Debating *al-Ḥākimiyyah* and *Takfīr* in Salafism: The Genesis of Intra-Salafī Schism in the 1990s

Submitted by

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I certify that all material in this thesis which is not my work has been identified and that no material has been previously been submitted and approved for the award of a degree by this or any other University.

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ABSTRACT

This study examines the intra-Salafī disputes in the 1990s over the legitimacy of present-day rulers in the Muslim world and their status as Muslims. While these issues are theological in their essence, they are intertwined with the political milieu of the Middle East. Fundamentally, these intra-Salafī disputes pivot around the central question of the impact of implementing manmade law systems (instead of *sharīʿah*) on the legitimacy of the ruler. This study tackles this question and related issues that form the themes addressed in this study.

It begins by providing a minimal definition of Salafism which identifies its main characteristics that distinguishes its adherents from other Muslim denominations. Chapter two and three discuss the disputes over whether present-day rulers meet the required qualification to qualify as legitimate rulers in Islam and hence what position Muslims should take towards them. Chapter four digs deeper into the theological aspect of these debates in order to ascertain the different views on what acts can and cannot strip a Muslim from his/her status as a Muslim. It begins by highlighting the importance laid on creed in Salafism and providing the general principles on belief and unbelief upon which all Salafī proponents agree. After that, it examines the disagreements amongst contemporary Salafīs over which criteria should be considered to determine that an act of omission or commission is sinful enough to cause unbelief. Chapter five investigates the accusations levelled against the prominent Salafī scholar al-Albānī in regards to deviancy from the teachings of Salafism on belief and unbelief as an example of the importance of this debate.

This study demonstrates how intra-Salafī disputes evolved from a mere disagreement over the legitimacy of political opposition to the state to become an intense complex quarrel on the nature of the Islamic faith. It argues that political affiliations alone fail to explain intra-Salafī disagreements over politics and violence and only through accurate analyses of the underpinning doctrinal differences one can understand their divergent reactions to contemporary political issues. This research aims to contribute to the study of the Islamic governance genre as well as to the studies on Salafism which despite its rapid spread worldwide, remains a scarcely studied subject.

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Chapter One: Introductory Chapter

Introduction

The study of Salafism[1] is relatively new in academia. Just over a decade ago, terms such as "Salafism," "Salafiyyah" and "Salafī" did not attract much attention among scholars and even less, if any, in the media. "Salafism" and its derivatives have been discussed by some scholars/historians in reference to the late 19th/ early 20th century Islamic modernist movement of Jamāl al-dīn al-Afghānī and Muhammad ʿAbduh.[2] Other scholars dealt with these terms under the broader umbrella of so-called "Islamism," "political Islam," and "radicalism."[3]

The 9/11 attacks and the subsequent "War on Terror" led by the United States, changed this situation considerably. Because it became known that the terrorists were "Salafīs" questions such as "what is Salafism?" and "what is the connection between Salafism and armed groups such as al-Qaeda?" became matters of concern for politicians and academics alike. As a result, interest in understanding the nature of Salafism began to grow. Scholarly books and books and papers proliferated; many workshops and conferences were organised to explore various aspects of "Salafism." Furthermore, because the vast majority of those who carried out the attack were Saudis[4] and terms such as Salafism and Wahhabism are usually, used interchangeably,[5] the term Salafism became synonymous with extremism and violence. This line of thought

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[1] In this study, Salafism refers to those Muslims who seek to revive a belief and practice of Islam that closely resembles that of early Muslim generations. More detailed explanation of Salafism will follow later in this chapter.

[2] See for example: Brown, *Rethinking Tradition in Modern Islamic Thought*; Badawī, *The Reformers of Egypt*.

[3] See for example: Fandy, *Saudi Arabia and the Politics of Dissent*; Wiktorowicz, "The Salafī Movement in Jordan."

[4] According to the 9/11 Commission Report, 15 of the 19 hijackers were Saudis, available at: www.9-11commission.gov/ (accessed 17/04/2013)

[5] The connection between Wahhabism and Salafism will be discussed later in this introductory chapter

developed in both Western and Arab media and—rather simplistically—attributed the underpinning causes of 9/11 attacks to Salafism.[6]

However, this generalisation was soon challenged by the rising awareness that there existed Salafī groups that not only used peaceful means to preach their message but also categorically condemned the use of violence. Indeed, recent scholarship has shown that some of the well-known Salafī scholars do not just oppose the use of violence for political gain but go as far as portraying groups such as al-Qaeda as heretics. On this basis, such scholars have strongly rejected any link between the teaching of Salafism and the doctrine of violent extremist groups.[7]

Statement of purpose and review of existing scholarship

The aim of the present research is to argue that divisions within Salafism over politics and violence are primarily caused by doctrinal disagreements and therefore cannot be adequately explained merely through a political lens. The first and most important fact to bear in mind is that the Salafīs are far from a homogeneous group. Despite increasing scholarly interest in Salafism after 9/11, this is still not adequately appreciated by many who assert expert knowledge on the subject. In many cases, this is due to their working with "the prism of security studies,"[8] which does not allow them to distinguish between Salafism as diverse, internally divided school of thought and the violent actions of some of its branches.

On the other hand, the doctrinal fragmentations and divergences within Salafism, especially over politics and the use of violence are admittedly complex and overlapping, and scholars have been reluctant or unable to evaluate them adequately until recently. However, since mid 2000s more

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[6] See: John Hooper and Brian Whitaker, "Extremist view of Islam unites terror suspects," the Guardian, 26/10/2001; "Salafī's Links To Terror," Skynews, 30/08/2002

[7] Oliver, *The Wahhabi Myth*; DeLong-Bas, *Wahhabi Islam*.

[8] Meijer, Roel (ed.) "Introduction" in *Global Salafism: Islam's New Religious Movement* 2.

fine-grained and thorough studies on Salafism and its key doctrinal tenets in particular, have started to appear.[9] Several works dealt with specific aspects of the doctrine,[10] others have focused on exploring the tenets of the Jihādī trend of Salafism.[11]

The differences in approach discussed above, have affected the way in which scholarship on Salafism, even that which recognises its internal divisions, has attempted to explain such differences. The majority of studies, among those using the "security studies" approach, as well as others, remain focused on the political aspects of the different trends of Salafism rather than the underpinning doctrinal causes of such fragmentations.[12] *Anatomy of the Salafī Movement* written by the sociologist Quintan Wiktorowicz and published in 2006 is, arguably, the most influential work within Western academia, to address the matter of divisions among the Salafīs and propose an explanatory categorisation. Wiktorowicz distinguishes three types of Salafīs: Purists, Politicos, and Jihādīs. According to Wiktorowicz, the Purists' main focus is propagation through the purification of religion and education while the Politicos emphasise politics and assert the right of God to legislate. According to Wiktorowicz, these two trends do not promote violence; only the third, the Jihādī trend advocates the use of violence to achieve the common goal of all Salafīs, namely: turning the Muslim nation (*al-ummah al-islāmiyyah*) to the exemplary model of the time of the Prophet and his companions.

This categorisation is widely accepted amongst Western scholars such as Nedza, who presents us with an implicit typology of Salafism that she

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[9] The growing works on Salafism, though predominantly in the English language, are appearing in other European langauges also such as French, German and Dutch. For instance see: Behnam T. Said and Hazim Fouad (eds.), *Salafismus: Auf der Suche nach dem wahren Islam* (Freiburg: Herder, 2014); Rougier Bernard (ed.), *Qu'est-ce que le salafisme?*, (Paris: Presses Universitaires de France, 2008).

[10] Wagemakers, "The Transformation of a Radical Concept: al-Wala' wa al-Bara' in the Ideology of Abu Muhammad Al-Maqdisi"; Meijer, "Commanding Right and Forbidding Wrong as a Principle of Social Action."

[11] Wagemakers, *A Quietist Jihadi*.

[12] Haykel, "On the Nature of Salafī Thought and Action," 34.

does not (intend to) fully develop. She explores three major articulations of Salafism; (i) Takfīrī, (ii) Establishment and (iii) Saḥawī Salafism.[13]

However, Wiktorowicz's typology is problematic at several levels. One of those who challenged Wiktorowicz's categorisation, for instance, is Joas Wagemakers. In his work on the doctrine of the Jihādī-Salafī scholar Abū Muhammad al-Maqdisī, Wagemakers has shown that al-Maqdisī, who belongs to Jihādī-Salafī trend, "uses arguments, concepts and terms that prove he is very close to the quietist (i.e. purists) creed."[14] Thus, the typology proposed by Wiktorowicz is far too rigid and fails to account for personalities such as al-Maqdisī, who straddle more than one of his categories—Purist and Jihadist—thus undermining its explanatory potential.[15]

The other criticism of Wiktorowicz's categorisation is that it gives the impression that each of the three trends is internally homogeneous, with group members sharing the same views about all political affairs. This is not particularly accurate when one examines them closely. Within each trend there are many ongoing doctrinal disputes over crucial issues such as political participation, the legitimacy of present Muslim rulers, and the accusations of *takfīr* (charge with unbelief). Ignoring these internal disagreements oversimplifies the rich variety of opinions that exists within each of the abovementioned main trends.

Wiktorowicz's typology is also problematic because of the importance of recognition and status. For example, going by his identificatory factors,

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[13] Justyna Nedza, "The Sum of its Parts – The State as Apostate in Contemporary Saudi Militant Islamism" in Camilla Adang, Hassan Ansari, Maribel Fierro and Sabine Schmidtke (eds.), *Accusations of Unbelief in Islam: A Diachronic Perspective on Takfīr*, Brill, 2015.

[14] Wagemakers, *A Quietist Jihadi*, 10.

[15] Another criticism of Wiktorowicz's typology that has recently come to my attention is Justyna Nedza, "'Salafismus': Überlegungen zur Schärfung einer Analysekategorie," in *Salafismus: Auf der Suche nach dem wahren Islam*, Behnam T. Said and Hazim Fouad (eds.), (Freiburg: Herder, 2014), 89-90. Contrary to her later article mentioned above, here she departs from Wiktorowicz's typology rather than adopting it.

the Purist trend would include figures such as ʿAlī al-Ḥalabī[16] (b. 1960) alongside those who are regarded as senior scholars in Saudi Arabia.[17] Conflating them is inadequate since the al-Ḥalabī never enjoyed the same prestigious status, within the Salafī proponents, as senior scholars such as Bakr Abū Zayd (1946-2008) or ʿAbd Allāh al-Ghudayyān (1926-2010). This is of particular importance especially if we take into consideration that these senior scholars hold different views to al-Ḥalabī regarding important issues such as the debates on the validity of manmade laws and the employment of the doctrine of *takfīr* of a ruler - both issues constituting core matters of intra-Salafī dispute. For example, in 2000, The Permanent Committee for Research and Legal Verdicts in Saudi Arabia (PCRV), headed by the aforementioned two senior scholars in addition to Ṣāliḥ al-Fawzān (b. 1935) and the *muftī* ʿAbd al-ʿAzīz ʾĀl Shaykh (b. 1943), issued a religious verdict (*fatwā*) against the publication of two books authored by al-Ḥalabī. The Committee deemed his books to be a threat to the Salafī creed because they "were based on the view of Murjiʾah[18] in regard to the concept of *īmān.*"[19] This is a very serious charge from a Salafī point of view, since the question of *īmān* is a defining line between Salafīs and other Muslim schools. The shaykhs further advised al-Ḥalabī to "strive to seek religious knowledge from trustworthy scholars."[20] Thus, this case shows

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[16] Al-Ḥalabī is a famous Jordanian scholar and a prolific writer who played a major role in the internal disputes amongst the Salafīs in the 1990s.

[17] By senior scholars, I mean here the older generation of scholars in Saudi Arabia who were either appointed by the Saudi government to serve as official *muftīs* (Muslim legal experts who give rulings on religious affairs), or recognised for their seniority by younger scholars. The scholars appointed by the government of Saudi Arabia sit either on the Board of Senior Scholars (*hayʾat kibār al-ʿulamāʾ*) or in the Permanent Committee for Scientific Research and Legal Verdicts (*al-Lajnah al-Dāʾimah li al-Buḥūth al-ʿilmiyyah wa al-Iftāʾ*).

[18] One of the earliest Islamic sects that emerged around the time of the civil war between the fourth Caliph ʿAlī b. Abī Ṭālib (656–661) and his successor Muʿāwiyah b. Abī Sufyān (661/680). In Salafī literature, the salient feature of Murjiʾah is their exclusion of deeds and actions from the essence of faith. Chapter Four deals in depth with the views of the Murjiʾah

[19] A copy of the verdict in Arabic is available at: www.anti-irja.net (accessed 20/04/2013)

[20] Ibid

that it would be more accurate to distinguish between the category of senior scholars who enjoy more respect and acknowledgment amongst all Salafī proponents and that of the younger generation who may share some aspects with senior scholars but still have their own distinctive characteristics as we shall see.

Further, while the term Jihādīs is to some extent, self-explanatory, the other two labels, Purists and Politicos are problematic since they do not imply distinguishable connotations for the people they are intended to define. All Salafīs consider themselves purists [21] and not all those labelled politicos are engaged in politics. If we are to take the example of *al-daʿwah al-Salafīyyah* (the Salafī Call) active in Alexandria in Egypt (DSA), [22] one finds that before the Egyptian revolution that took place on 25th of January 2012, this group was concerned only with nonviolent methods of propagation, purification, and education. [23] Also, the DSA view politics as a diversion that encourages deviancy [24] a feature that in accordance with Wiktorowicz's *Anatomy* makes them fit into the category of purists. Yet, DSA were always in disagreement with the Purist scholars in Egypt such as Ṭalʿat Zahrān (b. 1954) and Muhammad Raslān (b. 1955) who charge its members of being *ḥizbiyūn* (partisans), a derogatory term used by the so-called Purists against the so-called Politicos. [25]

An alternative categorisation devised by Omayma Abdel Latiff in *Trends of Salafism*, [26] offers slightly better tools for understanding this diverse group of people:

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[21] Other scholars use the term quietists instead of purist to avoid this issue, see: Wagemakers, *A Quietist Jihādī*; Lav, Daniel, *Radical Islam and the Revival of Medieval Theology*, 122

[22] A Salafī organisation founded in mid 1970s by several students at the faculty of medicine at Alexandria University

[23] Ghāzī, *Al-Salafīyyūn fī Misr Mā baʿd al-Thawrah*, (Salafīs in Egypt after the Revolution), Beirut, *al-Intishār al-ʿArabī*, 2012, p. 74

[24] Ibid, p. 79

[25] See for example http://www.sahab.net/forums/index.php?showtopic=123697

[26] Omayma Abdel Latiff, "Trends in Salafism," in Michael Emerson, Kristina Kausch and Richard Youngs (eds), Islamist Radicalisation: The Challenge for Euro-Mediterranean Relations, Centre for European Policy Studies, Brussels, 2009, p. 69

a) *Al-Salafīyyah al-ʿilmiyyah*, (scholarly Salafism), which is concerned with the study of the holy text and Islamic jurisprudence. This is an alternative to the Wiktorowicz' purists, however, this term is likewise, problematic since the dedication of time and effort to studying and teaching the religion is a trademark of all Salafīs and can not be considered a denominator that distinguishes one trend or group from the rest.

b) *Al-Salafīyyah al-ḥarakiyyah*, or activist Salafism, which describes both politically active Salafī groups and those groups that are not politically active, but which occupy a place in the public sphere through their engagement in charity and networks of social support and religious education institutes. This may in fact be the most suitable category in which to place groups such as the DSA.

c) *Al-Salafīyyah al-jihādiyyah*, which concerns itself with armed conducts as a mean to implement Islamic rule.

Despite its refinements, this categorisation is very similar to that of Wiktorowicz and hence it suffers from the same inadequacies.

As indicated above, the principal reason for the prevalence of such imprecise categorisations is the study of the internal Salafī divisions through the prism of security studies. In fact, this can be said about most studies on Salafism in general.[27] Such studies are mainly concerned with answering one key political question, that is, why and under what circumstances certain Salafī groups prioritise militant activism. However, such single-minded focus is self-defeating, because divisions within Salafism over politics and violence are primarily caused by doctrinal disagreements and therefore cannot be adequately explained from a mere political or social perspective. In fact, what makes *Anatomy of Salafism* so influential to this day is that unlike other publications on

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[27] Meijer, "Introduction," 2; Haykel, "On the Nature of Salafī Thought and Action," 34.

this matter, it does touch on some of the Salafī basic doctrinal tenets and addresses, although partially, some of the doctrinal disagreement over the *takfīr* of present-day rulers in the Muslim World.

Therefore, there is a need to study and critically analyse, not only the doctrine of Salafism, but more importantly, its varied interpretations and understandings within the various contemporary Salafī trends in the light of modern politics. The present research aims to open a new interpretive angle to "the anatomy of Salafism," in two ways: by focusing on the doctrinal causes of the internal Salafī fragmentations, and accordingly, re-mapping the proponents of Salafism according to their reactions to several contemporary political issues.

This study contends that understanding the various stances of the Salafī proponents and their discourses concerning politics and violence, requires us to perceive Salafism as an intellectual group that rationalises its opinions on social and political affairs first and foremost through their religious doctrine. Indeed, Salafīs share a common method of dealing with the sources of Islam in order to extract religious opinions about different aspects of religious, social, and political issues. They eagerly search for religious evidence to justify their positions. A typical Salafī argument, as Haykal observes, is that "unlike other Muslims, [they] rely exclusively on sound proof - texts from revelation - as the basis for their views, and they adduce the relevant verses or traditions every time they issue a judgment or opinion." [28] Thus, studying the doctrinal causes of the internal divisions within Salafism is an important step towards achieving a broader, deeper, and most importantly, an accurate understanding of Salafism in general and the different tendencies within Salafism in particular.

Aims of the Research and Research Question

The main aim of this research is to offer an alternative insight into Salafism by pinpointing and identifying the key elements and the

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[28] Haykel, "On the Nature of Salafī Thought and Action," 36.

doctrinal roots of the divergence between the proponents of this tradition. In doing so, the study develop an analytical framework that enables a better understanding of the doctrinal diversity within the Salafī intellectual tradition and how such difference lead to divergent reactions to contemporary political issues.

In addition to this main aim, the research also has sub-aims that can be summarised as follows:

- To develop a refined definition of Salafism based on a clear set of characteristics that distinguish a Salafī from a non-Salafī.

- To examine the different definitions of *īmān* (faith) and *kufr* (unbelief) prevalent among Salafīs, and the different boundaries drawn by them in determining when a person ceased to be Muslim;

- To show how Salafī proponents hold opposing stances towards present-day regimes in the Muslim World, and explain their justifications for their respective positions;

- To assess the attitude of Salafīs towards the status quo in the Muslim World and study the methods employed by those who are dissatisfied with it, in order to alter the balance favour of Islam; and finally,

- To map and explain the conflicting Salafī stances towards politics and violence.

Hypothesis

In his *Anatomy of the Salafī movement*, Wiktorowicz hypothesises that the causes of the dissimilar positions taken by the various Salafī factions lie in "the inherently subjective nature of applying religion to new issues and problems."[29] Such suggestion implies that divisions within Salafism are rooted merely, in legal disagreements (*ikhtilāfāt fiqhiyyah*) as opposed to creed (*ʿaqīdah*). This is even clearer when he asserts that

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[29] Wiktorowicz, "Anatomy of the Salafī Movement," 208.

"The various factions of the Salafī community are united by a common religious creed."[30] In this research, I suggest that although this assertion proposed by Wiktorowicz is adequate regarding some disagreements such as the dispute over the permissibility of the use of suicide attacks in wars, creedal divergence has also played a major role in the internal splits.

The present research raises three hypotheses:

(i)   My first hypothesis is that the primary cause of the internal Salafī conflicts can be attributed, directly or indirectly, to one particular creedal issue, namely, the relationship between one's outwardly actions and *īmān*.

(ii) In addition to the role of doctrine, I also argue for the key role of outstanding religious figures in creating a sharp sense of communal identity amongst his followers. The result, in such cases, is the acceptance of the leader's opinions as the truth and rejection all other opposing views.

(iii) My third hypothesis serves as a test case to the first, by proving that the prestigious status enjoyed by Shaykh al-Albānī (1914-1999) amongst Salafī proponents, have led some proponents of Salafism to adopt and develop his religious opinions over politics, and this tendency played a major role in setting up the first steps for the divisions.

Significance of the Study

There are many reasons that make a doctrinally aware study of internal Salafī disputes over politics very significant. Firstly, a study of Salafism is timely, given that Salafī ideas and beliefs have become widespread inside and outside the Muslim World in the last few decades, reportedly making it one of the fastest growing forms of Islam in the world.[31] The

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[30] Ibid
[31] According to several media sources, the German domestic intelligence service annual report dating from 2010 stated that Salafism was the fastest growing Islamic

significance of Salafism became obvious in the aftermath of the Arab Spring, when it emerged as one of the big contributing factors in the politics of the region. [32] In order to comprehend the current political developments in the region, one must study and scrutinise all political players including the Salafīs who are likely to play a significant role there.

Additionally, what also has become more apparent after the Arab Spring is the existence of various and even contradicting Salafī views on politics. Awareness of such variety has only added to the persistent ambiguity surrounding Salafism in general. Scholars and specialist observers often find it hard to distinguish between the different Salafī groups, let alone the media and ordinary people. Studying and understanding the Salafī divisions is therefore not only important, but essential in order to achieve clarity of understanding regarding this powerful set of actors.

Moreover, doctrine is the central plank of Salafī claim to authority. According to some observers, the popularity of Salafism and its appeal to a wide range of Muslims inside and outside the Muslim World is due to its claim of authenticity and "its seemingly limitless ability to cite scripture to back these up." [33] Salafī proponents often insist that the legality of stances towards religious, political, and social affairs lies in the evidences of the religious texts (i.e. Quran and *sunnah*) backing such stance and not in the scholar defending them. Given this, it is essential to fill the gap in our knowledge of Salafī doctrine, and of the connection between their doctrines and their deeply divided politics.

Finally, this research analyses some important materials that have not been addressed in existing scholarship on *takfīr* of the ruler who does not rule by *sharīʿah*. Some scholars, such as al-Ḥalabī, have been overlooked in recent works on the subject while his role in

movement in the world. See:
http://www.alarabiya.net/articles/2012/04/12/207289.html (accessed 12/05/2013)
[32] In 2012 parliamentary elections in Egypt, Salafī political parties captured 25 percent of the vote
[33] "On the Nature of Salafī Thought and Action," p. 36

intra-Salafi debates is pivotal in the sense that it triggered robust responses from across the Salafi spectrum. Some academic work engage with al-Ḥalabī to some degree but none of them had access to the now very rare first edition of his heavily criticised book *al-Taḥdīr*. An analysis of its contents will markedly shift our understanding of the debates that ensued on *īmān* and *kufr* after the publication of his work. Similarly, in conducting this research, I consulted the original dissertation of al-Ḥawālī in addition to the edited version of that work in a later publication (that other scholars have had to reply on). The significance of consulting the original is that it has no mention of the criticisms levelled against al-Albānī, as opposed to the published version.

Sources and Methodology

This study is based, mainly, on library and archival research. The data analysed here consists largely of the writing, speeches and other publications modern and contemporary Salafī scholars on the different subjects discussed. The material studied includes books, articles, recorded or transcribed sermons and the religious verdicts of many prominent Salafī scholars obtained from the worldwide web and collected during a fieldwork conducted in Egypt and Jordan. Salafīs are very active online and they make extensive use of new media technologies as a tool of education as well as a form of *daʿwah* (preaching). The results of these online activities are reflected in the availability of an overwhelming amount of information, which one can easily access from anywhere in the world. On Salafī websites, thousands of books, forums of discussions, lectures, and other kinds of digital material are made available to all readers. One significant source base of this research is an extensive survey of such online sources, in Arabic and English languages, with a focus on material dealing with politics and violence. That said, I have been aware of the dubious and precarious nature of information obtained from the worldwide web, and attempted to mitigate these problems by relying only on the official websites of prominent scholars such as www.binbaz.org.sa/ of the former *muftī* of Saudi Arabia ʿAbd al-ʿAzīz Ibn Bāz (1910-1999), or of a particular

group such as www.anasalafy.com/ of *al-Daʿwah al-Salafīyyah* in Alexandria.

There are also websites that offer (mostly written) material of like-minded Salafīs such as the website of Abu Muhammad al-Maqdisī www.tawhed.ws, which to my knowledge offers the largest amounts of material authored by those that Wiktorowicz would label as Jihādīs. There are other websites that represent anti-Jihādī views such as www.sahab.net and www.kulalSalafiyeen.com/vb/. Both categories of websites usually have links to other "trusted" websites, which present similar views. These links have proved useful to this research for grouping like-minded websites and scholars, even if like-mindedness does not necessarily imply identity of political opinion. Of course, relying on online material, especially that of the Jihādīs does come with the risk of the unpredictable closure of these websites. The website of al-Maqdisī for instance, was shut down many times in the past few years. To overcome this problem, all material related to his research was downloaded and saved as soon as it was discovered, as a precautionary measure.

In addition to modern and contemporary primary sources, the study also, makes use of classical sources that are frequently cited in the Salafī material, such as the works of Ibn Taymiyyah (1263–1328) and Ibn al-Qayyim (1292–1350). Other primary classical works are also, referred to such as the sources of *tafsīr al-Quran* (exegesis of Quran) and *ḥadīth* (the Prophetic tradition). Most of these books are available in PDF format and can be downloaded from the website www.waqfeya.com, which is arguably, the largest online library compiling primary Sunni sources.

Further, the majority of the material studied here is in Arabic. As a native speaker and trained teacher of Arabic language, I have been able to rely read them myself, and all quotations used from such texts in this thesis are my own translations. However, in some cases, I have also used English language translations of primary sources that are made available

online by English speaking Salafīs, though, at times slight modifications to these translations are made in order to elucidate certain points.

In addition to the primary sources, the researcher also, looks at works on Salafism produced by academic scholars. Although, studies on the Salafī doctrine in general are rare, there has been some great works on Salafism in the last few years, which can help the purpose of this research.

The research for this thesis began with preliminary reading of the available primary sources dealing with politics and violence, in order to develop a general sense of their content. These works often take the form of statement and counter statement, thus revealing the title of the book or the name of the person they intend to refute or support. By collating this information, and by exploring the lines of debate, it was possible firstly, to identify the main active leading figures involved in the intra-Salafī disputes and secondly, to define the central themes and questions of these disputes. This information provided a foundation for the following stages of the research.

In the next phase of the research, in addition to taking observations during fieldwork, I divided Salafīs into four distinctive groups: traditional or senior scholars, Loyalists, Activists, and Jihādīs. The purpose of such classification was not to lose sight of the heterogeneity and overlaps in such groups in matters of politics; it was intended as a preliminary framework for understanding and analysing that complexity within Salafism. As per my preliminary classification, the groups are as follows:

The Senior [34] ʿulamāʾ: This group includes the older generation of scholars who are recognised for their religious knowledge across the Salafī spectrum. At the apex of this category are three important scholars: the Syrian scholar Muhammad Nāsir al-Dīn al-Albānī, and two

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[34] I have categorised these scholars separately as "Senior" for two main reasons: (i) the scholars in this category belong to an older generation and their status as great, knowledgeable scholars is recognised by all factions across Salafism; (ii) the scholars in this category have not directly engaged in these debates and were not the subject of accusations by the other groups (Jihādī, Activist and Loyalist).

Saudi scholars ʿAbd al-ʿAzīz Ibn Bāz (1910-1999), and Muhammad Ṣaliḥ Ibn al-ʿUthaymīn (1925-2001).

The focus of the Senior scholars is mainly on religious education and the purification of religious creed and practice. Some of them spend their entire lives in teaching classes covering a number of religious subjects such as creed, jurisprudence (*fiqh*), Quran exegesis (*tafsīr*), and science of tradition (*muṣṭalaḥ al-ḥadīth*). Broadly speaking, the Senior scholars do not engage in political activities and believe that violence and protests are not permissible. These scholars are not engaged directly in the intra-Salafī disputes, though the views of some of them on the disputed matters are known and available in their writings and sermons.

The Loyalists: Members of this group are extremely loyal to present day states and call for an absolute subservience to present political authority. This trend is also known by other labels such as *Madkhalīs* or *Jāmīs*.[35] The key characteristic of this trend is their opposition to any form of political activism against the state in the Muslim World of the present day. They deem any overt criticism against the ruler to be a sign of deviation from what they call the correct method of Salafism (*al-manhaj al-salafī al-ṣaḥīḥ*). They argue that the correct Salafī method of opposing any un-Islamic policies is by giving the rulers advice in private. Revolutions, demonstrations, and overt opposition to authority are a kind of sedition (*fitnah*) that only leads to civil strife. However, this position towards the state does not mean that they are totally pacifist, "but rather obedience-minded people who would not hesitate to engage in armed warfare if given the order to do so by the ruler" as Haykal argues.[36]

The Jihādīs or Jihādī-Salafīs: If the Loyalists are at one end of the Salafī spectrum, the Jihādīs sit on the absolute opposite end. The adherents of this orientation have been the main focus of most research and media coverage. They are "those Salafīs who believe that jihad

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[35] Expressing an attribution to the Salafī scholars Rabīʿ Ibn Hādī al-Madkhalī (b. 1931) and Muhammad Amān al-Jāmī (1930-1995) respectively
[36] "On the nature of Salafi thought," p. 49

should not just be waged against invading or aggressive non-Muslim enemies but should also be used in a revolutionary way against the "apostate" rulers in their own midst."[37]

The Activists (*al-ḥarakiyyūn*): These are also referred to as *Ṣaḥwīs* by some scholars, such as Lacroix in his study on Saudi Arabia, or as Politicos in Wiktorowicz's *Anatomy*. This tendency consists of a wide range of Salafīs, whose common feature is their overt opposition to present-day rulers in the Muslim World while stopping short of sanctioning armed rebellion. This tendency includes (i) those who are directly involved in political activism, participating in elections and parliaments such as the members of al-Nūr Party in Egypt, and (ii) those who are not directly involved in politics but nonetheless, are known for their opposition to the state.

Further, as mentioned beforehand, most of the studies on the internal Salafī disputes have looked at their political activism. The first phase of this research identified further political topics that have been subject to disputation inside the Salafī School. These disputed topics are dealt with separately in order to answer the main question of this research: what are the doctrinal causes of the internal Salafī disputes over politics and violence?

Under each of these topics, a descriptive approach is used to identify the points of agreement amongst Salafīs and when necessary, to distinguish Salafīs from non-Salafīs. For identify agreements, I refer to the works and statements of those scholars who are regarded as authoritative by all Salafī proponents, such as: Ibn ʿAbd al-Wahhāb, Ibn Ibrāhīm and al-Shanqīṭī. In turn, authoritative figures are identified by an exhaustive survey of Salafī polemical works (as discussed above), in which the opinions of the most respected scholars are quoted to bolster the author's opinion. However, for the purposes of brevity, I only refer to only one or two of such leading scholars every time I evaluate the convergence or deviance of any Salafī text from the norm.

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[37] Wagemakers, *A Quietist Jihādī*, p. 9

After establishing what unites Salafīs with regards to a topic, the main elements of disagreement are identified and the doctrinal grounds of dispute are analysed.

With regards to divergences, the study uses samples (from a book or from various publications of a scholar) bearing a range of different views on the topic. For instance, regarding the question of manmade laws, I rely mainly on the writings of al-Ḥalabī and al-ʿAnbarī [38] to determine the position of the Salafī opinion that advocates the legitimacy of present day rulers. The reason for choosing these two is because their works on this question seem to be the main references on which most debates on the subject are based. Even in English language Salafī websites, the majority of online debates rely heavily on them to determine their position. [39]

Scope and Limitations

If one closely examines the modern history of Salafism and studies the religious opinions of certain Salafī figureheads such as al-Albānī and Ibn Bāz, it becomes apparent that opposing opinions and disagreements over various matters have always existed. However, as the title of this research suggests, this study deals exclusively with disagreements over maters related to politics and violence in contemporary Salafism. Hence, disagreements over non-political questions are not addressed here.

The study also focuses on three countries, namely, Saudi Arabia, Egypt, and Jordan. The reason for choosing these three countries is that Saudi Arabia and Egypt have played key roles in the emergence and the development of modern Salafism. As for Jordan, although it did not enjoy the same role as the other two countries, it has become a key player after 1980 when al-Albānī moved there. Additionally, Jordan is

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[38] An Egyptian scholar who taught for some time in Saudi Arabia. I could not find his date of birth.

[39] See for example: www.Salafimanhaj.com; www.Salafipublications.com (accessed 22/05/2013)

the base for one of the most important figures in the intra-salafī debates, namely al-Ḥalabī.

Another limitation to this research is its timeframe. This research is looking at intra-Salafī disputes during the 1990s starting from the Iraqi invasion of Kuwait.

Thesis Outline

Chapter One defines Salafism as a concept and describes its main characteristics as a school of thought and as an approach to Islamic sources that distinguish Salafism from other Sunni interpretational traditions. In doing so it aims to answer the following questions: what does the term Salafī stands for; and consequently, who can be identified as Salafī? Also, this introductory chapter aims to differentiate Wahhabism from Salafism and investigate whether the two terms refer to the same form of religious perception and practice. As part of defining Salafism, the study tries to answer whether it can be considered as an enlightened reform school aiming for the revival and progress of Islam and Muslim societies in the modern era, similar to the well-known movement of Muhammad ʿAbduh.

Chapter Two examines opposing Salafī views on obedience towards contemporary leaders who rule according to manmade laws and not the *sharīʿah*. It offers a detailed overview of the doctrinal grounds provided by proponents of the various Salafī opinions regarding the desired stance towards the present day rulers in the Muslim World. In this connection, it studies the conditions they propose—in terms of actions and duties— that must be fulfilled by the ruler in order to be legitimate; as well as the religious verdicts on obeying the leaders who rule according to rules other than *sharīʿah*. The importance of these issues derives from two points. First, they have been directly or indirectly the main cause of all fractions within Salafism. Secondly, the stance of each group towards present states is rooted in their theoretical approach towards the conditions of legitimacy.

Chapter Three deals with the divisions amongst the Salafīs on whether or not the adoption of manmade laws as a system for legislation and governing is sinful enough to declare *takfīr* on present-day rulers. It attempts to investigate the opposing views on this issue and discuss the religious evidences given by each party in order to justify their view.

Additionally, the chapter examines the views of modern and contemporary senior scholars whose authority is recognised by all Salafīs engaging in these debates on this issue. It reveals how the lack of explicit and detailed views on the question of manmade laws by those authoritative scholars has led the younger generation of Salafīs to differ over their actual positions concerning this question.

The chapter concludes that the pro-*takfīr* view concerning this issue was the prevalent position amongst senior scholars and that al-Albānī was the first recognised Senior Scholar to express a different and more restrictive view.

In an aim to find the common grounds that unite all Salafī tendencies regarding the concept of *takfīr*, **Chapter Four,** firstly provides a comprehensive account of the general Salafī understanding of the these terms and the answers they give to the aforementioned questions. Here, only the works of those scholars, who enjoy an authoritative status across the Salafī spectrum, will be considered for analysis. This includes both classical and contemporary scholars of such as Ibn Taymiyya (1263–1328), Ibn Qayyim (1292–1350), and Ibn ʿAbd al-Wahhāb (1703-1792).

Secondly, the chapter explores the fragmentations and conflicts among the various Salafī groups concerning these concepts. Thus, the second part aims to explore some of the salient debates within contemporary Salafī groups and scholars regarding the definition of *īmān* and *kufr* and highlight the doctrinal evidences on which each group rely in their argument against their opposition. Establishing the above should help the researcher and the reader alike to grasp how the concept of *takfīr*

(labelling someone as unbeliever) is addressed by the various Salafī groups engaging in these debates.

Chapter Five examines the accusations of *irjāʾ* aimed at the senior Salafī scholar al-Albānī by a number of Salafīs. In particular, it focuses on the critiques raised by the promonent Activist scholar al-Ḥawālī in his book *Ẓāhirat al-Irjāʾ* and how these accusations of *irjāʾ* became a conviction amongst many Salafīs that al-Albānī held non-Salafī views on *īmān* and *takfīr*. This chapter aims to highlight the main doctrinal reasons behind these accusations and attempts to assess the views of this eminent scholar on this issue. The chapter reveals that one of the main reasons for these accusations stems from al-Albānī's use of certain religious terms which is different to the conventional Salafī usage in Saudi Arabia.

The Conclusion Chapter concludes the research by highlighting and summarising the most important findings gained throughout the thesis. It will reflect on the importance of doctrine and more specifically the relationship between *īmān* and action in determining the divergences in political stances among the various Salafī trends.

Chapter Two: Background and Context

Defining Salafism

Despite the great interest given in recent years by academics, journalists and policy makers to Salafism, "relieving some of the confusion that beclouds the term continues to prove difficult."[1] This confusion has led many of those interested in this relatively new field of research to blend Salafism with Islamism, radical Islam, militant Islam, political Islam, and the Muslim Brotherhood under one single phenomenon.[2] One of the main reasons for Salafism being so ambiguous and difficult to define is its fragmentation and the ongoing disputes taking place between its proponents over various matters related to politics and violence. For this reason, this study proposes to define Salafism by identifying its key denominators and by isolating characteristics that distinguish Salafīs from other Muslims. By doing so, it will provide a minimal and broad definition that can help to distinguish a non-Salafī Muslim from a Salafī.[3]

Starting from an etymological perspective, Salafism (in Arabic, *Salafīyyah*) derives from the Arabic word *salaf*, which means that which has passed or preceded.[4] The word *salaf* is used in both Quran and *ḥadīth* in this linguistic connotation. The verse reads: "And We made them (the people of Pharaoh) a precedent (*salafan*) and an example to later generations."[5] Also in a long *ḥadīth* reported in *Ṣaḥīḥ Muslim*, the

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[1] Lauzière, "The Construction of Salafiyya," 369.
[2] See for instance: Fradkin, "The History and Unwritten Future of Salafism."
[3] Some scholars such as Haykel and Nadza (in her article in German "Salafismus") have also acknowledged the need for a definition of the term Salafism that does not focus entirely on its political dimensions and dismisses its theological origins. Their work provides a good starting point for further investigation, but my work here offers a more refined definition. For example, Haykel argues that the excommunication of Muslims who do not perform their religious duties is distinctively Salafī. However, as I show in the fourth chapter of this study below, the concept of belief in Salafī theological writings is more complex than that. See: Haykel, "On the Nature of Salafi Thought and Action," 40.
[4] Wehr, Hans, and J. Milton Cowan. *A Dictionary of Modern Written Arabic*, 422
[5] *Quran*, 43:56.

Prophet says to his daughter Fatimah: "…So fear Allah and be patient. And I am the best *salaf* for you."[6]

As such, our ancestors who have preceded us are our *salaf* and we are the *salaf* of those who come after us. Based on this meaning, the word *salaf* is used in the Islamic context to refer to: (i) all scholars who have preceded the person using the word, this being the pure etymological =connotation. (ii) The first three generation of Muslims, including the companions of Prophet Muhammad (*ṣaḥābah*), those who met them and learnt Islam directly from them (*tābiʿīn*) and the generation that learnt Islam directly from the *tābiʿīn*. These three generations also known as *al-salaf al-ṣāliḥ* (pious ancestors) have always enjoyed a venerated status in Sunni Islam throughout Islamic history. This status owes to the famous *ḥadīth* "The best of my people are my generation, then those who come after them, then those who come after them. Then there will be people whose testimony will come before their oath, and their oath before their testimony."[7]

Based on this *ḥadīth*, Salafīs argue that since those first three generations of Muslims had first-hand experience of the emergence of Islam and have been praised by the Prophet, therefore they should be held as a model for the way in which Muslims should live their lives. Wagemakers correctly observes that for this reason, the Salafīs as "try to emulate the "pious predecessors" as closely and in as many spheres of life as possible and construct their beliefs, their behaviour and their reading of the sources of Islam to further that goal."[8] The result of this approach is a distinctive form of engagement with the world[9] that ought to make it very easy, to identify a Salafī based merely on certain outer behaviours and outlook. A typical Salafī for instance, would have a relatively a longer beard than other Muslims. Also men and women Salafīs can be identified by their dress, which, in many cases, is distinct

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[6] *Ṣaḥiḥ Muslim*, 2/1146.
[7] *Ṣaḥiḥ Al-Bukhārī*, 2/1335; *Ṣaḥiḥ Muslim*, 2/1177−1178.
[8] Wagemakers, *A Quietist Jihadi*, 4.
[9] Haykel, "On the Nature of Salafi Thought and Action," 35.

to their societal environments. Salafī men are usually committed to wearing mid-calf Gallabiyyah whenever it is possible and women often wear baggy robes with some of them veiling their faces.

Having said that, it must be noted that the desire to follow the first three generations is not confined to the Salafīs, but it has always been present in Sunni Islam. For this reason one finds the opponents of Salafism firmly refuse to make the term Salafism "a distinctive tag to incorporate one particular faction of Muslims."[10]

What really distinguishes Salafīs from non-Salafīs in this connection is that the former do not just perceive these three generations as a mere blessed era in Islam but they also contend that their interpretation of Islam, modelled on that era, is the only true interpretation. Any other interpretation after the *salaf* is a prohibited innovation. This view is based on their interpretation of another famous tradition in which the Prophet says that the community will divide into seventy-three sects only one of which would be on the true path/ correct/correctly guided. When asked to describe that one true sect, he replied that they would be those who followed his path and the path of his companions. In Salafī literature, this sect is often referred to as *al-firqah al-nājiyah* (the saved group) or *al-ṭāʾifah al-manṣūrah* (the victorious group), which is also, by extension, the Salafī term of self-description.[11]

Although Salafīs emphasise adherence to the Quran and *ḥadīth*, and argue for direct access to them, they contend that this alone is not enough for one to be on the path that the Prophet marked as being the true/correct one. One must in addition, adhere to these scriptural texts based on how they were interpreted by the *salaf*. After all, the *salaf* learnt Islam directly from the Prophet and his companions; therefore they were better equipped to interpret the tenets of Islam accurately.

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[10] Al-Būṭī, *al-Salafiyyah Marḥalah Zamaniyyah Mubārakah lā Madhhab Islāmī*, 13.
[11] Bakr, *Malāmiḥ Raʾīsiyyah li al-Manhaj al-Salafī*, 26–29.

This reasoning echoes that of the prominent companion Ibn ʿAbbās in his famous debate [12] with the Khawārij [13] It is reported that following their secession from the army of the fourth Caliph ʿAlī, Ibn ʿAbbās asked for the latter's permission to go to their camp in order to debate with them. According to Sunni sources, the debate resulted in the repentance of about a third of the Khawārij. [14]

Ibn ʿAbbās started his debate by pointing to the fact that none of the companions of the Prophet was within the Khawārij camp. He argued that just this fact on its own should cast doubt about the legitimacy of the Khawārij position. He states: "I have come to you from amongst the Companions of the Prophet, the *muhājirūn*, and the *anṣār* so that I may inform you of what they say." Then after conceptualising the dispute as the understanding of the Khawārij vis-à-vis the understanding of the *ṣaḥābah*, he goes on to explain/argue why the understanding of the *ṣaḥābah* is more likely to be accurate than those who came after them. Ibn ʿAbbās reasons: "since it is upon them (*ṣaḥābah*) that the Quran was sent down, they are more knowledgeable about the revelation than you, it was revealed amongst them, and there is none of them amongst you." [15]

As we shall see, such venerated reports of war-time factional disputes, from the early days of Islam, is used by the Salafīs of the present day to construct sharp boundaries of their identity, and also to uncompromisingly condemn all others who do not conform to the standards they set themselves. In that process of self-definition and self-legitimation, some of the principal concepts deployed by the Salafīs are *tawḥīd*, *bidʿah*. The next section presents the main characteristics that distinguish Salafism from other Muslims.

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[12] For a detailed Salafī account on this story see: *Mawqif al-Ṣaḥābah min al-Khawārij*. Available at: www.dorar.net (accessed 23/12/2015)
[13] The Khawārij were one of the earliest Islamic sects that emerged around the time of the first civil war (656–661 c.e.) Initially, they supported the army of the fourth Caliph against his foes then seceded his army as a rejection of his decision to accept arbitration with the opponents.
[14] Ibid.
[15] Ibid.

The Concept of *Tawḥīd*

The notion of *tawḥīd* plays a central role in the teachings of Salafism since it is regarded as the central foundation of Islam.[16] According to the Salafīs, it is essential to understand this notion and to realise that it is not only the first duty incumbent upon all Muslims but also the very reason for the existence of this universe and everything in it.[17]

Aiming to recreate the purified Muslim society of the first three generations of Islam, Salafīs recurrently place great emphasis on the concept of *tawḥīd*. For doing so, they base their arguments on the teaching of many medieval scholars as well as the writings of eighteenth-century scholar and preacher Muhammad Ibn ʿAbd al-Wahhāb and his disciples. A good example of this emphasis is reflected in the immense quantity of Salafīs commentaries upon and studies dedicated to Ibn ʿAbd al-Wahhāb's *Kitāb al- Tawḥīd*.[18]

In order to explain the essential components of this concept, Salafī scholars divide *tawḥīd* into categories; some proposing two categories, and others three, the tripartite division being most common among contemporary Salafīs. These categories are:

(i) *Tawḥīd al-rubūbiyyah*, literally means the Oneness of God in His Lordship. This category implies a firm and definite belief that Almighty God alone is the Creator, the Master and Owner, and the Command is for none but Him. In Salafī teachings, this type of *tawḥīd* is not emphasised quite as vigorously as two other types, ironically because they believe that very few people disagree that God is the sole creator of the universe. They are also aware that subscription to this type of *tawhid* is not, in itself sufficient, for even Arab polytheists at the time of the Prophet Muhammad believed in this type of *tawḥīd* but that did not prevent them from being classified as polytheists.[19] Thus, although

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[16] Al-Juhanī, Ahammmiyyat Dirāsat al-Tawḥīd, 21 and 83-96
[17] Ibid, 50-54
[18] For a list of some of the available works on this book see: Al-Shāyaʿ, *ʿInāyat al-ʿUlamāʾ bi Kitāb al-Tawḥīd*.
[19] Commins, *The Wahhabi Mission and Saudi Arabia*, 25.

affirming *tawḥīd al-rubūbiyyah* is a requirement for Muslims, the Salafīs do not believe it to be the main reason why Allah sent His messengers.[20]

(ii) *Tawḥīd al-asmāʾ wa al-ṣifāt* (the Oneness of God's names and attributes): this type of *tawḥīd* requires Muslims to affirm the names and attributes which have been affirmed for Him in the Quran and the Prophetic traditions without *taḥrīf* (distortion), *taʿṭīl* (denial), *taʾwīl* (allegory), or *tamthīl* (likening) of their literal meanings. This type of *tawḥīd* pertains to certain expressions found in the texts of the Quran and the *ḥadīth*–that attribute or seem to attribute human traits to God—upon which there have been intense and unresolved disputes amongst Muslims scholars throughout Islamic history. To this day, the dispute over how Muslims should approach these passages is still disputed resulting in accusations and counter-accusations of misguidance.

On the one hand, there are the Ashʿarī and Māturīdī schools of thought to which arguably the vast majority of scholars in the Muslim world adhere. These schools firmly avoid the literal meaning of these expressions championing instead a method of metaphorical interpretation (*taʾwīl*). This approach is founded on the Quranic verse "there is nothing like (*mithl*) Him, and He is the All-hearer, the All-Seer."[21] This verse, they argue, requires that one must eliminate any anthropomorphic elements from God. Thus, all texts bearing a possible anthropomorphic meaning should not be interpreted literally but understood metaphorically.[22] As such, "God's hand stands for His power and His sitting[23] on the Throne means His rule over the world"[24] rather than literal seeing and sitting in a human fashion.

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[20] Āl al-Shaykh, *Fatḥ al-Majīd*, 16.
[21] *Quran*, 42:11
[22] Al-Bayjūrī, *Ḥāshiyat al-Imām al-Bayjūrī ʿalā Jawharat al-Tawḥīd*, 157.
[23] Using the word sitting for *istawā* is a problematic for both Salafīs and their opponents. The Salafīs usually use the word *ʿalā* (to rise) and the Ashʿarīs use *istawlā* (to seize). See: al-ʿUthaymīn, *al-Qawāʿid al-Muthlā fī ṣifāt Allāh wa Asmāʾih al-ḥusnā*; al-Bayjūrī, *Ḥāshiyat al-Imām al-Bayjūrī ʿalā Jawharat al-Tawḥīd*.
[24] Abrahamov, "The *Bi-La Kayfa* Doctrine and its Foundations in Islamic Theology," 365.

The Salafīs on the other hand, contend that God should be described literally (ʿalā al-ḥaqīqah) as He describes Himself and as the Prophet describes Him, without further investigation to the modality of these attributes (bi lā kayf). In their view, the affirmation of the literal meaning of God's attributes does not entail likening Him to created beings because they belong to the knowledge of the unseen (ʿilm al-ghayb). This kind of knowledge is beyond human comprehension, theories, and analogies. Thus, one must accept these attributes without ascribing corporeal qualities to God, neither denying them, nor interpreting them metaphorically.[25] This method is in accordance with what Abrahamov describes as the orthodox stance adopted by Ibn Ḥanbal, Ibn Qutaybah (d.889) and more interestingly al-Ashʿarī (d. 935), the founder of the school of Ashʿarīs.[26]

The Salafīs certainly, do not disagree with Abrahamov's observation as they do argue that their approach is based on the creed of these early *salafī* scholars vis-à-vis these texts. To support their stance, Salafīs often cite a statement attributed to the founder of the second school of law: Mālik b. Anas (d. 795). He was asked about the Quranic verse; "The Most Gracious (Allah) rose over (*istawā*) the Throne."[27] It is reported that the questioner asked *kayfa istawā* (how did He rise)? To which Mālik answered:

"*Al-istiwā* is not unknown (*ghayr majhūl*), but the state is not intelligible (*al-kayf ghayr maʿqūl*). The belief in it is an obligatory (*al-īmān bih wājib*), and questioning it is a reprehensible innovation (*al-suʾāl ʿanh bidʿah*)."[28]

It is due to these two distinct approaches that the Salafīs have been accused of believing in anthropomorphism and at times labelled by some of their opponents as *mushabbihah* (assimilators) and *mujassimah*

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[25] Al-ʿUthaymīn, *al-Qawāʿid al-Muthlā fī ṣifāt Allāh wa Asmāʾih al-ḥusnā*, 35.

[26] Abrahamov, *Anthropomorphism and Interpretation of the Quran in the Theology of Al-Qāsim Ibn Ibrāhīm*, 6.

[27] *Quran*, 20:5

[28] Al-ʿUthaymīn, *al-Qawāʿid Al-Muthlā fī ṣifāt Allāh wa Asmāʾih al-ḥusnā*, 36–37.

(anthropomorphist or corporealists). In return, the Ashʿarīs and Māturīdīs are considered by the Salafīs to be *muʾawwilah*–those who improperly use allegorical interpretations for God's attributes.

Notably, despite their intellectual connection with Wahhabism, this type of *tawḥīd* is given a much greater emphasis in contemporary Salafism, compared to that given to it by Ibn ʿAbd al-Wahhāb and his students. Similarly, the significance of this type of *tawḥīd* tends to be greater out outside Saudi Arabia than it is inside the kingdom. This can be attributed to the changing nature of challenges facing Salafism historically and geographically. Undeniably, despite the fact that Salafism is growing rapidly, Ashʿarīs and Māturīdīs are still dominant forces outside Saudi Arabia. Also, historically the different stances over the question of God's attributes are arguably amongst the greatest causes for disputes and sectarian debates between the scholars of these schools. Thus this emphasis reflects contextual challenges faced by the Salafīs, and their attempts to counter the theological arguments presented by scholars of other schools.

Having said that, it must be noted that despite the importance given to this type of *tawḥīd* in their teachings, Salafīs do not consider failing to adhere to their interpretation of this type of *tawḥīd* to be *kufr* as is the case in the next type. Those engaging in allegorical or metaphorical interpretations of God's attributes are classified as innovators (*mubtadiʿah*), which is pejorative term used in Islamic context against deviant Muslims, but not quite as damning as *kāfir*.

(iii) *Tawḥīd al-ulūhiyyah*: this type implies singling out God alone for all worship. It requires not worshipping anything along with Him, whether it be an angel, a Prophet, a pious person, a tree, a stone, the sun, the moon, or any other created being.[29] It also entails that there should be no intermediaries between the worshipper and God. This type is the most important of them all as it is not only the decisive factor to determine who is a believer, but also places one's blood (that is, life) and property,

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[29] Al-ʿUthaymīn, *Fatāwā al-ʿUthaymīn* 1/18-19

under God's protection, ensuring civil rights. Most of the writings of Ibn ʿAbd al-Wahhāb and his students are devoted to the definition and explanation of this type of *tawḥīd*. The Salafī understanding of this type of *tawḥīd* is also the main reason for the charges in Muslim polemics against the Salafīs in general and the Wahhabīs in particular; that is, that they are following the same misguided path as the Khawārij.[30]

The Salafīs believe that the failure in singling out God in His ʾulūhiyyah results in *shirk* (polytheism), the opposite of *tawḥīd*. Etymologically, *shirk* expresses the notion of association or partnership. As a term, *shirk* denotes associating partners with God in His lordship, or worshipping Him. Theoretically speaking, since Islam is a monotheistic religion, all Muslims advocate the concept of God's oneness. All Muslims hold that any practice that implies worshiping anything other than God constitutes polytheism. After all, the oneness of God is embedded in the declaration of faith that requires Muslims to believe in one God without a partner and that He should be worshipped alone.

However, what sets the Salafīs apart from the others with regard to this concept is not only this tripartite typology but most importantly their expansive definition of worship. This is to say, from a Salafī perspective the meaning of worship is not confined to performing the more apparent ritual practices such as prayers and fasting but it is expanded to include types of veneration and supplication. Because they believe that *tawḥīd al-rubūbiyyah* is not enough to grant one a status of Muslim, *shirk*, in their view, encompasses far more than the obvious practices of idolatry and denial of the oneness of God. Many popular practices such as the veneration and supplication of holy trees, tombs, sacred sites and the intercession of saints that is very present in Sufism and popular Islam, are all seen as a form of worship that entail attributing associates to God. In this regard, the stance adopted by the Salafīs is more extreme than that of other Muslims who are more tolerant towards such practices.

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[30] Abou El Fadl, Khaled M., *The Great Theft: Wrestling Islam from the Extremists*, 59

Indeed, most non-Salafī scholars argue against the Salafīs that the proclamation of the declaration of faith should be sufficient to assure one's status as a Muslim. For them, these practices, though reprehensible and sinful, they do not suffice to declare *kufr* on those who still carry out the core Islamic commandments.

Non-Salafī scholars not only disagree with the Salafī understanding of *tawḥīd* but also strongly oppose their typology to the extent of likening it to the Christian trinity. *Al-Tandīd bi man ʾaddada al- tawḥīd* is arguably the most famous contemporary book in this genre. Its author Ḥasan b. ʾAlī al-Saqqāf, who is known for his robust opposition to Salafism in general and al-Albānī in particular, explains why he believes that the Salafī typology of *tawḥīd* does not fit with the notion of Salafism. The basis of his argument is the fact that this typology in itself is a "reprehensible innovation that [only] appeared in the eighth century of *hijrah* (13th),"[31] this being a reference to Ibn Taymiyyah. According to Al-Saqqāf, the main purpose for this typology is to allow Salafīs to pronounce *takfīr* on those who do not agree with them. Al-Saqqāf strongly disapproves the distinction between *tawḥīd al-rubūbiyyah* and *al-ʾulūhiyyah*. He stresses that the Salafī notion that the polytheists believed in the lordship of God is totally wrong, misguided, and based on a shallow perceptive. The polytheists, he argues, did not believe at all in the existence of God and for this reason they were asked in the Quran to contemplate and ponder on their surroundings that are proofs for His existence and lordship. [32] Thus those who subscribe to *tawḥīd al-rubūbiyyah* are indeed distinct from polytheists, and are Muslims.

It is worth noting here, that unlike the Salafīs, their opponents in general and Al-Saqqāf in particular hold that the grounds for identifying *shirk* cannot be an act in itself but the belief behind it: if someone believes that that something else enjoys a trait of His lordship, then, and then only does that person commit *shirk*. Thus, according to Al-Saqqāf mere

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[31] Al-Saqqāf, *Al-Tandīd bi man ʾaddada al- tawḥīd*, 8
[32] *Quran*, 88:17–20; 2:164

acts of veneration such as cringing and prostrating before a tomb of a Prophet or a saint and calling for help are not forms of worship. Though he concedes that these acts may well mean worship, and that people may use words that equate such acts with worship, yet in proper Islamic sense, such acts can be considered worship only when done out of the specific belief that the venerated person or object –be it a Prophet or saint or something else—possesses a divine quality.

Innovation in Islam

Based on a number of scriptural texts,[33] Sunni Muslims believe that Islam is the final message from God and it is complete. Hence, they believe that any act of worship without a sound scriptural reference is a prohibited *bidʿah* (literally, innovation, but meaning deviance). The committing of *bidʿah* in matters of religion is a deviant act, since it is an implicit statement that Islam as revealed to the Prophet was not complete.[34] Further, in Islamic terminology, *bidʿah* is the opposite of *sunnah*[35] and it can be a modification to an already existing procedure/method of worship, such as reciting the Quran aloud in the afternoon prayer or extending the time of fasting during Ramadan to midnight. It can also be an invention of a completely new ritual practice or belief such as adding a sixth prayer to the five prescribed prayers.

However, the Salafī conception of *bidʿah* is more restrictive than that of most of non-Salafī Muslims. As Lauzière says, the Salafī approach "narrows the scope of acceptable Islamic practice, and they remain wary of extra scriptural influences and sources of knowledge in religious

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[33] Ibid, 5:3

[34] Zaman, Iftikhar . "*Bidʿah*." In The Oxford Encyclopaedia of the Modern Islamic World. , edited by John L. Esposito. Oxford Islamic Studies Online, http://www.oxfordislamicstudies.com/article/opr/t236MIW/e0113 (accessed 20-Apr-2015).

[35] In Islamic context, *sunnah* has several meanings. It is used for the Prophetic *ḥadīth* as in contrast with Quran when distinguishing textual sources. It is also used in legal context to indicate that an act is recommended and not *wājib* (obligatory). The third usage is the one intended here; here Sunna means tradition, in the sense of that which is the opposite of innovation.

matters."[36] Because of the Salafīs' strict approach to *bidʿah*, they consider some popular ritual practices such as the celebration of the Prophet Muhammad's birthday (*mawlid*) and certain modes of collective chanting or *dhikr* (literally, mention; implying ritual mentioning of God) as reprehensible innovations. These practices represent the hallmark of Sufī ritual and have been practiced for centuries. Despite this, the Salafīs believe that they were not part of the practice of the first three generations after the Prophet, but only subsequently added by the Sufis, along with other popular rituals. Likewise, the Salafī understanding of *bidʿah* is the reason behind their rejection of drawing on *ʿilm al-kalām* (dialectical theology) in order to interpret the verses related to God's attributes.

It is worth noting here, that for the Salafīs, *bidʿah* has two meanings, a linguistic meaning, and a terminological one. The former is more general, it includes all kinds of innovations whether related to matters of religion or not. In this sense, not every innovation is considered reprehensible by the Salafīs. Modern scientific inventions may well be called *bidʿah* but only in view of them lexically being termed an innovation. Religiously speaking they are not considered a form/instance of *bidʿah*.

In *salafī* literature, the terminological usage of *bidʿah* is restricted to religious matters; all innovations that fall in this category are considered reprehensible and rejected by them. The foundation of the *Salafī* view is their characteristic interpretation of the following *ḥadīth*:

> Beware of the newly invented matters, every newly invented matter is *bidʿah*, every *bidʿah* is misguidance, and every misguidance is in hellfire.[37]

Salafīs interpret this *ḥadīth* as referring to all new religious matters, without any restriction or exception. This generalisation differs from the perception of the non-*Salafīs*, such as the scholars of al-Azhar, who

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[36] Lauzière, "The Construction of Salafiyya," August 2010, 370
[37] For the Salafī understanding of this *ḥadīth* see: Al-Albānī, *Khutbat al-Ḥājah*

restrict the designation of reprehensible *bidʿah* to those religious matters that are in conflict with the established principles of *sharīʿah*.[38] In this view, new matters in religion must be judged to see whether they actually contravene the *sharīʿah*, if they do, then they must rejected and classed as a reprehensible *bidʿah*. On the other hand, any good religious practice or interpretation that is introduced, which does not run counter to any of the *sharīʿah* sources, is praiseworthy (*bidʿah ḥasanah*). The holders of this view do not reject the above-mentioned *ḥadīth*, but contend that the word "every" (*kull*) does not always indicate an absolute generalisation.[39] This is because this can be an instance of a general statement with specific exceptions (*ʾām makhṣūṣ*), such as the use of *kull* in the Quranic verse: "Destroying everything by the command of its Lord."[40] The word "everything" in this sentence is restricted specifically to everything that God wanted to be destroyed and not absolutely everything (as *kull* would literally imply). We know this because the verse indicates afterwards that certain homes were left intact "So they became such that nothing could be seen except their dwellings."[41]

The interpretation of the aforementioned *ḥadīth* as an instance of *ʾām makhṣūṣ* is based on other traditions in which, for example, the Prophet says:

> Whoever introduces a good practice (*sunnah ḥasanah*) he will receive the reward for it and the reward of all those who practice it [after him] and whoever introduces an evil practice (*sunnah sayyiʾah*) then he will carry the burden of it and the burden of all those who practice it [after him].[42]

This *ḥadīth* clearly demonstrates that the concept of innovation was distinguished by the Prophet into various types - the good and praiseworthy types as well as the bad and reprehensible types – there was no blanket prohibition against innovation. In addition, there are

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[38] Al-Ghumārī, *Itqān al-Ṣanʿah fī Taḥqīq Maʿnā al-Bidʿah*, 16
[39] Ibid, 11.
[40] *Quran*, 46:25
[41] Ibid.
[42] Al-Ghumārī, *Itqān al-Ṣanʿah fī Taḥqīq Maʿnā al-Bidʿah*, 15

other reports, in which many of the companions are reported as having carried out various acts based on their personal reasoning without a like-for-like precedent. On the basis of these texts, the non-*Salafī* scholars say that the default position is not to simply reject any new matter in religion but and instead point to the Prophet's two-fold attitude toward his companions when they initiated certain practices of their own accord (that is, without Qur'anic or Prophetic instruction). He accepted those acts of worship and deeds which were conformable with the principles of *sharīʿah* and rejected those that were in conflict with it.[43] Therefore, "not every newly invented matter in *ʿibādāt* (acts of worship) or *muʿāmalāt* (social practice) is reprehensible. Rather, they can be classified under any of the five categories of *sharīʿah* (the obligatory, recommended, prohibited, offensive, and permissible) depending on how the sources of Islam apply to them."[44]

As a matter of fact, these two distinctive interpretations of the concept of *bidʿah* can be traced to two divergent classical definitions. The first one is the definition given by the famous Shāfiʿī jurist al-ʿIzz b. ʿAbd al-Salām in his book *Qawāʿid al-Aḥkām*. Ibn ʿAbd al-Salām states that *bidʿah* is performing that, which has not been common during the time of the Prophet, and then he divides it into the five categories of *sharīʿah*. In order to determine under which category an invented act is classified he states, "one must evaluate it in accordance to the principles of *sharīʿah*."[45]

The second definition is that of the Andalusian Mālikī legal theorist al-Shāṭibī (1320/1388) in his well-known book *al-Iʿtiṣām*. It reads "A [newly] invented way in the religion that resembles [the established practice in the] *sharīʿah*, [and] by following it extreme servitude to Allah is sought."[46]

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[43] Al-Ghumārī, *Itqān al-Ṣanʿah fī Taḥqīq Maʿnā al-Bidʿah*, 19–20.
[44] Ibid, 12
[45] Ibn ʿAbd al-Salām, *Qawāʿid al-Aḥkām*, 337.
[46] Al-Shāṭibī, *al-Iʿtiṣām* 1/43

The main difference between these two definitions is that the second one is more restrictive than the first one. The definition of al-Shāṭibī, which is adopted by the *Salafīs* is phrased in a way that does not allow any room for the concept of a good innovation.

Consequently, non-*salafī* scholars believe that a newly introduced idea that has not been practiced by the Prophet and his companions is not necessarily a reprehensible *bidʿah*. For them it is sufficient for the legality of any new act that it conforms to the general principles of *sharīʿah*.[47] Hence, in this sense, since *dhikr* is a praiseworthy act in general terms, such scholars see no harm in inventing any particular type of *dhikr*, whether performed alone or in a group, sitting or standing. The fact that an action has not been performed by the Prophet or the *salaf* in that particular manner does not make it impermissible since it has basis (*aṣl*) in Islam. In the *salafī* view, however, conformity to the general principles of *sharīʿah* includes conformity to the form and the manner in which an act is carried out.

To conclude, both *Salafīs* and non-*Salafīs* agree that reprehensible *bidʿah* is that which has no basis in *sharīʿah*, However, they disagree about the definition of "basis" and thus the interpretation of this principle.

Position taken towards the Islamic Schools of Jurisprudence

The legitimacy of adhering to one of the four recognised Sunni schools of law is amongst the central issues that divide *Salafīs* from non-*Salafīs*.[48] The *Salafīs* deem the idea that one must adhere to one of the four schools of law/jurisprudence (*madhhabiyyah*), to be a new phenomenon that had not existed before the fourth Muslim century.[49] In contrast, the opponents of Salafism staunchly contend that the call to abandon the established schools of law (*lāmadhhabiyyah*) entails a great danger to Islam. These two opposing stances are represented clearly in the titles of

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47 Al-Ghumārī, *Itqān al-Ṣanʿah fī Taḥqīq Maʿnā al-Bidʿah*, 9–10.
48 Commins, *Islamic Reform*, 70–78, 110–123.
49 ʿAbbāsī, *Bidʿat al-Taʿaṣṣub al-Madhhabī*, 5–6.

two books that are quoted in most debates between the Salafīs and their opponents on this topic today. Both books were written after a debate between al-Albānī and Muhammad Saʿīd Ramadān al-Būṭī, a prominent Syrian scholar and staunch opponent of Salafism. The book supporting the *Salafī* view is written by al-Albānī's student Muhammad ʿīd ʿAbbāsī and titled *Bidʿah al-Taʿaṣṣub al-Madhhabī* (*The Innovation of Partisan Adherence to a School of Law*).[50] The opposing view is represented in al-Būṭī's book *Al-Lāmadhhabiyyah: Akhṭar Bidʿah Tuhaddid al-Sharīʿah al-Islāmiyyah* (*Non-Madhhabism: The Greatest Innovation Threatening the Islamic Sharīʿah*).[51]

In the context of this debate, the point of the view of the Salafīs is that Muslims should reject what *Salafīs* term the blind imitation of one particular school (*al-taqlīd al-aʿmā*) without the consideration of the opinions presented by the other schools. It is worth noting that there are various views amongst the Salafīs in terms of how rigid they are in their rejection of this kind of *taqlīd*. Some Salafī scholars (especially those from Saudi Arabia) themselves subscribe to a particular school, while others like al-Albānī reject being associated with any *madhhab* affiliation at all. [52] Overall however, all Salafīs agree that religious verdicts and opinions must always be founded on evidences from the source of *sharīʿah*. Relying simply on the opinion of a single school is not accepted.[53]

This attitude towards the schools of jurisprudence is the feature of Salafism most readily recognised by common Muslims (ʿawāmm). Unlike the disagreements with non-Salafīs in matters of creed, which often take place within religious circles and go largely unnoticed by common

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[50] According to al-Būṭī, ʿAbbāsī did not write this book; rather it was compiled by al-Albānī and two other salafīs. However, he does not provide any evidence for this claim. See: *al-Lāmadhhabiyyah*, 155

[51] According to Richard Gauvain, non-Salafī scholars of al-Azhar University in Egypt rely to a great extent on al-Būṭī's arguments against the Salafīs in regards the question of *madhhabiyyah*. See: Gauvain, Richard, *Salafi Ritual Purity: In the Presence of God*, 3.

[52] Lacroix, "Between Revolution and Apoliticism," 65–67.

[53] See for example verdict N. 2872 in www.alifta.net (accessed 23/11/2015)

Muslims, the *taqlīd* issue has a direct impact on the day-to-day life. It occurs frequently everyday especially in places where a single school of law is predominant.

In North Africa for instance, where the Mālīkī School is by far the most followed school, Salafīs can be simply recognised on account of the way they perform the daily prayers. Take for instance these two simple legal questions concerning the position of the hands when performing the prayer. According to the Mālīkī School, when a person is in a standing position during the prayer, they should lay the arms straight down by their side, a practice known as *sadl*. This opinion sets this school apart from the other three Sunnī schools who view that the correct posture is to place the right hand on the back of the left hand either on the abdomen or on the chest. The Salafīs favour putting the hands on the chest contending that the practice of *sadl* contradicts several Prophetic traditions.

The second example is related to raising the hands parallel to the shoulders, a practice known in Islamic jurisprudence as *rafʿ al-yadayn*. According to the Mālīkī School, this practice is done only at the start of the prayer. The hands are not to be raised at any other time during the prayer. Again, the Salafīs disagree with the Mālīkī opinion insisting that the Prophetic traditions indicate that the Prophet used to repeat the move of raising the hands at different positions during the prayer. Although in recent years one can also find some non-Salafīs, especially amongst the younger generation, who perform prayers in a similar way to the Salafīs, these two acts in the daily congregational prayers are still the most distinctive differences between Salafī and non-Salafī partisans in North Africa.

Thus, although the Salafī conception of *tawḥīd* has greater implications for one's faith in the eyes of the religious scholars, the Salafī stance towards *taqlīd* is more likely to stir a wider reaction within the society. This is because of its direct challenge to the regionally dominant and established mode of performing daily religious rituals, which, for

common Muslims of the respective regions, is also the only legally valid mode possible.

In connection with *taqlīd*, Salafīs argue that none of the founders of the four schools had ever asked his students to follow his opinion exclusively and to ignore those of other scholars. In fact, on the contrary, the statements of those scholars urge their followers to follow scriptural texts, superseding their own opinions as the source of rulings. In the introduction to his famously divisive book, al-Albānī cites many such statements in order to support the Salafī non-*madhhab* position on acts of prayer.[54] For example, one of the statements ascribed to both Abū Ḥanīfah and al-Shāfiʿī reads, "If a *ḥadīth* is [proved to be] authentic, then it is my opinion." Likewise, Ibn Ḥanbal says "Do not imitate me, neither imitate Mālik, nor al-Shāfiʿī, nor al-Awzāʿī, nor al-Thawrī, but take [rulings] from where they took [their rulings]."

Based on these statements, the Salafīs take the position that "The only correct way to follow the *imāms* would be to apply their methods, not to reiterate their substantive rulings."[55] In their view, their own approach is in accordance with that of the prominent students of the *imams*. They argue that such scholars understood the statements of the *imāms* correctly, which led them to produce their own independent reasoning. For instance, the two prominent students of Abū Ḥanīfah departed from the position of their teacher in about one third of juridical matters, as Abbāsī argues.[56]

Nevertheless, this approach does not imply that Salafīs recommend a free-for-all in the interpretation of Islamic law. The potential radicalism of their idea is restricted with the argument that, because people vary in their level of understanding and their ability to derive rulings from the sources of *sharīʿah*, Muslims can be divided into three categories.[57]

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[54] Al-Albānī, *Ṣifah Ṣalāh al-Nabī*, 45–53.
[55] Commins, *Islamic Reform*, 71.
[56] ʿAbbāsī, *Bidʿat al-Taʿaṣṣub al-Madhhabī*, 107.
[57] Ibid, 14.

(i) The first category is the category of common Muslims who have neither the capacity to understand the meanings of the sources of *sharīʿah* nor the necessary tools to deduce legal rulings from them. A Muslim in this condition is required to seek legal opinions from a trustworthy scholar. This form of *taqlīd* is sanctioned and the person performing it (*muqallid*) cannot be blamed.

(ii) The second category contains qualified Muslim scholars who have the ability to understand the scriptural texts and have the required tools to deduce rulings from them. People in this category are not permitted to limit themselves to following a specific legal school and *must* practise *ijtihād*, which is defined as "the maximum effort expended by the jurist to master and apply the principles and rules of *uṣūl al-fiqh* (legal theory) for the purpose of discovering God's law."[58] The practitioner of this is called a *mujtahid*.

(iii) The third category pertains to Muslims who fall between the above two. A Muslim in this category is she/he who may well not have the same religious knowledge and capacity of understanding the texts and the different legal opinions as a *mujtahid*. However, at the same time she/he is not so completely ignorant that he cannot understand the evidences presented by the scholars and their reasoning. This category is called *ittibāʿ* and a Muslim in this category is called *muttabiʿ*. The *muttabiʿ* must do his/her best to investigate the opinions of the scholars and weigh between their evidences.[59]

Although non-Salafī scholars dismiss this categorisation contending that there are only two types of Muslims, either *mujtahid* or *muqallid*,[60] they accept the possibility that a person can be a *mujtahid* in one or some legal cases and *muqallid* in the rest.[61] This is to say, if a person has investigated one legal question to the extent of comprehending all the related arguments and reasoning then such a person is a *mujtahid* in that

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[58] Hallaq, "Was the Gate of Ijtihad Closed?" 3.
[59] ʿAbbāsī, *Bidʿat al-Taʿaṣṣub al-Madhhabī*, 33–42.
[60] Al-Būṭī, *al-Lāmadhhabiyyah*, 139–140.
[61] Ibid, 48.

question. Such a person according to al-Būṭī must act upon his own *ijtihād* in this question and not just upon the rulings of his/her *madhhab*.[62] The difference between the two views here may sound insignificant and no more than a terminological issue since both in reality recognise a middle category. However, as a matter of fact, this difference is very instrumental in terms of Salafī vs. non-Salafī stances towards *taqlīd*. It may be argued that by classifying this middle category (part-*mujtahid*) under the category of *mujtahid*, non-Salafīs reveal their own restrictive and rigid position towards accepting legal opinions outside one's *madhhab*. By including such people with *mujtahids*, albeit partially, non-Salafīs indicate that the performance of *ijtihād* requires certain prohibitively difficult criteria being fulfilled, and consequently deny the possibility of independent reasoning or *ijtihād* for most people. Compared to this, by placing the *muttabiʿ* in an independent category to *mujtahid*, Salafīs widen the number of those who can exercise such independent reasoning, unrestricted by the dictates of their *madhhabs*, thus showing their relaxed approach to taking opinions from outside one's legal school.

Having said that, it must be noted that the Salafīs do not reject *taqlīd* in an absolute manner (as do liberal reformers for example), but they refuse to oblige people to adhere to one single *madhhab* with the exclusion of the others.[63] The grounds of this attitude can be narrowed down to two points. First, the Salafī stance towards *taqlīd* conforms to their perception that the first three generations represent the original Islam. Hence, it is not a surprise to find ʿAbbāsī portraying the practice of following one particular school (*tamadhhub*) as a peculiar phenomenon that was not known by the *salaf*, which makes it a reprehensible innovation in religion. The problem with *tamadhhub*, as the Salafīs see it, goes even further: they believe that their opponents do not actually adhere to the teachings of the four *imāms*, whose time of course was near to that of the Prophet. Rather, they allege that most of their opponents

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[62] Ibid, 48–49.
[63] Salīm, *al-Salafiyyah*, 116.

rely on the opinions of later scholars of these schools. Mālikīs rely on *Mukhtaṣar Khalīl* instead of *al-Muwaṭṭaʾ* or *al-Mudawwanah* of Mālik, likewise the Shāfiʿīs do not rely on *al-Umm* of al-Shāfiʿī, rather on books written by later scholars such as al-Haythamī and so on.

Salafīs also believe that *taqlīd* is the source of a great deal of the enmity among Muslims, which is caused by the conflicting views between the followers of the *madhāhib*. Thus, rejecting *taqlīd* is the only way to purge Muslims of their internal divisions. ʿAbbāsī one of al-Albānī's earliest students in Syria cites several examples to demonstrate that *taqlīd* has divided Muslims into adversarial groups, ranging from separate group prayers in the same mosque based on *madhhab* affiliation, up to the historic battle between the Ḥanafīs and Shāfiʿīs over the matter of disallowing intermarriage between Ḥanafī men and Shāfiʿī women amongst lay followers of the schools.[64]

Their inimical attitude towards adherence to a particular *madhhab* has led to the opponents of the Salafīs presenting several charges against them. The most common of these is that the Salafīs are disrespectful to the *imāms*,[65] an accusation that the Salafīs themselves vehemently refuse to accept. According to the senior Saudi scholar, al-Albānī, the main difference between the Salafīs and their opponents concerning the *imāms* is that the Salafīs consider the *imāms* to be mere means and intermediaries who "convey the knowledge of Allah and His messenger. Hence, we do not follow them for the sake of their person and we do not make our adherence to them an aim [in itself]; as [our] only aim is to be acquainted with what the Prophet taught."[66] In his view, such a position does not entail any kind of disrespect to the *imāms*, rather it is only a measure that enables Muslims to benefit from the knowledge of all scholars. Although he acknowledges that non-Salafīs also respect the *imāms*, he insists that by adhering to the teaching of just one *imām* or

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[64] ʿAbbāsī, Bidʿat al-Taʿaṣṣub al-Madhhabī, 201-216
[65] Al-Būṭī, *al-Lāmadhhabiyyah*, 124,127.
[66] Salīm, *al-Salafiyyah*, 118–121.

school, "they made the imitation of those *imāms* the [very] aim."[67] In this view, being content with the opinions of only one *imām* or school does not just mean ignoring the opinions of the other *imams*, but also entails missing out on all the knowledge that one can potentially gain.

Perhaps the sharpest attacks on the Salafīs was made in a book called *al-Lāmadhhabiyyah Akhṭar Bidʿah Tuhaddid al-Sharīʿah al-Islāmiyyah* by the famous Syrian scholar al-Būṭī, when he alleges that the Salafī approach to *ijtihād* is a pernicious plot to plant Western culture and principles in Muslim societies. According to al-Būṭī, Lord Cromer (1841-1917) the British Controller-General of Egypt promoted the idea of *ijtihād* in order to detach the Egyptian society from Islam. It is owing to *ijtihād* that the British messengers were able to replace Islamic family code with manmade laws.[68]

Despite all these debates, history remains on the side of the non-Salafīs, whose approach towards the legality of preferring and following only one of the established schools rests on the established practice of Muslims throughout history. A long list of great scholars including those highly regarded by the Salafīs is presented by non-Salafīs to prove that they were all associated with the four schools. Non-Salafīs remain concerned that opening the door for *ijtihād* for everyone would lead to confusion and chaos in the religious milieu. As Al-Būṭī asserts: Muslims nowadays "have a complete body of jurisprudence for all sorts of conditions that people may be faced with, whether [as] individuals or [as part of] groups, [which] has been deduced and written by the *mujtahid imāms*." He continues to argue that if this body of jurisprudence is exposed to "the strong winds of the free-for-all *ijtihād*" by all Muslims then "this treasure of jurisprudence" will be destroyed.[69] Therefore, it is sufficient for a lay Muslim to read a concise book of *fiqh* based on one the four schools in order to know the necessary rulings related to their personal life. There is no need to know the evidences for these rulings

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[67] Ibid, 120
[68] Al-Būṭī, *al-Lāmadhhabiyyah*, 129–130.
[69] Ibid, 123.

because they have not reached the category of *ijtihād*.[70] After all, the presence or the absence of these evidences in these books is meaningless since, in Al-Būṭī's opinion, lay Muslims do not understand them.[71]

As for the statements in which the *imāms* instructed their followers against imitating them uncritically, Al-Būṭī explains that such statements were addressed to the *imāms'* great disciples, who had fulfilled the necessary conditions to reach the rank of *ijtihād*. These statements were never intended for those with inadequate scriptural scholarship: "*Imām al-Shafʿī was not addressing a crowd of butchers, night-watchman, and donkey-drovers.*"[72]

There seems to be an implicit consensus amongst the non-Salafīs that the early scholars, by drawing on all methodological approaches and developing all possible answers, have left no room for later scholars to practice *ijtihād* in the cases that have been previously solved. It is for this reason that we find al-Būṭī urging the Salafīs to redirect their eagerness for *ijtihād* towards the endless numbers of new problems that keep arising in Muslim societies in the present day, and which are in dire need for solutions. Old issues, that have already been settled by the early *imams*, should be left alone.[73]

Overall, then, the stance of non-Salafīs towards *ijtihād* is more restrictive than that of the Salafīs. By restricting the conditions of *ijtihād* and emphasising a strict adherence to the established schools, non-Salafī scholars aim to protect the *sharīʿah* from the danger of being subverted by incompetent scriptural scholarship. The difference may not be as wide as it appears on the surface, since Salafīs and their foes agree that ordinary Muslims are duty bound not to rely on their own reasoning and limited knowledge, and should instead follow the opinions of the specialists. However, the disagreement is on defining who those specialists are, exactly. For the non-Salafīs, following a specialist is

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[70] Ibid, 117

[71] Ibid, 102.

[72] www.masud.co.uk/ISLAM/ahm/newmadhh.htm#46 (accessed 14/08/2015)

[73] Al-Būṭī, *al-Lāmadhhabiyyah*, 131.

restricted to following one of the four established schools, whereas from the Salafī point of view, one may consult any trustworthy contemporary scholar, chosen at random. In this sense, Salafīs reject *taqlīd* and argue that in doing so they are attempting to return to pristine Islam.

The Salafism of al-Afghānī and ʿAbduh

As indicated in the introduction, an important reason for the ambiguity surrounding Salafism stems from the fact that the term has also been used in association with the trend of reformist Muslim thought of the late 19th and the beginning of the 20th centuries. This includes the ideas of Jamāl al-Dīn al-Afghānī (1838-1897), Muhammad ʿAbduh (1849-1905) and Muhammad Rashīd Riḍā (1865-1935) among others. In this section, we shall see why, despite there being some connections and parallels, Islamic reform movements of the 19th-20th centuries should not be confused with contemporary Salafism.

According to Lauzière, this confusion about Salafism can be traced to a seminal 1919 article by the French Orientalist Louis Massignon, who used the term to refer to ʿAbduh's reformist movement. Lauzière argues persuasively that there are two historically distinct types of Salafism—a modernist and a purist Salafism—that should not be conflated. This view has been challenged by Griffel,[74] who holds that there are genetic linkages between these two trends, and therefore that Massignon was correct in drawing attention to this connection. Griffel's contention that these two forms of Salafism share a common origin is less than convincing, however; while both ʿAbduh and contemporary Salafīs share a concern with *tawḥīd*, they set out from radically divergent points of departure. They do not obviously share a theological agenda. Let us examine the concept of *tawḥīd* proposed by ʿAbduh in his book *Risālat al-Tawḥīd* – which he explicitly said, was based on "the path of *salaf*."[75]

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[74] Griffel, "What do We Mean by 'Salafī'?"; see also the subsequent rejoinder by Lauzière, "What We Mean Versus What They Meant by "Salafi": A Reply to Frank Griffel" Die Welt des Islams 56 (2016) 89-96.
[75] ʿAbduh, *Risālat al-Tawḥīd*, 4.

On close examination, it is easy to see the great difference between ʿAbduh's understanding of *tawḥīd*, which, as we know, is an essential element in the teachings of Salafism, but understood very differently by and the contemporary Salafī scholars. It is true that "for ʿAbduh, *tawḥīd* was seen as liberation from superstition, irrationality, and myth, and the source for endowing man with the powers of free will and independence of mind,"[76] such elements are also present in the Salafī perception of the concept. Yet, this alone does not make ʿAbduh and like-minded reformists' understanding of *tawḥīd* "not much different from the Wahhābī [and Salafī] conception of *tawḥīd*."[77] This is because ʿAbduh clearly built his understanding of the concept based almost entirely on Ashʿarī theology. ʿAbduh not only defines *tawḥīd* to mean what the Salafīs label as *al-rubūbiyyah* (the exclusive Lordship of God), but also advocates the position of the Ashʿarīs concerning the question of God's attributes, that is, taking a metaphorical, interpretive and non-literalist view of the potentially anthromorphic description of God in the Quran.

For this reason, we find his student Rashid Riḍā who became closer to the Salafī teachings after the end of the First World War,[78] repeatedly, although courteously, disapproving of his teacher's views. For instance, in response to ʿAbduh's statement that the most important element in *tawḥīd* is "the affirmation of God's oneness in His essence and the creation of the universes," Riḍā remarks that ʿAbduh has failed to mention *tawḥīd al-ʾulūhiyyah* that is "the first thing to which every Prophet called upon his people."[79] Additionally, it is very clear in more that one occasion that Riḍā is not at ease with his former teacher's elaborations on how to deal with the question of God's attributes.[80] Perhaps the clearest instance of these disagreements is evident in a passage where ʿAbduh asserts that Muslims must avoid adopting the literal meaning when understanding texts bearing a possible

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[76] Taji-Farouki and Nafi, *Islamic Thought in the Twentieth Century*, 41.
[77] Ibid.
[78] Ibid., 42.
[79] ʿAbduh, *Risālah Al-Tawḥīd*, 5.
[80] See for example: pp.10, 17,

anthropomorphic meaning, and instead interpret them based on *taʾwīl* (allegory) or *tafwīḍ* (suspend the meaning). In a long editorial footnote to this section of his teacher's book, Riḍā refuted this view, reiterating the same Salafī reasoning against the Ashʿarī and Māturīdī schools explained earlier in this chapter.[81]

The other reason why ʿAbduh and similar reformists cannot be mixed up with contemporary Salafīs, is the latter's attitude towards the former scholars. Across the spectrum of contemporary Salafīs, reformist thinkers do not enjoy any significant authority or influence. In fact, contemporary Salafīs view all such thinkers, with the exception of Riḍā,[82] as no more than an extension of the Muʿtazilah who are the historical opponents of the Salafīs. The label *al-madrasah al-ʿaqlāniyyah al-ḥadīthah* (the modern rational school) given by contemporary Salafīs to this trend does not only signify their eagerness to disprove any link between the two trends. It is also a clear indication that contemporary Salafīs perceive the reformist trend as emphasising the primacy of reason over the Quran and *ḥadīth* texts, as followers of the Muʿtazilah School are believed to have done. One of the famous Salafī websites includes the reformist trend in its Encyclopaedia of Contemporary Schools of Thought and defines it thus:

> Rationalism is a philosophical school of thought, which claims that rational reasoning is the only channel through which one can grasp the true essence of the existence of the universe without the need for divine revelation or human experiments. It also advocates the notion of subjecting everything in the universe to reason in order to affirm it, deny it or defining its characteristics.[83]

Thus, although there are some shared interests between contemporary Salafism and the modernists, the latter trend does not share the key denominators and characteristics that distinguish Salafism from other

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[81] ʿAbduh, *Risālat al-Tawḥīd*, 202.
[82] Many Salafīs believe that Riḍā changed his position towards Salafism after the death of his teacher. See for example: Mitwallī, *Manhaj al-Shaykh Muhammad Rashīd Riḍā fī al-ʿAqīdah*, 892
[83] http://dorar.net/enc/mazahib/523, (accessed 01/04/2015)

Muslims. As such, the modernists do not even fit into the minimal and broad definition of Salafism adopted in this study.

Wahhabism and Salafism

In many secondary sources, Wahhabism and Salafism often appear in conjunction with one another. Many scholars tend to use the two labels interchangeably; hence, any study of Salafism cannot be complete and adequate without looking at the relationship between the two. Wahhabism refers to the followers of the intellectual heritage associated with the teachings of Muhammad b. ʿAbd al-Wahhāb (1703-1792), the co-founder of the first Saudi state in the eighteenth century. Wahhabism or Wahhābī (one who follows Wahhabism) is not a label of self-description; the adherents of this tradition reject the term on the basis that they denote following the teachings of ibn ʿAbd al-Wahhāb rather than the teachings of Islam. In their view, Ibn ʿAbd al-Wahhāb was only a reformer, not an innovator, and so, they prefer to label his teachings *daʾwah al-tawḥīd* (the call for monotheism) and refer to themselves as *al-muwaḥḥidūn* (those who follows the *tawḥīd*) or Salafīs.

Broadly speaking, Salafism and Wahhabism share many beliefs, doctrines, and sources.[84] The writings of Ibn ʿAbd al-Wahhāb including *Kitāb al-Tawḥīd* that represent the core of his teachings and "the foundation of the Wahhabi canon"[85] are widely adopted and taught by the Salafīs around the globe. Likewise, one finds the writings of Salafī scholars such as al-Albānī widely distributed inside Saudi Arabia, the birthplace and centre of Wahhabism. Consequently, many modern Salafī movements outside Saudi Arabia have been charged with propagating Wahhabism by their opponents and tagged with the label Wahhabism in order to discredit them.[86]

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[84] Wagemakers, "A Purist Jihadi-Salafī," 7.
[85] *Commins, The Wahhabi Mission and Saudi Arabia*, 12; Nafi, "ABU AL-THANA AL-ALUSI," 74.
[86] Commins, *Islamic Reform*, 21.

However, despite these similarities, one can also detect some aspects that distinguish Wahhabism from Salafism, while admittedly not making them completely separate traditions. These distinguishing features pertain to geographical and historical presence, the legal school to which their proponents adhere and their core preoccupations. In terms of the geographical and historical dimension, Wahhabism refers specifically to the proponents of what can be called Salafism, but only inside present-day Saudi Arabia, starting from the first Saudi state (1744-1818) to the present day. Salafism itself transcends these geographical and historical boundaries, to include the proponents of the same teachings from around the globe, before and after the lifetime of Ibn ʿAbd al-Wahhāb.

As for legal schools, we can identify two types of approaches amongst the Saudi scholars who are often referred to as Wahhabīs. The first type is that of Ibn ʿAbd al-Wahhāb and his early disciples, who adhered very closely to the *Hanbalī* school of *fiqh*. As we know, this approach is very different from that of Salafism, whose proponents are fervently reject *taqlīd* of a particular school. It is worth mentioning, however, that while this type still exists, later Wahhābī scholars such as Ibn Bāz and Ibn al-ʿUthaymīn, moved towards a position which entailed less exclusive reliance on the *Hanbalī* school.[87] Thus, Salafism is more general in this respect than Wahhabism, since a salafī can be a follower of any of the four Sunni legal schools as well as those who do not adhere to any particular school. In addition, Salafism position against *taqlīd* in *fiqh* is more drastic and fiercer than that of Wahhabism.

Finally, because the main concern for Ibn ʿAbd al-Wahhāb was a stricter adherence to the concept of *tawḥīd*, "Wahhābīs across time and space have been both famous and infamous for their dedication to this principle."[88] To present-day, the Saudi Salafīs place greater emphasis on the matters of ʿaqīdah (creed) than the issue of *ijtihād* and *taqlīd*. This is

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[87] For an overview on the divergent legal opinions taken by Ibn Bāz and Ibn al-ʿUthaymīn and al-Albānī see: al-Brayk, *al-Ījāz fī baʿḍ mā Ikhtalaf fīh al-Albānī wa Ibn al-ʿUthaymīn wa Ibn Bāz*.

[88] DeLong-Bas, *Wahhabi Islam*, 18.

slightly different in the case of Salafism outside the kingdom. Although, *ʿaqīdah* also plays a central role in the teaching of non-Wahhābī Salafīs such as al-Albānī, "calling upon the Muslim world to throw off the fetters of servile *taqlīd* of precedent"[89] is equally an equally important concern for them.

To conclude, Wahhabism is the Saudi version of Salafism and hence it is possible to say in general terms that every Wahhābī is a Salafī but not every Salafī is a Wahhābī.

Salafism, a 20th Century Phenomenon?

Tracing the origin of Salafism and whether it determining whether it had existed in early Islamic history constitutes one of the important questions in the study of Salafism. Although, it is difficult to determine precisely the historical emergence of the use of the term *Salafīyyah*, some scholars such as Haykel have traced the historical emergence of the term to Ibn Taymiyyah.[90] Haykal sets up his view based on one of Ibn Taymiyyah's verdicts in which the latter uses the term and defines it. Other scholars contend that this view is incorrect and insist that Salafism did not "blossom as a slogan or as a conceptual construct until the early 20th century."[91] Only after the establishment of the Salafīyyah Press and Bookstore of Cairo—through the efforts of Muḥibb al-Dīn al-Khaṭīb (d. 1969) and ʿAbd al-Fattāḥ Qaṭlān (d. 1931)—that an unprecedented visibility was given to the term. [92] This objection is based on the distinction between the usage of the term in Islamic texts before the 20th century and the meaning of the term in modern times. According to this view, medieval Muslim scholars used the term Salafī to denote a theological stance in contradistinction with the Ashʿarī and Māturīdī schools whereas the modern conception of Salafism also encompasses

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[89] Lacroix, Between Revolution and Apoliticism, 59.
[90] Haykel, "On the Nature of Salafi Thought and Action," 38.
[91] Lauzière, "The Construction of Salafiyya," 370.
[92] Ibid, 377.

law, morality, and etiquette.[93] In support of this distinction, Lauziére cites some medieval scholars who, despite being described as Salafīs and having "championed the *madhhab al-salaf* in creed,"[94] were at the same time adherents of one of the four legal schools. For him, this suggests that the presence of the term Salafism or its derivatives in medieval Islamic texts should not be taken as a definitive evidence for the existence of a usage corresponding to that of the modern period.

This argument put forward by Lauziére may well make sense with regard to the usage of the term. However, Lauziére, along with other scholars, takes this argument further, attempting to entirely detach contemporary Salafism from its medieval versions, on the basis that medieval Salafism denotes merely a theological stance whereas contemporary Salafism also holds a legal bearing. This study disputes this view and argues that contemporary and medieval Salafism are connected through both theological and legal dimensions.

The main fault in Lauziére's view stems from two presumptions he, and a number of other scholars,[95] hold about Salafism: (i) contemporary Salafism rejects the traditional *madhhab*-affiliations to the four legal schools and instead advocates that Muslims should deduce legal opinions directly from the scripture and (ii) the notion of Salafism in medieval Islam refers merely to a theological rather than a legal dimension.[96] These presumptions are not entirely adequate, especially with regards the Salafī position towards the Islamic schools of jurisprudence. Indeed, it is true that the Salafī approach to legal matters is very different to that of contemporary traditional scholars, who depend on the emulation of "the

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[93] Ibid, 384.

[94] Ibid, 372.

[95] See for example: Griffel, "What do We Mean by 'Salafī'?"

[96] Lauzière, "The Construction of Salafiyya," August 2010, 372. In late 2016, Lauziére expanded his treatment of the emergence of the concept of Salafism in a book titled *The Making of Salafism: Islamic Reform in the Twentieth Century*. However, although the book offers more material in support of his thesis on the genealogy of the term Salafism, it could be argued that the monograph does not move the argument much further forward, since the basic thesis - that Salafism in medieval Islam denotes an exclusively theological phenomenon, and early Salafism was devoid of any legal dimension - remains the critical point of his presentation.

rulings of classical juris consults, whose authority was considered unassailable."[97] However, this does not mean that Salafism advocates that Muslims should entirely cease to follow the teachings of the established school of jurisprudence.[98] As explained earlier in this chapter, in the case of the Saudi Salafīs, association with a particular school of law does not contradict Salafism. Moreover, such attitudes are not confined to the Ḥanbalī School which has been historically connected with the Salafī creed; many contemporary Salafī scholars are affiliated with other schools as well.[99] Even for a scholar like al-Albānī, whose intellectual pedigree is considered by some scholars to be rooted in the teaching of the 19th century Ahl-e Ḥadīth movement,[100] nowhere in his writings does he argue that the four established schools should be entirely rejected.[101] Thus, Salafism is not an attempt to "cut out the theological middleman who determined the terms on which ordinary believers could relate to the divine."[102] Rather, it is a rejection of the contemporary traditional position that perceives the legal schools as ends in themselves instead of means to understand the Islamic script.[103] In other words, the Salafī principle of giving legal rulings only on the basis of scripture and *ijtihād* (*lā madhhabiyyah*, nonschoolism) is neither intended for lay Muslims nor does it mean the deduction of legal opinions directly from the scripture without considering the opinions of the legal schools. Instead, this notion is directed against the exclusive reliance by scholars on the views of their respective *madhhabs* at the expense of the other schools. It is a

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[97] Commins, *Islamic Reform*, 25.

[98] Griffel, "What Do We Mean By 'Salafī'?," 205.

[99] In North Africa for example, there many scholars who can be labelled as *Mālikī-salafīs* and they are regarded as authorities within the Salafī circles world-wide.

[100] According to Stephane Lacroix, "the primary concern of the Ahl-e Hadith is with law (*fiqh*) rather than with creed (*aqida*). Their intellectual starting point is a complete rejection of taglid (imitation), particularly of the four canonical schools of jurisprudence, and a call to base all religious rulings exclusively on the Qur'an and the Surma with no intermediary involved." See: Lacroix, "Between Revolution and Apoliticism," 61.

[101] For a primary account of al-Albānī's opinion regarding following the Sunni legal schools see: Al-Albānī, ʿawdah ilā al-Sunnah. Available at: www.alalbany.net (accessed 27/12/2015)

[102] Griffel, "What do We Mean by 'Salafī'?," 205.

[103] Al-Albānī, ʿawdah ilā al-Sunnah.

notion that has been championed by a large number of scholars throughout the history of Islam and is certainly not just a 20th century phenomenon.

It is possible to prove the long-standing existence of cross- *madhhab* referencing in traditional jurisprudence by studying the well-known phenomenon of multiple legal verdicts (on certain issues) within the same *madhhab*. While in some cases, diversity in legal verdicts within the same *madhhab* is attributed to the founder of the *madhhab*, in other cases, it is demonstrably the result of disagreement of later scholars with the opinion of the founder of their own *madhhab*. Notably, such in such disagreements, evidence cited consists of the opinions of scholars of other *madhhabs*. Take, for instance, the example of the great *ḥanafī* scholar Abū Yūsuf, who held the opinion of his *madhhab* concerning the amount of *zakāt*. However, when he visited Madīnah and was presented with the evidence upon which Imām Mālik based his opinion, Abū Yūsuf changed his position and adopted the *Mālikī* view.[104] Examples of this nature are numerous. What is worth noticing here is that these disagreements with the doctrines of one's own *madhhab* is a practice that has existed both before and after Ibn Taymiyyah's time, let alone the reform movements that arose from the eighteenth century onwards. [105] Cross-*madhhab* referencing was standard Sunnī practice and not one that can only be associated with Salafism. In fact, according to Hallaq, only after the 16th century, the blind following of earlier jurists became the norm amongst scholars due to the drastic decline in the number of *mujtahids*.[106] Indeed, the situation in modern times is very different from the Abū Yūsuf's time; contemporary traditional scholars not only subscribe to only one of the established four schools, but it is also very common for them to uncritically and even fanatically adhere to the legal opinions of their

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[104] Ibn Qudāmah, *Al-Mughnī*, 1/164
[105] Lauzière, "The Construction of Salafiyya," 373; See aslo: Hallaq, "Was the Gate of Ijtihad Closed?"
[106] Hallaq, "Was the Gate of Ijtihad Closed?," 33.

respective *madhhab* without considering the opinions of the other schools.

Thus, two points can be deduced here. First, the fact that "written sources make it clear that medieval scholars used the notion of *madhhab al-salaf* primarily in theological contexts" [107] as opposed to in jurisprudence is simply because there was no need to address the legal dimension. Second, the call to give legal rulings only on the basis of scripture and *ijtihād* is neither exclusive to Salafism nor a new concept. As such, contemporary Salafism is not a new phenomenon but it has its roots in the teachings of the medieval notion of *madhhab al-salaf*.

Historical Background to the Schism amongst the Salafīs

Having discussed the relationship of Salafism with other doctrinal movements, and having traced the continuities between medieval and modern Salafism, it is now necessary to consider the divisions and differences among the Salafīs themselves. Following the invasion of Kuwait by Iraqi troops in 1990, Saudi Arabia decided to invite US troops on its soil in order to stop what was seen as an immediate danger of Saddam Hussein. This decision sparked outrage among the Salafī advocates, who opposed the Saudi regime and its close alliance with the US and saw the decision as a clear violation of Islamic teachings. A group of young scholars known as the *Ṣaḥwah* (awakening) clerics[108] led by Salmān al-ʿAwdah (b. 1956), Ṣafar al-Ḥawālī (b. 1955) and Nāṣir al-ʿUmr (b. 1952) openly criticised the decision and "delivered fervent sermons criticising the state for allowing an army of infidels on Saudi soil; consequently their popularity skyrocketed and huge numbers of their tapes circulated throughout the kingdom."[109] Yet, "in secular terms, Āl Saud could explain requesting support from the USA as a necessary expedient to protect the

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[107] Lauzière, "The Construction of Salafiyya," August 2010, 372.
[108] For an expanded view on the *ṣaḥwah* see: Lacroix, *Awakening Islam the Politics of Religious Dissent in Contemporary Saudi Arabia*, Alshamsi, *Islam and Political Reform in Saudi Arabia*, and Al-Rachīd, *Contesting the Saudi State*.
[109] Tabarani, *Jihad's New Heartlands*, 77.

country."[110] However, in a country where the legitimacy of authority is "derived from the claim that the Saudi state is a monotheist state that upholds *sharīʿah* and Islamic values, in addition to being the protector of the most sacred Islamic shrines,"[111] a religious legitimisation was necessary in order to justify such decision. For this purpose, the Saudi regime turned to the Council of Senior Scholars (CSS), headed at the time by the Grand Muftī Shaykh ʿAbd al-ʿAzīz Ibn Bāz, who issued a religious verdict legitimising the participation of non-Muslim troops in the war against Ṣaddām's Army.

This was not the first time when Saudi rulers had sought the help of the official *ʿulamāʾ* against their political opponents. Since the foundation of the first Saudi state by the efforts of King Saʿūd, the official religious establishment adopted a doctrine of obedience to the Saudi rulers. In return for this allegiance, the official religious establishment was allowed to influence numerous spheres of the Saudi Arabian way of life. According to the doctrine these scholars propound, Muslims are commanded to obey the orders of those in authority regardless of whether they are just or unjust, as long as it is not a sin to do so. If the ruler commits sins and injustice, the scholars must offer the ruler discreet advice, a practice known as *naṣīḥah fī al-sirr*. This doctrine has placed official Saudi *ʿulamāʾ* in a position where they always had to, at least overtly, defend the Saudi rulers against their political opponents.[112] This is one of the main reasons why Salafism, especially in its contemporary Saudi version, is seen by some observers as an apolitical and quietist school.[113] The Saudi state knows very well how to manoeuvre this doctrine in its own favour and has always been able to extract what many people in the Arab World describe as political verdicts.[114]

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[110] Commins, *The Wahhabi Mission and Saudi Arabia*, 176.
[111] Al-Rachid, *Contesting the Saudi State*, 6.
[112] Commins, *The Wahhabi Mission and Saudi Arabia*, 5.
[113] Meijer, "Introduction," 8
[114] Political verdicts (*fatāwā siyāsiyyah*) refer to those religious verdicts formulated in a manner that is apologetic to political authority.

For many decades, the *ʿulamāʾ* in Saudi Arabia enjoyed a great deal of respect and held a very high authoritative status amongst the adherents of the Salafī School worldwide. Nevertheless, the *Ṣaḥwah* clerics and their followers refused to accept the abovementioned *fatwā* by the CSS, insisting that it has no sound religious basis. The American presence in Saudi Arabia became a major issue during this period and it was perceived by many Saudi youth as a new form of colonialism, the main aim of which was to perpetuate American hegemony, not only in Saudi Arabia, but also in the whole region.[115] The *fatwā* of the official religious establishment led *Ṣaḥwah* clerics, as Wiktorowicz observes, "to question whether the senior purists really understood the political world in which they lived."[116] In a private pamphlet addressed to the members of CSS, al-Ḥawālī implicitly raised this concern, warning that the US-led intervention was a deliberate pre-planned US strategy to control the oil reserves of the region.[117] Al-Ḥawālī politely urged the members of the Council to study the circumstances and realities surrounding the whole Iraq-Kuwait crisis in order to understand the real motivations behind the presence of these troops. Al-Ḥawālī also warned the CSS against confining the whole issue merely to the classical *fiqhī* disagreement over the question of *istiʿānah bi al-kuffār* (seeking the help of non-Muslims troops).

In Saudi Arabia, where the traditional political stand of the senior *ʿulamāʾ* vis-à-vis political authority has always been obedience to the ruler, *Ṣaḥwī* unorthodoxy was naturally challenged. Another group of Salafī clerics, pejoratively referred to as Jāmīs or Madkhalīs, named after the two Medina-based shaykhs, Amān al-Jāmī and Rabīʿ al-Madkhalī, began to oppose and condemn *Ṣaḥwī* leaders for their open criticism of the Saudi regime. In their view, this open criticism represents a deviation from the correct *manhaj* (methodology) of

[115] Al-Rachīd, *Contesting the Saudi State*, 177.
[116] Wiktorowicz, "Anatomy of the Salafī Movement," 223.
[117] Al-Ḥawālī, *Kashf al-Ghummah ʿan ʿulamāʾ al-ʾummah*. Available at: www.alhawali.com, (accessed 31/12/2015)

Salafism in dealing with the ruler and constitutes a violation to the concept of obedience to *wali al-amr,* which would only encourage rebellion and dissent. They firmly rejected all forms of activism, whether social or political, and took a very loyalist stance towards authority. Contrary to the *Ṣaḥwīs*, they placed unconditional trust in the Saudi regime and preached total obedience to existing regimes elsewhere in the Muslim World.

Both the messages of the *Ṣaḥwīs*, and that of their critics found their way outside Saudi Arabia, resulting in significant splits amongst the adherents of Salafism worldwide. The disagreement over what constituted the legitimate stance for Muslims, towards present-day regimes, became a focal point for contention and fragmentation amongst Salafīs.

In addition to the Gulf war, this period also witnessed two other major events in the Muslim World; (i) the end of the Afghan War and the return of the veteran *mujāhidīn* to their homelands, and (ii) the political (then violent) confrontations between Islamists and the governments in Algeria and Egypt. These two events added greatly to the already existing disagreement between *Ṣaḥwīs* and their opponents. Saudi veterans of the war against the Soviets in Afghanistan returned from what they perceived an individual duty to defend the land of fellow Muslims only to find their own land overflowing by non-Muslim troops. Perhaps what made mattes appear even worse was the fact that those troops were invited by a regime that for decades, had been portraying itself as the only true defender of the Islamic *sharīʿah* in the Islamic World. Those *mujāhidīn* who were exposed to the many different ideas of other Islamists, such as the Muslim Brotherhood, Egyptian Jihad organisation, along with other *takfīrī* groups participating in the Afghan War, immediately started questioning the legitimacy of the Saudi rulers. This was step that even the *Ṣaḥwī* scholars had not dared to take against the Saudi regime. In addition, the participation of some of the Algerian Salafīs in the political party The Islamic Salvation Front (Front Islamique du Salut, FIS) and in its confrontations with the regime before

the legislative elections in 1991, raised many questions within Salafī circles, inside and outside Algeria, about the religious legitimacy of such political involvement.

Thus, as a consequence of these geo-political events, the seemingly homogeneous school of Salafism began to witness intense debates and conflicts over a number of questions related to the correct stand vis-à-vis political authority. These differences took the form of statements and counter statements, which were then reproduced in a great number of books, lectures, and religious verdicts, all dealing with various questions related to the legitimacy of contemporary rulers in the Muslim world.

In the aftermath of the 1990/91 Gulf War, Salafī circles were already racked by internal disputes and accusations of deviancy from Salafism. Loyalists, in particular, were quick to label their opponents with different derogatory names such as *surūrīs*[118], *ikhwānīs*[119], and *quṭbīs*[120]. Initially, these labels were aimed at revealing the "deviant" attitude of the Activists towards the state and not to their creed. At that point of time, the contest was still between the Loyalists and the Activists, the Jihādīs still being considered part of the latter, and not an entirely separate trend.

The main concern of the Loyalist scholars was that the Activists' overt criticism of "*wulāt al-amr*" (the rulers) is a foreign innovation that contradicts the "*manhaj*" (method of applying religious views in practice) of their forefathers. In their view, the Activists' "corrupted" *manhaj* was a result of the influence of some Brotherhood figures, such as the Egyptian Muhammad Quṭb (1919-2014), the brother of Sayyid Quṭb and the Syrian scholar Muhammad Surūr Zayn al-ʿAbidīn (b. 1938). Both men had escaped the brutality of the Egyptian and Syrian regimes

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[118] Followers of Muhammad Surūr bin ʿAbidīn Zayn al-ʿĀbdīn, a former member of the Muslim Brotherhood branch in Syria.
[119] Followers of *al-Ikhwaʾn al-Muslimūn* (the Muslim Brotherhood Group)
[120] Followers of the Egyptian thinker Sayyid Quṭb (1906-1966)

and immigrated to Saudi Arabia where they had found refuge and had been integrated to teach in its educational institutions in the 1960s. [121]

Despite these aspersions, the Loyalists acknowledged the correctness of the creed of the Activists, although they criticised the Activists for their interest in politics and for following the political doctrines of Sayyid Quṭb and Muslim Brotherhood. The label *surūrī*, was, at that point, directed at those whose belief/creed, as Lacroix put it: "… might conform to what the pious ancestors believed, but the methods they used were blameworthy innovations (*bidaʿah*), so they were not true Salafīs." [122] Hence, initially, the creed of those categorised by Wiktorowicz as "Politicos" was never challenged by those whom he labels "Purists", nor was the creed of the "Loyalists" questioned in turn.

However, this attitude did not survive for very long, as soon afterwards, the accusations of deviation evolved to include also the creed of the opponents. This shift started in the early nineties when the Salafī circles began to witness the publication and distribution of many books attempting to refute and denounce what was seen as imported deviated thoughts of *takfīr*. These thoughts in the view of some Loyalists were injected into the religious arenas in countries like Saudi Arabia and Jordan by the returnees of the Afghan War who were influenced by the various *Jihādī* groups operating there, as well as by the writings of people like al-Maqdisī, who was one of the first few Salafīs to declare the apostasy of the Saudi rulers.

At the outset, the dispute took place, between some students of al-Albānī in Jordan, supported by the Loyalist trend in Saudi Arabia on the one hand, and many Activists and Jihādīs on the other hand. The focal point of the disagreement was over the correct Salafī position concerning *al-ḥukm bi ghayr mā anzala Allāh* (ruling by other than that which Allah has revealed) and when exactly such action can lead to the

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[121] Al-Rachīd, *Contesting the Saudi State*, 63.
[122] Lacroix, *Awakening Islam the Politics of Religious Dissent in Contemporary Saudi Arabia*, 2011, 215.

"excommunication" or "expulsion" of the Muslim ruler from the realm of Islam.

Later, the disagreement took on greater creedal ramifications over what constitute *īmān* and *kufr* and whether this or that action can be a cause for *kufr*. Eventually, the disagreements led each side to charge the other with deviation from "the correct" *ʿaqīdat al-salaf* (the creed of the *Salaf*).

Ultimately, the disagreement led each group to accuse the other of deviation from the true Salafism. However, it is vital to note that these accusations were mainly between the Loyalists on one side and the Activists and the Jihādīs on the other. The contribution of senior scholars to these debates has been to repeatedly call for unity and for halting mutual defamation.

The Main Figureheads of the Debates

Given the importance of *ʿaqīdah* in Salafī thought, it is not surprising to find an abundance of writings, lectures, and verdicts relating to these debates. Additionally, because every side in the intra-Salafī debates is trying their utmost to prove that they alone are the representatives of the correct Salafī position in the disputed questions, the result is naturally a vast collection of books, sermons, verdicts and other forms of expression in the form of polemics.

This research does not intend to cover all of the available data related to the debates; rather, it focuses on the writings of certain figureheads who played a major role in shaping the intra-Salafī debates over the question of ruling by manmade laws and *īmān* and *kufr*. For the position of the Loyalists, the two main figureheads chosen here are the Jordanian scholar ʿAlī al-Ḥalabī and the Egyptian scholar Khālid al-ʿAnbarī. As for the position of the Activists, the focus here is on the Saudi scholar Safar al-Ḥawālī and the Jordanian scholar Muhammad Abū Ruḥayyim. Since the position of the Jihādīs on the questions of *īmān* and *kufr* is very

similar to the Activists, the research does not focus on any particular Jihādī scholar.

Safar al-Ḥawālī: Al-Ḥawālī was born on 1950 in al-Bāḥah in the south west of Saudi Arabia. After completing his first degree at the University of Medina, al-Ḥawālī continued his postgraduate studies at the University of Umm al-Qurā where he later became a lecturer in, and then head of the faculty of *ʿaqīdah*. It is almost impossible to study intra-Salafī debates on *īmān*, *kufr* and *takfīr* without looking deeply into al-Ḥawālī's book *Ẓāhirat al-Irjāʾ fi al-Fikr al-Islāmī* (*The Phenomenon of Irjāʾ in Islamic Thought*). The reason for this is that in the first half of the nineties, al-Ḥawālī was one of the most influential activist Salafī scholars, whose recorded sermons were widely distributed both inside and outside Saudi Arabia. Al-Ḥawālī's academic specialization is in Islamic creed; therefore, unlike his fellow activist leaders, his main focus, has always been on matters of creed.[123] *Ẓahirat al-Irjāʾ*, which was first published in 1996, is believed to be a "major modern work to elaborate a systematic critique of purportedly *murji'ite* tendencies in contemporary Islam"[124] as Lav rightly observes. The opinions expressed in this book do not represent only the position of Activist Salafīs but they are also adopted by the Jihādīs as is suggested by its inclusion in the largest online Jihādī library, called *minbar al-tawḥīd wa al-jihād*. The other factor that adds to the significance of *Ẓāhirat al-Irjāʾ* within the topic at hand is the fact that the book contains the first criticism, albeit a lenient one, of the alleged *irjāʾ* inclinations of al-Albānī, by a renowned Salafī scholar.

ʿAlī al-Ḥalabī: Al- Ḥalabī was born on 1960 in the city of al-Zarqa, Jordan. A student of al-Albānī, he was a prolific author and a central figure in much of the debates over *īmān* and *kufr* in the second half of the 1990s. Al-Ḥalabī was a Loyalist scholar, and was directly or indirectly involved in the publication of many books on the topic of *īmān*

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[123] Alshamsi, *Islam and Political Reform in Saudi Arabia*, 5.
[124] Lav, *Radical Islam and the Revival of Medieval Theology*, 86.

and *kufr* that stirred intense controversy within the Salafī community. Two of al-Ḥalabī's books in particular will be scrutinized here, *al-Taḥthīr min Fitnah al-Takfīr* (*Warning against the Mayhem of Takfīr*) and *Ṣayḥat Nathīr* (*a Shout of a Warner*). Although al-Ḥalabī produced several books on *īmān* and *kufr*, most of which are more expansive in content than these two books, the two chosen here have a particular importance for our purpose. This is firstly because these two books have incited very stern responses not only from the Activists and Jihādīs but also from some senior official scholars in Saudi Arabia who are categorised as "quietists" by many western scholars such as Wiktorowicz in his *Anatomy of the Salafī Movement*. The other significance stems from the core of the first book *al-Taḥthīr,* which is a transcript of an answer given by al-Albānī to a question put to him regarding the question of applying *takfīr* to present-day rulers in the Muslim World. Al-Ḥalabī added a very long introduction and some footnotes in which he attempted to refute the view of his activist and Jihādī opponents. Al-Ḥalabī also attached to the transcribed answer of al-Albānī two commentaries ascribed to Ibn Bāz and Ibn al-ʿUthaymīn, which he considers to be an evidence of their consent and approval of the verdict of al-Albānī, thus taking a position vis-à-vis these two scholars as well.

Al-Ḥalabī's book *al-Taḥthīr* is also important for the next chapter that deals with the accusations against al-Albānī. This is because according to al-Ḥalabī, al-Albānī read the book and agreed with its content. Now, given that senior scholars in Saudi Arabia refuted the book—or at least the first edition of it—it is interesting to examine whether al-Albānī held different views on such vital issue of creed to that of the Saudi scholars.

Khālid al-ʿAnbarī: Al-ʿAnbarī was a university lecturer in Saudi Arabia. [125] He represents another central figurehead in the intra-Salafī debates over *īmān* and *kufr* in the second half of the 1990s. Similar to al-Ḥalabī, his book *al-Ḥukm bi ghayr mā anzal Allāh wa Usūl al-Takfīr* (*Ruling by Other than what Allah has Revealed and the Principles of*

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[125] I coud not find his date or place of birth.

Takfīr) was criticised by the scholars of the PCRV for allegedly containing traces of the creed of the Murjiʾah and was censored in Saudi Arabia. Al-ʿAnbarī has a number of recorded meetings with al-Albānī on questions related to *īmān* and the *takfīr* of the rulers who rule according to manmade laws. He also claims that al-Albānī approved of his book. In the fourth edition of his book, al-ʿAnbarī provides a preface by al-Albānī (though not completed) to prove that al-Albānī shared his views.

Abū Ruḥayyim: The study of the intra-Salafī debates over the questions of *īmān* and *kufr* cannot be complete without examining the writings of the Jordanian professor of theology Abū Ruḥayyim. Abū Ruḥayyim is a very interesting figure in these debates though it is very hard to determine whether he belongs among the Jihādīs or the Activists. What is certain about him however is that like al-Ḥalabī, he was a prominent student of al-Albānī and then turned against his shaykh in a book called *Ḥaqīqah al-Īmān ʿInd al-Shaykh al-Albānī* (The True Meaning of Faith in the view of *Shaykh* al-Albānī). After finishing his undergraduate studies at the Jordanian University, Abū Ruḥayyim, spent few years teaching *sharīʿah* in Jordan before he was accepted to continue his postgraduate studies at the university of Umm al-Qurā between 1981 and 1986- thanks to a letter of recommendation from al-Albānī. This was the same period in which al-Ḥawālī was pursuing his studies at the same university. After finishing his doctorate, Abū Ruḥayyim worked as a university professor of theology in UAE then Jordan.

There are several reasons that make Abū Ruḥayyim a significant figure in the study of the debates over *īmān* and *kufr*. First and foremost, there is the fact that he was a student of al-Albānī who turned against his teacher. In addition, unlike al-Ḥawālī in his above-mentioned book, Abū Ruḥayyim explicitly and expansively charges al-Albānī with holding some views of the Murjiʾah in relation to the questions of *īmān* and *kufr*. Although he stops short of calling his shaykh *murjiʾī* (the one who adopts the doctrine of Murjiʾah) he saves his abundant attacks for al-Ḥalabī and other prominent students of al-Albānī whom he labels *adʿiyāʾ al-Salafiyyah* (counterfeit Salafīs) and Murjiʾah. After the publication of

al-Ḥalabī's book al-*Taḥthīr*, Abū Ruḥayyim authored several books in an attempt to refute what he believed to be "lies upon the scholars, plagiarism, narrow mind, and shallow understanding"[126] of al-Ḥalabī and his supporters. These books later became an important source for much of the intra-Salafī debates over the position of al-Albānī in regard to the questions of *īmān*, *kufr* and *takfīr*.

Summary

This chapter has attempted to address the complexities and ambiguity surrounding the concept of Salafism and summarise the widely accepted meaning of Salafism by exploring some of its central characteristics. These characteristics include a particular understanding of the concept of *tawḥīd* based on an expansive definition of *shirk*, one that includes denunciation of many popular practices, in addition to a somewhat literal interpretation of certain texts that may imply a possible anthropomorphic understanding. The second characteristic of Salafism highlighted in this chapter relates to a restrictive perception of innovation in Islam that narrows the scope of acceptable Islamic practices. The third characteristic pertains to their approach to the traditional four legal Sunni schools based on the rejection of blind *taqlīd* and the division of Muslims into *muqallid*, *muttabiʿ* and *mujtahid*.

The chapter has also explained that despite a number of differences between Salafism and Wahhabism, they do share a great number of beliefs, doctrines, and sources, which suggests that Wahhabism is part of Salafism. This, however, is not the case with the modernist movement of al-Afghānī and ʿAbduh, which does not share the abovementioned key characteristics of contemporary Salafism.

Finally, this chapter has briefly presented the historical context of the genesis of schisms amongst the Salafī protagonists in the 1990s, by explaining how the presence of non-Muslim troops on the Saudi soil and

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[126] Abū Ruḥayyim, *Ḥaqīqat al-Khilāf bayna al-Salafiyyah al-Sharʿiyyah wa Adʿiyāʾihā fī Masāʾil al-Īmān*, 6.

the political engagement of some Islamic parties have triggered disputes amongst Salafī youth over the legitimacy of the contemporary rulers in the Muslim world. The next chapter, on the other hand, examines in greater detail the phenomenon of intra-Salafī disputes over the correct stance vis-à-vis political authority.

Chapter Three: *Al-Ḥākimiyyah*

Introduction

Following the Arab Spring and the emergence of various Salafī voices on the Arab political scene, a great deal of uncertainty appeared surrounding the relationship between the Salafīs and the incumbent regimes in their respective countries. The paradox here is that Salafism has been accused of two contradictory stances vis-à-vis political authority. On the one hand, it has been charged with an unreserved acceptance of, and loyalty towards unsavoury regimes for preaching a doctrine of subservience to them, and on the other, it has been blamed for much of the violence that took place against these regimes in the recent past. Both these charges are based on some measure of truth. As we know, the adherents of Salafism, unlike those of the Muslim Brotherhood, have never been unified under a single leadership or one organisational structure that would determine the political stance that all Salafīs should take. As a result, a number of prominent Salafī scholars hold distinct and sometimes contradictory religious views, which can lead people, "to question whether they can even be considered part of the same religious tradition",[1] as Wiktorowicz correctly observed. In this chapter, we shall discuss the full range of Salafī opinion of the matter of political legitimacy. It will be demonstrated the disagreements that exist on the topic, far from being incidental, or symptomatic of incoherence, are logically related to the patterns of doctrinal development and divergence among the Salafīs, which we have discussed in the previous chapter.

As explained in the previous chapter, all Salafīs broadly share a similar approach to religious affairs as well as the same method of reasoning; however, their attitude towards political authority in the Muslim World is far from uniform. Contemporary proponents of Salafism range from extremely loyal clerics who advocate total subservience to the regimes

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[1] Wiktorowicz, "Anatomy of the Salafī Movement," 207–39.

under which they live, to the Jihādīs who overtly seek to overthrow the same regimes, using all forms of violence necessary.

A good example of the former tendency is the Egyptian Salafī scholar Maḥmūd ʿĀmir who in 2010 issued his famous religious verdict legitimising the killing of Muhammad al-Barādʿī (the former director of the International Atomic Energy Agency) due to his calls for political reform and his threat of civil disobedience. ʿĀmer's reasoning is very simple and straightforward and based on one single Prophetic *ḥadīth*: "Anyone who tries to disrupt the affairs of this *ummah* while they are united, you should kill him whoever he be."[2] ʿĀmer deduces from this *ḥadīth* the following verdict:

> Mubārak is the legitimate ruler of the country, and challenging him is not, religiously and rationally, permitted. Therefore, whoever comes trying to divide us (Egyptians) in Egypt, the Prophetic injunction is clear.[3]

The opposite tendency is exemplified in the armed movements that swept various Muslim countries such as Egypt, Saudi Arabia, and Algeria in the mid-nineties. It was out of these movements that various current Salafī Jihādī groups emerged.

In secular terms, these contradictory stances amongst the Salafīs can be simply explained as a reflection of the various political opinions existing amongst the ranks of the advocates of Salafism and can be treated as belonging to the distinct and autonomous area of political thought. However, from a Salafī point of view, positions towards those in power should not be justified solely on the basis of political reasoning/ends. Rather, Salafī scholars insist that the relationship between the ruler and people is primarily a religious affair bound by a contract (*ʿaqd*) and a pledge of allegiance (*bayʿah*) and therefore, it must be regulated in accordance with the teaching of *sharīʿah* in order to be legitimate.[4]

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[2] *Ṣaḥīḥ Muslim*, 2/898–899.

[3] http://mahmodamer.wordpress.com/2011/01/01/606/ (accessed 06/06/2012)

[4] Al-ʿAbd al-Karīm, *Muʿāmalat al-ḥukkām fī Ḍawʾ al-Kitāb wa al-Sunnah*, 7.

In the following sections, we shall see that disagreement amongst proponents of Salafism towards present-day rulers revolves around various aspects of the concept of *al-ḥākimiyyah*: the absolute sovereignty of God. In this chapter, we shall examine the points of agreement and disagreement in the Salafī teachings vis-à-vis contemporary governments in the Muslim World, in the light of their doctrinal debates over two vital issues that derive from the overarching matter of *al-ḥākimiyyah*: (i) the relationship between *al-ḥākimiyyah* and *tawḥīd* and (ii) whether the implementation of *sharīʿah* law should be a sine qua non condition for the legitimacy of any political authority. The chapter will use the specific cases of the Kingdom of Saudi Arabia and Egypt in order to illustrate the way in which these theoretical concepts are substantiated in the real political world.

Defining *al-Ḥākimiyyah*

Al-ḥākimiyyah, in the Arabic language, is an invented word derived from the word *ḥākim* (ruler or governor; pl. *ḥākimūn* or *ḥukkām*). The Arabic verb of the word is *ḥakama*, which means to rule. The term *al-ḥākimiyyah* does not exist in the texts of the Quran or the Prophetic Tradition. However, derivations from the same root consonants such as *al-ḥukm* (command, or rule) are used in several scriptural texts to express the same concept. One of these derivatives, for instance, appears in the well-known Quranic verse "The command (*al-ḥukm*) rests with none but God."[5] The term *al-ḥākimiyyah* is mainly used to express the idea that absolute authority and command rest with none but God alone. In other words, "[it] is the Sovereignty in which rests the highest legal and governmental authority."[6] Based on the above premise and the definition of *al-ḥākimiyyah* just presented, the next section will examine the salafī perspective on this concept.

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[5] *Quran*, 12:40.
[6] Khatab, "'Hakimiyyah' and 'Jahiliyyah' in the Thought of Sayyid Qutb," 146.

Al-Ḥākimiyyah from the Salafī perspective

The literature on the area of what is currently known as "Islamism" or "political Islam" indicates that the South Asian Muslim scholar Abū al-Aʿlā al-Mawdūdī [7] (1903-1979) was the first scholar/theoretician to introduce the term *al-ḥākimiyyah*, which was subsequently adopted and developed by the Egyptian thinker Sayyid Quṭb.[8] Nowadays, the term is widely used by many Islamists including the Salafīs. It is worth noting here that while some scholars argue that the salafī Jihādīs have adopted Quṭb's concept of *al-ḥākimiyyah*,[9] this is not actually accurate. This is because "the idea that ruler-ship is the exclusive prerogative of Allah, and the corresponding tenet that any form of human government that is not devoted to implementing Allah's will as expressed in the *sharīʿah* is an illegitimate usurpation of Allah's prerogative, and thus a form of idolatry" is not exclusively promoted by Quṭb. Rather, the conception of ruler-ship is rooted in the Salafī teachings and was already widespread in the Salafī literature long before Quṭb started campaigning for it. Perhaps it is fair to say that the Salafī literature does not use the term *al-ḥākimiyyah* per se as much as Quṭb and his followers use it, but it is evident that the concept has always been present in the Salafī teachings.[10]

From a Salafī perspective, *al-ḥākimiyyah* is not about the absolute power of the ruler or the head of the Muslim state. Rather, it concerns all Muslims in all matters of their lives. Just as it is not permissible for the ruler to rule according to anything other than God's decree, Muslims in general are commanded to adhere to the commandments of Quran and Sunnah (the traditions of the Prophet) in all aspects of their lives. The

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[7] A Muslim theologian and a political leader born in Pakistan/British-India, he was the founder of the Jamaat-e- Islami and one of the most influential Muslim thinkers.

[8] For more on the influence of al-Mawdūdī on the Arab World see: Osman, Fathi, "Mawdudi's Contribution to the Development of Modern Islamic Thinking in the Arabic-Speaking World." For an up to date work on al-Mawdūdī's views on al-ḥākimiyyah and how it has influenced Quṭb see: Hartung, Jan-Peter, A System of Life: Mawdūdī and the Ideologisation of Islam, 2014,

[9] Lav, *Radical Islam and the Revival of Medieval Theology*, 2012, 168.

[10] The next chapter deals with the Salafī views on the question of substituting *sharīʿah* with manmade system of laws.

idea of the exclusive ruler-ship of God, thus leads to the tenet that God's will as expressed in the *sharīʿah* is the only legitimate source of law. Hence, although the conception of the Sayyid Quṭb and the politicised groups on the notion of *al-ḥākimiyya* may broadly "coincide with those of Salafism… [they] are much more highly politicised."[11]

The Significance of *al-Ḥākimiyyah*

Essentially, the points of agreement between Salafī proponents regarding *al-ḥākimiyyah* and about the implementation of *sharīʿah* as a system of laws are much more numerous than the issues over which they disagree. Nevertheless, the points of disagreement entail enormous enough consequences to make disagreeing Salafīs appear as opposing political trends in relation to their attitude towards contemporary governments. Broadly speaking, Salafīs are no different to orthodox Muslims in believing and accepting the notion that God has the ultimate sovereignty over the universe and that authority and command rest with none but Him. [12] From the Jihādīs, who openly reject the state and seek to overthrow it by armed means, to those who are ostensibly apolitical and consider present-day rulers legitimate (*wulāt amr sharʿiyyūn*), all Salafīs lay great emphasis on this notion. There is thus no disagreement amongst the Salafīs that it is a religious obligation and necessity to apply *sharīʿah* to govern all spheres of private and public life and that denying such obligation takes one outside the fold of Islam. Take for instance al-ʿAnbarī, who is an outspoken advocate for subservience to the political rulers. In his argument against the Jihādīs and Activists, al-ʿAnbarī makes it clear that his opposition to them is not about this point.

> The issue about which there is no disagreement is the fact that Allāh is the sole judge between people and that He makes none to share in His decision and His rule, no matter how noble this person is, or how complete his mind is. He, The Almighty, is The Best of Judges and His rule is absolute justice and truth.

[11] Meijer, "Introduction," 25.

[12] For a collection of statements by various Sunni scholars regarding the obligation to rule according to *sharīʿah* see: Ibrāhīm, Muhammad Yusrī, *al-Furqān al-Mubīn fī Nuṣrat Sharīʿat Rabb al-ʿAlamīn*

All other rules, manmade laws and *Jāhilī*[13] rules are unjust and deviant.[14]

With respect to the rule of *sharīʿah*, all Salafīs agree that there are two interrelated religious duties incumbent upon both the ruler and the people in the Muslim state. Firstly, it is compulsory for the Muslim ruler to govern according to the principles of *sharīʿah*. In other words, a Muslim ruler must not follow or judge by any other system of laws that contradicts the laws of Islam, such as manmade laws. Secondly, Muslims, in turn, are obliged to refer to the rule of God only, for conduct of their personal affairs and resolution of disputes. Salafī scholars often cite a number of scriptural texts as evidence for these two duties. For instance, with regard to the duty of the ruler, they cite the Quranic verse:

Then We have put you [O Muhammad] on a plain way of [Our] commandment (i.e. legal ways and laws of the Islamic monotheism). So follow that [Islamic monotheism and its laws], and follow not the desires of those who know not.[15]

As for the second obligation that concerns all Muslims the evidence brought forward by the salafī scholars is the following Quranic verse:

It is not for a believing man or a believing woman, when Allah and His Messenger have decided a matter, that they should [thereafter] have any choice about their affairs. And whoever disobeys Allah and His Messenger has certainly strayed into clear error.[16]

According to the Salafī view, other verses not only command the Muslim ruler to rule in accordance with *sharīʿah* in all matters of disputes, but also contain a severe warning (*waʿīd shadīd*) for not abiding by these commands. This warning implies that failing to implement or refer to

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[13] *Jāhiliyyah*, is a term that traditionally refers to the period of pagan ignorance before Islam. *Jāhilī* is used to refer to any social political or ritual behaviour that contradicts the principles of Islam.
[14] Al-ʿAnbarī, *Al-Ḥukm bi Ghayr mā Anzala Allāh wa Usūl al-Takfīr*, 17.
[15] *Quran*, 45:18.
[16] Quran, 33:36.

sharīʿah in judgements, legislation, political and legal decisions could lead to falling into unbelief. The following three verses are quoted frequently in most materials dealing with the question of ruling by other than *sharīʿah*.

> And whosoever does not judge according to what Allah has sent down, then those are they (who are) the unbelievers (*al-kafirūn*).[17]

> And whosoever does not judge according to what Allah has sent down, then those are they (who are) the unjust.[18]

> And whoever does not judge according to what Allah has sent down, then those are they (who are) the immoral.[19]

The disagreement over the interpretation of these verses, especially the first one, forms the core of the contention between contemporary Salafīs with regards to the impact of the application of manmade laws on the status of the Muslim ruler as a Muslim. This will be discussed in detail in the next chapter.

Linking *al-Ḥākimiyyah* to *Taqlīd*

The link between the concept of *al-ḥākimiyyah* and the question of *taqlīd* in Salafism can be perfectly demonstrated in an incident narrated by al-Albānī, which took place during a Friday sermon in one of the mosques in Damascus before he was forced to live in exile starting from 1980.[20] The whole sermon, according to al-Albānī, was about how *al-ḥākimiyyah* should belong to no one but God alone. However, al-Albānī noticed during this lecture that the *imām* made a mistake with regard to a *fiqhī* (legal) question. After the prayer, al-Albānī approached the *imām* to tell him that the legal verdict he gave is in contradiction with an authentic Prophetic tradition. The *imām* justified his view stating that he was a follower of the Ḥanafī School of jurisprudence. The justification of the *imam* surprised al-Albānī who took it to mean that the *imām* did not

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[17] *Quran*, 5:44.
[18] *Quran*, 5:45.
[19] *Quran*, 5:47.
[20] Al-Shaybānī, *Ḥayāt al-Albānī wa Ātharuh*, 77.

consider himself obliged to abandon the view of his legal school in favour of following an authentic tradition, when one such existed.

Al-Albānī responded blaming him

> *Subḥān Allāh*! You have just given a sermon that *al-ḥākimiyyah* is just for Allah, the Mighty and Majestic, but you only use this word to attack those rulers whom you think are unbelievers because they do not rule according to the Islamic *sharīʿah*. Yet you have forgotten about yourself and that Allah's decree and judgement is binding for every single Muslim. So, when I say to you that the Prophet did so and so, why do you say, "But my *madhhab* (legal school) is such and such?" Thus, you have contradicted that which you are calling the people to.[21]

This example is a very good illustration of how the Salafī perception of the concept of *al-ḥākimiyyah* surpasses governorship and authority to encompass all Muslims, and all religious aspects related to human life. It is this expansive perception of *al-ḥākimiyyah* that forms the Salafī basis for rejecting blind *taqlīd* of the four legal Sunni schools. According to Salafī reasoning, only Prophet Muhammad was infallible and consequently has the right of absolute obedience; no one but him has this right regardless of his or her knowledge and status.[22]

In this connection, al-Albānī argues that any system of laws that contradicts *sharīʿah* should not be accepted regardless of its source. For him, as well as many prominent Salafī scholars, there is no difference between a law legislated by non-Muslims, as in the case of manmade laws, and a legal opinion that results from an erroneous *ijtihād* (interpretation) by a Muslim scholar if it contradicts the rule of God. In both cases, Muslims must reject these laws and legal opinions when they are clearly in contradiction with the Quran and Sunnah, because absolute authority and command belongs solely to God.[23] The only difference between the Muslim scholar who has made an error and the legislator of

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[21] www.youtube.com/watch?v=mEWP0mWQYyI (accessed 13/05/2013)
[22] ʿAbbāsī, *Bidʿat al-Taʿaṣṣub al-Madhhabī*, 124; Āl al-Shaykh, *Fatḥ al-Majīd*, 362–363.
[23] Al-Albānī, *al-Taṣfiyah wa al-Tarbiyah*, 26.

manmade laws lies in the fact that the former is not as blameworthy as the latter since he did not intend to contradict the Islamic *sharī'ah*.[24]

Al-Ḥākimiyyah and *Tawḥīd*

Besides these legal implications of *al-ḥākimiyyah* for the practice of *taqlīd*, Salafīs also link *al-ḥākimiyyah* to the fundamental creedal issue of *tawḥīd* According to Salafī teachings, all Islamic theories, commandments for worship, social relations, and politics are based on the notion of *tawḥīd*. *Tawḥīd* is the very purpose of the existence of humankind. Based on the Quranic verse "I have only created Jinns and men, that they may worship Me,"[25] they argue that God has created human beings for one reason alone and that is to worship, obey and submit to Him solely and to no one else. The revelation of the books and the sending of the Prophets were merely to convey this message to the people.[26]

Accordingly, for the Salafīs, the concept of *al-ḥākimiyyah* represents an integral part in all three components of *tawḥīd* explained in the first chapter. It is linked to *tawḥīd al-rubūbiyyah*, given that singling out God in His lordship implies a firm and definite belief that He alone has the right to legislate for people what is permissible, and what is forbidden for them. Hence, whoever decrees a rule that contradicts the rules of Islam is deemed to have usurped the legislative sovereignty (*al-ḥākimiyyah*) that belongs solely, to God, and thus, made oneself partner with God.[27] Thus we begin to understand the significance attached by Salafīs to *tawḥīd al-asmā' wa al- ṣifāt*, as attributes such as *al-ḥakam* (The Judge or The Arbitrator) and *al-ḥakīm* (The Wise) are amongst the names of God, which, together with the meanings they convey Muslims are supposed to unquestioningly believe. *Al-ḥakam* means the precise

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[24] Ibid.

[25] *Quran*, 51:56.

[26] Ibn Baz, "the Obligation of applying the Law of Allah and discarding anything contradictory to it,"
www.alifta.net/Fatawa/FatawaChapters.aspx?View=Page&PageID=18&PageNo=1&BookID=14 (accessed 29/10/12)

[27] Ibn Ḥasan, *Fatḥ al-Majīd Sharḥ Kitāb al-Tawḥīd*, 369–376.

Arbitrator and the absolutely correct Judge whose word is decisive in determining what is right and what is wrong, in distinguishing between righteous and sinful deeds, and none can overturn or repeal His decree. As for *al-ḥākim*, the Arabic word is in a superlative form, and thus intended for the glorification of the One who has the wisdom. The reference to God's wisdom is intended to convey that He knows the real essence of everything and what is best for His creation. In the Salafī view, therefore, subscription to *tawḥīd al-asmāʾ wa al- ṣifāt* leads to a fuller understanding of *al-ḥākimiyyah*.

As for *tawḥīd al-ulūhiyyah,* which forbids any form of association with God in worshipping Him, Salafīs believe that seeking judgement from any entity other than God constitutes a form of *shirk* and submitting to His judgment is a form of worship. The resemblance between worshipping any thing or being other than God and seeking judgment from any other than Him can be illustrated by Muhammad al-Amīn al-Shanqīṭī's[28] (1897-1972) interpretation of the following Quranic verse.

> They [Jews and Christians] took their rabbis and their monks to be their lords besides Allah, and Messiah -son of Maryam, while they were commanded to worship none but One God…[29]

According to al-Shanqīṭī, there is no difference at all between seeking judgment from other anybody than God and worshiping someone/something other than Him. "The one who follows a system other than that of Allah, legislations other than that of Allah, or a law that opposes *sharīʿah…* is similar to the one who worships an idol or prostrates to a statue. There is no difference between them at all from any point of view. They are the same and they are both *mushrikūn* (polytheists, or guilty of associating idols with God). One has association with Allah in worship and the other has associated with

[28] Al-Shanqīṭī, Muhammad al-Amīn Ibn Muhammad al-Mukhtār al-Jakanī. A well-known and respected Salafī scholar, Born and raised in Mauritania before he moved to Saudi Arabia where he spent the last part of his life teaching Quranic exegesis and *uṣūl al-fiqh* (principles of Jurisprudence). Best known for his fomous work on Quranic exegesis *Adwāʾ al-Bayān fī Īdāḥ al-Qurʾān bi al-Qurʾān*
[29] *Quran*, 9:31

Allah in His judgment. They are both the same."[30] The same idea is also found in Ibn ʿAbd al-Wahhāb's interpretation of the above verse in his book *Kitāb al-tawḥīd*. Ibn ʿAbd al-Wahhāb, asserts that Muslims are commanded by God to obey the scholars and the rulers. However, this obedience must not be in forbidding what God has made permissible or permitting what He has made forbidden because this type of obedience is equal to taking them as lords beside God.[31] Absolute obedience is a form worship that is reserved for God alone. To support his view, Ibn ʿAbd al-Wahhāb invokes a famous story of one of the companions of the Prophet named ʿAdī b. Abī Ḥatim, who had been a Christian before converting to Islam. It is reported that when he heard the above verse, he said: "We do not worship them." To which the Prophet replied: "Do not they proscribe what Allah (the Exalted) allowed and in turn you proscribe it; do not they allow what Allah (the Exalted) proscribed and you allow it? So ʿAdi said: "Yes." The Prophet then said: "That is worshipping them." In his commentary on the book, Ibn al-ʿUthaymīn concludes that the Prophet explained that the expression "worship" in the verse was not just intended to mean *sujūd* or *rukūʿ* (prostration or bowing) but that it included the acceptance of legislation that contradicts the rule of God. Thus, obedience to the rabbis and monks or anyone other than God constitutes *shirk al-ṭāʿah* (association in obedience).[32]

In sum, *al-ḥākimiyyah*, in the view of Salafīs, requires Muslims to believe and accept that no one but God has the right to legislate what is permissible and what is not in all aspects of life. Muslims must also believe that the rule of God is the best for people, and they have to refer solely to the rule of God in all matters of disagreements. However, despite this somewhat unified perception of *al-ḥākimiyyah* amongst the Salafīs, there exist many disagreements on how to apply this concept in real life. Some of these disagreements are tolerated and seen as matters of *ijtihād*, while others are not accepted and deemed by disagreeing

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[30] Al-Sabt, *al-ʿAdhb al-Namīr min Majālis al-Shanqīṭī fī al-Tafsīr*, 5/2267.
[31] Ibn Ḥasan, *Fatḥ al-Majīd Sharḥ Kitāb al-Tawḥīd*, 366–368.
[32] Al-ʿUthaymīn, *al-Qawl al-Mufīd fī Sharḥ Kitāb al-Tawḥīd*, 2/255–274.

parties to be deviation from Salafī teachings. The coming section deals with the latter type.

Points of Disagreement

When the disagreements between the Salafīs started in the early 1990s, a particular term became frequently mentioned and recurrent especially in the Loyalists' discourse: *manhaj al-salaf fī al-taghyīr* (the path of the *salaf* in order to change status quo). Using this term, they refer to the salafī method or approach in dealing with social and political issues and how to rectify them. The Loyalists started labelling their activist counterparts using different derogatory terms, such as *surūrīs*, [33] *ikhwānīs*, [34] *quṭbīs*. [35] These were initially used only to condemn their alleged deviant attitude towards the State but not to criticise their creed, which was still broadly considered as within the *salafī ʿaqīdah*. At that stage, the Jihādīs were still considered by the Loyalists merely as Activists from among their own group and not as a separate religious trend altogether. Nonetheless, these terms already bore the core of the Loyalists' contention, that the Activists' political activism was in fact a non-Salafī innovation, in contradiction with the *manhaj al-salaf* (path of the Salaf). In their view, the corruption of the Activists' *manhaj* was a direct result of the influence of a number of prominent Brotherhood figures, such as the Egyptian Muhammad Quṭb (1919-2014), the brother of Sayyid Quṭb and the Syrian scholar Muhammad Surūr Zayn al-ʿAbidīn (b. 1938), both of whom lived and taught in Saudi Arabia universities after escaping the crackdown on the organisation in Egypt and Syria. [36] Thus, although the dispute at this early stage was largely due to disagreements over how to deal with current despotic regimes, the Loyalists had already begun to argue that Salafism consisted not only of upholding the creed of the *salaf*, but also, and most importantly, required

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[33] Followers of Muhammad Surūr Ibn Zayn al-ʿĀbidīn, a former member of the Muslim Brotherhood branch in Syria.

[34] Followers of *al-Ikhwāʾn al-Muslimūn* (the Muslim Brotherhood)

[35] Followers of Sayyid Quṭb

[36] Al-Rachid, *Contesting the Saudi State*, 63.

acting upon their *manhaj* for any societal or political change and reform that was to be brought about.[37]

Salafīs are also rent by debates over which regimes are in need of change (*taghyīr*) and when, whatever be the means for bringing about that change. Essentially, there are two main areas of disagreement amongst Salafīs in this matter, both related to the concept of *al-ḥākimiyyah*. One pertains to the importance of this concept within Islam overall, and thus, the amount of effort and time that Muslims in general and Salafīs in particular should devote to it. The other point of disagreement relates to the legitimacy of present-day Muslim rulers who do not implement this concept in their rule over the Muslim populations in their countries.

The Importance of *al-Ḥākimiyyah*

According the Loyalists, the *manhaj al-salaf* consists, first and foremost, in the call to *tawḥīd*, which the Activists and Jihādīs have neglected by according too much attention and effort to the establishment of the Islamic State. Quite like those we have categorised as senior scholars, the Loyalists argue that the focus on the establishment of the Islamic State would only lead to political dissent, confrontation with existing governments and bloodshed.[38] According to the Loyalists, by adopting the establishment of the Islamic state as their ultimate goal, the Activists and Jihādīs have deviated from the teachings of Salafism in three ways (i) the circumscription of *al-ḥākimyyah* within political boundaries only (ii) leniency towards non-Salafī movements and their iconic figureheads (iii) overt criticism of the rulers.

The circumscription of *al-ḥākimyyah* within political boundaries

The first of these alleged deviations from the Salafī approach relates to the reduction of *al-ḥākimyyah* to a mere political notion, at the expense of other components of *ʿaqīdah*.[39] A number of Loyalists, such as al-Ḥalabī for example, even question the legitimacy of the term *al-*

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[37] Al-Yamānī, *Ajwibat Faḍīlat al-Shaykh Rbīʿ B. Hādī al-Madkhalī al-Salafīyyah*, 22.
[38] Al-Ḥalabī, *Ṣayḥat Nathīr bi Khaṭar al-Takfīr*, 43.
[39] Ibid, 87.

ḥākimyyah itself, insisting that the term is an innovation that needs further scrutiny. In al-Ḥalabī's view, his opponents: the Jihādīs and the Activists, whom he labels as *takfīrīs* and *ḥizbīs*, respectively, have distorted its expansive meaning by confining it to matters of governance and by making it their sole and primary concern. In order to delegitimise his opponents, al-Ḥalabī likens their attitude towards *al-ḥākimyyah* to the concept of *al-imāmah* in the doctrine of the *shīʿah*.[40] Such a charge shows how deep this internal conflict has reached, since accusing a Salafī of having something in common with *shīʿah* can be perceived as a more serious insult than the accusation of being *ikhwānī* or *sarūrī*. However, al-Ḥalabī was later forced to withdraw these statements in later editions of his book after having been criticised by some senior scholars for belittling the importance of the concept of *al-ḥākimiyyah*.

The origins of the Loyalists' charges against their opponents in regard to the importance of *al-ḥākimiyyah* can be traced to the traditional ideological tension between the proponents of Salafism and the more politicised Islamic movements, especially the Muslim Brotherhood (MB). The relationship between the proponents of Salafism and MB has been tense for years; Salafīs have been deeply critical of both the figures and the methods of Islamist political activism. Moreover, differences between the two groups have always centred around the debate about whether it is religious-theological purity or political activism that deserves primacy. Traditionally, Salafīs place more emphasis on matters of creed than they do on political activism. Unlike MB, they take the spreading of Islamic education and religious knowledge as their central concern and function. For this reason, Salafīs, in general, have always been critical of the Muslim Brotherhood's political agenda and of their lack of religious knowledge. Modern politics is seen by the Salafīs as a path to deviancy, one that would only force Muslims to make compromises in their belief and principles, which they are not supposed to make. For the Salafīs, the MB have sacrificed much of their Islamic

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[40] Al-Ḥalabī, *al-Taḥthīr min Fitnat al-Takfīr*, 4.

principles for the sake of their political agenda. As a result, "the Brotherhood (and its offshoots like Hamas) has been looked down upon as shallow, misguided, and deviant (*munḥarif*) by Salafism for its emphasis on politics at the expense of ʿ*aqīdah* and religious knowledge (ʿ*ilm*)."[41]

Based on the verse "know, therefore, that there is no god but Allah..."[42] Salafīs argue that *tawḥīd* is the foundation of the religion of Islam and the first principle that believers are obliged to know.[43] In their view, the obsession of MB with capturing the reins of government has led them to overlook the importance of *tawḥīd* in order to gather more supporters. In the Salafī view, the MB is no more than an association whose main concern is mobilising people for its cause, without paying much attention to the most important concept of Islam: *tawḥīd*. "*Kalimat al-tawḥīd qabla tawḥīd al-kalimah*"[44] (the word of *tawḥīd* has priority over uniting Muslim on one word): this slogan best describes the Salafī vision of priorities. Thus, in the Salafī view, uniting Muslims is not an aim in itself, unless it is achieved under the banner of the correct ʿ*aqīdah* and *manhaj*, which means the teaching of Salafism.

Amongst senior Salafī scholars, al-Albānī is arguably amongst the most critical of the MB approach, which, in his view, is "based on the principle: we work together on the matters upon which we all agree and we forgive each other in those which we disagree on."[45] This principle, according to al-Albānī, is the very reason that has kept the MB away from the correct understanding and practice of Islam.[46]

In line with the criticism of the MB approach, the Salafīs are also critical of some of the main icons of the movement. For instance, Ḥasan

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[41] Meijer, "Introduction," 22.
[42] *Quran*, 47:19.
[43] Al-Albānī, *al-Tawḥīd Awwalan Yā Duʿat al-Islām*, 10.
[44] Ibid.
[45] For various statements by al-Albānī on MB see: Al-Ḥaḍramī, *Naẓrat al-Imām al-Albānī ilā Jamāʿat al-Ikhwān al-Muslimīn*. Available at: www.kulalSalafiyeen.com (accessed 22/05/2013)
[46] Ibid.

al-Bannā, the founder of the movement, was criticised by a great number of Salafīs for adopting a position that contradicts the Sunnah and the salafī creed in many ways despite his claims of adhering to Salafī principles. Another MB prominent figure who has been the target of severe criticism from Salafīs is Sayyid Quṭb who is probably the most important figure in the history of the movement after its founder. In fact, Quṭb is probably the most criticised amongst the MB figureheads due the extent of his prolific writings and a number of his ideas were deemed deviant by certain Salafīs. Although, these criticisms vary in terms of severity, it is clear that the Salafīs do not perceive him as a religious scholar. In fact, even those Salafīs who are somehow apologetic towards his stance often avoid referring to him as *shaykh*, a title that connotes religious scholarship, but instead, label him as *ustādh* (instructor) or *adīb* (a man of letters). According to the Salafīs, such unsupportable positions and deviations from the Salafī creed are due to the inadequate religious scholarship of the two above figures whose interest was more in politics than in gaining religious knowledge, and due to their influence on unenlightened others.[47]

It was this historically antagonistic Salafī attitude towards the MB that led to the internal Salafī dispute over *al-ḥākimiyyah* in general and its importance in particular. As Lacroix has shown, the Loyalists picked up on al-Albānī's criticism of the MB and transformed them "into an ideological paradigm leading to a much more systematic anti-Muslim Brotherhood and anti-Ṣaḥwah argument."[48] For the Loyalists, the parallel between MB and their opponents within the fold of Salafism lies in their common mode of distorting the "true" Salafī *manhaj*, that is, by focusing on establishing the Islamic state at the expense of *tawḥīd*.[49] The Loyalists allege that their opponents are so overwhelmingly focussed on the

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[47] For more on the Salafī's criticism of the MB see: Salomon, "The Salafī Critique of Islamism: Doctrine, Difference and the Problem of Islamic Political Action in Contemporary Sudan."
[48] Lacroix, *Awakening Islam the Politics of Religious Dissent in Contemporary Saudi Arabia*, 87.
[49] Al-Ḥalabī, *al-Taḥthīr min Fitnat al-Takfīr*, 14.

political aspects of *al-ḥākimiyyah*, that they end up overlooking other important matters of religion and are even willing to compromise them in order to achieve their goals.

The Leniency towards non-Salafī Movements and their Iconic Figures

The second deviation from the teaching of Salafism, into which the Activists and Jihādīs have fallen, at least according to the Loyalists, pertains to the formers' lenient stance towards other Islamic movements and their iconic figures. The Loyalists say that giving *al-ḥākimiyyah* more importance than it merits has led their opponents to strip Salafism of one of its main principles, namely the concept of *al-walāʾ wa al-barāʾ* (loyalty and disavowal). In a Salafī context, this concept roughly refers to the notion that "all Muslims should show loyalty to God, Islam and Muslims and that everything else should be disavowed."[50]

It is necessary to not here that this concept is so loose and flexible that it has been interpreted very differently by different Salafī protagonists. In western academia, the Jihādīs' usage of this concept has been examined by several scholars.[51] It is believed that the Jihādīs use it to condemn the Muslim governments for their ties with non-Muslim countries. According to the Jihādīs, loyalty and disavowal is a vital pillar of *tawḥīd* without which the Islamic profession of faith (*shahādah*) is void.[52] The Loyalists' usage of this concept, on the other hand, has still has not attracted much scholarly attention.

In fact, the Loyalists use the concept of *al-walāʾ wa al-barāʾ* differently from the Jihādīs, and use it to argue that a true Salafī should show loyalty or allegiance to fellow Salafīs and disavow association with people of innovation (*ahl al-bidʿah*). They believe that Islam faces a greater threat from the "deviant" *manhaj* of Islamic movements such as

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[50] Wagemakers, "The Transformation of a Radical Concept: Al-Wala'wa-L-Bara'in the Ideology of Abu Muhammad Al-Maqdisi," 49.

[51] See for example: Wagemakers, *A Purist Jihadi-Salafī*; Wagemakers, "Framing the 'Threat to Islam'"; Wagemakers, "The Transformation of a Radical Concept: Al-Wala'wa-L-Bara'in the Ideology of Abu Muhammad Al-Maqdisi."

[52] Wagemakers, "The Transformation of a Radical Concept: Al-Wala'wa-L-Bara'in the Ideology of Abu Muhammad Al-Maqdisi," 60.

the MB than from any governments; thus the Loyalists believe that countering the ideas of fellow Islamists is a priority over the engagement in politics. For the Loyalists, such deviant Islamic movements disguise themselves under the flag of defending Islam but, they are in fact more dangerous than non-Muslims are. Muslims cannot be deceived by non-Muslims but they are deceived by these Islamic movements who lead people astray.[53] Incidentally, this is a typical argument, one which draws on certain classical texts, which insist that heterodox sects constitute a greater danger to Islam than non-Muslims do.

The disagreement over the correct Salafī position vis-à-vis fellow Islamic movements thus consists of a drastic parting of ways between the Activists on one hand and the Loyalists and Jihādīs on the other. The former trend's opposition to other groups is distinguished by its soft tone whereas the latter trends are famous for their rigorous attacks on other Islamic movements. This is especially the case with the Loyalists as most of the Jihādīs' attacks are directed mainly towards the MB for their participation in the political process in several countries.[54] The Loyalists' position towards other Islamic movements, on the other hand, is distinguished by its theological dimension. Their criticism of movements such as the MB is not just on grounds of politics and *manhaj* but also based on fundamental issues related to creed. The Loyalists point out that the MB are guilty of a number of deviations: their call for pluralism of religions and the brotherhood of Abrahamic religions, their ambiguous position towards *tawḥīd al-asmāʾ wa al-ṣifāt*,[55] as well as inheriting the hatred of the *shīʿah* and *ṣūfīs* against Salafism.[56]

On this basis, the Loyalists believe that these Islamic movements and their iconic figures should be evaluated through the same prism the salaf used with "deviant" sects such as the Muʿtazilah and Khawārij. Quṭb in

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[53] Al-Yamānī, *ajwibat Faḍīlat al-Shaykh Rbīʿ Ibn Hādī al-Madkhalī al-Salafiyyah*, 44.

[54] See for example: Paz, "The Islamic Debate over Democracy: Jihadi-Salafī Responses to Hamas' Victory in the Palestinian Elections."

[55] Al-Madkhalī, *Maʾākhiṭh Manhajiyyah ʿalā al-Shaykh Safar al-Ḥawālī*, 11.

[56] Ibid, 20–21.

particular is considered to be worse than the heads of Islamic sects such Muʿtazilah and Khawārij.[57] Accusations against Quṭb are very serious; they range from his declaring *takfīr* on Muslim masses to the adoption of the doctrine of *waḥdat al-wujūd* (unity of being) and legitimisation of manmade laws.[58] Thus, for the Loyalists, only the Salafīs belong to the saved sect in the aforementioned *ḥadīth* of the sects.

However, the Activists reject this method of evaluation and instead adopt a more accommodating approach. They insist that one must not evaluate Islamic movements and figureheads based on their mistakes alone, overlooking the virtues they possess. Total truth does not belong to one particular group, and every Islamic movement enjoys certain virtues that the others do not possess.[59] Unlike the Loyalists, who look upon the Islamic movements as antitheses to Salafism, the Activists believe that Islamic movements complete one another and Salafism has a complementary role to play in this regard.[60] This relaxed attitude is reflected in the Activists' reluctance to use epithets such as *salafī* and *atharī* (follower of proof-texts) to refer to the "saved" sect and instead use *ahl al-sunnah wa al-jamāʿah*, which contains an accommodating connotation. Consequently, they praise iconic figures such as Quṭb and al-Bannā for their heroic stances in serving the Islamic cause.

This somewhat tolerant stance towards "the innovators" is based on the principle of *muwāzanāt* (balancing between the good and the bad in an individual's thought). This principle is, according to the Loyalists, fundamentally opposed to the principle of *al-walāʾ wa al-barāʾ*- since *this* principle requires the uprooting of all deviations and innovations.[61] A stance based on *muwāzanāt* is unforgivable to the Loyalists, since, in their view, it turns the Activists into innovators too. Following this line

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[57] Ibid, 14.

[58] See: al-Madkhalī, *Aḍwāʾ Islāmiyyah ʿalā ʿaqīdat Sayyid Quṭb wa Fikrihi*.

[59] Al-Qarnī, *Firr min al-Ḥizbiyyah Firārak min al-Asad*, available at: www.islamweb.net (accessed 03/05/2015)

[60] Ibid.

[61] Al-Yamānī, *Ajwibat Faḍīlat Al-Shaykh Rbīʿ B. Hādī Al-Madkhalī Al-Salafiyyah*, 42–43.

of reasoning, the Activists eventually came to be perceived as the enemy within; people who claim to be Salafī but are reluctant to disavow association with people of innovation, all because they were drawn into the *manhaj* of Sayyid Quṭb and the MB, which in turn, prioritise grouping people together for political gain at the expense of the correct creed. The Loyalists do concede that the Activists are still closer to Salafism than all other movements, but the extent of their apprehension and disapproval is clear from the fact that they refuse to call such Activists Salafīs. In fact, given their proximity, Loyalists view the Activists as more dangerous to Salafism than all other movements, including the Jihādīs.

The Overt Criticism of the Rulers

The other violation to the Salafī *manhaj*, committed both by the Activists and the Jihādīs, pertains to their opposition to the state. This, at least, is the point of view of the Loyalists, according to whom Loyalists, the correct *manhaj* (way) to rectify any wrongdoing committed by the state is to offer the ruler advice privately. The duty of a scholar ends there, and then it is up to the ruler to accept the advice or reject it. Hence, any form of *khurūj ʿalā al-ḥākim* (rebellion against the state) is seen as a reprehensible act that will lead to internal strife within the Muslim nation. To support this position, the Loyalists cite the following passage from *al-ʿaqīdah al-Ṭaḥāwiyyah*, a book that is considered one of the core sources for matters of creed in Salafism.

> We do not accept rebellion against our *imāms* or those in charge of our affairs even if they are unjust, nor do we wish evil on them, nor do we withdraw from following them. We hold that obeying them is part of obeying Allah, the Glorified, and therefore obligatory as long as they do not order us to commit sins.[62]

According to the loyalist interpretation, rebellion against the ruler is not confined to violent conduct against the state but also of all other pacific forms of opposition such as the forming of political parties, sit-ins, and

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[62] Ibn Abī al-ʿIzz, *Sharḥ al-ʿAqīdah al-Ṭaḥāwiyyah*, 371.

demonstrations. [63] Drawing on heresiographical literature, both violent and pacific opposition to the ruler have been identified with the heretical sect called Khawārij, a sect vilified by Sunni Islam for justifying violence against the state. According to the Loyalists, the history of Islam witnessed two types of Khawārij; a mainstream type that conducted armed revolts against the state using the sword (*khurūj bi al-sayf*) and an offshoot type, that of the tongue, i.e. those who use words to incite and encourage rebellion against the state but do not conduct it themselves (*khurūj bi al-lisān*). The latter is also known as Khawārij *qaʿadiyyah* (those who hold and advocate the views of Khawārij but do not rebel themselves). [64] As such, the Loyalists argue that the *manhaj* of the Jihādīs represents a revival of the mainstream Khawārij and the Activists' overt criticism of the state is similar to Khawārij *qaʿadiyyah*. Again, the Loyalists believe that the intellectual roots of both trends go back to the revolutionary ideas of Quṭb that are based on his "deviant" interpretation of *al-ḥākimiyyah*. [65]

The Loyalists' stance towards the rulers can be described as a mixture of al-Albānī's rejection of political activism and the doctrine of obedience adopted by the Saudi scholars towards the Saudi regime. The Loyalists built on this mixture and made it applicable to all Muslim countries. On the one hand they insist that Salafism is not a political movement and that political activism itself is prohibited as it contradicts the basis of *ʿaqīda* based on al-Albānī's principle "The good policy is to stay away from politics." However, their obsession with denying any link between Salafism and all forms of opposition to the state has led them to move away from being apolitical and quietist to become active Loyalists, whom main concern is to preach subservience to the rulers and denounce all those denounced by their governments. Thus, although in theory the Loyalists claim to be concerned primarily with creed rather than politics,

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[63] ʿUthmān, *al-Ḥudūd al-Fāṣilah Bayna Uṣūl Manhaj al-Salaf al-Ṣāliḥ wa Uṣūl al-Quṭbiyyah al-Surūriyyah*, 314-317

[64] Ibid, 315

[65] Al-Madanī, Salīm, *Jināyat Bidʿat al-Ḥākimiyyah ʿalā al-Ummah al-Islāmiyyah*, available at: www.kulalSalafiyeen.com (accessed 03/04/2016)

in practice, it has been hard for them to completely ignore politics and stay apolitical. Partly, this stems from the fact that the Activists and the Jihādīs are highly active and as such they represent a competitor for people and influence; the Loyalists are drawn into the debate as it touches upon core creedal and theological matters.

The position taken by the Loyalists is of course vehemently rejected by both the Jihādīs and Activists. In the latter's' view, the correct *manhaj* of the *salaf* is to confront what is an eminent threat to Islam and not to stop at the same creedal arguments that the *salaf* have preferred in the past when dealing with new deviations. Throughout history, they argue, scholars have engaged in different combats against new deviations that were taking place in their times. In other words, the Jihādīs and Activists believe that the nature of challenges facing Muslims change over time and thus, Muslims' priorities should change too accordingly.

It would be a fallacy to take the contentions of the Activists and the Jihādīs to mean that they are opposed to *tawḥīd*, which, as we know, is the first principle that Muslim believers are obliged to know and practise. To the contrary, the notion of *tawḥīd* is actually the main driving force in their opposition to the state; since they believe that giving the right of legislation to anybody other than God represents the greatest form of *shirk* in present times. As such, in condemning such *shirk*, Muslims should give it priority over the less prevalent and less important forms of *shirk*. In their view, the Loyalists' position on *al-ḥākimiyya* is inconsistent with the teachings and principles of the Salafī *manhaj*, which require Muslims to fight all forms of *shirk*. The fault of the Loyalists' *manhaj*, they say, lies in its emphasis on *shirk al-qubūr* (polytheism of graves) at the expense of *shirk al-quṣūr* (polytheism of palaces).[66]

These, in short, are the main points of the disagreement amongst the Salafīs over the importance of *al-ḥākimiyyah* and about how much effort Muslims should give to this concept. As is evident, these disagreements

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[66] http://tartosi.blogspot.co.uk/2001/03/blog-post_10.html (accessed 03/05/2016)

reflect the various priorities adopted by various groups within Salafism. The cause of this divergence in priorities can be traced to an even deeper disagreement about the legitimacy of present-day rulers, to which we shall turn our attention in the next section.

The Relationship between the Legitimacy of the Ruler and the Application of
Sharīʿah

Salafism adopts and advocates a doctrine of obedience to the legitimate Muslim ruler. This doctrine is based on the classical Sunni understanding of the relationship between the Muslim ruler and people within his jurisdiction. Thereby, Salafī scholars insist that once a Muslim ruler has established himself at the helm of the Muslim state and is given *bayʿah* (pledge of allegiance to the ruler), he becomes a legitimate ruler; henceforth, obeying him becomes a religious obligation incumbent upon all Muslims, and any form of rebellion against him is forbidden. Any group of Muslims who secede from the authority of the legitimate ruler and resort to violence in order to overthrow him are seen as condemnable *bughāt* (rebels or secessionists).[67] In theory, proponents of Salafism from across the Salafī spectrum share this view.

Having said that, the question that arises here is: if it is true that Salafism and Salafī scholars teach and advocate such doctrine of political pacifism that prioritises order and stability over social justice, then what makes the Activists and the Jihādīs oppose and sometimes rebel against the state in many Muslim countries? Moreover, how do they justify their overt opposition to the state?

The answer to these questions lies in the fact that apart from the case of Saudi Arabia where the ruling family has always "tried hard to broaden its legitimacy and image as the only truly Islamic State committed to the comprehensive implementation of the *sharīʿah*,"[68] constitutions in the rest of the Muslim World are derived mainly from secular laws. The

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[67] For more on rebellion in Islamic Law see: Khaled Abou El Fadl, Rebellion and Violence in Islamic Law
[68] Noorhaidi, "Ambivalent Doctrines and Conflicts in the Salafī Movement in Indonesia," 171.

implementation of these laws instead of the *sharīʿah* has been the main underlying cause for much of the opposition against authorities, and consequently, the divisions amongst the Salafism.

Two main points regarding the application of manmade laws have been subject to dispute and division amongst contemporary Salafīs. The first relates to the impact of these manmade laws on the ruler's faith, that is, whether implementing these laws is an act of apostasy or not. Secondly, if the application of such laws does not quite constitute apostasy, then what is the effect of ruling by manmade laws on the legitimacy of the ruler? The question therefore: is he qualified to be obeyed?

It is worth noting here that the focus of most intra-Salafī polemics is on the first question, while the second question has always been treated as secondary to the first one. This is because the first question is related directly to a crucial matter in *ʿaqīdah*, namely the concept of *takfīr*, while the second one belongs to the realm of *fiqh*. For the Salafīs, as Wagemakers observes, "defining exactly what their creed entails is very important" due to their "desire to purify Islam of religious innovations and other "un-Islamic" influences."[69] With that clarification in mind, we shall deal here with the second question only. The first, and more important question is examined separately and in greater detail in the next chapter.

The Main Views

Within Salafism, there are two opinions about the legitimacy of the ruler who rules according to manmade laws; some Salafīs argue that such rulers are not legitimate because the main purpose of government in Islam is to apply the rule of God which such rulers are clearly not fulfilling. Other Salafīs contend that the only case in which a Muslim ruler is considered illegitimate is when he becomes non-Muslim. Without this condition, the ruler maintains and continues to have his rights as a legitimate ruler even if he does not fulfil his duties. The first opinion is held by the Jihādīs, Activists and most of those we have classified as

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[69] Wagemakers, *A Quietist Jihadi*, 8.

senior scholars, while the latter is predictably advocated mainly by the loyalist groups.

The key factor for this disagreement stems from the fact that the implementation of manmade laws in many parts of the Muslim world is a new phenomenon in the course of Islamic history. As such, it has proved to be problematic in determining the "correct" stance that Muslims should take apropos the Muslim ruler who adopts such systems of laws instead of *sharīʿah*, since there is no clear precedent in Islamic history on which one can draw. The second factor pertains to the paradox in which the Salafīs found themselves after the elimination of *sharīʿah*. On the one hand, Salafism teaches a doctrine of nearly total political obedience to the ruler, even an unjust one, but at the same time it asserts that any legal system in contradiction with *sharīʿah* must be rejected and resisted. The Loyalists hang on to the first principle over the second, while the Jihādīs and the Activists take the opposite view: they reject the legitimacy of present-day rulers on the basis that the application of *sharīʿah* is a necessary condition for the doctrine of obedience.

According to David Commins, the most distinctive facet of the thought and writings of Ibn ʿAbd al-Wahhāb, which, as we have seen, forms part of the Salafī canon, is "the insistence that proclaiming, understanding and affirming that God is one do not suffice to make one a Muslim, but that one must also explicitly deny any other object of worship."[70] Indeed, Salafīs believe that mere verbal pronouncement of *shahādah* (testimony of Islam) is not sufficient for the correctness of one's faith unless it is accompanied with the disbelief in all types of false deities.[71] Based on the Quranic verse: "whoever disbelieves in the *ṭāghūt* and believes in Allah, he has grasped the firm handhold…,"[72] Salafism teaches that *tawḥīd* comprises two pillars neither of which is sufficient without the other; the belief in God and disbelief in *ṭāghūt* (pl. *ṭawāghit*).

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[70] Commins, *The Wahhabi Mission and Saudi Arabia*, 14.
[71] Ibn Qāsim, *al-Durar al-Saniyya fī al-Ajwibah al-Najdiyyah*, 1/163.
[72] *Quran*, 2:256.

Linguistically, *ṭāghūt* derives from the Arabic verb *ṭaghā*, which means to exceed the limit.[73] In their usage, Salafī scholars often quote the definition provided by Ibn al-Qayyim that *ṭāghūt* is

> All things that go beyond their boundaries in respect of being worshipped followed or obeyed.[74] Thus, *ṭāghūt* of every group of people includes all those whom people refer to in arbitration instead of God or His Prophet, or whom they worship besides God or whom they follow blindly without sight from God.[75]

Ibn ʿAbd al-Wahhāb lists five main types of *ṭāghūt*, one of which is the one who rules in accordance to other than the rule of God.[76] The logic for including such type of rulers is because they go beyond their designated boundary that is by decreeing their own rules they infringe upon the rule of God.

Following this logic, Salafīs affirm that any legal system that is not based on *sharīʿah* is considered to be a *jāhilī* system that Muslims should not accept because God has divided *al-ḥukm* (judgment) into two types in the Quranic verse: "Do they then seek after a judgment of [the Days of] Ignorance? But who, for a people whose faith is assured, can give better judgment than Allah?"[77] Thus, there is no middle way in governing the state according to the Salafī doctrine; it is either the rule of God or the rule of *jāhiliyyah* and *ṭaghūt*.

According to senior scholars in Saudi Arabia such as Ibn Ibrāhīm and Ibn Bāz, who enjoy a great authoritative position amongst the Salafīs, any state that does not apply *sharīʿah* and does not adhere to the rule of God is a state of *jāhiliyyah* and *kufr*, towards which showing enmity is a duty upon all Muslims.[78]

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[73] Al-Fayrūzabadī, *Al-Qamūs Al-Muḥīṭ*, 1307.

[74] Here, Salafīs add the condition that these things or persons must be pleased with this worship in order to call them taghut. The reason for this condition is to exclude those worshipped without their consent such as the Prophets and Angels.

[75] Ibn al-Qayyim, *Iʿlām Al-Muwaqqiʿīn ʿan Rabb Al-ʿālamīn*, 1:50.

[76] Ibn Qāsim, *al-Durar al-Saniyya fī al-Ajwibah al-Najdiyyah*, 1:162.

[77] *Quran*, 5:50

[78] Ibn Bāz, *Naqd al-Qawmiyyah al-ʿarabiyyah*. Available at: www.binbaz.org.sa (accessed 20/04/2013)

Saudi Arabia and the Doctrine of Obedience

The above view of senior scholars may well seem in contradiction with their lenient position towards the regime in Saudi Arabia. However, their position towards their regime should be set against the background of their perception of the Saudi state as a state that is founded upon *tawḥīd* and promotes it (*dawlat al-tawḥīd*). Even though its rulers can be seen as impious or unjust in the eyes of many people, they remain legitimate, in their view, because they have not committed any sin, which would nullify their legitimacy according to Salafī teachings, and certainly have not replaced *sharīʿah* with secular laws. Let us consider, by way of example, this statement of Ibn Bāz in which he affirms this view by describing Saudi Arabia as:

> *dawlah mubārakah* (blessed state) that is keen to establish truth and justice, support the oppressed, deter oppressors, establish and spread peace and security and preserve people's money and honour.[79]

Although he admits that the state of Saudi Arabia is not perfect, he maintains that it is the only country that defends and calls for true monotheism and applies *sharīʿah*. He further, questions its opponents

> Which of the countries around us now guard *tawḥīd*? Egypt? [Is it] the Levant? Iraq? Who calls to *tawḥīd* now, rule according to *sharīʿah*, and destroy tombs which are worshipped instead of God...apart from this country.[80]

This perception of Saudi Arabia as the only modern state where *sharīʿah* is applied and the Salafī interpretation of *tawḥīd* is defended is not confined to senior scholars in Saudi Arabia but is also shared by some Activists inside and outside the kingdom. It is certainly the view of the adherents of the loyalist trend, both inside and outside the kingdom.[81] For this reason, one finds most of the Salafī writings about the question of

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[79] Ibn Bāz, *Bayān Ḥuqūq Wulāt al-Umūr ʿalā al-Ummah*. Available at: www.binbaz.org (accessed 20/04/2013)

[80] Bāzmūl, *Marāqī Al-Saʿūd fī Thanāʾ al-ʿulamāʾ ʿalā Ḥukkām āl Suʿūd*, 13.

[81] See ibid for more Salafīs' statements on Saudi Arabia

the application of manmade laws focusing on the issue outside Saudi Arabia.[82]

Of course, it does not mean that all Salafīs perceive Saudi Arabia as a model for applying *sharīʿah*. The Saudi royal family has received its share of criticism from many Salafīs. The point being made here is simply that much of the Salafī disagreement over the legitimacy of contemporary rulers is linked to the application of manmade laws instead of *sharīʿah* in one way or another.

This point is best illustrated by looking at the severe criticism of the Saudi monarchy that comes from the Jihādīs. Al-Maqdisī, for instance, showed himself as one of its arch-enemies[83] after the emergence of his Book *al-Kawāshif al-Jaliyyah fī kufr al-dawlah al-Suʿūdiyyah* (Clear Evidences of the Blasphemy of the Saudi Regime) in late 1980s.[84] In his book, which "relies heavily on citations from the intellectual heritage of Muhammad Ibn ʿAbd al-Wahhāb and *aʾimmat al-daʿwah al-najdiyyah*",[85] al-Maqdisī does not only refute the notion that Saudi Arabia applies the rule of *sharīʿah*, but also accuses the royal family of lying and deceiving people about their application of *sharīʿah*. As the title of the book suggests, al-Maqdisī charges the Saudi government of apostasy and deems some of the actions of the Saudi rulers—especially the country's alleged reliance on manmade laws instead of the *sharīʿah*—as acts of *kufr*. He presses the same charge against the Saudi State on grounds of its "participating in local and global organizations that are governed by rules and regulations not rooted in the *sharīʿah*."[86]

Egypt as Example of a Constitution Based on Manmade Laws

Unlike the model of Saudi Arabia, the regime in Egypt has always admitted to its application of secular laws. Thus, the Egyptian case

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[82] The exception here are the Jihādīs

[83] Hegghammer, *Jihad in Saudi Arabia*, 47

[84] Available at: www.tawhed.ws (accessed 12/03/2012)

[85] Al-Rachīd, *Contesting the Saudi State*, 122.

[86] Wagemakers, "The Enduring Legacy of the Second Saudi State," 108. For more on al-Maqdisī's views on Saudi Arabia see: Wagemakers, *A Quietist Jihādī*

probably serves as a better example of how the legitimacy of the ruler depends on the application of *sharīʿah* in the Salafī view, and also how Salafīs disagree in their evaluations.

Prior to the 25th January Egyptian revolution, there had been suggestions that Mubarak's regime was trying to exploit the Salafī doctrine of obedience to the ruler to garner support in its own favour. After the 2005 Parliamentary elections, in which the more politicised Muslim Brotherhood group captured a fifth of the seats, the former Egyptian regime licensed several Salafī satellite television stations. According to Nathan Field and Ahmed Hamam, some commentators considered this action by the old regime as "part of a strategy to cultivate Salafism as a counterweight to the Brotherhood."[87]

One of the proponents of this argument is the Egyptian novelist ʿalāʾ Aswānī[88] who emphasises that "the political quietism of the Salafīs and their injunctions to always obey the ruler are too good an opportunity for established Arab rulers to pass up."[89] Although Nathan and Hamam disagree with Aswānī's "dramatic claims," there is no other explanation for the real reasons behind this unusually soft stance of the old regime towards an Islamist group. The fact that this relatively passive approach was not practiced towards all Salafī scholars makes it even more likely regime was trying to make the most of such a doctrine. Only a few Salafī clerics enjoyed this special treatment. In fact, many clerics such as the head scholars of *al-Daʿwah al-Salafīyyah* in Alexandria (DSA) for example, were not even allowed to preach outside certain areas in Alexandria.[90] This indicates that the regime was well aware of the existence of more than one trend within Salafism and its soft approach towards one particular trend, namely the Loyalists, is a clear attempt to employ their doctrine of obedience to counter other political groups.

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[87] Field and Hamam, "Salafī Satellite TV in Egypt"
[88] An Egyptian novelist, the author of the famous novel *ʿimārat Yaʿqūbiyān*
[89] Field and Hamam, "Salafī Satellite TV in Egypt"
[90] ʿAlī, *al-Daʿwah al-Salafiyyah bi al-Iskandariyyah*, 47.

Nevertheless, it is clear that the attempt by the former Egyptian regime to exploit the Salafīs' doctrine of obedience did not succeed, as its soft approach did not last for long. Starting from 2008, two planned new Salafī satellite channels were not given broadcasting permits and some others were shut down by the security services. It is believed that the regime was uneasy with the rising resonance of the Salafīs' hard-core religious message with the general population.[91]

The failure of the Egyptian ruling elite to exploit the Salafī doctrine can be attributed primarily to the fact that unlike Saudi Arabia, the regime in Egypt openly adopts secular laws and does not claim to be applying the *sharīʿah,* which makes it more vulnerable to opposition and rejection by the Salafīs. The vast majority of Egyptian Salafīs refuse to accept the legitimacy of the rulers who apply manmade laws, as is well demonstrated in the writings and religious verdicts of the scholars of the DSA, the group with the largest Salafī grassroots membership in Egypt.[92] According to Yāsir Burhāmī, one of the leading Salafī scholars in Alexandria, ruling in accordance with *sharīʿah* is a vital condition for the acceptance of the legitimacy of any ruler, even in the case of the ruler who has established himself at the helm of a Muslim country and claims to be a Muslim.[93]

Another factor that explains the remarkable failure of the Egyptian regime to exploit Salafī doctrines in its favour is the fact that the loyalist trend does not enjoy widespread popularity amongst Salafīs in Egypt. As we have seen, the proponents of this trend share the same broad understanding of the meaning of *tāghūt* and the division of governance into Islamic and *jāhilī*, they disagree with other Salafīs over

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[91] In one of his speeches in 2010, the previous Egyptian president Muhammad Husni Mubarak attacked Salafism branding its proponents as "rigid and narrow-minded" calling upon "the true scholars of Islam" to step up against "the anarchy of religious TV channels", see his speech at: http://www.youtube.com/watch?v=wm_cYsWjS-I (accssed

[92] ʿAbd al-Hādī, *Mawqif al-Salafiyyīn min al-Ḥukkām wa Wulāt al-Umūr*. Available at: www.salafvoice.com (accessed 22/03/2013)

[93] Burhāmī, *Al-Salafiyyah wa Manāhij al-Taghyyīr*. Available at: www.salafvoice.com (accessed 17/03/2013)

whether or not the application of *sharīʿah* is a necessary condition for the ruler's legitimacy. The scholars of this trend accept the legitimacy of any established Muslim ruler even if he does not apply *sharīʿah* as long as he has not committed what justifies his *takfīr*. The basis for their view lies in the same classical Sunni traditions, referred to before to emphasise obedience, patience, and not to rebel against authority. In these traditions, the Loyalists argue, Muslims are urged by the Prophet to obey the rulers in all conditions except when they witness a clear and obvious *kufr* that can be authenticated with a proof "*illā an taraw kufran bawāḥan ʿindakum min Allah fīh burhān.*" [94] Hence, for them, since rebellion is allowed only in the case of *kufr* then the rulers are legitimate in all other cases such as when he is unjust, *fāsiq* (sinful) or *mubtadiʿ* (innovator). [95]

For those who argue that the application of *sharīʿah* is a necessary condition for the legitimacy of the ruler, these traditions of obedience are bear an unqualified and unlimited meaning (*muṭlaq*), which has to be understood as limited and explained by other traditions. [96] In this vein, they refer to the tradition that specifies that ruling by the Quran is a condition for obedience: "*mā aqāma fīkum kitāb Allah.*"[97] They also, cite the practice of some of the Prophet's companions and of some early recognised scholars who either took part in rebellions against a Muslim ruler themselves, or sympathised with other such rebels. However, this does not mean that they believe that Muslims are unconditionally permitted to revolt against present-day rulers, but it does emphasize their view that the application of *sharīʿah* is a necessary condition for the legitimacy of the ruler. They do limit the implications of their opinions by pointing out that rebellion against the ruler—even in the case of *kufr*—depends on *istiṭāʿah* (ability, capability) of the people .

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[94] Ruslān, *Shurūṭ al-Khurūj ʿalā al-Ḥākim al-Kāfir*. A video recording available at: https://www.youtube.com/watch?v=nwMnhJ6bsFQ

[95] Ibid.

[96] Al-Dumayjī, *al-Imāmah al-ʿuẓmā ʿinda Ahl al-Sunnah wa al-Jamāʿah*, 472–473.

[97] Ibid, 473

When the potential result of the rebellion is disorder then Muslims must be patient.[98]

Thus, all Salafīs recognise the importance of applying *sharīʿah* and believe they have a duty to replace *jāhilī* political systems with Islamic ones, since *al-ḥākimiyyah* should be solely that of God. However, they differ in their understanding of this concept, and how it should be applied and manifested. All Salafīs agree that adhering to *tawḥīd* and disavowing *ṭāghūt* are equally important, and take rejecting *ṭāghūt* to mean that Muslims should reject and disassociate themselves from any legal systems that contradict the law of God such as manmade laws. Here, however, the path of the Loyalists diverges from that of the Activists and the Jihādīs. The Loyalists agree with all the above but maintain that application of, or association with legal systems other than those of Islam is not sinful enough to expel rulers from the fold of Islam. Since such expulsion alone can form sufficient reason for deposing rulers, in the Loyalists' view, Muslim rulers applying un-Islamic laws remain legitimate rulers, to whom obedience is due according to Islamic law.

Summary

In this chapter, we have seen how the concept of *al-ḥākimiyyah*, which stresses that absolute sovereignty rests with none but God, constitutes a fundamental component of *tawḥīd* according to the teaching of Salafism. Although the precise term "*al-ḥākimiyyah*" was first introduced after the mid-twentieth century in the writings of al-Mawdūdī and Quṭb, it is a concept that can be found in the writings of many authoritative Salafī scholars long before them. In those Salafīs works, the concept merely holds a more expansive meaning Salafism in comparison to its usage in al-Mawdūdī and Quṭb, whose focus was mainly on its political dimensions.

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[98] Ibid, 476

Among contemporary Salafīs, competing groups share many concepts and interpretations regarding *al-ḥākimiyyah*. Yet, they differ on the importance of its political dimension in the lives of present-day Muslims. This divergence has led to intense debates amongst them and mutual accusations of deviation from the teachings of Salafism. Such accusations have included the Loyalists accusing the Activists and the Jihādīs of adopting the teachings and concepts of the Muslim Brotherhood, especially the revolutionary ideas of Sayyid Quṭb and his interpretation of the concept of *al-ḥākimiyyah*. On their part, the Activists and the Jihādīs accuse the Loyalists of only combatting sporadic and scarce forms of *shirk* while neglecting the greatest form of polytheism in present day, that is, *shirk al-ḥākimiyyah*.

As we have seen, this divergence in the implications of *al-ḥākimiyyah* has led different Salafī groups to form not only different, but opposing opinions in the matter of political activism and its legitimacy. At the heart of the Salafī emphasis on subscription to the oneness of God (*tawḥīd*) and to his absolute command, is a paradox, with opposing groups choosing to focus on different parts of it. With their focus on the sovereignty of God's law, the Jihādīs and Activists feel justified, even obliged to oppose rulers who may be Muslim, but do not rule by *sharīʿah*. The Loyalists, on the other hand, while recognising the importance of *sharīʿah*, and agreeing that ruling by non-sharīʿah laws constitutes *shirk* and a sinful deviation from *tawḥīd*, remain attached to a classical Sunni interpretation of certain Prophetic traditions, which require Muslims to obey their rulers in all cases. The Loyalists argue that this is the requirement of God's law for all Muslims, that it remains incumbent upon them even when the rulers are tainted by the sin of *shirk* of ruling by un-Islamic laws, and that it ceases to apply under the sole condition of the ruler ceasing to be Muslim.

Now we can begin to understand how the intra-Salafī disagreement over the implication of manmade laws moved from debating the legitimacy of present-day rulers to disputing their status as Muslims; this is the only, and the essential condition under which even Loyalists might endorse

political activism and opposition to current rulers. Predictably, of course, Salafīs have found it difficult to agree when a ruler ceases to be Muslim. The next chapter examines these disputes in detail.

Chapter Four: The Question of Manmade Laws

Introduction

In the previous chapter, we mentioned that despite their differences on various points regarding *al-ḥākimiyyah*, Salafīs unanimously emphasise the necessity of implementing the *sharīʿah* as a system of laws. The Salafī belief that Islam is both a state and a religion, and that politics and religion are inseparable, means that for them, the application of *sharīʿah* in governmental affairs is unquestionable. In the Salafī view, both, Muslim rulers and courts are obliged to operate according to *sharīʿah*. Likewise, they insist that Muslims are prohibited from seeking judgements derived from any other system of laws, including those legislated in a democratic system.[1] Overall, then, all Salafīs agree that the application of any system of laws apart from *sharīʿah* to be a sin. However, they disagree on whether doing so is sinful enough to take the culprit outside the realm of Islam.

There are serious divisions among Salafīs nowadays as to whether exchanging the whole body of Islamic laws for a manmade system can form the basis for *takfīr* of Muslim rulers. Many Salafīs do argue that this is the case, but it is a highly disputed issue, and one that forms the core of the dispute over *al-ḥākimiyyah*.

Having discussed the intra-Salafī disputes over *al-ḥākimiyyah* broadly in the previous chapter, we shall now examine the specific issue of whether or not the implementation of manmade laws instead of *sharīʿah* constitutes *kufr*, and map the various strands of Salafī argumentation on the topic.

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[1] This covers engaging or participating in the democratic process. The most hardline view of democracy is held by the Jihādīs. For an analysis of how the Jihādīs apply takfīr to democracy and democrats, and how such application of takfīr differs from one context to another see: Wagemakers, Joas, "'The Kafir Religion of the West': Takfir of Democracy and Democrats by Radical Islamists," in Camilla Adang, Hassan Ansari, Maribel Fierro and Sabine Schmidtke (eds.), Accusations of Unbelief in Islam: A Diachronic Perspective on Takfīr, Brill, 2015.

The Importance of this Question

It is important to note here why this particular issue is extraordinarily significant, and deserving of our particular attention. Salafī proponents, similar to classical Sunni jurists, unanimously stipulate that a legitimate ruler, in Islamic terms, must be a Muslim.[2] Thus, in order to be recognised as a legitimate Imām or Caliph,[3] rulers must fulfil this fundamental requirement before assuming power (i.e. be Muslim) and they must also remain Muslims if they wish to stay in power. Now, in view of the fact that most present-day rulers in Muslim countries do not apply the *sharīʿah*, it is important to look at the implications that such failure can have on the status of the ruler as a Muslim. In fact, the legitimacy of these ruling regimes can depend, to a certain extent, on whether or not one considers this failure to implement *sharīʿah* to be an act of *kufr*. Predictably, intra-Salafī debates on the topic are even more complex. As we shall see, both positive and negative answers to this question entail clashing implications in relation to the attitude of contemporary Salafīs towards political authorities.

Moreover, apart from stripping the ruler of his legitimacy, the salient point about *takfīr*, as some scholars observe, is also that "it legitimises the use of violence against the person or entity that is deemed to be non-Muslim." In our case here, the "one consequence of this is that armed rebellion—often termed *jihād*—against a nominally Muslim-led state (e.g., Saudi Arabia, Egypt) is considered not only legitimate, but a religious duty incumbent upon the individual believer."

Such a view can be clearly detected in Ibn Bāz's opinion with respect to rebelling against the rulers in the Muslim world because of their major sins and in order to change the status quo:

> Rebelling against those in authority leads to great corruption and
> evil. The exception to this is when Muslims see a clear *kufr* (*kufr*

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[2] For the classical opinion, see: Ibn Ḥazm, *Marātib al-Ijmāʿ*, 145; Crone, Patricia, God's rule: government and Islam, 229

[3] *Imām* and Caliph are two terms used interchangeably to denote the political head of the Muslim state

bawāḥ), for which there is proof from Allah. In this case, there is nothing wrong in rebelling against these rulers to depose them, if Muslims have the power to do so.[4]

Such statements illuminate the doctrinal roots of conflicting stances toward the state. In many cases, such stances are derived from the specific answer that a particular Salafī group chooses to embrace regarding this crucial question: whether or not applying man-made laws consists of *kufr*.

The Main Views

The various answers offered by contemporary Salafīs can be divided into two main sets of opinions. The first concludes that implementing manmade laws is a major sin but short of *kufr*. The second believes that it is indeed *kufr*. Here, we have to remain aware of the difference between evaluations of the action of ruling by other than *sharīʿah*, as opposed to evaluations of an individual. The difference is worth making because the Salafīs themselves distinguish between labelling an action to be *kufr* and declaring an individual perpetrator to be *kāfir* (*al-farq bayna kufr al-nawʿ wa kufr al-ʿayn*).[5] We shall discuss this distinction in further detail in the chapter of *īmān* and *kufr*.

Position One: Applying Manmade laws is not *Kufr*

The advocates of this view uphold that applying any system other than *sharīʿah* constitutes one of the major/grave sins (*kabīra*, pl. *kabāʾir*) but it is short of *kufr*. The main holders of this opinion are the Loyalists as well as some senior clerics such as al-Albānī and Ibn Bāz.[6] The book of al-ʿAnbarī *al-Ḥukm bi Ghayr mā Anzala Allāh wa Uṣūl al-Takfīr* (*Ruling by Other than what Allah has Revealed and the Principles of Takfīr*)[7] is believed to be one of the most important and influential books in support

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[4] *Fatāwā Ibn Bāz*, 8/202
[5] Ibn Qāsim, *Al-Durar Al-Saniyya fī al-Ajwibah al-Najdiyyah*, 10/432, 8/244
[6] More on the views of al-Albānī and Ibn Bāz will follow later on in this chapter
[7] First published in 1994 but I found only the fifth edition published in 2001 which is now available online and in bookshops in Jordan and Egypt

of this opinion from the Loyalists' perspective. As a result of this view, the Loyalists consider present-day rulers in the Muslim World to be religiously legitimate rulers, despite conceding that they are sinful Muslims and guilty of not fulfilling a very important religious duty. Therefore, they stop short of declaring *kufr* on them.

As for the doctrinal definition of *kabāʾir* (major sins), according to Salafī scholars these are those sins that are tied in Quran with hell-fire, the divine anger, malediction, or punishment[8] such as drinking alcohol, fornication and indulging in usury. In general, scholars from across the Salafī spectrum accept that committing a major sin does not, in itself, cause the exclusion of the Muslim sinner from the realm of Islam. This conclusion, however, depends on the actor's own beliefs regarding her/his actions. If the perpetrator acknowledges the unlawfulness of her/his actions, then they commit a *kabīra* but not *kufr*. If, on the other hand, he/she considers something which is prohibited (*ḥarām*) to be permissible (*ḥalāl*) or rejects a religious obligation (*wājib*), then they stray into *kufr*. To give concrete examples, if a Muslim drinks alcohol while admitting that what he or she is doing is *ḥarām*, then this person is a sinful Muslim and not a *kāfir*. However, if a person drinks alcohol out of the belief that it is *ḥalāl* to do so, then he or she is considered to be outside of the realm of Islam. As we can see, the cause of *kufr* here is not the action of the person itself but the belief which he or she holds while undertaking that action. For this reason, a person who holds such a belief can also be considered non-Muslim, even without their committing such actions, such as drinking alcohol. In Salafī literature, such improper belief is known as *istiḥlāl* (rendering something that is *ḥarām* to be *ḥalāl*).

There is a complementary type of transgression that consists of the denial of a religious obligation. Such denial is known as *juḥūd*. An example of this is when a Muslim denies the religious obligation to fast

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8 *Majjallat al-Buḥūth al-Islāmiyyah*, 40/220, available at: www.alifta.net (accessed 03/05/2016)

during Ramaḍān. Such a person is considered to be a non-Muslim regardless whether they perform the fasting or not, because the denial of the duty in itself is *kufr*. Conversely, if one does not fast during Ramaḍān, out of laziness for instance, provided they recognise that it is a religious obligation, then such a person is only a sinful Muslim who should not be considered outside the realm of Islam.

Based on this doctrine, the proponents of this first view insist that the ruler who applies manmade laws should not be charged with *kufr* merely on account of his action without further investigation of the intention behind it. This is because, as al-ʿAnbarī argues, there is a consensus amongst early and present Salafī scholars that the one who rules by other than *sharīʿah* is not *kāfir* unless the action is accompanied with the conditions of *juḥūd*, or *istiḥlāl*.[9]

As is to be expected, the imposition of such a condition, related to the nature of a ruler's inner beliefs, makes it almost impossible to declare the apostasy of any present-day ruler in the Muslim World. However, it can turn into *kufr* if one of the following conditions is present:

1-   If the ruler considers such action permissible, fulfilling the condition of *istiḥlāl* explained above.

2-   If the ruler considers other laws equivalent to the rule of God. Possible reason for the fulfilment of this condition, and that of the next one is that such rulers deny the basic doctrine that the rule of God is superior to all rules.

3-   If the ruler considers other laws superior to the rule of *sharīʿah* and more complete and comprehensive for the needs of people.

4-   If the ruler denies or does not acknowledge the obligation to rule according to *sharīʿah*, this being the condition of *juḥūd*.

Although the presence of any of these conditions would render the application of manmade laws to be *kufr*, members of this Salafī group maintain that it is almost impossible to know the intention of these rulers

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[9] Al-ʿAnbarī, *al-Ḥukm bi Ghayr mā Anzala Allāh wa Usūl al-Takfīr*, 112.

or the reasons for their willingness to rule by manmade laws instead of *sharīʿah*. As another Loyalist scholar asserts, the only way to know the intention behind people's deeds is when they inform us either by saying or writing.[10] Thus, if the person ruling by manmade laws does not plainly declare what would indicate the presence of any of the mentioned conditions in his heart, this person stays Muslim. This is because according to legal maxim *man thabata islāmuhu bi yaqīn falā yazūlu bi mujarrad al-shakk* (certainty [of him being Muslim] cannot be repealed or dispelled by doubt); the norm is that persons who are definitely known to be Muslims cannot be removed from status quo (that is, being Muslim) for mere doubt unless it is proven to have changed.[11]

Position Two: Applying Manmade Laws is *Kufr*

At the other end of the disagreement, there is another opinion that considers the application of manmade laws as practised in its modern form to be *kufr* thus nullifying the perpetrator's status as a Muslim completely. The advocates of this view do not entirely reject the arguments of the first group, that ruling by laws other than *sharīʿah* can be considered *kufr* but also just a major sin, depending on the proven beliefs of the perpetrators. In fact, this group even accepts that such is the true opinion of the *salaf*. However, they argue that such distinctions apply solely to those who perpetrate such acts occasionally, or even frequently, so long as *sharīʿah* remains the main source for legislation and adjudication. This infractions can happen when a judge or a ruler who fails to judge or rule in a particular case according to *sharīʿah*, in order to favour a friend or for some financial gain. This is indeed a major sin without being *kufr*. But such benefit of doubt cannot be extended to a ruler who replaces *sharīʿah* entirely or partly, with other laws, as is the case with manmade laws in present-day Muslim World. In such case, this group of scholars assert, there is no need for further

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[10] Al-ʿUtaybī, *al-Ḥukm bi Ghayr mā Anzal Allāh, Munāqashah Taʾṣīliyyah ʿIlmiyyah Hādiʾah*, 40.

[11] Al-ʿAnbarī, *al-Ḥukm bi Ghayr mā Anzala Allāh wa Usūl al-Takfīr*, 317; al-Ḥalabī, *al-Taḥthīr min Fitnat al-Takfīr*, 35.

investigation into the motives behind the ruler's action because such act "does not come out from a person whose heart has disbelieved in *ṭāghūt*. Rather it arises from one who has held that manmade law is good and has held judging by it also to be good."[12] In other words, such scholars and Activists believe that the act of abolishing *sharīʿah* and applying manmade laws in its place constitutes in itself a clear manifestation of the intention of the ruler. As such, there is no need for further investigation. In this sense, the distinction offered by the holders of the first opinion is confined to the ruler who only violates the rule of *sharīʿah* occasionally, because such isolated acts do not suggest the existence of *istiḥlāl*, *juḥūd*, or that the ruler prefers other laws to *sharīʿah*.

Thus, the main point of divergence in debates over the issue of whether or not ruling by manmade laws constitutes *kufr*, is centred around the identification of certain facts, specifically whether the whole body of *sharīʿah* has been rescinded in favour of manmade laws that is, whether what is known in intra-Salafī debates as the *tabdīl/istibdāl* (replacement) or *tashriʿ ʿāmm* (general legislation) has taken place. Of the two positions that we have discussed, the second proposes that when *tabdīl/istibdāl* (replacement) or *tashriʿ ʿāmm* (general legislation) happens, the ruler's *kufr* is indisputable.

The proponents of this second view are further divided into two sub-groups:

The first group consists mainly of the theologians of the so-called Jihādī-Salafī current, such as al-Maqdisī who as mentioned before, was one of the first Salafī clerics to pronounce *takfīr* on the Saudi rulers. The Jihādī-Salafīs consider all present day rulers in the Muslim World to be apostates and hence do not hesitate to pronounce apostasy on a specific individual ruler. Another example of the holders of this opinion is the Syrian Jihādī Abū Baṣīr al-Ṭarṭūsī, whose statement summarises the view of the Jihādīs in this matter.

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[12] Āl al-Shaikh, *Al-Tamhīd li Sharḥ Kitāb al-Tawḥīd*, 430.

Most of the rulers in the Muslim countries …are *kuffār murtaddūn* (apostates) *bi aʿyānihim* (each individual of them). This means you can name them and label them as apostates. [13]

The second sub-group hold the opinion that replacing *sharīʿah* by any other system is an act that nullifies Islam but they stop short of pronouncing apostasy on every individual ruler until further investigation for the particular individual has been conducted. This opinion is held by most senior Saudi scholars, as well as most activist scholars, who underline the importance of the Salafī distinction between labelling an action to be *kufr* and declaring an individual perpetrator to be *kāfir*. Hence, in principle, they agree with the Jihādīs that replacing the rules of *sharīʿah* with other systems as it is practiced in present days constitutes an act of *kufr* but only as a general rule (*ḥukm ʿāmm*). Yet, they disagree with them on applying this injunction to a specific individual ruler without the consideration of the Salafī criteria for determining *takfīr*. We will discuss these criteria in more detail in the chapter of *īmān* and *kufr*, but it is worth noting here that these criteria stipulate the establishment of several conditions before one can pronounce *takfīr* on someone who has committed *kufr*.

Causes of the Disagreement

The Quranic Verse (5:44)

Although, generally speaking, they share a similar approach and method of reasoning in order to form religious legal rulings, and accept and refer to the works of the same classical scholars (such as al-Ṭabarī, Ibn Taymiyyah, and Ibn Kathīr), contemporary Salafīs differ at times over the interpretation and application of these sources to current affairs. The crux of the contention over the question of ruling by manmade laws has always revolved around how to understand and apply the Quranic verse "And whoever does not judge/rule by that which Allāh has revealed (the

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[13] See verdict number 58, available at: www.abubaseer.bizland.com/verdicts.htm

law of God), such are *al-kāfirūn* (unbelievers)"[14] to the present-day replacement of *sharīʿah* with manmade laws. The disagreement between the Salafīs regarding the exact meaning of the word "*al-kāfirūn*" in this verse led them to take different stances vis-à-vis present-day rulers in the Muslim World.

Broadly speaking, all Salafīs deal with this and other similar Quranic verses by relying explicitly on the classical scholars. Their works include copious quotations from the same classical books of Quran exegesis and statements of the same classical scholars. The main purpose for such quotations is to claim the lineage of the *salaf* for themselves. But the classical scholars were themselves divided; there are several opinions among them about whether the ruling of these verses applies to Muslims, Jews and Christians or it applies exclusively to *ahl al-kitāb* (people of the book, i.e. Jews and Christians), Muslims being exempt from it.[15] The cause for this disagreement goes back to the context for the revelation (*sabab al-nuzūl*) of these verses, which, according to the classical sources, was concerning the Jews for changing the rule on married adulterer.[16]

As for the Salafīs, they agree and accept the opinion of the vast majority of classical scholars, that the former opinion (that people of all three religions are included) is the correct one, due to the well accepted principle of Quran exegesis amongst most Sunni scholars, *al-ʿibrah bi ʿumūm al-lafz la bi khuṣūṣ al-sabab* (texts have general application even though they were revealed concerning a specific occasion). For instance, ʿAbd al-Raḥmān al-Maḥmūd, who holds position two regarding manmade laws (that applying such laws consists of *kufr* by the ruler) discusses several different opinions from classical scholars, including the view of the Khawārij (which he disregards as incorrect of course). He then argues in favour of general applicability, stating: "We should note that stating that it (the verse) is more likely to be general in application does

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[14] *Quran*, 5:44.
[15] For these classical views see: al-Ṭabarī, *Jāmiʿ Al-Bayān*, 8/456–468.
[16] Ibid.

not contradict the fact that it was revealed concerning the People of the Book, because the point here is the general applicability of the wording, not the specific reason for revelation." [17] Such conclusions, about the general applicability of this verse, are also shared by people who are otherwise opponents, such as al-ʿAnbarī in his book supporting the Loyalists' view. [18]

It is because of this similarity in the method of reasoning that one finds Salafī proponents from all tendencies following their classical counterparts and agreeing in principle that at times ruling by other than *sharīʿah* takes one outside the fold of Islam, and at other times it is a grave sin short of *kufr*. [19] Both the authors mentioned above (al-Maḥmūd and al-ʿAnbarī) quote numerous statements from classical scholars in support of this principle. However, due to the fact that manmade laws is a new phenomenon which has naturally not been directly addressed in the classical sources, disagreements on when exactly such action constitutes *kufr* and when it is just a major sin have emerged "as a result of the inherently subjective nature of applying religion to new issues and problems." [20]

The Two Meanings of *Kufr*

Despite the disagreement among classical scholars on the matter of applicability of the Quranic verse 5:44, this has not caused disputes among the Salafīs. The main reason for intra-Salafī disagreement over this verse has in fact been over the word *kufr* itself, and its meaning. In the texts of *Quran* and Prophetic *Ḥadīth*, the word *kufr* is used to signify two different meanings. One of which is *kufr* as opposed to Islam, and thus *kāfir* in this terminological use refers to the person who is outside the fold of Islam. This type of *kufr* is known as *al-kufr al-akbar* (major or greater *kufr*). The second usage of the term is to characterise what is known as *al-kufr al-asghar* (minor or lesser *kufr*) that indicates an action

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[17] Al-Maḥmūd, *al-Ḥukm bi Ghayr mā Anzala Allāh, Aḥkāmuh wa Aḥwālu*, 141.

[18] Al-ʿAnbarī, *al-Ḥukm bi Ghayr mā Anzala Allāh wa Usūl al-Takfīr*, 116.

[19] Al-Maḥmūd, *al-Ḥukm bi Ghayr mā Anzala Allāh, Aḥkāmuh wa Aḥwāluh*, 153.

[20] Wiktorowicz, "Anatomy of the Salafī Movement," 208.

to be a grave sin but it does not expel the perpetrator from Islam. Consequently, a person branded *kāfir* in the sense of *al-kufr al-asghar* is only subjected to a metaphorical label implying a sinful Muslim, but not one who is outside the fold of Islam.

Moreover, in order to determine the meaning of any verse or *ḥadīth*, Salafīs insist on two points: first, that one must consider all texts related to the matter and understand them in such a way that they do not contradict each other. Second, that understanding those texts should be based on the interpretations of early scholars.

A good example for the approach adopted by Salafīs to determine the meanings and objectives of the Quran and Prophetic texts, can be found in their interpretation of the word *kufr* in the Prophetic *ḥadīth*: "cursing a Muslim is *fusūq* (an evil-doing), and killing him is *kufr*."[21] Salafīs, like the vast majority of Muslims, unanimously agree that the usage of the word *kufr* here signifies the gravity and the magnitude of such action (the killing) but also that such action alone does not take the perpetrator outside the fold of Islam. In short, a Muslim who kills another Muslim is a sinful Muslim and not a non-Muslim. This understanding and interpretation of this text is not based merely on reason or logic. Salafīs cite several verses from the Quran in support of this view, on the basis of which they argue that there is a clear indication that killing a Muslim is a great sin and not an act of *kufr*. One such verse is: "O you who have believed, prescribed for you is legal retribution for those murdered – the free for the free, the slave for the slave, and the female for the female. But whoever overlooks from his brother anything, then there should be a suitable follow-up and payment to him with good conduct..."[22]

Salafīs argue that this verse is clear evidence that the Muslim killer of another Muslim is not *kāfir* since he or she was described to be a brother of the *al-walī* (the relative) of the victim, in a reference to their brotherhood in faith. Based on this reasoning, they conclude that the

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[21] Translation of *Ṣaḥḥīḥ Bukhārī*: Vol. 1, Chapter 2, Number 48
[22] *Quran*, 2:178.

meaning of the word *kufr* in the mentioned Ḥadīth is the minor *kufr* not the great one.

Though it might seem facile and straightforward, such Salafī reasoning, when applied to current affairs that do not have a clear precedent, can sometimes lead to very different opinions. Ruling by modern manmade systems of law is a new phenomenon in Islamic history. Its novelty, combined with the scale of the consequences of any doctrinal position, magnifies the significance of classical debates regarding the exegesis of Quranic verses, which are the staple of the Salafī doctrine.

The Impact of the Historical Debate over the Quranic Verse 5:44

The historical dispute over this verse – especially the debates that took place between some Sunni scholars and the Khawārij - has played a major role in shaping opinions in subsequent Islamic history. The paradox is that all groups accept the facts about the historical contexts in which these verses were revealed but then use these differently to support their own views over each other. According to classical Sunni sources, the Khawārij were the first "deviant" sect in Islamic history and are always identified by two main traits, (i) rebellion against the ruler and (ii) extremism in declaring *takfīr* on fellow Muslims. Both traits are said to be based on their misinterpretations of several verses in the Quran. One of these is the aforementioned verse 5: 44 which the Khawārij utilised at face value to declare the apostasy of the rulers of their times in an absolute manner, without any further elaboration or clarification. The Khawārij, in the view of classical scholars, made assumptions based on the apparent meaning (*zāhir*) of the verse - that *kufr* here is the opposite of Islam without any restrictions or conditions - and then applied it to anyone who commits a sin. This is because the word "*man*" encompasses every single person and the word "*mā*" includes every single rule in Islam. Thus, whoever commits a sin has ruled or made decisions based on something other than the command of God, and therefore is a *kāfir*.

On the contrary, classical Sunni scholars contend that the verse should not understood in the same manner as the Khawārij do because there are

other texts that restrict the *ʿumūm* of this verse. We have seen what these are.

More relevant to the current study, classical scholars assert that ruling, or making decisions in accordance with rules other than *sharīʿah*, constitutes *kufr* at certain times and other times it is only a major sin. In this connection, they unanimously agree that the Quranic verse 5:44 does not serve the view of the Khawārij. Classical jurists frequently quote some statements ascribed to Ibn ʿAbbās and some other famous companions and their students regarding the interpretation of the verse, in order to support their opinion. The most famous of such statements is that of Ibn ʿAbbās when was asked by some Khawārij about the transgressions amongst the rulers of the Omayyad Dynasty. Ibn ʿAbbās said: "It is not the *kufr* you are going to (in your minds), it is not the *kufr* that expels one from Islam, and it is *kufr duna kufr* (*kufr* lesser than *kufr*)."[23] In a nutshell, the stand of classical scholars in relation to this key Quranic verse, 5: 44 is that the meaning of *kufr* here depends on the state and condition of the ruler committing this act. If the perpetrator does it out of *istiḥlāl* or *juḥūd* then it is *kufr akbar* otherwise it is only a grave sin.

Based on these classical texts, those Salafī scholars who take position one, argue that the established interpretation of the verse is very clear and that it requires the distinction related to the motivation and intention of the ruler. Ruling by manmade laws is the same as ruling by something other than what God has revealed, which, given Ibn Abbas' explanation, constitutes a grave sin unless accompanied with the necessary conditions of *istiḥlāl* and *juḥūd*. In this matter, they see the ruler as just like all other Muslims, and so the necessary conditions are also the same: those who commit sins but without declaring them to be permissible or reject what is known in Islam as necessary, commit a grave sin, not *kufr*.

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[23] Al-Ṭabarī, *Jāmiʿ al-Bayān*, 8/465–466; Ibn Kathīr, *Tafsīr al-Qurʾan al-ʿAẓīm*, 3/120–121.

The statement of Ibn ʿAbbās: "*kufr duna kufr*" is perceived as clear and decisive evidence that the correct Salafī interpretation of *kufr* in the verse 5: 44 is the minor *kufr* and not the major one. Hence, utilising the authority of this verse to declare *takfīr* of the ruler is neither a Salafī understanding nor a new phenomenon, rather it equals the position of the Khawārij, whom Ibn ʿAbbas and early scholars denounced and refuted. In support of this argument, Al-ʿAnbarī does concede that the apparent (*ẓāhir*) meaning of the verse is major *kufr*, but he provides several statements of classical scholars, by which he attempts to prove that only the Khawārij and their likes hold the literal meaning of the verse (*ʿalā ẓāhirihā*). One such classical scholar who is frequently cited in this connection is the great Mālikī Ibn ʿAbd al-Barr, who states:

> A group of innovators from the Khawārij and Muʿtazilah were misguided in regard to this issue (major sins) and utilised these narrations and their likes in order to justify *takfīr* of sinners. They also utilised verses from Allāh's Book which are not meant be taken on their *ẓāhir* such as (5:44).[24]

It has to be kept in mind that for the Salafīs, the value of these statements by classical scholars derives not only from their actual words, but also from the status of the scholars themselves. For example, the importance of the statement of Ibn ʿAbbās is based not only on its content but also on the prestige that Ibn ʿAbbās enjoys in regard to Quran exegesis in Salafī literature and in classical Sunni Islam in general. He is considered to be one of most knowledgeable amongst *ṣaḥābah* (the companions of the Prophet) and one of the greatest interpreters of Quran. His statements on Quranic exegesis, when considered authentic, are very weighty and authoritative in classical Sunni sources. This may explain why the Loyalists firmly reject the call of their opponents, the Jihādī-Salafīs, or that of the activist-Salafīs and instead label them neo-Khawārij. The Loyalists charge the Jihādīs and Activists of deviation from the teaching of Salafism, by demonstrating

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[24] Al-ʿAnbarī, *al-Ḥukm bi Ghayr mā Anzala Allāh wa Uṣūl al-Takfīr*, 130.

how they match the creed and the interpretation of the Khawārij with respect to this verse.

Naturally, the Activists and the Jihādīs fervently refuse such charges, emphasising and stressing the differences between their own understanding and what is conceived to be Khawārij misuse of the verse. They insist that unlike the Khawārij who use the verse in order to declare apostasy on anyone guilty of committing a grave sin, not only the rulers while they themselves do not hold such extreme beliefs regarding grave sins.

The Jihādīs and Activists further assert that the Loyalists are misinterpreting Ibn ʿAbbās' statement. They argue that there is no reason to think that Ibn ʿAbbās' statement precludes the understanding of verse 5:44 as talking about major *kufr*. To clarify this point, al-Maḥmūd retraces the debates that took place between Ibn ʿAbbās and the Khawārij. He recalls the beginning of the statement of Ibn ʿAbbās "It is not the *kufr* you are going to" to conclude that it is a clear indication that Ibn ʿAbbās was merely correcting "the false usage of the verse" made by the Khawārij against the unjust rulers of his time. Al-Maḥmūd argues: "Since the statement of Ibn ʿAbbās is directed to the Khawārij who perform *takfīr* based (merely) on every sin, then his comment "*kufr dūna kufr*" (certainly) refers to the one who judges unjustly, according to something other than that which Allāh revealed, in a specific case." [25] Thus, it is incorrect to deduce from it that Ibn ʿAbbās meant that the word "*kāfirūn*" in the verse denotes always, minor *kufr*. This is he insists, the understanding of the great scholars such as the late Grand Muftī of Saudi Arabia Muhammad Ibn Ibrāhīm. [26]

Al-Maḥmūd continues his arguments insisting that the reason that classical scholars pointed to verse 5:44 and Khawārij is because the verse was one of the basic grounds on which the Khawārij denounced those who committed grave sins, including unjust rulers, as *kāfir*. Ibn

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[25] Al-Maḥmūd, *al-Ḥukm bi Ghayr mā Anzala Allāh, Aḥkāmuh wa Aḥwāluh*, 233.
[26] The views of Ibn Ibrāhīm will be discussed st length lster in this chapter.

ʿAbbās and other scholars issued their verdicts "*kufr* lesser than *kufr*" on the Omayyad and Abbāsī rulers who did not abolish the rule of God. These great scholars also wanted to prevent unnecessarily widespread denunciations of *takfīr*, hence their condemnation of the Khawārij and the evidences they used.

The Question of *Tabdīl*

It is clear, then, that the Activists and the Jihādīs do not reject or ignore the statements of early scholars, such as Ibn ʿAbbās, regarding the verse 5:44, but they insist that these classical interpretations should be understood within their historical and political contexts. And for that reason, such interpretations must be addressed to the form of ruling by other laws that is similar to the one that existed in the times of these scholars and not to the implementation of manmade laws in its modern form. For this reason, Activists and Jihādīs accept the detailed conditions, given by the holders of position one, of when ruling by something other than *sharīʿah* constitutes major *kufr*. But they apply those restrictive conditions exclusively to isolated policy decisions or judgments made by the rulers or judges, and not to the application of manmade laws in general. Ironically, al-Maḥmūd supports this distinction using the same passage from the great 14th century Ḥanafī text *al-ʿAqīdah al-Ṭaḥāwiyyah* used by the Loyalists to foster their view. After explaining that ruling by something other than *sharīʿah* can be evaluated differently depending on the status of the perpetrator, Ibn Abī al-ʿIzz, a major 14th-century commentator on *al-Ṭaḥāwiyyah* concludes:

> If the judge believes that ruling according to what Allāh has revealed is not obligatory and is optional, or he thinks little of it even though he is certain that this is the ruling of Allāh, then this is a major *kufr*. If he believes that ruling according to what Allāh has revealed is obligatory, and he knows the correct ruling in this particular case, but he does not judge or rule by it, whilst acknowledging that he deserves to be punished, then he is a sinner and he is described as a *kāfir* in a metaphorical sense, in the sense of lesser *kufr*. If he is unaware of the ruling of Allāh in a case, but he does his best to reach the right conclusion, and suffers error,

then he has made a mistake. He will be rewarded for his efforts and his mistake will be forgiven.[27]

While the Loyalists deduce from this statement the different categories of *kufr* mentioned earlier and see it as the only legitimate elaboration (*tafṣīl*) of the *salaf* on this issue, Activists like al-Maḥmūd, along with the Jihādīs interpret it differently. They point at the expression "and he knows the correct ruling in this particular case (*waʿalimahu fī hāthihi al-wāqiʿah*)" to argue that the commentator is talking about judging in particular cases and not about the replacement of *sharīʿah* (*qaḍāyā muʿayyanah lā al-tashrīʿ al-ʿāmm.*) In other words, this particular elaboration (*tafṣīl*) does not deal with one who eliminates *sharīʿah* and systematically institutes non-Islamic laws. Thus they view the case of manmade laws as a completely new form of ruling by something other than *sharīʿah*, that is, a phenomenon that did not occur during the early history of Islam, and as such it would be inaccurate to apply these verdicts by the early Salafī scholars to this form of ruling.

Further, in support of their understanding, those that take position two underline the distinction between merely not fulfilling a religious obligation out of desire or laziness and the legislation of new laws. The former action does not necessarily express any rejection or denial of the religious obligation while the latter, in addition to not fulfilling an obligation, implies that the perpetrators of such an act have put themselves at a level equal to that of God, since in legislating for people they are doing something that which God has not given permission for. Even by itself, doing so constitutes a violation of the concept of *tawḥīd* which, as explained before, demands a firm and definite belief that the command is for none but God alone. As such, whoever decrees a rule that contradicts that of God has usurped the legislative sovereignty (*al-ḥākimiyyah*) that should be God's alone, and thus, he or she has made themselves partners with God.[28]

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[27] Ibn Abī al-ʿIzz, *Sharḥ al-ʿAqīdah al-Ṭaḥāwiyyah*, 323–324.
[28] Al-Maḥmūd, *al-Ḥukm bi Ghayr mā Anzala Allāh, Aḥkāmuhu wa Aḥwāluhu*, 57–65.

In addition, the supporters of this view do not regard this question of *tabdīl* (replacing *sharīʿah* with manmade laws) to be open to *ijtihād*, since they claim that it is a settled matter, based on consensus amongst the early scholars. In support of this historical argument they cite the statement of Ibn Taymiyyah:

> When a person makes permissible (*ḥallala*) something which is agreed by consensus to be forbidden, or he regards forbidden (*ḥarrama*) something which is agreed by consensus to be permitted, or he alters (*baddala*) the ruling of *sharīʿah* which is agreed upon by consensus, then he is a *kāfir* according to the consensus of the jurists.[29]

However, the use of such distinctions by the activist and Jihādīs - between ruling by something other than *sharīʿah* in isolated cases, and the replacement of *sharīʿah*, drew the Jihādīs enormous criticism from the Loyalists. Both Al-Ḥalabī and al-ʿAnbarī challenge their opponents, questioning the validity of their distinction. In principle, the Loyalists agree that manmade laws violate the concept of *tawḥīd* but they assert that the sin of legislating a new law can be exacerbated into major *kufr* only when the perpetrator claims it to be the law of God.

According to the Loyalists, the word *tabdīl* in the usage of Ibn Taymiyyah does not mean the mere replacement or alteration of *sharīʿah*, as their opponents understand from it. It is only when such legislation is undertaken out of "lying against Allāh and His Messenger" that *tabdīl* is committed, as Ibn Taymiyyah himself illustrates in another statement:

> *Al-sharʿ al-munazzal* (the revealed legislation): And this is whatever the Messenger came with. It is obligatory to follow this, and it is obligatory to punish anyone who opposes it.
>
> *Al-Sharʿ al-muʾawwal* (the interpolated legislation): This is the opinions of the scholars, who perform *ijtihād* in these matters, such as the *madhhab of Mālik* and what is like that. It is permissible to follow this (*ittibāʿ*), but it is not obligatory and it is not *ḥarām*.

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[29] Ibn Taymiyyah, *Majmūʿ al-Fatāwā*, 3/167–168.

> And it is not for anyone to make this binding upon the general people, and nor should they be prevented from it.

> And the third: *al-sharʿ al-mubaddal*: this is lying against Allāh and against His Messenger or upon the people with a false testimony and its likes, and clear oppression. So whoever says: "Indeed, this is from the *sharʿ* of Allāh, then he has disbelieved…[30]

Based on this, the Loyalists outline their view on *tabdīl*, contending that there are two separate ways of replacing *sharīʿah*. The first type is *tabdīl* in which the perpetrator makes partial changes to *sharīʿah*. Such case is *kufr* only if the perpetrator claims that these foreign laws are in fact part of *sharīʿah*. The second type is the case of a total replacement of the whole *sharīʿah* in every single aspect (*istibdāl tām*). This case is *kufr* in all case regardless whether or not the perpetrator claims them to be part of *sharīʿah*. Thus, in itself, partial replacement of the *sharīʿah* is not regarded as major *kufr* if the perpetrator does not claim it to be part of *sharīʿah* and hence, further investigation into the motives for such act is required, just as it is needed in the case of ruling by something other than *sharīʿah* occasionally. As such, such reasoning implies the exclusion of nearly all present-day rulers from the ruling of Ibn Taymiyyah on *tabdīl*, since family laws in most Muslim-majority countries are still based on *sharīʿah*.

Thus, we see how, starting from the same Quranic verse (5:44) and based on the same comments on the topic by classical scholars such as Ibn ʿAbbas, Activists and Jihādīs come to a very different conclusion from the Loyalists regarding the role of manmade laws in determining the status of present-day rulers in Muslim countries. While all groups agree that ruling/judging by anything other than *sharīʿah* can cause *kufr*, and hence a sufficient factor in itself to depose a ruler, they disagree on the distinctions between different kinds of ruling/judging activities – and the centrality of understanding motives when making these distinctions. For Activists and *Jihādīs*, while occasional policy decisions or judgments may not be evidence of a ruler's belief that she/he is equal to God,

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[30] Ibn Taymiyyah, *Majmūʿ al-Fatāwā*, 3/168.

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tabdīl, the replacement of *sharīʿah* with new, manmade laws offers sufficient proof, and is therefore sufficient for declaring *takfīr*. The Loyalists, on the other hand, make further distinctions – even within the act of legislating – contending that these are of two kinds: *tabdīl* (partial change of *sharīʿah*) and *istibdāl* (change of the whole body of *sharīʿah*). While *tabdīl* can be *kufr* (but impossible to prove, since no ruler makes the necessary declarations about their own beliefs), *istibdāl* can be judged to be *kufr* only when all the laws are changed in their totality – which rarely happens, since family laws, if nothing else are preserved for *sharīʿah* in most countries that the Salafīs are concerned with.

Which Precedent is Equal to Modern Manmade Laws?

Applying precedent scholastic opinions issued by authoritative figures, to new cases is a common method in Salafism. However, the struggle to agree upon a previously decided case, where the facts are of satisfactory resemblance to the case of manmade laws, has proved to be another main reason for the dispute.

One of the most important precedents is the case of the Yāsa, the Mongol system of laws. From a Salafī perspective, the Yāsa code is a legal system created by the founder of the Mongol Empire Genghis Khan (1162-1227). It is believed to be a combination of laws borrowed from the legal traditions of Judaism, Christianity, and Islam; in addition to many other laws based on Genghis Khan's own "thoughts and whim." [31] The analogy between the Yāsa and manmade laws is probably the most-known invoked precedent for determining the *takfīr* of present-day rulers. On several occasions, Jihādīs have used this analogy as the basis of their justification for revolting against their rulers. Perhaps for this reason, one finds most academic works focussing on the Jihādīs' interpretation of this precedent, while largely overlooking the challenging interpretation offered by the Loyalists.

After seizing power in several areas in the Muslim World, it is reported that the Mongols embraced Islam. This conversion raised many questions

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[31] Ibn Kathīr, *Tafsīr al-Qurʾan al-ʿAẓīm*, 3/131.

about the legitimacy of waging *jihād* against them. These questions were particularly critical during the lifetime of Ibn Taymiyyah, that is, towards the end of the thirteenth century, when the Mongols made various attempts to control the Levant region. "The Mongol conversion had produced such an impact upon Ibn Taymiyyah's surroundings that many of his contemporaries appeared to have considered the conflict as a modern replica of the battle of the camel and the Battle of Ṣiffīn."[32] In response to the question of whether or not it was legitimate to wage *jihād* against the Mongols, Ibn Taymiyyah issued several verdicts in which he concluded that the Mongols were in fact non-Muslims, despite professing Islam outwardly. Ibn Taymiyyah listed several reasons for his conclusion, the most important of which, for our purpose here, is their continuance to rule by the Yāsa. The great fourteenth-century Levantine scholar of *ḥadīth*, *tafsīr* and history, Ibn Kathīr, repeated a similar argument, stating:

> He who abandons (*taraka*) the clear laws revealed to Muhammad Ibn ʿAbd-Allāh, the seal of the Prophets, and refers judgment (*taḥākama*) to other among abrogated laws, then he is a *kāfir*. Let alone the one who refers judgment to the *Yāsa* and gives precedence to it over them (*wa qaddamahā ʿalayh*). Whoever does such is a *kāfir* according to the consensus of Muslims.[33]

These kinds of statements by Ibn Taymiyyah and Ibn Kathīr on the Mongol rulers are given great prominence in the writings of Jihādīs and Activists. And although these two scholars did not direct their verdicts against the political authorities of their own time, the holders of the pro-*takfīr* opinion here consider them perfectly applicable to the case of present-day rulers. According to al-Maḥmūd, throughout the history of Islam up to the time of Ibn Taymiyyah, Muslims had never witnessed or ruled by any rule other than *sharīʿah*.[34] The case of ruling by the *Yāsa* is the first incident in which *sharīʿah* was replaced by manmade laws and thus, is a perfect match for the modern case of manmade laws. This

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[32] Raff, *Remarks on an Anti-Mongol Fatwa by Ibn Taimiya*, 40.
[33] Ibn Kathīr, *al-Bidāyah wa al-Nihāyah*, 13/119.
[34] Al-Maḥmūd, *al-Ḥukm bi Ghayr mā Anzala Allāh, Aḥkāmuhu wa Aḥwāluhu*, 250.

analogy means that the Activists and Jihādīs do not just deem ruling by manmade laws to be a major *kufr*, but also classify this injunction within the category upon which there is consensus among the scholars. This is particularly important because where there is such consensus, it is not permissible for any scholar, regardless of their status, to take a different position. For this reason, when the senior Saudi scholar al-Ḥawālī was asked about his opinion about the view of al-Albānī and Ibn Bāz who allegedly stipulate the necessity of *istiḥlāl* for declaring *kufr* in the case of *tabdīl*, he described their stance as a stumble (*zallat ʿālim*).[35] This is an expression that is commonly used to convey total rejection of a stance taken by another highly respected scholar. Al-Ḥawālī then, proceeded to explain that the views of these scholars should be rejected as it goes against the consensus of early scholars on the matter.

The Rejection of the Yāsa Analogy

However, the Loyalists fervently refuse the analogy between manmade laws and the Yāsa. Instead, they offer a very different and a rather interesting reading of the case of the Yāsa and consequently, of the statements of Ibn Taymiyyah and Ibn Kathīr. To refute the analogy proposed by their opponents, the Loyalists turn to several accounts provided by these two classical scholars, which, in their opinion, collectively offer a clearer understanding of the case of the Mongol rulers in regard to ruling by the *Yāsa*. Based on these accounts, they reject the proposition that Ibn Taymiyyah, Ibn Kathīr and other scholars declared *takfīr* on the Mongols rulers simply due to their ruling by the *Yāsa*. An example of these accounts is the statement of Ibn Taymiyyah in one of his *fatāwās*:

> And that is because the belief of these Tatars in Genghis Khan is immense; as they believe that he is the son of God, similar to what the Christians believe in Jesus, and they state that the sun got his mother pregnant while she was in a tent. And that the sun then descended through a hole in the tent to impregnate her…despite

[35] Al-Ḥawālī, *Ḥaqīqat al-Khilāf fī Masʾalat al-Ḥukm bi Ghay mā Anzal Allāh*, available at:www.alhawali.com (accessed 04/05/2016)

> this, they deem him to be the greatest messenger in the eyes of God in the way they venerate what he instituted and legislated for them based on his conjecture and whim...[36]

For the Loyalists, such statements shed light on how scholars who lived through the Mongol invasions conceived the religious status of the Mongols. They contend that such scholars declared the Mongols to be non-Muslims based on their prior knowledge of the Mongols' religious beliefs. In other words, the cause of *kufr* was the belief they held regarding this code, and not the mere act. Al-Ḥalabī concludes:

> This is Genghis Khan and his status. This is his *kufr* and *shirk*, this is his Yāsa, his book and his *sharīʿah*, this is the belief of his followers (the Mongols) in him and their claim that he was a Prophet, and this is the injunction on the one who does not accept the testimony of faith or other components of Islam. Therefore, whoever was like him has the same ruling.[37]

Al-ʿAnbarī made similar arguments, insisting that the consensus mentioned by Ibn Kathīr is a specific case for the kings of the Mongols, "for their ruling by the *Yāsa* involved giving it precedence over the legislation of Allāh and because they preferred it over the legislation of Allāh."[38] Thus, these verdicts against the Mongols can be extended only to those who share similar beliefs.

The history of the Mongols, medieval Central Asian rulers who eventually embraced Islam, and the opinions of classical scholars regarding their religious status, centres on the Yāsa, or the Mongol tribal code. Jihādīs and Activists among the Salafīs see this code, and decisions of legal scholars about it, as the earliest examples of the promulgation of non- *sharīʿah* laws by Muslim kings. All Salafīs refer respectfully to the decisions of the fourteenth-century scholar, Ibn Taymiyyah and his students, who declared *kufr* on the Mongols, but they remain divided over the applicability of this historical decision as a precedent to evaluate the status of rulers in the present-day world. This

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[36] Al-Ḥalabī, *Ṣayḥat Nathīr bi Khaṭar al-Takfīr*, 71–72.
[37] Ibid, 74.
[38] Al-ʿAnbarī, *al-Ḥukm bi Ghayr mā Anzala Allāh wa Uṣūl al-Takfīr*, 162.

is because the Loyalists do not believe that Mongols had been accused of *kufr* by classical scholars merely for ruling according to *Yāsa* code, but really for the belief behind the imposition of that code—that Genghis Khan was a Prophet.

The Loyalists' alternative Precedents

The basis for the Loyalists' rejection of the analogy between the Yāsa and manmade laws can also be attributed to another factor: their rejection of their opponents' assumption that the case of Yāsa was the first precedent for manmade laws in Islamic history. The Loyalists highlight certain precedents that they deem to form a better equivalent to the case of manmade laws than the Yāsa.

The first precedent is the example of the innovator (*mubtadiʿ*), that is, people who invented or added new aspects to religious practice. According to the Loyalist scholar al-ʿAnbarī there is no difference at all between the one who legislates manmade laws and the *mubtadiʿ* because both have invented what God has not given permission for, and hence, both have transgressed the right of God to legislate. [39] To prove this similarity between manmade laws and *bidʿah*, al-ʿAnbarī cites several statements by the 14th century Mālikī scholar al-Shāṭibī, in which the Andalusian scholar argues that innovating new matters in religion entails rivalry with God. For if the innovator believed that the religion (Islam) is complete and comprehensive, he/she would not try to modify it. [40] Based on this comparison, al-ʿAnbarī argues that since al-Shāṭibī and others did not apply *takfīr* to *the mubtadiʿ*, and *mubtadiʿ* is no different from making new laws to replace the *sharīʿah*, this means that the classical scholars did not judge the mere act of transgressing the right of God to legislate to be *kufr*. As such, he declares that his opponents have fallen in contradictory stances by applying *takfīr* to the ruler who rules by manmade laws but not to the innovator.

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[39] Ibid, 123.
[40] Ibid, 125.

It has to be noted here, his comparison of manmade laws to *bidʿah* does not mean that al-ʿAnbarī believes that *bidʿah* can never amount to *kufr*. He accepts that classical scholars categorised innovations into two types, one which constitutes *kufr* and another one that does not. However, he maintains that the criteria set by the classical scholars for distinguishing between the two types are based on whether the innovation involves a rejection of one of the followings: (i) a matter upon which there is a consensus amongst the scholars, (ii) a matter of *mutawātir*,[41] (iii) what is known in religion (Islam) to be a necessity."[42] Only when a religious innovation involves such rejection, is it considered to be *kufr*.

Al-ʿAnbarī's opinions add an interesting twist to the comparison between manmade laws and the innovator. Studying such opinions allow us to understand why the Loyalists among the Salafīs prioritise combatting those they consider innovators over the rulers. This prioritisation cannot be explained merely with reference to political conservatism; it has a clear doctrinal basis.

The other precedent which al-ʿAnbarī regards as clear support for his view is the story of al-Najāshī, the king of *al-Ḥabashah* (nowadays Eritrea and northern Ethiopia). Islamic sources reveal that in the early days of Islam, before the famous immigration of Muslims from Makkah to al-Madīnah, Muslims fled the persecution they faced in Makkah at the hands of Quraysh and sought refuge in *al-Ḥabashah*. This encounter led al-Najāshī to secretly convert to Islam but despite his conversion he was unable to apply the rule of Islam upon his people. It is also reported that when al-Najāshī died the Prophet said to his companions: "A brother of yours has died; get up and offer the funeral prayer for him."[43] Based on these reports, al-ʿAnbarī builds his argument as follows; since al-Najāshī was a king who did not apply *sharīʿah* upon his subjects, and yet the Prophet and the *Ṣaḥābah* prayed the funeral prayer upon him, then it is

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[41] *Mutawātir* refers to a report that is widespread with multiple and uninterrupted chains of transmission
[42] Ibid, 128.
[43] Muslim, *English Translation of Ṣaḥīḥ Muslim*, N. 2210.

necessary to conclude that ruling by something other than *sharīʿah* is not a major *kufr*. Muslims are not permitted to offer such prayers to non-Muslims, therefore al-Najāshī was clearly not considered to be outside the realm of Islam, as he would have been if the Prophet and Companions had judged him to have committed a major *kufr*.[44]

Debating the Opinion of Senior Scholars

In the intra-Salafī debates on manmade laws, some of the senior scholars who enjoy great respect and acknowledgment amongst all Salafī factions are quoted frequently as a support for or against *takfīr*. It is safe to say that the authority of some of these scholars is very high in the eyes of all Salafīs, to the point that their verdicts are taken face value to support one's position even when no scriptural evidence is given along with the verdict. However, the lack of explicit and detailed studies on this question by those highly-quoted scholars has left the doors wide open for different interpretations and speculations over their actual positions concerning manmade laws. In the following section, we will look at the intra-Salafī debates over the views of some of these scholars on that matter of manmade laws, and how each faction tries to consolidate its view by ascribing it to these scholars.

These authoritative scholars can be divided into two categories. The first category includes those scholars who witnessed the phenomenon of the application of manmade laws in the Muslim world but passed away before the start of these debates in the 1990's. As examples for this category, I have chosen two scholars, the former Grand Muftī of Saudi Arabia Muhammad Ibn Ibrāhīm Āl al-Shaykh (1893-1969), and the Egyptian scholar Aḥmad Shākir (1892-1958). The significance of Ibn Ibrāhīm stems from the fact that he is, to my knowledge, the only scholar in this category who has produced a written work, fully dedicated to the question of manmade laws. His work is widely quoted in the debates and the disagreement over his actual position on the matter takes up a great

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[44] Al-ʿAnbarī, *al-Ḥukm bi Ghayr mā Anzala Allāh wa Usūl al-Takfīr*, 89–90.

part of every book dealing with manmade laws. Additionally, Ibn Ibrāhīm's authority is recognised not only by the young Salafī generation but also by the senior scholars, since most of them have studied directly under him or at least, attended some of his lectures.

As for the Egyptian scholar Shākir, although he did not write a specific work elaborating on manmade laws, his significance stems from his very important statement regarding the similarities between manmade laws and the Yāsa, the Mongol code of law in his book *ʿUmdat al-Tafsīr*. As we know the disputed parallel between the Yāsa and modern manmade laws has been the cause of persistent disagreements between the Activists and Jihādīs on the one hand, and Loyalists on the other; a significant part of these arguments rely on Ahmad Shākir's crucial statement.

The second category of scholars whom we are going to discuss in this section are those who were alive when the debates were taking place, the most important of whom are al-Albānī, Ibn al-ʿUthaymīn, and Ibn Bāz. The views of these scholars on the matter is scattered in a number of their lectures. They generally deal with the question in lesser depth than in the polemical writings of the younger generation.

Ibn Ibrāhīm

The position of Ibn Ibrāhīm (1893-1969), the former grand *muftī* of Saudi Arabia is probably the clearest amongst modern senior scholars. To my knowledge, his booklet *Taḥkīm al-Qawānīn*[45] is the most detailed work written by a senior scholar on this matter, albeit consisting of only several pages. The booklet is frequently quoted by the Jihādīs and Activists in order to promote the pro-*takfīr* view.

From the outset, Ibn Ibrāhīm's takes a trenchant tone against manmade laws, affirming that the replacement of the Quran as source of legislation by "the cursed manmade laws"[46] constitutes a great and clear *kufr*. Based on several verses from Quran, Ibn Ibrāhīm builds his argument that

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[45] Published in the thirteen volumes collection of his works
[46] Ibn Ibrāhīm, *Fatāwā wa Rasāʾil Shaykh Muḥammad Ibn Ibrāhīm*, 12/284.

referring back in disputes to anything other than *sharīʿah* constitutes an absolute contradiction to one's *īmān* (faith) and hence, it is impossible to have both in one heart, since: "one of them will totally dispel the other."[47]

It does not take one very long to read the whole booklet but it takes even less to understand why the Activists and Jihādīs quote Ibn Ibrāhīm more frequently than the Loyalists do. Explaining the meaning of *jāhiliyyah* in the Quranic verse (5:50), Ibn Ibrāhīm echoes the understanding of Sayyid Quṭb for whom *jāhiliyyah* is "a condition of any time and place where Allāh is not held to be the highest governmental and legal authority."[48] Ibn Ibrāhīm similarly insists that there are only two types of rule, the rule of God and everything besides that is, the rule of *jāhiliyyah*.

Ibn Ibrāhīm approaches the verse (5:44) stating that it is impossible for God to "call he who judges by [anything] other than that which Allāh has revealed a *kāfir* and for such a person not to be a *kāfir*."[49] However, he also refers to the statement of Ibn ʿAbbās explaining, in the manner of all Salafīs, that the *kufr* mentioned in the verse can sometimes be major and at other times only minor, depending on the state of mind of the perpetrator.

Up until this part of the booklet, although Ibn Ibrāhīm's tone sounds similar to that of the Jihādīs in deprecating manmade laws, it is still general and indistinct in terms of determining when exactly he considers ruling by anything other than *sharīʿah* to be a major *kufr*. The latter part of the booklet however, is more precise and detailed. It is this latter part that the Jihādīs and Activists quote regularly to support their view. Ibn Ibrāhīm provides six cases in which ruling by anything other than *sharīʿah* constitutes major *kufr*. The most important of these is the fifth case, which he describes thus:

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[47] Ibid, 12/286.

[48] Khatab, *The Political Thought of Sayyid Qutb The Theory of Jahiliyyah*, 3.

[49] Ibn Ibrāhīm, *Fatāwā wa Rasāʾil Shaykh Muḥammad Ibn Ibrāhīm*, 12/286.

This is the greater, more comprehensive and obvious form of stubborn rejection of the *sharīʿah* and haughty rejection of its rulings and showing dissent towards Allāh and His Messenger, and challenging the courts of Islamic Law, in its setting-up, maintenance, provisions, foundations and its branches, forms, types, its judgement and compulsion, references and sources. So, just as the *sharīʿah* courts have references upon which they depend, all depending upon Allāh's Book and the *Sunnah* of His Messenger, in the same way the law-courts of the manmade laws have their sources: laws patched together from many different law-systems, like French laws, American laws, British laws, etc. and from the systems of innovators who claim allegiance to the *sharīʿah*, etc. So these law-courts are now present in many Muslim lands, complete and established, with open doors and the people flock thereto in throngs; their judges give judgements going against the judgements of the Book and *sunnah*, according to their own laws and making these pronouncements binding and agreeing thereto and making them unalterable, so what *Kufr* is greater than this, and what can be a greater contradiction to the testimony that Muhammad is the Messenger of Allāh.[50]

The Objection of the Loyalists

Although, this statement appears in support of the holders of the pro-*takfīr* view in this case, the Loyalists are reluctant to accept this perception and instead, offer a different reading to it. They contend that their opponents misunderstood Ibn Ibrāhīm's position because of overlooking his other statements on the matter. For instance, al-Ḥalabī cites other statements by Ibn Ibrāhīm, which he asserts, are proof that the shaykh "unlike what was understood from his booklet"[51] holds the same position as the Loyalists. The main statement used to foster this contention is found in the first volume of the *fatāw*ā (verdicts) of Ibn Ibrāhīm in answer to some questions sent to the shaykh from India. Although the questions are about various *fiqhī* issues, the shaykh however, seems to have found in them an opportunity to begin his answer with an overview statement on the meaning of the declaration of faith, a topic that is central in the teachings of the vast majority of Salafī scholars especially in Saudi Arabia. Ibn Ibrāhīm states that the

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[50] Ibid, 12/289.
[51] Al-Ḥalabī, *al-Taḥthīr min Fitnat al-Takfīr*, 23; al-Ḥalabī, *Ṣayḥat Nathīr bi Khaṭar al-Takfīr*, 96.

actualisation of the meaning of the second part of the *shahādah* (Muhammad is the Messenger of God) implies not only to judge in accordance with his *sharīʿah*, but also, to confine oneself to that while rejecting whatever oppose it. Amongst what Muslims have to reject are the laws (*qawānīn*) that he concludes

> He who judges according to them or refers to them for judgment believing (*muʿtaqidan*) in the correctness (*ṣiḥḥah*) or the permissibility (*jawāz*) of such judgment is *kāfir* the [type of] *kufr* that takes one out of the religion. However, if he performs that [judgment] without believing in their correctness or the permissibility to judge by them, then he is a *kāfir* with the *kufr* of action, which does not take out of religion.[52]

For the loyalist scholar al-Ḥalabī, statements such as these are more precise and offer a better clarification of the position of Ibn Ibrāhīm on the question of manmade laws than his booklet *Taḥkīm al-Qawānīn*. On this basis, al-Ḥalabī builds his argument against his opponents, highlighting that the shaykh here stipulates the necessity of *iʿtiqād* (inner belief) in the correctness or in the permissibility for the act to be major *kufr*. As such, in order to determine the position of Ibn Ibrāhīm on this matter one must choose one of three options. (i) The possibility that the shaykh contradicts himself (ii) that this statement is not as specific as the booklet, (iii) or that the booklet has to be understood in light of the elaboration given in statements of this kind. From al-Ḥalabī's perspective, only the last option is conceivable, since the first possibility entails a great vilification of a scholar of the standing of Ibn Ibrāhīm, which no Salafī would dare to undertake. As for the second option, it is not plausible because in the view of al-Ḥalabī, it goes against the Salafī method of determining the opinion of a scholar. That is to say, in order to determine the position of a scholar regarding an issue, one must investigate all of his statements on the matter then interpret them compatibly. In the case of the existence of conflicting statements by the same scholar, one must determine which statement bears more than one meaning (*mujmal*) and which one carries only one meaning (*mufaṣṣal*).

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[52] Ibn Ibrāhīm, *Fatāwā wa Rasāʾil Shaykh Muḥammad Ibn Ibrāhīm*, 1/79–80.

Then, the former should be interpreted in light of the latter. In our case here, al-Ḥalabī considers the statement of Ibn Ibrāhīm he provides to be *mufaṣṣal* and the booklet to be *mujmal*. Hence, the categorisation of the fifth case as major *kufr* in the booklet must be interpreted to mean that this is true only when it [ruling by manmade laws] is done out of "*istiḥlāl, juḥūd*, or *iʿtiqād*, and not the mere action."[53] Based on this, al-Ḥalabī concludes that Ibn Ibrāhīm supports the view of the Loyalists, that the mere act of applying manmade laws is not major *kufr* unless the aforementioned conditions are present.

This approach in dealing with Ibn Ibrāhīm's booklet is very common amongst the Loyalists. The Loyalists seem to be interested more in citing any other statement by the shaykh where there is mention of words like *juḥūd* and *iʿtiqād* rather than explaining how the booklet is less specific, especially given the fact that *juḥūd* and *iʿtiqād* were already included in the first four cases of major *kufr*. The first four cases include the one who (i) "denies the precedence of the judgement of Allah and His Messenger." (ii) "Believes that the judgement of someone other than the Messenger is better than His judgement and more complete and comprehensive for the needs *of* the people." (iii) "Does not regard it as being better... but believes it to be equivalent," and "believes that it is permissible."[54] The Loyalists tend to ignore completely the details given in these cases and seem rather anxious to switch the reasoning behind Ibn Ibrāhīm's ruling in the fifth case to *juḥūd, iʿtiqād* or *istiḥlāl* by referring to his other statements[55] rather than simply concede that the view of Ibn Ibrāhīm in this matter is wrong.

However, despite the persistence of the Loyalists that the booklet does not support the pro-*takfīr* view, one can also sense from the tone of the Loyalists, that they are uncomfortable with it, which raises the question about the genuineness of their contention. For instance, Al-ʿAnbarī shows this discomfort indirectly when he narrates his story with ʿAbd-

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[53] Al-Ḥalabī, *Ṣayḥat Nathīr bi Khaṭar al-Takfīr*, 98.
[54] Ibn Ibrāhīm, *Fatāwā wa Rasāʾil Shaykh Muḥammad Ibn Ibrāhīm*, 12/288–289.
[55] Al-Ḥalabī, *Ṣayḥat Nathīr bi Khaṭar al-Takfīr*, 97–98.

Allāh Ibn Jibrīn (1933-2009), one of the prominent students of Ibn Ibrāhīm and one of the senior scholars that time.[56] The story is about a discussion over the question of manmade laws that al-ʿAnbarī held with Ibn Jibrīn. When the shaykh apparently agreed with his view, al-ʿAnbarī asked him about the dubious position of Ibn Ibrāhīm in his booklet *"istashkaltuhu fatwā skeikh…in taḥkīm al-Qawānīn."*[57] Ibn Jibrīn then, told him that Ibn Ibrāhīm has also other statements, in which he stipulates *istiḥlāl* and *juḥūd* for major *kufr*. The use of the word *istashkaltuhu* (which in the Arabic language means to ask about something that is troublesome) is an explicit indication of the Loyalists' discomfort with the booklet.

Additionally, the Loyalists use another approach to contend that the booklet does not champion the pro-*takfīr* view. This approach consists of stressing that the statements in which Ibn Ibrāhīm stipulates *istiḥlāl* and *juḥūd* for major *kufr* are issued some years after his booklet. Although, the Loyalists do not explicitly declare that the shaykh had changed his opinion, their constant interest in highlighting this fact entails an inclination towards this declaration, which constitutes an implicit recognition that the booklet does in fact support the pro-*takfīr* view.

Responses to the Loyalists

The contention by the Loyalists that Ibn Ibrāhīm did not consider the application of manmade laws to be major *kufr* unless accompanied by *istiḥlāl* or *juḥūd* drew a lot of criticism from the Jihādīs and the Activists. However, it is the criticism levelled by the senior scholars in Saudi Arabia against the Loyalists' interpretation of the position of Ibn Ibrāhīm that is more significant in order to determine his actual position on this matter, given that most of these scholars were his students. In their verdicts against the books of al-ʿAnbarī and al-Ḥalabī, the members of the Permanent Committee for Research and Verdicts (PCRV)[58] make

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[56] Al-ʿAnbarī, *al-Ḥukm bi Ghayr mā Anzala Allāh wa Uṣūl al-Takfīr*, 211–212.
[57] Ibid.
[58] The Permanent Committee for Research and Verdicts is the highest institution for issuing religious verdicts in Saudi Arabia.

their rejection of the authors' interpretation to the position of Ibn Ibrāhīm obvious. The senior scholars charge both authors with dishonesty and the distortion of the words of Ibn Ibrāhīm, especially because of their claim that the shaykh had stipulated *istiḥlāl* in the heart as a condition for major *kufr*. For the PCRV the booklet of the shaykh is not only "as clear as the sun" in terms of considering the act of applying manmade laws to be major *kufr* but it is also "upon the path of *ahl al-sunnah wa al-jamāʿah*."[59]

The rejection of the Loyalists' interpretation of the words of Ibn Ibrāhīm is not confined to the members of the PCRV but it also includes other former students of the shaykh such as Ḥmmūd Ibn ʿUglaʾ al-Shuʿaybī (1928-2001)[60] and Ibn Jibrīn to whom al-ʿAnbarī and al-Ḥalabī refer in their books as support for their interpretation. According to Ibn Jibrīn, the words of Ibn Ibrāhīm in his booklet are amongst his "mildest"[61] statements against the application of manmade laws. Indeed, it seems to be a well-known fact amongst all those scholars who have close links to him, that Ibn Ibrāhīm considered the replacement of *sharīʿah* with manmade laws to be major *kufr*, without the need for further investigation into the person's *iʿtiqād*. This is also confirmed by Ibn Ibrāhīm's grandson, Ṣāliḥ Āl Shaykh, the former Saudi minister of religious affairs.[62]

The Loyalists' reluctance to accept that the booklet supports the pro-*takfīr* view shows the struggle in the Loyalists' ideas and thoughts about how to reconcile the words of a great scholar for whom they have a great respect and the question of manmade laws about which they have very strong views. In addition, the determination to deny that Ibn Ibrāhīm held the view that applying manmade laws constituted major *kufr* also

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[59] Al-Lajnah al-Dāʾmah, *al-Taḥthīr min al-Irjāʾ wa Baʿḍ al-Kutub al-Dāʿiyah Ilayh*, 28.

[60] See his article on al-ʿAnbarī's book: *al-Radd ʿalā Iftirāʾāt al-ʿAnbarī*, available at: www.al-oglaa.com (accessed 04/05/2016)

[61] See verdict number 10641 available at: www.ibn-jebreen.com (accessed 04/05/2016)

[62] Āl al-Shaykh, *al-Tamhīd Sharḥ Kitāb al-Tawḥīd*, 430.

highlights the high status enjoyed by Ibn Ibrāhīm amongst the salafī proponents; it also brings to lights how the Loyalists perceive the matter. For the Loyalists, the opinion that ruling by anything other than *sharīʿah* constitutes major *kufr* only when accompanied by the mentioned conditions is beyond the domain of *ijtihad*. It is one of those questions, upon which all the scholars in the past have agreed and thus, no one has the right to adopt a different position.[63] Consequently, conceding that someone of the calibre of Ibn Ibrāhīm held opinions similar to those they accuse of deviancy in this crucial matter would not only damage their claim about the consensus on this subject but it would also force them to drop the charges of deviancy against their opponents. This is because matters of *ijtihād* cannot be grounds for deviancy. In addition, pardoning Ibn Ibrāhīm without pardoning their opponents would be a clear double standard in their judgement.

Nowadays it is not possible to know exactly the extent of the damage caused by the verdicts of PCRV and other senior scholars to the credibility of the Loyalists. However, one can sense a great confusion in their responses to the PCRV that only adds to the uncertainty concerning the aforementioned question about whether they really believe that Ibn Ibrāhīm held views similar to theirs.

Aḥmad Shākir

Aḥmad Shākir (1892/1958) is one of the most prominent Salafī scholars in the first half of the 20th century Egypt. Shākir first received his religious education under his father, a well-known Azharī scholar, and later obtained his doctorate from al-Azhar in 1917. Nowadays, Shākir enjoys a high status amongst the Salafī proponents and he is seen as the leading scholar of *ḥadīth* science in his era, and is even designated *imām al-Ḥadīth fī ʿaṣrih*.[64]

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[63] Al-ʿAnbarī, *al-Ḥukm bi Ghayr mā Anzala Allāh wa Usūl al-Takfīr*, 112; al-Ḥalabī, *al-Taḥthīr min Fitnat al-Takfīr*, 27.
[64] Al-Ḥalabī, *Ṣayḥat Nathīr bi Khaṭar al-Takfīr*, 100.

Shākir lived in Egypt where manmade laws were openly adopted by the state in the legal system. More importantly, Shākir worked as a judge for more than thirty years in *sharīʿah* courts operating at that time, which put him in a direct confrontation with many of those who favoured the application of manmade laws in Egypt.[65] This confrontation resulted in numerous statements against the legitimacy of such application, which the Activists and Jihādīs quote frequently in support of their views regarding present day rulers. However, unlike Ibn Ibrāhīm, Shākir does not have a particular book articulating his religious opinion on the matter but instead his statements and verdicts are spread out in his various works on *tafsīr*, *ḥadīth* as well as a number of articles. In 1992, his son Usāmah compiled these statements and published them in one book under the title *Ḥukm al-Jāhiliyyah*. Nevertheless, the main statements that reveal the stance of Shākir towards the application of manmade laws are found in the footnotes of his famous book *ʿUmdat al-Tafsīr*, an abridged version of the well-known Quranic exegesis *Tafsīr Ibn Kathīr*.

One of these statements comes after Ibn Kathīr's aforementioned ruling on the Mongols and their code of law called *Yāsa*. In a manner very similar to the Activists and the Jihādīs, Shākir draws an analogy between the *Yāsa* and manmade laws, asserting that the modern case of manmade laws in the Muslim world does not only fit the description given by Ibn Kathīr to the *Yāsa*, but that it is worse. The only difference according to Shākir is that only the ruling elite of the Mongols adopted the *Yāsa* during the time of Ibn Kathīr, whereas in present-day most Muslim nations have virtually been affected by manmade laws. Shākir does not actually elaborate on when exactly ruling by anything other than *sharīʿah* is major *kufr* or touch upon the conditions of *istiḥlāl* or *juḥūd*. In fact, the style of Shākir's writing is very different to the traditional approach employed by Ibn Ibrāhīm in his booklet and by contemporary Salafīs in their debates. However, it is evident that he views a

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[65] Shākir affirms that he had many debates with those in favour of manmade laws. See: Shākir, *ʿUmdat al-Tafsīr*, 1/678.

resemblance between the *Yāsa* and manmade laws. For him, manmade laws represent *Yāsa ʿaṣrī* (contemporary *Yāsa*), on which, the ruling "is clear as the clarity of the sun, they constitute blatant unbelief (*kufr bawāḥ*)..."[66]

In addition to his different style of writing, most of Shākir's discontent and arguments are directed towards Muslims studying these laws and accepting them rather than the rulers themselves.

> These laws are legislated by people who endorse Islam. They teach them to the children of the Muslims, and fathers and children feel proud of that. They entrust their affairs to the followers of this modern *Yāsir*, and they ridicule those who oppose them. They describe those calling them to adhere to their religion and *sharīʿah* as backward and rigid...[67]

The reason for this stems from Shākir's concern about what he sees as an inherent threat posed by manmade laws to the religion of Muslims. For Shākir, the case of manmade laws is not simply replacing a system by another, rather, it is a conversion to a new religion.[68] For that reason, he contends, "there is no excuse for anyone who considers himself Muslim, regardless of who he is, to apply it, submit to it, or consent to it."[69]

The other important statement for our purpose is Shākir's footnote on Ibn Kathīr's commentary on the Quranic verse (5:44). The lengthy footnote is approximately three times of Ibn Kathīr's concise commentary in which the latter refers to the abovementioned statement of Ibn ʿAbbās "*kufr* lesser than *kufr*" to assert that ruling by anything other than *sharīʿah* is sometimes major *kufr* and other times minor *kufr*. Shākir attacks those he labels "the misleading people of the era who ascribe themselves to knowledge"[70] for invoking the statement of Ibn ʿAbbās in order to provide excuses for the application of the "idolatrous" manmade laws. Shākir quotes his younger brother Maḥmūd (1909-1997),

[66] Shākir, *ʿUmdat al-Tafsīr*, 697.
[67] Ibid.
[68] Ibid, 535; ibid, 697.
[69] Shākir, *ʿUmdat al-Tafsīr*, 697.
[70] Ibid, 684.

another scholar recognised by all Salafīs, who seems to condemn the same people for invoking a similar statement by a renown *tābiʿī* named Abū Mijlaz. According to Maḥmūd, these statements of "*kufr* lesser than *kufr*" are never intended to be used for justifying "the passing/issuing of judgements in money, personal affairs, and blood by laws incompatible with the *sharīʿah* of Muslims, or the production of laws that oblige the people of Islam to seek judgment from other than the judgment of Allah."[71] He argues that such acts are is a major *kufr* because they clearly signify giving preference to manmade laws over *sharīʿah*. Similar to the Activists and the Jihādīs, Maḥmūd distinguishes between ruling in one particular incident by something other than *sharīʿah* and the broader application of manmade laws. He argues that the latter case simply did not exist at the times when the statements of "*kufr* lesser than *kufr*" were issued, therefore it is not acceptable to invoke such statements in this case.[72]

When reading the statements of the Shākir brothers, one can easily understand why the Jihādīs and Activists quote them frequently as support for their own position. Firstly, the Shākir brothers' framing of manmade laws as modern-day *Yāsa* serves as a precedent for the Jihādīs and Activists to stand on in order to apply the verdicts issued by Ibn Taymiyyah and Ibn Kathīr on the Mongols to present-day rulers. Secondly, the Shākir brothers clearly do not consider the statements of "*kufr* lesser than *kufr*" to be applicable to the case of modern day implementation of manmade laws. In fact, they label the use of these statements as misguidance and innovation. For the Jihādīs and Activists, this presents the basis for both countering the Loyalists' strongest proof-text for their position on the matter, and for charging them of misguidance.

The Loyalists do not dispute what the Shākir brothers have said, but they tend to discuss their views mainly to refute the argument of their

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[71] Ibid, 685.
[72] Ibid.

opponents, rather than support their own stance. In the loyalist interpretation, the charges of deviancy levelled by the Shākirs are not against the use the statements of "*kufr* lesser than *kufr*" in order to understand the Quranic verse (5:44) as such, but only against those that use these statements as an excuse for ruling by manmade laws. Since the Loyalists do not really make such use themselves, they do not see themselves as indicted by the Shākirs.[73] Again, similar to the manner in which they deal with the statements of Ibn Ibrāhīm, the Loyalists do not address the distinction made by Shākir between the incidental ruling by something other than *sharīʿah* and the replacement of *sharīʿah* by another system of law. Nor do they respond to Shākir's argument that the act of replacing *sharīʿah* by another system is major *kufr* because it constitutes "a break away from the rule of God, aversion to His religion, and giving preference to the rule *kufr* over the rule of God."[74] Instead, they shift the focus to the last part of Maḥmūd Shākir's comment where he asserts that the opinion of the classical scholar al-Ṭabarī represents the "decisive words"[75] in this matter. Al-Ṭabarī, the 9th-century *tafsīr* scholar from present-day Iran, stated that "everyone who does not rule according to what God has revealed out of *juḥūd* (*jāḥidan bih*) is *kāfir*."[76] Here it is interesting to see how Loyalists re-frame Shākir's argument: although Shākir uses al-Ṭabarī to dispute the applicability of the "*kufr* lesser than *kufr*" classification to the act of replacing the *sharīʿah* with manmade laws, the Loyalists interpret the same statement differently. For them, it is important that Shākir himself pronounces such acts as unprecedented in Islamic history, and also that Shākir's source, al-Ṭabarī appears to stipulate the necessity of *juḥūd* for the verdict of *kufr* in such cases. Such a mode of argumentation shows the Loyalists' unwillingness to accept that an authoritative scholar, such as Shākir, would consider the act of replacing the *sharīʿah* with manmade laws to be major *kufr*

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[73] Al-Ḥalabī, *al-Taḥthīr min Fitnat al-Takfīr*, 20–21; Al-ʿAnbarī, *al-Ḥukm bi Ghayr mā Anzala Allāh wa Usūl al-Takfīr*, 155.

[74] Shākir, *ʿUmdat al-Tafsīr*, 685.

[75] Al-Ṭabarī, *Jāmiʿ al-Bayān*, 349.

[76] Ibid, 358.

without the need for further investigation into the perpetrator's *iʿtiqād*. The Loyalists appear to be capable of retaining this belief despite the existence of many examples proving the contrary. In my opinion, the main reason for this reluctance to accept the facts is that most of these Loyalists belong to the circle of the great *ḥadīth* scholar Muhammad Nāsir al-Dīn al-Albānī, formed in Jordan in the 1980s and 1990s. Al-Albānī, as we will see in the next section, held a different position regarding manmade laws from that of the category of scholars just discussed.

Al-Albānī

Al-Albānī is one of three most authoritative scholars who were alive during the intra-Salafī disputes of the nineties. He is also the only one whose position on manmade laws has not been disputed in intra-Salafī polemics. There is a consensus amongst all the Salafīs that al-Albānī saw no difference between the incidental ruling by manmade laws and the wholesale or partial implementation of manmade laws instead of *sharīʿah*. Both actions are minor *kufr* unless accompanied by one of the necessary conditions related to the mental state of the perpetrator. The reason behind this consensus lies mainly in the consistency of his statements. In all occasions where he discusses the question of manmade laws, al-Albānī's approach is very meticulous and detailed. The other two authoritative scholars, on the other hand, despite producing some detailed statements on this question, also made other statements, which are either very general, not addressing the issue in detail or even contrary to their own statements.

The other reason that has also helped in making the position of al-Albānī unequivocal amongst all Salafīs owes to the fact that al-Albānī spent the last part of his life in Jordan. Unlike the case of Saudi Arabia, Salafism in Jordan shared the religious sphere with other more politicised movements. According to Lacroix, at the time when al-Albānī settled in Jordan and established himself as one of the most senior Salafī scholar

worldwide, the Muslim Brotherhood was at the height of its power.[77] In this mixed religious arena, it was natural for questions related to politics and manmade laws to become salient topics of discussion amongst all different types of Islamists. These face-to-face discussions and confrontations with other Salafīs and Islamists who differ with him on a number of topics related to current affairs, allowed al-Albānī to clarify his opinions on these topics. These discussions were usually recorded and then distributed worldwide. In addition, living in Jordan made al-Albānī relatively easy to reach, which turned him into an attraction for many young Salafīs seeking religious clarifications about current affairs.

One of the most famous discussions in which al-Albānī expressed his view on mad-made laws very clearly was with a young Salafī named Sāmī, who held that the application of manmade laws constituted major *kufr*. The discussion is reported as part of a famous lecture by al-Albānī on the issue of *takfīr* known as *al-Kufr Kufrān* (*Kufr* is of Two Types).[78] In the lecture, al-Albānī divides *kufr* into two different types: *kufr ʿamalī* (*kufr* relating to actions) and *iʿtiqādī* (*kufr* relating to belief). Only the latter, he says, takes one out of Islam. He then clarifies that the *kufr* of actions refers to a situation where a Muslim commits actions of *kufr* that the texts of Quran and Sunnah commonly relate to non-Muslims. This type of *kufr* does not deprive the culprit of his or her status as a Muslim unless there is a clear indication that he or she has carried it out of conviction in the heart. From al-Albānī's perspective, major *kufr* must relate to one's heart and since the *kufr* of actions pertains to the mere action and not the heart then it is only minor *kufr*. Hence, a Muslim committing *kufr ʿamalī* may well resemble to non-Muslims in terms of his or her action but differs from them in terms of conviction.

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[77] Lacroix, *Awakening Islam the Politics of Religious Dissent in Contemporary Saudi Arabia*, 87.

[78] The audiotape of this discussion is available at : www.alalbany.me (last accessed 10/05/2016)

Based on this typology, al-Albānī builds his opposition to the idea that the Qurʾanic verse (5:44) applies to Muslim rulers. His argument invokes the reason behind the revelation (*sabab al-nuzūl*) of the Quranic verse 5:44, which, he explains, was about the Jews who rejected the rulings of the Prophet Muhammad when these were not in their favour. Then, al-Albānī proceeds to explain that the verse declares the Jews *kāfirūn* not merely due to their action but because their action is based on rejecting the rule of God in their hearts "*hum yarfuḍūnahu qalban wa qāliban* (they reject it from the inside and outside)" As such, he concludes that applying this verse to the rulers of Muslim countries merely because of their failure to rule by *sharīʿah* is erroneous. In other words, al-Albānī concedes that there is a resemblance between those rulers and the Jews, but he argued that this resemblance is only in terms of actions. Thus, for al-Albānī, the verse applies to Muslim rulers only when the act of ruling by manmade laws is accompanied with a rejection of the rule of God in their heart as it is the case for those Jews about whom the verse was revealed.

Further, on several occasions when dealing with the question of ruling by manmade laws, al-Albānī makes it evident that he does not consider incidental judgement by non-Islamic laws to be different to the exchange of the whole body of *sharīʿah* for manmade laws.[79] Both cases are major sins similar to usury, adultery, and drinking alcohol and as such, a person guilty of them is not *kāfir* unless there is an indication that the motive behind the act is *iʿtiqād*. Unlike the view of Ibn Ibrāhīm and most of the Saudi scholars, for al-Albānī, the application of manmade laws does not automatically reveal any considered preference for these laws over *sharīʿah*.

However, there is one particular point that distinguishes al-Albānī from the Loyalists in this matter. This pertains to al-Albānī's implicit recognition of the subjective nature surrounding the assessment of

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[79] See for instance: al-Ḥalabī, *al-Taḥthīr min Fitnat al-Takfīr*, 67–68; al-Ṭaybī, *Fatāwā al-Shaykh al-Albānī wa Muqāranatuhā bi Fatāwā al-ʿUlamāʾ*, 580–581.

whether the act of replacing *sharīʿah* with manmade system of laws can be an indicative for *kufr* of the heart. For al-Albānī, *kufr* of the heart can be identified in two ways: (i) explicitly by one's utterance: *lisān al-maqāl*, or (ii) implicitly by his or her action *lisān al-ḥāl*. Unlike the first way, the latter is open to dispute. Based on this, al-Albānī holds that the one who deduces *takfīr* in this case based on the reasoning that the act of replacing *sharīʿah* implicitly indicates *kufr* in the heart, is not blameworthy. Hence, while al-Albānī was concerned about those advocating *takfīr* based on mere actions, without any consideration to what is in the perpetrator's heart, he did not foreclose the possibility of making such judgments and was prepared to accept the promulgation of manmade laws as sufficient evidence of the state of heart requisite for declaring *takfīr*. This is not the case for the Loyalists, who insist that the case is closed on the basis that the agreement of al-Albānī, al-ʿUthaymīn and Ibn Bāz on such vital case is binding.[80] For example, al-Ḥalabī says:

> It would not be far from the truth if one claims a consensus [amongst the scholars] regarding a ruling, upon which the like of these great scholars agree…this is because they are the scholars of the time *ʾaʾimmat al-zamān wa ʿulamāʾ al-ʿaṣr wa al-awān*.[81]

Despite the lack of perfect concordance between their own views and that of al-Albānī's, the clarity of the latter's position concerning the stipulation of *iʿtiqād* in the case of manmade laws has prompted the Loyalists to not only adopt his view but also, assume that all other senior scholars shared it.[82] In their polemics against the Loyalists, the Activists and the Jihādīs admit that al-Albānī considers the application of manmade laws to be minor *kufr*. And while they, too, hold al-Albānī in great respect, some Jihādīs and Activists were not deterred by his status as a great Salafī scholar from directly targeting him with their criticism and even accusations of deviancy, as we shall see in the last chapter.

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[80] Al-Ḥalabī, *al-Taḥthīr min Fitnat al-Takfīr*, 40.
[81] Ibid.
[82] Al-ʿAnbarī, *al-Ḥukm bi Ghayr mā Anzala Allāh wa Usūl al-Takfīr*, 112–128; al-Ḥalabī, *al-Taḥthīr min Fitnat al-Takfīr*, 40.

Ibn al-ʿUthaymīn

In the nineties, the Saudi scholar Muhammad b. Ṣāliḥ al-ʿUthaymīn was considered the second most senior scholar in the Saudi religious establishment after Ibn Bāz [83] and the third major Salafī scholar worldwide. Unlike al-Albānī, al-ʿUthaymīn was not a prolific writer; rather, his entire life was dedicated to religious education. During his lifetime, al-ʿUthaymīn taught an ample number of fundamental books in the study of religion from a Salafī point of view. This, along with his unique style of teaching, earned him an elevated status amongst the Salafī youth, not only within the Kingdom, but also outside. Additionally, the wide distribution at no cost–thanks to the generous donations of his wealthy followers–of the transcription of his lectures, has not only helped his views to reach a wider audience, but also created a sense of student-teacher relationship between him and his audience. This type of relationship has enhanced al-ʿUthaymīn's authority amongst the Salafī youth worldwide; hence, it is no surprise that his view on the application of manmade laws would be very significant amongst Salafī youth.

Similar to the majority of Saudi senior scholars, al-ʿUthaymīn's position is in harmony with that of Ibn Ibrāhīm's. In many occasions, al-ʿUthaymīn has opined that the replacement of the Islamic system of laws constitutes major *kufr*.[84] Such an act, in his view, reveals hatred of and sneering at the rule of God as well as a preference for manmade laws over the *sharīʿah*. To prove this point, al-ʿUthaymīn applies a rational argument that rests on the contention that common sense dictates that one does not depart from one system to another unless he or she believes in the superiority of the latter over the former.[85] Similar to Ibn Ibrāhīm, the Activists and the Jihādīs, al-ʿUthaymīn makes a clear distinction

[83] Lacroix, *Awakening Islam the Politics of Religious Dissent in Contemporary Saudi Arabia*, 78.

[84] Al-ʿUthaymīn, *Sharḥ Riyāḍ al- Ṣāliḥīn*, 1/411; al-ʿUthaymīn, *Fatāwā al-ʿUthaymīn*, 2/143; al-ʿUthaymīn, *al-Qawl al-Mufīd fī Sharḥ Kitāb al-Tawhīd*, 2/268–269.

[85] Al-ʿUthaymīn, *Al-Qawl Al-Mufīd fī Sharḥ Kitāb Al-Tawhīd*, 2/268. al-ʿUthaymīn, *Fatāwā al-ʿUthaymīn*, 2/143.

between the one who incidentally fails to rule by the *sharīʿah* and the systematic application of non-*sharīʿah* laws. He asserts that the latter case constitutes *kufr* "even if they (the rulers) perform the prayer, fast Ramadan, give charity, and accomplish the pilgrimage."[86]

Further, the disagreement of al-ʿUthaymīn with the position of al-Albānī on this matter is best highlighted in a commentary by the former on a famous lecture by the latter under the title *al-Taḥthīr min Fitnat al-Takfīr* (*Warning against the Mayhem of Takfīr*). The comment is related to al-Albānī's argument against the Jihādīs that the rulers should not be fought and should be considered Muslims except when they believe that ruling by manmade laws is permissible. Al-ʿUthaymīn tactfully starts his disagreement by praising al-Albānī's argument that declaring *kufr* on present-day rulers can only lead to *fitnah*. He then, expresses his disagreement with making *istiḥlāl* a condition for *takfīr* in this case.

> These words of shaykh al-Albānī are very good. However, we might disagree with him regarding the issue of not declaring them kāfir unless they consider it to be permissible. This is because, we say that whoever rules by the rule of God while believing that the rule of other than God is more suited, is *kāfir* even if he rules by the rule of God, and his *kufr* is *kufr* of *ʿaqīdah* (i.e. major *kufr*). However, our question [here] relates to actions. In my opinion, it is not possible for anyone to apply laws that oppose the *sharīʿah*, and rule the people by them, unless he considers them permissible, and believes that they are better than the *sharīʿah*. Therefore, he is *kāfir*. This is what it is apparent, otherwise what has driven him to do so?[87]

This passage identifies the point of divergence between the two main opinions on the question of manmade laws. That is whether or not the implementation of manmade laws as a system of laws can be considered sufficient proof of what is in the heart of the perpetrator.

However, despite his agreement with the Jihādīs that the implementation of manmade laws is major *kufr*, it is evident that al-ʿUthaymīn is not

86 Al-ʿUthaymīn, *Sharḥ Riyāḍ al-Ṣāliḥīn*, 1/411, al-ʿUthaymīn, *Fatāwā al-ʿUthaymīn*, 2/144–145.
87 Al-Ḥalabī, *al-Taḥthīr min Fitnat al-Takfīr*, 72–73.

comfortable with their idea that this alone is sufficient to pronounce *takfīr* on individual rulers.[88] Al-ʿUthaymīn's statements on *takfīr* in this matter in particular, are often accompanied by words of caution against hastening in pronouncing *takfīr* on a specific ruler.[89] This is a clear indication of al-ʿUthaymīn's cautionary approach in matters of *takfīr*. He often insists on the seriousness and the graveness of the application of *takfīr* on individuals who might be unaware, misinformed, or simply ignorant in matters of religion.[90] In fact, despite acknowledging the magnitude of the matter in present times, al-ʿUthaymīn is not interested at all in the practical application of this injunction to individual rulers.[91] This is because, similar to al-Albānī, al-ʿUthaymīn believed that preoccupying oneself with the topic of the rulers is fruitless, given that there is nothing that can be done about it. Even if the rulers were apostates, he argues, Muslims still should not fight them because, quite simply, this would certainly lead to *fitnah* and bloodshed.[92]

However, while most Activists adopt al-ʿUthaymīn's view on manmade laws and accept his differentiation between labelling the act to be *kufr* and the judgment that a particular ruler is *kāfir*,[93] the Jihādīs cling only to the first part of al-ʿUthaymīn's argument, namely that the application of manmade laws expels the perpetrator from Islam. At the same time, they firmly reject his justifications for not declaring *takfīr* on present-day rulers. The reason for this lies in the fact that the Jihādīs do not consider ignorance to be a valid excuse in the case of the implementation of manmade laws. The Syrian scholar Al-Ṭarṭūsī for instance, argues that there is a difference between those whose ignorance is caused by an unavoidable inability to seek knowledge and those who willingly chose not to inquire about what is permissible and what is not in their religion. Only the former's ignorance of an act of *kufr* is a valid excuse (*ʿudhr*)

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[88] Al-ʿUthaymīn, *al-Qawl al-Mufīd fī Sharḥ Kitāb al-Tawḥīd*, 2/268–269.

[89] Ibid, 2/271.

[90] Ibid, 2/268–269.

[91] Al-Ḥalabī, *al-Taḥthīr min Fitnat al-Takfīr*, 72–74.

[92] Ibid, 72.

[93] Al-Maḥmūd, *al-Ḥukm bi Ghayr mā Anzala Allāh, Aḥkāmuhu wa Aḥwāluhu*, 375–376.

for committing it and, subsequently, is an objection (*māniʿ*) to others applying *takfīr* to that particular sinner.[94] The Jihādīs believe that the rulers cannot claim to be ignorant about the impermissibility of ruling according to something other than the *sharīʿah*. This is because if they are not aware of the message of Islam, it is because they chose to ignore it.[95]

On their part, the Loyalists have various ways of dealing with the apparent contradiction between the statements of al-ʿUthaymīn and their own view on this issue. Essentially, they have two main approaches. The first approach tends to evade this apparent contradiction insisting that the shaykh has agreed with Al-Albānī's lecture and the comment of Ibn Bāz on it when it was read to him.[96] As a support, they focus on highlighting the difference between the shaykh's cautiousness and warning against applying *takfīr* to individual rulers and the rashness of those using his verdicts.[97] The Loyalists also underline the conditions al-ʿUthaymīn provides in another statement, for applying *takfīr* on individual rulers, in order to claim that this explains his abovementioned commentary. In other words, the Loyalists overlook the difference between their view and al-ʿUthaymīn's and focus instead on latter's arguments against applying *takfīr* to individual rulers.

Later, Loyalists changed their strategy for dealing with Ibn Ibrāhīm's opinions on the matter. Now, the Loyalists refer to another statement by al-ʿUthaymīn from 1999, that is, from two years before his death, to argue that the shaykh had changed his view towards the end of his life.[98] The origin of the statement is a recorded answer to a question sent to him by a young loyalist scholar asking for his view on the question of manmade laws. Al-ʿUthaymīn's answer states that the ruler who

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[94] Al-Ṭarṭūsī, *Taʿlīq ʿalā Fatwā li Shaykh Ibn al-ʿUthaymīn*, www.abubaseer.bizland.com (accessed 18/11/2015)

[95] Wagemakers, "An Inquiry into Ignorance: A Jihādī-Salafī Debate on *Jahl* as an Obstacle to *Takfīr*," 321.

[96] Al-ʿAnbarī, *al-Ḥukm bi Ghayr mā Anzala Allāh wa Usūl al-Takfīr*, 104.

[97] Al-Ḥalabī, *al-Taḥthīr min Fitnat al-Takfīr*, 73.

[98] Al-Shaṭrāt, *Tabṣīr al-ʿUqalāʾ bi Iftirāʾ Warathat al-Khawārij ʿalā Warathat al-Anbiyāʾ*, 18.

legislates by manmade laws and turns them into a constitution is Muslim as long as he acknowledges that it is an offence and admits that what is in "Quran and Sunnah is the truth."[99] For the Loyalists, this answer is seen as a clear indication that al-ʿUthaymīn abandoned his earlier position on the matter in favour of a view that conforms to their position. For that reason, it is deemed to be his most valid opinion, especially given that it is his last statement on the matter and that it is in harmony with the views of Al-Albānī and Ibn Bāz.[100] Of course, this assumption is rejected by the Activists and Jihādīs on the basis that the shaykh's many pro-*takfīr* statements in various lectures cannot be overlooked simply because of one answer over the phone.[101]

In sum, if one is to ignore his last statement, al-ʿUthaymīn's position on the question of manmade laws is as well-defined as al-Albānī's and also that the two are mutually contradictory. Barring the last "phone-call" statement that the Loyalists choose to focus on, the clarity of al-ʿUthaymīn's position provides the Activists and Jihādīs with a great deal of support, while challenging the view of the Loyalists.

Ibn Bāz

Unlike al-Albānī, whose criticism of Islamic political activity gained him many enemies, Ibn Bāz was known to have good relations with all Islamic movements in the field.[102] In the nineties, "all participants in the Saudi religious field called [him] al-Wālid (our father)."[103] This "papal position" as Lacroix calls it, was not limited to the Kingdom but it transcended it to most of the Islamic World.[104] Consequently, it is not a

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[99] Ibid; al-ʿAnbarī, *al-Ḥukm bi Ghayr mā Anzala Allāh wa Usūl l-Takfīr*, 314.
[100] Al-ʿUtaybī, *al-Ḥukm bi-Ghayri mā Anzala Allāh, Munāqashah Taʾṣīliyyah ʿIlmiyyah Hādiʾah*, 38.
[101] Abū Ruḥayyim, *Ḥaqīqat al-Khilāf Bayna al-Salafiyyah al-Sharʿiyyah wa Adʿiyāʾihā fī Masāʾil al-Īmān*, 104–106.
[102] Lacroix, *Awakening Islam the Politics of Religious Dissent in Contemporary Saudi Arabia*, 78.
[103] Ibid.
[104] Perhaps it is worth noting here that this prestigious position enjoyed by Ibn Bāz was mainly within religious circles, otherwise Ibn Bāz has been ridiculed outside these circles due to some of his controversial religious verdicts. For instance, in 1960s Ibn Bāz's cosmological views were ridiculed in an Egyptian magazine as an

surprise that his position and statements on manmade laws would be used as a support to settle the dispute. However, similar to what we have seen in the case of al-ʿUthaymīn, Salafīs engaging in these debates have also disagreed on their interpretation of the position of Ibn Bāz, although to a lesser extent than [al-Albānī and al-ʿUthaymīn]. The reason for this owes to the existence of two conflicting opinions in his statements. On the one hand, there are those statements that he issued earlier in his life, in which he not only states, "he who does not rule according to the Islamic *sharīʿah* is *kāfir*" but on the other, he also contends that the rulers have applied manmade laws under duress and therefore can not be declared *kāfir*.

As an example of the first type of statements, he said:

> As for those who have power over people in most Muslim countries nowadays, could it be said about them that they are unable to rule by *sharīʿah*? Or that they know that *sharīʿah* is the rule [they should apply] and that they have erred and sinned by applying the laws [made by man]? And they admit that they are wrong and sinful, but they have deliberately done so due to certain reasons and desires? So we can say regarding them in this scenario that they have committed minor *kufr*…this [view] is questionable. What is apparent from their conduct, state, their predilection for the laws [made by man] and their contentment with them, what is apparent from [all of] these conditions when one carefully studies them, is: that they are pleased and satisfied with them and they consider them superior to *sharīʿah*.[105]

Such statements, issued before the nineties, indicate that Ibn Bāz held the same view as his teacher Ibn Ibrāhīm. However, there is enough

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evidence of Saudi backwardness. Essentially, Ibn Bāz argued against the belief that the earth rotates and that the sun is static and does not move. Holding such belief he argued takes one outside the fold of Islam because it is a clear denial of what is in the Quran. His argument was interpreted by the magazine as a declaration of *takfīr* against whoever believes that the earth is spherical or that the earth orbits the sun. However, a careful examination of Ibn Bāz's statements on this issue shows that the controversy around his views was in fact part of the ongoing cold war at the time for Muslim and Arab minds between Saudi Arabia and Egypt. See: Ibn Bāz, *al-Adillah al-Naqliyyah wa al-Ḥissiyah alā Imkān al-Ṣuʿūd ilā al-Kawākib*, www.islamweb.net (accessed 30/01/2017); Lauzière, *The Making of Salafism: Islamic Reform in the Twentieth Century*, 207-208.

[105] Ibn Bāz, *Wujūb al-ʿAmal bi al-Sunnah*, www.islamweb.net (accessed 13/11/2015).

evidence to believe that his view has changed towards the end of his life as one finds other statements in which he clearly stipulates *istiḥlāl* as a condition for *takfīr*. For instance, in a discussion he held in the nineties with some pro-*takfīr* scholars,[106] Ibn Bāz declares that he disagrees with the view of Ibn Ibrāhīm that the implementation of manmade laws stands as a sufficient indication that the perpetrator considers it permissible to rule by them. Unlike the Loyalists, Ibn Bāz admits that his teacher held the position of pro-*takfīr* in this matter[107] but he opposes it on the basis that "in my opinion"[108] the mere application of manmade laws do not offer enough evidence that the rulers are pleased and satisfied with these laws. In other words, Ibn Bāz employs the same argument that he himself rejected in his earlier statement, excerpted above.

According to Lacroix, Ibn Bāz's opposition to his teacher on manmade laws is an emblematic of the radical change that happened in the senior scholars' stance towards the state after the death of Ibn Ibrāhīm. Such change, he asserts is the direct result of the "reorganisation of the religious field, coupled with the sudden influx of resources."[109] However, Lacroix fails to provide any adequate evidence for his assumption. Here, we contend that since, as sources indicate, Ibn Bāz' changed his position in this matter, , in the nineties, one must not ignore the bloody context, which many Arab countries, including Saudi Arabia witnessed in this period. In light of this, coupled with the fact that those armed revolts were based on declaring *takfīr* on those applying manmade laws, Ibn Bāz's change of position could be understood as an attempt to deter and prevent these revolts. This argument is especially supported by the interesting twist Ibn Bāz adds to the stance towards the question of manmade laws, which distinguishes him from the Loyalists. This pertains

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[106] This discussion is found at the end of a recorded lecture of Ibn Bāz, it is known as *al-Dmʿah al-Bāziyyah*. Available at: http://ar.islamway.net/ (accessed 15/11/2015)
[107] Ibn Bāz states that he read Ibn Ibrāhīm's booklet and that he understands that his teacher view the application of man-made laws to be indication of the ruler's contentment with the laws and *istiḥlāl*
[108] Ibn Bāz, *al-Dmʿah al-Bāziyyah*.
[109] Lacroix, *Awakening Islam the Politics of Religious Dissent in Contemporary Saudi Arabia*, 76.

to his assertion that in the case of the existence of a powerful Muslim state with sufficient means to deter those rulers from applying those laws; it becomes incumbent on this state to fight them. If those rulers resist and fight back then they are *kāfir* because the fighting in support of the laws constitutes a clear indication that their application is based on *istiḥlāl*.[110]

Ironically, Ibn Bāz invokes the same ruling by Ibn Taymiyyah against the Mongols, which the Jihādīs use as a precedent for *takfīr* of the rulers. However, Ibn Bāz reading of Ibn Taymiyyah's ruling differs from the Jihādīs' in two points. Firstly, his contention is that only an Islamic state is to fight the ruler who does not rule by *sharīʿah* so if there was no such state then those rulers should not be fought, rather they "should be left to God [to decide their fate]." Secondly, for Ibn Bāz, the basis of *kufr* here is the ruler's fighting against and resistance to the application of *sharīʿah*, whereas the Jihādīs and the pro-*takfīr* holders in general, view the mere application of manmade laws to be sufficient cause for declaring *kufr*. Hence, for them, the ruler is *kāfir* even without being fought and without his fighting back.

Further, the other parting of ways between Ibn Bāz and both the Loyalists and the Jihādīs is the idea of whether or not the question in hand should be considered amongst matters of *ijtihād*. From a Salafī perspective, considering any religious question to be a matter of *ijtihād* entails that the opposing parties can discuss and dispute the question but no side has the right to accuse the other of deviancy. Seeing that all factions are engaged in war of accusations and counter accusations of deviancy, it is evident that each faction claims to hold the only "correct Salafī" view that represents the consensus of the Salafī scholars. The case of Ibn Bāz seems to be different as in both types of statements he choses a very soft manner to dispute the view that he does not agree with. The use of expressions such as "this needs further investigation,"[111]

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[110] Ibn Bāz, *al-Dmʿah al-Bāziyyah*.
[111] Ibn Bāz, *Wujūb al-ʿAmal bi al-Sunnah*.

"in my opinion" [112] is a clear indication that Ibn Bāz considers the question of manmade laws to be a matter of *ijtihād*. His position is perhaps clearer when he states, "everyone needs to make effort and endeavour in order to achieve presumption regarding this question so he or she finds contentment in his or her heart, because these are dangerous questions and they are not easy." [113] It is perhaps the view that the matter is open to *ijtihād* that facilitated his change of mind in this question.

Nevertheless, despite his conflicting statements on manmade laws, there is an agreement amongst the Salafīs that Ibn Bāz did not hold his teacher's view. Apart from few exceptions, [114] Activists and Jihādīs also concede that he came to agree with al-Albānī on this question before his demise. From the Loyalists' perspective, this agreement represents a confirmation that the senior scholars unanimously held their view. Whereas for the pro-*takfīr* proponents, it is considered as *zallat ʿālim* (a blunder of a scholar) that not only contradicts the consensus of the early Salafī scholars including his own earlier view but also his earlier position. [115]

In light of this section, we can say that the pro-*takfīr* view was the predominant position amongst the early Salafī scholars especially in Saudi Arabia. Nevertheless, the bloody events of the nineties in Algeria, Egypt, and Saudi Arabia led some senior scholars to soften their tone against the application of manmade laws, which in return caused a great confusion amongst the younger generation.

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[112] Ibn Bāz, *al-Dmʿah al-Bāziyyah*.
[113] Ibid.
[114] The exceptions are found mainly on discussions online by unknown Salafīs
[115] See for example:al-Ḥawālī, *Ḥaqīqat al-Khilāf fī Masʾalat al-Ḥukm bi Ghayr mā Anzala Allāh,* available at: www.alhawali.com (accessed 15/11/2015)

Summary

This chapter has discussed in the detail the role of one specific line of doctrinal disputes among the Salafīs – the implications of applying manmade laws on the legitimacy of Muslim rulers. We have seen how, since a ruler's apostasy from Islam is universally accepted as a sufficient condition for deposing him, the evaluation of whether or not the application of manmade laws denotes such apostasy has been of crucial importance in the political thought of the Salafīs. In a typical Salafī mode, the intense and deeply divided debates have centred around the interpretation of a common corpus of texts – starting from verse 5:44 of the Quran, to exegetical statements by classical scholars such as Ibn Taymiyyah and Ibn Kathīr, to the lectures and responses of the most highly respected present-day Salafī scholars, such as Ibn Ibrāhīm, the Shākir brothers, al-Albānī, al-ʿUthaymīn and Ibn Bāz. All sides in these debates accept the necessity of restrictive conditions before making the momentous decision of declaring *takfīr* on anyone, but especially the rulers – but they disagree as to the applicability and implications of those conditions, which relate to the state of the ruler's beliefs, specifically, whether they believe their actions to be valid. While the Loyalists contend, based on the interpretation of the same body of texts, that the mere application of manmade laws –whether occasional or systematic – is not sufficient evidence of those crucial beliefs, the Jihādīs and the Activists disagree. Each side, as we have seen, choose to rely on partial and particular readings of the texts and arguments of their sources in order to come to their conclusions.

It is very evident that when the Loyalists first published their works, they believed that they were simply representing and defending the view of the senior scholars in this matter and therefore defending Salafism against the "innovations" of the Muslim Brotherhood and the thought of the *takfīrīs*. This assumption can be attributed to the fact that most of them belong to the circle of al-Albānī whose opinion that applying manmade laws constitutes minor *kufr* was always very clear due to the various debates he carried out against the Jihādīs. The Loyalists were not

fully aware that the other senior scholars held a different position, which left them in a state of surprise and disbelief to see the verdicts of the PCRV issued against them and not their opponents.

Additionally, the scholars of PCRV seem to be aware of the position of al-Albānī on manmade laws, for this reason their criticisms against the books of the Loyalists were not about the opinion that the application of manmade laws constitutes minor *kufr*. Rather, their criticism was about the method employed by the Loyalists to reach this verdict. The PCRV did not explicitly declare the opinion of the Loyalists to be wrong but they condemned other issues in the books such as "twisting" the words of the scholars cited, and the claim that there is a consensus amongst the scholars that the replacement of *sharīʿah* is major *kufr* only when it is accompanied with *istiḥlāl* one's the heart.

This chapter has also, illustrated that the pro-*takfīr* position can be traced to the teaching of many early authoritative salafī scholars. However, while most of the Activists have observed the senior scholars' warning against the haste in applying this injunction to individual rulers, the Jihādīs surpass this warning on the basis that there is no valid excuse for anyone to apply manmade laws. The persistence of the Loyalists in denying that some authoritative scholars held the pro-*takfīr* position reflects their determination to cut off any link between Salafism and the armed rebellions that were taking place in some parts of the world in the nineties. Hence, the view of the Loyalists on manmade laws can be explained as a reaction to the bloodshed caused by the Jihādīs at the time rather than a pure theological conviction alone.

Finally, the fault line between those who believe that the replacement of *sharīʿah* by a manmade laws system constitutes major *kufr* and those opposing them is, to a large degree, the difference between those who consider this act of replacement a sufficient indication to the *kufr* in the heart and those who do not. Our next chapter will examine how the disagreement over *takfīr* based on such replacement have shifted the intra-Salafī debates into an even deeper disagreement namely, what really constitutes *īmān* and what acts can and cannot cause *kufr*.

Chapter Five: *Īmān* and *Kufr*

Introduction

As we have seen, there has been serious disagreement among Salafīs over the status of the ruler who applies manmade laws. In this chapter, we shall delve deeper into the doctrinal aspects of that debate, showing especially how it relates to two fundamental issues: (i) what constitutes *īmān* (faith), and (ii) what acts can take a Muslim out of the fold of Islam into *kufr*. In general, disagreements related to Islamic jurisprudence are common amongst the Salafīs and rarely provoke adversarial responses. Even when such disagreements do occur, the tone of the responses amongst the debating parties is usually very harmonious. On the contrary, with regards the disagreements over matters of ʿaqīdah (creed), one finds stricter and punitive responses amongst the opposing views. This is especially true when it comes to fundamental questions such as what exactly constitutes *īmān*; when a Muslim becomes *kāfir* (non-Muslim); and which types of beliefs, sayings, or acts would nullify one's status as a Muslim. Towards the end of the 1990s, disagreements over this type of questions became the main topic of intra-Salafī polemics and a great cause for divisions and accusations of deviation from the teachings of Salafism.

The purpose of the present chapter is to investigate the intra-Salafī polemics over this type of questions or what is known in the Salafī literature as *masāʾil al-īmān wa al-kufr wa al-takfīr* (the issues of faith, unbelief and declaring someone to be non-Muslim). This chapter will reveal certain intricate details that underlay the disputes between major Salafi scholars in a way that has not been examined before. For example, the major work by Daniel Lav, Radical Islam, claims that al-Albānī has the same views on *īmān* as al-Ḥalabī in that he does not consider actions to be part of *īmān*; however, he does not address the dramatic changes in al-Ḥalabī's views on *īmān* outlined here. This is, in part due to his use of the later editions of *al-Taḥdīr*. My analysis here has found that an analysis of the first edition – which instigated the entire controversy – reveals that al-Ḥalabī implicitly

conceded to the criticisms against his book by adopting the views of his critics in the later editions, without admitting or acknowledging his errors. The chapter begins by highlighting the importance of ʿaqīdah in Salafism.

The Importance of ʿAqīdah in Salafism

Essentially, all protagonists of Salafism dedicate a great part of their lives to religious education. This is true even in the case of the Jihādīs, who, as Wiktorowicz accurately notes, "devote most of their time to education and the acquisition of religious knowledge: they spend more time with the Quran than a Kalashnikov."[1] Salafī religious education includes a wide range of disciplines such as Islamic jurisprudence (*fiqh*), Arabic language, and the sciences of *ḥadīth*, but the study of ʿaqīdah (creed) enjoys the greatest importance within their educational system. ʿAqīdah is given such importance because of their belief that there is only one correct interpretation in the vast majority of matters related to this discipline.[2] According to the teachings of Salafism, Muslims must endeavour to understand matters of ʿaqīdah in the same way that the *salaf* understood them and should not subject them to later interpretations.

The great importance given by the Salafīs to ʿaqīdah can be seen clearly by looking at Saudi universities in the 1960's. Just before and during the reign of King Faysal (1906-1975), Saudi Arabia adopted an open-door policy towards non-Saudi Islamists as part of its ideological cold war against the "progressive" bloc led by Egypt's Nasser.[3] This policy allowed many non-Salafī scholars to not only seek refuge in the kingdom but also to teach in its educational institutions. Indeed, many non-Salafī scholars were permitted to teach different subjects across a number of universities. Examples of such émigrés include the Syrian scholar ʿAbd

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[1] Wiktorowicz, "Anatomy of the Salafī Movement," 212.

[2] Al-Fawzān, *Al-Khilāf fī al-ʿAqīdah lā Yuqbal*, video recording available at: https://www.youtube.com/watch?v=eyNrQDVefTA (accessed 03/01/2016)

[3] Lacroix, *Awakening Islam the Politics of Religious Dissent in Contemporary Saudi Arabia*, 40–41.

al-Fattāḥ Abū Ghuddah (1917-1997)[4] who taught the *ḥadīth* sciences at the Imām University in Riyadh and Muhammad ʿAlī al-Ṣābūnī (b. 1930)[5] who was a scholar of Quran exegesis in Mecca. However, despite this open-door policy towards non-Salafī scholars, teaching the subject of *ʿaqīdah* remained "the exclusive prerogative of the Wahhābī *ʿulamāʾ* and under no circumstances would they delegate its teaching" as Lacroix correctly notes.[6] The exceptions to this rule were those who shared the same interpretation of *ʿaqīdah*, such as the members of the Egyptian association *Anṣār al-Sunnah al-Muḥammadiyyah*.[7]

This policy adopted by Saudi Arabia reflects the general stance amongst the kingdom's scholars in regard to the existing disagreements over religious matters amongst Muslim scholars. Their approach is relaxed and tolerant in most religious disciplines except the field of *ʿaqīdah*. This is because, in the Salafī view, there is no room for interpretive differences or religious pluralism in *ʿaqīdah*, since they believe that early Muslim community (their absolute social and religious model) shared one single view in relation to most *ʿaqīdah* matters. Salafīs point out that only by the end of the reign of the third Caliph ʿUthmān b. ʿAffaān (d. 656) did newly *invented* interpretations in matters of *ʿaqīdah* start to appear amongst Muslims, with the Khawārij being the first "heretical" sect to emerge in Islamic history. According to the Permanent Committee for Research and Legal Verdicts:

> There was no difference or disagreement among the Companions [of the Prophet] or those following them from among *ahl al-sunnah wa al-jamāʿah* (adherents to the Prophet's

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[4] Abū Ghuddah was a prominent Syrian scholar and one of the supreme leaders of the Syrian branch of the Muslim Brotherhood. He was accused by a number of Salafī scholars such as al-Albānī and Bakr Abū Zayd of numerous deviations in creed.

[5] Al-Ṣābūnī is a renowned Syrian scholar. He moved to Saudi Arabia in 1962 where he taught at its universities and mosques. Al-Ṣābūnī stirred some controversies in the kingdom after the publication of his famous book on Quran exegesis *Ṣafwat al-Tafāsīr*. A book that is according to the Salafīs champions the *ashʿarī* position on divine attributes.

[6] Lacroix, *Awakening Islam the Politics of Religious Dissent in Contemporary Saudi Arabia*, 47.

[7] Ibid.

traditions and Muslim community) with regard to Islamic ʿaqīdah. This is because they all believed in what is mentioned in the Qurʾan and the Prophetic Traditions. Moreover, they never introduced new practices into the religion. This was the reason for their unity and agreement on the same beliefs and the same method...[8]

On the other hand, disagreements over issues related to other disciplines such as Islamic jurisprudence, or *fiqh*, exist and even amongst the Salafī scholars, and are well-tolerated. Take for instance the jurisprudential disagreement over the ruling on covering the face for Muslim women. In his book *Jilbāb al-Marʾah al-Muslimah*, al-Albānī openly opposes the traditional view held by the vast majority of Saudi scholars including Ibn Bāz and Ibn al-ʿUthaymīn, who believe that Muslim women have to cover their faces. For al-Albānī, such view has no solid basis in the scripture. Although al-Albānī's opinion drew numerous responses from Salafī scholars who opposed him,[9] the dispute remained amicable and neither side claimed to represent at the single truth or portrayed the opponents as deviants from Salafism. Neither were such legal disagreements confined to the opposition between non-*madhhab* affiliated scholars, such as al-Albānī and Saudi scholars, who are trained as *ḥanbalīs*. Rather, such disagreements also exist amongst the Saudi scholars themselves. For example, Ibn Bāz and Ibn al-ʿUthaymīn disagree over many legal issues, such as the length of time for which one is allowed to shorten the prayer while one remains a traveller.[10]

Given the high status accorded to the subject of ʿaqīdah in Salafī thought, disagreements over issues related to this area of religion inevitably lead to more acrimonious debates. Such can sometimes escalate to the point of mutual accusations of deviation from the teachings of Salafism altogether.

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[8] See verdict number 21008 at: www.alifta.net (accessed 03/01/2016)

[9] See for example: Al-Tuwījrī, *al-Ṣārim al-Mashhūr ʿalā Ahl al-Tbarruj wa al-Sufūr*.

[10] For an account of the disagreements between al-Albānī, Ibn Bāz and Ibn al-ʿUthaymīn see al-Brayk, *al-Ījāz fī Baʿḍ mā Ikhtalaf fīh al-Albānī wa Ibn al-ʿUthaymīn wa Ibn Bāz*.

Īmān, Khawārij and Murjiʾah in Salafism

Before examining the intra-Salafī disputes over the concept of *īmān* (faith) and the mutual accusations of *khārijism* and *murjism* (following the notions of the Khawārij and Murjiʾah respectively), it is important to provide an overview on the basic Salafī terminology and ideas in this matter: their definition of *īmān*, their account of the Khawārij and the Murjiʾah perceptions of this concept.

Linguistically, *īmān* derives from the Arabic verb *ʾāmana*, which carries two meanings. The first meaning is to provide security to someone as in the Quranic verse "*wa āmanahum min khawf*"[11] (Who provides them with security against fear.) The second meaning is to believe in someone or something as in the Quranic verse "*āmana al-rasūlu bimā unzila ilayhi min rabbih...*"[12] (The Messenger believeth in what hath been revealed to him from his Lord...) Moreover, the active participle derived from the verb *āmana* in the latter meaning is *muʾmin*, which is translated as "believer" in English. The infinitive of the verb is *īmān*, which translates as "belief."

Despite (or perhaps due to) the fact that the concept of *īmān* constitutes a central question in Islamic theology, *īmān* has various definitions due to the disagreements within the Muslim community over its nature. Since the early Islamic days, disputes over the nature of this concept have even divided the stability and the unity of the nascent Muslim state.

According to the teachings of Salafism, the dispute over the nature of *īmān* was the cause of one of the first civil wars during the reign of the fourth caliph, ʿAlī b. Abī Ṭālib (35–40/656–61). The dispute started soon after the battle of *Ṣiffīn* (657), which took place between two Muslim armies; one led by the fourth Caliph ʿAlī b. Abī Ṭālib and the other one by Muʿāwiyah b. Abī Sufyān. A zealous section from ʿAlī's camp, who later became known as the Khawārij, expressed their discontent with the decision taken by their leaders to accept the arbitration of two

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[11] *Quran*, 106:4.
[12] *Quran*, 2:285.

Companions in order to settle the dispute between the two camps. The Khawārij considered the arbitration to be a violation of the teachings of Islam and withdrew from the camp of ʿAlī to a nearby village, where they appointed a new leader. It is due to this exodus and secession (*khurūj*) from the army of the fourth Caliph that this group gained their name. The Khawārij considered themselves to be the only true Muslims and declared both the camps of ʿAlī and Muʿāwiyah, in addition to the vast majority of the companions of the Prophet, to be apostates, for accepting the ruling of men over the rule of God. For the Khawārij, appointing arbitrators was a violation of the injunctions of the Quran that "The Command rests with none but Allah,"[13] which they interpreted to mean that only God has the authority to arbitrate, not human beings. This secession led to another bloody war (the battle of al-Nahrawān in 658) between the Khawārij and the camp of ʿAlī before the former assassinated him in 661. It is at these bloody times that questions concerning the nature of *īmān*, and its opposite, *kufr*, became disputed and a great cause of fraction amongst Muslims. Questions over which sinful acts can nullify one's *īmān* and take him or her out of the realm of Islam formed the core of these debates. The Khawārij evolved to become the most radical group amongst Muslims concerning these questions and as a response to their radical views, another group later became known as the Murjiʾah emerged in opposition.

Based on certain proof-texts which indicate that sinful Muslims may be punished for their sins but will eventually receive salvation from hellfire, the Murjiʾah argued that sinful acts can not be considered to be a cause for *kufr* since salvation is only for Muslims. As such, they took a lenient position in relation to sinful acts by excluding outwardly acts (for example, praying or fasting) altogether from the essence of *īmān*. The Murjiʾah argued that failure or errors in such matters cannot be a cause for declaring *takfīr* on Muslims. It was because of their exclusion of the category of acts from the definition of *īmān* that the Murjiʾah

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[13] *Quran*, 6:57.

earned their name, which is derived from the Arabic verb *arjaʾa* (to delay or postpone): the Murjiʾah *make* outwardly acts fall behind *īmān*.

On the other hand, the position of Khawārij is entirely the opposite. The Khawārij considered all outwardly acts to be an integral part of *īmān* and consequently argued that it is not possible for anyone to have *īmān* without the proper performance of these acts. On this basis, the Khawārij held that a Muslim guilty of major sins, either by committing what is forbidden or failing to fulfil an obligation, is out of the realm of Islam.

Salafism as Holder of the Moderate Position

Following the teachings of Ibn Taymiyyah in his widely circulated treatise *al-ʿAqīdah al-Wāsiṭiyyah* (The Creed of the *Wāsiṭ*), the Salafīs portray themselves as the holders of the moderate and middle position with regards to these questions and the concept of *īmān* in general. In their view, their position is between "the excessiveness" of the Khawārij and the "negligence" of Murjiʾah.[14] In fact, the self-perception of Salafī as the holders of the moderate position is not confined to the concept of *īmān* but it also includes several matters of *ʿaqīdah* upon which there are disputes amongst Muslims.
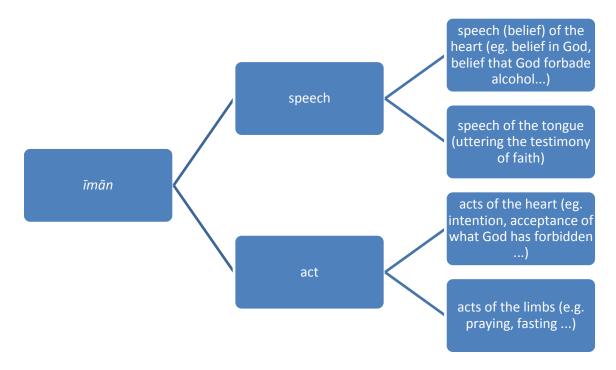
According to Ibn Taymiyyah, the basis of the deviation of both the Murjiʾah and the Khawārij in regards to the above questions stems from their erroneous perception of *īmān:* considering it to be a constant and indivisible entity (*lā yatabaʿʿaḍ*). He thought that this perception led both groups to assume that *īmān* must be either present or absent as a whole and as such, it cannot increase or decrease.[15] Consequently, the Murjiʾah and Khawārij adopted completely opposite views in relation to the components of *īmān*. Following Ibn Taymiyyah, the Salafīs disagree with both groups, insisting that *īmān* is divisible and as such it increases with good deeds and decreases with sinning. Hence, the Salafīs agree with the Khawārij on considering the actions of the limbs (external or

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[14] Al-ʿUthaymīn, *Sharḥ al-ʿaqīdah al-Wāsiṭiyyah*, 71.
[15] Ibn Taymiyyah, *Kitāb al-Īmān*, 176.

outwardly actions) to be an integral component of *īmān* but maintain that committing major sins only decreases one's *īmān* and does not completely nullify it. They also reject the completely permissive position of the Murjiʾah - that the commitment of major sins does not affect one's *īmān* at all. The Salafī perception of *īmān* can be summed up in the following chart:

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                                      ┌──────────────────────────┐
                                      │ speech (belief) of the   │
                       ┌──────────┐   │ heart (eg. belief in God,│
                       │          │───│ belief that God forbade  │
                       │  speech  │   │ alcohol...)              │
                       │          │   └──────────────────────────┘
            ┌──────────┤          │   ┌──────────────────────────┐
            │          └──────────┘───│ speech of the tongue     │
            │                         │ (uttering the testimony  │
┌──────────┐│                         │ of faith)                │
│          ││                         └──────────────────────────┘
│  īmān    ││                         ┌──────────────────────────┐
│          ││                         │ acts of the heart (eg.   │
└──────────┘│          ┌──────────┐───│ intention, acceptance of │
            │          │          │   │ what God has forbidden   │
            │          │   act    │   │ ...)                     │
            └──────────┤          │   └──────────────────────────┘
                       │          │   ┌──────────────────────────┐
                       └──────────┘───│ acts of the limbs (e.g.  │
                                      │ praying, fasting ...)    │
                                      └──────────────────────────┘
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The "speech of the heart" implies inner conviction; it refers to knowledge, and "factual belief" (*taṣdīq qalbī*) in God, the messenger and the commandments of Islam. The "action of the heart" includes a number of actions such as intention, sincerity, and fear of God as well as the commitment to abide by the tenets of Islam. These two components, according to the teachings of Salafism, represent the basis (*aṣl*) of *īmān*. The Salafīs also maintain that one cannot have these two components (*aṣl al-īmān*) without the other two (the utterances of the testimony of faith and the performance of some duties). Following to Ibn Taymiyyah, they believe that it is not conceivable for a person to believe in the testimony of the Islamic faith and wilfully abstain from uttering it. Likewise, having the acts of the hearts necessitates the presence of the acts of the limbs.

It is not conceivable for a person to have a firm *īmān* in the heart that God Has commanded upon him the prayer, almsgiving, fasting and the pilgrimage yet remain all his life without prostrating once before Him, fasting [a day] of Ramadan, giving *zakāt* for His sake, and visiting His house (i.e. *kaʿbah*). This is unconceivable, and it only occurs with the presence of hypocrisy and heresy (*zandaqah*) in the heart not with correct *īmān*.[16]

However, this complex definition of *īmān* does not mean that all of these components are equal in terms of their ability to cause *kufr*, as the next section elucidates.

Takfīr in Salafism

Takfīr is the declaration that an individual (or a group of people) who self-subscribes to Islam is in fact non-Muslim. The basis or the cause for such declaration depends on the definition of *īmān* adopted by the person practicing *takfīr*. For instance, the Murjiʾah's exclusion of external acts from the essence of *īmān* is the reason behind their restriction of the application of *takfīr* to matters of belief of the heart only. Conversely, the Salafīs' inclusion of actions in *īmān* implies that the cause of *kufr* can be in the form of a belief, speech or an act. However, this is not to say that any transgression (major or minor) in itself is *kufr*. Unlike the case of the Khawārij, major sins such as drinking alcohol or adultery are not considered to be causes for *kufr* in Salafism.

We do not consider any of the people of our *qiblah* (i.e. Muslims) to be unbelievers because of any wrong action they have done, as long as they do not consider that action permissible.[17]

In terms of actions of the limbs, Salafism can be distinguished from both the Murjiʾah and the Khawārij by two points Firstly, they divide the actions of the limbs into two categories. The first category includes actions that do not in themselves cause *kufr* unless accompanied by further evidence of the presence of *kufr* in the heart, as in the case of major sins. The second category refers to what they term as actions of (*kufr aʿmāl kufriyyah*, sing, *ʿamal kufrī*.) These actions cause *kufr*

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[16] Ibn Taymiyyah, *Majmūʿ al-Fatāwā*, 372.
[17] Ibn Abī al-ʿIzz, *Sharḥ al-ʿaqīdah al-Ṭaḥāwiyyah*, 295.

without the need to further investigate what is in the heart of the perpetrator. To give an example of this category, Salafīs often refer to acts such as contempt of the Quran by kicking it or putting it in a filthy place, the practice of magic and the prostration before tombs. Secondly, they distinguish between the actions of the limbs as a category (*jins al-ʿamal*) and as single acts (*āḥād al-ʿamal*). This is to say that there is a difference between a person abandoning the actions of the limbs altogether, so he or she does not perform any of the commandments of Islam, and a person who omits a single duty or more. The former is not a Muslim even if he or she utters the testimony of faith and self-ascribes to Islam while the latter's status as a Muslim depends on which of the two mentioned categories the abandoned act belongs.

Accusations against Salafism

It is this expansive perception of *īmān*, *kufr* and consequently, the causes of *takfīr* that has driven and still drives many non-Salafī scholars, especially the Ashʿarīs and Māturīdīs, whom the Salafīs consider to be Murjiʾah, to accuse Salafism of intolerance towards fellow Muslims. They accuse them "of being latter-day *khārijīs*, who are intolerant and extremist heretics seeking to sow dissent and division (*fitnah*) among Muslims by engaging in the reprehensible practice of anathematisation or excommunication of fellow Muslims."[18] Such charges can be traced back to the time of Ibn ʿAbd al-Wahhāb himself, who, along with his followers came under severe criticism from some of their contemporary scholars for what was deemed to be a revitalisation of the creed of the Khawārij.[19]

These accusations are simply the natural result of the conflicting perceptions of *īmān* between the Salafīs on one hand and the Ashʿarīs and Māturīdīs on the other. Unlike the Salafīs, both the Ashʿarīs and Māturīdīs consider the actions of the limbs to be only a condition for the perfection of *īmān* and not an integral part of it. Such a conception

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[18] Haykel, "On the Nature of Salafi Thought and Action," 41.
[19] Amongst those scholars is allegedly Ibn ʿAbd al-Wahhāb's brother Sulaymān b. ʿAbd al-Wahhāb,. See: Commins, *The Wahhabi Mission and Saudi Arabia*, 22–23.

entails that the minimum threshold of *īmān* required for one to be considered a Muslim is lower than that in Salafism. Accordingly, the Salafīs are, in theory, inclined to declaring *takfīr* on a person or group of people (which is the ground for all accusations of *khārijism* and *murjiʾism*) more easily than the Ashʿarīs and Māturīdīs.

Takfīr between Theory and Practice

However, the fact that Salafīs, in theory, include more grounds for *takfīr* than the Ashʿarī and Māturīdī scholars does not mean that they do make such declarations randomly or even casually. The Salafīs distinguish between declaring an act, statement, or belief to be *kufr* (*takfīr nawʿ/muṭlaq*) and the declaration that a particular individual perpetrator is *kāfir* (*takfīr ʿayn*). Essentially, not everyone who commits *kufr* automatically becomes a *kāfir*, because a person guilty of *kufr* may have an excuse that prevents him or her from falling out of the fold of Islam. According to the senior scholar Bakr Abū Zayd:

> Muslims must distinguish between declaring *takfīr* as a general rule (*takfīr muṭlaq*) on those who commit one of the nullifiers of Islam and declaring a specific individual as *kāfir*. For if the belief, speech, acts, doubt or abandonment was *kufr* then Muslims must declare that whoever did or said this *kufr* is *kāfir* but without specifying an individual [to be *kāfir*][20]

In theory, this distinction is accepted by all Salafīs and is a subject that is extensively present and discussed in their literature when dealing with the concept of *takfīr*. Even the Jihādīs, who are often branded as *takfīrīs* for their excessive use of *takfīr*, adopt this distinction, as Wagemakers observes.[21] Although this distinction does not eradicate the notion of *takfīr* altogether, it is effective in terms of restricting its practice.

The reasoning behind this distinction is that a person may commit a major *kufr* out of ignorance, compulsion, mistake, or misconception. These four conditions are known as the impediments or obstacles (*mawāniʿ*) of *takfīr*. The Salafīs stipulate that an individual who commits

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[20] Abū Zayd, *Darʾ al-Fitnah ʿan Ahl al-Sunnah*, 48.
[21] Wagemakers, "An Inquiry into Ignorance: A Jihādī-Salafī Debate on *Jahl* as an Obstacle to *Takfīr*," 301–304.

kufr does not become a *kāfir* "except after the proof has been established against him."[22] Establishing the proof refers to ensuring the absence of all these impediments. As such, to declare an individual to be *kāfir*, the scholar engaging in such practice must make sure that (i) the perpetrator is not ignorant of the sinfulness of that act or belief of *kufr* (ii) the *kufr* was not committed under coercion and duress such as torture or real threats of death (iii) the intent of the individual must also be investigated because one may say or do something without intent. For instance, one may step on the Quran or throw it in a dirty place by mistake. Although the action is *kufr*, such a person is excused for having no intention of committing such an act. (iiii) The fourth impediment relates to committing *kufr* based on false interpretations (*taʾwīl*). This impediment for instance, is the main reason restraining the Salafīs from declaring *takfīr* on individual *Muʿtazilīs* who hold that Quran is created, although their belief is considered outright *kufr*.[23]

Although all Salafīs agree in theory on this distinction (between committing *kufr* and being a *kāfir*), occasionally scholars can disagree over particular cases due to the inherently subjective process of assessing the presence/absence of these impediments. There is no doubt that for all Salafīs, Ibn Taymiyyah represents the most authoritative source in matters of creed and in particular the issue of *īmān*. His definitions and elaborations are widely quoted and his theorising is accepted in all debates. For this reason, one finds all debating Salafīs trying to demonstrate that his views on *īmān* and *kufr* correspond with their own. However, despite sharing the above perception of *īmān* and agreeing on the same authoritative sources upon which this perception is based, several questions related to the concept of *īmān* and *kufr* have been subject to debates within contemporary proponents of Salafism.

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[22] Ibn Ibrāhīm, *Fatāwā wa Rasāʾil Shaykh Muḥammad Ibn Ibrāhīm* 12/190- 191; Ibn Tymiyyah, *Majmūʿ al-Fatāwā* 12/260-268

[23] Ibn bāz, *Ḥukm al-Intisāb ilā Mathhab Yuʾmin bi-anna al-Qurʾān Makhlūq*, available at:www.binbaz.org (accessed 05/05/2016); Ibn Tymiyyah, *Majmūʿ al-Fatāwā* 12/272

Most of these debates revolve around how to understand the relationship between one's outwardly deeds and *īmān* and *kufr*.

The Loyalists' Anti-*Takfīr*

A detailed look into the Loyalists' anti-*takfīr* writings shows that al-Ḥalabī and al-ʿAnbarī were not the first authors to write in this genre as other earlier pamphlets and authors are also indirectly mentioned in the debates. For instance, the book of the Jordanian scholar Murād Shukrī *Iḥkām al-Taqrīr li Aḥkām al-Takfīr* (*Scrutinising the Specifications of Takfīr*) is referred to a number of times as being the first book supporting the views of the Loyalists in regard to the questions of *īmān*, *kufr* and *takfīr*. Nowadays, however, most of these writings have disappeared. This is perhaps because their authors were not as well known as al-Ḥalabī or maybe simply because the books of al-Ḥalabī and al-ʿAnbarī have expanded on the opinion of anti-*takfīr* sufficiently to become the main sources for the holders of this opinion. What is clear however is that most of these writings belong to the same circle of quietists in Jordan, a circle that was close to al-Albānī, who has always encouraged staying away from politics entirely.

The Loyalists elsewhere did not engage in the debates over *īmān* and *kufr* until later stages, which indicates that Jordan is the birthplace of this genre. One can also notice in these debates that the anti-*takfīr* writings came about as a response to the growth of the Jihādī trend in Jordan. This growth reached its peak with the arrival *en masse* of Palestinians who had been expelled from Kuwait in 1991 as a result of "Yāsir ʿArafāt's decision to back Iraqi dictator Ṣaddām Ḥusayn against the international coalition amassing against him."[24] Joas Wagemakers divides these Palestinians into two main groups, one of which is the "Salafī-oriented Palestinians, some of whom had spent time in

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[24] Wagemakers, *A Quietist Jihadi*, 41.

Afghanistan and Pakistan."[25] Amongst this group was al-Maqdisī, whose writings began to spread and reach a wide number of Salafīs in Jordan.

The main concern of al-Maqdisī in his writings, as Lav notes, was the question of *takfīr* of the rulers.[26] The reason for this is because until al-Maqdisī's arrival, Salafism in Jordan was predominantly a quietist movement. Al-Maqdisī, showing his discontent with the Salafī setting, stated: "I found that the views of Murjiʾah have become widespread in this country these days."[27] These Murjiʾah, from his point of view, were those scholars who did not pronounce *takfīr* on modern rulers that abandoned *sharīʿah* in favour of manmade laws.

Thus, when al-Ḥalabī published his first book *al-Taḥdhīr* in 1996, his main purpose was to denounce those who "hasten in declaring *kufr* on modern-day rulers because of their failure to rule by *sharīʿah*."[28] The question of declaring *kufr* on the rulers, he argues, is one of the most controversial questions in present times and thus should be left to the senior scholars to settle and not to those who "cast doubts over the *ʿulamāʾ*, and slander them in order to weaken their credibility amongst the masses and [in turn] to replace them as authorities."[29] Al-Ḥalabī's reference is to the Activists and Jihādīs who were at the time beginning to question some verdicts of the senior scholars on certain political issues. Some senior and many loyalist scholars in Saudi Arabia also shared this concern at the time. Such concern is perfectly understandable given the horrific events perpetrated by the Jihādīs in the 1990s in Algeria, Egypt, Saudi Arabia, and elsewhere.

However, any stance that opposes the *takfīr* of the rulers who are seen as authoritarian could always be interpreted as a pro-regime position. Therefore, the Loyalists were also keen to clarify that their position was not merely political or intended to defend the governments; rather it is

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[25] Ibid., 41–42.
[26] Lav, *Radical Islam and the Revival of Medieval Theology*, 136.
[27] Al-Maqdisī, *Imtāʿ al-Naẓar*, 2.
[28] Al-Ḥalabī, *al-Taḥthīr min Fitnat al-Takfīr*, 6.
[29] Ibid.

induced by their compassion, and their keenness to serve the interest of the nation. Al-ʿAnbarī, for instance, asserts this motivation in his introduction to the fifth edition (2005) of his book, which was amongst the first books by the Loyalists to elucidate their position regarding present-day rulers. He affirms that his willingness to expound on the matter is "for the good of people in order to avoid turmoil, bloodshed, setbacks…that usually follow declaring *takfīr* on the rulers unjustly…"[30]

Nevertheless, had al-Ḥalabī published the transcription of al-Albānī with the comments made by Ibn Bāz and Ibn al-ʿUthaymīn without adding his own comments and preface, perhaps the whole debate over *īmān* and *kufr* would not have occurred or at least, would not have generated the same degree of controversy. In fact, the transcription of al-Albānī's verdict as well as the comments of Ibn Bāz were already published in 1995, a few months before al-Ḥalabī published his book, in two magazines: *al-Majallah as-Salafīyyah* and *Majallat al-Muslimūn*. Later on, another Salafī called Abū Lūz, in a book that also bears the same name - *Fitnat al-Takfīr* - published them together with the comments of Ibn al-ʿUthaymīn, along with a compilation of verdicts by other senior scholars on the question of *takfīr* in general. However, none of these works was criticised by the Jihādīs or Activists. This is because unlike al-Ḥalabī's, the main work of Abū Lūz in his book was merely a collection and edition; Abū Lūz did not offer much by way of interpretation. The different level of reaction to the two works indicate that the controversy is not over the position taken by senior scholars against the *takfīr* of the ruler, as their opinions were already well known, but rather that the disagreement is regarding the reasoning and religious foundation upon which they oppose declaring *takfīr* in such cases. For this reason the disagreement shifted from the *takfīr* of the ruler who rules according to manmade laws to more profound debates on the nature of *īmān* and *kufr*.

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[30] Al-ʿAnbarī, *al-Ḥukm bi Ghayr mā Anzal Allāh wa Uṣūl al-Takfīr*, 18.

The Loyalists' Two Criteria of *Takfīr*

Moreover, believing that their opponents have drifted away from the Salafī position on manmade laws, the Loyalists sought to refute their opponents' view by providing detailed accounts of what constitutes *kufr* and when one ceases to be a Muslim. Al-ʿAnbarī for instance, devoted half of his book to this purpose. Similarly, al-Ḥalabī spent considerable time on this issue in his introduction to *Fitnat al-Takfīr* and in his *Ṣayḥat Nathīr*, before publishing further books to defend his position on the concept of *īmān*.

To explain when one ceases to be a Muslim; both authors cite Ibn al-Qayyim's typology of major *kufr*, which includes six categories:

1- *Kufr* of *takdhīb* (outright rejection): this case occurs when one is completely unconvinced by Islam in his heart and expresses this conviction clearly with his tongue. Examples of this are atheists and those who profess other religions (while rejecting the prophesy of the Prophet Muhammad).

2- *Kufr* of *juḥūd* (denial): This is the case when one is certain in his heart that Islam is the truth, yet denies this conviction with his tongue. This *juḥūd* can either be in terms of the religion of Islam as a whole or at the level of denying one of its obligations. Examples of this are those Jews at the time of the Prophet who admitted that he is a Prophet but refused to submit to Islam; also a person who accepts Islam and yet denies that Islam commands Muslims to fast the month of Ramaḍān.

3- *Kufr* of ʿinād (stubbornness or abstinence): this applies to those who deep down in their hearts are convinced by the message of Islam and that Muhammad is a messenger sent by God and who also affirm this conviction by the tongue (i.e. they do not deny or reject anything). Yet, they refuse to submit and surrender to its commandments. The examples given for this type are the examples of Iblīs and Abū Ṭālib, the uncle of the Prophet Muhammad, as explained in the following statement by Ibn Taymiyyah:

> When Iblīs refrained from the prostration (to Adam) as he was commanded to do, he did not deny that this command was an obligation as he was addressed directly by Allāh, but he turned away out of arrogance and became amongst *kāfirūn*. Likewise, the case of Abū Ṭālib; he believed (*kāna muṣaddiqan*) what the messenger told him but he did not follow him out of fanaticism towards his own religion, fear of ignominy if he submitted, and out of arrogance.[31]

This type is also referred to as *kufr* of *istikbār* (arrogance) or *ibāʾ* (refusal).

4- *Kufr* of *iʿrāḍ* (avoidance): this case pertains to the persons who turn away from Islam completely neither accepting its message nor rejecting it.

5- *Kufr* of *nifāq* (hypocrisy): a hypocrite is the one who is not convinced by Islam in his heart, but exhibits Islam outwardly by declaring the Islamic testimony of faith and acting as a Muslim in order to either avoid getting harmed or to benefit from such status.

6- *Kufr* of *shakk* (doubt): this case relates to those who have doubts about Islam or some of its teachings or who are hesitant to accept it.

Both authors then go on to expound on how ruling by manmade laws does not fit in any of these types of major *kufr*. Interestingly, despite the fact that both authors arrive at the same conclusion—that ruling by manmade laws does not cause major *kufr* without the aforementioned conditions—they seem to have different views on when a Muslim becomes an apostate.

As for al-Ḥalabī, he tends to hold a much tighter criterion in this matter. He restricts the causes of apostasy to two matters. (i) *iʿtiqād*, which he further divides into two types: *takdhīb* or *juḥūd*; and (ii) *istiḥlāl*, which is to consider an impermissible act to be permissible and vice versa.[32] He brings a number of quotes to support this contention. One of these is a statement by the famous *ḥanafī* scholar Abū Jaʿfar al-Ṭaḥāwī: "one does

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[31] Ibn Taymiyyah, *Majmūʿ al-Fatāwā*, 20/57.
[32] Al-Ḥalabī, *Ṣayḥat Nathīr bi Khaṭar al-Takfīr*, 39.

not become *kāfir* ...and since he became Muslim by accepting Islam likewise his apostasy does not occur unless he denies Islam."[33]

Although, this view seems to be in contradiction with Ibn al-Qayyim's typology of major *kufr* mentioned above, since it only includes the first two types, al-Ḥalabī, however, denies any contradiction. Instead, he builds on al-Ṭaḥāwī's statement to distinguish between the first two categories and the other four, contending that the remaining categories are not related to the causes of apostasy in the case of Muslims, but they in fact, pertain to types of *kufr* in the case of those who are originally non-Muslims (*kāfir aṣlī*). He states:

> The one who is confirmed to be a Muslim, he becomes external
> to the fold of Islam only by denying it (i.e. Islam) or rejecting
> it. As for the doubter, the obstinate, the one who turns away,
> or the hypocrite, such a person is inherently not Muslim.[34]

Essentially, this criterion rejects the declaration of *takfīr* on Muslims based on acts alone unless accompanied by either the condition of *juḥūd* or *takdhīb*. The position of al-Ḥalabī is even clearer when he lays down his principle regarding what he brands as "the ruling on abandoning acts" (*al-ḥukm ʿalā al-matrūkāt*). He firmly proclaims that pronouncing *takfīr* should not be based on the mere abandonment of an act, as this is the very view of Khawārij rather that it must be according to inner abandonment (*al-tark al-iʿtiqādī*). By *al-tark al-iʿtiqādī* he means the abandonment that is out of "*juḥūd* and renunciation (*takdhīb* or *istiḥlāl*)."[35]

Based on this perception of *takfīr*, al-Ḥalabī starts building his arguments against his opponents on the question of manmade laws. In one of these arguments that are related directly to the question of ruling by anything other than *sharīʿah* law, al-Ḥalabī cites the following

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[33] Al-Ḥalabī, *al-Taḥthīr min Fitnat al-Takfīr*, 8.
[34] Ibid, 9.
[35] Ibid, 27.

statement of Ibn Taymiyyah as a confirmation for his view. The statement reads:

> Many people embrace Islam yet despite that they only rule according to the traditional customs that are put by their leaders. If such people **know** that it is not permissible to rule except by what Allah has revealed, yet they do not abide by it (*lam yaltazimū dhālik*), rather they have **made it permissible** (*istaḥallū*) to rule according to what opposes the revelation of Allah, then they are *kuffār*. **Otherwise they are ignorants**.[36]

Al-Ḥalabī puts the same words in bold as a proof that Ibn Taymiyyah's words are in accordance with his own criterion of *takfīr*. He then argues that Ibn Taymiyyah made it clear that the bases for declaring *takfīr* on the ruler who does not rule according to Islamic principles are these three conditions: *maʿrifah* (knowledge), *iʿtiqād* (inner belief) and *istiḥlāl,* in the absence of these conditions, such an act does not imply *kufr* but rather that the perpetrator is merely ignorant.[37]

Unlike this strict and narrow criterion for deciding when a Muslim ceases from being a Muslim and becomes *kāfir*, al-ʿAnbarī's view on the causes of apostasy is fairly broader. The difference between the two men can be narrowed down to two points. First, al-ʿAnbarī does not restrict the causes of apostasy to *juḥūd*, *istiḥlāl* and *takdhīb* but he also adds the cases of obstinacy, avoidance and doubt.[38] In fact, al-ʿAnbarī considers this point to be the first of three important religious principles:

> A Muslim does not become *kāfir* except by committing one type of major *kufr*…meaning by rejecting something that is known by necessity in Islam, or not complying by it out of obstinacy, aversion or arrogance, even if such a person is *muṣaddiq* (has factual belief). Or by turning away, neither believing it or denying it, or by remaining in doubt and uncertainty about it.[39]

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[36] Ibid., 16; Ibn Taymiyyah, *Minhāj al-Sunnah al-Nabawiyyah*, 5/130.

[37] Al-Ḥalabī, *al-Taḥthīr min Fitnat al-Takfīr*, 16.

[38] Al-ʿAnbarī, *al-Ḥukm bi Ghayr mā Anzal Allāh wa Uṣūl al-Takfīr*, 88.

[39] Ibid.

The second point of divergence is related to whether outwardly acts can be indicative of what is in one's heart. In other words, is it possible to determine whether an action has been done out of *juḥūd* for instance, without the need for verbal or written confession by the perpetrator?

For al-ʿAnbarī, although he concedes that those types of *kufr* signify various conditions in one's heart, he holds that they can also be demonstrated by one's outwardly acts.[40] His view entirely contradicts al-Ḥalabī's affirmation in *Ṣayḥat Nadhīr* that inner *kufr* be it together with *juḥūd* or any other condition cannot be demonstrated by outwardly acts alone. In fact, al-Ḥalabī considers the view that outwardly acts demonstrate what is in the heart, to be "the wide-open door for the thought of Khawārij."[41]

However, despite their distinct criteria of *takfīr*, al-Ḥalabī and al-ʿAnbarī do not seem to have had any conflict against each other. On the contrary, al-Ḥalabī praises the latter's book and states that he benefited from it but without any mention of this dissimilarity that we have discussed here. This is a clear indication that the question of what constitutes *īmān* and *kufr* is not the central aim for the Loyalists' anti-*takfīr* writings but rather that it is the question of manmade laws that they are concerned with.

Outwardly Acts Can Cause *kufr*

That said, one may think that since the two criteria lead to the same conclusion, then the difference between them should not matter. However, when this difference is put and understood within the context of the debates and how it affects the arguments of their opponents in regard to the question of manmade laws, this difference becomes very important. This is to say that as explained in the previous chapter, the protagonists of the *takfīr* view differentiate between the systematic application of manmade laws, as in the form of secular constitutions that replace the laws of Islam, and any incidental ruling by something other

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[40] Al-ʿAnbarī, *al-Ḥukm bi Ghayr mā Anzal Allāh wa Uṣūl al-Takfīr*, 88.
[41] Al-Ḥalabī, *Ṣayḥat Nathīr bi Khaṭar al-Takfīr*, 64.

than *sharīʿah*. The former form is regarded to be a major *kufr* based on the argument that such act is an indication that the perpetrator prefers such laws to *sharīʿah*. The criterion of al-Ḥalabī does not allow room for such argument while al-ʿAnbarī's does.

Broadly speaking, in spite of their agreement on the question of manmade laws, the elaborations by al-ʿAnbarī on the concept of *kufr* and *takfīr* are closer to the views of his opponents than they are to al-Ḥalabī's. This can be attributed to al-ʿAnbarī's religious training, which unlike al-Ḥalabī, he received in Saudi institutions. As mentioned earlier, Saudi educational institutions give the study of *ʿaqīdah* much greater importance compared to other religious disciplines such as *fiqh* and *ḥadīth*. Additionally, the elaborations of Ibn Taymiyyah on the question of *īmān* and *takfīr* are deeply taught and widely adopted in Saudi academia. The same cannot be said about the Jordanian Salafī milieu—in which al-Ḥalabī and his fellow Salafīs are based—that is known to focus on studying the field of *ḥadīth*. The impress of al-Albānī on the epistemological framework of Jordanian Salafism as distinct from the theological emphasis of the Saudis plays a significant role in the alternate conclusions that both parties draw in this dispute.

Moreover, instead of taking the same short path as al-Ḥalabī, of completely rejecting the possibility of *kufr* based on acts alone, al-ʿAnbarī takes a different line of argumentation against their common opponents. The bottom line of his argument is to prove that the application of manmade laws (as an act) does not belong to the category of acts of major *kufr*. In order to do so, he first reiterates that the teachings of Salafism divide outwardly sinful acts into two types; a type that takes one out from Islam completely and that applies to those acts that indicate the presence of denial, rejection, arrogance, or any of the other *kufr* in the heart. The second type of sinful acts does not take one out of the religion unless accompanied with denial or rejection. He then moves on to prove that the action of replacing *sharīʿah* by manmade laws belongs to the second type and not the first. And so, he provides numerous quotes from classical and modern scholars proclaiming the

existence of a consensus amongst them that ruling by something other than *sharīʿah* does not cause *kufr* unless accompanied by the necessary conditions of *juḥūd* and *istiḥlāl*.

Choosing this path of argument means that al-ʿAnbarī does not entirely reject the idea that certain outwardly acts can nullify one's *īmān,* as al-Ḥalabī does. Rather, he rejects the argument of their opponents that the act of applying manmade laws instead of *sharīʿah* falls under the first type of sinful acts. And this is the very point that separates him from these opponents.

The root of this divergence rests in the opponents' contention that abstaining from implementing *sharīʿah* implies several types of *kufr*, and the contention of al-ʿAnbarī that this view is "extremism." This extremism, from his point of view, reveals misunderstanding of the established typology of *kufr*, based on the teachings of the *salaf*. As an example of this misunderstanding he focuses on *kufr* of ʿ*inād*, which his opponents as he claims, deem to be the "mere abstaining from a religious duty" and this misapprehension of the doctrine of *kufr* is what makes them view the omission of a *sharīʿah* rule to be *kufr* of ʿ*inād*. He argues in contrast:

> *kufr* of ʿ*inād* does not pertain to the case of mere abstaining (*laysa mujarrad al-imtināʿ*) from a religious duty while affirming its obligation (*maʿa al-iqrār bihā*). Rather, it must be accompanied by hatred for the truth, aversion and arrogance.[42]

The Opposing View

After the publication of the anti-*takfīr* books, and the involvement of al-Ḥalabī in most of them, it is not a surprise to find him turning into the main target for the subscribers of the opposite views. Al-Ḥalabī himself anticipated some responses as he clearly alludes to this in his introduction[43] but he did not expect these responses to come from people who until that time were still considered to be on the same side. In the

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[42] Al-ʿAnbarī, *al-Ḥukm bi Ghayr mā Anzal Allāh wa Usūl al-Takfīr*, 39 and 165.
[43] Al-Ḥalabī, *al-Taḥthīr min Fitnat al-Takfīr*, 37.

early editions of *al-Taḥdhīr*, it is obvious that al-Ḥalabī's quarrels and arguments are directed primarily against the Jihādīs including al-Ṭarṭūsī, al-Maqdisī and Abū Qatādah, whom he mentioned by name.[44] Only, in the later editions, al-Ḥalabī started directing his arguments against a wider range of opponents that includes even the PCRV scholars.

One of those people from whom al-Ḥalabī was not expecting any criticism is Abū Ruḥayyim who was at that time considered to be part of the same circle of "Jordanian quietist Salafī scholars" as opposed to the circle of al-Maqdisī and the Jihādīs.[45] Abū Ruḥayyim and al-Ḥalabī who were still on talking terms at the time agreed to meet and debate the critiques levelled by the former against some theological stances addressed in al-Ḥalabī's book *al-Taḥdhīr*. The debate, which would later become the cornerstone in the schism within "Jordanian quietist Salafīs", took place in 1997 in the house of Muhammad Ibrahim Abū Shaqrah, another Salafī scholar from the same circle. At the time, Abū Shaqrah as Wagemakers and Lav note "was widely seen as the most senior Salafī shaykh in Jordan after al-Albanī."[46] And hence, both agreed on him to be the arbitrator and the moderator of the debate. The debate which lasted a couple of hours ended up with Abū Shaqrah siding with Abū Ruḥayyim against al-Ḥalabī as a result of what he later described as Abū Ruḥayyim's "superior proof, his eloquence and the exactness of his knowledge."[47]

Nonetheless, this debate that was intended to rectify the emerging rift in this circle of "quietist Salafīs" resulted in the exact opposite. Just few months later, Abū Ruḥayyim published his criticism in a book under the title *Taḥdhīr al-Ummah min Taʿlīqāt al-Ḥalabī ʿalā aqwāl al-Aʾimmah* (Warning the Muslim Community against the comments of *al-Ḥalabī* on the Statements of the Scholars) to which, Al-Ḥalabī replied by authoring *Ṣayḥat Nadhīr*. It is not known whether the two authors have met or

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[44] Ibid, 32–33.
[45] Wagemakers, *Contesting Religious Authority among Jordanian Salafīs*, 114.
[46] Ibid., 115.
[47] Abu Ruḥayyim, *Ḥaqīqat Al-Īmān ʿind al-Shaykh al-Albānī*, 7.

spoken to each other after the debate but what is certain is that both continued to refute each other's views and exchange accusations and later were joined by others. At this point, it became very clear that the differences over *īmān* and *kufr* are not merely a contention between Jihādīs and non-Jihādīs over revolting against the ruler, but there was clearly something else going on.

The existing secondary sources dealing with these disputes within the quietist Jordanian Salafīs propose two different motives behind this schism. The first account confines it to the different theological stances on the question of *īmān*, *kufr* without any mention to any other motives.[48] The second disagrees, contending that the causes of the conflict "originate less in theological and doctrinal differences than in conflicts over religious authority."[49] The contention of this second view is based on the assumption that the theological stances taken by Abū Ruḥayyim and later adopted by Abū Shaqrah are not completely alien to the teaching of Salafism. This is to say that these stances do not represent the views of the Jihādīs alone—whom Al-Ḥalabī and co. regard as fallacious and not Salafīs— but are also the views of the senior scholars in Saudi Arabia who are, along with al-Albānī, revered by quietist Salafīs in Jordan. As such, this account argues, since Abū Ruḥayyim and Abū Shaqrah advocate a view on *kufr* that is approved by some senior scholars then that should be enough evidence for their opponents that they are not upon a deviant creed as the Jihādīs. Hence, their discontentment with them that is the basis of the rift is not driven by theological differences but by something else.[50]

Although, there is no doubt that "Salafīs are quite human" who can be driven and motivated by "ambition, leadership and perhaps even plain and simple vanity", as this account concludes, it is not clear why this should be the case for all contestants in these debates. Take for instance the case of Abū Shaqrah. If we suppose that he had leadership ambitions

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[48] Lav, Radical Islam and the Revival of Medieval Theology
[49] Wagemakers, *Contesting Religious Authority among Jordanian Salafīs*, 112.
[50] Ibid, 116.

then why would he change his position since he was already regarded as the second most important scholar after al-Albānī? Would it not be more sensible from his side to continue with the same views, especially given that most Jordanian Salafīs—upon whom Shaqrah was seeking leadership—belong to the quietist branch that focuses on *al-taṣfiyah wa al-tarbiyah* (purification and education)?[51] Surely leadership cannot be the motive for such a change of heart especially with the potential dangerous political implications of his new views on *īmān* and *kufr* that could possibly cost him the freedom he had always enjoyed.

Nevertheless, the question that arises here is why Abū Shaqrah "did not start distancing himself explicitly from al-Albānī's views on faith (and certainly not by labelling such views as "*murjiʾī*") until after the latter's death?"[52] To answer this question we need to look at the chronological context of all of these disputes. As mentioned earlier, the dispute over *īmān* started with the publication of Shukrī's *Iḥkām al-Taqrīr* in 1993, which was directed against the Jihādīs. However, apart from one response by a relatively unknown Saudi Salafī author,[53] the book did not really generate as great disputes as the later publications. This is maybe due to the fact that Shukrī himself was an unknown scholar at the time or maybe because he "repented" soon after the publication of his book if we are to believe the aforementioned accounts about the discussions he held in Saudi Arabia.[54]

It is only after the publication of al-Ḥalabī's *al-Taḥdhīr* that the responses started flowing from different angles, from the Jihādīs and non-Jihādīs, which finally led to his debate with Abū Ruḥayyim in 1997, two years before the death of al-Albānī. Thus, we are talking about a

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[51] This slogan was first used by al-Albānī to argue that bringing about the rule of God begins with puriftying Islam of everything that is foreign to it and educating Muslims about the true teachings of Islam. See: al-Albānī, *al-Taṣfiyah wa al-Tarbiyah wa Ḥājat al-Muslimīn ilayhimā*.

[52] Ibid, 117.

[53] In a book called Barāʾat Ahl al-Sunnah min Ishtirāṭ al-Takthīb li al-Khurūj min al-Millah by Abū ʿAbd al-Raḥmān al-Sabīʿī

[54] A letter ascribed to Shukrī available at: www.saaid.net/Doat/ehsan/120.htm, (accessed on 14/03/2015)

period of two years for someone like Abū Shaqrah in his mid-sixties to change major theological stances, which he spent decades teaching and defending.[55] Such change would naturally going to need some time to be established, especially when we take into consideration the fact that this change was on a vital issue such as *ʿaqīdah*, and his new opinion would go against the view of a highly venerated senior scholar like al-Albānī. After all, even if Abū Shaqrah was convinced by the arguments levelled by Abū Ruḥayyim against al-Ḥalabī during the debate, the former is hardly a match for al-Albānī in terms of knowledge and status.

Hence, it is almost certain that Abū Shaqrah in that two years period before the death of al-Albānī has been in a state of intellectual revisionism. He was pondering and mulling over his views, which he had always believed to be the Salafī creed on *īmān* and *kufr*, and the objections levelled by Abū Ruḥayyim. These revisions became convictions only when the other venerated senior scholars expressed their opinions in a series of verdicts[56] against several books in support of his old views, including the two books of al-Ḥalabī and the book of al-ʿAnbarī. The language used in these verdicts was direct and very precise, not only accusing these books of supporting the creed of Murjiʾah but also stating that the authors and publishers of these books must "repent to Allāh" and "thrive to learn religious knowledge at the hands of trustworthy scholars."[57] Only one of these verdicts however, was issued before the death of al-Albānī and that is the verdict against the book of Shukrī in June 1998.[58]

The weight of these verdicts within the Salafī circles should not be overlooked as can be demonstrated by the reaction of al-Ḥalabī himself to the first verdict against the book of Shukrī, a book whose publication

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[55] Abū Shaqrah wrote many works against the Jihādīs, which made him one of the most hated amongst them.

[56] The verdicts were later published together in a book called *al-Taḥthīr min al-Irjāʾ wa Baʿḍ al-Kutub al-Dāʿiyah ilayh*

[57] Al-Lajnah al-Dāʾmah, al-Taḥthīr min al-Irjāʾ wa Baʿḍ al-Kutub al-Dāʿiyah Ilayh, 22

[58] Verdict number 20212 available at: www.alifta.net (accessed 17/01/2016)

he himself had been involved with. Soon after the verdict, al-Ḥalabī distanced himself from the book stating that it represented the views of its author and not his. This, despite the fact that it was written on the front of the book that it was "read, revised and published by al-Ḥalabī" according to various reports. [59] This reaction by al-Ḥalabī shows the supremacy and power enjoyed by the Saudi senior scholars within the Salafī circles inside and outside Saudi Arabia. This involvement of the PCRV, whose members are themselves politically quietists and non-militants, indicates that these charges of *irjāʾ* do not just denote political quietism only but also to doctrinal differences.

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[59] Although the authoer of this study was not able to read the book, there are so many reports online confirming that it was published with that statement.

Why Neo-Murjiʾah?

In September 2000, the PCRV issued its verdict banning the two books of al-Ḥalabī and deeming the views "he added to the sayings of scholars in the introduction and commentaries"[60] to be based on the creed of the Murjiʾah. This is remarkable, "given that much of the book actually consists of the statements of al-Albānī, Ibn Bāz and Ibn al-ʿUthaymīn," as Lav rightly notes.[61] Although the verdict is very concise, the criticisms levelled against al-Ḥalabī are very similar to those put forward by the Jihādīs like al-Maqdisī and non-Jihādīs like Abū Ruḥayyim. They all revolve around al-Ḥalabī's criterion for *takfīr*, which they believe represents a restriction of apostasy to the *kufr* in the heart at the exclusion of outwardly acts. The only difference between these critics is the tone in which they were expressed. Whereas the PCRV chose to address their objections as advice, albeit rather severe, the others are highly polemical and have no hesitation to say outright that al-Ḥalabī is a *murjiʾī*. The two main points in most of the debates that followed these between al-Ḥalabī, his supporters and detractors, were about the relation between outwardly acts and *īmān*. The first point related to the Loyalists' criteria of *takfīr* and the second pertained to whether outwardly acts were a condition for the validity or the perfection of *īmān*.

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[60] Al-Lajnah al-Dāʾmah, al-Taḥthīr min al-Irjāʾ wa Baʿḍ al-Kutub al-Dāʿiyah Ilayh, 26

[61] Lav, *Radical Islam and the Revival of Medieval Theology*, 165.

The Criteria of *Takfīr*

The first point of criticism pertains to the criteria of *takfīr* adopted by the Loyalists which, according to their critics, [62] are based on the teachings of the Murjiʾah for the Loyalists fail to address the interrelation between outwardly acts and *īmān* of the heart. As mentioned before in this chapter, the Loyalists have two criteria of *takfīr*; (i) a restrictive one adopted by al-Ḥalabī, which rejects the idea that inner *kufr*, be it *juḥūd* or any other condition, can be demonstrated by outwardly acts alone and (ii) al-ʿAnbarī's less restrictive criterion that is closer to their critics' than to al-Ḥalabī's. For this reason, it is no surprise then to find that the harshest critiques over *īmān* and *kufr* are directed more towards al-Ḥalabī than al-ʿAnbarī. For instance, the verdict of the PCRV against the book of al-ʿAnbarī does not mention the question of *irjāʾ* at all. In reality, its main condemnation is over "twisting" text proofs and the statements of the scholars on the matter of manmade laws, while in the case of al-Ḥalabī, their verdict is explicit, describing his books as "based on the invalid and innovated *madhhab* of Murjiʾah."[63]

Essentially, unlike the criterion of al-ʿAnbarī, the criterion of al-Ḥalabī did not receive much support even within the loyalist ranks and as such, it did not survive for long. This is especially true after the verdicts of the PCRV were issued. In fact, there is enough evidence to support the idea that even al-Ḥalabī gradually changed his position to adopt the criterion of al-ʿAnbarī. His numerous writings published after the verdicts of the PCRV, although aimed at refuting the accusations of *irjāʾ* levelled against him, also contain a very different criterion to the one he set out in his previous books. For instance, the third edition of al-Ḥalabī's book *al-Taḥthīr*, which was published in mid 2002, two years after the PCRV verdict, contained significant amendments. The sections

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[62] Critics here, refer to those opposing the views of the Loyalists on the questions of *īmān* and *kufr*. This includes the *Jihādīs*, Activists and senior scholars in Saudi Arabia.

[63] Al-Lajnah al-Dāʾimah, *al-Taḥthīr min al-Irjāʾ wa Baʿḍ al-Kutub al-Dāʿiyah Ilayh*, 26-27

in which his restricted criterion of *takfīr* was clearly defined were either omitted completely or amended to expand the causes of *kufr* to include outwardly acts. For example, al-Ṭaḥāwī's statement, upon which he built his contention that only two of Ibn al-Qayyim's categories of major *kufr* can cause apostasy, was omitted completely.[64] Instead, al-Ḥalabī added clear statements that apostasy is not restricted to *juḥūd* and *takdhīb*, as unequivocally expressed in the following quote: "An apostate is he who left the religion of Islam into *kufr* by an act, word, belief or doubt."[65]

Likewise, his principle regarding the declaration of *takfīr*, based on acts of omission which restricted to *juḥūd*, renunciation, *takdhīb* and *istiḥlāl*, was expanded by appending the following expression to his existing statement: "or other types of major *kufr*."[66]

Although al-Ḥalabī rejects the importance of these changes,[67] they nevertheless represent an implicit recognition of the non-Salafī nature of his former criterion. Indeed, it seems that al-Ḥalabī's eagerness to find religious justifications for the Loyalists' subservient stance towards the state in his previous books led him to overlook the salient feature of Ibn Taymiyyah's argument against the Murjiʾah, that is, his assertion that the Murjiʾah exclude outwardly acts from the essence of *īmān*. In other words, they reject the idea that outwardly acts can cause *kufr*. In point of fact, this change in al-Ḥalabī's criterion of *takfīr* perfectly supports Lav's observation that the vigorous quietism of the Loyalists "is more a construct of this period of ferment than a smooth continuation of classical Wahhabism."[68]

Nonetheless, the criterion of al-ʿAnbarī which was later adopted by al-Ḥalabī and most of the Loyalists did also receive its share of criticism, although to a lesser degree. This is despite the fact that it is based on a

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[64] Al-Ḥalabī, *al-Taḥthīr min al-Ghuluw fī Fitnat al-Takfīr*, 16–17.
[65] Ibid, 16 and 17.
[66] Ibid, 33.
[67] In his introduction to the third edition of his book, al-Ḥalabī sketchily alludes to these changes insisting that they do not affect the essence of his book and that the points raised by the PCRV are debatable.
[68] Lav, *Radical Islam and the Revival of Medieval Theology*, 126.

more demanding threshold for *īmān* and an expansive standard for the causes of *kufr*. These criticisms, as well as the Loyalists' counter criticisms, stem mainly from different understandings of Ibn Taymiyyah's theory of the interrelationship between outwardly acts and *īmān* of the heart. The basis of this theory is that each religious duty implies three fundamental principles: (i) *iqrār* or *taṣdīq* (affirmation or belief) (ii) *iltizām* (adherence or commitment) and (iii) *ʿamal al-ẓāhir* (outwardly acts).[69] The first principle implies that one must have the belief and affirmation in the heart that the duty is binding. That is the belief that a certain act is permissible or forbidden. The second principle refers to the adherence of the heart to this duty, which involves the acceptance of the duty and abidance with it. The locus of these two principles is the heart unlike the third principle which refers to performing the duty outwardly. For instance, the religious duty regarding the consumption of alcohol implies: firstly, the necessity of the belief and the affirmation that drinking alcohol is forbidden, secondly, that Muslims must adhere to this religious injunction and commit to it. Thirdly, Muslims must actually abstain from drinking alcohol in their daily lives.

As such, there are three ways in which Muslims can fall short of fulfilling a religious duty. The Salafīs agree on their evaluation of two of these ways/cases and disagree over the third. They agree that the failure to fulfil the first principle causes *kufr*. Hence, denying that drinking alcohol is forbidden in Islam takes the perpetrator out of the fold of Islam. Also, they agree that the mere failure to fulfil the third principle does not cause *kufr* as long as the first two principles are met. Hence, a Muslim who consumes alcohol while having *iqrār* and *iltizām* in the heart is a sinful Muslim, not *kāfir*. The second principle, namely the absence of *iltizām* of the heart is where the disagreement rests.

However, the disagreement is not whether the absence of *iltizām* of the heart can cause *kufr* or not as they all follow Ibn Taymiyyah view that it

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[69] Ibn Taymiyyah, *Majmūʿ al-Fatāwā*, 20/57.

does. The disagreement is over how the presence or absence of *iltizām* can be determined. In other words, since *iltizām* is a state of the heart, what type of outwardly manifestation can be recognised as an expression of this state? This case of the absence of *iltizām* in one's heart is also known as *imtinā'* (abstention) and all Salafīs consider it as falling under the category of *kufr* of *'inād*; nonetheless they have two distinct views on how it can be recognised and determined.

The Loyalists again are more restrictive, as they believe that the mere outwardly abstention from performing a religious duty can never be considered as a manifestation of the case of *imtinā'*.[70] Instead, they stipulate that the abstention must be out of arrogance or hatred for the truth or the Prophet.

> *kufr* of *'inād* does not apply to the one who merely abstain from performing commandments as long as he affirms [belief in] them, rather that must be accompanied by despise and hatred for the truth and must be done out of arrogance.[71]

Thus, although in theory the Loyalists' criteria of *takfīr* acknowledge and adopt the idea that outwardly acts can cause *kufr* and can be an indication of *kufr* in the heart, they do in fact stipulate the presence of other inner conditions with these acts. In other words, outwardly acts can be an indication of the absence of *iltizām* but only when the motive behind these acts is arrogance and hatred for the religion or part of it. As such, this view takes the cause of *kufr* back to one's heart which raises the question again: how it can be determined that an outwardly act is performed out of arrogance or hatred? This is precisely the reason why the critics of the Loyalists believe that the understanding of the Loyalists is based on the Murji'ah's perception of *īmān* and *kufr* and not Salafism.

For the critics, the absence of *iltizām* in one's heart can be simply determined by certain outwardly acts of omission regardless of the inner motives behind them. This is not to say that all outwardly acts of

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[70] Al-'Anbarī, *Hazīmat al-Fikr al-Takfīrī*, 191–194.
[71] Al-'Anbarī, *al-Ḥukm bi Ghayr mā Anzal Allāh wa Uṣūl al-Takfīr*, 39 and 165

omission establish or prove the absence of *iltizām*. Rather, there are certain types of outwardly acts that can not be performed by a person who has *iltizām* in the heart even if this person claims otherwise. The critics distinguish between occasional or even frequent failure to fulfil a religious duty (*muṭlaq al-tark*) and total abstention or abandonment of performing that duty (*al-tark al-muṭlaq*). The first type does not indicate that the culprit has no commitment in the heart unlike the second type that cannot emerge from a person who has *iltizām* in his/her heart.[72]

This view is the main basis for the distinction the critics of the Loyalists make between the case of incidental failure to rule by *sharīʿah* and the implementation of a manmade system of laws. The first act, though a violation of the religious duty to rule by *sharīʿah*, it does not necessarily imply that the perpetrator has no adherence or commitment to rule by *sharīʿah* in the heart. As such, it can not be regarded as *kufr* without further investigation of the motives. On the other hand, the abolition of *sharīʿah* as source for decrees represents a decisive indication that such person has no adherence or commitment in the heart to rule by it. That is because, if the ruler has the commitment and the will in the heart to rule by *sharīʿah*, he would never implement manmade laws or if he was appointed after the implementation of manmade laws, he would at least, strive to re-establish the rule of *sharīʿah*. Without this, the systematic implementation of manmade laws indicates that the ruler is content with them.[73]

The Loyalists' rejection of this distinction is based on their perception of the systematic implementation of manmade laws to be similar to the case of a judge who repeatedly fails to rule in accordance with *sharīʿah*.[74] In other words, the Loyalists believe that since incidental failure to rule by *sharīʿah* does not cause *kufr*, then it does not matter how often this failure reoccurs. Thus, for the Loyalists, the act itself has

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[72] Al-Maḥmūd, *al-Ḥukm bi Ghayr mā Anzal Allāh, Aḥkāmuhu wa Aḥwāluhu*, 157,351–355.

[73] Al-Ḥaṣm, *al-Radd ʿalā al-ʿAnbarī*.

[74] Al-Ḥalabī, *al-Taḥthīr min Fitnat al-Takfīr*, 67–68.

no real effect on one's status as a Muslim without certain conditions in the heart such as *istiḥlāl*, *juḥūd*, arrogance and hatred. For this reason, they believe that declaring *takfīr* based on the mere act of implementing manmade laws is the view of Khawārij and not Salafism.[75]

On the other hand, the critics believe that although the Loyalists champion the correct Salafī definitions of *īmān*, *kufr* and *takfīr*, they do in practice adopt the views of the Ashʿarīs who do not consider any outwardly act to be *kufr* unless accompanied by the conditions of the heart.[76] This belief is further fostered by the Loyalists' contention that the category of outwardly acts (*jins al-ʿamal*) is a condition for the perfection of *īmān* (*sharṭ kamāl*) and not for its validity (*sharṭ ṣiḥḥah*.)

Acts between the Validity and Perfection of *Īmān*

The dispute over the question of *jins al-ʿamal* became a great point of contention in the intra-Salafī debates after the publication of al-Ḥawālī's book *Ẓāhirat al-Irjāʾ* in 1996. Essentially, the view of al-Ḥawālī regarding this point can be summarised in the following statement:

> Abandoning the four pillars and all outwardly acts is *kufr* outwardly and inwardly. Since it is an abandonment of the category of actions (*liʾannahu tarkun li jinsi al-ʿamal*) which constitutes a pillar of the composite reality of *īmān*, and without which this reality does not exist.[77]

He further argues that only the Murjiʾah believed that *īmān* of the heart (speech and acts of the heart) is enough for a person to be a Muslim without having the category of outwardly acts. This view basically, is shared by most Salafīs including a number of the Loyalists especially in Saudi Arabia.[78] The holders of this view also believe that there is a

[75] Ibid, 57.

[76] Abu Ruḥayyim, *Ḥaqīqat al-Khilāf bayna al-Salafiyyah al-Sharʿiyyah wa Adʿiyāʾihā fī Masāʾil al-Īmān*, 20,27.

[77] Al-Ḥawālī, *Ẓāhirat al-ʾirjāʾ fī al-Fikr al-Islāmī*, 656.

[78] Discussions on this question on the websites run by Saudi Loyalists indicate great disagreements and confusion amongst them. Some of them supported the PCRV and opposed the views of al-Ḥalabī from the start and others supported him initially, and then turned against him after mid-2000s. Nowadays, it seems that only a few Saudi Loyalists are still supporting the views of al-Ḥalabī on the questions of *īmān*.

consensus amongst the *salaf* on this question and thus, whoever disagrees with this view has (whether he is aware of it or not) fallen in the misconception of Murjiʾah.[79]

However, al-Ḥalabī and his close circle do not seem to agree with this view, insisting instead that there is no consensus amongst the *salaf* on this matter and that the *salaf* in fact, had different views in regards to the abandonment of the four pillars of Islam and outwardly acts. Some of the *salaf* held that the abandonment of any of the four pillars is *kufr* and some of them considered only the abandonment of prayer to be *kufr*. However, there are also amongst the *salaf* who believed that only the abandonment of the testimony of Islam is cause for *kufr*.[80] As such, the view that *īmān* of the heart with the testimony of Islam is enough for a person to be a Muslim without having the category of outwardly acts is in fact one of the views of the *salaf* and not the view of the Murjiʾah.[81] In other words, al-Ḥalabī and his circle believe that *īmān* consists of (i) a foundation (*aṣl*) which includes the *īmān* of the heart (speech and acts of the heart) and (ii) a branch (*farʿ*) which refers to outwardly acts. To be considered Muslim, it is enough to have the *aṣl* because outwardly acts are not a condition for the validity of *īmān*, but only a condition for its perfection (*sharṭ kamāl*).[82] Thus, for the holders of this view, the absence of outwardly acts may decrease *īmān* but it does not nullify it.

In spite of the fact that al-Ḥalabī and his supporters quote a number of statements by Ibn Taymiyyah in order to support their view, their critics believe that their view is just another proof that al-Ḥalabī and his supporters are not able to distinguish the teachings of Salafism on *īmān* and *kufr* from that of the Ashʿarīs.[83] As a matter of fact, the view of al-Ḥalabī and his supporters seems to be inconsistent with Ibn Taymiyyah's

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[79] Al-Ḥawālī, *Ẓāhirat al-ʾirjāʾ fī al-Fikr al-Islāmī*, 656.
[80] Al-Ḥalabī, *al-Ajwibah al-Mutalāʾimah*, 5–6.
[81] Āl Ṭāhir, *Naṣb al-Rāyah*, available at: www.kulalSalafiyeen.com, (accessed 21/01/2016)
[82] Ibid.
[83] Abū Ruḥayyim, *Ḥaqīqat al-Khilāf Bayna al-Salafiyyah al-Sharʿiyyah wa Adʿiyāʾihā fī MasāʾilaAl-Īmān*, 19.

argument on the impossibility of the presence of valid *īmān* in one's heart without outwardly acts.

> It has been clarified that the religion (*dīn*) comprises of speech and acts. And it is unconceivable for a person to be a believer in God and His messenger with his/her heart and tongue without having performed an outwardly duty, no prayer, no almsgiving, no fasting or any of the other duties.[84]

In fact, Ibn Taymiyyah asserts that the view of the possibility of the presence of *īmān* in one's heart without outwardly acts (acting upon it) is "the innovation of *irjāʾ*."[85] This raises the question of the true reasons behind the reluctance of al-Ḥalabī and his supporters to accept the view of senior scholars especially given that a great number of Loyalists in Saudi Arabia rejected al-Ḥalabī's view.

According to Abū Ruḥayyim, the reason that led al-Ḥalabī and his supporters to this confusion is their reliance on certain late *ḥadīth* scholars who "usually do not expound on matters of creed according to the methodology of the pious *salaf*. Their discourse on these issues lacks accuracy."[86] One of these scholars for instance is the fifteenth-century scholar Ibn Ḥajar al-ʿAsqalānī (1372- 1449) whom the Salafīs criticise for holding a number of non-Salafī theological stances (*mukhālafāt ʿaqāʾidiyyah*).[87] The most famous of these alleged non-Salafī theological stances is his stance towards the question of God's attributes which all Salafīs believe it to be an Ashʿarī position.

However, what is important for our purposes here is al-ʿAsqalānī's view on *īmān* to which Abū Ruḥayyim refers in his critiques against al-Ḥalabī. This pertains to certain passages in al-ʿAsqalānī's prominent book *Fatḥ al-Bārī* in which he affirms that the *salaf* considered acts to be part of *īmān*. However, similar to al-Ḥalabī he maintained that the *salaf* did not

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[84] Ibn Taymiyyah, *Majmūʿ al-Fatāwā*, 7/278.
[85] Ibid.
[86] Abū Ruḥayyim, *Ḥaqīqat al-Khilāf Bayna al-Salafiyyah al-Sharʿiyyah wa Adʿiyāʾihā fī Masāʾil al-Īmān*, 20.
[87] For for examples: ʿalī al-Shibl, Al-Tanbīh ʿalā al- Mukhālafāt al-ʿaqāʾidiyyah fī Fatḥ al-Bārī, and Fatḥ al-Bārī with the comments of Ibn Bāz.

mean that outwardly acts are a condition for the validity of īmān, but only a condition for its perfectness.

> The difference between them (Muʿtazilah) and the *salaf* is that they considered acts to be a condition in its validity and the *salaf* deemed them to be a condition in its perfectness.[88]

Although there is no direct mention of al-ʿAsqalānī in either of the mentioned books of al-Ḥalabī, Abū Ruḥayyim may have a case in believing that these scholars had adopted the views of al-ʿAsqalānī. Indeed, in his commentary on one of al-Albānī's books, al-Ḥalabī refers to this particular passage in *Fatḥ al-Bārī* as a support for al-Albānī's assertion that "all good [outwardly] acts are a condition for the perfection [of *īmān*] in the view of *ahl al-Sunnah* contrary to the Khawārij and Muʿtazilah."[89] Likewise, in a later book he published in 2000, al-Ḥalabī cites this passage as evidence against his critics to prove that the absence of outwardly acts does not nullify *īmān*. For him, since Ibn Bāz, who edited the book, did not underline any observation against it therefore that means that Ibn Baz agrees that outwardly acts are only a condition for the perfectness of *īmān*.[90]

This is rather odd, given that in a number of other occasions, Ibn Bāz clearly rejects al-ʿAsqalānī's statement, asserting that outwardly acts are "not a condition for the perfection of *īmān* but a part of it."[91] Also, al-ʿAsqalānī's position on *īmān* has been criticised by a number of influential Wahhābī scholars. In fact, the critique of al-ʿAsqalānī's position on *īmān* goes back as early as Ibn ʿAbd al-Wahhāb himself. According to his grandson ʿAbd al-Raḥmān b. Ḥasan (1779-1868), when Ibn ʿAbd al-Wahhāb visited the city of al-Aḥsā in Saudi Arabia, he held a discussion with its scholars in which:

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[88] Al-ʿAsqalānī, *Fatḥ al-Bārī*, 1/46.
[89] See al-Ḥalabī's comment in al-Albānī, *Ḥukm Tārik Al-Ṣalāt*, 42.
[90] Al-Ḥalabī, *al-Taʿrīf wa al-Tanbiʾah*, 116.
[91] See for example some of his statements at: http://www.dorar.net/enc/aqadia/3671 (accessed 05/05/2016)

He asked [the host] to bring the first volume of *fatḥ al-Bārī* to show him the error of *al-ḥāfiẓ* (i.e. al-ʿAsqalānī) on the question of *īmān*. He [then] explained to him how the Ashʿarīs contradicted the textual traditions which al-Bukhārī put as titles in his book.[92]

Nevertheless, it is almost certain that the dispute over this question stems from the dissimilar intellectual background that al-Ḥalabī and his foes belong to. As mentioned before, al-Ḥalabī's intellectual preoccupation is chiefly in the field of *ḥadīth* and prior to writing *al-Taḥthīr* he is not known to have written any works related to *ʿaqīdah*. In addition, before the 1990s, details on matters of *īmān* and *kufr* and the differences between Salafism and Ashʿarīs and Māturīdīs on them were not household topics within the Salafī circles outside Saudi Arabia. This is especially true with respect to the circle of al-Albānī in Jordan whose main concern, in addition to their preoccupation with the science of *ḥadīth* and manuscript editing, had always been the question of the *taqlīd* of the four legal schools. This is not to say that they did not consider the field of *ʿaqīdah* to be important, but their interest in *ʿaqīdah* at the time focused on the main points of divergences that distinguish them from their classical foes namely the Ashʿarīs, Māturīdīs and the *Ṣūfīs*. This pertains to the question of God's attributes and the veneration of saints. After all, Salafism in Jordan was not a dominant teaching force in the religious circles. Therefore, its proponents were engaged in defending the very idea of Salafism first before dwelling deeper into the details of *ʿaqīdah*.

On the other hand, in Saudi Arabia where Abū Ruḥayyim undertook his postgraduate studies, and where Salafism was dominant and its teachings were flourishing, the case was different. As such, it is not hard to believe that al-Ḥalabī made a mistake; missing the fact that it was not only al-ʿAsqalānī's position on God's attributes that had been criticised by authoritative Salafī scholars, but also his views on *īmān* and his very statement which al-Ḥalabī quoted to support al-Albānī.

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[92] Ibn Qāsim, *al-Durar al-Saniyya fī al-Ajwibah al-Najdiyyah*, 12/8.

Further, it is worth mentioning here that al-Albānī's statement and his books were also under scrutiny by a number of Activists and Jihādīs in this period, as will be discussed in the next chapter. Therefore, it is likely that al-Ḥalabī, in his attempt to defend his teacher's (al-Albānī) statement relied on al-ʿAsqalānī's statements without knowing that it has been criticised by other authoritative Salafī scholars. The critiques by senior scholars put him in a difficult position as admitting that he was wrong in regard to this question of *jins al-ʿamal* would harm his credibility as a scholar given the sensitivity and importance of creed in the teachings of Salafism. We can speculate therefore, that when al-Ḥalabī did eventually realise his mistake, it was too late for him to openly admit it, but his subsequent writings, in which he tried to move past his controversial statements, shows the seriousness with which Salafīs conduct their doctrinal debates.

Summary

Based on the discussion above, this chapter has shown that intra-Salafī dispute over what acts can/cannot take a Muslim out of the fold of Islam into *kufr* has led to two main views: a restrictive view championed by a number of Loyalists close to al-Albānī's student al-Ḥalabī, and a less restrictive view held by senior scholars in Saudi Arabia, together with the Activists, the Jihādīs as well as a number of Saudi Loyalists. The latters' view relies entirely on the ideas of Ibn Taymiyyah, whereas the former combines Ibn Taymiyyah's ideas with the ideas of a number of *ḥadīth* scholars such as al-ʿAsqalānī and al-Ṭaḥāwī, on the basis of the somewhat mistaken belief that these sources are in concurrence with each other.

The senior scholars' rejection of the Loyalists' restrictive criteria of *takfīr* highlights the highly doctrinal process, by which *takfīr* is defined in Salafism. This is to say that although *takfīr* can be at times employed as a political weapon, it is not always the case. The practice of *takfīr* in Salafism represents first and foremost as an integral aspect of their creed. Had *takfīr* been a mere political weapon, one would expect these

Senior Scholars, who are known for their political quietism and opposition to the Jihādīs, to champion the views of the Loyalists or at least condone them. The fact that the senior scholars issued numerous verdicts against the books of the Loyalists, which in turn were directed against the Jihādīs and their violent acts against the state, is a clear indication that the dispute over the question of *takfīr* is not merely political but primarily theological. The dissatisfaction of senior scholars with the Loyalists' views on *takfīr* is so deep to the extent of criticising even the Loyalists' use of labels such turmoil or ideology to describe the practice of *takfīr* in their books. The senior scholars insist that *takfīr* is an Islamic injunction that can not be labelled as such or simply ejected from the teachings of Islam.

This chapter has also revealed that the views of the Loyalists on the questions of *īmān* and *kufr* are characterised by inconsistency and vacillation, which suggests that they are more a construct of their desire to prove their stance on manmade laws than a conviction. Another plausible explanation for the Loyalists' inconsistency and vacillation is certain statements of al-Albānī on these matters. Al-Albānī, as the previous chapter has shown, was very clear in his arguments against the Jihādīs that the implementation of manmade laws is not major *kufr*. In his arguments, al-Albānī uses the dichotomy of *kufr iʿtiqādī* and *kufr ʿamalī* to refer to major and minor *kufr* respectively and he also states that outwardly acts are a condition for the perfectness of *īmān*. This led to the belief that he restricted major *kufr* to the conditions of the heart to the exclusion of outwardly acts, which in turn led his students to adopt this position and defend it. Consequently, al-Albānī himself became a target for the critiques and accusations of *irjāʾ* as examined in the next chapter.

Chapter Six: Al-Albānī and *Irjā'*

Introduction

It has been mentioned earlier in this study that al-Albānī, along Ibn Bāz and al-ʿUthaymīn were the most prominent Salafī scholars in the 1990s. All Salafīs including the Jihādīs [1] acknowledge their highly status as knowledgeable scholars and appreciate their contributions to the growth of Salafism in present days. However, due to their different intellectual roots, the three scholars had different religious preoccupations. Ibn Bāz and al-ʿUthaymīn grew up in an environment in which the study of *ʿaqīdah* and the writings of Ibn Taymiyyah represented the core of the curriculum. This environment influenced their religious preoccupation, focussing it on matters of *ʿaqīdah*. On the other hand, al-Albānī "at the age of twenty, adhered to the Reformist tradition that was so fashionable among the "peripheral *ʿulamāʾ*" of Damascus." [2] The focus of this tradition was the rejection of *taqlīd* and the call for a renewal of *ijtihād*.[3] This intellectual tradition led al-Albānī to focus on the science of *ḥadīth*, which eventually earned him the title of *muḥaddīth al-ʿaṣr* (the greatest scholar of *ḥadīth* of the era). This is not to say that al-Albānī had no interest in *ʿaqīdah* or in the writings of Ibn Taymiyyah. Al-Albānī has edited and published a number of manuscripts on *ʿaqīdah* and of Ibn Taymiyyah, [4] but his status and reputation within Salafism, especially in Saudi Arabia, owes more to his knowledge of *ḥadīth* and *fiqh* than *ʿaqīdah*, especially when compared to Ibn Bāz and al-ʿUthaymīn.

Based on the above premises, it appears that a number of al-Albānī's views concerning matters of *kufr* and *īmān* have become a significant source of tension and dispute between the Salafīs. In addition, given the abovementioned difference in specialisation coupled with the fact that

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[1] Lav, *Radical Islam and the Revival of Medieval Theology*, 109.

[2] Lacroix, "Between Revolution and Apoliticism," 64.

[3] For more on this Reformist tradition in Syria see: Commins, *Islamic Reform*.

[4] For a list of these books see: al-Shaybānī, *Ḥayāt al-Albānī wa Āthāruh*.

most of the Loyalists who were accused of holding the views of *irjāʾ* were close to the circle of al-Albānī in Jordan, it was only a matter of time before al-Albānī's views on *īmān* and *kufr* came under scrutiny. This is especially true given that both al-Ḥalabī and al-ʿAnbarī, in defence of their own views on *īmān* and *kufr*, claim that al-Albānī had read their (criticised) books and agreed with them. Therefore, it is essential to discuss his position and the accusations of *irjāʾ* levelled against him. Hence, this chapter provides an account of the accusations of *irjāʾ* levelled against al-Albānī and examines the views of this eminent scholar on the issues of *īmān* and *kufr*, which, as we know, are directly associated with the matter of legitimacy of rulers in Salafī thought.

Al-Ḥawālī's *Ẓāhirat al-Irjāʾ*

It is believed that the Activist scholar al-Ḥawālī was the first to start the accusations of *irjāʾ* against al-Albānī. This section offers an overview of al-Ḥawālī's key work on the subject - *Ẓāhirat al-Irjāʾ* - and the main reasons behind these accusations.

Ẓāhirat al-Irjāʾ was first published in Egypt in 1996, and republished in 1999. Originally, it was a doctoral thesis which al-Ḥawālī submitted to the university of Umm al-Qurā in Saudi Arabia sometime around 1986. Al-Ḥawālī wrote both his MA and doctoral projects under the supervision of the Egyptian scholar Muhammad Quṭb, the younger brother of Sayyid Quṭb. *Ẓāhirat al-Irjāʾ* is believed to be the first written work by a prominent Salafī scholar wherein there is a direct critique of al-Albānī pointing to his similarities with the Murjiʾah in regards to the conception of *īmān* and *kufr*. However, this book was not necessarily the trigger behind "the birth of the intra-Salafī polemic."[5] This is because al-Ḥawālī's primary target in his book is the understanding of *īmān* and *kufr* by past and contemporary Ashʿarī and Māturīdī scholars who have dominated the theological discourse for

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[5] Lav, *Radical Islam and the Revival of Medieval Theology*, 114.

centuries. Only a few comments in the last chapter address al-Albānī. In fact, what distinguishes al-Ḥawālī's book from other intra-Salafī writings on the topic of *īmān* and *kufr* is that it does not adopt a polemical style and neither al-Albānī nor the Loyalists were al-Ḥawālī's focal targets, as they were to become for later Jihādī and Activist authors. Thus, the assertion that "much of the last chapter of al-Ḥawālī's book, which deals with the question of whether the abandoning of a major religious obligation is apostasy, is directed against al-Albānī"[6] is a bit of an exaggeration. Had Lav had access to the original copy of the dissertation of al-Ḥawālī, he would have noticed that the last chapter in the two published editions is identical to the original thesis with the exception of the few added comments that level criticisms against al-Albānī's position on *īmān*. Had Lav also paid attention to the publication date of al-Albānī's book *Ḥukm tārik al-Ṣalāh* (The Ruling on One who Abandons the Prayer)—the book that al-Ḥawālī singles out for criticism in *Ẓāhirat al-Irjāʾ*— he would have noticed that al-Albānī's book was first published in 1992, six years after al-Ḥawālī submitted his doctoral dissertation. This underscores the point that the initial research and impetus behind al-Ḥawālī's dissertation was not the targeting of al-Albānī (as al-Albānī's views on the topic have not even surfaced at the time.)

Ẓāhirat al-Irjāʾ does not deal with *irjāʾ* and the Murjiʾah as a "heretic" group that should be refuted, as most of Salafī writers tend to do in their writings against other sects. Rather, it looks at *irjāʾ* as an ideology that has developed over centuries to become what he sees as an established and accepted creed for the majority of Muslims throughout Islamic history. According to al-Ḥawālī, the phenomenon of *irjāʾ*, which is a heretic innovation in the view of all Salafīs, should be understood as an extreme reaction to particular historical events. The magnitude of the turmoil brought by the Khawārij onto Muslim life throughout history has led to the invention and shaping of the phenomenon of *irjāʾ*.[7] He believes

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[6] Ibid, 114.
[7] Al-Ḥawālī, *Ẓāhirat al-Irjāʾ fī al-Fikr al-Islāmī*, 1/283–284.

that *irjāʾ* should not be restricted to a distinct theological sect (*firqah*) but rather as an intellectual persuasion (*fikr*) that is deeply rooted not only in the thought of general Muslims but also found its way in the teachings of many medieval, modern and present-day scholars. For this reason he mindfully titled his work "The Phenomenon of *irjāʾ* in Islamic Thought" and not "in Islamic History."

Al-Ḥawālī's Views on *Irjāʾ*

Broadly speaking, it is safe to say that al-Ḥawālī's readings of the notion of *irjāʾ* are largely derived from Ibn Taymiyyah's arguments against the Murjiʾah in his famous books *kitāb al-Īmān* and *al-Ṣārim al-Maslūl*. In fact, had al-Ḥawālī published his thesis without his criticisms of al-Albānī, it could have served as a standard reference on the "orthodox" *Salafī* view on *īmān* and *kufr* rather than being part of the genre of intra-Salafī disputes. This is especially true given the fact that al-Albānī himself, despite being criticised in the book, praised it sincerely, while adding some reservations regarding what he labelled as "some extremism"[8] in its tone.

> [the book is] very beneficial in terms of refuting *ʿulamāʾ al-kalām* who oppose the *ahl al-ḥadīth*'s understanding that *īmān* increases and decreases as well as actions being part of *īmān*.[9]

According to al-Ḥawālī, the main difference between the *salaf* and the Murjiʾah perceptions of *īmān* is that the latter limit the nature of *īmān* to its literal meaning. He summarises the Murjiʾah's perception of *īmān* as similar to a philosophical theory. Upon being informed about it, a person either believes in it (*ṣaddaqa bihā*) or rejects it. If that person accepts it in his heart, then the aim has been achieved, even if he does not verbally declare it (*iqrār*).[10]

Ẓāhirat al-Irjāʾ consists of five chapters, but only the last two chapters are relevant to our subject here. These two chapters address the

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[8] Al-Albānī, *al-Silsilah al-Ḍaʿīfah*, 14/949.
[9] Ibid.
[10] Al-Ḥawālī, *Ẓāhirat al-Irjāʾ fī al-Fikr al-Islāmī*, 2/531.

relationship between outwardly acts and *īmān* of the heart and then discuss the question of whether abandoning outwardly acts altogether can be a cause for *kufr*. According to al-Ḥawālī, the scholars of the *salaf* believed that outwardly acts are always tied together with *īmān* of the heart, so it is not possible to conceive of *īmān* without one or the other.[11] In order to elaborate the essence of the dispute between the position of the *salaf* and that of the Murjiʾah on how the actions of the limbs are related to *īmān*, al-Ḥawālī asserts that there can only be four possible scenarios:

1- Both *īmān* of the heart and outwardly acts are present together.
2- Both are absent
3- Outwardly acts are present whilst *īmān* of the heart is absent
4- *Īmān* of the heart is present whilst outwardly acts are absent

As for the first three scenarios, al-Ḥawālī states that there is no disagreement between the *salaf* and the Murjiʾah that in the first instance such a person is Muslim; in the second a *kāfir*; in the third a hypocrite. The difference of opinion lies in the fourth scenario. The Murjiʾah equate the fourth scenario with the first. Not only do they class such an individual as a Muslim but they also go as far as saying that the perpetration of all sins and the abandonment of all commandments does not reduce *īmān* in the least.[12] Following the argument of Ibn Taymiyyah mentioned in the previous chapter, al-Ḥawālī argues that the fourth scenario is an impossibility in the view of the *salaf* because they believe that the absence of *aʿmāl al-jawāriḥ* (actions of the limbs*)* is a clear indicator that *īmān al-qalb* is absent. (*īmān* of the heart) Or in other words, the presence of *īmān al-qalb* necessitates the presence of *aʿmāl al-jawāriḥ*.

This position might sound similar to that of the Khawārij who declare *takfīr* on the basis of committing sinful actions. However, al-Ḥawālī points out that there is a difference between abandoning a single action

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[11] Ibid, 2/637.
[12] Ibid, 2/638.

(*āḥād al-aʿmāl*) and the category of outwardly acts. The Khawārij declared *takfīr* on the basis of isolated acts, while the cause of *kufr* in the view of the *salaf* was the abandonment of good deeds altogether. The exception to this is the abandonment of the four pillars of Islam after proclaiming the testimony of faith. Al-Ḥawālī insists that the five daily prayers, almsgiving (*zakāh*), fasting the month of Ramaḍān, and performing the pilgrimage to Makah are different to all other actions. [13] Whoever does not commit himself to performing these pillars in his heart (*man lam yaltazim fiʿlahā bi qalbih*) cannot be a Muslim. This view coincides with the position of Ibn Taymiyyah in his famous verdict on the Mongols in which he labels them *ṭāʾifah mumtaniʿah* (lit. abstaining group). Ibn Taymiyyah states that according to all Muslim scholars, it is obligatory to fight every group of people that turn their back on submitting to any commandment of the *sharīʿah* which are clear and agreed upon, even if such people pronounce the declaration of faith. Ibn Taymiyyah extends his verdict to include those who abstain from adhering to other commandments such as "the prohibition of shameful deeds, adultery, gambling, alcohol drinking or other illegal deeds…" [14]

The Ruling on Abandoning the Prayer

Al-Ḥawālī then, shifts his attention to refute those who hold that abandoning the prayer is not *kufr*. Salafīs accept that while early scholars unanimously viewed abstaining from performing prayer out of *juḥūd* (denying its obligation) as apostasy, they (the early scholars) differed regarding the one who does so merely out of laziness. In the latter case, there are two main opinions. The first opinion, which is believed to be the view of the majority of classical scholars (*jumhūr*), contends that such negligence of prayer does not amount to *kufr*. This position is widely accepted and advocated by the scholars of the *Ḥanafī*, *Mālikī* and *Shāfiʿī* Schools. It is also believed to be one of two opinions attributed to Aḥmad b. Ḥanbal. The other opinion of Ibn Ḥanbal represents the second view (albeit a minority) in classical Islam that the

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[13] Ibid, 2/656

[14] Ibn Taymiyyah, *al-Fatāwā al-Kubrā* 3/557

one who neglects prayer is *kāfir* even when he does so without the condition of *juḥūd*. In present-day Saudi Arabia the vast majority of scholars hold this latter opinion.

Al-Ḥawālī follows the Saudi opinion in arguing that the *ṣaḥābah* unanimously held the opinion that the person who does not pray is guilty of major *kufr* and that the dispute arose only after the time of the *ṣaḥābah*. However, al-Ḥawālī gives the argument an interesting twist by asserting that there are two types of abandonment (*tark*): (i) the one who does not pray at all (*lā yuṣallī bi iṭlāq*) and (ii) the one who prays sometimes and neglects it at other times (*yuṣallī aḥyanan wa yatruku aḥyānan*). He states that with the exception of the Ḥanafīs, the disagreement between the other early jurists (Mālik, Shāfiʿī, Aḥmad and their peers) is over the ruling on the one who neglects the prayer intermittently (i.e. the second type only). As for the first type, he argues that there is no disagreement between these early scholars that such abandonment is *kufr*. Al-Ḥawālī insists that different opinions regarding the first type of *tark* (not praying at all) only emerged amongst later scholars, whose opinions should not be taken seriously because they were affected by the creed of the Murjiʾah, the inventors of this position.[15] Al-Ḥawālī writes several pages to explain the reasons why some of the later *fuqahāʾ* wrongly attributed the opinions of the Murjiʾah to these early scholars. The most important of these reasons is the "wrong belief"[16] that declaring the *kufr* of someone because of the abandonment of prayer is the position of the Muʿtazilah and Khawārij, and the aim of these later *fuqahāʾ* was to distance their imams from these deviant beliefs. At this point, Al-Ḥawālī accuses al-Albānī of making the same alleged mistake as such *fuqahāʾ*. Then he adds another accusation; that in his short treatise *Ḥukm Tārik al-Ṣalāh*, al-Albānī was advocating what al-Ḥawālī believes to be the position of the Murjiʾah.

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[15] Al-Ḥawālī, *Ẓāhirat al-Irjāʾ fī al-Fikr al-Islāmī*, 2/257.
[16] Ibid, 2/658.

Al-Albānī's *Ḥukm Tārik al-Ṣalāh*

This book of al-Albānī's, which was first published in 1992 under the supervision of al-Ḥalabī, was originally a study and commentary by al-Albānī on the authenticity of a *ḥadīth* known as *ḥadīth al-shafāʿah* (intercession). It was part of his famous seven volume work on *ḥadīth*, titled *al-Silsilah al-Ṣaḥīḥah*. In the preface to the first separate edition (1992), Al-Albānī states that due to the importance and the great usefulness of this study, he opted to publish it as a separate book, so he asked his student al-Ḥalabī to write a preface and prepare it for publication.[17] The *ḥadīth*, which is the core of the study, reveals that in the day of judgement, Muslims who have entered paradise would intercede with God for the forgiveness of those sinner Muslims who have entered hellfire saying:

> O God, our brothers used to pray, fast, and perform pilgrimage and Jihād with us, you put them in hellfire!" after several intercessions however, a great number of sinner Muslims are taken out from hellfire *fayukhrijūna khalqan kathīran*. The last group are those who have done an atom's weight of good, then Muslims say to God: "no one with any good has been left in hellfire." At that point God says: "angels have interceded, the Prophets have interceded, and Muslims have interceded, only the most merciful remains (to intercede), then He takes a handful from hellfire and extracts a group of people who never performed any good deed, and who are completely burnt." After these people are brought back to life, people of paradise say: "these are God's freedmen *ʿutaqāʾ al-Raḥmān*; He let them enter paradise without performing any action or good deed.[18]

After studying various narrations of the *ḥadīth* confirming that the *ḥadīth* is actually authentic, al-Albānī in his regular method used throughout *al-Silsilah*, offers his own understanding and interpretation

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[17] Al-Albānī, *Ḥukm Tārik al-Ṣalāh*, 25.
[18] Ibid, 27–29.

of the *ḥadīth* or what he calls *fiqh al-ḥadīth* (the jurisprudence of the tradition.)

Al-Albānī deduction from this *ḥadīth* is very basic; since sinful Muslims who used to perform congregational prayers would be taken out of hellfire among the first group then, the other retrieved groups certainly, compromise of other sinful Muslims who may have fulfilled some good deeds during their lifetime, but certainly they have not carried out the congregational prayers. Based on this assumption, al-Albānī stresses that since this *ḥadīth* is authentic, then it should be taken as decisive evidence (*naṣṣ qāṭʿī*) against those who pronounce *takfīr* on the one who abandons the congregational prayers out of laziness without denying its obligatory nature (*tārik al-ṣalāh kasalan*). He then urges that the dispute over this question between those scholars "who are united by one creed, part of which is refraining from pronouncing *takfīr* on people based on their major sins…"[19] should be put to bed. This statement can be understood as an indirect reference to his fellow Salafī scholars in Saudi Arabia where an opinion contrary to his own was widely adopted.

From a Salafī perspective, the dispute over this question is considered an on-going jurisprudential disagreement that is traced back to the very early classical scholars, and is less generally unlikely to be a reason for accusations of deviancy. Yet, al-Albānī was clearly not content to leave the matter open to debate. He was seriously displeased with some of the verdicts pronounced by those who declare *kufr* on people who abandon prayer out of laziness; seeing such verdicts as signs of excessive enthusiasm for declaring *takfīr*. For this reason, after concluding that the *ḥadīth* is a decisive proof, he goes on to make a plea to the readers of his book to revise their views and refrain from "declaring *takfīr* on those Muslims who do not pray but believe that it is an obligation…for declaring *takfīr* on Muslims is a great concern."[20]

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[19] Ibid, 37.
[20] Al-Albānī, *Ḥukm Tārik al-Ṣalāh*, 62.

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More over, al-Albānī does not merely support and favour one of the two-mentioned opinions but instead asserts that the question should be examined minutely: "Whoever chooses (the opinion of) *takfīr* without details is wrong and whoever chooses non-*takfīr* is wrong, the correct position is to elaborate (*al-ṣawāb al-tafṣīl*)."[21] By *tafṣīl*, he means two points: (i) that mere negligence should not be considered enough proof to pronounce *kufr* on a Muslim, (ii) if a person who has abandoned prayer (*tārik al-ṣalāh*) is ordered by the authority to pray and warned that he would be executed if he does not pray, yet chooses execution over praying, then such a person cannot be a Muslim. The reason for *kufr* here, in the view of al-Albānī, is not the abandonment of prayer but because this person's persistence in not praying is a clear indication of his *juḥūd*.[22]

Interestingly, al-Albānī insists that this view is not only his own but that of a host of *Ḥanbalī* scholars, including Ibn Taymiyyah and Ibn al-Qayyim, the two classical scholars to whom Saudi scholars ascribe their views. Al-Albānī does not hide his exasperation with the predominant opinion among the Saudi scholars on this matter. This becomes very obvious when he asserts that unlike what "some of his later followers" ascribe to Ibn Ḥanbal, the correct opinion of Ibn Ḥanbal is the same as his own, i.e. in favour of *tafṣīl*. Such a claim is very significant and it is what prompted Lav to suggest:

Had al-Albānī presented his view as solely his own conclusion based [sic] the ḥadīth-based methodology he champions, he may have aroused somewhat less opposition on this issue. As it was his claim that he represented the majority views of the ḥanbalīs and neo-Ḥanbalīs became an additional source of contention because it prompted other Salafīs to defend their own claim to represent this tradition.[23]

Although Lav's suggestion is correct to a certain extent, it is not an adequate explanation al-Ḥawālī's intransigent dispute with al-Albānī.

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[21] Ibid, 53.
[22] Ibid, 47.
[23] Lav, *Radical Islam and the Revival of Medieval Theology*, 113.

This is because in truth, both al-Ḥawālī and al-Albānī hold very similar views regarding the ruling on *tārik al-ṣalāh*. To be more precise, one can extract two scenarios from al-Ḥawālī's book, where *tārik al-ṣalāh* is deemed to be *kāfir*. The first is when one abandons *ṣalāh* altogether or what al-Ḥawālī refers to as *al-tark al-muṭlaq* or *al-tark al-kullī*. The opposite of this is *muṭlaq al-tark* (mere abandonment/negligence), which refers to the one who prays sometimes and does not at other times. The second scenario is the one who is ordered by the authorities to pray yet he choses to be executed over performing the prayer. Al-Ḥawālī here adopts the argument of Ibn Taymiyyah that such a person cannot be Muslim. Ibn Taymiyyah's argument is centred on human nature, contending that it is impossible for any person who believes in their heart in the obligation of the prayer to persist in the abandonment of prayer up to the point of being killed. In his view, believing in its obligation, along with knowing that they are to be killed if they do not pray, is enough motivation for anyone who is able to perform the prayer to do it.

> When a person abstains from praying up to the point of being killed, such a person [by necessity] does not believe in its obligation in their heart and is not committed to its performance. Such a person is *kāfir* by the consensus of all Muslims.[24]

In *Ḥukm Tārik al-Ṣalāh*, al-Albānī, comes to a conclusion very similar to al-Ḥawālī's, with regard to the second scenario. Also using Ibn Taymiyyah's argument, he concludes that

> whoever is summoned [by the Muslim authority] to pray and threatened that he would be killed if he does not abide and then he is killed [for not abiding], then he is definitely *kāfir* (*kāfir yaqīnan*) –his blood is permissible, he will not be prayed upon and not be buried in a Muslim graveyard.[25]

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[24] Ibn Taymiyyah, *Majmūʿ al-Fatāwā*, 22/32.
[25] Al-Albānī, *Ḥukm Tārik al-Ṣalāh*, 52–53; al-Albānī, *al-Silsilah al-Ṣaḥīḥah*, 1/177–178.

In examining al-Albānī's book, one cannot find any discussion on the first scenario – that is, a person who abandons prayer altogether. However, one can discover the view of al-Albānī in a later book that was published posthumously by al-Ḥalabī titled *al-Durar al-Mutalaʾliʾah bi Naqḍ al-Imām al-ʿAllāmah al-Albānī Firyah Muwāfaqatihi li al-Murjiʾah* (*Gleaming Pearls in the Destroying the False Claim that Imam al-Albānī Agrees With the Murjiʾah*). In one of the comments, al-Albānī appears to agree with the two points of al-Ḥawālī that:

1- Whoever abandons prayer altogether is from the category of the non-Muslims. The one who abandons it most of the time is closer to the non-Muslims [than the Muslims] and he resembles them more in his state [of belief]. And whoever prays occasionally and does not on other occasions then he is wavering [and] swaying between *kufr* and *īmān*, and the judgment [in this case] is based on [his state] at the end of his life.

2- Neglecting to safeguard the prayer (*tark al-muḥāfaẓah*) [26] is different to neglecting the prayer altogether, which [in the latter case] is *kufr*.[27]

Closer inspection of al-Ḥawālī's criticism of al-Albānī reveals that the dispute is not regarding the ruling on *tārik al-ṣalāh* from a purely *fiqhī* perspective, but about more serious issues relating to *ʿaqīdah*. Likewise, al-Albānī's exasperation with those who pronounce *takfīr* on *tārik al-ṣalāh* should not be understood as an objection to pronouncing *takfīr* on *tārik al-ṣalāh* altogether. Rather, his exasperation is directed toward the verdicts of some Saudi scholars in which they rule that neglecting even one single prayer without any valid excuse is *kufr*. Such verdicts are what al-Albānī considers extremism in *takfīr*.

One such scholar with whom al-Albānī was exasperated was Ibn Bāz. In one of his verdicts, Ibn Bāz was asked about the ruling on the one who

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[26] Safeguarding the prayer (as mentioned in the Qurʾanic verse (70/34) refers to the firm commitment to observe the five daily prayers and to maintain the due timings, conditions and ritual constituents.

[27] In his agreement, al-Albānī states: "we believe this is a good elaboration." See: al-Ḥalabī, *al-Durar al-Mutalaʾliʾah*, 127–128.

neglects a single prayer. He responded: "one prayer or ten, if he deliberately neglects it until its due time has passed, such as not praying *fajr* prayer to the point of sunrise, then he has committed *kufr*." [28] Although, one cannot determine the exact percentage of scholars who hold this view in Saudi Arabia, this ruling seems to be widespread across the country. It is also the view adopted by the scholars of the Permanent Committee for Research and Issuing Verdicts. [29]

Having said that, the question that arises here is since al-Albānī holds views that are similar views to those of al-Ḥawālī on the ruling on *tārik al-ṣalāh*, what then is the substance of al-Ḥawālī's criticism of al-Albānī's book?

Al-Ḥawālī's Critique of *Ḥukm Tārik al-Ṣalāh*

To answer this question, one needs to look at the historical context in which *Ẓāhirat al-Irjāʾ* was published, especially given the fact that the comments on al-Albānī were not part of the original thesis. As mentioned above, when al-Ḥawālī first published his book in 1996, the Salafīs were already engaged in internal debates regarding several issues related to politics, with every side trying to prove their stance. The most important writings by the loyalists, which emerged as a result of these debates, share two common factors. First, the authors were mainly scholars who are considered to be close to al-Albānī's circle in Jordan, such as al-Ḥalabī, who is responsible for the publication of at least three of these books. Second, in order to refute what they considered to be excessiveness in *takfīr*, these scholars engaged deeply in questions related to the concept of *īmān* and *kufr*, a field within Salafī religious studies that has traditionally been a specialty of Saudi scholars.

Criticism of al-Ḥalabī's Preface
Although it is not known whether al-Ḥawālī had access to al-Ḥalabī's books (as he was under arrest during the period of publication of most of

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[28] Ibn Bāz, *Fatāwā Ibn Bāz*, 29/179.
[29] *Fatāwā al-Lajnah al-Dāʾimah*, 6/39–40.

these books), it would not be farfetched to surmise that by adding these comments, al-Ḥawālī might be indirectly refuting these writers close to al-Albānī. This assumption seems plausible when we consider that al-Ḥalabī was also behind the publication of the criticized book.

This suggestion is further supported by two other facts. First, it can be observed from the apologetic tone of al-Ḥawālī that he is eager to find excuses for al-Albānī. For instance, he casts doubts that the book was written by al-Albānī himself by referring to it as "a booklet *attributed* to Shaykh al-Albānī."[30] In other instances, he simply assumes that al-Albānī did not intend to write a comprehensive piece of research on the question of *tārik al-ṣalāh*. Instead, the book is merely a result of a commentary on one *ḥadīth*, to which he was rushed into publishing by "some of his brothers."[31]

Second, despite the fact that al-Ḥawālī does not mention al-Ḥalabī by name; his frustration with the preface the latter wrote for *Ḥukm Tārik al-Ṣalāh* is very obvious. A third of the comments against the book are directed against the preface. The reason for this is what al-Ḥawālī believes to be a contradiction in the book, between the position of al-Albānī on the second scenario explained above (which is the same as Ibn Taymiyyah's view) on the one hand, and some statements found in the preface written by al-Ḥalabī on the other (that the one who continues to abandon prayer up to the point of being killed dies Muslim). One of these statements in the preface of *Ḥukm Tārik al-Ṣalāh* reads:

> As for the one who neglects the prayer without an excuse but out of laziness, whilst believing in its obligation, the correct stance is what the *jumhūr* have affirmed, that he is not *kāfir*. Also, in regard to the one who leaves a single prayer until its due time has passed, such as one who leaves *ẓuhr* (noon prayer) until the sun sets, or [leaves] *maghrib* (sunset prayer) until *fajr* (dawn prayer). [The correct stance is that] he should be given the chance to repent in the same way a *murtadd* (apostate) is given the chance to repent and is then [only] executed if he does not repent. Then his body

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[30] Al-Ḥawālī, *Ẓāhirat al-Irjāʾ fī al-Fikr al-Islāmī*, 2/518.
[31] Ibid, 2/759.

> will be washed (*ghusl*), be prayed upon him and buried in a Muslim graveyard, along with carrying out all other Islamic rites.[32]

The other statement in the preface is a quote from the renowned *Shāfiʿī* jurist al-Sakhāwī (1428- 1497), in which the classical scholar interprets the *ḥadīth* texts that imply the *kufr* of *tārik al-ṣalāh* to mean "the one who neglects it while denying its obligation."[33] Such statements do not only contradict what al-Albānī favours inside the main body of his book regarding the ruling on *tārik al-ṣalāh,* but they also restrict the cause of *kufr* to *juḥūd*. And that is the very position that al-Ḥawālī believes to be the view of Murjiʾah. Thus he wrote his entire book, the *Ẓāhirat al-Irjāʾ*, in order to repudiate that view.

Although these statements in the preface of *Ḥukm* are actually part of a long passage quoted by al-Ḥalabī from another volume of al-Albānī's *al-Silsilah al-Ṣaḥīḥah*, al-Ḥalabī criticises al-Ḥalabī for adding them, characterising them as al-Ḥalabī's own views on the question of *tārik al-ṣalāh*, not al-Albānī's. This was a reasonable assertion, given that al-Ḥalabī quotes only the first part of al-Albānī's argument against the opinion of *takfīr*, in which al-Albānī seems to favour the view of al-Sakhāwī in an absolute manner, and in doing so, fails to mention that al-Albānī has in fact reiterated the argument of Ibn Taymiyyah to refute al-Sakhāwī's view that the one who is executed dies Muslim.[34] In al-Ḥawālī's opinion, by adding these misleading statements, al-Ḥalabī has caused serious confusion amongst the Salafīs about the correct position of al-Albānī on the matter. From al-Ḥawālī's perspective, the contradiction between the preface and the content of the book is related to the two most essential points in the book: (i) The basis (*manāṭ al-ḥukm*) for pronouncing *kufr* on one who does not pray; (ii) The ruling on the one who persists in refusing to pray to the point that he is executed for it.

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[32] Al-Albānī, *Ḥukm Tārik al-Ṣalāt*, 18.
[33] Al-Albānī, *Ḥukm Tārik al-Ṣalāt*, 17.
[34] Al-Albānī, *al-Silsilah al-Ṣaḥīḥah*, 1/177–178.

Regarding the second point, it is indisputable that al-Albānī's ruling on this case is *kufr*. Al-Ḥawālī's annoyance is with the fact that the quotes chosen by al-Ḥalabī for the preface imply that such a person is not *kāfir* (since he will be offered all Islamic rites)—contradicting the real position of al-Albānī in the actual book. As for the first point, the basis for the ruling of *kufr* given by al-Albānī, according to al-Ḥawālī, is a person's *juḥūd*, which is adequately proved by the act of choosing death over prayer. Al-Ḥawālī here correctly points out that the quotes chosen for the preface of *Ḥukm* misleadingly suggest that Al-Albānī believed that choosing death over prayer is insufficient to prove the state of *juḥūd*.

The criticism articulated by al-Ḥawālī regarding al-Ḥalabī's preface, and his plea to al-Albānī to supervise the publication of his own books himself instead of relying on al-Ḥalabī, reveal two important issues. First, that despite his criticism, al-Ḥawālī still held al-Albānī in great esteem. Second, al-Ḥawālī viewed al-Ḥalabī as an unreliable writer who had not yet grasped the concepts of *īmān* and *kufr* becomes apparent. However, despite the respect shown by al-Ḥawālī for al-Albānī, he does criticise his book for allegedly containing traces of *irjāʾ*.

Traces of *Irjāʾ* in al-Albānī's Book

In the last chapter of *Ẓāhirat al-Irjāʾ*, al-Ḥawālī strongly asserts that the book of al-Albānī is based entirely on the views of Murjiʾah. Elsewhere in the book however, it seems that he is reluctant to label al-Albānī as an out and out *murjiʾī*. This appears to be a struggle in al-Ḥawālī's conceptualisation and thought in regards to how he should approach a contemporary Salafī scholar for whom he has a great respect especially when there is a dispute on a point of doctrine about which he has very strong views.

Ultimately, the main reasons for this charge of *irjāʾ* can be narrowed down to three factors. The first is the failure of al-Albānī to clarify his view on the one who abandons prayer altogether. The second is related to the reasoning given by al-Albānī for the cause of *kufr* in the scenario of the one who choses death over performing the prayer. The third factor

relates to the implications of the literal interpretation of *ḥadīth al-shafāʿah* suggesting that intercession is afforded to those who have not performed any single outwardly duty at all.

Al-tārik al-kullī (total abandonment of prayer)

With regard to the first factor, because al-Albānī does not explicitly declare his position regarding the ruling on the one who abandons prayer altogether in the criticised book (in the way he is explicit in declaring *kufr* on the one who chooses death over prayer), this appears to have led al-Ḥawālī to assume that al-Albānī holds that "the one who does not pray altogether can be afforded the intercession and therefore salvation from hellfire." [35] It is perhaps inevitable that one would come to such conclusion if one relies only on *Ḥukm Tārik al-Ṣalāh* without looking at al-Albānī's posthumously published book, to which al-Ḥawālī had no access at the time of writing his refutation. If one relies merely on what is found in *Ḥukm Tārik al-Ṣalāh*, one would arrive at the same conclusion as al-Ḥawālī, that al-Albānī does not consider *al-tārik al-kullī* to be sufficient to take a person out of the fold of Islam. The reason for this is associated with al-Albānī's interpretation of *ḥadīth al-shafāʿah,* where he asserts that apart from the first group, all other salvaged groups exclusively consist of people who do not perform the prayer.

> When Muslims were allowed by God to plead on behalf of their brethren who used to perform prayers and fast [with them] and others in the first intercession, they took them out of hellfire based on the [prayer] sign [on their foreheads]. Thus, when they were allowed to plead in the subsequent intersessions, and took many people out of hellfire, by necessity, there were no *muṣallūn* (performers of prayer) amongst these people. Rather they were people with [other] good deeds. [36]

In the above quote, al-Albānī does not specifically provide detailed explanation of the term "*muṣallūn*" and does not differentiate between

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[35] Al-Ḥawālī, *Ẓāhirat al-Irjāʾ fī al-Fikr al-Islāmī*, 452.
[36] Al-Albānī, *Ḥukm Tārik al-Ṣalāh*, 34.

the one who abandons prayer altogether and the one who does so occasionally. His vague account causes somehow confusion to say the least, given that we know for certain that he holds that the one who abandons the prayer altogether is *kāfir,* as shown in his comments on al-Ḥawālī's book. Nevertheless, such an interpretation of the *ḥadīth* can only suggest that al-Albānī considers the one who abandons the prayer altogether to be within the realm of Islam. Likewise, al-Ḥawālī assumes that al-Albānī's interpretation of the *ḥadīth* can only imply that "*al-tārik al-kullī* (the one who totally abandons prayer) is afforded the intercession" and therefore remains a Muslim. Such a view, in the opinion of al-Ḥawālī, represents "the very sayings of the Murjiʾah."[37]

Moreover, al-Ḥawālī believes that by relying on the books of *fiqh* as opposed to the books of *ʿaqīdah* when studying the question of *tārik al-ṣalāh*, al-Albānī has fallen into the trap of confusing the meaning of some terms that are used in both types of genres to represent divergent meanings. This different usage of terms in the two disciplines is a result of the distinct manner in which they approach religious matters. Al-Ḥawālī explains that because the books of *ʿaqīdah* deal with matters from a mere theoretical perspective, they usually tend to give general rulings without paying much attention to how these rulings are applied. On the other hand, the main concern of *fiqh* is the application of these religious rulings to individual cases. Therefore, a question like the ruling on *tārik al-ṣalāh* is dealt with differently.[38]

One of the terms differed upon is the term *juḥūd*, which he argues, is used in the books of *ʿaqīdah* written by the *salaf*, to denote a different meaning to that found in in the books of *fiqh*. The *salaf* used this term to refer to one's inner *refusal* to perform an obligation (*ʿadam al-inqiyād wa al-istislām li amr Allah*).[39] This is contrary to the use of later *fuqahāʾ* who restrict its meaning to *denying* the obligatoriness (or the prohibitiveness) of a religious duty that Allāh has decreed by way of

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[37] Al-Ḥawālī, *Ẓāhirat al-Irjāʾ fī al-Fikr al-Islāmī*, 2/660.
[38] Al-Ḥawālī, *Ẓāhirat al-Irjāʾ fī al-Fikr al-Islāmī*, 2/659–660.
[39] Ibid, 2/705.

obligation (or prohibition). To demonstrate his point, al-Ḥawālī quotes the following reply by a notable figure from the *salaf*, Sufyān b. ʿUyaynah, when asked about the creed of the Murjiʾah:

> The Murjiʾah hold that a person who testifies that there is no god but Allah, while having no commitment in his heart to observe the obligations (*farāʾiḍ*), is guaranteed Paradise. And they place the absence of commitment equal to the performance of other sins (*rukūb al-maḥārim*). [However,] they are not the same [according to us]. This is because committing sins without *istiḥlāl* is a sinful act whereas neglecting obligations purposely, without ignorance or valid excuse, is *kufr*.[40]

Thus, in reference to prayer, when the *salaf* declare a person guilty of *juḥūd* to be *kāfir*, they refer to two shortcomings; (i) the absence of inner commitment to perform the prayer, even if this person admits that it is an obligation and that he is sinning by not fulfilling it, (ii) the denial that Allāh has decreed it upon Muslims. As for the later *fuqahāʾ*, the *juḥūd* of prayer is restricted only to latter.

For al-Ḥawālī, this dissimilarity in the usage of this term is the reason that led some later scholars (like al-Albānī) to "wrongly" think that some of the *salaf* have considered *al-tārik al-kullī* to be Muslim and therefore consider this issue to be a matter of acceptable disagreement between the *salaf*.[41] Al-Ḥawālī questions this assumption arguing for a clearer separation in conceptualising the ruling on *tārik al-ṣalāh*, between the theoretical subject matter of *ʿaqīdah* and the practical concerns of *fuqahāʾ*. For him, later works of *fiqh* were mistaken in popularising the idea that there are two opinions amongst the *salaf* in regard to the ruling on *tārik al-ṣalāh*. According to him, there is no such disagreement amongst the *salaf* as they unanimously declare *tārik al-ṣalāh* to be *kāfir*. As far as there is any disagreement, it is solely confined to the practical implementation of the ruling of *kufr* (i.e. the criteria for a judge to decide that a particular person has abandon prayer). In other words, this

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[40] Ibid, 2/704.
[41] Ibid, 2/704–705.

dispute should not be regarded as an absolute disagreement (*al-khilāf fī dhālik laysa ʿalā iṭlāqihi*).[42]

To clarify his point, al-Ḥawālī cites two different rulings on *tārik al-ṣalāh*. The first type is based on outwardly manifestation (*al-ḥukm ʿalā al-ẓāhir*), which pertains to the status of *tārik al-ṣalāh* in this world. This is the main concern of *fuqahāʾ*. The other ruling is that of the scholars of *ʿaqīdah,* who are mainly concerned with the ruling on the inner state of the person (*al-ḥukm ʿalā al-bāṭin.*) The disagreement amongst the *salaf* is only on the former and not on the latter. In other words, from a theoretical perspective, there is no disagreement amongst the *salaf* on the *kufr* of the one who persists in his heart to neglect the prayer (*tārik al-iltizām.*) The disagreement amongst them is on how one can determine that an individual has no *iltizām,* since such determination rests on the subjective criteria of individual scholars. As such, al-Ḥawālī believes that considering one who does not pray altogether as Muslim is not a *Salafī* creed but is a Murjiʾah one that subsequently permeated the views of later *fuqahāʾ*. For this reason, we find him advising al-Albānī not only to "rethink his position on the question and write on it extensively" but also to pay attention to the fact that "ruling on someone to be a Muslim on *al-ẓāhir* (externally) does not necessary mean he is a Muslim in *al-bāṭin* (internally)."[43]

Al-Ḥawālī clearly sees a similarity between the way the Murjiʾah interpret *ḥadīth al-shafāʿāh* and the manner al-Albānī builds his arguments on the question of *tārik al-ṣalāh*. This is to say, instead of simply understanding the "several texts" that explicitly declare the abandonment of prayer to be *kufr* in their literal meaning then interpret *ḥadīth al-shafāʿāh* accordingly, al-Albānī chooses to do the exact opposite: going beyond the literal interpretation (*taʾwīl*) based on *ḥadīth al-shafāʿah*, the latter being open to a wide range of interpretations. Amongst the texts cited by al-Ḥawālī is the account of the *tābiʿī* ʿAbd-

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[42] Ibid, 2/659.
[43] Ibid, 2/760

Allāh b. Shaqīq, who states, "the Companions of Muhammad did not consider the abandonment of any action to be *kufr* except for the prayer." For al-Ḥawālī, this account constitutes an irrefutable evidence of the consensus of the *salaf* on this issue of *tārik al-ṣalāh*, which should therefore not be opposed, especially since al-Albānī himself deems this text to be authentic.[44]

Al-Ḥawālī's anxieties with the method used by al-Albānī are so deep, that he compares it to the interpretation used by *al-muʿaṭṭilah wa al-mufawwiḍah* in understanding the question of *al-ṣifāt*.[45] In al-Ḥawālī's assessment, one can detect a fear of an inevitable danger that can result from two things. First, the great position al-Albānī enjoys within the Salafī ranks gives great potency to his ideas (or anything he says for that matter), which have an almost *ḥujjiya*-like (authoritative) status. Second, the fact that using this kind of *taʾwīl* presents an opportunity for other sects to attack the Salafīs' own argument against the use of *taʾwīl* in understanding the texts of *al-ṣifāt* (God's attributes). For this reason, he warns al-Albānī stating that "giving permission to alter the texts which inform [us about the] consensus of the *ṣaḥābah* (concerning the ruling on *tārik al-ṣalāh*), which was authenticated by al-shaykh al-Albānī in more than a book, and giving permission to oppose it, opens the door for abrogating all foundations of *ʿaqīdah* that is based on their consensus."[46]

The restriction of Kufr to the heart

The second factor for al-Ḥawālī's charges against al-Albānī relates to what the former perceives as an agreement between al-Albānī's position in regard to the one who prefers death to prayer and the position of the Murjiʾah who restrict causes of *kufr* to inner belief. Despite holding the same ruling as al-Ḥawālī that the perpetrator in this case dies as a *kāfir*, it is very clear that the latter is not content with the cause of *kufr* given by al-Albānī. Looking at the reasoning given by both authors in this case, one finds two distinct grounds upon which they build their

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[44] Ibid.

[45] al-Ḥawālī, *Ẓāhirat al-ʾirjāʾ fī al-Fikr al-Islāmī*, 2/760.

[46] Ibid.

arguments against the position of the *jumhūr* (the majority of scholars). The *jumhūr* as stated beforehand in the statement of al-Sakhāwī quoted by al-Ḥalabī, consider the person who choses death over prayer to have been died as a sinful Muslim. According to this view, the execution is just one of the punishments (*ḥudūd*) that are carried out to discipline certain sinful behaviours. For this reason, one finds al-Sakhāwī stating that Muslims should carry out all Islamic rites on the body after the execution. Both al-Ḥawālī and al-Albānī oppose this view and instead pronounce it impossible for such person to be a Muslim by quoting the argument set by Ibn Taymiyyah against the *jumhūr*.[47] However, they end up giving distinct reasons for why such person is a *kāfir*.

For al-Albānī, the cause of *kufr* in this case is the *juḥūd* of the prayer. This *juḥūd* is indicated by this person's persistence in abandoning prayer until death.[48] The reason for this lies in his view that no outwardly act can be a cause for *kufr* by itself unless it is accompanied with an indication that the motive behind it is inner belief (*al-kufr al-iʿtiqādī*.)[49] In the same line of reasoning we also find him arguing in several sections in his book that whoever states that performing the prayer is a condition for the correctness of one's *īmān* or declares someone to be *kāfir* merely because of abandoning it has taken a similar position to that of the Khawārij.[50] Based on that he states:

> Pronouncing *takfīr* on the Muslim (*al-muwaḥḥid*) based [merely] on an action (he does), is not permissible until it becomes clear that he is in denial (*jāḥid*), even of a part of what Allāh has decreed. Such as the one who is threatened to be executed if he does not pray, as explained before.[51]

On the other hand, we find that al-Ḥawālī takes a harder position as he interprets the action of preferring death to prayer differently. For him such persistence shows the absence of *iltizām* in the heart and not *juḥūd*.

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[47] Al-Albānī, *Ḥukm Tārik al-Ṣalāt*, 44–45; Al-Ḥawālī, *Ẓāhirat al-Irjāʾ fī al-Fikr al-Islāmī*, 2/707–710.

[48] Al-Albānī, *Ḥukm Tārik al-Ṣalāt*, 47-48

[49] Ibid., 61.

[50] Al-Albānī, *Ḥukm Tārik al-Ṣalāt*, 43.

[51] Al-Albānī, *Ḥukm Tārik al-Ṣalāh*, 61.

This means such person might well still have the belief that the prayer is an obligation but for other reasons he has no commitment to perform it. His position is summarised in the following statement.

> That [the persistence in the heart to abandon the obligation] is the real cause for *kufr* not the denial of it [being an obligation] *juḥūd wujūbih*. Such persistence is known for certain when he was put under the sword and refused to perform it.[52]

His view is part of a long argument in his last chapter that deals with the question of whether the abandoning of one of the major religious obligations is cause for *kufr*. According to al-Ḥawālī, the Murjiʾah "wrongly" stipulate the presence of either *istiḥlāl* or *juḥūd* in the heart in order to consider speeches or outwardly acts to be *kufr*. By doing so, they restrict *kufr* to inner belief, to the exclusion of outwardly acts, a position that he describes as "great deviancy" (*ḍalāl ʿaẓīm*). Al-Ḥawālī argues that *istiḥlāl* and *juḥūd* are just two types of *kufr* amongst several other types, such as *takdhīb* (disbelief) *ʿinād* (resolute refusal) *istikbār* (arrogance) *shakk* (scepticism) along with others. As such, he views that it would be incorrect to make one type a condition for another. He further insists that calling for *istiḥlāl* or *juḥūd* to be present all times in order to make *takfīr* implies that no one can become *kāfir* as long as he says that he does not deny the permissibility or impermissibility of the duty.

As mentioned earlier, all of these arguments were put forward by al-Ḥawālī as part of his original thesis, and therefore are not directed primarily against al-Albānī. The main reason for directing his criticism against al-Albānī becomes apparent at the end of the chapter, where al-Ḥawālī writes over ten pages to discuss the meaning of *ḥadīth al-shafāʿah* with the aim to refute what he calls the "specious textual arguments"[53] of the Murjiʾah. According to al-Ḥawālī, this *ḥadīth* is one of several texts used by the Murjiʾah to restrict *kufr* to *al-kufr al-iʿtiqādī* to the exclusion of outwardly acts. He believes that because the Murjiʾah

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[52] Al-Ḥawālī, *Ẓāhirat al-Irjāʾ fī al-Fikr al-Islāmī*, 2/704.
[53] Ibid, 2/731–767.

built their entire creed on the principle that outwardly acts are not part of *īmān* and therefore could never be a cause for *kufr*, they had to find answers to the textual evidences put against them by "*ahl al-sunnah*," in which there is a clear-cut declaration of *kufr* based on actions alone. The Murjiʾah focused on the type of *ḥadīth al-shafāʿah* in order to occlude the apparent meanings of the other texts and argue that they meant in those cases the necessity of *istiḥlāl* and *juḥūd* is implied. Thus, it is no wonder that al-Ḥawālī would see the grounds for *kufr* given by al-Albānī as a clear case of limitation of *kufr* to inner belief alone.[54]

Further, what irritates al-Ḥawālī most is that the Murjiʾah hold that the *istiḥlāl* and *juḥūd* represent a condition in the heart that cannot be known to us unless the person explicitly declares it. According to him, the *salaf* believed that *istiḥlāl* and *juḥūd* as well as being a condition in the heart, could also be manifested by an outwardly act or a speech.[55] Therefore, had al-Albānī related the cause of *kufr* to *juḥūd* without further arguing that outwardly acts cannot be a cause for *kufr* on their own unless they indicate *kufr* in the heart, al-Ḥawālī may not have seen much similarity between his position and the Murjiʾah.

As an example for how *istiḥlāl* and *juḥūd* can be manifested by outwardly acts, al-Ḥawālī cites a famous *ḥadīth* narrated by a companion of the Prophet named al-Barāʾ Ibn ʿĀzib. The companion reports that his uncle was sent by the Prophet to kill a man for marrying his step-mother after the death of his father. Marrying one's mother in law was a pre-Islamic tradition that Arab men used to perform as a practice to show respect of the deceased father. In Islam this tradition was declared forbidden according to the Quran verse "And marry not women whom your fathers married - except what is past: it was shameful and odious - an abominable custom indeed."[56] Al-Ḥawālī also cites the interpretation of Ibn Kathīr of the verse, in which the latter states that whoever performs this act is *kāfir*. He then asserts that this story represents a

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[54] Ibid, 2/762.
[55] Ibid, 2/713–714.
[56] *Quran*, 4:22

proof that the conditions of *istiḥlāl* and *juḥūd* do not necessarily need an explicit confession by the perpetrator to be established, rather that they can also be manifested by an outwardly act. This is to say that in this story, since the Prophet did not need to ask the perpetrator whether he believed that his act of marriage was permissible or not, it means that the Prophet deemed the act itself to be a manifestation of *istiḥlāl*. The *istiḥlāl* here does not constitute a denial of a religious duty but it is the absence of *iltizām* in the heart. In other words, had the culprit committed adultery with his father's widow, such act alone would not have been enough evidence that he is not committed to the injunction in the abovementioned verse. In this case, further proof is needed such as an explicit declaration by the culprit that he does not accept this injunction or that he does not believe that his act is impermissible. For the act of adultery can occur as a result of mere lust as well as a denial of its impermissibility. However, the fact that a wedding took place means that such act can not be a result of mere lust but that it can only be interpreted as a rejection of commitment to impermissibility.

The literal interpretation of the ḥadīth

The other reason behind al-Ḥawālī's belief that the book of al-Albānī contains traces of *irjāʾ* is the latter's position in regards the category of outwardly acts. From al-Ḥawālī's point of view, al-Albānī has followed the footsteps of the Murjiʾah in considering the category of outwardly acts to be a condition for the perfection of *īmān* and not for its validity.[57] This conjecture is based on al-Albānī's statement that "all good deeds are a condition for perfection [of *īmān*] in the view of *ahl al-sunnah* contrary to the [view of] Khawārij and Muʿtazilah." [58] Although this statement can be interpreted to mean that no individual (as opposed to the category of) outwardly act is a condition for the validity of *īmān* by itself,[59] an opinion that is recognised by all Salafīs, al-Ḥawālī does not

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[57] Al-Ḥawālī, *Ẓāhirat al-Irjāʾ fī al-Fikr al-Islāmī*, 2/518.
[58] Al-Albānī, *Ḥukm Tārik al-Ṣalāt*, 42.
[59] The Salafīs distinguish between the *category* of acts and *individual* acts (*āḥād al-aʿmāl*). The accusations of *irjāʾ* raised by al-Ḥawālī and other critics of al-Albānī

read it as such. He assumes that al-Albānī is arguing that the category of outwardly acts is not a condition for the validity of *īmān*. [60] This assumption is intelligible given the manner in which al-Albānī interprets the following part of the *ḥadīth al-shafāʿah*:

> He (God) let them (the last group to receive salvation from hellfire) enter paradise without having performed any action or good deed.

Worried that one may understand from this passage that this group would include people who did not testify to the Islamic declaration of faith (*shahādah*)—given that the declaration of faith is literally counted as a good deed—al-Albānī resorts to a quote by al-ʿAsqalānī. The quote clarifies that this group consists of people who have not performed any good deed in their lives beyond the affirmation of *shahādah* (*al-murād bi al-khayr al-manfī mā zāda ʿalā aṣl al-iqrār bi al-shahādatayn*). Al-Albānī does not dwell on any details regarding the interrelationship between acts and *īmān* as the main focus of his arguments in the booklet is the longstanding jurisprudential disagreement on *tārik al-ṣalāt*. However, his interpretation implies that the affirmation of *shahādah* is sufficient to assure one's status as Muslim even when he/she has never performed a single religious good deed in their life.

For al-Ḥawālī, al-Albānī's interpretation of the *ḥadīth* is too literal and it ignores other texts addressing the same matter as well as what has been established amongst the *salaf*: that there is no *īmān* without the category of outwardly acts. It appears from al-Ḥawālī's statements that the main feature which makes al-Albānī's literal understanding of *ḥadīth al-shafāʿah* distinct from "conventional" Salafism is the fact that the *Salafī* methodology of extracting rulings does not rely only on examining and studying one text from the Quran or *ḥadīth*. Rather, it takes into consideration all the texts related to the matter as well as bearing in mind how these texts are understood and interpreted by the *salaf*. Failing

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relate to the former arguing that there is no valid *īmān* without it. On the other hand, all Salafīs accept that holding no individual outwardly act to be a condition for the validity of *īmān* by itself is one of several Salafī views and hence no blameworthy.
[60] Al-Ḥawālī, *Ẓāhirat al-Irjāʾ fī al-Fikr al-Islāmī*, 2/518.

to do so, and relying only on one text, as al-Albānī did with the *ḥadīth shafāʿah*, can lead the researcher to establish an opinion based on that single text and then be inevitably forced to defend his position by far-fetched interpretations (*taʾwīl*) of all other texts on the subject that do not fit with his opinion. Such an approach is not consistent with the Salafī methodology, in the view of al-Ḥawālī.[61]

Additionally, al-Ḥawālī is convinced that by interpreting *ḥadīth shafāʿah* to literally mean that the group salvaged from hellfire include people "who have done no good deed at all," would imply that *tārik jins al-ʿamal* (the one who abandons outwardly acts altogether) could receive salvation as well. Such an understanding means that the category of acts is in fact not a constituent part of *īmān*, since intercession is only afforded to Muslims. For him, such literal understanding contradicts the aforementioned Salafī principle laid by Ibn Taymiyyah, which argues against the possibility of having valid *īmān* in one's heart without acting upon it.

To refute the literal understanding of al-Albānī, al-Ḥawālī resorts to a linguistic explanation he borrows from the classical scholar Ibn Khuzaymah (838-923). He argues that the negation of something in the rules of the Arabic language does not always mean *absolute* negation. Arabs sometimes negate something to show its weakness and lack of completeness. Hence, the expression "those who have done no good deed at all" denotes to lack of *completeness* or *perfection* of the deeds and not the complete absence of deeds, when one takes into account the other texts addressing the matter.[62] As an example of such usage in Arabic, al-Ḥawālī refers to another *ḥadīth* in which the Prophet ordered a Companion who had just offered his prayer to "Go back and pray [again], for you have not prayed" because the Companion did not offer his prayer as it should be. The expression "*fa innaka lam tuṣalli*" though literarily negates the occurrence of the prayer altogether, the Prophet's

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[61] Al-Ḥawālī, *Ẓāhirat al-Irjāʾ fī al-Fikr al-Islāmī*, 2/760.
[62] Ibid, 2/752.

intention, obviously, is to negate its correctness and not to say that the prayer was not observed at all. In view of that, al-Ḥawālī understands *ḥadīth al-shafāʿah* as to mean that Muslims whose performance of their religious duties was not up to standard will be subject to salvation from hellfire.

Furthermore, there are also several expressions found in al-Albānī's book, which al-Ḥawālī believes are a result of the influence of *ʾilm al-kalām al-madhmūm* (reprehensible dialectical theology) on some works of *fiqh*. One of these reprehensible expressions is found in an argument laid down by the renowned *ḥanafī* scholar al-Ṭaḥāwī in support of the view against *kufr* of *tārik al-ṣalāh*. The bottom line of al-Ṭaḥāwī's argument is that a Muslim only becomes an apostate when he rejects those tenets that bring one into Islam in the first place (*wa lā yakhruju al-ʿabd min al-īmān illā bi juḥūd mā adkhalahu fīh.*) In his book, al-Albānī quotes this argument and praises it, affirming that it is not only "a good understanding and a solid argument that cannot be refuted." It also agrees with the position of Ibn Ḥanbal "that [*tārik al-ṣalāh*] does not become an apostate merely on the grounds of abandoning the prayer but for refraining from praying after being ordered [by the authority] to do it."[63]

Al-Ḥawālī does not hide his shock about the failure of al-Albānī to identify the "great errors" in al-Ṭaḥāwī's expression, which he deems it to be the result of no more than the latter's *ḥanafī* background – given that *Ḥanafīs* do not consider outwardly acts as an integral part in the essence of *īmān*. For him, such expression implies that there is absolutely "no belief or action"[64] that can cause *kufr* as long as one does not deny the testimony of faith. Al-Ḥawālī contends that this kind of statements is amongst several reasons that helped in spreading the phenomenon of *irjāʾ* into the writings of some later *fuqahāʾ*. Hence, someone like al-Albānī praising such a statement only reinforces his

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[63] Al-Albānī, Ḥukm Tārik al-Ṣalāt, 48
[64] Al-Ḥawālī, Ẓāhirat al-Irjāʾ fī al-Fikr al-Islāmī, 2/726

original argument that *irjāʾ* as a thought is not restricted to the Murjiʾah but it is also present in the writings of "those who followed them without knowing."[65]

In sum, the alleged traces of *irjāʾ* in al-Albānī's book levelled by al-Ḥawālī are very similar in nature to the accusations we have seen in the previous chapter, directed against al-Ḥalabī and other Loyalist scholars. Perhaps the key differences here are; firstly, that the target of these charges was in this case a Senior Scholar and secondly, the status of al-Ḥawālī amongst the Salafī enthusiasts at the time. Unlike a number of Jihādī ideologues such as al-Maqdisī and al-Ṭarṭūsī who have accused al-Albānī with *irjāʾ* before al-Ḥawālī published his book, the latter was an established scholar at the time and a well-known specialist in *ʿaqīdah*.[66] Hence, it is not surprising to find that his reservations on al-Albānī's book circulating amongst a great number of Jihādīs and Activists and even find some of al-Albānī's own students such as Abū Ruḥayyim becoming convicted that al-Albānī does not consider outwardly acts to be a constituent element (*rukn*) of *īmān*.[67]

Abū Ruḥayyim on al-Albānī's *irjāʾ*

Ḥaqīqat al-Īmān ʿind al-Shaykh al-Albānī (the Reality of *Īmān* According to the View of Shaykh al-Albānī) of Abū Ruḥayyim was published two years after the death of al-Albānī. It is a very short pamphlet but it does nevertheless represent a sample of how the position of al-Albānī on *īmān* and *takfīr* is seen by many Activists and Jihādīs at the end of the 1990s. The book is more or less similar to al-Ḥawālī's book in terms of relying on the same arguments of Ibn Taymiyyah. It also highlights the same points of the alleged errors in al-Albānī's perception of *īmān*. Yet, it differs from *Ẓāhirat al-Irjāʾ* in two important

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[65] Ibid, 2/720

[66] A number of Saudi Senior Scholars praised Al-Ḥawālī knowledge of *ʿaqīdah*. Al-ʿUthaymīn for instance praised al-Ḥawālī's book *Manhaj al-Ashāʿirah fī al-ʿAqīdah* in which he refutes the creed of the *Ashʿarīs*.

[67] Scholars such as Daniel Lav and Joas Wagemakers seem also to arrive at the same conclusion that al-Albānī restricts *īmān* to one's heart at the exclusion of actions.

ways, related to the purpose of their authors. First, as mentioned above, al-Ḥawālī's aim in his book was to examine the spread of the Murjiʾahs' views within contemporary religious circles, especially amongst non-Salafī scholars. The comments about al-Albānī were supplementary and secondary to the purpose of al-Ḥawālī's book. The case with Abū Ruḥayyim, as the title of his book reveals, is different. His aim is clearly to examine al-Albānī's conception of *īmān*. Secondly and more importantly, al-Ḥawālī does not seem to be interested in examining whether or not al-Albānī holds the views of Murjiʾah. Rather, the reservations of al-Ḥawālī relate solely to al-Albānī's book *Ḥukm Tārik al-Ṣalāh*. For this reason, he tries in a number of occasions to find excuses for al-Albānī's "errors" and ask him to have another look at his book and rewrite it.[68] Again, Abū Ruḥayyim is different, as he tries to prove that the traces of al-Albānī's *irjāʾ* are not simply some errors in one book, but rather that they are in fact a prevailing tendency in his views on the questions of *īmān* and *takfīr*.

Essentially, Abū Ruḥayyim examines a number of al-Albānī's statements then asserts that his teacher has contradictory statements regarding the interrelationship between outwardly acts and *īmān*; On the one hand, al-Albānī defines *īmān* in terms of what he sees as the correct Salafī definition, which includes belief in the heart, affirmation of the tongue and acts of the limbs. But al-Albānī also makes other statements in which he considers the *shahādah* to be sufficient to assure one's status as a Muslim, and restricts the practice of *takfīr* to matters of belief to the exclusion of actions. For Abū Ruḥayyim, these contradictory statements is an indication that al-Albānī does not consider the category of outwardly acts to be a fundamental part of *īmān* but only a separate condition for its perfection.[69] This is an accusation similar to that levelled against the Loyalists as we have seen in the previous chapter. Abū Ruḥayyim continues his argument by asserting that the statements in which al-Albānī defines *īmān* as including outwardly acts are not enough

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[68] Al-Ḥawālī, Ẓāhirat al-Irjāʾ fī al-Fikr al-Islāmī, 2/759
[69] Abū Ruḥayyim, Ḥaqīqat al-Īmān ʿind al-Shaykh al-Albānī, 38-39

evidence to wipe out the accusations of *irjāʾ* levelled against him. This is because they are not as explicit as the other statements in which al-Albānī asserts that outwardly actions are only a condition for the perfection of *īmān* not its validity, and that the declaration of faith is sufficient to assure one's salvation from hellfire. Amazingly, Abū Ruḥayyim has no hesitation to conclude that the position of his shaykh on *īmān* and *takfīr* corresponds with the position of the late Ashʿarī scholar al-Bayjūrī and not the position of the *salaf*.[70]

These observations by Abū Ruḥayyim, while generally true, as we have seen in al-Albānī's interpretation of *ḥadīth al-shafāʿah*, are very much open to dispute when one examines other statements of al-Albānī, which Abū Ruḥayyim did not include in his book. A number of other statements by al-Albānī are in fact very similar to those of Ibn Taymiyyah, discussed in the previous chapter,[71] especially those on the impossibility of the presence of valid *īmān* in one's heart without outwardly acts. These are the very statements of Ibn Taymiyyah which the Jihādīs and the Activists use in their argument that the actions are a sufficient condition for testing the validity of *īmān*. Let us take the following statement by al-Albānī, for example

> *Īmān* without actions is futile for every time Allāh almighty mentions *īmān*, it is [mentioned] alongside good deeds (*al-ʿamal al-Ṣāliḥ*). This is because it is not possible to imagine *īmān* without good deeds except in the case of a person who says the testimony of faith then dies immediately. This case is conceivable, but this is not the case with a person that utters the testimony of faith who has a prolonged life and does not perform any good deeds. The Lack of performing good deeds in this case is evidence that such person states it merely by his tongue and that *īmān* did not enter into his heart.[72]

This statement clearly refutes the assumption that al-Albānī's views the *shahādah* to be sufficient to assure one's status as a Muslim. Perhaps it

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[70] Ibid, 62-63
[71] See pages 158-159
[72] For this statement and a number of similar statements see: Bāḥumrān, *mā hākathā al-Ḥaqīqah yā Abā Ruḥayyim*, 153-174

does support the assertion of Abū Ruḥayyim regarding the contradiction found in al-Albānī's statements, but it certainly challenges the assumption that al-Albānī holds the position of the Ashʿarīs in regards outwardly acts. The Ashʿarīs not only hold that it is possible for a person to have valid *īmān* in the heart without having performed any act at all, but they also affirm that even the verbal declaration of faith is not a necessary condition to assure one's salvation from hellfire. The verbal testimony of faith is the only thing necessary for the judgment of an individual's status in this world (*aḥkām al-dunyā*).[73] This is not what al-Albānī believed, at least, not consistently. In fact, in a number of statements, al-Albānī seems to agree with the Jihādīs and the Activists that actions can also be a cause for major *kufr* regardless the belief of the perpetrator.

> There are also actions that can cause *kufr iʿtiqādī* (i.e. *major kufr*) for they possess explicit indication of the *kufr* of the perpetrator *liʾannahā tadullu ʿalā kufrihi dilālatan qaṭʿiyyatan yaqīniyyah*. This is because his action substitutes the utterances of the tongue such as he who knowingly and intentionally steps on the Quran.[74]

Again, this statement seem to be in contradiction with other statements cited by al-Albānī's critics to argue that he restricts *takfīr* to matters of belief to the exclusion of acts. In truth, this kind of statements by al-Albānī does actually raise more questions than answers concerning his exact position on *īmān* and *takfīr*.

Further, these contradictory statements prove that al-Albānī's views on *īmān* and *takfīr* are more complex than assumed by his critics and some of the recent literature.

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73 Al-Bayjūrī, *Ḥāshiyat al-Imām al-Bayjūrī ʿalā Jawharat al-Tawḥīd*, 94-95
74 Al-Ḥalabī, *al-Taḥthīr min Fitnat al-Takfīr*, 70

Al-Albānī's View: an Assessment

Essentially, al-Albānī's views are neither purely conventional Salafī nor pure Ashʿarī but a combination of the two. This is to say that al-Albānī, contrary to the conventional Salafī position, considers outwardly acts to be a condition for the perfection of *īmān*, but at the same time, he adopts Ibn Taymiyyah's theory on the impossibility of having valid *īmān* without actions. Such a combined position is what Ibn Taymiyyah ascribes to a number of *Ḥanafī* theologians. According to Ibn Taymiyyah, the *Ḥanafī* theologians unanimously agree on the exclusion of outwardly actions from *īmān* but hold two different positions in regards the interrelationship between acts and *īmān*. The first group consider outwardly acts to be a required dimension for *īmān*, so for them the absence of acts necessitates the absence *īmān* in one's heart. The difference between Salafism and those theologians according to Ibn Taymiyyah is largely a semantic one (*lafẓī*) and the *salaf* considered their views to be an innovation involving certain terminology and behaviours, but not a heresy related to essential doctrines. This is because a large part of the dispute with them over acts is merely semantic, revolving around the proper term by which to refer to a given entity.[75] This is not the case with the second group, who hold that the absence of acts does not necessitate the absence of the *īmān* in one's heart. Al-Albānī is very similar to the first group as his abovementioned statement suggests.

Yes, one might argue that al-Albānī's literal interpretation of *ḥadīth al-shafāʿah* shows that he does not hold that the absence of outwardly actions necessitates the absence *īmān* of the heart. However, that does not determine his position because the purpose of al-Albānī in that book is purely jurisprudential and not creedal. It appears that al-Albānī's focus on the jurisprudential aspect of the *ḥadīth* in this book led him to contradict not only his view on the interrelationship between *īmān* and acts but also his own view on the one who abandons prayer altogether.

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[75] Ibn Taymiyyah, *Majmūʿ Al-Fatāwā*, 7/246.

As we have seen, al-Albānī holds that abandoning prayer altogether is *kufr*. Such position necessitates that abandoning acts altogether is similarly so. Hence, it is al-Albānī's determination to refute the view of those who argue that abandoning the prayer occasionally is *kufr* that resulted in his failure to notice that his literal interpretation of *ḥadīth al-shafāʿah* is in fact in contradiction with his own opinion on *tārik al-ṣalāh*.

What does also foster our argument here about the position of al-Albānī is the fact that he does not restrict the practice of *takfīr* to belief. As we have seen in his last statement, al-Albānī believes that actions can also be a basis for *takfīr* without the need to investigate the motivation in one's heart.

Yes, it is true that in a number of occasions he argues that the practice of *takfīr* of Muslims cannot be based on mere actions without a clear indication that the action is performed out of *istiḥlāl*, *iʿtiqād* and *juḥūd*.[76] However, this alone should not be taken as a proof that he restricts the practice of *takfīr* to belief as his critics and some western scholars affirm.[77] This is because al-Albānī's use of terms such as *juḥūd*, *istiḥlāl* and *al-kufr al-iʿtiqādī* is different to the manner the Salafī scholars in Saudi Arabia use them. The latter scholars use *istiḥlāl* and *juḥūd* as to mean rendering something that is *ḥarām* to be *ḥalāl* and the denial of a religious duty being an obligation respectively. As such, this type of *kufr* in their view relates only to the speech of the heart (i.e. factual belief *taṣdīq qalbī*) and not the act of the heart.[78] For this reason when al-Albānī reasoned in his book that the cause of *kufr* in the case of the one who persists to abandon prayer until death is *juḥūd*, al-Ḥawālī read it as a restriction of *kufr* to factual belief as aforementioned.[79]

As it happens, al-Albānī uses these terms in a different manner that surpasses factual belief. Unlike the Murjiʾah who hold that the *istiḥlāl*

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[76] Al-Albānī, *Ḥukm Tārik al-Ṣalāt*, 61.
[77] Lav, *Radical Islam and the Revival of Medieval Theology*, 118.
[78] See the chart of *īmān* in the previous chapter, page158
[79] Al-Ḥawālī, *Ẓāhirat al-Irjāʾ fī al-Fikr al-Islāmī*, 2/704.

and *juḥūd* represent a condition in the heart that cannot be known to us unless the person explicitly declares it,[80] al-Albānī affirms that these conditions can also be known through a word or an act.[81] This entails that *istiḥlāl* and *juḥūd* in his usage, are not restricted to the belief that something is lawful or forbidden since such belief is a condition in the heart and no one can know for certain what other people really believe. The assertion that *istiḥlāl* and *juḥūd* can be known through an act shows that al-Albānī's use of these terms goes beyond factual belief to include the acts of the heart. In other words, when al-Albānī states that no act of commission or omission constitutes *kufr* without a clear indication that it has been performed out of *istiḥlāl* or *juḥūd*, he does not mean that acts can cause *kufr* only when the perpetrator does not have the belief and affirmation in the heart that the duty is binding (i.e. factual belief). The position that al-Albānī's critics believe to be *irjā'*. Rather, he means that for an act to be a basis for *kufr* it needs to entail the absence of either factual belief (speech of the heart) or the acts of the heart. Hence, when he argues that the one who abandons prayer altogether is *kāfir*, his argument is based on the belief that such act entails the absence of commitment in the heart of the perpetrator not the absence of factual belief as his critics read it. After all people sometimes believe that something is a binding duty yet they simply do not perform it.

Ironically, al-Albānī's position on acts is very evident in *al-Kufr Kufrān* lecture, the very lecture Jihādīs such as al al-Ṭarṭūsī criticize. In that lecture, as we have seen above in al-Albānī's position on manmade laws,[82] he differently to the Loyalists considers that judging whether the act of replacing *sharīʿah* with manmade system of laws is major *kufr* to be a subjective matter. Such assertion indicates that in principle, al-Albānī does not oppose the idea that outwardly abstention from performing a religious duty can be considered as a manifestation of lack

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[80] Ibid, 2/713-714

[81] Al-Ḥalabī, al-Taḥthīr min Fitnat al-Takfīr, 70; Āl Nuʿmān, Mawsūʿat al-ʿAllāmah al-Imām Mujaddid al-ʿAṣr Muhammad Nāṣir al-Dīn al-Albānī, 3/163

[82] See page 138

of commitment and adherence in one's heart. The difference between him and his critics is on whether this particular act can determine that the individual has no *iltizām*. Hence, the position of al-Albānī within Salafism in regards the practice of *takfīr* based on outwardly acts is milder than that of the Saudi scholars but is not as lenient as that of the Loyalists. The Loyalists hold that acts alone can never be considered to be a manifestation of lack of commitment and adherence in one's heart without further investigation to whether this outwardly abstention is performed out of arrogance or hatred for the rule of God.

Thus, al-Albānī's distinctive use of terms played a major role in convincing his critics that he restricts the practice of *takfīr* to factual belief, and therefore to accuse him of holding certain aspects of *irjāʾ*. It also led some of those Loyalists close to him such as al-Ḥalabī to adopt a more restrictive position towards the practice of *takfīr* than the one that was widely accepted amongst the Salafīs in Saudi Arabia, believing that it is the position of al-Albānī and therefore it must be the correct Salafī position.

Summary

This chapter presented a detailed study of the accusations of *irjāʾ* that levelled against one eminent senior Salafī scholar. Those accusations, which centre on the definition of *īmān* and *kufr*, and the necessary conditions for determining *kufr*, revealed both the common methodological features of Salafī argumentation, and the internal divergences. That while al-Albānī's irritation with what he saw as the hastiness of Saudi scholars in pronouncing the verdict of *takfīr* on Muslims who do not pray, combined with his focus on a single *ḥadīth* (*ḥadīth al-shafāʿah*) led him to interpret this texts in a manner that was found to be unacceptable even by some of his own students. His different usage of religious definition and terms to the Saudi scholars, the claims by the Loyalists that he read and approved their criticised writings, and his reliance on "non-*Salafī*" writings led a number of Salafī scholars, including those who respected him hugely, to the belief that he strayed

beyond the limits of Salafī principles and methods, which are based largely on the writings of Ibn Taymiyyah.

Based on the discussion in this chapter, we can summarise that al-Albānī's approach to the question of *takfīr* is slightly different to the fashion followed by those Salafīs who had their religious training in Saudi Arabia. Al-Albānī's approach is characterised by a great dependence on *ḥadīth* as a central mechanism of setting up religious opinions. This in turn led him to be influenced to a great extent by the teachings of a number of classical *ḥadīth* scholars, especially al-ʿAsqalānī, whom he quotes at considerable length in his books. On the other hand, the approach followed by the Saudi Salafīs on *takfīr* endorses certain general principles laid by Ibn Taymiyyah and early Wahhābī scholars as a guideline and they interpret the texts of *ḥadīth* accordingly.

This is not to suggest that al-Albānī does not hold the same level of regard for Ibn Taymiyyah as the Saudi scholars. Quite the opposite, for al-Albānī often recommends that people study Ibn Taymiyyah's *Book of Īmān* in order to understand matters of *īmān* and *takfīr*. However, when it comes to definitions and terminology, al-Albānī is clearly less influenced by him than the Saudi scholars.

This detailed study of the dispute over the creed of one key scholar shows the centrality of doctrines and interpretive methodology to the Salafīs, and that political affiliations fail to explain otherwise why those who respect each other so highly would argue with each other so violently and in public.

Chapter Seven: Conclusion

This research set out to examine the doctrinal diversity within contemporary Salafism and identify the key elements and roots of the divergence between the proponents of this religious tradition. The research has also sought to enhance the understanding of Salafism in general and the causes of the intra-Salafī disputes over politics and violence in particular. Salafism is a relatively new field of study in academia and the literature on topics relating to these intra-Salafī disputes is scarce and if it is discussed, it is predominantly through the prism of political and security studies. Such non-Islamic studies approaches tend to overlook the fact that the Salafīs define their political views first and foremost through doctrine. This research sought to focus on the doctrinal underpinnings of these disputes by answering two main questions that relate to what Salafism means:

1- What are the various Salafī views on the legitimacy of present-day rulers in the Muslims World and how to deal with them?
2- How the existence of different views within Salafism on what constitutes *īmān* and *kufr* contributed to these disputes?

The schism within contemporary Salafism can be traced back to the early 1990s when the Saudi government invited the American-led troops to its soil to defend the Kingdom against what was believed to be an imminent threat posed by Saddam Hussein. This schism took place mainly amongst the Salafīs inside Saudi Arabia before it spread beyond its borders to reach almost every place where Salafism was present. This research has shown that this schism started as a mere legal disagreement over the age-old jurisprudential question of whether Muslims are permitted to seek the assistance of non-Muslims in war. Generally, jurisprudential disagreements are tolerated by all Salafīs and are very unlikely to cause any accusations of deviation. However, this dispute evolved through various stages to turn into a fierce creedal dispute over who represents true Salafism. In the first stage, the above legal dispute grew into disagreements between the Activists on the one hand and the Loyalists and Senior Scholars on the other, over the correct Salafī method to

oppose an evil doing by the ruler. Both the Loyalists and the Senior Scholars insisted that opposition to the ruler must be in the form of Private advice and should not be overt or violent, while the Activists did not see any harm in overt criticism. The second stage was characterised by questioning both the legitimacy of present-day rulers in the Muslim World, particularly their status as Muslims for implementing manmade legal systems instead of *sharīʿah*. The question of declaring *takfīr* on the rulers due to the implementation of manmade laws drew an abundant literature and became at the heart of all intra-Salafī debates towards mid-1990s. This in turn led to the third stage of the disputes which revolves around the crucial creedal issue of the relationship between one's outwardly actions and one's *īmān*. It is at this stage when accusations of deviancy from Salafism became a serious matter.

At this later stage, it has become clear that in terms of *takfīr*, there exists two main tendencies within contemporary Salafism. On the one hand, there is a traditional hard-line tendency led by the Saudi Senior Scholars which also includes the Activists and the Jihādīs. This view of *takfīr* follows methodically and rigorously the teachings of Ibn Taymiyyah on the relationship between one's outwardly actions and *īmān*. It can be summarised in the following two points: (i) the impossibility for a person to have valid *īmān* in the heart without having it manifested in their outer behaviour and actions; (ii) the causes of *kufr* are not restricted to matters of belief to the exclusion of acts, rather there are also certain acts of commission and omission that can cause *kufr*, regardless of the culprit's inner belief. On this basis, the followers of this tendency believe that the abolition of *sharīʿah* as a system of law is *kufr* because it reveals a lack of commitment to rule by *sharīʿah*.

On the other hand, there is a lenient tendency adopted by al-Albānī and propagated mainly by the Loyalist trend. The followers of this tendency, though in principle accept the authority of Ibn Taymiyyah on questions related to *īmān*, they do not put the same emphasis on Ibn Taymiyyah's terminology and arguments on the questions of *īmān* and *kufr* as the others. Rather, they do also consider the views of some other classical

scholars who have conventionally been charged with (traces of) *irjāʾ* by Salafī scholars. As a result, their views on *takfīr* are more of a combination between the teachings of two different traditions. This combination of traditions is the reason that led al-Albānī to be the first Senior Salafī Scholar to adopt a less rigorous position towards the application of manmade laws instead of *sharīʿah*. For the followers of this view, the application of manmade systems of law is not *kufr* because it does not manifestly reveal the rejection or the denial of *sharīʿah* as a system of law. Lack of commitment in this view, cannot be determined by a mere act.

The study has also shown that in addition to the creedal differences causing the rift within Salafism, the fact that the implementation of manmade laws is a new phenomenon with no obvious precedent upon which scholars can draw has also played a role in these disputes. This finding supports the hypothesis presented earlier in this research that the schism within Salafism cannot be linked merely to the subjective nature of applying religion to new legal affairs but also to some creedal differences. It also verifies that the prestigious position of al-Albānī within Salafism has led to a new tendency within Salafism in regards to the question of *takfīr* as he was the first of the Senior Scholars to combine between these diverse traditions in matters of *takfīr*.

Additionally, the research has found that in spite of the fierce intra-Salafī debates and the mutual accusations of deviancy from Salafism, contemporary Salafī trends share a great deal of common doctrine. This shared doctrine is of two categories; a category they share with non-Salafī scholars such as the obligation upon Muslim judges and heads of the state to rule in accordance with *sharīʿah*, and another category of doctrine that is unique to the Salafī teaching. In this research, several points of the latter category have emerged. First, the expansive definition of *shirk* which is a direct result of their differentiation between *tawḥīd al-rubūbiyyah* and *tawḥīd al-ulūhiyyah* and the assertion that the polytheists believed in the former but were not granted the status of Muslims before they accepted the latter. Second, the approach to

God's attributes in the scripture that stresses on accepting the literal meaning of these attributes without investigation into their modality. Third, the rejection of a number of popular rituals due to the restrictive perception they adopt of what constitutes a reprehensible innovation in Islam. Fourth, the somehow relaxed attitude towards accepting legal opinions from outside one's legal school and the rejection of the traditional non-Salafī approach that often requires Muslims to choose one of the four Sunni schools and stick to its legal opinions. These identified points serve as a minimal definition of Salafism which can help scholars to distinguish between non-Salafī scholars from the Salafī ones.

Notwithstanding this, there are also certain traits that distinguish each trend from the rest. These traits can be easily attained from the labels I have chosen to give to each trend in this research.

The Jihādīs are distinguished by their belief that *jihād* is the only means by which Muslims can establish an Islamic state and rid the *ummah* (the Muslim nation) from its present predicament. As a result, we find that the emphasis of the discourses of the theologians who belong to this trend (such as al-Maqdisī and Abū Qatādah) rarely go beyond issues of *al-ḥākimiyyah* and matters of *īmān*, *kufr* and *takfīr*. The proponents of this trend are heavily influenced by the inherited hostile attitude towards manmade laws found in the writings of a number of authoritative Salafī Scholars such as the late Grand Mufti Muhammad Ibn Ibrāhīm. However, they differ from these scholars in two points. First, the main concern of authoritative scholars is the contestation of the very idea of applying manmade laws instead of *sharīʿah* theoretically whereas the Jihādīs' concern is how to eradicate secularism by force. Second, the authoritative scholars seem to believe that the correct method of challenging/removing manmade laws and changing the status quo starts at the level of society first then goes up to the state, whereas for the Jihādīs it is the other way round.

As for the Loyalists who are on the other end of the spectrum of the Jihādīs, their distinctive feature is the fact that they do not consider that

the implementation of manmade laws amounts to the nullification of the religious legitimacy of present-day rulers in the Muslim world. Such feature distinguishes them from all other Salafī protagonists including al-Albānī who believe that the application of *sharīʿah* is an indispensable condition for the religious legitimacy of a ruler. This feature has led them to call for an absolute subservience to present-day political authorities and consider all forms of overt criticism of governments, including political activism in the Muslim world, as a deviation from the teaching of Salafism. Essentially the Loyalists adopted al-Albānī's principle of avoiding politics and his criticisms of the MB and then developed them into an attitude that makes every Islamist group or figurehead engaging in politics including those of a Salafī background, a legitimate target for their criticisms. For them, the danger incorporated in the "deviant" *manhaj* of the Activists is greater than the danger of the secularists themselves; therefore they made fellow Salafīs engaging in any form of political opposition a priority for their attacks over the secularists.

Perhaps it is not inaccurate to say that the commonality between the Jihādīs and the Loyalists is their narrow understanding of what constitutes Salafism, which is reflected in their exclusivist attitudes towards the other. To reject the other, both the Jihādīs and the Loyalists resort to an excessive use of *takfīr* and *tabdīʿ* respectively.

The Activists are positioned in the centre of the spectrum of Salafism and they are distinguished by their overt political activism in opposition of present-day rulers. Unlike both the Loyalists and the Jihādīs, the Activists accept political activism and engagement [1] as a method to change status quo and for this reason they are more tolerant towards other non-Salafī Islamist groups engaging in politics such as the Muslim Brotherhood and its figureheads. They also oppose the use of violent means employed by the Jihādīs though; they are similar to them in terms

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[1] They accept political participation but not all of them are actively engaged in the politics of their respective countries.

of rejecting the legitimacy of the ruler who does not apply *sharīʿah*. This similarity is the reason why on the one hand the Jihādīs do not consider them as deviant as the Loyalists and on the other hand, the Loyalists view their teachings as a combination between the ideas of the Jihādīs and the MB.

Essentially, it can be said that contemporary Salafism has the aspects of both revolution and pacifism embedded in its teaching and opting for one of them depends on one's personal judgement on the political situation the person lives in. This judgement is affected to a great extent by whether or not one considers the ruling according to manmade laws to be an act of *kufr*. Those whose answer to this question is negative are pacifists, whereas those answering in positive have the potential to be revolutionaries.

Further, this research has encountered a number of limitations, which need to be considered. First, it has focussed on the disputes within Salafism in the 1990s a period that is considered the start of the schisms within this intellectual tradition. As a direct consequence of this limitation, the research has not examined the escalation of these disputes beyond this period nor other new disputes that have surfaced after the 1990s. Second, since the 1990s there have been several disputes that have led to new schisms within some of these trends. For instance, the Loyalists nowadays are divided into at least three separate groups accusing each other of a number of deviations from Salafism. Further examination of the intra-Salafī disputes after the 1990s will undoubtedly add greatly to our understanding of the dynamics within this theological tradition. In addition, a separate study of the list of websites provided in the bibliography will allow research into the online dynamics of Salafi debates around, but not limited to, these questions.

Finally, this study sought to offer a much needed insight of the underpinning doctrine behind the contradicting Salafī views on politics. It is my hope that it will add significantly to the growing literature seeking to unveil the ambiguity surrounding Salafism and understand the causes of schism amongst its protagonists.

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