



Salafee Guidelines Concerning the Issues Pertaining to Jihaad: Part 1

Questions and Answers from Shaykh Ubayd al-Jaabiree

التوجيهات السلفية في قضايا جهادية
لفضيلة الشيخ عبيد بن عبد الله الجابري حفظه الله
From a lecture delivered on 5th Shawwaal 1422H¹

Question 1: What is the ruling upon Jihaad without the permission of the Wali ul-Amr and the parents?

Shaykh `Ubayd al-Jaabiree: All praise is due to Allaah, prayers and salutations be upon the servant of Allaah and His messenger, Muhammad, and upon his family, his companions and whoever allied with him, to proceed:

The Jihaad which is fighting the enemies of Allaah, the Kuffar and the Mushrikeen, in order to raise high the Word of Allaah is a remaining legislative (order), and a decisive obligation, whenever the inviting factors and the ability (qudrah) are present to enable that, (remaining so) until Allaah inherits the earth and whoever is upon it. And we would like to make notification of a few matters here:

The first matter: That it is not for anyone, whoever he may be, to call for Jihaad by himself, without the Wali ul-Amr of the Muslimeen. For the call to Jihaad and preparing the soldiers and the armies, and the call to the general conscription (for fighting) is from the special rights of the Wali ul-Amr, and is from his important duties and obligations, by unanimous agreement amongst those whose words are given consideration from the Leading Scholars of Guidance. For when the Scholars of Ahl us-Sunnah used to author books and compile works within which they would include what is obligatory to believe, then they would mention this within these works, I mean here that making the call to Jihaad is from the special rights of the Wali ul-Amr, so they would say, "And Jihaad is operative", meaning alongside the Wali ul-Amr.

The second matter: That from Jihaad is that which is Fard `Ayn and that which is Fard Kifaayah, and from it is that which is neither, it is a Sunnah.

¹ This was posted, transcribed, on AnaSalafi.Net by the brothers, Abu Abdullaah al-Ghazzee as-Salafee and Abu Akram as-Salafee.

So it becomes Fard `Ayn in three situations:

- a) The first, the situation of general despatchment (for war), when the Wali ul-Amr makes the call and conscripts the people in a general manner, and it is obligatory to respond to him for those men who are able, and have the ability to bear arms
- b) The second, the situation of an encounter, so when the Muslims and their enemies from the Kuffar happen to come together (and battle breaks out), then it is not permissible for anyone amongst the Muslims to flee, and to abandon his place, unless he is diverting in order to fight, or he tracks a particular faction (from his army), aiding them and seeking aid from them, or due to a matter that is required by the mechanics of fighting, such as diversion, moving, he leaves one position for another which is stronger in striking the enemy, and which is more harmful (to the enemy) and more severe in giving the Muslims ascendancy
- c) The third, when a disbelieving enemy invades a land from the lands of the Muslims, so in this case Jihaad becomes Fard `Ayn upon the Muslims of that land.

And it is Fard Kifaayah when the Imaam merely raises the banner (of fighting) but does not make a general call (to the people for fighting) and does not conscript (the people).

And there is also a Jihaad which cannot be called Fard `Ayn or Fard Kifaayah, but which is from the angle of support (nusrah), from the angle of support. So when one of the lands of the Muslims embarks upon an expedition against the Kuffar, and a person desires to aid them in person or with his wealth, then that is for him. However, he is not to invite (others) and nor is it for him to encourage and incite (others) by himself. When he considers that he himself will bring benefit and repel (harm) and defend, then no harm in that.

The third matter: and perhaps it is the most important, that Jihaad is only behind a Muslim Imaam, a Muslim Imaam who raises the banner, and he has the ability, in number and strength (in ways and means), in fighting the one who follows him from the Kuffar, alongside the protection of Islaam and its people.

What remains now, is what was asked about, which is the permission of the Wali ul-Amr, or the permission of the parents. I say: this requires detail, it requires detail. It is established from the Prophet (sallallaahu `alayhi wa sallam) that he rejected Jihaad for the one whose parents or one of them are in need of

him. And as for the permission of the Wali ul-Amr, then this is from the angle of politics, from the angle of repelling tribulations and harms, and this is a matter that is necessary, it is a matter that is vital. So when the Wali ul-Amr prevents (someone) for a benefit that he sees, then it is not permissible for anyone to make Jihaad, however, we then say, is he rewarded for his Jihaad or not?

That which is apparent to me is that he, if Allaah wills, has reward, however he is sinful for this behaviour and this disobedience. And if the reason behind his departure from the Wali ul-Amr was his belief that no bay'ah is due upon him, then his death is the death of Jaahiliyyah, and refuge is with Allaah. And it is obligatory upon the Muslims generally, and hte youth specifically, that they are not deceived by the harsh calls, and thunderous slogans which arise from the revolutionaries or the superficial people who have no insight into the situation and nor any expectations of what the affair will end up as, but rather it is only noise, revolutions, or absence of perception or any confidence, trust. And let them remember the saying of Allaah, the Blessed and Exalted, **"When there comes to them some matter touching (public) safety or fear, they make it known (among the people), if only they had referred it to the Messenger or to those charged with authority among them, the proper investigators would have understood it from them (directly)..."** to the end of the verse (4:83).

So this noble verse decisively judges that the newly arising events (that affect the Ummah) and the difficult affairs are to be referred back to those who are capable of addressing them, and that is the Messenger of Allaah (sallallaahu `alayhi wa sallam) in his lifetime, and to his Sunnah after his death, and likewise, to those in authority, on account of what Allaah , the Sublime and Exalted, has given them of insight into the political affairs and the states of the people, and similarly, to the people of knowledge, those who are considered trustworthy and dependable to those who are just from the Ummah. Then it is obligatory to refer the problematic issues, newly arising events, and the difficult affairs to them, so that a Muslim can be upon sure insight concerning his affair. He should not refer the matter to the revolutionaries and those who make calls out of mere sentiments and little understanding of the events that arise, for these calls corrupt and do not rectify, and they seperate the word, and destroy the unity of the Ummah, and they turn it into a booty (to be taken by) the people of desires and misguidance.