

A Study of the Tafseer of

'Abdullaah ibn 'Abbaas

(radi Allahu 'anhu)

"kufr doona kufr"

Indeed, We sent down the Torah, in which was guidance and light. The prophets who submitted [to Allāh] judged by it for the Jews, as did the rabbis and scholars by that with which they were entrusted of the Scripture of Allāh, and they were witnesses thereto. So do not fear the people but fear Me, and do not exchange My verses for a small price. And whoever does not judge by what Allāh has revealed – then it is those who are the disbelievers.

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**THE DEVIL'S DECEPTION OF 'ABDULLAAH (“EL”) FAISAL AL-JAMAYKEE –
PART 2**

**A STUDY OF THE TAFSEER OF 'ABDULLAAH IBN
'ABBAAS (RADI ALLAAHU 'ANHUMAA):
“KUFR LESS THAN KUFR”**

دِرَاسَةُ قَوْلِ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا :
«كُفْرٌ دُونَ كُفْرٍ»

رَدُّ عَلَى عَبْدِ اللَّهِ فَيْصَلِ الْجَمَيْكِيِّ وَغَيْرِهِ مِنَ التَّكْفِيرِيِّينَ الْجُدِّدِ

**BEING A REFUTATION OF 'ABDULLAAH FAISAL
AL-JAMAYKEE AND OTHER NEW-AGE
BOHEMIAN TAKFIRI ACTIVISTS**

**INCLUDING AN ASSESSMENT OF ABDULLAAH (“EL”) FAISAL'S
CRITICISMS OF THE ILLUSTRIOUS COMPANION 'ABDULLAAH IBN
'ABBAAS**

(RADI ALLAAH 'ANHU)

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INTRODUCTION

Indeed, all praise is due to Allāh, we praise Him, we seek His aid, and we ask for His forgiveness. We seek refuge in Allāh from the evil of our actions and from the evil consequences of our actions. Whomever Allāh guides, there is none to misguide and whoever Allāh misguides there is none to guide. I bear witness that there is no god worthy of worship except Allāh and I bear witness that Muhammad is the servant and messenger of Allāh.

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

“O you who have believed, fear Allāh as He should be feared and do not die except as Muslims (in submission to Him).”

{*Āli-Imrān* (3): 102}

﴿يَا أَيُّهَا النَّاسُ اتَّقُوا رَبَّكُمُ الَّذِي خَلَقَكُمْ مِنْ نَفْسٍ وَاحِدَةٍ وَخَلَقَ مِنْهَا زَوْجَهَا وَبَثَّ

مِنْهُمَا رِجَالًا كَثِيرًا وَنِسَاءً وَاتَّقُوا اللَّهَ الَّذِي تَسَاءَلُونَ بِهِ وَالْأَرْحَامَ إِنَّ اللَّهَ كَانَ عَلَيْكُمْ

رَقِيبًا﴾

“O mankind, fear your Lord, who created you from one soul and created from it its mate and dispersed from both of them many men and women. And fear Allāh through whom you ask things from each other, and (respect) the wombs. Indeed Allāh is ever, over you, an Observer.”

{*an-Nisā* (4): 1}

﴿يَا أَيُّهَا الَّذِينَ آمَنُوا اتَّقُوا اللَّهَ وَقُولُوا قَوْلًا سَدِيدًا﴾

يُصْلِحْ لَكُمْ أَعْمَالَكُمْ وَيَغْفِرْ لَكُمْ ذُنُوبَكُمْ وَمَنْ يُطِيعِ اللَّهَ وَرَسُولَهُ فَقَدْ فَازَ فَوْزًا

عَظِيمًا

“O you who have believed, fear Allāh and speak words of appropriate justice. He will amend for you your deeds and forgive your sins. And whoever obeys Allāh and His Messenger has certainly attained a great attainment.”

{*al-Abzāb* (33): 70-71}

To proceed:

It appears that the deception of Abdullaah Faisal al-Jamaykee is still in full flight, we have come across a video wherein 'Abdullaah Faisal al-Jamaykee, in his hatred for the *manhaj* of the *Salaf*, has clearly demonstrated that his cantankerous views, along with his *takfeeree* temerity, have not changed one iota. Indeed, as the saying goes: you can't teach an old dog new tricks! What Faisal and his ilk seem to be incapable of understanding is that it is the *manhaj* of the *Salaf* that is being defended not corrupt oppressive rulers, this has never been the reality of the issue only within the unhinged mind of the fake Shaykh of Jamaica, Abdullaah el-Faisal.

Like other new-age *takfiri* activists, Faisal al-Jamaykee has even stooped to the level of cursing the illustrious Sahaabee' Abdullaah Ibn 'Abbaas (*radi Allaahu 'anhu*) and describing him as “having many mistakes”!¹ What is also strange is that Faisal's new-found supporters, headed by the ignoramus Yoosuf al-Khattaab², see nothing wrong in this?

After 29 minutes into the video which was a recording of a “debate” between the decrepit Abdullaah Faisal and a Salafi brother in Nigeria, which can be found Online, Faisal exclaims that:

“First of all, we do not worship Ibn 'Abbaas and if he said that dismantling the Sharee'ah is kufr doona kufr it's a mistake and Ibn 'Abbaas is known for making mistakes...so Ibn 'Abbaas is known for making many many mistakes. So if he said that to dismantle the Sharee'ah is

¹ This was actually asserted by Aboo Hamza al-Misree in his paper entitled *Ruling by Man-Made Laws is Kufri Akbar*, wherein we find on page 15 that he makes the same conclusions about Ibn 'Abbaas (*radi Allaahu 'anhumaa*) as Faisal did in his video debate with the brother in Nigeria. Therefore, all Faisal has done is follow the folly of Aboo Hamza al-Misree. The 'paper' by Aboo Hamza al-Misree is obviously poor in its academic standard and clearly has not emanated from one who even has a inkling of Islamic scholarship.

² Refer to: http://www.salafimanhaj.com/pdf/SalafiManhaj_YusufKhattaab.pdf

minor kufr we dismiss it as one of the mistakes of Ibn 'Abbaas. Because he was a young Sahaabah and we stick to the fatwa of Ibn Katheer and Ibn Taymiyyah”

Another of the glaring proofs of his crazed Khaarijiyyah! Which his followers find nothing wrong with?! The other stupendous contradiction within Faisal’s deranged (!) speech is that he claims that Ibn Katheer mentioned a consensus that **“whosoever dismantles the Sharee’ah is a kaafir”**, yet Ibn Katheer mentions in his own *tafseer* the narration of Ibn 'Abbaas regarding **“kufr less than kufr”**!! So Abdullaah Faisal builds a straw man argument to knock down, but this is not what the realm of the discussion is about. The realm of the discussion is regarding the narration of Ibn 'Abbaas (*radi Allaahu 'anhu*) and its application to those who do not rule by what Allaah has revealed. So after 16 minutes into the “debate” the Nigerian Salafi brother asks Faisal if he still holds to his position that he stated in a past lecture entitled *Let the Scholars Beware*³:

“I suggest you don’t embarrass yourself and promote the ‘aqeedah of kufr doona kufr...because when you promote this dodgy ‘aqeedah and this is the ‘aqeedah of the Salafees, may the curse of Allaah be upon them in this life and the hereafter, and anyone who promote {sic} the ‘aqeedah of kufr doona kufr this person is an enemy of Allaah, His Rasool and al-Islam.”

To which Faisal, may Allaah guide or give him what he deserves, states:

I stand by that statement anyone who says that to dismantle the Sharee’ah is kufr doona kufr is an enemy of Allaah...⁴

So Faisal twists his response, and adds **“dismantle the Sharee’ah”** but this is not the realm of discussion, the realm of discussion is the narration of **“kufr doona kufr”** (**“kufr less than kufr”**). So Faisal here is able to build a straw man and then knock it down. Also, when Faisal uses the term **“dismantle”** he does not give specific examples of where in his deranged mind this has occurred, more on this will be mentioned in a subsequent chapter insha’Allaah. Shaykh ul-Islam Ibn Taymiyyah actually said, which 'Abdullaah Faisal (Fasheel!) al-Jamaykee avoids referring to, that:

³ The very title of this lecture is in itself interesting, as who on earth is Abdullaah Faisal al-Jamaykee to pronounce statements such as “the scholars should beware” as indeed Allaah has stated that only the 'Ulama truly fear Allaah.

⁴ Faisal also stated after an hour and fifteen minutes into a lecture entitled *Cancers in the Body of the Ummah* (1):

“The statement of kufr doona kufr where did it come from? Qurtubi says it come {sic} from Taawoos! A man who did not even meet the Prophet (sallallaahu alayhi wassallam), a man by the name of Taawoos came up with this statement kufr doona kufr. So as for the statement kufr doona kufr Ibn 'Abbaas did not make this statement!”

وقد أمر الله المسلمين كلهم إذا تنازعوا في شيء أن يردوه إلى الله والرسول؛ فقال تعالى

Allaah has instructed all of the Muslims to refer back to Allaah and His Messenger, Allaah says,

يَا أَيُّهَا الَّذِينَ آمَنُوا أَطِيعُوا اللَّهَ وَأَطِيعُوا الرَّسُولَ وَأُولِي الْأَمْرِ مِنْكُمْ فَإِن تَنَازَعْتُمْ فِي

شَيْءٍ فَرُدُّوهُ إِلَى اللَّهِ وَالرَّسُولِ إِن كُنتُمْ تُؤْمِنُونَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ ذَلِكَ خَيْرٌ

وَأَحْسَنُ تَأْوِيلًا

“O you who have believed, obey Allaah and obey the Messenger and those in authority among you. And if you disagree over anything, refer it to Allaah and the Messenger, if you should believe in Allaah and the Last Day. That is the best [way] and best in result.”

{an-Nisaa (4): 59}

And Allaah says,

﴿فَلَا وَرَبِّكَ لَا يُؤْمِنُونَ حَتَّى يُحَكِّمُوكَ فِيمَا شَجَرَ بَيْنَهُمْ ثُمَّ لَا يَجِدُوا فِي أَنْفُسِهِمْ

حَرَجًا مِّمَّا قَضَيْتَ وَيُسَلِّمُوا تَسْلِيمًا﴾

“But no, by your Lord, they will not [truly] believe until they make you, [O Muhammad], judge concerning that over which they dispute among themselves and then find within themselves no discomfort from what you have judged and submit in [full, willing] submission.”

{an-Nisaa (4): 65}

فمن لم يلتزم تحكيم الله ورسوله فيما شجر بينهم فقد أقسم الله على نفسه أنه لا يؤمن، وأما من كان

ملتزمًا لحكم الله ورسوله باطنًا وظاهرًا، لكن عصى واتبع هواه، فهذا بمنزلة أمثاله من العصاة، وهذه الآية

مما يحتج بها الخوارج على تكفير ولاية الأمر الذين لا يحكمون بما أنزل الله، ثم يزعمون أن اعتقادهم هو

حكم الله "اهـ

So whoever does not abide by the judgement of Allaah and His Messenger in any disagreements which arise among them, then Allaah has sworn by Himself that they do not believe. As for the one who abides by Allaah and His Messenger's judgements inwardly and outwardly, but he commits sins and follows his desire, this case is the same as that of disobedience. **This ayah is what the Khawaarij use as a proof for making takfeer of the rulers who do not judge by what Allaah has revealed, then they claim that they believe that it is Allaah's judgement.**⁵

Imaam Ibn Battah in his book *al-Ibaanah* has a chapter entitled 'Sins which lead a person to commit *kufur* which expels from the religion' and he mentions in the chapter:

الحكم بغير ما أنزل الله، وأورد آثار الصحابة والتابعين على أنه كفر أصغر غير ناقل عن الملة.

Ruling by other than what Allaah has revealed – the narrations from the Companions and the Taabi'oon highlight that it is minor kufur which does not expel a person from the religion.

Imaam 'AbdurRahmaan as-Si'dee (*rahimabullaah*) said in his *tafseer* of the verse:

" فمن استكمل هذه المراتب - يعني التحكيم وانتفاء الحرج والتسليم - فقد استكمل مراتب الدين كلها، ومن ترك هذا التحكيم المذكور، غير ملتزم له، فهو كافر ومن تركه مع التزامه فله حكم أمثاله من العاصيين ".

Whoever fulfils this level, meaning he renders judgement accordingly, and has no resistance, accepting with full conviction, then he has completely fulfilled the necessary level of religion. And whoever leaves this rendering of judgement mentioned, not abiding by it, then the ruling for him is similar to that of the disobedient.

As for the *ijmaa'* that he is talking about, then this it is hard to ascertain what 'Abdullaah Faisal is actually quoting as he rarely quotes accurately and from the original Arabic, yet we think that Faisal (al-Fasheel!) is referring to:

" والإنسان متى حلل الحرام المجمع عليه أو حرم الحلال المجمع عليه، أو بدل الشرع المجمع عليه، كان كافراً مرتداً باتفاق الفقهاء، وفي مثل هذا نزل قوله على أحد القولين:

When a person makes halaal whatever is haraam by consensus, or prohibits whatever is halaal by consensus, or changes whatever is from the Divine Legislation by consensus - is a disbelieving apostate by agreement of the fuqahaa. With regards to the likes of these people Allaah revealed,

﴿وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنزَلَ اللَّهُ فَأُولَئِكَ هُمُ الْكَافِرُونَ﴾

⁵ *Minhaaj us-Sunnah*, vol.5, p.131

“And whoever does not judge by what Allah has revealed – then it is those who are disbelievers.”

{*al-Maa'idab (5): 44*}

أي المستحل للحكم بغير ما أنزل الله " اهـ

Meaning: the one who makes it lawful to rule by other than what Allaah has revealed.⁶

So the mere ruling by man-made law which opposes the Divine Legislation is not *kufir* which expels from the religion, except if it is said that such man-made laws are better than the Divine Legislation of Allaah, or if a person views that it is permissible to rule by it, even if he says that the rule of the Divine Legislation is better, because he has made lawful what Allaah has prohibited or prohibited what Allaah has made lawful. As for if a person does that (i.e. rules by man-made law) due to following his desires and he knows that he is disobeying Allaah by doing that, then such a person is of the disobedient people of major sins and he is considered to have committed minor *kufir*, minor *dhulm* and minor *fisq*. Primarily such a person is not a disbeliever if the laws are common and customary and not acts of worship, such as the laws and regulations that Abdullaah Faisal (Fasheell) al-Jamaykee himself submits to and lives within! Furthermore, al-Haafidh Ibn Katheer transmitted in his *tafseer* that there was an *ijmaa'* of the Muslims on the *kufir* of the Mongols due to their application of Yaasiq (Yasaa). He stated in his *Tafseer ul-Qur'aan il-Adbeem*, vol.2, p.68:

﴿أَفَحُكْمَ الْجَهْلِيَّةِ يَبْغُونَ وَمَنْ أَحْسَنُ مِنَ اللَّهِ حُكْمًا لِّقَوْمٍ يُوقِنُونَ﴾

“Then is it the judgement of [the time of] ignorance they desire? But who is better than Allāh in judgement for a people who are certain [in faith].”

{*al-Maa'idab (5): 50*}

Allah criticizes those who ignore Allah's commandments, which include every type of righteous good thing and prohibit every type of evil, but they refer instead to opinions, desires and customs that people themselves invented, all of which have no basis in Allah's religion. During the time of Jahiliyyah, the people used to abide by the misguidance and ignorance that they invented by sheer opinion and lusts. The Tatar (Mongols) abided by the law that they inherited from their king Genghis Khan who wrote Al-Yasiq, for them. This book contains

⁶ *Majmoo' al-Fataawaa*, vol.2, p.267

some rulings that were derived from various religions, such as Judaism, Christianity and Islam. Many of these rulings were derived from his own opinion and desires. Later on, these rulings became the followed law among his children, preferring them to the Law of the Book of Allah and the Sunnah of His Messenger. Therefore, whoever does this, he is a disbeliever who deserves to be fought against, until he returns back to Allah's and His Messenger's rule, so that no law, minor or major, is referred to except by His Law.⁷

So primarily it is in referral to the Mongols and the evidence is that Ibn Katheer (*rahimahullaah*) stated towards the end of his speech:

" فَمَنْ فَعَلَ ذَلِكَ [مِنْهُمْ] فَهُوَ كَافِرٌ "

"Whoever from them⁸ does that is a disbeliever".

So as for 'Abdullaah Faisal's ridiculous use of Ibn Katheer (*rahimahullaah*), then Ibn Katheer himself refers to "kufr doona kufr" in his *tafseer* and accepted it?! So Ibn Katheer himself attested to the narration of "kufr less than kufr" and did not consider it false as the likes of 'Abdullaah Faisal al-Jamaykee and the new-age *takfiri* activists and Khawaarij do! 'Ajeeb! Faisal also claims that the Salafis "go against the ijmaa' of Ibn Taymiyyah and Ibn Katheer" (!!?) and deceptively quotes Ibn Taymiyyah saying (according to Abdullah Faisal's distorted translation):

It is known of Islam by necessity and it is the agreement of all the Muslims that if you dismantle the Sharia it makes you become a kaafir.⁹

Abdullah Faisal then quotes the source for the above quote as being from: Ibn Taymiyyah, *Majmoo' al-Fataawaa*, vol.8, p.524. Ok, now let's quote the actual Arabic text from Shaykh ul-Islaam Ibn Taymiyyah from *Majmoo' al-Fataawaa*:

وَمَعْلُومٌ بِالِاضْطِرَارِ مِنْ دِينِ الْمُسْلِمِينَ وَبِاتِّفَاقِ جَمِيعِ الْمُسْلِمِينَ أَنْ مَنْ سَوَّغَ اتِّبَاعَ غَيْرِ دِينِ
الْإِسْلَامِ أَوْ اتِّبَاعَ شَرِيعَةٍ غَيْرِ شَرِيعَةِ مُحَمَّدٍ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: فَهُوَ كَافِرٌ وَكَكْفَرٍ مَنْ أَمَّنَ
بِبَعْضِ الْكِتَابِ وَكَفَرَ بِبَعْضِ الْكِتَابِ

⁷ For Online English version of this refer to:

http://www.qtafsir.com/index.php?option=com_content&task=view&id=768&Itemid=60

⁸ However, Aboo Baseer at-Tartoose for example, in his book *at-Taaghoot* omits these words "...from them (min hum)..." as he and those like him usually do in their *tadlees* and cutting up the texts, see *at-Taaghoot*, p.84 For a further detailed critique of Aboo Baseer at-Tartoose and his errors in understanding taaghoot and takfeer refer to the translated book by Aboo Noor bin Hasan bin Muhammad al-Kurdee: http://www.salafimanhaj.com/pdf/SalafiManhaj_Tartoosee.pdf

⁹ Abdullah ("El") Faisal mentioned this is an email to a brother in Jamaica which was forwarded to the salafimanhaj.com team recently.

It is well-known from the deen of the Muslims, and with the agreement of all of the Muslims, that whoever permits (sawwagha) following a deen other than Islam or following a Sharee'ah other than the Sharee'ah of Muhammad (sallallaahu 'alayhi wassallam) – is a disbeliever and is like the kufir of one who believes in some of the Book and disbelieves in some of it...

This is from: Ibn Taymiyyah, *Majmoo' al-Fataawa* (KSA: Tarteef of 'AbdurRahmaan Qaasim, 1997 CE/1418 AH), vol.8, p.524. So we can see that Abdullah ("El") Faisal translates the word "sawwagha" as "dismantle" and totally misquotes Shaykh ul-Islam Ibn Taymiyyah (*rahimabullaah*). This is clear *kbhiyaanah* and a lack of *amaana* which deceives the Ummah. The word "sawwagha" means: 'ajaa'za' and 'abaaba' which means: 'to be or become permissible', 'to be permitted', 'to be allowed' etc. Firstly, these terms have totally different connotations to "dismantle"; secondly, Faisal did not transmit fully what was mentioned by Ibn Taymiyyah and thirdly, the Salafis totally accept what has been mentioned by Shaykh ul-Islam Ibn Taymiyyah (*rahimabullaah*)!

Ibn Qayyim, in his book *Hukm Taarik Salaah*, explains what the *Salaf* were upon, he says:

"وها هنا أصل آخر، وهو: أن الكفر نوعان: كفر عمل، وكفر جحود وعناد.

فكفر الجحود: أن يكفر بما علم أن الرسول جاء به من عند الله جحوداً وعناداً؛ من أسماء الرب وصفاته، وأفعاله، وأحكامه.

وهذا الكفر يصاد الإيمان من كل وجه.

وأما كفر العمل: فينقسم إلى ما يصاد الإيمان وإلى ما لا يصاده:

فالسجود للصنم، والاستهانة بالمصحف، وقتل النبي، وسبه يصاد الإيمان.

وأما الحكم بغير ما أنزل الله، وترك الصلاة؛ فهو من الكفر العملي قطعاً ولا يمكن أن ينفي عنه اسم الكفر بعد أن أطلقه الله ورسوله عليه.

- ولكن هو كفر عمل، لا كفر بحاكم بغير ما أنزل الله كافر، وتارك الصلاة كافر - بنص رسول الله تارك الاعتقاد، ومن الممتنع أن يسمى الله - سبحانه - الحاكم بغير ما أنزل الله كافراً، ويسمي رسول الله الإيمان عن الزاني، والسارق، وشارب الصلاة كافراً، ولا يطلق عليها اسم الكفر، وقد نفى رسول الله الخمر، وعمن لا يأمّن جاره بوائقه، وإذا نفى عنه اسم الإيمان، فهو كافر من جهة العمل، وانتفى عنه كفر الجحود والاعتقاد، وكذلك قوله: (لا ترجعوا بعدي كفاراً، يضرب بعضكم رقاب بعض) فهذا كفر عمل "اهـ.

Here there is another foundation which is that *kufir* is of two types: *Kufir 'Amalee* (Kufir of action) and *Kufir ul-Jubood* (rejection) and 'inad (stubbornness). *Kufir ul-Jubood* is: disbelieving in what is known to be

from what the Messenger came with out of rejection and stubbornness and of the Names of the Lord and His Attributes, Actions and Regulations. This type of *kufr* contradicts *eemaan*. As for *Kufr 'Amali* (*kufr* of actions): it is divided into whatever contradicts *eemaan* and what does not. Therefore, *sujood* (prostrating) to idols, disrespecting the Qur'aan, killing the Prophet and abusing him all contradicts *eemaan*. As for ruling by other than what Allaah has revealed and leaving the prayer then it is definitely *Kufr 'Amalee* and it is not possible to negate the title of *kufr* from the person except after Allaah and His Messenger have absolutely applied it. The one who rules by other than what Allaah has revealed is a disbeliever and the one who abandons the prayer is a disbeliever, according to the text from the Messenger of Allaah, however it is *kufr* of actions ('Amalee) not *Kufr 'Itiqaad* (*kufr* of belief). It is not possible that Allaah would name the one who rules by other than what Allaah has revealed as being a "kaafir" and the Messenger of Allaah (*sallallaahu alayhi wassallam*) named the one who leaves the prayer as being a "kaafir" when the title of *kufr* was not *absolutely* applied to them. The Messenger of Allaah (*sallallaahu alayhi wassallam*) negated *eemaan* from the one who commits *zinaa*, the thief, the one who drinks alcohol and the one whose neighbour is not safe from his harm. So if the title of having *eemaan* was negated for an individual who falls into such things then he is a disbeliever from the angle of action but the *Kufr of Jubood* (rejection) and *'Itiqaad* is not applied to them. Likewise, the hadeeth (which is agreed upon): "Do not return to being disbelievers after me, by some of you hitting the necks of (i.e. killing) others." This is *kufr* of action.¹⁰

We therefore see that Faisal, in keeping with the way of the people of innovation, twists the words of the 'Ulama to suit him hence his lack of a detailed referral to their actual words, Shaykh ul-Islam Ibn Taymiyyah stated about this procedure:

" فلا تجد قط مبتدعاً إلا وهو يحي كتمان النصوص التي تخالفه ويبغضها، ويبغض
إضهارها وروايتها والتحدث بها، ويبغض من يفعل ذلك، كما قال السلف: ما ابتدع أحد
بدعة إلا نزع حلاوة الحديث من قلبه".

You will not find an innovator except that he hides the texts which oppose him and he will hate those texts. He will also hate bringing these texts up, narrating them, mentioning them and he hates acting by them. Just as the Salaf said: "One does not begin an innovation except that the sweetness of hadeeth is removed from his heart."¹¹

¹⁰ *As-Salaat wa Hukm Taarikuhu*, pp.72-78

¹¹ *Majmoo' al-Fataawaa*, vol.20, p.161

So as for "not ruling by the Sharee'ah" then Abdullaah Faisal (al-Fasheel!) al-Jamaykee, neatly avoids referring to what Shaykh ul-Islaam Ibn Taymiyyah (*rahimabullaah*) stated in the fifth volume of *Minbaaj us-Sunnah* on page 112:

وكذلك النجاشي هو وإن كان ملك النصارى فلم يطعه قومه في الدخول في الإسلام بل إنما دخل معه نفر منهم ولهذا لما مات لم يكن هناك من يصلي عليه فصلى عليه النبي صلى الله عليه وسلم بالمدينة خرج بالمسلمين إلى المصلى فصفهم صفوفًا وصلى عليه وأخبرهم بموته يوم مات وقال إن أبا لكم صالحا من أهل الحبشة مات وكثير من شرائع الإسلام أو أكثرها لم يكن دخل فيها لعجزه عن ذلك فلم يهاجر ولم يجاهد ولا حج البيت بل قد روى أنه لم يكن يصلي الصلوات الخمس ولا يصوم شهر رمضان ولا يؤدي الزكاة الشرعية لأن ذلك كان يظهر عند قومه فينكرونه عليه وهو لا يمكنه مخالفتهم

And likewise an-Najaashi who was a Christian king of his country would not have been obeyed by the people whom he ruled over in accepting Islaam and only a few people accepted Islaam with him. For this reason, when he died there were no Muslims to pray over him in his country. The Prophet (sallallahu alayhi wassallam) in Madeenah prayed over Najaashi, the people went out to a musalla and arranged rows in order to pray the janazah for an-Najaashi and the Prophet (sallallahu alayhi wassallam) prayed over him.¹² He then informed them that an-Najaashi had died saying "Indeed, your righteous brother from the people of Habasha (Ethiopia) died today." Many of the symbols and institutions of Islaam, or most of them, were not established in Habasha due to his (an-Najaashi's) inability to implement them there. He did not make hijra, he did not make jihaad, he did not make Hajj, indeed it is even stated that he did even pray the five daily prayers, fast or give the Divinely Legislated Zakat! Because if all of that was made apparent to his people and they saw all of that and that he was doing all of that they would have rejected him and objected and thus it would not have been possible for him to have opposed them.

Shaykh 'Ali Hasan al-Halabee al-Atharee stated about this:

This is a very precise point as an-Najaashi therefore was aware of many of the symbols and institutions of Islaam and knew about them yet was unable to implement and apply them. I stopped and appended some notes at this point here as some people confuse the story of an-Najaashi wherein it is stated that an-Najaashi had not been made aware of the regulations of the Divine Legislation and did not know

¹² Shaykh 'Ali stated: This indicates that *Salaat ul-Janaazah* (the funeral prayer) is to be prayed in a *musalla* and not in a *Masjid*. It is permissible to pray *Salaat ul-Janaazah* in a *Masjid* but it is better if it is prayed in a *musalla* (a wide open area wherein the people go out to pray).

about any of the symbols and institutions of the Divine Legislation, but this is clear in the text from Shaykh ul-Islam who stated: **'Many of the symbols of Islaam, or most of them, were not established in Habasha due to his (an-Najaashi's) inability to implement them there.'**¹³

Shaykh ul-Islam Ibn Taymiyyah continues:

ونحن نعلم قطعاً أنه لم يكن يمكنه أن يحكم بينهم بحكم القرآن
والله قد فرض على نبيه بالمدينة أنه إذا جاءه أهل الكتاب لم يحكم بينهم إلا بما أنزل الله إليه وحذره
أن يفتنوه عن بعض ما أنزل الله إليه وهذا مثل الحكم في الزنا للمحصن بحد الرجم وفي الديات
بالعدل والتسوية في الدماء بين الشريف والوضيع النفس بالنفس والعين بالعين وغير ذلك
والنجاشي ما كان يمكنه أن يحكم بحكم القرآن فإن قومه لا يقرونه على ذلك

We know absolutely that it was not possible for him to rule amongst his people with the Qur'aan¹⁴ and Allaah obligated His Messenger in Madeenah that if the People of the Book come to him he should not judge between them except with what Allaah had revealed and warned him from the fact that the People of the Book swerve him away from some of what Allaah has revealed. For example, the punishment and ruling upon zinaa, blood-money, the recompense for killing another soul, an eye for an eye etc. So an-Najaashi was not able to rule with the rule of the Qur'aan as his people would not have accepted that.

Shaykh ul-Islam Ibn Taymiyyah mentions all of this in regards to dealings between Muslims and Mongols wherein a Muslim is not able to implement the Sharee'ah totality due to the Mongols preventing this and threatening the Muslims against this. Shaykh 'Ali Hasan therefore highlights:

We can say now, and I do not intend to make it easy or to make excuses without right however, we are speaking about the reality which is that most of the rulers in this era, if not all of them unfortunately, from the Muslims not to mention the non-Muslims, rule for the sake of a greater state! They are not able to behave and are not able to do anything which opposes them (that greater state). Therefore, they do not reject Islaam and they do not reject the rule of Islaam rather, they rule according to some of the regulations of Islaam. All praise is due to Allaah as *masajid* are widespread, the institution of the month of *Ramadaan* is widespread and we see that there is stern opposition if one breaks the fast to eat and the restaurants are all closed during the daytime in *Ramadaan*, therefore the main symbols and institutions of Islaam are clearly apparent and present. We see that the institution of *Hajj* has a great importance in all of the countries of the Muslims along with establishing support for the people who make *Hajj*. We also see the collection boxes for *Zakat* even if it is made obligatory upon the people strictly by these Muslims countries, it is still coordinated, arranged and organised along with

¹³ In a class given at the *Imaam al-Albaanee Centre* 'Ammaan, Jordan on Thursday 16th March 2006 CE

¹⁴ Meaning: to rule with what Allaah has revealed.

exhortation to pay it. Indeed, in some Muslim countries they want to make it obligatory to give *Zakat*. All of this indicates that the main symbols and institutions of Islaam are apparent and are present along with importance attached to Islaam, but do they apply all of Islaam? So they fall into the same as that an-Najaashi did before them. They (the leaders) are not able to rule totally according to what Allaah has revealed because their people do not agree with that. As the greater states, the hypocrites and the people who do not want the Divine Legislation of Allaah - do not agree with their leaders in this and doing it would lead to tribulations and dangerous affairs. We do not say all of this out of defending them, making light of the matter or out of making light of their condition, rather we make this clear in order for the Divinely Legislated ruling on the issue to be clear. So to make *takfeer* of such leaders is not permissible along with the excuses which we have just mentioned and Allaah knows best.

So if all of these regulations have been verified in theory and practice, and the narrations regarding an-Najaashi (*radi Allaahu 'anhu*) are apparent as the correct foundation of this issue then we must go to another important related issue. It is an issue which the opposers try to utilise, as they try to utilise the other issue yet without really taking full account of either of them, and it is the issue of revolting against the rulers. Most of those who make *takfeer* of the Muslim rulers are the very same people who revolt against the Muslim rulers, incite and rouse the people against the leaders and talk about them so as to destabilise the trust, security and *eemaan* of the *ummah*. Few of them seek to ascertain if such a ruler may be a sinner and thus revolting against him is permissible as those who seek this type of research in reality are not the people to debate with as they are few in these times. Rather, those who have become popularised during this era are those who make *takfeer* of the leaders and legitimise revolting against them based upon making *takfeer* of them. Revolting against the Muslim rulers is an affair which according to the consensus of the *ummah* is not permissible and we will speak initially about the Muslim rulers who oppose the Divine Legislation in a small portion, or a large portion, yet they are still within the fold of Islaam as they have not expelled themselves from the religion and they have not become *kuffaar* due to what they have done or due to actions that they have committed. The texts from the scholars regarding this issue are plentiful and very abundant, I will highlight some of it which is stronger than if it comes merely from my own self, as if statements emerge from the scholars they are stronger proofs and evidences and especially if there is a consensus (of the Muslim scholars) mentioned within them.

As for the detailed study of “**kufr doona kufr**” (“**kufr less than kufr**”) as stated by Ibn 'Abbaas (*radi Allaahu 'anhuma*) and documented from his main students (*rahimahumullaah*), then that will mainly be based on the research of Shaykh Saleem bin 'Eeid al-Hilaalee from his outstanding work on the matter entitled *Qurrat ul-'Uyoon: Fee Tas-beeh Tafseer 'Abdullaah Ibn 'Abbaas (radi Allaahu 'anhu)*

li-Qawlibi ta'ala ‘Wa man lam yabkum bimaa anzala Allaab fa oolaa'ika hum al-Kafiroon’ (Ajmaan, UAE: Maktabat ul-Furqaan, 1422 AH/2001 CE).

THE STATUS OF THE ILLUSTRIOUS COMPANION 'ABDULLAAH IBN 'ABBAAS (RADI ALLAAHU 'ANHUMAA)¹⁵

From 'Abdullaah ibn 'Abbaas (*radi Allaahu 'anhumaa*): I was in the house of Maymoonah bin al-Haarith and I prepared some water for the Messenger of Allaah (*sallallaahu 'alayhi wassallam*) to make tahaarah with. The Messenger of Allaah (*sallallaahu 'alayhi wassallam*) said: "Who prepared this?" Maymoonah said: "Abdullaah did." The Prophet (*sallallaahu 'alayhi wassallam*) said: "O Allaah, grant him understanding of the deen and teach him the interpretation."

Reported by Ibn Abee Shaybah, *al-Musannaf* (vol.12, pp.111-112, no.12273); Ahmad in *al-Musnad* (vol.1, pp.266, 314, 328 and 335) and in *Fadaa'il us-Sabaabah*, vol.2, pp.955-956, no.1856, p.956, no.1858, pp.963-964, no.1882; Ibn Sa'd, *at-Tabaqaat ul-Kubraa*, vol.2, p.365; al-Fasawee, *al-Ma'rifaah wa't-Taareekh*, vol.1, pp.493-494; at-Tabaree, *Tadbeeh ul-Aathaar*, p.168, no.262, p.169, no.263 – Musnad Ibn 'Abbaas; at-Tabaraanee, *al-Mu'jam al-Kabeer*, vol.10, p.238, no.10587; Ibn Hibbaan, *Sabeeh*, vol.15, p.531, no.7055; Ibn Abee 'Aasim, *al-Aabaad wa'l-Matbaanee*, vol.1, p.287, no.380; al-Haakim, vol.3, p.534; al-Bayhaquee, *Dalaa'il un-Nubuwah*, vol.6, pp.192-193 via 'Abdullaah ibn 'Uthmaan bin Khuthaym. Also reported via Daawood bin Abee Hind by at-Tabaraanee: in *al-Mu'jam al-Kabeer*, vol.10, p.263, no.10614 and in *al-Mu'jam as-Sagheer*, vol.1, p.197. And via Sulaymaan al-Ahwal as reported by: at-Tabaraanee in *al-Mujam al-Kabeer*, vol.12, p.55, no.12506 and in *al-Muj'am al-Awsat*, vol.3, p.345, no.3356; and Aboo Taahir adh-Dhuhalee in *Fawaa'id* as in *al-Isaabah*, vol.2, p.331. The third narration is from Sa'eed bin Jubayr from Ibn 'Abbaas. I say: its chain of transmission is *Sabeeh* and its narrators are *thiqaat* (trustworthy).

Al-Bukhaaree reported in his *Sabeeh*, vol.1, p.169, no.75 and vol.7, p.100, no.3756, vol.13, p.245, no.7270 – via Khaalid al-Hidhaa from 'Ikrimah from Ibn 'Abbaas (*radi Allaahu 'anhumaa*) – in a *marfoo'* form¹⁶: "O Allaah grant him knowledge of the Book" and in another narration: "wisdom." Bukhaaree reported in his *Sabeeh*, vol.1, p.244, no.143 as did Muslim in his *Sabeeh* along with others – via 'Ubaydullaah bin Abee Ziyaad from Ibn 'Abbaas in *marfoo'* form: "O Allaah grant him understanding of the deen", Muslim however did not mention the word "deen".

¹⁵ From Shaykh Aboo Usaamah Saleem bin 'Eeid al-Hilaalee as-Salafee, *Qurrat ul-'Uyoon: Fee Tas-heeh Tafseer 'Abdullaah Ibn 'Abbaas (radi Allaaahu 'anhu) li-Qawlihi ta'ala "wa man lam yahikum bimaa anzala Allaah fa oolaika hum al-Kafiroon"* (Ajmaan, UAE: Maktabat ul-Furqaan, 1422 AH/2001 CE), pp.36-38.

¹⁶ A *marfoo'* hadeeth is a hadeeth which has been reported by a companion and due to what is within the hadeeth is elevated to a saying of the Prophet (*sallallāhu alayhi wassallam*).

Via 'Amru bin Deenaar from Kurayb from Ibn 'Abbaas that he said: "I went to the Messenger of Allaah (*sallallaahu 'alayhi wassallam*) and he supplicated for me that I be increased in knowledge and understanding." Reported by: Ahmad, *Fadaa'il us-Sabaabah*, vol.2, p.956, no.1857; al-Fasawee, *al-Ma'rifah wa't-Taareekh*, vol.1, p.518; at-Tabaree, *Tabdbee' ul-Aathaar*, p.169, no.264, Musnad Ibn 'Abbaas; Aboo Nu'aym, *al-Hilyah*, vol.1, pp.314-315; Abu'l-Fadl az-Zuhree, *Hadeeth*, vol.1, p.394, no.393. The wording of Abu'l-Fadl az-Zuhree is: "O Allaah grant him knowledge of ta'weel" but the wording of the majority is the most authentic. Al-Haafidh Ibn Hajar stated in *al-Fath* (vol.1, p.170):

This supplication was assured to be responded to on account of what the Prophet supplicated for as he knew the condition of Ibn 'Abbaas in gaining understanding of tafseer and fiqh of the deen, radi Allaahu 'anhu.

Al-Haafidh Ibn Katheer stated in *Tafseer ul-Qur'aan al-'Adheem*, vol.1, p.4, when mentioning who to be referred back to in regards to tafseer of the Qur'aan:

And from them are: al-Habr al-Bahr (the scholar and vast ocean), 'Abdullaah bin 'Abbaas, the cousin of the Messenger of Allaah (*sallallaahu 'alayhi wassallam*) and the Commentator of the Qur'aan based on the blessed supplication of the Messenger of Allaah for him, wherein he stated: "O Allaah grant him understanding of the deen and of ta'weel."

'Abdullaah bin 'Abbaas (*radi Allaahu 'anhu*): "If Ibn 'Abbaas lived at the time of the likes of our age then no man would be able to compete with him (in knowledge)" and Ibn Mas'ood also stated: "What a blessed commentator of the Qur'aan is Ibn 'Abbaas." This was reported by: Ibn Abee Shaybah, *al-Musannaf*, vol.12, pp.110-111, nos.12268, 12269; Ahmad, *Fadaa'il us-Sabaabah*, vol.2, p.957, nos.1860, 1861 and 1863; Aboo Khuthaymah,¹⁷ *al-'Ilm*, p.120, no.48; Ibn Sa'd, *at-Tabaqaat al-Kubraa*, vol.2, p.366; at-Tabaree, *Tabdbee' ul-Aathaar*, p.172, no.268, p.173, nos.269, 270, 271 – Musnad Ibn 'Abbaas; at-Tabaree, *Jaami' ul-Bayaan*, vol.1, p.31; al-Fasawee, *al-Ma'rifah wa't-Taareekh*, vol.1, pp.494-495; al-Aajurree, *ash-Sharee'ah*, vol.5, p.2271, no.1755 (Daar ul-Watan edition); al-Haakim, vol.3, p.537; al-Bayhaquee, *Dalaa'il un-Nubuwah*, vol.6, p.193; al-Khateeb al-Baghdaadee, *Taareekh Baghdaad*, vol.1, p.174. Others also reported this narration via al-'Amash from Uslim bin Sabeeh Abi'd-Duhaa from Masrooq from Ibn Mas'ood. The chain of transmission is Saheeh according to the conditions of Shaykhayn as mentioned by al-Haakim and adh-Dhahabee. Al-Haafidh Ibn Katheer stated in *Tafseer ul-Qur'aan il-Kareem*, vol.1, p.5: **"This chain of transmission is authentic up to Ibn Mas'ood that he used this expression for Ibn 'Abbaas."** Al-Haafidh Ibn Hajar stated in *Fath ul-Baaree*, vol.7, p.100: **"Ya'qoob bin Sufyaan narrated in his Taareekh with**

¹⁷ Aboo Khuthaymah Zuhayr bin Harn an-Nasaa'ee (d. 234 AH).

an authentic chain of transmission from Ibn Mas'ood that..." then he mentioned the narration. Al-Mizzee also verified this narration in *Tabdbeebe ul-Kamaal*, vol.15, p.155.

Mujaahid bin Jabbar al-Makkee the successor and Imaam, *rahimabullaah*,¹⁸ stated: "Ibn 'Abbaas (*radi Allaahu 'anhuma*) was called 'al-Bahr' ('the ocean') due to his vast knowledge (vast like an ocean)." This was reported by: Ahmad in *Fadaa'il us-Sabaabah*, vol.2, p.975, no.1920; Ibn Sa'd, *at-Tabaqaat ul-Kubraa*, vol.2, p.366; al-Fasawee, *al-Ma'rifaah wa't-Taareekh*, vol.1, p.496; at-Tabaree, *Tabdbeebe ul-Aathaar*, p.176, no.276 – Musnad Ibn 'Abbaas; Aboo Nu'aym, *Ma'rifaah us-Sabaabah*, vol.3, p.1700, no.4251 and in *Hiyat ul-Awliyaa'*, vol.1, p.316; al-Haakim, vol.3, p.535 and al-Khateeb al-Baghdaadee, vol.1, p.174. The chain of transmission is *Sabeeh* from al-'A'mash from Mujaahid. He also said: **"I did not see a gathering like the gatherings of Ibn 'Abbaas, the day he died a great scholar of the Ummah died."** Reported by: 'Abbaas ad-Dooree in *Taareekh*, vol.2, p.316, no.377; ad-Dinawaree, *al-Majaalisah*, vol.4, p.62, no.1125 and al-Haakim, vol.3, p.535 – via Sufyaan bin 'Uyaynah from Ibn Abee Najeeh from Mujaahid. The chain of transmission is Saheeh.

Muhammad bin al-Hanafiyah stated when Ibn 'Abbaas died: **"Today an 'Aalim Rabbaanee of this Ummah has died."** This was reported by: Ahmad, *Fadaa'il us-Sabaabah*, vol.2, p.951, no.1842; 'Abbaas ad-Dooree, *Taareekh*, vol.2, pp.315-316; al-Haakim, vol.3, p.535 and others with an authentic chain of transmission. Aboo Nu'aym al-Asbahaanee stated in *Ma'rifaah us-Sabaabah*, vol.3, pp.1699-1700:

He was named 'al-Habr al-Bahr' due to his vast amount of knowledge and his sharp understanding, he was the scholar and faqeeh of the Ummah...du'a was made for him by the tongue of the message for him to be granted fiqh of the religion, knowledge of interpretation and commentating on the Qur'aan.....

Imam adh-Dhahabee stated in *Ma'rifaah ul-Quraa' al-Kubraa'*, vol.1, p.46:

¹⁸ He is Mujaahid bin Jabbar al-Makkee, the freed slave of as-Saa'ib bin Abee as-Saa'ib al-Makhzoomee. He was born in 21H and learned the *tafseer* of the Qur'aan from Ibn 'Abbaas, may Allaah be pleased with him. Ibn Ishaq reported from him that he said: "I reviewed the entire *mus-haf* – from its beginning to its end – with Ibn 'Abbaas on three separate occasions, stopping at each ayah and asking him about it." Sufyaan Ath-Thawree said: **"If the interpretation (of an ayah) comes to you from Mujaahid, then it is sufficient for you."** Ash-Shaafi'ee relied on his *tafseer* (of the Qur'aan), as did al-Bukhaaree who quoted often from him in his "Saheeh." In the last part of his biography of him, adh-Dhahabee said: **"The ummah is in unanimous agreement that Mujaahid is an Imaam and that his tafseer is to be relied on as proof."** He died in Makkah while in the state of prostration in the year 104H at the age of 83.

See: <http://www.al-ibaanaah.com/articles.php?ArtID=117>

The merits of Ibn 'Abbaas are plentiful, his knowledge is vast and there was none on the face of the earth during his time more knowledgeable than him.

THE ROUTE OF TAAWOOS FROM 'ABDULLAAH IBN 'ABBAAS (RADI ALLAAH 'ANHUMAA) AND A STUDY OF THIS ROUTE OF TRANSMISSION¹⁹

From 'Abdullaah bin 'Abbaas (*radi Allaahu 'anhumaa*) in regards to Allaah saying:

﴿وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنْزَلَ اللَّهُ فَأُولَٰئِكَ هُمُ الْكَافِرُونَ﴾

“And whoever does not judge by what Allah has revealed – then it is those who are disbelievers.”

{*al-Maa'idah* (5): 44}

It is not the kufr that you are going towards (in your minds).

And in another narration:

It is not the kufr that you are going towards (in your minds), it is not the kufr that expels one from the religion,

﴿وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنْزَلَ اللَّهُ فَأُولَٰئِكَ هُمُ الْكَافِرُونَ﴾

“And whoever does not judge by what Allah has revealed – then it is those who are disbelievers.”

{*al-Maa'idah* (5): 44}

...is kufr less than kufr.

This is reported by: Sa'eed bin Mansoor, *Sunan*, vol.4, p.1482, no.749; Ahmad, *al-Eemaan*, vol.4, p.160, no.1419 via Ibn Battah in his *al-Ibaanah*, vol.2, p.736, no.1010; Muhammad bin Nasr al-Marwazee, *Ta'dbeem Qadr us-Salaah*, vol.2, p.521, no.569; Ibn Abee Haatim, *Tafseer*, vol.4, p.1143, no.6434 (al-Baaz edition); Ibn 'AbdulBarr, *at-Tambeed*, vol.4, p.237; al-Haakim, vol.2, p.313; al-Bayhaqee, vol.8, p.20. The chain of transmission is via Sufyaan bin 'Uyaynah from Hishaam bin Hujayr from Taawoos from Ibn 'Abbaas.

Al-Haakim said: “**This hadeeth has an authentic chain of transmission and Shaykhayn did not transmit it.**” Adh-Dhahabee agreed with him. Our Shaykh, the lion of the Sunnah, al-'Allaamah al-Albaanee (*rahimabullaah*) stated in *as-Sabeehah*, vol.6, p.113:

¹⁹ Abridged from Shaykh Aboo Usaamah Saleem bin 'Eid al-Hilaalee as-Salafee, *op.cit.*, pp.44-65

It would have been more deserving that they said: "...on the conditions of Shaykhayn" as the isnad is of this type. Then I saw that al-Haafidh Ibn Katheer transmitted in his Tafseer, vol.6, p.163 from al-Haakim that he said: "the hadeeth is Saheeh on the conditions of Shaykhayn." It is apparent in the manuscript copy of al-Mustadrak that there is an error. Ibn Katheer ascribed the narration as being transmitted by Ibn Abee Haatim also yet with some abridgment.

The *sanad* is as has been mentioned yet there is some discussion over Hishaam bin Hujayr's narration from Taawoos, yet this does not decrease the hadeeth below the level of hasan. The issue of Hishaam bin Hujayr in this narration has been seized upon by the new-age bohemian *takfiri* activists, yet Faisal al-Jamaykee does not attack the narration of "kufr less than kufr" from this angle, due to his lack of knowledge of the controversy surrounding the sanad. However, other new-age *takfiri* activists, have tried to attack the *sanad* in following Sulaymaan al-'Ulwaan and others.²⁰

Let's look at what the scholars stated about Hishaam bin Hujayr: Ibn Shabramah said: **"there is no one in Makkah like him"**, al-'Ijlee said: **"he was thiqah (trustworthy) and a man of the**

²⁰ So for example the *juhaal* from the website 'Islamic Thinkers' who slander the *Salafee* scholars and equate them with the *Sufis*, have a simplistic and futile article entitled 'The Apostasy of the Rulers' which was authored on 22 October 2005 CE. They try to mention that the *sanad* of **"kufr less than kufr"** is weak due to the presence of **'Hishaam ibn Hajar'** getting the name wrong, as it is Hishaam ibn **Hujayr** not **'Hajar'**!! An article entitled '6 reasons why all the Rulers are Murtad', originally written by the cult followers of Omar Bakri Muhammad under the name '*al-Muhaijiroun*', also claim that **"kufr less than kufr"** is a weak narration due to Hishaam bin Hujayr being in the *sanad*. This article, by the cult followers of Omar Bakri was placed onto the *takfiri* '*Salafiyah Jadeedah*' website which is a compilation of intellectually bankrupt articles against the Salafi Manhaj. In terms of other than Sulaymaan al-'Ulwaan trying to weaken the narration of **"kufr doona kufr"** then there is also the likes of Hassaan ibn 'AbdulMannaan who Shaykh Saleem al-Hilaalee refutes in his book *Qurrat ul-'Uyoon*. Hasan 'AbdulMannaan is the author of *al-Qawl al-Mubeen fee Tad'eef Maqoolat Ibn 'Abbaas "kufr doona kufr"*, the book is introduced by none other than Muhammad Ibraaheem Shaqrah!? Imaam al-Albaanee wrote a book refuting Hassaan 'AbdulMannaan entitled *an-Naseehah bi't-Tahdheer min Takhreeb (Ibn 'AbdulMannaan) li-Kutub al-A'imma ar-Rajeehah wa Tad'eefuhu li-Mi'aat il-Ahaadeeth as-Saheehah* [An Advice with a Warning: Against the Distortion of the Imaam's Books and the Authentic Hadeeth by Ibn 'AbdulMannaan]. Within the book Imaam al-Albaanee highlighted how Hassaan 'AbdulMannaan would use a fake pen-name ("Abu Suhayb al-Karaamee") in order to hide while propagating his intellectual inconsistencies. One of Hassaan 'AbdulMannaan's books, *as-Suraqaat al-'Ilmiyyah: Diraasatan wa Taqseeman wa 'Ilaajan* [Academic Plagiarism: Studies, Categories and Solution] was introduced by Muhammad al-Ghazzaalee as-Saqaa' Imaam al-Albaanee (*rahimahullaah*) said about this: **"birds of a feather flock together!"** Imaam al-Albaanee wrote an entire book on this individual due to his rejection of huge amounts of the Sunnah, his aim to question the Sunnah and his intellectual bankruptcy. Hassaan 'AbdulMannaan would thus quote from those who throw doubt upon the Sunnah such as al-Qaradaawee, Muhammad al-Ghazzaalee as-Saqaa' and even from Rawaafid such as 'AbdulHusayn Sharafuddeen and other philosophers such as al-Qaseeme. This is the same one who then proceeds to author a book on the authenticity of "kufr doona kufr"!!

Sunnah." Ibn Ma'een stated: **"Saalih (acceptable in narrating)"**, Aboo Haatim ar-Raazee said: **"his hadeeth are to be documented (i.e. accepted)"**, Ibn Sa'd said: **"he is thiqah and has narrated ahaadeeth."** Ibn Shaaheen said: **"he is thiqah"** and Ibn Hibbaan also deemed him to be thiqah. Zakariyyah bin Yahyaa as-Saajee (d.307 AH),²¹ one of the students of Imaam al-Muzanee, stated: **"Sudooq (truthful and thus acceptable)"** and adh-Dhahabee said: **"he is thiqah"** and al-Haafidh Ibn Hajar said: **"he is Sudooq but he does have some errors."** Yahyaa al-Qattaan, Imaam Ahmad and Ibn Ma'een (in one narration)²² deemed Hishaam bin Hujayr to be weak. So as Shaykh Saleem al-Hilaalee stated:

A narrator whose condition is like this is not decreased below the level of hasan and Shaykhaan transmitted from him and utilised his narrations wherein he was not the only single narrator and where there were other narrators (who reported the hadeeth).

Those who weaken this route of the narration allegedly do so on the basis of what was stated about Hishaam bin Hujayr by Imaam Ahmad who said **"he is not strong"** and **"laysa bi dhaak"** (a criticism of a narrator); and they also utilise the *tad'eef* of Hishaam bin Hujayr by Ibn Ma'een and Yahyaa al-Qattaan. However, the wording "he is not strong" is not necessarily deeming the narrator to be weak and rejected, as what the Muhadditheen intend by this is that: his memory and acumen became weak and it is also a negation of complete strength. The statement **"he is not strong"** is not however a complete negation of a narrator's basis. What indicates this is what was stated by Shaykh

²¹ He has a creed which has been transmitted by: adh-Dhahabī in *al-Uluww*, p.150; Ibn Qayyim in *Ijtimā' ul-Juyoosh al-Islāmiyyah*, p.245. Adh-Dhahabī stated:

As-Sājī was the Shaykh of Basra and its Hāfidh and Abu'l-Hasan al-'Ash'arī took hadeeth from him and articles of creed from Ahl us-Sunnah. He travelled to al-Muzanī and ar-Rabī' and increased his understand from them both.

Ibn Abee Haatim stated in *Jarh wa't-Ta'deel* (vol.3, p.601):

He was trustworthy, knew hadeeth and fiqh had authored good works on narrators, the different views of the 'Ulama and Ahkaam ul-Qur'aan.

Adh-Dhahabee stated in *Siyar A'laam un-Nubalaa'* (vol.14, p.199) and *Tadhkirat ul-Huffaadh* (vol.2, pp.709-710): As-Saajee was an excellent classifier in regards to the *'ilal* of hadeeth which shows his vastness and memorisation. So as-Saajee was an Imaam and hadeeth critic known for his ijtihaad and opinions, so how can it be said about him, as is said by some, that he was Mutasaahil?!

²² Refer to al-'Ijlee, *Jarh wa't-Ta'deel*, vol.9, pp.53-54 and *Taareekh uth-Thiqaat*, p.457, no.1729; Ibn Shaaheen, *ath-Thiqaat*, p.250, no.1536; *Tabaqaat Ibn Sa'd*, vol.5, p.484; Ibn Hibbaan, *ath-Thiqaat*, vol.7, p.567; *Tahdheeb ul-Kamaal*, vol.30, pp.179-181; *al-Kaashif*, vol.2, p.335, no.5958; *Tahdheeb ut-Tahdheeb*, vol.11, p.33 and *at-Taqreeb*, vol.2, p.317.

ul-Islaam Ibn Taymiyyah (*rahimahullaah*) in regards to *Iqaamat ud-Daleel* [Establishing the Evidence] as found in *al-Fataawaa al-Kubraa*, vol.3, p.243, in discussing 'Utbah bin Humayd ad-Dabbee al-Basree:

It has been relayed from Imaam Ahmad that he said: "he is weak and he is not strong" however, the intent of this term of expression (for a narrator) is that: his hadeeth are not saheeh but rather is hadeeth are hasan. So they (some of the early scholars) would name such hadeeth as being "da'eef" yet still utilise them because they were hasan.

May Allaah reward Shaykh ul-Islaam Ibn Taymiyyah (*rahimahullaah*) with good for this beneficial point. Imaam al-Haafidh adh-Dhahabee stated in *al-Muqaddimat ul-Muqidbab* (p.319 – with the explanation of Shaykh Saleem al-Hilaalee) that: **"It has been stated about a group of narrators that "he is not strong" yet they have been utilised."** An-Nasaa'ee stated about many narrators "he is not strong" and clarified his use of this by mentioning in his *Kitaab* that: **"Our use of 'he is not strong' is not a negative disparagement."** He also said (p.322):

What is established when Aboo Haatim says: 'he is not strong' is that he intends by this that: this Shaykh (narrator) does not reach the (top) level of strong verification.

The adh-Dhahabee of his time, Shaykh al-Mu'allimee al-Yamaanee (*rahimahullaah*) stated in *at-Tankeel* (vol.1, p.240):

The words 'he is not strong' negates absolute strength even if absolute weakness is not affirmed; and the words "he is not strong" only negates a complete level of strength.

Imaam al-Albaanee stated in (p.183):

Aboo Haatim's statement: "he is not strong" does not mean that the narrator is weak because weakness is not the meaning of the terms "he is not strong". So between both (i.e. saying "he is not strong" and deeming a narrator as weak) is a manifest difference according to the people of knowledge.

Imaam al-Albaanee (*rahimahullaah*) also said (p.254):

The statement of Ahmad and an-Nasaa'ee: "he is not strong" does not negate the narrator as only absolute strength is negated from a narrator described with this as is apparent to those with understanding of this science.

This very clearly indicates that Imaam Ahmad did not absolutely weaken a narrator when he described such a narrator with the words: **"he is not strong" ("laysa bi Qawi")**. Rather, the hadeeth of such a narrator are considered to reach the level of *hasan* not *sabeeh* and this agrees with what was mentioned by Shaykh ul-Islaam Ibn Taymiyyah. Furthermore, 'Abdullaah bin Ahmad reported from his father in *al-'Ilal* (vol.1, p.130) that his father said: **"Hishaam bin Hujayr Makkee is da'eef"** and then he transmitted from Ibn Shabramah: **"there is no one in Makkah who has**

more understanding than him.” So this has to be understood in light of what Shaykh ul-Isaam Ibn Taymiyyah (*rahimabullab*) mentioned previously so there is nothing problematic here and all praise is due to Allaah. There is also a shubhah that people refer to which is that 'Abdullaah bin Ahmad said: **“I asked Yahyaa bin Ma'een about him and he said that he is very weak.”** Yet this has been cut, for the remainder of Yahyaa bin Ma'een's words on Hishaam reveal that Yahyaa bin Ma'een had different views about him. For 'Abdullaah bin Imaam Ahmad said:

“I asked Yahya ‘Is Hishaam bin Hujayr more beloved to you than 'Amru bin Muslim?’ Yahya replied: ‘Na’am (‘yes’).”

Shaykh Saleem al-Hilaalee emphasises that as for 'Amru bin Muslim, who is al-Janadee, then there is a difference of opinion over him. For Ibn Ma'een weakened him in the narration of ad-Dooree and 'Abdullaah bin Ahmad, yet in the narration of Ibn ul-Junayd Yahyaa ibn Ma'een said about 'Amru: **“there is no problem with him”**. In *at-Taqreeb* it is reported that Yahyaa bin Ma'een stated about 'Amru: **“he is sudoq yet has some errors.”** So based on the testimony of Yahyaa bin Ma'een, Hishaam bin Hujayr is stronger than 'Amru bin Muslim about whom Imaam Ibn Ma'een said: **“there is no problem with him.”** Therefore, his hadeeth are not to be considered as having severe weakness. It is claimed that Imaam Yahyaa bin Ma'een intended a severe weakness of Hishaam bin Hujayr, yet he described Hishaam in the narration of Ishaq bin Mansoor as being **“Saalih (acceptable in narration)”** and this is a commendation. Therefore, this great Imaam, Yahya bin Ma'een, has two narrations on Hishaam, one in which he weakens him and the other wherein he commends him. In this instance we are to refer to the views of other scholars in order to ascertain the correct view on the narrator. As for the claim of the likes of Hassaan 'AbdulMannaan that the term **“Saalih”** does not mean that the narrator is considered trustworthy then this is false, Imaam adh-Dhahabee stated in *al-Mughnee fi'd-Du'afaa* (vol.1, p.4):

I do not mention herein those about whom it has been said: “his station is that of truthfulness”; “his hadeeth are to be documented”; “there is no problem with him”; “Shaykh” or “Saalih ul-Hadeeth (acceptable hadeeth)” – as these are all from the door of ta'deel (commendation).

Imaam al-Haafidh adh-Dhahabee stated in *al-Muqaddimat ul-Muqidbab* (pp.318-319 – with the explanation of Shaykh Saleem al-Hilaalee) that:

So and so is “hasan ul-hadeeth”, so and so is “Saalih ul-Hadeeth” or so and so is “sudoq” – then by the will of Allaah all of these expressions and the likes are good and do not weaken the condition of the Shaykh (narrator). Yes, they may not reach the level of absolute complete

authenticity however many of those whom we have mentioned fluctuate between utilisation and avoidance.

Adh-Dhahabee stated in *Meezaan ul-I'tidaal* (vol.1, pp.3-4) that:

I have not resorted to refer to those about whom it has been said "his station is that of sidq (truthfulness)", "there is no problem with him", "Saalih ul-Hadeeth", "his hadeeth are to be documented" or "Shaykh" – for these terms of expression and the likes indicate the lack of absolute weakness.

Shaykh Burhaanuddeen Ibraaheem bin Moosaa bin Ayyoob al-Abnaasee as-Safee, 577-643 AH, (*rabimabullaah*) stated in *ash-Shadhab al-Fayyaah min 'Uloom Ibn is-Salaah* (vol.1, p.268)²³: **"The phrase "Saalih ul-Hadeeth (acceptable in hadeeth)" is one of the levels of commendation."** So this is the condition of Hishaam bin Hujayr, for he was deemed credible and trustworthy by Ibn Sa'd, al-'Ijlee, Ibn Hibbaan, Ibn Shaaheen and adh-Dhahabee who stated in *al-Kaashif*: **"Hishaam bin Huajyr is thiqah (trustworthy)."** Al-Qattaan weakned him and al-Haafidh (Ibn Hajar) stated about him: **"Sudooq, yet he has some errors."** Therefore, there is a difference of opinion over him with some deeming him weak and more deeming him credible and trustworthy, so what are we to do? Are we to annul his credibility and give the *jarb* precedence? Or are we to reach an agreement between the two? Is the one about whom it is said: "Sudooq" or "his station is that of sidq (truthfulness)" or **"there is no problem with him"** – mentioned among the Du'afaa?! Glory be to Allaah from the sinful falsifiers! Ibn Abee Haatim stated in *al-Jarb wa't-Ta'deel*, vol.2, p.37:

If it is said about a narrator: "Sudooq", "his level is that of sidq (truthfulness)" and "there is no problem with him" – then his hadeeth are documented and looked at and this is of the second level. If it is said about a narrator "Shaykh" then he reaches the third level and his hadeeth are to be documented and investigated except for that it is lesser than the second level. If it is said about a narrator "Saalih ul-Hadeeth" then his hadeeth are to be documented with consideration (of other transmissions).

So you see here that Ibn Abee Haatim considers the terms and phrases: "Sudooq", "Shaykh" and "Saalih ul-Hadeeth" as that which renders a narrator as having his hadeeth documented and recorded. So are those who have their hadeeth documented and recorded to be considered "da'eef" and the likes?! So Shaykh Saleem al-Hilaalee emphasises that: therefore, this emphasises to the reader that whenever Ibn Abee Haatim says about a narrator that he is "Saalih ul-Hadeeth" this means that

²³ This has been edited by: Abu Abdallah Muhammad Ali Samak, Beirut: Dar al-Kutub al-Ilmiyyah, 1998, 1st Edn.; also by Salaah Fathi Halal Abee Hunayb, Riyadh: Maktabat ar-Rushd, 1998.

the narrator is Sudoq, the hadeeth is hasan, his hadeeth are to be documented and this is the final level of commendation. Aboo Haatim stated in *al-Jarb wa't-Ta'deel* (vol.4, p.2) in regards to the biography of Sa'eed bin Iyaas al-Hareeree:

His memorisation changed before his death (i.e. due to old age) yet there are those who wrote from him in the past.

Hishaam bin Hujayr is not the only one via whom reports "kufr less than kufr", rather 'Abdullaah bin Taawoos also transmits it and he is *thiqab* (trustworthy), for he reported via his father:

Within him is kufr, but it is not like the kufr of one who disbelieves in Allaah and the Last Day.

This is reported by Sufyaan bin Sa'eed ath-Thawree (d.161 AH) in his *Tafseer* (vol.101, p.241) via at-Tahaawee in *Musbkil ul-Aathaar*, vol.2, p.317. The chain of transmission is authentic and the narrators are *thiqaat* and are utilised by Shaykhayn and deemed authentic based on the conditions of Shaykhayn. Sa'd bin 'Abdullaah Aal Humayd, in his edit of *Sunan Sa'eed bin Mansoor* (vol.4, p.1484), has claimed that this narration has a defect due to a severance of the narrations between ath-Thawree and Ibn Taawoos. Yet this is an error because ath-Thawree heard from 'Abdullaah bin Taawoos and ath-Thawree narrated from him as documented in a hadeeth in Saheeh Muslim! So how can it be said that ath-Thawree did not hear from 'Abdullaah bin Taawoos?! This error is due to the fact that ath-Thawree one time narrated via Ma'mar from Ibn Taawoos. Yet this is not a problem as ath-Thawree narrated from Ibn Taawoos directly on one occasion and on another occasion via Ma'mar, so this would be considered an additional narration as is apparent to those who work in this field. This narration is from: Wakee' and Aboo Usaamah both from ath-Thawree from Ma'mar bin Raashid from 'Abdullaah bin Taawoos:

Within him is kufr, but it is not like the kufr of one who disbelieves in Allaah, His angels, His Books and His Messengers.

The chain of transmission is Saheeh and was documented and reported by:

Imaam Ahmad in *al-Eemaan*, vol.4, pp.158-159, no.1414; Muhammad bin Nasr al-Marwazee, *Ta'dbeem Qadr us-Salaah*, vol.2, p.521, no.571, p.522, no.572; al-Fareeyaabee, *Tafseer* as documented in *ad-Durar al-Mantboor*, vol.3, p.87 and at-Tahaawee also records it via him, vol.2, pp.317-318; at-Tabaree, *Jaami' ul-Bayaan*, vol.6, p.166; Ibn Battah, *al-Ibaanah*, vol.2, p.734, no.1005; Imaam al-Albaanee (*rahimabullaah*) also authenticated it in his commentary on the book *al-Eemaan* (p. 307) by Shaykh ul-Islam Ibn Taymiyyah. Another narration is from Ma'mar from 'Abdullaah bin Taawoos: "it is kufr", Ibn Taawoos said:

It is not like the kufr of the one who disbelieves in Allaah, His Angels, His Books and His Messengers.

This is reported by Imaam Ahmad in *al-Eemaan*, vol.4, p.160, no.1420; Ibn Nasr al-Marwazee, *Ta'dbeem Qadr us-Salaah*, vol.2, p.521, no.570; at-Tabaree, *Jaami' Bayaan*, vol.6, p.166; Ibn Abee Haatim, *Tafseer*, vol.4, p.1143, no.6435; Qaadee Wakee', *Akbbaar ul-Qudaat*, vol.1, p.41; Ibn Battah, *al-Ibaanah*, vol.2, p.736, no.1009 – and all of them from 'AbdurRazzaaq in his *Tafseer*, vol.1, p.1, no.191. Imaam Ibn Qayyim al-Jawziyyah (*rahimabullaah*) in his *Hukm Taarik us-Salaah* (p.74) mentions the narration of Ibn 'Abbaas via the narration of 'AbdurRazzaaq:

Within them is kufr and it is not like the kufr one who disbelieves in Allaah, His Angels, His Books and His Messengers.

And in another narration: "It is the kufr which does not expel one from the religion."

As for those who try to throw doubt on transmission of Sufyaan ath-Thawree from Ma'mar bin Raashid then the following questions have to be asked: what is the evidence that ath-Thawree heard from Ma'mar in other than Yemen (as is claimed by some)? What is the proof that Ma'mar's narrations in other than Yemen are not accepted (as is claimed by some)? All of these academic questions have to be asked and there also have to be answers from those who deny **"kufr less than kufr"** via this narration. For the narration of Sufyaan ath-Thawree from Ma'mar is well-known and acceptable within the books of Sunnah, like for example:

- ✓ Saheeh al-Bukhaaree, hadeeth nos. 4749, 5944 and 7083
- ✓ Saheeh Muslim, hadeeth nos. hadeeth 977, 979, 1628
- ✓ Sunan at-Tirmidhee, hadeeth nos.140, 858, 1346, 1444
- ✓ Sunan an-Nasaa'ee, hadeeth no.5381
- ✓ Sunan Abee Daawood, hadeeth no.1576
- ✓ Sunan Ibn Maajah, hadeeth no 3797
- ✓ Musnad Imaam Ahmad, vol.1, p.220, vol.3, p.185 and vol.6, pp.38, 40 and 387

Al-Haafidh al-'Ijlee stated in *Taareekh utb-Thiqaat* (p.435, no.1611, Daar ul-Kutub il-'Ilmiyyah print):

Ma'mar bin Raashid Aboo 'Urwah, a Basree who lived in Yemen and was a righteous man who reported from Ibn ul-Mubaarak. He lived in Sanaa' and got married there, Sufyaan ath-Thawree travelled to him and heard from him there and he heard from Sufyaan.

This is a clear text from this Imaam that Sufyaan ath-Thawree heard from Ma'mar in Yemen and that Imaam ath-Thawree travelled to him. So he is of Saheeh hadeeth, and for this reason his narrations were depended upon in the books of the Sunnah, particularly Sufyaan ath-Thawree from

Ma'mar. Shaykh Saleem al-Hilaalee therefore concludes that whatever Ma'mar narrates outside of his country, Yemen, may have some errors therein however not in all of his narrations. Furthermore, we also have to have a clear text from the knowledgeable scholars and critics in regards to his errors and this is absent in any case. Moreover, Ma'mar from his Shaykh 'Abdullaah bin Taawoos, then this is totally acceptable and credible. For Ibn Abee Khuthaymah stated in *Tabdheeb ut-Tabdheeb* (vol.10, p.245), also in *Hadi us-Saaree* (p.571 – Daar ul-Manaar print):

I heard Yahyaa bin Ma'een say "If Ma'mar narrates to you from any of the Iraqis then oppose him in that except if he narrates from az-Zuhree and Ibn Taawoos. For his hadeeth from these two are well-established and upright."

For this reason a group of scholars verify and report his narrations from Ibn Taawoos, this is one thing. The other thing is that Ma'mar's alleged errors, mistakes and confusion is in what he narrated from Thaabit al-Bunaanee, 'Asim bin Abee an-Najood and Hishaam bin 'Urwah, Qataadah and al-'A'mash.²⁴ As for his narrations from Ibn Taawoos, which is what we are discussing here, then these are verified, established and upright as Imaam al-Haafidh Yahyaa bin Ma'een clearly stated. Furthermore, the ascribed and alleged errors of Ma'mar are they to be taken absolutely or is there some explanation of this based on what the scholars have stated? For this reason, Imaam adh-Dhahabee stated about Ma'mar in *Meezaan ul-I'tidaal* (vol.4, p.154):

He was one of the trustworthy scholars, he has some well known errors which are questionable yet he is still known for his precision.

This is a clear text which shows that the errors of Ma'mar are well-known yet few within the entirety of all he narrated.

²⁴ See *Tahdheeb ut-Tahdheeb*, vol.10, p.245 and *Hadi us-Saaree*, pp.571-572

THE ROUTE OF 'ALI BIN ABEE TALHAH FROM 'ABDULLAAH IBN 'ABBAAS (RADI ALLAAH 'ANHUMAA)²⁵

'Ali bin Abee Talhah agreed with the Taawoos's narration from 'Abdullaah bin 'Abbaas (*radi Allaahu 'anhumaa*) by saying:

Whoever rejects what Allaah has revealed has disbelieved, whoever acknowledges it yet does not rule by it is a sinful transgressor.

Reported by at-Tabaree in *Jaami' ul-Bayaan*, vol.6, p.166; Ibn Abee Haatim in his *Tafseer*, vol.4, p.1142, no.6426 and p.1146, no.6450 – from al-Muthanaa bin Ibraaheem al-Aamilee and Aboo Haatim ar-Raazee both via 'Abdullaah bin Saalih from Mu'awiyah bin Saalih from 'Ali bin Abee Talhah. The chain of transmission is *hasan* and the narrators are all *thiqaat* (trustworthy) and even though there is some slight discussion regarding Mu'awiyah bin Saalih and 'Ali bin Abee Talhah, it does not decrease the level of the hadeeth from being *hasan*. Some have claimed that there is a severance between 'Ali bin Abee Talhah and Ibn 'Abbaas, that Ali bin Abee Talhah is deemed weak and that there is discussion surrounding 'Abdullaah bin Saalih. As for the alleged severance then al-Haafidh Ibn Hajar stated in *Tabdbee' ut-Tabdbee'*, vol.7, p.339:

'Ali bin Abee Talhah narrated from Ibn 'Abbaas but he did not hear from him, Mujaahid is in between them both.

Ibn Hajar also said in *al-'Ujaab fee Bayaan il-Asbaab*, vol.1, p.207 (Dammaam: Daar Ibn Jawzee, 1997 CE):²⁶

'Ali is Sudoq, he did not meet Ibn 'Abbaas rather he took from the thiqaat from his companions and for this reason al-Bukhaaree, Ibn Abee Haatim and others depend upon this copy.²⁷

Adh-Dhahabee stated in *Meezaan ul-'Tidaal*, vol.3, p.134:

He took the tafseer of Ibn 'Abbaas from Mujaahid yet he did not mention Mujaahid rather he hurried it (mursal) from Ibn 'Abbaas.

Adh-Dhahabee also said: "Mu'awiyah bin Saalih narrated much in the way of *tafseer* from him from Ibn 'Abbaas." Aboo Ja'jar an-Nahaasee stated in *an-Naasikh wa'l-Mansookh* (p.75):

The one who attacks this chain of transmission says 'Ibn Abee Talhah did not hear from Ibn 'Abbaas, he only took the tafseer from Mujaahid and 'Ikrimah', yet this fact should be a cause

²⁵ Abridged from Shaykh Aboo Usaamah Saleem bin 'Eid al-Hilaalee as-Salafee, *op.cit.*, pp.71-72

²⁶ Edited by 'AbdulHakeem Muhammad al-Anees

²⁷ If one wishes they may refer to *Fath ul-Baaree*, vol.8, pp.438-439

for attack, because Ibn Abee Talhah took from two trustworthy men. He himself is thiqah and Sudoq.

As-Suyootee stated in *al-Itqaan*, vol.2, p.188:

A people have said that: 'Ibn Abee Talhah did not hear tafseer from Ibn 'Abbaas, rather he took from Mujaahid or Sa'eed bin Jubayr.' Al-Haafidh Ibn Hajar said: after I realised the route of the transmission, which is thiqah (trustworthy), (I saw that) there s no problem in it.

Ibn Hajar also stated in *Hadee us-Saaree* (p.414):

What is apparent from the words of those Imams is that his hadeeth at the beginning were sound and then he began to get confused. This demonstrates that: what he narrated from the Ahl ul-Hadhq (such as Yahyaa bin Ma'een, al-Bukhaaree, Aboo Zur'ah and Aboo Haatim) are authentic hadeeth. As for what other Shaykhs have narrated from him then these are to be withheld (from accepting or rejecting).

'ATAA BIN ABEE RABAAH (RAHIMAHULLAAH)²⁸

This narration has been authenticated by a group of noble Taabi'een including those who took knowledge from Tarjumaan ul-Qur'aan, 'Abdullaah bin 'Abbaas (*radi Allaahu 'anbumaa*). This indicates that the Taabi'een were in agreement with understanding the Book and Sunnah as the Companions did, and their narrations. 'Ataa said: **"Kufr less than kufr, dhulm less than dhulm and fisq less than fisq."** It was relayed via the route of Sufyaan ath-Thawree from Ibn Jurayj from 'Ataa'. This has been recorded by: Imaam Ahmad, *al-Eemaan*, vol.4, pp.159-160, no.1417 and p.161, no.1422; Imaam Ahmad, *Masaa'il Abee Daawood*, p.209; at-Tabaree, *Jaami' ul-Bayaan*, vol.6, p.165, 166; Muhammad bin Nasr al-Marwazee, *Ta'dheem Qadr us-Salaah*, vol.2, p.522, no.575; Ibn Battah, *al-Ibaanah*, vol.2, p.735, no.1007 and pp.736-737, no.1011; Ibn Abee Haatim, *Tafseer*, vol.4, p.1149, no.6464 and al-Qaadee Wakee', *Akhbaar ul-Qudaat*, vol.1, p.43. This chain of transmission has narrators who are all *thiqaat* and Imaam al-Albaanee (*rahimahullaah*) authenticated it in *as-Sabeehah*, vol.6, p.114.

However, those who throw doubt upon this narration, such as Hasan 'AbdulMannaan (one of the prime architects in throwing doubt upon "*kufr doona kufr*"), have claimed that Ibn Jurayj made *tadlees* on 'Ataa and did not actually hear from him. Shaykh Saleem al-Hilaalee highlights that: while Ibn Jurayj is well-known for *tadlees*, with all his nobility and trustworthiness, the scholars make an exemption for his narrations from 'Ataa' bin Abee Rabaah. Ibn Abee Khuthaymah reported with an authentic chain of transmission from Ibn Jurayj that he said: **"If I say: 'Ataa says' then I have heard from him, even if I do not say 'I heard'."**²⁹ Imaam al-Albaanee (*rahimahullaah*) stated in *Irwaa' ul-Ghaleel*, vol.4, p.244 that:

This is a very important benefit which indicates to us that the 'an'ana of Ibn Jurayj from 'Ataa' takes the hukm of hearing.

²⁸ Abridged from Shaykh Aboo Usaamah Saleem bin 'Eeid al-Hilaalee as-Salafee, *op.cit.*, pp.77-79

'Atā ibn Abī Rabāh (*rahimahullāh*) was described by adh-Dhahabī as being "a freed-slave, black skinned with a flat nose and curly hair." See adh-Dhahabī, *Tadhkirat ul-Huffādih* (Hyderabad, 1333 AH/1915 CE, vol. 1, p.84). He was a freed black slave of the Abū Khuthaym al-Fihri al-Qurashī. He was a *faqeeh* of Makkah and heard directly from Jaabir ibn 'Abdullāh al-Ansārī, Ibn 'Abbās, Ibn 'Umar, Abū Hurayrah, 'Abdullāh ibn Zubayr and other companions (*radi Allāhu 'anhum*). He is cited as an authority by 'Amr bin Deenār, az-Zuhri, Mālik bin Deenār, al-'A'mash, al-Awzā'ī and others (*rahimahumullāh*). During his time he was the main Muftī of Makkah who was to whom people referred. See *Ibn Khallikan's Biographical Dictionary*, [Wafayāt ul-'A'yān] – (Paris: Oriental Translation Fund of Great Britain and Ireland, 1842), trans. Baron MacGuckin de Slane, vol.2, pp.203-205.

²⁹ Mentioned by al-Haafidh Ibn Hajar in *Tahdheeb ut-Tahdheeb*, vol.6, p.406

Imaam al-Albaanee also said (vol.5, p.202):

This is a mighty benefit so memorise it! For I was heedless of this for a long time and then I paid attention to it and all praise is due to Allaah for His success.

Imaam al-Albaanee also said in *Sifat us-Salaat un-Nabee (sallallaahu 'alayhi wassallam)* in regards to Ibn Jurayj:

He is Mudallis, however it is authentic from him if he says...(then he mentioned what has preceded) – so if it is mentioned from him (i.e. Ibn Jurayj): ‘...from 'Ataa’ then it is like as if he has said: ‘Ataa’ said...’ So the lack of a clear mention of hearing is no harm at all, as is apparent. It may be that this was of the excuses for Shaykhayn verifying his hadeeth which were mu’an’an from 'Ataa’.

Imaam al-Albaanee also stated in *as-Sabeebah*, vol.1, p.86:

This is an important benefit, does his (Ibn Jurayj’s) saying: ‘...from 'Ataa’...’ have one ruling or does it differ? The former appears to be correct to me, and Allaah knows better.

Yet again however (!?), those who throw doubt upon this narration, such as Hasan 'AbdulMannaan (one of the prime architects in throwing doubt upon “*kufr doona kufr*”), have claimed that: **“Imaam Ahmad said: All of what Ibn Jurayj says which includes ‘Ataa said...’ or ‘...from 'Ataa’ indicates that Ibn Jurayj did not hear from 'Ataa’.”** This transmission from Imaam Ahmad is mentioned by Ibn 'AbdulHaadee in *Babr ud-Damm* (p.278). Shaykh Saleem al-Hilaalee notes however that:

Firstly: Imaam Ahmad did not specify who this ‘Ataa’ is! Is it Ibn Abee Rabaah or Ibn Abee Muslim al-Khurasanee? Yet it is more evident that it is the latter, because it has been said about him that Ibn Jurayj did not hear from him, as opposed to Ibn Abee Rabaah. For Imaam Ahmad affirmed the narration of Ibn Jurayj from 'Ataa’ ibn Abee Rabaah and that Ibn Jurayj studied under him for some years, all of this makes Ibn Jurayj one of the most trusted people who reports from Ibn Abee Rabaah. 'Ali bin al-Madaneer said:

I asked Yahyaa bin Sa'eed about hadeeth of Ibn Jurayj from 'Ataa’ al-Khurasanee and he replied: ‘Weak’. I said to Yahyaa: ‘He says though: ‘He informed me...’ Yahyaa said: ‘This is nothing for all of it is da'eef! It is just from a book which was presented to him.’

This was mentioned by al-Haafidh in *at-Tabdheeb*, vol.6, p.406. This is a clear text which proves that Ibn Jurayj’s hearing from 'Ataa’ al-Khurasanee has issues with it and that he relayed from a book which as presented to him.

Secondly: Ibn Jurayj himself informed that if he transmits any report from 'Ataa’ Ibn Abee Rabaah then indeed he has heard from him even if he does not frankly mention hearing. How can this not

be the case when he studied with 'Ataa bin Abee Rabaah for more than fifteen years. Furthermore, a man knows his own condition better than anyone else. So the words of Ahmad, even if for arguments sake he intended 'Ataa' Ibn Abee Rabaah, do not annul the words of Ibn Jurayj about his own self, and there is no doubt that Ibn Jurayj knows about his own self more than Imaam Ahmad.

Thirdly: The words of Ibn Jurayj confirm hearing while the words of Imaam Ahmad negate any hearing, yet what is confirmed takes precedence over what negates, as is well known. This is all the more the case when Ibn Jurayj's *abaadeeth* from 'Ataa Ibn Abee Rabaah have been utilised in the Two Saheehs, and in these *abaadeeth* he did not clearly mentioned that he heard them from 'Ataa Ibn Abee Rabaah.

TAAWOOS AL-YAMAANEE (RAHIMAHULLAAH)³⁰

He said: **“It is not like the kufr of one who disbelieves in Allaah, His Angels, His Books and His Messengers.”**³¹ He also said: **“It is not the kufr which expels one from the religion.”**

Narrated via the route of Wakee' from Sufyaan ath-Thawree from Sa'eed al-Makkee from Taawoos and reported by: at-Tabaree, *Jaami' ul-Bayaan*, vol.6, p.166; Imaam Ahmad, *Masaa'il Abee Daawood*, p.209 and *al-Eemaan*, vol.4, p.160, no.1418; al-Marwazee, *Ta'dbeem Qadr us-Salaah*, vol.2, p.522, no.574 and Ibn Battah, *al-Ibaanah*, vol.2, p.735, no.1006.

Shaykh Saleem al-Hilaalee stated: this hadeeth is Saheeh and the narrators are *thiqaat* and as for Sa'eed al-Makkee then he possibly is Ibn Hassaan al-Qurashee al-Makhzoomee or Ibn Ziyaad ash-Shaybaanee, both of which are from Makkah and have both been mentioned as of the students of Taawoos. Yet what is more accurate is that he is Ibn Hassaan al-Qurashee al-Makhzoomee, within his biography is mentioned that Sufyaan ath-Thawree narrated from him as opposed to have narrated from ash-Shaybaanee, Allaah knows better. Ibn Ziyaad ash-Shaybaanee is *thiqab* and Yahyaa ibn Ma'een deemed him trustworthy, as did Ibn Hibbaan and al-'Ijlee and a group of scholars narrated from him. The narration was authenticated by Imaam al-Albaanee (*rahimabullaah*) in *as-Saheehah* (vol.6, p.114).

³⁰ Abridged from Shaykh Aboo Usaamah Saleem bin 'Eeid al-Hilaalee as-Salafee, *op.cit.*, pp.82-

³¹ The verification of this narration has been mentioned prior.

A CLASSIFICATION OF REPUTABLE SCHOLARS WHO HAVE CLEARLY AUTHENTICATED THE TAFSEER OF 'ABDULLAAH IBN 'ABBAAS (RADI ALLAAHU 'ANHUMAA) OR HAVE USED IT AS A PROOF

It will suffice the respected reader that Ahl us-Sunnah wa'l-Jama'ah from the people of hadeeth and narration, and the followers of the Salaf us-Saalih, are agreed on accepting this narration from the faqeeh of the Ummah, Ibn 'Abbaas (*radi Allaahu 'anbumaa*) and they have concurred its authenticity and acting in accordance with it.

1 - al-Haakim (*rahimabullaah*) said in *al-Mustadrak*, vol.2, p.393: **"This hadeeth has a Saheeh isnad and Bukhaaree and Muslim did not transmit it."** Adh-Dhahabee agreed.

2 - al-Haafidh Ibn Katheer (*rahimabullaah*) transmitted in *Tafseer ul-Qur'aan ul-Adbeem*, vol.2, p.64: "It is Saheeh according to the conditions of Shaykhayn." He utilised it as a proof.

3 - The Shaykh of the Mufasssireen, at-Tabaree (*rahimabullaah*) stated in *Jaami ul-Bayaan*, vol.6, pp.166-167:

The first of these statements is correct according to me, which is the view of the one who says that: "These verses (from al-Maa'idah) were revealed in regards to the kuffaar Ahl ul-Kitaab". Because the verses which come before and after it were revealed in regards to them and they are the ones intended. The context of these verses are informing about them firstly. If someone says: "Allaah, exalted is His mention, informed of this generally about all who do not rule by what Allaah has revealed, so how can you make it specific?" Then it is to be said (in response): "Allaah made the report general in regards to a people who used to reject what Allaah judged in His Book. So He informed of those people that due to their abandonment of the judgement are disbelievers." Such is the view of all who do not rule by what Allaah has revealed while rejecting it, such a person is a disbeliever as Ibn 'Abbaas stated.

4 - The Imaam Muhammad bin Nasr al-Marwazee (*rahimabullaah*) stated in *Ta'dheem Qadr is-Salaah* vol.2, p.520:

Unto us in this is a precedent in what has been reported from the Companions of the Messenger of Allaah (sallallahu 'alayhi wassallam) and the Taabi'een, in that they considered kufr had branches less than the main foundation which do not expel one from the religion of Islaam. Just as they affirmed for eemaan branches of actions from the main foundation which if left do not expel one from the religion of Islaam. From these reports is the statement of Ibn 'Abbaas in regards to Allaah's saying,

﴿وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنزَلَ اللَّهُ فَأُولَئِكَ هُمُ الْكَافِرُونَ﴾

“And whoever does not judge by what Allah has revealed – then it is those who are disbelievers.”

{*al-Maa'idah* (5): 44}

5 – Imaam Aboo Madhfar as-Sama'ane (rabimabullaah) stated in *Tafseer ul-Qur'aan*, vol.2, p.42:

Ibn 'Abbaas said “The verse is about the Muslims and intends kufr less than kufr and I know that the Khawaarij make deductions from these verses and say that: “whoever does not rule by what Allaah has revealed is a disbeliever” but the people of Sunnah say: “he is not to be considered a disbeliever due to leaving off judgement. The ayah has two interpretations:

First meaning: Whoever does not rule by what Allaah has revealed out of apostasy and rejection then those are disbelievers.

Second meaning: Whoever does not rule entirely by what Allaah has revealed then those are disbelievers. The disbeliever is the one who abandons ruling by all of what Allaah has revealed as opposed to a Muslim.

6 – Imaam al-Baghawee (rabimabullaah) mentioned in *Ma'aalim ut-Tanzeel*, vol.3, p.61:

Ibn 'Abbaas and Taawoos stated: “It is not the kufr which expels one from the religion. Rather if one does it then he is a disbeliever yet he is not like the one who disbelieves in Allaah and the Last Day.”

7 – Aboo Bakr bin al-'Arabee (rabimabullaah) stated in *Abkaam ul-Qur'aan*, vol.2, pp.624-625:

The Mufasssireen have differed over this, for some of them say: “The Kaafiroon, Dhaalimoon and Faasiqoon – are all to be ascribed to the Yahood.” Yet some of them say: “The Kaafiroon are the Mushrikeen, the Dhaalimoon are the Yahood while the Faasiqoon are the Nasaaraa.” The latter is what I say because this is what is apparent from the verses. This is also the choice of Ibn 'Abbaas, Jaabir bin Zayd, Ibn Abee Zaa'idah and Ibn Shabramah. Taawoos and others said: “It is not the kufr which expels from the religion, however it is kufr less than kufr.” This may differ if he rules by his own self claiming that it is from Allaah, this is tabdeel and necessitates kufr. Yet if one rules by his own (rules) out of desire and disobedience then this is a sin and the person will be forgiven according to the basis of Ahl us-Sunnah in regards to the belief that the sinful will be forgiven.

8 – al-Qurtubee (rabimabullaah) stated in *al-Jaami' li-Abkaam il-Qur'aan*, vol.6, p.190:

As for the Muslim then *takfeer* is not to be made of him even if he commits a major sin

Meaning: whoever does not rule by what Allaah has revealed has out of apostasizing from the Qur'aan and rejecting the saying of the Messenger of Allaah (sallallaahu 'alayhi wassallam) is a disbeliever, as stated by Ibn 'Abbaas and Mujaahid.

9 – al-Baqaa'ee (*rabimabullaah*) stated in *Nudhm ud-Durur*, vol.2, p.460:

Leaving ruling by the Book is due to: disregarding it; out of fear of ruling by it; hope or desires. The end of the verses connected kufr, dhulm and fisq. Ibn 'Abbaas (radi Allahu 'anhuma) said: "Whoever rejects the rule of Allaah has disbelieved and whoever does not rule by what Allaah has revealed while acknowledging that it has to be ruled by, is a dhaalim and a faasiq."

10 – al-Waahidee stated in *al-Waseet*, vol.2, p.191:

عن طاووس قال: قلت لابن عباس: من لم يحكم بما أنزل الله فهو كافر؟ قال: هو به كفر،
وليس كمن كفر بالله وملائكته وكتبه ورسله واليوم الآخر

Taawoos said: I said to Ibn 'Abbaas: "Whoever does not rule by what Allaah has revealed is he a disbeliever?" Ibn 'Abbaas replied: "Within him is kufr, yet it is not like the kufr of the one who disbelieves in Allaah, the Last Day, His Angels, His Books and His Messengers."

11 – Siddeeq Hasan Khaan (*rabimabullaah*) stated in *Nayl ul-Maraam min Tafseer Aayaat il-Abkaam*, vol.2, p.472:

Al-Fareeyaabee, Sa'eed bin Mansoor, Ibn ul-Mandhoor, Ibn Abee Haatim and al-Haakim all authenticated it. Al-Bayhaqee in his Sunan reported that Ibn 'Abbaas stated about the ayah (al-Maa'idah: 44) that: "It is not the kufr that you are going towards. It is kufr which does not expel one from the religion, rather it is kufr less than kufr."

12 – Shaykh Muhammad al-Ameen ash-Shanqeetee (*rabimabullaah*) stated in *Adwaa' ul-Bayaan*, vol.2, p.101:

It is reported from Ibn 'Abbaas that he said in regards to this verse: "It is not the kufr that you are going towards". This is reported from him by Ibn Abee Haatim and al-Haakim who said: "It is Saheeh according to the conditions of Shaykhayn, and Shaykhayn did not report it, as stated by Ibn Katheer."

13 – Aboo 'Ubayd al-Qaasim bin Sallaam (*rabimabullaah*) stated in *al-Eemaan* (p.45):

As for what is mentioned in the revelation,

﴿وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنزَلَ اللَّهُ فَأُولَئِكَ هُمُ الْكَافِرُونَ﴾

“And whoever does not judge by what Allah has revealed – then it is those who are disbelievers.”

{*al-Maa'idab (5): 44*}

Then Ibn 'Abbaas stated: “It is not the kufr which expels one from the religion” and 'Ataa' said: “kufr less than kufr.” It therefore becomes clear to us that if it does not expel one from the religion of Islaam then the person's deen remains, yet if he mixes some of this then this is sinful. So the meaning is nothing except the characteristics of the kuffaar and their ways because ruling by other than what Allaah has revealed is from the ways of the kuffaar.

14 – Aboo Hibbaan (*rahimabullaah*) stated in *al-Babr ul-Mubeet*, vol.3, p.492:

﴿وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنزَلَ اللَّهُ فَأُولَٰئِكَ هُمُ الْكَافِرُونَ﴾

“And whoever does not judge by what Allah has revealed – then it is those who are disbelievers.”

{*al-Maa'idab (5): 44*}

It is apparent that this is general and includes this Ummah and others who were before him. What is apparent is: that it is in the context of addressing the yahood and generally applies to them and others. However, Ibn Mas'ood, Ibraaheem, 'Ataa and a group of scholars said that the ayah means: “kufr less than kufr, dhulm less than dhulm and fisq less than fisq.” Which means that if a Muslim commits the kufr (as mentioned in the ayah) then it is not like the kufr of the disbeliever, likewise his dhulm and fisq do not expel him from the religion as Ibn 'Abbaas and Taawoos.

15 – Aboo 'Abdullaah bin Battah included a chapter in *al-Ibaanab*, vol.2, p.723 on ‘sins which lead the one who committed them to kufr but do not expel him from the religion.’ Then he mentioned (in vol.2, pp.733-734): ruling by other than what Allaah has revealed, and mentioned the narrators from Ibn 'Abbaas, Ibn Mas'ood and the Taabi'een which indicate that ruling by other than what Allaah has revealed is minor kufr which does not expel one from the religion.

16 – Ibn 'AbdulBarr (*rahimabullaah*) stated in *at-Tambeed*, vol.4, p.237:

It has arrived from Ibn 'Abbaas, who is one of those from whom takfeer of the one of abandons the Salah has been reported, that he said about the ruling on the unjust ruler: “kufr less than kufr”.

Then he mentioned its chain of transmission.

17 – al-Khaazin stated in his *Tafseer*, vol.1, p.310 (of the abridged version):

A group of scholars from the Mufasssireen stated: “The three verses were revealed in regards to the kuffaar and those who change the rule of Allaah from the yahood.” Because even if a Muslim falls into a major sin it is not to be said about him: “he is a kaafir”. This is the view of Ibn 'Abbaas, Qataadah and ad-Dahhaak. What indicates the accuracy of this view is what has been reported from al-Baraa' bin 'Aazib.

18 – Jamaaluddeen al-Qaasimee (*rabimabullaab*) stated in *Mabaasin ut-Ta'weel*, vol.6, p.1998:

The one who rules by other than what Allaah has revealed has disbelieved if he disregards or rejects (ruling by what Allaah has revealed). This is what many adhere to and narrate it from 'Ikrimah and Ibn 'Abbaas.

19 – Imaam as-Si'di (*rabimabullaab*) stated in *Tayseer ul-Kareem ur-Rabmaan*, vol.2, pp.296-297:

Ruling by other than what Allaah has revealed is from the actions of the people of kufr. It can be kufr which expels one from the religion, if he believes that it is halaal and permitted for him to rule by it; or it could be a major sin. Of the actions of kufr are that which deserve a severe punishment.

﴿وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنزَلَ اللَّهُ فَأُولَئِكَ هُمُ الْكَافِرُونَ﴾

“And whoever does not judge by what Allah has revealed – then it is those who are disbelievers.”

{*al-Maa'idah* (5): 44}

Ibn 'Abbaas said: “Kufr less than kufr, dhulm less than dhulm and fisq less than fisq.” It is major dhulm when there is istihlaal and a major sin when the person does it without making istihlaal.

20 – Shaykh ul-Islam Ibn Taymiyyah (*rabimabullaab*) stated in *Majmoo' al-Fataawaa*, vol.7, p.312:

Therefore, from the statements of the Salaf were: “A person can have within him both eemaan and kufr” and likewise within their saying: “that one can have within him eemaan and kufr, it is not the kufr which expels one from the religion.” Just as Ibn 'Abbaas and his companions (students) stated in regards to the saying of Allaah,

﴿وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنزَلَ اللَّهُ فَأُولَئِكَ هُمُ الْكَافِرُونَ﴾

“And whoever does not judge by what Allah has revealed – then it is those who are disbelievers.”

{*al-Maa'idah* (5): 44}

They said it means: "They disbelieved with a type of kufr which does not expel one from the religion", and Ahmad and other Imaams of the Sunnah followed him in that.

Ibn Taymiyyah also said in *Majmoo' al-Fataawaa*, vol.7, p.522:

Ibn 'Abbaas and others from the Salaf stated in regards to Allaah's saying,

وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنْزَلَ اللَّهُ فَأُولَئِكَ هُمُ الْكَافِرُونَ

"Whoever does not rule by what Allaah has revealed, then they are the disbelievers."

{*al-Maa'idab: 44*}

وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنْزَلَ اللَّهُ فَأُولَئِكَ هُمُ الظَّالِمُونَ

"Whoever does not rule by what Allaah has revealed then they are the transgressors."

{*al-Maa'idab: 45*}

وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنْزَلَ اللَّهُ فَأُولَئِكَ هُمُ الْفَاسِقُونَ

"Whoever does not rule by what Allaah has revealed then they are the sinful."

{*al-Maa'idab: 47*}

It is: "kufr less than kufr, fisq less than fisq and dhulm less than dhulm. Imaams Ahmad, al-Bukhaaree and others mentioned this.

Ibn Taymiyyah also said in *Majmoo' al-Fataawaa*, vol.7, p.350-351:

He could be Muslim yet within him is kufr less than kufr which does not expel him from Islaam absolutely, as the Companions said, such as Ibn 'Abbaas and others: "kufr less than kufr" this is the saying of the generality of the Salaf and this is what Ahmad and others documented. This is also what al-Bukhaaree bore testimony to in his Saheeh.³²

³² He intended by this (*rahimahullaah*) Imaam al-Bukhaaree's chaptering in his Saheeh: 'Chapter: Kufr Towards Spouses and Kufr Less than Kufr.' Al-Qaadee Ibn al-'Arabee al-Maalikee stated in *Fath ul-Baaree*, vol.1, p.83:

"مراد المصنف [البخاري] أن يبين أن الطاعات كما تسمى إيماناً كذلك المعاصي تسمى كفرًا، لكن حيث يطلق عليها الكفر: لا يراد الكفر المخرج من الملة" اهـ.

The intent of the classifier (i.e. al-Bukhaaree) is to explain that acts of obedience are named 'eemaan' and likewise acts of disobedience are named 'kufr'. However, when kufr is applied in this instance the intent is not the kufr which expels from the religion.

Ibn Taymiyyah also said in *Majmoo' al-Fataawaa*, vol.7, p.67: **"Ibn 'Abbaas and his companions said: "kufr less than kufr and dhulm less than dhulm."**

Ibn Taymiyyah also said in *Majmoo' al-Fataawaa*, vol.11, p.140: **"More than one of the Salaf said: 'kufr less than kufr, nifaaq less than nifaaq and shirk less than shirk.'"**

21 – Ibn Qayyim al-Jawziyyah (*rahimabullaah*) stated in *Madaarij us-Saalikeen*, vol.1, pp.335-336:

As for kufr then it is of two types: major and minor. Major kufr necessitates eternity in the hellfire. Minor kufr necessitates a threat but not eternity in the hellfire, like in the hadeeth of the Prophet (sallallaahu 'alayhi wassallam): "Two from my Ummah have kufr within them, the one who abuses the lineages and the one who wails over the dead."³³ And like when the Prophet (sallallaahu 'alayhi wassallam) said: "Whoever approaches a woman in her anus has disbelieved in what has been revealed to Muhammad." And like in another hadeeth when the Prophet (sallallaahu 'alayhi wassallam) said: "Whoever goes to a soothsayer or magician and believes in what he says has disbelieved in what Allaah revealed to Muhammad."³⁴ And like in another hadeeth when the Prophet (sallallaahu 'alayhi wassallam) said: "Don't return after me as kuffaar striking the necks of each other."³⁵ This is the interpretation of Ibn 'Abbaas and the generality of the Companions in regards to the Allaah's saying,

وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنْزَلَ اللَّهُ فَأُولَئِكَ هُمُ الْكَافِرُونَ

"Whoever does not rule by what Allaah has revealed, then they are the disbelievers."

{*al-Maa'idab: 44*}

Ibn 'Abbaas said: "It is not the kufr which expels from the religion, rather if one does it he has kufr within him but it is not like the kufr of the one who disbelieves in Allaah and the Last Day", as Taawoos said. 'Ataa' said: "It is kufr less than kufr, dhulm less than dhulm and fisq than fisq." There are those who interpreted the verses in regards to the one who abandons ruling by what Allaah has revealed out of rejection. This is the view of 'Ikrimah and is the accurate interpretation, so if a person rejects it (i.e. ruling by what Allaah has revealed) whether he rules by it or not. Also from them are those who interpret these verses as abandoning all of what Allaah has revealed. Included within this is the ruling of tawheed and Islaam and this is the interpretation of 'Abdul'Azeez al-Kanaanee, yet this is also far (from

³³ Saheeh Muslim (67) from the hadeeth of Aboo Hurayrah (radi Allaahu 'anhu)

³⁴ Reported by Aboo Daawood (3904); at-Tirmidhee (135), an-Nasaa'ee in *al-Kubraa*, vol.10, p.124 (*Tuhfat ul-Ashraaf*); Ibn Maajah (639) and others. Via the route of Aboo Hurayrah (*radi Allaahu 'anhu*) and it is *Saheeh*.

³⁵ Reported by al-Bukhaaree in his *Saheeh* (121); Muslim in his *Saheeh* (65) from the hadeeth of Jareer bin 'Abdullaah al-Bajalee (*radi Allaahu 'anhu*).

being accurate). Also from them are those who interpret the verses as applying to those who oppose the text purposefully not out of ignorance, error or interpreting. This is what al-Baghawee relayed from the 'Ulama generally. Also from them are those who interpret the verses as being applicable to Ahl ul-Kitaab and this is the view of Qataadah, ad-Dahhaak and others, yet this is far (from being accurate) as it opposes what is apparent from the text. Also from them are those who deem these verses as meaning: kufr which expels one from the religion.

What is Saheeh is: that ruling by other than what Allaah has revealed goes between the two types of kufr, minor or major depending on the condition of the ruler (or judge). If he believes in the obligation of ruling by what Allaah has revealed in this situation yet averts from ruling by it, along with his admittal that he deserves punishment for this, then this is minor kufr. Yet if he believes that ruling by other than what Allaah has revealed is not an obligation or that he has a choice in ruling by it, while accepting that it is the rule of Allaah, then this is major kufr. If he is ignorant or errs then he is mistaken and takes the ruling of those who fall into error. The intent of this is: all of disobedience is a type of minor kufr that is against shukr.

22 – Imaam al-Albaanee (*rahimabullaah*) stated in *as-Sabeehab*, vol.6, pp.109-116:

It has arrived from the Salaf what supports this and this is found in regards to what they said about "kufr less than kufr" and this has been authenticated from Tarjuman ul-Qur'aan Ibn 'Abbaas (radi Allahu 'anhu), and some of the Taabi'een and others documented this from him. There has to be mention of what has been made easy to deduce from them and maybe this will enlighten the path in front of those who have been misguided today in this dangerous issue and traversed the way of the Khawaarij who make takfeer of the Muslims who have committed disobedience, even if such Muslims pray and fast.

Then he (*rahimabullaah*) mentioned some narrations verifying them and explaining their authenticity.

23 – Imaam Muhammad bin Saalih al-'Uthaymeen (*rahimabullaah*) stated in his commentary on *at-Tabdbeer min Fitnat it-Takfeer*, pp.68-69:

However, due to this narration those who have been tested with takfeer have not been pleased and begin to say "this narration is unacceptable! It is not authentically relayed from Ibn 'Abbaas!" so it can be said to them: "How can it not be authentic when those who are more virtuous and greater in knowledge than you in hadeeth have accepted the narration?! Yet you say "we don't accept it!"!?"

Let's say the matter was as you say and the narration of Ibn 'Abbaas was not authentic, unto us are other texts which indicate 'kufr' is applied yet does not mean the kufr which expels

one from the religion, like the aforementioned verses. As the Messenger of Allaah (sallallaahu 'alayhi wassallam) said: "there are two people that have kufr within them: the one who abuses lineages and those who wail over the dead." Yet this is not the kufr which expels one from the religion, however as is said: "A small amount of knowledge coupled with a small amount of understanding of the general Shari' principles necessitates misguidance." Another matter that can be appended to that is: evil intent necessitates evil understanding, because when a person wants and intends something this necessitates a person transmitting his understanding in accordance to what he wants and intends, and then he distorts the texts accordingly. From the well-known principles of the 'Ulama was that they used to say: deduce then believe, don't believe and then deduce and be misguided. The three reasons are:

- 1 – Lack of Shari' knowledge.
- 2 – Lack of fiqh of Shari' principles
- 3 – Evil undertsnading resulting from evil intent and desire.

In relation to the narration of Ibn 'Abbaas, then it is sufficient for us that the noteworthy scholars such as Shaykh ul-Islam Ibn Taymiyyah, Ibn Qayyim and others have all received the narration with acceptance and relay it as being an authentic narration.³⁶

- 24 – Ibn Abi'l'Azz al-Hanafee (*rahimabullaah*) stated in *Sharh ul-'Aqeedah at-Tabawiyah*, pp.323-324: Here there is a matter which has to be understood and that is: ruling by other than what Allaah has revealed can be kufr which expels one from the religion; it can be disobedience, major or minor. So this all depends on the condition of the ruler: if he believes that ruling by other than what Allaah has revealed is not an obligation, or that he has a choice in a matter, or that he mocks it while admitting that it is the rule of Allaah, then this is major kufr; if he believes that it is an obligation to rule by what Allaah has revealed and this is his knowledge of the situation, yet he does not rule by it, along with his admittance that he deserves punishment, then this is disobedience and such a person is a disbeliever for committing kufr in the figurative sense or has committed minor kufr; if he is ignorant of the rule of Allaah, while he exerts great efforts in trying to know the ruling yet errs, then this is one who has erred. He has a reward for his ijtihaad and his error is forgiven.

³⁶ From his notes to the book *Tahdheer min Fitnat it-Takfeer*, pp.68-69, also see for additional info, *Qurrat ul-'Uyoon fee Tasheeh Tafseer 'Abdullaah Ibn 'Abbaas 'alaa Qawlihi Ta'ala "Wa man lam yahkum bi ma Anzala Allaah fa Oolayika hum ul-Kaafiroon"* pp.87-94 by Shaykh Saleem al-Hilaalee.

TAFSEEL IN REGARDS TO THE ISSUE OF ‘TABDEEL’: “DISMANTLING THE SHAREE’AH” ACCORDING TO ‘ABDULLAAH FAISAL AL-JAMAYKEE AND HIS GROSS ERRORS AND MISUNDERSTANDINGS OF TABDEEL

One of the main matters that 'Abdullaah (“El”) Faisal al-Jamaykee regurgitates ad nauseam, is what he obscurely refers to as “dismantling the Sharee’ah”. He neither gives the Arabic and Islamic terminologies for this area of discussion nor does he embellish his ideas with concise evidences or proofs from the 'Ulama, so Faisal either suffices with what he has blindly pieced together from other *tafseeris* (such as Aboo Qataadah, Aboo Hamza al-Misree, Aboo Baseer and others) or conjures up his own explanations about which he has not been preceded by any of the scholars. We have already observed that 'Abdullaah Faisal, in his ‘criticisms’ of the illustrious companion 'Abdullaah ibn Abbaas (*radi Allaahu 'anhumaa*), regurgitated exactly the same as Aboo Hamza al-Misree did on page 15 of the latter’s book *Ruling by Man-Made Law is Kufir Akbar*, which can be referred to here: <http://www.scribd.com/doc/2511432/Ruling-by-Man-Made-Law-is-Kufir-Al-Akbar>

Due to 'Abdullaah Faisal’s inability to concisely explain what he means by “dismantling the Sharee’ah” it is difficult for us to assess whether he is actually referring to what the 'Ulama have called *‘tabdeel’*. We also witnessed previously that Faisal translates the word **“sawwagha”** as **“dismantle”** and totally misquotes Shaykh ul-Islam Ibn Taymiyyah (*rahimabullaah*), when the word **“sawwagha”** actually means: *‘ajaaza’* and *‘abaaha’* which means: ‘to be or become permissible’, to be permitted’, to be allowed’ etc. Firstly, these terms have totally different connotations to “dismantle”; secondly, Faisal did not transmit fully what was mentioned by Ibn Taymiyyah and thirdly, the Salafis totally accept what has been mentioned by Shaykh ul-Islam Ibn Taymiyyah (*rahimabullaah*)! Yet this area is not as simple as any form of *tabdeel* being *kufir* rather the scholars have explained this in detail and we will try and look at this issue here. *Tabdeel* in the Arabic language is:

إن كلمة التبديل في لغة العرب بمعنى العوض من شيء أو تغييره .

فمن استبدل شيئاً بغيره فقد بدل ، وكذا من غير الشيء ولو لم يأت ببديل فقد بدل .

To replace something or change it; so whoever seeks to replace something by changing it has replaced it; and likewise whoever changes something, yet does not bring a replacement, has replaced it.

Ibn Faaris³⁷ said:

"الباء والداال واللام أصل واحد ، وهو قيام الشيء مقام الشيء الذاهب .
يقال: هذا بدل الشيء وبديله ، ويقولون: بدلت الشيء إذا غيرته وإن لم تأت له ببديل ، قال
تعالى: {قل ما يكون لي أن أبدله من تلقاء نفسي}

Baa, daal and laam has one basis which is to establish something in place of another thing which has gone. So it is said: 'this replaces something and is its substitute' and they say: 'You have replaced something if you change it and do not bring something as its replacement.'
Allaah says,

"Say, [O Muhammad], "It is not for me to change it on my own accord."

{Yoonus (10): 15}³⁸

Al-Qurtubee stated in regards to Allaah's saying,

"So woe to those who write the "scripture" with their own hands, then say, "This is from Allāh," in order to exchange it for a small price. Woe to them for what their hands have written and woe to them for what they earn."

{Baqarah (2): 79}

في هذه الآية والتي قبلها التحذير من التبديل والتغيير والزيادة في الشرع ، فكل من بدّل
وغيرَ ، أو ابتدع في دين الله ما ليس منه ولا يجوز فيه : داخل تحت هذا الوعيد الشديد ،
والعذاب الأليم ، وقد حذر رسول الله -صلى الله عليه وسلم- أمته لما قد علم ما يكون في

³⁷ He is Abu'l-Husayn Ahmad bin Faaris bin Zakariyyah al-Qazweene al-Lughawee (d. 395 AH/1004CE). He studied in Qazween, Hamadhaan and Baghdad and became a specialist in Arabic lexicography, grammar and syntax. His works focus much on morphology, etymology and the function of particles within the grammar. His three notable works are *Mu'jam Maqaayees ul-Lugha*, *al-Mujmal fi'l-Lugha* (these two being dictionaries) and *as-Saahibi fee Fiqh il-Lugha wa's-Sunan al-'Arab fee Kalaamihaa*. He also authored *Awjaz as-Siyar li-Khayar il-Bashar*, printed in 1993 by Daar ur-Rashaad.

Mu'jam Maqaayees ul-Lugha has been edited by A.S.M. Haroon (Cairo, 1947-52), along with prints by Daar Kutub ul-'Ilmiyyah and Daar ul-Fikr in Beirut, while *al-Mujmal* has been edited by Hammoodie (Kuwait: 1985) and Sultaan (Beirut: 1984), and *as-Saahibi fee Fiqh* has been edited by Mustaphaa Shu'aymee (Beirut: A. Badraan, 1964) and also by Sayyid Ahmad Saqr, Cairo: Eesaa al-Baabee al-Halabee, n.d.

³⁸ Abul-Husayn Ahmad Ibn Faaris, *Mu'jam Maqaayees ul-Lughah*, p.119 – this was edited by A.S.M. Haroon in 1947-52 (printed in Cairo) and has subsequently been published in Beirut by Daar ul-Fikr in 1979 and also in Iraan by Daar Kutub al-'Ilmiyyah, n.d.

Within this ayah, and those before it, is a warning against *tabdeel* (replacement), *taghayyeer* (change) and *ziyaadah* (addition) in regards to the *Shar'*. So all who replace, change or innovate in Allaah's deen that which is not from it and is not permissible: is entered within the severe threat (in the ayah) and the painful torment. The Messenger of Allaah (sallallahu 'alayhi wassallam) warned his Ummah about what would happen towards the end of time when he said: "Those before you from Ahl ul-Kitaab split into seventy-two sects and indeed this Ummah will split into seventy-three sects, all of which will be in Hellfire except for one." So the Prophet (sallallahu 'alayhi wassallam) warned the Ummah of adding into Allaah's deen new things from their own accord which oppose Allaah's Book, the Prophet's Sunnah or the Sunnah of his companions and misguide the people.³⁹

So the innovator is considered a form of '*tabdeel*'. So *tabdeel* is divided into three types by the 'Ulama: **First type:** Whoever replaces the *Shar'* [Divine Legislation] and attaches it to the *Shar'* out *ijtibaad* or interpretation. Such a person intends the rule of Allaah yet errs and is ignorant, such an individual is excused and is not deemed as sinful if he is a person of *ijtibaad*. This type of individual is what Shaykh ul-Islam Ibn Taymiyyah and Ibn ul-Qayyim called "ash-Shar' al-Mu'awwil".

Second type: Whoever replaces the *Shar'* [Divine Legislation] intentionally yet does not attach this to the *Shar'* and his replacement is not out of arrogance or obstinancy to the *Shar'*, rather he believes that it is *haram* to do that yet due to a weakness in him such as bribery, position, hatred of a person or the likes he does it. This type of individual is a sinful criminal and has ruled by other than what Allaah has revealed, yet *takfeer* is not to be made of him except if there is a proof of his *istiblaal* (believing it to be lawful), *istikbaar* (arrogance towards Allaah's rule) or *mu'aanadah* (obstinancy to Allaah's rule).

Third type: Whoever replaces the *Shar'* [Divine Legislation] intentionally, neither out of an error nor an interpretation and attaches this to the *Shar'*, this type of individual is an apostate and disbeliever according to the consensus of the Muslims. Shaykh ul-Islam Ibn Taymiyyah said:

³⁹ Al-Qurtubee, *al-Jaami' li-Ahkaam il-Qur'aan*, vol.2, p.9

"والإنسان متى حلل الحرام المجمع عليه ، أو حرم الحلال المجمع عليه ، أو بدل الشرع المجمع عليه كان كافراً مرتداً باتفاق الفقهاء ، وفي مثل هذا نزل قوله على أحد القولين: {ومن لم يحكم بما أنزل الله فأولئك هم الكافرون} أي هو المستحل للحكم بغير ما أنزل الله

ولفظ "الشرع" يقال في عرف الناس على ثلاثة معان :

"الشرع المنزَّل" : وهو ما جاء به الرسول ، وهذا يجب اتباعه ومن خالفه وجبت عقوبته.

والثاني: "الشرع المؤوَّل" : وهو آراء العلماء المجتهدين فيها كمذهب مالك ونحوه ، فهذا يسوغ اتباعه ، ولا يجب ، ولا يحرم .

وليس لأحد أن يلزم عموم الناس به ، ولا يمنع عموم الناس منه.

والثالث: "الشرع المُبَدَّل" : وهو الكذب على الله ورسوله ، أو على الناس بشهادات الزور ونحوها ، والظلم البين ؛ فمن قال: إن هذا من شرع الله فقد كفر بلا نزاع ، كمن قال: إن الدم والميتة حلال ولو قال: هذا مذهبي ونحو ذلك. " ا.هـ .

When a person makes halaal whatever is haraam by consensus, or prohibits whatever is halaal by consensus, or replaces whatever is from the Divine Legislation by consensus - is a disbelieving apostate by agreement of the fuqahaa. With regards to the likes of these people Allaah revealed,

﴿وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنزَلَ اللَّهُ فَأُولَٰئِكَ هُمُ الْكَافِرُونَ﴾

“And whoever does not judge by what Allah has revealed – then it is those who are disbelievers.”

{al-Maa'idah (5): 44}

Meaning: the one who makes it lawful to rule by other than what Allaah has revealed. The term 'Shar' according to the custom of people refers to the following three meanings:

First: ash-Shar' al-Munazzal (the revealed legislation), and this is what the Messenger (sallallaahu 'alayhi wassallam) came with, this has to be followed and whoever opposes it has to be punished.

Second: ash-Shar' al-Mu'awwal (the interpreted legislation), and this is in regards to the views of the Mujtahid scholars such as the madhhab of Maalik and the likes. These can be followed yet it is neither obligatory nor impermissible. It is neither for anyone to obligate the people to follow it nor prevent the generality of the people from it.

Third: ash-Shar' al-Mubaddal (the altered legislation), and this is lying against Allaah and His Messenger, or lying against the people with false testimonies or the like; and clear oppression. So whoever says: "Indeed this (type of altered and distorted legislation) is from Allaah" has disbelieved without dispute, just as the one who says: "Eating the blood and dead flesh of an animal are halaal" even if he says: "this is my madhhab" and the likes.⁴⁰

So Shaykh ul-Islaam Ibn Taymiyyah (*rahimahullaab*) clearly explains that the *Shar' al-Mubaddal* is not one type which is 'ruling by man-made laws taken from the West', rather there are types, Ibn Taymiyyah said:

"وأما "الشرع المبدل" فهو الأحاديث المكذوبة ، والتفاسير المقلوبة ، والبدع المضلة التي

أدخلت في الشرع وليست منه ، والحكم بغير ما أنزل الله ، فهذا ونحوه : لا يحل لأحد اتباعه"

As for ash-Shar' al-Mubaddal then it is: false ahaadeeth, corrupt tafaaseer, misguided innovations which have entered the Shar' and are not from it and (a judge) ruling by other than what Allaah has revealed – these and its likes are not permissible for anyone to follow.⁴¹

Likewise, the ruling on *tabdeel* is not merely one ruling or *ijmaa'* rather the rulings depend on the type of *tabdeel* according to Ahl us-Sunnah. It is also well known that when a judge (or ruler) replaces and alters the *Shar'* and thus rules by other than what Allaah has revealed obligates he the oppressed one with his ruling, yet the *ijmaa'* of the 'Ulama does not make *takefeer* of such a judge (or ruler) unless he deems and believes this as being lawful (*istiblaal*) for him to do. Ibn ul-Qayyim (*rahimahullaab*) mentions in *Kitaab ur-Roob* (p.267):

"وأما الحكم المبدل وهو الحكم بغير ما أنزل الله فلا يحل تنفيذه ، ولا العمل به ، ولا يسوغ

اتباعه ، وصاحبه بين الكفر والفسوق والظلم"

As for al-Hukm al-Mubaddal [the replaced and altered law], which is ruling by other than what Allaah has revealed, then it is neither permissible to apply it nor act according to it or follow it. The one who commits this (ruling by other than what Allaah has revealed) is between kufur, fisq and dhulm.

⁴⁰ *Majmoo' al-Fataawaa*, vol.2, p.267

⁴¹ *Majmoo' al-Fataawaa*, vol.11, p.507

So Ibn ul-Qayyim deems "al-Hukm al-Mubaddal", which is ruling by other than what Allaah has revealed, as something which can be *kufri*, *fisq* or *dhulm* in ruling on the one who replaces it, applies it or follows it. Shaykh ul-Islam Ibn Taymiyyah stated in *Majmoo' al-Fataawaa*, vol.7, p.70-71:

"وهؤلاء الذين اتخذوا أئبارهم ورهبانهم حيث أطاعوهم في تحليل ما حرم الله، وتحريم ما أحل الله، يكونون على وجهين:

أحدهما: أن يعلموا أنهم بدلوا دين الله فيتبعونهم على التبديل، فيعتقدون تحليل ما حرم الله، وتحريم ما أحل الله، اتباعاً لرؤسائهم مع علمهم أنهم خالفوا دين الرسول، فهذا كفر، وقد جعله الله ورسوله شركاً، وإن لم يكونوا يصلّون لهم ويسجدون لهم، فكان من اتبع غيره في خلاف الدين مع علمه أنه خلاف الدين، واعتقد ما قاله دون ما قاله الله ورسوله مشركاً مثل هؤلاء.

الثاني: أن يكون اعتقادهم وإيمانهم بتحليل الحلال وتحريم الحرام ثابتاً لكن أطاعوهم في معصية الله، كما يفعل المسلم ما يفعله من المعاصي التي يعتقد أنها معاصي، ولهم حكم أمثالهم من أهل الذنوب" اهـ.

Those who took their scholars and monks as lords obeyed them in making lawful what Allaah had prohibited and prohibited what Allaah had made lawful, and this has two aspects:

Firstly: That they know that they have substituted the *deen* of Allaah and then followed them in that change and believed in the making lawful of what Allaah had prohibited and in the prohibition of what Allaah had made lawful. So they did this following their leaders while knowing that it opposed the *deen* of the Messenger and this is kufri and Allaah and His Messenger have classified such an individual a disbeliever, even though they do not pray or prostrate to them. **Whoever follows other than Allaah**

in opposing the deen, while knowing that it opposes the deen and believes in what other than Allaah and His Messenger have stated is a Mushrik.

Secondly: That they have firm belief and *eemaan* about legalising the *halaal* and prohibiting the *haram*, however they obeyed them in disobedience to Allaah. This is like a Muslim who commits an act of disobedience which he firmly believes it is wrong and disobedience, they have the same ruling as them as being sinful.

So here Shaykh ul-Islam Ibn Taymiyyah mentions two types of those who commit *tabdeel*:

Firstly: Those who believe in the *'aqeedah* of the Mubaddaleen in *tabreem* and *tableel*, these have the ruling of having committed *kufr* and apostasy.

Secondly: Those who do not believe in the *'aqeedah* of the Mubaddaleen in *tableel* and *tabreem* and in fact believe that what is *halaal* is that which Allaah and His Messenger made *halaal* and believe that which is *haram* is that which Allaah and His Messenger made *haram*. However, they obeyed them in disobedience to Allaah due to desires or something else, these people are not *kuffaar* rather they are sinners. So based on this it is clearly evident that *tabdeel* is of two types:

One: That which expels from the religion and this has a number of manifestations

Two: That which does not expel one from the religion like when one commits *tabdeel* out of bribery, desire, fear of others and the like. This is *fisq* if the one who commits it does not include with it: obstinancy to the *Shar'*, intentionally averting from the *Shar'*, hatred of the *Shar'*, arrogance to the *Shar'*, rejection of the *Shar'* or *istiblaal* of *tabdeel* of the *Shar'*.

There are two clear evidences of this in Islamic history, firstly with the great Sultaan and Mujaahid, adh-Dhaahir Baybars al-Bunduqadaree who conquered many cities and liberated lands from the encroaching Crusader forces, absolutely crushing the forces of King Louis the Ninth during the Seventh Crusade. Baibars also had a large role to play in the defeating the Mongols at the great battle of 'Ayn Jaaloot (the Spring of Goliath)⁴² in 1260 CE wherein the Mongols were decisively defeated in close combat for the first time in Mongol history, from which the Mongols were never able to regroup and thus the historical impact of this defeat is no doubt significant even for today. The Mamluk slave army of heavy cavalymen (comprised of Turkish and Circassian European slave soldiers purchased in Constantinople) effectively destroyed the Mongol military machine which had menaced the medieval world for years. This also heralded the reign of the Mamluk dynasty and

⁴² It was from the will of Allaah that the Mongols were defeated and crushed at the place where Prophet David defeated Goliath, the seemingly lower one gaining power of the bigger one, as again happened with the Muslims over the Mongols after years of Mongol dominance.

established their military dominance in Egypt, Hulagu Khan (grandson of Genghis Khan) of the Mongols in the meantime never got over the defeat at 'Ayn Jaaloot. The Battle of 'Ayn Jaaloot is also the first recorded battle in history wherein explosive hand cannons were used, the Mamluk army utilised these explosives in order to frighten the Mongol horses and cause chaos in their ranks. These explosive compounds were later mentioned in Arabic literature.⁴³ The famous historian Yusuf bin Tughree Birdee (874 AH/1470 CE) stated in his beneficial book *an-Nujoom az-Zaabirah fee Mulook Misr wa'l-Qaabirah* [Flourishing Stars Among the Kings of Egypt and Cairo]⁴⁴, vol.7, p.182:

"كان الملك الظاهر - رحمه الله - يسير على قاعدة ملوك التتار وغالب أحكام جنكزخان من أمر
اليسق والتورا".

King adh-Dhaahir (rahimahullaah) slightly followed the rules of the Tartars and most of the ahkaam of Genghis Khan in regards to Yaasiq and Toora (aka 'Ture' or 'Tura').

This was also emphasised by al-Maqrizi (*rahimabullaah*) in *Kitaab us-Sulook li-Ma'rifat Duwal ul-Mulook* and *al-Khutat*, in fact the only historians to reject that this was the case (i.e. that the Mamluks implemented aspects of Yaasiq) have been modern non-Muslim Western historians such as David Ayalon!⁴⁵ Yet it is not known that any of the 'Ulama made *takfeer* of Baibars on account of that. Secondly, Muhammad Fareed Beg mentioned in his book *Taareekh ad-Dawlat al-'Uthmaaniyyah* [History of the Ottoman State], pp.177-178 in regards to the conqueror of Constantinople Sultaan Muhammad al-Faatih bin Muraad Beg (b. 835 AH/1432 CE, aka Mehmed the Second), that he used to rule by Yaasiq (which included an amalgamation of political ideals inherited from the Byzantine Caesars) and made *tabdeel* of much of the *Shari'ah*. Muhammad Fareed Beg states that Muhammad al-Faatih bin Muraad:

⁴³ Refer to the following paper on this topic: <http://www.history-science-technology.com/Articles/articles%202.htm>

⁴⁴ It was published in Cairo in 1929 CE

⁴⁵ For more on this historial discussion on the importance of Yasiq (Yasa) within the Mamluk State refer to the following paper by Dr Robert D. McChesney entitled *The Legacy of Genghis Khan in Law and Politics*, dated March 28 1997 based on a lecture given at the *University of New York*:

<http://www.mongoliantculture.com/ThelegacyofChinggis.htm>

Also refer to:

- ✓ A.N. Poliak, "The Influence of Genghis Khan's Yasa upon the General Organization of the Mamluk State" in *Bulletin of SOAS*, vol.10 (1940-42), pp.862-76
- ✓ George Vernadsky, "The Scope and Content of Chingis Khan's Yasa." Printed in the *Harvard Journal of Asiatic Studies*, Vol. 3, 1938, pp. 337-360

قال محمد فريد بك المحامي في كتابه "تاريخ الدولة العثمانية" (ص/177-178) عند ذكر

الترتيبات الداخلية للسلطان محمد الفاتح:

"ووضع أول مبادئ القانون المدني وقانون العقوبات فأبدل العقوبات البدنية أي السن بالسن

والعين بالعين وجعل عوضها الغرامات النقدية بكيفية واضحة أتمها السلطان سليمان القانوني

الآتي ذكره".

Implemented the principles of the civil law canon and also that of the punishments, he changed (fa abdala) the capital punishments (i.e. chopping off the hand etc.) and replaced them with monetary fines. The following Sultaan, Sulaymaan al-Qaanoonee completed this legislative process.⁴⁶

So Sultaan Muhammad al-Faatih lived in the ninth Islamic century after the Hijrah and it is not known that anyone made *takefeer* of this Sultaan of the Ottoman Empire, despite his *tabdeel* which included implementing castration upon rapists and others. These examples indicate that there are different categories of *tabdeel* along with respective rulings, which are totally neglected by the new-age *takfiri* activists such as Abdullaah Faisal, Aboo Baseer, Aboo Qataadah, Omar Bakri, Sulaymaan al-'Ulwaan and others.

⁴⁶ Also refer to page 29 of the following:

http://www.arts.ualberta.ca/~amcdouga/Hist323/lecturespdf/suleiman_the_magnificent.pdf

THE NEW-AGE TAKFIRI ACTIVISTS AND KHAWAARIJ AND THEIR FRADULENT REFERRAL TO SHAYKH MUHAMMAD BIN IBRAAHEEM (RAHIMAHULLAAH)

Another glaring contradiction is how they refer to the Mufti before Imaam Bin Baaz, Shaykh Muhammad ibn Ibraahem (*rahimabumullaah*), as if he was somehow in agreement with their *takfiri* and *kbaarijee* views. Never at any stage whatsoever did Shaykh Muhammad bin Ibraaheem declare Saudi Arabia to be an "apostate state", or as "being in the pocket of the kuffaar", or as "a state that does not rule by what Allaah has revealed", or as being a "puppet state" or "the state of Shaytaan" or by any other crass and cantankerous terms of reference which drool from the unhinged tongue of the likes of 'Abdullaah Faisal al-Jamaykee and the cult followers of Omar Bakri Muhammad et al. So we ask these new-age *takfiri* activist to show us any evidence that the noble Shaykh Muhammad bin Ibraaheem (*rahimahullaah*) made *takfeer* of Saudi Arabia, considering that most of those who refer to him are precisely just those who make *takfeer* of Saudi Arabia! Let's refer to 'Abdullaah Faisal al-Jamaykee's views on Saudi Arabia, he stated after an hour and three minutes into the lecture *The Devil's Deception of the Saudi Salafis*:

"The British were the greatest enemies of Islaam and the Muslims and they are the ones who set-up Saudi Arabia, they are the ones who formulated the government of Saudi Arabia, they are behind the kingship of Saudi Arabia, Saudi Arabia is a puppet government governed by the British."

Here then, Faisal agrees and shares the exact same *manhaj* of the *Braihwees*, *Soofees* and *Tabreerees* in regurgitating the nonsense that the British supported Saudi Arabia, when the reality is that in the early stages of the state and of the *da'wah* of Imaam Muhammad Ibn 'AbdulWahhaab (*rahimahullaah*), the British were against it with a passion! What indicates that the British were opposed to the "Wahhabi movement" is the fact that they sent Captain George Foster Sadlier⁴⁷ to **"congratulate Ibrahim Pasha on his success against the Wahhabis"** – during the war of Ibrahim Pasha in Dir'iyyah – and also to find out to what extent he was prepared to cooperate with the British authorities to reduce what they called "Wahhabi piracy in the Arabian Gulf." Indeed, this clearly

⁴⁷ An officer of the 47th Regiment in the India British army at a time when securing sea routes to India was Britain's main interest. The British were concerned about the rise of the *da'wah* of Imaam Muhammad ibn 'AbdulWahhaab and branded any opposer to British colonial rule in India as being a "Wahhabi", this thus contributed to the scaremongering against the *da'wah* of Imaam Muhammad ibn 'AbdulWahhaab (*rahimahullaah*).

expressed a desire to establish an agreement between the British government and Ibrahim Pasha with the aim of destroying the "Wahhabis" completely. Sadlier made an arduous journey from India to Riyadh to see the ruins in Dir'iyyah, which was razed to the ground by Ibraheem Pasha.⁴⁸

Furthermore, one should not forget that Faisal says all of this yet he himself studied in *Imaam Muhammad bin Saud University* in Riyadh!! So according to his own extremist reasoning and arguments, his own Islamic education from whence he began to utilize in order to promote himself as a 'Shaykh' is in question! As Faisal studied in Saudi Arabia and used that as his main proof to call himself a 'Shaykh'!

As for the issue of the Shaykh's book *Tabkeem ul-Qawaaneen* then the Shaykh never intended by it a criticism of Saudi Arabia wherein he was the Mufti, for Saudi Arabia implements the Sharee'ah, even though there are shortcomings in some areas, commands the good and forbids the evil, aids the needy Muslims, supports the *da'wah* to *tawbeed*, establishes the *hudood* and tries to follow the correct *manhaj*. Secondly, despite what is mentioned in *Tabkeem ul-Qawaaneen* the book, like all books except for the Qur'aan, is not free of errors for Imaam Bin Baaz (*rahimabullaah*) was asked:

There is a fatwa of Shaykh Muhammad Ibn Ibraaheem Aali-Shaykh, the people of takfeer use it to prove that the shaykh did not differentiate between the one who rules by other than the Law of Allaah - making it halaal, and the one who is not like that, as the differentiation which is well known from the scholars.

Imaam Bin Baaz replied:

This matter is affirmed by the scholars - as has preceded - that whoever makes that halaal then he has indeed disbelieved. As for the one who does not make that halaal, such as the one who does it due to bribes or something similar, then this is disbelief less than disbelief. As for the Islamic State which possesses power, then upon them is to struggle against the one does not rule by what Allaah revealed until that is established.

The questioner then asked:

They use this fatwa of Shaykh Ibn Ibraaheem as a proof!?

Imaam Bin Baaz (*rahimabullaah*) replied:

Muhammad Ibn Ibraaheem was not infallible, he was a scholar from amongst the scholars and he made mistakes at times and he was correct at (other) times, he was neither a prophet nor a messenger. Also like that were Shaykhul-Islaam Ibn Taymiyyah, Ibn ul-Qayyim, Ibn Katheer,

⁴⁸ Jalal AbualRub, Alaa Mencke (ed.), *The Biography of Muhammad ibn Abdul Wahhab* (Orlando, Florida: Madinah Publishers, 1424 AH/2003 CE), pp.224-231.

and other scholars. All of them made mistakes at times and were correct at (other) times. Whatever from their statements agrees with the truth is to be taken and whatever opposes the truth is to be returned onto the one who utters them.⁴⁹

⁴⁹ Refer to *Majallat ul-Furqaan*, no.82

AL-'ALLAAMAH, DR SAALIH AL-FAWZAAAN ON THOSE WHO RULE BY MAN-MADE LAWS⁵⁰

The respected Shaykh, al-'Allaamah Dr Saalih al-Fawzaan was asked:

May Allaah show goodness to you O virtuous Shaykh, of the most difficult issues which has been problematic for the youth, or for some of the youth, (is the issue) for example of ruling by man-made laws. We request clarity in regards to this.

Answer from al-'Allaamah Saalih al-Fawzaan (*bafidhabullaah*):

The 'Ulama have clarified this, and the closest thing (to being correct) is the tafseer of Ibn Katheer wherein it is stated that the one who rules by other than what Allaah has revealed then if he views that as being better than the Book of Allaah, or that his rule is better than the rule of Allaah, or that ruling by other than what Allaah has revealed is the same as the rule of Allaah or that he has a choice to rule by what Allaah has revealed or not based on choice – then such an individual is judged with kufr. There is no doubt that such an individual is a disbeliever according to the ijmaa'.

As for the individual who believes that the rule of Allaah is the truth and that the man-made law is baatil but he rules by it due to desire (hawaa) or due to a temptation (tama'a) that has overcome him – then such an individual is sinful and a transgressor (dhaalim wa faasiq) yet is not judged with kufr. This is because he believes that the rule of Allaah is obligatory and ruling by other than it is baatil but he done it in order to obtain a career or due to a temptation. In this instance his 'aqeedah remains, as he still has his belief in the Book of Allaah and that it is the truth and has to be ruled by, then in this case his 'aqeedah remains. Such an individual is judged to be sinful and not judged with having kufr because this is kufr 'amali (kufr of actions).^{51 52}

⁵⁰ From the question and answer session of a recent lecture entitled 'Takfeer: Between Excess and Neglect' delivered at *Masjid ar-Raaqihee* in Hayy ul-Jazeerah, Riyadh, KSA dated: 10/10/1428 AH corresponding to 21st October 2007 CE. The lecture can be heard here: <http://salafi.ws/faris/alfozan-thkeem-alqwaneen-salaf.mp3> and fully here: <http://www.liveislam.net/browsearchive.php?sid=&id=43368>

⁵¹ i.e. kufr less than kufr.

⁵² Shaykh 'Ali Hasan al-Halabi al-Athari has commented on these words by Shaykh Fawzaan and praised them for demonstrating the Shaykh's agreement with the three Imams of the era, Imam al-Albani, Imam Bin Baaz and Imam Muhammad bin Saalih al-'Uthaymeen (*rahimahumullaah*). See the article by Shaykh 'Ali Hasan al-Halabi entitled *al-Burhaan 'alaa Muwaafaqat ish-Shaykh Saalih al-Fawzaan li-Kibaar Mashaay'ikh il-'Asr wa'l-Awaan fee Mas'alati Takfeer Hukaam iz-Zamaan* [The Clear Proof of Shaykh Saalih al-Fawzaan's Agreement with the Senior Scholars of the Era Regarding the Issue of Takfeer of the Rulers of the Era]: <http://asaala.net/viewWord.php?wordID=1> and: <http://www.sahab.net/forums/showthread.php?p=645047>

CONCLUSION

All praise is due to Allaah, this study not only hopes to have demonstrated the lack of precision, research and knowledge of 'Abdullaah Faisal al-Jamaykee in regards to the narration of the illustrious Companion 'Abdullaah ibn 'Abbaas (*radi Allaahu 'anbumaa*), "kufr less than kufr"; but also it should be evident that 'Abdullaah Faisal is not trustworthy in his source-referencing. As Shaykh ul-Islaam Ibn Taymiyyah stated about the people of innovation:

" فلا تجد قط مبتدعاً إلا وهو يحي كتمان النصوص التي تخالفه ويبغضها، ويبغض
إضهارها وروايتها والتحدث بها، ويبغض من يفعل ذلك، كما قال السلف: ما ابتدع أحد
بدعة إلا نزع حلاوة الحديث من قلبه".

You will not find an innovator except that he hides the texts which oppose him and he will hate those texts. He will also hate bringing these texts up, narrating them, mentioning them and he hates acting by them. Just as the Salaf said: "One does not begin an innovation except that the sweetness of hadeeth is removed from his heart."⁵³

We have also observed that Faisal is either absolutely ignorant of the *asaaneed* and *turuq* of the narration "kufr doona kufr" or he is hiding it intentionally. Either way, this paper has demonstrated that his claims in regards to "kufr less than kufr" and his odd disregard for it has no precedent whatsoever from the 'Ulama.

'Abdullaah Faisal is not a "Shaykh" as he called himself while he was in London in order to gain followers, writing on his own tapes "Sheikh Faisal" and then promoting such audios?! Is this the way of Shaykh? Not to mention, as we have seen his knowledge is questionable to say the least, and those who have preceded him in his views are negligible. Indeed, like many of the hasty and partisan *takfiri* activists of London, Faisal promoted Safar al-Hawali and Salman al-'Awdal! And the folly of this promotion was not only evident then but even more so now for these *takfiri* activists who praised them in the 1990s; as the latter is an open *ikhwani* preacher who praises 'Amr Khaled and 'Ali Jifri, while the former has had a number of peculiar outlooks which have included writing a letter to George Bush Jnr on 15 October 2001 saying:

⁵³ *Majmoo' al-Fataawaa*, vol.20, p.161

“We Muslims desired to see you elected and we have proof that the votes which gave you victory were our votes, and I personally advised Muslims to vote for you.”⁵⁴!!?

So much for ruling by what Allaah has revealed and *baraa'* from the kuffaar! The Shaykhs of 'Abdullah Faysal and the *takfiri* activists seemingly need to take their own advice! Faisal stated after the first minute into the lecture *The Devil's Deception of the Saudi Salafis*:

“Now the reason why we say “Saudi Salafis”, as the term ‘Salafi’ is used to describe a person who practices Islaam the way it was practiced by the Prophet (sallallaahu alayhi wassallam) and his companions, the Sahabahs aswell as the other two generations that come after. There are two types of Salafis, the ‘classical Salafi’⁵⁵ and the fake Salafi which we classify, which we call the “Saudi Salafis.” The Muslims this like *{sic}*, the classical Salafis are like Salmaan al-Awdah and Safar Hawaalee who are sincerely practicing Islaam the way it was practiced by the Sahabahs and the Prophet (sallallaahu alayhi wassallam),⁵⁶ these are the classical Salafis.⁵⁷ So if you say that the topic is the ‘Devil’s Deception of the Salafis’ you have misled the people....So we have gathered here today to expose one of the greatest fitna to ever emerge in the Ummah of Prophet Muhammad (sallallaahu alayhi wassallam).”

Al-'Allaamah, Shaykh, Dr Saalih al-Fawzaan stated:

It is obligatory for the jaahil (ignoramus) to not speak and to keep quiet and fear Allaah, The Exalted and Majestic, and to not speak without knowledge, Allaah says,

﴿قُلْ إِنَّمَا حَرَّمَ رَبِّيَ الْفَوَاحِشَ مَا ظَهَرَ مِنْهَا وَمَا بَطَنَ وَالْإِثْمَ وَالْبَغْيَ بِغَيْرِ الْحَقِّ وَأَنْ تُشْرِكُوا

بِاللَّهِ مَا لَمْ يُنَزَّلْ بِهِ سُلْطَانًا وَأَنْ تَقُولُوا عَلَى اللَّهِ مَا لَا تَعْلَمُونَ﴾

“Say, My Lord has only forbidden immoralities – what is apparent of them and what is concealed – and sin,⁵⁸ and oppression without right, and that you associate with Allaah that

⁵⁴ <http://www.sunnahonline.com/ilm/contemporary/0025.htm>

⁵⁵ Where on earth did Faysal get this division from? Which scholar has preceded Faysal with this division of ‘a classical Salafi’ and a ‘fake Salafi’ and then from this only including the likes of Safar and Salmaan within that classification?!

⁵⁶ As for Salmaan al-Awdah he praises extremist *soofees* like Ali Jifri and also Amr Khaalid!

⁵⁷ Notice how Faisal only includes these two as being those “who are sincerely practicing” as Faisal knows what is in the hearts! Faisal only mentioned these two due to the fact that they were in prison at the time. So out of all of the scholars in the world, only these two are the “sincere ones”!!?

⁵⁸ Any unlawful action

for which He has not sent down authority, and that you say about Allaah that which you do not know.”

{*al-'A'raaf* (7): 33}

So it is not permissible for the jaahil to speak in issues of knowledge especially in regards to major issues such as takfeer, jihaad and al-walaa wa'l-baraa'. As for slander and backbiting in regards to the honour of the people in authority and the honour of the scholars, then this is the most severe type of backbiting and as a result is not permissible. As for current events which have passed or are taking place then these are affairs for the people in authority to research and seek counsel over and it is for the scholars to explain its Divinely Legislated ruling. As for the general and common people and beginning students it is not their issue. Allaah says,

﴿وَإِذَا جَاءَهُمْ أَمْرٌ مِّنَ الْأَمْنِ أَوْ الْخَوْفِ أَدَاعَوْا بِهِ وَلَوْ رَدُّوهُ إِلَى الرَّسُولِ وَإِلَى أُولِي الْأَمْرِ مِنْهُمْ

لَعَلِمَهُ الَّذِينَ يَسْتَنْبِطُونَهُ مِنْهُمْ وَلَوْ لَا فَضْلُ اللَّهِ عَلَيْكُمْ وَرَحْمَتُهُ لَاتَّبَعْتُمُ الشَّيْطَانَ إِلَّا قَلِيلًا﴾

“And when there comes to them something (I.e. information) about (public) security or fear, they spread it around. But if they had only referred it back to the Messenger or to those in authority among them, then the ones who can draw correct conclusions from it would have known about it. And if not for the favour of Allaah upon you and His mercy, you would have followed Satan, except for a few.”

{*an-Nisaa* (4): 83}

So it is incumbent to refrain the tongue in speaking about the likes of such issues, especially takfeer, allegiance and disavowal. And humans are mostly ignorant of its application and can apply it incorrectly and thus judge a person with misguidance and kufir, and the ruling could thus return upon the claimant. So if a person says to his brother “O kaafir, O faasiq” and the man is not like that (i.e. neither a kaafir nor a faasiq) the ruling can return upon the one who said it, and Allaah’s refuge is sought. This is a very dangerous issue, so it is upon the one who fears Allaah to refrain his tongue except if he is from those who are entrusted to deal with such issues, from the people in authority or the scholars. It is these who look into issues and find a solution to it, as for one who is from the common people or from the minor students (of Islamic knowledge) they do not have the right to issue rulings on people and slander the honour of people while he is an ignoramus (jaahil) who backbites and speaks about issues regarding takfeer, tasfeeq and other matters, this only harms the one who does this. So it is for the Muslim to withhold his tongue and not get involved in what does not concern him. Such a person should make dua’ for the Muslims for them to be victorious and make dua against the

kuffaar for them to be punished, this is obligatory. As for discussing rulings of the Divine Legislation, falling into error and speaking about the honour of people in authority and the scholars and judging them with kufr or misguidance this is very dangerous for you O speaker. Those you speak about will not be harmed by your speech, and Allaah knows best.⁵⁹

⁵⁹ Shaykh, Dr Saalih bin Fawzaan al-Fawzaan, Muhammad bin Fadh al-Husayn (editor and compiler), *al-Ijabaat al-Muhimmah fi'l-Mashaakil al-Mumilah* (Riyadh: Mataabi' al-Humaydee, 1425 AH/2004 CE, Second Edition), pp.56-58

APPENDIX 1: THE ABOMINABLE STATEMENTS OF 'ABDULLAAH FAISAL AL-JAMAYKEE, A QUICK RECAP

In a lecture by Faisal entitled *Challenges Facing the Youth*, he says:

"If he is a supporter of kufr, a Saudi Salafi, you have to kill him and chop of his head..."!!

In the same lecture Faisal says in the so-called 'question and answer session':

"You're allowed to take all these benefits that these kaafirs offer you, because everything that the kaafir owns is yours. Every single thing that the kaafir owns is yours so you're allowed to take all the benefits that they offer you and you're even allowed to have four wives and put them on benefit, so hope that they give you a mansion in Hampstead Heath!"

Faisal says, after an hour into the lecture *Let the Scholars Beware*:

"The Jews love Judaism more than the Muslims love al-Isaam, this is why they have a Jewish state and we don't have an Islamic state. The Jewish Rabbis are more sincere to their false religion more than our Islamic scholars who are not sincere to our religion...Isaam is a religion without scholars..."

After forty minutes into the lecture entitled *Rejecting the Taaghoot*, Faisal says:

"So today the Muslims are like the kaafirs of Quraysh..."

Faisal says in the lecture *Treachery from Within*:

"The Saudi Salafis, they are your enemies, in fact they are your greatest enemies because they guise themselves, they hide themselves, in clothing of righteousness and piety with a beard and a white thowb, some of them speak Arabic, yet they use their knowledge of Arabic to cement the throne of the apostate leaders...these are the nine enemies who you have to fight in this world today."

After 50 minutes into the lecture entitled *Knowledge*, Faisal says:

"So the Muslims in this country (i.e. the UK), the majority of them, they have no eemaan and no taqwaa, the average Muslim you meet on the street he has no eemaan and no taqwaa..."

In the lecture entitled *Jihad* (which was available of the *takfeere* website *Inshallah Shabeed*) Faisal says after twenty-six minutes:

"So you want to go to jannah, put up your hands those who want to go to jannah. It's easy just kill a kaafir, just kill a kaafir!"!!

Faisal says in the same lecture, after 49 minutes into it:

"Every Muslim would like to kill the kuffaar, unless you're a munaafiq and you have no al-walaa wa'l-baraa' in your heart or you love kaafirs. I wouldn't be surprised if some of you love Hindus and Sikhs and Buddhists and Christians, only munaafiqoon love kuffaar."

In the lecture *al-Walaa wa'l-Baraa* (a)⁶⁰ Faisal says after forty-five minutes:

"This drives home to you the importance of the Islamic Sharee'ah, the importance of hating the taaghoot, the importance of hating those who dismantle the Sharee'ah, the importance of condemning the system, the importance of killing the taaghoot..."

So if Faisal has already described certain Muslim governments as being **"taaghoot governments"** what is the logical deduction to be made from this, if not to incite and endorse assassinations of Muslim governments or others who Faisal defines as being **"a taaghoot"**? He continues, in his injustice (after forty-five):

"And if you are living in this country and a person approaches you and ask you "what do you think about the system" and you say to yourself, or you say to the person, "Alhamdulillah, it's not a bad system, it's a good system, even though my name is Muhammad I'm allowed to sign on and on top of that I live in the Royal Borough of Kensington and Chelsea, I can't complain." Now you are in this system and you can't see anything wrong with the system you say "it's okay"! Just to give that answer "it's okay" you become a kaafir!" (!!!)

Faisal also states after one hour, 13 minutes and 50 seconds into the same lecture:

"Kaafirs will always be kaafirs, every kaafir will always find a time to make you feel ashamed of your religion, every kaafir!...Kaafirs will always be Kaafirs!"

What a pathetic remark from one who used to be "a kaafir" himself! Indeed, from one who used to be in the Christian Salvation Army!? Faisal says after an hour and fifteen minutes into the lecture *Cancers in the Body of the Ummah* (1):

"So the Jews they immediately changed their tune, so the Salafees because they are the yahood of the ummah, they have all the qualities that the Jews have." !!!

After an hour and twenty-seven minutes into the lecture *The Devil's Deception of the Saudi Salafis*:

"The verdict on the Salafis, I've given you their descriptions, I've given you their 'aqeedah, I will now give you the verdict..."

Before we proceed, here Faysal is giving a *fatwa* now, an Islamic ruling, even though he is not qualified to give this at all, so beware! He continues:

⁶⁰ See the lecture here: www.archive.org/stream/alwala1/alwala.rmvb

"...Salafis are major hypocrites, there's no difference between a Salafi and a disciple of Musaylimah, Musaylimah exchanged the Sharee'ah and he had people who helped him, supported him, aided him and fought for him. Salafis will fight and kill for King Fahd who has dismantled the Sharee'ah...therefore you're not allowed to pray behind a Salafi, your salah behind them is baatil because they're major hypocrites, they're mega hypocrites. Now you know why I delayed the speech for four years because I make sure you can handle the verdict before I deliver the verdict on you!"

Faysal delivers another incredulous and vile 'verdict':

"Any woman that is married to a Salafi, she has to disassociate herself from him and make baraa' from him! How can she co-habit with a man who betray *{sic}* Allaah Ta'ala, His Messenger and the Muslims. She should abhor such a man just to look into his face should make her feel upset and sick. So how can she co-habit with a man, marry man, that a man *{sic}* and cohabit with him?"

La Hawla wa la Quwwata ila billaahi!

APPENDIX 2: 'ABDULLAAH FAISAL AL-JAMAYKEE AND HIS TAKFEER OF ABU USAAMAH ADH-DHAHABI AND CALL FOR HIS ASSASSINATION

Faisal says in the vile lecture *The Devil's Deception of the 21st Century House Niggers* (!!?):

"Anyone who listens to this tape, of this man and doubt that he's a kaafir you become a kaafir! If you listen to this person Aboo Usaamah trying to put Islaam down and Muslims down and jihaad down, if you have an atom's weight of doubt in your heart that he's a kaafir, you yourself become a kaafir." !!!

In the same lecture, *The Devil's Deception of the 21st Century House Niggers*, Faisal says to the audience,

"What do you think we should do with this person (i.e. Aboo Usaamah adh-Dhahabi)?"

Audience: "Kill him!"

Faisal: "I can't hear you?"

Audience: "Kill him!"

Faisal: I still can't hear you?

Audience: "Kill him!"

Faisal: "OK that makes sense." (!!!)

It seems that our brother Aboo Usaamah has unfortunately had his (un)fair share of *takfeer* and *tabdee'*, may Allaah guide him and keep him firm upon the Sunnah and forgive us and him of our errors.

APPENDIX 3: A LOGICAL PROGRESSION? FROM HARCORE ULTRA-ORTHODOX HASIDIC JEW TO TAKFIRI AND KHAWAARIJ AL-QAEDA SYMPATHISER! THE ODD CASE OF YOUSEF AL-KHATTAB (JOEY COHEN) FROM BROOKLYN, THE HEAD OF THE ABDULLAH FAISAL FANCLUB!⁶¹

WHO IS YOUSUF AL-KHATTAAB (JOEY COHEN)?⁶²

Firstly, for him to call himself "al-Khattaab" is incorrect as he is neither from a family with this name nor from a tribe with such a title, so rather it is actually more Islamic for his name to be "Yousef Cohen", yet due to his inferior complex he tries to hide his name and roots; within this study therefore we will refer to him by the correct Islamic usage.

According to his interview with the US magazine *Details* in September 2003 Yousuf Cohen claimed that at "one point he joined Satmar".⁶³ The background of Yousuf Cohen is dubious to say the least, he allegedly embraced Islaam after interactions via the internet with an "Emirati Sheikh" and thus learnt about Islaam predominantly "over the web"?! Similar in many ways to Azzam Amreekee (Adam Gadahn), yet without the same command of the Islamic texts, Yousuf Cohen is fanatical in his support for the contemporary Khawaarij of the era. With such a dubious history such an individual is really in no position whatsoever to then begin to slander the Salafis, yet this "Ibn

⁶¹ When we say that he is a sympathiser to Bin Ladin and the likes then this is from Cohen's own words from many of his interviews and *Youtube* broadcasts and should not be seen as an attempt by us to implicate Khattaab in anything. Rather we totally denounce, discard and detest his *manhaj* which is one which will not lead to any beneficial fruits and this coupled with *takfeer* and hatred of one of the Imams of the era is also a path to destruction. Indeed, Abu Hamza al-Misree, the former head of the *Finsbury Park Mosque* in London wrote an article on his 'Supporters of Shariah' website after the death of Imam Bin Baaz (*rahimahullaah*) entitled 'The Death of an Evil Scholar'!! La hawla wa la quwwata ilabillaah! Then people wonder why they are going through difficulties.

⁶² http://yousefalkhattab.tripod.com/yousef_al_khattab_family_and/index.album/yousef2?i=6

⁶³ Satmar is a Hasidic anti-Zionist Jewish community which originated from mostly Hungarian Hasidic Jews who fled Europe after the Second World War. It was founded by Rabbi Teitelbaum (1887-1979 CE) who was the official "Rav" of Satu Mare, Romania and is based on following "the Honorable zealots". Their main followers are to be found in various parts of New York such as Williamsburg, but they are also to be found in parts of London, Manchester, Montreal, Buenos Aires and Antwerp. Many Satmar Hasidic Jews were killed during the Holocaust.

Saba of the era” is not one who can even dare to accuse the Salafi scholars of treachery, selling-out and *kufri*. Of the dubious aspects of Yousuf Cohen are:

- ✓ Making unrestricted *takfeer* of Imaam 'Abdul'Azeez bin Baaz (*rabimahullaah*) and agreeing with Abdullah Faysal's *takfeer* of the noble Imaam.
- ✓ Appearing with his young children while brandishing shotguns?!
- ✓ Openly mocking the *kuffaar* war dead and injured in order to cause incitement.
- ✓ Poor command of Arabic (yet fluency in Hebrew?!)
- ✓ Biased partisanship to Sayyid Qutb and his ideas, refer to Yousuf Cohen's '*Radical Review*' “magazine” (particularly volume 2) which can be seen at www.revolutionmuslim.com – we warn that the website bombards you with an irritating voice as soon as you enter it yet this can be stopped by pressing the ‘stop’ button which is featured on the Uzi machine gun icon!!?
- ✓ Making references to *kuffaar* who were brutally murdered by *takfeerees* and wallowing in this.
- ✓ Inciting *kburooj* against the Muslim leaders along with ignorant and fanatically promotion of *Haakimiyyah* among the Muslim youth.
- ✓ New-found love and hasty support for Abdullah Faisal al-Jamaykee and thereby claiming to know more about Faisal than those who witnessed his development in Brixton from the 1990s. So the Salafis were dealing with Abdullah Faisal al-Jamaykee when Yousuf Cohen was still at the *Yeshiva* sporting a *Payot* and *Tzitzit*, studying the *Mesillat Yersharim* with the Hasidic Rebbes of Brooklyn, New York! Cohen has even taken to assuming responsibility of his *da'wab* affairs and revamping the old '*Street Da'wab*' website into www.revolutionmuslim.com
- ✓ Contradictory stances with regards to the matters related to what he defines as **“rejecting the taaghoot systems”**. As we shall see with Cohen's open use of the police from the 79th Precinct in Brooklyn, New York to defend him while he was giving out his flyers advertising his *takfeeree* website outside a Mosque in Brooklyn on Friday 29th February 2008 CE. Indeed, Cohen boldly says three times: **“Yes, I bought them (i.e. the police), I bought them, I bought them. Yes, I bought them (i.e. the police) because this brother threatened that he was going to hit me.”**⁶⁴ (!?) So beware! Yousuf Khattab cries to the police with no

⁶⁴ The video of this event was posted by Cohen, posting under the name “Yousef al Khattab” on a thread entitled '*Masjid 'Taqwa's' Security Thug Team*' on Saturday 1 March 2008 on the English language *Qutbee-takfeeree* forum

shame when his *takfeeree* chips are down! Furthermore, it is ironic that police from "New York city's finest" defend this Yousuf Khattaab and his *takfeeree* frolics and agitation and yet at the same time NYPD complain about the spread of radicalisation within New York, America, Canada, UK and Europe and accuse the Salafis as being the cause!!? See here for more in this regard: http://www.salafimanhaj.com/pdf/SalafiManhaj_NYPD.pdf The exactly same method, of running to the NYPD when the Muslims have had enough of their frolics, can be seen in a video which Cohen and his followers entitled '*Siraj Wahhaj's Para Military Khawarij Militia at the Muslim Day Parade*', dated Octobe 2008 wherein one of Cohen's followers, 'Younes Abdullah Muhammad' from the '*Islamic Thinkers Society*' (!!?), after 1 minute and 58 seconds into the video blatantly calls the police for help! He exclaims, as can be seen in the video: **"Officer! I'm getting assaulted! Please send the police, please! These guys (i.e. from Siraj Wahhaj's masjid) are threatening me!... They're trying to suppress our constitutional right to freedom of speech.... Shoot this on video in case they assault us, they're terrorists."**⁶⁵ Blatant snitching caught on camera! Then they accuse the Salafis of snitching!?! They need to take their own advice, indeed this is like a man telling another man that his button is undone, yet the man himself has his trousers undone! Furthermore, do they seriously expect us to believe that they are calling to the Sharee'ah when they at a drop of a hat they are so quick to plead for their "constitutional rights to freedom of speech" which if these are not based on *jibt* and *taaghoot* then we don't know what is!?! As for Younes Abdullah Muhammad then he is the same ignorant individual who gave a '*Press Release to the Media*' for the '*Islamic Thinkers Society*' and could not even pronounce the khutbah ul-haajah correctly! Indeed, after 18 minutes into the '*Press Release to the Media*' Younes Abdullaah Muhammad states: **"that's why we fight against Allaah"**, in his

'Islamic Awakening'. We have not provided the link to the site however due to the overall filth levelled against the scholars and the Salafis that the moderators allow on the forum in the name of *Ihkwani* notions of "free independent Islamic thought"!!? Oddly enough, the forum claims to have a zero tolerance policy against "vulgar language", "insults" and a "lack of Islamic etiquettes and manners", yet when it comes to the Salafis and the scholars of Ahl us-Sunnah all of these rules and regulations evidently go out of the window and *takfeer*, slander and backbiting of the 'Ulama is allowed?! This is absolutely evident to anyone who merely browses the forum. Furthermore, the forum has become nothing but a conglomeration of rants from intellectually bankrupt internet chameleons that hide behind fake names and pseudonyms as they swarm the cesspit like vermin.

⁶⁵ See: http://www.revolutionmuslim.com/index.php?option=com_content&view=article&id=119:siraj-wahhajs-para-military-khawarij-militia-at-the-muslim-day-parade&catid=4:streetdawah&Itemid=8

enthusiasm not realizing what he is saying!?! This video has since been removed, no doubt due to the errors and *jahl* found therein and the embarrassment of utilizing such a foolish video. Not to mention a whole host of other errors and *jahl* that can be found with this merger of the *Islamic Thinkers Society* and Yousef Cohen. Moreover, the fraudulent behavior of Younes Abdullah Muhammad can be witnessed in an interview he conducted with *Press TV* in October 2008 CE wherein he styled himself as the **'Political and Economic Analyst for Revolution Muslim.com'!!!?**

- ✓ There are other ridiculous arguments that Yousuf Cohen tries to bring yet all of them are weaker than a spider's house.

So what many have found concerning is his blatant promotion of the above yet seems to be able to do this with absolute freedom, while others have been known to have been imprisoned for less?! In the UK we have had the cases of those who have merely fantasised about terrorism or have gained cheap thrills from watching "jihadi" tapes and yet they have received hefty sentences, while Yousuf Cohen can do all of the above with no kind of concern from the authorities whatsoever?!

SAMPLES OF STATEMENTS OF YOUSUF KHATTAAB (JOEY COHEN)

Yousuf Cohen has been very quick to delete his videos from *Youtube* after some of the Salafis had exposed him, however Cohen has recently been posting on other *takfeeree* forums wherein his ignorance can be referred to by all, this also made it much easier to gather his calamitous statements without him having the easy capacity to erase them as he has done with his other *Youtube* videos.⁶⁶ Indeed, even the forum members of one particular forum did not even fall for the nonsense of Yousuf Cohen! We will note the dates and times of such postings lest we be accused of fabricating these sample quotes.

In a thread entitled '*Jubayman al-'Utaybi*' on a *takfeeree* forum⁶⁷ dated: 26 February 2008 (time: 04:21 AM) Cohen said:

I take from Shaikh Faisel, Wajdi Ghunaym, Abu Qatada, Abu Muhamed al Maqdesi, Sheikh Ashour, & many others some with beards and some w/o that is far and wide between and VERY non extreme.

⁶⁶ We have not however provided the link to the forum due to the preponderance of vile statements about the *Salafi Ulama* that are generally allowed and encouraged on the forum.

⁶⁷ Ibid.!

So he takes from those who have no beards and see there being no problem in this?! Indeed, Cohen has been bold in his infatuation with the writings of Sayyid Qutb. Let's continue to assess his nonsensical writings, he continues with a statement which clearly indicates his *Kbarijyyah*:

I am however VERY radical when it comes to the subject of ruling by ANYTHING other than shari3a... {sic}!

Despite this seemingly brave stance by Cohen, the reality is that Yousuf Cohen is the first to run crying to the police when his inability to defend his own self on the streets of Brooklyn, New York is exposed! As happened outside *Masjid at-Taqwa* in Brooklyn, New York on Friday 29th February 2008 CE. So here we see nothing but a mere continuation of the excesses of the *yabood* transferred over into an Islamic framework. Indeed, the mockery of the Prophets and hatred of them as was exhibited by some the *yabood* mentioned in the Qur'aan is also exhibited with Cohen in his mockery of the scholars of Ahl us-Sunnah, who are but the inheritors of the Prophets. Allaah says,

﴿وَضُرِبَتْ عَلَيْهِمُ الذِّلَّةُ وَالْمَسْكَنَةُ وَبَاءُوا بِغَضَبٍ مِّنَ اللَّهِ ذَلِكَ بِأَنَّهُمْ كَانُوا يَكْفُرُونَ

بِآيَاتِ اللَّهِ وَيَقْتُلُونَ النَّبِيِّنَ بِغَيْرِ الْحَقِّ ذَلِكَ بِمَا عَصَوْا وَكَانُوا يَعْتَدُونَ﴾

“And they were covered with humiliation and poverty and returned with anger from Allāh [upon them]. That was because they [repeatedly] disbelieved in the signs of Allāh and killed the prophets without right. That was because they disobeyed and were [habitually] transgressing.”

{*Baqarab (2): 61*}

Ibn Katheer stated within his *tafseer* of this verse:

Allah's anger that descended on the Children of Israel was a part of the humiliation they earned, because of their defiance of the truth, disbelief in Allah's Ayat and belittling the carriers of Allah's Law i.e. the Prophets and their following. The Children of Israel rejected the Messengers and even killed them. Surely, there is no form of disbelief worse than disbelieving in Allah's Ayat and murdering the Prophets of Allah.

The Prophet (*sallallaahu 'alayhi wassallam*) said "Indeed the 'Ulama are the inheritors of the Prophets."⁶⁸

⁶⁸ Al-Bukhaaree mentioned in his Saheeh in the *Book of Knowledge*, 'Chapter: Knowledge precedes Speech and Action', the part from it: "The scholars are the inheritors of the Prophets." Also the hadeeth is reported by Abou Daawood, Tirmidhee, Ibn Maajah and Ibn Hibbaan – *hadeeth hasan*.

Yusuf Cohen says in his post:

So, in short I am sorry I let you down about the fact that I hate ibn Uthaymene, Bin Baz,& Muqbil..

La hawla wa la quwwata ilabillaah! So we notice in the statements of Yousuf Cohen that even the *kuffaar* do not receive as much enmity as the *Salafi* scholars do. This is what we have to bring attention to, Yousuf Cohen's vehemence in condemning the scholars and the scholars of Ahl us-Sunnah particular as if he is qualified to do this.

With regards to his *'aqeedah*, then Yousuf Cohen is absolutely ignorant in regards to understanding the correct *'aqeedah* of the *Salaf*, he stated in the thread:

The truth is most Muslim Arabs are Ashari in aqeedah.⁶⁹ The fact is we learn the books of many Ashari scholars Ibn Hazm, Imam Asqalani, Imam Nawawi so in that regard I love my ashari brothers just as much as I love those Scholars of old. On the straight up when i meet a Muslim brother in Moghreb or Falestine or Libya **they never tell me Allah is in kul mekaan.**⁷⁰ **You wont find the Asharis turning you into the Police like the 'Salafis' in Arab lands do to me.** You wont find Asharis riding in the Mokhabarat van in north Africa pointing out who is Ikhwan Muslimeen as we **HAVE** seen them do. I hope that explains where I stand inshallah.

First of all Ibn Hazm was not an *'Ash'ari* in the slightest, so how on earth Cohen manages to construe this is beyond us. Secondly, to say "most Muslim Arabs are Ash'ari" is a foolish and incorrect assertion which is nothing but an *argumentum ad numerum*. It is rather similar to the statement of the extreme fanatical polemicist Zaahid al-Kawtharee⁷¹ who said boasted that the Hanafis, and by extension the Maturidis were the majority among the Muslims. Shaykh Shams as-Salafi al-Afghani said:

Because women, common people, farmers and others are not *Maturidis* at all and they merely ascribe themselves to the *Maturidis* apparently. And who from among them claims that that "Allaah is neither outside, nor inside the world, neither connected nor disconnected to the world, neither above nor beneath"? Who from among these (ordinary common people) says "The Speech of Allaah is internal and not with letters or a sound and this Arabic Qur'aan is created and not the Speech of Allaah

⁶⁹ For a further refutation of this notion see: http://www.salafimanhaj.com/pdf/SalafiManhaj_RefuteAsharees.pdf

⁷⁰ Interestingly, within Hasidic Judaism, pantheism is taught! So according to Hasidic Jews the Creator is everywhere.

⁷¹ For more on him and his *takfeer* of Imaam Ibn Taymiyyah and Ibn al-Qayyim see, pp.17-25 here: http://www.salafimanhaj.com/pdf/SalafiManhaj_PledgeContradiction

rather it indicates the Speech of Allaah”? Who from among these (ordinary common people) says “Moosaa (‘alayhis-salaam) did not hear the Speech of Allaah rather he heard a created sound in the tree”? To the end of such foolish ideas of *Māturidī kalaam!* All of these (ordinary common people) in reality are upon their natural disposition (fitra), so it is not correct to think that the *Māturidīs* and *'Ash'arees* are Ahl us-Sunnah and are the majority.⁷² Rather, the reality is that the *Māturidīs* and *'Ash'arees* are small in number and whoever contradicts this is contradicting the actual reality of the situation.⁷³

So it is absolutely ridiculous for Cohen to suggest that the “majority of Muslim Arabs are Ashari” and is just another demonstration of his lack of knowledge of Islaam and Muslims. Then we come across Yousuf Cohen’s pseudo-bravery:

You wont find the Asharis turning you into the Police like the ‘Salafis’ in Arab lands do to me.

You wont find Asharis riding in the Mokhabarat van in north Africa pointing out who is Ikhwan Muslimeen as we HAVE seen them do.

So Cohen says “like the Salafis in Arab lands do to me” as if he is some sort of kingpin?! On the contrary is must be asserted that Cohen has been apparently getting up to his frolics (and travelling to and from Morocco) with no pressure whatsoever, posting his addresses and pictures of him and his children with armed weapons and no one seems to be battering an eyelid!? Hmm, very strange indeed. As for Cohen foolishly claiming that the *'Ash'aris* in some way do not inform the police then what nonsense is he talking about here? Some of the world’s hardcore *'Asha'ri* preachers, like al-Kabbaanee for example, are well known for their pandering to neo-con security think tanks and laying all blame against the *Salafis*, so what he is chatting about!? For examples of where *Salafis* have been accused by *Ash'ari Sufis* of terrorism, extremism and radicalisation refer to:

http://www.salafimanhaj.com/pdf/SalafiManhaj_Saudi.pdf

http://www.salafimanhaj.com/pdf/SalafiManhaj_C4

http://www.salafimanhaj.com/pdf/SalafiManhaj_SaudiHatred

http://www.salafimanhaj.com/pdf/SalafiManhaj_Policy_Ex_Change

http://www.salafimanhaj.com/pdf/SalafiManhaj_Eddie

⁷² *Al-'Ilm ush-Shaamikh*, pp.271-72; Dr Bakr Abū Zayd, *at-Ta'aalim*, pp.106-07; Dr Hawalee, *Manhaj ul-'Ashaa'irah*, pp.22-24

⁷³ See pp'63-64 here: http://www.salafimanhaj.com/pdf/SalafiManhaj_Maturidi.pdf

Thirdly, recently in Brooklyn outside a Masjid known as *'Masjid Taqwa'* Cohen called on the police to protect him while he was calling to *takfeer* and the *manhaj* of the *Khawaarij*!? So much for fanatical calls to reject the *taagboot*, when it suits him Cohen rushes to the NYPD, and more specifically the 79th Precinct police, for protection!!? Indeed, within the frolics with some of the worshippers from the mosque, Cohen then suddenly presented a positive view of the police who were present? What happened to Cohen's:

You wont find the Asharis turning you into the Police like the 'Salafis' in Arab lands do to me. Quite simply, Yousuf Cohen has not been Muslim long enough to even dare question the Salafi scholars who were seeking Islamic knowledge when Cohen was preparing for his *Barmitzvab*! As for Cohen's support for Abdullah Faisal then this in itself is ironic, didn't Faisal have a lecture entitled *'Jewish Traits in the Ummah'* and didn't he refer to his enemies as being **“Jews of the Ummah”**? Only for Abdullah Faisal to take as a co-ordinator of his affairs in the West an ex-Hasidic Jew?! Irony in its most vivid form!