

point, I don't really know if the watchman of al-Masjid al-Nabawiyy is even named Sheik Ahmed.

2. The hadith talks about seeing the Prophet (may Allah bless him and grant him peace), not about hearing. It is not inconceivable that one may see the Prophet in a dream, but that Satan may whisper something to the person, resulting in his thinking that the Prophet said it.

3. Even assuming that he claims to have heard the Prophet saying something, those words do not become binding because:

3.1 Firstly, one of the conditions for acceptance of hadith is dabt (precision in narrating) of the narrator. A sleeping person is not conscious, and is therefore not considered dabit (precise/reliable) in what he reports from that state. Otherwise, what the dreamer reports would be a hadith, and the dreamer would be a Sahabi!

3.2 Even if, for the sake of argument, we say that he is dabit in his narration, it still does not become binding, according to most scholars. Legislation was completed and perfected by the death of the Prophet (may Allah bless him and grant him peace). Hence, a dream cannot make something *farD*, or *sunnah*, or *makruh*, or *Haram*. Imam al-Nawawi has reported consensus (*ijma`*) on this.

4. So, if someone thinks he heard the Prophet tell him something in a dream, he is not obliged to follow it, although some considered that he may follow it himself, but that he cannot oblige others to follow it. All this is assuming that what he heard is in conformance with the *shari`ah*. If it conflicts with the *shari`ah*, there is no disagreement that it should be rejected as imaginings or Satanic whisperings, and neither he nor anyone else may act on it.

5. Having established these general principles, we now turn to the specific matter at hand. The things which this letter claims were advised by the Prophet in the dream (wives obeying their husbands, helping the poor, performance of pilgrimage, establishment of *salah*) are certainly good things, in conformance with the *shari`ah*. Hence, if someone wants to remind Muslims to do these good deeds, then *inshaAllah* there is reward for him in that. In fact, this would be the case even if there had been no such dream as that reported.

6. However, to make it a *farD* on Muslims to distribute 20 copies of the letter, and to say that they will be punished in this world if they do not do so is not a part of the *shari`ah*:

- i) According to the Qur'an and Sunnah, a person is not necessarily punished in this world for a sin. A Muslim may be punished in this world, in which case he is freed from punishment for it in the Hereafter. Or, Allah may forgive him in the Hereafter, or in fact even before that if he repents sincerely. Evil people may not be punished in this world, by way of *istidraj* (deception) - i.e. Allah gives them more and more luxury and comfort, so that they fall further and deeper into evil.
- ii) Rationally, it is not sound for one to be punished heavily for failing to distribute a letter, when one is not punished to the same extent for not making *da`wah* to non-Muslims by propagating the message of *tawHeed* and the Qur'an (which is a *farD* for Muslims, especially in a non-Muslim country). Admittedly, this second argument is only speculative, and not decisive.

Attached below is an extract from Imam Nawawi's commentary on *SaHeeH Muslim*, for those who are interested in reading it, although I have already mentioned above most of the points he discusses.

And Allah, the Flawless, knows best.

Translated from Sharh Saheeh Muslim, by Imam al-Nawawi.
Text (C) by Suheil Laher

Qadi `Iyad (may Allah have mercy upon him) said, ". . . . [It is] not that one can be certain of the matter of a dream, nor that an established sunnah can be invalidated on account of [a dream], nor that an unproved sunnah can be established [by it]. This is by the consensus of the scholars."

These are the words of Qadi `Iyad, and the same has been said by others of our colleagues [the Shafi`is] and others [besides them]. They reported agreement that that which is established in the Law cannot be changed on account of that which the sleeping person sees. This, which we have mentioned, does not contradict the saying of [the Messenger of Allah] (may Allah bless him and grant him peace), "Whoever sees me in a dream has [indeed] seen me," for the meaning of the hadith is that his vision is authentic and not part of [mere] muddled dreams, nor of the deception of Satan. However, it is not permissible to establish a legal ruling by it, because the state of sleep is not one of retention and exactitude for that which the seer [of the dream] hears. [Scholars] have agreed that among the conditions [stipulated] for those whose narration and testimony may be accepted is that he be alert, not inattentive nor of poor memory, nor very error-prone, nor of impeded retention. The sleeping person does not have these characteristics, and so his narration is not accepted, because of the impairment of his retentive ability. All of this is with regard to a dream associated with initiation of a verdict in contradiction to that by which the people of authority judge. If, on the other hand, one saw the Prophet (may Allah bless him and grant him peace) ordering one to do something which is recommended, or forbidding one to do something forbidden, or directing him to do something beneficial, then there is no disagreement over the praiseworthiness of acting by it, for that is not a verdict based merely on the dream, but rather on that which is established [in the Law] regarding the basis of that [deed]. And Allah knows best.

Investment

Investment

A Muslim can acquire the shares of a joint stock company with the following conditions:

1. The main business of the company must be Halaal (permissible) according to Shari'ah. So, a Muslim cannot invest in a company whose main business is Haraam, like the traditional banks, insurance companies, companies dealing in wines, etc.
2. If the main business is Halaal, but it is involved in borrowing money on Interest or placing its funds in an Interest bearing account a Muslim share-holder should raise his voice against this practice in the annual general meeting of the company (or, if that is not possible, then by writing to the company to express his objection.)
3. When a Muslim share-holder receives a dividend he must ascertain that proportion of the profit of the company which has accrued on its interest-bearing accounts. Then a similar proportion from his own dividend must be given by him to a person or persons entitled to receive Zakaat.
4. If all the assets of a company are in a liquid form and the company has not yet acquired any fixed assets or any stock for trade, then the sale and purchase of shares must be on their par value only.

If anyone of these conditions is contravened, the investment in a company is not permissible in the Shari'ah.

N.B. The above ruling has been issued by Justice Mufti Muhammad Taqi Usmani of the Shariat Appellate Bench - Supreme Court of Pakistan. He is also the Deputy Chairman of the Islamic Fiqh Academy - Jeddah.

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Politics and Jihad in Islam

POLITICS AND JIHAD IN ISLAM

An overview

In the name of Allah, Most Gracious, Most Merciful

Islam as you must know by now, is based on one fundamental principle: which is that there is only one God, who has no daughters, no sons, no partners, no likeness; who is not like anything we know or can imagine, and who alone is worthy of worship. One of the consequences of this belief is that a Muslim must try to observe the guidelines given by his Creator in every sphere of life. In this sense, Islam is not merely a religion but is in fact a way of life. Devotion to God is not restricted to praying, fasting and charity. Rather, anything a Muslim does is considered a good deed if he carries it out in accordance with God's commands. These commands have been communicated to us through the Final Prophet Muhammad (peace and blessings be upon him), who was sent to all mankind.

Thus, it is quite natural that Islam lays down guidelines for politics and war. Islam is not merely a system for the betterment of the individual, but is also concerned with the welfare of society at large. Islam prescribes that the Muslims should have a leader, or Caliph, whose duty is to protect the interests of the citizens. This duty has six basic components:

1. He must safeguard their religious interests.
2. He must protect their life and security (punishing murderers and highwaymen; providing defense from enemy).
3. He must protect their morality. (encouraging marriage; punishing adultery)
4. He must protect their reputations. (punishing slander)
5. He must protect their property and homes. (foster safety, punish thieves)
6. He must protect their mind. (education, routing out alcohol and drugs).

The leader is answerable to God for these duties. It has been reported that one of the early caliphs could not sleep well by night due to the fear that somewhere on the streets of Baghdad, a camel might lose its footing, and he (the Caliph) would then be responsible on the Day of Judgement as to why he did not improve the condition of that street.

In return, the people's duty is to give him their loyalty and obedience, as long as he does not violate the orders of God. Abu Bakr, the First Caliph, addressed the people when he took on leadership after the death of Prophet Muhammad (peace and blessings be upon him). He said, "Oh people! I am one of you whom God has appointed in authority over you, though I am no better than you. You are obliged to obey me, but only as far as I act according to God's laws, for otherwise you must remove me."

The Islamic political system, then, is a means for implementing the political system and socio-economic order prescribed by God. This is necessarily the best system for mankind, because God in His Wisdom does not prescribe anything other than what is best for us.

I mentioned already that the Islamic state is obliged to protect the interests of society at large. This includes not only the Muslims, but also the non-Muslim subjects of the state, such as the Jews, Christians, and so on. These latter people are called "dhimmis", which means "covenanted people", and they are not forced to convert to Islam. They are allowed to practice their religion, and even to implement their own laws and courts in personal dealings, such as marriage. However, they are forbidden from openly committing (i.e. in public) any deeds which are prohibited in Islam, such as adultery and drinking alcohol. They are not required to pay the religious tax (Zakat), but instead they pay a special poll-tax called the "jizyah" in return for the privileges of citizenship. Obviously, they may not harbor spies or commit treason. In return, the Caliph must safeguard their rights, so much so that if some of them are captured by the enemy in war, the Caliph is obliged to obtain their release just as he is compelled to do for Muslims who have been captured.

Now we move on to a somewhat related topic which very often misunderstood and mis-portrayed; this is the concept of jihad. Jihad does not mean "holy war"; it is an Arabic word, which essentially means "striving". It can take a number of forms, for example the striving of an individual against the desires of his lower self is a form of jihad; striving against the temptations of Satan is also a jihad, as is speaking out against injustice. Prophet Muhammad (peace and blessings be upon him) has said that "The best jihad is to speak a true word before a tyrant ruler."

In some cases, certainly, jihad may involve physical fighting and warfare. When the Muslims are being attacked by an enemy, or their lands are being invaded and occupied, they are obliged to defend themselves. The Qur'an tells us to "fight, in the path of God, against those who fight you, but do not exceed the limits." The other case in which jihad must involve fighting is in order to remove oppression and injustice from a land. "Fight them until there is no more persecution."

Even these cases of fighting, there are very specific guidelines. The Muslims should not kill civilians, women, children or religious men such as priests and monks. They should not destroy trees or property unnecessarily. Thus, terrorism is not neither sanctioned nor approved by Islam; in fact it is condemned.

I have attempted to address the major issues of Islamic politics and jihad, and I hope my talk has been beneficial. If you have any further questions, I will be happy to answer them.

The Caliphate

The Caliphate

- ✚ Necessity of having only one Caliph
- ✚ Seeking help from the Kuffar

One and Only One Caliph!

In the name of Allah. Praise be to Allah and blessings and peace be upon the Messenger of Allah.

1. Imam Muslim has reported in his "Sahih" that the Prophet (may Allah bless him and grant him peace) said that the Children of Israel were ruled by prophets, so that whenever one died another was born. Then the Prophet (may Allah bless him and grant him peace) went on to say that there is no prophet after him, but there will be several caliphs. The Companions asked what they were to do in this case, and the Prophet told them to join the first of them.

Imam Nawawi comments on this hadith, "If two caliphs are given allegiance one after another, the first caliph's allegiance is acceptable and the Muslims must fulfil it. The second caliphs' allegiance is not acceptable and it is forbidden to fulfil it. It is forbidden for the second caliph to seek the pledge of allegiance from anyone. The above ruling applies whether or not the Muslims pledging allegiance to the second caliph were aware of the first caliph. It applies whether the two caliphs are in the same country or in different countries." [Nawawi, "Sharh Sahih Muslim", (12/231).]

2. Imam Shafi`i has reported that the Muslims have been in unanimity that the caliph is a single individual. [Shafi`i, "Ar-Risalah" translated into English by Majid Khadduri, Islamic Texts Society, 2nd Ed., 1987; p. 260]

3. `Abdur-Rahman al-Jaziri says, "The Imams [of fiqh] have agreed that Imamate is an obligation, and that the Muslims must have an Imam . . . and that it is not permissible that there be two Imams [ruling] over the Muslims at one time in all the world, whether they are in agreement or in discord." [Jaziri, "Al-Fiqh `ala l-Madhahib al-Arba`ah", Dar al-Kutub al-`Ilmiyyah, Beirut, 1988/1409, (5/416).]

4. Badr ad-Din ibn Jama`ah says, "It is not permissible to assign the Imamate to two [individuals], not in a single country, nor in two [different] countries, nor in a single continent, nor in two [different] continents." [Ibn Jama`ah, "Tahrir al-Ahkam fi Tadbir Ahl al-Islam" edited and annotated by Dr. Fu'ad `Abdul-Mun`im

Ahmad, Mu'assasat al-Khalij, 1987]

The editor/annotator, Dr. Ahmad, indicates the following as further references on this point:

Mawardi, "Al-Ahkam as-Sultaniyyah", p. 9.

Abu Ya`la, "Al-Ahkam as-Sultaniyyah", p. 9.

Juwayni, "Ghiyath al-Umam", pp. 126, 132.

Nawawi, "Ar-Rawdah", (10/47).

5. Imam al-Haramayn Abul-Ma`ali Juwayni says,

"Section 7 : The Prohibition of Establishing Two Imams

If it is manageable to establish a single Imam . . . it becomes binding to establish him, and it is not permissible, in this situation, to establish two Imams, and this is agreed upon.

[He then discusses cases where, out of necessity, two rulers may be ruling simultaneously in different areas of the Muslim land, and comments:] The truth, which is to be followed, is that neither of them is an Imam . . . [in fact] this is a period devoid of an Imam." [Juwayni, "Ghiyath al-Umam fi Iltiyath az-Zulam" abridged as "At-Tariq ila l-Khilafah" and edited by Muhammad Shakir Sharif, Dar an-Nahdah al-Islamiyyah, Cleveland, OH, 1992/1413; pp. 99-100.]

6. It is stated in the commentaries on Nawawi's "Al-Minhaj", "(K: It is not permissible to assign [authority] to two Imams (H: at one time) or more . . . though they may be mutually distant.)" [K: = Muhammad Shirbini Khatib H: = Ibn Hajar Haytami] ["Mughni l-Muhtaj" (4/132), "Hawashi `ala Tuhfat al-Muhtaj" (9/77-78) vide "The Reliance of the Traveller" by Noah Keller, p.645.]

7. The following further references are found in "The Islamic Political System" by Arshad Muhammad et. al, Islamic Da`awah Center, pp. 14-15:

i) "It is forbidden for the Muslims to have two Ameer." [Abu Bakr Siddiq, as reported by

Ibn Hazm, "Al-Fisal fi l-Milal wa l-Ahwa' wa n-Nihal";

Tabari, "At-Tarikh";

Waqidi, "Al-`Aqd al-Farid";

Ibn Kathir, "As-Sirah";

Bayhaqi, "As-Sunan al-Kubra";

Ibn Hisham, "As-Sirah";

Ibn Ishaq, "As-Sirah".

ii) "It is permitted to have only one Imam in the whole world." [Ibn Hazm, "Al-Muhalla", (9/360).]

iii) "It is not allowed to appoint two independent Imams at the same time." [Tuftazani, "Sharh al-`Aqa'id an-Nasafiyyah", p. 185.]

And success is with Allah.

Seeking help from the Kuffar

A dispellation of some common misunderstandings by Abu Ahmad

SECTION I

The islamic political issues have been discussed in depth - like other topics - by muslim scholars. The places for these discussions are:

- a. In Aqueedah books, in the chapter on Imamah (or leadership): Issues related to the election process, when to remove the Imam, what are the Imam's rights and duties? What are the people rights' and duties? When can we revolt and when must we revolt against the Imam. What are the criteria for Imamah (leadership), and the like.
- b. In Fiqh books, in the chapters on Siyar (battles)/Jihad/etc: Issues related to the international relations, including: war, peace, treaties, granting protection to non-muslims, seeking help from non muslims, granting visas to non muslims, granting "green card" (residence permits) to non muslims, political refuge, the difference between Dar-ul-Islam and Dar-ul- Kufr, Jizyah,etc. In addition, of course, to the various issues related to Jihad.

In addition to the Fiqh and Aqueedah books, the following are famous classical references discussing the subject of islamic politics:

- a. Ghiyath-ul-Umam fee-Itiyathi-ththulam (the savior of nations in darkness) by Imam Alharamayn (Imam of both Makkah and Madinah Mesjids) Aljuwaynee.
- b. Siyasa Shar'iyah (Islamic politics) by Ibn Taymiyyah.
- c. Al-Ahkaam Assultaniyyah (the rules pertaining to the Sultan) by Imam Alkawirdee (described by Imam Nawawee as the most expert of all judges)
- d. Al-Ahkam Assultaniyyah by Quadee Abu ya'ala Al-hanbalee

And the following are some well known recent references:

- a. Nassihatul Ahli-Islam (advice to the muslims) by the famous great scholar Sheikh Muhammad bin Ja'far al-kittanee from Morocco.
- b. Nizam al-hukm fee-shari'ah wa ttareekh (Political system in Shariah and History) by UStad Zafer Kassimee
- c. Al-Islam by Sheikh Sa'eed Hawa, the famous syrian scholar.
- d. Shakhsiyyah Islamiyyah (Islamic personality) by the known Azharee scholar (Takiyyuddine Nabahanee), founder of Hizbu-ttahreer al-islamee.

Despite the great depth with which these issues have been researched and discussed by our Ulama, and despite the tremendous efforts done so far to collect the various evidences from Qur'aan and Sunnah, you find a frustrating widespread ignorance among the muslims in general, and those involved in politics in particular, regarding these various above mentioned issues. It is not uncommon for these people to even react with astonishment when you tell them that the election process is discussed in the book of Aqueedah for example.

Part of that ignorance is due to the fact that the Imamah chapter (in Aqueeda) and the Siyar chapter (in Fiqh) come towards the end. This means one has to be a dedicated student of shari'ah to get to study these topics.

Another factor that adds to this ignorance is the fact that the political situation in our countries does not encourage freedom. Ulama find lots of difficulty when they want to teach Fiqh the proper way, for the consequences would be to topple the regimes under which they live!

A third factor that adds to this widespread ignorance is that Muslims, in general, have been reluctant to study their religion, probably because they underestimate the degree of intellectuality involved in our Fiqh and Aqueedah.

I apologize for the digression. But I thought that giving you the keys to a certain field is more important than answering a particular question about it.

Now, we come to the points you raised in your letter:

- a. Writing to UN to lift the arms embargo
- b. Writing to Clinton to help in lifting it

SECTION II

The fundamental guidelines on how to deal with the non-muslims are mentioned in Surah Ma'idah verses 51-59.

What is special about Surah Ma'idah is that it is the last revealed surah of the Qur'an . Imam Qurtubee in his tafseer reported that Hazrat Umm- Almu'mineen A'eshah said: "Surah Ma'idah is the last surah of Quran. For that reason, what is described as Halaal in it is Halaal, and what is described as Haraam is Haraam". Which means that the verdicts in it are not superseded by any other Ayah or Hadeeth. Hence, if an event in the Seerah seems to contradict the implications of these verses we go by these verses and we assume that this seerah event has been superseded by Surah Ma'idah. This is a fundamental rule that should be kept in mind while reading the Seerah.

The verses in surah Ma'idah say: (meaning translated)

-Oh ye who believe! take not the Jews and the Christians for your friends and protectors. They are but friends and protectors to each other. And he amongst you that turns to them for friendship is of them. Verily Allah guideth not a people unjust.[51]

(Comment): The verses speak for themselves.

-Those in whose hearts is a disease, you see how eagerly they run about amongst them, saying:"we do fear lest a change of fortune bring us disaster" Ah! perhaps Allah will give you victory, or a decision from Him. Then they will regret of the thoughts which they secretly harboured in their hearts.[52]

(Comment): Running eagerly to the Kuffar's help is a sign of heart disease.

- And those who believe will say : "Are these the men who swore their strongest oaths by Allah that they were with you? all that they do will be in vain, and they will fall into nothing but ruin.[53]

(Comment): It is not enough to claim Islam, one has to prove it by seeking friendship and protection only from Allah, his messengers and the beliebevers.

-Oh ye who believe! if any from among you turn back from his Faith, soon will Allah produce a people whom he will love as they will love him, lowly with the believers, mighty against the rejectors, fighting in the way of Allah, and never afraid of the reproaches of such as find fault. That is the grace of Allah,, which he will bestow on whom He pleases. And Allah encompasses all and He knows all things.[54]

(Comment): Taking Kuffar as friend and protectors is equivalent to turning back from faith. The proper way is to seek protection in Jihad. for Allah loves the Mujahideen.

-Your real friends and protectors are: Allah, His Messenger, and the Believers, those who establish regular prayers and pay zakah and they bow down humbly in worship.[55]

(Comment): Never hope that the non-believers will be your real protectors.

-As to those who turn for friendship and protection to Allah, His Messenger and the Believers, it is the party of Allah that must certainly triumph.[56]

(Comment): The recipe of victory: seeking protection and support from Allah His Messengers, and the believers.

-Oh ye who believe! take not for protection those who take your religion for a mockery or sport. Whether among those who received the Scripture before you, or among those who reject Faith: But fear ye Allah, if ye have Faith indeed.[57]

(Comment): Criteria of those who should never be asked for help: making fun of our religious affairs.

-When ye proclaim, your call to prayer, they take it but as Mockery and Sport; that is because they are a people without understanding.[58]

(Comment): How much have the americans and europeans made fun of our religious affairs such as: Hijab, polygyny, slavery, Jihad,. In the application for US citizenship polygamy is put on the same lines with adultery and other "non-ethical" behaviors. When Salman Rush-die wrote his obscene satanic verses, he was rewarded with a prize, because his book was meant to attack the Prophet and his wives. Moreover, he is being protected by the Kuffar wherever he goes.

-Say: "O people of the Book! Do ye disapprove of us for no other reason than that we believe in Allah, and the revelation that has come to us, and that which came before and that most of you are rebellious and disobedient?"[59]

(Comment): When we are dealing with the US "system", we are actually dealing with the people who RUN the system. Being from the people of the Book, most of those in charge of the system are rebellious and disobedient. On the other hand if there are good people in the "system", they will always be a minority.

The implications of these verses are very clear: Never hope that the Kuffar as a nation or a set of nations will ever help you. They only help each other against you. Depend only on Allah, follow his messenger, and seek the support and help from believers and declare Jihad. Only then your triumph will be certain. Those who don't abide by this policy and are convinced that the Kuffar are truly the source of support and protection, have disease in their heart (i.e., Nifaq).

On the other hand, the verses do not address individuals. A certain jew or christian , as an individual, might help or support an islamic cause. But a nation of jews, or christians, or disbelievers in general, will never do so.

There is a verse in the Qur'an that seems to allow seeking friendship or protection in the case of weakness. It is the ayah of "taquiyyah" "Let not the believers take for friends or helpers unbelievers rather than believers: if any do that, shall have no relation left with Allah except by way of precaution, that ye may guard yourselves from them. But Allah cautions you to fear Himself; for the final goal is to Allah" ch3.v28.

However, Imam Ibn Jareer tabaree, shaykhul-mufasssireen, explained this ayah as follows:"Oh believers, do not take the kuffar as your supporters, friends and protectors. Do not help them in spreading their religion (e.g., by having people believe in US as the SUPERPOWER) and in defeating the islamic cause (e.g., the Fard of Jihad). Whosoever does that is away from islam and is in Kufr. Unless you want to avoid their harm, when you are living under their control (like muslims in Makkah) so you fear they may harm you, then you can say to them nice words, while at same time HIDING THE HATRED to them and not supporting them in the Kufr they believe in, and not helping them against any muslim (by shaking the