



AS-SAWAA'IQ AS-SALAFIYYAH AL-MURSALAH 'ALAL AFKAAR AL-QUTUBIYYAH AL-MUDAMMIRAH

Part 7: Differentiating Between Takfir bil-Wasf and Takfir bil-'Ayn On the One Hand and Between Takfir bit-Tafseel and Takfir 'alal-Itlaaq on the The Other : Illustrating the Confusion of al-Kanadie

Abstract

In his zeal to write his propaganda for the doctrines of Aal Qutb, al-Kanadie continues to display his severe lack of knowledge and his great confusion, in affairs that are not in need of his likes.

Another of his great blunders, in the course of his 112 page farce (and what his recent one contains is even more severe, as we shall explain in due course, inshaa'allaah), is his confusion between the difference takfri bil-wasf and takfir bil-'ayn on the one hand, and between what is known as "tafseel" in the issue of takfir by way of ruling by other than what Allaah has revealed – as opposed to "itlaaq", on the other.

In this paper we utilise the words of the Scholars in order to outline the various issues and illustrate al-Kanadie's ignorance... which is slowly but surely, showing no limits...

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Foreword

All Praise is due to Allaah, we praise Him, seek His aid and His Forgiveness. We seek refuge in Allaah from the evils of our souls and the evils of our actions. Whomsoever Allaah guides there is none to misguide and whomsoever Allaah misguides there is none to guide. I bear witness that there is none worthy of worship except Allaah, alone, without any partners and I bear witness that Muhammad is His servant and messenger.

O you who believe! Fear Allaah as He should be feared, and die not except in a state of Islaam (as Muslims) with complete submission to Allaah. (Aali Imraan 3:103)

O mankind! Be dutiful to your Lord, Who created you from a single person (Adam), and from him (Adam) He created his wife [Hawwa (Eve)], and from them both He created many men and women and fear Allaah through Whom you demand your mutual (rights), and (do not cut the relations of) the wombs (kinship). Surely, Allaah is Ever an All-Watcher over you. (An-Nisaa 4:1)

O you who believe! Keep your duty to Allaah and fear Him, and speak (always) the truth. He will direct you to do righteous good deeds and will forgive you your sins. And whosoever obeys Allaah and His Messenger (sallallaahu alaihi wasallam) he has indeed achieved a great achievement (i.e. he will be saved from the Hell-fire and made to enter Paradise). (Al-Ahzaab 33:70-71)

To proceed, verily the best speech is the Book of Allaah and the best of guidance is the guidance of Muhammad (sallallaahu alaihi wasallam). And the worst of affairs are the newly invented matters, every newly-invented matter is an innovation, every innovation is misguidance and all misguidance is in the Hellfire.

Introduction

In previous papers in this series we had highlighted some of the charlatanry that has been exhibited in a so called refutation of Salafi Publications (which was in reality a veiled attempt at refuting Imaam al-Albaani, and also Imaam Ibn Baaz and others, and pushing the doctrines of Mohammad Qutb and Safar al-Hawali) by relying upon the Takfiri Intelligentsia and their arguments. In the process it became clear that the author of this document lied upon the people of knowledge, clipped many statements, doctored quotes (like those of Ibn Taymiyyah), as well as many of his other travesties as we shall continue to highlight inshaa'allaah.

In this paper, we look at what is meant by the "Tafseel" of the Salaf in the issue of ruling by other than what Allaah has revealed and the judgement of Takfir (as opposed to "Itlaaq"), and how al-Kanadie has confused it with the matter of takfeer bil-wasf and takfeer bil-ayn.

Establishing the Principles : Shaikh Ibn Uthaimen

Question: O Shaikh, may Allaah preserve you and take care of you – what is the meaning of the statement of Shaikh ul-Islaam Ibn Taymiyyah, "*Takfir of a specific individual requires specific evidence (takfir ul-mu'ayyan yahtaju ila dalil mu'ayyan)*"?

Shaikh Ibn Uthaimen: You know, may Allaah bless you, that the (Shari'ah) rulings are sometimes associated with a description (wasf) and sometimes associated with an individual (mu'ayyan). For example we say, "Every believer is from the people of Paradise". This is a general statement which is associated with a description (wasf), every believer is in Paradise and every disbeliever is in the Fire. However, do we say in the case of a specific individual, so and so is from Paradise? Do you say about this specific individual, so and so is from the people of Fire?

Hence, there is a difference between **that which is associated with a description (wasf)** and **that which is associated with an individual (mu'ayyan)**. When a person utters a statement of disbelief or commits an act of kufr, then we do not declare him to be a disbeliever until we look at what motivated him to do that.

Then, we behave with him (i.e. pass a ruling over him) based upon what his (specific) situation demands.

Hence, the meaning of the words of Shaikh ul-Islam – may Allaah have mercy upon him – it is said: the disbelief that is associated with a description (wasf), then judgement can be made by it in all circumstances, [such as] "whoever disbelieves in Allaah will be in the Fire", "whoever prostrates to an idol is a disbeliever", "whoever says that there is another deity alongside Allaah is a disbeliever" [and so on]. However, with respect to a specific individual (mu'ayyan), you must not make a judgement against him until you investigate; he could be ignorant and not know, or he could have made an interpretation (ta'wil) [that is incorrect], or there could be a situation in which he was made to utter words without actually intending them." (Liqaa Baab al-Maftooh Vol 36. No. 1020).

COMMENT: The principle that Shaikh Ibn Uthaimen has alluded to here is distinguishing between what is known as takfir bil-wasf and takfir bil-'ayn, in other words saying that the doer of such and such and act is a kaafir (with the kufr that expels from the religion) and between saying so and so (specific individual) is a kaafir (when he falls into the act).

In addition to the above point, when we make takfir bil-wasf (takfir of an action), **then that can be in relation to actions which can be both major kufr and minor kufr**, and thus we need to make clear that when we are saying such and such act is kufr or "whoever does such and such is a kaafir", which particular type of kufr do we mean. For in the Sharee'ah many actions have been labelled with kufr (or al-kufr), yet they are not major kufr. Hence, we cannot say "Whoever enters a woman through her anus is a disbeliever", and actually mean by that the major kufr. Likewise, we cannot say, "Whoever wails over the dead and reviles the ancestry is a disbeliever" and mean by that the major kufr. Hence we have to

adhere to TAFSEEL in declaring the act to be either major kufr that expels from the religion or minor kufr which does not expel from the religion. Thus, when we make takfir bil-wasf – we have to make TAFSEEL in this takfir bil-wasf. Pay close attention to this. Especially when it is possible for us to make takfir bil-wasf based upon those acts which are NOT major kufr, unrestrictedly (i.e. 'alal-itlaaq). Observe carefully the words of Shaikh Ibn Uthaimen:

Shaikh Ibn Uthaimen said, “Also from the evil understanding is the saying of the one who attributed to Shaikh ul-Islam Ibn Taymiyyah that he said, “When Kufr is mentioned with the definite article (i.e. al-Kufr), then the Major kufr is intended by it”, then seeking to use this as evidence to justify making takfeer on account of the verse “... then they are the disbelievers” (5:44)!! Despite the fact that there is nothing even in this verse to show it is the kufr (that expels from the religion)!¹

As for the correct saying from Shaikh ul-Islam Ibn Taymiyyah, then it is his distinction - rahimahullaah – between kufr with the definite article (al-kufr) and the kufr without it (kufr). **So as for the wasf (description), then it is correct if we say concerning it, “they are disbelievers (haa’ulaa kaafiroon)”, or “they are the disbelievers (haa’ulaa il-kaafiroon)”, based upon the kufr that they have been described with, of the kufr that does not expel from the religion.** Hence he distinguished between the act being described, and the person doing the act being described².

Hence, built upon this, then our explanation of this verse in the manner that has been mentioned, we judge that ruling by other than what Allaah has revealed is not the kufr that expels from the religion, rather it is the kufr of action, since the ruler (haakim) has departed by this act of his from the right mode of conduct. And it is not to be differentiated in any of that between a man who takes a secular law (qaanoon wad’iyy) from others and then makes it a referent point for judgement in his state (yuhakkimuhu fee dawlatihi), and between one who devises his own law (qaanoon), and then puts this secular law in place. Since, the most important thing is: Does this law oppose the Heavenly Law or not?” (Fitnat ut-Takfir, p.78, of Shaikh al-Albani, compiled by Shaikh Ali Hasan, originally from the cassette “Commentary on Fitnah of Takfir of Shaikh al-Albaani”).

Also pay close attention to the saying of Shaikh Ibn Ibraaheem, in his Fataawaa (1/80) dated 9/1/1385H – five years after Tahkim ul-Qawanin was published: “And likewise, the implementation of the meaning of ‘Muhammad is the Messenger of Allaah’ is by judging to his Shari’ah and confining oneself to that whilst rejecting whatever opposes it from the

¹ And this is precisely what al-Kanadie did(!) as we outlined in our previous paper GRV070017.

² And from Shaikh Ibn Uthaimen’s explanation it is clear that the real intent of Shaikh ul-Islam is that regardless of whether “kaafiroon” is being used or “al-kaafiroon” is being used (or whether “kufr” or “al-kufr” is used) the distinction is still to be made between the act that has emanated from a person from being described and between the actual person himself being described. And even when we are intending to illustrate kufr by way of the act only, and which is kufr that does not expel from the religion we can still say “they are kaafirs” or “they are the kaafirs” – and all of this is in reference to the minor kufr and not the major kufr. Thus making takfir bil-wasf can be done “bit-tafseel” (as in this example) or “bil-itlaaq” (in which no distinction is made between kufr that expels from the religion and that which does not, with respect to a particular action or trait).

secular laws and all those matters for which Allaah gave no authority. And the one who judges by them (hakama bihaa) or refers to them (haakama ilaihaa) - for judgement whilst believing in the correctness (sihhah) of that or the permissibility (to judge by them) (jawaaz), then **he is a kaafir with the kufr that ejects from the religion**. And if he does that without belief (I'tiqaad) in their correctness and (regarding it) permissible to judge by them (jawaaz), then **he is a kaafir with the kufr in action**, which does not eject from the religion.”

Again, here takfir bil-wasf has been made, and tafseel has been added to this takfir bil-wasf. Thus a person is a kaafir in both situations, save that in one he is a kaafir with kufr that expels from the religion, and in the other he is a kaafir with only the lesser kufr.

We can also mention the saying of Ibn al-Qayyim (rahimahullaa), “And this which ‘Ataa has said is very clear in the Qur’aan for the one who understands it, for verily Allaah, free from all imperfections, has labelled the ruler who judges by other than what He has revealed to be **a Kaafir**, and he has also labelled the one who makes juhood (the jaahid) of what he revealed upon His Messenger to be **a Kaafir**. Yet these two Kaafirs are not at the same level...” (Kitaab us-Salaat p. 75)

The point that is being made, from these quotations is that it is possible for us to make takfir bil-wasf, intending by that both major and minor kufr. And since this is the case, it is necessary for us to adhere to **tafseel** in making this takfir of the act (takfir bil-wasf) – which is what has clearly been illustrated in the above quotations, in which it is clearly stated that “whoever does such and such is a Kaafir”, so this is takfir bil-wasf, but in the above quotations, tafseel was made, when making this takfir, in that what was kufr that expels from the religion was distinguished from that which does not.

How does this relate to this whole topic?

This is important because it illustrates the actual point of contention between those who hold that a certain form of ruling by other than what Allaah has revealed is major kufr and those who do not, and which al-Kanadie has failed to grasp.

So some say that ruling by the secular laws (whether of one’s own making or not) in most or all instances, in ones state or government, is major kufr ‘alal-itlaaq (i.e. it is only major kufr, unrestrictedly, absolutely). Hence in their takfir bil-wasf, they make itlaaq (absolution). In other words they make takfir bil-itlaaq in their takfir bil-wasf. Hence, their saying is “whoever rules by the secular laws in his state is a kaafir” and they mean by this the major kufr, unrestrictedly. Thus, when this act occurs, they move immediately to the process of takfir bil-‘ayn, which is ensuring the existence of the conditions for takfir, the absence of the barriers and the establishment of the proof.

But others say, that making takfir bil-wasf in this issue, is actually subject to tafseel, and thus they make takfir bit-tafseel in their takfir bil-wasf. So they say that “whoever rules by the secular laws is a kaafir, either with the kufr that expels from the religion, or with the kufr in action that does not expel from the religion” – and this is based upon whether the

ruler brings Juhood, or Istihlaal or I'tiqaad and the likes. Hence, when this act occurs, they make tafseel and check for the existence of that which necessitates the major kufr, from that which is additional to the act itself. Up until they verify that, then this to them is not major kufr and hence, they do not even reach the process of takfir bil-'ayn. They only reach the process of takfir bil-'ayn, when a person accompanies his act with what indicates clearly, that which necessitates major kufr (such as Juhood, Istihlaal, I'tiqaad and the likes).

The essence of the matter is that we have to make a distinction between distinguishing between:

- a) takfir bil-wasf and takfir bil-'ayn on the one hand and
- b) takfir bit-tafseel and takfir bil-itlaaq as it relates to declaring an act to be either major or minor kufr, on the other hand, and hence the implications of this in arriving at the judgement of takfir upon a specific individual.

It is important for you to grasp all of this, before we proceed to highlight al-Kanadie's confusion.

IMPORTANT NOTE:

It is important to note that when we speak of the "tafseel" of the Salaf on this issue, as opposed to "itlaaq", then this relates to distinguishing between the major kufr and the kufr of action that does not expel from the religion, in both making takfir bil-wasf, and takfir bil-'ayn.

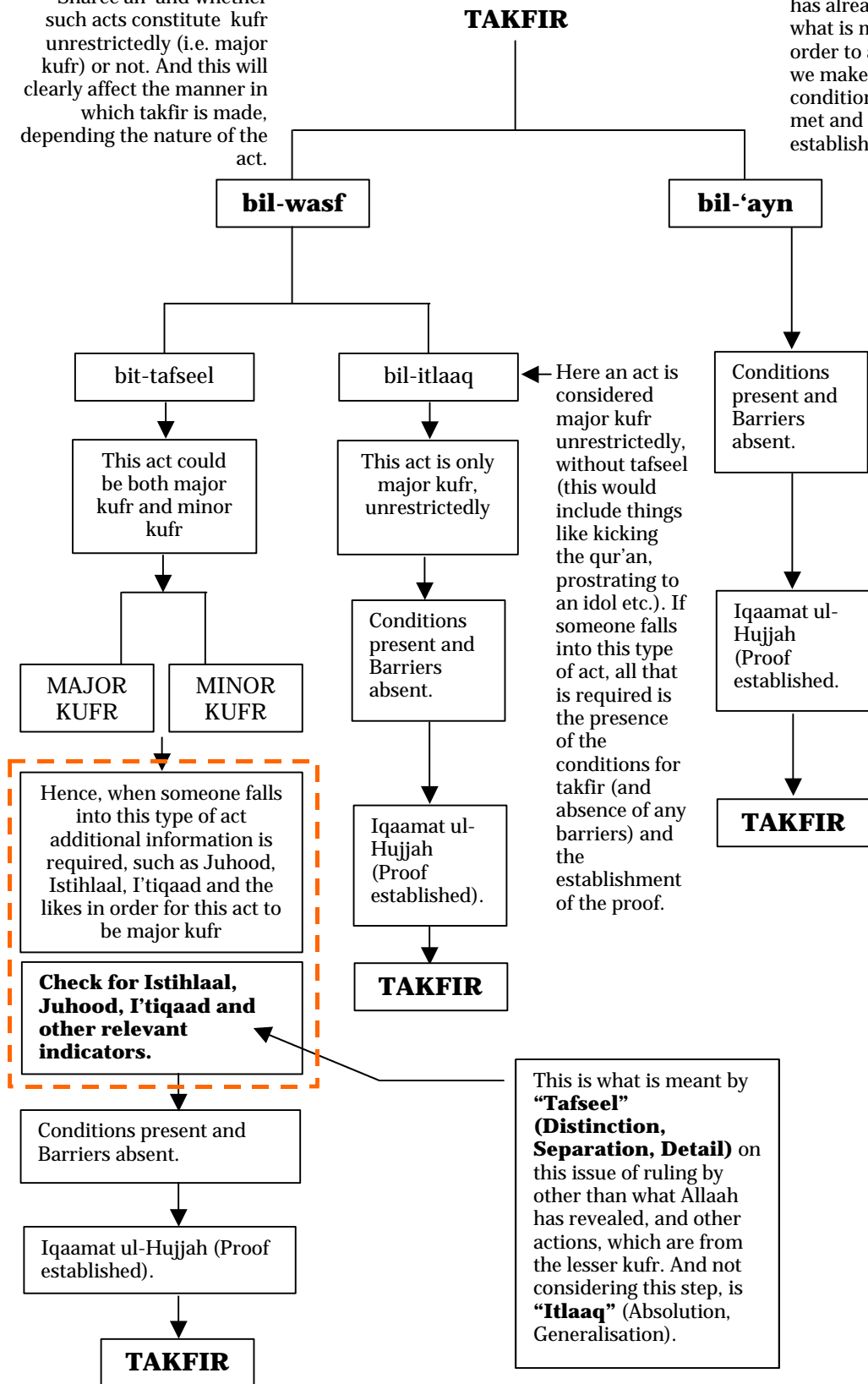
The implications this has is that we do not label ruling by other than what Allaah has revealed to be major kufr and the one who does it (i.e. takfir bil-wasf) except with the above tafseel. And similarly, when someone falls into this act, then we cannot make takfir of them (takfir bil-'ayn), except with evidence of Juhood Istihlaal and I'tiqaad and the likes **firstly**, and then, if this evidence is found, we then move on to employ the guidelines to takfir **secondly**, which is checking the conditions are present and any barriers are absent and the establishment of the proof.

Thus, the above distinction (or tafseel) that has been explained, has no relation, at this point, to what is known as wujood ash-shuroot (presence of the conditions) and intifaa al-mawaani' (removal of the barriers) and iqaamaatul-hujjah and establishment of the proof – in the principles of takfir, and is in reality, an additional step that is required, prior to making takfir. Rather, it is in relation to clarifying in one's takfir bil-wasf, what type of kufr one is alluding to, whether major or minor.

Summary

Here we evaluate the acts labelled with kufr in the Sharee'ah and whether such acts constitute kufr unrestrictedly (i.e. major kufr) or not. And this will clearly affect the manner in which takfir is made, depending the nature of the act.

Here, we are in a situation where a person has already fell into what is major kufr. In order to arrive at takfir, we make sure the conditions for takfir are met and the proof established.



Part 1. Al-Kanadie's Misunderstanding Of the Actual Issue Under Dispute

The first of al-Kanadie's travesties is that though he attempts to accuse us of not understanding what we are narrating, it is extremely sad, that he has missed the actual central point of the whole dispute concerning this issue. And this is displayed by his erroneous understanding and claim about us that when we (following the view of some of our 'Ulamaa, like Imaam al-Albaani, Imaam Ibn Baaz, Shaikh Abdul-Muhsin al-'Abbaad and whoever holds their view) speak of tafseel (detail, distinction, investigation) in the issue of ruling by other than what Allaah has revealed – in opposition to itlaaq (absolution, generalisation, unrestrictedness) – that we mean by this that our opponents do not distinguish between making takfir of the act and making takfir of the actual person (i.e. between takfir bil-wasf and takfir bil-'ayn). In other words, when we refute the position of our opposers who make takfir without tafseel of the one who rules by other than what Allaah has revealed (i.e. rules by the secular laws, those of his own making or otherwise, in most or all of his instances – ruling by them in his state)³ – that we mean by this, that their saying necessitates automatic takfir of a specific individual who falls into this act – without establishment of the Hujjah and without going through the conditions for takfir and removing the preventative barriers to takfir.

So this is his actual conception of the whole affair – and how misguided is this misconception. Little wonder he should make such blunders in the sum whole of his apologetic [theatrical] farce. Let us give some examples of where he demonstrates this particular understanding of his:

So here we see the same foolish exaggeration of www.salafipublications.com and the likes of Khaalid Al-Anbaree who has lumped all those who oppose him to be "...the ones who perform Takfir of the rulers who judge by secular laws, absolutely and unrestrictedly, without any further investigation or clarification..." And again, we say that this act is *Kufr*, which expels one from the realm of *Islaam*, and yet we still say that all of the conditions of *Takfeer* must be present and all the defences of *Takfeer* must be eliminated before this ruling of *Kufr* is applied upon any individual particular ruler. (p.29)

This is a common exaggeration which the likes of www.salafipublications.com and Khaalid Al-Anbaree allege against those who hold the 'Ruling by Other Than What Allaah Revealed' to be *Kufr Al-Akbaar*. The truth of the matter and what *Ahl us-Sunnah wal-Jamaa'ah* are upon, is that even the one who is guilty of performing an action, holding a belief or speaking a statement of *Kufr Al-Akbaar*, cannot be made *Takfeer* to until all of his excuses are eliminated and all of the conditions of *Takfeer* are present. So we say that whoever 'Rules by Other Than What Allaah Reveals' is a *Kaafir*. But this is a general label and we do not apply this label to every individual specific ruler until we establish all the conditions of his *Takfeer* and eliminate all of what would defend him from this *Takfeer*. (p.26)

Also

³ Whether our opposers be OUR scholars who hold a view different to ours OR the Qutubi Charlatans who have hijacked our da'wah and who are actually upon the extremism of Sayyid Qutb (and there is a difference between them both, as we have outlined in previous papers).

And what we find completely dumbfounding is that www.salafipublications.com has posted a booklet on the subject of *Takfeer* called, “**The Excuse of Ignorance and Takfir**”. and in this book is a section entitled, “PART TWELVE: The Distinction Between An Action’s Being *Kufr* And The Doer Of The Action’s Being A *Kaafir*.” And under this section is an explanation of this exact rule.

So in one article, www.salafipublications.com attempts to demonstrate how the people who say that the rulers who ‘Rule by Other Than What Allaah Revealed’ are *Kuffar* are doing so in an unrestricted, and absolute manner without any investigation or clarification and in another article, they have explained how such statements are not unrestricted and absolute. And this is one out of many demonstrations of how these people do not really grasp the issues in which they have taken such strict positions. (p.26)

Also

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

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

So www.salafipublications.com and Al-Anbaree see that this *Fatwaa* somehow automatically makes *Takfeer* to every single specific, individual ruler who ‘Rules by Other Than What Allaah Revealed’ in general legislation. We have translated and posted the entire *Fatwaa* in the first footnote of this project and nowhere does the Permanent Committee make *Takfeer* to anyone! (p.34)

Summarising what al-Kanadie has stated above, then he thinks that when Al-‘Anbari (following the likes of Imaam Ibn Baaz, Imaam al-Albaani, and others) says about those who oppose his view that they do not adhere to the “tafseel” (in the issue of ruling by other than what Allaah has revealed, in the sense of ruling by the secular laws in some, most or all instances in the state) – that what al-‘Anbari means is that they do not distinguish between the act and between the doer, and hence make takfir of the specific individual who falls into an act of kufr, immediately, without the hujjah being established upon him first, and without following the conditions of takfir.

All of this illustrates his total ignorance of the whole issue at hand, and on which he has written over 200 pages to date, attempting to refute something which he does not even understand to begin with.

Where has al-Kanadie gone wrong?

Al-Kanadie’s mind has become befogged and confused between two separate issues, and he is also confused about the terms used by the scholars in the likes of these affairs. He has confused between:

- 1) Differentiating between **Takfir bil-Wasf** and **Takfir bil-‘Ayn** which is a matter that pertains to the Usool of Takfir in general. So though we may make

takfir of the act, i.e we say “Whoever prostrates to an Idol is a Kaafir” (i.e. Takfir bil-Wasf) we do not say about a specific person who falls into this that he is automatically a Kaafir (Takfir bil-'Ayn). Rather we follow the guidelines of takfir before actually making takfir and this means that we make sure the conditions for takfir are met and that the hujjah has been established.

And

2) Differentiating between **Takfir bit-Tafseel** and **Takfir bil-Itlaaq** in the issue of ruling by other than what Allaah has revealed. So with respect to the case where a ruler rules by secular laws in his state, imposing them upon the people, do we carry this upon the tafseel known to the Salaf concerning the two types of kufr (one which expels and one which does not) in relation to not ruling by what Allaah has revealed, or do we not carry this case upon the tafseel of the Salaf, and hence make itlaaq (generalisation, absolutism) in this issue and judge the act to be major kufr, unrestrictedly. Irrespective of any of that, this relates to actually judging **the act** to be minor kufr or major kufr (depending on which view one holds) – and naturally this will influence the way takfir is made of an individual. For if we do not make tafseel in the issue, then a person would be judged a kaafir bil-itlaaq (in other words, we would have discarded the requirement of Istihlaal, Juhood, I'tiqaad and the likes). However, regardless of whether takfir is made bit-tafseel or bil-itlaaq, the step of making sure the conditions of takfir are present and any barriers to it are removed, and establishing the hujjah, still applies.

To illustrate the above, let's take the example of making an oath by other than Allaah. This is not major kufr unrestrictedly, absolutely (alal-'itlaaq), even though it has been declared to be kufr in the Sunnah, that is minor kufr. It can be minor kufr and it can also be major kufr, if the person who made the oath made ta'dheem (veneration in the heart) of that by which he was making the oath, whether it be a dead person or otherwise. Thus on this issue we cannot make takfir bil-itlaaq of the act. That is, we cannot say that making an oath by other than Allaah is major kufr, absolutely. Rather we make takfir bit-tafseel of the act. That is we say, if he did it without making ta'dheem of that by which he made an oath, then it is not major kufr. And if he did then it is major kufr. So this is illustrating the difference between takfir bit-tafseel and takfir bil-itlaaq – and all of this at this stage – relates only to the judgement upon the act (i.e. takfir bil-wasf), not upon any specific individual. Thus we may say, “Whoever made an oath by other than Allaah has disbelieved” and we mean by this the minor kufr, or we could mean the major kufr, if it was accompanied with ta'dheem. But this is takfir bil-wasf and is not takfir bil-'ayn or takfir al-mu'ayyan (takfir of a specific individual). As for takfir of a specific individual then that is something entirely different and does not even come into our discussion of making a distinction between takfir bit-tafseel and takfir bil-itlaaq of the particular act under question, since, the takfir of a specific individual only comes into play when what is clearly major kufr has been committed.

Now if someone was to say making an oath by other than Allaah is major kufr absolutely ('alal-itlaaq) without tafseel, then this would necessitate the takfir of everyone who falls into this act, although when we say that this necessitates takfir we mean takfir bil-wasf (takfir of the description or act) and not takfir bil-'ayn (takfir of specific individuals who fall into this). Thus we can say that whoever made takfir bil-itlaaq of the one who made an oath by other than Allaah, then his view necessitates that we make takfir of many Muslims who fall into what is actually only minor kufr, in other words takfir bil-itlaaq. But when we say this, we are speaking here of takfir bil-wasf, not takfir bil-ayn.

So al-Kanadie has become confused between these two issues and has actually missed the plot and the direction by a few solar systems, since Imaam Ibn Baaz, Imaam al-Albaani, Imaam Ibn Uthaimen, Shaikh 'Abdul-Muhsin al-'Abbaad, and al-Anbari' and al-Halabi and many others are in one valley, and al-Kanadie is in a different Galaxy.

To guide this somewhat confused individual let us set the matter straight to him:

The whole dispute O al-Kanadie - may Allaah guide you to your senses and grant you success in making you realise that you are just wasting your time and only refuting your own self, by your blatant confusion – is concerning whether the tafseel of the Salaf on the issue of ruling by other than what Allaah has revealed (i.e. distinguishing between kufr in action and kufr in belief⁴) should be applied or not, in arriving at the judgement of major kufr upon the act (i.e. Takfir bil-Wasf) of ruling by the secular laws and imposing them upon the people. So the dispute is: should this tafseel of the Salaf be applied to this situation or not. And what exactly is the proof of those who say it should not be and who make takfir of the act 'alal-itlaaq (i.e. declare it to be major kufr and do not hold tafseel in this issue). And don't forget al-Kanadie, that this has got nothing to do with the actual judgement of takfir upon a specific individual. The dispute is about whether this act is major kufr 'alal-itlaaq or whether it is not but is only so when accompanied with Juhood, Istihlaal, I'tiqaad and the likes. Regardless of what view is held, then the guidelines of takfir would still be adhered to, so that if someone fell into it, we would make sure the conditions for takfir are present and the hujjah established.

Now the argument of one group is this act does not come under the tafseel of the Salaf, rather it is major kufr and does not require tafseel. And their proof is that they say this act conclusively indicates that this person has considered this law to be great or better or equal, over and above the Sharee'ah, or that he has considered it lawful, or that he has made Juhood and the likes. So they make this binding from the act, that the act itself gives evidence to that which necessitates kufr (i.e. Istihlaal, I'tiqaad and the likes), and thus any other indicators, **besides the act itself**, are not necessary for takfir.

And as for the argument of the other group, then it is that whether a ruler judges by dhulm or fisq in a personal dispute between two people, or whether he judged by an ancestral custom or a tradition that opposes the Sharee'ah, or whether he ruled by a single French or British Law, or whether he invented his own law and ruled by it, or whether he did that

⁴ Such as Juhood, Istihlaal, I'tiqaad, like considering the law to be equal or better and so on.

with 10 or 500 laws in his state, or whether he called the people to comply to it or not – then all of that is actually ruling by other than what Allaah has revealed – and you may call it whatever you like (hukm aamm, tashree', istibdaal etc.) but this is the reality that it points to. And all of this does not exit from the tafseel of the Salaf, since the asl, basis, in this matter is that ruling by other than what Allaah has revealed is not major kufr, aslan (principally). Hence, irrespective of the way in which the ruler falls into it, we must adhere to tafseel in the matter. And further, that a Ruler judges by 10 or 50 or 500 secular laws in his state – or in most of the affairs of his state – whether of his own making or otherwise, then just like if a person fell into all the other acts that are minor kufr, aslan (principally) – such as entering his wife through her anus, or wailing over the dead, or fighting a Muslim, or reviling the genealogy, and fell into this consistently and persistently – he does not become a disbeliever because this does not indicate with certainty that he has made Istihlaal (of these acts) or that he has made Juhood (of their being prohibited) or their being superior to what Allaah as ordered and so on, **then in a similar manner** a Ruler who rules by the secular laws, whether of his own making or otherwise, then it does not conclusively indicate that he has fell into Juhood or Istihlaal, or I'tiqaad that necessitates disbelief. And hence tafseel must be adhered to. And this group requests the first group to bring its evidence for its position and for its distinguishing between ruling by other than what Allaah has revealed in one or some instances and between what they see as the prevalent situation today of ruling by the secular laws – whether that be for the Ruler who rules by these laws or the common folk who refer to these laws.

And this is the reality of the difference.

As for the issue of making takfir of a specific individual, then that does not even come into the dispute, since it is agreed that whoever falls into major kufr, then the principles of takfir are applied and the hujjah is established before takfir is made.

In short, al-Kanadie has not even grasped the issue, and has ended up in space, floating around, wasting his own time and ours in having to bring him back down to earth and correct his foolishness.

Al-'Anbari said:

“...And the saying of the Imaam, Muhammad bin Abdul-Wahhaab – rahimahullaah – is well-known, **“And we do not perform takfir except by that which the Ulamaa, all of them, have agreed upon.”** (ad-Durar as-Sunniyah 1/70). And his grandson, 'Abdul-Lateef also emphasised this in his defence of him, when he said, “And he does not perform takfir except on account of that which the Muslims have agreed upon.

The texts of the Book and the Sunnah are of two types in relation to takfir:

1. Those which are decisive in both meaning and indication, such as the takfir of the one who committed Shirk with Allaah, or who rejected his Signs, or who mocked Allaah or His Messenger. **So concerning this there is the Ijmaa' of Ahl us-**

Sunnah for takfir, after the required conditions are met and any preventative barriers are removed.⁵

2. Those which are not decisive in meaning or indication, such that they can be in reference to both types of kufr (disbelief) together, the major kufr and the minor kufr. And this itself falls into two types:
 - a. What the Ulamaa of the Sunnah have agreed upon with respect to the absence of takfir (in relation to these texts), due to their unanimous agreement in considering these acts to be the minor type of kufr which does not expel from the religion. An example of which is in the two hadeeths which are both agreed upon, "Reviling a Muslim is fusooq (sinfulness) and fighting him is kufr (disbelief)" and "When a person says to his brother, 'O Kaafir', then it falls upon one of them".⁶
 - b. What the Ulamaa have differed upon in explaining it to be one of the two types of kufr. In this circumstance, adopting caution is required, since making an error in forgiving someone is better than making an error in punishing someone. And in al-Haashiyah of Ibn Aabideen (3/224) there occurs, "That which is clear and open is that the verdict of kufr upon someone should not be made when it is possible to carry his words upon a good meaning, or when there is difference of opinion as to his kufr (disbelief)." And also in the Fataawaa of Shaikh ul-Islam Ibn Taymiyyah there occurs, "Whoever's Islaam is affirmed with certainty (yaqeen), then it will not cease from him with a doubt." And there also occurs in the words of Ibn Battaal concerning the takfir of the Khawaarij, -and concerning them (the Khawaarij) numerous ahaadeeth have been reported whose apparent meaning necessitates takfir of them – "And when any doubt occurs in that, their exiting from Islaam should not be held resolutely, since whoever's bond of Islaam is established with certainty (yaqeen) does not exit from it except with certainty."

Therefore, the whole matter returns back to restricting takfir to that which is unanimously agreed upon, as opposed to other than it, due to other plausibilities in the text(s) in whose tafseer there is difference of opinion." (Al-Mur'jiatu Laa Taqbalunaa p.4).⁷

⁵ And takfir bil-wasf of these actions are made bil-itlaaq (i.e. they are only major kufr, unrestrictedly).

⁶ And these affairs require tafseel.

⁷ And this is in conformity with what has been alluded to by Shaikh Ibn Ibraaheem who said, "Then there are two other matters (to be considered): **The first**, passing judgement about this particular matter, that it constitutes disbelief [that expels from the religion]. **The second**, the ruling upon the individual himself, this is something else, and then the takfeer of a whole group, such as the Jahmiyyah, this is (yet) another thing." (Fataawaa 12/190-191).

And also what has been said by Shaikh Ibn Uthameen (rahimahullaah), "And the judgement of takfir for a particular individual requires two matters: **a)** establishing (the evidence) that this

Summarising, al-'Anbari states that when a text indicates an act is decisively major kufr, then takfir of the act (takfir bil-wasf) is performed bil-itlaaq, meaning that it can be said that "whoever does such and such is a Kaafir", meaning by that the major kufr, unrestrictedly. And as for an individual who falls into it, then we make takfir bil-'ayn with the presence of the conditions of takfir and absence of any barriers to it. As for when a text refers to minor kufr then we make takfir of the act (takfir bil-wasf) but with tafseel, meaning that it is said, "whoever does such and is a Kaafir with the minor kufr" or "whoever does such and such with Juhood, or Istihlaal and the likes is a Kaafir with the major kufr". And as for an individual who falls into this act then we follow this **tafseel** in making takfir, since the mere act in itself does not necessitate major kufr, and thus we cannot initiate the process of takfir, and move straight to takfir bil-'ayn – that is the stage of making sure the conditions for takfir exist and the barriers to it are removed. Meaning we see if the act occurred with Istihlaal or Juhood and their likes, or without them.

In light of that the point of criticism of the likes of Imaam al-Albaani, Ibn Baaz, Shaikh 'Abdul-Muhsin al-'Abbaad and those upon their viewpoint, against their opponents, is that they make takfir bil-itlaaq in this issue, without tafseel. Meaning, that by the act itself they make takfir (i.e. make takfir bil-wasf, that is, they declare the act to be major kufr unrestrictedly), and hence, when they make takfir of an individual who falls into this (takfir bil-'ayn), they miss out the step of verifying whether a person fell into it on account of Juhood or Istihlaal and what is like them, which necessitate kufr. Hence, their takfir is bil-itlaaq. This is what is actually being referred to.

As for what al-Kanadie has understood, which is that takfir bil-itlaaq means that you automatically make takfir of a specific person who falls into kufr (i.e. takfir bil-'ayn, or takfir al-mu'ayyan), without adhering to the guidelines of takfir (of ensuring the conditions are present, barriers removed etc.), and that this is what is being ascribed to the Permanent Committee, then this is an error – and is only the by-product of al-Kanadie's evil understanding and the feebleness in his intellect.

particular trait or characteristic that he brought necessitates kufr (that expels from the religion) and **b**) ensuring the conditions for takfir upon him, the most important of which is having the knowledge that this particular matter expels (from Islaam)... and it is also necessary that alongside the conditions being met that any barriers are also non-existent. So if a person committed that which necessitates kufr, out of compulsion (ikraah), or absent-mindedness (dhahool), he would not have disbelieved..." (Al-Qawl ul-Mufeed 'Alaa Kitaab ut-Tawheed 2/271).

Part 2. Al-Kanadie's Ignorance of What Follows on From the Above Principles

In order to illustrate the next serious blunder of al-Kanadie we need to read through a large text from one of the Anbaree Papers. It is essential to understand this well and the context of the passage below, before we illustrate more of al-Kanadie's confusion, and his failure to grasp the issues "in which he has taken such a harsh position" – due to his incessant and persistent goal in ascribing Irjaa' to those who do not share in his Takfir 'alal-Itlaaq of the Rulers (this is takfir bil-wasf by the way!) which he has but been suckled on by the infamous ABU JAHL IBN HALEEMAH (and as for the Haleemic Paradigm of Takfir, then it is but revelling in Takfir bil-'Ayn, as we shall see in a later paper, inshaa'allaah).

The Anbari Papers 3: Concerning at-Tashree' al-Aamm

All praise is due to Allaah, we praise Him, seek His aid and His forgiveness. We seek refuge in Allaah from the evils of our souls and the evils of our actions. Whomsoever Allaah guides there is none to misguide and whomsoever Allaah misguides there is none to guide.

And I testify that there is none worthy of worship except Allaah alone, without any partners. And I testify that Muhammad is His servant and messenger.

To proceed:

Since the statements of the people of knowledge – regardless of the status they may have reached – are not immune from errors and mistakes and can also be contested and subject to refutation⁸, it is therefore obligatory upon me to explain my view concerning the manner in which many people have understood the statement of the Permanent Committee, no. 21154, dated 24/10/1420H, which maintains absolute and unrestricted takfir (**takfir bi-itlaaq**) of the one who rules by other than what Allaah has revealed in general legislation, at-tashri' al-aamm.⁹

⁸ **Refer to the well-known and distributed cassette entitled 'al-Dam'ah al-Baaziyyah'** which is a knowledge based meeting between Imaam Ibn Baaz and a gathering of teachers from the Imaam Muhammad bin Sa'ood University in Riyaadh, in the Faculty of Sunnah and the Fundamentals of the Religion in which the issue of tabdeel and istibdaal (replacing the Sharee'ah with secular law) is discussed in detail – with Imaam Ibn Baaz being – as if it were – assaulted by those around him – of the people of knowledge – like in a siege – and they were trying to establish that ruling by other than what Allaah has revealed warrants takfir 'alal itlaaq. Yet the Imaam stood his ground and stated that even if a ruler fell into tabdeel, or instituted secular laws, he does not become a disbeliever except by way of Istihlaal, or if he attributes these laws to the Sharee'ah. And the noble brother, Doctor Abu Abdul-Malik Hamad ash-Shatawee – has made references to this gathering in his book "Al-Ibreeziyyah Fit-Tis'een al-Baaziyyah" in numerous places and amongst them is his saying on page 55, **"The people - consisting of a large and respected group from the people of knowledge and excellence - used to contest him greatly concerning it (i.e. the fatwa), and it seemed as if it was a siege against him, in the issue of the unrestricted and absolute takfir of the individual who rules by other than what Allaah has revealed. Yet he was defiant in adhering to the madhhab of the Salaf, and took a very harsh stance towards the one who opposed this. He would also emphasise that takfir cannot be performed merely on account of disobedience or sin, so long as the person does not openly and clearly declare the act to be lawful, as a matter of belief. And he would say, "Whatever is in opposition to this is the madhhab of the Innovators, the Khawaarij."**

⁹ And this is in reference to **takfir bil-wasf** NOT takfir bil-'ayn.

This matter is very dangerous due to the tribulations and shedding of blood that result from it, as well as great calamities and disasters. We ask Allaah to grant us safety from every trial.

And this is alongside the fact that I had written a detailed reply to the statement issued by the respected Permanent Committee which had reached them on 13/11/1420H and which was referenced 1401/1/d. However, it has been not been replied to with even a single letter (to date)!!

It is vital first of all, that we find out what exactly does the Committee intend by the use of the phrase 'at-Tashri' al-Aamm' (General Legislation). It can only fall into one of two meanings:

THE FIRST MEANING: That the legislation of a state in its entirety is in opposition to what Allaah has revealed. However, this matter needs a detailed investigation, and is something that may only exist in ones imagination. Since, there is not a single ruler who ascribes himself to Islaam – in the world today – except that he establishes something from what Allaah has revealed, [regardless of whether it is] a small or large portion of it.

This is manifest mostly in the various ministries and [government] bodies that have been set up that are concerned with many of the Islamic affairs such as the maintenance of the mosques, establishment of the prayers, appointing the mua'addhins and imaams, organisation da'wah, sermons and admonitions and others such matters. Similarly evident, are the various committees set up to issue verdicts and the establishments of knowledge and religion which engage in the teaching of Shari'ah sciences. This is in relation to the passing of judgements concerning marriage, divorce, inheritance and properties with the noble Islamic Shari'ah, all of which is overwhelmingly found.

It cannot be plausible that the Committee intends this particular meaning, since it is very far from actual reality. And if it did intent this meaning, then it has not arrived at the truth either since in 'Ma'alim at-Tanzil' of al-Baghawi (3/61) there occurs: "Abdul-Aziz bin Yahyaa al-Kinaani was asked about these verses, so he replied: [The ruling in] these verses apply to [the abandonment] of everything that Allaah has revealed, not to [the abandonment of] just some of it. Everyone who does not rule by what Allaah has revealed is a disbeliever, an oppressor and a sinner. But as for the one who ruled by what Allaah revealed with respect to Tawhid and abandoned Shirk, and then he did not rule by any of what Allaah revealed of the legislated matters, he does not deserve the ruling contained in these verses". And these words are very strong.

Hence, there does not remain except the second meaning.

THE SECOND MEANING: The meaning that is constantly repeated by those who perform unrestricted and absolute takfir of the rulers, such as the book 'ar-Radd 'alal-'Anbari' in which there occurs (p.28), "As for general legislation, then that is a replacement (tabdil) of the rule of Allaah, even if it was [only] with respect to one of the hadd punishments."

Likewise, what is found in the book 'Inallaaha Huwal-Hakam' (p.119-120) in which the one who blackened [its pages (with falsehood)] stated, "Some people may think that the judgement of disbelief, kufr, upon the ruler cannot be made unless he abandons ruling by every single matter that has come in the Sharee'ah. That when he rules with some of what Allaah has revealed it is indicative of this faith, eemaan. But this is a faulty understanding. The Qur'an has refuted those who hold this view in the most expressive of ways when He, Allaah states: **"Then do you believe in a part of the Scripture and reject the rest? Then what is the recompense of those who do so among you, except disgrace in the life of this world, and on the Day of Resurrection they shall be consigned to the most grievous torment. And Allāh is not unaware of what you do."** [Baqarah 2:85] And when He states:

“Verily, those who disbelieve in Allâh and His Messengers and wish to make distinction between Allâh and His Messengers (by believing in Allâh and disbelieving in His Messengers) saying, “We believe in some but reject others,” and wish to adopt a way in between.” [Nisaa 4:150].

The author continues, “...Therefore, it is not a condition that he abandons, replaces or changes every single ruling of the Sharee’ah such that those guilty of this are deserving of the label of kufr. Rather, when a person abandons, replaces or changes a single ruling from the rulings that Allaah or His Messenger have legislated, or substituting [the law of Allaah] with the laws that they have devised, then that is kufr [that expels from the religion], and refuge is with Allaah.”

And if the Committee holds this view, the disbelief of the one who ruled by other than what Allaah revealed in general legislation - with this meaning - without declaring that to be lawful as a matter of belief, then it is obligatory upon the Committee to free itself in front of Allaah from that. Since, it necessitates some very great calamities, such as, for example:

ONE: Takfir¹⁰ of every single ruler without exception, and the various confrontations, tribulations and calamities between societies and governments that follow on from that.

TWO: Takfir¹¹ of many of the jurists, fuqaha, who make ijtihaad based upon their desires and then legislate that which is in opposition to the rulings of Allaah the Most High. And especially since most of them depend upon Istihsan (i.e. considering something to be good or beneficial without a basis from the Sharee’ah). And the statement of Imaam ash-Shafi’ee is well known, “Whoever resorted to Istihsan [in ijtihaad] has legislated [into the religion].” In fact, ash-Shafi’ee described it, in his Risalah (507), “Certainly, Istihsan is merely doing what is agreeable (i.e. satisfying to oneself).”

THREE: Takfir¹² of the blind-followers of the schools of thought in Fiqh. This is because the blind-follower does not judge by the judgement of the Book and the

¹⁰ **IMPORTANT NOTE:** What is meant is that takfir would be made of every ruler without Juhood, or Istihlaal or I’tiqaad and the likes – that is without adhering to tafseel. And as for the tribulations that al-‘Anbari is referring to, then that is what has happened in some of the Muslim lands like Algeria others, where takfir bil-itlaaq is held on this issue, and then built upon this, hasty takfir upon other than the Sharee’ah principles, and not referring back to the Major Scholars, shortly follows.

And this is evidenced by the fact that many of the Takfiris and Kharijites have taken some of the words of Shaikh Salih al-Fawzaan and Shaikh Ibn Ibraaheem, in which there is takfir bil-itlaaq (i.e. of the action), and then using this, they perform takfir bil-‘ayn of the rulers. Thus, the saying of some of the scholars, of takfir bil-itlaaq in this issue, facilitates, the justification of takfir bil-‘ayn that the Khawaarij of our times, fall into – without adhering to the Sharee’ah guidelines for takfir. And the truth of what al-Anbari has mentioned will be clear to anyone who has a sense of justice, for the Khawaarij of our times, make takfir bil-‘ayn of every single ruler in the Muslim lands without exception – using in all of that words of some of our scholars who hold takfir bil-itlaaq in this issue.

Now if someone wishes to find fault with al-Anbari for criticising this view, then let them also criticise Imaam Ibn Baaz who labels takfir bil-itlaaq in this issue as being “the madhhab of the Khawaarij” – as has preceded in this paper, and which is present on both tape and print – for Imaam Ibn Baaz vehemently refutes this view, and conditions Istihlaal, Juhood and I’tiqaad in all forms of not ruling by what Allaah has revealed.

¹¹ And again, this is in reference to takfir bil-wasf, not takfir bil-‘ayn.

¹² Once more, this is in reference to takfir bil-wasf, not takfir bil-‘ayn.

Sunnah, but he judges with the ruling of the Scholar that he follows. The 'Allaamah Siddiq Hasan Khan makes this clear in Fath ul-Bayan (3/31) where he states:

“This verse, ‘**And whosoever does not judge by what Allâh has revealed, such are the Kâfirûn.** [Ma'idah 5:44]’, even though it was revealed concerning the Jews, is not specific to them alone, since its application is based upon the generality of its wording, not the specific instance of its revelation. The word ‘man’ (whosoever) is used as a condition, hence it is generally applicable (to everyone). This noble verse, therefore, applies to everyone who does not rule by what Allaah has revealed – and that is the Book and the Sunnah. The blind-follower does not claim that he rules by what Allaah has revealed. Rather, he affirms that he rules by the saying of such and such scholar! But he himself does not know that that ruling by which judges, is it from the mere opinion of the Scholar, or is it from amongst the matters for which he has extracted evidence [from the Book and the Sunnah]. Further, he does not know whether the Scholar is correct in his reasoning by way of his evidences or whether he has erred?? Or whether he has used very strong evidence or one that lacks credibility??”¹³

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

And all of this is falsehood in the most extreme of ways. And what a great calamity [it is]!

However, in any situation, there is no evidence to suggest unrestricted and absolute takfir (**takfir bi-itlaaq**), without investigation and clarification (**doon tafseel**), of those who legislate, - O Allaah – except the statement of many of these Takfiris, “Legislating, tashree’, is the sole right of Allaah alone, without any partners. Whoever contends with Him in anything concerning it, then he is a Mushrik” as has been said by the author of the book, ‘Hukmullaah Wa Maa Yunaafeeh’ (p.37-38) and others...”. End quote.

Summarising, what al-Anbari is saying is that if what the Committee means by its use of the word “at-tashree’ al-aamm” is the situation prevalent today in the Islamic lands, where secular laws are found in greater or lesser degrees, then built upon this understanding and concept, this would necessitate the takfir of the Rulers, the Jurists, the Muqallids and the Innovators¹⁴ (**without tafseel**) – and when he speaks of takfir here, he means **takfir bil-**

¹³ And the evidence in this point is that the Muqallid chooses other than the Book and the Sunnah as a point of reference for his judgements. As for the claim that he is following ash-shar’ al-mu’awwal (the interpolated Sharee’ah, i.e. the judgements and ijtihaads of the jurists) - and hence cannot be reproached, then this is out of its place, since the Muqallid and Madhhabists, as a matter of principle, refer all disputes to the madhhab, and make binding what they find therein. And as such the saying of Allaah Most High, “**But no, by your Lord, they can have no real faith, until they make you judge in all disputes between them...**”, applies to them. So just like the ruler turns away from this (judging to the Sharee’ah), then likewise, the Muqallid and Madhhabist turns away from judging to the Sharee’ah and judging to Muhammad (sallallaahu alaihi wasallam) with respect to the rulings (ahkaam) and the affairs of ‘ibaadah and mu’aamalaat and so on. Rather they make tahkeem to the madhhab, and whatever agrees with it, they judge by it and whatever disagrees with it, they reject it – to such an extent that they verbally express that agreement to their madhhab comes before everything else, until even if the evidence against them was as clear as daylight.

¹⁴ Imaam ash-Shaatibee said, concerning the Muftadi’ (Innovator), “**He has placed himself at the level of resembling the Legislator**, since the Legislator is the one who has placed these

wasf¹⁵ NOT **takfir bil-'ayn**, as is abundantly clear from the context, both before and after his mentioning of the four groups, where he alludes to the issue of **takfir bit-tafseel** and **takfir bil-itlaaq**.

This refers back to what Shaikh Ibn Uthaimen explained earlier, when he said, “As for the correct saying from Shaikh ul-Islam Ibn Taymiyyah, then it is his distinction -

affairs of the Sharee'ah (sharaa'i'), and made them binding upon the creation, to traverse upon them, and he is the one who is unique in this respect, since He is the Judge between the creation in that which they differ and dispute. And if not, then had the (right of) tashree' (legislation), been one of the realisations of the creation, then the affairs of the Sharee'ah would not have been revealed, and no difference would have remained amongst the people, and there would have been no argument for the sending of the Messengers – upon them be peace. **Hence, this person who innovated into the religion of Allaah, has made himself an equal (nadheer) and one who resembles (the Legislator) in that he has legislated (shara'a) something alongside the Legislator.** And he has opened up a door for differing, and he also rejected the intent of the Legislator in [His] uniqueness in Legislation (al-infiraad bit-tashree'), and sufficed with all of this.” (Al-I'tisaam 1/50-51).

So built upon this, the callers to al-Haakimiyyah, **must also make takfir bil-itlaaq** of the Innovators – for their argument with respect to the Rulers, **then it is inescapable for it not to be applied to the Innovators also.**

¹⁵ In other words, like saying, “Those who rule by the secular laws are Kuffaar”, or “Those who make tabdeel of the religion (i.e. the Innovators) are Kuffaar”, or “Those who place the saying of their Imaam above and over that of the Messenger or replace his saying with that of their Imaam (i.e. the Muqallidah) are Kuffaar” or “Those make new judgements based upon Istihsaan (i.e. the Jurists) are Kuffaar” etc. So this is in reference to takfir bil-wasf and is not in reference to takfir of specific individuals who fall into this.

We can revisit the words of Shaikh Ibn Uthaimen here.

Question: O Shaikh, may Allaah preserve you and take care of you – what is the meaning of the statement of Shaikh ul-Islam Ibn Taymiyyah, *“Takfir of a specific individual requires specific evidence (takfir ul-mu'ayyan yahtaju ila dalil mu'ayyan)”*?

Shaikh Ibn Uthaimen: You know, may Allaah bless you, that the (Shari'ah) rulings are sometimes associated with a description (wasf) and sometimes associated with an individual (mu'ayyan). For example we say, “Every believer is from the people of Paradise”. This is a general statement which is associated with a description (wasf), every believer is in Paradise and every disbeliever is in the Fire. However, do we say in the case of a specific individual, so and so is from Paradise? Do you say about this specific individual, so and so is from the people of Fire?

Hence, there is a difference between that which is associated with a description and that which is associated with an individual. When a person utters a statement of disbelief or commits an act of kufr, then we do not declare him to be a disbeliever until we look at what motivated him to do that. Then, we behave with him (i.e. pass a ruling over him) based upon what his (specific) situation demands.

Hence, the meaning of the words of Shaikh ul-Islam – may Allaah have mercy upon him – it is said: the disbelief that is associated with a description (wasf), then judgement can be made by it in all circumstances, [such as] “whoever disbelieves in Allaah will be in the Fire”, “whoever prostrates to an idol is a disbeliever”, “whoever says that there is another deity alongside Allaah is a disbeliever” [and so on]. However, with respect to a specific individual (mu'ayyan), you must not make a judgement against him until you investigate; he could be ignorant and not know, or he could have made an interpretation (ta'wil) [that is incorrect], or there could be a situation in which he was made to utter words without actually intending them.” (Liqa Baab al-Maftooh Vol 36. No. 1020).

rahimahullaah – between kufr with the definite article (al-kufr) and the kufr without it (kufr). So as for the wasf (description), then it is correct if we say concerning it, “they are disbelievers (haa’ulaa kaafiroon)”, or “they are the disbelievers (haa’ulaa il-kaafiroon)”, based upon the kufr that they have been described with, of the kufr that does not expel from the religion. Hence he distinguished between the act being described, and the person doing the act being described. (Fitnat ut-Takfir, p.78, of Shaikh al-Albani, compiled by Shaikh Ali Hasan, originally from the cassette “Commentary on Fitnah of Takfir of Shaikh al-Albaani”). In other words takfir bil-wasf can be made (whether that is in relation to major or minor kufr), and this has nothing to do with takfir of a specific individual – as that is yet another separate matter.

Now let us see what al-Kanadie has commented, upon this particular passage:

And as we’ve stated before, the declaring of a particular belief, saying or action as *Kufr Al-Akbaar*, is not the same as declaring every single, specific individual, who committed them to be a *Kaafir*. (Review footnote #30 for clarification) And we say that in this type of ridiculous claim of Al-Anbaree and www.salafipublications.com, there can only be one of two possibilities:

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

And after that, Al-Anbaree even goes further in his exaggeration and extremism when he says that,

“...if the Committee holds this view, the disbelief of the one who ruled by other than what Allaah revealed in general legislation - with this meaning - without declaring that to be lawful as a matter of belief, then it is obligatory upon the Committee to free itself in front of Allaah from that. Since, it necessitates some very great calamities, such as, for example:

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

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

So again, Al-Anbaree has explained this rule correctly but does not apply it. He sees that certain actions, beliefs or statements can be *Kufr Al-Akbaar*, yet this cannot be applied to a specific Muslim who has not had the *Hujjah* applied to him. However, he explains that the Committee’s assertion that ‘Ruling by Other Than What Allaah Revealed’ in general legislation is *Kufr Al-Akbaar*, automatically means that they have declared each and every specific individual ruler as a *Kaafir* “without exception”, and this is far from the truth and it is a very petty and juvenile accusation which even violates the correct rules of *Takfeer* that Al-Anbaree himself narrated!” (pp.34-35)

It might be understood here, that al-Anbari is alluding to takfir of specific individuals, - if we remove these words of his, from their original context - however, the context of al-Anbari is that he is talking of takfir bil-wasf not takfir of specific individuals. So he is

saying, that if this is what the Committee means (by its understanding of tashree' aamm), then we would have to make takfir of every Innovator, and takfir of every Muqallid, and takfir of every Ruler **without tafseel (i.e. bil-itlaaq)**. And this is from the angle that every Innovator actually makes tabdeel of the religion, and claims the right of judgement in worship, by his innovation. Likewise every Muqallid judges by other than what Allaah has revealed and does not judge to the Messenger in his religion or in disputes in the religion, as a matter of principle and so on. So takfir, without tafseel, would be necessitated upon all of them, built upon this particular viewpoint which assumes a particular understanding of what is "general legislation" and which does not adhere to tafseel (i.e. distinguishing between what occurs without Juhood Istihlaal and the likes, from what does). And this is by way of takfir bil-wasf and NOT takfir bil-'ayn. As for the actual judgement of takfir upon specific individuals amongst them then that would of course require the conditions for takfir and establishment of the Hujjah and so on. And all of this is actually abundantly clear in al-Anbari's book itself, where he devotes a whole chapter to this subject. In short, it is not al-Anbari who has failed to apply principles he has affirmed, but it is al-Kanadie who has not even come to terms with the actual issues, due to his weakness in knowledge and paucity of understanding and his inability to actually understand what is being said and its context – let alone his great crimes in clipping, distorting and doctoring the words of Ahl ul-Ilm, as was illustrated in GRV070016, and GRV070017.

And it must be noted here that al-Kanadie, has jumped upon the fataawaa of our Scholars, the Permanent Committee, and has utilised them to cause confusion amongst the people, and in turn, building upon this confusion, to push his own agenda of Aal Qutb, which he has learnt from Safar al-Hawali and Abu Jahl Ibn Haleemah – by his doctoring, lying and distorting, as we have indicated previously.

Part 3: On Najjaashee And Iqaamat ul-Hujjah

Al-Kanadie wrote:

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

For example:

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

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

So Khaalid Al-Anbaree said that Al-Najashee did not rule his people by what Allaah revealed and that if this was an action of *Kufr Al-Akbaar* on its own, then the Prophet, (sallallaahu alaihi wasallam), and the *Sahabah*, would not have prayed the funeral prayer upon him, obviously because this would have made him a *Kaafir*. So we ask, "What about the earlier rule?" How can he expect the *Prophet* and the *Sahabah* to judge Al-Najashee with *Ridah* and leaving the *Milla* without the *Hujjah* being made to him?! And because we have no knowledge of the *Hujjah* being made to him, we would have no knowledge of his *Kufr* and if only Khaalid Al-Anbaree would have adhered to his own rules, then maybe he would have seen that the ruler who replaces the laws of the *Sharee'ah* with his own fabricated laws and legislates in the lives of the Muslims with laws which oppose *Islaam*, is a *Kaafir*." (pp.27-28)

And then as a footnote, he added:

Firstly, Al-Anbaree did not even bother to prove that Al-Najashee did not rule his people by what Allaah revealed. Rather, he quoted Ibn Taymiyah as saying that Al-Najashee did not establish the five daily prayers. And we know that Al-Najashee ruled Abyssinia and how difficult it was for news to be spread in that time over such a great distance. So the knowledge of the five daily prayers having become *Waajib* upon the Muslims must not have reached him, as many of the laws of *Islaam* must not have. So Al-Anbaree should fear Allaah regarding speaking about issues about which he has no certain knowledge. (fn, pp.27-28)

In reply to the points raised here, let us first refer to the passage under question:

Al-Anbari, under the heading "**Important Principles**" made mention of the following three principles:

"The first principle: That a Muslim does not disbelieve except when he rejects something known from the religion by necessity, or when he does not submit or comply with it out of 'inaad (stubborn opposition), or pride and arrogance (ibaa, istikbaar) **even if**

he is musaddiq (i.e. has tasdeeq), or turns away from it, neither believing in it nor rejecting it (i.e. I'raad), or he falls into doubt concerning it and does not hold any resolute position towards it.

The second principle: That the kufr in action is of two types:

1. Kufr in action which expels from the religion totally, and this is when this act comprises juhood, takdheeb, or indicates belittlement and scorn, or pride and arrogance, even if tasdeeq and iqraar are present (such as), prostrating to an idol and throwing the mushaf (the Qur'aan) into dirt and filth.

2. Kufr in action which does not expel from the religion and the fold of Islaam unless there is indication of Juhood and Istihlaal such as fornication, stealing, drinking, fighting a Muslim, having intercourse with the menstruating woman and other such matters which the Legislator has labelled as kufr, and by which the major kufr which expels from the religion is not intended, as established by evidences and proof.

The third principle: That a Muslim does not become a disbeliever on account of a saying, nor an action, nor a belief except after the proof has been established, and any doubts concerning his case have ceased, and the conditions for takfir are met and the barriers to takfir are removed. And there is no difference in this between the fundamental matters (of the religion) and the subsidiary matters of the religion.”

Then over the next page, al-Anbari illustrates these principles with the case of the one who rules by other than what Allaah has revealed, indicating the necessity of adhering to tafseel in the matter and ensuring the establishment of the proof. As he says:

“And the third reality (i.e. the third principle) leads us to the saying of the absence of takfir of the ruler until the proof (hujjah) has been established against him, and the clear way has been made clear to him” And it is unlawful for the people of piety and religion to make takfir of a ruler, who rules by other than what Allaah, the Lord of the Worlds, has revealed, whilst turning away from these realities and established Sharee'ah based principles, for the simple reason that takfir is purely the right of Allaah, hence no one is to be declared a disbeliever except one whom Allaah and His Messenger have declared a disbeliever.”

Now it is exactly at this point, immediately after mentioning the above that al-Anbari gives the example of an-Najjaashee to illustrate his point of the necessity of making takfir with tafseel. We'll just borrow al-Kanadie's translation of it for the sake of easiness:

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

And what al-Anbari intends to illustrate is what al-Kanadie al-Jahool has totally missed – and this is because of his ignorance and failure to grasp the difference between takfir bit-tafseel on this issue (as opposed to takfir bil-itlaaq) on the one hand and between takfir bil-wasf and takfir bil-ayn on the other – all of which has led him to this great confusion and bewilderment.

What is intended with the above example of an-Najjaashee is that takfir of the one who does not rule by other than what Allaah has revealed does not take place except after there is Juhood or Istihlaal or the likes, and if this was not the case, then the Prophet (sallallaahu alaihi wasallam) **would not have hesitated in making takfir of an-Najjaashee without tafseel, that is without first checking for juhood or istihlaal and the likes. Rather, by the mere act he would have made takfir bil-itlaaq (of the act) and would have initiated the process of takfir.** As for the issue of Iqaamat ul-Hujjah (establishment of the proof), then that is automatically included in the process of takfir, and is implied within the context, and al-Anbari does not negate the issue of establishment of the proof by using this example – as is crystal clear in the lines that pass before. Rather, what is being illustrated is that the Prophet (sallallaahu alaihi wasallam) did not initiate the process of takfir and this indicates that not ruling by other than what Allaah has revealed and not establishing Allaah's Law is not major kufr unless it is accompanied with juhood, istihlaal and the likes.

As for al-Kanadie's statement in the footnote:

Firstly, Al-Anbaree did not even bother to prove that Al-Najashee did not rule his people by what Allaah revealed. Rather, he quoted Ibn Taymiyah as saying that Al-Najashee did not establish the five daily prayers. And we know that Al-Najashee ruled Abyssinia and how difficult it was for news to be spread in that time over such a great distance. So the knowledge of the five daily prayers having become *Waajib* upon the Muslims must not have reached him, as many of the laws of Islaam must not have. So Al-Anbaree should fear Allaah regarding speaking about issues about which he has no certain knowledge.

Then this is clear deception from al-Kanadie and a distortion. Take note that immediately after the above example of an-Najjaashee given by al-Anbari, al-Anbari then goes on to quote the following passage from Shaikh ul-Islaam Ibn Taymiyyah from his Minhaaj us-Sunnah (5/112-113):, "And likewise an-Najjaashee, even though he was the king of the Christians, his people did not actually follow and obey him in his entry into Islaam. Rather, only a very few number entered along with him. And it is for this reason that when he died there was no one who could pray over him. Hence, the Prophet (sallallaahu alaihi wasallam) prayed over him in Madinah. He went out with the Muslims to the Musallaa (place of prayer, outside), and then ordered them into rows, and then prayed over him and informed the Muslims of his death on the day that he died. And he said, "Verily, a righteous brother of yours from the people of Abyninnia has passed away". And he (an-Najjaashee) had not acted upon many of the laws of Islaam – or in fact most of them – on account of his inability. Thus, he did not make hijrah, nor did he make Jihaad, nor did he perform pilgrimage. Rather, it is also reported that he did not even pray the five daily prayers, or fast in Ramadan, and nor did he give the legislated zakaah, since all of this would have made it apparent to his people (of his acceptance of Islaam), and hence they

would have rejected that from him, and he was not able to oppose them. And we know with absolute certainty that it was not possible for him to judge over them with the judgement of the Qur'aan. **And Allaah had made it obligatory upon His Prophet (sallallaahu alaihi wasallam) in Madinah that when the People of the Book come to him that he should not judge between them except with what Allaah has revealed, and He also warned him from letting them put him to trial by judging by other than what Allaah had revealed to him.** And this is like the example of stoning of the married woman who fornicates, and also with respect to the diyaat (blood money) that it should be with justice and that it should be the same for the both the noble person and the lower person (in social status), and that it is a soul for a soul, an eye for an eye and so on. And an-Najjaashee was not able to judge with the judgement of the Qur'aan for his people would not affirm him (i.e accept him) upon that." End quote from Shaikh ul-Islam.

And this statement quoted by al-Anbari falsifies the lies of al-Kanadie, for the laws of Islaam had in fact reached an-Najjaashee, and he did not judge over his people with the judgement of the Qur'aan out of fear of them. And this alongside the fact that Allaah cautioned the Messenger (sallallaahu alaihi wasallam) to not be put to trial by the People of the Book, by not judging between them by what Allaah has revealed. However, an-Najjaashee, out of the fear of his people, did not even judge them according to the Book of Allaah, rather he did not even act upon it himself, again due to fear.

So all of this is a perfect illustration that if not ruling by other than what Allaah has revealed was major kufr bil-itlaaq (i.e. without tafseel), then the Prophet (sallallaahu alaihi wasallam) would have initiated takfir of an-Najjaashee, due to his having fallen into that which necessitates major kufr – without requiring juhood or istilhaal and the likes. In fact, what is appropriate here is the statement of Shaikh Ibn Uthaimen (rahimahullaah), "And it is in my opinion (dhann) that it is not possible for a person to apply and establish such laws that oppose the Shari'ah and which are referred to by the slaves of Allaah for judgement except that he declares this to be permissible (istahallahu) and holds the belief (ya'taqidu) that such laws are better than the Shari'ah laws. Hence, he is a disbeliever. This is what is apparent, and if not then what [motive] is it that carried him to undertake this?! **Sometimes it can be his fear of not undertaking this act on account of people who are stronger than - that makes him undertake this act. So here he would be compromising with them. So here we would say that such a one is like those who compromise with respect to the other sins.**" (Fitnah of Takfir).

In short, al-Anbari's use of this example, and the testimony of Shaikh ul-Islam Ibn Taymiyyah, is another evidence in support of the absence of takfir bil-itlaaq and the correctness of takfir bit-tafseel, that is the view of Imaam Ibn Baaz, Imaam al-Albaani, Imaam Ibn Uthaimen and many others.

Summary

The point of criticism of the likes of Imaam al-Albaani, Imaam Ibn Baaz, Shaikh Abdul-Muhsin al-'Abbaad, al-Anbari and others (against their opponents) is that ruling by other than what Allaah has revealed (in whatever form it takes) is subject to the tafseel of the Salaf, meaning by this that prior to making takfir bil-'ayn, there is another additional step required to investigate whether the act was minor kufr or major kufr (with the presence of Juhood, Istihlaal, I'tiqaad and the likes) – and hence, those who do not adhere to this tafseel in this matter, it is necessitated by their viewpoint that they make **takfir bil-'itlaaq** of the Rulers. And this in relation to **takfir bil-wasf**, not takfir bil-'ayn – as has preceded. In other words, the scholars that oppose the view of Imaam al-Albaani, Imaam Ibn Baaz and others, would move immediately to the process of takfir bil-'ayn and the guidelines surrounding it, **without making tafseel** in the matter first.

And this criticism arises because there is nothing in the viewpoint of those scholars who oppose them which indicates any proof for their claim that the one who rules by other than what Allaah has revealed in one or a few instances (i.e. by an ancestral custom, or a secular law or something of his own making, all by way of hawaa and dhulm and fisq) – that he is to be differentiated from the one who does it in all or most of instances, in his state.

In short, this is what al-Kanadie al-Jahool has failed to understand in his frenzy of wanting to refute Irjaa' – all but being haunted by it, after he was sensitised to it by the Haleemic and Hawaalic Paradigm (The H2 Factor).

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Coming Soon : In this series (inshaa'allaah), "Stamping on the Scorpion's Tail End – The Road to Takfir of the Ummah." A look at the repugnant doctrines of Abu Jahl Ibn Haleemah on the subject of Takfir – which in fact necessitate takfir of the whole Ummah, and takfir of individuals without adherence to the Sharee'ah guidelines for takfir. Abu Jahl Ibn Haleemah was one of the main Takfiri Intelligentsia in originating and propagating the accusation of the Irjaa' of Jahm Ibn Safwaan against Imaam al-Albaani. And al-Kanadie, is partisan to this Abu Jahl, and has drunk from his fountain...

Closing Remarks

We continue to smite the by-products of the brain fodder of Abu Jahl Ibn Haleemah, Safar al-Hawaali and Aal Qutb, the Carriers of the Flag of Rafd and Khaarijiyyah and other partisans who have emerged in the current times – remaining silent about the Rafidite Heretics yet hounding with the barking of Qutubism in the face of the Imaams of Guidance.

And in what has preceded of previous papers, we have seen al-Kanadie al-Jahool lying upon Shaikh ul-Islaam Ibn Taymiyyah, doctoring the quotes from him, also lying upon Ibn 'Abbaas and lying upon Ibn Mas'ood and what is additional to that. Indeed his theatrical farce of a refutation is actually an encyclopaedia of blunders, which Allaah has blessed Ahl us-Sunnah with, for by this theatrical farce, they will make clear the baatil that the partisans are upon, their inherent disease, their severe lack of knowledge and understanding, and their diseased hearts and minds – claiming to be seeing, but in reality blind, claiming to be understanding, but in reality foolish, claiming nourishment from the fountain of milk, but in reality, drinking from the streams of dung and blood.

And al-Kanadie al-Jahool is merely transmitting what he has picked up from his Intelligentsia who suckled him with this dung and blood – thinking himself to be rightly guided in that – not even checking from where he is quoting and what the contexts are and so on. By Allaah, if this Jaahil stops wasting his own time and ours, it will be better for him, and his burden will be lessened.

We pray that Allaah guides this misguided, hasty, impatient and easily excited youth back to his senses.

Prayers and peace upon Allaah's Messenger, upon his family, his companions and whoever follows in his way until the Hour is established.