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IBN TAYMIYA'S CONCEPT OF
HERESY - WITH PARTICULAR
REFERENCE TO HIS FATWA
ON JIHAD

BY
LAMIA AHMED HOSNY EID

THE AMERICAN UNIVERSITY
IN CAIRO

JUNE 1991

933

IBN TAYMĪYA'S CONCEPT OF
HERESY - WITH PARTICULAR
REFERENCE TO HIS FATWĀ
ON JIHĀD

A THESIS SUBMITTED TO
THE CENTER FOR ARABIC STUDIES
THE AMERICAN UNIVERSITY IN CAIRO
IN PARTIAL FULFILLMENT OF THE REQUIREMENTS

Thesis
1991/933

FOR THE DEGREE OF MASTER OF ARTS

CA 9


BY


LAMIA AḤMAD ḤOSNY EID
THE AMERICAN UNIVERSITY IN CAIRO

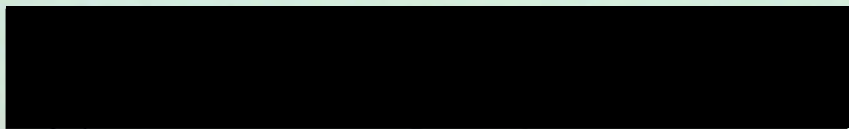
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IBN TAYMIYA'S CONCEPT OF HERESY - WITH PARTICULAR REFERENCE

TO HIS FATWA ON JIHĀD

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PREFACE

Ibn Taymīya, one of the most prominent figures in medieval Islamic history, has recently attracted great attention in the Muslim world. Modern extremist groups in 20th century Egypt, for example, have turned the spot light onto one of Ibn Taymīya's concerns in emphasizing his call for jihād. They have striven hard to adopt and implement his ideas on takfīr, accusing legitimate rulers of heresy. However, the nature of Ibn Taymīya's fatwā on jihād and his call for takfīr can only be appreciated within the historical content of the Mongol invasions. Not only that, but also within the broader historical background of his age. In this thesis, I have attempted a study of Ibn Taymīya's ideological positions on matters relating to belief and heresy. In the course of my research, it seemed clear that some of the recent misconceptions about his ideas were due partly, to a failure to take into account the details of his life and partly to a perusal of his basic writings which was less than complete.

In this thesis, therefore, I have attempted to set the specific statements contained in his fatwā on jihād against the Mongols within the broader context of his other writings on belief and heresy.

Chapter I

The Life of Ibn Taymiyya

It is a truism to say that a man's ideas and convictions are forged, in part, in the crucible of his own time and by his own experiences. This observation is particularly applicable in the case of Ibn Taymīya who can be considered, rightly, as one of the most important and controversial figures of Islamic history. A fairly lengthy treatment of his life is seen as relevant to an understanding both of his ideas and their impact on radical Islamic thought to this day.

Aḥmad ibn ʿAbd al-Ḥalīm ibn ʿAbd al-Salām ibn ʿAbdallāh ibn abī'l-Qāsim⁽¹⁾ ibn al-Khidr ibn Muḥammad ibn ʿAlī ibn ʿAbdallāh ibn Taymīya⁽²⁾ Taqī al-Dīn Abū'l ʿAbbās ibn Shihāb al-Dīn ibn Majd al-Dīn⁽³⁾, the Ḥanbalī theologian and jurisconsult, was born in Ḥarrān on Monday 10th Rabīʿ al-Awwal in 661 A.H.⁽⁴⁾ When the Mongols invaded their land, his family fled during the night seeking refuge in Damascus, in the year 667 A.H. In some ways this unfortunate happening was turned to good account, for in Damascus, Ibn Taymīya studied under a large number of scholars and sheikhs among whom were Sheikh Zayn al-Dīn Aḥmad ibn ʿAbd al-Dā'im ibn Niʿma al-Maqdisī, Ibn abī'l-Yusr, al-Kamāl ibn ʿId, Shams al-Dīn ibn ʿAṭā' the Ḥanafī judge, Sheikh Jamāl al-Dīn al-Ṣayrafī, Majd al-Dīn ibn ʿAsākir, al-Najīb al-Miqdād, Ibn abī'l-Khayr, Ibn ʿAllān, Abū Bakr al-Harrawī, al-Kamāl ʿAbd al-Raḥīm, Fakhr al-Dīn

ibn al-Bukhārī, Ibn Shaybān, Sharaf ibn al-Qawwās, Zaynab bint Makkī⁽⁵⁾, al-Qāsim al-Irbilī⁽⁶⁾, Aḥmad ibn abī'l-Khayr al-Ḥaddād and Ibrahīm ibn al-Darjī⁽⁷⁾.

He became well versed in the Qur'anic, ḥadīth and theological studies generally. In the ḥadīth, he studied the Musnad of Ibn Ḥanbal, the Mu^cjam al-Kabīr of al-Ṭabṣānī, Sunān of Abū Dā'ūd and the five other canonical ḥadīth collections⁽⁸⁾. In addition, he studied fiqh and uṣūl under his father, Sheikh Shams al-Dīn ibn abī ^cUmar, and Sheikh Zayn al-Dīn ibn Munajjā⁽⁹⁾. Al-Dhahabī, as recorded by al-Kutubī, maintains that Ibn Taymīya was well versed in ḥadīth literature defending sound ones while studying the matn and that no one after his time was able to attain his excellence in remembering and recalling the texts. Accordingly, it was claimed that any ḥadīth which was not known to Ibn Taymīya was not a sound ḥadīth⁽¹⁰⁾. Furthermore, he studied Sībawayhī and ^{also} became an authority in Qur'anic exegesis. He also studied science, algebra, mathematics, philosophy and dogmatic theology⁽¹¹⁾. As a result of his intelligence and excellence, he became an Imām in tafsīr and jurisprudence, to the extent that it was even believed that he knew more of the other schools of law (madhāhib) than the sheikhs or ^culamā' of these schools. He was also a mujtahid, as mentioned by Ibn

al-Zamalkānī, combining all aspects of ijtihād in his own person⁽¹²⁾.

Ibn Taymīya took on his duties and responsibilities at the age of twenty-one. He began to teach in Dār al-Ḥadīth al-Sukkāriya, located in al-Quṣṣa^cīn, in the year 683 A.H.⁽¹³⁾ Among those who attended his lectures were the great qāḍī'l-quḍāt Bahā' al-Dīn ibn al-Zakī, Sheikh Tāj al-Dīn al-Fazārī, Ibn al-Muraḥḥil and Zayn al-Dīn ibn al-Munajjā. Later on, he took his father's place on Fridays when he began teaching Qur'anic exegesis⁽¹⁴⁾. In the year 691 A.H., Ibn Taymīya performed the Pilgrimage at the age of thirty and, on his return, he was acknowledged as an imām⁽¹⁵⁾. Even at this young age, he was praised by a number of people including Sheikh Shams al-Dīn ibn abī ^cUmar, Sheikh Tāj al-Dīn al-Fazārī and Ibn ^cAbd al-Qawī⁽¹⁶⁾.

The year 693 A.H. marked the beginning of Ibn Taymīya's tribulations which were to continue until his death in 728 A.H. His first brush with the authorities was in 693 A.H. at the age of thirty-two, when he was arrested as a result of his protest against a Christian Kātib, ^cAssāf al-Naṣrānī, from Suwaydā', who had insulted the Prophet Muḥammad⁽¹⁷⁾. It was during this time that Ibn Taymīya wrote one of his important works: al-Ṣārim al-maslūl ^calā shātīm al-Rasūl⁽¹⁸⁾.

Succeeding Sheikh Zayn al-Dīn al-Munajjā who died in 695 A.H., Ibn Taymīya began teaching in the Ḥanbaliya school in Damascus⁽¹⁹⁾. However, three years later, in 698 A.H., his real troubles began. In response to a query from the people of Ḥamā concerning God's attributes, Ibn Taymīya wrote the Ḥamāwīya al-Kubrā. According to the account of ^cAllām al-Dīn ibn Muḥammad ibn al-Birzālī, Ibn Taymīya mentioned in the Ḥamāwīya fatwā that the creed of the salaf was to be followed rather than that of the Mutakallimīn (later scholastic theologians). This antagonized the group of sheikhs, whose hatred and envy towards Ibn Taymīya was already quite apparent and, as a result, they attempted to seek the support of other sheikhs and faqīhs against him. In so doing, they buttressed their claims by telling lies about him and by accusing him of taḥsīm, which would corrupt the faith of the public⁽²⁰⁾. Consequently, they wanted to bring him into the presence of the Ḥanafī qādī Jalāl al-Dīn, but Ibn Taymīya declined stating that: "belief and faith are not your (meaning Jalāl al-Dīn's) domain. The Sultān gave you authority to judge among people and denial of the forbidden is not the duty of the Qādī"⁽²¹⁾. Subsequently, this fatwā was denounced by public criers throughout the country. But Amīr Ṣafīyy al-Dīn Jāghān, who took his side, sent some soldiers to beat the town criers and their followers.

Following this incident, Ibn Taymīya met with the Shāfi^cī Qādī Imām al-Dīn and promised to read out parts of al-Fatwā'l-Ḥamāwīya. On listening to it, no one was able to deny it and the meeting was concluded with the decision that anyone who opposed Ibn Taymīya should be publicly castigated (ta^czīr)⁽²²⁾. This incident marked the first major test confronting Ibn Taymīya and was to be followed by many others.

The threat of Mongol invasion was very close in 699 A.H. As Ibn Kathīr records, the country's notables met and decided that Ibn Taymīya should meet the Mongol leader, Ghāzān and take his oath that the people of Damascus would be secured from danger. At the same time, Ibn Taymīya sent to the deputy of the Citadel urging him not to surrender it, under any circumstances, to the Mongols. Aside from these attempts, every night Ibn Taymīya exhorted people in Damascus to the jihād against the Mongols⁽²³⁾, for their threat was imminent and they were close to entering Damascus. This resulted in the terrifying of the inhabitants, who hoped to seek refuge elsewhere. Soon after this, the Mongols proceeded with their threat, burning Dār al-Ḥadīth and Dār al-Su^cadā'.

On Friday 19th Jumādā'l-ʾŪlā, the Mongol leader, Ghāzān, decided to proceed towards Iraq, leaving his

deputies with 60,000 soldiers in Damascus. He declared that he would return by the autumn and would definitely enter Egypt. During the same year, on Friday 19th Rajab, Ibn Taymīya and his companions went around the wine shops in Damascus, breaking bottles of wine and spilling it onto the ground and castigating (ta^czīr) a group of bar owners, to the approbation of many⁽²⁴⁾. This act clearly reflected an aspect of his activist beliefs that was to be followed later by others. On Friday 20th Shawwāl, adds Ibn Kathīr, the Viceroy al-Afram led an army to fight the people of Kasrawān and Jabal al-Jard and was accompanied by Ibn Taymīya and a large number of volunteers. The avowed intention was to punish them for their corruption, delusion and false beliefs; they were Rāfiḍite sympathisers and had helped the Mongols against Muslim soldiers, stolen their weapons, horses and killed a large number of them. Consequently, when their leaders came to Ibn Taymīya repenting and asking for forgiveness, he accepted. Accordingly, they agreed to return the stolen money and property; in short, they submitted to the Muslim authority, which in itself was a victory⁽²⁵⁾.

The threat of the Mongol invasion was still a reality during the next year, 700 A.H., as news came that they were planning to invade Syria and Egypt. Ibn Taymīya was still very active, urging people and exhorting the

soldiers to jihād. In pursuit of this aim, he went to Egypt to seek the help of the Sultan in order to save Syria. Addressing him, Ibn Taymīya declared:

"If you turn aside from Syria and its protection, we will find a Sultan to take over power and protect it, assuming the burdens of government during times of peace ... Suppose you were not the rulers and sovereigns of Syria and its people sought your help; it would be your duty to render them victorious. So how then when you are already their rulers and Sultan and they are your subjects and your responsibility?"⁽²⁶⁾

This stiffened the morale of the Sultan and soldiers who proceeded to Syria to fight the Mongols.

Two years later, in 702 A.H., the country was still threatened by the Mongols, who entered Ḥimṣ and Ba^calbak, roaming around the countryside, while despoiling and destroying it, to the terror of the inhabitants. The country's notables met and agreed on the necessity of meeting the common enemy. Qāḍīs in the mosque made common cause with a group of jurists and the public, agreeing on jihād. Ibn Taymīya also took an active role, meeting with soldiers and raising their morale and spirits to

fight the Mongols. It was difficult for the general populace to encompass the possibility of fighting the Mongols who had already professed Islam and who, at the same time, were not revolting against the Imām. It was to permit them to do so that Ibn Taymīya issued his famous fatwā on jihād, drawing analogies between the Mongols and the early heretical sect, the Khārijite, who had revolted against ^CAlī and Muḥ^Cawīya. Ibn Taymīya exhorted people to jihād to the extent that he declared: "If you see me on the other side (i.e., with the enemy) with a Qur'ān on top of my head, do not hesitate to kill me"⁽²⁷⁾. Ibn Kathīr describes in detail the fear of the inhabitants, at that time, both from the threat of the Mongols and their fear that the Sultan would not come to their aid. With the arrival of the Sultan and his army, and its uniting with the Syrian army, the Muslim troops were able to defeat the Mongols at Shaqḥab. On Ibn Taymīya's return from the battle, people welcomed him, in acknowledgement of his persistence in getting the Sultan and his troops to fight with the Syrian troops against their common enemy. It was even narrated that the Sultan had asked Ibn Taymīya to stay close to him in the battle, but the latter preferred to join with the Syrian troops as, according to him: "it is a sunna for a man to stand

with his people in battle and we are the Syrian troops; we stay only with them"(28).

Aside from Ibn Taymīya's role against the Mongols, which helped evoke zeal among the Muslim troops, there seem to have been at least two incidents illustrating his stand against innovation (bid^Ca), marking yet another characteristic of his. In the year 704 A.H., in Rajab, a sheikh, known as al-Mujāhid Ibrahīm al-Qaṭṭān, was arraigned before him. He wore a very wide robe opened at both ends. Immediately, Ibn Taymīya ordered that the robe should be torn, that the sheikh's long hair should be cut short and his very long nails and mustache should be shortened. He also made him repent for his use of obscene language, his atrocities and his excessive use of drugs (hashīsh) and other infringements(29).

Soon after this, the second incident of his opposing innovatory acts took place. It happened that the people of Damascus used a stone relic in the Nārnaj Mosque, next to the praying area as a sacred site, claiming that the Prophet's footsteps were engraved on it. Consequently, people visited it frequently and kissed it for blessing. On 16th Rajab, Ibn Taymīya went with a number of masons to destroy the rock. Some people opposed this act; others believed that by doing so he saved Muslims from an act

of infidelity by putting an end to this innovation⁽³⁰⁾.

Towards the end of the year 704 A.H., in Dhū'l-Hijjā, Ibn Taymīya joined the expedition against the Rāfiḍites of Kasrawān which ended in their defeat. Soon after, he sent a letter to the Sultan al-Nāṣir entitled Sultān al-Muslimīn wā man^Cāyid Allāh fī dawlatihī al-dīn. In it, he drew analogies between the Sultan's reign and the golden age of the Caliphate. According to him, the Sultan exhorted jihād against the enemies of God and they were of two kinds:

Firstly: "people of profligacy and oppression ... (who) depart from the laws of belief, seeking superiority on earth and corruption, departing from the right path and guidance. These are the Mongols and their like from those who departed from the Islamic Shari^Ca, even if they professed the Islamic credo or followed Islamic policy".

The second type includes: "the people of innovation the immoral ones, those in error, the hypocrites, abandoners of the Sunna and community of believers, separating themselves from the law and obedience, such as those who waged war against the authority of the Sultan from the people of Jabal al-Jard and Kasrawān ... these and their like

are the greatest corrupters in regard to both the world and religion. They firmly believed that Abū Bakr, ^CUmar, ^CUthmān, the people of Badr ... Imāms, ^Culamā' of the four schools of law ... are all unbelievers and apostates to a larger degree than Jews and Christians, because to them the murtadd (apostate) is worse than the unbeliever. Accordingly they give preference to the Mongols and Franks over the people of the Qur'ān and faith"⁽³¹⁾.

In this letter, he outlined the beliefs of the people of Kasrawān and how they tend to label people as unbelievers (Kuffār) if they did not agree with their beliefs. Their tutors and sheikhs, like Ibn al-^CUūd, were hypocrites, who concealed their true faith and practiced taqiyya⁽³²⁾. He compares this expedition to ^CAlī's expedition against the Khārijites. The people of Kasrawān rarely prayed, fasted, or read the Qur'ān; they were even ranked at a lower level than the Mongols. Among these people, adds Ibn Taymīya, are "many who do not pray nor fast, do not forbid the eating of carrion, blood or pork; they do not believe in hell and heaven like the Ismā^Cīliya, Nuṣayriya, Hākimiya ... etc."⁽³³⁾.

On Saturday 9th Jamādā'1-^CUlā, 705 A.H., a large

group representing the poor of the Aḥmadiya (Rifāʿiyya) sect, proceeded to the Viceroy to complain of Ibn Taymīya's command over them and to ask that they should be granted autonomy over their own affairs. Surprisingly, Ibn Taymīya agreed to their request, "on the condition; that everyone should abide by the Qur'ān and the tradition by word and by deed and that whoever deviates will not be granted this autonomy"⁽³⁴⁾. However, the group tried some of their tricks and innovations and, Ibn Taymīya responded, saying that "these were devilish tricks that will do them no good"⁽³⁵⁾. Ibn Taymīya was contemptuous of and denied their acts of innovation, among which were eating snakes, wearing iron chokers around their necks, iron bracelets around their wrists and entangling their hair⁽³⁶⁾. Moreover, in order to delude people to believe their miraculous abilities, they performed an act which involved massaging their skin with an insulatory mixture, made of frogs' grease and bitter orange, which protected them from fire. Their intention was to enter fire and not be harmed or burnt in order to establish their artifice and deceive the people. Ibn Taymīya realized their trick and ordered them to wash their bodies with water and vinegar to remove the insulatory mixture. He maintained that this trick did not indicate their piety or goodness; on the contrary, it would confirm their deception and

deviation from the Qur'ān, shari^ca and tradition, and accordingly, they should be executed. The Ahmadiya sheikhs declared that they do abide by the Islamic obligations and that the only objection posed by Ibn Taymiya was their wearing of the iron chokers. But Ibn Taymiya maintained that they should be wholly committed to every aspect of the Qur'ān and sunna. Contrary to this, anyone who departs from any of the obligations should be publically executed⁽³⁷⁾.

The years to follow, up until Ibn Taymiya's death in 728 A.H., were to mark a series of arrests, trials, ordeals and misfortunes characterized and often referred to as the testing period of his faith (miḥan). In his annales, al-Nuwayrī gives a detailed accounts of the first stage of these arrests and trials highlighting Ibn Taymiya's serious trouble with the authorities, beginning with the year 705 until 709 A.H., in Damascus and Cairo.

The incident that triggered the series of troubles in 705 A.H. was Ibn Taymiya's fatwā entitled el-Wāsiṭiyya. Ibn Taymiya had enunciated this dogma seven years before the Mongol invasion of Syria. The reason for writing it was when some of the qādīs in Wāsiṭ complained of injustice and the resulting poverty which was inflicted on the people after the Mongol invasion. They enquired

if Ibn Taymīya could outline a set of beliefs which they could follow. Consequently, he wrote the *Wasiṭiyya*⁽³⁸⁾.

According to al-Nuwayrī, one of the students of the Nāṣiriyya school in Cairo, ^CAbd al-Raḥmān al-^CAnbaq, read out the *Wasiṭiyya* to the Shāfi^Cīqadī Shams al-Dīn Muḥammad ibn ^CAdlān and to al-Nuwayrī himself⁽³⁹⁾. This was the first time an issue was made out of it. Shams al-Dīn ibn ^CAdlān denied much of what was in it and presented it to the Mālikī qāḍi'l-quḍāt Zayn al-Dīn ibn Maḥluf who announced that he required proof that what was written represented Ibn Taymīya's composition before giving his final decision. A group of people having confirmed that it was Ibn Taymīya's composition, the Mālikī qadī Zayn al-Dīn met with the amīrs, informing them of what was denied of this creed, so as to take the necessary measures. It was then decided that Amīr Husām al-Dīn Lājīn al-^CAmrī should be sent to Damascus with an imperial message ordering Ibn Taymīya to appear before the council⁽⁴⁰⁾. Among those who took part in this conspiracy was the Sūfī Sheikh Naṣr al-Dīn al-Manbijī, a supporter of Baybars al-Jashanīkīr, who had developed an animus against Ibn Taymīya when the latter openly condemned the thoughts and beliefs of Ibn al-^CArabī, maintaining that al-Manbijī held similar beliefs⁽⁴¹⁾.

On Monday 8th Rajab, 705 A.H., the first council was held at the palace of al-Afram, the governor of Damsacus, and the Wāsiṭīya was read out in the presence of the qāḍis and the 'ulamā'. In this council, as narrated by Ibn 'Abd al-Hādī, Ibn Taymīya was asked to present his beliefs. He maintained that it was in conformity with the Qur'ān, the tradition of the Prophet and the consensus of the salaf and that the Wāsiṭīya was only a response to the enquiries sent from the people of Wāsiṭ. Moreover, he added, the Qur'ān was God's word and that it was not created. In the matter of Takfīr, he stressed the fact that no Muslim has the right to call another Muslim Kāfir, or unbeliever, and that no believer would ever be in eternal hell. Added to this was his belief in the four guided Caliphs and in their order of succession⁽⁴²⁾. Regarding the 'victorious sect' Ibn Taymīya had stated in his fatwā that their faith is established by words and by deeds and might, therefore, decrease or increase. Ibn Taymīya was questioned on the grounds that, by this declaration, he excluded other groups, like Mutakallimūn, whose faith was represented by inner belief and acknowledgement rather than by words and deeds, and who, inspite of their different way of expressing their faith, would perish and be destroyed⁽⁴³⁾. To this Ibn Taymīya answered that this belief of the 'victorious sect', which was

described by the Prophet in a ḥadīth narrated by Abū Da'ūd and Ibn Māja on the authority of Abū Hurayrā: "My community will disintegrate into seventy three sects, seventy two of them in Hell and only one in Heaven. This 'victorious sect' will be in agreement with what I and my companions agreed upon". According to another saying by one of the companions: "Faith is relative: it might increase or decrease". Hence, anyone who disagrees with this belief would not be considered ruined, wronged, or that he had sinned. On the contrary, the person who disagrees would simply be considered a mujtahid who made a wrong decision and that God will forgive him for it. That is because he might have lacked the necessary knowledge that would render a firm argument⁽⁴⁴⁾.

Refutations covered other issues in the Wāsiṭiyya, all concerning God's attributes, to which Ibn Taymīya supplied the necessary clarification. However, as some issues needed more research, the council was adjourned. The second council was held four days later, on Friday 12th Rajab, including the Shāfi^{cī} Sheikh Ṣafī al-Dīn al-Hindī, in which the Wāsiṭiyya was once more debated and refuted⁽⁴⁵⁾. Later on, al-Hindī was to be replaced by al-Shāfi^{cī} qāḍī Kamāl al-Dīn al-Zamalkānī as representing the opposition party. According to al-Nuwayrī, after

some time debating the issue, Ibn Taymīya declared that he was a Shāfi^{cī} in belief. He announced this in the presence of the Shāfi^{cī} qāḍī Kamāl al-Dīn al-Zamalkānī. As a result of this confession, the Wāsiṭīya was accepted by everyone,⁽⁴⁶⁾ and a report was sent to the Sultan informing him that Ibn Taymīya had been cleared and that his faith confirmed that of the salaf⁽⁴⁷⁾. However, the dispute did not end at this point, for following Ibn Taymīya's release, some of his followers cried out: "Justice has prevailed with our Sheikh". Consequently, upon the orders of Jamāl al-Dīn al-Qazwīnī, deputy to the governor of ^cAdliya, these people were beaten and punished⁽⁴⁸⁾. Later, on Monday 22nd Rajab 705 A.H., Sheikh Jamāl al-Dīn al-Mizzī (d. 743) while reading a section from al-Bukhārī's Kitāb af^cāl al-^cibād in the Umayyad Mosque, was overheard by a group of Shāfi^{cīs} who thought that he meant them. They raised this issue with the Shāfi^{cī} qāḍī Najm al-Dīn ibn Ṣaṣrā (655-723 A.H.) who ordered him arrested⁽⁴⁹⁾. Ibn Taymīya tried to free his friend from prison but this act offended the Shāfi^{cī} qāḍī. Both argued, in the presence of the deputy and Ibn Ṣaṣrā swore that if al-Mizzī was not returned to prison, he would resign. The deputy submitted. Later when the governor arrived, Ibn Taymīya informed him about this incident. To put an end to all these troubles, the governor declared that anyone who

discussed or debated beliefs would be imprisoned or killed⁽⁵⁰⁾.

The third council, concerning the same issue, was held on the 7th Sha^cbān at the governor's palace. In this meeting, the creed of the Wāsiṭiyya was once more argued over, this time between Kamāl al-Dīn al-Zamalkānī and Ṣadr al-Dīn ibn al-Murḥal (known as Ibn al-Wakīl d. 716). Much of what was said was denied by Ibn al-Zamalkānī while Ibn al-Wakīl took Ibn Taymīya's side. When Ibn al-Zamalkānī asked Ibn Ṣaṣrā to give his opinion on the matter, hoping that he would agree with him, the latter declined to answer. Accordingly, Ibn al-Zamalkānī reacted by saying: "The Shāfi^cīs, will amount to very little if you were to be their leader", meaning Ibn al-Wakīl. However, Ibn Ṣaṣrā thought that it was he who was intended by this accusation and accordingly, resigned, thereby ending this council⁽⁵¹⁾. News of this council reached the Sultan and, on 26th Sha^cbān he announced the return of Ibn Ṣaṣrā to his position as a qāḍī and declared that he was aware of what happened to Ibn Taymīya in the three councils and that he declared him innocent, since he was in conformity with the beliefs of the salaf⁽⁵²⁾.

However, later on 5th Ramaḍān, another letter came from the Sultan referring to earlier incidents and troubles of Ibn Taymīya during the days of Jāghān and Qāḍī 'Imām

al-Din al-Qazwīnī in 698 A.H. This decree also ordered that copies of both his first and second fatwās should be examined⁽⁵³⁾. Accordingly, both Ibn Taymīya and Ibn Ṣaṣrā were to be summoned to Cairo for questioning. Ibn Taymīya was even advised by the Viceroy Ibn al-Afram not to go to Cairo but he (Ibn Taymīya) refused and maintained that there would be general benefit (maṣlaḥa) in his going. They arrived in Cairo on 22nd Ramadān and, on the next day, after the Friday prayer, a trial was held in which the Shāfi'ī judge Shams al-Dīn ibn 'Adlān made an official charge against Ibn Taymīya's fatwā to the Mālikī qādī'l-quḍāt Zayn al-Dīn ibn Makhlūf⁽⁵⁴⁾. He stated that Ibn Taymīya believed that God is literally sitting on the throne, and that He speaks in sounds and letters, thus referring to Him in a physical sense. It was Ibn 'Adlān who asked that Ibn Taymīya should be punished according to the Mālikī school by public beating (ta'zīr)⁽⁵⁵⁾. Instead of defending himself against the accusations, Ibn Taymīya started praising God, but the qādī interrupted by saying: "Hurry up, you did not come here to give us speeches !" and that he should answer to the charges against him. But Ibn Taymīya inquired as to whom he should answer and they pointed to Ibn Makhlūf. Addressing Ibn Makhlūf, Ibn Taymīya commented: "you are part of this dispute since you are my enemy; so how can you be an arbitrator ?". Following this statement, Ibn

Taymīya, together with his two brothers Sharaf al-Dīn °Abd Allāh and Zayn al-Dīn °Abd al-Rahmān, were incarcerated and on the night of °Id al-Fitr, they were transferred to the Jubb prison⁽⁵⁶⁾.

Ibn Taymīya's fatwā was denounced all over the country and a royal decree was read in the mosque in Damascus by Ibn al-Shihāb Maḥmūd denouncing Ibn Taymīya's fatwā and that anyone who abided by it would be liable to get himself killed, especially the Ḥanbalites⁽⁵⁷⁾. After this incident, the Ḥanbalīs' position became quite untenable: their qāḍī Sharaf al-Dīn al-Harrānī was very weak and not at all knowledgeable and when pressed by the Mālikī qāḍī to denounce Ibn Taymīya's creed, he accepted without any objection. When the Ḥanafī qāḍī in Damascus, Shams al-Dīn ibn al-Ḥarīrī, defended and praised Ibn Taymīya, he was dismissed immediately by Ibn Maḥlūf. As for the Shāfi°ī qāḍī, he was silent and neutral about Ibn Taymīya, which indirectly served Ibn Maḥlūf's purpose⁽⁵⁸⁾.

About a year after Ibn Taymīya's imprisonment, the Viceroy of Egypt Sayf al-Dīn Salār began his attempts to free him. On the night of °Id al-Fitr, 706 A.H., he asked the three judges: Shāfi°ī, Mālikī and Ḥanafī and the faqīh: °Alā' al-Dīn Bāj, Shams al-Dīn Khaṭīb Jazarī,

and Namrāwī about the possibility of releasing Ibn Taymīya⁽⁵⁹⁾. They set up some conditions, including his recanting of parts of his fatwā, but Ibn Taymīya refused. Consequently, Salār ordered both Ibn Taymīya's brothers, on Thursday 27th Dhū'l Hijja, to debate with the Mālikī qādī Ibn Makhlūf. In spite of the fact that both brothers excelled and outwitted Ibn Makhlūf, the meeting ended negatively⁽⁶⁰⁾. On 24th Šafar, Ibn Taymīya met with Qādī Badr al-Dīn ibn Jamā^ca at Dār al-Awḥadī in the Citadel, but again they reached no decision and he insisted on remaining in prison. It was then that Amīr Husām al-Dīn Muhanna ibn ^cIsā interfered and succeeded in releasing him on Friday 23rd Rabī^cal-Awwal, 707 A.H.⁽⁶¹⁾.

To settle the disputes between Ibn Taymīya and jurists and ^culamā', a council was held at the Viceroy's residence, where the discussion proceeded till sunset with no result. Two days later, another council was held at which a large number of jurists attended including Najm al-Dīn ibn al-Rifā^cī, ^cAlā' al-Dīn al-Bājī, Fakhr al-Dīn ibn bint abī Sā^cd, ^cIzz al-Dīn al-Namrāwī and Shams al-Dīn ibn ^cAdlān. However, the qādīs did not attend, giving different excuses, for it was difficult for them to outwit Ibn Taymīya in the discussion. However, the discussions continued all day and ended in favor of Ibn Taymīya⁽⁶²⁾.

Soon after, Ibn Taymīya decided to settle in Cairo teaching the people, giving lectures, fatwās and commentaries on the Qur'ān after the Friday prayer. However, Sheikh Birzālī narrates that in the same year, a group of Ṣūfī sheikhs including Sheikh Tāj al-Dīn ibn ʿAtāʾAllāh, led 500 men and proceeded to the Viceroy. They were offended by Ibn Taymīya having criticized their sheikhs and the views of Ibn al-ʿArabī and therefore they went complaining to the Viceroy. Consequently, the Viceroy referred the matter to the Shāfiʿī qāḍī al-quḍāt Badr al-Dīn ibn Jamāʿa⁽⁶³⁾. In Shawwāl 707 A.H., a trial was held in Dār al-ʿAdl where Ibn ʿAtāʾAllāh accused Ibn Taymīya for his view that no one should be sought for help except God; not even the Prophet. This viewpoint, of course, was not accepted by qāḍī Badr al-Dīn, who stipulated that it was disrespectful to the Prophet. Ibn Taymīya was made to choose between residing in Damascus, or in Alexandria and abiding by some conditions to which he had to conform, or be imprisoned. However, he chose imprisonment. In fact, some of his companions had persuaded him to leave for Damascus and in compliance he had actually set out⁽⁶⁴⁾. However, the Mālikī qāḍī al-quḍāt Zayn al-Dīn ibn Makhlūf, an everlasting enemy of Ibn Taymīya, was ill at that time and was not informed of Ibn Taymīya's departure for Damascus. When the news reached him, he

sent a deputy on the mail in pursuit of Ibn Taymīya. Brought back the next day from Bilbīs and presented before the qādī both Sharaf al-Dīn ibn al-Ṣābūnī and 'Alā' al-Dīn al-Qaunāwī testified against Ibn Taymīya, resulting in his incarceration in the prison of Ḥārat al-Daylam⁽⁶⁵⁾.

Ibn Taymīya remained in prison, where he gave fatwās, lectures and advice to people who visited him, until news of this reached the authorities. Consequently, orders were given that he should be transferred to Alexandria, where he would be confined in the 'Eastern Tower' of the palace. He remained there until the Nāṣirite rule was reestablished under al-Nāṣir Muḥammad ibn al-Mālik al-Mansūr Qalawūn, thus ending the rule of Baybars al-Jashinkīr and his Sheikḥ, Naṣr al-Manbijī⁽⁶⁶⁾ both representing two of the most powerful enemies of Ibn Taymīya. The rule of al-Mansūr Qalawūn came to favor Ibn Taymīya, for he spoke to the Sultan on Saturday 18th Shawwāl 709 A.H. and the Sultan, who was generous to him, held a reconciliatory meeting at which qādīs, including the Mālikī qādī'l-quḍāt, Zayn al-Dīn ibn Makhlūf, attended. It was agreed that Ibn Taymīya should recant sections of his earlier fatwā and the Sultan, on his behalf, promised that he would comply⁽⁶⁷⁾.

Things were going on more favourably for Ibn Taymīya so he decided to settle in Cairo, in the Ḥusayn quarter, where he started giving his lectures and fatwās. Many people from different classes-amīrs, notables and common people - attended his lectures. Even some of his former enemies apologized for their antagonism and changed their views about him⁽⁶⁸⁾.

Opposition and trouble were to reemerge once more, however, for on the 4th of Rajab, 711 A.H., Ibn Taymīya was beaten by a group of people in the mosque. His followers, including people from Ḥusayniya, wanted revenge but he refused. To calm them down, he said:

"Either the right is for me, or you, or God. If it is to me, then I do not exercise my right to revenge. If it is to you - even if you have not heard me or asked me for a legal opinion - then do what you wish. If the right is God's then He will take His due if 'He wishes, as He wishes'".⁽⁶⁹⁾

He added that these people might believe that they were doing right and, accordingly, could be considered mujtahidūn, even if they were actually wrong, they will be rewarded for their ijtihād⁽⁷⁰⁾. Ibn Taymīya insisted on praying in that same mosque, even though he was warned

by his companions. He remained from the ^CAsr prayer to the Maghrib, discussing with people the issue that caused this fitna. The result was that many of his opponents started to believe in him and they overtly admitted their wrongdoing⁽⁷¹⁾.

The next year on 8th Shawwāl 712 A.H., Ibn Taymīya accompanied the Sultan and his army to Syria to prepare for the jihād against the Mongols. It had been seven years since Ibn Taymīya's last visit to Syria and, accordingly, many people greeted his arrival. The Mongols had returned and Ibn Taymīya decided to stay in Syria, where he occupied himself with teaching, lecturing, giving fatwās and writing a number of important works. He continued to exercise ijtihād on different issues within the confines of the shari^Ca; although ruling in conformity with the four schools, on some occasions, he went against the general consensus of these schools⁽⁷²⁾.

To sum up, this period which covered the years 712 till 718 A.H. marked a period of comparative quiet in Ibn Taymīya's life. He spent those fruitful six years devoting himself to writing and producing many of his scholarly works. However, at the end of this period of quietism, another period of tribulation was to begin, covering the years 718 til 721 A.H.

It all started because of the fatwā he gave on divorce and repudiation, for this fatwā denied that the three repudiations in divorce could be combined as one. On Thursday 15th Rabi^c al-Akhir 718 A.H., the Ḥanbalī qāḍī, Shams al-Dīn ibn Muslim, met with Ibn Taymīya and advised him to give up this issue and refrain from giving any more fatwās on repudiation by single oath. Ibn Taymīya took his advice and promised to abandon the matter. However, on 1st Jumādā'1² Ulā the Sultan issued a decree forbidding Ibn Taymīya from promulgating his fatwā on repudiation⁽⁷³⁾. A council was held in that same month in Dār al-Su^cadā' in which it was agreed to confirm the Sultan's order and to announce it throughout the country. However, this did not stop Ibn Taymīya, who stubbornly announced that he would give his fatwās, since he had no authority to conceal knowledge from people⁽⁷⁴⁾.

On Tuesday 29th Ramaḍān, 719 A.H., a large number of qāḍīs and faqīhs met with the Viceroy, Amīr Sayf al-Dīn Tankīz⁽⁷⁵⁾, at Dār al-Su^cadā' and the decree of the Sultan, which concerned Ibn Taymīya's fatwā, was read out. Ibn Taymīya was summoned and reproached for giving his fatwā in spite of the royal prohibition and it was made clear that he should abandon this issue⁽⁷⁶⁾.

On 22nd Rajab, 720 A.H. another council was held

in Dār al-Su^cadā' attended by the Viceroy, qādis, muftīs and Ibn Taymīya. He was, ~~once~~ more, reproached for his fatwās, but this time more severe measures were taken. He was imprisoned in the Citadel for five months and eighteen days, until a royal decree was received ordering his release, which was done on Monday 10th Muḥarram, 721 A.H.⁽⁷⁷⁾. Released from prison, Ibn Taymīya spent the next five years devoting himself to study, writing and teaching at the Ḥanbaliya.

The last stage of Ibn Taymīya's imprisonment was in 726 A.H. when, once more, after giving a fatwā on the visiting of tombs and shrines of the Prophets, it was met with opposition from a large number of people. Some attributed false declarations to Ibn Taymīya thus causing fitna and strife over this issue. Matters reached a dangerous point when some of his companions weakened and backed his opponents⁽⁷⁸⁾. In al-Birzālī's accounts, on Monday 6th Sha^cbān 726 A.H., two representatives from Viceroy Tankīz, Muḥadd al-Awqāf and Ibn Khaṭīr, carried a decree from the Sultan ordering that he should be brought to the Citadel. Ibn Taymīya left with them for the Citadel where he was locked up with his brother Zayn al-Dīn, who was imprisoned with him to serve him⁽⁷⁹⁾. On Wednesday 15th Sha^cbān, some of Ibn Taymīya's friends

were also imprisoned. In prison, they were denounced, humiliated and castigated but, finally, all were released with the exception of Imām Shams al-Dīn Muḥammad ibn Abū Bakr ibn al-Qayyim, who remained in prison⁽⁸⁰⁾. Ibn Taymīya spent his last years in prison writing, sending letters to his friends and writing commentaries on Qur'ānic verses⁽⁸¹⁾. It was reported, on the account of Abū 'Abdallāh ibn al-Qayyim that he heard Ibn Taymīya declare: "What a favor are my enemies granting me ! My own paradise and its gardens are in my heart; whenever I go it goes with me; we never separate. My imprisonment is seclusion, my killing is martyrdom and my exile from my country is wandering and travel"⁽⁸²⁾. However, shortly before his death, the authorities forbade him from further writing, and, accordingly, all that was left of paper, pen or written documents were discarded. Whatever was written after that, was written with charcoal⁽⁸³⁾.

The situation deteriorated during Ibn Taymīya's last days. For on Monday 9th Jamādā'l-Ākhirā around sixty works in fourteen notebooks were removed from his cell to the book repository in 'Adliya. Among those documents were Ibn Taymīya's replies to Taqī al-Dīn ibn al-Ikhnā'i, the Mālikī qādī, on the issue of visiting tombs. In these replies, Ibn Taymīya accused al-Ikhnā'i of being ignorant

and not having knowledge. Accordingly, Ibn al-Ikhnā'ī complained to the Sultan, who ordered that all writing materials should be removed from Ibn Taymiya's cell⁽⁸⁴⁾.

A few months after the al-Ikhnā'ī incident, on Monday 20th Dhū'l-Qa^cdā, Ibn Taymīya died in prison, in the Citadel. A large number attended the washing of his corpse and read the Qur'^{ān}. The streets were filled with people waiting for his funeral, which started at four in the morning. The crowds were overwhelming, to the extent that the police intervened to keep the people away from him. They prayed for him in the mosque and his brother Zayn al-Dīn ^cAbd al-Raḥmān took the lead in the funeral and, after prayers, they carried him to the Ṣufiyya cemetery where he was buried next to his brother Sharaf al-Dīn ^cAbdallāh before the ^cAṣr prayer. Around 15,000 women and 60,000 to 200,000 men attended the funeral⁽⁸⁵⁾.

Ibn Taymīya's life is, in many ways, a stereotype of the nobler mould of religious zealot, totally dedicated to his own convictions and fearless in defense of them. Yet, added to this, he possessed a formidable armoury of knowledge, logic and eloquence. As reported by al-Dhahabī in his Mu^cjam: "he was throroughly familiar with religious matters, had a clear and sound mind, was very

perceptive, understanding, charitable and characterized by courage and generosity. He had no pleasure in worldly matters like food, clothes or sex. His only desire and yearning was the spreading of knowledge, its recording and following its guidelines"⁽⁸⁶⁾. Examples of his courage and devotion to his cause and principles are numerous. Among them are his urging the Sultan and his people to jihād, his participation in some raids and expeditions against the Mongols and the people of Kasrawān, his constant giving of fatwās which, in most cases offended the authorities, his fighting of innovation (bid^ca), his attempts to free his companions from prison, like al-Mizzi, even if this act would cause trouble for him. He devoted his life to religious matters, giving fatwās, teaching, lecturing, giving Qur'anic commentaries every Friday⁽⁸⁷⁾, arguing and debating in all fields of knowledge which gave the impression that no one knew as much as himself in this particular discipline⁽⁸⁸⁾. As a result of his vast knowledge and his constant yearning for more, Ibn Taymīya was able, over his life time, to write very many works including books, articles, fatwās, letters ... etc. According to Ibn Rajab, Ibn Taymīya's works could not be counted⁽⁸⁹⁾. Al-Dhahabī reports that his works exceeded 4,000 books⁽⁹⁰⁾, and al-Shawkānī mentions that his fatwās add up to 300 volumes, while his works

in general add upto 4,000 books⁽⁹¹⁾. One of his disciples, Ibn Qayyim al-Jawziya, gives a detailed account and listing of Ibn Taymiya's works on tafsir, usul, fatwas, fiqh, wasaya (wills), and other topics⁽⁹²⁾.

Perhaps it is not surprising that in his life, beliefs and readiness to translate those beliefs into action, that Ibn Taymiya should have become the model, albeit unattainable, for lesser religious activists up to the present day.

Notes

¹ Khalīl ibn Aybak al-Ṣafadī, al-Wāfī bi'l-wafayāt, (ed. Iḥsān ^CAbbās), Wiesbaden (Franz Steiner Verlag GMBH), 1969, Vol. 7, p. 15 ... and,

Muḥammad ibn ^CAlī al-Shawkānī, al-Badr al-tāli^C, al-Qāhira, (Matba^Cat al-Sa^Cāda), 1348 h, Vol. 1, p. 63.

² Muḥammad ibn Shākir al-Kutubī, fawāt al - wafiyāt, Miṣr, (Dār al-Ṭibā^C at al-Miṣriya), 1881, Vol.1, p. 44.

³ Aḥmad ibn ^CAlī ibn Ḥajar al-^CAsqalānī, al-Durrar al-kāmīna fī a^Cyān al-mā'a al-thāmīna, Haydarabad, (Matba^Cat Majlis Idārāt al-ma^Cārif al-Uthmāniya) n.d., Vol. 1, p. 144.

⁴ ^CAbd al-Raḥmān ibn Aḥmad ibn Rajab, al-Dhayl ^Calā tabaqāt al-Ḥanābila, al-Qāhira, (Matba^Cat al-Sunna al-Muḥammadiya), 1952/3, Vol. 2, p. 387 ... and,

^CAbd al-Ḥayy ibn Aḥmad ibn al-^CImād, Shadharāt al-dhahab fī akhbār man dhahab, al-Qāhira, (Maktabat al-Qudsī), 1931-33, Vol. 6, p. 80 ... and,

Ismā^cīl ibn ^cUmar ibn Kathīr, al-Bidāya wa'l-nihāya fī'l-tārīkh, al-Qāhira, (Matba'at al-Sa^cāda), 1929-39, Vol. 14, p. 136.

al-Ṣafadī, Op.Cit., p. 15; al-Shawkānī, Op.Cit., p. 63; al-Kutubī, Op.Cit., p. 44.

⁵ al-Kutubī, Op.Cit., p. 44.

⁶ Ibn Hajar, Op.Cit., Vol. 1, p. 144.

⁷ Ibn Rajab, Op.Cit., p. 387.

⁸ Ibn al-^cImād, Op.Cit., p. 80.

⁹ Ibn Rajab, Op.Cit., p. 388.

¹⁰ al-Kutubī, Op.Cit., p. 48.

¹¹ Ibn Rajab, Op.Cit., p. 388; Ibn al-^cImād, Op.Cit., p. 80.

¹² Ibn Kathīr, Op.Cit., Vol. 14, p. 137.

¹³ Ibn al-^cImād, Op.Cit., p. 81.

¹⁴ Ibn Kathīr, Op.Cit., Vol. 13, p. 303; and, Ibn Rajab, Op.Cit., p. 388.

- 15 al-Kutubī, Op.Cit., p. 45.
- 16 Ibid., p. 46.
- 17 Ibn Rajab, Op.Cit., p. 396.
- 18 Ibn Kathīr, Op.Cit., Vol. 13, p. 336.
- 19 Ibid., p. 344.
- 20 Abū ʿAbdallāh ʿAbd al-Hādī, al-ʿUqūd al-Durriya min manāqib Sheikh al-Islām Aḥmad ibn Taymīya, ed. Muḥammad Ḥāmid el-Fikkī, Beirūt (Dār al-Kutub al-ʿIlmiya), 1938, p. 198-200.
- 21 Ibid., p. 200.
- 22 Ibid., p. 201-202.
- 23 Ibn Kathīr, Op.Cit., Vol. 14, p. 7.
- 24 Ibid., Vol. 14, p. 9-11.
- 25 Ibid., Vol. 14, p. 12.
- 26 Ibid., Vol. 14, p. 15.

- 27 Ibid., Vol. 14, p. 23-24.
- 28 Ibid., Vol. 14, p. 24-26.
- 29 Ibid., Vol. 14, p. 33.
- 30 Aḥmad ibn ʿAlī al-Maqrīzī, Kitāb al-Sulūk li-maʿrifat duwal al-mulūk, ed. Muḥammad Mustafa Ziyāda, al-Qāhira, (Matbaʿat Lajnat al-taʿlīf wal-tarjama waʾl-nashr), 1941, Vol. 2, p. 8-9.
- 31 ʿAbd al-Hādī, Op.Cit., p. 183-4.
- 32 Ibid., p. 185-6.
- 33 Ibid., p. 189-190, p. 193.
- 34 Ibn Kathīr, Op.Cit., Vol. 14, p. 36.
- 35 ʿAbd al-Hādī, Op.Cit., p. 194.
- 36 al-Maqrīzī, Op.Cit., p. 16.
- 37 Taqī al-Dīn Abū'l ʿAbbās ibn Taymīya, Majmūʿat al-rasāʾil waʾl-masāʾil, Beirūt (Dār al-Kutub al-ʿIlmiya), 1983, Vol. 1, pp. 148-154.

38 Taqī al-Dīn Abu'l-^CAbbās ibn Taymīya, Majmū^Cat al-rasā'il al-kubrā, Miṣr, (al-Matba^Ca al-^ḥamīriya), 1905, Vol. 1, p. 407.

39 Aḥmad ibn ^CAbd al-Wahhāb al-Nuwayrī, Nihāyāt al-^ḥArab fī funūn al-adab, Cairo, Dār al-kutub, MS 549, Ma^Cārif ^CAmma ool, Vol. 30, p. 120.

40 al-Nuwayrī, Dār al-kutub, MS 549, p. 132-4.

41 Ibn Kathīr, Op.Cit., Vol. 14, p. 37.

42 Ibn ^CAbd al-Hādī, Op.Cit., p. 207-209.

43 Ibid., p. 227.

44 Ibid., p. 230-231.

45 Ibn Kathīr, Op.Cit., Vol. 14, p. 36-7.

46 al-Nuwayrī, Dār al-kutub, MS 549, p. 135; Ibn Hajar, Op.Cit., Vol. 1, p. 145.

47 Ibn Rajab, Op.Cit., Vol. 2, p. 396.

48 al-Nuwayrī, Dār al-kutub, MS 549, p. 135; Ibn Hajar, Op.Cit., Vol. 1, p. 145 refers to him as Jalāl.

49 al-Nuwayrī, Dār al-kutub, MS 549, p. 135-6;
and, Ibn Hajar, Op.Cit., Vol. 1, p. 146.

50 Ibn Kathīr, Op.Cit., Vol. 14, p. 37.

51 al-Nuwayrī, Dār al-kutub, MS 549, p. 136; and,
Ibn Hajar, Op.Cit., Vol. 1, p. 146.

52 Ibn Kathīr, Op.Cit., Vol. 14, p. 37.

53 al-Nuwayrī, Dār al-kutub, MS 549, p. 137.

54 Ibn Kathīr, Op.Cit., Vol. 14, p. 38; and, al-
Nuwayrī, Dār al-kutub, MS 549, p. 138.

55 Ibn Rajab, Op.Cit., Vol. 2, p. 397.

56 Ibn Rajab, Op.Cit., Vol. 2, p. 397; and, al-
Nuwayrī, Dār al-kutub, MS 549, p. 139, and Ibn ^CAbd al-
Hādī, Op.Cit., p. 250.

57 Ibn Hajar, Op.Cit., Vol. 1, p. 147.

58 Ibn Hajar, Op.Cit., Vol. 1, p. 147; and, al-
Nuwayrī, Dār al-kutub, MS 549, p. 144-5.

59 Ibn ^CAbd al-Hādī, Op.Cit., p. 250-251; and,
Ibn Kathīr, Op.Cit., Vol. 14, p. 42.

⁶⁰ Ibn ^cAbd al-Hādī, Op.Cit., p. 251-2; and, Ibn Kathīr, Op.Cit., Vol. 14, p. 42.

⁶¹ Ibn ^cAbd al-Hādī, Op.Cit., p. 253.

⁶² Ibn Kathīr, Op.Cit., Vol. 14, p. 45; and Ibn ^cAbd al-Hādī, Op.Cit., p. 253.

⁶³ al-Nuwayrī, Dār al-kutub, MS 549, p. 148.

⁶⁴ Ibn ^cAbd al-Hādī, Op.Cit., p. 270-1.

⁶⁵ Ibn Ḥajar, Op.Cit., Vol. 1, p. 148-149.

In another version by Ibn Kathīr, Vol. 14, p. 46: Ibn Taymīya was brought to the qāḍī'l-quḍāt Ibn Jamā^c in the presence of a group of fuqahā. Some of them declared: "the government will not accept any solution except his imprisonment". The qāḍī added, "and this will be in his interest (maṣlāḥa)" Shams al-Dīn al-Tunṣī (Mālikī) refused to rule for his imprisonment declaring: "nothing has been proven against him". Nūr al-Dīn al-Zawāwī (Mālikī) was confused. So to settle this matter, Ibn Taymīya announced: "I will be imprisoned in pursuit of the general interest".

⁶⁶ Ibn Kathīr, Op.Cit., Vol. 14, p. 51.

⁶⁷ al-Nuwayrī, Dār al-kutub, MS 549, p. 149.

68 Ibn Kathīr, Op.Cit., Vol. 14, p. 53; and, Ibn
ʿAbd al-Hādī, Op.Cit., p. 283.

69 Ibn ʿAbd al-Hādī, Op.Cit., p. 286-7.

70 Ibid., p. 287.

71 Ibn ʿAbd al-Hādī, Op.Cit., p. 287-8.

72 Ibn Kathīr, Op.Cit., Vol. 14, p. 67.

73 Ibn ʿAbd al-Hādī, Op.Cit., p. 324.

74 Ibn ʿAbd al-Hādī, Op.Cit., p. 325.

75 Ibn Kathīr, Op.Cit., Vol. 14, p. 65.

76 Ibn ʿAbd al-Hādī, Op.Cit., p. 326.

77 Ibn Kathīr, Op.Cit., Vol. 14, p. 97; and, Ibn
ʿAbd al-Hādī, Op.Cit., p. 326.

78 Ibn ʿAbd al-Hādī, Op.Cit., p. 328.

79 Ibn ʿAbd al-Hādī, Op.Cit., p. 329-30; and; Ibn
Kathīr, Op.Cit., Vol. 14, p. 123.

80 Ibn ʿAbd al-Hādī, Op.Cit., p. 330.

- 81 Ibn Rajab, Op.Cit., Vol. 2, p. 402.
- 82 Ibid., p. 402.
- 83 Ibn ^CAbd al-Hādī, Op.Cit., p. 363-4.
- 84 Ibn Kathīr, Op.Cit., Vol. 14, p. 134.
- 85 Ibn Kathīr, Op.Cit., Vol. 14, p. 136; and, al-Kutubī, Op.Cit., Vol. 1, p. 52-3; and, Ibn Rajab, Op.Cit., Vol. 2, p. 405-7.
- 86 Ibn Rajab, Op.Cit., Vol. 2, p. 390.
- 87 al-Kutubī, Op.Cit., Vol. 1, p. 47.
- 88 Ibid., p. 46.
- 89 Ibn Rajab, Op.Cit., Vol. 2, p. 403.
- 90 Ibn Ḥajar, Op.Cit., Vol. 1, p. 158.
- 91 al-Shawkānī, Op.Cit., Vol. 1, p. 64.
- 92 Ibn Qayyim al-Jawziyā, Asmā' mu'lafāt Ibn Taymīya, ed. Ṣalāh al-Dīn al-Munajjā, Dimāshq (al-majma^C al-ilmī al-^CArabī), 1953.

With this previous biographical background in mind, it is appropriate at this point to present a brief overview of the historical background before entering upon a discussion of Ibn Taymiyyah's views on heresy and his later justification of jihad against the Mongols. The main concern here is to establish, briefly, the relevance of the historical context to his ideas and the nature of the threat to Islam which he perceived in the wake of the Mongol invasions.

CHAPTER 2

THE HISTORICAL CONTEXT OF THE FATWĀ ON JIHĀD

Considerable attention has been given to the historical background of the Mongol invasions. Historians and chroniclers have given detailed and voluminous accounts of the atrocities and destruction wrought by them. Ibn Taymiyyah also refers to these events with horror:

"I have been taking a step forward and have drawn back; for who would consider it easy to write the obituary of Islam and the Muslims; who would facilitate the destruction of Islam? I have said that I had died before it occurred and become forgotten. I am being urged by my companions to take a step forward and write the obituary of Islam and the Muslims. I have said that I had died before it occurred and become forgotten. I am being urged by my companions to take a step forward and write the obituary of Islam and the Muslims. I have said that I had died before it occurred and become forgotten. I am being urged by my companions to take a step forward and write the obituary of Islam and the Muslims."

With the previous biographical background in mind, it is appropriate at this point to present a brief overview of the historical background before entering upon a discussion of Ibn Taymiyā's views on heresy and his fatwā justifying jihād against the Mongols. The main concern here is to examine, briefly, the relevance of the historical context to his ideas and the nature of the threat to Islam which he believed to exist in the guise of the Mongols.

Never in its history had the Islamic Empire experienced a calamity like the long series of Mongol invasions. Historians and chroniclers have given detailed and voluminous accounts of the atrocities and destruction wrought by them. Ibn al-Athīr notes the events with horror:

"It took me several years, unable to mention this incident because of its great misfortune and calamity. Narrating it was abhorrent to me. I have been taking a step forward and another backward; for who would consider it easy to write the obituary of Islam and the Muslims; who would facilitate its narration ? Oh, would to God that my mother had not brought me forth ! and, would to God that I had died before it occurred and become forgotten. Some of my companions urged me to

outline it and I did not respond, but I realized that ignoring it would not help ...⁽¹⁾

He goes on to describe the Mongols in acrimonious terms:

... people from the borders of China, who proceeded to the Turkistan territories ... plundering Kingdoms, destroying, massacreing and robbing ... As for their religion, they bow to the sun at its rising, they do not prohibit anything; they eat their beasts; even their dogs, swine and other things⁽²⁾.

The Mongols had begun their move westwards by occupying Samarqand, Bukhārā, Khurasān, Hamadhān and the lands of Azarbayjān, heading towards the western territories. On 12th Muḥarram, in the year 656, Hulakū Khān led an army of around 200,000 men towards Baghdād as a response to an invitation from the ^CAbbasid wazīr, the Rāfiḍite al-^CAlqamī. Hulākū beseiged the city from the western and eastern sides. Al-^CAlqamī had harboured a grudge against the sunnī ruler since the civil strife that had occurred a year earlier and resulted in the plundering and robbing of his property. Believing that the Mongols might restore Shī^Cī rule, he advised Hulakū to kill the

Caliph. With the killing of the Caliph, ^CAbbasid rule came to an end. The Mongols advanced on the city slaughtering men, women and children. Only the Jews and Christians were spared this massacre. The estimates of people slaughtered ranged from 800,000 to around one million eight hundred thousand⁽³⁾.

The next year, 657, the Mongols proceeded to Mardīn, then Miyāfarjīn and beseiged it. Fearing the atrocities of the Mongols, many people in Damascus fled to Egypt. The Sultān al-Naṣīr sent Kamāl al-Dīn ^CUmar ibn al-^CAdīm to Egypt for help. After a prolonged meeting in the citadel with the qāḍī'l-quḍāt and Sheīkh al-Dīn ^CAbd al-Sallām, the question was raised whether they could use the public money to spend on the army. Sheīkh ^CAbd al-Sallām stipulated that in cases of an enemy threat, it is incumbent on all people to use their personal property to stop it⁽⁴⁾.

In 658, the Mongols were able to capture the city of Ḥalab by force and destroyed its mosques, its walls, and its parks. When news reached Damascus, people were disturbed, anticipating the coming danger. Surrender to the Mongols gave them control over the city. In Ibn al-Athīr's accounts, he notes that the Christians in Damascus received special treatment from the Mongols,

who sympathised with them. He narrates how they drank wine in Ramaḍān, spilling it on Muslims and on mosque entrances. They forced shopkeepers to stand up to the cross and humiliated those who abstained. Hulakū's deputy, Kitbughā, was on the Christian side, supporting them and exalting their priests and churches⁽⁵⁾.

When Hulakū sent his message to Egypt asking its rulers to surrender, Sultān Qutuz urged people to jihād. Leading a large number of Muslims who feared the destruction meted out by the Mongols, they proceeded on their mission on the 15th Ramaḍān to ʿAyn Jalūt. Qutuz cried: "Oh Allah ! Grant victory to your slave Qutuz over the Tatars"⁽⁶⁾. Under the slogan "Wa islamāh !" they won one of the most critical battles in the history of Islam, killing the Mongol leader Kitbughā.

The threat of the Mongols reemerged on two occasions. The first one, a very violent attack which lasted from 699 to 702, when Ghāzān occupied Aleppo, Hims and Damascus. However, the Syrian-Egyptian armies led by Muḥammad ibn Qalawūn and Baybars were able to defeat them at Shaqab. The second attack took place in 712 under the leadership of Ulgātū, successor to Ghāzān. The Mongols attacked Syria and besieged the city of al-Rahbā but were defeated by the Mamlūk army.

Ibn Taymīya was witness to these last stages of the Mongol invasions. At the very center of his legitimising of jihād against the Mongols lies the question of their Islamisation and the justification or otherwise of his use of takfīr (the stigmatising of one Muslim by another as an unbeliever) against them. Accordingly, a brief discussion of this issue follows.

The first references to sporadic Mongol conversion to Islam are quite early. When the military raids and wars increased among the Mongol people in the eastern lands and in the north, a number of them were taken as prisoners and sold. al-Malik al-Ṣāliḥ Najm al-Dīn Ayyūb (603-647) bought a group of these captives and called them al-Baḥarīya. Later, some of them were to become rulers like Aybāk and Qutuz. Raised in the lands of Islam, they studied the Qur'ān and became well-acquainted with the rules of the Islamic shari'ah, in addition to holding to some of their previous customs and traditions. In fact, they were able to combine both aspects to the extent that they appointed a qādī'l-quḍāt to handle their religious matters, such as prayers, fasting, zakāt and pilgrimage. Also, among his duties were the laws of personal status, affairs of orphans, handling of debts ... etc. On the other hand, in personal matters, they preferred to return

to the customs of Jenghīz Khān outlined in the Books of the Yasa and for that they appointed a Hājib to look after these matters and enforce the laws⁽⁷⁾.

It is hence established that the Tatars knew about Islam even before their invasion of Baghdad in 656. There is an incident narrated by al-Ramzi that after conquering the lands of Khawārizm Shāh, Jenghīz Khān intended to return to his own territory via Bukhārā. In the meantime, he asked the qādī'l-quḍāt Ṣadr Jahān, to send him someone well acquainted with the Islamic sharī^ca. As a result of his request, al-Qāḍī Ashraf was sent to him and he explained that the faith of Islam encompasses the declaration of the two shihādas; that there is no God but Allāh and that Muḥammad is His prophet, praying, fasting, paying zakāt and performing the pilgrimage. Jenghīz Khān accepted and agreed to all the pillars of Islam except for the duty of the pilgrimage for he believed that all the world was God's home and it should not be confined to one place or land. But as Mecca was a poor area, God had ordered the rich to visit it and pay alms for its poor inhabitants. According to this account, Ṣadr Jahān accepted his Islam in spite of this riddle, but the preacher accompanying him, accused Jenghīz Khān of heresy for denying one of the main pillars of Islam⁽⁸⁾. However, this incident is not supported by other historians. Juvaini,

who was actually in the Mongols' service, narrates a story set in the Bukharā Mosque which depicts the Mongols as sacreligious, in Islamic terms:

The plain seemed to be a tray filled with blood, the people of Bokharā opened their gates and closed the doors of strife and battle ... And they brought the cases in which the Kor'āns were kept out into the courtyard of the mosque, where they cast the Kor'āns right and left and turned the cases into managers for their horses. After which they circulated cups of wine and sent for the singing girls of the town to sing and dance for them; while the Mongols raised their voices to the tunes of their own songs ... After an hour or two Chingīz-Khān arose to return to his camp, and as the multitude that had been gathered there moved away the leaves of the Kor'ān were trampled in the dirt beneath their own feet and their horse's hoofs⁽⁹⁾.

In another passage, Juvainī describes their tolerance of religions in general:

Being the adherent of no religion and the followers of no creed, he

(Jenghīz Khān) eschewed bigotry, and the preference of one faith to another, and the placing of some above others... As for his children and grandchildren, several of them have chosen a religion according to their inclination, some adopting Islam, others embracing Christianity, others selecting idolatry and others again cleaving to the ancient canon of their fathers and forefathers.. But though they have adopted some religion they still for the most part avoid all show of fanaticism and do not swerve from the yasa of Chingiz-Khān, namely, to consider all sects as one and not to distinguish them from one another⁽¹⁰⁾.

Al-Qalqashandī maintains that the ultimate belief of the Mongols was in God's oneness and His creation of the world. Some followed Judaism, others Christianity and others remained as idolaters. As for Jenghīz Khān, he set some rules derived out of general customs and formulated the Yasa⁽¹¹⁾. Out of his own thinking, he legislated a set of rules for every occasion and crime. al-Maqrīzī outlined some of the basic rules of the great Yasa which was to represent the "sharīcā of his people. Among its most rigid precepts was the killing of the adulterous, the liar and the spy. Also, it was specified that in killing an animal that it should be tied up tightly

and its abdomen slit open until they reach its heart and it consequently died. Anyone who slaughtered an animal like the Muslims, by cutting its throat should be slaughtered in turn. Moreover, it was prohibited to consider anything impure. On the contrary, all existing living creatures are pure and clean. He prohibited bigotry or the use of titles. All his sons followed the rules of the Yasa as the Muslims followed the rules of the Qur'ān⁽¹²⁾.

The first of the Mongol rulers to embrace Islam was Berke Khān of the Golden Horde (654-665). He was the son of Joūchī son of Jenghīz Khān who succeeded his brother Batū (624-654). It was narrated by Juvainī that Sartak, son of Batū received the news of his father's death when on his way to Mongolia in 653. The Great khān Mungū appointed him as successor, but he died shortly after and was succeeded by Berke⁽¹³⁾. He was the first to convert to Islam and worked hard to convert the Mongolian community. With Berke as a ruler, the Mongol lands eventually began their transformation into Islamic territories and Islam became the official religion⁽¹⁴⁾.

It is narrated by al-Qalqashandī that his conversion to Islam took place before his succession to the throne. When his brother Batū khān sent him to attend Mungū Khān's coronation, Berke met a Sheikh al-Bakhirzī who persuaded

him to convert to Islam⁽¹⁵⁾. From that time, Berke Khān became the protector of Islam and enforced the Islamic religion and its rules; he established schools and mosques in all his lands⁽¹⁶⁾. He established the city of Sarāy which according to Ibn Baṭūṭa's description, was one of the finest Islamic cities. In it, he erected 13 mosques for the Friday prayers one of which was for the Shāfi'ī's⁽¹⁷⁾. There is evidence that Berke Khān, during the reign of his brother Batū, supported the Caliph al-Mustaṣim. Hulakū was unable to show his hatred during Batū's rule out of fear of the latter, but when Batū died, it was his chance to express his animosity both to Berke and to the Muslims⁽¹⁸⁾. There followed a series of battles between Berke representing Muslim rule and Hulakū representing the infidel Mongols.

Berke Khān established strong and friendly relations with Sultān Baybars of Egypt. In 660, Baybars sent a message to Berke encouraging him against Hulakū and confirming the necessity of fighting against the infidel Tatars. This message came as a result of Baybar's knowledge of Berke's conversion. He maintained that it was incumbent on him to fight the infidels even though they were his relatives, for the Prophet - Peace be upon him - fought his closest Kinsmen and Quraysh as a whole. He also ordered

that such people should be fought until they declared that there is no God but Allāh and also that jihād is one of the pillars of Islam⁽¹⁹⁾. In so doing, Baybars was exhorting Berke to jihād based on reverence for the traditions of the Prophet. As a Muslim, Berke responded to Baybars' request.

In the accounts of Ibn Kathīr, Berke Khān sent a message to Baybars saying:

You are aware of my attachment to the religion of Islam and it is well-known to you what Hulakū did with the Muslims. I, therefore, urge you to proceed from your side and I proceed from my side until we meet him midway and expel him together from these territories. And whatever he owns of the territory, I promise, will be returned to you⁽²⁰⁾.

A coalition was formed between the two rulers thus strengthening Berke's will in fighting Hulakū. In the meantime, Hulakū had also formed a coalition with the Crusaders of Europe and Syria and the Kings of Armenia and Georgia, who were Christians, against the Mongols of the Golden Horde and the Mamlūks. This culminated in Berke's victory in a battle with Hulakū at Terek⁽²¹⁾.

Ibn Kathīr records that in 661, Berke sent another message to Baybars listing the names of Tatars and Mongol leaders who had converted to Islam. Berke mentioned that these men converted together with their families, performed their duties and obligations including the jihād for God's cause. Berke declared:

The Sultān should know that I fought Hulakū who is my flesh and blood, to exalt the word of God out of adherence to the Islamic religion. He (Hulakū) is a baghī and a kāfir⁽²²⁾.

These messages clearly affirm Berke's faith. Both his victory in Terek and the Mamlūk's victory at ^cAyn Jalūt resulted in the strengthening of the Muslim coalition against Hulakū in Egypt and Syria⁽²³⁾.

Moreover, as a result of Hulakū's defeat and the death of his son, the Mongol army was dispersed in the land. The Sultān and the Muslims were relieved that Hulakū was distracted and did not invade Syrian territory. Accordingly, the Sultān ordered his deputies to meet the Mongol envoys and be hospitable and generous to them⁽²⁴⁾.

On Thursday 8th Muḥarram in the year 661, Baybars met with the people including the Tatars who arrived

from Iraq. The Caliph, al-Ḥākim bī amr Allāh urged the Mongol envoys in his khutba to fight the infidels who represented a threat to religion:

You have to know that the imamāte is one of the duties of Islam and that jihād is an obligation on all people. Jihād will not be enforced except through consensus ... and blood will not be shed except if you commit a sin. If the enemies of Islam enter the dār (land) of Islam and permit blood and property or kill men and children and dishonor the Caliph and his wives ... you should rise up and give your ijtihād in reviving the duty of jihād. Show piety and devoutness to God as much as you can; hear and obey. This Sultān (Baybars) has protected the imamāte and expelled the infidel armies ... So fight the supporters of Satan to be triumphant⁽²⁵⁾.

Berke Khān represented the first Mongol leader of the Golden Horde to convert to Islam. After Hulakū's death, the Mongols of the Il-khānid dynasty, came to rule most of the Muslim territories comprising *Anatolia*, Iraq; Khurasān, Azarbayjān ... etc. Consequently, Muslim culture, religion and customs infiltrated and merged with that of the Mongols and was later to influence their rulers

as well⁽²⁶⁾. The first among the Mongols of the Il-khānid Persia to convert to Islam was Aḥmad Tekūdār (681-683). Following a Sufi Sheikh, Kamal al-Dīn ^CAbd al-Raḥmān al-Rafī^Cī, Tekūdār converted to Islam and called himself Aḥmad. On converting, Aḥmad Tekūdār attempted to spread Islam among his Mongol subjects but they were resistant showing more inclination to their religion of Buddhism⁽²⁷⁾. Sheikh al-Rafī^Cī became one of the leading figures in the court of Aḥmad Tekūdār. On his accession to the throne, Tekūdār took all the necessary measures to confirm his strong loyalty to his new religion. Accordingly, he sent messages to Baghdād announcing his Islam while calling its people to follow the Islamic sharī^Cā. Moreover, he was extravagant with donations, grants and honorary titles for Mongols who converted to Islam⁽²⁸⁾. Tekūdār took the necessary measures to strengthen his affiliation with the Mamulūk leaders of his time. Consequently, he sent a message to Sultān Qalawūn in Cairo in Jamadā'l-^Ulā 681, outlining his objectives and his efforts in reviving the Islamic sharī^Cā and his insistence on departing from old feuds and disputes between both rulers⁽²⁹⁾. In this message, sent with Quṭb al-Dīn Maḥmūd al-Shirāzī, the qādī of Sīwās, Bahā'al-Dīn Atābuk, and Shams al-Dīn Muḥammad ibn al-Tītī, the wazīr of Mardīn, he informed the Sultān that "Allāh has guided him to Islam since

his early childhood". In it, he also acknowledged God's divinity and testified to His oneness and that Muḥammad was His Prophet⁽³⁰⁾. He also maintained that he was always inclined to exalt the religion of Islam and to restore Islamic affairs, but this was not possible until he became a ruler⁽³¹⁾. He admitted that although it was unanimously agreed in their advisory council, known as Qūriltālī, on the necessity of executing his late brothers' request to invading Syria and Egypt he overruled the request. This was due, in fact, to his conscience and his original intention of enforcing the Islamic faith, of sparing immune blood and of comforting the Muslims in all the territories. Therefore, God had inspired him to extinguish this fire and to quieten this dissension⁽³²⁾. Tekūdār begins listing his achievements to the Sultān namely, his exaltation of the banners of religion, reestablishment of the Islamic sharīcā, establishing mosques, schools, buildings, glorification of the pilgrimage, facilitating the means of merchants for commercial activities ... etc.⁽³³⁾ He concludes his message by affirming the need for reconciliation and departing from sectarianism and division for "together, they can hold to the firm grip and establish the tie of friendship in order to open the door to obedience and unity while working sincerely to restore the lands and end dissension"⁽³⁴⁾.

This message was followed by a reply from Sultān Qalāwūn. However, throughout his message, there is an underlying tone of mistrust of the actual intentions of Aḥmad Tekūdār. Sultān Maṣṣūr Qalāwūn's message opens with a congratulatory part for Tekūdār's conversion. However, he adds:

We have contemplated what you have mentioned of your loyalty to Islam since the beginning of your lifetime and early childhood by admitting God's oneness and entering into the Islamic religion whether by name, word, action or intention. To God we give our thanks for opening your heart to Islam⁽³⁵⁾.

The Sultān commented on Tekūdār's rejection of the invasion of Syria and Egypt that it was "the doing of a pious devout king who shows sympathy and concern to his subjects" and that "he was not carried away by their delusions nor accepted their desires and tendencies"⁽³⁶⁾. As for Tekūdār's dislike for struggle and combat, unless evidence was established, the Sultān maintain that as he became more involved in the Islamic faith "both his arguments and the Sultāns' will be directed against the rulers who deviated from the right path. For God and the people know that we are there to render this religion victorious and our jihād and ijtihād is in reality for

Allāh"⁽³⁷⁾. As for Tekūdār's achievements, Qalawūn states that these would rather be referred to as obligations and duties required from all Muslims and that rather than to glorify or take pride in such petty deeds, kings, "should take pride in returning usurped territories to their owners and rectifying matters"⁽³⁸⁾.

The next Il-Khānid ruler to convert to Islam was Ghāzān ibn Arghūn ibn Abāqā ibn Hulakū (694-703). Both Ghāzān and his brother Ulgatū converted to Islam under Sheikh Ṣadr al-Dīn Ibrahim ibn Sa^cd al-Dīn Ḥamawayh al-Juwaynī. He called himself Maḥmūd and Ulgatū Muḥammad⁽³⁹⁾. It was Ghāzān who was a contemporary with Ibn Taymīya and who led the attacks of 699 to 702 which resulted in the occupation of Aleppo and Damascus. This was the dilemma that Ibn Taymīya was forced to resolve and which was posed to him in the question to which the fatwā on jihād is the answer: "what do you have to say in regard to those Mongols who came to Syria time and again, having given the two shihādās and claiming affiliation to Islam although remaining in their original disbelief - Is it incumbent to fight them or not ? And, on what grounds is fighting them justifiable ?" (Appendix p. 1).

The conversion to Islam of the Mongol ruler Ghāzān on 1st Sha^cbān 694 represents an important step in the

Islamisation of the Mongols.

In the Jāmi^c al-tawarīkh the following passage was quoted:

When the lord of Islam, Ghāzān, became a Muslim, he commanded that all the idols should be broken and all the pagodas ... destroyed, together with all the other temples the presence of which in Muslim countries is forbidden by the shari^cā, and that all the community (jamā^cat) of the idolatrous bakhshī should be converted (forcibly) to Islam. But since the Most High God did not aid them, they had no true faith, but were Muslims only outwardly and by necessity, and in their district (nāhiya) there were signs of unbelief (kufr) and of aberration (ḍalālāt). After a certain time the King of Islam perceived their hypocrisy and said to them: "Let those among you who wish it return to India, to Kashmīr, to Tibet, ... and let those who remain here cease to be hypocrites, and let them believe in that which they have in their hearts and cease from defiling with their hypocrisy the true religion of Islam ... And Ghāzān said: "My father was an idolater and died an idolater and built for himself a temple which he

made a waqf for that community. That temple I have destroyed; go ye there and live on alms ...⁽⁴⁰⁾.

Under Ghāzān's rule, Islam spread among the Mongol soldiers, commanders and princes. He attempted to implement the shari'ah in all aspects of life and to forbid the prohibitions like wine, adultery and usury. He also ordered the punishment of anyone who pronounced or uttered a word of kufr or anything that disgraces Islam⁽⁴¹⁾.

Evidence shows that when Ghāzān converted to Islam, he became a Sunnī following the school of Abū Ḥanīfa. He ordered that all the names of the Rightly Guided Caliphs should be mentioned in the Friday sermon and on all religious occasions in the mosques. At the same time, Ghāzān showed good intentions towards the Shī'īs and he frequently visited the shrines of Imam Ḥasan and Ḥusayn⁽⁴²⁾.

During his rule, Maḥmūd Ghāzān invaded Syria on three different occasions. It is worth noting that on each and every occasion, Ghāzān used the same logic used by Ibn Taymīya in his fatwā on jihād to justify his struggle and attack on another Muslim leader and against a Muslim land. He gives it an Islamic imprint and this is apparent in all the messages which he sends to the Mamlūk Sultān, Qalawūn, in order to justify these invasions. The same

nomenclature of heresy is used to label the Muslim rulers and hence justify their combat: ^Cuṣāh, juyūsh al-bāghy, al-kufr, al-fusūq, al-fujūr ... In the first invasion, he was encouraged by Sayf al-Dīn Qabgāk, the viceroy of Damascus, who fled together with 500 of his soldiers to Ghāzān and informed him of the deteriorating state of Syria under the rule of Prince Lāgīn. This was but one of the reasons which encouraged Ghāzān for there had been long established hostility between the Mamlūk rulers of Egypt and the Il-Khānids of Persia. It was also during this time that the state in Egypt in 698 was characterized by weakness and dissension and it was during this time that Sultān al-Nāṣir Muḥammed ibn Qalawūn (693-741) was able to reestablish his rule. All these factors encouraged Ghāzān to invade⁽⁴³⁾. Accordingly, he went ahead with the invasion of Syria, reaching Aleppo on 17th Rabī^C al-awwal 699, H. The Mongols led by Ghāzān were able to defeat the Egyptian army led by Sultan Qalawūn in Marj al-Murūj on 27th Rabī^C al-awwal, 699⁽⁴⁴⁾. City notables and sheikhs in Damascus, including qāḍī Badr al-Dīn ibn Jamā^Cā, Sheikh Zayn al-Dīn al-Fārikī, Ibn Taymīya, qāḍī Najm al-Dīn ibn Ṣaṣrā and others decided to meet with Ghāzān and take his promise for safe conduct for the people in Damascus. In the meantime, Ghāzān sent a royal decree giving his safe conduct and at the same

time, outlining the reasons for his invasion⁽⁴⁵⁾. This decree represents Ghāzān's first justification for attacking Muslim lands. The decree proceeds as follows:

Let it be known ... that Allāh has enlightened our hearts with the light of Islam and set us forth as followers to the religion of Muḥammad.

"Is one whose heart God has opened to Islam, so that he has received enlightenment from God (No better than one hard-hearted) Woe to those whose hearts are hardened against celebrating the praises of God ! they are manifestly wandering in error" (39 al-Zummar 22). We have heard that the rulers of Egypt and Syria have deviated from the path of religion and are not holding to the rules of Islam, breaking their allegiances ... they are like someone who:

"When he turns his back, his aim everywhere is to spread mischief through the earth and destroy crops and cattle. But God loveth not mischief" (2 al-Baqara vs 205) ... they have strayed from the right line of justice and equity⁽⁴⁶⁾.

He proceeds:

... We were taken by our religious zeal and Islamic conservatism to proceed to those lands and put an end to their aggression ... and we took an oath unto ourselves that if God is on our side in saving these lands and stopping their destruction, we are thus following the divine command:

"God commands justice, the doing of Good" (16 al-Nahl 90).

And God has commanded us with this duty. We are thus able, with God's blessing, to win over our tyrant enemy and the dissenting armies:

"and we dispersed them all in scattered fragments" (34 Saba' 19).

"And say: Truth has (now) arrived and falsehood perished: For falsehood is (by its nature) bound to perish" (17 al-Isrā' 81).

He thus claims as his first justification that the rulers of Egypt and Syria were tyrannical, despotic and unjust and therefore it was allowable to fight them. Although Damascus fell to the Mongols its citadel remained intact under the command of Argawāsh al-Manṣūrī who resisted them⁽⁴⁸⁾.

Its also worth noting that during the same year, the Mongols reached Jabal al-Ṣālihiya and committed a series of atrocities which infuriated Ibn Taymīya and other notables. However, Ibn al-Dawādārī comments on this:

People exaggerated in what took place in Damascus (in that year) at the hands of the infidel Tatars who had no religion, or sect, or affiliation. For what happened to Damascus and its inhabitants from the people of the west - owners of the sheep, the first Fātimid caliphs and their leaders in Egypt - belittles what these Tatars have done. For the former were Muslims and their Caliphs claim that they were 'Alawīds and Fātimids' (49).

"To God we belong and To Him is our return" (2 al-Baqara . 156).

This refers unfavourably to what the Mamlūks did in the land of Syria - that was also referred to by Ghāzān. Ibn Taymīya makes no reference to Mamlūk atrocities. Obviously, this would not serve his purpose in arousing people against the Mongols. Another incident narrated by al-Birzālī was that on 25th Jumadā'l-Ūlā, Ibn Taymīya met with Qutlu Shāh, Ghāzān's deputy in Damascus. The latter admitted that he was a descendent of Jenkhīz Khān

who he claimed was a Muslim and that all his offspring were pious Muslims and, conversely, all opposed to him were Khārijites. Ibn Taymīya also maintained that after meeting with Ghāzān and wazīr Sa^cd al-Dīn he conceded that:

"these people write in all their royal decrees by Allāh's power and the contract/agreement of the Islamic faith"⁽⁵⁰⁾.

He also admitted that on inquiring about the reasons for their fighting the Muslim⁴ from one of the devout and pious Mongols, he answered: "Our sheikh gave us a fatwā to destroy Syria and loot its wealth because they do not pray except if they are paid to do so, nor do they call for prayers or study fiqh except for the same reason"⁽⁵¹⁾. From these incidents, we are able to deduce two points: the Mongols also justified their invasion on religious grounds, that is that the inhabitants of Syria do not perform that required religious duties unless paid to do so. This is the exact obverse to the views expressed in Ibn Taymīya's fatwā, for he declares that the Mongols refrain from their religious obligations and it is therefore incumbent on the Muslims to fight them until they perform those obligations. This incident illustrates another aspect of Ibn Taymīya's propagandist motives and his tendency to distortion of the argument

and narrations in a way which suits his interests. This is dealt with in greater detail in a subsequent chapter.

The second invasion of Syria took place on 1st Muḥarram in 700 H. during which Ghāzān proceeded towards Aleppo through Mūsul and was able to capture the city and evacuate its inhabitants. However, due to the heavy rain, he had to return to Persia in Jumādā'1-Ūlā of the same year⁽⁵²⁾.

In the year 700 H., on 23rd Dhū'l-Qa^cdā, Ghāzān sent a messenger to Damascus with a message outlining yet another justification for his attacks on Syria.

There was nothing between us except God's will and predestination ... but the reason (for our enmity) was that your soldiers invaded the lands of Mardīn in Ramaḍān, the month that is glorified by all nations in all territories ... they permitted what Allāh - be He exalted - has prohibited, ... they committed sins and did what the idolaters would not do. The people of Mardīn came to us seeking our help ... seeking our protection⁽⁵³⁾.

He goes on:

We were moved by the drive of chivalry and zeal of Islam and rode hastily ...

Allah would not accept this from His people who destroy the territories ... We met you with a good intention and our hearts were truly in conformity with religion ... and so we were given victory over you ... This is the judgment of Islam on the dissenters (ḥukm al-islām fi'l Bughāt)⁽⁵⁴⁾.

He continues:

And now as you and we agree on the word of Islam, the only thing that will separate our words was what you have done in Mardīn and so we took vengeance on you and that is the lot of every rebel (cāṣī)⁽⁵⁵⁾.

His third reason justifying his invasion was that the Muslim rulers of Egypt and their soldiers were schismatics and should be fought as such. They invaded a Muslim land and therefore, another Muslim group was justified in fighting them, according to the shari'cā, until they returned to God's rule.

The third invasion of Syria took place in 702 as a consequence to what took place in Mardīn. The Mongol army under the command of Qutlu Shāh met with the Egyptian-Syrian army. People in Damascus decided to resist the Mongols. Finally, the Egyptian-Syrian army led by Sultān

Qalawūn was able to defeat the Mongols in Shaqab in 702. After this battle, the Sultān entered Damascus victoriously⁽⁵⁶⁾.

It is within this historical context of these events that we can best evaluate the tenets of Ibn Taymīya relating to belief and heresy and particularly the fatwā on jihād.

Notes

¹ ^CIzz al-Dīn ibn al-Athīr, al-Kāmil fī'l tarīkh, Beirūt, (Dār Beirūt li'l-Ṭibā^Ca wa'l-nashr), 1966, Vol. 10, p. 272.

² Ibid., Vol. 10, p. 273.

³ Isma^Cīl ibn ^CUmar ibn Kathīr, al-Bidāya wa'l-nihāya fī'l-tārīkh, al-Qāhira, (Maṭba^Cat al-Sa^Cāda), 1929-39, Vol. 13, p. 202-4.

⁴ Aḥmad ibn ^CAlī al-Maqrīzī, kitāb al-Sulūk li ma^Crifat duwāl al-mulūk, al-Qāhira, (Maṭaba^Cat Dār al-kutub al-Miṣriya), 1936, Vol. 1, pt. 2, p. 417.

⁵ Ibid., Vol. 1, pt. 2, p. 422-423.

⁶ Ibid., Vol. 1, pt. 2, p. 421.

⁷ Aḥmad ibn ^CAlī al-Maqrīzī, kitāb al-mawā^Ciz wa'l-i^Ctibār bī dhikr al-khitat wa'l-āthār, Beirūt, (Dār Ṣādir), 1270 h., Vol. 2, p. 221.

⁸ M.M. al-Ramzī, Talfīq al-akhbār wa talqih al-āthār fī waqā'i^c Ghāzān wa Bulghār wa mulūk al-Tatār, Oerenburg, (al-Maṭb^cat al-Karīmīya) 1908, Vol. 1, p. 355-6.

⁹ ^cAlā' al-Dīn ^cAtā'-Mālik Juvainī, (Transl. by John Andrew Boyle), The History of the World-Conqueror, Cambridge, (Manchester University Press), 1958, Vol. 1, p. 15-16.

¹⁰ Ibid., Vol. 1, p. 26.

¹¹ Abī'l-^cAbbās Aḥmad al-Qalqashandī, Kitāb ṣubḥ al-'a^cshā, al-Qāḥira, (al-Maṭba^cat al-Amīriya), 1914, Vol. 4, p. 310.

¹² al-Maqrizī, kitāb al-mawā^ciz, Vol. 2, pp. 220.

¹³ W. Barthold, "Berke", Encyclopedia of Islam, (first edition), 1936, Vol. 2, p. 707.

¹⁴ Rajab Muḥammad ^cAbd al-Ḥalīm, Intishār al-Islām bayn al-māghūl, al-Qāḥira, (Dār al-nahda al-^cArabiya), 1986, p. 87 & 112.

¹⁵ al-Qalqashandī, Op.Cit., Vol. 4, p. 474.

- 16 al-Ramzī, Op.Cit., Vol. 1, p. 406.
- 17 Ibid., Vol. 1, p. 412.
- 18 Ibid., Vol. 1, p. 416.
- 19 Ibid., Vol. 1, p. 431.
- 20 Ibid., Vol. 1, p. 436.
- 21 ^cAbd al-Ḥalīm, Op.Cit., p. 168.
- 22 al-Ramzī, Op.Cit., Vol. 1, p. 441.
- 23 ^cAbd al-Ḥalīm, Op.Cit., p. 169.
- 24 al-Maqrīzī, kitāb al-Sulūk, Vol. 1, pt. 2, p.
474.
- 25 Ibid., Vol. 1, pt. 2, p. 478.
- 26 ^cAbd al-Ḥalīm, Op.Cit., p. 176-7.
- 27 Fu'ād ^cAbd al-Mu^cṭī al-Ṣayyād, al-Sharq al-Islāmī
fī ^cahd al-Ilkhāniyyīn: uṣrat Hūlākū, Qaṭar, (Markaz
al-wathā'iq wa'l-dirāsāt al-insāniya), 1987, p. 125.

28 ^cAbd al-Ḥalīm, Op.Cit., p. 178-80.

29 al-Ṣayyād, Op.Cit., p. 132.

30 Abū Bakr ibn ^cAbd Allāh ibn Aybak al-Dawādārī, Kanz al-durar wa jāmi^c al-ghurar: al-durrā al-zakīya fī akhbār al-dawlā al-Turkiya, ed. Ulrich Haarman, Cairo, (Deutsche Archäologisches Institut), 1971, Vol. 1, pt. 8, p. 249-50.

31 Ibid.

32 Ibid., Vol. 1, pt. 8, p. 250-1.

33 Ibid., Vol. 1, pt. 8, p. 252.

34 Ibid., Vol. 1, pt. 8, p. 253.

35 Ibid., Vol. 1, pt. 8, p. 255.

36 Ibid.

37 Ibid., Vol. 1, pt. 8, p. 256.

38 Ibid., Vol. 1, pt. 8, p. 257.

39 ^cAbd al-Ḥalīm, Op.Cit., p. 188.

40 A. Bausani, "Religion under the Mongols", Cambridge History of Iran, Cambridge, (Cambridge University Press), Vol. 5, 1968, p. 542.

41 ^CAbd al-Ḥalīm, Op.Cit., p. 196.

42 al-Ṣayyād, Op.Cit., p. 266.

43 Ibid., p. 289.

44 Abū Bakr ibn ^CAbd ^CAllāh ibn Aybak al-Dawādārī, kanz al-durar wa jāmi^C al-ghurar: al-durr al-fākhir fī sīrat al-Mālik al-Nāṣir, ed. Ulrich Haarmann, Cairo (Deutsche Archäologisches Institut), 1960, Vol. 1, pt. 9, p. 15-16.

45 Ibid., Vol. 1, pt. 9, p. 18-20.

46 Ibid., Vol. 1, pt. 9, p. 18-20.

47 Ibid., Vol. 1, pt. 9, p. 20-22.

48 al-Ṣayyād, Op.Cit., p. 293.

49 al-Dawādārī, Op.Cit., Vol. 1, pt. 9, p. 28-9.

50 Ibid., Vol. 1, pt. 9, p. 33.

- 51 al-Dawadārī, Op.Cit., Vol. 1, pt. 9, p. 33.
- 52 al-Ṣayyād, Op.Cit., p. 295.
- 53 al-Dawadārī, Op.Cit., Vol. 1, pt. 9, p. 53.
- 54 Ibid., Vol. 1, pt. 9, p. 54.
- 55 Ibid., Vol. 1, pt. 9, p. 55.
- 56 al-Ṣayyād, Op.Cit., p. 299-302.

It is within the context of the Muslim world that one must view Ibn Taymīya's religious pronouncements. His emphasis on jihad against the infidels, and his attitude towards the Muslim countries, at the time, represented a return to the original Islamic teachings, as they were understood by the early Muslims.

In addition to the political situation, a number of religious and social factors were also at work. The society at that time represented a return to the original Islamic teachings, as they were understood by the early Muslims.

CHAPTER 3

IBN TAYMĪYA'S PRONOUNCEMENTS ON BELIEF AND HERESY

and religious traditions, however, the Muslim community was in itself split into various sects, apart from the struggle between the Sunni and Shi'a, and the Christian and Jewish communities. In the context of the Muslim world, the Franks, for obvious reasons, had been the primary enemy of the Muslims. The Muslim community was constantly confronted with the Christian population. In addition, the age was characterized by the rivalry of various religious schools, as is evident from the accounts of the various sects and the various religious movements. In short, his period was characterized by religious rivalry, religious bigotry, intrigues,

It is within the context of the Mongol invasions that one must view Ibn Taymīya's radical doctrines. Ibn Taymīya's emphasis on jihād arises largely from the situation of the Muslim countries, at the time, represented by Egypt and Syria, facing grave external threats.

In addition to the political situation, a further complication was the nature of the society itself. Muslim society at that time represented heterogeneous elements in its population. These included Turks, Mamlūks, Franks, Mongols who had converted to Islam, Jews and Christians, each group with its own beliefs, customs, affiliation and religious traditions. Moreover, the Muslim community was in itself split into factions and sects. Apart from the struggle between the Sunnīs and Shī^Ciīs, Muslim-Christian relationships existed in an atmosphere of mutual mistrust. The Franks, for obvious reasons, but also the Mongols constantly sympathised with the Christian population. In addition, the age was characterized by the bigotry of the religious schools, as is evident from the accounts of Ibn Taymīya's trials and his inquisition. Sectarian disputes were common giving rise to the kalām dogma, Ṣufism, the reemergence of sects like the Mu^Ctazilites, Ash^Carites, and Qadarites. In short, his period was characterized by sectarian rivalry, religious bigotry, intrigues,

innovations (bid^ca) and polemic disputes. Consequently, his adoption of the radical religious discourse as a weapon was only natural at a time when religious ideology and dogma were the main elements of identification. With this background in mind, it is possible to examine more closely the tenets of Ibn Taymīya in relation to heresy and belief.

Before analysing his fatwā on jihād, it is necessary to understand, from the numerous writings of Ibn Taymīya, how he came to define and use the nomenclature of heresy.

On the question of belief (imān) and submission to the will of God (islām), Ibn Taymīya follows the Prophet's differentiation between the terms. Submission to God is to believe that there is no God but Allāh and that Muḥammad is His Prophet, to perform the acts of devotion like the prayers, paying zakāt, fasting in Ramaḍān and performing the ḥājj if one can afford it. Imān, or faith, is to believe in God, His Angels, Books, Prophets, Day of Judgment and in Predetermination⁽¹⁾.

He elaborates the difference with examples from the ḥadīth and the Qur'ān. He quotes from Aḥmad ibn Ḥanbal, on the authority of Anas (ibn Mālik), that the Prophet

said: "Islām, or submission to God, implies its overt manifestation while imān or faith is in one's heart"⁽²⁾. Evidence from the Qur'ān illustrates the difference in the sense that there might be an islām without imān. This implies that imān (faith) is more inclusive and comprising of islam. God says:

"The desert Arabs say 'we believed' say 'you do not believe' but you (only) say 'we have submitted our will to God'. Not yet has faith entered your hearts. But if you obey God and His messenger, He will not belittle any portion of your deeds ..." (49 al-Hujurāt 14).

According to Ibn Taymīya, the implication of this verse, is that faith comprises the following:

1. The pure faithful.
2. The hypocrite (who conceals his disbelief).
3. The Muslims who have declared the shāhādas but who still lack deep faith in their hearts⁽³⁾.

He goes on to explain the differences involved in the above classification, maintaining that not everyone who submits to God (islām), either out of fear of Him or out of desire, is considered a hypocrite, destined for the lowest level in Hell. Some enter into obedience

(islām) but at the same time are not hostile or opposed to the Prophet. They are simply in an intermediate position between their former state of disbelief and their future state of faith⁽⁴⁾.

Ibn Taymīya goes on to discuss what he means by faith (imān). It involves submissiveness, fear and apprehension of God, entrusting, loving and showing loyalty to Him. God - May He be Exalted - said:⁽⁵⁾

"For believers are those who when God is mentioned feel a tremor in their hearts, and when they hear His signs recited find their faith strengthened and put (all) their trust in their Lord; who perform regular prayers and spend (freely) out of the gifts. We have given them for sustenance. Such in truth are the Believers" (8 al-Anfāl 2).

This Qur'anic verse, adds Ibn Taymīya, involves the believer's servitude, humility, tranquillity and peace. The submissiveness of the heart involves servitude to God⁽⁶⁾. Accordingly, worshipping God is His ultimate satisfactory aim which is expected from His people. God says:

"I have simply created Jinn and Men that they may serve me" (51 al-Dhāryāt 56).

Worship involves humility and servitude⁽⁷⁾. Moreover, the truth of affection lies in the person's friendship and closeness to God, in the sense that he performs what is expected of him and refrains from what is despicable. God loves faith and religiosity and despises disobedience and offences. In accordance with that, jihād becomes a necessity to sacrifice anything within one's power and strength to restore the right and repel and drive back what is despicable. If a person, adds Ibn Taymīya, abstains from the obligation of jihād, it indicates his weakness and his feeble love towards God and His Prophet. God says:⁽⁸⁾

"Yet there are men who take (for worship) others besides God as equal (with God). They love them as they should love God but those of faith are overflowing in their love for God" (2 al-Baqara 165).

Therefore, he goes on, the following of the shari^ca and the performance of jihād are the most important elements in differentiating between the followers and lovers of

God and His prophet and between someone who pretends his love of God, a follower of innovations which are contrary to the sharī^c_a⁽⁹⁾.

Ibn Taymīya differentiates between God's friends (awliyā' al-Raḥmān) and Satan's friends (awliyā' al-shayṭān) by referring to the Qur'ān:

"Behold, verily on the friends of God there is no fear on them nor shall they grieve. Those who believe and are God - fearing - for them are glad tidings in the life of the present and in the hereafter. No change can there be in the words of God. This is indeed the supreme triumph" (10 Yūnus 62).

And,

"God is the protector of the believers bringing them from the depth of darkness into the light. Those who reject the faith - their patrons are the evil ones".

(2 al-Baqara 257)

Concerning Satan's friends, He says:⁽¹⁰⁾

"Whoever forsaking God takes Satan for a friend has of certainty suffered a loss that is manifest"

(4 al-Nisā' 119)

And,

"We have made the Satans friends to
those without faith"

(7 al-a^Crāf 27)

According to the above verses, Ibn Taymīya argues, God's friends are His faithful servants who believe in Him, His Angels, Books, Prophets and the Day of Judgment. A disbeliever in all of the above is either a hypocrite or an infidel⁽¹¹⁾. However, Ibn Taymīya makes it clear that awliyā' Allāh are not infallible, for the possibility exists that they might not have the necessary knowledge of the shari^Ca, or be confused in interpretation⁽¹²⁾. He stresses the significance of following the shari^Ca of God and His discourse. God says:

"To each among you have We prescribed
a law and an open way"

(5 al-Mā'idā 48)

Ibn Taymīya depicts the shari^Ca as a river and the discourse is the course along which the river flows leading ultimately to the truth⁽¹³⁾.

He goes on to discuss what he means by a hypocrite (munāfiq), which is the second category of people who profess faith. He indicates that even if the hypocrites profess Islam and show manifest acts of devotion, they

conceal their disbelief. They might even believe that there is another path to God other than the belief in the Prophet. In so doing, adds Ibn Taymīya, they sometimes prefer their sheikh or leader to the Prophet, either exclusively or in some of his qualities⁽¹⁴⁾. Hypocrites resort to innovation (bid^ca) that is in contradiction to the Book. The fitna, or temptation, caused by them is greater, for they do have some degree of faith that attracts followers. It is therefore necessary to expose them and fight their innovations, for they have the power to convince people and confuse them. Accordingly, those who listen and follow them become summoners to their innovation. He buttresses his argument by the verse:⁽¹⁵⁾

"If they had come out with you, they would not have added to your (strength) but only (made for) disorder, hurrying to and fro in your midst and sowing sedition among you and there would be some among you who would have listened to them"

(9 al-Tawba 47)

Ibn Taymīya stresses the fact that some people might combine both aspects of faith and hypocrisy. He proves that by reference to the ḥadīth narrated in the two Ṣaḥīḥs on the authority of ^cAbd Allāh ibn ^cUmar that the prophet said: "Four qualities - whoever possess all of them

is a pure hypocrite and whoever is characterized by one of them, will have a quality of hypocrisy until he dismisses and gets rid of it: whenever he speaks he deceives, if he makes a promise he breaks it, whenever he is trusted he betrays, and if he conducts a treaty he acts treacherously." (16)

Historically speaking, as Ibn Taymīya sees it, when the Prophet migrated to Medina, people were then categorized into 3 kinds: the pure faithful, the infidels who showed their hostility to the prophet and the hypocrites. Contrary to that, in Mecca they were of 2 kinds only: the faithful and the unbelievers. People then had no reason to conceal their disbelief. But in Medina, hypocrisy began to emerge among the Anṣār. They were the people of power (ahl al-shawqā) who were not able to show their hatred and therefore concealed it⁽¹⁷⁾.

Once again, he turns to the Qur'ān in support of his case:

"Among them is one who says: 'Grant me exemption and draw me not into trial'. Have they not fallen into trial already? And indeed Hell surrounds the unbelievers (on all sides). If good befalls you, it grieves them; but if a misfortune befalls you they say: We took our precautions beforehand and they turn away rejoicing. Say:

'Nothing will happen to us except what God has decreed for us: He is our Protector'. And in God let the Believers put their trust. Say: 'Can you expect for us (any fate) other than one of two glorious things - (Martyrdom or victory) ? But we can expect for you either that God will send His punishment from Himself, or by our hands. So wait; we too will wait with you'

(9 al-Tawba 49-52)

Ibn Taymīya stresses the phrase "with our hands" in the aforementioned verse. It indicates that whenever hypocrites show what they have concealed of their hatred and hostility, they should be killed. The verse also implies that even if they repent, their repentance should not be accepted, for they will be punished either by God or by men for their hypocrisy⁽¹⁸⁾.

Numerous verses are revealed in the Qur'ān in connection with the hypocrites. Even if they try to please the Prophet by false pretences, and by denying their disbelief, they should be killed, once sufficient evidence is established to prove it:⁽¹⁹⁾

"Oh Prophet ! strive hard against the unbelievers and the hypocrites

and be firm against them. Their abode is Hell, an evil refuge indeed ! They swear by God that they said nothing but they uttered blasphemy, and they disbelieved after accepting Islam. They meditated a plot which they were unable to carry out: this revenge of theirs was (their) only return for the bounty with which God and His Messenger has enriched them ! If they repent it will be best for them; but if they turn back (to their evil ways) God will punish them with a grievous penalty in this life and in the Hereafter; they shall have none on earth to protect or help them"

(9 al-Tawba 72-73)

Commenting on the above verse, Ibn Taymīya states that God has ordered His Prophet to fight both the hypocrites and unbelievers. This jihād is necessary since they have shown manifest proof of their infidelity, by word and deed. The mere utterance of a word of disbelief permits fighting and killing them⁽²⁰⁾. However, if they repent before proof or knowledge of their hypocrisy is established, there is no punishment except on the Day of Judgment. But once proof is established, repentance becomes obsolete for their deception had made it impossible

to trust their beliefs and faith⁽²¹⁾. The hudūd imposed on a hypocrite, says Ibn Taymīya, are different from those on infidels and rebels, where they are given a chance to repent. He goes on to quote the verse:

"But when the forbidden months are past then fight and slay the pagans wherever ye find them and seize them, beleaguer them and lie in wait for them at every place of ambush. But if they repent, and establish regular prayers and practise regular charity then open the way for them ..."

(9 al-Tawba 5)

As for the rebellious:

"The punishment of those who wage war against God and His Messenger and strive with might and main for mischief through the land is: execution or crucifixion ... except for those who repent before they fall into your power; in that case know that God is oft forgiving"

(5 al-Ma'ida 33)

In support of his contention that it is permissible to kill a hypocrite, Ibn Taymīya draws an example from the ḥadīth. He refers to the incident of ^CAbdallāh ibn Ubāyy, from the Anṣār, who was involved in a dispute

between the emigrants and the Anṣār. Ibn Ubāyy sided with the Anṣār and said: "when we return to Medina the most powerful (meaning the Anṣār) will expel the insignificant (i.e., muhājirūn)". When news reached the Prophet, he inquired from Ibn Ubāyy about its truth. After denying the incident, God revealed sūrat al-Munāfiqūn which condemned him. However, the Prophet, decided to leave him, for fear that people would think that he was permitting the killing of his followers⁽²²⁾. He feared that killing him would result in a worse fitna and harm to religion than the sparing of his life⁽²³⁾. Ibn Taymīya maintains that the situation *then*, necessitated this measure for the Prophet and his companions were weak; they needed all the support and power they could get without jeopardizing it. However, things were different when they migrated to Medina and became more powerful. It was then that God ordered them to fight the hypocrites. The Qur'ān is again used to support the argument. In connection with the first phase, God said:⁽²⁴⁾

"And obey not (the behests) of the unbelievers and the hypocrites and heed not their annoyances but put you trust in God. For God suffices as a disposer of affairs"

(33 al-Aḥzāb 48)

After the submission of Mecca, God revealed *sūrat al-Barā'a*:

"Oh Prophet ! Strive hard against the unbelievers and the hypocrites and be firm against them. Their abode is Hell, an evil refuge indeed"

(9 al-Tawba 72)

Although the Prophet used to pray over their dead and ask forgiveness from God, God forbade him doing so:

"Do not pray for any of them who dies nor stand at his grave ..."

(9 al-Tawba 84)

And,

"Whether you ask for their forgiveness or not (their sin is unforgivable) if thou ask 70 times for their forgiveness God will not forgive them"

(9 al-Tawba 80)

After the revelation of these verses, the Prophet refrained from doing so once evidence was established.

It is clear from what has been stated so far that Ibn Taymīya's first level of testimony on his interdiction of disbelief is based upon the *Qur'ān*. This is followed

by material from the ḥadīth, the latter often adduced more interpretively. For example, he makes it clear that if evidence cannot be established for the hypocrisy of individuals, they should be judged according to their manifest and overt behaviour. As for their hidden beliefs, it should be left for God to judge. This he bases on what the Prophet said: "I was not ordered to look into the people's hearts or to part open their abdomens". And, on another occasion: "I was ordered to fight the people until they declare that there is no God but Allāh and that I am His Prophet. Once they declare it, their blood and property become immune, except if they refrain from a duty and their judgment is on Allāh". He reports another saying of the Prophet in connection with the killing of a hypocrite: "Does he not proclaim that there is no God but Allāh?" They answered: "Yes". He said: "Does he not pray"? They confirmed this. He said: "Those are the ones that God has forbidden me from killing"⁽²⁵⁾.

To sum up, the stance taken by Ibn Taymīya is that a hypocrite is a person who conceals his feelings of disbelief and hostility to the Prophet. He maintains that the Prophet used to judge them according to their behaviour, based on one of the following criteria. If a hypocrite turns directly to God in repentance, before

evidence is established, he should not be killed and God will judge him in this matter. Secondly, if evidence and proof were established of his disbelief and his hypocrisy, he should be killed without ^{accepting his} repentance. The justification for doing so is that a hypocrite is always inclined to show simulated beliefs. He had a former chance for faith but he concealed his hostility. If repentance was accepted, it would be very difficult to trust him again. The third case is that if a person professes the shihādas, prays, fast and performs the acts of devotion, he should then be judged according to his manifest behaviour. As for his inner beliefs, these should be left for God to judge.

The other category of people following the faith of Islam are the true Muslims. According to Ibn Taymīya, Islam is submission to God. It means the religion itself. He quotes the Qur'ān:

"Religion in God's view is Islam"

(3 āl'Umrān 19)

Faith and belief is in the heart but Islam is overt manifestation, acknowledgement, obedience and deeds. Islam is associated in the Qur'ān, on a number of occasions, with the true 'religion': (26)

"If anyone desires a religion other than Islam, never will it be accepted of him"

(3 āl ^CUmrān 85)

And,

"And I have approved for you Islam as your religion"

(5 al-Mā'idā 3)

Ibn Taymīya adds that a Muslim, who is both inwardly and overtly unjust to himself, will be a believer even if he abstains from a duty or an obligation. In developing his argument, he categorizes a Muslim who abstains from a duty, or who professes beliefs which are contradictory to the Islamic faith as represented in the Qur'ān and ḥadīth, as follows:

1. ahl al-baghy (dissenters or the rebellious).
2. al-tā'ifa al-mumtani^Ca (abstainers from an obligation).
3. The Khārijites.
4. al-Murtadd (apostate).
5. qutā^C al-ṭuruq (highway robbers).

Ahl al-Baghy:

In terms of fiqh, baghy is the act of revolt against the imām. Ibn Taymīya follows a familiar line in referring

to the Qur'ānic verse:

"If two parties among the believers fall into a quarrel, make peace between them: but if one of them transgresses beyond bounds against the other then fight against the group that transgresses until it complies with the command of justice and be fair, for God loves those who are fair. The believers are but a single brotherhood, so make peace and reconciliation between your two brothers; and fear God, that you may receive mercy"

(49 al-Hujurāt 9-10)

Ibn Taymīya is at pains to distinguish between the Khārijites, the Companions who fought at the Camel and Siffīn, either for or against ^CAlī and those who abstained from fighting on either side—that is in support of either ^CAlī or Mu^Cāwīya⁽²⁷⁾. He represents the role of those who held back from fighting as a meritorious one, on the basis of numerous evidence from the Prophet prohibiting joining in fitna (civil strife). Fitna is the greatest of prohibitions and evils, for God says:

"and hold fast all together to the rope of God and do not be divided among yourselves"

(3 ^āl ^CUmrān 103)

Avoiding fighting is better than being involved in it. Accordingly, ^CUmar ibn Ḥaṣīn forbade the selling of weapons. He said: "weapons should not be sold in times of fitna". This is also agreed to by Sa^Cd ibn Abī Waqqāṣ, Muḥammad ibn Maslama and other traditionalists⁽²⁸⁾. Ibn Taymīya argues that whoever joined in the fitna of the two sects did not realize the hidden evil behind it. No one who participated was content with the results because of its effects on religion and on wordly matters. He quotes the verse from al-Nūr:⁽²⁹⁾

"Let those beware who go against the Prophet's order, Lest some trial befall them, or a grievous penalty be inflicted on them"

(24 al-Nūr 63)

Other evidence is drawn by him from the ḥadīth to support the prohibition of fighting in a fitna. It was reported that the Prophet said: "My son (meaning al-Ḥasan) is a sayyid and he will reconcile between two great sects". Thus by praising al-Ḥasan for his reconciliatory role, it is implicit that fighting should be avoided between two Muslim groups⁽³⁰⁾.

According to the aforementioned verse, if two Muslim groups are in dispute, an attempt should be made to reconcile

them. However, if one of them oppresses the other group, they should be fought. Hence, jurists believe that action against the bughāt or rebels should not start with fighting except when they initiate it. Accordingly, the bughāt should not be charged as unbelievers, for the Qur'ān considers them as faithful. This is agreed unanimously⁽³¹⁾. In confirmity with the prohibition of fighting by two Islamic sects, Ibn Taymīya quotes the Prophet's ḥadīth: "If two muslims meet with their swords, both the killer and the killed are in Hell". They asked him: "Oh Messenger of Allāh; this is established for the killer, but how about the killed?" The Prophet answered: "He was anxious to kill his companion". Also, the Prophet said: "Do not return, after me, as infidels killing each other". Also he said: "Your blood and property is immune like this day, on this land, in this month. Will whoever is present inform those who are absent for an informant may be more aware than the listener"⁽³²⁾. Ibn Taymīya maintains that it is incumbent to reconcile between the two groups and there are numerous ways of doing it. One of the means is for one of the parties to forgive and pardon the other in some of blood shed or property destroyed. God will reward those who forgive. A second means of reconciliation is to involve a just group for arbitration. They can base their judgment on what has been destroyed, a free

man for a free man, a slave for a slave and a woman for a woman. Failing any of these reconciliatory measures, it is then permissible to fight the rebels until they return to God's rule. Once they return, fighting should cease⁽³³⁾. Moreover, if one of the dissenting groups asks for God or His Prophet's ruling in their dispute, while the other decides to run their own judgment through fighting, the latter group has committed a great sin and is, hence, liable to severe punishment. If, however, they refrain from seeking God's judgment and they have a powerful community to back them, it is incumbent on the amīr to fight them. On the other hand, if they do not have a powerful community, they should be made to understand that justice was necessary⁽³⁴⁾. Ibn Taymīya goes on to explain who are the bughāt. They are either interpreters who used their judgment (mujtahids); they include the people of knowledge and religion. They believed in permitting certain matters while restricting other matters. They even sometimes allowed some intoxicating drinks, reprobated pleasure ... etc. The final rule on them is that they are considered mujtahid interpreters, who used their personal judgment but who were wrong. This is based on the Qur'ānic verse:

"Our Lord ! Condemn us not if we forget
or fall into error"

(2 al-Baqara 286)

The second category of bughāt are those who interpret , based on their personal judgment, but who are unaware of their dissent. They believe that they are on the right course even if otherwise and mistaken in their beliefs. Accordingly, such a person is not to be called baghy but fāsiq (sinner). Fighting bughāt is permissible to put a stop to their falsehood, but not as a punishment, and to stop further attacks⁽³⁵⁾. To put it differently, a bāghy might be someone who interprets, believing that he is on the right course, or he might be doing it intentionally realizing that he is misinterpreting. Lastly, his baghy might be because of lack of knowledge and doubts⁽³⁷⁾. Ibn Taymīya stresses the prohibition of Muslims fighting each other for according to him, the soldiers of Syria, Egypt and Yemen should congregate and join forces. They should stop their fighting of ^{each} other as Muslims and unite to fight the unbelieving Mongols⁽³⁷⁾.

al-Tā'ifa al-mumtani'a (the resistant group):

A 'resistant group' is one that although affiliated to Islam, abstains or forbids compliance with some of its laws, duties and precepts. It is unanimously agreed that fighting them is necessary until the word of God prevails and all religion is for Him. This includes the

group that refrained from praying, or paying of the zakāt, or fasting in Ramaḍān. They do not prohibit the spilling of Muslim blood or taking of property; they do not rule by Islamic law set up by God. Some Companions, such as ʿUmar, adds Ibn Taymīya, disagreed on the fighting against those who withheld the zakāt. He asked Abū Bakr: "How could you fight them when the Prophet has said: 'I was ordered to fight the people until they declare that there is no God but Allāh and that Muḥammad is His prophet. Once they declare it, their blood and property becomes immune except if they abstain from a duty and their judgment is with Allāh ?". Abū Bakr answered: 'Zakāt is a duty. By Allāh if they do not pay me the zakāt which they used to pay to the Prophet, I will fight them for it'. ʿUmar commented: "It was then when I realized how God had made Abū Bakr enthusiastic about the fight, that I knew it was the truth"(38).

According to Ibn Taymīya, jurists unanimously agree that it is incumbent to fight the resisting group till they perform their obligation. For example, those who do not pray should be ordered to do so, or punished until they perform their duty. According to Aḥmad ibn Ḥanbal and the majority of the salaf, if someone refuses to pray and does not repent, he should be treated as an infidel

and killed for his non-compliance. As for someone denying the prescription of prayer as an obligation, that person is considered an infidel and should be killed⁽³⁹⁾. Ibn Taymīya quotes the Qur'anic verse:

"Oh you who believe, fear God and give up what remains of your usury, if you are indeed believers. If you do it not, take notice of war from God and His Messenger"

(2 Al-Baqara 279)

This verse was revealed concerning the people of al-Tā'if when they converted to Islam and performed the prayers and fasted but insisted on usury.

As Usury was the last of God's prohibitions, the people of al-Tā'if were considered as fighting against God and His Prophet. It was, therefore, necessary to fight them for going against a prohibition. Ibn Taymīya stipulates the necessity of fighting this group, or any party abstaining from any of the acts or devotions required by Islam, such as the Mongols, who did not follow much of the Islamic shari^ca. He maintained that they did not rule amongst themselves according to the Qur'ān or Sunna, nor did they prohibit adultery, wine drinking, or any of the accepted Islamic restrictions. It was therefore incumbent to fight them until all religion is for Allāh⁽⁴⁰⁾.

He adds that throughout the Umayyad and ^CAbbāsīd rules, Muslims fought alongside their rulers whether they were just or unjust, against the 'resisting group'. The Mongols went further in departing from the sharī^Ca laws than the zakāt withholders fought by Abū Bakr, or the people of al-Tā'if who did not forbid their dealings in usury. He maintains that whoever doubts as to whether they should be fought was ignorant of the Islamic religion. Accordingly, Mongols, he maintains, should not be considered as bughāt for they have no valid interpretation; they are of the same category as the zakāt withholders and, therefore, should be fought until all religion is for God⁽⁴¹⁾.

According to Ibn Taymīya the first sect that adopted an innovation was the Khārijites. The basis of their school was the exalting of the Qur'ān and their reliance on it solely. He states that they departed from the Sunna and jamā^Ca. They believe that following ḥadīth is contradictory to the Qur'ān and accordingly, they strayed from religion. The Prophet, as Ibn Taymīya indicates, was well aware of what God has revealed to him; basically the Qur'ān and wisdom. The Khārijites believed in the possibility of the Prophet's infallibility and, therefore, did not adhere to his rules nor those of his followers. Moreover, they declared that ^CUthmān and ^CAlī and their

patrons had not judged according to God's revelation, and, whoever did not rule by God's prescriptions was therefore a *kāfir*. They accused Muslims of *kufr* and this accusation was based on two factors: that those Muslims ruled against the *Qur'ān* and, secondly, whoever opposed the *Qur'ān* was a *kāfir*⁽⁴²⁾. A grave sinner, according to the *Khārijites*, is accused of *kufr*. Contrary to this idea, a faithful believer should be good and loyal, in other words, should be a pure person. The opposite is an unbeliever and he should be consigned to eternal Hell⁽⁴³⁾. Ibn Taymīya refers to the *Khārijites* and their coming out against ^CAlī, their departure from the Muslim community to *Ḥar ūriya*. In spite of that, ^CAlī said: "We will not stop giving you your right in *fay'* nor will we forbid you the mosque ...". Later on, the *Khārijites* permitted the shedding of Muslim blood when they killed ^CAbd Allāh ibn *Khabāb* and attacked other Muslims. It was then, says Ibn Taymīya, that ^CAlī realized that this was the sect which the Prophet had criticized in a number of *ḥadīths*. For example, it is narrated of the Prophet that he said: "You will despise ^{your} praying with their ^{your} or ^{your} fasting with their or reading the *Qur'ān* with their. They read the *Qur'ān*, while it does not reach their throats. They will stray from religion as an arrow from the bow. Their sign will be a man with an amputated arm ...". In another quotation:

"They will kill the people of Islam and befriend the people of idols"⁽⁴⁴⁾.

A quotation from the Qur'ān follows:

"The curse of Allāh shall be upon
the wrongdoers who bar Allāh's way,
desiring to make it crooked"

(11 Hūd 18-19)

Both the Qur'ān and the tradition, claims Ibn Taymīya, are full of ample proof of the disavowal of such reprehensible ones. Accusing the opposers of their innovation would, in fact, lead to more harm for the Muslim community than that of the rebellious people (bughāt). The bughāt realize that oppression and injustice are forbidden, but their punishment for their invalid interpretation is left to the Day of Judgment. The Prophet has forbidden fighting against an unjust imām, which is contrary to the belief of the Khārijites. The Prophet said: "There will appear after me unjust rulers they will ask you to fulfill your obligations, but will not allow you your rights". They said: "Oh Messenger of Allāh, and what do you order us to do ?" He said: "Give them what they ask you and ask God to give you your rights". In another ḥadīth, he said: "If you see something that displeases you from your amīr be patient. For whoever departs from

the Muslim Community the measure of a span of the hand, will have renounced Islam". In another, he says: "The best of your imāms are the ones you love and they love you and you pray for them and they on you. The worst of your imāms are the ones you depise and they despise you and the ones you curse and they curse you". They inquired: "Should we kill them ?". He answered: "No ! So long as they pray"⁽⁴⁵⁾. Ibn Taymīya concludes this argument by confirming the order of the Prophet. He was clear in ordering the fighting of the Khārijites, while prohibiting the fighting of an unjust ruler. Justifying this point, he adds that fighting the unjust ruler would be for wordly matters. Revolting against the ruler is for personal purposes, for the sake of personal rights and obligations. As for the fighting of the Khārijites, it should be initiated for the welfare of religion. They corrupt people's religion and should hence be fought. The ultimate aim is for God's word to prevail and all religion is for Him⁽⁴⁶⁾. He emphasises that the fighting of ^CAlī against the Khārijites is supported by a number of ḥadīths and according to the consensus of the Companions. As for the fighting at Ṣiffīn and the Camel that is to say of ahl al-baghy, it was a fitna which was despicable and reprehensible. Ibn Taymīya goes on to stress the fact that the Khārijites accused Muslims of kufr. He

maintains that it is not permissible to accuse a Muslim of kufr for committing a sin. In spite of their grave accusations, ^CAlī did not accuse them of kufr but considered them as Muslims who should be fought against. He did not fight them to shed prohibited blood but he did so in order to stop their oppression and injustice. Although there is ample evidence in the Qur'ān and ḥadīth justifying the fighting of this sect, they were never accused of kufr. According to Ibn Taymīya, none of the sects should permit the accusation of takfīr against another Muslim sect. He maintains that it was made clear in the ḥadīth that the blood and property of other Muslims is prohibited. Addressing the people in the farwell pilgrimage, the Prophet said: "Your blood and honor is prohibited like the sacredness of this day, on, this land and in this month". He also said: "Do not return after me as unbelievers, killing each other". And, "If a Muslim calls his brother a kāfir, the accusation will revert to the accuser"⁽⁴⁷⁾.

Ibn Taymīya compares between Khārijites and Shī^Cīs.

Both the Khārijites and Shī^Cīs accuse the Muslim rulers of kufr. The majority of Khārijites accuse ^CUthmān and ^CAlī of kufr. As for the Shī^Cī and Rāfiḍites they curse Abū Bakr, ^CUmar, ^CUthmān and their supporters⁽⁴⁸⁾.

However, in spite that the Khārijites accuse Muslim rulers of kufr, the shī^ca, on the other hand, overexalt their imāms and consider them infallible. Accordingly, they rely heavily and give more weight to the sayings of their infallible imāms. They were, says Ibn Taymīya, worse than the Khārijites for at least they returned to the Qur'ān, as the origin of their precepts, even if they were mistaken in interpreting it⁽⁴⁹⁾. Both innovations took place during the time of ^cAlī ibn Abī Ṭālib. As for the Khārijites, they fought him and he fought back and killed them. On the other hand, he punished the shī^ca ^{for cursing the Caliphs} and ordered the slashing of whoever preferred him to Abū Bakr and ^cUmar. He said: "The best of this community after its Prophet is Abū Bakr then ^cUmar"⁽⁵⁰⁾.

Both groups were initiating an innovation in Islam and were therefore punished for it.

The two other kinds of dissenters and rebels in Islam are the apostates (murtaddūn) and highway robbers or fighters (quṭṭā^c al-ṭuruq wa'l-muḥāribūn). He defines apostasy as departing from faith and becoming a kāfir. When the apostate dies as an unbeliever, all his good deeds cease to exist. Ibn Taymīya argues that this is based on the Qur'ān:⁽⁵¹⁾

"And if any of you turn back from their faith and die in unbelief, their works will bear no fruit in this life and in the Hereafter; they will be Companions of the fire and will abide therein"

(2 al-Baqara. 217)

"If any one rejects faith, fruitless is his work and in the hereafter he will be in the ranks of those who have lost"

(5 al-Mā'idā 5)

Ibn Taymīya asserts, on the one hand, that the jurists unanimously agree that the repentance of an apostate should be accepted. On the other hand, traditionalists and the people of ḥadīth believe otherwise. They base their justification on the ḥadīth narrated by al-Bukhārī that the Prophet said: "Whoever changes his religion should be killed". Also, the Prophet said: "The blood of a Muslim becomes prohibited so long as he declares that there is no God but Allāh and that I am His Prophet. The only three exceptions are: the adulterous, the murderer and the apostate who departs from the community of believers". They maintain that since the adulterer and murderer are not spared judgment, even if they repent, so is the apostate⁽⁵²⁾.

The former view, that of the jurists, is the one accepted by Ibn Taymīya on the basis of the Qur'ān:

"How shall God guide those who reject faith after they accepted it and bore witness that the Message was true and that clear signs had come to them? But God guides not an unjust people ... except for those that repent after that and make amends; for God is all-forgiving, Most Merciful"

(3 āl. 'Umrān 89)

This verse, explains Ibn Taymīya, indicates God's forgiveness of those who repent after becoming apostates and accordingly, they should not be killed. On the other hand, the ḥadīth narrated on the ^{authority of the} Prophet that if a person changes his religion, he should be killed, implies a continuous, ongoing case of apostasy. But if he returns to his religion by repenting, he is no longer changing his religion⁽⁵³⁾.

In asserting this, Ibn Taymīya implies that the act of apostasy was only temporary and, therefore, the person should not be killed for it.

He also maintains that if an apostate returns to Islam, his blood and money becomes prohibited even if the ruler does not judge his Islam as valid. This stipulation,

he argues, is unanimously agreed on by the jurists. Moreover, Aḥmad ibn Ḥanbal, al-Shāfi^cī and Abū Ḥanīfā stipulated that if it was testified that someone was an apostate but he denies it, his Islam should be judged as valid. Ibn Taymīya adds that God accepts the repentance of the unbelievers who are far worse than the apostates. As for someone who repents after his capturing, it should not be accepted and he should be killed⁽⁵⁴⁾.

Therefore, Ibn Taymīya believes that an apostate, who returns to Islam after a temporary period of apostasy, should be allowed to repent. What is important is his denial of apostasy but his true beliefs, like other forms of dissension, should be left for God's judgment. The period of apostasy does not diminish or belittle the person's previous acts of devotion. However, if the apostate does not return but remains in his apostasy, he will die as an unbeliever while all his previous good deeds will be nullified.

The last form of dissension is that of the highway robbers. They are, as Ibn Taymīya describes them, the warriors who terrorize people with arms and weapons in order to rob and plunder their property. God said in reference to them:

"The punishment of those who wage war against God and His Messenger and strive with might and main for mischief through the land is execution or crucifixion on the cutting off of hands and feet from opposite sides or exile from the land; that is their disgrace in this world and a heavy punishment is theirs in the Hereafter"

(5 al-Mā'idā 33)

He quotes the report of Ibn al-^cAbbās saying that if they kill and steal money, they should be killed and crucified. If they kill peaceful people without robbing them, they should be killed but not crucified. However, if they steal money and do not kill, one hand and the opposite foot should be cut off. Finally, if they terrorize, even though they do not kill, they should be banished. This opinion, states Ibn Taymīya, was held by jurists like al-Shāfi^c and Aḥmad ibn Ḥanbal. Ibn Taymīya maintains that some jurists believe that it is within the imām's jurisdiction to decide what form of punishment should be inflicted on robbers. This implies that when he decides to kill them, it is for the general interest (maṣlaḥa). Ibn Taymīya agrees with the opinion that a highway robber should be killed and should not be forgiven or pardoned. He justifies it on the basis that these fighters kill people and rob them of their money; thus, their harm

and corruption is inflicted on a larger scale⁽⁵⁵⁾. In any case, the Muslims should assist the Sultān in executing God's restrictions (ḥudūd Allāh). It is preferable to fight this group, for their destruction involves both human souls and money. However, fighting them is not rendered the same status as the fighting of the infidels for the aim of it is to execute the restrictions of God and to stop their corruption. (56)

The above are Ibn Taymīya's views and stipulations concerning the categorization of dissent in Islam. The most important justification for them derives from the Qur'ān, Sunna and jurisprudence and the conclusion is that it is incumbent on Muslims to fight most categories of dissenters once enough evidence is established against them. Sometimes, repentance towards God is not enough and would not be accepted. In other cases, the dissenter should be fought by the Islamic community - that is, the ruler with the aid of his subjects - in order to stop their corruption and so that the religion of God prevails. But who are the ones who can restore order and right until the religion of God prevails? Ibn Taymīya refers to the 'saved sect'. He explains that Muḥammad is the last of the prophets and accordingly, God has made his community infallible in the sense that they

will never agree or consent to error. The evidence of that, adds Ibn Taymīya, is their following of the Qur'ān and Sunna. Therefore, the just people are followers of the Sunna and tradition and they are on the right path or course. He quotes on the authority of Aḥmad ibn Ḥanbal and Abū Da'ūd that the Prophet said: "This community will disintegrate and split into 72 sects, all of which are in hell except for one, that is the jamā'a (community of believers)"⁽⁵⁷⁾. This 'saved group' will ordain the good and forbid the evil by establishing God's rule and inflicting God's restrictions on abstainers. It is therefore, incumbent on the rulers, 'ulamā', amīrs and sheīkhs, to rule their people by ordering what is right. This includes Islamic laws like performing the basic prayers on time, performing additional prayers, zakāt, fasting, performing the pilgrimage, believing in God, His Angels, Books, Prophets, Day of Judgment, predestination (qadar), Iḥsān, loyalty to God, patience, honesty, forgiveness, justice, cooperation ... etc.⁽⁵⁸⁾ As for forbidding evil, it represents the opposite of the above. It is everything that God and His Prophet prohibit like disbelieving in Him, allowing the killing of another soul, usury, gambling, lying, cheating ... etc.⁽⁵⁹⁾ Accordingly, maintains Ibn Taymīya, this community became the best of all communities for their commanding of the good and forbidding of evil. God says:

"Ye are the best of religious communities evolved for mankind, enjoying what is right, forbidding what is wrong"

(3 āl ^cUmrān 110)

And,

"Let there arise out of you a religious community inviting to all that is good, enjoying what is right and forbidding what is wrong"

(3 āl ^cUmrān 104)

An example is drawn by Ibn Taymiya in conformity with this. While Abū Bakr was giving his sermon to the people, he said: "You people misunderstand the following verse when you read it:

"O ye who believe ! guard your own souls if you follow (right) guidance, no hurt can come to you from those who stray"

(5 al-Mā'idā 105)

For I heard the Prophet say: "If the people see evil and do not change it, God will blind them with His punishment". He quotes ḥadīth: "If an offence is concealed it will only harm the disobedient but once it appears and is not denied or stopped, it will harm and corrupt the majority"⁽⁶⁰⁾. Therefore, it is the duty of the ruler

to command the prescribed prayers and he should also punish abstainers. If the abstainers are the resisting group who resist the performing of manifest Islamic laws, they should be fought until all religion is for God. This is unanimously agreed by jurists, maintains Ibn Taymīya⁽⁶¹⁾. In judging, he adds, it is incumbent on the ruler to follow the rule and laws set by God in His Book. Whoever rules by what has been revealed by God has ruled justly, for God says:

"So judge between them by what God has revealed and follow not their vain desires"

(5 al-Mā'idā 48)

And,

"If any fail to judge by what God Hath revealed, they are unbelievers"

(5 al-Mā'idā 44)

This, states Ibn Taymīya, is the rule of Allāh, and whoever decides to follow another path is more inclined to the rule of ignorance. He quotes the Qur'ānic verse:

"Do they then seek a judgment of (the Day of Ignorance ?). But who, for a people who believes can give better judgment than God"

(5 al-Mā'idā 50)

It is implied that whoever does not rule according to the Book of God and His Prophet's tradition is an unbeliever. Ibn Taymīya stresses this point and proceeds to the point that a community that does not command by the rule of justice is therefore an unbelieving one. But justice can be part of their religion, as was the case with Muḥammad's community. In a reference to the rule of the Mongols he adds that some leaders might follow their previous customs and laws rather than those of the Qur'ān and Sunna. Accordingly, this is disbelief and converts to Islam should follow and rule only by God's revelation. God has ordered all Muslims that if they dispute over any matter to refer it to God and His Prophet, for Allāh says:⁽⁶²⁾

"Oh you who believe, Obey God and Obey the Messenger and those charged with authority among you. If you differ in anything among yourselves, refer it to God, and His Messenger if you believe in God and the Last Day"

(4 al-Nisā' 59)

Ibn Taymīya is at pains to explain this point, which might be confused with Khārijite belief. He acknowledges that the Khārijites use this verse to accuse their leaders of disbelief for not following the rule of God. But, he

goes on, what was meant was the rule of justice, which is absolutely necessary at all times. It is the duty of the community to resort to the general rule of justice in all their disputes on religious matters. He quotes the verse:

"Mankind was one religious community and God sent messengers with glad tidings and warnings; and with them He sent the Book in Truth, to judge between people in matters where they differed. And only those unto whom (the Scripture) was given differed concerning it, after clear proofs had come unto them..."

(2 al-Baqara 213)

Therefore, matters that involve the community should not be judged except by the Book and the Sunna. If someone believes that he is ruling amongst people with any but God's Book and His Prophet's teachings ^{he} is an unbeliever. As the Muslim rulers rule according to specific matters and not the general, they have to abide by the book or the Sunna. If nothing ^{relevant} is in either, the ruler has to rely on his independent judgment (ijtihad). It is narrated that the Prophet said: "There are three kinds of judges: two in Hell and one in Heaven. If he knows the truth and rules according to it he is in heaven; if he knows the truth but rules in contradiction to it, he is in

hell; and if he ignorantly rules among the people he is also in hell"⁽⁶³⁾. Supporting this view of *ijtihād*, Ibn Taymīya draws on two other examples from the traditions. The Prophet, said: "If a ruler resorts to *ijtihād* and reaches a wrong decision, he is rewarded once (for his *ijtihād*) but if he uses his judgment and reaches a valid ruling, he is rewarded twice for it". Also, it is narrated by Muslim in his *Ṣaḥīḥ*, on the authority of Buraydā, that the Prophet said: "If you besiege a fort and the people ask you to make a ruling by God's law, do not respond for you might not be aware of God's judgment on their like. However, rule by your judgment and that of your followers". Therefore, says Ibn Taymīya, the ruler should rule according to the general interest and he reserves the right to be selective in his choice, according to the maṣlaha of religion⁽⁶⁴⁾. Whatever his judgment, he has to command by the good and prohibit evil. One of the aspects of *jihād*, according to Ibn Taymīya, is to rule by the good and forbid evil and accordingly, whoever refrains from doing so, has committed an offence. This commanding of the good should be administered according to one's capabilities and powers. This is based on what the Prophet said: "If you witness an evil or wrongdoing, you should change it by your hand (i.e., by force).

If you cannot, then by your tongue (i.e., talk). However, if you cannot, then with your heart (i.e., to wish it changed) but that is the most feasible belief"⁽⁶⁵⁾. Ibn Taymīya adds that the path to jihād is by ordering the good. Accordingly, God has praised the followers of the right course and has blamed the corruptors. But, people will understand this command to the good, differently. Some might base their views on a misinterpretation of the Qur'anic verse:

"Oh ye who believe ! Guard your own souls . No hurt can come to you from those who stray if you are rightly guided."

(5 al-Mā'idā 105)

Ibn Taymīya emphasises that a misinterpretation of this verse could have a negative effect on some people, causing them to refrain from one of the most important Islamic duties, which is the command to the good. On the other hand, another group will go to the other extreme, where they will command the good, either by using force or by using words. The dangerous element is that they lack the necessary knowledge of fiqh and patience. Accordingly, they might be convinced that they are obeying God and His Prophet while, in fact, they are transcending and violating the restrictions of God. Examples of this

other group are the people of innovation like the Khārijites and others whose corruption is greater than their righteousness⁽⁶⁶⁾. It was for this reason that the Prophet ordered patience towards unjust rulers and forbade fighting them so long as they perform the prayers. He said: "Give them (i.e., rulers) their rights and ask God to give you your rights". In accordance with this, Ibn Taymīya stresses that it is at the core of the ḥadīth that the individual Muslim keeps within the community and avoids sharing in fitna or the fighting of rulers⁽⁶⁷⁾.

As for the jihād, Ibn Taymīya stipulates that it is intended against the infidels, God and His Prophet's enemies. He maintains that anyone who has received the appeal of Islam to follow God's religion and who does not respond, should be fought until religion is all for God⁽⁶⁸⁾.

Ibn Taymīya outlines the stages of jihād in the Qur'ān. The first stage, was when God ordered His Prophet to spread His religion, he did not permit him to kill or fight anyone until he migrated to Medina. God says:

"To those against whom war is made,
permission is given (to fight) because
they are wronged - and God is most
Powerful in their aid"

(22 al-Hājj 39)

Later, it became an obligation:

"Fighting is prescribed for you though you dislike it"

(2 al-Baqara 216)

The next stage was that of exalting the status of jihād: (69)

"only those are believers who have believed in God and His Message, and have never since doubted but have striven with their belongings and their persons in the way of God: such are the sincere ones"

(49 al-Ḥujurat 14)

Therefore, the reason for legitimate fighting is jihād for the ultimate purpose of having God's word exalted and that all religion is for Allāh alone. Accordingly, says Ibn Taymīya, those who withhold or forbid this duty, should be killed and this is unanimously agreed by jurists. God says:

"Fight in the way of God those who fight you; but do not transgress limits for God loveth not transgressors"

(2 al-Baqara . 190)

As for the 'resisting group', Ibn Taymīya stipulates that they should be fought until they perform their duties. He also maintains that the Khārijites, or any sect following an innovation, should be fought and killed,⁽⁷¹⁾

It is now not difficult to understand how in his fatwā on jihād Ibn Taymīya came to justify the fighting of Muslims. According to his statements, any group that fails to adhere to an established duty should be fought even if they have professed the shihādas. What was needed in Ibn Taymīya's view, was to justify the rebellion against the Mongol rulers, who were declaredly Muslims. It was not permitted for Muslims to revolt against their rulers even if they were unjust and so Ibn Taymīya in his fatwā on jihād, is forced to exercise takfīr and categorise the Mongols as unbelievers. In advocating the duty of jihād by Muslims against a nominally Muslim ruler he was postulating what was to become a basic tenet of revolutionary Islam to the present day.

Notes

¹ Ibn Taymīya, al-'Imān, Miṣr, (Maṭba^cat Anṣār al-Sunnā al-Muḥammadiya), n.d., p. 2.

² Ibid., p. 8.

³ Ibid., p. 138-141.

⁴ Ibid., p. 147.

⁵ Ibid., p. 9.

⁶ Ibid., p. 17.

⁷ Ibn Taymīya, al-^cŪbūdiya, Beirūt, (Dār al-kutub al-^cilmīya), 1981, p. 4.

⁸ Ibid., p. 29.

⁹ Ibid., p. 39.

¹⁰ Ibn Taymīya, al-Furqān bayn awliya' al-Raḥmān wa awliya' al-shayṭān, Miṣr, (Maṭba^cat al-Midanī), 1981, p. 3-4.

¹¹ Ibid., p. 11-15.

¹² Ibid., p. 46.

- 13 Ibn Taymīya, al-Furqān, p. 61.
- 14 Ibn Taymīya, Majmū^cat al-rasā'il wa'l masā'il,
Beirūt, (Dār al-kutub al-^cilmīya), 1983, Vol. 1, p. 41.
- 15 Ibid., Vol. 4, p. 280.
- 16 Ibn Taymīya, al-Furqān, p. 20.
- 17 Ibn Taymīya, al-'Imān, p. 119.
- 18 Ibn Taymīya, Kitāb al-ṣārim al-maslūl ^calā shātim
al-rasūl, Beirūt, (Dār al-Jīl), 1975, p. 342.
- 19 Ibn Taymiya, al-ṣārim, p. 343.
- 20 Ibid., p. 344.
- 21 Ibid., p. 342.
- 22 Ibid., p. 348-9.
- 23 Ibid., p. 354.
- 24 Ibid., p. 355.
- 25 Ibid., p. 353.

26 Ibn Taymīya, al-ʿImām, p. 229.

27 Ibn Taymīya, Majmūʿat Fatawā ibn Taymīya al-kubrā, al-Qāhira, (Dār al-Manār), 1988, Vol. 4, p. 241.

28 Ibn Taymīya, Minhāj al-Sunnā al-nabawīya, Miṣr, al-Maṭbaʿat al-kubrā), 1904, Vol. 2, p. 205.

29 Ibid., Vol. 2, p. 209.

30 Ibn Taymīya, Majmūʿat fatawā, Vol. 4, p. 241.

31 Ibid., Vol. 4, p. 242.

32 Ibid., Vol. 4, p. 202.

33 Ibid., Vol. 4, p. 202-3.

34 Ibid., Vol. 4, p. 204.

35 Ibn Taymīya, Majmūʿat fatawā, Vol. 4, p. 225.

36 Ibn Taymīyā, Minhāj ..., Vol. 2, p. 203.

37 Ibn Taymīya, Majmūʿat fatawā, Vol. 4, p. 301.

38 Ibn Taymīya, al-Siyāsa al-sharʿiyya fī iṣlāḥ al-rāʿī wa'l rāʿiyya, Miṣr, (Dār al-kitāb al-ʿArabī), 1955, p. 125; and, Majmūʿat fatawā, Vol. 4, p. 198.

39 Ibn Taymīya, al-Siyāsa ..., p. 129.

40 Ibn Taymīya, Majmūʿat fatawā, Vol. 4, p. 298.

41 Ibid., Vol. 4, p. 299.

42 Ibn Taymīya, "Risālat al-furqān bayn al-ḥaqq wa'l bāṭil", in Majmūʿat al-rasā'il al-kubrā, Miṣr, (al-Maṭbaʿat al-ʿāmīriyya), 1905, Vol. 1, p. 162.

43 Ibid., Vol. 1, p. 21.

44 Ibid., Vol. 1, p. 23.

45 Ibn Taymīya, Minhāj ..., Vol. 3, p. 37.

46 Ibid., Vol. 3, p. 37-8.

47 Ibn Taymīya, Majmūʿat al-rasā'il wal masā'il, Vol. 5, p. 378.

48 Ibn Taymiya, "Risālat al-furqān ...", Vol. 1, p. 25.

49 Ibn Taymīya, "Risālat al-furqān", in Majmū^cat al-rasā'il al-kubrā, Vol.1, p.162-3.

50 Ibn Taymīya, Majmū^cat al-rasā'il wal masā'il, Vol. 5, p. 376.

51 Ibn Taymīya, "al Tibyān fī nuzūl al-Qur'ān", in Majmū^cat al-rasā'il al-kubrā, Vol. 1, p. 229.

52 Ibn Taymīya, al-Ṣārim, p. 310.

53 Ibid., p. 315.

54 Ibn Taymīya, Kitāb al-ikhtiyārat al'ilmīya, Miṣr, (Dār al Manār), 1988, Vol. 4, p. 182.

55 Ibn Taymīya, al-Siyāsa, Op.Cit., p. 77-78.

56 Ibid., p. 85-6.

57 Ibn Taymīya, "al-waṣīya al-kubrā", in Majmū^cat al-rasā'il al-kubrā, Vol. 1, p. 266.

58 Ibid., Vol. 1, p. 310-11.

59 Ibid., Vol. 1, p. 312.

60 Ibn Taymīya, al-Siyāsa, p. 73-75.

- 61 Ibn Taymīya, al-Siyāsa, p. 75.
- 62 Ibn Taymiya, Minhāj ..., Vol. 3, p. 31-2.
- 63 Ibid., Vol. 3, p. 32-3.
- 64 Ibid., Vol. 2, p. 213.
- 65 Ibn Taymīya, al-Ḥisba fī'l Islām wā wazīfat al-ḥukūma al-Islāmīya, Mişr, (Maṭba^cat al mu'ayyad), 1900, p. 53.
- 66 Ibid., p. 54.
- 67 Ibid., p. 55.
- 68 Ibn Taymīya, al-Siyāsa, p. 117-118.
- 69 Ibid., p. 118-119.
- 70 Ibid., p. 124.
- 71 Ibid., p. 126-7.

CHAPTER FOUR

THE FATWĀ ON JIHĀD: A CRITIQUE

There are two sets of conditions under which the fighting of a group of Muslims by Muslims is permissible: against apostates (murtaddūn) and rebels (ahl al-baghy).

The definition of apostasy (ridda) given by the fuqahā' is as follows: ridda is the announcement of disbelief (kufr) by the tongue or action. In that respect, strong evidence of ridda should be supplied and what is dubious in evidence should be omitted. That is because Islam once established cannot be easily effaced by doubts and hasty action should be avoided. To establish apostasy, the testimony of two reliable witnesses before the qāḍī is required and their testimony must conform⁽¹⁾. Since heresy is gravest of accusations, it becomes necessary to supply strong evidence supporting the accusation. This means that in a given situation, if all evidence, except for one item, points to the possibility of kufr, it becomes the duty of the qāḍī to abide with one aspect against all other supporting evidence. The aim of this is to maintain the good opinion and trust of all Muslims⁽²⁾.

In addition to murtadd, it is necessary at this point, to define some of the other terms involved; that is to say munāfiq, mulhid and zindīq. The munafiq does not accept the prophethood of Muḥammad and the Message

carried by him, but conceals his unbelief, expressing his loyalty to Islam⁽³⁾. Zindīq, although originally referring to those who held to their Manichaeian beliefs⁽⁴⁾ comes to have the general meaning of someone who refutes God's existence, or denies His wisdom⁽⁵⁾. The mulhid is the person who has deviated from the right path (i.e. from the true religion) and doubts the existence of God⁽⁶⁾.

According to the categorization of the fuqahā', a murtadd is a person who returns to his original beliefs after accepting Islam. If a person does revert to polytheism, or denies God's divinity, or one of His divine qualities, or attributes, or if he claims that He has children, or denies His Prophets and Books, this person is considered an infidel⁽⁷⁾. Moreover, whoever denies the obligation of the five acts of devotion or any one of them, or permits adultery or drinking of wine, or any of the explicit forbidden acts, that are unanimously agreed upon, from ignorance on his part, he should be made to realise his offence. But if he was not ignorant about the restrictions, he is considered an infidel. If, out of negligence, he leaves out any of his religious duties, he should be made to repent⁽⁸⁾. There are some variations on this last point of istitāb⁽⁹⁾. According to the Hanābila, it is required (wājib) that the person

accused of ridda be asked to repent over three days; although another opinion is that he should be offered Islam once and if he accepts he is allowed to go free; if not, he is killed immediately⁽¹⁰⁾. According to al-Ḥanafīya, if a Muslim apostacises he is asked to repent, but doing so is mustaḥabb and not wājib, since the call to Islam had already reached him earlier. However, if he asks for forbearance, then it is mustaḥabb that the qāḍī gives him three days grace⁽¹¹⁾. The Shāfi'īya believe that the three days of grace is wājib and that he must not be killed before that; this is so whether the accused asks for it or not. The argument goes that during that period, he might see the light and repent⁽¹²⁾.

The Mālikīya also maintain that the three days of grace are wājib - three days with their nights, beginning from the day on which ridda is established and not from the 'day of kufr', or the day the charge was raised. During that period, the accused is fed and given drink and his family provided for if he is unable to do so himself. He is not to be punished or beaten when in captivity⁽¹³⁾. Clearly, the legal processes relating to a charge of ridda are precisely defined in fiqh - and there are others not specified here, such as the property of

the murtadd, the ridda of a woman, young boy, a mad person, ... etc.

The second category, fighting against ahl al-baghy (rebels), is justified on the basis of the Qur'anic verse:

"If two parties among the believers fall into quarrel, make ye peace between them but if one of them transgresses beyond bonds against the other, than fight ye (all) against the one that transgresses until it complies with the command of God. But if it complies then make peace between them with justice and be fair for God loves those who are fair"

(49 al-Hujurat 9)

Jurists define the term bāghy as follows: its root meaning is 'claim, pursuit or demand', and in common practice, it comes to mean the 'demand or claim to what is not permissible of injustice and oppression'. In fiqh, bāghy means: 'dissent from obedience to a just imām' (14).

According to the Ḥanbalī school, al-firqa al-bāghīya means 'the sect that has deviated or strayed from the right path'. Bughāt are 'seekers of the unpermissible and the prohibited'. Ibn ʿAbidīn defines what he means by the just imām as: 'the imām who was able to establish

his rule and secure the status quo; it becomes unpermissible to oppose or reject his rule⁽¹⁵⁾.

As for the Ḥanafī school, they believe that:

"If a group of Muslims conquered a territory, thus dissenting from their compliance to the imām, the latter should then appeal for their return to the Jamā^ca (community) and clear up their doubts and uncertainty"⁽¹⁶⁾.

Dissenters and those who oppose the imām, can be roughly grouped into four categories:

(1) A group who refused to obey the imām and rejected his rule without a valid interpretation (ta'wīl).

(2) A group of rejectionists similar to the above mentioned, with the exception that they have a valid interpretation. However, they are a small group and not powerful⁽¹⁷⁾.

(3) A group of people having power and protection, but who have deviated and rebelled against the imām by using an interpretation that shows that he is in error, either on account of his disbelief or his disobedience. This group has to be fought on account of their false interpretation and they are known as the Khārijites.

They permit the killing and robbing of other Muslims and enslaving of their women. They accuse others of kufr (heresy); they accuse ^CAlī, ^CUthmān, Ṭalḥa, al-Zubayr and other companions of being kuffār and permit the blood of other Muslims. A number of jurists maintain that these khārijites are bughāt (such as Abū Ḥanīfa, al-Shāfi^Cī and a large number of ahl al-ḥadīth). Mālik believes that they should first be made to repent. If however, they do not, they should be killed for the destruction and iniquity they cause and not on the basis of their belief or disbelief⁽¹⁸⁾.

On the other hand, some of the people of ḥadīth claim that the khārijites were murtaddūn (apostates) and should be judged by the laws of ridḍa. This is based on the Prophet's saying:

"a group of young people with foolish dreams will emerge at the end of the time. They speak the best of words and read the Qur'ān with the words hardly reaching their throats. They stray from religion as the arrow from the bow. When you encounter them, kill them, for you will be rewarded for killing them on the Day of Resurrection⁽¹⁹⁾."

In another account on the authority of Abū 'Imāma that he saw heads hung on the Mosque of Damascus. So he cried out loud: "Hounds of Hell (three times), these were Muslims but they deviated and became kuffār". They asked on what basis did he say that and he answered that it was on *the basis* of a statement by the Prophet⁽²⁰⁾.

If these are considered murtaddīn, according to the beliefs held by some of ahl al-ḥadīth, the implication is that the rule that governs them should be that of ridḍa, where their blood and property are permitted. If they seek a place, or a refuge, and have power, they become ahl ḥarb (people of war) like other unbelievers. If they fall into the grip of the imām, he should first attempt to make them repent, or else they should be killed⁽²¹⁾. Ibn al-Mundhīr declared that no one agreed with the people of ḥadīth in their Takfīr (labelling them as unbelievers). This is unanimously agreed on by the jurists⁽²²⁾. As for al-Shāfi'ī, he believes that the people who simply profess khārijite thought and isolate themselves from the general community, should not be fought. These people, he adds, are already safeguarded by their faith. They have not reached the stage which allows fighting them as outlined by God (i.e., a state of apostasy, or failing to perform an Islamic duty)⁽²³⁾.

Numerous accounts are narrated to support this point. The ḥadīth narrated by Muḥammad ibn al-Ḥasan, on the authority of al-Khudarī, proves that it is not permissible to accuse the khārijites of ridḍa. Al-Khudarī states: As I entered the kūfa mosque from the Kinda gate, a group of five people were cursing ^CAlī. One of the men with a hooded cloak proclaimed: "I swear to Allāh that I would kill him (^CAlī)". I arrested him and took him to ^CAlī, narrating to him what I had heard. ^CAlī said: "Woe unto you, come here and tell me who you are ?" He replied: "I am Suwār al-Munqarī". ^CAlī then said to me: "Let him go". I asked: "Let him go and he swore to Allāh to kill you ?" ^CAlī said: "Would I kill him and he has not killed me ?" I said: "But he cursed you". ^CAlī replied: "So curse him if you wish, or leave him alone". This indicates that Suwār was not considered an unbeliever for cursing ^CAlī or for swearing to kill him and, therefore, should not be killed. On the other hand, the khārijites, so the argument goes, permit killing by resorting to invalid interpretations⁽²⁴⁾.

(4) The fourth category of dissenters represent a group of Muslims who oppose the just imām and revolt against him. However, they do not permit or allow what has been permitted by the khārijites like the killing

of Muslims, or enslaving their women. They resort to a valid interpretation to support their position and are also quite powerful. These are the bughāt⁽²⁵⁾.

It is unanimously agreed by jurists that if a group of Muslims take possession of territory and revolt against the rule of the just imām, he should first attempt to call for their return to the community. He should also clarify their doubts and obscurities. As mentioned earlier, the sanctions for fighting ahl al-baghy is the Qur'anic verse 9 al-Ḥujurāt 49. This verse implies four main points:

1. The act of baghy did not render this group unfaithful, for they are still referred to by the Qur'ān as the faithful (mu'minūn). According to al-Shāfi'ī, Allāh has mentioned that the fight is between the two groups both of which are abstainers and rejectionists. However, they are both believers and, therefore, reconciliation between them is obligatory. It is considered a just act and it becomes the duty of the imām to call on believers and to reconcile between them in cases of difference⁽²⁶⁾.
2. The second point is the obligation to fight them. Allāh has ordered the fighting of the unjust group, although it is referred to as being still the believing group, until it returns to the command of Allāh.

3. Once they return to the command of Allāh, either by their defeat or repentance, fighting should stop⁽²⁷⁾.
4. The consequences of the destruction and ruin caused become invalid if they return to Allāh's command. It also implies that it is only permissible to fight the people of baghy if they were initiators of the combat. Supporting this opinion are a number of traditions. For example, on the authority of ^CAbd Allāh ibn ^CUmar, who said: I heard the Prophet-**Peace** be upon him- say: "Whoever offers an imām the contract of his hand and the fruits of his heart, should obey him as much as possible. Therefore, if someone comes in discord or dissension to seize it from him, break the neck of the dissenter"⁽²⁸⁾. There are many other ḥadīth on the same theme. It is unanimously agreed by jurists that it is permissible to fight al-bughāt, especially if they have initiated the fighting. If news reaches the imām that they are preparing for a fight and are buying weapons, he can then take the necessary step of locking them up until they repent. The helping of the just imām against the dissenters is a duty on all Muslims⁽²⁹⁾.

The comments on Ibn Taymīya's fatwā on jihād against the Mongols which follow are set within the context of the preceeding discussion on ridḍa and baghy.

The fatwā is in marked contrast to the more measured statements on belief and heresy referred to in Chapter 3 of this thesis. There is no doubt that it is a highly polemic statement. It begins unequivocally by saying that jihād against the Mongols is incumbent (wājib), "according to Allāh's Book, the Sunna of His Messenger and the agreement of the Muslim Imāms"⁽³⁰⁾. This is so, even if they have professed Islam. There follows a compendium of misdemeanours which justify such action against those who profess the two shihādas. They comprise those who refrain from performing the five prayers, withhold zakāt, do not fast in Ramaḍān, do not make the ḥājj; fail to avoid reprobated acts (al-fawāḥish) such as adultery, gambling, drinking wine or anything else proscribed by the sharī^ca; who fail to implement the law in relation to blood wit, possessions, matters of honour and sale of merchandise according to the rules of the sharī^ca and Sunna. More vague, if infinitely more comprehensive, failure to "command what is good and forbid what is evil". Also included is 'failure to prosecute jihād against the kuffār' (i.e., Christians and Jews) until 'they become Muslims or pay the jizya'; the following of innovative practice (bid^ca) in contradiction to the sharī^ca and Sunna; disbelief in the names of Allāh and His signs or giving the lie to the names of Allāh and His attributes

and His power; giving the lie to that which obtained amongst the Muslims at time of the Rightly Guided Caliphs; criticizing the early emigrants and Anṣār; and fighting the Muslims until they are forced into obedience to them and depart from the shari^ca. As if the list was not comprehensive enough already, Ibn Taymīya adds: "And the like of these matters concerning which God has said: 'Fight them until there is no more civil strife (fitna), (2 al-Baqara 193)'".

This omnibus indictment is revealing both of Ibn Taymīya's objectives in this fatwā and of his technique in addressing and influencing a mass audience. There is no attempt here to follow the forensic processes of fiqh - although he claims that his judgment had the approval of "a'immat al-muslimīn".

Many but not all of the above are part of the process of identifying apostasy (ridda) in the books of law - although Ibn Taymīya avoids mentioning the word. One can only assume that he wished to avoid reference to the precise legal definitions and processes which are involved in the identification of and action against ridda.

When he quotes the verse from Sūrat al-Baqara verse

193: "Fight them until there is no longer fitna (civil strife) and religion belongs in entirety to Allāh", the verse and those preceeding it refer to ^{ahl al-} shirk and not kuffar ⁽³¹⁾, a fact that Ibn Taymīya must have been fully aware of. In the Tafsīr of al-Ṭabarī, for verse 190 of Sūrat al-Baqara : "Fight, in the path of Allāh, those who fight you and do not transgress for Allāh does not like the transgressors", he comments that God has revealed this verse in connection with the fighting of 'ahl al-shirk' until they enter into God's obedience and submission or willingly pay the jizyā if they are Christians or Jews ⁽³²⁾. He proceeds with his commentary on the following verse that the fitna or temptation and test to shirk, is worse than murder. That is, if a Muslim is tested in his beliefs and is tempted to revert to shirk after his Islam, it is far worse for him than to be killed while withholding to his true beliefs ⁽³³⁾. On verse 192, al-Ṭabarī comments: If the infidels stop their fight either out of compliance to God or by repenting, God is 'all forgiving' for by so doing, they will submit to His will and command ⁽³⁴⁾. On the verse outlined by Ibn Taymīya, al-Ṭabarī comments as follows: God has ordered His Prophet to fight the infidels (al-Mushrikūn) who fight him and who tempt the Muslims (fitna) into disbelief in God until they all submit and obey His will. He maintains that (al-Dīn), or religion, signifies obedience and

submission to God alone and to His commands. Al-Ṭabarī buttresses his commentary by the following ḥadīth: On the authority of ^CAmmār ibn al-Ḥasan who said: it was narrated on Ibn Abī Ja^Cfar on his father on al-Rabī^C that the verse "until all religion is for Allāh" that he said: until everyone submits and obeys Allāh. That is, 'there is no God but Allāh', which was the Prophet's - Peace and Blessing be upon him - slogan and call, and accordingly, he said: "I was ordered to fight the people until they declare that there is no God but Allāh, perform the prayers and pay the zakāt. Once they submit, their blood and property becomes immune except for the abstainers and their punishment is on Allāh"⁽³⁵⁾.

Before proceeding with his takfīr of the Mongols, Ibn Taymīya outlines some of the basic legal rulings in matters of kufr and ridḍa based on historical precedence. He says that jurists and ^Culamā', "in the matter of when fighting is justified amongst the people of the qibla have two opinions"⁽³⁶⁾. The first viewpoint stipulates that the fighting of the khārijites, those who fought in battles of the Camel and Ṣiffīn and the fighting of the zakāt withholders fall into one main category that is ^{the fighting of} ahl al-baghī. This opinion, according to the

fatwā, holds that the companions involved in these fights were not sinners but were just and equitable. However, in spite of that, it was necessary to fight them⁽³⁷⁾. Ibn Taymīya disagrees with that viewpoint and confirms the second, which holds

that the fighting of the zakāt withholders and the Khārijites is different from that of those who ^{were} fought in the battles of Camel and Ṣiffīn⁽³⁸⁾. Even 'Alī's attitude, towards both fights was different. For in the former case, 'Alī fought the Khārijites according to the Prophet's orders and based on evidence from numerous ḥadīths. Consequently, none of the companions opposed him. As for his fighting in the battles of Ṣiffīn and the Camel, 'Alī was averse to it and was blamed for the outcome. 'Alī declared, on their behalf: "Our brothers have acted rebelliously against us but the swords have purified them"⁽³⁹⁾.

Ibn Taymīya stresses that regarding Khārijites, there had been some disagreement as to considering them kuffār. Aḥmad ibn Ḥanbal holds 2 different viewpoints. One considering them as bughāt and the other considering them as murtaddūn. According to the latter opinion, it is permitted to kill them from the outset and even kill their captives⁽⁴⁰⁾. However, Ibn Taymīya believes that the Khārijites represent a third category: they can neither

be considered as unbelievers like the apostates nor could they be considered like the people of the Camel and Şiffīn battles. Similarly, he maintains that the companions fought the zakāt withholders "although they professed faith and performed the prayers and the like but withheld zakāt"⁽⁴¹⁾. This is supported by the fact that the zakāt withholders do not have a 'permissible justification' or a valid interpretation and therefore are considered 'apostates'⁽⁴²⁾.

All this was a necessary introduction in Ibn Taymīya's fatwā, for there was an increasing desire on his part to draw upon historical evidence to support his argument on labelling the Muslim Mongol rulers as Kāfir and justifying the revolt against them. A recurring theme in his argument is the imperative need to fight and to kill the abstainers from a religious duty. He emphasizes the killing of the apostates but, as was noted in the early section of this chapter, it is not an automatic legal rule. For strong evidence for the act of apostasy should be established before accusing a Muslim of kufr. Contrary to that, Ibn Taymīya cannot resist the urge and persistently stresses, throughout his fatwā, the need to fight abstainers from religious obligations, or those who depart

from the Sunna, in order to lead his argument to a logical inference, namely; denouncing the Mongol rulers as unbelievers.

Throughout the text, there are a number of examples of looseness of terminology which cannot be accidental. He seems to make no distinction between al-Mushrik (who ascribes partners to God) and al-Kāfir (who does not believe in the Prophet and God's message). For example, we have phrases such as "al-mushrikīn from among the Jews and Christians" (43).

Jenghīz khān is referred to more than once as both a kāfir and mushrik and "min a^czam al-mushrikīn kufran wā fasādan" (44). In contradiction to the reference to Jews and Christians as mushrikūn, above, we have the comment: "And he (Jenghīz khān) sought to weaken the people of all religions; Muslims, Jews, Christians and those mushrikūn who opposed him" (45). Jenghīz khān is also referred to as 'vile, an atheist and hypocrite' (al-khabīth, al-mulhid, al-munāfiq). It is difficult to explain this imprecision in the use of terms, which are different in meaning, except by suggesting that Ibn Taymīya was more concerned with the impact of these emotive expressions on his audience than in the precise meaning

and usage associated with them. Perhaps it is not accidental, in the same context, that Ibn Taymīya's anger is directed against Jenghīz khān. Not once does he mention Ghāzān, who was the leader of the Mongols at the time. The assumption must be that Ghāzān's credentials as a Muslim could not be challenged.

However, there were problems involved in the sanctioning of jihād against the Mongols which could not be concealed by invective or emotional appeal. Fighting against apostates is justified on the basis of historical precedent and Qur'anic injunction. Abū Bakr fought ahl al-ridda because they withheld the zakāt. Ibn Taymīya refers to this and also quotes the verse of the Qur'ān threatening war against the people of al-Ta'if for practising usury after it had been proscribed. However, the main point which he makes against the Mongols - and it is a matter of personal observation on his part - relates to prayer: "We watched their soldiers and saw that the majority did not perform prayers and we did not see amongst their troops a mu'adhdhin or an imām"⁽⁴⁶⁾. Abandoning prayer is obviously one of the cardinal sins (al-kabā'ir)⁽⁴⁷⁾, but in terms of establishing a charge of ridda it is much more difficult to quantify than non-payment of zakāt and the practice of ribā.

Ibn Taymīya faced the same problem when it came to stigmatising the Mongols as ahl al-baghy, the second category of Muslims against whom fighting is permitted. As he says the Mongols are "the worst among the bughāt, unjust interpreters"⁽⁴⁸⁾. He goes on to explain that they are not to be associated with the bughāt of old (i.e., the khawārij) who had an interpretation. The inference is that they belong to the first group of bughāt referred to earlier in this chapter, who do not have a valid interpretation.

In his over-riding desire to justify fighting against the Mongols, Ibn Taymīya puts himself once more into a trap of misconception and intentional misuse of terminology to serve his ends. First of all, as mentioned earlier, dissenters, or ahl al-baghy, are those 'who deviated from the right path' and 'dissented from their compliance to the imām', in which case it becomes the duty of the imām to "appeal for their return to the jamā'a and clear up their doubts and uncertainty"⁽⁴⁹⁾. Therefore, ahl al-baghy are those who dissent against the imām. As mentioned earlier, with the fall of the ^CAbbāsīd Caliphate, the Mongols established themselves as rulers of these territories and therefore, in de facto terms, they represented the imāms and not the dissenters. Moreover, the

sanctions for fighting ahl al-baghy as outlined in 9 al-Hujurat 49 is that these rebellious sects are still referred to as the faithful and the act of baghy did not render them unfaithful. Moreover, it is necessary to reconcile between the dissenting sects in cases of differences. If this believing group does not return to what has been commanded by God, it should be fought; but once they return, fighting should cease. Therefore, the legal rulings are clearly outlined on matters of dissension, in the Qur'ān and books of fiqh.

These ambiguities and lack of legal definitions persist throughout his fatwā. Charges of apostasy and dissension are not lightly made in the Islamic religion, for in both cases, according to the books of law, strong evidence should be established. Once established, the person is still considered a Muslim and should be made to repent with a grace period to serve this objective. Moreover, the imām has the right to clear the ambiguities of the dissenter, or apostate, during the grace period. If the person returns to Islam, fighting should then cease.

As for judging people's inner beliefs, these are left for God for He says:

"When the Hypocrites come to thee, they say we bear witness that thou art indeed the Apostle of God. Yea God knoweth that thou art indeed His apostle and God beareth witness that the Hypocrites are indeed liars"

(63 al-Munāfiqūn 1)

From the above mentioned verse (63 al-Munāfiqūn 1), al-Shāfi'ī stipulates that the blood of a Muslim is prohibited even if he secretly conceals his heresy. That is because hypocrites did not follow a true religion; theirs was represented in denial, rejection and obstruction of the truth. It is evident in Allāh's book and from His Prophet that God has informed him that the hypocrites will use faith as a shield or protection from being killed. If they were asked about their heresy, they will deny it and show faith instead. They might repent but among themselves, they will still hold to their heretic beliefs⁽⁵⁰⁾.

"They swear by God that they said nothing (evil) but indeed they uttered Blasphemy and they did it after accepting Islam"

(9 al-Tawba 74)

God informed us of their denial and rejection in numerous verses and has labeled them as hypocrites:

"the Hypocrites will be in the lowest depths of the Fire; no helper wilt thou find for them"

(4 al-Nisā' 145)

Even though they showed manifest belief in Islam, they were heretics. However, the manifest signs of belief were sufficient to prohibit their blood as God has spared the blood of those who profess faith after heresy: It was reported by Mālik, on the authority of Ibn Shihāb, from ^CAtṭā' ibn Yazīd al-Laythī, from ^CUbayd Allāh ibn al-Khayyār, that a man confided in the Prophet about some matter which we did not know of except when the Prophet told us. The man was asking the Prophet's permission to kill one of the hypocrites but the Prophet replied: "Does not he declare that there is no God but Allāh?". The man said: "Yes, and this declaration is not accepted". The Prophet said: "Does not he pray?". The man replied: "Yes, but his prayers are not accepted". To this, the Prophet declared: "These are the hypocrites whom God has forbidden me from killing them"⁽⁵¹⁾.

Allāh has outlined the punishment of the hypocrites

in numerous verses in the Qur'ān: "they will be in the lowest classes of hell", and, "they will have no friends or companions on their side".

And,

"And behold ! The Hypocrites and those on whose hearts is a disease even say: God and His apostle promised us nothing but delusion"

(33 al-Aḥzāb 12)

This verse was revealed in them concerning the heresy of a group of hypocrites.

"They may hide (their crimes) from men but they cannot hide (them) from God, seeing that He is in their midst when they plot by night in words that He cannot approve ..."

(4 al-Nisā' 108)

The Prophet said: "Allāh took over the command of your unrevealed secrets and warded off you by evidence. So repent to Allāh and seek His protection as whoever changes his behavior, we will revert to the Book of Allāh for his judgment". The Prophet also said: "I am only a human being like you. You might seek my advice in your litigations. However, some of you will show more

sense and intelligence in their presented evidence than others and, accordingly, I might litigate in their case according to what I have heard. So if I rule in his favour with something that belongs to his brother and he does not get it, it will be as if he gets a piece from Hell. It should be known that his rule was based on what was manifest and evident and that what Allāh has forbidden becomes unpermissible. As for the unrevealed motives, they will be judged by Allāh for He is the commander of the unrevealed⁽⁵²⁾.

It is fair to say, therefore, that Islam is against the ready recourse to takfīr except in certain specific circumstances. In his insistence on its use and indeed of himself assuming the right to use it without regard to the processes of law, Ibn Taymīya was adopting a position which was to be taken up by extremist thinkers up to the present day.

NOTES

¹ ^CAbd al-Raḥmān al-Jazīrī, Kitāb al-figh ^Calā'l-madhāhib al-'arba^Cā, al Qāhira, (Dār al-Irshād lil Ta'līf wa'l Ṭab^C), n.d., Vol. 5, p. 332.

² Muḥammad Amīn ibn ^CUmar ibn ^CĀbidīn, Radd al-Muḥtār ^Cala al-Durr al-Mukhtār, al-Qāhira, (Maṭba^Cat Bulāq), 1933, Vol. 4, pp. 391-3.

³ Ibn Manzūr, Lisān al-^CArab, al-Qāhira, (Dār al-Ma^Cārif), n.d., p. 4509.

⁴ Husayn ^CAṭawān, al-Zandaqa wa'l Shu^Cūbiya, Beirūt, (Dār al-Jīl), 1984, p. 13.

⁵ Ibn ^CĀbidīn, Op.Cit., Vol. 4, p. 409.

⁶ Ibn Manzūr, Op.Cit., p. 4006.

⁷ Muwaffaq al-Dīn ^CAbd Allāh ibn Aḥmad ibn Qudāmā, al-Muqni^C, al-Qāhira, (al-Maṭba^Cat al-Salāfiya), 1938, Vol. 3, p. 514-5.

⁸ Ibid., Vol. 3, p. 516.

⁹ al-Jazīrī, Op.Cit., Vol. 5, p. 333 seq.

- 10 Muwaffaq al-Dīn ibn Qudāmā, al-Mughnī, Miṣr, (Dār al-Manār), 1947, Vol. 8, p. 124-5.
- 11 ^CAlī ibn Abī Bakr al-Marghīnānī, al-Hidāyah, Miṣr, (Maṭba^Cat Muṣṭafā al-Bābī al-Ḥalabī), n.d., Vol. 6, p. 68.
- 12 Muḥammad ibn Idrīs al-Shāfi^Cī, al-Umm, al-Qāhira, (al-Maṭba^Cat al-Amīriya, Būlaq), 1903, Vol. 1, p. 227.
- 13 Abū'l Walīd Sulayman ibn Khalaf al-Bājī, al-Muntaqā sharḥ al-Muwatta³, al-Qāhira, (Dār al-Fikr al-^CArabī), 1982, Vol. 5, p. 282.
- 14 Muḥammad ibn ^CAbd al-Wahīd ibn al-Humām, Fath al-Qadir, Miṣr, (Maṭba^Cat Muṣṭafa al-Bābī al-Ḥalabī), n.d., Vol. 5, p. 99 .
- 15 Ibn ^CĀbidīn, Op.Cit., Vol. 3, p. 426.
- 16 al-Marghīnānī, Op.Cit., Vol. 5, p. 101.
- 17 Ibn Qudāmā, al-Muqni^C, Vol. 3, p. 509; and, ibn al-Hamām, Op.Cit., Vol. 5, p. 99.
- 18 Ibn Qudāmā, al-Muqni^C, Vol. 3, p. 509.

19 Muḥammad ibn Yazīd ibn Mājā, Sunān Ibn Mājā, al-Qāhira, (maṭbaʿat ʿIṣṣa al-Bābī al-Ḥalabī), 1952, Vol. 1, p. 59.

20 Ibn al-Ḥumām, Op.Cit., Vol. 5, p. 100.

21 Ibn Qudāmā, al-Muqniʿ, Vol. 3, p. 509.

22 Ibn al-Ḥumām, Op.Cit., Vol. 5, p. 100.

23 al-Shāfiʿī, Op.Cit., Vol. 4, p. 135.

24 Ibn al-Ḥumām, Op.Cit., Vol. 5, p. 100.

25 Ibn Qudāmā, al-Muqniʿ, Vol. 3, p. 511, and; Ibn al-Ḥumām, Op.Cit., Vol. 5, p. 100.

26 al-Shāfiʿī, Op.Cit., Vol. 4, p. 133.

27 Ibid., p. 133.

28 Muslim ibn al-Ḥajjāj, Ṣaḥīḥ Muslim bī sharḥ al-Nawawī, Miṣr (al-Maṭbʿat al-Miṣriyya), 1929, Vol. 12, p. 233.

29 Ibn al-Ḥumām, Op.Cit., Vol. 5, p. 103.

- 30 Appendix p. A 2 seq./Text Fatāwā, Vol. 4, p. 281-2.
- 31 Appendix p. A 3/Text Fatāwā, Vol. 4, p. 282.
- 32 Abū Ja^Cfar Muḥammad ibn Jarīr al-Ṭabarī, Tafsīr al-Ṭabarī, Miṣr, (Dār al-Ma^Cārif), 1954, Vol. 3, p. 561-3.
- 33 Ibid., Vol. 3, p. 565.
- 34 Ibid., Vol. 3, p. 569.
- 35 Ibid., Vol. 3, p. 570-572.
- 36 Appendix p. A 6/Text Fatāwā, Vol. 4, p. 283.
- 37 Ibid.
- 38 Appendix p. A 9/Text Fatāwā, Vol. 4, p. 284.
- 39 Appendix p. A 9/Text Fatāwā, Vol. 4, p. 284.
- 40 Appendix p. A 11/Text Fatāwā, Vol. 4, p. 285.
- 41 Appendix p. A 13/Text Fatāwā, Vol. 4, p. 285.
- 42 Appendix p. A 13/Text Fatāwā, Vol. 4, p. 285.

- 43 Appendix p. A 18/Text Fatāwā, Vol. 4, p. 286/7.
- 44 Appendix p.A14-15 /Text Fatāwā, Vol. 4, p. 286.
- 45 Appendix p. A 16/Text Fatāwā, Vol. 4, p. 287.
- 46 Appendix p. A14 /Text Fatāwā, Vol. 4, p. 286.
- 47 Shams al-Dīn al-Dhahabī, kitāb al-kabā'ir, Beirūt, (Dār Maktabat al-Ḥilāl), n.d., p. 17.
- 48 Appendix p. A 37/Text Fatāwā, Vol. 4, p. 296.
- 49 al-Marghinānī, Op.Cit., Vol. 5, p. 101.
- 50 al-Shāfi^cī, Op.Cit., Vol. 6, p. 145.
- 51 Ibid., p. 147.
- 52 Ibid., p. 159.

The following is an attempt to give a brief account of the main lines of thought in the work of Ibn Taymiyya. It is not intended to be a complete survey, but to show the general character of his ideas.

His thought is based on a return to the original sources of Islam, and a rejection of the innovations of the later centuries. He is particularly concerned with the question of the authority of the Qur'an and the Sunna.

CHAPTER 5

THE AFFINITIES BETWEEN IBN TAYMIYYA'S THOUGHTS AND ISLAMIC EXTREMISM IN MODERN EGYPT

It is not surprising that the thought of Ibn Taymiyya has found a ready response in the minds of modern Islamic extremists in Egypt. This is because his thought is based on a return to the original sources of Islam, and a rejection of the innovations of the later centuries. He is particularly concerned with the question of the authority of the Qur'an and the Sunna. His thought is based on a return to the original sources of Islam, and a rejection of the innovations of the later centuries. He is particularly concerned with the question of the authority of the Qur'an and the Sunna.

The following is not intended as in-depth study of revolutionary movements in modern Islam. What is being attempted here is a limited exploration of the affinity between some of Ibn Taymīya's ideas and Islamic extremist movements in modern Egypt.

From the earliest times, Islamic activist or political movements have articulated their protest in religious terms. This was inevitable for, by its very nature, purely political action per se was not acceptable within the concept of the Islamic umma . It is also not surprising, therefore, that a recurring theme in the discussions and writings of modern extremist Islam is the dual need to establish, or rather, reestablish, the pristine Islamic state as they conceived it and in doing so to categorize the existing order as heretical. They justify their revolutionary activities on the basis of early textual material from Qur'ān and ḥadīth, often using it selectively, tendentiously or even inaccurately. The vast amount of material available has made the task easier for them in some ways; but more difficult in others, since the handling of the material effectively requires a deep knowledge of the very extensive primary sources of Islam. It was in this context that the ideas of Ibn Taymīya on matters relating to belief, hypocrisy, jihād and heresy are relevant to

the statements of the standard bearers of revolutionary Islam in their attacks on the state. It was Ibn Taymīya who, above all else, articulated the concept and practice of takfīr in a manner of which they themselves were not capable.

So far as Egypt is concerned, the most prominent figure in modern revolutionary thought was Sayyid Quṭb. His writings have become a powerful source of inspiration for the activists who followed him. A member of the Muslim Brotherhood, albeit a late recruit, Quṭb was arrested under Nasser, along with other members of the society and sentenced to life imprisonment. During his years in prison, he began writing his major polemical Ma^Cālīm fī'l-ṭarīq, which was to become the manifesto for later Islamic activists.

The central theme of Quṭb's thoughts was the concept of Jāhiliya, which represents in his view a state of non-belief. The usage is found in Ibn Taymīya. In the fatwā on jihād, we find, for example, in the course of a bitter attack on Jengīz Khān, Ibn Taymīya referring to "sunnatuhū al-Jāhiliya" and "sharī^Catuhū al-kufriya"⁽¹⁾:

Again, when referring to those who gave their loyalty

to the Mongols he stigmatises their actions as "ṭā^catīhum al-Jāhiliya" and "sunnatahum al-kufriya"⁽²⁾. The main thrust of Ibn Taymiya's argument for the duty of jihād against the Mongols depends on the fact that they, although declared Muslims, did not follow the shari^ca and therefore the act of takfīr against them was entirely justified. Quṭb develops the concept of jāhiliya much further than does Ibn Taymiya. The latter was concerned with stigmatising a section only of the Muslim community and legitimising attacking them. Quṭb was concerned with legitimising an attack on the established and legitimate government of the state and its organs - an altogether different matter, even if the essential mechanism of takfīr remained the same.

Quṭb begins his work by condemning all existing governments and systems, since they represent a state of "bankruptcy in the world of values"⁽³⁾. All existing systems including democracy, communism ... etc. have failed and the only means of salvation is through Islamic resurgence. The whole world, adds Quṭb, is living in a state of disbelief (jāhiliya) where the suzerainty of human rulers dominates and prevails rather than the rule of God (ḥākimiya)⁽⁴⁾. To him, ḥākimiya and ^cubūdiyya represent the ultimate servitude and submission to God's

rule. This also implies that submission to any other authority or rule other than that of God is an act of jāhiliya. Accordingly, societies are either Islamic or jāhili. If they resort to God's rule, His judgment and the shari^ca, they fall within the first category. If, however, they resort to the sovereignty of human rulers they fall within the definition of the jāhili state⁽⁵⁾.

The Qur[']ān, maintains Quṭb, is built within the conscience of the Muslim community and by accepting it as their source of rule, it also implies the acceptance by Muslims of God's sovereignty and their obedience to Him⁽⁶⁾. The purpose of Islam is to make people realize that it is God's ḥākimiya that should prevail. On the other hand, the jāhiliya, represented in the sovereignty of human rulers was fought by all messengers and prophets in order to establish God's rule⁽⁷⁾. He persistently stresses that 'ubūdiya will also be present, both in the legislations as well as religious obligations under the ideal Islamic state. This implies that there will be no separation of religion and wordly matters in submitting to God's rule. Therefore, a person cannot truly testify to his obedience to God if he ceases to perform his religious obligations, or if he accepts legislation from any agency but God⁽⁸⁾. According to his precepts, therefore, Quṭb has to denounce all existing societies,

including Muslim societies as jāhili. He believes that even though the so-called Islamic societies believe that there is no God but Allāh, they do not apply His rule in worldly matters. Accordingly, they remain, in their practical lives, dependent on jāhili legislation while restricting God's rule to religious matters⁽⁹⁾.

Societies are seen by Quṭb as either jāhili societies which do not apply the sharī^ca to daily worldly matters and therefore do not belong to the religion of God;

"All judgment rests with Allāh; He has commanded that you worship none save only Him. That is the true Faith"
(12 Yūsuf 40)

as opposed to the only morally ordered and civilized society, which is the Islamic society which applies God's rule and His ḥākimiya. The ultimate aim of this society is to complete the liberation of man by emphasizing God's sovereignty and eliminating the rule of human beings⁽¹¹⁾. In supporting his view of ḥākimiya versus jāhiliya, Quṭb maintains that there is only one party, that is the party of Allāh. All other parties belong to Satan. He quotes from sūrat al-nisā':

"Those who believe fight in the cause of Allāh, and those who disbelieve

fight in the cause of the Evil one.
Fight ye then against the friends
of Satan; surely Satan's strategy is
weak"

(4 al-Nisā' 76)

In his somewhat Manichaeian view, there is only one order, namely Islamic and one land, that is the land of Islam (Dār al-Islām). Outside there is the dark world of disbelief⁽¹²⁾.

A linked feature in Qutb's thinking in regard to the jāhilī state is his advocacy of separation. Once a person submits to the authority of Islam, he denounces his pre-Islamic jāhilī state. He thus reaches a state of emotional separation and denial of his jāhilī past, as opposed to his present Islamic condition. This develops into a complete spiritual separation from the jāhilī society. The Muslim therefore, becomes linked definitively with his Islamic society even if he has to deal with infidels. Accordingly, the emotional and spiritual separation is one thing and his daily activities, another⁽¹³⁾. This point of emotional separation was later to be developed and distorted by later activists such as the Takfīr wa'l-Hijrā movement to imply physical isolation from the jāhilī society; thus transforming the true underlying

meaning of spiritual isolation into a physical reality.

Quṭb perceives the 'darker jāhiliyā' as infiltrating all aspects of life, including all areas and disciplines of the social sciences and humanities. Philosophical studies are all polluted by jāhili thought. "Most of it ... bears implicit or explicit enmity to the general religious understanding of life particularly to the Islamic worldview"⁽¹⁴⁾. He stresses the fact that it is essential to get rid of the pressures of the jāhili society and the jāhili leadership by not conforming to its system or expressing loyalty to it⁽¹⁵⁾.

The only effective way to combat the jāhili society is by a "dynamic Islamic social organism with its superior strategy, ideology and interpretation"⁽¹⁶⁾. According to Quṭb, to restore Islam and eradicate the jāhili state, 'a vanguard of the umma' must lead following the early paths of the first generation who relied on the Qur'ān for their 'intellectual sustenance':

Today's vanguard, said Quṭb, "must contemplate the Koran and must shun non-Muslim culture. The vanguard must begin by purging its own consciousness of jāhiliyā"⁽¹⁷⁾.

Quṭb visualizes the process of the formation of

the ideal Islamic society coming about in phases. As the group of believers are freed from jāhilī thought they are 'ready to act'. His call for active revolutionary action is central to his line of thought. He maintains that the:

Islamic creed should be assimilated into living souls into a practical existing organization and into a collective organism. This movement will interact with the jāhilīya environment in the same way as it deals with the jāhilīya beliefs embedded in their souls⁽¹⁸⁾.

Once the group of believers are formed they should separate emotionally from the main body of society. This is similar to the early 'sacred history' when the then unique group of believers followed an authentic manhaj or guideline which drew its teachings from the Qur'ān and ḥadīth. However, to Quṭb, this group of believers should still try to seek contact with the jāhilīya society in which they are living. What is important here is that Quṭb simply advocates a 'mental and emotional separation' (in^cizāl shu^cūrī) while still living in the jāhilī society and contacting its members. He does not call for an actual physical hijrā. As Zubayda explains:

The object of this vanguard is to purify itself to seek the implementation to true faith in the minds and souls of its members and when sufficiently nourished and strengthened by this faith to declare and pursue jihād to conquer the surrounding jāhiliyya and bring all mankind under the rule (ḥakimīyya) of God⁽¹⁹⁾.

Qutb maintains, therefore, that there has to be contact with the jāhili society while at the same time being aware of the group's superiority because of their possession of faith in God. In short, it is a fusion and merging in the whole society, while at the same time, feeling distinct from and ineffably superior to it⁽²⁰⁾.

Ibn Taymiyya's position on the legitimacy of jihād against the Mongols is unequivocal:

Yes, it is incumbent to fight those Mongols according to Allāh's Book, the Sunna of His Messenger and the agreement of the Muslims Imāms.
(fatwā p. 281)

In effect, what Ibn Taymiyya did in his fatwā on jihād was not simply to legitimise takfīr, and therefore jihād by Muslims against Muslims, but to polemicize that

process and make it available and understandable, in simplistic terms, to subsequent generations.

Qutb devotes a whole chapter in his Ma^cālīm fī'l-tarīq to jihād, which represents the next phase of his revolutionary call. To eradicate the jāhilī society and restore the ultimate sovereignty of God, the Islamic vanguard must set itself in action (ḥarakā). He describes society as a 'moving dynamic organism'. Liberating humans on earth from man's sovereignty is the actual positive announcement of God's sovereignty. Ideally, this should be done only by discourse (bayān); but those who have usurped God's power will not be dispossessed by word alone⁽²¹⁾. That is to say, it is jihād by the sword, as well as by the word, that will restore God's rule. To Qutb, this is a gradual process and should not take place by "hasty action but by a deliberate gradual inculcation that transforms the individuals as they translate the ideology into life itself"⁽²²⁾.

According to Islamic teaching, jihād against the enemies of Islam is a duty on all true Muslims and the ultimate goal is to restore God's rule. Until this happens, the world will remain divided into Dār al-Islām and Dār al-Harb. Ultimately, however, there can only be one system

and that is the Islamic one. Any other system is jāhilī and doomed: (23)

"Do they seek judgment in accordance with the standards of the days before revelation ? who is better than Allāh as a judge for a people who have firm faith ?"

(5 al-Mā'idā 50)

Qutb persistently stresses that jihād is essential for movement (ḥaraka) and that its ultimate aim is to liberate human beings, whether Dār al-Islām is threatened or secure, and to submit to God's rule (24).

The radical revolutionary implications of Qutb's ideology are clear throughout the text. It is the duty of faithful Muslims, who form the nucleus of the Islamic umma, to establish God's rule and overthrow the existing jāhilī government.

His was the first statement in the history of modern Egypt which declared that a Muslim society was living in a pre-Islamic state of heresy. Jihād was now being aimed at an internal enemy, which was represented by the ruling government. It is against this ideological background that later militant action must be understood. Militants, over the next few decades, were to adopt Qutb's

thoughts in branding societies as *kāfir* in order to justify their revolt against them.

Sayyid Quṭb's ideas became a powerful source of inspiration to later groups such as the Society of Muslims (*Jamā'at al-Muslimīn*) commonly known as *Jamā'at al-Takfīr wa'l-Hijrā*. This group, headed by Shukrī Muṣṭafa, was originally a splinter group of the Muslim Brotherhood, the members of which had been imprisoned and tortured in the concentration camps of the sixties. The members of this organization adopted a radical ideology in their preaching of God's *ḥākimiya* and the establishing of an Islamic state. There is no record of written work surviving by its leader, except some compilations of his thoughts in the writings of modern analysts. According to some opinions, Shukrī's beliefs, particularly his ideas on *Takfīr*, were developed during the sixties when he was imprisoned with other members of the Muslim Brotherhood⁽²⁵⁾. As Kepel points out, the prison period and the influence of the radical thoughts of Sayyid Quṭb, represented the 'manifesto' for such muslim groups. They used its points in order to develop their own more extreme form of *Takfīr* doctrine⁽²⁶⁾.

The starting point of Shukrī Muṣṭafa's thinking was that Islamic society, in its own genesis, was split

into parts: a period of weakness coinciding with the Meccan period which must lead to the act of emigration and, a period of power consolidation and superiority which corresponds to the Medina period, where physical combat with the infidels became necessary⁽²⁷⁾. The use of takfīr is now pushed to extremes. All existing Muslim governments and institutions, including the educational, political, legislative and executive systems, were seen by Shukrī as existing in a state of kufr. Accordingly, the existing political system is an attempt by infidels to fight and combat God's rule. Consequently, Shukrī believed that being affiliated to any legislative system which ruled by other than God's rule was equivalent to being affiliated to a state of kufr⁽²⁸⁾. In adopting this line of thought, Shukrī Muṣṭafa was obviously drawing heavily on the thoughts of Quṭb regarding jāhilī societies.

However, he attacked the gradualist Islamic approach through preaching and co-existence amidst the jāhilī society. Shukrī believed that this was deluded thinking and that those who thought they could live other than by God's laws had no right to consider themselves Muslims. He affirms that it was this kind of thinking that gave the leaders of kufr the justification to govern by other than God's rule⁽²⁹⁾.

parallel with the development of a more extreme doctrine of takfīr, we find a rejection of the entire edifice of the intellectual and legal heritage of Islam. Shukrī Muṣṭafa and his group denied all schools of law completely, or any ruling judiciary. They believed only in their direct understanding of the Qur'ān:

"We have made the Qur'ān easy to follow,
but is there anyone who would take
head ..."

(54 al-Qamār 22)

The following of predecessors, was categorized as taqlīd and constituted an act of kufr:

"They have taken their rabbis and
their monks for lords while excluding
Allāh"

(9 al-Tawba 31)

Accordingly, he denies the terminology used by the jurists in their categorization of acts of impropriety, such as fāsiq, ẓālim ... etc. He believes that all these terms are synonymous to kufr in the Qur'ān: (30)

"The Unbelievers are the ones who
wrong themselves"

(2 al-Baqara 254)

perhaps the most striking aspect of Shukrī Muṣṭafa's line of thought is his call for emigration and separation (ʿuzlā). Since the existing government is living in a state of kufr, it is incumbent on the pure Muslim group to detach itself physically from the government and society. Accordingly, they should refrain from serving in the army, joining the university, or praying in the government mosques. He maintained that as they were in a stage of weakness, similar to the first Muslims in Mecca, all prescriptions including fasting, or Friday prayers would not be applicable during this phase. The prescriptions would occur after their migration and the establishment of their rule⁽³¹⁾. Shukrī in that respect was adopting the most extreme line of Quṭb's thinking on separation. Whilst Quṭb had called for an emotional separation of the Muslim community from its jāhilī surrounding, while still permitting physical contact with the infidel community, Shukrī advocated a complete physical separation and migration.

There are other contradictions. Whilst Quṭb believed that the final stage of development would lead to jihād against the infidels, Shukrī believed that the group of true Muslim believers should not participate in the jihād. If any foreign power invaded the country, the

group "ought not to fight in the ranks of the Egyptian army, but on the contrary ought to flee to a secure position." In general, our line is to flee before the external and internal enemy alike and not to resist him"⁽³²⁾.

However, although Shukrī Muṣṭafa's group departs from the mainstream of Quṭb's ideology in some respects, it maintains and indeed extends the use of takfīr to include not only contemporary institutions of government, but also those of the past.

During the same period, there emerged another aspect of Islamic activism which took on a rather more military character but aiming still at the overthrow of the system, although this time from within. This group called itself Ḥizb al-Taḥrīr al-Islāmī (Islamic Liberation Party) and is commonly referred to as the Military Academy Organization, headed by ṣāliḥ Sirrīya. Among its objectives was the formation of an Islamic society and entity in all the Arab countries which applied the Islamic law. The basic concept was to establish an Islamic state which could then enforce Islamic laws 'from above'. Once established, it could then extend its da^cwā to include other non-muslim states⁽³³⁾. Until the Islamic state dominated and ruled, it was believed that any Islamic duties or

obligations like praying, fasting ... etc., should not be performed⁽³⁴⁾.

The Islamic Liberation Party also believed that at the stage before the seizure of power, it was not incumbent on them to apply the basic precept of Islamic morality, 'to command what is good and forbid evil',⁽³⁵⁾.

The Islamic Liberation Party differs from the contemporary revolutionary movements in putting the creation of an Islamic state as its initial objective; once it was established other aspects of the ideal system would fall into place. It was unequivocally committed to the use of force to achieve that goal. The aim was to infiltrate the police and army as a means to overthrowing the state. Apart from that, there are common features shared with other groups, including the concept of exclusiveness; anyone not loyal to it was considered a dissenter⁽³⁶⁾.

In order to justify militant action in overthrowing the existing status-quo, Ṣāliḥ Sirrīya's basic documented statement Risālat al-ʾImān focuses on the familiar mechanism of takfīr of the existing government. He maintained that existing governments, in all Islamic countries, were unbelieving governments and did not rule by God's laws:⁽³⁷⁾

"Whoso judge not by that which Allāh
has revealed; these are the unbelievers"

(5 al-Mā'idā 44)

There is a difference of degree, however, in Sirriya's utilization of takfīr. Unlike Shukrī Muṣṭafa, he does not consider society, as a whole, as unbelievers but only existing governments and their supporters. However, he accuses those who accept such governments or condone their actions as unbelievers⁽³⁸⁾.

Sirriya maintains that to change the status quo, it is incumbent on every Muslim to fight the existing government through jihād and struggle. Jihād is aimed against disbelief and whoever dies without being involved in the struggle and combat will die in a pre-Islamic state (jāhili) of infidelity⁽³⁹⁾.

In affirming the right to takfir against the established order, Sirriya like all apologists for revolutionary action poses issues in terms of absolute black and white. There exists a Ḥizb al-Shaytān (Satan's Party) and Ḥizb Allāh (God's party). There is a perpetual struggle between the infidels representing the existing governments and believers who are striving to establish the Islamic state. Consequently, whoever expresses loyalty to the existing

system is ipso facto an unbeliever opposed to the Islamic laws revealed by God and substituting for them man made laws⁽⁴⁰⁾.

If the affinity between Ibn Taymīya's ideas and those of the groups described so far is notional rather than documented, the same cannot be said of the Jihād Organization, which was responsible for the assassination of President Sadat in October 1981. In this case, the Fatwā on Jihād of Ibn Taymīya is a basic source for the system of belief and action espoused by the group. Ibn Taymīya's fatwā sanctioning jihād against the Mongols is used as the basis for legitimising the revolutionary principles of the organization.

Clear analogies are drawn between the situation under Nasserite rule and that of the Muslim Mongols. Under Nasser, Islam became persecuted on the political level; prisons were full of members of Muslim organizations and the only possible way to alter the existing status quo was seen as the adopting of the ideology of takfīr contained in the fatwā on jihād⁽⁴¹⁾. Copies of Ibn Taymīya's works represented the bulk of the group's readings. The leader of the group ^CAbd al-Sallām Farag in his work The Neglected Duty (al-Farīḍa al-Ghā'iba), outlined the basic principles and objectives of the Jihād Organization.

Basing himself on Ibn Taymīya he affirms:

1. The right to accuse Muslim rulers of unbelief (Takfīr).
2. The right to accuse them of apostasy (rida).
3. The right to revolt against their rule through combat and struggle (jihād).

The starting point of Farag's argument is his concept of jihād. He maintains that despite its importance, this duty was neglected by jurists, although it represents the only feasible path for the salvation and exaltation of Islam. He emphasizes that the suzerainty of despotic rulers (ṭāghūt) can only be eliminated through the use of force (jihād). Farag then proceeds to the next point which represents the establishment of the Islamic state and the Caliphate. According to him, this is an obligation outlined in the Qur'ān but denied by some Muslims:

"Judge, therefore, between them by
that which Allāh has revealed"

(5 al-Mā'idā 49)

It is also, adds Farag, a duty on all Muslims to implement God's rule in the Islamic state. If, however, it cannot be established except through struggle, it becomes incumbent on all Muslims to share in that struggle⁽⁴²⁾. He proceeds with his argument, representing

the rulers as unbelievers (Kuffār). Referring to a fatwā by the jurist Abū Ḥanīfa on what constitutes the criteria of transformation from a land of Islam (Dār al-Islām) to the land of disbelief (Dār al-kufr), he explains that there are three factors in that respect. First, if the land is governed by non-Islamic laws. Second, if the Muslims feel threatened or are insecure in that land and finally, if their land is close to a Dār al-kufr which represents a direct danger to the Muslims⁽⁴³⁾. Drawing on Ibn Taymīya's fatwā on the people of Mardīn who were ruled by non-Islamic laws even though they were Muslims, Farag stresses the jurists' opinion that it should neither be considered a land of peace, where Islamic laws dominate, nor should it be considered as a territory of war where all its inhabitants are infidel, but should occupy a different category where the Muslims should get the legal system which they deserve and the dissenters to Islamic laws should be treated according to their beliefs⁽⁴⁴⁾. As for the laws that are established under contemporary Muslim governments, Farag considers them to be infidel laws stipulated and legislated by unbelievers. He quotes Ibn Taymīya as stated that:

it is unanimously agreed by all Muslims that whoever follows a religion other than Islam, or a shari'a other than

Muhammad's is an unbeliever. He is similar to those who believe in part of the Book and disbelieve in other parts⁽⁴⁵⁾.

(Fatwā p. 288)

Having made his point that today's rulers do not rule by God's laws, Farag moves to his second fundamental issue, that of apostasy. He affirms that these rulers, having apostasized from Islam, even though they profess the shihādas, pray or fast, are in the worse possible position and will, therefore, deserve a more severe punishment, than the original unbeliever⁽⁴⁶⁾.

Ibn Taymīya maintains that: "it was firmly established by the Sunna that the punishment of an apostate is greater than the punishment of the unbeliever from several aspects"⁽⁴⁷⁾ (Fatwā p. 293). He also adds, in a further reference to Ibn Taymīya:

any group that fails to adhere to an obvious established duty of the shari'ah should be fought - this is agreed unanimously by Muslim Imāms - even if they have professed the two shihādas. So if they profess the two shihādas but refrain from performing the five prayers, it is necessary to fight them until they perform the prayers ...⁽⁴⁸⁾.

Farag quotes extensively from Ibn Taymīya's rulings that the deviating sect should be fought, similar to the people of al-Tā'if who although they prayed and fasted, did not forbid God's last prohibition; namely usury. Accordingly, they were to be regarded as opposed to God and His Prophet and it was necessary to fight them. Ibn Taymīya was drawing an analogy between the case of the people of al-Tā'if and the Mongols. However, in the latter case, the Mongols did not adhere to most of the laws of Islam and therefore, fighting them was necessary⁽⁴⁹⁾. Following the same logic, Farag compares the Mongols to today's rulers in their deviation from the path of Islam and, hence, their apostasy. He claims that the Yasa laws stipulated by the Mongols have some basis in Islamic laws and therefore were not comparable to today's legislation, imposed by the West on Islamic countries.

He compares obligatory conscription in the modern state to the situation when Mongols forced Muslims to fight in their army. Other points of comparison include the followers of the Mongols, who were hypocrites; that the Mongols fought for the rule of Jenghīz Khān and accordingly those who opposed this were treated as enemies. Also, Mongols used to exalt their leaders, treating their allies as friends and those opposed to them as enemies.

At the same time, their wazīrs used to give precedence and leadership to the worst of Muslims preferring them to the upright Muslims⁽⁵⁰⁾. According to Farag, these are all qualities and characteristics shared by rulers in modern governments.

Considering the rulers as unbelievers and hence punishable as apostates, Farag postulates the necessity of engaging in struggle and combat. They do not rule by the Book and it is, therefore, incumbent to fight them until all religion is for God:

"Fight them until there is no more
dissension and religion is all for
Allāh"

(2 al-Baq'ara 193)

According to Farag, it is unanimously agreed that the resisting sect, which abstains from performing Islamic duties, should be fought until all religion belongs to God. These duties include praying, fasting, zakāt, pilgrimage or permitting the prohibitions such as wine, usury or adultery⁽⁵¹⁾. He stresses the fact that these deviators and their followers should be treated as apostates, as Ibn Taymīya had maintained:

As for all those who leap to join
them, be they leaders of the army

or not, the judgment on them will be the same. Among them are those who have apostasized from the rules of Islam. If the salaf have called those who withheld the zakāt apostates even though they fasted ... howabout those who have joined with Allāh's and His Messenger's enemy and fought the Muslims ?⁽⁵²⁾

He also adds in another section:

every believer who is well acquainted with the conditions of the Mongols will realize that the apostates among them from the Persians, Arabs and the like are even worse than the original unbelievers like Turks and others ... whoever joins them who was originally a Muslim, is worse than the Turks who were unbelievers. That is because, if the original Muslim abandons some of the basic duties, he is in a more unfortunate situation than the person who has not yet adhered to these obligations⁽⁵³⁾.

After stressing his main point in labelling rulers as unbelievers and that they should be judged as apostates, and declaring that fighting against their rule is incumbent on all Muslims, Farag shifts to the second part of his

presentation, where he refutes the opinions of some of his predecessors. Perhaps the most striking feature of his thinking is that he disregards all existing possibilities for establishing an Islamic government with the exception of one; which is the neglected duty of jihād to overthrow the existing order.

Farag states that the establishment of an Islamic state cannot be attained through:

1. Benevolent Societies which urge people to pray and fast and perform obligations; since they are subject to the power of the government⁽⁵⁴⁾. By this point Farag is attacking established Islam as represented by governmental institutions, on the grounds that they are monopolized by the ruling government, and thus will not help in its overthrow.
2. Education alone is not sufficient to establish an Islamic state. This would not abrogate the essential duty of jihād, or the commanding of the good⁽⁵⁵⁾.
3. Forming an Islamic Political Party will only enforce the rule of the infidels, for they will participate in the legislative system⁽⁵⁶⁾. By introducing this point, Farag is referring to the ṣāliḥ Sirrīya group and the followers of the Islamic Liberation Party

which permitted the formation of an Islamic party in order to infiltrate the system.

4. Farag perceives that aspiring to high and important positions by the members of his group, would only enforce the status quo and the rule of the infidels⁽⁵⁷⁾. Again, he is referring to the Islamic Liberation Party.
5. Da^ḥwā and Propaganda are also to be rejected since Farag believes that the mass media are monopolized by the infidel government and it will be impossible for the organization to succeed in its preaching in order to establish a broad base of believers⁽⁵⁸⁾.
6. He opposes the idea of hijrā advocated by the Takfīr group of Shukrī Muṣṭafa. He believes that hijrā in Islam was the departure from the land of fear (Dār al-Khawf) to the land of security (Dār al-Amān) represented by the Muslim migration to Ethiopia. Also, the hijra which took place from the land of disbelief (Dār al-kufr) Mecca to the land of faith (Dār al-ʾImān) Medina. The Muslim group should first establish the Islamic state on their territory and then invade other territories⁽⁵⁹⁾.

7. Farag maintains that the Liberation of Jerusalem is necessary in order to fight 'the closer enemy' represented by the ruling unbelievers, before the 'farther enemy'. This is so because if victory is attained under the infidel government, it will simply consolidate its power and the rule of disbelief⁽⁶⁰⁾.
8. He states that jihād is not a defensive struggle as some claim, but it should be both defensive and basically offensive. It is incumbent on Muslims to employ their swords against rulers who conceal the right in favor of the wrong. This is confirmed by the verse of the Sword:⁽⁶¹⁾

"When the period of four months during which hostilities are suspended expires, without the idolaters having settled the terms of peace with you, resume fighting with them and kill them wherever you find them and make them prisoners and beleaguer them and lie in wait for them at every place of ambush"

(9 al-Tawba 5)

This was even abrogated by another verse:

"When you meet (in the battle) the Unbelievers, behead them, and after massacring them, fasten tight the

bonds until the war lays aside its burdens. Then either release them as a favour or in return for ransom"

(47 Muḥammad 4)

9. He opposes those who claim that we are living in a Meccan type society, in order to give exemption from the jihād obligation. According to Farag, if they believe that they are in a Meccan society, they should abstain from fasting, praying and usury. However, this is not true for the Qur'anic verse:

"This day I have perfected your religion for your benefit and have completed my favour unto you and have chosen for you Islam as your faith"

(5 al-Mā'idā 3)

abrogates this idea⁽⁶²⁾. Farag here, once more, is criticizing the belief held by some groups like the Takfīr group and Islamic Liberation Party who emphasized that they are living in a Meccan type period which does not require jihād.

10. He opposes those who claim that jihād comes in stages and is preceded by self education and discipline. These base their opinion on Ibn al-Qayyīm's classification: Jihād against one's soul, jihād against

the devil and jihād against the infidels and hypocrites. He criticises this line of thought and describes it as cowardice, or complete ignorance. According to his view, Ibn al-Qayyīm divided jihād according to the different status of importance attached to each category⁽⁶³⁾.

At this point, Farag is referring to the views held by Sayid Quṭb in believing that jihād should come as a final stage preceeded by preaching without fighting then a stage of migration; then comes the permission to fight attackers and finally, Muslims were ordered to initiate the struggle and fight against the infidel.

Farag's manifesto provides a militant interpretation of jihād against an unbelieving government. In putting his case, he operates within the ideological framework postulated by Ibn Taymīya, while at the same time resorting to some basic Qur'anic interpretations by Ibn Kathīr. He also finds place in his presentation for reference to the writings of Ibn Qudāmā, Ibn Rajab, al-Kalbī, Ibn Ḥazm and Ibn Ḥajar al-ʿAsqalanī. The work, probably because of the influence of Ibn Taymīya and the use of him as a model, is a melange of legal opinions in addition to quotations from the Qur'ān and ḥadīth, both on occasion used manipulatively to justify his militant and urgent

call to jihād. However, his main objective was to justify the permissibility of the immediate use of violence; hence his drawing on the text of Ibn Taymīya's fatwā which deals with Mongol rule and the obligation to fight them "in accordance with Allāh's Book, the Sunna of the Messenger and the agreement of the Muslim Imāms"⁽⁶⁴⁾.

Physical revolt against the Egyptian government of the day carries, for Farag, the same impeccable sanction.

NOTES

¹ Taqī al-Dīn ibn Taymīya, Majmū^cat fatawā Ibn Taymīya, al-Qāhira (Dār al-Manār), Vol. 4, 1988, p. 287.

² Ibid., p. 289.

³ Sayid Quṭb, Ma^cālim fi^l tariq, Cairo (Dār al-Shurūq), 1987, p. 5.

⁴ Ibid., p. 9-10.

⁵ Ibid., p. 26.

⁶ Ibid., p. 43.

⁷ Ibid., p. 53.

⁸ Ibid., p. 94.

⁹ Ibid., p. 98-101.

¹⁰ Ibid., p. 116.

¹¹ Ibid., p. 117-8.

¹² Ibid., p. 149-159.

- 13 Ibid., p. 19-20.
- 14 Ibid., p. 140.
- 15 Ibid., p. 22.
- 16 Yvonne Y. Haddad, Contemporary Islam and the Challenge of History, Albany, (State University of New York Press), 1982, p. 87.
- 17 Gilles Kepel, Muslim Extremism in Egypt: the Prophet and Pharoah, Berkely, (University of California Press), 1985, p. 53.
- 18 Qutb, Op.Cit., p. 45.
- 19 Sami Zubaida, "The City and its 'other' in Islamic Political Ideas and Movements", Economy and Society, 14 (1985), p. 322.
- 20 Qutb, Op.Cit., p. 176.
- 21 Ibid., p. 68.
- 22 Yuvonne Haddad, Voices of Resurgent Islam, ed. John Esposito, New York, (Oxford University Press), 1983, p. 88.

- 23 Quṭb, Op.Cit., p. 149-150.
- 24 Ibid., p. 74.
- 25 Ṣāliḥ al-Wardānī, al-Harakā al-Islāmiya fī-Miṣr, al-Qāhira, (al-Bidāya li'l Nashr wa'l-^lI^clām), 1986, p. 98.
- 26 Kepel, Op.Cit., p. 72.
- 27 Rif^cat Sayīd Aḥmad, "al-ru^{yā} al-fikrīya li'l tayārāt al-Islāmiya fi'l-sab^cīnat: namūzag Shukrī Aḥmad Muṣṭafa, al-Yaqazah al-^cArabiya, January 1987, p. 118.
- 28 Ibid., p. 120.
- 29 Ibid., p. 122.
- 30 al-Wardānī, Op.Cit., p. 104.
- 31 Ibid., p. 107.
- 32 Kepel, Op.Cit., p. 84.
- 33 Husseīn ibn Muḥsin ibn ^cAlī Jābir, al-Tariq ilā jamā^cat al-muslimīn, al-Mansūra, (Dār al-wafā' li'l tibā^cat wa'l nashr), 1990, p. 281-2.

34 Ibid., p. 284.

35 Ibid., p. 285.

36 Ibid., p. 288.

37 Rif^cat Sayīd Aḥmad, "al ru'yā al-fiqriya lī qiyādāt al-tanzīmat al-Islāmiya fī'l Sab^cīnāt: namūzag ṣāliḥ Sirriya", al-Yaqazā. al-^cArabiya, December 1986, p. 85.

38 Ibid., p. 94.

39 Ibid., p. 92.

40 Ibid., p. 95-6.

41 Muḥammad Mōrō, Tanzīm al-Jihād: juzūrahū wā asrārahū, al-Gīza, (al-Shirkā al-dawliya lil. nashr wa'l I^clām), 1990, p. 16-8.

42 al-Ahrār, 14/12/1981, p. 3.

43 Ibid.

44 Ibid.

- 45 Ibid., & Ibn Taymīya, Majmū^Cat fatāwā, Vol. 4, p. 288.
- 46 Ibid., p. 3.
- 47 Ibid.
- 48 Ibid., & Ibn Taymīya, fatāwā, p. 281.
- 49 Ibid., & Ibn Taymīya, fatāwā, vol.4, 280-1/286.
- 50 Ibid.
- 51 Ibid., & Ibn Taymīya, fatāwā, Vol. 4, p. 298.
- 52 Ibid., & Ibn Taymīya, fatāwā, vo. 4, p. 291.
- 53 Ibid., & Ibn Taymīya, fatāwā, Vol. 4, p. 293.
- 54 Ibid., p. 3.
- 55 Ibid.
- 56 Ibid., p. 5.
- 57 Ibid., p. 5.

58 Ibid.

59 Ibid.

60 Ibid.

61 Ibid.

62 Ibid.

63 Ibid.

64 Ibn Taymiya, fatāwā, Vol. 4, p. 280.

Appendix I

Translation of Kitāb al- Jihād

Question

What do the revered *ʿulamā*² may Allāh be pleased with them and support them in elucidating the manifest truth and revealing the false errors of the ignorant and deviators from the right course- have to say in regard to those Mongols who came to Syria time after time, having given the two *shihādas* and claiming affiliation to Islam, although remaining in their original disbelief? Is it incumbent to fight them or not? And, on what grounds is fighting them justifiable? What are the *ʿulamā*'s opinions concerning this matter? Also, what is the ruling regarding those who have fled to them from the ranks of the Muslim notables and others? And, what is the legal opinion on one who is reluctantly forced to join them? What is the opinion regarding those in their ranks who have claim to knowledge, jurisprudence, poverty, *Ṣūfism*, etc? What can be said regarding he who asserts that they are Muslims and those who fight them are Muslims and both can be considered to be unjust and, therefore, neither should be joined in battle? Moreover, what can be said of the claim that they (the Mongols) should be fought as the rebellious, who make their own

interpretation of religion, should be fought? Furthermore, what should the Muslim community from amongst the people of knowledge, religion, warriors and wealthy, do concerning them? Give us a legal opinion on this in an appropriate and effective manner, since their case has become problematic to many Muslims; indeed the majority of them, sometimes because of lack of knowledge about their matter and sometimes for the lack of knowledge about Allāh's - May He be Exalted- and His Messengers - Allāh's blessing and peace on him- judgement regarding people of their kind; May Allāh facilitate the path to goodness with all His power and His mercy. He has power over all things. He is our only resort and the most Excellent, in whom we trust.

Answer

Praise be to Allāh, Lord of the two worlds. Yes, it is incumbent to fight those Mongols according to Allāh's Book, the *Sunna* of His Messenger and the agreement of the Muslim Imāms. This is based on two foundations: first, a knowledge of their condition and second, knowledge of Allāh's judgement on people of their ilk. As for the former, all those who have dealt with them know their condition, and those who have not dealt with them know that from what has reached them of successive information and reliable reports of sincere people. We will mention the magnitude of their conditions after we have explained the other basic factor, the knowledge of which concerns those who are well- acquainted

with Sharīʿa. Therefore, we state that any group that fails to adhere to an obvious, established duty of the Sharīʿa should be fought—this is agreed unanimously by Muslim Imams—even if they have professed the two *shihādas*. So, if they profess the two *shihādas* but refrain from performing the five prayers, it is necessary to fight them until they perform the prayers. If they refrain from *zakāt*, it is necessary to fight them till they pay it. Also, if they refrain from fasting the month of Ramaḍān, or making the *ḥajj*, they should also be fought. Moreover, they should avoid forbidden iniquities like adultery, gambling, or wine, or any other prohibitions of the Sharīʿa. Similarly, if they refrain from judgement in matters of blood, possessions, honor, sale of merchandise and the like in accordance with the laws set in the Book and Sunna. Also, if they refrain from the command to the good and forbidding of evil and *jihād* against unbelievers until they become Muslims or pay the *jizya* readily or, if they show *bidʿa* (innovative practices) in contradiction to the Book, the Sunna the followers of the *salaf* (earliest generations of the Muslims) of the community and the jurists - such as disbelief in the names applied to Allāh and His attributes, or the denial of His power to determine things and His judgement, or refuting the opinions held by the Muslim community during the time of the Rightly-guided Caliphs, or discrediting predecessors from amongst the *Muhājirūn* and *Anṣār* and those who followed them in righteousness, or the fighting of Muslims till they enter into obedience to them and, hence, depart from the Islamic Sharīʿa and the like of these matters. Allāh has said: "Fight them on until there is no more civil strife and religion belongs to God." [2 al-Baqara 193]. So, if

part of religion is for Allāh and part to other than Allāh, fighting is ordained until all religion belongs to Allāh.

Allah, be He Exalted, also said:

"Oh you who believe! Fear God, and give up the remaining usury; if you are indeed believers. If you do not, take notice of war from God and His Messenger." [2 al-Baqara 278/9].

This verse was revealed concerning the people of al-Tā'if who became Muslims, performed assigned prayers and fasted but dealt in usury. God revealed this verse ordering the believers to abandon the remaining usury saying: if you do not do so, then be warned of war from Allāh and His Messenger. There was a variant reading *azinu* - both are acceptable. Usury is the last of the qur'anic prohibitions and consists of a certain sum of money agreed on by both contracting parties. If he who did not give it up was regarded as at war against Allāh and His Messenger, what then of those who did not give up other forbidden acts prescribed earlier and of greater importance? Numerous *ḥadīths* of the Prophet - May Allah bless and have peace on him - have been narrated concerning fighting against the *Khārijites* and frequently repeated by those well-versed in the knowledge of *ḥadīth*. Imām Aḥmad (ibn Ḥanbal) has stated: "the *ḥadīth* narrations concerning the *Khārijites* were well-established in ten forms". Muslim related them in his *Ṣaḥīḥ*, and al-Bukhārī also narrated three of the: one on the authority of *ʿAlī*, the second Abū Saʿīd al-

Khudrī and the third Sahl ibn Hunayf. In other *Sunan* and *Musnads*, other accounts are also given. The Prophet - May Allāh bless and have Peace on him- described them as follows:

"You will hold despicable your praying with them and your fasting along with them and your reciting of the *Qur'ān* in company with them; their reciting of the *Qur'ān* does not enter their hearts (lit: does not go beyond their throats). They will stray from Islam like an arrow from the bow. Whenever you encounter them, kill them; in so doing you will be rewarded on the Day of Resurrection. If I find them, I will surely kill them like the people of *ʿĀd*." *ʿAlī ibn Abī Ṭālib*, Commander of the Faithful, fought them along with the Companions who were with them. The *salaf* of the community and its leaders did not dispute over this, as they disagreed over fighting in the battle of the Camel and *Ṣiffīn*. The Companions who fought at the time of the *fitna* (civil strife) were divided into 3 parties: a group fought with *ʿAlī* - May Allah bless him. Another group those who fought against him and the third were with neither group. As for the *Khārijites*, none of them were companions, and not one of the companions forbade fighting them. In the *Ṣaḥīḥ* (of al- *Bukhārī*) on the authority of *Abū Saʿīd*, it is narrated that the Prophet - Peace be upon him- said: "a sect of the Muslims will deviate and a group with a better claim to the truth will kill them." Another reading is: "closer to the truth." This authentic *ḥadīth* proves that *ʿAlī* and his Companions were the closest of the two groups to the right (or truth) than *Muʿāwiyah* and his followers and that this deviant sect that strayed from Islam cannot be judged as can

either of the two afore-mentioned groups. On the contrary, the Prophet - Peace be upon him- ordered that they be fought and emphasized this order while he did not affirm the fighting against either of the two parties. Also, he commanded the fighting of this group (i.e., the deviating one) and it is confirmed in the *Ṣaḥīḥ*, on the authority of Abū Bakra, that the Prophet said: "This grandson of mine (meaning al- Ḥasan) is a *sayyid* (leader) and under his leadership, God will reconcile the two major Muslim parties". The Prophet praised al- Ḥasan and complimented him for the reconciliation between the parties which God had brought about through him when he abandoned fighting, although the pledge of allegiance had been given to him; but he chose what was best and spared blood while giving up the Caliphate. Had he been commanded to fight, he (the Prophet) would not have praised and complimented al- Ḥasan for non-compliance with Allāh's command .

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The *ʿulamāʾ*, in the matter of when fighting is justified amongst people of the qibla (i.e., Muslims) have two opinions. Some of them regard 'Alī's fighting in the battles of Ḥarūrā, the Camel and Ṣiffīn as fighting against *ahl al- baghī* (rebels). This category also includes Abū Bakr's fighting those who withheld the *zakāt* and all other conflicts among Muslims. This viewpoint was referred to by followers of Abū Ḥanīfa, al- Shāfiʿī and those who agreed with them from the companions of Aḥmad (ibn Ḥanbal) and others. They are in agreement that all the companions were not *fussāq* (sinners) but were *ʿudūl* (just and equitable), and, accordingly, maintained that although *ahl al- baghī* are considered *ʿudūl*,

they should be fought. This viewpoint of theirs was wrong they were mistaken in their *ijtihād* in one of the branch matters. However, another group of jurists like Ibn ʿAqīl and others, held a different opinion. They maintained that *ahl al- baghy* were *fussāq* (sinners), a matter which maybe ascribed to the fact that *ahl al- baghy* they encountered during their time were sinners. There is no doubt that they do not include the Companions in this category. However, some groups with heretical tendencies, like Muʿtazilites and others, consider the Companions *fussāq* (sinners). Moreover, other heretic groups like the Khārijites and Rāfidites, regard Companions as infidels, but this opinion is not affirmed by the Imāms or Sunnī jurists. They (i.e. heretical sects) do not consider their property to be immune as it used to be and what was established as property should be restored to the original owner. As for the property that was destroyed during fighting, it cannot be guaranteed; even the *ʿulamāʾ* maintained that neither (i.e. that confiscated and that destroyed) is guaranteed. As al-Zuhri said: when the *fitna* (civil strife) broke out, the Prophet's Companions - and they were many- decided that the blood and property affected, according to the interpretation of the Qurʾān, was not subject to recompense.

On the question of whether it is possible to make use of their weapons, in fighting them, if there was not a pressing need for it, there are two opinions. According to Aḥmad (ibn Ḥanbal), it is possible (to make use of them.) On the other hand, al- Shāfiʿī forbids their use, while Abū Ḥanīfa permits it. They also differed in their opinions concerning the

killing of their captives, the pursuit of those fleeing, the slaying of their wounded who were attempting to seek refuge with their group. Abū Ḥanīfa permitted it while al-Shāfiʿī forbade it, as is well-known (also) in the Ḥanbalī *madhhab* - although there is a view point among Ḥanbalites that it is permitted to pursue a fleeing enemy at the outset of the battle. In regard to the captive having no group to retreat to, he should not be killed nor should their wounded be slain. To this effect, a story was narrated by Saʿīd and others, on the authority of Marwān ibn al-Ḥakam who said: "on the day of the Battle of the Camel, a crier, on ʿAlī's behalf, called that there be no killing of someone fleeing, nor slaying of wounded. Anyone who stayed indoors was safe, so was the person who laid down his weapon. Those who choose to follow this opinion might be under the impression that the Mongols were categorized as *ahl al-baghā*, and, therefore, should be judged in the same manner as those who withheld the *zakāt* and *Khārījites*. We will explain the distortion of such a misconception later on, if Allāh wills - be He Exalted!

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The second opinion is that the fighting of those withholding *zakāt*, the *Khārījites* and others is not similar to those who fought at the Battle of the Camel and *Ṣiffīn*. This was stipulated by the majority of the early jurists as they refer to it on the basis of the *Sunna* and the consensus of the Muslim community. It is also the view of the Medina school such as Mālik and others, and the *ḥadīth* authorities like Aḥmad and others. They have differentiated between the two groups on more than one occasion, even in matters having to do with property where some of them permitted

the taking of the Khārijite property as booty. In an account by Aḥmad, according to a narration of Abū Ṭālib concerning Ḥarūriya (referring to the early muḥakkima who rebelled against ʿAlī and assembled at Ḥarūra near Kufa), he stated that they had a share in a village - they came forth in battle against the Muslims and the Muslims killed them. Their land was taken as fay' (booty) for the Muslims to be divided into five parts; four fifths of it to be divided among those who fought in the battle, or should the commander decide to be distributed as khārāj (land tribute) on all Muslims without its division. This was similar to ʿUmar's taking forcibly the sawād making it a waqf for Muslims. Aḥmad considers the land seized from the Khārijites to be equal to the possessions taken from the infidels. In short, this second opinion is the valid and most acceptable opinion. According to the text and consensus, there is a difference between the two viewpoints and the conduct of ʿAlī - May Allāh bless him- supports this. He fought the Khārijites according to what was established by the Messenger of Allāh - Peace be upon him. He was pleased with that and was not opposed by any of the Companions. As for the fighting at the Battle of Ṣiffīn, it was clear that he was averse to it and the outcome was blamed on him. He declared in respect of those who fought at the Battle of the Camel and others: "Our brothers have acted rebelliously against us but the swords (i.e. meaning their death) has purified them." He prayed over the dead of both sides. Regarding the Khārijites, it is narrated in the two Ṣaḥīḥs (al- Bukhārī and Muslim), on the authority of ʿAlī ibn Abī Ṭālib, who said: "I heard the Messenger of Allāh - Peace be upon him- say: There will appear, later on, a group of young people foolish ones who will speak

in the manner of the most pious people. Their faith does not go deeper than their throats (i.e. it is on the surface and does not reach their hearts) and they will go astray like an arrow from the bow. Whenever you meet them, kill them, since in killing them you will be rewarded on the Day of Resurrection."

In the *Ṣaḥīḥ* of Muslim, it is narrated on the authority of Zayd ibn Wahb who was amongst the soldiers in 'Alī's army that proceeded to fight the Khārijites. 'Alī proclaimed: "Oh people! I heard the Messenger of Allāh - Peace be upon him- say: There will appear from my Community a group of people who read the Qur'ān in a way which is not yours, nor are your prayers to be compared with theirs, or your fasting to theirs. They read the Qur'ān and think it is addressed to them but in reality it condemns them. Their prayers do not go beyond their throats and they will deviate from Islam as the arrow from the bow. If only the army that encounters them (i.e. the Khārijites) knew the judgement made on them on the tongue of their Prophet, Muḥammad, they would refrain from action. The sign of that will be amongst them a man with a shrivelled arm like a nipple of the breast, covered with white hairs. He said: "They will go forth to Mu'āwīya and the people of Syria and leave these who will replace you amongst your offspring and possessions. By God, I hope it will be these people, for they have shed forbidden blood and raided the flocks of the people. So proceed in the name of Allāh!" He went on: "When we met - and 'Abd Allāh ibn Wahb was in command of the Khārijites on that day - he said to them: "Brandish your spears and take your swords from their

scabbards, for I exhort you today as they exhorted you on the day of Ḥarūrā." They withdrew, brandishing their spears and unsheathing their swords and the people were fascinated by their spears." He said: "And they approached each other, but on that day there were only two casualties. ʿAlī said: "Look for a weak spot." They sought for one but did not find it. ʿAlī remained ready for action until he came upon a group who had congregated together. He said: "Cut them off!" And they found that he had done so. ʿAlī cried out: "Allāh Akbar! Allāh is always Truthful and His Messenger has conveyed the Message!" At this point, ʿUbayda al-Salmānī asked him: "Oh Commander of the Faithful, by Allāh - and there is no God but Allāh - have you heard this saying from the Messenger of Allāh - Peace be upon him?" ʿAlī replied: "Yes, by Allāh - and there is no God but Allāh." He asked him to swear three times and ʿAlī did so. (1)

Hence, there was a general and unanimous agreement from the *umma* on the vilification of the Khārijites and on regarding them as having gone astray. However, they disagreed on calling them *kuffār* (infidels) in two well-known opinions: one by Mālik and the other was Aḥmad's. Amongst the Shāfiʿites also there was disagreement on accusing them of *kufr* (disbelief). For this reason, there are two viewpoints, according to the school of Aḥmad and others: the first opinion considered them *bughāt* (rebels) while the other opinion viewed them as unbelievers like the *murtaddūn* (apostates). Accordingly, it was permitted to kill them from the outset and kill those taken captives and to pursue those who fled. Those of them who are able to do so, should repent like the apostates; if not, they

should be killed. On the question of whether those who withheld the *zakāt*, who fight their imāms for not paying it, should be considered unbelievers though they admit and acknowledge it (i.e. *zakāt*) to be an obligation, there are two opinions according to the Ḥanbalī school. All of this shows us that Abū Bakr's fighting against those who withheld the *zakāt* and 'Alī's fighting against the Khārijites are not similar to the conflicts that took place in the Battles of the Camel and Ṣiffīn. What has been said by 'Alī and others on the Khārijites indicates that the latter were not unbelievers like the apostates who deviated from the basis of Islam. This is what has been specified by the jurists like Aḥmad and others. At the same time, they cannot be judged like the people of the Camel and Ṣiffīn, but represent a third category. This is a more valid opinion than the previous ones. The Companions fought those who withheld the *zakāt*, although they professed faith and performed the prayers and the like but withheld *zakāt*. In the two *Ṣaḥīḥs* on the authority of Abū Hurayra, it is narrated that 'Umar ibn al-Khaṭṭāb said to Abū Bakr: "Oh Caliph of the Messenger of Allāh, how could you fight these people while the Messenger of Allāh - Peace be upon him- declared: 'I was commanded to fight people till they declared that there is not God but Allāh and that I am the Messenger of Allāh. If they profess this, their blood and wealth will be protected except if they refrain from a religious duty.'" Abū Bakr replied: "Did he not say 'except if they refrain from a religious duty?' Paying *zakāt* is a religious duty. By Allāh, if they held back from me even a bridle which they used to give *zakāt* on to the Messenger of Allāh - Peace be upon him- I would fight them for it." 'Umar commented: "I saw that God had made

Abū Bakr enthusiastic about the fight and I realized that it was the right path.

Accordingly, the Companions and jurists, subsequently, agreed unanimously on fighting those who withheld the *zakāt*, even if they performed the five prayers and fasted *Ramaḍān*. These people did not have a permissible justification and were, therefore, apostates. They had to be fought for having withheld it even if they acknowledged its obligation as Allāh has commanded. It was narrated concerning them that they said: Allāh commanded His Prophet to collect *zakāt* by His words:

"Take from their possessions *alm*". (9 al- Tawba 103) and this lapsed with his death. Similarly, Allāh commanded the Prophet - Peace be upon him - to fight those who drank wine.

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As for the other matter, namely knowledge of their condition, it is known that these people (i.e. the Mongols) invaded Syria for the first time in the year ninety nine, pledging to the people a safe conduct which was read out from the pulpit in Damascus. In spite of that, they enslaved the offspring of the Muslims; it is said to the number of 100,000 or more. They did the same in Jerusalem, Mount Ṣālihiya, Nāblus, Ḥimṣ, Dāriyā and other towns; slaughtering and capturing numbers which Allāh alone knows. It is said that they took captives around 100,000 Muslims. They began raping noble Muslim women in mosques like al- Aqṣā, and the Umayyad mosque and others. They also devastated the mosque of ʿUqayba.

We watched their soldiers and saw that the majority did not perform prayer and we did not see amongst their troops a mu'adhdhin or an imām. They looted the property of the Muslims and their offspring; they ruined their houses to the number which is known to no one except Allāh. Those who ruled were the worst of beings - either *zindiqs* or hypocrites, who secretly conceal their disbelief for Islam or, the most vicious and evil of innovators like Rāfidites, Jahmites, Iṭihādiya and the like. Also, these include the most shameless and sinners and those who do not perform the pilgrimage (though they can afford it.) Although there are amongst them some who pray and some fast, most of them do not perform their prayers or pay the *zakāt*. They fight for the domain of Ṭenghīz Khān and those who enter into their obedience are made clients of theirs, even if they are unbelievers. On the other hand, whoever is opposed to them is considered an enemy even if he were one of the best and most pious Muslims. They do not fight for Islam, nor do they impose the *jizya* except for the most insignificant amount. The aim of many of their high ranking Muslim *amīrs* and *wazīrs* is that the Muslim among them should be treated with the respect they pay to infidels, both Jews and Christians. When they came to Syria, one of their important speakers addressed the Muslim emissaries and attempted to gain their favour saying: "Here are two great miracles from Allāh: Muḥammad and Ṭenghīz Khān!" The intention of their spokesman was to ingratiate himself with the Muslims by making equal the Messenger of Allāh - May God honor him- the lord of Adam's offspring and the seal of the Prophets and the polytheist, idolatrous King, the greatest of all in his

idolatory, corruption and hostility, from the race of Bakhtanşar and his like.

These Mongols' belief in **Jenghīz Khān** is great, for they are convinced that he is Allāh's son, similar to what the Christians believe about Jesus. They claim that it was the sun that caused his mother's pregnancy. She was in a tent when the rays of the sun came through the opening of the tent; this caused her pregnancy. It is known by any person who has religious beliefs that this is a lie. Moreover, it proves that he is a bastard and his mother concealed her fornication so as to protect herself from the shame of adultery. In spite of that, they consider him the greatest messenger of Allāh; they glorify his decrees and laws dictated to them by him according to his whim and desire. They even believe that their wealth is endowed by **Jenghīz Khān** and they thank him for their food and drink. They even deem it lawful to slay anyone who shows hostility or enmity to the laws and decrees set down by this cursed unbeliever in Allāh and His prophets and His Messenger and His believing servants. This and its like from their spokesmen was used after converting to Islam to put Muḥammad - Peace be upon him- on the same footing as this accursed one. It is known that Musaylima, the Liar, was less harmful to the Muslims than **Jenghīz Khān**. He (Musaylima) pretended and claimed that he was a partner of Muḥammad in the Message, and accordingly, the Companions deemed it lawful to fight him and his apostate followers. Worse, then, are those who, though apparently Muslims, place **Jenghīz Khān** in the same degree as Muḥammad?

Although they profess Islam, they glorify Jenghīz Khān and put him on higher degree than the Muslims, followers of the Qur'anic Sharī'ah. They do not fight followers of Jenghīz Khān's rules and decrees, as they fight the Muslims. Moreover, the majority of these infidels submit to and obey him; they give him of their wealth and admit to his delegation over their affairs. They do not oppose his orders and, if they did, it is represented as rebellion against the imām. Their fighting the Muslims and their hostility to them is extremely great. They demand from Muslims obedience, the paying of tribute and submitting to the authority of this unbelieving infidel King, who resembles the Pharoah or Namrūd and others, although he is even more corrupt. Allah - Be He Exalted- said:

"Truly Pharaoh elevated himself in the land and broke up its people into sections, depressing a group among them. Their sons he slew, but he kept alive their females; for he was indeed a maker of mischief." [28 al-Qaṣaṣ 4]

As for this infidel, he has exalted himself on earth; oppressing the people of all other religions including Muslims, Jews and Christians and whoever from the polytheists opposed him. He kills the men, captures the women, plunders property, destroys the land and its produce. Allāh does not like corruption - - he restrains people from following the path of prophets and messengers till they submit and enter the domain of his ignorant innovations and pagan laws.

They lay claim to the religion of Islam while, at the same time, they glorify the religion of these infidels, giving it a higher status than the Islamic religion. They obey them and trust them far more than their obedience to Allāh or His Messenger, or to the believers.

In settling disputes between their notables, they do so by the laws of al- Jāhiliya and not the laws of Allāh and His Messenger. Moreover, their powerful *wazīrs* and others consider Islam on the same footing as Judaism and Christianity, emphasizing that the three religions are all paths leading to Allāh, on the analogy of the four schools of law amongst the Muslims. Indeed, some of them place Judaism or Christianity at a superior level to Islam; others, on the other hand, place Islam at a higher rank than the others. This belief is common among them, even to their jurists and adherents, especially the Jahmites from the *ʿItihādiya*, the *Firʿāniya* and so on. These people were overwhelmed by philosophical ideas and it is the view held by many of the philosophers, a large number of whom were Christians and Jews. It can be said that this school of thought dominated the ideas of their leading jurists and adherents to the utmost degree. I have seen and heard a great deal of this, which is beyond our present topic. It is a well established fact and is unanimously agreed by Muslims that whoever permits or legalizes the following of a religion other than Islam and abides by another *sharʿa* other than Muḥammad's is a *Kāfir* (infidel). He is similar to someone who believes in a part of the Book and disbelieves in a part.

Allah - Be He Exalted- says:

"Those who disbelieve in God and His Messengers and (those who) wish to separate God from His Messengers, saying: 'We believe in some but reject some.' And (those who) wish to take a course midway, - They are in truth Unbelievers; and we have prepared for unbelievers a humiliating punishment." [4 al- Nisā'150]

Jew and Christians come into this category as do the philosophers; they believe in part while disbelieving in other parts. Moreover, those given to philosophy from Jews and Christians are infidels from two aspects. The majority of the Mongol *wazīrs* who adhere to Jenghīz Khān's opinions are of the same kind. He was a philosophizing Jew who affiliated to Islam. To his Judaistic tendencies and his philosophy he added another belief - - the Rāfidite. This is a characteristic of their greatest thinkers and their greatest warriors and is believed in toto.

There is no aspect of hypocrisy, *zandaqa* and apostasy that has not penetrated the followers of the Mongols for they are the most ignorant of human beings and the least knowledgeable on religious matters. They are furthest from adhering to it, whilst being the greatest in their adherence to their own opinion and personal desires. They have grouped people into four categories: *Yāl*, *Bāc*, *Dāshmud* and *Tāt*. This means, respectively, their friend, their enemy, the scholar and the common man. Whoever submits to their jāhili authority and infidel laws, is considered their friend. However, he who opposes them, is regarded as their enemy, even if he was

one of Allāh's Prophets or Messengers or His helpers. Furthermore, anyone who has knowledge and religion they call a *dāshmud*; such as the theologian, the ascetic, priest, monk, rabbi, astrologist, magician, physician, scribe and mathematician. They also include keepers of idols and polytheists, people of the Book, innovators and others, more than can be known except to Allāh. They consider the people of knowledge and faith are one kind, while they even regard heretical esoteric *Qarāmiṭa*, the *Bāṭiniya*, the hypocritical *zanādiqa* such as al-Ṭusī and his like, as holding sway over all those who are ascribed to knowledge, or religion, from amongst the Muslims, Jews and Christians. Moreover, their insolent minister, dubbed 'al- Rashīd', rules according to the above groups: he gives precedence to the most evil of Muslims like the *Rāfiḍites* and the *malāhida* (atheists) rather than to the most knowledgeable and most faithful of Muslims, to the point that the office of *qāḍī*- *quḍāt* was granted to whoever was closest to *zandaqa* and heresy and disbelief in Allāh and His Messenger. This being so, the agreement of the unbelievers and hypocrites from the Jews, *Qarāmiṭa*, heretics and *Rāfiḍites* was of greater import than anything else.

(In legitimizing his judgements) he adduced from the Islamic *sharī'a* judgements in favour of some of the Muslims. It reached the point that this base, heretical, hypocritical *wazīr* of theirs compiled a book in which he mentions that the Prophet - Peace be upon him- was pleased with the religions of Judaism and Christianity and that he did not deny them, or

vilify them, or forbid their practice; nor did he order conversion to Islam. This vicious, ignorant person quoted His words:

"Say: O you who disbelieve! I do not worship that which you worship, nor do you worship that which I worship. I will not worship that which I worship. I will not worship that which your have worshipped, nor will you worship that which I worship. You have your religion and I have mine."
[109 al- Kāfirūn 1]

He claimed that this Qur'anic verse implies that He accepts their religion and added: 'This affirmed and did not abrogate and other matters are consequential to it.' It is evident that this is ignorance on his part for His words: 'You have your religion and I have mine' do not imply that the religion of the infidels is just or acceptable to Him. It simply implies his detachment from their religion. In that respect, the Prophet - Peace be upon him- explained that his verse is called "al- Barā'" disassociation from unbelief. Also, in another verse He says:

"If they charge you with falsehood say: I have my function and you have yours! You are disassociated from what I do, and I from what you do" [10 Yūnus 41]

It is clear that both verses have the same meaning. The Prophet adhered to that as being obligatory and legally binding when He said:

"You are disassociated from what I do, and I from what you do!" [10 Yūnus 41]

Even if this verse implies that they were not commanded to give up their religion, it is indisputable that Islam contains, as attested by authentic texts and the unanimity of the *umma* that he commanded the unbelievers and people of the Book to embrace the faith and that he came to them with that message and informed them that they were unbelievers destined for eternal hell fire. They showed Rāfidite tendencies and prevented the mention of the Rightly-guided Caliphs from the pulpits. However, they mentioned ʿAlī and made manifest the call of the Twelvers whom the Rāfidites claim are imāms and infallible. They also claim that Abū Bakr, ʿUmar and ʿUthmān were all unbelievers, infidels, profligates and unjust; they were, together with their successors, unworthy of being Caliphs.

The Rāfidites belief is worse than that of the deviate Khārijites, for the Khārijites had as their objective the accusation of unbelief against ʿUthmān and ʿAlī and their partisans while the Rāfidites accused Abū Bakr, ʿUmar, ʿUthmān and the majority of early Muslims of this. Moreover, the Rāfidites reject some of the traditions of the Messenger of Allāh - Peace be upon him- even more than do the Khārijites. Amongst them lying, fabrication, exaggeration and atheism exist to a degree not known among the Khārijites. Amongst them are those who support unbelievers against Muslims, which does not occur amongst the Khārijites. The Rāfidites love the Mongols and their state, because they gain power from them to an extent that is not possible from a Muslim

state. The Rāfidites support unbelievers, Jews and Christians in fighting the Muslims and they were one of the major causes of the entry of Mongols, before they became Muslims, into the Eastern lands in Khurasān, Iraq and Syria. They helped them greatly in seizing Muslim territory, massacring Muslims and taking prisoners their women. A well-known case familiar to the majority of people is that of Ibn al-ʿAlqamī and others with the Caliph and their litigation in Aleppo with the governor. Similarly, in the wars between the Muslims and Christians on the Syrian coast, people of experience knew that the Rāfidites would be supporters of the Christians against the Muslims and they assisted the Mongols when they came in usurping the territories. It was difficult for the Rāfidites to conquer ʿAqqa and other coastal areas, but the Rāfidites were distressed if the Muslims defeated the Christians and unbelievers; they were delighted and celebrated if the situation was reversed.

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Among the Rafidites were *zindīqs* and atheists like the Nuṣayrīya and Ismāʿīlīya and their like from the heretical Qarāmīta and others from Khurasān, Iraq and Syria and elsewhere. Moreover, the Rāfidites were Jahmites, Qadarites and there existed among them a degree of falsification, innovation and fabrication against Allāh and His Messenger which exceeded that of the deviate Khārijites, whom ʿAlī, the Commander of the Faithful, and the rest of the companions fought against, in compliance with the Prophet's orders - Peace be upon him. However, they (the Khārijites) were greater apostates in regard to the duties of their

religion than those who withheld *zakāt*, whom Abū Bakr and the Companions fought.

The Prophet had blamed them in the strongest terms saying: "They kill the people of Islam while on the other hand, they befriend the people of (other) religions." As is stated in the two *Ṣaḥīḥs*, on the authority of Abū Saʿīd who said: 'Alī sent to the Prophet a small piece of gold and he divided it between four of the leaders of Najd. Quraysh became angry as did the Anṣār and said: "He has given to the leaders of the people of Najd and not to us." The Prophet answered: "I simply did this to soften their hearts." There came a man with sunken eyes, projecting cheeks, a bulging forehead, a heavy beard and shaven head, and said "Oh Muḥammad, fear Allāh." The Prophet answered: "And who obeys Allāh if I disobey Him? Does he not entrust me with the affairs of mankind, whilst you do not?" A man asked the Prophet's permission to kill him, but the Prophet stopped him. As the man left, the Prophet: "From the stock of this man, a people will come forth who will read the Qur'ān on the surface without it reaching their hearts; they will flee from religion as the arrow from its bow; they will fight the people of Islam while befriending the people of idols. Whenever I encounter them, I will kill them like the killing of ʿĀd." There is another version in the two *Ṣaḥīḥs* on the authority of Abū Saʿīd, who said: "When we were with the Messenger of Allāh - Peace be upon him- and while he was dividing some booty, a man called Dhū'l-*Khuwayṣira* approached him and he was a man from Banū Tamīm, and said: "Oh Messenger of Allāh, be just!" The Prophet answered: "Woe unto you, who is just if I am not?"

You have failed and lost in believing that I am not fair in my division." 'Umar said: "Oh messenger of Allāh, please grant me permission to strike off his head." The Prophet replied: "No, leave him, for he has followers whom you will despise praying or fasting with. They will read the Qur'ān on the surface, not reaching their hearts; they will deviate from religion as an arrow flies from its bow. He will look to his arrowhead but will find nothing of it, then he will reach for the thong which ties it and find nothing, then for its shaft and find nothing and, finally, for its feathers and find nothing. Disembowelling and blood will take precedence. Their sign is a black man, one of whose arms is like a woman's breast, or like a piece of meat. They will appear at a time of division amongst the people." Abū Sa'īd declared. "I hereby testify that I heard this ḥadīth from the Messenger of Allāh - Peace be upon him- and I testify that I have witnessed 'Alī ibn Abī Ṭālib's fighting them." He gave orders and the man described by the Prophet was siezed and brought to him so that I gazed at him and found him just as the Messenger of Allāh - Peace be upon him- had described him.

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In fact, these deviating Khārijites were greatly traduced by the Prophet - Peace be upon him. They fought the people of Islam while befriendng the people of idols. He also mentioned that they would appear at a time of division among the people. However, in spite of that, the Khārijites were not supporting unbelievers in fighting Muslims, while the Rāfidites were assisting unbelievers in their fight against Muslims. They (the Rāfidites) not only refrained from fighting the infidels alongside

Muslims, but also fought against the Muslims alongside the infidels. They were far greater in deviation from religion than the Khārijites. It was unanimously agreed by Muslims on the necessity of fighting Khārijites, Rāfidites and their like, if they abandoned the Muslim Community, just as ʿAlī fought them (May Allāh bless him). How then, if they in addition to this adhere to the laws of the unbelievers and to Ṭenghīz Khān King of idolaters? They adhered to what is utterly contradictory to the religion of Islam. As for all those who leap to join them, be they leaders of the army or not, the judgement on them will be the same. Among them are those who have apostasized from the rules of Islam. If the *salaf* (predecessors) have called those who withheld the *zakāt* apostates even though they fasted, performed the prayers and did not fight the Muslim Community, how about those who have joined with Allāh's and His Messenger's enemy and fought the Muslims? Had these who waged war against Allah and His Messenger taken possession of the territories of Syria and Egypt at this time, it would have destroyed the Islamic religion and extinguished its rules altogether.

The people of Syria and Egypt and others at this time are the defenders of Islam and they are the most worthy of joining the victorious party that was referred to by the Prophet - Peace be upon him- in his authentic and widely disseminated *ḥadīths*: "A party of my nation will continuously manifest what is right. They will not be harmed by those who oppose them or desert them till the Day of Resurrection." In another account on the authority of Muslim: "The people in the West (*ahl al-*

Gharb)" - this was mentioned by the Prophet, Peace be upon him, when he was in Medina- meant the West of Media and included Syria. The ideas of East and West were simply relative and every country has its East and West. For this reason, if a man comes to Alexandria from the West, they say he travelled eastwards. Also, the people of Medina used to call the Syrians people of the West, and those of Najd and Iraq were referred to as the people of the East. This is stated in the *ḥadīth* on Ibn 'Umar's authority when he said: "Two men of the people of the East came and delivered a sermon..." In another narration, it read: "Two men of Najd..." Therefore, Aḥmad ibn Ḥanbal stated that the people of the West are the people of Syria. Similarly, Najd and Iraq are the boundaries of the East; any territory that lies beyond was called East and any land fall West of Syria, like Egypt and others, was called West.

Furthermore, in the two authentic *Ṣaḥīḥs* on the authority of Mu'adh ibn Jabal, concerning the Victorious party when they were in Syria, it is said: "It (Syria) is the origin of the West; from it they conquered other Western territories like Egypt, Qayrawan, Andalusia and other lands. Since to the West Medina includes lands adjacent to it, therefore, Niyyir and other lands lie on the same line as Medina and similarly, Ḥarrān, al-Raqqa and Sumaysāt and others lie on the same line as Mecca. Therefore, any land falling on the West side of Niyyir is considered the West which the Prophet - Peace be upon him- promised earlier in the text.

Another tradition that describes the victorious party states that they were in the environs of the Ka'ba and that they are the same people who are still in environs of the Ka'ba to the present day. Whoever reflects on this world's affairs, at the present time, will know that this party of people are the most righteous of all Islamic sects. They are best in matters of learning, action and *jihād* in eastern and western territories. They are the ones to fight the people of the military power (*ahl al-shawka al-azīma*) from among the unbelievers and people of the Book and their raids against the Christians, the Turkish unbelievers, the hypocritical *zindīqs* who have infiltrated the other sects like *Ismā'īlīs* and the *Qaramīṭa*, are well known in early and recent times. Moreover, the might that Muslims in the East and West have enjoyed is attributable to them. When they were defeated in the year 699 A.H., the Muslim people in the East and West, were afflicted with such disgrace and calamity that could only be known to Allāh. There are numerous accounts of that, but it is beyond the scope of this work to mention them. Thereby, the inhabitants of Yemen at this time are very weak, incapable of either undertaking *jihād* or neglecting it. They showed obedience to the King of these lands; they even declared that they had sent a message of obedience to them (i.e. the Mongols). When the King of the infidels came to Aleppo, slaughtering took place.

As for the people of Hijaz, most of them do not adhere to *shar'ī'a* laws and amongst them are such innovations, error and wickedness as only Allāh could know. At the same time, the people of faith and religion among them are weak and incapable; those who have most power and

wealth among them, at this time, are the non-Muslims living in these territories. So, if this party is to be subjugated and subdued - May Allāh Forbid! - the faithful people of Hijāz would be the most humiliated, especially in view of their rejection of the rule of these Mongols and their fighting for Allāh and His Messenger. If the Mongols win, they will ruin the Hijāz.

As for the African lands, their bedouin have control of them and they are the most evil of beings; they deserve *jihād* against them and raiding. With respect to the people of *al-Maghrib al-aqṣā*, the Far West, most of their lands have already been conquered by the Franks; they do not make *jihād* against Christians but indeed among their soldiers are a large number of Christians, bearers of the cross. If the Mongols capture these lands, the people of the *Maghrib* would be the most humiliated, as the Christians will be joining forces with the Mongols (i.e. against Muslims) thus forming a party against the people of the *Maghrib*.

From the above, and other evidence, it is clear that this band, located at this time in Syria and Egypt, are the battalions of Islam. Their power is the power of Islam, while their disgrace is the disgrace of Islam. Hence, if the Mongols conquer them, nothing is left of the glory of Islam nor its renown, or a conspicuous and noble party feared by mankind, to defend it.

Therefore, whoever separates from them and joins the Mongols is more deserving to be fought than many of the Mongols, for among the latter are those who go along reluctantly as well as their opposite. Moreover, it was firmly established by the *Sunna* that the punishment of an apostate is greater than the punishment of the unbeliever from several aspects. One of these is that an apostate should be killed under all conditions and that no *jizya* should be levied on him, nor a covenant of protection be effected for him, contrary to the case of the original unbeliever. Another aspect is that the apostate should be killed even if he holds back from fighting. Again, this is contrary to the case of the original unbelievers, who is a non-combatant. This is agreed on by the majority of the *ʿulamāʾ* like Abū Ḥanīfa, Mālik and Aḥmad. Therefore, it was the general consensus of the *ʿulamāʾ* that the apostate should be killed, as in *madhāhib* of Mālik, al-Shāfiʿī, and Aḥmad. A third aspect is that the apostate cannot inherit or marry, nor are his offerings (of sacrificed animals) to be eaten, as opposed to the original unbeliever. The like is so in the case of other provisions and judgements.

Furthermore, if apostasy from the basis of religions is worse than unbelief, then, likewise, apostasy from its Sharīʿa law is even worse than the original non-adherence to Sharīʿa laws. Accordingly, every believer who is well acquainted with the conditions of the Mongols will realize that the apostates among them from the Persians, Arabs and the like are even worse than the original unbelievers like Turks and others. This means that those who profess the two *shihādas* while abandoning most of the

Islamic laws and duties, are better than the apostates like the Persians, Arabs and others. Therefore, it is made clear that whoever joins them, who was originally a Muslim, is worse than the Turks who were unbelievers. That is because, if the original Muslim abandons some of the basic duties, he is in a more unfortunate situation than the person who has not yet adhered to these obligations, like those who withhold *zakāt* and their like who were fought by Abū Bakr. However, if the apostates in regard to some of the Islamic laws and obligations were previously among the jurists, or *Ṣufis*, or traders, or scribes, etc, then they are worse than the Turks who have not yet adhered to these Islamic laws, or embraced Islam. Accordingly, Muslims have experienced harm to religion from these greater than that encountered from the others. Moreover, the latter group are more submissive to Islam and its laws and have obedience to Allāh and His Messenger to a greater degree than those who have apostacized from a part of religion while acting hypocritically in regard to another part. Among them are those who make a show of affiliation to knowledge and religion; the utmost degree attained by such a person is for him to be an atheist, Nuṣayrite, Ismāʿīlī, or Rāfiḍite. The best of them is the Jahmite, *Ṣittihādī* or like. No one would willingly join them from those professing Islam, except the hypocrites, *zindīqs*, sinners or the profligate. As for he who joined them against his will, he will be resurrected according to his intention. We should fight their soldiers as a whole, for we cannot differentiate between a reluctant or a willing soldier. It is evident in the *ṣaḥīḥ ḥadīth* that the Prophet - Peace be upon him- said: "An army of people will attack this House. When they are in the desert, they will be

swallowed up in it." Some remarked: "Oh Messenger of Allāh, but some of them were reluctant (to join the army)?" The Prophet replied: "They will be resurrected according to their intention." This *ḥadīth* has been widely circulated on the authority of the Prophet - Peace be upon him- by various narrations. They were narrated by the masters of authentic *ḥadīth*, on the authority of ʿĀ'isha, Hafṣa and Umm Salāma. Hence, in the *Ṣaḥīḥ* of Muslim on the authority of Umm Salāma, who said: the Messenger of Allāh - Peace be upon him- said: "Someone will seek protection in the Kaʿba and a group will be sent out to him. While they are in the desert land, they will be swallowed up." Umm Salāma said: "Oh Messenger, how about him who joined reluctantly?" He answered: "He will be swallowed up with them but, on the Day of Judgement, will be resurrected according to his intention." Also, in the *Ṣaḥīḥ* on the authority of ʿĀ'isha who said: "The Messenger of Allāh was restless in his sleep and we said: Oh Messenger of Allāh, you slept in a manner which was unusual for you." He replied: "A strange thing will be that a group of my nation will seek refuge in the Kaʿba along with a man from Quraysh who had already sought refuge in it. When they reach a desert land they will be swallowed up." We said: "Oh Messenger of Allāh, the path might include different people." He commented: "Yes, some of them are the victorious, some lunatics and wayfarers. They will all face the same destructive fate although coming from different sources. Allāh - Be He Mighty and Exalted- will resurrect them according to their intention."

In another version by al- Bukhārī, on the authority of ʿĀ'isha who said: "The Messenger of Allāh - Peace be upon him- said: "An army will attack the Kaʿba. When they are in the desert, the whole group will be swallowed up, then they will be resurrected according to their intention." In the Ṣaḥīḥ of Muslim on the authority of Ḥafṣa: The Messenger of Allāh - Peace be upon him- said: "A powerless group of people, who have no strength to defend themselves, no capacity to flee, nor any equipment, will seek protection in the House, that is the Kaʿba. An army will be sent against them at that time until when they reach the desert land they will be swallowed up in it."

Yūsuf ibn Māḥik said: "And they were the people of Syria who were marching towards Mecca at that time. ʿAbdallāh ibn Ṣafwān said: "By Allāh, this was not the same army, as Allāh - Be He Exalted- destroyed, the army that was attempting to violate His sanctities. Everyone was destroyed whether they were forced, or were willing to join the army, although He was able to distinguish between them. However, He will resurrect them according to their intentions."

So how could the believers undertaking *jihād* possibly distinguish between the reluctant ones and others, for they do not have the knowledge to do that? Even if someone pretended that he was forced to join the army, his pretence will not help him. In that respect, it was narrated on the authority of Ibn al- ʿAbbās ibn ʿAbd al- Muṭṭalib that when he was taken as a prisoner by the Muslims at Badr, he told the Prophet - Peace be

upon him: "Oh Messenger of Allāh! I was forced to join them." To that the Prophet replied: "As for overt action it is for us to recognize, but as for your secret thoughts that is for Allāh to judge."

Even if among these Mongols were some righteous, correct Muslims who are considered as the best of people, and it was ascertained that they cannot be defeated unless they were also killed, then, they may be killed. It is unanimously agreed by the jurists that, if the unbelievers were to use Muslims in order to shield themselves and it was feared on behalf of the Muslims if they were not fought, it is permitted to strike at them whilst intending the unbelievers. Even if we did not fear for the Muslims, it is also permissible to aim at them.

According to one of the jurists, whoever is killed for the sake of *jihād* ordered by Allāh and His Messenger and he is inwardly wronged (i.e., forcibly involved) he is a martyr and will be resurrected according to his intention. His death is no worse than the death of one of the believers engaged in *jihād*. If *jihād* is a duty and a large number of Muslims - By Allāh's Will- are killed, it is said that killing of these Muslims in their ranks because of *jihād*, is no worse. In that respect, the Prophet - Peace be upon him- has commanded he who was reluctant to participate in the fitna to break his sword (i.e., cease fighting); he is not obliged to fight even if he be killed. In the *Ṣaḥīḥ* of Muslim, on the authority of Abū Bakr who said: Messenger of Allāh -Peace be upon him- said: "There is going to be sinful civil strife [he repeated this twice]. There will be civil strife in which

the person who remains seated will be better than he who walks and he who walks better than he who runs. If it takes place, the owner of camels should keep close to his camels, the owner of sheep should keep close to his sheep and the owner of land should stick to his land." A man replied: "Oh Messenger of Allāh, what about someone who does not own camels, sheep or land?" The Prophet answered: "He should then turn to his sword and pound on its edge with a stone and save himself if he can. Oh Allāh, have I communicated Your message." [repeated three times]. Another man asked: "Oh Messenger of Allāh, what if I was forcibly driven to either of the two sides, or to one of the rival parties, and then a man struck me with his sword or arrow and kills me?" The Prophet replied: "He will atone for his sins and your sins too and will accordingly, be assigned to Hell." From this *ḥadīth* (it is clear that) the Prophet forbade the fighting or participation in civil strife. He even commanded what entails being excused from fighting, such as withdrawing oneself or blunting the weapon used when fighting. In that sense, this command encompasses the reluctant participant and others. Moreover, he made it clear that for a reluctant or a forced participant, who was unjustly killed, his killer would bear both his own sins and that of the man killed. As Allāh - Be He Exalted- said in the story of the two sons of Adam concerning the wronged person:

"For me, I intend to let you atone for my sin as well as yours, for you will be among the Companions to the Fire; and that is the reward of those who do wrong" [5 al- Māida 29]

However, it is a well known fact agreed unanimously by the *Sunna* and consensus that if a person is attacked, it is permissible for him to fight back. But their points of disagreement were on whether it was *wājib* (necessary) to fight in order to protect oneself. These are two major opinions in that respect; both on the authority of Aḥmad (ibn Ḥanbal). One states that it is necessary to protect oneself, even if one did not participate in the fray. As for the other opinion, it states that it is *jā'iz* (permissible) to protect oneself.

There is no doubt that it is not permissible to initiate fighting in the *fitna* and that if someone is reluctant to fight in it, he should not participate. Moreover (to ensure his own non-participation) he should even go further so as to ruin his own weapon and wait patiently until he is unjustly killed. And what of the person who is forced against his will to fight the Muslims alongside the party that has abandoned Islamic duties like withholding *zakāt*, apostates and so on? There is no doubt that it is incumbent on that reluctant person if he be forced to join the fight, that he should not fight back even if he be killed by the Muslims. Similarly, if he was forced by the unbelievers to join their ranks against the Muslims. Moreover, if someone forces another to kill an innocent pure Muslim, then, by the agreement of the Muslim jurists it is not permissible for him to do that even though he be forced into it. He does not protect himself by killing that innocent person; the opposite is true. He has no right to be unjust with another person and kill him in order to save himself from being killed. On the contrary, if he does so then both (i.e. the person

forced and the one who forces him) should be killed in retaliation. This is in accordance with the views of the majority of the jurists like Aḥmad, Mālik and al-Shāfiʿī. In another opinion held by al-Shāfiʿī, only the forced killer should be killed in retaliation. This latter opinion was also held by Abū Ḥanīfa and Muḥammad. A third opinion states that only the direct killer who is forced should be killed in retaliation. Zafar and Abū Yūsuf, subscribed to this, allowing payment by blood money in place of killing in retaliation, without making it obligatory.

Concerning the story of the Martyrs of Najrān (*aṣḥāb al-ukhūd*) narrated by the Prophet - Peace be upon him- in the *Ṣaḥīḥ* of Muslim, that a boy ordered his own killing so that religion might prevail. The four imāms accordingly, permit that a Muslim, in the ranks of the unbelievers and convinced that they will kill him, should do so in the interests of the Muslims. We have elaborated on this point elsewhere. A man might believe that killing oneself would be for the benefit of *jihād*, although doing that is far more sinful than killing someone else. The killing of someone for the welfare of religion, which cannot be gained by other means, and would avert the harm of the enemy who causes mischief to both religion and the world and which cannot be stopped by any other means, is more worthy. The *Sunna* and *ijmāʿ* are in agreement as to the killing of the Muslim attacker, if his attack has not been repulsed. This, even if the value of the money he has obtained is a fraction of a dinār, in accordance with what has been narrated in the authentic *ḥadīth* that the Prophet - Peace be upon him- said: "He who is killed while protecting his property is

a martyr and he who is killed while defending his blood is a martyr and he who is killed while defending his womenfolk is a martyr." What then of those who fight those who have abandoned Islamic laws and duties and wage war against Allāh and His Messenger, in their assault and rebelliousness? Fighting against the apostates who attack (Islam) is confirmed by the *Sunna* and *īmāc* and these apostate attackers (the Mongols) have assaulted the Muslims in their persons, their property, their womenfolk and their religion. All of the above reasons permit fighting against the attacker and whoever dies in doing so is a martyr. So how about the person who fights for all the above reasons together?

They (the Mongols) are the worst among the rebellious sinful, unjust misinterpreters, but whoever claims that they should be fought on the same basis as the rebellious misinterpreters of religion (of old) is grievously and seriously misguided. The least that can be said of the rebellious misinterpreters (of old) is that they had a particular interpretation on the basis of which they rebelled. For this reason they say that the Imām will communicate with them and if they mention something which is doubtful he will clarify it and if they mention something unjust he will remove it. But what doubt can there be in regard to those (Mongols) who wage war on Allāh and His Messenger spreading corruption throughout the land and departing from the laws of religion?

There is no doubt that (these Mongols) do not claim that they adhere more to Islam in knowledge and conduct than the party previously

referred to. On the contrary, although they lay claim to Islam, they are aware of the fact that this party was more knowledgeable of and more loyal to Islam than themselves. Everyone under the heavens, be he Muslim or unbelievers knows that. Even so, they announce war against the Muslims. However, they cannot give a clear judicial basis justifying their fight against the Muslims. How can their be justifiable when they have captured large numbers of the women subjects who have not fought them? People have seen them expressing respect for a place then seizing the property which it contains, exalting a man and seeking blessings from him, then taking his clothes and capturing his wives and inflicting on him the severest punishments that would not even be inflicted on the most unjust or sinful of beings. As for the person who misinterprets religion, he is not punished, but only the person who is regarded as rebelling against religion. They (the Mongols) dignify those whom they punish in regard to religion, maintaining that they are more obedient to Allāh than themselves. Any interpretation (of religious issues) is left to them, but if it is supposed that they are interpreters, then their interpretation is in error. In fact, the interpretations of the Khārijites and those who withheld *zakāt* are better than theirs. 296

Regarding the Khārijites, they claim adherence to Qur'ān, rejecting the contradictions in the *Sunna*. On the other hand, the withholders of *zakāt* they maintained that Allāh had ordered His Prophet to take alms from their wealth, but this was addressed only to the Prophet and therefore, they would not pay it to someone else. Accordingly, they would

not pay it to Abū Bakr. Moreover, the Khārijites were knowledgeable and given to acts of devotion and were capable of debating with the *ʿulamā'* similar to their debates with the Rāfidites and Jahmites. As for the Mongols they do not allow debate on the issue of the fighting of Muslims and if they are to be considered interpreters, they do not have a single interpretation which stands up to reason. It happened that one of them, addressing me, said: "Our king is the son of a king who was the son of a king for seven successive generations, while your king is a son of a *mawlā* (client)." I replied: "The ancestors of that king were all infidels and no pride can be taken in an infidel (as ancestor) Indeed, a Muslim slave is better than an infidel King." Allāh - Be He Exalted- said:

"A man slave who believes is better than an unbeliever, even though he pleases you." [2 al- Baqara 221]

Such are their arguments and it is well known that it is imperative for a Muslim to obey a Muslim even if he be a slave, rather than obeying an unbeliever. Moreover, it was established in the *Ṣaḥīḥ* that the Prophet - Peace be upon him- said: "Hear and obey even if your ruler be an Abyssinian slave whose head is like raisin, so long as he holds to the Book of Allāh and the religion of Islam. The worthiness of a man is based on his faith and piety and not on (the status of) his fathers." Even if they (the Mongols) were descendants from Banū Hāshim who were the kinsmen of the Prophet - Peace be upon him- it is not enough. For Allāh has created Paradise for those who obey Him even if he be an Abyssinian slave,

and created Hell for those who disobey, even if they be notables from Quraysh. Allāh - Be He Exalted- said:

"Oh mankind! We created you from a man and a woman and made you into peoples and tribes, that you may know each other. The most honored of you in the sight of Allāh is (he who is) the most righteous of you." [49 al-Hujurat 13]

In the *Sunna* of the Prophet - Peace be upon him- he said: "An Arab is not to be preferred to a non-Arab, nor a non-Arab to an Arab, nor a black person is to a white one nor a white person to a black one except on the basis of piety. People are descended from Adam and Adam was created from dust."

Also, in the two *Ṣaḥīḥs*, that the Prophet said concerning a neighboring tribe: "The people of so and so are not allies. Only Allāh and the virtuous person are my allies." Hence the Prophet made it clear that his taking of allies was not through kinship or lineage but through faith and piety.

If that was the case with the Messenger's kinship, what can be said about alliance with Jenghiz Khan, the idolater and infidel, when the Muslims have agreed that whoever is greatest in faith and piety is more meritorious than a person who is less in faith and piety, even if the former be an Abyssinian black (slave) and the latter a descendent of ʿAlī or ʿAbbās.

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APPENDIX B

Bibliography

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