

From Al-Jihad Group Publications

[TC: I believe that when the text was originally written it was purposely meant to be complicated and ambiguous. The text is not meant to be easily read and understood by a common person. It is filled with Koranic and Hadith verses. But, I also believe that it is filled with sentences that are not true verses. It is my assumption that the text is meant to be read and interpreted, at times, by authorized persons of the Jihad Group, in order to fulfill specific needs and implemented as if they were pronounced by God or the Prophet.]

[TC: All Biblical names have been written the same way they show up in the English version of the Koran in addition to their Western counterpart.]

[TC: The text of this translation was revised several times during the course of the translation and many words had been interchanged in order to reflect the true Arabic meaning. Some words, in particular have been used and elaborated upon in different parts of the text. In order to conserve the unity of the meaning within the context, I have prepared a glossary of the key terms to help the reader to understand the meaning behind each. Although, in Arabic, several words could have the same meaning depending on the context

Glossary:

مبايعة / بيعة Homage: A feudal ceremony by which a man acknowledges himself the vassal of a lord. Vassalage: Position of subordination or submission.

عهد Pledge: A binding promise or agreement to do or forbear. It could also mean a promise to join a fraternity or secret society.

معاهدة Alliance, treaty, pact.

معاهدة/ عقد Contract, agreement

مواثقة/ميثاق Covenant: Formal, solemn and binding agreement

اطاعة/ طاعة Compliance, obedience, submissiveness

حلف/ قسم To swear, or take an oath

محالفة Allegiance: The obligation of a feudal vassal to his liege lord. The fidelity owed by a subject or citizen to his sovereign or government

جاهلية Paganism during the pre-Islamic times

الشرع The Revelation, the canonical law of Islam

ابو/ ابي Abi / Abu (Father of) are interchangeably used throughout the text and mean the same (example: Abu Na'im or Abi Na'im)

ابن/ بن Bin / Ibn (Son of) are interchangeably used throughout the text and mean the same (example: Ibn Hajar or Bin Hajar)

The dictionaries that were used:

- The Hans Wehr Dictionary of Modern Written Arabic by J. Milton Cowan (4<sup>th</sup> Edition)
- Al-Mawrid Modern Arabic-English Dictionary by Dr. Rohi Baalbaki (17<sup>th</sup> Edition)
- Webster's Ninth New Collegiate Dictionary]

Page 1:

Resumption to the preface

## Third Duty of the Emir: Training Camp Division

(Issue: The Pledges of Compliances Amongst Moslems)

The reason that I am addressing this particular issue in this paper is due to the clutter about it. Some claim that the pledges and homage amongst Moslems to be compliant are due. Others claim that it is a craze. Therefore, I decided to study it in detail to avoid any confusion about it.

I say, and God is rightful, that the pledges amongst Moslems are warranted. They include the training camp division, in addition to the pledges and homage of the groups that serve for Islam and Jihad. It is up to and permitted to the person in charge not to incorporate anybody in his group unless he puts him under the pledges and covenants to abide by certain matters (except for insubordination).

Based on what I have mentioned in the third chapter of this paper (The Emirate) that those emirates of the Islamic working groups and Jihad are legitimate and essential, including the Emirate's Working Camp which obligates the following:

First: The emir is responsible for the camp's affairs and those of its members according to the Revelation

Second: The members are to hear and obey the emir in whatsoever enlivening or hateful, in times of affluence or distress.

Those duties are compelling to both the emir and the members according to the Revelation even though they have not taken an oath upon it, or a pledge, for as long as they have taken refuge of the camp under the leadership of the emir. Should they take the oath and pledge upon it, then it becomes a confirmation of what is expected of them according to the Revelation, and that of obeying their rulers. The basis of the latter is the Book [TC: Throughout this translation, a capitalized "Book" is in reference to the Koran] and Sunna and not the oath which is nothing but a confirmation. God Almighty said (Surely Allah commands you to make over trusts to their owners and that when you judge between people you judge with justice; surely Allah admonishes you with what is excellent; surely Allah is Seeing, Hearing). That is a command to the rulers and governors to make over trusts from their subordinates and funds to their owners according to the Revelation and to fairly rule their subjects. His Almighty said, addressing his subjects (O you who believe! obey Allah and obey the Apostle and those in authority from among you; then if you quarrel about anything, refer it to Allah and the Apostle, if you believe in Allah and the last day; this is better and very good in the end). (1)

In the Sunna, the Apostle said: (Whoever obeys me, has indeed obeyed Allah, and who disobeys me has disobeyed Allah, and who obeys the emir has obeyed me and who disobeyed the emir has disobeyed me) ([2]). The emir referred to is the Greatest Imam. The emir who is ordered by the imam ([3]), the emir whom the people convened to dominate in the absence of the imam, as in the conquest of Mu'ta, and as in Hadith Al-Sifr, wherein to dominate on people, (when three of you are on a journey, appoint one of you to dominate), and should that emir not be appointed by the imam, whereas the common called him one according to the narration of 'Umar Ibn-Al-Khattab (Here is an emir ordained by the Prophet of God). ([4])

The meaning from the above is that the camp's emir is a legitimate one and a ruler in his jurisdiction. In a statement about the necessity of the obedience to the rulers, even though the individuals have not pledged to do so, as said by sheikh Al-Islam Bin Taymyah, God bless his soul: Allah and his Apostle commands you to obey the rulers even though you did not pledge to do so. You should also observe the five prayers, almsgiving, fasting, pilgrimage and others as commanded by God and his Prophet to obey. And should he swear to do so, and then it is a confirmation of what God and his Apostle have commanded to obey the rulers and their counsel. The swearer to these

## Page 2:

matters is incumbent upon not to do otherwise, should he swear by God or other faith of which Moslems swear. Wherein what God obligates from the obedience to the rulers even though it was not sworn to do so, so how is it if it was sworn to it? Disobeying God and his Apostle is a sin even without swearing to do so... to His saying:

Therefore, whoever swore to what God and his Prophet obligated to obey the rulers, and their counsel, or prayer, almsgiving, Ramadan fasting, or trust, justice and so on? No one is to violate what he swore upon or his oath and whoever delivers an advisory opinion to those who violate their oaths is a slanderer. Should a layman deliver an advisory opinion against a sales contract, a marriage contract, or a rental agreement or any contract and violates his agreement, even though he did not swear upon it, or more confirming if he swore upon it. And whoever delivers an advisory opinion as to admissibility of it, is also a slanderer against Islam. It is even greater in the case of the covenant to the rulers, which is the most important agreement that God commanded its honoring. ([5])

This shows in the statement of the dutiful obedience to the rulers, even if the individuals have not pledged by it. Should the emir request a pledge and an oath from his followers, then the research in this matter includes certain questions as follows:

- First: The Legality of the Pledge
- Second: Purpose and Advantage of the Pledge
- Third: Is It Admissible To Postpone The Pledge?
- Fourth: Is It Mandatory To Write The Pledges or Attest To Them?
- Fifth: Is It Permissible To Call The Pledge a Homage?
- Sixth: What are The Difference Between These Homage and That of The Imam's?
- Seventh: Judgment of the Pledge Perfidy
- Eighth: Response to a Suspicion Concerning the Pledges

## First: The Legality of the Pledge

## Glossary:

Swearing is the oath: Swear said the desirous: It derives from gracefulness; it is the belief of the oath upon those who are entrusted of the fallen. Then it becomes a name for every swearer. His Almighty said (And swears by Allah, the endeavor of their faith).

The pledge: The desirous said: The pledge: To safeguard the object and protect it at any rate. The covenant that safeguards it is the pledge. His Almighty said (Honor the pledge, for the pledge is the charge) or be truthful in protecting the faith.

The covenant: The desirous said: Shackle it to strengthen it. He also said: The covenant: Is a contract that is certified by an oath and a pledge. His Almighty said (If Allah gets the covenant of the two prophets)...and the shackled is named after it, His Almighty said (So you get a shackled from God) ... to His saying (their enchained). ([6])

Legitimately, we say that the pledges to obey among Moslems are valid due to the following proofs:

1- His Almighty said (Fulfill Allah's pledge if you pledge, and do not breach the faith after its confirmation as Allah is capable and all knowing. And do not be like the one who breached her spin after strength infringement. Using your faith as a blemish amongst yourselves, a nation more divine than another, Allah afflicts you and shows you your differences on the Day of Judgment). ([7]) During the paganism a man or a tribe used to make an alliance with another tribe, and whenever they met a mightier tribe they renounced their pledge to the first and made an alliance with the second and so on and so forth. So the Lord, the Great and Almighty commanded them

## Page 3:

to honor their pledges and warned them from renouncing them and cited them with the example of the woman who was spinning, and when it tightened she released it. This is an example that is cited to the stupid and foolish.

And sheikh Al-Islam Bin Taymyah cited this verse during his talk about the pledges amongst the students and their teachers who train them to fight, saying that it is not appropriate for the student to renounce the pledge that he made to his teacher and make a pledge to another. He said that the one who converted from the first to the second has wronged himself and renounced his pledge and is unworthy of the trust. It is a profanity and a great sin. He who converts to another teacher and allies himself has committed a sinful act. He is like the flesh of a dead pig. He is not faithful to the pledge of Allah and His Prophet, nor is he faithful to the pledge of his first teacher. He is a fraud and has no pledge.

He is without religion and unfaithful. During the paganism, when a man allied himself to a tribe, and then met a mightier one, he renounced his pledge to the first and allied himself to the second and became like those, and Allah the Almighty revealed (Do not breach the faith after its confirmation as Allah is capable and all knowing. And do not be like the one who breached her spin after strength infringement) ... the verse ... he added:

He, who allies himself to a person and follows his followers or antagonizes his opposition, is like the Tartars who fight for the devil. Such people are not fighting for the cause of Allah the Almighty. Neither do they belong to the Moslem fighters, nor are they Moslem soldiers. They are, rather, the soldiers of the devil. It is better that he tells his student: Make

pledge to Allah and His covenant and ally yourself to who allies himself to Allah and his Apostle and oppose he who antagonizes Allah and his Apostle, and help accomplish the good deed and the fear of God, and do not assist any wrongdoing or aggression. If rightfulness is on my side, I would uphold it and do not uphold the injustice. He who abides by that is a militant to the cause of Allah. Those who aspire that the religion is all for Allah and the word of Allah is the highest. (|8|)

2- His Almighty said (O you who believe honor the covenants). (|9|) Al-Qurtubi said in its interpretation: The glass he said: The meaning is to honor Allah's covenant on you and your covenant amongst yourselves, and all that is based on the saying by generality and is the true in the door. (He said, and the believers are at their conditions) and he said (Every condition that is not in Allah's Book is invalid even if there are a hundred of them). He noted that the condition or covenant that needs to be honored must abide by Allah's Book, in other words Allah's religion. So if anything shows to be otherwise, he would respond by the saying: (Who performs a non-assigned task not bearing our order is to be returned). (SATTs A?).

3- It has been stated in numerous verses that talk about honoring the pledges, and it has been stated that this is the virtue of the believers:

His Almighty said (It is not righteousness that you turn your faces towards the East and the West, but righteousness is that one should believe in Allah, to his saying that those who honor their pledge if they pledged). (|10|)

And His Almighty said (Honor the pledge, as the pledge is responsible). (|11|)

And in this respect, it has been stated that to dishonor the pledges is the trait of the hypocrites and represents a great menace.

His Almighty said (Those who deviate are the dissolute who dishonor Allah's pledge after its covenant, and detach what Allah commanded to attach and spoil the earth, those are the losers). (|12|)

And His Almighty said (And those who dishonor Allah's pledge after its covenant, and what Allah commanded to attach and spoil the earth, those are doomed and have the evil home). (|13|)

And Allah's Prophet said (The fourth of whom was a pure hypocrite. And he, who attributes to them, is attributed to hypocrisy to let it be. If entrusted he betrays, if he speaks he lies, if he pledges he deceives, and if he antagonizes he debauches). (|14|)

Undoubtedly the aforementioned pledges incorporate the pledges among people to be compliant as evidenced in the following:

#### Page 4:

4- Allah His Almighty said about Yacoub [TC: Jacob], peace be on him, (He said: I will by no means send him with you until you give me a firm covenant in Allah's name that you will most certainly bring him back to me, unless you are completely surrounded. And when they gave him their covenant, he said: Allah is the One in whom the trust is placed as regards what we say). (|15|) When Yusuf [TC: Joseph], peace be on him requested his brothers to bring him a brother of theirs from their father, their father did not entrust them and refused their request unless they brought him a covenant. It is this covenant among peoples' transactions that has been entitled by Allah Almighty (A covenant from Allah). And to define how sacred are these covenants, their eldest said: Do you not know that your father took from you a covenant in Allah's name, and how you fell short of your duty with respect to Yusuf [TC: Joseph] before?

Therefore I will by no means depart from this land until my father permits me or Allah decides for me, and He is the best of the judges). (|16|)

5- Allah His Almighty says about the condition that Al-Kidr imposed on Musa [TC: Moses], peace be on him, to accompany him, and the condition that Musa [TC: Moses], peace be on him, took upon himself, as to Al-Khidr's condition as per His Almighty's saying (He said: If you would follow me, then do not question me about any thing until I myself speak to you about it). (|17|) As to what Musa's [TC: Moses] condition that he took upon himself His Almighty said (He said: If I ask you about anything after this, keep me not in your company; indeed you shall have (then) found an excuse in my case). (|18|)

Al-Bukhari, God bless his soul, had dedicated a chapter in the Stipulations book from Al-Sahih. It is (The Stipulations of Saying with People chapter), where he narrates a speech by Ibn-'Abbas on Abi Bin Ka'b, God bless their souls, about the Prophet on the story of Musa [TC: Moses] with Al-Khidr, peace be on them, (The first was forgetfulness, the middle was stipulation, and the third intentional). (|19|)

Ibn-Hajar said: And he referred to the stipulation by saying (If I ask you about anything after this, keep me not in your company) and Musa's [TC: Moses] commitment to that. It was not mentioned in writing and they did not see anybody. The proof lies in what was stipulated. Wherein Al-Khidr told Musa [TC: Moses] when he reneged the stipulation (This is where we separate) and Musa [TC: Moses], peace be on them, did not deny it. (|20|)

The previous evidence indicates the admissibility of the pledges and covenants among people to be compliant. I further state that some of what affects companionship and the adequate precedence in the pledges and covenants:

6- Al-Bukhari states in his book of virtues (The chapter about Abi-Dhir Al-Ghafari's adoption of Islam) about Ibn-'Abbas: When Abi-Dhir came to Mecca when he received the Prophet's dispatch. 'Ali knew that he was a foreigner so he asked him: Would not you tell me about the reason of your coming? Abi-Dhir responded: If you give me a pledge and a covenant to guide me, I shall. So he did, and Abi-Dhir told him. 'Ali said: He is rightful, and he is Allah's Prophet. (|21|)

7- Al-Bukhari also told in his book Virtues of the Companions (the chapter about the homage and covenant against 'Uthman Bin 'Affan) where 'Umar made the caliphate following him among the six council members. Three of them abdicated, and 'Abdul Rahman Bin 'Awf, 'Uthman, and 'Ali remained, as told by 'Amru Bin Maymun: So 'Abdul Rahman said: Whoever among you renounces the issue will be it. Allah and Islam to see whoever is fit? The two elders remained silent. And 'Abdul Rahman said: By Allah, if you made it to me will I go to any length to the best of you? They affirmatively responded. So he took the hand of one of them and said: You are related to Allah's Prophet and you have seniority in Islam. So by God's name if you are ordered you will forgo, and if 'Uthman is ordered you will submit and obey. He then withdrew with the other and did the same. He then took the covenant and said: Raise your arm 'Uthman and he pledged him, and so did 'Ali, and the people of the house entered and pledged him. (|22|)

What was witnessed in the above is the acknowledgement of the Companions and their dealing among each other, by pledges and covenants. In Abi-Dhir's account there is a pledge and a covenant with 'Ali, and in the story of 'Uthman's homage there is a pledge and a covenant that 'Abdul Rahman Bin 'Awf took upon 'Uthman and 'Ali may Allah's consent be upon them. And a group of Companions went to call the expression of homage on such pledges and covenants, wherein:

8- What was done by ‘Akramah Bin Abi Jahl upon Yarmuk day. Ibn-Kathir said, and Sayf Bin ‘Umar on Abi ‘Uthman Al-Ghassani about his father: ‘Akramah Bin Abi Jahl said on Yarmuk day: Today I fought Allah’s Prophet, then he called: Who pays homage

Page 5:

to death? His uncle, Al-Harith Bin Hisham paid him homage, and Darar Bin Al-Azur in the face of four hundred Moslems and their cavalry and they fought against Fustat Khalid until they all proved wounded and many were killed, amongst them Darar Bin Al-Azur may God gratifies them. Al-Waqidi and others talked about them, and it was said that when the wounded were brought a drink of water, they kept pushing it from one to the other until they all died and none had a sip of the water, may God gratifies them all. (|23|)

And Ibn-Kathir said: Sayf Bin ‘Umar had said about his elders: They had said about this gathering of Moslem army at Yarmuk that consisted of a thousand men from the Companions, among whom were a hundred from the people of Badr. (|24|)

This homage between a man who is not an army emir and a body of soldiers devoted to allegiance. He is the dignified companion ‘Akrama, and those Companions who paid him homage are also dignified. This took place in the presence of Khalid the emir of soldiers. And as was stated by Ibn-Kathir there were a thousand companions in this battle. Such homage in the presence of a gathering is proof of their consent to it.

9- In Sufayn, in the war between ‘Ali Bin Abi Talib and Mu’awiyah Bin Abi Sufyan may God gratifies them. At the front of ‘Ali’s army from the (people of Iraq) was Qays Bin Sa’d Bin ‘Abada may God gratify them both. And Al-Tabri issued an authentic bill about Yunis Bin Zayd on Al-Zuhri where he said: ‘Ali positioned Qays Bin Sa’d Bin ‘Abada at the front of forty thousand people from Iraq who made him a pledge of death. (|25|)

And what was said of ‘Akramah’s pledge applies to Qays’, may God gratify them, both of whom were neither an emir general of the army, nor the Moslems caliph, nothing but the emir of a soldiers’ denomination.

My purpose for indicating all this has been to state that the allegiances and covenants, and they could be called homage, amongst Moslems are warranted. I have also indicated what occurred between Allah’s prophet Yacoub [TC: Jacob], peace be on him, and his sons, and what occurred between Musa [TC: Moses] and Al-Khidr as well as the allegiances among the Companions during the Prophet’s lifetime, and what occurred among them after His death with no denial from any one of them, and therefore we note this down in the Companions’ list of consensus. The same as the covenant that was placed by ‘Abd-al-Rahman Bin ‘Awf on ‘Uthman and ‘Ali. And the pledge of ‘Akramah and Qays’, may God gratify them. I also cited was mentioned by sheikh Al-Islam Bin Taymyah about the legality of pledges between the teachers and their students and the necessity to honor them as long as they serve the allegiance, and to cite the pledges example of that who worded the text may Allah bless his soul.

And all this is to state the legality of these pledges.

Note: Someone might say: Your above words about the legality of pledges among Moslems are in contradiction to the Prophet’s speech (Swear not in Islam)?

The answer: There is no contradiction between them; if that is Allah's wish, notwithstanding (Swear not in Islam) is in itself a strong evidence of what I have mentioned earlier about the legality of these pledges among Moslems to be compliant.

The desirous said: To swear: The pledge among people, the pact of alliance, and became inherent to the pledge. And he said:

And to swear: Its origin is the oath that is passed from some to others, a pledge, and then crossed to every oath. (26)

As to the speeches where swearing was mentioned is that of Jubayr in refuting the swear and that of Anas in affirming it:

1- With reference to Jubayr Bin Muti'm: Allah's Prophet said (Swear not in Islam). (Whichever swearing happened in paganism was vehemently refused in Islam). (27)

#### Page 6:

2- With reference to 'Asim Al-Ahwal who said: I told Anas that the Prophet said: (Swear not in Islam)? Anas Bin Malik responded: (The Prophet had made an alliance between Quraysh and Al-Ansar in my home). (28)

To combine the speeches as they may seem to be in contradiction:

1- Ibn-Al-Athir said: The term (swear) includes (May peace be on Him [TC: The Prophet is the subject of reference] has made an alliance between Quraysh and Al-Ansar) and in another speech (Anas said: He [TC: The Prophet is the subject of reference] has made an alliance between the immigrants and Al-Ansar, twice in our home) whereby He fraternized them and pledged.

And in another speech (Swear not in Islam) the root of swearing: The contract and the pledge to cooperate and collaborate and agree. Whichever was in the paganism from sedition, fighting and incursion between the tribes, has been forbidden in Islam in His saying (Swear not in Islam). And whichever was in the paganism to uphold the oppressed to His saying (Whichever swearing happened in the paganism was vehemently refused in Islam) is meant to contract for the good and uphold the truth. This way the two speeches are combined, and this the swearing that is required by Islam. The subject from it is what is in opposition of the ruling of Islam, and it was told that the infraction occurred prior to the legal opinion. His saying as to (Swear not in Islam) was said during the time of conquest so it was annulled. (29)

I said that Ibn-Al-Athir has indicated how to combine the two speeches by saying: (This way the two speeches are combined). He then indicated the possibility of the annulling by saying: (It was said that the infraction occurred prior to the conquest to his saying that it was annulled). It is rightful that the annulling to be mentioned instead of being weakened, due to the following:

The annulling is not drawn to by possibility, as the annulling is meant to delay one of the opposing texts and void it. To delay a legal evidence is not conducted by possibility especially that it cannot be resolved if the date is known.

And since the annulling may not be reached by interpretation, except by the impossibility of the combination of the two opposing texts, and the combination here is possible and addressed, as said by Ibn-Al-Athir. God willing, the sayings of Al-Nawawi and Ibn-Hajar will be brought forward.



It is sufficient to repudiate the annulling litigation. Anas disclaimer of ‘Asim Al-Ahwal what he understood of the interdiction of swearing and this text is true from the Companions after the death of the Prophet and the interruption of the legislation proves the swearing and the allegiance. And Anas confirmed by saying that the infraction occurred twice or three times, as in the story of Abi-Dawud.

It is then understood that the swearing that is forbidden is one thing and the proven swearing is a different thing. Because Anas did not tell to ‘Asim: The Prophet did not make such a speech, he only indicated to him the kind of allegiance that the Prophet consumed between his companions. So the allegiance did not originate from him and so was permitted. The character of each and every one of them is as was stated by Ibn-Al-Athir before. And as God willing, the sayings of Al-Nawawi and Ibn-Hajar will be brought forward. We will also bring the speech of Ibn-‘Abbas in the interpretation of His Almighty’s saying (And those who were bound by your faith). And it will be shown that the possibility of annulling was referred to by neither Al-Nawawi nor Ibn-Hajar.

2- Ibn-Hajar said: Anas’ reponse included the repudiation of the onset of the speech because in it is the negation of the swearing and as he said it, is its proof. It is possible to combine because the repudiation was considered in the pre-Islamic paganism is to support the ally even if he was unjust, and from taking revenge from the tribe because of the killing of one of them or by succession and so on. It is certain, except that, to aid the oppressed and do by the religion and the other legally agreeable matter like friendship and keep the pledge. Ibn-‘Abbas’ speech was presented in the annulling of the agreement between the successors. Al-Dawudi stated that they always bequeathed the sixth to the ally, so he annulled it... To his saying: Al-Nawawi said: Exile is the heir of the ally and what is forbidden by the law. As to the allegiance to obey Allah and aid the oppressed and the fraternization in Allah the Almighty is desired. ([30])

3- Al-Nawawi said: Al-Qadi said: Al-Tabari said: It is not permissible to swear today as the one mentioned in the speech and his heritage

#### Page 7:

and the fraternization are all annulled to His Almighty’s saying (Entrust the merciful onto others). And Al-Husn said inheritance by alliance is annulled by verse of the inheritors. I said: What is related to the inheritance deems to be desirable to the annulling among the scholars. As to the fraternization in Islam and the alliance to obey His Almighty Allah to support and help one another and the benevolence, piety, and rightfulness, all those remain and are not annulled. And here lies the meaning of His saying in those speeches (Whichever swearing happened in the paganism was vehemently refused in Islam), as to His saying (Swear not in Islam) is meant to be the swearing of the inheritance and the swearing of what was prohibited by the Sharia and Allah is knowledgeable. ([31])

I said: Those are the sayings of Ibn-Hajar and Al-Nawawi in combining between the two speeches. It appears to be that the forbidden swearing of the heir and what is forbidden by the law (that is the speech of Jubayr Bin Muti’m) and the benevolence, piety, and rightfulness. This talk confirms what I said earlier about the legality of the pledge among Moslems.

4- What came in the interpretation of His Almighty Allah’s saying (And as to those with whom your rights hands have ratified agreements, give them their portion). It was stated in

Al-Nawawi's words that the forbidden swearing (Swear not in Islam) includes the inheritance byswearing. And in the words of Ibn-Hajar he said: the advance of Ibn-'Abbas' speech in the annulling of the inheritance among the contractors.

The issue about the annulling of the inheritance among the allies shows in the following verses:

His Almighty said (And to every one We have appointed heirs of what parents and near relatives leave; and as to those with whom your right hands have ratified agreements, give them their portion; surely Allah is a witness over all things). (32)

His Almighty said (And vest onto the maternal side relatives as some are allegiant than others in Allah's book). (33)

His Almighty said (And vest onto the maternal side relatives as some are allegiant than others in Allah's Book of the believers and migrants. However do onto your parents a favor). (34)

I said: Verify the interpretation of these verses by the famous interpretations such as those of Al-Tabari, Al-Qurtubi, and Ibn-Kathir, and I will garnish for you here what is related to our subject, and that is the annulling of the inheritance by alliance and will say:

During the paganism, the two men confederated to aid and inherit. At the dawn of Islam and after the Hegira, the emigrant used to inherit the Ansari [TC: According to The Hans Wehr Dictionary of Modern Written Arabic, the Ansari is one of the Medinan followers of Mohammed who granted him refuge after the Hegira] due to the fraternization that the Prophet established between them, and the ally used to take over the whole inheritance if his partner died and did not have any next of kin. So the annulling took place over two phases:

First: His Almighty's saying (And to every one We have appointed heirs of what parents and near relatives leave; and as to those with whom your right hands have ratified agreements, give them their portion) where this verse has divided the inheritance between the deceased relatives (And to every one We have appointed heirs) and between the ally who is (those with whom your right hands have ratified agreements), and to the ally the sixth of the inheritance instead of all of it.

Second: His Almighty's saying (And vest onto the maternal side relatives) this verse annulled the inheritance of the ally completely and did not leave him a part of the inheritance, and he may become an executor, although the inheritance has been annulled, it remains to the ally the right of sponsorship as will follow in the saying of Ibn 'Abbas.

And this indicates to you the forbidden swearing (and of which is annulling of the inheritance by alliance) and the fixed swearing (that is the sponsorship), and I copy thereafter they sayings of the scholars with regard to what I said earlier, and the best that has been said in this matter is what has Ibn-Hajar collected. Al-Bukhari had told about Ibn-'Abbas may God gratifies them: (And to each we appointed a sponsor) he said: inheritors (those with whom your right hands have ratified agreements) where the emigrants when they came to Medina the emigrant used to inherit the Ansari due to the fraternization that the Prophet established between them, so when it descended

(And to each we appointed a sponsor) it was annulled. Then he said (those with whom your right hands have ratified agreements) from the support, the saddlecloth, and the advice and the inheritance was gone and he was sponsored. ([35])

Ibn-Hajar said: His saying (those with whom your right hands have ratified agreements) when the emigrants came to Medina they used to inherit the Ansari due to the fraternization that the Prophet established between them. It was carried to prevail and Al-Tabari said: A man used to ally to another without being related, and inherit him, so it was annulled. Tarik Sa'id Bin Jubayr said: A man contracted with another and inherited him, Abu Bakr contracted Mawli and inherited him. His saying: (When ascended (and to each we appointed a sponsor) was annulled). Thus it has been stated that the annulled inheritance of the ally this verse. And Al-Tabari told of Tarik 'Ali that Abi Talha of Ibn-'Abbas said: A man contracted with another and if he died, the other inherited him. So Allah revealed (And vest onto the maternal side relatives as some are allegiant than others in Allah's Book of the believers and migrants. However do onto your parents a favor). During the paganism, a man used to contract another and says my blood is yours; you inherit me and I inherit you. So after Islam they were commanded to be given the sixth of the inheritance as their share, then it was annulled by the inheritance so he said (And vest onto the maternal side relatives). And from various ways from a group of scholars as well, and that is guaranteed.

It is possible that the annulling occurred twice: The first wherein the contracted solely inherits without the consanguinity (to each).

His saying (Then he said (those with whom your right hands have ratified agreements) from the support, the saddlecloth, and the advice and the inheritance was gone and he was sponsored) and so he fell in, and something dropped between him and Al-Tabari in his tale about Abi Karib about Abi Usama that predication and expression: Then he said (and as to those with whom your right hands have ratified agreements, give them their portion) of support, etc... ([36])

Sheikh Ahmad Shakir approved the words of Ibn-Hajar that the annulling of ally's inheritance occurred twice and said that it was a fine examination from Al-Hafiz Ibn-Hajar, and the second annulling (And vest onto the maternal side relatives) his saying of Ibn-'Abbas as well in the last two versions of Al-Tabari that prove the first story. Al-Bukhari's story is abbreviated, up to Ahmad Shakir where he says: The meaning of Ibn-'Abbas' speech, his saying (and as to those with whom your right hands have ratified agreements, give them their portion) where he means their share of the inheritance. And there comes Al-Ahzab verse (And vest onto the maternal side relatives as some are allegiant than others in Allah's Book of the believers and migrants. However, do onto your parents a favor) so the inheritance was gone, and it remained that they do them the favor. From the will, the support, the saddlecloth, and the advice, and that is the favor that was left after the inheritance was gone. ([37])

Abstract: From the above, there is no contradiction between the speech (Swear not in Islam) and Anas' speech (The Prophet had made an alliance between Quraysh and Al-Ansar), where the forbidden is the swear of inheritance and ally on what the Revelation forbids. The proven is the pledge to conduct what is obliged by the religion, and that is the merging of the two speeches that were chosen by Al-Nawawi, Ibbn Hajar, and Ibn-Al-Athir. And His saying (Swear not) is an indefinite noun in the negation, a form of generality. So we say that Anas' speech is reserved for this generality, Allah is knowledgeable.

All this covers the issue on the legality of pledges of allegiance amongst Moslems.

—

That is in a statement that the pledge or homage on the necessity of obedience according to the Revelation incases the necessity for obedience as a confirmation. And that is the first purpose of the pledge.

The second purpose: The commitment of the servant to what he necessitated upon himself that was not required by the Revelation, starting with: Vowing which was not necessitated by the Revelation to start with. But if the servant makes a vow, it becomes a duty that has to be honored, because His Almighty Allah had commanded to honor a vow (Honor the vow) (|42|), although Allah did not impose the vow on people from the start.

Another example is the sale of legitimate matter. If you have certain merchandise in your possession that you were not ordered to sell, and if you were to sell it you did not have to sell it to one person in particular. And if you sold it to one person in particular, you did not have to sell it at a particular price or at a particular place. But if

Page 10:

you take a pledge upon yourself to sell this merchandise to a particular person, at a particular time, for a particular price, it becomes your duty to fulfill the pledge that you placed upon yourself to His Almighty's saying (And fulfill the pledge. The pledge is a responsibility). The trade was not imposed by the Revelation to start with, but the pledge became binding as God had ordered to honor the pledge. If it were not to the pledge, the trade would not have been necessitated. Allah His Almighty aid (You who believe, honor your contracts).

Sheikh Al-Islam Bin Taymyah, God bless his soul, says in a statement what ought to be by Revelation starting and what to be by pledge: What Allah necessitated of the servant could be necessitated from the start. He obligated the faith and unification from everyone. Because the servant committed and obligated himself. Otherwise he would not have obligated. Such as fulfilling the vows to the preferred, and fulfilling the permitted contracts, such as trading, marriage, divorce, and so on, if it were not obligated. It could be obligated to two matters, such as the homage to the Prophet to hear him and obey him; as well as the homage to the Islamic imams. Like the people's contract to do by what Allah and His Prophet have commanded. (|43|)

He also said, God bless his soul, at a different instance regarding the same issue: The origin of the contracts is that the servant does not need anything except by his obligation, or by the obligation of the legislation. He is obligated to what he committed to. Not to abate the pledge or betray it. And what was commanded by the legislation is what Allah obligated him to fulfill. He is obligated to attain what Allah commanded him to attain of the faith in the books and the prophets. Allah states in His book and says (And fulfill the pledge of Allah when you have made a pledge, and do not break the oath, and those who attain what Allah ordered to be attained). What Allah commanded to be attained, is an obligation from Allah, and what man has pledged, he must fulfill and not to breach the covenant, if that is not in opposition to God's Book. (|44|)

Accordingly, the pledge between the emir and the members may include matters that are necessitated by the Revelation such as jihad, obeying the emir, guard the secrets, fulfill the trusts and counsel the Moslems. And other matters to be fulfilled by the members by pledge as ordered by the emir such as executing certain tasks, or not to leave the camp except during certain times, or indicate the times to sleep and wake up, the times to eat and training, and other conditions.

Those conditions that are stipulated in the pledge represent the internal camp bylaw and its discipline. Some conditions are obligated by the Revelation and are confirmed by the pledge,

including conditions that are not necessitated by the Revelation. In the pledges' conditions, says sheikh Al-Islam Bin Taymyah, God bless his soul: In the Sunna about it: (The Moslems at their conditions: Except a condition acquit the offense or offend the acquittal) Every condition that was between tribes, kings, sheikhs, allies and others is by this judgment by the agreement of the Moslem scholars. ([45])

At another instance he added, God bless his soul: In summary, whatever is conducted among people such as conditions, contracts and covenants in the fraternization and others is referred to Allah's Book and His Prophet's Sunna. Every condition in agreement with The book and the Sunna is fulfilled, and (Whoever stipulated a condition that is not Allah's Book is null. Even if it were a hundred conditions, because Allah's Book is more rightful). Whenever a condition disagrees with Allah's condition and His Prophet is null. The same in conditions of sale, grants, endowments, vows, imams' homage contracts, and sheikhdom contracts, fraternization contracts, and so on. ([46])

I said: Among what sheikh Al-Islam said are diverse words. Like what was stated in the speech of 'A'ishah elevated (Whoever stipulated a condition that is not in Allah's Book is null. That means that if the emir stipulated to the members not to leave the camp except once every two months, then that is null because it is not mentioned in Allah's book. That does not mean that the stipulation does not have to appear in the Book and Sunna, but what it means that it should not disagree with the Book and the Sunna.

Page 11:

And sheikh Al-Islam stipulated that to insinuate his previous words, as he said: (The condition was illegitimate when it opposed the condition of Allah and His Prophet. As he indicated in another place by saying, God bless his soul: The basis as well: The origin of the conditions is the truth and the necessity, except if it was proven otherwise. It was said: The origin in it is the not correct. Except what was proven to be true to the speech of 'A'ishah. The first is true. The book and the Sunna proved the honoring of the contracts and the pledges, to dispraise betrayal and the break if faith, but if the conditioned was not opposing Allah's Book and its condition. If the condition was opposing Allah's Book and its condition, then the condition was null. That explains His saying (Any condition that is not stipulated in Allah's Book is null, even if it were a hundred conditions, because Allah's Book is more rightful and Allah's condition more reliable).

His saying (Whoever stipulated a condition) that is conditional, and his saying (is not in Allah's Book) that is the condition is not in Allah's Book, that is not permitted by Allah, to his saying as to if the same condition and the conditioned was not attributed by Allah to unravel, moreover withheld any comment about it, then it is not opposing Allah's Book and condition. Until it is said Allah's Book is more rightful and Allah's condition more reliable) to his saying (Whoever stipulated a condition that is not in Allah's Book) that is in opposition to Allah's Book. ([47])

Abstract: Pledges are acceptable among Moslems. They confirmed what was obligated by the Revelation starting with or obligated by matters that were not obligated by the Revelation, as long as they do not oppose the Revelation.

I would like to indicate a statement by sheikh Al-Islam, God bless his soul, where he said: What is obligated by Allah on the servant could be obligated from start, such as faith and unification to everyone. It could be obligated because the servant has committed himself to it;

otherwise he would not have obligated it. To his saying: It could be obligated to two matters; such as the homage to the Prophet to hear and obey him, and the homage to the Islamic imams. Like the people's contract to do by what Allah and His Prophet have commanded. (148)

His saying (It could be obligated to two matters) that is Allah obligates the matter to the people, because it is obligated by the Revelation from the start, and because the people had contracted to do it. On that, he cited examples like his saying (Like the people's contract to do by what Allah and His Prophet have commanded). And that includes the joining of the training camps, and also includes the execution of the Islamic Groups that work for Islam, which are the groups whom the author of the book "The Homage Between the Sunna and Heresy" had denied its emirate. I had repeated in the third chapter of this message his denial to head the emirate, and I shall repeat after a while his denial to the homage.

The execution of these camps and groups for the upholding of the righteousness and to ensure that Allah's word is the highest, and are obligated in two facets:

The first facet is the obligation of this by Revelation starting with His Almighty's saying (and help one another in goodness and piety) and His saying (Let there be from you a nation appealing to the good, ruling in fairness and forbidding the objectionable; those are the prosperous) and His Almighty's saying (And the believers, some are charged with authority, ruling in fairness and forbidding the objectionable, to His saying that those will be saved by Allah. Surely Allah is Knowing Wise). The last verse indicates the importance of the loyalty among the believers. To rule in fairness and forbid the objectionable; and were described by His Almighty as the prosperous, and that Glory to Him he will enter them in His Mercy. I indicated above that the might of Islam, its strength, and its invincibility only exists by faithful loyalty, where the gathering of the believers and their cooperation to conduct the religious duty.

The Second facet for the necessity of the execution of those groups is their pledge and covenant to these obediences. And this is admissible. Their execution of this obedience starting with the summon, command, forbiddance, and Jihad, is a duty by Revelation and a duty to pledge on it (And be loyal to the pledge, for the pledge is responsible). It is the duty of both.

### Third: Is It Admissible To Postpone The Pledge?

#### Page 12:

The answer: Yes, it is permissible that the pledge be postponed among Moslems. It can be postponed to a specific time, and it may be specific to a certain assignment or condition.

As to the specific time, such as when the emir imposes a pledge, for instance, on the members of the camp to train for a period of three months. This pledge binds the members to that period. The emir may renew the pledge to a longer period depending on the interest.

As to the specific assignment, such as when the emir imposes on the members a pledge to continue training on a specific number of weapons should be for a long or short period of time. He may not include another training except if it is with another pledge and if the period was unknown. And if a member may not reside in the camp for more than two month, for instance, then this member is to condition himself to depart, if the period exceeds the two months, and the emir may then accept the member's condition or refuse it. The emir's refusal or acceptance of the condition must be based on the general interest of the training and the other members, rather

than on his whim or quirk. I have indicated in the matter of council that the caretaker's caretaking is based on interest.

The proof that the pledge may be postponed is what I have indicated on the issue of the legality of the pledge with proofs such as:

1. The pledge between Yacoub [TC: Jacob], peace be on him, and his sons to execute a specific task, and that is to send their brother with them on condition that they pledge to bring him back unless they are completely surrounded. His Almighty said (He said: I will by no means send him with you until you give me a firm covenant in Allah's name that you will most certainly bring him back to me, unless you are completely surrounded). (49)

2. And the pledges between Musa [TC: Moses] and Al-Kidr, peace be on them, was based on a specific assignment and specific conditions. His Almighty said on Al-Kidr (He said: If you would follow me, then do not question me about any thing until I myself speak to you about it). (50) And His Almighty said as to what Musa [TC: Moses]'s condition that he took upon himself (He said: If I ask you about anything after this, keep me not in your company; indeed you shall have (then) found an excuse in my case). (51)

3. And the pledge between Abi-Dhir and 'Ali, may God gratifies them, was based on a specific assignment and a specific condition, and that is to guide Abi-Dhir, if he told him about the reason of his venue to Mecca.

4. And the pledge that 'Abdul Rahman Bin 'Awf took upon himself in front of 'Uthman, and 'Ali to chose the best of them when he said (By Allah, if you made it to me will I go to any length to the best of you), that pledge was temporary and based on a specific assignment and that is to chose one of them, may God gratify them all.

All these are examples of temporary pledges to specific assignments. The effect of the pledge and its implication on either parties or one of them ended at the execution of the assignment.

And from the examples of temporary pledges and contracts:

5. The contract between Musa [TC: Moses] and the good man at Madin (Shi'ayb, peace be on him, as probably by Al-Qurtubi) It was postponed to a time upon the execution of an assignment. His Almighty said (He said: I desire to marry one of these two daughters of mine to you on condition that you should serve me for eight years; but if you complete ten, to His saying: This shall be (an agreement) between me and you; whichever of the two terms I fulfill, there shall be no wrongdoing to me) (52)

And Al-Bukhari, God bless his soul, had dedicated a chapter in the Renting book and that is (The chapter: If he rents a worker then indicate the term and did not indicate the assignment to his saying (I desire to marry one of these two daughters of mine to you, to His saying, and Allah is a witness of what we say). (53)

And these are examples indicating that pledges may be postponed to a specific assignment or to a specific time.

#### Fourth: Is It Mandatory To Write The Pledges or Attest To Them?

The origin in writing the contracts and attesting to them is the delegation and admissibility not the necessity unless the texts indicate that the attesting is one of its conditions such as in the marriage contract for instance. And the space is not sufficient to detail the proofs to that. We shall therefore deviate to original issue and that is the pledge of allegiances amongst



the Moslems, and shall say that they are true without being written and without attestation. Writing and attestation are permissible.

Page 13:

The proof is: The proofs that we have indicated in (Pledges Legislation) did not include the writing nor the attestation.

1. Such as the pledge between Yacoub [TC: Jacob], peace be on him, and his sons.
2. And the pledge between Musa [TC: Moses] and Al-Kidr, peace be on them, as was published by Al-Bukhari, God bless his soul in The Conditions book (the chapter about Told Conditions Among People), and Ibn-Hajar said in his explanation of the speech (He referred to the condition by saying (If I ask you about anything after this, keep me not in your company) and Musa [TC: Moses]'s commitment to that, while both did not put it in text or attest to it. (SATTS A? (154))

3. And the pledge between Musa [TC: Moses] and the good man in Madin. His Almighty said (This shall be (an agreement) between me and you; whichever of the two terms I fulfill, there shall be no wrongdoing to me; and Allah is a witness of what we say). Al-Qurtubi said (and Allah is a witness of what we say). It was said: It is said of Musa [TC: Moses], and it was said: It is the saying of the woman's father. The two good men were content, Allah's prayers be on them, as they had Allah as a witness, and they did not ask a human being to attest. (155))

I said: That does not mean that it is permissible not to attest in a marriage. So if it were acceptable in the Revelation before us, then our Revelation is in contrast to it.

4. And the pledge between Abi-Dhir and 'Ali, may God gratifies them, was not written and they did not attest to it ... and so on.

The benefit of binding pledges and covenants by a sacred oath:

It is permissible to bind the pledges and covenants by a sacred oath among Moslems as it is done with witnesses in courts, but it is not necessary. The oath can either be by enunciation or by place or by both.

The origin in the oath is His Almighty's saying (O you who believe! call to witness between you when death draws nigh to one of you, at the time of making the will to His saying you should detain them after the prayer; then if you doubt (them), they shall both swear by Allah) (156))

1. To take a sacred oath by enunciation is to swear by more of God's names and his qualities such as (He is Allah besides whom there is no god; the Knower of the unseen and the seen; He is the Beneficent, the Merciful. He knows the stealthy looks and that which the breasts conceal). (157))

2. And the oath by time: To swear after the afternoon prayer, to His Almighty's saying (you lock them up after the prayer and they swear by Allah). (158)) And the scholars agree that the prayer in the verse is the afternoon prayer. This was clearly stated in Allah's Prophet saying (Allah does not talk to three of them except by saying and a man paid homage to another with goods in the afternoon. He swore by Allah that he gave like that and so believed him and took it) (159))

3. And the oath by place: Between the corner and the sanctuary in Mecca. The Mosque of Omar in Jerusalem. At the podium in the remaining of the world as told by Malik, Al-

Shafi’I, and Ahmad ‘An Jabir (Who swears from my podium a sinful oath, his seat will catch fire) ([60]) and the rest of the mosques’ podiums.

The details of the above in the judiciary books and the certifications in the doctrinal writings.

### Fifth: Is It Permissible To Call The Pledge a Homage?

Definition of homage: Ibn-Al-Athir said: The homage is both a contract and a pact, as if every one of them has sold what he has from his friend, and gave him his essence, his obedience and his innermost self. ([61])

The desirous said: He paid homage to the sultan if it includes his obedience, and his submission. That is why it said to be a homage.

Ibn-Khaldun said: Know that the homage is the pledge to obey. As if the homager pledges his emir to submits himself to look over him and the affairs of the Moslems

Page 14:

beyond dispute, and obeys him in whatever he charges him with, regardless of his liking or dislikes. When they paid homage to the emir, they put their hands into his to confirm the oath. That bears a resemblance to the action between the seller and the buyer, and so was the origin of the name, and homage was done by a hand shake. That is its meaning in the tradition of the language and the oath of the Revelation, and that is what is meant in the speech about the Prophet’s homage the night of ‘Aqaba at the tree. ([63])

I said: Then the homage is a contract or pledge. But it was mainly used in the pledge to the sultan to hear-and-obey him, as long as the sultan ruled by the Book and Sunna.

Ibn-Hajar said: The origin in the homage to the imam is to homage him to execute with justice, establish the borders, rule in fairness and forbid the objectionable. ([64]) As told by Al-Bukhari that ‘Abdallah Bin ‘Umar wrote to ‘Abdul Malik Bin Marwan to homage him (I concede to you to hear-and-obey by Allah’s Sunna and His Prophet, as I can). ([65])

Is it permissible to call the pledges between people homage?

The pledge that the camp’s emir imposes on the members, or the group’s emir of one of the Islamic groups on its members, is it permissible to name it homage?

What permits it, would get its linguistic origin from the homage. It is a contract and a pact.

What forbids this, gets its predominance over the word from its use. It is the pledge of the sultan, the imam of the Moslems.

It is apparent that the forbidding is more proper to push the delusion. That is what crosses the mind. But it is the line of conduct of the Companions that proves the possibility, that is the permissibility of calling the pledges between the Moslems homage. For instance:

1. ‘Akramah Bin Abi Jahl’s invitation to the people upon Yarmuk day topay him homage to death. The story had been told before in the legitimacy of the pledge. It means that ‘Akramah was no the imam of the Moslems, nor the army prince (emir). His invitation to the homage occurred in the presence of a thousand companion of whom a hundred were from Badr. As was cited by Ibn-Kathir on the basis of which and none of the companions denied it, which proves the permissibility to name the pledgess among Moslems to be obedient, homage. ([66])

2. The homage of Qays Bin Sa'd to forty thousand who were the front of 'Ali Bin Abi Talib's army, for homage in Sufayn ([67]). I had indicated it in the legitimacy of the pledge. It is told in this story what was said in the homage of 'Akramah.

3. Al-Bukhari told about 'Abdallah Bin Zayd. He said (When it was the time of Al-Hurrah someone came his way and told him: Ibn-Hanzalah pays homage to the people to die. He responded: I do not pay homage to anybody after the Prophet). ([68])

This story in the battle of Al-Hurrah is a known place in Medina in the year 36 of Hegira. When the people of Medina deposed Yazid Bin Mu'awiyah after what was brought about him due to his insubordinations and paid homage to 'Abdallah Bin Hanzalah as emir of Al-Ansar, and 'Abdallah Bin Mutayyi' as emir of Quraysh, and 'Abdallah Bin Hanzalah companion, and his companion father Hanzalah Ghasil Al-Mala'ikah was killed at Ahad. And Ibn-Hanzalah paid homage to the people to fight Yazid's army, and what 'Abdallah Bin Zayd denied the homage (to death), and did not deny the basis of the homage, and was one who denied the people the deposing of Yazid, 'Abdallah Bin 'Umar and 'Ali Bin Al-Husayn and Muhammad Bin Al-Hanfiyyah. But those who paid homage and rose against Yazid were more than those who abstained. Ibn-Kathir said, Al-Mada'ini said of a sheikh from the people of Medina: I asked Al-Zuhri how many were dead on the day of Al-Hurrah? He said seven hundred of the faces of the people of the emigrants and Al-Ansar and the faces of Al-Mawali and from those whom I do not know that are free and servants and others ten thousand. ([69])

More examples about homage and the positions of the previous imams will follow.

Page 15:

The intention from what was mentioned is to clarify that the naming of the pledges as homage was exercised during the time of the Companions without denial from anybody. This makes this issue as an inclusion in the consensus of the Companions. Whoever denied it, did not deny the nomenclature but a specific character in these homage. 'Abdallah Bin Zayd denied the homage to death and said that it is attributed to Allah's Prophet. The same saying by 'Abdallah Bin Zayd denies 'Akramah's homage to those with him to die, as well as Qays Bin Sa'd. That is if we accept that Al-Radwan's homage was for death.([70])

The same is for the denial of Ibn-'Umar to the people of Medina, is not because of the name of the homage but rather because they deposed Yazid after they paid him homage ([71]). Therefore, the same was denied of Alhasan Bin 'Ali for paying homage to the people of Kufah, as Al-Husayn had refused to pay homage to Yazid. And Ibn-'Umar did not add with Al-Husayn that he advised him not to leave to Iraq ([72]). The same did Ibn-'Abbas and added (Otherwise march to Yemen, it has fortresses and followers to your father, and be detached from the people. Write them and spread your wishes in them. I hope if you do that you will get what you like) ([73])

## Sixth: What is The Difference Between These Homage and That of The Imam's?

The difference has different facets of which the most important.

First: The legally competent to contract the homage: The homage to the Moslems' Imam is contracted by the influential people in the nation or the previous caliph with a pledge from him. Unless if they are defeated by the sword. As to the people homage (their pledges) for

obedience, it does not lack it. The common are to pledge among themselves to execute their obediences.

Second: The person upon whom the homage is conferred: In the homage of the imamate, the one receiving the homage must fulfill the conditions of the imamate (174). Some conditions may be excluded for one who conquered by force. As to the homage of people (their pledges of obedience) no conditions are needed. The common are to pledge.

Third: The person who has received the homage: The homage to the imamate binds the imam to duties that are collectively to apply the judgments of the Islamic Revelation in the Moslem nation (175). This homage binds the nation to hear-and-obey the imam and support him unless his status changes (176). As to the people's homage, they may make a pledge to obey without restriction such as jihad, convoke, rule in fairness and forbid the objectionable, aid the troubled, support the suppressed, up to exposing the injury from the way, and they may pledge to it as it is a branch of faith.

Fourth: Obligation and coercion: The homage to the Moslems' Imam is an obligation to every Moslem per the Prophet speech (And there shall be caliphs and growth. They said: What do you order us with, O Allah's Prophet? He said: Recite the homage to the first, as the first) (177). And he ordered that they be loyal to their homage and to defame those who did not by saying: (Who dies of old age and did not have a homage dies in a state of paganism) (178). And He said (the group of Moslems and their Imam are obligated) (179). And Ahmad Bin Hanbal said: Whoever conquered them by the sword until he became a caliph and was named Commander of the Faithful, it shall not be permissible to someone who believes in God and the Day of Judgment to sleep over before he accepts him as an imam. Whether pious or dissolute, he is the Commander of the Faithful (180). Until this matter was recorded in the books of beliefs of the people of Sunna.

As to the homage of people (their pledges to obey), they are not due except for those who accepted it by their free will and accord. They become due by the pledge that he took upon himself. For example when two pledge to memorize all or some of the Koran, since memorizing the Koran is not a must by itself, as it is not required of every Moslem. If a person pledges to do so, then it becomes an obligation.

Abstract: The homage to the Moslems' Imam is a duty according to the Revelation, as to the homage among people (their pledge) are obligatory by the pledge they took upon themselves, as it was mentioned by what is due by the Revelation and what is due by the pledge, and what is due by both.

Page 16:

The homage to the Moslems' Imam is obligatory to every Moslem (it binds the Moslem Group and their imam) as to the people homage (their pledges) are not obligatory to every Moslem but by whoever took the pledge upon himself.

Here is a point that needs to be brought attention to, and I had separated it before. That is the Jihad to the cause of Allah; it could now become an individual duty to every Moslem. To start with, it is obligatory by Revelation. If a Moslem finds a sect that fights for the cause of Allah, he is obliged to join it. If these sects become numerous in one country, as I mentioned before, then the worthier to be joined is the oldest of the sects. If they become numerous due to the multitude of countries, then consider the one that faces the most danger and uphold it.

Fifth: The duration: The homage to the imam is continuous, uninterrupted except by the death of the imam, or due to a reason that necessitates his deposition due to a lack of religion or lack of body. (|81|) As to the people's homage (their pledges), I have mentioned before, they can be timed according to their selection, contrary to the homage for the imam.

Sixth: Plurality: It is not feasible to erect two imams to the Moslems. Allah's Prophet had said (Recite the homage to the first, as the first) (|82|). And said (If two caliphs are paid homage, then kill the last of them) (|83|), as it is not permissible to have multiple imams and it is not permissible to the Moslem to pay homage to two imams.

As to the people's homage (their pledges) it is permissible to have multiples if the person upon whom the homage is conferred supports the multiplicity. It is permissible for one person to pledge one sect to memorize the Koran, and to pledge another sect to memorize the Prophet's Hadith. He may even pledge more than one sect to memorize the Hadith, if one sect will recite it from Al-Bukhari and the other from Moslem and so on, as long as it is in his capacity to honor them all. What cannot allow multiplicity is the Jihad, as I mentioned before. It is not permissible to pledge more than one sect, and no more than one sect is allowed to work for Jihad. Because Jihad is based on the might which is the fruit of the congregation and partisanship (And the believers, some are charged with authority ruling in fairness and forbidding the objectionable). Multiplicity opposes the partisanship as it leads to the dissipation of the might (Do not quarrel and fail and fall into oblivion. Be patient). Multiplicity among sects weakens them due to contradictory plans and lack of coordination. A sect could execute a military action that leads the enemy to retaliate on another sect that is not prepared to the confrontation. The basic legitimacy is that (the harm is removed). All these are the shortcomings of the multiplicity.

I have mentioned the remedy of this plague at the end of the third chapter in this paper.

Seventh: The speeches of the homage: The speeches where the pledge of allegiance has been mentioned, must all be carried except the pledges between the Prophet and His Companions to pledge allegiance to the Moslems' Imam (the Caliph, the Commander of the Faithful, or the Sultan). It has been proven to us by scrutinizing what we have read. It is not permissible to carry those speeches, at any rate, upon the pledges of the groups even if they called their pledges of allegiance, and this is possible as I mentioned before.

The speeches where the pledge of allegiance has been mentioned occurred either in restriction with the homage to the imam or absolute without referral to the imam. It is therefore important to carry the absolute over the restricting, especially if the judgment and the cause are unified by the scholars.

Of those speeches that were the homage was cited restricting the imam:

The Prophet's saying (And there shall be caliphs and growth. They said: What do you order us with, O Allah's Prophet? He said: Recite the homage to the first, as the first), and the Prophet's saying (If two caliphs are paid homage, then kill the last of them) (|84|)

And the Prophet said (Whoever paid homage to an Imam and gave him his handclasp and the fruit of his heart, shall obey him to the best of his power and if someone else disputes him over the power, then strike the neck of the other). (|85|)

Page 17:

As to the speeches where the absolute homage was mentioned, the most important is the speech of Ibn-'Umar of the Prophet (Who dies and does not have a homage to his neck dies in a state of paganism). What lead us to say that this homage is that of the Moslems' Imam, and if it

is indicated as absolute, is the speech of Ibn-‘Abbas (Whoever loathes his emir, be patient. For whoever draws away from his Sultan by an inch shall die in a state of paganism) (186). To draw away from the Sultan is a breach of the homage. And the cause was united in the two speeches (that of Ibn-‘Umar and that of Ibn-‘Abbas) and that is the drawing away from the Sultan’s homage or quitting the homage after the people agreed on it. The two speeches unite about death in a state of paganism to whoever does it (the meaning shall be explained) and it necessitated to carry the absolute (speech of Ibn-‘Umar) and (speech of Ibn-‘Abbas). The homage that is meant in the speech of Ibn-‘Umar is that of the Moslems’ Imam if found. Because the speech of Ibn-‘Abbas has mentioned that it is the judgment of whoever walks away from the Sultan, and therefore a sultan is needed to be walked away from.

I said, and therefore Ibn-Hajar has cited the previous speech of Ibn-‘Umar in the explanation of the speech of Ibn-‘Abbas that is referred to to review the explanation. (187)

I wanted to clarify that, because some of the existing groups use the speech of Ibn-‘Umar to pay homage to their emir. They say to the subject (Whoever died and did not carry in his neck a homage dies as a pagan). Then frighten with such speech, and it is not so, as I told it. The homage in the speech of Ibn-‘Umar is that of the Moslems’ Imam and it must not be carried otherwise, because it is a misrepresentation of the texts like the work of the Jews. His Almighty said (They distort the words from their places). And His Almighty said (They distort the words from some of their places). And Allah’s Prophet said (You follow the Sunna of those who preceded you and imitate them even if they entered the whole of the lizard you followed them. We said O Allah’s Prophet the Jews and the Christians? He said: Who then?). (188)

From my previous words, that the homage in the speech of Ibn-‘Umar is a homage to the Caliph, to mean lifting the guilt from the Moslems for they have no Caliph now? I say: No. Rather this speech is the strongest evidence to obligate the Moslems to erect a Caliph for them. And that shall not be accomplished except by the Jihad essentially. Therefore, I see to it and Allah is more knowledgeable of the truth that every Moslem now dies while there is no Caliph to the Moslems, is sinful and shall bear the blood that is stated in the speech of Ibn-‘Umar (died the death of an ignorant) in other words in disobedience and not as an infidel as will be stated, except if you are seeking in this matter, and did not realize the purpose of the rise of the nation of Islam and the erection of the Caliph. To His Almighty’s saying (Whoever goes forth from his house flying to Allah and His Apostle, and then death overtakes him, his reward is indeed with Allah). (189)

Or he is incapable to pursue in this matter but has an honest intention in his request, to the speech that was previously mentioned in those who seek excuses, Allah’s Prophet said in Ghazzah (In the city there are men who walked a path, did not cross a valley and were spared sickness). (190)

And does not oppose what was said by the speech of Hadhifah (Have they not a group or an imam? He said: Retire all those troops). I had indicated before that the speech of Al-Ta’ifa Al-Mansurah dedicates the generality of that retirement. As I mentioned at the end of the third chapter. Especially that the texts prove the coming of a full of age caliphate God willing. And we have to strive for it. And from those texts is the speech (How are you if the son of Marium descended in you, and your imam from you) (191)

And the speeches recurred with the appearance of the caliph Al-Mahdi and was said: He is the imam that Isa peace be on him prays behind him (192). From which, as well, the speech of Hadhifah Bin Al-Yaman (prophecy is within you God willing). And there are speeches proving

that the given (Al-Mahdi) will appear when the caliph dies ([93]). Therefore there is a caliphate before the appearance of the given (Al-Mahdi).

Page 18:

These texts with what is proven by the speech of Ibn-'Umar (Whoever died and did not carry in his neck a homage ...), leads us to say that it is necessary to pursue the establishment of a caliphate. Notwithstanding that the actual homage of the Islamic groups does not release the perturbation. To the extent that some went to think that if he paid homage to one of the groups' emirs is released from the perturbation in the speech (Whoever died and did not carry in a homage in his neck). The homage in this speech is the homage of the greatest imam as mentioned before, and the perturbation is not removed from the Moslems unless this imam is erected, and His Almighty Allah is knowledgeable.

Eighth: Judgment of the faithless: In other words, is the judgment of the faithless to the homage to the Moslems Imam, the same as that who dishonor his homage to a sect or a Moslem man?

This is stated in the following issue, if God wishes:

Interest: With regard to what I mentioned above that an orthodox caliphate is forthcoming, God willing. I mention what was said by Al-Sheikh Al-Albani in the preface of the book (The prophet's wisdoms that are worth broadcasting, have been sent by the sword within the hour) ([94]) he said: The receiver of Islam said God, The Great and Almighty (He who sent his prophet as a guide and the religion of truth to reveal him to all the religion even if loathed by the polytheists). This noble verse announces that the future is for Islam, with its supremacy, its manifestation, and wisdom over all other religions. Some people might think that this was accomplished during His era [TC: Reference is made to the Prophet's time] or the era of the orthodox caliphs and the good kings, but not. What was accomplished is but a part of that truthful promise, as was indicated by the Prophet in his saying:

1. Allah's Prophet said (The night and the day do not go that Al-lat [TC: Name of an ancient Arabian deity] was adored). So 'A'ishah said: O Allah's Prophet if I were to believe when God, the Great and Almighty revealed (He who sent his prophet as a guide and the religion of truth to reveal him to all the religion). He responded: (There will be from that God, the Great and Almighty willing who will send the winds as good news and will give everyone who got in his heart the weight of a grain of mustard seed of faith, and keep who are no good and return them to their fathers religion). ([95])

And there have been other speeches that showed how Islam appeared and the extent of its expansion, leaving not doubt that the future is for Islam God willing. Hereby I will mention many of the speeches might it be a reason to sharpen the intentions of those who work for Islam and a proof to the desperate.

2. Allah's Prophet said (Allah made the land wither to me, and I saw its east and west. My nation will reach its authority.) From a speech told by Muslim and Abu Dawud and Al-Tarmadhi 'An Thawban.

3. Allah's Prophet said (May they reach this matter the way the night reaches the day. Allah does not leave a house of a tent or city dweller into which he did not introduce this religion, by the might of a noble or subduing a despicable, a might that prides Allah the religion of Islam and to shame the infidels) as told by a group that I mentioned in (Warning of the Worshiper **121**). And there is no doubt that to for the realization of this expansion, it is necessary

that the Moslems return in their morally, materially, and their weapons in order to overcome the forces of atheism and tyranny. And that is announced in the speech:

4. From Abi Qabil: We were at ‘Abdallah Bin ‘Amru Bin Al-‘As when he was asked which of the two cities were to be conquered first, Constantinople or Rome? ‘Abdallah responded by asking for a container box, of which he produced a book, and said: While we were gathered around Allah’s Prophet and writing if (SATT S I L) Allah’s Prophet (SATT S X) which of the two cities were to be conquered first, Constantinople or Rome? Allah’s Prophet Said: (Conquer Hercules city first, meaning Constantinople). As told by Ahmad and Al-Dirami and corrected by Al-Hakim and concurred by Al-Dhahabi, and that is as they said. And now, Rome is the capital of Italy. It is known that the first conquest was effected by Muhammad the Ottoman conqueror. That was more than eight hundred years from informing the Prophet of the conquest. The second conquest will take place, God willing, and you will be informed of its news after a while.

Page 19:

It is evident that for the second conquest, that of Rome, to take place, the orthodox caliphate must return to the Moslem nation as is announced to us in the speech:

5. Allah’s Prophet said (Prophecy would be bestowed on you if God wishes and He may lift it if He wishes to, and then there will be a caliphate in the form of a prophecy. And that will be if God wishes and He may lift it if He wishes to. Then it will be a substitute kingdom and it will be what God wishes it to be and He may lift it if He wishes to. Then it will be a coerced kingdom and it will be what God wishes it to be and He may lift it if He wishes to. Then it will be a caliphate in the form of a prophecy, then he became silent) Hazifah mentioned it lifted, and Al-Hafiz Al-Iraqi from Tarik Ahmad and said that it was a true speech.

It is a rejoice of the return of the power to the Moslems and their investment of the land in a way to help them achieve the purpose, and to prophesize a bright future from both the economical and agricultural sides by His saying:

6. Allah’s Prophet said (The hour will not rise unless the Arab land is pastures and rivers) as told by Muslim, and Ahmad, and Al-Hakim from a speech of Abi Harira.

The first signs of the materialization of this speech are starting to show in some parts of the Arabian Peninsula where God’s abundance of resources and blessings and machines pumping plenty of water from the desert land.

His saying is to be noted at this occasion (There will come a time upon you after which there will be evil until you meet your creator) as told by Al-Bukhari in “Al-Futan” from the speech of Anas elevated, that speech is to be understood in the light of advanced speeches and others like those of Al-Mahdi and the descent of ‘Isa [TC: Reference is probably made to Jesus] may he be blessed, which all indicate that this speech is not to be generalized but to be specially general as it is not permissible to let the people know of its generality and they fall in despair which is not a treat of a believer (Only the infidels despair from the spirit of Allah).

I ask Allah to make us truly believe in him. (SATT S A?). Muhammad Nasir Al-Din Al-Albani. (196)

I said: And that is the end of what we indicate about the difference between the homage of the groups and the homage of allegiance to the Moslems’ Imam.



## Seventh: Judgment of the Pledge Perfidy

Pledge perfidy is the greatest of all sins due to the menace that it includes, such as:

1. Allah His Almighty's saying (Those who break the covenant of Allah after its confirmation and cut asunder what Allah has ordered to be joined, and make mischief in the land; these it is that are the losers). (|97|)

2. His Almighty's saying (O you who believe! why do you say that which you do not do? It is most hateful to Allah that you should say that which you do not do) (|98|). Whoever pledges and is not faithful is one of those who say what they do not do.

3. Allah's Prophet said (One fourth of you is a hypocrite, and who has a trait of them will have a trait of hypocrisy until he lets go. If he speaks he lies. If he promises he breaks. If he antagonizes he depraves. If he pledges he betrays). (|99|)

Ibn-Rajab Al-Hanbali said in the explanation of this speech: Betrayal is a sin in every pledge between a Moslem and another, even if the pledge is an infidel. Therefore in the speech of 'Abdallah Bin 'Amru of the Prophet (Who killed a soul that is pledged without its right will not get the scent of paradise, and its scent to be from a walk of forty years) produced by Al-Bukhari. His Almighty ordered in His Book to honor the pledges of the polytheist if they honor their pledges and did not break any of them. As the pledges of the Moslems among themselves, then honoring them is even stronger and breaking them is a greater sin, and the greatest is the pledge of allegiance to the Imam to his follower and approved of him.

### Page 20:

And in the two truths about Abi Harira about the Prophet, he said (Thee Allah will not talk to on the Day of Judgment and will not attest to and will painfully suffer of whom he mentioned: a man who paid homage to his imam, so if he gave him what he wishes he honored him of will dishonor him) And among the pledges that must be honored and banned the betrayal in all the covenants among Moslems if they agree to them, from trade agreements to marriage contracts and other covenants that need to be honored and what must be pledged to God His Almighty from his servant such as consecrations and others. (|100|)

The above words include all pledges including the homage to the Moslems' Imam, except that the dishonoring of this homage included a special menace due to its seriousness, as was said by Ibn-Rajab in his previous talk (As the pledges of the Moslems among themselves, then honoring them is even stronger and breaking them is a greater sin, and the greatest is the pledge to the Imam to his follower and approved of him).

The imam Al-Bukhari, God bless his soul, devoted several chapters in his text concerning honoring the pledges and the perfidious' guilt and betrayal, which I will indicate as a summary and I recommend the brother reader to review them in the text and its explanation as they are of great benefit.

a) Of which in the book of Testimonies: (The chapter on the command to execute the promise) (Fatah Al-Bari **289/5**).

b) In the book of Freedom and Farewell: (The chapter on the virtues of honoring the pledge) and (The chapter on the warning of betrayal) and (The chapter on the guilt of that who pledges then betrays) and (The chapter about the betrayer of piety and the immoral) (Fatah Al-Bari **276/6, 283**).

c) In the book of Faith and Solemn Pledge: (The chapter on Pledge to God The Great and Almighty) (Fatah Al-Bari **544/11**) and (The chapter of Saying of God The Great and Almighty (Those who buy into the pledge of God and their faith pay a cheap price)) (Fatah Al-Bari **557/11**).

As to the special menace that is mentioned in breaking the homage of the Moslems' Imam, of which:

- Speech of Ibn-'Umar elevated (Whoever died and did not carry in his neck a homage dies as a pagan).
- Ibn-'Abbas elevated (Whoever loathes his emir, be patient. For whoever draws away from his Sultan by an inch shall die in a state of paganism).
- And in another story to Ibn-'Abbas elevated (Whoever saw of his emir something that he despises, let him be patient on him. For whoever separated from his group by an inch and dies, he would die in a state of paganism).

Ibn-Hajar said in his explanation of this speech (Whoever loathes his emir, be patient) and added in the second story (on him) his saying (whoever draws away from his Sultan) i.e. from the sultan's obedience, and fell at a Muslim (whoever draws away from his Sultan) and in the other story (whoever separated from his group) and his saying (inch) meaning disobeying the sultan and fighting him. Ibn-Abi Hamza said: What is meant is to pursue in breaking the contract of the homage that occurred to the emir by an inch. To do that is to attribute it to bloodshed without need. To his saying (died an ignorant death) and in the speech of Ibn-'Umar elevated (who withdrew a hand from obedience and met his maker unjustified, and Whoever died and did not carry in his neck a pledge dies as a pagan)

Al-Karmani said: The exception here has a meaning of negated interrogation, or whoever separated from the group will face that, or the exclusion of (what) as it is measured, or (not) as additional according to the Kufic. What is meant by the death in paganism is like the death of the people of the pre-Islamic paganism who were at a loss and did not have an imam to obey, but because they did not know otherwise. The meaning is not that he dies an infidel but in a state of insubordination. It is possible that the analogy means that he dies like a pagan dies without actually being a pagan. That was mentioned as a rebuke and avert, not what it looks like. This is to confirm that what is meant of paganism is the analogy to his saying in the other speech, which separates from the group by an inch is like removing the noose of Islam from his neck. As produced by Al- Tarmadhi, and Ibn-Khuzaymah, and Ibn-Habban and a corrector from the

Page 21:

speech of Al-Harith Bin Al-Harith Al-Ash'ari. (|101|)

These are some of the speeches that introduced in the guilt of breaking the homage to the Moslems' Imam and the meaning of (dieing a pagan death) meaning in a state of insubordination as said Ibn-Hajar (meaning to die in insubordination, not as an infidel). That is because (Al-Jahiliyyah – Paganism) has several meanings. It could be meant as insubordination, as in the Prophet's saying to Abi Dhir (You are a person of Paganism) And Al-Bukhari introduced this speech in his book of Faith in the chapter (Insubordination is by command of paganism and its proprietor is an infidel by polytheism). It could be that the meaning of paganism is to be an infidel as in the speech of Hadhifah (We were in paganism and evil and God brought us the

blessing in which we are). There must be an evidence of the same text or another that indicates the intended meaning from the common word, but this not the place to indicate it.

Note: The previous speech of Ibn-‘Abbas, was indicated in a story from him (whoever draws away from his Sultan by an inch shall die in a state of paganism) and in the other story (For whoever separated from his group by an inch and dies, he would die in a state of paganism) The word (group) in the second story means the group of Moslems that are in the obedience of the sultan, and is not meant to be any group. What lead us to this understanding are two reasons:

First: The incumbency of the attribute in the second story (the group) on the use in the first story (the sultan) and that is for the combination of the cause in the two stories. The group is meant to be the assembly of the people on the sultan. And that is understood by the explanation of the speech as mentioned earlier. This meaning supports the speeches of ‘Arfaga at Muslim for those who dissent from the Moslems’ Imam. Allah’s Prophet described him as splitting the staff of the Moslems and divides their group. This means that the dissent from the Sultan is a dissent from the group of Moslems.

Allah’s prophet said on ‘Arfaga (There will be flaws and imperfections. So who wishes to divide the state of this united nation must be beaten by the sword). I also clarify from this the following story also about ‘Arfaga who heard

Allah’s Prophet saying (Whoever comes and commands on a man who wishes to split your staff or divides your group, then kill him).

Second: The letter “Lam (L)” in Al-Jama’ (The Group), is for the pledge and not the sex. In other words, the menace in the speech is on whoever dissents from a particular group and not any group, so what is the evidence that was brought in the speech and alludes to that? It is His saying (Whoever loathes his emir, be patient). The addition of the emir to the pronoun, while addressing the Prophet to the generality of the Moslems, is meant to be the Emir of the Group of Moslems who is the Sultan as was called in the first story. The group is meant to be the group of Moslems that is in allegiance with the sultan, as in Hadhifah’s speech (Abides the group of Moslems and their imam).

The clearest of all texts in this respect, is what was told by Muslim of Abi Harirah elevated (Whoever dissents from the allegiance and separates from the group, then dies, will die a pagan death). Al-Sana’ni said: On obedience: Or obedience to the caliph who got the collective agreement of the assembly. And said: (And left the group) or separated from the group who agreed to obey an imam with whom they assembled, unified their word with him and who guarded them from their enemy. (SATTs A?) (102|).

I wanted from this note that no group of the Islamic groups to put this speech in the wrong place, as it occurs in fact, and describe whoever dissociates from it will suffer a pagan death. They say to whoever left them legally or illegally: You left the group and the Prophet. He says (whoever separates from the group by an inch shall suffer a pagan death). This is like putting the text out of context. The group in this speech is the group of Moslems who are in obedience to the legitimate sultan, as was stated earlier. It is not any group. It is true that Ibn-Al-Athir , God bless his soul, has carried the general meaning of the group, by considering the letter “Lam (L)” in Al-Jama’ (The Group) for the sex, which would therefore apply to any group, when he said, God bless his soul, (who left the group suffers a pagan death) meaning that every group who contracted to an agreement in accordance with the Book and Sunna, then it is not permissible for anybody to separate from them in this agreement, and should he do so, then deserves to be menaced. The meaning of his saying (His death is pagan) meaning that he dies

Like the pagans, lost and ignorant. ([103])

The matter is not like he said, God bless his soul, the special menace is due to every dissent of a group that is assembled to obey. The proper thing, God willing, is what I accomplished above that the group in this speech is the group of Moslems that is in the service of the sultan. That does not mean that whoever breaks his pledge to a group is right and does not have to face any menace, for it is proper him to be rebuked and menaced according to the generality of breaking the pledges as I cited in the beginning of this case.

The groups that take such speech upon themselves, there are some who interpret one word from the speech and other who interpret two.

Those who interpret one word, interpret the word (Al-Jama' The Group) to mean any group including theirs. Whoever dissents on them is menaced as mentioned. We have responded to that.

Those who interpret two words, interpret (The Group) as previous, and interpret the word (Jahiliyyah – Paganism) and said that it means infidelity. They said to charge of unbelief whoever left their group and his blood is permissible. They consider themselves the group of Moslems and whoever leaves them is an apostasy. Killing of the apostasy is considered advanced to that of killing the original infidel. That is the belief of the Kharijites that is believed by some of the groups who sometimes disallow those who dissented from them what they would allow the original infidel. As said the Prophet (They kill the people of Islam and let the idolatrous). ([104]).

In truth, their mistake was due to the double meaning of the word (Jahiliyyah – Paganism) without helping evidence, as the word could mean infidel, as in the speech of Hadhifah (We were in Jahiliyyah and evil, and Allah sent us the blessing that we are in). Jahiliyyah in Hadhifah's speech means infidel that was before Islam. The same word could mean insubordination as in the Prophet's speech to Abi-Dhir (You are a person of Paganism) ([105]) and Abi-Zhir . There must be an evidence either from within the text or without it to point which of the two meanings is meant.

In the speech (For whoever separated from his group and dies, he would die in a state of paganism) we said that the group is the one in obedience to the sultan. We also say that the paganism in this context means the insubordination and not the infidelity as was previously explained by Ibn-Hajar.

We also have another evidence: The wrong-doers are dissents from the imam's obedience, and Allah called them believers. His Almighty said (And if two parties of the believers quarrel, make peace between them; but if one of them acts wrongfully towards the other, fight that which acts wrongfully until it returns to Allah's command ...) to His saying (The believers are but brethren) ([106]). So Allah called them believers regardless of wrong-doing and quarreling. They dissented to a group of Moslems and did not become infidels.

We also have a third evidence: That is Ibn-'Umar told the speech (Whoever died and did not carry in his neck a homage dies as a pagan) Ibn-Hajar did mention in the explanation of the speech of the homage of Ibn-'Umar to 'Abd Al-Malik Ibn-Marwan: ('Abdallah Bin 'Umar had refused, at that time, to pay homage to 'Ali or Mu'awiyah when he amended with Al-Hasan Bin 'Ali and the people united against him, then paid homage to Yazid after Mu'awiyah's death because the people united against him. Then abstained from paying homage to any of those who

quarreled until Ibn-Al-Zubayr was killed and the kingdom was all united to ‘Abd Al-Malik, then he paid homage to him at that time. (|107|)

I said: Regardless of that stand from Ibn-‘Umar, nevertheless the people of the Companions and their followers and the people of Al-Sunna all alienated to support the rightful and fight the wrong-doer. Without putting at fault any of the Companions who did not fight the wrong-doers who took an independent judgment in their action. That was previously indicated at the end of chapter three, except that the witness of Ibn-‘Umar’s action is actually the one who told the speech (Whoever died and did not

### Page 23:

carry in his neck a homage) if (Al-Jahilyyah – Paganism) was insubordination he would have paid homage the closest to the truth, although he had an interpretation to abandon the homage due to the people’s disagreement.

This and others proves that (Al-Jahilyyah – Paganism) in the speech of (Whoever separates from the group) is an insubordination and not an infidelity as some of the groups were made to believe.

There are those who label the dissenter from their group an infidel by interpreting the speech of Ibn-Mas’ud elevated (The blood of a Moslem cannot be expiated except by one of three: the dress of the fornicator, a soul by soul, or that who abandoned his religion the dissenter to the group) (|108|). It is a vain interpretation because they describe the dissenter to the group as a deserter to the religion and considering that their group is a group of Moslems. They consider the dissenter to the group a deserter to the religion. Whereas, the right thing is that (the group dissenter) is an attribute to (the religion deserter) and not the opposite. Because whoever apostatizes his religion has departed from his group by walking out of the bonds that tie him to the Moslems, which are the bonds of Islam and faith. And that is what was indicated in Ibn-Hajar in the explanation of the speech by Ibn-Mas’ud ((The blood of a Moslem cannot be expiated ...)

Ibn-Hajar said: What is meant by grouping the group of Moslems. That he left them or separated from them by apostasy, which is the attribute of the abandonment and not an independent attribute of it would have been a practice or disposition. (|109|)

I said: It can be said that anyone who renounced his religion (the apostate) has abandoned the group. And not anyone who abandoned the group is an apostate (like the wrong-doer). And there have been other stories about the same speech without the mention of the word group, like the story of Al-Tarmadi on ‘Uthman Bin ‘Affan elevated (The blood of a Moslem cannot be expiated except by one of three, a man who became an infidel after converting to Islam, or an usurer after integrity, or killed a soul without a soul). This story indicates that what is meant in the first story is the apostate.

[TC: Word not clear] It is not to be understood from my previous talk that the expression (group) if it is mentioned in any speech is not meant to be a group of Moslems that are under the obedience of a caliphate, that is not the case. It is to be understood that the (group) is a common expression that applies to several meanings. What is meant of it is drawn from the evidence within the text or other texts. Therefore, the meaning of (the group) has been carried in some of the speeches to the group of Moslems who are under the obedience of a sultan based on the existing evidence and that is the carrying of the absolute on the restrictive if the judgment and the purpose are united. However the group, has other meanings, but this is not the place to analyze it. But it would not hurt to refer to their meanings in general:

Al-Raghib Al-Asfahani said: (To gather the group, join the object by bringing it together, as it is said: I joined it so it grouped ... until he said: It is said to the total, add and all and group). (110)

The group, as an expression, was not mentioned in the Koran, but occurred in the Hadith in two meanings:

First: The linguistic meaning of the word. That is the gathering to which the antonym is parting. It applies to a two or more or to three or more in opposition to the legists or the philologists. From this chapter is the Prophet's saying (The group's prayer is worthier than that of the singular by twenty seven degree) (111). The group here is meant to be the number. And Al-Bukhari said: (Two and up are a group). (112)

Second: The technical meaning and that could be one of two by order of their importance:

a) The group meaning truth and religion, as in the speech of Al-Farq (All are in the fire except one and that is the group) and has been explained. The group here is the truth and the Prophet is the worthiest as well as the Companions, and so is the other story of this speech (Me and my Companions). From here said Ibn-Mas'ud (The group is the truth even if you were alone). The group is meant by the people of the Islamic religion as in the speech (The denouncer to his religion is the dissenter to the group). That goes to the learned people or the influential people.

Page 24:

b) The group, meaning the group of Moslems who are under the obedience of the sultan. As in the speech (Whoever loathes his emir, be patient. For whoever draws away from his Sultan by an inch shall die in a state of paganism).

As to the two technical meanings, a Moslem has to always follow the truth. If there was a sultan to the Moslems, they have to follow him with obedience in the truth and with insubordination in futility, and herein we have arranged the two technical meanings in this order, as the truth is older and primary. And should not there be a sultan in our age, then the group remains in the first meaning, and that is the truth and its people as an obligation to be followed as mentioned in the third chapter.

And by following the expression of the group in the speeches, you may summarize them all in these meanings (The rightful number is the sultan's group). As to the contemporary Islamic groups, they may be summarized into the meaning of the number only. Some may be covered by the expression "group" to be true by contrast.

## Eighth: Response to a Suspicion Concerning the Pledges

I mentioned at the end of the third chapter of this paper the response to a suspicion concerning the emirate to the Islamic groups as it was denied by professor/ 'Ali Bin Hasan Bin 'Abd Al-Hamid the author of the book (The Homage Between The Sunna and Heresy), and I wish here with the help of His Almighty Allah to respond to his denial to the homage that those groups take from their followers, as he denied the legality of these homage and considered them a heresy, and meant to criticize a particular group who used the homage and the hear-and-obey and to exploit there followers and the infallibility of their emirs. I here say that the homage is

right, the hear-and-obey is right, and the misuse of the truth should not let us deny it, but it is right to deny the misusing it.

We shall cite hereby some of what he said in denying those homage, and I shall respond to him God willing:

- The author said in page **22**: (The proof of the falsity of the exceptional homage that are in addition to the homage of the Commander of the Faithful, even in his absence, is the quotation of the scholars, God bless their souls, that it is a condition in the homage that: The influential people are to meet and convoke the imamate to whoever encompasses its conditions) (SATTS A?).

- And said in page **23**: (From what preceded we have learned two important things: **1-** The homage is only made to the Commander of the Faithful. **2-** Obedience emanates from the homage that is his, only. Accordingly, all homage that are made to any person who is not an imam in any way are annulled, irrespective of whether the imam is present or absent, to one or more). He added in the margin of the same page: (It is the duty of whoever is tangled with such a heretic homage to quit it, and annul it, because it is false, out of concern of his religion and his followers) (SATTS A?).

- And said in page **32**: (The whole of the talk of the advanced influential people of the doctrine was about the homage to the Moslem caliph. From my study, none of them touched on that exceptional homage that are given to other than the Commander of the Faithful, and who claims otherwise here is his proof!!) (SATTS A?).

- And said in page **33**: (Where the nation's bygone of such exceptional homage? Can we possibly reach in our minds and our prejudice to a blessing that we thought was gone? The virtuous of this nation's predecessors and imams God gratifies them all. The Prophet (God's blessing and peace be upon him) said: (And who brings about to our affairs what is not of him is an apostasy). Such exceptional homage that was not referred to in a Koranic text or in the Prophetic Traditions, or actions of the blessed predecessors, is considered a heresy or novelty) (SATTS A?).

- And said in page **36**: (And what has referred to by sheikh Al-Islam Bin Taymyah, God bless his soul in the collection of fatwas ((**SATTS J**) **18/28**) If their intent by such agreement, association, and homage is to cooperate into the performance of good deeds and piety, then it is God's will and His Prophet, to him and others, without this agreement. However, if it is meant for to cooperate on the committing of sin and aggression, then that has been forbidden by God and His Prophet, and is not meant to be of good deed. For it is in Allah's command and His Prophet the fulfillment with kindness, and do without this agreement. The evil that was meant of it has been forbidden

Page 25:

by Allah and His Prophet!!) (SATTS A?).

- And the author said in page **37**: In reference to sheikh Al-Islam Bin Taymyah, God bless his soul who said: Nobody is to take a pledge on another to agree to all what he wishes, or make a contract of clientage to whoever follows him, or show hostility towards whoever is hostile to him. Whoever does that is the same as Genghis Khan and his likes who make that who agrees with them a follower, and who disagrees with them an oppressive enemy. (SATTS A?).

- And the author said in page **39, 40**: Or that it is a (pledge) and that was not a method of the bygone and rightful whom God was pleased with, but were actually the contrary to that, as told by Abu Na'im Al-Hafiz Al-Asbahani in (Jewel of the Holy Men) ((**SATTS J**) **204/2**) in his true predication of Mutrif Bin Abdallah Bin Alshakhir, he said: We would visit Zayd Bin Sawhan and he says: O Allah worshipers, honor and do as there are two characteristics to reach Allah: Fear and greed. I came to see him one day, and they had written a document and arranged the words as follows. (Allah our God, Mohamed our prophet, the Koran our imam, who was with us, we were and we were, and who allied us, our hand was upon him). He said: He kept showing the document to every man of them. They ask: Did you decide so and so? ... Until they ended up with me and asked: Did you decide lad? I said: No. He said: Do not push the lad. What do you say lad? He said: I said: Allah took a pledge upon me in his Book. Therefore I shall not speak of a ledge except that which was taken by Allah His Almighty! He said: The people returned from their last and nobody came close to him. He said: I asked Mutrif: How many were you? He responded: About thirty men.

So look, God bless you, to their actuality and the state of their heart in accepting the truth and their submission to it and their refusal of any matter even if it is true in appearance and just, if it was not indicated in its possibility in Allah's Book, or stated in His Prophet's Sunna, and if it were dividing the nation by any division, even if it were small!) (**SATTS A?**)

Then the author concluded his book with counsel to the propagandists saying in page **41**: (This research although concise is an occasion to the propagandists to become alert after inadvertence, and wake up after slumber. And so that they do not get into any action or a saying before they gain sufficient knowledge, evidence, awareness, and confirmation). (**SATTS A?**)

This is a synopsis of Professor / 'Ali Bin Hasan wrote. He elaborated without avail and without being reasonable. He did not confirm and did not demonstrate as he took upon himself at the beginning of his book page **5**, or as he advised others at the end of his book page **41**.

It is truly what I have indicated in this section from issues starting with the legality of the pledge to the judgment of its perfidious, representing a sufficient response to the words of the author of the book (The Homage Between The Sunna and Heresy), and nevertheless I will sum up what was said in some points:

First: The emirate over the Islamic groups that were established to cooperate over the charity and piety is a true and legal emirate as it was detailed in the third chapter with the response to the author regarding the uncertainty about the emirate.

Second: If the legality of the emirate has been proven, then it is the duty of everyone who accepted it to hear-and-obey the emir without disobedience even if they did not pledge to do so. This required by the Revelation from the start without a pledge. This was previously stated at the beginning of this chapter. I also indicated there the words of sheikh Al-Islam Bin Taymyah about the obligation to obey the rulers even if the people did not pledge or swear upon them, so review that over there. I also indicated before His saying (Your rulers) includes every pledgee, he said (And every pledgee is a ruler) ([113]). And that includes the emirs of the groups in reference.

Third: I mentioned in the question of (benefit of the pledge and the purpose of it) and that is the second in this chapter, the pledge has two benefits. The first benefit is the affirmation of what was obligated by the Revelation from the start. To obey the rulers and aid them to the truth, advise them, and others that was commanded to them by His Almighty Allah and His Prophet.



The second: To commit to other matters that was not obligated by the Revelation as a start, but to honor the pledge as long as they do not contradict with

Page 26:

the Book and Sunna. And I mentioned there the words of sheikh Al-Islam Bin Taymyah in this concern, and among the subjects that sheikh Al-Islam had stated that the servant is obliged to two matters. His saying (And we contract the people to do by what was commanded by Allah and His Prophet) ([114])

And this expression, especially, applies exactly to the groups in question. If a group has been established to aid the religion, then it is the obligation of every Moslem to help this group, whether he has pledged it or not. This is a duty by Revelation starting with His Almighty's saying (And aid in charity and piety). If he pledged it then the obligation has been confirmed due to the obligation to honor the pledge (And honor the pledge. The pledge was responsible).

The hear-and-obey to the rulers, as well, are an obligation to every person in these groups, whether he pledged or not. If he has pledged then the obligation has been confirmed.

Fourth: The pledges are permissible among Moslems regarding the obedience. What I mentioned in the question of (The Legality of the Pledge) can be dispensed of to avoid the repetition, as I mentioned the evidence of the legality in the Koran, the Sunna, and the biography of the Companions may God bless them.

Fifth: It is permissible to call the pledges homage, as I have mentioned in the fifth question of this chapter and they are (Is it permissible to call that pledge a homage?) This is possible to be included in the groupings of the Companions, like in the action of 'Akramah on the day of Yarmuk without the denial of any of the Companions. Then the action of Qays Bin Sa'd Sufayn, to the end of what I mentioned there. That proves the permissibility of the nomenclature, and that proves the fallacy of professor 'Ali Bin Hasan's words in page **32** where he said: (none of them touched on that exceptional homage), and in page **33** where he said (Where is the nation's bygone of such exceptional homage?).

And note that I said that the biography of the Companions proves the permissibility and not the necessity of the naming. Therefore, although it is permissible to call these pledges a homage, nevertheless I believe that the groups' pledges should not be called homage as it is sufficient to call them a pledge to avoid any confusion with the homage to the imam. And to keep the present generation of Moslems to realize that they do not have homage to the Moslems' imam attached to their neck, and have them pursue in the matter.

And to further respond to the words of the author on pages **32, 33, 39** and his saying that the homage were not a method of worthy ancestors, I shall mention hereby some of the homage that were contracted among Moslems during the good three centuries of that nation so the Moslem may know that the pledge or homage to obey and on top of it to rule in fairness and forbid the objectionable, and Jihad. It was an agreed upon matter among the worthy ancestors of the Companions and their followers after them. Of which:

1. The homage to death, of the Companions to 'Akramah Bin Abi Jahl to four hundred Moslems on Yarmuk day. It was previously mentioned and commented upon. And that was a homage for compliance.

2. The homage of forty thousand to death from the Companions to Qays Bin Sa'd on the day of Sufayn, as was previously mentioned.

3. The homage of the people of Kufah to Al-Husayn Bin 'Ali Bin Abi Talib, may God bless them in the year 61 of Hegira to attack Yazid Bin Mu'awiyah the caliph at that time. And Al-Husayn had sent his cousin (SATTSM) Salman Bin 'Aqil to receive homage of eighteen thousand. ([115])

4. The people of Medina's homage to the companion 'Abdallah Bin Hanzalah in the year 63 of Hegira to attack Yazid Bin Mu'awiyah, as was mentioned.

5. 'Abdallah Bin Al-Zubayr's homage request to himself after the death of Yazid Bin Mu'awiyah. He received homage from the Egyptians except Jordan, and from Bani Umayyah and 'Ali, headed by Marwan Bin Al-Hakam. So they paid homage to Marwan and fought the people of Al-Sham, then Egypt, then Iraq, until

#### Page 27:

It ended up with the death of Ibn-Al-Zubayr in the year 73 of Hegira, when he was named Commander of the Faithful, and his caliphate lasted from the year 64 of Hegira to 73 Hegira. ([116])

6. Ibn-Kathir stated when Mu'awiyah Bin Yazid, who was the caliph at the time, died in the year 64 of Hegira, the people of Damascus paid homage to Al-Duhak Bin Qays so that he mends among them so that the people get to agree on an imam. ([117])

7. Ibn-Kathir stated about the events of the year 64 of Hegira, he said: The Shiites gathered against Sulayman Bin Sard, who is a venerable companion, as Ibn-Kathir said in Al-Kufah, and threatened Al-Nakhilah to avenge Al-Husayn Bin 'Ali Bin Abi Talib ... Until he said: They all gathered after speeches and sermons to conspire on Sulayman Bin Sard, so they pledged, contracted and threatened Al-Nakhilah ([118]). I said: The Shiites were not by then named the Rafidites. In fact, they were named by that name during the time of Zayd Bin 'Ali, as will follow.

8. 'Abd Al-Rahman Bin Al-Ash'ath's attack on Al-Hajjaj Al-Thaqfi then on caliph 'Abd Al-Malik Bin Marwan (in the year period of 81 - 82 of Hegira). Ibn Al-Ash'ath was heading an army of Al-Hajjaj in Persia so he took revenge from him. Ibn Al-Ash'ath told his people: Depose Allah's enemy Al-Hajjaj, and did not mention the deposal of 'Abd Al-Malik, and pay homage to your prince (emir) 'Abd Al-Rahman Bin Al-Ash'ath, for I am setting you as witnesses that I am the first to depose Al-Hajjaj, and the people responded: We deposed Allah's enemy Al-Hajjaj and they stood to 'Abd Al-Rahman Bin Al-Ash'ath and paid him homage, and did not mention the deposal of 'Abd Al-Malik Bin Marwan .... Until he said:

When they reached half way, they said: Our deposal of Al-Hajjaj is also a deposal to Bin Marwan, so they deposed them and renewed homage to Ibn Al-Ash'ath and he pledged them on Allah's Book and his Prophet and deposed the imams of error and the heretics. Ibn Kathir said: All the Koranic schoolmasters, and reciters, as well as elders and young of Basrah supported his action. Ibn Kathir added: The people gathered around Ibn Al-Ash'ath in a way that it was said that he was accompanied by thirty three thousand cavaliers and a hundred and twenty thousand men.

Ibn Kathir said: Ibn Al-Ash'ath entered Al-Kufah and the people paid him homage for his deposal of Al-Hajjaj and 'Abd Al-Malik Bin Marwan. He added: Ibn Al-Ash'ath met with one hundred thousand fighters who paid him homage and the same number of their supporters. He

added: Ibn Al-Ash'ath put Jabalah Bin Zahar on top of the corps of reciters and scholars, among whom were Sa'id Bin Jubayr, and 'Amir Al-Sha'bi, and 'Abd Al-Rahman Bin Abi Layli, and Kamil Bi Zayyad who was valiant and lethal regardless of his age. And Al-Bakhtari Al-Ta'I and others. And as said by Al-Sha'bi: They fought them for their tyranny and their humiliation to the weak. Their trust was the prayer. ([119])

9. Zayd Bin 'Ali Bin Al-Husayn Bin 'Ali Bin Abi Talib's attack in the year 121 of Hegira on Hisham Bin 'Abd Al-Malik, the caliph at the time. The Zaidiya sect, from the Shiitic group, relate to Zayd. Ibn Kathir said: Forty thousand of the people of Al-Kufah paid him homage for that. ([120])

10. Yazid Bin Al-Walid's attack on his cousin, the caliph at the time, Al-Walid Bin Yazid Bin 'Abd Al-Malik in the year 126 of Hegira, Ibn Kathir said: We mentioned some of Bin Yazid's dissoluteness, insolence, and immorality, and what was said about his contempt of the prayers and his disdain with the religion before and after his caliphate and was an evil caliph. So Yazid Bin Al-Walid deposed him and the people paid him homage for doing so, and the armies surrounded him and paid him homage, and Al-Walid Bin Yazid asked and killed him. ([121])

11. The homage of Mu'awiyah Bin 'Abdallah Bin Ja'far Bin Abi Talib. Ibn Kathir said: In the year 127 of Hegira, Mu'awiyah Bin 'Abdallah, with the help of Al-Kufah, attacked 'Abdallah Bin 'Umar Bin 'Abd Al-'Aziz the prince (emir) of Iraq and engaged in long battles. ([122])

12. The establishment of the state of the Abbasides since the beginning of their mission in the year 100 of Hegira to the beginning of their caliphates in the year of 132 Hegira with Al-Saffah

#### Page 28:

Ibn Kathir said in the year 118 of Hegira: It is then that 'Ali Bin 'Abdallah Bin 'Abbas died. Many people paid homage to his son Muhammad as caliph, many years before the death of his father. After his death, his son 'Abdallah Abu Al-'Abbas Al-Saffah took power in the year 132 of Hegira.

In here, the people paid homage to Muhammad Bin 'Ali Bin 'Abdallah Bin 'Abbas as caliph in the presence of a legal Umayyad caliphate. When Muhammad Bin 'Ali died in the year 125 of Hegira he bequeathed his son Ibrahim a successor. In the year 129 of Hegira, Ibrahim wrote to Abi Muslim Al-Kharasani to show the mission, and people gathered from every corner to Bi Muslim whose army became numerous. Then Ibrahim got killed in the year 132 of Hegira and he bequeathed his brother Abi 'Abbas Al-Saffah, and that is in the caliphate of Marwan Bin Muhammad the last of the caliphs of the Umayyads. Abu Al-'Abbas entered Al-Kufah and was bestowed with the caliphate. He climbed the podium and the people paid him homage there. He then appointed his uncle 'Abdallah Bin 'Ali to fight the caliph Marwan Bin Muhammad until he was killed and the caliphate resided with Abi Al-'Abbas in the year 132 of Hegira. ([123])

It is noteworthy that the Abbasides mission to their state lasted 32 years or more during the reign of the Umayyads, and they used to request homage from the people regardless of the existence of a legal Umayyads caliphate. It is also noteworthy that they claimed homage from the people to an abstract person that is (Al-Rida from Al Muhammad) ([124]). Meaning who ever is in the good deeds of Al Muhammad, in order to avoid the separation between the Alawis and the Abbasides so they may become a united force over the Umayyads.

13. The homage of Abi Muhammad Al-Sufyani. Ibn Kathir said in the year 132 of Hegira: The matter aggravated to ‘Abdallah Bin ‘Ali the uncle of the caliph Al-Saffah when the people of Qansirin corresponded with the people of Homs and the convened on Abi Muhammad Al-Sufyani who is the father of Muhammad ‘Abdallah Bin Yazid Bin Mu’awiyah Bin Abi Sufyan, and paid him homage and set with him forty thousand. So ‘Abdallah Bin ‘Ali marched against them, and they confronted in Murj Al-Akhram and fought with Al-Sufyani’s front headed by Abu Al-Ward and fought a fierce battle ... (|125|)

14. Homage of ‘Abd Al-Rahman Al-Dakhil the Umayyad caliph in Andalusia during the Abbasides. Ibn Kathir said that in the year 138 of Hegira during the interior caliphate of the Umayyads to the Andalusia, that is ‘Abd Al-Rahman Bin Mu’awiyah Bin Hisham Bin ‘Abd Al-Malik Bin Marwan ... and he had entered the Maghrib (Morocco) while escaping with some of his companions from ‘Abdallah Bin ‘Ali, he met with people who fought with the tribal solidarity of the Yemenites and the Egyptians so he sent them his officer Badr who gained their favor and they paid him homage. He attacked with them and conquered Andalusia, overpowered it, and took it away from its deputy Yusuf Bin ‘Abd Al-Rahman Bin Habib Bin Abi ‘Ubaydah Bin ‘Aqabah Bin Nafi’ Al-Fahri and killed him. ‘Abd Al-Rahaman resided in Cordova and maintained the caliphate from that year up to the year 172 of Hegira. (|126|)

15. Homage of Muhammad Al-Nafs Al-Zakyyiah and his rebellion on the Abbasides caliph Abi Ja’far Al-Mansur in the year 145 of Hegira. Ibn Kathir said: Several incidents occurred such as the rebellion of Muhammad Bin ‘Abdallah Bin Hasan (Al-Nafs Al-Zakyyiah) in Medina and his brother Ibrahim in Al-Basrah. Ibn Kahtir said: Muhammad Bin ‘Abdallah Bin Hasan made his appearance in Medina and the people professed to him. He prayed the morning-prayer on them and read the (sura) chapter (It shall be opened so that it shall be all openings). And that night was the start of Rajab of that year, and Muhammad Bin ‘Abdallah gave a sermon to the people of Medina on that day. He talked about the Abbasides and dispraised them. He told them that any country he came to, he was paid homage to be heard and obeyed, so the people of Medina paid him homage except a few.

Ibn Jarir told about imam Malik that he has formed a legal opinion of his homage. So he was told that they were bound to their homage to Al-Mansur. He responded that they were by force, and therefore it was not considered to be homage. At that the people paid him homage, but Malik kept at home. And Ibn Kathir said that the caliph Abi Ja’far Al-Mansur wrote him: (You have Allah’s pledge and his covenant and pact and that of His Prophet. Should you submit your obedience, I shall give you security and

Page 29:

your followers). Ibn Kathir added: When Al-Mansur sent his army to fight Muhammad, Muhammad Bin ‘Abdallah climbed the podium and preached his people and enticed them to jihad, and they were close to a hundred thousand. (|127|)

16. Homage of Ibrahim Bin ‘Abdallah Bin Hasan (brother of Al-Nafs Al-Zakyyiah) and he secretly pledged to his brother. So when Muhammad Al-Nafs Al-Zakyyiah was killed in the year 145 of Hegira, he came to Al-Basrah and a multitude of people paid him homage. And people came from everywhere to pay him homage. Al-Basrah professed to him, as well as Al-Ahwaz, Persia, Ctesiphon, and Ard Al-Sawad [TC: Land of Darkness]. From Al-Basrah one hundred thousand fighters came out to fight the army of the caliph Abi Ja’far Al-Mansur in Al-Kufah. (|128|)

Ibn Kathir said about Muhammad and his brother Ibrahim: It was told of a group of scholars and imams who leaned towards them ([129]). Of those who leaned towards Muhammad were: Imam Malik from Medina and others and of those who leaned towards Ibrahim were: Imam Abu Hanifah and Shu'bah Bin Hajjaj, both imams of The Hadith.

17. Homage of Ahmad [TC: I believe there is a typo in the typing of the name in the text, where it should have been Ahmad] Bin Nasr Al-Khaza'i in the year 231 of Hegira to rule in fairness and forbid the objectionable, in general. Then paying him homage to rebel against caliph Al-Wathiq due to his dissoluteness and heresy. Ibn Kathir said: In the beginning of the year 231 of Hegira, Ahmad [TC: The name is correctly spelled in the text] Bin Nasr Al-Khaza'i was murdered, God have mercy and bless his soul. He was paid homage in the year 201 to rule and forbid, when there was an onslaught of mischievousness and immorality in the absence of Al-Ma'mun from Baghdad, as was told. He is known by Al-Nasr market in Baghdad. He was one of the Sunna imams known to ruling in fairness and forbidding the objectionable. He used to say that the Koran is God's uncreated house. Al-Wathiq was one of the people who said that the Koran was created, and professed to that night and day, based on his father and Al-Ma'mun, his uncle, without proof or evidence, without competent authority or eloquence, with no Sunna or Koran.

So Ahmad Bin Nasr missioned to Allah and ruling in fairness and forbidding the objectionable and the saying that the Koran is Allah's words are revealed not created. He also missioned the people in many other things, and a group of people from Baghdad assembled around him, and thousands gathered around him. And two men set up themselves to Ahmad Bin Nasr's mission. They are Abu Harun Al-Sarrah to mission the eastern side, and another called Talib [TC: Could also mean student] to mission the western side. So several thousands of the populace gathered, and multitude of the masses. So at the advent of the month of Sha'ban of this year the homage to Ahmad Bin Nasr Al-Khaza'i was secretly organized to rule in fairness and forbid the objectionable and to oust the sultan for his heresy and his mission that the Koran was created, and due to his insubordination and atrocities and those of his entourage of princes and others. ([130])

I said: Look generous reader into these homage that I mentioned; into which thousands have entered, and to the appreciation of several vassals, and were instigated by the two imams Malik and Abu Hanifah. The look into the words of the author of the book (The Homage Between The Sunna and Heresy) where he says: (None of those who came to these homage touched on) and says (Where the nation's bygone of such exceptional homage?) Page 32 & 33.

These homage that I previously mentioned, such as:

1. The homage to jihad and martyrdom, like those of 'Akramah Bin Abi Jahl and Qays Bin Sa'd to those who were with them; both are Companions blessed by Allah.
2. Homage to rule in fairness and forbid the objectionable: Such as the homage of the people of Medina to their emirs in the battle of Al-Hurrah, and the homage to Sulayman Bin Sard, and the homage to Ahmad Bin Nasr Al-Khaza'i Ahmad Bin Nasr Al-Khaza'i.

Page 30:

3. Homage to start in the command of a sect of Moslems until the venue of a caliph: Like the homage of the people of Damascus to Al-Duhak Bin Qays.

4. Homage to dissent a caliphate to oust the imamate of oppression: Such as the homage of Al-Husayn Bin 'Ali, and 'Abdallah Bin Al-Zubayr, and Ibn Al-Ash'ath, and Zayd

Bin 'Ali, and Yazid Bin Al-Walid, and Mu'awiyah Bin 'Abdallah Bin Ja'far, and The Abbasids, and Abi Muhammad Al-Sufyani, and Abd 'Al-Rahman Al-Dakhil, and Muhammad Al-Nafs Al-Zakyyiah, and his brother Ibrahim.

And the three kinds of homage; where the first kind is not to the caliphate, those were called by the author of the book on Homage (The Exceptional Homage) and negated their incidence. As to the fourth kind of homage, and that is not homage to the caliphate, but homage to request the caliphate and dispute the present caliph. None of those homage is considered a homage to a caliphate except by normalcy of the caliphate by the entry of the multitude of Moslems in the homage. Before that, then the legal homage is to the actual caliph before he is ousted. Of the outsiders to whom the caliphate was settled are 'Abdallah Bin Al-Zubayr, Yazid Bin Al-Walid, the Abbasides, and 'Abd Al-Rahman Al-Dakhil. Their homage is classified as (exceptional homage) before their caliphate is settled, regardless to those for whom it was settled or not.

Someone might ask: What is the ruling of those outsiders to the caliphs? My answer: To oust an atheist ruler is no different from the necessity of those who ousted him. As to the dissolute or the oppressor, that was the case of most of the above mentioned homage. A disagreement occurred among the previous nations. Some were necessitated by the generality of the speeches of to rule in fairness and forbid the objectionable, and some were the object of speeches (Whoever loathes his emir, be patient). The above mentioned homage was taken by the generality of to rule in fairness and forbid the objectionable. It then occurred after some dissensions that the members of the Sunna settled to be patient with the despotic imams and resist ousting them. This old disagreement and the settlement of opinion were cited by imam Al-Nawawi who said: Judge 'Ayyad said: When a caliph became dissolute some said that he ought to be ousted before dissention and war take place. And the people of Sunna and the eloquent said: Lest not oust he who is dissolute and oppresses. He ought to be counseled and scared of what is being told.

The judge said: Abu Bakr Bin Mujahid claimed in that unanimity and some responded to him when Al-Husayn, Ibn Zubayr, and the people of Medina erupted on the Umayyides, and a great group of followers and Al-Sadr Al-Awwal against the pilgrims with Ibn Al-Asha'th, and the saying went that not to fight the matter in the imams of justice and the evidence of the people. Their execution against the pilgrims is not out of dissolution but for what it is of Revelation and atheism. The judge added: It was said that in the beginning was the disagreement, and then the unanimity to prevent their ousting and Allah is more knowledgeable. (131)

Sheikh Al-Islam Bin Taymyah, God bless his soul, had stated that it was agreed upon by the people of Sunna to exert patience with the despotic imams and not oust them, after the old disagreement on this matter. (132)

I said: This question has been stated among the belief of the people of Sunna, and the group, as is indicated in the circulated books on the articles of faith. The owner of the Al-Tahawiyah faith said: We do not approve of revolting against our imams or our rulers even if they become dissolute, and we do not wish them bad. Obeying them is like obeying God and is our religious duty, if they do not command us to insubordination. We pray for their righteousness and their health. (133)

Ibn Hajar had said on Ibn Batal the unanimity of that as well. Ibn Hajar said: It was said of Ibn Al-Tin of Al-Dawudi: The scholars had said of the dissolute emirs that it is necessitated if they could be ousted without dissent and oppression. Otherwise, it is dutiful to be patient. And of

some, it is not permissible to profess obedience to a dissolute from the start. If he tyrannizes after being fair, they disagreed on his ousting

Page 31:

The right is to prohibit unless he blasphemes, then he must be ousted. (|134|)

Nevertheless, Ibn Hazm was taken by the general saying that to rule in fairness and forbid the objectionable. They invalidate the speeches that commanded silence (|135|). It is unanimously agreed upon to be patient with the dissolute imams. His saying to invalidate lacks the knowledge of history. It is rightful to say generally and specially, and the special (it is the speeches of being patient with the dissolute imams) is advanced to the general (it is the generality of the speeches to rule in fairness and forbid the objectionable) according to the original rules.

Sixth: The author of the book (The Homage Between the Sunna and Heresy) copied mutilated talk from sheikh Al-Islam Bin Taymyah, as he copied what confirms his opinion only, and that is that the pledges are futile heresies, and omitted from the sheikh Al-Islam what is in contradiction to his opinion. Not only did the author take what he needs and leave what he does not from the words of Bin Taymyah, he even exceeded that by eliminating and adding to the words of sheikh Al-Islam to delude the reader into believing that sheikh Al-Islam denies the peoples' pledges and their covenants to cooperate on charity and faith. This alteration in copying the scholars' fatwa is far from being scientifically honest.

The author copied in page 36, of his book, words of sheikh Al-Islam from volume (SATTJ) 18/28, and went on omitting and adding to suit his opinion. Sheikh Al-Islam, God bless his soul, was talking about the students' prejudice to their teachers by pulling the middle waist and so on, and he objected to that.

Ibn Taymyah said: (If it were meant by the pulling and belonging is to cooperate on charity). However the author wrote about this sentence in the following way (If it were meant from this agreement, belonging, and homage to cooperate on charity). It is obvious that the author introduced the word (The Homage) among the words of Ibn Taymyah to serve his opinion by putting words in Ibn Taymyah mouth, God bless his soul. As well the word (pulling) was replaced by the word (agreement).

And Ibn Taymyah said (That is an order from Allah and His Prophet to him and others without that pulling). However the author wrote it that way (That is an order from Allah and His Prophet to him and others without that agreement). He eliminated the word (pulling) and added (agreement).

The author, as well, copied in page 37 of his book, that sheikh Al-Islam, God bless his soul, said: Nobody is to take a pledge on another to agree to all what he wishes, or make a contract of clientage to whoever follows him, or show hostility towards whoever is hostile to him. Whoever does that is the same as Genghis Khan and his likes who make that who agrees with them a follower, and who disagrees with them an oppressive enemy. (|136|)

This copying also implies that sheikh Al-Islam denies peoples' pledges for being charitable. In truth, sheikh Al-Islam's previous words were mentioned in the course of his response to a question that said (Is it for the beginner to be in the middle of a group of professors and intellects an says: O group of good, I ask His Almighty God and ask you to question someone to accept me to be a brother to him, a companion, a lad, a student, or the sort. So one of

the group takes a pledge on him and a condition and pulls a handkerchief around his waist or other. Is that act justified or not?). (|137|)

Sheikh Al-Islam responded stating what is not permissible of that, that is by pulling the waist and prejudicing to the teacher in truly or untruly which was copied by the author of the book (The Homage), as well sheikh Al-Islam indicated what is permissible of that, and that the pledge is permissible between the student and the teacher and stated the text of the pledge, which was not literally copied by the author of the book (The Homage). For if he would have copied the text of this part of the sheikh Al-Islam's response, his book would have collapsed from its root. The people of knowledge copy what is of them and on them, as said by sheikh Al-Islam, God bless his soul, of the pledge between the teacher and his student: it is best that he tells his student: Allah's pledge and His covenant are on you or make a contract of clientage to whoever follows Allah or His Prophet. Show hostility towards whoever is hostile to Allah and His Prophet. Cooperate on charity and faith and do not cooperate on sin and aggression. If truth is with me I assist the truth. If you were

Page 32:

on deception you would not assist deception. Whoever committed to that is one of God's freedom fighters. Those who want all the religion to be for God, and God's word to be the highest. (|138|)

I mentioned these words before in (The Legality of the Pledge), so check it there.

Here is an interesting benefit: That is sheikh Al-Islam's response about the permissibility of the pledge and the abolition of the transfer from teacher to another without reason. That is related to the military training. There was a question about the shooting teacher and his student: If a man teaches another to shoot or stab and other instruments of war and jihad for the sake of His Almighty Allah. If the student repudiates the education that he has received from the first teacher and then transfers to another teacher. Is he guilty or not? (|139|) So, bless his soul, responded as previous stating what is permissible and what is not.

Sheikh Al-Islam, God bless his soul, noted in more than one place what proves the permissibility of pledges to homage among people. He also noted what is permissible and what is not of the conditions in these pledges. I have mentioned his words in this respect about the issue (Purpose and Advantage of the Pledge). Specially his saying: What Allah necessitated of the servant could be necessitated starting. He obligated the faith and unification from everyone; because the servant committed and obligated himself. Otherwise he would not have obligated. Such as fulfilling the vows to the preferred, and fulfilling the permitted contracts, such as trading, marriage, divorce, and so on, if it were not obligated. It could be obligated to two matters, such as the homage to the Prophet to hear him and obey him; as well as the homage to the Islamic imams. Like the people's contract to do by what Allah and His Prophet have commanded. (|140|)

He mentioned, God bless his soul, that (the people's contract to do by what Allah and His Prophet have commanded) must be executed due to two reasons: To start with, it is necessitated by the Revelation. It is also necessitated by contract and pledge. What can be clearer than that?

He mentioned in the conditions that it applies to (the sheikhs' contracts and those of the fraternities) as stated.



Seventh: What the author of the book (The Homage) copies of (Abi Na'im) in (The Jewel) of the refusal of Mutrif Bin Abdallah to such talk that they brought to him. That talk that they wrote is futile and inappropriate. It seems like what Ibn Taymyah, God bless his soul, has denied from supporting truth or futility. They said (who was with us, we were and we were, and who allied us, our hand was upon him). That is futile. That which is right is to say (We support whoever is truthful, and our hand is upon whoever is in disparity). Therefore their condition was in opposition to The Book and the Sunna and it is not permissible to pledge upon it.

Or that the author wants to infer with a radical opposition to that pledge based on the futility of the pledges among people, does not stand straight after the evidences that I have mentioned in (The Legality of the Pledge) from The Book, Sunna, and the Biography of The Companions. How could the action of opposition of one of the followers stand in the face of these evidences?

If the talk of one of The Companions is refused because it opposes The Book and the Sunna, then how would it be to one of the followers? (141). I had mentioned the text of the pledge that was presented to Mutrif is futile, and his refusal may be interpreted from this facet.

It is sufficient for us that the author of the book (The Homage) did not find an evidence from the Koran, or the Sunna, or the Speeches and the Biography of the Companions to substantiate his opinion so he resorted to the action of one of the followers for possible interpretation. Not only that, but he resorted to the disposal of the words of Ibn Taymyah, God bless his soul, by eliminating and adding to support his opinion.

No one should misunderstand from my previous talk that I deny the inference to the words of the followers. The inference is acceptable as long as it does not oppose a Book or Sunna or Companion talk or a follower. The talk of Mutrif here opposes the evidence that I mentioned in (The Legality of the Pledge). Unless if his talk is allowed to deny all the pledges.

About the use of the followers' talks, Ibn Al-Qiyam said: The ancestors differed on that. Some said that: Follow the follower in his

### Page 33:

fatwa if he is not opposed by a companion or a follower. That is the talk of some of the Hanbalites or the Shafiites. Al-Shafi'i had declared at an instance that he had said it in imitation to an offering, and that is from the perfection of his learning and his insight. He had not found in the issue other than the saying of offering, so his talk was the strongest of what was found in the issue ... (142)

I said: In the issue of protest Al-Tabi'i says something else like doing when the talks of the followers oppose as well when the talk of Al-Tabi'i opposes the standard. He refers to the books of traditions in that.

There is other talk that the author of the book (The Homage Between the Sunna and Heresy) that needs to be responded to and indicate his error in it. Although I shall disclaim from it because it is not related to our subject. Like his saying in page 40 that the ancestors reject any issue unless it has occurred in its particularity in The Book or the Sunna. This is definitely a defamation of the ancestors. The multitudes of the ancestors are considered the consensus and the standard after The Book and the Sunna. His saying that (its particularity) was not diminished by those who profess the Zahiritic doctrine that is considered a heresy by many of the ancestors. (143)

And like his saying that the homage is futile if the influential people did not meet to hold the imamate to those who set together its conditions (page 22) and such words in their generality are wrong; because setting the influential people is one of the methods to set the imamate. There is also the pledge of the previous caliph (the caliphate). There is also the surmounting and the usurp and whoever surmounts and entitles himself as commander of the faithful does not warrant someone who believes in God and the Day of Judgment to shelter for the night and and not be seen by the Commander of the Faithfull as said by Ahmad Bin Hanbal. (|144|)

This is in relation to the response to the suspicions of the author of the book (The Homage Between the Sunna and Heresy). I only responded to them to clear any dubiousness that might afflict some by the reading of such a book. At a time where we are in dire need to contract the Moslems and pledge them with binding covenants in order to support God's religion and save the weak among men, women, and children so there would be no dissent and to keep the religion as a whole for God, the way He likes it with content.

The response to another suspicion:

Sheikh Muqbil Bin Hadi Al-Wad'i, one of the people of Sunna in Yemen, had indicated in his book (The Way Out From Dissent) in the edition of the year 1403 of the Hegira, page 68. In the context of his critic of the same group that was mentioned by the author of the book (The Homage), sheikh Muqbil said: (Is it right to homage to an unknown person without knowing if he is godly or evil, a scholar or an illiterate, a Koreishite or not, or courageous or coward?) (SATTS A?). And he repeated the same in the margin of page 98.

I said: Is it permissible for a Moslem to homage an emir by the eye or if he does not know his name?

The response: The authors of sultanate precepts (Al-Mawardi and Abi Ya'li) agreed on the permissibility of this. That is, it is not necessary for every Moslem to know the imam by the eye or by his name, except for the influential people who have the competent authority. As to the common, they only need to know that the caliphate has been bestowed to its beneficiary.

Al-Mawardi said: (chapter) If the caliphate settles to whom it is entrusted either by pledge or by choice, then the populace need to know that the caliphate has been bestowed to its beneficiary by character and they do need to know him by the eye or by name except for the influential people who have the competent authority and in their homage the caliphate is established. And Salmyan Bin Jarir said: It is the duty of the people to know the imam by eye and by name and they must know God and His Prophet. That on who is a crowd of people, the knowledge of the imam necessitates the multitude on the generality without the specificity. It is not for everyone to know him by the eye or by his name except when the contentious matters necessitate it. As well as the knowledge of the judges who issue judgments, the jurisprudents when they deliver formal legal opinions in the licit and the illicit necessitates the multitude on the generality without the specificity except when the contentious matters necessitate it. If it were necessitated for every one in the nation to know the imam by eye and by name, it would have necessitated the migration of everybody to him and the inadmissibility of the distant and the vacating of the nations.