of the Messenger (sallAllāhu alayhi wa sallam) points to, since it does not contradict (the commandment of Allāh).”

(Al-Umm 6/169)

Abū Bakr Al-Khallāl – *rahimahullāh* – said:

أخبرنا العباس بن أحمد المستملي النجار بطرسوس؛ أنهم سألوا أبا عبد الله عن رجل نصراني أو يهودي قال: أشهد أن لا إله إلا الله وأن محمدًا رسول الله -صلى الله عليه وسلم-، قال: فقد أسلم؟ فقلنا له: قال ذلك عندنا رجل بطرسوس، فقال فيه ابن شيبويه: رأيته قد أسلم، وقال غيره: لا، حتى يقول: برئت من النصرانية وتركت ديني. فقال: سبحان الله، لقد قال النبي -صلى الله عليه وسلم- لرجل: "قل: أشهد أن لا إله إلا الله وأني رسول الله". فأسلم بذلك.

"Al-'Abbās ibn Ahmad Al-Mustammalī An-Najjār in Tartūs narrated to us, that they asked Abū 'Abdullāh (i.e. Imām Ahmad) about a Christian or Jewish man who said: I bear witness to Lā ilāha illa Allāh Muhammadu Rasulullāh (sallAllāhu alayhi wa sallam). He said: 'Did he become Muslim (by that)?' Then we (also) said to him: 'A man said this to us in Tartūs, so Ibn Shubbatwayh said regarding him: 'I consider that he became a Muslim'. And others said: 'No, not until he says: I disassociate myself from Christianity and I leave my (previous) religion.' So he (i.e. Imām Ahmad) said: 'SubhānAllāh. Verily did the Prophet (sallAllāhu alayhi wa sallam) say to a man: 'Say Lā ilāha illa Allāh and that I am the Messenger of Allāh.' And then he became Muslim by that."

(Al-Jāmi' li-'Ulūm Al-Imām Ahmad 4/171)

And Al-Khallāl – *rahimahullāh* – also said:

أخبرني محمد بن أبي هارون، قال: حدثنا محمد بن أبي هاشم، قال: دفع إليّ فوران شيئًا من مسائل أبي عبد الله قال: سألته قال: قلت: اليهود يقول بعضهم: أشهد أن لا إله إلا الله وأشهد أن محمدًا رسول الله. فقال: إذا لم يرد الإسلام، أما إذا جاء ليسلم فشهد أن لا إله إلا الله وأن محمدًا عبده ورسوله وصلى، فأبي إسلام أتم من هذا؟! أليس يروى عن النبي -صلى الله عليه وسلم- قال: "أُمِرْتُ أَنْ أُقَاتِلَ النَّاسَ حَتَّى يَقُولُوا: لَا إِلَهَ إِلَّا اللَّهُ فَإِذَا قَالُوا مَنْعُوا مِنِّي دِمَاءَهُمْ وَأَمْوَالَهُمْ."

"Muhammad ibn Abū Hārūn narrated to me and said: Muhammad ibn Abū Hashīm narrated to us and said: Fawrān passed some of the masāil of Abu 'Abdullāh to me and said: I asked him. He said: I said: 'Some of the Jews say: I bear witness to Lā ilāha illa Allāh and that Muhammad is the Messenger of Allāh.' So he (i.e. Imām Ahmad) said: 'If he doesn't want Islām (then it is not accepted as his entrance into Islām), but if he came to accept Islām and testifies to La ilāha illa Allāh and that Muhammad is His slave and messenger, and he prays, then what Islām is more complete than that? Is it not narrated from the Prophet (sallAllāhu alayhi wa sallam) that he said: 'I have been ordered to fight the people until they say Lā ilāha illa Allāh. Then if they say (that), then they have prevented me from their blood and wealth.'

قال الخلال: حدثنا محمد بن علي، قال: حدثنا مهنا، قال: سألت أحمد عن رجل من أهل الذمة يهودي أو نصراني أو غير ذلك من الأديان يقول: أنا مسلم وإن محمدًا نبي؟ قال: هو مسلم، ثم قال: أما أنا فكنت أجبره على الإسلام. وقال: عجبًا لأبي حنيفة بلغني عنه أنه يقول:

لا يكون مسلمًا حتى يقول أنا بريء من الكفر الذي كنت فيه، وإلا فلا يكون مسلمًا ولا يجبر على الإسلام حتى يقول: وإني بريء من الكفر.

وقال: أخبرنا محمد بن علي في موضع آخر، قال: حدثنا مهنا، قال: سألت أبا عبد الله عن رجل يهودي أو نصراني أو مجوسي قال: أشهد أن لا إله إلا الله وأن محمدًا رسول الله. قال: يجبر على الإسلام.

Al-Khallāl said: Muhammad ibn 'Alī narrated to us and said: Muhannā narrated to us and said: 'I asked Ahmad about a man from the people of dhimmah, a Jew or a Christian or other than this from the religions, who says: 'I am a Muslim and verily is Muhammad a prophet.' He said: 'He is Muslim'. Then he said: 'Regarding myself then I would force him to (follow) Islām.' And he said: 'Surprising is Abū Hanīfah. It has reached me about him that he says: He will not be a Muslim until he says: I am free from the kufr which I before was in, or else he is not a Muslim and he is not forced to (follow) Islām, until he says: I disassociate myself from kufr.'

And he said: Muhammad ibn 'Ali narrated to us another place and said: Muhannā narrated to us and said: 'I asked Ahmad about a man, a Jew or a Christian or a majūsī, who says: I bear witness to Lā ilāha illa Allāh and that Muhammad is the Messenger of Allāh.' He said: 'He is forced to (follow) Islām.'"

(Al-Jāmi' li-'Ulūm Al-Imām Ahmad 4/172)

And regarding the comments on Abū Hanīfah then it is mentioned in "Al-Ikhtiyār Li-Ta'līl Al-Mukhtār" regarding Hanafī fiqh:

وَلَوْ قَالَ : أَنَا مُسْلِمٌ كَانَ أَبُو حَنِيفَةَ يَقُولُ : لَا يَكُونُ مُسْلِمًا حَتَّى يَتَبَرَّأَ ، ثُمَّ رَجَعَ وَقَالَ : ذَلِكَ إِسْلَامٌ مِنْهُ .

"And if he says: 'I am a Muslim', then Abū Hanīfah used to say: 'He is not a Muslim until he disassociates himself (from kufr).' Then he returned back from this and said: 'That is Islām from him.'"

(Al-Ikhtiyār Li-Ta'līl Al-Mukhtār 4/424)

Al-Khattābī – rahimahullāh – said:

إذا جاءنا من نجهل حاله بالكفر والإيمان فقال إني مسلم قبلناه، وكذلك إذا رأينا عليه أمارة المسلمين من هيئة وشارة ونحوهما حكمنا بإسلامه إلى أن يظهر لنا منه خلاف ذلك.

"If a person comes to us where we don't know anything about his hāl (situation) of kufr and imān, and he says: 'Verily I am a Muslim.' Then we accept that. And likewise if we see upon him the signs

of the Muslims, of appearance and symbol and similar to this, then we judge him as a Muslim until we see what contradicts this from him."

(Ma'ālim As-Sunan 1/233)

Ibn Taymiyyah – rahimahullāh – said:

قال أبو محمد بن حزم: (ومن البرهان الموضح لبطلان هذه المقالة الخبيثة أنه لا يشك أحد ممن يدري شيئاً من السير من المسلمين واليهود والنصارى والمجوس والمنانية والدهرية في أن رسول الله صلى الله عليه وسلم منذ بعث لم يزل يدعو الناس، الجم الغفير، إلى الإيمان بالله تعالى، وبه، وبما أتى به، ويقاتل من أهل الأرض من يقاتله ممن عند ويستحل سفك دمايهم، وسبي نساءهم وأولادهم، وأخذ أموالهم، متقرباً إلى الله تعالى بذلك، وأخذ الجزية وإصغاره، ويقبل من آمن به، ويحرم ماله ودمه وأهله وولده، ويحكم له بحكم الإسلام، ومنهم المرأة البدوية، والراعي، والرعية، والغلام الصحراوي، والوحشي، والزنجي، والمسيحي، والزنجية المجلوبة، والرومي والرومية، والأغثر الجاهل والضعيف في فهمه، فما منهم من أحد ولا من غيرهم قال عليه السلام: إني لا أقبل إسلامك، ولا يصح لك دين إلا حتى تستدل على صحة ما أدعوك إليه.

"Abū Muhammad ibn Hazm said: 'And from the clear evidence which clarify the invalidity of this dirty saying is, that no-one who knows something about the history among the Muslims, the Jews, the Christians, the majūs, the Manicheans and the atheist, doubts regarding the fact that the Messenger of Allāh (sallAllāhu alayhi wa sallam), ever since he was sent continued to invite the people in large amounts to the imān in Allāh the Exalted, and in him and what he was sent with. And he would fight those from the people of the earth who would fight him and whose blood it was allowed to spill and take their women and children as slaves, and to take their money, (all this) while seeking nearness to Allāh by this. (And also) taking jizyah and humiliating them. And he would accept those who believed in him and forbid his wealth, his blood, his family and his children (to be violated), and he would judge him as a Muslim. Among these people are the female Bedouin, the shepherd, the female shepherd, the kid from the desert, the barbarian, the black man, the captive, the female black imported slave, the roman man and woman, the stupid ignorant man and the one with weak understanding. And there is not among any of these, or other than these, where he (alayhi as-salām) said: 'I verily do not accept your Islām, and your religion is not correct with me until you bring proof for the correctness of what I have invited you towards.'"

قال: ولسنا نقول: إنه لم يبلغنا أنه قال ذلك لأحد، بل نقطع - نحن وجميع أهل الأرض - قطعاً كقطعنا على ما شاهدنا: أنه عليه السلام لم يقل هذا قط لأحد، ولا رد إسلام أحد حتى يستدل، ثم جرى على هذه الطريقة جميع الصحابة، أولهم عن آخرهم، ولا يختلف أحد في هذا الأمر. ومن المحال الممتنع عند أهل الإسلام أن يكون عليه السلام يغفل أن يبين للناس ما لا يصح لأحد الإسلام إلا به، ثم يتفق على إغفال ذلك أو تعمد ترك ذكره جميع أهل الإسلام، ويبينه هؤلاء الأشقياء، ومن ظن أنه وقع من الدين على ما لا يقع عليه رسول الله صلى الله عليه وسلم فهو كافر بلا خلاف. فصح أن هذه المقالة خرق للإجماع، وخلاف لله ولسوله، وجميع أهل الإسلام قاطبة

He (i.e. Ibn Hazm) said: 'And we do not say: It has not reached us that anyone said this. Rather we are certain – us and all of the people of the earth – with full certainty, just like we are certain about what we bore witness to: that he (alayhi as-salām) never said this to anyone, nor did he turn down the Islām of anyone until they brought evidence. And after this all of the Sahabah walked on this path, the first of them to the last of them, and no-one disagreed in this issue. And from that which is impossible and unthinkable for the people of Islām is that he (alayhi as-salām) has been inattentive regarding informing the people about that which a person's Islām cannot be correct without, and then after that all of the people of Islām would agree to be inattentive regarding this and purposefully leave mentioning it, and then these wretched people would clarify it. And whoever thinks that he has come upon from the religion what the Messenger of Allāh (sallAllāhu alayhi wa sallam) did not come upon, then he is kāfir without any disagreement. So it is correct that his saying is a violation of the ijmā, and contradicting Allāh and His Messenger and all of the people of Islām altogether.'

قلت: قبول الإسلام الظاهر يجري على صاحبه أحكام الإسلام الظاهرة: مثل عصمة الدم، والمال، والمناكحة، والموروثه، ونحو ذلك. وهذا يكفي فيه مجرد الإقرار الظاهر، وإن لم يعلم ما في باطن الإنسان. كما قال صلى الله عليه وسلم: «فإذا قالوها عصموا مني دماءهم وأموالهم إلا بحقها، وحسابهم على الله.» وقال: «إني لم أؤمر أن أنقب عن قلوب الناس ولا أن أشق بطونهم.»

ولهذا يقاتل الكافر حتى يسلم أو يعطي الجزية، فيكون مكرهاً على أحد الأمرين. ومن قال: لا تؤخذ الجزية من وثني قال: إنه يقاتل حتى يسلم. وأما الإيمان الباطن الذي ينجي من عذاب الله في الآخرة، فلا يكفي فيه مجرد الإقرار الظاهر، بل قد يكون الرجل مع إسلامه الظاهر منافقاً، وقد كان على عهد رسول الله صلى الله عليه وسلم منافقون، وقد ذكروهم الله تعالى في القرآن في غير هذا موضع، وميز سبحانه بين المؤمنين والمنافقين في غير موضع.

I (i.e. Ibn Taymiyyah) said: (By) accepting the outwardly Islām the outwardly judgments of Islām are applied upon the person such as the protection of the blood, then wealth, marriage, inheritance and similar to this. And regarding this then the mere outwardly acknowledgment even if it is not known what is in the inner of a person (i.e. his real beliefs). Just like he (sallAllāhu alayhi wa sallam) said: 'Then if they say it, then they have protected their blood and wealth from me, except by its right. And their account is with Allāh.' And he said: 'I have verily not been ordered to pierce open the hearts of people, nor that I split open their bellies.'

And due to this the kāfir is fought until he becomes a Muslim or he pays the jizyah. So he is forced to do one of the two things. And whoever said: 'The jizyah is not taken from an idol-worshipper.' He said: 'He is fought until he becomes a Muslim.' But regarding the inner imān which saves a person from the punishment of Allāh in the ākhirah, then there mere outwardly acknowledgement is not enough. Rather a man may be a munāfiq while showing Islām outwardly. And verily in the time of the Messenger (sallAllāhu alayhi wa sallam) there were munāfiqūn. And verily did Allāh mention

them more than one place in the Qurān, and He – the Praised – distinguished between believers and the munāfiqūn more than one place.”

(Dar At-Tā’arud Al-‘Aql wa An-Naql 7/432-435)

Then he mentioned some verses regarding the munāfiqūn and some words regarding them. After that he – rahimahullāh – said:

وبهذا أجابوا عن هذه الحجة، فإنه لما قيل لهم: أجمع المسلمون على أن الكافر إذا أراد أن يسلم يكتفي منه بالإقرار بالشهادتين. قالوا: إنما نجتزئ منه بذلك لإجراء الإسلام عليه. فإن صاحب الشرع جعل ذلك أمانة لإجراء الأحكام.

“And with this they answered this argument. Because verily when it was said to them: The Muslims agreed upon that the kafir if he wants to enter into Islām, then it is enough from him that he acknowledges the two testimonies. Then they said: Then this is enough from him to apply the judgment of Islām upon him. Because verily did the Owner of the Islāmic Law make this a sign for applying the judgments.”

(Dar At-Ta’ārud Al-‘Aql wa An-Naql 7/438)

Shaykh Ahmad ibn ‘Umar Al-Hāzimī – hafidhahullāh wa fakka asrahu – when explaining these words of Ibn Taymiyyah:

“So if he comes with the word (i.e. Lā ilāha illa Allāh Muhammadu RasūlAllāh) then we judge him with Islām, and he prays (as well), then we judge him with Islām. He does not perform a nāqid, he does not show us a nāqid. But if he is with himself or in his home or something like this and he shows some nawāqid, then we are not responsible for searching (in his affairs). So if he does not show us a nāqid then we judge him with Islām and we apply the judgments (of Islām upon him) as they are. He – rahimahullāhu ta’ala – said: ‘even if it is not known what is in the inner of a person (i.e. his real beliefs). Just like he (sallAllāhu alayhi wa sallam) said: ‘Then if they say it – that is the testimony – then they have protected their blood and wealth from me, except by its right. And their account is with Allāh.’ So we do not search the inner selves. And he said: ‘I have verily not been ordered to pierce open the hearts of people, nor that I split open their bellies.’ Do not search. Some of the people have been afflicted so they search in the ‘aqīdah of the people (asking): Have you rejected tāghūt or did you not reject tāghūt? Say: This is not from the way of Ahlu Sunnah wal-Jamā’ah, rather this is from the bida’. Testing the people, this is considered from the bida’. Verily for you is the outwardly so do not search. And the munāfiq was present in the time of the Sahābah, and it was not narrated from anyone that he began to search in the ‘aqīdah of the people. Verily based on what he shows outwardly we apply (the appropriate) judgments. (That is) an order from Allāh (regarding the people) in general and specifically. This issue regarding the judgment

upon them is not up to you, rather it is up to Allāh (to decide how and based upon what the people are judged), and not up to you. The judgment with īmān and Islām is according to what the person shows outwardly, but if he enters into paradise or he enters the fire, if he is saved (from the punishment), if (his īmān) is both inwardly and outwardly that is none of your business. So if you inserted yourself into this and enters into the search in these matters then you have verily disputed your Lord. Because this is related to the heart and the inner self. The inwardly īmān cannot be pointed to except if he shows a nāqid, when speaking about the agreement between the outwardly and the inwardly. And the search (i.e. these words) are regarding when nothing (of kufr and shirk) shows from him. He said: **'And due to this the kāfir is fought until he becomes a Muslim or he pays the jizyah. So he is forced to do one of the two things.'** And despite of this (i.e. that he is forced) the Islāmic Law accepts it (i.e. Islām) from him. Correct? Until he pays the jizyah. He pays it out of force. So he is under ikrāh and it is not from his own free will. Is this (i.e. him paying the jizyah even though he is forced to do it and not out of free will) taken into consideration (i.e. his blood and wealth is protected)? We say: Yes it is taken into consideration. He says: **'But regarding the inner īmān which saves a person from the punishment of Allāh in the ākhirah, then there mere outwardly acknowledgement is not enough.'** So he made a difference between the two things (i.e. Islām al-hukmī and Islām al-haqīqī). These issues are from the very important issues in your search in the words of Ibn Taymiyyah regarding the issues of takfir; that he (sometimes) with his words may mean the outwardly and inwardly īmān, and for it is its judgment, and (other times) he may mean the outwardly īmān without the inwardly. **'Then there mere outwardly acknowledgement is not enough. Rather a man may be a munāfiq while showing Islām outwardly.'** He may be and he may be not. Every time you see a man who says Lā ilāha illa Allāh and he prays and fasts and so on, and no nāqid is apparent from him, then regarding him in the logical possibility it is allowed that he could be a munāfiq and (also) that he could be a believer inwardly. But do not search (regarding that). There is a difference between the two types. This is the logical possibility. So you judge the people according to their outwardly situation. And judging the people according to their outwardly situation is an asl (fundamental principle) that Ahlu Sunnah wal-Jamā'ah has agreed upon. And it is even – as Shaykh Al-Islām Ibn Taymiyyah said many places, and we will get to that inshāAllāhu ta'ālā – from that which is known from the religion with necessity. And this is not made a fundamental principle which scatters (the consequences) of him performing a nāqid. There is a difference between the two issues. Whoever says Lā ilāha illa Allāh and he prays and fasts and he commits the major shirk, then we say: this (i.e. his deeds) are all invalid. Your testimony and prayer and so on is all invalid. This does not contradict the principle which we are laying down. Some people think that there is contradiction between the two things, then we say: no. The search is in what the people show outwardly. So if he shows the major shirk, then we judge that he is a mushrik and the texts has pointed out that the testimony is invalid (in that case), and the prayer is invalid and so on, and there is no

problem in that. And if he does not show a nāqid – such as major shirk – then we apply the judgment of his outwardly situation. So how beautiful is the Islāmic Law, and how easy it is.”

(From the second lesson of the series: Qā'idah Jalīlah fī At-Tawassul wal-Wasīlah)

Chapter: Giving the judgment of Islām in situations of war and investigating when doubt arises in dar al-harb

Allāh – the Exalted – said:

يَا أَيُّهَا الَّذِينَ آمَنُوا إِذَا ضَرَبْتُمْ فِي سَبِيلِ اللَّهِ فَتَبَيَّنُوا وَلَا تَقُولُوا لِمَنْ أَلْقَى إِلَيْكُمُ السَّلَامَ لَسْتَ مُؤْمِنًا تَبْتَغُونَ
عَرَضَ الْحَيَاةِ الدُّنْيَا

“O you who believe. If you go out in path of Allāh, then investigate. And do not say to the one who greets you with *salām*: ‘You are not a believer’, (due to) wanting the goods of the wordly life.” (An-Nisā 4:94)

At-Tabarī – *rahimahullāh* – mentions in his *tafsīr* of the verse:

حدثنا ابن وكيع قال، حدثنا جرير، عن محمد بن إسحاق، عن نافع، عن ابن عمر قال بعث النبي صلى الله عليه وسلم محملاً بن جثامة مبعثاً، فلقيهم عامر بن الأضبط، فحياهم بتحية الإسلام، وكانت بينهم حنة في الجاهلية، فرماه محملاً بسهم، فقتله. فجاء الخبر إلى رسول الله صلى الله عليه وسلم فتكلم فيه عيينة والأقرع، فقال الأقرع: يا رسول الله، سنّ اليوم وغير غداً! فقال عيينة: لا والله، حتى تذوق نساؤه من الثكل ما ذاق نسائي فجاء محملاً في بُردين، فجلس بين يدي رسول الله ليستغفر له، فقال له النبي صلى الله عليه وسلم: لا غفر الله لك! فقام وهو يتلقى دموعه ببردیه، فما مضت به ساعة حتى مات، ودفنوه فلفظته الأرض. فجاءوا إلى النبي صلى الله عليه وسلم فذكروا ذلك له، فقال: إن الأرض تقبل من هو شرٌّ من صاحبكم! ولكن الله جل وعز أراد أن يعظكم. ثم طرحوه بين صديّي

“Ibn Wakī’ narrated to us and said: Jarīr narrated to us, from Muhammad ibn Ishāq, from Nāfi’ from Ibn ‘Umar who said: ‘The Messenger of Allāh (sallAllāhu alayhi wa sallam) sent Muhallim ibn Jathāmah on a mission. Then ‘Āmir ibn Al-Adbat met them and greeted them with the greeting of Islām. And between them was a problem from jāhiliyyah. So Muhallim hit him with an arrow and killed him. So the news reached the Messenger of Allāh (sallAllāhu alayhi wa sallam), and ‘Uyaynah and Al-Aqra’ spoke about it. Al-Aqra’ said: ‘O Messenger of Allāh, sunna al-yaṭm wa ghayyir ghadan.’ So ‘Uyaynah said: ‘No by Allāh, not until his women taste the deprivation of a child like my women has tasted it.’ So Muhallim came in two garments, and sat in front of the Messenger of Allāh in order for him to ask (Allāh) for forgiveness for him. So the Prophet (sallAllāhu alayhi wa sallam) said to him: ‘May Allāh not forgive you!’ So he got up and he was catching his tears with his two garments. And there did not pass seven days before he died. So they buried him but the ground threw him out. So the came to the Messenger of Allāh (sallAllāhu alayhi wa sallam) and mentioned this to him, so he said: ‘Verily the ground accepts those who are worse than your companion! But Allāh – jalla wa ‘azza – wanted to warn you.’ Then they threw him between two shells.”

حدثنا الحسن بن يحيى قال، أخبرنا عبد الرزاق قال، أخبرنا معمر، عن قتادة في قوله: " ولا تقولوا لمن ألقى إليكم السلام لست مؤمناً "، قال: بلغني أن رجلاً من المسلمين أغار على رجل من المشركين فحَمَلَ عليه، فقال له المشرك: " إني مسلم، أشهد أن لا إله إلا الله "، فقتله المسلم بعد أن قالها. فبلغ ذلك النبي صلى الله عليه وسلم، فقال للذي قتله: أقتلته، وقد قال لا إله إلا الله؟ فقال، وهو يعتذر: يا نبي الله، إنما قالها متعوذاً، وليس كذلك! فقال النبي صلى الله عليه وسلم: فهلا شققت عن قلبه؟ ثم مات قاتل الرجل فُجِر، فلفظته الأرض. فذكر ذلك للنبي صلى الله عليه وسلم، فأمرهم أن يقبروه، ثم لفظته الأرض، حتى فُعل به ذلك ثلاث مرات. فقال النبي صلى الله عليه وسلم: إن الأرض أبت أن تقبله، فألقوه في غارٍ من الغيران = قال معمر: وقال بعضهم: إن الأرض تُقبَل من هو شرٌّ منه، ولكن الله جعله لكم عِبْرَةً.

Al-Hasan ibn Yahyā narrated to us and said: Abdur-Razzāq narrated to us and said: Ma'mar narrated to us, from Qatādah regarding His words: "And do not say to the one who greets you with salām: 'You are not a believer'." He said: 'It has reached me that a man from the Muslims attacked a man from the mushrikūn, so when he wanted to hurt him, the mushrik said to him: 'I am verily a Muslim, I bear witness to Lā ilāha illa Allāh.' So the Muslim killed him after he said it. Then this reached to the Prophet (sallAllāhu alayhi wa sallam), so he said to the one who killed him: 'Did you kill him, and he verily said Lā ilāha illa Allāh?' So the man said while excusing himself: 'O Prophet of Allāh, he only said it to protect himself, and he didn't mean it.' So the Prophet (sallAllāhu alayhi wa sallam) said: 'Did you split open his heart?' Then the killer of the man died and was buried, but the ground threw him out. So this was mentioned with the Prophet (sallAllāhu alayhi wa sallam), and he ordered them to bury him (again), but the ground threw him out, until this happened three times. So the Prophet (sallAllāhu alayhi wa sallam) said: 'Verily the ground refused to accept him.' So they threw him in a forest among the forests. Ma'mar said: And some of them said: 'Verily the ground accept those who are worse than him, but Allāh made him an example for you.'"

(Tafsīr At-Tabarī – Surah An-Nisā)

And At-Tabarī – rahimahullāh – said himself regarding the verse:

يَقُولُ : إِذَا سِرْتُمْ مَسِيرًا لِلَّهِ فِي جِهَادٍ أَعْدَائِكُمْ فَتَبَيَّنُوا يَقُولُ : فَتَأَنَّنُوا فِي قَتْلِ مَنْ أَشْكَلَ عَلَيْكُمْ أَمْرُهُ ، فَلَمْ تَعْلَمُوا حَقِيقَةَ إِسْلَامِهِ وَلَا كُفْرِهِ ، وَلَا تُعَجِّلُوا فَتَقْتُلُوا مِنَ التَّبَسُّعِ عَلَيْكُمْ أَمْرُهُ ، وَلَا تَتَقَدَّمُوا عَلَى قَتْلِ أَحَدٍ إِلَّا عَلَى قَتْلِ مَنْ عَلِمْتُمُوهُ يَقِينًا حَرْبًا لَكُمْ وَاللَّهِ وَلِرَسُولِهِ

"He (i.e Allāh) says: 'When you go out for the sake of Allāh in Jihād against your enemies then investigate. He says: Then be verily careful regarding killing the one whose situations becomes unclear to you, where you don't know the reality of his Islām or kufr. And do not hasten so that you kill the one whose situation is dubious to you, and do not proceed to kill anyone except killing the one where you with full certainty know that he is in war with you, with Allāh and His Messenger.'"

(Tafsīr At-Tabarī – Surah An-Nisā)

And Ibn Taymiyyah – *rahimahullāh* – said regarding this verse:

فَأَمَرَهُمُ بِالْتَّبَيُّنِ وَالتَّتَبُّتِ فِي الجِهَادِ ، وَأَنْ لَا يَقُولُوا لِلْمَجْهُولِ حَالَهُ : لَسْتُ مُؤْمِنًا ، يَبْتَغُونَ عَرْضَ الحَيَاةِ الدُّنْيَا ، فَيَكُونُ إِحْبَابُهُمْ عَنْ كَوْنِهِ لَيْسَ مُؤْمِنًا خَبْرًا بِلَا دَلِيلٍ بَلْ هُوَ أَنْفُسِهِمْ لِيَأْخُذُوا مَالَهُ ، وَإِنْ كَانَ ذَلِكَ فِي دَارِ الحَرْبِ إِذَا أَلْقَى السَّلَامَ ، وَفِي الفِرَاءَةِ الأُخْرَى (السَّلَام) فَقَدْ يَكُونُ مُؤْمِنًا يَكْتُمُ إِيمَانَهُ كَمَا كُنْتُمْ أَنْتُمْ مِنْ قَبْلِ مُؤْمِنِينَ تَكْتُمُونَ إِيمَانَكُمْ ، فَإِذَا أَلْقَى المُسْلِمُ السَّلَامَ فَذَكَرَ أَنَّهُ مُسْلِمٌ لَكُمْ لَا مُحَارِبٌ فَتَتَبَّهُوا وَتَبَيَّنُوا ، لَا تَقْتُلُوهُ وَلَا تَأْخُذُوا مَالَهُ حَتَّى تَكْشِفُوا أَمْرَهُ ، هَلْ هُوَ صَادِقٌ أَوْ كَاذِبٌ ؟

“So He ordered them to investigate and to verify in jihād, and that they should not say to the majhūl al-hāl (the one whose situation is unknown): ‘You are not a believer’, while wanting the goods of this life (i.e. his wealth). Because then their information regarding him not being a being a believer is an information without proof, rather it is from your own lusts so you can take his wealth. And if this is in dār al-harb if he greets with as-salam, and in another way of reading as-salām, then he might be a believer who hides his īmān, just like you used to be believers before and hid your īmān. So if a Muslim greets with salām and says to you that he is Muslim and not fighting (against you) then investigate and verify. Do not kill him nor take his wealth until you uncover his situation; is he truthful or a liar?”

Muhammad ibn Hasan Ash-Shaybānī said:

وَإِذَا دَخَلَ المُسْلِمُونَ مَدِينَةً مِنْ مَدَائِنِ المُشْرِكِينَ عَنُودًا ، فَلَا بَأْسَ بِأَنْ يَقْتُلُوا مَنْ لَقُوا مِنْ رِجَالِهِمْ؛ لِأَنَّهُ مَوْضِعُ المُقَاتَلَةِ مِنْهُمْ ، فَمَنْ وَجَدَهُ فِي ذَلِكَ المَوْضِعِ فَالظَّاهِرُ أَنَّهُ مُقَاتِلٌ ، وَإِنَّمَا يُبْنَى الحُكْمُ عَلَى الظَّاهِرِ حَتَّى يَتَبَيَّنَ خِلَافُهُ. إِلَّا أَنْ يَرَوْا رَجُلًا عَلَيْهِ سِيْمَاءُ المُسْلِمِينَ أَوْ سِيْمَاءُ أَهْلِ الدِّمَةِ لِلْمُسْلِمِينَ ، فَحِينَئِذٍ يَجِبُ عَلَيْهِمْ أَنْ يَتَبَيَّنُوا فِي أَمْرِهِ حَتَّى يَتَبَيَّنَ لَهُمْ حَالُهُ

“And if the Muslims by force enter a city among the cities of the mushrikūn, then there is no harm in them killing whoever they find of their men, because this is a place of fighting against them. So whoever they find in that place then the apparent is that he is a fighter, and verily do we build the judgment upon the outwardly until the opposite is proven. Except if they find a man who has the appearance of the Muslims or the people who are under the protection of the Muslims, then it is obligatory upon them to investigate his matter until his situation becomes clear.”

(Sharh As-Sayr Al-Kabīr by As-Sarkhasī 4/1444)

And it is narrated in *Sahīh* Muslim:

حَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ حَدَّثَنَا أَبُو خَالِدٍ الأَحْمَرُ ح وَحَدَّثَنَا أَبُو كُرَيْبٍ وَإِسْحَاقُ بْنُ إِبرَاهِيمَ عَنْ أَبِي مُعَاوِيَةَ كِلَاهُمَا عَنْ الأَعْمَشِ عَنْ أَبِي ظَبْيَانَ عَنْ أُسَامَةَ بْنِ زَيْدٍ وَهَذَا حَدِيثٌ ابْنِ أَبِي شَيْبَةَ قَالَ بَعَثَنَا رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فِي سَرِيَّةٍ فَصَبَّحْنَا الحُرَقَاتِ مِنْ جُهَيْنَةَ فَأَدْرَكْتُ رَجُلًا فَقَالَ لَا إِلَهَ إِلَّا اللَّهُ فَطَعْنْتُهُ فَوَقَعَ فِي نَفْسِي مِنْ ذَلِكَ فَذَكَرْتُهُ لِلنَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَقَالَ لَا

إِلَهَ إِلَّا اللَّهُ وَقَتَلْتُهُ قَالَ قُلْتُ يَا رَسُولَ اللَّهِ إِنَّمَا قَالَهَا حَوْفًا مِنَ السِّلَاحِ قَالَ أَفَلَا شَقَّقْتَ عَنْ قَلْبِهِ حَتَّى تَعْلَمَ أَقَالَهَا أَمْ لَا فَمَا زَالَ يُكْرِزُهَا عَلَيَّ حَتَّى تَمَّتْ أَبِي أَسْلَمْتُ يَوْمَئِذٍ قَالَ فَقَالَ سَعْدٌ وَأَنَا وَاللَّهِ لَا أَقْتُلُ مُسْلِمًا حَتَّى يَقْتُلَهُ ذُو الْبَطْنَيْنِ يَعْنِي أُسَامَةَ قَالَ قَالَ رَجُلٌ أَلَمْ يَقُلِ اللَّهُ وَقَاتِلُوهُمْ حَتَّى لَا تَكُونَ فِتْنَةً وَيَكُونَ الدِّينُ كُلُّهُ لِلَّهِ فَقَالَ سَعْدٌ قَدْ قَاتَلْنَا حَتَّى لَا تَكُونَ فِتْنَةً وَأَنْتَ وَأَصْحَابُكَ تُرِيدُونَ أَنْ تُقَاتِلُوا حَتَّى تَكُونَ فِتْنَةً

*“Abū Bakr ibn Abū Shaybah narratd to us (and said): Abū Khālid Al-Ahmar narrated to us (and said): Abū Kurayb and Ishāq ibn Ibrāhīm narrated to us from Mu’āwiyah, and both of them from Al-‘Amash, from Abū Dhibyān from Usamāh bin Zayd – and this is the hadīth of Ibn Abū Shaybah – he (i.e. Usāmah) said: ‘The Messenger of Allāh (sallAllāhu alayhi wa sallam) sent us on an expedition. We attacked Huruqāt of Juhaynah in the morning, and I found a man who said: Lā ilāha illa Allāh. So I struck him (and killed him), and I found something (of rejection) in myself regarding that. So I mentioned it to the Prophet (sallAllāhu alayhi wa sallam). So the Messenger of Allāh (sallAllāhu alayhi wa sallam) said: ‘Did he say Lā ilāha illa Allāh and then you killed him? He said: I said: ‘O Messenger of Allāh, he verily said it out of fear from the weapon.’ He said: ‘Then did you split open his heart to know whether it said it or not?’ And he kept on repeating that to me until I wished that I would not have become a Muslim before that day. He said: So Sa’d said:’ And me, by Allāh, I would never kill a Muslim, just like the owner of a small belly (i.e. Usāmah) did.’ He said: A man said: ‘Did Allāh not say: **“And fight them until there is no more fitnah and all of the religion is for Allāh.”** So Sa’d said: ‘We have verily fought until there is no more fitnah, but you and your companions want to fight until there is fitnah.’”*

An-Nawawī narrates in his explanation of Sahīh Muslim that the ‘Sa’d’ who said:

وَأَنَا وَاللَّهِ لَا أَقْتُلُ مُسْلِمًا حَتَّى يَقْتُلَهُ ذُو الْبَطْنَيْنِ

“And me, by Allāh, I would never kill a Muslim, just like the owner of a small belly (i.e. Usāmah) did.”

This was Sa’d Ibn Abū Waqqās – radiAllāhu ‘anhu.

Chapter: The manhaj of the da'wah of Najd

Despite the fact that Shaykh Muhammad ibn 'Abdul-Wahhāb – *rahimahullāh* – lived in a time where *shirk* and *kufr* had spread to the corners of the Arabian peninsula, and he is considered to be a reviver of the religion, he would also not deviate from the fundamental principles regarding giving the *hukm* of Islām based on the *dhāhir* (outwardly), nor would he make general *takfīr* upon all people. So despite of a city being judged as a city of *kufr* due to what the people in it are upon of *kufr* and *shirk*, then the scholars from the *da'wah* of Najd would still judge the specific person according to the outwardly, as it can be seen in the following quotes:

Shaykh Muhammad ibn 'Abdul-Wahhāb – *rahimahullāh* – said:

فإن قال قائلهم: إنهم يكفرون بالعموم; فنقول: سبحانك هذا بختان عظيم، الذي نكفر، الذي يشهد أن التوحيد دين الله، ودين رسوله، وأن دعوة غير الله باطلة، ثم بعد هذا يكفر أهل التوحيد، ويسميهم الخوارج، ويتبين مع أهل القبب على أهل التوحيد; ولكن نسأل الله الكريم، رب العرش العظيم، أن يرينا الحق حقا، ويرزقنا اتباعه، وأن يرينا الباطل باطلا، ويرزقنا اجتنابه، ولا يجعله ملتبسا علينا فنضل. {قُلْ إِنْ كُنْتُمْ تُحِبُّونَ اللَّهَ فَاتَّبِعُونِي} الآية، [سورة آل عمران آية: 31].

"So if someone among them says: 'They verily declare takfīr in general (upon all people).' Then we say: 'Praise be to You (O Allāh), that is a huge lie.' The one we declare takfīr upon is the one who testifies that Tawhīd is the religion of Allāh and the religion of His Messenger, and that the invocation of others than Allāh is invalid, and then after that he declares takfīr upon the people of Tawhīd and calls them khawārij, and he stands with the people of the graves against the people of Tawhīd. But we ask Allāh Al-Karīm, Lord of the Mighty Throne, to show us the truth as the truth and provide us with following it. And to show us the falsehood as falsehood and provide us with keeping away from it, and not to make it difficult for us so we go astray. "Say if you (really) love Allāh then follow me." (Āli 'Imrān 3:31)."

(Ad-Durar As-Saniyyah 1/63)

And he – *rahimahullāh* – said:

وأما القول: أنا نكفر بالعموم، فذلك من بختان الأعداء، الذين يصدون به عن هذا الدين، ونقول: {سُبْحَانَكَ هَذَا بُهْتَانٌ عَظِيمٌ} [سورة النور آية: 16].

"And regarding the saying: that we declare takfīr in general (upon all people) then this is from the lies of the enemies; those who prevent the people from this religion with that. And we say: "Praised are You (O Allāh), this is a great slander." (An-Nūr 24:16)

(Ad-Durar As-Saniyyah 1/99)

And he – *rahimahullāh* – said:

ولكن من أظهر الإسلام وطمنا أنه أتى بناقض، لا نكفره بالظن، لأن اليقين لا يرفعه الظن؛ وكذلك لا نكفر من لا نعرف منه الكفر، بسبب ناقض ذكر عنه، ونحن لم نتحققه

“But the one who shows Islām outwardly and we think that he has performed a nāqid, then we do not declare takfīr upon him due to assumption, because yaqīn (that which is certain) cannot be uplifted by assumption. And likewise we do not declare takfīr upon the one whom we do not know any kufr from, due to a nāqid which has been mentioned about him, while we did not confirm this.”

(Ad-Durar As-Saniyyah 1/63)

‘Abdul-Latīf ibn ‘Abdur-Rahmān ibn Hasan – *rahimahumullāh* – said in his defense of Shaykh Muhammad ibn ‘Abdul-Wahhāb:

ولكن هذا المعترض لا يتحاشى من الكذب ولو كان من الميتة والموقودة والمتردية، وما رأيت شيخ الإسلام أطلق على بلد من بلاد المنتسبين إلى الإسلام إنها بلد كفر، ولكنه قرر أن دعاء الصالحين وعبادتهم بالاستعانة والاستغاثة والذبح والنذر والتوكل، على أنهم وسائط بين العباد وبين الله في الحاجات والمهمات، هو دين المشركين وفعل الجاهلية الضالين من الأميين والكتائبين، فظنَّ هذا أن لازم قوله أنه يحكم على هذه البلاد أنها بلاد كفر، وهذا ليس بلازم، ولو لازم، فلازم المذهب ليس بمذهب، ونحن نطالب الناقل بتصحيح نقله. نعم؛ ذكر الحنابلة وغيرهم أن البلدة التي تجرى عليها أحكام الكفر، ولا تظهر فيها أحكام الإسلام بلدة كفر؛ وما ظهر فيها هذا وهذا فقد أفتى فيها شيخ الإسلام ابن تيمية بأنه يراعى فيها الجانبان فلا تعطى حكم الإسلام من كل وجه، ولا حكم الكفر من كل وجه، كما نقله عنه ابن مفلح وغيره. وقوله: (فلا تَوَكَّل ذبائحهم عنده ولا تحل نساؤهم). فهذا من نمط ما قبله ، والشيخ لا يمنع من ذبيحة الشخص المعين إذا شهد أن لا إله إلا الله، وأن محمدًا رسول الله، ودخل في الإسلام، ما لم يأت بمانع يمنع من حل ذبحه، وكذا حكم النساء، فكيف يقول ذلك في أهل بلد وأهل قرية لا يعلم تفاصيل أحوالهم وما يجري منهم من النواقص إلا الله عالم الغيب والشهادة.

“But this objector (i.e. ‘Uthmān ibn Mansūr³) does not avoid lying even if he is among the sick deteriorating dead. And I did not see Shaykh Al-Islām say regarding a land among the lands of those who ascribe themselves to Islām that they are lands of kufr. Rather he determined that invoking the righteous and worshipping them with isti’ānah, istighāthah, dhabh and tawakkul as if they were intermediaries between the slaves and Allāh in the needs and important issues, (all of this) is from the religion of the mushrikūn and the acts of misguided jāhiliyyah from the uneducated and those

³ ‘Uthmān ibn Mansūr is the man who Shaykh ‘Abdul-Latīf answered in his book “Misbāh Adh-Dhālam”, refuting some of the accusations ‘Uthmān made against Shaykh Muhammad ibn ‘Abdul-Wahhāb – *rahimahullāh* – from the book of ‘Uthmān called “Jilā Al-Ghummah fī takfīr hādhihi Al-Ummah”.

who have a book. So this man (i.e. 'Uthman) thought that the *lāzim* (necessity) of his words (i.e. what he established) is that he judges upon these lands that they are lands of kufr. And this is not *lāzim*. And if it is *lāzim*, then the *lāzim* of the madhhab is not a madhhab (in itself). And we demand from the one who narrated that he corrects his narration. Yes, the Hanābilah and others than them mentioned that a land where the judgments of kufr are applied and the judgments of Islām are not apparent then this is a land of kufr. And in the country where both things are apparent then verily did Shaykh Al-Islām Ibn Taymiyyah give the fatwā regarding it that both sides of it are taken into consideration. So the judgment of Islām is not applied from all angles nor the judgment of kufr from all angles. Just like Ibn Muflih and others narrated from him.

And his (i.e. 'Uthmān) words: 'So (based on this) their slaughtering should not be eaten in his opinion nor are their women allowed (in marriage).' Then these (words) are of the same kind as those before them. And the Shaykh (Muhammad) does not forbid the specific persons slaughtering if he testifies to Lā ilāha illa Allāh Muhammadu Rasulullāh and enters into Islām, as long as he does perform what prevents his slaughtering from being allowed. And likewise is the judgment of the women. So how should he say this about all of the people in a land or a village where he doesn't know the details of their situations, and what they perform of nawāqid that only Allāh knows of the unseen and seen?"

(Misbāh Adh-Dhālam)

And Hamd ibn Nāsir bin Ma'mar – rahimahullāh – said:

ولا يلزمنا على هذا تكفير من مات في الجاهلية قبل ظهور الدين، فإننا لا نكفر الناس بالعموم، كما أنا لا نكفر اليوم بالعموم، بل نقول: من كان من أهل الجاهلية عاملاً بالإسلام تاركاً للشرك فهو مسلم، وأما من كان يعبد الأوثان ومات على ذلك قبل ظهور هذا الدين، فهذا ظاهره الكفر، وإن كان يحتمل أنه لم تقم عليه الحجة الرسالية لجهله وعدم من ينبيهه، لأننا نحكم على الظاهر، وأما الحكم على الباطن فذلك إلى الله تعالى، لا يعذب أحداً إلا بعد قيام الحجة عليه، كما قال تعالى: {وَمَا كُنَّا مُعَذِّبِينَ حَتَّى نَبْعَثَ رَسُولاً} [سورة الإسراء آية: 15]. وأما من مات منهم مجهول الحال، فهذا لا نتعرض له، ولا نحكم بكفره ولا بإسلامه، وليس ذلك مما كلفنا به، {تِلْكَ أُمَّةٌ قَدْ خَلَتْ لَهَا مَا كَسَبَتْ وَلكُمْ مَا كَسَبْتُمْ وَلَا تُسْأَلُونَ عَمَّا كَانُوا يَعْمَلُونَ} [سورة البقرة آية: 134]: فمن كان منهم مسلماً أدخله الله الجنة، ومن كان كافراً أدخله النار

"And based upon this we are not obliged to declare takfir upon those who died in jāhiliyyah before the religion emerged, because we verily do not declare takfir upon the people in general, just as we do not declare takfir in general today. Rather we say: whoever is from the people of jāhiliyyah who acts upon Islām and leaves shirk then he is Muslim. But the one who used to worship the idols and died upon this before the emergence of this religion, then his outwardly situation is kufr, even if it is possible that the hujjah has not been established upon, due to his ignorance and no-one there to inform him.

*Because we judge upon the apparent. But as for the judgment upon the inner then this is up to Allāh. He does not punish anyone except after the establishment of the hujjah upon him. Just like Allāh said: **“And we do not punish anyone except after we send a messenger.”** (Al-Isrā 17:15). And regarding the one who died whose situation is unknown then we do not explore his situation and we do not judge him as kāfir nor as a Muslim, and this is not from what Allāh has made us responsible for. **“That was a nation which has passed on. It will have (the consequences of) what it earned, and you will have what you have earned. And you will not be asked about what they used to do.”** (Al-Baqarah 2:134). So whoever of them who was a Muslim then Allāh will enter him into Paradise, and the one who was a kāfir He will enter into the fire.”*

(Ad-Durar As-Saniyyah 7/145)

Finishing words

Both the mistake which has been made in this issue, along with the truth in this issue are all gathered in the words of Ash-Shafi'i in "Al-Umm" when he – *rahimahullāh* – said:

فَوَجَبَ عَلَى مَنْ عَقَلَ عَنِ اللَّهِ أَنْ يَجْعَلَ الظُّنَّ كُلَّهَا فِي الْأَحْكَامِ مُعْطَلَةً ، فَلَا يَحْكُمُ عَلَى أَحَدٍ بِظَنٍّ ،

"So it is obligatory upon the one who wants to perform what Allāh has obliged upon him to make all assumptions regarding the judgments invalid. So he should not judge upon anyone based upon assumption."

(Al-Umm 1/169)

And this is not correct due to it being the words of Ash-Shafi'i – *rahimahullāh* – rather it is correct, because this is the correct understanding of the words of Allāh – the Exalted – and His Messenger (*sallAllāhu alayhi wa sallam*) who clarified that the judgment in *dunyā* is based upon the outwardly while the inner selves are the responsibility of Allāh.

So when I look at all the arguments that I used apply as a base for my former belief I see that they all contradict the obligation mentioned above; not to judge based upon assumptions.

So when we said: *'Most of the people have fallen in shirk and kufr, and they are ignorant about the meaning of Tawhid, and they are performing and drowning in numerous types of major shirk'*, and based upon this judged the person who came to us ascribing himself to Islām as being included in 'most of the people..', then this is based upon what? It is based upon that we assume that he is from the majority, while his outwardly is showing that which Allāh and His Messenger with full certainty has made criteria for judging a person with *Islām al-hukmī*. So we turned away from the full certainty and judged upon assumptions.

And when we said: *'The Islāmic signs such as saying Lā ilāha ill Allāh Muhammadu RasulAllāh, praying and fasting are common between both the Muslims and those who ascribe to Islām while committing shirk and therefor they are not sufficient for judging a person with Islām'*, then this saying from its beginning to its end is an assumption. Why? Because Allāh did not say it, His Messenger (*sallAllāhu alayhi wa sallam*) did not say it, the Sahābah (*radiAllāhu 'anhum*) did not say it nor did the *salaf* understand this from the evidences in Islām. And whatever is not based on what Allāh and His Messenger (*sallAllāhu alayhi wa sallam*) and what the *salaf* has understood from these two things, then what is it except whims, desires, philosophy and assumption? Are we not ordered to follow the Sunnah of the Messenger (*sallAllāhu alayhi wa sallam*) and stay away from newly invented matters (i.e. *bida'*)?

Al-Bazzār narrated from ‘Irbān ibn Sāriyah that the Messenger of Allāh (*sallAllāhu alayhi wa sallam*) said:

فَإِنَّهُ مَنْ يَعِشْ مِنْكُمْ فَسَيَرَى اخْتِلَافًا كَثِيرًا، فَعَلَيْكُمْ بِسُنَّتِي وَسُنَّةِ الْخُلَفَاءِ الرَّاشِدِينَ الْمُهْتَدِينَ، عَضُّوا عَلَيْهَا بِالنَّوَاجِدِ، وَإِيَّاكُمْ وَمُحَدَّثَاتِ الْأُمُورِ؛
فَإِنَّ كُلَّ بَدْعَةٍ ضَلَالَةٌ

“Because verily whoever of you that will live after me will see a great amount of disagreement. So upon you is (to stick to) my Sunnah and the Sunnah of the guided righteous khalifs. Bite in it with your molar teeth (i.e. stick to it stubbornly). And beware of newly invented matters, because every bid’ah is misguidance.”

(Ibn Mājah, Abū Dāwūd, At-Tirmidhī and Ahmad. Al-Bazzār said *thābit sahīh*)

So I challenged myself, and now I also challenge the reader who hold the described opinion, to bring a statement from the *salaf* that shows the understanding which you are upon? And he will not be able to bring it. Because the *salaf* did not go out from what the evidences has pointed to. Rather they stuck to the *Sunnah* of the Prophet (*sallAllāhu alayhi wa sallam*) with their molar teeth.

And also when we said: ‘In the time of the Messenger of Allāh (*sallAllāhu alayhi wa sallam*) the people knew the meaning of *Lā ilāha illa Allāh* and what it entailed of leaving shirk and takfir upon the mushrik, but today people don’t know this’, and based upon this judged the person who came to us ascribing himself to Islām as being included in the people who do not know the meaning of *La ilāha illa Allāh* and what it entails, then this is also based upon assumption. You assume that he doesn’t know. But you do not know for sure. And what we used to agree to – and still do – is that among the masses today there could be and naturally are *muwahhidūn* who knows the Tawhīd of Allāh and practice it. So claiming that he is among those who do not know is based upon assumption, while Allāh and His Messenger (*sallAllāhu alayhi wa sallam*) invalidated all assumptions when it came to the judgement upon a person with Islām who shows Islām outwardly. And likewise when judging a person as a *kāfir*, then this must also be based upon *yaqīn* and not assumption.

And based upon this we say regarding the application of what has preceded, that according to the Book of Allāh and the Sunnah of His Messenger (*sallAllāhu alayhi wa sallam*) and the understanding of the *salaf*, then:

- Whoever is in a *dār* (area, city, land) then the basic principle is that he is from its people, unless he shows something which contradicts that.

- Whoever shows Islām outwardly then he is judged as a Muslim outwardly and the judgments, the rights, the obligations for a Muslim is applied upon him.
- Whoever shows *shirk* or ignorance in Tawhid or another *nāqid* among the *nawāqid* of Islām outwardly then he is judged as a *mushrik kāfir*, and whatever he utters of *shahādah* and prays of prayers in invalid and not taken into consideration.
- Whoever shows Islām outwardly but also states that he is from a misguided sect such as Al-Ikhwān, As-Sūfiyyah, Al-Ahbāsh, Al-Ahmadiyyah etc. etc. then he is judged according to what he says and is considered a *mushrik kāfir* due to the *shirk* which these sects are indulging in.
- Whoever ascribes to Islām but is already known for his *kufr*, then he is a *kāfir*.
- Whoever shows Islām outwardly and is seen with a *kāfir*, or seen praying in a *masjid* which is known for *kufr*, or seen praying behind an *imām* who is *kāfir*, then this does not necessary mean that this person himself is a *kāfir* that holds the same beliefs as the person, the masjid or them *kāfir imām*. Rather the *salaf* would not declare *takfir* upon anyone except after seeing or hearing from them that which the *ummah* agreed upon is *kufr* which brings a person out of the religion.
- Whoever is known for one type of *kufr* or *shirk* while he is ascribing himself to Islam, then he must declare himself free from the *kufr* and *shirk* which he was in before his Islām is accepted.

This is what can be concluded from the texts from the Islāmic Law. This is what is clear and contains no doubt, no innovation and no *qiyāsāt* (analogies) made by contemporaries. And due to this, this is what I have chosen to follow and believe in, and it is what I urge and encourage every Muslim *muwahhid* to believe in.

﴿ قُلْ إِنْ كُنْتُمْ تُحِبُّونَ اللَّهَ فَاتَّبِعُونِي يُحْبِبْكُمُ اللَّهُ ﴾

”Say (O Muhammad): ‘If you (really) love Allāh, then follow me.’” (Āli ‘Imrān 3:31)

﴿ مَنْ يُطِعِ الرَّسُولَ فَقَدْ أَطَاعَ اللَّهَ وَمَنْ تَوَلَّىٰ فَمَا أَرْسَلْنَاكَ عَلَيْهِمْ حَفِيظًا ﴾

”Whoever obeys the Messenger then he has verily obeyed Allāh. And whoever turns away, then we have not sent you as a guardian over them.” (An-Nisā 4:80)

﴿ وَكَذَلِكَ أَنْزَلْنَاهُ حُكْمًا عَرَبِيًّا وَلَئِنْ اتَّبَعْتَ أَهْوَاءَهُمْ بَعْدَ مَا جَاءَكَ مِنَ الْعِلْمِ مَا لَكَ مِنَ اللَّهِ مِنْ وَلِيٍّ وَلَا وَاقٍ ﴾

”And thus We have revealed it as an Arabic legislation. And if you should follow their desires after what has come to you of knowledge, you would not have against Allāh any ally or any protector.” (Ar-Ra’d 13:37)

We ask Allāh to show us the truth as the truth and provide us with following it. And we ask Him to show us the falsehood as falsehood and provide us with keeping away from it.
Allāhumma āmīn.

And may the peace and abundant blessings be upon our Prophet Muhammad, his family and companions, and whoever follows them in goodness until the Day of Judgement.

Abū Hajār