

THE FATWAA OF IMAAM IBNUL-'UTHAYMEEN (D.1421H)

CONCERNING THE ALGERIAN AFFAIR

AND ADDITIONAL GUIDELINES CONCERNING TERRORISM AND REVOLT

Imaam Muhammad Ibn Saalih al'Uthaymeen (d.1421H) - *rahimahullaah*

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V e r s i o n 1 . 0

Allaah the Glorified and Exalted said, “**And do not kill a person whom Allaah has declared unlawful, except with due right.**” [Sooratul-An'aam 6:151]

Allaah - the Lord of the Worlds - said, “**And whoever kills a believer intentionally, his recompense is Hell to abide therein, and the wrath and the curse of Allaah are upon him, and a great punishment is prepared for him.**” [Sooratun-Nisaa' 4:93]

Said Imaam Muhammad Naasirud-Deen al-Albaanee (d.1420H) - *rahimahullaah*, “We support everyone who calls for the refutation of those who come out against the Rulers, and those who encourage the Muslims in coming out against the Rulers.” [Fataawaa al-'Ulamaa'il-Akaabir (p. 97)]

Said al'Allaamah Ibn Baaz (d.1420H) - *rahimahullaah*, “If anyone from amongst the callers in Algeria said about me that I said to them, ‘Assassinate the police, or use weapons in the call to Allaah,’ then this is wrong, it is not true. Rather, it is a lie!”

Said Imaam Muhammad Ibn Saalih al'Uthaymeen (d.1421H) - *rahimahullaah*, “We view it obligatory upon them to put down their swords and to meet in peace. And if not, then they must endure the continuance of those who fight and take wealth by force and rape the women. Since they are responsible for it in front of Allaah the Mighty and Majestic. And the obligation upon them is to come back.”

Adapted by: Shaykh 'Abdul-Maalik Ramadaanee al-Jazaa'iree

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Source: www.troid.org

DID IBNUL-'UTHAYMEEN COMMAND CONFRONTATION WITH THE ALGERIAN GOVERNMENTAL SYSTEM?

The Noble Shaykh Ibnul-'Uthaymeen was asked in Shawwaal of the year 1414H,¹ what follows, “Likewise, did you tell them to continue to confront and oppose the Algerian governmental system?”

So he answered, “I did not say anything from that!”

The questioner said, “Considering the severity of these afflictions, is it permissible to make *hijrah* (emigration) to the countries of the disbelievers?”

He replied, “The obligation is to have patience, because the country is a country of Islaam. Calls are made within it for the five daily Prayers and the Friday and congregational Prayers are established within it. So the obligation is to have patience until the Command of Allaah comes.”²

¹ Taken from the audio tape that comes under the title, ‘*Fataawaa al-Akaabir fee Naazilatil-Jazaa’ir.*’

² Said Aboo Bakr al-Ismaa’eelee (d.371H) – *rahimahullaah*, in his book *I’tiqaadul-A’immah Ahlil-Hadeeth* (p. 76), “And the view the land as a land of Islaam, not a land of disbelief – as the *Mu’tazilah* view it – as long as the call for Prayer is announced within it and it is openly established and its people are safe.”

THE FATWAA OF IMAAM IBNUL-'UTHAYMEEN (D.1421H) CONCERNING THE ALGERIAN AFFAIR AND ADDITIONAL GUIDELINES CONCERNING TERRORISM AND REVOLT

These questions were directed towards the Noble Shaykh, Muhammad Ibn Saalih al-'Uthaymeen (d.1421H) - *rahimahullaah*. They were read to him on Friday afternoon, dated the 13th of Safar 1420H, corresponding to 28/5/1999CE in his house in the city of 'Unayzah. So from it is what follows:

[Q.1]: 'What is the ruling concerning what has been attributed to you - may Allaah preserve you - of support for the armed *Jamaa'at* who revolt against the Algerian government, and that you are with them, but you are incapable of rushing towards that due to security and politics?'

[A.1]: "This is not correct! And it is not possible for us to incite anyone to gather forces against the government, because this will bring about a great *fitnah*. If these people who wish to challenge the government do not have the necessary power which is needed to overcome the government, then nothing will occur, except fighting, bloodshed and *fitnah* as is the present state of affairs. And how much has been attributed to us here in Saudia and outside of Saudia, yet it has no basis!

So the one who carries that, and Allaah knows best, is one of the people who have desires. So when they desire something, they attribute it to a Scholar from amongst the Scholars so that it will be accepted, and this is a dangerous affair. So to lie upon me, or to lie upon someone other than me from amongst the Scholars is not strange, since lies have already been perpetrated upon Allaah the Mighty and Majestic. Allaah the Exalted said,

"Then, who does more wrong than one who utters a lie against Allaah and denies the truth when it comes to him." [Sooratuz-Zumar 39:32]³

³ He - *hafidhahullaah* - has spoken truthfully, since it is a traditional practice of *Ahlul-Bid'ah*. Long ago, the *Qadariyyah* strove hard to propagate their innovation by attaching it to one of the major people of knowledge. And he was al-Hasan al-Basree (d.110H) - *rahimahullaah*. Said al-Aajurree (d.360H) - *rahimahullaah*, "And know - may Allaah bestow mercy upon us and you - that from the *Qadariyyah* is a species who when it is said to them, 'Who is your leader in this *madhhab* of yours,' they say, 'al-Hasan!' So they lie upon al-Hasan! Indeed, Allaah saved al-Hasan from the *madhhab* of *al-Qadariyyah*." Refer to *ash-Sharee'ah* (2/879). Stated Ayyoob as-Sakhtiyaanee (d.131H) - *rahimahullaah*, "Two groups from amongst the people lied upon al-Hasan: [i] a people who were of the view of *al-Qadar* and they wished to propagate their view; [ii] and a people in whose hearts was enmity and hatred for him. They said, 'Is such and such not his statement,' and 'Is such and such not his statement?'" Related by Aboo Daawood (no. 4622) and al-Laalikaa'ee in *Sharh Usoolul-P'tiqaad* (no. 1253) with an authentic chain of narrators. Said al-Aajurree, "The claims of the *Qadariyyah* upon al-Hasan, when they claim that he is their leader, are false. So they fool the people and they lie upon al-Hasan. Indeed, they have strayed far and have clearly lost." Refer to *ash-Sharee'ah* (2/886).

So I hope from our brothers in Algeria and in other than Algeria, that if they have heard something about us that their hearts deny, that they will contact us so that they may understand. Since, perhaps we did not say that which was attributed to us.”

[Q.2]: ‘Some of the *Jamaa’aat* apply a principle in their war against the government. They say, ‘Waging war against the Islaamic States takes precedence over waging war against the Disbelieving States which possesses original disbelief, because the Islaamic States are apostates and waging war against the apostate takes precedence over the disbeliever.’ So what is the scope of correctness concerning this principle?’

[A.2]: “This principle is a principle of the *Khawaarij* who fought the Muslims and called upon the disbelievers for aid, and it is false.⁴ So the obligation is to make excuses for everyone from amongst the Muslims who errs, as long as it is possible for him to be excused, until harmony, peace and serenity is achieved and the affairs have reached that which is befitting. So this statement has no foundation for being correct.”⁵

[Q.3]: ‘Surrender has begun in Algeria. We know that large numbers of youth from amongst the *Jamaa’aat* wish to put down their weapons and to return to the natural way of life. However, it is not known, should one surrender himself or remain in the mountains, knowing that the government will secure those who repent from carrying weapons? We hope for advice for these *Jamaa’aat* to return the *Ummah* to security and practice of its Religion and to make a harvest for the Muslims.’

[A.3]: “My advice to those who carry weapons and to those who are carrying them now is to put them down and to enter through this door that the government has opened up. And my advice to the government is to not cause any harm to these people who have put down their weapons. They must not punish them, nor must they deny them their rights to employment and congregation, as long as they are willing to do that. Meaning, they must forgive them for everything that has preceded, and it should be like something that never happened until the people become good and the affairs become peaceful. So there is not to be a heart from the hearts of the children of Aadam, except that he is between the two Fingers of ar-Rahmaan (the Most Merciful). Allaah the Exalted turns them whichever way He wishes. So these fighters must not give up hope, especially since the government would

⁴ He is referring to the statement of the Prophet (*sallallaahu 'alayhi wa sallam*) concerning the *Khawaarij*, “They fight the people of al-Islaam and call upon the idol worshippers.” Related by al-Bukhaaree (no. 3344) and Muslim (no. 1064). The discernment of the Shaykh - may Allaah increase him in knowledge and success - was true. Indeed, I read an article by one of the heads of the *Khawaarij* today named Aboo Qataadah al-Filisteenee in the *al-Hayaat* newspaper, dated the 2nd of Safar, 1420H, corresponding to 18/5/1999CE, (no. 13219). This man is the one who issued a *fatwaa* stating that it is legislated to kill women and children during village raids!! I heard this from him myself by way of audiotape, and he said it in a Friday sermon which he delivered in his city of residence, London, which protects him so that he may spray his venom into the Islaamic countries which he calls apostate states!!!

⁵ He - *hafidhahullaah* - is referring to the absence of correctness in their belief of this aforementioned principle.

like to have mercy upon them and to pardon them for everything that has preceded until the affairs are settled if Allaah so wills.”⁶

⁶ Taken from *Fataawaa al'Ulamaa' al-Akaabir feemaa Ahdira min Dimaa' filJazaa'ir* (p. 145-148) of Shaykh 'Abdul-Maalik Ramadaanee al-Jazaa'iree. The book consists of the statements of Imaam al-Albaanee, Imaam Ibn Baaz, Imaam Ibnul-'Uthaymeen and Shaykh Rabee' Ibn Haadee al-Madkhalee concerning the Algerian Revolution and fighting. All of the *fataawaa* of Imaam Ibnul-'Uthaymeen in the book have been checked by the Imaam himself (*rahimahullaah*) and every single *fatwaa* has his personal signature at the end of it.

THE ADVICE OF IMAAM MUHAMMAD IBN SAALIH AL-'UTHAYMEEN TO THE ARMED JAMAA'AAT OF ALGERIA:

With the Name of Allaah the Most Merciful, the Bestower of Mercy.

From Muhammad Ibn Saalih al'Uthaymeen to my brothers in Algeria who have not ceased to carry weapons in the mountains and sands, may Allaah grant them the success wherein they can goodness and peace.

May the mercy and blessings of Allaah be upon you.

To proceed: Verily, the obligation upon me is to convey the advice to you, because that is from the Religion, as occurs in the authentic hadeeth of the Prophet (*sallallaahu 'alayhi wa sallam*), that he said, "The Religion is *naseehah* (advice, sincerity): to Allaah, His Books, His Messengers and to the leaders of the Muslims and their common-folk."⁷

So my advice to you is that you put down the weapons and to establish peace and to answer what the government calls for from peace and benefit. Thereby the community can reach mutual understanding and rule by the Book and the *Sunnah*. This is something in which there will be much goodness and avoidance of *fitan* (trials, tribulations) and fighting. I mean that putting down the weapons and attempting to establish peace is obligatory upon the masses.

So by Allaah, the brothers must hasten towards this conciliation and mutual understanding! And I ask Allaah to grant us and you success and to make us from amongst the callers to goodness and supporters of the truth. Verily He is Generous and Noble. And may the peace, greetings and blessings of Allaah be upon our Prophet Muhammad and upon his Family, his Companions and all those who follow him in goodness until the Day of Judgment.

Written by the one in need of Allaah the Exalted,
Muhammad Ibn Saalih al'Uthaymeen
In Makkatul-Mukarramah, Wednesday the 10th of Dhul-Hijjah
1420H.⁸

⁷ Related by Muslim (no. 55)

⁸ Taken from *Fataawaa al'Ulamaa'ilAkaabir feemaa Ahdira min Dimaa' filJazaa'ir* (p. 167) of Shaykh 'Abdul-Maalik Ramadaanee al-Jazaa'iree (*hafidhahullaahu ta'aalaa*). The book consists of the statements of Imaam al-Albaanee, Imaam Ibn Baaz, Imaam Ibnul'Uthaymeen and Shaykh Rabee' Ibn Haadee al-Madkhalee concerning the Algerian Revolution and fighting. All of the *fataawaa* of Imaam Ibnul'Uthaymeen in the book have been checked by the Imaam himself (*rahimahullaah*) and every single *fatwaa* has his personal signature at the end of it.

THE ALGERIANS MEET WITH SHAYKH IBNUL-'UTHAYMEEN:

[Q]: 'Noble Shaykh, may Allaah preserve you! What is your advice and instructions to these people who have been deceived by them, then they have repented and established peace. They have returned to the enclosure of the Muslims and they pray in the mosques now and they live amongst the people. Indeed, they have found some distress or difficulties from an individual. So what is your advice to the people in dealing with them and what is your advice for them? How must the people act? How should they be received? And how must they live in this new environment in relation to themselves? May Allaah reward you with good.'

[A]: "The praise is for Allaah, Lord of the worlds. My advice to the brothers towards whom Allaah has been benevolent towards is to establish peace and to return to their cities and regions so that they may thank Allaah the Mighty and Majestic for this blessing before everything else, because this is a blessing upon the later Algerians.

Secondly, they must forget about what has preceded. They must not live on with these previous ideas, they must leave it off completely from their ideas and not look back at it, until they begin to say when they remember it, 'I seek refuge in Allaah from the Accursed Satan.'

Thirdly, they must live with the people as if they did not do anything, because when they live and become cognizant of the fact that they did what they did, they will remain averse to the people and the people will be distant from them. And this harms the general benefit.

Fourthly, they must accept the knowledge of the Book and the *Sunnah* and the interaction of the *Salaf* with their rulers. So Imaam Ahmad Ibn Hanbal (d.241H) - *rahimahullaah* - the Imaam of *Ahlu-Sunnah* said to Ma'moon, "O Leader of the Believers!" Yet he was the one who caused him harm with respect to the statement that the *Qur'aan* was created. And Shaykhul-Islaam Ibn Taymiyyah (d.728H) - *rahimahullaah* - did likewise with those who imprisoned him. You will find him speaking to them gently. Allaah said to Moosaa and Haaroon (*'alayhimas-salaam*),

"Go to Fir'awn, since he has transgressed. So speak to him a gentle word, so that perhaps he may be reminded or fear." [Soorah Taa Haa 43-44]

Fifthly, With respect to the others, these people must be met with uninhibited faces and relaxed chests and they must be pleased with them. They must respect them, and not look upon them with rudeness and dislike, nor must they frown and scowl in their faces, because the condition after putting down the weapons is not like the condition after putting down the weapons. And they must forget about everything that occurred beforehand.

Sixthly, Also with respect to the callers, they must encourage the people to join, come close and co-operate with them upon righteousness and piety. And they must forget about whatever has preceded and begin life anew.

As for what we have heard – and the praise is for Allaah – about the return of many from amongst them to the correct view and towards peacefulness, and likewise what we have heard about the general forgiveness from the state, then indeed this pleased us very much. And the praise is for Allaah, Lord of the Worlds. We hope that Allaah the Mighty and Majestic completes for them whatever remains. This affair is good in my view.”

[Q]: ‘O Shaykh, a remainder group remains in the mountains. Meaning, the government, as you said right now O Shaykh, is given to pardon. Yet many from amongst them remain in the mountains based upon the premise that they will not be given security by the government.’

[A]: “They will not give them security?”

[Q]: ‘Yes, they will not give them security! However, the government promises that it will not cause them any harm. Indeed, they have kept to this with respect to those who have descended. Meaning, they did not afflict them with harm, it is such that they only say, ‘Surrender the weapons and return to your natural way of life.’ So many of them have rejected this and they say, ‘We are in need of a *fatwaa* from our Scholars so that we may either descend or sit.’ And some of them descended – and the praise is for Allaah – especially after viewing the *fatwaa* of Shaykh Ibn Baaz – *rahimahullaah* – on television and the *fatwaa* of Shaykh al-Albaanee – *rahimahullaah* – which did not give them permission to undertake this affair. Some of them have not ceased to doubt in this affair, so what do you say concerning this?’

[A]: “We view it obligatory upon them to put down their swords and to meet in peace. And if not, then they must endure the continuance of those who fight and take wealth by force and rape the women. Since they are responsible for it in front of Allaah the Mighty and Majestic. And the obligation upon them is to come back. Indeed, we have heard that many of them have come back – and the praise is for Allaah – and this is obligatory. We thank the State for their general forgiveness, and we thank those who accepted the call to put down the weapons. We never doubted in this, in that they must return to their natural way of life.”

[Q]: ‘What is specific to those who were involved and have now returned? They remained in the mountains and valleys for a long time, so what is the most beneficial of paths to teach and guide them until they return to their natural way of life, because it is not easy for a man from amongst them to remain in the mountains for a specific amount of time, then to return as if nothing ever happened!?’ So what is the most beneficial path to teach, guide and direct them?’

[A]: "This comes back to the government and the society. So they must establish schools in order to teach them according to their situations."

[Q]: 'From the corruption which has occurred within this *fitnah* is that some of the women and young girls have been subjected to rape by those who have ascended to the mountains!'

[A]: "We ask Allaah for pardon!"

[Q]: 'So many of them have become pregnant, and some of them utilize a *fatwaa* permitting abortion in the likes of this situation for these young girls. So now they have fallen into this problem, so many of them are asking about it.'

[A]: "I am of the view that it is correct for these raped women to have abortions, as long as the pregnancy has not reached four months. Since the angel blows the soul into it after four months have passed, at that point it is not possible to do it. As for before that time, then having an abortion is better than leaving it alone."

[Q]: 'There is wealth that remains in the hands of those who have repented from this act. Indeed, they stripped and raped the women during the days of *fitnah* (trial, tribulation). What is the ruling concerning this wealth after the rapist has repented and the woman's family is unaware of what has taken place?'

[A]: "There is no doubt that the wealth that they have taken from the people of their country is unlawful (*haraam*) upon them. So the people of the country are Muslim, and the blood, wealth and honour of the Muslim is *haraam* (unlawful). So it is upon them to return it to her family if they know, or to their next of kin if they have died. So if this is not possible, then they must either place it in the *Baytul-Maal* (treasury) or they must give it away as charity to her family."

[Q]: 'This may seem easy. However, it is not easy for her to go to the *Baytul-Maal*.'

[A]: "It can be given as charity to her family. And Allaah the Mighty and Majestic knows best about them."

[Q]: 'This question relates to the Algerian ruler O Shaykh! Now some of the youth, many of whom have some un-clarity, have emerged from the jails, to the extent that they have been pardoned after coming out of the jails. However, they have not ceased to speak about the issue of *takfeer* and the issue of taking the specific individual ruler outside of Islaam. And they say that the ruler of Algeria is a *kaafir* (disbeliever) ruler and there is no *bay'ah* (oath of allegiance) for him, nor is he to be heard and obeyed in the good, nor in the evil. This is because they have performed *takfeer* of him and they have declared Algeria a place of disbelief O Shaykh.'

[A]: "*Daarul-Kufr* (a land of disbelief)?"

[Q]: 'Yes, a land of disbelief, yes O Shaykh! This is because they say that the governing laws in Algeria are foreign laws, not the laws of Islaam. So firstly, what is your advice to these youth? And is there a *bay'ah* for the ruler of Algeria, knowing that he performs 'Umrah and outwardly manifests the signs of Islaam O Shaykh?'

[A]: "Does he pray, or does he not pray?"

[Q]: 'He prays O Shaykh!'

[A]: "Therefore he is a Muslim."

[Q]: 'And he comes here and performs 'Umrah and for the span of twenty days or a month he has been here in the Kingdom.'

[A]: "As long as he prays, then he is a Muslim and it is not permissible to perform *takfeer* upon him. Due to this, when the Prophet (*sallallaahu 'alayhi wa sallam*) was asked about revolt against the rulers, he said, "No, as long as he prays."⁹ So it is not permissible to revolt against him, nor is it permissible to perform *takfeer* upon him. Whomsoever performs *takfeer* upon him in this case, then he has started a new issue. So there is a *bay'ah* for him and he is the *Sharee'ah* legislated ruler.

As for the topic of the laws, then it is obligatory to accept what is contained within them of truth. This is because acceptance of the truth is obligatory upon every single person, to the extent that even if the most disbelieving of people comes with it, one must still accept it. Indeed, Allaah the Mighty and Majestic said,

"And when they commit a Faahishah (evil deed, every kind of unlawful sexual intercourse) they say, 'We found our fathers doing it, and Allaah has commanded us of it.'" [Sooratul-A'raaf 7:28]

So Allaah the Exalted said,

"Say, 'Allaah never commands of Faahishah.'" [Sooratul-A'raaf 7:28]

Yet Allaah did not respond to their statement,

"We found our fathers doing it."

This is because it was true. So if Allaah the Exalted accepted a true statement from the *mushrikeen* (polytheists), then this is a proof that a true statement must be accepted from everyone. Likewise, there occurs in the statement of Shaytaan when he said to Abee

⁹ Related by al-Bukhaaree (1/116), from the *hadeeth* of 'Awf Ibn Maalik (*radiyallaahu 'anhu*).

Hurayrah (*radiyallaahu 'anhu*), “If you recite *aayatul-kursee*, there will not cease to be a guardian from Allaah upon you, and Shaytaan will not be able to come close to you until the morning.”¹⁰ The Messenger of Allaah (*sallallaahu 'alayhi wa sallam*) accepted this statement. Likewise, there was the Jew who said, “Verily we found in the Torah that Allaah placed the skies upon a Finger and the two earths upon a Finger,” and he mentioned the *hadeeth*. So the Prophet (*sallallaahu 'alayhi wa sallam*) laughed until his front and molar teeth could be seen. So he affirmed that his statement was true and he recited,

“They made not a just estimate of Allaah such as is due to Him. And on the Day of Resurrection the whole of the earth will be grasped by His Hand and the heavens will be rolled up in His Right Hand.” [Sooratz-Zumar 39:67].”¹¹

So the truth that is contained within the laws – even though it may be secular – is to be accepted. Not because it is the statement of so and so, or created by so and so, but because it is the truth. As for whatever is in it of error, then it is possible to improve it by the gathering of the people responsible, the Scholars and the directors and to study the laws so as to reject whatever opposes the truth and to accept whatever agrees with the truth. As for performing *takfeer* of the ruler, then what is this for? Despite this, how long have you remained in the French colonies of Algeria?”

[Q]: ‘We have remained for one hundred and thirty years.’

[A]: “One hundred and thirty years, good! Is it possible for you to change this law that the French have enacted overnight? No, it is not possible. The most important thing upon you is to put out this *fitnah* with whatever is at your disposal, with everything that is at your disposal. We ask Allaah to save the Muslims from the evil *fitan* (trials, tribulations).”

[Q]: ‘So complete the issue that the youth are in now O Shaykh! For example, in the various districts, not in every district, many of the youth have not cease to be engrossed in the issue which is great for them. Meaning, the issues related to *takfeer* O Shaykh, and *at-tashree'ul-'aamm* (general legislation) and *takfeerul-'aynee* (*takfeer* of a specific individual). These are the issues – O Shaykh – for which they take *fataawaa* from you. Then they apply these *fataawaa* upon the ruler, so they apply it upon individuals.’

[A]: “This action of theirs is not correct.”

[Q]: ‘Yes! Then, when we say to them, ‘O my brother, Shaykh Ibnul'Uthaymeen did not say it.’ They say to us, ‘However, Shaykh Ibnul'Uthaymeen for example says in his books about *tashree'ul-'aamm*: whomsoever rules by other than what Allaah revealed, then he is a disbeliever without *tafseel* (further elaboration). So now, this ruler that we have is not

¹⁰ Related by al-Bukhaaree (no. 3275) from the *hadeeth* of Abee Hurayrah (*radiyallaahu 'anhu*).

¹¹ Related by al-Bukhaaree (no. 4811) and Muslim (no. 2786) from the *hadeeth* of Ibn Mas'ood (*radiyallaahu 'anhu*).

ruling by other than what Allaah revealed, so he is a disbeliever.' Do you understand this issue O Shaykh?'

[A]: "We have understood. I say - may Allaah bless you - the ruling concerning an issue is not necessarily a ruler upon a specific individual.¹² So by Allaah it is obligatory upon the

¹² **BENEFIT - TAKFEER OF A SPECIFIC INDIVIDUAL:** Stated Imaam Muhammad Ibn Saalih al-'Uthaymeen (d.1421H) - *rahimahullaah*, "You know, may Allaah bless you, that the (Sharee'ah) rulings are sometimes associated with a description (*wasf*) and sometimes associated with an individual. For example we say, 'Every believer is from the people of Paradise.' This is a general statement that is associated with a description, 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 disbelief, 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 based upon what his specific situation demands. A man is compelled to prostrate to an idol, so he prostrates. And another is compelled to utter a statement of disbelief, so he says it. Have both of these men disbelieved? No, because Allaah has said,

"Whoever disbelieved in Allaah after his belief, except him who is forced thereto and whose heart is at rest with faith but such as open their breasts to disbelief, on them is wrath from Allaah, and theirs will be a great torment." [Sooratun-Nahl 16:106]

So His statement, **"Whoever disbelieves in Allaah after having faith,"** is inclusive of the one who disbelieves by words or deeds. So this man who prostrated to an idol under compulsion and the man who uttered a statement of disbelief under compulsion, is his action one of disbelief or not? Yes, his action is one of disbelief. But is he a disbeliever? No, this is because, there exists a preventative barrier that restrains from *takfeer*, and that is compulsion.

And then there is the case of the man who exceeded in transgression against his own soul and who said to his family, 'When I die, burn me and scatter my ashes into the sea.' He did this thinking that he will be saved from the punishment of Allaah by it. Then his family did what he had ordered them. And Allaah the Mighty and Majestic gathered his ashes together and brought him back and asked him 'Why did you do it?' He replied, 'My Lord, I feared Your punishment.' And so Allaah forgave him. The act of this man is one of disbelief, why? Because he doubted in the power of Allaah, and doubted that Allaah is able to bring him together again and punish him. However, since the reason behind this act of his was his fear of the punishment of Allaah - the Mighty and Majestic - Allaah forgave him. Hence, the meaning of the words of Shaykhul-Islam - *rahimahullaah* - it is said: the disbelief that is associated with a description, 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, 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'weel*) that is incorrect, or there could be a situation in which he was made to utter words without actually intending them.

The Prophet (*sallallaahu 'alayhi wa sallam*) informed us that Allaah rejoices more with the repentance of his servant than the rejoicing of a man who has lost his camel in the desert, seeking to find it but to no avail, so he despairs of finding it again. Then he rests under a tree and awaits death. And then he finds that the camel is tied to the tree by its reigns, so he takes it by the reigns and says out of extreme joy, 'O Allaah you are my servant and I am your Lord.' This word here is a word of disbelief since he claimed Lordship (*ruboobiyyah*) for himself and claimed Allaah is a servant. However, he did not actually intend this, but he was made to err on account of his great excitement and joy, and as the Prophet - may prayers and peace be upon him - said, 'Allaah will not take him to account.'" Refer to *al-Liqaa'ul-Baabil-Maftooh* (no. 1020).

seekers of knowledge to know the difference between the general ruling as it relates to this issue and the ruling upon a specific individual ruler. This is because the specific individual ruler may have evil scholars with him who conceal the true state of affairs from him. And the overwhelming amount of Muslim rulers today do not have knowledge of the *Sharee'ah*. So a person comes to them and mixes up the affair, then another person comes to them and mixes up the affair. Do you not see that some of the so-called Muslim scholars say, 'The *Sharee'ah* does not enter into all of the affairs pertaining to worldly life!' So he causes doubt in the affair for them with the statement of the Prophet (*sallallaahu 'alayhi wa sallam*), "You are more knowledgeable concerning the affairs of your world."¹³ This was said by men whom we testified for their soundness, yet they were fooled. So if they were to reflect upon the affair, they would have found that this was said in reference to the manufactured products and structures and whatever resembles that. This is because the Messenger spoke about pollinating the palm trees and that the people were more knowledgeable concerning it, because the Messenger (*sallallaahu 'alayhi wa sallam*) came from Makkah, there were no palm trees nor anything else there. So he did not know about it, so when he saw what they were doing to the trees to impregnate them, then pollinating the trees to impregnate them, there was much struggle and action required in it. So he said, "I do not see any benefit in this thing." So they left it off, thinking it to be a *Sunnah*. So the trees became damaged, so they came back to him and said, 'O Messenger of Allaah! The dates have gone bad!' He said, "You are more knowledgeable concerning the affairs of your world." He was not referring to the rules and regulations of your world. Rather, he was referring to the affairs of your world. So now the people play a trick and say, 'Do you not see that some of the Scholars in the countries permitted interest in profit?' And they say, 'The prohibited interest is that which exploits.' And this doubt was covered in the statement of Allaah the Exalted,

"So your capital is yours. Do not be oppressed and do not oppress others." [Sooratul-Baqarah 2:279]

So if the ruler is ignorant concerning the rules and regulations of the *Sharee'ah*, and the likes of this Scholar comes along, will he not misguide him?"

[Q]: 'He will misguide him.'

[A]: So due to this we do not pronounce the ruling of disbelief upon the rulers when they do that which causes a person to become a disbeliever, until we have established the proof upon him."

[Q]: 'Who are those who establish the proof O Shaykh?'

¹³ Related by Muslim (no. 2361-2362) from the *hadeeth* of Talhah Ibn 'Ubaydullaah and Raafi' Ibn Khadeej and Anas (*radiyallaahu 'anhum*).

[A]: “As long as we have not established it upon them, we do not pronounce the ruling of disbelief upon them.”

[Q]: ‘O Shaykh, we heard you say in *Ramadaan*, ‘Except if you see...’ Meaning, sight with the eyes. O Shaykh, from what I remember, you said, ‘For example, the sight of the eyes.’

[A]: “Yes, this is it! That is to say that we must know with certain knowledge – like when we see the sun – that there is clear disbelief (*kufr bawaah*), clearly without any doubt.”¹⁴

¹⁴ Taken from the audiotape *Fataawaa al-Akaabir fee Naazilatil-Jazaa'ir*. As it was quoted in the book *Fataawaa al-'Ulamaa'il-Akaabir feemeel-Ahdira Min Dimaa' fil-Jazaa'ir* (p. 169-177) of Shaykh 'Abdul-Maalik Ramadaanee al-Jazaa'iree (*hafidhullaahu ta'aalaa*). The book consists of the statements of Imaam al-Albaanee, Imaam Ibn Baaz, Imaam Ibnul'Uthaymeen and Shaykh Rabee' Ibn Haadee al-Madkhalee concerning the Algerian Revolution and fighting. All of the *fataawaa* of Imaam Ibnul'Uthaymeen in the book have been checked by the Imaam himself (*rahimahullaah*) and every single *fatwaa* has his personal signature at the end of it.

A LETTER TO THE ARMED JAMAA'AH:

With the Name of Allaah the Most Merciful, the Bestower of Mercy.

From Muhammad Ibn Saalih al'Uthaymeen to the noble brother: Hassaan Hataab, leader of the armed *Jamaa'ah* in the Republic of Algeria, may Allaah the Exalted preserve him.

May the peace, mercy and blessings of Allaah be upon you.

To proceed: So Allaah the Exalted says,

“So fear Allaah and adjust all matters of difference among you, and obey Allaah and His Messenger, if you are believers.” [Sooratul-Anfaal 8:1]

And Allaah the Mighty and Majestic said,

“And hold onto the Rope of Allaah altogether and do not be divided. And remember the favour of Allaah upon you when you used to be enemies and He brought mercy in your hearts, so you became brothers by His mercy.” [Soorah Aali-'Imraan 3:103]

And the Prophet (*sallallaahu 'alayhi wa sallam*) said, “Be servants of Allaah and brothers. A Muslim is the brother of a Muslim.”¹⁵ Indeed Allaah has facilitated it for many of our brothers in Algeria to put down their weapons and prevent the *fitnah*. So this has brought about much good for them and the Algerian groups. Verily we hope from Allaah the Mighty and Majestic that you - O leader - will be like them shortly. And we hope that it will be possible to resolve the affairs in which you differ, through safe paths and mutual understanding. And we hope that this episode will come to a close - if Allaah so wills - with a good intention and by traversing a path that leads to that. Allaah the Exalted said concerning the two judges in the breach of contract between the two spouses,

“If they both wish for peace, Allaah will bring about their reconciliation.” [Sooratun-Nisaa' 4:35]

We hold out hopes for you - O leader - that you will embark upon rectification and put down the weapons. May Allaah grant you success, *was-salaam 'alaykum wa rahmatullaahi wa barakaatuh*.

Friday, 14th of Rabee'ul-Awwal, 1421H
'Unayzah, *Jaami'ul-Kabeer*

¹⁵ Related by Muslim (6/21)