

Al-Nawawī and Ibn Ḥajar al-‘Asqalānī on Revolting against Oppressive Rulers

Bisimillāh wal-Ḥamdulillāh. It has been erroneously claimed that the “madhhab of the Salaf” was to revolt against the rulers who do not fulfil the rights and oppress people. This error has been utilised by the neo-Khārijites who draw upon the actions of some of the Salaf that were criticised by the most senior of the people of knowledge in that time, from the Companions, and likewise which were explained by great scholars such as Shaykh al-Islām Ibn Taymiyyah as being erroneous in nature **and in opposition to the clear, unambiguous ḥadīths**. The actions of those Salaf are evaluated in light of the Prophetic traditions and not erroneously turned into a “methodology” We present here some useful statements of al-Nawawī and Ibn Hajar (رَحِمَهُمَا اللهُ) in this regard.

Al-Nawawī said in Sharḥ Ṣaḥīḥ Muslim (12/229):

وأما الخروج عليهم وقتالهم فحرام بإجماع المسلمين ، وإن كانوا فسقة ظالمين . وقد تظاهرت الأحاديث بمعنى ما ذكرته ، وأجمع أهل السنة أنه لا ينعزل السلطان بالفسق ، وأما الوجه المذكور في كتب الفقه لبعض أصحابنا أنه ينعزل، وحكي عن المعتزلة أيضا ، فغلط من قائله ، مخالف للإجماع...وقال جماهير أهل السنة من الفقهاء والمحدثين والمتكلمين : لا ينعزل بالفسق والظلم وتعطيل الحقوق ، ولا يخلع ولا يجوز الخروج عليه بذلك ، بل يجب وعظه وتخويله ؛ للأحاديث الواردة في ذلك ، قال القاضي : وقد ادعى أبو بكر بن مجاهد في هذا الإجماع ، وقد رد عليه بعضهم هذا بقيام الحسن وابن الزبير وأهل المدينة على بني أمية ، وقيام جماعة عظيمة من التابعين والصدر الأول على الحجاج مع

ابن الأشعث ، وتأول هذا القائل قوله : ألا ننازع الأمر أهله في أئمة العدل ، وحجة الجمهور أن قيامهم على الحجاج ليس بمجرد الفسق ، بل لما غير من الشرع وظاهر من الكفر ، قال القاضي : وقيل : إن هذا الخلاف كان أولاً ثم حصل الإجماع على منع الخروج عليهم . والله أعلم

“As for revolting against them and fighting them, then it is unlawful (ḥarām) by concensus of the Muslims, even if they are sinners and oppressors. The ḥadīths with the meaning of what I have mentioned are very prominent, and Ahl al-Sunnah are agreed that the ruler is not removed on account of sin. As for the angle mentioned in the books of jurisprudence that he is removed, then that opposes the consensus... The majority of Ahl al-Sunnah, from the jurists, ḥadīth scholars and kalām theologians said: ‘He [the ruler] is not removed on account of sin, oppression or violating rights.’ He is not deposed and nor is it permitted to revolt against him due to that. Rather, it is obligatory to admonish him and to instill fear in him, due to the ḥadīths which are related regarding that. Al-Qāḍī (‘Iyāḍ) said: ‘And Abū Bakr bin Mujāhid claimed consensus in this affair, and some of them replied to him by the actions of Ḥusayn, Ibn al-Zubayr, the people of Madīnah against Banī ‘Umayyah, and that of large group from the Successors, from the first rank, against al-Ḥajjāj alongside Ibn al-Ash‘at. And this person [who replied to him] explained [the Prophet’s] saying, ‘... *that we do not contend for authority with its people*’ to be in reference to the just rulers. The proof of the majority is that standing against al-Ḥajjāj was not due to mere sinfulness, but due to what he changed of the legislation and openly manifested of disbelief.’ Al-Qāḍī said: ‘It has been said that this difference [in this

matter] was there first, and then consensus was attained over the prohibition of revolting against them.’ And Allāh knows best.”

The author of *Mirqāt al-Mafātīḥ Sharḥ Mishkāt al-Maṣābīḥ* cites from Ibn Ḥajar (3:181):

فَجَرّاً وَإِنْ عَمِلَ الْكِبَائِرَ فَإِنَّ اللَّهَ قَدْ يُؤَيِّدُ الدِّينَ بِالرَّجُلِ الْفَاجِرِ، قَالَ ابْنُ حَجَرٍ: فِيهِ جَوَازُ كَوْنِ الْأَمِيرِ فَاسِقاً جَائِراً، وَأَنَّهُ لَا يَنْعَزِلُ بِالْفِسْقِ وَالْجَوْرِ، وَأَنَّهُ تَجِبُ طَاعَتُهُ مَا لَمْ يَأْمُرْ بِمَعْصِيَةِ وَخُرُوجِ جَمَاعَةٍ مِنَ السَّلَفِ عَلَى الْجَوْرِ، كَانَ قَبْلَ اسْتِقْرَارِ الْإِجْمَاعِ عَلَى حُرْمَةِ الْخُرُوجِ عَلَى الْجَائِرِ. اهـ. وَيَشْكُلُ بِظَهْرِ الْمَهْدِيِّ وَدَعْوَتِهِ الْخِلَافَ مَعَ وُجُودِ السَّلَاطِينِ فِي زَمَانِهِ.

“Ibn Ḥajar said: Within [the text] is the permissibility of the [situation where] the ruler is sinful and oppressive, and that he is not to be removed due to sin or oppression. And that it is obligatory to obey him so long as he does not command with sin. And as for the revolt of a group of the Salaf against the oppressive [leaders], that was before the corroboration of the consensus over the unlawfulness of revolting against the tyrant ruler.” End of quote.

Those who try to use the actions of some of the Salaf **leave the clear, unambiguous, crystal clear ḥadīths** and follow their desires. Even if there was no *ijmāʿ* cited, then a revealed text is proof in and of itself. And this is because what constitutes evidence is either a *naṣṣ* (text from the Qurʾān or authentic Sunnah) or *ijmāʿ* (consensus). So when there is a clear text, then a consensus is not necessary. The deception of these people is to use those erroneous actions to claim there has never been a consensus on the issue, and to then justify revolt against a ruler on the basis of oppression and non-fulfilment of rights. At the same time, such people perhaps conceal the doctrine of *takfīr* and the doctrine of the Khārijites, but are afraid to manifest it clearly in a post-ISIS environment since their

doctrine is much easier to recognise due to wider familiarity with it in the present era.

This was the starting point of the very first Khārijites who revolted against ‘Uthmān (رضي الله عنه) on grounds of oppression and violation of rights. As for all of the cold fear and emotional propaganda of “are you saying those Salaf were wrong”, “are you saying they were innovators”, “are you saying they were astray”, then this simply the refuge of a bankrupt scoundrel when his opposition to the clear, unequivocal speech of Allāh’s Messenger (صلى الله عليه وسلم) is made plain.

In addition, such people dare not reveal who are the scholars they follow today, and who are those from whom they take direction. As for the followers of the Salaf, then they are not scared to name their men, for—as occurs in many Prophetic traditions—there will never cease to be scholars manifestly upon the truth in every age and era, so they name their scholars without fear. As for the Khārijites, then they operate with stealth and deception, and much camouflage. Name a well known major Salafi scholar today who holds the view of it being permissible in Allāh’s legislation of revolting against the oppressive ruler who does not manifest clear, open disbelief about which there is not doubt. They will not find this with al-Albānī, Ibn Bāz, Ibn al-Uthaymīn, Muqbil, al-Fawzān, al-Najmī, al-Ghudayān or others, may Allāh have mercy upon them all. But then again, these are not their scholars.

Abu ‘Iyaad

@abuiyaadsp ♦ salaf.com ♦ kharijites.com

8 Ramaḍān 1440 / 13 May 2019

v. 1.02