

Khārijite Abū Muḥammad al-Maḡdisī: Takfīr of Muslims Due to Organised, Systematic, Regulated Commission of Sin

The Khārijite renegade and ideological terrorist, **Abū Mūhammad ‘Iṣām al-Barqāwī al-Maḡdisī**¹ makes takfīr of

¹ Abū Muḥammad al-Maḡdisī is the second most influential Takfīrī Khārijite renegade, second only to Imām bin ‘Abd al-‘Azīz (Sayyid Imām), in promoting the doctrine and methodology of the Khārijites in the modern era. He was nurtured upon the books of Sayyid Quṭb and Mawdūdī whilst in Afghanistan during the mid-1980s, being trained by Jamā‘at al-Takfīr, and this forms the foundation of his religious doctrine, at the “beginnings of his guidance” as he states himself. In Kuwait, before he left for Afghanistan, he studied under Muḥammad Surūr for a period before falling out with them. They expelled him from their group. When he returned from Afghanistan, he joined a group of the Juhaymānites. The speech of the Juhaymānites was all about the rulers and politics. They accused him of extremism in takfīr and expelled him from their group. He remained in the company of a few hardcore associates. It was during this period (late 80s early 90s) that he authored works outlining the doctrine of the Khārijites, focusing upon takfīr of the rulers and a framework of jihād built around this doctrine. He would not pray the congregational prayers in the mosques with the Imāms and a group of them would pray the Friday prayer in the desert. He would also steal from policemen and expat workers. It is related that he stole from a foundation in Kuwait and fled to Jordan whereupon he built a house and took a second wife. Whilst in Jordan he would steal from Sikhs and Christians, claiming their wealth was lawful. He never took knowledge from any of the Salafī scholars, rather his nurturing was through Muḥammad Surūr, the Takfīrī jamā‘at in Afghanistan and the Juhaymānites. He claims to be an expert on the books of the Shaykhs of the da‘wah of Tawḥīd, such as al-Durar al-Saniyyah. However, he never studied these works from any competent, genuine Salafi scholar and takes from these books according to desire and what enables him to promote his doctrine, without referring to other statements

Muslims by way of major sins whilst denying that he is upon this doctrine. He and many of the Khārijites fall into this due to their ignorance and pseudo-scholarship.

In the treatise he wrote in trying to prove the disbelief of the Saudi state he writes:

بل وحماية جميع معاملات البنوك بلا قيد أو استثناء، وفي هذا بالطبع إباحة للربا تماماً كما هو الحال في بقية الدول الطاغوتية العربية والغربية... ومعلوم أنّ الربا في دولة التوحيد المزعوم مباح يحرسه ويحميه القانون

“Rather, the protection of all banking interactions without any restrictions or exceptions, and in this, naturally, is permitting ribā (interest) completely as is the situation in the remaining Arabic and Western ṭāghūtī (falsely deified) nations... And it is known that ribā in the claimed ‘[Nation] State of Tawḥīd’ is permissible (mubāḥ), it is protected and guarded by the law.”²

which clarify and give detail to their generalised or contextually limited statements and rulings. The evaluation of his character is that he is amazed with himself, is very volatile, portrays himself as one who has immersed himself in the books of the Shaykhs of the da‘wah and that only he has understood them. He is a known liar and makes many insinuations without being clear, and is known for concealing his true beliefs. Refer to Tabdīd Kawāshif al-‘Anīd Fī Takfīrihī Li Dawlat al-Tawḥīd (1428H) pp. 17-26.

² Al-Kawāshif al-Jaliyyah (p. 25). Al-Maqdisī also writes: “Interest (ribā) in itself is among the acts of disobedience and among the major sins, we do not declare the one who [deals with it] as a disbeliever. However, [laying down] legislation for interest, and granting general permission for it, and protecting its institutions is not merely an act of disobedience. Rather, it is disbelief in Allāh, because [all of] this is [the essence] of making it permissible...”

He is basically saying that the existence of regulations and laws pertaining to interest and preservation of its presence is proof that it is has been declared permissible (mubāḥ), in other words lawful (ḥalāl).

In order to see clearly that al-Maḡdisī is a Khārijite who makes takfīr by way of major sin, we can make the following points:

1. It is agreed upon by the Salaf and the Scholars of Ahl al-Sunnah that **a person does not exit from Islām on account of a major sin (that in itself does not expel from Islām), so long as he does not declare it lawful (istiḥlāl).**³ And those who oppose this are the Khārijites. This is a matter well-established and a foundation of Islām and Sunnah. For that reason, in what has been cited from him above, the Khārijite al-Maḡdisī – trying to veil his takfīr by way of major sin – makes it appear that he is explicitly not making takfīr by way of major sin. However, in the sentences that follow, he violates the agreed upon principle that takfīr is not made until a person actually declares a major sin to be lawful (istiḥlāl) or permissible (ibāḥah).

2. From the earlier Khārijites were those who considered persistence (iṣrār) upon major sin without repentance to be major disbelief and hence they expelled the major sinners from Islām.⁴

³ Refer to al-Taḥāwī's creed from where this principle is stated and commonly cited by Ahl al-Sunnah.

⁴ Refer to Maḡālāt al-Islāmiyyīn of al-Ash'arī and al-Faṣl Fil Milal wal-Niḥal of Ibn Ḥazm under the relevant chapters.

The modern day Khārijites say the same thing in essence.⁵ The essence of their position is that committing major sins in an organised, systematic way, and laying down guidelines rules that regulate how the sin is performed or to maintain or protect its performance is evidence that it has been declared lawful as a matter of belief (istiḥlāl, ibāḥah).

Hence, the end result of what the earlier Khārijites and the modern Khārijites profess is the same thing: Making takfīr of Muslims on account of major sins on the basis of presumptions. The points that follow will elaborate upon this:

3. If we imagine a Muslim who habitually drinks alcohol, knowing that he is sinful and will be punished, but his desire (shahwah) leads him to persist in this sin because of his love and attachment to this sin, this person is a major sinner who will be under the will of Allāh in terms of punishment or forgiveness. The Khārijites make takfīr of such a person. Likewise, if this person, whilst he was drinking, stealing, fornicating or gambling was to employ someone or pay someone to act as a guard to ensure that he is not caught whilst he is drinking, stealing, fornicating or gambling and laid down rules with respect to how this person should

⁵ From those who have statements agreeing with the Khārijites in this are the Quṭbī Abū Ishāq al-Ḥuwaynī, likewise, the Quṭbī Salmān al-ʿAwdah. They both have explicit statements of takfīr for those who persist in major sins like ribā (usury) and who promote and spread sin (like recording and distributing music). Also making claims similar to this is the Quṭbī Safar al-Ḥawālī who claimed that interest (ribā) has been declared permissible in Saudī Arabia because of the presence of banks that deal in interest.

observe his duty, this would still not expel him from Islām, despite the fact that he is not only committing the sin, but also protecting and guarding his commission of the sin. Whilst his sin is on a much greater level, indicating the severity of his desire (shahwah), it does not expel him from Islām.

If we imagine another Muslim who opens a shop which sells alcohol, this person is no doubt greater in sin than the first. This person may never drink alcohol himself, but in selling it he profits from it. Further, he employs people to work for him and he has regulations and laws that are to be implemented in the running of his shop. He may also abide by state laws with respect to selling this alcohol – as countries have regulations and requirements with respecting to selling alcohol – such as not selling to the underaged and only selling between certain hours. So we see that he has his own rules that govern the commission of his sin and he also abides by laws that regulate how he commits the sin. Further, he may employ security guards to protect his business and have rules and laws for these security guards. Thus, he is now legislating affairs for the protection and maintenance of sin. Now, does all of this prove that he has declared the selling and consumption of alcohol to be lawful and permissible. The answer is no. Because these actions are not sufficient to make that judgement, they are not bound and tied in that way to his internal conviction and belief, in the sense that they are absolute indicators. This is unlike, for example, when a man knowingly and wilfully kicks the Qurʾān or throws it into filth. When this deed is done with deliberate intent, this is an absolute indicator of his disbelief in and of itself, it is not a condition that he make istiḥlāl of

this act, since this act is such, by its very nature, that it conclusively shows the absence of the actions of the heart. But major sins that do not reach the level of disbelief can never be sole-indicators that a person has made istiḥlāl, even if they are done persistently, or their commission is protected and guarded or guidelines are laid down for their commission and so on. In the example given with selling alcohol, a person may find this an easy, lucrative way of acquiring wealth, this being his motivation, alongside his knowledge and belief that it is unlawful. Similarly, a person may operate a business which provides interest-based loans, knowing and believing it is unlawful. He does so only because he finds this is an easy and lucrative way to acquire wealth. And what he does of following rules and guidelines or laying them down himself as a means of preserving his business, this indicates the severity of his desire (shahwah) but cannot be an indicator on its own that he is declare his action to be lawful in the Sharī'ah of Islām.

The same example can be given with a thief. A thief has to plan, organise and follow well established rules to ensure success as well as to protect his sinful activities. This does not indicate or prove he has declared stealing lawful in the Sharī'ah just because his sin is committed in a certain manner requiring implementation of rules, guidelines and regulations as is found with organised thievery and banditry. Permitting, regulating and protecting the commission of a sin does not equate to declaring it lawful. That is not to say that a person who permits, regulates and protects the commission of sin may never deem it to be lawful. However, the conclusive, unambiguous, definitive indicator of that is never the

commission of the act itself, or persistence in the act itself, or regulating the way the act is committed, or putting down procedures to protect the act.

It is here that the modern Khārijites meet with the earlier Khārijites in that they force a binding conclusion (ilzām), arguing that persistence in major sin (in an organised, systematic way) and protecting its performance makes istiḥlāl or ibāḥah to be absolutely binding. And this is an error on the basis of which the Khārijites erred and this is the same crime that al-Maḥdisī is falling into, despite his flowery attempts to veil it. The basic argument reduced down to its core is that the one who commits a major sin and persists upon it throughout his life without repenting from it must have considered it to be lawful, otherwise he would not persist upon it had he believed in its unlawfulness. Thus, he has legislated a ruling (making lawful the unlawful), by which he conducts and governs his behaviour, and whoever legislates is a polytheist because he has competed with Allāh in His sole right to legislate (ḥākimiyyah).

We see the difference between this Khārijite rationale and the explanation given by Ahl al-Sunnah which is that sins committed in this manner, which are persisted upon and whose commission is regulated or protected, indicate the severity of desire (shahwah), lack of concern (‘adm al-mubālāt) and belittlement of the sin (tahāwun), considering it to be a small matter (iḥtiqār).

4. Shaykh Ibn ‘Uthaymīn said: “Istiḥlāl is that a person believes that something which Allāh has made unlawful is lawful. As for

istiḥlāl of action, then we need to observe: If this istiḥlāl (is related to something) that expels from the religion [in and of itself] then a person becomes a disbeliever and apostate by it [without requiring his belief that it is lawful]. So for example, if a person worked with interest (ribā) without believing in its lawfulness, yet he persists in working with it, then such a one does not become a disbeliever because [this act does not expel from Islām in itself and] he did not declare it to be lawful. However, if he said, ‘interest is lawful’ and he intends by this the interest that Allāh has declared unlawful, then he becomes a disbeliever, since he is a denier (of the truthfulness) of Allāh and His Messenger (صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ). So in this circumstance, istiḥlāl would be that of action and also that of belief, with his heart. However, the istiḥlāl in action, we need to look at the action itself, is it something which in and of itself expels from the religion or not? And it is known that consuming interest does not make a person a disbeliever, rather it is one of the major sins. However, if a person prostrated to an idol, then he becomes a disbeliever. Why? Because this act itself expels from the religion. This is the principle, however it is necessary for us to observe another condition, and this is (to ensure) that the person who made something lawful (by istiḥlāl) is not excused due to ignorance, for if he is excused due to ignorance, then he does not become a disbeliever.”⁶

5. The Muḥaddith, Shaykh Aḥmad al-Najmī stated when asked about istiḥlāl: “Istiḥlāl is an action of the heart, that a servant believes with this heart in the lawfulness of what is agreed upon to

⁶ Al-Bāb al-Maftūḥ 3/97, no. 1198.

be unlawful, even if he does not express that verbally. Thus, whoever believed that fornication (zinā) is lawful has disbelieved, even if he did not do it himself. And whoever did it whilst believing it is unlawful, he is a sinful Muslim. And whoever believed that interest (ribā) is lawful has disbelieved, even if he did not do it himself. And whoever did it whilst believing it is unlawful, he is a sinful Muslim. And whoever believed that drinking intoxicants (khamr) is lawful has disbelieved, even if he did not drink it himself. And whoever drank it whilst believing it is unlawful, he is a sinful Muslim. Founded upon this, how do we know istiḥlāl [from a person]? The answer is that we know it through verbal expression in that he says ‘Intoxicants are lawful’ or ‘Interest is lawful’ or ‘Fornication is lawful’. Or if he writes it down and we are certain of its ascription to him. But without this, then no. Because istiḥlāl is from the action of the hearts and none knows what is in the hearts but Allāh alone. By way of this verification [of the truth in this matter] the proof of the one who declares the one who commits a major sin, even if it is done repeatedly, is falsified.”⁷

6. The scholars of Ahl al-Sunnah distinguish between **istiḥlāl ‘amalī** (merely allowing oneself to commit a sin) and **istiḥlāl ‘aqadī** (believing one is allowed to commit a sin). We will give an example to illustrate the difference. A boy may say to his father: “Should I go to the supermarket and steal some batteries?” or “Should I take out a mortgage to buy a house and pay interest?” And the father may say, “Yes”. Here, this is istiḥlāl ‘amalī, permitting oneself (or another) to engage in a major sin from the

⁷ Al-Fatāwā al-Jaliyyah ‘an al-Manājih al-Da‘awiyah (1/98-99).

point of view of mere action alone. Or a father may encourage his son to engage in such activities to begin with, he may say, “Son, take out an interest-based loan, and take it from such and such a place and make sure the rate is such and such and the term is such and such.”⁸ The father may give guidance, rules and regulations as to how the act should be committed, but this is still not enough to remove it from being istiḥlāl ‘amalī (in action alone). Further still, the father may protect and guard his son’s commission of the sin by involvement or by advice and direction. This is still not enough to render this as being istiḥlāl ‘aqaḍī. Alternatively, the question may be: “Is it lawful (ḥalāl) for me to go to the supermarket and steal, or take out an interest-based loan?” If the father said, “Yes, it is lawful” or “Yes, it is not unlawful for you”, this now is istiḥlāl ‘aqaḍī.⁹

With this made clear, we see that in many homes¹⁰, societies and nations, there are sins which are allowed to take place (in the

⁸ Khārijites like Abū Muḥammad al-Maqdisī would be required to make takfīr of both the father and the son in this example because the father has “legislated” for his son that which clashes with the Sharī‘ah, and because the son obeyed his father in the matter of “legislation” which opposes the Sharī‘ah. Further, Khārijites such as al-Maqdisī would not be able to provide any distinction between this example and between a ruler whom they make takfīr of on similar grounds related to laying down laws, (tashrī‘, taqnīn).

⁹ This pertains only to those actions which are not major kufr in and of themselves but only sins lesser than that. As for sins which are major kufr in and of themselves, such as prostrating to an idol or belittling the Qur’ān, or mocking the Messenger, then istiḥlāl (in belief) is not a requirement.

¹⁰ The scenario can be illustrated within households whereby parents allow their children to commit sins or to refrain from obligations – such as when a

presence of regulation and rules) but without them being declared lawful as a matter of belief. Rather, these sins are committed due to desire (shahwah) or some faulty interpretation or justification besides declaring the major sin to be lawful or permissible. Thus, in some Muslim countries alcohol may be tolerated and there may exist some regulations or rules with respect to its production and consumption. This does not prove in any way that the ruler or the government has said that consuming alcohol is ḥalāl in the Sharīah. Rather, they may have other reasons, such as protecting tourism, increasing revenue and so on. The same with allowing banks that deal with interest from the angle of the necessity of trade with other nations. Hence, allowing them to operate their banks in Muslim countries, knowing that these

father demands his daughter to not wear ḥijāb and she obeys, or when a father encourages his son to take out an interest-bearing mortgage and what is similar. They permit and encourage these sins to take place under threat of displeasure and anger whilst knowing and accepting these acts are unlawful in the Sharīah. They have considerations and circumstances on account of which they encourage and request these actions which do not equate to making istiḥlāl of these sins. Further, these requests or commands – in the conceptual understanding of the Khārijites of today – must be treated as “legislation”, and as such they must make takfīr of parents who fall into the likes of these affairs. This would make clear their Khārijite doctrine. However, they focus all their discussions around the rulers because justifying their takfīr is a lot easier because they can employ many other issues – such as the ruler’s sinfulness, profligacy, dealings with non-Muslims and so on – as a means of adding decoration to the primary issue on account of which they make takfīr of the rulers. The point here then is that the parents in the examples given are the same as the rulers, and all of it amounts to making takfīr by way of sin, without knowledge that the person has indeed made istiḥlāl or not, but due to mere presumptions.

foreign banks also have interest-based transactions and services. However, to facilitate trade on larger scales that pertain to goods and services that benefit a society such banking institutions maybe permitted to operate in Muslim lands. No doubt, this is more serious than an individual consuming alcohol or taking or giving interest but it does not reach major kufr until and unless it is declared lawful and permissible as a matter of belief and is expressed as such.

7. Shaykh al-Islām Ibn Taymiyyah said: “When a servant commits a sin alongside his belief that Allāh has made it unlawful for him and believes in [the necessity of] his compliance to Allāh in what He declared unlawful or obligatory, he is not a disbeliever. As for when he believes that a) Allāh did not declare it unlawful, or b) that He declared it unlawful but he withholds from accepting that its unlawfulness [applies to him] and refuses that He should submit and comply with Allāh, then he is either a jāhīd (one who rejects the unlawfulness of a matter from the outset) or a mu‘ānid (one who refuses to comply with it upon his belief that its unlawfulness does not apply to him). Hence, they said: ‘Whoever disobeyed out of arrogance like Iblīs has disbelieved by consensus and whoever disobeyed out of desire has not disbelieved’ in the view of Ahl al-Sunnah wal-Jamā‘ah, rather the Khārijites declare him a disbeliever. For the one who is disobedient due to arrogance, even though he believes that Allāh is his Lord, his stubborn opposition and his non-acceptance (of what is obligatory upon him) negates this belief (taṣdīq). And the explanation of this is: Whoever perpetrated unlawful matters, declaring them to be lawful, he is a disbeliever by agreement. For

he who declares what [Allāh] made unlawful to be lawful has not believed in the Qur’ān. Likewise, even if he declared them lawful without actually committing them. And istiḥlāl is the belief that it is lawful for him.¹¹ This can sometimes be through the belief that Allāh declared it lawful, and sometimes with the belief that Allāh did not declare it unlawful, and sometimes with the absence of belief that Allāh declared it unlawful. This is due to a defect in belief in [Allāh’s] Lordship, or a defect in belief in the Messengership. It is pure rejection (jaḥd) that is not built upon any prior principle. And sometimes a person knows that Allāh declared it unlawful and knows that the Messenger declared unlawful what Allāh declared unlawful, but then he withholds in accepting that this unlawfulness applies to him, and then shows stubborn opposition to the unlawful. Such a one is more severe in disbelief than the [cases] mentioned previously.”¹²

In the above statement, Ibn Taymiyyah distinguishes between the types who fall into what is unlawful and so he mentions: First, those fall into sin due to being overwhelmed by desires and love of the sin and what it brings to them (of pleasure and so on from the shares of the world) as one type. Second, those who outright reject the unlawfulness of the sin, making juḥūd (rejection). And third, those who acknowledge its unlawfulness but out of arrogance and stubborn opposition refuse to accept that its unlawfulness applies to them and refuse to comply with it on

¹¹ Ibn al-Qayyim said: “The one who declares a thing lawful (mustaḥill) is the one who does it whilst believing in its lawfulness.” Ighāthat al-Lahafān (1/382).

¹² Al-Şārim al-Maṣlūl (pp. 521-522).

these grounds. This arises due to their dislike and hatred of what Allāh commanded or prohibited and arrogance towards it.

The rulers targeted by the Khārijite renegades do not reject that interest is unlawful in the Sharī'ah. Nor are they resentful that it is unlawful, hating Allāh's law and showing arrogance towards it. However, they may deal with interest, or permit the production and consumption of alcohol as well as regulate it because of considerations that do not return back to istiḥlāl, as has already preceded. Khārijites like al-Maqdisī are unable to distinguish between an individual who decides to open a liquor store or an institution that offers interest-based loans, employs people and incorporates legislation for his business to operate efficiently – doing all of that out of pure desire and acquiring wealth – and between rulers or governments who allow the presence of major sins such as sale and consumption of alcohol or institutions that deal in interest and have legislation to regulate their conduct – doing all of that due to economic considerations, knowing that these matters are unlawful.

8. Once all the above is clear, another very important matter is that the Sharī'ah has come with certain principles that relate to making judgements of disbelief upon people.¹³

In the ḥadīth of al-Miqdād bin 'Amr al-Kindī (رضي الله عنه) who said: “O Messenger of Allāh, do you see that if I encountered a man amongst the non-Muslims who fought me, then struck and cut

¹³ Refer to Rāyat al-Khawārij of Majdī bin Ḥamdī (1437), pp. 9-10.

one of my hands with his sword, then [after I pursued him] sought protection from me behind a tree and then said: ‘I have submitted to Allāh’, that I should kill him O Messenger of Allāh, after I he said it?” The Messenger of Allāh (ﷺ) said: “Do not kill him.” Al-Miqdād said, “O Messenger of Allāh, he cut my hand and then said that after he cut it, should I kill him?” The Messenger of Allāh (ﷺ) said: “Do not kill him for he will be in the position you were in before you killed him and you will be in the position he was in before he said his word which he said.”¹⁴

Imām al-Shāfi‘ī explained that the blood of this person by virtue of expressing the word of faith would have become inviolable, it being prohibited to kill him, just as the believer was prior to killing this man. Similarly, had the believer killed this man, he would have become just like the man prior to his utterance of the word of faith, which is that his blood was not inviolable and it was not unlawful to kill him without that turning the believer into a disbeliever of course. In other words, by killing that man (who had become a Muslim), his own blood became lawful, just as that man’s blood had been lawful prior to him expressing faith, when he attacked and fought the Muslim. Allāh had made the blood of this person inviolable due to his manifestation of faith at a time when he feared for his life and Allāh did not permit acting upon what the situation would overwhelmingly make one believe, which is that this person did not accept Islām except out of saving himself from being killed after being overwhelmed.¹⁵

¹⁴ Related by al-Bukhārī (no. 4019) and Muslim (no. 59).

¹⁵ Refer to al-Umm of al-Shāfi‘ī (1/259, 6/4, 6/157) and Sharḥ Ṣaḥīḥ Muslim of al-Nawawī (2/106).

This is just one of numerous texts which indicate this meaning. There is also the ḥadīth of Usāmah bin Zayd who actually killed a polytheist in the midst of battle in a similar circumstance to the one alluded to in the ḥadīth of al-Miqdād and he was severely reprimanded by the Prophet (ﷺ). Likewise the ḥadīth of Ḥātib bin Abī Balta‘ah who revealed the military secrets of the Messenger to the pagans of Quraysh and the Messenger did not declare him a disbeliever but questioned him as to his reasons, and he rejected ‘Umar’s accusation of disbelief against him. The Messenger (ﷺ) did not accept this judgement despite the circumstances demanding it. In all these situations, that which immediately comes to mind is that a person is not genuine and is simply using a screen to protect himself and his life and thus, should not be taken at face value because his actions so strongly indicate something else. The Islāmic Sharī‘ah has prohibited from acting upon what immediately comes to mind, and upon impulses and presumptions in such circumstances, as compelling as they might be and has ordered with taking a person at face value in his expression of faith, and grants inviolability to him by virtue of the expression of faith, with his inner realities left to Allāh (عَزَّوَجَلَّ), the knower of what is hidden and open.

These examples that have been given are much clearer than the example of the rulers who engage in or allow certain sins to take place in the society. That is to say that the circumstances in the above three examples are such that making the judgement of takfīr in all three situations is much more compelling due to the circumstantial evidences than accusing rulers of making istiḥlāl

and ibāḥah of certain sins because they allow them to occur or regulate their occurrence. Despite that, the Messenger did not accept acting upon what one would overwhelmingly presume to be the case. Such is the sanctity of the honour and blood of a Muslim, something the Khārijites do not respect or value, because, fundamentally, they do not judge by what Allāh revealed, but by their own principles and legislations that emanate from their own desires.

These three examples from the Sunnah provide additional evidence that so long as the ruler does not come out and say “Interest is lawful”, “Gambling is lawful”, “Fornication is lawful” and so on, then the mere allowance of these sins in society is not a compelling proof that he has declared these sins lawful, even if he allows them to take place in an organised, systematic way, or regulates them or protects their occurrence. Istihlāl cannot be asserted on account of persistence upon a sin, nor doing it in an organised, systematic, planned way, nor permitting its occurrence within society.

Thus, nothing short of a person expressing verbally or in writing that he believes interest, gambling, fornicating and other major sins to be lawful (ḥalāl) and permissible (mubāḥ) is sufficient for establishing that istihlāl has taken place and hence, major kufr. If this principle is not adhered to with respect to major sins, then we are left with nothing but the pure doctrine of the Khārijites. And it is for this reason, that Ahl al-Sunnah, past and present have written and emphasised this foundational principle that takfīr is not made of Muslim on account of a major sin less than kufr so long as he does not deem it lawful (istihlāl).

9. Thus, Abū Muḥammad al-Maqdisī is from the Khārijites not only from the angle of making khurūj against the rulers the foundational activity of his religion, but also from the angle that he makes takfīr of Muslims on account of major sins, despite his protest otherwise. This is because he resembles the Khārijites who say persistence in major sin is disbelief (because it is an indicator of istiḥlāl). He says regulating the commission of a sin such that the sin continues to be committed is an indicator of istiḥlāl, and this is not correct as has preceded. In light of this, one should not be deceived by the modern day Khārijites, they have views that are identical to those of their ancestors save that they use smoke and mirrors and camouflage their doctrines and use flowery speech to make their doctrines appear other than what they are.

10. When the scholars of Ahl al-Sunnah make these important clarifications and distinctions regarding a foundational matter of belief (not making takfīr of Muslim on account of major sin), the Khārijites such as al-Maqdisī treat this activity as “arguing in favour of and defending the ṭawāghīt” – and this is only due to their ignorance and the falsehood in their claim of being upon the creed of the Salaf. With these types of claims, al-Maqdisī and Khārijite dogs like him, are forced to make takfīr of those who “aid and support” the rulers in order to remain logically coherent consistent in their doctrines, and from them are the scholars. So we can see that these are Khārijites pure and clear, there is no doubt in this, save that there are a number of layers of sophistication and confusion that may prevent a person from seeing the realities.

11. There are to be found pseudo-experts of ‘Salafism’ amongst Western orientalists who claim that Khārijites such as al-Maqdisī do not make takfīr by way of sin, merely because they say so and deny it. These orientalists are confused because all they are doing is reading the refutations and rhetoric of both parties against each other without an objective, thorough, detailed analysis and understanding of the issues from the books of the Salaf, such that they have a firm criterion outside of their own subjective analysis and whatever little they are able to grasp through reading of detailed polemics, which is not the way to gain a sound and credible understanding. That is a task too arduous and involved for these academics because of the nature and complexities of the subject. Thus, armed and content with a superficial understanding, they make faulty conclusions. Some of them side with the Khārijites, claiming, due to the severity of their ignorance and faulty understanding, that they have a stronger case against the “neo-Murji’āh” [a reference to ‘Quietist Salafīs’], coming to this conclusion on the basis of grounds that are absurd – should time be available, we will address that in a separate place, inshā’Allāh.

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