

The Sixty Sultaniyya

الستون السلطانية

A collection of narrations relating to Ruling

With Brief Notes and Selected Commentary

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بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

الحمد لله الذي أرسل رسله بالبينات وأنزل معهم الكتاب والميزان ليقوم الناس بالقسط وأنزل الحديد فيه بأس شديد ومنافع للناس وليعلم الله من ينصره ورسله بالغيب إن الله قوي عزيز وختمهم بمحمد صلى الله عليه وسلم الذي أرسله بالهدى ودين الحق ليظهره على الدين كله وأيده بالسلطان النصير الجامع معنى العلم والقلم للهداية والحجة ومعنى القدرة والسيف للنصرة والتعزيز وأشهد أن لا إله إلا الله وحده ولا شريك له شهادة خالصة خلاص الذهب الإبريز وأشهد أن محمدا عبده ورسوله صلى الله عليه وسلم وعلى آله وصحبه وسلم تسليما كثيرا وشهادة يكون صاحبها في حرز حريز

أما بعد

إنما الأعمال بالنيات وإنما لكل امرئ ما نوى

Over the centuries there have been many collections of *hadith* compiled with the intention of reminding the Muslims the *ahkam* of Allah سبحانه وتعالى so as to apply them in their lives. The most famous, that many have read and benefitted from, is the Forty *Hadith* compiled by Imam Nawawi.

But today the most neglected of the commands of Allah سبحانه وتعالى is the command to rule by what Allah has revealed to His Prophet ﷺ.

Allah سبحانه وتعالى says in His Book:

وَأَنْزَلْنَا إِلَيْكَ الْكِتَابَ بِالْحَقِّ مُصَدِّقًا لِمَا بَيْنَ يَدَيْهِ مِنَ الْكِتَابِ وَمُهَيْمِنًا عَلَيْهِ فَاحْكُم بَيْنَهُم بِمَا أَنْزَلَ اللَّهُ وَلَا تَتَّبِعْ أَهْوَاءَهُمْ عَمَّا جَاءَكَ مِنَ الْحَقِّ لِكُلِّ جَعَلْنَا مِنْكُمْ شِرْعَةً وَمِنْهَاجًا

And We have sent down to you (O Mohammad ﷺ) this Book (the Quran) in truth, confirming the Scripture that came before it and the Mohaymin (trustworthy in highness and a witness) over it, so judge amongst them by what Allah has

*revealed, and follow not their vain desires away from the truth that has come to you.
To each among you we have proscribed a law and a clear way [TMQ 5:48]*

This book is a brief compilation of *hadith* related to ruling. It is a small selection but it is hoped that it serves to illustrate how central to Islam was its ruling system, and the manner of the just ruler as opposed to the characteristics of the evil one, and the nature of the application of the rule, the role of the *Ummah* in accounting those in authority, and the painful consequences if this is neglected.

It is our prayer that these neglected *Sunan* – and the countless others related to governance be revived and enacted in the Islamic world under the shade of the next Rightly Guided *Khilafah*.

That prayer is also a promise of Allah سبحانه وتعالى who said:

وَعَدَ اللَّهُ الَّذِينَ آمَنُوا مِنكُمْ وَعَمِلُوا الصَّالِحَاتِ لَيَسْتَخْلِفَنَّهُمْ فِي الْأَرْضِ كَمَا اسْتَخْلَفَ الَّذِينَ
مِن قَبْلِهِمْ وَلَيُمَكِّنَنَّ لَهُمْ دِينَهُمُ الَّذِي ارْتَضَىٰ لَهُمْ وَيُغَيِّرَنَّ لَهُمْ أَمْنًا يَعْبدُونَني لآ
يُشْرِكُونَ بي شَيْئًا وَمَن كَفَرَ بَعْدَ ذَلِكَ فَأُولَٰئِكَ هُمُ الْفَاسِقُونَ

Allah has promised, to those among you who believe and work righteous deeds, that He will, of a surety, grant them in the land, inheritance (of power), as He granted it to those before them; that He will establish in authority their religion, the one which He has chosen for them; and that He will change (their state), after the fear in which they (lived), to one of security and peace: 'They will worship Me (alone) and not associate aught with Me.' If any do reject Faith after this, they are rebellious and wicked. [TMQ 24: 55]

The intention has been to present a selection of narrations which are reliable, and there are end notes regarding the various chains of narrations used other than those mentioned from the *sahibain*, Bukhari and Muslim.

May Allah accept this work, forgive us our shortcomings, and bring victory to this *Ummah*.

ISLAMIC RULE

The *Khulafaa* are the rulers of the Muslim *Ummah*
Prophecy of the return of the *Khilafah* upon the Prophetic example
Obligation of the *Khilafah*
Obligation of a single ruler
Principles of Sources of Law
The Islamic *Aqeedah* is the basis for the State and its expansion
Islam defines the rule, not the technicalities

RESPONSIBILITY OF LEADERSHIP

The Imam is Responsible for the *Ummah*
Positions of ruling are not to be chased
The Weighty Burden of Responsibility
Leadership is based upon the policy, not personality or race politics
Prohibition of Nepotism
Prohibition of a woman ruler

RULE OF LAW MEANS TAKING CARE OF SOCIETY BY ISLAM

The Ruler who does not rule justly will be in chains on the Day of Judgement
Hudood are applied even if there are those who accuse it
Rule of Law is equally applied
Any accused is innocent until proven guilty
Dealing with non-Muslims justly
Oil, Water and Pastures are the whole *Ummah's* resources
Prohibition of misappropriating others wealth
Prohibition of dealing with land unjustly

CRUCIAL NATURE OF RULING AND UNITY

Ruling – The knot of Islam upon which everything else is reliant
Living under a just Imam is better than 60 years of worship
The Imam is a Shield
Sanctity of Muslim Blood
One Muslim's pain afflicts all the *Ummah*
Prohibition of factionalism, nationalism and wanton killing

ILLEGITIMATE LEADERSHIP

Corrupt Rulers are the biggest problem
Cronyism corrupts
Condemnation of those who support leadership for personal gain
No obedience to a leader in sin
The Believer has to be Politically Astute

BLOCKING THE PATH

Forbiddance of Being Content in un-Islamic rule
Treachery
Prohibition of spying and oppressing your Muslim brother
Prohibition of Torture
Better to die alone than co-operate with corruption

**ENJOINING THE GOOD AND STANDING FOR THE TRUTH IS A CAUSE OF
SUCCESS IN THIS LIFE AND THE NEXT**

The tongue must be used to speak the truth if the hand cannot enforce it
Society has a collective responsibility to prevent wrongdoing
Accounting the Ruler

Not preventing the oppressors is a cause for collective punishment from Allah
Neglect of accounting results in the worst rulers, the harshest enemy and the rejection of *Du'a*
Seeking the Acceptance of the People by displeasing Allah results in humiliation

THE VICTORY FROM ALLAH HAS CONDITIONS

No *Du'a* answered and no Victory unless the people account according to Islam
Neglect of *Dawa* and Jihad is the cause of humiliation
Patience and sacrifice are reasons for Victory
Without the collective readiness to sacrifice, the *Ummah* will be humiliated

ISLAM WILL RETURN, AND THE VICTORIOUS GROUP

ISLAMIC RULE

The *Khulafaa* are the rulers of the Muslim *Ummah*

Hadith 1

كَانَتْ بَنُو إِسْرَائِيلَ تَسُوسُهُمُ الْأَنْبِيَاءُ كُلَّمَا هَلَكَ نَبِيٌّ خَلَفَهُ نَبِيٌّ
وَإِنَّهُ لَا نَبِيَّ بَعْدِي وَسَتَكُونُ خُلَفَاءُ يَكْثُرُونَ قَالُوا فَمَا تَأْمُرُنَا قَالَ
فُوا بِيَعَةِ الْأَوَّلِ فَالْأَوَّلِ وَأَعْطُوهُمْ حَقَّهُمْ فَإِنَّ اللَّهَ سَائِلُهُمْ عَمَّنِ
اسْتَرْعَاهُمْ

"The tribes of Israa'il were ruled by the Prophets, every time a Prophet deceased he was followed by another Prophet, and there will be no Prophets after me, and there will be *Khulafaa* (successors) and they will be many."

The companions then asked "What do you order us?"

To which the Prophet ﷺ replied "Fulfil your pledge of allegiance to them one after another, and give them their rights, and truly Allah will ask them about their responsibilities"

(Bukhari / Muslim)

Commentary

- The verb "تَسُوسُهُمْ" – to manage the affairs – indicates that the Prophets before the Messenger of Allah ﷺ also used to rule their followers, managing their affairs according to whatever had been revealed to them by Allah سبحانه وتعالى.
- Khulafaa* is the plural of *Khalifah*, and the *hadith* indicates from the use of the verb "يَكْثُرُونَ" (they will be many) that there will be several after the Prophet ﷺ, contradicting the claim that the *Khalifah* was only in existence during the period of the first 4 righteous leaders.

- c. There is a narration which mentions the *Khilafah* remaining for 30 years, and as mentioned by Sheikh ibn Taymiyya this is considered to be the complete example of *Khilafah* upon the *Sunnah* and way of the Prophet ﷺ, and not a restriction to say that the *Khilafah* was only for 30 years. And in this way the this narration and the hadith of this section are understood together.
- d. As mentioned by Imam Nawawi, the phrase “fulfil your pledge of allegiance to them **one after another**” indicates that it is only permitted to have one *Khalifah* at a time, and any other pledge given during a time when there is a *Khalifah* in existence is considered invalid.

Prophecy of the return of the *Khilafah* upon the Prophetic example

Hadith 2

تَكُونُ النَّبُوءَةُ فِيكُمْ مَا شَاءَ اللَّهُ أَنْ تَكُونَ ثُمَّ يَرْفَعُهَا إِذَا شَاءَ أَنْ
يَرْفَعَهَا ثُمَّ تَكُونُ خِلَافَةً عَلَى مِنْهَاجِ النَّبُوءَةِ فَتَكُونُ مَا شَاءَ اللَّهُ أَنْ
تَكُونَ ثُمَّ يَرْفَعُهَا إِذَا شَاءَ اللَّهُ أَنْ يَرْفَعَهَا ثُمَّ تَكُونُ مُلْكًا عَاضًا
فَيَكُونُ مَا شَاءَ اللَّهُ أَنْ يَكُونَ ثُمَّ يَرْفَعُهَا إِذَا شَاءَ أَنْ يَرْفَعَهَا ثُمَّ
تَكُونُ مُلْكًا جَبْرِيَّةً فَتَكُونُ مَا شَاءَ اللَّهُ أَنْ تَكُونَ ثُمَّ يَرْفَعُهَا إِذَا شَاءَ
أَنْ يَرْفَعَهَا ثُمَّ تَكُونُ خِلَافَةً عَلَى مِنْهَاجِ النَّبُوءَةِ ثُمَّ سَكَتَ

"There will be Prophethood for as long as Allah wills it to be, then He will remove it when He wills, then there will be *Khilafah* on the Prophetic method and it will be for as long as Allah wills, then He will remove it when He wills, then there will be biting Kingship for as long as Allah Wills, then He will remove it when He wills, then there will be oppressive kingship for as long as Allah wills, then he will remove it when He wills, and then there will be *Khilafah* upon the Prophetic method" and then he remained silent

(Ahmed)

Commentary

- a. The *hadith* indicates that there will be no difference in the rule after the Prophet ﷺ, in the sense that the *Khilafah* after him will be based upon his methodology, and follow his example. So there is unity between the Prophetic methodology and the methodology of the

successors in applying the rule of Islam, with the only difference being the end of the revelation which was completed before the passing of the Prophet.

- b. The “biting Kingship” refers to the misapplication of the taking of the pledge of allegiance, which was taken by force and then subsequently handed down by hereditary rule rather than by consent as exemplified to us by the example of the Prophet and the first four *Khulafaa*.
- c. The “oppressive Kingship” is the period of time when the Muslims were ruled by those whose rule was based upon Islam but were oppressive upon the people, as indicated by the Prophet ﷺ in other narrations that the Muslims should obey their leader even if he whips their backs as long as he does not order them to commit sin.
- d. The last part of the *hadith* is a glad tiding for the Muslim *Ummah*, a prophecy that there will again be *Khilafah* established, with the Will of Allah سبحانه وتعالى, based upon the Prophetic methodology.

Obligation of the *Khilafah*

Hadith 3

مَنْ خَلَعَ يَدًا مِنْ طَاعَةٍ لِقَى اللَّهَ يَوْمَ الْقِيَامَةِ وَلَا حُجَّةَ لَهُ وَمَنْ مَاتَ
وَلَيْسَ فِي عُنُقِهِ بَيْعَةٌ مَاتَ مِيتَةً جَاهِلِيَّةً

Whoever removes his hand from obedience (to the ruler) will meet Allah with no proof for himself, and whoever dies without the pledge of allegiance (to the ruler) upon his neck dies a death of *jahiliyya*

(Muslim)

Hadith 4

من خرج من الجماعة قيد شبر فقد خلع ربقة الإسلام من عنقه
حتى يراجعه من مات و ليس عليه إمام جماعة فإن موته موتة
جاهلية

Whoever removes himself from the *Jama'at* (the unified Muslim *Ummah*) by a handspan then he has taken Islam from his neck until he returns,

Whoever dies and does not have a leader of the *Jama'at* over him then his death is a death of *jahiliyya*

(Hakim)

Commentary

- a. These *abadith* show the obligatory nature of unity upon the Truth, with the expression “by a handspan” indicating that any disunity however small is forbidden.
- b. Islam obligates obedience to the consented ruler, which should be considered alongside other *abadith* explaining the specific circumstance when dissension and even rebellion is permitted (such as when the ruler rules by other than Islam).
- c. The pledge of allegiance referred to in the *hadith* is the pledge taken between the ruled and ruler, as exemplified by the Prophet ﷺ and the companions after him, to rule the people by the Quran and *Sunnah* and in return to be obeyed.
- d. The “death of *jahiliyya*” is an indication in the narration that to die without having the pledge of allegiance upon one’s neck is prohibited, and therefore the existence of the pledge of allegiance is obligatory, which in turn necessitates the existence of the *Khalifah* with whom that pledge is made as mentioned by scholars such as Imam Taftazani, and also Shah Waliullah Dahlawi (in his book originally written in Persian *izalatul kbafa an khalifatul Khulafaa*).
- e. In the second of the narrations this point is made explicit, with the wording of the *hadith* being “does not have leader of the group (of Muslims) over him” explaining what is meant in the first narration by the metaphor “without the pledge of allegiance upon his neck”.
- f. To establish the *Khalifah* is in turn obligatory from the principle “whatever leads to a *wajib* is *wajib*”, and this is an obligation which encompasses all of the people due to the generality indicated in the use “من” (whoever).

Obligation of a single ruler

Hadith 5

إِذَا بُويعَ لِخَلِيفَتَيْنِ فَاقْتُلُوا الْآخِرَ مِنْهُمَا

If the pledge of allegiance is given to 2 rulers (*Khalifatain*), kill the latter of them

(Muslim)

Commentary

- a. Additional proof used by the consensus that it is not permitted for the Muslims to have more than one *Khalifah* at any given time, as explained by Imam Nawawi as a proof for the *ijma'a* on the issue, and indicated by previous *abadith* as well.
- b. The order in the *hadith* to kill the latter of the two presupposes that all other ways to remove the second of the claimed *Khalifabs* have been exhausted.
- c. Since it is known that the blood of a Muslim is sanctified, the order to kill the second of the two is another strong indication of the obligation of unitary rule, and raises the importance attached to the issue to one of life and death.

The Islamic *Aqeedah* is the basis for the State and its expansion

Hadith 6

عَنْ جُنَادَةَ بْنِ أَبِي أُمَيَّةَ قَالَ دَخَلْنَا عَلَى عُبَادَةَ بْنِ الصَّامِتِ وَهُوَ مَرِيضٌ فَقُلْنَا حَدِّثْنَا أَصْلَحَكَ اللَّهُ بِحَدِيثٍ يَنْفَعُ اللَّهُ بِهِ سَمِعْتَهُ مِنْ رَسُولِ اللَّهِ -صلى الله عليه وسلم- فَقَالَ دَعَانَا رَسُولُ اللَّهِ -صلى الله عليه وسلم- فَبَايَعَنَا فَمَا أَخَذَ عَلَيْنَا أَنْ بَايَعَنَا عَلَى السَّمْعِ وَالطَّاعَةِ فِي مَنْشَطِنَا وَمَكْرَهِنَا وَعُسْرِنَا وَيُسْرِنَا وَأَثَرَةٍ عَلَيْنَا وَأَنْ لَا نُتَارِعَ الْأَمْرَ أَهْلَهُ قَالَ إِلَّا أَنْ تَرَوْا كُفْرًا بَوَاحًا عِنْدَكُمْ مِنَ اللَّهِ فِيهِ بُرْهَانٌ

It has been narrated on the authority of Junida bin Abu Umayya who said: We called upon 'Ubada bin as-Samit who was ill and said to him: May God give you health - narrate to us a tradition which God may prove beneficial (to us) and which you have heard from the Messenger of Allah ﷺ.

He said: The Messenger of Allah ﷺ called us and we took the oath of allegiance to him. Among the injunctions he made binding upon us was: Listening and obedience (to the Amir) in our pleasure and displeasure, in our adversity and prosperity, even when somebody is given preference over us, and without disputing the delegation of powers to a man duly invested with them (Obedience shall be accorded to him in all circumstances)

He ﷺ said: except when you see clear *kufr*/ disbelief which you have proof from Allah

(Muslim)

Hadith 7

أُمِرْتُ أَنْ أُقَاتِلَ النَّاسَ حَتَّى يَشْهَدُوا أَنْ لَا إِلَهَ إِلَّا اللَّهُ وَأَنَّ مُحَمَّدًا
رَسُولُ اللَّهِ وَيُقِيمُوا الصَّلَاةَ وَيُؤْتُوا الزَّكَاةَ

I have been ordered to fight the people until they bear witness that there is no God except Allah and that Mohammad is the Messenger of Allah and they establish the prayer and give the *Zakat*

(Muslim/ Bukhari)

Commentary

- a. It is not permitted for anything within the basis of the State to be derived from other than the Islamic *Aqeedah*. So its constitution and its laws must be taken from the *Shari'ah*.
- b. The first narration is evidence of this point since it makes deviation from the Islamic *Aqeedah* the basis for rebelling against the rule, in other words the rule becomes illegitimate when it begins to implement anything which has not been derived from the Islamic *Aqeedah* in terms of legislation.
- c. Other similar narrations mention not to raise the sword against the rulers as long as they establish prayer, or as long as they do not commit flagrant *kufri*, or they do not commit open sins against Allah سبحانه وتعالى. All of these indicate that it is the implementation and adherence to Islam that legitimizes their rule.
- d. As Imam Nawawi mentioned, what is meant by open disbelief is open sin, which is clearly established by the proofs of Islam and is confirmed.

- e. There are different positions amongst the scholars regarding when it becomes obligatory to actively remove the ruler, and Qadi Iyyad is narrated as holding that if there is clear evidence of disbelief and change to the *Shari'ah* and appearance of innovation then it becomes obligatory for the Muslims to work to remove him and replace him with a just ruler.
- f. It should be noted that these narrations are all in respect to the tyrant ruler who in origin was legitimate and then his rule became corrupt, or within a system that is Islamic and it is only the ruler who needed correcting. In other words they are related to the correction of the ruler within the Islamic State if he went astray rather than these rulers today who never ruled according to any Islamic basis and their systems are un-Islamic in origin.
- g. The second narration indicates that not only is the Islamic *Aqeedah* the basis of the authority and government but that the Messenger of Allah ﷺ did not stop at that, rather he also legislated for Jihad and made it an obligation upon the Muslims in order to carry this *Aqeedah* to all people.

Principles of Sources of Law

Hadith 8

كَيْفَ تَقْضِي قَالَ أَقْضِي بِكِتَابِ اللَّهِ قَالَ فَإِنْ لَمْ يَكُنْ فِي كِتَابِ
اللَّهِ قَالَ فَبِسُنَّةِ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ فَإِنْ لَمْ يَكُنْ
فِي سُنَّةِ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ أَجْتَهُدُ رَأْيِي

“How will you judge if a case is brought to you?”

Mu’ath replied “I would judge by the Book of Allah” to which the Prophet ﷺ asked “And if you do not find (an answer) in the book of Allah?”

Mu’ath said “Then by the *sunnah* of the Messenger of Allah”.

The Prophet ﷺ then asked “and if you do not find (an answer) in the *Sunnah* or the Book of Allah” to which Mu’ath replied he would exert his own opinion (meaning *ijtihaad* based upon the Qur’an and *Sunnah*)

(Abu Dawud/ Ahmed)

Commentary

- Confirmation that the two principle sources of guidance and legislation for Muslims is the Quran and the authentic *Sunnah*.
- If there is no clear direct text in the Quran and *Sunnah* for a specific issue - then the process of *ijtihaad* is for a scholar/ judge to exert the utmost effort to find the hukm shari’ (rule of the *Shari’ah*) for what is confronting them.
- The four agreed usool (basis) for rules according to the *ahlul Sunnah* are Quran, *Sunnah*, *Ijma’a* (consensus) and *Qiyas* (analogy/ reasoning).

Islam defines the rule, not the technicalities
(difference between *hukm* and *usloob*)

Hadith 9

عَنْ مُوسَى بْنِ طَلْحَةَ عَنْ أَبِيهِ قَالَ مَرَرْتُ مَعَ رَسُولِ اللَّهِ -صلى
الله عليه وسلم- بِقَوْمٍ عَلَى رُءُوسِ النَّخْلِ فَقَالَ مَا يَصْنَعُ هَؤُلَاءِ
فَقَالُوا يُلْقِحُونَهُ يَجْعَلُونَ الذَّكَرَ فِي الْأُنْثَى فَيَلْقَحُ. فَقَالَ رَسُولُ اللَّهِ
-صلى الله عليه وسلم- مَا أَظُنُّ يُعْنَى ذَلِكَ شَيْئًا قَالَ فَأُخْبِرُوا
بِذَلِكَ فَتَرَكَوهُ فَأُخْبِرَ رَسُولُ اللَّهِ -صلى الله عليه وسلم- بِذَلِكَ
فَقَالَ إِنْ كَانَ يَنْفَعُهُمْ ذَلِكَ فَلْيَصْنَعُوهُ فَإِنِّي إِنَّمَا ظَنَنْتُ ظَنًّا فَلَا
تُؤَاخِذُونِي بِالظَّنِّ وَلَكِنْ إِذَا حَدَّثْتُكُمْ عَنِ اللَّهِ شَيْئًا فَخُذُوا بِهِ فَإِنِّي
لَنْ أَكْذِبَ عَلَى اللَّهِ عَزَّ وَجَلَّ

Musa bin Talha reported from his father: I and Allah's Messenger ﷺ happened to pass by people near the date-palm trees. He (the Holy Prophet) said: What are these people doing? They said: They are grafting (they combine the male with the female (tree) and thus they yield more fruit). Thereupon the Messenger of Allah ﷺ said: I do not find it to be of any use.

The people were informed about it and they abandoned this practice.

The Messenger of Allah ﷺ (was later on) informed (that the yield had dwindled), whereupon he said: If there is any use of it, then they should do it, for it was just a personal opinion of mine, and do not go after my personal opinion; but when I say to you anything on behalf

of Allah, then accept it, for I do not attribute lie to Allah, the Exalted and Glorious.

(Muslim)

Hadith 10

عَنْ أَنَسٍ أَنَّ النَّبِيَّ -صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ- مَرَّ بِقَوْمٍ يُلْقِحُونَ فَقَالَ
لَوْ لَمْ تَفْعَلُوا لَصَلَحَ قَالَ فَخَرَجَ شَيْصًا فَمَرَّ بِهِمْ فَقَالَ مَا لِنَخْلِكُمْ
قَالُوا قُلْتَ كَذَا وَكَذَا قَالَ أَنْتُمْ أَعْلَمُ بِأَمْرِ دُنْيَاكُمْ

Anas reported that the Messenger of Allah ﷺ happened to pass by the people who had been busy in grafting the trees. Thereupon he said: If you were not to do it, it might be good for you. (So they abandoned this practice) and there was a decline in the yield.

He (the Holy Prophet) happened to pass by them (and said): What has gone wrong with your trees? They said: You said so and so.

Thereupon he said: You have better knowledge (of a technical skill) in the affairs of the world.

(Muslim)

Commentary

- a. Some modernists use these and similar narrations to claim that Islam did not come to legislate how life affairs should be run. This is a complete distortion of these narrations, as Imam Nawawi wrote in his explanation of Sahih Muslim

قال العلماء قوله صلى الله عليه وسلم من رأيي اي في امر الدنيا ومعاشها لا على التشريع فأما ما قاله باجتهاده صلى الله عليه وسلم ورأه شرعا يجب العمل به وليس أبار النخل من هذا النوع

“The ulama have said that the words of the Prophet ﷺ “from my opinion” means in the issue of the *dunya* and livelihood in it, and not regarding *tashree*’ (legislation). Rather in issues of legislation and what he has said from his *ijtihad* and his *shari*’ opinion, it is obligatory to take from him, and pollination of date trees is not from this category.”

- b. The *Shari’ah* did not come to teach us the details and styles of carrying out actions, rather the *Shari’ah* came to explain the rules from the permitted and prohibited, the valid and invalid. The style to implement normally takes the ruling of the action itself, so while something may be explained as permissible such as the issues of general agriculture, the manner of undertaking the action will differ according to the relevant technologies at disposal and the specific requirements of the time, such as the style of irrigation used or the rotation of crops to best utilize the fertility of the land.
- c. These narrations were regarding pollination of date trees, and are therefore applied in those situations which are similar from matters of agriculture and industry.
- d. In the first narration of the incident the Prophet ﷺ mentioned it was merely a thought that he had – indicating further that this was not an issue of legislation but rather an opinion of the Prophet ﷺ on a technical issue. This is similar to the issue after deciding where to pitch the army on the day of Badr, al-Hubab bin al-Munthir (ra) asked the Prophet ﷺ whether his decision was from himself or from revelation – in other words if it was revealed to him then there would be no discussion over it but if it was his own opinion on a technical matter then there could be alternative places which would be more strategic from a military perspective.

RESPONSIBILITY OF LEADERSHIP

The Imam is Responsible for the *Ummah*

Hadith 11

أَلَا كُتُّكُمْ رَاعٍ وَكُلُّكُمْ مَسْئُولٌ عَنْ رَعِيَّتِهِ فَالْأَمِيرُ الَّذِي عَلَى
النَّاسِ رَاعٍ وَهُوَ مَسْئُولٌ عَنْ رَعِيَّتِهِ وَالرَّجُلُ رَاعٍ عَلَى أَهْلِ بَيْتِهِ
وَهُوَ مَسْئُولٌ عَنْهُمْ وَالْمَرْأَةُ رَاعِيَةٌ عَلَى بَيْتِ بَعْلِهَا وَوَلَدِهِ وَهِيَ
مَسْئُولَةٌ عَنْهُمْ وَالْعَبْدُ رَاعٍ عَلَى مَالِ سَيِّدِهِ وَهُوَ مَسْئُولٌ عَنْهُ أَلَا
فَكُلُّكُمْ رَاعٍ وَكُلُّكُمْ مَسْئُولٌ عَنْ رَعِيَّتِهِ

Each of you is a guardian and each of you is questioned over his subjects, the Imam who is responsible over the people and he is questioned over his responsibility, and the man is responsible over the people of his household and he is questioned over them, and the woman is responsible over her husbands house and his children and she is questioned over them, and the slave is a guardian over the wealth of his master and he is questioned over it, each of you is a guardian and each of you is questioned over their responsibility

(Muslim/ Bukhari)

Commentary

- a. Every person will be questioned regarding their responsibility, according to the scope of the responsibility they have been given in the position they have taken upon themselves.
- b. According to the scholars the guardian is the one who is protecting, trustworthy, adherent, and righteous over everything that falls under his eye.
- c. The leader/ Imam is responsible for the people generally, and is in charge of protecting the rights that the *Shari'ah* has laid down for

them, and implementing upon the people what has been legislated by Allah سبحانه وتعالى in terms of rules, laws and punishments.

- d. The word used for people is general and so indicates that the ruler is responsible for each and every one of his subjects, including the people of *dhimma* (non-Muslim citizens of the state)
- e. The use of the word “رَاع” can mean a shepherd, which indicates the characteristics of the one in position of responsibility and authority above others - as the one who is able to organise and manage his flock, ensuring they do not stray onto the edge such that they fall off the cliff, keeping them together in one direction. He cares for the flock, worrying over them, guiding them and directing them.
- f. The fact that each person will be questioned by Allah سبحانه وتعالى regarding their position and responsibility engenders a sense of accountability that is not found in non-Islamic systems, where the politician may not feel any accountability except for that which is openly known to the people.

Positions of Ruling are not to be chased

Hadith 12

عَنْ أَبِي مُوسَى قَالَ دَخَلْتُ عَلَى النَّبِيِّ -صَلَّى اللَّهُ عَلَيْهِ
وَسَلَّمَ- أَنَا وَرَجُلَانِ مِنْ بَنِي عَمِّي فَقَالَ أَحَدُ الرَّجُلَيْنِ يَا
رَسُولَ اللَّهِ أَمَرْنَا عَلَى بَعْضِ مَا وَلَّاكَ اللَّهُ عَزَّ وَجَلَّ. وَقَالَ
الْآخَرُ مِثْلَ ذَلِكَ فَقَالَ إِنَّا وَاللَّهِ لَا نُؤَلِّي عَلَى هَذَا الْعَمَلِ
أَحَدًا سَأَلَهُ وَلَا أَحَدًا حَرَصَ عَلَيْهِ

Abu Musa narrated – I entered upon the Messenger of Allah ﷺ with two men from the *bani umaay*, so one of the two men said – O Messenger of Allah appoint me over some of that which Allah made you responsible for, and the other man also said something similar

So the Prophet ﷺ replied “I swear by Allah I would not appoint over this work anyone who asked for it nor anyone who covets it”

(Muslim)

Commentary

- a. To seek positions of ruling for the authority they bestow is not the characteristic of a leader, and hence anyone who has such aspirations is not suitable for the position.
- b. These principles are in contrast to the non-Islamic political bodies where politics is seen as a profession and a way to make money and garner power, and hence becomes coveted and competed over amongst anyone irrespective of their capabilities.

The Weighty Burden of Responsibility

Hadith 13

إِنَّكُمْ سَتَحْرِصُونَ عَلَى الْإِمَارَةِ وَإِنَّهَا سَتَكُونُ يَوْمَ الْقِيَامَةِ حَسْرَةً
وَنَدَامَةً فَنِعْمَتِ الْمُرْضِعَةِ وَبِئْسَتِ الْفَاطِمَةُ

You are eager for leadership and it is truly a regret and a sorrow on the Day of Judgement, what a good wet nurse and what an evil weaner

(Bukhari)

Hadith 14

يَا أَبَا ذَرٍّ إِنَّكَ ضَعِيفٌ وَإِنَّهَا أَمَانَةٌ وَإِنَّهَا يَوْمَ الْقِيَامَةِ حِزْبِيٌّ وَنَدَامَةٌ
إِلَّا مَنْ أَخَذَهَا بِحَقِّهَا وَأَدَّى الَّذِي عَلَيْهِ فِيهَا

O Abu Dharr, you are weak, and it is an ‘*Amanah* (trust), and on the Day of Judgement it will be a disgrace and a regret except (for those) who take it by its right and perform its duties correctly

(Muslim)

Commentary

- a. Imam Nawawi mentioned in relation to these and similar narrations - “This is a great reason to avoid positions of authority especially those who are weak – and this refers to those who are not suitable and those who do not act justly in the position – then he will regret his negligence when he is humiliated on the Day of Resurrection. However one who is suitable for the position and behaves justly in it

– then there is a great reward as shown in a number of reports. However entering into it carries a great danger therefore the great scholars avoided it. His saying, “What a good wet-nurse” (that is - the one who feeds the baby at breast) meaning in this world, and “What an evil weaner” meaning after death – since he will be taken to account for it. So he is like one who is weaned away from breast milk before he can manage without it – so this causes his destruction. And it is said, “What a good wet nurse” due to the status, wealth, authority, attainment of physical and imagined enjoyment which it produces whilst one has it, but “What an evil weaner”, meaning when one is removed from it by death or other causes – due to the even consequences one faces in the Hereafter.”

- b. Leadership is a position of trust and great responsibility, and should only be given to those who are capable of carrying that responsibility and fulfilling that trust, and not to those who even if they are sincere may not have the strong personality traits necessary for a person to be a successful and just leader.

Leadership is based upon the policy, not personality
or race politics

Hadith 15

وَلَوْ اسْتَعْمَلَ عَلَيْكُمْ عَبْدٌ حَبَشِيٌّ يَقُودُكُمْ بِكِتَابِ اللَّهِ فَاسْمَعُوا لَهُ
وَأَطِيعُوا

And even if a black slave was appointed over you and leads you by
the Book of Allah then listen to him and obey

(An-Nisaa'i, ibn Maja, Tirmidhi)

Commentary

- a. This narration is a proof for those who deny that Qurashi lineage is a condition of leadership, but is rather a recommended attribute.
- b. Leadership in Islam is not based upon the personality of the leader, but upon the sources of their rule.
- c. Obedience is conditional upon being ruled by the Quran and *Sunnah*.
- d. The narration is also found in Sahih Muslim without the mention of the word “حَبَشِيٌّ”, and several other similar narrations are reported since the report was part of the final *khutbah* in the last pilgrimage of the Prophet ﷺ.
- e. All the similar narrations highlight the importance attached to obedience, such that even if the one considered as the least advantaged in society is put into a position of leadership then they have to be obeyed so long as they rule by Islam.
- f. It should also be highlighted that the nature of the Islamic rule is non-racial, as opposed to the Western politics where it is until today considered a great achievement if a man of different ethnic origins manages to reach an advanced position in their career.

Prohibition of Nepotism

Hadith 16

مَنْ وَكَلِيَ مِنْ أَمْرِ الْمُسْلِمِينَ شَيْئًا فَأَمَرَ عَلَيْهِمْ أَحَدًا مُحَابَاةً فَعَلَيْهِ
لَعْنَةُ اللَّهِ لَا يَقْبَلُ اللَّهُ مِنْهُ صَرْفًا وَلَا عَدْلًا حَتَّى يُدْخِلَهُ جَهَنَّمَ

Whoever is responsible for anything from the Muslims' issues, and then appoints over them a person due to his love of them, then the curse of Allah is upon him, Allah will not accept from him aversion nor correction until He enters him into the Hellfire

(Hakim/ Ahmed)

Hadith 17

مَا مِنْ وَالٍ يَلِي رَعِيَةَ مِنَ الْمُسْلِمِينَ فَيَمُوتُ وَهُوَ غَاشٍ لَهُمْ إِلَّا حَرَّمَ
اللَّهُ عَلَيْهِ الْجَنَّةَ

There is no governor/ *wali* who takes charge of governing the Muslims, and then dies, and he had been cheating them, except that Allah prohibits him from Paradise

(Bukhari/ Muslim)

Commentary

- a. The complete prohibition of any form of nepotism or favoritism in appointing people to positions of responsibility, as indicated by the Prophet ﷺ that such actions lead to having the curse of Allah سبحانه upon one, as well as then being entered into the hellfire.

- b. Giving positions to less able people out of love of others or family ties is a treachery to the people since they will be managed by other than the best of them, and is a treachery to the *deen* since it goes against the order of Allah سبحانه وتعالى and His Messenger ﷺ.
- c. There is a narration from Umar (ra) that the one who does so has betrayed Allah سبحانه وتعالى, and betrayed the Messenger ﷺ, and all of the believers.
- d. In the narration agreed upon by Bukhari and Muslim, it is mentioned that the one who dies having cheated the people with respect to his undertaking, then he is prohibited paradise. Therefore it is clear that cheating is a grave sin particularly for those in positions of responsibility, and to appoint people out of love and family ties rather than ability to leadership roles is a specific type of cheating.

Prohibition of a woman ruler

Hadith 18

لَنْ يُفْلِحَ قَوْمٌ وَلَوْ أَمَرَهُمْ امْرَأَةٌ

A people who appoint a woman as their leader will never succeed

(Bukhari)

Commentary

- a. It is narrated that the *hadith* of the Prophet came when he heard that the daughter of Kisra was appointed as the ruler of the Persians, indicating that it is directly related to ruling.
- b. As mentioned by Imam Sana'aani – the *hadith* indicates the prohibition of women taking any position from the general ruling positions amongst the Muslims
- c. According to the Hanafi school of thought it is permitted to appoint women to specific roles as judges as long as they are not involved in the application of *Hudood*.
- d. The wording of the *hadith* is general and so can be applied to any position of ruling whether the *Khalifah* or *Wali* or lower.

**RULE OF LAW MEANS
TAKING CARE OF SOCIETY
BY ISLAM**

The Ruler who does not rule justly will be in chains on the Day of Judgement

Hadith 19

ما من أحد يؤمر على عشرة فصاعدا لا يقسط فيهم إلا جاء يوم
القيامة في الأصفاد و الأغلال

No one who is placed in leadership over 10 or more, then does not
act justly between them, except that on the Day of Judgement he is
brought in shackles and chains

(Hakim)

Commentary

- a. The *hadith* is general for anyone in a position of leadership, whether someone appointed as a leader with limited responsibility, or a governor, or the Imam of all the Muslims.
- b. To be brought forward on the Day of Judgement in chains and shackles is to be brought forward in the same position as the disbelievers and hypocrites who are likewise chained and shackled on the Day that each will be accounted for their actions.
- c. The meaning to act justly is to act according to the Quran and *Sunnah*, and correlates to the various verses in the Quran in *Surah* al-Maida where those who do not rule by what Allah سبحانه وتعالى has revealed are described as sinful, oppressors or disbelievers, and the explanation of those verses is famous and can be found in the books of *tafseer*.

Hudood are applied even if there are those who
accuse it

Hadith 20

أقيموا حدود الله في القريب و البعيد ولا تأخذكم في الله لومة
لائم

Establish the limits/ *Hudood* of Allah near and far, and do not let the
blame of the blamers affect you

(Ibn Maja, Hakim)

Commentary

- a. The application of the *Hudood* is a severe punishment, intended only to be used in those circumstances which have been legislated by Allah سبحانه وتعالى and have been proven beyond a shadow of doubt. This is to protect the most closely held and critical values of the society, such as security and well being. As such when the conditions are met the *Hudood* should be applied irrespective of those who would blame and accuse those carrying out the punishment with their subjective (and currently failing) views of how the society should be protected.
- b. According to Imam Suyuti the phrase “near and far” can intend closeness in terms of relationship – so that personal relationship should not influence the application of *Hudood*, or can mean closeness to the rule (the powerful and the weak) – so that *Hudood* is applied equally on all stratus of society irrespective of their social position or closeness to the ruling power. And this second meaning is confirmed by the next narration mentioned.

Rule of Law is equally applied

Hadith 21

أَنَّ قُرَيْشًا أَهَمَّهُمْ شَأْنُ الْمَرْأَةِ الْمَخْزُومِيَّةِ الَّتِي سَرَقَتْ فَقَالُوا مَنْ يُكَلِّمُ فِيهَا رَسُولَ اللَّهِ -صلى الله عليه وسلم- فَقَالُوا وَمَنْ يَجْتَرِئُ عَلَيْهِ إِلَّا أُسَامَةُ حِبُّ رَسُولِ اللَّهِ -صلى الله عليه وسلم- فَكَلَّمَهُ أُسَامَةُ فَقَالَ رَسُولُ اللَّهِ -صلى الله عليه وسلم- أَتَشْفَعُ فِي حَدٍّ مِنْ حُدُودِ اللَّهِ ثُمَّ قَامَ فَاخْتَطَبَ فَقَالَ أَيُّهَا النَّاسُ إِنَّمَا أَهْلَكَ الَّذِينَ قَبْلَكُمْ أَنَّهُمْ كَانُوا إِذَا سَرَقَ فِيهِمُ الشَّرِيفُ تَرَكَوهُ وَإِذَا سَرَقَ فِيهِمُ الضَّعِيفُ أَقَامُوا عَلَيْهِ الْحَدَّ وَإِنَّمَا اللَّهُ لَوْ أَنَّ فَاطِمَةَ بِنْتَ مُحَمَّدٍ سَرَقَتْ لَقَطَعْتُ يَدَهَا

The Quraish became very worried about the Makhzumiya lady who had committed theft. They said, "Nobody can speak (in favor of the lady) to the Messenger of Allah ﷺ and nobody dares do that except Usama who is the favorite of the Messenger of Allah ﷺ."

When Usama spoke to the Messenger of Allah ﷺ about that matter, the Messenger of Allah ﷺ said, "Do you intercede (with me) to violate one of the legal punishments of Allah?"

Then he got up and addressed the people, saying, "O people! The nations before were destroyed because if a noble person committed theft, they used to leave him, but if a weak person among them committed theft, they used to inflict the legal punishment on him. By

Allah, if Fatima, the daughter of Muhammad committed theft,
Muhammad will cut off her hand!"

(Bukhari/ Muslim)

Commentary

- a. No one is above the law, and punishments are carried out equally irrespective of social standing or influence.
- b. The narration makes it clear that the application of *Hudood* is obligatory upon those who infringe upon the limits laid down by Allah in the Quran and *Sunnah*, and that no attention should be paid to any attempts of intercession no matter the blame of the blamers.
- c. There is no intercession with respect to the Rights of Allah سبحانه وتعالى, unlike the rights of man upon each such as in *qisaas* where it is permitted to accept blood money as an alternative to application of the punishment.
- d. Deviation from applying the law equally upon the people is a reason for their decline and destruction.
- e. The oath of the Prophet ﷺ stating that he would apply the *Hudood* on his own daughter if the situation arose is a strong rhetoric emphasising that even the most closest ties of kinship can have no influence in the application of the law.
- f. The universal application of the law is in contrast to many of the contemporary systems which boast such qualities and yet in reality the weight of the law and punishments falls disproportionately on the disadvantaged/ poorer elements of society who cannot afford the best legal representation or have the political connections to intervene.

Any accused is innocent until proven guilty

Hadith 22

الْبَيِّنَةُ عَلَى الْمُدَّعِي وَالْيَمِينُ عَلَى الْمُدَّعَى عَلَيْهِ

The burden of proof is upon the plaintiff, and the oath is upon the one who is accused

(Tirmidhi)

Hadith 23

لَوْ كُنْتُ رَاجِمًا أَحَدًا بغيرِ بَيِّنَةٍ لَرَجَمْتُهَا

If I were going to stone anyone without proof, I would have stoned her

(Muslim)

Commentary

- a. In the first narration, the Messenger of Allah ﷺ explained that the proof should be provided by the person making the claim. If he has no proof but makes an accusation then the defendant can make an oath upon his position and in that manner the accusation is rejected by the Judge. This serves as evidence that the defendant is innocent until proven guilty.
- b. In the second narration, the conjunction “لو” (if) in the Arabic language denotes abstention due to the absence of something, so in this case it means that the stoning was not carried out due to the absence of evidence.

- c. This confirms that the Prophet ﷺ did not stone the woman mentioned due to the absence of evidence even though there was strong suspicion of adultery.
- d. In a narration ibn Abbas (ra) explains that the woman in question was someone who publicised evil after she had become Muslim. Imam ibn Hajr said the indication is that there was doubt upon her due to her environment and the people who used to visit her. Imam Nawawi mentioned that the meaning that she displayed evil is that she was known for it and that this was famous, however there was no clear evidence and neither did she confess (the evidence required to prove fornication is four direct witnesses or confession). Therefore the *hadith* is evidence that *Hudood* is not established by news even if it well known unless it is proven by *Shari'ah* evidence.
- e. Therefore the ruler is forbidden from imposing a penalty on anyone, unless they perpetrate a crime which *Shari'ah* considers to be a crime, and the perpetration of the crime has been proven before a competent judge in a judiciary court, because the evidence could not be admissible unless it is established before a competent judge and in a judiciary court.

Dealing with non-Muslims justly

Hadith 24

ألا من قتل نفساً معاهدة له ذمة الله وذمة رسوله فقد أخفر بذمة
الله فلا يريح رائحة الجنة وإن ريجها ليوجد من مسيرة سبعين
خريفاً

He who kills a covenanted person enjoying the oath of Allah and the
oath of His Messenger, then he has betrayed the oath of Allah so he
shall not smell the scent of Heaven; its scent is found the distance of
a seventy year march

(Tirmidhi)

Hadith 25

صَالِحَ رَسُولُ اللَّهِ -صلى الله عليه وسلم- أَهْلَ نَجْرَانَ عَلَى أَلْفَيْ
حُلَّةٍ... عَلَى أَنْ لَا تُهْدَمَ لَهُمْ بَيْعَةٌ وَلَا يُخْرَجَ لَهُمْ قَسٌّ وَلَا يُفْتَنُوا
عَنْ دِينِهِمْ مَا لَمْ يُحْدِثُوا حَدَثًا أَوْ يَأْكُلُوا الرِّبَا

The Messenger of Allah ﷺ made peace with the people of Najran on
condition that they hand over to the Muslims 2000 garments... upon
that their churches would not be destroyed, and that no priest of
theirs is banished, and that they would also not be coerced away from
their faith provided they did not innovate any matter and they did not
deal in usury

(Abu Dawud)

Commentary

- a. In essence every one who is a citizen of the Islamic state, whether a Muslim who chose to make *hijra* there or a non-Muslim who took an oath from the Muslims (and is therefore mentioned from the people of *dhimma*), is treated equally and fairly by the ruler as mentioned in the generality of the verses of Quran such as “And if you judge between people that you judge with justice; truly how excellent is the teaching Allah سبحانه وتعالى gives you, for Allah سبحانه وتعالى is He Who hears and sees everything.” (TMQ 4:58)
- b. In the same way that the *abl-dhimma* are protected and treated equally under the law, the same public rules that the Muslims have to abide by apply to all people (except for those actions which make Islam a condition for their acceptance such as prayer and *Zakat*). This is derived from the words and example of the Prophet ﷺ who used to exact the same punishment upon the disbelievers and the Muslims, for example when he ﷺ punished a Jew by killing him for killing a woman.
- c. The narration makes it clear that the Muslims are obliged to give the *abl-dhimma* the same protection as given to each other.
- d. It is narrated that Umar bin al-Khattab (ra) said while giving advice for whoever would be the next *Khalifah* at his death regarding the *ahl-dhimma* “And direct him that by the oath of Allah سبحانه وتعالى and the oath of His Messenger ﷺ, he should fulfil their oath towards them, to fight on their behalf and not to burden them with more than they could bear.”
- e. The agreement with the people of Najran makes it clear that the rituals and places of worship of the non-Muslims can be left as long as they fulfil their obligation to abide by what is upon them from the rules and laws of the Islamic state. This is a practical manifestation of the Quranic words that there is no compulsion in religion. There is difference in the schools of thought as to the necessity of leaving their places of worship to them, with the majority considering that it is permitted for the Imam to decide either way according to the situation and benefit to the Muslims.

Oil, Water and Pastures are the whole
Ummah's resources

Hadith 26

المُسْلِمُونَ شُرَكَاءُ فِي ثَلَاثِ الْمَاءِ وَالْكَأِ وَالنَّارِ

The Muslims are partners in three, water, pastures and fire

(Ahmed, ibn Maja)

Hadith 27

ثَلَاثٌ لَا يَمْنَعَنَّ الْمَاءَ وَالْكَأَ وَالنَّارَ

Three are not prevented – water, pastures and fire

(ibn Maja)

Commentary

- a. According to the Shafi, Maliki and Hanbali schools what is intended by water that the people share and therefore cannot buy and sell is the rain water, river water and the like, and not water from private sources such as a private well. The pastures are the open areas of land which are not owned by anyone, or land which is not being used for agriculture and has the normal vegetation for grazing cattle. Fire indicates any natural resources which are used to produce heat and energy, such as wood, coal and oil.
- b. Other narrations also indicate that people can possess and sell water as long as the community was not in dire need of it.
- c. It can be derived from these narrations that whatever the community is in need of must be provided and cannot be withheld privately to the disadvantage of the people. So the state is responsible to provide

the people with access to water and energy as required to fulfill their needs, and all public utilities as necessitated by the time and place.

- d. It is therefore not permissible to adopt the model of liberal privatization whereby even the essential public utilities are sold to private companies and are therefore not available except to those who pay for them, leading to a society where only those with material wealth can access vital services.

Prohibition of using others wealth

Hadith 28

إن رجالا يتخوضون في مال الله بغير حق فلهم النار يوم القيامة

Men who spend out the property of Allah without due right will go to the Fire on the Day of Judgement

(Bukhari)

Commentary

- a. This narration is often used regarding those who have been made responsible over the wealth of others, and the weight of that trust upon them which means that they should not spend from that except what is required and necessary
- b. As mentioned by Imam Al-‘Ayni, the word “يتخوضون” indicates their plunging into the spending of the wealth, taking from it what is beyond their need in administering the trust, and this is what is blameworthy for those who have been made responsible over the wealth of others, either as guardians of the private wealth of orphans/ other needy people, or as rulers responsible for the public wealth
- c. It is this sense of accountability which led to leaders such as Umar bin al-Khattab (ra) being fearful over even the personal use of a candle purchased with the money of the state, as compared to the contemporary rulers all over the World who subjugate the resources of the people for their own personal benefit and pleasure while depriving the nation at large of basic services.

Prohibition of dealing with land unjustly

Hadith 29

مَنْ ظَلَمَ قَيْدَ شِبْرٍ مِنَ الْأَرْضِ طُوقَهُ مِنْ سَبْعِ أَرْضِينَ

If anyone oppresses someone else even to the extent of a piece of land measuring a hand's width, his neck will be encircled with it from the seven earths

(Bukhari/ Muslim)

Hadith 30

من أخذ من الأرض شيئاً بغير حقه خسف به يوم القيامة إلى سبع أرضين

Whoever takes anything from land without right, will be sunk with it until the seven earths on the Day of Judgement

(Bukhari)

Commentary

- a. To usurp someone's land by force and without right is not permitted in origin.
- b. The second narration explains what is meant by "oppression" in the first narration as taking land or anything from the land by force or without right.
- c. 'Aisha (ra) mentioned these words of the Prophet ﷺ when she heard that there was a dispute over land between Abu Salama and some of his people.
- d. It is not permitted to surrender even a hand-span of the land of the Muslim people to foreign aggressors since this would come under the indication of these narrations.

**CRUCIAL NATURE
OF
RULING AND UNITY**

Ruling – the knot upon which Islam rests

Hadith 31

لَيَنْقُضَنَّ عُرَى الْإِسْلَامِ عُرْوَةً عُرْوَةً فَكُلَّمَا انْتَقَضَتْ عُرْوَةٌ تَشَبَّثَ
النَّاسُ بِالَّتِي تَلِيهَا وَأَوَّلُهُنَّ نَقْضُ الْحُكْمِ وَآخِرُهُنَّ الصَّلَاةُ

The knots of Islam will be undone one by one, each time a knot is undone the next one will be grasped, the first to be undone will be the Ruling and the last will be Prayer

(Hakim/ Ahmed)

Commentary

- a. It was the Prophet ﷺ who tied together the knots of Islam, including the uppermost knot of ruling after he established the Islamic state between the Ansar, the Muhajiroon, and the non-Muslims in and around Yathrib (Medina) after *Hijra* from his own people of Mecca.
- b. As mentioned by Imam Mawardi the leadership has been proscribed as the succession of the Prophet in protecting the *deen* and governing the societal affairs. In this respect – Imam Baidawi mentioned that the *Imama/ Khalifah* is the succession from the Prophet ﷺ in the establishment of the laws of the *Shari'ah* and the protection of the territory. So without the Imam the laws lie unapplied and the territory is not protected effectively.
- c. The *hadith* indicates that it is the uppermost knot that keeps the subsequent knots safe from being untied. This is since it is the ruler that is responsible to apply Islam in its entirety, to implement the limits proscribed by Allah سبحانه وتعالى and to protect the society.
- d. Imam Ahmed mentioned without an Imam (for the Muslims as their leader) there would be *fitna*, and the destruction of the symbols of Islam ending with the Prayer is a great *fitna*.

Living under a just Imam is better than 60 years of
worship

Hadith 32

يَوْمٌ مِنْ إِمَامٍ عَدْلٍ أَفْضَلُ مِنْ عِبَادَةٍ سِتِّينَ سَنَةً وَحَدٌّ يُقَامُ فِي
الْأَرْضِ بِحَقِّهِ أَزْكَى فِيهَا مِنْ مَطَرٍ أَرْبَعِينَ يَوْمًا

A day under a just leader is better than sixty years of worship, while
the *hadd* (proscribed punishment) established on the earth according
to its right is better than forty days of rain

(Bayhaqi/ Tabarani)

Hadith 33

ثَلَاثَةٌ لَا يَنْظُرُ اللَّهُ يَعْنِي إِلَيْهِمْ يَوْمَ الْقِيَامَةِ الْإِمَامُ الْكَذَّابُ وَالشَّيْخُ
الزَّانِي وَالْعَامِلُ الْمَزْهُوُّ

Three that Allah will not look at on the Day of Judgement – The
Imam who is a liar, the old man who commits fornication and the
haughty poor person

(ibn Hibban/ Ahmed)

Commentary

- a. There are several other narrations which indicate the great reward for
the just ruler, from what he achieves from the Pleasure of Allah سبحانه
وتعالى in implementing His law upon the society fairly and resolving
the differences between the people accordingly.

- b. In contrast, while the just leader will be one of those shaded by the Shade of Allah سبحانه وتعالى on the day when there is no shade except for whom He pleases, the unjust leader who is a liar is mentioned by the Prophet ﷺ as being amongst those whom Allah سبحانه وتعالى will not look at on the day of reckoning when everyone will be in need of the Mercy of Allah سبحانه وتعالى.
- c. If the Imam who lies to his people will not be looked at on the Day of Judgement, then by greater reasoning the one who oppresses his people will be in an even worse position, and the greatest oppression is to rule them by other than Islam.
- d. The implementation of the punishments ordained by Allah سبحانه وتعالى – when all of the conditions are met for the implementation – is compared to forty days of rain which is considered a great blessing in an arid, desert environment. So it can never be accepted for them to be accused as being barbaric while their implementation is praised by Allah سبحانه وتعالى, and due to what it brings in terms of security and safety in the society as a result of its deterrent value.

The Imam is a Shield

Hadith 34

إِنَّمَا الْإِمَامُ جُنَّةٌ يُقَاتَلُ مِنْ وَرَائِهِ وَيَتَّقَى بِهِ فَإِنْ أَمَرَ بِتَقْوَى اللَّهِ عَزَّ
وَجَلَّ وَعَدَلَ كَانَ لَهُ بِذَلِكَ أَجْرٌ وَإِنْ يَأْمُرُ بِغَيْرِهِ كَانَ عَلَيْهِ مِنْهُ

Only the Imam is a shield, behind whom you fight and you protect yourself with, so if he orders by *taqwa* and is just then he has reward for that, and if he orders by other than that then it is against himself

(Muslim)

Commentary

- a. Imam Nawawi explained the shield as being a cover for those behind him, since the Imam is the cover which prevents the enemy from harming the Muslims. This is by leading the army, protecting the borders and organizing the Jihad.
- b. Imam Ibn Hajr mentions that the Imam is also like a shield in that he prevents the Muslims from harming each other – and this would be by resolving the disputes through his order, appointing the judges and implementing the *Shari'ah*.
- c. The word “إنما” is from the linguistic style of restriction, so the *hadith* negates that anyone other than the Imam can be the shield for the Muslims.
- d. When looking at the abuse of the Muslims, it can be quickly realized that the major factor behind the continued and open attacks is because it is considered that the Muslims have no one to represent them, and this is true since the current rulers do not represent their people nor do they represent Islam. In contrast, in Islamic history the presence of the *Khilafah* meant that other nations were much more cautious in infringing the sanctity of Muslim blood, and when necessary recourse was taken.
- e. The Imam is not perfect, and may do righteous acts for which he is rewarded and may also act otherwise and that will be against him with his account. So the Imam is not protected from sin, and not free from blame and accounting.

Sanctity of Muslim Blood

Hadith 35

لزوال الدنيا أهون على الله من قتل مؤمن بغير حق

The wiping away of the World means less to Allah than a Believer to be killed unjustly

(Ibn Maja)

Hadith 36

حدثنا عبد الله بن عمر قال رأيت رسول الله صلى الله عليه و سلم يطوف بالكعبة ويقول ما أطيبك وأطيب ريحك ما أعظمك وأعظم حرمتك والذي نفس محمد بيده لحرمة المؤمن أعظم عند الله حرمة منك

Abdulla bin Umar said - I saw the Prophet ﷺ doing *tawwaf* around the *Ka'aba* saying “How sweet/ good are you and how sweet is your scent. How great are you and how great is your sanctity. By the One who the soul of Mohammad is in His Hand the sanctity of a believer is greater with Allah than your sanctity”

(Ibn Maja)

Commentary

- a. Though the *Ka'aba* is considered the greatest Islamic symbol present, with the Muslims all over the world turning their faces toward it five times daily, and with the prayer inside it has more reward than anywhere else, the sanctity of the blood of a single believer is worth more to Allah سبحانه وتعالى than the sanctity of this first house built to worship Allah سبحانه وتعالى.
- b. Since the blood of a single believer is worth more to Allah سبحانه وتعالى than the *Ka'aba*, and in fact more than the whole Earth and what is in it, then it is upon the Muslims to place the same priority upon the blood of their brothers and sister, and treat the violation of that sanctity as worse than open aggression against the *Ka'aba*.
- c. Accordingly, the most pressing issue for the Muslim today is to protect this sanctity, and as mentioned in the previous section only the Imam is a shield whom they are protected by.

One Muslim's pain afflicts all the *Ummah*

Hadith 37

الْمُسْلِمُونَ كَرَجُلٍ وَاحِدٍ إِنْ اشْتَكَى عَيْنُهُ اشْتَكَى كُلُّهُ وَإِنْ اشْتَكَى
رَأْسَهُ اشْتَكَى كُلُّهُ

The Muslims are like one man, if his eyes complains then the whole of him complains, and if his head complains then the whole of him complains

(Muslim)

Hadith 38

مَثَلُ الْمُؤْمِنِينَ كَمَثَلِ الْجَسَدِ إِذَا أَلِمَ بَعْضُهُ تَدَاعَى سَائِرُهُ

The example of the believers is like the body, if part of it hurts the rest of it is summoned

(Ahmed)

Commentary

- The simile of a single body conveys the feeling of the closeness of the Muslims to each other, such that each one's pain is shared by another since they are from the same body no matter their location, language or ethnicity.
- These narrations are further explanation of the part of verses in the Quran which state that only the believers are brothers (al-hujaraat), and that the believers are merciful amongst each other (al-fath).
- Imam Abdul Raof al-Munawi said regarding the first narration that it is emphasizing the rights the Muslims have over one another, and encourages them to be merciful to each other and to support one another in other than sin.
- It can be understood that the safety and security of the Muslims is one.

Prohibition of factionalism, nationalism and wanton killing

Hadith 39

مَنْ فَارَقَ الْجَمَاعَةَ وَخَرَجَ مِنَ الطَّاعَةِ فَمَاتَ فَمِيتُهُ جَاهِلِيَّةٌ وَمَنْ
خَرَجَ عَلَى أُمَّتِي بِسَيْفِهِ يَضْرِبُ بِرَّهَا وَفَاجِرَهَا لَا يُحَاشِي مُؤْمِنًا
لِإِيمَانِهِ وَلَا يَفِي لِدِي عَهْدٍ بِعَهْدِهِ فَلَيْسَ مِنْ أُمَّتِي وَمَنْ قُتِلَ تَحْتَ
رَايَةٍ عَمِيَّةٍ يَغْضَبُ لِلْعَصْبِيَّةِ أَوْ يُقَاتِلُ لِلْعَصْبِيَّةِ أَوْ يَدْعُو إِلَى الْعَصْبِيَّةِ
فَقَتْلُهُ جَاهِلِيَّةٌ

Whoever separates from the *Jama'at* and leaves obedience (to the leader of the Muslims) and dies then he dies the death of one of *jahiliyya*, and whoever sets out against my *Ummah* with his sword, and strikes the good of them and the evil of them, not keeping away from a believer due to his *iman*, and does not fulfil the covenant with the one who took it, then he is not from my *Ummah* and whoever is killed while under a flag of ignorance, getting angry for the sake of tribalism or fighting for the sake of tribalism or calling to tribalism then his death is that of *jahiliyya*

(Ahmed)

Commentary

- a. Sheikh Ibn Taymiyya said regarding this narration “(The Prophet ﷺ mentioned the rebels who revolted against obedience to the authority and the group of Muslims, and mentioned that if anyone of them dies then he has died the death of *jahiliyya*, since the people of *jahiliyya* did not use to appoint leaders over themselves rather each group

struggled with the other. Then he mentioned the people who fought for factionalism like those who fought for tribal relations such as Qays and Yumanni, and he mentioned that whoever is killed under these flags then they are not from his *Ummah*”

- b. There is also prohibition and condemnation of indiscriminate killing, and whosoever does that is not considered to be from the *Ummah* of Muhammad ﷺ.
- c. The nation state is essentially a larger version of a tribal structure, and the pride over the nation, its flags and its heritage is parallel to the tribalism of *jabiliyya*. To get angry, fight and die for the sake of these flags and nations is therefore as reprehensible as those mentioned in the narration.

ILLEGITIMATE LEADERSHIP

Corrupt rulers are the biggest problem

Hadith 40

إِنَّمَا أَخَافُ عَلَىٰ أُمَّتِي الْأَئِمَّةَ الْمُضِلِّينَ

The only fear I have for my *Ummah* are astray leaders (who will lead them astray)

(Ahmed/ Tirmidhi)

Commentary

- a. Imam Al-'Ayni explained the astray leaders as those who call to innovation, sin and immorality. They are also explained as those who follow their desires, and therefore are astray and lead others astray.
- b. It is attributed to Umar bin al-Khattab (ra) that Islam will be destroyed by the lapses of the scholar, the hypocrite who argues using the Quran, and the rule of astray leaders.
- c. The position of the ruler is such that with their corruption unless they are corrupted they will corrupt the society, since they are the ones responsible for maintaining the law, establishing the limits and protecting the people.

Cronyism corrupts

Hadith 41

مَنْ أَتَى أَبْوَابَ السُّلْطَانِ افْتَتِنَ وَمَا ازْدَادَ عَبْدٌ مِنَ السُّلْطَانِ قُرْبًا إِلَّا
ازْدَادَ مِنَ اللَّهِ بُعْدًا

Whoever comes to the gate of the Sultan will face *fitna* (by being corrupted) and never does a Slave (of Allah) increase in closeness to the ruler except that he increases in distance from Allah

(Ahmed/ Tirmidhi)

Commentary

- a. In order to maintain a strong Islamic rule, those in authority must be held to account by the *Ummah*. This accounting cannot take place unless the people hold themselves as independent from the ruler, and therefore free from being influenced by any favors or disposition towards them that would occur if they ingratiated themselves with those in authority.
- b. This *hadith* has a warning of the corrupting nature of power, that it is not only a huge responsibility for those undertaking such positions, but those who try to seek closeness with the ruler in order to take some personal benefits will be corrupted, and this can be seen by the many who have begun their journeys with the intention of accounting those in rule and ended up cementing their position.
- c. The *Ummah* of Muhammad ﷺ has a tradition of scholars who kept away from the authority in order to remain free from their influence and maintain their ability to account them freely and independently, such as Imam Abu Hanifa, Imam Ahmad bin Hanbal, Imam Nawawi and Sheikh ibn Taymiyya.
- d. The closeness in the *hadith* does not refer simply to physical distance, but rather is an indication that someone who is close to the authority and therefore does not account it but rather supports it even in its wrong will be far from Allah سبحانه وتعالى. So great scholars have in the past taken positions within the courts of the rulers, but have maintained distance in the sense that they would account any wrongdoing and not be influenced by the trappings of authority.

Condemnation of those who support leadership for personal gain

Hadith 42

ثَلَاثٌ لَا يُكَلِّمُهُمُ اللَّهُ يَوْمَ الْقِيَامَةِ وَلَا يَنْظُرُ إِلَيْهِمْ وَلَا يُزَكِّيهِمْ
وَلَهُمْ عَذَابٌ أَلِيمٌ رَجُلٌ عَلَى فَضْلِ مَاءٍ بِالْفَلَاقَةِ يَمْنَعُهُ مِنْ ابْنِ
السَّبِيلِ وَرَجُلٌ بَايَعَ رَجُلًا بِسِلْعَةٍ بَعْدَ الْعَصْرِ فَحَلَفَ لَهُ بِاللَّهِ
لَأَخْذَهَا بِكَذَا وَكَذَا فَصَدَّقَهُ وَهُوَ عَلَى غَيْرِ ذَلِكَ وَرَجُلٌ بَايَعَ إِمَامًا
لَا يُبَايِعُهُ إِلَّا لِدُنْيَا فَإِنْ أَعْطَاهُ مِنْهَا وَفَى وَإِنْ لَمْ يُعْطِهِ مِنْهَا لَمْ يَفِ

Allah will not talk to three on the Day of Judgement, and nor will He purify them, and they will have a severe punishment – a man who has spare water with him in the desert and prevents it from a traveler, and a man who sells a man something after the 'asr prayer and swears by Allah سبحانه وتعالى that he had paid such and such for it, so the man believes him (and pays him accordingly) even though it was not true and a man who pledges allegiance to an Imam for no reason other than his worldly purpose, and if he gains what he wants from him then he is loyal otherwise he is not.

(Muslim/ Bukhari)

Commentary

- a. The leadership is bestowed amongst the Muslims to those who will implement the laws of Allah سبحانه وتعالى for the sake of Allah سبحانه upon those who will listen and obey for the sake of Allah سبحانه وتعالى.

- b. The mentioning of the one who gives his pledge of allegiance to the Imam of the Muslims for the sake of personal gain is not just someone who will miss on the reward for what is mentioned in the previous point, but will be severely punished, withheld from being purified by Allah سبحانه وتعالى on the day that no one can escape from His wrath and enter His paradise without His mercy.
- c. All three actions which are condemned are to do with transactions between people, and seeking worldly gain ahead of sincerity for the sake of Allah سبحانه وتعالى.

No obedience to a leader in sin

Hadith 43

خَيْرُ أُمَّتِكُمُ الَّذِينَ تُحِبُّونَهُمْ وَيُحِبُّونَكُمْ وَيُصَلُّونَ عَلَيْكُمْ
وَتُصَلُّونَ عَلَيْهِمْ وَشِرَارُ أُمَّتِكُمُ الَّذِينَ تُبْغِضُونَهُمْ وَيُبْغِضُونَكُمْ
وَتَلْعَنُونَهُمْ وَيَلْعَنُونَكُمْ قِيلَ يَا رَسُولَ اللَّهِ أَفَلَا تُنَابِذُهُمْ بِالسَّيْفِ
فَقَالَ لَا مَا أَقَامُوا فِيكُمْ الصَّلَاةَ وَإِذَا رَأَيْتُمْ مِنْ وُلَاتِكُمْ شَيْئًا
تَكْرَهُونَهُ فَاكْرَهُوا عَمَلَهُ وَلَا تَنْزِعُوا يَدًا مِنْ طَاعَةٍ

“The best of your leaders are those whom you love and who love you, who pray for you and you pray for them. The worst of your leaders are those whom you hate and who hate you, and you send curses on them and they send curses on you.”

He was asked, “O Messenger of Allah ﷺ should we not fight them by the sword?” He said, “Not as long as they are establishing prayer amongst you. And if you see from those in authority over you something that you hate then hate his action and do not remove your hand from obedience”

(Muslim)

Hadith 44

اسْمِعْ وَأَطِعْ فِي عَسْرِكَ وَيَسْرِكَ وَمَكْرَهِكَ وَأَثَرَةَ عَلَيْكَ وَإِنْ أَكَلُوا
مَالَكَ وَضَرَبُوا ظَهْرَكَ إِلَّا أَنْ تَكُونَ مَعْصِيَةَ اللَّهِ بَوَاحًا

Listen and Obey in difficulty and ease and in what you dislike and selfishness over you and if you wealth is eaten and your backs are beaten, except in a clear sin against Allah

(Ibn Hibban)

Commentary

- a. These and similar narrations establish that the *Ummah* is duty bound to obey the leader, even if he is harsh and oppressive towards them, as long as the Islamic rule is maintained.
- b. According to Imam ibn Hajr, there is a consensus of the scholars that if the ruler displays clear disbelief (such as by insisting on implementing other than the Islamic law due to his belief it is not suitable for all times) then he has broken the contract between him and the *Ummah* and it is obligatory for every Muslim to work to remove him from his position.
- c. The second narration makes it clear that the believer is not permitted to listen and obey in anything which is a clear sin, so there is no justification for supporting or following the ruler in their wrongdoing, rather the narrations only commissions the Muslims to be patience of the oppression of their rulers as long as they remain being ruled by Islam and do not participate in the oppression themselves.

The Believer is Politically Astute

Hadith 45

لَا يُلْدَغُ الْمُؤْمِنُ مِنْ جُحْرٍ وَاحِدٍ مَرَّتَيْنِ

A believer is not bitten from the same hole twice

(Bukhari/ Muslim)

Commentary

- a. The narration is from the famous story of the poet Abu Ghurra who was captured by the Muslims at the battle of Badr, and was released after promising the Prophet ﷺ that he would not return to the battlefield against the Muslims again. When he then returned on the day of Uhud and was subsequently captured, he tried to appeal to the Prophet ﷺ for mercy once again with a similar promise, to which the Prophet ﷺ replied that the believer is not bitten from the same hole twice.
- b. It is understood that it is important to be aware, and not to repeat the same mistake. In other words – it is a necessary to learn from experience in order not to fall into similar error.
- c. The linking of the characteristic of awareness (not being bitten from the same hole twice) to the believer indicated that it is a praiseworthy and necessary characteristic for a Muslim, since they are supposed to be leaders and witnesses over mankind.
- d. Though some scholars have limited this *hadith* to issues of personal rituals such as not repeating the same mistakes in prayer (such as the person who finds that if he sleeps late he cannot awake for *fajr* then must either refrain from sleeping late or stay awake until completing the *fajr* prayer), the circumstances that led the Prophet ﷺ to utter the words indicate that it encompasses political issues.
- e. The story of Abu Ghurra also teaches us that compassion is not appropriate in every situation, since then you will be open to being taken advantage of.

BLOCKING THE PATH

Forbiddance of being content with un-Islamic rule

Hadith 46

سيكون من بعدي خلفاء يعملون بما يعلمون ويفعلون ما يؤمرون
وسيكون من بعدهم خلفاء يعملون ما لا يعلمون ويفعلون ما لا
يؤمرون فمن أنكر برئ ومن أمسك سلم ولكن من رضي وتابع

There will be after me *Khulafaa* who act according to what they know (from Islam) and do what they were ordered and there will be after them *Khulafaa* who will act according to what they do not know and do what they were not ordered (with), so whoever rejects them is innocent from them, and whoever holds themselves (from following them) is safe, but the one who is pleased with them and follows them (is blameworthy)

(Ibn Hibban)

Commentary

- a. Whoever witnesses the corruption of the implementation Islam by the rulers and condemns it, either by trying to change it with their hand or speaking against it with their tongue, is free from the sin of the ruler.
- b. The same is applied to the one who is unable to condemn the wrongdoing, due to fear or lack of ability, as long as they do not participate or support in it.
- c. The phrase “ولكن من رضي وتابع” (but the one who is pleased and follows) indicates as explained by Imam Nawawi that the sin falls upon the person who is content with the corruption.
- d. In the narration in Muslim the question is asked whether they should be fought against, and the reply of the Prophet ﷺ was “no, as long as they prayed”, and this has been discussed in other sections.
- e. It can thus be derived that the sin which fell upon the people who were content, were those people who were content with and followed a ruler who was still implementing Islam but was corrupted, so what of the sin

of being content with and following the rulers who have nothing to do with Islam and Islamic rule, whether in the Muslim countries or elsewhere?

Treachery

Hadith 47

لِكُلِّ غَادِرٍ لُؤَاءٌ يَوْمَ الْقِيَامَةِ يُرْفَعُ لَهُ بِقَدْرِ غَدْرِهِ أَلَا وَلَا غَادِرَ أَعْظَمُ
غَدْرًا مِنْ أَمِيرٍ عَامَّةٍ

Every traitor will have a flag on the Day of Judgement to identify them according to the amount of their treachery; there is no traitor of greater treachery than the leader of the people

(Muslim/ Bukhari)

Commentary

- a. In the Arabic "لواء" is a large flag which only the head of the army would have, which the army would then follow behind. In other words it is a symbol by which the people will identify clearly. The meaning in this narration then is that every traitor will be publicly known (and humiliated) on the Day of Judgement
- b. The words used in the narration are general so can mean any kind of treachery, whether between individuals to between nations.
- c. The greatest treachery is that of the ruler, since he is responsible for managing the affairs of the people justly, so any betrayal is a betrayal of the whole people. The Muslim ruler who is a traitor is not simply a traitor to his people, but also to Allah سبحانه وتعالى and His messenger ﷺ. In fact, he is also a traitor to the non-Muslims since he is responsible for the correct implementation of Islam and to arrange carrying the call of Islam to the rest of the world, so his treachery affects them as well.
- d. Qadi Iyyad noted that an interpretation is that the Imam is condemned for treachery in renegeing in his contract with his subjects, or with the disbelievers, or with a trust that he has, or in treating his people with gentleness and ease.

Prohibition of spying and oppressing your Muslim brother

Hadith 48

إِيَّاكُمْ وَالظَّنَّ فَإِنَّ الظَّنَّ أَكْذَبُ الْحَدِيثِ وَلَا تَحَسَّسُوا وَلَا
تَحَسَّسُوا وَلَا تَنَافَسُوا وَلَا تَحَاسَدُوا وَلَا تَبَاغَضُوا وَلَا تَدَابَرُوا
وَكُونُوا عِبَادَ اللَّهِ إِخْوَانًا

Stay away from doubt, since doubt is the most dishonest word, and do not spy and do not probe (into others affairs) and do not hate each other, and be brothers to each other

(Bukhari/ Muslim)

Commentary

- a. The doubt intended in the narration is negative doubt, and ibn al-teen stated that it is a warning to stay away from doubt since trying to confirm what was doubtful could lead someone into sin (through spying and so on)
- b. This is a clear prohibition of spying and looking into the private affairs of the individuals, and seeking to create conflict between the people, and rather is an encouragement for the Muslims to be brothers to one another.
- c. As an example, when in situations where incidents can occur that are not clear as to who instigated them, such as in anarchic war torn countries, the implementation and adherence to this and similar narrations would make it much more difficult for the Muslims to be manipulated by black operations. If on the other hand each one is suspicious of the other, they can be easily directed and made to fall into hatred of each other based upon negative doubt which was in fact a lie, all planted by the enemies of Islam to begin with.

Prohibition of Torture

Hadith 49

إِنَّ اللَّهَ يُعَذِّبُ الَّذِينَ يُعَذِّبُونَ النَّاسَ فِي الدُّنْيَا

Allah tortures those who torture the people in this life

(Muslim)

Commentary

- a. Imam Nawawi mentioned that this is narrated in respect to the harming of people without right, such as torture, and is not meant generally such as the implementation of *qisaas* and *Hudood* and so on.
- b. It is prohibited in all the schools of thought to torture people on the basis of suspicion for the sake of information, and the attribution of such an opinion to Imam Malik is a false one and the details can be found in the relevant books which include detailed discussions regarding *maslaha*. Rather when suspicious of someone they should be left until clear evidence is provided (see *hadith 23* where the woman under suspicion was left alone and not coerced to admit to what she was well known for).
- c. However, the ruler is permitted to jail someone for a limited period of time, but this is only for a chance to investigate the accusations brought against them and should not be used to put pressure upon them or keep them held indefinitely, in accordance with the sound narration found in Tirmidhi that the Prophet ﷺ jailed someone for a day due to an accusation, and then freed him.
- d. There is no difference in the *hadith* regarding whether the torturer is a disbeliever or not, the words used are general and so fall upon anyone who carries out torture whatever their personal belief.

Better to die alone than co-operate with corruption

Hadith 50

كَانَ النَّاسُ يَسْأَلُونَ رَسُولَ اللَّهِ -صلى الله عليه وسلم- عَنِ الْخَيْرِ
وَكَنتُ أَسْأَلُهُ عَنِ الشَّرِّ مَخَافَةَ أَنْ يُدْرِكَنِي فَقُلْتُ يَا رَسُولَ اللَّهِ إِنَّا
كُنَّا فِي جَاهِلِيَّةٍ وَشَرٌّ فَجَاءَنَا اللَّهُ بِهَذَا الْخَيْرِ فَهَلْ بَعْدَ هَذَا الْخَيْرِ
مِنْ شَرٍّ؟ قَالَ نَعَمْ قَالَ فَهَلْ بَعْدَ ذَلِكَ الشَّرِّ مِنْ خَيْرٍ؟ قَالَ نَعَمْ وَفِيهِ
دَخْنٌ فَقُلْتُ وَمَا دَخْنُهُ؟ قَالَ قَوْمٌ يَهْدُونَ بِغَيْرِ هُدًى تَعْرِفُ مِنْهُمْ
وَتُنْكِرُ قُلْتُ هَلْ بَعْدَ ذَلِكَ الْخَيْرِ مِنْ شَرٍّ؟ قَالَ نَعَمْ دُعَاءٌ عَلَى
أَبْوَابِ جَهَنَّمَ مَنْ أَجَابَهُمْ إِلَيْهَا قَذَفُوهُ فِيهَا قُلْتُ يَا رَسُولَ اللَّهِ
صِفْهُمْ لَنَا قَالَ هُمْ مِنْ جِلْدَتِنَا وَيَتَكَلَّمُونَ بِأَلْسِنَتِنَا قُلْتُ فَمَا
تَأْمُرُنِي إِنْ أَدْرَكَنِي ذَلِكَ؟ قَالَ تَلْزِمُ جَمَاعَةَ الْمُسْلِمِينَ وَإِمَامَهُمْ
قُلْتُ فَإِنْ لَمْ تَكُنْ جَمَاعَةً وَلَا إِمَامًا؟ قَالَ فَاعْتَزِلْ تِلْكَ الْفِرْقَ كُلَّهَا
وَلَوْ أَنْ تَعْصَّ بِأَصْلِ شَجَرَةٍ حَتَّى يُدْرِكَكَ الْمَوْتُ وَأَنْتَ كَذَلِكَ

The people used to ask the Messenger of Allah ﷺ about the good but I used to ask him about the evil lest I should be overtaken by them. So I said, "O Messenger of Allah ﷺ We were living in ignorance and evil, then Allah brought to us this good (i.e., Islam); will there be any evil after this good?" He said, "Yes."

I said, 'Will there be any good after that evil?' He replied, "Yes, but it will be tainted (not pure.)" I asked, "What will be its taint?" He

replied, "(There will be) some people who will guide others not according to my tradition? You will approve of some of their deeds and disapprove of some others."

I asked, "Will there be any evil after that good?" He replied, "Yes, (there will be) some people calling at the gates of the (Hell) Fire, and whoever will respond to their call, will be thrown by them into the (Hell) Fire." I said, "O Messenger of Allah! Will you describe them to us?" He said, "They will be from our own people and will speak our language."

I said, "What do you order me to do if such a state should take place in my life?" He said, "Stick to the group of Muslims and their Imam (ruler)." I said, "If there is neither a group of Muslims nor an Imam (ruler)?" He said "Then turn away from all those sects even if you were to bite (eat) the roots of a tree till death overtakes you while you are in that state."

(Bukhari/ Muslim)

Commentary

- a. The narration clearly indicates that it is imperative that the Muslims to stick closely to the Muslim community and to their Imam, if the *Khilafah* and *Khalifah* is present.
- b. There is also an explicit order in the *hadith* to avoid all the corruption, with the use of the metaphor that one should "bite on the roots of a tree" emphasising the importance of not aiding or participating in the evil.
- c. This *hadith* has been misinterpreted by some to suggest that in today's situation of turmoil everyone should isolate themselves from the reality and not work to change it with the various movements and people who are calling for the re-establishment of Islam. They have taken the order to "turn away from all those sects" to mean to sit down from the work to establish Islam, whereas it is clear from the narration that the Messenger of Allah ﷺ was ordering the avoidance of the groups he mentioned previously with the description that they

were “some groups calling at the gates of the (Hell) fire”. He ﷺ did not order to stay away or not work for the establishment of the *deen*, nor did he ﷺ order to stay away from the Muslims overall, but rather to keep away from those groups calling to sin, and the meaning of that is to hold tight to the *deen* and away from the propaganda and call of evil.

**ENJOINING THE GOOD
AND STANDING FOR THE
TRUTH IS A CAUSE OF
SUCCESS IN THIS LIFE AND
THE NEXT**

The tongue must be used to speak the truth if the hand cannot enforce it

Hadith 51

مَنْ رَأَى مِنْكُمْ مُنْكَرًا فَلْيُغَيِّرْهُ بِيَدِهِ فَإِنْ لَمْ يَسْتَطِعْ فَبِلِسَانِهِ فَإِنْ لَمْ
يَسْتَطِعْ فَبِقَلْبِهِ وَذَلِكَ أَضْعَفُ الْإِيمَانِ

Whoever from amongst you sees an evil should change it by his hand, if he is unable to do so then he should change it by his tongue (by speaking against it), and if he is unable to do so then he should reject it in his heart – and this is the weakest of *Iman*

(Muslim)

Commentary

- a. The order mentioned in the *hadith* – to change - is a binding order considered an obligation according to *ijma'a*, and is part of enjoining the good and forbidding the evil which is obligated in the Quran, *Sunnah* and consensus of the companions, as mentioned by Imam Nawawi.
- b. Enjoining the good and forbidding the evil is a collective duty, if some of the people carry it out then the intent is met and the obligation is lifted, but if it is neglected then everyone is responsible and sinful.
- c. According to Imam Nawawi it is not a condition that the person who is enjoining the good or forbidding the evil is completely free from the issue themselves, they may not be fulfilling the whole good themselves or keeping away from the whole evil completely, but this does not mean he cannot enjoin it, knowing it applies to himself first and on others as well.
- d. The order is not restricting to particular people such as people in authority such as the ruler or judges, or people of particular

qualifications such as the scholars, but rather is general to all people as understood by the generality of “من رأى منكم”.

- e. The evil mentioned must be an agreed upon *munkar*, and there is no *inkaar* (preventing/ condemning others) on issues of differences between scholars.
- f. Sheikh ibn Taymiyya mentioned 3 conditions for the issue of enjoining the good and forbidding the evil – knowledge prior to the action (and this will be in accordance to the issue, so an open clear issue well known to the Muslims such as abandoning the prayer or ruling by other than the *Shari'ah* does not require for example someone to be scholar to enjoin or forbid), reason and forbearance while carrying out the action (in order to deliver the message in the most effective way and to be free from blame and accusation), and patience after the action (since whoever does this action will be afflicted with trials and tribulations by those they face).
- g. The narration explains that if it is not possible to change the evil through force or authority, then it is necessary to speak against it.
- h. It is narrated that 'Isa bin Dinar, one of the famous *tabi' taabieen* said “There is no backbiting in three – the tyrant ruler, a *faasiq* who is openly sinful, and someone only of pure innovation”

Society has a collective responsibility to prevent wrongdoing

Hadith 52

مثل المدهن في حدود الله والواقع فيها مثل قوم استهموا سفينة
فصار بعضهم في أسفلها وصار بعضهم في أعلاها فكان الذي في
أسفلها يملأون بالماء على الذين في أعلاها فتأذوا به فأخذ فأسا
فجعل ينقر أسفل السفينة فأتوه فقالوا ما لك قال تأذيتم بي ولا
بد لي من الماء فإن أخذوا على يديه أنجوه ونجوا أنفسهم وإن
تركوه أهلكوه وأهلكوا أنفسهم

The example of the one who stands for the *Hudood* of Allah and the one who compromises the *Hudood* of Allah are like the people in a boat, some of whom occupy the upper deck and some occupy the lower deck. Whenever those in the lower deck need water, they have to go to the upper deck to retrieve it. So some of them said, 'why don't we make a hole in our deck so we do not harm the people of the upper deck?' If the people do not stop them, they will all fall and be failures, but if they stop them they will all be saved

(Bukhari)

Commentary

- a. The description of the Messenger of Allah ﷺ of the Muslim society being like a community of people on a ship, whose actions each can affect the other, explains that the Islamic view that society must be maintained by its members each of whom is responsible for

maintaining the public good, thereby explaining the true relationship between the individual and the society. This is in contrast to the individualistic outlook which dominates in contemporary times, and the philosophy that states that the society is solely made up of individuals so each is free to act as they please, where each person's concern is for themselves without any or little regard for others. This is reflected in the endemic corruption, crime rates, and neglect of both the younger and elder generations.

- b. If the government and the people allow the prohibited issues to be infringed, then the whole of society becomes damaged.
- c. The *hadith* explains through the metaphor that if the *Hudood* are established in the society, then the society will be protected, and if the *Hudood* are left, then the infringements will end up engulfing everyone (as can be seen for example in the rising crime rates).
- d. Imam al-Siddiqi al-Shafi said that the *hadith* indicates that the one who infringes the prohibitions is destroyed by his sin, and the one who remains silent is destroyed due to his contentment.
- e. Imam al-'Ayni mentioned that when the action of preventing the infringements is carried out, all of the people are saved, and not just those on the upper deck. And therefore the implementation of Islam and the enjoining of the good and forbidding of the evil is the way the whole of the society is protected and served.

Accounting the Ruler

Hadith 53

أَفْضَلُ الْجِهَادِ كَلِمَةُ عَدْلٍ عِنْدَ سُلْطَانٍ جَائِرٍ

The best Jihad is the word of Justice in front of the oppressive Sultan

(Abu Dawud, Tirmidhi, ibn Maja)

Hadith 54

سَيِّدُ الشَّهَدَاءِ حَمْزَةُ بْنُ عَبْدِ الْمَطْلِبِ وَرَجُلٌ قَامَ إِلَى إِمَامٍ جَائِرٍ
فَأَمَرَهُ وَنَهَاهَ فَقَتَلَهُ

The master of the martyrs is Hamza ibn Abdul Mattalib, and a man who stands (in front of) an oppressive ruler and enjoins the good and forbids the evil and so is killed for it

(Hakim)

Commentary

- a. Imam al-Munawi mentions that the word Jihad is intended in its linguistic meaning which is a general meaning.
- b. The second narration indicates that the reward of the one who carried out the act of enjoining the good upon and forbidding the evil of the ruler and is killed for it, then he is alongside Hamza at the head of the ranks of the martyrs – which confirms that it is the best jihad which includes the specific *Shari'ah* meaning as well as the general.
- c. Imam Aabadi states in his commentary that the scholars have said that a person is not exempted from ordering the good and forbidding the evil even if he thought it would not bring any benefit, rather it remains obligatory upon him.

- d. Imam al-Siddiqi said it is the best jihad, because it indicates the complete certainty of the one carrying it out, and the strength of his *iman*, and the steadfastness of his certitude when saying that word to the tyrant destructive ruler whose tyranny and oppression is known, and he is not afraid of him, nor of his tyranny and power. Rather he has sold himself to Allah سبحانه وتعالى, and has put the order and right of Allah سبحانه وتعالى before his own right, and this is different than the mujahid in comparison, since he is not in the same danger as the danger of the one who speaks the word of truth to the tyrant ruler.
- e. To account the rulers is the most difficult task, and the highest form of enjoining the good and forbidding the evil, since as mentioned by Sheikh ibn Taymiyya if the ruler is righteous then the people will be righteous, and if he is corrupt then the people will be corrupt. So the correction of the rule and the ruler will lead to the correction of the society, and if corruption of the rule and the ruler remains then the society will remain corrupted.

Not preventing the oppressors is a cause for collective punishment from Allah

Hadith 55

إِنَّ النَّاسَ إِذَا رَأَوْا الظَّالِمَ فَلَمْ يَأْخُذُوا عَلَى يَدَيْهِ أَوْشَكَ أَنْ يَعْمَهُمُ
اللَّهُ بِعِقَابٍ

If the people witness an oppressor and they do not take him by his hands (to prevent him) then they are close to Allah covering them all with punishment

(Abu Dawud, Tirmidhi, ibn Maja)

Commentary

- a. Abu Bakr as-Siddiq (ra) said “O people, you read this verse of the Book of Allah and you apply it in a way Allah did not intend it, “O you who believe, take care of your ownelves. If you follow the right guidance no harm can come to you from those who are in error” (TMQ 5:105) and I heard the Messenger of Allah ﷺ say if some amongst a people act upon sins or without right, and the people do not change it, then they are close to Allah covering them all with punishment”
- b. These narrations indicate the consequences of neglecting preventing the oppressor from their oppression, since oppression ultimately will affect the whole society as detailed in the narration of the ship.
- c. Imam Ibn Qayyim said “The *Shaitan* has misled most people by beautifying for them the performance of certain voluntary acts of worship such as voluntary prayers and voluntary fasting while neglecting other obligatory acts of worship such as enjoining the good and eradicating the evil, to the extent that

they do not even make the intention of performing them....For the essence of our religion is to perform what Allah سبحانه وتعالى ordered us to do. The one who does not perform his obligations is actually worse than the one who performs sins. Anyone having some knowledge about the revelation of Allah, the guidance of the Prophet ﷺ and the life of the companions would see that those who are pointed at today as the most pious people are in fact the least pious... Indeed, what *deen* and what good is there in a person who witnesses the sanctities of Allah سبحانه وتعالى being violated, His *Hudood* not applied, His religion abandoned, the *Sunnah* of His Messenger ﷺ shunned, and yet remains still with a cold heart and a silent tongue - a dumb *Shaitan*. In the same way the one who talks falsehood is a speaking *Shaitan*. Isn't the misfortune of Islam due only to those who whenever their food and positions are secure, would not care about what happens to the religion? The best among them would offer a sorry face. But if there was a shortcoming in one of the things their heart is attached to like their rank or money, they would sacrifice and strive and strain and struggle and use the three levels of prevention (*their hands, tongues and hearts, as mentioned in hadith 49*) according to their capability. These people, besides deserving the anger of Allah, are afflicted with the greatest calamity without even knowing it: They have a dead heart. Indeed the more alive a person's heart is, the stronger its anger for the sake of Allah and the more complete his support to Islam and Muslims”

Neglect of accounting results in the worst rulers and
the harshest enemies, and the rejection of *du'a*

Hadith 56

والذى نفسي بيده لا تقوم الساعة حتى يبعث الله أمراء كذبة
ووزراء فجرة وأعوانا خونة وعرفاء ظلمة وقراء فسقة سيماهم
سيما الرهبان وقلوبهم أنتن من الجيف أهواؤهم مختلفة فيتح الله
لهم فتنة غيراء مظلمة فيتهاوكون فيها والذى نفس محمد بيده
لينقضن الاسلام عروة عروة حتى لا يقال الله الله لتأمرن
بالمعروف ولتنهون عن المنكر أو ليسلطن الله عليكم أشراركم
فيسومونكم سوء العذاب ثم يدعو خياركم فلا يستجاب لهم
لتأمرن بالمعروف ولتنهون عن المنكر أو ليعثن الله عليكم من لا
يرحم صغيركم ولا يوقر كبيركم

By the One who my soul is in His Hand, the Hour will not be
established until Allah sends rulers who are liars, and ministers who
are immoral, and supporters who are traitors, and knowledgeable
people who are oppressors, and readers (of Quran) who are sinful,
their appearance is like the appearance of holy people, and their
hearts are more rotten than dead meat, their desires are different and
so Allah will send upon them *fitna* which will cover them in
darkness and so they will be destroyed therein.

By the One who the soul of Mohammad biyadihi, Islam will be
taken away part by part, until it is not even said Allah Allah,

You will (must) enjoin the good, and you will (must) forbid the evil,
or Allah will make sovereign over you the worst of you, who will
afflict you with the worst of punishment, then the best of you will
make *Du'a* and it will not be answered.

You will (must) enjoin the good, and you will (must) forbid the evil,
or Allah will send against you those who will have no mercy to your
young and no respect for your elderly.

(Ibn Qayyim)

Commentary

- a. The Prophet ﷺ used both the “*laam*” and “*nuun*” of emphasis in the words “لتأمرن” and “لتنتهون”, stressing that “you must/ will enjoin” the good, and “you must/ will forbid” the evil, to show the importance of the actions and the definiteness of the conditions mentioned.
- b. The *hadith* is a rejection for those who claim that today the only action possible is to make *Du'a* for the victory and the change of the situation of the Muslim *Ummah* without any other actions being taken, since the Prophet ﷺ explained clearly that the leaving behind of enjoining the good and forbidding the evil is a condition for *Du'a* being accepted from even the best of the Muslims.

Seeking the Acceptance of the People by displeasing Allah results in humiliation in this life and the next

Hadith 57

من التمس رضى الله بسخط الناس رضى الله عنه وأرضى الناس عنه ومن التمس رضا الناس بسخط الله سخط الله عليه وأسخط عليه الناس

Whoever sought the pleasure of Allah though it was displeasing to the people then Allah becomes pleased with him, and will make the people please with him, and whoever sought the pleasure of the people though it was displeasing to Allah then Allah becomes displeased with him and will make the people displeased with him

(Ibn Hibban/ Tirmidhi)

Commentary

- a. In the narration of Tirmidhi the narrator relates that Mu'awiya sent a letter to 'Aisha asking her to advise him, and she wrote back saying she had heard the Prophet saying this.
- b. The results of someone's actions are in the Hands of Allah سبحانه وتعالى, who can bring the people against him or to him irrespective. So there is no use in seeking to please the people by going against Islam, or compromising, since in doing so will not ultimately please the people, and furthermore will earn the displeasure of Allah سبحانه وتعالى.
- c. This narration also is reflected in the *sunnah* of all the Prophets, in when they called to their people, they were rejected. And through the seeking of the pleasure of Allah سبحانه وتعالى, then Allah سبحانه وتعالى brought about the victory to those of them He chose.

- d. The Islamic personality is a very distinct and straightforward one, because it has one basis for its viewpoint in life. Any decision, judgement or action will be based upon that viewpoint, which is the referring to the Quran and *sunnah* in seeking the pleasure of Allah سبحانه وتعالى. In doing so, the believer will not pay any attention to the blame of the blamers, confident in that what he is calling to is the Truth, and patient upon what befalls him from the people, expectant of the victory of Allah سبحانه وتعالى.

THE VICTORY FROM ALLAH HAS CONDITIONS

No *Du'a* answered and no Victory from Allah unless
the people account according to Islam

Hadith 58

يَا أَيُّهَا النَّاسُ إِنَّ اللَّهَ عَزَّ وَجَلَّ يَقُولُ مُرُوا بِالْمَعْرُوفِ وَأَنْهَوْا عَنِ
الْمُنْكَرِ مَنْ قَبْلِ أَنْ تَدْعُونِي فَلَا أُجِيبُكُمْ وَتَسْأَلُونِي فَلَا أُعْطِيكُمْ
وَتَسْتَنْصِرُونِي فَلَا أَنْصُرُكُمْ

O people, Truly Allah says enjoin the good and forbid the evil before
you call upon me which means that I don't answer you and you ask
me and I don't give to you and you seek Victory from me and I do
not give you that Victory (because you did not enjoin the good and
forbid the evil first)

(Ahmed, ibn Hibban, Bayhaqi)

Hadith 59

مَا تَرَكَ قَوْمٌ الْأَمْرَ بِالْمَعْرُوفِ وَالنَّهْيِ عَنِ الْمُنْكَرِ إِلَّا لَمْ تَرْفَعْ أَعْمَالَهُمْ
وَلَمْ يَسْمَعْ دَعَاؤَهُمْ

A people do not leave behind enjoining the good and forbidding the
evil except that their actions are not raised and their *Du'a* is not
listened to.

(Ibn Qayyim)

Commentary

- a. These and similar narrations are a proof against those who claim that use verses such as “Allah does not change the condition of a people until they change themselves” (TMQ 13:11) mean that the Muslims should turn inwards and work on personal morals and by doing so they will gain the victory of Allah سبحانه وتعالى, since the conditions for victory as mentioned are to call to Islam and forbid the evil, and the biggest evil today is the implementation of other than the laws revealed by Allah upon His slaves, and the biggest order that has been neglected is the order to establish the *deen* of Allah سبحانه وتعالى upon the earth, to establish His *Hudood* and establish the Jihad to spread the Justice of Islam to the oppressed and overthrow those who prefer to live in darkness.
- b. This is reflected in the example of our Prophet ﷺ who called against the manners and practises of the *jabiliyya* society in Mecca for years, and carried the *Dawa* to the tribes around the Arabian Peninsula, while turning to Allah سبحانه وتعالى to bring about the Victory. So the action is carried out, and Allah سبحانه وتعالى is relied upon.

Neglect of *Dawa* and Jihad is the cause of humiliation

Hadith 60

إِذَا ضَنَّ النَّاسُ بِالْدِّينَارِ وَالْدِّرْهَمِ وَتَبَايَعُوا بِالْعَيْنِ وَاتَّبَعُوا أَذْنَابَ
الْبَقَرِ وَتَرَكُوا الْجِهَادَ فِي سَبِيلِ اللَّهِ أَنْزَلَ اللَّهُ بِهِمْ بَلَاءً فَلَمْ يَرْفَعْهُ
عَنْهُمْ حَتَّى يُرَاجِعُوا دِينَهُمْ

If people withhold (hoard) dinars and dirham and trade according to *al-eena* (a type of trade which is similar to *riba*) and they follow the tails of the cows and leave the Jihad in the Path of Allah, Allah places upon them humiliation which will not be raised from them until they return to their *deen*

(Ahmed)

Commentary

- The phrase to “follow the tails of cows” indicates the increase in the agriculture, and the narration is talking about the seeking wealth or in other words to become engrossed in increase of material things of this world.
- Jihad is to carry the call of Islam to the rest of the world, in order to make the Word of Allah سبحانه وتعالى most High. To leave the call to Islam, and neglect the Jihad, means a weakening of the *Aqeedah* in the *Ummah* since the role of this *Ummah* on the Earth is to call to the *deen* of Allah سبحانه وتعالى and establish it among the people. And so to leave the Jihad is to leave a fundamental reason for our *Ummah*, and to dilute our *Aqeedah* which is the source of our strength since it is the basis for our actions, and with this weakening comes the humiliation which will not be raised until the *Ummah* returns to the *deen* – which is to return to its implementation, and to the calling of the rest of the World to come under the banner of *la ilaha illa Allah*.

- c. “*al-eena*” – is to agree to sell something at a particular price and to buy it back at an agreed time for a fixed price. In other words it is similar to an interest based transaction but with a nominal good involved.
- d. There can be no victory, and no *‘izzah* for the Muslims except through the return to Islam, and not simply by the increase in economic development and so on since this narration explained that all the other solutions and proposals being presented cannot raise the humiliation place upon them by Allah سبحانه وتعالى.

Patience and Sacrifice are Reasons for Victory

Hadith 61

شَكُونَا إِلَى رَسُولِ اللَّهِ -صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ- وَهُوَ مُتَوَسِّدٌ بُرْدَةً لَهُ فِي ظِلِّ الْكَعْبَةِ فَقُلْنَا أَلَا تَدْعُو اللَّهَ لَنَا أَلَا تَسْتَنْصِرُ اللَّهَ لَنَا؟ قَالَ فَجَلَسَ مُحَمَّرًا وَجْهَهُ ثُمَّ قَالَ وَاللَّهِ إِنْ مَنْ كَانَ قَبْلَكُمْ لِيُؤْخَذُ الرَّجُلُ فَيُحْفَرُ لَهُ الْحُفْرَةُ فَيُوضَعُ الْمِيشَارُ عَلَى رَأْسِهِ فَيَشَقُّ بِاثْنَيْنِ مَا يَصْرِفُهُ عَنْ دِينِهِ أَوْ يُمَشَطُ بِأَمْشَاطِ الْحَدِيدِ مَا بَيْنَ عَصَبِهِ وَلَحْمِهِ مَا يَصْرِفُهُ عَنْ دِينِهِ وَكَيْتَمَنَّ اللَّهُ هَذَا الْأَمْرَ حَتَّى يَسِيرَ الرَّكَّابُ مِنْكُمْ مِنْ صَنْعَاءَ إِلَى حَضْرَمَوْتَ لَا يَخْشَى إِلَّا اللَّهَ أَوْ الذُّبَّ عَلَى غَنَمِهِ وَلَكِنَّكُمْ تَعْجَلُونَ

We complained to the Messenger of Allah ﷺ (about our state) while he was leaning against his sheet cloak in the shade of the Ka'ba. We said, "Will you ask Allah to help us? Will you invoke Allah for us?"

He said, "Among those who were before you a (believer) used to be seized and, a pit used to be dug for him and then he used to be placed in it. Then a saw used to be brought and put on his head which would be split into two halves. His flesh might be combed with iron combs and removed from his bones, yet, all that did not cause him to revert from his religion. By Allah! This religion (Islam) will be completed (and triumph) till a rider (traveler) goes from San'a' (the capital of Yemen) to Hadramout fearing nobody except Allah and the wolf lest it should trouble his sheep, but you are impatient."

(Bukhari)

Commentary

- a. As mentioned in the Quran – “Do people think that they will be left alone because they say “We believe”, and will not be tested. And we indeed tested those who were before them. And Allah سبحانه وتعالى will certainly make it known those who are true, and will certainly make it known those who are liars” (TMQ 29:2)
- b. Imam al-‘Ayni that the overall meaning is not to be impatient, and to let the companions know that the people who came before them were also treated harshly as mentioned, and Allah سبحانه وتعالى mentioned that to them in order to give them patience on any harm that comes to them.

Without the collective readiness to sacrifice, the
Ummah will be humiliated

Hadith 62

يُوشِكُ أَنْ تَدَاعَى عَلَيْكُمْ الْأُمَمُ مِنْ كُلِّ أَفْقٍ كَمَا تَدَاعَى الْأَكْلَةُ
عَلَى قَصْعَتِهَا قَالَ قُلْنَا يَا رَسُولَ اللَّهِ أَمِنْ قَلِيلٍ بِنَا يَوْمَئِذٍ قَالَ أَنْتُمْ
يَوْمَئِذٍ كَثِيرٌ وَلَكِنْ تَكُونُونَ غُثَاءً كَغُثَاءِ السَّيْلِ يَنْتَزِعُ الْمَهَابَةَ مِنْ
قُلُوبِ عَدُوِّكُمْ وَيَجْعَلُ فِي قُلُوبِكُمُ الْوَهْنَ قَالَ قُلْنَا وَمَا الْوَهْنُ قَالَ
حُبُّ الْحَيَاةِ وَكَرَاهِيَةُ الْمَوْتِ

“The People will soon summon one another to attack you from every place in the same way that a pack calls around its prey” Someone asked, “Will that be because of our small numbers at that time?” He replied, “No, you will be numerous at that time: but you will be froth and scum like that carried down by a torrent (of water), and Allah will take the fear of you from the breasts (hearts) of your enemy and cast al-wahn into your hearts.” Someone asked, “O Messenger of Allah ﷺ, what is al-wahn?” He replied, “Love of the world and dislike of death.”

(Ahmed)

Commentary

- a. Just as a previously mentioned narration clarified that seeking material gain is not a reason for success, rather it would be a reason for failure when it comes ahead of Jihad and adhering to the *deen*, the number of Muslims is also not a factor for success if they are not united together and ready to sacrifice but rather like the froth on the sea.

- b. From the point of the dissolution of the Uthmani *Khilafah*, and the competition between the Europeans and Russia over the spoils and lands outside of the core territory of Turkey, the disbelievers have colonised and competed over the Muslim lands, inviting each other in their military and cultural invasions such as the UN involvement in the first gulf war, the NATO involvement in Afghanistan and the co-operation between different forces in Somalia. And it is in this manner that the enemies of the *Ummah* summon one another to attack in the same way as a pack of wolves around its prey.

ISLAM WILL RETURN, AND THE VICTORIOUS GROUP

بَدَأَ الْإِسْلَامُ غَرِيبًا وَسَيَعُودُ كَمَا بَدَأَ غَرِيبًا فَطُوبَى لِلْغُرَبَاءِ

Islam began strange (emerged from within a society completely different to it) and will return as is began – strange – so *toobaa* (a type of tree in Paradise) for the strangers

(Muslim)

لَا تَزَالُ طَائِفَةٌ مِنْ أُمَّتِي قَائِمَةٌ بِأَمْرِ اللَّهِ لَا يَضُرُّهُمْ مَنْ خَذَلَهُمْ أَوْ خَالَفَهُمْ حَتَّى يَأْتِيَ أَمْرُ اللَّهِ وَهُمْ ظَاهِرُونَ عَلَى النَّاسِ

There will remain a group from my *Ummah* who will be upright upon the Truth, and are not concerned with those who oppose them and mock them until the Order of Allah comes, and they are apparent over the people

(Muslim)

اللهم اجعلنا منهم والحمد لله رب العالمين والصلاة والسلام على سيدنا محمد خاتم النبيين وإمام المرسلين وعلى آله وأصحابه والتابعين لهم بإحسان إلى يوم الدين

APPENDIX A
NOTES ON THE CHAINS OF NARRATION

(*Hadith* Number – Comment)

- 2 Hasan according to al-Arna'ut.
- 4 Imam Dhahabi mentions that this narration from Hakim is upon the conditions of Muslim and Bukhari.
- 8 There is dispute over the authenticity of the narration due to the mention of “the companions of Mu’adh” in the chain. Though some scholars of *hadith* have claimed this means that there is an unknown person in the chain, other such as Imam ibn Qayyim argue that all the companions of Mu’adh were known to be trustworthy and the fact that the narration mentions them as a collective does not weaken the chain and can in fact be considered to strengthen it. (In addition the narration has been met with acceptance by the scholars of fiqh).
- 15 Sahih *hadith* with similar wording in Bukhari.
- 16 Hakim mentioned it as having correct chain of narration, but Imam Dhahabi did not mention them in his summary. The chain in Ahmed has an unnamed narrator in it, Arna'ut ruled it to be weak from the chain. Ibn Katheer felt that the narration was correct, in part due to the matan matching the actions and behaviour of Abu Bakr as-Siddiq(ra).
- 19 Imam Dhahabi confirms the narration as being sahih.
- 20 Imam Dhahabi confirms the opinion of Hakim that the chain is sahih, and al-Bani states the chain in ibn Maja is hasan.
- 22 al-Bani considered it as sahih.
- 24 Tirmidhi graded it as hasan sahih, and al-Bani claims it is sahih.
- 25 al-Bani graded it as weak, but it has been used (and therefore considered good enough for istidlal) by the fuqaha including the muhaddith faqih Imam ibn Qayyim who used the narration with the same chain in his book on the ahkam of ahl-dhimma
- 26-27 The first chain in Ahmed is sahih according to al-Arna'ut, and both from ibn Maja are graded as sahih by al-Bani.
- 31 Hakim stated that the chain was all sahih, and al-Arna'ut has said it is a jayyid (good) chain.
- 32-33 According to al-Haythami, the narrators in the first chain are all trustworthy, except for Abu Ghailan al-Shaybani who was majhool to him. The chain of the narration from ibn Hibban has been graded as strong by al-Arna'ut.
- 35-36 The first narration is sahih according to al-Boosairi, while the second is disputed, and is mentioned here along with the first, since the first affirms its meaning even if the chain is not free from weakness.
- 38 The narration from Ahmed is correct on the condition of Muslim and Bukhari, and similar narrations are found in both.
- 39 According to al-Arna'ut the narration is sahih upon the condition of Muslim.
- 40 The narration is sahih on the condition of Muslim according to al-Arna'ut.
- 41 The part of the narration in Tirmidhi (the first half of this text) has been graded as sahih by al-Bani, al-Haythami has said that the narrators in one of the chains from

Ahmed are all from the sahih narrators except for Hasan bin al-nakhai who is trustworthy – and Imam Dhahabi said he is correct in *hadith*.

44 The chain in ibn Hibban is hasan according to al-Arna'ut.

46 There is a similar narration found in Muslim, and the chain in ibn Hibban is sahih.

53-54 The first narration is sahih, and the second is declared as sahih by Hakim and its meaning is in conformity with the implication of the first.

55 The narration is considered sahih, and is also found in ibn Hibban and Ahmed.

56 There are several versions of the narration from various chains and narrators which can be found in Ahmed, Tirmidhi, Kanz al-Ummal and other books.

57 The chain in ibn Hibban is graded as hasan by al-Arna'ut.

58 The narration is considered sahih by ibn Hibban, al-Arna'ut claims that the narration in Ahmed is hasan li ghairihi with the weakness is the chain due to 'Asim bin umar bin uthman being majhool (unknown), but ibn Hibban mentions him in his book "al-thiqqat".

60 The chain is approved as hasan according to al-Munawi, but weak according to al-Arna'ut.

62 Hasan according to al-Arna'ut.

(As noted, some of the above narrated narrations are not agreed upon, and not all opinions are mentioned in the notes, since the intention was for brevity and not to do a detailed investigation. There is a basis for all the narrations mentioned, and there is nothing controversial in terms of content mentioned, and May Allah forgive any shortcomings)

APPENDIX B
LIST OF NARRATORS

1. *Abu Huraira (ra)*
2. *Huthaifa (ra)*
- 3-4. *Abdullah bin Umar (ra)*
5. *Abu Saïd al-Khudri (ra)*
6. *'Ubada bin as-Samit (ra)*
7. *Abdullah bin Umar (ra)*
8. *Mu'ath bin Jabal (ra)*
9. *Talha bin Ubaidillah (ra)*
10. *Anas bin Malik (ra)*
11. *Ibn Umar (ra)*
12. *Abu Musa al-ash'ari (ra)*
13. *Abu Huraira (ra)*
14. *Abu Dharr (ra)*
15. *Umm al-Husain bint Ishaaq (ra)*
16. *Abu Bakr as-Siddiq (ra)*
17. *Ma'qil bin Yasar (ra)*
18. *Abu Bakra (ra)*
19. *Abu Huraira (ra)*
20. *'Ubada bin as-Samit (ra)*
21. *'Aisha (ra)*
22. *'Amr ibn al-As (ra)*
23. *Ibn Abbas (ra)*
24. *Abu Huraira (ra)*
- 25-6. *Ibn Abbas (ra)*
27. *Abu Huraira (ra)*
28. *Khawla bint Qais (ra)*
29. *Abu Salama (ra)*
30. *AbdulAllah bin Umar (ra)*
31. *Ibn Amr (ra)*
32. *Ibn Abbas (ra)*
- 33-4. *Abu Huraira (ra)*
35. *Abu Ammara (ra)*
36. *Abdullah bin Umar (ra)*
- 37-8. *an-Nu'man bin Basheer (ra)*
39. *Abu Huraira (ra)*
40. *Thoubaan Abu Abdur Rahman (ra)*
- 41-2. *Abu Huraira (ra)*
43. *'Auf bin Maalik (ra)*
44. *'Ubada bin as-Samit (ra)*
- 45-6. *Abu Huraira (ra)*
47. *Abu Saïd (ra)*
48. *Abu Huraira (ra)*
49. *Hisham bin Hakeem (ra)*
50. *Huthaifa (ra)*
51. *Abu Saïd (ra)*
52. *an-Nu'man bin Basheer (ra)*
53. *Abu Saïd al-Khudri (ra)*
54. *Jaaber bin Abdillah (ra)*
55. *Abu Bakr as-Siddiq (ra)*
56. *ibn Umar (ra)*
- 57-8. *'Aisha (ra)*
59. *ibn Abbas (ra)*
60. *ibn 'Umar (ra)*
61. *Khabbab bin al-Arat (ra)*
62. *Thoubaan (ra)*

APPENDIX C
SELECTED BIBLIOGRAPHY
(Of some of the works relied upon for Commentary)

- إعلام الموقعين عن رب العالمين - محمد بن أبي بكر ابن قيم الجوزية
الأحكام السلطانية - أبو الحسن الماوردي
التيسير بشرح الجامع الصغير - زين الدين عبد الرؤوف المناوي
الجواب الكافي لمن سأل عن الدواء الشافي (الداء والدواء) - ابن قيم الجوزية
دليل الفالحين لطرق رياض الصالحين - محمد علي بن محمد بن علان بن إبراهيم البكري الصديقي الشافعي
سبل السلام - محمد بن إسماعيل الأمير الكحلاني الصنعاني
سنن النسائي بشرح السيوطي وحاشية السندي
شرح سنن ابن ماجه - عبدالرحمن ابن أبي بكر أبو الفضل السيوطي ، فخر الحسن الدهلوي
شرح السيوطي لسنن النسائي - السيوطي
عمدة القاري شرح صحيح البخاري - بدر الدين العيني الحنفي
عون المعبود شرح سنن أبي داود - محمد شمس الحق العظيم آبادي
فتح الباري شرح صحيح البخاري - أحمد بن علي بن حجر أبو الفضل العسقلاني الشافعي
الفقه الإسلامي وأدلته - وهبة الزحيلي
مجموع الفتاوى - تقي الدين أبو العباس أحمد بن عبد الحلیم بن تيمية الحراني
مقدمة الدستور أو الأسباب الوجبة له - حزب التحرير
المحلى - أبو محمد علي بن أحمد بن سعيد بن حزم الأندلسي القرطبي الظاهري
المغني في فقه الإمام أحمد بن حنبل الشيباني - عبد الله بن أحمد بن قدامة المقدسي
المنهاج شرح صحيح مسلم بن الحجاج - أبو زكريا يحيى بن شرف بن مري النووي
نيل الأوطار من أحاديث سيد الأخيار شرح منتقى الأخيار - محمد بن علي بن محمد الشوكاني