

Lesson 27

Point Number 31

And it is permissible to fight the Khawaarij if they attack the property, persons or families of the Muslims; but if they desist and depart then it is not his right to chase them nor are their wounded to be killed nor may he seize their property as booty nor may he kill those of them taken captive nor may he chase those of them who flee.

The Explanation:

We have come to know that the Khawaarij are those who hold breaking away from obedience and they hold that there is no pledge of allegiance to the person in authority (the ruler) or that no *bay'ah* (pledge) remains if he commits sin; and they declare the Muslims to be disbelievers on account of major sins. So those people who accept this position but they do not have strength and they do not fight then they are left, along with their being advised and having the affair made clear to them so that perhaps they may return

But as for if they come to have strength and they manifest their force, then it becomes obligatory upon the Muslims to fight against them to repel their evil. And they are not fought against upon the basis that they are disbelievers; rather they are fought against upon the basis that they are Muslims who have transgressed against the Muslims and attacked them. And for this reason when the Chief of the Believers (*ameerul-mu-mineen*), `Aliyy *radhiyAllaahu `anhu* was questioned about the Khawaarij, "Are they disbelievers?" So he said, "No, they fled away from disbelief; but rather they are a people who transgressed against us."^{1,2}

¹ Reported by `Abdur-Razzaaq in al-Muṣannaf and al-Bayhaqiyy in as-Sunanul-Kubraa.

Translator's side point: You'll find some narrations reported by Ibn Abee Shaybah also in his Muṣannaf, as indicated here also by al-Bayhaqiyy. And some of the reports contain the wording that `Aliyy *radhiyAllaahu `anh* said something similar to this with regard to the People of the Camel, meaning the Companions who fought against him in the Battle of the Camel, and in some of the reports it mentions that he said something like this with regard to the Khawaarij at Nahrawaan. And as for this wording that Shaykh al-Fowzaan mentioned here, then it is indeed as Shaykh al-Fowzaan mentioned it, he said it was with regard to the Khawaarij and it is an important difference with regard to the wording.

² Shaykhul-Islaam ibn Taymiyyah *rahimahullaah* said in Risaalatu Fadli Ahlil-Bayt wa Huqooqihim (a treatise with regard to the virtue of the *Ahlul-Bayt*, the family of the Prophet *sallAllaahu `alayhi wa sallam*, and their rights) "It is established from *ameerul-mu-mineen* `Aliyy *radhiyAllaahu `anhu* through different chains that when he fought against the People of the Camel, he did not take their children as slaves and he did not take their wealth as booty and he did not kill their wounded ones and he did not chase after those

So they (the Khawaarij) are not fought against upon the basis that they are disbelievers, and therefore their women and their children are not taken as slaves and their property is not seized and those of them who are injured are not killed because the fighting against them is just to repel their evil, not because of their being disbelievers.

His saying, **“And it is permissible to fight against the Khawaarij if they attack the Muslims with regard to their property, their persons and their families,”** because

who fled and he did not kill any captive and he prayed (the funeral prayer) over those who had been killed from both sides, at both the Battle of the Camel and the Battle of Siffeen. And he said *‘Ikhtawaanunaa baghow ‘alaynaa.*,” “They are our brothers; they transgressed against us.” And he informed that they are not disbelievers nor are they hypocrites. And in what he said he was following the Book of Allaah and the Sunnah of His Prophet *sallAllahu ‘alayhi wa sallam*, since he called them brothers and he declared them to be believers in the fighting and in the transgression just as is mentioned in His saying,

﴿وَإِنْ طَائِفَتَانِ مِنَ الْمُؤْمِنِينَ اقْتَتَلُوا﴾

(Sooratul-Hujuraat (48), aayah 9)

(to the end of the aayah).”

He also said (two pages later), “They are not equal those who were killed, who he prayed over and he called them *ikhawaanunaa* (our brothers), they are not equal along with those whom he did not pray over (the Khawaarij at the Battle of Nahrawaan). Rather, when it was said to him (quoting the aayah from Sooratul-Kahf (18), towards the end of the soorah), “Who are,

﴿الَّذِينَ ضَلَّ سَعِيُهُمْ فِي الْحَيَاةِ الدُّنْيَا وَهُمْ يُحْسِبُونَ أَنَّهُمْ يُحْسِنُونَ صُنْعًا﴾

‘those people whose striving in this world will be in vain whilst they think that they are doing good’?”

That he replied, “They are the people of *Haroora*· (meaning the Khawaarij).”

Also, Shaykhul-Islam ibn Taymiyyah *rahimahullaah* mentioned, “And likewise, the people of Siffeen, he prayed the funeral prayer over those who were killed from them and he said, ‘They are our brothers, they transgressed against us but the sword purified them.’ And if in his view they had been disbelievers, he would not have prayed funeral prayer over them and he would not have declared them to be brothers and he would not have stated that the sword purified anything from them.” (Minhaajus-Sunnah)

Translator’s side point: Shaykh ‘Abdul-Malik ar-Ramaḍaaniyy in his book *Takhleesul-Ibaad*, his book of refutation upon the modern day Khawaarij, corruption causers, he mentioned, “What is authentic from ‘Aliyy *radiyAllahu ‘anh*, there is an important difference to make here in these reports. What he said with regard to the people of Jamal and Siffeen is authentic and what he said with regard to the Khawaarij is authentic. However, when he used the word *‘ikhawaanunaa baghow ‘alaynaa*,” this is only authentic with regard to those who died at the Battle of the Camel and the Battle of Siffeen. He said, “Our brothers; they transgressed against us.”

With regard to the Khawaarij the wording is as Shaykh al-Fowzaan put it here. What is authentic with regard to the Khawaarij that he said when they asked, “Are they disbelievers?”

He said, “No they fled from disbelief; they are a people who transgressed against us.” He didn’t call them his brothers.

And then he quoted the same quotes from Shaykhul-Islam ibn Taymiyyah.

the Prophet *sallAllaahu `alayhi wa sallam* commanded that they be fought against and because `Aliyy *radiyAllaahu `anhu* fought against them when they attacked `Abdullaah ibn Khabbaab ibn al-Aratt *radiyAllaahu `anhu*. And they killed him and they split open the abdomen of his slave girl who was pregnant. So then when they did that the Chief of the Believers (meaning `Aliyy *radiyAllaahu `anhu*) resolved to fight them because the first signs of their evil had now appeared from them.

His saying, **“But it is not for him (the Muslim ruler), if they desist and leave them alone, to chase them.”** If they desist from fighting then it is not for the ruler to chase them and to wage war against them as long as they do not commit transgression. So they are astray without any doubt and it is obligatory to give them advice so that perhaps they will return; however they are not to be fought.

His saying, **“And he may not kill their injured,”** because the wounded person, his evil has been curbed.

His saying, **“and he may not take their property as booty,”** meaning their property is not taken as *ghaneemah* (booty/spoils of war) because it is the property of the Muslims.

His saying, **“and he may not kill those of them taken prisoner,”** because they are Muslims and their evil has been prevented by their having been taken captive and by their being wounded.

His saying, **“and those of them who flee away are not to be chased.”** If they are defeated, then the ruler leaves them alone and he does not chase after them because their evil has been repelled.

Point Number 32

And know, that there is to be no obedience to any human in disobedience to Allaah, the Mighty and Majestic. And whoever is from the people of Islaam then do not bear witness (of Paradise or the Fire) for him on account of his having done a deed, whether good or bad, since you do not know what his deeds will be concluded with at the point of death. You hope for Allaah's Mercy for him and you fear for him (because of his sins). You do not know what is destined for him at the point of death with regard to his repenting to Allaah and what Allaah may bring about for him at that time if he dies upon Islaam. You hope for (Allaah's) Mercy for him and you fear for him because of his sins. And there is no sin except that the servant may repent from it.

The Explanation:

His saying, **"And know that there is to be no obedience to any human in disobedience to Allaah, the Mighty and Majestic."** This is an exception to what has preceded, referring to what he mentioned with regard to it being obligatory to obey the ruler, that it is not obligatory in everything. Rather, they are only to be obeyed in that which is not *ma'siyah* (a sin). As for if they command a sin, then they are not obeyed upon sin. And there occurs in the ḥadeeth: that the Messenger *ṣallAllaahu `alayhi wa sallam* appointed a leader over an army detachment of the Companions. So when they proceeded upon the way, he (this leader) said to them, "Gather some firewood." So, when they had gathered it, he said, "Set it on fire." So, when they had set it blazing, he said, "Enter into the fire. Did not the Messenger *ṣallAllaahu `alayhi wa sallam* say,

'Hear and obey'?"

So some of them said, "We did not obey the Messenger except in order to flee away from the Fire so how can we then enter into it?!" So therefore they refused to enter into it. So when that (news) reached Allaah's Messenger *ṣallAllaahu `alayhi wa sallam* he said,

"If they had entered it then they would not have come out from it. Obedience is only in that which is good."³

And he *ṣallAllaahu `alayhi wa sallam* said,

"There is to be no obedience to a created being in disobedience to the Creator."⁴

³ (The ḥadeeth) has preceded. (Reported by al-Bukhaariyy (7145) and Muslim (1840) from a ḥadeeth of `Aliyy *radhiyAllaahu `anhu*)

And He, the Most High, said with regard to the parents:

﴿أَنْ أَشْكُرَ لِي وَلِوَالِدَيْكَ إِلَى الْمَصِيرِ ۚ وَإِنْ جَاهَدَاكَ﴾

(Explanation)

And be thankful to Me and to your parents; the return will be to Me. And if those two strive...

Meaning the parents,

عَلَى أَنْ تَشْرِكَ بِي مَا لَيْسَ لَكَ بِهِ عِلْمٌ فَلَا تُطِعْهُمَا وَصَاحِبُهُمَا فِي
الدُّنْيَا مَعْرُوفًا وَاتَّبِعْ سَبِيلَ مَنْ أَنَابَ إِلَيَّ ۚ

(Explanation)

... to make you associate along with Me that which you have no knowledge of then do not obey them; but live with them in this world in a good manner; and follow the way of those who turn to Me.

(Soorah-Luqmaan (31), *aaayahs* 14 and 15)

However that does not mean that obedience to the ruler ceases if he commands something sinful, but rather it means that he is not obeyed in that sin, whereas obedience to him remains in that which is not a sin. This is the meaning of ***“There is no obedience to a created being in disobedience to the Creator.”***

So it is not to be said that Allaah has commanded obedience to the ruler and He has commanded fine treatment and obedience to the parents in everything. We say, yes Allaah commanded obedience to those in authority (but), upon what is good; and He

⁴ It's checking has preceded. (Reported by Imaam Ahmad and at-Tabaraaniyy and others from a ḥadeeth of `Imraan ibn Hugayn *radīyAllaahu `anhu*)

Translator's side point: Declared *ṣaḥeeḥ* (authentic) by Shaykh al-Albaaniyy in *As-Saḥeeḥah* (no. 179)

commanded obedience to the parents, however in what is good, not in disobedience to Allaah, the Perfect and Most High.

His saying, **“And witness (meaning regarding Paradise or the Fire) may not be given against anyone nor for him based upon his having done a good or bad deed.”**

This matter of bearing witness of Paradise or of the Fire for a specific individual, this is that matter. So witness is not given for a specific individual that he will be in Paradise nor is witness given that he will be in the Fire, except with a proof from the Book and the Sunnah. As for one who there is no proof to state that he is from the people of Paradise, even if he is a righteous person, a believer, we do not do so because we do not know what his concluding action will be. And likewise, a sinful person or a disbeliever, we do not state for certain that the individual that he is from the people of the Fire because he might repent and we do not know. He ṣallAllaahu `alayhi wa sallam said,

“One of you may perform the actions of the people of Paradise until there is not between him and it except a cubit (forearm); but then what was written overtakes him and he acts with the action of the people of the Fire and therefore he enters it. And one of you may act with the actions of the people of the Fire until there is not between him and it except a forearm (a cubit) and then what was written overtakes him and he acts with the action of the people of Paradise and therefore he enters it.”⁵

“Actions are in accordance with their conclusions.”⁶ And the concluding actions are not known except to Allaah, the Knower of all hidden things, He, the Perfect and Most High. But as for us, then we have fear for the people of sins and we have hope for the people of acts of obedience but we do not state with certainty. Rather, we have hope for those who are obedient but we do not state with certainty, and we have fear for the sinful ones but we do not state with certainty. This is with regard to specific individuals. As for in general, then we state with certainty that the people of *eemaan* (true belief) are the people of Paradise and we state with certainty that the disbelievers are the people of the Fire. Allaah, the Most High, said with regard to the Fire:

﴿أَعِدَّتْ لِلْكَافِرِينَ﴾

(Explanation)

⁵ Reported by al-Bukhaariyy in his Saḥeeḥ (no. 6594) and Muslim in his Saḥeeḥ (no. 2643) from the ḥadeeth of `Abdullaah ibn Mas`ood *radīyAllaahu `anhu*

Translator's side point: the famous ḥadeeth of as-Ṣaadiq al-Masḍooq, the fourth ḥadeeth in an-Nawawiyy's Forty Ḥadeeth.

⁶ Translator's side point: the wording of a ḥadeeth

It has already been prepared for the disbelievers.

(Soorah-Aali `Imraan (3), *ayyah* 131)

And He said with regard to Paradise:



(Explanation)

It has already been prepared for those who have *taqwaa* (those who are fearful of Allaah and dutiful to Him).

(Soorah Aali `Imraan (3), *ayyah* 133)

This is with regard to in general. As for specific individuals and specific people, then this is entrusted to Allaah, the Perfect and Most High. However, we behave and deal with them on the basis of what is apparent. We deal with the people of obedience in accordance with what appears from them and we deal with the people of sins in accordance to what is apparent from them. We pass judgement in accordance with what is apparent only, not stating the final destination and the final outcome, for that lies in the Hand of Allaah, the Perfect and Most High.⁷

⁷ Translator's side point: Shaykh Ahmad an-Najmiyy *rahimahullaah* dealt with a point, which wasn't dealt with here directly: **"And there is no sin except that the servant can repent from it."**

Shaykh Ahmad an-Najmiyy *rahimahullaah* said in his explanation, "*At-Towbah* (repentance) is acceptable from every sin with regard to the rulings relating to the Hereafter.

[Translator's note: meaning, in the Hereafter that would be wiped away from him. When `Amr ibn al-`Aas came to accept Islaam and the Prophet *sallAllaahu `alayhi wa sallam* told him to put out his hand to give his pledge - that's when he withheld it for a moment. He said, "Because I want to make a condition." So the Prophet *sallAllaahu `alayhi wa sallam* asked him what condition he wanted to make. He said, "What I did before should be forgiven." So therefore the Prophet *sallAllaahu `alayhi wa sallam* said the *hadeeth* the shaykh quotes here.]

"And the Prophet *sallAllaahu `alayhi wa sallam* said to `Amr ibn al-`Aas *raḍiyAllaahu `anhu*,

'Do you not know that Islaam demolishes what came before it and that performing Hijrah demolishes what came before it and that the Hajj demolishes what came before it.'

(Reported by Muslim (121) in the Book of Eemaan)

"And his saying with regard to the man who killed ninety-nine men,

‘And who can come between him and between repentance?’ the hadeeth

(Reported by Muslim)

“And the *ahadeeth* in this regard are very clear. And the disagreement is with regard to a person who spoke with words of abuse against the Messenger *sallAllaahu `alayhi wa sallam* or against the Qur-aan - is *his* repentance accepted with regard to this world or is judgement passed that he is to be executed, even if he makes clear his repentance? Then this has been clarified by Shaykhul-Islaam ibn Taymiyyah in his book *As-Saarimul-Maslool `alaa Shaatimir-Rasool sallAllaahu `alayhi wa sallam*. And Allaah is the One who grants success.”

Itḥaaful-Qaaree bit-Ta'leeqaat `alaa Sharḥis-Sunnah

by Shaykh Saalih ibn Fowzaan al-Fowzaan ḥafizahullaah

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Points discussed by Shaykh Saalih al-Fowzaan ḥafizahullaah in this excerpt include:

- a recap of some of the characteristics of the Khawaarij
- the Khawaarij who do not have strength and do not fight are to be advised
- the Khawaarij who have strength and manifest force are to be fought (under the ruler)
- the Khawaarij are fought to repel their evil; they are not disbelievers
- rules that apply when fighting the Khawaarij due to their being Muslims
- rulers and parents should not be obeyed if they command a sin (proofs from the Qur'aan and authentic narrations)
- although the ruler is not obeyed in sinful matters, he should still be obeyed in matters which are not sinful
- we should not state with certainty about any individual that he/she will be in Paradise or the Hell Fire without proof from the Qur'aan or the Sunnah (regarding that person)
- a person is judged according to their last actions and only Allaah knows what a person's last actions will be
- a person may do righteous actions but then act like the people of Hell Fire before death (ḥadeeth quoted)
- a person may do evil actions but act like the people of Paradise before death (ḥadeeth quoted)
- we hope for Paradise for the obedient ones and we fear the Hell Fire for the sinful ones
- in general we state with certainty that the people of true belief are the people of Paradise
- in general we state with certainty that the disbelievers are the people of the Fire
- we deal with people in accordance with what is apparent from them
- we do not state a person's final destination as this lies in Hand of Allaah

A side point from Shaykh Ahmad an-Najmiyy *rahimahullaah* mentions that repentance is acceptable from every sin. Two authentic narrations are quoted.