

## EXTRACT FROM SHIFĀ: THINGS DEEMED DISBELIEF

From the section: *Sayings deemed disbelief, things that are debatable and differed upon and things that are not disbelief.*<sup>691</sup>

Know that investigation of this issue or clarification in this matter should be according to rulings of the shariāh and there is no scope to make decisions here based on rational thought.

The clear and obvious [decision] in this matter is that anyone who explicitly negates that Allāh tāālā is the Lord, the Creator, Sustainer or that He is One,<sup>692</sup> or [attests] worship of anyone other than Allāh tāālā or [others] along with Him – is plain kufr. Like what the atheists say [they deny a God] and sayings of all the sects of dualists, like the *Dīṣāniyyah* or *Mānawiyyah*<sup>693</sup> and those similar to them among the Sabians, Christians, Magians and polytheists among those who worship idols or angels or Satan or the sun, the moon, the stars, fire; or any polytheist from Arab lands, India, China, Sudan or anywhere else whose roots are not in a revealed religion.<sup>694</sup> Similarly [among explicit kufr are beliefs of] the Qarāmitians,<sup>695</sup> Bāṭinīs<sup>696</sup> and Ṭayyāriyyah<sup>697</sup> sect of Rāfidīs, who believe in immanence and metempsychosis.<sup>698</sup>

Similarly, those who acknowledge that Allāh tāālā is the One and Only God, but also believe that He is not Living or He is not Eternal, or that He is an accident or that He is created or is anthropomorphic; or claims that He has a son or a wife or a father – or that He has come into existence from something else; or something else shall issue from him; or something else eternal was alongside in pre-eternity other than Him; or that someone else created the universe, or governs it, or sustains it, or has dominion over it – all of this is kufr by the unanimous agreement of all Muslims. For example, claims of [certain] philosophers believing in two gods, astrologers and naturalists;<sup>699</sup> and those who claim conference with Allāh tāālā or going to him or ascension

<sup>691</sup> *Kitāb al-Shifā*, Volume Two: Part Four, Chapter Two. Page 391.

<sup>692</sup> *rubūbiyyah* – *waḥdāniyyah*.

<sup>693</sup> Those who believe in two gods: light and darkness; the *Dīṣāniyyah* believe that god of light is living and the god of darkness is dead; whereas the *Mānawiyyah* say that both are living. [*Muzīl al-Khaḥā ān Alfāz al-Shifā*, Ḥāfiẓ Shumunnī, d.872AH ].

<sup>694</sup> *lā yarjiú ila'l kitāb*; Christians are also polytheists for worshipping Jesus ﷺ, but their [current] religion is based on a divinely revealed book which was corrupted later; in contrast to Hindus, Buddhists and Pagan Arabs who worshipped idols carved of their own fancies and myths.

<sup>695</sup> *Qarāmiṭah*: The followers of Ḥamdan of Qarmat [d.321AH] which is itself a sub-sect of the Ismā'īlī Rāfidāh. Among their major doctrines is the annulment of shariāh.

<sup>696</sup> *Bāṭinī* one of the seven titles of Ismā'īlīs: According to Ábd al-Qāhir Jurjānī [d.429AH] they are heretics and apostates who are similar to atheists and believe in naturalism and that the universe is eternal (uncreated); they disbelieve in Messengers and divine laws [*sharā'iyy*] and they incline toward permissibility of everything craved or desired by [human] nature. [*Farq bayn al-Firaq*, p221].

<sup>697</sup> Also known as *Janāhiyyah* attributing themselves to the grandson of Ábdullāh ibn Jaáfar Ṭayyār, 'he with two wings' [*dhi'l janāhayn*]; they believe that the 'soul' of Allāh [*al-iyādhu billāh*] transferred into Sayyidunā Ádam and thereafter until Ábdullāh ibn Muáawiyah ibn Ábdullāh ibn Jaáfar.

<sup>698</sup> *ḥulūl wa't tanāsukh*: incarnation; believing in the indwelling of deity in certain persons, and the transmigration of souls.

<sup>699</sup> Which is prevalent in our time that 'nature' is responsible for everything that exists; and everything exists by itself without a creator and the universe sustains by itself.

and conversation with him;<sup>700</sup> or immanence of Allāh in some persons like the claims of false Sufis, Baṭīnīs, Christians, Qarāmiṭians are all kufr [and those who profess these beliefs are kāfir] without any doubt. Similarly, that which is absolute kufr is [belief] that the universe is pre-eternal and shall exist without an end; or has a doubt [that it is neither eternal nor everlasting] following the madh'hab of philosophers and atheists; or believes in transmigration of souls infinitely in certain persons; or that only souls are punished according to their purity or impurity. All those who believe such are absolutely kāfir.

Similarly, those who believe in one Supreme Deity, but reject prophets and prophethood entirely; or reject only the prophethood of our Prophet ﷺ; or reject prophethood of any prophet mentioned in the Qur'ān after being informed,<sup>701</sup> are all kāfirs without a shadow of doubt, like the Brahmins<sup>702</sup> or Jews<sup>703</sup> or the Urūsiyyah Christians<sup>704</sup> or the Ghurābiyyah<sup>705</sup> Rāfiḍīs who claim that Sayyidunā Jibrīl ﷺ was sent to Ālī ﷺ with the revelation; or the Qaramitians, Ismāyīlīs and Ānbariy<sup>706</sup> denominations of Rāfiḍīs – [all of them are kāfir], along with being companions of their predecessors in other kufr<sup>707</sup> as well.

Similarly, those who attest in the Unity of God and accept all prophets including our Prophet ﷺ, but also believe that it is permissible for prophets to lie<sup>708</sup> and whatever they claimed or did not claim [falsely], are with beneficial intent [*maṣlahāh*] like philosophers, some among the Bāṭīnīs and Rawāfiḍ, the extremist Sufis, and the libertines. They say: “the apparent rulings of shari'ah and most of what has been informed by the Prophets about the past or the future or the hereafter such as resurrection, apocalypse, paradise, hell are all figurative and metaphorical. They mentioned these things with the beneficial intent of preaching to people, because

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<sup>700</sup> Other than the ascension of RasūlAllāh ﷺ or the conversation of Sayyidunā Mūsā ﷺ.

<sup>701</sup> If an ignorant person doesn't know that Sayyidunā Ilyās or Sayyidunā Dhu'l Kifl or Sayyidunā Dhu'n Nūn [Yūnus] are prophets because he is unaware and denies it, he is not a kāfir according to some scholars, even though some others insist that ignorance is not an admissible excuse in doctrine and things deemed Essentials of Faith. However, after he is informed of their mention in the Qur'ān and if he refuses to believe in any of them, he is a kāfir without any doubt.

The names of twenty-five prophets are mentioned in *Āqīdah al-Āwām*: Aādam, Idrīs, Nūh, Hūd, Ṣāliḥ, Ibrāhīm, Lūṭ, Ismāyīl, Is'hāq, Yāqūb, Yūsuf, Ayyūb, Shu'ayb, Hārūn, Mūsā, Yasaā, Dhu'l Kifl, Dāwūd, Sulaymān, Ilyās, Yūnus, Zakariyyah, Yaḥyā, Yīsā and Sayyidunā Muḥammad. ﷺ.

It is necessary to believe in all prophets and messengers and it is recommended that we should not state an exact number of prophets; however, it is permissible to say: approximately 124,000 prophets. [*Sharḥ Fiqh al-Akbar, Sharḥ al-Āqāyid*].

<sup>702</sup> Hindus in general do not recognise prophets or prophethood.

<sup>703</sup> Jews deny the prophethood of Sayyidunā Yīsā ﷺ and Sayyidunā Muḥammad ﷺ.

<sup>704</sup> Probably the ancient denomination of Christians, the Arians, who follow Arius of Alexandria who was the primary topic in the First Council of Nicea, and who opposed the Trinity. Here, Qāḍī Īyāḍ says that even though they are Unitarians, they are still kāfirs because of the refusal to believe in our Prophet ﷺ.

<sup>705</sup> *Ghurābiyyah*: This sect says that the Archangel Jibrīl ﷺ mistook Sayyidunā Muḥammad ﷺ for Mawlā Ālī ﷺ and gave him the revelation. This was, according to them, because they resembled each other so much, like a crow [*ghurāb*] resembles another crow. Hence, the name of their sect.

<sup>706</sup> *Ānbariyyah*: Followers of Ūbaydullāh ibn Ḥasan al-Ānbar.

<sup>707</sup> Such as slandering Sayyidah Āyishah ﷺ etc.

<sup>708</sup> Qāsim Nānotwī deems certain kinds of 'explicit lies' permissible for prophets as he says [*Taṣfiyatu'l Āqāyid*, p22]:

Explicit lies [*darogh e ṣarīḥ*] are also of many kinds and therefore, the ruling is not the same for all of those different kinds [of falsehood]. It is not necessary for a prophet to be immune [*māṣūm*] from every kind [of explicit falsehood].

common people could not comprehend abstract concepts and were therefore described [by prophets] in physical terms.” Such statements are invalidation of divine laws brought by prophets and a blatant rejection of commandments and prohibitions; falsification of prophets and planting doubts in the message brought by them. It is unanimously agreed [*ijmāá*] that all such people are kāfirs.

Similarly, if one says that our Prophet ﷺ deliberately uttered a lie in delivering the message or in anything that he has informed us; or doubts in his truthfulness or insults him or that he did not deliver the message or is disrespectful towards him or any other prophet; or finds fault with them or hurts them or murders a prophet or fights them or is hostile to them; such a person is a kāfir by *ijmāá*. Similarly we make takfir of those who follow the madh’hab of the ancients who say that every species of living beings has a warner and prophet among them – [for instance, there is a prophet] among monkeys, pigs and animals, worms and maggots etc; and they try to prove their belief citing the verse:

وَإِن مِّنْ أُمَّةٍ إِلَّا خَلَا فِيهَا نَذِيرٌ

There has never been a nation without a warner in their midst<sup>709</sup>

Because it implies that prophets can be attributed with such character and deplorable descriptions, which is derogatory to this exalted office [of prophethood] which is in flagrant opposition to the unanimous agreement of Muslims rejecting such proposition and that anyone who claims thus is a liar.

Similarly, we make takfir of such a person, who, even though accepts Islāmic principles in their [true form] as explained earlier, and acknowledges the prophethood of our Master ﷺ, but [also] says that the Prophet ﷺ was black,<sup>710</sup> or passed away before he attained maturity, or that he did not live in Makkah or Hijaz or that he was not from the Quraysh – because this would contradict his known attributes and this would imply denying him or falsification of his person ﷺ.

Similarly, if one claims prophethood along with our Prophet or after him like the *Yīsawiyyah*<sup>711</sup> sect of Jews who say that the prophethood of RasūlAllāh ﷺ was limited only for the Arabs or the *Khurramiyyah* who claim that prophets keep coming unceasingly, like most of the Rāfidīs who claim that Āli was a partner in the prophethood of RasūlAllāh ﷺ and after him; and every imām<sup>712</sup> near these people takes the place of prophets and carries that authority; or the *Bazighiyyah* or *Bayāniyyah* among these Rāfidīs who believe in the prophethood of Bizigh and Bayān;<sup>713</sup> all such people are kāfir. Anyone who has similar beliefs concerning prophethood or claims to be a prophet himself, or believes that it is permissible to earn prophethood by cleansing the heart and attaining that lofty station; like the claims of philosophers and extremist sufis; also, those who claim that they receive revelation – even if he does not claim to be a prophet or that he rises in the

<sup>709</sup> Sūrah Fāṭir, 35:24.

<sup>710</sup> Āli al-Qārī: It is necessary to restrict this to someone who says this as a derogatory remark; but if one says so because of his ignorance about the attributes of the Prophet ﷺ, takfir is not appropriate. Because, knowledge about the Prophet ﷺ being white [in complexion] is not absolute, nor is it an Essential of Faith. And being dark does not contradict prophethood anyway, as a group of scholars have held that Luqmān was a prophet [and he is known to be black].

<sup>711</sup> Followers of Yīsā ibn Is’hāq ibn Yáqūb al-Aṣbahānī, who claimed that the prophethood of RasūlAllāh ﷺ was specific only to Arabs.

<sup>712</sup> The twelve imams of Ahl al-Bayt.

<sup>713</sup> Bizigh is unknown and Bayān is the son of Ismāyīl, the Indian. [Āli al-Qārī].

heavens and enters paradise and eats from its fruits and embraces Houris – every one of them is a kāfir and has belied the Prophet ﷺ, because he has informed us that he is “**the final prophet and there is no prophet after him**”. He ﷺ has also informed us narrating from Revelation that he is the final prophet and that he has been sent for all mankind. The entire nation has unanimously agreed [*ijmāá*] that these statements<sup>714</sup> are literal and thus it should be understood [literally], without any metaphorical explanation or exception.

Obviously, there is no doubt in the kufr of all the aforementioned groups; absolutely, by *ijmāá* and by revealed proofs.<sup>715</sup>

Similarly, there is *ijmāá* on the takfir of any person who rejects the text of the Qur’ān or takes exception to that ḥadīth upon which there is unanimous agreement that it is absolutely authentic, and unanimously agreed that its meaning is literal; for instance, takfir of Khawārij who do not accept stoning [of adulterers].<sup>716</sup>

Similarly, we make takfir of a person who abstains from making takfir of all those who follow religions other than Islām – or hesitates in considering them kāfir, or doubts that they are kāfir, or proclaims their religion to be valid; even if such a person professes Islām and believes in it; even if he has the belief that all religions are false except Islām, he is still a kāfir for saying that which he does not himself believe.



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<sup>714</sup> Statements in the Qur’ān and Ḥadīth that proclaim RasūlAllāh ﷺ as *Khātam al-Nabiyyīn*.

<sup>715</sup> *dalīl samýi*.

<sup>716</sup> Whereas it is mentioned in Ḥadīth of *Muwaffā* etc. [Qāri].

## EXTRACT FROM ASH'BĀH: ON APOSTASY

*Ashbāh wa'n Nazāyir* of Imām Zaynuddīn ibn Ibrāhīm ibn Nujaym al-Ĥanafī [d.970 AH] is an important book on principles of fiqh in the Ĥanafī madh'hab organised in seven categories. *Category Two: Illustrations; The Book of War: Chapter on Apostasy*<sup>717</sup> comprises of rulings illustrating principles of fiqh.

1. If a person salutes a *dhimmi* out of reverence [to his faith], he has committed kufr. If a person tells a Magian<sup>718</sup> “My Master” with reverence, has committed kufr. [*Ṣalāt al-Ẓahīriyyah*].
2. In *Ṣughrā*: Kufr is a very grave charge; I will not consider a believer as a kāfir, if I can find a narration<sup>719</sup> that prevents me from making takfir.<sup>720</sup>
3. The apostasy of an inebriated person is invalid; except in the case of a person who disrespects the Prophet ﷺ, and the blasphemers will be executed without pardon. [*Bazzāziyyah*].
4. The repentance of every kāfir is admissible in this world and the hereafter, except those infidels who blaspheme against our Prophet ﷺ or any other prophets; or if he insults the two shaykhs [Abū Bakr ؓ and Ūmar ؓ]<sup>721</sup> or one of them; or a sorcerer – even if it is a woman; or a zindīq if he is captured prior to his repentance. [*Yatīmah*]
5. Any Muslim who has become an apostate will be executed if he does not repent; however, women are not executed;<sup>722</sup> those who are Muslims as concomitants<sup>723</sup> or children; or a person who is forced to accept Islām<sup>724</sup> will not be executed.
6. A person whose Islām is proven by witnesses [one man and two women; or two men] and becomes an apostate will be executed.
7. The punishment for apostasy is execution, if the apostate does not revert to Islām. All his previous deeds will be [deemed] destroyed; however, when he reverts to Islām, he need not expiate [*qadā*] past deeds

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<sup>717</sup> Ibn Nujaym al-Ĥanafī, *Al-Ash'bāh wa'n Nazāyir*, 219. Notes are based on *Ghamz al-Ūyūn al-Baṣāyir*, 2/189, commentary of *Ashbāh* by Aḥmed ibn Muḥammad al-Ĥamawī [d.1098 AH].

<sup>718</sup> Magian is mentioned as an example, it could be any kind of kāfir.

<sup>719</sup> That is, a juridical opinion which prevents me from doing takfir, even if it is the opinion of non-Ĥanafī scholars.

<sup>720</sup> In *Ghamz*, these are listed as two statements.

<sup>721</sup> Even though the author attributes this to *Jawharah*, it is not found therein, in spite of examining commonly available copies. But we, Ĥanafīs accept the repentance of the blasphemers of prophets unlike Mālikīs and Ĥanbalīs; then why should the repentance of a slanderer of Shaykhayn be inadmissible? Rather, none among famous scholars has ever said so [Ĥamawī].

<sup>722</sup> That is, if a woman becomes an apostate, she will not be executed.

<sup>723</sup> For example, the minor whose parents became Muslims and thereafter, he becomes an adult and has not professed faith after puberty. If such a person becomes an apostate, he will not be executed; because apostasy is reverting from attesting Islām and here, there is no proof of Islām after puberty.

<sup>724</sup> Who became a Muslim by coercion.

except Ḥajj, similar to the original disbeliever who becomes a Muslim.<sup>725</sup> The ḥadīth an apostate narrates from others becomes invalid; it is forbidden for others to narrate from him after his apostasy [*Walwalijyyah*].

The apostate's wife goes out of wedlock, his endowments become absolutely invalid. If he dies [a natural death as an apostate] or is executed for apostasy, he shall neither be buried in the graveyard of Muslims or the graveyard of his community.<sup>726</sup> He shall be shoved in a pit like a mangy cur – because an apostate is worse than the original kāfir.

8. Faith means to attest [and believe in] the veracity of the Prophet Muḥammad ﷺ concerning everything brought by him ﷺ; and is deemed Essential of Faith.
9. Kufr means to belie anything that Prophet Muḥammad ﷺ has brought and is deemed Essential of Faith.<sup>727</sup> Nobody among the People of Qiblah will be deemed kāfir unless they deny that which brought them into Islām in the first place.<sup>728</sup>
10. The summary of the opinions of Ḥanafī scholars is based on this [principle above] and there are things that are differed upon – but certainly, the fatwā [of kufr] is not given in any issue where scholars have differed upon.
11. Insulting Shaykhayn and cursing them is kufr; but if he elevates Ālī over them, he is a heretic [*Khulāṣah*]. In *Manāqib* of Kardarī, it is said that anyone rejecting the caliphate of Abū Bakr or Ūmar ؓ, or hates them because of the Prophet's ﷺ love for them is a kāfir; however, if he only loves Ālī more than them both, he can be excused.<sup>729</sup>
12. In *Tahdhīb*: A person shall become an apostate if he rejects whatever is obligatory to accept, or mocks Allāh tāālā or the Qur'ān or any of the prophets.
13. The apostate shall be executed, even if he behaves like a Muslim – offers prayer in congregation, performs Ḥajj with *talbiyah*.<sup>730</sup>
14. If a person rejects [the charge of] apostasy, it is deemed his repentance. If a number of Muslims attest to his apostasy, and he denies it – he will not be prosecuted. This does not mean that righteous people who

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<sup>725</sup> He/she is not required to expiate obligatory actions like prayer and fasting.

<sup>726</sup> Suppose he converts to Christianity, *al-iyādhu billāh*, he will not be allowed burial in the Churchyard.

<sup>727</sup> Everything brought by the Prophet ﷺ is truth; but not everything that we know is incontrovertibly proven. For example, there are numerous sunnah which are proven by weak ḥadīth, or even an authentic sole-narrator ḥadīth could be interpreted in many ways. Not accepting such a sunnah would not mean that he has rejected the Prophet's ﷺ word. See Imām Faḍl al-Rasūl Badāyūnī's explanation in the chapter on apostasy.

<sup>728</sup> That is the *shahādah* and the declaration of faith.

<sup>729</sup> Ḥamawī disagreed and said that this opinion is not consistent or reasonable.

<sup>730</sup> The pilgrim's chant: *Labbayk Allahumma Labbayk!* Here I am, my Lord! Here I am at your service.

bore witness are false – rather, his denial<sup>731</sup> is deemed repentance and reversion [*Fat'h al-Qadīr*]. But you may object: Just a little earlier you have said that apostasy is proven by two upright witnesses; what is the use of that clause? My answer: Two upright witnesses are required to prove that he is an apostate; and denial [of the accused] is repentance – so that legal rulings can be established concerning an apostate, even if he repents; such as erasure of his past deeds, annulment of endowments, his wife going out of wedlock.

15. When it is said, “he will not be prosecuted” this refers to an apostate whose repentance is accepted, not about an apostate whose repentance is inadmissible, such as the blasphemers of the Prophet ﷺ or insulting the Shaykhayn [Abū Bakr and Ūmar].
16. Scholars differed concerning the kufr of a person who believes that a Friend of Allāh can travel long distances in a very short span of time.<sup>732</sup>
17. If a person says: “I won’t pray,”<sup>733</sup> we do not make takfīr unless he means to reject [the obligation].
18. It is not necessary for a person to know the name of the father of Sayyidunā Muḥammad ﷺ to profess faith; just the name of the Prophet ﷺ is sufficient.
19. If a person described the attributes of Allāh in front of his wife and she says: “I used to suppose that Allāh tāālā is in the heavens,” she has committed kufr.<sup>734</sup>
20. If a person says: “I am Pharaoh” or “I am Lucifer,” he will not be considered a kāfir, unless he means to say that his belief is similar to that of Pharaoh or Lucifer.<sup>735</sup>
21. Scholars debated the kufr of a person who said as an apology: “I used to be a kāfir, now I am Muslim.”<sup>736</sup>
22. If someone tells another:<sup>737</sup> “you are a kāfir” and the person replies: “yes, I am a kāfir.” The latter has become a kāfir.

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<sup>731</sup> Denial here works in case of an utterance; not in the case of people who write, publish and reprint blasphemies. In such cases, explicit disavowal of these past blasphemies and a renewal of faith and marriage is necessary.

<sup>732</sup> This used to be a contention in the past; but now with air travel – a person is in Makkah in the morning and in China or Africa by evening and the very premise – that it is not possible, is invalid.

<sup>733</sup> In *Īmādiyyah*: If a person says about the five obligatory prayers, ‘I don’t pray,’ and he means to reject the command of Allāh, he is a kāfir. But if he is merely giving information [that he has this bad habit of not praying] he is not a kāfir.

<sup>734</sup> Ḥamawī:

That is only if she said this knowing that it is kufr; but if she was ignorant, she will not become kāfir. Because the excuse of ignorance is admissible in some cases of takfīr, even though the general opinion is that of takfīr (in spite of the excuse of ignorance). Secondly, this saying itself is debatable whether it is kufr, because utmost it would attest a direction to Allāh tāālā, and one who does so is a heretic, not an apostate. Even though this would imply a body, it is not necessary that the person attests a body – just because X implies Y, it does not mean X is Y. In *Sharḥ Shāfiyyah*: A slavegirl was brought to the Prophet ﷺ and her master wanted to manumit her as expiation. He ﷺ asked: “Where is Allāh?” and she pointed towards the sky; the Prophet ﷺ said: “Release her, she is a Muslim”.

<sup>735</sup> *firāwn, iblīs*.

<sup>736</sup> This is about common expressions – even though it is wild. If one said to another as an apology, meaning I used to be in the wrong before, but now I see the truth.

<sup>737</sup> As illustration, the original uses the example of a woman. If a woman was told: ‘you are kāfir...’ Yet, it applies to all.

23. One who considers sodomy with his wife as permissible is a kāfir according to majority.<sup>738</sup>
24. If a person steps on the Qurʾān in derision he is a kāfir; and if a person makes fun of [religious] knowledge or satirises [religious] scholars, he is a kāfir.<sup>739</sup>
25. If a person rejects the basis of Witr or Sacrifice<sup>740</sup> is a kāfir. If he abandons worship disdainfully, he is a kāfir; but if he abandons prayer out of laziness or some other reason, he will not be ruled kāfir. [*Mujtabā*]
26. If a person claims Knowledge of Unseen,<sup>741</sup> he becomes a kāfir; so also, if he/she says: “I don’t know Allāh táālā”.<sup>742</sup>
27. Making fun of the call to prayer [*adhān*] is kufr; mocking the caller is not.
28. If a trader<sup>743</sup> says: Kāfirs and their countries [hostile to Muslims] are better than Muslims and Muslim countries, he will not be ruled kāfir, unless he means their religion is better.
29. If a person salutes [gives salām to] another and he says: “It is an enormity if I reply to your salutation,” he will not be ruled kāfir.
30. If a person is told: “Say, there is no God except Allāh” and he replies: “I will not say so,” he will not become a kāfir.<sup>744</sup>
31. If a person tells another: Do not be conceited, it will cause your downfall – because Mūsā ﷺ liked himself which caused him distress;<sup>745</sup> he will be asked to explain what he meant; if his explained meaning is one of kufr, he will be ruled a kāfir.
32. If a person says, “My wife is more beloved to me than Allāh táālā” and his intention is mundane love, then he will not become kāfir; but if means love as in reverence and worship, he is a kāfir.

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<sup>738</sup> In *Nawādir*, it is mentioned that Imām Muḥammad: Concerning a person who considers sodomy and intercourse with a woman during her menstrual periods as lawful – the correct position is that he is not a kāfir.

<sup>739</sup> If the person kicks in derision; but if he steps on it accidentally, unknowingly or in duress, he will not become a kāfir. Similarly, if he derides a scholar for his shortcomings, he will not become a kāfir – but if he is ridiculed because of his affiliation to Islamic knowledge, it is deemed mockery of religion, hence he will be deemed kāfir. Ḥamawī mentions a fatwā about an amputee without both hands who writes the Qurʾān with his toes and says he is not a kāfir because this is not done in derision.

<sup>740</sup> That is, if he rejects that there is no basis for *witr* or sacrifice [*uḍʿhiyyah*] he is a kāfir because it is proven by *tawātur*; however, if he does not accept the legal ruling that it is *wājib* [as in the Ḥanafī madhʿhab] he is not.

<sup>741</sup> That is, absolute knowledge of unseen as mentioned by Imām Nawawī in his *Fatāwā*.

<sup>742</sup> That is, if he says it as an agnostic; but if he indicates ignorance about Allāh táālā while believing in Him, it is not kufr.

<sup>743</sup> Trader is mentioned to indicate that he must have travelled to lands of disbelievers and seen their customs and living conditions.

<sup>744</sup> Unless he means to reject that credo and belief in Allāh or monotheism, in which case there is no doubt of his kufr.

<sup>745</sup> This is difficult to translate and may sound absurd in English. The words used are *újb* and *halak* – if such words are used for prophets, with the intention of common usage which is disrespectful, the person becomes kāfir; but if he uses these words but does not intend the disrespectful meaning, he will not be a kāfir.

33. If a person worships an idol, he becomes a kāfir, regardless of what he professes in his heart.
34. Similarly, if one makes fun of the saying of the Prophet ﷺ; or exposes his privates [when the ḥadīth is mentioned], he becomes a kāfir.
35. Similarly, if he makes the image of Sayyidunā ʿĪsā ﷺ to worship him, he becomes a kāfir.
36. So also if he makes an idol [for worship] he becomes a kāfir.
37. Similarly, disrespecting the Qurʾān or mosques or any such thing which is revered in Islām, is kufr.
38. Similarly using unclean things in places where it is forbidden to use,<sup>746</sup> if he does it by way of derision, he becomes a kāfir.
39. If a person wears the *zunnār* for Jews or Christians, regardless whether he enters their places of worship or not, he becomes a kāfir.<sup>747</sup> If he says, I did so to make fun of them, he will be believed.
40. If anyone doubts in the veracity and truth of Prophet ﷺ, or insults him, or denigrates him, or belittles him or uses a diminutive to describe him ﷺ, such a person is a kāfir.<sup>748</sup>
41. If one uses a diminutive to describe a mosque, scholars have differed whether he is a kāfir; but the correct position is, that he is not a kāfir.<sup>749</sup>
42. Similarly, if one wishes that Allāh tāālā should not have sent the Prophet ﷺ, if he says this without enmity [he will not be a kāfir].
43. If one deems a licentious person as a prophet, he becomes a kāfir; because such things are unbecoming of a prophet.<sup>750</sup>
44. If a person says that prophets have not made errors during or prior to their prophethood, he becomes a kāfir because it is rejection of Qurʾānic verses.<sup>751</sup>

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<sup>746</sup> For example, blood, alcohol and urine are impure [*najāsah*] and if one uses these to write the Qurʾān, it is ḥarām if it is done as novelty etc; but if it is done derisively or challenging religious laws, it is kufr.

<sup>747</sup> *Zunnār*: girdle or a belt. If a Muslim would wear them, it is as if he is telling others: 'I am a Jew or Christian,' which is kufr; or if he is trying to ridicule Islām. hence the comment – regardless whether he enters a synagogue or a church.

<sup>748</sup> The word used here is *taṣṣghīr*. Ḥamawī says: That is if one uses the diminutive form of the Prophet's ﷺ name or his blessed body, the person becomes a kāfir instantly. In *Fatāwā ʿZahīriyyah*, if a person says about the hair of the Prophet ﷺ as a hairlet [diminutive] he becomes a kāfir if his intention is to denigrate; another group of scholars disagreed and said sometimes diminutives are used to describe a thing or person with respect and reverence, as a figure of speech.

<sup>749</sup> This is because of the ḥadīth narrated by Abū Hurayrah ﷺ that the Prophet ﷺ said: 'Do not call a mosque or the copy of the Qurʾān with their diminutive forms' [that is, *masjid* as a *musayjid* and *muṣṣḥaf* as a *muṣṣayḥaf*].

<sup>750</sup> That is, prophets are pure and immaculate – and this person has denigrated the exalted station of prophethood.

<sup>751</sup> Ḥamawī:

This is problematic, because Qāḍī ʿIyāḍ and others have said that prophets are divinely protected from sin; from both small sins and enormities; both prior to and after their prophethood; both unknowingly and deliberately. Proofs for these are

45. If a person attributes immorality or indecency to prophets, such as ‘desire or intention to commit adultery’ in the case of Sayyidunā Yūsuf ﷺ, the person becomes kāfir because it is derogatory to prophets; though some have said, that he doesn’t become a kāfir [in certain circumstances].<sup>752</sup>
46. If a person does not know [or acknowledge] that Sayyidunā Muḥammad ﷺ is the last of all prophets, such a person is [certainly] not a Muslim because this tenet is an Essential of Faith.<sup>753</sup>




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found in abundance, in books of Kalām. Indeed, if the sentence means kufr of such a person [who says prophets did not sin]; this is about common folk who only know the Qur’ān text and its literal meaning; but if it is a person who knows that such words are not to be taken literally and requires interpretation, such a person will not be ruled kāfir. I say, this opinion requires further clarification because the preferred ruling is that ignorance is acceptable in the topic of *ikfār-takfīr* and Allāh tāālā guides on the path of righteousness.

Someone answered it partially and said: This statement concerns a person who mentions the verse [Sūrah Ṭāhā, 20:121]:

وَعَصَىٰ آدَمُ رَبَّهُ فَغَوَىٰ

and says, ‘they did not make any errors that are proven.’ Which would necessitate rejection of this verse; but if any person takes this verse to mean an enormous sin [*kabīrah*] he is a kāfir. I say: Belying or rejection of the verse is only in the case of an ordinary person who does not know anything else other than Qur’ān verses. We have said earlier that ignorance is an admissible excuse in *takfīr* and Allāh tāālā alone Knows the manifest and the hidden; but this answer is incomplete. It appears to me that this is a spurious addition in our madh’hab – because it is unimaginable that anyone in our madh’hab would take this route!

It is also said that due to copyists mistake, a *mīm* has been erased in this sentence ‘*lam yūṣamū*’ became ‘*lam yāṣu*.’ That is, “If a person believes that prophets are not divinely protected from sin – prior and after their prophethood - becomes a kāfir” because such a statement contradicts scriptural texts and by elision of *mīm*, it means the exact opposite. لم يعصوا – لم يعصموا. Detailed proofs for this position is found in books of Kalām, and I have written a book on this topic titled: *It’ḥāf al-Adhkiyā bi Tahīrīri Mas-alati Iṣmah al- Anbiyā’a*. Allāh tāālā guides towards the straight path.

<sup>752</sup> The correct position is that he is a kāfir; if a person assumed that it was possible prior to prophethood – or mentions the Qur’ānic verse and takes its literal meaning. Those who disagreed were being extra careful in takfīr. This certainly does not mean that anyone can say anything about prophets and cite this opinion. This opinion is restricted to such words mentioned in the Qur’ān and Ḥādīth, and in no manner permitted in other languages.

<sup>753</sup> And ignorance is not an admissible excuse to avoid takfīr in the case of Essentials of Faith.

## EXTRACT FROM SHIFĀ: THE SEVEN CASES

*Qāḍī Īyāḍ explains seven cases – statements or actions considered as blasphemy. Some illustrations of these concern explicit and intentional insults and some others are implied and unintentional. Qāḍī Īyāḍ mentions rulings in all these cases.*<sup>754</sup>

The Qāḍī says: [**The First Case:**] We have mentioned earlier that whosoever intentionally disrespects or disparages him in whatever manner – regardless of whether such description is possible or impossible<sup>755</sup> – such a person is executed. This is a clear-cut case and there is no reason for confusion nor anything problematic about it.

**The Second Case:** is similar to the previous one in its wording and explicitness; however, the utterer does not say it with the intention of insulting or disparaging the Prophet ﷺ, nor does he believe in such things. But he has [nevertheless] uttered blasphemies – words of kufr:

- ▶ that criticise him or insult him or belie him;
- ▶ or attribute things to him which are forbidden to say about him or negate something which is obligatory for him;
- ▶ or attributes a flaw or fault to him – such as accusing him of committing a major sin or flattery or cajolery when he preached to others or [when he] delivered the message, or in his adjudication between disputing parties;
- ▶ or says things that diminish the lofty rank Allāh táālā has bestowed upon him, or [disparages] his noble lineage or [degrades] the extensiveness of his knowledge or his austerity;
- ▶ or if a person denies things informed by him, when such reports are well-known and have reached the level of *tawātur*, [if such denial is in the form of] seeking to reject his opinion;
- ▶ or if a person talks about him in a rude and brusque manner, or speaks about him in vulgar and uncouth words or any other form of abusive speech;

Even if the person proves that he has not deliberately said any of this to deride him ﷺ; or intended to insult or disparage him ﷺ – whether it was ignorance that made him say such things or because he was discontented or disgruntled, or he was inebriated, or he blurted it out without thinking or it slipped from his tongue, or because of haughtiness or impudence, or impetuosity and recklessness; in all such cases, the ruling is the same as in the first case – that is, execution without further deliberation or any hesitation, because the excuse of ignorance [in such cases] which cause apostasy is inadmissible, nor the excuse of slip of the tongue, nor any other excuse which I have mentioned above as long as the person is sane and has not lost his reason. Except a person in duress, who utters such things due to coercion – as long as faith is undisturbed in his heart. It is therefore, that the Andalusian scholars decreed against Ibn Ḥātīm when he repudiated the zuhd of RasūlAllāh ﷺ, as

<sup>754</sup> *Kitāb al-Shifā*, Volume Two: Part Four, Chapter Two. p364.

<sup>755</sup> Khafāji: things which are possible such as human errors and things which are impossible by Law [*mumtaniy sharān*] such as falsehood – because being always truthful is his miracle.

mentioned earlier. Muḥammad ibn Saḥnūn said concerning the blasphemy committed by prisoners,<sup>756</sup> that they should be executed – except in the case of such prisoners who became Christians<sup>757</sup> or those who were compelled to utter blasphemies.

Abū Muḥammad ibn Abī Zayd<sup>758</sup> said that no one will be spared nor any excuse citing slip of the tongue will be admissible in such cases [of blasphemy]. Similarly, Abu'l Ḥasan al-Qābisī issued a fatwā that whoever insulted the Prophet ﷺ even in a state of intoxication shall be executed, because it appears that the person must have held such beliefs in soberness and probably says such things when he is not drunk – and this is statutory punishment [*ḥadd*] which is not excusable, like the case of [unjust] accusation of adultery or murder or other *ḥadd* punishments as he is responsible for this himself. Because when a person knowingly [and of his own free choice] gets drunk, in full knowledge that he may commit a crime, is the same as a person who commits a crime intentionally. Based on this, we consider valid, the divorce or manumission [by a drunk] and punishment in case of homicide [qīṣāṣ] and other punishments.

One cannot pose an objection by citing the case of Sayyidunā Ḥamzah ؓ when he said addressing the Prophet ﷺ, “You are all the slaves of my father.” The Prophet ﷺ recognised that he was inebriated and left him [without reprimanding him]. This was because wine was not forbidden at that time, and therefore a crime committed under the influence of alcohol was not a sin; and whatever said [in such a state] was pardonable – similar to a person talking in his sleep or in a state of reduced consciousness while using certain permissible medications.<sup>759</sup>

**The Third Case:** When a person intends to belie his words<sup>760</sup> and seeks to falsify his message or rejects his prophethood or messengership<sup>761</sup> or denies his existence or disbelieves in him – does such a person transfer to another religion by these statements or not? [The answer is:] such a person is [very much] an apostate by *ijmāʿ* and he shall be executed. The statement of such a person is analysed, and if statement is explicit and openly said, he is judged similar to an apostate. Scholars have debated whether his repentance is requisitioned; [some have accepted it] and according to the second opinion, this person will not be spared the death penalty, even if he repents, because of [his violating] the right of RasūlAllāh ﷺ; this is in case he utters something which is disparaging such as an accusation of lying etc.

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<sup>756</sup> According to Khafājī, those imprisoned by non-Muslims in hostile lands or incarcerated by disbelievers, such as Muslims in Guantanamo Bay or Abū Ghraib in Iraq or Israeli jails in our times.

<sup>757</sup> That is, if they commit blasphemy after becoming apostates; they will be asked to repent and let off if they repent, opposed to a Muslim who commits blasphemy – who is executed without repentance [according to Malikis]. In other versions of *Shifā* the sentence reads: “except where the prisoner is compelled to utter blasphemy and his reluctance to do it as well as faith being firm in his heart is known”.

<sup>758</sup> Ibn Abī Zayd al-Qayrawānī [310-386 AH] famous Mālikī jurist known for his *Epistle*.

<sup>759</sup> That which may cause drowsiness – in Qādī Īyāḍ's time, this would be some sort of a mild narcotic, like small quantities of opium; and in our time many drugs – painkillers and antibiotics induce sleep, drowsiness and carry a warning against driving when using such medications.

<sup>760</sup> Khafājī: If a person knowingly accuses him ﷺ of telling a lie or seeks to belie him.

<sup>761</sup> Refuses to believe that he ﷺ was a prophet and a messenger of Allāh. Even though this is a form of disrespect, it is different than other kinds of insult – like Jews and Christians do – it will not be considered as blasphemy in our madh'hab as it shall be explained presently.

If he keeps such things clandestine and says them in private, he is similar to a *zindīq* – and will not be spared execution according to Mālikī scholars as I shall explain later; Abū Ḥanīfah and his students said that whosoever distances himself from Sayyidunā Muḥammad ﷺ or belies him ﷺ is an apostate and his blood is no more immune<sup>762</sup> except if he reverts. Ibn al-Qāsim said, if a Muslim says that Sayyidunā Muḥammad ﷺ is not a Prophet or that he was not sent [by Allāh tāālā] as a Messenger or the Qur’ān was not revealed to him or any such slander, shall be executed. Any Muslim who rejects or disbelieves in RasūlAllāh ﷺ is [akin to] an apostate<sup>763</sup> and similarly, one who publicly belies the Prophet ﷺ is dealt with as an apostate and is requisitioned to repent.

Similarly, if one declares himself to be a prophet and claims that he receives revelation [he is an apostate and will be asked to revert and repent] as said by Saḥnūn.<sup>764</sup> Ibn al-Qāsim said regardless of whether he makes this claim discreetly or proclaims it openly. Aṣḥab said: Such a person is an apostate as he has disbelieved in the book of Allāh tāālā and attributed a lie to Him.<sup>765</sup>

Ash-hab said concerning a Jew who purports to be a prophet and claims that he was given a message [by revelation to give] to the people or if he tells [Muslims]: “There shall be a prophet after your Prophet,” he shall be asked to repent if he says such things in public – if he repents, he is spared or else executed. This is because he has belied the Prophet ﷺ when he said: “There is no prophet after me” and has lied and falsely alleged that Allāh tāālā has made him a prophet or a messenger.

Muḥammad ibn Saḥnūn said: ‘Anyone who doubts a single letter<sup>766</sup> that Sayyidunā Muḥammad ﷺ has brought from Allāh ta’ālā, is an obstinate *kāfir*.’ And he said: ‘The punishment for whoever belies the Prophet ﷺ, according to [the agreement of] our nation is that he shall be executed.’ Saḥnūn’s student Aḥmad ibn Abī Sulaymān said: ‘Whoever says that the Prophet ﷺ was black shall be executed because the Prophet ﷺ did not have a dark complexion.’ Abū Ūthmān al-Ḥaddād said similarly: ‘If one says that the Prophet ﷺ passed away [young] even before he had facial hair, or that he lived in Tahert<sup>767</sup> or denies that the Prophet ﷺ did not live in Tihāmāh<sup>768</sup> – such a denier will be executed as he rejects the Prophet’s well-known attributes. Ḥabīb ibn Rabīy said, ‘Altering his ﷺ attributes [deliberately] and describing him unlike his appearance; or denying his location<sup>769</sup> is *kufr*; if a person says such things openly, he is an apostate and will be requisitioned to repent; and

<sup>762</sup> That is, he will be executed.

<sup>763</sup> There is no doubt that he is an apostate; but wherever the phrase ‘akin to an apostate’ ‘similar to an apostate’ is used, it is meant to indicate the ruling – and the difference between an apostate, and a blaspheming apostate.

<sup>764</sup> Khafājī suggests that it is Saḥnūn’s opinion.

<sup>765</sup> Khafājī: *Firyah* here means attributing a lie to Allāh tāālā that He has given the claimant revelation.

<sup>766</sup> Khafājī: That which is reported that ‘Abdullāh ibn Masūūd ﷺ denied the last two chapters of the Qur’ān [*mu’awwidhatayn*] is incorrect and is commonly agreed by scholars as false. Suppose, hypothetically the report is correct, even then it would only mean that an *ijmāā* was not established at that time – but after the *ijmāā* is established, anyone who denies it is an apostate as Muḥammad ibn Saḥnūn is cited later in the book [*Shifā*].

<sup>767</sup> Tahart, Tiaret or Tahert is a town in Algeria and is close to Tlemcen [Tilimisān] and in the time of the Prophet ﷺ it used to be an Arab settlement in Berber Northern Africa.

<sup>768</sup> Tihāmāh is the Red Sea coastal plain of Arabia, and the northern part where Jeddah, Makkah etc., are located is known as Tihāmāh al-Ḥijāz.

<sup>769</sup> That he lived in Makkah and Madīnah.

if he mentions this in private, he is considered a *zindīq* and shall be executed without any requisition for repentance.

**The Fourth Case:** When someone says something generic or cryptic; or ambiguous words which could either refer to the Prophet ﷺ or to someone else. Or if the meaning of what he said could be either valid or invalid [depending on the interpretation] and therefore merits further investigation, this becomes a perplexing topic such that mujtahid scholars find it debatable and hence the conflicting opinions and adherent-scholars<sup>770</sup> are reluctant to take a stand and excuse themselves by following the opinion of mujtahid scholars. Consequently, some are spared and some go to the gallows, depending on the outcome of the prosecution. Such [scholars and judges] who focused on defending the honour of the Prophet ﷺ were bold in handing the death penalty; and those who focused on the gravity of shedding a Muslim's blood withheld from handing strict sentences due to ambiguity of such statements.<sup>771</sup>

[For example] our imāms differed in the case of a person who was angered by an adversary who told him: 'Send blessings on the Prophet ﷺ' and the person blurted: 'May Allāh never bless the person who prayed for blessings upon him ﷺ'. Saḥnūn was asked about this person whether he had insulted the Prophet ﷺ or angels [because they] send blessings upon him ﷺ; and he replied 'No, if he has said it in anger without thinking about the consequences and did not intend to insult Allāh's Messenger ﷺ.' Abū Isḥāq al-Barqī and Aṣḥab ibn al-Faraj said that he will not be executed because he has insulted others<sup>772</sup> and not the Prophet ﷺ. This is similar to Saḥnūn's opinion because he did not excuse the person on account of anger<sup>773</sup> in blasphemy of the Prophet ﷺ, but because the statement was ambiguous requiring clarification – and he did not have sufficient corroborative evidence for establishing blasphemy of the Prophet ﷺ or derision of angels; nor did he know the complete speech which could provide the proper context of such a statement; rather, the situation indicates that the person's ire was directed at the other man.

This is consistent with the reasoning of both his companions [mentioned earlier]. However, the judge Ḥārith ibn Miskīn and others opined that in such cases, the utterer will be executed. Abu'l Ḥasan al-Qābisī was reluctant to order the execution of a person who said: "Every innkeeper is a pimp,<sup>774</sup> even if he is a prophet," and he ordered the person to be imprisoned and reprimanded until he understood the implication of his utterance. Such a person is asked to clarify whether he meant innkeepers of our time – and since it is known fact that there is no prophet in our time, his sentence is lighter. However, the apparent meaning of this statement is generic – that includes innkeepers in the past as well as the present, and there are among prophets and messengers in the past who were wealthy.<sup>775</sup> The blood of a Muslim is precious and we cannot hasten unless the case is amply clear; if a problematic statement is open for interpretation, it is essential to analyse it at length and seek further clarification.

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<sup>770</sup> *muqallid*.

<sup>771</sup> Since the statement was ambiguous, the latter group of scholars were careful and chose to err on the side of caution.

<sup>772</sup> His statement refers to the other man with whom he has the argument, not the Prophet ﷺ himself.

<sup>773</sup> Khafājī: blasphemy of the Prophet ﷺ is inexcusable, even if one does it in anger.

<sup>774</sup> *qarunān*, a cuckold or a person who brings men to his own wife or his daughters or sisters etc. [Khafājī 6/225]

<sup>775</sup> Thus insinuating against prophets and therefore, the ruling would be more severe. Khafājī says that 'innkeeper' is a metaphor for a wealthy trader.

Concerning a person who said: “May Allāh damn the Arabs; may Allāh damn the Children of Israel; may Allāh damn the children of Ādam” and he did not intend prophets among them – rather his intention was the oppressors and tyrants among them; Abū Muḥammad ibn Abī Zayd al-Qayrawānī is reported to have ruled for reprimanding and disciplining such a person – and punish as much is permissible for the Sultan.<sup>776</sup> Similarly he issued a fatwā concerning the person who said: ‘May Allāh tǎālā damn the person<sup>777</sup> who forbade intoxicants’ and says ‘I don’t know who forbade it.’ Or if a person curses the ḥadīth: ‘The local [trader] cannot sell to the bedouin.’<sup>778</sup> If such a person is ignorant of the ḥadīth, he will be reprimanded severely because on the outward, this person did not intend to blaspheme against Allāh tǎālā or His Messenger ﷺ; rather, he referred to other common men who forbade it. Similar to this is the speech of foolish masses; [such as a person] who abuses another and says: ‘O son of a thousand pigs’ or ‘a hundred dogs’ – because undoubtedly in such a large number of forefathers, there might be prophets – and quite probably this figure may end up with Sayyidunā Ādam ﷺ. It is necessary to reprimand such a person and explain the stupidity of his utterance; however, if it is known [credibly] that he indeed included the prophets in the forefathers, then he shall be executed. Similarly, if a person tells a Hāshimi:<sup>779</sup> ‘may Allāh tǎālā damn the children of Hāshim’ the scope for interpretation becomes very narrow. If the person claims that: ‘I intended the tyrants among them’ or if a person says similar things to a descendant of the Prophet ﷺ and in full knowledge that he is the descendant of the Prophet ﷺ or says ugly things about his forefathers or ancestry or his children; because it is difficult to justify an exclusion of the Prophet ﷺ while making such a generalisation. I have seen the fatwā of Abū Mūsā ibn Manās where he ordered the execution, if proven, of a person who told another: ‘May Allāh damn you [and your forefathers] until Ādam ﷺ’.

I say:<sup>780</sup> our masters have differed on the issue of a person who bore witness and then said: ‘Do you accuse me of [false witness]?’ The other person replied: ‘Even prophets have been slandered and you are of a lesser consequence.’ Our shaykh Abū Isḥāq ibn Jaáfar ruled for his execution owing to the odiousness of the words he has used; but Qāḍī Abū Muḥammad ibn Maṣṣūr refrained from executing him because those words can be interpreted according to him – that is, the second person could be mentioning a historical fact of how the infidels slandered prophets; the Qāḍī of Cordova Abū Ābdullāh ibn al-Ḥajjāj ruled similarly. However, the judgement of Qāḍī Abū Muḥammad was far more stricter and he ordered the person to be chained and jailed and made him to swear an oath that he had been untruthful; and then released him.<sup>781</sup>

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<sup>776</sup> But not the death penalty, owing to the vagueness in the case.

<sup>777</sup> Khafājī: At the outset, this is apostasy and earns the death penalty, because intoxicants were forbidden by the lawmaker; that is, the Prophet ﷺ.

<sup>778</sup> This is the part of a famous ḥadīth recorded in many books including the two Ṣaḥīḥs: *nahā RasūlAllāh ﷺ ʾan yabiā ḥādīrun li-baād* and *wa lā bay ḥādīrun li-baād* with slight variations [Bukhārī, 2158-2163]. In other narrations, it is not absolute and has a qualifier: he cannot sell without an agent as a go-between. It is an extensively discussed issue and various explanations have been offered; Ibn Ḥajar mentions that the Ḥanafīs qualified this as sale in times of duress and inflation where the local trader may rip off the unknowing bedouin (or a non-local buyer) who is in need of that particular item; whereas Imām Mālik said that it is specific for bedouins and does not include other rural areas, because they are aware of prices and the state of trade [Fatḥ al-Bārī, #2158, 5/632].

<sup>779</sup> The Muslim progeny of Hāshim, the great-grandfather of RasūlAllāh ﷺ.

<sup>780</sup> In the text: “The Qāḍī – may Allāh tǎālā give him guidance and success says”

<sup>781</sup> Qārī: This is not about the original case of witness [shuhūd] but related to his unjust accusation of prophets.

I witnessed [a case dealt by] Qāḍī Abū ʿAbdullāh ibn ʿĪsā in his tenure about a person who abused another person named Muḥammad, and then kicked a dog and said: ‘Stand up O Muḥammad.’ The person who said this denied it, but a number of people bore witness that he certainly said so; the Qāḍī ordered the person to be jailed and investigated whether this person spent time in the company of agnostics and dhimmis. When it was found that the person was not inimical to Islām per se, the Qāḍī had him lashed and then released him.

**The Fifth Case:** If a person does not intend to denigrate the Prophet ﷺ, nor disparages him or insults him, but his speech is indicative of it, when he mentions certain attributes of the Prophet ﷺ, or certain situation that are permissible for the Prophet ﷺ in mundane matters; the person mentions these by way of analogy, or to exonerate his own self or others, or by way of comparison with the Prophet ﷺ or he encounters an embarrassing situation;<sup>782</sup> he does not mention these as historical facts or an example to follow; but rather to elevate himself or others by way of positing similitude<sup>783</sup> lacking respect due to the Prophet ﷺ or by way of small talk or trying to be novel. For example, when a person says:

- So what if bad things are said about me, people have said bad things about the Prophet ﷺ
- What is [unusual] if I am belied; even prophets have been belied;
- What is [unusual] if I commit a sin? Even prophets have sinned;
- How can I be safe from the tongues of men when prophets and messengers were not safe from them;
- I have been patient similar to the patience of the Prominent Messengers;<sup>784</sup> or as patient as Ayyūb;
- The Prophet ﷺ was more patient and forbearing with his enemies more than I had to bear;

Like the poet Mutanabbi<sup>785</sup> has said:

***I am among this nation, may Allāh tāālā set them right  
As unwelcome as Salih was among his community***

Similar is the poetry of the profligate and reckless folk, like Maʿarrī<sup>786</sup> has said:

***You are like Mūsā whom the daughter of Shuʿayb came to,  
Except there is no beggar among either of you<sup>787</sup>***

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<sup>782</sup> Clearly, such a person does not mention the trials of the Prophet ﷺ as an example to follow, but mentions it to justify his position or rationalise the situation or to ward off criticism by citing the Prophet’s ﷺ name.

<sup>783</sup> Khafājī exclaims: Comparison with him ﷺ? Where is Pleiades, and where is dust of the earth? *ayn al-thurayya wa ayn al-tharā*.

<sup>784</sup> *ulu’l āzm*.

<sup>785</sup> Abū Tayyib al-Jūfī [303-345 AH] famous poet and literary figure; at one time, he claimed to be a prophet – and hence the sobriquet ‘mutanabbī.’ He was arrested and he repented and reverted to Islām and confined himself to composing poetry; much later he was killed on his way to Baghdad.

<sup>786</sup> Aḥmed ibn ʿAbdullāh Abu’l ʿAlā’a al-Maʿarrī [d. 449 AH] was a famous literary figure and poet; blind from birth and accused of zandaqah; it is said that he was inclined towards the religion of Brahmins.

<sup>787</sup> Here he alludes to the verse where Sayyidunā Mūsā ﷺ says in gratitude to the Lord Almighty: ‘My Lord, truly, I am in need of the good sustenance you give me.’ [Sūrah al-Qaṣaṣ 28:24].

The second line is worse and it is an explicit insult of the Prophet Mūsā ﷺ because of [the poet's] elevating a non-prophet over him. Similarly, he has said:

***If Revelation had not ceased with Muhammad ﷺ  
We would say: Muḥammad<sup>788</sup> is akin to his father<sup>789</sup>  
He is similar to him ﷺ in superiority, except that  
Jibrīl did not come to him with Revelation***

The first part of the second line is the worst because he compares a non-prophet with the Prophet in superiority; and the following part can possibly render two meanings;<sup>790</sup> the first is that it diminishes the state of the person being praised in this distich, and the second is his being free of this attribute, which is worse.<sup>791</sup> Similar is the saying of another:<sup>792</sup>

***When the Standards were raised  
They fluttered vigorously amidst the wings of Jibrīl<sup>793</sup>***

Another contemporary<sup>794</sup> has said:

***He fled from paradise and dwelt in our neighbourhood  
May Allāh give peace to the heart of Ridwān<sup>795</sup>***

Ḥassān al-Maṣīṣī, an Andalusian poet said about Muḥammad ibn Ḍabbād al-Mūtamid and his minister Abū Bakr ibn Zaydūn:

***As if Abū Bakr is Abū Bakr,  
Ḥassān is Ḥassān and you are Muḥammad<sup>796</sup>***

Even though it is burdensome for us to narrate such things, we have mentioned many examples only to illustrate the laxity and brazenness of ignorant people and the recklessness with which they indulge in them, considering such a grave issue as a trifling matter. They are ignorant of the dire consequences of such utterances – they deem it insignificant but near Allāh tāālā it is enormous. Particularly in the speech of poets,

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<sup>788</sup> Khafājī mentions that he was a descendant of RasūlAllāh ﷺ; Qārī says that it was Muḥammad ibn Rashīd al-Ābbāsī.

<sup>789</sup> By father, he refers to RasūlAllāh ﷺ, which according to Tilmisānī is kufr as it contradicts verse 40 of Sūrah Aḥzāb.

<sup>790</sup> Qārī and Khafājī both note that both possibilities are kufr.

<sup>791</sup> **First Meaning:** ‘Muḥammad [the ruler Maārrī is praising] would be almost like him, except that he does not have *waḥy*’ [that is he lacks this attribute and hence is imperfect]. **Second Meaning:** ‘Muḥammad [the ruler of Maārrī’s time] is almost like him, and he does not even have Waḥy [the attribute of Waḥy is discounted as inconsequential].

<sup>792</sup> Khafājī: It is from the ode of the poet Zayd ibn Ḍabbād al-Raḥmān ibn Māānā al-Asyūfī al-Maghribī.

<sup>793</sup> Jibrīn is a variant of Jibrīl; Qārī says that the poet has denigrated the Archangel, and Khafājī says that it might not be disrespectful after all if the standards are considered as those from Jihad.

<sup>794</sup> Contemporary of Qāḍī Īyād.

<sup>795</sup> Rizwān in Persian/Urdu, guards the door of paradise. Qārī says that ‘Ridwān’ is the correct pronunciation [*Sharḥ Shifā* 2/543].

<sup>796</sup> Here the imbecile compares the vizier to the companion Abū Bakr ﷺ, himself to the Prophet’s poet Ḥassān ﷺ and the ruler to the Prophet ﷺ. We seek Allāh’s refuge from such depravity.

and the worst of them are Ibn Hāniy al-Andalusi and Ibn Sulaymān al-Maārrī – much of their poetry falls into the disparaging variety and disrespect and explicit kufr which we have refuted earlier. The reason I have mentioned them here is to provide illustrations for this [fifth] case. Even though none of these lines – not just the ones of Maārrī – were intended to disparage prophets or angels by those who uttered them, nevertheless they have not been mindful of the lofty station of prophethood nor the eminence of messengership; nor respected the Chosen One or regarded his honour ﷺ; rather he compared lesser ones to him ﷺ for glory<sup>797</sup> and to enliven and enthrall the congregation, by using his name; he, whom Allāh táālā has honoured, elevated his rank and made it obligatory to respect him – such that Allah forbade speaking loudly in his presence.

Such a person [who utters these things], even though he escapes the death penalty, still deserves to be reprimanded and imprisoned – and the punishment given to him will be according to the severity of his speech and the ugliness of its implication, whether such things are frequent occurrences with him or whether it was an aberration, whether the context of his utterance can be interpreted favourably and whether he is remorseful about it. Our elders have firmly rejected such things, like [Hārūn] Rashīd refuted Abū Nuwās' lines:

***If anything from the sorcery of the Pharoah remains with you,  
Then verily, [know that] the Staff of Mūsā is in these fecund hands!***<sup>798</sup>

Rashīd said: “O son of an uncouth hag! Do you mock the staff of Mūsā ﷺ?” And he ordered him to be kicked out of the army that very night. Among such verses criticised as either kufr or approaching kufr is one mentioned by Qutaybī where [Abū Nuwās] says praising Muḥammad al-Amīn and compares him with the Prophet ﷺ:<sup>799</sup>

***The two Aḥmads resemble each other so much  
In appearance and in character, like [two] similar shoe laces.***<sup>800</sup>

Another criticised distich [of Abū Nuwās] is:

***How can you remain far from [attaining what you] hope  
When the Messenger of Allāh belongs to his clan***<sup>801</sup>

The right of the Messenger of Allah ﷺ and his esteem is to mention others in relation to him; not to mention the Messenger of Allāh in relation with others. We have mentioned the legal ruling in such cases and the imām of our madh'hab, Mālik ibn Anas ﷺ and his companions have ruled likewise. In *Nawādir*, through the report of Ibn Abī Maryam about a man who was taunted by another for his poverty and he said: ‘Do you taunt me

<sup>797</sup> Expecting it from the ruler whom he praised thus.

<sup>798</sup> Khafāji: Abū Nuwās refers to Hārūn Rashīd, Commander of the Faithful. In 2012, Ṭāhir Jhangvi of *Minhajul Quran* used a similar analogy in Hyderabad, India. Referring to a local speechmaker named Kazim Pasha, he said: “...his Staff of Mūsā is sufficient and will take account of such things..” Unfortunately, there was no Rashīd to rebuke this impostor.

<sup>799</sup> Shumunnī: He is the son of [Hārūn] Rashīd ibn al-Mahdī.

<sup>800</sup> Qārī: This is explicit kufr and impossible to interpret favourably, except if he claims that by Aḥmed he meant someone else other than the Prophet ﷺ. Instead of two ‘Muhammads,’ he said two ‘Ahmeds’ to maintain the meter.

<sup>801</sup> Qārī says that ‘nafar’ as in servant is modern usage, and here it is meant as clan. Instead of saying: ‘This Amir belongs to the family of RasūlAllāh ﷺ’ he does it in reverse thereby disrespecting the Prophet.

for being poor? The Prophet ﷺ has tended sheep.<sup>802</sup> Mālik said: ‘This person has mentioned the Prophet’s case in an unsuitable manner, he should be reprimanded.’ He also said: ‘If those who commit sins are rebuked, they should not say “Prophets have committed errors prior to us.”’ Ūmar ibn Ābd al-Āzīz told a person: ‘Find me a scribe whose father is an Arab,’ His scribe said: ‘The Prophet’s ﷺ father was a disbeliever.’ Ūmar said: ‘Is this an example to cite?’ and he dismissed him and told him: ‘Don’t you ever write for me’.<sup>803</sup>

Sāhnūn disliked the practice of saying the blessings upon the Prophet ﷺ when one encounters something which surprises him; and that it should be said only with the intention of attaining reward and to honour the Prophet ﷺ, as Allāh tāālā has commanded us to do. Qābisī was asked about someone who told an ugly person that his face was like that of Nakīr, and to another scowling person that his face looked like angry Mālik.<sup>804</sup> Munkar and Nakīr are two inquisitor angels who question the dead in their graves. This could either mean that the person is frightening in looks like Nakir or that he hates the person and degrades him; the latter is more severe and could be insulting or degrading to an angel.

Yet, this is not explicitly disparaging or degrading an angel because he is insulting the person that he has addressed; such a person should be reprimanded, punished by lashing him and given a prison sentence. Similar is the case about the person who used the example of the angel Mālik, that is he did not intend to insult the angel – and if he did, he would receive the death penalty.

A young man, known for his piety and righteousness was saying something and another person rebuked him: ‘Shut up, you are an illiterate.’ The young man said: ‘Was the Prophet not among those who are not read?’<sup>805</sup> People rejected this statement and made takfīr of the young man, which pained him and he was genuinely remorseful and penitent. Abū’l Ḥasan [al-Qābisī] said: ‘Making takfīr of this person is incorrect; however, he has made an error in his analogy. The Prophet having not learned to read and write<sup>806</sup> is a miracle, but such an attribute is a flaw for the young man; and it is out of ignorance that he has used the example of the Prophet ﷺ to justify his own self. However, if he repents and does istighfār and is ashamed of his deed, he shall be acquitted because his statement is not as serious as to obligate the death penalty.

Another such issue was raised to our shaykh, Abū Muḥammad Maṣṣūr, by the judges of Andalus about a person who told another who degraded him: “You degrade me for my flaws? All humans, even the Prophet ﷺ is not free from imperfection.” Our shaykh gave him a lengthy and rigorous prison sentence, but some other judges of Andalus ruled for the death penalty.

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<sup>802</sup> Qārī: “The Prophet ﷺ did not tend to sheep as an occupation or grazed other people’s sheep for pay; he did it of his own accord [and as mercy to animals] this was not disreputable in the community.” However, in Bukhārī the word Qarārīṭ/Qīrāṭ is mentioned and debated whether it is the name of a place or whether it is a sum of money. See *Fat’h al-Bārī*, #2262.

<sup>803</sup> Khafājī says that it is implicit proof that the parents of the Prophet ﷺ were Muslim.

<sup>804</sup> Mālik the Angry is the guardian of hell.

<sup>805</sup> The word used in Arabic is *ummī* which means illiterate when referring to common people; but describes one who has not learned to read and write from others in case of the Prophet ﷺ. Haytami says that it is derived from the word *umm* or mother; that is, the person is as unlettered as a newborn; or it is derived from *ummah*, the community, because the Arabs were mostly illiterates – like it is said in the ḥadīth reported in both *Bukhārī* and *Muslim*, ‘We are an unlettered nation; we neither make calculations nor do we write.’ [*Al-Ūmdah fī Sharḥ Al-Burdah*].

<sup>806</sup> Yet, he has brought such knowledge and wisdom that is greater than that of all creation put together – taught by Allāh tāālā and no one else; *kafāka bi’l ilmi fi’l ummiyi mujizatan :: fi’l jāhiliyyati wa’t ta’dībī fi’l yutumi*.

**The Sixth Case:** When one cites or reports blasphemies of others. The context of the citation, his actual words and situation will be taken into account for the ruling and it varies accordingly in four possible categories:

1. Obligatory / Wājib
2. Preferable / Nadb
3. Disliked / Makrūh
4. Forbidden / Ĥarām

If a person mentions them in his testimony against a blasphemer and to inform others, and to reject and refute such speech; and to make it known to the public so that they abhor the blasphemer and criticise him – then such a narration is required and whoever does this is praiseworthy; similarly, if he mentions such things in a book or in a gathering to refute and quash such blasphemies or to issue a fatwā related to such utterances. This is obligatory<sup>807</sup> or recommended for him depending on the situation and the state of the person who narrates and the one about whom such a narration is made.

If the person who uttered [such blasphemies] is a person known to be a scholar or a teacher, [a shaykh or a muftī], or a ḥadīth scholar and narrator, or a person in authority<sup>808</sup> or known to be a reliable witness or a well-known jurist – then it is obligatory for whosoever hears [such a thing from him] to expose him and make the public aware of what has been heard from him – and to make people dislike such a person, to bear witness against such a person and what he has said; it is obligatory for scholars and leaders in the Muslim community to repudiate such a person and clearly communicate the kufr of this person and the monstrosity of his ugly speech so that Muslims are safeguarded from the evil of such a person – and the right of the Leader of Messengers ﷺ is well established. Similarly, if that person [who has uttered a blasphemy] is a preacher or a schoolmaster; if this be the things in his heart, then how can he be trusted to teach the love and reverence of RasūlAllāh ﷺ to those in his care or his audience?

It is definitely obligatory to publicise the blasphemies of such people<sup>809</sup> – for the right of the Prophet ﷺ and the right of the Shariāh. If the blasphemer is not a scholar or a person of religious authority, even then defending the right of the Prophet and guarding his honour is a religious duty; and to support him against those who seek to hurt him, whether in his worldly life or after his passing is a right upon every believer. However, if one person stands to fulfil this duty<sup>810</sup> in the service of the Messenger, to aid the Truth and establish the ruling, then the responsibility is waived from others and it is not obligatory on all others anymore – yet, it is recommended for others to attest this person's actions and support him to warn against the evil of the blasphemer.

Our elders have unanimously agreed that it is necessary to document and publicise the state of a ḥadīth narrator accused of lying – then what about this man [who has blasphemed against the Nabiy ﷺ]? Abū Muḥammad ibn Abi Zayd was asked about a witness who has overheard such things about Allāh tāālā – is it

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<sup>807</sup> For example, Alahazrat listed the blasphemies of Deobandi elders to refute them.

<sup>808</sup> Such as an amīr or a qādī – the governor or the judge.

<sup>809</sup> So that people are warned of such hypocrites and keep away from them and their sugar-coated and hollow speech.

<sup>810</sup> Khafāji: It is a communal obligation [fard kifāyah] not an individual obligation [fard āyn].

allowed for him to keep quiet? He answered that if it is hoped that his testimony will result in a prosecution, he should bear witness. Similarly, it is necessary to bear witness in front of a governor who follows the ruling that repentance of blasphemers is acceptable and hence spares the death penalty; in fact it is necessary to [complain and] bear witness.

Except for these two purposes, I do not see any other reason for narrating such things. It is not permissible to rake things concerning the honour of RasūlAllāh ﷺ and to rinse one's mouth with obscene mentions of RasūlAllāh ﷺ – neither for the person who mentions it, nor who repeats it – it is not permissible for either of them to utter it except for a valid shara'yī reason. And for the purposes mentioned above,<sup>811</sup> it is either obligatory or recommended [depending on the situation]. Allāh táalā has mentioned the words of disbelievers which is slandering and belying His prophets; He has mentioned this to repudiate them and to warn against their kufr and to inform of His Promise to punish the beliers; and this is mentioned in the Holy Book which is also recited. Such examples are also found in the authentic ḥadīth of the Prophet ﷺ. Our elder scholars and those who followed them agreed that it is permissible to narrate statements of infidels and heretics, in gatherings and in their books to analyse and demonstrate their invalidity and clarify doubts concerning them. Even though it is reported that Imām Aḥmad ibn Ḥanbal was opposed to Ḥārith ibn al-Asad al-Muḥāsibi for doing so, he himself cited such things in his refutation of Jahmīs and those who claimed that the Qur'ān is created speech.

True, citation of such things are permissible in certain situations, however statements that are insulting to the Prophet or things that are disparaging and derogatory to his exalted station should not be narrated by way of stories and casual chatting or just to be novel<sup>812</sup> or eccentric or for gossip, whether serious or silly discussions, or mirth and jokes of clowns; and tasteless and bizzare blathering and pointless arguments or idle talk; in all these cases, it is prohibited to mention such blasphemies, some cases being severe and worse than others. If a person cites such things, neither with an intention, nor aware that it is disrespectful to the Messenger ﷺ, and it is also not his habit of mentioning such things, or if what he narrates is not very ugly, or he does not justify the blasphemer he is citing or says it in a way of commending the blasphemer or proving his speech valid – then such a person will be rebuked and will be censured against repeating such a thing again. If he has mentioned loathsome words in what he cites,<sup>813</sup> he shall be severely reprimanded.

A man came to Imam Mālik and said: 'What is your opinion about a person who says the Qur'ān is created?' Mālik replied: ['This person is] a kāfir, execute him' The person [panicked and] said: 'I am quoting someone else.' Imām Mālik said: 'But we have heard it from you.' Imām Malik said so only to reproach the person and to harshly reprimand him, because [it is a fact] that the person was not executed. If such a narrator [of blasphemies] is accused of fabricating such quotes and [falsely] attributing it to others; or such is his habit or it is demonstrable that he says it in an approving tone, or is enthusiastic about it or trivialises it<sup>814</sup> or [is eager] to memorise such things or seek out such things and recite poems which mock or insult the Master ﷺ – in all

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<sup>811</sup> Bearing witness, issuing a ruling or repudiating them.

<sup>812</sup> Like Hamza Yūsuf Hanson likes to talk about Dante's *Divine Comedy* or mentions it in his recommended reading list. Even more surprising are those scholars who do not feel Hamza has committed any error and wave it away as a fly upon their noses.

<sup>813</sup> And this is not for a purpose such as bearing witness or issuing a ruling; but in the course of idle chatting.

<sup>814</sup> I wonder, if Hamza Yūsuf were in Andalusia a thousand years ago, would the judge [most likely a Mālikī] spare him from the gallows or do *istitabah*? I wonder.

such cases, this person takes the ruling of the blasphemer himself and his excuse that he is narrating from others will not avail him. Such a person shall be put to the sword immediately and hastily dispatched to the pits of fire. Abū Ūbayd Qāsim ibn Sallām said about a person who had memorised a part of a [poetic] verse which mocked the Prophet ﷺ that it was kufr.<sup>815</sup>

Scholars who wrote about *ijmāā* have said: Muslims are unanimously agreed that it is *ḥarām* to narrate or quote speech that mocks the Prophet ﷺ or to write it down, or read it,<sup>816</sup> or to leave it unerased when one comes across such things. May Allāh *tāālā* have mercy upon our elders, the pious and righteous folk, who were guarded and extremely careful about their religion that they dropped such things from annals and records of battles and biographies, and abstained from narrating such things except very little; and even then, only that which is not disgusting. The rules of citation [they followed were] according to the categories mentioned earlier, and to show how a blasphemer invites the Wrath of Allāh *tāālā* and to arrest the slanderer. Thus, Abū Ūbayd Qāsim ibn Sallām mentioned a person who was lampooned in Arabic poetry as merely ‘the satirised’ without further details, to avoid naming him in his book, mindful of another Muslim’s honour and because of his [Ibn Sallām’s] scrupulousness; then what about the honour and esteem of the Master of all mankind ﷺ; should we not be more careful and responsible?

**The Seventh Case:** When a person mentions things that are permissible for the Prophet ﷺ or is debated among scholars whether it is permissible – concerning certain human attributes. Or concerning the trials and hardship he endured in the path of Allāh *tāālā* or patience when he was harassed and persecuted by his enemies; and the initial period of his ﷺ blessed life, and the resistance and suffering of those days. If any of these [facts] are mentioned in narration of [historical] reports or recounting the history of Islām or to learn and teach the extent of divine immunity for prophets, then such descriptions are outside the previously mentioned six cases because there is neither insinuation [against prophets] and degradation nor disrespect – neither in words used for description nor in the intended meaning of those words. However, it is necessary to restrict discussing such topics in the circle of knowledgeable folk, religious thinkers, students of religious knowledge who can benefit from such narrations; and avoid mentioning them in front of ignoramuses, audacious folk [who are heedless of their religion] and such people who are potential mischief-makers. Our elders did not like to teach the *tafsīr* of Sūrah Yūsuf to women because it includes story of enticement and stratagem – and due to their weakness of understanding and foibles of their perception.

RasūlAllāh ﷺ has himself mentioned his early days and that he tended to flocks of sheep said: “Every prophet has herded sheep”<sup>817</sup> Allāh *tāālā* has also mentioned this about Sayyidunā Mūsā ؑ. This individual statement does not tantamount to degradation of these esteemed personalities or disrespecting them, unlike someone who mentions this to intentionally disparage and ridicule them.<sup>818</sup> Tending sheep was common among Arabs of yore and the Divine Wisdom is that prophets tended sheep as a precursor to shepherding the nation; and Allāh *tāālā* made them to train for the exalted office they would be later honoured with – which was ordained for them in pre-eternity and in His Divine Knowledge. Similarly, Allāh *tāālā* has mentioned his ﷺ being an

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<sup>815</sup> Qārī: If his intention is to memorise it or publicise it.

<sup>816</sup> To satisfy ‘intellectual’ curiosities.

<sup>817</sup> Qārī: Narrated by Bukhārī and Muslim from Jābir and Bukhārī in another narration from Abū Hurayrah.

<sup>818</sup> In which case, mentioning it thus with such intention becomes blasphemy.

orphan and his ﷺ hardship to show the immense favour upon him ﷺ and the honour He has granted His chosen servant.<sup>819</sup>

If a person mentions this to describe the favours of Allāh táālā upon him ﷺ, it is not degrading or disrespectful to him; in fact, it is proof for his prophethood and his truthful claim of being the Messenger of Allāh. Because, thereafter Allāh táālā gave him ﷺ such influence and power, that gradually all the rich and powerful leaders of Arab tribes and those who opposed to him were [eventually] subdued or vanquished; their treasures and dominions came under his ﷺ command and this could not have happened without Divine aid and support; and Allāh táālā made believers and prominent angels as his helpers. It would not have been such an amazing feat if he ﷺ were the son of a king or a commander of armies prior to the proclamation of his ﷺ prophethood, because ignoramuses<sup>820</sup> would then attribute his success and his triumphs to these external means. It is therefore Hercules, in his conversation with Abū Sufyān asked him: ‘Is there any king among his ﷺ forefathers?’ Abū Sufyān said: ‘No’ and Hercules<sup>821</sup> said: ‘If any of his ﷺ forefathers were kings, we would say that he seeks the kingdom of his ﷺ forefathers’.

Being orphan is one of the signs that were present in books of ancients and prophecies retold among previous nations; thus it is mentioned in the Book of Jeremiah.<sup>822</sup> Ibn Dhī-Yazan described this attribute to Ábd al-Muṭṭalib and Bahīrā to Abū Ṭālib. Similarly, that he did not learn to read and write [ummī] is an attribute Allāh táālā has mentioned in his ﷺ praise; and it is a superior attribute for him on account of the Qur’ān which is the greatest of his miracles; because, the knowledge and wisdom that was revealed to him would not be possible except for a Messenger of God, [who brought all this] without having learned to read or write, nor was he taught or instructed – yet he brings such an eloquent and astonishing book, which defies description and is beyond the capacity of humans. Thus, mentioning that he is a *ummī*<sup>823</sup> is not disparaging him – because after all, the purpose of learning to read and write is to augment one’s knowledge; thus it is an important tool and means to attain more knowledge. The ability to read or write is not a goal in itself, [rather, the objective is to attain knowledge using these tools]. When that objective [of knowledge] is present already without any need for means and tools, they become inconsequential. The inability to read or write is a flaw for others, because they remain ignorant and gullible because of their illiteracy.

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<sup>819</sup> Sūrah Ḍuhā, 93:6-7.

<sup>820</sup> Like Abu’l Álá Mawdūdī said in his *Tahrīk e Islāmi ki Akhlāqī Buniyādeñ*, p17.

However, a worthless person was neither useful in the pagan times [*jāhiliyyah*] nor useful in Islām. The Prophet ﷺ achieved a resounding success in Arabia – and the effect of which was felt over a large part of the world, from the river of Sindh to the shores of Atlantic. After all, the reason for this [success] was that he ﷺ had found the finest among human resources who possessed a powerful character. If, God forbid, he ﷺ were to deal with a herd of craven, cowardly, weak-willed and untrustworthy people, would it be possible to achieve the same result?

In other words, according to Mawdūdī, the success of Islām was not because of the Prophet ﷺ, but rather because he had found a fine specimen of humans with a solid character. Qāḍī Íyād has rightly termed the freethinker Mawdūdī as a *jāhil*.

<sup>821</sup> The Roman emperor in the time of RasūlAllāh ﷺ.

<sup>822</sup> *Armiyā’a* in Arabic.

<sup>823</sup> However, the translation of this term in other languages as illiterate is disrespectful; one should say unlettered or unread or uninstructed. In 2011, an imbecile from Birmingham named Zahir Mahmood claimed that Allāh’s Messenger was a ‘bedouin’ and then said: “it would be no exaggeration to say that many of the youngsters here could read better than RasūlAllāh ﷺ’.

Glory be to Him who distinguished the Prophet ﷺ from all others – and what is a flaw for all others [in not having learned to read and write] is a mark of honour for him ﷺ.<sup>824</sup> Similarly, his ﷺ life was untouched by such an action which would have killed anyone else – such as the cleaving of his ﷺ bosom and removal of a portion from his ﷺ blessed heart.<sup>825</sup> So also is the narration of his abstinence from worldly comforts and frugality in food, clothes, mounts; his humility and that he did his work and that of his family himself, his austerity and withdrawal from this mundane world, and he valued the great and small as the same – temporal and ephemeral; inconstant and fickle. All these descriptions are praiseworthy attributes and highlight his noble character as mentioned earlier. If anyone mentions these to draw inspiration or any such purpose is commendable; but if one mentions these things to insinuate and criticise, then he will be judged according to the previous [six] cases.

Whenever one encounters a ḥadīth concerning prophets in which such words are mentioned which are problematic in their literal meaning, it is necessary to interpret such words favourably; also it is not obligatory to mention such things except authentic narrations and should not narrate except which is well established and known. May Allāh tāālā have mercy upon Imām Mālik who disliked narration of such reports which are ambiguous and problematic, and he said: ‘What makes people to narrate such things?’ He was told, Ibn Ājlān narrates such reports and he dismissed with: ‘He is not a discerning scholar’.<sup>826</sup> Alas! If everyone had only followed Mālik’s example and abstained from perpetuating such narrations – after all, most of such reports are not actionable [and are merely of academic interest]. Many of our elders [salaf] disliked narration of such reports which do not entail acting upon them. The Prophet mentioned such things in front of native Arabs who understood his speech perfectly well,<sup>827</sup> who understood the context and usage of those words, whether such phrases were idioms or used figuratively or whether those words were metaphors or used allegorically – therefore it was not problematic for them [and hence congruent with everything else].

But those who came after them were not well-versed with the language of Arabs and had non-Arab influences in their speech and hence the misunderstanding or defect in understanding of the object of the native-Arabic except what was in plain language; and they did not understand [some forms of] figurative speech and metaphors and the context of revelation; they did not comprehend the subtleties of language and therefore differed in interpretation of such words, or insisted on the literal meaning – some believed in these reports and some others disbelieved.<sup>828</sup> It is obligatory to abstain from narrating such [problematic] reports which are inauthentic or weak; particularly if such reports are baseless and fabricated. It is not permissible to utter things

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<sup>824</sup> Because he has the knowledge and perception far greater than all learned people in the universe; his knowledge is granted by Allāh tāālā and he was not instructed by anyone else in the creation; his teacher is Allāh tāālā and Allāh tāālā alone.

<sup>825</sup> This is known as “portion **for** the Devil”; this is a portion of the heart which is vulnerable to Satan’s guiles – and the doorway through which he enters the hearts of humans. This was removed from his ﷺ blessed heart – and the doorway eliminated, and thus divinely protecting him ﷺ from the Devil.

<sup>826</sup> *faqīh*.

<sup>827</sup> *kalām al-ārab*: Native and High Arabic. It must be noted that Qāḍī Īyād was among those masters who [then were fast disappearing] were well-versed with high Arabic. Indeed, his exegesis of *Muslim*, *Ikmāl al-Mūlim* and the lexicon *Mashāriqu’l Anwār* are indispensable resources for all ḥadīth scholars who came afterward who frequently resort to these works for meanings of arcane words mentioned in ḥadīth.

<sup>828</sup> Because they were not convinced with interpretations and literal meanings conflicted with other texts and they could not reconcile such things.

which are disrespectful to Allāh táālā or His prophets – neither should one narrate any report nor attempt to expound the meanings of such reports; rather, leave them unsaid.

The only exception for mentioning such reports is to manifest the status of such reports. Scholars disapproved of Abū Bakr ibn Fūrak for his interpretation of weak, baseless and fabricated reports or those found in books of Jews and Christians who combine truth with falsehood. All that needs to be done with such reports is reject them with a warning that they are weak reports instead of laboriously attempting to clarify them – after all the objective of clarification is to answer objections and rejecting them completely is far easier and a sound approach.

