



CLOAK OF THE KHALIFAH



WRITTEN BY SHAYKH
ABU QATADA AL FILISTINI
MAY ALLAH PROTECT HIM

The Cloak of the Khalifa

By Shaykh Abu Qatada Al Filistini

May Allah Protect him

Translated by Al Muwahideen Media



All praise be to Allah, the Cherisher of the worlds. Blessings and peace be upon the trustworthy, Muhammad and all of his family and companions. As for what follows:

It has become well known and widespread what the group and organization, “The Islamic State in Iraq and Shaam” has proclaimed, by them announcing themselves that they and their leader are “the” Muslim community i.e. the greater Islamic Khilafa. They called the Muslim public around the world to give bay’ah (the pledge of allegiance) to their leader with this meaning. And it is a matter that has reached me previously that they will be doing so, by the brothers in Shaam¹. They have requested me several times to write the Shareeah position for this action. And previously our patient Sheikh Abu Muhammad al-Maqdisi had requested me to write regarding this matter when it reached him with certainty beyond doubt that the organization is refusing to accept being judged between them and Jabhat Al-Nusra² arguing that they are “The state” and it is not from the religion or history that a state sit with other than it for judgment (they claimed it falsely and out of deviance). And I said to the brothers who would come to me that deviance has entered into the organization “The State” from two aspects:

Firstly: From the sprouting chickens of Jamaath ul Khilaafa/Jamaath ul Muslimeen³. And it is a group that has come forward in ignorance. It is indeed evil when they claimed that the Khilafa (the major leadership), its reality would be when one from the Muslims give the pledge of allegiance to one from the household of the Prophet (Ahlul Bait) for this great title to have a Shareeah basis. And I had a lengthy conversation with them where their ignorance became clear to every beginner in knowledge. As for the capable student of knowledge, he will have insight to see through the ignorance of this claim.

And my last statement that I had with the so-called “Khalifa” was that I told him that your path is a combination of the deviance of the Rafidhah⁴ and the Khawarij. As for you following the Raafidhah, it is from the point of giving names to the one who does not exist, which is their twelfth Imam Muhammad Ibn Al Hasan Al Askary, as an Imam. And the people of knowledge have written statements regarding the deficiency of this meaning. And whoever ponders over the words of Sheikh Al-Islam Ibn Taymiyyah in “Minhaj Sunnah Al-Nabawiyah” and in the beginning of his statement about the meaning of “Imamah” (leadership) by the intellects and the Ahlu Sunnah, would see the corruption of this meaning based on the Shareeah and the intellect. I used to tell them that it is the universal reality that gives to the words their meanings. Even the legitimacy

¹ Shaam is the Arabic name for “The Levant”. A great area in the middle east, which had Syria as the hearth.

² Jabhat Al-Nusrah li-Ahl Al-Sham (The Front of Support for the people of Levant), is the official branch of Al-Qaeda in Syria

³ The Shaykh, refers here to a group, which was based in London (formerly: Afghanistan). After appointing Abu E`esa al-Rifaa`i, they claimed to be a Khilafah while living in London.

⁴ Rafidah (Translation: Rejecter (Of Abu Bakr, Umar and Uthman), is a extreme branch of Shiaism.

is based on that. So the Khilafa is a name for a reality and is not a term whose meaning is irrational. You are laying it down on what is “non-existent” for it to turn into a reality with a Shareeah basis like how you are claiming. And their reply was that these conditions for the Imamah (leadership) – has not been confirmed to be from the Shareeah. And their utmost response was the hadith of the Prophet, peace and blessings of Allah be upon him

“Every condition which is not in the book of Allah is baathil (falsehood)⁵”

كُلُّ شَرْطٍ لَيْسَ فِي كِتَابِ اللَّهِ فَهُوَ بَاطِلٌ

And I had exerted my efforts to explain to them the reality of the terms “Khilafa”, “Imamath” and “Emirate⁶”. And that it is these realities that fulfill their objectives. So if they are devoid of these meanings, then the Shareeah terminology goes away from them. And this is a statement that even children would understand. And their reply would always be: “This is a philosophy that we don’t understand”.

I was made to sit with them in a lot of gatherings and most of their efforts were aimed at gaining from me my justification for their beliefs. And I would insist that, you are counted, if we were to think good about you, as a community from the Muslims and not the Muslim community itself. And due to your giving names to imagination (the form of the Khilafa with them), with a blessed Shareeah name (i.e. Khilafa), then you are from this viewpoint on the methodology of the Rafidha. And they are the most delusionary people from this regards, as they name the one who is absent and “non-existing” as an Imam and applied the laws of Imamah for him, rather more than that.

And as for you being similar to the Khawarij, then you have come with the worst evil that is with them, as you declare to be disbelievers those who disagree with you in this meaning. And their “Khalifa⁷” and their foremost jurist had stated to me that they have been on this belief which is to declare as disbelievers those who do not give bay’ah to their Khalifa. But they said, “This belief of ours has changed” i.e. the Khalifa and the jurist..! “And even though some of us are on this belief, it is a matter that we do not adhere to”. So for them, it is a matter in which differences are permissible without being disunited. And due to this being their beliefs in the beginning, they have shown a lot of ignorance in regards to making blood and wealth permissible.

And this is not the place to write down their history which they themselves have confessed to besides others. And the matter ended between me and their khalifa and jurist in good companionship with my statement to them remaining as it was. This is

⁵ Reported by Imam Al-Bukhari in his “Saheeh”.

⁶ The Shaykh will explain the correct understanding of this word, later in this book.

⁷ The supreme leader of Muslims worldwide.

despite my knowledge that some of their followers have been issuing the verdict of kufr upon me. And one of them used to spread this verdict about me and used to state this in his public gatherings in mosques until one of our Sheikhs, who is Abu lyadh, strove to arrange a meeting between me and him without my knowledge - and he is a senior person amongst them - since he used to be very keen to avoid a meeting with me or have a discussion with me. So when I came to him in the house of the Sheikh Abu lyadh, he did not know me until I presented myself to him.

So he tried striving to go out, but he was compelled by the gracious owner of the house to remain seated. And when the discussion took place with him, and Sheikh Abu lyadh has been witnessing this, there was nothing from this senior person in the "Jamaath ul Khilafa" except repeating that I am a kaafir. I asked him about issues relating to Takfeer as it was from his fundamentals, and I did not find anything except ignorance. And when he began to sweat, I felt sorry for him and I permitted the owner of the house to let him slip away, and it was so.

And the reason for the Takfir was his claim that I permit going to judgment to other than the Shareeah. And that is one day, I replied over a question saying that it was from the meanings of "Istinsaar" (seeking help) in repelling oppression and is not from the category of "Tahakum" (seeking judgment) which is to seek judgment in disputes or things or meanings, and he did not understand anything of what I said. And news reached me from Sheikh Abu Muhammad Al Maqdisi that this man today is with the organization "The Islamic State" and was imprisoned and that was due to his audacity in making takfir on the Muslims who disagree. And this for me is a proof that the previous group "Al-Khilafa" has entered into this organization, i.e. "The Islamic State in Iraq and Shaam" and has influenced it. And as I know that the group "Al Khilafa" calls to give bay'ah based on who is the first, the innovation of calling towards Khilafa based on the false meaning has passed on into the group the "Dawla" (the State). But they did not accept the "Khalifa", i.e. they took the idea and the belief and clothed it on their leader Abu Bakr Al-Baghdadi⁸.

This is the first source of deviation in "The Islamic State in Iraq and Sham". And some people who were outside the organization and the place of the group the "State" were calling to give to Baghdadi, the bay'ah of the Khilafa. And this used to be considered by those who observe, to be ignorance, recklessness and turmoil of differences. But this meaning has not been seen with clarity in the group the "State" except by those who minutely observed and analyzed their statements in their rejection to accept judgment between them and their rivals. And our Sheikh Abu Muhammad was the one who notified them of this disease that is amongst them as there have been letters and talks between him and them. Besides, one of their Shar'ee (official jurist) has exhorted this

⁸ Leader of "The Islamic State", a group which have shed the blood of Muslims merciless.

ignorance out of him, which is his statement, “The Imamath (leadership) is from the fundamentals of the religion, and it is an aspect of Takfir and Iman”.

As for the second source of deviation in the group the “State”, then it is what is found in such groups that falter and reveal themselves, the rest of the extremist groups who have been labeled as Takfiri groups. Some of them fled to Jihad in its beginning and I know some of their names. And these people generated evil in the heads of some, and their speeches had a great effect in the heads of the new youths who fled from the regions that suddenly awoke from the deep abyss of ignorance into a status of following religion. And these people are like the foreigner when he accepts Islam. So if one of them has been made able to follow the Sunnah, then he becomes guided, otherwise, his corruption is great just as has been mentioned by the scholars before.

And due to this you will find the bulk of their followers to be from the ignorant ones who have just begun to follow religion, whose ignorance renders them incapable to understand complicated matters of knowledge. And it is known to the people of knowledge that applying the laws of the Shareeah is from the complications of Fiqh⁹. Rather it is the most difficult thing that the Faqeeh (jurist) himself faces. So how can the verdict of Kufr and Iman over individuals and groups be made in the hands of the ignorant who does not know the laws of water, ablution and prayer? It has reached me a lot that these people are using as proofs my statements to apply the verdict of Kufr over people and groups. Rather, some of them even went to make my statements the reason for their perversion and that I am the source of their misguidance. And these people forgot that the religious statements in its general principles can be used as proofs by every group just as the Khawarij used the words of our Lord as proofs. But the distinction between guidance and misguidance is in applying these principles and knowing their conditions and their preventions. And this is the category under which the people get distinguished; rather their degree varies based on their knowledge and religion.

And this is not the occasion to treat the ones who are envious and malicious, otherwise this person (referring to himself) would have said a lot. But all those who know me closely and read my statements with scrutiny will know the difference between the lies said by the people about me and the truth of my beliefs. And all those who know me are also aware of my severe restraint from treating lightly the declaration of individuals and groups as disbelievers. And it is sufficient for me fortunately, that I always used to prevent and expose these kinds of ignorance from entering the Jihadi movements along with several attempts to fight against it. And here, I am now bound in prisons for almost thirteen years. The journey of Jihad has consumed the initial men who guarded this path and who opened its doors, over which they went to their Lord as martyrs and none

⁹ Islamic Jurisprudence

remained except a meager few who know the nature and the fundamentals of this path, most of them who are either in shackles or are fugitives.

And during this journey, what was growing grew, and innovations and mistakes rose up and accumulated. And the people of innovations, those of extremism and new innovations like the Jamaath ul Khilafa were able to withdraw with the people and the foreign youth who have just come out of the darkness of ignorance. And they are commonly like the foreigners who are the substance for extremism and deviance, just as they are the substance of recklessness and repelling of wisdom. And because of that, it is not surprising to hear every day of something new.

And had this man (referring to himself) been free, there would have been fairness in the battle but for you to write to the people a statement that would not reach them except by efforts and energy, while you are being fought so that you don't speak, and mostly somebody other than you is left to go out and move around with his ignorance wherever he wishes, and along with that this dissenter is always accompanied by depravity as he accuses you of the diseases that are in his heart, while he knows from his condition that he is "the useful fool" for the enemies of the people of Islam and they watch over his movements with joy, and they see his extremism as the lifeline in repelling the people from joining the convoy of Jihad, because life does not stand straight except by justice and righteousness as commanded by Allah, the Exalted. What is meant is that the requests which the brothers are sending to me are many and all of them carry pain and love. And this person (the author) does not find any reply for it except tears and "I wish". And his situation is like that of the one who said;

لَيْتَ وَهَلْ يَنْفَعُ شَيْئًا لَيْتَ *** لَيْتَ شَبَابًا بُوعَ فَاشْتَرَيْتُ

"I wish, and does "I wish" benefit anything,

I wish the youth were sold, so I would buy them"

And he, even if he writes, it remains – how is he going to send it? And even if he sends it, then how will those who ask and differ reply to it? And how will this man stand in front of his brothers who are advising saying, "Do not write too long, until we are able to send it across"? And all praise be to Allah, the Lord of the worlds.

With regards to the topic of the greater Imamath, (Khilafa), then it is upon the individual to know that this is not a new matter for the Ahle Al-Sunnah. The past people of knowledge have made conclusions over it and have written every rule and concept that is related to it. Many great catastrophes have occurred in the history of Islam and a variety of cases. So the people of knowledge have written a lot regarding them.

And there has appeared contrary to the Sunni Khilafa, perverts of misguidance and people of innovation, and hence the subject of Khilafa has come under it, as described in sciences that it has matured and burned. And therefore, what this man says here is no more than a new expression for an old statement, or he takes the rules that came before to apply them to the new situations. This is the utmost effort desired by the one who is today writing in this research. And I am saying this statement because I had explained the mysteries of the origin of this new sprout that I spoke about which then passed on to the group the “Islamic State in Iraq and Shaam”. Since they are claiming that they have been guided to what has been missing in others and that the corruption of the groups in general and the Jihadi groups in specific, its reason is the absence of the concept and the notion of the Khilafa (as per the meaning they came up with) in the minds that produced these groups.

And this has been the expression of the “Khalifa” that day with me and it is the very thing that has been stated by, that ignorant, the so called official spokesman for the group “Islamic State”, Adnani, where he said in his statement in reply to the wise, the Dr. Ayman Al Zawahiri this notion, when he called out to him that the solution to the differences that arose between them is to announce the Khilafa. And similarly, this meaning has been confirmed in the first statement of the announcement of the Khilafa where he made their announcement of the Khilafa as the fulfillment of the remainder of the hope of the Muslims, as if every need has already been fulfilled except what these people discovered.

To begin with, I inform my brothers who are listening to advice and seeking the truth, that this announcement will not change the state of confrontation against ignorance. So it will never increase the strength of Baghdadi’s and Adnani’s¹⁰ group and those with them both. Similarly, it will not weaken the rows of ignorance. The Jihadi groups generally were on one path, rather many of them were under one authority, nay, and that is the bay’ah to the wise doctor. So bringing in the name “Khilafa” will not change the status of the battle and confronting the enemies of this religion. But its evil is that it will cause the mujahideen in action to fight amongst themselves.

And the essence of the call of this Khilafa is directed towards Jihadi groups in action in the land from Yemen, Somalia, Algeria, Kavkaz, Afghanistan, Egypt and throughout the country of Shaam, and not to the Muslim public. So this announcement will not preoccupy them except in the sense of announcing a commodity from the commodities of life. And because of that, its evil is becoming a reality and there is no goodness in it because it is a kind of fighting for the sake of authority and leadership. And this is the greatest evil in the history of Islam. Indeed the Muslim individual has the right to take pride absolutely in all sides of the Islamic history until when he comes to the topic of

¹⁰ Abu Muhammad Al-Adnani, is the official spokesman for “The Islamic State”.

leadership, he sees blackness, envy, impermissible spilling of blood and a lot from this world and little of the hereafter.

And what the group the “State” has done is shifting away the current rivalry between it and its opponent over the leadership of the Jihad groups – i.e the Al Qaida’s group – towards explicit blood and to give this spilling of impermissible blood a legal characteristic where we will find the fiqh of Bughaat (rebels) as has been announced by the deeply ignorant Adnani in this statement of his, where he warned those who break the bondage of obedience, that its verdict is blood and killing. Rather we will find the dogs of hellfire making Takfir on those who disagree with their Imam and their leader as has been done by their likes in the past and the group “Al Khilafa”.

And this is going to be similar in them. And even if these kinds of matters do not come out by its head, rather it is by sneaking successively as we had seen that from them before the announcement of the Khilafa, when their disputes with Jabhat ul Nusra were over authority and leadership and then after that it turned into declaration as unbelievers and making blood permissible. And whoever reads the history of groups will not be surprised at desires misrepresenting the evidences of the Shareeah and the Deen as this is the easiest that these people come to.

Indeed what Baghdadi wanted if he is really the one in authority in this organization – even though I am in doubt about that – since a lot of signs indicate that the condition of this man with others is like the condition of Muhammad ibn Abdullah Al-Qahtani¹¹ with Juhayman¹², there being psychological weakness which caused the leadership to obey the likes of Adnani and others, from whom I received these news and its implications about them. I say, indeed what Baghdadi wanted by the announcement of the Khilafa is to cut the road of severe differences between them and the group Jabhat over the leadership of Jihad in the land of Shaam, especially after their lies got exposed when they claimed that they have no bay’ah to the Dr. Ayman.

And Baghdadi is in hibernation not being able to reply or respond. So someone else who is proficient in reviling and in throwing stones comes up in his place. Rather, the group is devoid of a student of religious knowledge who has the ability to speak on religion over this topic. So if one of them went out and spoke, then he would bring in calamity and disasters. So there was nothing left except the raising of voices, vows, and threatening to kill and spill blood.

And this jump to solve the problems as they assumed and for fulfilling the dream of the Muslims as they claimed, will cause the ignorant to feel happy but it will deepen the

¹¹ A misguided person who claimed to be the Mahdi, and besieged the holy mosque.

¹² The mastermind, and leader of the group which claimed they had the Mahdi.

differences in reality and will without doubt increase the bloodshed. And by this, you will know from the beginning, its verdict in the religion of Allah, the Exalted.

So if you have been unable to know the ruling of a matter, then look to its outcome and remember that the blood that will flow is the blood of the mujahideen, not the blood of the apostates nor the zindeeq (infidels). And the people of intellect and religion and wisdom had an alternative for this, which is to gain agreement and then build over it, not to go on this path which is against the understanding of the companions, may Allah be pleased with them, as I will explain soon.

And the agreement was just near and close to being achieved only if this people had religion, and manners and piety and knowledge. Indeed the people had called them towards it many times, i.e. to make the Shareeah the judge (for their disputes), but they were arrogant and refused and magnified themselves when they made their organization “a state” which would be improper to sit with the small ones of the (other) organizations in a gathering to issue judgments and verdicts. And the imposter liars among them and those who falsely wore the cloak of knowledge went on to justify for them that “the Islamic history” is devoid of a “state” sitting with an “organization” in a gathering for getting judged. If only these people read the statement of Him, Most Exalted,

(وَإِنْ طَائِفَتَانِ مِنَ الْمُؤْمِنِينَ ...)

“And if two groups of believers¹³ ...”

and the explanation of our mother Ayisha, may Allah be pleased with her, they would not have spoken such lies against the Quran and the Sunnah. And if they read the biography of the Messenger, may peace and blessings of Allah be upon him, they would have surely seen how he accepted the judgment of Sa’d ibn Muadh in the battle against the Jews of Qurayza. And if they had read history, they would have surely seen how the rightly guided Khalifa Ali ibn Abi Talib, may Allah be pleased with him, accepted the being judged between him and Muawiya, may Allah be pleased with him. But these are the “Shariyees (jurists)” in this organization who got carried away behind ignorance until they brought about this huge disaster.

It is not required from a man who stood throughout his life working for the Shareeah to rule over the existence and for the establishment of the religion of Allah in the nations, to announce that his greatest desire is for the Khilafa of the Shareeah to return as the judge over the Muslim lands which have been denied this goodness and the rule of ignorance dominated over it. Since no one would reject this requirement except an astray one or one who opposes the religion of Allah. So the talk is not about the

¹³ Surat Al-Hujurat 49:9

Shareeah basis of the Imamath (leadership) and Khilafa as this is a matter that is unanimously agreed upon as has been mentioned in the books of fiqh (jurisprudence) and Shareeah politics.

Similarly, it is also not required from him when he is announcing that what took place is not what he is wishing for nor is it what he has learned from the statements of the jurists and the scholars, nor is it from the understanding of the companions, may Allah be pleased with them, to cry out that division is dispraised and that it is not permissible to appoint two Khalifas at a time, even though some of the people of knowledge who permitted this in the past and the present have committed an error. But to teach that this group is the one that has split the rows and it is the one that has caused divisions, while the one who is writing these lines is seeing a great blessing in their emergence and a divine mercy to the groups in Jihad. And to explain that, I say:

Indeed the Jihadi movements arose in exceptional circumstances, and the path had consumed a lot of their leaders and they have gone to their Lord or are sheltered by prisons. And the people of knowledge who oppose did not fear Allah in regards to them, nor did they show any amount of love or compassion or gentleness towards them. Rather, they were with the enemies of Islam against them, lashing them with truth and falsehood, with doubts and claims. So the hearts of the two groups turned hard over each other and the path that joins between them dried up.

So the mujahideen ended up looking at the people of knowledge who oppose them to be hypocrites selling their religion to the man with whistles and whip. And nor did the people of knowledge look at these (people) to have anything from truth. And conversing was most similar to that of shouting in valleys, nobody hears the man except himself. And under these kinds of exceptional circumstances, excessiveness arises and deviation intensifies while the general people are good only at the generalized statements (of knowledge) and this is their limit. And this path is the most dangerous path since it is the path of blood and souls, and evil and good gets mixed and comes close to each other. Indeed Jihad in the path of Allah is the peak of mixed human activities. And whoever has read the biography of the messenger, may the peace and blessings of Allah be upon him, would see the greatness of the issues that would come up in battles and expeditions.

And amongst the people of Islam today, there are many who believe that there is a lot of (aspects of) Islam that we can discover which the first ones did not discover. And this is a trend that has passed on to the modern Salafi movement and this causes the problem of the disconnection of knowledge from its two parts, its reading and listening.

As for reading, it is the old one and as for listening, it is what is new. And with this, smoke got into the Jihadi movement. And as the environment of Jihad is killing and fighting, then the high dominating voice in this environment if devoid of scholars, will be the voice of extremism. And whoever has lived through the experience of Algeria¹⁴ will know this with certainty. And today we see this in the voice of Adnani and his likes.

And as we know, the length of the path and the vicissitude of the change of times will produce diseases in those who are moving on. And it is from the way of Allah that fitna (trials) occur in groups and nations. And these incidents befell this path and so what happened took place in it, especially in the topic of extremism. And they took without understanding and verification the generalized statements made by the people of this path.

Indeed these trials have come to test the people. And it is a test which causes separation of the people based on their status. And the price to be paid for this separation is huge but it is necessary. And by the grace of Allah the Exalted, I was not sad over all what has occurred but I see Allah the Exalted's wisdom in that as it wipes off from this path its excessiveness, perversions and deviations. Indeed the masses did not know the difference between the people of extremism and the people of Jihad because our matter did not concern the general masses.

But today, this distinction is famous and well known. And this man (himself) praises Allah that no evil or innovation or deviation has been attributed to him even if its people are more and in dominance. For the Quran certainly has been teaching us the rules of existence (for remaining) and following. As for existence, then it is in His statement, Most High,

(فَأَمَّا الزَّبَدُ فَيَذْهَبُ جُفَاءً وَأَمَّا مَا يَنْفَعُ النَّاسَ فَيَمْكُتُ فِي الْأَرْضِ)

“It passes away as scum upon the banks, while that which is for the good of mankind remains in the earth”¹⁵

Existence will not be restored except by truth. And if it appeared to the people that the surge of falsehood and its bubbles are great matters, then this man has seen much in his life and these bubbles and quick outbursts no longer affect him as they do not deceive

¹⁴ Shaykh Abu Qatada (May Allah protect him), is here referring to the tragic events, where a small extreme group of Khawarij spoiled the efforts of the Algerian Mujahedeen during the 1990s.

¹⁵ Surat Ar-Ra`d 13:17

anyone but children who are distracted by big numbers. And as for following, then it is in His statement, Most High,

(قُلْ لَا يَسْتَوِي الْخَبِيثُ وَالطَّيِّبُ وَلَوْ أَعْجَبَكَ كَثْرَةُ الْخَبِيثِ)

"Not equal are the bad things and the good things, even though the abundance of the bad may please you"¹⁶

And praise be to Him, the Exalted, I have been guided in my beginning towards the one who taught me to not be deluded by the flock and to understand it however numerous it may have become.

And now the time has come for purification and trials and this will cause divisions and weakness. But it has an outcome that is praiseworthy, by the will of Allah, the Exalted, but with patience, firmness and understanding being a condition. Here are the groups of errors gathering on one plain and they will pull towards them the one who is following his desires who has between him and his brothers what got caught in this path, and so he finds in this an opportunity for him to seek revenge and reveal what he concealed inside him. And a person who loves leadership which he missed in a way, will find it with these people. And a person of innovation who was not cured by knowledge will have with these people a path for leadership and strengthening. And these people, even though the basis for the first announcement was a pull of the desires (I mean their announcement that Jabhat Al-Nusra is their arm and their branch in Syria Shaam), so how will be what comes after? And whoever has been a man of perception and thought, will be able to see the progress of desires in this incident from its beginning till this day of ours, how it accelerated and grew until it became what it has become with the declaration of the innovated Khilafa here, as we will see.

Truly, some trials are a gift. And praise be to Allah, the Lord of the worlds.

Away from the tradition of presenting the subject of the greater Imamath in the Islamic jurisprudence, I will arrange the discussion in a manner that will answer the questions of many and will similarly clarify the perversion of those who jump over it out of ignorance with no knowledge. So I say, and with Allah is success:

1)

¹⁶ Surat Al-Mā'idah 5:100

a) Names carry their indicative value from commitments and meanings they generate. And they do not deserve this meaning and commitments except due to it pointing out to realities. And the term “Khilafa” is a technical composition. It has realities that are known through the objectives and purposes of this term. And whenever the purposes do not meet up, it indicates the absence the realities of this term. And this is a matter of instinct that will not be denied by sound minds. And if man has been spoken with other than this and accepted it, then he has gone out of sound mind.

So the major leadership and Khilafa is a tangible existence whose meaning has a concept. It is not from the pure acts of worship which are performed for its sake like prayer, remembrance, pilgrimage and fasting. But it is on the meaning as stated by the bulk of the scholars, *“The actions of the Imam are dependent upon the benefits of the people under him”*. This means the Imam has actions that are the purposes for having it, and so when it is devoid of these purposes, the name (Imam) goes away from it. And from the rules of the jurists is that, *“Indeed what has been prohibited in its essence in the religion, does not occur in parts”*.

What is implied is: That is not taken in parts indicating the absence of its religious essence. And the one who understands this knows that the absence of the purposes of the leadership from a leader who has been given bay’ah (pledge of allegiance) means the absence of the meaning of the Imam in religion.

This is a reply without elaboration to those who have been ignorant and claimed that the condition of tamkeen (strong establishment) is a false condition for the achievement of the Khilafa.

And the discussion is with the one who knows the fiqh (jurisprudence) and its usool (foundations) and not with the ignorant ones who do not know either fiqh or its usool.

b) And this is testified by his statement, may the peace and blessings of Allah be upon him,

“Indeed the Imam is a shield, fighting is done behind him and with him protection is sought”

And this shield, i.e. protection and strength, does not come without its tools, and its tools are what are known as shawkah (strength) and tamkeen (establishment). The hadith mentions two matters to gain the meaning of Imam and they are:

“Fighting is done behind him” and secondly, *“with him protection is sought”*. And that is for the taking place of the rule of existence and fiqh which says *“Loss and profit are correlated”*. So he is obeyed due to his statement, *“fighting is done behind him”*. So he is

not accepted falsely. And the people have a right over him after this as “with him protection is sought”. And protection is sought only with the one who is with this meaning as it is known.

c) It is known in the religious jurisprudence and Shaykh Al-Islam Ibn Taymiyyah has elaborated this in the introduction of “Minhaj As-Sunnah” that leadership is a contract between the nation and the leader. And the meaning of the contract in the Shareeah and in reality is that there are two parties to the contract, a subject for the contract and a form/text. And these are the pillars of the contract in the books of our scholars as will be known to the students. So when the contract is devoid of its pillars or its purpose, then it is void and does not go beyond this word.

d) The statement of Ibn Taymiyyah, may Allah have mercy on him, has on the whole pointed out that leadership is not a divine status but it is the setting up by human beings, to the extent that he went on to say (the context is as per the meaning) that even if the messenger of Allah, peace and blessings of Allah be upon him gave orders for a person to be made the leader and then the nation went against it after that and gave pledge to somebody else, the Imam would be the one who has been given the pledge, not the one whom he ordered despite the disobedience of the nation in their opposition, since the purpose of the Imam will be achieved in him and not in others.

And here it becomes clear to everyone the meaning of their statement that the Imam is a set up of the human beings. i.e. it is a contract like all other contracts which is made with consent and must necessarily have conditions and purposes, otherwise its name will be meaningless. And whoever has made a contract with a woman having as a condition in it to not have intercourse; the meaning of marriage goes away. So the contract becomes void having no value. And this is the meaning of their statement regarding condition, i.e. *“What is outside the essence of the matter and the matter does not become correct except by it”*. And from the meaning of their statement, *“That which is prohibited by religion is like one that is felt to be nonexistent”*.

e) And the subject of the contract is to establish the revealed laws and to protect the community and to invite to Allah by Jihad. And these are the purposes of the contract. And they will not be fulfilled except by their tools which are called conditions, which the ignorant ones rejected.

f) The hadith

إنما الإمام جنة

“Indeed after all, the Imam is a shield”¹⁷

is like his statement, peace and blessings of Allah be upon him,

الْحُجُّ عَرَفَاتٌ

“Hajj is Arafah”¹⁸

And the word “Innama” (إنما) is a particle for restricting and limiting. So when the one who has been given a pledge is unable to become a shield, that is protection, by becoming devoid of its tools or due to shortcomings, then he loses the description of an Imam. And to be an Imam here is in its specific meaning and that is leadership and politics as per the contemporary understanding.

1)g) As for leadership being a pledge of consent, then the statement of Al Farooq Umar ibn al Khattab, may Allah be pleased with him,

مَنْ بَايَعَ رَجُلًا مِنْ غَيْرِ مَشُورَةٍ مِنَ الْمُسْلِمِينَ فَلَا يَبَايِعُ هُوَ وَلَا الَّذِي بَايَعَ تَغْرَةً أَنْ يُقْتَلَ

“Whoever gave the pledge of allegiance to a man without consulting the Muslims, then he should not be given the pledge nor the one who gave him the pledge, lest they both should get killed”¹⁹

is a testimony for that. And in another phrase, it is “*he should not be followed*”. So the condition for the major leadership is the gaining of consent. And it is in his statement, “*without consulting the Muslims*”. And whoever has understanding over the way of Abdul Rahman ibn Awf, may Allah be pleased with him, in the pledge of Dhu Nurayn (Uthman bin Affan), would know that the companions would see as a condition, the consent of the ummah over the pledge of the Imam. And in it is,

“So when they gathered, Abdul Rahman bin Awf uttered the testimony of faith and he then stated, “As for what follows, Oh Ali, I have looked into the matter of the people and I did not see them equating anyone with Uthman. So do not make a path against yourself”. So he made the opinion of the people as the judge in the appointment. And this hadith is in the Sahih. Indeed Al Farooq (Umar), may Allah be pleased with him, understood that some would object at what he says over the pledge of Siddique (Abu Bakr), may Allah be pleased with him, and that it took place in a different sense, so he replied saying, “It is an unexpected slip whose evil has been warded off by Allah” and He warded off its evil because of the status of Siddique, may Allah be pleased with him, in

¹⁷ Reported by Imam Ibn Abu Dawoud in his “Sunan”. Shaykh Albani said “Authentic”.

¹⁸ Reported by Imam Tirmidhi in his “Sunan”. Shaykh Albani said “Authentic”.

¹⁹ Reported by Imam Al-Bukhari in his “Saheeh”.

the lives of the companions, may Allah be pleased with them. And this is a fulfillment of his statement, peace and blessings of Allah be upon him, “Allah, His messenger and the believers would refuse (to be led by other than Abu Bakr)” So the divine consent came in agreement with the occurrence of fate.

h) And this contract is a type of agency contract. So the ummah appoints as their agent a man who will be an Imam for the sake of the duties of leadership and control. That is because the Quran makes the establishment of the laws compulsory on them as stated by Allah, the Exalted,

(وَلِيْحُكْمُ أَهْلِ الْإِنجِيلِ بِمَا أَنْزَلَ اللَّهُ فِيهِ)

“Let the people of the Injil judge by what Allah has revealed therein”²⁰

But as it is impossible for everyone to do it, then they appoint a man from amongst them to fulfill the need. And by this contract the Imam gains the necessary strength for fulfilling its purposes. So the Muslim ummah is his power and strength.

i) And as the setting up of knowledgeable authorities is the way of existence, while they are the agents of the ummah in their matters and affairs, these people are the people of knowledge, wisdom and power among them. These people are the people of shura (consultation) and Ahlul Hal wal Aqd (people of decisions), i.e. the fulfillment of the objective of the ummah is in their hands. And with this, it will be known that the matter is first and last in the hands of the ummah and not in any other hand.

And if these people took away this agency from others, whether from the Imam or the Ahlul hal wal aqd, these titles for them will have no meaning. So neither will the Imam deserve his title nor the Ahlul Hal wal Aqd likewise. And this is what the matter is of leadership in the religion of Allah, the Exalted.

1)) As for what has been mentioned in the books of the jurists, regarding other disastrous incidents like overpowering by force for example, then these are not based on the fundamentals. So they are not accepted in practice. But where the overpowering happens by which the objectives are fulfilled, then it is permitted to consent to it in order to prevent the tribulations of leadership, and they are the greatest trials in existence, over which great blood flows in every section of existence and their communities and their states.

k) And if it is like that, then you will be able after that, to distinguish what is being said that falls in either truth or falsehood. And you will know the meanings of names in this

²⁰ Surat Al-Mā'idah 5:47

section and their realities and you will know the delusions of the people and their ignorance.

2)

a) Allah, the Exalted says,

(إِنَّ الَّذِينَ آمَنُوا وَهَاجَرُوا وَجَاهَدُوا بِأَمْوَالِهِمْ وَأَنْفُسِهِمْ فِي سَبِيلِ اللَّهِ وَالَّذِينَ آوَوْا وَنَصَرُوا أُولَئِكَ بَعْضُهُمْ أَوْلِيَاءُ بَعْضٍ وَالَّذِينَ آمَنُوا وَلَمْ يُهَاجِرُوا مَا لَكُمْ مِنْ وَلَايَتِهِمْ مِنْ شَيْءٍ حَتَّى يُهَاجِرُوا وَإِنْ اسْتَنْصَرُوكُمْ فِي الدِّينِ فَعَلَيْكُمُ النَّصْرُ إِلَّا عَلَى قَوْمٍ بَيْنَكُمْ وَبَيْنَهُمْ مِيثَاقٌ وَاللَّهُ بِمَا تَعْمَلُونَ بَصِيرٌ)

“Verily, those who believed, and emigrated and strove hard and fought with their property and their lives in the cause of Allah as well as those who gave (them) asylum and help, -- these are (all) allies to one another. And as to those who believed but did not emigrate, you owe no duty of protection to them until they emigrate, but if they seek your help in religion, it is your duty to help them except against a people with whom you have a treaty; and Allah is the All-Seer of what you do”²¹

And He, the Exalted also says,

(وَالْمُؤْمِنُونَ وَالْمُؤْمِنَاتُ بَعْضُهُمْ أَوْلِيَاءُ بَعْضٍ)

“The believers, men and women, are supporters of one another”²²

b) The Quran confirms as you see, two types of alliances between the believers. As for the first, then it is the alliance of faith and that is in His, the Exalted’s statement,

(وَالْمُؤْمِنُونَ وَالْمُؤْمِنَاتُ بَعْضُهُمْ أَوْلِيَاءُ بَعْضٍ)

“The believers, men and women, are supporters of one another”²³

And as for the second alliance, then it is the political alliance. And that is what is known today as nationality. So the nationality of the Islamic state is set by two conditions: Islam, and secondly: Hijra (migration). And this is what requires a pledge from inside it. And the first verse has brought about the rules of this alliance. And its meanings have confirmed the following:

b)

²¹ Surat Al-'Anfāl 8:72

²² Surat At-Tawbah 9:71

²³ Surat At-Tawbah 9:71

i) It is an evidence for the faith of the one who did not migrate. And that is in His statement, the Exalted,

(وَالَّذِينَ آمَنُوا وَلَمْ يُهَاجِرُوا)

“And as to those who believed but did not emigrate”²⁴

b)

ii) It is an evidence for the obligation of supporting them in their jihad against their enemies in religion even if there is no political alliance with them on condition that this jihad does not contain a violation of commitments that the Imam who is spoken to in this verse has undertaken with the polytheists.

b)

iii) It is an evidence for the permission to enter into peace treaties with the polytheists with conditions known in Fiqh and that is in His statement, the Exalted,

(إِلَّا عَلَى قَوْمٍ بَيْنَكُمْ وَبَيْنَهُمْ مِيثَاقٌ)

“except against a people with whom you have a treaty”²⁵

b)

iv) It is an evidence for the possibility of a political division among the believing groups and that is clear in the first verse. And this verse is evidence for the permission for the groups that have migrated to fight upon invitation and that is in His statement, the Exalted,

(وَإِنْ اسْتَنْصَرُوكُمْ فِي الدِّينِ)

“but if they seek your help in religion”²⁶

And this is from the actions of the leadership except that the Legislator has permitted it for the group that is outside the authority of the Imam. And that is testified by what has come in the Sahihayn²⁷ in the story of Abu Basir, may Allah be pleased with him, after the treaty of Hudaibiya. And it says, *“Then the Prophet, peace be upon him, returned back to Medina and Abu Basir, who is a man from the Quraish, came to him being a Muslim. So they sent two men to demand him and they said, “The treaty that you have*

²⁴ Surat Al-'Anfāl 8:72

²⁵ Surat Al-'Anfāl 8:72

²⁶ Surat Al-'Anfāl 8:72

²⁷ Meaning Saheeh Al-Bukhari and Saheeh Al-Muslim

made with us – So send him with the two men”. So they brought him out until they reached Dhul Halifa. And they got down and began to eat from their dates. So Abu Basir said to one of the two men, “By Allah, I see this sword of yours, Oh so and so, to be perfect”. So the other pulled it out and said, “Yes, by Allah. It is perfect. I have tried it again and again”. So Abu Basir said to him, “Show me. Let me see it”. So he got hold of it and struck him until he became cold (i.e. died) and the other ran away until he came to Medina and entered the masjid running.

So the messenger of Allah, may peace and blessings of Allah be upon him, said when he saw him, “This one has indeed seen a frightening thing”. So when he reached the Prophet, peace be upon him, he said, “My companion has been killed, by Allah, and I too would be killed”. So Abu Basir came and said, “Oh Prophet of Allah, you have by Allah fulfilled your promise. You have returned me to them and then Allah saved me from them”. The Prophet, peace be upon him, said, “Alas for his mother, what a trigger of war he is if he has someone with him”. So when he heard that from him, he knew that he would return him to them. So he went out until he reached the sea side. He said, “And Abu Jundal bin Suhail would escape from them and join with Abu Basir... until they gathered into a group. And by Allah, they would not hear of a caravan of Quraysh that has departed to Shaam, except that they attacked it and killed them and took their wealth”.

So the hadith states the following:

- a) There are other reasons besides those mentioned in the first verse about the possibility of political division of Muslims. And here, it is in the adherence of a section of Muslims towards a treaty that is not binding on those other than them. And this is Abu Basir who has become another group other than the people of Medina carrying out the works of the Imam and the Jihad.
- b) Ibn Taymiyyah, may Allah have mercy on him, has used this hadith as an evidence for this meaning in some of his verdicts where some of the kings of Islam abided by treaties with non believers and he did not make it compulsory on every other king of Muslims to abide by it. And this puts off the claim of some of the contemporary ones that the story of Abu Basir is a non recurring event.
- c) And as it is permissible for the first group to abide by the treaty that prohibits fighting with others over religion, then the second group carry this meaning without doubt.

c) All of these divisions are against the fundamental as is known but the necessities of existence imposes these scenarios and others as we have seen. Otherwise the fundamental is His statement, the Exalted,

(وَاعْتَصِمُوا بِحَبْلِ اللَّهِ جَمِيعًا وَلَا تَفَرَّقُوا)

“And hold fast, all of you together, to the Rope of Allah, and be not divided among yourselves”²⁸

d) All of these prove that it is wrong to make one pledge of allegiance obligatory on the Muslims throughout all times. And the one who says that would go towards misguidance if he permitted killing them by leaving the pledge. And he will truly be from the dogs of hell fire if he declares them to be unbelievers for this action or build upon it, i.e. the bay’ah for his leader, one of the fundamentals for this religion. Indeed the evidence for the faith of the one who left Hijrah and Bay’ah has been clear from the first verse.

2)e) The hadith of Abdul Qays and in it is,

إن وفد عبد القيس لما أتوا النبي قال: من القوم؟ أو من الوفد؟ قالوا: ربيعة. قال: مرحبًا بالقوم أو بالوفد غير خزايا ولا ندامى. قالوا: يا رسول الله، إنا لا نستطيع أن نأتيك إلا في الشهر الحرام، وبيننا وبينك هذا الحي من كفار مضر، فمرنا بأمر فصل نخبره من وراءنا وندخل به الجنة، ... وأن تعطوا من المغنم الخمس

“The delegation of Abdul Qays, when they came to the Prophet, may peace and blessings of Allah be upon him, he said, “Who are these people?” or “Who are the delegation?”. They said, “(The people of) Rabeeah”. He said, “Welcome to these people” or “the delegation” with no humiliation or regrets”. They said, “O Messenger of Allah, we are not be able to come to you except during the prohibited month. And between us and you is this region of the disbelievers of Mudhar. So order us with a decisive order about which we will inform those behind us and by which we will enter paradise”....and that you give a fifth of the booty”²⁹.

And in this there is,

e)

i) That the Prophet, may peace and blessings of Allah be upon him, did not order them to do hijra. Rather, he approved of their staying in their own territory. And that has proved that the obligatory hijra was not for individuals about whom Allah said, “We were weak on the earth”. So if the person has been able to manifest his religion, then it

²⁸ Surat 'Āli `Imrān 3:103

²⁹ Reported by Imam Al-Bukhari in his “Saheeh”

(the obligation) goes back. And the matter is as per the judgment of the Imam and his group.

e)

ii) He permitted them the actions of Jihad under his jurisdiction as per their own discretion and that is in his statement, “And that you give one fifth of the booty” despite the territories not being connected.

e)

iii) The entire issue of the situation of the delegation of Abdul Qays and the situation of Abu Basir is that the actions of Jihad, while they are the actions of the leadership, is permitted in every situation by the permission of the Imam if they have been under his jurisdiction, and without his permission if they were not like that, individually or in groups.

3)

a) The actions of the Imam is dependent on the ability and this ability may be deficient or be strong. And the things that point to it are:

i) The basis of the pledge that occurred at Al Uqbah. And secondly, its content was to defend and protect the Prophet, may peace and blessings of Allah be upon. And its meaning is that he is to be defended if he was fought against in Medina. And in Musnad, Ubadah ibn Saamith said,

إنا بايعنا رسول الله على السمع والطاعة في النشاط والكسل، والنفقة في العسر واليسر، وعلى الأمر بالمعروف والنهي عن المنكر، وعلى أن نقول في الله لا تأخذنا لومة لائم، وعلى أن ننصر رسول الله إذا قدم علينا يثرب مما نمنع به أنفسنا وأزواجنا وأبنائنا ولنا الجنة، فهذه بيعة رسول الله التي بايعنا عليها

“Indeed we gave the pledge of allegiance to the messenger of Allah, upon him be peace and blessings of Allah, to listen and obey, while active or idle, and to spend during difficulty and in ease, and to command the righteousness and forbid the evil, and that we speak for the sake of Allah and not be affected by the blame of the blamers, and that we support the messenger of Allah, upon him be peace and blessings of Allah, when he comes to us in Yathrib, in the way we would defend ourselves and our wives and our children and for us would be paradise. And this was

the pledge of the messenger of Allah, peace and blessings of Allah be upon him, which we pledged to him³⁰

ii) The Prophet, peace and blessings of Allah be upon him, needed in the actions of his leadership over the people of Medina, the opinion of the Ansaar during Badr when he went out for the caravan and it became clear that they had ahead of them the battle with the Quraysh. And the basis of the hadith is in Bukhari, and Muslim has it in detail and with Ahmed,

استشار النبيَّ مخرجه إلى بدر فأشار عليه أبو بكر، ثم استشارهم فأشار عليه عمر، ثم استشارهم فقال بعض الأنصار: إياكم يريد رسول الله والذي نفسي بيده لو أمرتنا أن نخيضها البحار لأخضناها

“The Prophet, peace and blessings of Allah be upon him, consulted regarding his going out to Badr and Abu Bakr pointed towards it. He then consulted them and Umar pointed towards it. He then consulted them and some of the Ansaar said, “It is you the messenger of Allah wants, upon him be peace and blessings of Allah. I swear by the one in whose hand is my soul, if you order us to plunge into the oceans, we would plunge into it...”³¹

iii) What happened with Ali, may Allah be pleased with him, after the killing of Dhu Nurayn, may Allah be pleased with him. He excused himself from the retaliation due to the fitna and incapability. And the texts are known to the student of knowledge, so let him refer to them.

4)

a) The rule that was laid down by Al Farooq, may Allah be pleased with him in his statement mentioned above in “1g)”,

مَنْ بايع رجلاً من غير مشورةٍ من المسلمين فلا يبايع هو ولا الذي بايع تغرة أن يقتلا

“Whoever gave the pledge of allegiance to a man without consulting the Muslims, then he should not be given the pledge nor the one who gave him the pledge, lest they both should be killed”³²

has proved that the pledge to the Imam is not convened by one or in other words, by two or three. Rather, it proves that it is not imposed by one set of people over another

³⁰ Ibn Kathir commented on this hadith: The chain is very good.

³¹ Reported by Imam Al-Bukhari in his “Saheeh”.

³² Reported by Imam Al-Bukhari in his “Saheeh”.

immediately after the pledge for the Khilafa. And this is what some of them have been ignorant of as they thought that as soon as some people pledge for the Khilafa, then it deserves this meaning and the Muslims should accept it. And Al Farooq orders not to agree with it without there being consultation amongst the Muslims. And it has become clear that what is meant by “Muslims” is their knowledgeable ones and the people of insight who have been labeled as the people of Shura (consultation), or Ahlul Hal Wal Aqd. And by this order of Al Farooq, fighting the opponent would be even greater deviance, as the one who has obeyed Al Farooq by not agreeing to it, is not fought against, but rather is praised.

So the one who fights him would be opposing the Fiqh (understanding) of Al Farooq. And it is needless to say that Al Farooq has said this in the presence of the senior companions and none of them opposed him due to their knowledge that this is the religion of Allah, and that anything other than it is the religion of ignorance and deviance.

4)

b) And when the people are in a stage where they build their strength for establishment through strength by dominance as is our situation and while for some of them some power is stabilized over a land and a people, and others from them are likewise, then the matter will not be resolved by one of them going ahead of others by announcing his leadership and that he is the Khalifa so that he would be the appointed one in exclusion to others. Indeed, visualizing this statement by its reality would make it closer to childishness and immaturity as against knowledge in minds. And the one who says this statement is imagining that this matter is related to overtaking and announcing the Khilafa before the others. So what a position that a bereaved mother would cry over...!

c) There would appear for them, the statement of the Prophet, may peace and blessings of Allah be upon him,

كانت بنو إسرائيل تسوسهم الأنبياء كلما هلك نبي خلفه نبي، وأنه لا نبي بعدي وسيكون خلفاء فيكثرون، قالوا: فما تأمرنا؟ قال: فُوا ببيعة الأول فالأول وأعطوهم حقهم الذي جعله الله لهم، فإن الله سائلهم عما استرعاهم

“The children of Israel used to be politically led by the Prophets. Whenever a prophet would die, another Prophet would succeed him. And there is no Prophet after me and there will be Khulafa and they will be many”. They said, “So what do you order us?”

He said, "Fulfill the pledge of the first ones, and give them their rights which Allah has made for them. For indeed Allah will ask them for what they have been engaged in"³³

And this hadith is not a proof for what they have said,

- i) This text talks about Khulafa who are ruling. That means they have authority over the people, and not as has been applied by these people over a man who holds no authority while they are not able to defend themselves or others as mentioned above in his statement, may peace and blessings of Allah be upon him, *"Indeed after all, the Imam is a shield"*.
- ii) That the pledge is binding on the one who gave it, not for others. And that is in his statement, *"Fulfill the pledge of the first ones"*. So how does it compel others?
- iii) Then this hadith would be right for every claimant for every authority. So the one who took it as the previous meaning by the term bay'ah to the Khilafa, he has indeed become ignorant. As its meaning would be correct in its general sense that the first pledge for the authority is what stays over others. And if these people had been thinking, they would find that it is their pledge that is invalid since it is what came afterwards. And there have indeed been several pledges of allegiance that occurred, some of which have died away and some are still remaining.

And all of them were for listening and obeying in actions for a portion of the religion which are within their ability. And every pledge for that which is not in one's ability, it is in vain and consequently, taking it to mean the pledge of the Khilafa over others is incorrect. And the condition of these people is like if we imagine a group that has some sort of power or strength and they have with them a pledge for the actions of the Shareeah that are within their ability, and then a weak and feeble strange one who is incapable of assuming any type of leadership, even to be an Imam for the prayer and he turns out to be a Qurayshi and then someone comes or in other words, someone who does not have the capability for the actions of the leadership partially or completely, comes and gives him the pledge of allegiance for the Khilafa as he is the first according to them and (claims) that it is obligatory on the people to give pledge to him including that group that has some power.

Then this is without doubt ignorance over the hadith since the term "Khilafa" would be empty having no value. And it is known in jurisprudence that contracts are by their meanings and their intentions, not by their words or phrases. So the word

³³ Narrated by Imam Muslim in his "Saheeh".

Khilafa here is just like term “gift” for that which is exchanged for recompense but that is a sale transaction, no doubt.

To conclude, what the organization “The Islamic State in Iraq” has announced by stating that it is the “Islamic State of Khilafa” is falsehood from many aspects, and ignorance by those who are unable to put the branches in place with the fundamentals. So I explain and say;

- 1- It has been mentioned before that the matter of leadership will not be there except by consent, and does not take place except by the agreement of the people of authority from amongst the people of the *Shura*. And it has been known that the people of *Shawkah* (strength) are the mujahideen in the path of Allah, the Exalted, in the earth from Syria Shaam and Yemen, Afghanistan, Chechniya, Somalia, Algeria, Libya and others who are subduing the enemies of Allah. And the matter of Khilafa has been convened far way from these people. And from their statement, which their official spokesman has announced, no group is known to have given bayah to it except one group. And by the order of Al Farooq, may Allah be pleased with him, and the aforementioned Fiqh, the impermissibility of agreeing with the one who gave the pledge (without shura) as well as the one who is given the pledge, can be known. Rather, they both are under the Fiqh, *“lest they both should be killed”*.

And this group the “State in Iraq” does not have authority over the general Muslims for them to decide the matter from away from them. And they are not considered under this topic – if we were to think good about them, otherwise they have in them the evil that I previously spoke about, of extremism, deviance, corruption and thirst for blood – I say, they are with regards to this topic no more than a community from the Muslims and not the Muslim community itself that which is called Khilafah and the major leadership. So this is a pledge for obedience that is not binding except merely on those who are under this pledge. And names without their realities do not change anything.

- 2- Their threat to kill those who split the ranks of the Muslims. This matter is not to be said except after it has been convened, due to his statement, may peace and blessings of Allah be upon him,

من أتاكم وأمركم جميعاً على رجل واحد يريد أن يشق عصاكم ويفرق جماعتكم فاقتلوه
“Whoever comes to you while you are united under a single leader, desiring to

break your unity and divide your community, then kill him³⁴

And this is clear from his statement, *“while you are united under a single leader”*. As for these people, they have applied it on a different context, since today, the people are various groups and it is not correct to gather them except by consent or by gaining complete dominance by using force. And our statement *“complete dominance”* does not mean permission for dominance by using force, nor fighting for it to happen against those who oppose, since this has been said from the jurists only to prevent a series of rebellion. So approving a matter after it has occurred does not mean its permissibility in its beginning. And as per a Shareeah principle, *“What is not allowed in the beginning may be allowed if it is already taking place”*.

- 3- Their cancellation of all the Muslim groups throughout the lands except their group. This fabrication has no reason for it except the reason of the announcement of the Khilafah. And previously, their corrupted desires for stating reasons had become clear. So neither by announcement nor by names the obligation happens.
- 4- Their situation shows their madness to fight against their opponents. And this fighting is a great sin and crime, for whatever meaning, whether it is for the sake of dominance or for other than it. And if their opponents are declared to be disbelievers, then this is the religion of the Khawarij, no doubt.
- 5- It has become clear from their status that their leading men are people of extremism and innovation. This matter has already been done with and has become explicitly clear. And there is great ignorance amongst them as there are no scholars among them who can steer this great matter which they claimed as the major Khilafa. And they, even if they have later on gained some authority in Iraq, Allah says,

6-

(لَا يَنْأَلُ عَهْدِي الظَّالِمِينَ)

“My promise (to grant them leadership) does not apply to the transgressors”³⁵

And under this great verse, the scholars of this Ummah have made a subject on the impermissibility of granting authority to an oppressor. And even if they have subdued the impure Zindeeqs (infidels), but this is one matter and the matter of Muslim politics and their leadership is another thing.

³⁴ Narrated by Imam Muslim in his “Saheeh”.

³⁵ Surat Al-Baqarah 2:124

And these people have no mercy in their hearts for their mujahid brothers, so how would their matter be with regards to the poor and needy people, and their weak ones and their general public..? Indeed our scholars have permitted Jihad under a Khariji commander, the way the Maliki scholars in the Islamic Maghrib have permitted. But they have not been known to have approved of a Khariji ruler whose interest is in killing the people, and not in their politics or in taking care of them.

- 7- Indeed this is not to be considered as belittling the issue of this group fighting against the Zindeeqs³⁶, as this is a praiseworthy matter. And had they been alone in the field of Jihad against the Zindeeqs, this person would not have fought except under their banner. But for them to have the matter of the major leadership over the Muslims of the east and the west, then it besides its invalidity religiously and in knowledge, it also has an evil outcome, no doubt.
- 8- Their gaining of some establishment in Iraq, does not grant them precedence in this regards. Indeed, the righteous Mullah Muhammad Umar³⁷ had gained complete establishment, and so did the mujahideen of Somalia, Yemen and Mali also gain establishment. And their minds and knowledge were far away from falling into this ignorance and delusion and claiming the major Khilafa that is binding on every Muslim on this earth, because the religious terminologies are either designated for worldly realities or the religious realities. But for them to be applied to emptiness, then this is the religion of the Raafidha and the Baathini.
- 9- Indeed, the official spokesman of this group had sent a demand to announce the Khilafa in his dispute with the wise Al-Zawahiri before their gaining of victories in Iraq and the divine endowment for them. So this shows that the origin of their ignorance over the subject of the Khilafa has existed even from before. So neither stability of power nor anything else can be used as an argument for them.
- 10- To conclude, this is an innovator group before a Khilafa due to what we have known of their frenzy to kill the Muslims and especially the people of Jihad amongst them. And they still are like that. Rather we are seeing that this craze has increased and grown especially, after the gaining of some dominance in the regions in Iraq even though what has occurred was a divine gift, to the extent that some of them even confessed that some of the regions fell without a fight. And this is a great grace that

³⁶ Zindeeq is the Islamic term for heretics.

³⁷ The current leader of the Islamic Emirate of Afghanistan.

deserves to be shown gratitude, humbleness and modesty and not arrogance and increase of madness to kill the opponents.

And this matter is not said for gaining sympathy since this man has seen a lot of major transformations in his life, and he has seen the one who is greater than them fall in a moment or the blink of an eye and this is not what we wish for them since the ones who would replace them today in Iraq are the Zindeeqs. But for the believers, victory produces in them fear and humility as is the case of our leader, Muhammad, may the peace and blessings of Allah be upon him, when he entered Mecca as a conqueror, and like the state of Al Farooq, may Allah be pleased with him, when the treasures of Chosroe came under his feet.

And we are in a time about which the messenger of Allah, on him be peace and blessings of Allah, said that it will flow in succession and from its meanings is that several incidents will occur in a short period of time. And Allah knows best.

- And as it is an innovator group, then fighting is not to be done under it except in case of necessity. And their innovation has increased by their claim that they are the Muslim community itself, and that their leader is the sole leader of the Muslims, declaring other than him to be invalid with no meaning except claims and his men's pledge for him with this meaning. So it is not permitted for a Muslim who knows the religion of Allah, the Exalted, to agree with them over this matter. And it is the duty of those with intellects in this group to prevent more extremism amongst them if they desire good for themselves and their brothers. Since victory has its price and its pains and its burdens.

So let them act righteously or else, the ways of Allah will turn over them and on those other than them. There has indeed come those who are stronger than them in dominance and they went,

(وَاللَّهُ غَالِبٌ عَلَىٰ أَمْرِهِ وَلَكِنَّ أَكْثَرَ النَّاسِ لَا يَعْلَمُونَ)

“And Allah has full power and control over His affairs, but most of men know not”³⁸

This is what I have been able to write in this haste, and it is sufficient for the student of knowledge, if Allah has willed. And whoever contemplates over it will know the truth of it, and Allah knows best.

And praise be to Allah, the Lord of the worlds.

³⁸ Surat Yūsuf 12:21

