

Refuting Extremism

Study Notes (no7)
Abu Saifillah 'Abdul Qadir

Note: The revision notes below should not be solely relied upon. They are to be utilised along with their corresponding explanations delivered during the lessons.

Fourth Saying:

وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنزَلَ اللَّهُ فَأُولَئِكَ هُمُ الْكَافِرُونَ

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

That Allaah meant by this verse all of mankind, the Muslims and the disbelievers.

From those who say that are Ibn Mas'ood, Al-Hasan, and Ibraheem An-Nakha'ee and As-Suddi.¹

The word: مَنْ “..(man) whoever..” (in the above verse) cannot be restricted to a particular people like leaders, or politicians, or 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 about this verse: “And it is general” meaning for whoever does not judge by what Allaah reveals, and judges by other than it out of choice knowing that it is the law of Allaah. So whoever does this has disbelieved.”²

Al-Qurtubee (rahimahullaah) said about this verse:

Ibn Mas'ood and Al-Hasan said: “It is general for anyone who does not judge by what Allaah reveals from the Muslims, and the Jews and the disbelievers.” meaning believing in that and making it permissible.³

And Aboo Hayyaan said:

“And As-Su'oodee said: “Whoever opposes the law of Allaah and abandoned it deliberately and went beyond it with knowledge, then he is truly from the disbelievers.” This is because of the denial so it is *kufir* the opposite of Eemaan.⁴

He also said: “And that it is general for the Jews and other than them 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) meaning the *kufir* (disbelief) of a Muslim is not like that of a *kaafir* (disbeliever). Similarly his *dhulm* and *fisq* does not take him out the

¹ See al-Hukmu bighairi maa anzallallahu of Shaykh Khaalid Al-Anbaree p-88

² Ahkaamul Qur'aan (2/533)

³ Al Jaami li Ahkaam Al-Qur'aan (6/190)

⁴ Al Bahr ul Muheeth 3/493

fold of Islam.”⁵

And Ibn Aathea said:

“And a great number of people of knowledge said: The verse incorporates everyone that does not judge by what Allaah reveals, **but for the leaders of this Ummah it is *Kufr-al-Maasia* (major sin only) it does not take them out of Imaan.**”⁶

So 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 else. This means that for the leader it can only be *kufr al Ashgar* (minor *kufr*), and as for everyone else then it could at times be *kufr al Ashgar* or at times be *kufr al akbar*.

Fifth Saying:

That Allaah meant by the first verse of Soorah Al-Maa’idah (verse 44): the Muslims, where He said at the end that “**...such are the disbelievers (*kaafiroon*).**” The Jews by the second verse (verse 45) where He said “**....such are the oppressors (*dhalimoon*).**” The Christians by the following two verses (verse 46-47) where He said: “**...such are the sinners (*fasiqoon*).**”

This is the saying of Ash-Shaa`bi.⁷

This is also the opinion of Ibn Araabi al Maaliki.⁸

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

When before the first statement: “**... such are the disbelievers (*kaafiroon*)**” 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 Allaah reveals such are the disbelievers (*kaafiroon*)**”

And before 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 Allaah reveals such are the oppressors (*dhalimoon*).**”

And before 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 Allaah reveals such are the sinners (*fasiqoon*).**”⁹

This statement is understood just as the previous one that the *kufr* of the Muslims is *kufr maasia* (major sin) or *kufr-doona-kufr* (a *kufr* that does not take one out of the fold of Islam) otherwise the apparent state of the Muslims would be more evil than the people of the Book. This is how the people of knowledge explained it.

⁵ Al Bahr ul Muheeth (3/492)

⁶ Al Muharrar al Wajeez (4/456)

⁷ Narrated by Ibn Jareer At-Tabari in his tafseer (10/353-354)

⁸ See Ahkaamul Qur’aan (2/624)

⁹ Al Bahr ul Muheeth (3/493)

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 an 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, and a disbeliever if he is described with *fisq* (sin) and *dhulm* (oppression) then it shows his arrogance and his disobedience in it."¹⁰

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

There is no real difference in the reality of its meaning or its explanation. Rather all of them come out from one niche. If there begins differences in the apparent usage of words then it is permissible differing (*ikhtilaaf-at-tanowwaa*), not the impermissible differing (*ikhtilaaf-u-tadaad*), and we praise Allaah for this.

As for the apparent meaning of the verse then 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.¹¹

The Consensus:

It has been narrated that: A man from the *khawaarij* entered upon Al-Mamoon. So Mamoon said to him: "What caused you to differ with us?" He said: "A verse in the book of Allaah." Then Mamoon asked: "Which one?" The man replied: **"Whoever does not judge by what Allaah 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."¹²

Summary Of The Five Sayings Of All The Mufasssireen

1. He who denies what Allaah has revealed has disbelieved and he who accepts it but does not judge by it then he is a *dhaalim*, *faasiq*.
2. That the intended meaning of this verse is *kufr doona kufr* disbelief less than disbelief which does not takes you out the fold of Islam.
3. That Allaah meant by this verse the Jews who changed the book of Allaah and its rules.
4. That Allaah meant by this verse all of mankind, the Muslims and the disbelievers.
5. That Allaah meant by the first verse of Soorah Al-Maa'idah (verse 44) the

¹⁰ Ar Rooh ul Maani (3/146)

¹¹ Tafseer al- Manaar (6/406)

¹² Al Khateeb al Bagdaadi in Tareeq il Bagdaad (10/186), & As Suyooti in Tareeq il Khulafaa (296-297), and ad Dhahabee mentioned it in Seer Aalam an Nubala (10/280)

Muslims, where He said at the end that “...**such are the disbelievers (kafiroon).**” The Jews by the second verse (verse 45) where He said “....**such are the oppressors (dhalimoon).**” The Christians by 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:

وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنزَلَ اللَّهُ فَأُولَٰئِكَ هُمُ الْكَافِرُونَ

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

Then none of his findings will go out of the above five saying.

In conclusion it can clearly be seen that a leader who does not judge by what Allaah has revealed does not leave the fold of Islam unless he falls under point 1 (first saying) only. As for point 4 (fourth saying) though it is general according to some *mufasssireen* so incorporates leaders as well, it is restricted to a *kufar-masiayah* for the leaders which does not take them out the fold of Islam.

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