

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

A JUST RESPONSE TO THE BIASED AUTHOR

REFLECTING THE TRUE
MEANING OF

“IMAN, KUFR AND TAKFIR”

الرَّدُّ السَّيِّدُ لِلْعُنُودِ الْجَدِيدِ

لَمَا سَاقَهُ مِنَ الْأَخْطَاءِ فِي رَسِيلَةِ

“الإيمان، والكفر والتكفير”

COMPILED BY

MAULANA FAIZAN UL-MUSTAFA

UNDER THE GUIDANCE OF

SAYYIDI TAAJ AL-SHARI’AH, MUFTI AL-HIND,
MUHAMMAD AKHTAR RIDHA AL-BAREILLWI

faizaan.ulmustafa@gmail.com

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بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِیْمِ

1. PRELIMINARY

The English article in front of us entitled ‘Iman, *Kufr* and Takfir’ penned by the American author, Nuh Ha Mim Keller, attempts to disprove the charge of infidelity against the Deobandis sect. We listened to the entire article and noticed that it is full of contradictions as it should be declared through the coming statements from us. We begin by putting some questions to the author, reflecting to him his contradictions:

QUESTION 1: The author¹ (p. 1) raises the following question in the beginning of the article and offers its reply,

“Question: Is someone who has an idea that is *kufr* or “unbelief” thereby an “unbeliever? Answer: The short answer, somewhat surprisingly, is “not necessarily”.”

Our question to the author is that he himself has later declared that in some conditions such a person will be called an infidel and in others he will not. Since this ruling was limited to some conditions, why did he state in a short answer “it is not necessary”? If he could not surround all the conditions in a short answer, he could have said “it is not necessary in every condition”. Is it by chance that he does not mention the condition and in advance declare the result which comes at the end of the discussion i.e. Deobandis are not infidel in any way and that it is wrong to declare them *kafir*, or is it to be firm on that very absolute rule “It is not necessary”? We will consider this issue within the subsequent passages.

QUESTION 2: The author (p. 1) raised another pressing question, that is, should we call a person an “unbeliever” who has an idea that is *kufr* or unbelief?

Our question in regards to this is: thought, ideology and belief are synonymous words and an intention is a must for them. The result of the said answer by the author is that it is not necessary to declare the person whose thought is based on infidelity or false belief an infidel. Whereas the author himself has later declared that the intentional disgrace of the Messenger of Allah (May Allah send peace and blessings upon him) is *kufr*. Is it not a clear contradiction in his comments? If not, then why not? And what reason does the author offer to connect these contradictory statements?

QUESTION 3: The author continues to write (p. 1),

“Many people today read an expression labeled in books of Islamic law as *kufr*, and when they realise that some Muslim they know or have heard of has an idea like it, they jump to the conclusion that he is a *kafir*.”

Our question in regards to the aforementioned statement is that when people realise that a person has an idea that is labeled *kufr* in the books of Islamic law, then why does he object? If that book is authentic and the infidelity charge against the certain person is established

¹ Note that we address Nuh Ha Mim Keller as “the author” throughout this reply.

according to the statement of the book, so why then shouldn't people rely upon it? Does the author want people to ignore the reliable books, as well as the reliable Ulama, and listen to him only?

QUESTION 4: The author (p. 1) also says,

“Charging fellow Muslims with unbelief (*takfir*) is an enormity in the eyes of Allah.”

Undoubtedly, it is very enormous to charge a Muslim with unbelief if it should be without dogmatic proof and in a case wherein the dogmatic proof is established, it is obligatory to consider the person a *kafir* and to declare him as *kafir* on demand. This, in actual fact, is not charging a Muslim with unbelief but it is to consider someone an infidel who left the fold of Islam due to committing blasphemy and or refusing any one of the principles of the religion (*Ma'lumat min al-Din bi al-Dharurah*). The ugliness of the Deobandi statements is so admitted by the author that he himself states in the very same article (p. 20-21),

“In sum, Khalil Ahmad Saharanpuri's ***disadvantageously comparing*** the Prophet's knowledge (Allah bless him and give him peace) to Satan's, the vilest creature in existence—regardless of the point he was making—is ***something few Muslims can accept***. Whether Khalil Ahmad regarded it as a feat of ingenuity to show that because the Prophet's knowledge was less than the Devil's, it was a fortiori less than Allah's, or whatever his impulse may have been, ***he badly stumbled in this passage. In any previous Islamic community***, whether in Hyderabad, Kabul, Baghdad, Cairo, Fez, or Damascus—in short, practically anywhere besides the British India of his day—***Muslims would have found his words repugnant and unacceptable.***”

Similarly, the author quoted the subsequent words of Ashraf Ali Thanwi (p. 21),

“If it refers to but some of the unseen, then how is the Revered One [the Prophet] (Allah bless him and give him peace) uniquely special, when such unseen knowledge is possessed by Zayd and 'Amr [i.e. just anyone], indeed, by every child and madman, and even by all animals and beasts?”

To which he remarked (p. 22),

“Looking back, one cannot help wondering why Khalil Ahmad's and Ashraf 'Ali Thanwi's own students and teachers and friends did not ask them, before their opponents asked them: ***when did any Islamic scholar*** ever compare the knowledge of the Prophet (Allah bless him and give him peace) to the depraved, to the mad, or to animals—even to make a point? ***Few Muslims*** would suffer such a comparison to be made with their own father, let alone the Emissary of God (Allah bless him and give him peace). But while such words were ***indefensible breaches of proper respect***, they were not *kufi*, because the intention behind them was not to insult the Prophet (Allah bless him and give him peace), but to defend Islam from what the writers viewed as a serious threat.”

It is clear in the author's remarks, that he doubts that “few Muslims” may agree to these evil statements. Is it not the result of the admission (although full of doubt) that surely, even in the view of author, no Muslim would tolerate these ugly comments? In spite of this admission, the author writes a preamble to save Deobandis from the charge of infidelity, and to declare

(p. 22) as the result of this that it is a mistake to declare them as *kafir*, is it not a contradiction by the author? Also, is the aforementioned sentence absolute according to the author, or is it conditional? If it is absolute, then the author contradicts what he has said (p. 1) before that, “the person would be considered as *kafir* in some cases and in some not”. It means that the ruling is conditional, so why did he leave it absolute? And in the case of it being conditional, why didn't he elaborate the conditions (*quyud*) and possible aspects through the statements of Scholastics (*wujuh mumkinah fi kalam al-mutakallim*) such as the ‘evident’ (*sarih*), Determined (*muta'ayan*); and why didn't he mention the rulings of them both, as well as detailing of the various thoughts of the Theologians (Fuqaha) and Scholastics (*mutakallimun*) regarding them? How could the author have elaborated all of this, whereas he says, after he mentioned the strife of the Wahhabis, which took place in the eighteenth century (p. 1),

“Charging fellow Muslims with unbelief (takfir) is an enormity in the eyes of Allah. It is the fitna or “strife” that destroyed previous faiths, and whose fire in Islamic times was put out with the defeat of the Kharijites, only to be revived on a wholesale scale almost a thousand years later by Wahhabi sect of Arabia in the eighteenth century, from whence ***its acceptability has spread today to a great many otherwise orthodox Muslims, becoming the bid'a of our times***, and one of the most confusing Islamic issues”?

The article of the author is in English, wherein the author has called many Muslims "orthodox". Orthodox according to the English dictionary is used in a few meanings, which are given as follows: a) orthodox (adj.) “generally a person holding accepted rightly taught belief” and “old fashioned” thus someone with such views, b) orthodoxy (n.) being orthodox, i.e. holding the correct belief or having old fashioned views.

It comes through the above reference that orthodox has two meanings: a person who upholds correct beliefs or someone who has old fashioned views. The author should be questioned regarding what he means by orthodox? On the basis of the first condition, that is someone who upholds correct belief, he must clarify: how could those people remain orthodox amongst whom the acceptability spread according to the author of that which he claims to be a *bid'a* of our age? And on the basis of the second condition, is it not evident through his statement, that the matter which is usually acceptable to many Muslims, who are according to him orthodox, and this very issue is outmoded according to his statement, which has been prevailing since the early age, then, how could it be correct to call this a great *bid'a* or innovation of this time? Is it not a false accusation against orthodox Muslims? And is it not an indiscriminate contempt of all Muslims?

The author taunts orthodoxy, for which we ask him; are the principles of Islam new? Never at any account, surely they are the same as those which the Noble Prophet (upon him be peace and blessings) brought many centuries ago. Hence, he must clarify whether his criticism is on many Muslims alone or on the principles of Islam as well? No doubt, this criticism is placed on the principles of Islam too. So is the author a preacher of modern principles of the religion and a new Islam? He is objecting to orthodoxy and preaching innovation? Thus, what does this make him?

2. THE INFIDELITY (*KUFR*) OF QASIM NANONTAWI FOR HIS OUTRIGHT DENIAL OF THE FIXED MEANING OF “*KHATAM AL-NABIYYEEN*” IN *TAHZIR AL-NAS*

QUESTION 5: The author asserts (p. 1) it is an enormity to charge a Muslim with infidelity. Although, this is a general comment, but it is clear that the author makes this assertion in order to defend the Deobandis. That means clearly that Deobandis are Muslims in the author’s view and it is an enormity to call them infidels. Now, it is a responsibility upon the author to prove that Deobandis are Muslims: is the denial of *Khatm al-Nubuwwah* (Finality of Prophethood) not a rejection of an Islamic principle? The author must read carefully the following statement by Nanotvi

“Being the last Messenger in the view of the laymen is in the meaning that he is the last of all”²

“That being early or late in time has no virtue in person”²

“Suppose if there should be any Prophet in the era of His Holiness or thereafter, even then it would not affect the finality of (Sayyiduna) Muhammad in Prophethood”²

Is the refutation of *Khatm al-Nubuwwah* (Finality of Prophethood” not a refusal of the principles of Islam? Is it not a refusal of Quran, Sunnah and consensus of the Ummah to consider the Qur’anic term ‘*Khatam al-Nabiyyeen*’ in the meaning of ‘the last messenger’ as the belief of laymen (i.e. the ignorant)? If not, then why not? And if it is a refusal, and indeed it is so, then is it not infidelity? After declaring the aforesaid meaning of “*Khatam al-Nabiyyeen*” as a thought of laymen, is it not a refusal upon refusal and is it not denial upon denial to later say that “it would be clear to the people of understanding that being advance or late in time has no virtue in itself”²?

2.1 The author must declare in the light of Imam al-Ghazali’s *al-Iqtisad*, a book reliable to him, whether there is any acceptable interpretation (*ta’wil*) regarding the verse (خاتم النبيين) “*Khatam al-Nabiyyeen*”? If there is any, then what is it? And what evidence is there on the acceptability of it from the Shari’ah? If there is never any interpretation³ at any account, then does this not become refusal upon refusal and denial upon denial of the sacred verse (خاتم النبيين) Also, not to consider it as an appreciable attribute of praise even though the Quran has mentioned it in the situation of praise and it has been considered through the Sunnah and unanimous belief of the Ummah to be a great excellence of the Noble Prophet (May peace be Upon Him) and all of that is considered to be the essential principles of Islam. Therefore, repulsing all of this, Qasim Nanotvi has refuted many Islamic principles in his above mentioned statements and even then he is a Muslim, according to the author, and it is baseless

² These were the comments of Qasim Nanotawi in *Tahzir al-Nas*.

³ I.e. that which deviates from the mass-narrated and well known meaning of “*Khatam al-Nabiyyeen*” among Muslims.

to charge him with infidelity. How can the author give an interpretation to “*Khatam al-Nabiyyeen*”, whereas Imam al-Ghazali categorically states in *al-Iqtisad*,

الباب الرابع

في بيان من يجب تكفيره من الفرق

إلا أن قال: الرتبة السادسة: ألا يصرح بالتكذيب ولا يكذب أمرا معلوما على القطع التواتر من أصول الدين، ولكن ينكر ما علم صحته بالإجماع المجرد، فلا مدرك لصحته إلا الإجماع، فأما التواتر .. فلا يشهد له؛ كالنظام مثلا إذ أنكر كون الإجماع حجة قاطعة في أصله، وقال: ليس يدل على استحالة الخطأ على أهل الإجماع دليل عقلي قاطع ولا شرعي متواتر لا يحتمل التأويل، فكل ما يستشهد به من الأخبار والآيات مؤول بزعمه، وهو في قوله هذا خارق لإجماع التابعين، فإننا نعلم إجماعهم على أن ما أجمع عليه الصحابة حق مقطوع به لا يمكن خلافه، فقد أنكر الإجماع وخرق الإجماع.

وهذا في محل الاجتهاد، ولي فيه نظر؛ إذ الإشكالات كثيرة في وجه كون الإجماع حجة، فيكاد يكون ذلك كالممهد للممهد للعدر، ولكن لو فتح هذا الباب .. انجر إلى أمور شنيعة، وهو أن قائلا لو قال: يجوز أن يبعث رسول بعد نبينا محمد صلى الله عليه وسلم .. فيبعد التوقف في تكفيره ومستند استحالة ذلك عند البحث يستمد من الإجماع لا محالة؛ فإن العقل لا يحيله، وما نقل فيه من قوله: ((لا نبي بعدي))، ومن قوله تعالى: { خاتم النبيين } .. فلا يعجز هذا القائل عن تأويله فيقول: (خاتم النبيين) أراد به أولي العزم من الرسل؛ فإن قوله: { النبيين } عام ولا يبعد تخصيص العام، وقوله: ((لا نبي بعدي)) لم يرد به الرسول، وفرق بين النبي والرسول، والنبي أعلى رتبة من الرسول .. إلى غير ذلك من أنواع الهذيان.

فهذا وأمثاله لا يمكن أن تدعى استحالته من حيث مجرد اللفظ؛ فإننا في تأويل ظواهر التشبيه قضينا باحتمالات أبعد من هذه ولم يكن ذلك مبطلا للنصوص، ولكن الرد على هذا القائل أن الأمة فهمت بالإجماع من هذا اللفظ ومن قرائن أحواله أنه أفهم عدم نبي بعده أبداً وعدم رسول أبداً، وأنه ليس فيه تأويل ولا تخصيص، فمنكر هذا لا يكون إلا منكر للإجماع. (الاقتصاد في الاعتقاد ص 302 - 308)

Imam al-Ghazali set a chapter describing the groups whose *takfir* is necessary, the summary of which is as follows,

“The sixth stage is that a person neither refutes the Quran or Sunnah clearly, nor refuses such a matter which is known to be the principles of the religion that is transmitted through continuity and unbroken series (*tawatur*), though he denies a matter whose authenticity is proven through mere consensus”.

He continues saying,

“If the gate to refuse the consensus through interpretation (*ta'wil*) is opened, it will drive to many evil matters, so should a person say: it is possible that anyone after our Prophet Muhammad (may Allah give him peace and blessings) should be commissioned as a Messenger; so the hesitation to charge him with infidelity will be far-fetched and definitely assistance will be sought from the consensus during the argument in order to present the evidence to consider this issue to be impossible because it is not impossible through the

intellect and the objector would not be unable to interpret the words of the Holy Prophet” لا نبي “(there is no Prophet after Me) and the declaration of Allah (خاتم النبيين) “*Khatam al-Nabiyyeen*” (the last of the Prophets), as the objector may assert that “*Khatam al-Nabiyyeen*” refers to the ambitious Messenger (*ulu al-azm*), because Allah’s word “*al-Nabiyyeen*” is general (*aam*) and the specialisation (*takhsis*) of a general verse is not unlikely, and he may also say the Noble Prophet never meant to say “there shall be no *Rasool* after me” when he said “there is no *Nabi* after me”, and that there is a difference between a Prophet and a Messenger, as a Prophet is superior to a Messenger in degree. Besides this he may make assertions of this kind which are considered as a sort of delirium (Hizyan). Hence a claim of impossibility cannot be expressed for this assertion and other comments of this kind on the grounds of mere words, because in regard with the interpretation of the verses which are giving clearly the meaning of likeness (Tashbeeh), we decided to repulse many such probabilities, which were more far-fetched than these conditions of likelihood. Even then, the aforesaid probabilities could not be considered to be repulsing the verses. However, this objector should be frustrated in this way that the Ummah unanimously understood through this word and the context of its condition that this word means “Neither should there be any new *Nabi* nor any *Rasool* after the Noble Prophet (may Allah give him peace and blessings) and there is no interpretation to this and no capacity of specialization. So he who refuses this will be only considered as the refuser of the coalition (Munkir-e-Ijma). [End of quote]

2.2 The author should consider the explicit comments of *al-Iqtisad*, a work he holds in high regard, that there is no room for any kind of interpretation or specialisation to the meaning of *Khatam al-Nabiyyeen*, which has a fixed meaning through the consensus of the Ummah that the possibility of a new Prophet and a new Messenger after the Noble Prophet (may Allah give him peace and blessings) is forever non-existent. And he who believes the commission of a new Prophet to be possible is the refuser of the consensus and is counted among the very people who must be charged with infidelity (*takfir*). And again after looking at the aforementioned passage, the author must declare the result of his own judgment he makes on page 21 saying,

“His [i.e. Imam Ahmad Raza’s] fatwa of *kufir* against the Deobandis, however, was a mistake.”

And he must declare the ruling of the Shariah concerning himself in light of this passage of “*Al Iqtisad*”, to which party does he belong? Hence, both of the views are contrary, so how could it be right for him to uphold both of them to be correct? What sign and trace of intrinsic possibility (إمكان ذاتي) does he have, bearing the meaning of ‘*Khatam al-Nabiyyeen*’ in mind!!! That is why Imam Ahmed Raza has written in his knowledgeable book *al-Mu’tamad al-Mustanad*,

وهو معدوم بلحاظ خاتم أي إمكانا وقوعيا، ففيه الكفر لتكذيب النص وإنكار ما هو من ضروريات الدين، أما الذاتي فلا يحتمل الإكفار بل هو ههنا صحيح، وإن بطل في تعدد خاتم النبيين لأن الآخر بالمعنى الموجود ههنا لا يقبل الاشتراك عقلا. (ص 120)

“That is inexistent bearing ‘*khatam*’s’ meaning in mind, that is to say, the *occurring likelihood* (*imkan wuquw’i*) is inexistent as it is infidelity because of the refutation of the verse, and refusal of what is counted among the Essential Islamic Principles. However, the *possibility in person* (*imkan dhati*) never has the likelihood of the infidelity charge (*ikfar*), but it is right (correct) here, even if it is false in sight of

Khatam al-Nabiyyeen because the meaning of the word “Last” which has to be regarded here never accepts participation intellectually.”

2.3 To support the statement of *al-Iqtisad*, we present a passage from Imam Ibn Hajar Makki’s *al-I’lam* who says,

ومن ذلك أيضا تكذيب نبي أو نسبة تعمد كذب إليه أو محاربتة أو سبّه أو الاستخفاف به، ومثل ذلك كما قاله الحلبي ما لو تمنى في وقت نبي من الأنبياء أنه هو النبي دون ذلك النبي، أو في زمن نبينا أو بعده أن لو كان نبيا أو أنه صلى الله عليه وسلم لم تكن النبوة به فيكفر في جميع ذلك، والظاهر أنه لا فرق بين تمنى ذلك باللسان أو القلب. (الإعلام: ص 26)

“It is included in the very issues, which are considered to be infidelity to refute any Prophet or to blame him for telling a lie knowingly or to fight with him or swear at him or to belittle him, and it is similar to such things what Haleemi stated: “Someone wishes in the time of a Prophet that he would have been a Prophet instead of that Prophet, or should he say during the life time of our Prophet or thereafter that he would have been a Prophet or should he say that the Prophecy wasn’t related to Prophet صلى الله عليه وسلم, so in all cases he will be charged with infidelity and it is *obvious* that there is no difference between both conditions whether he should wish it by the mouth or by the heart.” [I have to say that saying “**obvious**” here doesn’t mean that there is likelihood of any other aspect, so at this place, the technical sense is not intended by saying obvious, but the literal meaning which is pronounced in the state of certainty is intended, i.e. this issue is so clear that it never needs expression].

As this comprehensive paragraph outlined many issues in brief, it also expressed that meaning of the abovementioned comments of *al-Iqtisad* which was well grounded in *al-Iqtisad*. Hence, it must be admitted by the author and it is indeed a solid proof against him, since *al-Iqtisad* is a reliable book according to him. If the author has not looked, then he must now look that *al-Iqtisad* mentioned so many interpretations to the meaning of ‘*khatam al-Nabiyyeen*’ that apparently seem to be acceptable, however *al-Iqtisad* rejected them all. How then, may the said interpretation by Nanotawi be acceptable? And, is it an interpretation (*ta’wil*) or is it a conversion (*tahwil*)? How could it be right to consider it an interpretation, whereas, the supposed interpretation is not understandable in any way through the meaning of the term ‘*Khatam al-Nabiyyeen*’? Through his improper interpretation, Qasim Nanotawi, refutes the finality of Prophethood, refuses explicit *ahadith*, and rejects the consensus; and a denial of the prophethood of the previous Prophets as well comes to light. In the summary he offers to his interpretation, he asserts that “he [referring to the Noble Prophet] is a Prophet personally (*nabiy bi al-dhat*) and the others are crosswise prophets (*nabiy bi al-ardh*).” Doesn’t this assertion clearly suggest that Prophets are not in reality (*haqiqatan*) attributed with Prophethood and that prophethood is a crosswise attribute (*wasf aaridh*)? Is such an attribute a real attribute of the person in actual fact or is it that the person is not actually attributed with that quality like in the case of the crosswise movement of a person seated in a sailing boat, as the movement in actuality is in the boat and the person on board seems to be moving? So, what is the reason that Qadiyanis are declared infidels and Deobandis remain Muslim, although both are in denial of the Quran, Hadith, and consensus of the Ummah, and deny the Prophethood of other Prophets?

He emphatically supported the view of likelihood in person (*imkan dhati*), but does this possibility allow a person to deny the unanimous meaning of ‘*khatam al-Nabiyyeen*’ by considering it to be the thought of laymen (ignorant)? And emphasise saying,

...کہ تقدم و تاخر زماني مین بالذات کوئی فضیلت نہیں

“...that being early or late in time has no virtue in itself”

And does it warrant one to assert,

کہ اگر بالفرض اب کی زمانہ مین اب کی بعد بھی کوئی نبی فرض کیا جائی تو بھی خاتمیت
محمدی مین فرق نہ آقا

“Suppose, if there should be any Prophet in the era of His Holiness or thereafter, even then it would not affect the finality of (Sayyiduna) Muhammad in Prophethood”?

The author must declare whether the personal possibility (*imkan dhati*) is pronounced in this manner or is this occurring likelihood (*imkan wuquw’i*)? And if this is a declaration of occurring likelihood (*imkan wuquw’i*) which it indeed is, how could the author’s assertion⁴ that everyone⁵ believes it to be effectively impossible (*mustahil aradhi*) be true?

The author previously admits (p. 14-15),

“Muhammad is not the father of any of your men, but the Messenger of Allah and the Seal of the Prophets. Where the word *khatim* or “seal” in Arabic, when annexed (*mudaf*) to a series, as in the expression “Seal of the Prophets”, can only mean the final member of that series through which it is complete and after which nothing may be added. This is the only possible lexical sense of the word in the context”.

Is this not a clear admission that no other meaning of ‘*Khatam al-Nabiyyeen*’ is possible? So bearing this in mind, what justification is there to his assertion that it is “though hypothetically possible (*Ja’iz aqli*)”? Regardless of the meaning of “*Khatam al-Nabiyyeen*”, suppose there should be an escape from the infidelity⁶, but which believer is supposed to ignore the meaning of ‘*Khatam al-Nabiyyeen*’? Hence, the meaning of ‘*Khatam al-Nabiyyeen*’ is regarded and is present in the mind and heart of every believer at all times, how could it therefore fall into the category of the hypothetically possible (*ja’iz aqli*) as the author asserts? In spite of this, he gives “*Khatam al-Nabiyyeen*” a possible (*imkani*) meaning and then asserts (p. 15),

⁴ Look at the author’s comments (p. 15) “Here, as in the preceding question, both the Barelwis and Deobandis agree about the actual result...For even though the Prophet (may Allah bless him and give him peace) is merely a contingent and created human being, whom it is hypothetically possible (*ja’iz aqli*) that Allah could create others exactly like...”

⁵ I.e both the Deobandis and Barelwis.

⁶ by using the hypothetically possible argument.

“Were there any doubt about this, it is also unanimously agreed upon by scholarly consensus (ijma’) and explicitly stated by the Prophet himself (Allah bless him and give him peace) in many rigorously authenticated (Sahih) Hadiths, such as that in the Musnad of Imam Ahmad: Prophetic messengerhood (risala) and prophethood (nubuwwa) have ceased: there shall be no messenger after me, nor any prophet”

This statement by the author is an interrogation in a denying way, which means clearly that he is denying any difference in this connection and his later statement is a clear indicator to this, wherein he in clear words admits that there is unanimous consensus of the scholars of this Ummah on it. He must declare in light of these words, have not the Deobandis become the deniers of consensus as well as refusers of the Qur’an and Sunnah on this matter? Indeed they have become refusers of the consensus according to the very admission made by the author.

The author states on the second page of his preface,

“Things that everyone knows: To deny anything of the first category above constitutes plain and open unbelief. It includes such things as denying the oneness of Allah, the attributes of Prophethood, that Prophetic Messengerhood has ended with Muhammad (Allah bless him and give him peace) [until he further says] As Imam Nawawi explains: Any Muslim who denies something that is necessarily known to be of the religion of Islam is adjudged a renegade and an unbeliever (*Kafir*)”.

2.4 The above mentioned comments by the author and his statement on page 15 (quoted above) “Were there any doubt about this...” both clearly accept that belief in the finality of Prophethood is an absolute essential of the religion, upon which there is consensus which allows no form of disagreement, and no weight is given to the opposing view⁷. Why does the author refute his own admission and mix the belief of the finality of Prophethood and the issue of the possibility of Allah lying with other issues and says (p. 15),

“The point of mentioning these six questions is that not one of them is a genuine *aqida* issue”.

He breaches the principle admitted by him earlier by this assertion and offers the following preamble to avoid the infidelity charge against Deobandis (p. 2-3),

“No position upon which one scholar may disagree with another because of evidence from the Qur’an, Hadith, or human reason (as opposed to emotive preference) may be a criterion for faith or unfaith (*Kufir*)...”

So why did he state earlier (p. 15) “were there any doubt about this”? And why did he agree and assert (p. 2), “to deny anything of the first category above constitutes plain and open unbelief”? And since previously he has agreed to that, why did he take cover by using the disagreement of the Ulama argument? And why did he write on page 15 that comment which was mentioned here? Is this not an attempt to escape from admission and insist on denial?

Doesn't this demonstrate that the author has no peace at mind? He presented another example of demonstrating his instability and confusion, saying (p. 3),

“...provided it is a scholarly position, minimally meaning that:

- a) it is not based on a fanciful interpretation of Qur'an or Sunnah that violates the grammar or diction of the Arabic Language.
- b) it does not contradict some other evidentiary text... [until he further adds]
- c) it does not violate Ijma or “Scholarly consensus”... [until he further adds]
- d) and it does not violate a fortiori from either (b) or (c).”

The author must realise that, in his very own standard, in these comments; doesn't it categorically issue a final verdict concerning all the Deobandi statements? Have these very words from him not put an end to the entire discussion? Indeed, it has! Has the author not clearly admitted, in the beginning and at the end that there is no look at any opposing view at all if it violates any of the absolute essentials of the religion and the consensus of the Ummah? Did he not clearly refute any form of disagreement by saying (p. 3),

“It is not based on a fanciful interpretation of the Qur'an or Sunnah that violates the grammar or diction of the Arabic Language....”

2.5 We ask the author to look at his abovementioned phrases. He, himself said “to deny anything of the first category above constitutes plain and open unbelief,” and he admitted that there was no disagreement on the issue of the finality of Prophethood. **In spite of this, he wrote on page 15 that “the point of mentioning these six questions is that not one of them is a genuine aqida issue” and in this manner he not only excluded the impossibility of attributing lies to Allah and also the belief in the finality of Prophethood from the Islamic principles, he denied to consider both of them to be genuine aqida issues!**

If this is not a contradiction then what is this? Whilst forgetting all that he has mentioned before, he asserts (p. 2-3) that no position upon which one scholar may disagree with another may be a criterion for faith or unfaith, yet here he accepts that there is disagreement and then places conditions on this disagreement and then rejects it. Can the author prove that the meaning of ‘*Khatam al-Nabiyyeen*’, as declared by Qasim Nanotawi, is not based on fanciful interpretation and it doesn't violate the grammar or diction of the Arabic language, and that it doesn't contradict some other evidentiary text? And the passage written by Khalil Ahmad; does it not contradict the evident verses of the Qur'an? And does not the word of Ashraf Ali violate the clear purport of the Qur'an whence the author himself considers their comments (p. 22) “indefensible breaches of proper respect” and “clear rudeness”. Is it not a heap of contradictions?

3. THE AUTHOR'S CONTRADICTIONS REGARDING THE DISGRACEFUL COMMENTS OF KHALIL AHMAD AND ASHRAF ALI

3.1 The author writes on page 28,

“In sum, Khalil Ahmad Saharanpuri’s disadvantageously comparing the Prophets knowledge (Allah bless him and give him peace) to Satan’s, the vilest creature in existence – regardless of the point he was making – **is something few Muslims can accept**. Whether Khalil Ahmad regarded it as a feat of ingenuity to show that because the Prophet’s knowledge was less than the Devil’s, it was *fortiori* less than Allah’s, or whatever his impulse may have been, **he badly stumbled in this passage. In any previous Islamic community, whether in Hyderabad, Kabul, Baghdad, Cairo, Fez, or Damascus – in short, practically anywhere besides the British India of his day - Muslims would have found his words repugnant and unacceptable**”.

And he also writes (p. 22),

“Looking back, one cannot help wondering why Khalil Ahmad’s and Ashraf Ali Thanwi’s own students and teachers, friends did not ask them before their opponents asked them: **When did any Islamic Scholar ever compare the knowledge of the Prophet (Allah bless him and give him peace) to the depraved, to the mad, or to animals** – even to make a point? Few Muslims would suffer such a comparison to be made with their own Father, let alone the Emissary of God (Allah bless him and give him peace). But while such words **were indefensible breaches of proper respect**, they were not *kufi*...”

And how will the author prove his argument, whereas in light of the abovementioned quotes, he holds the Deobandi scholars clearly responsible by name, to have contradicted the Qur’an and Sunnah, and have made comments repugnant and unacceptable to all Muslims that are indefensible breaches of proper respect? So even though he did not repeat the words mentioned by him in the preamble “i.e. it is not based on a fanciful interpretation of Qur’an and Sunnah that violates the grammar or diction of the Arabic Language” but the resumed admission by him in the previous two quotes gives a clear indication that the precondition laid by him in the preamble doesn’t exist here. So in spite of his own admission, he disregarded the condition here. He considered the disagreement invalid and then valid, and that is why he is firmly against the infidelity charge against the Deobandis. If this is not an open contradiction then what is this?

The author admitted (p. 28) that “Muslims would have found his words repugnant and unacceptable” and he forgot that which he said about the words of Khalil Ahmad Saharanpuri’s disadvantageously comparing the Prophet’s knowledge to Satan’s “...is something few Muslims can accept”. Regardless of the fact that both of his comments contradict each other in respect of being affirmative and negative, as he has said there “few

Muslims”, and he says here “Muslims”⁸, and he has called the people who can accept such words as “Muslim” and has negated their Islam through saying “Muslims would have found...” Is it not evident through his own words, in spite of this contradiction upon contradiction, that such comments would never be pronounced from the mouth of a Muslim? Imam Ibn Hajr Makki has commented regarding such comments,

فمن أنواع الكفر والشرك أن يغرم الإنسان عليه في زمن بعيد أو قريب أو يعلقه باللسان أو القلب على شيء ولو محالاً عقلياً فيما يظهر فيكفر حالاً أو يعتقد ما يوجبهُ أو يفعل أو يتلفظ بما يدل عليه سواء أصدر عن اعتقاد أو عناد أو استهزاء (إلى أن قال)، وفي معنى ذلك كل من فعل فعلاً أجمع المسلمون على أن لا يصدر إلا من كافر وإن كان مصرحاً بالإسلام كالمشي إلى الكنائس مع أهلها بزيمهم من الزنابير وغيرها.

It is within the sort of infidelity and polytheism to have solid determination of infidelity in the near future or in the distant future, or to condition it by heart or by mouth on a matter even if it should be impossible to the intellect. In this case he will become an infidel at the very time, or should he believe the matter causing infidelity, or should he commit such an action, or pronounce a word pointing to infidelity, whether this should come on the basis of his belief or hostility (i.e. he considers it to be wrong and even then he remains stubborn, and pronounces it by mouth, it means hostility and it is considered to be stubborn infidelity), or should he say such a word while laughing, or should he commit that action. (Continue until he said....) and the very rule applies to the person who commits such an action about which the coalition by Muslims has gone that it would come from infidels only, even if he should declare evidently to be a Muslim, e.g. entering the church with Infidels in the dress specialized to them, such as the cross thread etc

We mentioned the upper part of this statement first and then added the last comments of the paragraph since they were both linked. There are some useful points in this statement that shall support our answer, so it may be repeated. The last sentence in this statement of Ibn Hajar is an evidence for us, the meaning of which the author of *Iman Kufir and Takfir* has proclaimed in this following manner, “Muslims would have found his words repugnant and unacceptable” (p. 28). Hasn’t this author clearly admitted to Muslim consensus on the infidelity of those comments⁹? Indeed he has! Now look at this contradiction, he converts his own admission to denial and says that these comments do not fall into the category of *kufir* (p. 22), but exactly why? According to the author it is not *kufir*, must it be a part of *Iman* since there is no connection between infidelity and belief? The author’s assertion necessitates that it is *Iman* because two opposites can neither coexist nor be absent at one time. And if these comments do not fall into the category of infidelity even though they are “repugnant”, “unacceptable” and “indefensible breaches of proper respect” why should the Deobandis not be considered to be Muslims in the author’s view? And why should those who not consider Deobandis as infidels be considered mistaken? What can be said to the author about the frailty of his position?

⁸ In absolute terms.

⁹ of Khalil Saharanpuri and Ashraf Ali.

3.2 All orthodox Muslims and every just person should have a look at the wonderful meeting of admission and denial, and negation and approval in the author's comments, which render the absolute essentials of Islam, the consensus of Muslims, the principles of Islam, and unbelief and belief all unreliable! In other words, the differences of belief and infidelity have become ineffective so one may consider whatever he chooses as *kufir*, and then later consider the same to be *Iman*, what harm does this cause to the *Iman*? Now remember our first question, in which we asked, "is it in advance to declare the result which comes at the end of the discussion, i.e. Deobandis are not infidels in any way and it is wrong to declare them *kafir*?" But, is it not evident now that according to the author, the infidelity charge is not placed on a person who rejects the absolute essentials of Islam, violates Muslim consensus, negates explicit evidentiary text, even if his comments should be repugnant and unacceptable to the Muslims of the entire world, and whether they should be clear rudeness and indefensible breaches of proper respect, still it wont be considered *Kufir*?

4. THE AUTHOR’S ACCEPTANCE THAT DEOBANDI COMMENTS ARE OFFENSIVE HENCE EXPLICIT IN THE MEANING OF *KUFR*

To free Deobandis from the infidelity charge, the author has continually used the intention as a condition. As he says (p. 9),

“Only when the intention entails *kufi* do such words take the speaker out of Islam (till he says) something might be said that while outwardly offensive to Allah or His Messenger (Allah bless him and give him peace), was nevertheless intended by the speaker to make a valid point, not as an insult”.

The answer to this is evident through our statement above concerning Khalil Ahmad. There is a question here to the author. Whilst forsaking his own assertions, he relied upon the imputed intention argument to save the Deobandi statements from infidelity and said regarding them “they were not *kufi*”, would he also say that the reverse meaning (*mafhum mukhalif*) of these comments does not fall into the category of infidelity since he did not intend infidelity? What kind of principle is this that until the one making the statement does not intend infidelity, his statement shall not be *kufi*, even though it may be a fanciful interpretation of the Qur’an and Sunnah, rejection of explicit evidentiary text, denial of an absolute essential of Islam, unacceptable to the all Muslims and an indefensible breach?

4.2 Here we wish to quote a true account to prove our point and to substantiate the claim that the words of Ashraf Ali Thanwi were unacceptable and contempt of the Holy Prophet (peace and salutations upon him). In one of the law suits in India, the Caliph of Imam Ahmed Raza called Maulana Hashmat Ali Khan said to the Judge “**What is so special about the British law? Such a law can be made by Zayd, Amr, indeed by every child and madman, and even by all animals and beasts.**” The judge became furious and said “**This is contempt of court**”. He immediately exhibited the book and said to the judge, “**This book is written by Ashraf Ali Thanwi and it says “If it refers to but some of the unseen, then how is the Revered One [the Prophet] (Allah bless him and give him peace) uniquely special, when such unseen knowledge is possessed by Zayd and ‘Amr [i.e. just anyone], indeed, by every child and madman, and even by all animals and beasts? “ and he then said, “Is it not the clear insult of our Holy Prophet?”** The judge was surprised and (now the author must look at his words). The judge said, “**We being non Muslims can never say such words about the Holy Prophet (Allah bless him and give him peace). How can these words be written by a person that is called a Muslim?**” and then, he gave the verdict in favour of Maulana Hashmat Ali Khan.

The point to ponder here is that even a non Muslim found these words repugnant, disrespectful and unbelievable and now after almost a century; people are trying to justify those malicious words and saying “These words are not Kufi”. If the insult of Rasool Ullah is not Kufi, then what is Kufi? Is it not against the verse?

وَتُعَزِّرُوهُ وَتُوَقِّرُوهُ وَتُسَبِّحُوهُ بُكْرَةً وَأَصِيلاً

“**And (so that you may) honour and respect the Prophet, and Glorify Him, morning and evening**”

It is indeed against this verse, and despite following up with him for many years, when Ashraf Ali Thanwi remained adamant, and did not take these ugly words back, Ala Hazrat Imam Ahmed Raza Khan issued the historic fatwa declaring him Kafir.” (Marginal Notes)

4.3 Furthermore, the author places the Islamic principles in the first category of religious issues, and has said about it absolutely without any condition (p. 2),

“To deny anything of the first category above constitutes plain and open unbelief”.

And has also said (p. 2),

“There is no excuse not to know these things in the lands of Islam.”

And he confirmed it through the statement of Imam Nawawi, put by the author himself (p. 2) in the following words,

“Any Muslim who denies something that is necessarily known to be of the religion of Islam is adjudged a renegade and an unbeliever (*Kafir*)...”

The statement of Imam Nawawi is unconditional that supports these two aforementioned assertions by the author. Is it not the purport of Imam Nawawi and the words of the author that denial of Islamic principles is open infidelity? Indeed this is the very meaning, for which reason the author called it, “open unbelief”. Before this, he has rejected “fanciful interpretations” absolutely without any explanation, and has conditioned absolutely without any elaboration that it should not contradict some other evidentiary text and these ‘absolute’ and ‘unconditional’ statements are indeed solid evidences against him. **The Author must therefore declare; is it not clear through these unconditional terms that the denial of Islamic principles is unbelief without any condition, whether it should be intentional or not?** And is it not evident through this that interpreting an explicit comment (*sarih*) is invalid? Indeed it is so. That is why, even though, forgetting his own admissions from time to time and making contradictions, he had to admit that “Muslims would have found his words repugnant and unacceptable” and “such words were indefensible breaches of proper respect”, “...disadvantageously comparingis something few Muslims can accept.” He made people realise through his absolute admission, which he emphasised many times and established, that it is impermissible to make any interpretation (*ta’wil*) to any of the absolute essentials of Islam even if it is acceptable, not only did he make people realise, but he expressed his meaning many times in various ways. So why does he then interpret the comments of the Deobandis? And how can the interpretation be accepted, aside should it be acceptable though Deobandi comments according to him are “unacceptable” and “disadvantageous comparisons”, in his remarks to Khalil Ahmad’s statement. I, here, question the legitimacy of the interpretations, but however it is clear through the author’s argument that though there is no room for interpretation in the *kufir* statements by the Deobandis. They do not fall into the category of *kufir* statements and that Deobandis are thus not infidels because they never intended *kufir*. Previously, I quoted the author saying, the summary of which is that he admitted that such words were indefensible and Muslims would have found these words repugnant and unacceptable. **Is this not an agreement to the fact that the mentioned words of Deobandis are at the highest level of explicitness (*sarih*) that is to say they are “fixed” (*muta’ayyan*) in the *kufir* meaning, wherein there is no likelihood of another meaning?** Yet even then they are not *kufir* and Deobandis are not infidels, for the

reason the author mentions because the intention behind them was not to insult the Prophet (Allah bless him and give him peace).

4.4 Every just person is invited to look at this clear affirmation by the author and declare: **is it not clear in the author's own comments that the Deobandi statements are not only explicit but also fixed in the *kufr* meaning which the speaker cannot interpret those which the pleader himself declares as "indefensible"? And to uphold that even then the intention will be determined, as according to the author, without it the comments will not fall into the *kufr* category of statements nor shall the speaker be considered an infidel, isn't this a clear attempt on his part to defend 'kufr by obstinacy' (*kufr inadi*)? Is it not giving leeway to an obstinate infidel? Is it not, moreover, an acceptance of the infidel's fallacy as fallacy yet an uncompromising participation and support of his work? Then, why only single out Deobandis with this argument, why must not all Shi'ite and Qadiyanis be granted leave on the grounds that they also have no scandalous intentions? Intention means belief at heart. Neither shall one profess his intention nor can one's intention be known. How then, should 'any statement' be considered *kufir* even if it is as clear as it should be? **Is it not an attempt to put an end to the distinction between *kufir* and *Iman*? Does this attempt not make the entire rulings of the Shari'ah unsafe? Is it not destroying the schools of the scholastics (*mutakallimun*) and Theologians (*fuqaha*) in the methods of *takfir*? What sort of an excuse is it to bear upon the disagreement of the ulama in a way that the opinions of all of the ulama become ineffective?** So what was the outcome of bearing upon the scholarly disagreement as an excuse? That has become clear in our question to the author.**

The author has stated ahead saying as follows: ***"whoever dies in a state of unbelief without excuse shall be punished in hell forever"***.

I have to ask about the word **"excuse"** written by the author. What does it mean?

This question has been put to the author because the word **'excuse'** is used in several meanings according to the dictionary. We are writing here the various meanings of this word as follows:

Excuse: give reasons for not being blame worthy, for – give, excuse oneself (from something) ask to be set free from (eks – kews) reason invented for explaining one's conduct.)

This illusory statement by the author is giving the sense that if someone should die without giving a valid reason or without justifying this, he will be punished in hell forever. In other words, taking the contrary as true, can it be said, ***"If someone dies in a state of unbelief, after giving a valid reason, he will not be punished in hell forever?"*** This very misleading statement has drawn the attention of the translator to a meaning of excuse which is usually understood through this word. That is why he translated it in this manner saying as follows in Urdu:

جو بغیر کسی سبب کی کفر کی حالت میں مرتا ہے

i.e. **"He who dies in the state of unbelief without any reason will be punished in Hell forever"**.

This very misleading statement caused confusion to the translator, which could have been avoided by replacing it with a word / phrase having a fixed meaning.

5. THE ARGUMENT ON *IMKAN AL-KADHIB*

5.1 Now, the author does not take the (false belief regarding the) “**Likelihood of Allah’s lie**” (Ma Aaz Allah) as a genuine Aqida issue! We wish to explain it as follows:

Just as the entity (Zaat) of ALLAH is eternal, similarly, every attribute of ALLAH is ageless. Therefore, there is neither any attribute of the Creator that was not there before and now, it appeared nor any attribute that is vanishable for ALLAH or modifiable. One of the attributes of the Creator is truthfulness, which is free from change and disappearance. It is explicitly mentioned in all books of scholastic theology that the entity of ALLAH encompasses all praise worthy attributes and are free of imperfection and decrement i.e. every praise worthy attribute for ALLAH is permanent and everlasting and is eternal and being it passing from Him is impossible and imperfection that is the opposite of perfection is away from Him. Therefore, ALLAH has never been attributed with imperfection and never can any imperfection take upto the Holy entity (Zaat) of ALLAH (Tabarak wa ta’ala). Telling a lie is an imperfection and it is to label imperfection to ALLAH to believe the possibility of it (Telling a lie) for the Holy Creator and it is to disassociate ALLAH with ALLAH’S attribute of truthfulness that is infinite and that can never be disassociated from ALLAH and it is to declare all attributes of ALLAH as worthy to vanish by considering it a venue of occurrence and this is infidelity. Hazrat Imam-e-Azam has clearly explained “**One who says that the attributes of ALLAH are created or occurant or he is indifferent or doubts in it, then he is a refuter of Almighty ALLAH (i.e. an infidel).**”

Hence, we came to know that according to the explicit explanation of scholastic Theologians (Fuqaha), the saying of “**likelihood of ALLAH to tell a lie**” is attributing ALLAH with imperfection. In this manner, the speaker considered it possible to attribute ALLAH with imperfection and decrement and declared the possibility of non existence of the praiseworthy attributes of ALLAH, not even that, but by assuming it a venue of occurrence, he considered all attributes of ALLAH as occurrent and that pulls it towards negating the Entity of ALLAH. Because of the above mentioned many reasons, the speaker will be charged with infidelity. From these, one of the reasons for infidelity is that he is refuting that principle which is well accepted by the Ahle Sunnah, (and even by the corrupt) Moatazella and the other false sects i.e. the entity of ALLAH is free from every imperfection, decrement and bad attributes from forever to eternity.

Imam-e-Ahle Sunnat Ala Hazrat Imam Ahmed Raza has refuted these wrong tenets in a very enlightening manner in his book “**SUBHAN-AL-SUBBOOH**” and explained in detail the reasons due to which the infidelity is requisite to the speaker according to Theologians (Fuqaha). The author supported Deobandis and wahabis once again and has led the people to fallacy, by saying that it is **not a genuine Aqida issue**.

We mentioned that we shall avoid discussing some of the author’s assertions for a number of reasons, though we noted that this does not suggest that we agree with them. We noted that the author has made strange statements concerning the attribution of the possibility of lying to Allah Most High to support the Deobandi position. The reader should decide whether the author is deceived himself or deceiving others. The author states (p. 14),

“The first is: Is it possible for Allah to lie? Here, both Barelwis and Deobandis, and indeed all Muslims, agree that Allah never lies...”

We ask the author what is the meaning of “hypothetically possibly” (*ja`iz aqli*)? Is it possible in person (*mumkin dhati*) or something else? It is clear that the hypothetically possible (*ja`iz aqli*) is the possibility in person (*mumkin dhati*) which is established through the following admission of the author (p. 13),

“Allah’s omnipotent power (*qudra*) only relates to what is “intrinsically possible” (*ja`iz dhati*), meaning possible in itself, not logically absurd or self-contradictory.

In light of this assertion, the author has admitted that the Deobandis consider telling lies for Allah possible in person (*ja`iz dhati*) which is occasionally called, according to the author, hypothetically possible (*ja`iz aqli*). What is the difference between “*ja`iz dhati*”, “*mumkin bi al-dhat*” and “*ja`iz aqli*”? There is no difference in these and the author’s admission establishes too that they are all different expressions for the same meaning. Thus he admitted that Deobandis believe in the possibility of Allah lying “*imkan al-kadhib*” which were furthermore emphasised by his saying (p. 14),

“while the only disagreement is whether (a) this is intrinsically impossible (*mustahil dhati*), or whether (b) this is not intrinsically impossible, but only contingently impossible (*mustahil `aradhi*)”

He added (p. 14),

“Rashid Ahmad Gangohi of the Deobandis seems to have held the latter position, that while a lie told by God is hypothetically possible (*ja`iz aqli*) in the very limited sense of not being intrinsically impossible (*mustahil dhati*) it is nevertheless *contingently possible*”.

By putting together these assertions of the author, do we not come to the conclusion that for Allah to tell a lie is intellectually possible, that is to say it is possible in person (*ja`iz dhati*) and not impossible in person (*mustahil dhati*), and is *mumkin bi al-dhat*, which the author also names “*mustahil aradhi*”? What is the meaning of “*mustahil aradhi*” except that it is not impossible in reality rather it is possible and its impossibility is only transitory? In brief, the author has affirmed in various ways that according to the Deobandis, the possibility of Allah lying is in person (*mumkin bi al-dhat*).

Note: (1. Possible in Person (Jaiz e Zati), intellectually possible (Jaiz e Aqli)

We have replaced the word “Hypothetically possible” which is usually pronounced by the author with the word “Intellectually possible” as we have noted that the word Hypothetical does not officiate intellectually possible as it means according to the English dictionaries as follows:

Hypothetical: Conjectural, Conditional.

Whereas the word “Intellectual” means according to the dictionaries as follows:

Intellectual: Of the intellect, (person) having good reasoning and so on

5.2 The readers must now have a look at the author’s contradiction, he himself declares this view as the Deobandi stance, yet considers Imam Ahmad Raza to have erred in expressing the Deobandi position saying (p. 14),

“Gangohi’s concept of the *jawaz ‘aqli* or “hypothetical possibility” of God’s lying was mistakenly translated into Arabic by Ahmad Reza Khan as *imkan al-kadhib*, which in Arabic means the “factual possibility of [God’s] lying”—a position that neither Rashid Ahmad Gangohi nor any other Muslim holds, for it is unbelief. Whether this mistranslation was due to Ahmad Reza Khan’s honest misapprehension of Gangohi’s position...”

The “concept of the *jawaz ‘aqli* or “hypothetical possibility” of God’s lying” which according to the author’s knowledge, is only upheld by Rasheed Ahmad Gangohi; he must know that this is in fact the view of all Wahhabies and Deobandies that follow Ismail Dehlawi. As for his comments that “hypothetical possibility” of God’s lying was mistakenly translated into Arabic by Ahmad Reza Khan as *imkan al-kadhib*” the author must remember his own statement regarding “*ja’iz dhati*” (p. 14) that is “it is sometimes termed the “hypothetically possible” (*ja’iz ‘aqli*)” which clearly means that “*ja’iz dhati*” is the same as “*ja’iz aqli*” which is also known as “*mumkin bi al-dhat*”. Why does he thus make an attempt to make people realise by the underlined assertion that “*jawaz aqli*” is something other than “*imkan al-kadhib*”? And in his assertion that it “was mistakenly translated into Arabic by Ahmad Reza Khan as *imkan al-kadhib*, which in Arabic means the “factual possibility of [God’s] lying”, does the expression “*ja’iz dhati*” mean “*ja’iz aqli*” in non-Arab languages as the author affirms and not in Arabic? Is “*ja’iz dhati*” synonymous to “*mumkin dhati*” in languages except Arabic? What evidence does the author have to this claim?

The author adds (p. 14),

“...a position that neither Rashid Ahmad Gangohi nor any other Muslim holds, for it is unbelief.”

Is this not the denial of the assertion he previously made (p. 14),

“while the only disagreement is whether (a) this is intrinsically impossible (*mustahil dhati*), or whether (b) this is not intrinsically impossible, but only contingently impossible (*mustahil ‘aradi*)... Rashid Ahmad Gangohi of the Deobandis seems to have held the latter position, that while a lie told by God is hypothetically possible (*ja’iz ‘aqli*) in the very limited sense of not being intrinsically impossible (*mustahil dhati*)”.

Even in the aforesaid comment the author has admitted that God’s lying is not impossible in person (*mustahil dhati*) according to the Deobandis. Does this mean it is thus “*mumkin bi al-dhat*” or something else? The readers should observe how the author is neither firm on his previous assertion nor his last one. Put his words from his previous statement that starts with “Gangohi’s concept of the *jawaz ‘aqli* or “hypothetical possibility” of God’s lying was mistakenly translated into Arabic by Ahmad Reza Khan as “*imkan al-kadhib*” together with his assertion “a position that neither Rashid Ahmad Gangohi nor any other Muslim holds, for it is unbelief”, and ask, is it not a rejection of his own affirmations? Is it not uniting two antitheses, denial and affirmation, together? And ask the author in light of his comment “for it is unbelief” why does he blame Imam Ahmed Raza and say (p.14), “this mistaken construing

of Gangohi's position in turn became the basis for Ahmad Reza's declaring that Gangohi was a kafir, nicknaming those who subscribed with him to this view Wahhabiyya Kadhdhabiyya or "Liar Wahhabis" ... yet he himself has put a confirmation stamp on the unbelief of the Deobandis himself? Allah alone knows what he intends to suggest by saying "Ahmed Raza Khan's honest misapprehension of Gangohi's position".

5.3 The author previously said (p. 14),

"...Because of His own decision and knowledge that He never lies, which He has informed us of by saying, "His word is the truth" (Qur'an 6:73), and many other Qur'anic verses"

The author must declare that when Deobandis have upheld the possibility of Allah's lying, the first question is, what evidence do they have to establish this assertion? Their evidence must be mentioned and the claim of the possibility must be established on its basis. To present Allah's omnipotent power as an evidence for "*imkan al-kadhib*" is invalid. The author himself has indicated to this saying (p. 13), "Allah's omnipotent power (qudra) only relates to what is "intrinsically possible" (*ja'iz dhati*), meaning possible in itself, not logically absurd or self-contradictory" and the invalidity of this argument will be evident through our coming statement. The second question is that once he has held the view of *imkan al-kadhib*, what authority does he have to quote this verse?

"and his word is the truth" (6: 73)

Does this specific saying of Allah not have the very possibility of lying in it (*imkan al-kadhib*)? If not, why not? And if it carries the possibility, how does it prove that Allah's lying is impossible? Whereas the author claims that Allah's telling a lie is *ja'iz dhati and ja'iz aqli* which is *mumkin bi al-dhat*. The author uses the expression "*mustahil aradhi*" for this meaning too which means that in reality there is no impossibility in any way; it is neither "*muhil dhati*" nor "*muhil bi al-ghayr*", and this meaning is evident from a number of his statements. That is why he has termed it "*mustahil aradhi*" and called it "contingently impossible" in English, and the claim of Possibility of telling a lie has appointed this nominal "Mahal e Aradi Haqiqatan Muhtamil" (potential) rather made it Mumkin (possible). That is why he translated it as "contingently impossible" which takes the following meanings in the English dictionary, "something dependant", "contingent", "uncertain", "accidental". Mawrid offers the following meanings,

حادثة غير متوقعة ، مصادفة، متوقف على شيء آخر ، مشروط ، غير متوقع ،
Contingent : عارض، طارئ، محتمل، ممكن

That is why the author avoided the term "*mumtani bi al-ghayr*" and how would it be right even in the case if "*mumtani bi al-ghayr*" had been used since "*mumtani bi al-ghayr*" is the same as the possible in person "*mumkin bi al-dhat*", occurrence of which if it should be supposed as possible, necessitates an impossible in person "*mustahil dhati*". The author and all Deobandis must reply; though they do believe in the possibility "*imkan al-kadhib*" and Rashid Ahmed Gangohi has declared it "*mumtani bi al-ghayr*" but in case of the actual possibility "*imkan wuquwi*", which impossible in person (*mustahil dhati*) was indispensable? They must describe that impossible in person and in case they fail to explain, and no doubt they shall remain unable to do so, then the possibility remains in person (*imkan dhati*). And on this basis

it remains possible for Allah to tell a lie according to all Wahhabis and Deobandis. Hence it is only a verbal debit and credit to call it “*mumtani bi al-ghayr*”.

The author and all Deobandis must give the meaning to the verse “and his word is the truth”. Is Allah’s impossibility of telling a lie restricted to the future only? And it is not impossible for Allah to be attributed with telling a lie in the past period and even before the age? Then they should also tell that it will be impossible only in the conditions that “Truthfulness” should be His permanent attribute and the passing of it should be impossible from Allah, whereas, the possibility of telling a lie requires that “Truthfulness” to be a permanent attribute of Allah is not necessary and it can be far away from Allah, rather this is to declare the attribute of Truthfulness of Allah as “Hadith” (Occurent) and it is to make it as a venue of occurrence (Mehl e Hawadis). And if it means that for Allah to be attributed with falsehood is eternally impossible and no doubt, the meaning is such then this Ayat is an evidence for us which proves that telling a lie by Allah is not Mumkin Bil Zaat and if it is not Mumkin Bil Zaat then the Might (Qudrat) of Allah is not related to it just like oppression, ignorance, other bad attributes and shortcomings are not connected with the Might of Almighty Allah; rather all those bad attributes are impossible in respect of Him. Allah is free from all of these eternally, forever and that Allah is eternally attributed with all praiseworthy attributes. The author has mentioned this Ayat out of place in defending the Deobandis and has called telling a lie by Allah as “Mustahil e Aradi” and this claim in this way drives to declare all praiseworthy attributes of Allah to be occurent, possible of being decremented and vanishable. This also means to consider Allah to be able to be attributed with shortcomings and bad attributes. What was the result of submitting the Might of Allah as an evidence to support this claim (Imkan e Kizb); we have already pointed towards that and its conclusion is that through this evidence not only “Lie” rather every bad attribute will not remain impossible for Allah. This will also mean that separation of all praiseworthy attributes from Allah is possible and whatever is contrary to the good attributes of Allah, He may be attributed with it.

Imam Ahmad Raza Khan has refuted this claim in an outstanding manner in his *magnum opus* work on the issue titled “*Subhan al-Subbuh an Aybi Kadhibin Maqbuh*”¹⁰. Whoever requires further detail on this issue must study this work. Not only shall one find the replies to using the argument of Allah’s omnipotent power to establish lying, the reader shall learn the specific reasons too that entail *kufi* for someone who upholds this view and also know the details as to what the Imam’s chosen view was regarding such a person which shall become clear in the conclusion of this work. This shall unveil the false claim of the author that Imam Ahmad Raza declared Deobandis infidels merely on the basis of their pronouncement of “*imkan al-kadhib*”. This specific issue is quite evident from a single paragraph from the Arabic book “*al- Mu’tamad al-Mustanad*” where Imam Ahmad Raza states that he never declared anyone who upheld the view of *imkan al-kadhib* an infidel; however the infidelity charge was placed on the pronouncement of the actuality of lying attributed to Allah Most High “*wuquw al-kadhib bi al-fi’l*”. Imam Ahmad Raza mentioned that Deobandi fatwa and that it had been printed a number of times from Bombay and other places along with its refutation. In the same work he remarked “observe how the ill meaning of *imkan al-kadhib* lead the speaker to *wuquw al-kadhib bil al-fi’l*” and also mentioned that he refuted these

¹⁰ Originally in Urdu with ample Arabic citations and commentaries. Alhamdulillah, Mufti Akhtar Raza Khan has made full translation into Arabic.

views in his work “*Subhan al-Subbuh*”, which he posted to the Deobandis through registered mail whose receipt he received acknowledging that it had reached them but the Deobandis remained unable to reply. We have mentioned the summary from *al-Mu’tamad* and present the Arabic text which does not require a translation,

و منهم الوهابية الكذابية أ تباع رشيد أحمد الكنكوبي تقول أولا على الحضرة الصمدية تبعا بشيخ طائفته اسماعيل الدهلوي عليه ما عليه بإمكان الكذب، وقد رددت عليه هذيانه في كتاب سميته " سبحة السبوح عن عيب كذب مقبوح " ١٣٠٧ هـ وأرسلته اليه و عليه بصيغة الا لتزام من بوسطة، وأنت منه الرجعة بواسطتها منذ احدى عشرة سنة، وقد أشاعوا ثلاث سنين أن الجواب يكتب ، كتب ، يطبع ، ارسل للطبع ، وماكان الله اليهدي كيد الخائنين، فما استطاعوا من قيام ، وما كانوا منتصرين ، والآن اذ قد أعمى الله سبحانه بصر من قد عميت بصيرته من قبل، فأنى يرجى الجواب ، وهل يجادل ميت من تحت التراب؟

ثم تمادى به الحال ، في الظلم والضلال ، حتى صرح في فتوى له (قد رأيتها بخطه وخاتمه بعينيوقد طبعت مرارا فيمبىي وغيرها مع ردها) "ان من يكذب الله تعالى بالفعل ويصرح أنه سبحانه و تعالى قد كذب ، و صدرت منه هذه العظيمة فلا تنسبوه الى فسق ، فضلا عن ضلال، فضلا عن كفر، فان كثيرا من الأئمة قد قالوا بقبيله، وانما قصارى أمره أنه مخطيء في فلا اله الا الله انظر الى و خامة عواقب التكذيب بالامكان كيف جرت الى التكذيب بالفعل، سنة الله في الذين خلوا من قبل أولئك الذين أضلهم الله وأعمى أبصارهم ولا حول ولا قوة الا بالله العلي العظيم.

5.4 As a result of this, how can the author’s following assertion be sound (p. 15)?

“Here, as in the preceding question, both Barelwis and Deobandis agree about the actual result—that no one like the Prophet (Allah bless him and give him peace) shall ever be created again—and that to believe otherwise is infidelity (kufr).”

He adds (p. 15),

“For even though the Prophet (Allah bless him and give him peace) is merely a contingent and created human being, whom it is hypothetically possible (ja’iz ‘aqli) that Allah could create others exactly like, it is contingently impossible (mustahil ‘aradhi) that Allah should do so, since He has informed us in the Qur’an and *mutawatir* sunna that no more prophets or messengers shall ever be created.

Is this the author’s interpretation of the Deobandi position? Deobandis consider God’s lying “*mumtani bi al-ghayr*” to prove their point¹¹, although their claim has been unequivocally refuted in the works of the grand Mufti of India, Shah Mustafa Raza Khan (may Allah have mercy on him). It is quite evident that the meaning of *mustahil aradhi* that was termed as “contingently impossible” is uncertain, *Ghair Muhtamil*, and impossible as we have mentioned in light of the English lexicon. The readers must see how the author, in an attempt to interpret the stand of Deobandis has even exceeded the Deobandis in this matter.

¹¹ And do not thus consider it *mustahil aradhi*.

6. THE AUTHOR BREACHES THE CRITERION OF *IMAN*

6.1 In this respect, the author wrote two passages from which we may have not yet addressed the first of them. Now we should ask our readers to have a look at what both of the author's comments when joined mean to him. The author says (p. 2-3),

“No position upon which one scholar may disagree with another because of evidence from the Quran, Hadith, or human reason (as oppose to emotive preference) may be a criterion for faith or unfaith (*kufi*) provided it is a scholarly position”.

The readers should declare, what is the purpose of his words, “... because of evidence from the Qur'an, Hadith or human reason (as opposed to emotive preference)....”? Doesn't it mean that in cases of disagreement, an inference even if it should be based on the explicit texts from the Qur'an and Sunnah, has no authority? And that disagreement is allowed and acceptable in all matters, even if it should be violating the clear evidence from the Qur'an and Sunnah? That is why he said, “no position upon which one scholar may disagree with another ... May be a criterion for faith or unfaith” and here, he kept his comments absolute and unconditional, and suggested that disagreement is allowed in any case. He then conditioned it by saying “provided it is a scholarly position”, which he explained point by point, minimally meaning that (p. 3),

“(a) It is not based on a fanciful interpretation of the Qur'an or Sunnah that violates the grammar or diction of the Arabic language.

(b) It does not contradict some other evidentiary text that is both ...

(c) It does not violate Ijma or “scholarly consensus ...

(d) And it does not violate on a *fortiori* analogy from either (b) and (c)

And he made it clear through this condition that disagreement is not acceptable where it is based on a fanciful interpretation of the Qur'an or Sunnah that doesn't violate grammar or diction of the Arabic language and where it contradicts some other evidentiary text and neither violate scholarly consensus (*ijma*). And he made it very clear through his statement, whichever view fulfills this standard shall be the one that conforms to the Qur'an and Sunna, the Arabic grammar, and the consensus of the Ummah upon which belief shall be necessary, and whatever falls below this criterion has no weight and shall be disregarded. In this light, the actual opponent to the correct view shall be the one who denies the evidence of the Quran and Sunnah, whose assertion should not be based on a scholarly position but based on the fanciful interpretation of Qur'an or Sunnah which results in the negation of Arabic grammar or diction, contradicts some other evidentiary text, and violates scholarly consensus!

6.2 Readers should look at both of the author's passages besides each other; what a combination of absolute and conditional comments, expressions and connotations this is! He himself sets the standard through the last words and violates it himself saying, “no position upon which one scholar may disagree ...” Let it go! Suppose his initial statement is made

conditional by the last paragraph and suppose this standard is accepted by him as well; **the author must declare whether the Deobandi statements conform to this standard? Not on any account, as it is clear from the very confessing declarations of the author that we have cited a many times above.**

On the contrary, the author admits that the views in these doctrinal issues of the revivalist of Islam, Imam Ahmad Raza are neither contradictory to the evidentiary text of the Qur'an and Sunnah, nor contrary to the consensus of the Ummah and meets the standard he lays out above for faith, as he declared (p. 20),

“as we have seen, Ahmad Reza’s position is neither “against decisive scriptural texts”, for such texts are not “decisive” but rather interpretable as being prior in time to others that abrogate them; nor “without proof”, since his position is borne out by numerous intersubstantive rigorously authenticated (Sahih) hadiths; nor “proceeding solely from false analogy”, for it rather proceeds from the Prophet’s very words (Allah bless Him and give Him peace) in these Hadiths.”

Moreover, supporting Imam Ahmad Raza, he continues refuting Khalil Ahmad as follows (p. 20),

“Moreover, it is difficult to see how the attribute of knowledge that Khalil Ahmed ascribes to Satan and the Angel of death should become “Shirk” when affirmed of the Message of Allah (Allah bless Him and give Him peace): either it is a divine attribute that is shirk to ascribe to any creature, or it is not”.

In spite of this, he still says that it was a mistake by Imam Ahmad Raza to consider Deobandis as infidels, as he says (p. 21), “his fatwa of *kufir* against the Deobandis, however, was a mistake”. He falsified the Deobandi statements many times, yet he supported them asserting they did not belong to the category of words that are *kufir* in his words, “...they were not *kufir*” (p. 22). Is it not contradiction upon contradiction? Is it not a violation of the standard prescribed by him? And his comments “no position upon which one scholar may disagree...” which he firmly holds, is there any doubt that he takes the disagreement of the Ulama only as an excuse? What to talk about consensus, if the clear negation of Qur'an and Sunnah takes place, even then he considers the opposition to be valid. That is why he asserted earlier in absolute terms without any condition (p. 2-3), “because the evidence from the Quran, Hadith or human reason (as opposed to emotive preference)...”

7. THE INFIDELITY OF QASIM NANOTAWI AND THE REFUTATION OF HIS POSITION FROM *AL-MAWT AL-AHMAR*

7.1 Whatever the author has said in order to defend Qasim Nanotawi has been refuted before in our Questions¹² put to the author. That is, in brief, that there is no interpretation to the meaning of “*Khatam al-Nabiyyeen*” to which the passage from *al-Iqtisad* was presented as a testimony as well as other passages from works supporting its purport. The argument was thus adduced against the author and refusal of the probability in person (*Imkan e dhati*), bearing the meaning of “*Khatam al-Nabiyyeen*” in mind was clarified, which reflects that the occurring likelihood (*Imkan e Waqooi*) is very clear through the words of Nanotvi, through which it was refuted to consider it as impossible. (*mumtani bi al-ghayr*)

I must mention here a question to the author which his eminence the grand Mufti of India (*Mufti al-Azam bil-Hind*), may Allah enlighten his grave, presented in “*al-Mawt al-Ahmar*”. What is *mumtani bi al-ghayr*? that is actually the same “possible in person” (*mumkin dhati*) which calls in case of occurrence an intellectually impossible (*Muhaal Aqli*) and that intellectually impossible is Allah’s lie. However, all deobandis following imam-ul-wahhabia Ismail Dehlvi, considered telling lies for Allah to be possible. Now whatever calls a possible, how can it be Mumtinaa Bil Ghair (impossible)?! (*Mumtina bil Ghair*) has already passed away in the very beginning, and now this question is additional to that claim: If this is not fallacy then what is it? to put on the meaning which is never understood through the (words of) Nanotvi.

7.2 Here we shall present the statement of *Tahzir al-Nas* to which we offered our remarks previously (question 5) highlighting the many *kuff* aspects within it. In order to remind, we shall place numbers on his comments, so that the readers may know exactly where his words of infidelity are located in his passage. We also consider it appropriate to end this discussion by offering a few words of the great Mufti of India (Mufti al-A’zam bil-Hind), Mustafa Raza Khan, who quoted many of the comments from *Tahzir al-Nas* proving the infidelity charges against Nanotwi and showing how he denied both finality in person (*khatm dhati*) and finality by time (*khatm zamani*). It will also show that meaning declared by Qasim Nanotawi is, according to the author, “unacceptable to any Muslim”. Mufti al-A’zam bil-Hind, in order to refute and disprove Nanotawi’s self-innovated meaning to “*Khatam al-Nabiyyeen*”, asks him as follows:

(1) **NANOTVI:** “Being the last Messenger in the view of laymen is in the meaning that he is the last of all”.

MUFTI AL-A’ZAM: “Look at the meaning which was realized by all leaders, Ulama, successors, Companions and which was declared by the Holy Prophet (peace and blessings upon him) as well. Nanotvi declared it as a thought of the illiterate and of stupid persons.”

(2) **NANOTVI:** “it has misgiving by Allah to talk non-sense. At least what is the difference between this quality and in feature, color and living and other qualities?”

¹² See: section2, Q5.

Secondly, it has likelihood of lack of prestige because people used to mention the excellence of excellent people and the use of ordinary qualities of (inferiors)

MUFTI AL-A'ZAM: Look! How clearly he expresses that the special quality of *Khatam al-Nabiyyeen*, in the meaning of *last Messenger* has no inference in virtue. What to say of it, in itself being a virtue? (He is saying that it) is not of any excellence or having any marvels, but it is like the silly positions of inferiors.

(3) NANOTVI: “Well, if you should not consider this quality as an excellence, and don’t suppose this bless to be the place of praise; then indeed being the status of last Messenger could be considered as being late in time. But I know that it won’t be acceptable to anyone, amongst the Muslims”

MUFTI AL-A'ZAM: Look, it is a clear announcement (by Nanotwi) that this sacred specialty is unable to be mentioned in the place of praise. Whether any Muslim has ever gabbled like this? Could any Muslim insult such a respected quality of the Holy Prophet?

(4) NANOTVI: “if, should a new Nabi be supposed at the time of Huzoor, but even after him, then, no disorder will take place in the belief of finality of Prophecy”.

MUFTI AL-A'ZAM: All praises are due to Allah! You don’t deny the existence of this phrase in *تحزير الناس*.

It must be noted that this statement has put an end to the faith of Nanotvi about the finality of Prophecy, and the veil was raised from over the hypocritical admission of finality in time and charging the refuter of it with infidelity was exposed, or in other words you can say it like this, that the clear infidelity on page 33(of *Tahzir al Nas*) has cancelled the obvious Islam on page 11, which was mentioned through self admission by Nanotvi. How can the primary Islam remove the infidelity after it? But in fact, this infidelity abolished that Islam. It is axiomatic that in case any Nabi comes to existence after the time of the Holy Prophet, the finality in time will be falsificated, as its meaning was that he is the messenger last of all. And how he remains last of all, while other Nabis exist after him, as the other one became last. In brief, through this, the nothingness of finality in time is self evident and through nonexistence even the finality in person produced by Nanotvi is over, as the finality in time was requisite to this.

5) *Khatm al-Nubuwwah*, in the known meaning requires being late in time, and non-existence of the requisite calls the nothingness of necessitated (an inseparable thing: **malzoom** ملزوم) so neither the finality in time is rest nor the finality in person is safe, all are destroyed. Even the finality is opportune with no disturbance to it. How violent is this infidelity with how much blamelessness! [End of Qutoes from *al-Mawt al-Ahmar*]

7.3 Now look at the author’s comments “since there is no excuse not to know these things in the lands of Islam” which he said very rightly. I wish he would have added to this that the refusal of these issues knowingly or saying a word causing the refusal of it is an infidelity at a worthier stage, and no excuse to this will be heard. Although he never said this, this meaning is clear through the author’s comments which he made many times regarding the Deobandi comments, which have been mentioned above that it is clear that those comments are objectionable, unacceptable and inexcusable. Yet still he asserts that Deobandis are pardonable since they have the excuse of having no evil intention whilst making those comments. However as the author has said “**that they were not kufr**”, so then how does it

depend on intention? Now, if it should be intended, then what effect is there to these words? Whether the issue which should be clear rudeness, refusal of Islamic principles, contrary to the coalition of the Ummah and unacceptable to all Muslims will be one counted as kufr only if the speaker has intended so, and if he didn't intend then the speaker would escape the infidelity charge even if that word was out of the group of infidelity, even if it should be based on clear rudeness, repugnance and based on the refusal of Essential Islamic principles.

8. THE CORRECT VIEW REGARDING THE EXPLICIT (SARIH) KUFR & THE VALUE OF INTENTION

8.1 The author must provide evidence to demonstrate, that which is evident (*sarih*) requires an intention. The Noble Qur'an does not accept an excuse whereas the author tirelessly tries offering excuses to save the Deobandis yet is unsuccessful, and at last he had to admit that which was mentioned many times above. Has he not read what the Qur'an has said?

يَحْلِفُونَ بِاللَّهِ مَا قَالُوا وَلَقَدْ قَالُوا كَلِمَةَ الْكُفْرِ وَكَفَرُوا بَعْدَ إِسْلَامِهِمْ وَهَمُّوا بِمَا لَمْ يَنَالُوا وَمَا نَعَمُوا إِلَّا أَنْ أَغْنَاهُمُ اللَّهُ وَرَسُولُهُ مِنْ فَضْلِهِ فَإِنْ يَتُوبُوا يَكُ خَيْرًا لَهُمْ وَإِنْ يَتَوَلَّوْا يُعَذِّبُهُمُ اللَّهُ عَذَابًا أَلِيمًا فِي الدُّنْيَا وَالْآخِرَةِ وَمَا لَهُمْ فِي الْأَرْضِ مِنْ وَلِيٍّ وَلَا نَصِيرٍ

And they swear by Allah that they did not say it; whereas indeed they had certainly uttered the words of disbelief, and after having entered Islam, turned disbelievers and had wished for what they did not get; and what annoyed them except that Allah, and His Noble Messenger, made them prosperous with His Grace? So if they repent, it is better for them; and if they turn away, Allah will afflict them with a painful punishment - in this world and the Hereafter; and they will have neither a protector nor any supporter in the entire earth. (Taubah 9: 74)

وَلَئِنْ سَأَلْتَهُمْ لَيَقُولُنَّ إِنَّمَا كُنَّا نَخُوضُ وَنَلْعَبُ قُلْ أَبِاللَّهِ وَآيَاتِهِ وَرَسُولِهِ كُنْتُمْ تَسْتَهْزِئُونَ . لَا تَعْتَذِرُوا قَدْ كَفَرْتُمْ بَعْدَ إِيمَانِكُمْ إِنَّ نَعْفَ عَنْ طَائِفَةٍ مِنْكُمْ يُعَذِّبُ طَائِفَةٌ بَأْسُهُمْ كَانُوا مُجْرِمِينَ

And if you ask them, they will say, "We were just having fun and pastime"; Say, "What! You mock at Allah and His verses and His Noble Messenger?" "Do not feign excuses, you have turned disbelievers after becoming Muslims"; if We forgive some of you *, We shall punish others because they were guilty. (Taubah 9: 65, 66)

يَعْتَذِرُونَ إِلَيْكُمْ إِذَا رَجَعْتُمْ إِلَيْهِمْ قُلْ لَا تَعْتَذِرُوا لَنْ نُؤْمِنَ لَكُمْ قَدْ نَبَأْنَا اللَّهُ مِنْ أَخْبَارِكُمْ وَسَيَرَى اللَّهُ عَمَلَكُمْ وَرَسُولُهُ ثُمَّ تُرَدُّونَ إِلَىٰ عَالِمِ الْغَيْبِ وَالشَّهَادَةِ فَيُنَبِّئُكُمْ بِمَا كُنْتُمْ تَعْمَلُونَ

They will make excuses to you when you return to them; Say, "Do not make excuses - we shall never believe you - Allah has given us your tidings; and Allah and His Noble Messenger will now see your deeds, and then you will return to Him Who knows everything, the hidden and the visible - He will inform you of all what you used to do." (Taubah 9: 94)

It becomes evident through these sacred words that no one is allowed to pronounce ridiculous comments about the Noble Prophet (may Allah give him peace and blessing) and the intention is not given any consideration so if a person declares that he never intended blasphemy, it should not be heard and it will not be considered as

an excuse. And joking in this place is akin to seriousness, as *Zawajir* mentions "...or pronounces a word..."

In the commentary of the above verse *Ruh al-Ma'ani* states,

واستدل بعضهم بالآية على أن الجد واللعب في إظهار كلمة الكفر سواء، ولا خلاف بين الأئمة في ذلك (صد 449/10 روح المعاني)

"Some Ulama have derived from this verse that the verdict about the clear infidelity word is alike in seriousness and joking, and there is no disagreement among A'imma concerning this matter."

Ma'alim also states,

قال محمد بن اسحاق الذي عفي عنه رجل واحد و مخشى بن حمية الأشجعي يقال هو الذي كان يضحك ولا يخوض، وكان يمشي مجانباً لهم وينكر بعض ما يسمع (صد 2/308)

"Muhammad Ibn Is'haq has said that the person who was granted forgiveness was a person called Makhshi Ibn Humayr Al-Ashja'e. It has been said that this very person was laughing but was not participating in babbling and was marching aside the people who were engrossed in talking nonsense and disagreeing to some of the comments he was hearing."

The mentioned statement of *Ruh al-Ma'ani* is known from the Qur'anic text itself which was elaborated by *Ma'alim* that even laughing over comments that are dishonoring is infidelity, although the person never says any word by mouth. **There is greater room for the excuse of not having an intention while laughing in comparison to making a clear statement, since sometimes laughing takes place unintentionally.** Now return to the comments of the author concerning the issue of intention, and bring to attention the standard he himself appointed for *Iman* and think what a great contradiction this is? And what a show! There is a heap of broken standards before us.

8.2 Well O' author! Is the last part of *Ruh al-Ma'ani*'s comments "*there is no disagreement among A'imma on this*" not clearly suggesting that consideration is not given to the intention when an explicit *kufi* is made; either intended or not? And, that there is consensus of the theologian leaders on this? Thus, whoever disagrees on this is in breach of the consensus and no weight is given to disagreement in this regard. This is the very principle you explained through the standard admitted by yourself concerning consensus. Even then you use the differences of the scholars as an excuse, contradicting your self-appointed criterion, and you admit that Deobandi comments are indefensible breaches of proper respect, unacceptable and repugnant, and remain unable to defend Deobandis, violating not only the scholarly consensus but in a manner, saying to the Qur'an, that they never intended rudeness! Thus, you are free to do all (of this)!

8.3 Imam Qadhi Iyadh says in *Kitab al-Shifa*,

الوجه الثاني لاحق به في البيان والجلء وهو أن يكون القائل لما قال في جهته صلى الله عليه وسلم غير قاصد للسب والإزراء ولا معتقده ولكنه تكلم في جهته صلى الله عليه

وسلم بكلمة الكفر من لعنه أو سبه أو تكذيبه أو اضافته مالا يجوز عليه أو نفي مايجب له مما هو في حقه صلى الله عليه وسلم نقيضه مثل ان ينسب اليه اتيان كبيرة أو مداهنة في تبليغ الرسالة أو في حكم بين الناس أو يغض من مرتبته أو شرف نسبه أو وفور علمه أو زهده أو يكذب بما اشتهر من امور اخبر بها صلى الله عليه وسلم وتواتر الخبر بها عن قصد لرد خبره أو يأتي بسفه من القول أو قبيح من الكلام ونوع من السب في جهته وأن ظهر بدليل حاله أنه لم يعتمد ذمه ولم يقصد سبه أما لجهالة حملته على ما قاله أو لضجر أو سكر اضطره إليه أو قلة مراقبة وضبط للسانه وعجرفة وتهور في كلامه فحكم هذا الوجه حكم الوجه الأول القتل دون تلثم إذ لا يعذر أحد في الكفر بالجهالة ولا بدعوى زلل اللسان ولا بشيء مما ذكرنا [شفاء 2 / 204]

“The second way concerns the above mentioned in declaration and explicitness. That is the speaker neither intended through what he said to disgrace or swear the Holy Prophet (may peace be upon Him) nor believed it. However, he stated concerning His Holiness such an infidel word 1) cursing 2) refuting 3) attributing to Him with something that is not possible or negating such an attribute which is necessary all of which is considered imperfection related to Him. For example, relating him with committing enormous sin 5) flattering or being facile in conveying the message or 6) in the judgment among the people 7) or devaluing His rank 8) His exalted parentage or 9) His profound knowledge or 10) asceticism or 11) denies a well known and recurrent matter that the Noble Prophet has communicated with the intention to refute it or 12) talking nonsense or repulsive words in connection with Him or any sort of Blasphemous matter even though it appears through his condition that he never believed to dispraise and never intended to abuse Him but either for the ignorance which has caused him to say such words or displeasure or drunkenness which urged him to pronounce or due to carelessness or because of arrogance or rashness in speech. So the ruling in this issue is the same as in the first case i.e Assassination without Hesitation because no one will neither be excused in case of infidelity because of illiteracy (Jihaalat) or claiming the slip of the tongue (Sabqat Lisaani), nor will be considered to be excused due to any one of the reasons mentioned by us ”

How many evidences are in this phrase of “Shifa”? The Readers must count looking at it. And the readers must decide whether they are consenting or inconsistent with the author. Again it should be considered whether the issues, which Shifa has decided to be infidelity, are alike to the phrases of the Deobandis, or the Deobandis phrases have even excelled them. Including the author and the readers, all are called to consider this. Again they should deliberate the last words of Shifa, how clearly he has said absolutely without any condition that: “Neither will anyone be excused in case of infidelity, because of illiteracy (Jihaalat) or (because of) claiming slip of the tongue (Sabqat Lisaani)”

We have numbered the excuses Qadhi Iyadh mentioned which are not accepted as considerable. Is the aforementioned comment by Qadhi Iyadh not alone, refuting through its every word the condition of intention stipulated by the author of “Iman, Kufr and Takfir” in various places? **The author himself has declared the intention to be unacceptable through his absolute and unconditional words in the criterion he sets, where he explicitly declares on page 7,**

“sarcasm about any ruling of sacred law, or quoting a statement of unbelief-even jokingly, without believing it – when one’s intention is sarcasm [about religious matters]”

Does this very statement of the author not abolish his entire argument on the intention through his comments “even jokingly, without believing it”? Is it that the author’s memory is weak or is it headstrongness, that he forgets his previous words and adds to his comments that “when ones intention is sarcasm”?

8.4 The author frequently makes contradictory comments; and here, I want the readers to observe another example. The author says on page 2,

“to deny anything of the first category above constitutes plain and open unbelief. It includes such things as denying of oneness of all ALLAH, the attributes of Prophethood, that Prophetic Messengerhood has ended with Muhammad (Allah bless him and give him peace)...”

Didn’t the readers witness that he at the very place of this admission changed it to denial saying (p. 2-3),

“No position upon which one scholar may disagree with another because of evidence from the Quran, Hadith, or human reason (as opposed to emotive preference) may be a criterion for faith or unfaith (*kuf*)...”

Then again the author refuted the first-mentioned unconditional statement by adding conditions to it, saying at the very same place (p. 3),

“... provided it is a scholarly position, minimally meaning that it is not based on a fanciful interpretation of the Quran or Sunnah.”

We want to demonstrate if the author is firm on this view. Look at these statements by him together with the following: he wrote, whilst elaborating on a legal rule regarding the charge of infidelity on page 6 under the subheading “words that entail leaving Islam (p. 6)”,

“Denying any matter necessarily known to be of the religion of Islam that is established by a text from either the Holy Quran or mutawatir Hadith, **provided the text is incontestable as evidence and there is no pretext (shubha) for disagreement about it.**”

Earlier, the author announced that the principles of Islam were (p. 1) “matters about Islam that everyone knows, which even a child raised among Muslims would know, technically termed *ma’lum min al-din bid-darura* or “necessarily known as being of the religion”. And here, he makes the definition of the Islamic principles conditional. **He kept the definition absolute before, which incorporated all of the issues including logical (*ma’qul*) and related (*manqul*), in addition to the consensus of the Ummah and the continuous custom of Muslims in every time which is alike to consensus. Hence, the author considered all well-known issues, those that were even known to a child to be Islamic principles. Yet, now here in his last comments above, he has limited the meaning of absolute essentials to the issues proved by the Qur’an and mass-narrated hadiths and added the condition that the words should not allow for dispute and thus opened the way to disagreement so that**

the way to charge the Deobandis with infidelity be completely blocked, even if they disagree to the Islamic principles!

8.5 We have said many times that clear (*sarih*) never require an intention. Even the author has unknowingly agreed to this in his subsequent comments. **On pages 3-4, he mentioned the tradition reported from the companion Usamah (may Allah be pleased with him). What is the clear meaning of this, besides that the Holy Prophet (may Allah give him peace and blessings) guided the Ummah to rely upon the clear statements and evident condition, and that they must consider that very explicit comment as an evidence to the willingness and intention? Now they do not need to disclose the intention by tearing the heart. By the grace of Allah this narration is a solid proof for us which the author cites inattentively in order to support the Deobandis though it is clearly against his position.** So, why then does he contradict the evident meaning of this narration and despite his repeated admission, that “such words were indefensible breaches of proper respect”, firmly uphold that the intention behind the Deobandi comments was not to insult and disrespect the Prophet (may Allah give him peace and blessings)? The author gave the following explanation to this narration (p. 6),

“The Usamah ibn Zaid Hadith shows that a Muslim legally entering Islam by having said the profession of faith (shahadah) is an absolute certainty. No one can, thereafter, be considered a *kafir* without an equal certainty, since the Prophet condemned Usamah for doing so”.

We ask the author what is the meaning of “certainty” here? Is it that which has “no likelihood of the contrary aspect” or it has “a probability that does not come through evidence” (*ihimal nashi la an-dalil*) or it has “a probability which comes through evidence” (*ihimal nashi an-dalil*)? On the first condition, what type of certainty would it be and what would it be called in the Shariah? Evident (Sareeh), fixed (Muta`eyan), clear (Muhkam) explanatory (Mufassar) or something else. On the second condition, would such certainty be lesser in its value than the first one or equal? How could it be equal? In case it is lesser, does the conclusion inferred by the author from this hadith not establish that an evident (*sarih*) never needs an intention regardless of which kind of evident it should be? Again, is it considerable in case of adopting Islam, and not in any other case? What proof is to it? **And if it is generic, which is considerable at every place, and indeed it is so, (thus) could one not say as an argument in reverse (*mu`aradha bil-qalb*), that the certain evidence to consider one out of Islam legally is to commit an act or to pronounce any word violating Islam. After this, no one can be counted as a Muslim, unless the certain evidence of the same category is available, that is the repentance from infidelity and displeasure**

Imam Izz al-Din Ibn Abd al-Salam states in *Qawa'id al-Ahkam*,

اللفظ محمول على ما يدل عليه ظاهره في اللغة أو عرف الشرع أو عرف الاستعمال،
ولا يحمل على الاحتمال الخفي ما لا يقصد أو يقترن بدليل (2 / 102)

“The word will be taken in the meaning which is pointed to by its clear sense in the language or the usage of the Shariah or common usage. It will not be construed on the hidden likelihood which is neither intended nor accompanied by evidence.”

The author must acutely observe the narration of Usamah and explain: In this narration, there was a clear indication to Usamah about the absence of intention of the murdered person, which was evident to the latter's condition and hence became a probability that rises from evidence (*ihtimal nashi*). This is a "likelihood arising from evidence" (*ihtimal nashi an-dalil*). In spite of this, the excuse of Usamah regarding the absence of intention (*adam al-qasd*) wasn't heard. Whether it means only that you must act on the obvious and don't have a look at willingness and unwillingness, or it means something else That is why the Noble Messenger (May Allah give him peace and blessings) stated absolutely without any condition:

أمرنا بالظواهر والله يتولى السرائر.

"We have been ordered to act according to the obvious and leave the hidden wills to Allah".

Imam Ibn Hajr Makki conveys this very meaning in *al-I'laam*. He says,

الذي يتحرر فيه أنه بالنسبة لقواعد الحنفية والمالكية وتشديداتهم يكفر بذلك عندهم مطلقاً، وأما بالنسبة لقواعدنا وما عرف من كلام أئمتنا، اللفظ ظاهر في الكفر، وعند ظهور اللفظ فيه لا يحتاج إلى نية كما علم من فروع كثيرة، وإن أول قبل منه (ص 61 ملخصاً)

"the definite issue is that in relation with the rules of Hanafites and Malikites and their hard concentrations, the speaker is considered an infidel in absolute terms. As for the rules of our leaders [the Shafi'ites] and their statements, the rule is that the word is apparent in the meaning of infidelity and in case the word is clear in the meaning of infidelity then the intention of the speaker is not required as it is known through many particular examples. If, he should interpret his comments, his interpretation shall be accepted from him".

He further says,

عملنا بما دل عليه لفظه صريحا، وقلنا له أنت حيث أطلقت هذا اللفظ لم تؤول كنت كافرا، وإن كنت لم تقصد ذلك لأننا إنما نحكم بالكفر باعتبار الظاهر وقصدك وعدمه إنما ترتبط به الأحكام باعتبار الباطن اللفظ إذا كان محتملا لمعان فإن كان في بعضها أظهر حمل عليه، وكذا إن استوت ووجد لأحدها مرجح، الإرادة وعدمها لا شغل لنا بها (ص 13، 14 ملتقطاً)

"We will act according to that which his word is pointing out, and will say to him, since you pronounced this word absolutely and never declared any interpretation; you have become an infidel even if you had no intention to it in your heart, as we issue the verdict of *kuf* considering the obvious meaning only. Whether you intended this meaning or not, the rules related to this matter are in regard with the intrinsic. So, if the word should have the possibility of multiple meanings, then should a meaning be more clear, the comments would be taken in that very meaning. And this rule applies to the case when some meanings are alike and when we get any aspect preferring that meaning, **we have no interest in the willingness and unwillingness of the speaker.**"

It is clear through his last comments that the clear obvious (*sarih mutabayyin*) never requires an intention, and the speaker will be considered as an infidel in absolute terms according to the *fuqaha*, until he does not elaborate his intended meaning. Should he fix a meaning, the Muslim jurists shall accept it. Ibn Hajar conveys this very meaning in his comments “If he should interpret his comments, it will be accepted”. In case he doesn’t interpret his comments, all the *fuqaha* will consider him an infidel. The latter explained this saying “we will act according to that which his word is pointing out” and he declared this very sense clearly saying “We have no interest in the willingness and unwillingness of the speaker”.

8.6 In the following assertion of Imam Ibn Hajar Makki “since you pronounced this word absolutely and never declared any interpretation, you have become an infidel”:

There are some conditions in this rule, and the rule spreads over every condition:

1. the speaker did not intend the infidelity (*kuff*) meaning
2. He intended the infidelity meaning
3. He had no intention at the time of pronouncement.

It is a unanimous decision of all Theologians (*fuqaha*) that the second case, while the speaker intended the infidelity meaning, is from the category of words that have a fixed meaning (*sarih muta’ayyan*), and the speaker will be considered an infidel according to the consensus of all Theologians (*fuqaha*) and Scholastics (*mutakallimun*). The first and the third cases belong to the category of clear and obvious (*sarih mutabayyin*). In these cases, when the speaker pronounces the absolute word without interpreting his comments, he will be considered as an infidel in the view of the Theologians (*fuqaha*) from all of the schools, and it will not be advantageous to him if the jurist (*mufti*) should fix the word in a meaning against the obvious one. Take the testimonies to this from *Durar* and *al-Durr al-Mukhtar* for example and this is the latter’s wording,

وفي الدرر وغيرها: إذا كان في المسألة وجوه توجب الكفر وواحد يمنعه فعلى المفتي الميل لما يمنعه، ثم لو نيته ذلك فمسلم وإلا لم ينفعه حمل المفتي على خلافه (230 /4)

“It is stated in *Durar* and other books: if there should be some probabilities in a word demanding the charge of infidelity and one should be forbidding this, the jurist must tend to the meaning forbidding the infidelity charge. If the speaker intended a meaning [that prevents the charge of infidelity] he shall remain a Muslim, and **otherwise the jurist’s attempt to fix the meaning against it¹³, shall not benefit him**”

Ibn Abideen states in his commentary *Rad al-Muhtar* under the author’s comments “and otherwise...”

(قوله وإلا) أي وإن لم تكن له نية ذلك الوجه الذي يمنع الكفر بأن أراد الوجه المكفر أو لم تكن له نيته أصلاً لم ينفعه تأويل المفتي لكلامه وحمله إياه على المعنى الذي لا يكفر،

¹³ I.e. obvious meaning.

كما لو شتم دين مسلم وحمل المفتي الدين على الأخلاق الرديئة لنفي القتل عنه فلا ينفعه ذلك التأويل فيما بينه وبين ربه تعالى إلا إذا نواه (230 /4)

“that means that if the speaker has not intended the aspect forbidding the infidelity charge by intending the meaning necessitating infidelity, or he never had any intention while speaking, the interpretation by the jurist (mufti) to his word and taking it in a meaning due to which he should not be considered an infidel will thus not be useful to him. For example, should he abuse the religion of Muslims, and the jurist takes it in the meaning of misconduct, so that the sentence of death be kept away from him, so this interpretation will not help the speaker in the treatment between him and his Lord only except if he had intended it.”

Look how evident it is through these quotes that **clear (*sarih*) never requires an intention, even though there should be a possibility of another meaning, which would not prevent the infidelity charge, in a case in which the speaker makes the comments in absolute terms without interpreting them, should he have an intention or not.** All of the Hanafite, Shafi’ite, Malikite and Hanbalite jurists agreed upon this. And the interpretation by the jurist is only in order to avoid the sentence of death and not to avoid the infidelity charge in absolute terms, as it is the clear meaning of these comments by Ibn Abideen “so that the sentence of death is deterred” [”لنفي القتل“].

8.7 I should elaborate on this here, so I begin by the given ability from Allah Most High, saying that a word that contains a possibility of multiple meanings (*muhtamal*) causes suspicion and punishments (*hudud*) are deterred due to suspicions (*shubuhah*). This is why the suspicion to charge one with infidelity occurs due to [the speaker’s] declaration of an interpretation forbidding the infidelity charge, which demands the removal of the sentence of death. But this suspicion is not at that stage that makes it contrary to the clear word giving the obvious sense (*sarih mutabayyin*) of infidelity and his Iman should be definite without any doubt. So, as there is a suspicion to the infidelity charge against him due to the probability on one hand, the explicit word (*sarih*) negates this and clearly demands the infidelity charge against him. Or at least, in case the opposition should be admitted, both the suspicions shall remain: The first is the strong suspicion to the *Iman* [of that person] and the other one is to his *kuf*. This demands action according to both of the suspicions (*amal bi al-shubhayn*), otherwise, the action would be taken according to the probable word (*muhtamal*) and the evident word (*al-laḥẓ al-zahir*) would become absurd and suspended. Therefore, in sight of the probability (*ihhtimal*), the speaker will not be considered as Kaafir according to Scholastics (Mutakal’limeen) . However, in the view of the Theologians (Fuqaha), he is indeed a Kaafir bearing the clear in mind and he is commanded to repent and renew Iman in the view of all, not that the clear word will be suspended and absorbed in sight of likelihood, but he will be at a preferable stage commanded here to repent and renew Iman as there is no difference by the Theologians (Fuqaha) and even in case of difference, Theologians (Fuqaha) have ordered (him) to repent and renew Iman, so here, in the first place, had the author not taken the cover of disagreement by the Ulama improperly, again he would have not made it absurd and ineffective and he would have commanded the Deobandis to renew Iman considering them kaafir any way.

In spite of this, is it not out of place for the author to certify his claim through the sense of the phrase which commences as follows “were there any doubt about this...” (p. 15) as he wants

to bring the disagreement as a proof at the unanimous point whereas he has negated disagreement himself saying “were there any doubt about this...”? Is this not a clear fallacy? Remember his comments on page 15 and remember what he has said about the refusal of Islamic principles on page 2 and the standard he established on pages 2- 3 and here he declared evidently through the narration of Usamah that it is necessary to act on the obvious without giving regard to willingness and unwillingness and that there was no need for this. And the disagreement which he negated by saying “were there any doubt about this” in the manner of an interrogation for negation (*istitham inkari*), he declared the same point many times, a summary of which is his own assertion (p. 21) that “Muslims would have found his words repugnant and unacceptable”.

9. THE FALLACY TO CONSIDER THE *TAKFIR* INVALID ACCORDING TO THE HANAFI *MADHAB*

9.1 Here the author, in order to support the Deobandis says (p. 21),

“His (Imam Ahmad Raza’s) fatwa of *kufir* against the Deobandis, however, was a mistake, it was not legally valid in the Hanafi school for the two reasons named by Imam Haskafi at the beginning of this essay, namely, a fatwa may not be given of the unbelief of a Muslim whose words are interpretable as having a valid meaning, or about the unbelief of which there is a difference of scholarly opinion, even if weak.”

Here we shall present the passage by Imam al-Haskafi in his words and after giving its translation, we shall give the author’s summary. The passage of Imam al-Haskafi in *al-Durr al-Mukhtar* is as follows,

واعلم أنه لا يفتى بكفر مسلم أمكن حمل كلامه على محمل حسن أو كان في كفره خلاف،
ولو كان ذلك رواية ضعيفة (در مختار ص 4 / 229 - 230)

“You know that a verdict concerning the infidelity of a Muslim may not be issued if it is possible to take his word in a good meaning or if there is a difference to the infidelity charge against him, even if it should be a weak version.”

The author is explaining this phrase in this manner : “A *fatwa* may not be given of the unbelief of a Muslim whose words are interpretable as having a valid meaning, or about the unbelief of which there is a difference of scholarly opinion, even if weak.” (Page: 22)

The question about the underlined statement is that, ‘**which word of *al-Durr al-Mukhtar* is translated here?**’ Again, how could it be right to bring this phrase as a proof in spite of his own strong admission and the summary of these repeated admissions, which is in his own words, ‘**indefensible, unacceptable to all Muslims**’ and it is proved through these admissions by him that it is not the point of disagreement but it is the unanimous point.

So, is this (admission by him) only by chance or is it a clear fallacy considering the unanimous as disagreed.

9.2 The author now asserts as follows (p. 21-22),

“the Deobandis’ words are interpretable as “having a valid meaning.” for they can be construed as making a distinction, however crudely, between Allah’s knowledge of the absolute unseen and man’s knowledge of the relative unseen. Saharanpuri and Thanawi both later explicitly mentioned this in their defense of themselves and secondly there is a valid difference of scholarly opinion about the unbelief of such words, for “even if weak” in the above Hanafi text...”

Firstly: Is it not a clear contradiction, as he himself said that such words were (p. 22) “indefensible”. Now, how does he say that “the Deobandis’ words are interpretable”?

Secondly: what he declared to be the sense of this passage is clearly at the point of prevention (*mahall al-mana*).

Thirdly: Is the distinction between Allah’s knowledge and that of creation dependent upon such a polluted comparison which attempts to abolish the specialty of the Noble Prophet (may Allah give him peace and blessings) that he declared in the beginning of his comments and compared the knowledge of the Noble Prophet (may Allah give him peace and blessings) to the knowledge of all children and insane persons, and animals and beasts! And in the end of his comments¹⁴ through saying, “it is necessary to explain the reason of distinction” he announced clearly the negation of the [Prophetic] specialty and established equality¹⁵. Is it not a clear blasphemy? Indeed it is, the author himself admitted this as a clear breach of respect, but even then he goes against consensus of the religious authorities and the clear still needs intention!!!

Fourthly: in this question by Ashraf Ali, “it is necessary to explain the reason of distinction”, if the distinction was clear in his heart and mind, why does he say now that “it is necessary to explain the reason of distinction”? Is it not explicit evidence to his belief in there being no difference? Yet according to the author the intention behind the comment was not to insult.

Fifthly: the author himself refuses the given interpretation by saying (p. 21) “however crudely”.

Sixthly: since he admitted it was a “crude” interpretation, so how then is this considered a scholarly disagreement¹⁶? And it becomes clear through his admission that this style and this thought does not meet the mentioned conditions in the standard which he himself appointed¹⁷ and is therefore rejected and for the same thought presents these comments of *al-Durr al-Mukhtar* and makes the unanimous (*ijma*) issue seem disputed. If this is not deception then what is this?

Seventhly: why does he combine both the contrary statements after he has declared the comments to be “artless” and “crude” thus rejected, and why does he change the rejected into accepted by saying “Saharanpuri and Thanwi both later explicitly mentioned this in their defense of themselves and other Deobandi figures”?

Eighthly: he has forgotten what he has just said here. He calls the interpretation “crude” and at the same time denies that and says it is “valid” and considers it scholarly? Now what right does he have to assert (p. 22) “there is a valid difference of “*scholarly opinion*” about the unbelief of such words, for “even if weak...”?

The statement of Ibn Abidin is as follows,

¹⁴ Ashraf Ali in *Hifz al-Iman*.

¹⁵ Between the Noble Prophet’s knowledge and that of the lowest of creatures.

¹⁶ Look at his other assertions on p. 17 too that the Deobandi comments were “*far below the standards of normal scholarly discourse*” and p. 21 where he says Thanawi’s comments contained an “*artless comparison*”.

¹⁷ i.e. the criterion of faith in his discussion on things disagreed upon by Ulama.

[قوله ولو رواية ضعيفة] قال الخير الزملي: أقول ولو كانت الرواية لغير أهل مذهبنا، ويدل على ذلك اشتراط كون ما يوجب الكفر مجمعا عليه [1 هـ]

“Khair al-Ramli states: “I have to say: even if the weak narration should be the view of a person from other than our school and this indicates that the issue which causes the infidelity charge must be unanimous by condition.”

Either that this last passage¹⁸ was accidentally missed by the author or deliberately not mentioned. Is he not, after all changing the “unanimous” into “disputed” and forgetting his admissions, and bringing proofs of the disagreements [of the scholars] out of place, and is this not placing the statements those in place of disagreement in the places of unanimous agreement? **He must present any narration declaring the comments of Deobandis are not *kufir* and must declare, whether in Islamic history the Islamic principles have been refuted, the scholarly consensus has been refuted, and that comments that are “repugnant”, “unacceptable”, and “indefensible” were made, even then the opposition to their infidelity charge occurred?** Where will he present such proof from when he has previously admitted “were there any doubt this...”?

Ninthly: Again, remember the author’s paragraph in order to defend the Deobandis, wherein he said (p. 22) “there is a valid difference of scholarly opinion about the unbelief of such words for, “even if weak” in the above Hanafi text...” Regardless of the contradiction in his comments where he now calls a “valid difference of scholarly opinion” he earlier called “crude” (p. 21) and “artless” (p. 21), right here there is a clear contradiction between the beginning and the end of his comments, he says “valid difference of scholarly opinion” declaring that the disagreement is evident and correct, and forgets what he said concerning them that they were “indefensible breaches of proper respect” and “unacceptable” (p. 21-22). What was the obvious sense of this aside from the fact that the Deobandi comments are clear in the meaning of infidelity? Now, why does he turn against what he asserts? And why does he then declare this disagreement as valid? He is still not firm even on this. Why does he cancel his previous admission by his last comments where he says “even if weak” and considers it a valid difference of scholarly opinion at the same time it being “artless” and “crude”?

Tenthly: He should be questioned that since the Deobandi statements were “indefensible breaches”, “offensive”, “disadvantageous and artless comparisons” etc, they were explicit in the meaning of unbelief, he should have at least thus accepted that they were clear comments (*sarih mutabayyin*) in the meaning of *kufir*, and considered them infidels on this basis? But how, as in his view, is this “valid difference of scholarly opinion” and these comments do not fall into the category of words that entail *kufir*? He shields himself by using the validity of the differences of the scholarly opinions. Even now, is there any doubt that this was a verbal debit and credit and that in his heart, the author believes that it is not necessary to charge them with *kufir* and it is a mistake to declare them infidels?

¹⁸ From Ibn Abideen’s comments in *Radd al-Muhtar*.

10. AN EXPLANATION TO THE COMMENTS OF IBN ABIDEEN IN *RAD AL-MUHTAR* ON WORDS THAT CONTAIN A *KUFR* MEANING

10.1 I say: ¹⁹ "حمل قوله" in the comments of Ibn Abideen means that the *mufti* will accept the speaker's mentioned interpretation, and in this case the word *mufti* is synonymous to *Qadhi*. According to this possibility (*ihimal*), the comments of Ibn Abideen al-Shami convey the same meaning as that of the statement of *al-Zawajir* "if he interprets his words, the interpretation shall be accepted from him" or "*hamlu qawlihi*" means that the speaker should be asked to declare his intention. If the speaker declares his intent after the governor's inquiry, the latter will recognize it and the execution will be deterred. This does not mean that the jurist will suppose this meaning at all events; even if the speaker had no intention while making the comment, as it results in the cancellation of the evident that is undeniably false. This never means that the speaker should not be inquired about regarding his intention and the speaker should be free due to the possible meanings against the apparent one, even if, either he had no intention while speaking or he never intended the meaning which lifts the sentence. **Rather, the execution will neither be removed in this case nor in the case of pronouncing such comments in absolute terms without an intention** as it is the clear purport of the aforementioned comments of Ibn Abideen. The comment's of *al-I'lam* "if he interprets his words, the interpretation shall be accepted from him" is indicative to this meaning we have given²⁰. **This ruling is neither disagreed upon nor contrary to our legal principles**²¹. The outcome of this is that this condition is certainly present in the comments of Ibn Abideen and *al-Durr al-Mukhtar* although it is not apparently mentioned but the word of *al-Durr al-Mukhtar* "تم لو نيته كذلك" (If the speaker intended a meaning) is an indicator to this. After interrogating²², if the intention should become known and it forbids the infidelity charge, then he is a Muslim to Allah and to the Muslims, with the condition that he gives this meaning repelling from the apparent meaning of his comments. It is now clear that even this absolute rule (*al-hukm al-mutlaq*) is actually conditional (*mahmul ala al-muqayyad*), to which Ibn Abideen's comments "لنفي القتل عنه" indicate. The other context to this is *al-Durr al-Mukhtar*'s aforementioned comments "وما فيه خلاف".

10.2 We should quote the words of "*al- Mawt al-Ahmar*" by Mufti al-Azam bil-Hind, may Allah ennoble his grave, in line with the meaning which we offered to Ibn Abideen's comments وحمل المفتي through which it should be clear how cautious Imam Ahmad Raza was concerning the infidelity charge against Deobandis. Deobandis were unable to explain their intentions in spite of long intervals of time granted to them and they remain unable to give the meanings till now. Even then they debate in support of these statements! No one, including

¹⁹ (*Hamlu qawlihi*? "his saying will be placed in the meaning...").

²⁰ to the comments of Ibn Abideen.

²¹ I.e. of the Hanafi Madhab.

²² I.e. the speaker.

the authors of these books²³ and their authorised agents and debaters, dared to say that these books did not belong to them or to their leaders, although before their intentions were inquired, they were asked whether the comments belonged to them. And if they are yours, what is the intention behind them? Nowadays, some of the obstinate people among them begin questioning the authenticity of the attribution when they are unable to give a valid interpretation. It comes to our knowledge, also, that these books including “*Taqwiyat al-Iman*” written by Ismail Dehlawi, have been altered and changed! The author also commenced mentioning media²⁴ and since his intent from the beginning till the end is to prove that Deobandis are not infidels, this question is concealed in his comments, which is usually raised by the obstinate opponents. He has admitted through his style of discussion that these passages belong to the Deobandis, then why does he bring up the media discussion through which he aims to deny the mass-narrated information and mould what is established and mass-narrated in to the non-established and non-mass-narrated? Is this not at last concealing the self inability? Couldn't he at least have said here that “if these words truly belong” to whom these are attributed, then they are certainly infidels, apostates and out of the fold of Islam, as the Ulama of the two Holy Sanctuaries, Egypt, Syria, India and Sindh have given the verdict about them, among whom are:

1. Sheikh Muhammad Sa'id bin Muhammad Salam Ba Busail: Mufti al--Shaf'ii and Sheikh al-Ulama in Makkah (1829-1912AD/1245-1330AH)
2. Sheikh Ahmad bin Abdullah Abu al Khair Mirdad: Imam, Khatib and Mudarris in the Holy Haram Mosque. He was also Naib (Deputy) of the Hanafi Mufti (1843-1916AD/1259-1335AH)
3. Sheikh Muhammad Salih bin Sadiq Kamal: Imam, khatib and Mudarris in the Holy Haram Mosque. He was appointed as Qadhi of Jeddah city in 1297AH (1847-1914AD/1263-1332AH)
4. Sheikh 'Ali bin Sadiq Kamal : He was a Mudarris in the Holy Haram Mosque. He was a major Hanafi scholar and had been appointed as Qadhi in the Shariah Court of Jeddah (1837-1917AD/1253-1335AH)
5. Maulana Shah Muhammad Abdul Haq Ilahabadi Muhajar Makki: He was a Mufasssir, Muhaddith. (1836-1915AD/1252-1333AH)
6. Maulana Shah Muhammad Abdul Haq Ilahabadi Muhajar Makki: He was a Mufasssir, Muhaddith. (1836-1915AD/1252-1333AH)
7. Sheikh Sayyid Muhammad Marzuqi Abu Hussain bin Abd al-Rahman Hussaini: He was a Hanafi scholar, hafiz and Imam of the Tarawih in the Sacred Mosque of Madinah and deputy Qadhi in Makkah (1867-1946AD/1284-1365AH)
8. Sheikh Umar bin Abu Bakr Ba Junaid: Hafiz, Qari and Mufti of the Shafi'i'tes in Makkah (1857-1935AD/1274-1354AH)
9. Sheikh Muhammad 'Abid bin Hussain Maliki: Maliki Mufti in Ottoman and Hashmite Reigns (1859-1923AD/1275-1341AH)
10. Sheikh Muhammad 'Ali bin Hussain Maliki: Grammarian, Maliki Mufti and teacher of Dar al-Uloom Diniyya (1870-1948AD/1287-1367AH)

²³ Containing the offensive comments.

²⁴ I.e. the transmission of information.

11. Sheikh Muhammad Jamal bin Muhammad Amir bin Hussain Maliki: Mudarris in the Holy Haram Mosque and Head of a Division in the Judiciary Department (1868-1930AD/1285-1349AH)
12. Sheikh As'ad bin Ahmad Dahhan: He was an eminent Hanafi scholar and Mudarris in the Holy Haram Mosque and Judge at the Makkah High Court (1863-1919AD/1280-1338AH)
13. Sheikh Abd al-Rahman bin Ahmad Dahhan: He was a Hafiz, Imam of Tarawih in the Holy Haram Mosque and Mudarris of Tafsir and Hadith (1866-1918/1283-1337AH)
14. . Maulana Ahmad bin Muhammad Zia al-Din Bengali Qadiri Chishti: He was an eminent Hanafi scholar and Mudarris in the Holy Haram Mosque and Madrasah Ahmadiyya (alive in 1906AD/1324AH)
15. Sheikh Muhammad bin Yusuf Khiyat: He was a Shaf'i Aalim having a good taste of poetry and good knowledge of astronomy (alive in 1912AD/1330AH)
16. Sheikh Muhammad Salih bin Muhammad ba Fazl: He was a Shaf'i Aalim (1860-1914AD/1277-1333AH)
17. Sheikh Abd al-Karim bin Hamza Daghestani Hashmi Naji: He was Hafiz and Mudarris in the Holy Haram Mosque (1851-1920AD/1267-1338AH)
18. Sheikh Muhammad Sa'id bin Muhammad Yamani: He was a Shafi'ite Imam and Mudarris in the Holy Haram Mosque (1854-1936AD/1270-1354AH)
19. Sheikh Muhammad Hamid bin Ahmad bin 'Auz Jadawi: Qadhi in Jeddah under Hashmite rule (1860-1923AD/1277-1342AH)
20. Sheikh Uthman bin Abd al-Salam Daghistani: Hanafi Mufti from 1303 to 1319. Mudarris and Khatib in the Sacred Nabvi Mosque (1853-1907AD/1269-1325AH)
21. Sheikh Sayyid Muhammad Sa'id bin Muhammad Maghribi
22. Sheikh Muhammad bin Ahmad Umari Wasti: He was a Malikite scholar and Hafiz, appointed as Mudarris in the Sacred Mosque of Madinah (1863-1946AD/1280-1365AH)
23. Sheikh Sayyid Abbas bin Muhammad Rizwan: Member of a renowned Malikite family in Madina and Mudarris in the Sacred Mosque (1877-1928AD/1293-1346AH)
24. Sheikh Umar bin Hamdan Mahrasi: Malikite scholar and Hafiz (1875-1949AD/1291-1368AH)
25. Sheikh Sayyid Ahmad bin Isma'il Barzanji: Shaf'ite Mufti of Madinah (1843-1916AD/1259-1335AH)
26. Sheikh Abdul Qadir Taufiq Shalbi Tarablusi: Scholar of Theology in Madina (1878-1950AD/1295-1369AH)
27. Sheikh Sayyid Isma'il bin Khalil (D.1911AD/1329AH)
28. Sheikh Muhammad Yusuf Afghani: He was Mudarris in Madrasah Sawlatiah
29. Sheikh Muhammad Taj al-Din Mustafa Ilyas
30. Sheikh Sayyid Ahmad al-Jazairi: (Alive in 1912AD/1330AH)
31. Sheikh Khalil bin Ibrahim Kharbuti
32. Sheikh Sayyid Muhammad bin Muhammad Habib Didawi
33. Sheikh Muhammad bin Muhammad Sosa Khiyari
34. Sheikh Muhammad Uzair Wazir

11. “THINGS NOT EVERYONE KNOWS”

11.1 The author says on page 2,

“to deny something of the second category above, tenets of faith that not everyone knows, and that an ordinary Muslim might not know unless it were pointed out to him, is only unbelief (*kufr*) if he persists in denying it after he understands that it has come to us from Allah or his Messenger (Allah bless him and give him peace)...”

Firstly: Deobandi comments are not related to the denial of issues of this category.

Secondly: let us incorrectly suppose that even if they belong to this category, Deobandis insisted on them after repetitive notices and reminders.

Thirdly: after the aforementioned comments, he presents a translation of a verse (6: 152), how does it relate to what he is talking about? Is it that the issues which have been mentioned in the verse are of the same sort to which he mentions in “tenets of faith that not everyone knows”.

11.2 Thereafter, the author says to support his mentioned assertion, “...and attested to by many Hadiths” where he mentioned the Hadith of Abu Dawud, the last words of which are, “is there any one among you who has not heard that I have cursed whoever brands or strikes an animals’ face?” Upon which he comments saying,

“Although branding or striking an animal’s face is a crime and an enormity (*kabira*) in Islam, the words “is there anyone among you who has not heard “... indicate that whoever does not know it is wrong is not culpable of it, even if he commits it, until he learns it is wrong ...”

We have to say that this is an interrogation of negation (*istifham inkari*) i.e. that there is no one who has not heard and that all have heard and have learnt. Unawareness of an issue that is well-known in the religion and known by everyone is not considered as an excuse. Now we ask him, why does he give the above meaning to this Hadith instead of its clear and obvious meaning? And through its absolute proposition, why does he make it appear to people that unawareness of absolute essentials is an excuse? Then why did he say before that “there is no excuse not to know these things in the land of Islam”?

The author furthermore writes (p.2), “Allah says in another verse, Allah only charges a soul according to what has come to it.” We say that is correct and the author’s purpose is linked with this, but then why didn’t he present it first? And even if he has mentioned all the concerning (*muta’alliq*) and non-concerning (*ghayr muta’alliq*) by chance, so what prevented him from asserting that this very part of the verse “We do not charge any soul except in its capacity” (6: 152) was an evidence to his comments? Why did he place confusion and delusion at the place of declaration? We advise the author to study the method of explanation so that he learns the distinction between places of declaration and places of confusion.

12. CHARGING OTHERS WITH INFIDELITY

12.1 THE HADITH OF USAMAH (MAY ALLAH BE PLEASED WITH HIM)²⁵

Moreover there is a very important point in the Hadith of Usamah (p. 3). If the author had a tiny amount of Iman, he could have derived it through the very Hadith he mentioned that “Islam is above all and nothing is above Islam”. From this stems the rule that the announcement of Islam from the compelled is valid whereas the pronouncement of *kufir* by force is invalid, and the declaration of both without force is valid. Indeed Deobandis have pronounced that which is “indefensible”, “repugnant” and “unacceptable” without any compulsion and remain until now unable to give valid interpretations. Hence the ruling of Islam necessarily applies to them and they are indeed apostates in the Islamic law. Citing this Hadith, therefore, as a precedent to defend them is an invalid analogy.

The author says on page 4,

“Judging anyone who regards himself a Muslim to be an unbeliever is a matter not taken lightly by anyone who understands its consequences.”

What he says is correct. We have nothing to say to it except that does this preamble have a plausible link to the middle of the article and to the conclusions at the end? There is none, as it becomes clear a many times.

Moreover, he says (p. 4),

The Prophet (Allah bless him and give him peace) has said: whoever charges a believer with unbelief is as though he had killed him”.

Alhamdulillah, the Imam of the Ahl al-Sunnah and the Ahl al-Sunnah are free of this charge. They never declared any believer an infidel; instead they considered the person an infidel who announced *kufir* himself to whose comments the author has admitted to as offensive, as it is evident on various pages through out his article. The author thus cites the statement of the Noble Prophet (may Allah give him peace and blessings) “whoever charges a believer with unbelief...” **The author presents this preamble to save Wahhabis and Deobandis from the infidelity charge and recalls the Hadith of the Noble Prophet (may Allah give him peace and blessings) but why has he forgotten that Wahhabis and Deobandis consider all the people who disagree with their beliefs as infidels and polytheists? Why does he not therefore declare Wahhabi and Deobandis as infidels in light of this Hadith?**

The author further says (p. 4),

“It is difficult to think of a direr warning, and its purpose is clearly to dissuade Muslims of religion and good sense from judging anyone who professes Islam to be an unbeliever unless there is irrefutable proof.”

²⁵ See also: section 8.5 where we have discussed this narration.

All I would say about the underlined text is that he himself has given an incontestable proof on page 22 where he says the Deobandi comments were “indefensible breaches of proper respect” but we still find him in denial saying “they were not *kuffi*”, isn’t this a clear contradiction?

12.2 TAKFIR IN THE ABSENCE OF A QADHI & THE FALLACY OF PLACING ULAMA AMONG “ORDINARY MUSLIMS”

12.2.1 The author writes (p. 4),

“In Muslim society, such a judgment is the business of the Qadhi or Islamic judge alone, and only because he has to “.

The author uses this argument to save Deobandis from the infidelity charge, but he must state, though Deobandis are not infidels in his view, are there any other cults aside from them who are infidels or not? If there are, who are they? In his view, Qadiyanis, the outright deniers of Hadith who call themselves Ahl al-Quran, the many Shiite denominations who slander Sayyida Aishah (may Allah be pleased with her), those who declare the Quran as incomplete, those who consider the Noble Angel Jibril mistaken in bringing revelation, and those who believe Sayyiduna Ali is god; are these not infidels in his view? If they are, then the author must state what would he say in reply to them if they should repeat his very comments to him that “in Muslim society such a judgment is the business of the Qadhi or Islamic judge alone”?

12.2.2 The author adds to his previous comments “and only because he has to. In cases where he must distinguish between the *kufir* or *Iman* of a nominally Muslim individual...” We question the author about the underlined text, what is its meaning? Does the word Muslim here refer to the real meaning or a metaphorical one? If it is in its real meaning, so he who is really a Muslim, how could he be attributed to the *kufir*, which is contrary to Islam and what does it mean to be attributed to the Qadhi?

Would the Qadhi be an unreal one of an assumed Islamic government who according to the author “must distinguish between the *kufir* or *iman* of a nominally Muslim individual”? And if the metaphorical meaning is intended in his comments, what is it and what is the context to it (*qarina*)? How can the metaphorical meaning be justifiable without the presence of a context and how could such a statement be allowed?

Again, what limitation to the infidelity charge, the annulment of matrimony and other contractual agreements, permitting women to marry in some cases and the verdict regarding women’s waiting period (*idda*), the hearing of testimonies whilst rejecting some of them and accepting others, judicial decisions in cases and establishment of Jumu’ah and the two Eid prayers; these too are all duties of the Qadhi and among the responsibilities of an Islamic government, yet such a government does not exist anywhere in our era. Does this mean that the Divine rules will be suspended? This is the result of taking the cover of the Qadhi to avoid the infidelity charge! **Doesn’t the author know that if an era is empty of an authoritative Sultan, then such issues are assigned to the Ulama, and Ulama became the governors of Muslims? And whoever among them should be the most superior in knowledge (*Resort of verdict Marja e Fatwa*), becomes an officiate of the chief justice, rather he becomes the officiate of the Sultan e Islam. If all should be of the same level, lots shall be cast among them.** If the author truly doesn’t know this, he must hear it from us that Sayyidi Abdul Ghani Nabalusi cites the following comments of Imam al-Attabi in *al-Hadiqah al-Nadiyyah*,

إذا خلا الزمان من سلطان ذي كفاية فالأمور مؤكدة إلى العلماء ويصيرون ولاية (إلى قوله) فإن استووا أقرع بينهم. (ص 1 / 351)

The summary of this quote was mentioned above so its translation is not needed. If he did not know this, why does he interfere in scholarly issues without the required knowledge? And if he knows this detail, then the readers must look at this deception and fallacy. The author must ponder over his comments in the same paragraph (p. 4),

“...he does so because of earthly rights and penalties entailed by such a judgment, such as that an apostate’s marriage to a Muslim woman is null and void, the meat he slaughters is not lawful to eat and his property belongs to the Muslims common fund (baytal-mal), and so forth”.

What is the clear meaning of this? It is that, these earthly rights and penalties depend on the Qadhi’s decision at the time of dispute. What is the clear meaning of it except that being an infidel in person, due to a reason causing infidelity is one thing and the establishment of the charge at the Qadhi’s court is another? An issue similar to this is divorce from the husband. When a husband divorces his wife, the divorce shall occur in reality and decision of the Qadhi’s will not be required for the wife to refrain from the husband and neither for the waiting period, but the woman at this place is like a Qadhi, as *Durar* points,

إذا قال أنت طالق ونوى به الطلاق عن وثاق لم يصدق قضاء؛ لأنه خلاف الظاهر والمرأة كالقاضي لا يحل لها أن تمكنه إذا سمعت منه ذلك أو شهد به شاهد عدل عندها لكن تعتبر نيته بينه وبين الله تعالى (أنواع الطلاق، 4: 209)

But in case the husband denies the divorce, the woman will not be allowed to marry another person unless the divorce and the completion of the waiting period are established. And for this, the decision by a Qadhi and the court are required, not for the occurrence of divorce in reality. Similarly, if someone refuses the absolute essentials of Islam, or commits explicit blasphemy, it is the duty of every believer to consider such a person an infidel, and in order to eliminate suspicion and to raise concerns of him among people, the believer must have people to witness against him, and to put an end to the dispute he should present this issue before the Qadhi.

Whether the recitation of “قل يا أيها الكافرون” and understanding the meaning of the words is specialized to the Qadhi or the address in this is limited or it is common to the unspecified second person. Whether it does mean that he who himself became kaafir, refuting the Islamic principles; considers him kaafir and declares him as kaafir. No, it is never specialized to the Qadhi indeed. So why did he say: “**ordinary Muslims may neither judge nor carry out the worldly consequences of such legal rulings**” Again he must remember the phrase of “**Hadiqa Nadiyyah**” حديقة نادية and he must tell whether Imam Ahmed Raza and the Ulama of Harmain and Egypt and Syria never replaced the rulers of Islam? Again, what a clear deception is it to rank them equally with the common Muslims?

Thereafter, the author says (p. 4), “Islam does not permit vigilante or mob justice”. Allah alone knows what he intends to say through these comments. According to his own

assertions²⁶, either all or some of the aforementioned religious cults are indeed infidels, so could we not use his quoted comments to argue with him in reverse (*mu'aradha bil-qalb*)?

12.2.3 The outcome of placing the conditions of an Islamic government and a Qadhi to prevent the infidelity charge against Deobandis shall become clear through our single question to the author. When does the decision of the Qadhi's decision come into existence? It appears when a dispute takes place between two parties, for example, Zaid utters a word of unbelief, should Amr consider it unbelief or must he wait for the Qadhi's decision? If the second scenario should be chosen by the author, why did he say on page 2 "the first category above constitutes plain and open unbelief"? And why did he lay the following condition in the second category of tenets of faith²⁷ saying (p. 2), "it is only unbelief if he persists in denying it after he understands that it has come to us from Allah or His Messenger (Allah bless him and give him peace)..."? The point to be made is that the author in both of the scenarios mentioned here never relied upon the decision of the Qadhi to judge the unbelief of a person. And in his discussion on the first category of Aqida issues, he asserts (p. 2) "there is no excuse not to know these things in the lands of Islam."

Despite this clear inconsistency, we continue to present our question on how the conflict between Zaid and Amr will take place around the status of this word whether it is *kufir* or not. Besides the scenario that Amr declares the words to be unbelief where Zaid is in denial of this, Amr should present two just men as witnesses and should present the case before the Qadhi. How can the Qadhi issue a correct verdict to settle the case if he falls short in knowledge? Isn't it true that he will thus turn to the *mufti*? Now should the *mufti* say that Amr's assertion is correct, the author must hence answer: who has the basic authority to make the decision? And who is the real judge to whom the Qadhi here refers to? No doubt, the person whom both the Qadhi and non-Qadhi consult is the *mufti* and religious scholar.

In the scenario when the *mufti* considers Amr's assertion correct and the Qadhi issues the decision according to the mufti's verdict, what effect does the Qadhi's decision have on the comments of Zaid; that Zaid's words were not unbelief and now became unbelief through the Qadhi's decision? And when Amr's assertion was endorsed by the Qadhi's judicial opinion (*qadha*) and the Mufti's verdict (*fatwa*), does this not establish that it is not only the authority of ordinary Muslims to consider and declare clear unbelief as unbelief but it is the requirement of their Iman, that from which the author wants to avert people and put them into the danger of being afflicted by unbelief? Refraining from reducing weights and measures in business, returning entrusted goods, fulfilling promises, and being mindful of human rights, are these matters of justice or not? Do these also require a Qadhi's permission?

²⁶ In the criterion of faith that he sets.

²⁷ Which everyone does not know.

12.3 EXPOSING THE AUTHOR’S AFFIRMATION THAT DEOBANDI COMMENTS ARE CERTAINLY FIXED IN THE *KUFR* MEANING

We put one more question to the author to bring an end to his preamble concerning his opinion on the Deobandi comments he makes here that “***such words were indefensible breaches of proper respect.***” Didn’t he refuse the suspicion by saying (without any doubt), or didn’t he consider the phrases of Deobandis so certain in their meaning, where in no capacity of any likelihood? Again, despite that he considered it as clear rudeness, yet he says “***they were not kufr***”.

The author’s assertion (p. 6) “...legal proof that is both publicly observable and decisive”²⁸ is a true word mentioned to support falsehood that is to lift the verdict of infidelity from the Deobandis the proof for which is his own comments on page 22 that these comments were indefensible breaches of proper respect. What does he intend to explain by adding here (p. 5) “the speaker may have an excuse“, is it that the comments of such a person should be offensive and indefensible breaches of proper respect, no ruling shall be placed on the speaker as he may have an excuse? Why has he forgotten what he said earlier (p. 2) “there is no excuse not to know these things in the lands of Islam”? Despite this, that he considers the comments indefensible breaches of proper respect and offensive he says (p. 22) “they were not *kufr*”; is this not thirst for fame, pride and trying to prove that Deobandis are superior, all of which he places on others in his words (p. 4), “the motives today behind careless accusation of unbelief made by Muslims are many...”

²⁸ For a Muslim to have left the fold of Islam.

13. AN ANALYSIS OF THE AUTHOR'S "A TRUE MEASURE OF UNBELIEF"

13.1 Apart from this, now bring together his comments (p. 22) "while such words were indefensible breaches of proper respect" with his comments on page 5,

"It is axiomatic in Sacred Law that a state whose existence one is certain about does not cease through a state whose existence one is uncertain about."

And question him, for whom do you raise this preamble? It is for the very people about whom you later say on page 22 "such words were indefensible breaches of proper respect". Indeed, you have raised this preamble for them only, but what benefit does it bring them? What is gained from this besides that simple Muslims be defrauded after forgetting the past and the present and neglecting the comparison in late and linked and be involved in misunderstanding. The unbelievers used to accuse the believers with the same.

13.2 The author further says (p. 5) "until there is *publicly observable* and *decisive* proof..." We question him; he has given this proof himself on page 22 where he says that the Deobandi comments "were" offensive and indefensible breaches of proper respect; why does he now attempt to suspend it? Why does he thus say (p. 5), "it is not the legal obligation of the ordinary Muslim to judge another's faith"? Judgment regarding the author's decision has been made within the questions we previously put to him.

13.3 Furthermore, the author says (p. 5),

"Ghazali adduces the same hadith to show that regarding [entering] Islam, the jurist (faqih) but speaks of what makes it legally valid or invalid, not even considering anything besides the tongue. As for the heart, it is not within his jurisdiction..."

Our question to him pertains to the underlined text saying "regarding entering Islam the jurist (faqih) but speaks of ...". The author attributes this sense to Imam al-Ghazali, though the quote requires verification by checking it against the text in the quoted book. **In the following part of the quote "not even considering anything besides the tongue. As for the heart, it is not within his jurisdiction" doesn't the underlined text clearly suggest that the jurist is only concerned with the obvious meaning of the word, therefore the word will be placed in its obvious meaning and that the latter has no concern with the speaker's intention? It is this very meaning we have declared in our question about his comments on the Hadith of Usamah, and we interrogated whether this standard was reliable in matters of Islamic affairs alone and not infidelity, for which we demanded proof.**

Although the author intends to declare that this is regarded in entering Islam alone, but doesn't the meaning of "legally valid *and invalid*" clearly suggest that the jurist will act on the obvious meaning in both cases²⁹? That is to say that if the obvious meaning of the word demands that the verdict concerning his Islam is valid, then, the jurist will consider him to have entered Islam, and should the obvious meaning require the invalidity of his Islam, that is to say that the speaker has not entered Islam, and that the

²⁹ Of entering Islam and leaving it too.

verdict of *kufir* which is Islam’s opposite is established on him, then the Qadhi will decide according to the stipulation of the obvious meaning. In other words, a jurist will consider the obvious meaning in place of validity unless there is proof against this; otherwise, if proof exists against the obvious admission, the jurist will consider the obvious admission to be invalid, and in another condition, the jurist shall not consider anything “besides the tongue”, as the author himself puts it.

The author himself, to save Deobandis, asserts in the beginning (p. 1) “that in some cases such a person is an unbeliever, and in some not”, and yet after he considers their comments certainly explicit, decides himself that “they were not *kufir*, as the intention behind them was not to insult”. What an explicit fallacy!

13.4 The answer to what he says on page 5 “every Muslim’s faith (aqida) is valid until proven otherwise” is his own admission, that he, himself, has supplied the evidence against the belief of the Deobandis. This question is repeated, so what benefit does this comment bring to the Deobandis?

13.5 As for his comments (p. 5), “it is not the legal obligation of the ordinary Muslim to judge another’s faith” we have already given its reply.

13.6 He also says (p. 5), “It is an enormity and a crime to charge a Muslim with unbelief”, if the infidelity is established, in this case how will the person remain a Muslim who leaves the fold of Islam by pronouncing words of unbelief? So, is it an aggression and injustice to consider such a person an infidel in order to show his infidelity to the people whose comments are according to the author “breaches of proper respect.”?

13.7 The author says (p. 5), “the most common motives discernable in our times for declaring others unbelievers are morally repugnant, and themselves sins”. Yes, whatever is illegitimate in Shariah, and charging someone with infidelity without a dogmatic reason is not merely sinful but itself is infidelity thus the speaker becomes an infidel. The author must recollect the Hadith he quoted on page 4!³⁰ According to the author, this Hadith does not apply to the Wahhabis from whom the Deobandis have come out, they clearly escape infidelity! And, to him, the persons accused with these motives are those who prove infidelity through proofs even though this is itself accepted by the author, as he himself says about Imam Ahmad Raza’s proofs on page 20,

“Ahmad Raza’s position is neither “against decisive scriptural texts” for such texts are not “decisive” but rather interpretable as being prior in time to others that abrogate them; nor “without proof”, since his position is borne out by numerous inter-substantiative rigorously authenticated (sahih) hadiths; nor “proceeding solely from false analogy...”

13.8 And by saying (p. 15) “were there any doubt about this”, and that (p. 21) “Muslims would have found his words repugnant and unacceptable”, and by calling the writing style (p. 21) “artless” and the interpretation (p. 33) “crude”³¹, he has accepted that there is no

³⁰ “Any man who says “oh Kafir!” to his brother, one of them deserves the name” (Bukhari)

³¹ And agreeing that the Deobandi statements were “strident”, “hyperbolic” (p. 16), “exaggerated” which were “far below the standards of normal Islamic scholarly discourse” (p. 22).

disagreement about this, and that no one's difference is thus given consideration, and that the difference of opinion in these issues is not scholarly, yet attempts to defend Deobandis by saying as an introduction (p. 6) "it is incompatible with Allah's justice and the Qur'an that any scholarly..." Is this not the very admission and then denial negation and then affirmation by the author regarding the same issues, which the readers have observed a many times? The author must recollect his comments on page 21 that "such words were indefensible breaches of proper respect" and thereafter must reply; what room remains for this assertion and what kind of place is this to make such a comment?

14. AN ANALYSIS OF THE AUTHOR’S “*THE FALLACY OF HEARSAY EVIDENCE*”

14.1 On page 7, the author writes in his discussion on “the fallacy of hearsay evidence”,

“Accepting hearsay evidence against people is forbidden by Allah Most High who says....”

Since he has raised this preamble to avoid the infidelity charge against Deobandis, it is very clear from the indicator of this place of discussion that he wants to accuse Sayyiduna Imam Ahmad Raza and the other Ahlus-Sunnah Ulama. Our reply to this has been made clear in section 10.2 where we mentioned the scrupulous caution of our Imam (may Allah have mercy on him). We also made clear that this was not merely hearsay, but in fact there is mass-known and well-corroborated information from a long time till today that establishes that these books belong to the Deobandis. In the author’s view, mass-narration is established through four persons (on page 4) and he himself has repeatedly accepted the authenticity of the attribution of these comments to the Deobandis, as it is clear through his comments. So what advantage is there of this entire argument on media to the Deobandis? And by saying³² “they were not *kufi* because the intention behind them was not to insult” as on page 22 to defend Deobandis and on page 9 he says, “something might be said that while outwardly offensive to Allah or His Messenger (Allah bless him and give him peace), was nevertheless intended by the speaker to make a valid point, not as an insult”.

So, why then does he attempt to make a mass-narrated and established view seem un-established and hearsay by nature? Through the media discussion, it seems as though he is questioning the Ahlus-Sunnah in relation to the Deobandi comments about the proof that these books do belong to them. Though, he himself has proved through his uncompromising support of the Deobandis that these comments belong to them and are offensive and repugnant, but were not *kufi*. So, what is the result of this discussion? And what is the place to this hidden question? Hence, can anyone not ask him, using his very comments about printing and media as a base, what are the proofs for your quotes that these books do belong to the authors you refer to, and that these comments do belong to them? And your statement which is quoted here is applicable here too, especially while you have gone this unique way in order to defend Deobandis.

In the mean time, as mentioned by you as well, the verse ان جاءكم فاسق بنبأ demands the very investigation you want to accuse Imam Ahmad Raza and Ulama of Harmain, with negligence to it. And your reservation and investigation is in such a condition that you mention the reliable books and declare the sense of them in your own words, although that meaning never comes out from their phrases. One example to this is clear through our question about the translation of the statement from *al-Durr al-Mukhtar*. I have to ask here, about the meaning that you attributed to **Imam Sulaiman Al Jamal**, so that your reservation and investigation

³² He confirms that these statements belong to the Deobandis without doubt by acknowledging they made offences and defending them.

becomes unveiled. We write here the statement of Sulaiman Al Jamal first. He states in order to explain this verse as follows:

(قوله إن جاءكم فاسق بنبأ) سماه فاسقا تنفير أو زجرا عن المبادرة والاستعجال إلى الأمر من غير تثبيت كما فعل هذا الصحابي الجليل لكنه مؤول ومجتهد فيما فعله فليس فاسقا حقيقة 1 هـ ص 4 / 178

The translation is written in the following;

“Allah called the giver of the information Fasiq (Sinful), in order to restrain People from surpassing and hurrying in any issue without investigation, estranging them. As this respected companion did. But he was a (Saahib-e-Taweel & Mujtahid - صاحب التاويل والمجته - in his doing, so he really is not a sinful”

The author is saying there in this manner : **“The Qur’anic scholar Sulayman al-Jamal notes that this does not merely apply to those who are corrupt, but rather Allah calls such a person corrupt in the above verse “to repel and shock people from jumping to conclusions without checking”**

We are asking the author regarding the first underlined paragraph you attributed to the thinker of the Quran, Sulaiman Al Jamal, the translation of which word is this?

And why did you conceal the last underlined paragraph, which we have mentioned in our translation although it was very short?

Whatever the author has written under the heading”The Fallacy of imputed intentionality” to support the Deobandis will not be advantageous to them. He must remember his admissions made on page 12 etc and we would like to raise a few questions on the statements of the author. He said “Words are judged by what the speaker intends, not necessarily what the hearer apprehends (till the end)” (page 12). If this is the case then the author should declare on what grounds he commented on the Deobandi statements as “such words were indefensible breaches of proper respect” ? Of course, on the basis of his understanding, if it is so and indeed it is then why does he say here “Words are judged by what the speaker intends (till the end)” and how did he know the intention of the Deobandis, and that the statement has one or several meanings? In the first case, why it is not Kufir? And if there are several meanings, then what are those? And in which meaning is the Deobandi statement Obvious (Zahir)? And which meanings are possible (Muhtamil)? The author has to declare all of this, until he declares this, what is the advantage of this argument by the author to Deobandis? And when Deobandis are “not on board” according to the author then why he has made such a decision on their statements? And since it is referred to the Qadhi to decide as he repeated “such a judgment is the business of the Qadhi or Islamic judge alone”p.4, then why has he decided himself on the Deobandi statements? Does he consider himself a Qadhi? And when he has proved them Culprits then why is he releasing them on the basis “the intention was not to insult”? Does obvious needs intention? Never, as we have mentioned many times and even the author in his article agreed to that when he mentioned with the reference of “Ihya al Iloom” on page 7 and although he conditioned it with intent, he still on page 12 has said “If an utterance is unambiguous and its context plain, there is normally only one possible intention”. Is it not to agree again that the words will be construed on the obvious meanings and that obvious will be the proof of intention? Are the statements of the Deobandis not construed in the meaning of insult in his town? The words that are fixed in the meaning of insult and the author himself has repeatedly mentioned in his article, agreeing that these

statements are a “clear breach of respect”, then what advantage to the Deobandis of having an intention is there? He, himself has said “In any previous Islamic community, whether in Hyderabad, Kabul, Baghdad, Cairo, Fez, or Damascus—in short, practically anywhere besides the British India of his day—Muslims would have found his words repugnant and unacceptable.” This statement clearly reflects that these words are construed among all Muslims in the meaning of insult and the intent will be on the basis of the Obviousness of these words. From his own admissions on the Consensus of the Holy Companions and all Muslims and his argument on page 9 wherein he has considered this as infidelity and included the insult of Allah, the Almighty and the Holy Prophet as infidelity. Therefore, from his own admissions, the charge on the Deobandis of insulting Allah, the Almighty and the Holy Prophet (May Peace Be Upon Him) as well as refuting the coalition of the Holy companions and all Muslims have been proven with the reference of “ Al Hadiya Al Ulaiah” where he has described these issues to be considered as Kufr.

We are doing our best to avoid repetition and therefore don't need to have a separate discussion on repetitive issues and similarly the things that are out of context for example the discussion on “Haram” and the distinction between “Haram Li Ainehi” and “Haram Li Ghairehi” do not need to be discussed. This doesn't mean that we agree to all of the statements of the author.

Though our aim was to keep this reply brief and to avoid repetition but the author has a habit of repeating issues. In this section too (p.7), he repeats the issue of the Qadhi's judgment. We have finalized this issue through our questions previously put to the author and therefore shall not be repeating them. However, I should mention what is stated in *Ma'alim* under the commentary of the subsequent verse to reply to the Qadhi argument³³ in an additional way,

يحلّفون بالله ما قالوا ولقد قالوا كلمة الكفر وكفروا بعد إسلامهم وهموا بما لم ينالوا وما
 تقموا إلا أن أغناهم الله ورسوله من فضله فإن يتوبوا يك خيراً لهم وإن يتولوا يعدّهم الله
 عذاباً أليماً في الدنيا والآخرة وما لهم في الأرض من ولي ولا نصير (74)

Through this commentary we shall also unveil his comments (on page 7) about an individual who then denies that he has made such a statement, and is legally considered as having repented of it.

It is stated in *Ma'alim* under this verse,

وقال الكلبي: نزلت في الجلاس بن سويد، وذلك أن رسول الله صلى الله عليه وسلم
 خطب ذات يوم بتبوك فذكر المنافقين وسماهم رجساً وعابهم، فقال جلاس: لئن كان
 محمد صادقاً لنحن شر من الحمير فسمعه عامر بن قيس، فقال: أجل إن محمداً لصادق
 وأنتم شر من الحمير، فلما انصرف رسول الله صلى الله عليه وسلم إلى المدينة أتاه عامر
 بن قيس فأخبره بما قال الجلاس، فقال الجلاس: كذب علي يا رسول الله، وأمرهما رسول
 الله صلى الله عليه وسلم أن يحلّفا عند المنبر، فقام الجلاس عند المنبر بعد العصر فحلّف
 بالله الذي لا إله إلا هو ما قاله، ولقد كذب علي عامر، ثم قام عامر فحلّف بالله الذي
 لا إله إلا هو لقد قاله وما كذبت عليه، ثم رفع يديه إلى السماء وقال: اللهم أنزل على نبيك

³³ See: section 12.2.

تصديق الصادق منا، فقال رسول الله صلى الله عليه وسلم والمؤمنون: آمين. فنزل جبريل عليه السلام من السماء قبل أن يتفرقوا بهذه الآية، حتى بلغ: {فإن يتوبوا بك خيراً لهم}، فقام الجلاس فقال: يا رسول الله أسمع الله عزوجل قد عرض علي التوبة، صدق عامر بن قيس فيما قاله لقد قلته وأنا أستغفر الله وأتوب إليه، فقبل رسول الله صلى الله عليه وسلم ذلك منه وحسنت توبته.

“Kalbi has said that this verse was sent down about Jallas Ibn Suwaid. The explanation to this is as follows:

One day the Holy Prophet (may Allah give him peace and blessings) gave a sermon in Tabuk. He mentioned the hypocrites in it and called them unclean and condemned them, then Jallas said: By Allah, If Muhammad (may Allah give him peace and blessings) is truthful then we are worse than donkeys. Amir Ibn Qais heard this word then he said, no doubt, Muhammad (may Allah give him peace and blessings) is truthful and you are worse than donkeys. Later when Sayyiduna Muhammad (may Allah give him peace and blessings) was back in Madina, Amir Ibn Qais came in his presence, and informed and reported the saying of Jallas to Holy Prophet (may Allah give him peace and blessings), then Jallas said: O’ Messenger of Allah! He has blamed me, and the Holy messenger of Allah ordered the both to take the oath near the pulpit. So Jallas stood up near the pulpit after the Asr prayer, then took the oath, “By Allah, beside Whom no deity is there, the matter is as what Jallas is announcing and by Allah! Amir has blamed me”. Later Amir stood up and took the oath “By Allah, beside Whom no deity is there” and he said “By Allah! Jallas has said this word and I never blamed him”. Later he rose up his both hands toward the heaven, and said: O’ Allah! Send down on your Prophet (may Allah give him peace and blessings) the verification for the truthful one of us. Then the Holy Prophet (may Allah give him peace and blessings) and the Mu’mins said Ameen. Later Jibril (Peace be upon him) came down, having this word and read it, and during the recitation of this verse reached up to:

فإن يتوبوا بك خيراً لهم

Then Jallas stood up and he said “Ya RasoolAllah, I heard Allah has offered me to repent. Amir Ibn Qais is right in his word and I said that word and I seek forgiveness from Allah, and I do refer Him. So, Allah’s Messenger (may Allah give him peace and blessings) accepted his repentance and his repentance remained fine.”

Now, the author must take a look at the fate of his argument on the Qadhi’s judgment! Was Amir Ibn Qais a Qadhi who asserted that Jallas was a hypocrite? Does this not establish that clear rudeness is infidelity, and it is the job of a Momin to believe it is infidelity and to consider the speaker so, after hearing the comments as *kafir*, and that never depends on the Qadhi’s judgment? The consensus of the companions on this matter is clear in this very narration, about which the author asserted that its denial is infidelity. Now let us see how the following verse abolishes the denial that the author has taken as a cover to support the Deobandis.

Allah, Sublime and High says,

فلا وربك لا يؤمنون حتى يحكموك فيما شجر بينهم ثم لا يجدوا في أنفسهم حرجا مما قضيت
ويسلموا تسليما

“No, by your lord, they are not believers until they make you their judge in the disputes that break out between them, and then find no resistance within themselves to what you decide but submit themselves completely” (4: 65)

Ma'alim and others cite the following narration in its commentary: In the report of Mujahid and Sha'bi, this verse was revealed about the hypocrite Bishr and a Jewish man who took their case to Umar, may Allah be pleased with him, whereas, the Messenger of Allah, may Allah give him peace and blessings, had already given his verdict on the issue. The Jew informed Umar about it and said that Muhammad (may Allah give him peace and blessings) had given the verdict in his favour. Umar asked the hypocrite whether this was true. He answered in the affirmative. Umar ordered them both to stand by until he returned to them. He entered his home and came back with a sword and killed the hypocrite saying, “This is my judgment about him, who disagreed to the Judgment of Allah’s Messenger, may Allah give him peace and blessings!”

The ruling of the sentence of death is suspended for now, so ignore it. Is it not proven in this case of Umar, may Allah be pleased with him, that it is an infidelity to reject the decision of the Messenger of Allah, may Allah give him peace and blessings, which does not depend on a Qadhi’s judgment and neither does considering such a person *kafir* depend on this? Here in *Ma'alim*, the ending of this report was not cited due to briefness and we have taken this from Tirbizi’s *Mishkat* and others.

Hence, we have offered another reply to the Qadhi’s judgment argument which the author repeated. Now the author must declare, whether through this narration, which has been cited in the exegetical works on the Qur’an without rejection, and has been mentioned in the books of Hadith, hasn’t the consensus of the Companions and Muslims established on this matter, the refusal of which is considered by the author as infidelity? And what is the outcome of using the judgment of the Qadhi as an excuse to defend the Deobandis? Is it the same refusal of the coalition of the Companions and all Muslims, or something else?

Readers! Do you see how the author frets and fines in impatience? Is this concealed to anyone? Deobandi comments were “indefensible breaches of proper respect”, “Muslims would have found them repugnant and unacceptable”; these assertions disclose the view in his heart, but in impatience, he is not firm on this. That is why this instability urges obstinacy and makes him declare that “they were not *kufir*”. Yet he understands in his heart that all Muslims will not accept this and he goes on admitting it. Later he turns up....sometimes he takes the cover of denial, and using the excuse of the information on the media, wanting people to understand that these statements do not belong to the Deobandis. Again, on which aspect is he patient?

15. THE REFUTATION OF “IMPUTED INTENTIONALITY”

15.1 The author says on page 10,

“To deliberately insult Allah or His Messenger (Allah bless Him and give Him peace) is unquestionably *kufr*.”

We agree with this assertion but the author must declare whether, the condition deliberately is preventive (*qayd ihtirazi*) or incidental (*qayd ittifaqi*)? On the first condition, an undeliberate insult is not *Kufr* according to author.

Now what answer is there, to this clear contradiction, as he is about to say after few lines **“as the mujtahid Imam and Hadith Master (Hafid) Taqi al Din Subki says in his *al Sayf al Maslul* a more than five hundred page work on the legal consequences of insulting the Prophet may be either intentional or unintentional (and so on).”**

And what about that, which he has quoted before from *Ihya al-Uloom*, and the comment he passed over the phrases of the Deobandis? All that means that the clear word will be constituted on its obvious meaning and no intention is required to this, especially when it is fixed. And the statement of the Deobandis is fixed, according to his self admissions; as it was declared by him many times also means that the clear word is evidence to the intention. In spite of all that, and his admission right here whether it was intended or unintended, why must he refute himself saying adjoining with the same as follows:

“While only if a person intends giving offense to the Prophet (Allah bless Him and give Him peace) has he thereby committed *kufr*.”

And if this meaning belongs to *al-Saif al-Maslool* as it is clear through his style, because he mentioned *al-Saif al-Maslool* before, then he must show the original phrase and must declare that this is the translation of which word of *al-Saif al-Maslool* and what connection it has to the sentence that he wrote before.

15.2 IMAM SUBKI’S AGREEMENT THAT RULINGS APPLY TO THE OUTWARD (ZAHIR)

Now, we shall summarise by the grace of Allah the statement of *al-Saif al-Maslool*. It is an infidelity to show contempt to the Noble Prophet (upon him peace and blessings), whether it should be in a manner to abuse him, degrade him or to blame him, jokingly or seriously and should it be through a hint or explicitly. The one who commits such offence is an infidel according to the scholars of all schools and such a person will be executed. The disagreement, however, is in the issue whether the sentence of death is as an Ordinance (*had*), for which reasons such a person will not be given the right to repent and despite him repenting, he will be killed, or is due to apostasy, for which reason he will be ordered to repent. If the offender should repent, he will be freed, otherwise sentenced to death, and this is the preferred view of the Hanafi authorities, which will be made clear from the comments of *al-Durr al-Mukhtar*

and its commentary *Radd al-Mohhtar*, and that he who doubts the infidelity and torment of the quality of it, is an infidel too. Why did the author drop all of this detail? Here we shall present the discussions from *al-Saif al-Maslool*. Imam Subki writes (p119).

, الفصل الأول في وجوب قتله

وذلك مجمع عليه، والكلام في مسألتين، إحداهما: في نقل كلام العلماء في ذلك ودليله، والثانية: في أنه: يقتل كفرةً أو حداً مع الكفر؟

المسألة الأولى في نقل كلام العلماء ودليله: أما النقل: فقال القاضي عياض: ((أجمعت الأمة على قتل منتقصه من المسلمين وسابه))

وقال أبو بكر بن المنذر: ((أجمع عوام أهل العلم على أن على من سب النبي صلى الله عليه وسلم القتل. وممن قال ذلك مالك بن أنس، والليث، وأحمد، أو إسحاق، وهو مذهب الشافعي))

قال عياض: ((وبمثله قال أبو حنيفة وأصحابه، والثوري وأهل الكوفة والأوزاعي، في المسلم))

وقال محمد بن سحنون: ((أجمع العلماء أن شاتم النبي صلى الله عليه وسلم المنتقص له كافر، والوعيد جار عليه بعذاب الله، وحكمه عند الأمة القتل، ومن شك في كفره وعذابه كفر))

وقال أبو سليمان الخطابي: ((لا أعلم أحداً من المسلمين اختلف في وجوب قتله إذا كان مسلماً))

وعن إسحاق بن راهويه أحد الأئمة الأعلام قال: ((أجمع المسلمون أن من سب الله أو سب رسوله صلى الله عليه وسلم أو دفع شيئاً مما أنزل الله أو قتل نبياً من أنبياء الله عزوجل أنه كافر بذلك وإن كان مقراً بكل ما أنزل الله))

وهذه نقول معتقدة بدليلها، وهو الإجماع، ولا عبرة بما أشار إليه ابن حزم الظاهري من الخلاف في تكفير المستخف به، فإنه شيء لا يعرف لأحد من العلماء، ومن استقرأ سير الصحابة تحقق إجماعهم على ذلك، فإنه نقل عنهم في قضايا مختلفة منتشرة يستفيض مثلها، ولم ينكره أحد.

روى أبو داود والنسائي عن أبي برزة قال: كنت عند أبي بكر رضي الله عنه، فتغيظ على رجل - وفي رواية: من أصحابه - فاشتد عليه، فقلت: تأذن لي يا خليفة رسول الله أضرب عنقه؟ قال: فأذهبت كلمتي غضبه، فقام فدخل، فأرسل إلي فقال: ما الذي قلت أنفاً؟ قلت: ائذن لي أضرب عنقه. [فقال:] أكنت فاعلا لو أمرتك؟ قلت: نعم، قال: لا والله، ما كانت لبشر بعد محمد صلى الله عليه وسلم. فهذا الكلام من أبي بكر رضي الله عنه يدل على أن النبي صلى الله عليه وسلم له أن يقتل من تغيظ عليه، بخلاف غيره من البشر، ولا شك أن سبه يغيظه.

وروى سيف وغيره أن المهاجر بن أبي أمية - وكان أميراً على اليمامة أو نواحيها - رفعت إليه امرأتان غنت إحداهما باسم النبي صلى الله عليه وسلم فقطع يدها ونزع ثناياها، وغنت الأخرى بهجاء المسلمين فقطع يدها ونزع ثنيتها، فكتب إليه أبو بكر: بلغني الذي سرت به في المرأة التي: تغنت وزمرت باسم النبي صلى الله عليه وسلم، فلولا ما قد سبقنتني فيها لأمرتك بقتلها، لأن حد الأنبياء ليس يشبه الحدود، فمن تعاطى ذلك من مسلم فهو مرتد، أو معاهد فهو محارب غادر.

فإن قيل: لم لا كتب إليه أبو بكر بقتلها؟ قلنا: لعلمها أسلمت، أو لأن المهاجر حدها باجتهاده فلم ير أبو بكر أن يجمع بين حدين.

وعن عمر رضي الله عنه أنه أتى برجل سب النبي صلى الله عليه وسلم فقتله، ثم قال عمر: من سب الله أو سب أحداً من الأنبياء فاقتلوه.

وعن ابن عباس قال: أيما مسلم سب الله أو سب أحداً من الأنبياء فقد كذب برسول الله صلى الله عليه وسلم، وهي ردة، يستتاب فإن رجع وإلا قتل، وأيما معاهد عاند فسب الله أو سب أحداً من الأنبياء أو جهر به فقد نقض العهد فاقتلوه.

قال: وقال ابن القاسم عن مالك- في ((كتاب ابن سحنون))، و ((المبسوط))، و ((العنبية))، وحكاه مطرف عن مالك في كتاب ابن حبيب -: من سب النبي صلى الله عليه وسلم قتل ولم يستتب. وقال ابن القاسم في ((العنبية)): أو شتمه أو عابه أو تنقصه فإنه يقتل، وحكمه عند الأمة القتل كالزندق. وفي ((المبسوط)): عن عثمان بن كنانة: من تشتم النبي صلى الله عليه وسلم من المسلمين قتل أو صلب حياً / ولم يستتب، والإمام مخير في صلبه حياً أو قتله. ومن رواية أبي مصعب وابن أبي أويس: سمعنا مالكا يقول: من سب رسول الله صلى الله عليه وسلم أو شتمه أو عابه أو تنقصه قتل مسلماً كان أو كافراً ولا يستتاب. وفي ((كتاب محمد)): أخبرنا أصحاب مالك أنه قال: من سب النبي صلى الله عليه وسلم أو غيره من النبيين من مسلم أو كافر قتل ولم يستتب. وقال أصبغ: يقتل على حال أسر ذلك أو أظهره، ولا يستتاب، لأن توبته لا تعرف. وقال عبد الله بن عبد الحكم: من سب النبي صلى الله عليه وسلم من مسلم أو كافر قتل ولم يستتب. وحكى الطبري مثله عن أشهب عن مالك. وروى ابن وهب عن مالك: من قال: إن رداء النبي صلى الله عليه وسلم - ويروى: زر النبي صلى الله عليه وسلم - وسخ، أراد به عيبه، قتل.

قال القاضي عياض: وقال بعض علمائنا: أجمع العلماء على أن من دعا على نبي من الأنبياء بالويل أو بشيء من المكروه أن يقتل بلا استتابة، وأفتى أبو الحسن القابسي فيمن قال في النبي صلى الله عليه وسلم: يتيم أبي طالب، بالقتل. وأفتى فقهاء الأندلس بقتل [ابن] حاتم المتفقه الطليطي وصلبه باستخفافه بحق النبي صلى الله عليه وسلم وتسميته إياه أثناء مناظرتة باليتيم، وزعمه أن زهده لم يكن قصداً، ولو قدر على الطيبات أكلها.

وقال حبيب بن ربيع القروي: مذهب مالك وأصحابه أن من قال فيه عليه السلام ما فيه نقص قتل فقتله واجب.

قال القاضي عياض: وكذلك أقول حكم من غمصه أو عيره برعاية الغنم أو السهو أو النسيان أو السحر، أو ما أصابه من جرح أو أصاب ببعض جيوشه، أو شدة من زمنه أو عدوه، أو بالميل إلى نساته، فحكم هذا كله لمن قصد به: القتل.

وقال أحمد بن حنبل في رواية عبد الله: من شتم النبي صلى الله عليه وسلم قتل، وذلك أنه إذا شتم فقد ارتد عن الإسلام، ولا يشتم مسلم النبي صلى الله عليه وسلم.

وقال في رواية حنبل: كل من شتم النبي صلى الله عليه وسلم أو تنقصه مسلماً كان أو كافراً فعليه القتل، وأرى أن يقتل ولا يستتاب.

وقال فيه رواية أخرى: من شتم النبي صلى الله عليه وسلم مسلماً كان أو كافراً يقتل. وقال عبد الله بن أحمد: سألت أبي عن شتم النبي صلى الله عليه وسلم: يستتاب؟ قال: قد وجب عليه القتل ولا يستتاب؛ خالد بن الوليد قتل رجلاً شتم النبي صلى الله عليه وسلم ولم يستتبه.

وهكذا قال أصحاب أحمد: إن من سب الله كفر سواء أكان مازحاً أم جاداً للآية التي استدلت بها الشافعي.

وقال أبو يعلى من الحنابلة: من سب الله أو سب رسوله فإنه يكفر سواء استحلب سبه أم لم يستحلبه، فإن قال: لم استحلب ذلك لم يقبل منه في ظاهر الحكم، رواه واحده، وكان مرتداً، قال: وليس كالمقاتل

والشارب والسارق اذا قال: أنا غير مستحل، حيث يصدّق، لأنّ له غرضاً في فعل هذه الأشياء مع التحريم، وهو اللذّة، قال: واذا حكمنا بكفره فانما نحكم به في الظاهر، فأمّا في الباطن فان كان صادقاً فيما قال فهو مسلم كما في الزنديق .

وذكر أبو يعلى عن بعض الفقهاء: ان كان مستحلاً كفر، وان لم يكن مستحلاً فسق ولم يكفر كساب الصحابه.

وهذا نظير ما يحكى ان بعض الفقهاء من أهل العراق أفتى بارون الرشيد فيمن سب النبي صلى الله عليه وسلم ان يجلد، حتى انكر ذلك مالك رضى الله عنه وردّ هذه الفتيا .

وهذا نظير ما حكاه ابن حزم، وقد ذكر القاضى عياض بعد ان ردّ هذه الحكايه عن بعض فقهاء العراق والخلاف الذى أشار إليه ابن حزم بما نقله من الاجماع عن غير واحد، وحمل الحكايه على أن او لئك لم يكونوا ممن شهر بالعلم، أو لم يكونوا ممن يوثق بفتواه لميل الهوى به، أو أنّ الفتيا كانت فى كلمه اختلف فى كونها سباً أو كانت فيمن تاب . [انتهى]

“Imam Subki has stated in his book *al-Saif al-Maslool*: The first chapter to declare that it is obligatory to kill one who abuses the Holy Prophet (may Peace be upon Him) and this ruling is unanimous and the conversation is around in two issues: The first one is to mention the dialogue of the Ulama in this connection and to declare the evidences to it and the second one is to explain whether he will be killed because of Kufir, or in the manner of punishment (hud) including the infidelity charge.

As far as it is concerned, reporting of the Ulama’s statement, Qadhi Iyadh has said: The coalition of the Ummah has gone to sentence one who has devalued or swore the Holy Prophet (May Peace be upon Him). Some of the people who stated as such are Imam Malik bin Anas, Lais, Ahmad and Ishaq and the same is the ideology of Imam Shaf’i.

Qadhi Iyadh has stated; and similar to this, Imam Abu Hanifah, and his followers and Sufyan Thawri and the Kufees (Scholars of Kufa) and Awzai have stated in connection with a Muslim.

Muhammad Bin Sahnoun says “All Ulama are Unanimous to charge one who swears or devalues the Holy Prophet (may Peace be upon Him) with infidelity, and the threat of visitation to him is current (going on) and in the unanimous view of the Ummah, his punishment is to be killed and he who doubts his infidelity and torment is also a Kaafir.”

And Abu Sulaiman Khattabi is reported to say this: I don’t know anyone who disagrees to the necessity of killing such a person, while he is a Muslim.

And Ishaq Ibn Rahwaih, who is a great leader (Imam) says, “Muslims are unanimous to charge such a person with the infidelity who swears Allah or His Prophet or refutes such a command that Allah has sent down, or kills one of the Prophets of Allah. He will become a Kaafir because of this, even if he believes in all issues which Allah has sent down.”

These are the reportings supported with the evidence, and that evidence is the coalition. And there is no look at the disagreement about the infidelity charge against the person who belittles the Holy Prophet (may Peace be upon Him) to which Ibn Hazm Zahiri has indicated, as it is the version which is not known as attributed to the scholars, and he who has explored the biographies of the Holy Companions; the coalition of Companions concerning this issue is sure to him, as it is reported as a judgment from them in various elaborated and famous cases and no one raised any objection to this.”

Thereafter, Imam Subki mentioned some of these reports, to mention a few,

“Abu Dawud and Nasai narrate on the authority of Abu Barzah who said: I was with Abu Bakr Siddique (may Allah be pleased with him) while he got angry with one of his companions. I said to him: Do you allow me to slay him, O Caliph of Allah’s Messenger? Abu Barzah says: this word from me took his anger away. Then he stood up and entered his home. Then he called for me and asked: what did you say just now? I said: If you allow me I would slay him. Abu Bakr replied: If I would have commanded you, would you have done as such? I said O, yes, He remarked: No by Allah! This is not the office of anyone after Muhammad (may Allah give him peace and blessings)!

Hence this saying of Abu Bakr (may Allah be pleased with him) indicates that it is the right of the Prophet (may Allah give him peace and blessings) to instruct the execution of a person, should he be angry with, contrary to others, and there is no doubt that blasphemy of the Prophet causes him anger.

Saif and others report, while Muhajir Ibn Umayyah was governing Yamama and its outskirts, two women were brought to his court. One of them sang against the Prophet (may Allah give him peace and blessings), so he cut her hand and extracted her teeth, and the other sang an ill poem about Muslims so he amputated her hand and removed her teeth. So Abu Bakr wrote to him saying: “your treatment with the woman who sang about the Noble Prophet was reported to me. If you had not surpassed me in regards with her matter, I would have commanded you to kill her, as the punishment for insulting Prophets is not alike other punishments, so if any Muslim commits as such he is an apostate, and if an infidel should be an ally, then he is a warlike infidel who has violated his agreement.” If it is asked: why did Abu Bakr not write to him instructing him to execute her? We reply: perhaps she had accepted Islam or because Muhajir had already given her a punishment through his *ijtihad* and Abu Bakr did not want to join between two punishments.

It has been narrated from Umar (may Allah be pleased with him) that a man was brought to his court who blasphemed the Noble Prophet (may Allah give him peace and blessings), so he killed him. Later Umar said: “Kill the person who blasphemes Allah or one of the Prophets”.

And it is reported from Ibn Abbas (may Allah be pleased with him): any Muslim, who swears at Allah or any Prophet, has refuted the Messenger of Allah, and this is apostasy. He should be commanded to repent; if he should not repent, he will be

executed. And if any confederate infidel (*mu'ahid*) should be obstinate and swear at Allah or any Prophet or pronounce it openly, kill him as he has broken the alignment.

Said Ibn Qasim reported from Malik in the book of Ibn Sahnun, *Mabsut* and *Utbia*, and Mutarrif reported it from Malik in the book of Ibn Habib, that: Whoever swears at the Prophet (may Allah give him peace and blessings) will be killed and will not be demanded to repent.

And Ibn Qasim said in *Utbia* as follows: Anyone who swears at him or blames him or belittles him will be killed. According to the entire Ummah his punishment is execution as is for the atheist (*zindiq*).

And it is reported in *Mabsut* from Usman Ibn Kinana: any Muslim who swears at the Noble Prophet (may Allah give him peace and blessings) must be killed or must be crucified alive, and he will not be given the right to repent and the Imam is authorised to choose whether to crucify him alive or to execute him. And the narration of Ibn Abi Owais and Abu Mus'ab is that we heard Malik saying: whoever babbles about the Messenger of Allah, or swears at him, or blames him, or belittles him will be killed, whether he is a Muslim or a Kaafir and he will not be given the right to repent.

And it is in the book of Muhammad ibn Sahnun: the followers of Malik informed us that he said: He who insults our Prophet or any one of the Prophets must be killed and must not be asked to repent.

And Asbagh said: He will be killed at once whether he announces it or keeps it secret and he will not be given the right to repent because his repentance is not known as accepted.

Abdullah Ibn Abdul Hakam said: whoever insults the Prophet (may Allah give him peace and blessings), whether Muslim or Kaafir will be killed and he will not be given the right to repent. Tabari narrated this from Ashhab too who narrated it from Imam Malik.

And Ibn Wahab narrated from Malik who said: whoever says the Prophet's dress—in another variant the word cuff link is narrated—is dirty, with the intention to find fault in him, will be killed.

Qadhi Iyadh said: The Ulama have unanimously agreed that, whosoever wishes the death of any Nabi or attributes any unsuitable matter to him must be killed without the demand to repent.

And Abu al-Hasan al-Qabisi issued the verdict of execution on a person who called the Prophet the “the orphan of Abu Talib”. And the jurists of Andalusia gave the verdict to execute Ibn Hatim al-mutafaqqih al-Tulaytali and hang him for dishonoring the Prophet whilst calling the Prophet an “orphan” during a debate, and for his assertion that the Prophet's asceticism was not deliberate so that if he had the chance to eat good foods, he would have done so.

Habib ibn Rubayyi al-Farawi said: The madhab of Malik and his followers is that whoever says that there is a fault in the Prophet must be killed as killing him is necessary. Qadhi Iyadh said: and I say similar to this is the verdict concerning a

person; whoever despises him and humiliates him for looking after sheep, or forgetfulness and inattentiveness, or black magic, or due to the injuries he was caused or his army, or due to the severity of his era or his enemy, or for his inclination towards his wives, the verdict for all such comments is that the speaker will be sentenced to death if he intended to humiliate.

Ahmad Ibn Hanbal said, according to the narration of Abdullah: one who swears at the Prophet (Allah give him peace and blessings) will be killed. It is because, as he swore, he has left the fold of Islam and a Muslim never swears at the Prophet.

And according to the narration of Hanbal who said: Anyone who swears at the Prophet (Allah give him peace and blessings) or belittles him, whether he be a Muslim or infidel, must be sentenced to death, and in my view he must be killed without being given the right to repent.

And according to another narration he said: anyone who swears at the Prophet (Allah give him peace and blessings), whether he is a Muslim or an infidel, he will be killed.

Ahmad Ibn Hanbal's Son, Abdullah said: I asked my father whether someone who insults the Prophet will be given the right to repent? He said: He will be killed and the right to repent will not be given.

Khalid Ibn Walid executed a person who swore the Prophet (Allah give him peace and blessings) and did not give him the right to repent.

And the followers of Ahmad Ibn Hanbal said: Whoever insults Allah, whether jokingly or seriously, leaves the fold of Islam due to the verse which Shafi'i used as a proof.

From the Hanbalites, Abu Ya'la said: Whoever insults Allah or His Messenger leaves the fold of Islam, regardless of whether he deems it permissible or not. Later, if he should admit that he never regarded it legitimate, this admission will not be accepted according to the obvious ruling, and this is the single view among the entire scholars, and he will become an apostate. He added: such a person will not be treated similar to a murderer, alcoholic or thief where the person who commits these offences should declare that he does not deem them permissible, because such declaration will be accepted. The reason why the latter's declaration shall be accepted is because he has a purpose in committing the offence, namely enjoyment, though it is prohibited. **He also said: when we issue a charge of infidelity on him, we issue it based on the obvious. As far as the intrinsic is concerned, so if he is truthful in his declaration, he is a Muslim as is the case with an atheist *zindiq*.**

Abu Ya'la narrated from some scholars: if the one, who insults, deems it permissible then he is an infidel and if he does not, he is a sinful (*fasiq*) and not an infidel, similar to someone who insults the companions.

This is similar to the narrative, that some Iraqi theologians gave Harun al-Rashid a verdict concerning someone who insults the Prophet (Allah give him peace and

blessings) that he must be lashed. Later Imam Malik (may Allah be pleased with him) disliked this verdict and condemned it.

And it is the precedent to what Ibn Hazm reported, and Qadhi Iyadh has said after he rejected this verdict attributed to some Iraqi Theologians (Fuqaha), as well as the disagreement to which Ibn Hazm indicated for the coalition which Qadhi Iyadh reported from many leaders, and explained the narration saying that those (Iraqi) Theologians were not so well known to be attributed with learning or that they were not in such a condition that their verdict may be trusted, for the reason of deviation as they liked. Or the verdict was concerning the disputed word regarding it as swearing, or that the verdict was about the person who had already repented.” [End of Imam Subki quote from *al-Saif al-Maslool*]

15.3 Dear readers, we have presented so many phrases from the book *al-Saif al-Maslool* which is also reliable to the author, through which it is very clear that the one who swears, reduces, and annoys the Holy Prophet is an infidel and all are unanimous regarding the infidelity charge against him. And no disagreement by anyone is interpretable to this ruling of the coalition; rather the version of the opposer is rejected. And the verdict attributed to some Iraqi Theologians (Fuqaha) is not established, and in case it is established, then it cannot invalidate the coalition, but itself is unreliable. And that the view of many Maliki and Hanbali leaders is that he is alike to an irreligious one, therefore his repentance is by no means acceptable. And Abu Ya’la said categorically: “WE ISSUED THIS RULING IN REGARDS WITH THE OBVIOUS”.

Hence, the condition of intention laid by the author to the obvious meaning of a word has been refuted and his repetitive comments that the author’s intentions were not to insult has been rejected once again, whose refutation has been established many times earlier and his own admissions have rejected this too.

15.4 THE HANAFITE POSITION ON THE REPENTANCE

The verdict of Ibn Abbas (may Allah be pleased with him) concerning the person who insults the Noble Prophet (may Allah give him peace and blessings), which declares that insulting the Noble Prophet (may Allah be pleased with him) is apostasy and its punishment is a sentence to death if the speaker should not repent, and in case he repents, his repentance is acceptable and the punishment by killing him will be avoided. This is the relied upon view of our Hanafi scholars. *al-Durr al-Mukhtar* declares,

والكافر بسب نبي من الانبياء فإنه يقتل حدا ولا تقبل توبته مطلقا، ولو سب الله تعالى قبلت لأنه حق الله تعالى، والأول حق عبد لا يزول بالتوبة، ومن شك في عذابه وكفره كفر، وتمامه في الدرر في فصول الجزية معزبا للبرازية، وكذا لو أبغضه بالقلب فتح وأشباه:

لو لوحظ قول أبي هاشم وإمام الحرمين باحتمال العهد فلا كفر، وهو اللائق بمذهبنا لتصريحهم بالميل إلى مالا يكفر. وفيها: من نقص مقام الرسالة بقوله بأن سبه صلى الله عليه وسلم أو بفعله بأن بغضه بقلبه قتل حدا كما مر التصريح به، ومفاده قبول التوبة كما لا يخفى، زاد المصنف

في شرحه: وقد سمعت من مفتي الحنفية بمصر شيخ الإسلام ابن عبد العال أن الكمال وغيره بتعوا البزازي. والبزازي تبع صاحب [سيف المسلول] عزاه إليه ولم يعزه لأحد من علماء الحنفية وقد صرح في الننف ومعين الحكام وشرح الطحاوي وحاوي الزاهدي وغيرها بأن حكمه كالمرتد ولفظ الننف من سب الرسول صلى الله عليه وسلم فإنه مرتد، وحكمه حكم المرتد ويفعل به ما يفعل بالمرتد انتهى، وهو ظاهر في قبول توبته كما مر عن الشفاء 1 هـ فليحفظ.

“Whoever becomes Kaafir for swearing any Nabi will be killed in the manner of punishment. His repentance is absolutely unacceptable. And if he should swear Allah, his repentance will be granted, as it is the right of Allah and the first mentioned issue is the right belonging to the slave of Allah (Haqqul Abd) which never ends by the repentance, and he who doubts in his infidelity and torment is also a Kaafir. And the completion of the verdict is mentioned in the “tributes” chapter of Durrar, which is attributed to Bazzazia. And it is stated in the fatwa of the writer, “it is necessary to attach to the ruling of apostasy, the mockery of the Nabi or reducing him”. And, it is in the same, “who belittles through his wording the position of Prophethood (Maqaam al-Risaalat), swearing a Nabi or through his action in the manner of hating him by heart, will be killed in a punishing manner.”

Thereafter the author of *al-Durr al-Mukhtar* pointed to the unreliability of the above view and mentioned the correct stance as follows,

“Yet in the end of *Shifa*, it was declared that the verdict for such a person is the same as that of an apostate which means that his repentance will be accepted which is obvious and the author further remarked in his commentary: I heard the jurist of the Hanafites of Egypt, Ibn Abd al-Aal that Imam Kamal and others followed Bazzazi in this ruling and Bazzazi followed the author of *al-Saif al-Maslool*, thus he attributed this ruling to him and never attributed it to any of the Hanafi scholars whereas it is mentioned in *Natf*, *Moin al-Hukkam*, *Sharh al-Tahawi*, *Hawi al-Zahidi* and others that he is given the same ruling which an apostate is given. The wording of *Natf* is as follows: whoever insults the Messenger of Allah (may Allah give him peace and blessings) is an apostate and the ruling regarding him is the same ruling of an apostate and he will be treated similar to an apostate. This wording clearly means that his repentance will be granted as it was reported from *Shifa* earlier, so remember this.”

Rad al-Muhtar commented on the following comments of *al-Durr al-Mukhtar* “yet in the end of *Shifa*, it was declared”,

(قوله لكن صرح في آخر الشفاء الخ) هذا استدراك على ما في فتاوى المصنف. وعبارة الشفاء هكذا: قال أبو بكر بن المنذرة أجمع عوام أهل العلم على أن من سب النبي صلى الله عليه وسلم يقتل، وممن قال ذلك مالك بن أنس والليث وأحمد وإسحاق، وهو مذهب الشافعي، وهو مقتضى قول أبي بكر رضي الله تعالى عنه، ولا تقبل توبته عند هؤلاء، وبمثله قال أبو حنيفة وأصحابه والثوري وأهل الكوفة والأوزاعي في المسلم، لكنهم قالوا هي ردة وروى مثله الوليد بن مسلم عن مالك. وروى الطبراني مثله عن أبي حنيفة وأصحابه فيمن ينقصه صلى الله عليه وسلم أو بري منه أو كذبه 1 هـ

وحاصله أنه نقل الإجماع على كفر الساب، ثم نقل عن مالك ومن ذكر بعده أنه لا تقبل توبته. فعلم أن المراد من نقل الإجماع على قتله قبل التوبة، ثم قال: وبمثلته قال أبو حنيفة وأصحابه الخ أي قال إنه يقتل يعني قبل التوبة لا مطلقاً، ولذا استدرك بقوله لكنهم قالوا هي ردة: يعني ليست حداً ثم ذكر أن الوليد روى عن مالك مثل قول أبي حنيفة فصار عن مالك روايتان في قبول التوبة وعدمه، والمشهور عنه العدم ولذا قدمه. وقال في الشفاء في موضع آخر: قال أبو حنيفة وأصحابه: من بريء من محمد صلى الله عليه وسلم أو كذب به فهو مرتد حلال الدم إلا أن يرجع 1هـ فهذا تصريح بما علم من عبارته الأولى. وقال في موضع بعد أن ذكر عن جماعة من المالكية عدم قبول توبته، وكلام شيوخنا هؤلاء مبنى على القول بقتله حداً لا كفراً. وأما على رواية الوليد عن مالك ومن وافقه على ذلك من أهل العلم فقد صرحوا أنه ردة قالوا، ويستتاب منها، فإن تاب نكل وإن أبى قتل، فحكموا له بحكم المرتد مطلقاً، والوجه الأول أشهر وأظهر 1هـ يعني أن قول مالك بعدم قبول التوبة أشهر وأظهر مما رواه عنه الوليد، فهذا كلام الشفاء صريح في أن مذهب أبي حنيفة وأصحابه القول بقبول التوبة كما هو رواية الوليد عن مالك، وهو أيضاً قول الثوري وأهل الكوفة والأوزاعي في المسلم أي بخلاف الذمي إذا سب فإنه لا ينقص عهده عندهم كما مر تحريره في الباب السابق.

ثم إن ما نقله عن الشافعي خلاف المشهور عنه، والمشهور قبول التوبة على تفصيل فيه، قال الإمام خاتمة المجتهدين الشيخ تقي الدين السبكي في كتابه [السيف المسلول على من سب الرسول]: حاصل المنقول عند الشافعية أنه متى لم يسلم قتل قطعاً ومتى أسلم، فإن كان السب قذفاً فالأوجه الثلاثة هل يقتل أو يجلد أولاً شيء، وإن كان غير قذف فلا أعرف فيه نقلاً للشافعية غير قبول توبته، وللحنفية في قبول توبته قريب من الشافعية، ولا يوجد للحنفية غير قبول التوبة: وأما الحنابلة فكلامهم قريب من كلام المالكية، والمشهور عن أحمد عدم قبول توبته وعنه رواية بقبولها فمذهبه كمذهب مالك سواء، هذا تحرير المنقول في ذلك 1هـ ملخصاً،

ثم قال في محل آخر قد ذكرنا أن المشهور عن مالك وأحمد أنه لا يستتاب ولا يسقط القتل عنه، وهو قول البيهقي بن سعد. وذكر القاضي عياض أنه المشهور من قول السلف وجمهور العلماء، وهو أحد الوجهين لأصحاب الشافعي: وحكى عن مالك وأحمد أنه تقبل توبته، وهو قول أبي حنيفة وأصحابه، وهو المشهور من مذهب الشافعي بناء على قبول توبة المرتد 1هـ فهذا صريح كلام القاضي عياض في الشفاء.

“This emendation is to the comments of the author’s *Fatawa*, and *Shifa*’s wording is as follows: Abu Bakr Ibn Munzir said: all scholars are unanimous on this view that whoever insults the Prophet must be sentenced to death. Among those who held this view were Malik ibn Anas, Layth, Ahmad, Is’haq and this is also the view of Shafi’i and it is the requisite and the proper meaning of the statement of (Sayyiduna) Abu Bakr (May Allah be pleased with Him) and their view, his repentance is not accepted. Imam Abu Hanifah and his followers and Thawri and Ahl al-Kufa (Theologians of Kufa) and Auzai also said the same with regards to a Muslim. However, they considered it to be apostasy.

Walid Ibn Muslim narrated this from Malik and Tabarani narrated it from Abu Hanifah and his followers regarding the person who belittles the Noble Prophet (may Allah give him peace and blessings) or gets fed up with him, or refutes him and so on.

Its crux is that he has reported that there is consensus on the infidelity of a person who insults the Prophet and thereafter reported from Malik and other scholars after him that his repentance is not acceptable. Hence, it is known through this that the intent of the narration on consensus is that there is a unanimous view that such a person shall be sentenced to death before repentance. After reporting this consensus, the author of *Shifa* remarked: “Abu Hanifah and his followers said...” i.e. Abu Hanifah said that he will be killed before repentance, not that he will be killed in the absolute manner. That is why he added the emendation that: yet the Hanafi scholars have declared it apostasy that is to say that the sentence of death is not a penalty (*hadd*) - which does not lift with repentance. Then he mentioned that Walid reported the view of Abu Hanifah from Malik too so there are two views reported from Malik concerning whether the repentance should be accepted or not and the famous report is that his repentance is not acceptable, therefore, he mentioned this first. He mentioned in another place in *Shifa*: Abu Hanifah and his followers said:; He who should be disgusted with Muhammad (may Allah give him peace and blessings) and refuted him is an apostate and it is legitimate to kill him, however, in case he repents, he won't be killed, this is hence the declaration of the meaning which was known from the earlier comment. In another place he narrated from a group of Maliki scholars to not accept his repentance, to which he said: this view of our scholars is based on the basis that, the one who insults will be sentenced to death as a penalty (despite he repents), not for his infidelity. As for the view of Malik which Walid reported and those who agree with him, it is clear that they declare this to be apostasy, and said that he will be asked to repent from apostasy. If he repents he will be penalized, and in case he refuses, he will be sentenced to death. Hence these scholars considered such a person an apostate in the absolute sense. And the first view is more famous and more clear, namely Malik's view that his repentance shall not be accepted, which is clearer and more famous than the report of Walid.

The statement of Shifa is clear that the view of Abu Hanifah and his followers is that his repentance will be accepted which is the view that Walid reported from Malik and also the view of Thawri, the people of Kufah, and Awzai which concerns the Muslim alone and in the case of a *dhimmi*, his alignment will not be broken if he insults the Prophet, in view of these authorities, as it has been investigated in the last chapter. And the view reported from Shafi'i is against his famous view, and the famous view is that his repentance will be accepted with the detail concerning this rule.

Then he cited *al-Saif al-Maslul* that the version narrated from the Shafi'ite scholars is that he will certainly be sentenced to death in case he does not embrace Islam until he said and the Hanafite view concerning his repentance is close to the Shafi'ite school. As for the Hanbali scholars, their school is close to the Maliki School and the single well-known view of Ahmad is that his repentance is not acceptable. And a view was narrated from him regarding the acceptance, thus the school of Ahmad is similar to the school of Malik.”

Hence this narration means clearly that the Hanafi madhab is that the repentance of a person who insults the Prophet is acceptable and there is no narration from them against this.

He then cited *Ibn Taymiyyah's al-Sarim al-Maslool*: Similarly another group of our scholars, namely the Hanbalites said that whoever insults Allah's Messenger will be sentenced to death and his repentance will not be accepted. Abu Hanifah's and Shafi'i's view is that if the one who insults is a Muslim, his repentance shall be accepted, in case he repents he is a Muslim otherwise he will be sentenced to death as an apostate. And if he is a *dhimmi*, Abu Hanifah held that his alignment shall not be broken due to this. After a paper (2 pages) he added: Abu al-Khattab said: If he slandered the Noble Prophet's (may Allah give him peace and blessings) mother, his repentance will not be accepted. And there are two narrations concerning an infidel who insults the Prophet's (may Allah give him peace and blessings) mother, and Abu Hanifah and Shafi'i said that his repentance will be accepted in both cases and so on.

In another place he said: we mentioned that the famous view reported from Imam Malik and Imam Ahmad is that the repentance of someone who insults will not be accepted, and despite him repenting, the sentence of death shall not decline. This is the view of Lais Ibn sa'ad too. And Qadhi Iyadh mentioned that this was the well-known view of the *salaf* and the majority of Muslim scholarship and it is the one of two views attributed to the followers of Shafi'i and it is reported from Ahmad and Malik that his repentance is acceptable. And this is the view of Abu Hanifah and his followers and this is the famous view in the school of Shafi'i, on whose basis the repentance of an apostate is acceptable." [End of Quote from *Rad al-Muhtar*]

15.5 This is the categorical statement by Qadhi Iyadh in *al-Shifa*, by Subki, Ibn Taymiyyah and the authorities of his school that the Hanafite school is to accept the repentance of the person who insults without any contrary report from any Hanafi scholar whereas they reported scholarly differences in the other schools.

The author of "*Iman, Kufr and Takfir*" presented the statement of *al-Durr al-Mukhtar* wherein a fatwa may not be given of the unbelief of a Muslim whose words are interpretable as having a valid meaning, or about the unbelief of which there is difference of scholarly opinion, even if weak. Likewise he mentioned the name of Imam Subki (may Allah have mercy on him) and nominally attributed two words to him and in the same manner refuted the same after writing a sentence adjoining to this. And the details mentioned by *al-Durr al-Mukhtar* concerning the issue whether the repentance of someone who directly insults the Noble Prophet (may Allah give him peace and blessings) is acceptable or not, and the declaration to consider him an apostate without the sign of disagreement, reported from many books and many authors, among which Haskafi mentioned *Durrar*, *Bazzazia*, *Nutaf*, *Moin al-Hukkam*, *Sharh al-Tahawi*, *Zahidi*, *Tanweer al-Absar*, Kamal Ibn al-Humam and others; is it not clear through all of this that there is no disagreement on the infidelity charge against someone who insults the Messenger of Allah (may Allah give him peace and blessings), that is why Haskafi mentioned this issue without indicating to any disagreement in it? Whereas he declared two views, based on the author's *Fatawa*, about the infidelity of someone who insults a descendent of the Holy Prophet (may Allah give him peace and blessings) saying "curse of Allah be upon your parents and upon their parents who left you behind". In one respect, he declared such a person an infidel because the added plural (*mudaf*) insinuates universality (*umum*). Abu Hashim and Imam Harmain disagree to this; therefore, it is agreeable to declare him as a kaafir. And his repentance is not acceptable on the basis of the version Bazzazi mentioned and so on. The explainer reported this version. Verily it won't be considered as Kufr bearing the specification as per Imam al-Haramayn and Abu Hashims

view. And this is very suitable to our school, because the Masters of our school have advised categorically that the Jurist must lean to the aspect of that which avoids the infidelity.

Again wherein he notified the error of Bazzazi, and until last whatever he reported from *Fatawa Masannif, Nutaf* and *Moin al-Hukkam* etc. and affirmed it, that (ruling) is the same that the swearer of the Holy Prophet (may Allah give him peace and blessings) is considered as a kaafir unanimously without disagreement, and he is alike to an apostate in ruling, if repents then he is a Muslim, otherwise, he will be killed. In *Rad al-Muhtar* it is affirmed by the coalition of the leaders of all schools of thought through many categorical statements of *Kitab al-Shifa, al-Saif al-Maslool, al-Sarim al-Maslool* on that the swearer is an infidel and apostate. Through which it is very clear that there is no disagreement to this from anyone, (and that) the coalition regarding this issue is continued, and definite repeatedly, which is ongoing from the age of the Companions till thereafter among all leaders and scholars (*A'ima and Ulama*). Is it the importunity of integrity and trust worthiness (*Taqaza-e-Diyaanat*) to drop these details at once, and to put up the phrase of *al-Durr al-Mukhtar* and *Rad al-Muhtar* which is mentioned at the place of disagreement for the unanimous point, about which the author himself has firstly admitted and ultimately i.e. there is no doubt about this and declares a *crude, artless* and an *unscholarly* view falling below scholarly standards to be a “scholarly opinion”?

15.6 THE HADITHS ON GIVING OFFENCE

From this same book of Imam Subki and from this place of discussion, have another look at an example showing how the author has the habit of presenting something and concealing another. The author summarises the incident of the Companions sitting for a longer period at the sacred house of the Noble Prophet (may Allah give him peace and blessing) during the *walima* celebration of Sayyida Zainab (may Allah be pleased with her) in place of a question which Imam Subki mentioned and also cited an incident of a nomad. Its summary the author gives as follows (p. 10):

“Anas ibn Malik (Allah be well pleased with him) said: I was walking along with the Prophet (Allah bless him and give him peace), who was wearing a cape from Najran with a thick edge, when a desert Arab caught up with him and pulled him so hard that I looked at the side of his neck and saw the mark on it from the violence of pulling the cape’s edge. The man said, “Order that I be given some of the wealth of Allah which you have!” The Prophet (Allah bless him and give him peace) looked at him and laughed, then ordered he be given to” (Bukhari, 4.115: 3149). Though the Bedouin inflicted palpable physical pain on the Prophet (Allah bless him and give him peace), it was without legal consequence because he apparently only meant to stop the Prophet to talk with him.”

The author avoided mentioning the answer to this which Imam Subki himself offered.

We should mention here both the question and answer from *al-Saif al-Maslool*, after Imam Taqiuddin Subki has put up the evidences to that the swearer and the one who is troublesome to the Holy Prophet (may Allah give him peace and blessings) is an infidel and he deserves to be killed, he raises a question.saying: “Now, if you say some of them who talk in connection

with blaming Sayyida A'isha (Allah be pleased with her), were the group including Mistah and the best of Muslims, those men were the people to whom the ruling of the infidelity charge and killing never applies". If the verses, through which you derived, mean their obvious sense, then this ruling, applied to them necessarily, and swearing the wife of the Holy Prophet (may Allah give him peace and blessings) caused the infidelity charge and punishment by killing.

Imam Subki replies thereafter: I have to say there are two sorts of trouble: one is intended, and the second one is that is not intended i.e. it should be clear that affliction was not intended.

So Mistah, Hassaan and Hamna never intended to trouble the Holy Prophet (may Allah give him peace and blessings). Therefore, neither the infidelity charge nor the order to kill applied to them. As far as Ibn Uby, so he only intended to trouble the Holy Prophet (may Allah give him peace and blessings), therefore, he deserved to be killed. However, it was the right of the Holy Prophet (may Allah give him peace and blessings), so he can give it up. It is necessary to be attentive in order to look at the obviousness of intention in the action that may cause trouble, as one does something or says something which troubles another. Whereas, the person acting like that or speaking that word never intended trouble and it is known that he certainly intended something else and it never crossed his mind that this action takes to trouble him, and even the requisite wasn't clear so the ruling of trouble won't be imposed.

فان قلت : قد كان من جمله من خاض في الإفك مسطح وجماعه من خيار المسلمین ممن يقطع بأنهم لا يحكم عليهم بكفر ولا قتل، ولو كان ما استدلت به على ظاهره لوجب إجراء ذلك عليهم، ولكن سب أزواج النبي صلى الله عليه وسلم موجبا للكفر أو للقتل.

قلت: الأذى على قسمين: أذى مقصود، وأذى غير مقصود، فمسطح وحمنة وحسان لم يكن مقصودهم أذى النبي صلى الله عليه وسلم، فلذلك لا يجري عليهم كفر ولا قتل، وأما ابن أبي فكان مقصوده بالأذى النبي صلى الله عليه وسلم، فلذلك يستحق القتل، ولكن الحق للنبي صلى الله عليه وسلم، فله تركه.

وهذه القاعدة واعتبار القصد فيما يحصل به الأذى مما يجب التنبيه له فان الشخص قد يفعل فعلا أو يقول قولا فيحصل لآخر منه أذى لا يكون ذلك الفاعل أو القائل قصد أذاه البتة، وانما قصد امرا آخر ولم يحضر عنده أن ذلك يستلزم الأذى لذلك الشخص ولا كان لزومه له بينا، فهذا لا يترتب عليه حكم الايذاء. [ص: ١٣٥]

We have written up to here the whole wording of Imam Subki comprising of the question and the answer of what the author showed and what he has covered!!! We hope it won't be hidden from the readers. Even then we ask the author, why did you cover this last paragraph which we have underlined at both places? Now the author must declare whether this statement is useful for us or for him? We declare that it supports us, which is about to be declared in this

manner. The underlined paragraph, whether it doesn't mean that the difference between the both kinds of trouble intended or unintended is that the action or words that may take to the trouble should be clear? The Author must declare whether this paragraph is not a context to consider only the obvious whether it be intended or unintended and the same obvious is considered in the views of the general public as intended, even if the speaker or doer intended nothing while speaking and acting or he never intended what is obvious from the wording and doing. The evidence by Abu Ya'la to this has gone by in the self mentioned phrase by Imam Subki and this last paragraph itself is evidence to this and the author himself has granted this many times

So what benefit does this statement of Imam Subki bring to the Deobandis? And what benefit is it to the author who readily supports the Deobandis? Imam Subki, in this statement, talks about an issue wherein the trouble is not intended, where neither the word nor action entails offence nor the requisite (*luzum*) is obvious, whereas in the case of the Deobandi comments, as the author has said that “they were indefensible breaches of proper respect”. Now the Hadith of Usamah never crosses his mind here, which he himself quoted³⁴? Is the author sitting in the heart of the Deobandis or did he tear their hearts to know that their intention was not to insult? So he is saying “The intention was not to insult”

15.7 A COMMENTARY TO IMAM SUBKI'S VIEW

I say: Applying Imam Subki's explanation to all instances and places is uncertain. Even if the statement mentioned by Imam Subki comes in favour of the companions sitting longer, but it is not clear in favour of the nomad who pulled up the sheet from the shoulders of the Holy Prophet (may Allah give him peace and blessings) and who talked in a fearless manner, and similarly it is unobvious in favour of Mistah etc. who spoke out of place in connection with the issue of Sayyida A'isha (May Allah be pleased with her). And this account is in favour of the Deobandis never comes right, as a clear trouble is here, and requisite as well is clear. So that wording is similar to the wording of Abdullah ibn Ubay causing trouble of course, and that action indeed is disrespect and that is kufr.

Then what is the reason that the Noble Prophet (may Allah give him peace and blessings) never treated Mistah etc. as he treated Abdullah Ibn Ubay? We should answer this by the help of Allah in a manner through which the command of the Holy Prophet (may Allah give him peace and blessings) mentioned for us that remains comprehensive in our favor as he commanded saying: ... أمرنا بالظواهر i.e. **We have been commanded to act on the obvious**, so that the Speciality of the Noble Prophet (may Allah give him peace and blessings) in respect of having the specialties of all Messengers should be evident, and even Imam Subki pointed to the same.

The answer is explained in this manner: The Ummah is commanded to act according to the obvious and thus they mustn't have a look to intended or unintended. And the Noble Prophet (may Allah give him peace and blessings) certainly has ruled at many places according to the

³⁴ See: sections 8.5 and 12.1.

obvious and also has ruled in accordance to the Shariah of Khizr (شريعة الخضر) i.e. he ruled many times regarding the intrinsic and sometimes acted on both, (the obvious and the intrinsic) (Zaahir and Baatin).

In one issue, accordingly, it is stated in Bukhari:

عن عائشة رضي الله عنها، زوج النبي صلى الله عليه وسلم، أنها قالت: كان عتبة بن أبي وقاص عهد إلى أخيه سعد بن أبي وقاص: أن ابن وليدة زمعة مني، فاقبضه إليك، فلما كان عام الفتح أخذه سعد، فقال: ابن أخي قد كان عهد إلي فيه، فقام عبد بن زمعة فقال: أخي وابن أمة أبي، ولد على فراشه، فتساوقا إلى رسول الله صلى الله عليه وسلم، فقال سعد: يا رسول الله، ابن أخي، كان عهد إلي فيه، فقال عبد بن زمعة: أخي وابن وليدة أبي، وقال رسول الله صلى الله عليه وسلم: (هو لك يا عبد بن زمعة، الولد للفراش وللعاهر الحجر). ثم قال لسودة بنت زمعة: (احتجبي منه). لما رأى من شبهه بعتبة، فما رآها حتى لقي الله.

“it is narrated from Aisha the wife of the Noble Prophet (may Allah give Him peace and blessings) She said: Utba Ibn Abi Waqqas had made a will to his brother Sa’ad Ibn Abi Waqqas saying, that the son of Zam’a’s neonate daughter (descendent of Zam’a’s female slave) has descended from me, so look after him. So when the year of occupation took place and Makkah was occupied, Sa’ad held him and then said; he is my nephew, my brother made a will to me in his favor. Then Abd Ibn Zam’a stood up and said: He is my brother and son of my father’s bondwoman, was born on his ferash (bed), and then they walked up to the Holy Prophet (may Allah give him peace and blessings). Said Sa’ad, O’ Allah’s Messenger! He is my nephew. My brother had recommended in regard with him. Then Abd bin Zam’a said: my brother and son of my father’s neonate daughter and Allah’s Messenger said: He is your (brother) O! Abd-Ibn Zam’a. The baby is for the bed and for the adulterer the stone only. Again the Noble Prophet (May peace and blessings upon Him) said to Sauda Bint-e-Zam’a (His wife): Disappear before him, due to his likeness to Utba he noted, so he never saw Sauda until he met Allah. “

And in the examples the author mentioned, the Prophet (may Allah give him peace and blessings) acted upon both the intrinsic and obvious, as his treatment with Abdullah Ibn Ubay was different, despite the wording of both was similar. The comments of Abdullah Ibn Ubay meant clear trouble, and it was evident to the Holy Prophet (may Allah give him peace and blessings) that his obvious state was like his intrinsic; therefore he treated him in such a violent manner as an apostate deserves. On the other hand, the Noble Prophet (may Allah give him peace and blessings) was aware of the inward state of Mistah and the others, knowing that they had belief in their hearts and that they never intended to offend him, therefore, he treated them in a manner a Muslim is treated. This is the reply to the comments of the respectful Ansar that the author put out of place, in order to support the Deobandis as a proof comes out. And through the same, the answer to the incident of the nomad reported, out of place, by author is also finalized.

Hence, it becomes evident that it is a special authority that Allah has given the Noble Prophet (may Allah give him peace and blessings) to act on the intrinsic whenever he chooses as he is the Legislator. One must study Imam Suyuti’s work titled “*al-Bahir*” on this issue. **No person other than the Noble Prophet (may Allah give him peace and blessings) has the right to turn aside the obvious meaning of words especially while the obvious meaning is**

fixed to that word (*sarih muta'ayyan*) and the Deobandi statements are of this nature, that is why neither the author has any way of saving the Deobandis nor could the Deobandis themselves and escape from infidelity.

Another clear reply to the report on the companions sitting longer in the *walima* celebration of Sayyida Zaynab (may Allah be pleased with her) and to other incidents the author mentioned is that these are the happenings in the early age of Islam when rulings were declared in accordance to the incidents, and it is evident that there was no charge on any one before a ruling is established, and also that rulings were not all known to everyone all at once after they were established so the ruling about such people would be similar to the ruling which applies to one who is unaware of the ruling being in a distant area unaccompanied by the ulama which the author himself pointed to in the opening of his article (p. 2). To present these incidents of the companions as evidences in favor of the Deobandis is an act of misquoting evidences. The Qur'anic verses we mentioned earlier contain the correct ruling for the Deobandis.

15.8 THE REPLY TO THE HADITH OF SAYYIDA A'ISHAH (MAY ALLAH BE PLEASED WITH HER)

To defend the Deobandis, the author commenced to mention the Hadith reported from Sayyida Aishah (may Allah be pleased with her). At its end, the author comments as follows (p. 11):

“This last admittedly jealous remark was a reproach against her husband, the Messenger of Allah (Allah bless Him and give Him peace) but here too, because it was a mere emotional protest that lacked the explicit intention to demean or offend him, it entailed no legal consequences.”

I have to ask the author, through which means could the author know, that the last saying of Sayyida Aishah (may Allah be pleased with her) was the “admittedly jealous remark”? What context in the wording of the Hadith is specifying this sense? *Why couldn't it be taken in the manner of praise* whereas each one of the matchless love and respect to Holy Prophet صلى الله عليه وسلم and concrete Imaan, individually and collectively are pointing out that Sayyida Aishah (may Allah be pleased with her) pronounced these words before the Holy Prophet صلى الله عليه وسلم praising him in a lovely style and respectful manner. Beside the unbeliever who dares to imagine that Sayyida Aishah (may Allah be pleased with her) might remark in such a manner even after listening to the command of Allah, in order to reproach Holy Prophet صلى الله عليه وسلم .

Most likely the author will try to prove it through the word in the Hadith "هواك" . In answer, I have to say it is not in context to what he claims, as the word “**Hawa**” according to the Arabic diction and usage is not specified in the meaning of evil. It means good as well as evil, and even if the mentioned word means evil in the common usage but now it is fixed to the good meaning. Hence it is clear that the said remark is made by the author and Sayyida Aishah (may Allah be pleased with her) is clearly free from the blame of reproach, and the author is ridiculously trying to accuse Sayyida Aishah (may Allah be pleased with her) with this.

Could the author report any word within any Hadith, wherein Sayyida Aishah (may Allah be pleased with her) admitted that she has made such a remark in order to reproach? He can never report any such word. If he can never report, so why does he attribute a meaning that he forged to the words of Sayyida A'ishah.

As we have explained, it is clear that whatever some explainer has stated in order to explain this Hadith as if he is answering to the question that may cross the mind of any person like the author is not necessary. In addition to this the author remained in failure to prove his claim to defend the Deobandis.

In this regard, we would like to present here the preferred explanation from Imam Badr al-Din al-Ayni's commentary upon Sahih al-Bukhari "*Umdat al-Qari*",

"يعني ما أرى إلا أن الله تعالى موجد لمرادك بلا تأخير منزلاً لما تحبه وترضى"

"What she means by this is that I only see that Allah is the originator of your wish, without delay sending down whatever you love and prefer"

Look at this phrase attentively, how Imam Aini explained this word in a preferable way avoiding the indication to delusion as indicating to declare that word "هوى" means only the desirable to Holy Prophet صلى الله تعالى عليه وسلم .

After presenting this explanation he cites another explanation,

قال القرطبي هذا القول أبرزه الدلال والغيرة وهو من نوع قولها ما أحمد كما وما أحمد إلا الله والإضافة الهوى إلى النبي لا يحمل على الظاهرة لأنه لا ينطق عن الهوى ولا يفعل بالهوى ولو قالت إلى مرضاتك لكان أليق ولكن الغيرة تغتفر لأجلها إطلاق مثل ذلك قلت الذي ذكرته أحسن من هذا على ما لا يخفى (109 /20)

"Qurtubi said: this statement came through the dalliance and bashfulness that is the category of her wording. I don't commend you both, I praise Allah only, otherwise it is not to be taken in its obvious meaning to attribute the word Hawa to Nabi الله صلى الله تعالى عليه وسلم . Because he never speaks out of Hawa and never acts because of "هوى", if she would be more appropriate. However due to envy the pronunciation of such word is absolved."

After reporting it from Imam Qurtubi, Imam Aini says: "what ever I mentioned is better than this". I have to say that, in this connection, the said explanation by Imam Aini indeed is better and certainly it is shorter and clearer. In addition to this it is very far away from the baseless delusion which was raised unnecessarily, bearing in mind the common usage of the word "هوى" in an ill meaning, that is why he interpreted the word in the manner passed in his statement whereas the word was fixed to the good meaning considering the status of Sayyida A'isha عنها رضي الله تعالى عنها and an evidence to this. More over the statement of Imam Qurtubi is pointing out that the wording of Hazrat A'isha عنها رضي الله تعالى عنها is yet appropriate, remembering *his* saying: if she would have said "*mardhatik* i.e. *to your wished*, it would be more appropriate.

Beside this, as he considered the statement of Sayyidatuna A'isha عنها رضي الله تعالى عنها to be correct in any manner there was no need to the comment made by Imam Qurtubi at the ending

of his word “however due to envy the pronunciation of such a word is absolved”. I would like to put one more question here to the author reminding him of his own word on page 5: “*And we say that such a proof must be “decisive” because words can mean many things* “

Here too the word **غیرت** "*ghayrah*" has a number of meanings. I am now quoting various meanings of the word **غیرت** from the dictionary: “sense of honour, humbleness, shame, bashfulness, modesty, envy, one exciting the envy of”. It is clear through the reference of the dictionary that the word **غیرت** has many meanings and it is not fixed to the jealousy. It means bashfulness as well as jealousy. Therefore you could have replaced the word jealous, with the word bashful at the place you said: “this last admittedly jealous remark was a reproach against her husband“

Especially, there was a verbal context to this meaning in the other word of the Hadith reported from Sayyida A’isha (May Allah be pleased with her) wherein she said “أستحي” i.e. ‘**I used to feel shy**’. So, you could have avoided the ill meaning you derived yourself in this manner if you had a little politeness towards Sayyida A’ishah (May Allah be pleased with her) and a bit of respect to the Holy Prophet **صلی اللہ تعالیٰ علیہ وسلم**.

15.9 IMAM SUBKI’S COMMENTS ARE IN REGARDS TO *SARIH MUTABAYYIN* AND NOT *SARIH MUTA’AYYAN* AND THE FINAL BLOW TO THE AUTHOR’S MISUSE OF *AHADITH*

The author further writes³⁵ (p. 10) “One must be aware of this rule, giving due consideration to the intention behind the offence (adha)”. What use is this comment to the Deobandis as the discussion on their comments is concerning an explicit offence whose meaning is fixed *Sarih muta’ayyan*? His earlier and later admissions to this are evidences to this as he acknowledged many times that the Deobandi comments were unacceptable to Muslims all over the Muslim world, repugnant and breaches of proper respect. So, such a version or action which is never a clear significance to trouble and it should be known through the inference or opposition that the trouble was never intended, such a mentioned version or action is indeed probable, so how does he compare this probable with that which is fixed.

He himself admits on page 22,

“few Muslims would suffer such a comparison to be made with their own father”

So why does he forget his own comments (p. 10) in his discussion on imputed intentionality,

“The latter verse shows that offending the Prophet (Allah bless Him and give Him peace) amounts to opposing Allah and His Messenger, which is without question unbelief”?

³⁵ Presenting the comments of Imam Subki (may Allah have mercy on him).

And despite his admissions, why does he then assert that “they were not *kufir*”? **A comparison that few Muslims would suffer to be made with their own father; would it not offend Allah’s Messenger? Of course it would, and in his own words “offending the Prophet (Allah bless Him and give Him peace) amounts to opposing Allah and His Messenger, which is without question unbelief!” Now he should either reject this admission or affirm it. Is it not established that the infidelity charge against the Deobandis is confirmed and emphasised through his own admissions?** So what does he make of his following comments (p. 10)?

“The “fallacy of imputed intentionality” in such cases means to assume without decisive proof that an offensive deed or utterance was deliberately intended to offend Allah or His Messenger (Allah bless him and give him peace) and hence legally *kufir*.”

We have declared many times that the phrases of the Deobandis are fixed to the meaning of infidelity and the decision regarding, intended and unintended has been finalized and evidences to this by the author have gone by. And this sense as well has gone by, that the author himself has proved the infidelity charge against the Deobandis. Now who does the fallacy lies with? And the accusation of the imputed intentionality “to assume without decisive proof that an offensive deed or utterance was deliberately intended to offend Allah or His Messenger (Allah bless him and give him peace) and hence legally *kufir*”, does it not clearly apply to him or is this just a comment without a place of application? And if this does not apply to anyone thus is this not charging the innocent and discharging the culprit? So, what is this then? And isn’t the author misleading others into a fallacy thereof?

16. CONCLUSION AND THE FINAL REFUTATION OF QASIM NANOTAWI AND HIS SUPPORTER ON THE FINALITY OF PROPHETHOOD FROM QADHI IYADH’S KITAB *AL-SHIFA*

16.1 In the end, I would like to conclude this detailed argument by presenting an inclusive statement from the great work of Qadhi Iyadh (may Allah show him mercy) from *Kitab al-Shifa* in order to summarise this detailed argument and throw light upon the infidelity of the Deobandis and Wahhabis in another manner besides using their blasphemous comments. Before I quote the Arabic, I would like to give its summary. Qadhi Iyadh says,

“that it is considered as a refutation of the Holy Prophet (may peace be upon Him) to qualify him with something which is not his attribute in fact.”

I say: Deobandis and Wahhabis have committed this crime as they upheld that the Prophet (may Allah give him peace and blessings) does not have knowledge of the unseen, and the Deobandis have excelled the Wahhabis in infidelity and disrespect as they compared the the Holy Prophet (may Allah give him peace and blessings) knowledge to the knowledge of laymen, Insane people, children and all animals and beasts! They did not stop there, rather they continued and stressed that the Satan and the Angel of death possess comprehensive

knowledge yet negated the knowledge of the unseen absolutely from the Noble Prophet (may Allah give him peace and blessings) and declared that the belief that the Noble Prophet possessed this knowledge is *shirk*. Similarly, Deobandis negated the Prophethood of our Prophet (may Allah give him peace and blessings) as they negated the finality of Prophethood in a various manner³⁶ as it was mentioned previously. In this process, they negated the Prophethood of all Prophets too as it is clear from the comments of Nanotawi in “*Tahzir al-Nas*”. I have recommenced refuting Nanotawi as the author commented little upon him and focused on the other Deobandis all the way to the end of his article. Therefore, I want to present a comprehensive statement enlightening the ruling about all Deobandis collectively and about Nanotawi specifically.

Qadhi Iyadh further says,

“Similarly, anyone who declares someone as a Prophet alongside our Prophet or after him, as the Isawiyya among the Jews upheld, who believed that the Messengerhood of our Prophet was restricted to the Arabs alone, and as the Khurmiyya believed in the continuation of Messengers, and as most Rafidis believe Ali (may Allah be pleased with him) was a partner in the Messengerhood of our Prophet (may Allah give him peace and blessings) in his life and thereafter...[until he said] and also anyone who claims Prophethood for himself...[until he said] so all of these are infidels because they refuse the Prophet (may Allah give him peace and blessings) who informed us that he is the last of all Messengers and that there is no Prophet after him. He reported from Allah that he is the last of all Messengers and that he has been sent to the entire human race. **The entire Ummah has agreed unanimously to take this verse in its obvious meaning; there is no interpretation and specialization to its intended meaning. So, no doubt all these groups are charged with infidelity certainly, unanimously and audibly (until he said.....). And similarly we affirm the infidelity charge against every person who announced a wording which drives to consider the entire Ummah as misled.** [until he adds] Similarly we affirm the infidelity charge against one who refuses and devises one of the rules of Shariah [until he said] As for the denial of consensus which is not reported repeatedly from the Legislator (may Allah give him peace and blessings), most of the scholastics and thinkers charge the person with infidelity if the consensus is sound and befits the generally accepted conditions of consensus.

Their evidence to this is the saying of Allah,

“And whoso opposes the Messenger after guidance has been manifested unto him, and follows other than the believers way, we appoint for him that unto which he himself has turned, and expose him unto hell, a hapless journey’s end” (4:115),

And the saying of the Noble Prophet (may Allah give him peace and blessings):

“Whoever dissents the community of Muslims in an amount of a hand span, has surely taken the noose of Islam off his neck”. [End of Quote from *Kitab al-Shifâ*]

³⁶ Unknown to Muslims before.

[Arabic quote]:

وكذلك من ادعى نبوة أحد مع نبينا صلى الله عليه و سلم أو بعده ، كالعيسوية من اليهود القائلين بتخصيص رسالته إلى العرب ، و كالخرمية القائلين بتواتر الرسل ، وكأكثر الرافضة القائلين بمشاركة علي في الرسالة للنبي صلى الله عليه و سلم و بعده، (إلى أن قال) أو من ادعى النبوة لنفسه، (إلى أن قال) فهؤلاء كلهم كفار مكذبون للنبي صلى الله عليه و سلم ، لأنه أخبر النبي صلى الله عليه و سلم أنه خاتم النبيين، لا نبي بعده . و أخبر عن الله تعالى أنه خاتم النبيين، وأنه أرسل كافة للناس.

وأجمعت الأمة على حمل هذا الكلام على ظاهره، و أن مفهومه المراد منه دون تأويل ولا تخصيص، فلا شك في كفر هؤلاء الطوائف كلها قطعاً إجماعاً و سمعاً. (إلى أن قال) وكذلك نقطع بتكفير كل قائل قال قولاً يتوصل به إلى تضليل الأمة. (إلى أن قال) وكذلك نقطع بتكفير كل من كذب و أنكر قاعدة من قواعد الشرع. (إلى أن قال) فأما من أنكر الإجماع المجرد الذي ليس طريقه النقل المتواتر عن الشارع فأكثر المتكلمين من الفقهاء و النظائر في هذا الباب قالوا بتكفير كل من خالف الإجماع الصحيح الجامع لشروط الإجماع المتفق عليه عموماً. وحجتهم قوله تعالى: ومن يشاقق الرسول من بعد ما تبين له الهدى ويتبع غير سبيل المؤمنين نوله ما تولى ونص له جهنم وساءت مصيراً [سورة النساء/4، الآية: 115]. و قوله صلى الله عليه و سلم : من خالف الجماعة قيد شبر فقد خلع ربقة الإسلام من عنقه.

Allamah Shahab al-Din al-Khafaji, the commentator of *Kitab al-Shifa*, explained who the Isawiyya were saying (4: 507),

(كالعيسوية) وهم طائفة من اليهود نسبوا لعيسى بن يعقوب الأصبهاني وكان من مذهبه تجويز حدوث النبوة بعد نبينا صلى الله تعالى عليه وسلم.

“They are a group of Jews attributed to a Jew named Isa ibn Is’haq ibn Ya’qub al-Asfahani. He upheld that it was possible for another Prophet to emerge after our Prophet (may Allah give him peace and blessings).” This was also the view of Qasim Nanotawi.

Have a look at this underlined phrase and consider who is applicable to this except wahhabis and Deobandis, who consider themselves only to be proper Muslim and regard the entire Ummah as Kaafir.

The comments from Shifa not only remind us of discussions previously mentioned, in the mean time it also declares that it is not to be taken slight to refuse the issues granted unanimously by the Ummah like the belief of Intercession and setting aside particular days to send the reward of spiritual works to the souls of the departed and the issue of **Haadir** or “Present” and **Naazir** or “Watching” etc. and to take Milad celebrations on the birthday of the Prophet (may Allah give him peace and blessings), within the definition of bid’ a or “**reprehensible innovation**”, What is it to say about charging the entire Ahle Sunnat with the charge of polytheism due to this?

However the author has turned up the issue at all as he converted unanimous (Wafaqi) to disagreed (ikhtilafi), that is why he submitted the statement of Imam al-Ghazali out of place in order to excuse Deobandis, as it is clear that it is an attempt to refute the coalition (Ijma)

and it is not even the refusal of coalition only, It drives as well to the refusal of the Quran and Hadith through which the coalition is proved. If you open the way to refute the coalition through this excuse to justify the disagreement of the unanimous point, then the coalition is not safe anymore, in other words the coalition cannot take place.

In addition to this, if it was so slight as the author was to make people realize that “(p. 15) “the point of mentioning these six questions is that not one of them is a genuine aqida issue”, Ibn al-Taimiya would not have been charged with the infidelity or heresy for considering Ziyara to be illegitimated and refuting as well many unanimous issues. Study the legible work of Imam Ibn Hajr al-Makki (*Al Johar Al Munazzam*) and (*Fatawa al-Hadithiya*) and other reliable books written by Islamic scholars.

Suppose for little while in a wrong way that the matter is not so important, as the author has said (p. 15) “*not one of them is a genuine aqida issue*”,

However, it is clearer in the light of his saying that it is baseless to charge the entire Muslims with the charge of polytheism and heresy due to this, so why mustn't the author remember at this place the very Hadith he put up on page 4 saying “***whoever charges a believer with unbelief is as though he had killed him.***”

In brief, Deobandis and Wahhabis are sailing in the same boat, and the author as well is on the boat with them. Both the groups are Kaafir in the view of Jurists. More over the rank of Deobandis is higher as they are Kaafir according to both the Theologians (Fuqaha) and Scholastics (Mutakal'limeen).