

Abu-Yahya al-Libi's 'Refuting the Falsehoods of the Rationalization Document' Posted

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[Please note: Images may have been removed from this document. Page numbers have been added.]

Terrorism: Abu-Yahya al-Libi's 'Refuting the Falsehoods of the Rationalization Document' Posted On 13 December, a forum member posted to a jihadist website links to download a new book from Afghanistan-based Al-Qa'ida figure Abu-Yahya al-Libi entitled 'Refuting the Falsehoods of the Rationalization Document: The First Part' in which Al-Libi takes aim at statements made by Egyptian cleric Sayyid Imam in November 2007. The book, which is 85 pages long, was produced by the Al-Sahab Institute for Media Production, the media arm of the Al-Qa'ida Organization, and disseminated by the Al-Fajr Media Center.

A translation of the book follows: (Title Page) "Dispelling "the Untruths of the Guidance Document "- Part One - "Shaykh Abu-Yahya al-Libi (God Preserve Him) "Hasan Qa'id

"As-Sahab Media (p 2) "Dispelling "the Untruths of the Guidance Document "- Part One -

"Shaykh Abu-Yahya al-Libi (God Preserve Him) "Hasan Qa'id
(p 3)

"To God be ascribed much fragrant and blessed praise, such as He loves and accepts. Blessing and peace be upon His Prophet, His elect and chosen Beloved; upon the Prophet's family and companions, lights of guidance and full moons of the darkness; and upon whoever guides himself by their guidance and follows their footsteps.

"To proceed:

"People everywhere are talking about the Guidance Document that emerged from the gloom of the Egyptian security apparatus's prisons. The document, entitled 'Guiding Jihad Activity in Egypt and the World,' was attributed to Shaykh Abd-al-Qadir bin Abd-al-Aziz Sayyid Imam, and its publication was accompanied by an unusually broad media campaign of analyses, studies, and continuous interviews. The campaign raised suspicions about the motives behind the document's exhibition, publication, and publicity and put it into a circle of suspicion, however many of its publishers or purported authors tried to deny any reason to doubt it or hesitate to accept it-- and this when one merely observes the space dedicated to the document in the media. When one looks at the meaning and content and at the deceptions, deceits, falsehoods, playing with precepts, and turning them into cards, some of which are to be shown and many of which are to be hidden, one cannot entertain the slightest doubt that this document is the final installment in the struggle that the enemies of Islam are launching against our religion generally and against the duty of jihad specifically, regardless of whether those who wrote it did so with complete volition and full choice and then it was exploited by its 'production supervisors' and those in charge of its publication, or whether it was formulated under compulsion, pressure, threat, and intimidation, so that its 'bits of advice' were offered to the mujahidin in the form in which they emerged. It does not matter much whether the former or the latter was the case, since the meaning and implications are the same. Stated very briefly, it is 'to suspend jihad completely and effectively accept irreligious tyrants and their friends.' Thus the document is one of enslavement, not guidance. However, since no one accepts blatant falsehood and ignominious

error, and souls disdain shameless games, it was necessary to mix them with a bit of truth, just as the Jews did, of whom God says: 'And do not confound the truth with vanity, and do not conceal the truth wittingly'(Koranic verse; Al-Baqarah 2:42). God also says: 'People of the Book! Why do you confound the truth with vanity, and conceal the truth and that wittingly?'(Koranic verse; Al-Imran 3:71) As the Shaykh al-Islam (Ibn Taymiyyah) said: 'People are never in doubt about pure falsehood; it must be mixed with a bit of truth' (Majmu' al-Fatawa 2:188). (p 4)

"Nevertheless, to clarify the truth and refute falsehood, people of learning and religion, whether belonging to the mujahidin or not, have a duty to close ranks and form a solid edifice to stop this farce that has turned God's religion into an open pasture with nothing sacred, so that the triflers' pens can damage its clear, evident, and agreed precepts, seduced intellects can distort its texts, and the ideas of the self-interested can play fast and loose.

"With humble effort, to participate in this duty, to defend God's religion, and to make known His law, we are penning some comments on what was said in the 'Enslavement and Curtailment' document that was brought out for us as well meaning, concerned advice by the Egyptian security apparatus, and that the press, the radio, and the television published, as if commanding virtue and forbidding vice, as if making the truth prevail, and as if guiding the jihad! Media that have become accustomed us to demolishing the doctrines of Islam, disseminating moral depravity, and broadcasting films of licentiousness, pornography, and deriding religion have suddenly woken up and made a leap to 'guide the mujahidin'!

"If only someone other than one who wears a bracelet had slapped me!

"If I had been afflicted by a Hashimite

"whose maternal uncles were the Banu Abd-al-Madan,

"What I undergo would be a small thing for me:

"But come and see with whom he has afflicted me!

"Before we start discussing some of the things in the 'Enslavement and Curtailment' document, we wish to present some preliminary points that we think need to be mentioned.

"Preliminary point one: When we discuss what was said in the aforementioned document, regardless of whether it can rightly be attributed to Shaykh Abd-al-Qadir bin Abd-al-Aziz or not and regardless of whether he wrote it of his own will or was forced to do so, our discussion is not intended to disparage him, belittle him, forget his earlier work, or slight his efforts. In our opinion, he is a scholar who is sometimes right and sometimes wrong; he can respond and be responded to; one can agree with him or disagree with him; he can criticize and be criticized. Whenever the tone of our reply in the discussion coarsens or our words roughen at any point so that the reader might understand disparagement of Shaykh Abd-al-Qadir or something of the sort, what we have said unambiguously in this preliminary point is the rule to which one should adhere and to which one should refer. (p 5)

"Preliminary point two: The attribution of the document to Shaykh Abd-al-Qadir is undoubtedly a possibility in the sense that he might really be its author and that everything in it might be what he believes and holds before God; on the other hand, he might have been forced and compelled to do it; or it might be a mixture and blend of the two. Given these things, when we ascribe something from the document to him and say, for example, 'Shaykh Abd-al-Qadir says,'

'This can be attributed to him,' or 'He contradicts what he said in his previous book when he says...' we in no way intend to judge the correctness of the attribution of the document and the positions it contains to him. We say these things based only on what is the common opinion among people. Even if there is a possibility, given the cunning, trickery, and maliciousness of the security agencies, it is not easy to decide for certain whether the words and arguments can be attributed to him. God alone knows.

"Preliminary point three: Anyone who reads the Guidance Document will find in it ugly charges and base attributes falsely and dishonestly attached to the mujahidin. The document's authors have made every effort to anchor these charges in the reader's mind and to convince him of them by every means and trick. Therefore, let the noble reader not be alarmed by the harsh tone and coarse style that he may sometimes find in these lines at places where they described the jihad and mujahidin in various ugly terms. As we see it, the matter no longer relates to individuals or even to particular groups, so that one might bypass it and not take offense. Rather, it involves uprooting this noble and exalted religious duty from the hearts of men and drawing them to a life of stagnation and stillness, so that ages and eras will pass with them subject to humiliation by irreligious tyrants and enslavement to their laws and with their submitting to every imposter. Since the injury to jihad and the mujahidin has reached this extent, the friend of truth must speak.

"Preliminary point four: We wish to dispel the disturbing assertion by certain interested parties that the mujahidin magnify and honor Shaykh Abd-al-Qadir; use his books, articles, and fatwas as a guide; and revere his arguments and inferences; however, when he surprises them with a Guidance Document and speaks to them in it in plain terms, they turn their shields against him, oppose him, refute his proof, disown their affiliation to him, and so forth. We say -- to God be thanks! -- that we have never defined the truth by men, however high their fortunes ascended or their importance rose. We follow the evidence wherever it leads. Therefore, the mujahidin, as far as we know, are of all groups the most self-critical and the most likely to correct their course and confess their errors. In this they do not rely on the directives and instructions of the security agencies or the Rand Corporation and those like it, but they seek the truth, go back to it, and love it, whatever consequences and difficulties this may cause for them. (p 6)

"As for Shaykh Abd-al-Qadir, comments and discussions have already been written about some of the religious positions in his writings that are contrary to the truth. These include what Shaykh Abu-Muhammad al-Maqdisi, may God strengthen and release him, wrote in his subtle essay entitled *Al-Nukat al-Lawami' fi Ta'liqat al-Jami'* ; likewise, Shaykh Abu-Qatadah, may God strengthen and release him, comments briefly in his article entitled *Ahl al-Qiblah wa al-Muta'awwilun*. He indicates in it that the book *Al-Jami'* may contain several errors in religious law that require reply and discussion. He says:

""(Begin Shaykh Abu-Qatadah comments) In this way you will know the error of the author of *Al-Jami' fi Talab al-'Ilm al-Sharif*, Shaykh Abd-al-Qadir bin Abd al-Aziz, when he created a fourth division and made it possible, namely the judgment of non-belief and apostasy against a man along with the possibility for us that he is a Muslim.

""He says in his judgment against the helpers of irreligious tyrants: 'Our judgment of non-belief against them is merely in accordance with what is apparent. We do not declare their non-belief as certainly, as if they were people rejecting the truth, since a legal impediment to declaring them non-believers may exist with regard to some of them. It should be noted, however, that we are not obligated to search for impediments, since the judgment against them is based only on what is apparent.'

"Here the shaykh has fallen into a gross error. He has sanctioned declaring a man to be a non-believer despite the possibility that he may be a Muslim inwardly. This position is an innovation for which no precedent is known. He fell into this error for two reasons:

"First, he applied the general rules without taking account of the exception. The rule he applied here is the partitioning of judgments. I believe that this rule has an exception.

"Second, he confused the discussions of the imams on the subject of fighting and on judgment against persons and individuals. A people may fight as apostates and we may call them an apostate group without calling their individual members apostates, due to the existence of impediments in some of their persons. The mere possibility of the existence of an impediment needs to be applied and taken into account. Here he has admitted the possible existence of impediments, indeed that this is realistically probable. Therefore, one has an obligation to bring them to bear.

"Shaykh Abd-al-Rahman bin Hasan bin Muhammad bin Abd-al-Wahhab said: 'One should not say that one becomes a non-believer merely by being with and living with polytheists. The meaning is that anyone who cannot depart from their midst and whom they take along with them (on a military expedition) by force is subject to the same judgment of death and dispossession as they, but not to the judgment of non-belief.'

"The argument of the imams that Shaykh Abd-al-Qadir -- may God preserve and guide us and him -- has cited, that the legal status of the ignorant person is the same as the legal status of the group, is intended to apply to the person's status with regard to being killed and dispossessed, not to his status as a non-believer. The shaykh dealt with the question correctly in his response to the book Hadd al-Islam wa Haqiqat al-Iman by Shaykh Abd-al-Majid al-Shadhili, but went astray here. Only God is perfect! (p 7)

"The shaykh's book, Al-Jami' fi Talab al-'Ilm al-Sharif, goes too far in its number of points. I will mention some of them briefly, although the book requires a broad discussion of many of its topics.

"1. He goes too far in not excusing the author of Al-Risalah al-Limaniyah for his error in understanding the question of taking non-believers as friends (muwalah).

"2. He goes too far in terming muwalah, the befriending of polytheists, as a single division, with the greatest non-belief (al-kufr al-akbar) as its only possible consequence.

"3. He goes too far in naming some of the Islamic groups working on behalf of Islam as not being followers of the prophet, may God bless him and grant him peace.

"4. He goes too far in labeling those who disagree with him about certain personal rights as hypocrites and erring.

"5. His judgment on those who disagree with him about certain personal rights is that they deserve to be fought, just as apostates deserve to be fought.

"6. He goes too far in applying the label of non-belief to the generality of parliamentarians and elected officials without the restrictions that should be taken into account.

"This is not to minimize the value of the book, though God does not want only his book to be completed.' (end of Shaykh Abu-Qatadah comments)

"Another comment can be found in what I wrote eight years ago in the book, *Nazarat fi al-Ijma' al-Qat'i*. I was discussing Shaykh Abd-al-Qadir's claim that there was absolute consensus about the non-belief of those who help infidel tyrants in making appointments, with the corollary that anyone who does not hold such people to be non-believers is also a non-believer. The book *al-Ijma' al-Qat'i* was printed and published since that time.

"Despite the many benefits and careful investigations that the book *A l-Jami' fi Talab al-'Ilm al-Sharif* contains, we have seen with our own eyes the extensive damage it has caused among novices and others. It continues to produce intellectual confusion, rashness, and extremism in issuing judgments against individuals and groups. I mentioned this in the introduction to *Al-Ijma' al-Qat'i*. Among other things, I said: 'In addition to the errors and excesses it contains, we have been moved to comment on this guide (which *Al-Ijma' al-Qat'i* claims to be) particularly by the negative effects that we have seen and observed it to have caused among young people. This is the effect of the mould of peremptory expressions in which it has been cast. It is a style that recurs frequently in the book and has led to its exploitation by extremist groups and individuals. In this way it has become a nursery under which they multiply and a refuge and support whereby they reinforce their outlook and strengthen their falseness and spuriousness, developing and spreading their erroneous ideas and perverted schools of thought, despite our sure knowledge that the author did not want or intend this and that he does not agree with or support them in their generalizations, unqualified statements, and rash judgments. Sadly, the matter of this guide has extended to some who are well intentioned. As a result, they have deemed this matter -- the judgment against helpers of apostate rulers -- to be something on which friendships and enmities are to be based and that there is no room for the expression of another opinion on the question. It has become a touchstone for them by which to distinguish people who suspend judgment (*al-murji'*). They wave *Al-Ijma' al-Qat'i* as alleged proof in the face of anyone who disagrees with them about that judgment.' (p 8)

"So the discussions and replies that we are writing today are not the outcome of historical questions. They are not the product of reactions. They are not a response to media publicity. They are not due to passions aroused by some of the provocative expressions hurled by the Guidance Document. What we are writing continues along the same path that we knew and followed of old with Shaykh Abd-al-Qadir and others. We have not ceased to follow it with full confidence and courage with everyone, even if he be the closest of the close.

"Preliminary point five: Like other human beings, the mujahidin exert themselves to pursue the truth and perform it. Sometimes they hit it; sometimes they miss it. They claim no infallibility for themselves in word or deed; the same obstacles and shortcomings affect them as affect other human beings. They have risked their lives, left their homes and countries, endured suffering and tribulation, and made sleeplessness and weariness their companions only in the search to please God, aid His religion, and suppress His enemies. No one who works for the sake of God's religion can be safe from mistakes, especially one who works for jihad in this age when matters interpenetrate, divide, and proliferate and when the reality of the theatres of jihad is so difficult, not to mention other well-known reasons. This undoubtedly leads to falling into many errors, sometimes great and sometimes small, but never completely nonexistent. No age has ever been free of such mistakes, even in the best of centuries and in campaigns undertaken and led by the pious and pure, trustworthy scholars who were commanders appointed in the time of the prophet, may God bless him and grant him peace. None of this caused slander, reviling, denunciations, abuse, scorn, or retirement; it did not bring about a 'call' to halt jihad and

'prevent clashes.' It did not cause the removal of the leaders at whose hands the mistakes were made. Rather, such advice as befits their jihad and position was offered to them; the truth they had confused was made clear to them, and their command and leadership remained. They continued in their jihad and in fighting their enemies. Here are some examples of this: (p 9)

"Example one: According to Ibn Umar: the prophet, may God bless him and grant him peace, sent Khalid ibn al-Walid to the Banu Jadhimah. He summoned them to Islam. However, they did not say 'aslamna '(we have become Muslims) properly; instead, they began to say 'saba'na, saba'na '(we have changed religion). Khalid therefore began killing and taking prisoners. He gave each man among us a prisoner; then, on a certain day, Khalid commanded each of us to kill his prisoner. I said, 'By God, I will not kill my prisoner, nor will any of my companions kill his prisoner.' When we came to the prophet, may God bless him and grant him peace, and mentioned it to him, he raised his hands and said twice, 'O God, I am innocent before you of what Khalid has done' Al-Bukhari (5:59:628 = 9:89:299) includes the tradition.

"After mentioning the argument that took place between Khalid and Abd-al-Rahman ibn Awf on account of this incident and how Abd-al-Rahman ibn Awf accused Khalid of having acted only to avenge the death of his father, Imam Ibn Kathir says: 'One can assume that neither of them intended anything of the sort and that such things were only said at the time of the argument. Khalid ibn al-Walid only wanted to aid Islam and its people, though he erred in the matter and thought that they were disparaging Islam by saying 'saba'na, saba'na. ' Not understanding that they had accepted Islam, he killed a large number of them and took the rest prisoner, and then killed most of the prisoners. Nevertheless, the messenger of God, may God bless him and grant him peace, did not remove him, but continued him as commander, though he declared himself innocent of his action and paid compensation for the lives and property that Khalid had taken in error. For the same reason,(Abu-Bakr) al-Siddiq did not remove Khalid when he killed Malik ibn Nuwayrah during the Wars of the Riddah, using an ambiguous command to accomplish his purpose, when he beheaded him and selected his wife, Umm Tamim, for himself. Umar ibn al-Khattab said to Abu Bakr, 'Remove him, for in his sword there is wrongdoing.' But (Abu Bakr) al-Siddiq replied, 'I will not sheathe a sword that God has drawn against the polytheists" (Ibn Kathir, Al-Sirah al-Nabawiyah,3:594-595).

"Shaykh al-Islam Ibn Taymiyyah says: 'Nevertheless, the prophet, may God bless him and grant him peace, did not remove Khalid from the command; in fact, he kept appointing him and promoting him. This is because if a commander commits a mistake or fault, he is commanded to correct it and is kept in his command. Khalid had not opposed the prophet; he had been obedient to him. However, not being as well versed in matters of law and religion as others, the correct position in this matter was not evident to him. Hostility is said to have existed between him and them in pre-Islamic times, and some say that this moved him to kill them' (Ibn Taymiyyah, Minhaj al-Sunnah al-Nabawiyah,4:87). Similar ideas recur many times in his books. It is quite evident.

"Example two: According to Jarir ibn Abdallah, may God be pleased with him, the messenger of God, may God bless him and grant him peace, sent a detachment of men to the tribe of Khath'am. The tribesmen protected themselves by prostrating, but he made haste nevertheless to kill them. When word of this reached the messenger of God, may God bless him and grant him peace, he commanded that they should be paid one-half of the blood wit (fine for the shedding of blood), saying, 'We are innocent of the blood of any Muslim who stays among the polytheists.' When they asked the messenger of God why, he said, 'Their fires should not be visible to each other.' Abu-Dawud (14:2639)includes the tradition, as well as Al-Tirmidhi, Al-Nasa'i, Al-Bayhaqi, and others. Some of these authorities relate the tradition from Qays ibn Abi-

Hazim from the prophet (i.e., mursal (hurried), with no link to the generation of the companions). Imam al-Tirmidhi says in Al-Ilal, 'I asked Muhammad about the Hadith, and he said that as related on the authority of Qays ibn Abu-Hazim it is sound but mursal.' (p 10)

"Example three: According to Usamah ibn Zayd, may God be pleased with him and his father, the messenger of God, may God bless him and grant him peace, sent us to Al-Huraqah, which is part of the tribe of Juhaynah. We attacked the enemy in the morning at their watering place. A man from the Ansar and I caught up with one of their men and when we came to him, he said, 'There is no god but God.' The Ansari left him alone, but I stabbed him to death with my spear. When we reached Medina, a report reached the prophet, may God bless him and grant him peace. He said to me, 'Usamah, did you kill him after he said, 'There is no god but God'?' I said, 'He was only trying to protect himself.' Again he asked, 'Did you kill him after he said, 'There is no god but God'?' He kept on repeating the question until I wished I had not become a Muslim before that day, both al-Bukhari (9:83:11) and Muslim (1:176,177) include the tradition.

"Despite what Usamah did on this occasion, the prophet, may God bless him and grant him peace, appointed him as commander of an army that included the elite among his companions. The prophet died after assigning the banner to him, and the prophet's successor, Abu-Bakr al-Siddiq, may God be pleased with him, dispatched the army.

"Similar stories in which errors of various degrees were committed at different times by the companions of the prophet, may God be pleased with them, during various incidents in their jihad are many and well-known. I do not intend to tally them or explore them thoroughly, but only to point out that no battleground or time can be free of errors in jihad. On the other hand, we do not mean to justify or approve of errors when they occur or to be remiss in correcting them and giving advice about how to avoid and remedy them. But it is not acceptable that errors should be made as a support on which everyone may lean who wishes to suspend jihad, flee from its scenes, and shirk its consequences on the pretense that it is full of errors and that the mujahidin are ignorant and inexperienced.

"Preliminary point six: The publishers quote the document's author as saying that he is 'not a scholar, mufti, or someone with the rank of mujtahid (qualified to make independent decisions) in religious law.' In spite of this, he has filled the book with legal rulings that say that something is permissible or not permissible, that something is halal or haram. He declares the leaders of the mujahidin to be fools, especially in his interview with Al-Hayah newspaper, in which he described their leaders as being 'perfidious traitors,' along with other loathsome epithets fit only for the vile gangs that supervised the 'writing, production, and publication' of the Enslavement Document, gangs whose tongues are accustomed to reviling and cursing and to drinking avidly of such a putrid pond. (p 11)

"So if he is not a scholar, mufti, or mujtahid, let him tell us how he can legitimately take it upon himself to apply such labels to particular persons and specific events. It is a well-known fact that one does not declare someone to be dissolute (fasiq), just as one does not declare someone to be a non-believer (kafir) until the legal conditions are clearly present and the impediments not present. As Shaykh al-Islam Ibn Taymiyyah says: "The intent here is only to say that if innovations and other things whose ugliness has been established, things forbidden in the Koran and Sunnah or incompatible with the Koran and Sunnah, emanate from a person or persons, this may be in a manner that can be excused. Either the person may have followed his own judgment (ijtihad), or he may have imitated someone else (taqlid) in an excusable manner, or he may have lacked ability, as I have set down at another place and also set down in the original discussion of declaring non-belief (takfir) or dissoluteness (tafsiq).The threatening texts in the

Koran and Sunnah and the texts of the founders of the legal schools concerning takfir and tafsiq and such matters entail the establishment of the consequences of these charges against a particular person only when the conditions are present and the impediments are absent. There is no difference here between theory and application. This concerns the chastisement of the afterlife. Whoever deserves the threat, consisting of God's chastisement, curse, and wrath in the next world, will live in the fire forever or not forever. The names of this kind of non-belief and dissoluteness fall under this rule, whether it be because of innovation in doctrine or worship or because of dissoluteness in the world, which is dissoluteness in actions' (Ibn Taymiyyah, Majmu' al-Fatawa, 10:371). Why hasn't he told us -- he who is not a mufti, scholar, or mujtahid in matters of religious law -- how he was able to discern the conditions and exhaust the impediments with regard to those whom he has judged to be dissolute while he was isolated in his prison cell? Have inspiration from the saints, revelations from Sufis, and the investigation files of security agencies become sufficient legal evidence for passing judgment with all boldness and explicitness when the arrows are aimed at the mujahidin and their leaders?

"Furthermore, even if we go along with the document's author and those who helped him write it and publish it, and even if we sink with them to the crude epithets they have used to describe the mujahidin and the vile deeds they have ascribed to them such as treason, betrayal, and ignorance, we say that all of this will not bring us to what they desire, which is the suspension of jihad and halting of its brigades. It will not be a legitimate support to which they can turn in order to abolish the jihad whose banner is being raised against the occupiers and their apostate helpers, however much you try to turn people away by misrepresenting the mujahidin and inventing as many ugly epithets for them as you wish. For one of the constant principles of Sunni Muslims to which one must adhere, maintain, publish, and advocate is 'jihad with everyone, be he pious or sinful.' This is a well-known and settled matter, something specifically mentioned in their books of doctrine. Only an inventor and innovator would dispute it. Therefore, let the mujahidin be as you describe them and, heaven forbid, even worse in terms of dissoluteness, sinfulness, and treacherousness: does this entail washing one's hands of them, urging people not to engage in jihad with them, and calling for preventing aid to them when they are right? Isn't this a new understanding and subtle kind of knowledge discovered in the darkness of prisons in order to show us the error of what ancient and modern scholars have written in their creeds, generation after generation, so that today we can uproot it in order to satisfy 'the blue-eyed ones'? (p 12)

"I think there is no need to cite the proof and texts that establish this principle. The document's author wrote them down, explained them, and detailed them in his book *Al-Umdah fi I'dad al-Uddah* before he launched a campaign of alienating people from the mujahidin and misrepresenting them and described them in terms that the media, for all their foolishness and obscenity, had not dared to apply to them. Rather, I shall cite here a long and detailed text from the Shaykh al-Islam, Ibn Taymiyyah, on this question. He says: 'If there happens to be among them someone who will fight the enemy in the most perfect way, he will be the ideal in terms of pleasing God, strengthening His word, establishing His religion, and obeying His messenger. If there is among them someone infected with licentiousness and corrupt intentions, so that he fights to obtain leadership or acts unjustly toward them in certain matters, and the damage to religion brought about from ceasing to fight the enemy is greater than the damage brought about from fighting the enemy in this manner, it is still a duty to fight the enemy in order to ward off the greater of two evils by adhering to the lesser. This is one of the principles of Islam that ought to be observed. Therefore it was one of the principles of Sunni Muslims to fight under anyone, whether pious or sinful. For God strengthens this religion through a sinful man and through men who have no share of virtue. The prophet, may God bless him and grant him peace, set a precedent for this. When an expedition was possible only under sinful commanders or with

an army full of sinners, there were only two choices: abstaining from the expedition with them, with the inevitable result that others more injurious to religion and to worldly matters would gain the upper hand, or mounting the expedition with the sinful commander, with the result that the more sinful would be repelled and most of the precepts of Islam implemented, even if all of them could not. This, therefore, is what is necessary under such and all similar conditions. Indeed, many of the expeditions that took place after the age of the well guided caliphs took place only in this manner. According to a confirmed tradition, the prophet, may God bless him and grant him peace, said, 'There shall be good tied to the forelocks of horses until the day of resurrection' (i.e., reward and profit). This sound tradition points to the same idea that Abu-Dawud transmitted in a Hadith of the prophet that he included in his Sunan : 'A group from my community will not cease to conquer in a state of truth, unharmed by those who oppose them, until the day of resurrection.' And there are other texts which Sunnis of all schools agree should be implemented about waging jihad on those against whom jihad should be waged under commanders both pious and sinful, unlike Shiites and Kharijites, who depart from the Sunnah and the consensus. This is despite the prophet's saying: 'There shall follow commanders who are wrongdoers, betrayers, and sinners. Whoever believes their lies and helps them does not belong to me, nor I to him; and he will not drink from the pool from which believers drink on the day of resurrection. Whoever does not believe them and helps them in their wrongdoing belongs to me and I to him; and he will drink from the pool.' If one knows what the prophet, may God bless him and gran Majmu' al-Fatawa, 6:425). (p 13)

"Perhaps the author of the Guidance Document will agree that the mujahidin and their leaders, whom he has characterized in the terms he has used, are in a better state regarding their religion and jihad than the men about whom Shaykh al-Islam Ibn Taymiyyah was questioned and regarding whom he replied with knowledge, understanding, and fairness, not with emotion, stubbornness, and hurling charges randomly. He was asked 'about men who live along the borders, who attack the Armenians and others, acquire wealth, and spend it on wine and fornication: are they martyrs if they are killed?'

"His answer: 'Praise be to God, if they are attacking only non-believers who are in a state of war, actions are to be judged according to intentions. Some men once asked: 'Messenger of God, a man may fight from courage, he may fight from being a hothead, he may fight to show off: which of these is in the way of God?' He replied, 'Whoever fights so that God's word may be uppermost is in the way of God.' If any of them intends only to take property and spend it on sinful things, such men are dissolute persons subject to God's threat of punishment. If their intention is that God's word should be uppermost and that the religion be God's entirely, such persons are mujahidin. Even if they have grave sins, they have good deeds and bad deeds. However, if they attack the Muslims who are there, they are sowers of corruption in the land, wagers of war on God and His messenger, deserving of great punishment in this world and the next.' And God alone knows best' (Ibn Taymiyyah, Majmu' al-Fatawa 9:209).

"Something that could be cited to show that the writer of the document sets the mujahidin in a better state than those about whom (Ibn Taymiyyah) was questioned is his unmatched phrase that he includes in his Guidance Document. He says concerning the mujahidin: 'All of this goes along with our esteem and our admission that the mujahidin brothers everywhere are on the whole the upholders of a noble cause and bearers of an exalted message. It is not truth that they are seekers of worldly advantage; indeed, many of them are sacrificing life and everything precious in order to strengthen Islam and the Muslims.' (p 14)

"We apologize to all the mujahidin that the discussion has led us to broaching these disgraceful things and to descending with the authors of the document to such a low level in which sincere

mujahidin who offer their lives to their Lord have become 'corrupt, corrupting, dissolutes, and sinners,' as the pen of the 'guide' puts it. We have gone along with him as far as possible in his claims only that he might know -- and he definitely does know -- that all of this -- and many times as much branding as dissolute, treacherous, and ignorant -- will not eliminate the obligation of jihad. It will not prevent helping the mujahidin and standing with them. He who refuses to do so will find no others. Their corruption is less than the corruption of their enemies. Those who defend the latter are the most sinful of sinners, those who abandon one of God's duties. Does the author of the document hold that the corruption of the mujahidin is greater and worse than the corruption of 'the supervisors' of document's writing and publication? Does he think that the harm resulting from their jihad and repelling of their enemies is greater than the harm caused by America, the font of insanity and evil, that has left no house or land untouched by its corrupting influence? Who knows? Perhaps that is what he thinks!

"Preliminary point seven: The prophet, may God bless him and grant him peace, announced, as reported in uninterrupted, transmitted reports, that there would be a group conquering in a state of truth, fighting for it, unharmed by those who oppose it or those who abandon it until the last of them fights the Antichrist (al-Dajjal). Among these reports is the one included by Muslim on the authority of Uqbah ibn Amir, may God be pleased with him, who said: The messenger of God, may God bless him and grant him peace, said: 'A band of people from my nation will not cease to fight in obedience to God's command, overcoming, unharmed by those who oppose them. They will remain in this condition until the Hour overtakes them' (Muslim, Sahih, 20:4721).

"This report includes two things: First, the conclusive confirmation of this report, that it will inevitably take place, and that this group will travel the path of truth and the way of guidance with discernment of it. It will not cease to exist until the time that the Hadith reports mention. Among its most prominent attributes is its fighting the enemies of God. The learned Ali al-Qari (al-Harawi, died 1605/6) said in his commentary on the prophet's words: 'This religion will not cease to exist, with a group of Muslims fighting for it, until the Last Hour, transmitted by Muslim. The meaning is that the face of the earth will not be devoid of jihad: if it is not taking place in one area it will take place in another, until the Last Hour comes, i.e., until it draws near' (Ali al-Qari, Mirqat al-Mafatih, 11:441).

"The second point is that the intent of this report is not merely to confirm a fact but to urge being a member of this group, seeking it out, and assisting it. A Muslim will find both confirmation of a fact and an obligation in the report. The Muslim is commanded to adhere to the truth and help those who follow it. Some scholars hold that although the Hadiths about the victorious group are phrased as reports of fact, their real meaning is a command. The learned Al-Qari says: 'This does not preclude its being a statement of fact whose meaning is a command, as in the Koranic verse: 'It is We who have sent down the Remembrance, and We watch over it' (Koranic verse; Al-Hijr 15:9). For we are commanded to watch over and preserve the Koran by continuous readings as a collective obligation' (Ali al-Qari, Mirqatal-Mafatih, 11:441). (p 15)

"A similar passage in the Koran is the following: 'O believers, whosoever of you turns from his religion, God will assuredly bring a people He loves, and who love Him, humble towards the believers, disdainful towards the non-believers, men who struggle in the path of God, not fearing the reproach of any reproacher. That is God's bounty; He gives it unto whom He will; and God is All-embracing, All-knowing' (Koranic verse; Al-Ma'idah 5:54). Shaykh al-Islam (Ibn Taymiyyah) says: 'Whenever a group turns from Islam, God brings men who love Him and struggle for Him. That is the group that will be victorious until the coming of the Last Hour' (Ibn Taymiyyah, Majmu'al-Fatawa, 18:300). Ibn Taymiyyah also says: 'This verse indicates that whenever

someone turns away from the religion, until the day of resurrection, God will raise up people whom He loves and who love Him, humble toward the believers, disdainful toward the non-believers, who struggle against those who turn away. Their apostasy can be either from the root of Islam, as in the case of the extreme Nusayris and Ismailis, who are apostates by consensus of Sunnis and Shiites; or like the Abbasiyah. The apostasy can be from part of the religion, as is the case with the people of innovation (ahl al-bida'), the rejectionists (al-rafidah, i.e., Shiites who reject the legitimacy of the succession of the caliphs), and others. God will raise up people whom He loves and who love Him, to struggle against whoever turns away from the religion or from part of it, just as He will raise up men to struggle against the Shiite rejectionists who turn away from the religion or part of it in every age. We ask God to make us to be among those whom He loves and who love Him, who struggle against those who turn away, and who do not fear the reproach of any reproacher' (Ibn Taymiyyah, Minhaj al-Sunnah al-Nabawiyah, 7:221).

"A verse such as this and the prophetic traditions describing the attributes of the victorious group refute the claims of overall weakness that some have done their utmost to prove and implant in the hearts of the nation and convince it by every means and trick. The verse and the traditions prove that the nation is a nation of fighting and jihad, of victory and meeting its enemies in every age and in every circumstance. The duty of the Guidance Document -- if, as it claimed, it wanted to do its duty -- was to urge the nation to search for the victorious group, to affirm its existence decisively, and to affirm the duty of aiding it, standing with it, and strengthening its ranks, instead of dragging the nation into an abyss of enervation, reinforcing ideas of surrender, and making its enemies terrifying in its eyes. That is the guidance and good sense that the adviser who encourages ought to give, if he does wish to encourage. And on God one calls for help!

" The Goals of the Document (p 16)

"Having mentioned these preliminary points that should be kept in mind while reading these comments and criticisms, we move to another matter, which, we think, is more important and more serious than all that has preceded it, and is to elucidate the motives for the writing of this document; or, more correctly, the goals of producing this document. This is what should be regarded with full care and extreme interest. When one receives the document and turns its pages, one should not be unaware or naAAve about it. One should not be seduced into swallowing its poison and becoming infected by its disease unaware. A believer should be intelligent and alert.

"Goal one is to isolate the mujahidin in terms of religious learning. They are to be separated completely from any understanding of the arguments and legacy of the pious forebears (al-salaf al-salih), may God be pleased with them, on the pretext that what the forebears wrote was for a time other than ours. The document states this specifically. This is one of the most dangerous things in it, despite the brevity and vagueness of the formulation that indicates this idea. After the term jihadist salafiyah has spread and been circulated by the pens of Islamic and other writers, a term whose two components mean building on the principles of the forebears, relying on their conclusions, and clinging to their concepts, along with holding fast in word and deed to the religious duty of jihad and fighting non-believing apostates, Jews, and Christians, and after this idea has gradually become established in the hearts of Muslims and they have become familiar with its designation, jihadist salafiyah -- after all these things, this document tries to separate the two parts of the phrase. It wants to erect a spurious imaginary partition between the two ages on the pretext that 'the scholars among the forebears (ulama al-salaf) wrote their books for an age that is not our age, an age in which Muslims had an Abode of Islam (Dar Islam), a caliphate, and a caliph, an age when the ranks and the people were distinct from each

other, Muslims in the Abode of Islam and non-believers in the Abode of War (Dar al-Harb), and when in the Abode of Islam the protected non-Muslim (dhimmi) could be distinguished from the Muslim in appearance. None of these things exists now. People have blended with each other. This is the altered and changed reality that makes caution necessary when one reads the books of the forebears and when one judges people.'

"These words undoubtedly contain much that is true. The reality that we experience today is different from what they experienced. They possessed independence, pride in their religion, and a separate dwelling place in which they were powerful. The mujahidin, and indeed all Muslims, are only striving to return to the condition that the first Muslims enjoyed and to emerge from the state of perversion and irregularity that they are experiencing today. Yet the words of the forebears, which the document wants to make applicable to a time other than ours, are not all that way. They are not fatwas about details connected with realities and events specific only to their time. Rather, they established absolute legal rules and discussed general legal questions not connected with one time and one place. What is specific to their time and bound to their circumstances is on the whole clear and manifest; it is hardly hidden from anyone, let alone specialized scholars. We know from the words of the prophet, may God bless him and grant him peace, that ages will pass and times change until God inherits the earth and all who are on it. Each century will not cease to draw from the century that preceded it and to benefit from the rules, fatwas, and discussions that its forerunners discussed. (p 17)

"Shaykh Abd-al-Qadir himself, whom the publishers quote as saying, 'I am not a scholar, mufti, or mujtahid in religious law, 'filled his previous books, and even his Guidance Document, with long and short quotations and texts from early and later scholars, using them in his discussion to argue about specific events and particular matters whose discussion is in no way different from a fatwa -- the knowledge of one's duty in particular circumstances -- as he said in the Guidance Document. However much he tries to disavow that much of his book contains explicit fatwas about particular circumstances, it means nothing. His books, such as al-Umdah, al-Jami' fi Talab al-Ilm al-Sharif, and other essays, are aimed mostly at discussing legal precepts directly related to present reality. If he deems himself not to be a scholar, mufti, or mujtahid in religious law, and has informed us in the Guidance Document that 'it is not permissible to act in accordance with anything in scholarly books other than a fatwa from someone qualified, versed in the religious law and the reality of his time,' let him tell us what he is doing in this document. What are we to do with the hundreds, if not thousands, of texts he has excerpted from earlier and later scholars to strengthen his 'fatwas' and support his decisions? He has even argued against dozens of well established early authorities on numerous questions of religious law. If everything that Shaykh Abd-al-Qadir has done and is doing -- citing texts from ancient and modern scholars and using them to strengthen the decisions he reaches and publishes -- if this is not the very thing he criticizes the mujahidin for doing, what is it? Or is it permissible and without consequence for him, regardless of his lack of qualifications, since he has deemed himself -- as the publishers state -- not to be 'a scholar, mufti, or mujtahid in religious law,' but forbidden for the mujahidin, since he has discovered today for them that 'what the forebears set down was written for a time other than ours,' so that they must be cautious? How does what applies to me not apply to you?

"What is evident from all this is that the document wants to say implicitly or explicitly to the mujahidin: 'Cut your tie to the books of the forebears, their teachings, their ideas, and their fatwas. Regard your present with an independent view cut off from the past, detached from the view of your predecessors. Affirm of their rulings whatever suits your condition and agrees with your whims, if not the whims of your rulers.' We have seen what has befallen many Islamic groups and even some who claim to be scholars in the name of modernism and adaptation to

reality. 'When they swerved, God caused their hearts to swerve; and God guides never the people of the ungodly' (Koranic verse; Al-Saff 61:5). Happy the man who learns from others! (p 18)

"The mujahidin or others should not be deceived by this call or pay attention to its mutterings. Rather, they should strengthen their ties to the learning of the forebears and keep a constant eye on it. They should draw from its well, seek guidance from its lights, and cling to its legacy, especially because much of what they penned, may God have mercy on them, in the way of legal rulings does not relate to one set of circumstances or conditions and not another. What they set down were general issues applicable to every time and which no expert can fail to perceive.

"Goal number two is to invigorate the crusader and Zionist forces and their apostate helpers. The aim is to give them an opportunity to catch their breath and arrange their cards. This can be done by busying the mujahidin with storms like this that they stir up from time to time and that they inflate, aggrandize, and make a decisive matter for the course of jihad activity. While the mujahidin busy themselves with these things and turn their entire attention to responding, discussing, pelting one another, and following these things, devoting much of their time, energy, and thought to this, their enemies seize the opportunity provided by their inattention and preoccupation in order to put through their schemes, spread their poisons, order their own household, strengthen their position, and gain a foothold.

"The mujahidin should always be aware of this, whether in this document or in similar matters that they see the media undertaking to inflate, publicize, and spotlight. Let them know that they have one way to establish the religion, spread justice, and eradicate injustice and evildoers, to fight in the way of God: 'Fight them, till there is no persecution (fitnah) and the religion is God's entirely; then if they give over, surely God sees the things they do' (Koranic verse; Al-Anfal 8:39). If there were another way to remove persecution -- polytheism and turning away from the way of God -- whereby the religion might be for God entirely, other than fighting, the Lord would have indicated it to us. So do not busy yourself with commotion in the markets or things by the roadside. 'Say: 'Have you then greater knowledge, or God?'' (Koranic verse; Al-Baqarah 2:140) Do not give your enemies a chance to enjoy security, to rest, or to think. Know that whatever worry, sadness, pain, or tribulation you experience, they have the same and more, as God has said: 'Faint not in seeking the heathen; if you are suffering, they are also suffering as you are suffering, and you are hoping from God for that for which they cannot hope; God is All-knowing, All-wise' (Koranic verse; Al-Nisa 4:104). God has also said: 'If a wound touches you, a like wound already has touched the heathen; such days We deal out in turn among men, and that God may know who are the believers, and that He may take witnesses from among you; and God loves not the evildoers' (Koranic verse; Al Imran 3:140).

"Goal number three is to portray the mujahidin as a scattered band of plunderers, thieves, heretics, liars, betrayers, and traitors-- people devoid of every value, virtue, or religion; having no knowledge to guide them, no intellect to control them, no religion to restrain them; whose only concern is to attain the end without regard to the means; whose main intention and desire is to spill blood -- much blood -- without regard to sanctity or covenant. The document even portrays them as targeting people on the basis of skin color, hair color, and nationality. (p 19)

"Anyone who reads this document will receive this impression in his heart, whether he wants to or not. He will find in himself an automatic aversion to everything related to jihad and mujahidin. He will quickly condemn and find abhorrent any action that the mujahidin perform, seeing it as one of the well-known familiar deviations made infamous and listed by the document. Beyond this goal lies another one, which is the main intention: to isolate the mujahidin from their societies, make people averse to backing them, and make people abstain

from helping them or standing by them; perhaps even to arouse anger against them and fill hearts with hatred and hostility toward them. The inevitable outcome will be alienation from them, proclaiming hostility toward them, and finally declaring war on them, which is what they want. Everyone has seen something like this in Iraq and elsewhere. The objective now is to widen the circle of distortion to include all the mujahidin and the other theatres of jihad. This document is performing part of this mission, but they will not succeed, God permitting: 'They devise, and God devises; and God is the best of devisers' (Koranic verse; Al-Anfal 8:30).

"Goal number four is to emphasize that the reality that the Islamic nation is experiencing today is an accomplished fact that must be acknowledged and dealt with as such. The goal is to implant a spirit of acceptance of this reality and adaptation to it, instead of attempts to change it. The goal is to cultivate the idea of surrender and weakness in the heart of the nation, to stress that it is a deep-rooted and complex condition for which there is no remedy and there is no way of setting it straight. Any thought of changing and uprooting this reality is therefore futile. It must be acknowledged and continually placated; one must deal with it as an accomplished fact, with no room for denial or evasion and with nothing to be gained from trying to establish something else. The entire idea is a first step toward the call for 'peaceful world coexistence,' toward implanting the idea of citizenship instead of the idea of loyalty to believers and eschewing of non-believers (al-wala' wa al-bara'), toward acknowledging the legitimacy of the apostate regimes that rule Muslims with their manmade laws and that force them by iron and fire to be judged under these laws; and then they turn their dogs -- the army, security forces, intelligence agencies, and police -- on anyone who opposes them or refuses to submit to them, let alone anyone who tries to change them and uproot them. (p 20)

"Goal number five is to improve the image of the West, headed by America, the font of crime. The goal is to brighten it in the eyes of Muslims and portray the Americans as people of justice, equality, human rights, fairness to the oppressed, and givers of refuge to the homeless. Therefore they should be the pattern for emulation, the example to be followed. We must make them our model, dealing with them on a principle of reciprocity, for they are our pattern in matters of virtue, and we are dependent on them in that. The goal is to strengthen the idea of dependency and to enchant us again with their civilization. The Enslavement Document hides the scandalous daily crimes that these butchers commit. It turns its eyes from atrocities, the like of which humanity has scarcely heard: mass murder, genocide, continued humiliation, legalized larceny, and so forth. It is a document that imprints a brutal, disgusting image of the mujahidin and paints a gentle, embellished picture of those apostate non-believers.

"Goal number six: Today the leaders of jihad have undoubtedly gained great trust in people's hearts through bearing the burdens of battle and by their standing honestly in the face of the enemies of the nation. They have proved by word and deed that they are bearing the concerns of the nation in truth, not in pretense and lies, and they are sacrificing their lives, their wealth, and their families, just as their soldiers sacrifice. Therefore this document wants to pluck out this trust from the hearts of Muslims in general and from the hearts of their mujahidin soldiers in particular, and it wants to pull them down from the exalted position in which God has placed them on account of their jihad and their patience, for thus we deem them, justifying them as God has justified them. I think that these two objectives, people's trust in them and causing them to fall in their eyes, are being sought in two ways:

"First, they are leaving no stone unturned to dig up the smallest error they can find and pin on these leaders. Then they begin to exaggerate it, publicize it, and repeat it, until it becomes established in the mind as the truth accepted by an informed expert. As we believe, the Enslavement Document has portrayed them as people who flee from battles and even from their

own wives and children, as liars, dissolute, corrupt people, those who corrupt, ignorant people, and those interested in fame and celebrity.

"Second, they draw these leaders into name calling and sophistical arguments by provoking them on certain matters and by embarrassing them with certain issues that lead them to defend themselves and justify their battle, or else they will remain in the circle of accusation and suspicion that the Enslavement Document has drawn around them. (p 21)

"Goal number seven is to assert that the mujahidin are the cause of all the disasters that have befallen the nation, the killings, uprooting, imprisonment, and blockades. They are responsible for dragging the nation into dangers. Their jihad and their clashes have yielded their peoples only destruction and ruin. If they had not provoked the powerful nations and their client governments, the condition of Muslims would not be what it is: misfortunes, troubles, and disasters. One might even imagine that before the spread of jihad the nation was living in the security, justice, and prosperity of the state of Umar ibn al-Khattab, may God be pleased with him! This idea, which the Enslavement Document strengthens, works toward an understandable conclusion, which is that abandoning jihad and knocking on other doors(emigration, isolation, hiding one's faith) are the means that can give people a respite, relieve their suffering, and lead them out of this ever-narrower impasse. As for continued clashes, persistent attempts to topple apostate regimes, lock horns with the occupying powers, and efforts to incite people to fight, the result of all these things will be what you have already experienced, tasted, and seen: prisons, graves, persecution, uprooting, and increased oppression. Therefore, oh mujahidin, restrain your hands so that the 'relevant authorities' will restrain theirs. If you continue and insist, blame only yourselves! As the proverb has it, Baraqish the dog brought harm to its owners when its barking drew the attention of a passing army.

"I shall quote a passage from the book Al-Umdah fi I'dad al-Uddah by the author of the document. It is appropriate here:

"(Citation begins) 'The prophet, may God bless him and grant him peace, said, 'The nations are about to fall on you from every side, as diners fall upon their dish.' We said, 'Messenger of God, is it because we shall be few on that day?' He said, 'You will be many on that day, but you will be scum like the scum on a torrent: fear will be plucked from the hearts of your enemy and weakness will be put into your hearts.' They asked, 'What do you mean by weakness?' He said, 'Love of life and hatred of death' (Sunan Abi-Dawud, 37:4284, narrated by Thawban). The prophet, may God bless him and grant him peace, also said, 'If you engage in sophisticated transactions to evade the prohibition on usury, take hold of the tails of cattle, are content to sow the ground, and abandon jihad, God will impose humiliation on you and not remove it until you return to your religion' (Sunan Abi-Dawud,23:3455, narrated by Abdallah ibn Umar).

""The two Hadiths have the same meaning. They undoubtedly describe the condition of Muslims today: they have fallen in love with the world, hate death, and have abandoned jihad; and so God has subjected them to non-believing nations that impose humiliation and disgrace on them. This is the predestined punishment that inevitably befalls those who abandon jihad, as God has said: 'O believers, what is amiss with you, that when it is said to you, 'Go forth in the way of God,' you sink down heavily to the ground? Are you so content with this present life, rather than the world to come? Yet the enjoyment of this present life, compared with the world to come, is a little thing. If you go not forth, He will chastise you with a painful chastisement, and instead of you He will substitute another people; and you will not hurt Him anything, for God is powerful over everything' (Koranic verse; Al-Tawbah 9:38-39). The painful chastisement in the verse includes the humiliation mentioned in the Hadith of Ibn Umar; it includes the falling of the

nations on us mentioned in the Hadith of Thawban. Salvation from this is as the prophet, may God bless him and grant him peace, has said: 'God will not remove it until you return to your religion.' This is by returning to jihad, as mentioned at the beginning of the Hadith, and this agrees with God's word: 'And fight the unbelievers totally even as they fight you totally and know that God is with the god fearing' (Koranic verse; Al-Tawbah 9:36). And God also says: 'Fight them, till there is no persecution and the religion is God's entirely' (Koranic verse; Al-Anfal 8:39).' (end of citation) (p 22)

"All these goals that I have mentioned tend toward one direction and aim at a definite end, which is to encircle the mujahidin from the outside and fragment them internally, spreading disunity and disagreement among them, sapping the resolution in their hearts, weakening the firm trust that links them to each other, dampening their hopes, spreading a spirit of discouragement and a feeling of impotence, and clearing the ground for laying the cornerstone of the edifice of the irreligious state and continuance in a pagan lifestyle, so that God's enemies can continue to graze as they please on our nation. 'Surely thy Lord is ever on the watch' (Koranic verse; Al-Fajr89:14).

" Discussion of Certain Legal Questions Raised in the Document

"The spiritual guide says in his document:

"(Begin citation) 'With the weakening of the Ottoman caliph state at the end of the 19th century, the European countries took control of most of the lands of the Islamic world. They divided it up, weakened it, plundered its resources, deprived it of industrial progress, kept its people in a state of division, poverty, and backwardness, and imposed their culture and laws on the countries of Muslims by force of military occupation. Then these European countries established a state for the Jews, 'Israel,' in the heart of the Islamic world to exhaust and humiliate it.

"'There is no doubt that all this befell Muslims because of their sins, as God has said: 'Whatever affliction may visit you is for what your own hands have earned' (Koranic verse; Al-Shura 42:30). This hostile coalition is still imposing its guardianship over the lands of Muslims, asking them for even more concessions, thereby confirming God's word: 'Never will the Jews be satisfied with thee, neither the Christians, not till thou followest their religion' (Koranic verse; Al-Baqarah 2:120).

"...In opposing the great powers that will be satisfied only with humiliating and weakening the Muslims, some Islamic groups turned to clashing with the ruling powers in their own countries or with the great powers and their peoples in the name of jihad in the way of God in order to elevate Islam.

"Clashes proliferated in various countries from the farthest east to the farthest west. These clashes were mixed with many violations of the religious law.' (end of citation) (p 23)

"This is undoubtedly a concise and exact description of the reality that the Islamic nation is experiencing. It states that the great powers occupied the lands of the Muslims and were the heirs to the Ottoman state. They imposed their laws on the Islamic lands, divided them into mini-states, sucked up their wealth, and plundered their resources. They established the Jewish state and still support and protect it militarily, economically, and politically. Let us also not forget that it is these countries that support, protect, and strengthen the 'ruling powers,' and through them infiltrate to put through their plots. The state of the Islamic lands today can be described as 'legalized occupation' or perhaps 'veiled occupation.' Its outward face consists of

groveling client governments that are not worth a straw; its inward face consists of the major European states that have dug in their hands, strengthened their interests, and consolidated their policies in these countries. Stated briefly, our countries outwardly were occupied militarily -- an occupation that the Muslims resisted and the mujahidin opposed of old. Then the occupation turned into a hidden occupation, performing the same function that they wanted at the beginning and perhaps today in a greater and more powerful way. It was a movement from one occupation to another, from one kind of control to another, from one kind of dominance to another, from one kind of 'raid' to another. We are not so naive as to be taken in by names such as 'independence' or to be so carried away by appearances as to pretend that we are living in 'freedom,' after our enemies and their criminal clients have been able to do to our countries, peoples, and religion 10 times more than they were able to do throughout their open military campaigns. What difference does it make to us whether a blue-eyed Western Christian is in charge of the corruption being spread in our lands and disseminated among our young people or whether he hands responsibility for it to them? Therefore, dear reader, you should retain and keep in mind this premise, which, to us at least, is incontrovertible: that our countries today are truly occupied. Ongoing in them are the projects of the colonialism that originally raided them to put through and establish these projects. In their current state, these projects are perhaps more active, stronger, wider, and uglier than had been hoped. Religion is being eradicated by their policies; beliefs are being uprooted by their plots; morals are being destroyed by the media and clients; resources are being stolen and plundered by their laws and corporations; the leaders of non-belief are being guarded and protected by their freedoms and democracies; and those who return to God are being maltreated at the hands of their aides and helpers. The prison camps are full of those who reject their policies and uncover their intrigues. The sons of Muslims are growing up generation after generation to be their officers, fascinated with their civilizations, and imitators of them. Constitutions of patent non-belief rule God's servants and hold sway in the land. The chief apostates and their helpers implement everything demanded of them point by point and carry out every command order by order, unconcerned about whether it agrees with the religious law or violates it, even if it leads to eradicating a people in its entirety. Tell me for God's sake whether Western imperialism, while it ploughed the waves of the sea with its boats, pierced the air with its planes, and crossed the deserts with its tanks and armored cars, ever dared to hope for more than it sees today with regard to the condition of our Islamic nation. Yet it is not ceasing for a single moment to plot and devise how to double its humiliation and strengthen its enemies, foremost among them being the Jewish state, which according to the conventions of 'the ruling powers' has become an acknowledged reality with which one must deal on that basis, and woe to anyone who contests or disagrees! This, then, is the reality in all of its dimensions. What is the remedy? (p 24)

"We do not doubt at all that that has befallen Muslims, the domination of their enemies over them, their dividing up of their countries, and their depriving them of the law of their Lord, has happened only because of their sins and for what their own hands have earned. However, those who diagnose the disease often stop here and go no further; so illusions take hold, and the nation is left to its guesses and suspicions, without a clear and definite clarification of the disease. You might think that the sins that were the cause of what has taken place were limited to the well-known sins of usury, going unveiled, wine-drinking, singing, and the like. It hardly comes to the nation's mind that a more serious and important sin that led them to this bitter reality is their abandonment of jihad in the way of God. Many do not sense that the abandonment of jihad is a sin that entails woes in this world, before the next. So you find many who try to prescribe the medicine to extract the nation of Islam from its tribulation hovering around the mention of jihad, but avoiding any explicit prescription of it as the remedy given by God and prescribed by the prophet, specifically stated in verses of the Koran and in the traditions of the prophet.

"God says: 'O believers, what is amiss with you, that when it is said to you, 'Go forth in the way of God,' you sink down heavily to the ground? Are you so content with this present life, rather than the world to come? Yet the enjoyment of this present life, compared with the world to come, is a little thing. If you go not forth, He will chastise you with a painful chastisement, and instead of you He will substitute another people; and you will not hurt Him anything, for God is powerful over everything' (Koranic verse; Al-Tawbah 9:38-39).

"The Imam Ibn al-Arabi al-Maliki, may God have mercy on him, said about this verse: 'There are two issues in it. The first is a strong threat and explicit warning about not going forth. An established principle of exegesis is that when a command occurs, its statement involves no more than what is implied in the verb. As for the punishment upon omission to act, it is not taken from the command itself or from its implication; rather, the punishment is given by a statement in the following form, 'If you do not do thus and so, I will punish you thus.' And this is the case in this verse. According to it, assembling for jihad and going forth to encounter the nonbelievers is a duty, so that the word of God may be uppermost. (p 25)

"The second issue is the nature of the punishment. Ibn Abbas said that it was the withholding of rain. If the tradition is sound, he knew best on what ground he said it. Otherwise, the painful chastisement that takes place in this world is the enemy's seizing what he has not yet seized, and in the afterlife it is the fire. In addition, there is the substitution of another people, as God has said: 'If you turn away, He will substitute another people instead of you' (Koranic verse; Muhammad 47:38)' (Ibn al-Arabi, Ahkam al-Qur'an, 4:301).

"The learned al-Tahir bin Ashur (died 1973), may God have mercy on him, said: 'The punishments in the present world are disasters that ensue upon neglecting the causes of success, especially failing to follow the counsels of the messenger of God, on whom be blessings and peace, as what befell the Muslims at the Battle of Uhud. The intention is to threaten them so that if they refrain from going forth to battle, the enemy will attack them in their own homes and eradicate them, and God will bring a people instead of them' (Ibn Ashur, al-Tahrir wa al-Tanwir, 6:286).

"Part of the painful chastisement that God mentioned in this verse is what is said in the prophet's Hadith about how the nations will gather together and fall upon us as diners fall upon their dish. This is the condition of the nation today, when it has abandoned jihad, neglected preparing, leaned toward indifference and idleness, became satisfied with inactivity and rest, and busied itself with this world, making it its greatest concern. God would not wrong them, but they have wronged themselves!

"The prophet, may God bless him and grant him peace, said: 'If you engage in sophisticated transactions to evade the prohibition on usury, take hold of the tails of cattle, are content to sow the ground, and abandon jihad, God will impose humiliation on you and not remove it until you return to your religion' (Sunan Abi-Dawud, 23:3455, narrated by Abdallah ibn Umar).

"And according to Thawban: 'The prophet, may God bless him and grant him peace, said, 'The nations are about to fall on you from every side, as diners fall upon their dish.' We said, 'Messenger of God, is it because we shall be few on that day?' He said, 'You will be many on that day, but you will be scum like the scum on a torrent. God will pluck the fear of you from the hearts of your enemy and will cast weakness into your hearts.' Someone asked, 'Messenger of God, what is this weakness?' He said, 'Love of life and hatred of death'.' (Sunan Abi-Dawud, 37:4284, and al-Bayhaqi in the section on faith)

"And according to Abu-Bakr, may God be pleased with him: 'The messenger of God, may God bless him and grant him peace, said: 'Whenever a people abandons jihad, God compasses them round with chastisement.' Al-Tabarani included the Hadith in his collection, and Al-Albani called it good. (p 26)

"When the nation prefers this world, magnifies it over the faith, and makes it more deserving of attention, cultivation, and interest, it becomes insignificant to God and exposes itself to His anger. One of the clearest signs of a nation's sincerity and loyalty to the religion, its seriousness in aiding it, and its zeal to advance it is its preference for jihad over everything in this world. This is the clearest sign of the sincerity of its love for God, His messenger, and His law. Thus you will often find the order to jihad met with the fear of tardiness and of preoccupation with the things of this transitory world. Its attitude will be either jihad and preferring to sacrifice and striving to fulfill one's obligation to God and thereby attain victory and salvation, or feebleness, stinting, and cowardice, so that chastisement alights, humiliation descends, and punishment prevails. As God has said: 'Say: 'If your fathers, your sons, your brothers, your wives, your clan, your possessions that you have gained, commerce you fear may slacken, dwellings you love -- if these are dearer to you than God and His Messenger, and to struggle in His way, then wait till God brings His command; God guides not the people of the ungodly'" (Koranic verse; Al-Tawbah 9:24).

"The learned al-Khazin (died 1341) said in his commentary on this verse: 'God has made it clear that one must bear all hardships in this world so that the religion may remain safe. He reported that care for these worldly interests took precedence for you over obedience to God and obedience to His messenger and over striving in the way of God. 'Then wait,' i.e., expect 'God to bring His command,' i.e., His judgment. This is a command involving threatening and fear... This indicates that if any opposition develops between the interests of the religion and those of this world; Muslims must give precedence to the interests of religion over the interests of this world' (Al-Khazin, Lubab al-Ta'wil fi Ma'ani al-Tanzil, 3:242).

"Anyone who diagnoses the nation's disease and prescribes a remedy that sidesteps jihad or downplays its importance is like a thirsty man being scorched by the sun and separated from water by only a few steps that he can cross with a bit of effort and thus rid himself of what he feels, but someone says to him, while he sees the water with the eyes in his head: 'All this is because of your staying in the sun, neglecting to find shade to avoid its heat, and placing yourself in open country.' What this 'advisor' says is entirely correct from the point of view of its being a factor that causes and increases thirst. However, would anyone say that by avoiding the sun, moving to the coolest possible place, and lying on silk, the thirsty man would do away with his thirst and satisfy himself? Wouldn't any rational person who sees a man in such a state show him the way and guide him to water so that he can drink his fill, and then add advice to stay away from the other causes of thirst?

"This is the state of the nation with regard to jihad. Jihad is the only means to save it from its shameful condition. Whatever effort we exert and ability we devote to another path, we assuredly will remain utterly remote from reaching the desired goal, especially the establishment of religion, the implementation of the Lord's law, and destroying all the false gods -- human or symbolic -- that stand between us and the worship of our Lord as He likes and approves. (p 27)

"God has informed us that every affliction that has befallen us, whether in ourselves, in our families, or in our property, can be traced back to sins and what our hands have earned. As God

says: 'Whatever affliction may visit you is for what your own hands have earned' (Koranic verse; Al-Shura 42:30).

"The Imam Ibn Jarir (al-Tabari, died 923), may God have mercy on him, said: 'Whatever affliction befalls you in this world in yourselves, your families, and your property 'is for what your own hands have earned.' He says that this afflicts you as punishment from God for the sins you have committed among yourselves and between yourselves and your Lord. God forgives much of your wrongdoing and does not punish you for it' (Al-Tabari, Tafsir,21:538).

"Just as this is a general issue and universal principle to which other indications point, there are other verses and Hadiths that indicate in particular that some of the afflictions that ensue come directly from failing to perform jihad, as in the verses that we have cited above. Therefore, when we relate the subject and call people to repent, seek forgiveness, cease to disobey, and abstain from sins, it is a mistake for us to limit their understandings to certain sins, turn them toward them, and prevent acquainting them with the particular and immediate cause of some of the punishment and affliction that has descended on them. These things cannot be lifted, removed, or alleviated except by repentance from their causes, as God has said: 'If you go not forth, He will chastise you with a painful chastisement, and instead of you He will substitute another people; and you will not hurt Him anything, for God is powerful over everything' (Koranic verse; Al-Tawbah 9:39).

"This does not mean that we minimize the importance of the remaining sins and offenses. We know that one part of God's law is related to another -- like a single body that grows stronger by being integrated and grows weaker when any of its organs perishes. God's help and defense comes to us according to the quality of our relation to God and our fulfillment of His commands and the commands of His messenger, may God bless him and grant him peace. As God has said: 'O believers, if you help God, He will help you, and confirm your feet' (Koranic verse; Muhammad 47:7). (p 28)

"God has said: 'Assuredly God will defend those who believe; surely God loves not any ungrateful traitor' (Koranic verse; Al-Hajj22:38). Perhaps it was part of the divine wisdom, God only knows, that the permission to fight came immediately after this verse, lest certain people get the idea that God's defending the believers, He being the Mighty and Powerful, relieves them of the consequence of jihad and exempts them from its costs and troubles. God gave them permission to fight so that they might make preparation for it, obtain means for it, repel their enemy by means of it, and turn away his aggression, along with their knowing that God was helping, strengthening, and defending them. The two verse join complete reliance and full trust in God with making all possible preparations. God therefore said: 'Leave is given to those who fight because they were wronged -- surely God is able to help them.'(Koranic verse; Al-Hajj 22:39).

"Then I read something that Professor Sayyid Qutb, may God have mercy on him, said about this verse, pointing to the same idea. What he said, may God make his grave fragrant, was: 'Therefore He guaranteed to the believers that He, the Almighty, would defend them. Whomsoever God defends is necessarily protected from his enemy and will necessarily defeat his enemy. Why, then, does He give them permission to fight? Why, then, does he prescribe jihad for them? Why, then, do they fight and become afflicted by killing and wounds, strain and trouble, sacrifice and pains, when the outcome is already known, and God is able to effect the outcome for them without strain and trouble, sacrifice and pains, killing and fighting?

""The answer is that God's wisdom in this is superior and that God has a profound reason. What

we humans can understand of that wisdom and what is apparent to our intellects and minds from our experience and knowledge is that God, the All-Praised, did not want the bearers and protectors of His call to be lazy idlers who sit in relaxation and then His help descends on them easily, simply, and without toil, merely because they perform the prayer, recite the Koran, and turn to God in prayer whenever harm touches them and an attack befalls them!

"Yes, they must perform the prayer, recite the Koran, and turn to God in prayer in weal and woe, but this worship alone does not qualify them to bear and protect God's call. It is only the provision with which they supply themselves for the battle, the ammunition that they lay up for the fray, the weapon in which they trust while they confront falsehood with its own weapons, but add to them the weapons of piety, faith, and connection to God.

"God desired that His defense of those who believe should be done by their own means so that they might mature during the battle'(Sayyid Qutb, *Fi Zilal al-Qur'an*, 5:199). I too advise every mujahid, indeed, every Muslim, to go back to what the teacher Sayyid Qutb, may God have mercy on him, wrote in this passage. It contains treasures and pearls that no one can do without. (p 29)

"The counterpart of this comes in Surat al-Anfal, where God commands the believers to prepare as much force as they can. This takes place immediately after God says, 'And thou art not to suppose that they who disbelieve have outstripped Me; they cannot frustrate My will' (Koranic verse; Al-Anfal 8:59). This is so that they do not neglect to take up whatever means they can that God has commanded them to obtain and perfect, so that they do not rely merely on their knowledge that God is able to take vengeance on the non-believers and send down his punishment on them. The learned Al-Tahir bin Ashur, may God have mercy on him, said: 'Because the words 'And thou art not to suppose that they who disbelieve have outstripped Me' imply the enfeeblement of the cause of the polytheists, what follows them is a command to make ready for them. This is so that the Muslims do not suppose that the polytheists have already come under their power. This prudence implies that making preparations to deal with them is a means whereby God causes them not to outstrip God and His messenger; for God has prepared the outward and the inward means of their eradication' (Al-Tahir bin Ashur, *Al-Tahrir wa al-Tanwir*, 2:183).

"Notice how the 'guide' has backed away from calling rebellion against those criminal rulers 'jihad,' replacing the word with the phrase 'clashing with the ruling powers,' or saying that everything that happens is only 'in the name of jihad.' He says: 'Some of the Islamic groups have turned toward clashing with the ruling powers in their countries or with the great powers and their peoples in the name of jihad in the path of God in order to exalt Islam, and so clashes have proliferated.' Why does the writer avoid calling what in his books he affirmed and in his articles he established 'as jihad'? Or is this one of the entries, adjustments, or dictations of the 'ruling powers' and 'relevant authorities' with which the Guidance Document has been adorned, so that its guidance of the mujahidin has been shorn of the technical terms of Islamic law that have a special impact on the heart and profound influence on the mind, such as jihad? These terms have been replaced by terms that arouse loathing; the term 'clash' is the most appropriate and suitable of them.

"Is it a clash with the authorities or jihad against them?

"The 'guide' says in his document: 'Clashes proliferated in various countries from the farthest east to the farthest west. These clashes were mixed with many violations of the religious law: killing because of nationality, killing because of skin or hair color, killing because of sect, and

killing of Muslims and non-Muslims whose killing is unlawful. The scope of the idea of using human shields was exaggerated so as to widen the circle of killing. The property of protected persons was declared lawful, as was the sabotaging possessions. Nothing brings the Lord's anger and vengeance like bloodshed and the wrongful destruction of property. It is one of the causes of failure in this world and of anguish and censure in the world to come.' (p 30)

"Anyone who reads this passage and considers the list of black accusations it contains and then attaches to any group will come away with a clear impression that the group in question and its members are a gang of criminals: murderers, thieves, and sowers of corruption on earth, men who hold nothing sacred, who stop at no limit, who are curbed by no restraint and prevented by no objection. With these attributes, God's words seem to fit them perfectly: 'This is the recompense of those who fight against God and His Messenger, and hasten about the earth, to do corruption there: they shall be slaughtered, or crucified, or their hands and feet shall alternately be struck off; or they shall be banished from the land. That is a degradation for them in this world; and in the world to come awaits them a mighty chastisement' (Koranic verse; Al-Ma'idah 5:33).

"The 'guide' says, 'Clashes proliferated.' As we noted previously, he avoids applying the word 'jihad' to confrontations with 'the ruling powers.' Then he goes on to say, 'These clashes were mixed with many violations.' This implies that his objections are not to the 'clashes' themselves, but only to the alleged violations of the religious law accompanying them. If the 'clash' itself with the ruling powers is not a religious deviation, why didn't he call it by its religious name so that people might recognize it, be sure of it, and make an effort to support and strengthen it? Or was the pen that wrote these words unaccustomed to writing terms of religious law and lacking the skill to use them, so that it found itself automatically driven to what it was familiar with and grew up with? Every vessel exudes what it contains!

"As for the eight-item black list of charges with which the document is darkened, the people most deserving of them are those who supervised the preparation, production, and publication of this document. Proving this about them needs no great effort or argument: it is as plain as daylight. Nevertheless, we say: Why didn't the 'guide' or 'guides' tell us what they mean by 'killing because of nationality?' Clarify and explain! Everyone is good at making claims; they are easy for anyone who wants to make them. Are you implying that the mujahidin, who have kindled the fire of 'clashes' from the farthest east to the farthest west, approve of killing people merely because they belong to a particular country, regardless of their religion, so that they kill a European merely because he is a European or an American merely because he is an American or an African merely because he is an African?

"If it is as you allege, how is it that the theaters of jihad from east to west are thronged with people fleeing there from every country and every nationality? Why haven't the people engaged in 'clashes' targeting people of various nationality for their nationality, when they are in their neighborhood and in their ranks, and when killing them would require no effort or trouble? Since they have the opportunity, one can judge whether they will or will not. If they are targeting an American merely because he holds 'American nationality' or a Frenchman or a Briton or an Italian or an Australian, why do they allow them to stay among them and accept them as soldiers in their groups? Why do such people risk themselves and cross seas and continents to join them in their heartland? (p 31)

"The concept of nationality, among people who use it, is the same, regardless of whether a Muslim, Christian, Jew, Zoroastrian, or communist bears it. Killing because of it means that the blood of all of them equally may be shed by 'the people who engage in clashes.' The only thing

that differentiates them with regard to allowing or forbidding their blood is their belonging to one nationality or another. This is the implication of the 'guide's' assertion that the mujahidin kill because of nationality. All we can say is that this, by God, is a great lie.

"Have you ever seen, oh people of reason, any group including in its ranks as many different 'nationalities' as the group of mujahidin includes in all the places where they are battling their enemies, who also are of different 'nationalities'? Or did the 'guide' discover the warning about killing because of nationality during his years of imprisonment, while he ignored it, kept silent about it, or even participated in it during the years he spent with and among the mujahidin?"

"Worse than this, they allege that the mujahidin kill because of skin and hair color. Why didn't they make the indictment even blacker by adding killing because of language, tallness, shortness, fatness, thinness, crookedness, or straightness, so as to round out the farce?"

"The same applies to what the 'guide' says about 'killing because of religious sect (madhhab).'"

"We don't know what he means exactly by 'killing because of religious sect.' Perhaps he -- or they -- mean that the mujahidin in Iraq are fighting the Shiites. This is one of the qualitative shifts that the document contains inasmuch as it considers the condition of the Shiites to be merely a 'religious sect.' This is an intentional suggestion, not a slip of the pen. It means one of two things. Either it is meant to approximate the Shiites to this description so that everyone can think that they are just like members of the other Islamic legal schools that ought to be respected and venerated and whose members' lives are fully sacrosanct, or else it is meant to give the reader the idea that the mujahidin accepts killing members of the well-known Islamic legal schools: Hanafis, Malikis, Shafi'is, and Hanbalis. The underlying idea is to improve the image of the criminal Shiites by applying this description to them or to disfigure the image of the mujahidin because they target people who belong to the Islamic religious schools. Each of these things is disgraceful, and we take refuge in God from them. (p 32)

"So let the writer or writers tell us what is meant by killing because of religious sect. Where did it occur? When? How did you discover that the mujahidin's reason for killing was 'membership in a certain religious school?' Can one separate the signification of the phrase from one of the two meanings we have indicated? Similarly, he says: '...the killing of Muslims and non-Muslims whose killing is unlawful. The scope of the idea of using human shields was exaggerated so as to widen the circle of killing. The property of protected persons was declared lawful, as was the sabotaging of possessions.'"

"About all these false charges we say, 'Say: 'Produce your proof, if you speak truly" (Koranic verse; Al-Baqarah 2:116). How easy it is to make charges and blacken the pages with them when they are based on no evidence and rest on no proof! Hopefully, some details will come out when these allegations are refuted in various discussions of the document. We ask God for help!"

"The 'guide' says: 'When the signatories to this document announce their disapproval of these legal violations and the evils to which they have led, they are reminding themselves and Muslims in general of some of the legal regulations related to the law of jihad. They are proclaiming their commitment to the regulations mentioned in this document. They are calling on other Muslims, especially the coming generation of Muslim youths, to abide by them and not fall into the legal violations that their predecessors committed from ignorance of religion or intentionally, for they neither upheld the religion nor maintained their portion of this world.'"

"We say: Before getting into disapproval of these 'legal violations,' one must determine whether

they exist in the mujahidin in the manner that the 'guide' mentions and to which the signatories -- if there are any -- agreed. As the saying goes, first make the chair firm; then decorate it. Inventing violations and digging up deviations or inflating some errors that no worker for God's religion escapes and then bringing out this hateful conclusion that the document reaches about how the mujahidin 'neither upheld the religion nor maintained their portion of this world' -- this is to mislead the coming generation of Muslim youth. It is not a reminder or guidance. The regulations contained in this document, to which the signatories have proclaimed their adherence and to which they summon other Muslims, are nothing but bonds and shackles intended to fetter the jihad and handcuff the mujahidin so that the criminal tyrants, who 'neither upheld the religion nor maintained this world, 'can continue to enjoy luxury in their tyranny and continue in their own corruption and the corrupting of others. They will have found for themselves a 'legal' cover from the Guidance Document, whereby to defend their thrones, protect their armies, and do whatever they want without fear of 'the people who engage in clashes,' who had been disturbing their lives and spoiling the enjoyment of life for 'the ruling authorities.' God spoke the truth when He said: 'When it is said to them, 'Do not corruption in the land,' they say, 'Wearer only ones that put things right.' Truly, they are the workers of corruption but they are not aware' (Koranic verse; Al-Baqarah 2:11-12). (p 33)

"By God! -- and by God again! -- were it not for jihad and the mujahidin, their blood that has been spilled, their bodies that exploded in all directions, the trials and tribulations they have endured, the hardship and distress, and the patience and endurance that accompanied these things, the 'guide' and the signatories would never have found their opportunity to communicate their 'guidance, rules, and advice' so that these things might emerge from the living graves and be picked up by the media to be disseminated to every horizon for all the world to hear.

"Those 'mass graves' whose entry and exit doors have been shut upon their inhabitants for many years, many of whose inhabitants have been placed in coffins of sound-proof rooms, with their connections to life and the living severed, lo and behold, today words of 'direction' and documents of 'guidance' are escaping from them as a new means of lightening the pressure of the mujahidin, now that the pharaoh and his host have sensed the danger that has begun to attack their kingdom and thrones and have realized that the policy of force, punishment, and killing is useless and creates no deterrence. So they have tossed this document at us from the midst of their mass graves.

"If the only gain of the mujahidin, whom the document describes as 'not having established the religion,' were the reprieve that has-been granted to some Muslim prisoners, that would be enough. How, then, when the matter is much greater than that, when the results of their jihad and patience have come out -- by God's grace -- as greater and more splendid than anyone might have imagined? Even their enemies have spoken about this fact. They, more than any others, have been forced against their will to speak of these things. Only a scatter-brain who understands nothing of the meaning of 'establishing religion' or a stubborn naysayer who buries the facts and deceives people about their religion can fail to see this.

"This is not the place to clarify and recount what part of God's religion the mujahidin have 'established' and revived in confirmation of God's word: 'O believers, respond to God and the Messenger when He calls you unto that which will give you life' (Koranic verse; Al-Anfal 8:24). As one of the forefathers said: 'War it is by which God granted you honor after humiliation, strengthened you after weakness, and defended you from your enemy after they had oppressed you' (Al-Tabari, Tafsir, 13:465). (p 34)

"However, it will not be amiss to mention some of the important elements of God's religion they

have 'established' and revived fresh and prospering after the tyrants east and west had almost uprooted them from the hearts of men, as they had banished them from their everyday life, except for those on whom God had mercy. Among these things are the following:

"First, they revived the duty of waging jihad by word and deed and they spread an understanding of this duty among people. They informed Muslims -- first in terms of religious law and second in terms of reality -- that their only way out of the oppression by tyrants, the subservience to their rule, and the fragmentation they are suffering is by the path of jihad in the way of God.

"To communicate this truth to people, even incompletely, was no easy matter. It involved an amount of bravery, clarification, and trials known to God alone. Today, however, through God's grace and then through the patience that He bestowed on the mujahidin both on the battlefield and in argumentation, the precepts of jihad, buried for ages, are returning to their place and receiving the study, research, debate, and fatwas that they deserve. Nothing is more indicative of this than the publication of this document to distort the theoretical and practical course of jihad, now that it has taken the place that it ought to have taken long ago."Second, they exposed the criminal tyrants, uncovered their forgeries to people, and showed them for what they really are: their bare-faced hostility to Islam and their absolute loyalty to Jewish and Christian non-believers. They brought these tyrants into the category of those against whom there is a duty to wage jihad, just as it is a duty to wage it against others. They showed that their patriotism, nationalism, closeness, names, and tongues did not intercede for them or prevent resisting them. Every fair-minded and unprejudiced person understands the enormous difference between the popular deference these apostate rulers used to enjoy, the constant cheering about their heroism and shouting of their slogans, the people's glorification of their defeats and reversals that they clothed with a cloak of 'victories and conquests,' and their present situation of being hated, resented, and even ridiculed by these people, who know about their client status and treachery, are certain about their lying and deceit, and who can see their hostility to and estrangement from the religion of Islam.

"Although this shift in popular life has taken place to various degrees in different countries or even within a single country, on the whole it is dominant and prevalent. Finally the tyrants have begun to feel the real danger that threatens them and sense that they are moving into the circle of isolation and introversion. Therefore, their American and other masters have begun looking for a real alternative that could unite two objectives: satisfying the people and giving them something of their demands and rights, on the one hand and carrying out the desires of the infidel West and continuing the flow to it of the oil and other resources of the Muslim countries, on the other hand. (p 35)

"Third, they have strengthened in the hearts of Muslims the doctrine of treating people as friends or enemies on a religious basis (al-wala'wa al-bara'). This is one of greatest things that the duty of jihad has revived following its spread and renown. It is one of the firmest hand-holds of the faith. Indeed, it is the path to perfecting it, the way by which the faith will be empowered on earth. As the prophet, may God bless him and grant him peace, said: 'If anyone loves for God's sake, hates for God's sake, gives for God's sake, and withholds for God's sake, he will have perfect faith. 'Abu-Dawud includes the tradition (Sunan Abi-Dawud, 40:4664), as well as Al-Tabarani and others, transmitted through Abu-Umamah, may God be pleased with him.

"Fourth, they exposed the claims of the infidel Western states: fake freedoms, alleged equality, veiled tolerance. They were exposed for all to behold and the genuine Koranic truth that God, the All-praised and Exalted, made clear to us became apparent: 'O believers, take not for your

intimates outside yourselves. Such men spare nothing to ruin you; they yearn for you to suffer. Hatred has already shown itself of their mouths, and what their breasts conceal is yet greater. Now We have made clear to you the signs, if you understand. Ha, there you are; you love them, and they love you not; you believe in the Book, all of it, and when they meet you they say, 'We believe, 'but when they go privily, they bite at you their fingers, enraged. Say: 'Die in your rage; God knows the thoughts in the breasts.' If you are visited by good fortune, it vexes them; but if you are smitten by evil, they rejoice at it. Yet if you are patient and god fearing, their guile will hurt you nothing; God encompasses the things they do' (Koranic verses; Al Imran, 3:118-120). They have spread their hands and tongues in evil. Their governments have supported their fools and deceived some in openly mocking the religion of Islam and defaming and slandering its sacred fundamentals. They put on a contemptuous appearance and would not even agree to apologize for what their riffraff had committed. They refused to restrain them. They considered that their loathsome actions had not gone beyond the bounds of sacred 'free expression,' even if its sacredness led to demolishing everything that Muslims hold sacred. These amazing facts would not have become visible and the way of believers would not have become distinguished from the way of criminals had it not been for jihad in the way of God, insisting on it, and adhering to it.

"In this context, people also discovered that the enmity that the enemies of Islam harbored was not enmity merely for the sake of land, wealth, policies, or other things; it was doctrinal, religious enmity that those criminals had covered over with those sheathes for a long time. These numbed Muslims so that they did not realize what these enemies really were about and they remained deceived by their slogans and their democracy. Finally, when the pressure on them increased and they sensed the danger in its brutality, they began to tear down the supports of that democracy one by one, replace its laws, law by law, and divest themselves of their freedoms step by step. They proclaimed their open hostility to Islam and passed laws to restrict its adherents and to restrain and criminalize its advocates so there was no longer any doubt about them except to naAAave people or people who insisted on being naAAave. (p 36)

"Fifth, the bragging of the so-called great powers has crashed on the mountains of firm faith. Their insubstantiality has become apparent to the world, and that they were nothing but a swelling that people thought was sound flesh. Behold how America, which until recently the people of East and West were panting to satisfy, as if its arsenal, technology, and forces could accomplish anything, has become, in a short time, relative to the life of nations, especially empires, the laughing stock of the whole world! The weak, even before the strong, are becoming bold against it. Its invincible army has become broken and defeated, concerned only with finding exit strategies and looking for ways to escape safely. What does the America of yesterday have to do with the America of today? Don't take the answer from the lips of the mujahidin, whom you might consider to be exaggerating. Take it from their own media, even from their politicians and from their president, who led them into a perilous place and with his stupidities dragged them to the graveyards of nations, from which they will not emerge until a camel goes through the eye of a needle.

"Sixth, they have made Muslims feel that they have latent strengths and firm determination before which no powers, however great and proud, can stand. It is the power of faith, the certainty of victory, the assurance of God's presence, and the fact that a small, patient group can overcome a large, non-believing group. These ideas have begun to become established in the hearts of the majority of the nation so that the fierce battles that the few mujahidin fight with their enemies on the various fields of jihad resemble what happened at the Battle of Badr, which God made to be a criterion, sign, and proof that this religion is God's religion and that it will triumph by more than merely material means: 'And God most surely helped you at Badr, when

you were utterly abject. So fear God, and haply you will be thankful' (Koranic verse; Al Imran 3:123). God's enemies, more than others, are looking for the hidden source of strength that has made the mujahidin so patient, able to accomplish these feats, and gain these victories, onetenth of which the great countries have been unable to accomplish when they clash with each other. All this has happened according to God's decree and plan, His assistance, and His guidance: 'That He might verify the truth and prove untrue the untrue, though the sinners were averse to it' (Koranic verse; Al-Anfal8:8).

"Seventh, the hypocrites and those with sickness in their hearts have been exposed. They have become visible with their various attributes mentioned by the Koran. The veil of doubt has been lifted from the heads of the heretics (zanadiqah) who were secretly and slyly weaving their snares to trip up our nation. Also apparent have become those who listen to those whom doubts have shaken and rumors undermined. Those who cry have become distinct from those who shed feigned tears, and this is the custom of jihad at all times. Scarcely do excuses appear and worries emerge, and scarcely does filth become apparent except when its banner is raised, its summoner cries out, its pressure rises, and its earthquake becomes great. It is then that every group will take refuge with its own kind and resort to its own attributes. Then you will hear people saying what their forebears said, though with a new tone and modern covering: 'And when the hypocrites, and those in whose hearts is sickness, said, 'God and His Messenger promised us only delusion.' And when a party of them said, 'O people of Yathrib, there is no abiding here for you, therefore return!' And a part of them were asking leave of the Prophet, saying, 'Our houses are exposed'; yet they were not exposed; they desired only to flee' (Koranic verse; Al-Ahzab 33:12-13). And you will find the sincere advisors, who are not satisfied with sitting idle, exerting themselves to frustrate the others who are worried, who say: 'Go not forth in the heat'(Koranic verse; Al-Tawbah 9:81). You can almost see clearly with your own eyes what the Koran relates to us; nothing of it is hidden: 'They are niggardly toward you. When fear comes upon them, thou seest them looking at thee, their eyes rolling like one who swoons of death; but when the fear departs, they flay you with sharp tongues, being niggardly to possess the good things. Those have never believed; God has made their works to fail; and that is easy for God'(Koranic verse; Al-Ahzab 33:19). These sorts have become visible in our nation. The people know most of them and understand their danger. We take refuge in God from their condition and their evil, their straying and leading astray. (p 37)

"All these things -- and they are very many and belong to the pillars of the faith and of its establishment -- would not have occurred and taken place so quickly and to this degree had it not been for the effort and striving to revive the religious duty of jihad. If Muslims had accepted the 'regulations' of the Guidance Document, if they had adhered to its content, if they had restricted themselves by it, if they had kept looking for the ways out and options it listed for them as an alternative to jihad, and if they had accepted the culture of weakness in its new sense, the trial of Islam would have been beyond the mind's ability to picture and the imagination's ability to comprehend. There would have been no need for this document. The tyrants and their security apparatus would never have exerted themselves to elicit it or to publish it and widen the circle of its diffusion, for they would be living safe and sound, with nothing to trouble their life or threaten their authority. So what need is there for sedatives, tranquilizers, and even narcotics such as the 'Guidance Document'?

"The overall concept of establishing the religion is not limited only to establishing and empowering the Islamic state, though this is the perfection of establishment and the ultimate goal toward which every sincere Muslim aspires. Rather, every effort, attempt, and action that leads to the goal is part of establishing the religion and enters into its reality. Effort to revive any of the works commanded by the religious law and perform them in a way pleasing and satisfying

to God can be seen as coming under the head of establishing the religion, and the extent to which this is the case varies with the importance of the work in the religious law. The greatest and most perfect of them is the monotheistic worship of God alone (tawhid), something to which all of God's messengers summoned mankind. As God says: 'He has laid down for you as religion that He charged Noah with, and that We have revealed to thee, and that We charged Abraham with, Moses and Jesus: 'Perform the religion, and scatter not regarding it. Very hateful is that for the idolaters, that thou callest them to. God chooses unto Himself whomsoever He will, and He guides to Himself whosoever turns, penitent" (Koranic verse; Al-Shura 42:13). (p 38)

"The learned al-Sa'di, may God have mercy on him, said: ' Perform the religion, i.e., He has commanded you to perform all the laws of the religion, both fundamentals and applications, that you perform them in yourselves and strive to have others perform them and that you help each other to righteousness and piety and do not help each other to sin and enmity.

" Scatter not regarding it, i.e., let there be agreement among you about the fundamentals and practical applications of the religion. Beware of being divided over matters and separated into parties. Do not be partisans who treat each other as enemies despite your agreement on the foundation of your religion.

"Among the means of coming together in religion and not becoming divided in it are the common gatherings mandated by the Divine Lawgiver, such as the pilgrimage and festivals, Fridays, the five prayers, jihad, and other religious observances that can be performed properly only becoming together for them and not being divided' (Al-Sa'di, Tafsir,1:754).

"The 'guide' says: 'There are degrees of violation. Someone who puts his own desire ahead of that of his Lord in small things has committed a minor sin, a disobedience (isyān). Someone who puts his own desire ahead of that of his Lord in great things has committed a major sin, depravity (fusuq). Someone who puts his own desire ahead of that of his Lord in ultimate matters has fallen into non-belief (kufr).'

"Despite the generalization contained in these words about matters that require detailed legal discussion, we say: Yes, these are the degrees of violating the command of God. Under what degree, then, should one classify these criminal governments that have banished God's law lock, stock, and barrel? These governments include the 'ruling powers' that supervised and promoted the publication of the Guidance Document in order to bring the mustered mujahidin back to the truth from which they have strayed! There are powers that have violated its fundamentals and applications, who have punished its advocates and helpers, who have closed all the gates leading to it, who have concluded agreements with people near and far to persecute the mujahidin, render them, and surrender them. They have put their desires, whims, opinions, policies, lusts, and foolishness ahead of the desire of their Lord in matters 'small, great, and ultimate.' Does this preference not cast them into non-belief (kufr) so that the 'ruling powers' consequently become non-believing, apostate powers? (p 39)

"In particular, these ruling authorities have justified to themselves and to people the following of a law other than God's law. They have called people to a religion other than the religion of Islam -- to the religion of democracy, patriotism, nationalism, and irreligious secularism. They have declared war on all who disagree with them. They have persecuted all who do not respond favorably to their call and submit to it. This applies especially to the Egyptian Government, the heir of the pharaohs, which has developed and perfected these things until it has become one of the governments most deeply rooted in non-belief, combating religion, punishing believers, putting its desires ahead of those of the Lord of the universe, and justifying following every law

and sect except the law of the seal of the prophets and messengers. The words of the Shaykh al-Islam that the 'guide' cites apply most truly to this government: 'It is known to be a necessary part of the religion of Muslims, something agreed upon by all Muslims, that whoever justifies following a religion other than Islam or following a law other than that of Muhammad, may God bless him and grant him peace, is a non-believer. It is like the non-belief of someone who believes in some of the book and does not believe in the rest of it' (Ibn Taymiyyah, Majmu' al-Fatawa, 28:524).

"This government and others have not limited themselves to abandoning the appeal to God's law, so that their faith 'becomes defective 'and they err, as the 'guide' said previously: 'Not to mention the fact that implementing the religious law is the duty of every Muslim by virtue of his faith in his Lord and his faith errs and becomes defective by his failure to do so.' In fact, he stated in his book *Al-Jami' fi Talab al-Ilm al-Sharif* that a judge's failure to judge in merely a single case by what God has revealed is non-belief (kufr), yet these governments have replaced God's law completely with laws based on impulse, opinion, and foolishness. They have compelled people to follow them completely. They have prepared their armies to implement and enforce these laws. They have exploited the media to advocate these laws and make them look good. They have created a security apparatus to maintain them and prosecute those who violate them. They have established institutions to facilitate their implementation and administration. As a result, Muslims living today in countries claiming to be Islamic in identity cannot demand for themselves any right or repel any injustice in accordance with the law of Islam. Rather, they must take the path of man-made laws to obtain some of their rights, whether they want to or not. This is a terrible evil, a widespread corruption, a grave sin. The harm that these tyrants, their armies, their laws, and their media have caused to people's religion and welfare in this world, the corruption they have caused to beliefs and morals, can scarcely be equaled by any other corruption. Shaykh Abd-al-Qadir, to whom the authorship of the Guidance Document is attributed, once stated himself that living tyrants are more dangerous than dead ones. He said: 'The important point to which I want to draw attention is that the corruption that living tyrants cause to people's religion threatens virtually the entire mass of Muslims, sometimes by means of complete apostasy, sometimes by means of terrorism, and sometimes by cunning and deceit. The corruption caused by dead tyrants does not approach this. (p 40)

"How strange it is that men who claim learning, religion, and affiliation with the school of the forebears (al-salaf) have made their pens available at this time to attacking dead tyrants and have forgotten, or pretended to forget, the living tyrants! You sometimes see one of them living in a country that is under infidel man-made laws and infidel democracy, feigning complete ignorance of them, turning his eyes away from them, while he nevertheless brandishes his sword and saber -- on the pages of books -- against dead tyrants and their unarmed worshippers. As God has said: 'And when God promised you one of the two parties should be yours, and you were wishing that the one not accoutred should be yours; but God was desiring to verify the truth by His words, and to cut off the non-believers to the last remnant' (Koranic verse; Al-Anfal 8:7). Consider this, and you will understand some of the causes of the trials and tribulations we are experiencing. It is because those who are entrusted with learning and religion have not carried out their role of communicating and warning. How could people who acquiesce and follow carry it out? How could those who throw a cloak of legitimacy over tyrants do so? When one of them speaks about jihad, you will find him speaking about jihad only in Palestine and Afghanistan. That is the extent to which it is permissible in some countries, despite the fact that jihad against apostate rulers is more of a duty than jihad against the Jews. Each of them is a non-believing enemy that has descended on the country of Muslims, however, the apostate rulers surpass the Jews in two respects: closeness and apostasy. Each of these facts makes it our

duty to start with these rulers. It can hardly be hidden to anyone that someone who engages in jihad in Palestine or Afghanistan is called a hero and martyr and is showered with money and assistance, while other than in those two countries he is called a criminal, a terrorist, a rebel against legitimate authority, an infidel authority. Ponder this!' (Al-Umdahfi I'dad al-Uddah, p. 354)

"I say that in fact, someone killed today in Afghanistan and part of Palestine no longer receives the honor of the title of martyr. He is enrolled in the band of criminal terrorists rebelling against legitimate authority -- the authority of non-belief led, imposed, and advocated by America and behind which the Arab tyrants, 'the legitimate ruling authorities,' stand in support! "Inability and Feigning Inability

"The 'guide' says: 'In this exalted subject, the subject of jihad, the Muslim's servitude to his All-praised Lord realizes itself by his placing of his Lord's will for him ahead of his own will. This happens when a Muslim knows what God has made it his duty to perform in this his time and in accordance with his ability. For what he performs he will have a reward, and for what he is unable to perform the sin will be canceled.' (p 41)

"There is no doubt that the Muslim today is required to know what God has made it his duty to perform at this time. Knowledge of the law and precepts of jihad are not superfluous, not a work of supererogation. Today, because of the obligation to perform jihad in our age, these things are the most binding of duties, as all the scholars of the nation have stated. Knowing the legal status of jihad, making it clear, disseminating it, and affirming it is the first of the steps that lead to reviving it in knowledge and action. It is the mission of sincere scholars possessed of intelligence and understanding who communicate God's messages and who fear God and nothing but God. It is no small matter or easy task because the first people with whom these urgers clash are these leaders of non-belief, the apostate rulers, and their helpers, who fear nothing more than they fear the religious duty of jihad, for they, above all others, know that it can abolish their rule and strip them of their pagan authority. As the prophet, may God bless him and grant him peace, said: 'The best jihad is that of someone who speaks a word of truth in the presence of an oppressive ruler.' Abu-Dawud includes the tradition(37:4330), as well as Al-Tirmidhi and Ibn Majah, transmitted on the authority of Abu-Sa'id.

"Even those whom God has explicitly excused and has told not to be troubled about abstaining from jihad have, as a condition, sincere devotion to God and His Messenger while they remain at home and stay behind. Anyone who is absolved from performing jihad with his life or property or both of them is not free of the obligation to perform jihad with his speech. As God has said: 'There is no fault in the weak and the sick and those who find nothing to expend, if they are true to God and to His Messenger. There is no way against the good-doers -- God is All-forgiving, All-compassionate' (Koranic verse; Al-Tawbah 9:91).

"The Imam Ibn al-Jawzi, may God have mercy on him, said: 'Being true was made a condition because anyone who lags behind with the intention to pursue corruption is reprehensible. Being true encompasses urging the Muslims to jihad, striving to remove discord from among them, and everything else that works to the welfare of the religion' (Ibn al-Jawzi, Zadal-Masir, 3:218).

"The learned al-Sa'di, may God have mercy on him, said: 'There is no fault in such people, provided that they are true to God and His messenger, by being sincere in faith, being resolved and determined to perform jihad if they could, and doing all they can to urge, attract, and encourage people to perform jihad' (Al-Sa'di, Tafsir, 1:347).

"According to Anas, may God be pleased with him, the prophet, may God bless him and grant him peace, said: 'Perform jihad against the polytheists with your wealth, your lives, and your tongues' (Ahmad) ibn Hanbal, Abu-Dawud (14:2498). Al-Nasa'i, and al-Hakim include the tradition.

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The Imam Ibn al-Qayyim, may God have mercy on him, said in his didactic poem rhyming on the letter N:

"Furthermore, aiding the religion is a duty

"incumbent not only on the community as a whole, but on individuals:

"By one's hand or by one's tongue,

"and if one is unable, by intention and prayer in the heart. (p 42)

"Shaykh Abd-al-Qadir bin Abd-al-Aziz himself once mentioned in his book Al-Umdah seven forms of jihad that people otherwise excused from the obligation can perform. At the end he said: 'Thus you can see that the forms of participation in jihad available to those otherwise excused and others are many and of great benefit to the cause of jihad such as prayer, financial support, propaganda, urging believers to fight, and giving sincere advice to Muslims. These things are incumbent upon those who are otherwise excused, each according to his ability, to remove from them any anxiety implied by God's words: 'If they are true to God and to His Messenger, there is no way against the good-doers' (Koranic verse; Al-Tawbah 9:91).'

"One of the things in which the Muslim today must put the will of his Lord ahead of his own will is incitement to jihad, summoning to it, praying for those engaged in it, and performing it with his life, property, and tongue, each according to his ability and capacity. Anyone excused from jihad for some legitimate reason mentioned by God and who then takes it upon himself, prevails upon his soul, and forces it to bear the burdens of jihad so that he goes to the field will be rewarded if he makes his intention pure toward God and is not a burden to the mujahidin. Only sin and fault have been removed from the person incapable, but the door to striving for achievements and effort to obtain merit remains open.

"This document tries its hardest to convince Muslims of their impotence to perform the duty of jihad and the absence of the ability with which comes obligation. It implicitly makes people desire to abstain from the obligation. Indeed, it almost implies that they are sinful if they transcend their impotence. This is not sincere advice; it is defeatism, discouragement, and confusing truth with falsehood. See how Abdallah ibn Umm-Maktum, the muezzin of the messenger of God, may God bless him and grant him peace, a man whom the prophet left behind in charge of Medina repeatedly, a blind man. and thus surely excused from jihad, nevertheless went out and carried the banner between the lines at the Battle of Qadisiyah, having no goal but to seek martyrdom! See how he used his legitimate exemption to stand firm and not flee! None of his companions, may God be pleased with them, criticized his action or considered it a sin; rather, it was accounted as one of his greatest merits to be mentioned whenever his life was narrated. Jihad at the time was a duty incumbent only on the community as a whole (fard kifayah), for there were enough heroes in the Muslim armies, yet he insisted on participating personally and did not cling to the exemption that God had granted to him. 'That is the bounty of God; He gives it unto whomsoever He will; and God is of bounty abounding' (Koranic verse; Al-Hadid 57:21). We read the following Hadith on the authority of Abd-al-Rahman ibn Abi-Layla, who said: 'It was revealed that those believers who sit idly and those who strive in the way of God are not equal. So Abdallah ibn Umm-Maktum said, 'Lord, reveal my excuse; reveal my excuse. 'Whereupon God revealed, 'Such believers as sit at home -- unless they have an injury -- are not the equals of those who struggle in the path of God with their

possessions and their selves' (Koranic verse; Al-Nisa 4:95). This verse was placed between the other two. Afterward, Abdallah would go on expeditions and say, 'Give me the banner, for I am blind and cannot flee; set me between the two sides' (Ibn Sa'd, al-Tabaqat al-Kubra, 4:210).' (p 43)

"Al-Razi comments as follows on this verse: 'The meaning is that they are permitted to stay behind from the expedition, but there is nothing in the verse forbidding them from going. If such a person goes forth to help the mujahidin to the extent of his ability, either to guard their gear or to increase their number, provided he does not make himself a hindrance or burden to them, it is an act of obedience acceptable to God' (Al-Razi, Tafsir,8:119).'

"As for the 'guide's' words, 'For what he performs he will have a reward, and for what he is unable to perform the sin will be cancelled,' the canceling of blame for the incapable person is not unconditional, especially in the matter of jihad. The inability may be the result of remissness, negligence, or neglect, and then the blame for what he cannot do is not canceled. Also, the document does not indicate the alternative to which one turns when one is incapable of performing the duty of jihad; it intentionally omits it. This is to make preparation whereby the incapacity ceases. The correct position is to say that the person is absolved of blame for his inability as long as he is striving to remove it and do away with it or as long as the inability is not the result of negligence and neglect. However, for a Muslim to see the lands of Islam usurped, the precepts of the religious law suspended, the prisons of infidels crammed with his captive brothers, the honor of Muslim women violated in broad daylight, the wealth of Muslims plundered and used to strengthen their enemies, and then for him to immerse himself in worldly affairs as if the fate of Islam did not concern him and to recline on his couch and say, 'We lack the strength and are downtrodden so that we have done nothing sinful or blameworthy.' And if he does not truly strive and make a sincere effort to remove his disability and emerge from his weakness, this is a sign of hypocrisy, not a reason that removes blame. As God has said: 'If they had desired to go forth, they would have made some preparation for it; but God was averse that they should be aroused, so He made them pause, and it was said to them, 'Tarry you with the tarriers' (Koranic verse; Al-Tawbah 9:46).'

"The learned al-Sa'di, may God have mercy on him, says: 'God says this to make it clear that such evidence had become apparent with regard to the hypocrites who lagged behind as to prove that they never intended to go forth to the jihad at all and that the excuses they alleged were worthless. A valid excuse is something that prevents going forth when a person makes every effort and tries to go out, but a legitimate obstacle prevents him; that is what excuses. As for these hypocrites, 'If they had desired to go forth, they would have made some preparation for it.' In other words, they would have made ready and made such preparations as they could. Since they made no preparation, one knows that they did not intend to go forth.'

"From Abu-Hurayrah, may God be pleased with him, who said: The prophet, may God bless him and grant him peace, said: 'Whoever dies not having gone on an expedition, or not having resolved to do so, dies in a branch of hypocrisy,' from Ahmad (ibn Hanbal). Muslim, Abu-Dawud, and al-Nasa'i include the tradition. (p 44)

"The phrase 'resolving to go to jihad' does not mean that one excites the soul with hopes or loosens the reins of imagination to wander. The effects of this resolve must become visible, such as obtaining the material resources leading to its realization and aiding in its performance and making preparations and acquiring the supplies by which it can be carried out. Only then is the Muslim safe from this grave threat and saved from becoming part of a branch of hypocrisy. Mullah Ali al-Qari, may God have mercy on him, said: 'The meaning is that he has not resolved

on jihad and has not said, 'If only I were a mujahid.' Some say that the meaning is that he has not desired to go forth. The outward sign of this is preparation of the means to do so. God has said, 'If they had desired to go forth, they would have made some preparation for it.' The prophet's words strengthen this: 'He dies in a branch of hypocrisy,' and that is to say in one of the forms of hypocrisy. In other words, any one who dies in such a state resembles the hypocrites who lagged behind from jihad, and anyone who resembles a group of people belongs to them'(Ali al-Qari, *Mirqat al-Mafatih*, 7:346).

"Preparation is obligatory in any case, and its obligatory nature is certain even when jihad lapses for inability, for that without which an obligation cannot be performed is itself an obligation. God commanded it separately, saying: 'Make ready for them whatever force and strings of horses you can, to terrify thereby the enemy of God and your enemy, and others besides them that you know not; God knows them. And whatsoever you expend in the way of God shall be repaid you in full; you will not be wronged'(Koranic verse; Al-Anfal 8:60). Enemy domination and increasing humiliation befell Muslims only after they neglected this means of serving God and forgot this duty, so respect for them departed and their strength was scattered. They became content with their impotence and accustomed to their weakness. Many of them felt that blame had been lifted from them. Many of them, including the authors of the document, began to justify a culture of surrender and weakness. They avoided confronting the nation with the secret cause of its illness, and they caused confusion in prescribing the remedy, which no one desirous of the truth and eager for it could miss.

"The Shaykh al-Islam (Ibn Taymiyyah), may God have mercy on him, said: 'Although it is permissible to appoint an unqualified person to office out of necessity, if it is the best thing available, one nevertheless must strive to improve conditions so that the things that the people require in terms of governance and leadership can be perfected, even as the impoverished man is obliged to strive to fulfill his religion, even if in his state only what he is able to do will be demanded from him. Likewise, one must make ready for jihad by preparing strength and amassing horses at a time when jihad has been suspended due to inability, for that without which a duty cannot be fulfilled is itself a duty. The ability to perform the pilgrimage and the like is different; it is not required to obtain it because the obligation in this case comes to be only when there is the ability' (Ibn Taymiyyah, *Majmu'al-Fatawa*, 28:259).

"The learned Al-Sa'di, may God have mercy on him, said: 'Make ready, against your non-believing enemies who strive to destroy you and abolish your religion, whatever force you can, i.e., all the mental and bodily force you can, all sorts of weapons and the like, such things as help to fight them. Included in this are various kinds of crafts for producing different sorts of weapons, canons, guns, rifles, aerial missiles, land and sea vehicles, fortifications, citadels, trenches, and defensive equipment, as well as the good judgment and policy by which Muslims can advance and repel the evil of their enemies, as well as learning archery, bravery, and discipline. (p 45)

"For this reason, the prophet, may God bless him and grant him peace, said: 'By strength in archery,' including preparing the vehicles needed in battle. And for this reason God said, 'And strings of horses, to terrify thereby the enemy of God and your enemy.' This reason for them existed for them at the time, namely to terrify the enemy, and the precept depends on its reason.

"Therefore, if anything exists that is more terrifying than these things, such as more destructive land and air war vehicles, it is commanded to equip oneself with them and strive to obtain them. If they cannot be obtained except by learning the craft of producing them, that is one's duty, for that without which a duty cannot be fulfilled is itself a duty' (Al-Sa'di, *Tafsir*,1:324).

"In fact, Shaykh Abd-al-Qadir bin Abd-al-Aziz himself once said: 'At this point the following question must arise for each of us: How can we perform the duty of jihad when we are in this state of weakness, disunity, and helplessness? The answer lies in what God says: 'And obey God, and His Messenger, and do not quarrel together, and so lose heart, and your power depart; and be patient; surely God is with the patient' (Koranic verse; Al-Anfal 8:46). Ibn Taymiyyah, may God have mercy on him, said: 'Likewise, one must prepare oneself for jihad by readying force and strings of horses at the time when jihad has been abandoned because of impotence, for that without which a duty cannot be fulfilled is itself a duty.' The answer to the preceding question is that performing the duty of jihad becomes possible by preparing, that preparation that God Almighty made a criterion distinguishing between the believer and the hypocrite in His words: 'If they had desired to go forth, they would have made some preparation for it; but God was averse that they should be aroused, so He made them pause, and it was said to them, 'Tarry you with the tarriers' (Koranic verse; Al-Tawbah 9:46)' (Al-Umdah fi I'dad al-Uddah, p 5).

"What this means is that someone incapable of performing the religious duty of jihad today falls into one of two categories. Either it is because of a clear and legitimate excuse mentioned explicitly in many verses of God's book, and anyone to whom any of these excuses is attributable must be sincerely inclined toward God and His messenger, so that the consequence of the duty lapses completely for him, or his inability is due to some shortcoming and negligence on his part. In that case, he must strive to overcome the inability and remove it from himself and his nation so that they escape blame. If every single Muslim had done what he should do and everything relating to jihad to the extent of his ability, by inciting, preparing, supplying, fighting, praying, maintaining the families of mujahidin, prisoners, and emigrants, so as to weaken the non-believers, the nation of Islam would not be in its present state of 'impotence,' which it is using as an excuse for abandoning the duty of jihad. Look, oh servant of God! To which of the two groups do you belong? What have you done and accomplished to avoid blame? Look to your own soul for a clear answer that will avail you before God, and do not rely on the words of people who say, 'He shall have a reward for whatever he has done, and no blame for what he could not do.' (p 46)

" Knowledge and Jihad

"One of the things about which there has been much confusion and clamor in this age is the relation between knowledge and jihad. There has been so much wrangling about them that some people have even imagined that the two are completely incompatible so that they can never be united. A scholar cannot engage in jihad and a mujahid cannot pursue learning. Learning has no place in areas where jihad is taking place and jihad has no domain where there is learning.

"Sadly, this illusion and troublesome dichotomy has been created and strengthened by the remoteness of many scholars themselves from the scenes of jihad, their distance from entering into its hardships and becoming covered with its dust. The banner of jihad has not ceased to be unfurled since the time of the prophet, and its status during that time has sometimes been a duty incumbent on the community as a whole (fard kifayah) and sometimes a duty incumbent on every individual (fard 'ayn). The prophet, may God bless him and grant him peace, went forth with his noble soul to it and behind him were the illustrious scholars of his noble companions, striving in jihad with him, learning from him, and receiving the precepts of religion moment by moment. Smiting heads did not prevent them from receiving precepts, and matters continued thus in the time of the well guided caliphs. The Koran reciters were leaders of the armies and the fuel of battles. They fought, incited, and taught. Not for a moment did they feel that there was opposition, contradiction, or incompatibility between spreading knowledge by one's tongue and

fighting for it with the spear. Therefore, you hardly ever find one of them justifying his not going forth on the ground of devotion to scholarship, and this despite the fact that in those days jihad was a duty incumbent only on the community as a whole (fard kifayah). Nevertheless, the community's scholars and nobles were very eager to go forth for fear of becoming subject to the strong threat of divine punishment for anyone who neglected this duty. Consider the case of Abu-Talhah, may God be pleased with him: 'He read the Sura of Repentance and came to the verse, 'Go forth, light and heavy! Struggle in God's way with your possessions and your selves' (Koran; Al-Tawbah 9:41). He said: 'I think our Lord is calling on us to go forth, old men and young. Make me ready, my sons!' His sons said, 'God have mercy on you! You went on expeditions with the messenger of God until he died, with Abu-Bakr until he died, and with Umar until he died. We will fight on your behalf.' He refused. He went to sea and died, and it took nine days for them to find an island on which to bury him, but his body suffered no corruption, and they buried him there' (Ibn Kathir, Tafsir, 4:156). Consider also Abu-Hudhayfah, illustrious companion of the Prophet, who called out at the Battle of al-Yamamah, when the killing raged and the flames of war blazed, 'People of the Koran, adorn the Koran by actions.' The episodes of history are full of the conjoining of learning and jihad and the merging of scholars and mujahidin. They were always like the two wings of a bird. This was the description of them that this religion brought, as God said: 'Indeed, We sent Our Messengers with the clear signs, and We sent down with them the Book and the Balance so that men might uphold justice. And We sent down iron, wherein is great might, and many uses for men, and so that God might know who helps Him, and His Messengers, in the Unseen. Surely God is All-strong, All-mighty' (Koranic verse; Al-Hadid 57:25). (p 47)

"The Shaykh al-Islam, may God have mercy on him, said: 'The religion of Islam is that the sword should be sequent to the book. Then, when knowledge of the book and the Sunnah emerges and the sword is sequent to that, the authority of Islam will be established' (Ibn Taymiyyah, Majmu'al-Fatawa, 20:393).

"He also said: 'The religion will be established only by the book, the balance, and iron: a book whereby one is guided and iron that helps it. By means of the book, learning and religion are established; by means of the balance, rights are established in financial contracts and receipts; and by means of iron, the prescribed punishments (hudud) are executed on non-believers and hypocrites' (Ibn Taymiyyah, Majmu' al-Fatawa, 35:36).

"The learned Al-Sa'di, may God have mercy on him, said: 'In this passage, God joined the book and iron because God helps His religion by means of these two things. He exalts His word by means of the book, wherein lie argument and proof, and by means of the sword, which wins victory by God's permission. Both are established by justice and truth, whereby one infers the Creator's wisdom and perfection and the perfection of His law, which He legislated through the words of His messengers' (Al-Sa'di, Tafsir,1:842).

"Something similar to what has befallen the nation of Islam today befell many times over the past centuries. The nation was attacked by enemies that destroyed everything and penetrated its heartland and the seat of its caliphate. Yet we have never heard that anyone, scholar or otherwise, produced this false innovation regarding the clash of learning and jihad and the difficulty or impossibility of uniting the two. Instead, scholars performed their role during those scorching events and great storms. They fearlessly waded into the thick of the fray. They were in the front lines where the armies met and under the shadow of swords. Their ink mixed with their blood. No one doubted their sincerity or hesitated to accept their advice. Those who were not leaders of hosts were guides to those who led them, advising them, strengthening their resolve, inciting their army, and sharing in their triumphs and in their sufferings. People saw

them as embodying God's words: 'The believers are those who believe in God and His Messenger, then have not doubted, and have struggled with their possessions and their selves in the way of God; those -- they are the truthful ones' (Koranic verse; Al-Hujurat 49:15). (p 48)

"However, there is no doubt that the calamity in our time has become great. Catastrophes have come to a head, evils have spread, and hosts of temptations have come, the latest of them causing one to forget the first of them. This is what is heaping burden upon burden and trust upon trust on the scholars. It obliges them to be in the midst of those raging seas and swarming disasters, guiding, teaching, enlightening, commanding, and prohibiting, no, leading. This is not the place for remoteness, abstinence, and haughtiness, or for isolation and living in an ivory tower.

"Nevertheless, the jihadist groups, the part of the nation on which jihad is incumbent, have not ceased to strive to the extent of their ability to find students and scholars who can fill this gap and perform this duty. They avail themselves of every opportunity to make contact with trustworthy scholars. The fatwas, studies, and advice that scholars offer and render to the mujahidin make the greatest impression on their hearts and minds. The mujahidin have never snubbed learning or scholars. They have never felt in the least that these two religious duties are contradictory. One must also point out always that this duty of satisfying the need for knowledge is not limited to those included by the name 'jihadist groups' so that they are to be called to account for their neglect -- if they have neglected -- while blame and rebuke are lifted from other Muslims. Such a division of duties is a baseless fragmentation of duties. All are equally comprehended by the call. The jihadist groups are merely a group of the nation's sons whom God has enabled to revive the duty of jihad and incite the nation to it. Their intent is not to distance the rest of the nation from it or monopolize its performance. How could they, when they incite the Muslims and call on them for assistance day and night, to be mujahidin against their enemies by means of their wealth, lives, and tongues?

"Indeed, I say with certainty that there hardly exists any group striving to establish and spread the religion that perceives the importance of learning and the reality of the need for it and is attempting to fill the gap in it as the groups of mujahidin perceive it. You will therefore find their leaders urging scholars to help on every occasion, to live the reality of their nation from close up, to mingle and participate, not from a distance and fantasy, so that their fatwas will be adapted to the needs of the jihad and the mujahidin. However much one tries to picture matters in one's mind and contemplates them in one's thoughts, a certain deficiency will afflict him, which may affect the correctness of the judgment he makes. Therefore, a Hadith says: 'A report is not like seeing with one's own eyes. God informed Moses of what his people had done with the calf, but he did not cast the tablets down; but when he saw with his own eyes what they had done, he cast the tablets down and they broke' Ahmad (ibn Hanbal), Al-Hakim, and others include the Hadith on the authority of Ibn Abbas.

"As the Shaykh al-Islam (Ibn Taymiyyah) said about learning, experience, and knowledge: 'The duty is for people of sound religion who have knowledge of the conditions of the people of the world to give thought to matters of jihad, rather than people of the world who look mostly at the externals of religion. One should not adopt the opinion of the latter or the opinion of people of religion who have no experience of the world' (Ibn Taymiyyah, al-Fatawa al-Kubra, 4:609). (p 49)

"The Koran makes it clear that one of the greatest duties of scholars is to use their learning to instruct and teach the mujahidin-- that should be the underlying purpose of their devotion to learning. However, jihad does not stop and learning does not rest; rather, jihad performs its

duty of defending the religion, spreading it throughout the world, and protecting the lands of Muslims, while scholars instruct the mujahidin and provide them with the fatwas and knowledge they require. Anyone who tries to make learning clash with jihad so that one of them is suspended for the sake of the other, is doing something contrary to the divine guidance contained in the words: 'It is not for the believers to go forth totally; but why should not a party of every section of them go forth, to become learned in religion, and to warn their people when they return to them, that haply they may beware?'(Koranic verse; Al-Tawbah 9:122)

"The Imam Ibn al-Qayyim, may God have mercy on him, said: 'The verse includes an explanation of the status of those who go forth and those who sit still and an explanation of how they share in jihad and learning. Those who go forth are the people who perform jihad; those who sit still are those who engage in learning. The religion can become complete only through jihad and learning. When one group busies itself with jihad and another group with becoming instructed in the religion and then the people of learning teach the mujahidin when they return to them, benefit will accrue through learning and jihad. This is the most likely and complete meaning of the verse' (Ibn al-Qayyim, Bada'i' al-Fawa'id, 4:995).

"The learned al-Tahir bin Ashur, may God have mercy on him, said: 'Because one of the purposes of Islam is to spread its sciences and arts among the nation and to form groups engaged in studying the religion and educating the minds of Muslims so that the direction of the nation will accord with what the religion intended for it, therefore the summons to jihad is followed immediately by words that explain that it is not beneficial for all Muslims to devote themselves exclusively to being ghazis or soldiers and that the lot of someone engaged in the duty of teaching is not beneath that of the ghazi in the way of God, for each of them is engaged in an activity to strengthen the religion. One strengthens the religion by widening its sway and increasing its followers; the other strengthens it by confirming that authority and disposing it to issue the things that will guarantee its good order and long endurance. Broad conquests and the nation's bravery are not enough to preserve its sway if it lacks a righteous group of scholars, leaders, and advisers concerned with directing that authority' (Al-Tahir bin Ashur, Al-Tahrirwa al-Tanwir, 6:404). (p 50)

"When jihad is a duty incumbent on every individual (fard'ayn), as it is today, one of the primary missions of the learned must be to incite Muslims to perform that duty, summon them to it, support the mujahidin, and urge Muslims to help them, pray for them, proclaim their virtues, and raise the zeal of the discouraged. Their duty is to discourage the non-believers, clarify their villainy and deceit, expose their schemes, and warn of their cunning. In this way, jihad and learning are interlocking circles, and their efforts are complementary. This is the relation of learning and jihad. It is not as some would have it. They drone on, from ignorance or intentionally, about causing a gap making communication impossible between the two. They even portray the mujahidin as enemies of learning and of scholars. They portray their ranks as devoid of scholars and their assemblies as far from them, as the 'Guidance Document' tries to portray it. It is not necessary for the mujahidin, whenever they ask a scholar for a fatwa, to correspond with him or communicate with him, to publish his name and fatwas for everyone to see and disseminate them widely so that the hearts of the 'writers' of the document maybe at rest and the eyes of 'its supervisors' view it with favor and know that the mujahidin rely in their course and policy on well founded fatwas from reliable scholars and they do not limit themselves to 'ignorant heads' who offer fatwas without knowledge, thereby going astray and misleading others, as the Guidance Document tries to tell people.

"We would point out here that the 'writers' of the document have engaged in a subtle fraud, mixing truth with falsehood in a way that can be discerned only with lengthy and careful

reflection. They have confused two things without explaining their difference.

"The 'guide' first says: 'The obligation is dependent on reason, knowledge, and ability... there is no obligation before knowledge and the arrival of the message... to this belongs the legal maxim.' There is no judgment for the actions of those possessing reason before the arrival of an explicit text.' So the knowledge without which obligation does not occur is the arrival of the legitimate message. It is this whereby legal proof is established. So the correct thing is for him to say that there is no obligation before knowledge 'of the arrival' of the message, not 'and the arrival of the message.' These words give the impression that knowledge, at this point, is different from the arrival of the message. They create the feeling that the knowledge on which obligation depends is detailed knowledge; however, detailed knowledge is only one of the effects of obligation in the sense that it becomes necessary due to the existence of the obligation. This point was clear in the words of Shaykh Abd-al-Qadir bin Abd-al-Aziz in his book *Al-Jami' fi Talabal-Ilm al-Sharif*, where he said: 'The capacity to perform (which is the capacity for obligation) means the fitness of the individual for his words and deeds to be legally considered -- i.e., his fitness to be a legally responsible person who can be called to account for his words and deeds. The conditions for the soundness of this capacity are... comprehension, by the maturing of the intellect and knowledge of the message of obligation.' (p 51)

"For example, a sufficient condition for a person to be responsible for performing the prayer and to be blamed for omitting it is the arrival of the message that it is a duty. A consequence of 'the arrival of the message' and the coming to be of the obligation is the necessity of learning that whereby prayer becomes valid. This comes under the heading of an individual obligation regarding certain items of knowledge.

"Accountability, which is an effective and practical consequence of obligation, comes into existence in every matter of the religious law only after the arrival of the legally valid message and establishment of proof. This is what is intended by the 'knowledge' upon which obligation ensues. Its opposite is the 'ignorance' with which obligation does not exist. All of this holds as long as this ignorance is not a result of negligence, given the possibility of removing it. Under this heading falls the prohibition of killing non-believers who have not been reached by the summons to Islam, which represents the 'legally valid message' because no proof has been given to them. The mere arrival of the call is sufficient to allow their blood and property to be lawfully taken. Therefore the prophet, may God bless him and grant him peace, said: 'By Him in whose hand is the soul of Muhammad, no one of this nation, not a Jew, and not a Christian, who shall hear of me and then die not having believed in what I have been sent to bring but shall be among the inhabitants of the fire' Ahmad (ibn Hanbal) and Muslim include the Hadith on the authority of Abu-Hurayrah, may God be pleased with him.

"In a place of jihad, it suffices that a Muslim know that God has commanded him to perform the duty of jihad for him to become accountable afterward for it and for what leads to its performance and blamed for its omission. Among the effects of this obligation with regard to the mujahid is the division of knowledge related to him regarding matters of jihad into knowledge that each individual must have ('ilm 'ayni) and knowledge that must reside in the community as a whole ('ilm kifa'i). The latter kind of knowledge is not fundamentally related to the obligation of jihad. This is something clear, to God be praise!

"Here one can see the jump that the writer or writers of the 'Guidance Document' make after they say, 'As for legally valid knowledge, it is the way to knowledge of what God wants of us; and there is no way to that save by acquiring knowledge of the law... It is not permissible for him to do something until he knows its status in God's law -- as the All-praised has said, 'Question the

people of the Remembrance, if it should be that you do not know' (Koranic verse; Al-Nahl 16:43). The prophet, may God bless him and grant him peace, said in a sound tradition, 'Seeking knowledge is a duty incumbent on every Muslim.' This jump is from the knowledge whereby 'obligation' ensues to the detailed knowledge of the religious law. 'Learning its precepts (ahkam)' gives the impression that a Muslim person is 'obligated' (mukallaf) to perform jihad or held accountable for failing to perform it only after he has acquired 'detailed' knowledge ('ilm tafsiili) of it. It implies that the existence of the obligation is contingent on this detailed knowledge that it is his duty to have. This is a kind of deception. In sum, it is the same doubt that was raised long ago and that Shaykh Abd-al-Qadir himself answered in his book Al-Umdah. There he says, 'There is no jihad except after seeking knowledge.' However, this phrase contains something of truth and something of falsehood. None of the forebears or scholars ever said that the duty of jihad and the obligation to perform it were contingent on the obtaining of knowledge of the details of the performance of this duty on the part of all the mujahidin. In fact, the prophet, may God bless him and grant him peace, would accept the oath of allegiance from those wishing to profess Islam on the basis of payment of the poor tax (sadaqah) and participating in jihad. How many companions of the prophet accepted Islam and immediately afterward performed jihad! Some were even killed shortly afterward, and the prophet had never enjoined them before to learn the regulations of jihad in detail. 'Any condition not in the book of God is invalid. Though a hundred conditions be set, God's judgment has a greater claim and God's condition is surer,' both al-Bukhari (3:34:377) and Muslim (9:3585) include the tradition on the authority of A'ishah, may God be pleased with her.

(p 52)

"Something that confirms the occurrence of misleading or the desire for it in this paragraph and the jump is the sequence of the discussion: from the knowledge from which obligation ensues, to the manner of seeking knowledge, to making it mandatory on the subject of jihad; which is what he does when he says, 'Certain matters follow from the duty to seek knowledge on the topic of jihad, which is the subject of this document. These include...'

"If the reader connects the links in this sequence to each other, he will emerge with the conclusion that the condition for obligation is knowledge. Then he understands from the remaining expressions that what is meant by the knowledge that is a condition for obligation is the detailed precepts that he is obligated to learn. So the matter comes down to a person's not being obligated to perform jihad, and thus not to be blamed for failing to perform it, except after he has engaged in scholarship. As is well-known, scholars have mentioned the conditions for jihad and the books of jurists are filled with them; yet, as far as we have read, we have not found a single trustworthy scholar who imposed this condition. Here, for example, is the Imam Ibn Qudamah, may God have mercy on him, who said: 'Seven conditions are stipulated for jihad to become a duty: being a Muslim, being of age, being of sound mind, being free, being male, being free of injury, and the existence of adequate support for one's family' (Ibn Qudamah, al-Mughni, 20:412).

"Shaykh Abd-al-Qadir himself once said: 'From the preceding, you know that learning is not one of the conditions for the obligation to engage in jihad. Even if someone has been negligent in seeking the necessary knowledge incumbent on him, this negligence of his is not an impediment to his engaging in jihad. As everyone who seeks the truth and is neither self-willed or stubborn can see, knowledge of the law is not among the aforementioned conditions. This is not the opinion of Ibn Qudamah alone; indeed, I have not come across anyone making such a stipulation in any of the books of jurisprudence that I have perused' (Shaykh Abd-al-Qadir, al-Umdah, p 385).

"I stress here that the intention is not to minimize the importance of learning or to try to separate it from jihad. The purpose is not to have the mujahidin abstain from learning or to advocate jihad conducted in blindness, ignorance, and confusion. This is not an idea held by any of the mujahidin, commanders, or soldiers at all. If it is falsely and erroneously attributed to them, let the parties to the dispute gather before God!

"I opened this section by explaining the connection between learning and jihad, scholars and mujahidin, in order to dispel this misconception. Therefore, what is required is to set every precept in its right place. We must not innovate in God's religion what is not part of it, as by stipulating what is no condition, especially if we know that the inevitable consequence of such a stipulation will be to suspend jihad, deaden its obligation, place obstacles to its revival, and maintain the 'ruling powers' --God help us! (p 53)

" 'Why do you say what you do not do?' (Koranic verse; Al-Saff 61:2).

"The 'guide' said: 'Only those who are legally qualified among the members of the jihadist groups may apply the absolute rulings contained in the books of the forebears to our present situation. Although the legal texts (the Koran and the Sunnah) are fixed and unchanging, they contain options appropriate to every situation and case, and this is something that only an expert in the law can understand.'

"Although the context of his words, as he announced initially, is related to jihad, what he mentioned here is not peculiar to mujahidin or members of jihadist groups; rather, every Muslim ought to be bound by it, lest he speak of God's religion without knowledge.

"But we have the right to ask the following question: Given that the publishers of the document have mentioned that the 'guide' 'affirms that he is not 'a mufti or mujtahid in religious law,' can one regard someone who possesses none of these attributes as 'qualified'? If he is qualified, under what category can one place him? If he is not such a person, how has he permitted himself to apply the absolute rulings contained in the books of the forebears to our present situation? How was he able to perceive the options appropriate to this situation, although he is not 'an expert in the law'?

"If we looked only at this document, we should see how many unrestricted texts of the forebears the 'guide' has applied to our contemporary situation, using them to back the issuance of legal decisions and detailed fatwas related to that situation. If, however, we review his previous books, we shall find in them dozens of contemporary legal questions on which he has ruled that one thing is permissible and another thing is impermissible, one thing is non-belief and another thing is not. He has supported his pronouncements and the rulings he has reached by dozens, if not hundreds, on texts that he has extracted from amid the books of the forebears and others. God has said: 'O you who believe, wherefore do you say what you do not? Very hateful is it to God, that you say what you do not' (Koranic verse; Al-Saff 61:2-3).

"Hasn't Shaykh Abd-al-Qadir written lengthy studies on the subject of those who do not rule in accordance with what God has sent down? Hasn't he stated that by this he means the contemporary rulers who rule by man-made laws? Hasn't he settled this question by means of many texts from the Koran and Sunnah and by mustering many sayings transmitted from the early and later scholars? (p 54)

"Hasn't Shaykh Abd-al-Qadir written about the legal status of the helpers of modern tyrants, explaining who those intended helpers are by saying: 'By them are meant the helpers of the

apostate rulers who rule by what is other than what God has revealed in many of the countries of Muslims today. Their helpers are those who guard them, protect them, and help them against Muslims engaged in jihad to depose them. Their helpers are those who protect them by words and fight for them with guns. They are the reason why the laws of non-belief have lasted in these countries... The legal status of the helpers of these tyrants is a corollary to the status of the tyrants. The legal ruling concerning those who rule by something other than what God has sent down is that they are apostates' (Shaykh Abd-al-Qadir, *al-Jami' fi Talab al-Ilm al-Sharif*, p 673). Hasn't he based his affirmation of this ruling on this contemporary question with an enormous quantity of texts taken from amid the books of ancient scholars 'who wrote their books for a time not our time'?

"Hasn't Shaykh Abd-al-Qadir written about the legal status of democracy, which is a purely modern question? He makes clear its status: 'Democracy is major non-belief. Its legal status is the same as that of similar man-made laws. Indeed, it is a religion contrary to the religion of Islam because it embodies the explicit association of other entities with God's power. The same applies to the means to implement democracy, such as the creation of political parties, the creation of representative assemblies (parliaments), participation in these parties, or participating as a candidate or voter in parliamentary elections. All of this is major non-belief on the part of those who commit it, advocate it, extol it to people, or approve of it, even if they do not engage in it; for these are the means of implementing democracy, which is the religion of non-believers. Do not be deceived by the multitude of those doomed to perdition in this, who have left the religion of Islam and entered the religion of the non-believers. As long as they approve of democracy and its means, even if one of them should prostrate himself a thousand times in a day and read the entire Koran a hundred times in a day, he would still be a non-believer.' Hasn't he supported this position that he reaches by means of legal proof, citing 'unconditional' texts from the discussions of ancient scholars and applying them to the modern situation?

"He even says in the introduction to his book: 'I have spoken in this book about many subjects that occupy the mind of Muslims in this time, clarifying with God's help what is most likely and correct in each of them. These include the subject of following and imitating, the subject of ignorance and its use as an excuse, the subject of pronouncing someone to be a non-believer and the regulations regarding it, the subject of the status of democracy and its procedures, the subject of the status of rulers who rule by something other than what God has revealed and the status of their aides and helpers, the subject of the status of regions and of their ordinary inhabitants, the subject of legitimate governance and the contemporary distortions to which it has been subjected, the subject of the head scarf and the veil, and other subjects whose place can be found by consulting the index placed at the end of the book' (Shaykh Abd-al-Qadir, *al-Jami'*, p 6). (p 55)

"He also said: 'I have adhered to this method in my writings, to God be ascribed the credit and the thanks. Whenever I mention a position, I follow it with its proof from the Koran, the Sunnah, and the words of the earliest authorities (al-salaf) as much as possible' (Shaykh Abd-al-Qadir, *al-Jami'*, p 185).

"Look at the large number of contemporary questions that he handled in his book *al-Jami'* and similarly in his book *al-Umdah*. He preferred certain positions and supported his views with dozens of citations from early and later scholars, although he was writing on contemporary questions that need judgments of probability and 'experience with the religious law.' At the same time, he stated that what the books of the earliest authorities contain should be considered to be 'unconditioned rulings,' written for a time not ours. Add to this the fact that the shaykh, as the

publishers have quoted him, 'is not a mufti, scholar, or mujtahid in the religious law.' How do you resolve this puzzle? --Unless the writers of the document or the 'guides' come from the 'relevant authorities' that have become accustomed to disregarding and paying no attention to the religious law and 'minds' and to behaving as the 'ruling powers' wish, regardless of whether in that case they are exposed or not.

"What we believe is that Shaykh Abd-al-Qadir, may God release him, was a scholar, mufti, and expert in many questions of religious law and practical affairs. The mujahidin and others derived benefit from his books and studies. However, he is not infallible, and therefore one takes from his words what agrees with the truth and rejects anything else. We ask God to hasten his release and bring him out of the shadows of the criminals' dark prisons. To God we raise our plea!

"The 'guide' says: 'The scholars among the forebears (ulama al-salaf) wrote their books for an age that is not our age, an age in which Muslims had an Abode of Islam (Dar Islam), a caliphate, and a caliph, an age when the ranks and the people were distinct from each other, Muslims in the Abode of Islam and non-believers in the Abode of War (Dar al-Harb), and when in the Abode of Islam the protected non-Muslim (dhimmi) could be distinguished from the Muslim in appearance. None of these things exist now. People have blended with each other. This is the altered and changed reality that makes caution necessary when one reads the books of the forebears and when one judges people.'

"Taken without qualification, the statement that the scholars among the forebears wrote their books for an age that is not our age is incorrect. Not everything our forebears wrote was for a time, not our time. Indeed, I fear that this passage was intended to clear the way to isolating this generation from its predecessors and to begin severing its connection with them under this pretext and the novel pretexts that follow. In fact, most of the fundamental questions of jihad discussed by early scholars can be considered enduring questions with unchanging precepts. Although events in this age are many and complex, this does not mean that our forebears, may God be pleased with them, did not deal with analogous events and make rulings on similar situations. The nation is not lacking in deeply learned scholars who are mujahidin, versed in what our forebears wrote and informed about the demands of the present time. How many there are who have discussed the major and minor events of the time, clarified their conditions, and detailed their legal implications! (p 56)

"The 'guide' says: 'It is not permissible for someone unqualified to lead someone resembling him in lack of qualification to become involved in clashes in the name of jihad, for caution in matters of life and property is of the highest necessity.'

"Obviously, caution in matters of life and property is of the highest necessity, but the mujahidin have never ceased to stress this idea in their research, fatwas, and studies. The picture that the document tries to draw by means of its repeated expressions that create the impression that the mujahidin are careless about the question of shedding blood and seizing property, that they engage in the widespread use of human shields, and that they indiscriminately kill Muslims and others who may be killed or who may not be killed -- all of these things are fiction and lies that we have become accustomed to hearing from the Crusader media and from those who travel in their orbit and follow in their footsteps.

"However, complicating the matter is the fact that when the mujahidin revived the knowledge and practice of certain aspects of Islamic law related to jihad, matters that had not been discussed for a long while, matters that in our time were oddities that many Muslims found

unpalatable, these people hurried to reject them and hastened to repudiate them. They denied that Islam had any relation to them. They denounced those who affirmed them, promulgated them, and extracted them from the books of our forbears and tried to implement them in practice. They branded them with every shortcoming and ascribed to them a variety of attributes such as ignorance, haste, reckless bloodshed, and distorting the image of Islam. The media, from which the people receive their news and often their ideas fed this current. They strengthened it, drummed on minor mistakes, and magnified them in order to paint a black, repulsive picture of jihad and the mujahidin. The poet might have been describing them when he said:

"If they know good they hide it; if they know
"evil they spread it; and if they know nothing, they lie.
"Another poet said something similar:
"If they hear anything doubtful about me they fly about with it
"joyfully; but they bury whatever good they hear.
"Deaf they are whenever they hear good of me,
"but when people speak ill of me they give ear. (p 57)

"You will find only a few people of learning, fairness, and caution escaping their snares and repeated allegations and not believing their rumors, despite the fact that the mujahidin have issued dozens of written, audio, and video statements clarifying their unconditional adherence to the sanctity of the lives of the protected and complete innocence of such charges as unjust shedding of blood. They have constantly made it clear that they played no part in any way in many of the operations attributed to them. Yet so great is the strength of the infidel media that you rarely find anyone who listens to them or believes them. However much they defend themselves and bring conclusive proof of their decency and innocence, these people consider them to be in the defendant's box. Those who believe the media of their enemies behave as if their maxim were:

"When Hadhami speaks, believe her;
"for what one should say is whatever Hadhami says.

"If God said to the companions of the prophet, given their faith and constancy, when He warned them about the hypocrites and their rumors and told them that He had frustrated them for their own benefit, lest they should be deceived by the hypocrites' words and be influenced by their lies, though that had taken place fleetingly and intermittently, so that He said: 'Had they gone forth among you, they would only have increased you in trouble, and run to and fro in your midst, seeking to stir up sedition between you; and some of you would listen to them; and God knows the evildoers'(Koranic verse; Al-Tawbah 9:47). How much more does this apply to those who are beneath the prophet's companions in stature, given this huge media machine and the shrewd specialists in brainwashing and penetrating the psyche. Can anyone, however much knowledge and faith he may have been granted, not fear afterward that they will influence him and that he will listen to them, respond to their stories, be affected by their ideas, and follow their directives?

"The learned Bin Ashur, may God have mercy on him, said: ' And some of you would listen to them -- i.e., some among the community of Muslims, from among the Muslims, would listen to them --these listeners might be Muslims who believe what they hear from the hypocrites, or the listeners might be hypocrites scattered among the Muslims. This parenthetical clause is meant to draw attention to the fact that their seeking to stir up sedition is extremely dangerous for the Muslims because among the Muslims there is a group who will be deceived by their devices. These are the naAAave Muslims who marvel at their reports, are influenced, and do not succeed

in distinguishing distortions and intrigues from sincerity and truth'(Bin Ashur, al-Tahrir wa al-Tanwir, 6:300).

"Similarly, the Imam Ibn al-Qayyim, may God have mercy on him, said: 'If there were hypocrites among the generation of the Koran and people to listen to them, what is one to think of those who came after them? There are still hypocrites in the land, and among the believers there are still those who listen to them, being ignorant of the truth about them and unacquainted with the hollowness of their words' (Ibn al-Qayyim, al-Sawa'iq al-Mursalah, 4:1404). (p 58)

"As for the 'guide's' words: 'It is not permissible for someone unqualified to lead someone resembling him in lack of qualification to become involved in clashes in the name of jihad...'

"We say: What is meant by 'unqualified'? There are a number of aspects to lacking qualification. These need to be defined and explained. You should not speak in general terms about it, especially in a place where you are issuing a legal pronouncement about something being 'not permissible,' despite your not being 'a mufti, scholar, or mujtahid in religious law,' as the publishers state. A person may be unqualified in terms of knowledge or militarily or morally or by lacking experience and acquaintance or in some other way.

"Immediately after this sentence he says: 'For caution in matters of life and property is of the highest necessity.' What comes afterward indicates that the lacking qualification is the qualification of knowledge, so as to distinguish lives and property that are forbidden from those that are not. This can only be done through legal knowledge, by means of which caution is exercised in spilling blood.

"For this reason, the blanket statement that it is not permissible for someone unqualified to lead someone resembling him is incorrect for two reasons:

"A person's stock of legal learning may be scanty, but he may have military experience, understanding of matters of war, and the ability to manage them well and deal with their stratagems. Such a person is permitted to be the leader of detachments and armies, even if he does not have learned qualifications. He must, however, consult people of learning and ask them about whatever is unclear to him. He must seek a fatwa from them about whatever he does not know. This can be deduced from God's words: 'Question the people of the Remembrance, if it should be that you do not know' (Koranic verse; Al-Nahl 16:43).

"Ibn Khuwayz Mindad (died around 1000) said: 'Rulers have a duty to consult scholars about what they do not know and about matters of religion that are unclear to them. They have a duty to consult leading military men about matters of war, men of affairs about matters of public welfare, and the leading secretaries, ministers, and governors about what pertains to the country's welfare and prosperity' (Al-Qurtubi, Tafsir,4:250).

"Ibn Atiyah (died around 1147), may God have mercy on him, said: 'Consultation is one of the principles of the religious law and of decisions on its provisions. Anyone who does not ask the advice of people of learning and religion must be deposed. This is a matter on which there is no disagreement' (Ibn Atiyah, al-Muharrar al-Wajiz, 2:35). If this is true for the overall leader, how much more does it apply to subordinate commanders and leaders? If their knowledge is small or lacking, they have an even surer duty to consult with men of learning and religion, granting, of course, that in cases of necessity what is not permissible when there is a choice may become permissible, and then one makes every effort to correct the error, straighten the crooked, and remedy the deficiency as much as possible. The Shaykh al-Islam, may God have mercy on him,

said: 'Although it is permissible to appoint someone unqualified due to necessity, if he is the best available, nevertheless one must strive to remedy the situation, so that people may fully have what they need in matters of governance, command, and the like' (Ibn Taymiyyah, al-Siyasah al-Shar'iyah, p. 14). (p 59)

"Even with regard to the supreme imamate -- and its status in the religion is well known -- when there is no one with the rank of mujtahid, scholars do not hold that the position should be kept vacant, and this to avoid disorder and the confusion of functions that occurs when there is no imam. They sanction accepting an imam despite his deficiencies in order to obtain what is possible and preserve whatever religious and worldly benefits can be preserved. Nevertheless, he must consult scholars so as not to deviate from the precepts of the religious law, as the Imam al-Haramayn (al-Juwayni, died 1085), may God have mercy on him, said: 'It has already been stated that possessing all the attributes of the mujtahid is a condition for holding the imamate. If it should come to pass that we find no one who can undertake the imamate in religion, but we do find a sagacious man of courage and ability capable of assuming the burden of great affairs -- according to the description already given of such ability -- he should be appointed to take charge of religious and worldly matters. His decisions should be carried out just as those of an imam possessing to perfection all the attributes that bear on the office of imam. The religious leaders should guide and correct him and make clear the precepts of the religious law that are unclear to him. Although knowledge is rationally a prerequisite for the office of the imamate, if we cannot find someone with knowledge, then someone who brings together what is sufficient; and his asking for advice in difficult matters that arise and vex him is better than leaving men run-down, falling into troubles, and subject to mutual conflict, mutual attacks, and a variety of evils' (Al-Juwayni, Ghiyath al-Umam, p 276).

"In this book there are many images that almost fit the conditions of the nation in this age, images that need to be reviewed and understood and studied in depth. Were it not for fear of prolixity, I would quote a great deal of what relates to this question that we are discussing, namely the appointment or holding of office by someone not qualified in certain cases.

"Second, the harm caused by those whom the unqualified person goes out to fight must be greater than the harm caused by him. This comes under the general rule that the greater harm is removed by means of the lesser harm. This is because 'the religious law came to establish and perfect benefits and to prevent or reduce detriments. If two evils conflict, one greater than the other, we have two possibilities. The first is to try to do away with both of them, and this is one's duty when one has the power to do so inasmuch as it prevents the evils. If we cannot completely prevent them, we try to reduce them, which can only take place by suffering the lesser evil and avoiding the greater evil. This is part of the reduction of evils' (Talqih al-Afham al-Illyah bi Sharh al-Qawa'id al-Fiqhiyah, 3:17). (p 60)

"Therefore, although in principle rule should be held by a single person, in cases of necessity when there is no qualified person uniting all the attributes that would qualify him for this, it is permissible to join to him such a person or persons who complement his shortcomings and remedy his deficiency. This is a departure from the usual pattern in matters of sovereignty, so that benefits are not lost by our waiting for the proper qualified person. As the Shaykh al-Islam, may God have mercy on him, said: 'Likewise in the war-making power: if the amir commands by consulting people of learning and religion, he unites two benefits. Similarly in all positions of authority: if the public welfare cannot be achieved through a single man, one joins several men together. One must prefer the most suitable person or, if there is no single person fully qualified, a plurality of authorities' (Ibn Taymiyyah, al-Siyasah al-Shar'iyah, p 13).

"Imam al-Haramayn (al-Juwayni) said: 'Assuming that some important matter takes place that according to the precepts of religion requires to be dealt with before non-believers can invade the lands of Islam; assuming that we find no alternative but to raise an army and we find a dissolute man whom we can invest with command of the army; assuming it would be difficult for an army to be raised without a person of note who is obeyed; and assuming we cannot obtain a God-fearing and religious man no matter how hard we try, we may be forced when provoked by a catastrophe that needs to be averted quickly to appoint the dissolute man to command of the army. Suppose there is a dissolute person who drinks wine or commits other sins, yet despite his various failings and transgressions we see him zealous to defend the realm of Islam, working within the religion for the promotion of the general welfare belonging to Islam, he being a capable person, and we find no other, it is obvious to me that we should appoint him, while working as far as possible to correct his deviations. When kingdoms lack a shepherd to care for them or a governor to rule them, the resulting disintegration and breakdown of the borders is very serious' (Al-Juwayni, Ghiyath al-Umam, p 277).

"I say, if depriving kingdoms of a shepherd to care for them and a governor to rule them results in severe disintegration and disruption, what will happen if those kingdoms are handed over to dissolute non-believers and unjust tyrants? What will happen if the gates of attack and occupation are opened, so that any Jews, Christians, and atheists who wish may enter and devastate the lands of Islam with their horses and men, so that no trace of the faith remains in belief, morals, law, or governance and no worldly wealth or property, and they destroy the land and its people with their tyranny and manifest their corruption on land, sea, and air? In such a case, isn't it preferable to agree to appoint someone defective or lacking in qualification, when there is no one else to minimize the evil, deal with obstinate wrongdoers, and render the lands of God's servants secure, while one strives and works to perfect him, guide him, advise him, and render him qualified? (p 61)

"The appointment of judges, an office of the greatest importance, is similar. Scholars disagreed about who is more entitled to preference and appointment: a dissolute scholar or a pious ignoramus, when it is a question of appointing one of them. Most of them were for preferring the latter, as the Shaykh al-Islam (Ibn Taymiyyah), may God have mercy on him, said: 'A learned man was asked, 'If there is no one to appoint as judge except a dissolute scholar or a pious ignoramus, which of the two should be preferred?' He said, 'If the need for religion is greater because of the dominance of corruption, religion should be preferred; however, if the need for learning is greater because of the disappearance of governments, the scholar should be preferred.' In fact, most scholars prefer the person with religion'(Ibn Taymiyyah, al-Siyasah al-Shar'iyah, p 13).

"The Imam Ibn al-Qayyim, may God have mercy on him, said: 'Similarly, if the ruler finds no one to appoint to the judiciary except a judge devoid of the qualifications for judgeship, he does not deprive the country of a judge, but appoints the one closest to the ideal' (Ibn al-Qayyim, I'lam al-Muwaqqi'in, 4:196).

"Therefore it is wrong to state categorically, 'It is not permissible for someone unqualified to lead someone resembling him in lack of qualification to become involved in clashes in the name of jihad.' Rather, there is a need for detail, clarification, putting the precepts in their place, and taking account of conditions, especially because hardly any other damages and evils can equal the damages caused by the reign of apostate rulers and the free hand that their criminal followers have to wreak havoc in the land. The present situation is the best witness to this; God help us!

"The Shaykh al-Islam (Ibn Taymiyyah) discussed the question at length and in full detail. I have already quoted him, but I repeat it here because of its importance. He said, may God have mercy on him: 'If there happens to be among them someone who will fight the enemy in the most perfect way, he will be the ideal in terms of pleasing God, strengthening His word, establishing His religion, and obeying His messenger. If there is among them someone infected with licentiousness and corrupt intentions so that he fights to obtain leadership or acts unjustly toward them in certain matters, and the damage to religion brought about from ceasing to fight the enemy is greater than the damage brought about from fighting the enemy in this manner, it is still a duty to fight the enemy in order to ward off the greater of two evils by adhering to the lesser. This is one of the principles of Islam that ought to be observed. (p 62)

"Therefore it was one of the principles of Sunni Muslims to fight under anyone, whether pious or sinful. For God strengthens this religion through a sinful man and through men who have no share of virtue. The prophet, may God bless him and grant him peace, set a precedent for this. When an expedition was possible only under sinful commanders or with an army full of sinners, there were only two choices: abstaining from the expedition with them, with the inevitable result that others more injurious to religion and earthly matters would gain the upper hand, or mounting the expedition with the sinful commander, with the result that the more sinful would be repelled and most of the precepts of Islam implemented, even if all of them could not. This, therefore, is what is necessary under such and all similar conditions. Indeed, many of the expeditions that took place after the age of the well guided caliphs took place only in this manner. If one knows what the prophet, may God bless him and grant him peace, commanded regarding the jihad in which commanders will engage until the day of resurrection and what he prohibited, namely helping evildoers in their wrongdoing, one knows that the middle way, which is the way of genuine Islam, is to wage jihad on those who deserve to be fought, using such persons and groups as are closer to Islam than they, if they can be fought only in this way, while avoiding aiding the group with which one wages jihad in the commission of any sins against God. One obeys them in obeying God and one does not obey them in disobeying God, since there must be no obedience to a creature in disobedience to the Creator.

"This has been the way of the best people of this community in ancient and recent times. It is incumbent on every legally responsible individual. It is a mean between the way of the Haruriyah and their like, who take the mistaken path of fearfulness that comes of little knowledge, and the path of the Murji'ah and their like, who take the path of absolute obedience to commanders, even if they are not righteous' (Ibn Taymiyyah, Majmu' al-Fatawa,28:506-507).

"Another of his sayings is close to this: 'Only rulers undertake jihad, and so, if expeditions are not mounted with them, the inevitable result will be that the good and pious will not perform jihad. As a result, the determination of religious people to perform jihad will flag. Either jihad will be abandoned, or it will become the exclusive property of sinners. The inevitable result will be the domination of non-believers or the victory of sinners, because religion belongs to those who fight for it.

"This opinion is quite wrong. Its author was too scrupulous about what he considered to be wrongdoing, and so he fell into much more wrong than he avoided by such misplaced scruples. What comparison can there be between the wrongdoing of certain rulers and the rule of non-believers, or even the rule of someone more unjust than he? One must aid the less unjust against the more unjust. The religious law is built on obtaining and maximizing benefits and avoiding and minimizing harm as far as possible, on knowing which is the better of two goods and the worse of two evils, so that the better of two goods can be given preference when the two compete and the worse of two evils repelled.

"As everyone knows, the evil of non-believers, apostates, and Kharijites is greater than the evil of the wrongdoer. However, if they are not wronging the Muslims, but the one fighting them wants to wrong them, this is aggression on his part; and one does not assist aggression' (Ibn Taymiyyah, Minhaj al-Sunnah al-Nabawiyah, 6:118). (p 63)

"Anyone who studies the arguments of scholars when they discuss the reign of non-believers over any Muslim country or even the fear of their attacking such a country will perceive how much they felt the gravity of the subject and understood its terror. They considered it the mother of disasters, the gate of evils, and the final catastrophe, and therefore they tolerated every other imaginable evil and expected harm in order to prevent and repel it. This was the case when they discussed the question of using human shields and the like. Listen to the Imam al-Haramayn, al-Juwayni, may God have mercy on him, as he refers to an historical event in which Islam was victorious and the evil of its vile enemies was turned back: the battle between Alp Arslan and the Byzantine emperor, in which the Muslims won a great victory. You can see in his lines the great danger of non-believers holding sway over Muslims. You can perceive that the matter was not insignificant and the disaster was not imaginary. He said: 'Whoever holds fast to the truth and is not swayed from sincerity by the caprice of passion will understand immediately that the treasuries of the worlds, the hoards of past nations, and the riches of the ancient ones are contemptible and trivial compared to non-believers' treading the borders of the lands of Islam.

"How would it be if they were to take possession of the country, kill God's servants, strike fortresses and dams, and strip the veils of integrity from women in their private quarters? How would it be if the immoral dregs of mankind went over to them in apostasy, if louts mingled with noble women, if vulgarity and ostentation violated their bridal pavilions, if mosques were razed, if religious rites and assemblies were halted, if congregations and calls to prayer ceased, if church bells and crosses were unveiled, if the causes of disgrace and infamy multiplied, and if the realm of Islam became a sea overflowing with manifest non-belief?

"What is one to say about people who gave their last breath to defend God's religion, who brandished the blade in conflict devoted to God, who worked day and night, who rested neither morning or evening, who rode to death on the wings of the wind, who looked forward to drinking from death's pool with anticipation and delight? Then they came to an army of non-believers like a sea that cannot be drained by constant loss, and they remained calm in the face of death, crying out to each other, 'No retreat!' They fell on the enemy like fate. They did not grow weary or yield, though weapons bit into them and wounds covered them, until God released victory's winds from their storehouses, restored the rites of truth to their rightful place, and of His kindness ordained their support. Will the people of Islam be displeased with such men for their minor defects, when they are the pillars upholding the order of the world?' (al-Juwayni, Ghiyath al-Umam, pp254-255)

"Therefore we say that the dominance of non-believers, whether apostate or original, over the lands of Muslims must be put at the head of the list of corruption that the people of Islam must strive to end, however much it costs them in lives, property, and trouble. All their efforts, strengths, and resources must first be turned toward this goal. Even Shaykh Abd-al-Qadir bin Abd-al-Aziz once spoke extravagantly on this subject, saying: 'Furthermore, we think that busying Muslims with any matter except jihad in the way of God, at this time, as many of the Islamic groups are doing, is a betrayal of God and His messenger, may God bless him and grant him peace, and a betrayal and waste of this religion' (Shaykh Abd-al-Qadir, al-Umdah, p355). (p 64)

"Certain mistakes that are being made or even the transgressions ascribed to some of the mujahidin, if they are true, are hardly worth mentioning in comparison with the great tribulation and major disasters to Islam represented by the domination over it by its infidel enemies and by the corruption that has sprung and are springing from this, corruption that only God can count and that today have reached their high point: banishing the law of Islam, torturing God's friends, educating young people to atheism, and drowning them in every sort of immorality, public mockery of God, His messenger, and His book, opening the floodgates of pornography and depravity and driving people toward it in groups and individually, and God only knows how many other things." Because people have long been unacquainted with the religious law and the Islamic state and because most of them have grown up and been educated in its absence, they have not sensed the wide gap between how they should authentically be and what they are experiencing today -- that with which they are familiar, to which they are accustomed, and with which they feel comfortable. For this reason, you will see that those who hold fast to true Islam and summon people to it are strangers in their homelands and among their people, and those who even more are strangers are the mujahidin in the way of God, who are trying as hard as they can to revive this religious duty, which the enemies of Islam are striving by every means and device to bury alive and distance the nation from it. The enemies of Islam know that this duty is the shield that protects the nation from the implementation of their schemes and that prevents them from striking it a mortal blow.

"The 'guide' says: 'I have seen someone who cannot correctly answer a question on the law of prayer or purity giving a fatwa and commanding the wholesale spilling of blood and taking of property. Is this allowed in the religion of Islam?'

"No doubt, speaking about God's religion without knowledge is among the most reprehensible actions and things most strictly forbidden. God says: 'Say: 'My Lord has only forbidden indecencies, the inward and the outward, and sin, and unjust insolence, and that you associate with God that for which He sent down never authority, and that you say concerning God such as you know not' (Koranic verse; Al-A'raf 7:33). This is one of Satan's ways by which he commands. God says: 'He only commands you to evil and indecency, and that you should speak against God such things as you know not'(Koranic verse; Al-Baqarah 2:169).

"No one disputes this, but what is the point of mentioning the things that the 'guide' mentions in order to defame the mujahidin? If he thereby intends to pass a general judgment against them and to say that they are all that way, it is a pure lie and utter fabrication. Shaykh Abd-al-Qadir spent years of his life among the mujahidin and in their ranks, giving fatwas, writing, composing, and teaching. If during that period he was not 'a mufti, scholar, or expert in the law,' it would be better for him to criticize himself. If he was qualified to do those things, how does he deny his qualification now to give fatwas and his knowledge and expertise in the religious law? (p 65)

"However, if by his words he means that such things have occurred and might occur in the ranks of the mujahidin, we say that he should condemn the doers of such things, give them advice, and point out these things. Analogous things sometimes happen in every age and in every time, but the legitimacy of jihad, first of all, is not destroyed; second, such things are not kept quiet or approved; and third, they are condemned in the appropriate manner and suitable way. We read on the authority of Jabir, may God be pleased with him: 'We went out on a journey. A stone hit one of our men and fractured his head. Then he had a nocturnal emission. He asked his companions whether they would permit him to use sand to purify himself. They said that they could find no reason to permit him to do so when he could get water. So he washed himself completely in water and died. When we came back to the prophet, may God bless him and grant

him peace, he was informed of this, and he said: 'They killed him -- God kill them! Why did they not ask, since they did not know? The remedy of inability is the asking of information', 'Abu-Dawud includes the Hadith.

"This happened in the time of prophecy, when revelation was coming down from heaven. What do you think about today? Nevertheless, we stress that the mujahidin are among the people most remote from this stain, the most eager to know the truth and strive to obtain it. They seek fatwas from reputable scholars to know it. For this reason, you can hardly find a single detail of the law of jihad on which a study has not been written or a fatwa issued, or that has not been made the subject of discussion and study.

"The party of truth to which the mujahidin belong does not lack and will not lack men of learning who alert the negligent and teach the ignorant, in confirmation of the words of the prophet, may God bless him and grant him peace: 'A group from my community will not cease to fight in a state of truth, victorious over their opponents, until the last of them fight the antichrist' Ahmad (ibn Hanbal), Muslim, and al-Hakim include the Hadith on the authority of Imran ibn Husayn. Can a group be in a state of truth if it does not have with it the truth by which it is victorious? Can the truth exist without knowledge, understanding, and comprehension?

"We bear witness to the fact that the leaders and amirs of jihad on the whole are men of piety and inquiry. They are not people who take it upon themselves to speak on questions without understanding or who speak about God without knowledge. They are people who are consulting, and on all matters that come to them they refer to scholars and to their specialized learned committees. They rely on the fatwas of qualified scholars, whether they are in the jihadist organizations or outside. Examples of this abound and are very well known. This is something we have seen in most of them and have experienced from them, thanks be to God! (p 66)

"The 'guide' says: 'It occurs frequently in this age that a person condones something or commits something stupid and then looks afterward for some support in the Koran or Sunnah to justify his stupidity and ward off reproach. One can find this in individuals and groups. None of them will fail to find some plausible support, though he will have understood it and taken it in a way not intended by the divine Legislator.'

"How many of the questions that the 'guide' discusses in his document fit this description! This is especially true of the questions that he decided unambiguously in his previous books and balanced correctly, and then he has come here and unwoven his previous work, without proof or even suspicion of proof, casting aside and disregarding the arguments on which he relied in his previous books. One of the clearest of these questions is the question of asking one's parents' permission to perform jihad. A discussion of it will come in its proper place, God willing!

" A Captive Has No Authority

"The 'guide' says: 'First I say that the maxim, 'A captive has no authority' is not unconditional. The authors of the two books entitled Al-Ahkam al-Sultaniyah, al-Mawardi and Abu-Ya'la, may God have mercy on both of them, mention that if the imam of the Muslims is taken prisoner by the enemy, he retains his imamate and does not lose it as long as there is hope for his deliverance.'

"First, whoever said that the maxim, 'A captive has no authority,' was unconditional, so that the

writer might rush to prove this false from the books of the imams al-Mawardi and Abu-Ya'la? Why does he consider holding to this maxim 'doubtful,' and then he strives to reject it before the document comes out, racing to curb everything that might hinder the acceptance of its content and the espousing of its ideas? Why, immediately afterward, does the 'guide' say: 'However, those who raised this maxim had a suspicion that the approval of someone compelled and persecuted was unsound and of no consequence.'

"We say: Given that this document was produced in order to be an accessory to the crusader campaign being launched against Islam and Muslims and in order to prepare the way for it to overcome every obstacle impeding it, if the 'guide,' while in his captivity, had come to us with the strongest oaths to exculpate 'the ruling authorities' from the charge of paving the way for the issuance, publication, and benefiting from this document because it agrees with their objectives and suits their whims, we would not have believed his exculpation of them for a number of reasons: (p 67)

"First, Shaykh Abd-al-Qadir lived for a long time among the mujahidin. Pen and paper were available to him, and there was nothing to prevent him at that time from giving candid criticism, clear advice, and 'sound guidance.' All or most of the things that he has now set down in his guidance document in criticism of the mujahidin are old matters that took place while he still enjoyed his freedom and free choice. How is it that these bits of advice have come out only from the darkness of the prisons of Egyptian security, the most hostile enemies of Islam and those most given to torturing or killing the mujahidin?

"Yes, we do not deny that there are some questions that he has raised in the Guidance Document that he had mentioned in some of his books, such as the question of the visa; but the matter here is a leap beyond that, inasmuch as he has decided questions by a method contrary to his usual one of finding an authentic basis on which to argue. On some of these questions he has chosen positions completely at variance with those he used to hold, positions that he proved and demonstrated at length and whose objections he refuted. If you add this to the fact that these views emanated from the school of 'Egyptian security,' which was monitoring what was being written letter by letter, the mystery will be solved for you and you will know the truth about the document and the truth about its 'guidance.' You will know who benefits from it first and last, and you will understand that in this case 'the captive has no authority.'

"Second, it is definitely known that the Egyptian Government in particular and the Arab governments in general are openly combating Islam and are maltreating its advocates and the mujahidin in an unprecedented manner. These client governments have employed all of their resources, powers, and institutions to preserve their thrones and to promote the schemes of their friends. They will crush every obstacle that stands between them and these two objectives, even if it is the entire people. Examples and evidence of this are many. Daily reality reveals this truth and confirms it minute by minute.

"If this is the settled reality with regard to these governments and we know that the subject of the Guidance Document, as stated in its title, is 'To Guide Jihad Action in Egypt and the World,' and we try as hard as we can to unite these two opposites, though we will not be able to, we shall perceive what this 'guidance' and 'jihad,' whose concept the document tries to instill in the mujahidin in Egypt and the world, is.

"As everyone knows, jihad has a definite, clear meaning, especially in the mind of the writer of the document and also in his books. Its meaning is fighting non-believers until 'God's word is the uppermost' (Koranic verse; Al-Tawbah 9:40). Among those who must be fought are the

apostate rulers, including -- or at their head -- the Egyptian Government. So the gist of the title of the Guidance Document, whose writing and publication the Egyptian Government approved and employed its resources to distribute, is: Guiding the Mujahidin to the Correct Manner in Which Egypt's 'Ruling Powers' and the World's Other Infidels Are To Be Fought! (p 68)

"Stated more clearly and plainly, the Egyptian Government, which allows nothing to emerge from its prisons without its permission and knowledge, is advising and guiding the mujahidin to the correct method to fight it so that they can unite two things: obtaining a reward from God for their jihad against it, since according to the Guidance Document it agrees with what the prophet, may God bless him and grant him peace, brought; and, second, guaranteeing the achievement of the goal behind this fighting, which is to topple the 'ruling powers' and institute an Islamic state in their place.

"Therefore, as long as the ruling powers want the mujahidin to come to power and as long as they are guiding them or helping those who guide them to the correct path to attain and realize this objective, why don't they shorten their time and effort, spare the blood of their soldiers and forces, and hand matters over to the mujahidin, or even to the Islamists of the legitimate channels, so that they can realize the objective that these authorities want and that they are urging by means of their 'Guidance Document' 'written by a captive in their prisons who want to busy them with the margins and distract them from the pith by raising the issue of 'a captive has no authority,' an issue that has no function here?

"Third, if the matter were limited to merely denying that the words of Shaykh Abd-al-Qadir are the words of guardian commanding and forbidding, what he mentioned in his reply to that 'suspicion' would have sufficed him. He said: 'I have claimed no guardianship over anyone. I bind no one by speaking in the name of heeding and obeying the leadership. This is something that does not exist. I am merely an advisor and conveyor of knowledge.' Then what need is there afterward to go to great lengths to dispel this 'doubtful matter'?

"In particular, nearly all the mujahidin know that Shaykh Abd-al-Qadir has not been the amir of any jihadist group since long ago. Stating this about him is merely stating the obvious. Therefore I think the raising of this question -- a captive has no authority -- proposing it in this place, and making an effort to repel it as something doubtful to which someone who does not accept prison documents may be attached is intended to make ready and pave the way for 'changes of mind' that may emanate from imprisoned persons who do have authority over their followers, either in Egypt or elsewhere. We should especially bear in mind that a number of countries have begun to follow in the footsteps of the Egyptian authorities in making use of the new method of 'changes of mind' gradually being developed. (p 69)

"It seems that the Guidance Document is telling the mujahidin that the maxim, 'A captive has no authority' is not unconditional. Indeed, it is possible for a captive to retain his authority and to command and forbid, and therefore his soldiers and followers then must continue to heed and obey, even accepting his changes of mind that may emanate from behind bars.

"Fourth, if one does not absolutely deny the authority of a captive, it does not mean that everything that comes from him is to be accepted. One must certainly exempt those things that definitely benefit his captors' interest, implement their purposes, and realize their objectives. This is the case with regard to the Guidance Document. Even if the reason for its issuance was not certain compulsion by his captors, there is still room for suspicion and hesitation. One does not trust such things or pay attention to them, especially if there is definite evidence that what he is saying and affirming while captive completely contradicts what he upheld while he was free

and independent. How much more so if what he is affirming and 'commanding' is contrary to the religious law and opposed to the way of right guidance!

"For this reason, Umar, may God be pleased with him, said: 'A man is not the keeper of his soul if he is imprisoned, bound, or tortured.'

"Our discussion here applies to what emanates from a captive in his capacity as 'an authority' who can command and forbid, bind and loose, and be heeded and obeyed. It does not apply when he is regarded as an imprisoned Muslim individual whose mere words are transmitted, not as commanding or forbidding, or as requiring to be heeded and obeyed. Such words have no connection with authority and do not come under the maxim of a captive's having no authority. " Yes to the claim of Joseph, peace be upon him, and no to the nonsense of the document!

"The 'guide' goes on to say, on the basis of the story of God's prophet Joseph, peace be upon him, that he 'preached... while he was in prison, and was his imprisonment an argument for rejecting the truth he spoken?' Furthermore, he says that the case was similar with regard to what the Shaykh al-Islam Ibn Taymiyyah and the Imam al-Seraphs wrote while they were in prison. This is a kind of misrepresentation and distortion meant to cause the document to pass by any means.

"There is no one who says that everything that comes from prisons is to be rejected. Some months before this document came out, I said in an interview, 'Dotting the Letters,' with the Al-Sahib organization: 'I can summarize for you what I think is the correct way of dealing with this crucial issue in a few points: (p 70)

"First, the conditions being experienced by the imprisoned brothers to whom a 'change of mind' is being attributed are conditions of coercion and compulsion. Statements are being extracted by force and duress. The prisoners are being pressured and blackmailed by dirty methods in order to implant ideas and thinking that anyone having the slightest understanding will perceive to be utterly remote from having support in religious law or scholarly backing. Fairness, therefore, obliges us to give careful consideration to whether these new ideas and thoughts are congruent with the convictions of their authors so that they would speak of them and follow them while having full freedom and free choice.

"While the religious law permits a Muslim under duress to speak words of non-belief, the most grievous words that can be spoken, if the heart is still at rest in faith, what about something less than that? God says: 'Whoso disbelieves in God, after he has believed -- excepting him who has been compelled, and his heart is still at rest in his belief -- but whosoever's breast is expanded in non-belief, upon them shall rest anger from God, and there awaits them a mighty chastisement' (Koranic verse; Al-Nahl 16:106).

"Second, to those who want to make the issue of changes of mind a prominent headline in which is written, 'Here are your brothers; be like them!' we say: One must distinguish between benefiting from experiences, extracting lessons from them, and learning from events on the one hand, and on the other hand, making those experiences a just arbiter and decisive word in places of conflict and areas of disagreement. Judgment, decision, and overcoming disagreement belong only to God's book and the Sunnah of His prophet, may God bless him and grant him peace. Only by these two things can the words and deeds of God's servants be weighed and their quarrels overcome. God says: 'O believers, obey God, and obey the Messenger and those in authority among you. If you should quarrel on anything, refer it to God and the Messenger, if you believe in God and the Last Day; that is better, and fairer in the issue' (Koranic verse; Al-

Nisa 4:59).

"Therefore it is not at all correct that we should make penitents' changes of mind and the experiences of tested men, whatever their rank, a conclusive legal argument to which we refer when there is disagreement. No one should come and say to us: 'You are still Egyptians following your way and method and adhering to your ideas, while so-and-so has changed his mind about them -- and he is someone whose learning background you know.' We say: Yes, they are people of learning and background, but this does not fill their words with sanctity that makes them axiomatic, with no room for criticism, contradiction, or objection. Our religious and legal obligation is to measure the words of every person who changes his mind by the accurate legal scale that is never even slightly unjust. We must put those sudden ideas to the touchstone of proof in order to see how close or far they are from the truth. Then, and only then, can we judge as wrong or right any idea that comes from anywhere. As for unconditional acceptance, complete sanctioning, and automatic appeal to their experiences and rethinkings, without submitting them to God's book and the Sunnah of His prophet, may God bless him and grant him peace, that is a mistake and error with which no one's religion can be sound and that cannot be the way of one who seeks the truth and aspires to know and follow it.' (p 71)

"This is the very thing that we are doing in our discussion of the Guidance Document, given our firm belief that it has been published, distributed, and received such media attention only in order to strike at the mujahidin, misrepresent the jihad, and preserve the ruling regimes that dominate countries and enjoy the mastery that they impose on God's servants. This is what we stress and repeat from time to time in this discussion, lest it slip from people's minds. The length of the discussions will not make us forget the reality. What do the effects of this document --distortion of the faith, aiding its criminal enemies, and propping up their thrones, which have begun to totter thanks to God and to what he has bestowed on His servants the mujahidin -- what do these effects have to do with the advice of God's prophet Joseph, on whom be peace, or what Ibn Taymiyyah and Al-Sarakhsi decided in their books that they composed in prison?

"Joseph, on whom be peace, who gave advice in his imprisonment, never offered a single word indicating an inclination to defend and maintain 'the religion of the king' in whose prison he lay. Rather, he said things that clashed with that religion and completely opposed it. To those whom he was advising and guiding he said: 'Say, which is better, my fellow-prisoners-- many gods at variance, or God the One, the Omnipotent? That which you serve, apart from Him, is nothing but names yourselves have named, you and your fathers; God has sent down no authority touching them. Judgment belongs only to God; He has commanded that you shall not serve any but Him. That is the right religion; but most men know not' (Koranic verse; Yusuf 12:39-40).

"While he was in prison, Joseph, on whom be peace, summoned to pure monotheism and the right religion. In his summons there was no service to many gods or to their followers, no rapprochement between him and them. As the Imam Ibn Jarir (al-Tabari), may God have mercy on him, said: 'That is the right religion : he is saying that this is what I have summoned you to, namely, renounce the worship of anything other than God, i.e. idols, and worship only God, the One, the Omnipotent. That is the straight religion in which there is no crookedness, the truth in which there is no doubt'(al-Tabari, Tafsir, 16:106).

"Professor Sayyid Qutb, may God have mercy on him, said: 'In these few shining, decisive, enlightening words, Joseph sketched all the features of this religion and all the components of this creed, and in them he violently shook all the pillars of polytheism, tyranny, and paganism'(Sayyid Qutb, Fi Zilal al-Qur'an, 4:311). (p 72)

"The summons of God's Prophet Joseph, on whom be peace, was not under the supervision of 'the ruling authorities' nor was it promoted, published, supported, or publicized by them. Rather, it was contrary to their interests and countered their desires. Everyone can see the difference!

"Even when the tidings of his release came, he refused to leave until everyone knew that he was innocent of every charge. As God says: "The king said, 'Bring him to me!' And when the messenger came to him, he said, 'Return unto thy lord, and ask of him, 'What of the women who cut their hands?' Surely my Lord has knowledge of their guile" (Koranic verse; Yusuf 12:50).

"The learned Al-Sa'di, may God have mercy on him, said: 'God says, The king said, to those in his presence, 'Bring him to me!' -- i.e., Joseph, on whom be peace, by taking him out of prison and bringing him to me. When the messenger came to Joseph and commanded him to appear before the king, Joseph refrained from hastening to leave until his complete innocence should become clear. This was because of his patience, intellect, and perfect judgment' (Al-Sa'di, Tafsir, 1:400).

"The prophet, may God bless him and grant him peace, accounted this to be one of Joseph's claims to glory, as stated in a Hadith: 'Had I remained in prison as long as Joseph did, I would have said yes to the summoner' Both Al-Bukhari (6:60:216) and Muslim include the Hadith.

"The Imam Ibn Kathir, may God have mercy on him, said: 'A tradition has been transmitted praising him for this and calling attention to his merit and nobility, his high rank and patience, may God's blessings and peace be upon him' (Ibn Kathir, Tafsir, 4:393). Then he cites the Hadith.

"The Imam Ibn Hajar, may God have mercy on him, said: ' Had I remained in prison as long as Joseph did, I would have said yes to the summoner. i.e., I would have hastened to agree to leave prison, and I would not have demanded to be exonerated. The prophet described Joseph as having great patience when he did not hasten to leave. The prophet, may God bless him and grant him peace, said it only out of humility. Humility does not lower the rank of a great man; it increases him in elevation and loftiness. The Hadith is said to be of the same kind as the prophet's words, 'Do not prefer me to Jonah.' He is said to have said this before he knew that he was better than all' (Ibn Hajar, Fath al-Bari, 6:413).

"The point is not to reject everything that comes from prison and invalidate everything that comes from prisoners. This is a general issue that is no worth discussing here. The point only has to do with the Guidance Document, which has come out entirely in agreement with the objectives of the ruling authorities and their friends, the leaders of the crusader campaign. Anyone who gives it even a passing reading will perceive that accepting all its provisions and abiding by its regulations would only mean surrendering to those tyrannical regimes and giving them a chance to catch their breath and something of their strength. It would completely suspend the jihad, firmly close its doors, and push the mujahidin to the other opinions that the document sketches, which come down to isolation, retirement, and a profound feeling of weakness and impotence, so that 'Caesar' will continue to enjoy peace and security forever. (p 73)

"The 'guide' says: 'On the topic of jihad, which is the subject of this document, like other matters

of religion, the ability to perform it is one of the conditions requisite for its being an obligation. However, ability to perform jihad is not limited to the Muslim himself, his bodily and financial strength, but goes beyond him to the reality of conditions surrounding him, consisting of those who agree and those who disagree. For this reason, God praised those who strive in His way, but He also praised the people of the cave when they withdrew from their people and also praised the believer in the pharaoh's family who concealed his faith, although these three people confronted the same reality, a mass of people who opposed them in religion. The reactions with which they confronted this reality differed: one engaged in jihad, one withdrew, and one hid his religion; yet all were praiseworthy because each of them acted in accordance with his legal obligation in his time and place to the limits of his ability.'

"No one will doubt, the more he immerses himself in reading this document and observing the points it makes, that its primary purpose is to set a barrier between the mujahidin and the ruling powers and crusader friends. It tries with all the plausible arguments, distortions, and fabrications it can muster to make the mujahidin feel that the doors of jihad are closed to them, the roads leading to its performance shut, and that they would not be sinful or blameworthy if they ceased and desisted from it because they are weak and impotent, and a prerequisite for obligation, as everyone knows and admits, is ability and power. This is the same argument that the document made earlier: that one of the conditions for obligation is 'knowledge' and then it proceeded by covert deception to create confusion between the kind of knowledge on which obligation is contingent and the kind of knowledge that must be obtained as a result of the existence of obligation. We have explained this already. So if 'knowledge' does not exist as well as the 'power' by which obligation comes to be, what remains except for the document to say that 'attainment' is also absent? Thus, jihad is completely canceled for the nation because all the conditions for jihad are lacking. Let Muslims rejoice that obligation and blame have been lifted from them! Let the tyrant rulers and their friends enjoy the safety of their thrones and survival of their authority, for no offense, no disturbance, and no annoyance will reach them!

"A number of points require attention here: (p 74)

"First, the lapse of jihad due to absence of power and lack of ability does not mean the lapse of the obligation to incite to it and urge the nation to revive it. It does not mean the lapse of the obligation to inform the nation of the truth about its enemies, the strength of their cunning and the greatness of their machinations, and that the only remedy for its weakness and impotence is to make every effort to raise the banner of jihad, which is the right direction which the entire nation needs to take speedily.

"Teaching the nation the logic of weakness, the concepts of impotence, and submission to realism, and removing any anxiety it may feel about its shortcomings, this is contrary to the command contained in God's word: 'O Prophet, urge on the believers to fight' (Koranic verse; Al-Anfal 8:65). God also says: 'So do thou fight in the way of God; thou art charged only with thyself. And urge on the believers; haply God will restrain the non-believers' might; God is stronger in might, more terrible in punishing'(Koranic verse; Al-Nisa 4:84).

"Al-Razi, may God have mercy on him, says: ' And urge on the believers : The meaning is that the obligation incumbent on the messenger, may God bless him and grant him peace, is only to strive in jihad and to urge the believers to strive in jihad. If he performs these two things, he has fulfilled his obligation and cannot be blamed for someone else's failure to perform jihad' (al-Razi, Tafsir, 5:308).

"The Imam al-Sa'di, may God have mercy on him, said: ' And urge on the believers -- to fight.

This includes everything whereby the eagerness of the believers and strength of their hearts can be obtained, such as encouraging them and informing them of the weakness and cowardice of the enemies, the reward prepared for fighters, and the punishment of those who lag behind. This and the like fall under the heading of urging to fight' (al-Sa'di, Tafsir, 1:190).

"Indeed, Shaykh Abd-al-Qadir himself once said: 'One incapable of jihad must urge others, as God has said: 'So do thou fight in the way of God; thou art charged only with thyself. And urge on the believers'(Koranic verse; Al-Nisa 4:84). God also says: 'O Prophet, urge on the believers to fight' (Koranic verse; Al-Anfal 8:65). This is a duty incumbent on the capable and the incapable. Every Muslim must urge his brothers to fight the polytheists. We in our time are most in need of following these verses. In this lies a great reward, for the messenger of God, may God bless him and grant him peace, has said: 'He who guides to something good has a reward like that of its doer.' The Hadith is included by Muslim (20:4665) on the authority of Abu-Mas'ud al-Badri (Shaykh Abd-al-Qadir, al- Umdah, p 40).

"What the Guidance Document undertakes to do with its guiding is completely contrary to this divine command. It makes the nation's enemies appear more menacing, it exaggerates their strength in its eyes, it thoroughly defames the mujahidin, it portrays them as evildoers who pause at hardly anything, and it calls on the nation to submit to reality, accept impotence, and be content with weakness. What do the two things have in common? (p 75)

"Second, when we say that the obligation to perform jihad is contingent on ability, there needs to be a definition of this ability, such that if we reach it we become obligated to perform jihad, and if we fall short of it the obligation lapses from us. What is that definition? How is it established -- by the religious law or by custom?

"As is well known, the religious law set no fixed quantitative boundary to separate obligation from its lapse. As the prophet, may God bless him and grant him peace, said, for example, concerning prayer: 'Pray standing up; and if you cannot, then seated; and if you cannot, then on your side' Ahmad (ibn Hanbal) and Al-Bukhari (2:20:218) include the Hadith on the authority of Imran ibn Husayn."All of this, however, is closely connected with striving to the extent of one's ability. This ability is not that on which the obligation depends; it is a command that Muslims should not cease from their preparation at any point or be satisfied with a certain amount. Rather, they must always be striving to obtain, increase, and improve their abilities. They are under obligation vis-A -vis the religious law regarding every weapon, every industry, every piece of equipment, or every expertise that Muslims can find. As God says: 'Make ready for them whatever force and strings of horses you can to terrify thereby the enemy of God and your enemy, and others besides them that you know not; God knows them. And whatsoever you expend in the way of God shall be repaid you in full; you will not be wronged' (Koranic verse; Al-Anfal8:60).

"The Imam Ibn Kathir, may God have mercy on him, said: 'Then God the Exalted commanded the preparation of military devices for their fighters, according to their power, resources, and ability. He said, 'Make-ready for them whatever you can,' i.e., whatever is possible for you' (Ibn Kathir, Tafsir, 4:80).

"When we know that the religious law has set no definitely fixed quantitative bounds on the ability whereby the obligation to perform jihad comes to be and by whose deficiency or absence the obligation lapses, and when we also know that the religious law does not charge people with what they have no power to perform, then there must be some direction to which one can turn to learn whether the nation as a whole is capable of fighting and able to perform it or whether it is

really so incapable that the obligation and responsibility lapse. What is that direction?

"Third, and it is related to the preceding and the answer to that question: Since everyone who wishes to escape from performing jihad is likely to allege lack of ability and slip away to escape the battlefield, if the determination of one's ability or inability were always left to oneself and one's own view, it would be utterly impossible to call anyone to task for avoiding jihad. Responsibility derives from obligation; there is no obligation where there is no power and ability; and ability is absent in accordance with a person's evaluation of his state. So how can thereby any calling to account? (p 76)

"As everyone knows, the religious law contains nothing of the sort. Some of the hypocrites once justified their not going forth on the ground on their lack of ability to do so, as God has said: 'Still they will swear to God, 'Had we been able, we would have gone out with you,' so destroying their souls; and God knows that they are truly liars' (Koranic verse; Al-Tawbah 9:42).

"The Imam Ibn Jarir (al-Tabari), may God have mercy on him, said: 'God says, 'They will swear' -- to you, Muhammad, those who are asking you for permission to refrain from going out with you, using falsehood to excuse themselves, so that you might accept their excuse and allow them to stay behind. 'By God' -- lying. 'Had we been able, we would have gone out with you' -- i.e., if we had had the power to go out with you, by the possession of wealth, mounts, ostentation, what a traveler and warrior must have, bodily health and strength -- 'we would have gone out with you' -- against your enemy. 'So destroying their souls' --i.e., bringing upon themselves, by their swearing falsely by God, destruction, and perdition, because they will cause themselves to inherit God's wrath and earn His painful chastisement. 'And God knows that they are truly liars' -- in their swearing to God that 'had we been able, we would have gone out with you' -- because they were capable of going out and possessed the means to do so: wealth, what a warrior needs in his campaigning and a traveler in his journeying, bodily health, and bodily strength' (Al-Tabari, Tafsir,14:271).

"The learned Ibn Ashur, may God have mercy on him, said: 'Ability means power. i.e., we are unable to go out. This is an excuse they are offering and intensification of their excuse' (Ibn Ashur, al-Tahrirwa al-Tanwir, 6:293).

"From this we learn that using inability to go forth and perform jihad as an excuse is nothing new; it existed in the time of the prophet. The verse also indicates that such pretexts are completely unacceptable. Those who claim inability often are making a false claim, 'and God knows that they are truly liars' even if they swear the most solemn oaths.

"Therefore, the authorities for assessing whether or not the nation is capable of jihad can only be sincere mujahidin, trustworthy scholars of religion, and tested experts who unite religious learning with knowledge of real conditions and practical exercise of this religious duty. Through their experience and perception of their enemy's strength, they can say to those who plead inability that they are liars because the reality of jihad gives the lie to their claim and negates their allegations of impotence. (p 77)

"During the contemporary Crusader war, in which non-belief joined together in an unprecedented alliance and united for them were unheard-of powers, resources, technologies, masses of armies, precision planning, and covert strategies and deception, the nation nevertheless proved, by God's grace, that it had almost fantastic power, strength, and ability to break the might of its enemies. This was because of the nation's reliance on its Lord, its not surrendering to claims of its impotence and weakness, the coming together of the efforts of its

sons, and their boldly engaging in various forms of rare sacrifice that made its enemy stand baffled, perplexed, and confused. Indeed, the enemy turned and fled disappointed, turning aside for nothing. Yet only yesterday they 'went forth from their habitations swaggering boastfully to show off to men, and barring from God's way' (Koranic verse; Al-Anfal 8:47).

"If the nation, despite its division, fragmentation, and domination by criminals, was able to stop the headlong Crusader flood and frustrate its plans -- their strength was dozens of times greater than that of the 'ruling powers' -- how can the nation be too weak to tear out the roots of these tyrannical systems that derive their strength only from the presence of these crusaders, whose impotence, weakness and fatigue has been shown by the 'weak and impotent' nation so that by God's grace they have become the laughingstock of the world?

"If the mujahidin and sincere scholars had waited for the prison directives and their guidance documents and had awaited what they would say regarding the nation while the hordes of crosses advanced over lands and countries, if they had taken to asking for their opinion whether the nation was unable or able to confront all these armies, the result today would have been the worst that the mind can imagine: the map of the region's countries would be different from what we see today. Indeed, these documents would not be coming out of the prisons because the need for them would be nonexistent -- they would have power, authority, and victory. With no one to resist or attack them, there would be no need to frustrate anyone's determination and tame his boldness with toxic documents of this sort.

"We have a question that needs to be asked here. When the communist Red Army, at that time the haughtiest, fiercest, and most vicious army, advanced over Afghanistan, a small, poor country whose people's material strength could not be compared to that of any people ruled by the 'ruling powers;' when that enemy attacked Afghanistan with its numbers and equipment, its sword and its iron, supported by the 'ruling powers' in those countries; when internal forces cooperated with external forces, so that they increased in strength and calamity befell that poor people -- despite all this, we never heard any of the nation's scholars in Afghanistan or elsewhere argue for abrogating the fight against the invaders on the ground of impotence and weakness. Instead, there was a call for mobilization. The young flew to the fields of jihad even before the old. The nation expended the treasures of its wealth and put forth the best of its men. It continued to be steadfast and endure patiently. It suffered and caused suffering. It hit and was hit until the affliction lifted, the darkness was dispelled, the army of atheism was crushed, and the power of corrupt and obstinate people was broken. (p 78)

"Had the mujahidin at that time -- a band pursued, a troop small in number, many of them imprisoned -- raised the flag of weakness, sunk wearily to the ground pleading inability, and not faced atheism's modern tanks with their humble rifles and weapons, would the nation have awoken from its slumber, shaken itself from its indifference, and rushed to their aid and support?

"Which of the two kinds of weakness is more entitled to be used as an argument: the weakness that dominated the people of Afghanistan, remote, poor, and oppressed, or that of the peoples of the region who have God knows how much stored expertise, accumulated goods, squandered powers, and widespread resources?

"Which of the two enemies is more entitled to have weakness used as an argument against its being confronted? Is it the huge army, with its deadly weapons ceaselessly rolling out of its factories, so that all the people of the West fear them, or the armies of the ruling authorities that rule only their own peoples and act like lions only toward their own sons? These authorities

deserve the words of the poet:

"A lion against me, but in the wars an ostrich:

"dust-colored, frightened by a whistler's whistling.

"If weakness at that time and in the face of that enemy was not a tenable argument for annulling the duty of jihad and lifting the obligation from the nation because of lack of power, how is it that this argument has been unveiled today? How is it that we suddenly learn that the nation has no strength to confront the enemy and no power to fight it? How is it that it would not be blamed if it abandoned jihad against these tyrants? After all, the prerequisite for obligation -- ability -- is not available, and, this being the case, 'God charges no soul save to its capacity' (Koranic verse; Al-Baqarah 2:286). So rejoice in how long you will be safe, Ba Mirba! The document has proved the nation's impotence! As a result, 'our opinion is that it is not permissible to clash with the ruling powers in the countries of Muslims in the name of jihad in order to implement the Shari'ah. Neither change by force nor clashing is an option under religious law. They are not a duty; what is a duty is to summon by 'more beautiful' means.'

"Fourth, if one grants that the nation is in a state of impotence, weakness, and lack of ability and that 'clashing' with 'the ruling powers' in the countries of Muslims and changing what is reprehensible by strength of hand is not an option under religious law, then the nation has no such obligation. (p 79)

"Why has the 'guide' moved immediately to the 'duty' to summon by 'more beautiful' means? Why has he lost sight of, or intentionally neglected, the religious duty that is the alternative to jihad when one lacks strength? That duty is to prepare strength and seek to obtain the ability. When jihad lapses and cannot be a legal option due to impotence, is it one's duty to move to summoning by 'more beautiful' means? Can summoning by 'more beautiful' means be what removes 'impotence and weakness' and can strength and ability be obtained by its means?

"The answer is what Shaykh Abd-al-Qadir himself once said: 'If Muslims complete their material preparation as far as they can --'Make ready for them whatever you can' (Koranic verse; Al-Anfal 8:60) -- and there is a likelihood of victory, there is a duty to begin jihad. It is not to be postponed in order to complete spiritual preparation. This means that when there is inability to perform jihad, one must strive to make two preparations, material and spiritual, together. Anyone who strives to make spiritual preparation and neglects or postpones material preparation has sinned by the neglect of something that has been commanded: 'Make ready for them whatever force you can' (Koranic verse; Al-Anfal 8:60)' (Shaykh Abd-al-Qadir, al-Umdah, p 395).

"If the nation were truly impotent and weak, as the Guidance Document alleges, its way out of such weakness would be not only by means of what the document guides to and limits itself to, summoning by 'more beautiful' means, so that the whole nation becomes tame, replaces the sword with generosity, and sheathes or breaks its sword forever. The way out of its weakness and inability would be to prepare material force side by side with spiritual education. Therefore it must strive to obtain weapons, stockpile them, train itself in their use, and prepare military and other experts, so that its sons can be soldiers who fight weapons with weapons, drive back wrong with determination, counter non-belief with harshness and severity, and repel force with force. That is the imperative legal obligation that the Guidance Document has ignored, turning from it shamelessly, and leading the nation into the realm of summoning by 'more beautiful' means in the face of those who would cut its throat, tear it limb from limb, desecrate what it

holds sacred, rape its women, and plunder its wealth.

"How beautiful are the words of Professor Sayyid Qutb, may God have mercy on him, concerning the Koranic verse of preparation! 'Islam is not a theological system realized as soon as a creed becomes firmly implanted in the heart, or a system of rites, and then its task ends! Islam is a practical and realistic system of life. It confronts other systems on which authorities are based and behind which material forces stand. For Islam to establish its divine system, it must smash those material forces and destroy the authorities that implement those other systems and resist the divine system' (Sayyid Qutb, *Fi Zilal al-Qur'an*, 3:432). (p 80)

"If jihad is not a duty for the nation due to its inability to perform it, this does not mean that the option of the nation of jihad is to remain indifferent and become meek-hearted. Instead, making the preparations that will lead to ability becomes the duty of every individual in the nation. As the Shaykh al-Islam (Ibn Taymiyyah), may God have mercy on him, said: 'Likewise, one must make ready for jihad by preparing strength and amassing horses at a time when jihad has been canceled due to inability; for that without which a duty cannot be fulfilled is itself a duty.' We have quoted this passage above.

"The matter of making ready is not as complicated as many think. The possibility of doing so is easier than expected. The areas for doing so are varied and many, and no Muslim will lack a share in some of them. By God's grace, the state of the nation today is much better than it was a few years ago, either in terms of the number of mujahidin, or in terms of the fields of jihad that have been opened and that include large peripheral and central areas -- Algeria, Afghanistan, Chechnya, Iraq, Somalia, and Palestine-- or in terms of the military resources and various training methods that they have. This good situation did not come about only as the result of 'summoning by more beautiful means' or avoiding clashes; it came about, with God's help, by exhausting efforts, dogged work, and enormous sacrifices, until God bestowed his blessing on the mujahidin and favored them. It came from the ways of good to which God led them. As God says: 'But those who struggle in Our cause, surely We shall guide them in Our ways; and God is with the good-doers'(Koranic verse, *Al-Ankabut* 29:69). God also says: 'O believers, whosoever of you turns from his religion, God will assuredly bring a people He loves, and who love Him, humble towards the believers, disdainful towards the non-believers, men who struggle in the path of God, not fearing the reproach of any reproacher. That is God's bounty; He gives it unto whom He will; and God is All-embracing, All-knowing' (Koranic verse; *Al-Ma'idah* 5:54).

"All that the matter requires is first to rely on God and then on resolution, determination, persistence, sincerity, and will. Let us learn a lesson from some of the theatres of jihad where the mujahidin are fighting the fiercest battles with their most vicious enemies. When the mujahidin in Palestine began their intifadah, the only weapons they had were stones, a few stones. They kept developing gradually until they had slingshots, then knives and bayonets, then rifles, then martyrdom operations, then Qassam rockets, and so forth, in confirmation of what God has said: 'But those who struggle in Our cause, surely We shall guide them in Our ways; and God is with the good-doers' (Koranic verse, *Al-Ankabut* 29:69).

"Fifth, if we granted that the nation is in a state of weakness, impotence, and paralysis that cancels its duty of jihad, that does not imply that jihad is not permitted for whoever wishes to take its burden upon himself, either by action or by words. Indeed, God willing, he will be rewarded for it, even if he has no other goal than martyrdom for the sake of God. How much more so if to this he joins emboldening Muslims against their enemies, manifesting the strength of faith and firmness of belief in the hearts of the people of Islam, firmly rejecting the falsehood represented by tyrannical regimes, and demonstrating that they have no legitimacy however

high they rise and swell themselves. All these things can be achieved purely by individual actions performed by some of the heroes of Islam, especially if some scholar openly speaks the word of truth in the face of falsehood. (p 81)

"God said to His prophet, on whom be blessings and peace: 'So do thou fight in the way of God; thou art charged only with thyself. And urge on the believers; haply God will restrain the non-believers' might; God is stronger in might, more terrible in punishing' (Koranic verse; Al-Nisa4:84).

"The Imam Ibn Atiyah, may God have mercy on him, said: 'On the surface this is a command to the prophet, on whom be peace, alone. However, we have found no tradition that says that fighting is a duty for the prophet to the exclusion of the community for any period of time. The meaning, God knows best, is that although it is outwardly addressed to the prophet, it is a pattern of what can be said to every person in his innermost soul. That is to say, to you, Muhammad and to everyone in your community these words are addressed, 'Fight in the way of God; thou art charged only with thyself. Therefore it behooves every believer to urge himself to fight, even by himself. This is like what the prophet said, 'By God, I will fight them until my neck is separated (from my head).' And Abu-Bakr said during the War of the Riddah, 'If my right hand disobeyed me, I would fight with my left'" (Ibn Atiyah, al-Muharrar al-Wajiz, 2:164).

"Al-Tabari includes the following tradition from Abu-Ishaq: I asked al-Bara' ibn Azib, 'Abu-Umarah, if a man encounters a thousand of the enemy and attacks them alone, will he be one of those of whom God says, 'Cast not yourselves by your own hands into destruction?' (Koranic verse; Al-Baqarah 2:195) He answered, 'No; let him fight until he is killed. God said to His prophet, 'So do thou fight in the way of God; thou art charged only with thyself'" (Koranic verse; Al-Nisa 4:84) (Al-Tabari, Tafsir,2:203).

"Consider Abdallah ibn Rawahah, one of the commanders selected by the messenger of God, may God bless him and grant him peace. At the Battle of Mu'tah he stood up to address an army consisting of 3,000 fighters facing a huge army numbering 200,000 fighters. He said to them, 'What you loathe is the very thing you came out to seek -- martyrdom. We do not fight by number or strength; we fight only by this religion. Go forward, for it is one of two good things: victory or martyrdom.' The messenger of God, may God bless him and grant him peace, knew of all this, but he did not criticize, revile, or say to them, 'Did you cast yourselves by your own hands into destruction?' He did not take them to task for being a small number and hurling themselves, despite their small number, against the huge sea of the Byzantine army. (p 82)

"We have already mentioned the story of Abdallah ibn Umm-Maktum and Abu-Talhah, may God be pleased with them. Such stories are many.

"What we intend to say is that the lapse of the duty of jihad does not mean the lapse of its permissibility, especially the speaking of the truth on the part of religious scholars. This is one of the greatest means to revive the nation, embolden it against its enemy, and lift impotence and weakness from it. Therefore, he who said such words deserved to be among the princes of martyrs, as the prophet, may God bless him and grant him peace, said: 'The prince of martyrs is Hamzah ibn Abd-al-Muttalib, and a man who stood before an unjust ruler, commanded and forbade him, and so he killed him.' Al-Tirmidhi and al-Hakim include the Hadith on the authority of Jabir, may God be pleased with him. The prophet, may God bless him and grant him peace, also said: 'The best jihad is that of someone who speaks a word of truth in the presence of an oppressive ruler.' Al-Tirmidhi, Abu-Dawud (37:4330) and Ibn Majah include the Hadith. The Shaykh al-Islam (Ibn Taymiyyah) said: 'If someone speaks a truth before an unjust

ruler, his death as a mujahid brings benefit to God's religion' (Ibn Taymiyyah, al-Fatawa al-Kubra, 26:182).

"Sixth, when we say that the ability that entails the duty of jihad does not exist, we must also look for the reasons why this ability is lacking. We must not simply mention its lack, accept it as a fact, and pass on. This is because the nation is essentially a nation of jihad, preparation, ability, and readiness to fight at all times. What then, has caused the nation to depart from this condition to the weakness and impotence it suffers today so that the duty of jihad has fallen from it?

"If the cause of this weakness is acquired, resulting from the nation's negligence of the religious obligations that it was bound to undertake and perform but that it neglected, forsook, and let slip, this compounds its obligations and multiplies its duties; it does not cause them to lapse. If, however, the weakness is the result of something compelled, inborn, and unavoidable that the nation has no power to remove, then it is excused for not performing jihad.

"Shaykh Abd-al-Qadir himself once stated that the nation of Islam is a nation of jihad, that the ground rule for its relations with former nations is a relationship of fighting and war, not one of truce and peace. The only exception to this is a state of impotence and emergency. (p 83)

"Thus, among other things, he said in his book, al-Umdah : 'Only impotence prevents Muslims from jihad, and in that case preparation is duty. This is because of what God says: 'So do not faint and call for peace; you shall be the upper ones' (Koranic verse; Muhammad 47:35). As long as there is strength in the Muslims and they are superior to their enemies, there is no peace, truce, or reconciliation, but rather fighting 'till there is no persecution and the religion is God's' (Koranic verse; Al-Baqarah 2:193). The final revelation that came down concerning jihad was the following: 'Slay the idolaters wherever you find them, and take them, and confine them, and lie in wait for them at every place of ambush. But if they repent, and perform the prayer, and pay the alms, then let them go their way; God is All-forgiving, All-compassionate' (Koranic verse; Al-Tawbah 9:5). This verse and the verse about the poll-tax (jizyah) in the same sura are a command for universal fighting. They are among the last passages of the Koran revealed and have no abrogating verses. Al-Bukhari includes a tradition on the authority of Al-Bara'ah, may God be pleased with him: 'The last sura to come down was Al-Bara'ah (Sura 9, also known as al-Tawbah).' This is what the prophet, may God bless him and grant him peace, and the caliphs after him did: fight the idolaters and the people of the book, as will be stated in Section 13, because only impotence can prevent this. You will see the non-believers making every effort to prevent the Muslims from possessing weapons, as God has said: 'The non-believers wish that you should be heedless of your weapons and your baggage, then they would wheel on you all at once' (Koranic verse; Al-Nisa4:102). I have repeatedly said in this essay that if impotence prevents jihad, one's duty is to make preparation, and this because of the verse, 'Make ready for them...' (Koranic verse; Al-Anfal 8:60). This was the position of Ibn Taymiyyah, may God have mercy on him.

"From the preceding you can know that the ground rule for its relations between Muslims and non-believers is a relationship of fighting. The only exception to this is peace in the form of a cease-fire or truce; and one resorts to this exception only out of necessity, impotence, and the like. Therefore God says: 'So do not faint and call for peace; you shall be the upper ones' (Koranic verse; Muhammad 47:35)' (Shaykh Abd-al-Qadir, al-Umdah, p 371).

"As everyone knows, the following are the most prominent symptoms of the weakness that the nation is experiencing:

"First, the disunity, fragmentation, and disagreement that have torn its limbs and severed its single body, and this despite God's commanding of concord and forbidding of disagreement in many places in His Book, as did His prophet as well. The internal strife that the nation is experiencing today is contrary to the command of the Shari'ah that the nation has a duty to work to perform and to strive by every means to implement, so that it can remove something of the weakness in which it is wallowing. Otherwise it will remain blameworthy for the existence of the weakness born of its disunity and for its not performing jihad because of its weakness. God has said: 'And obey God, and His Messenger, and do not quarrel together, and so lose heart, and your power depart; and be patient; surely God is with the patient' (Koranic verse; al-Anfal 8:46).

"One of the best ways to unite the nation and remove its disunity is jihad for the sake of God. Therefore, whenever the nation has relinquished it and abandoned its fields, disagreement has crept in and strife has taken hold of its limbs. Its disunity can hardly be overcome except by jihad, nor will jihad fully yield its fruit except by agreement: the two things are as closely connected as can be. As the Shaykh al-Islam (Ibn Taymiyyah) said: 'If men abandon jihad for the sake of God, God often tries them by sowing hatred among them until civil strife occurs among them as the case is now. If the people occupy themselves with jihad for the sake of God, God unites their hearts, creates harmony among them, and sets their strength against God's enemy and theirs. However, if they do not go forth in the way of God, God punishes them by clothing them with factions and causing them to employ their strength against each other' (Ibn Taymiyyah, Majmu' al-Fatawa, 15:44). (p 84)

"Second, it neglects to perform the religious duty of making ready strength in all its forms whereby the duty of jihad may be performed. When the nation became too lazy to execute the divine command, 'Make-ready for them whatever force and strings of horses you can' (Koranic verse; Al-Anfal 8:60) and ceased traveling the paths leading to it, weakness struck it. We have spoken at length about this matter previously, that when jihad ceases to be an obligation due to impotence, the alternative obligation is to make ready. What we mean to say here is that the overall state of weakness and inability that the document indicates is only the result of neglect of the commands of the law contained in the book of God and the Sunnah of His prophet, may God bless him and grant him peace. The weakness is not the result of something compelled and inevitable that the nation can do nothing about. Therefore, because of the importance of preparation and because the nation of Islam is a nation of jihad, it has been instructed to occupy itself with it even when it is in a state of strength and dominance, so that the nation may, at all times, be dreaded and secure. Therefore the prophet, may God bless him and grant him peace, said: 'Lands will be thrown open to you and God will be sufficient for you against your enemies, but none of you should stop practicing with his arrows' Muslim (20:4714) includes the tradition on the authority of Uqbah ibn Amir.

"Third, another cause and symptom of weakness is the nation's preoccupation with and devotion to its worldly affairs, many times more than its concern with matters of its religion. If the nation of Islam gave its religion, summoning, teaching, preparing oneself, expending, urging, commanding the good and forbidding evil, and jihad half the effort it gives to its worldly affairs, its condition would not be what it is today and weakness would not be able to overcome it. We read on the authority of Ibn Umar: The prophet, may God bless him and grant him peace, said: 'If you engage in sophisticated transactions to evade the prohibition on usury, take hold of the tails of cattle, are content to sow the ground, and abandon jihad, God will impose humiliation on you and not remove it until you return to your religion' (Abu-Dawud, Sunan, 23:3455).

"The learned Shams-al-Haqq al-Azimabadi said: 'This applies to busying oneself with farming at a time when jihad is obligatory. And abandon jihad -- i.e., the jihad whose performance is obligatory. God will impose humiliation (dhull) on you -- the word dhull means humiliation and misery. One kind of humiliation is the tax that they pay every year to the owner of the land. The cause of this humiliation, and God knows best, is that when they abandoned jihad for the sake of God, wherein lies the strength of Islam and its victory over every religion, God dealt with them on the opposite basis -- bringing humiliation on them. And so they came to walk behind the tails of cattle, when once they had ridden on the backs of horses, a much more honorable place' (Shams-al-Haqq al-Azimabadi, Awn al-Ma'bud, 9:241). (p 85)

"The learned Ibn Rajab al-Hanbali (died 1393), may God have mercy on him, said: 'One of the violations of the command of the messenger of God that causes the greatest humiliation is abandonment of the jihad that he waged against the enemies of God. Whoever walks the path of the messenger of God, may God bless him and grant him peace, will be strong, and whoever, though able, forsakes jihad will have humiliation. We have already cited the Hadith: 'If you engage in sophisticated transactions to evade the prohibition on usury, take hold of the tails of cattle, are content to sow the ground, and abandon jihad, God will impose humiliation on you and not remove it until you return to your religion.' The prophet, may God bless him and grant him peace, once saw a plough share and said, 'Whenever it enters a people's dwelling, humiliation enters.' So anyone who, though able, abandons the jihad that the prophet waged and diverts himself from it with obtaining the things of this world, even by legal means, will suffer humiliation. How much more so if he diverts himself from jihad by amassing the things of this world by forbidden means!' (Ibn Rajab al-Hanbali, al-Hikam al-Jadirah bi al-Idha'ah, 1:21).

"Fourth, transgressions will proliferate and offenses spread. The commanding of virtue and forbidding of vice will weaken. All of these acquired causes have led to the coming of God's punishment, which includes domination by the enemies of God. As God says: 'Whatever affliction may visit you is for what your own hands have earned; and He pardons much'(Koranic verse; Al-Shura 42:30).

"The intent of all this is that granting that the Islamic nation today is experiencing a real state of weakness that cancels its duty to perform jihad, the cause of this impotence is the nation itself: it is responsible for it before God, because it is the inevitable result of violating God's commands and doing what He has forbidden. This increases the nation's obligations, multiplies its duties, and makes the demands numerous. And to God we turn for help!"The discussion will be continued, God permitting.

"Praise be to God, first and last!"