



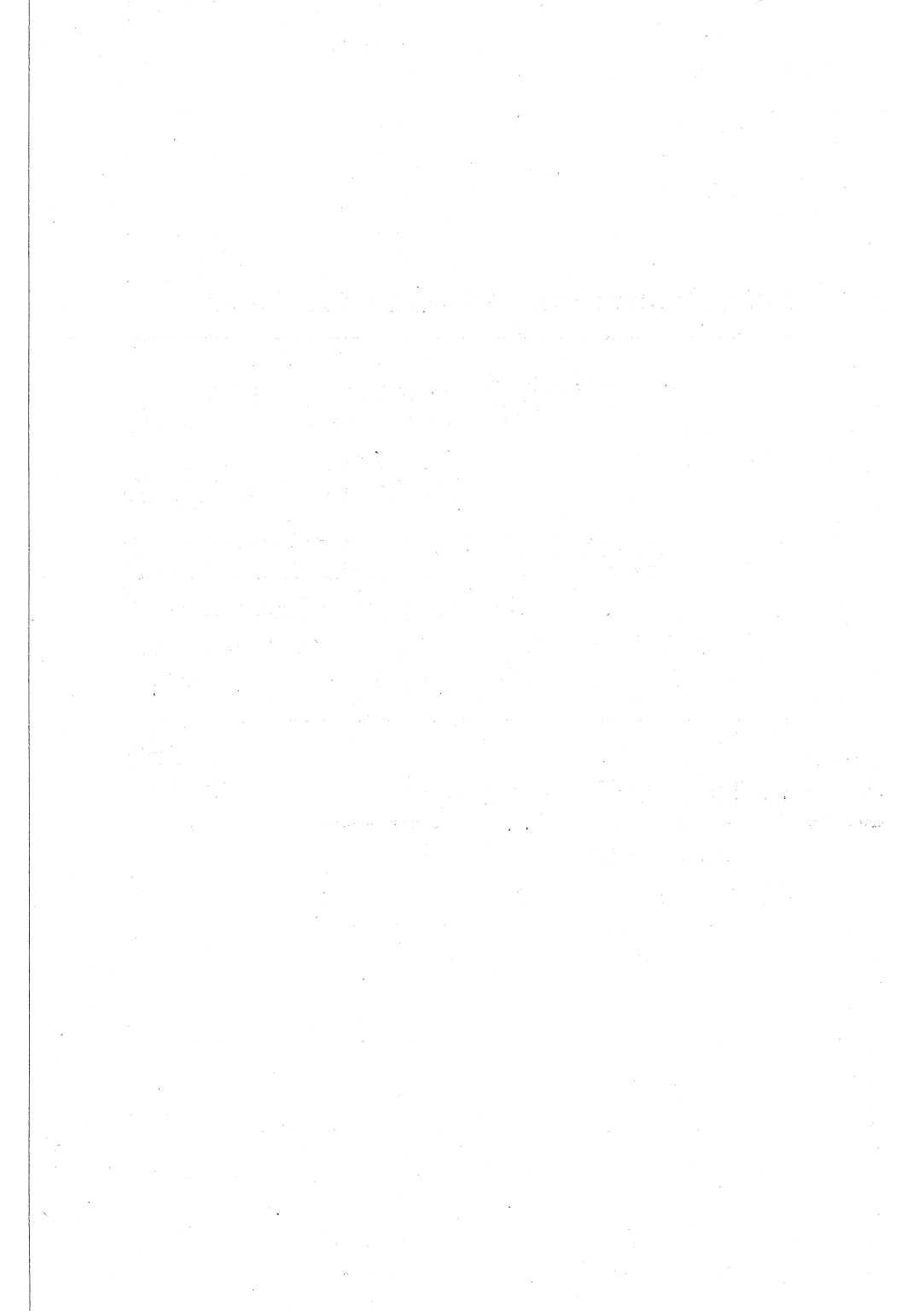
THE DOWNFALL OF MUSLIMS AND THE SOLUTIONS



Imām Muḥammad Nāṣir al-Dīn al-Albānī

دار السنة

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ



Imām Muḥammad Nāṣiruddīn al-Albānī

The DOWNFALL
of MUSLIMS
and the SOLUTIONS

being a translation of his two works

'Al-Taṣfīyah wa'l-Tarbiyah wa Ḥājah al-Muṣlimīn Ilayhimā
and *Su'āl wa Jawāb Ḥawla Fiqh Al-Wāqī'*



The Prophet (ﷺ) said:

“When you indulge in *al-‘inah* transactions and take hold of the tails of cows and become satisfied with cultivation and abandon striving in His Way, then Allāh shall permit your humiliation and He will not lift it from you, until you return back to your religion (*dīn*).”

[Abū Dāwūd, #3455]

The Downfall of Muslims and the Solutions

by
Imām Muḥammad Nāṣiruddīn al-Albānī
(d.1420H)



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THE AUTHOR

Imām Muḥammad Nāṣir al-Dīn al-Albānī
May Allāh have mercy upon him

His Name and Lineage:

He was Muḥammad Nāṣir al-Dīn Ibn Nūḥ Ibn Adam Najātī, al-Albānī by birth, al-Dimashqī by residence and al-Urdunī (from Jordan) due to his migration and place of death. He was born into a poor family in the city of Ashkodera, the capital of Albania, in the year 1332^{AH} (1914^{C.E.}) and it is to this country that he ascribes himself. His father was al-Ḥajj Nūḥ, from the major *Ḥanafī* scholars of his land. During Aḥmad Zogu's reign of Albania there was severe oppression for the Muslims of that land. Due to this, the Shaykh's family migrated to Damascus, Syria and it is there that he and his family took residence.

His Educational Background and Teachers:

His first Shaykh was his father, al-Ḥajj Nūḥ Najātī, who himself had completed *Sharī'ah* studies in Istanbul, returning to Albania as

one of its *Ḥanafī* scholars. Under his father's guidance, the Shaykh studied Qur'ān, *tajwīd*, Arabic language as well as *Ḥanafī fiqh*.

He further studied *Ḥanafī fiqh* and Arabic language under Shaykh Sa'īd al-Burhān.

He would attend the lectures of Imām 'Abdul-Fattaḥ and Shaykh Tawfiq al-Barzah.

The Shaykh met the late *ḥadīth* master, Aḥmad Shākir, with whom he participated in knowledge based discussions on *ḥadīth* and its research.

He met the late Indian *ḥadīth* scholar, Shaykh 'Abdul-Ṣamad Sharf al-Dīn, who himself had referenced the *ḥadīth* to the first volume of al-Nasā'ī's *Sunan al-Kubrā* as well as al-Mizzī's monumental *Tuḥfat ul-Ashraf*, and they continued to exchange letters on matters of knowledge. In one such letter, Shaykh 'Abdul-Ṣamad expressed his belief that al-Albānī was the greatest *ḥadīth* scholar of the time.

In recognition of his knowledge of *ḥadīth*, he was commissioned as far back as 1955 by the Faculty of *Sharī'ah* at Damascus University to carry out detailed analysis and research into *ḥadīth* related to buying and selling and other business related transactions.

Shaykh al-Albānī does have *ijāza* from a number of scholars. From amongst the most famous of them Shaykh Muḥammad Rāghib al-Tabbākh, the historian and *Muḥaddīth* of Ḥalab and Shaykh Bahjatul Baytar (through whom his *isnad* stretches back to Imām Aḥmad).

He would correspond with numerous scholars, particularly those from India and Pakistan, discussing matters related to *ḥadīth* and the religion in general, including Shaykh Muḥammad Zamzamī from Morocco and ‘Ubaydullāh Raḥmān, the author of *Mirqāt al-Mafatīḥ Sharḥ Mushkila al-Masabīḥ*.

His skill in *ḥadīth* is attested to by a host of qualified scholars, including Dr. Amin al-Misrī, head of Islāmīc Studies at Madīnah University who considered himself to be one of the Shaykh’s students; also Dr. Subḥi al-Salāḥ, former head of Ḥadīth Sciences at the University of Damascus; Dr. Aḥmad al-Asal, head of Islamic Studies at Riyāḍh University; the late Pakistani *ḥadīth* scholar, *Allāmah* Baḍī al-Dīn Shah al-Sindī; Shaykh Muḥammad Ṭayyib Awkij, former head of *Tafsīr* and Ḥadīth at the University of Ankarah in Turkey; not to mention many others.

After a number of his works appeared in print, the Shaykh was chosen to teach *ḥadīth* at the new Islāmīc University of Madīnah for three years from 1381 to 1383H where he was also a member of University board. After this he returned to his former studies and work in the *Zabirīyyah* library. His love for Madīnah University is evidenced by the fact that he bequeathed his entire personal library to the University.

After carrying out an analysis of the *ḥadīth* in Ibn Khuzaymah’s *Ṣaḥīḥ*, the Indian *ḥadīth* scholar, Muḥammad Muṣṭafā Azamī (head of Ḥadīth Science in Makkah), chose al-Albānī to verify and re-check his analysis and the work is currently published in 4 volumes containing both their comments. This is an indication of the level of trust placed in al-Albānī’s *ḥadīth* ability by other scholars.

His Works:

The Shaykh's printed works, mainly in the field of ḥadīth and its sciences, number over hundred books running into many volumes! He left behind him in manuscript form at least a further seventy works. Just to mention a few of the published works: *Da'if Abū Dāwūd*, *Da'if ibn Mājah*, *Da'if al-Jāmi' as-Ṣaghīr*, *Da'if al-Targhib wal-Tarhib* [2 vols.], *Zilāl al-Jannah*, *Ghāyatu-l-Marām*, *Irwā' al-Ghālil* [9 vols.], *Ṣaḥīḥ Abū Dāwūd* [4 vols.], *Ṣaḥīḥ Adab al-Mufrad* [3 vols.], *Ṣaḥīḥ ibn Mājah* [4 vols.], *Ṣaḥīḥ al-Jāmi' al-Ṣaghīr* [2 vols.], *Ṣaḥīḥ al-Tirmidhī* [4 vols.], *Ṣaḥīḥ al-Targhib wal-Tarhib* [4 vols.], *Silsilah Aḥādīth al-Ṣaḥīḥah* [11 vols.], *Silsilah aḥādīth al-Da'ifah* [14 vols.], *Tamām al-Minnab*, *al-Tasfiyah wal-Tarbīyah*, *al-Tawassulu: Anwanbu wa-Aḥkāmuhu*, *Talkeḥis Aḥkam al-Janā'iz*, *al-'Aqīdah al-Taḥawīyyah Sharḥ wal-Ta'liq*, *Ṣifāḥ Ṣalāt al-Nabī*, *Ṣalāḥ ul-Tarawīḥ Ṣalāt al-Nabawī* and many others.

The Scholars Praise for Him:

The senior scholars and Imāms of this time praised him and they would ask him questions, go to visit him, seek religious verdicts from him and exchange letters with him.

Shaykh 'Abdul-'Azīz al-Huddā said: 'The Shaykh, the great scholar, the ocean [of knowledge].'

Muḥammad al-Amīn al-Shanqīṭī—used to respect Shaykh al-Albānī so much to the point that when he would see him passing by, and he was giving his class in the *masjid* of Madīnah, he would stop his class to stand and give *Salām* to him out of respect for him.'

The great scholar, the teacher, Muḥibb-al-Dīn al-Khatīb said: ‘And from the callers to the Sunnah who devoted their lives to reviving it was our brother Muḥammad Nāṣir al-Dīn Nūḥ Najātī al-Albānī.’

The great scholar Muḥammad Ḥāmid al-Fiqī said: ‘...the brother, the *Salafī*, the Scholar, Shaykh Nāṣir al-Dīn.’

The former *Muftī* of the Kingdom of Saudi Arabia, Shaykh Muḥammad Ibn Ibrāhīm Āli-Shaykh said: ‘And he is the upholder of the *Sunnah*, a supporter of the truth and an opposition to the people of falsehood.’

During his lifetime, the Shaykh, ‘Abdul-‘Azīz Ibn Bāz said: ‘I have not seen under the surface of the sky a person knowledgeable of the *ḥadīth* in our current time the likes of the great scholar, Muḥammad Nāṣir al-Dīn al-Albānī.’ And he was asked about the *ḥadīth* of the Prophet (ﷺ): “*Indeed Allāh raises up from this ummah at the beginning of every century someone who will revive it for them.*” So he was asked who is the *mujaddid* of this century? He replied: ‘Shaykh Muḥammad Nāṣir al-Dīn al-Albānī. He is the *mujaddid* in my opinion and Allāh knows best.’

Muḥammad Ibn Ṣālih al-‘Uthaymīn said: ‘From what I came to know of the Shaykh through my gatherings with him—and they were few—was that he was very serious about acting upon the Sunnah and fighting against the innovations. And this was regardless of whether it was about the belief or about actions. As for through my readings of his written works, then I have come to know that about him, and also that he possesses a vast amount of knowledge of *ḥadīth*, in terms of reporting them and investigating them. And Allāh has benefited many people through what he

has written such as about knowledge, aspects of the *manhaj*, and concern for the science of *ḥadīth*.’

The great scholar, Shaykh Zayd Ibn Fayād said about him: ‘Indeed, Shaykh Muḥammad Nāṣir al-Dīn al-Albānī is from the most prominent and distinguished personalities of this era. He had great concern for the *ḥadīth*—its paths of transmission, its reporters and its levels of authenticity or weakness. This is an honorable task from the best things in which hours can be spent and efforts can be made. And he was like any other of the scholars—those who are correct in some matters and err in other matters. However, his devotion to this great science [of *ḥadīth*] is from that which requires that his prestige be acknowledged and his endeavors in it be appreciated.’

Muqbil Ibn Hādī al-Wādī’ī said: ‘Indeed, there cannot be found an equal in terms of the knowledge of *ḥadīth* like that of Shaykh Muḥammad Nāṣir al-Dīn al-Albānī. Allāh has given benefit through his knowledge and his books numerous times more than what has been accomplished by those zealots for Islām who act upon ignorance—those who organise reformation and revolutionary movements. And that which I sincerely believe and am convinced about is that the Shaykh Muḥammad Nāṣir al-Dīn al-Albānī is from the *mujaddidīn* (reformers/revivers) whom the Prophet (ﷺ) spoke the truth of when he said: “*Indeed Allāh raises up from this ummah at the beginning of every century someone who will revive it for them.*”’

His Characteristics:

The Shaykh, may Allāh have mercy on him, had many praiseworthy characteristics. Among the most clear, manifest and highest of them was his profound precision with regard to knowledge,

his diligence, perseverance, his tolerance [with others], his firmness upon the truth, his quickness to return to correctness, his patience with the hardships of knowledge and *da'wah*, and his taking of insults and harms for the sake of the *da'wah*, bearing that with patience and consideration. One of the greatest things that distinguished the Shaykh from many of his brothers amongst the people of knowledge was his strong support for the Sunnah and its adherents, his firmness upon the methodology of the *Salaf al-Ṣāliḥ*, his love for those who called to it, and his refutation against the deviants from all levels and various positions, with an extreme clearness and a rare clarity.

On one occasion, a man visited the Shaykh in his home in Jordan claiming to be a prophet! How would we have reacted when faced with such a situation? Shaykh sat the man down and discussed his claims at length and in the end the visitor made *taubah* from his claim and all present, including the Shaykh, were overcome with tears. In fact, how often is Shaykh heard on tape bursting into tears when speaking about Allāh, His Messenger and the affairs of the Muslims?

On another occasion, he was visited by three men all claiming that Shaykh was a *kāfir*. When it came time to pray they refused to pray behind him, saying it is not possible for a *kāfir* to lead the prayer. The Shaykh accepted this, saying that in his eyes the three of them were Muslims so one of them should lead the prayer. Afterwards, they discussed their differences at length and when it came time for the following prayer, all three men insisted on praying behind the Shaykh!

His Death:

The Shaykh, did not cease to be devoted to the knowledge, persistent in authoring works, diligent in teaching and educating until he reached the age of eighty-six. He did not stop authoring books, writing letters and doing referencing and checking of *ahādīth* because of his heart's attachment to that until the last two months of his life, when he grew very weak. This was until Allāh took his soul in death right before sunset on Saturday when eight days remained for the end of the month *Jumādā al-Ākbarah* of the year 1420^{AH} (2nd October 1999).

He left his will advising his relatives not to wail over his death and hurry his burial. He donated his entire library that included valuable manuscripts to the library of the Islāmic University of Madīnah because of his '*fond memories*' of the years he spent there.

The Shaykh's funeral prayer was performed on the evening of the same day that he died. Scores of people, whose number exceeded that of five thousand persons, prayed over him. The scholars, students of knowledge and common people were all affected by his loss.

May Allāh have mercy on his soul and grant him Paradise and make this work a source of benefit for him.

¹ See Description of the Prophet's Prayer by Imām Muḥammad Nāṣir al-Dīn al-Albānī published by Dār as-Sunnah Publisher, Birmingham, UK, 1st ed., 2009.

FOREWORD

With the Name of Allāh, the All-Merciful, the Most Merciful

All praise and thanks be to Allāh. We praise and thank Him and seek His Aid and we ask for His Forgiveness; and we seek refuge with Allāh from the evil of ourselves and the wickedness of our deeds. Whomsoever Allāh guides, there is none who can misguide him and whomsoever He causes to go astray, there is none who can guide him. And I bear witness that none is worthy of worship except Allāh, Alone, without partners and I bear witness that Muḥammad is His slave and His Messenger.

To proceed:

The present treatise which is before you is a translation of '*Al-Tasfīyah wa'l-Tarbīyah wa Ḥājab al-Muslimīn Ilayhimā'*, the origin of which was a lecture given by the ḥadīth scholar and erudite Shaikh, Muḥammad Nāṣiruddīn Al-Albānī (may Allāh, Most High have mercy on him) at the Sharī'ah Institute in 'Ammān, Jordan.

During the course of this lecture, the Shaikh explained the cor-

rect path that it is incumbent on all of us to follow. He summarised this in two words: '*Al-Tasfiyah*' (Purification) and '*Al-Tarbiyah*' (cultivation) and he has spent his whole life following this path, purifying '*aqīdah*' (Islāmic creed) from the false and unsound beliefs and the superstitions and spurious ideas that have tarnished it. He has also purified the Sunnah of those things that are not a part of it; and he has achieved this by distinguishing the authentic (*sahīh*) and the good, sound (*hasan*) narrations from those that are weak (*ḍa'īf*), fabricated (*mawḍū'*) or are without basis.

In addition, he has purified Islāmic Jurisprudence (*fiqh*) of the opinions and innovations contrary to the clear evidences that have sullied it. Then he has educated firstly, himself and secondly, those around him based on what has been authentically reported and confirmed from the Messenger of Allāh (ﷺ). After that, the Shaikh (may Allāh have mercy on him) called upon all the people to embrace this correct methodology: 'Purification (*Tasfiyah*) and Cultivation (*Tarbiyah*)', and a group from among the best scholars and seekers of knowledge responded positively to his call, as a result of which, a revival of correct scientific knowledge has spread throughout all corners of the inhabited world.

We considered that the publication of this fine treatise—which is among the gems and treasures of the Shaikh's knowledge (may Allāh have mercy on him) would maximise the benefit to the Muslims in all corners of the world and bring reward to the Shaikh after his passing, Insha' Allāh.

THE TEXT

Purification and Cultivation

Indeed, all praise and thanks are due to Allāh. We praise Him, we seek His Aid, and we ask His Forgiveness. And we seek refuge with Allāh from the evil of ourselves and the wickedness of our deeds. Whomsoever Allāh guides, there is none who can misguide him, and whomsoever Allāh causes to go astray, there is none who can guide him. I bear witness that none has the right to be worshipped except Allāh, Alone, without partners; and I bear witness that Muḥammad is His slave and His Messenger.

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

مُسْلِمُونَ ﴿١٠٢﴾

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

[*Āl-‘Imrān* (3): 102]

And

يٰۤاَيُّهَا النَّاسُ اتَّقُوا رَبَّكُمُ الَّذِي خَلَقَكُمْ مِنْ نَفْسٍ وَجِدَةٍ وَّخَلَقَ مِنْهَا
 زَوْجَهَا وَبَثَّ مِنْهُمَا رِجَالًا كَثِيرًا وَنِسَاءً وَاتَّقُوا اللَّهَ الَّذِي تَسَاءَلُونَ
 بِهِ وَالْأَرْحَامَ إِنَّ اللَّهَ كَانَ عَلَيْكُمْ رَقِيبًا ﴿١﴾

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

[*al-Nisā'* (4):1]

And

يٰۤاَيُّهَا الَّذِينَ ءَامَنُوا اتَّقُوا اللَّهَ وَقُولُوا قَوْلًا سَدِيدًا ﴿٧١﴾ يُصْلِحْ
 لَكُمْ أَعْمَالَكُمْ وَيَغْفِرْ لَكُمْ ذُنُوبَكُمْ وَمَنْ يُطِيعِ اللَّهَ وَرَسُولَهُ
 فَقَدْ فَازَ فَوْزًا عَظِيمًا ﴿٧٢﴾

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

[*al-Abzāb* (33): 70-71]

To proceed:

Verily, the best of speech is the Speech of Allāh and the best guidance is the guidance of Muḥammad (ﷺ), while the worst of things are the innovations and every innovation is a heresy, every heresy leads to misguidance and every misguidance is in the Fire.

So today we—as all of you know—are living in an age when the Muslims have reached a limit worse than which, no Muslim who believes in Allāh and His Messenger (ﷺ) could reach—and it is one of humiliation (*dhull*) and subjugation (*isti'bād*) by others. Due to this and the sense of that humiliation which sadly reigns over all Muslim countries—regardless of class or station—we continually ask ourselves in our private and public gatherings and councils: What is the cause that has led the Muslims to this lowly and despicable state and this humiliating and shameful condition? And what is the underlying reason for their arrival at this low level of debasement (*dhull*) and wretchedness (*shiqā*)?

People's opinions are varied, perceptions are numerous, each person brings a programme that he believes will solve this problem and resolves this dilemma.

I say that this problem was mentioned by the Messenger of Allāh (ﷺ) and described by him in some aḥādīth that have been reliably transmitted from him and he made clear the solution for it. These aḥādīth include his saying (ﷺ):

«إِذَا تَبَايَعْتُمْ بِالْعِينَةِ ، وَأَخَذْتُمْ أَذْنَآبَ الْبَقَرِ ، وَرَضِيتُمْ بِالزَّرْعِ ،
وَتَرَكْتُمْ الْجِهَادَ ؛ سَلَّطَ اللَّهُ عَلَيْكُمْ ذُلًّا لَا يَنْزِعُهُ عَنْكُمْ حَتَّى تَرْجِعُوا
إِلَى دِينِكُمْ»

“When you indulge in *al-ʿinah*¹ transactions and take hold of the tails of cows and become satisfied with cultivation and abandon striving in His Way, then Allāh shall permit your humiliation and He will not

¹ A transaction that involves usury (interest).

² Abū Dāwūd, #3455, Bayhaqī, 5/316 and al-Dūlābī in his *al-Kunā*, 2/65. It is reported by Aḥmad, #4825, Abu Umayyah al-Tarsūsī in *al-Musnad* of Ibn ʿUmar (*radīy Allāhu ʿanhumā*), #22 and other. See *Silsilah Al-Aḥādīth al-Ṣaḥībah*, #11.

lift it from you, until you return back to your religion
(*dīn*).”

So we find in this ḥadīth a summary of the sickness that has afflicted the Muslims—and the Messenger of Allāh (ﷺ) has mentioned two types of that sickness as examples, though not limited to them:

The first type is the falling of the Muslims into some unlawful deeds by way of subterfuge, while they are aware of them; and this is explicit in the words of the Prophet (ﷺ):

«إِذَا تَبَايَعْتُمْ بِالْعِينَةِ»

“When you indulge in *al-‘inah* transactions...”

Al-‘inah—as is well known in the books of Islāmic Jurisprudence—is a type of selling which this ḥadīth indicates is unlawful (*ṭahrīm*). In spite of this, some scholars—not to mention others (i.e., non-scholars)—opined that this form of selling is permissible. Its description is that a man buys an item from a trader, such as a car, for example, and he pays for it in instalments and for a set period, then the buyer sells that car back to the original seller for a price less than the price he paid for it. The former seller—who is now the buyer—pays an amount that is less than what he sold it for originally, so the car is sold for ten thousand *lira*²—for example—as a deferred payment, while the buyer sells it for eight thousand to the original seller, and the payment is recorded for him with the addition of two thousand *lira*.

This addition is usury (*ribā*) and it is incumbent upon the Muslim—who has heard the verses of Allāh, the Almighty, the All-

² *Lira* - The currency used in Syria

Powerful and the aḥadīth of the Prophet (ﷺ) that forbid *ribā*—not to regard as lawful this type of selling—*al-‘inah*—because there is an addition in the repayment and because this addition is clear *ribā*’. However, some people regard this as permissible, because it has been placed in the category of buying and selling; and they cited as proof of that the generality of the term which proves [according to them] the permissibility of [this] selling, such as the well-known verse:

وَأَحَلَّ اللَّهُ الْبَيْعَ وَحَرَّمَ الرِّبَا

“But Allāh has permitted trade and has forbidden interest (*ribā*).”

[*al-Baqarah* (2):275]

And they said: “This is buying and selling, so there is no problem in it increasing and decreasing!”

However, the truth is that the buyer who purchases something for ten thousand on credit, then sells it for eight thousand in money, he only intends thereby to obtain eight thousand, because he knows that this seller—who claims to be Muslim—would not lend him eight thousand in return for eight thousand purely for Allāh’s sake and he only wants interest, resorting to subterfuge in order to make this interest lawful, by calling it trade.

And the Messenger of Allāh (ﷺ) is firstly an explainer to the people, as our Lord, Most Blessed, the Most High says:

وَأَنْزَلْنَا إِلَيْكَ
الذِّكْرَ لِتُبَيِّنَ لِلنَّاسِ مَا نُزِّلَ إِلَيْهِمْ وَلَعَلَّهُمْ يَتَفَكَّرُونَ

“And We revealed to you the message [i.e., the Qur’an]

that you may make clear to the people what was sent down to them and that they might give thought.”

[*al-Nabl* (16):44]

Secondly, he (ﷺ) is, as our Lord, Most Blessed, the Most High described him:

بِالْمُؤْمِنِينَ رَءُوفٌ رَحِيمٌ ﴿١٢٨﴾

“with the believers [he is] full of pity and mercy.”

[*al-Tawbah* (9):128]

And from his kindness and mercy towards us is that he alerted us to the schemes of Shayṭān against mankind and he warned us against his snares in numerous aḥādīth, including the one which we are currently discussing, for he (ﷺ) said:

«إِذَا تَبَايَعْتُمْ بِالْعِينَةِ»

“When you indulge in *al-ʿinah* transactions...”

That is, if you regard as lawful that which Allāh and His Messenger (ﷺ) have declared unlawful, by base trickery—by calling it trade—when the truth is that it is a ruse and that it is a loan in return for interest, which is clearly *ribāʿ*. This is why the Messenger of Allāh (ﷺ) warned us in this ḥadīth against falling into such tricks as this, in order to make lawful that which Allāh has declared unlawful, for this is more dangerous for the Muslim than committing an unlawful act, when he knows that it is unlawful. This is because it is hoped for him that one day, he will return to his Lord and repent, because he is aware that what he is doing is unlawful.

However, if his bad deeds have been made to seem good to him for some reason—either due to erroneous interpretation, or extreme ignorance—as a result of which, he believes that there is

nothing wrong with his action, and then naturally, it will not cross his mind at any time to repent to Allāh, the Almighty, and the All-Powerful. In this case, the danger of the unlawful act that has been made lawful—due to mistaken ideas or incorrect beliefs—is much greater than the deed that is known to be unlawful. A person who devours *ribā* and knows full well that it is *ribā* — he wages war against Allāh and His Messenger (ﷺ), as stated in the verse — his danger in the end, is less than that of the person who devours *ribā* and believes that he is only devouring that which is lawful.

This is like the example of a person who drinks an intoxicant, while believing that it is unlawful; for him, it is hoped that he will repent to Allāh, the Almighty, the All-Powerful. But as for the person who drinks an intoxicant while believing for some reason that it is a lawful beverage, he is in greater danger than the first, for he will never dream of repenting, because he has an erroneous understanding of the ruling in this matter.⁴

Īnab—as we said at the start of this discourse—by way of an example, not by way of restriction; so he is indicating that every unlawful deed committed by a Muslim which has been declared lawful to him—in whatever way, such as erroneous interpretation—the result of it will be that Allāh, the Almighty, the All-Powerful will humiliate him and because of it, He will humiliate the Muslims, if it spreads and becomes common among them.

⁴ I say: The situation is the same with regard to innovation (*bid'ah*); this is more dangerous than an act of sin, the doer of which knows it to be a sin.

Many scholars from the *Salaf* have mentioned similar statements such as Sufyān al-Thawrī, who said: 'Innovation is more beloved to Shayṭān than sin. A sin may be repented from, but innovation is not repented from.' See Imām al-Lālikā'ī in his *Sharḥ Usūl-I'tiqād Ablu'l-Sunnab wa'l-Jamm'ah*, #238.

Then he (ﷺ) mentioned the second type [of this disease]:—which is from the things which all the people share in, with the knowledge that these things oppose the Shari‘ah. So, when he (ﷺ) said:

إِذَا تَبَايَعْتُمْ بِالْعَيْنَةِ ، وَأَخَذْتُمْ أَذْنَآبَ الْبَقَرِ ، وَرَضِيْتُمْ بِالزَّرْعِ ،

“When you indulge in *al-‘inah* transactions and take hold of the tails of cows and become satisfied with cultivation....”

That is, if you become preoccupied with the transient vanities of this world and the attainment of sustenance, based on the fact that Allāh, the Almighty, the All-Powerful has commanded us to seek sustenance; and the Muslims have gone to great lengths in pursuit of that, forgetting the obligations that Allāh has enjoined upon them and busy themselves in the pursuit of agriculture, livestock and other similar kinds of profits. This causes them to forget the duties that Allāh has imposed on them. And he (ﷺ) mentioned as an example of these obligatory duties, striving in the path of Allāh. So, he (ﷺ) said:

إِذَا تَبَايَعْتُمْ بِالْعَيْنَةِ ، وَأَخَذْتُمْ أَذْنَآبَ الْبَقَرِ ، وَرَضِيْتُمْ بِالزَّرْعِ ،
وَتَرَكْتُمْ الْجِهَادَ ؛ سَلَطَ اللهُ عَلَيْكُمْ ذُلًّا لَا يَنْزِعُهُ عَنْكُمْ حَتَّى تَرْجِعُوا
إِلَى دِينِكُمْ،

“When you indulge in *al-‘inah* transactions and take hold of the tails of cows and become satisfied with cultivation and abandon striving in His Way, then Allāh shall permit your humiliation and He will not lift it from you, until you return back to your religion (*din*).”

This ḥadīth is one of the signs of Prophethood, as you can see;

for this disgrace has come to pass among us, as is obvious, sadly. So it is incumbent on us to take the cure from this ḥadīth, after he (ﷺ) has described the illness and the humiliation that will accrue from this illness. We have clung on to these causes and they have led us to this malady, which is none other than disgrace. Therefore, it is upon us that that we return to the application of the remedy which the Messenger of Allāh (ﷺ) described and which he made clear, that if we return to it, Allāh, the Almighty, the All-Powerful will lift this humiliation from us.

The people read this ḥadīth and they listen a great deal to his (ﷺ) statement:

«حتى ترجعوا إلى دينكم»

“...till you return to your Religion (*dīn*).”

They think that the return to this religion is a simple matter. As for me, then I see that the return to this religion requires—as it is said amongst us: to (*baṣṣal-aktāf*) ‘to shrug the shoulders.’ And that is because we all know that this religion (*dīn*) has been afflicted by numerous attempts to change many of its truths. Some of them have succeeded in attaining such alteration and distortion; some of this alteration is known to many people, while some of it is not.

Indeed, on the contrary, for many people there are matters—some of which pertain to beliefs while others pertaining to juristic matters which they believe are a part of the Religion, though they are not at all. And we have only recently quoted an example of this, which is that mentioned by the Messenger of Allāh (ﷺ) in this ḥadīth, where he said:

«إذا تباعتم بالعينة»

“When you indulge in *al-‘īnab* transactions...”

Now it is not accepted or known by the majority of people that this trade known as *al-ʿinah* is unlawful. In fact, many of the scholars in some Muslim lands—which we would hope were a stronghold of Islām and far from being affected by that which has affected other Muslim lands—deliver legal verdicts declaring *al-ʿinah* to be lawful trade, while in fact, it is usury (*riba*). And this is one of many examples known to those who work in the field of Islāmic Jurisprudence.

This form of trade—in spite of the fact that the Messenger of Allāh (ﷺ) has declared it unlawful and described it as a cause of the Muslims falling into a state of humiliation. This is one example from among many which prove what we have said. It is incumbent on us to understand anew in the light of the Qurʿan and Sunnah. And when we point out that there are scholars who permit some of what has been declared unlawful in clear evidences from the Sunnah, we do not intend thereby to vilify, rebuke or detract from the knowledge of the one who has made lawful that which the ḥadīth has declared unlawful. We only wish to correct the Muslims and to cooperate with them all—especially those of them who work in the field of in Islāmic Jurisprudence—in understanding what has caused some people to deviate, for whatever reason. This can be attained by referring to the arbitration of the noble verse in the Qurʿan; and this verse is well-known to us although few and far between are those who implement it. That verse is the saying of Allāh, the Most Blessed, and the Most High:

فَإِنْ نَزَعْتُمْ فِي شَيْءٍ فَرُدُّوهُ إِلَى اللَّهِ وَالرَّسُولِ إِنْ كُنْتُمْ
تُؤْمِنُونَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ ذَلِكَ خَيْرٌ وَأَحْسَنُ تَأْوِيلًا ﴿٥٩﴾

“And if you disagree over anything, refer it to Allāh

and the Messenger, if you should believe in Allāh and the Last Day. That is the best [way] and best in result.”

[*al-Nisā'* (4):59]

Those who study Islāmic Jurisprudence know that there is a difference of opinion among early scholars regarding *bāi' al-'imāh*—and many types of trade—aside from scholars of ḥadīth. So what are the scholars of today doing in questions such as these, in which there is a difference of opinion? What I know is that the overwhelming majority of them confirm this differing and to leave that which is ancient in the past, as the saying goes.

And at the same time, I say: How will the Muslims return to their Religion? It is by implementing the cure stipulated by the Messenger of Allāh (ﷺ), which will cause the humiliation that has afflicted them to be lifted. If they do not, then it will not be lifted:

«إِذَا تَبَايَعْتُمْ بِالْعِينَةِ ، وَأَخَذْتُمْ أَذْنَابَ الْبَقَرِ ، وَرَضِيتُمْ بِالزَّرْعِ ،
وَتَرَكْتُمُ الْجِهَادَ ؛ سَلَطَ اللَّهُ عَلَيْكُمْ ذُلًّا لَا يَنْزِعُهُ عَنْكُمْ حَتَّى تَرْجِعُوا
إِلَى دِينِكُمْ ،

“When you indulge in *al-'imāh* transactions and take hold of the tails of cows and become satisfied with cultivation and abandon striving in His Way, then Allāh shall permit your humiliation and He will not lift it from you, until you return back to your religion (*dīn*).”

So the only cure is to return to the religion (*dīn*); but this Religion—as everyone knows, especially those who study the subject of Islāmic Jurisprudence—is the subject of severe differing. But this differing is not—as many writers and scholars believe-

restricted to a few juristic matters, as they say; rather, this differing leads to matters pertaining to belief. So, in one place there is a big difference between the Ash‘arīs and the Māturīdīs. In another place there is difference between these and the Mu‘tazillah—not to mention [all] the other sects. All of these sects are considered by us as Muslims and all of them are the ones who are addressed by the ḥadīth when it says:

«... سَلَطَ اللهُ عَلَيْكُمْ ذُلًّا لَا يَنْزَعُهُ عَنْكُمْ حَتَّى
تَرْجِعُوا إِلَى دِينِكُمْ»

“Allāh shall permit your humiliation and He will not lift it from you, until you return back to your religion (*dīn*).”

So which religion is this that it is incumbent upon us to return to?! Is it in accordance with the ideology of so-and-so, or the ideology of some other?! But let us restrict ourselves to the four canonical schools of Islāmic Jurisprudence, of which we say: They are from the schools of *Ablu’l-Sunnah*.

Which religion is this, which is the cure that will lift from us the humiliation?! And if we return, to which school will it be? We will find that there are a few matters—or ten matters, or tens of matters—which contradict the Sunnah, if some of them do not also contradict the Qur’ān.

For this reason, I consider that the reform that it is incumbent upon the callers to Islām and those who seek to establish the Muslim State with sincerity to act upon, is firstly to return to what they themselves understood and secondly, the understanding they passed onto the *ummah*—and that is the Religion that the Messenger of Allāh (ﷺ) brought; and there is no path to that—and

I believe there is complete agreement among the scholars of Islāmic Jurisprudence on this—that understanding of the Religion in accordance with the truth revealed by Allāh, the Almighty, the All-Powerful—can only be attained by studying the Qur’ān and Sunnah.

And most certainly the Imāms (may Allāh have mercy on him)—and that is from their virtue and the grace that Allāh has bestowed on them warned their early followers, who were too knowledgeable to blindly follow them and to consider them the source, while forgetting the original source: The Book [of Allāh] and the Sunnah.

And none of you need us to quote the words that have been authentically reported from all of the Imāms in this regard: ‘When a ḥadīth is authentic, then that is my *madhhab*.’⁵

Thus, this statement is sufficient for us now, for it is proof that every one of these Imāms advised himself, advised his *ummah* and advised his followers to return to the ḥadīth whenever they differed regarding his juristic reasoning (*ijtihād*) or his opinion (*rā’y*).

This then, opens the way to referring back to the Book of Allāh and the Sunnah—even if it is in the name of blind following (*taqlīd*) of the Imāms.

So let us quote some examples—which continue to be present in our books and are studied in every school and faculty of Shari’ah and the like: In one of the schools of Islāmic Jurisprudence

⁵ See “*Description of the Prophet’s Prayer*” by Imām Muḥammad Nāṣir al-Dīn al-Albānī published by Dār as-Sunnah Publisher, Birmingham, U.K, 1ed., 2009. Were the author dedicates a whole section on the sayings of the Imāms at the beginning of the his book.

(*madhābīb al-Islāmiyyah*), when a person prays, he lowers his hands and does not place (his right hand on his left wrist). Why?! Because this is his *madhhab!* Whereas, all of the scholars of ḥadīth (*‘ulamā’ al-ḥadīth*) have struggled to produce a single ḥadīth, even a weak one (*da‘if*)—indeed, even a fabricated one—that would indicate that the Messenger of Allāh (ﷺ) did not place right hand on his left wrist when he stood in prayer, for there is none. Is this Islām?

I know that some of you will say that this is one of the secondary matters (*masā’il al-far‘iyyah*) and some of you might be easy-going in their interpretation of this and say: ‘This is something trivial.’ But I believe that everything that has come from the Messenger of Allāh (ﷺ) and has a connection with the Religion (*dīn*) and worship (*‘ibādah*) is not a trivial matter.

We believe that it is incumbent upon us to embrace everything that the Messenger of Allāh (ﷺ) has brought, firstly with regard to the Religion, accompanied by its relevant evidence from the Sharī‘ah; if it is obligatory, then it is obligatory (*farḍ*) and if it is a Sunnah, then it is the Sunnah. But as for calling it “a trivial matter,” or something inconsequential, because it is preferred (*mustahabb*), there is absolutely nothing in Islāmic manners, decorum (*adab*) like this, especially when we cannot preserve the kernel [i.e., the essence] without protecting the peel [i.e., the secondary matters]. I say this, though I would prefer to debate with them in person.

This is a simple example—lowering the hands in prayer—why do the Muslims continue to do it, when the aḥadīth testify in all of the books of the Sunnah to the fact that the Messenger of Allāh (ﷺ) used to place [right hand on his left wrist]? There is nothing except blind following and an inflexible determination to

contradict the saying of the Imāms: ‘When a ḥadīth is authentic, then that is my *madhhab*.’

This simple example might not please some people, so we will mention another example, which is that some of the *madhāhib*’s books on Islāmic Jurisprudence continue to state that alcoholic beverage (*khamr*) falls into two categories: (i) one that is derived from grapes—and a large quantity or a small quantity are both likewise unlawful and (ii) a second category that is derived from something other than grapes, such as barley, corn, dates or something else that tempts the disbelievers today to produce *khamr* from it; and [they claim that] not all of this form of *khamr* is unlawful, only that which causes intoxication is unlawful! Why does this claim continue to be written?!

Some people might defend it using a variety of arguments. But there is nothing, except that some Imām from among the Imāms of the Muslims has applied juristic reasoning (*ijtihād*) and made this claim! This is in spite of the fact that all of us—regardless of which *madhhab* we follow and which school of thought we adhere to—read in the books of the Sunnah, with authentic chains of narrators the saying of the Prophet (ﷺ): “That which causes intoxication in large quantities, its consumption is unlawful [even] in small quantities.”⁶ and: “Every intoxicant is *khamr* and every form of *khamr* is unlawful (*ḥarām*).”⁷

Why does this dangerous saying remain, when it encourages the people—both those who are on the verge of sin and those who already fallen into it—and presents the imbibing of small quantities of alcohol derived from sources other than grapes in a favourable light to them? All of this, based on the fact that Imām

⁶ ‘*Irwā’ Al-Ghalīl*’, #2375.

⁷ ‘*Irwā’ Al-Ghalīl*’, #2373.

so-and-so—who is a virtuous scholar—said it?!

What kind of proof is this!

We believe that he is a virtuous scholar, but we do not forget that he is a virtuous scholar, and not infallible, while they affect to have forgotten the truth and continue to defend this utterance; and some of them take advantage of this saying to distribute intoxicating substances among the Muslims—and some of them defend the Imām, and not the saying.

And it is likely that many of you know that the magazine, '*Al-Arabi*' for a number of years has spread the opinion of some of them, i.e., that beverages derived from substances other than grapes; and most of the drinks that are well-known are made from things other than grapes. So the magazine, '*Al-Arabi*' has spread the opinion that it is permissible for the Muslims to drink what they wish of these new beverages, as long as they do not become intoxicated.

Such an idea is mere fancy, because in reality—as everyone knows—the first sip leads to the second, the second leads to the third, the third leads to the fourth and so on... and the small amount that does not intoxicate—which is an amount that it is impossible to define—will inevitably lead to a large amount that does cause intoxication.

So I say: What does an opinion such as this remain in the books of Islāmic Jurisprudence, when it contradicts the firm and indisputable aḥadīth reported from the Messenger of Allāh (ﷺ), which prove the invalidity of such claims? Why do we give free rein to a writer with a hidden agenda to spread this opinion and

build rooms and palaces upon it, permitting the Muslims to drink unlawful beverages with the condition: Do not drink that which intoxicates, but drink a little and do not drink too much?!

And the man who wrote this opinion might have a hidden agenda, or he might have an honest intention and wish to guide some of the people, saying: “O people! Do not be severe with the Muslims, because there is an opinion from one of the Muslim Imāms which permits them to drink this beverage. So why do we declare it unlawful?!” This might be the impetus for this writer, but why do we see one of the learned scholars of *Al-Sham*⁸ writing a treatise⁹ in response to this opinion and we see him hesitant and unable to decide on his stance, sometimes supporting the one who said this and sometimes quoting the aḥadīth—some of which we have cited—which are a response to the writer and those upon whom the writer depends for support.

Why do we see this virtuous scholar hesitant and uncertain?! This is due to the fact that he reveres this opinion, because it emanated from one of the Muslim scholars—and this scholar does not speak according to his own whim or out of ignorance; and I concur with him: He does not speak according to his own whim or out of ignorance. But is he infallible in his *ijtihād* (juristic reasoning), in which he is far from ignorant, or speaking according to his own whim?! All of us would say: ‘No!’ And all of us recall the words of the Messenger of Allāh (ﷺ): “When a judge utilises his judgement and comes to the correct decision, he will have a double reward, but when he uses his judgement and commits a mistake, he will have a single reward.”¹⁰

⁸ He is Shaykh Muḥammad Al-Ḥāmid Al-Ḥamawī

⁹ The treatise is entitled: *‘Al-Mashrūbāt al-Muskirab’*

¹⁰ Al-Bukhārī, #7352 and Muslim, #1716.

So, why do we forget that the one who performs *ijtihād* might receive one reward and we do not say: 'He made a mistake,' because some people find it difficult to hear a person to say: 'Verily, Imām So-and-so has made a mistake,' but all roads lead to Rome, as they say. And we say: Why this obstinacy?! Or why are we fearful of saying that an Imām from among the Muslim Imāms has made a mistake on a certain question, or in his *ijtihād*, or in his opinion and has attained one reward, instead of two rewards? Why do we not say this first, as a starting point, then secondly, as implementation of one of the branches of *fiqh*, including this branch that we are currently discussing?!

And when you read the thesis that this scholar has written in response to that writer, you will not take away from it that writer has made a mistake in relying on the opinion of one of the Muslim Imāms. And because this opinion is not supported by the evidences of the Shari'ah, some of the Imām's followers have been felt obliged to shun this question and to attribute to the Imām one reward, while adhering to the authentic aḥādīth. So why do we not read in this thesis that the Imām has made a mistake and will receive one reward, and that it is not for that writer to oppose the Sunnah, based on the opinion of that Imām?!

The answer is that he has prevailed upon us and in our hearts is veneration and respect for the Imāms greater than that which Allāh has enjoined on us.

We believe in the words that the Messenger of Allāh (ﷺ) spoke to us: "He who does not revere our elders, or is not merciful to our young or does not acknowledge the right of our scholars upon us is not one of us."¹¹

¹¹ 'Ṣaḥīḥ al-Jamī', #5443.

This is from that which the Messenger (ﷺ) urged the Muslims to do, in recognising the right of the scholar. However, is it the right of the scholar that we honour him up to the level of a Prophet and a Messenger, so that we ascribe to him infallibility by our silence? For our silence speaks louder than our words.

Though it is incumbent upon us to honour the scholar and esteem him in the manner he deserves and to follow him when he shows us the evidence, it is not for us to promote his words and to diminish the words of the Messenger of Allāh (ﷺ). Nor is it for us to prefer his words to the words of the Messenger of Allāh (ﷺ)! This is another example of the things that remain prevalent among us, without censure or objection from the scholars of the Book [of Allāh] and the Sunnah.

I have discussed this in a publication of mine and it is incumbent upon the reader to take away one conclusion from it, which is that which accords with the saying of the Messenger of Allāh (ﷺ): “That which causes intoxication in large quantities, its consumption is unlawful [even] in small quantities.”¹²

And this writer in the magazine, ‘*Al-‘Arabi*’ is in error, and any scholar who relies on him is [also] in error. We have no partiality towards a person if he is mistaken; a mistake is a mistake and *kufr* (disbelief) is *kufr*, regardless of whether it emanates from a young person or an old person, a male or a female. All of it is error, and the error is no different, regardless of the source.

There is another example, which is in the matter of marriage and it remains prevalent to this day in the rules known as ‘Domestic Relations’

¹² ‘*Irwa’ Al-Ghali’*, #2375.

And it is well-known today that these rules were imposed on us, sadly, as an obligation; and it is agreed that there are things in them that are contrary to the Shari'ah. However, this ruling remains prevalent, based on [the belief that] it is a respected Islāmic opinion, and it continues to be ruled that it is permissible for a rational, adult, Muslim female to give herself in marriage, without permission from her legal guardian, even though it contradicts the clear statement of the Messenger of Allāh (ﷺ): "If any woman marries without the consent of her guardian her marriage is invalid, her marriage is invalid, her marriage is invalid."¹³

This ḥadīth is not acted upon, while the opinion is acted upon and given as a legal ruling. Some people might say: 'Does no one understand this ḥadīth except you?!

To them, I would say: "This ḥadīth was accepted by the Imām with the best understanding of Arabic language and its literary styles, who is none other than Imām Al-Shāfi'ī.¹⁴ So it is not the opinion that emanated from someone known to be from Albania. However, this Albanian has found a ḥadīth and he has found an understanding of it by an Imām who can trace his ancestry to the tribes of Quraysh and Banu Muṭṭalib.

Furthermore, why has this correct opinion, which is linked to this authentic ḥadīth, been neglected in favour of the opinion of another Imām from among the Muslim Imāms?! Yes, it is incumbent upon us to pay heed to an Imām's *ijtihad*. However, *ijtihad* only has a value when it does not conflict with an impeccable proof from the Book [of Allāh] and the Sunnah.

¹³ 'Irwā' Al-Ghali', #1840.

¹⁴ Imām Al-Shāfi'ī's explanation of this ḥadīth can be found in his book 'Kitāb-ul-Umm', pp.31-35, Vol. 6.

And all of us read in the books of *Usūl* their words: “When a tradition is found, then the opinion is invalid.”

And: “When the River of Allāh comes, the River Ma‘qil will be worthless.”¹⁵

And: “There is no *ijtihād* when a proof is found [in the Qur’an or the Sunnah].”

All of these rules are well-known, so why do we concern ourselves with the implementation of these rules and continue to adhere to some of the applied *fiqh* that contradicts the Sunnah?!

And if we wish to take the cure that was described by the Messenger of Allāh (ﷺ) after he had described the malady:

«حتى ترجعوا إلى دينكم»

“...till you return to your Religion (*dīn*).”

Now is the return to the Religion simply a verbal profession? Or is it [also attained by] belief and action?!

Indeed, many from amongst the Muslims bear witness: ‘*Al Lā Ilāha Illā Allāh wa anna Muḥammad al-Rasūlullāh*’—‘that none has the right to be worshipped save Allāh and that Muḥammad (ﷺ) is the Messenger of Allāh,’ and they do not adhere to the requirements of these two testimonies; and this is a lengthy discussion. Many Muslims today—even ones who are considered to be from among those who are rightly guided—do not give the words ‘*Lā*

¹⁵ This is an Arab proverb, which is used to disparage something, when something better or greater than it is found. The River Ma‘qil is a river in Al-Basrah, in Iraq.

Ilaha Illā Allāh' their right in accordance with its [true] explanation; and many young Muslim men and Muslim writers have correctly perceived this: It is that among the rights [of Allāh] enjoined upon us by this testimony include the acknowledgement that the judgement belongs to Allāh. Yes, I want to say clearly: The Muslim young men and writers of today have perceived this truth, which is that the judgement belongs to Allāh, the Almighty, the All-Powerful, Alone and that the imposition of earthly laws and dependence on them to solve the problems existing today runs contrary to the fact that judgement belongs to Allāh, the Almighty, the All-Powerful. However, I see that many of these writers do not adhere to this important point, which is that the judgement belongs to Allāh and Allāh's Judgement is the judgement of the Qur'ān and Sunnah.

Would you say that when a contrary judgement comes from So-and-so, the disbeliever, that it contradicts the Judgement of Allāh, but that if incorrect *ijtihād* is found from a *mujtahid*, that it does not contradict the judgement of Allāh?!

I believe that there is no difference, for it is incumbent upon the Muslim to reject any saying—no matter what its source—if it contradicts the Qur'ān and Sunnah. But there is a difference between that person who spoke those words of *kufr*—for he is a disbeliever who will dwell forever in the Fire—and that person from among the Muslims who said that mistake—for he is rewarded for his mistake, as stated in the aforementioned authentic ḥadīth.

So it is obligatory for us to return to the Religion after attempting to follow the path of understanding this Religion. This is done by applying the *fiqh* that is today known as *al-Fiqh al-Muqaran* (Comparative Jurisprudence). This *fiqh* must be studied by the specialists

among the holders of qualifications in the fields of *fiqh* and *ḥadīth*.

And when we call for the establishment of a Muslim state, we mean that it must be a state whose constitution is clear and whose law is even clearer. So upon which *madhhab* will this constitution be based? And based on which *madhhab* will this legal constitution be explained?

There are some Muslim writers today who separate some of the judgements upon which the law of the desired Muslim state should be established; and we find that this law is not based on study—on the path which we have indicated, which is ‘Comparative *Fiqh*’ and our agreed understanding of the Book [of Allāh] and the Sunnah—and a man only studied a *madhhab* and transmitted the opinion of this *madhhab* in many of the subsidiary branches [of *fiqh*] which he legislated and then he writes them in a book, on the basis that when the Muslim State is established—and we hope that will be soon—that this will be its law.

So in reality, he has not brought anything new. Likewise, the author of the treatise: ‘The Intoxicating Beverages’ did not bring anything new; and the new thing that we desire is to instruct the Muslims.

However, the least that is said: ‘Indeed, another opinion is authentic which another Imām has adopted, because it is supported by the Sunnah.’ So that to which I refer is what is mentioned in the subject: ‘If a Muslim kills a non-Muslim citizen (*Dhimmi*) [living under Muslim protection], then he should be executed for it [in retaliation]. This opinion is well-known in Islāmic Jurisprudence, but there is a second opinion that is opposite to it and contradicts it: ‘If a Muslim kills a *ẓimmī*, he should not be executed for it, based

on the saying of the Prophet (ﷺ) in ‘*Ṣaḥīḥ Al-Bukhārī*’: “A Muslim is not killed because of a non-Muslim.”¹⁶

So what has made this virtuous scholar and contemporary writer include in Islāmic Law that a Muslim should be executed for killing a non-Muslim, in contradiction to the ḥadīth of the Messenger of Allāh (ﷺ)?!

I believe that the reason is that he has studied this *fiqh* upon which he was raised and that he has made it obligatory. Now is this a return to the Religion (*dīn*)?!

The Religion says: “A Muslim is not killed for killing a non-Muslim,” but the *madhhab* says that he should be killed for it.

Likewise, the writer himself says on the subject: ‘If a Muslim accidentally kills a *Dhimmi*, the blood-money [compensation] to be paid is that of a Muslim!’ This is what the law says, in accordance with the *madhhab* upon which it relies,¹⁷ though the Messenger of Allāh (ﷺ) said: “The blood-money paid for a non-Muslim is half of that paid for a believer.”¹⁸

So, should we set this as the law, or the opinion which contradicts it?! And there are many other examples.

Therefore, the return to the Religion is a return to the Book [of Allāh] and the Sunnah, because that is the Religion, according to the agreement of the scholars and it is a protection against deviation and falling into misguidance. This is why the Messenger of Allāh (ﷺ) said: “I have left amongst you two things [which if you

¹⁶ ‘*Irwā’ Al-Ghālīl*’, #2209.

¹⁷ That is the Ḥanafī *madhhab*

¹⁸ ‘*Ṣaḥīḥ Al-Jamī*’, #3391.

adhere to], you will never go astray: The book of Allāh and my Sunnah. They will not become separated until they return back to me at the pool (*al-hawḍ*)”¹⁹

We have set forth examples that obligate the scholars of today to return to the understanding of the Religion based on the two aforementioned principles; the Book [of Allāh] and the Sunnah. In order that the Muslims may not fall into the error of declaring lawful that which Allāh has declared unlawful, in the mistaken belief that it is something that Allāh has permitted.

And now, my final word regarding:

«حتى ترجعوا إلى دينكم»

“...till you return to your Religion (*dīn*).”

If we wish for strength and power from Allāh, the Most Blessed, the Most High and for Him to alleviate the humiliation from us and help us against the enemy. But the obligation to correct our understanding which we have indicated is not sufficient to attain that, nor the removal of those scholarly and juristic opinions that incorrectly interpret the Shari‘ah.

There is something else that is [also] very important—and it stands out from the rest—in order to have a correct understanding, which is actions. This is because knowledge is the key to actions, so if a person acquires knowledge and his knowledge is pure, then he does not act upon it, it is abundantly clear that this knowledge will bear no fruit, so it is essential that this knowledge is linked to action.

¹⁹ ‘*Ṣaḥīḥ Al-Jamī‘*’, #2937.

And it is incumbent upon the scholars to undertake the education of the new generation of Muslims, in the light what has been confirmed in the Book [of Allāh] and the Sunnah. So it is not permissible to leave the people to follow the erroneous understandings which they inherited, some of which are completely invalid, according the consensus of the scholars, while others are the subject of disagreement, varying opinions and *ijtihād*, some of which are contrary to the Sunnah.

So after purifying (*tasfiyah*) these matters and clarifying the path to it, it is necessary to educate the new generation upon this correct knowledge.

This cultivation (*tarbiyyah*) will benefit the whole of the pure Muslim community and as a result, a Muslim State will be established.

But without these two aforementioned things [correct knowledge and correct education, based on this correct knowledge], it will be impossible—in my opinion—to establish the foundations of Islām, the law of Islām or an State.

I will set forth an example for the necessity of this correct education to be based on correct knowledge: Here in Al-Sham, there is a Muslim party that desires to work for Islām, to promote it, for the people to be educated in it and for the new generation to be raised on it; however, we are well aware that many of its promoters are in need of extensive study of Islām, based on the correct course, to which we referred previously.

We see many young Muslim men calling to gatherings on Thursday nights in order to spend it in worship; and this call to obedience

to Allāh, the Almighty, the All-Powerful and to worship of Him is a fine thing. However, because they have not studied the Sunnah or comprehended it, nor have they found a generation that was educated upon it from childhood, but instead, have fallen into that which contradicts it.

In this regard, we may refer to the words of the Prophet (ﷺ): “Do not single out the night of Friday from the other nights for prayer and do not single out the day of Friday from the other days for fasting.”²⁰

So how can we spend Thursday night in worship, when the Messenger of Allāh (ﷺ) forbade us from doing that?!

The answer is because we have no knowledge.

But it is necessary for guidance to come from the scholars to the effect that it is not permissible to select this night, because of the above mentioned saying of the Prophet (ﷺ).

And we find others among these fine young men declaring it lawful to enjoy singing and the playing of musical instruments! This is because they find the radio stations filled with music and there is no general guidance for this new Muslim generation, informing them that the Messenger of Allāh (ﷺ) forbade the playing of musical instruments and warned against the enjoyment of it and threatened those who spend their nights in amusement and play and enjoy listening to music that they would be transformed into monkeys and swine.²¹

²⁰ Muslim, #1144.

²¹ ‘*Silsilah al-Aḥādīth al-Ṣaḥīḥah*’, #91.

And this new generation have not been brought up on an understanding of what is permissible and what is not permissible—and this is because they find numerous opinions, such as that of Imām Ibn Ḥazm, who wrote in his treatise that such entertainments are permissible and they hasten to publish this treatise—which concurs with their desires—and to circulate it among the people.

Some people who seek to guide others and those who claim that they intend to correct those in error might say that because he is an Imām and he holds this opinion, we will obey him or follow him in our listening to music, especially since it has become widespread.

And there is a saying that has amazed me—which in fact, is the essence of what of I have said or made clear previously—to someone who seeks to improve the Muslims' situation in this present time—and which is, in my opinion, as if it is revelation from above—it says:

“Establish the Islāmic State in your hearts and
it will become established for you upon your land.”

It is essential that we rectify ourselves on the basis of our Islām and our religion (*dīn*). And this—as we have said—cannot be achieved through ignorance; it can only be achieved through knowledge, in order that the Islāmic State be established in this land of ours.

In conclusion, I advise every individual who is able, to take part in the implementation of this great matter and to cooperate with one another, especially the scholars, to make clear the Islām that

was brought in the Book [of Allāh] and the Sunnah and to educate the young generation upon that.

This is a reminder, for the reminder benefits the Believers.

And may the peace, mercy and blessings of Allāh be upon you.

THE SECOND TREATISE

Knowledge of
Current Affairs

FOREWORD

All praise and thanks be to Allāh, the Lord of the worlds. May the blessings and peace of Allāh be upon the foremost of the Messengers and upon all of his family and Companions.

To proceed:

I have included in this treatise the answers to questions that were posed to me regarding what is known as *fiqh al-wāqi'*, its ruling and the extent of the Muslims' need for it, along with clarification of its correct legal form.

The basis of this treatise is an imprompturely made during a learned gathering—all praise and thanks be to Allāh—attended by a number of young Muslim men who were eager seekers of correct knowledge derived from the Qur'ān and Sunnah and in accordance with the methodology of the righteous *Salaf*, the flower of the *Ummah*.

Then one of the brothers—may Allāh reward him with goodness—undertook the task of transcribing my words, which had been recorded on tape, and he presented it to me; I amended it, added to it and refined it in a manner that made it suitable for publication, to spread the benefit and increase the profit to others, *insha' Allāh*.

Then our dear brother, Abū'l Ḥārith—may Allāh grant him success in attaining Allāh's pleasure—undertook the preparation of this treatise for printing and publication. After that, he retyped it to remove any linguistic or grammatical errors and then he wrote a foreword for it, may Allāh reward him with goodness.

O Allāh! I ask that this short treatise be of benefit to the reader and that it be useful to the students. Verily, He is the All-Hearing, the Responder [to prayers].

Muḥammad Nāṣiruddīn Al-Albānī,
'Ammān,
29th of Shawwāl 1412 AH.

THE TEXT

The Knowledge of Current Affairs (*Fiqh al-Wāqi'*)

All praise and thanks be to Allāh. We praise Him and we seek His Aid. We ask for His Help and His Forgiveness. And we seek refuge with Allāh from the evil of ourselves and the wickedness of our deeds. Whomsoever Allāh guides, there is none who can misguide him and whomsoever He causes to go astray, there is none who can guide him.

And I bear witness that none is worthy of worship except Allāh, Alone, without partners.

And I bear witness that Muḥammad is His slave and His Messenger.

To proceed:

Verily, the Messenger of Allāh, Muḥammad (ﷺ) said:

«يوشك الأمم أن تداعى عليكم ، كما تداعى الأكلة إلى قصعتها»

فقال قائلٌ : ومن قلة نحن يومئذٍ؟

قال : «بل أنتم يومئذٍ كثيرٌ ، ولكنكم غثاءٌ كغثاء السيل ؛
وَلَيَنْزِعَنَّ اللَّهُ مِنْ صُدُورِ عَدُوِّكُمْ الْمَهَابَةَ مِنْكُمْ ، وَلَيَقْذِفَنَّ اللَّهُ فِي
قُلُوبِكُمُ الْوَهْنَ» .

فقال قائلٌ : يا رسول الله ! وما الوهنُ؟

قال : «حبُّ الدنيا وكراهية الموت»

“The people will soon summon one another to attack you as people when eating invite others to share their dish.”

Someone asked: ‘Will that be because of our small numbers at that time?’

He replied: “No, you will be numerous at that time; but you will be like the scum carried down by a torrent, and Allāh will take fear of you from the breasts of your enemy and place *wahn* into your hearts.”

Someone asked: ‘O Messenger of Allāh, what is *wahn*?’

He replied: “Love of the world and hatred for death.”¹

Section One:

The Present Day State of the Muslims

It is abundantly evident from this noble Prophetic tradition (*ḥadīth*), the very great trial (*fiṭnah*) that has afflicted the Muslims; their unity has been shattered, their strength has been exhausted

¹ Abu Dawud, #4297 and others. This is an authentic ḥadīth; you can find its checking (*takbrīj*) in *Silsilah al-Aḥādīth al-Sahīḥah*, #958.

and their ranks scattered.

This *fitnah* has afflicted the hearts of a great number of callers [to Islām] and seekers of knowledge. Sadly, they disagreed among themselves and some of them spoke against others, while those others criticised the rest and replied to them... and so on...

Section Two:
Recognising the Truth through Refutation

These replies and criticisms alone do not harm any of the former or the latter, regardless of whether they are the responders or those responded to, because the truth is recognised by its light and its proofs, not by those who transmit it, according to the adherents of justice and fairness, though not according to the zealots and those who have gone astray. The only thing that harms the former or the latter is speaking without knowledge, without restraint and without right about the slaves of Allāh!!

Section Three:
The Matter of *Fiqh Al-Wāqī'*

During this *fitnah*, the blind, deaf and dumb have been affected by many matters relating to Islāmic Jurisprudence (*fiqh*), methodology (*manhaj*) and preaching (*da'wah*) and we have responded to them with learned replies, all praise and thanks be Allāh, the Most Glorified, from Whom proceeds all Grace.

Among the matters that have ensued from this *fitnah* and caused numerous debates and discussions with regard to it is the subject that some have elected to refer to as *fiqh al-wāqī'*!!

And I do not dispute the general notion of this knowledge whose name they have invented, which is *fiqh al-wāqī‘*, because many scholars have determined that it is incumbent upon those who undertakes to guide the *ummah* and to devise answers that will solve the people’s problems, to be knowledgeable and cognisant of their present-day reality. For this reason, one of their most well-known sayings is: “The ruling on something is linked to the conception of it.” This is not achieved without knowledge of the contemporary reality that surrounds the matter in question. This is one of the rules of delivering legal opinions (*fatāwā*) in particular, and of the principles of knowledge in general.

So *fiqh al-wāqī‘* is to take up a position on the things that concern the Muslims with regard to their affairs, or the plots of their enemies, in order to warn them and encourage them: that is, relating to contemporary reality, not speculative opinion.³

Section Four:

The Importance of Being Cognisant of Contemporary State of Affairs (*al-Wāqī‘*)

Knowledge of contemporary reality in order to arrive at a legal ruling is an obligation, indeed, it is one of the most important obligations that it is incumbent on a group of specialists and discerning Muslim seekers of knowledge to fulfil, as is the case with any form of legal, social, financial or military knowledge... or any knowledge that benefits the Islāmic *Ummah* and brings it closer to its former status of strength, honour and leadership, especially

³As for the kind of speculative opinion that no one embraces practically and which would expel one from the realms of reason, it has been described by our Shaikh in one of his gatherings with Dr. Nāṣir Al-‘Umar as “Futile and pointless effort,” as stated in the well-known audio recordings from those gatherings. See what follows on page 38 (of the Arabic).

if these sciences do not keep pace with the development of different times and places.

Section Five:

Categories of *Fiqh* which are Obligatory

Among the things that it is obligatory for us to be aware of in this matter is that the types of *fiqh* required of a group from among the Muslims are not limited to the *fiqh* of Islāmic Jurisprudence which they know and which they learn, or the *fiqh* to which some young callers to Islām pay heed and to which they draw the attention of others! The types of *fiqh* that it is incumbent upon the Muslims to undertake—even if it be a minority of them—are greater than all of that and occupy a wider field than it, such as ‘*Fiqh al-Kitāb* (understanding of the Book [of Allāh]),’ ‘*Fiqh al-Sunnah* (understanding of the Sunnah),’ ‘*Fiqh al-Lughāt* (understanding of the [Arabic] Language),’ ‘*Fiqh al-Sunan Al-Kawniyyah* (understanding natural universal laws),’ ‘*Fiqh Al-Khilāf* (understanding of the differing among the scholars)’ and other similar things.

These categories of *fiqh*—in general—are no less important than the two types of *fiqh* referred to earlier—regardless of whether it the well-known kind of *fiqh*, or *fiqh al-wāqī‘*—the clarification of which we are dealing with here.

In spite of all of this, we do not consider one who calls attention to these types of *fiqh* or refers to them to be wrong—especially understanding *Fiqh al-Kitāb wa’l-Sunnah* (understanding of the Book [of Allāh] and the Sunnah [of the Prophet (ﷺ)]), which is the principal type of *fiqh* and the foundation of all of them—if anyone were to state that knowledge of it was obligatory for all, he

would not be far from the truth. This is due to the Muslims' great necessity for it and their severe need of it. Yes, in spite of this, we do not hear anyone clamouring for it, or preparing a methodology for it, or occupying the young men with it, or educating them in it!

Section Six

What we Require a Methodology, not Mere Words

Indeed—all praise and thanks is for Allāh—there are many who speak about the Book [of Allāh] and the Sunnah today and refer to them, but the obligation that we require is not just in writing here, or in a lecture there. What we require is that the Book [of Allāh] and the Sunnah be made the general framework in every matter, that their methodology be the inner and outer garments of *da'wab* (i.e., complementing each other), from start to finish and as a result, that the thinking of those targeted by the *da'wab*—including young men and others—be a strong base that conforms to this great methodology, without which there will be no benefit for the *ummah*.

So there must be scholars in all of the aforementioned kinds of *fiqh*, in particular, that of the Book [of Allāh] and the Sunnah, with clear canons and rules.

Section Seven:

The Division into Groups Regarding *Fiqh Al-Wāqī'*

However, we have heard and seen that many young Muslim men have fallen into difficulties with regard to this aforementioned type of knowledge, which they have named *fiqh al-wāqī'*, and they have

divided into two groups—sad to say—becoming two factions, some of whom have gone to extremes in this matter, while others have fallen short in it!

So you see and hear from those who inflate the importance of the matter of *fiqh al-wāqī'* and declare it to be at an elevated level, above the level of correct knowledge, that they desire every authority on Islāmic Law to be a scholar of what they call *fiqh al-wāqī'*!

The opposite is also heard from them and they instilled a delusion in the minds of those who listen to them and those who gather around them, which is that everyone who understands the present-day situation in the Islāmic world is a jurist (*faqīh*) of the Book [of Allāh] and the Sunnah and is following the methodology of the righteous *Salaf* !!

And this is not necessarily so, as is obvious.

Section Eight:

Perfection is Rare and Cooperation is Obligatory

We do not imagine that there is any person who is perfect in every meaning of the world. That is, that anyone who has knowledge of all of these aforementioned sciences that we discussed earlier.

So what is obligatory is the cooperation of these people who have occupied themselves exclusively with knowledge of the present-day situation in the Islāmic *ummah* and what is thought to contradict it, with the scholars of the Qur'ān and Sunnah, following the methodology of the *Salaf* of the *ummah*. Those people give preference to their ideas and thoughts, while these make clear the Ruling of Allāh, the Most Glorified, which is based on authentic

evidence and clear arguments.

As for the idea that one who speaks about *fiqh al-wāqī* being—in the minds of his hearers—one of the scholars and *muftīs*, there is no basis for this whatsoever, except that he speaks about this aforementioned kind of *fiqh* and this is something that cannot be used as a valid judgement, since his words are taken as a support to use in reply to the *fatawa* of the scholars and to invalidate their juristic reasoning (*ijtihād*) and rulings which they have clarified.

Section Nine:

A Scholar's Error Does not Diminish him

It is important to make clear at this point that a scholar might make a mistake in his judgement on a certain matter from among the matters pertaining to the present-day reality; and that is something that has happened and will happen again... does this mean that this scholar or that scholar is diminished and does it permit those who disagree with him to describe him in offensive terms and in an impermissible manner, such as saying—and this has been said of someone—that “this person is a *faqīh* of Islāmic Law, not a *faqīh* of *al-Wāqī*”!!

This division contradicts Islāmic Law and *al-Wāqī*!

All of these aforementioned words of theirs suggest that it is obligatory for the scholars of the Book [of Allāh] and the Sunnah to also be knowledgeable concerning the economy, society, politics, military organisation, methods of using new weapons and such like!!

I do not think that there is any rational person who believes that knowledges of all these disciplines resides in the breast of a single person, no matter how great a scholar he is, or how complete his knowledge!

Section Ten:

The Mistake of Ignorance of the State of Affairs

We have heard also of people who say: “It is not importance to us to know this present-day state of affairs.” This—if it should occur—is also a mistake.

Fairness necessitates that we say that people experienced and specialised in all types of knowledge are required and they need to cooperate together in an Islāmic manner, in sincere brotherhood, not with factionalism or fanaticism, in order to achieve benefit for the Islāmic *ummah* and produce what every Muslim seeks, which is the establishment of an Islāmic society and the implementation of Allāh’s commandments.

All of these disciplines are required knowledge as *farḍ kifāyah*⁴ upon all of the Muslim scholars. It is not an obligation upon any single person to possess knowledge of all of them, leaving aside the impossibility of that occurring!

So, for example, it is not permissible for a physician to sometimes undertake a certain surgical procedure, unless he asks the opinion of a scholar who has knowledge of the Book of Allāh, Most Glorified and of the Sunnah of the Messenger of Allāh

⁴ *Farḍ Kifāyah*: A legal obligation that must be discharged by the Muslim society as a whole; but if a sufficient number of them undertake the responsibility, the rest are relieved of the obligation.

(ﷺ), in accordance with the methodology of the righteous *Salaf*, since it would be difficult—if we do not say that it is impossible—for a physician who is skilled in his own field to also be well-versed in the Book [of Allāh] and the Sunnah and have a deep understanding of them both, along with knowledge of their rulings.

Section Eleven:

The Obligation of Co-operation

Cooperation is necessary in order to implement the words of the Lord of the worlds in His Noble Book:

وَتَعَاوَنُوا عَلَى الْبِرِّ وَالتَّقْوَىٰ وَلَا تَعَاوَنُوا
عَلَى الْإِثْمِ وَالتَّعَدُّنِ ۗ وَاتَّقُوا اللَّهَ إِنَّ اللَّهَ شَدِيدُ الْعِقَابِ ﴿٢﴾

“Help you one another in righteousness and piety and do not help one another in sin and transgression...”

[*al-Mā'idah* (5):2]

In this way, the desired benefits for the Islāmic *ummah* will be achieved.

A Muslim can hardly believe that someone is a scholar possessing knowledge of the Book [of Allāh] and the Sunnah and in addition to this, is a skilled physician, while also being knowledgeable— as they say today—regarding *fiqh al-wāqi'*!! This is because the more he is preoccupied with this knowledge, the less time he will have to devote to that knowledge and the more he is concerned with this knowledge, the less he will turn away from that knowledge... and so on...

And there will be no completeness—as I said above—except

through the cooperation of all of these people—each of them in his specialty—with the others. In this way—and this way alone—the goals of Islāmic Commandments will be achieved for every Muslim and they will be saved from clear loss, as the Lord of the worlds says:

وَالْعَصْرِ ۝١ إِنَّ الْإِنْسَانَ لِرَبِّهِ لَكْفُورٌ ۝٢ إِلَّا الَّذِينَ آمَنُوا وَعَمِلُوا الصَّالِحَاتِ وَتَوَاصَوْا بِالْحَقِّ وَتَوَاصَوْا بِالصَّبْرِ ۝٣

“By Time! Verily man is in loss. Except those who believe and do righteous deeds and help one another to the truth and help one another to patience.”

[*al-'Asr* (103):1-3]

Section Twelve:

Exaggeration regarding that which is Essential

But what we have observed and continue to observe is that the extreme and headstrong sentiments that have no limits also have numerous negative effects, such as exaggeration in obligatory matters. This is because a required obligation is divided into two categories:

The first is the obligation upon every Muslim (*fard 'ayn*).

The second is the obligation that is considered to have been fulfilled if a sufficient number of Muslims undertake it (*fard kifāyah*).

So it is not permissible for us to make the ruling on something that is *fard kifāyah* the same as that on something that is *fard 'ayn*.

And even if we said—for the sake of argument—that it is obligatory for rising seekers of knowledge to be well-acquainted with *fiqh al-wāqī'*, then we would not be able to apply this saying to the leading Muslim scholars, let alone requiring seekers of knowledge to be cognisant with *al-Wāqī'*, along with the *fiqh* that this knowledge entails, such as giving a ruling on every situation.

Section Thirteen:

Fiqh Al-Wāqī' Should not be Rejected

Likewise, it is not permissible—in this situation—for any seeker of knowledge to reject the necessity of this understanding of present-day reality, because it is not possible to attain the desired goal through the consensus of the Muslims; and that goal is liberation from the imperialistic exploitation of Muslim lands by the disbelievers—or at the very least, of some of them—if not, then we should know what their plots are and what they agree upon, in order to warn and be warned against it, so that their imperialistic exploitation and their subjugation of the Islāmic world may not continue.

And the greater portion of this will not be achieved except by the education of the Muslim youth in matters pertaining to *'aqīdah* and methodology, based on a foundation of purification (*taṣfiyah*) of Islām from the blemishes that have been added to it and built upon the principles of education (*tarbiyah*) upon this pure Islām, as Allāh revealed it to the heart of His Messenger (ﷺ).

Section Fourteen:
Between the Scholars and the Rulers

Among the matters that it is necessary to mention here is that those who are able to make the *ummah* fulfil the obligations that are either *farḍ ‘ayn* or *farḍ kifāyah* upon them are not the zealous sermonisers or the theoretical jurists. They are only the rulers, who have it in their hands to order and implement and who have power and influence. They are also not those zealous young men or the emotive callers [to Islām]... who do not have it in their hands to exert power or influence!!

So it is an obligation upon the sermonisers, the scholars and the callers [to Islām] to teach the Muslims to accept the ruling of Islām and to submit to it, then inviting the rulers in the best way towards that which is more correct, that they may seek support from the jurists and the scholars,⁵ from all of their different fields of knowledge and understanding, such as *fiqh* of the Book [of Allāh] and the Sunnah, *fiqh* of Arabic language, *fiqh* of the natural laws of the universe, *fiqh al-wāqi’*... and other important subjects, in implementation from them of the great Islāmic principle, which is the principle of *shūra* (taking counsel). When that happens, matters will be set right and the Believers will rejoice at Allāh’s Help:

فَإِنْ أَعْرَضُوا فَمَا أَرْسَلْنَاكَ عَلَيْهِمْ حَفِيظًا

“But if they turn away, then We have not sent you as a protector over them.”

[*al-Shūra* (42):48]

⁵They are for the Muslims—both for societies and individuals—the light on the path and the illumination of the way; through them they will be guided and by following their example they will progress.

The Section Fifteen:
The Cause Behind the Degradation of
the Muslims

It is necessary here to clarify an extremely important matter, one of which many people are unaware; I say: The cause of the Muslims' continued weakness and subjugation by the disbelievers—even including the Jews—in some Islāmic countries is the ignorance of many scholars regarding *fiqh al-wāqī'*, or lack of understanding of the disbelievers' plots and their conspiracies, as is claimed!

Section Sixteen:
The Errors of Some of the Callers [to Islām]

For this reason, it is my opinion that being very concerned with *fiqh al-wāqī'*, to such a degree that it becomes the methodology of the callers [to Islām] and the young men, which they teach and upon which they are educated, believing that it is the path to salvation, is an obvious error and clear mistake.

The matter of which there is no dispute—among the scholars of *fiqh*—is that the principal cause of the weakness that has afflicted the Muslims is due to two things:

The first: The ignorance of the Muslims of their Islām, which Allāh sent down to the heart of the Prophet (ﷺ).

The second: Many Muslims who know the rulings of Islām—in some matters—do not act upon them, but neglect them and consider invalid.

Section Seventeen:

Purification (*tasfiyah*) and Education (*tarbiyah*)

Therefore, the key to returning the honour of Islām is the application of beneficial knowledge (*'ilm al-nāfi'*) and the undertaking of righteous actions (*'amal al-sālih*). This is an important matter, which it is not possible for the Muslims to attain without the implementation of a methodology (*manhaj*) of purification (*tasfiyah*) and education (*tarbiyah*); and these are both great and important obligations.

And I mean a number of things by the first of them:

Firstly: The purification of Islāmic beliefs (*tasfiyah al-'aqidah al-Islāmi*) from what is alien to it, such as associating partners with Allāh (*shirk*), negating Divine Attributes (*ja'd al-sifāt al-ilāhi*), or (*ta'wil*) misinterpreting them, rejecting authentic ahādith because they refer to *'aqidah* and the like.

Secondly: The purification of Islāmic Jurisprudence (*tasfiyat al-fiqh al-Islāmi*) from erroneous independent legal judgements that contradict the Book [of Allāh] and the Sunnah and the liberation of minds (*tabrīr al-'aql*) from the bonds of blind following (*āsār al-taqlīd*) and the darkness of fanaticism (*ẓulamāt al-ta'aṣṣub*).

Thirdly: The purification of the books of *tafsīr*, *fiqh*, softening of the hearts (*al-raqā'iq*) and others from weak (*da'if*) and fabricated (*mawdu'āt*) traditions (*ahādith*), traditions narrated from the Jews (*al-isra'iliyyāt*) and traditions that contradict authentic narrations (*al-mukarāt*).

As for the second obligation, I mean by it the education of the upcoming generation, based on this Islām, which is purified from all that I have mentioned: correct Islāmic education, from an early age, without any influence from Western, non-Muslim education.

And there is no doubt that the attainment of these two obligations will require massive collaborative and sincere efforts on the part of all Muslims—both groups and individuals—to whom the establishment of a cherished Islāmic society is important, each contributing according to his field and his area of expertise.

Section Eighteen: The Correct Islām

Therefore, it is essential that the scholars—those who know the rulings of correct Islām—to devote themselves to calling the Muslims to correct and authentic Islām and making them understand it, then educating them upon it, as Allāh, the Most High says:

وَلَكِنْ كُونُوا رَبَّانِيِّينَ بِمَا كُنْتُمْ تُعَلِّمُونَ الْكُتُبَ
وَبِمَا كُنْتُمْ تَدْرُسُونَ ﴿٧٩﴾

“Be pious scholars (*rabbāniyyīn*) of the Lord because you teach the Book and study it.”

[*Āl-ʿImrān* (3):79]

This is the one and only solution brought by the Book [of Allāh] and the Sunnah, as stated in the Words of Allāh, the Most High:

إِنْ تَصُرُوا لِلَّهِ يُصْرِكُمْ وَيُنَبِّتْ أَقْدَامَكُمْ ﴿٧٩﴾

“If you help Allāh, then He will help you and establish your feet firmly.”

[*Muḥammad* (47):7]

And there are many other such evidences.

Section Nineteen:

How Will the Help of Allāh Come?

It is agreed upon without any dispute—all praise and thanks be to Allāh—among Muslims that the meaning of, “*If you help Allāh...*” This means if you carry out what Allāh has commanded you, He will help you against your enemies.

And among the most important evidences that confirm this meaning—and which corresponds exactly to the present-day state of affairs in which we live, since it describes the disease and the treatment together—is the saying of the Prophet (ﷺ):

«إذا تبايعتم بالعينة، وأخذتم أذناب البقر، ورضيتم بالزرع،
وتركتم الجهاد؛ سَأَطَّ اللهُ عَلَيْكُمْ دُلًّا لَا يَنْزِعُهُ عَنْكُمْ حَتَّى تَرْجِعُوا
إِلَى دِينِكُمْ،

“When you indulge in *al-‘inah* transactions and take hold of the tails of cows and become satisfied with cultivation and abandon striving in Allāh’s way, then Allāh shall permit your humiliation and He will not lift it from you, until you return back to your religion (*dīn*).”⁶

⁶ Abū Dāwūd, #3426, al-Bayhaqī in his *al-Sunan al-Kubrā*, 5/316 and others on the authority of Ibn ‘Umar (*raḍīy>Allāhu ‘anhumā*). It is authenticated by al-Albānī in his *Silsilah al-Aḥādīth al-Ṣaḥībah*, #11.

Section Twenty:
The Cause for the Sickness of the Muslim

So the Muslims' illness today is their ignorance of a certain branch of knowledge; I say this while acknowledging that every kind of knowledge that benefits the Muslims is obligatory. But the reason for the humiliation that has afflicted the Muslims is their ignorance of this *fiqh* that is known today as *fiqh al-wāqī'*! And the cause—as mentioned in this authentic ḥadīth—is their failure to act upon the rulings of the Religion in the Book [of Allāh] and the Sunnah.

The Prophet's saying (ﷺ):

«إِذَا تَبَايَعْتُمْ بِالْعِينَةِ»

“When you indulge in *al-‘inah* transactions...”

refers to a kind of interest-based business transaction, which seeks to circumvent Islāmic Law.

And his saying (ﷺ):

«وَأَخَذْتُمْ أَذْنَابَ الْبَقَرِ»

“and take hold of the tails of cows...”

refers to those who devote themselves to the affairs of the life of this world and ignore Islāmic Law and its ruling.

And similar to it is his saying (ﷺ):

«وَرَضَيْتُمْ بِالزَّرْعِ»

“and become satisfied with cultivation...”

His saying (ﷻ):

﴿وَتَرَكْتُمْ الْجِهَادَ﴾

“and you abandon striving in His cause...”

is the result of being immersed in the life of this world, as in the saying of Allāh, the Most High:

يَا أَيُّهَا الَّذِينَ

ءَامَنُوا مَا لَكُمْ إِذَا قِيلَ لَكُمْ أَنْفِرُوا فِي سَبِيلِ اللَّهِ أَنْتُمْ قُلْتُمْ
إِلَى الْأَرْضِ أَرْضَيْتُمْ بِالْحَيَاةِ الدُّنْيَا مِنَ الْآخِرَةِ
فَمَا مَتَعُ الْحَيَاةِ الدُّنْيَا فِي الْآخِرَةِ إِلَّا قَلِيلٌ ﴿٣٨﴾

“O you who believe! What is the matter with you, that when you are asked to march forth in the path of Allāh you cling heavily to the earth? Are you pleased with the life of this world rather than the Hereafter? But little is the enjoyment of the life of this world as compared with the Hereafter.”

[*al-Tawbah* (9):38]

As for his saying (ﷻ):

«... سَأَطُّ اللَّهُ عَلَيْكُمْ ذُلًّا لَا يَنْزِعُهُ عَنْكُمْ حَتَّى
تَرْجِعُوا إِلَى دِينِكُمْ»

“then Allāh will cover you with humiliation, which He will not remove from you, until you return to your religion (*dīn*).”

In it there is a clear reference to the fact that the Religion that

must be returned to is that which is mentioned by Allāh, the Almighty, the All-Powerful in more than one Noble verse, such as the saying of Allāh, the Most High:

إِنَّ الدِّينَ عِنْدَ اللَّهِ الْإِسْلَامُ

“Truly, the religion with Allāh is Islām.”

[*Al-Imrān* (3):19]

And the saying of Allāh, the Most High:

أَلْيَوْمَ أَكْمَلْتُ لَكُمْ
دِينَكُمْ وَأَتَمَمْتُ عَلَيْكُمْ نِعْمَتِي وَرَضِيتُ لَكُمُ الْإِسْلَامَ دِينًا

“This day, I have perfected your Religion for you, completed My favour upon you and have chosen for you Islām as your Religion.”

[*al-Mā'idah* (5): 3]

And in the well-known commentary of Imām Mālik on this verse is a clarification of the meaning; he (may Allāh have mercy on him) said: “What was not [part of] the religion (*dīn*) on that day is not [part of] the religion today. And nothing will benefit the latter part of this *ummah*, it will not be set right except by that which set right its first part.”

Section Twenty-One:

Going bounds in *Fiqh Al-Wāqī'*

As for those callers [to Islām] who talk today about *fiqh al-wāqī'*, magnify its importance and raise its status—and this is primarily correct—for they exaggerate its importance, understanding and

making others understand—possibly unintentionally— that it is an obligation upon every scholar—indeed, upon every seeker of knowledge—to be familiar with this *fiqh*!

This is in spite of the fact that many of these callers (*du'āt*) know very well that understandings of this Religion (*dīn*) which our Lord, the Almighty, the All-Powerful has sanctioned for the Muslim *ummah*, have changed over time, even in matters pertaining to *'aqīdah*; so we find a great many people bearing witness *lā ilāha illallāh*—that none has the right to be worshipped save Allāh and fulfil all of the pillars of Islām. Indeed, they may even perform supererogatory acts of worship, such as standing at night in prayer, giving charity and the like, but they have deviated from such sayings of Allāh, the Most High as:

فَاعْلَمُوا أَنَّهُ لَا إِلَهَ إِلَّا اللَّهُ

“Know that none has the right to be worshipped except Allāh.”

[*Muḥammad* (47):19]

Section Twenty-Two:

The Position of the Callers with Regard to

Fiqh Al-Wāqī'

We know that many of those callers [to Islām] share our opinion regarding the cause of the reality in which the Muslims live today, which is their remoteness from the correct understanding of Islām, regarding what is incumbent upon every individual and not what is only incumbent upon some individuals. It is an obligation to correct beliefs, correct the worship and correct the manners.

Where are those from this *ummah* who fulfil this obligation which is *fard 'ayn*, but not that which is *fard kifāyah*?! For *fard kifāyah* comes after *fard 'ayn*, not before it!

For this reason, being preoccupied with calling to the educated among the Muslim *ummah* to fulfil that which is *fard kifāyah*—and that is *fiqh al-wāqī'*—while paying scant attention to that which is an obligation upon every Muslim (*fard 'ayn*)—and that is *fiqh* of the Book [of Allāh] and the Sunnah—as I indicated, through neglect and omission—of what is confirmed as an obligation upon every individual in the Muslim *ummah* and they have exaggerated the importance of something that is—in truth—no more than *fard kifāyah*!

Section Twenty-Three:
The True and Just Saying about
Fiqh Al-Wāqī'

So the matter is, as Allāh, the Most High says:

وَكَذَلِكَ جَعَلْنَاكُمْ أُمَّةً وَسَطًا

“Thus We have made you a justly-balanced *ummah*.”

[*al-Baqarah* (2):143]

So *fiqh al-wāqī'*, with its correct legal (*sharī'ah*) meaning, is obligatory, without doubt. But it is *fard kifāyah*; if some of the scholars fulfil it, then the remainder of the scholars are relieved of the obligation, leave aside the seekers of knowledge and the general Muslim populace!

Therefore, it is necessary to be balanced when calling the Muslims to knowledge of *fiqh al-Wāqī'* and not to plunge them into political affairs or Western speculative analyses, when it will always be obligatory to talk about the purification (*tasfiyah*) of Islām from the blemishes that have attached to it, then the cultivation (*tarbiyah*) of the Muslims—both groups and individuals—upon this purified Islām and tying them to the original methodology (*manhaj*) of propagation, which is the Book [of Allāh] and the Sunnah, based on the understanding of the early generations (*Salaf*) of the *ummah*.

Section Twenty-Four:
The Obligation of Mutual Love and
Ties of Friendship

Also among the obligations upon the scholars, including all specialties—and the rest of the *ummah*—is for them to be role model, exemplifying the saying of their Prophet (ﷺ): “The example of the believers in their mutual love and mercy is like a single body. When one part of it feels pain then the whole of the body suffers in sleeplessness and fever.”⁷

And this great Prophetic example will not be attained with its amazing and beautiful meaning, without the cooperation of the scholars and the individuals in society, both in teaching, learning, propagation and application.

So the people who understand the *fiqh* of Islāmīc Law (*shari'ah*), with its proofs and its rulings, must cooperate with the people who understand *fiqh al-wāqī'*—in its correctly applied form, not its

⁷ Muslim, 8/20, Ahmad, 4/70 and al-Tiyālasī, #790 on the authority of Num'ān Ibn Bashīr (*radīy>Allāhu 'anhu*). Its *takbrīj* is given in *Silsilah al-Aḥādīth al-Ṣaḥīḥah*, #1083.

theoretical form—those people must support these with whatever knowledge and understanding they have and these must acquaint those with what is evident to them, in order that they be aware and warn.

From this sincere cooperation between the scholars and the propagators, with all their diverse specialties, it will be possible to achieve what every zealous Muslim desires.

Section Twenty-Five:

The Danger of Maligning the Scholars

As for maligning some of the scholars or the seekers of knowledge, accusing them of being ignorant of *fiqh al-wāqī'* and making shameful allegations against them. This is an error and a clear fault, the continuation of which is not permissible, because it is from the kind of mutual hatred that numerous ḥadīth have prohibited the Muslims from indulging in. In fact, they order them to do the opposite, which is mutual love, to come together and cooperation.

Section Twenty-Six:

How do We Cure these Mistakes?

As for what is obligatory for any Muslim who sees one of the scholars or propagators making a mistake in some matter, it is to remind him and advise him:

If the mistake is in some confined place, his attention should be drawn to it in the self-same place, without broadcasting it or proclaiming it, in the best and the most appropriate manner.

If the mistake is public and well-known, then there is no objection to drawing attention to that mistake and announcing it, but as Allāh, the Most High says:

أَدْعُ إِلَى سَبِيلِ رَبِّكَ بِالْحِكْمَةِ
وَالْمَوْعِظَةِ الْحَسَنَةِ وَجِدْ لَهُم بِالَّتِي هِيَ أَحْسَنُ

“Invite to the way of your Lord with wisdom and beautiful preaching, and argue with them in a way that are best.”

[*al-Nahl* (16):125]

And it is important to make clear that the accusation of being mistaken referred to here is not that which is based on the zeal and sentiment of the young men, without knowledge or proof! No, what is meant is only the identification of mistakes based on evidence and clarification.⁸

So the accusation of being in error—in this gentle and wise manner—should only be between sincere scholars and seekers of knowledge, who are united in their views regarding the Book [of Allāh] and the Sunnah and upon the methodology of the *Salaf* of the *ummah*.

But if the one who makes accusations of errors is from among those who deviate from this Divine methodology, it means that he has a particular behaviour and a particular manner that corresponds with the extent of his deviation and his remoteness from sincere truth and correctness.

⁸So let people consider this and ponder on it.

Section Twenty-Seven:
The Danger of the Current Politics

Finally, it is essential to inform the Muslims of a very important matter in this regard; so I say: It is incumbent upon us that acceptance of *fiqh al-wāqī'*—in a manner that conforms to Islāmic Law—or being preoccupied with it, should not cause us to become involved in present-day politics (*siyāsah*), the participants in which are unjust wrongdoers, lest we become deluded by their political expressions and follow them in their iniquitous ways.

What is obligatory is to follow the politics of Islāmic Law, which is to take care of the affairs of the *ummah* and for this care to be in the light of the Book [of Allāh] and the Sunnah and in accordance with the methodology (*manhaj*) of the righteous *Salaf*; and it should be carried out at the hands of those in authority among the active scholars and the just rulers, for verily, Allāh restrains by the Sultan what He does not restrain by the Qur'an [i.e., a person's obedience to the Qur'an is dependent on his faith; for he might be weak in faith. As for obedience to the ruler, it occurs due to fear and force, so he restrains what the Qur'an may not].⁹

As for the western politics which opens its doors and deludes its followers, it possesses no religion and all of those who adhere to it or are submerged in its sea, will be afflicted by its harmful nature, because they are preoccupied with the subsidiary (*furū'*), rather than the fundamentals (*usūl*)!

May Allāh have Mercy on the one who said: "Whoever seeks to hasten something before its time, will be punished by being

⁹ See '*Al-Durr Al-Manthūr*', 4/99.

deprived of its achievement.”¹⁰

*And Allāh is the Granter of success.
Let our last statement be that
All Praise and Thanks belongs to Allāh,
the Lord of the worlds.*

¹⁰This is a rule in *Usūl Al-Fiqh* (Principles of Islāmic Jurisprudence), meaning that when a person seeks his right before it is due to him, he shall lose it. So for example, if a person kills his relative in order to inherit from him, he will not receive that inheritance.