

Refutation of Gaddafi & others who reject the Sunnah

The following is an extract from the draft translation of the Arabic booklet entitled 'Communiqué from Hizb ut-Tabrir to Colonel Gaddafi' issued on 7 Shawwal 1398 AH, 9 September 1978 CE. Following a meeting that took place between him and a delegation from Hizb ut-Tabrir lasting 4 hours.

Bismillah ir-Rahman ir-Rabeem

Colonel Gaddafi,
As-salaamu ‘alaykum wa rahmatullahi wa barakaatuh.

Hizb ut-Tahrir is a political party whose ideology is Islam. It works to resume the Islamic way of life, and works to carry the Islamic Da’wah by Jihad, through the establishment of the Islamic state. It adopts political work as its method. Since accounting the rulers is one of the political actions Hizb ut-Tahrir undertakes, we intended to issue a leaflet refuting the address you gave last July in the Maulai Muhammad Jaami’ masjid in Tripoli, on the occasion of completing the 100th recitation of the Qur’an. On that occasion you announced that the Ahadeeth mentioned by the tongue of the Messenger are of doubtful authenticity, and that this is because they were compiled two hundred years after the death of the Messenger (saw). You also mentioned that disputes broke out amongst the Muslims at that time, and during that period an endless number of false and fabricated Ahadeeth emerged, and were ascribed to the Messenger (saw). You said that the extent to which this occurred was best illustrated by the fact that every group, from the Muslim political groups who were engaged in fighting, tried to use the Ahadeeth as evidence, to show that from an Islamic point of view their position was the correct one. Hence, we find sixty types of conflicting and contradictory Ahadeeth. You gave an example of a conflicting Hadith regarding ‘Ali b. Abi Talib, who has been promised Jannah, even though he is included in the meaning of the following hadith;

“When two Muslims clash with their swords then the killer and the killed both go to the Fire.” There is a contradiction here. Ali raised his sword in the face of a Muslim; so how can one hadith say he will go to Jannah, while according to another hadith he will go to the Fire? You gave another example of a contradiction by quoting a hadith about ‘Aisha that says:

“Aisha is deficient in mind and Deen”, while another hadith says;

“Take half your Deen from the mouth of ‘Aisha.”

This is a clear contradiction. From this you have concluded that it is not allowed to take Ahadeeth, because according to your contention, you cannot be sure whether they are authentic or fabricated Ahadeeth. Therefore, you have declared that the Sunnah cannot be taken, and also that it is not permitted to take it, because the Muslims are in disagreement over it. Therefore, you concluded that we must confine ourselves to the Qur’an, because that is what the Muslims agree upon.

We reiterate; the Hizb’s intention was to issue a leaflet. This action is in accordance with the obligation of accounting the rulers, as it exposes the error and danger of your view and its contradiction with Islam; it is supported by clear detailed evidences. The call for the rejection of the Ahadeeth is not espoused by anyone other than the enemies of Islam; those who endeavour to put doubt in Islam, and try to denounce and defame it, in order to destroy and finish it. However, the Hizb preferred to delay the publication of a leaflet and decided to contact you directly and verify what has been attributed to you. It also intended to discuss this matter with you, on the basis that this meeting and discussion is a political work undertaken by the Hizb.

The accounting that Islam obliges is not built on a Fiqhi discussion or an intellectual discussion that deals with one of the foundations of Islam. Rather, it is a political action. The discussion is not merely to discuss,

clarify and disapprove; rather it is for implementation. It is one part of looking after the affairs, which the Hizb undertakes in any Muslim country. Libya is a Muslim country belongs to all Muslims and is not solely for the people of Libya; just as Makkah, Madinah, Cairo, Amman, Al-Quds, Baghdad, Ash-Sham, and other Muslim countries belong to all Muslims and not solely to its inhabitants. Thus, we have come to Libya based on this view, that it is our country, because it is an Islamic land and we are Muslims who carry Islam.

Our coming here is also based on our view the issue of the Muslims. The true reality of our view is that the real issue of the Muslims is the issue of Islam. It is the vital issue of the Muslims, which is a life and death issue. Hence, the issue of Islam is the fundamental issue of the Muslims. There are many problems such as; the re-unification of the Islamic lands into one entity; the removal of the impostor entities that exist in the Islamic world—which the kaafir western states have established as the guardians of western interests, and the problem of Palestine and its resolution through the destruction of Israel. All these problems are peripheral to the original issue and fundamental problem, which is the issue of Islam and its return to life. This is because Islam will not return to life except by establishing the Khilafah and by appointing a Khaleefah, to whom the Ummah will give the Bay'ah (pledge) to hear and obey, in accordance with the Kitab (book) of Allah and the Sunnah of His Messenger (saw).

The establishment of the Khilafah together with the application of the rules of Islam means that all the feeble entities in the Islamic world will be destroyed and become part of the Khilafah state. This is because Islam prohibits Muslims from being more than one entity, just as they are forbidden from having more than one ruler.

Thus, the noble Messenger (saw) said;

“If the Bay'ah is given to two khulafa'aa then kill the latter of them.”

He (saw) also said; “The one who comes to you while your affairs are united under one man and wishes to break your unity strike his head off with the sword whoever he is.”

This is what drove Ali b. Abi Talib to fight Mu'awiyah and the people of Ash-Sham. This is because they did not do what the rest of the people had done, i.e. they worked to break up the unity of the Islamic State.

The establishment of the Khilafah means solving the problem of Palestine via the destruction of Israel. This is because the Islamic state is established on the basis of the Islamic 'Aqeedah and it applies Islam. Its primary task after the implementation of Islam is Jihad. Islam obliges the State to declare Jihad, liberate Palestine, and destroy Israel and throw the Israelis and Zionists out from every inch of the land of Palestine. This is because the Khilafah State believes that Islam obliges the Muslims to liberate the land of Palestine from the hands of the enemy. Similarly, the rest of the problems are peripheral to the primary issue of the Muslims, and that is the issue of Islam. When the primary issue of the Muslims is solved, then the rest of the issues will also be solved.

It is because of our view – that the issue of Islam is the fundamental issue of the Muslims – and from this perspective, that we felt it necessary to approach you and hold this meeting with you. This is because your rejection of the Sunnah and your declaration that you do not observe it has the propensity to affect the basis of the Muslims. This is because the prophetic Sunnah is one of the foundations of Islam. Just as the Qur'an is a foundation, so too is the Sunnah. Therefore, this issue is a fundamental in our view and the view of the Muslims. It isn't a trivial issue that does not befit a political party working to establish the Khilafah and take the reigns of power from America and Russia, in order to become the number one state in the world as it was in the past. It is such a significant issue that we felt it necessary to send a delegation to discuss this issue.

Hizb ut-tahrir sent a delegation to meet you in accordance with a previous agreement with your embassy. The meeting took place between the delegation of the Hizb and yourself in Tripoli, on the night of 27th of the blessed month of Ramadhan on the blessed Laylatul Qadr (Night of Power). Although the meeting was protracted, going on for 4 hours continuously, the Hizb has decided to send you this written communiqué

that deals with the matter in detail with clear and cogent evidences, whilst also refuting some of the points that came up during the discussion. We shall begin with the subject of Sunnah and clarify the following matters.

Firstly: Definition of Sunnah

Sunnah in the Arabic language is used to mean path or way. He (swt) said;

“Many similar ways (sunanun) were faced by nations (believers and disbelievers) that have passed away before you, so travel through the earth...” [TMQ Aali-’Imraan: 137]

This linguistically refers to paths (sunanun).

The poet Khalid al-Huzli said;

“Do not regret a path (Sunnah) you have taken. The first one to accept a path (Sunnah) is the one who takes it.”

As for the definition of Sunnah in the Sharee’ah, it came with two meanings;

Sunnah refers to the opposite of Fard; in this sense it means the Naafilah (optional good action) transmitted from the Prophet (saw) such as the Nawaafil in the Salah.

Sunnah is also the opposite of Kitab (the Qur’an al-Kareem). In this sense it means that which has been attributed to the Prophet (saw) by way of saying, action or consent. This is the meaning that is intended in this subject. In this sense, it is a foundation and evidence just as the Qur’an is a foundation and evidence.

Second: The Legitimacy of Sunnah

There are numerous evidences that place the acceptance of the Sunnah as a foundation and source on par with the acceptance.

He (swt) said:

“Nor does he speak of (his own) desire. It is only an Inspiration that is inspired.” [TMQ An-Najm: 3-4]

This means that what the Messenger (saw) utters in conveyance (of the message) is not from his whims and desires; rather it is divine revelation and nothing else. This is because the presence of the word of exception ‘illa’ (istithnaa’) after the word ‘in’ has the meaning of restriction. In other words, what he utters is restricted to divine revelation from Allah and not from his whims and desires.

He (swt) said; “Say (O Muhammad); ‘I warn you only by the divine revelation.’” [TMQ Al-Anbiyaa’: 45]

Thus, the Messenger (saw) is a warner and giver of glad tidings of everything he has brought. The ayah has restricted what he warns with to the divine revelation; and he does not warn with anything else, i.e. he does not warn with anything from himself.

He (swt) said; “It is inspired to me, that I am only a plain warner.” [TMQ Saad: 70]

This means that Allah (swt) revealed to him that he is a warner and he clarifies what has been revealed. His clarification of what has been revealed in the Qur’an is via his sayings and actions alone, i.e. the Sunnah.

He (swt) said; “I only follow that which is revealed to me.” [TMQ Al-Ahqaaf: 9]

This means that he did not undertake an action or follow a particular way in guiding the people to the truth unless Allah revealed it to him. These Ayaat are Qat’i (definite) in thuboot (authenticity) and in dalaalah

(meaning) in clarifying and restricting what the Messenger (saw) brought to the people, what he warned them with, and what he called the people to, and what he uttered whilst conveying the Message. All of these things came from Allah's divine revelation, and this is not open to any other meaning or interpretation.

Therefore, these Ayaat indicate that whatever the Messenger (saw) brought by way of speech, actions and consent (the Sunnah) is divine revelation from Allah like the Qur'an.

It is well known that the Messenger (saw) was asked about many issues and he used to refrain from answering, whilst he waited for divine revelation. When the divine revelation came down he conveyed what had been revealed.

As for the Shar'ee evidence that indicates the obligation of following the Sunnah, i.e. what has been ascribed to the Messenger (saw) in terms of speech, actions and consent, this has been mentioned in The Noble Qur'an clearly and explicitly in a definite manner which is not open to any other interpretation or explanation.

He (swt) said; "And whatever the Messenger (Muhammad) gives you, take it, and whatsoever he forbids you, abstain (from it)." [TMQ Al-Hashr: 7]

Since the word 'maa' (whatever) mentioned in the ayah is a general expression, it means it is obligatory to follow everything the Messenger (saw) has brought; that is the Qur'an and the Sunnah. It is also an obligation to desist from anything the Messenger (saw) has forbidden, whether the prohibition was mentioned in The Noble Qur'an or the Sunnah.

He (swt) said; "He who obeys the Messenger (Muhammad), has indeed obeyed Allah." [TMQ An-Nisaa: 80]

This ayah makes obedience to the Messenger (saw) and Allah (swt) equal. Obedience to Allah is classified as Fard (obligatory) and so is obedience to the Messenger (saw). It is not possible to obey the Messenger (saw) unless one follows everything he brought and unless one follows everything that has been reported from him (saw) in terms of sayings, actions and consent.

He (swt) said; "And let those who oppose the Messenger's (Muhammad's) commandment beware lest some fitnah (disbelief, trials, afflictions, earthquakes, killing, overpowered by a tyrant, etc.) befall them or a painful torment be inflicted on them." [An-Nur: 63]

This ayah warns those who disobey the command of the Messenger (saw), i.e. what he (saw) has brought, otherwise they will be afflicted by the fitnah, meaning the test or a severe punishment. This is explicit in forbidding disobedience to the Messenger (saw), and warning those who go against his command that they will be punished, tested and afflicted.

He (swt) said; "It is not fitting for a believer, man or woman, when Allah and His Messenger have decreed a matter that they should have any option in their decision." [TMQ Al-Ahzaab: 36]

This means it is not right or acceptable that a believer, male or female, should follow other than what Allah and the Messenger have commanded. The judgment of Allah is according to that which He revealed in the Qur'an, and the judgment of the Messenger (saw) is according to that which came in the Qur'an and that which has been reported from him (saw), in terms of speech, actions and consent, i.e. his Sunnah.

He (swt) said; "But no, by your Lord, they can have no (true) faith, until they make you (Muhammad) judge in all disputes between them, and they find in themselves no resistance against your decisions, and they accept (them) with full submission." [TMQ An-Nisaa: 65]

Allah (swt) makes an oath, that they would not be considered true believers unless they make the Messenger (saw) the judge in all their disputes. They also would not be considered true believers unless they accept the Hukm (verdict) of the Messenger (saw) without feeling unease in their hearts regarding his Hukm; and

unless they openly and secretly submit to his Hukm. This is a clear negation of the true Imaan of the one who does not accept to refer to the Sunnah of the Messenger. It is also a negation of the (true) Imaan of the one who does not completely accept every single Hukm that comes from the Prophet (saw). In other words, to be a true believer one must adhere to what comes from the Messenger (saw) and completely submit to it without any doubt or unease.

He (swt) said; “Obey Allah and obey the Messenger (Muhammad).” [TMQ An-Nisaa: 59]

This is an explicit order to obey the Messenger (saw) regarding his every saying and action.

He (swt) said; “Say (Muhammad to mankind); ‘If you (really) love Allah then follow me, Allah will love you.’” [TMQ Aali-’Imraan: 31]

The noble ayah has linked the love of Allah with following the Messenger (saw) in everything he has brought, whether it is a saying or an action, i.e. following his Sunnah and adopting it.

All these noble Ayaat are explicit and clear in obliging the Muslims to follow the Messenger (saw) in everything he brings, and in realising that the obedience to the Messenger (saw) is obedience to Allah. Since obedience to Allah is obligatory then obedience to the Messenger (saw) is also obligatory. This is based on understanding that obedience to the Messenger (saw) is part of obedience to Allah (swt), and disobedience to the Messenger (saw) is part of disobedience to Allah.

Thus, all the above Ayaat establish that the Sunnah of the Messenger (saw) is divine revelation from Allah (swt), and it is obligatory to follow it just like the Qur’an.

The Sunnah practically clarifies, explains and elucidates that which is contained within the Qur’an; it is also a source for legislating new rules. As for the evidence that the Sunnah clarifies, explains and elucidates, He (swt) said;

“And We have also sent down unto you (Muhammad) the Reminder and the Advice (the Qur’an), that you may explain clearly to men what is sent down to them.” [TMQ An-Nahl: 44]

As for the evidence that it is a source for new laws it is the saying of Allah (swt); “(And) if you differ in anything amongst yourselves, refer it to Allah and His Messenger.” [TMQ An-Nisaa: 59]

Referring to Allah means referring to The Noble Qur’an. As for referring to the Messenger (saw); during his lifetime this happened by referring to him, and after his death it means referring to what was reported from him in terms of his sayings and actions, i.e. referring to his Sunnah. The word ‘tanaazau’ (dispute) mentioned in the ayah is a mutlaq (absolute) word, whether it occurs in understanding the Qur’an, extracting Ahkaam or in solving disputes. Referring to the Sunnah includes the absolute meaning of Sunnah, whether it is a saying or an action, and whether it is an explanation, a clarification or a new legislation.

Therefore, the Sunnah of the Messenger (saw), whether by saying or action is the same as the Qur’an in terms of the obligation to believe in it and take it as Shar’ee evidence. The obligation of adhering to the Kitab and Sunnah is emphasised in an authentic hadith He (saw) said;

“I have left amongst you the book of Allah and my Sunnah which if you hold onto them you will never go astray.”

Therefore, it is obligatory to take the Qur’an and Sunnah together, and it is not allowed for a Muslim to restrict himself to the Qur’an and leave the Sunnah. It is also not allowed to say, we will compare the Sunnah with the Qur’an, so whatever agrees with the Qur’an we will take it, and whatever does not agree with the Qur’an we will not take it or act upon it. Nor it is allowed to say we take the Qur’an because there is no disagreement over it amongst the Muslims, while we leave the Sunnah because there is no agreement

over it amongst the Muslims. This is not allowed because it is an abandonment of the Sunnah and abandonment of what Allah (swt) has obliged us to take. The Messenger (saw) has warned us regarding this in an explicit hadith; it is as though he (saw) pre-empted the existence of the view that you, Colonel Ghaddafi espouse, and what has been advocated previously by the enemies of Islam who are plotting against it and working to destroy it. It has been reported from the Messenger (saw) that he said;

“A man from among you is about to recline on his bed and say regarding a Hadith from me; ‘Between us and you is the Kitab of Allah; what we found as Halaal we will allow and what we found Haraam we will forbid. Nay, what the Messenger of Allah has forbidden is like what Allah has forbidden.”

It has also been reported that he (saw) said; “One of you will be about to say; this is the book of Allah, what is Halaal in it we will allow and what is Haraam in it we will forbid, Indeed, the one to whom my speech has reached, if he belied it then he has belied Allah, His Messenger and the one who reported it.”

Thirdly: The Hukm of the one who rejects the legitimacy of Sunnah and refuses to take it

All the Ayaat cited above establish and confirm the Sunnah, i.e. that all the sayings and actions of the Messenger (saw) are divine revelation from Allah. They confirm and establish the obligation of taking the Sunnah of the Messenger (saw), whether they are his (saw) statements or deeds, and the obligation of adhering to them in all affairs of life. All these Ayaat are definite in meaning and authenticity.

Therefore, rejecting the legitimacy of the Sunnah of the Messenger (saw), his actions and sayings, and considering them as an invalid source for Ahkaam whilst accepting the Qur’an alone is deemed an open disbelief (kufr suraah).

Restricting oneself to taking the Qur’an and refusing to take what has been mentioned in the noble Sunnah is also an open kufr (kufr suraah). It is the view of those who have left the fold of Islam and the view of the enemies of Islam who have worked and are still working to destroy Islam and remove it from existence.

This is because it is considered a rejection of the Ayaat that are definite in meaning and authenticity that prove the Sunnah of the Messenger. They prove that whether it is his (saw) sayings or actions his Sunnah is divine revelation from Allah, and they establish the obligation of following the Sunnah of the Messenger (saw) is just like the obligation of following the Qur’an. Holding this view is undoubtedly belief in a part of The Book and rejection of a part. Allah (swt) says;

“Then do you believe in a part of the Scripture and reject the rest? Then what is the recompense of those who do so among you, except disgrace in the life of this world, and on the Day of Resurrection they shall be consigned to the most grievous torment.” [TMQ Al-Baqarah: 85]

Fourthly: The position of the Sunnah with regards to the Qur’an

The relation of the Sunnah to the Qur’an is that it explains it. It elaborates the ambivalent text (Mujmal), specifies the generality of it (‘Umoom), restricts its absolute text (Mutlaq), adds a branch to an origin, or brings legislation that the Qur’an has not stated. This is manifested as follows.

a) Elaboration of the ambivalent text of the Qur’an

The ambivalent text (Mujmal) denotes a word or text whose meaning (Dalaalah) is unclear, i.e. its intended meaning is ambivalent. For example, the obligation of Salah, Zakaah and Hajj has been mentioned in the Qur’an in an ambivalent (Mujmal) form, as the manner of performing the Salah and the Hajj is absent. Also absent is an elaboration on what things Zakaah is obliged upon and how much the obligatory Zakaah is. Thus, the Sunnah has clarified how Salah is to be performed; the number of rak’aat, its timings etc. The Sunnah has also clarified the rites of Hajj; it has also clarified the things on which Zakaah is obligatory and the nisaab (minimum amount) at which its payment becomes obligatory. It has been reported that the Messenger (saw) did not impose the Sadaqah (Zakaah) except in six things; wheat, barley, dates, raisins,

maize, camels, cows, sheep, gold and silver. Jihad has also been mentioned in the Qur'an in an ambivalent manner (Mujmal). Then the Sunnah clarified how it should be executed. It clarified what comes before, after and whatever is related to it, in terms of relations (with other states).

b) Specifying the general text ('Aamm) of the Qur'an

The general text ('Aamm) is the expression that includes everything to which it is applicable, such as 'Muslim', 'your children', and 'men'. The Qur'an contains such general texts; and the Sunnah specified these general texts. For example;

"Allah commands you as regards your children's (inheritance); to the male, a portion equal to that of two females." [TMQ An-Nisaa: 11]

This ayah is general in letting sons inherit from fathers i.e. allowing every son inherit from his father. So the Sunnah specified this general text and excluded the Prophets from this rule. The Messenger of Allah (saw) said;

"We, the Prophets, do not leave in inheritance, what we leave is Sadaqah." Therefore, children of the Prophet do not inherit from him. The Sunnah has specified the inheriting person as other than those who murder their inheritors (fathers). The Messenger (saw) said;

"The murderer does not inherit." Thus, the Messenger (saw) prevented the son who killed his father from inheriting from him.

The Qur'an mentioned the following;

"The woman and the man guilty of illegal sexual intercourse, flog each of them with a hundred stripes." [TMQ An-Nur: 2]

This is general and inclusive of anyone who commits Zina, whether married or not. Then the Sunnah came and specified this rule to the unmarried people, and obliged that the married people (who commit Zina) be stoned. "Maa'iz committed Zina so he was stoned."

In the Qur'an, the following was mentioned;

"Then kill the Mushrikûn [Polytheists]." [TMQ At-Tawbah: 5]

This is a general text regarding every Mushrik, whether from the people of the book or from the Mushrik Arabs or others. Then the Sunnah came and specified this by the saying of the Messenger (saw) regarding the Majoos of Hajar;

"Treat them like the people of the book, but don't eat their slaughtered meat and do not marry their women."

c) Restricting the absolute text (Mutlaq) of the Kitab

The Mutlaq is the term that is unlimited in its application. The word 'Raqabah' (meaning 'slave', but literally denoting 'neck') applies to all slaves whether they are believers or kuffar, and the word 'Dinaar' applies to the Iraqi, Libyan or Kuwaiti one.

In the Qur'an we find Ayaat that are Mutlaq and the Sunnah came and restricted these with a specific restriction.

For example, He (swt) said;

"Cut off (from the wrist joint) the (right) hand of the thief, male or female." [TMQ Al-Maa'idah: 38]

This is Mutlaq in regards to all types of theft. Then the Sunnah came and restricted the quantity at which something is considered a theft to be a quarter of a gold Dinaar and more. He (saw) said;

“Cutting is (obliged) in a quarter of a Dinaar or more.” Also it restricted the cutting of the hand from the wrist and not from any other place.

d) Adding a peripheral rule mentioned in the Sunnah with an original rule present in the Qur’an

In the Qur’an, the prohibition of marrying two sisters at the same time is mentioned. He (swt) said;

“And two sisters in wedlock at the same time, except for what has already passed.” [TMQ An-Nisaa: 23]

However, the Qur’an did not mention the prohibition of marrying a woman and her paternal or maternal aunt at the same time, or marrying at the same time the daughter of her brother or her sister. So the Sunnah came and clarified this. He (saw) said;

“A woman and her paternal or maternal aunt cannot be married at the same time; nor can a woman and her brother’s or sister’s daughter be married at the same time. If you did this, then you have cut the links of your womb.”

So he added all of this to the original rule of not allowing the marriage of two sisters to the same man at the same time. The Qur’an also mentions the prohibition of marrying mothers and sisters through suckling (Radaa’ah). He (swt) said;

“Your foster mother who gave you suck, and your foster milk suckling sisters.” [TMQ An-Nisaa: 23]

So the Sunnah has come and added this to the original rule and the rest of the relatives through suckling which are forbidden to marry due to lineage, such as the paternal and maternal aunt, daughter of the brother, daughter of the sister etc. He (saw) said;

“Suckling makes women unlawful (for marriage) the same as birth makes (them) unlawful.”

e) The Sunnah has also added new legislation that finds no origin in the Qur’an

This is like the public amenities, oil and mines for gold, iron, silver, copper etc. Similar to that are the rivers, seas, green pastures and forests, as part of the public property. He (saw) said;

“The people are partners in three: water, green pastures and fire.” He (saw) said;

“Mina is the camping place for he who reached (there) first”, and he (saw) returned the land that had been given out to Abyad b. Hammal after he learnt that it contained minerals of unknown quantity.

Another example is the prohibition of customs. He (saw) said;

“He who imposes Maks (custom duty) would not enter paradise.”

Also included in this is the confiscation of land from the one who neglects it for three consecutive years due to the saying of the Messenger (saw);

“Anyone who fences a land (Muhtajir) has no right to it after three years.”

Fifthly: Citing Sunnah as a proof

It is valid to use the authentic Sunnah as proof for ‘Aqaa’id (belief) and Shar’ee rules (Ahkaam). The

difference between belief and Ahkaam is that belief demands Imaan and Ahkaam demand work and application. Since the 'Aqeedah is the decisive belief that agrees with reality based on evidence' then its evidence must lead to decisive belief (tasdeeq jaazim). This will not be possible unless the daleel (evidence) itself is decisive, so as to be an evidence for certainty. This is because the speculative evidence (daleel zanni) cannot establish decisiveness and hence cannot be a daleel for the 'Aqeedah.

Therefore, the extraction of evidence for the 'Aqeedah from the Sunnah must be via the qat'i (definite) Ahadeeth, which are the Mutawatir Ahadeeth narrated by a daabit (retentive) group of tabi'ee tabi'een from a daabit group of tabe'een from a daabit group of Sahabah from the Prophet (saw), such that each group constitutes a sufficient number of people that precludes the possibility of their agreement on a lie.

As for the Shar'ee rules, it is allowed to extract them, from both definite (qat'i) and speculative (zanni) evidences i.e. by Mutawaatir and Ahaad Ahadeeth. Despite the fact that the Ahaad Ahadeeth, convey least amount of doubt, they are not definite. It is allowed to use them as evidence for all Shar'ee rules in 'Ibadaat (worship), Mu'amalaat (transactions), 'Uqubaat (penal codes). This is because it has been proven that one can use them as proof due to the Ijmaa' (consensus) of the Sahabah and The Noble Qur'an.

He (swt) said;

“And get two witnesses out of your own men.” [TMQ Al-Baqarah: 282]

And He (swt) said;

“And take for witness two just persons from among you (Muslims).” [TMQ At-Talaaq: 2]

And He (swt) said;

“Take the evidence of four witnesses from amongst you against the.” [TMQ An-Nisaa:15]

These Ayaat have established that the Nisaab of testimony is two or four men (depending upon the subject matter for testimony). Testimony (Shahaadah) is considered as transmission (naql). Two or four witnesses do not indicate decisiveness; rather they indicate Zann (uncertainty). This is because they are not a large enough group from which the possibility of an agreement on a lie can be precluded, though their testimony indicates least amount of doubt. The Sharee'ah has accepted this; and therefore the Ahaad reports that convey least amount of doubt are accepted in analogy with the acceptance of two or four witnesses. This is because the truth is assumed over the lie as long as the transmitter of the Hadith is just ('adl), trustworthy (thiqah) and retentive (daabit) and he has met the one he is narrating from. Thus, the lie is precluded and the truthfulness is made weightier.

It has also been established, by definite evidence, that the Messenger (saw) sent messengers to kings to invite them to Islam; and to each king he sent one messenger. If it were not allowed to execute the conveyance of the Da'wah by a single person, then the Messenger (saw) would not have accepted to send a single messenger to convey the Da'wah. So this is explicit evidence from the actions of the Messenger (saw) that the single report is a proof in conveyance. The Messenger (saw) used also to send a single person to convey the Ahkaam. We can see this when the Qiblah changed from Bayt ul-Maqdis to the Ka'bah. So he sent a single person to convey this hukm. Those who heard this message changed their direction of the Salah from Bayt ul-Maqdis to the Ka'bah whilst engaged in performing their Salah, which they didn't break. That is why their masjid is called Masjid ul-Qiblatayn (The Mosque of the two prayer directions). Similarly, when alcohol was forbidden, he (saw) sent one person to inform the Muslims of its prohibition and ordered them to pour out what they had remaining, hence the Sahabah broke their wine jugs.

These and other such examples of the actions of the Messenger (saw) are a proof that obliges one to act upon the Khabar Ahaad (solitary narrations) in the matters of Shar'ee rules.

Sixth: The issue of the compilation of the Sunnah

The noble Sahabah, were in a position of being constantly around the Messenger (saw), hearing his sayings, witnessing his actions and registering his consent about their actions. When they had difficulty in understanding an ayah or if they differed over its Tafseer (explanation) or in understanding a Hukm, they referred to the Ahadeeth to clarify the matter. Initially the Muslims relied upon memory and their retentive abilities. However, when Islam spread and the cities were distant and the Sahabah were scattered throughout the regions and many had died, a need was felt to compile the Hadith.

The compilation of the Ahadeeth began at the time of the Sahabah. It has been narrated that Abu Hurayrah said; “From the companions of the Prophet (saw), no one narrated more Ahadeeth than me except Abd Allah b. Umar. He used to write them down, but I did not.” However, those Sahabah who wrote down the Ahadeeth were a few in number. The Sahabah used to place a lot of attention on the knowledge of Ahadeeth. They did not take a Hadith except after they proved that it had come from the Messenger (saw); and in this regard they used to be very careful.

After the murder of ‘Uthman and the emergence of political factions, Ahadeeth were concocted to support the claims of each faction due to their inability to find (genuine) Ahadeeth from the Messenger (saw). After the fitnah (civil war) had abated the Muslims embarked upon checking the Ahadeeth to separate the authentic (Sahih) from the spurious and fabricated (Maw’du). They spent a lot of effort in investigating this by studying the narrators and their lives—to the extent that there is no other science like the science of Ahadeeth in its degree of study, research and investigation—until they had sifted the Ahadeeth and distinguished the authentic ones from the false ones. They began to study the status of the narrators one after another until the turn of the century, in the time of ‘Umar b. ‘Abd al-Azeez who ordered that the Hadith be written down. The first one to write down the Hadith upon the order of ‘Umar b. ‘Abd al-Azeez was Muhammad b. Muslim az-Zuhri. Then the writing of Ahadeeth began to spread. Some of those who compiled the Ahadeeth are the following: ‘Ibn Jurayj in Makkah, Malik in Madinah, Hammad in Basrah, ath-Thawri in Kufa, al-Awza’i in Ash-Shaam, until the advent of Imam Bukhari. He was distinguished in the science of Ahadeeth and wrote his renowned book, Saheeh al-Bukhari, in which he quoted the Ahadeeth that he perceived to be authentic. He was followed in his way by Muslim b. al-Hajjaj who was his student. He wrote his famous book, Saheeh Muslim.

Seventh: Apparent Conflict between the Ahadeeth

This matter has been resolved by the ‘Ulama of the Muslims. This is because if a conflict occurs between the qat’i (definite) and zanni (speculative), then the Qat’i is taken and the zanni is discarded. An example of this is what has been narrated from Fatimah b. Qays that she said;

“My husband divorced me three times at the time of the Messenger of Allah (saw). I went to the Prophet (saw) but he did not assign to me a lodging (sukna) and nor maintenance (nafaqah).” This Hadith is rejected because it contradicts the Qur’an. He (swt) said;

“Lodge them (the divorced women) where you dwell, according to your means.” [TMQ At-Talaq: 6]

So this Hadith is rejected because it contradicts the qat’i meaning of the Qur’an. When a conflict occurs between the ‘Aamm (general) and the Khaas (specific), between the Mujmal (ambivalent) and the Mubayyan (elaborated) and between the Mutlaq (unrestricted) and the Muqayyad (restricted), then the ‘Aamm is elaborated by the Khaas, the Mujmal by the Mubayyan and the Mutlaq by the Muqayyad, and thus both evidences are used. If both evidences are not of these types and they are in conflict, then we should determine which one came first chronologically; thus the latter would abrogate the former.

Let us turn, Colonel, to the two examples you cited, to clarify the mistaken view and show how there is no contradiction between these Ahadeeth, because it is possible to reconcile them. So the Hadith;

“When two Muslims clash with their swords, then the killer and the killed both go to the Fire.” This Hadith is Saheeh, but the wording ‘two Muslims’, ‘killer’ and ‘killed’ are general terms; there are Ayaat and

Ahadeeth that specify them. Thus, Allah (swt) said;

“If two parties among the believers fall into a fight, make peace between them. But if one of them transgresses beyond bounds against the other, then fight (all) against the one that transgresses until they comply with the command of Allah.” [TMQ Hujurat: 8]

Here Allah (swt) ordered the fighting of the rebellious group, despite the fact that they are from the believers as stated in the ayah. He (swt) ordered the believers to fight them until they return to the order of Allah. Here two Muslims meet with their swords by an order from Allah. So this ayah specifies the word ‘killer’ and ‘killed’ mentioned in the Hadith (i.e. the ayah excludes these fighting believers from the above mentioned Hadith). It was also narrated in the Hadith from the Messenger (saw), he said;

“The one who is killed for his blood he is a Shaheed, and the one who is killed for his property he is a Shaheed and whoever is killed for his honour he is a Shaheed.” This Hadith also specifies the Hadith under discussion. This is the case when a Muslim fights a Muslim in defence of his life, property and honour, so he will not be in the Fire, whether he was a killer or the one killed.

The Messenger (saw) also said;

“Whosoever comes to you while your affairs are united under one man, wishing to divide your unity, then strike his neck with the sword (kill him), whoever he is.” He (saw) also said;

“When the Bay’ah is given to two khulafaa’ kill the latter of them.”

Both of these Ahadeeth specify the Hadith regarding the meeting of two Muslims with their swords. The Muslim who fights the rebels against the state will not enter the Fire, whether he was the killer or killed. Therefore, this Hadith does not apply to Ali b. Abi Taalib, so Ali will be one of those promised Jannah. Thus, there is no contradiction. As for the Hadith of ‘Aisha and what you said with your own words that; “Aisha is deficient in mind and Deen.” This is not a Hadith. As for the Hadith; “Take half your Deen from the mouth of ‘Aisha”, this also, with such a wording, is not a Hadith. What has been reported is;

“Take half your Deen from this Humayraa.” So taking half the Deen does not contradict with women being deficient in mind and Deen. This is because deficiency in the Deen refers to the fact that she does not pray or fast during her period of menstruation and childbirth (post natal bleeding) as the Messenger (saw) has informed us. As for the deficiency in the mind, it is from the angle that Allah (swt) has made the testimony of a woman half the testimony of a man. However, this does not prevent a woman from being a scholar; therefore, there is no contradiction.

Eighth: The importance of Sunnah

One understands from what has been mentioned previously that the sayings and actions of the Messenger (saw) are one of the foundations of Islam. It is a Shar’ee daleel, from which the beliefs and Ahkaam are taken just as they are taken from the Qur’an. The Sunnah also clarifies, elucidates, interprets and explains the Qur’an. This is by clarifying its Mujmal (ambivalent) text, specifying the general (‘Aamm), restricting the absolute (Mutlaq) text and adding the peripheral rules to the original rules mentioned in the Qur’an. It also brings new legislation that does not have an origin in the Qur’an. One has to depend on the Sunnah to understand the Qur’an and understand the beliefs and Shar’ee rules whether they are from the ‘Ibdaaat (worships), individual behaviour such as morals (Akhlaaq), punishments (‘Uqubaat) or transactions (Mu’amalaat).

From the Prophetic Sunnah we have understood the reality of the ruling system in Islam. We have also understood that the ruling system is the system of the Khilafah and that the Khaleefah is appointed via the Bay’ah. From the Sunnah we have also understood the structure of the ruling system, just as we have understood from the Sunnah that the relationship of the Islamic state with other states is conducted on the basis of Jihad. We know how this relationship will be in time of war and peace and what kind of dealings we

will have with other states. What are the agreements, treaties, and truces that are allowed to be held and those that are forbidden.

We also know when the emergency treaties are allowed and when they are forbidden. From the Sunnah we have understood how the Khaleefah will implement the system of Islam on the citizens, whether Muslims, Zimmis, or those with whom we have a treaty (Mu'aahideen). From the Prophetic Sunnah we have understood the reality of the economic system in Islam, ownership and its three types, private property, public property, and state property; and we have understood the state's wealth sources or revenues and expenditure, and also that its currency must be gold or silver, together with the manner of its exchange. From this also we have learnt that the economic problem is the satisfaction of basic needs in terms of food, clothing and shelter; and that the state is required to provide these basic needs in case the individual is unable to do so himself or the one on whom the nafaqah (financial maintenance) is an obligation is unable to provide it. From the Sunnah we have understood as well the details of the social system, which is the relationship between men and women. From the Sunnah we have learnt the education policy. In short, all the Ahkaam that treat all the problems of life from all angles, the way we have adopted them is through the Sunnah, i.e. the sayings, actions and consent of the Messenger (saw). From this one can understand the level of the importance of the Sunnah and the value of the obligation of adhering to it in its capacity as a part of the foundation of Islam, just like the Qur'an. It is also understood that it is not allowed to abandon it, whatever the situation; one must give attention to it exactly as one gives attention to the Qur'an.

As for what you said in the discussion Colonel, that you wish to abandon the Sunnah and confine yourself to the Qur'an, because you fear that the Qur'an will be lost, fabricated or changed, as happened with the other (revealed) Books. We say to you the following. Firstly, Allah (swt) has promised that He will protect The Noble Qur'an until the end of time when He (swt) said;

“Verily We, It is We, Who have sent down the Dhikr (i.e. the Qur'an) and surely, We will guard it (from corruptio).” [TMQ Al-Hijr: 9]

Had Allah (swt) not promised to protect the Qur'an, then it would not have remained as it is to this day, after all the forces of kufr and shirk have come together to destroy Islam and the Muslims. What has kept the Qur'an safe from change and fabrication is nothing but the definite promise of Allah (swt) that He will protect it. Secondly we also say to you that abandoning the Sunnah does not lead to protection of the Qur'an; it will rather lead to the loss of Qur'an and the loss of Islam. This is because abandoning the Sunnah is a rejection of the definite Ayaat mentioned in the Qur'an, which have ordered that we take the Prophetic Sunnah, whether these are its sayings or actions.

Ninth: The Consequences of abandoning the Sunnah

The extent of the danger that confining oneself to the Qur'an and abandoning the Sunnah can lead to has become very clear from what has been mentioned above. This is because it implies that there is doubt in the noble Sahabah from whom we have taken our Deen. Doubt in them will ultimately lead to doubt in everything they have transmitted to us from the Messenger (saw); it will not only lead to doubt in the Sunnah, but also doubt in The Noble Qur'an. This is because they are the ones who transmitted the Qur'an to us; therefore, it will lead to doubt in the whole of Islam. Doubt in Islam will definitely lead to its abandonment and destruction. At best, the abandoning the Sunnah will lead to abandoning most of the rules of Islam. This is because most of the rules of Islam are taken from the Sunnah, since the Sunnah clarifies, elucidates and interprets the Qur'an and adds detailed explanation to its original rules. It also brings new Ahkaam that do not have an origin in the Qur'an. This means leaving Islam and abandoning it.

From this one realises the extent of the danger of the call to abandon the Sunnah and to confine oneself to the Qur'an, and exposes the truth of this call as explicit kufr. Such a call does not come from anyone except those who are outside the fold of Islam, and from the enemies of Islam, who are working to destroy it using various means.

From this we realise the evil and danger of the enemies of Islam from the kaafir states who have resorted to

plotting against Islam using various means throughout the ages. We can also understand what Britain and the western states had undertaken prior to World War I, where they created doubt and used agents disguised as Muslims as a tool to destroy Islam. This is what they did with Mustafah Kamal Atatürk whom you, O Colonel, quoted regarding his stance towards the Muslim scholars. Britain groomed him knowing fully well that he was from the Jews of Dunma in Salonika. They are a group of Jews who pretended to have embraced Islam towards the latter period of the Uthmani state in order to work to destroy the Khilafah. This is exactly what happened. Bringing him to power was the price the English preferred to pay; in return they secured the destruction of the Khilafah state and the abolition of the rules of Islam in Turkey. In its place they enacted western systems and rules, and replaced the Arabic letters with the Latin alphabet to distance the Turks from any linkage to the vitality of the Arabic language and their connection to their brothers the Arabs.

Therefore, it is very clear that the western states are the most evil enemies of Islam. They are the ones who are drawing up roles for those agents they are grooming from the sons of the Muslims in order to use them as tools to attack Islam. Today, after the Muslims have begun to be conscious of Islam after they withdrew their trust in all the ideas presented to them by the Kaafir West, concepts such as nationalism, patriotism, capitalism, socialism and communism. They have lost all confidence in political parties and blocks presented to them whether Ba'athist, Arab nationalist, Communist, socialist or Nasserite. As a result of this feeling the people have for Islam, the western states began to use different styles to give vent to this emotion fearing that this might lead to the return of the Khilafah and the return of Islam to life's reality. This is because when the Khilafah comes back to existence and Islam comes back to the reality of life, this will pose a danger to the thoughts, interests and even existence of The West. They remember how the Muslims embedded firmly the banner of *Laa ilaaha illallaah, Muhammadur rasoolullaah* in al-Andalus for 800 years and in eastern Europe for about 400 years. They also realise that the return of the Khilafah and the return of Islam to life's affairs will be followed up by the Khilafah state's work to seize the initiative from America, Russia and the western states.

Thus the Khilafah will return as the number one state in the world as was the case in the past, ever since it defeated the Roman and Persian states until the end of the 18th century and the beginning of the 19th century CE, except for short periods during the Tatar attack and The Crusades.