muslims' aqueedah that the help can only come from the followers of Jesus). (excerpt from Tafseer-u-ttabaree) Note the beautiful ending of the ayah: for the final goal(end) is ALLAH...

So should we write or not? The answer depends on the content of the letter.

SECTION III

If the letter can be addressed to Allah by simply replacing the name of Clinton with the name of Allah, then it is definitely Haram to send such a letter. Examples include: "You are the only hope for the bosnians, we are writing you a petition to help us, please listen to the screams of the orphans and the cries of the babies, etc..". Our dignity and pride does not allow us to write such a letter to someone who makes fun of our Deen and does not know the ethics of going to the bathroom. "Or, Who listens to the distressed when he calls on Him, and Who relieves his suffering, and makes you inheritors of the earth? A god beside Allah? little is that ye heed!" ch.27 v.62

On the other hand, if the content of the letter (or the phone call) is to express our outrage and anger on the double standards and the hypocritical attitude US is playing with the muslims in the world, then it is one type of Amr bil-Ma'roof wa nahy an il-Munkar (changing the evil with our tongue). While one does not have to use obscene words or even highly emotional expressions to convey his sentiments, the core of the letter should present the inconsistency in the US stand, rather than applauding the US for being the true and fair caretaker of this world.

One might raise the issue that Prophets Musaa and Haroon were requested to speak nicely (quawlan layyinan) to Fir'awn despite his tyranny. The answer to that is: what is meant by "quawlan layyinan"?. Where in the Qur'an do we find Moussa begging (a'aouzou billah) Fir'awn to let the Children of Israel leave with him? The statements that he said to him were something like:

- -Moses said: "Oh Fir'awn! I am a messenger from the Lord of the Worlds. One for whom it is right to say nothing but truth about Allah. Now have I come unto you people, from your Lord with a clear sign: So let the Children of Israel Depart along with me" ch.7 v.104-105
- -Verily we are Messengers sent by thy Lord: send forth, therefore the Children of Israel with us, and afflict them not: With a sign indeed, have we come from thy Lord, and Peace to all who follow guidance.ch.20 v.47
- -Send with us the Children of Israel.ch.26 v.17

On the other hand, when Fir'awn replied inappropriately to Moussa by describing him as being subject to sorcery, Moussa's reply was "I consider you indeed, O Fir'awn, to be one doomed to destruction" ch.17 v.102 (compare this incident to a recent event where a journalist described the muslims as international eunuchs, without public objection to him)a nd when Fir'awn tried to claim the role of the just ruler and caretaker "Did we not cherish you as a child among us, and did you not stay in our midst many years of life". Prophet Mussa's reply was to disclose Fir'awn tyranny and hypocrisy "And this is the favour with which you do reproach me, that you have enslaved the Children of Israel!!!"ch.26 v.22

So, it is clear that what was meant by (quawlan layyinan) is to say: "let out the Children of Israel". Not "Dear Fir'awn, please let them go. Dear Fir'awn, you are the establisher of justice in this world, don't stand in the way of freedom, etc.." Quawlan layyinan does not mean lying to the tyrant and appraising him and

seeking his pleasure, not at all..

Another justification to writing letters is to raise conflicts within the US system. As I said before, while the kuffar as a nation will never be real protectors of the muslims, it is still possible that an individual here and there comes to support the islamic cause because he hates oppression. Writing letters to the congress and the White house to exploit such people is totally acceptable, provided, again, that no lies are involved. For instance, instead of saying: (Mr. the Senator, the US has been known for its message of "freedom for all nations" and for carrying justice on earth, so please help in preserving this message by lifting the arms embargo) one should say something like (Mr. the senator, unless the US lifts its arms embargo on the bosnians, then all its claims about freedom and justice will be in vain).

The evidence to that is the story of the believer from the people of Fir'awn who had tried to help prophet Mussa through exploiting any good person who could be in the Majlis of Fir'awn by pointing out to the unfairness and injustice involved in killing Prophet Mussa. "A believer, a man from among the people of Fir'awn, who had concealed his faith said: "will you slay a man because he says, `My Lord is Allah'?-when he has indeed come to you with clear signs from your Lord?" ch.40,v.28

Everything said so far applies equally well to the UN. Even though there are muslim nations in the UN, the real decision making is in the hands of the non-muslims.

SECTION IV

It is totally acceptable to ask the US or UN to lift the arms embargo, in the context of Nahy an Munkar (while believing in our heart that they actually would wish not to do so). But it is obsolete to ask them to intervene to protect us. It is obsolete because of the following:

- We are giving the Kuffar a power in our land. Allah has informed us that whenever they get power over you they don't respect treaties with you. "How can there be such a covenant, seeing that if they get an advantage over you, they respect not in you the ties of kinship or of covenant? With fair words from their mouths they please you, but their hearts are averse from you; and most of them are rebellious and wicked".ch.9 v.8
- It is obsolete because we are implying that the materialistic factor (number of tanks, planes, ammunition) is ONLY what matters in the war between muslims and Kuffar. Allah has promised us thousands of angels to support us in our fighting if we are endowed with sabr (patience) and (takwa) "Yea,-if you remain firm, and act aright, even if the enemy should rush here on you in hot haste, your Lord would help you with five thousand angels clearly marked" ch.3 v.125 (or do we consider this a fairy tale?!!). How many times I heard it from people praying at the WH "come on brother, use your mind, who on earth can nowadays really help the bosnians?!!, other than the americans?!??" "If ALLAH helps you, none can overcome you: If HE forsakes you, WHO is there, after that, that can help you? IN ALLAH, then, let the believers put their trust" ch3.v160 "Fight them, and Allah WILL punish them by your hands, disgrace them, help you to victory over them, and heal the breasts of the believers" Ch.9 v.14
- It is obsolete because it is a shame on us, a nation that constitutes 20% of earth population, to still look around for others for help, when Allah has made the muslim responsible of Jihad, even if he is alone in the battle field, and made it a (fard) on him to encourage other muslims to do jihad "Then fight in Allah's

cause, thou art not responsible only for thyself, and ROUSE the believers, it may be that Allah WILL restrain the violence of the Unbelievers; for Allah is the strongest in might and in punishment" ch4.v84. Note that "may" when used for Allah it means "for sure" as explained by Hazrat Ibn Abbas, the great sahabee scholar of tafseer.

- It is obsolete because we are preferring the life in humiliation, under the control of americans, over the death in dignity and pride, when Allah has made it clear that the death for the sake of Allah is more valuable than all what is in this world. "And if ye are slain, or die, in the way of Allah, forgiveness and mercy from Allah are better than all they could amass"ch3.v.157
- It is obsolete because the US army is a bunch of rats who haven't tasted the meaning of courage.

SUMMARY

It is not wrong to use the SYSTEM (that holy shrine which lots of "muslims" in America respect more than their shari'ah) provided that :

- No flattering lies are involved
- Our dignity is not compromised
- we believe that the majority of americans will not help.(wa anna aktharakum fasiquun)
- We don't trust the US army will respect any covenants after its intervention.
- We don't consider Jihad as a secondary approach to help the muslims. (This last point is the most fundamental).

When referring to Seerah (life of the prophet) we find two events that apparently approve (seeking help from the Kuffar as a nation). These events are :1) Hilful-Fadul, 2) Migration to Najashee

On the other hand, there are two events that apparently approve (seeking a favor from the Kuffar as individuals): These events are: 1) Principle of Jiwar, 2) borrowing arms from some kuffar.

Finally, there are several events that apparently approve (Hiring a Kafir during the struggle between the muslims and the non-muslims). Some examples are: 1) hiring the kafir Bishr bin sufyan from the tribe of Khuza'ah as a spy on the people of Quraysh. 2) Hiring ibn Urayquit as a guide for the Prophet and Abu Bakr during their Hijrah to Madinah, etc.

Concerning hiring a Kafir, Imam Shafei has determined (see Mughne-I- Muhtaaj) that if the Imam (muslim leader) saw that the Kafir (as an INDIVIDUAL) can be trusted and was needed then he can be used in the muslim army, otherwise not. On the other hand, some scholars like Imam Malik restricted the use of Kuffar in the Muslim army to non-military jobs, such as janitors and the like.

One evidence of the above is reported by Ahmad and the six save Bukharee that when the Prophet went to the battle of Badr, a strong mushrik warrior followed him. However, the prophet turned him down saying "Go back, we don't take help from non-believers". Imam Tartooshee said in his (siraj): "This is a fundamental hadeeth preventing seeking help from the kuffar, even when the Kafir is ready to sacrifice his soul for Islam. How can people justify using the Kuffar as commanders on the muslims?" Imam Malik took this hadeeth literally. While Imam Shafei's Ijtihad was that it is up to the Imam to accept the help of a Kafir or not, and in the above case, the Prophet chose not to, hoping that this mushrik will embrace Islam. Indeed, this is what happened. Another evidence for Imam Shafei is that Quazmaan, who was a mushrik, fought with muslims in Battle of

Uhud. In case a kafir fights with muslims, he does not get the same share of Ghaneemah (war spoils) as a muslim would. Instead, he gets Radkh (bonus) before distribution of Ghaneemah in such a way that his share would be strictly less than a typical muslim share.

Concerning BUYING/BORROWING arms from the Kuffar (individuals or countries), it is Halal by Ijmaa'. (and I have heard this fatwa from Imam shaheed Sheikh Abdullah Azzam). The evidence for that is that the Prophet borrowed arms from Safwan bin Umayyah in the battle of Hunayn. Even though Safwan was an individual, he was the leader of a tribe. Furthermore, there is a clear difference between having the kuffar people fighting with us, and the kuffar arms and ammunition fighting with us. In the second case, there is no possibility that the AK-47, for example, will refuse to shoot the enemy and start instead shooting the muslims. Note, on the other hand, that SELLING arms to our enemies is not allowed. The evidence for that is trivial.

Concerning the principle of Jiwar, i.e., seeking refuge with a kafir. This principle was widely known among the arabs. If one wanted to pass in the land of his enemy and feared on himself, he could seek the protection of a strong leader of that land. In that case, no one will touch him. Prophet Muhammad was reported to have once asked the Jiwar of Mut'aam bin Adiyy. People refer to this as a justification for begging US for help.

As we have commented before, the verses of Surah Ma'idah are the final judgment in any issue pertaining to muslim-kafir relations. The Prophet asked for Jiwar after he had returned from Ta'if, i.e., way back in the beginning of the Makkah period. Hence, surah Ma'idah takes precedence. Nevertheless, by examining the story closely, we find lots of overlooked details: The Prophet made lots of attempts for Da'wah in Makkah. He didn't get any considerable public response. He decided to go Ta'if. There, people met him with stones and thorns. He was forced to go back to Makkah. However, by that time, the people of Makkah decided to prevent him from entering Makkah! He was stuck. He wanted to deliver the message of Islam and there was no way to do it except by going back to Makkah. He started looking for someone to help him in entering and DELIVERING THE MESSAGE. He talked first to Akhnas bin Shurayk. Akhnas refused to sponsor the spread of Islam. He then talked to Suheil bin Amr who also refused to take the risk. Finally, Mut'aam bin Adiyy accepted to sponsor the prophet, essentially offering to take the risk for protecting the SPREAD OF ISLAM. Prophet Muhammad appraised Mut'aam's position and later, after the battle of Badr, commented saying "Had Mut'aam come and asked me to free the POW's of Badr, I would have freed them for him". So, the Jiwar of Mut'aam was really a protection for Da'wah by a Mushrik who liked the prophet and decided to help him. The same explanation applies to the protection provided by (the Kafir) Abu Talib, the uncle of the prophet. He liked the prophet and knew he was right and decided to protect his Da'wah for that purpose. How much common, do we have nowadays between Clinton and Mut'aam bin Adiyy or Abu Talib?!!??!

There remains the issues of Hilful-Faduul and the Hijrah to Najashee. Before proceeding, however, I would like to comment on an ayah that a brother once mentioned to me in the context of begging the Kuffar for help. The ayah is about Prophet Yusuf when he was in jail and asked a prisoner who was about to be freed "Uzkurnee 'inda rabik" i.e., mention my name to your master. I hope that it is clear that Prophet Yusuf was not begging at all. If he was ready to beg for the sake of leaving the jail, he would not have simply interpreted the king's dream without asking for anything in return. He was simply telling the prisoner that he was detained unjustly, and requested him to mention that to his master. His main interest was to spread Da'wah, as can be seen from his discussions with the prisoners. Clearly, there are more chances to spread Da'wah outside the jail than inside it!! Finally, there is no clear cut evidence that the master was a kafir.

SECTION V

Seeking the help of the Kuffar as a nation is not at all allowed. Imam Sarakhsee (a famous hanafee scholar) said in "almabsoot" (a well known fiqh reference) in the chapter of Siyar: "(Imam Ahmad and Nasa'ee) reported that the prophet was going for the Battle of Uhud when he saw a good looking battalion. He inquired about is and was told that it is a battalion of jews who were willing to help the muslims in their battle. The Prophet's reply was: we don't seek help from kuffar". (Imam Sarakhsee said) and its interpretation is that they were forming an independent battalion and were not fighting under the flag of muslims. For us (i.e., the hanafees) we can only accept their help if they fight under the flag of muslims (i.e., receiving commands form the Muslim general). If, however, they wanted to fight independently then we don't accept their help. This is the interpretation of the hadeeth "do not be enlightened by the fire of Mushrikeen" and the hadeeth "I am not responsible of any muslim who has fought with a mushrik". (end of Imam Sarakhsee's statement).

On the other hand, people constantly refer to Hilful-Faduul and the story of Najashee as a justification for seeking the help of Kuffar.

1- Hilful-Fadul: cooperation with the Kuffar to establish justice on earth. What is the story of Hilful-Faduul? A man from Zubayd tribe once came to Makkah for trade. Al'aas bin wa'el, a famous Quraysh leader bought everything the Zubaydee man had but refused to pay him any money! The Zubaydee man went to several leaders of Makkah but they refused to listen to him. He went to the top of a mountain close to Makkah (mountain Abu Kubays) and started yelling and complaining. The leaders of Quraysh gathered and decided (in Thul-Qu'dah) to unite and be one hand with the oppressed. The treaty they signed was called Hilful-Fadul (in the memory of 3 good people each of which was named Fadl). The prophet was very happy when he attended that meeting and commented later after prophethood that if he were called for a similar meeting in Islam he would answer the call.

What can be concluded from this event? It can be concluded that there is nothing wrong with COOPERATION with the non muslims in establishing justice. The prophet was happy because something CONCRETE was achieved.

- a- The Zubaydee man GOT BACK what HE lost.
- b- He was encouraged to continue making trade.
- c- His complaint was heard promptly.
- d- Quraysh leaders helped him against their brethren.
- e- The participators in Hilful-Fadul never harmed the muslims (there were none).

Compare between this event and the history of the United Nations.

- a- The palestinians lost the land and the JEWS got it instead, under the benediction of all christian countries.
- b- Sudan cannot run international trade because it is an islamic country.
- c- Bosnians complaints are still to be heard.
- d- European community is happy watching their brethren in Serbia do what they are doing. No one cares about the massacres of Kashmir, tajikstan, etc.
- e- The middle east was fragmented into 4 small pieces:1)2)Syria and Lebanon given to France,3) the Jordan desert was called a kingdom and given to Prince Abdullah. 4)and Palestine was kept to be given later to the jews. France was given Morocco as a prize to forget about egypt. Italy has conquered Libya and caused its people various types of torture. Spain still controls Ceuta and Melilla and some other Moroccan islands till now. After the 2nd world war, the jews took over Palestine with the help of US and UK. When Imam hassan Banna was nominated for the egyptian parliament, a coup d'etat was organized by the americans to allow Jamal al-abd alkhaser to become the president of egypt and smash the Ikhwan. When Sudan started expressing its attempt to apply Shari'ah, Sadik AlMahdee (prime minister) received a call from US that americans are ready to support the economy of Sudan (with wheat etc.) only if Sudan changes

its mind regarding the application of Shari'ah. Pakistan is now considered a terrorist country because it is a muslim country developing nuclear arms for self defense, while at the same time India is being blessed for its nuclear programs. When Iraq showed the possibility of producing some arms that can be a good resource for the muslims later in the future, there was a near Ijmaa' regarding crushing the resources of Iraq and Saddam Hussein was kept as a leader. Before that Iraq was helped intensively in his battle with Iran, only to make sure that no one claiming islam should ever survive. and the list goes

"Allah forbids you not, with regard to those who fight with you not for Faith, nor drive you out for your homes, from dealing kindly and justly with them: For Allah loveth those who are just. Allah only forbids you, with regard to those who fought you for your Faith and drive you out of your homes, and SUPPORT IN DRIVING YOU OUT, from turning to them for friendship and protection. It is such as turn to them (in these circumstances), that do wrong." ch60,v8-9.

After all of the above, how can we dare making a comparison between UN and Hilful-Faduul, wa la hawla wa la kuwwata illa billah.

2- Hijrah to Habashah: seeking protection in a christian country What is the story of Hijrah to Habashah? Muslims were oppressed in Makkah. They were not able to perform their daily practices. They were told by the prophet that Najashee - being a JUST ruler - would not prevent them from living their Islam freely. Up to 80 people migrated including Othman ibn Affan and his wife Ruqayyah: the prophet's daughter, Zubayr bin Awwam, Mus'ab bin Umayr, Abdurrahman ibn Awf, etc. They only migrated to another land. They didn't even go to visit Najashee or meet him with white costumes. They only settled in the new area which was less dangerous for them. It was only when two people from Quraysh (Amr bin 'Aas and Abdullah bin Abee Rabi'ah) went to Najashee to ask him for the muslims that some sahabah representatives (Jaafar bin Abee talib et al) had to go to him to defend their case. After doing so, Najashee confessed that the messages of Muhammad and Jesus came from the same source. Indeed, the prophet declared publicly that Najashee has converted to Islam and prayed on him when he died. Imam bukharee reported that when the Najashee died the prophet said "Today, a pious man has died. Go and pray on your BROTHER As'hama (the Najashee). More than that, the Qur'an describes the reaction of the najashee companions (the bishops) as follows:

"..Because amongst them these are men devoted to learning. And men who have renounced the world, and they are not arrogant.

And when they listen to the revelation received by the Messenger, thou wilt see their eyes overflowing with tears, for they recognise the truth:

They pray: "Our Lord! WE BELIEVE, write us down among the witnesses. What cause can we have not to believe in Allah and the TRUTH which has come to us, seeing that we long for our Lord to admit us to the company of the righteous" ch5.v83-84

Note the following about this incident:

- a- Najashee was described as just.
- b- Najashee respected the muslims' religion.
- c- Najashee loved the good muslims
- d- Najashee refused to cooperate with the oppressors of Quraysh.
- e- Najashee's companions were devoted to learning, denounced the world, and were not arrogant.

Compare that case with the americans's:

- a- Ultimate in oppression by vito-ing every attempt to return the Palestinians back, (I would leave it to a black muslim brother to cite the various kinds of oppression they have faced in this country), etc.
- b- They have repeatedly shown and expressed hatred to Islam. Some -like Kissinger when he was Minister for external relations even declared openly that "we will never allow an islamic state to exist".

- c- Whenever a group of devoted muslims start working in their country to delete Kufr and corruption, they get labelled by the americans as terrorists. The jews are not terrorists, but Hamas followers who are trying to get back their rights are terrorists.
- d Americans are ready to cooperate with every single regime that is willing to fight "fundamentalism". Egypt is no exception. When no-mubarak asked for some good muslims to be punished, they were delivered to him via express.
- e- The congressmen, senators, etc. are people devoted to corruption, alcoholism, homosexuality, fraud (remember the last FBI case), etc.. They are all dying for the sake of this world, and have displayed the most disgustful forms of arrogance.

After that comparison, is it fair to say: the Najashee and his company were a mirror image to the american system we have nowadays ?!?!

whatever good I said is pure bounty from My Lord, whatever bad is due to my sins and mistakes.

"Rabbanaa taquabbal minna innaka anta-ssami'ul-'aleem" THE END.

Food and Drink

FOOD AND DRINK

(According to the Qur'an and Sunnah, as extracted and inferred by scholars of the Hanafi school.)

From "Mukhtasar al-Quduri", a matn of Hanafi fiqh

- # Hunting
 - Permissibility
 - Use of Animals
 - Shooting
- Slaughtering
 - Conditions
 - The Animal
 - Types
- What May and May not be Eaten
- Beverages

1.0 HUNTING

1.1 Permissibility

- 1. The hunting of a Zoroastrian, apostate or idolater may not be eaten.
- 2. It is permissible to hunt those animals whose meat may be eaten, and also those which may not be eaten.
 - If one slaughters that whose meat may not be eaten, its flesh and skin become pure, except for the human and the pig, for slaughter does not have any effect on them [for the purpose of useability]

1.2 Use of Animals

- 1. It is permissible to hunt with a trained dog, panther, falcon, or any other trained predatory animal or bird.
 - The training of a dog is: that it refrain from eating three times.

- The training of a falcon is: that it return when you call it.
- 2. So, if one sends his trained dog, or falcon, or hawk, and mentions the name of Allah, the Exalted upon it at the time of sending, and then [the animal] seizes the prey and wounds it such that it dies, it is permissible to eat it.
 - If the dog eats from it, it may not be eaten, but if the falcon eats from it, it can be eaten.
 - If the dog strangles [the prey] and does not wound it, it may not be eaten.
 - If an untrained dog or a Zoroastrian's dog, or a dog on which the name of Allah, the Exalted was not mentioned - participated with [the trained dog], it may not be eaten.
- 3. If the sender reaches the prey alive, it is obligatory upon him to slaughter it, and so if he refrains from slaughtering it until it died, then it may not be eaten.

1.3 Shooting

- If a man shoots an arrow at prey, and mentions the name of Allah at the time of shooting, he may eat what he strikes provided the arrow wounded it so that it died [as a result]. But, if he reaches it alive, he [must] slaughter it, and so if he refrains from slaughtering it until it died, then it may not be eaten.
 - If the arrow strikes, and the animal struggles [and moves] so that it disappears from him, but he continues to pursue it until he overcomes it dead, it may be eaten. But, if he sat back from pursuing it, and then came upon it dead, it may not be eaten.
 - If he strikes quarry which then falls into the water and dies, it may not be eaten.
 - Similarly, if it falls on an inclined surface or mountain, and then tumbles down to the ground, it may not be eaten, but if it falls to the ground initially, it may be eaten.
 - If someone shoots a quarry, and strikes it without incapacitating it nor preventing it from escaping, and then someone else shoots it and kills it, it is his and may be eaten. But, if the first one incapacitates it and then the second one kills it, it may not be eaten, and the latter must reimburse the former for its price less its wound
- 2. That which a featherless arrow strikes with its breadth may not be eaten, but if it wounds [the quarry] it may be eaten.
 - That which is struck by a pebble may not be eaten if

it dies from that.

3. If one shoots at quarry and severs a piece from it, [the animal] may be eaten, but the piece may not be eaten. But, if he cuts it in thirds, and the major portion is adjacent to the rump, then it may [all] be eaten. If the major portion is adjacent of the head, the larger portion may be eaten, but the lesser one may not.

2.0 SLAUGHTERING

2.1 Conditions for Slaughtering

- 1. The slaughter of a Muslim or a Kitabi is permissible [to eat].
 - The slaughter of a Zoroastrian, apostate, idolator or [Muslim] in ihram may notbe eaten.
- 2. If the slaughterer omitted the pronouncement of the name [of Allah] deliberately, then the slaughter is carrion which may not be eaten. But, if he left it out forgetfully, it may be eaten.
- 3. The vessels which must be severed in slaughtering are four: the trachea, the oesophagus and the two jugular veins. So, if he cut [all] these, eating [from the animal] is permissible. If he cut most of them, then similarly [it is valid] according to Abu Hanifah. Abu Yusuf and Muhammad said: it is essential to cut the trachea, the oesophagus and one of the two jugular veins.
 - If one reaches spinal cord with the knife, or severs the head, that is repugnant for him [to do], but the slaughter may be eaten.
 - If one slaughters a ewe from the back of its head, then if it remains alive until he severs the [required] vessels it is valid but repugnant. But, if it dies before the cutting of the vessels it may not be eaten.
- 4. It is permissible to slaughter with sharp reed or stone, or anything which causes the blood to flow out, except for an intact tooth or an intact nail. It is recommended that the slaughterer sharpen his blade.

2.2 The Animal

- 1. An animal with severed ears or [severed] tail does not suffice, nor one from which the major part of the ear has gone. But, if the major portion of the ear or tail remains, it is permissible.
- 2. It is permissible to immolate hornless, castrated, mangy or insane animal.
- Immolation is [only] from amongst camels, cows and sheep [or goats].
 A <u>th</u>aniyy, or better, of [any of] these suffices, except for the sheep, of which a jadha` suffices.
- 4. If one pierces a camel, or slaughters a cow or sheep, and then finds in its belly a