

Refuting Extremism

An explanation of "Whoever does not judge by what Allah has revealed, such are the disbelievers."



Part 2

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The true meaning of the verse “..And whoever does not judge by what Allah has revealed, such are the disbelievers.” [Al-Maa'idah:44]

Many Muslims these days go to one of the two extremes when interpreting the mother of all verses, concerning ruling by other than what Allah has revealed, in the verse of Surah al Maaidah, verse number forty four. Some follow one extreme claiming, that regardless whether a leader rules by Allah's law or not, he remains a Muslim, and this does not affect his belief in the slightest. Whilst others are more inclined towards an extreme, whereby they claim whatever act of disobedience the Muslim ruler does, he becomes a disbeliever, excommunicated from the religion and permitted to being rebelled against. Extremism is blameworthy in all its forms.

Linguistically, 'extremism' is taken from the word Ghulu in Arabic, which means to go beyond the limit and measure. Ibn Faaris stated: "the letters Ghain, Laam, and the weak letter wow, form a sound root that indicates 'rising above and going beyond the appropriate measure.' [Mujam Maqaayes al Lughah, section ghulu]

Technically, according to the Qur'an and Sunnah, it means to go beyond the prescribed limits, in excess of the boundaries laid down by Allah. Allah makes this clear from His warning:

"Oh people of the book! Commit no excess in your religion nor say anything of Allah but the truth..." [An-Nisaa' (4):171]

Islam has a balanced approach in all its commandments. It is a manifest characteristic within this religion. Allah, the Most High says:

"Thus we have made you a nation justly balanced, that you maybe a witness over the people and the messenger a witness over yourselves."
[Al-Baqarah (2):143]

Also He (subhanahu wa ta'ala) said:

"Guide us to the straight path, the path of those whom you have favored and not of those whom deserve you anger or those who have gone astray."
[Al-Fatihah (1): 6-7]

Here Allah makes clear that Islam is a middle way, a balanced path between the two extremes of the Jews and the Christians. The Jews tried to kill their Prophet Eesa (alayhis-salaam) and the Christians raised him to the level of God and worshipped him.

Allah (subhanahu wa ta'ala) said:

"You are the best nation raised for mankind.."
[Aali-'Imraan (3):110]

Because we are balanced, moderate, we are just, we take the middle path. At- Tabaree (rahimahullaah) said:

"My opinion is that Allah described them as being was at (middle, balanced), due to their moderation and being balanced in religion. They are not from those who go to the extreme of the Christians, who practice monasticism and in what was said about the person of Jesus. Nor are they from those who are lax in the practice of their religion, such as the Jews, who altered the book of Allah, killed their prophets and lied in speaking about their Lord. Instead they (the nation of Muhammad) are the people of balance and moderation in the religion. Allah described them in that manner because the most beloved of matters to Allah are those that are balanced and just." [At-Tabaree Jaami al Bayaan vol 2, p6]

Ease and Mercy In Islam

The religion of Islam is built upon ease and mercy – ease and mercy are both foundations this religion is constructed upon. One of the reasons Allah sent his messenger Mohammad (sallallahu alayhi wa sallam) was to relieve the people from the chains, which had captured the previous nations. Allah states:

"Those who follow the Messenger, the unlettered Prophet, who they found mentioned in their tawraat (Torah) and Injeel (Gospel) ... he releases them from their heavy burdens and from the fetters (bindings) that are upon them..." [Al-Araaf (7):157]

And Allah (subhanahu wa ta'ala) states:

"..and has not laid upon you in religion any hardship..." [Al-Hajj (22):78]

Allah (subhanahu wa ta'ala) also states:

"Allah wishes for you ease and does not wish for you hardship." [Al- Baqarah (2):185]

Allah (subhanahu wa ta'ala) also mentions:

"Allah does not want to place you in difficulty, but He wants to purify you.." [Al-Maa'idah (5):6]

Therefore, the religion is made easy and Allah wishes for us ease and no hardship. Abu Bakar al Jasaas said: "since hardship is also a restriction and tightness and He has denied about Himself that He desires hardship for us. It is then permissible to use the apparent meaning of this verse as evidence to deny hardship and to establish the flexibility in every matter concerning which people differ, related to the laws that come from the texts. Consequently, if anyone argues in favor of aspects that are hardship and difficulties, the clear meaning of this verse will defeat them." [Ahkaam al Qur'an vol 2 p39]

Abu Hurairah reported that the Messenger of Allah (sallallahu alayhi wa salaam) said:

"Verily the religion is easy. No one overburdens himself in the religion except that it overcomes him (and he will not be able to continue)." [Al-Bukhaaree and An-Nisaa'ee]

Different Forms of Extremism

Extremism comes in a number of different forms. From them, we find extremism related to beliefs and actions. We are discussing here extremism as it relates to contemporary Muslims, their deviation and call to deviation, which leads to going beyond the boundaries set by Allah, in the issue of takfeer.¹ Such deviations then have an immediate or long term consequence on themselves and fellow Muslims and the ummah as a whole.

Extremism in the issue of takfeer, is a major contemporary problem amongst Muslims and has immediate and long term effects on them. It not only affects just those who go to extremes in this field, but the general people and even non-Muslims. As we saw from the rebellion against president Sadat of Egypt, the rebellion against the leader of Syria in the early 70's and the uprising in Algeria, right up to the recent bombings in London and the twin towers, to mention a few. All of them led to the spilling of Muslim and non Muslim blood and massacres, without achieving their goals. Let us take a glimpse at some of the textual proofs which the takfiri extremists misuse and misquote in their theological debate to justify their false claims.

VERSES FROM THE QUR'AAN:

So the mother of all these verses concerning "Takfeer" is the verses of Surah Al-Maa'idah, where Allah (subhanahu wa ta'ala) informs us:

"..And whoever does not judge by what Allah has revealed such are the disbelievers (kafiroon)." [Al-Maa'idah (5):44]

"..And whoever does not judge by what Allah has revealed such are the oppressors (dhalimoon)." [Al-Maa'idah (5):45]

"..And whosoever does not judge by what Allah has revealed such are the disobedient (faasiqoon)." [Al-Maa'idah (5):47]

"Do they seek the judgement of the days of ignorance and who is better in judgement than Allah for a people who have faith?" [Al-Maa'idah (5):50]

Other proofs they use secondarily are like the following, when Allah (subhanahu wa ta'ala) said instructing His Prophet:

"And so judge between them by what Allah has revealed and follow not their vain desires..." [Al-Maa'idah (5):48]

And Allah (subhanahu wa ta'ala) said also to His Messenger:

"Surely we have sent down to you the book in truth that you may judge between men with that which Allah has shown you..." [An-Nisaa' (4):105]

Also Allah (subhanahu wa ta'ala) has ordained that:

"Indeed the ruling is for none, except Allah.."

He, the Most High repeats this statement in similar words, in different places:

"..The judgement is for none but Allah..." [Yusuf (12):40 & 67]

Also His (subhanahu wa ta'ala) saying;

"It is not befitting for a believing man or women that if Allah and His messenger have judged in a matter that they have a choice in it..." [Al-Ahzaab (33):36]

" But no, by your Lord, they can have no Faith, until they make you (O Muhammad) judge in all disputes between them, and find in themselves no resistance against your decisions, and accept (them) with full submission. " [An-Nisaa' (4):65]

".. and with them He sent the Scripture in truth to judge between people in matters wherein they differed..." [Al-Baqarah (2):213]

PROPHETIC AHADEETH

His saying (sallallahu alayhi wa sallam):

"If a man says to his brother, O kaafir then one of them is a kaafir." [Agreed Upon]

And his saying (sallallahu alayhi wa sallam):

"You did indeed judge amongst them with the judgement of Allah the greatest the sublime." [Agreed Upon]

From Adiy ibn Haatim (a former Christian) who said: I came to the Prophet (sallallahu alayhi wa sallam) with a gold cross around my neck and he (sallallahu alayhi wa sallam) said: **"O Adiy, throw this idol away from yourself."** And I heard him reading from Surah Al-Baraa'a (At-Tauba): **"They took their scholars and their monks as lords other than Allah..."** He (sallallahu alayhi wa sallam) said: **"They did not actually worship them. Rather, it was their practice, that if they declared something lawful they took it as lawful and if they declared something unlawful they forbid it."** [Hasan – At-Tirmidhee]

Also his (sallallahu alayhi wa sallam) saying:

"If a man was called a kaafir or enemy of Allah, and he was not any of them then it is not except that the curse is returned upon the one who said it." [Agreed upon]

And his (sallallahu alayhi wa sallam) saying:

"There is no obedience to the creation if it means disobedience to the creator." [Saheeh – Musnad Ahmad]

Also his (sallallahu alayhi wa sallam) saying:

"The difference between us and between them is salaah, so whoever abandons has disbelieved (kafara)." [Ahmad]

Also his (sallallahu alayhi wa sallam) saying:

وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنزَلَ اللَّهُ فَأُولَئِكَ هُمُ الْكَافِرُونَ

“Whoever swears by other than Allah has indeed disbelieved or associated partners.” [Saheeh At-Tirmidhi]

The question that remains to be answered after reading all these verses and ahadeeth is, ‘does this mean that any Muslim (and especially so if he is a ruler) that does not judge by what Allah reveals, is an unbeliever, kaafir, outside the fold of Islam? And how do we understand all these Qur’aanic verses and Prophetic ahadeeth?

The answer is not a simple yes or no, rather there is detail to the answer, in certain circumstances the leader would be excommunicated. However, in other circumstances, he would remain a Muslim, but be embarking upon major sin. Let us start our understanding by first looking into the explanation of the verse.

“..And whoever does not judge by what Allah has revealed such are the disbelievers (kafiroon).” [Al-Maa`idah (5):44]

So, that in which there is no difference between the former and the latter scholars regarding one who does not judge by what Allah has revealed out of denial or making it permissible, is that such an individual a kaafir (disbeliever), out of the fold of Islam.

The principle in the verse:

“And whoever does not judge by what Allah has revealed, such are the disbelievers.” [Al-Maa`idah (5):44]

The scholars of tafasser did not differ in their explanation, except in their usage of words. Consequently, the one who has little knowledge may misunderstand the meaning. Whilst, some explanations are by use of synonymous terms, others are straight forward, but in actual fact, they are all the same, and this is the belief of the Ahl Sunnah wal Jamaat.

If we gather all the statements of the Mufasssireen from Ahl Sunnah, their tafaseer of this verse do not exceed five sayings. They are:

First Saying:

He who denies what Allah has revealed has disbelieved and he who accepts it but does not judge by it then he is a dhaalim, faasiq.

This is narrated by Alee Ibn Abee Talhah, from Ibn Abbaas (radiyallaahu anhu) and similar to this is narrated by Ikrimah.²

Second Saying:

The intended meaning of this verse is kufr doona kufr (disbelief less than disbelief) which does not take one out of the fold of Islam.

From those who said this are Ibnu Abbass (radiyallaahu anhu), Taawoos and his son (rahimahumallaah), and Ataa Bin Abee

Rabaaha (rahimahullaah), and Ali Bin Al-Hussain Zainul-Aabideen (rahimahullaah).³

After establishment and explanation, both sayings portray one meaning.

Third Saying:

Allah meant by this verse the Jews who changed the book of Allah and its rules.

There are more than nine evidences for this saying. From those who said this are: Al-Baraa, Hudhayfah, Ikrimah, Dahhaak, Qataadah, Abu Saalih, Abu Mijliz, Ubaydullaah Bin Abdullaah Bin Utbaa Bin Mas'ood and most of the Mufasssireen as stated by Al-Qurtubi.⁴

Also to aid this statement is the reason for the revelation of this verse, as it occurs in Saheeh Muslim. From the hadeeth of Al-Baraa Bin Aazib (radiyallaahu anhu) who said:

“Two Jews who were tied and their faces blackened with ashes passed by the Prophet (sallallaahu alayhi wa sallam). So he called them and said: ‘Is this how you find the punishment for zina in your book?’ They replied: ‘Yes’. So he called a man from amongst their scholars and said: ‘Do you swear by Allah, the One who revealed the Tawrah to Moosaa, that this is how you find the punishment for adultery in your book?’ He said: ‘No, and if you hadn’t asked me to swear to it then I would not have informed you. The real punishment is stoning, but it is prevalent amongst our noble ones, so if we found our noble ones fornicating we left him and if we found the peasant fornicating we established the punishment on him. So we said: ‘let us compromise.’ So we went to gather the noble people and the average people, and we brought the people who were tied and their faces were blackened to the place of stoning.’ Allah’s messenger (sallallaahu alayhi wa sallam) said: ‘Oh Allah, I am the first to revive your law after it has passed away.’ So he ordered that they be stoned. Then Allah revealed:

يَا أَيُّهَا الرَّسُولُ لَا يَحْزُنْكَ الَّذِينَ يُسَارِعُونَ فِي الْكُفْرِ مِنَ الَّذِينَ قَالُوا
أَمَنَّا بِأَفْوَاهِهِمْ وَلَمْ تُؤْمِنْ قُلُوبُهُمْ وَمِنَ الَّذِينَ هَادُوا سَمَّاعُونَ لِلْكَذِبِ
سَمَّاعُونَ لِقَوْمٍ آخَرِينَ لَمْ يَأْتُوكَ يُحَرِّفُونَ الْكَلِمَ مِنْ بَعْدِ مَوَاضِعِهِ
يَقُولُونَ إِنْ أُوتِيتُمْ هَذَا فَخُذُوهُ

“O Messenger (Muhammad (sallallahu alayhi wa sallam))! Let not those who hurry to fall into disbelief grieve you, of such who say: ‘We believe with their mouths but their hearts have no faith.e Jews are men who listen much and eagerly to lies - listen to others who have not come to you. They change the words from their places; they say, ‘If you are given this, take it, but if you are not given this, then beware!’...”[Al-Maa’idah (5):41]

Then Allah revealed:

وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنزَلَ اللَّهُ فَأُولَئِكَ هُمُ الْكَافِرُونَ

"..And whoever does not judge by what Allah has revealed such are the disbelievers (kafiroon)." [Al-Maa'idah (5):44]

وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنزَلَ اللَّهُ فَأُولَئِكَ هُمُ الظَّالِمُونَ

"..And whoever does not judge by what Allah has revealed such are the oppressors (dhaalimoon)." [Al-Maa'idah (5):45]

وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنزَلَ اللَّهُ فَأُولَئِكَ هُمُ الْفَاسِقُونَ

"..And whosoever does not judge by what Allah has revealed such are the disobedient (faasiqoon)." [Al-Maa'idah (5):47]"

All three verses for them, the kuffar. [Saheeh Muslim]

As further evidence, Abu Ya'laa Al-Faraa said: "And He (subhaanahu wa ta'aala) also made that clear when He mentioned the Jews and said:

فَإِنْ جَاؤُوكَ فَاحْكُم بَيْنَهُمْ أَوْ

"If they come to you then judge between them or.." [Al-Maa'idah (5):42]

But He did not stop there, rather He (subhaanahu wa ta'aala) said:

وَكَتَبْنَا عَلَيْهِمْ فِيهَا أَنَّ النَّفْسَ بِالنَّفْسِ

"And we ordained for them a life for a life...." [Al-Maa'idah (5):45]

When the story, from the beginning to the end is about the Jews, then the ayaat are about them."⁵

Here, the principle is that, evidence is taken from the generalisation of the words, not from the specific reason for revelation.⁶

The kufr in these verses, refer to everyone that do what the Jews did in their denial of some of the rulings of the shari'ah that are well established. This was intended by those who made it specific to the Jews, who changed the book of Allah.

This was also confirmed by Al-Jassas when he said:

"The reference is to rejecting Allah's judgement, or judging with other than that, while being informed of what Allah's judgement is." The one who does this falls into the kufr that removes one from the religion; its doer is an apostate, even if he was a Muslim before then. In this way it has been explained by those who said: 'It was revealed for the children of Israel and it applies to us.' This means that whoever rejects Allah's judgements, or judges by other than Allah's judgements, claims: 'This is Allah's judgement, then this person is a disbeliever, just as the children of Israel disbelieved when they did this.'⁷

And Al-Khaazin said:

"..And whoever does not judge by what Allah has revealed such are the disbelievers (kafiroon)." [Al-Maa'idah (5):44]

From this I understand that when the Jews rejected the judgement of Allah (subhaanahu wa ta'aala), which they had texts for in the Tawrah, they said: "That it was not an obligation, so they were complete disbelievers in Moosaa (alayhis-salaam) the Tawrah, and Muhammad (sallallaahu alayhi wa sallam) and the Qur'aan." ⁸

Finally the Shaykh of the Mufasssireen, Ibn Jareer At-Tabaree (rahimahullaah) said:

In my opinion, the most correct of these sayings, is that which says these ayaat were revealed about the disbelievers, from the people of the Book. Since the ayaat before and after them were revealed, their meanings are understood, and these (earlier and latter) ayaat give information about them, therefore, they are most weighty. If one was to say that Allah mentioned it in a mode that is general for all who do not judge by what Allah revealed, how can one make it specific? Allah was general in His address about people who reject the ruling that Allah decreed in His Book. He informed about them, that in their avoiding to judge, they were disbelievers. Ibn Abbaas said 'in their rejection to Allah's judgement after having knowledge that it was revealed in His Book, they have rejected the prophethood of His Prophet after they knew that he was a prophet.'" ⁹

Al- Hasan said this in his statement:

"It was revealed upon the Jews and it applies to us."

And the saying of Ibraheem An-Nakha'ee:

"It was revealed upon the children of Israel and it applies this Ummah." ¹⁰

The opinion of the Shaykh of the Mufasssireen Ibn Jareer, Al-Qaadi Bin Ishaqa, Aboo Su'ood, and Al-Jassaas and many others all agreed perfectly with Hudhayfah (radiyallaahu anhu). This was reported from him by Hamaam who said:

"We were with Hudhayfah (radiyallaahu anhu), we mentioned: **"..And whoever does not judge by what Allah has revealed such are the disbelievers (kafiroon)." [Al-Maa'idah (5):44].** A man from amongst the people said, "Indeed this was revealed upon the children of Israel! Then Hudhayfah (radiyallaahu anhu) said: `Yes, your brothers among the children of Israel. You think that it gives a free licence in your case, and punishment in theirs! Rather, by the one in whose Hand is my soul, as long as the practise is the same as the practice, then the threat is the same as the threat.'" ¹¹

This is the opinion of Abu Mijliz and many others. Aboo Mijliz was a major ta`bi`een, a great scholar:

"A group from the Ibaadiyyah came to sit with him, they said: 'Allah (subhaanahu wa ta'aala) says: **"..And whoever does not judge by what Allah has revealed such are the disbelievers (kafiroon)." [Al-Maa'idah (5):44]..."..such are the oppressors (dhaalimoon)." [Al-Maa'idah (5):45]..."..such are the disobedient (faasiqoon)." [Al-Maa'idah (5):47]..'**

Aboo Mijliz said: 'They (the rulers) are aware of what they do and they know that it is sinful. In a similar narration they said 'if they left any matter of it, then they know that they have sinned'. This verse was revealed upon the Jews and the Christians.'

They said: 'By Allah you truly know what we know, but you fear them. He said: 'You have more cause to be afraid than us, as for us, we do not know what you know!' They said: 'you do know but that which prevents you from performing your duty is your fear of them.'¹²

In this Aboo Miljiz is saying, the leaders are aware that, in judging by other than that which Allah revealed is a major sin and deserving of a dreadful punishment. Nevertheless, their desires and lust let them continue along the wrong path. However they have not been mentioned, as the verse was revealed to those who judge by other than what Allah revealed out of denial, for instance the Jews, Christians and others who did so. It is them who leave the fold of Islam and not the leaders.

The Ibaadiyyah, a sect from the Hurooree Khawarij, did not agree with this. Rather, they transgressed the boundaries of manners and continue to believe without any explanation that: 'and whoever does not judge by what Allah has revealed then he is a disbeliever'.

This continues to be the opinion of many people today. Oh Allah I flee to you from ever going astray and speaking without knowledge.

Fourth Saying:

وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنزَلَ اللَّهُ فَأُولَئِكَ هُمُ الْكَافِرُونَ

"And whoever does not judge by what Allah has revealed, such are the disbelievers." [Al-Maa'idah (5):44]

Allah delivers this verse to all of mankind, the Muslims and the disbelievers.

Ibn Mas'ood, Al-Hasan, and Ibraheem An-Nakha'ee and As-Suddi also said this.

The word: مَنْ (man) whoever..' (in the above verse) cannot be restricted to a particular people like leaders, politicians, Jews or Christians; it shows clearly that it applies to all people.

Aj-Jassas said about this verse:

"Ibn Mas'ood and Al-Hasan said regarding this verse: "And it is general", meaning that, for he who does not judge by what Allah reveals, and judges by other than it out of choice, knowing has disbelieved."¹⁴

And Aboo Hayaan said that:

"And As-Su'oodee said: "Whoever opposes the law of Allah and abandoned it deliberately and went beyond it with knowledge, he is truly from the disbelievers."¹⁵

He also said: 'And that it is general for the Jews and all others' is the opinion of Ibn Mas'ood, and Ibraheem, and Aathaai and

many others. But it is Kufr-doona-Kufr (a disbelief less than disbelief which takes you out the fold of Islam) and Dhulm-doona-Dhulm (an oppression less than the oppression which takes one out the fold of Islam) and Fisq-doona-Fisq (a sin which does not take you out the fold of Islam). This means the kufr (disbelief) of a Muslim is not like that of a kaafir (disbeliever). Similarly his dhulm and fisq does not take him out the fold of Islam."¹⁶

And Ibn Aathea said:

"And a great number of people of knowledge said: The verse includes everyone, that does not judge by what Allah reveals, but for the leaders of this Ummah it is Kufr-al-Maasia (major sin), although it does not take them out of Imaan."¹⁷

It is imperative to know here that it was the Mufasssiroon that placed the above restriction of the verse, regarding the leaders. Whilst at the same time they were the ones who made the verse general to everyone. This means that for the leader it can only be kufr al Ashgar (minor kufr), and for everyone else it could be both kufr al Ashgar and at times be kufr al akbar.

Fifth Saying:

Allah explained in the first verse of Soorah Al-Maa'idah (verse 44): it refers to the Muslims, "...such are the disbelievers (kafiroon)." He said about the Jews in the second verse (verse 45) "...such are the oppressors "(dhalimoon)." And the Christians in the following two verses (verse 46-47): "...such are the sinners "(fasiqoon)."

This is the saying of Ash-Shaa`bi.¹⁸

This is also the opinion of Ibn Araabi al Maaliki.¹⁹

Abu Hayaan said: "And it is as if He specified every general statement by the verse which came after it.

Regarding the first statement: "... such are the disbelievers (kafiroon)" He said "so if they come to you then judge between them or..." "...And if you judge then judge..." (to His final saying)..."...and whosoever does not judge by what Allah reveals such are the disbelievers (kafiroon)"

Regarding the second statement "...such are the oppressors (dhalimoon)" He said "...and we ordained therein for them a life for a life.." (to his final saying) "...and whosoever does not judge by what Allah reveals such are the oppressors (dhalimoon)."

And regarding the third statement "...such are the sinners (fasiqoon)."

He said: "...and in their footsteps we sent Jesus son of Mary confirming the Tawrah that had come before him.." (to His saying) "...and whosoever does not judge by what Allah reveals such are the sinners (fasiqoon)."²⁰

Al-Aloosi said:

"Ibn Hameed and others narrate from As-Sha`bi that he said: "the three verses that are in Al-Maa'idah: The first one is for this Ummah. The second is for the Jews. The third is for the Christians."

This dictates that the believers are in a more evil condition, worse than the Jews and the Christians.

Except that if it was said: "that kufr if it is directed to the believers then it is carried as harshness (kufr dona kufr), and a disbeliever if he is described with fisq (sin) and dhulm (oppression) then it shows his arrogance and his disobedience in it."²¹

THE CONCLUSION OF THE FIVE SAYINGS AND CONSENSUS UPON ITS MEANING:

There appears to be no real difference in the reality of there meaning or explanations. Rather they all come out from one niche, despite a difference in wording.

As for the apparent evident meaning of the verse, no one from the well known people of knowledge explained it to mean what it apparently says. Rather no one at all had ever done so.²²

The evidence of the Consensus:

It has been narrated that: A man from the khawaarij entered upon Al-Mamoon. Mamoon said to him: "What caused you to differ with us?" He said: "A verse in the book of Allah." Then Mamoon asked: "Which one?" The man replied: "Whoever does not judge by what Allah reveals then such are the disbelievers." So Mamoon said to him: "Do you have evidence that it was revealed?" He replied: "Yes." So he said: "Then what is your evidence?" He replied: "Consensus of the Ummah." So he said: "then as you accepted their consensus that it was revealed, then accept their consensus in the explanation." He replied: "You spoke the truth. Assalaamu alaikum O Ameerul-Mumineen."²³

Summary Of The Five Sayings Of All The Mufasssireen

1. He who denies what Allah has revealed has disbelieved and he who accepts it but does not judge by it, is a dhaalim, faasiq.
2. The intended meaning of this verse is kufr doona kufr, disbelief less than disbelief, which does not take you out the fold of Islam.
3. Allah applied this verse to the Jews who changed the book of Allah and its rules.
4. Allah meant by this verse- all of mankind, the Muslims and the disbelievers.
5. Allah meant by the first verse of Soorah Al-Maa'idah (verse 44) the Muslims, where He said "...such are the disbelievers (kafiroon)." But it is carried as harshness. The Jews in the second verse (verse 45) where He said "...such are the oppressors (dhalimoon)." And the Christians in the following two verses (verse 46-47) where He said "...such are the sinners (fasiqoon)."

If one was to study all the tafaseers of this verse, then none of his findings will go out of the above five saying:

"And whoever does not judge by what Allah has revealed, such are the disbelievers." [Al-Maa'idah (5):44]

In conclusion it can clearly be seen that a leader who does not

judge by what Allah has revealed does not leave the fold of Islam, unless he falls under point 1 (first saying) only. As for point 4 (fourth saying), although it is general, according to some mufasssireen, it incorporates leaders as well. It is restricted to a kufar-ma'siyah for the leaders, which does not take them out the fold of Islam.

- 1 Declaring a Muslim as a disbeliever or excommunication
- 2 See al-Hukmu bighairi maa anzallallaahu of Shaykh Khalid Al-Anbaree, page 64, third edition.
- 3 ibid p76
- 4 See Tafseer at Tabari (10/346-353), Tafseer Al-Qurtubee (6/190), and ad-Durr al- Manthoor (3/87) and other books of tafseer.
- 5 Masaa'ilul-Eemaan (340-341)
- 6 Even if one was to take from the specific reason for revelation, he would find that it was revealed upon the Jews not on the Muslims
- 7 Ahkaamul Qur'an (2/439)
- 8 Mukhtasir Tafseerul Khaazin (1/310)
- 9 Tafseer At-Tabaree (10/358)
- 10 See Tafseer At-Tabaree (10/356-357) and Ad-Durrul Manthoor (3/87-88)
- 11 Narrated by Al Haakim in Al-Mustadraq (2/312) & Al Waqee (1/39) & Al- Marwazi in As Sunnah p65
- 12 Narrated by At-Tabbaree in his tafseer (10/347) and Abu Ash-Shaykh and Abdu Bin Hameed as in Durul Manthoor (3/88)
- 13 See al-Hukmu bighairi maa anzallallaahu of Shaykh Khalid Al-Anbaree p-88
- 14 Ahkaamul Qur'an (2/533)
- 15 Al Bahr ul Muheeth 3/493
- 16 Al Bahr ul Muheeth (3/492)
- 17 Al Muharrar al Wajeez (4/456)
- 18 Narrated by Ibn Jareer At-Tabari in his tafseer (10/353-354)
- 19 See Ahkaamul Qur'an (2/624)
- 20 Al Bahr ul Muheeth (3/493)
- 21 Ar Rooh ul Maani (3/146)
- 22 Tafseer al- Manaar (6/406)
- 23 Al Khateeb al Bagdaadi in Tareeq il Bagdaad (10/186), & As Suyooti in Tareeq il Khulafaa (296-297), and Dhahabee mentioned it in Seer Aalam an Nubala

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